



Seguin Township

Report to Council

Prepared for: Township Council **Department:** Development and Protective Services
Agenda Date: November 19, 2018 **Report No.:** DPS-PL-2018-143

Application No: R-2018-0013-F and B-2018-0032-F

Application Complete: October 12th, 2018

Days to Public Meeting: 24

Owner(s): Gerardo & Angela Melchionna

Agent: David U. Maughan

Subject Lands: CON B PT LOT 133 RP42R8108;PART 1

Civic Address: 17 Woods Lane

Roll No.: 4903-030-011-00320

1.0 Recommendation

A) **THAT** Consent Application B-2018-0032-F 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:

	Frontage (m)+/-	Area (ha)+/-
B-2018-0032-F	82	0.7 hectares

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 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. Written confirmation from the North Bay-Mattawa Conservation Authority that the Severed Lands are satisfactory for the installation of a septic system for an individual dwelling.
- 6. The applicant provides confirmation from the Township of Seguin Public Works Department with respect to entrance approval onto Woods Lane.
- 7. 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.
- 8. A payment in lieu of a parkland dedication for the 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.

B) THAT Rezoning Application R-2018-0013-F be approved as follows:

- 1. Map A-1, Map 11, Map 12 to Schedule "A" to Zoning By-law No. 2006-125 are hereby amended by rezoning the "severed lands" subject to Consent Application B-2018-0032-F from the Shoreline Residential One (SR1) Zone to the Rural Residential Exception Twenty Eight (RR-28) Zone as shown on Schedule "A" forming part of By-law 2018-100.
- 2. Table 10.3 of Section 10.4, Rural Zones – Exceptions, is hereby amended by adding a new Exception "28" after Exception "27" as set out on Schedule "B" forming part of By-law 2018-100.

2.0 Development Proposal & Property Description

THE PURPOSE AND EFFECT of the proposed consent application is to sever one new rural residential lot having an area of 0.7 hectares and frontage of 82 metres. The associated zoning by-law amendment would rezone the severed lot from the Shoreline Residential One (SR1) Zone to the Rural

Residential – Exception (RR-Exception) Zone to recognize the deficient lot area (0.7 hectares, where the minimum lot area required is 1.2 hectares), and deficient frontage (82 metres, where there minimum required frontage is 90 metres).

