



# Seguin Township

## Report to Council

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

**Agenda Date:** November 19, 2018      **Report No:** DPS-PL-2018-155

**Application No:** R-2018-0014-H and B-2018-0027-H

**Application Complete:** October 29<sup>th</sup>, 2018

**Days to Public Meeting:** 20

**Owner(s):** Iris Olga Zaichuk

**Agent:** Savas Varadas, Plan Muskoka

**Subject Lands:** CON 6 PT LOT 12 TO 14 PLAN 42R-4031 PART 1 2  
PCL 18160 S/S

**Civic Address:** Not assigned

**Roll No.:** 4903-010-003-06000

### 1.0 Recommendation

A) **THAT** Consent Application B-2018-0027-H 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-2018-0027-H	691	71.5

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. 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. 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.

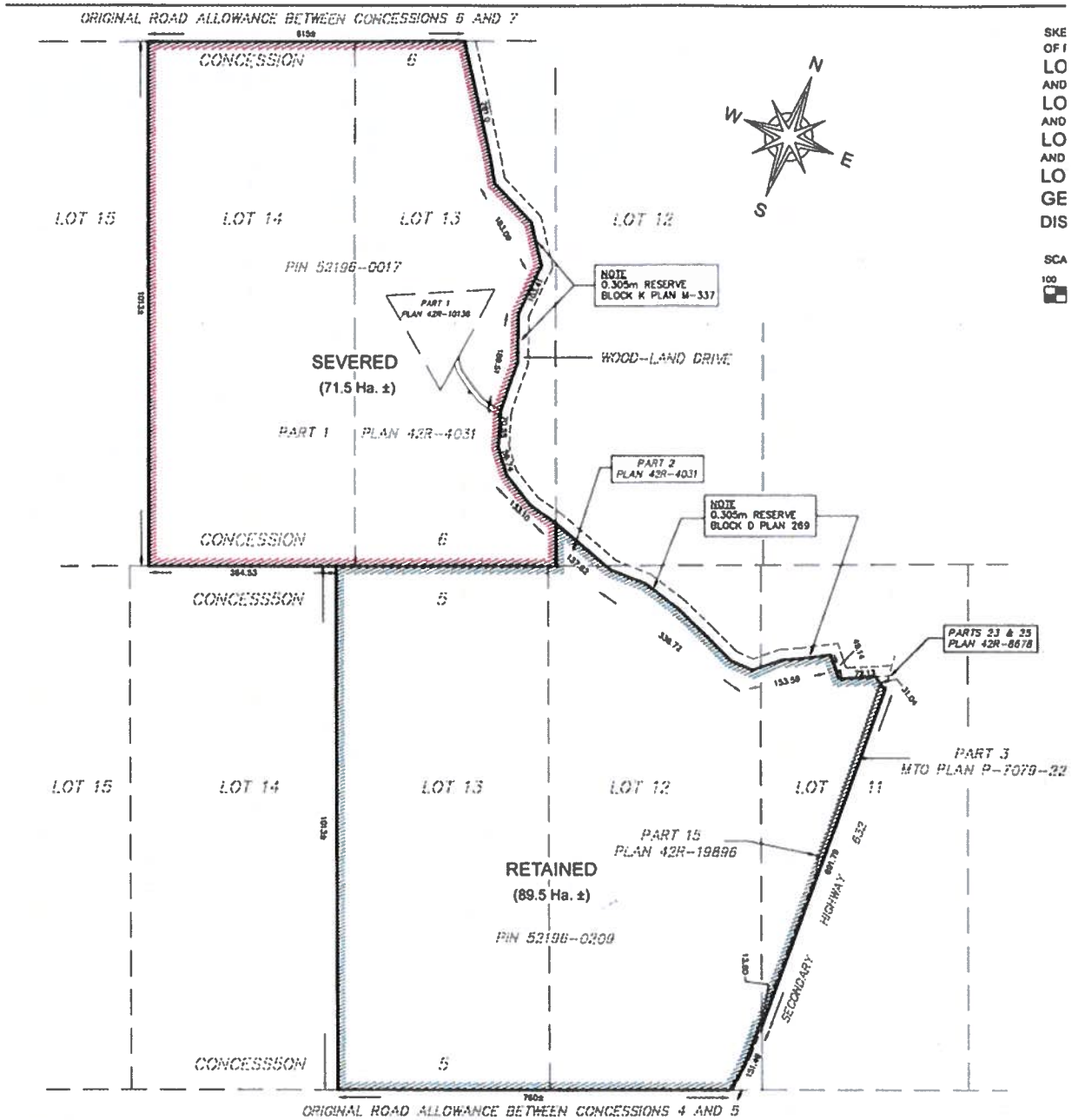
**B) THAT** Rezoning Application R-2018-0014-H be approved as follows:

