

MINUTES OF THE MEETING OF THE PLANNING & DEVELOPMENT COMMITTEE
HELD IN THE ADMINISTRATION OFFICE, 1024 HURLWOOD LANE, WEDNESDAY,
APRIL 19, 2017 AT 7:00 P.M.

PRESENT:	Chair	John Betsworth
	Members	Mike Burkett Judith Cox Jane Dunlop Ron Stevens Donald Westcott
ABSENT:	Member	Mark Taylor
STAFF:	Chief Administrative Officer	Henry Sander
	Clerk	Sharon Goerke
	Director of Planning & Development	Andrea Woodrow

CALL TO ORDER

Chair Betsworth called the meeting to order.

DISCLOSURE OF PECUNIARY INTEREST & THE GENERAL NATURE THEREOF

- "NIL"

PUBLIC MEETINGS

Public Meeting with respect to Proposed Zoning By-law Amendment – 3658 Uthoff Line

MOTION PD041917-01: *Moved by Member Cox and seconded by Member Stevens that an Application for a Zoning By-law Amendment for 3658 Uthoff Line be approved; AND FURTHER THAT the Clerk be directed to prepare a Draft Zoning By-law for consideration of Council.*

CARRIED

DELEGATIONS

- "NIL"

REPORTS FROM OFFICIALS (*for information*)

Building Report for the Month of March 2017.

By-law Enforcement Report for the Month of March 2017.

Society for the Prevention of Cruelty to Animals – Statement of Pound Services for the Month of March 2017.

Planning Report No. P17-012, 04/10/17, with respect to 3658 Uthoff Line.

MOTION PD041917-02: *Moved by Member Stevens and seconded by Member Westcott that the following Reports from Officials be received as information:*

- a) Building Report for the Month of March 2017;*
- b) By-law Enforcement Report for the Month of March 2017;*
- c) Society for the Prevention of Cruelty to Animals – Statement of Pound Services for the Month of March 2017;*
- d) Planning Report No. P17-012, 04/10/17, with respect to 3658 Uthoff Line.*

CARRIED

REPORTS FROM OFFICIALS (*for direction*)

Planning Report No. P16-062 with respect to North Ridge Estates Subdivision – Phase 2.

MOTION PD041917-03: *Moved by Member Cox and seconded by Member Stevens that Planning Report No. P16-062, dated December 7, 2016, with respect to Substantial Completion for 8301 Highway 12 be received;*

AND FURTHER THAT substantial completion be granted for Phase A, being Lot 1 and Lots 22 to 31, inclusive, on North Valley Lane, subject to the following:

- 1) That the end barricade for the straight line road is relocated to the centre of the right-of-way;*
- 2) That the stubbed street has a single checker board sign on a post; and*

- 3) *That the location of the existing mailbox pad be confirmed as satisfactory to ensure adequate room for mail delivery, pick-up and that the elevation of the pad is not a potential hazard.*

CARRIED

Administration Report No. A17-006, 04/07/17, with respect to Broadband Services – Connect to Innovate Funding.

MOTION PD041917-04: *Moved by Member Dunlop and seconded by Member Burkett that Administration Report No. A17-006, dated April 7, 2017, with respect to Broadband Services – Connect to Innovate Funding be received; AND FURTHER THAT the Township of Severn supports the application by Bell to provide high speed internet to Port Severn through the Connect to Innovate Funding Program at no cost to the municipality; AND FURTHER THAT residents be requested to submit their property location to the Township with respect to requesting improved internet service so that it can be gathered and forwarded to the County for their consideration within their SWIFT Project.*

CARRIED

CORRESPONDENCE (for information)

Sustainable Severn Sound Meeting Minutes – March 9, 2017.

Sustainable Severn Sound with respect to Memorandum No. 2017-04 – Earth Week.

MOTION PD041917-05: *Moved by Member Stevens and seconded by Member Cox that the following correspondence be received as information:*

- (a) Sustainable Severn Sound Meeting Minutes – March 9, 2017; and*
- (b) Sustainable Severn Sound with respect to Memorandum No. 2017-04 – Earth Week.*

CARRIED

CORRESPONDENCE (for direction)

- “NIL”

CONFIDENTIAL

Reports from Officials

- "NIL"

Correspondence

- "NIL"

ADJOURNMENT – 7:28 p.m.

