REPORT SUMMARY

OWNER, APPLICANT or AGENT SHOULD ATTEND THE CONSIDERATION OF THIS APPLICATION

Date of Consideration: **June 11, 2015** **TIME: 9:05 A.M.**

File Number: **B23/15 through B27/15**

Applicant: **Wellingdale Construction Ltd.**

Subject Lands: TOWN OF MINTO (Harriston) – Preston's Svy, Part Lot 88, Conc D, Park Lots E & F

Proposal is a request for consent to convey fee simple for proposed severance of five residential lots in the TOWN OF MINTO (Harriston) – Preston's Svy, Part Lot 88, Conc D, Park Lots E & F, vacant land for proposed urban residential use; retained lands are 6775.2 square metres.

ISSUES: Committee to be satisfied development proceed under consent process

SUMMARY of FILED REPORTS and COMMENTS:

Town of Minto - Council – approved conditions to apply prior to certificate of consent

County Planning - notice cards were posted; long history of multiple residential severances by applicant (Figure 1 and planning comments explain); applications exceed four lot severance maximum including retained – normally triggers plan of subdivision; applications are similar in that they would require the extension of roadways and services to facilitate development – plan of subdivision would be considered more appropriate; if Committee proceeds by way of consent – staff would recommend that an updated lot grading and drainage plan as well as a detailed concept plan for all of the Wellingdale Construction Ltd. land holdings in the area be provided as a minimum requirement.

Conservation Authority (Maitland Valley) – severed parcels are not located within or adjacent to any natural heritage features that would be negatively impacted by development – however – properties are located within the flood fringe section of the Regional Floodplain in the Town of Harriston – new development shall be flood proofed to the Regional Flood elevation; access for all new buildings and structures shall be designed to allow for safe vehicular and pedestrian movement during a regional flood event; reviewed site grading plan – have not received confirmation to date that proposed grading has been completed; no objection to applications provided conditions addressed **Note:** condition 1 (letter) that MVCA review and approved proposed development on each of the severed and retained lots, pursuant to *Ontario Regulation 164/06* will be addressed at time of building permit.

PROPOSED CONDITIONS of APPROVAL

1) THAT the Owner's solicitor, in preparation for the issuance of the Certificate of Consent, provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee a printed copy of the "completed electronic transfer document in preparation".
2) THAT the Solicitor for the Owner give an undertaking in writing to provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee within 30 days of the date of registration in the Land Registry/Land Titles Office for Wellington (No. 61) a copy of the receipted and registered electronic transfer document including the Form 2 Certificate for Consent B23/15.
3) THAT the Owner, as provided for under Section 69 of the Planning Act, R.S.O. 1990, shall pay to the Treasurer of the County of Wellington the administrative fee which is in effect at the time of the payment of the fee for the review and issuance of the Certificate of Consent for the severed parcel.
4) THAT the transfer for registration with respect to description complies with Ontario Regulation 43-96; and if that description contains a reference to a Reference Plan(s), the Owner's solicitor **shall provide a full print of that deposited reference plan(s)** to the secretary-treasurer of the Planning and Land Division Committee.
5) THAT proper servicing plans prepared by a registered professional consulting engineer are provided by the developer to the Town, and that a servicing agreement be executed between the parties to provide for, among other matters, extension of sanitary sewer, water, streetlights, hydrants, roadways as well as surface water management and grading, driveway access and similar requirements to the satisfaction of the Town of Minto; and further that the Town of Minto file a letter of clearance of this condition with the Secretary-Treasurer of the Planning and Land Division Committee as written proof of fulfillment of this condition.
6) THAT the Owner satisfy all the requirements of the Town of Minto, financial and otherwise (to include but not limited to land acquisition for roadway, servicing and similar) which the Town of Minto may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands; and further that the Town of Minto file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
7) THAT the Owner satisfy the requirements of the Local Municipality in reference to parkland dedication as provided for in the Planning Act, R.S.O. 1990; and that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
8) THAT the Official Plan and zoning by-law amendments applicable to this development are in full force and effect to the satisfaction of the Town of Minto; and further that the Town of Minto file a letter of clearance of this condition with the Secretary-Treasurer of the Planning and Land Division Committee as written proof of fulfillment of this condition.

