

MINUTES OF THE MEETING OF THE PLANNING & DEVELOPMENT COMMITTEE
HELD IN THE ADMINISTRATION OFFICE, 1024 HURLWOOD LANE, WEDNESDAY,
NOVEMBER 15, 2017 AT 7:00 P.M.

PRESENT: Chair John Betsworth
Members Mike Burkett
Judith Cox
Jane Dunlop
Ron Stevens
Mark Taylor
Donald Westcott

STAFF: Clerk Sharon Goerke
Director of Public Works
& Utilities Derek Burke
Chief Administrative Officer Henry Sander
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 – 1429 Dunns Line
(see attached notes).

MOTION PD111517-01: *Moved by Member Stevens and seconded by Member Cox
that an Application for a Zoning By-law Amendment for
1429 Dunns Line be approved;
AND FURTHER THAT the Clerk be directed to prepare a
Draft By-law for consideration of Council.*

CARRIED

Public Meeting with respect to Proposed Zoning By-law Amendment – 2088 Division Road West (**see attached notes**).

MOTION PD111517-02: *Moved by Member Dunlop and seconded by Member Burkett that an Application for a Zoning By-law Amendment for 2088 Division Road West be approved; AND FURTHER THAT the Clerk be directed to prepare a Draft By-law for consideration of Council.*

CARRIED

DELEGATIONS

- “NIL”

REPORTS FROM OFFICIALS (*for information*)

Building Reports for the Months of September & October 2017.

By-law Enforcement Reports for the Months of September & October 2017.

Society for the Prevention of Cruelty to Animals – Statement of Pound Services for the Months of September & October 2017.

Planning Report No. P17-038, 10/24/17, with respect to a Proposed Zoning By-law Amendment – 1492 Dunns Line

Planning Report No. P17-040, 11/06/17, with respect to a Proposed Zoning By-law Amendment – 2088 Division Road West.

MOTION PD111517-03: *Moved by Member Westcott and seconded by Member Stevens that the following Reports from Officials be received as information:*

- (a) *Building Reports for the months of September & October 2017;*
- (b) *By-law Enforcement Reports for the months of September & October 2017;*
- (c) *SPCA Reports for the months of September & October 2017;*
- (d) *Planning Report No. P17-038, 10/24/17, with respect to a Zoning By-law Amendment for 1429 Dunns Line; and*
- (e) *Planning Report No. P17-040, 11/08/17, with respect to a Zoning By-law Amendment for 2088 Division Road West.*

CARRIED

REPORTS FROM OFFICIALS (for direction)

Public Works Report No. W17-035, 11/07/17, with respect to Steel Beam Guide Rail Installations Tender.

MOTION PD111517-04: *Moved by Member Cox and seconded by Member Stevens that Public Works Report No. W17-035, dated November 7, 2017, with respect to Steel Beam Guide Rail Installations Tender be received; AND FURTHER THAT the bid received from Peninsula Contracting Inc. be accepted for the Steel Beam Guide Rail Installations Tender in the amount of \$75,203.57, plus HST.*

CARRIED

CORRESPONDENCE (for information)

Correspondence with respect to a Proposed Zoning By-law Amendment – 2088 Division Road West:

- (a) John & Brenda MacFadyen, 11/01/17;
- (b) Phil Iannacito, 10/26/17.

Correspondence with respect to Proposed Legislation – Non-Medical Cannabis:

- (a) Ministry of Finance, 10/27/17;
- (b) Member Dunlop, 10/26/17.

CP Rail, 11/15/17, with respect to a Proposed Zoning By-law Amendment – 1429 Dunns Line.

MOTION PD111517-05: *Moved by Member Dunlop and seconded by Member Taylor that the following correspondence be received as information:*

- (a) *Zoning By-law Amendment – 2088 Division Road West*
 - *John & Brenda MacFadyen, 11/01/17*
 - *Ministry of Transportation, 10/28/17*
- (b) *Proposed Legislation re Non-Medical Cannabis*
 - *Ministry of Finance, 10/27/17*
 - *Member Dunlop, 10/26/17*
- (c) *CP Rail, 11/15/17, with respect to a Proposed Zoning By-law Amendment for 1429 Dunns Line;*

AND FURTHER THAT staff be requested to report on future costs for non-medical cannabis implications when available.

CARRIED

CORRESPONDENCE (for direction)

Tea Lake Property Owners Inc., 10/09/17, with respect to Zoning By-law Review.

MOTION PD111517-06: *Moved by Member Cox and seconded by Member Taylor that a letter from the Tea Lake Property Owners Inc., dated October 9, 2017, with respect to a review of Zoning By-laws be referred to staff for a future report.*

CARRIED

Severn Sound Environmental Association, 11/01/17, with respect to Surface Water Monitoring – 1505 Silk Line.

MOTION PD111517-07: *Moved by Member Taylor and seconded by Member Dunlop that a letter from the Severn Sound Environmental Association, dated November 1, 2017, with respect to Surface Water Monitoring – 1505 Silk Line be referred to 2018 budget deliberations.*

CARRIED

Greystone Project Management Inc., 09/28/17, with respect to a Reduction in Securities – Tim Horton's.

MOTION PD111517-08: *Moved by Member Stevens and seconded by Member Westcott that a request of Greystone Project Management Inc., dated September 28, 2017, with respect to a reduction in securities for the Tim Horton's development be received; AND FURTHER THAT staff be directed to advise the developer of the deficiencies in order to receive a reduction in securities with respect to this development.*

CARRIED

Black River Road Users Association, 10/23/17, with respect to the Use of an Unopened Road Allowance – Vicinity of Oakley Sideroad.

MOTION PD111517-09: *Moved by Member Taylor and seconded by Member Dunlop that a request of the Black River Road Users Association, dated October 23, 2017, for use of an unopened road allowance in the vicinity of Oakley Sideroad be referred to staff for a report, including a policy for consideration.*

CARRIED

Severn Sound Environmental Association, 10/26/17, with respect to the 2018 Tree Seedling Distribution Project.

