

3. Purpose of this Application										
Proposed transaction (check appropriate box)										
<input type="checkbox"/> Transfer		<input type="checkbox"/> Creation of a new lot		<input checked="" type="checkbox"/> Addition to a lot			<input type="checkbox"/> An easement			
<input type="checkbox"/> A charge		<input type="checkbox"/> A lease		<input type="checkbox"/> A correction of title			<input type="checkbox"/> Other			
Specify Purpose, ie. Building lot, farm severance, lot addition, etc.										
Residential Building Lot										
Name of person(s) to whom land or interest in land is to be transferred, leased or charged										
TBD										
4. Description of Subject Land and Servicing Information										
Frontage (m)		Severed 8.7 m				Retained 12.6 m				
Depth (m)		68.6m				68.6m				
Area (m)		596 sqm				864 sqm				
5. Land Use										
Date Property Acquired April 2021										
Existing Use VACANT						Proposed Use RURAL RESIDENTIAL				
Existing and Proposed buildings and Structures										
Type of Building or Structure		Set Backs (m)				Height (m)	Dimensions (m x m)	Area (m2)	Date of Construction / Proposed Construction	Time use has continued (for existing buildings & structures)
		Front	Rear	Side	Side					
N/A	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
Water <input checked="" type="checkbox"/> Private Well <input type="checkbox"/> Communal Well <input type="checkbox"/> Municipal Water <input type="checkbox"/> Other: _____		Sewage Disposal <input checked="" type="checkbox"/> Private Septic <input type="checkbox"/> Communal Septic <input type="checkbox"/> Other: _____				Storm Drainage <input type="checkbox"/> Sewer <input checked="" type="checkbox"/> Ditches <input type="checkbox"/> Swales <input type="checkbox"/> Other: _____			Tile Drainage <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, please mark on site plan location of tile runs	

6. Zoning and Official Plan Information

Current Zoning	Current Official Plan	
Rural Residential (RR)	Rural	
Related Applications under the Planning Act, if any including Official Plan, Official Plan Amendment, Zoning By-law Amendment, Minister's Zoning Order (amendment), Consent or Plan of Subdivision:	Has subject lands even been subject of an application under the Planning Act?	
Additional Consent Submitted	File #: B5.2021	Status: Being Processed
Provide an explanation of how the application conforms to the Official Plan		
See Planning Justification Report		
Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified? Please check the appropriate boxes, if any apply.		
Use or Feature	On the Subject Land	Within 500 metres of Subject Land, unless otherwise specific (indicate approximate distance)
Agricultural buildings/structure or manure storage facilities	NO	NO
A Landfill	NO	NO
A provincially significant wetland (Class 1, 2 or 3 wetland)	NO	NO
A locally significant wetland	NO	NO
Flood Plain	NO	NO
A rehabilitated mine site	NO	NO
A non-operating mine site within 1 kilometre of the subject land	NO	NO
An active mine site	NO	(GRAVEL PIT)
An industrial or commercial use (specify uses)	NO	NO
Does the proposed development produce greater than 4500 litres of effluent per day? If yes, attach a servicing options report and hydro geological report		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Are the lands part of a Nutrient Management Plan?		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Please provide plan number _____ and date approved by OMAFRA _____		
Are there any livestock facilities within 500 metres of the subject lands?		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If yes, provide a Farm Data Sheet completed by each livestock facility owner for each of the livestock facilities. http://mulmur.ca/departments/planning		

