
HALDIMAND COUNTY

Report PDD-03-2019 Official Plan and Zoning By-law Amendments for Lakeshore Residential Development–Dunn-Bulk

For Consideration by Council in Committee on February 5, 2019



OBJECTIVE:

To respond to a proposal to amend the Official Plan designation and zoning of the subject lands to enlarge a Lakeshore Node to facilitate the creation of a new lot.

RECOMMENDATIONS:

1. THAT Report PDD-03-2019 Official Plan and Zoning By-law Amendments for Lakeshore Residential Development–Dunn-Bulk be received;
2. AND THAT application PLOP-HA-2018-151 to amend the Haldimand County Official Plan to extend the Lakeshore Node of Green's Line and to re-designate a portion of the subject lands from 'Agricultural' to 'Resort Residential' to facilitate the creation of a new lot NOT BE APPROVED for reasons outlined in report PDD-03-2019;
3. AND THAT the By-law attached to Report PDD-03-2019 to adopt to Official Plan Amendment HCOP-47 to the Haldimand County Official Plan NOT BE PASSED;
4. AND THAT application PLZ-HA-2018-152 to amend the Town of Dunnville Zoning By-law 1-DU 80 to rezone a portion of the subject lands from 'Agricultural (A)' Zone to 'Seasonal Residential (RS)' Zone to facilitate the creation of a new lot NOT BE APPROVED for reasons outlined in Report PDD-03-2019;
5. AND THAT the Zoning By-law Amendment attached to Report PDD-03-2019 to amend the Town of Dunnville Zoning By-law 1-DU 80 NOT BE PASSED;
6. AND THAT the application is not considered to be consistent with the Provincial Policy Statement (2014), the Provincial Growth Plan (2017) or other matters of Provincial interest.

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Reviewed by: Mike Evers, MCIP, RPP, BES, Director of Planning and Development

Respectfully submitted: Craig Manley, MCIP, RPP, General Manager of Community & Development Services

Approved: Donald G. Boyle, Chief Administrative Officer

EXECUTIVE SUMMARY:

The applicants wish to create a new seasonal residential lot in an area not currently designated for this purpose. The applicants have submitted a combined official plan and zoning amendment application to expand the Lakeshore Node of Green's Line to facilitate the creation of a new lot and development of a new seasonal dwelling. To accomplish this, the applicants have requested to redesignate a portion of the subject lands from the 'Agriculture' designation to the 'Resort Residential' designation and to rezone the same portion of the subject lands from the 'Agricultural (A)' Zone to the 'Seasonal

Residential (RS)' Zone to provide the policy basis for the consent application. If these applications are approved, a subsequent consent application will be required.

It is Planning staff's opinion that the proposal is inconsistent with the Provincial Policy Statement (2014) and does not conform to the Growth Plan (2017), Haldimand County Official Plan, and Town of Dunnville Zoning By-law 1-DU 80. Provincial and County policy is clear that new residential development is to be directed to urban settlement areas which can accommodate infill and growth and that new lots in rural areas may only be permitted in site-specific locations with approved zoning or designation in place as of June 16, 2006 (the date the Growth Plan came into effect). As the subject lands are currently located outside of the Lakeshore Node of Green's Line and the designation did not apply to the proposed lot as of June 16, 2006, the proposal to include a part of the subject lands in the Node and create a new lot is inconsistent with Provincial Policy. Policy is clear that the expansion of a Lakeshore Node (no matter how unique the situation is) is not permitted unless accomplished through a municipal comprehensive review (formal Official Plan update) and approved by the Province. Also, *prime agricultural* lands are to be protected in the long-term and new lot creation for residential purposes is not permitted in *prime agricultural* areas.

Further, the new seasonal dwelling is proposed to be located on a private road. Creation of new lots is not permitted on private roads because private roads are maintained and operated by private owners. As such, they are generally not maintained to the same level as municipal roads and Emergency Service vehicles may experience difficulty reaching residents on private roads (especially during the winter months). Private roads are subject to ownership changes which can result in changes in maintenance and operation.

