

CORPORATION OF THE TOWN OF PETROLIA



**Agenda of a Public Meeting for a
Zoning Amendment**

Amendment Application Submitted by Horst Richter agent for
Countryside Realty known municipally as Part Lots 33 & 35, Plan 14 and
Parts 1 and 2, RP 25R10378

Monday, June 26, 2017

6:30 pm

Victoria Hall, Council Chambers

Page

1. CALL TO ORDER
2. PURPOSE OF MEETING
3. DECLARATION OF PECUNIARY INTEREST
4. NOTICE
 - 2 • [Notice of Zone amendment - Richter June 26 2017](#)
5. PLANNING REPORT
 - 3 - 5 • Report from Town of Petrolia Planner, Rob Nesbitt;
[Planner's Report zone amendment - Richter](#)
6. PUBLIC INPUT
 - 6 - 8 • Correspondence from Bluewater Power
[letter from BWP - concerns with amendment - Richter](#)
7. CONSIDERATION OF THE APPLICATION
8. MEETING OFFICIALLY CLOSED

**TOWN OF PETROLIA
NOTICE OF PUBLIC MEETING
CONCERNING A PROPOSED
ZONING BY-LAW AMENDMENT**

TAKE NOTICE that the Council of the Corporation of the Town of Petrolia will hold a **Public Meeting on Monday, June 26, 2017 at 6:30 p.m.** at the Town Council Chambers at 411 Greenfield Street, Petrolia, ON to consider a proposed Zoning By-law Amendment under Section 36 of the Planning Act, R.S.O. 1990, as amended.

THE PROPOSED ZONING BY-LAW AMENDMENT would amend the Town's Zoning By-law 38 of 2000 as it applies to lands described as Part Lots 33 and 35, Plan 14 and Parts 1 and 2, RP 25R10378. The subject property is located on the east side of Eureka Street, north of Ernest Street. The current "Residential 2-h (1) Zone" applying to the lands prohibits any building, structure or changes on the property. The "h" symbol was applied to these lands to ensure the orderly development of the lands for residential use.

ANY PERSON may attend the public meeting and/or make written or verbal representation either in support of, or in opposition to, the proposed Zoning By-law Amendment.

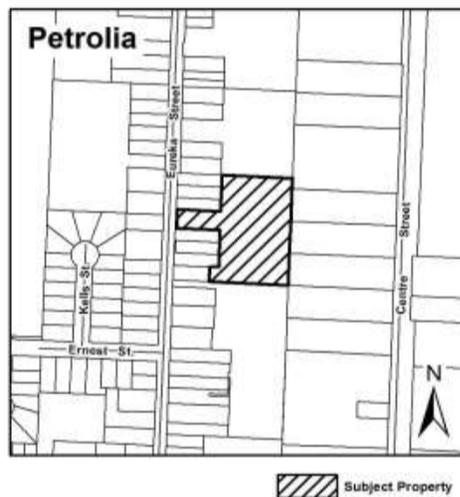
WRITTEN SUBMISSIONS in respect of the proposed Zoning By-law Amendment can be made to Mandi Pearson, Deputy Clerk, Town of Petrolia.

THE KEY MAP shows more particularly the lands affected.

THE PROPOSED AMENDMENT will be available for public inspection during regular office hours at the Municipal Offices at 411 Greenfield Street, Petrolia and at the public meeting.

DATED at the TOWN OF PETROLIA this 19th DAY of May, 2017.

Mandi Pearson
Deputy Clerk
Town of Petrolia
411 Greenfield Street
Petrolia, ON,
NON 1R0 Telephone: 882-2350
Fax: 882-3373





Planning & Development Services Department
789 Broadway Street, Box 3000
Wyoming, ON N0N 1T0

Telephone: 519-845-0801
Toll-free: 1-866-324-6912
Fax: 519-845-3817

DATE: June 13, 2017

TO: Mayor McCharles and Members of Council

FROM: Rob Nesbitt, MCIP RPP
Senior Planner

RE: Proposed Zoning By-law Amendment to Remove a Holding Symbol
Part Lots 33 and 35, Plan 14 and Parts 1 and 2, RP 25R10378
East side of Eureka Street, north of Ernest Street
Applicant: Horst Richter

Application

The applicant requests an amendment to the Town's Zoning By-law, under Section 36 of the Planning Act, to remove a holding symbol from the above-noted lands. Removal of the holding symbol is proposed so that two single detached dwellings can be constructed on the lands.

Comments

The property which is the subject of this application is designated "Residential" in the Town's Official Plan and zoned "Residential-2 (R2)" with a holding symbol. The holding symbol permits only existing uses and, as required by Section 6.6 of the Zoning By-law, the holding symbol is to be removed only upon the granting of a draft plan of subdivision. The subject lands are not the subject of draft approved plan of subdivision.

