

Municipality of Tweed Council Meeting  
Council Meeting



Resolution No.

289.

Title:

Zoning Amendment ZA1/21

Date:

Wednesday, May 12, 2021

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Moved by

B. Treanor

Seconded by

J. DeMarsh

BE IT RESOLVED THAT Council defer Zoning Amendment ZA1/21 as recommended by the Committee of Adjustment/Planning.

Carried

Mayor

A handwritten signature in cursive script, appearing to read "J. Albert", is written over a horizontal line.

The Corporation of the  
**MUNICIPALITY OF TWEED**

255 Metcalf St., Postal Bag 729  
Tweed, ON K0K 3J0  
Tel.: (613) 478-2535  
Fax: (613) 478-6457



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Website: [www.tweed.ca](http://www.tweed.ca)  
[facebook.com/tweedontario](https://facebook.com/tweedontario)

May 11, 2021

Garett Scott  
P.O. Box 614  
Tweed, ON K0K 3J0

Dear Mr. Scott:

Re: Rezoning Application ZA1/21 (Amended)

Your amended application for the rezoning of the property located at 51 McClellan St. in Tweed was deemed to require a new Public Meeting. The Notice of Application and Notice of Public Meeting for the amended rezoning was issued April 9, 2021. The Public Meeting was conducted by the Committee of Adjustment/Planning at their Regular Meeting on Friday, April 30, 2021 at 10:00 a.m. with yourself in attendance electronically. At the Public Meeting the Committee received your verbal Delegation in support of the application.

Similar to the original application, the rezoning application requested to change the zoning of the property from the Residential Density 1 (R1) zone to the Special Multiple Residential Holding (MR-10-h) zone. The present R1 zone allows for the existing single-family dwelling on the property. The MR-10-h zone would allow for the development of a multi-residential dwelling on the property.

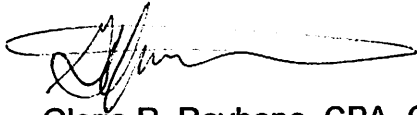
During the Public Meeting it was made known to you that Hastings County Planning still had concerns which needed to be addressed. These concerns had been provided in their comments dated February 26, 2021 and again in their comments dated April 29, 2021. Following discussion about these concerns you agreed that it would be best to defer the amended application until you could meet with the County Planner to finally address the concerns outlined.

Following the Public Meeting the Committee of Adjustment/Planning recommended that Council defer the rezoning.

Page 2  
May 11, 2021  
Garrett Scott

We look forward to processing your rezoning application in due course. Please advise our office following your meeting with the County Planner.

Yours truly,

A handwritten signature in black ink, appearing to read 'G. Raybone', with a long, sweeping horizontal line extending to the right.

