



# Municipality of North Grenville

**Report No.**  
PD-040-2018

**File No.**  
ZBA-12-2018

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| <b>Agenda Date:</b> | <b>October 1<sup>st</sup>, 2018 – Committee of the Whole</b>                   |
| <b>Subject:</b>     | <b>Zoning By-law Amendment – Part of 580 Bolton Road</b>                       |
| <b>Attachments:</b> | <b>Appendix 1: Location Map<br/>Appendix 2: Severance Application Decision</b> |

## **RECOMMENDATION**

The following recommendation is provided for the Committee of the Whole's consideration:

**That Committee of the Whole recommend that Council approve an amendment to Zoning By-law No. 50-12 to rezone a part of 580 Bolton Road from Special Rural Kennel (SRK-1) to Rural (RU).**

## **BACKGROUND**

The site is located on the west side of Bolton Road between Sanderson Road to the south and Craig Road to the north within the Municipality's rural area. It consists of the northern portion of 580 Bolton Road, as shown in **Appendix 1**, which is to be severed pursuant to Severance Application B-28-18 and added as a lot addition to 570 Bolton Road. As a condition of the severance approval, the severed portion of 580 Bolton Road is to be rezoned from Special Rural Kennel (SRK-1) to Rural (RU) to match the current RU zoning of 570 Bolton Road to ensure that, after the lot addition to 570 Bolton Road, there is uniform zoning on the lot. (**Appendix 2**)

## **ANALYSIS**

### **Provincial Policy Statement**

The Provincial Policy Statement (PPS) provides policies for land use and development, with the overall goal to enhance to quality of life for Ontario residents. The PPS recognizes that rural areas are diverse with respect to population, natural resources, geographies, and physical characteristics, and directs development to support rural areas by "building upon rural character, and leveraging rural amenities and assets" and "encouraging the conservation and redevelopment of existing rural housing stock on rural lands" (Policy 1.1.4.1 (a)(d)). Furthermore, the PPS directs development to protect natural features and areas by restricting development within significant wetlands and significant areas of natural and scientific interest (Policy 2.1.5).

The proposed zoning by-law amendment is consistent with the policies of the PPS as it will retain a detached dwelling on the retained portion of 580 Bolton Road. Additionally, as the site is located immediately east of a provincially significant wetland and area of natural and scientific interest (ANSI), it must be proven that any development does not negatively impact these natural areas. The proposed zoning by-law amendment does not include any development as defined by the PPS, therefore, staff is satisfied that the rezoning is consistent with Policy 2.1.5.

### United Counties of Leeds and Grenville's Official Plan

The site is designated as 'Rural Lands' pursuant to Schedule A and 'Natural Heritage System' pursuant to Appendix 2 of the United Counties of Leeds and Grenville's Official Plan. The 'Rural Lands' designation is intended to protect natural amenities and rural character, while also providing opportunities for agricultural uses, resource-based activities, recreation, tourism, and other rural land uses. Permitted uses on 'Rural Lands' include limited residential development, home occupations and industries, agricultural uses, and other rural land uses. Policies for development on 'Rural Lands' address issues such as compatibility, potential impacts, appropriate separation distances, and screening of outdoor storage uses. The policies for 'Natural Heritage System' restrict development and site alteration in significant wetlands, as well as in significant wildlife habitat and significant areas of natural and scientific interest (ANSI) unless it has been demonstrated that there will be no negative impacts in doing so.

Staff are satisfied that the proposed Zoning By-Law amendment complies with the policies of the United Counties of Leeds and Grenville's Official Plan as no new development or alteration is associated with the rezoning. Furthermore, the rezoning will decrease the size of useable land for a kennel use, which, in turn, reduces the possibility of conflict and impact with adjacent land uses. Staff is further satisfied that the proposed zoning by-law amendment will not impact the natural heritage system, including the adjacent provincially significant wetlands and the ANSI.

### North Grenville Official Plan

The site is designated 'Rural' pursuant to Schedule A of the Official Plan. The rural designation permits a variety of uses including agricultural and limited residential, commercial, industrial and outdoor recreation uses.

The proposed zoning by-law amendment complies with the policies of the Rural designation as the proposed RU zone permits the uses as listed above and limits non-rural type uses.

### Zoning

The site is currently zoned Special Rural Kennel (SRK-1), which permits single detached dwellings, agricultural uses, and a kennel operation (subject to site plan control and a kennel license). The parcel at 570 Bolton Road, which is to receive the lot addition, is currently zoned Rural (RU), which permits single detached dwellings, agricultural uses, home occupations and other rural-related uses.

