2. c) i) Recommendation

That the report of the Planner regarding the Zoning By-law Amendment related to lands described as Part of Lot 10, Concession 7 in the Ennismore Ward be received for information; and

That By-law 2019-067, being a By-law to rezone certain lands situated in Part of Lot 10, Concession 7 in the Ennismore Ward from “Rural (RU) Zone” to “Rural Residential (RR) Zone”, be brought forward to the by-law section of the agenda for consideration.

Information

Summary of Application

The Township has received a complete application for a Zoning By-law Amendment for the lands described as being Part of Lot 10, Concession 7 in the Ennismore Ward, municipally known as 792 Listowel Drive (Figure 1).
The subject lands are designated Rural; and are zoned “Rural (RU)”. The proposed Zoning By-Law Amendment related to the subject lands will change the zoning to “Rural Residential (RR) Zone”. The Zoning By-law Amendment is a condition of consent to sever application B-129-17, which was imposed by the Township. Figure 2 illustrates the proposed severance of a 0.8 hectare (2 acre) parcel from the farm situated at 792 Listowel Line. The severed parcel is intended to be utilised for residential uses. The retained parcel will continue to be utilised for agricultural uses. The zoning by-law amendment is related to the severed parcel and will recognize the intended residential uses.

Figure 2: Proposed Severance of a Residential Lot

It is my professional planning opinion that the proposal is consistent with the Provincial Policy Statement and the Growth Plan and maintains the spirit and intent of the County and Township Official Plans and the Township Zoning By-law.

Response to Circulation of Notice

Dated July 23, 2019, the Township provided Notice of a Complete Application and a Public Meeting by prepaid first-class mail to any property owner(s) within a 120 metre radius of the subject lands. The prescribed Ministries and Agencies were provided notice via email and facsimile. The subject property was posted with a sign advertising the public meeting. The notice is available on the Township’s website. The notice
circulation complies with the requirements of *The Planning Act*. No correspondence has been received to date.

**Financial Impact**

The recommendation in this report has no financial impact.

**Strategic Plan Reference**

Goal 3: Support a sustainable, balanced, and investment-ready community. Official Plan and Zoning By-law updates that support environmental and agricultural stewardship, housing diversity and economic investment.

**Environmental Impact**

The recommendation in this report has no environmental impact.

**Attachment**

- Draft Zoning By-law Amendment prepared by Township Planning Staff

**Jeannette Thompson**
Prepared By: Jeannette Thompson, Planner

**Robert Lamarre**
Reviewed By: Robert Lamarre, Manager of Building & Planning

**Janice Lavalley**
Reviewed By: Janice Lavalley, CAO
Planning Analysis for
Zoning By-law Amendment File No. C-07-19

The Development Proposal

The Township has received a zoning by-law amendment application for the lands described as Part of Lot 10, Concession 7 in the Ennismore Ward.

The subject lands are designated Rural; and are zoned “Rural (RU)”. The proposed Zoning By-Law Amendment related to the subject lands will change the zone category to “Rural Residential (RR) Zone”. The Zoning By-law Amendment is condition of consent to sever application B-129-17A that was imposed by the Township. The intent of the severance application is to create a new residential lot, 0.8 hectares (2 acres) in area with 90 metres (295 feet) of frontage on both Listowel Line and Leonard Road. The zoning by-law amendment is related to the severed parcel and will recognize the intended residential uses of the lot.

Surrounding land uses include residential to the south and rural / agricultural / vacant lands to the north, east and west (refer to Figure 3).
Analysis

The Provincial Policy Statement

The Provincial Policy Statement (PPS) 2014 as issued under the authority of Section 3 of The Planning Act came into effect on April 30, 2014. Further, Section 3 of The Planning Act requires that planning authorities “shall be consistent with” the PPS. The intent of the PPS is to provide direction on matters related to land use planning and development. Within the context of the proposal, certain provisions of the PPS are considered to have relevance.