Motion to adjourn.

MOTION PD041917-06: *Moved by Member Westcott and seconded by Member Stevens that this meeting be and it is hereby now adjourned.*

CARRIED

John Betsworth
Chair

Sharon Goerke
Clerk

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	Chief Administrative Officer	Henry Sander
	Director of Planning & Development	Andrew Woodrow

Chair Betsworth advised those in attendance that there is one public meeting called this evening with respect to development within the municipality.

The Chair advised that the purpose of public meetings are to inform and provide the public with an opportunity to ask questions or express views with respect to development proposals. In accordance with By-law No. 2007-153, members of the Planning & Development Committee are here to observe and listen to comments.

The Chair advised that the format of the public meeting will be as follows:

- 1. The Township's Consultant will generally explain the purpose and details of the application;*
- 2. Next, the applicants or their agents will be permitted to present additional information;*
- 3. Next, the public will be permitted to ask questions and express views on the proposal and then the public portion of the meeting will be closed; and*
- 4. Next, members of the Committee will be given the opportunity to ask questions for clarification on the proposal.*

The Chair advised that at the conclusion of the meeting Township staff will be given the opportunity to respond to the questions and comments received. After the public meeting is concluded, the Committee will have due regard to the presentations and views expressed this evening. As requested, the Committee will then provide a recommendation to the Ontario Municipal Board on behalf of the Township of Severn.

The Chair requested staff to present the particulars of an Application for a Zoning By-law Amendment for 3658 Uhthoff Line.

The Director of Planning & Development addressed the Committee and advised that the purpose and effect of the proposed Zoning By-law Amendment application is to amend Zoning By-law No. 2010-65, as amended, of the Township of Severn for the property described as Part Lot 3, Concession 3, geographic Township of North Orillia, now in the Township of Severn, municipally known as 3658 Uhthoff Line, as follows:

1. Rezone the severed surplus farm dwelling lands subject to Provisionally Approved Consent Application B-02-16 (Ayers) from the Agricultural (AG) Zone to the site specific Rural Residential Exception (RR-X) Zone to recognize the intended residential use of the overall property and:
 - a. Recognize the size of the existing accessory structure incidental to the residential use of the property.
2. Rezone the retained lands subject to Provisionally Approved Consent Application B-02-16 (Ayers) from the Agricultural Zone (AG) to the site specific Agricultural Exception (AG-X) Zone to:
 - a. Prohibit a Dwelling, Single Detached
 - b. Prohibit livestock within the existing barn without a Minimum Distance Separation (MDS) Report.
 - c. Establish a minimum Lot Area of 39.5 hectares.
 - d. Recognize the deficient setback of 3 metres from the existing agricultural building to the new proposed lot line. New structures will have to meet the minimum setbacks as outlined in the AG Zone.

Notice of the proposed Zoning By-law Amendment was given on March 30, 2017 and the following correspondence has been received:

Planning Report No. P17-012, 04/10/17

Background:

County Official Plan:	Agricultural (in part) and Greenlands (in part)
Township Official Plan:	Agricultural Land (in part) and Greenland (in part)
Township Zoning:	Agricultural (AG) (in part) and Environmental Protection (EP) (in part)
Legal Description:	Part Lot 3, Concession 3 (former Township of North Orillia)
Municipal Address:	3658 Uhthoff Line (Appendix 1 – Location Map)

The overall subject lands are approximately 40.1 hectares (100 acres) in size, with approximately 617 metres (2,024 feet) of frontage on Uhthoff Line. (**Appendix 2 – Aerial Imagery**).