Overall, the proposal is inconsistent with and does not conform to Provincial and County policies. As such, Planning staff recommend refusal of the subject proposal.

BACKGROUND:

The subject lands were purchased by the applicants in 2008. In the spring of 2009, the applicants submitted a combined official plan amendment application OP-HA 4/2009 and zoning amendment application Z-HA 14/2009 to amend the Haldimand County Official Plan and the Town of Dunnville Zoning By-law 1-DU 80. The purpose of the previous applications was to amend the Haldimand County Official Plan to extend the Lakeshore Node of Johnson Road to the Lakeshore Node of Green's Line, re-designating the same lands from 'Agricultural' to 'Resort Residential', and amend the Town of Dunnville Zoning By-law 1-DU 80 by rezoning the same lands from the 'Agricultural (A)' Zone to the 'Seasonal Residential (RS)' Zone (Attachment 1). The intention of the previous applications was to facilitate subsequent lot creation for seasonal residential purposes. If these previous applications had been approved as originally submitted, the lot proposed in the subject official plan and zoning by-law amendment applications (PLOP-HA-2018-151 and PLZ-HA-2018-152) would already be designated 'Resort Residential' and zoned 'Seasonal Residential (RS)' Zone such that the subject applications would not have been required.

Staff recommended refusal of the previous applications at the October 26, 2009 Council-in-Committee meeting through report PED-PD-52-2009 for a number of reasons including inconsistency and non-conformity with Provincial and County policies for the same reasons discussed in the 'Analysis' section below. Overall, the Haldimand County Official Plan identified the subject lands as agricultural lands, as they were considered large enough to distinguish/separate the Lakeshore Node of Johnson Road from the Lakeshore Node of Green's Lines and viable for agricultural use.

Through the first submission of the previous applications, the applicants failed to provide information regarding the number and size of proposed lots and their location. At the request of the applicants, Haldimand County Council deferred the previous applications to allow the applicants time to provide

this information. Planning staff brought the applications forward again at the August 3, 2010 Council-in-Committee meeting through report PED-PD-34-2010. At that time, the applicants proposed to create three new lots from the subject lands (33 Green's Line, 27 Green's Line, and the most westerly lot on Weatherburn Line which has no municipal address (Attachment 2)). The lots were proposed to be 0.31 to 0.61 hectares (0.76 to 1.51 acres) in size, privately serviced by septic systems and cisterns, and located on private roads. As such, the area to be included in the Lakeshore Nodes, re-designated, and rezoned was scoped from the original submission to the location of the three proposed lots. Planning staff maintained their recommendation for refusal of the applications due to the continuance of the policy conformity issue. The applications were approved by Council-in-Committee on August 03, 2010 and the by-laws were passed by Council on August 9, 2010. The Committee of Adjustment subsequently approved the related consent applications (PLB-2011-032, 033, and 034) on July 12, 2011, subject to a number of conditions. The applicants cleared the conditions and the lots were created thereafter.

Beginning in 2016, seasonal residential dwellings were constructed on 33 Green's Line and 27 Green's Line. A seasonal residential dwelling has not been constructed on the third lot (located on Weatherburn Line, no municipal address). The third lot is no longer owned by the applicants; therefore, timing of construction of the third seasonal residence is uncertain.

The applicants are now proposing to create one more lot (Parts 1A and 1B in Attachments 3 and 4) for seasonal residential purposes, which necessitates the subject official plan and zoning amendment applications and a subsequent consent application. The applicants have advised staff that this is the last lot they are intending to create. The fourth lot is proposed to be approximately 0.58 hectares (1.4 acres) in size, utilize private water and wastewater services, and front onto Green's Line (a private road maintained by the applicants). The applicants have already extended Green's Line to Weatherburn Line. The applicants are planning to limit through access and allow through access only for emergency services. If these applications are approved, an easement will need to be established to grant the new property a right-of-way over Green's Line and to grant Haldimand County a right-of-way on the private roads for emergency services purposes.