Section 1 (Building Strong Communities) promotes efficient land use and development patterns in order to support strong, liveable, and healthy communities; and to protect the environment, public health and safety; and to facilitate economic growth.

Section 1.1.4 specifically addresses Rural Areas within municipalities. This section indicates that rural areas are important to the economic success of the Province and our quality of life. This section of the PPS also ensures that new development is appropriate for the planned or available infrastructure. As the residential lot can be sustained by existing service levels, including private well and septic, I believe that the proposal is considered to be consistent with the PPS. The severance to allow for a new residential parcel together with the zoning by-law amendment which will permit the intended residential uses of the property is considered to be consistent with the directives of the PPS, 2014.

Places To Grow – Growth Plan for the Greater Golden Horseshoe, 2017

The Places to Grow Act, 2005 (Bill 136), which received Royal Assent on June 13, 2005; promotes the use of growth plans to ensure that growth occurs throughout the Province in a positive manner. The Growth Plan for the Greater Golden Horseshoe (2017) came into effect on July 1, 2017.

The legislation is centered on the idea of building sustainable communities while making use of existing infrastructure. It also sets out to ensure that long term visions and goals guide decision-making, in order to maintain healthy and sustainable future growth opportunities.

The Growth Plan directs development to recognized ‘settlement areas’. Development outside of ‘settlements areas’, may be permitted in accordance with Section 2.2.9 which indicates that development in rural areas should be related to the management or use of resources, resource-based recreational activities and rural land uses that cannot be located in settlement areas provided that they are compatible with the rural landscape and surrounding local uses, can be sustained by rural service levels and will not
adversely impact the protection of agricultural uses and other resource-based uses. I am of the opinion that the proposal is consistent with the directives of the Growth Plan.

**County of Peterborough Official Plan**

In the County Official Plan, the subject property is identified as “**Rural and the Cultural Landscape**”. The goal of this designation is “to preserve and enhance the rural character of the County as a cultural resource and ensure the viability of the agricultural industry”. The proposal does not detract from this goal.

**Township of Selwyn Official Plan**

Official Plan Amendment No. 3 received Ministerial consent on October 22, 2008. The amendment functions as the lower tier Official Plan for the Township. Section 6.0 (Local Plan Policies) provides detailed strategies, policies and land use designations for planning and development at the local municipal level.

Schedule A1 (Land Use Plan – Rural Component) of the Official Plan, designates the subject lands **Rural** (refer to Figure 4). Sections 6.2.2 of the Official Plan outlines policies within the Rural designation. The use of lands within this designation includes residential uses in the form of single detached dwellings and agricultural type uses. I am of the opinion that the intent of the Official Plan is maintained.

Figure 4: Excerpt from County of Peterborough Official Plan, 2008
Township of Selwyn Comprehensive Zoning By-law No. 2009-021

According to Schedule ‘A’-Map 1, the subject lands are zoned “Rural (RU)” (refer to Figure 5). As previously noted, the Township imposed a condition of the provisional consent that obligates the applicant to rezone the subject lands in order to recognize the intended residential uses of the severed parcel. The draft by-law has been attached for your review.

Figure 5: Excerpt from Zoning By-law 2009-021

Conclusion

The proposed Zoning By-Law Amendment related to the subject lands will change the zone category from “Rural (RU)” to “Rural Residential (RR) Zone”. The Zoning By-law Amendment is a condition of consent to sever application B-129-17A that was imposed by the Township. The intent of the severance application is to create a new residential lot. The purpose of the zoning by-law amendment is to change the zone category in order to permit the intended residential uses.

In conclusion, it is my professional planning opinion that the proposal is consistent with the Provincial Policy Statement and the Growth Plan and maintains the spirit and intent of the County and Township Official Plans; and represents good planning. Staff therefore recommends that Council forward draft By-law No. 2019-067 to the By-law section of the agenda for consideration.

Jeannette Thompson

Jeannette Thompson, B.Sc., MCIP, RPP
Planner