The proposed Zoning By-law Amendment is required to fulfill a condition of Provisionally Approved Consent Application No. B-02-16 (Ayers) and will:

1. Rezone the severed surplus farm dwelling lands containing the existing dwelling and driving shed, with a Lot Area of approximately 0.47 hectares and a Lot Frontage of approximately 65 metres, from the Agricultural (AG) Zone to the site-specific Rural Residential Exception (RR-11) Zone to recognize:
 - a. the intended residential use of the overall property; and,
 - b. The size of the existing accessory structure incidental to the residential use of the property.
2. Rezone the retained lands containing an agricultural building, with a Lot Area of approximately 39.5 hectares and a Lot Frontage of approximately 551.7 metres, from the Agricultural (AG) Zone to a site-specific Agricultural (AG-20) Zone to:
 - a. prohibit a Dwelling, Single Detached;
 - b. prohibit livestock within the existing barn without a Minimum Distance Separation (MDS) Report;
 - c. Establish a Lot Area of 39.5 hectares (minimum);
 - d. Recognize the deficient setback of 3 metres from the existing agricultural building to the new proposed Lot Line.

The effect of the Zoning By-law Amendment application is that the retained lands will be a farm consolidation with additional farmland owned by the applicant. Farm consolidation means the acquisition or consolidation of additional farm parcels to be operated as one farm operation.

Planning and Development staff inspected the property prior to the writing of this report.

Discussion:

A discussion of the various planning documents that have bearing on this application follows.

Provincial Policy Statement, 2014 (“PPS”)

The subject lands are identified in the Canada Land Inventory Soil Mapping as having Class 1, 2, or 3 and organic soils. Section 2.3.1 of the Provincial Policy Statement (PPS) states that “Prime agricultural areas are areas where prime agricultural lands predominate. Specialty crop areas shall be given the highest priority for protection, followed by Classes 1, 2 and 3 soils, in this order of priority.” The subject lands are therefore considered to be prime agricultural lands under the PPS.

In terms of creating new residential lots in an agricultural designation, the only circumstance where this is permitted under the Provincial Policy Statement (PPS) is for the severance of a “surplus farm dwelling” where the consolidation of agricultural lands results in a dwelling being “surplus” to the needs of the farmer acquiring the worked lands. Section 2.3.4.1 c) states that “the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services.” The

proposed Lot Area of 0.47 hectares (1.16 acres) meets the typical Lot Area of between 0.4 hectares to 1.0 hectares required to accommodate a dwelling and private services. The subject lot of approximately 0.47 hectares will accommodate the existing dwelling, septic system, well and accessory building (driving shed). (**Appendix 3 – Draft Reference Plan of Proposed Severed Parcel**)

The Minimum Distance Separation (MDS I) setback is applicable where lots are being created surplus to a farming operation. This requirement has been included in the Zoning By-law Amendment for the retained lands containing the existing agricultural building.

The application is consistent with the policies, goals and objectives of the PPS.

Growth Plan for the Greater Golden Horseshoe, as amended (the “Growth Plan”)

Although the Growth Plan does not specifically address surplus farm dwellings or farm consolidation, the goals of the Growth Plan include the protection of prime agricultural lands and reference the policies of the PPS.

The application conforms to the applicable objectives of the Growth Plan.

County of Simcoe Official Plan (as approved by the OMB in 2016)

The subject lands are within both the Agricultural and Greenlands designation, with the proposed surplus farm dwelling severance within the Agricultural designation.

Section 3.6.7 (c) of the County Official Plan provides criteria for lot creation for a residence surplus to a farming operation as a result of farm consolidation in the Agricultural land use designation subject to the following criteria:

- i.) the new lot will be limited to a minimum size needed to accommodate the residential use and appropriate sewage and water services, and should be an approximate size of 1 hectare; and
- ii.) new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. To ensure that no new residential dwellings are permitted on the remnant parcel, municipalities may use approaches such as zoning to prohibit the development of a dwelling unit(s), and/or the municipality may enter into agreements imposed as a condition to the approval of lot creation and the agreements may be registered against the land to which it applies.

The proposed Zoning By-law Amendment addresses these requirements (**Appendix 4 – Draft Zoning By-law Amendment**).

The application conforms to the applicable provisions of the County Official Plan.

