



Staff Report PL2020-034

Title of Report: PL2020-034-B4-20 Paul and Ina Martin
Department: Clerks
Branch: Planning Services
Committee Date: August 26, 2020

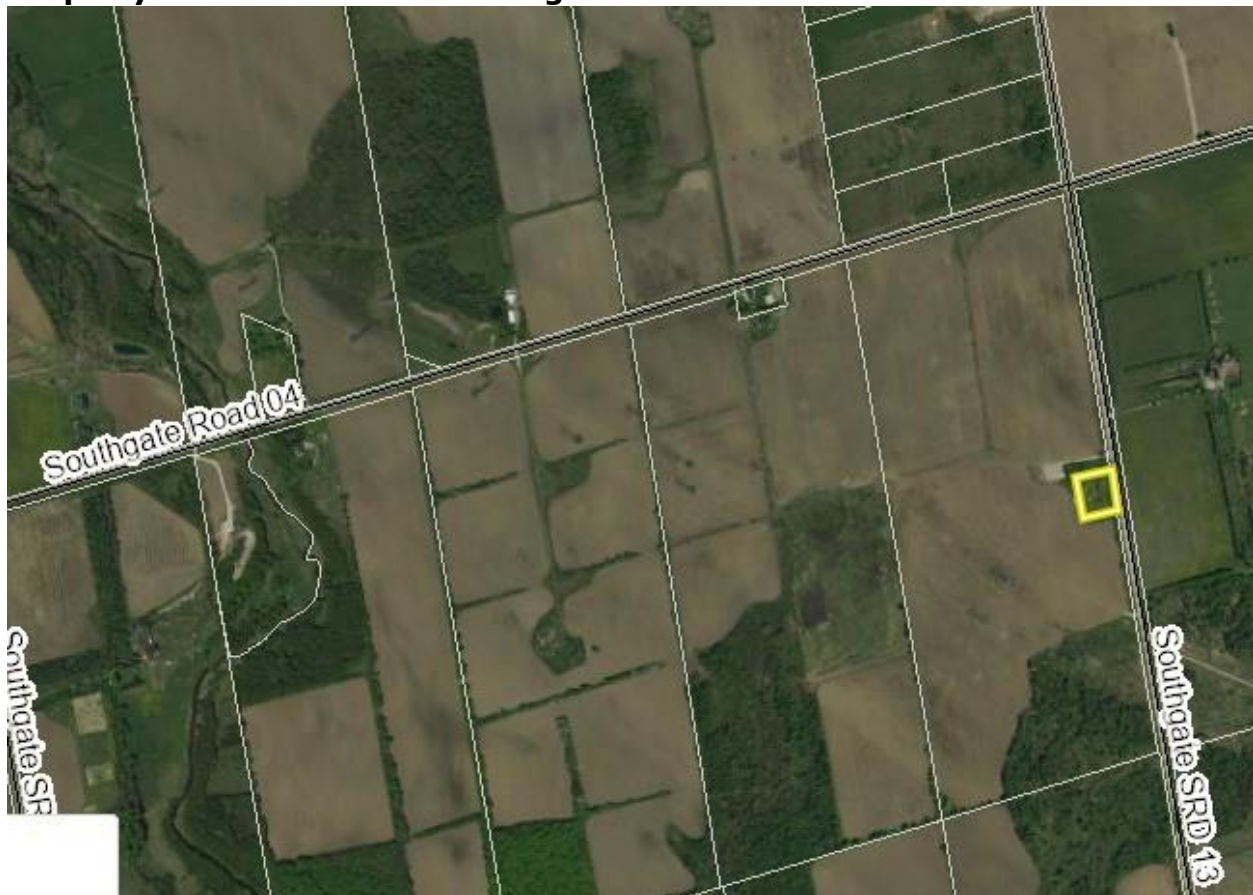
Recommendation:

Be it resolved that the Committee of Adjustment receive Staff Report PL2020-034 for information; and

That the severance be approved with the following conditions:

- 1. That** the retained lot be merged with the abutting farm parcel; and
- 2. That** the 3m road widening have a by-law passed to dedicated it as part of the public road allowance.
- 3. That** a survey be provided; and
- 4. That** all outstanding taxes, fees and charges are paid, if any.

