

THE CORPORATION of the UNITED TOWNSHIPS of HEAD, CLARA & MARIA
PUBLIC MEETING AGENDA

Tuesday, September 25, 2018 – 19:00 h. (7:00 p.m.)

1. Introduction and Explanation of Protocol at a Public Meeting
2. Explanation of Issue and Question – Request for Zoning By-Law Amendment – Chokecherry Lane
3. Open Floor to Comments
4. Suggested Next Steps
5. Adjournment

1 - Introduction and Explanation of Protocol – Mayor Reid

1. This is a public meeting held in accordance with the legislation under the Planning Act for the province of Ontario.
2. To facilitate this session, all comments will be made through the chair. You must be recognized prior to speaking, stand, state your name and your comment or question.
3. All comments will be recorded and will become part of the public record.
4. As per the Municipal Procedure By-law no one person, will be allowed to speak for more than 5 minutes at a time and will not be provided another opportunity to speak until each person who wishes to speak has had an opportunity. The exception is for staff providing background information or answering questions. (this will be enforced through the chair)
5. Although we wish to have an informal meeting, parliamentary rules of decorum are to be obeyed.
 - a. All comments shall be relevant to the issue at hand and to issues of Council responsibility, be courteous and respectful and no one may impugn the motives of another. (That is: to dispute the truth, validity, or honesty of a statement or motive of another person.)
 - b. Delegates are to be respectful of everyone in attendance including Council, the Public and Staff and are not to use offensive words or gestures, un-parliamentary language, disobey the rules of civil procedure or any decision or direction of Council or the chair.

2 – A request to amend the municipal Zoning By-Law to allow for a 30 m set back along the shoreline of the Ottawa River.

1. Explanation of issue by the Clerk
 - a. This meeting is a legislated meeting in compliance with the Ontario Planning Act and is being held to discuss specifically the zoning by-law changes as laid out in the Consent to Sever as approved by the Council of the United Townships of Head, Clara & Maria and the County of Renfrew based on an application by representatives of the Estate of Edmond Boudreau c/o Brad Sullivan, Executor; specifically the need for a 30 metre setback from the river.
 - b. The consent for severance in general has been questioned and a hearing of the Land Division Committee for the County of Renfrew will be held on October 3, 2018 to hear concerns about the consent in general.
 - c. This session tonight is to specifically discuss the zoning by-law amendment with respect to the 30m setback.

The purpose of the amendment is to zone the severed lands in the Consent Files B03/2018(1), B04/2018(2) and B05/18 (3) to permit a limited service dwelling on each new lot with a special provision requiring a 30 metre water setback from the Ottawa River. The effect of the amendment is zone the severed lands to Exception Three (E3). All other provisions of the Zoning By-Law shall apply.

The use of this property off of a private road for a limited service dwelling similar to a number of the neighbouring properties is already permitted within the municipal zoning by-law. The exemption is specifically to ensure that the municipality will enforce the 30 m setback as a condition of severance as recommended by the County of Renfrew Official Plan and the Planning Justification Report prepared by the property owner and submitted with the consent application.

2. The following persons are entitled to appeal to the Local Appeal Tribunal under sections 34(11) and (19), as follows:
 - a. Section 34(11) – If Council decides to refuse an application or refuses or neglects to make a decision on an application within 120 days of the municipal clerk receiving the application, the applicant or the Minister of Municipal Affairs, may appeal to the Local Planning Appeal Tribunal by filing an appeal with the clerk of the municipality.
 - b. Section 34(19) – Not later than 20 days after the giving of notice of passing of the by-law, the applicant, any person or public body who made oral

submissions at the public meeting or made a written submission to Council, before the by-law was passed, or the Minister of Municipal Affairs, may appeal to the Local Planning Appeal Tribunal by filing an appeal with the clerk of the municipality.

3. Any discussion on the request for severance in general is to be made at the Land Division Hearing to be held at 9:30 a.m. on October 3, 2018 at the County Council Chambers in the County Administrative Building, 9 International Drive, Pembroke, Ontario.

3 - Open session for public comment.

4 – Suggested Next Steps

1. Council will make a decision at its council meeting of October 16, 2018.

5 - Thank you and adjournment – Mayor Reid.

