



PLANNING & DEVELOPMENT

57 Napier Street, Goderich, Ontario N7A 1W2 CANADA

Phone: 519.524.8394 Ext. 3 Fax: 519.524.5677 Toll Free: 1.888.524.8394 Ext. 3

www.huroncounty.ca

Consent Application Report – File # C30/2018

Owner: Hensall District Co-op	Date: May 28, 2018
Applicant: Monteith Brown (Jay McGuffin)	
Property Address: 210 Wellington Street West	
Property Description: Part Lots 24 & 25, Conc 1, Exeter, Municipality of South Huron	

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: 45.44 acres (18.39 ha)	Residential	R1-18, HL-H, OS, OS-1
Retained: 36.0 acres (14.57 ha)	Residential	M2-8

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		ABCA advised during pre-submission discussion they did not need to make formal comments on this application due to previous discussions and lands under original plan of subdivision.
Neighbours/Public		√	One call from neighbor asking about intent of subject lands to be severed. It was indicated lands are held under draft plan approval.
Huron County Highways	N/A		
Huron County Health Unit	N/A		
South Huron Staff			See conditions.

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



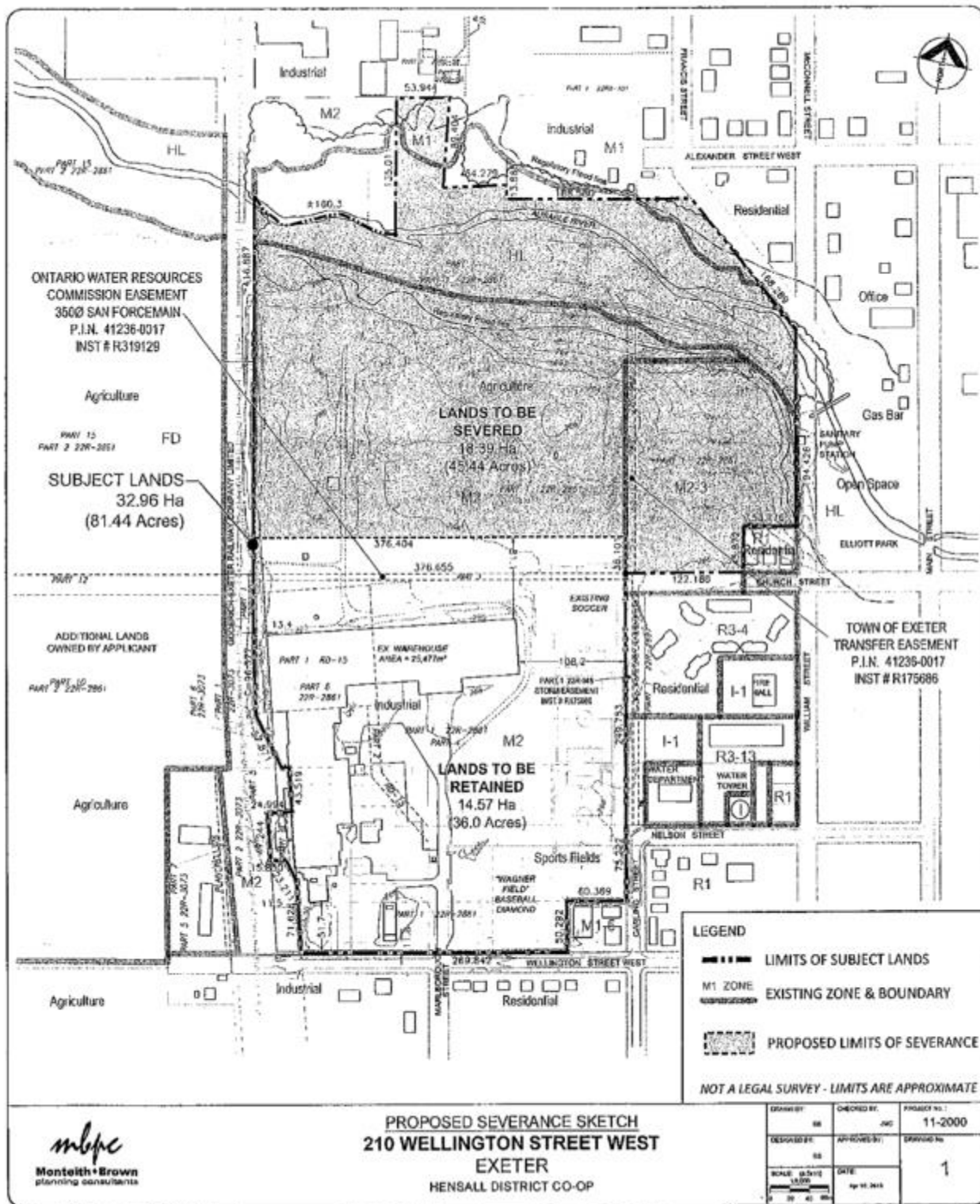
Figures 2 and 3: Photo of subject lands proposed to be severed. Facing Northwest and west.



Figure 4. Photo of lands proposed to be retained, facing North, including existing industrial facility.



Figure 5. Applicant sketch indicating proposed severance.



Purpose

The purpose and effect of this application is for the creation of a new lot for future residential development. The subject lands are within an existing parcel with vacant future draft plan approved residential lands in the north, being the area proposed to be severed, and an existing industrial building and operation on the south of the site, the lands intended to be retained. The applicant proposes to sever the north half of the property for development as a residential subdivision, representing the area under draft plan approval for residential development. The proposed severed parcel is approximately 45.44 acres of vacant land, and the retained parcel is approximately 36.0 acres of land which includes an existing industrial operation.

