



## REPORT N° AMÉ-19-64-R

<b>Date</b>	08/08/2019
<b>Submitted by</b>	Marie-Eve Bélanger
<b>Subject</b>	Zoning By-law Amendment – Monica Séguin, 2919 Old Highway 17, Unit 4 (#15)
<b>File N°</b>	D-14-522

1) **NATURE/GOAL :**

The purpose of the proposed amendment is to permit a recreational vehicle as a seasonal residence. The existing seasonal residence that was damaged following the recent flood will be demolished.

2) **DIRECTIVE/PREVIOUS POLICY :**

N/A

3) **DEPARTMENT'S RECOMMENDATION :**

WHEREAS the Provincial Policy Statement and the Official Plan of the United Counties of Prescott and Russell permits limited residential development as well as development and site alteration including minor additions or passive non-structural uses which do not affect flood flows within flood areas;

AND WHEREAS the applicant wishes to remove a dwelling damaged during the flooding with a recreational vehicle as a seasonal dwelling;

THAT the Planning Committee recommends to Municipal Council to approve the request for a Zoning by-law Amendment submitted by Mrs. Monica Séguin for the property located at 2919 Old Highway 17, Unit 4 (#15) in Rockland.

ATTENDUE QUE la Déclaration de principes provinciale et le Plan officiel des Comtés unis permettent un aménagement résidentiel limité et autorise des utilisations non structurelles qui n'ont pas d'effet sur le débit de crue en zone d'inondation;

ATTENDUE QUE le requérant désire remplacer une maison unifamiliale endommagé par les inondations avec un véhicule récréatif comme résidence saisonnière;

QUE le Comité d'aménagement recommande au Conseil municipal d'approuver la demande de modification au règlement de zonage soumise par Mme Monica Séguin pour la propriété située au 2919 Old Highway 17, Unité 4 (#15), Rockland.

4) **BACKGROUND :**

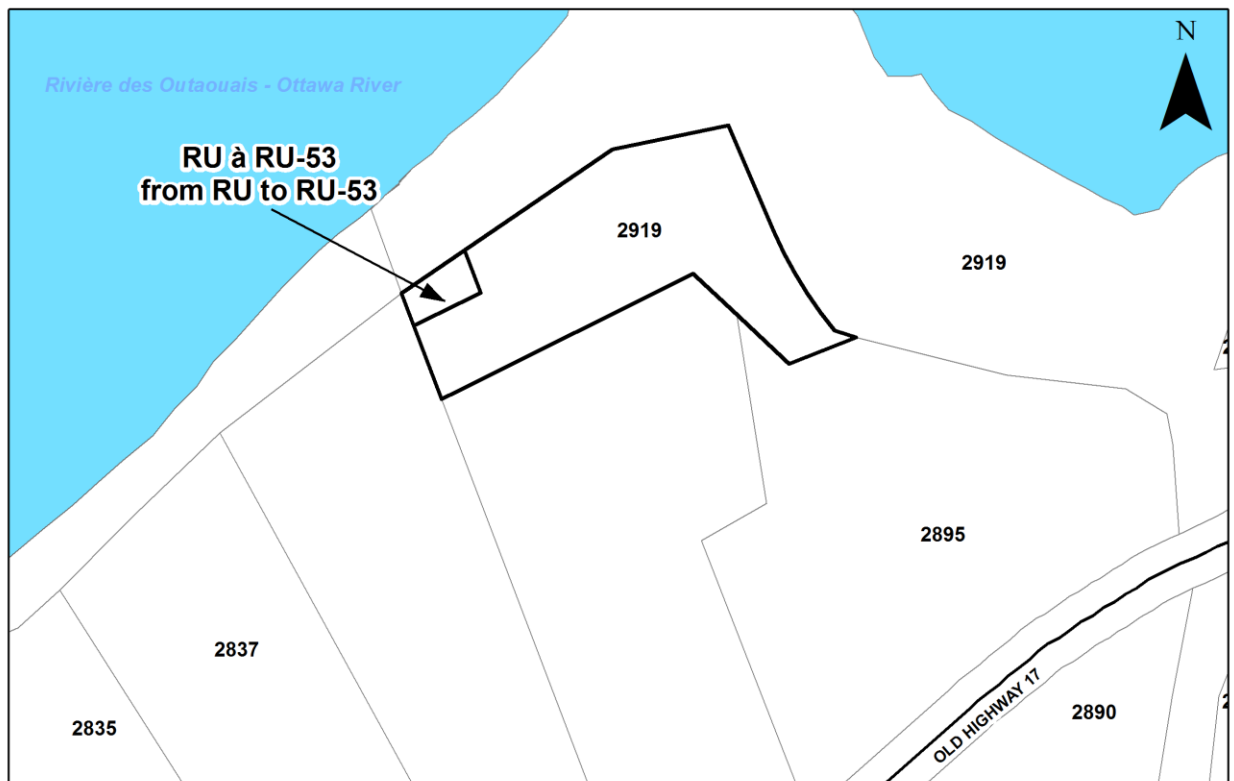
In recent years, buildings located at 2919 Old Highway 17 have been damaged due to flooding. Following the most recent floods, Ms. Séguin's dwelling has been damaged to a point of disrepair. Ms. Séguin wishes to demolish the existing dwelling and replace it with a recreational vehicle which would be used as a seasonal dwelling.



