

REPORT TO THE PLANNING ADVISORY AND COMMITTEE OF ADJUSTMENT	
<b>Date of Report:</b> August 19, 2024	<b>Date of Meeting:</b> August 28, 2024
<b>Subject of Report:</b> Zoning Bylaw Amendment <b>ZBA-12-2024 PORTLAND FIREHALL</b>	
<b>Recommendation:</b> Township staff recommend to the Planning Advisory Committee that Zoning By-law Amendment application <b>ZBA-12-2024</b> be approved as submitted that will rezone the subject property from Institutional (I) to General Residential (RG).	
<b>Report Prepared By:</b>	<i>Foster Elliott</i>
	<b>Foster Elliott Associate Planner, Development Services</b>
<b>Departmental Approval:</b>	<i>Malcolm Norwood</i>
	<b>Malcolm Norwood, RPP Manager of Development Services</b>
<b>CAO Approval:</b>	<i>ME Truelove</i>
	<b>Mary Ellen Truelove, Clerk for Shellee Fournier, CAO</b>

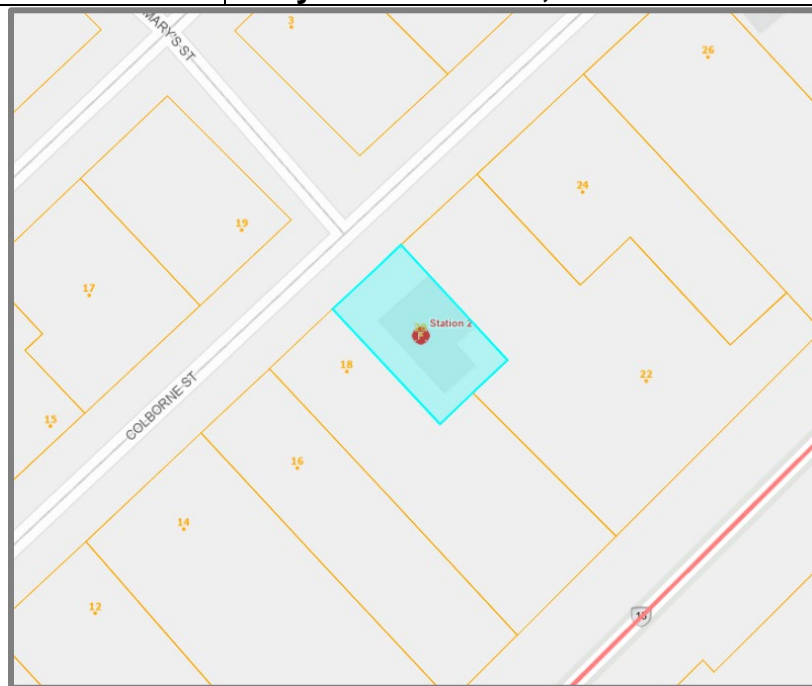


Figure 1 – Context Map

**1.0 PROPERTY AND OWNER INFORMATION:**

Attribute	Value
Roll Number	083183103658500
Owner Name	RIDEAU LAKES TOWNSHIP
Location	20 Colborne Street
Area	0.13 acres

Frontage 60.0 ft  
Depth 93.0 ft  
Description BAST PLAN 27

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**Figure 2 – Aerial imagery of the property**

## **2.0 PURPOSE:**

### **2.1 Purpose:**

The request is to change the zoning classification on the subject property from Institutional (I) to General Residential (RG). This change is to permit residential use for the property. This property previously contained a firehall, and still contains the septic holding tank and well that serviced the firehall, which are proposed to remain on the site to service a future dwelling.

## **3.0 AGENCY COMMENTS:**

### **3.1 Ontario Building Code and Private Sewage Systems**

Building has no concerns as long as all Part 8 minimum distance separations can be maintained. Further, the existing septic system is permitted under Part 11 so long as the daily design flow remains the same, and any replacement system is the same size and same class (class 5 holding tank). CBO has also reviewed for applicability of a Record of Site Condition and has indicated one is not required under the OBC.

### **3.2 Manager of Roads and Drainage**

No concerns with this application.

### **3.3 Fire Chief**

No concerns with fire services.

### **3.4 Rideau Valley Conservation Authority (RVCA)**

No comments received at the time of this report.

## 4.0 PLANNING STAFF REVIEW

### 4.1 Zoning By-law

The request is to change the zoning classification of the subject property from Institutional (I) to General Residential (RG). The intent of the General Residential zone is to promote more concentrated residential development in areas within the Township such as subdivisions or settlement areas. The proposed residential use of the lot is permitted within the proposed RG zoning.

The current lot size and frontage do not meet the minimum requirements of the current I zoning, nor that of the proposed RG zoning which each require a minimum of 1 acre lot size, and 40m of frontage where the lot is located within a Settlement Area designation in the Official Plan. The lot is currently 0.13 acres in size, and contains 18.28m (60ft) of frontage on Colborne Street. The intent of the minimum lot size and lot frontage is to enable adequate sizing for onsite private services, as well as appropriate access to the abutting improved street. The proposed rezoning to RG will align the lot to those similar in size and frontage in the RG zone located within the same Settlement Area designation which are shown to be adequate for residential uses. The existing I zone permits a variety of uses on the lot such as a school, residential facility, and accessory dwelling. The RG zone restricts the property by only permitting residential use, which is more appropriate than the broad list of uses under the I zone. Any future building will be limited in scale due to the size of the property and non-conforming building envelope.

The firehall was a non-conforming building in relation to lot coverage and setbacks to lot lines. Through this rezoning application, the ability to rebuild a building to the same size, volume, height and extent of non-conformity remains. A future residence would need to be constructed within the parameters of the previous building, or proper approval through a subsequent planning act application would be required to be obtained as per Section 3.15 of the Zoning By-law. Further, the dwelling is required to be within the maximum designed daily effluent flow for the existing septic system for the existing system to be utilized due to its non-conforming setback to the well as outlined in the Ontario Building Code. The proposed zoning amendment complies with the Zoning By-law and is an appropriate zone considering the location, proposed use, lot size and frontage.

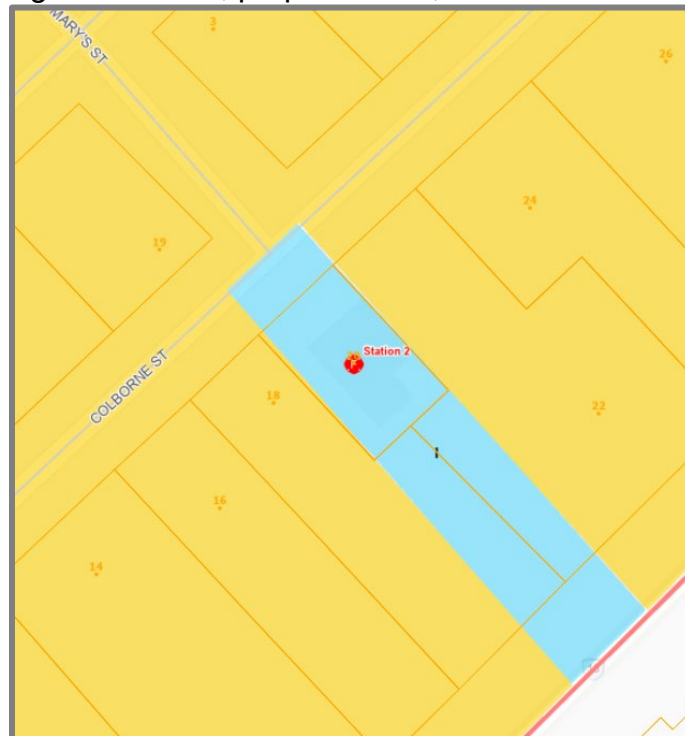


Figure 3 – Zoning Map

## 4.2 Official Plan

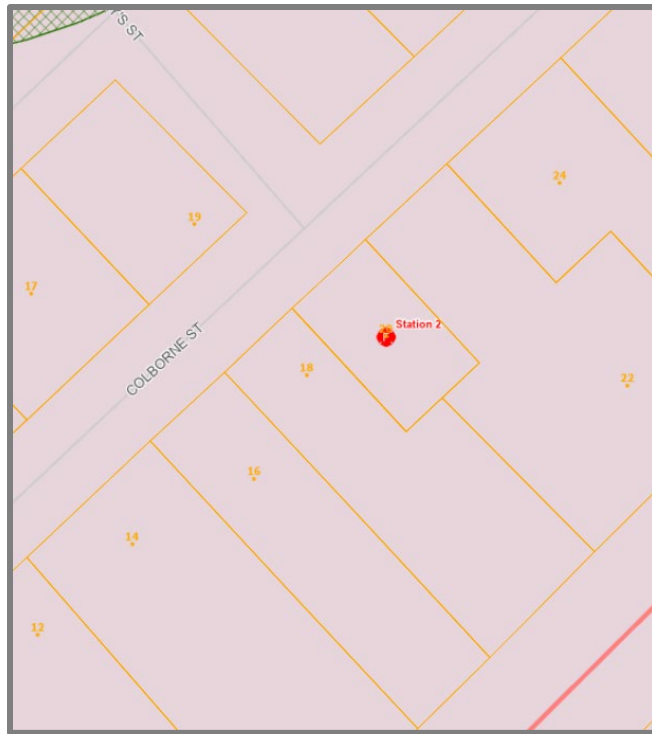
The Official Plan designation for the property is Settlement Area. The intent of the Settlement Area designation is to encourage more concentrated development than what would typically be found within the Rural designation, and that the amount and type of development is to be consistent with the maintenance of the character of settlement area lands. The proposed rezoning to permit residential development on a smaller lot is consistent with the Settlement Area designation policies in Section 3.9 of the OP.

