



**PLANNING ADVISORY/COMMITTEE OF ADJUSTMENT/PROPERTY  
STANDARDS COMMITTEE AGENDA**

On September 27, 2022 @ 6:00 PM

In-Person in the Town Hall Council Chambers, 30 King Street East, Gananoque  
(parking on-site via Garden Street)

And via Teleconference/Video Conference using information below:

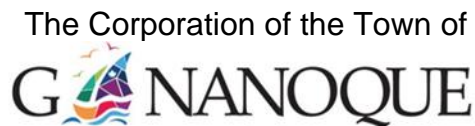
**Teleconference Toll Free Number – 1-833-311-4101, Access Code: 2634 343 9183**

**Video Access:**

<https://townofgananoque.webex.com/townofgananoque/j.php?MTID=m276ba50ab50dfa436cb073348e82a809>

		<b>Attachment</b>
1.	<b>Call Meeting to Order</b>	
2.	<b>Adoption of the Agenda</b>	
3.	<b>Disclosure of Pecuniary Interest &amp; General Nature Thereof</b>	
4.	<b>Approval of Minutes</b>	
	<ul style="list-style-type: none"> <li>• Minutes of July 26, 2022</li> </ul>	
5.	<b>Public Question/Comments</b> (only addressing items on the agenda) *Note: Members of the public are permitted to speak to Planning Act applications under Reports/New Business or Correspondence at the time of discussion.	
6.	<b>Unfinished Business</b> – none	
	<b>Reports/New Business</b>	
7.	Consent Application B2/2022 – Bosica – 830 King Street West	
8.	<b>Correspondence/Other</b> – none	
9.	<b>Next Regular Meeting</b> – October 25, 2022	
10.	<b>Questions From the Media</b>	
11.	<b>Adjournment</b>	

The Town invites and encourages people with disabilities to attend and voice their comments in relation to accessibility related reports. For those who are unable to attend, the Town encourages the use of the Customer Feedback Form found on the Accessibility Page on the Town's website.



**PLANNING ADVISORY/COMMITTEE OF ADJUSTMENT/PROPERTY  
STANDARDS COMMITTEE MEETING MINUTES**

On Tuesday, July 26, 2022 @ 6:00 PM  
Via Webex Teleconference Meeting

<b>COMMITTEE MEMBERS PRESENT</b>		<b>STAFF PRESENT</b>
<b>Chair:</b>	Mayor Ted Lojko	Brenda Guy, Manager of Planning and Development
<b>Members:</b>	John Beddows	Chanti Birdi, Assistant Planner
	Brian Brooks	
	Lynda Garrah	
	Emery Groen	
	Councillor Mike Kench	
	Chris McDonald	
	Marion Sprenger	
<b>Regrets:</b>	Jana Miller	
<b>1.</b>	<b>Call Meeting to Order</b> Chair Ted Lojko called the meeting to order at 6:00 PM.	
<b>2.</b>	<b>Adoption of the Agenda</b>	
	<b>PAC-COA-PSC Motion #2022-31</b> <b>Moved by:</b> Brian Brooks <b>Seconded by:</b> Marion Sprenger BE IT RESOLVED THAT PLANNING ADVISORY COMMITTEE/COMMITTEE OF ADJUSTMENT/ PROPERTY STANDARDS COMMITTEE adopt the agenda dated July 26, 2022. <p align="right"><b>CARRIED</b></p>	
<b>3.</b>	<b>Disclosure of Pecuniary Interest &amp; General Nature Thereof – None</b>	
<b>4.</b>	<b>Adoption of Minutes</b>	
	<b>PAC-COA-PSC Motion #2022-32</b> <b>Moved by:</b> Marion Sprenger <b>Seconded by:</b> Brian Brooks BE IT RESOLVED THAT PLANNING ADVISORY COMMITTEE/COMMITTEE OF ADJUSTMENT/ PROPERTY STANDARDS COMMITTEE adopt the minutes dated June 28, 2022. <p align="right"><b>CARRIED</b></p>	
<b>5.</b>	<b>Public Question/Comments – None</b>	
<b>6.</b>	<b>Unfinished Business – None</b>	
<b>7.</b>	<b>Reports/New Business</b>	
	Two members of the public attended the meeting in person and 3 members of the public attended the meeting virtually.	

**Development Permit Application (Class II)**  
**DP2022-12 – Graham/639281 Ontario Limited– 791 Windsor Lane**

The subject application sought to permit the expansion of a legal non-conforming/non-complying sleeping cabin from an existing 28'-3" by 11'-6" to 37'-10" by 21'-6", while maintaining the existing waterfront setback of 50'-11".

Staff summarized the application, including compliance with the Provincial Policy Statement and Official Plan. The use of the sleeping cabin is considered a legal non-conforming and non-complying use within the Development Permit By-law.

The Committee discussed the proposed use including the type of bathroom facilities existing and proposed to serve the use, the existing and proposed septic tank to serve the use, and the vegetation surrounding the sleeping cabin (not identified as a strong concern).

A member of the public asked about road access to the subject cabin. Staff and the committee identified two existing roadways to the property, with the access off of Windsor Lane being the currently used route.

**PAC-COA-PSC Motion #2022-33**

**Moved by:** Emery Groen      **Seconded by:** Lynda Garrah

BE IT RESOLVED THAT PLANNING ADVISORY COMMITTEE approves DP2022-12 (791 Windsor Lane) to permit the expansion of a legal non-conforming and non-complying sleeping cabin, provided:

- Permit(s) be obtained from the CRCA and forwarded to the Town for record, as applicable,
- Works be carried out as per the recommendations of the CRCA correspondence dated July 21, 2022,
- A Maintenance Inspection be completed for the septic system serving the subject sleeping cabin, to the approval of the LGDHU,
- A Drainage Plan be submitted for any disturbed/altered areas, to the satisfaction of the Public Works department,
- All costs associated with fulfilling the conditions of this decision are borne by the Owner.

**CARRIED**

**Development Permit Application (Class III)**  
**DP2022-13 – 873174 Ontario Ltd – 107-113 King Street East**

Chair Major Ted Lojko declared a pecuniary interest as the owner of a Bed and Breakfast within the Town. Member Chris McDonald acted as Chair for this application.

The subject application sought to permit a Short Term Accommodation containing three guest rooms in the second storey of the subject property.

Staff summarized the application including Provincial Policy Statement and Official Plan compliance. Staff highlighted amendments to the Development Permit By-law which were passed under By-law No. 2019-125 to clarify provisions related to Short Term Accommodations. Among other changes, By-law No. 2019-125 amended the

Development Permit By-law to include Short Term Accommodations as a discretionary use within the Commercial Traditional Core.

The Committee discussed the application in terms of:

- Type of use and any restrictions of the proposed area being used as long term rental space,
- Configuration of the unit (number of rooms and entrance access),
- Lighting at the entrance and parking areas of the property, and
- Fire inspection requirements and process.

**PAC-COA-PSC Motion #2022-34**

**Moved by:** Marion Sprenger      **Seconded by:** John Beddows

BE IT RESOLVED THAT PLANNING ADVISORY COMMITTEE recommends that adequate lighting be provided at the rear parking lot in accordance with the Building Code Act.

**CARRIED**

**PAC-COA-PSC Motion #2022-35**

**Moved by:** Emery Groen      **Seconded by:** Lynda Garrah

BE IT RESOLVED THAT PLANNING ADVISORY COMMITTEE recommends to Council that DP2022-13 (107-113 King Street East) be approved to permit a Short Term Accommodation containing three guest rooms on the second storey only of the subject property, with three dedicated parking spaces in the rear for the use, provided:

- That adequate lighting be provided at the rear parking lot in accordance with the Building Code Act,
- The Owner enter into an Agreement within one year of the Notice of Decision, and
- All costs associated with fulfilling the conditions of this decision are borne by the Owner.

**CARRIED**

Major Ted Lojko resumed the position of Chair.

**8. Correspondence/Other - None**

**9. Next Regular Meeting – August 23, 2022**

**10. Questions From the Media – None**

**11. Adjournment**

**PAC-COA-PSC Motion #2022-36**

**Moved by:** Chris McDonald  
THAT PAC/COA/PSC BE ADJOURNED AT 7:28 PM.

\_\_\_\_\_  
Ted Lojko, Chair

\_\_\_\_\_  
Brenda Guy, Committee Secretary

**NOTICE OF PUBLIC MEETING**  
**Committee of Adjustment**

TAKE NOTICE THAT the Committee of Adjustment for the Town of Gananoque will hold a Meeting on **TUESDAY, SEPTEMBER 27, 2022 at 6:00 P.M. in the TOWN OF GANANOQUE COUNCIL CHAMBERS, 30 KING STREET EAST** and via **TELECONFERENCE** using the number and access code provided on the meeting agenda to consider the following application for Consent:

FILE NO. **B02-2022**

APPLICANT: **IN ENGINEERING + SURVEYING**  
OWNER: **JOHN BOSICA/CHRISTINA BOSICA**

The property municipally and legally described as

**830 KING STREET WEST**

PLAN 86 PT LOTS 2 AND G PT OLD KINGSTON RD RP 28R12896 PT PARTS 1 AND 2  
TOWN OF GANANOQUE

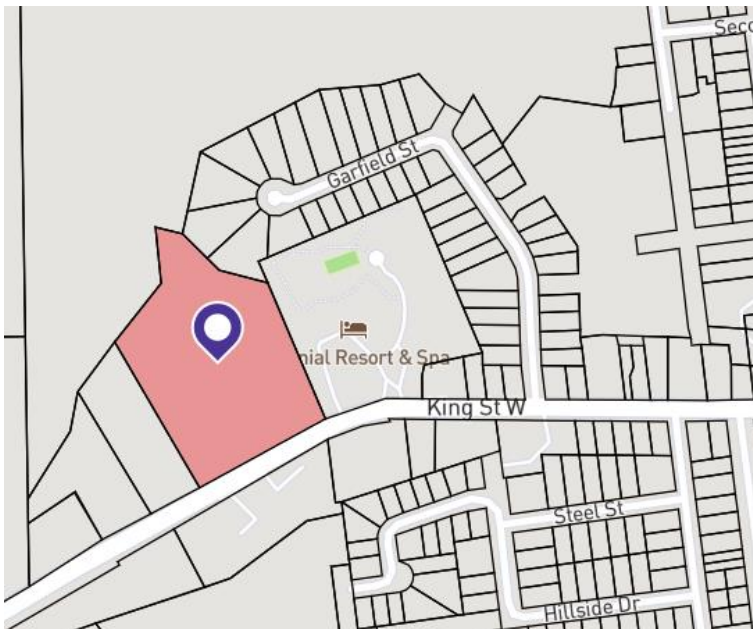
has applied to the Committee of Adjustment for the Town of Gananoque for consent to  
**SEVER AND CONVEY A 1.17 HECTARE (2.9 ACRE) PARCEL OF VACANT LAND FOR THE PURPOSE OF CREATING A NEW RESIDENTIAL LOT**

Additional information in relation to the proposed consent is available for inspection between 8:30 am and 4:30 pm in the Administration Offices at 30 King Street East, Gananoque, ON, or by contacting Chanti Birdi at [assitantplanner@gananoque.ca](mailto:assitantplanner@gananoque.ca) or 613-382-2149 ext.1129.

If you wish to be notified of the decision of the Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment at the address below.

Anyone wishing to support or object to the above application may do so by advising the undersigned, in writing, of your support or objection before the hearing or by appearing, in person, at the hearing and your support or objection will be considered by the Committee when making their decision.

If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make written submissions to the Committee of Adjustment before it gives or refuses to give provisional consent, the Ontario Land Tribunal may dismiss the appeal.



DATED this 29<sup>th</sup> day **AUGUST, 2022**

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Brenda Guy  
Manager of Planning and Development  
Secretary-Treasurer,  
Committee of Adjustment

Town of Gananoque  
30 King Street East  
Gananoque, ON K7G 1E9

PLANNING REPORT

TO: COMMITTEE OF ADJUSTMENT  
FROM: PLANNING AND DEVELOPMENT  
MEETING DATE: TUESDAY, SEPTEMBER 27, 2022  
SUBJECT: CONSENT APPLICATION – LOT CREATION  
B02/22 – 830 KING STREET WEST

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**Background:**

PROPERTY: 830 KING STREET WEST  
LEGAL DESC: PLAN 86 PT LOTS 2 AND G PT OLD KINGSTON RD RP  
28R12896 PT PARTS 1 AND 2  
ACREAGE: APPROX. 3.41 HECTARES/ 8.43 ACRES  
OFFICIAL PLAN: RESIDENTIAL  
DEVELOPMENT PERMIT: RESIDENTIAL  
LOT COVERAGE: 35% (SINGLE DETACHED DWELLING)

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**Purpose and Effect:**

The subject application proposes to sever and convey a 1.17 hectare (2.89 acre) parcel of land and retain a 2.23 hectare (5.5 acre) parcel containing an existing dwelling and garage. Approval of the application would result in the creation of a new residential lot with frontage on King Street West.

The retained lot has existing private water and wastewater services, and the new lot is proposed to be privately serviced as well.

**PROVINCIAL POLICY STATEMENT:**

The Provincial Policy Statement, 2020 (PPS) provides direction on matters of provincial interest pertaining to land use matters and all development proposals must be consistent with the policies therein. The full PPS document can be found at <https://www.ontario.ca/page/provincial-policy-statement-2020>.

The following policies of the PPS are relevant to the current application:

1.1.1 Healthy, livable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- i) preparing for the regional and local impacts of a changing climate.

1.1.3.1 Settlement areas shall be the focus of growth and development.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;

1.2.1 A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower and single and/or upper-tier municipal boundaries, and with other orders of government, agencies and boards including:

- a) managing and/or promoting growth and development that is integrated within infrastructure planning;

1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

- b) permitting and facilitating:
  - 1. all housing options required to meet the social, health, economic and well-being requirements and needs arising from demographic changes and employment opportunities; and
  - 2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;
- c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;
- f) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

1.5.1 Healthy, active communities should be promoted by:

- a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity;

1.6.6.1 Planning for sewage and water services shall:

- a) accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:
  - 1. municipal sewage services and municipal water services; and
  - 2. private communal sewage services and private communal water services, where municipal sewage services and municipal water services are not available or feasible;
- d) integrate servicing and land use considerations at all stages of the planning process;
- e) be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5. For clarity, where municipal sewage services and municipal water services are not available, planned or feasible, planning authorities have the ability to consider the use of the servicing options set out through policies 1.6.6.3, 1.6.6.4, and 1.6.6.5 provided that the specified conditions are met.

1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.

1.6.6.4 Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts. In settlement areas, individual on-site sewage services and individual on-site water services may be used for infilling and minor rounding out of existing development.

1.6.6.6 Subject to the hierarchy of services provided in policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5, planning authorities may allow lot creation only if there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity within municipal sewage services and municipal water services or private communal sewage services and private communal water services. The determination of sufficient reserve sewage system capacity shall include treatment capacity for hauled sewage from private communal sewage services and individual on-site services.

1.7.1 Long-term economic prosperity should be supported by:

- c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities.

**COMMENT:**

The Provincial Policy Statement includes policies which indicate that the preferred method of servicing development is full municipal services where they are available. It is further identified that consideration may be given to private servicing where municipal services are not available, planned or feasible.

Currently, municipal services do not extend to this property as shown in Appendix B. Staff considered the option to extend municipal services given the distance of existing



services. The Town has an approved plan across King Street (File DP2021-22 – Zanderplan) which has not been developed. This property has 86.9 m of frontage and if developed would bring municipal services to roughly 42 m (approximately mid-way). At this time, the Town does not have an indication when the project will move forward. Therefore, the applicant for the consent application would be required to extend services a minimum of 90 m and undertake a roadcut to the north side of King Street to the property. The Public Works Department has indicated that the cost of extending municipal services is approximately \$2000/m but can vary depending on exact location of services and ground type (i.e. rock, sloped, etc.).

Staff recommend that as a condition of approval, the owner be required to enter into an agreement that should municipal water and wastewater services be extended to the property, the Owner shall be required to connect to the municipal services.

**OFFICIAL PLAN:**

The subject property is designated Residential within the Official Plan. The goal of this designation is to promote a balanced supply of housing to meet the present and future social and economic needs of all segments of the community while providing opportunities to develop new residential uses in mixed use buildings as well as non-residential neighbourhood components such as schools, community facilities, places of worship, parks and local commercial uses.

The objectives of the Residential designation include to:

- Promote and support development which provides for affordable, freehold and/or rental housing with a full range of density types;
- Designate a sufficient supply of land to meet the Town's residential requirements;
- Ensure that land use policies and zoning do not establish barriers to a more balanced supply of housing;
- Ensure that residential intensification, infilling and redevelopment within existing neighbourhoods is compatible with surrounding uses in terms of architectural design and density;
- Encourage housing opportunities that are in proximity to work, shopping, and recreation to reduce the need to drive and encourage walking and cycling.

COMMENT: The proposed new lot would allow for new residential development.

**Compatibility (3.2.2.4)**

Policy: All new development, including infill residential development in existing neighbourhoods, maintains or enhances the surrounding area and is compatible with respect to built form, scale, urban design, intensity of use and streetscape.

COMMENT: As indicated in the supporting Planning Justification Report, the proposed use of the new lot would be a single detached dwelling which is in keeping with the permitted uses of the residential designation and nearby uses. This segment of King Street West sees a mix of existing residential and commercial uses.

**Infill (3.2.2.5)**

Policy: Infilling on registered lots where services are available shall be encouraged. Infill development shall be of the same scale and density as adjacent residential uses.

COMMENT: Municipal services do not exist to service this lot, however, the scale of the proposed development (a single detached dwelling) is compatible with adjacent residential uses to the west and there is an existing commercial use (motel) to the east.

### **Servicing (3.2.2.6)**

Policy: Consideration may be given to permitting alternative servicing for specific properties, but only in isolated cases where full municipal services cannot be extended due to technical or economic obstacles of extending services. Alternative servicing may include individual on-site systems or communal systems. Any proposal for development will require a servicing options study which includes a supporting rationale for the alternative proposed. The applicant must show that there is sufficient quantity and quality for the provision of potable water and must also demonstrate that a permit can be obtained for the proposed sewage system by either Health Unit or the Ministry of Environment as applicable.

COMMENT: The site is proposed to be privately serviced (both water and sewer). Confirmation from the Building Department for the private services would be required. Should a multi-residential or non-residential use be proposed, a servicing study may be required as part of the Development Permit process.

### **Access (3.2.2.9)**

Policy: Development shall be permitted only where safe, convenient access to a public road is available to ensure ready accessibility for school buses, ambulances, fire trucks, and other essential service vehicles. Access to individual lots shall be from internal local roads constructed to municipal standards and shall generally not be permitted from arterial or collector roads nor from existing back alleys. The creation of new lots which do not have sufficient frontage on a municipally owned and maintained road is not permitted.

COMMENT: The subject property would be accessed via King Street West, which is identified on Schedule H as an arterial road. An entrance permit through the Public Works department would be required for a new driveway/site access.

### **Infrastructure (4.0)**

Relating to infrastructure, it is an objective of the Plan under Section 4.0 “that water, waste water and stormwater will be managed in a fiscally and environmentally responsible manner”.

### **Water, Waste Water and Stormwater Services (4.1.4)**

Policy:

1. The need to ensure that water and waste water infrastructure are properly maintained and expanded to meet growth and development priorities is crucial to the long term economic and environmental health of the municipality. As such any capital expenditures required for water and waste water system maintenance and expansion are considered to be in full conformity with this Official Plan.

2. Development will not be encouraged where such development would result in, or could lead to, unplanned expansions to existing water and waste water infrastructures.
3. Development shall generally be directed to areas where water and waste water services can reasonably be extended. The Town shall develop a phasing strategy prior to considering the extension of services, particularly in subdivision development.
7. Consideration may be given to permitting development on private servicing, communal services or partial municipal services but only in isolated cases where full municipal services cannot be extended due to technical constraints. Any such development will require a servicing options study which includes a supporting rationale for the alternative proposed. The applicant must show that there is sufficient quantity and quality of potable water and must also demonstrate that a permit can be obtained for the proposed sewage system from the Health Unit or the Ministry of Environment as applicable. In addition the applicant must demonstrate that the proposed development will not result in increased costs to the municipality for the provision of other required services such as road maintenance, school transportation, waster collection, etc.

#### **Development Control (5.4.2 Consents)**

Policy: It is the policy of this Plan that lot creation in excess of three lots, including the retained lot, from the original lot shall take place by Plan of Subdivision. For the purposes of this policy the original lot is defined as the lot as it existed as of the date of approval of this Official Plan.

Exception to the policy limiting the number of lots which can be created by consent may also be granted by the approval authority to permit infill lots in existing areas of strip development provided that it will not create negative effects on traffic flow and safety.

#### **COMMENT:**

As per Section 4.1.4.1.7, the Owner will be required to demonstrate that there is suitable quantity and quality of potable water and demonstrate that a permit can be obtained for the proposed sewage system from the Building Department.

In 2019, the original lot as defined above received consent to sever two lots west of the retained portion (containing the existing single detached dwelling). The current application seeks to create an additional lot, which would result in 4 lots, including the retained, being created. If filed at the same time, the creation of this number of lots would generally require a Plan of Subdivision.

As addressed in the supporting Planning Justification Report submitted by INEngineering, the current application can be interpreted as an infill lot creation and therefore can forgo the requirement for a Plan of Subdivision.

Among other elements, a Plan of Subdivision allows the municipality to review the location of proposed new roads, overall development pattern (including pedestrian

connections) and servicing options. With the exception of water and waste water services, these elements do not apply to this individual consent application.

Policy: The following criteria shall apply when considering consent applications:

1. The size, configuration and, where applicable, the soil structure of a proposed lot shall be appropriate for the long term provision of services and the applicant shall provide sufficient information to the consent authority to this effect. The approval authority may require that this information shall be in the form of a hydro-geological study, prepared by a qualified professional, and must demonstrate that the aquifer can provide a long term sustainable water supply of acceptable quality and quantity, as well as providing evidence through testing, that the soil conditions can accommodate the effluent load from a septic field along with its replacement area. Such a study shall recommend a minimum lot size, which shall be used in evaluating the proposed consent. Regardless of the recommendation contained in such a study, municipalities may impose a minimum lot size in the implementing zoning by-law.
2. The consent granting authority will ensure that there is sufficient capacity in existing water and waste water services including capacity to treat hauled sewage from private communal or individual septic systems prior to granting a consent to create a new lot.
3. All lots created shall have frontage on a public road with at least one side of the lot which physically abuts the public road.
4. The proposed lot shall be compatible with adjacent land uses and shall not result in a traffic hazard as a result of limited sight lines on curves or grades.
5. All consents shall comply with the Minimum Distance Separation formulae developed by the Ontario Ministry of Agriculture, Food and Rural Affairs.
6. A consent which has the effect of land locking another parcel is not permitted.
7. Access to interior land will be protected by ensuring that 20 metre wide openings for future road allowances are provided at strategic locations.
8. Consents will not be granted unless it can be demonstrated that each lot to be created contains sufficient area for development that is not affected by the development constraints described in 3.6 and 3.7 of this Plan. All new lots proposed must comply with the provisions of the Official Plan and Zoning By-laws.
9. The lot being severed and the lot being retained shall conform to the provisions of this Plan and the implementing Zoning By-law.
10. A maximum of one new lot may be created per consent application.
11. In considering a consent, regard shall be had to, among other matters, the criteria of Section 51 (24) of the *Planning Act*, R.S.O. 1990 with necessary modifications.

COMMENT: Staff are in agreeance with the compliance with these policies as presented in the Planning Justification Report (IN Engineering, Pages 6-8). In particular, as noted under item 8, the Official Plan does not identify the subject lands as having development constraints under Sections 3.6 or 3.74, however, CRCA correspondence has identified a wooded area in the northern portion of the property should be preserved as it forms part of a larger mature woodland area.

Schedule F of the Official Plan identifies an area of significant woodland within 120 m of the subject property. As noted within the CRCA correspondence, there would be buildable areas outside this buffer and the areas to the north of the property should be preserved. Appendix C shows an approximate 120 m buffer from identified significant woodland.

**DEVELOPMENT PERMIT BY-LAW:**

The subject property is designated Residential within the Development Permit By-law. The intent of the Residential designation is to allow for a varied density of residential uses.

**Uses (5.3.1)**

Any proposed development would be subject to the provisions of the Development Permit By-law, including permitted uses. Permitted uses within the Residential designation include single-detached, semi-detached and duplex dwellings.

When considering a consent to sever, the approval authority should consider whether the newly created lot can accommodate permitted uses and ensure that the retained lot would continue to have compliance with the site provisions of the By-law. The Planning Justification Report identifies the proposed use as a single detached dwelling, however, any proposed development will be subject to the relevant sections of the Development Permit By-law.

<b>Provision (Use: Single Detached Dwelling)</b>	<b>Requirement</b>	<b>Retained Lot (Primary existing structure)</b>	<b>Severed Lot (No existing structures)</b>
<b>Lot Area</b>	464 m <sup>2</sup> (4,995 ft <sup>2</sup> )	5.5 acres (22,257.7 m <sup>2</sup> / 239,580 ft <sup>2</sup> )	2.9 acres (11,735.9 m <sup>2</sup> / 126,324 ft <sup>2</sup> )
<b>Lot Frontage</b>	15 m (49 ft)	112.5 m (370 ft)	53.3 m (175 ft)
<b>Front Yard Setback</b>	6 m (19.6 ft)	43 m (141 ft)	n/a
<b>Interior Side Yard Setbacks</b>	1.2 m (3.9 ft)	40 m/32 m (15.7 m to garage)	n/a
<b>Rear Yard Depth</b>	7.5 m (24.5 ft)	118 m	n/a
<b>Lot Coverage</b>	35%	Approx. 1.5% (dwelling and garage)	n/a

**CIRCULATION AND COMMENT:**

Circulation to property owners within 60 m of the property and prescribed agencies (comments received to date):

CAO	Given PPS and OP polices regarding servicing, full municipal servicing of the new lot is preferred.
Chief Building Official	No comment at this stage. Owner has contacted Building Department regarding requirements for private well/septic.
Cogeco	No Comment.
CDSBEO/UCDSB	CDSBEO – No Comment.
CRCA	See attached correspondence dated September 22, 2022 (Appendix D).
Enbridge/Union Gas	Enbridge Gas Inc, does have service lines running within the area which may or may not be affected by the proposed severance.  Should the proposed severance impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any Service relocation required due to a severance would be at the cost of the property owner. Also, should future gas service be required to either the severed or retained parcel, a request for gas service needs to be submitted to the Attachment Centre at 1-866-772-1045.
Fire	No Concerns.
Hydro One	No Comment.
Police	
Water/Sewer	
Public Works	Estimated cost of extending municipal services are approximately \$2,000/m.
Other	

**RECOMMENDATION:**

Staff recommend to Committee of Adjustment that Consent Application B02-22 for the creation of a new lot be approved provided the following conditions are met:

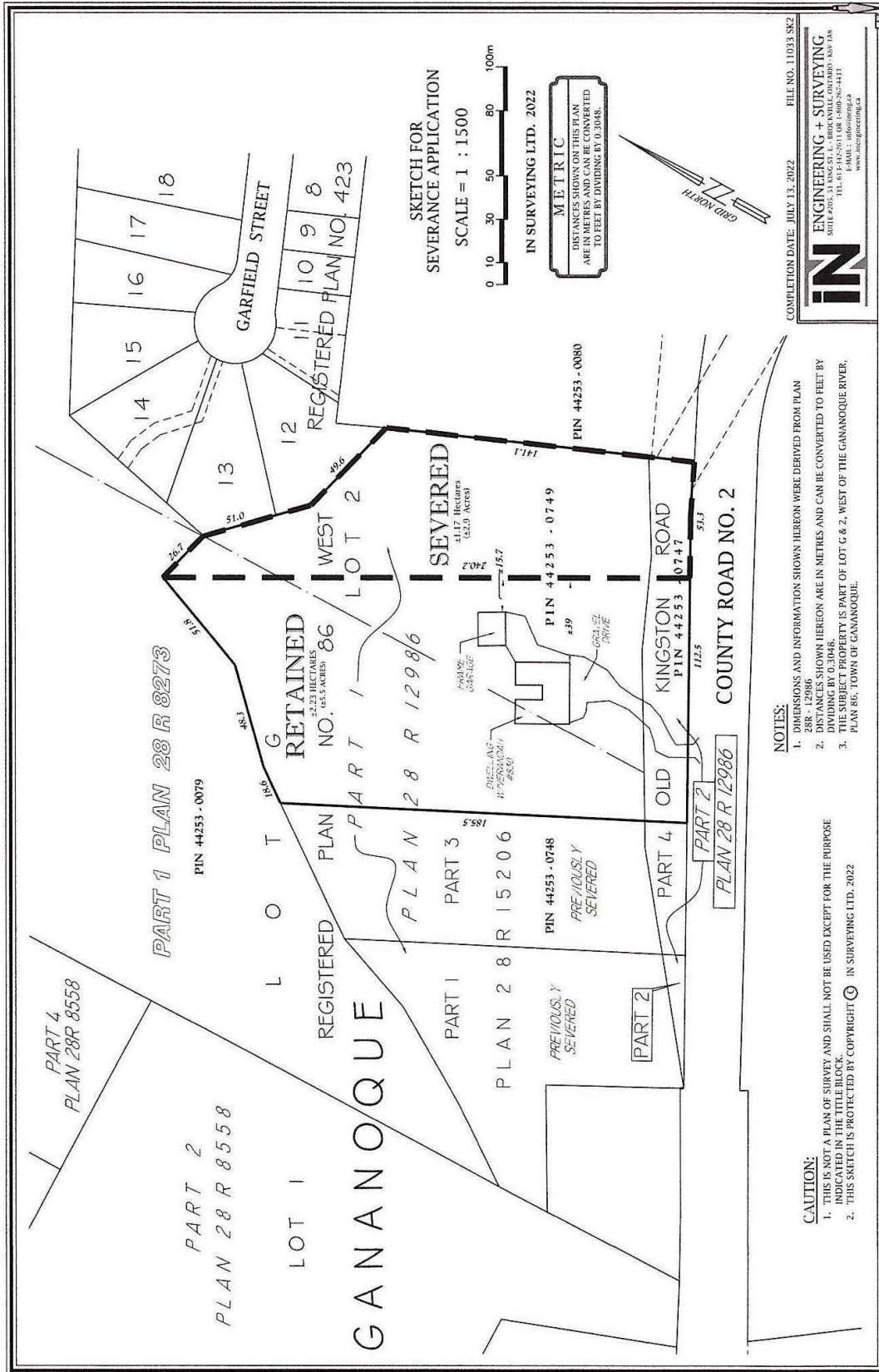
1. New deeds be prepared and submitted to the Town,
2. A final reference plan be submitted and registered, to the satisfaction of the Town,
3. Payment be made for cash-in-lieu of parkland for the new lot,
4. Confirmation of the ability of the site to accommodate private servicing (water and wastewater) by a qualified person be obtained,
5. The Owner enter into an agreement agreeing that should municipal water and wastewater services be extended to the property, the Owner shall be required to connect to the municipal services.

6. The balance of any outstanding taxes, including penalties and interest (and any local improvement charges) shall be paid to the Town of Gananoque, if required.
7. All costs related to fulfilling the conditions are borne by the applicant.
8. All conditions of this decision be fulfilled and the documents presented to the Town for issuance of the Certificate of Consent within a period not to exceed 24 months from the date of decision.

<b>APPROVAL</b>	<hr/> <p>Chanti Birdi, Assistant Planner</p> <hr/> <p>Brenda Guy, Manager of Planning and Development</p>
-----------------	---



**Attachment A  
Severance Sketch**



COMPLETION DATE: JULY 13, 2022. FILE NO. 11033 SK2  
**IN**  
**ENGINEERING + SURVEYING**  
 830 KING STREET WEST, SUITE 400, BRIDGEMOUNTAIN, ONTARIO, CANADA M7A 1K8  
 TEL: (905) 881-4433  
 FAX: (905) 881-4433  
 www.inengineering.ca

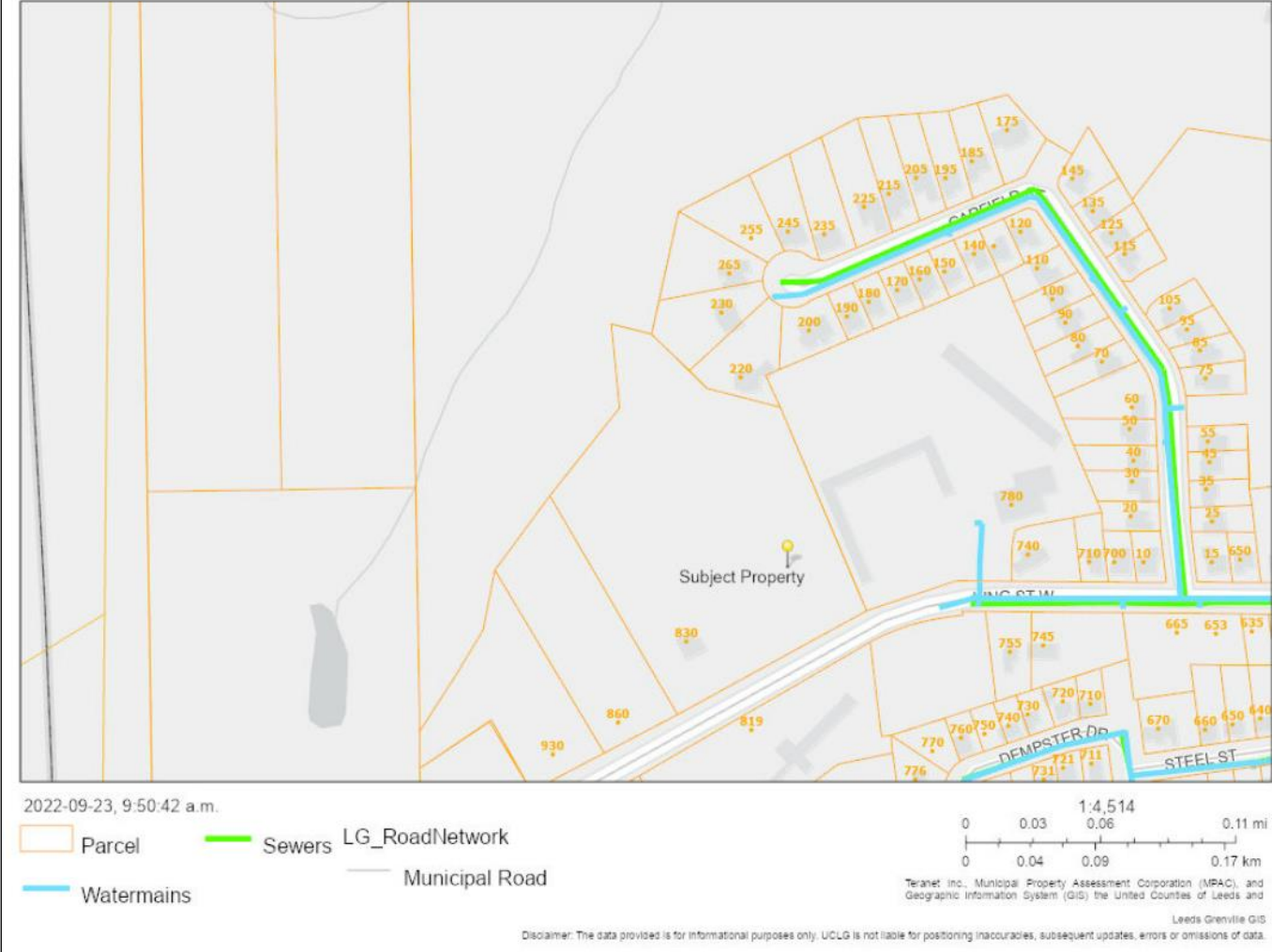
**NOTES:**  
 1. DIMENSIONS AND INFORMATION SHOWN HEREON WERE DERIVED FROM PLAN 288-12086.  
 2. DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.  
 3. THE SUBJECT PROPERTY IS PART OF LOT G & 2, WEST OF THE GANANOQUE RIVER, PLAN 86, TOWN OF GANANOQUE.

