



# Seguin Township Report to Council

**Prepared for:** Township Council    **Department:** Development and Protective Services  
**Agenda Date:** September 4, 2018    **Report No:** DPS-PL-2018-108

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**Application Complete:** August 10, 2018    **Days to Public Meeting:** 23  
**Planning Dept. Preconsultation:** Yes  
**Application Number:** R-2018-0012-F  
**Owners:** 1386534 Ontario Inc.  
**Agent:** Dave Reid  
**Location:** CON B PT LOT 139  
**Civic Address:** 242 Oastler Park Dr.  
**Roll No.:** 4903-030-011-00905

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## **1.0 RECOMMENDATION**

That Council holds a public meeting in order to consider public input on the merits of the Zoning By-law Amendment Application R-2018-0012-F for lands described as CON B PT LOT 139, 242 Oastler Park Drive, geographic Township of Foley.

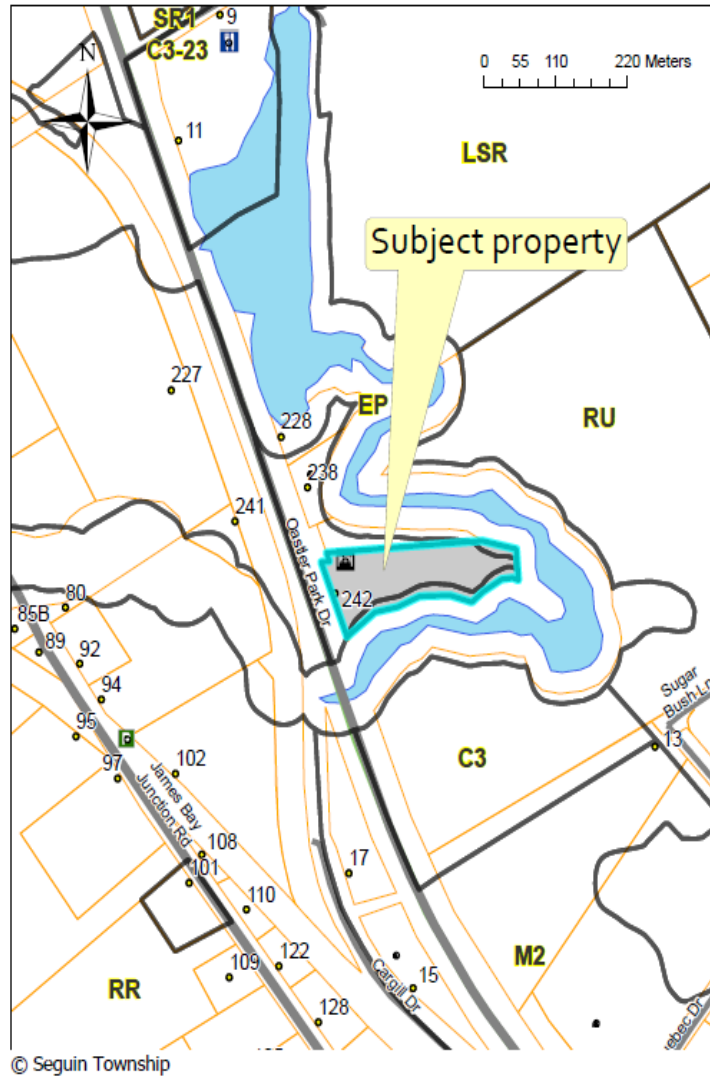
## **2.0 PURPOSE AND BACKGROUND**

The purpose and effect of the proposed Zoning By-law Amendment is to add an exception to the existing C3 Highway Commercial Zone in order to permit:

1. Temporary use to allow for a contractor's yard. The request for use is for a period lasting no longer than December 31<sup>st</sup>, 2018.

This temporary zone change request arises from an investigation into a complaint concerning the establishment of a contractor's yard at the subject location. Staff observed that several office trailers, travel trailers and a portable generator had been located in and around the parking lot of the former Ell Mar Motel. These structures, along with several service vehicles, are associated with one of the subcontractors responsible for the clearing of brush along the new Henvey Inlet transmission line.

