



TOWN OF MINTO

MEETING DATE: July 9th, 2024
REPORT TO: Mayor Turton and Members of Council
SERVICE AREA: Building Department
SUBJECT: PLN 2024-025 – B71/23: Michael & Tracy Schaus
Lot Line Adjustment
41 Park St W, Clifford
Part of Lots 61 & 62, Concession D

RECOMMENDATION

THAT the Council of the Town of Minto hereby receives Report PLN 2024-025, B71/23: Michael & Tracey Schaus, prepared by the Planning Coordinator, for information purposes;

AND FURTHER THAT the Council of the Town of Minto recommends that the County of Wellington Land Division Committee approve Consent Application B71/23 – Michael & Tracy Schaus, for land legally described as Part of Lots 61 & 62, Concession D, in the former Village of Clifford, also known as 41 Park Street West, Clifford, and that the following conditions be considered:

1. **THAT** the owner/applicant satisfies all the requirements of the Town of Minto, financial and otherwise, which the Town of Minto may deem to be necessary for the proper and orderly development of the subject lands, including but not limited to, the payment of any monies owed to the Town of Minto, and that all accounts are in good standing; and further that the Town of Minto file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

2. **THAT** the owner/applicant confirms they are aware of the following:
 - That the associated development costs of the parcel(s) are solely the responsibility of the Developer;
 - That a Site Servicing Agreement has been entered into with the Town of Minto, which will not be discharged until the Plan of Subdivision has been approved;
 - That the Town of Minto will continue to retain the securities under the Site Servicing Agreement until the works under that agreement have been constructed or alternate works have been approved by the Town through a Plan of Subdivision;
 - That the owner/applicant confirms they are aware that the Town of Minto will not discharge the 50m x 22m Park Street Bulb easement until the works under the Site Servicing Agreement or an alternative design has been approved and constructed to the satisfaction to the Town; and,

FURTHER, that the Town of Minto files with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

BACKGROUND

The consent application B71/23 is currently under consideration by the County of Wellington Land Division Committee. It proposes a lot line adjustment of 4.85 ha (12 acres) with a 258.44m frontage for Parcel B and 0.99 ha (2.45 acres) for Parcel C. The existing agricultural use is intended to be added to the abutting Parcel A (Clifford Development Inc.) for future urban residential development. The severed lands were included in the Clifford urban boundary due to a Provincially initiated modification to Official Plan Amendment (OPA 119). The retained parcel comprises 40 ha (98.84 acres) with a 177m frontage, and it currently includes both existing and proposed agricultural use, along with an existing dwelling, metal sheds, silos, and a barn.



Figure 1 – Aerial Photo

Source: County of Wellington GIS (2020)

In October 2023, the Province announced a reversal of modifications to OPA 119, restoring it to the original version adopted by the County, thereby excluding the severed lands from the Clifford urban boundary. However, a subsequent letter in November 2023 allowed for lower-tier municipalities to submit feedback on potential changes to the Official Plan by December 7, 2023, which was supported by Minto's Council.

On May 16, 2024, Bill 162, which included these lands, returning them into the Urban Boundary, which received Royal Assent. subsequently, the County's draft OPA 123 was modified to include the re-designating the subject lands from Prime Agricultural to Residential.

This Lot Line Adjust application was deferred by the County's Land Division Committee at the request of the owner/applicant, due to the unknown status of the Provincial direction of OPA 119. As the lands involved in this Lot Line Adjustment have been reinstated within the Urban Boundary of Clifford, the owner/applicant has decided to continue with this application.

