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: **B26/16**

Applicant: **Lou Maieron**

Subject Lands: TOWN OF ERIN – Part Lot 12, Concession 9

Proposal is a request for consent to convey fee simple for a proposed lot line adjustment 144 square metres with no frontage in the TOWN OF ERIN – Part Lot 12, Concession 9, vacant land to be added to abutting urban residential lot – Joseph & Irene Moore; to recognize existing encroachment; retained lands are 13.2 hectares (32.6 acres).

ISSUES: none

SUMMARY of FILED REPORTS and COMMENTS:

Town of Erin – in support of application; conforms to Official Plan and Zoning

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

Conservation Authority (Credit Valley) – no objection to lot line adjustment

Ministry of Natural Resources – no new development is proposed – no comments on proposal

Source Water – Clean Water Act – do not apply at this time

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 B26/16.
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.

*****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 B26/16

APPLICANT	**LOCATION OF SUBJECT LANDS:**
Lou Maieron 8 Mountainview Cres Erin ON N0B 1T0	TOWN OF ERIN Part Lot 12 Concession 9

Proposed lot line adjustment is 144 square metres with no frontage, vacant land to be added to abutting urban residential lot – Joseph & Irene Moore; to recognize existing encroachment.

Retained parcel is 13.2 hectares with 20m frontage, existing and proposed residential and fish farm with existing house, hatchery and shed.

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 – Rod Finnie**

RECEIVED
MAY 17 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: B26/16

APPLICANT

Lou Maieron
8 Mountainview Cres
Erin ON N0B 1T0

LOCATION OF SUBJECT LANDS

TOWN OF ERIN
Part Lot 12
Concession 9

RECEIVED
APR 12 2016
TOWN OF ERIN

Proposed lot line adjustment is 144 square metres with no frontage, vacant land to be added to a building urban residential lot – Joseph & Irene Moore; to recognize existing encroachment.

Retained parcel is 13.2 hectares with 20m frontage, existing and proposed residential and fish farm with existing house, hatchery and shed.

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER:

Does this description reasonably describe the parcel holdings? YES(x) NO( )

If answer is no, please provide new information: _____

Do you consider this proposal to conform to your Official Plan? YES(x) NO( )

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 [x] NO [ ]

(Please Specify) _____

Will the Retained Parcel comply with all requirements of the Zoning By-law? YES [x] NO [ ]

(Please Specify) _____

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( ) NO( ) N/A(x)

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(x) NO( )

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?

Continued to Page 2

MUNICIPALITY COMMENTING FORM

FILE NO: B26/16

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

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]

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?

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

SIGNATURE _____

TITLE: Building and Planning Assistant, Town of Erin

ADDRESS: 5684 Trafalgar Rd, Hillsburgh, ON

DATE: May 16, 2016

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	B26/15
Location	Part Lot 12, Concession 9 TOWN OF ERIN
Applicant/Owner	Lou Maieron

PLANNING OPINION: This proposed lot line adjustment would address encroachment related to a swimming pool. No new development proposed.

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 Credit Valley 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): Under Section 2.1.5 development and site alteration shall not be permitted in or adjacent to natural heritage features and areas such as significant wetlands and woodlands unless the ecological function has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. No additional development is proposed within the severed parcel.

GREENBELT PLAN: No issues.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated SECONDARY AGRICULTURAL, CORE GREENLANDS and GREENLANDS. The Greenland System designations protect provincially significant wetlands, CVC Environmental Priority Areas, significant woodlands and an Environmentally Sensitive Area (ESA).

According to Section 10.2.1, new lots will not be allowed within the Greenlands System unless:

a) The lot has sufficient area outside the Core Greenland System for all its intended function including suitable buffering and includes core Greenland areas only to provide for logical boundaries;
b) The lot provides a minor boundary adjustment or correction of title and does not require any activity which would impair Greenland features or functions;
c) The lot is for conservation purposes which provide an overall benefit to the environment;
d) There will be no negative impacts on natural features or their ecological functions.

This lot line adjustment would be considered a minor boundary adjustment and no new development is proposed.

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

LOCAL ZONING BY-LAW: The subject property is zoned Agricultural (A) and Rural Environmental Protection (EP2). Lands to be added to are zoned Rural Residential (R3). Both lots would meet the applicable lot area requirements. There are no changes to frontage as a result of this application.

SITE VISIT INFORMATION: The subject property was visited and photographed on May 11, 2016. Notice Cards were posted and the survey sketch appears to meet the application requirements.

