



Clarence-Rockland

**CORPORATION OF THE CITY OF
CLARENCE-ROCKLAND
PLANNING COMMITTEE**

December 5, 2018, 7:00 pm
Council Chambers
415 rue Lemay Street, Clarence Creek, Ont.

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Clarence-Rockland

**CORPORATION DE LA CITÉ DE
CLARENCE-ROCKLAND**

COMITÉ DE L'AMÉNAGEMENT

le 5 décembre 2018, 19 h 00
Salle du Conseil
415 rue Lemay Street, Clarence Creek, Ont.

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Clarence-Rockland

Declaration of pecuniary interest Déclaration d'intérêt pécuniaire

Date of meeting Date de la réunion:	
Item Number Numéro de l'item:	
Subject of the item: Sujet de l'item :	
Name of Council Member Nom du membre du conseil	

I, _____, hereby declare a pecuniary interest in the matter identified above for the following reason :

Je, _____, déclare un intérêt pécuniaire en ce qui concerne l'article ci-haut mentionné, pour la raison suivante :

Name (print)	Signature	Date

This declaration is filed in accordance with the *Municipal Conflict of Interest Act* and will be recorded in the meeting minutes and will be made available in a public registry. / Cette déclaration est soumise sous la *Loi sur les conflits d'intérêt municipaux* et sera enregistrée dans le procès-verbal de la réunion et sera disponible dans un registre public.

Excerpt from the Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50

DUTY OF MEMBER

When present at meeting at which matter considered

5 (1) Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the council or local board at which the matter is the subject of consideration, the member,

- (a) shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- (b) shall not take part in the discussion of, or vote on any question in respect of the matter; and
- (c) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question. R.S.O. 1990, c. M.50, s. 5 (1).

Where member to leave closed meeting

(2) Where the meeting referred to in subsection (1) is not open to the public, in addition to complying with the requirements of that subsection, the member shall forthwith leave the meeting or the part of the meeting during which the matter is under consideration. R.S.O. 1990, c. M.50, s. 5 (2).

Extrait de la Loi sur les conflits d'intérêts municipaux, L.R.O. 1990, chap. M.50

OBLIGATIONS DU MEMBRE

Participation à une réunion où l'affaire est discutée

5 (1) Le membre qui, soit pour son propre compte soit pour le compte d'autrui ou par personne interposée, seul ou avec d'autres, a un intérêt pécuniaire direct ou indirect dans une affaire et participe à une réunion du conseil ou du conseil local où l'affaire est discutée, est tenu aux obligations suivantes :

- a) avant toute discussion de l'affaire, déclarer son intérêt et en préciser la nature en termes généraux;
- b) ne pas prendre part à la discussion ni voter sur une question relative à l'affaire;
- c) ne pas tenter, avant, pendant ni après la réunion, d'influencer de quelque façon le vote sur une question relative à l'affaire. L.R.O. 1990, chap. M.50, par. 5 (1).

Exclusion de la réunion à huis clos

(2) Si la réunion visée au paragraphe (1) se tient à huis clos, outre les obligations que lui impose ce paragraphe, le membre est tenu de quitter immédiatement la réunion ou la partie de la réunion où l'affaire est discutée. L.R.O. 1990, chap. M.50, par. 5 (2).



CORPORATION OF THE
CITY OF CLARENCE-ROCKLAND
PLANNING COMMITTEE MEETING MINUTES

October 3, 2018
Council Chambers
415 rue Lemay Street, Clarence Creek, Ont.

PRESENT: Mario Zanth, President
Guy Desjardins, Mayor (ex-officio)
Carl Grimard, Councillor Ward 3
Michel Levert, Councillor Ward 7
Elaine Simard, Member
Denis Simard, Member
Marie-Ève Bélanger, Manager of Development
Maryse St-Pierre, Deputy Clerk

1. Opening of the meeting

The President opens the meeting at 7:01 pm.

2. Adoption of the agenda

RECOMMENDATION AME2018-25

Moved by Carl Grimard

Seconded By Michel Levert

THAT the agenda be adopted as presented.

