

ADDENDUM

To October 18, 2022 Regular Council Meeting Agenda

5.3 Consent Application B53/2022(W)– DUDA ®

- **Amended** Memorandum from John Jackson, Planner on behalf of the Parry Sound Planning John Jackson, Planner dated October 10, 2022

CONSENT APPLICATION NO. B53/2022(W)

PART LOT 35, CONCESSION 13

AMENDED

GEOGRAPHIC TOWNSHIP OF HAGERMAN

GIBSON BAY ROAD

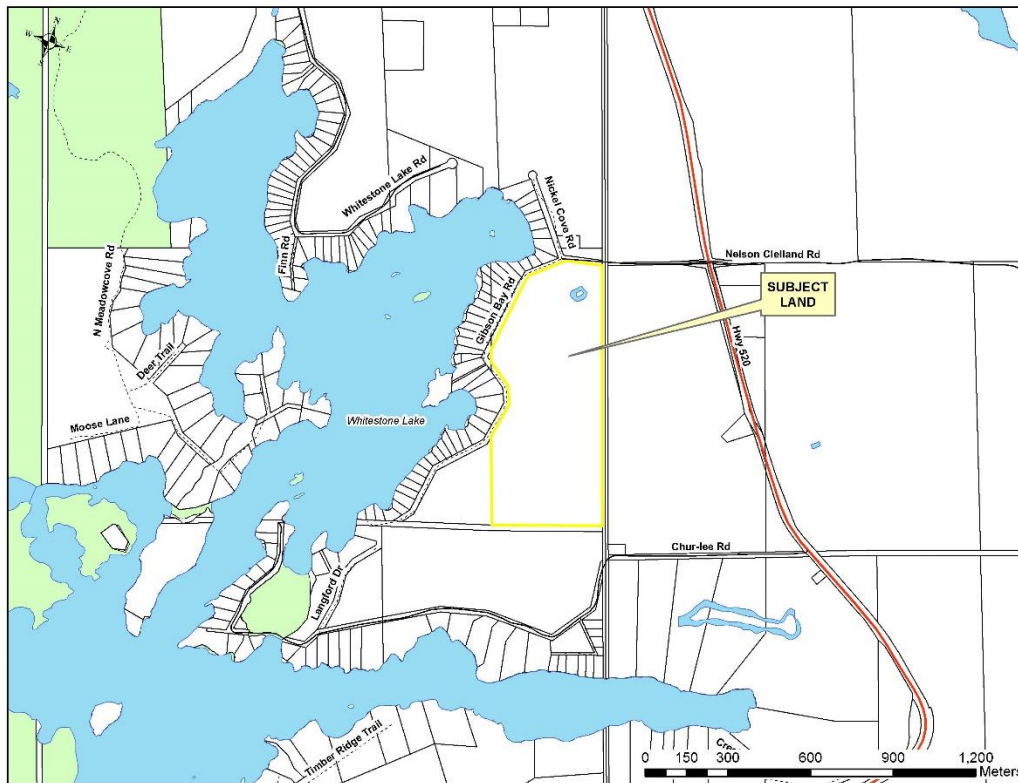
Roll # 4939 0100 0604 750

Applicant: 1569329 Ontario Inc. (Robert Duda)

October 10, 2022

BACKGROUND/PURPOSE

Robert Duda owns an 83.71 acre site on the east side of Gibson Bay Road.



The owner has provided an overview ([Link to overview](#))

He has also retained an environmental consultant to support an application to create 3 new rural lots with access off Gibson Bay Road. Gibson Bay Road is a private road that provides access to approximately 30 cottages.

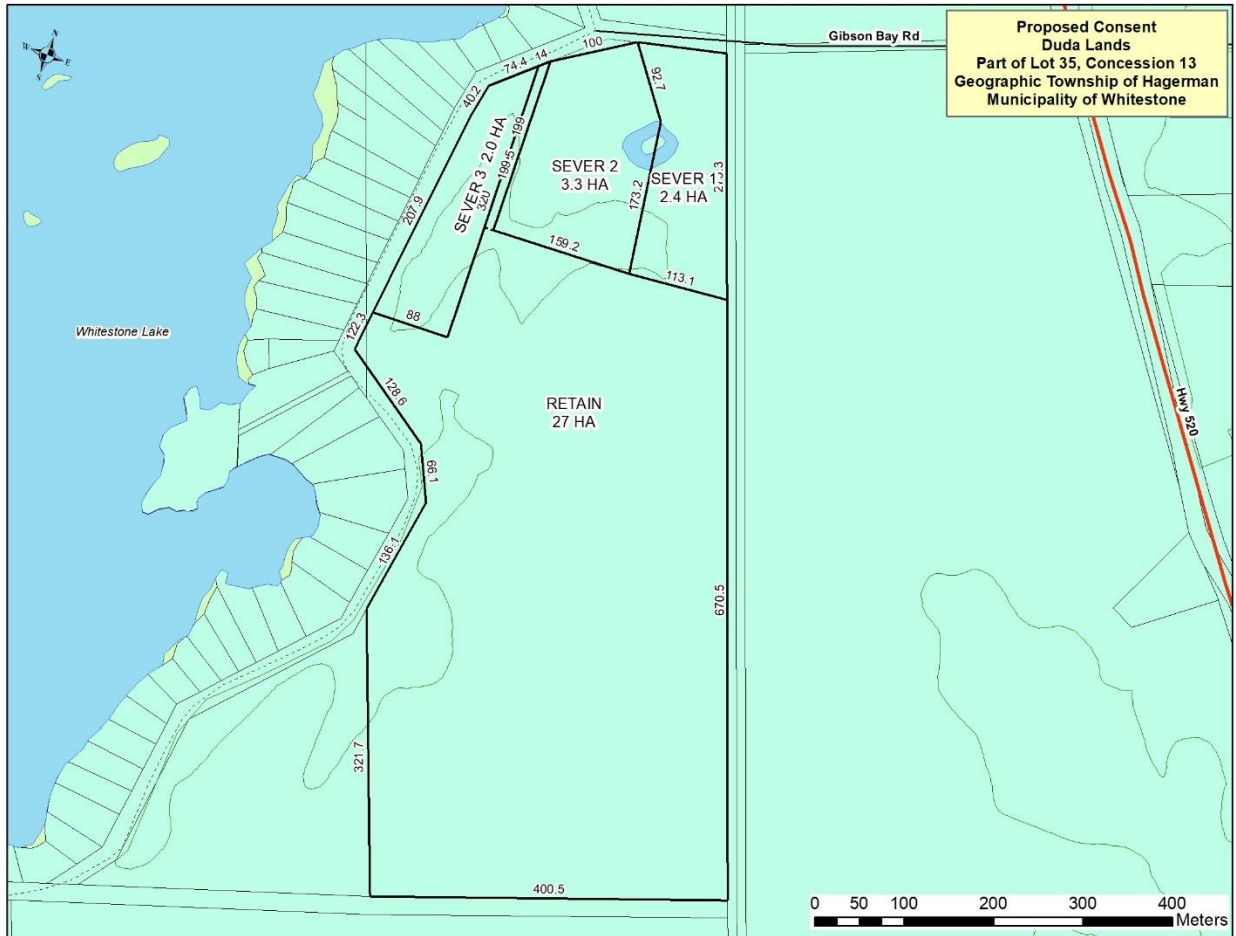
PROPERTY DESCRIPTION

The subject lands are described in detail in the environmental report. ([Link to report](#))

There would appear to be no constraints for the development of the lands.

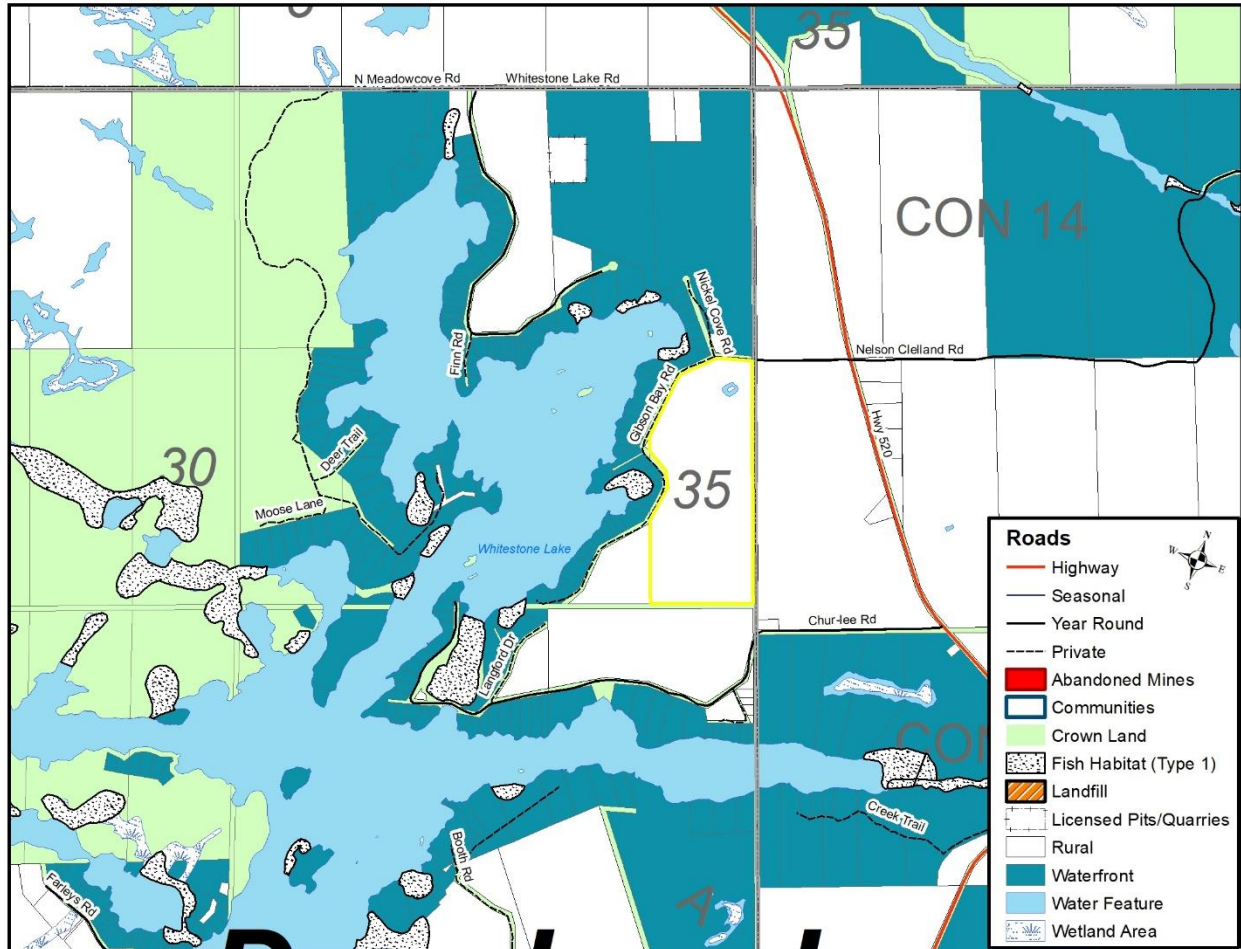
PROPOSED CONSENT

Mr. Duda is proposing to create three (3) new rural lots with frontage on Gibson Bay Road.



OFFICIAL PLAN

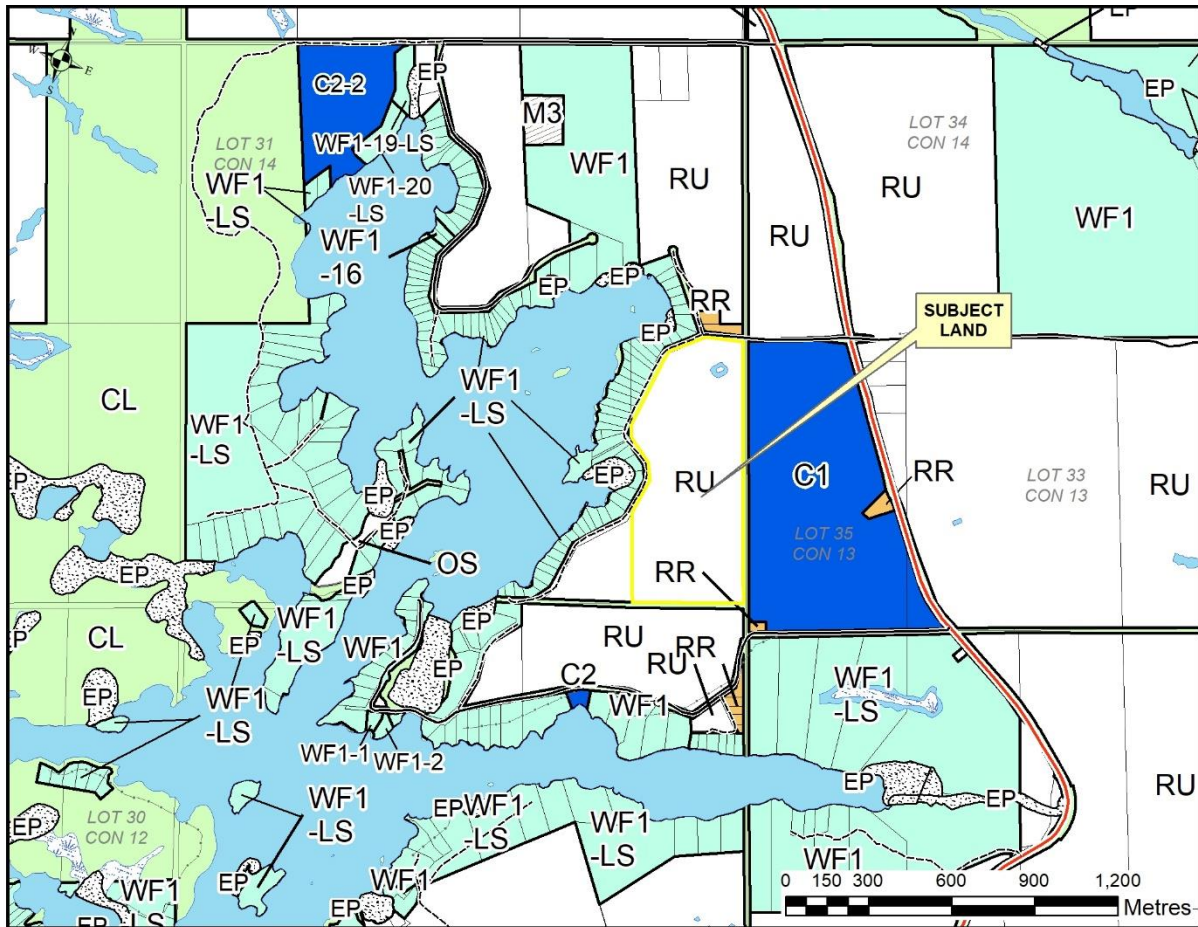
The subject lands are designated Rural in Whitestone's official plan.



Prior to Official Plan Amendment No. 2, development could not be considered on private roads. This new policy will allow existing parcels currently considered to be land locked to be eligible for building permits as well as the creation of additional lots on private roads.

ZONING BY-LAW

The subject lands are zoned Rural (RU).



The current zoning will allow new “backlots” in accord with the provisions of section 3.26

“3.26 d) In a Rural (RU), Rural Industrial (RUI) or Rural Residential (RR) Zone, a dwelling may front upon a private road, registered right-of-way or unassumed road allowance subject to the Limited Services provisions of this by-law and provided that the access is adequate for year round access and there are agreements in place to indemnify the Municipality from any responsibility or liability for the maintenance of the road.”

New parcels proposed to be located on private roads, not on water, are to be assessed for adequacy in terms of access, physical suitability, environmental impacts and limited zoning.

Based upon the information submitted, it would appear that the proposal to create 3 new lots on Gibson Bay Road subject to basic conditions.

RECOMMENDATIONS

That the consent application for the creation of three (3) Rural lots on Gibson Bay Road be Robert Duda in Consent Application No B53/2022(W) be approved subject to the following conditions.

1. Rezoning the severed lands to recognize the configuration of the lots including a Limited Service (LS) designation;
2. Entering in to a 51(26) Consent Agreement to recognize the private road access limit the liability and responsibility of the Municipality for its maintenance and to indemnify the Municipality;
3. Payment of a fee in lieu of parkland dedication;
4. 911 Addressing; and
5. Payment of all applicable planning fees.

Respectfully submitted



John Jackson M.C.I.P., R.P.P.
JJ;jc