Gloria R. Raybone, CPA, CA  
CAO/Treasurer

:kl

## QUINTE CONSERVATION - PLANNING ACT REVIEW

QC File No. PL0020-2021

<b>Municipality:</b>	Municipality of Tweed		
<b>Landowner:</b>	Garett Scott		
<b>Location:</b>	51 McClellan Street	Part Lot 10, Concession 10	Hungerford
<b>Roll #:</b>	12312310150460000000		
<b>Application Description:</b>	Zoning By-law Amendment Application File No. ZA1/21	Rezoning from Residential Density 1 (R1) zone to Special Multiple Residential Holding (MR-7-h) zone to allow for site specific zoning for the development of a multi-residential dwelling. Special provisions will limit development to a fourplex and to recognize existing lot area, existing lot frontage and allow for tandem parking.	
<b>Regulated Feature:</b>	None		
<b>Comments:</b>	<p><u><b>Planning Act - Natural Hazard policies of the Provincial Policy Statement and Quinte Conservation Planning Act Review policy</b></u></p> <p>Conservation Authorities have Provincially delegated responsibilities to represent Provincial interests regarding natural hazards under section 3.1 of the Provincial Policy Statement (PPS) (2020). Natural hazards include areas subject to flooding, prone to erosion, dynamic beaches and unstable bedrock. Generally the policies of the PPS direct development to areas outside of hazards lands. <u>Staff are satisfied that the application as presented is consistent with section 3.1 of the PPS as there is sufficient area for development outside of any natural or flood-related hazard.</u></p> <p><u><b>Ontario Regulation #319/09 (Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses)</b></u></p> <p>The subject lands do not lie within an area that is regulated by Quinte Conservation. The owners will not require a permit prior to development (construction/ filling/ excavation/ site grading) from this office.</p> <p><u><b>Quinte Region Source Protection Plan</b></u></p> <p>Quinte Conservation provides Risk Management services as prescribed by the <i>Clean Water Act</i>, 2006 on behalf of member municipalities. Part of this is reviewing building and planning applications to ensure no new significant drinking water threats as outlined in the Quinte Region Source Protection Plan are created. Policies for significant threats in the Quinte Region Source Protection Plan are <u>not applicable</u> to the subject property as it lies outside of an intake protection zone or wellhead protection area for a municipal drinking water system. <u>As such no Section 59 Clearance Notice is required.</u></p> <p><u><b>Planning Act - Natural Heritage policies of the Provincial Policy Statement</b></u></p> <p>Section 2.1 of the Natural Heritage policies of the Provincial Policy Statement protects features including (but not limited to); Provincially Significant Wetlands, significant woodlands and significant Areas of Natural and Scientific Interest. The subject lands do not lie within a Provincially Significant Wetland, or within an Area of Natural and Scientific Interest. Further, an Environmental Impact Study was not provided with the current planning application, and as per Quinte Conservation's Regulation and Policies we will not be requesting one.</p>		
<b>Final Comments:</b>	Quinte Conservation has no objection to the application as presented.		



Sam Carney  
 Planning and Regulations Technician

April 29, 2021

Date



**PLANNING & DEVELOPMENT**

235 Pinnacle Street  
Postal Bag 4400  
Belleville, Ontario  
K8N 3A9



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Toll Free: 1.866.321.9563

Municipality of Tweed  
255 Metcalf Street  
P.O. Bag 729  
Tweed, Ontario  
K0K 3J0

28 April 2021  
**RECEIVED**

APR 29 2021

Att: Gloria Raybone, CAO/Treasurer/Zoning Administrator

**MUNICIPALITY OF TWEED**

RE: **Application for Zoning By-Law Amendment (ZA 1/21)**  
**Plan 294, Pt Lot 26 – 51 McClellan Street - Municipality of Tweed**  
**Roll Number 12 31 231 015 04600**

PER.

The County of Hastings Planning and Development Department has received notice of public meeting for a proposed zoning by-law amendment to rezone lands located in Plan 294, Part Lot 26, known municipally as 51 McClellan Street in Tweed.

The effect of this Zoning Bylaw amendment will rezone the subject lands from the **Residential First Density (R1) Zone** to the **Special Multiple Residential Holding (MR-7-h) Zone**. The subject lands are developed with a single detached dwelling and it is intended to re-develop with a multi-unit residential building containing 4 residential units (fourplex). The site specific **Special Multiple Residential (MR-7) Zone** is requested to provide relief for the minimum lot are and minimum lot frontage requirements.

Further to my letter of February 26, 2021 (copy attached), a virtual meeting was held on March 5, 2021 to discuss the various concerns raised with the proposed fourplex development. Since this meeting, the applicant has amended the original application to request additional relief from the Zoning Bylaw to allow for a parking design utilizing tandem arrangements. A sketch prepared by Watson Land Surveyors, dated March 26, 2021 was submitted which provided detailed information on the lot dimensions, the location of the proposed new fourplex building, location of the proposed water and waste water connections, existing site grades and proposed parking areas.

It had been suggested the applicant conduct a thorough review of the requirements of the Zoning Bylaw to ensure all other provisions of the Bylaw are complied with. Based on the more detailed sketch submitted by the applicant, it indicates a front yard of 7.3 metres from the proposed building, as the Multiple Residential (MR) zone requires a minimum 7.5 metre front yard (Section 14.3 b) iii), the sketch will need to be updated.

Staff are confident there is sufficient space to allow the building to be slightly adjusted to meet the minimum 7.5 metre front yard setback.

