

Consent Application Report- File #B10-2017

Owner: Matthew and Lucas Sproul Applicant: Linda Wagner	Date: 11 April 2017
Property Description: Part Lot 42, Concession 14 s/t Easement, Registered Plan 22R6104 Parts 2 to 4, East Wawanosh, Township of North Huron	

Recommendation: That provisional consent be:

- √ granted with conditions (attached)
- deferred
- 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 Severed: 0.5 ha (+/-) (1.2 ac)	Official Plan Designation: Residential and Natural Environment- Limited Protection	Zoning: R1-10- Low Density Residential Special Zone, NE2- Natural Environment Limited Protection
Area Retained: 14.1 ha (+/-) (34.8 ac)	Official Plan Designation: Residential, Natural Environment- Limited Protection , and Parks and Open Space	Zoning: FD- Future Development, NE2- Natural Environment Limited Protection, and OS- Open Space

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 North Huron Official Plan,
- √ Complies with the municipal Zoning By-law (or will comply subject to a standard condition of rezoning or minor variance);
- NA 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
Maitland Valley Conservation Authority		√	"MVCA has no concern for application B10/2017. The application is in general conformance with Section 3.1, Natural Hazard Policies of the PPS, 2014."
Neighbours/Public	√		
Huron County Health Unit	√		

Figure 1 Aerial Photo of Proposed Severed and Retained Lands

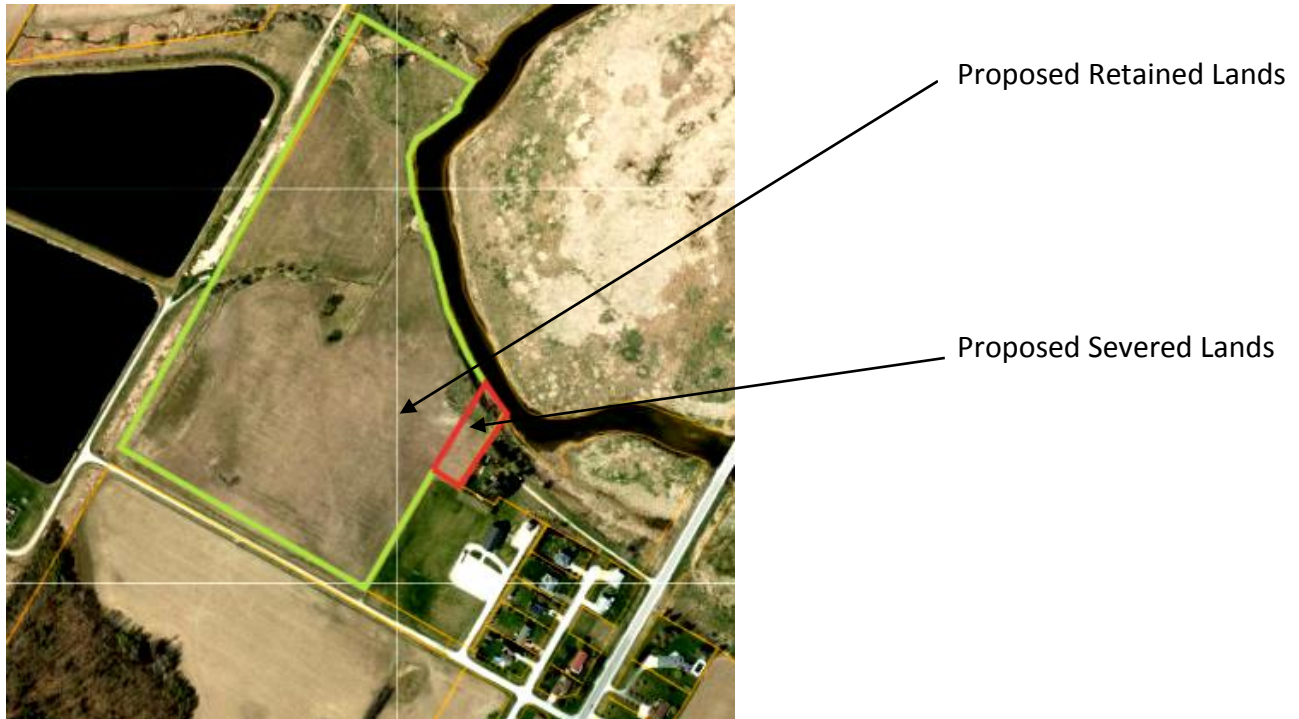


Figure 2 Aerial Photo of Land to be Severed



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Figure 3 Photo from Proposed Severed Property Looking South



Figure 4 Photo of the Proposed Retained Property



Figure 5 Photo of the Proposed Severed Property Looking North



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Additional Comments:

The purpose of this application is to sever land and enlarge an abutting property to the east through merging the severed lands. The land to be severed is approximately 1.2 acres and is vacant. The land to be retained is approximately 34.8 acres and is vacant with the existing use of crop growing.

Comments Received

Comments received from the Maitland Valley Conservation Authority recognized that a portion of the proposed severed parcel is within the regulated floodplain and hazard lands, but there is no proposed development for this application and as such, there is no increased risk to public health or safety or to property damage. Overall, the submitted comments from MVCA did not have concerns for the proposed severance.

Provincial Policy Statement

The *Provincial Policy Statement, 2014* (PPS) in Section 1.1.3 identify Settlement Areas as the focus of growth and development and that they should have efficient uses of land with development standards that facilitate intensification, redevelopment and compact form. This application does not require an undue extension of services and is an efficient use of land that is appropriate for the Settlement Area of Hutton Heights.

Official Plan Policies

The subject property is designated Residential, Natural Environment- Limited Protection and Parks and Open Spaces in the North Huron Official Plan. The subject property and abutting property are included in the tertiary settlement area of Hutton Heights. The consent policies in Section 11.3.3 of the Township of North Huron Official Plan contain criteria to permit a severance in a Settlement Area, including for lot enlargement purposes and if the severed parcel size is appropriate for the proposed use.

The subject property is identified as future development land and is one of the large vacant parcels of future residential land for Hutton Heights. Possible negative impacts on the development potential for this property were considered for this severance application. In reviewing a conceptual design for a possible residential subdivision created by B.M Ross for North Huron Township in the 2000s and the existing lot layout for abutting properties in Hutton Heights, it was determined that the proposed severance would have no negative impact on B.M Ross' conceptual subdivision design should it be developed. The proposed severance also aligns the rear property line with the interior side yard for the property to the south.

This application conforms to the North Huron Official Plan and its consent policies for a severance in a Settlement Area.

Zoning By-Law Provisions

The subject land is currently zoned Future Development (FD), Natural Environment Limited Protection (NE2) and Open Space (OS). The abutting property the severed land is to merge with is zoned Natural Environment Limited Protection (NE2) and Low Density Residential Special Zone (R1-10), which deems the existing lot and buildings to comply with the Zoning By-law. When the proposed severed land is merged with the abutting property it is enlarging, it will automatically be rezoned in accordance with the provisions of Section 3.15 of the North Huron Zoning By-Law and be zoned R1-10.

This application is consistent with the North Huron Zoning By-law.

Recommended Conditions

Expiry Period

- √ 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 decision.

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Municipal Requirements

- √ All municipal requirements be met to the satisfaction of the Township including servicing connections if required, cash-in-lieu of park dedication, property maintenance, compliance with zoning by-law provisions for structures, and any related requirements, financial or otherwise.
- √ The sum of \$500 be paid to the Township as cash-in-lieu of parkland.

Survey

- √ Provide to the satisfaction of the County and the Township:
 - 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

Merging

- √ The severed land merge on title with the abutting property to the east upon issuance of the certificate under Section 53(42) of the Planning Act, RSO 1990, as amended.
- √ A firm undertaking be provided to the satisfaction of the County from the solicitor acting for the parties, indicating that:
 - a) the severed land and the abutting property to the east will be consolidated into one P.I.N. under the Land Titles system; or
 - b) where consolidation is not possible as the parcels to be merged are registered in two different systems (e.g. the Registry or Land Titles system), a notice will be registered in both systems indicating that the parcels have merged with one another and are 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.

As this application to sever and enlarge an abutting property is consistent with the Provincial Policy Statement, conforms to the North Huron Official Plan, and is consistent with the North Huron Zoning By-law, it is recommended for approval with the above stated conditions.

‘Original Signed By’

Laura Young, Planner

11 April 2017

Date