CARRIED

3. Declaration of pecuniary interests (none)

4. Adoption of the minutes

4.1 Minutes of September 5, 2018

RECOMMENDATION AME2018-26

Moved by Michel Levert

Seconded By Denis Simard

THAT the minutes of the Planning Committee meeting of September 5, 2018 be adopted.

CARRIED

5. Planner's Statement

The planner's statement is presented.

6. Deferred Items

6.1 Amendment to the Zoning By-Law – 2164 Landry Road

Ms. Marie-Ève Bélanger reiterates the details of her September 5 last presentation. She presents additional information.

Mrs. Monique Halloran, 2320 Landry Road, explains that she has future projects for the barn, notably more horses, or even other animals. She explains that she is not in favour of this application to avoid potential complaints about the smell. She adds that she does not object to the construction of a house but she would like the MDS to be respected. She explains the details of her last letter to the department.

Further to questions, Ms. Bélanger explains that it is not possible to add conditions to zoning amendments. Members of the committee discuss the MDS requirements.

Mrs. Hélène Leblanc, 2188 Landry Road, explains that the distance of 60 metres is reasonable. She adds that the reason why the house could not be built in the authorized spot is because of the ditch for drainage.

Mr. Michel Leblanc, 2188 Landry Road, describes the location of the house. He explains that if the house is built further, they will have to pay double fees for maintenance and utilities. He adds that the smell risk is low compared to many other factors.

Further to questions, Ms. Bélanger explains the calculation process for MDS. She explains that it is based on the total surface area, in addition to the nutrient units, which depend on the type of animal.

Mrs. Halloran explains the barn potential capacity based on the number of animals. She adds that she wants to keep her land peaceful and stay open to potential future projects.

RECOMMENDATION AME2018-27

Moved by Carl Grimard

Seconded By Michel Levert

THAT the Planning Committee recommends that the Municipal Council adopt the By-law amending Zoning By-law 2016-10 in order to change the zoning category for the severed parcel of the severance B-CR-009-2019 (Part of 2164 Landry Road) from, “Rural (RU) Zone” to “Rural Residential (RR) Zone”; and

THAT the Planning Committee recommends that the Municipal Council accept the request to reduce the minimum separation distance (MDS I) for 60 metres; and

THAT it be written on the titles and on the site plan that the DMS I are 60 metres for this property.

CARRIED, as modified

7. Presentations / Reports (none)

8. Other Items (none)

9. Adjournment

The meeting is adjourned at 7:57 pm.

Mario Zanth, President

Maryse St-Pierre, Deputy Clerk



**CORPORATION DE LA
CITÉ DE CLARENCE-ROCKLAND
PROCÈS-VERBAL DU COMITÉ D'AMÉNAGEMENT**

le 3 octobre 2018
Salle du Conseil
415 rue Lemay Street, Clarence Creek, Ont.

PRÉSENT: Mario Zanth, président
Guy Desjardins, maire (ex-officio)
Carl Grimard, conseiller quartier 3
Michel Levert, conseiller quartier 7
Elaine Simard, membre
Denis Simard, membre
Maryse St-Pierre, greffière adjointe

1. Ouverture de la réunion

Le président ouvre la réunion à 19h01.

2. Adoption de l'ordre du jour

RECOMMANDATION AME2018-25

Proposée par Carl Grimard

Appuyée par Michel Levert

QUE l'ordre du jour soit adopté tel que présenté.

ADOPTÉE

3. Déclaration d'intérêts pécuniaires (aucune)

4. Adoption des procès-verbaux

4.1 Procès-verbal du 5 septembre 2018

RECOMMANDATION AME2018-26

Proposée par Michel Levert

Appuyée par Denis Simard

QUE le procès-verbal de la réunion du comité d'aménagement du 5 septembre 2018 soit adopté.

ADOPTÉE

5. Énoncé de l'urbaniste

L'énoncé de l'urbaniste est présenté.

6. Items différés

6.1 Modification au Règlement de Zonage – 2164 chemin Landry

Mme Marie-Ève Bélanger réitère les détails de la présentation de la réunion du 5 septembre dernier. Elle présente les informations additionnelles obtenues suite à cette réunion.

