

DRAFT REFERENCE PLAN – JUNE 17, 2022

SCHEDULE				
PART	LOT	CONCESSION	PIN	AREA
1	PART OF 35	1 NORTH OF DUNDAS STREET (TRAFALGAR)	ALL OF 24927-0110	5,5690 Ha.
2				2,6670 Ha.

BURNHAMTHORPE ROAD WEST
ROAD ALLOWANCE BETWEEN CONCESSIONS 1 AND 2 NORTH OF DUNDAS STREET
PIN 24927-0118

CONCESSION 1 NORTH OF DUNDAS STREET (TRAFALGAR)

L O T 3 5

PART 2

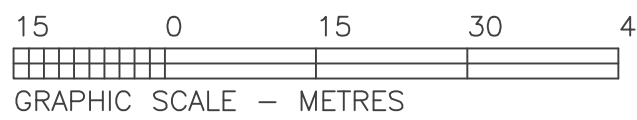
PARCEL TO BE SEVERED
LOT FRONTAGE (At 7.5m Setback) = 173.54m
LOT AREA = 2.6670 Hectares

PIN 24927 – 0110

PART 1

PARCEL TO BE RETAINED
LOT FRONTAGE (At 7.5m Setback) = 216.90m
LOT AREA = 5.5690 Hectares

PLAN OF SURVEY OF
PART OF LOT 35
CONCESSION 1
NORTH OF DUNDAS STREET
(GEOGRAPHIC TOWNSHIP OF TRAFALGAR)
TOWN OF OAKVILLE
REGIONAL MUNICIPALITY OF HALTON
SCALE 1 : 750



THE INTENDED PLOT SIZE OF THIS PLAN IS 914mm IN WIDTH BY 609mm IN HEIGHT AT A SCALE OF 1:750.

INTEGRATION DATA

BEARINGS ARE UTM GRID, DERIVED FROM THE OBSERVED REFERENCE POINTS "A" AND "B" BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS-2010.0).

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999714540.

OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17, NAD-83 (CSRS-2010.0). CO-ORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O.R.S. 216/10.

POINT N°	NORTHING	EASTING
"A"	4,809,580.48	596,450.89
"B"	4,810,104.26	596,489.41

CO-ORDINATES CAN NOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

ALL BEARINGS IN COMPARISONS ARE ASTRONOMIC. ALL BEARINGS AND DISTANCES ARE MEASURED UNLESS OTHERWISE SHOWN.

METRIC NOTE

DISTANCES AND CO-ORDINATES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED INTO FEET BY DIVIDING BY 0.3048.

LEGEND:

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET
- SIB DENOTES STANDARD IRON BAR
- SSIB DENOTES SHORT STANDARD IRON PIPE
- IB DENOTES IRON BAR
- IP DENOTES IRON PIPE
- CC DENOTES CUIT CROSS
- CP DENOTES CONCRETE PIN
- PB DENOTES PLASTIC BAR
- P.I.N. DENOTES PROPERTY IDENTIFICATION NUMBER
- (E) DENOTES ENCROACHMENT REFERENCE
- (N) DENOTES NO IDENTIFICATION
- (OH) DENOTES ONTARIO HYDRO
- (950) DENOTES CUNNINGHAM MCCONNELL LIMITED
- (1095) DENOTES J.D. CARTER, O.L.S.
- (M) DENOTES MEASURED
- WIT DENOTES WITNESS
- (C&S) DENOTES CALCULATED AND SET
- P-1 DENOTES PLAN 20R-4769

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 17TH DAY OF JUNE 2022.