The subject lands are approximately 3 acres (12,141 square metres) in size. The "h" symbol was applied to these lands to ensure the orderly development of the lands for residential use. Utilizing the property for two single detached dwellings will not constitute an orderly development and will result in an inefficient use of lands that are specifically targeted for residential use. As noted above, the Zoning By-law requires the holding symbol to be removed only upon the granting of a draft plan of subdivision as a means to ensure that an overall plan is developed for subdividing the property into lots that are of a size that is consistent with the R2 zone's requirements. In this regard, the R2 zone requires lots to be a minimum of 500 square metres (0.12 acre).

Section 1.1.3 of the Provincial Statement notes that the vitality of settlement areas (including cities, towns, villages and hamlets) is critical to the long-term economic prosperity of our communities. The PPS states that it is in the interest of communities to use land and resources wisely and to promote efficient development patterns. Section 3.2 of the Lambton County Official Plan also states that development in urban centres will promote an efficient and compact land use pattern

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to minimize land consumption and control infrastructure costs. The applicant's intent to use 3 acres of land for two single detached dwellings is not consistent with these interests.

Section 7.2.1.4 of the Town of Petrolia Official Plan states that infilling of Residential areas will be undertaken by means of planned subdivision development or, where a plan of subdivision is not required, by severance to make the most efficient use of municipal services. The subject lands offer an opportunity to infill an area that is situated between existing residential areas and a light industrial area. The applicant's plans do not represent appropriate infilling and will not make efficient use of municipal services. For example, existing municipal water and sanitary sewers along Eureka Street are intended to be extended into residential areas that are being developed at a density that supports the cost of extending the services.

Section 7.2.1.20 of the Town's Official Plan states that the residential uses permitted on land designated "Residential" are low-density housing types that do not exceed 20 units per hectares (8 units per acre). While the applicant's plan to create two lots would not exceed this allowable density, the proposed development will represent a very low density of 0.67 units per acre. As shown below, subdividing the subject property into 2 lots will result in lots that are out of character with nearby residential development.



The applicant may be hesitant to extend a public street and other municipal services into an area that may not yield a large number of lots. While we understand this concern, there are several other large parcels to the north and south that are designated for residential development. The applicant may consider delaying his development plans until there are plans for developing one or both of those properties.

Recommendation

Our Department is unable to support the approval of this application. The applicant has not been granted approval of a draft plan of subdivision for the subject lands and therefore is not eligible for removal of the holding provision.

The applicant's plan to create two residential lots does not conform with the Provincial Policy Statement, the Lambton County Official Plan and the Petrolia Official Plan,

We have provided an amendment document for Council if it chooses to approve the application. Please note that the Planning Act states that the passing of this amendment is not subject to appeal and takes effect immediately. There is also no requirement for giving notice of its passing.

A handwritten signature in black ink, appearing to read "Rob Nesbitt". The signature is written in a cursive style with a large initial "R".

Rob Nesbitt, MCIP RPP
Senior Planner



April 28, 2017

Mandi Pearson, Deputy Clerk
The Corporation of the Town of Petrolia
411 Greenfield Street, Box 1270
Petrolia, ON, N0N 1R0

Subject: Zoning By-Law Amendment

Dear Ms. Pearson:

Thank you for your notice of zoning, for the property on Eureka Street.

I need to point out to the applicant that there are poles and an overhead secondary wires that would need to be removed if 4 new residential buildings were to go up in the area. Please see the GIS map I have enclosed.

We strongly recommend that the applicant, the land owner, or the contractor performing the work, call Bluewater Power as soon as possible, in regard to their plans to ensure the rights of Bluewater Power under section 43.1 of the Electricity Act are considered.

If you require any additional information, you can reach me at 519-337-8201 ext.2204.