FIGURE 1: PROPOSED NEW LOT + REZONING

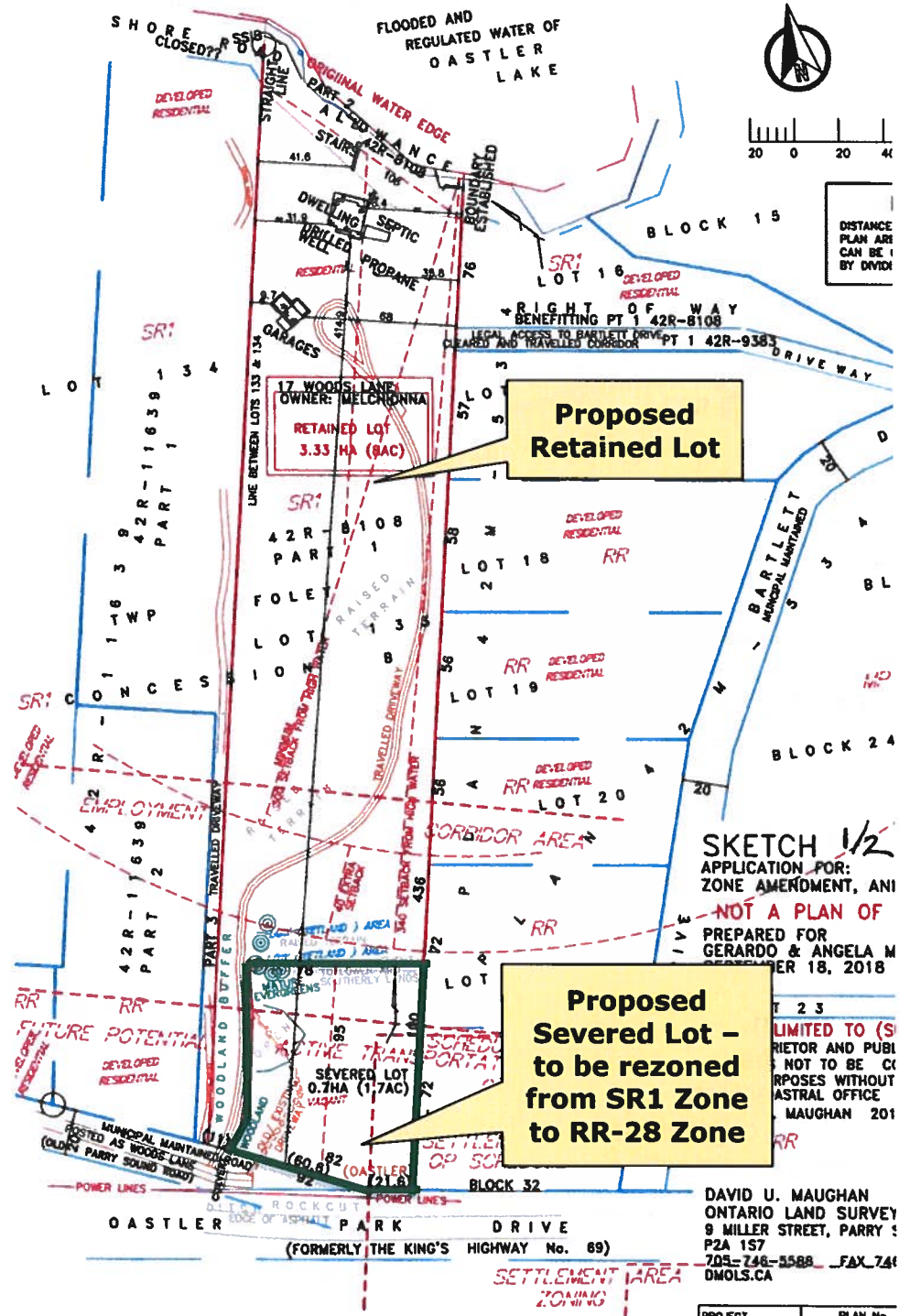
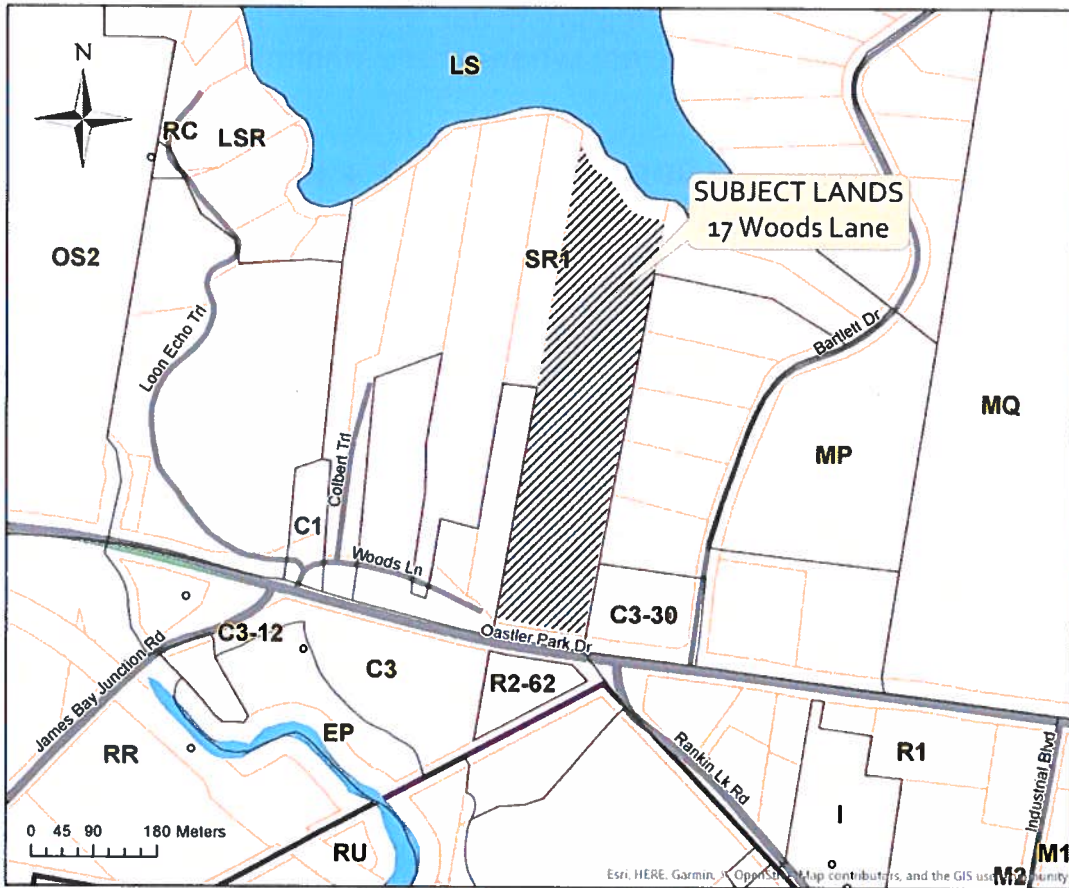


