

PRESCOTT

EST 1784

THE FORT TOWN

SPECIAL COUNCIL

June 5, 2017, 6:30 pm

Council Chambers

360 Dibble St. W.

Prescott, Ontario

| | Pages |
|---|-------|
| 1. Call to Order | |
| 2. Approval of Agenda | |
| Suggested Motion | |
| <i>"THAT the agenda for the Special Council Meeting of June 5, 2017, be approved as presented."</i> | |
| 3. Declarations of Interest | |
| 4. Staff | |
| 4.1 PAC Report 05-2017 - Consent Application 146-148 Park Street, Legal Description Part Lots K and L Plan 19 | 1 |
| Suggested Motion | |
| <i>"THAT Council approves the proposed consent application subject to the conditions listed in PAC Report 05-2017."</i> | |
| 4.2 PAC Report 06-2017 - Consent Application 129-133 Wood Street, Legal Description Part Lots 1 & 2, Block 6 Plan 19 | 4 |
| Suggested Motion | |
| <i>"THAT Council approves the proposed consent application subject to the conditions listed in PAC Report 06-2017."</i> | |
| 5. By-laws | |
| 5.1 Sale of Land By-law | 7 |
| Suggested Motion | |
| <i>"THAT By-law 27-2017, being a by-law to authorize the sale of land by</i> | |

the Corporation of the Town of Prescott to 71337796 Canada Inc.; that land being Pt Lot O, Plan 19 Prescott, being Part 2, on Plan 15R11504, Prescott, Ontario, be read a first and second time."

Suggested Motion

"THAT By-law 27-2017, being a by-law to authorize the sale of land by the Corporation of the Town of Prescott to 71337796 Canada Inc.; that land being Pt Lot O, Plan 19 Prescott, being Part 2, on Plan 15R11504, Prescott, Ontario, be read a third time, passed and signed by the Mayor and Clerk."

6. Period for Media Questions

7. Confirming By-Law – 28-2017

9

Suggested Motion

"THAT By-Law 28-2017, being a by-law to confirm the proceedings of the Special Council meeting held on June 5, 2017, be read a first and second time."

Suggested Motion

"THAT By-Law 28-2017, being a by-law to confirm the proceedings of the Special Council meeting held on June 5, 2017, be read a third time, passed and signed by the Mayor and Clerk."

8. Adjournment



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| | | Date Req'd |
| Information Purposes | | |
| Policy / Action Req'd | X | June, 2017 |
| Strategic Plan | | |

Report No. PAC 05 - 2017

STAFF REPORT TO PLANNING ADVISORY COMMITTEE

From: Pierre Mercier, MCIP, RPP
 RE: Consent Application 146 -148 Park Street
 Legal Description Part Lots K and L Plan 19

RECOMMENDATION:

That Council approves the proposed consent application subject to the conditions listed in this report.

BACKGROUND / ANALYSIS:

The subject property is the site of 2 existing semi-detached dwellings on a single lot having a frontage of 63.9 feet and an area of 4490 square feet. The purpose of the application is to sever the property along the party wall to create 2 lots each with a semi-detached dwelling which could then be independently transferred.

REGULATORY CONTROL REVIEW

Provincial Policy Statement

As part of the province’s long term commitment to economic prosperity and social wellbeing all planning applications must be consistent with the Provincial Policy Statement 2014 (PPS). As such, a review of applicable policies must be undertaken and reviewed under the “consistent with” test required under the *Planning Act*.

The proposed severed lands are located in a Settlement Area designation. The PPS provides that settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted. Development should be directed to designated settlement areas where intensification opportunities exist which can be accommodated and appropriately serviced. Such development should not result in the provision of unplanned municipal services. The proposed severed lots will not result in

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| | | Date Req'd |
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| Policy / Action Req'd | X | June, 2017 |
| Strategic Plan | | |

land use conflicts and no additional municipal services will be required as a result of this proposed development.