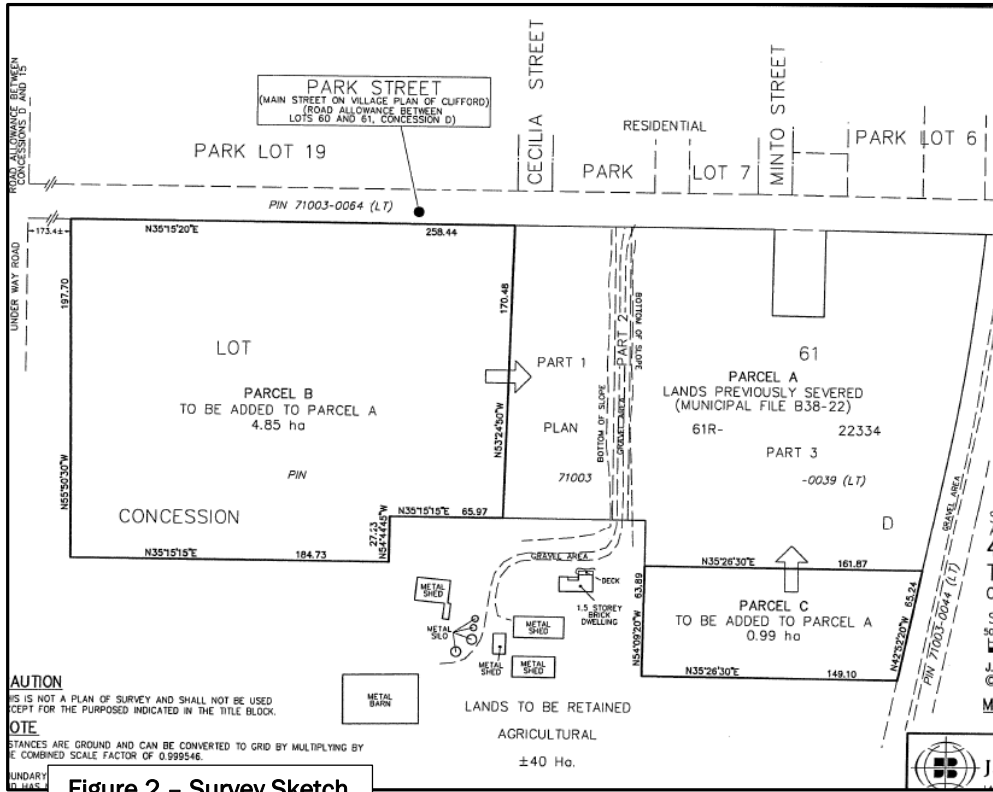


Figure 2 - Survey Sketch
 Source: J.D. Barnes Limited (2023)

Despite the severed lands currently being within the urban boundary of Clifford, they are currently still designated as Prime Agricultural. Therefore, the below policy applies.

Provincial Policy Statement	
Policy Section(s):	Section 2.3.4.2 Lot line adjustments in prime agricultural areas may be permitted for legal or technical reasons. Legal and technical reasons include minor boundary adjustments which do not result in the creation of a new lot.

County of Wellington Official Plan	
Designation(s):	Prime Agricultural, Greenlands and Core Greenlands
Policy Section(s):	<p>Section 4.7.1 A clear distinction between urban and rural areas should be maintained.</p> <p>Section 6.4 Agricultural uses and normal farm practices will be protected and promoted in accordance with provincial standards.</p> <p>Section 10.3.5 Lot line adjustments may be permitted for legal or technical reasons such as easements, correction of deeds, quit claims, and minor</p>

	<p>boundary adjustments, and where there are no adverse impacts on agriculture. The purpose of a lot line adjustment is not to create new lots.</p> <p>A relatively small portion of the retained lands at the rear of the property are designated Greenlands and Core Greenlands.</p>
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Town of Minto Zoning By-law	
Zone(s):	Agricultural Site Specific (A-1) and Natural Environment (NE)
Permitted Use(s):	<p>Agricultural Site-Specific (A-1) is site specific zoning that is for land approximately 1 km around the urban boundaries of Clifford, Harriston and Palmerston. The zone permits agricultural uses but does not permit new livestock facilities. It does permit for the reconstruction or addition of legally established existing livestock facilities, provided they can meet the MDS II calculation requirements.</p> <p>A relatively small portion of the retained lands at the rear of the property are zoned NE which is under the jurisdiction of the applicable Conservation Authority.</p>