DATE: JUNE 17, 2022

JARO A. LEGAT, M.Sc.
ONTARIO LAND SURVEYOR

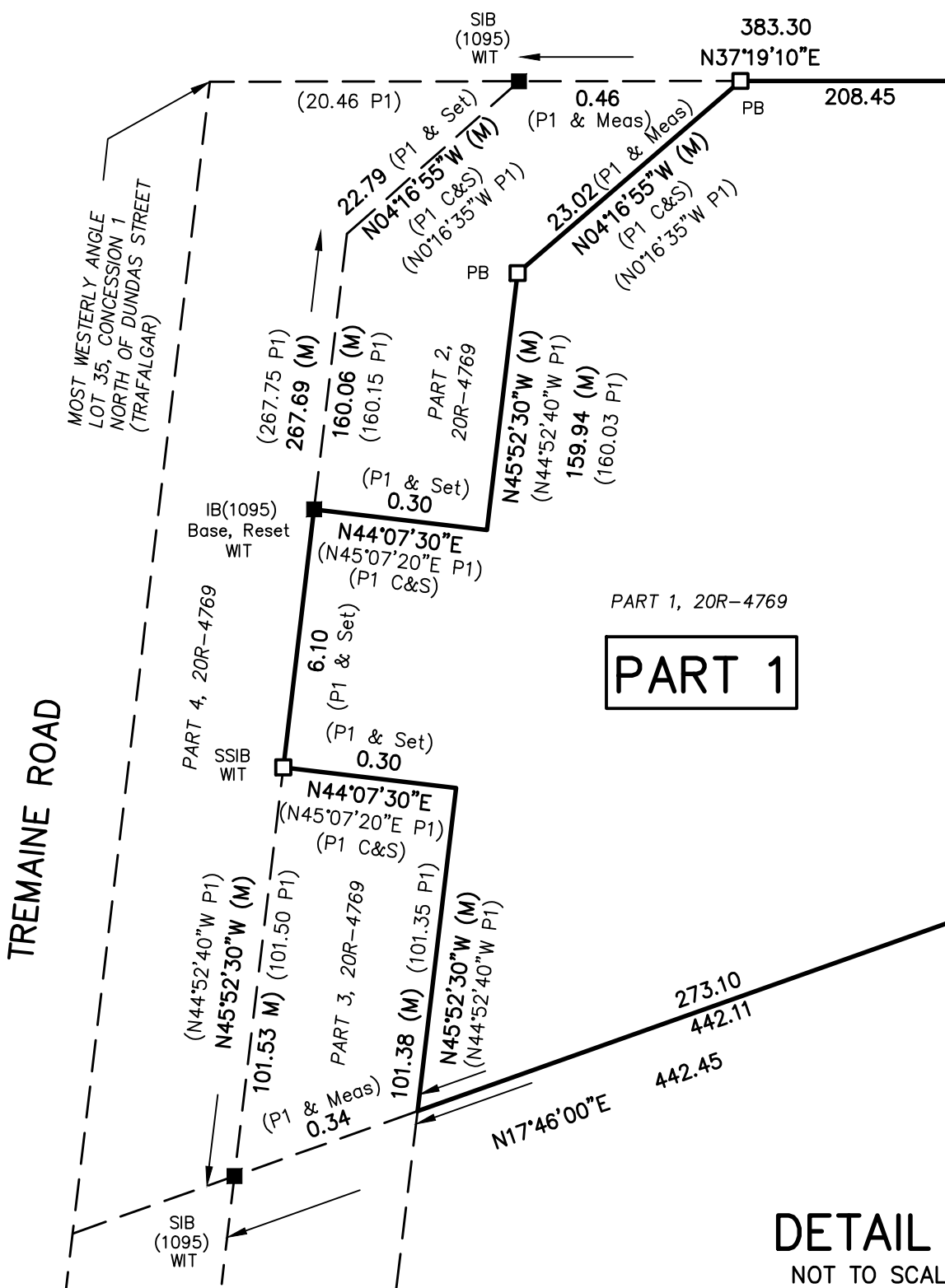
THIS PLAN OF SURVEY RELATES TO THE AOLS PLAN
SUBMISSION FORM NUMBER

CUNNINGHAM MCCONNELL LIMITED
ONTARIO LAND SURVEYORS

1200 SPEERS ROAD, UNIT 38
OAKVILLE, ONTARIO L6L 2X4
PHONE (905) 845-3497
info@cmisurveyors.ca

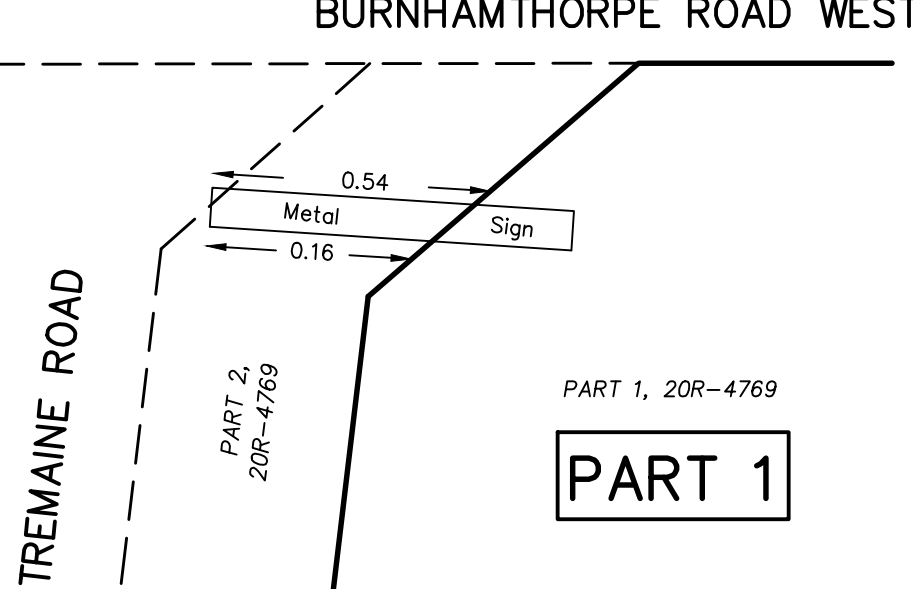
205 MAIN STREET
MILTON, ONTARIO L9T 1N7
PHONE (905) 878-7810
milton.office@cmisurveyors.ca
PLAN 54-22-1

BURNHAMTHORPE ROAD WEST



DETAIL B

NOT TO SCALE



Planning Services Division
Town of Oakville
1225 Trafalgar Road,
Oakville, Ontario

Friday, April 1st, 2022

DPS File: 21262



**DESIGN
PLAN
SERVICES**

TOWN
PLANNING
CONSULTANTS

**RE: 3466 Burnhamthorpe Road West
 Town of Oakville
 Committee of Adjustment Application
 Cover Letter/Planning Justification Brief**

On behalf of our clients, the property owners of 3466 Burnhamthorpe Road West, we are submitting this cover letter as part of our formal submission for the Subject Committee of Adjustment application.

The following materials are being submitted with this Cover Letter/Planning Justification Brief:

- Application Form;
- Concept Severance Plan.

Proposal Description:

This proposal is a consent to sever wherein 3466 Burnhamthorpe Road West will be severed into two lots to create a new lot for each of the two existing buildings on the Subject Property. There is no new construction proposed. The current use of the Subject Property is a single-detached dwelling and a kennel, with both uses being located on the Subject Property. The uses are proposed to remain unchanged as the purpose of this severance is to create one new lot so that each of the two uses are on separate lots. The retained parcel is proposed to have an area of 5.59 hectares with a frontage of 217.62

metres and the severed lot is proposed to have an area of 2.64 hectares with a frontage of 172.9 metres. Both proposed lots would have frontage along Burnhamthorpe Road West. Both existing buildings on the Subject Property have been constructed with the benefit of a building permit.

Site and Area Description:

The Subject Properties are located at the southeast corner of Tremaine Road North and Burnhamthorpe Road West, in the Town of Oakville. More generally, the Subject Property is located north of Highway 407, east of Tremaine Road North, south of Burnhamthorpe Road West, and west of Bronte Road. The immediate context of the Subject Property consists mostly of rural residential and agricultural uses.

The Subject Property is located within an agricultural area outside of the Urban Area. A portion of the Subject Property is within Conservation Halton regulated area however, the proposed severance will not fragment the natural features located on the Subject Property.

Section 51(24) of the *Planning Act*

The proposal meets the consent criteria set out within Section 51(24) of the *Planning Act* and does not require a Plan of Subdivision considering that the proposal will result in two lots where one lot currently exist and due to the fact that the proposed consent does not involve any new construction. The proposal considers and does not have an impact on matters of provincial interest and conforms to the applicable Regional and Town Official Plan policies as discussed in the following section. The Subject Property is suitable for the purpose which is it be severed considering that the uses are an existing condition on the Subject Property and those existing uses will remain unchanged. The Subject Property is adequately serviced by municipal roads and the dimensions and shapes of the proposed lots are appropriate for the area in which they are situated and for the purposes for which they are to be used. The proposal will not fragment the natural features located on the Subject Property. It is my opinion that the proposed consent is not premature, is an appropriate form of subdividing land, and will have little to no impact further than what currently exists on the Subject Property as well as what is contemplated by the applicable Zoning By-law. I am of the opinion that this proposal meets the criteria under section 51(24) of the *Planning Act* and that this proposal represents good planning.

