

Recommendation:

That the Planning Department-2022-06 Report, dated September 6, 2022, regarding Zoning By-law Amendment – File: R-02-22 be received; and
That Council receive all comments related to Zoning By-law Amendment File: R-02-22 (Moore); and
That the By-law to enact the amendment be passed at the appropriate time in the meeting.

Overview:

On behalf of the Owner Sharon Moore, her Agent, Doug Carroll, has applied to amend the existing zoning on a portion of the property located at 465 Cooper Road, being Roll No. 1522-020-003-32600.

The rezoning is required as a condition of consent for severance application File B-88-21, that was conditionally approved by Peterborough County on March 22, 2022.

A concept Plan prepared by Grace & Associates Inc. detailing the proposed lot (South Lot) and area to be rezoned is attached to this Report.

The subject property is currently zoned the Rural Zone (RU). The Zoning By-law Amendment proposes to rezone a portion of the proposed severed parcel (B-88-21, Lot 2/South Lot) from the Rural Zone (RU) to the Environmental Conservation Zone (EC) to recognize the vegetative protective zone (VPZ) of an unevaluated wetland.

A copy of the draft By-law is attached to this Report.

Conformity to Provincial Policy Statement (PPS) and A Place to Grow, Growth Plan for the Greater Golden Horseshoe (Growth Plan):

An Environmental Impact Study (EIS) was required in support of the proposed severance. The EIS was completed by Grace & Associates Inc., dated March 19, 2021 and reviewed by the Otonabee Region Conservation Authority (ORCA), October 22, 2021.

The EIS concluded that the proposed lot creation would have no negative impacts on the adjacent natural heritage system including potential significant wildlife habitat, species at risk habitat and unevaluated wetland provided the avoidance and mitigation measures outlined in the EIS are adhered to. In particular, a minimum 30 m VPZ was recommended between the swamp (unevaluated wetland) and all development activities. In order to achieve this recommendation, a rezoning of the VPZ is required.

A copy of the EIS and ORCA comments are attached to this Report.

The application appears to be consistent with the Provincial Policy Statement and appears to conform with the Growth Plan.

Conformity to Official Plan:

The subject property is designated Rural as identified on Schedule 'A4-2' to the Official Plan. Limited, low density residential development is permitted within the Rural designation (S. 6.2.2.2).

With the exception of Provincially Significant Wetlands and significant portions of the habitat of endangered and threatened species, development and site alteration such as filling, grading and excavating may be permitted within or adjacent to natural heritage features, provided it has been demonstrated through an Environmental Impact Assessment that there will be no negative impacts on the natural features or ecological functions of the area (S. 4.1.3.1).

As noted previously, one of the conclusions of the EIS, identified that provided a minimum 30 metre VPZ is maintained between the wetland and all development activities, the proposed development would have no negative impacts on the adjacent natural heritage system, potential significant wildlife habitat, species at risk habitat and unevaluated wetland.

With the implementation of the (EC) Zone, the application appears to conform to the Official Plan.

Comments:

- Enbridge Gas Inc.: No objections to the application.
- Upper Stoney Lake Cottagers Assoc.: No comments.
- KPRDSB: no concerns or issues related to their mandate.

Conclusion:

The requested zoning by-law amendment, to rezone portions of the subject lands from the Rural Zone (RU) to the Environmental Conservation Zone (EC), is required in order to meet a condition of severance to ensure a minimum 30 metre vegetation protection zone is maintained between the wetland and all development activities. The proposed rezoning meets the intent of municipal and provincial policies.

Financial Impact:

All costs related to the application for a Zoning By-law Amendment are the responsibility of the owner.

Strategic Plan Applicability: N/A

Sustainability Plan Applicability: N/A

Report Approval Details

Document Title:	Staff Report regarding Zoning By-law Amendment R-02-22 - Moore.docx
Attachments:	- Moore Figure A Conceptual Lot Development 04-07-2022.pdf - 87-21 88-21 EIS.pdf - B-88-21; 465 Cooper Road-Lot 2; ORCA PPLD-2203.pdf - R-03-22 - Draft By-law.pdf
Final Approval Date:	Aug 30, 2022

This report and all of its attachments were approved and signed as outlined below:

Martina Chait-Hartwig

Elana Arthurs