As a result of the rezoning and associated severance, 580 Bolton Road will remain zoned as SRK-1 and will still meet the provisions of the SRK-1 zoning, which include a minimum lot frontage of 120 metres and lot area of 2.0 hectares. That is, the proposed zoning by-law amendment will not put the remaining portion of 580 Bolton Road into non-compliance with its SRK-1 zoning. The proposed zoning by-law amendment will result in the entirety of 570 Bolton Road, including the lot addition, being zoned as RU and will bring the lot into compliance by expanding the lot area to meet and exceed the minimum requirement of 1.0 hectares, whereas the current lot area is approximately 0.4 hectares.

### **CONCLUSION**

Overall, the proposed Zoning By-Law amendment represents good planning as it serves to maintain zoning compliance on 580 Bolton Road, brings 570 Bolton Road into compliance with the applicable zoning provisions and removes permissions for a kennel that no longer exists. Furthermore, it is consistent with the Provincial Policy Statement, conforms to the

United Counties of Leeds and Grenville Official Plan and conforms to the Municipality of North Grenville Official Plan.

This application was circulated to persons and agencies as required by the *Planning Act*. At the time this report was written, no comments had been received from any person and no comments citing concerns had been received from any agency.

### **ALTERNATIVES**

That Committee of the Whole recommend that Council refuse an amendment to Zoning By-law No. 50-12 to change the zoning from Special Rural Kennel (SRK-1) to Rural (RU) for a part of 580 Bolton Road as shown in Appendix 1. This alternative is not recommended as the rezoning is a condition of the associated severance application and represents good planning.

### **FINANCIAL/STAFFING IMPLICATIONS**

This item has been identified in the current budget:      Yes ☐      No ☐      N/A **X**

This item is within the budgeted amount:      Yes ☐      No ☐      N/A **X**

Staffing implications, as they relate to implementing Council's decision on this matter, are limited to the existing staff complement and applicable administrative policies as approved by Council.

### **LINK TO COMMUNITY STRATEGIC PLAN**

There are no direct links to the Community Strategic Plan as a result of this application.

**Prepared by:**

**Reviewed and submitted by:**

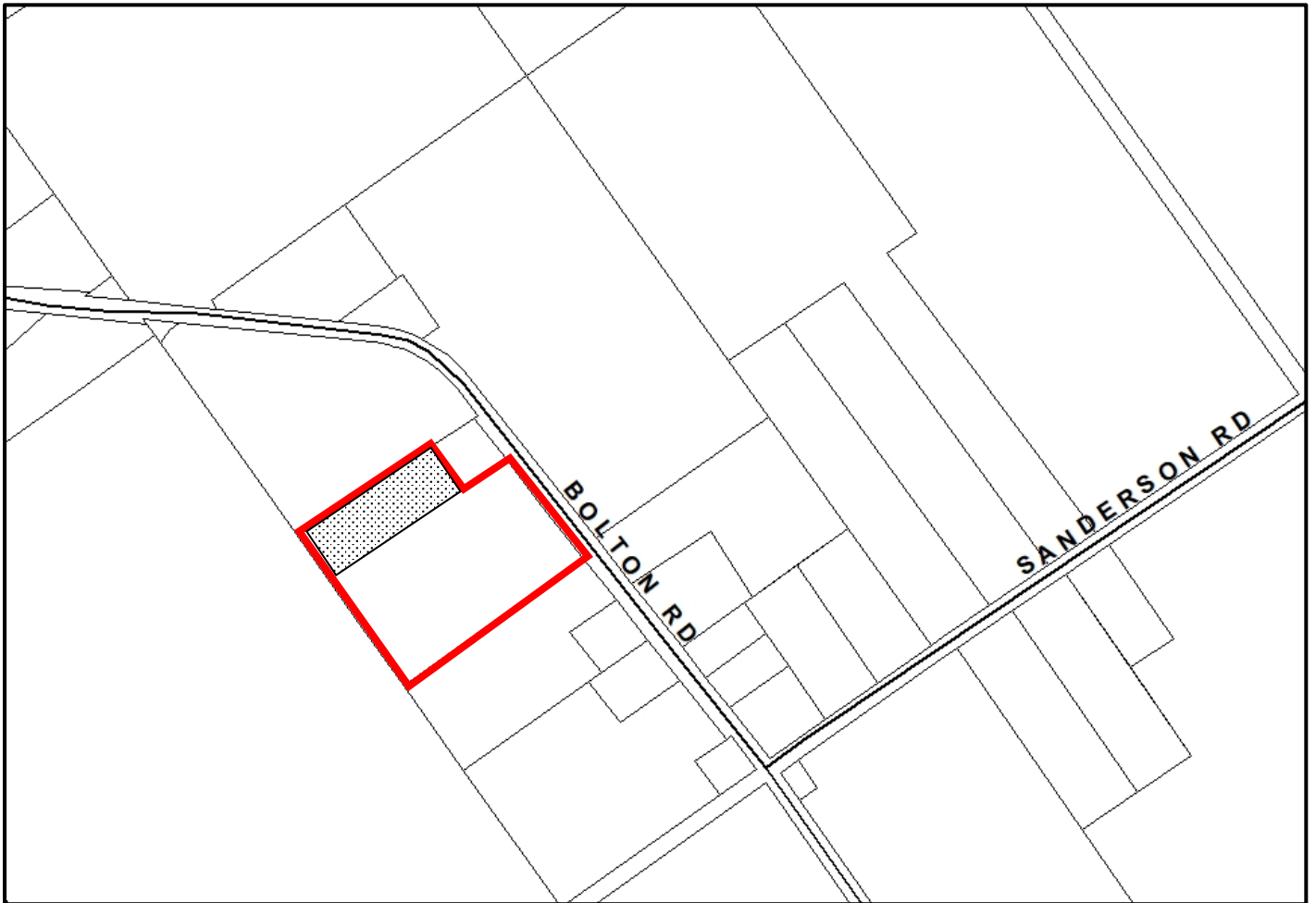
Original signed \_\_\_\_\_  
**Kersten Nitsche**  
**Senior Planner**

Original signed \_\_\_\_\_  
**Philip Gerrard**  
**Director, Planning and Development**

**Recommendation submitted  
for Committee of the Whole  
consideration by:**

Original signed \_\_\_\_\_  
**Brian J. Carré**  
**CAO**

## Location Map



### Subject Lands:



Part of 580 Bolton Road to be rezoned from Special Rural Kennel (SRK-1) to Rural (RU)

## Severance Application Decision

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### UNITED COUNTIES OF LEEDS AND GRENVILLE CONSENT GRANTING AUTHORITY

#### DECISION

#### APPLICATION B-28-18

We the undersigned members of the Consent Granting Authority of the United Counties of Leeds and Grenville; do hereby certify that the following is a decision reached by us at a hearing held at the Counties Offices, 25 Central Avenue, Brockville, Ontario on May 16, 2018. The said decision was reached on the application of Douglas Craig & Lynn Corbett to sever a parcel of land being: part of Lot 4, Concession 5; Municipality of North Grenville having dimensions of 61 metres by 186 metres and containing an area of 2.8 acres.

**DECISION:** **GRANTED** providing the conditions as stated below are met.

**REASONS:** (1) Subject land is being severed merely for the purpose of addition to abutting land now owned by Daniel & Diana Dillabaugh and no new lot is being created.

(2) Division of land is compatible with the intent and purpose of the Official Plan and meets the criteria in Section 51(24) of the Planning Act.

**CONDITIONS:** (1) That all conditions imposed in the granting of this decision be met and one (1) original copy of the registered reference plan of the subject lands, which conforms substantially with the application as submitted, and the instrument relating to the transaction (deed/transfer, grant of right-of-way, etc.) be presented to the Secretary-Treasurer of the Consent Granting Authority for the Certificate of Consent no later than May 17, 2019.

(2) That the severed land be registered on title in the exact same name in which the purchaser's abutting land is registered. A copy of the purchaser's registered deed for the abutting land is to be submitted to the Consent Granting Authority; prior to endorsement of consent on the deed for the severed land. Section 50(3) of the Planning Act shall apply to any subsequent conveyance or transaction involving the severed land.

(3) That the applicants provide a draft reference plan to the Municipality of North Grenville.

(4) That the applicants apply for a zoning by-law amendment to amend the zoning on the severed lands from Special Rural Kennel (SRK-1) to Rural (RU).


(5) That written release of conditions 3 and 4 from the Municipality be submitted to the Consent Granting Authority prior to endorsement of consent on the deed for the severed land.

**NOTES:** (1) The Municipality had no objection providing conditions 3 and 4 are complied with.

(2) The Health Unit had no objection as a lot addition.

(3) Rideau Valley Conservation Authority had no objection. RVCA notes that there have been some unevaluated wetlands and a Provincially Significant Wetland identified on the adjacent property to the west, however their presence would not impact this lot addition application.

I hereby certify this to be a true and exact copy

  
Chair

  
Secretary-Treasurer

This Decision was mailed on May 17, 2018

The last date for appealing this decision is June 6, 2018