MOTION PD111517-10: *Moved by Member Stevens and seconded by Member Westcott that a request of the Severn Sound Environmental Association, dated October 26, 2017, for participation in the 2018 Tree Seedling Distribution Project be received; AND FURTHER THAT staff be authorized to attend at 4251 Burnside Line for access to the facility for this initiative; AND FURTHER THAT Severn Sound be advised that the following will be required:*

- (a) Certificate of Liability Insurance in the amount of \$2 million naming the Township of Severn as an additional insured; and*
- (b) WSIB Certificate of Clearance.*

CARRIED

Simcoe County Greenbelt Coalition, 11/07/17, with respect to Creating Flood Resilient Communities.

MOTION PD111517-11: *Moved by Member Westcott and seconded by Member Cox that an invitation from the Simcoe County Greenbelt Coalition, dated November 7, 2017, to a seminar for “Creating Flood Resilient Communities” be received; AND FURTHER THAT members of Council be authorized to attend the seminar, with expenses.*

CARRIED

CONFIDENTIAL

Reports from Officials

- “NIL”

Correspondence

- “NIL”

ADJOURNMENT – 7:58 p.m.

Motion to adjourn.

November 15, 2017

MOTION PD111517-12: *Moved by Member Cox and seconded by Member Stevens that this meeting be and it is hereby now adjourned.*

CARRIED

John Betsworth
Chair

Sharon Goerke
Clerk

MINUTES OF A PUBLIC MEETING AND PUBLIC INFORMATION MEETING HELD IN THE ADMINISTRATION OFFICE, 1024 HURLWOOD LANE, WEDNESDAY, NOVEMBER 15, 2017 AT 7:00 P.M.

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

Chair Betsworth advised those in attendance that there are two public meetings called this evening in accordance with the Planning Act 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 meetings will be as follows:

- 1. Township staff will generally explain the purpose and details of the application;*
- 2. Next, the applicant will present any further relevant 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, this Committee will consider the application with due regard to the presentations and views expressed this evening. The Committee will then do one of three things:

- (1) recommend the application be approved by Township Council - at a future meeting, or*
- (2) deny the application, or*
- (3) defer the application pending further reports from Township staff.*

Chair Betsworth advised that if Township Council decides in favour of the application by adopting this Committee's recommendation, members of the public who have provided oral submissions or written objections but disagree with the decision may appeal the decision to the Ontario Municipal Board, as entitled under the Planning Act. If individuals wish further notification of this application, please record your name, address and telephone number on the appropriate list located at the rear of the Council Chambers.

PUBLIC MEETING NO. 1

The Chair requested staff to explain the intent and purpose of a Zoning By-law Amendment for 1492 Dunns Line.

The Director of Planning advised those in attendance 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 21, Concession 14, geographic Township of Medonte, being Part 1 on 51R-192, now in the Township of Severn, municipally known as 1429 Dunns Line, as follows:

1. Rezone the severed surplus farm dwelling lands subject to Provisionally Approved Consent Application B-05-17 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 two existing accessory structure incidental to the residential use of the property.
2. Rezone the retained lands subject to Provisionally Approved Consent Application B-05-17 from the Agricultural Zone (AG) to the site specific Agricultural Exception (AG-X) Zone to:
 - a. Prohibit a Dwelling, Single Detached
 - b. Prohibit livestock without a Minimum Distance Separation (MDS) Report.

The Planner advised that notice of this application was given in accordance with the *Planning Act* on October 25, 2017 and the following correspondence has been received:

Planning Report No. P17-038, 10/24/17

Background

County Official Plan: Rural & Agricultural
Township Official Plan: Rural & Agricultural
Township Zoning: Agricultural (AG)
Legal Description: Part Lot 21, Concession 14, former Township of Medonte
Municipal Address: 1429 Dunns Line (**Appendix 1**).

The subject lands have frontage of approximately 609 metres (1,998 feet) on Dunns Line and an area of approximately 44.1 ha (109 acres). There are existing buildings and structures on the subject lands, including the main residential dwelling, and two (2) accessory buildings. The surrounding land uses consist of other farm properties and the Canadian Pacific Railway.

The applicant is seeking a Zoning By-law Amendment to rezone the subject lands to fulfill a condition of provisionally approved Consent application B-05-17. Consent application B-05-17 sought to sever a surplus farm dwelling and accessory structures with a portion of the property having frontage of approximately 104 metres (341 ft.) on Dunns Line and area of approximately 1.4 ha (3.5 acres). The retained lands would have a frontage of approximately 505 metres (1,657 feet) on Dunns Line and area of approximately 42.7 ha (105.5 acres). The retained parcel will be part of a farm consolidation.

The proposed Zoning By-law Amendment will:

1. Rezone the severed surplus farm dwelling lands containing the existing dwelling, driving shed and quonset building, from the Agricultural (AG) Zone to the site-specific Rural Residential Exception Twelve (RR-12) Zone to recognize:
 - a. the intended residential use of the overall property; and,
 - b. the size of the two existing accessory structures incidental to the residential use of the property.
2. Rezone the retained lands from the Agricultural (AG) Zone to a site-specific Agricultural Exception Sixteen (AG-16) Zone to:
 - a. prohibit a Dwelling, Single Detached.

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.

A discussion of the various planning documents that have bearing on this application is as 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 1.4 hectares (3.5 acres) exceeds the typical Lot Area of between 0.4 hectares to 1.0 hectares required to accommodate a dwelling and private services however due to the configuration of the existing lot fabric and placement of the existing dwelling, accessory structures and private services the size was appropriate. **(Appendix 3 – B-05-17 Sketch)**

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

Growth Plan for the Greater Golden Horseshoe, as amended, 2017 (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 Rural designations.

