



The Corporation of
THE TOWNSHIP OF LANARK HIGHLANDS

**AGENDA
PUBLIC MEETING
ZONING BY-LAW AMENDMENT**

Thursday August 18th, 2011

7:00 p.m.

**Lanark Highlands Municipal Office - 75 George Street, Lanark, Ontario
Council Chambers**

*7:00 p.m. Public Meeting: Zoning By-Law Amendments
(File #ZA10/003)(File #ZA11/002)(File #ZA11/003)(File #ZA11/004)*

Following Council Meeting

Chair, Mayor Peter McLaren

1. CALL TO ORDER

2. INTRODUCTION

- The purpose of this public meeting is to hear applications for Zoning By-Law Amendments for the following applications:
 - ZA10/003 WILSON
 - ZA11/002 GAUDREAU
 - ZA11/003 HIRST
 - ZA11/004 HALL

- The Planning Assistant will provide a brief overview of the details of the file. The applicant will then be given an opportunity to explain the need for the Zoning By-Law Amendment. Then, any person or public body, in opposition and then in favour, to the application will be heard.

- If a person or public body does not make oral or written submissions at a public meeting, or make written submissions to the Township of Lanark Highlands before the by-law is passed, the person or public body may not be added to the hearing of an appeal before the Ontario Municipal Board (OMB) unless, in the opinion of the Board, there are reasonable grounds to do so.

- If you wish to be notified of the decision of Council in respect to any of the below listed applications, you must submit a written request to the Clerk or you must sign the attendance list provided at today's meeting. This will also entitle you to be advised of a possible Ontario Municipal Board Hearing. Even if you are the successful party, you should request a copy of the decision since the Council of the Township of Lanark Highlands decision may

be appealed to the Ontario Municipal Board by the applicant or another member of the public.

- The Clerk must provide notice of Council's decision to all those who request a copy within 15 days after the day the by-law is passed. Anyone may appeal the decision to the OMB by filing with the Clerk within 20 days of the notice of decision.
- An appeal to the Municipal Board may be filed with the Clerk of the Township not later than 20 days after the day that the notice of decision was given. The notice of appeal must set out the objection to the by-law and the reasons in support of the objection, accompanied by the required fee.

3. APPLICATIONS

- i) FILE #: ZA10/003 - Wilson**
 - a) PLANNER FILE REVIEW & PROPOSED BY-LAW
 - b) APPLICANT COMMENTS
 - c) ORAL & WRITTEN SUBMISSIONS

- ii) FILE #: ZA11/002 - Gaudreau**
 - a) PLANNER FILE REVIEW & PROPOSED BY-LAW
 - b) APPLICANT COMMENTS
 - c) ORAL & WRITTEN SUBMISSIONS

- iii) FILE #: ZA11/003 - Hirst**
 - a) PLANNER FILE REVIEW & PROPOSED BY-LAW
 - b) APPLICANT COMMENTS
 - c) ORAL & WRITTEN SUBMISSIONS

- iv) FILE #: ZA11/004 - Hall**
 - a) PLANNER FILE REVIEW & PROPOSED BY-LAW
 - b) APPLICANT COMMENTS
 - c) ORAL & WRITTEN SUBMISSIONS

4. ADJOURNMENT

APPLICATIONS



The Corporation of
THE TOWNSHIP OF LANARK HIGHLANDS

Planning Report
Zoning Amendment

Part Lot 18, Concession 2
Former Township of Lanark

Now in the Township of Lanark
Highlands

5537 Highway 511

August 2011

1.0 Introduction

Mr. Wilson has applied to the Township of Lanark Highlands to amend the zoning provisions that currently apply to the lands legally described as Part Lot 18 Concession 2, former Township of Lanark now in the Township of Lanark Highlands. The property is located at 5537 Highway 511.