- 1. Map 26 and 27 to Schedule "A" to Zoning By-law No. 2006-125 are hereby amended by rezoning the "severed lands" subject to Consent Application B-2018-0027-H from the Rural (RU) Zone to the Rural Exception Twenty Nine (RU-29) Zone as shown on Schedule "A" forming part of By-law 2018-107.
- 2. Table 10.3 of Section 10.4, Rural Zones – Exceptions, is hereby amended by adding a new Exception "29" after Exception "28" as set out on Schedule "B" forming part of By-law 2018-107.

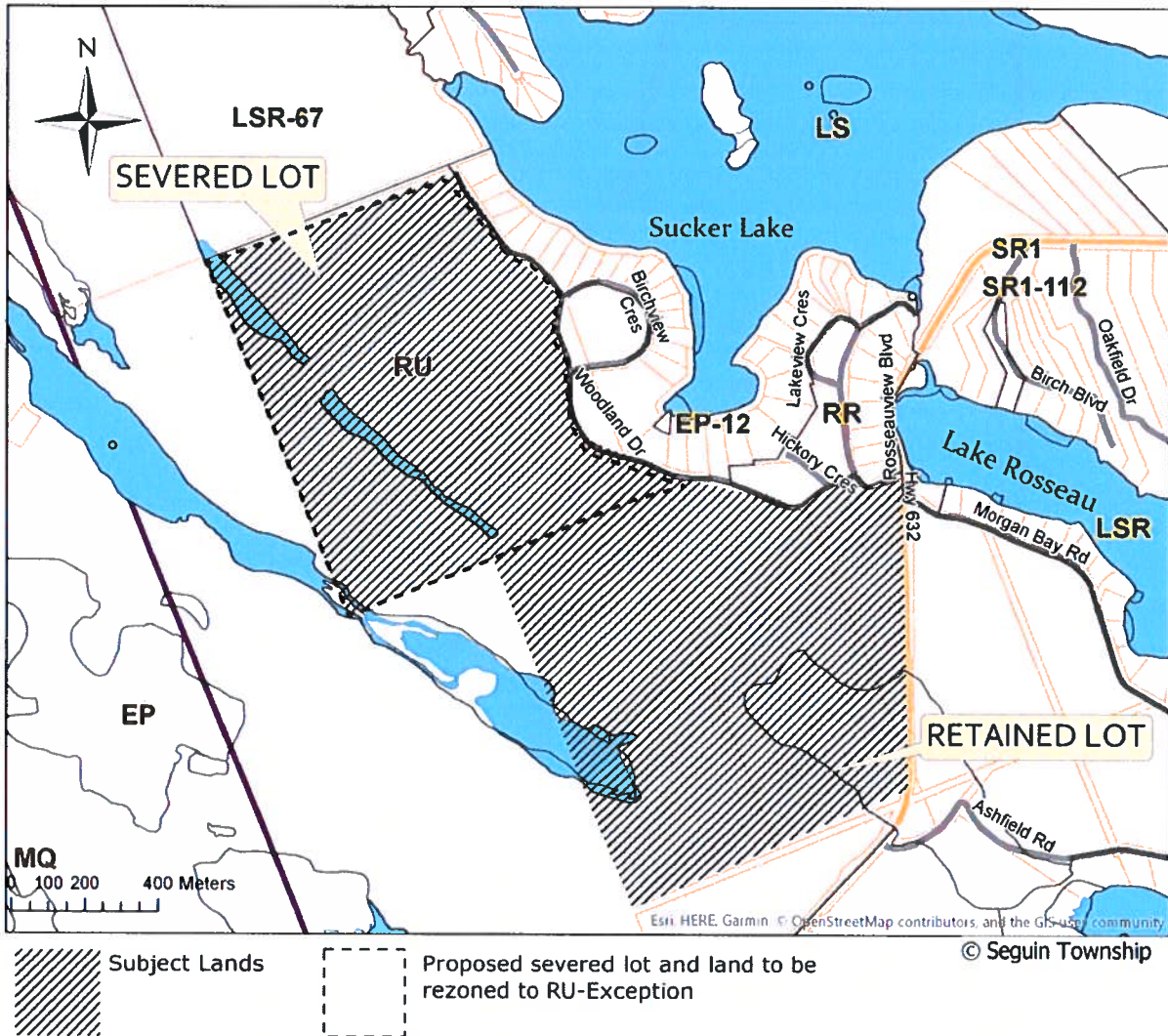
## **2.0 Development Proposal & Property Description**