Property Location: 131156 Southgate Sideroad 13



The proposal:

The proposal is to sever a 3m by approximately 68m strip of land and add to the Southgate Sideroad 13 Road allowance. The parcel is proposed to be 3m deep by 68m long. This severance is to facilitate the merging of the retained parcel with the abutting agricultural property. It is important to note that no new building lots will be created and this application will actually reduce the number of lots in the Area.

Background

The existing lot was created after 1979 and the planning act has a stipulation in it that indicates "once a consent always a consent", therefore, simply placing the two parcels in the same name, (the smaller parcel and the farm parcel) will not merge the lots. Based on a legal opinion from the Township's solicitor the only way to properly merge the lots is to remove a portion of the smaller (retained) parcel so that it is no longer the same original parcel. The smaller lot is no longer the same parcel, and therefore, it can now be merged with the adjoining parcel.

Staff Review

The following legislative and policy review was conducted by staff in review of this proposal.

Provincial Policy Statement 2020 (PPS)

The Provincial Policy Statement identifies matters of provincial interest including compatible development in rural areas as well as protection of aggregate resource areas.

The PPS allows for consent for legal or technical reasons. This consent is a technical consent to allow the lots to legally merge on title. No other development is proposed as part of this development.

The consent is consistent with the policies of the Provincial Policy Statement.

Southgate Official Plan

The Township Official Plan designates the subject lands as Agricultural, Hazard lands and a small portion of Rural. Generally, lot creation is very limited in the agricultural designation to surplus farm dwelling where MDS can be met. It is likely that the existing residential lot was a surplus farm severance to begin with. Consents for lot additions or to correct lot lines and title concerns may be considered in the Agricultural designation. The important consideration to remember is that no new lots will be created and in fact one fewer lots will be the result. The retained parcel is to be added to the adjacent farm parcel and the severed parcel is to be added to the road allowance. The proposed consent is consistent with the Policies of the Official Plan.

There are no MDS issues with this proposed consent as no new development is being proposed.

This consent is strictly a technical consent to allow the lands to be merged with the surrounding agricultural lot. Making agricultural lots larger and more viable is preferable and supported in the Township Official Plan.

Southgate Zoning By-law

The subject lands are currently zoned Agricultural (A1). This consent will have no substantial impact on the zoning for the A1 zone provisions. A zoning by-law amendment will not be required.

The proposal is consistent with the intent of the comprehensive zoning by-law.

Other Comments Received

The following comments were received as of the writing of this report include the following:

1. County of Grey Planning Department have not been received as of the writing of this report.
2. Enbridge Gas Inc. have no concerns with the application. They indicate that they may have service lines in the area and these service lines may need to be relocated at the owners expense.
3. Hydro One has reviewed the application and they have no concerns.
4. Township Public works have indicated that a road widening is required.
5. Bell Canada have no concerns
6. The Township Building department have no concerns with the proposal.
7. BWDSB has no concerns

The online version of this file, B4-20, can be found at the following link:

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notice.aspx#B4-20-Paul-Ina-Martin>

Site visit information

A site visit was not conducted for this application.

Conclusion

Staff are satisfied the proposed lot addition is consistent with Provincial Policy and the Township of Southgate Official Plan. Provided no negative comments are received from the County or the public it is recommended that the application be approved. Subject to the above conditions.

Respectfully Submitted,

Municipal Planner: *Original Signed By*
Clinton Stredwick, BES, MCIP, RPP



CAO Approval: *Original Signed By*
Dave Milliner, CAO

Attachments: