

**COMMITTEE OF ADJUSTMENT
PLANNING REPORT**

Application: B8-24
Related Application(s): N/A
Owner(s): Barrie Industrial Holdings Ltd.
Meeting Date: January 31st, 2025
Prepared by: Owen Curnew, Development Planner

PROPERTY INFORMATION:

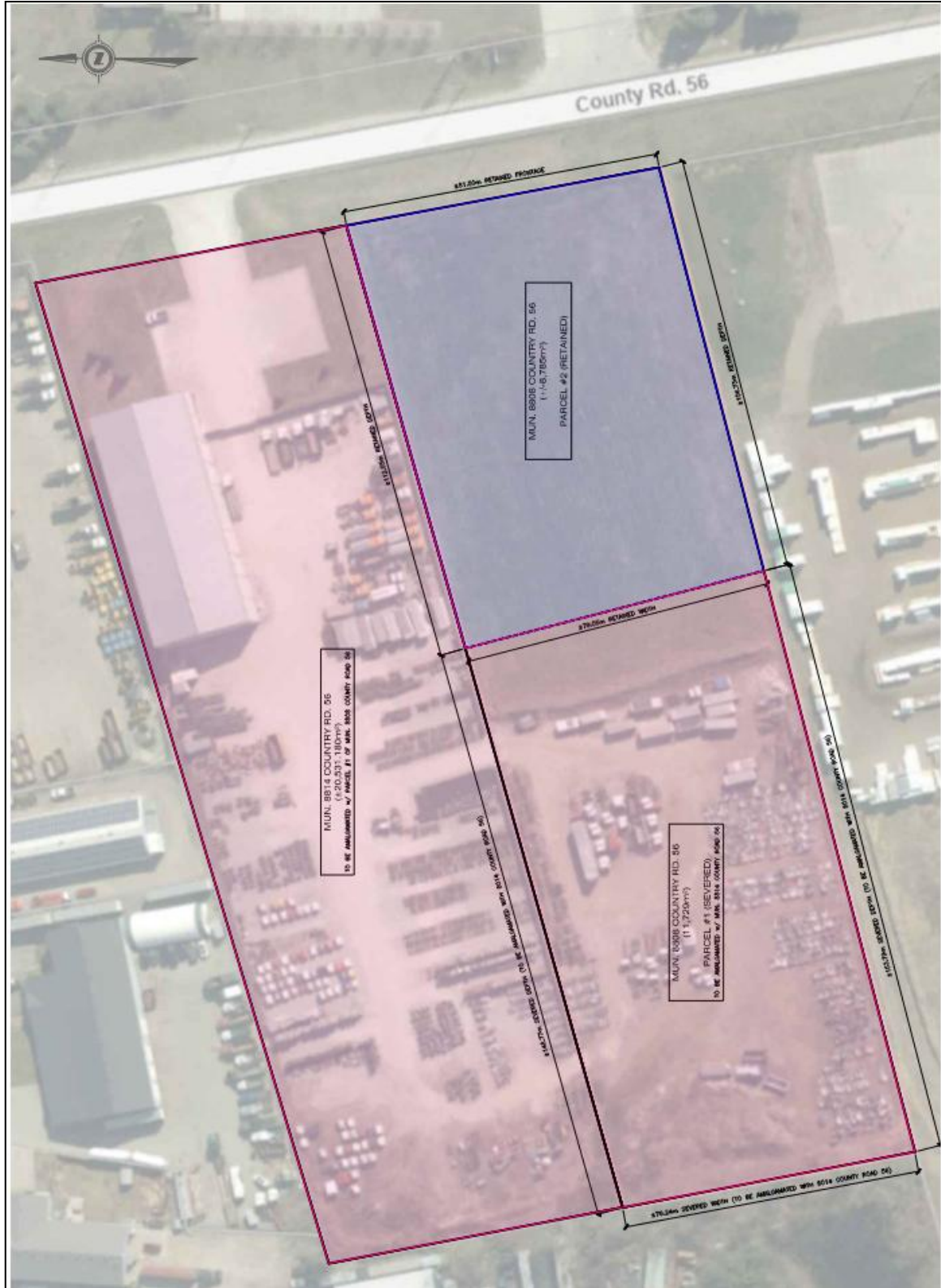
Municipal Address	8808 & 8814 County Road 56
Legal Description	PT OF E 1/2 LOT 31 CON 6 ESSA BEING PT 2 ON PL 51R38209 TOWNSHIP OF ESSA & PT OF E 1/2 LOT 31 CON 6 ESSA BEING PT 1 ON PL 51R38209 TOWNSHIP OF ESSA
Roll No.	432101000810406/10404
Official Plan	Industrial
Zoning By-law	General Industrial with Special Provisions (M1-1)

RECOMMENDATION:

Planning Staff recommends **APPROVAL** of Application B8-24 based on Planning Policy and all considerations with the following conditions:

1. That a reference plan of the severed parcel(s) be prepared by an Ontario Land Surveyor and copies provided to the Secretary-Treasurer. The plan should be approved by Township Staff prior to depositing it in the Land Titles Office.
2. That the applicant provides to the Secretary-Treasurer of the Committee of Adjustment copies of transfer documentation associated with the lands.
3. That Planning Act Sections 50(3) and (5) will continue to apply to the lot to be created (for both parcels).
4. That all municipal taxes be paid up-to-date.
5. The applicant obtains a Road Entrance Permit through the County of Simcoe for 8808 County Road 56

PROPOSAL:



REASON FOR THE APPLICATION:

The applicant has applied for a Consent for a lot line adjustment that would allow them to transfer a 11,729m² portion of land from the property known municipally as 8808 County Road 56 to the 20,531m² parcel of land to the north known municipally as 8814 County Road 56. The retained parcel (8808 County Road 56) would have a proposed lot area of 8,785m², and the severed parcel would be transferred to 8814 County Road 56 giving it a new lot area of 32,260m².