Mme Monique Halloran, 2320 chemin Landry, explique qu'elle a des projets futurs concernant la grange, notamment l'ajout de chevaux et d'autres animaux. Elle explique qu'elle n'est pas en faveur de cette demande pour éviter des conflits futurs relativement aux odeurs. Elle ajoute qu'elle ne s'oppose pas à la construction de la maison, mais aimerait que les DMS soient respectés. Elle explique les détails de sa dernière lettre adressée au département.

Suite aux questions, Mme Bélanger explique qu'il n'est pas possible d'ajouter des conditions lors d'un changement de zonage. Les membres du comité discutent des exigences en matière de DMS.

Mme Hélène Leblanc, 2188 chemin Landry, explique que la distance de 60 mètres est raisonnable. Elle ajoute que la raison pour laquelle la maison ne peut être construite dans la zone autorisée, c'est à cause de la présence du fossé de drainage.

M. Michel Leblanc, 2188 chemin Landry, décrit l'emplacement de la maison. Il explique que si la maison est construite plus loin, le double de cout en entretien et en services publics sera exigé. Il ajoute que le risque d'odeur dans l'emplacement proposé est minime suite à plusieurs facteurs.

Suite aux questions, Mme Bélanger explique le processus de calcul pour les DMS. Elle explique que c'est basé sur la superficie totale du lot, en plus des unités nutritives, lesquelles dépendent du type d'animal.

Mme Halloran explique la capacité d'accueil potentiel de la grange en nombre de bêtes. Elle ajoute qu'elle veut conserver la quiétude et la possibilité de projets futurs sur sa terre.

RECOMMANDATION AME2018-27

Proposée par Carl Grimard

Appuyée par Michel Levert

QUE le comité d'aménagement recommande au conseil municipal d'adopter le règlement modifiant le Règlement de Zonage 2016-10, à l'effet de modifier la catégorie de zonage pour la parcelle détachée du morcellement B-CR-009-2018 (partie du 2164 chemin Landry) de, « Zone rurale (RU) » à « Zone résidentielle rurale (RR) »; et

QUE le comité d'aménagement recommande au conseil municipal d'accepter la demande de réduire la distance minimale de séparation (DMS I) à 60 mètres; et

QU'il soit inscrit sur les titres et le plan de lotissement que le DMS 1 est à 60 mètres pour cette propriété.

ADOPTÉE, telle que modifiée

7. Présentations / Rapports (aucun)

8. Autres items (aucun)

9. Ajournement

La réunion est ajournée à 19:57.

Mario Zanth, président

Maryse St-Pierre, greffière adjointe



Énoncé de l'urbaniste / Planner's Statement



Énoncé de l'urbaniste / Planner's Statement

- Toute personne présente peut soumettre ses observations et ses commentaires sur les présentes propositions d'ébauche de plan de lotissement ou de la modification au plan officiel ou de la modification au règlement de zonage.
- Toute personne peut obtenir des renseignements sur la ou les présentes demandes en s'adressant au Département d'infrastructure et de l'aménagement du territoire de la Cité de Clarence-Rockland, au 1560 rue Laurier à Rockland (édifice de l'Hôtel de ville) aux heures habituelles de bureau, soit de 8h30 à 16h30 du lundi au vendredi.
- Anyone present at the meeting may submit their concerns or comments in respect to the proposed draft plan of subdivision or to the Official Plan amendment or to the Zoning By-Law amendment.
- Anyone may obtain additional information relating to the present requests by contacting the Infrastructure and Planning Department at the City Hall, located at 1560 Laurier Street in Rockland, between 8:30 A.M. and 4:30 P.M., from Monday to Friday.



Énoncé de l'urbaniste / Planner's Statement

- Si une personne ou un organisme public avait par ailleurs la capacité d'interjeter appel de la décision de du conseil de la Corporation de la Cité de Clarence-Rockland devant le Tribunal d'appel de l'aménagement local, mais que la personne ou l'organisme public ne présente pas d'observations orales lors d'une réunion publique ou ne présente pas d'observations écrites à la Corporation de la Cité de Clarence-Rockland avant l'adoption du règlement municipal ou du plan de lotissement, la personne ou l'organisme public n'a pas le droit d'interjeter appel de la décision.
- If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of Clarence-Rockland to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to Corporation of the City of Clarence-Rockland before the by-law is passed or the approval of a Draft plan of Subdivision, the person or public body is not entitled to appeal the decision.



