



Seguin Township

Report to Council

Prepared for: Township Council **Department:** Development and Protective Services

Agenda Date: October 1st, 2018 **Report No:** DPS-PL-2018-128

Application No: B-2018-0028-C
Owner(s): James & Dianne Wilson
Agent: N/A
Subject Lands: CON 4 PT LOT 16 RP;42R18418 PART 3
Civic Address 37 Wilson Road
Roll No.: 4903-040-001-06703

1.0 Recommendation

a) **THAT** Consent Application B-2018-0028-C for a new lot be Provisionally Approved, subject to the Township's standard conditions of approval, including but not limited to the following conditions:

1. That this approval applies described as follows:

File	Type	Area (ha)+/-	Frontage (m)+/-
B-2018-0028-C	New Lot	5.75	296

2. The owner shall have delivered to the Planning Official the following:

- (i) A plan of survey prepared by an Ontario Land Surveyor (submitted in duplicate – 2 copies and an electronic version in Adobe Acrobat pdf format) indicating the parcel(s) (The severed parcels) to be conveyed including all rights-of-way to each parcel. All dimensions are to be provided in metric units.
- (ii) Three copies in registrable form of the document conveying the severed parcel and right-of-way so the final consent may be endorsed thereon by the Planning Official.

3. That the Deed Stamping and Review Fee of \$150.00 per deed with respect to this application shall have been paid for by the applicant.
4. That all Municipal taxes to date shall be paid in full.
5. That all Township fees and disbursements (legal, engineering, planning), if any incurred by the Township with respect to this application shall be paid for by the owner.
6. That any non-complying structures on the proposed severed lot be removed or brought into compliance with the Rural Residential (RR) Zone.
7. A payment in lieu of a parkland dedication for each severed parcel shall be paid in accordance with Section 51.1 of the Planning Act acceptable to the Township of Seguin in cash or certified cheque.

2.0 Background & Property Description

THE PURPOSE and EFFECT of the proposed Consent is to permit the creation of a new rural residential lot. The proposed severed lot would have 296 metres of frontage on Star Lake Road, and a lot area of 5.75 hectares. The retained lot would have 118 metres of frontage on Wilson Road, and a lot area of 1.3 hectares. The retained lot would contain the existing single detached dwelling.

Figure 1 – Key Map

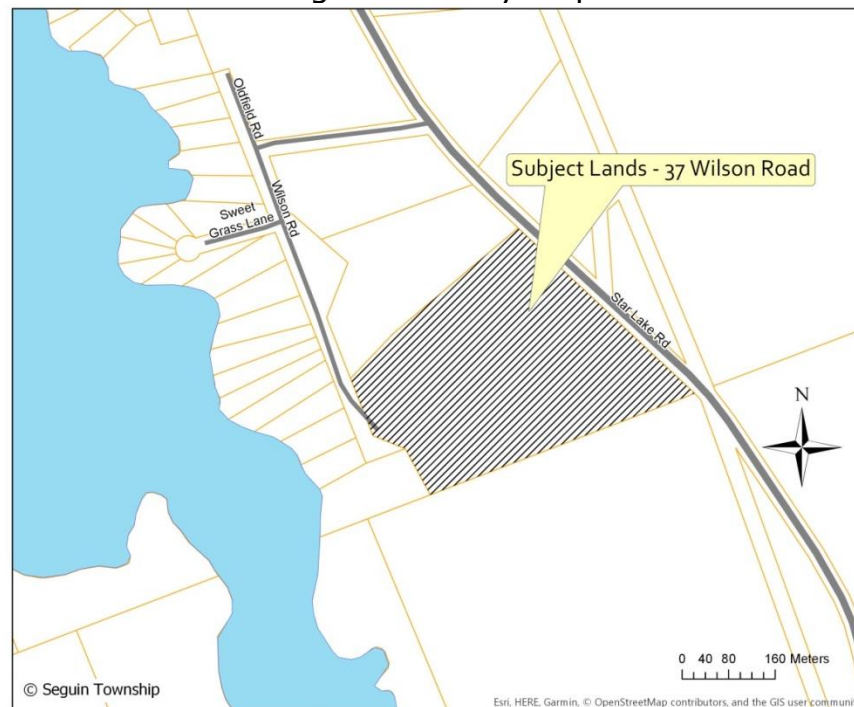
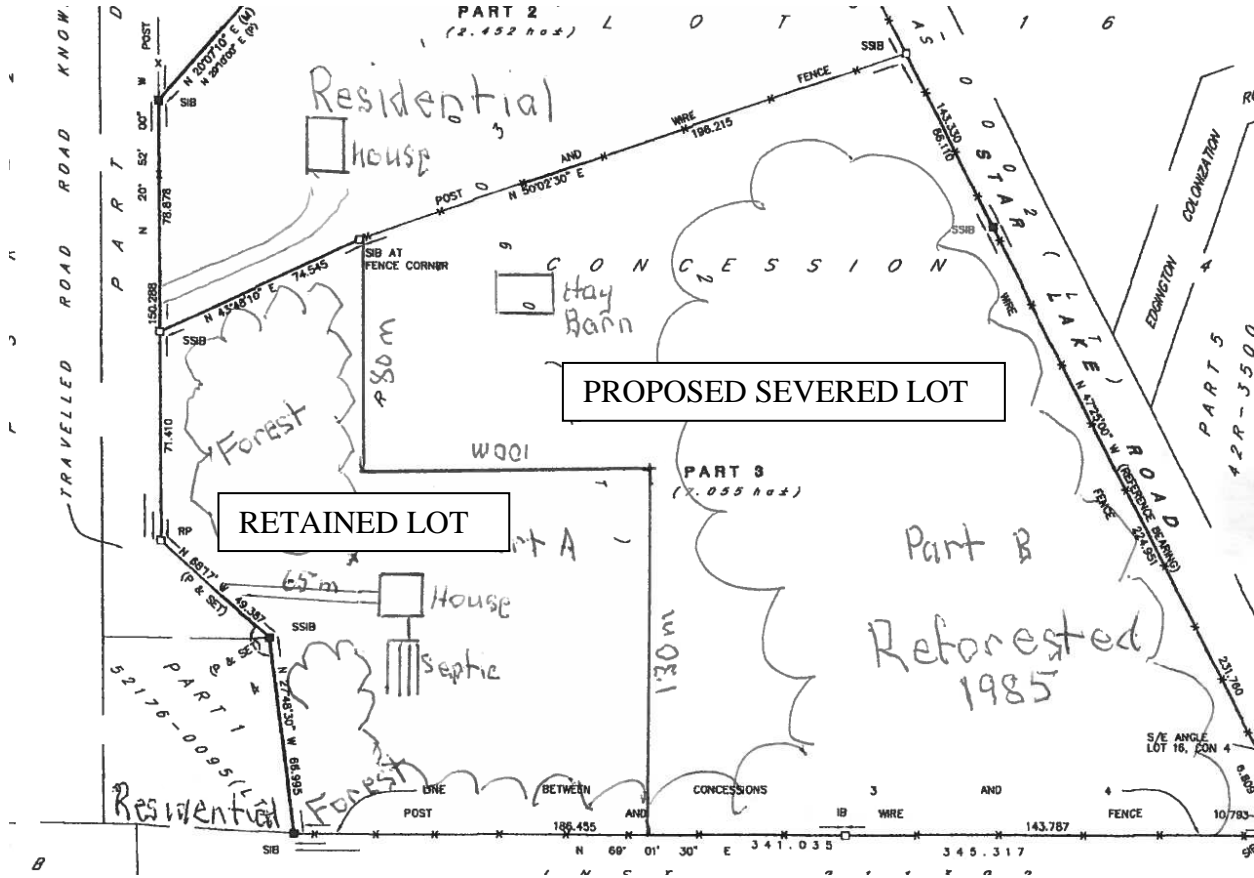


Figure 2 – Severance sketch



Official Plan Designation: Rural and Resource Area

Zoning: Rural Residential (RR) Zone

Access: Star Lake Road, Wilson Road (Municipal year-round)

Lot Area: 7.03 hectares

Frontage: 293 metres (Star Lake Road), 118 metres (Wilson Road)

Existing Development: Single detached dwelling, barn, storage structure

3.0 Comments

CAO: No objection.

