

Consent Application Report – File # B15/2017

Owner and Applicant: 2514421 Ontario Inc	Date: September 5, 2017
Applicant: Keith I. McLean, Solicitor	
Property Address: 50 Norwood Village, Usborne Ward	
Property Description: <i>Parcel to be retained: Conc 1 PT Lot 15 Subject to Easement (50 Norwood Village)</i> <i>Parcel to be severed: West Part of Conc 1 PT Lot 15 Subject to Easement</i> <i>Parcel to which severed will be added: Conc 1 Pt Lot 14 as RP 22R66; Parts 6 to 15 (70740 London Road)</i>	

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: Validation Certificate

	Area	Official Plan Designation	Zoning
Severed:	0.29 ha	Highway Commercial and Residential	D and R4
Retained:	12.57 ha	Highway Commercial and Residential	D and R4

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/See Conditions
Conservation Authority	√		
Neighbours/Public	√		
Huron County Health Unit	√		
South Huron Staff			√

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Purpose:

The purpose of this application is to enlarge 70740 London Road, an existing Highway Commercial lot in the south of Exeter, Usborne Township, Municipality of South Huron. The proposed severed portion of land is currently vacant and is approximately 0.296 hectares in area. The proposed severed parcel is irregular in shape. If approved the severed lands would be added to the abutting lands described as Conc 1 Pt Lot 14 AS RP 22R66 Parts 6-15, municipally known as 70740 London Road. The proposed severed parcel is currently vacant land, and the retained lands include the existing Norwood Village residential area and vacant land deemed for future development in the South Huron Official Plan. The lands to which the severed parcel are proposed to be added to currently operate as part of the Hamather Motor Products automobile dealership. This consent application was submitted concurrently with files B16, B17 and B18 of 2017. These applications are proposed to square up the rear lot lines of the automobile dealership lots and bring them into conformity with the South Huron Official Plan for lands designated Highway Commercial.

Official Plan Policies:

The subject lands are designated Highway Commercial, and Residential in the South Huron Official Plan. The east portions of the subject lands being the retained parcel are designated Residential; these lands are proposed to remain under this designation. The west portions of the subject lands included in this application are designated Highway Commercial. Highway Commercial uses are meant to serve the travelling public and include auto dealers, and other commercial services. The proposed severed parcel will be added to an existing Highway Commercial use that functions as an automobile dealer. The purpose of the consent application is to align the lot fabric with the South Huron Official Plan and square up the rear yard of the parcel the severed lands are to be added to and abutting lands under same ownership.

The subject lands are included in the Exeter Settlement area in the South Huron Official Plan. Land division in Settlement Areas is subject to Section 13.3.4.1 of the South Huron Official Plan, which permits severances for lot enlargement purposes. No new lots are proposed in this application, and the lands will continue to be used for Highway Commercial uses. The retained lands are slated for future Residential development under the South Huron Official Plan policies. The application proposes no changes or extensions to existing services, the lot to be enlarged fronts on an open and maintained road, no additional traffic hazards will result, and this severance does not hinder or restrict existing and/or future development. Highway Commercial lands are

subject to Site Plan Control; any works on the lands to be enlarged will be required to go through the formal Site Plan Control process.

Zoning By-law

The area proposed to be severed is zoned R4 (Mobile Home Residential) and D (Development) in the Township of Usborne Zoning By-law. The lands to which the severed parcel are to be added are zone HC1 (Highway Commercial) which permit the existing automobile dealership. The proposed severed parcel is vacant, but a condition of consent to rezone the severed parcel to HC1 will be required to match the existing zoning and intended use of the parcel. The retained lands are zoned and will remain R4 (Mobile Home) and D (Development); no zoning changes are required for the retained lands.

The proposed severed parcel takes an approximate 38ft area from the south side of the existing Norwood Village residential area. Through submission materials with the applicant it has been demonstrated minimum zone provision will be maintained for buildings and structures on the retained parcel.

No new development is proposed as part of this severance application. The applicant has requested the lot addition to provide additional rear yard to 70740 London Road to square up the rear lot line with the abutting automobile dealership lots and to reflect the Official Plan designation in this area.

Based on the figures submitted by the applicant, the exact changes would be as follows:

Parcel A – To be enlarged (70740 London Road)

	HC1 Zone Requirements	Before Severance	After Severance
Lot Area	1,400 sq.m	5,983.34 sq.m	8,882.9 sq.m
Lot Frontage	23 m	50 m	50 m
Side Yard (North)	4.5 m	3.3m	14 m

Parcel B – To be retained (50 Norwood Village)

Lands Zoned R4	R4 Zone Requirements	Before Severance	After Severance
Lot Area	4 ha (area zoned R4)	4.67ha (approximate area for R4 zone)	4.47ha (approximate area for R4 zone)
Lot Frontage	100 m	60 m	60m
Side Yard (South)	1.25m (to accessory shed)	13m	5.94m (to accessory shed)
Lands Zoned D	D Zone Requirements	Before Severance	After Severance
	Note: Lands zoned Development have no minimum zone provisions.		