Énoncé de l'urbaniste / Planner's Statement

- Si une personne ou un organisme public ne présente pas d'observations orales lors d'une réunion publique ou ne présente pas d'observations écrites à la Corporation de la Cité de Clarence-Rockland avant l'adoption du règlement municipal ou du plan de lotissement, la personne ou l'organisme public ne peut pas être joint en tant que partie à l'audition d'un appel dont est saisie le Tribunal d'appel de l'aménagement local à moins qu'il n'existe, de l'avis de ce dernier, des motifs raisonnables de le faire.
- If a person or public body does not make oral submissions at a public meeting, or make written submissions to Corporation of the City of Clarence-Rockland before the by-law is passed or the Draft Plan of Subdivision is approved, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.



Énoncé de l'urbaniste / Planner's Statement

- SI VOUS DÉSIREZ être avisé(e) de la décision de la Corporation de la Cité de Clarence-Rockland relativement au présent plan de lotissement proposé ou de la décision relativement à l'amendement au plan officiel ou au règlement de zonage proposé, vous devez présenter une demande écrite à la: Greffière, Cité de Clarence-Rockland, 1560 rue Laurier, Rockland (Ontario) K4K 1P7.
- IF YOU WISH to be notified of the decision of the Corporation of the City of Clarence-Rockland in respect of the proposed plan of subdivision or of the decision in respect of the proposed Official Plan or Zoning Amendment, you must make a written request addressed to the Clerk, City of Clarence-Rockland, 1560 Laurier Street, Rockland, Ontario K4K 1P7.



Énoncé de l'urbaniste / Planner's Statement

- Une personne ou un organisme public dispose d'un délai de 20 jours pour interjeter appel devant le Tribunal d'appel de l'aménagement local (TAAL) suite à l'envoie de l'avis d'adoption. Pour ce faire, la personne ou l'organisme public doit déposer à la Cité un avis d'appel qui explique son opposition au règlement municipal, les motifs à l'appui de son appel, en plus de payer les droits prescrits.
- A person or public body may submit an appeal within 20 days of the receipt of the notice of adoption before the Local Planning Appeal Tribunal (LPAT). However, the person or public body has to file an appeal with the City explaining the reasons supporting the objection to the by-law in addition to paying the required fees.



REPORT N° AMÉ-18-105-R

Date	21/11/2018
Submitted by	Claire Lemay
Subject	Zoning By-law Amendment – Jacques Rochon – Part of Lot C, Concession 3
File N°	D-14-514

1) **NATURE/GOAL :**

The purpose of this report is to present a draft amendment to the Zoning By-law 2016-10 of the City of Clarence-Rockland for a property described as Part of Lot C, Concession 3.

2) **DIRECTIVE/PREVIOUS POLICY :**

N/A

3) **DEPARTMENT'S RECOMMENDATION :**

WHEREAS a number of buildings and structures have been built on the property known as Part of Lot C, Concession 3, which has access to the end of Clark Road via a private right-of-way;

THAT the Planning Committee recommends to Council to amend Zoning By-Law 2016-10, in order to change the zoning category of the property from "Rural (RU) Zone" to "Rural – Exception 53 -(RU-53) Zone", in order to permit the existing buildings and structures on the property, as recommended by the Infrastructure and Planning Department.

ATTENDUE QUE plusieurs bâtiments et structures ont été construite sur le terrain identifié comme étant une partie du lot C, concession 3, qui a accès à la fin du chemin Clark par un droit-de-passage privé;

QUE le Comité d'aménagement recommande au Conseil Municipal d'approuver le règlement modifiant le Règlement de Zonage 2016-10 afin de changer le zonage de la propriété de « Zone rurale (RU) » à « Zone rurale – Exception 53 (RU-53) », afin de permettre les bâtiments et structures existantes sur le terrain, tel que recommandé par le Département d'infrastructure et aménagement du territoire.

4) **BACKGROUND :**

The City of Clarence-Rockland Building Services staff became aware in 2016 of the illegal construction of a cottage and a detached garage on the subject property. This building was built without a building permit and contrary to Zoning By-law regulations. A Stop Work Order and an Order to Comply were issued by the City of Clarence-Rockland Building Services in March 2016. Multiple inspections were completed by City of Clarence-Rockland Building Services staff throughout 2016.