(As an advertised public meeting; only this one issue may be considered at this meeting.)

Note* Alternate formats and communication supports are available on request.

HCM Mission: At your service; working effectively to bring together people, partnerships and potential for a strong, connected community.

HCM Vision: Providing a healthy, connected, and sustainable community teeming with possibilities for our citizens now and into the future.



**PLANNING DIVISION
ZONING BY-LAW AMENDMENT
REPORT TO THE COUNCIL OF
THE TOWNSHIPS OF HEAD,
CLARA & MARIA**

PART A - BASIC INFORMATION

- 1. FILE NO.:** ZB1898.1
- 2. OWNER:** The Estate of Edmond Boudreau c/o Brad Sullivan, Executor
- 3. APPLICANT:** Jp2g Consultants Inc.
- 4. MUNICIPALITY:** Townships of Head, Clara & Maria
(geographic Township of Head)
- 5. LOCATION:** Part of Lots 11 to 13, Concession B
STREET: Chokecherry Lane

SUBJECT LANDS

- 6. COUNTY OF RENFREW
OFFICIAL PLAN
Land Use Designation(s):** Rural Hamlet
- 7. TOWNSHIPS OF HEAD,
CLARA & MARIA ZONING
BY-LAW (#2004-12) Zone
Category(s):** General Provisions

8. DETAILS OF ZONING BY-LAW AMENDMENT REQUEST:

The submitted application proposes a zoning by-law amendment to the Townships of Head, Clara & Maria Zoning By-law to:

- Rezone proposed waterfront lots to permit a seasonal dwelling with a special provision requiring a 30 metre water setback from the Ottawa River.

The rezoning is a condition of consent for File B3/2018(1), B4/2018(2) and B5/2018(3).

9. SITE CHARACTERISTICS

The subject lands are 22 hectares (54.98 acres) with road frontage on Boudreau Road and water frontage on the Ottawa River. Three concurrent consent applications have been conditionally approved to create new waterfront lots on the Ottawa River. The three lots range in size from 1.1 to 1.2 Hectares in area. Each lot would have more than 68 metres of water frontage. The lots would be accessed by an existing private road (Chokecherry Lane). The retained lands would be 21.3 hectares in area and have water frontage on the Ottawa River and would be accessed by Chokecherry Lane.



The lands to be severed consist of vacant field. There is an abandoned cabin located on the proposed Lot 2 and a shed on the proposed Lot 3. Both structures are in poor condition due to neglect and will need to be torn down prior to any future development of the property. The retained lands consist of vacant field. The surrounding land uses are primarily seasonal residential, rural residential, and vacant forested lands. The ground surface of the proposed lots is relatively flat to gently rolling.

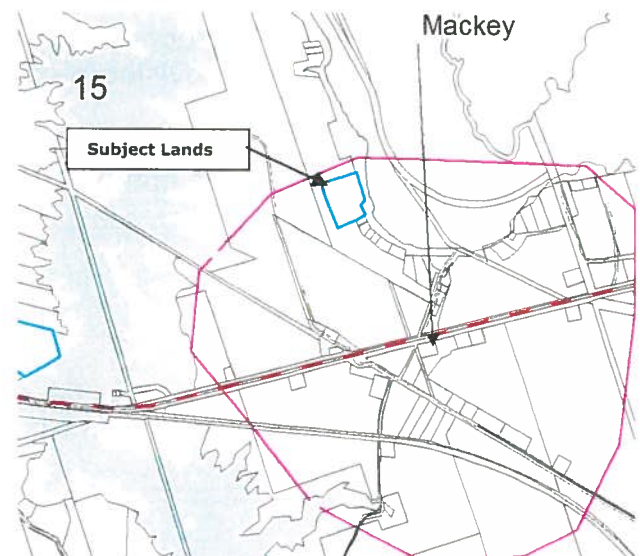
PART B – POLICY REVIEW

10. PROVINCIAL POLICY STATEMENT:

Section 3.1.2 of the PPS states development and site alteration shall not be permitted within a floodway and in areas that would be rendered inaccessible to people and vehicles during times of flooding hazards.

