

TERRAIN
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PLANNING RATIONALE

224 Snider Road
Proposed Re-Zoning
Prince Edward County, ON

November 14th, 2023

PREPARED FOR:

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224 Snider Rd., Prince Edward, ON



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1 INTRODUCTION & BACKGROUND

Terrain Development Consulting has been retained by Trevor Murphy and Sophia Zettler (the Owners) to prepare a Planning Rationale in support of a Zoning By-Law Amendment application for 224 Snider Road (hereafter 'the site'). The proposed amendment seeks to rezone the property from Rural 1 (RU1) to Rural Residential 2 (RR2) to permit a 'primary residence' short-term accommodation and assign a more suitable zone to the site. This Rationale shares background information relevant to the application; describes the proposed use; confirms that it meets the applicable Provincial Policy Statement and Official Plan policies; and identifies conformity with and proposed amendments to the County Zoning By-Law.

As described in the 'Recommendations' in Section 6, this report finds that the requested Zoning By-law amendment is appropriate and represents good planning in the context of the applicable policies and regulations.

2 CONTEXTUAL ANALYSIS

The site is located on the east side of Snider Road in Ameliasburgh, Prince Edward County. Ameliasburgh is the largest ward in the County and the closest to neighbouring Belleveille and Quinte West. It is home to 6 villages, a large rural area, and numerous tourist attractions.

Snider Road is a local road connecting Victoria Road to the north and County Road 19 to the south. The site occupies 146 metres of frontage along Snider and has a total area of 2.8 hectares. It is relatively flat and surrounded by trees on all sides. The site is currently improved with a single detached dwelling and a recently constructed secondary dwelling unit, each setback significantly from the front lot line.



Figure 1 - Site Location



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Adjacent lots are undeveloped rural lands comprising a mix of treed areas and hayfields. The closest residential use is located 350 metres to the north west, on the other side of Snider Road. The broader area is characterized by a mix of agriculture, rural, residential, and commercial uses. Most surrounding lots are significantly larger than the site, but there are a few other small lots to the northwest.

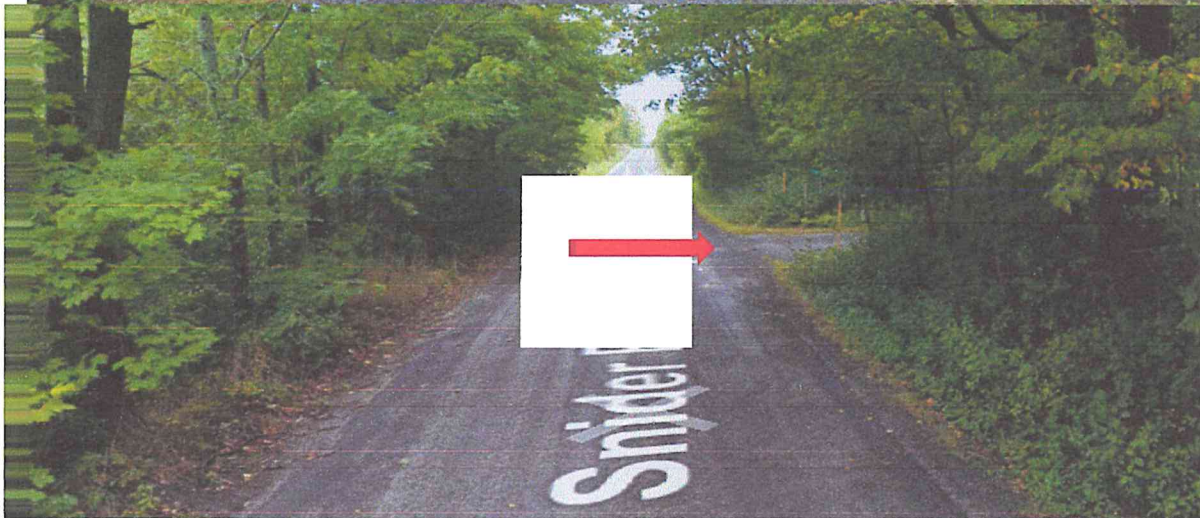


Figure 3 – View to the site access, looking north up Snider Road

3 PROPOSED USE & ZONING BY-LAW AMENDMENT

The applicant is seeking a Zoning By-law Amendment from Rural 1 Zone (RU1) to Rural Residential 2 Zone (RR2) to allow the existing secondary dwelling to be used for short term accommodation (STA) for visitors to the area. The site is well suited to an STA as it is within a 15-minute drive of many local attractions including the villages of Consecon and Carrying Place, the Heritage Village, North Beach Provincial Park, and several bars, restaurants, orchards, studios, and antique shops. The site is large enough to accommodate required parking

and an amenity area for visitors. Its boundary is heavily treed and surrounded by open rural land, providing a large buffer from the road and surrounding uses.



Figure 4 - Site Layout

The current RU1 Zone only allows an STA as accessory to a bona fide operating farm in support of on-farm uses. The requested RR2 Zone allows an STA on a residential lot, within the principal residence or in a secondary dwelling. RR2 is the most suitable zone for the site. Whereas the RU1 Zone requires a minimum lot area of 10 hectares and allows a range of rural commercial and agricultural uses, the site has an area of only 2.8 hectares and is used exclusively for residential uses. The size and use of the site is most comparable to surrounding lots zoned RR2. It is also similar in size to the recently created lots along 1549 County Rd 2, which were rezoned to RR2 and have areas of 1.75 ha & 3.0 ha, respectively. As demonstrated in sections 4 & 5 of this report, the site meets all other policies and provisions applicable to STAs.

4 POLICY & REGULATORY CONTEXT

4.1 Provincial Policy Statement (PPS) 2020

The PPS provides broad direction for the use of, and development on rural lands. It permits residential uses and encourages sustainable and diversified tourism that is compatible with the rural landscape, can be sustained by rural service levels, and minimizes constraints on agricultural uses. The policies of the recently approved County Official Plan reflect the direction in the PPS and are reviewed in detail in Section 4.2 below.

4.2 Official Plan 2021

General

Section 2.3.1 states that there is a significant and growing rural community, and that diversified tourism, alongside limited residential development is encouraged if the environment and agricultural resources are protected. In support of growth management, objectives 3 and 4 emphasize accommodating a full range of uses and reviewing each development proposal on its own merits.

Designation

The site is designated **Rural Lands** on Schedule A-1 – in the Official Plan. It is not subject to any Natural Features, Constraint Areas, or Aggregate Resources, as identified on Schedules C, D and E, respectively.

Section 4.4.1 and 4.4.1.2(1) indicate that a variety of land uses are permitted in the Rural Lands designation including agricultural uses, rural residences, commercial, tourism, and recreational uses, and open space. Section 4.4.1.2, policies (4) & (5) emphasize that development in rural areas will be directed to areas that do not negatively impact agricultural operations or the scenic nature of the rural landscape. Policies (6) & (9) require that all new development comply with Minimum Distance Separation formula (MDS) the design policies for rural lands.

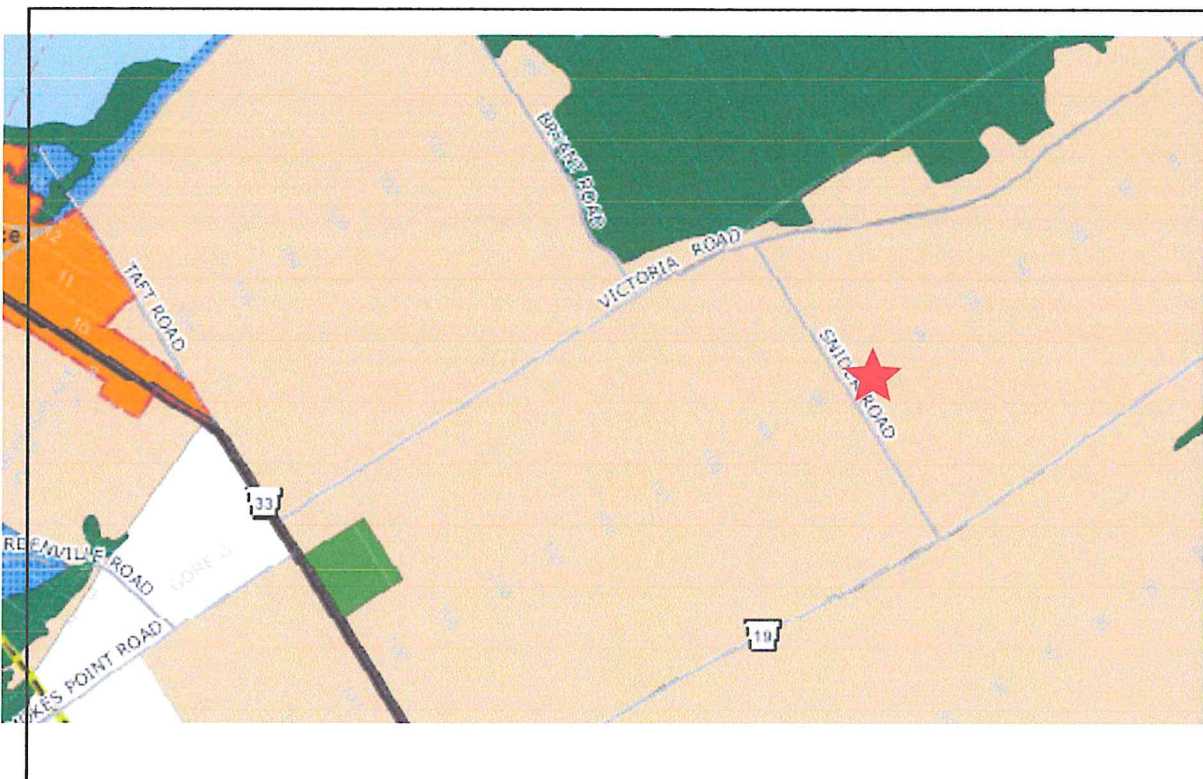


Figure 5: Official Plan, Schedule A-1 - Land Use

Economic Development Policies

Section 3.2.3 (5) states that tourism opportunities shall be encouraged, and permitted in areas outside of the Recreation and Tourism Areas if they satisfy the intent of the designation.

Section 3.2.3(8) sets forth policies for short term accommodations (STAs) to meet the needs of the travelling public while also protecting residential character and housing availability. STAs include bed and breakfast establishments and primary residence short term accommodation. The following applicable STA policies are of relevance:

Policy	Response
8)b)i) STAs shall generally respect and be compatible with the residential character, amenity, and quality of residential neighbourhoods.	The proposed STA would be located in an existing secondary dwelling. The site and buildings are well buffered from the road and surrounding uses. Much of the lot is undeveloped and contributes positively to the rural landscape.
8)c) STAs are generally directed to locate in Settlement Areas, Shore Land designations. and in existing dwelling units located in the commercial zones.	The STA is proposed on Rural Lands, but is appropriate as it respects the area character, will not constrain agricultural operations, is buffered from surrounding uses, and is in proximity to local tourist attractions.
d) Where located in the Rural Lands, STAs are permitted on: i. Lots existing as of October 9, 2018 or earlier and zoned (RR); ii. Bona fide operating farms in support of on-farm diversified uses.	The proposed re-zoning recommends an RR2 Zone.
e) STAs shall not contain more than four (4) guest rooms	The proposed STA contains three (3) guest rooms.
f) A second dwelling or dwelling unit on a lot will generally be discouraged for use as an STA, except where there exists a dwelling used as a principal residence.	A principal residence exists on the site.
g) STAs shall generally be encouraged to locate in proximity to established commercial areas, tourist areas or local attractions.	The proposed STA is within a 15-minute drive of many local attractions including the villages of Consecon and Carrying Place, the Heritage Village, North Beach Provincial Park, and several bars, restaurants, orchards, studios, and antique shops

Design Policies for Rural Lands

Appendix 'C-2' of the Official Plan establishes design policies for Rural Lands, which seek to preserve the character of the rural area. Design guidance includes applying treed buffers, reducing visual impact of dwellings, using simple materials, and locating driveways along hedgerows or fences.

4.3 Ontario Minimum Distance Separation (MDS) Guidelines

Guideline #10 states that an MDS I setback/calculation is only required for amendments to rezone or redesignate land already zoned or designated for a non-agricultural use if the amendment will allow a more



sensitive land use than previously permitted. As the residential uses permitted in the existing RU1 Zone are the same as those permitted in the proposed RR2 Zone, and as the RU1 Zone permits a bed and breakfast, which is a type of STA, the proposed rezoning will not result in allowing a more sensitive land use. An MDS I calculation and setback are therefore not required.

4.4 Zoning By-law No. 1816-2006 (October 2022 Consolidation)

Current Zone (RU1)

The Site is zoned Rural 1 (RU1). The zone permits several residential uses including but not limited to a detached dwelling, home business, second dwelling unit, accessory farm accommodation, and bed and breakfast. It also permits non-residential uses related to agriculture and forestry, and other uses such as a kennel, equestrian centre, and farm winery.

The existing single detached dwelling and second dwelling unit are permitted in this zone. With the exception of a bed and breakfast, the RU1 Zone only permits STAs that are accessory to a bona fide farm operation.

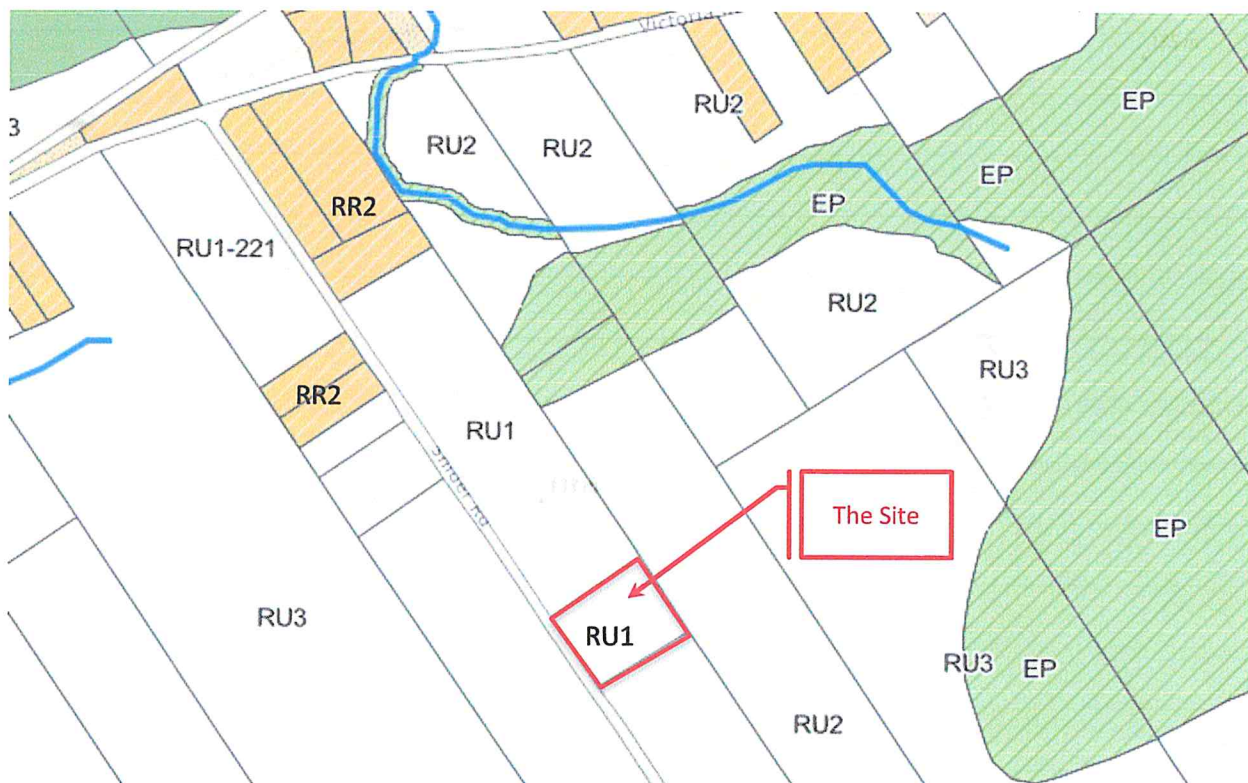


Figure 6 - Zoning By-law – GIS Mapping

Proposed Zone (RR2)

The proposed Rural Residential 2 (RR2) Zone permits the same residential uses that are permitted in the RU1 Zone, with the exception of an accessory farm accommodation. The permitted non-residential uses are much more limited.

The existing single detached dwelling and second dwelling unit are permitted in the proposed zone. The RR2 Zone allows a primary residence STA, which includes an STA in a second dwelling unit.

Zone Provision Comparison

The table below assesses conformity of the lot and existing structures with the applicable RU1 and proposed RR2 zone provisions. As demonstrated in the table, the site better conforms to the RR2 Zone. It is notable that all applicable STA provisions in section 4.37 of the by-law can be met on the site.

Provision	RU1 Zone Provisions	RR2 Zone Provisions	Provided*	Met?	
				RU1	RR2
Lot Area (min)	10 ha	0.8 ha	2.8 ha	N	Y
Lot Frontage (min)	60 m	60 m	146 m	Y	Y
Front yard (min)	15 m	15m	~ 60 m	Y	Y
Rear yard (min)	15 m	12m	~ 50 m	Y	Y
Interior side yard	7.5 m	6 m	Unknown	-	-
Building height (max)	10 m	10 m	< 10 m	Y	Y
Lot Coverage (max)	10 %	15 %	< 10 %	Y	Y
Landscaped Open Space	30 %	30 %	> 30%	Y	Y
Max # of Dwelling Units	2	2	2	Y	Y

* Note 1- Both Structures are existing and are permitted in their current location

5 ANALYSIS

5.1 Conformity with the PPS & Official Plan

The existing dwellings and the proposed STA are permitted uses in the Rural Lands designation, which allows a broad spectrum of rural uses, including rural residences, and encourages diversified tourism. The proposed STA will provide accommodation to area visitors, which supports tourism in Prince Edward County, including local businesses and attractions.

The Plan sets forth detailed policies for STAs. The site and proposed STA meet the intent of each of these policies, as described in detail in the table in Section 4.2 of this Report.

No new buildings or structures are proposed at this time, therefore there will be no additional pressure on existing infrastructure, nor constraints on surrounding agricultural uses. Existing development on the site meets the intent of the rural design policies, as it was designed to preserve the rural landscape by maintaining a low density, screening the site from view by trees, and setting buildings back significantly from lot lines.

As established in Section 4.3 of this report, the MDS I calculations and setbacks are deemed not to apply to this zoning by-law amendment application.

5.2 Conformity with the Zoning By-law

The purpose of the Zoning By-law is to implement the policies of the PPS and Official Plan, allow development that is appropriate for the site, and ensure that uses and buildings do not negatively impact surrounding uses. The proposed amendment is consistent with this intent.

Whereas the RU1 Zone requires a minimum lot area of 10 hectares and allows a range of rural commercial and agricultural uses, the site has an area of only 2.8 hectares (as illustrated in the table in Section 4.3) and is used exclusively for residential uses. The size and use of the site is most comparable to surrounding lots zoned RR2, which is also the best suited zone for the site.

The RR2 Zone allows an STA in a second dwelling unit on the condition that a principal residence is located on the same lot. The site meets this requirement. It is anticipated that the impact of the STA on adjacent lots and on the rural landscape will be no greater than a bed and breakfast establishment, which is a permitted use in the existing RU1 Zone. It is also notable that the existing RU1 Zone allows the second dwelling unit to be rented for periods of longer than 30 days, therefore the rezoning request relates principally to short term versus long term rental. As mentioned in section 5.1 above, the location of the second dwelling unit in the middle of the site, the screening provided by trees, and the significant distance of the site to the nearest building (>350 m) will ensure that there is not negative impact on surrounding uses.

6 CONCLUSION

Based on the merits of the application and the research and analysis presented in this report, it is concluded that the requested Zoning By-law Amendment is appropriate and represents good planning. It conforms to the policies of the PPS and Official Plan, is consistent with the intent of the applicable Zoning By-law provisions and regulates the site in a manner that is compatible with surrounding uses.

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