Location and Description

Attachments 3 and 4 illustrate the context of the proposal. The subject lands comprise Parts 1A, 1B, 2A, 2B, 2C, and 2D. Parts 1A and 1B are the proposed lot. Part 1A is proposed to be re-designated and re-zoned to permit a seasonal residence on private services and Part 1B will maintain the 'Lakeshore Hazard Land' designation and 'Hazard Land (HL)' Zone. Parts 2A, 2B, 2C, and 2D are the lands proposed to be retained. Part 2A is actively farmed land, Part 2B contains the extension of Green's Line to Weatherburn Line, Part 2C contains a dwelling, and Part 2D is hazardous land. The retained lands will measure approximately 7.63 hectares (18.85 acres) in size with the farmlands measuring approximately 5.29 hectares (13.10 acres) in size.

The subject lands are located in the Geographic Township of Dunnville. The subject lands are located between the Lakeshore Nodes of Johnson Road and Green's Line (Attachments 5 and 6). The subject lands front onto Lighthouse Drive. The subject lands are described as Part of Lot 20, Concession 5, South of Dover Road, Geographic Township of Dunn, Haldimand County and are municipally known as 52 Weatherburn Line, Dunnville. The farmland north of Lighthouse Drive is also owned by the applicants and measures approximately 39.82 hectares (98.40 acres) in size. Surrounding land uses include farmlands to the north, residential to the east and west, and Lake Erie to the south.

If the subject applications and the subsequent consent application are approved, the proposed lot would be located in the Lakeshore Node of Green's Line and front onto Green's Line. The retained lands would remain outside of the Lakeshore Nodes and maintain frontage on Lighthouse Drive.

ANALYSIS:

Planning staff has identified the following key issues, as noted in the body of this report that have arisen during the review of the subject proposal. The key planning issues are as follows:

1. Provincial Policy:

Provincial Policy Statement (2014)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development in Ontario. The PPS sets the policy foundation for regulating the development and use of land in the Province. The *Planning Act* requires that planning decisions be consistent with the PPS.

One of the main objectives of the PPS is to direct new development to existing designated *settlement areas* (urban areas and hamlets) where services and infrastructure to facilitate such development may already exist. The PPS focuses growth within *settlement areas* and away from significant or sensitive resources and areas that may pose a risk to public health and safety. The proposed development represents growth outside of a *settlement area*, which is not consistent with PPS policies. In 2005, the PPS was revised to explicitly prohibit the creation of estate residential lots. That policy restriction remains in place today. The proposed development represents growth outside of a *settlement area* which is not consistent with the PPS.

Also, the subject lands are considered to be part of a *prime agricultural area* which is an area where *prime agricultural* lands and uses predominate. Since the property is designated 'Agriculture', it is subject to the agriculture policies in the PPS. The PPS is clear that lot creation in *prime agricultural areas* is discouraged and the only residential severance opportunity is to sever surplus farm dwellings from the balance of the farmlands as a result of farm consolidation. The proposed lot creation is not for a surplus farm dwelling severance and is therefore inconsistent with the lot creation policies of the PPS. Further, the PPS outlines limited circumstances in which land may be excluded from a *prime agricultural area*. The only residential-related conversion opportunity is the expansion of a *settlement area* at the time of a municipal comprehensive review. The subject lands and its surroundings are not representative of a *settlement area* as defined in the PPS and as such, the proposal does not qualify for the agricultural conversion assessment opportunities outlined within the PPS.