SITE INSPECTION DATE

No inspection.

PLANNING ANALYSIS

1. Provincial Planning Statement, 2024

The Provincial Planning Statement 2024 (PPS) provides policies that direct development while protecting resources of provincial interest, public health, and safety and, the quality of the natural and built environment. It supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The subject lands are located outside of a settlement area and are designated “Agricultural” by the County Official Plan, therefore are classified as “Rural Areas in Municipalities” in the context of the PPS.

Section 2.5 Rural Areas in Municipalities – Subsection 1 (h) identifies that rural areas be supported in providing opportunities in accordance with policy in [section] 4.3.

Section 4.3.3 – Subsection 2 outlines new land uses in *prime agricultural areas*, including the lot line adjustments as a permitted use.

Therefore, the proposed lot line adjustment generally conforms with the policies of the Provincial Planning Statement, 2024.

2. County of Simcoe Official Plan

The County of Simcoe Official Plan, 2016 (“County OP”) was adopted by the County of Simcoe Council on November 25, 2008 and was fully approved by the Ontario Municipal Board in December 2016. Within the County OP, the subject property is designated as “Agricultural” in accordance with Schedule 5.1.

Section 3.3.5 states Consents for the purpose of legal or technical reasons and consolidation of

land holdings may be permitted but shall not be for the purpose of creating new lots except as otherwise permitted in this Plan, Provincial policies and legislation.

The proposed lot line adjustment would not result in a new lot and would only transfer lands between existing properties.

The proposed lot line adjustment generally conforms with the stated objectives of the Agricultural designation in the County OP.

3. Township of Essa Official Plan

The Township of Essa Official Plan, 2001 designates the subject properties as “Industrial” in accordance with its Schedule “A”.

The goal of the Official Plan as it relates to Industrial lands is to encourage and facilitate industrial growth and expansion. The creation of new industrial sites must take into consideration all relevant economic, social and environmental factors. Consideration must be given to such factors as the compatibility of the proposal with adjacent land uses; the suitability of the physical site for the proposed use; the demands on existing or potentially available services; the effects on the local environment, including the potential for air, water or soil pollution; the loss of good agricultural land; and the detrimental effect on the predominant agricultural nature of the area.

Section 26.3 1) of the Official Plan contains consent criteria applicable to all land use designations: *“Consents may be granted for technical reasons such as boundary adjustments, easements, rights-of-way, or other similar purposes that do not result in the creation of a new lot provided the objectives of the Plan are upheld.”*

The proposed boundary adjustment would not result in the creation of a new lot and maintain all intents and purposes of the Official Plan.

Therefore, the proposed lot line adjustment generally conforms to the policy direction and intent of the Township’s Official Plan.

4. Township of Essa Zoning By-law (2003-50)

The subject properties are zoned ‘General Industrial with Special Provisions (M1-1)’. Both subject properties are owned by the same legal entity and are used for an Industrial Business with access on the northern property (8814 County Road 56). Through this application, the applicant is proposing to consolidate the business into one lot, and section off the unused portion of land for sale. The unused portion to be sold will retain the M1-1 zoning for any future use.

Section 25.4.1.2 of Zoning By-law 2003-50 stipulates the minimum lot requirements for lands zoned General Industrial with Special Provisions (M1-1), and it would appear based off a preliminary review that both subject parcels would be in conformance with Zoning By-law 2003-50 after the lot line adjustment.

However, the lot line adjustment would result in the property known as 8808 County Road 56 no longer having access to County Road 56, so, staff recommends the following conditions of approval:

The applicant obtains a Road Entrance Permit with the County of Simcoe for 8808 County Road 56.

Staff believes that the proposal will be generally in keeping with the Zoning By-law as long as an access is provided.

Therefore, the proposed lot line adjustment generally complies with Township of Essa's Zoning By-law 2003-50.

AGENCY & DEPARTMENT COMMENTS:

No comments received at the time of this report.

CONCLUSION:

Staff are recommending **APPROVAL** of this application since it generally complies with all appropriate provincial and municipal requirements.

Respectfully submitted,



Owen Curnew
Development Planner
Township of Essa

LIST OF STANDARD SEVERANCE CONDITIONS (Not Inclusive)

Below is a list of the *Standard Conditions of Approval* which may be imposed by the Committee. Please note the list of conditions is not deemed inclusive, as other conditions from agencies, municipal departments, or the Committee itself may be imposed.

1. That the Nottawasaga Valley Conservation Authority approve of the application in writing, where required.
2. That the applicant satisfy the concerns of the Manager of Public Works, County Engineer, and/or the Ministry of Transportation, or other commenting agency ie. C.A.R.E., Railway Line, etc.
3. That the applicant obtain an entrance permit from the Manager of Public Works, County Engineer, and/or the Ministry of Transportation.
4. That a parcel of land be conveyed to the Municipality for road widening purposes, plus any necessary daylight triangle, free and clear of all encumbrances and at no cost to the Municipality, where required.
5. A reference plan of the severed parcel(s) be prepared by an Ontario Land Surveyor and be provided to the Secretary-Treasurer.
6. That the applicant provide to the Secretary-Treasurer of the Committee of Adjustment deeds, to be signed prior to registration of any lands.
7. That all municipal taxes be paid up-to-date.