Yours truly,

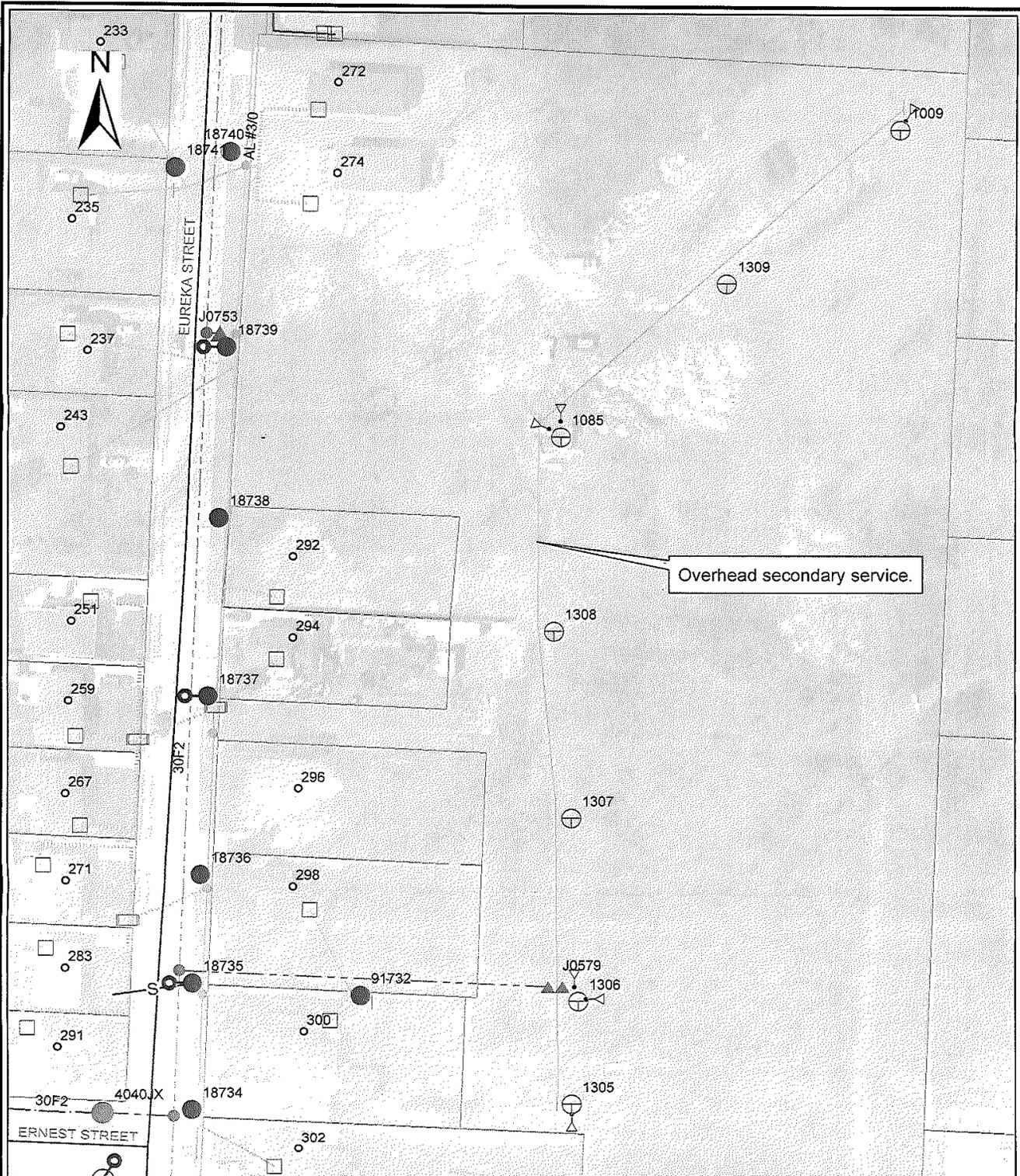
A handwritten signature in cursive script that reads "Chuck MacKenzie".

Chuck MacKenzie
Draftsperson

P.O. Box 2140
855 Confederation Street
Sarnia, Ontario N7T 7L6

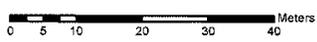
Tel.: (519) 337-8201
Fax: (519) 332-3878

www.bluewaterpower.com



Proposed Zoning By-Law Amendment

1:1,000



Printed by C. MacKenzie
April 27, 2017

**TOWN OF PETROLIA
NOTICE OF PUBLIC MEETING
CONCERNING A PROPOSED
ZONING BY-LAW AMENDMENT**

TAKE NOTICE that the Council of the Corporation of the Town of Petrolia will hold a **Public Meeting on Monday, May 8, 2017 at 6:00 p.m.** at the Town Council Chambers at 411 Greenfield Street, Petrolia, ON to consider a proposed Zoning By-law Amendment under Section 34 of the Planning Act, R.S.O. 1990, as amended.

THE PROPOSED ZONING BY-LAW AMENDMENT would amend the Town's Zoning By-law 38 of 2000 as it applies to lands described as Part Lots 33 and 35, Plan 14; and Part 1 and Part 2, RP 25R-10378. The subject property is located on the east side of Eureka Street, north of Ernest Street. The property is currently zoned "Residential- 2 (H)". The owner has requested that the zoning be amended to "Residential-3 (R3)" to allow the property to be developed for a number of 4-unit residential buildings.

ANY PERSON may attend the public meeting and/or make written or verbal representation either in support of, or in opposition to, the proposed Zoning By-law Amendment.

WRITTEN SUBMISSIONS in respect of the proposed Zoning By-law Amendment can be made to Mandi Pearson, Deputy Clerk, Town of Petrolia.

THE KEY MAP shows more particularly the lands affected.

THE PROPOSED AMENDMENT will be available for public inspection during regular office hours at the Municipal Offices at 411 Greenfield Street, Petrolia and at the public meeting.

DATED at the TOWN OF PETROLIA this 13th DAY of April, 2017.

Mandi Pearson
Deputy Clerk
Town of Petrolia
411 Greenfield Street
Petrolia, ON,
N0N 1R0
Telephone: 882-2350
Fax: 882-3373