7. Consistency with Policy Documents		
Does this application: Alter the boundary of a settlement area?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Create a new settlement area?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Remove lands from an employment area?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, provide details of any Official Plan or Official Plan Amendment on a separate submission		
Are the subject lands in an area where conditional zoning may apply?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, provide details of how this application conforms to Official Plan conditional zoning policies on a separate submission		
Is the proposed application consistent with the Provincial Policy Statement and any other Policy Statements issued under subsection 3(1) of the Planning Act:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <u>KRISTINE LOFT, LOFT PLANNING INC.</u> Name of individual having knowledge of the policy statements. A report may be required to accompany this application and support the above statement of consistency. </div> <div style="width: 45%; text-align: center;"> <hr style="border: 0.5px solid black;"/> Signature </div> </div>		
Are the subject lands within the Niagara Escarpment Greenbelt Plan area?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are the subject lands within the Greater Golden Horseshoe Growth Plan area?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the proposed application conform to or does not conflict with the Provincial Plans, including the Greenbelt Plan and Growth Plan:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <u>KRISTINE LOFT, LOFT PLANNING INC.</u> Name of individual having knowledge of the policy statements. A report may be required to accompany this application and support the above statement of consistency. </div> <div style="width: 45%; text-align: center;"> <hr style="border: 0.5px solid black;"/> Signature </div> </div>		
8. History of the Subject Land		
Has the subject land ever been the subject of an application for approval of a plan of subdivision or consent under the Planning Act?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
If yes, and if known, provide the file number and the decision made on the application: <u>Consent application for lot addition currently being processed by municipality. (B5 2021)</u>		
If this application is a re-submission of a previous consent application, describe how it has been changed from the original application		
Has any land been severed from the parcel originally acquired by the owner of the subject land?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, provide for each parcel severed, the date of transfer, the name of transferee and the land use:		
<u>Consent application for lot addition currently being processed by municipality. (B5 2021)</u>		

Has any land been severed from the original, 40 hectare (approx..) parcel	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, provide details:		
9. Other Information		
Please provide any other information that may be useful to the Council or other agencies in reviewing this application, ie. health department, conservation authority, etc.		
10. Sketch (please use metric units)		
The application shall be accompanied by a sketch showing the following:		
<ul style="list-style-type: none"> <input checked="" type="checkbox"/> The boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained <input checked="" type="checkbox"/> The boundaries and dimensions of any land owned by the owner of the subject land and that abuts the subject land <input checked="" type="checkbox"/> The distance between the subject land and the nearest Township lot line or landmark, such as a railway crossing or bridge <input checked="" type="checkbox"/> The location of all land previously severed from the original approximate 40 hectare parcel <input checked="" type="checkbox"/> The approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks <input checked="" type="checkbox"/> The existing uses on adjacent lands <input checked="" type="checkbox"/> The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or right of way <input checked="" type="checkbox"/> The location and nature of any easement affecting the subject land 		

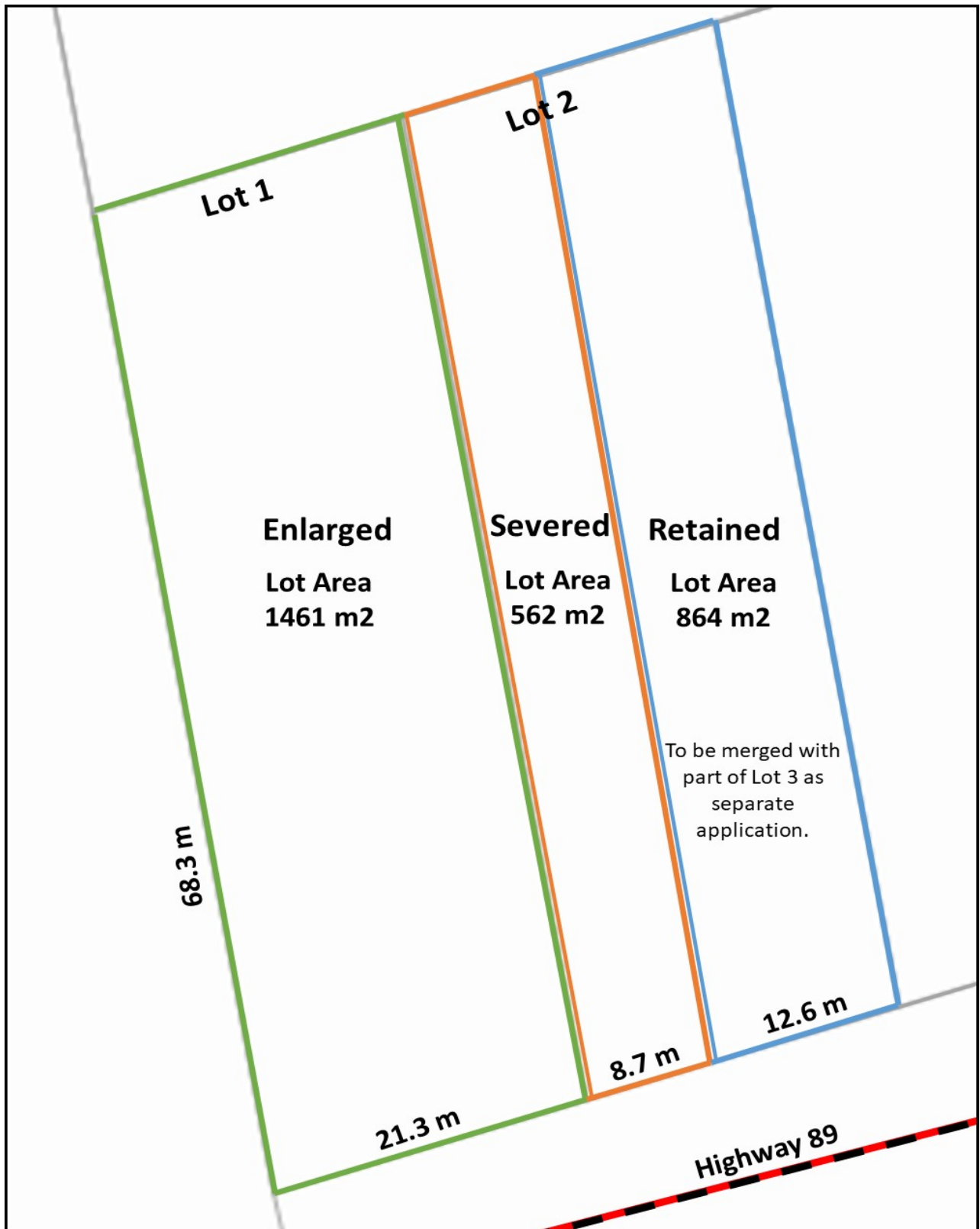


Figure 1
Consent Sketch Lot 2
CON 2 E E PT LOT 1 PCL 2
Township of Mulmur

Planner-Agent:



LOFT PLANNING

Municipal #:

Project #:

#CHA 48521

Date:

June 2021

Scale:



LOFT PLANNING

P.O. Box 246, STN MAIN
Collingwood, Ontario
L9Y 3Z5

705.446.1168
kristine@loftplanning.com
loftplanning.com

June 16, 2021

Ms. Tracey Atkinson
CAO/Planner/Acting Clerk
Township of Mulmur
758070 2nd Line E
Mulum ON
L9V 0G8

Dear Ms. Atkinson:

**RE: Planning Justification Letter
Proposed Consent
Lot 2 – CON 2 E E PT LOT 1 PLC 2
Owner: Kulvinder Chaudhary and Mona Choudhry**

We have been retained by Kulvinder Chaudhary and Mona Choudhry, owners of the above-noted lands, to act as planners for application for Consent that will facilitate a lot addition. The purpose of this application is to sever a portion of Lot 2 and convey to Lot 1. This Planning Justification Letter is being submitted as part of a complete application.

1.0 Location & Description of Subject Lands

The Subject Lands are located on the north side of Highway 89 west of Airport Road between the 1st Line EHS and the 2nd Line EHS 10. The owners have purchased a series of lots with the intention of applying for consents for lot conveyances in order to create suitably sized development lots.

