



PLANNING & DEVELOPMENT

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Consent Application Report – File # B93/2017

Owner: Gerald Boersma	Date: January 26, 2018
Applicant: Allan and Norma Vanderlaan	
Property Address: 305 Huron Street West	
Property Description: Part Lot 296 being Parts 2 and 3 on 22R-4128, Plan 376, Exeter	

Recommendation:

That provisional consent be:

- √ granted with conditions (attached)
- deferred (for ...)
- denied (referred to the Committee of the Whole, for a decision)

Purpose:

- √ enlarge abutting lot
- create new lot
- surplus farm dwelling
- right-of-way / easement
- other:

Area:	Official Plan Designation	Zoning
Severed: 59ft x 165ft (904 sqm)	Residential	R1-H
Retained: 78ft x 330ft (2,391 sqm)	Residential	R1-7 and R1-H

Review: This application:

- √ Is consistent with the Provincial Policy Statement (s. 3(5) Planning Act);
- √ Does not require a plan of subdivision for the proper and orderly development of the municipality (s. 53(1) Planning Act);
- √ Conforms with section 51(24) of the Planning Act;
- √ Conforms with the Huron County Official Plan;
- √ Conforms with the South Huron Official Plan;
- √ Complies with the municipal Zoning By-law (or will comply subject to a standard condition of rezoning or minor variance);
- n/a Has been recommended for approval by the local municipality; and
- √ Has no unresolved objections/concerns raised (to date) from agencies or the public.

(Applications that do not meet all of the foregoing criteria will be referred to the Committee of the Whole for a decision)

Agency/Public Comments:

	Not Received or N/A	No Concerns	Comments/Conditions
Conservation Authority (ABCA)	N/A		
Neighbours/Public	None Received		
Huron County Highways	N/A		
Huron County Health Unit	N/A		
South Huron Staff			See conditions. South Huron Building Department has identified that an easement runs north/south along the east side of 305 Huron Street (Lands to be retained) but the lands are not under the area of severance.

Figure 1: Aerial of Subject Property. Retained Parcel identified in Yellow. Severed Parcel identified in Red.

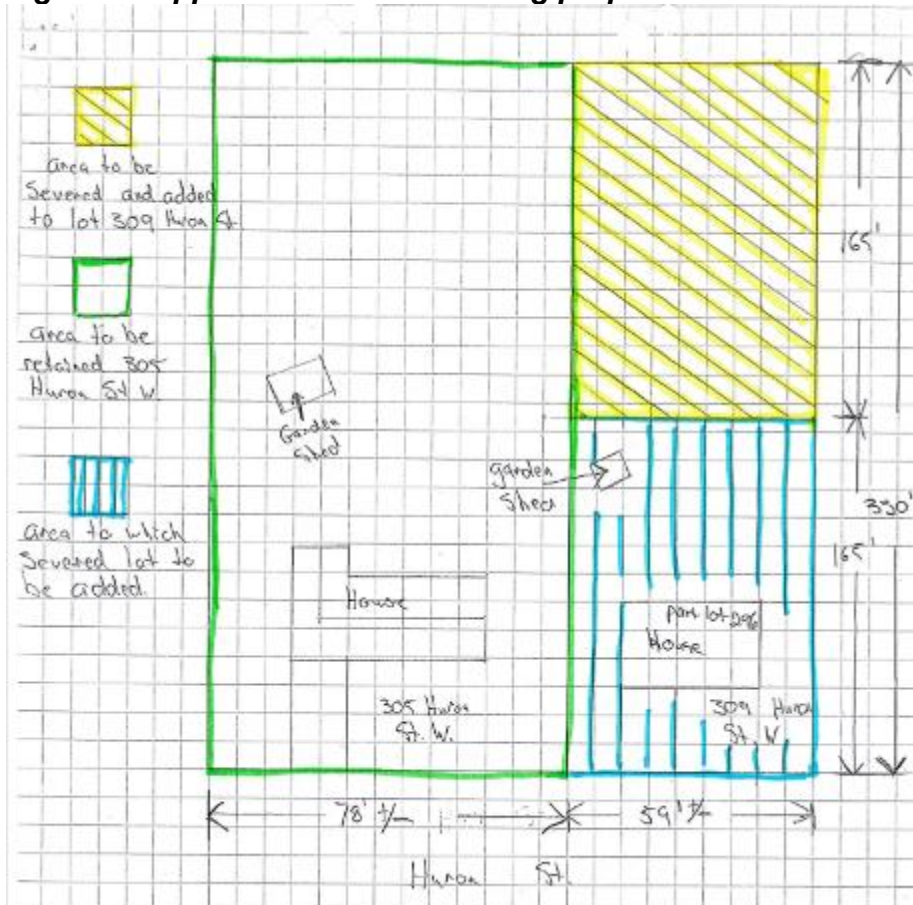


Note: structure has been removed since photo

Figure 2: Photo of subject lands. Severed area identified in red, retained in yellow.