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 generally conforms to the applicable provisions of the County Official Plan.

Township of Severn Official Plan

The subject lands are designated Agricultural Land and Rural in the Township of Severn Official Plan.

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 property is currently zoned Agricultural (AG) within 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, including the two (2) existing accessory buildings in the site-specific RR-12 Zone. For the retained lands, it will recognize the agricultural use of the property and prohibitions on a new Single Detached Dwelling.

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.

Financial Impact

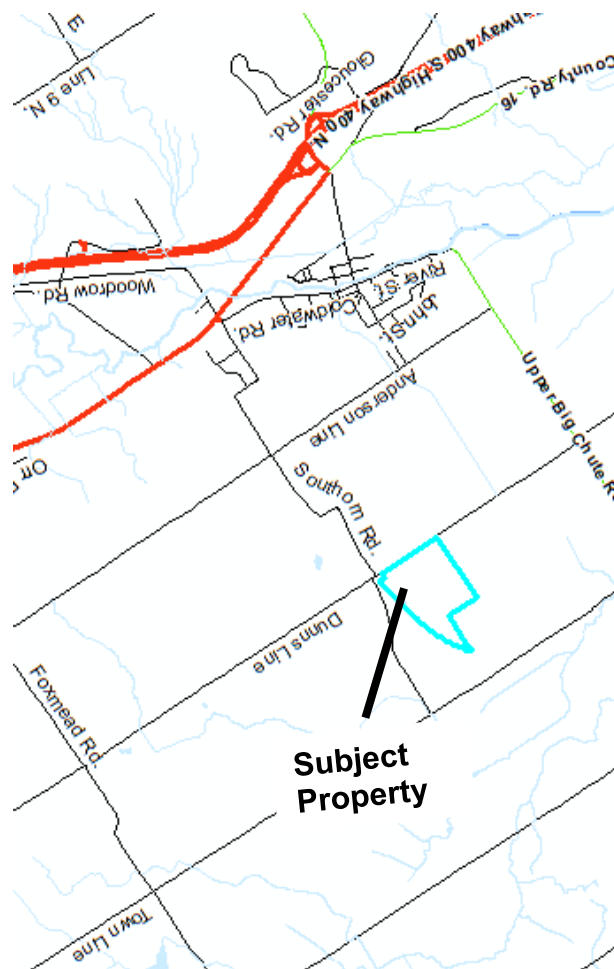
There are no costs to the Township with respect to the proposed Zoning By-law Amendment.

Strategic Plan Impact

- Service Excellence

- Appendix 1 – Key Map
- Appendix 2 – Air Imagery
- Appendix 3 – B-05-17 – Sketch
- Appendix 4 – Draft Zoning By-law Amendment

Appendix 1 – Key Map



Appendix 2 – Air Imagery (source: Simcoe County GIS)



Appendix 3 – B-05-17 Sketch



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 21, CONCESSION 14, FORMER TOWNSHIP OF MEDONTE, NOW IN THE TOWNSHIP OF SEVERN (1429 & 1393 DUNNS 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 21, Concession 14, former Township of Medonte, now in the Township of Severn, municipally known as 1429 & 1393 Dunns Line;

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

1. THAT Schedule "D-2" 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 21, Concession 14, former Township of Medonte, now in the Township of Severn, known municipally as 1429 & 1393 Dunns Line, from the Agricultural (AG) Zone to the Agricultural Exception Sixteen (AG-16) Zone and the Rural Residential Exception Twelve (RR-12) Zone 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 amending the following Table:

Exception	By-law	Location	Schedule	Special Provisions
AG-16	2015-21 2015-86 2017-XX	1195 Dunns Line 2002 Carlyon Line 1393 Dunns Line	D-2 B-4 D-2	<u>Permitted Uses:</u> Notwithstanding Section 5.3, a Dwelling, Single Detached shall be prohibited.

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-12	2017-XX	1429 Dunns Line	D-2	<u>Special Provisions:</u> The two accessory buildings existing on the date of the passing of By-law 2017-XX are deemed to comply with Zoning By-law 2010-65, as amended.

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.

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.