Township of Severn Official Plan

The subject lands are designated Agricultural Land and Greenland in the Township of Severn Official Plan. The proposed surplus farm dwelling severance is located within the Agricultural Land designation.

The provisionally approved severance satisfies the applicable direction provided in Section 8.2.1 General Criteria for Consents including frontage on a public road, adequate lot size and frontage, and no negative impacts on drainage, traffic or environmental features.

Section B8.2.4 of the Township's Official Plan indicates that farm consolidations maybe considered where there the agricultural uses are not adversely impacted if the application is approved and no new lot is created. As the intent of policy to prohibit the creation of a new lot refers to the creation of a new development lot, the proposed severance will not result in a new lot created for the purposes of development.

The application conforms to the applicable provisions of the Township Official Plan.

Township of Severn Zoning By-law 2010-65, as amended

The purpose of the Zoning By-law Amendment is to twofold. For the severed lands, it will recognize the existing residential use of the severed property and the Lot Coverage of 6% (maximum) for the existing accessory structure (i.e. driving shed) in a site-specific RR-11 Zone. For the retained lands, it will recognize the Lot Area (minimum) of 39.5 hectares and an existing Interior Side Yard (minimum) of 3 metres in a site-specific AG-20 Zone. The AG-20 Zone will also include prohibitions on a new Single Detached Dwelling and the use of the existing agricultural building for livestock unless it is demonstrated as feasible through an MDS I report.

It should be noted that the EP lands are located outside of the proposed severance area and appear to reflect a drainage course.

The proposed Zoning By-law Amendment meets the general intent and purpose of the Township's Comprehensive Zoning By-law, 2010-65, as amended.

Subject to the comments received at the Public Meeting, and any additional submissions from circulated agencies and departments, and any further review the Planning Committee may seek, Staff supports this proposed amendment to Zoning By-law 2010-65, as amended.

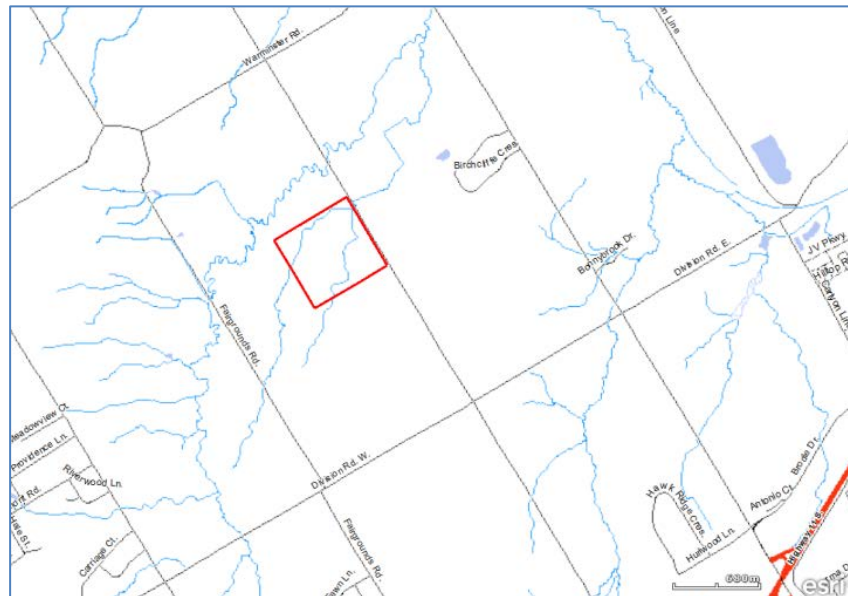
Other Considerations:

The Building Division has reviewed the draft Reference Plan and the proposed lot lines for the severed lands appear to accommodate the setback requirements for the existing septic system.

Financial Impact

There are no external costs associated with the proposed zoning by-law amendment.