Figure 4. Applicant sketch indicating proposed severance.



Purpose

The purpose of this application is to enlarge 309 Huron Street, an existing residential lot in the Town of Exeter. The vacant strip of land to be severed from 305 Huron Street is approximately 165ft deep by 59ft wide (based on applicant measurements). If approved, the severed lands would be added to the abutting lands described as Plan 376 PT Lot 296 AS RP 22R4128 Part 1, owned by Rob Consitt, municipally known as 309 Huron Street West. Both the retained lands, and the lands to which the severed parcel are to be added to have an existing residential dwelling and associated accessory structures. The severance will provide additional rear yard for the lands at 309 Huron Street.

South Huron Official Plan

The subject lands at 305 Huron Street West are currently designated Residential in the South Huron Official Plan. The lands to which the severed parcel will be added, 309 Huron Street West, are also designated Residential in the South Huron Official Plan. The Town of Exeter is identified in the Official Plan as a Primary Settlement area, and land division is permitted for a number of scenarios, including lot enlargement and boundary adjustment (per section 13.3.4.1 6).

The proposed minor boundary lot adjustment is in line with policies for consent in the Settlement area as no lots are proposed, no changes or extensions to existing services are required, both lots retain frontage on an open and maintained road, no additional traffic hazards will result, no buildings or structures are proposed, and this severance should not hinder or restrict existing and/or future development.

Town of Exeter Zoning By-law 30-1978

The subject lands at 305 Huron Street West are zoned R1-7 (Residential Low Density Special Provisions) and R1-H (Low Density Residential Holding Zone). The rear portion of 305 Huron Street which is the proposed area of severance is under the R1-H zoning which puts a holding on development on this area of land. The portion of lands proposed to be severed that are currently zoned R1-H, will remain under this zone following consent approval. The retained lands will maintain their current zoning, as will the lands to which the severed parcel is to be added after this consent. No change in zoning will result on either 305 or 309 Huron Street West as a result of this consent.

Lot frontages for 305 Huron Street West and 309 Huron Street West are existing for both parcels. The subject application proposes no change to lot frontage on either parcel of this application. The proposed consent will take land area from 305 Huron Street; the retained parcel at 305 Huron Street West will maintain minimum zone provisions required in the Town of Exeter Zoning By-law (Minimum lot area of 450 sqm required; resultant retained parcel will be approximately 2,391 sqm). Both properties are serviced by municipal water, and municipal sewers; no new services, or change to existing services are proposed as part of this application.

Additional Comments:

This application has been circulated to municipal agencies for review and comment. No public comments were received from the public at time of writing this report.

Summary:

As this application represents a minor boundary adjustment which meets the intent of the South Huron Official Plan and Town of Exeter Zoning By-law it is recommended it **be approved**.

Sincerely,

'Original signed by'
Sarah Smith

January 26, 2018
Date

Should Council choose to recommend this application for approval by the County of Huron, the conditions below are recommended. The application would be approved, on the condition that:

Expiry Period

1. Conditions imposed must be met within one year of the date of notice of decision, as required by Section 53(41) of the Planning Act, RSO 1990, as amended. If conditions are not fulfilled as prescribed within one year, the application shall be deemed to be refused. Provided the conditions are fulfilled within one year, the application is valid for two years from the date of notice of decision.

Municipal Requirements

2. Any and all monies owed to the Municipality must be paid in full, which may include but are not limited to servicing connections, cash-in-lieu of park dedication, property maintenance, water and wastewater charges, garbage and recycling charges, property taxes, compliance with zoning by-law provisions for structures etc.
3. 911 addressing for the subject lands be dealt with to the satisfaction of the Municipality.

Survey/Reference Plan or Registerable Description

4. Provide to the satisfaction of the County and the Municipality:
 - a) a survey showing the lot lines of the severed parcel and the location of any buildings thereon, and
 - b) a reference plan based on the approved survey;

Zoning

5. Where a violation of any municipal zoning by-law is evident, the appropriate minor variance or rezoning be obtained to the satisfaction of the Municipality.

Merging

6. The severed land merge on title with the abutting property to the west (309 Huron Street West, Town of Exeter, currently in the ownership of Rob Consitt) upon issuance of the certificate under Section 53(42) of the Planning Act, RSO 1990, as amended.
7. A firm undertaking is to be provided from the solicitor acting for the parties indicating that the severed land and the abutting property to the west (309 Huron Street West) be consolidated into one P.I.N. under the Land Titles system. Note: in the case where a title search has been completed and it has been determined that the severed/retained lands are registered in two different systems (e.g. the Registry or Land Titles system) and a consolidation is not possible then notice will be required to be registered in both systems indicating that the parcels have merged with one another and is considered to be one parcel with respect to Section 50 (3) or (5) of the Planning Act, R.S.O. 1990, C P.13 as amended.
8. Section 50(3) of the Planning Act, RSO 1990, as amended, applies to any subsequent conveyance or transaction of the retained land.