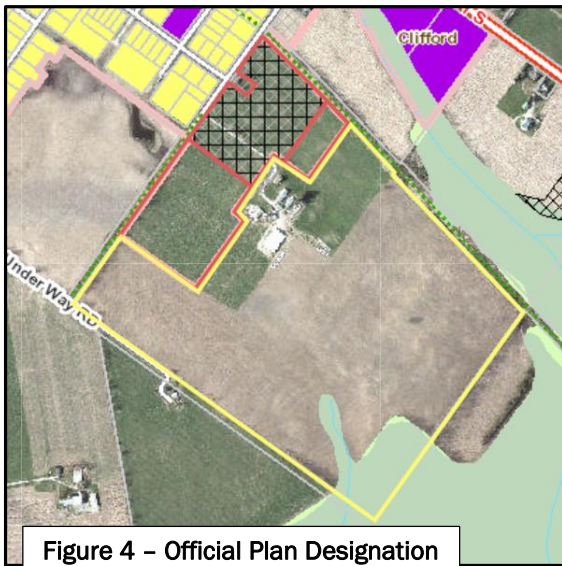


Figure 4 - Official Plan Designation

Source: County of Wellington GIS (2020)

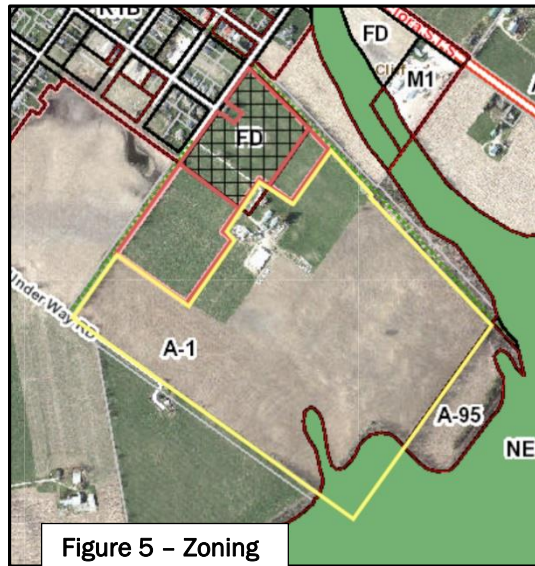


Figure 5 - Zoning

Source: County of Wellington GIS (2020)

COMMENTS

Town of Minto staff have been working with the owner/applicant for several years on the potential future development of the these parcels for a residential subdivision. Additional reports and applications will be brought forward to Council during the process of the development of the these parcels, including a Rezoning Application and a Subdivision application, where Council and the Public can comment on.

Town staff have recommended the following conditions be applied to the approval.

Department	Condition(s)
Building	<ul style="list-style-type: none"> • A farm driveway will be requesting to be designed and constructed on Underway Road as a condition for the approval of the subdivision.
Clerks & Treasury	<ul style="list-style-type: none"> • The owner satisfies all requirements of the Town, financial and otherwise, including the payment of any monies owed, and that all accounts are in good standing.
Public Works	<ul style="list-style-type: none"> • The Site Servicing Agreement that is registered on the title of parcel 'A' remains until the registration of the subdivision. • The Town will continue to retain the securities under the Site Servicing Agreement until the works under that agreement have been constructed or alternate works have been approved by the town through a plan of subdivision. • The applicant confirms they are aware that the Town of Minto will not discharge the 50m x 22 m easement until the subdivision has been approved.

The above comments will be addressed through the Town of Minto's recommended conditions.

STRATEGIC PLAN

Goal 1:

Manage Our Infrastructure Maintain, renew, and expand our municipally owned infrastructure to enhance healthy growth and our environment.

PREPARED BY:

Sama Haghghi, Planning Coordinator

RECOMMENDED BY:

Gregg Furtney, Chief Administrative Officer