## Key Map for 242 Oastler Park Drive

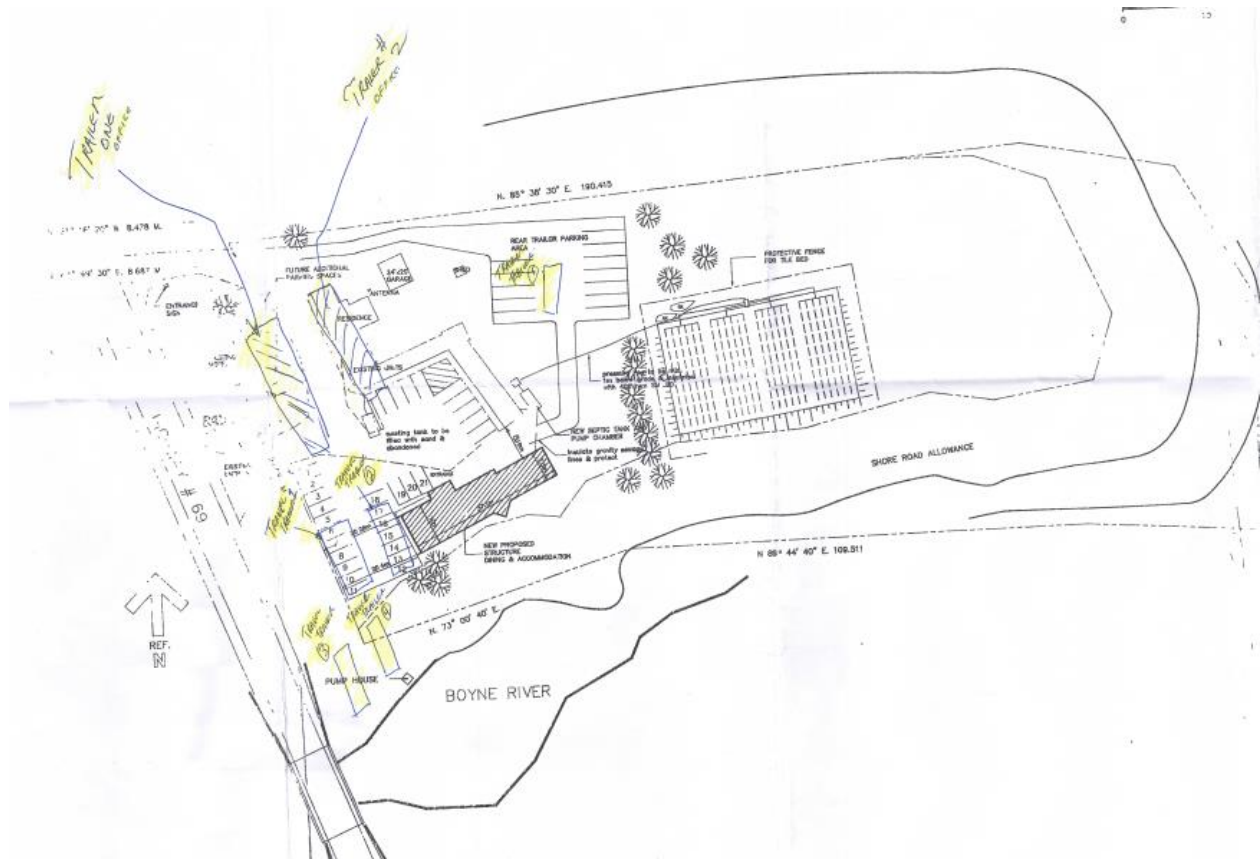


The land is surrounded by the following land uses:

North: Commercial  
South: Commercial  
East: Rural  
West: Industrial and Rural Residential

Official Plan Designation: Rural & Resource Area and Environmental Protection  
Zoning: C3 – Highway Commercial  
Access: existing driveway from Oastler Park Drive  
Lot Area: 0.71 ha  
Frontage: 96.6 metres  
Existing Development: motel

## Applicants Site Sketch of Proposed Development (office and sleeping trailers in yellow)



In recent discussions with the applicant, it was requested by staff and agreed to by the applicant that:

1. The two trailers in close proximity to the Boyne River are to be relocated;
2. The vehicles parking on the municipal right-of-way are to be relocated;  
and,
3. The portable generator is to be relocated.

The above items will be relocated to the parking areas closer to the motel building.

### **3.0 COMMENTS RECEIVED**

#### **3.1 Staff Comments**

CAO: Applicant provide/demonstrate that the additional uses will not have any adverse effects on the adjacent water course.

Building: No objection.

Fire/By-law: No objection.

Public Works: No objection.

Treasury: No objection, subject to conditions. Tax arrears for 2017 and 2018 are to be paid.  
Clerk: No objection.

## **4.0 ANALYSIS**

### **4.1 Provincial Policy Statement (PPS) 2005**

There are no matters of Provincial interest associated with the proposed temporary zoning by-law amendment.

### **4.2 Seguin Official Plan**

The subject property is designated in part as a Rural and Resource Area.

C.1.3.2 (Permitted Uses) allows the following uses:

- a) agriculture uses;
- b) forestry;
- c) linear open space trails;
- d) single detached residential dwellings;
- e) bed and breakfast operations;
- f) small-scale commercial and industrial operations including recreational camps;
- g) minor institutional uses;
- h) sand and gravel extraction operations;
- i) mineral exploration and development;
- j) water or resource management activities; and
- k) home occupations and home Industries are also permitted subject to the policies of this Plan.

The temporary use such as the proposed contractor's yard would conform to the general intent of the Official Plan.

### **4.3 Seguin Zoning By-law 2006-125**

The subject lands are zoned Highway Commercial (C1) Zone. General C1 lot requirements are as follows:

- Minimum lot area                      1 hectare
- Minimum lot frontage                45 metres
- Side yard setback                      5 metres
- Front yard setback                    12 metres
- Rear yard setback                    15 metres
- Maximum lot coverage               35%

Contractors Yard means a premises in which the shop or assembly work of a contractor or tradesperson is performed and includes the storage of any related equipment and/or materials.

Typically, a contractor's yard is permitted in a General Industrial (M2), Light Industrial (M3), Rural Industrial (RI) and Rural Commercial (RC) Zones.

## **5.0 CONCLUSION**

Recent changes to the Planning Act require Council to duly consider the comments received from agencies and the public comments during consideration of development applications. It is recommended that this report be received and Council hold a public meeting in order to consider public input on the merits of Zoning By-law Amendment Application R-2018-0012-F and direct staff accordingly.

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**Respectfully submitted**



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Adam Kozlowski, MCIP, RPP  
Senior Planner



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Steve Stone, MSc, BES, RPP, MCIP  
Director of Planning

### **Attachments:**

Schedule A – Schedule B – Proposed Temporary use By-law 2018-072

## "Schedule A"

### THE CORPORATION OF THE TOWNSHIP OF SEGUIN BY-LAW NO. 2018-072

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"Being a By-law to amend Township of Seguin Zoning By-law No. 2006-125"  
File R-2018-0012-F (1386534 Ontario Inc.), Roll #490303001100905,  
CON B, PT LOT 139, geographic Township of Foley, 242 Oastler Park Drive.

**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 139, geographic Township of Foley, 242 Oastler Park Drive; and,

**WHEREAS** Council has the authority pursuant to Section 34 and Section 39 of the Planning Act R.S.O. 1990, Chapter P.13 as amended, to pass amendments to the Zoning By-law; and,

**WHEREAS** Section 39 of the Planning Act, as amended, authorizes Municipal Councils to pass by-laws to permit temporary land uses for specific period of time;

**WHEREAS** Council of the Corporation of the Township of Seguin deems it appropriate to amend Zoning By-law 2006-125, as amended to allow the contractor's yard use temporarily until December 31, 2018;

**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 5 to Schedule "A" to Zoning By-law No. 2006-125 is hereby amended by rezoning those lands described as CON B, PT LOT 139, geographic Township of Foley, 242 Oastler Park Drive from the Highway Commercial (C3) Zone to the Temporary Use Highway Commercial - Three (T-C3-3) Zone as shown on Schedule "A" attached hereto and forming part of this By-law.
- 2.** Table 12.2 of Section 12.2.1, List of Temporary Uses Zones, is hereby amended by adding a new Temporary Use "3" after Temporary Use "2" as set out on Schedule "B" attached hereto and forming part of this By-law. All other provisions of the Zoning By-law shall apply.
- 3.** Notwithstanding Section 1, Section 2, or Section 3 of this By-law, this by-law shall expire on December 31, 2018, unless the Council of the

Corporation of the Township of Seguin provides an extension by amendment to this by-law prior to its expiry.

4. 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 4<sup>th</sup> day of September, 2018.

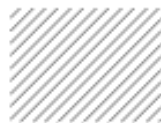
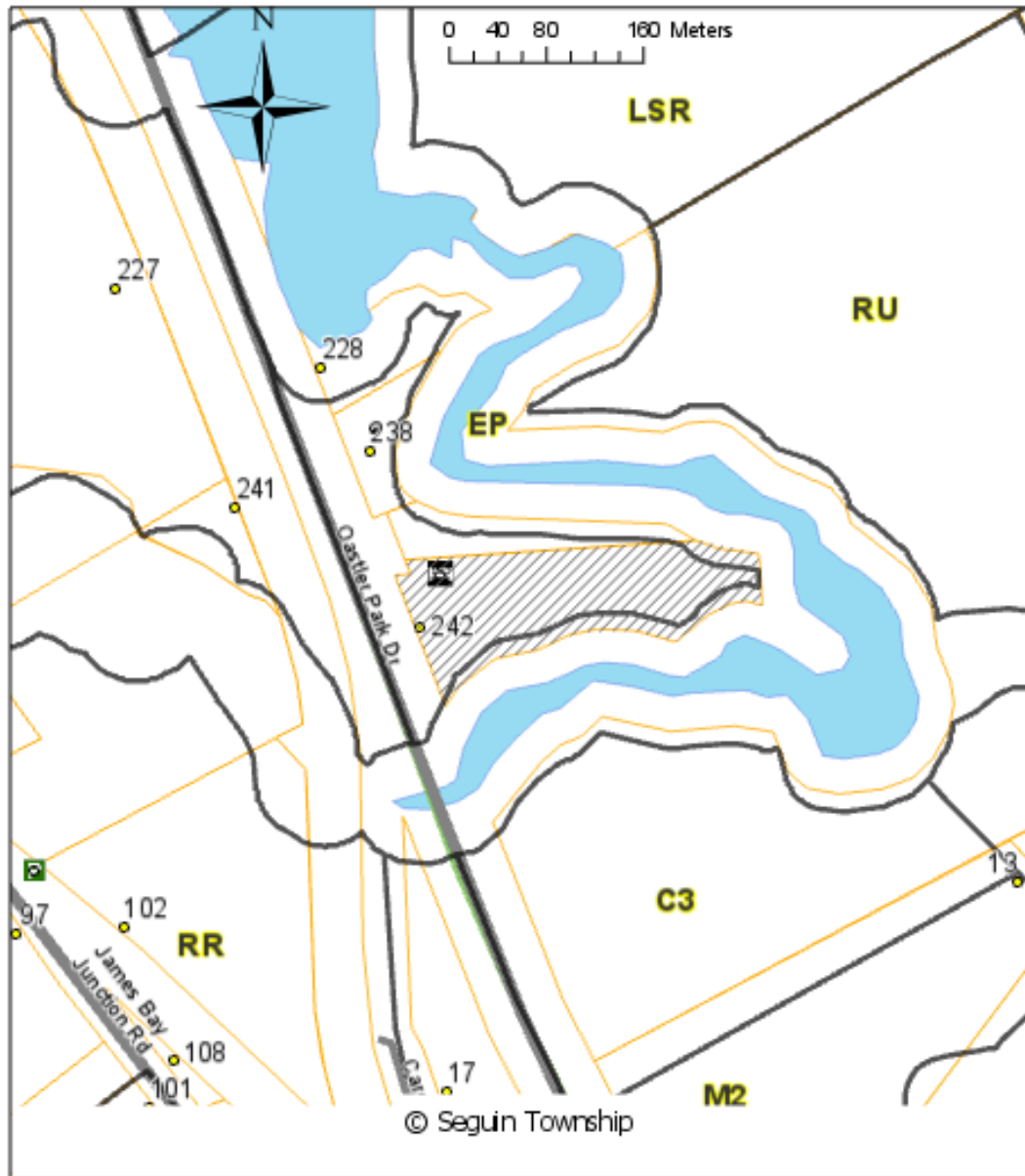
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Bruce Gibbon  
Mayor

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Craig Jeffery  
Clerk

The Corporation of the Township of Seguin  
By-law No. 2018-072 Schedule "A"  
CON B, PT LOT 139  
Zoning By-law 2006-125 Schedule A - Map 5



Lands to be rezoned from the Highway Commercial (C3) Zone  
to the Temporary Use Highway Commercial – Three (T-C3-3) Zone





**THE CORPORATION OF THE TOWNSHIP OF SEGUIN**

**SCHEDULE "B"  
TO BY-LAW NO. 2018-072**

**Amendment to Table 12.2 of Section 12.2.1– List of Temporary Use Zones**

Table 12.2

Column 1	Column 2	Column 3	Column 4	Column 5
Zone Designation	Property/Legal Description	Temporary Uses	Date Enacted	Date Expires
T-C3-3	CON B, PT LOT 139, geographic Township of Foley, 242 Oastler Park Drive	Contractors Yard consisting of two office trailers, five travel trailers, related incidents and associated vehicular parking.	September 4, 2018	December 31, 2018