REPORT SUMMARY

THIS PROPOSAL HAS BEEN PLACED INTO THE EXPEDITED APPROVAL PROCESS YOUR ATTENDANCE IS NOT REQUIRED BEFORE THE LAND DIVISION COMMITTEE. PLEASE SIGN and RETURN THE 'AGREEMENT TO CONDITIONS' LETTER IMMEDIATELY

Date of Consideration: **June 9, 2016**

File Number: **B22/16**

Applicant: **Yana Hoffman**

Subject Lands: TOWNSHIP OF GUELPH/ERAMOSA – Part Lot 1, Concession 2

Proposal is a request for consent to convey fee simple for a proposed lot line adjustment 40 2.5m fr x 16.2m = 40 square metres in the TOWNSHIP OF GUELPH/ERAMOSA – Part Lot 1, Concession 2, vacant land to be added to abutting residential lot – Richard Lay & Virginia Wisener; retained lands are 445 sq.m..

ISSUES: none

SUMMARY of FILED REPORTS and COMMENTS:

Township of Guelph-Eramosa - Council in support of application; conditions to be addressed

County Planning - notice cards were posted at time of site visit; application is consistent with Provincial policy and generally conforms to Official Plan; conditions to merge

Conservation Authority (GRCA) – no objection to lot line adjustment

Others: Jeff Buisman (agent) – attached cover letter

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 **including the Form 4 Certificate** and **Application for Consolidation of Parcels document for the consented parcel and the abutting lands to which the consented parcel is to be added** for Consent B22/16.

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 the Purchaser take title of the severed lands in the same manner as he holds his abutting lands; and **THAT** Section 50, subsection (3) of the Ontario Planning Act, R.S.O. 1990 as amended shall apply to any subsequent conveyance or any transaction involving the parcel of land that is the subject of this consent.

6) THAT the conveyancing documents for the severed parcel contain a statement to ensure that Section 50, subsection (3) of the Planning Act, R. S. O. 1990, as amended shall apply to any subsequent conveyance or transaction with respect to the land described herein; and a statement that the consented parcel and the abutting lands to which this consented parcel is to be added shall be dealt with contemporaneously in any future conveyances or transactions unless further consent is granted under the Planning Act or other lawful order.

7) THAT Minor Variance applications be approved to recognize the lot deficiencies on the retained and adjacent parcels to the satisfaction of the Township of Guelph/Eramosa; and further that the Township of Guelph/Eramosa file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

8) THAT the Owner satisfy all the requirements of the Township of Guelph/Eramosa, financial and otherwise (included but not limited to fees incurred for review of application) which the Township of Guelph/Eramosa 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 Township of Guelph/Eramosa file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance 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 26, 2016

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 B22/16

APPLICANT

Yana Hoffman
225 Barden St.
Eden Mills ON N0B 1P0

LOCATION OF SUBJECT LANDS:

GUELPH/ERAMOSA
Part Lot 1
Concession 2

Proposed lot line adjustment is 40 2.5m fr x 16.2m = 40 square metres, vacant land to be added to abutting residential lot – Richard Lay & Virginia Wisener.

Retained parcel is 445 square metres with 25.9m frontage, existing and proposed residential use with existing dwelling.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, June 9, 2016**

for the purpose of considering this **EXPEDITED APPLICATION.**

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 IS NOT REQUIRED TO ATTEND**. MAKE SURE THAT THE AGREEMENT LETTER IS SIGNED AND RETURNED TO THE PLANNING AND LAND DIVISION COMMITTEE OFFICE.

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: **Agent – Jeff Buisman**

RECEIVED
MAY 19 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

MUNICIPALITY COMMENTING FORM

The Planning and Land Division Committee, in considering the following application, respectfully requests input from the municipality. The Application and Sketch are enclosed for your information.

