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June 7<sup>th</sup>, 2010

K. Smart Associates Limited Job No. 10-090

**PLANNING REPORT NO. PR-13/10**  
**FOR THE CORPORATION OF THE**  
**TOWNSHIP OF NORTH DUMFRIES**

Meeting Date: June 10<sup>th</sup>, 2010

Property Owner: Dwight Mann & Aaron Mann

Property Description: Lot 6 Con 7  
Township of North Dumfries  
Regional Municipality of Waterloo  
Municipal Address: 1086 Sheffield Rd.

**Process: Consent Application No.: B-06/10**

Purpose of Application: To request consent to create one (1) rural residential lot having 50m frontage and 0.88 ha (2.17 ac.) lot area from an existing lot of approximately 12.5 ha. (31 ac.) in size.

Effect of Application: To create one (1) rural residential lot from the parcel of land known municipally by its civic address of 1086 Sheffield Road. There are two other applications for consideration, B-04/10 and B-05/10, both for rural residential lots of equal size.

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**RECOMMENDATIONS:**

I recommend that the Committee of Adjustment (the "Committee") for the Township of North Dumfries (the "Township") **give PROVISIONAL CONSENT** to Township Application No. B-06/10 (the "Application") making the Decision conditional for no more than one (1) year upon:

1. The Owner paying the Township's out-of-pocket legal, planning, engineering and administrative costs and expenses associated with this Application and incurred thus far, plus depositing One Thousand Canadian Dollars (CDN \$1,000.00) with the

Township from which the Township shall recover its yet to be incurred out-of-pocket expenses associated with this Application and refund the remainder of said deposit.