1.1 BACKGROUND

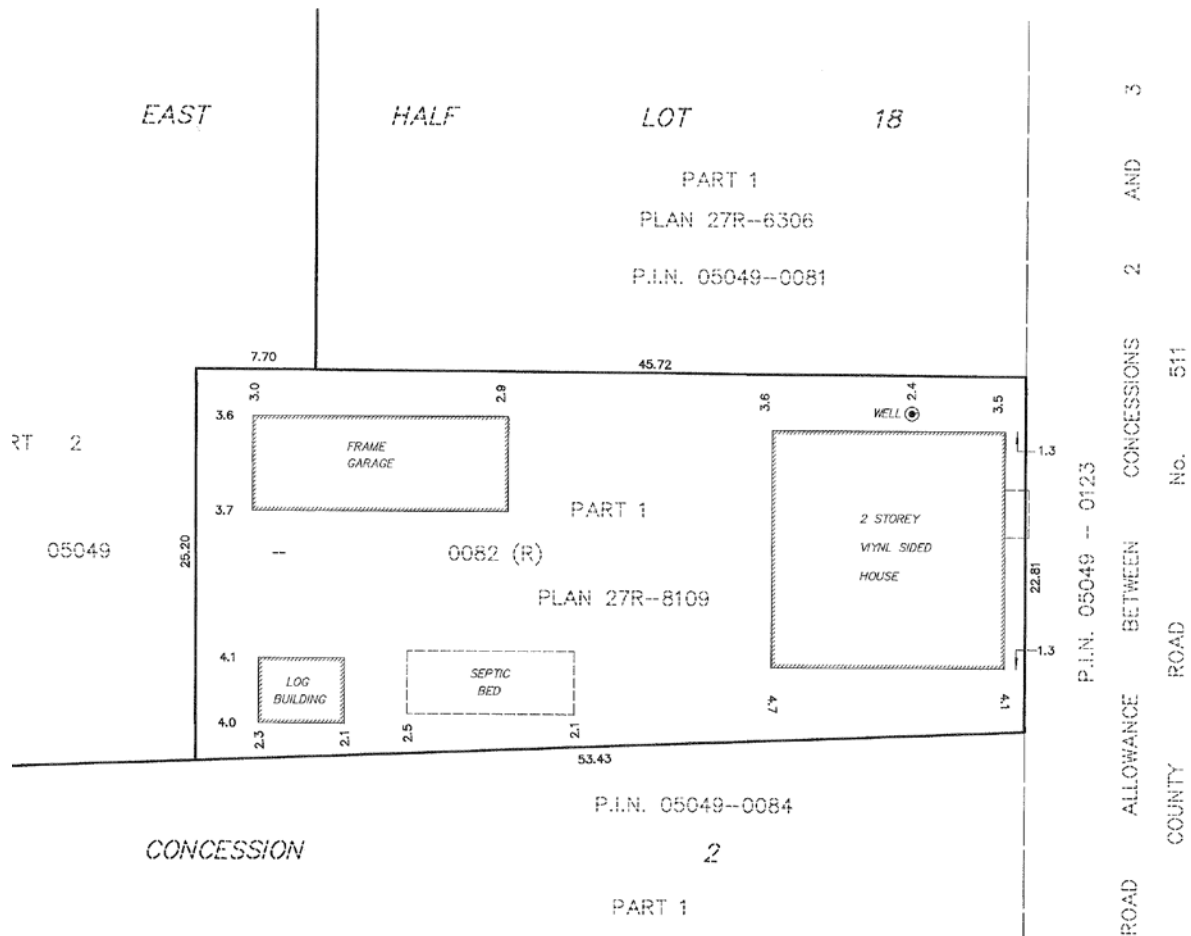
The subject lands were given conditional approval for severance subject to a zoning amendment to recognize the undersized lot and built form.



The property is designated Hamlet Settlement Area on Schedule 'A4' of the Township of Lanark Highlands Official Plan and zoned Hamlet on Schedule 'A4' of the Township of Lanark Highlands Zoning By-law.

The property is irregular in shape and is approximately, but no less than 1 acre in area. Abutting land uses include a commercial establishment and residential properties.

Currently constructed on the lands is a Single Family Dwelling, a garage and an accessory structure as illustrated on the sketch below.