**CAUTION:**  
 1. THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.  
 2. THIS SKETCH IS PROTECTED BY COPYRIGHT © IN SURVEYING LTD., 2022

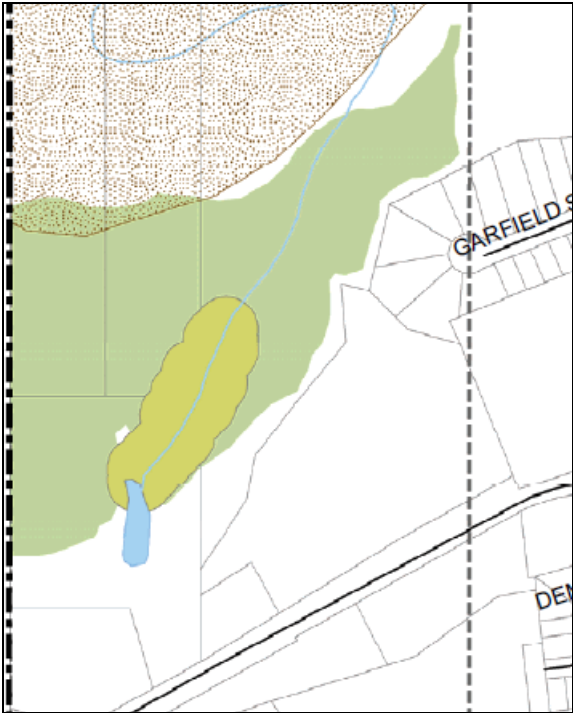


**Appendix B**  
**Approximate location of services (water and sewer)**

Location of Existing Services (approximate)



**Appendix C  
Significant Woodlands**



**Description:**

Excerpt from Official Plan, Schedule F showing Significant Woodland Area in shaded green.



**Description:**

120 m buffer from two points along Significant Woodland area (identified in speckled green on GIS mapping). Subject property outlined in red.

**Attachment D  
CRCA Correspondence**



September 22, 2022

File: SEV/GAN/278/2022

**Sent by e-mail**

Chanti Birdi  
Assistant Planner  
Planning and Development Department  
Town of Gananoque  
assistantplanner@gananoque.ca

Dear Ms. Birdi:

**Re: Application for Consent (Severance) B02-2022  
830 King Street West  
St. Lawrence River & Gananoque River Watersheds**

Cataraqi Conservation staff have reviewed the above-noted application. The proposal involves the severance of a 1.17 ha parcel of vacant land from an existing 2.88 ha property containing a single detached dwelling and garage. The purpose is to create a new residential building lot (severed lot).

We offer the following comments for the consideration of the Town of Gananoque and applicant. These comments are provided based on Cataraqi Conservation's roles as technical advisor to the Town on *Planning Act* applications per a municipal service agreement, and as administrator of Ontario Regulation 148/06: Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses.

**Discussion**

The main interest of the CRCA in this application is the protection of natural heritage features (significant woodlands) located on and near the subject lands.

*Natural Heritage Features (Woodlands)*

The forest area at the north and west of the subject property has been identified on Schedule F of the Town's Official Plan as "Significant Woodland". While there is some mature woodland on the subject property, it does not appear to have been identified as significant. The woodland to the north is part of a larger contiguous wooded area that extends up towards Beaver Road at the north and into the Township of Leeds and the Thousand Islands to the west.

Both the 2020 Provincial Policy Statement and CRCA Environmental Planning Policies (2021) require proponents to demonstrate that there will be no negative impacts on natural features or their ecological functions within and adjacent (up to 120 m) to

DP2022-012  
July 21, 2022

Significant Woodlands. The typical mechanism to demonstrate no negative impact is through an Environmental Impact Assessment (EIA).

The proposed lots to be severed and the lot to be retained are within 120 metres of the area identified as significant woodland. However, the proposed severed lot contains buildable area (southern half of the property) that is partially cleared and is in proximity to existing development (hotel to the east) and a major road (King St West to the south). Provided development is located in this area and outside the more contiguous wooded area at the north, we would not anticipate adverse impacts to the woodlands and their ecological features and functions. The same is true for the retained lot, which is already developed.

**Staff strongly recommend preservation of healthy, mature tree growth and other native vegetation on the subject lands. We encourage tree protection measures and best management practices during any future construction and/or site alteration on the properties. Current and future landowners are encouraged to contact the CRCA for further information regarding environmental best management practices and mitigation measures.**

**Recommendation**

Staff have no objection to the approval of applications B02-2022 based on our consideration of natural hazards, natural heritage and water quality and quantity protection policies. Please inform this office in writing of any decision made by the Committee with regard to these applications.

If you have any questions please contact the undersigned at (613) 546-4228 ext. 228, or by e-mail at [mdakin@crca.ca](mailto:mdakin@crca.ca). Please inform this office of any decision made by the Town regarding this application.

Yours truly,



Michael Dakin MCIP, RPP  
Supervisor, Development Review

cc: applicant/agent, by e-mail





B02-22

**APPLICATION FOR CONSENT**  
to the  
**COMMITTEE OF ADJUSTMENT FOR THE TOWN OF GANANOQUE**

A Complete Application consists of:

- One original and two copies of a complete application form signed including declaration of applicant.
- One copy of the deed of property
- Application fee in the amount of \$500 payable to the Town of Gananoque
- One copy of the most recent survey of the subject property
- One copy of the subject property showing the boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained
- One copy, if applicable, of the property to whom the lands will be transferred to
- One copy of the location of all land previously severed from the parcel originally acquired by the current owner of the subject land
- One copy of the location of all natural and artificial features on the subject lands including buildings, water, roads, easements, wells and septic systems.

Applications may be subject to any Town incurred costs over and above the applications fees as set out in the General Fees and Rates By-law fees and rates for various services provided by the municipality  
Consent Application may be subject to review and a separate cheque payable to the Cataraqui Region Conservation Authority, in the amount of \$290. The Town of Gananoque recommends that you consult with a Conservation Authority Officer prior to making application.

<b>Name of Applicant:</b> <p style="text-align: center;">IN Engineering + Surveying</p>	<b>Name of Property Owner (if different than applicant):</b> <p style="text-align: center;">John Bosica</p>
<b>Address:</b> <p style="text-align: center;">51 King St. East, Suite 205, Brockville, ON K6V 1A8</p>	<b>Address:</b> <p style="text-align: center;">830 King St. West, Gananoque, ON K7G 2H5</p>
<b>Telephone:</b> (613) 342-2611      jim.hutton@ineng.ca	<b>Telephone:</b> <p style="text-align: center;">(613) 484-9929</p>

<b>Purpose of Application:</b>					
<input checked="" type="checkbox"/> New Lot	<input type="checkbox"/> Lot Addition	<input type="checkbox"/> Easement	<input type="checkbox"/> Charge	<input type="checkbox"/> Lease	<input type="checkbox"/> Correction of Title
<input type="checkbox"/> Other					

<b>Name of Person To Whom the Land or an Interest in the land is to be transferred, charged or leased (if known):</b> <hr/>
<b>Relationship, if any, to owner:</b> <hr/>



B02-22

<b>EXISTING BUILDINGS:</b>		Building 1	Building 2
<b>To Be SEVERED</b>	Type of Structure	N/A	N/A
	Front Line Setback:	N/A	N/A
	Rear Lot Line Setback:	N/A	N/A
	Side Lot Line Setback:	N/A	N/A
	Side Lot Line Setback:	N/A	N/A
	Height	N/A	N/A
	Dimensions	N/A	N/A
	Floor Area	N/A	N/A
<b>To Be RETAINED</b>	Type of Structure	Dwelling	Garage
	Front Line Setback:	43.0 m	69.0 m
	Rear Lot Line Setback:	118.0 m	100.0 m
	Side Lot Line Setback:	40.0 m	10.7 m
	Side Lot Line Setback:	32.0 m	77.0 m
	Height	20 ft	20 ft
	Dimensions	N/A	N/A
	Floor Area	2000 ft <sup>2</sup>	1600 ft <sup>2</sup>
Attached Additional Page, if necessary			



B02-22

PROPOSED BUILDINGS:		Building 1	Building 2
To Be <b>SEVERED</b>	Type of Structure	N/A	N/A
	Front Line Setback:	N/A	N/A
	Rear Lot Line Setback:	N/A	N/A
	Side Lot Line Setback:	N/A	N/A
	Side Lot Line Setback:	N/A	N/A
	Height	N/A	N/A
	Dimensions	N/A	N/A
	Floor Area	N/A	N/A
To Be <b>RETAINED</b>	Type of Structure	N/A	N/A
	Front Line Setback:	N/A	N/A
	Rear Lot Line Setback:	N/A	N/A
	Side Lot Line Setback:	N/A	N/A
	Side Lot Line Setback:	N/A	N/A
	Height	N/A	N/A
	Dimensions	N/A	N/A
	Floor Area	N/A	N/A
Attached Additional Page, if necessary			

Access (check appropriate box)		Yes	No
	Town Road (open all year)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Town Road (seasonal)	<input type="checkbox"/>	<input type="checkbox"/>
	Unopen Road Allowance	<input type="checkbox"/>	<input type="checkbox"/>
	Right-of-Way	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify)		



B02-22

Where access to the Subject Land is by Water Only		Yes	No
Docking Facilities:	Distance from subject land		
	Distance from nearest public road		
Parking Facilities:	Distance from subject land		
	Distance from nearest public road		
Water Services		Yes	No
(check appropriate box)	Publicly-owned/operated	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned/operated – individual well	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Privately owned/operated – communal well	<input type="checkbox"/>	<input type="checkbox"/>
	Lake or other water body	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify):		
Sewage Services		Yes	No
(check appropriate box)	Publicly-owned/operated	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned/operated – individual well	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Privately owned/operated – communal well	<input type="checkbox"/>	<input type="checkbox"/>
	Privy	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify):		

**Other Information:**

Is there any other information that may be useful to the Town or other agencies in reviewing this application?