FIGURE 2 – KEY MAP



Official Plan Designation: Rural and Resource Area and Shoreline Area

Zoning: Shoreline Residential One (SR1) Zone

Access: 17 Woods Lane (Municipal maintained)

Lot Area: 4.03 hectares

Frontage: 106 metres (Oastler Lake), 92 metres (Woods Lane)

Existing Development: Seasonal dwelling, detached garage

3.0 Comments

CAO: No objection.

Clerk: No concerns.

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

Section 1.1.5 of the 2014 Provincial Policy Statement (PPS) provides guidance with respect to development within *Rural Lands in Municipalities*. Permitted uses include resource-based recreational uses, home occupations and home industries. Opportunities for economic development should also be promoted within rural lands. The proposed Consent to create one new lot and associated Zoning By-law Amendment are consistent with the PPS.

4.2 Seguin Official Plan

The subject lands are designated Shoreline Area and Rural and Resource Area by the Seguin Official Plan. Permitted uses in the Shoreline Area designation include single detached dwellings and cottages, and small scale commercial activities that service the waterfront community. Permitted uses in the Rural and Resource Area include single detached dwellings, agriculture, and small scale industrial and commercial uses.

Section *B.12.2 NEW LOTS BY CONSENT - B.12.2.1 General Criteria* lists general criteria 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.

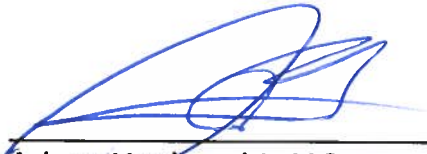
The application proposes to create one new rural residential lot, and to rezone the severed lot to the appropriate Rural Residential Exception Zone. The special zone exception would recognize the slightly deficient lot area and lot frontage, and permit a new lot via infilling at the end of a municipally-maintained road. The proposed severed lot contains mature tree cover and the topography is relatively flat. The central portion of the lot contains several building sites that would comply with all required yard setbacks, notwithstanding the reduced frontage and lot area.

It has been demonstrated that the proposed new lot can be developed in accordance with applicable Seguin Official Plan policies and provisions of Zoning By-law 2006-125. The Consent and Zoning By-law Amendment applications therefore conform with the land division policies of the Seguin Official Plan. A condition of consent has been included that the applicants obtain written confirmation from the North Bay Mattawa Conservation Authority with respect to suitable septic sewage disposal locations, and that verification from Seguin Public Works Department be obtained with respect to optimal entrance location for the severed lot.

5.0 Conclusion

It is the Planning Department's position that the application to create one new rural residential lot, and to rezone the severed lands for future construction of a single detached dwelling is consistent with the Provincial Policy Statement. The applications maintain the intent of land division policies of the Seguin Official Plan and provisions of the Zoning By-law, and represents good planning.

Respectfully submitted

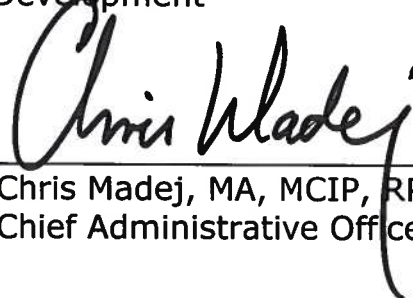


Adam Kozlowski, MCIP, RPP
Senior Planner

Reviewed



J. Stephen Stone, MSc, BES, MCIP,
Director of Planning and
Development



Chris Madej, MA, MCIP, RPP
Chief Administrative Officer

Attachments:

Schedule A: Draft Zoning By-law Amendment 2018-100

AK/SS/CM/bd

**THE CORPORATION OF THE TOWNSHIP OF SEGUIN
BY-LAW NO. 2018-100**

"Being a By-law to amend Township of Seguin Zoning By-law No. 2006-125"
4903-030-011-00320, R-2018-0013-F, 17 Woods Lane

WHEREAS the Council of The Corporation of the Township of Seguin received and considered an application to amend the Township of Seguin Zoning By-law No. 2006-125 respecting lands described as CON B PT LOT 133 RP42R8108;PART 1, in the geographic Township as Foley, known municipally as 17 Woods Lane; and,

WHEREAS Council has the authority pursuant to Section 34 of the Planning Act R.S.O. 1990, Chapter P.13 as amended, to pass amendments to the Zoning By-law; and,