**THE PURPOSE AND EFFECT** of the proposed consent application is to recreate a 71.5 hectare rural lot, having 691 metres of frontage on Woodland Drive, that has previously merged with a larger rural parcel to the south. The associated Zoning By-law Amendment would place the severed lot within a Rural-Exception Zone to implement a minimum septic setback of 300 metres to nearby Sucker Lake (being a high sensitivity, over-threshold lake).

**FIGURE 1: PROPOSED NEW LOT**



**FIGURE 2 – KEY MAP**



**Official Plan Designation:** Rural and Resource Area, Environmental Protection

**Zoning:** Rural (RU) Zone, Lakeside (LS) Zone, and Environmental Protection (EP) Zone

**Access:** Woodland Drive (Municipal year-round maintained)

**Lot Area:** ± 169 hectares

**Frontage:** ± 850 metres (Highway 632), 691 metres (Woodland Drive)

**Existing Development:** Vacant land

### **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 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 3 new lots, where 1 large rural parcel only is proposed at this time. The proposed severed and retained lands would conform with the minimum frontage and area requirements of 120 metres



and 4 hectares of the RU Zone, and otherwise satisfies the rural severance requirements of Section B.12.2.5.

With respect to policy B.3.1.1.1, Sucker Lake is identified as a "High sensitivity, Over-threshold" lake. The Seguin Official Plan policies indicate that new development is not permitted within 300 metres of lakes with this classification as a precautionary approach to protect water quality. In this case, a small portion of the frontage of the severed lot is within 300 metres of Sucker Lake, however the associated zoning by-law amendment would place an exception on the severed lot to ensure that future septic system components are located beyond 300 metres to Sucker Lake.

The proposed severance application would permit creation of a large rural parcel that fronts on a year-round municipally maintained road. The zoning by-law amendment will ensure that water quality of Sucker Lake is protected by imposing a minimum 300 metre setback on any future septic system on the severed lot. The applications therefore conform with the land division policies of the Seguin Official Plan.

## **5.0 Conclusion**

It is the Planning Department's position that the application to create one new rural lot, and to rezone the severed lands to restrict placement of a future septic system 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.

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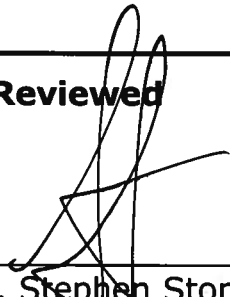
**Respectfully submitted**



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Adam Kozlowski, MCIP, RPP  
Senior Planner

**Reviewed**



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



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Chris Madej, MA, MCIP, RPP  
Chief Administrative Officer

**Attachments:**

Schedule A: Draft Zoning By-law Amendment 2018-107

AK/SS/CM/bd



**THE CORPORATION OF THE TOWNSHIP OF SEGUIN  
BY-LAW NO. 2018-107**

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“Being a By-law to amend Township of Seguin Zoning By-law No. 2006-125”  
4903-010-003-06000, R-2018-0014-H, Vacant Land