Overall, the subject proposal is inconsistent with the PPS as new residential development unrelated to agriculture is directed to appropriately established and designated *settlement areas*. Some seasonal residential development and redevelopment is permitted in the twenty plus existing Lakeshore Nodes as per the Official Plan policies. At the same time, new residential lot creation is prohibited in the *prime agricultural areas*. The proposal to create a new, vacant, seasonal residential lot outside of a *settlement area* and existing Lakeshore Node in the *prime agricultural area* of the County is inconsistent with the PPS. Expansion of *settlement areas* is only permitted at the time of a municipal comprehensive review.

Provincial Growth Plan (2017)

The Growth Plan for the Greater Golden Horseshoe (also referred to as the Growth Plan) is the framework for implementing the Province's vision for building stronger, prosperous communities by controlling and directing growth in the Greater Golden Horseshoe until 2041. The *Places to Grow Act* requires that all decisions that affect a planning matter conform to the Growth Plan.

The Growth Plan clearly sets out that new residential developments are to be directed to urban *settlement areas* (cities, towns, villages and hamlets) rather than rural or seasonal nodes. The Growth Plan does include permission for minor residential infilling in rural areas in site-specific locations with approved zoning or designations that permit the development; however, the zoning

or designation must have been *in place* on the date that the Growth Plan came into effect (i.e. June 16, 2006). The subject proposal is not representative of growth within a *settlement area* nor is it considered to be infilling within an existing residentially-supportive designation and as such, does not conform to the Growth Plan policies.

Over the past number of years, appropriate infilling has been permitted within existing established Resort Residential nodes along the lakeshore because the designation and zoning for these nodes were in place prior to the date that the Growth Plan came into effect. While infilling within the existing nodes has been permitted, expansions to the existing nodes have not been permitted as such expansions would be in contradiction to the Growth Plan policies. The subject lands (along with the three previously severed lots) were excluded from the Resort Residential nodes as they are large enough to act as a distinguishing separation between the existing nodes. The County has supported the preservation of the open nature of the lakeshore by limiting development to the designated nodes. The subject proposal is for a *new* designation and zone to be established and therefore does not conform to this policy framework.

It should be noted that the County is currently completing a five year review/update of the population and household forecasts as part of a larger growth strategy. Despite higher growth expectations, there is a surplus of appropriately designated residential lands within the six urban areas and there is more than sufficient land inventory to accommodate the Province's forecasted population increases to 2041 (and beyond). The assessment is also taking into account the inventory of vacant lands within the designated hamlets as well as those existing vacant lots outside of *settlement areas* (i.e. outside of urban areas and hamlets). This part of the assessment shows there is also an abundant supply of those lands that will provide an inventory well beyond the 2041 planning horizon. In other words, there is no justification for additional housing inventory at this time.

Further, the Province submitted comments (Attachment 13) which demonstrates the Province's position and recommendation for refusal as the proposed lot is located outside of an existing urban or rural settlement area and within the prime agricultural area of the County. Overall, it is Planning staff's opinion that the proposal does not conform to the Growth Plan.

2. County Policy:

Haldimand County Official Plan (2009)

The Haldimand County Official Plan (OP) provides the avenue through which Provincial Policy is implemented into the local context. The OP also creates the framework for guiding land use changes in the County to 2026 by protecting and managing the natural environment, directing and influencing growth patterns, and facilitating the vision of the County as expressed through its residents.

The subject lands are currently designated 'Agriculture' and 'Lakeshore Hazard Lands' in the OP (Attachments 5 and 6). The applicants are proposing to amend the designation of a portion of the subject lands (Part 1A on Attachment 3) from 'Agriculture' to 'Resort Residential' in order to extend the Lakeshore Node and permit the creation of a new lot through a subsequent consent application. The applicants are also proposing to permit the extension of the private roads (Part 2B on Attachment 3) and allow legal access to it (including Emergency Service access). A site specific policy would need to be affixed to the designation of Part 1A to allow for the creation of a new lot and construction of a new seasonal residence on a private road.

