REPORT TO: COMMITTEE OF THE WHOLE
FROM: Chris Russell
DATE: February 17, 2015
SUBJECT: Application ZB-2015-004
Plawinski, M.
1538 Scarlett Line

REPORT HIGHLIGHTS

- A rezoning application has been submitted to fulfil Condition 5 of a Committee of Adjustment approval for Consent File B09/14.
- The applicant has an offer to purchase a 6.12 hectares (15.14 acres) forested ravine portion of land from the abutting neighbor to add to their residential property for additional privacy and walking trails.
- Condition 5 of the Committee’s Decision requires the ravine parcel to be rezoned from the Agricultural Consolidation (AC) Zone to the Environmental Protection (EP) Zone in order to finalize the boundary adjustment/lot addition.
- The (EP) Zone is more appropriate due to the site characteristics (steep slopes, hazard lands, and creek) on the property and is not suitable for agriculture.
- Staff recommends that subject to the information received at the public meeting, that a by-law be introduced to Council for consideration and approval.

RECOMMENDATION

THAT the report from the Planner regarding ZB-2015-004, 1538 Scarlett Line dated February 17, 2015, be received; and,

THAT subject to the information received at the public meeting, that a draft by-law be introduced to Council for approval.

BACKGROUND

This zoning by-law amendment application (ZB-2015-004) has been submitted to fulfill Condition 5 of Committee of Adjustment Decision B09/14 (Appendix A) to establish an Environmental Protection (EP) Zone in place of the existing Agricultural Consolidation (AC) Zone. The applicant undertook a boundary adjustment/lot addition application in August 2014 to facilitate the purchase of lands from a neighboring property containing a ravine and creek. Due to the forested nature and steep slopes of the ravine, the parcel could not be farmed and is excess to the farmer’s needs. The applicant has sought to purchase this ravine parcel and add it to their adjacent residential lot for additional privacy and passive walking space.
The lands are currently zoned for agricultural uses, which would not be appropriate in conjunction with the applicant’s residential lot due to the fact that there are physical constraints hindering the ability for the lands to be farmed. As such, the Committee of Adjustment imposed a condition that the ravine parcel be rezoned to the Environmental Protection (EP) Zone.

**PROPOSAL**

**Zoning Application - ZB-2015-004**

Application ZB-2015-004 would rezone 6.12 Hectares (15.14 acres) of land from the Agricultural Consolidation (AC) Zone to the Environmental Protection (EP) Zone in order to satisfy Condition 5 of Committee of Adjustment Decision B09/14. The rezoning would permit the boundary adjustment to proceed and add a forested ravine parcel currently to the residential property municipally known as 1538 Scarlett Line.

**ANALYSIS**

*Township of Springwater Official Plan & Comprehensive Zoning By-law 5000*

The subject lands are currently designated ‘Rural’ in the Springwater Official Plan. The forested ravine parcel and creek are regulated by the Nottawasaga Valley Conservation Authority (NVCA).

The proposed Zoning By-law Amendment to rezone the subject lands to the Environmental Protection (EP) Zone conforms to the objectives within the Official Plan by protecting Natural Heritage features and potentially hazardous steep slopes from development considerations.

Removing the lands from the Agricultural Consolidation (AC) will not have an impact on the existing farming operation because the land is incapable of being farmed and is more suited for environmental protection.
BUDGET IMPLICATIONS

There are no budget implications associated with this file.

SUMMARY

THAT the report from the Planner regarding ZB-2015-004 dated February 17, 2015, be received; and,

THAT subject to the information received at the public meeting, a draft by-law be introduced to Council at the next meeting for consideration and approval.

GUIDING PRINCIPLES

The above initiative supports Council’s guiding principle of:

1. Community Development
2. Growth Management

APPLICABLE MUNICIPAL POLICY OR LEGISLATION

- Planning Act, R.S.O. 1990
- Provincial Policy Statement (2014)
- Growth Management Plan for the Greater Golden Horseshoe: Places to Grow
- Township of Springwater Official Plan
- Township of Springwater Zoning By-law 5000

APPROVALS

Submitted by: Chris Russell MCIP, RPP, Planner
Reviewed by: Brent Spagnol MCIP, RPP, Manager of Planning
Budget Implications Reviewed by: Jeff Schmidt CPA, CGA, BAS, Director of Finance
Approved by: Robert Brindley, Chief Administrative Officer
Version code: D14 12/02/15 1711559

Background/Relevant reports on the subject:

- Appendix - Committee of Adjustment Notice of Decision B09/14
- Appendix - Draft By-law 5000-Draft