Staff from the City of Clarence-Rockland Infrastructure and Planning Department held several meetings and phone calls with the property owner to discuss the situation and how it might be resolved. In June 2016, the City of Clarence-Rockland Planning Services sent a letter to the property owner, informing him of the reasons why the illegally constructed buildings were not in conformity with the City's Zoning By-law and explaining the need to obtain a legal access to the property which would satisfy the requirements of the Zoning By-law for access to a private road.

A second letter was sent in October, 2016, establishing the further steps that were required to be taken in order to allow the issuance of a building permit.

Following receipt of these letters and further discussions with City staff, up until August 2018, the property owner sought legal advice and proceeded with the steps required in order to obtain a legal right-of-way from Clark Road to the subject property.

5) **DISCUSSION :**

There are a number of buildings currently on the subject property. These are:

- A cottage, constructed circa 1979 (22' x 34'). This structure may benefit from legal non-conforming status, however, no concrete evidence of its legality has been found.
- A second cottage (40' x 23'). This structure was built illegally without a building permit having been obtained.
- An accessory structure (40' x 23').
- A garage, used for storage of equipment and a workshop related to a forestry use (35' x 50').

The property does not have access to a public road. There is an existing easement, which has been used, according to the owner, for three generations of his family. The right-of-way was legally established by court order in August 2018.

The purpose of this proposed amendment is to render the existing buildings in conformity with the by-law, thus enabling the Chief Building Official to issue a building permit for the buildings, which were constructed illegally in order to resolve the ongoing situation. The property owner has also requested that a shipping container, to be used for the storage of firewood, be permitted on the property. The proposed amendment would also recognize the right-of-way as an existing private road, thereby allowing the construction and use of buildings on the existing lot.

Provincial Policy Statement

According to section 1.1.5.2 of the Provincial Policy Statement 2014, limited residential development is permitted on rural lands. Section 1.1.5.4 states that: "Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure." This means that the existing uses of the property are consistent with the Provincial Policy Statement, but that further development of the property should be discouraged because there is no access to a public road and the City has no intention of adding a public road access to this property.

Official Plan of the United Counties of Prescott and Russell

The subject property is located within the Rural Policy Area according to Schedule A of the Official Plan of the United Counties of Prescott and Russell. Low-density residential uses as well as resource-related uses such as forestry are permitted.

Existing private roads are identified on Schedule D of the Official Plan of the United Counties, and new private roads are defined in section 3.3.6. The private road which provides access to the subject property is not identified on Schedule D, nor does it match the definition of new private roads contained in the policies of Section 3.3.6.

City of Clarence-Rockland Zoning By-law 2016-10

The subject property is located within the "Rural (RU) Zone" according to Schedule A of the City of Clarence-Rockland Zoning By-law. Low density residential uses are permitted, however a seasonal dwelling is not included in the list of permitted uses for the zone. A forestry operation is a permitted use.

Section 4.13 of the City of Clarence-Rockland Zoning By-law requires that lot frontage on a public road, or on a private road in the case of existing lots, is required in order to erect or use a building or structure on that lot. Section 4.13 (h) reads as follows:

"For a lot that legally existed on the effective date of this By-law, the lot has access to a private road that legally existed on the effective date of this By-law"

A private road is defined in the City of Clarence-Rockland Zoning By-law as:

"an easement, right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation or other private owner providing access to individual freehold lots."

The subject property has access to a private road, as defined in the Zoning By-law. This private road was legally recognized by court order on August 3rd, 2018, however, the private road existed and was used for many decades prior to that date.

The proposed amendment to the City of Clarence-Rockland Zoning By-law is consistent with the Provincial Policy Statement. Although the proposed amendment technically does not conform to the Official Plan of the United Counties of Prescott and Russell because the private road providing access to the subject property is not identified on Schedule D, the general intent of the Official Plan to allow development only on existing lots with access to existing private roads is respected, because the private road was in existence for many decades before being legally recognized in 2018.