2. The Owner pay the Township any outstanding taxes in full for the Property.

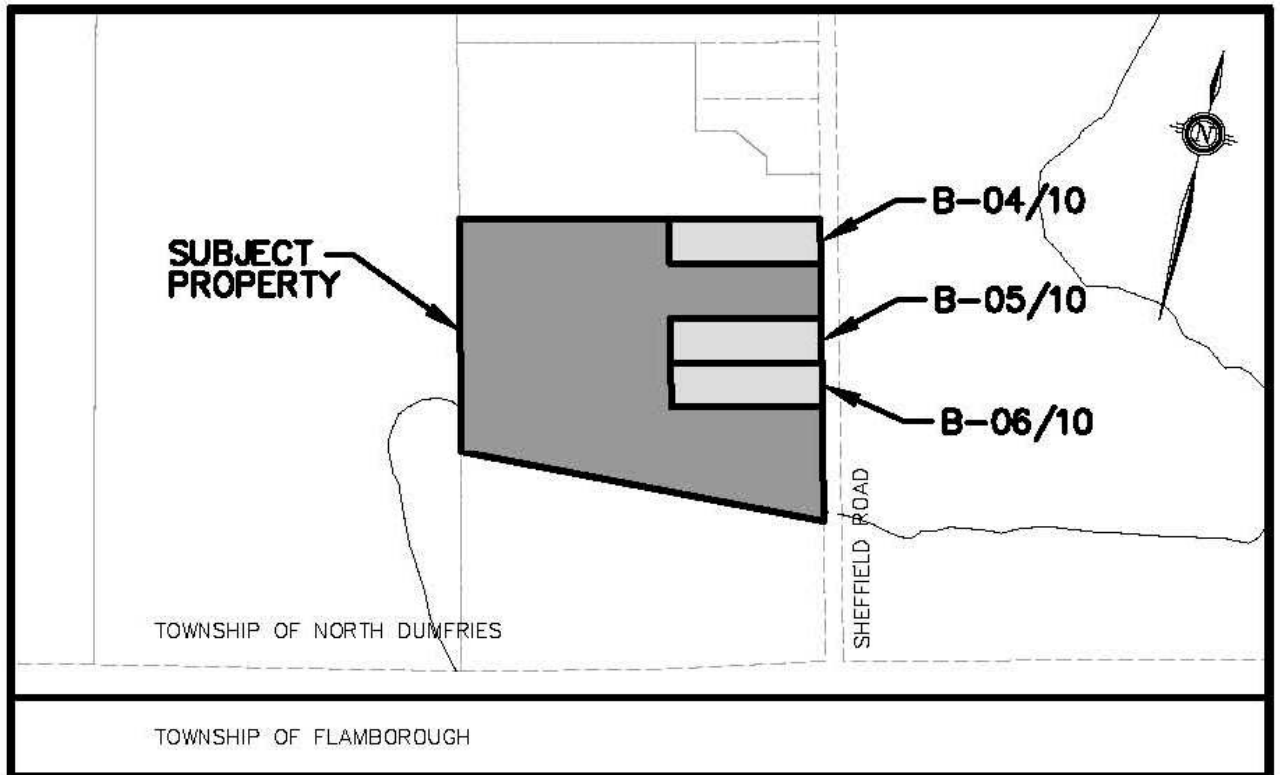
**INTRODUCTION:**

This report is submitted to assist the Committee before making a decision regarding the Application. It provides the Committee with background information and planning opinions about the Application.

**BACKGROUND:**

The Property is located on the west side of Sheffield Road (Refer to Figure 1 below). The proponent successfully obtained a Zone Change under the Beverly policies of the Official Plan and the site is recognized with site specific zoning Section 20.1.224. All municipal and agency issues were addressed at the time. This sketch illustrates the existing lot fabric and lands to be added to the Mann property.

**Figure 1: Key Plan**



***Scale: N.T.S.***

### **PROVINCIAL POLICY STATEMENT, 2005:**

Paragraph 3(5)(a) of the *Planning Act* requires that the Committee's decision regarding the Application "shall be consistent with" the Provincial Policy Statement, 2005 (the "PPS").

As the proposed lands are not located within a prime agricultural area, the Application is consistent with the PPS.

### **GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE, 2006:**

Paragraph 3(5)(b) of the *Planning Act* requires that the Committee's decision regarding the Application "shall conform with" the Growth Plan for the Greater Golden Horseshoe, 2006 (the "Growth Plan"). While the Growth Plan is also to be considered in its entirety, I wish to draw the Committee's attention to section 2.2.2.1 i)

Since the proposed new lots are located within the rural area, the Application conforms to the Growth Plan.

### **WATERLOO REGIONAL OFFICIAL POLICIES PLAN:**

While the Waterloo Regional Official Policies Plan (the "ROPP") is to be considered in its entirety, I wish to draw the Committee's attention to section 5.1.4.2.

The land subject to the Application is designated as:

- 'Non-prime Agricultural Areas & Other' by Map No. 3 of the ROPP;
- 'Non-farm Related Development/Residential' Section 5.1.4.2.

The Application does not conflict with the Policies of the ROPP.

### **TOWNSHIP OFFICIAL PLAN:**

While the Township's Official Plan (the "OP") is to be considered in its entirety, I wish to draw the Committee's attention to section 2.8.1.4.

The Property, the land subject to the Application as consent to create new parcels of land are designated as:

- 'Rural Area/ Agricultural' in Map 2A of the OP;
- 'Non-farm related residential development' of the Beverly Area, Section 2.8.1.4

The Application does not conflict with the policies of the OP.


**TOWNSHIP ZONING BY-LAW:**

The Property is zoned ‘Zone 1 – Z.1’ (section 20.1.224) by the Township’s comprehensive Zoning By-law No. 689-83, as amended (the “Zoning By-law”). Z.1 permits residential land uses. Section 20.1.224 sets about requirements for lot area and frontage. It is noted that the zoning for this proposed lot also recognizes an area subject to minimum distance separation restrictions. The proposal conforms to the applicable regulations.

Therefore, the Application would not be contrary to the Zoning By-law.