FILE NO: B22/16

APPLICANT

Building and Environmental Engineering Ltd.
Attn: Richard Lay
229 Barden St.
Eden Mills ON N0B 1P0

LOCATION OF SUBJECT LANDS

GUELPH/ERAMOSA
Part Lot 1
Concession 2

Proposed lot line adjustment is 40 2.5m fr x 16.2m = 40 square metres, vacant land to be added to abutting residential lot – Richard Lay & Virginia Wisener.

Retained parcel is 445 square metres with 25.9m frontage, existing and proposed residential use with existing dwelling.

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER:

Does this description reasonably describe the parcel holdings? YES( ) NO( ) ***SEE AS FOLLOWS:***

If answer is no, please provide new information: ***225 BARDEN ST – CON 2 PT E ½ LOT 1 EDEN MILLS***
229 BARDEN ST – CON 2 E PT LOT 1

Do you consider this proposal to conform to ~~XXXX~~ ***THE*** Official Plan? YES(X) NO( ) ***SEE ATTACHED PLANNING REPORT***

What Section(s) does it conform to or contravene? (Please specify)

Will the Severed Parcel comply with all requirements of the Zoning By-law? YES [ ] NO [X]
(Please Specify) ***SEE ATTACHED PLANNING REPORT & COUNCIL RESOLUTION***

Will the Retained Parcel comply with all requirements of the Zoning By-law? YES [ ] NO [X]
(Please Specify) ***SEE ATTACHED PLANNING REPORT & COUNCIL RESOLUTION***

If Necessary, would the Municipality be prepared to consider an **Amendment** to the Zoning By-Law to permit the proposal to conform? YES( ) NO( ) N/A(X) or **Minor Variance** YES(X) NO( ) N/A( )

Is proposal on an opened maintained year-round public road YES(X) NO( )
If answer is NO, is municipality willing to enter into an agreement regarding use of the seasonal road, or opening up the road ?

Please specify

Is the Proposed Lot(s) serviced now by Municipal Water YES( ) NO(X)

Is the Retained Lot serviced now by Municipal Water YES( ) NO(X)

Is the Proposed Lot(s) serviced now by Municipal Sewers YES( ) NO(X)

Is the Retained Lot serviced now by Municipal Sewers YES( ) NO(X)

Is there a **Capital Works Project** underway to service these lots in the near future YES( ) NO(X)
Approximate Time of Servicing Availability:

Are there any other servicing arrangements, Municipal easements or Municipal Drains on the subject lands?

None to the best of our knowledge.

Continued to Page 2

MUNICIPALITY COMMENTING FORM

FILE NO: B22/16

Is the Municipality's Building Official satisfied that there is a sufficient site on the severed parcel for individual well and septic services?
YES [ ]NO [ ]

SEE ATTACHED PLANNING REPORT

Is there any further information that may assist the Planning and Land Division Committee?
[A letter may be attached if there is insufficient space to explain]

SEE ATTACHED PLANNING REPORT & COUNCIL RESOLUTION

Is the Municipality in support of this application? **YES(X) NO( )**

What Conditions, if any, are requested by the Municipality if the Consent is granted?

SEE ATTACHED PLANNING REPORT & COUNCIL RESOLUTION

Does the Municipality request a Notice of the Decision? YES(X) NO( )

SIGNATURE Meaghen Reid

TITLE: *Clerk/Director of Legislative Services*

ADDRESS: *8348 Wellington Road 124, P. O. Box 700, Rockwood, ON N0B 2K0*

DATE: *May 17, 2016*

Attachments: *Planning Report 16/24 (May 16, 2016)*
Memorandum Email regarding Council Resolution

Guelph/Eramosa Township

MEMO

Phone: 519-856-9596 ext. 125
Fax: 519-856-2240
Email: jhyde@get.on.ca

TO: Kelsey Lang, Planning Associate

FROM: Joanne Hyde, Acting Deputy Clerk

DATE: May 16, 2016

RE: Planning Department Report 16/24 re: Consent Application B22/16 – Richard Lay.