Clerk: No objection.

Building: No objection.

Fire/By-law: No objection.

Public Works: No objection.

Treasury: No objection.

4.0 Land Use Planning Policy & Analysis

4.1 Provincial Policy Statement (PPS) 2014

Pursuant to Section 3 of the Planning Act, all planning decisions must be “consistent with” the policies of the PPS. Section 1.1.4 of the PPS states that in rural areas located in municipalities permitted uses and activities shall relate to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses. The proposed Consent application to create one new rural residential lot is consistent with the PPS.

4.2 Seguin Official Plan

The subject lands are designated Rural & Resource Area by the Official Plan. Permitted uses include “low density residential uses; small scale industrial and commercial uses, agriculture, and forestry”.

Section B.12.2 NEW LOTS BY CONSENT - B.12.2.1 General Criteria lists requirements for new lot creation in all land use designations, such as frontage and area requirements, conformity to applicable Official Plan policies and the Planning Act, and servicing requirements. Prior to issuing provisional consent for a new lot for any purpose, Council or its delegate shall be satisfied that the lot to be retained and the lot (or lots) to be severed:

a) conform to the specific land division policies contained in the land use designation sections of this Plan;

In the Rural and Resource Area Designation, the following severance policies apply to the subject lands of this application:

B.12.2.5 Rural and Resource Area - New Lots for Residential Purposes

In accordance with the Growth Management Goals and Objectives of this Plan to focus growth to settlement areas and maintain the rural character of the Township, only a limited number of new lots for residential purposes can be created in the Township. Limited residential development the *Rural and Resource Area* will occur by consent. In this regard, lot creation by consent in the *Rural and Resource Area* will be limited to:

- c) A maximum of one severed lot and one retained lot on a parcel having an area less than 20 hectares, as existed on April 24, 2007.

- d) A maximum of 15 new lots may be created in the *Rural and Resource Area* Designation per calendar year.

In considering the creation of a new lot in the *Rural and Resource Area*, Council shall be satisfied that the proposed lot(s):

- i) should have a minimum lot area of 1.2 hectares;
- ii) should have a minimum lot frontage of 90 metres;
- iii) is located at least 300 metres from the limits of the shoreline of a high sensitivity, over-threshold lake, in accordance with Section B.3.1.1.1 a) and b) of the Official Plan or an at capacity Lake Trout Lake in accordance with Section B.3.2.1 b) of the Official Plan
- iv) Limited back lot development as defined in the policies of Section B.12.2.4 c) of the Official Plan shall be permitted subject to the new lot(s) having minimum lot area of 4 hectares, and a minimum frontage of 120 metres on a year-round maintained public road;
- v) Preserves natural vegetation in the front yard in order to maintain the rural character of the area.”

Section B.12.2.5 permits lot creation within the Rural and Resource Area designation of the Official Plan. The subject lands contain sufficient area and frontage to permit the creation of 1 new lot. The proposed severed and retained lands would conform with the minimum frontage and area requirements of 90 metres and 1.2 hectares of the RR Zone, and otherwise satisfies the rural severance requirements of Section B.12.2.5.

The proposed severance application therefore conforms with the land division policies of the Seguin Official Plan.

5.0 Conclusion

It is the Planning Department’s position that the application to permit creation of a new rural lot is consistent with the Provincial Policy Statement. The application will maintain the intent of land division policies of the Seguin Official Plan, provisions of the Zoning By-law, and represents good planning.

Respectfully submitted



Adam Kozlowski, MCIP, RPP
Senior Planner

Reviewed



Stephen Stone, MSc, BES, MCIP, RPP
Director of Planning and Development



Chris Madej, MA, MCIP, RPP
Chief Administrative Officer

Attachments:

AK/SS/CM