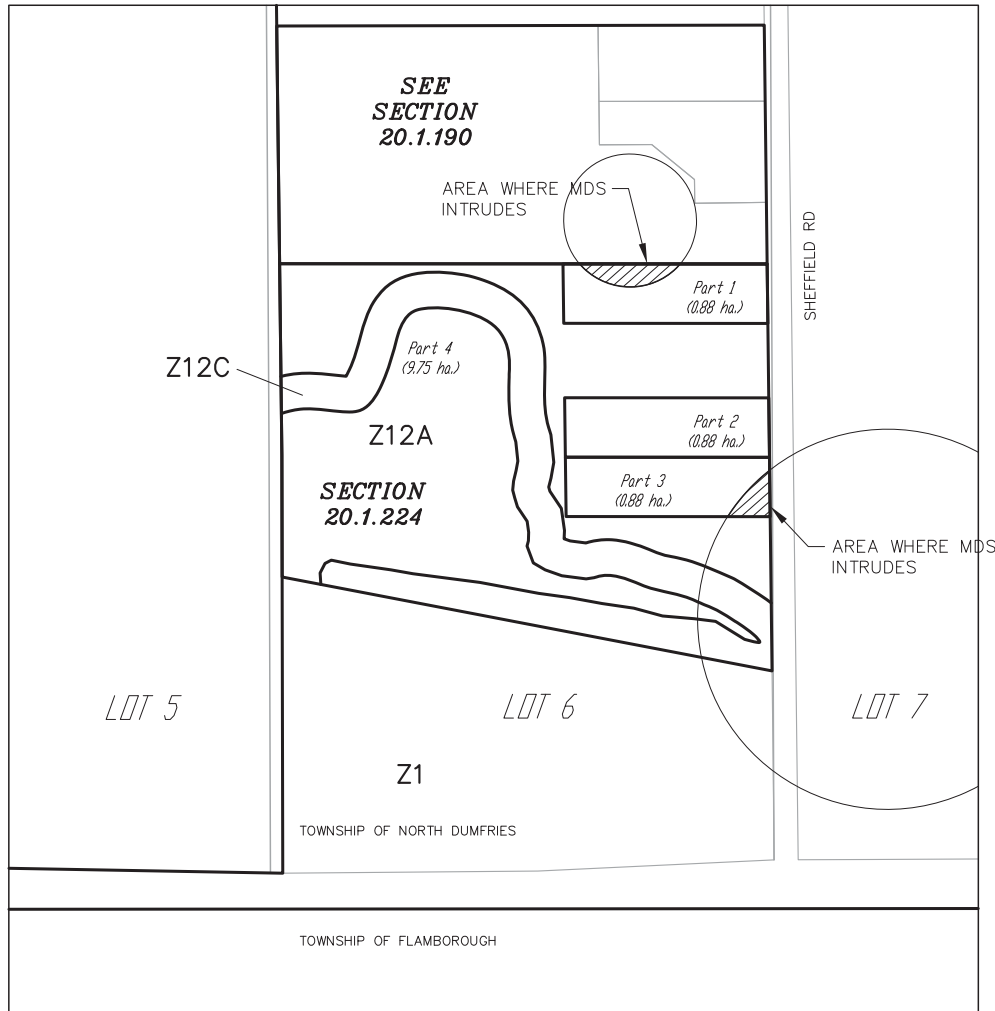
**CONCLUSIONS:**

Subject to conditions, the Application is consistent with the PPS, conforms to the Growth Plan, satisfies the policies of the ROPP and OP, and meets the controls and regulations of the Zoning By-law. Therefore, I recommend the Committee approve the Application subject to conditions as described earlier in this Report.

Submitted by:  
  
Steven Jefferson, MCIP, RPP  
*Consulting Township Chief Planner*  
**K. SMART ASSOCIATES LIMITED**

Attachments: Appendix A: Schedule ‘A’ to the By-law 20.1.224 (Including MDS)

PART LOTS 5, 6 & 7  
CONCESSION VII  
TOWNSHIP OF NORTH DUMFRIES  
(BEVERLY SECTION)



SEE PART 106 SCHEDULE 'B'

SECTION 20.1.224

THIS IS SCHEDULE 'A' TO BY-LAW 20.1.224.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

Note:

The above map block amends Part 106 of Schedule 'B' to Zoning By-law 689-83, as amended. This title block is only a part of By-law No. \_\_\_\_\_-10

SCALE: 1 : 5,000