6) CONSULTATION:

A notice of acknowledgement of a complete application for a zoning by-law amendment was sent to all property owners within 120 metres and to relevant public agencies and City departments on November 9th, 2018. A public notice was placed on site on November 14th, 2018. The public meeting of the Planning Committee on the 5th of December will serve to collect comments from the public.

7) RECOMMENDATIONS OR COMMENTS FROM COMMITTEE/ OTHER DEPARTMENTS :

United Counties of Prescott and Russell:

Nous avons révisé la demande et le jugement du dossier cité en rubrique.

L'article 7.4.4 du Plan officiel des CUPR précise les critères à considérer lors d'un changement de zonage. L'article 3.3.6 précise que les nouveaux aménagements ne sont permis que sur les lots existants ayant façade sur des chemins saisonniers et des chemins privés. Le projet proposé ne rencontre pas la description d'un chemin privé ni d'un chemin saisonnier selon le Plan officiel des CUPR, car un droit de passage n'est pas considéré comme une catégorie de chemin.

Selon l'information trouvée sur le site de MPAC, le chalet saisonnier semble avoir été construit en 1979. Par conséquent, nous vous invitons à considérer les articles 7.3.2 et 7.3.3 du Plan officiel des CUPR puisque la propriété sujette à la demande pourrait bénéficier d'un droit légal non conforme. Seulement vos dossiers peuvent confirmer ou infirmer ce statut. Si tel est le cas, nous sommes d'avis que la nouvelle catégorie de zonage devra se limiter à autoriser les bâtiments et les usages existants afin de se conformer aux politiques du Plan officiel des CUPR.

City of Clarence-Rockland Departments:

Protective Services: private road access to be maintained for emergency vehicles (heavy trucks).

Public Works: City public works are not responsible for maintenance of the private road.

Community Services: No comments.

Finance: No objection.

External Agencies: No comments.

8) **FINANCIAL IMPACT (expenses/material/etc.):**

N/A

9) **LEGAL IMPLICATIONS :**

N/A

10) **RISK MANAGEMENT :**

N/A

11) **STRATEGIC IMPLICATIONS :**

N/A

12) **SUPPORTING DOCUMENTS:**

N/A



REPORT N° AMÉ-18-106-R

Date	21/11/2018
Submitted by	Claire Lemay
Subject	Zoning By-law Amendment – Jean-Marie & Suzanne Godin – 1884 Henrie Road
File N°	D-14-515

1) **NATURE/GOAL :**

The goal of this report is to present a Zoning By-law Amendment in order to bring the property located on the edge of the boundary of the village of Clarence Creek into the Rural area and outside the village boundary. The application for an amendment to the City of Clarence-Rockland Zoning By-law is concurrent with an application to amend the Official Plan of the United Counties of Prescott and Russell for the same purpose.

2) **DIRECTIVE/PREVIOUS POLICY :**

N/A

3) **DEPARTMENT'S RECOMMENDATION :**

WHEREAS the property identified as 1884 Henrie Road is located on the edge of the village of Clarence Creek,

AND WHEREAS the Official Plan of the United Counties of Prescott and Russell does not permit development on private services within a village where municipal water is available,

AND WHEREAS the City of Clarence-Rockland does not have the intention of bringing the municipal water system in Clarence Creek to Henrie Road within the foreseeable future,

THAT the Planning Committee recommends to Council to amend Zoning By-law 2016-10, in order to change the zoning category of the property from "Village Residential First Density - holding (RV1-h) Zone" to "Rural (RU) Zone" in order to permit development on private well and septic system.

ATTENDUE QUE la propriété identifiée comme le 1884 chemin Henrie est situé à la périphérie du village de Clarence Creek,

ET ATTENDUE QUE le Plan officiel des Comtés unis de Prescott et Russell ne permet pas le développement sur services privés dans un village qui est desservi par l'eau municipale,

ET ATTENDUE QUE la Cité de Clarence-Rockland n'a aucune intention d'apporter le service d'eau municipale de Clarence Creek au chemin Henrie dans le futur proche,

QUE le Comité d'aménagement recommande au Conseil Municipal d'approuver le règlement modifiant le Règlement de Zonage 2016-10 afin de changer la catégorie de zonage de la propriété de « Zone résidentielle de village de densité 1 – aménagement différé (RV1-h) » à « Zone Rurale (RU) » afin de permettre le développement sur puits et système septique privés.