In addition, the tandem parking areas proposed on the sketch appear to abut the interior lot line on each side, with no setback. The inside limits of the parking spaces abut the front portion of the building. Section 5.30.2 xvii) requires parking areas be at least 1 metre setback from any lot line. As the inside limits of the parking area abut the building, there does not appear to be sufficient space to adjust the parking area to meet the 1 metre setback from each lot line while still providing the minimum required width of parking spaces. (2.75 metres width for each space, totaling a minimum of 5.5 metres). In order to be compliant with the Zoning Bylaw, the development will need to be adjusted to allow for a minimum 1 metre setback of the parking areas from both the interior side lot line and the front lot line.

These are examples where a thorough review of the requirements of the Zoning Bylaw should be conducted and provided to the Committee for their consideration to ensure the scale of development is appropriate on the subject lands.

While a site grading plan for the proposed development has not been submitted, based on the existing grades provided on the submitted sketch, staff believe the proper grading can be addressed through the Site Plan approval process subject to more detailed grading plans.

The rezoning application was amended to permit tandem parking. The parking arrangement of 8 parking spaces, by tandem spaces remains a concern. Each of the required 8 parking spaces are all to be readily accessible at all times and arranged in a manner to provide access to park and remove a vehicle without the necessity of moving any other motor vehicle. Discussions with the applicant suggested other options be investigated for the required parking, such as in the rear yard.

Staff have concern with the impact allowing 8 parking spaces in the front yard may have on the character of the area. Further, due to the close proximity of the public school which results in increased pedestrian and bus traffic, the proposed 8 parking spaces in tandem arrangement may pose a safety issue for ingress and egress to the site. It is recommended the Roads Department be provided the opportunity to review the proposed driveway entrances and proposed parking to determine if the proposed design is satisfactory. The Committee should be satisfied that the proposed development, including parking, will allow the site to function appropriately including mitigating any negative impacts on pedestrian and bus traffic safety.

The Municipality is encouraged to consider whether the scale of the proposed development is appropriate on the subject lands while considering the character of the surrounding area.

Should you have any questions or require additional information please contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read "Gib Garrett". The signature is fluid and cursive, with a long horizontal stroke at the end.

Gib Garrett  
Planner



**PLANNING & DEVELOPMENT**

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26 February 2021

Municipality of Tweed  
255 Metcalf Street  
P.O. Bag 729  
Tweed, Ontario  
K0K 3J0

Att: Karen LaVallee, Clerk/Deputy Treasurer

**RE: Application for Zoning By-Law Amendment (ZA 1/21)**  
**Plan 294, Pt Lot 26 – 51 McClellan Street**  
**Municipality of Tweed**  
**Roll Number 12 31 231 015 04600**

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**Official Plan**

The subject lands are designated **Urban Residential** within the Urban Community Secondary Plan, Part B on Schedule USCP A.6 of the County of Hastings Official Plan.

**Part B – Section 2.2 Urban Residential Designation** provides policies on appropriate consideration of development in the Urban Residential Designation. Development is intended to be low density uses and medium density residential uses. Low density is considered as single detached dwellings, semi-detached dwellings and duplexes while medium density residential is multi-unit dwellings, triplexes, four plexes, townhouses



and low rise apartment buildings. The proposed development is seeking to introduce a fourplex residential building which is a permitted use in the **Urban Residential** designation.

The Pattern of Development policies include residential re-development in established residential area having regard for the existing scale and pattern of development and the existing streetscape qualities so as not to adversely impact the character of the neighbourhood. When reviewing development applications, the Municipality will ensure multi-unit dwellings will not create traffic hazards and that impacts on low density residential areas will be minimal. Also, where new multi-unit residential uses are proposed in areas adjacent to existing low density residential uses, measures to ensure compatibility between the uses will be required and may include grass strips, vegetative screening and transitional design features.

The application also requests the reduction in the required lot area and lot frontage requirements of the **Multiple Residential (MR) Zone**. Within the **Multiple Residential (MR) Zone**, for the development of a fourplex, the required minimum lot area is 3,000 square metres (32,270 sq ft) and the required minimum lot frontage is 40 metres (131.2 ft). The subject lands only provide a lot area of 1,011 square metres (10,890 sq ft) and 20 metres (66 ft).