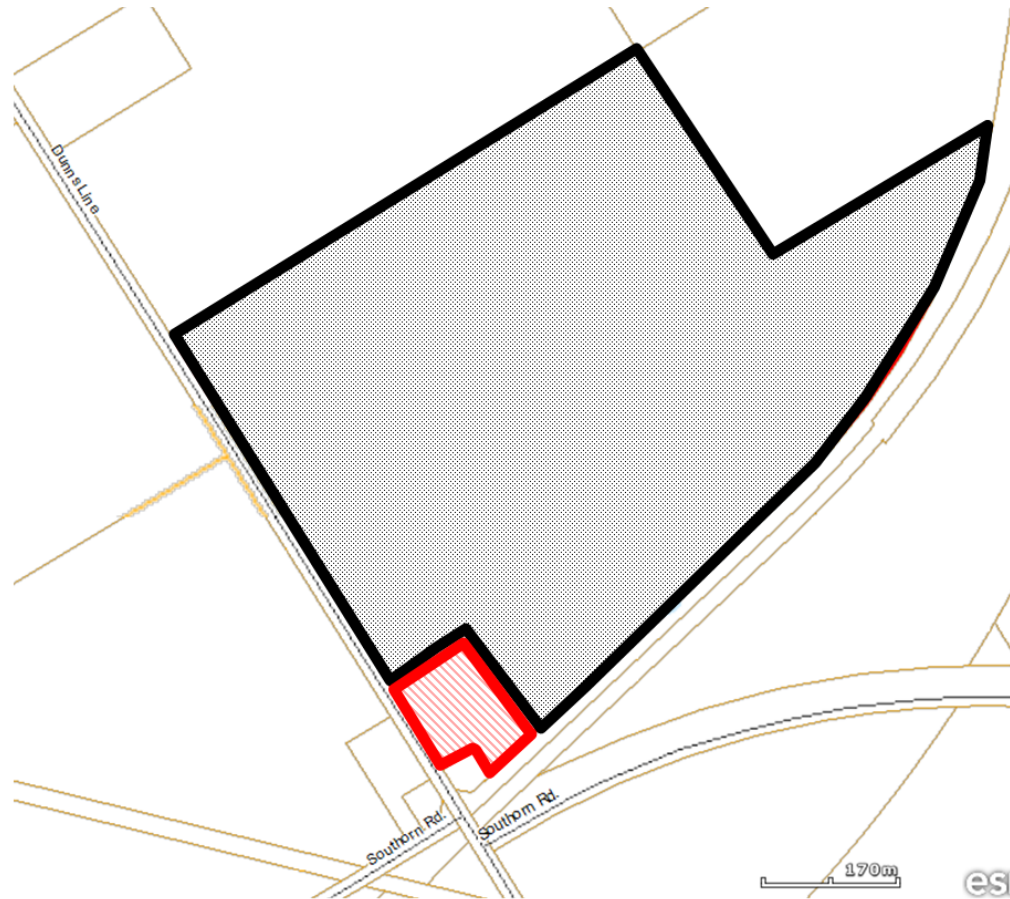
CORPORATION OF THE TOWNSHIP OF SEVERN


MAYOR

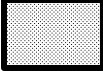
CLERK

SCHEDULE "1"

**PART LOT 21, CONCESSION 14, GEOGRAPHIC TOWNSHIP OF MEDONTE, NOW
IN THE TOWNSHIP OF SEVERN (1429 & 1393 DUNNS LINE)**



 Lands to be rezoned from the Agricultural (AG) Zone to the Rural Residential Exception 12 (RR-12) Zone.

 Lands to be rezoned from the Agricultural (AG) Zone to the Agricultural Exception Sixteen (AG-16) Zone.

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

MAYOR

CLERK

CP Rail, 11/15/17

I have reviewed the application and recognize the rezoning of the lands is to sever the farm dwelling. CP does not object to the rezoning but wishes to advise that any future dwelling should be located a minimum of 30 metres from the CP property line. This 30 metres represents the setback from a Principle Main Line.

The Chair inquired if the applicant or his/her representative had any comments on their application.

There were no comments from the applicant.

The Chair inquired if there were any persons present who had either questions or comments on the application? The Chair requested that those providing comments on the application 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.

Steve Lovering of 2653 Upper Big Chute Road addressed the Committee and advised that he had a Statement of Claim against this property with respect to a Lease Agreement which is registered on title and inquired if this matter would affect the proposed Zoning By-law Amendment.

Jamie Tofflemire of 1962 Carlyon Line addressed the Committee and advised that the Statement of Claim was a civil matter and did not have any bearing on the application before the Committee.

Staff advised the Committee that this was indeed a civil matter, that the owner of the land was in attendance and the Committee was only dealing with the Proposed Zoning By-law Amendment at this public meeting.

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

There were no further comments from staff or the applicant.

As there were no further comments on this application, the Chair declared the public portion of the meeting closed at 7:10 p.m.

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

Member Cox inquired as to the small parcel remaining in the corner of the mapping.

- Staff advised that this was a separate parcel of land and not included in the application.

Member Taylor inquired if the remaining parcel would be free and clear to rezone given the Statement of Claim on the land.

- Staff advised that this matter has never affected a Zoning By-law Application to-date.

(See Resolution No. PD111517-01)

PUBLIC MEETING NO. 2

The Chair requested staff to explain the intent and purpose of a Zoning By-law Amendment 2088 Division Road West.

The Director of Planning advised those in attendance 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 1, Concession 1 South, geographic Township of North Orillia, being Part 1 on 51R-3182, now in the Township of Severn, municipally known as 2088 Division Road West, as follows:

To rezone the Severed land of Provisionally Approved Consent B-10-17 from the Rural (RU) Zone to a Site-Specific Highway Commercial Exception Holding Exception (C4-X (HX)) Zone to permit a Fencing Contractor as an additional permitted use to recognize the existing business, and to rezone the Retained land of Provisionally Approved Consent B-10-17 from the Rural (RU) Zone to Rural Holding Exception (RU (HX)) Zone. The existing Environmental Protection (EP) Zoning on the Retained lands will remain.

The Planner advised that notice of this application was given in accordance with the *Planning Act* on October 25, 2017 and the following correspondence has been received:

Planning Report No. P17-040, 11/06/17

County Official Plan:	Settlements (Marchmont/Bass Lake)
Township Official Plan:	Settlement Employment Area, Country Residential and Environmental Protection Area (Marchmont/Bass Lake)
Township Zoning:	Rural (RU) Zone and Environmental Protection (EP) Zone
Legal Description:	Part of Lot 1, Concession 1 (Southern Division), Geographic Township of North Orillia, being Part 1 on 51R-3182, now in the Township of Severn
Municipal Address:	2088 Division Road West (Appendix 1).

The subject land is approximately 17.8 hectares (44 acres) in size with approximately 665 metres (2,181 feet) of frontage on Division Road West and approximately 196 metres (643 feet) of frontage on Highway 12.

The westerly portion of the subject land is designated Settlement Employment Area with approximately 200 metres (656 feet) of frontage on Division Road West and an area of approximately 5.3 hectares (13 acres). This portion of the subject land is currently occupied by an existing commercial fencing contractor business (Johnston Fence). The easterly portion of the subject land is mainly designated Country Residential, with a portion being Environmental Protection. This portion of the subject land has approximately 465 metres (1,526 feet) of frontage on Division Road West, an area of approximately 12.3 hectares (30 acres), and is currently vacant. There are existing residential uses to the south and east, with some residential and vacant lands to the north. There are existing commercial uses to the west on the opposite side of Highway 12 (**Appendix 2**).

