

**Southeast Planning Review and Adjustment Committee /
Comité de révision de la planification de la Commission du Sud-Est**
Wednesday, September 28, 2022 / Le mercredi 28 septembre, 2022

Staff Report / Rapport du personnel

Subject / Objet : Temporary Use Application / Application pour une usage temporaire

File number / Numéro du fichier 22-1748

From / De :



Justin Grift

Planner / Urbaniste

Reviewed by / Révisé par :



Kirk Brewer

Planner / Urbaniste

General Information / Information générale

Applicant / Requéant :

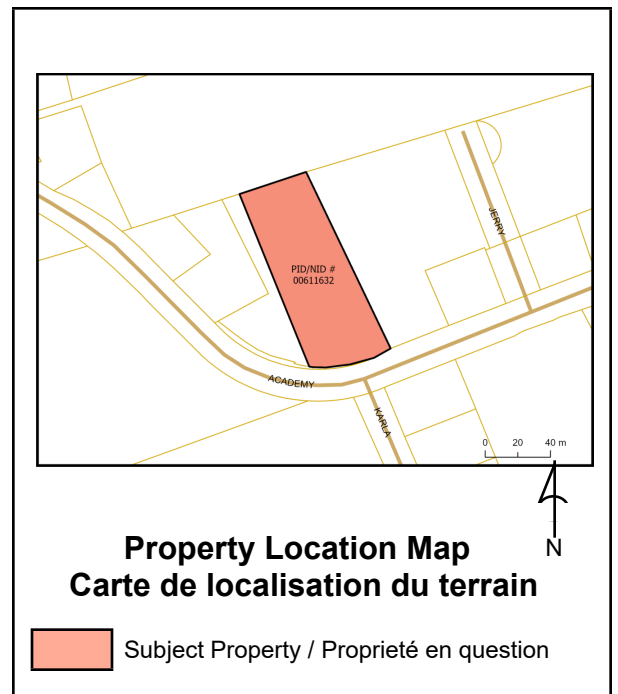
Kaytelyn Steele

Landowner / Propriétaire :

Kaytelyn Steele

Proposal / Demande :

To permit a second residential dwelling on the property for a temporary period of up to one year. / *Permettre un deuxième bâtiment résidentiel sur la propriété temporairement pour un maximum d'un an.*



Site Information / Information du site

PID / NID: 00611632

Lot Size / Grandeur du lot: 5261 sq.m.

Location / Endroit :

135 Academy Street, Village of Hillsborough / Village de Hillsborough

Current Use / Usage présent :

Residential / *résidentiel*

Zoning / Zonage :

Rural Area / *Zone rurale*

Future Land Use Designation / Désignation de l'utilisation future du sol :

Not applicable / Pas applicable

Surrounding Use & Zoning / Usage des environs & Zonage :

Surrounding Use / Usage des environs : Residential, vacant land, care home / *Terre vacante, résidentiel, foyer*

Surrounding Zoning / Zonage des environs : Single-unit Residential; Rural Residential; Parks, Recreation and Institutional / *Résidentielle unifamiliale, Zone rurale; Parcs, loisirs et services collectifs*

Municipal Servicing / Services municipaux:

Serviced by municipal sewer but has a private well.

Access-Egress / Accès/Sortie :

Academy Street

Policies / Politiques

Village of Hillsborough Rural Plan / Plan rural du Village de Hillsborough

Statements of Policy and Proposals

Section 1 - Residential Uses

P.1(1) It is the policy of the Village to conserve the residential character of the area and to have an optimum population density that fits with the Village's development constraints.

P.1(3) It is the policy of the Village to minimize land use conflicts between residential and other uses and to promote uses appropriate to a rural area.

P.1(5) It is proposed that dwelling units shall be subject to all applicable statutes and regulations including those respecting building, health and subdivision.

Zoning and/or Subdivision Regulation / Réglementations de zonage et/ou de lotissement

Village of Hillsborough Rural Plan / Plan rural du Village de Hillsborough

Section 7 - Rural Area Zone

7.1.1 Permitted Uses

In an RA zone, any land, building or structure may be used for the purposes of, and for no other purpose,

(a) one of the following main uses:

(iii) single-unit dwelling

Section 10 - General Provisions

10.13 Number of Main Buildings and Structures on a Lot

10.13.1 No more than one main building or structure shall be placed or erected on a lot, and no building or structure may be altered to become a second main building or structure on a lot except in accordance with this section.