The proposal includes the following,

Consent 1 – To sever a portion of Lot 2 and convey to Lot 1

Provisions	Severed	Retained (to be merged under separate application)	Enlarged Lot 1
Lot Frontage	8.7 m	12.6 m	21.3 m
Lot Area	596 m ²	864 m ²	1461 m ²

The parcel is currently vacant land but has been maintained as a separate conveyable parcel. Lot 1 and 2 do not meet the minimum lot frontage requirement of 45 m or lot area requirement of 0.4 ha of



LOFT PLANNING

P.O. Box 246, STN MAIN
Collingwood, Ontario
L9Y 3Z5

705.446.1168
kristine@loftplanning.com
loftplanning.com

the Rural Residential (RR) Zone in which they are located. The proposal would enlarge Lot 1 to more appropriately meet the zoning provisions.

2.0 Existing and Surrounding Uses

The Subject Lands comprise vacant land with some vegetation in the form of trees around the boundary of the site. The property is located within a rural area that is largely comprised of agricultural and environmental lands with an aggregate operation to the north. The lands have frontage on Highway 89. The surrounding land uses are described as follows:

- **North:** Aggregate, Agricultural and environmental lands associated with Boyne Valley.
- **East:** Aggregate, Agricultural with some Residential along Highway 89.
- **South:** Agricultural and environmental lands.
- **West:** Aggregate, Agricultural, Residential and some highway commercial along Highway 89 at the intersection of Highway 10.

The Boyne Valley Provincial Park is located to the northwest of the property within the Niagara Escarpment Area that traverses the area northward from the southwest. The nearest communities include Violet Hill to the east and Primrose to the west at the intersection of Highway 10.

3.0 Policy Analysis

A review of the relevant planning documents must be undertaken to determine conformity of the application to the Planning Act as well as the provincial and municipal planning documents. A review of the Consent Application based on the applicable planning documents made the following conclusions:

1. **The Applications have Regard for Matters of Provincial Interest (Section 2) of the Planning Act, 1990).** The new lot configuration will result in developable building lots.
2. **The Applications are consistent with the Provincial Policy Statement 2020 and conform to the Growth Plan for the Greater Golden Horseshoe.** The Provincial policies and plans permit residential uses in rural areas on lands already zoned for residential use and development that is compatible with the surrounding uses and can be sustained on rural service levels.
3. **The Applications conform to the Dufferin County and Township of Mulmur Official Plans.** The Dufferin County Official Plan and the Township of Mulmur Official Plan permit technical severances which do not result in the creation of a new lot.
4. **The Applications conform to the intent of the Township of Mulmur Zoning By-law.** The Subject Lands comprise pre-existing undersized lots and the new lot configuration will create developable lots that maintain the intent of the Zoning By-law.

A detailed review of the applicable planning documents is provided in the following sections.



LOFT PLANNING

P.O. Box 246, STN MAIN
Collingwood, Ontario
L9Y 3Z5

705.446.1168
kristine@loftplanning.com
loftplanning.com

3.1 Planning Act

The Planning Act provides the legislative framework for land use planning decisions in Ontario and must be considered by decision makers when reviewing development applications. Sections 2 (Provincial Interest), 3 (Provincial Plans) and 53 (Consents) of the Planning Act apply to the applications.

- Section 2 of the Planning Act requires the consideration of matters of “Provincial Interest” including protection of resources, orderly development of communities and the appropriate location of growth and development.

The application proposes the reconfiguration of an existing residential lot to enable development. Given that the lot is designated and zoned for rural residential use, the Subject Lands are considered an appropriate location for development and the proposed consent application will facilitate the development of the lands for this purpose. While it is noted that an aggregate operation is located adjacent to the Subject Lands, the lots are existing and are not anticipated to hinder aggregate operations.

- Section 3 (5) (a) of the Planning Act requires that planning decisions be consistent with policy statements and conform to provincial plans that are issued under the Act.

The Provincial Policy Statement (PPS) 2020 and the Growth Plan for the Greater Golden Horseshoe apply to the application. Both of these documents are addressed within this letter.

- Section 53 permits the approval of consents if a plan of subdivision is not necessary for the proper and orderly development of the municipality.

The application proposes to sever a portion of Lot 2 and convey to Lot 1.