The relief requested for the minimum lot area and minimum lot frontage appears to be a significant reduction. The Municipality is encouraged to consider whether the scale of the proposed development is appropriate on the subject lands while considering the character of the surrounding area.

Prior to approval of the rezoning application, it is recommended a thorough review of the requirements of the Zoning Bylaw be provided by the applicant to ensure all other provisions of the Bylaw are complied with. Based on the Proposed Site Plan submitted, it does not appear the required number of parking spaces (8 spaces) has been allocated. Further, based on the constraints of the limited area of the subject lands and the proposed building situate, there does not appear to be adequate area to accommodate the required parking spaces. Each of the required 8 parking spaces are all to be readily accessible at all times and arranged in a manner to provide access to park and remove a vehicle without the necessity of moving any other motor vehicle. Review of such details are important to ensure the proposed increase in residential density will allow the site to function appropriately on a lot with limited area for the proposed use.

In support of a rezoning for this project and to ensure the principle of development is appropriate and feasible, the applicant should submit to the Municipality, prior to approval of a rezoning for the proposed development, a site evaluation report assessing the suitability of the residential development proposed. The site evaluation report should include considerations such as: servicing capacity of the fourplex, site grading and drainage, siting and building massing to surrounding properties, entrances/driveways and parking areas, landscaping buffers, garbage storage areas,

It is recommended any decision of this rezoning application be deferred until such time as Council is satisfied the applicant has provide sufficient justification the proposed multi-unit residential development is appropriate for the subject lands.

It is recommended the site specific Zoning Bylaw amendment include the use of the Holding provision to control the appropriate phasing, servicing and development of the property. The Holding provision can be remove in whole or in part as the owner enters into the required Site Plan Agreement(s) and posting of any required financial obligations.

Should you have any questions or require additional information please contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read "Gib Garrett". The signature is fluid and cursive, with a stylized "G" and "A".

Gib Garrett  
Planner

The Corporation of the  
**MUNICIPALITY OF TWEED**

---

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Website: [www.tweed.ca](http://www.tweed.ca)  
[facebook.com/tweedontario](https://facebook.com/tweedontario)

March 16, 2021

Garett Scott  
P.O. Box 614  
Tweed, ON K0K 3J0

Dear Mr. Scott:

Re: Rezoning Application ZA1/21

Your application for the rezoning of the property located at 51 McClellan St. in Tweed was received in our office on December 15, 2020 along with the prescribed fee. The Notice of Application and Notice of Public Meeting for the rezoning was issued February 5, 2021. The Public Meeting was conducted by the Committee of Adjustment/Planning at their Regular Meeting on Friday, February 26, 2021 at 10:00 a.m. with yourself and Bruno Beutler in attendance. At the Public Meeting the Committee received your verbal Delegation in support of the application.

The rezoning application requested to change the zoning of the property from the Residential Density 1 (R1) zone to the Special Multiple Residential Holding (MR-10-h) zone. The present R1 zone allows for the existing single-family dwelling on the property. The MR-10-h zone would allow for the development of a multi-residential dwelling on the property.

During the Public Meeting it was made known to you that Hastings County Planning was recommending that a site evaluation report be completed to assess the suitability of the residential development proposed to ensure that the conditions of the site could support the proposed land use. The site evaluation report should include considerations such as servicing capacity of the fourplex, site grading and drainage, siting and building massing to surrounding properties, entrances/driveways and parking area, landscaping buffers, and garbage storage areas. It was recommended that the rezoning application be deferred until such time as the required site evaluation report has been submitted and possibly peer reviewed.

Following the Public Meeting the Committee of Adjustment/Planning recommended



Page 2  
March 16, 2021  
Garrett Scott

that Council defer the rezoning as outlined by Hastings County Planning.

At the March 11, 2021 Regular Council Meeting the following Resolution was passed by Council:

Moved by J. DeMarsh, Seconded by J. Palmateer

BE IT RESOLVED THAT Council defer Zoning Amendment ZA1/21. Carried.

We look forward to the receipt of the necessary site evaluation report to proceed with the processing of your rezoning application in due course.