If so, explain below:

Planning Justification Report dated July 26, 2022

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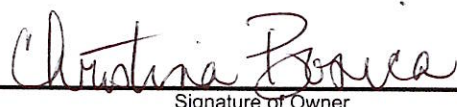
**Note:** Under Section 53 of the Planning Act, other information and material in addition to the foregoing, may be required, in order to process the proposed consent application. The expense of such will be the applicant's responsibility.

B02-22

**AUTHORIZATION BY OWNER**

I, the undersigned being the owner of the subject land of this application for a consent, hereby authorize  
IN Engineering + Surveying (please print name)  
to be the applicant in the submission of this application.

Furthermore, I/we, being the registered owner(s) of the subject lands, hereby authorize the Members of the Town of Gananoque Committee of Adjustment and the Town of Gananoque staff members, to enter upon the property for the purpose of conducting a site inspection with respect to the attached application.

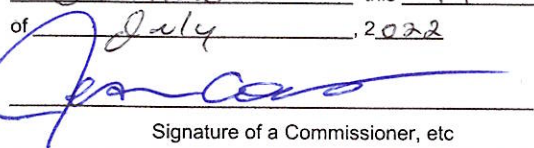
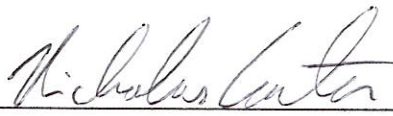
 <hr/> Signature of Owner	 <hr/> Signature of Owner
07/04/22 <hr/> Date	07/04/22 <hr/> Date

**DECLARATION OF APPLICANT**

I, IN Engineering + Surveying of the CITY of Brockville in the Province of ONTARIO solemnly declare that:

All the statements contained in this application and provided by me are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath

Furthermore, I/we, being the applicant(s) of the subject lands, hereby authorize the Members of the Town of Gananoque Committee of Adjustment and the Town of Gananoque staff members, to enter upon the property for the purpose of conducting a site inspection with respect to the attached application.

Declared before me at the <u>CITY</u> of <u>Brockville</u> in the <u>Province</u> of <u>ONTARIO</u> this <u>14<sup>th</sup></u> day of <u>July</u> , 2022  <hr/> Signature of a Commissioner, etc	 <hr/> Signature of Applicant Jean Beverley Cooper, a Commissioner, etc., Province of Ontario, for Jill K. Addison, Barrister and Solicitor. Expires June 1, 2024.
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<b>Office Use Only:</b>		Roll No: <b>0814 000 010 16000</b>
Date of Submission <u>July 26, 2022</u>	Application Complete: <u>August 11, 2022 [cb]</u> Signature	Date

Questions??

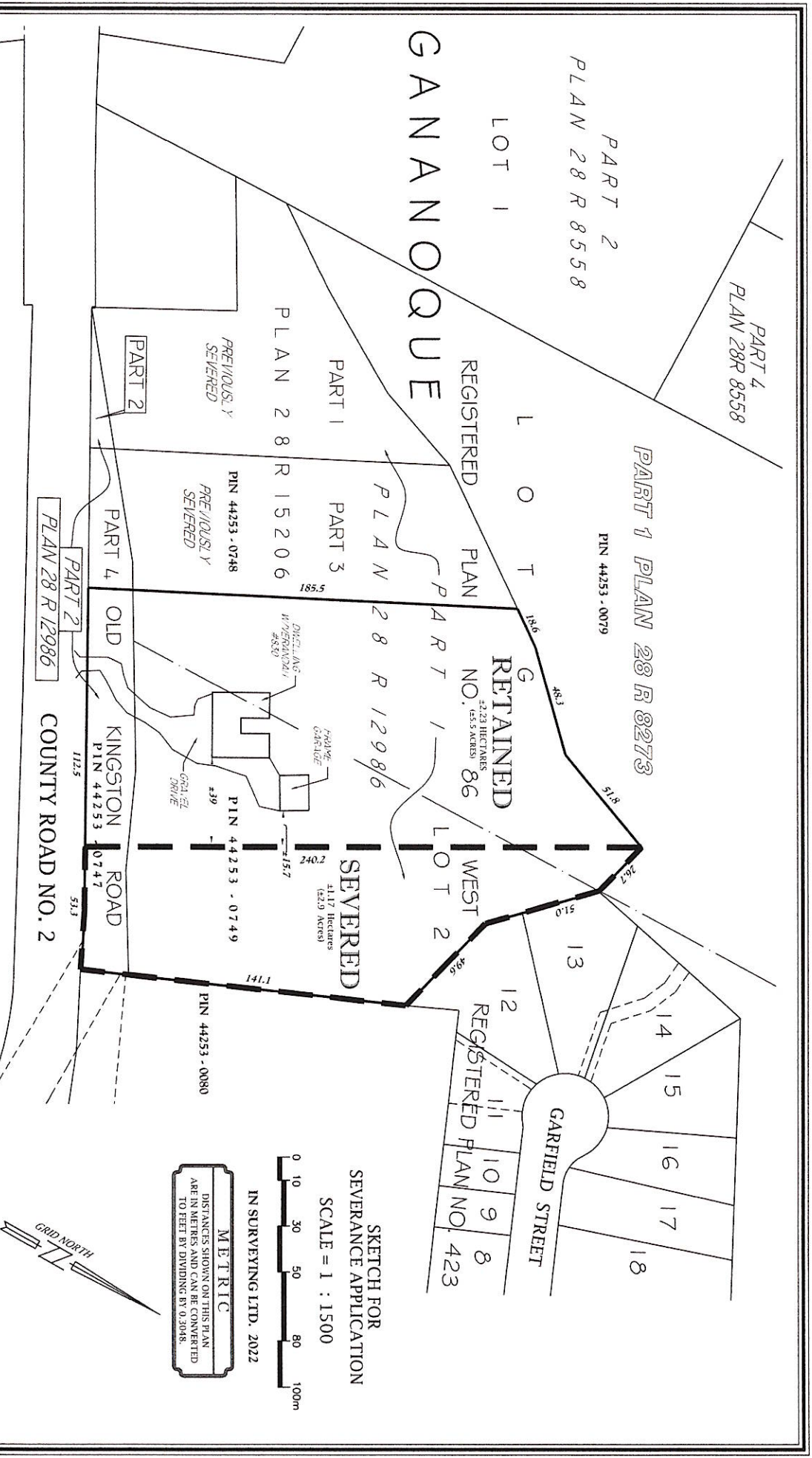
Brenda Guy, Manager of Community Development  
Town of Gananoque  
30 King Street East, Box 100  
Gananoque, ON K7G 2T6

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 2. THIS SKETCH IS PROTECTED BY COPYRIGHT © IN SURVEYING LTD. 2022

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 2. DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.  
 3. THE SUBJECT PROPERTY IS PART OF LOT G & 2, WEST OF THE GANANOQUE RIVER, PLAN 86, TOWN OF GANANOQUE.

COMPLETION DATE: JULY 13, 2022 FILE NO. 11033 SR2

**IN ENGINEERING + SURVEYING**  
 SUITE #205, 51 KING ST. E. - BRCKWILLE, ONTARIO, N5V 1A8  
 TEL: 613-342-2611 OR 1-800-967-4433  
 E-MAIL: info@ineng.ca  
 www.ineng.ca



SKETCH FOR SEVERANCE APPLICATION  
 SCALE = 1 : 1500

0 10 30 50 80 100m

**METRIC**  
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES, AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

IN SURVEYING LTD. 2022





Ref No: 11033

July 26, 2022

John Bosica  
830 King Street West  
Gananoque, ON  
K7G 2H5

**Re:** Planning Justification Report  
Proposed Application for Consent  
830 King Street West, Gananoque, ON

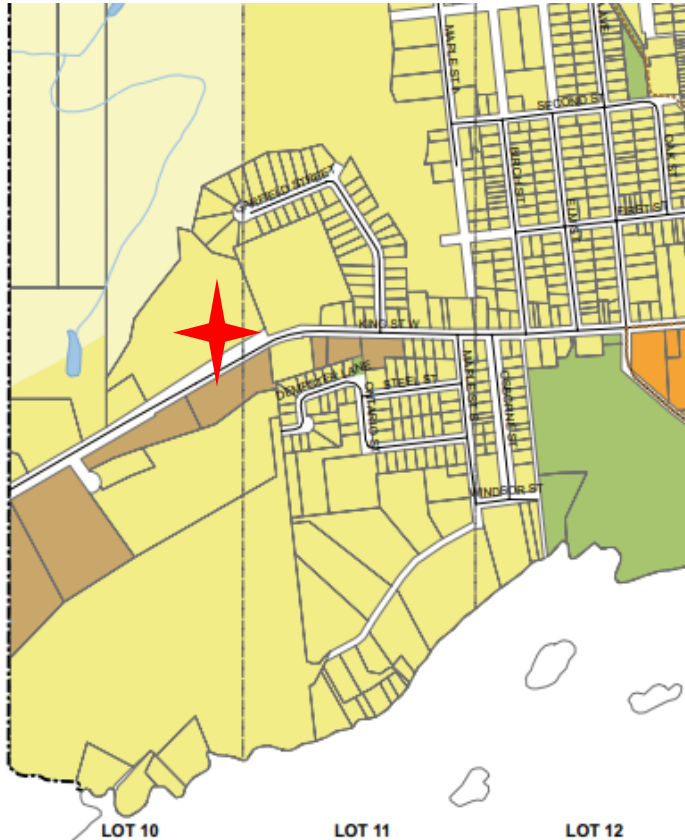
Dear Mr. Bosica:

Further to your request, this Planning Justification Report has been prepared in support of a proposed application for consent to sever a vacant parcel of land from your property located at 830 King Street West in Gananoque, Ontario. Correspondence from Brenda Guy, Manager of Planning and Development for the Town of Gananoque, indicated that a Planning Justification Report is necessary to support a further application for consent from your property and pre-consultation with the Health Unit and Cataraqui Conservation was also recommended.