Rezoning of the property would support the Township's efforts to "encourage the provision of an adequate supply and range of housing types: (Section 1.4.1). Section 2.4 of the OP sets out the policies regarding housing. This section outlines that there is at least a fifteen-year supply of land designated and available for future residential development, as well as a variety of housing options are accommodated to meet the needs of present and future residents of the Township, and further that new housing is encouraged to take place in the more built-up areas of the Township such as settlement areas. Through this change in zoning of the subject property, residential use would be permitted within a settlement area, which is the area encouraged to see this kind of redevelopment. Further, the more concentrated development of residential uses due to lots that are smaller than the minimum size is in parallel with the historic development patterns of settlement areas.

There are no known identified natural or human-made hazards associated with this property. The property's former institutional use as a fire hall had a fire and thus the policies of Section 2.19.1 have been reviewed. An environmental assessment was completed which tested for contamination in groundwater and soil on the property. A series of testing of the supply well was conducted that demonstrated seasonal variations in certain water quality metrics but were noted in the reports as likely naturally occurring. Overall a recommendation to re-sample the well once re-connected with proper flushing should be conducted. Soil samples were also taken at two locations on the site. Some exceedances of parameters in O.Reg 153 were noted in one of the soil samples, however the report indicates they may be related to an adjacent driveway to the east. Overall the scoped environmental assessment did not identify any remediation needed for the site as a result of the groundwater and soil testing.

There are no natural heritage features or designations associated with this property. The property has frontage onto Colborne Street, which is the preferred frontage for properties to be developed as it is a Township Road, as per Section 2.15 and 4.4 of the OP. Land Use Compatibility has been reviewed in light of this application. As the property is within the settlement area designation, Minimum Distance Separations are not required as per implementation guideline 36 of the OMAFRA MDS document. As such, no land use compatibility concerns have been identified through this review as the rezoning would permit a residential use within an existing residential area. The application meets the intent of the Land Use Compatibility Section of the Plan.

Section 2.17 Cultural Heritage, Rideau Canal, and Archaeological Resources section of the Township's Official Plan has also been reviewed. This section outlines that built or cultural heritage resources and cultural heritage landscapes are of importance and the role they play in creating a "sense of place", pride and community connection for residents, as well as a resource of historical, cultural and aesthetic interest to those visiting the Township. The subject property is not designated heritage, nor are the adjacent properties. However, as Settlement Areas contain many cultural heritage buildings, the OP outlines that reviewing development applications consideration of the relationship between the proposal and the contextual environment of existing buildings and landscapes is important. Through this proposal, staff do not anticipate any negative impacts to the cultural heritage resources or areas of cultural heritage interest. Overall, the application conforms to the Township's Official Plan.



**Figure 4 – Official Plan Designation**

#### **4.3 Provincial Policy Statement (PPS) Conformity**

The policies of the PPS have been reviewed in light of this application. The PPS identifies that healthy, livable, and safe communities are sustained by accommodating an appropriate affordable and market-based range and mix of residential types to meet long-term needs as per Section 1.1.1 of the PPS. The PPS also calls for an appropriate range and mix of housing options and densities required to meet projected requirements and affordable housing needs of current and future residents of the regional market area as per Section 1.4.3 of the PPS. Section 1.1.3 Settlement Areas has also been reviewed as the subject property is designated as a Settlement Area in the Township's OP. The PPS calls for settlement areas to be the focus of growth and development, and further that new growth within the growth areas should occur adjacent to the existing built up area and should have compact form to allow for the efficient use of land. The subject property is an infill lot within an existing built up area, that is within the settlement area. Therefore, the proposal is considered consistent with the policies of the PPS.

#### **4.4 United Counties of Leeds and Grenville (UCLG) Official Plan**

The subject property is designated as Rural Settlement Area in the Official Plan of the United Counties of Leeds Grenville. The Rural Settlement Area section 2.3.3 of the UCLG Official Plan seeks to promote development through infilling, and that rural settlement areas will generally maintain a rural settlement character and evolve as service and residential centres for the surrounding rural areas. Section 2.4 of the UCLG OP calls for settlement area development and that residential development is intensified so that it is efficient, cost effective and reduces the need to develop land within the Counties greenfield areas. Further Section 2.7 of the UCLG OP encourages municipalities to provide for an appropriate range of housing types and densities to meet the projected requirements of current and future residents. Overall, the proposal meets the intent of the Counties' Official Plan.

#### **5.0 CORRESPONDENCE RECEIVED**

No formal comments have been received.