Yours truly,

Gloria R. Raybone, CPA, CA  
CAO/Treasurer

:kl

**PLANNING & DEVELOPMENT**

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26 February 2021

Municipality of Tweed  
255 Metcalf Street  
P.O. Bag 729  
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Att: Karen LaVallee, Clerk/Deputy Treasurer

**RE: Application for Zoning By-Law Amendment (ZA 1/21)**  
**Plan 294, Pt Lot 26 – 51 McClellan Street**  
**Municipality of Tweed**  
**Roll Number 12 31 231 015 04600**

RECEIVED

FEB 26 2021

MUNICIPALITY OF TWEED

PER. 

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and low rise apartment buildings. The proposed development is seeking to introduce a fourplex residential building which is a permitted use in the **Urban Residential** designation.

The Pattern of Development policies include residential re-development in established residential area having regard for the existing scale and pattern of development and the existing streetscape qualities so as not to adversely impact the character of the neighbourhood. When reviewing development applications, the Municipality will ensure multi-unit dwellings will not create traffic hazards and that impacts on low density residential areas will be minimal. Also, where new multi-unit residential uses are proposed in areas adjacent to existing low density residential uses, measures to ensure compatibility between the uses will be required and may include grass strips, vegetative screening and transitional design features.

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The relief requested for the minimum lot area and minimum lot frontage appears to be a significant reduction. The Municipality is encouraged to consider whether the scale of the proposed development is appropriate on the subject lands while considering the character of the surrounding area.

Prior to approval of the rezoning application, it is recommended a thorough review of the requirements of the Zoning Bylaw be provided by the applicant to ensure all other provisions of the Bylaw are complied with. Based on the Proposed Site Plan submitted, it does not appear the required number of parking spaces (8 spaces) has been allocated. Further, based on the constraints of the limited area of the subject lands and the proposed building situate, there does not appear to be adequate area to accommodate the required parking spaces. Each of the required 8 parking spaces are all to be readily accessible at all times and arranged in a manner to provide access to park and remove a vehicle without the necessity of moving any other motor vehicle. Review of such details are important to ensure the proposed increase in residential density will allow the site to function appropriately on a lot with limited area for the proposed use.

In support of a rezoning for this project and to ensure the principle of development is appropriate and feasible, the applicant should submit to the Municipality, prior to approval of a rezoning for the proposed development, a site evaluation report assessing the suitability of the residential development proposed. The site evaluation report should include considerations such as: servicing capacity of the fourplex, site grading and drainage, siting and building massing to surrounding properties, entrances/driveways and parking areas, landscaping buffers, garbage storage areas,



It is recommended any decision of this rezoning application be deferred until such time as Council is satisfied the applicant has provide sufficient justification the proposed multi-unit residential development is appropriate for the subject lands.

It is recommended the site specific Zoning Bylaw amendment include the use of the Holding provision to control the appropriate phasing, servicing and development of the property. The Holding provision can be remove in whole or in part as the owner enters into the required Site Plan Agreement(s) and posting of any required financial obligations.

Should you have any questions or require additional information please contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read "Gib Garrett". The signature is stylized with a large, looped "G" and a cursive "Garrett".

Gib Garrett  
Planner

## Karen LaVallee

---

**From:** Karen LaVallee <clerk@tweed.ca>  
**Sent:** February 25, 2021 10:11 AM  
**To:** 'graham.locklin@ssc-spc.gc.ca'  
**Cc:** 'Gloria Raybone (cao-treasurer@tweed.ca)'; Lucas Wales  
**Subject:** RE: ZA1/21 - Feb 26 2021 - Comment

Thank you for providing your written comments pertaining to Zoning Amendment ZA1/21. They will be provided to the Committee members.

### Karen LaVallee

Clerk/Deputy Treasurer/Planning Assistant  
Municipality of Tweed  
Phone: 613-478-2535  
Toll Free: 833-478-5818  
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clerk@tweed.ca  
www.tweed.ca

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**Individuals who submit letters and other information to Council should be aware that any personal information contained within their communications may become part of the public record and may be made available to the public through the Council Agenda process.**

**From:** graham.locklin@ssc-spc.gc.ca <graham.locklin@ssc-spc.gc.ca>  
**Sent:** February 25, 2021 8:56 AM  
**To:** clerk@tweed.ca  
**Subject:** ZA1/21 - Feb 26 2021 - Comment

Good morning,

With regard to ZA1/21 to be presented February 26<sup>th</sup> 2021 I would like to submit the following;

I had taken some time to look at this lot. I see it has a small single dwelling.

