

United Townships of Head, Clara & Maria Council

Request for Decision

Type of Decision									
Meeting Date	Thursday, November 18, 2021				Report Date	Wednesday, November 10, 2021			
Decision Required	X	Yes		No	Priority	X	High		Low
Direction	X	Information Only			Type of Meeting	X	Open		Closed
Report #21/11/18/1202 – Villeneuve Severance									

Subject: Villeneuve Severance

Recommendation: That Council provide direction on how to proceed with entering into a consent agreement with Mr. Villeneuve.

Background/Executive Summary:

Mr. Villeneuve started the process of severing portions of his property in February 2021. On October 5th, The County of Renfrew provided a Notice of Decision indicating that the severance would be granted if certain conditions were met, including entering into a Consent Agreement with the municipality. Conditions of the Consent Agreement include:

2. That the applicant enter into a Consent Agreement with the Township of Head, Clara and Maria in accordance with Section 51 (26) of the Planning Act which would notify future purchasers regarding the following:
 - a) The lots to be severed by Consent Application File Numbers B72/21(1) and B73/21(2) are located in an area of gravel extraction potential. Any future development of aggregate extraction will have potential for noise, dust, traffic and vibrations.
 - b) A 50 metre deep vegetated buffer area along Jennings Road should be maintained substantially in a natural vegetated state with the exception of a driveway to access the proposed building envelope in order to help mitigate the potential adverse impacts of dust, noise or visual effects on future dwellings.
 - c) Future dwellings on the lots to be severed should be located near the center or rear of the proposed lots in order to minimize the potential adverse impacts of dust, noise or visual effects on future dwellings.
 - d) Future wells on the proposed lots should be installed by a licensed drilling contractor. Wells should be drilled and cased into the underlying bedrock and the well casing should be pressure grouted from the bedrock surface up to ground level.

Mr. Villeneuve has requested that he execute the agreement with the municipality himself, instead of through a lawyer.

In the past, consent agreements were typically completed through a resident’s lawyer. Because the conditions of this particular consent agreement are rather simple, Mr. Villeneuve is confident he will have no issues in executing the agreement himself.

After I received Mr. Villeneuve’s request, I contacted the County of Renfrew for advice as the recommendations are provided directly by their Planning Department. They indicated that they would recommend having the agreement drafted by a lawyer, however, it was ultimately up to Council to determine if they wanted the agreement to be drafted by a lawyer or not. If Mr. Villeneuve does execute the agreement himself, he should be cautious doing a registration on the title to his property without his lawyer’s guidance. The other concerns that Staff, and the County of Renfrew has agreed with, is the potential of setting a precedent with other residents in the future.

It is important to note that throughout this entire process, staff was cautious to provide the same service and treatment to Mr. Villeneuve as a resident of the municipality, regardless of his position of

Councillor. Although he is a councillor, he is also a taxpaying resident with regular, personal, business outside of Council.

Financial Considerations/Budget Impact:

None

Enclosures:

None

Approved and Recommended by the Clerk

Crystal Fischer,
Clerk/Treasurer