The proposed Zoning By-law Amendment is required to fulfill a condition of Provisionally Approved Consent Application No. B-10-17 (2564150 Ontario Inc.) and will:

1. rezone the westerly severed land of Provisionally Approved Consent B-10-17 from the Rural (RU) Zone to a site-specific Highway Commercial Exception Sixteen Holding Thirty (C4-16-H30) Zone to permit a Fencing Contractor as an additional permitted use in the C4 Zone to recognize the existing business;
 2. rezone the easterly retained land of Provisionally Approved Consent B-10-17 from the Rural (RU) Zone to Rural Holding Thirty-One (RU-H31) Zone; and
 3. maintain the existing Environmental Protection (EP) Zoning on the retained lands.
- (**Appendix 3**)

The purpose of the Consent is to separate non-residentially designated land from residentially designated land.

Planning and Development staff visited the property prior to the writing of this report. The applicant has provided photographs of the subject land as shown in **Appendix 4**.

A discussion of the various planning documents that have bearing on this application is as follows:

Provincial Policy Statement, 2014

The PPS promotes Settlement Areas to be the focus of growth through intensification and redevelopment, while encouraging a mix of land uses and densities to support the long-term economic viability of the community and protecting the environment and public health and safety. Settlement Areas should provide opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of both existing and future businesses.

The purpose of the subject proposal is to recognize the existing commercial business, as well as to protect residentially designated lands for appropriate future development.

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

Growth Plan for the Greater Golden Horseshoe, as amended, 2017 (the “Growth Plan”)

The Growth Plan directs intensification and re-development to Settlement Areas to optimize the use of existing infrastructure, achieve increased densities and support complete communities including a range of commercial and housing choices.

The subject application is to recognize the existing commercial business, as well as to protect residentially designated lands for appropriate future development, conforms to the objectives of the Growth Plan.

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

The subject lands are within the Settlements designation in the County Official Plan. Settlements are to be the focus of both population and employment growth to allow for the efficient use of existing services and to minimize land consumption.

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

Township of Severn Official Plan

The portion of the subject land that contains the existing commercial business is designated Settlement Employment Area. The objectives of the Settlement Employment Area is to encourage commercial development that will assist in providing a full range of goods and services, at appropriate locations, to meet the needs of the Township’s residents, employees and businesses. In addition, the promotion of the efficient use of existing and planned infrastructure by creating the opportunity for various forms of commercial and residential intensification is encouraged where appropriate. The existing business is at a highly visible and accessible location that allows for access for both local and regional customers.

The vacant portion of the subject land is designated Country Residential. The intent of this designation is for lower density single-family residential dwellings. These lands will require further *Planning Act* applications in the future to permit appropriate residential development while recognizing the Environmental Protection Area in the Official Plan.

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

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

The proposed site-specific Highway Commercial Exception Sixteen Holding Thirty (C4-16-H30) Zone proposes to:

- permit a “Fencing Contractor” as an additional use to those already permitted in the C4 Zone;

- include a definition of “Fencing Contractor” as such a definition is not currently contained within the Township’s Zoning By-law;
- permit a maximum of five (5) shipping containers that may be used for storage with appropriate visual buffering from Highway 12 and Division Road West;
- permit the Business, Professional or Administrative office to be located within a mobile trailer; and,
- place the lands within a “Hold” to ensure that if the Zoning By-law Amendment is approved, that the landowner be required to submit an application for Site Plan Approval application to ensure that all municipal by-laws and development standards, including building setbacks, fencing, landscaping, and storm water management design have been adequately addressed to the satisfaction of the Township.

The proposed Rural Holding Thirty-One (RU-H31) Zone on the balance of the lands proposes to require a future site-specific Zoning By-law Amendment and a Subdivision Agreement prior to any future residential development.

The proposed Zoning By-law Amendment is contained in **Appendix 5** and 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.

Financial Impact

There are no costs to the Township with respect to the proposed Zoning By-law Amendment. All development application fees and associated charges are the responsibility of the landowner.