At the Regular meeting of Council held on May 16, 2016 Council received the above noted report. The following resolution was put forward and passed:

> Be it resolved that the Council of the Corporation of the Township of Guelph/Eramosa has received Planning Department Report 16/24 regarding Consent Application B22/16 – Richard Lay; and
>
> That consent application B22/16, be supported, subject to the following conditions:
>
> 1. That Minor Variance applications be approved to recognize the lot deficiencies on the retained and adjacent parcels, as noted in Planning Report 16/24; and
>
> 2. That the severed property be merged on title with the lands legally described as Concession 2 East, Part Lot 1; Geographic Township of Eramosa, and municipally described as 229 Barden St.; and
>
> 3. That the Owner satisfy all the requirements of the Township of Guelph/Eramosa financial and otherwise, which the municipality deems necessary at the time of issuance of the Consent Certificate for the property and orderly development of the subject lands. Any fees incurred by the Township for the review of this application will be the responsibility of the applicant.

Please accept this for your information and any necessary action.

Yours truly,

JHyde

Joanne Hyde
Acting Deputy Clerk

cc. Applicant
G. Kruse, Planning Administrator

Guelph/Eramosa Township

STAFF REPORT
COUNCIL

PLANNING DEPARTMENT REPORT
REPORT 16/24

TO:	The Mayor and Members of Council
FROM:	Kelsey Lang, Planning Associate
MEETING DATE:	**Monday May-16-16**
SUBJECT:	**CONSENT APPLICATION B22/16 – Richard Lay**
LOCATION & WARD:	225 Barden St, Eden Mills. / Ward 3.
ATTACHMENTS:	1 – LOCATION MAP 2 – APPLICATION SKETCH

SUMMARY:
The applicants have submitted a lot line adjustment to sever 40 m^2 (0.01 ac) from the northern boundary of 225 Barden St, and to merge the severed portion with the adjacent property to the north, known as 229 Barden St.

RECOMMENDATION:

Be it resolved that the Council of the Corporation of the Township of Guelph/Eramosa has received Planning Department Report 16/24 regarding Consent Application B22/16 – Richard Lay; and

That Council support consent application B22/16 subject to the following conditions:

1. **That Minor Variance applications be approved to recognize the lot deficiencies on the retained and adjacent parcels, as noted in Planning Report 16/24; and**

2. **That the severed property be merged on title with the lands legally described as Concession 2 East, Part Lot 1; Geographic Township of Eramosa, and municipally described as 229 Barden St.; and**

3. **That the Owner satisfy all the requirements of the Township of Guelph/Eramosa financial and otherwise, which the municipality deems necessary at the time of issuance of the Consent Certificate for the property and orderly development of the subject lands. Any fees incurred by the Township for the review of this application will be the responsibility of the applicant.**

PROPOSAL:

The subject property is located at 225 Barden St, and is legally described as Division D, Concession 3, Part Lots 11 & 12, Plan 45, Lots 10-17 & Part Lots 1-9, & 18, in the former Township of Guelph. The property is located in the Hamlet Area of Eden Mills.

The applicant is requesting a lot line adjustment, by severing a portion of the lot, which will then be merged with an abutting lot to the north, as shown in the Attachment 2.

A description of the severed and retained parcels is provided in the table below:

	Severed Portion	Retained Portion
Frontage/Width	2.5 m frontage	25.9 m frontage
Area	40 m^2	445 m^2 (0.05 ha)
Existing Use	Residential	Residential
Existing Buildings/Structures	A well servicing 229 Barden St	Detached dwelling
Proposed Use	Residential	Residential
Zoning	Rural Residential	Rural Residential

COUNTY OF WELLINGTON OFFICIAL PLAN

The subject property is designated as Hamlet Area. The Hamlet Area designation permits a mix of rural residential, commercial, and industrial uses. There is no change in use proposed on either the retained or severed parcels.

The severance is proposed under Section 10.6.3 in the Wellington County Official Plan, which permits lot line adjustments in the Hamlet Area designation where there are no adverse effects to the basic lot patterns in the area.

TOWNSHIP OF GUELPH/ERAMOSA ZONING BY-LAW 57/1999

The subject property is zoned Rural Residential (RR) in Zoning By-law 57/1999. The Rural Residential (RR) zone allows for a residential and accessory uses.

The retained lot will be 445 m^2 (0.05 ha) in size, whereas a minimum lot area of 0.4 hectares is required. The neighboring abutting property which will be merged with the severed portion would then be 650 m^2 (0.07 ha), which does not meet minimum lot size requirements of 0.4 hectares. A Minor Variance will be required to recognize the lot area deficiency of both properties.

Additionally both lots have other deficiencies which will be required to be addressed, prior to the approval of the lot line adjustment.

These include:

- 225 Barden St:
  - A minimum interior side yard of 1.7 m is proposed, whereas 3.0 m is required.
- 229 Barden St:
  - A front yard setback of 0.0 m exists whereas 7.5 m is required.
  - A rear yard setback of 4.0 m exists whereas 7.5 m is required.

Of note, the front yard setback of 225 Barden Street is 1.1 m whereas 7.5 m is required; however relief was provided through minor variance application A05/03 in 2003 for this regulation.

The proposed lot line adjustment meets the requirements of the Official Plan and Zoning By-law subject to confirmation that the severed parcel and adjacent property have been merged on title, and required deficiencies have been addressed.

COMMENTS

As of the date of this report:

- Chief Building Official: No concerns.
- Director of Public Works: No objection, but if any changes to existing entrances or new entrances are proposed municipal approval will be required

Respectfully Submitted By:

Kelsey Lang
Planning Associate

Reviewed and Approved By:

Dan Currie, RPP, MCIP
MHBC Planning

Reviewed By:

Ian Roger, P. Eng
CAO

Guelph/Eramosa Township

225 Barden St

Legend

- Parcels
- Roads
  - Local Road
  - County Road
  - Highway
- Railways
- Municipalities
- RoadsLookup

Notes

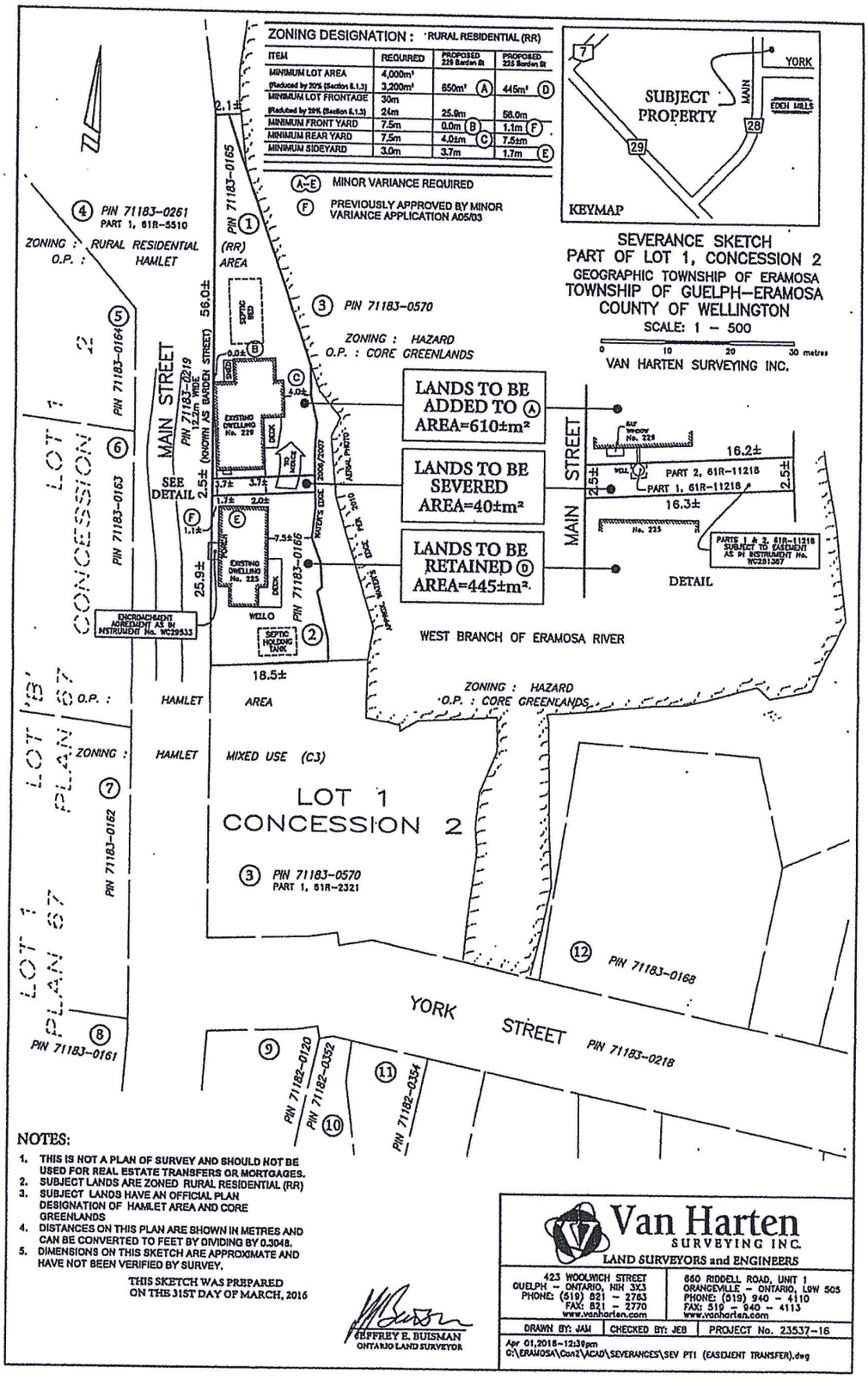
0.1 0 0.03 0.1 Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere

Includes material © 2014 of the Queen's Printer for Ontario. All rights reserved.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS IS NOT SURVEY DATA. Parcels - Teranet 2002, Wellington County 2014



NOTES:

1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
2. SUBJECT LANDS ARE ZONED RURAL RESIDENTIAL (RR)
3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF HAMLET AREA AND CORE GREENLANDS
4. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
5. DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.

THIS SKETCH WAS PREPARED ON THE 31ST DAY OF MARCH, 2016

JEFFREY E. BUISMAN
ONTARIO LAND SURVEYOR

Van Harten
SURVEYING INC.
LAND SURVEYORS and ENGINEERS

423 WOOLWICH STREET
GUELPH – ONTARIO, N1H 3X3
PHONE: (519) 821 – 2763
FAX: 821 – 2770
www.vanharten.com

660 RIDDELL ROAD, UNIT 1
ORANGEVILLE – ONTARIO, L9W 5G5
PHONE: (519) 940 – 4110
FAX: 519 – 940 – 4113
www.vanharten.com

DRAWN BY: JAM | CHECKED BY: JEB | PROJECT No. 23537-16

Apr 01,2016-12:39pm
G:\ERAMOSA\Con2\ACAD\SEVERANCES\SEV PT1 (EASEMENT TRANSFER).dwg

222/16

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 16 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Application	B22/16
Location	Part Lot 1, Concession 2 TOWNSHIP OF GUELPH/ERAMOSA
Applicant/Owner	Building and Environmental Engineering Ltd.

PLANNING OPINION: This proposed lot line adjustment would sever a 40 sq. m (431 sq. ft.) vacant parcel to be added to an abutting residential lot. A 445 sq. m (4,790 sq. ft.) lot would be retained for residential use.

This application is consistent with Provincial policy and would generally conform to the Official Plan, provided that the following matters are addressed as conditions of approval:

a) That any concerns of the Grand River Conservation Authority can be addressed;
b) That the purchaser take title to the severed lands in the same manner as they hold their abutting land; and,
c) That Subsection 50(3) of the Planning Act, R.S.O., 1990 be applied to any subsequent conveyance or any transaction involving the parcel of land that is the subject of this Consent.

PLACES TO GROW: No issues.

PROVINCIAL POLICY STATEMENT (PPS): No issues.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated HAMLET (Eden Mills) and CORE GREENLANDS. The Core Greenlands designation identifies a GRCA slope valley. Within Hamlets "lot line adjustments may be permitted where there is no adverse effect provided that basic lot patterns in an area are not unreasonably altered."

The matters under Section 10.1.3 were also considered.

WELL HEAD PROTECTION AREA: The subject property is within a Well Head Protection Area B with a Vulnerability Score of 10.

LOCAL ZONING BY-LAW: The subject property is zoned Rural Residential (RR).

SITE VISIT INFORMATION: The subject property was visited and photographed on May 9, 2016. Notice Cards were posted and the survey sketch appears to meet the application requirements.

Sarah Wilhelm, MCIP, RPP, Senior Planner
May 13, 2016

400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6

Phone: 519.621.2761 **Toll free:** 866.900.4722 **Fax:** 519.621.4844 **Online:** www.grandriver.ca

PLAN REVIEW REPORT: **County of Wellington, Planning & Land Division Committee**
Deborah Turchet, Secretary-Treasurer

DATE: April 13, 2016 **YOUR FILE:** B22/16
GRCA FILE: GuelphEramosa/2016/Sev/

RE: **Application for Consent B22/16**
225 & 229 Barden Street
Part Lot 1, Concession 2
PIN 71183-0165 & 71183-0166
Richard Lay

GRCA COMMENT:*

The Grand River Conservation Authority (GRCA) has no objection to the proposed severance of a 40 square metre parcel to be added to the abutting residential lot.

BACKGROUND:

1. **Resource Issues:**

   Information currently available at this office indicates that the lands to be severed, the lands to be retained (225 Barden Street) as well as the lands to be added to (229 Barden Street) contain floodplain, valleylands and the adjacent regulated allowance to a wetland.

2. **Legislative/Policy Requirements and Implications:**

   Due to the above mentioned features, the subject lands are regulated by the GRCA under the *Development, Interference, with Wetlands, and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 150/06)*. Future development or site alteration within the regulated area will require a permit from our office.

3. **Additional Information/Suggestions provided in an advisory capacity:**

   We wish to acknowledge receipt of the applicable plan review fee in the amount of $380.00 for our review of this application.

Should you have any questions or require further information, please contact me at 519-621-2763 extension 2238.

Yours truly,

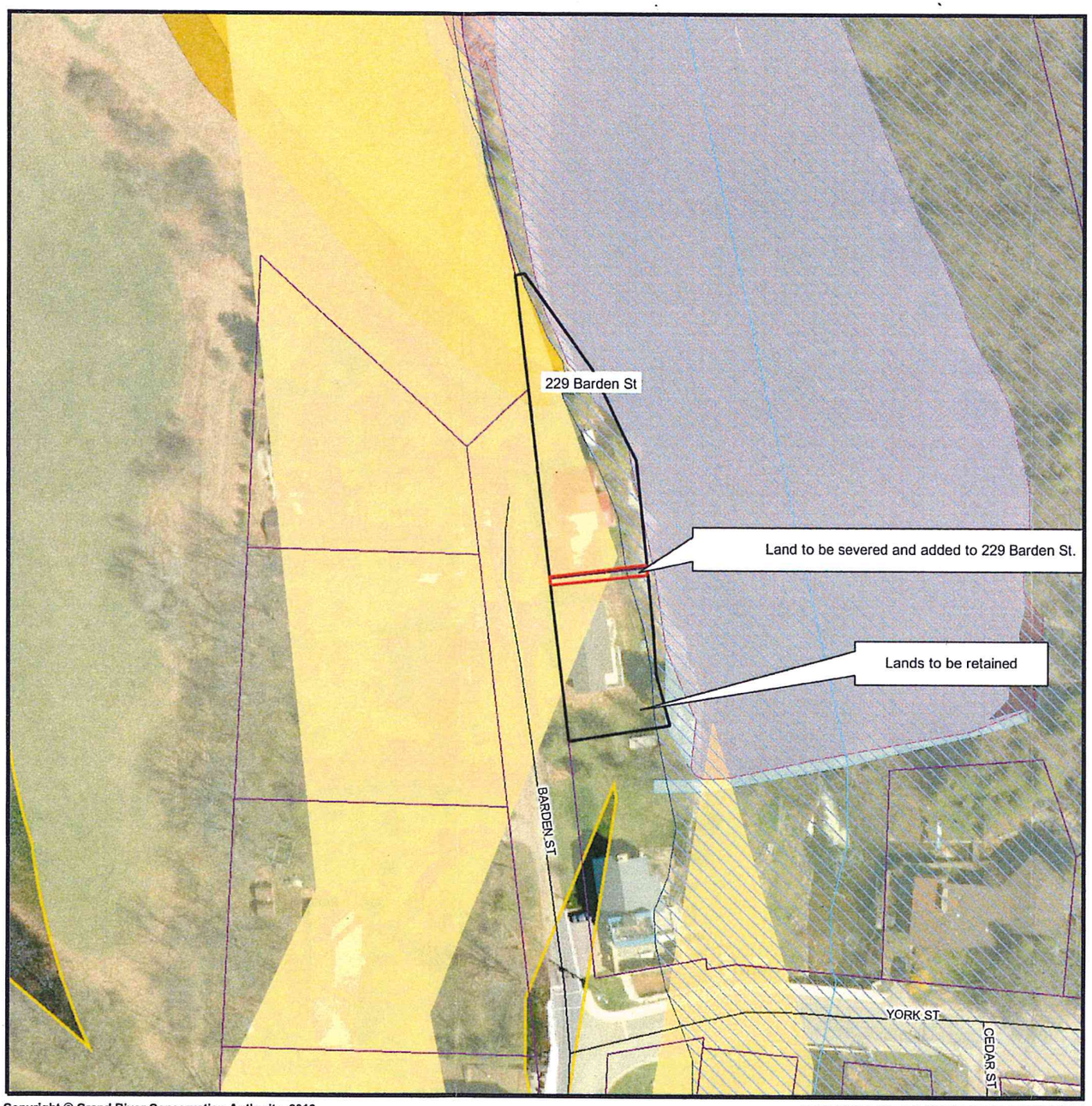
Jason Wagler, MCIP RPP
Resource Planner
Grand River Conservation Authority
JW/ar
Encl. (1)

RECEIVED
APR 18 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

N:\Resource Management Division\Resource Planning\WELLINGTON\GUELPHERAMOSA\2016\Severance\B22-16 229 and 225 Barden Street, Eden Mills (Lay)

- ***These comments are respectfully submitted to the Committee and reflect the resource concerns within the scope and mandate of the Grand River Conservation Authority.***

cc. Township of Guelph-Eramosa
Richard Lay – 229 Barden Street, Eden Mills, ON. N0B 1P0
Jeff Buisman – 423 Woolwich Street, Guelph, ON. N1H 3X3



Copyright © Grand River Conservation Authority, 2016

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Grand River Conservation Authority
Map created: April 13, 2016

B22-16 229 & 225 Barden

LEGEND

- WATERSHED BOUNDARY (GRCA)
- UTILITY LINE (NRVIS)
- ROADS-ADDRESSED (MNR)
- RAILWAY (NRVIS)
- DRAINAGE-NETWORK (GRCA)
- PARCELS-ASSESSMENT (MPAC)
- FLOODPLAIN (GRCA)
  - ENGINEERED
  - APPROXIMATE
  - ESTIMATED
- WETLAND (GRCA)
- SLOPE VALLEY (GRCA)
  - STEEP
  - OVERSTEEP
- SLOPE EROSION (GRCA)
  - STEEP
  - OVERSTEEP
  - TOE
- PARKS (GRCA)
- REGULATION LIMIT 2014 (GRCA)
- DRAINAGE-POLY (NRVIS)
- 2010 ORTHO (ONT)

GRCA Disclaimer

This map is for illustrative purposes only. Information contained hereon is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.