11. OFFICIAL PLAN:

The subject lands are designated Rural Hamlet in the County of Renfrew Official Plan. The Official Plan requires a setback of 30 metres from the high water mark for all buildings and structures, including private sewage disposal systems. Accessory boat docking and boat launching facilities are not required to meet the water setback.



12. ZONING BY-LAW:

The General Provisions of the Townships of Head, Clara & Maria apply to the subject lands. Section 3.2 states that the following are permitted uses:

- a) Dwelling
- b) Cottage
- c) Farm
- d) Home Industry
- e) Home Occupation
- f) Hunt/Fishing Camp

The minimum lot area is 2025 square metres, and the minimum lot frontage is 30 metres.

Section 3.17a)i) of the Zoning By-law states that no buildings or structures shall be constructed or erected, including additions or enlargements to existing buildings within the floodplain of the Ottawa River unless floodproofed to the floodplain design elevation of 154.7 metres G.S.C. (Geographic Survey of Ontario). An elevation survey prepared by an Ontario Land Surveyor shall accompany all application for building permits. All floodproofing methods shall be consistent with accepted engineering techniques and resource management practices.

Section 3.17a)ii) states that no buildings or structures, with the exception of boat docking and launching facilities, shall be permitted on lands below the floodway elevation of 154 metres (G.S.C.).

Section 3.19(d) states that a minimum water setback of 15 metres is required for all buildings and structures, including private sewage disposal systems. Accessory boat docking and boat launching facilities are not required to meet the water setback.

13. SUMMARY OF STUDIES:

A Planning Justification Report (prepared by Jp2G Consultants) was submitted with the consent applications. There have been seven lots previously severed from this original holding; therefore in accordance with Section 14.3(5) of the County of Renfrew Official Plan a planning justification report is required. The justification report concluded that the three additional lots were appropriate use of the land and that a plan of subdivision was not necessary for this development because:

- 1) There are only three new lots being created as a result of the proposed consent applications;
- 2) The lots to be severed are located on lands suitable for seasonal residential

- waterfront lots;
- 3) No new roads are required to service the proposed development;
 - 4) The future development of the adjoining lands will not be adversely affected by the proposed lots;
 - 5) The proposed severed and retained lots are compatible with the existing seasonal residential land use along Chokecherry Lane, Sandpiper Trail, and Edgewater Way, and rural residential development along Boudreau Road;
 - 6) The proposed severed lots will not require extensive or complex implementation mechanisms such as engineered road design or servicing agreements;
 - 7) No adverse impacts on municipal services are anticipated as a result of the approval of the proposed lots provided the lots to be severed are rezoned to a Limited Service Residential (LSR) zone.

The justification report recommends that the 30 metre vegetated setback be included as a special exception in the Zoning By-law and a development agreement is entered into with the Township of Head Clara and Maria to protect vegetation within 30 metres of the Ottawa River shoreline.

PART C: PLANNING ANALYSIS

14. CONSULTATION:

At the time of writing this report, no comments have been received or considered.

15. ANALYSIS:

Both the County of Renfrew Official Plan and the Planning Justification Report recommend a 30 metre wide setback and buffer area to be maintained along the shoreline of the Ottawa River. This setback and buffer area is intended to protect the shoreline of the River from surface drainage and sedimentation resulting from the future development of the proposed lots.

Lands within the 30 metre wide buffer area should be maintained substantially in a natural vegetated state, with the exception of a meandering pathway constructed with permeable surface materials which provides access to the watercourses, as well as the limbing of trees to provide for a view of the watercourse and the removal of dead or diseased trees.

16. RECOMMENDATIONS:

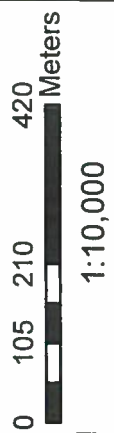
That, subject to any concerns or information raised at the public meeting, the zoning by-law amendment be approved.