1.2 PROVINCIAL POLICY

As part of the province's long term commitment to economic prosperity and social well being all planning applications must be consistent with the Provincial Policy Statement 2005 (PPS). As such a review of applicable policies must be undertaken and evaluated under the "consistent with" test. The province's vision for long-term prosperity and social well-being of Ontarians depends on maintaining strong, communities, a clean and healthy environment and a strong economy. Growth is directed to existing settlement areas and away from significant or sensitive resources and areas which may pose a risk to public health and safety.

The lands subject to this application are within the Hamlet of Hopetown, an existing settlement area. Section 1.0, Building Strong Communities, of the Provincial Policy Statement directs planning authorities to provide for a mix and range of housing types and provides support for intensification if appropriate to the infrastructure available.

1.2.1 Sewage and Water, Section 1.6.4

The lands are at present serviced via private well and septic and the Health Unit has commented that the proposed use can be supported with existing systems. No new development is proposed by means of this application.

1.2.2 Transportation, Section 1.6.5

The use of existing transportation infrastructure is required. The proposal as submitted does not propose or require any new municipal roadways/ infrastructure.

The application facilitates current property use and configuration. As such the proposal can meet the “consistent with” test.

1.3 OFFICIAL PLAN

The Official Plan designates the lands as Hamlet Settlement Area. Policies and general principles of the Official Plan must be reviewed prior to a decision on the proposed zoning amendment. Generally applications require compliance to the policies entrenched within the Official Plan. The proposed lot area does not meet minimum standards. The plan recognizes this in section 3.5 and states: it is not the intention of the Municipality to embark on a program of providing piped municipal water supply and sewage disposal facilities and therefore, lot sizes must be adequate to support on-site water and sewage disposal systems. Planning Principles clearly direct that lot size must be adequate and can be serviced privately and on-site. The Health Unit has provided comments on the severance application that there is sufficient land area to replace the existing system.

The plan allows for amendment to the zoning as long as the general principles are achieved. In this specific case the zoning amendment is required as the lot cannot meet the performance standards with respect to area and setbacks outlined in the Township’s Zoning By-law 2003-451. As previously noted no new development is proposed by means of this application and the by-law is only required to recognize existing and long standing conditions.

It is my professional opinion the proposal meets the general intent of the policies of the Official Plan.

1.4 ZONING BY-LAW

The lands are zoned Hamlet. Performance standards of the Hamlet Zone include:

Minimum Lot area	1 ha
Minimum Lot Frontage	50 metres

Main Dwelling

- Setback from centre line of County Road 20 metres
- Interior Side Yard 7 metres

The zoning amendment required to move forward with this application will be a site specific zone of the Hamlet Zone - Hamlet exception 8, H-8. The bylaw will provide for the following relief:

Minimum Lot Area	0.405 hectares (1 acres)
Lot Frontage	22.81 metres (74.8 feet)

Main Dwelling

Setback from centre line of a County Road)	10.8 metres (35.4 feet)
Interior Side Yard	3.6 metres (11.8 feet)

1.5 COMMENTS

The application has been circulated as required by the Planning Act. The Mississippi Conservation has no issues and has screened the application from their formal review process.

Conclusion

This proposal for zoning amendment must be reviewed and be consistent with Provincial Policy and in addition comply with policies of the Official Plan. The PPS provides for long term sustainability by managing and directing growth and development to areas where efficient, cost effective and appropriate development can occur. The application does not propose any new construction or development on the lands and is solely to recognize existing use and built form.

1.6 RECOMMENDATION

That Council approve zoning amendment ZA10-03.

Prepared By



Janie Laidlaw
Planning and Administrative Assistant

Reviewed by

A handwritten signature in black ink, appearing to read "Rob Wittkie". The signature is written in a cursive style with a large initial "R" and a long horizontal stroke at the end.