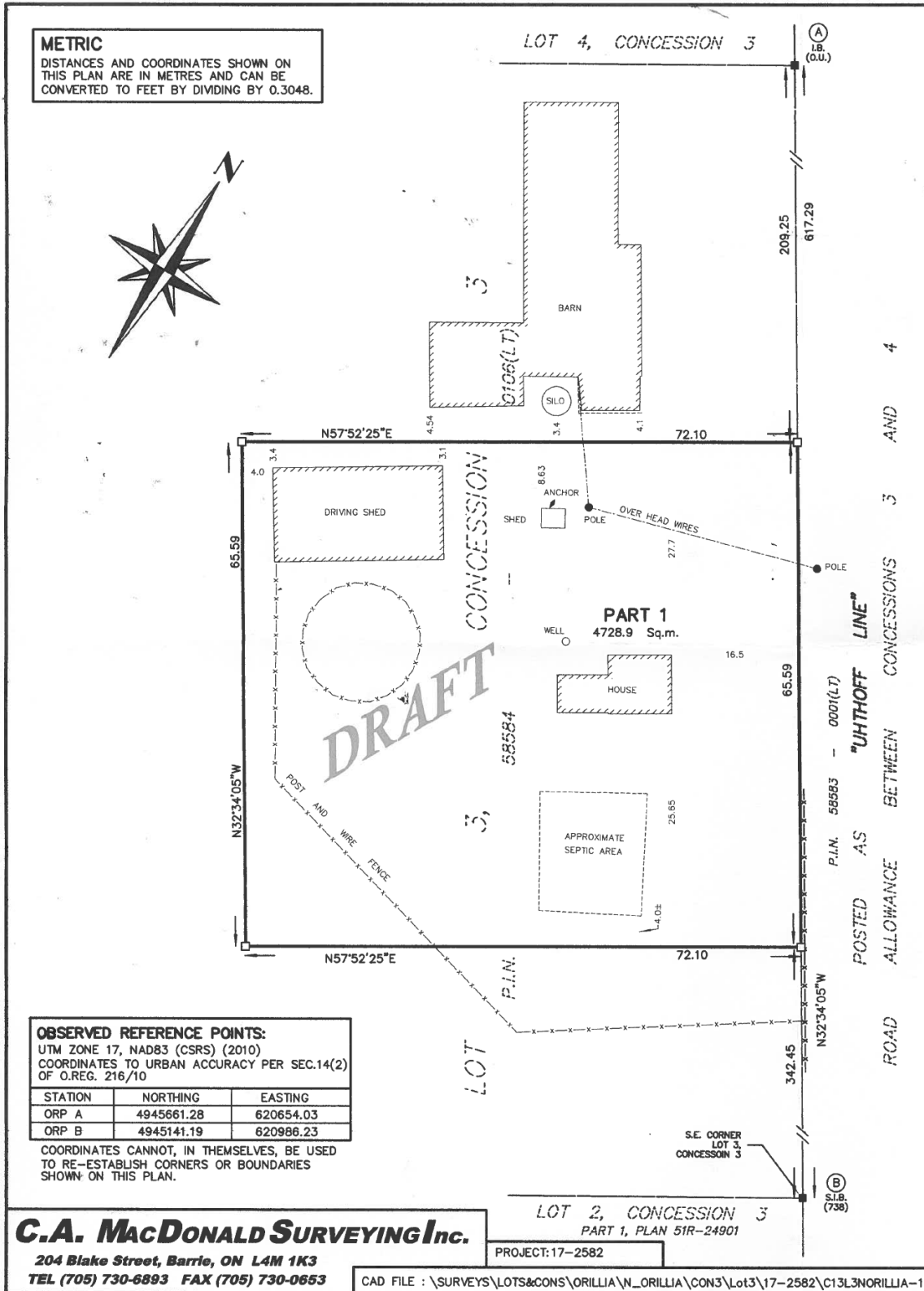
Appendix 1 – Location Map for 3658 Uthhoff Line



Appendix 2 – Aerial Imagery (Source: County of Simcoe GIS)



