



PLANNING & DEVELOPMENT

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To: Reeve and Members of North Huron Council
Sharon Chambers, CAO
From: Laura Young, Planner
Date: 30 August 2016
Re: **Zoning By-law Amendment, Part Lot 30, Concession 11, as RP 22R4466 Part 3 with Right of Way, East Wawanosh Ward, Township of North Huron (85769 Beecroft Line)**
Owner & Applicant: Frogstream Holdings Ltd.

RECOMMENDATION

It is recommended that the application for re-zoning be **denied** as it is inconsistent with the Provincial Policy Statement, 2014 and does not conform with the North Huron Official Plan.

PURPOSE and DESCRIPTION

This proposed Zoning By-law Amendment affects Part Lot 30, Concession 11, as RP 22R4466 Part 3 with Right of Way, East Wawanosh Ward, Township of North Huron (85769 Beecroft Line). The By-law proposes to change the zoning on a portion of the subject property to 'Agricultural Small Holding-Special Zone (AG4-10)' from 'Natural Environment- Limited Protection (NE2)'.

The subject lands require a zone change to permit a proposed residential dwelling. This application for rezoning is a condition of the severance file B68-15. The severance condition stated that the rezoning must include provisions to satisfy the Maitland Valley Conservation Authority and the Environmental Stewardship Coordinator. The AG4 Special Zone requires a 20 metre setback from the existing NE2 Zone boundary to create a buffer for the natural environment features from development and satisfy the consent approval condition.

COMMENTS

The subject property is designated Natural Environment and Agriculture in the North Huron Official Plan. The portion of the property subject to the rezoning is designated Agriculture.

The policies for land designated Agriculture in Section 4.3.2 of the North Huron Official Plan state that 'a residence will be allowed provided it is an accessory use to a 'commercial scale farming' operation where the residents of the property will be directly involved in farming.' This application is proposing to permit a residence on Agriculture designated land without being accessory to a farming operation. Section 4.3.4 of the North Huron Official Plan clarifies that 'non-agricultural development shall be directed to locate in the settlement areas.' The proposed rezoning of the Agriculture designated portion of the property is not consistent with the North Huron Official Plan Agriculture policies.

The Provincial Policy Statement, 2014 (PPS) states in Section 2.3.4.1 that 'lot creation in prime agricultural areas is discouraged and may only be permitted for: agricultural uses, agricultural-related uses, a residence surplus to a farming operation, and infrastructure.' Section 2.3.4.3 goes on to explicitly prohibit the creation of new residential lots in prime agricultural areas unless they are a residence

surplus to a farming operation. This application proposes to rezone the subject property to permit a residential use as the result of the creation of a vacant residential lot, and therefore proposes a use not permitted in the PPS. For the severance to create the vacant residential lot to be completed, this property must be rezoned to permit the proposed residential dwelling.

The existing subject property is vacant. The submitted concept drawing was circulated to staff and no concerns were received. Comments from the Maitland Valley Conservation Authority regarding natural hazards were received for this property and also, at the time of the circulation for the severance, comments were received from the Huron County Health Unit regarding appropriate space for a septic system. No concerns were noted.

This application does not conform to the North Huron Official Plan and is inconsistent with the 2014 Provincial Policy Statement and therefore is recommended for denial.

OTHERS CONSULTED

There was one public comment received during the commenting period. A neighbouring landowner, Geoffrey Wall, inquired to receive further details about the subject property. Upon receiving details about where the property is located, the proposed development and its location with regards to the Maitland River and floodplain, he had no objections or concerns needing to be addressed. I will be in attendance at the September 6th public meeting to answer any questions from Council or the public.

Sincerely,

Original Signed By

Laura Young, Planner

PHOTOS OF THE SUBJECT PROPERTY



Figure 1: Portion of property proposing to be rezoned from NE2 to AG4-10



Figure 2: Standing on Beecroft Line looking southwest



Figure 3: Outline of parcel created by Severance B68-15 and proposed area subject to rezoning