9) THAT notice under Source Water Protection is provided to the satisfaction of the Town of Minto; and further that the Town of Minto file a letter of clearance of this condition with the Secretary-Treasurer of the Planning and Land Division Committee as written proof of fulfillment of this condition.

10) THAT Official Plan Amendment (OPA-2015-01) is approved to the satisfaction of the County of Wellington Planning and Development Department; and further that the County of Wellington Planning and Development Department file a letter of clearance of this condition with the Secretary-Treasurer of the Planning and Land Division Committee as written proof of fulfillment of this condition .

11) THAT the Owner provide an updated development concept plan which details the future development of Wellingdale Construction Ltd.'s lands in the area to the satisfaction of the County of Wellington Planning and Development Department; and further that the County of Wellington Planning and Development Department file a letter of clearance of this condition with the Secretary-Treasurer of the Planning and Land Division Committee as written proof of fulfillment of this condition

12) THAT Maitland Valley Conservation Authority (MVCA) is satisfied that the grading as proposed in the Lot Grading & General Drainage Plan (Triton Engineering, December 2011) has been completed. A land surveyor must undertake a topographic survey to confirm the grading; and further that the Maitland Valley Conservation Authority file a letter of clearance of this condition with the Secretary-Treasurer of the Planning and Land Division Committee as written proof of fulfillment of this condition.

13) THAT MVCA is satisfied with a revised grading plan showing the revised lot fabric for all lots on Part Lots E & F, Preston's (88-D Minto) Survey, Part Lot 88, Concession D. The grading plan must ensure that safe access (ingress and egress) to the new development is established for the unimpeded movement of vehicular and pedestrian traffic in a regional flood event. Plans must be developed in consultation with MVCA and the Town of Minto; and further that the Maitland Valley Conservation Authority file a letter of clearance of this condition with the Secretary-Treasurer of the Planning and Land Division Committee as written proof of fulfillment of this condition.

*****Conditions may be deleted, added to, or changed at meeting*****

County of Wellington Planning and Land Division Committee
Deborah Turchet, Secretary-Treasurer
Wellington County Administration Centre
74 Woolwich Street, Guelph, ON N1H 3T9

May 28, 2015

NOTICE OF CONSIDERATION IN PUBLIC FORUM

Pursuant to SECTION 53 of the ONTARIO PLANNING ACT and applicable Regulations

with respect to Application for consent,

File B23/15 through B27/15

APPLICANT

Wellingdale Construction Limited
c/o John Mohle
RR#1
Palmerston ON N0G 2P0

LOCATION OF SUBJECT LANDS:

TOWN OF MINTO (Harriston)
Preston's Survey, Part Lot 88, Conc D
Park Lots E & F

Proposed severances range in size from 613.1 sq.meters to 708.4 square metres fronting on Lorne Street (Parcel 1 – 5 on sketch), vacant land for proposed urban residential use.

Retained parcel is 6775.2 square metres with 20.12m frontage (Parcel 6 on sketch), existing and proposed vacant land.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, June 11, 2015**

AT 9:05 A.M. for the purpose of considering this matter.

CONSIDERATION WILL BE HELD IN THE: 3A (Keith Room)
County of Wellington Administration Centre
74 Woolwich Street
Guelph, Ontario N1H 3T9

NOTICE is being sent to you for your information. **THE OWNER, APPLICANT OR AUTHORIZED AGENT, OR AUTHORIZED SOLICITOR SHOULD ATTEND THIS CONSIDERATION**. Any person may be represented by counsel who has been duly authorized for that purpose.

Even if the owner/applicant does not attend, the Committee will consider the application as scheduled, and the applicant, except as otherwise provided in the Planning Act, will not be entitled to any further notice in the Proceedings.

Please also be advised that if a person or public body that filed an appeal of a decision of the County of Wellington Planning and Land Division Committee in respect of the proposed consent has not made written submission to the County of Wellington Planning and Land Division Committee before it gives or refuses to give a provisional consent, then the Ontario Municipal Board may dismiss the appeal.