Internal Consultation & External Consultation / Consultations internes et externes

Discussed and reviewed with the Southeast Regional Service Commission staff. / *Discuté et examiné avec le personnel de la Commission de services régionaux Sud-Est.*

Discussion

An application for a single-unit dwelling at 135 Academy Street was received on August 17th, 2022. The applicant is currently residing in an existing dwelling on the same property. The property is zoned Rural Area, is serviced by municipal sewer and has a total area of 5261 sq.m.. / *Une demande a été reçue pour une habitation unifamiliale sur la propriété a 135, rue Academy le 17 août 2022. Le requérant habite déjà dans une habitation unifamiliale sur la même propriété. La propriété est zonée Rurale, est desservi par le système d'égout de la municipalité et a une superficie de 5261 mètres carrés.*

As per the Hillsborough Rural Plan, no more than one main building can be placed or erected on a lot. Therefore, the applicant is requesting a temporary permit of one year to continue residing in their dwelling while the new dwelling is being constructed. The applicant plans to disconnect the existing dwelling from Village sewer to reconnect the new dwelling once it is ready and construction is completed.

Usually a temporary permit request for two single-unit dwellings on a lot will involve a mini-home which is much less permanent than a dwelling on a fixed foundation (slab or frostwall). However, after having explained this to the applicant, they shared they would prepare an affidavit to confirm the

existing dwelling will be removed within the period of one year. With an affidavit, Staff are of the opinion the request is reasonable and low risk. Village staff have also been informed of the possible risk and are comfortable with the recommendation of staff.

Public Notice / Avis public

Notification was sent to property owners within 60m of the subject property on September 14, 2022 / *Le 14 septembre 2022, un avis public a été envoyé aux propriétaires immobiliers à l'intérieur de 60 mètres de la propriété en question.*

Legal Authority / Autorité légale

Making of zoning by-law / *Prise de l'arrêté de zonage*

53(2) For greater certainty and without limiting subsection (1), a zoning by-law shall divide the municipality into zones, prescribe the purposes for which land, buildings and structures in a zone may be used and prohibit the use of land, buildings and structures for any other purpose, and may / *Pour plus de certitude et sans que soit limitée la portée du paragraphe (1), l'arrêté de zonage répartit la municipalité en zones, prescrit les fins auxquelles les terrains, les bâtiments et les constructions dans une zone peuvent être affectés et interdit toute autre affectation des terrains, des bâtiments et des constructions et peut :*

(i) empower the advisory committee or regional service commission, subject to the terms and conditions as it considers fit, / *habiliter le comité consultatif ou la commission de services régionaux, sous réserve des modalités et des conditions qu'il juge indiquées :*

(i) to authorize for a temporary period not exceeding one year a development otherwise prohibited by the by-law; / *à autoriser pour un délai provisoire maximal d'un an un aménagement par ailleurs prohibé par l'arrêté,*

(ii) to authorize, for an additional temporary period not exceeding one year, a development otherwise prohibited by the by-law if / *à autoriser pour un délai provisoire additionnel maximal d'un an un aménagement par ailleurs prohibé par l'arrêté, si sont réunies les conditions suivantes :*

(A) the applicant holds an authorization under subparagraph (i) that is to expire or has expired, / *le requérant détient l'autorisation prévue au sous-alinéa (i) qui va expirer ou qui a expiré,*

(B) an application with respect to the land has been made to amend the applicable zoning bylaw or rural plan, and / *une demande concernant le terrain a été présentée en vue de faire modifier l'arrêté de zonage ou le plan rural applicable,*

(C) the advisory committee or regional service commission has received a resolution from the council confirming that the council will consider the application referred to in clause (B); and / *le comité consultatif ou la commission de services régionaux a reçu une résolution du conseil confirmant qu'il examinera la demande mentionnée à la division (B),*

(iii) to require the termination or removal of a development authorized under subparagraph (i) or (ii) at the end of the authorized period, / *à exiger la cessation ou la suppression d'un aménagement autorisé conformément au sous-alinéa (i) ou (ii), à l'expiration du délai autorisé;*

Recommendation / Recommandation

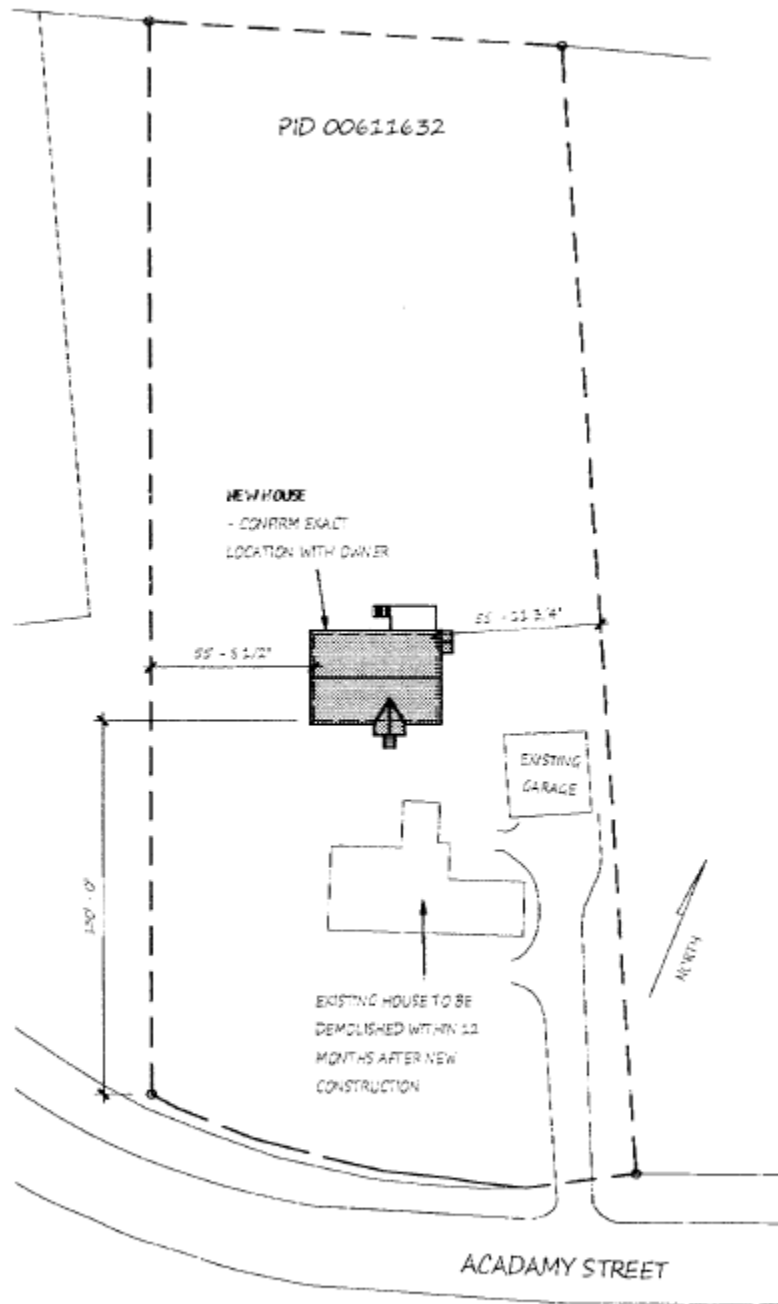
The SERSC staff respectfully recommends the Southeast Planning Review and Adjustment Committee to APPROVE the request for a temporary permit for a single-unit dwelling on a lot that already has a single-unit dwelling at 135 Academy Street with PID 00611632 for a maximum of one year of the date of approval. / *Le personnel du CSRSE recommande respectueusement au Comité de révision de la planification de Sud-Est d'approuver la demande de permis temporaire pour une habitation unifamiliale*

sur la propriété portant NID 00611632 a 135 rue Academy qui a déjà une habitation unifamiliale pour un maximum d'un an à compter de la date d'approbation. □

Note: This report was written in_ and translated to a bilingual document. Where a conflict exists between the two languages, the language the report was written shall prevail. / **Note:** *ce rapport a été rédigé en et traduit en version bilingue. En cas de conflit entre les deux langues, la langue dans laquelle le rapport a été rédigé a préséance.*

135 Academy Street (PID/NID 00611632)
Village of Hillsborough
Date: 9/6/2022





2 SITE PLAN
AD1 1" = 50'-0"