Date: August 10, 2018
Planner: Bruce Howarth
Senior Planner

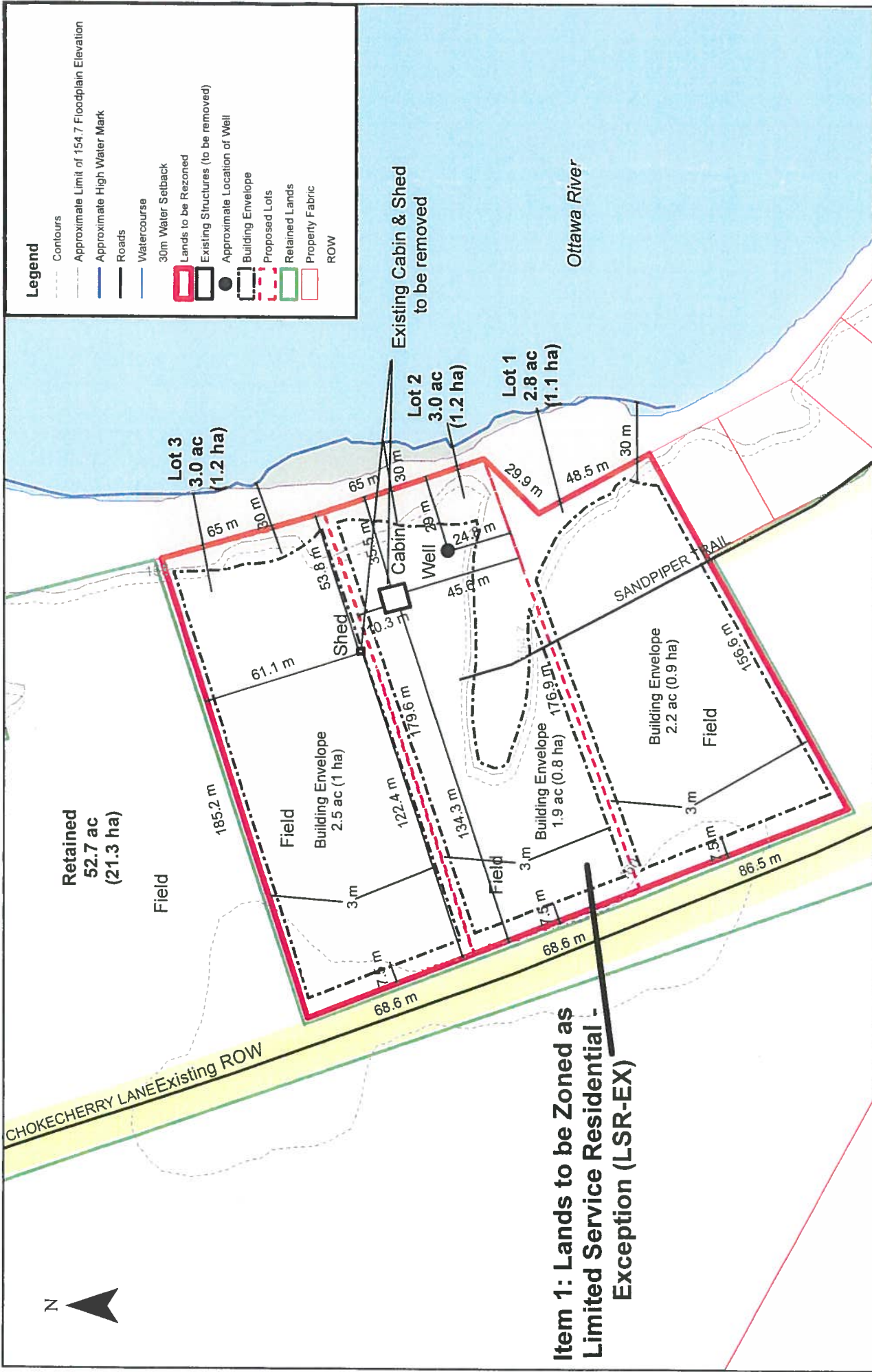


- Legend**
- Contours
 - Roads
 - Watercourse
 - Lands to be Rezoned
 - Residential Uses
 - Proposed Lots
 - Retained Lands
 - Property Fabric
 - ROW

Map Layers obtained from Land Information Ontario.
 Aerial Imagery obtained from County of Renfrew's GIS website.



Zoning Sketch 1 Site & Surrounding Land Use



Map Layers obtained from Land Information Ontario.
Aerial imagery obtained from County of Renfrew's GIS website.



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Zoning Sketch 2