Relevant Provincial, Regional, and Town Policies and Regulations

The Subject Property is located within the Greenbelt Plan, 2017 and is designated “Protected Countryside” as per Map 98 of the Greenbelt Plan. However, the Subject Property is also within the Parkway Belt West Plan and Section 2.3 of the Greenbelt Plan states:

- *“The requirements of the Parkway Belt West Plan, deemed to be a development plan under the Ontario Planning and Development Act, 1994, continue to apply to lands within the Parkway Belt West Plan Area and the Protected Countryside policies do not apply, with the exception of sections 3.2 and 3.3.”*

The Subject Property is within the “Southern Link” of the Parkway Belt West Plan and is designated as “General Complementary Use Area” as per Map 3 of the Parkway Belt West Plan. Key policies applicable to the Subject Property consist of the following:

- 5.1.6 - *“The creation of new lots within the area covered by the Plan shall be strictly limited. Official plans shall contain provisions relating to land severances. These provisions shall attain the goals and objectives of the Plan and guide land division committees.”*

Policy 5.5.1 of the Parkway Belt West Plan permits a range of uses including existing uses (legal nonconforming uses), agricultural uses, and other uses.

The Subject Property is designated as “Regional Natural Heritage System” with a “Greenbelt Plan Natural Heritage System” overlay and is also located within the “Parkway Belt West Plan Area” overlay as per Map 1 of the Halton Region Official Plan. Key policies applicable to the Subject Property consist of the following:

- 99(5) - *“To reduce the fragmentation of lands suitable for agriculture and provide for their consolidation.”*

The Subject Property is currently not used for agricultural purposes and will, therefore, not fragment lands suitable for agriculture. Additionally, the Subject Property is already of a size that is not entirely suitable for agricultural purposes and further division of the Subject Property will not result in the fragmentation of lands suitable for agricultural purposes.

The Subject Property is designated as “Parkway Belt” with a “Greenbelt” overlay as per Schedule “K” of the Town of Oakville Official Plan. Key policies applicable to the Subject Property consist of the following:

- 28.14.1 - *“Consents may be permitted for the creation of a new lot, boundary adjustments, rights-of-way, easements, long-term leases and to convey additional lands to an abutting lot, provided an undersized lot is not created.”*
- 28.14.2 - *“Applications for consent to create new lots may only be granted where:*
 - a) a plan of subdivision is not necessary;*
 - b) the number of resulting lots is three or less;*
 - c) the lot can be adequately serviced by water, wastewater and storm drainage facilities;*
 - d) no extension, improvement or assumption of municipal services is required;*
 - e) the lot will have frontage on a public street and access will not result in traffic hazards;*
 - f) the lot will not restrict the ultimate development of adjacent lands;*
 - g) the size and shape of the lot conforms with the requirements of the Zoning Bylaw, is appropriate to the use proposed and is compatible with adjacent lots; and,*
 - h) the consent conforms to all relevant policies of this Plan.”*

As discussed in relation to Section 51(24) of the *Planning Act*, a plan of subdivision is not necessary for this proposal. The proposed number of lots is two. The proposed lots can be and are already adequately serviced by water, wastewater, and storm drainage facilities. No extension, improvement, or assumption of municipal services is required for the proposal. The proposed lots will have frontage on a public street and access is already an existing condition. The proposed lots will not restrict the ultimate development of adjacent lands. The proposed size and shape of both lots are compliant with the applicable Zoning By-law, are appropriate for the existing uses and, are compatible with adjacent lots. Therefore, the proposed consent conforms to the applicable consent policies within Section 28.14 as well as all other relevant sections of the Official Plan.

The Subject Property is entirely zoned as “GB” (Greenbelt) as per Zoning By-law No. 2014-014. The proposed lots are compliant with the applicable Zoning By-law regulations pertaining to lot frontage and lot area. Additionally, the existing buildings consist of permitted uses and are compliant with all applicable Zoning By-law regulations.

Please consider this letter as a formal request to be notified of the decision of the Committee of Adjustment to the undersigned.

Should you have any questions or concerns please do not hesitate to contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Igelman', with a long, sweeping horizontal line extending to the right.

David Igelman, B.U.R.PI

DESIGN PLAN SERVICES INC.

david@designplan.ca

416-626-5445 ext. 204