WHEREAS Council has approved the application to amend the By-law and deems it appropriate to pass this By-law;

NOW THEREFORE the Council of The Corporation of the Township of Seguin hereby enacts as follows:

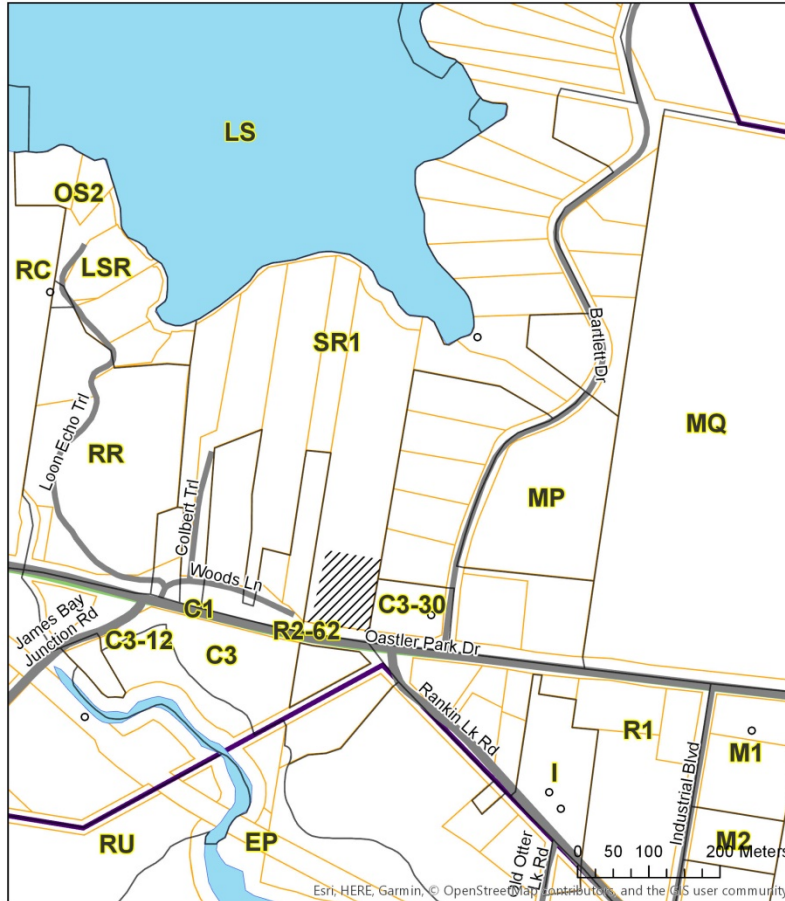
1. Map A-1, 11 and 12 to Schedule "A" to Zoning By-law No. 2006-125 is hereby amended by rezoning those lands described as Foley CON B PT LOT 133 RP42R8108;PART 1 from the Shoreline Residential One (SR1) Zone to the Rural Residential Exception Twenty Eight (RR-28) Zone as shown on Schedule "A" attached hereto and forming part of this By-law.
2. Table 10.3 of Section 10.4, Rural Zones – Exceptions, is hereby amended by adding a new Exception "28" as set out on Schedule "B" attached hereto and forming part of this By-law.
3. This By-law shall take effect from the date of passage by Council and shall come into force in accordance with the provisions of the Planning Act R.S.O. 1990, Chapter P.13 as amended.


BY-LAW read a **FIRST**, **SECOND** and **THIRD** time and finally **PASSED** and **ENACTED** this 19th day of November, 2018.

Bruce Gibbon
Mayor

Craig Jeffery
Clerk

The Corporation of the Township of Seguin
 By-law No. 2018-100 Schedule "A"
 CON B PT LOT 133 RP42R8108;PART 1
 Zoning By-law 2006-125 Schedule A - Map A-1, 11
 and 12



 Lands to be rezoned from the Shoreline Residential One (SR1) Zone to the Rural Residential - Exception Twenty-Eight (RR-28) Zone



**THE CORPORATION OF THE TOWNSHIP OF SEGUIN
SCHEDULE "B"
TO BY-LAW NO. 2018-100**

Amendment to Table 10.3 of Section 10.4– Rural Zones – Exceptions:

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Exception Number	Additional Permitted Uses	Only Uses Permitted	Uses Prohibited	Special Zone Requirements	Other Special Provisions
RR-28				<ul style="list-style-type: none"> • Minimum lot area = 0.7 hectares • Minimum lot frontage = 82 metres 	

DRAFT