Appendix 3 – Draft Reference Plan for Proposed Severed Lot



Appendix 4 – Draft Zoning By-law Amendment

THE CORPORATION OF THE TOWNSHIP OF SEVERN

BY-LAW NO. 2017-XX

BEING A ZONING BY-LAW TO REGULATE THE USE OF LAND AND THE CHARACTER, LOCATION AND USE OF BUILDINGS OR STRUCTURES ON CERTAIN LANDS DESCRIBED AS PART LOT 3, CONCESSION 3 (FORMER TOWNSHIP OF NORTH ORILLIA) NOW IN THE TOWNSHIP OF SEVERN (3658 Uhthoff Line)

WHEREAS the matters hereinafter set out comply with the Official Plan in effect for the Township of Severn;

AND WHEREAS the Council of the Corporation of the Township of Severn deems it advisable to amend the provisions of Zoning By-law No. 2010-65, as otherwise amended, as they apply to those lands described as Part Lot 3, Concession 3 (former Township of North Orillia), now in the Township of Severn, municipally known as 3658 Uhthoff Line;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SEVERN HEREBY ENACTS AS FOLLOWS:

1. THAT Schedule "E-3" of Zoning By-law No. 2010-65, as otherwise amended, is hereby amended by changing the Zone Classification on certain lands described as Part Lot 3, Concession 3 (former Township of North Orillia), now in the Township of Severn, from Agricultural (AG) and Rural Residential (RR) to Agricultural Exception Twenty (AG-20) and Rural Residential Exception Eleven (RR-11) respectively in accordance with Schedule "1" attached hereto and forming part of this By-law.
2. THAT Section 5.5.1 entitled "Exceptions to Agricultural (AG) Zone" of Zoning By-law No. 2010-65, as amended, is hereby further amended by adding the following Table:

Exception	By-law	Location	Schedule	Special Provisions
AG-20	2017-XX	Part Lot 3 Concession 3 Orillia 3658 Uthoff Line	E-3	<p><u>Permitted Uses:</u></p> <p>Notwithstanding Section 5.3, a Dwelling, Single Detached shall be prohibited.</p> <p><u>Lot Requirements:</u></p> <p>Minimum Lot Area - 39 hectares Minimum Interior Yard – 3 metres for existing agricultural building only</p> <p><u>Special Provisions:</u></p> <p>Minimum Distance Separation Formula I will apply to the use of the existing agricultural building for livestock.</p>

3. THAT Section 6.5.8 entitled “Exceptions to Rural Residential (RR) Zone” of Zoning By-law No. 2010-65, as amended, is hereby further amended by adding the following Table:

Exception	By-law	Location	Schedule	Special Provisions
RR-11	2017-XX	Part Lot 3 Concession 3 Orillia 3658 Uthoff Line	E-3	<p><u>Lot Requirements:</u></p> <p>Maximum Lot Coverage for Accessory Buildings and Structures – 6%</p>

4. THAT Zoning By-law No. 2010-65, as otherwise amended, is hereby amended to give effect to the foregoing, but Zoning By-law No. 2010-65, as otherwise amended, shall in all other respects remain in full force and effect save as same may be otherwise amended or herein dealt with.
5. THAT subject to the provisions of the *Planning Act*, R.S.O. 1990, as amended, this By-law shall come into force on the date it is passed by the Council of the Corporation of the Township of Severn.

April 19, 2017

By-law read a first and second time this Xth day of XXX, 2017.

By-law read a third time and finally passed this Xth day of XXX, 2017.