Strategic Plan Impact

- Community Development
- Service Excellence
- Communication

Appendix 1 – Key Map

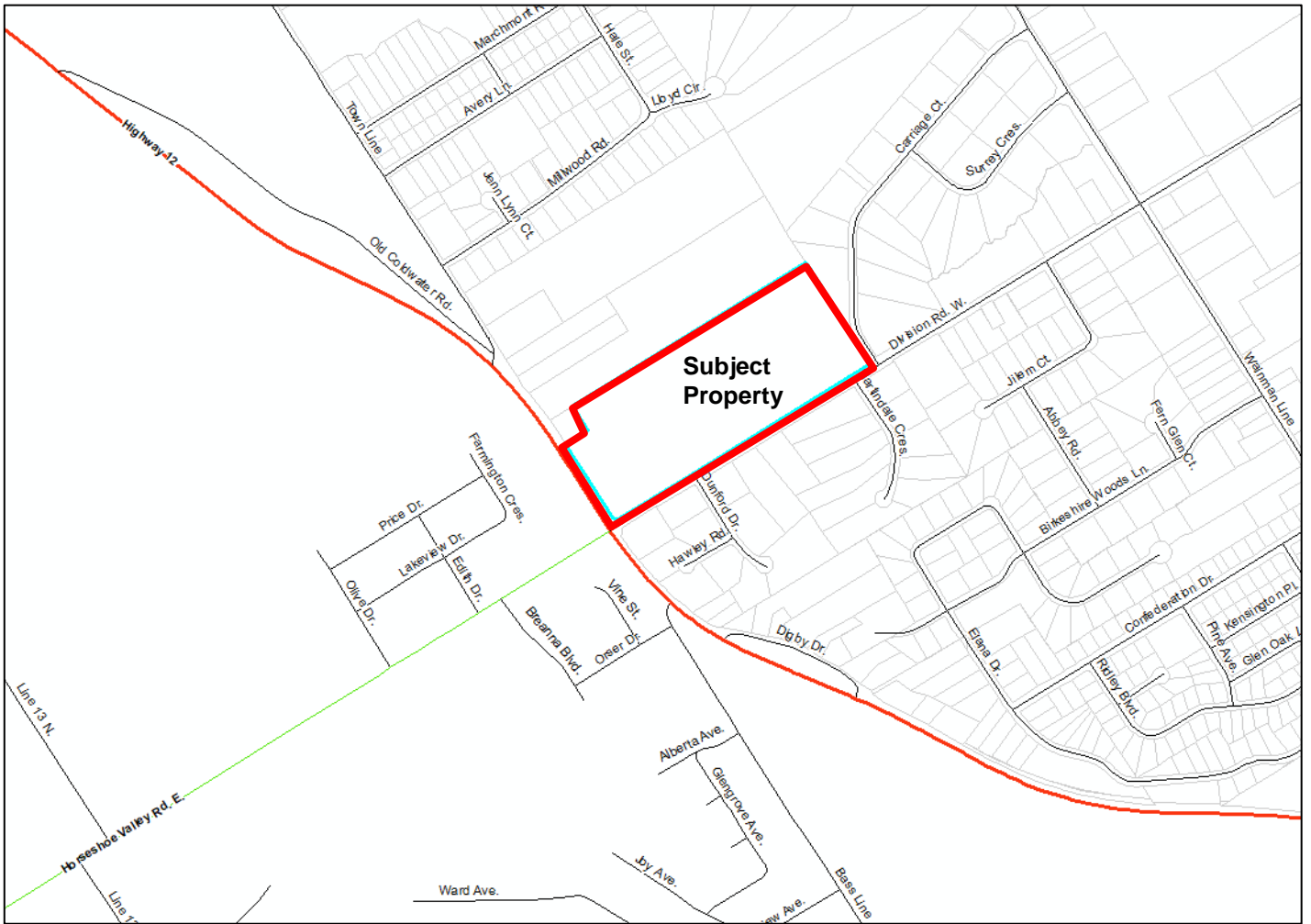
Appendix 2 – Air Imagery

Appendix 3 – Development Sketch

Appendix 4 – Site Photos submitted by Applicant

Appendix 5 – Draft Zoning By-law Amendment

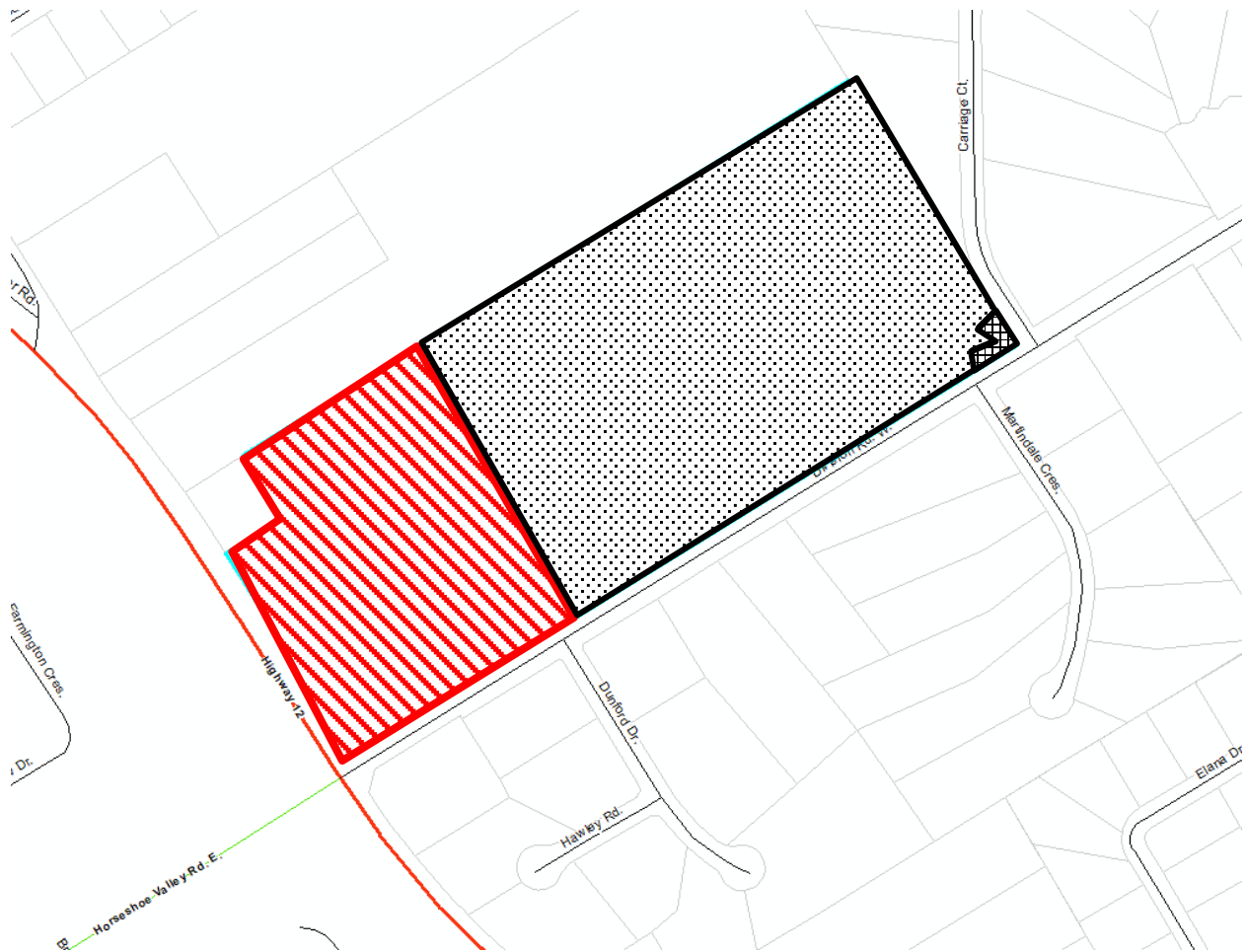
Appendix 1 – Key Map





Appendix 2 (source: Simcoe County GIS)




Appendix 3 – Development Sketch



-  Property proposed to be rezoned from the Rural (RU) Zone to a site-specific Highway Commercial Exception Sixteen Holding Thirty (C4-16-H30) Zone. These are the severed lands of Provisionally Approved Consent B-10-17.