4) BACKGROUND :

On November 1st, 2018, an application was submitted by Suzanne Godin and Jean-Marie Godin to amend the Zoning By-law 2016-10. The application was deemed complete on November 2nd, 2018. Mr. Jean-Marie Godin and Mrs. Suzanne Godin, are the owners and residents of 1884 Henrie Road. They had applied for consent to sever a new lot in 2010. The approval of this application for consent (B-CR-033-2010) was impossible at the time because one of the required conditions was that the new lot be connected to the municipal water system, which does not extend to Henrie Road. After waiting many years for the City to bring the municipal water to Henrie Road, the property owners have decided to pursue an Official Plan amendment and Zoning By-law amendment in order to take their property outside of the boundary of the village of Clarence Creek, thereby enabling the Committee of Adjustment to approve the creation of a new lot without a connection to municipal water.

5) DISCUSSION :

Provincial Policy Statement 2014:

The village of Clarence Creek is a settlement area as defined in the Provincial Policy Statement. According to the policies of section 1.1.3 of the PPS, development, intensification, and redevelopment, including a mix of densities and land uses, are recommended within settlement areas. The effective use of infrastructure and public service facilities should be promoted, and unnecessary public expenditures minimized. Development within settlement areas is to occur in an orderly progression, with new development taking place adjacent to the existing built-up area.

Given that the pace of development in Clarence Creek is fairly slow, it will be many years before development, in the form of plans of subdivision, reaches the property at 1884 Henrie Road.

Figure 1 below shows the location of the subject property in relation to the boundary of the village of Clarence Creek, on Schedule "A" of the Official Plan of the United Counties of Prescott and Russell. The settlement area of the village of Clarence Creek is shown in pink, the

rural lands in orange, and the agricultural lands in white. The subject property is highlighted in red. As is clear from the parcel fabric, there remains a lot of developable land within the village boundary, which is located much closer to the existing built-up parts of the village than the subject property.

