

Applicant: Carol and Brad Oates

Agent: Laura Stone, KMD Planning

Legal Description: Concession 1, Part Lot 27, Registered Plan 33, Part Lot 4,
Douro Ward, 912 Birchview Road

Roll No.: 1522-010-001-05900

Overview:

Mr. and Ms. Oates have applied for a Zoning By-law Amendment via their agent Laura Stone, in order to rezone the parcel of land. The subject land is currently zoned Shoreline Residential (SR) Zone and the application will have the effect of rezoning the land to a Special District (S.D) Zone to allow for an addition to be built on the existing cottage, redevelopment to the boathouse and to construct a garage with a loft.

The following documents were submitted as part of the application:

- Planning Justification Report dated October 19, 2021
- Scoped Environmental Impact Study dated September 2, 2021
- Slope Stability Assessment dated June 3, 2021
- Stage 1 and 2 Archaeological Assessment dated July 28, 2021

Conformity to Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe:

At the time of deeming this application as complete under the Planning Act, Township staff felt the application was in conformity to the Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe. As part of the Zoning By-law Amendment process the Otonabee Region Conservation Authority was requested to review the supporting technical documents and the application. As part of their review it had been determined that the application does not conform to the Provincial Policy Statement or the Growth Plan for the Greater Golden Horseshoe. ORCA staff have provided guidance via the letter to the applicants and their agent how they can rectify the situation.

Conformity to Official Plan: The Official Plan designates the property as Shoreline Residential. Residential and re-development is permitted in this designation.

Comments:

At the time of writing this report the only comment received is the letter from Matt Wilkinson of Otonabee Region Conservation Authority dated November 29, 2021.

Conclusion:

The requested Zoning By-law Amendment is required to allow the applicants to move forward with their plan to redevelop the site at 912 Birchview Road. As the application is not in conformity with the Provincial Policy Statement or the Growth Plan, staff have not crafted a draft by-law for Council's review. Once the various issues have been addressed to ORCA's satisfaction a draft by-law will be brought forward for debate.

Recommendation:

That the Clerk/Planning-2021-42 report, dated December 7, 2021 regarding Zoning By-law Amendment R-14-21, Roll No. 1522-010-001-05900 be received and that a draft By-law be brought forward once all of the concerns from the Otonabee Region Conservation Authority are addressed and the application conforms with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe.

Financial Impact:

All costs related to a rezoning are the responsibility of the owner.

Strategic Plan Applicability: N/A

Sustainability Plan Applicability: N/A

Report Approval Details

Document Title:	Staff Report - ZBA R-14-21.docx
Attachments:	<ul style="list-style-type: none">- R-14-21 - Zoning Notice - Virtual Meeting.pdf- R-14-21 - Planning Justification.pdf- Site-Area Photographs 912 Birchview Rd.pptx- 20-29 Oates Boat House Concept.pdf- 20-29 Oates Cottage Concept.pdf- 20-29 Oates Garage Concept.pdf- R-14-21 - Application - Redacted.pdf- 2021-06-03 LTR RPT - Slope Stabillity 912 Birchview Rd. Clear Lake.pdf- P321-0282-2021_11Aug2021_RE.pdf- EIS - Oates.pdf
Final Approval Date:	Dec 1, 2021

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

Elana Arthurs