-  Property proposed to be rezoned from the Rural (RU) Zone to the Rural Hold Thirty-One (RU-H31) Zone. These are the retained lands of Provisionally Approved Consent B-10-17.

-  Environmental Protection (EP) Zone to remain.

Appendix 4

Figure 1 – Mobile Office Trailer



Figure 2 – Storage Building



Figure 3 – View of yard facing south toward Division Road



Figure 4 – View of subject property facing south-east toward Marchmont



Appendix 5 - 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 1, CONCESSION 1 SOUTH, GEOGRAPHIC TOWNSHIP OF NORTH ORILLIA, BEING PART 1 ON 51R-3182, NOW IN THE TOWNSHIP OF SEVERN (2088 DIVISION ROAD WEST)

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 1, Concession 1 South, geographic Township of North Orillia, being Part 1 on 51R-3182, now in the Township of Severn, municipally known as 2088 Division Road West;

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

6. THAT Schedule "S-6" of Zoning By-law No. 2010-65, as otherwise amended, is hereby amended by changing the Zone Classification on portions of certain lands described as Part Lot 1, Concession 1 South, geographic Township of North Orillia, being Part 1 on 51R-3182, municipally known as 2088 Division Road West, from the Rural (RU) Zone to the Highway Commercial Exception Sixteen Holding Thirty (C4-16-H30) Zone, in part, and the Rural Holding Thirty-One (RU-H31) Zone, in part, in accordance with Schedule "1" attached hereto and forming part of this By-law.
7. THAT Section 7.5.4 entitled "Exceptions to Highway Commercial (C4) Zone" of Zoning By-law No. 2010-65, as amended, is hereby further amended by adding the following to the Table at the end thereof:

Exception	By-law	Location	Schedule	Special Provisions
C4-16	2017-XX	Part Lot 1, Concession 1 South, geographic Township of North Orillia, being Part 1 on 51R-3182 2088 Division Road West	S-6	<p><u>Permitted Uses:</u></p> <p>In addition to the permitted uses for the C4 Zone, the following use shall also be permitted:</p> <p>i) Fencing Contractor</p> <p>The use of land, buildings or structures where fencing is sold and/or fencing materials are kept for sale and may include the fabrication of certain materials related to fencing.</p> <p><u>Special Provisions:</u></p> <p>i) A maximum of 5 Shipping Containers may be used for storage subject to being screened with a Landscaped Buffer and/or fence.</p> <p>ii) The Business, Professional or Administrative Office associated with the Fencing Contractor may be located within a Trailer.</p> <p>iii) Parking shall be calculated as 1 space per 100.0 square metres of Gross Floor Area.</p>

8. THAT Section 10.3 “List of Holding Provisions” shall be amended by adding the following Holding Provision to the end of Table 10.1:

Zone Symbol	Holding Provision	Property/Legal Description	Schedule No.	By-law No.	Provisions	By-law Removing “H”
C4-16	H30	Part Lot 1, Concession 1 South, geographic Township of North Orillia, being Part 1 on 51R-3182	S-6	2017-XX	i) Site Plan Agreement	

Zone Symbol	Holding Provision	Property/Legal Description	Schedule No.	By-law No.	Provisions	By-law Removing "H"
		2088 Division Road West (severed lands)				
RU	H31	Part Lot 1, Concession 1 South, geographic Township of North Orillia, being Part 1 on 51R-3182 2088 Division Road West (retained lands)	S-6	2017-XX	i) Subdivision Agreement	

9. 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.

10. 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.

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

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

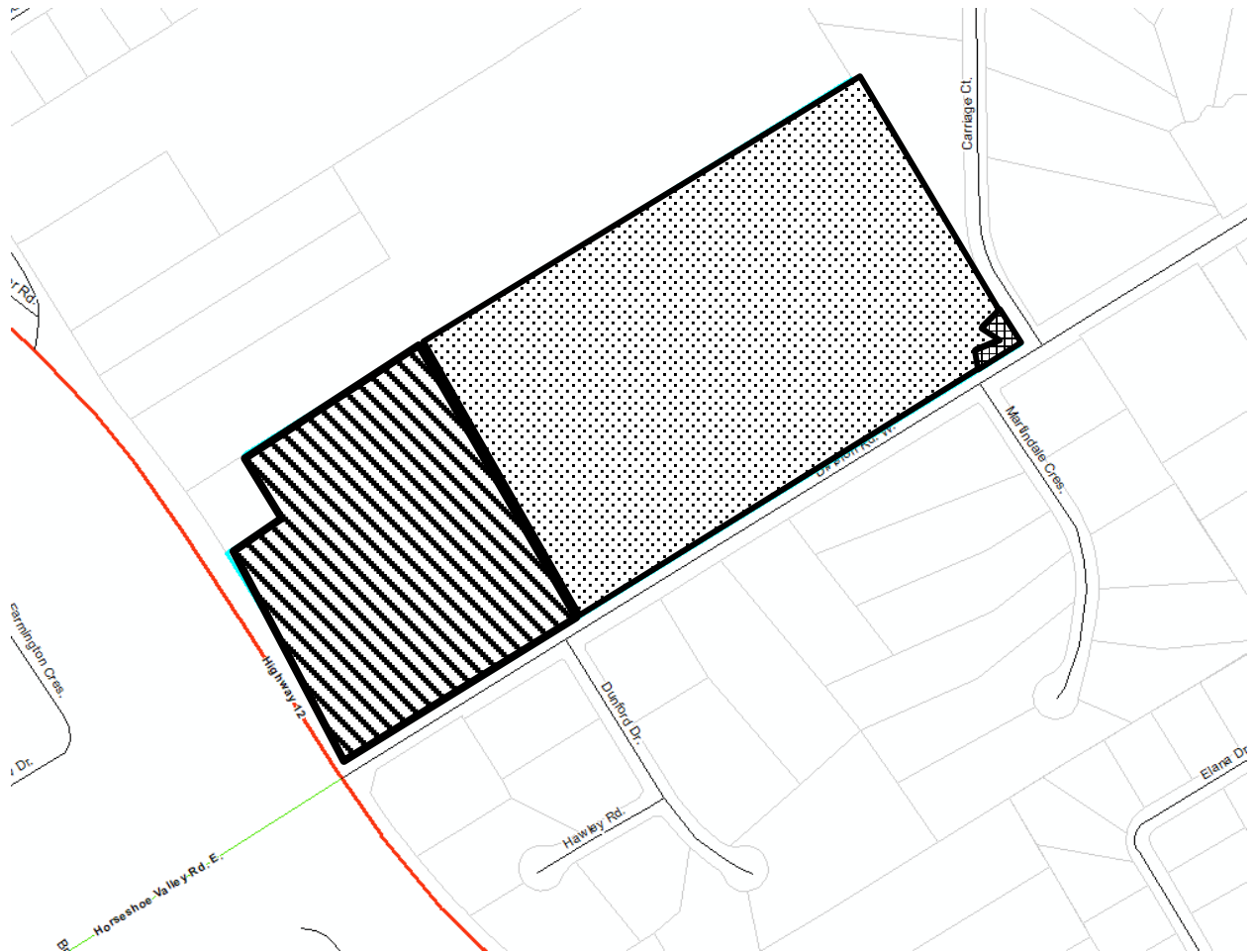
CORPORATION OF THE TOWNSHIP OF SEVERN

MAYOR

CLERK

SCHEDULE "1"

**PART LOT 1, CONCESSION 1 SOUTH, GEOGRAPHIC TOWNSHIP OF NORTH
ORILLIA, BEING PART 1 ON 51R-3182
(2088 DIVISION ROAD WEST)**



Lands to be rezoned from the Rural (RU) Zone to the Highway Commercial Exception Sixteen Holding Thirty (C4-16-H30) Zone.



Lands to be rezoned from the Rural (RU) Zone to the Rural Holding Thirty-One (RU-H31) Zone.



Environmental Protection (EP) Zone

John & Brenda MacFadyen, 11/01/17

Thank you for meeting with us today. We are the homeowners of 1962 Carriage Court which is the only residential property that abuts the property included in the proposed Zoning By-law Amendment application. Unfortunately, we are unable to attend the public meeting on November 15, 2017 as we will be out of the country.

Our understanding is that the proposed zoning amendment of the parcel of land from Rural to Rural Holding Exception will prevent any change of use or development of the property until another application or change in zoning is applied for in further and approved by the Township. We are particularly concerned after noting the removal of a large number of trees from the property over the summer which may have been approved by the County. We are also concerned that the area of the Environmental Protection Zone is insufficient to protect this area of apparent wetlands and stream unless reviewed prior to any residential construction. Please inform us of the results of the decision of Council.

Ministry of Transportation, 10/26/17

No objections to the permitted uses noted in the C4 Zone. Please note that highway access will not be permitted, regardless of use. I have reviewed the application and offer the following comments:

- No objections to the amendment to recognize the existing use (fence contractor).
- Highway 12 access will not be permitted. All access must be via the municipal road.
- A 14 meter setback is required for all above and below grade structures.
- Proposed buildings will require an MTO Building and Land Use Permit prior to construction.
- Proposed signs visible from Highway 12 ROW will require an MTO Sign Permit prior to installation.

Please advise the applicant / owner accordingly.

The Chair inquired if the applicant had any comments on the application.

Josh Morgan of Morgan Planning addressed the Committee on behalf of the applicant and advised that the rezoning is to recognize the current use of the property by Johnston Fence. The current zoning is inconsistent with the actual use. The remaining 30 acres will be placed into a Rural Holding Exception Zone for future development.

The Chair inquired if there were any persons present who had either questions or comments on the application? The Chair requested that those providing comments on the application please rise, state their name and address and spell their last name for the minutes. The Vice-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.

John Niddery of 1197 Laughlin Falls Road addressed the Committee and expressed his concerns with the Environmental Protection area on the mapping and the lack of indication for the location of the water course in order to provide the public with notification for protected lands.

Staff advised that the Environmental Protection area was identified in the Official Plan as permanent or intermittent streams and marshy lands. If future development were to occur in this area, an Environmental Impact Study would be required to ensure adequate buffering and protection of this area.

John Niddery readdressed the Committee and advised that the County of Simcoe mapping was also lacking in identification of water courses which should be included in all circulations and notices for the protection of our water quality.

Josh Morgan readdressed the Committee and advised that this area is a small stream that runs under Division Road which will be protected with the requirement for an Environmental Impact Study prior to development.

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

There were no further comments from staff.

As there were no further comments on this application, the Chair declared the public portion of the meeting closed at 7:22 p.m.

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

Member Cox inquired if there would be a buffer provided in any future development in order to protect the environmentally sensitive area.

- Staff advised that the Environmental Impact Study would identify the required buffering to protect this area.

(See Resolution No. PD111517-02)