



## Staff Report

**Report Title: Somerville Street Servicing (2)**

**Prepared By: Emily Dance, Clerk**

**Department: Clerk**

**Date: Nov. 16, 2020**

**Report Number: CLK-2020-11-96  
Somerville Street**

**File Number: D00 –**

**Attachments: E-mail Steve O'Melia dated November 2, 2020**

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### **Recommendation:**

THAT the Township of Huron-Kinloss Council hereby approves Report Number CLK-2020-11-96 prepared by Emily Dance, Clerk AND require that a site plan and pre-approval from Maitland Valley Conservation Authority be received and reviewed by Staff prior to making a decision on servicing of Lot 6 and Lot 7 Somerville.

### **Background:**

At the October 19, 2020 Council Meeting, Council passed a resolution authorizing the servicing of Lot 6 Somerville without undertaking a Schedule B Class EA subject to the property owner entering into an agreement with the Township, to be responsible for future upgrades to Somerville Street for up to the next seven years.

Staff was directed to seek a legal opinion on the agreement.

Following at the November 2, 2020 Committee of the Whole Meeting, Council received correspondence from both the property owner, Tom Beven and the potential purchaser, Christine Welsh noting they were not in support of such agreement.

### **Discussion:**

Staff has received comment back from Steve O'Melia (attached) regarding the proposed agreement.

As noted in item 1. The owner must be willing to enter into the agreement, which as noted the current and potential owner do not support.

As noted in item 4. It is recommended that an actual quote/tendered cost be secured by the owner of Lot 6 in advance through an agreement with the Township and a 100% cash deposit received before the contractor is engaged in the work.

Further conversations with the potential property owner have indicated her willingness to build on either Lot 6 or Lot 7 or deem the properties together as she is anxious to build this year.

Upon further review of the proposal, additional concerns have arisen that may impact the servicing and availability of a building permit for Lot 6 and Lot 7.

- As indicated in the October 9, 2020 letter of BM Ross only the first three lots along Somerville Street north of Ludgard Street are serviced and beyond the third lot there are no services, and the road allowance is unopened. As per the Township of Huron-Kinloss Comprehensive Zoning By-Law, on unimproved streets no building permit shall be issued for year-round or permanent residential occupancy, therefore the proposed location of a driveway will be required for further review.
- Somerville Street is below the regulatory flood elevation; therefore, staff feel it prudent for the applicant to reach out to Maitland Valley Conservation Authority for confirmation of approval for a dwelling is permitted on Lot 6 and/or Lot 7.
- Under the Comprehensive Zoning By-Law, a large portion of Lot 7 is designated R1-H(f) which will require the holding provisions to be removed prior to development.
- It was noticed that both Lot 6 and 7 are under one PIN and Roll number. Our records do not indicate they were deemed together however, if they are two separate lots the applicant to following the deeming process and may impact the location of the dwelling and future financial contributions for upgrades as well would require additional comment related to requirements for an EA.

There are many unknowns with the proposed development of this property; therefore, staff recommends that the property owner and/or potential property owner provide the following information to gain a better understanding of the applicants wishes in order to provide Council with the feasibility of servicing Lot 6 and or Lot 7.

- Site Plan drawings indicating the exact location of the proposed dwelling, elevation, proposed servicing and access.
- Written comments from Maitland Valley Conservation Authority indicating support of the development.

**Financial Impacts:**

It is unknown at this time the costs for legal and engineering review if the

development is to move forward. Staff recommends once a proposed plan is received that the applicant submit a deposit to cover the fees as typically required for development.

**Strategic Alignment / Link:**

We are a prosperous community that continues to grow in a sustainable manner.

**Respectfully Submitted By:**

Emily Dance, Clerk

**Approved By:**

Mary Rose Walden, Chief Administrative Officer