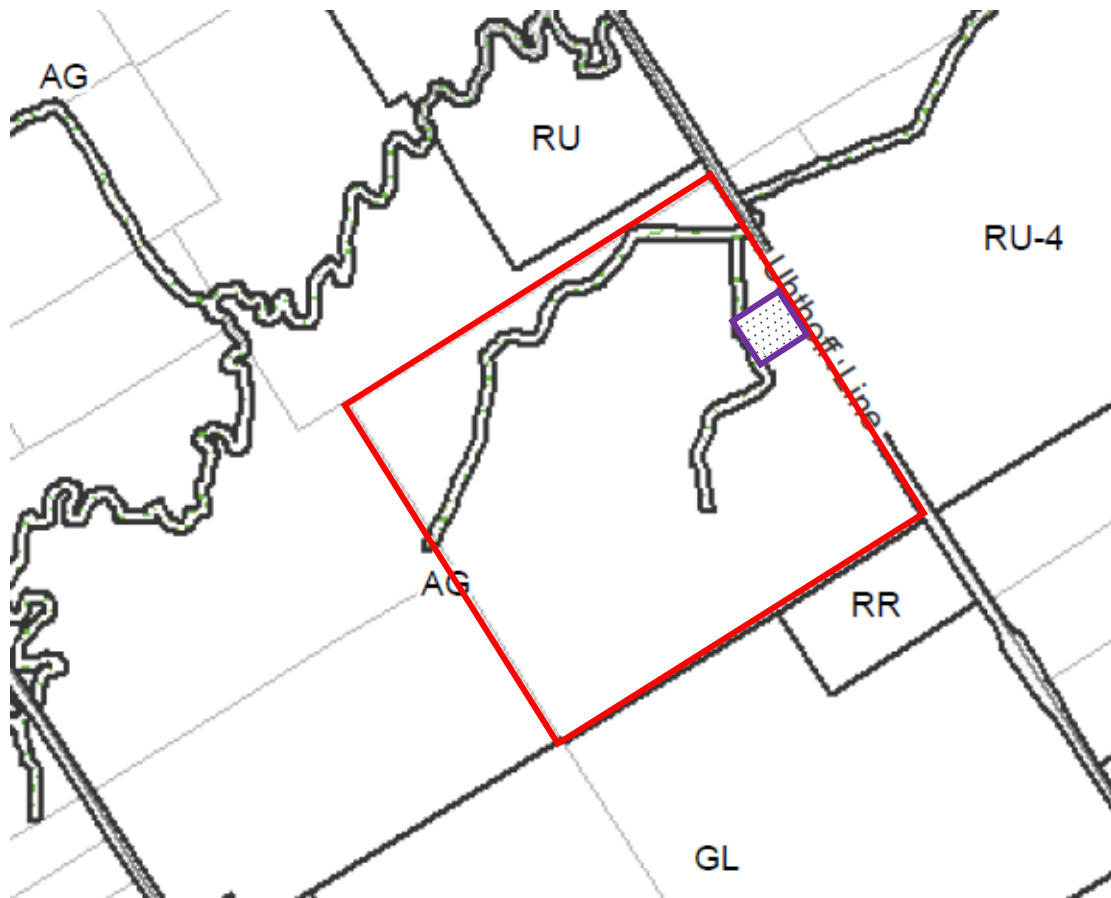
CORPORATION OF THE TOWNSHIP OF SEVERN



MAYOR

CLERK

SCHEDULE "1"

**PART LOT 3, CONCESSION 3
GEOGRAPHIC TOWNSHIP OF NORTH ORILLIA, NOW IN THE TOWNSHIP OF
SEVERN
(3658 UHTHOFF LINE)**



-  Property proposed to be rezoned from the Agricultural (AG) to the site specific Rural Residential Exception (RR-11) Zone.
-  Property proposed to be rezoned from the Agricultural (AG) to the site specific Agricultural Exception (AG-20) Zone.

This is Schedule '1' to By-law No. 2017-XX
Passed the day of _____, 2017

MAYOR

CLERK

The Chair inquired if the applicant had any further information to provide?

There were no further comments from the applicant.

The Chair inquired if there were any persons present who had either questions or comments on the applications? The Chair requested that those providing comments on the applications please rise, state their name and address and spell their last name for the minutes. The Chair also advised that the names and addresses of those individuals who speak at the meeting will appear in the meeting minutes which are public documents.

There were no comments from the public.

The Chair inquired if there were any further information which staff may wish to provide?

As there were no further comments on this application, the Chair declared the public portion of the meeting closed at 7:06 p.m.

The Chair inquired if members of the Committee required further clarification of the application or had any further comments.

Member Stevens addressed the Committee and inquired if rezoning would be required on these properties if a subdivision proposal was considered in the future.

- Provincial Policy Statements would not allow for a subdivision in this area.

(See Resolution No. PD041917-01)