As discussed in the sections above, applications for individual/site specific Official Plan amendment applications must be consistent with the PPS and conform to the Growth Plan. Further to that, the OP contains the following criteria that the County is to have regard for when considering an individual/site specific Official Plan amendment. These criteria include: conformity with the overall intent and purpose of the objectives and policies of the OP; the suitability of the lands affected by the amendment for the use proposed and compatibility with surrounding lands and uses; the impact

on municipal services, infrastructure and finances; and comments received from the public, County Departments and other agencies. Planning staff reviewed the proposal against these criteria and are of the opinion that the proposal does not conform to the resort residential node expansion, agricultural, and private road policies for the reasons discussed below.

Resort Residential Node Expansion Policies

The Official Plan establishes a series of key objectives as it relates to development along the lakeshore. These include ensuring health and safety of residents of this area, preserving open vistas of the lake, minimizing municipal risk and financial liability to the County resulting from servicing demands. In that regard the Plan is clear that development is to occur within existing nodes rather than expansion of residential strips.

With respect to the established Resort Residential node boundaries to the east and west of the subject lands, the Official Plan states that new residential development should be limited to infilling within the established node boundaries. The subject proposal is outside of an established node, and therefore does not conform to the principles outlined in the Official Plan. This proposal would essentially move closer to creating a 'link' of the two nodes which goes against the intent to preserve open spaces and limit lakeshore development to established areas. Furthermore, the previous Growth Plan conformity analysis and on-going growth strategy work indicates that County-wide the need to expand nodes is not justified. This assessment took/takes into account the inventory of vacant lands within the designated hamlets as well as those existing vacant lots outside of *settlement areas* (i.e. outside of urban areas and hamlets), and clearly demonstrates that there is an abundant supply of those lands that will provide an inventory well beyond the 2041 planning horizon. In other words, there is no justification for extensions to existing Resort Residential node boundaries at this time.

Agricultural Policies

The subject lands are considered to be *prime agricultural* lands in the Official Plan. The County's OP (consistent with Provincial policy) clearly directs that *prime agricultural areas* are to be protected. The subject lands were excluded from the adjacent Lakeshore Nodes as the lands were large enough to act as a distinguishing separation between the existing Nodes on either side. The permitted uses in the *prime agricultural area* include agriculture, and limited and appropriate value added uses, secondary uses, and agriculturally related uses. Lot creation for seasonal residential development is prohibited in the *prime agricultural areas*. The proposal to extend the Lakeshore Node does not conform to the overall intent and purpose of the objectives to protect *prime agricultural* lands (even if they are not actively farmed) and direct seasonal residential (re)development to existing Lakeshore Nodes.

Private Road Policies

The OP states that new lot creation must occur on existing public roads that are of a reasonable standard of construction. The new lot and seasonal residence would be located on the extension of Green's Line, which is a private road. There are a number of private roads serving individual properties in the County. The property owners using these private roads to access their properties are responsible for the maintenance and operation of the roads. Generally, private roads are not constructed or maintained to the level that the County requires for assumed (municipal) roads. Emergency or service vehicles may experience difficulty in accessing dwellings on private roads specifically in the winter months. The OP specifically states that the County cannot guarantee the provision of Emergency Services on private roads. While these roads may be kept in satisfactory condition today, there is no guarantee that they will remain in satisfactory condition in the future especially with ownership change. As such, new lot creation on private roads is not permitted as per the servicing policies of the OP. As the new lot would be located on the extension of Green's

Line, the new lot would not conform to the lot creation policies of the OP. If this application is approved, Planning staff recommend that a site specific policy and provision be affixed to the designation and zoning of the property permitting the lot creation and seasonal residence on the private road.

Overall, it is Planning staff's opinion that the proposal does not conform to the Official Plan policies.