**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 6 PT LOT 12 TO 14 PLAN 42R-4031 PART 1 2 PCL 18160 S/S, in the geographic Township as Humphrey; 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 26 and 27 to Schedule “A” to Zoning By-law No. 2006-125 is hereby amended by rezoning those lands described as Humphrey CON 6 PT LOT 12 TO 14 PLAN 42R-4031 PART 1 2 PCL 18160 S/S from Rural (RU) Zone to the Rural-Exception Twenty-Nine (RU-29) 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 “29” 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 19<sup>th</sup> day of November, 2018.

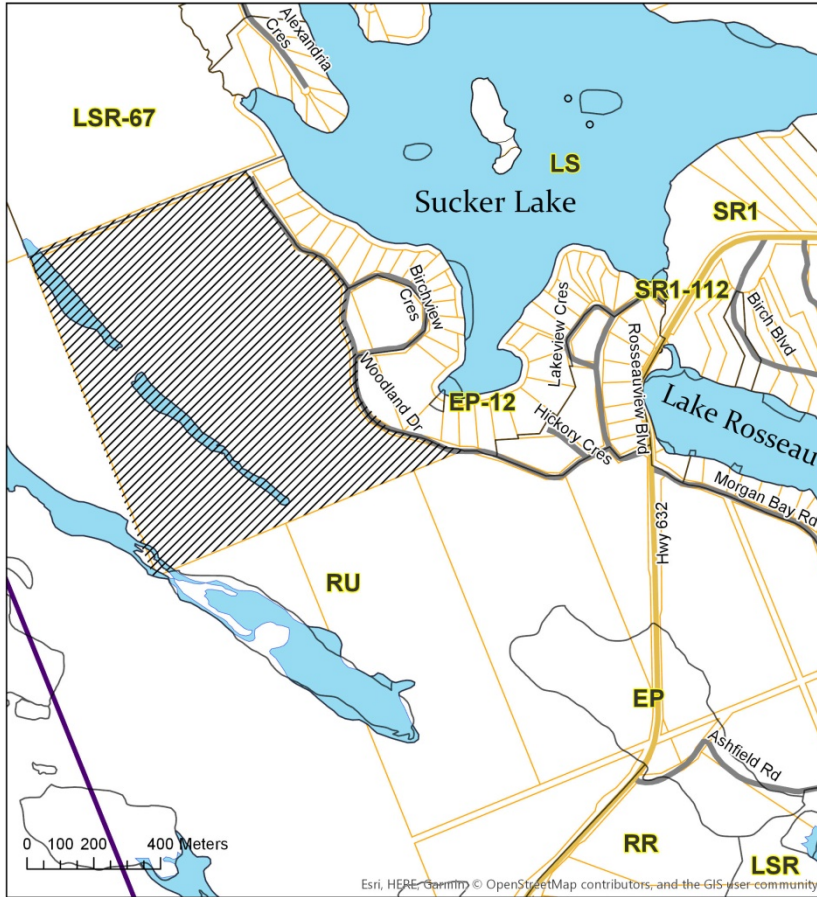
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Bruce Gibbon  
Mayor


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Craig Jeffery  
Clerk

The Corporation of the Township of Seguin  
By-law No. 2018-107 Schedule "A"  
CON 6 PT LOT 12 TO 14 PLAN;42R-4031 PART 1 2  
PCL 18160;S/S  
Zoning By-law 2006-125 Schedule A - Map 26 and 27



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 Lands to be rezoned from the Rural (RU) Zone to the Rural-Exception Twenty-Nine (RU-29) Zone

**THE CORPORATION OF THE TOWNSHIP OF SEGUIN  
SCHEDULE "B"  
TO BY-LAW NO. 2018-107**

**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
RU-29				<ul style="list-style-type: none"> <li>• Minimum setback for septic sewage disposal system to shoreline of Sucker Lake = 300 metres</li> </ul>	

DRAFT