5) **DISCUSSION :**  
**Provincial Policy Statement 2014:**

On rural lands located in the municipality, permitted uses include limited residential development.

Development and site alteration may be permitted in certain areas associated with the flooding hazard along a river where the development is limited to uses which by their nature must locate within the floodway, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows.



**Figure 1: Location of the subject property**

**Official Plan of the United Counties of Prescott and Russell:**

The property is within the "Rural Policy Area".

Limited rural residential uses are permitted.

Development should be setback 30 m from the river's edge.

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

The subject property is currently within the "Rural (RU) Zone", as indicated on Schedule A of the Zoning By-law. The existing residential use is permitted. No new residential development is permitted as the area is flood prone however the dwelling could be reconstructed if appropriate flood proofing measures are undertaken. Rather than rebuilding, the applicant wishes to replace the dwelling with a recreational vehicle to be used as a seasonal residence.

Schedule "A" of Zoning By-Law No. 2016-10 would be amended by changing the zoning from "Rural (RU) Zone" to "Rural – Exception 53 (RU-53) Zone".

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RU-53 will permit a recreational vehicle to be used as a seasonal residence and shall be used in accordance with the following provision(s):

- (i) Setback to water's edge (minimum): 30 m
- (ii) Setback to property lines (minimum): 3 m

The proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement and the Official Plan of the United Counties of Prescott and Russell.

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 August 8<sup>th</sup>, 2019, at which time comments from the public will be received.

The Committee heard comments from area neighbours with similar concerns. These concerns revolved around the area becoming a campground. Neighbours alike wanted to ensure this was limited to Unit 4 (#15) and hopefully this would not create a precedent. There were concerns the property would be used for short term rental accommodation. It was discussed that there is an Owners' Association which manages and regulates units within this property.

Committee has questions in regards with the sewage disposal system. It was indicated that this would be treated as a seasonal dwelling and both the Chief Building Official and Septic Approval Office would need to determine what is required. The applicant's father was present and indicated that they had been in discussion with somebody (didn't recall who) and most likely a holding tank style system would be put in place. Committee confirmed this would be limited to ONE recreational vehicle which would be used as a seasonal dwelling.

The owner was not present at the public meeting but had prepared a statement letter to be presented in front of the Planning Committee. Unfortunately, the agents representing the owner did not read the letter during the appointed time. The Committee advised the agents to send a copy of the letter to the Clerk's office in order for the letter to be attached to this report. We have not yet received this document.

7) **RECOMMENDATIONS OR COMMENTS FROM COMMITTEE/ OTHER DEPARTMENTS :**

Administration : Should the trailer be removed in the fall and only placed back after spring flooding?

Finance: no comments

City Engineer: does not recommend the approval for the following reasons:

- Flood can happen at any time of the year, not only in the spring.

- All other accessories related to the recreational vehicle is subject to being washed away during a flood, therefore creating an environmental hazard.

Community Services: no comments

Enbridge and Eastlink: no objections

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

N/A

9) **LEGAL IMPLICATIONS :**

N/A

10) **RISK MANAGEMENT :**

The Owner did not want to rebuild a new dwelling as the risk of flooding will always be there. While she still wants to enjoy her property, her recreational vehicle will be brought on site once safe, thus reducing the risk of flooding.

11) **STRATEGIC IMPLICATIONS :**

N/A

12) **SUPPORTING DOCUMENTS:**

By-law 2019-73