CONCLUSION:	The proposed Consents meet the requirements of the Planning Act RSO.
--------------------	--

3.2 Provincial Policy Statement (PPS)

The Provincial Policy Statement (PPS) 2020 promotes efficient development patterns that support viable communities, facilitate economic growth and protect the environment and public health and safety. Viable and healthy rural areas are supported by promoting rural character and regeneration, accommodating a range of housing in settlement areas and using rural infrastructure efficiently (S. 1.1.4.1). Growth and development generally are directed to rural settlement areas, but locally appropriate residential development is permitted on rural lands (S. 1.1.5.2) and development that is compatible with the rural landscape and can be sustained by rural service levels is promoted (S. 1.1.5.3).

Section 2.5.2.4 protects mineral aggregate operations from development and activities that would preclude or hinder their operation or are incompatible based on public health and safety. Typically, residential uses would be discouraged from locating next to an aggregate operation. The Subject Lands is designated and zoned for rural residential use and the lot is already existing.



LOFT PLANNING

P.O. Box 246, STN MAIN
Collingwood, Ontario
L9Y 3Z5

705.446.1168
kristine@loftplanning.com
loftplanning.com

The proposed Consent will not result in lot creation but will enable existing residential lots to be reduced in number and reconfigured to a size that will facilitate construction of residential dwellings. The proposed application support the PPS policies by promoting rural residential development on lands identified for this use and based on the available rural infrastructure.

Conclusion: Consistency with the Provincial Policy Statement 2020 has been demonstrated.

3.3 Growth Plan for the Greater Golden Horseshoe

The Subject Lands are located within the Greater Golden Horseshoe and, therefore, the Growth Plan policies must be considered. The Growth Plan generally discourages growth and development outside of settlement areas, however, new multiple lots or units for residential development are permitted on rural lands in site-specific locations with approved zoning or designation in an official plan that permitted this type of development as of June 16, 2006 (S. 2.2.9). Accordingly, the development of the Subject Lands for residential purposes is permitted. The proposed Consent will facilitate the construction of new residential dwellings on lands already designated for this type of development.

Conclusion: Conformity to the Growth Plan for the Greater Golden Horseshoe has been demonstrated.

3.4 Dufferin County Official Plan

The Subject Lands are identified as a "Countryside Area" on Schedule B Community Structure and Land Use and as being within an Aggregate Resource Area on Schedule D in the Dufferin County Official Plan. The Countryside Area policies in Section 4 and the policies that regulate aggregate uses in Section 4.4 are applicable to the applications. Policies that guide the review of consents are provided in Section 8.6.4.

- **Countryside Area**

The Countryside Area encompasses lands outside of settlement areas and includes rural lands and important resource areas such as mineral aggregate areas. The County supports a healthy and viable Countryside Area by maintaining the rural character and leveraging rural assets, protecting agriculture, directing growth to settlement areas, and promoting the efficient use of infrastructure and mineral and aggregate resources for their long-term use (S. 4.1). The Plan states that limited residential development of up to three lots is permitted on rural lands, and that specific permitted uses will be established in the local municipal plan and zoning by law (S. 4.3). The Subject Lands are designated as Rural in the Township of Mulmur Official Plan and are zoned Rural Residential in the Township's Zoning By-law and, therefore, the residential uses of which the proposed consent application will facilitate are permitted.

- **Aggregate Resource Policies**

Section 4.4 reflects the PPS by protecting existing pits and quarries from activities that could preclude or hinder their continued use. Accordingly, it is not expected that the rural residential uses will impact or hinder the aggregate operations on the adjacent lands.

- **Consent Policies**



LOFT PLANNING

P.O. Box 246, STN MAIN
Collingwood, Ontario
L9Y 3Z5

705.446.1168
kristine@loftplanning.com
loftplanning.com

The policies in Section 8.6.4 (Consent to Sever) address lot creation and do not specifically address technical severances such as proposed by the Consent Application. Nevertheless, this Section requires that consent applications be in conformity with local and County Official Plan as well as provincial policy. The proposed consent conforms to Provincial, County and local planning policies.

Conclusion: Conformity to the Dufferin County Official Plan has been established.

