

# The Corporation of the City of Kawartha Lakes

## Planning Committee Report

Report Number PLAN2016-006

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**Date:** February 10, 2016

**Time:** 1:00 p.m.

**Place:** Council Chambers

**Public Meeting**

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**Ward Community Identifier:** Ward 4 - Woodville

**Subject:** An application to amend the Village of Woodville Zoning By-law 1993-9 to rezone a portion of the land from Rural General Exception One (A1-1) Zone to Residential Type One (R1) Zone on a vacant lot described as Registered Plan 119, Blocks D, F, H, Part Block M, and Part Lot 9 E Agnes, 57R-5325, Part 2, former Village of Woodville, City of Kawartha Lakes, Vacant Land on Beech Street (MACALPINE - Planning File D06-16-007).

**Author/Title:** Ian Walker, Planner II

**Signature:** 

### Recommendations:

**RESOLVED THAT** Report PLAN2016-006, respecting "MACALPINE – Application D06-16-007", be received; and



**THAT** the application respecting Application D06-16-007 be referred back to staff for further review and processing until such time that all comments have been received from all circulated Agencies and City Departments and that any comments and concerns have been addressed.

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**Department Head:**

**Corporate Services Director / Other:**

**Chief Administrative Officer:**

## **Background:**

The applicant has submitted an application to rezone a portion of the vacant lot in order to allow a detached dwelling. The entire property is zoned Rural General Exception One (A1-1) Zone, which prohibits residential development. The prohibition on new residential development in Woodville is the result of an insufficient quantity of water available to support new development. There is now allocation available for one residential dwelling on this lot. As such, the owners are seeking to permit the residential use on a portion of the lot.

Owner:	674693 Ontario Inc.
Applicant:	Donna and Bruce MacAlpine
Legal Description:	Registered Plan 119, Blocks D, F, H, Part Block M, and Part Lot 9 E Agnes, 57R-5325, Part 2, former Village of Woodville
Designation:	Urban Settlement Area, City of Kawartha Lakes Official Plan
Zone:	Rural General Exception One (A1-1) Zone on Schedule 'A', Village of Woodville Zoning By-law No. 1993-9
Lot Area:	2.02 ha. [5.12 ac. – MPAC]
Site Servicing:	Municipal water supply, Unserviced
Existing Uses:	Vacant Land
Adjacent Uses:	North: Residential East: Vacant Land, Municipal Well South: Vacant Land, Watercourse West: Residential

## **Rationale:**

The lot is located on the east side of Elm Street, on the south side of Beech Street, in the former Village of Woodville. The applicant proposes to rezone a portion of the lot to allow a detached dwelling and accessory uses. Woodville has a constraint on development due to an insufficient quantity of water available on a year round basis. Policies in the Official Plan (OP) recognize that once the servicing issue has been resolved, the predominant use of land shall be single detached dwellings. While the OP permits single detached dwellings, the lot identified for the proposed residential use is zoned Rural General Exception One (A1-1) Zone, which only allows those uses, buildings and structures existing on the day the By-law was passed. The land is currently vacant. Therefore, a Zoning By-law amendment is necessary to permit the proposed use on this portion of the lot.

The applicant has submitted a Conceptual Site Plan Layout in support of the application, which have been circulated to various City Departments and commenting Agencies for review.

The Rural General Exemption One (A1-1) Zone must be amended to a Residential Type One (R1) Zone to allow a dwelling as a permitted use. Refer to Appendix 'B'.

Staff cannot determine the appropriateness of the proposal at this time as responses from other City Departments and commenting Agencies have not been received. Staff recommend that the application be referred back to staff until such time as commenting Agencies and/or City Departments have submitted comments, and any concerns have been addressed, and to permit discussions with the applicant respecting conformity to applicable policies.

### **Provincial Policies:**

#### **Growth Plan for the Greater Golden Horseshoe, 2006:**

The Growth Plan (GP) provides that growth should be directed towards settlement areas, and the majority of growth will be accommodated through intensification. The subject lot is located within the development area boundary for the Woodville Secondary Plan Area.

Therefore, this application conforms to the policies of the Growth Plan.

#### **Provincial Policy Statement, 2014 (PPS):**

The Provincial Policy Statement (PPS) provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. Sections 1.1.3.1 through 1.1.3.3 direct development to settlement areas, and promote opportunities for intensification and redevelopment.

Section 1.6.6.4 of the PPS provides individual on-site sewage and water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts. In settlement areas, these services may only be used for infilling and minor rounding out of existing development. Section 1.6.6.6 of the PPS requires confirmation of sufficient treatment capacity for hauled sewage from individual on-site sewage services.

The subject lot is not within or adjacent to any natural heritage features or species at risk (SAR), and is not located within any natural hazards, as identified in Section 3.1 of the PPS.

Therefore, this application is consistent with the PPS.

### **Official Plan Conformity:**

The lot is designated Urban Settlement Area in the City's Official Plan (OP) which is currently under appeal, therefore the former Victoria County Official Plan (VCOP) designation of Urban applies to this property. The use of land in the Urban designation includes a broad range of residential uses, although lower density residential uses predominate. The VCOP anticipates the Village of

Woodville will develop on the basis of a communal water system. Section 6.2.3 of the VCOP states "Within the Urban designation, development should proceed on the basis of the full range of services that is provided or anticipated in the community...Development may proceed in such areas on limited servicing if it has been clearly established that: there is a need for development; full services will not be provided in the future; soil and groundwater conditions are suitable; and the development represents a logical extension to the existing developed area.". The portion of the lot subject to rezoning should not impact any future development potential on the subject lot.

Therefore, this application conforms to the policies of the Official Plan.

### **Zoning By-Law Compliance:**

The lot is zoned Rural General Exception One (A1-1) Zone in the Village of Woodville Zoning By-law 1993-9. The exception only allows the property to be used for uses, buildings and structures existing on the day the By-law was passed. Water allocation has now been provided for one dwelling on this property. Approximately 2,225 sq. m. of the lot has been identified for the detached dwelling, and is to be rezoned Residential Type One (R1) Zone. The lot meets the requirements of the R1 Zone, which is the same zone which applies to other properties in this neighbourhood. The remainder of the vacant property will continue to be used only for existing uses.

The application will comply with all other relevant provisions of the Zoning By-law.

### **Other Alternatives Considered:**

No other alternatives have been considered.

### **Financial Considerations:**

There are no financial considerations unless council's decision to adopt or its refusal to adopt the requested amendment is appealed to the Ontario Municipal Board. In the event of an appeal, there would be costs, some of which may be recovered from the applicant.

### **Relationship of Recommendations To Strategy Map:**

The City's Strategy Map outlines Council's Vision of a Community Pursuing Prosperity, Quality of Life and a Healthy Environment.

This application aligns with all three (3) priorities: it attracts new residents, enhances accessibility, and promotes sustainable resource consumption.

## **Review of Accessibility Implications of Any Development or Policy:**

There are no accessibility implications for the City.

## **Servicing Comments:**

The lot is unserviced. The proposed single detached dwelling will be serviced by the municipal water supply and a private sanitary sewage disposal system. In accordance with Section 1.6.6.4 of the PPS, individual services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impact.

## **Consultations:**

Notice of this application was circulated to landowners within a 120 metre radius, plan-review agencies, and City Departments which may have an interest in the application. To date we have received the following comments:

### Agency Review Comments:

The Building Division provided on January 12, 2016 that it has no concerns with respect to the application.

The Community Services Department provided on January 18, 2016 that it has no concerns or comments with respect to the application.

The Engineering & Assets Department provided on January 29, 2016 that it requires confirmation that the road allowance for the cul-de-sac at the end of Beech Street has been appropriately conveyed to the City. A lot grading plan will be required as part of future building permit applications, and shall ensure that drainage is directed to a protected outlet and will not impact adjacent properties. The lot grading plan shall identify all existing water service locations to the property.

## **Development Services – Planning Division Comments:**

The appropriate background studies in support of the application have been submitted and circulated to the appropriate Agencies and City Departments for review and comment. At this time, comments have not been received from all circulated Agencies and City Departments. Staff recommend that the application be referred back to staff until such time as comments have been received from all circulated Agencies and City Departments, and that any comments and concerns have been addressed.

## **Conclusion:**

In consideration of the comments and issues contained in this report, Staff respectfully recommends that the proposed Zoning By-law Amendment application be referred back to staff for further review and processing until such time as comments have been received from all circulated Agencies and City Departments, and that any comments and concerns have been addressed.

## **Attachments:**

### **Appendix 'A' – Location Map**



PLAN2016-006  
Appendix A.pdf

### **Appendix 'B' – Sketch for Zoning Amendment – received November 27, 2015**



PLAN2016-006  
Appendix B.pdf

### **Appendix 'C' – Aerial Photo**



PLAN2016-006  
Appendix C.pdf

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<b>Department Head:</b>	Chris Marshall, Director
<b>Department File:</b>	D06-16-007

APPENDIX "A"

to

REPORT PLAN 2016-006

FILE NO. D06-16-007





## Vacant Land on Beech Street



### Legend

- Road Centreline
- Property ROLL#
- Citations

APPENDIX: C  
to  
REPORT PLAN 2016-0075  
FILE NO. D06-16-007

### Notes

0.20

Kilometers

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© City Of Kawartha Lakes



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