

**Recommendation:**

That Report Planning-2023-26, dated September 5, 2023, regarding Zoning By-law Amendment – File R-04-23 be received; and

That Council receive all comments related to Zoning By-law Amendment File R-04-23; and

That the By-law to enact the amendment be passed at the appropriate time in the meeting.

**Overview:**

Corey and Brittany McMillan have applied to amend the existing zoning on their property located at 833 Iron Woods Drive, being Roll No. 1522-020-003-06600. The subject property is currently zoned the Rural Zone (RU) as shown on Schedule B14 to By-law No. 10-1996, as amended.

The effect of this By-law Amendment is to rezone the subject lands (Parts 1, 2, 3 and 4, Plan 45R-17504) from the Rural Zone (RU) to the Hamlet Residential Zone (HR).

The rezoning is required as a condition of consent for severance applications Files B-179-22, B-180-22 and B-181-22, that were conditionally approved by Peterborough County on April 6, 2023.

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):**

The application has demonstrated consistency with PPS Sections 2.1 and 2.2 referencing Natural Heritage and Water.

The subject property is located within an aggregate deposit. Policy 2.5.2.5 of the Provincial Policy Statement (PPS) states that “in known deposits of mineral aggregate resources and on adjacent lands, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

- a) resource use would not be feasible; or
- b) the proposed land use or development serves a greater long-term public interest; and
- c) issues of public health, public safety and environmental impact are addressed.”

Given that the parcel is located within a designated settlement area, and surrounded by residential uses, it is not likely that an aggregate operation would be established in this area. Therefore, an aggregate impact assessment was not required in support of the applications.

In correspondence dated August 22, 2023, the Otonabee Region Conservation Authority indicated that the subject property is located outside of any known natural flooding/erosion hazards and the application is consistent with Section 3.1 of the PPS referencing Natural Hazards.

A copy of the ORCA comments are attached to this Report and further comments are outlined below.

While a key hydrologic feature (Indian River) is within close proximity to the subject lands, the property is within a settlement area and therefore Sections 4.2.3 and 4.2.4 of the Growth Plan do not apply.

**Conformity to Official Plan:**

The subject property is designated Hamlet within the Local Component of the County Official Plan. The predominant use of land within the Hamlet designation shall be for single detached residential dwellings with some limited provision for multiple unit dwellings (S. 6.2.3.2). The proposed residential use complies with the Official Plan.

**Comments:**

As of the writing of this Report, no comments have been received from members of the public.

Comments were received from the following agencies:

- Enbridge Gas Inc.: No objections to the application.
- Kawartha Pine Ridge District School Board: No concerns or issues related to their mandate.
- Otonabee Region Conservation Authority:

The subject property is located outside of any known natural flooding/erosion hazards and the application is consistent with Section 3.1 of the PPS referencing Natural Hazards.

Otonabee Conservation mapping shows the proposed new lots fall outside of the regulated area. A permit is NOT required from the Authority for the new development.

The subject lands are not located in a vulnerable area as per the Revised Trent Source Water Protection Plan (SPP).

Copies of these agency comments are attached to this Report.

The application was circulated to Senior Staff on August 14, 2023. As of the writing of this Report, there were no concerns identified by Senior Staff.

**Conclusion:**

The requested zoning by-law amendment, to rezone the subject lands from the Rural Zone (RU) to the Hamlet Residential Zone (HR), is required in order to meet conditions of Peterborough County Land Division Files B-179-22, B-180-22 and B-181-22.

The severed and retained parcels (Parts 1, 2, 3 and 4, Plan 45R-17504) comply with the minimum lot area requirement of 1,880 m<sup>2</sup> and minimum lot frontage requirement of 30 m for a single detached dwelling in the (HR) Zone (S. 5.2.1 (a) & (b)). The existing dwelling on Part 4 complies with the minimum front, side and rear yard setback requirements for the (HR) Zone (S. 5.2.1 (c), (d) & (f)). 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/Applicant.

**Strategic Plan Applicability:** N/A

**Sustainability Plan Applicability:** N/A

**Report Approval Details**

Document Title:	R-04-23 (McMillan) Report.docx
Attachments:	<ul style="list-style-type: none"> <li>- R-04-23 McMillan Application_Redacted.pdf</li> <li>- R-04-23 McMillan Site Plan.pdf</li> <li>- R-04-23 - Draft By-law.pdf</li> <li>- Enbridge R-04-23 (McMillan) (August 18, 2023).pdf</li> <li>- KPRDSB R-04-23 (McMillan) (August 15, 2023).pdf</li> <li>- ORCA Comments PPLD-2280 (August 22, 2023).pdf</li> <li>- R-04-23 - ZBA Notice.pdf</li> </ul>
Final Approval Date:	Aug 28, 2023

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

Martina Chait-Hartwig

Elana Arthurs