Rob Wittkie
Planning Administrator/Deputy Clerk



The Corporation of
THE TOWNSHIP OF LANARK HIGHLANDS

Planning Report
Zoning Amendment

Part Lot 11, Concession 2
Former Township of North Sherbrooke

Now in the Township of Lanark
Highlands

7236 McDonald's Corners Road

August 2011

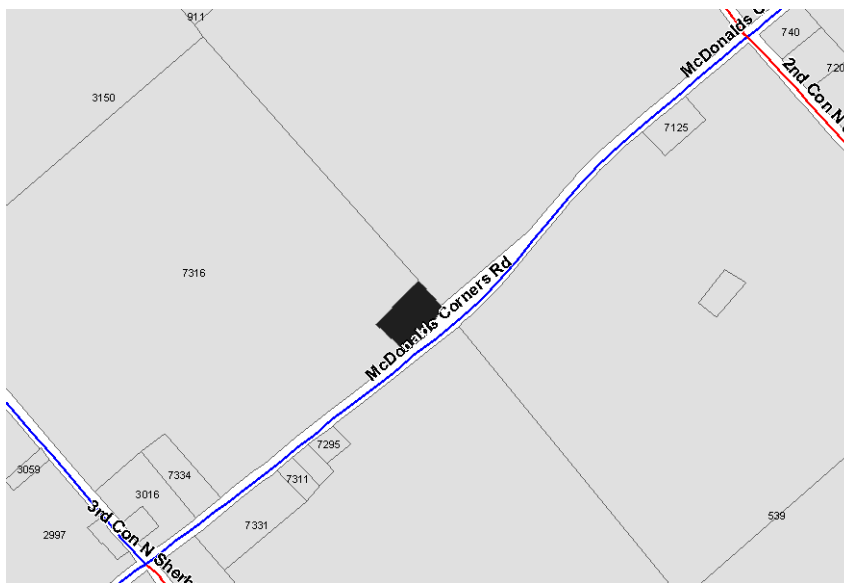
1.0 Introduction

The Gaudreau's have applied to the Township of Lanark Highlands to amend the zoning for the lands legally described as Part Lot 11 Concession 2, former Township of North Sherbrooke now in the Township of Lanark Highlands to permit a Garden Suite as a separate dwelling unit to a permitted residential dwelling. The property is located at 7236 McDonald's Corners Road.

1.1 BACKGROUND

The re-zoning is required to fulfill requirement of Section 4.14 of By-law No. 2003-451, which states:

That, subject to the passing of a site specific Temporary Use By-law under Section 39.1 of the Planning Act, a Garden Suite shall be permitted as a separate dwelling unit to a permitted residential dwelling. Garden Suite shall mean a one-unit residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.



The property is designated Hamlet Settlement Area on Schedule 'A2' of the Township of Lanark Highlands Official Plan and are currently zoned Hamlet on Schedule 'A2' of the Township of Lanark Highlands Zoning By-law.

1.2 PROVINCIAL POLICY

As part of the province's long term commitment to economic prosperity and social well being all planning applications must be consistent with the Provincial Policy Statement 2005 (PPS). As such a review of applicable policies must be undertaken and reviewed under the "consistent with" test.

The Provincial Policy directs that in rural areas limited residential development is permitted and that it should be appropriate to the infrastructure which is planned or available and in addition shall be compatible with the rural landscape.

1.2.1 Services

The lot when developed will be serviced privately and confirmation is required that there exists sufficient treatment capacity for any hauled sewage (Section 1.6.4.1). The Lanark Leeds and Grenville Health Unit will require a permit for private services. Capacity exists for the hauled sewage outside of the Municipality. The applicant will need to obtain permits from the Lanark and Leeds Health Unit prior to any construction.

1.3 OFFICIAL PLAN

The Official Plan designates the lands as Hamlet. Policies and general principles of the Official Plan must be reviewed prior to a decision on the proposed zoning amendment. Generally applications require compliance to the policies entrenched within the Official Plan.

Garden Suites are permitted use in the Hamlet designation provided they meet the definition as a one-unit detached residential structure containing bathroom and kitchen facilities and that is accessory to an existing residential structure and is designed to be portable.

Garden Suites are intended for people who are largely capable of living independently but who, by virtue of their age or because of a disability require some support to live on their own.

Garden Suite are permitted on a site specific as needs basis provided the lot is sufficient in size and can meet the required zoning standards and the unit can be properly serviced with water and sewage disposal.

The proposal respects the intent of the Official Plan and complies with the policies therein.

1.4 ZONING BY-LAW

The lands are currently zoned Hamlet. The proposed Temporary Use By-law will permit the Garden suite for a period of ten (10) years and may be renewable.

All other sections of the Zoning By-law in particular the Hamlet (H) zone shall continue to apply to the subject lands.

1.5 COMMENTS

The application has been circulated as required by the Planning Act. The Mississippi Conservation has no issues and has screened the application from their formal review process.

Conclusion

The application, as submitted is consistent with the Provincial Policy Statement, complies with directives of the Official Plan and can meet the requirements of the Hamlet zone. The proposal is in keeping with existing surrounding land uses and an expected land use. As such the application can be supported.

1.6 RECOMMENDATION

That Council approve zoning amendment ZA11-002 being a Temporary Use By-law to permit a Garden Suite.

Prepared By



Janie Laidlaw
Planning and Administrative Assistant

Reviewed by



Rob Wittkie
Planning Administrator/Deputy Clerk



The Corporation of
THE TOWNSHIP OF LANARK HIGHLANDS

Planning Report
Zoning Amendment

Part Lot 23, Concession 10
Former Township of Darling

Now in the Township of Lanark
Highlands

Pickerel Bay Road

August 2011

1.0 Introduction

Mr. Hirst has applied to the Township of Lanark Highlands to amend the zoning provisions that currently apply to the lands legally described as Part Lot 23 Concession 10, former Township of Darling now in the Township of Lanark Highlands. The property is located at Pickerel Bay Road.

1.1 BACKGROUND

The applicant has previously applied for severance on the subject lands and been granted approval subject to certain conditions. One of which is to undertake a zoning amendment in order to recognize the proposed usage of the lands. The retained lands currently function as a commercial campground. The newly created parcel is currently vacant and the applicant is proposing residential uses and as such the property needs to be zoned as Lakefront Development, 'LD' in order to recognize the proposed usage of the new parcel.



The property is designated Rural on Schedule 'A3' of the Township of Lanark Highlands Official Plan and are currently zoned Commercial Recreation on Schedule 'A3' of the Township of Lanark Highlands Zoning By-law.

The property is irregular in shape and is 1ha in area. Abutting land uses include a commercial establishment and residential properties.

1.2 PROVINCIAL POLICY

As part of the province's long term commitment to economic prosperity and social well being all planning applications must be consistent with the Provincial Policy Statement 2005 (PPS). As such a review of applicable policies must be undertaken and reviewed under the "consistent with" test.

The Provincial Policy directs that in rural areas limited residential development is permitted and that it should be appropriate to the infrastructure which is planned or available and in addition shall be compatible with the rural landscape.

1.2.1 Services

The lot when developed will be serviced privately and confirmation is required that there exists sufficient treatment capacity for any hauled sewage (Section 1.6.4.1). The Lanark Leeds and Grenville Health Unit will require a permit for private services. Capacity exists for the hauled sewage outside of the Municipality. The applicant will need to obtain permits from the Lanark and Leeds Health Unit prior to any construction.

1.2.2 Transportation

Section 1.6.5 Transportation Systems and Section 1.6.6 Transportation and Infrastructure Corridors of the Provincial Policy Statement outline the priority that the province puts on the maintenance and efficiency of transportation systems and corridors. The lot will be accessed via an unopened road allowance off of the Township Road – Pickerel Bay Road. The applicant as a condition of severance is required to enter into an agreement with the Township for the usage of the unopened road allowance, it is also a requirement that the right-of-way be brought up to a Private Road Standard and that it be named for the purpose of civic addressing as the road allowance is accessed by more than one landowner.

1.2.3 Water

The property enjoys frontage on White Lake. Future development will be required meet the requirements in the Township's Zoning By-law in order to ensure that there are no negative impact to the Lake. Planning authorities are directed to protect, improve or restore watercourses by means of providing sufficient setback from the watercourse so that quality and quantity concerns and objectives are met. The lands are of sufficient size to avoid development close or near to the Lake.

The application can be considered consistent with PPS directives as the lands can be appropriately serviced, no new municipal infrastructure will be required by means of this application, road improvements will be undertaken by the applicant in order to ensure the provision of emergency services and residential uses are an expected and appropriate land use within the rural area.

1.3 OFFICIAL PLAN

The Official Plan designates the lands as Rural. Policies and general principles of the Official Plan must be reviewed prior to a decision on the proposed zoning amendment. Generally applications require compliance to the policies entrenched within the Official Plan.

Rural development concepts outlined within the Official Plan discuss a settlement pattern of very low density consisting of residences distributed along existing road networks. The intent of the Official Plan is to protect the rural setting and natural resources for their economic value.

Planning principles allow for the development of residential uses on existing roadways providing the roadway is maintained to an acceptable standard. The application has been circulated to the roads department and the applicant will be required to bring the road allowance up to a private road standard as per the development agreement.

As the lands have frontage on White Lake the plan outlines controls to maintain or improve the existing level of water quality, aesthetic and recreational quality and to improve the fisheries.

The proposal respects the intent of the Official Plan and complies with the policies therein.

1.4 ZONING BY-LAW

The lands are currently zoned Commercial Recreation. An amendment to the current zone is required because the newly created lot will not be part of the campground, but will function as a residential lot. A dwelling is a permitted use of this zone and the subject lands have sufficient frontage and area to meet all the requirements of the lakefront development zone.

1.5 COMMENTS

The application has been circulated as required by the Planning Act. Mississippi Valley has no objection to the application.

1.6 CONCLUSION

This proposal for zoning amendment must be reviewed and be consistent with Provincial Policy and in addition comply with policies of the Official Plan. The PPS provides for long term sustainability by managing and directing growth and development to areas where efficient, cost effective and appropriate development can occur.

The application as submitted is consistent with the Provincial Policy Statement, complies with directives of the Official Plan and can meet the requirements of the

lakefront development zone. The proposal is in keeping with existing surrounding land uses and an expected land use. The requirement for a Development Agreement provides for sufficient control on the development proposed to ensure that the improved road works are undertaken. As such the application can be supported.

1.7 RECOMMENDATION

That Council approve zoning amendment ZA11-003.

Prepared By

A handwritten signature in cursive script that reads "Janie Laidlaw".

Janie Laidlaw
Planning and Administrative Assistant

Reviewed by

A handwritten signature in cursive script that reads "Rob Wittkie".

Rob Wittkie
Planning Administrator/Deputy Clerk



The Corporation of
THE TOWNSHIP OF LANARK HIGHLANDS

Planning Report
Zoning Amendment

Part Lot 11, Concession 9
Former Township of Dalhousie

Now in the Township of Lanark
Highlands

Hall Shore Road

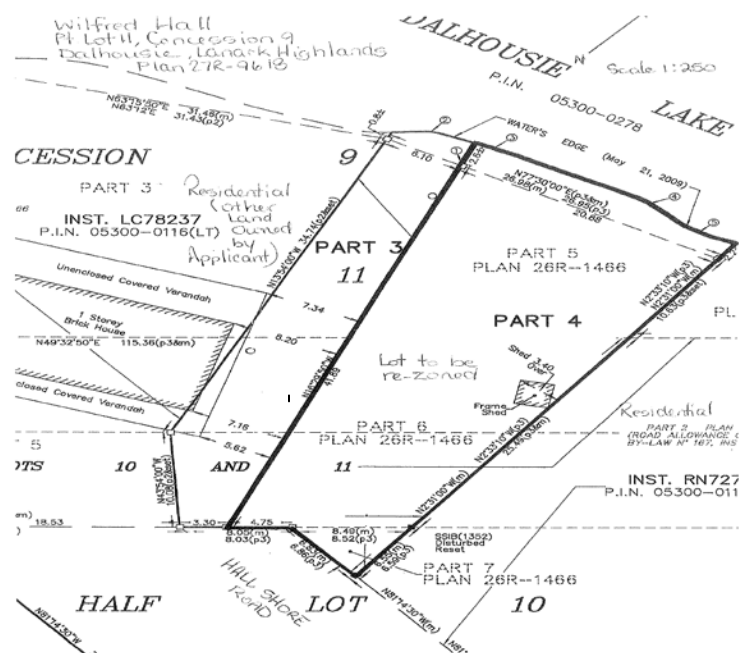
August 2011

1.0 Introduction

Mr. Hall has applied to the Township of Lanark Highlands to amend the zoning provisions that currently apply to the lands legally described as Part Lot 11 Concession 9, former Township of Dalhousie now in the Township of Lanark Highlands. The property is located at Hall Shore Road

1.1 BACKGROUND

The applicant has previously applied for severance on the subject lands to sever a 0.029ha parcel as a lot addition to adjacent lands and retain a 0.07ha vacant parcel as access to Dalhousie Lake, the application has been granted approval subject to certain conditions. One of which is to rezone the retained lands to restrict the future use of the lands to lake access purposes only and to prohibit the construction of buildings or structures.



The property is designated Lake Development District on Schedule 'A2' of the Township of Lanark Highlands Official Plan and are currently zoned Lakefront Development on Schedule 'A2' of the Township of Lanark Highlands Zoning By-law.

The property is 0.07ha in area. Abutting land uses are rural and residential.

1.2 PROVINCIAL POLICY

As part of the province's long term commitment to economic prosperity and social well being all planning applications must be consistent with the Provincial Policy Statement 2005 (PPS). As such a review of applicable policies must be undertaken and reviewed under the "consistent with" test.

The Provincial Policy directs that in rural areas limited residential development is permitted and that it should be appropriate to the infrastructure which is planned or available and in addition shall be compatible with the rural landscape.

1.2.1 Transportation

Section 1.6.5 Transportation Systems and Section 1.6.6 Transportation and Infrastructure Corridors of the Provincial Policy Statement outline the priority that the province puts on the maintenance and efficiency of transportation systems and corridors. The lot will be accessed via an existing private road known as Hall Shore Road.

1.2.2 Water

The property enjoys frontage on Dalhousie Lake. Future development will not be permitted in order to ensure that there are no negative impacts to the Lake. Planning authorities are directed to protect, improve or restore watercourses by means of providing sufficient setback from the watercourse so that quality and quantity concerns and objectives are met. The lands are extremely substandard and permitted uses will be restricted to access only.

The application can be considered consistent with PPS directives as the lands will be used for access only and there will be no development permitted.

1.3 OFFICIAL PLAN

The Official Plan designates the lands as Lakefront Development. Policies and general principles of the Official Plan must be reviewed prior to a decision on the proposed zoning amendment. Generally applications require compliance to the policies entrenched within the Official Plan.

The only permitted use will be for access to the Lake which is an expected and appropriate land use along the waterway.

The proposal respects the intent of the Official Plan and complies with the policies therein.

1.3 ZONING BY-LAW

The lands are currently zoned Lakefront Development. An amendment to the current zone is required because the lands are required to be identified as access only and to prohibit the construction of buildings or structures.

1.4 COMMENTS

The application has been circulated as required by the Planning Act. Mississippi Valley Conservation is in agreement with the restrictions of future development, therefore have no objections to the application.

1.5 CONCLUSION

This proposal for zoning amendment must be reviewed and be consistent with Provincial Policy and in addition comply with policies of the Official Plan.

The application can be considered to be consistent with the Provincial Policy Statement, complies with directives of the Official Plan and with the site specific zoning amendment to prohibit development, conform to the Lakefront Development zone.

As such the application can be supported.

1.6 RECOMMENDATION

That Council approve zoning amendment ZA11-004.

Prepared By



Janie Laidlaw
Planning and Administrative Assistant

Reviewed by



Rob Wittkie
Planning Administrator/Deputy Clerk