1. As density in this area is to increase with the development of the old school lands I would like to bring attention to park space and green space. Will this property have enough green space for the residence of this 4 unit building? School yards are not public park space.
2. Snow management. The included proposed site plan shows driveways on both sides of the lot. Each driveway is 20 feet wide leading to a large porch. Snow will need to be displaced to the middle of the property's front yard or removed from the property. Is there enough room to pile the snow from two 20x44 feet driveways and the

walkways?



3. Are there any requirements for a development to add or replace any trees to a development / redevelopment?
4. This street has no curbs. If the parking is not sufficient the street and undefined boulevard may be utilized to satisfy the parking of 4 units creating winter and safety concerns. (F150 truck is up to 20.3ft long, Dodge minivan is 16.9ft long).  
How many parking spaces per dwelling unit are required?  
Can a parking spot be blocked in by another parking spot?

Thank you for reviewing my comments.

Graham Locklin  
13 French Settlement Road, Tweed





**QUINTE CONSERVATION - PLANNING ACT REVIEW**

QC File No. PL0020-2021

<b>Municipality:</b>	Municipality of Tweed		
<b>Owner</b>	Garett Scott		
<b>Location:</b>	51 Mc Clellan Street	Lot 10, Concession 10	Hungerford
<b>Roll #:</b>	12312310150460000000		
<b>Application Description:</b>	Zoning By-law Amendment	Special Multiresidential (MR) zones relief for lot area from 32,270 Square Feet to 10,890 Square Feet relief for lot frontage from 196.9 feet to 66 feet to develop multiple residential units	
<b>Feature:</b>	N/A		
<b>Comments:</b>	<p><u>Planning Act - Natural Hazard policies of the Provincial Policy Statement and Quinte Conservation Planning Act Review policy</u></p> <p>Conservation Authorities have Provincially delegated responsibilities to represent Provincial interests regarding natural hazards under section 3.1 of the Provincial Policy Statement (PPS) (2020). Natural hazards include areas subject to flooding, prone to erosion, dynamic beaches and unstable bedrock. Generally the policies of the PPS direct development to areas outside of hazards lands.</p> <p>Staff are satisfied that the application as presented is consistent with section 3.1 of the PPS as there is sufficient area for development outside the natural hazard.</p> <p><u>Ontario Regulation #319/09 (Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses)</u></p> <p>The subject lands do not lie within an area that is regulated by Quinte Conservation. The owners will not require a permit prior to development (construction/ filling/ excavation/ site grading) from this office.</p> <p><u>Quinte Region Source Protection Plan</u></p> <p>Quinte Conservation provides Risk Management services as prescribed by the <i>Clean Water Act</i>, 2006 on behalf of member municipalities. Part of this is reviewing building and planning applications to ensure no new significant drinking water threats as outlined in the Quinte Region Source Protection Plan are created. Policies for significant threats in the Quinte Region Source Protection Plan are <u>not applicable</u> as the subject property lies outside of an intake protection zone or wellhead protection area for a municipal drinking water system. <u>As such no Section 59 Clearance Notice is required.</u></p> <p><u>Planning Act - Natural Heritage policies of the Provincial Policy Statement</u></p> <p>Section 2.1 of the Natural Heritage policies of the Provincial Policy Statement protects features including (but not limited to); Provincially Significant Wetlands, significant woodlands and significant Areas of Natural and Scientific Interest. The subject lands do not lie within a Provincially Significant Wetland, or within an Area of Natural and Scientific Interest. Further, an Environmental Impact Study was not provided with the current planning application, and as per Quinte Conservation's Regulation and Policies we will not be requesting one.</p>		
<b>Final Comments:</b>	Quinte Conservation has no objection to the application as presented.		

Lindsay Nash  
Environmental and Regulations Technician

February 24, 2021

Date

For;

Sharlene Richardson  
Regulations Officer