The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to:

http://grims.grandriver.ca/docs/SourcesCitations1.htm

0 12 24 36 48 m.

NAD 1983, UTM Zone 17 Scale 1:1,023

N

B22/16

April 1, 2016
23537-16
Jeff.Buisman@vanharten.com

County of Wellington Land Division Committee
74 Woolwich Street
GUELPH, Ontario
N1H 3T9

Attention: Ms. Deborah Turchet

Dear Ms. Turchet,

Re: Severance Sketch and Application
225 & 229 Barden Street
Part of Lot 1, Concession 2
PIN 71183-0165 & 71183-0166
Township of Guelph/Eramosa

Please find enclosed an application for a lot line adjustment severance on the above-mentioned property. Included with this submission are copies of the severance sketch, completed application form, the required deeds, a cheque to Wellington County for $1,025 and a cheque to the GRCA for $380. Addresses of neighbouring properties have been email to you directly from the Township.

Proposal:
The proposal is to increase the width of the property at 229 Barden Street (PIN 71183-0165) owned by Richard LAY and Virginia WISENER by acquiring a 1.5m strip to the south currently owned by Richard LAY's company, Building and Environment Engineering Ltd. (PIN 71183-0166). Mr. Lay intends to sell 225 Barden Street and would prefer to own this 2.5m strip where the well servicing his dwelling is located instead of just having an easement.

The proposed severed parcel is currently subject to an easement in favour of 229 Barden Street for access and use of the well. The easement, also the severed lands, has a width of 1.5±m, depth of 16±m, and an area of 40m^2. The intent of the proposed severance is to allow unrestricted access into the future for the maintenance and use of the existing well servicing 229 Barden Street. The existing property line is 1.2± m from dwelling #229 and adding the easement lands to the property creates a side yard of 3.7± m. This side yard allows for vehicle and equipment access to the side and rear of #229. Because of the topography and existing features at the north side of the property, there is no vehicle/equipment access through that side yard.

The dwelling at 225 Barden Street is serviced by an existing well on the south side of the property. The existing side yard on the south side of the dwelling is 8.5±m and allows plenty of access to the rear yard.

The effect of the new location of the property line effects three zoning requirements that will need to be addressed by minor variances. We have also identified three existing non-conforming items that are not affected by the severance.

- Lands to be added to + lands to be severed (229 Barden Street):
  - Lot area of 650± m^2 instead of 3,200 m^2 (Previously 610 m^2 before adjustment)
  - Front yard of 0.0± m instead of 7.5 m (existing non–conformance)
  - Rear yard of 4.5± m instead of 7.5 m (existing non–conformance)
- Lands to be retained (225 Barden Street):
  - Lot area of 445± m^2 instead of 3,200 m^2 (485 m^2 before adjustment)
  - Interior side yard of 1.7± m instead of 3.0 m
  - Front yard of 1.1± m instead of 7.5 m (Previously approved by minor variance application A05/03)

Section 10.6.3 of the Wellington County Official Plan states that *"Lot line adjustments may be permitted where there is no adverse effect provided that basic lot patterns in an area are not unreasonably altered."* The proposed lot line adjustment is administrative in nature as the intent is to ensure permanent ownership of the well servicing the existing dwelling. We express the opinion that the effect of the lot line adjustment is minimal and does not unreasonably alter the lot fabric.

Please call me if you or the Planning Staff have any questions.

Van Harten Surveying Inc.

Jeff Buisman