**Background and Context** – Your existing lot is 8.4 acres in area, has 544.5 feet (166 m) of frontage along King Street West and is occupied by an existing single detached dwelling. You intend to sever a parcel of 2.9 acres with 175 feet (53.3 m) of frontage along King Street West and the intended use is a single detached dwelling. The proposed retained parcel would be 5.5 acres in area with 370 feet (112.5 m) of frontage along King Street West and is occupied by a single detached dwelling. Municipal sewage disposal and water supply services are not available to the property and both parcels would be serviced by individual on-site water supply and sewage disposal systems. The Sketch For Severance Application is included in the Appendix.

**Provincial Policy Statement (PPS)** – The Town of Gananoque is considered a settlement area by the PPS. Section 1.1.3 indicates that settlement areas are defined by the PPS as urban areas and rural settlement areas within municipalities (such as cities, towns, villages, and hamlets) that are built-up areas with a concentrated mix of land uses and have areas designated in Official Plans for development over the long-term. Settlement areas are to be the focus of growth and development.

**Official Plan – Town of Gananoque** - The lands are designated Residential on Schedule “B” to the Town’s Official Plan.



**Schedule “B”, Town of  
Gananoque Official Plan; lands  
are designated Residential.**

The following polices of the Official Plan are applicable to the proposed severance:

- 3.2.1 Where We Live – Goals and Objectives:
  - 4. Ensure that residential intensification, infilling and redevelopment within existing neighbourhoods is compatible with surrounding land uses in terms of architectural design and density.
- 3.2.2.2 Permitted Uses: Permitted residential uses shall include the full range of dwelling types from low density single-detached dwellings to high density apartments.
- 3.2.2.6 Servicing: Consideration may be given to permitting alternative servicing for specific properties, but only in isolated cases where full municipal services cannot be extended due to technical or economic obstacles of extending services. Alternative servicing may include

individual on-site systems or communal systems. Any proposal for development will require a servicing options study which includes a supporting rationale for the alternative proposed.

- 3.2.2.8 Residential Density and Affordable Housing: In order to ensure an appropriate mix of housing and to facilitate the provision of affordable housing, a full range of housing densities will be permitted. An overall housing density target of 12 units per gross hectare has been established and will be achieved through an appropriate mix of low, medium and high density residential development. The intent is to maintain or improve the historical availability of affordable housing in the Town of Gananoque by ensuring a broad mix of housing types and densities while also ensuring that the character and quality of residential neighborhoods will be maintained. Higher density residential development will generally be encouraged in locations having greater amenities or services such as areas in proximity to:
  - Commercial designations;
  - Open Space;
  - Arterial or collector roads.

Such development will only be permitted where it is compatible with the neighborhood, where sewer and water lines have adequate capacity to service higher density development and where the street system is such that traffic, parking and access will not result in negative impacts.

- 4.1.4 Water, Waste Water and Stormwater Services:
  - 4.1.4.1 General Polices:
    - 3. Development shall generally be directed to areas where water and waste water services can reasonably be extended.
    - 5. Stormwater management will be required, as outlined in MOE's Stormwater Management Planning and Design Manual 2003, for all new development in accordance with guidelines which may be developed by the Ministry of Natural Resources, the Cataraqui Region Conservation Authority or the Town of Gananoque. Stormwater management may not be required for small scale developments such as lots created through the consent process or minor developments subject to site plan control where there is no impact on the watershed.
    - 7. Consideration may be given to permitting development on private servicing, communal services or partial municipal services but only in isolated cases where full municipal services cannot be extended due to technical constraints. Any such development will require a servicing options study which includes a supporting rationale for the alternative proposed. The applicant must show that there is sufficient quantity and quality of potable water and must also

demonstrate that a permit can be obtained for the proposed sewage system from the Health Unit or the Ministry of Environment as applicable. In addition the applicant must demonstrate that the proposed development will not result in increased costs to the municipality for the provision of other required services such as road maintenance, school transportation, waste collection etc.

- Section 5.4.2 Consents requires the consideration of the following policies:
  - It is the policy of this Plan that lot creation in excess of three lots, including the retained lot, from the original lot shall take place by Plan of Subdivision. For the purposes of this policy the original lot is defined as the lot as it existed as of the date of approval of this Official Plan.

Exceptions to the policy limiting the number of lots which can be created by consent may also be granted by the approval authority to permit infill lots in existing areas of strip development provided that it will not create negative effects on traffic flow and safety.

The following criteria shall apply when considering consent applications:

1. The size, configuration and, where applicable, the soil structure of a proposed lot shall be appropriate for the long term provision of services and the applicant shall provide sufficient information to the consent authority to this effect. The approval authority may require that this information shall be in the form of a hydro-geological study, prepared by a qualified professional, and must demonstrate that the aquifer can provide a long term sustainable water supply of acceptable quality and quantity, as well as providing evidence through testing, that the soil conditions can accommodate the effluent load from a septic field along with its replacement area. Such a study shall recommend a minimum lot size, which shall be used in evaluating the proposed consent. Regardless of the recommendation contained in such a study, municipalities may impose a minimum lot size in the implementing zoning by-law.
2. The consent granting authority will ensure that there is sufficient capacity in existing water and waste water services including capacity to treat hauled sewage from private communal or individual septic systems prior to granting a consent to create a new lot.
3. All lots created shall have frontage on a public road with at least one side of the lot which physically abuts the public road.
4. The proposed lot shall be compatible with adjacent land uses and shall not result in a traffic hazard as a result of limited sight lines on curves or grades.

5. All consents shall comply with the Minimum Distance Separation formulae developed by the Ontario Ministry of Agriculture, Food and Rural Affairs.
6. A consent which has the effect of land locking another parcel is not permitted.
7. Access to interior land will be protected by ensuring that 20 metre wide openings for future road allowances are provided at strategic locations.
8. Consents will not be granted unless it can be demonstrated that each lot to be created contains sufficient area for development that is not affected by the development constraints described in 3.6 and 3.7 of this Plan. All new lots proposed must comply with the provisions of the Official Plan and Zoning By-laws.
9. The lot being severed and the lot being retained shall conform to the provisions of this Plan and the implementing Zoning By-law.
10. A maximum of one new lot may be created per consent application.

**Development Permit By-law (Zoning)** – Development of the site will occur via an application filed in accordance with the Community Planning Permit system.

**Review of Servicing Options** – Consultation with the Town of Gananoque (email exchange with Brenda Guy, March 24, 2022) revealed that municipal water supply and sewage disposal services are not available to the property and the Town does not have plans to extend services.

For the lands to be developed the only viable option is the installation of private sewage disposal and water supply systems (a septic system and a well). Section 3.2.2.6 Servicing of the Town's Official Plan indicates that private services may be considered in isolated cases and where development occurs on private services, a servicing agreement with the Town requiring the development to be connected to municipal services if and when services are extended to the subject lands will be required. The requirement for an agreement could be implemented as a condition of approval of an application for consent.

Section 4.1.4 7. Water, Waste Water and Stormwater Services of the Town's Official Plan indicates that the applicant must show that there will be a sufficient quantity and quality of potable water available and that a permit can be obtained for the proposed sewage disposal system. The applicant resides on the retained parcel and the quality and quantity of water available to the existing single detached dwelling is excellent.

Presently the local Health Unit is the approval authority for septic systems and the Health Unit will be commenting on the application for consent. The proposed severed lot is 2.9 acres in area and mapping of the area indicates that there should be ample overburden soils on the proposed severed



lot for the installation of a private septic system. The lands and soils of the severed parcel are similar to the retained parcel; a duly approved septic system was installed on the retained parcel with no geotechnical issues encountered.

Comments have been received from Cataraqui Conservation indicating that they have no concern with the proposed severance, however, they have recommended that the woodland at the north of the lot be preserved as it connects to a larger wooded area identified in the Town's Official Plan as Significant (see Appendix).

**Discussion of Official Plan Policies** – As noted above the subject lands are designated Residential by the Official Plan of the Town of Gananoque. Lands designated Residential may be used for a range of residential purposes including single detached dwellings. The Official Plan includes policies related to the use of private water supply and sewage disposal services, the number of lots that may be considered by the consent process and general policies that must be considered for each application for consent.

In terms of private sewage disposal and water supply services, the Official Plan indicates in several policies that private services may be considered in isolated situations and the servicing options for the subject lands are discussed above.

