

Date: 2020-11-30

Subject: **B19-026, 1553 Hallstone Road – David Jeffrey Rollings and Kareen Mary Rollings**

Secondary Title: **Recommendation Report: Direction to enter into a Consent Agreement – David Jeffrey Rollings and Kareen Mary Rollings – 1553 Hallstone Road – Ward 6**

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Report Number: Planning, Building and Economic Development-2021-011

Recommendations:

1. **THAT** the report titled: **Recommendation Report: Direction to enter into a Consent Agreement – David Jeffrey Rollings and Kareen Mary Rollings – 1553 Hallstone Road – Ward 6 (Planning, Building and Economic Development-2020-233 and File B19-026)** to the Council Meeting of January 27, 2021, be received, and
2. **THAT** the Mayor and City Clerk be authorized to execute a Consent Agreement in Accordance with the Committee of Adjustment's decision (File B19-026) approving a Consent Application for David Jeffrey Rollings and Kareen Mary Rollings respecting a property located at 1553 Hallstone Road, with content satisfactory to the Commissioner of Planning, Building and Economic Development and in a form acceptable to the City Solicitor; and that staff be authorized to take the necessary steps to implement the terms of the Consent Agreement.

Overview:

- This report recommends that Council direct the Mayor and the City Clerk to execute a Consent Agreement in association with Consent Application B19-026 for David Jeffrey Rollings and Kareen Mary Rollings at 1553 Hallstone Road. The Committee of Adjustment approved the Consent Application on July 28, 2020 with a condition that the Consent Agreement be entered into.

- **The purpose of the application was to request the consent of the Committee to sever a parcel of land currently having a total area of approximately 4551 square metres (1.12 acres). The effect of the application was to create a new residential lot having a frontage on Hallstone Road for future residential development.**
- **This Consent application was brought before the Committee of Adjustment and approved, on July 28, 2020. A Consent Agreement was recommended by Development Services staff to ensure that should a road widening be needed by the City for critical projects, the land owner will agree to give the land to the City at the time of need.**

Background:

The property at 1553 Hallstone Road is located within the Churchville Heritage Conservation District, and is located south of Hallstone Road and west of Creditview Road. Consent application B19-026 was submitted in order to sever off the parcel of land fronting onto Hallstone Road that is proposed to contain a new single detached residential dwelling.

City staff's original position was that a road widening needed to be gratuitously dedicated immediately to the City as a condition of the severance approval. However, in late June 2020, City Council passed a resolution regarding road widening dedication within the Churchville Heritage District that no longer required dedication of the land at the time of severance, but rather that the property owner enter into an agreement (to be registered on title) that, should the road widening be needed by the City for critical projects, the land owner will agree to give the land to the City at that time.

On July 28, 2020, the Committee of Adjustment approved the Consent Application and applied the condition that was recommended by staff regarding the Consent Agreement.

Current Situation:

This Recommendation Report seeks Council's direction to authorize the Mayor and City Clerk to execute the Consent Agreement. This authorization is required to enable the Consent Agreement to be executed and the related condition to be cleared, allowing the consent certificate to be issued to facilitate the proposed development.

Corporate Implications:

Financial Implications:

There are no financial implications associated with this request to enter into a Consent Agreement.

Other Implications:

There are no other implications associated with this request to enter into a Consent Agreement.

Term of Council Priorities:

This report is consistent with the “Well-Run City” priority by contributing to effective management of municipal assets and needs.

Conclusion:

Council’s direction to authorize the Mayor and City Clerk to execute the Consent Agreement will enable the Consent Agreement to be executed and the related condition to be cleared, allowing the consent certificate to be issued to facilitate the proposed development.

Authored by:

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Submitted by:

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David Barrick
Chief Administrative Officer

Attachments:

- Appendix 1: Location Map
- Appendix 2: Severance Sketch for Consent Application B19-026
- Appendix 3: Planning Report for Consent Application B19-026