Review

Provincial Policy Statement

The PPS encourages development that represents residential intensification as well as redevelopment of existing sites for the efficient utilization of infrastructure, and public service facilities. The proposed infill consent is in an urban area with surrounding residential uses; the proposed consent is intended to sever a proposed residential subdivision that has received draft plan approval and is aligned with the direction of the PPS to provide for a range of housing types and densities.

Huron County Official Plan:

The County Official Plan promotes opportunities for residential developments that are located where services are available and sprawl is minimized. The proposed severed parcel is within the Primary I Settlement Boundary of Exeter and is designated for future residential purposes. The site has received draft plan approval for a future residential subdivision which will increase housing stock and supply in South Huron. The retained lands are an existing industrial operation which continues to support employment and industry in Exeter and South Huron.

South Huron Official Plan

The South Huron Official Plan designation for the subject lands is Residential within the Town of Exeter Urban Boundary, which is a recognized Primary I Settlement area (Full services). The goals for primary settlements are maximizing development opportunities in the existing settlement boundary, establishing a mix of uses and housing opportunities and densities, and encouraging new development into established neighbourhoods. New residential developments are encouraged through registered plan of subdivision with a density reflective of and that efficiently uses lands, resources, infrastructure and facilities. The severance proposed includes the existing boundaries held under draft plan approval; these lands will remain under this conditional approval and it is intended this will develop for residential use in line with the approved plan of subdivision.

The land division policies of the South Huron Official Plan specific to Primary Settlement Areas includes consents for creation of new lots in already developed areas. Consents may be granted subject to the goals and policies and the following criteria:

1. *Consents will be granted only in areas where the undue extension of any major services will not be required.*

Subject lands are in Exeter which has full municipal services. This north area proposed for severance has been reviewed and is held under draft plan approval. The draft plan approval addressed matters regarding service and deemed adequate for future development.

2. *Consents will be granted only when the land abuts an open public road which is of a reasonable standard of construction.*

Subject lands of severed parcel have received draft plan approval including the requirement for extension of Church Street along the south, to service this future development. The lands also do have some existing frontage along the west side of William Street. The retained lands also maintain frontage along Wellington Street.

3. *Consents shall have the effect of infilling in presently development areas.*

The subject lands are within the existing urban boundary of Exeter, a consent for a new parcel does not cause an extension to an urban boundary, and is within a presently developed area with a mix of residential predominate uses.

4. *The parcel size is appropriate for the proposed use and conforms with the provisions of the Zoning By-law, unless the by-law is duly amended or a variance granted. The amendment or variance will be in full force and effect prior to the stamping of the deed required to finalize the consent.*

The proposed severed parcel maintains minimum lot area for the R1-18 zone, and as previously noted lands are held under draft plan approval and intention for same to be developed in the future in line with the R1 site specific provisions for this property. The retained lands also meet minimum zone area and frontage from M2-8 zone that is applicable to this site.

5. *Consents will not result in traffic hazards from limited site lines or curves, grades or nearness to intersections, and*

The retained lands will maintain continued and existing access on Wellington Street. Traffic to the proposed severed parcel and future residential draft plan subdivision was addressed during site plan review. Traffic and road connections were considered at this time and conditioned accordingly. The severed lands will see the extension of Church Street, and also have some existing frontage along William Street.

6. *Consents will not hinder or restrict the interior development of a block of land.*

The proposed severance does not restrict future development of this site, nor adjacent properties that area existing. The retained lands are also not restricted maintaining existing function and operation, along with existing services and access along Wellington Street.

Town of Exeter Zoning By-law 30-1978

The subject lands at 210 Wellington Street were under a previous Zoning By-law Amendment application in conjunction with the past noted Draft Plan of Subdivision. Under this By-law (#37-2016) the area proposed to be severed was rezoned Low Density Residential Special Provisions (R1-18), Open Space (OS), Open Space Special Provisions (OS-1) and Hazard Land Holding (HL-H). The lands proposed to be retained are zoned General Industrial Special Provisions (M2-8) as amended under same By-law #37-2016.

On review of the request to sever the northern portion, being zoned R1-18, OS, OS-1 and HL-H these lands as noted before are held in an existing approved draft plan of subdivision. The proposed parcel itself meets the minimum zone provisions and lot area specific to R1-18 zone but individual lots are planned part of the proposed subdivision. Further, as noted access will be developed with extension of Church Street and there is existing access on the east of this parcel. Lands proposed to be retained are zoned M2-8 which permit the existing industrial operation. Lot area and lot frontage minimums in the Town of Exeter Zoning By-law are maintained for the proposed retained parcel, and access is existing onto Wellington Street. The proposed consent is consistent with the Town of Exeter Zoning By-law.

Additional Comments:

This application has been circulated to agencies and public. No formal public comments were received from the public at time of writing this report. One call was received, with questions regarding the intended use of the severed parcel. No further comments were made. Following Municipal review, conditions are included accordingly.

The development of the severed lands is to be in compliance with the previously approved draft plan of subdivision and related conditions. The applicant should also be aware that the lands to be retained will be required to be brought up to full municipal services when development. A note has been added in the conditions per each of the above, these are not considered formal conditions but a note to the applicant.

Summary:

As this application represents a creation of a lot 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

May 28, 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.
4. The sum of \$500.00 be paid to the Municipality as cash-in-lieu of parkland.

Survey/Reference Plan or Registerable Description

5. 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

6. 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.

Note: The lands proposed to be severed are held under a current draft plan of subdivision and subdivision conditions. All works are required in accordance with the draft approval, and conditions imposed on the subdivision/land. Any necessary permits and applications for future development of this parcel will be required from the County, Municipality and/or applicable law.

Note: The lands proposed to be retained will be required to be fully serviced under Municipal requirements when developed. Any necessary permits and applications for future development of this parcel will be required from the County, Municipality and/or applicable law.