3.5 Official Plan for the Township of Mulmur

The Subject Lands are designated as a "Rural" on Schedule A1 Community Structure and Land Use D in the Official Plan for the Township of Mulmur. Growth Management policies in Section 5.2 and Rural policies in Section 5.8 apply to the proposed Consents as well as Rural land use designation policies in Section 6.2.

- **Rural Policies**

Rural residential development is permitted on existing vacant lots provided the lot is large enough to sustain private sewage and water services and will not detract from the surrounding rural uses (S. 5.2). The Rural Areas policies in Section 5.8 also permit limited residential development and promote development that is compatible with the rural landscape and that can be sustained on rural service levels. Rural residential development is recognized as part of what makes up the rural character and smaller lot sizes, frontages and setbacks are not characteristic of the rural area (S. 5.26). The Plan encourages the Township to mitigate and minimize impacts on the rural character of the surrounding area and the Township in general. Finally, Section 6.2 identifies a variety of permitted uses in the Rural designation including single detached residential dwellings.

Residential uses are recognized as a permitted use by the Township's Official Plan and lot configurations that reflect the rural character of the area are supported. The proposed Consent will configure a lot that is more in keeping with the Rural Residential Zone regulations and that can support the development of a single detached dwelling. The Consent will facilitate a lot configuration that better supports the rural policies of the Township's Official Plan.

- **Lot Creation**

Section 5.36 and 6.2.5 provide policies that guide lot creation in Mulmur Township. Section 5.36 provides land division policies that apply to all land use designations and guide the creation of new lots. The proposed Consent does not result in lot creation. Section 6.2.5 provides lot creation policies specific to the Rural designation. This section permits technical and boundary adjustment severances provided they do not create a new lot or re-divide a parcel of land that had merged in the past. The Plan defines technical reasons as meaning "*severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot*". The application is considered technical as no new lots will be created but rather the boundaries will be adjusted to create developable parcels of land.

Finally, Section 6.2.5 identifies that the lot will be subject to the criteria and policies of the Ministry of Transportation given their frontage on Highway 89.



LOFT PLANNING

P.O. Box 246, STN MAIN
Collingwood, Ontario
L9Y 3Z5

705.446.1168
kristine@loftplanning.com
loftplanning.com

Conclusion: Conformity to the Official Plan of the Township of Mulmur has been established.

3.5 Township of Mulmur Zoning By-law 28-18

The Subject Lands are zoned Rural Residential (RR) in the Township of Mulmur Zoning By-law. Section 4.2 provides the zone regulations for the Rural Residential Zone which permits a single detached dwelling. The Rural Residential Zone Requirements are as follows:

Rural Residential (RR)	Requirements	Proposed			
		Severed Lot	Retained Lot	Enlarged Lot	Amalgamated Lot
Minimum Lot Area	0.4 ha	0.06 ha	0.09 ha	0.15 ha	0.2 ha
Minimum Lot Frontage	45 m	8.7 m	12.6 m	21.3 m	30 m

Section 3.10.2.3 which is entitled, *Existing Undersized Lots of Record*, indicates that, *Lots which have been increased in size following passing of this By-law to comply with the above minimum frontage and lot area standards may also be used in accordance with this provision.* This proposal does increase the lot sizes to more appropriately reflect the zoning provisions.

4.0 Conclusions

This Planning Report has been prepared in support of an application for Consent which will facilitate the enlargement of Lot 1. The application is in keeping with the Planning Act RSO 1990, is consistent with the Provincial Policy Statement, 2020, and conforms to the Growth Plan for the Greater Golden Horseshoe, the Dufferin County Official Plan, the Official Plan of the Township of Mulmur and the Township of Mulmur Zoning By-law 28-18. Furthermore, it is our opinion that the application represents good land use planning.