Figure 1. Aerial View of Subject Lands

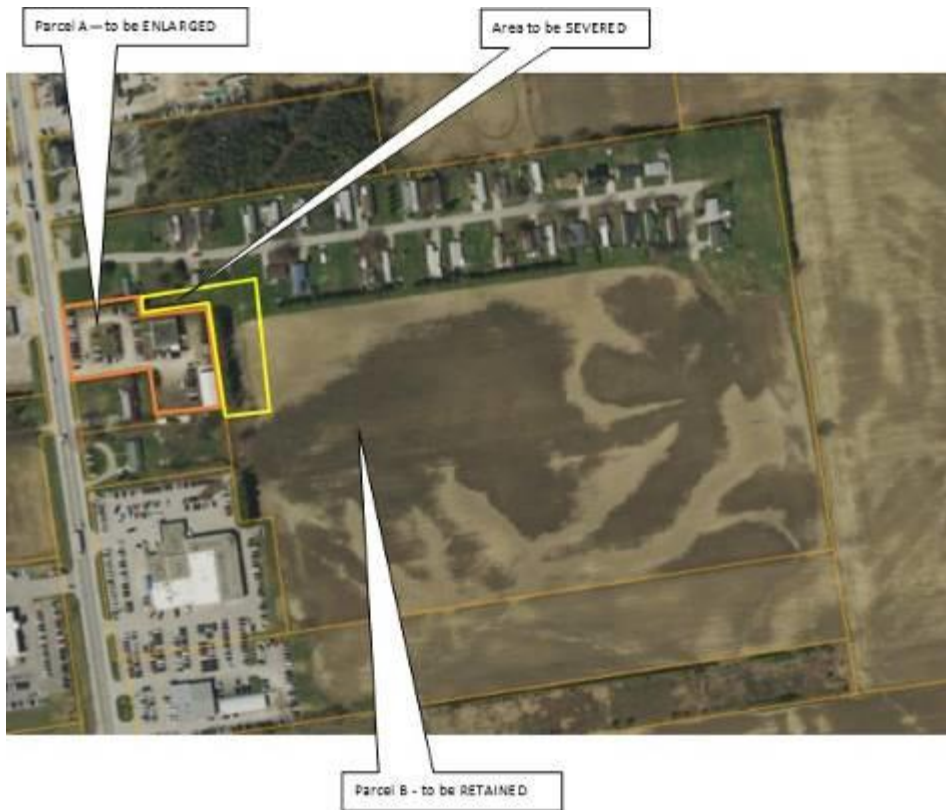
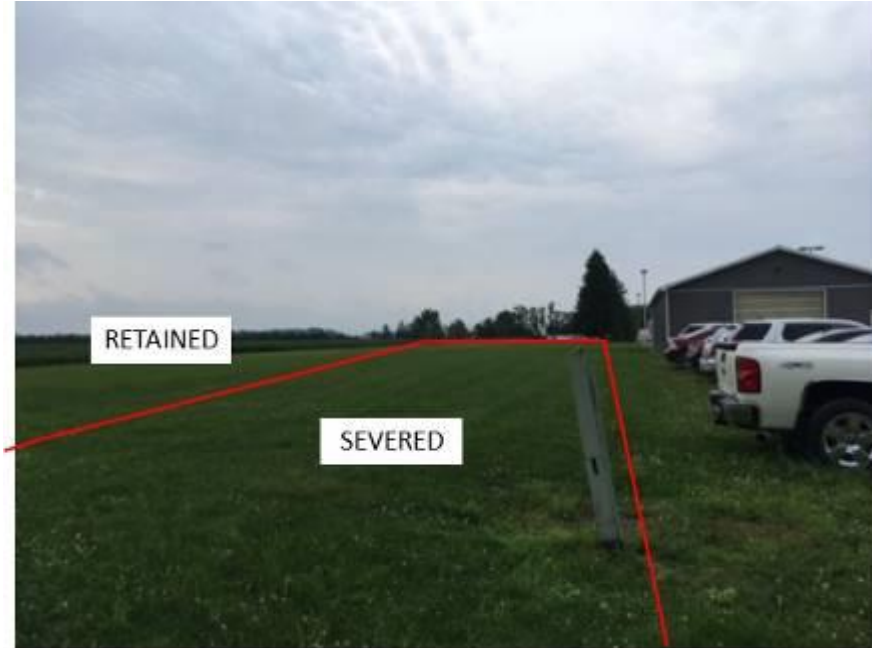


Figure 2 and 3. View of Lands to be severed





Summary:

It is recommended that this lot enlargement severance application be **approved** because it meets the intent of the Provincial Policy Statement, South Huron Official Plan and Township of Usborne Zoning By-law.

Sincerely,

“original signature in file”

Sarah Martin, B ES

September 5, 2017

Date

Date of Site Inspection: August 4, 2017

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.

Survey/Reference Plan or Registerable Description

3. 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

4. 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.
 - a) Severed parcel must be rezoned to reflect current zoning on lands severed parcel is to be added to.

Storm Water and Drainage

5. Any tile drains crossing between the severed and retained parcel be cut and re-routed to the satisfaction of the Municipality of South Huron.
6. The well located on the retained lands shall be decommissioned, or the owner must remove any connection between the private well and municipal water to the satisfaction of the Municipality of South Huron.

Merging

7. The severed land merge on title with the abutting property to the west (70740 London Road, Osborne Ward) currently in the ownership of Hamather Motor Products Ltd. upon issuance of the certificate under Section 53(42) of the Planning Act, RSO 1990, as amended.
8. The severed land and lands severed is to be added to merge on title with the abutting property to the South (70736 London Road, Osborne Ward) currently in the ownership of Hamather Motor Products Ltd. upon issuance of the certificate under Section 53(42) of the Planning Act, RSO 1990, as amended.
9. A firm undertaking is to be provided from the solicitor acting for the parties indicating that the severed land and the abutting properties to the West (70740 London Road) and South (70736 London Road) 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.
10. Section 50(5) of the Planning Act, RSO 1990, as amended, applies to any subsequent conveyance or transaction of the retained land.

Other

Any proposed development on the residential trailer park area of the lands to be retained must ensure no impact on existing septic systems. Replacement area needed for each unit is approximately 400 sq.m.