Town of Dunnville Zoning By-law 1-DU 80

The purpose of the Town of Dunnville Zoning By-law 1-DU 80 is to control the use of land within the County by stating exactly how land may be used; where buildings and other structures can be located; the types of buildings that are permitted and how they may be used; the lot sizes, dimensions, and frontage requirements; parking requirements; building heights; and setback from the street. The Zoning By-law implements the OP and is legally enforceable.

The subject lands are predominately zoned 'A' Zone with the south portion adjacent to Lake Erie zoned 'HL' Zone (Attachments 8 and 9). The applicants are proposing to amend the zoning on a portion of the subject lands (Part 1A) from 'A' Zone to 'RS' Zone. The 'RS' Zone permits a summer cottage or an existing one family dwelling house which was established prior to the passage of the Zoning By-law subject to a number of zone provisions. The subject zoning amendment would facilitate the development of a new summer cottage. A site specific provision would need to be affixed to the zoning of Part 1A to allow for the creation of a new lot and construction of a new summer cottage on a private road.

The subject proposal does not satisfy the general intent and purpose of the Town of Dunnville Zoning By-law 1-DU 80. The current zoning of the subject lands ('A' Zone) is meant to legally implement the 'Agriculture' designation and policies of the OP. Also, if Part 1A is redesignated and rezoned to permit the creation of a new lot for seasonal residential purposes ('RS' Zone), the new lot will lack frontage on an open and publicly maintained road. The purpose of this zone provision is to ensure all new development proceeds on a publicly maintained road, where road maintenance, snow-plowing, garbage collection, and emergency services access can be guaranteed by the municipality. Overall, the proposal does not satisfy the intent and purpose of the Zoning By-law or its provisions.

3. Planning Opinion:

Provincial and County policy do not permit such proposals outside of the existing Lakeshore Nodes. The subject lands are considered to be *prime agricultural* lands and are designated and zoned for agricultural purposes given that the subject lands were large enough to act as a distinguishing, agricultural property between the two existing Lakeshore Nodes at the time of the last municipal comprehensive review. Both Provincial and County policy require the protection of *prime agricultural areas* in the long-term and prohibit lot creation for (seasonal) residential purposes unrelated to agriculture in *prime agricultural areas*. At the same time, Provincial and County policy direct residential development to the existing *settlement areas* and Lakeshore Nodes. Given the subject lands are designated 'Agriculture', there are existing (re)development opportunities in the existing Lakeshore Nodes, this application is an applicant initiated application rather than part of a municipal comprehensive review, and the new lot would be located on a private road, the proposal is inconsistent with the Provincial Policy Statement (2014), does not conform to the Growth Plan for the Greater Golden Horseshoe (2017), and does not meet the general intent and purpose of the Haldimand County Official Plan and Town of Dunnville Zoning By-law 1-DU 80. As such, Planning staff recommend refusal of the subject applications.

Further, given the introduction of the Local Planning Appeal Tribunal (LPAT) and the uncertainty of the Planning staff's role in the LPAT (should the subject proposal be appealed), Planning staff has

prepared a chart outlining the specific Provincial and County policies that apply to the subject proposal with comments (Attachment 10).

4. Draft Amendments:

Although staff is recommending refusal of the subject applications, an official plan amendment by-law and zoning by-law have been prepared and attached to this report (Attachments 11 and 12). Section 17(15) and 34(12) of the *Planning Act* require that sufficient information is made available to enable the public to understand generally the Official Plan and Zoning proposals that are being considered by Council. As such, an official plan amendment and zoning by-law must be prepared and made available for review by both Council and the public regardless of Staff's position on the application. The By-laws have been prepared with the exact same wording as the By-laws that were approved in 2010 for the same proposal.

It should also be noted that the applicants have been informed of Staff's position as set out in this report on a number of different occasions, including prior to application submission and payment of fees. Notwithstanding, the applicants still wish to pursue the amendments to create an additional lot for seasonal residential purposes.

FINANCIAL/LEGAL IMPLICATIONS:

The creation of a new lot and construction of a seasonal residence is not permitted on a private road as the County cannot guarantee emergency service access in the long-term (especially with ownership changes in the future).

If these applications are approved, the applicants will be required to grant Haldimand County an easement over the private roads (and extension) for the provision of Emergency Services.

STAKEHOLDER IMPACTS:

Bell Canada—No comments received.

Canada Post Corporation—Please be advised that Canada Post does not have any comments on this application as it is for seasonal purposes and Canada Post does not deliver to addresses unless they reside at that residence for 4 or more consecutive months out of the year. If the customer is looking for mail delivery, they will need to register as General delivery at the Dunnville Post Office.

Grand River Conservation Authority (GRCA)—The GRCA has no objection to the proposed Official Plan and Zoning Amendment Applications.

- 1. Resource Issues:** Information currently available at this office indicates that portions of the subject lands contain the Regulated Lake Erie flood and erosion hazard and its regulatory allowance.
- 2. Legislative/Policy Requirements and Implications:** Based on our review of the circulated material, the proposed development is outside the Regulated Lake Erie flood and erosion hazard; therefore, we do not anticipate any negative impacts to these features. It is our understanding that the amendment is only to those lands designated as Agricultural and that the Hazard Lands will remain unchanged.

Please note that any new development or site alteration, including the addition or removal of fill within regulated areas will require prior written approval from GRCA in the form of a permit pursuant to Ontario Regulation 150/06.

3. Additional Information/Suggestions Provided in an Advisory Capacity:

The GRCA recommends the lot line be severed at the regulation limit of the Lake Erie flood hazard to ensure no interference with the identified features.

The GRCA acknowledges the consent review fee of \$400 has been paid and there are no outstanding concerns.

Ministry of Municipal Affairs—Full comments attached as Attachment 13. Overall, the proposed amendment is not contemplated in a prime agricultural area.

Mississauga of the Credit First Nation Council—No comments received.

Six Nations Council—No comments received.

Hydro One—No comments or concerns.

Union Gas—No comments received.

Emergency Services/Fire Department—No objection.

Planning & Development (Development and Design Technologist)—If the applications are approved, an easement would be required in favour of the adjacent landowners and Haldimand County EMS. A maintenance costing should be included in the easement between adjacent landowners to ensure that obligations and share in costing is clear to all parties.

Roads Operations—No objection.

Haldimand Norfolk Health Unit—No comments for this proposal.

Building & Municipal Enforcement Services—No objection. The septic evaluation is sufficient.

Municipal Property Assessment Corporation—No comments received.

Environmental Operations—No comments in reference to solid waste.

Public Notice—A notice of complete application was mailed to required agencies and residents within 120 metres of the entire subject lands on October 4, 2018 in accordance with the *Planning Act* requirements and timelines. A notice of public meeting was mailed to the same agencies and residents prior to or on January 22, 2019. The applicants confirmed on January 8, 2019 that the public notice signs were posted. The applicants held a private open house on Saturday, December 22, 2018. Residents within 120 metres of 52 Weatherburn Line were invited. Five households attended. According to the proponents' agent, no issues were raised and the residents were supportive and encouraging. Information from the private open house is attached as Attachment 14. At the time of writing this report, Planning staff had not received any public comments or concerns.

REPORT IMPACTS:

Agreement: No

By-law: Yes

Budget Amendment: No

Policy: No

ATTACHMENTS:

1. Original OPA and ZBA Request-2009.

2. Subsequent OPA and ZBA Request-2010.
3. Location Map-2019.
4. Detail Map-2019.
5. Official Plan Plot-2019.
6. Official Plan Plot with Parts-2019.
7. Concept Plan for New Lot-2019.
8. Zoning Plot-2019.
9. Zoning Plot with Parts-2019.
10. Policy Conformity.
11. Draft, Amending Official Plan By-law.
12. Draft, Amending Zoning By-law.
13. Provincial Comments.
14. Private Open House Comments.