Subject Property
146-148 Park St W.

Official Plan

The Town’s Official Plan designates the subject property as Residential. The Plan allows for this type of development as there is no impact on the Town’s ability to provide services.

Zoning

Low Density Residential – R1

The existing use and zoning of the property conforms to the Official Plan. The severed and retained lots appear to meet current zoning standards.

Other Concerns

The application documents do not provide any information with respect to water and waste water services. As these units will now be located on separate land parcels, each dwelling unit should have direct connections to municipal piped services.

Recommendation

It is recommended that Council approve the proposed consent application subject to the following condition:



| | | Date Req'd |
|-----------------------|---|------------|
| Information Purposes | | |
| Policy / Action Req'd | X | June, 2017 |
| Strategic Plan | | |

1. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Town.
2. Confirmation that each lot will be independently serviced with municipal piped water and waste water

Respectfully submitted,

Pierre Mercier, MCIP, RPP
Chief Administrative Officer



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| | | Date Req'd |
| Information Purposes | | |
| Policy / Action Req'd | X | June, 2017 |
| Strategic Plan | | |

Report No. PAC 06 - 2017

STAFF REPORT TO PLANNING ADVISORY COMMITTEE

From: Pierre Mercier, MCIP, RPP
 RE: Consent Application 129 - 133 Wood Street
 Legal Description Part Lots 1 & 2, Block 6 Plan 19

RECOMMENDATION:

That Council approves the proposed consent application subject to the conditions listed in this report.

BACKGROUND / ANALYSIS:

The subject property is currently a construction site where 4 semi-detached dwellings are being constructed on 2 existing lots of record. These lots were created in 2016 when the Ontario Municipal Board ruled against a number of local residents who were opposed to splitting the property into 2 separate lots in order to allow the construction of 4 semi-detached dwellings (i.e. 2 semi-detached dwellings on each of the 2 lots).

The property has since sold to a different developer who intends to construct the semi-detached dwellings and then to sell the individual units separately. In order to do so the existing lots need to be severed into 2 separate parcels for a total of 4 lots to be developed into 4 semi-detached dwellings (1 on each lot).

REGULATORY CONTROL REVIEW

Provincial Policy Statement

As part of the province's long term commitment to economic prosperity and social wellbeing all planning applications must be consistent with the Provincial Policy Statement 2014 (PPS). As such, a review of applicable policies must be undertaken and reviewed under the "consistent with" test required under the *Planning Act*.

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The proposed severed lands are located in a Settlement Area designation. The PPS provides that settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted. Development should be directed to designated settlement areas where intensification opportunities exist which can be accommodated and appropriately serviced. Such development should not result in the provision of unplanned municipal services. The proposed severed lots will not result in land use conflicts and no additional municipal services will be required as a result of this proposed development.



Subject Property
129 -133 Wood St E.

Official Plan

The Town's Official Plan designates the subject property as Residential. The Plan allows for this type of development as there is no impact on the Town's ability to provide services.

Zoning

Low Density Residential – R1

The existing use and zoning of the property conforms to the Official Plan. The severed and retained lots appear to meet current zoning standards.

Although the zoning by-law permits single, duplex and semi-detached dwellings in the R1 zone, the lot area and configuration of the subject properties are such that only semi-detached dwellings can meet the R1 zone standards. The construction of any other type of dwelling would require further planning approvals.



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| | | Date Req'd |
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| Strategic Plan | | |

Recommendation

It is recommended that Council approve the proposed consent application subject to the following condition:

1. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Town.
2. An acceptable reference plan or legal description of the severed lands and the deed or instrument conveying the severed lands shall be submitted to the Township.

Respectfully submitted,

Pierre Mercier, MCIP, RPP
Chief Administrative Officer

**THE CORPORATION OF THE
TOWN OF PRESCOTT**

BY-LAW NO. 27-2017

A BY-LAW TO AUTHORIZE THE SALE OF LAND BY THE CORPORATION OF THE TOWN OF PRESCOTT TO 71337796 CANADA INC.; THAT LAND BEING PT LOT O, PLAN 19 PRESCOTT, BEING PART 2, ON PLAN 15R11504, PRESCOTT, ONTARIO

Being a by-law to authorize the sale of land by the Corporation of the Town of Prescott to 71337796 Canada Inc.; that land being Pt Lot O, Plan 19 Prescott, being Part 2, on Plan 15R11504, Prescott, Ontario

WHEREAS the Corporation of the Town of Prescott has agreed to sell the following property, namely: Pt Lot O, Plan 19 Prescott, being Part 2, on Plan 15R11504, Prescott, Ontario; and

WHEREAS it is deemed desirable to sell the said lands to 71337796 Canada Inc.;

NOW THEREFORE the Council of the Corporation of the Town of Prescott enacts as follows:

1. That the Mayor and Clerk be authorized on behalf of the Corporation of the Town of Prescott to sell the following lands: Pt Lot O, Plan 19 Prescott, being Part 2, on Plan 15R11504, Prescott, Ontario to 71337796 Canada Inc.
2. That the Agreement of Purchase and Sale dated October 19, 2016 between 71337796 Canada Inc. and the Corporation of the Town of Prescott, and all related amendments, Notices of Fulfillment of Condition, and Waivers are hereby ratified and approved, and authorized to be signed by the Clerk.
3. That the Mayor and Clerk are hereby authorized to sign any and all other documents required to complete the sale transaction.
4. This by-law shall come into force and take effect upon final passage.
5. That any other By-Laws, resolutions or actions of the Council of the Corporation of the Town of Prescott that are inconsistent with the provisions of this By-Law are hereby rescinded.

READ A FIRST AND SECOND TIME THIS 5th DAY OF JUNE, 2017.

Mayor

Clerk

READ A THIRD AND FINAL TIME AND PASSED THIS 5th DAY OF JUNE, 2017.

Mayor

Clerk

**THE CORPORATION OF THE
TOWN OF PRESCOTT**

BY-LAW NO. 28-2017

**A BY-LAW TO ADOPT THE PROCEEDINGS OF THE SPECIAL COUNCIL
MEETING HELD ON JUNE 5, 2017**

WHEREAS, Section 5(3) of *the Municipal Act, 2001 S.O. 2001, c.25, as amended*, provides that Council's powers shall be exercised by by-law;

AND WHEREAS certain actions of Council do not require the enactment of a specific by-law;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of the Town of Prescott enacts as follows:

1. Subject to Paragraph 3 of this by-law, the proceedings of the above-referenced Council meeting, including all Resolutions, By-laws, Recommendations, Adoptions of Committee Reports, and all other motions and matters decided in the said Council Meeting are hereby adopted and confirmed, and shall have the same force and effect, as if such proceedings were expressly embodied in this by-law.
2. The Mayor and Clerk are hereby authorized to execute all such documents, and to direct other officials of the Town to take all other action, that may be required to give effect to the proceedings of the Council Meeting referred to in Paragraph 1 of this by-law.
3. Nothing in this by-law has the effect of conferring the status of a by-law upon any of the proceedings of the Council Meeting referred to in Paragraph 1 of this by-law where any legal prerequisite to the enactment of a specific by-law has not been satisfied.
4. Any member of Council who complied with the provisions of Section 5 of the Municipal Conflict of Interest Act, R.S.O. 1990, Chapter M.50 respecting the proceedings of the Council Meeting referred to in Paragraph 1 of this by-law shall be deemed to have complied with said provisions in respect of this by-law.

READ A FIRST AND SECOND TIME THIS 5th DAY OF JUNE, 2017.

Mayor

Clerk

**READ A THIRD AND FINAL TIME AND PASSED THIS 5th DAY OF JUNE,
2017.**

Mayor

Clerk