Yours truly,

Kristine A. Loft BES BAA MCIP RPP
Principal

Attached: Consent Sketch

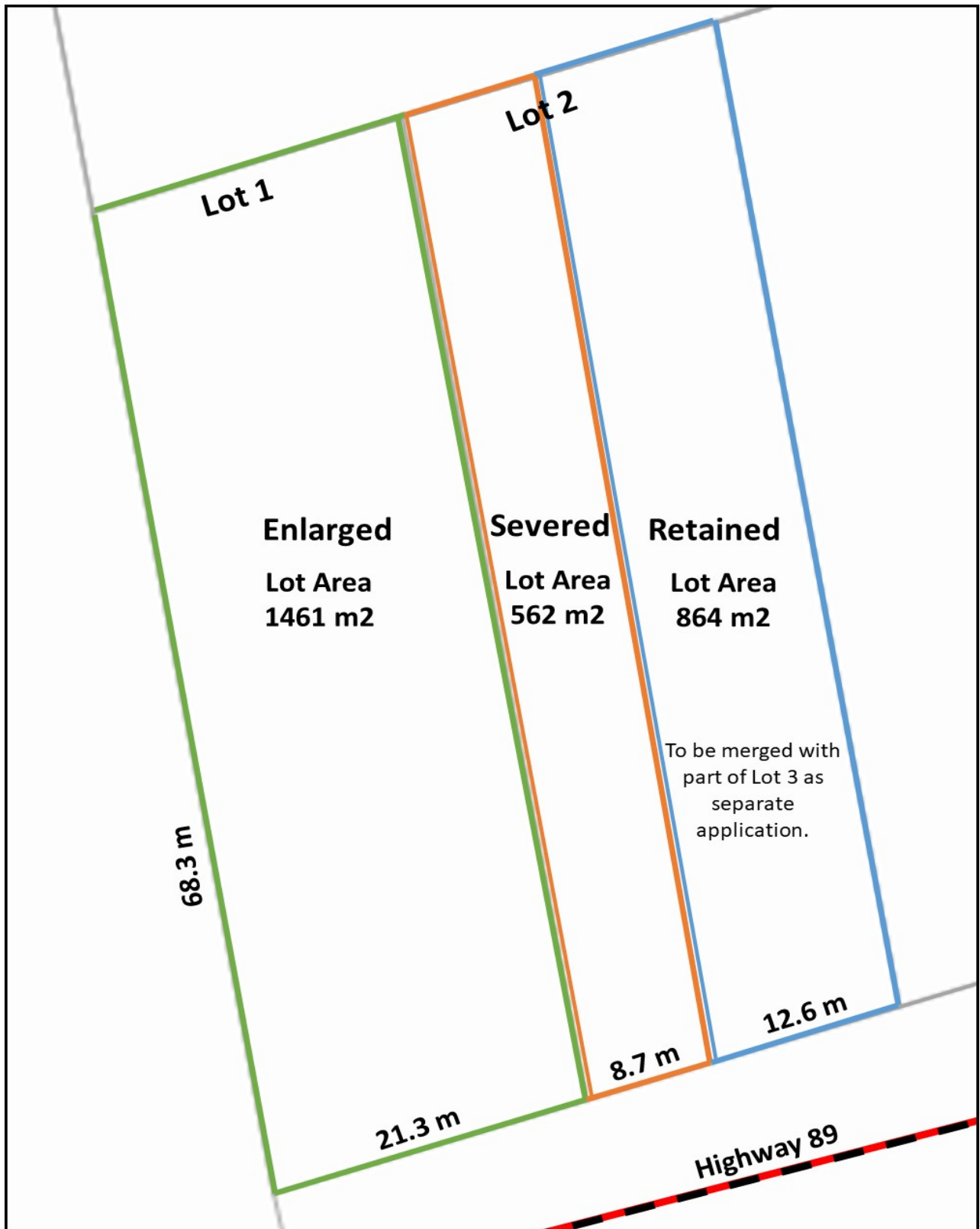


Figure 1
Consent Sketch Lot 2
CON 2 E E PT LOT 1 PCL 2
Township of Mulmur

Planner-Agent:



LOFT PLANNING

Municipal #:

Project #:
#CHA 48521

Date:
June 2021

Scale: