

Summary of Comments

B-002-2022 - 876 Harbour Street



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER(S): B-002-2022

MEETING DATE: February 17, 2022

TO: Toomaj Haghshenas, Secretary Treasurer Committee of Adjustment

FROM: Vanessa Witt, MCIP, RPP
Senior Planner

SUBJECT: Validation of Title of 876 Harbour Street

PROPERTY INFORMATION:

Municipal Address	876 Harbour Street
Legal Description	PLAN 54 PT LOT 32 & 33
Official Plan	Residential Low Density 1 (Schedule B3)
Zoning By-law	Residential 1 (R1)

RECOMMENDATION:

The Planning Department recommends approval of B-002-2022.

REASON FOR APPLICATION(S):

The Applicant is proposing to validate the title of 876 Harbour Street to correct a previous title error arising from the merger of separate parcels of land (876 and 886 Harbour Street). The properties cannot be separately conveyed without a Certificate of Validation since the inadvertent merger is in contravention of the *Planning Act*.

SURROUNDING LANDS:

North	Single detached dwelling (886 Harbour Street)
East	Harbour Street and Stoney Point Road, and low density residential (single detached dwellings)
South	Single detached dwelling (868 Harbour Street)
West	Lands designated Key Natural Heritage Features & Key Hydrologic Features

ANALYSIS:

Site Inspection Date	February 9, 2022
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<p>Consistent with the Provincial Policy Statement: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>The subject properties of 876 and 886 Harbour Street are located within the Lefroy – Belle Ewart Settlement Area and are historical lots of record that inadvertently merged due to land transfers. The applicant has confirmed the history of the ownership and transfers in Schedule A to the application form submitted to the Committee of Adjustment. There are no concerns with respect to the Provincial Policy Statement in this regard.</p>
<p>Consistent with the Provincial Growth Plan: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>The subject properties are in a settlement area and are historical lots of record that inadvertently merged due to land transfers. There are no concerns with respect to the Growth Plan in this regard.</p>
<p>Consistent with the Lake Simcoe Protection Plan (LSPP): <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>876 Harbour Street is occupied by an existing single detached dwelling and detached garage on municipal sewer services and a private well. There are no concerns with respect to the Lake Simcoe Protection Plan (LSPP) since any development or redevelopment on the properties would be subject to the LSPP policies.</p>
<p>Conforms with the County and Town Official Plans: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>The subject properties are designated Settlements on Schedule 5.1 in the County of Simcoe Official Plan and Residential Low Density One on Schedule B3 of the Town Official Plan. Section 10.2.2 of the Town Official Plan permits single detached dwellings within the Residential Low Density One designation. The subject properties are historical lots of record that inadvertently merged. There are no concerns with respect to the County or Town Official Plan policies.</p>
<p>Complies with the Zoning By-law <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>The subject property at 876 Harbour Street is zoned Residential 1 (R1) in Zoning By-law 080-13. Section 4.1 permits single detached dwellings within the R1 Zone. The subject property appears to comply with the minimum lot frontage and area within the R1 Zone. Additionally, the properties are historical lots of record that inadvertently merged. Any development or redevelopment of the properties would be subject to compliance with the Zoning By-law.</p>
<p>Conforms to Section 2, 51(24) and 53(12) of the Planning Act: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>This application has been reviewed and in the opinion of Staff conforms to Section 2, 51(24) and 53(12) of the <i>Planning Act</i>.</p>

CONCLUSION:

Staff recommend approval of application B-002-2022.

PREPARED BY:

Vanessa Witt, MCIP, RPP
 Senior Planner

REVIEWED BY:

Steven Montgomery, MCIP, RPP
 Supervisor of Development Acceleration