A Copy of the **DECISION** of the Committee will be sent **to the applicant, and to each person or agency who filed with the Secretary-Treasurer a written request for Notice of Decision.**

Additional Information regarding the application is available to the public during regular business hours, Monday to Friday at the County of Wellington Planning and Land Division Office - 74 Woolwich St. Guelph ON N1H 3T9

Phone - (519) 837-2600 x2170 Fax – (519) 837-3875

To view comments for this application on our website www.wellington.ca follow these steps:

- ⇨ **Government**
- ⇨ **Council and Standing Committees**
- ⇨ **Land Division Committee**
- ⇨ **choose month & year in drop down menus**
- ⇨ **Choose Land Division Committee in the drop down menu**
- ⇨ **open appropriate agenda**

TO: **Applicant – Wellingdale Construction Ltd.**

May 8, 2015

Ms. D. Turchet, Secretary- Treasurer
County of Wellington Planning and Land Division Committee
74 Woolwich Street
Guelph, ON
N1H 3T9

Re: Wellingdale Construction Inc. B23/15, B24/15, B25/15, B26/15 and B27/15

Dear Deborah:

The Council of the Town of Minto at their regular Council meeting held on May 8, 2015 approved the following motion;

THAT the Council of the Town of Minto advise County of Wellington Land Division Committee that if severance Applications B23/15, B24/15, B25/15, B26/15 and B27/15 for properties located at Part Lot 88 Concession D Park Lots E & F Harriston are approved the following conditions should apply prior to a certificate of consent being issued:

1. THAT financial requirements of the Town are met regarding parkland dedication, land acquisition for roadway, servicing and similar.
2. THAT the Official Plan and zoning by-law amendments applicable to the development are in full force and effect;
3. THAT proper servicing plans prepared by a registered professional consulting engineer are provided by the developer to the Town, and that a servicing agreement be executed between the parties to provide for, among other matters, extension of sanitary sewer, water, streetlights, hydrants, roadways as well as surface water management and grading, driveway access and similar requirements to the satisfaction of the Town;
4. THAT notice under Source Water Protection is provided to the satisfaction of the Town.

Sincerely,

Peg Schieck, CMO
Clerk's Assistant

5941 Highway #89
Harriston, Ontario
N0G 1Z0

tel: 519-338-2511
fax: 519-338-2005

www.town.minto.on.ca

RECEIVED
MAY 11 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Planning and Development Department | County of Wellington
County Administration Centre | 74 Woolwich Street | Guelph ON N1H 3T9
T 519.837.2600 | F 519.823.1694

RECEIVED
MAY 20 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Application	B23/15-B27/15
Location	Pt Lt 88, Con D, Pk Lots E& F TOWN OF MINTO
Applicant/Owner	Wellingdale Construction Ltd.

PLANNING OPINION: These applications would create five residential lots in Harriston ranging in size from 613.1 m² (6,599 ft²) to 708.4 m² (7,625 ft²). A vacant parcel would be retained with an area of 1.67 ac (6,775.2 ft²). Wellingdale Construction owns an additional 1.0 ha (2.4 ac) adjacent.

There is a long history of multiple residential severances by this applicant in this part of Harriston (Figure 1). These applications have exceeded the four lot severance maximum (including the retained) which normally triggers a plan of subdivision. The Committee used its discretion to allow the additional lots that were established during this time.

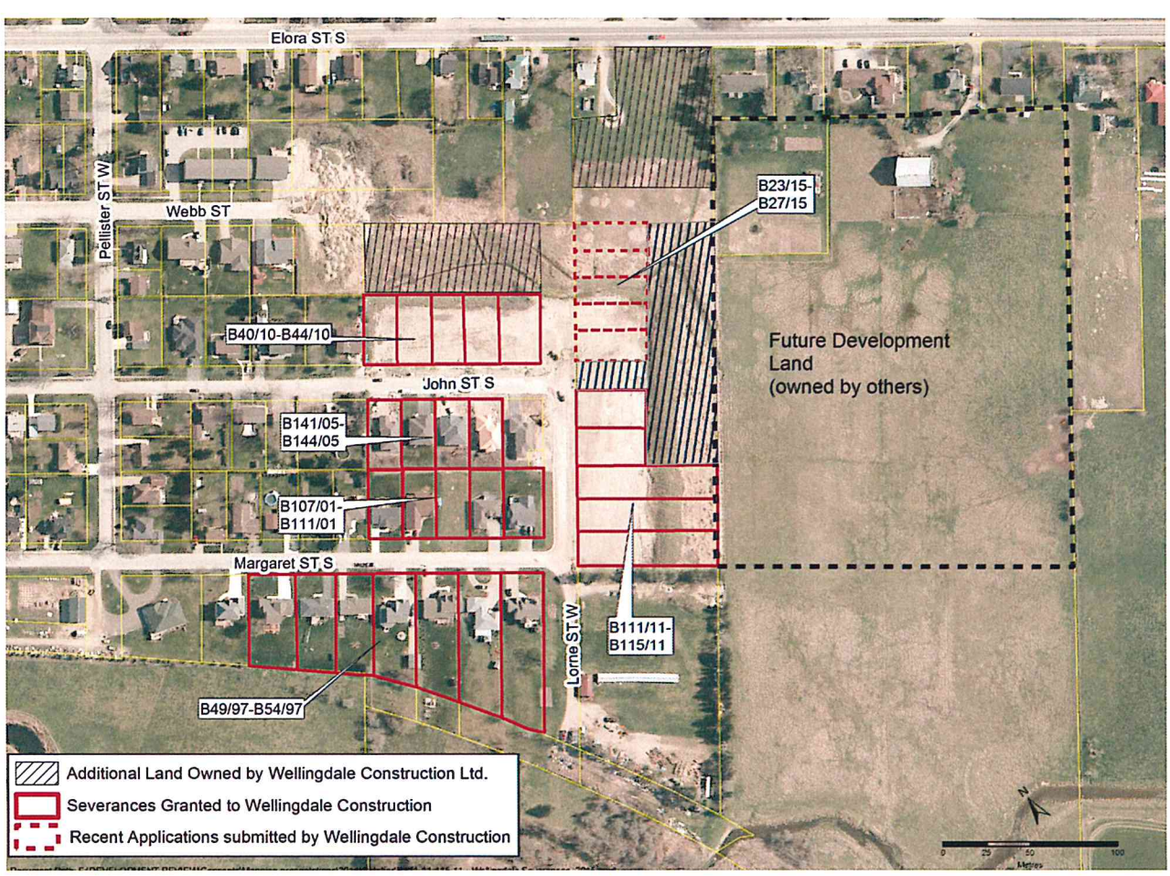
In 2011 the proponents applied for five consents along Lorne Street W, (B111/11-B115/11). This proposal required the extension of Lorne St W. to facilitate the development. At this time Staff's recommendation was that a plan of subdivision would be more appropriate for this development. The Committee chose to allow the development to proceed by consents. Staff would note that the applications before the Committee are similar in that they would require the extension of roadways and services to facilitate the development and a plan of subdivision would still be considered more appropriate.

If the Committee feels that proceeding by way of consent is an appropriate way to develop the lands, Staff would recommend that an updated lot grading and drainage plan, as well as a detailed concept plan for all of the Wellingdale Construction Ltd land holdings in the area be provided as a minimum requirement.

Should these applications be approved we would request that the following be made a condition of approval:

a) That Official Plan Amendment (OPA-2015-01) is approved to the satisfaction of County of Wellington Planning and Development Department;
b) That the subject lands are rezoned to the satisfaction of the local municipality;
c) That the owner enters into a development agreement to the satisfaction of the local municipality concerning the provision of services such as roads sidewalks, water, sewer, stormwater management, parkland dedication and street lighting and driveway access;
d) That the owner provide an updated lot grading and drainage plan which reflects the current proposal to the satisfaction of the Conservation Authority;
e) That the owner provide an updated development concept plan which details the future development of Wellingdale Construction Ltd's lands in the area to the satisfaction of the County of Wellington Planning and Development Department;

Figure 1 **Wellingdale Construction Severances & Holdings**
Margaret, John and Lorne Street areas; Harriston, Town of Minto



Planning and Development Department | County of Wellington
County Administration Centre | 74 Woolwich Street | Guelph ON N1H 3T9
T 519.837.2600 | F 519.823.1694

PROVINCIAL POLICY STATEMENT (PPS): Land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land resources. (Section 1.1.3.2.a.1)

WELLINGTON COUNTY OFFICIAL PLAN: The Subject lands are designated FUTURE DEVELOPMENT in the Harriston Urban Centre. Development within the Future development area is to be limited until an official plan amendment including a proper site plan or concept plan for future uses has been submitted and approved. An Official Plan Amendment has been filed by the applicant to change the Official Plan designation on the severed parcels to Residential (File: OP-2015-01).

Lot creation in urban areas is intended to proceed by plan of subdivision. The Official plan policies provide direction for when a plan of subdivision will normally be required, including:

a) Four or more lots (including the retained) are being created, or
b) A new road or substantial extension to an existing road is required, or
c) Where special concerns or issues exist which would best be dealt with through a plan of subdivision.

Considering the above policies, we note that these applications would result in the creation six new lots (including the retained) rather than four. We would also note that the road way and municipal services proposed to service this development are not in place. Wellingdale Construction has incrementally developed a series of residential lots in this area of Harriston without a plan of subdivision. A total of 27 lots have been created by severance application between 1997 and 2011.

While the Land Division Committee has exercised some discretion in the past concerning the number of lots created without a plan of subdivision, there are issues which can be better dealt with through the subdivision process, such as

- Extending adjacent streets and servicing to efficiently develop the subject lands and adjacent property to the east under different ownership;
- Drainage and adjacent lands; and
- Appropriate density

With respect to the above noted issues, we note that the applicant has submitted a drainage review which provides a storm water management strategy for the applicants land holdings in the area. The drainage review provided does not reflect this most recent proposal and should be updated to reflect the new lot configuration being proposed.

A minimum density of 6.5 units per acre is generally required for newly developing subdivisions. The severance applications would achieve a density of 4.8 units per acre. The conceptual lot layout would not achieve the minimum density; however there is some flexibility in the official plan to the density target in areas where there is a need for transition areas from adjacent land uses, or on small parcels under 2 ha (5 ac).

The applicant has indicated in the application that it is his intention to provide multi-residential development on the retained lands and lands fronting onto Elora Street to act as a transition area to higher density development. It should be noted that the current Official plan designation and zoning of the lands do not ensure that higher density development will occur on the remainder of the lands. The concept plan provided does not reflect the current proposal or indicate where multi-residential development will be located. A detailed concept plan showing the future development of the lands including where multi-residential development will take place should be provided.

According to Schedule B5 (Minto Wellhead Protection Areas) the subject property is located within a Wellhead Protection Area 2. As the lands are to be municipally serviced and used for residential

The matters under section 10.1.3 were also considered including a) "That any new lots will be consistent with official plan polices and zoning regulations", b) "that all lots can be adequately serviced..." d) "that all lots will have safe driveway access "and o) "That the creation of any lots is necessary, timely and in the public interest".

LOCAL ZONING BY-LAW: The subject lands are zoned Future Development (FD) and Flood Fringe Overlay Zone Two (FF2). The property would need to be rezoned to permit the proposed residential use of the property. The proposed lots would meet the minimum lot requirements of the R1C zone.

SITE VISIT INFORMATION: The subject property was visited on May 15th, 2015. Notice Cards were posted and the survey sketch appears to meet the application requirements.

Jameson Pickard

Jameson Pickard, Planner
May 20th, 2015

RECEIVED
MAY 13 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Maitland Valley Conservation Authority

Providing leadership to protect and enhance our water, forests and soils!

MEMORANDUM

TO: **Deborah Turchet, Secretary –Treasurer, County of Wellington Planning and Land Division Committee**
CC: **Bill White, CAO/Clerk, Town of Minto**
John Mohle, Wellingdale Construction Limited, Applicant
FROM: **Brandi Walter, Environmental Planner / Regulations Officer**
Maitland Valley Conservation Authority (MVCA)
DATE: **May 13, 2015**
SUBJECT: **Applications for Consent No.'s B23/15 to B27/15**
Town of Minto, Park Lots E & F, Preston's Survey, Part Lot 88, Concession D, Harriston

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We have reviewed the above-noted applications for consent with respect to Provincial and Authority Policies and associated mapping related to Natural Heritage features and Natural Hazards. Based on our review, we offer the following comments.

It is our understanding the purpose of the applications is to sever 5 lots for residential use as identified on the sketch submitted with the applications.

The proposed severed parcels of land are not located within or adjacent to any natural heritage features that would be negatively impacted by the development. However, the properties are located within the flood fringe section of the Regional Floodplain in the Town of Harriston.

Proposed development within the flood fringe is subject to MVCA's floodplain policies, pursuant to *Ontario Regulation 164/06 (Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation);* and specific floodplain management policies for the Town of Harriston contained in the Town of Minto's Zoning-By-Law, pursuant to Section 9.6 (c) of the Cty of Wellington 's Official Plan (revised March, 2015).

Both the Authority's and the Town of Minto's floodplain policies for the Town of Harriston generally state that proposed new development in the flood fringe shall be flood proofed to the Regional Flood elevation; and that, access for all new buildings and structures shall be designed to allow for safe vehicular and pedestrian movement during a regional flood event.

MAITLAND VALLEY CONSERVATION AUTHORITY
1093 Marietta Street, Box 127, Wroxeter, ON N0G 2X0
519 335-3557 Fax: 519 335-3516 Email: maitland@mvca.on.ca

Member of
Conservation ONTARIO
Natural Champions

Currently, the existing access, including Lorne Street, is 0.9 metres below the Regional Flood elevation, therefore, limiting vehicular and pedestrian movement during a regional flood event.

Access involving both ingress and egress should be addressed prior to approving developments near flood hazard lands (or within flood fringe lands). Ingress and egress to and from the development should be such that movement of people and vehicles are not prevented during high floods. The highest priorities for access to emergency vehicles should be given, especially where evacuation is a distinct possibility.

MVCA reviewed a site grading plan (attached) submitted in support of Wellingdale Construction Ltd. applications B111/11 to B115/11, which identified an emergency access route for the lots proposed as part of those applications. However, we have not received confirmation to date that the proposed grading has been completed.

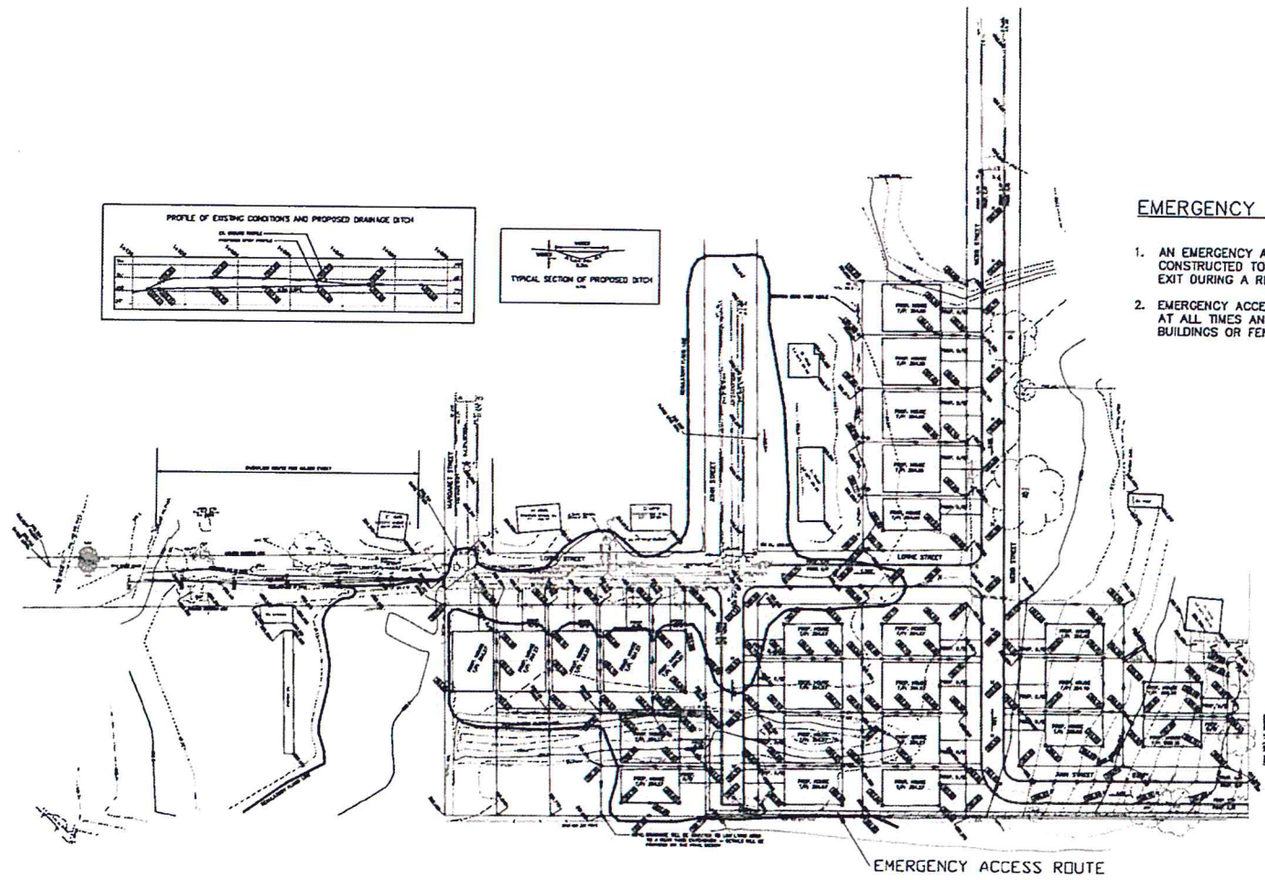
As such, the Authority has no objection to the applications, provided that the following conditions for approval are included:

1) That the Maitland Valley Conservation Authority (MVCA) review and approve proposed development on each of the severed and retained lots, pursuant to *Ontario Regulation 164/06;*

2) That MVCA is satisfied the that grading as proposed in the Lot Grading & General Drainage Plan (Triton Engineering, December 2011) has been completed. A land surveyor must undertake a topographic survey to confirm the grading; and,

3) That MVCA is satisfied with a revised grading plan showing the revised lot fabric for all lots on Part Lots E & F, Preston's (88-D Minto) Survey, Part Lt 88, Con D. The grading plan must ensure that safe access (ingress and egress) to the new development is established for the unimpeded movement of vehicular and pedestrian traffic in a regional flood event. The plans must be developed in consultation with MVCA and the Town of Minto.

Thank you for the opportunity to comment at this time. Feel free to contact this office if you have any questions.



EMERGENCY ACCESS ROUTE

1. AN EMERGENCY ACCESS ROUTE SHALL BE CONSTRUCTED TO SAFELY ALLOW FOR PEDESTRIAN EXIT DURING A REGULATORY STORM EVENT.
2. EMERGENCY ACCESS ROUTE SHALL REMAIN CLEAR AT ALL TIMES AND IS NOT BE OBSTRUCTED WITH BUILDINGS OR FENCING.

LEGEND

REGULATORY FLOODLINE	Elev. 382.87
MINIMUM OPENING 0.3m ABOVE FLOODLINE ELEVATION, BASEMENT FLOOR NOT TO BE LOWER THAN THE REGULATORY FLOODLINE	
BENCHMARK	Elev. 382.652
TOP OF OPERATING NUT OF FIRE HYDRANT ON NORTH CORNER OF LORNE AND JOHN STREETS	

NOTES

THE LOCATION OF UTILITIES IS APPROXIMATE ONLY AND SHOULD BE DETERMINED BY CONSULTING THE MUNICIPAL AUTHORITIES AND UTILITY COMPANIES CONCERNED. THE CONTRACTOR SHALL PROVE THE LOCATION OF UTILITIES AND SHALL BE RESPONSIBLE FOR ADEQUATE PROTECTION AGAINST DAMAGE.

No	DATE	REVISION	INITIAL
3.	DEC. '11	REVISED AS PER UNCA COMMENTS/REQUESTS	C.P.C.
2.	JUNE '11	SUBMITTED FOR APPROVAL	K.J.B.
1.	MAR. '11	SUBMITTED FOR APPROVAL	K.J.B.

PROPOSED LOTS
LORNE ST., JOHN ST. AND WEBB ST.
(TOWN OF MINTO – HARRISTON)

WELLINGTON CONSTRUCTION
RR#1
PALMERSTON, ONTARIO N0G 2P0

PROPOSED LOT GRADING & GENERAL DRAINAGE

PROJECT No.	A5450
DRAWN BY:	K.J.B.
CHECKED BY:	C.P.C.
APPROVED BY:	P.F.J.
DATE:	DEC. 2011

TRITON ENGINEERING SERVICES LIMITED
Consulting Engineers

SCALE
1:750
HORIZONTAL

DRAWING NUMBER 01