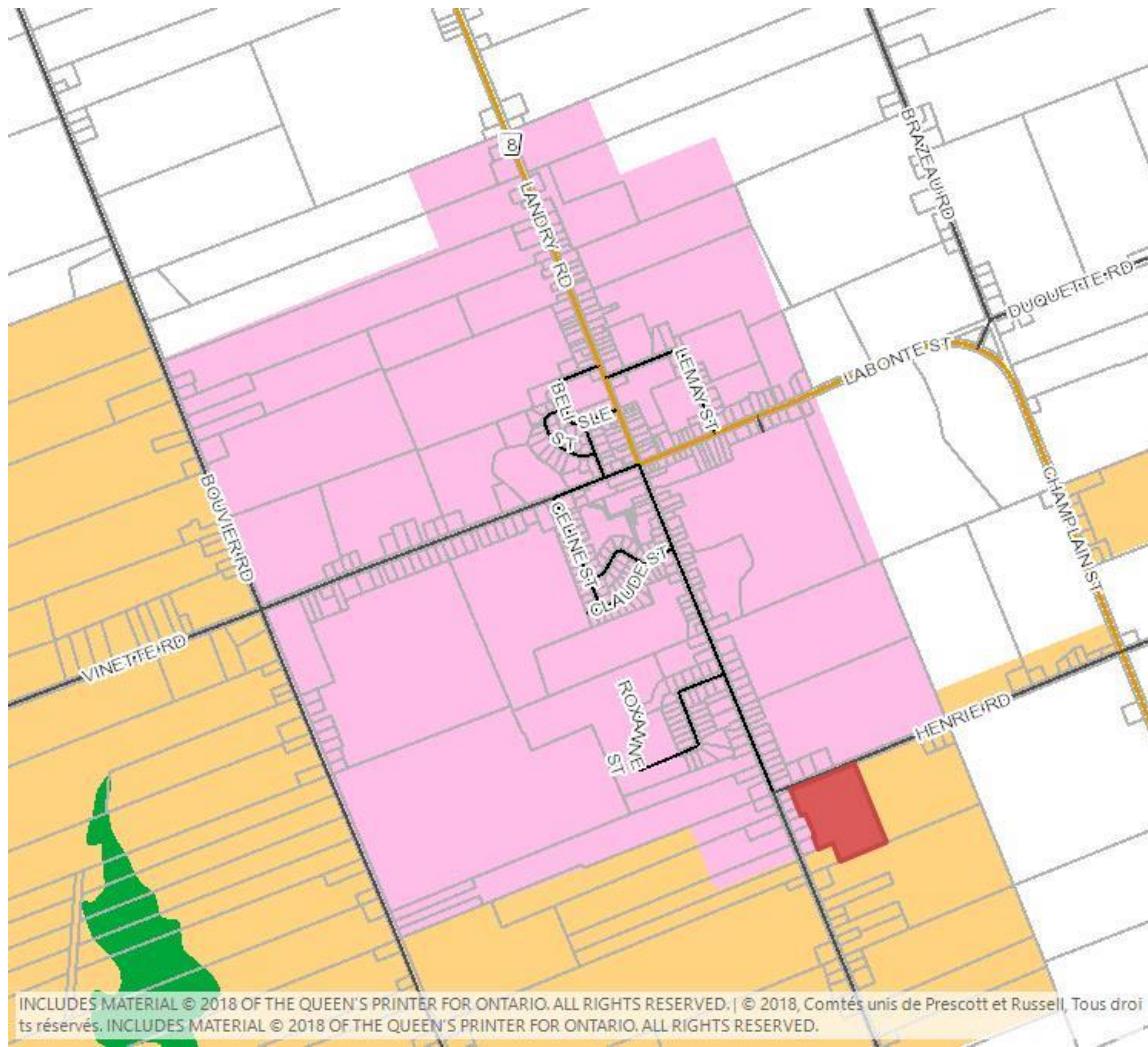


Figure 1: Location of the subject property

Official Plan of the United Counties of Prescott and Russell:

The majority of the subject property is located within the Community Policy Area of the village of Clarence Creek according to Schedule "A" of the Official Plan of the United Counties of Prescott and Russell. A small portion at the south of the lot is within the "Rural Policy Area". The property owners have submitted a concurrent application in order to request a change of designation in the Official Plan of the United Counties from "Community Policy Area" to "Rural Policy Area".

Within the "Community Policy Area", section 2.3.5 of the Official Plan indicates that: "Development on private services in partially serviced communities shall not be permitted without an amendment to this Official Plan." Within the "Rural Policy Area", section 2.5.2, policy 6 of

the Official Plan indicates that: "Residential development in the Rural Policy Area shall generally proceed on the basis of private water and waste water systems."

City of Clarence-Rockland Zoning By-law 2016-10:

The majority of the subject property is currently within the "Village Residential First Density - holding (RV1-h) Zone" according to Schedule C of the City of Clarence-Rockland Zoning By-law. A portion at the south of the property is located within the "Rural (RU) Zone", as indicated on Schedule A of the Zoning By-law. The existing residential use is permitted in both zones. No new residential development is permitted within the RV1-h zone unless the development is connected to municipal water.

The proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement. If the concurrent amendment to the Official Plan of the United Counties of Prescott and Russell is approved, the proposed amendment to the Zoning By-law of the City of Clarence-Rockland must be approved in order to ensure conformity of the Zoning By-law with the Official Plan. Likewise, if the amendment to the County Official Plan is refused, the concurrent amendment to the Zoning By-law would not conform to the Official Plan.

6) CONSULTATION:

A notice of public meeting was sent to different agencies and to the property owners within 120 meters of the subject property and a sign was posted on the property.

The Planning Committee will hold a public meeting on December 5th, 2018, at which time comments from the public will be received.

7) RECOMMENDATIONS OR COMMENTS FROM COMMITTEE/ OTHER DEPARTMENTS :

No comments/no objections from other departments.
No comments from external agencies.

8) FINANCIAL IMPACT (expenses/material/etc.):

N/A

9) LEGAL IMPLICATIONS :

N/A

10) RISK MANAGEMENT :

N/A

11) STRATEGIC IMPLICATIONS :

N/A

12) **SUPPORTING DOCUMENTS:**

N/A