There have been two previous lots severed from the original holding. Section 5.4.2. indicates that lot creation in excess of three lots (including the retained portion) should occur by Plan of Subdivision. In this situation, with the approval of the proposed severance there would be a total of four lots created, including the retained lot. The Official Plan, however, does permit exceptions to this policy to permit infill lots in existing areas of strip develop, provided that there will be no negative impacts on traffic flow and safety. The proposed severed lot represents an infilling situation between the existing single detached dwelling on the proposed retained parcel and the existing commercial property to the east. The proposed infilling lot also represents the completion of the development potential of the severed and retained lands. The economic feasibility of the development of a subdivision on the existing lot (the 8.4 acres representing the proposed severed and retained lots) is very questionable due to the lack of municipal water supply and sewage disposal services and the location of bedrock on the northern portion of the retained parcel.

It is not anticipated that an additional residential lot will have any negative impact on the traffic flow or safety of King Street West.

The following policies of Section 5.4.2 are addressed as follows:

1. The size and configuration of the proposed severed (2.9 acres) and retained (5.5 acres) parcels are appropriate for the intended use and the Health Unit will provide comments

related to the installation of a sewage disposal system on the proposed severed lot. The applicant has indicated that the water quality and quantity for the existing parcel is excellent.

2. Capacity in existing water and waste water services – To be reviewed by the Town of Gananoque.
3. Frontage on a public road – The proposed severed and retained lots front on King Street West.
4. Compatible with adjacent uses – The proposed severed and retained lots are compatible with adjacent uses. The proposed retained parcel is 2.9 acres in area and there is ample buffering from the commercial lot to the east.
5. Minimum Distance Separation, Agriculture – Not applicable in this situation.
6. No landlocked parcels – No landlocked parcels will result from the proposed consent.
7. Access to interior land – Access to interior lands will not be impacted by this application.
8. Constraints in Section 3.6 and 3.7 of Official Plan – Sections 3.6 and 3.7 are implemented via Schedule “F” Natural and Heritage Features. Although Schedule “F” does not identify any features on the proposed severed and retained lands, Cataraqui Conservation has recommended that the northern portion of the proposed severed lot contains a mature woodland that is connected to a larger wooded area that is designated as Significant by the Town’s Official Plan. The approval authority may wish to address this comment via a condition of severance.
9. The severed and retained lots shall conform to the provisions of the Town’s zoning by-law – Development will occur in accordance with the applicable provisions of the Town’s Development Permit By-law.
10. A maximum of one lot may be created per consent application – The proposal will create one new lot.

#### **Conclusions:**

- The Residential policies of the Official Plan permit a range of dwelling types, including low, medium and high density dwellings. The lack of municipal water supply and sewage disposal services to the property is not conducive to the development of medium and high density housing;
- As municipal water supply and sewage disposal services are not available, the creation of a lot serviced by a private sewage disposal system complies with the Town’s Official Plan, subject to favourable comments from the Health Unit;
- The applicant has indicated that the water supply for the retained parcel is excellent in terms of quality and quantity;

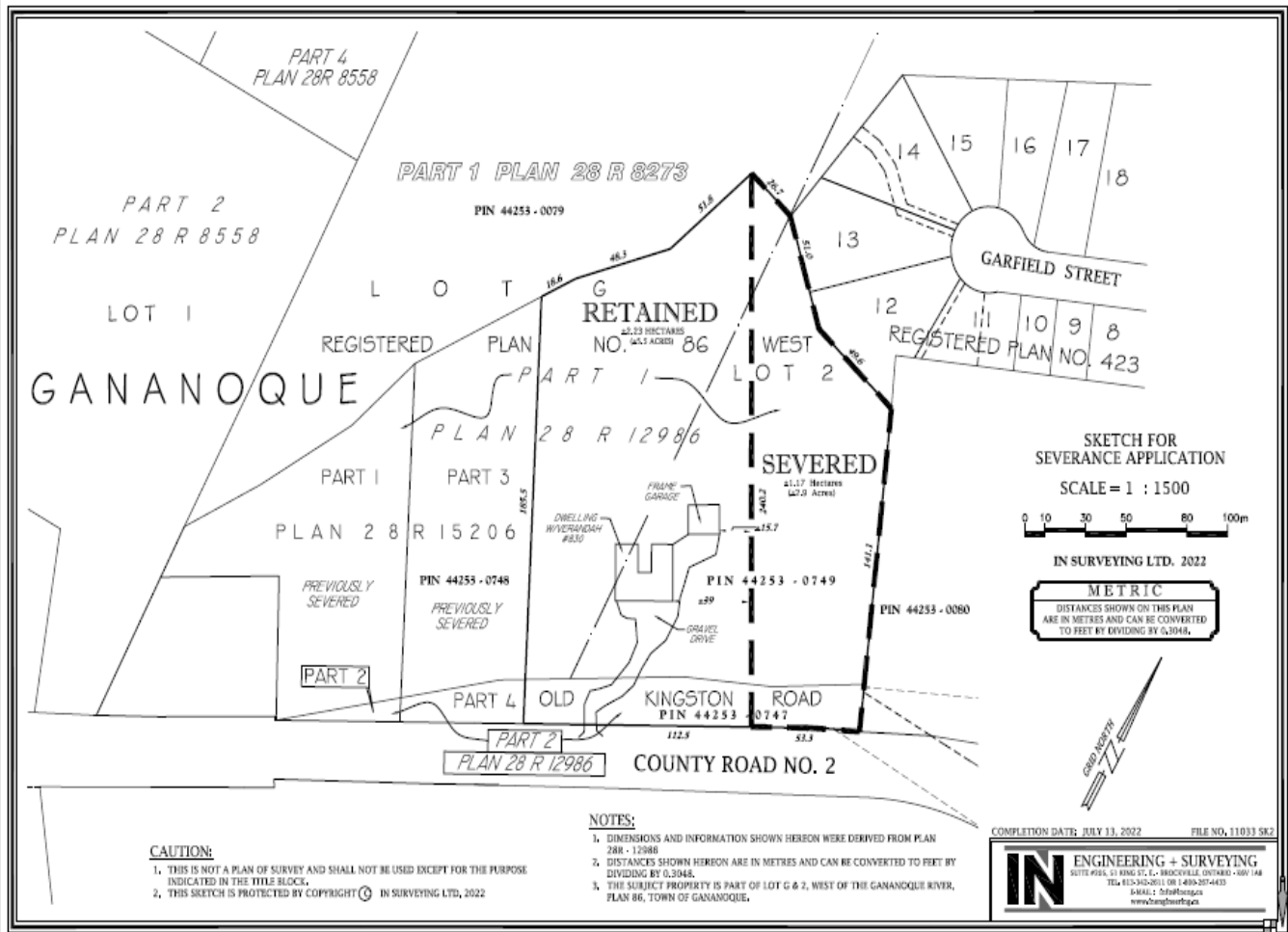
- The creation of a fourth lot (3 severed plus one retained) represents an infilling situation as permitted by the Official Plan and there will be no negative impacts on traffic flow and safety;
- The proposed development is compatible with the surrounding uses. The large lot size (2.9 acres) and existing vegetative covering will provide natural buffering between the proposed lot and the commercial use to the east;
- The proposed severance conforms with the policies of Section 5.4.2 General Consent policies; and
- Development by Plan of Subdivision is not economically feasible due to the lack of municipal services available to the area and the bedrock located on the proposed retained parcel.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Jim Hutton, RPP, Dipl. M.M.  
Senior Planning Professional

## **APPENDIX**



**CAUTION:**  
 1. THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.  
 2. THIS SKETCH IS PROTECTED BY COPYRIGHT © IN SURVEYING LTD, 2022

- NOTES:**
- DIMENSIONS AND INFORMATION SHOWN HEREON WERE DERIVED FROM PLAN 28R - 11206
  - DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
  - THE SUBJECT PROPERTY IS PART OF LOT G & 2, WEST OF THE GANANOQUE RIVER, PLAN 86, TOWN OF GANANOQUE.

SKETCH FOR SEVERANCE APPLICATION  
 SCALE = 1 : 1500  
 0 10 30 50 80 100m  
 IN SURVEYING LTD, 2022  
**METRIC**  
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

COMPLETION DATE: JULY 13, 2022 FILE NO. 11033 SK2  
**IN** ENGINEERING + SURVEYING  
 SUITE #205, 51 KING ST. E., BRIDGEVILLE, ONTARIO - M9V 1A8  
 TEL: 905-362-2611 OR 1-888-207-4433  
 EMAIL: info@ineng.ca  
 www.ineng.ca

**Sketch for Application for Consent**

Hello Nick,

On behalf of CRCA, I have reviewed the proposed severance at 830 King Street West. I can confirm that CRCA would not have objections with the severance. We would recommend preservation of the mature woodland at the north of the lot, as this is connected to a larger wooded area that is identified in the Town's Official Plan (Schedule "F") as Significant.

Once an application is submitted to the Town, we will be circulated for comment. CRCA has a plan review fee for consent applications of \$425. This fee will need to be paid to our office at that time. Further information can be found here: <https://cataraquiconservation.ca/pages/permit-fees>

Let me know if there are any questions.  
Mike

**Michael Dakin** MCIP, RPP  
Supervisor, Development Review



**Phone:** (613) 546-4228 ext. 228

**Toll-Free:** 1-877-956-2722

**Web:** [www.CataraquiConservation.ca](http://www.CataraquiConservation.ca)