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

May 16, 2016

County of Wellington
Land Division Committee
74 Woolwich Street
Guelph, ON N1H 3T9

Attention Deborah Turchet, Secretary-Treasurer

RECEIVED
MAY 17 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Dear Ms. Turchet:

Re: CVC File No. B 16/026
Your File No. B126/16
Lou Maieron
8 Mountainview Cres
Part of Lot 12 Concession 9
Town of Erin

Staff of Credit Valley Conservation (CVC) has now reviewed the above-noted application and we provide the following comments for your consideration:

PROPOSAL:
The purpose of this Consent Application is a lot line adjustment of 144 square metres with no frontage, vacant land to be added to abutting urban residential lot – Joseph & Irene Moore; to recognize existing encroachment.

ONTARIO REGULATION NO. 160/06:
The subject property is located within this Authority's Regulated Area. As such, the property is subject to CVC Regulation of Development Interference with Wetlands, and Alterations to Shorelines and Watercourses (Ontario Regulation No. 160/06). This regulation prohibits altering a watercourse, wetland, or shoreline, and prohibits development (e.g. new structures. additions, site grading) in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands (floodplain, erosion), and wetlands without the prior written approval of CVC (i.e. the issuance of a permit).

COMMENTS:
CVC has no objection to the lot line adjustment and its approval by the Committee at this time.

We request to be notified of the Committee's decision in relation to this application.

We trust that these comments are sufficient. If you have any questions or concerns, please do not hesitate to contact the undersigned at 905-670-1615 (x. 245).

Yours truly,

Suzie Losiak, Planner M.Sc.Pl, RPP

May 18, 2016

RECEIVED
MAY 19 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Restricted Land Use Notice
No Prohibition or Risk Management Plan Requirement

Issued under the *Clean Water Act*, Section 59 (2) (a)

Town of Erin
c/o Wellington Source Water Protection
Risk Management Office
7444 Wellington Road 21
Elora, ON, N0B 1S0
1-844-383-9800
sourcewater@centrewellington.ca

Notice Number: ERI-S59-16-003		
Description and Date of Application / Supporting Documents: Lot line adjustment (144 square metres) – vacant land to be added to recognize exiting encroachment. April 8, 2016 application for consent		
Municipality Application No: B26/16	**Applicant Project No:** N/A	
Applicant: Lou Maieron	**Email:**	
Roll No: 2316000003074 and 23160000030642	**WHPA:** B	**Vulnerability Score:** 10
Property Address: Part Lot 12, Concession 9		**Town:** Erin
Municipality: Erin	**Province:** ON	**Postal Code:**
Source Protection Plan: CTC	**Drinking Water System:** Bel-Erin	

Property Owner: Lou Maieron		
Mailing Address: 8 Mountainview Crescent		**Town:** Erin
Municipality: Erin	**Province:** ON	**Postal Code:**N0B 1T0
Phone:	**Alt. Phone:**	**Email:** lou.maieron@hotmail.com

This Notice is being issued under subsection 59 2(a) of the *Clean Water Act, 2006* and was prepared in response to an Application (as described above under Description / Supporting Documents) received for the property that is identified above. One or more of the land uses proposed to be engaged in or engaged in, at the above noted property, has been designated as a restricted land use under Section 59 of the *Clean Water Act* and the application is either for a provision of the *Planning Act* prescribed under Section 62, Ontario Regulation 287/07 of the *Clean Water Act* or for a building permit under the *Ontario Building Code.*

The Application was reviewed in accordance with the *Clean Water Act* and the *CTC Source Protection Plan* which came into effect on December 31, 2015. Based on the information submitted as part of the Application, Section 57 (Prohibition) or Section 58 (Risk Management Plan) of the *Clean Water Act* **do not** apply, at this time, to the activities outlined in the Application for the above referenced property.

Wellington Source Water Protection is a municipal partnership between Township of Centre Wellington | Town of Erin | Guelph / Eramosa Township | Township of Mapleton | Town of Minto | Township of Puslinch | Township of Wellington North | County of Wellington. The purpose of the *Clean Water Act* is to protect existing and future sources of drinking water.

WELLINGTON
Source Water
PROTECTION
wellingtonwater.ca

Rationale: The application is a lot line adjustment for vacant land, zoned agricultural to be added to a residential property. Therefore, no Part IV policies apply to application.

- This Notice is only effective as it relates to the above referenced Application;
- Any change to the information submitted under the Application nullifies this Notice, unless otherwise permitted by the Risk Management Official.
- This Notice is not valid for any subsequent approvals under the *Planning Act* or building permits under the *Ontario Building Code* for the property. Further Section 59 notices will be required for subsequent applications at the property and a risk management plan may be required.
- Pursuant to Section 53 (3), Ontario Regulation 287/07 under the *Clean Water Act*, this notice, once issued, is a public document. All information submitted for development of this notice is subject to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).
- This Notice has been issued under the Authority of the Risk Management Official appointed for the Town of Erin under by-law 15-44. This Notice has been issued in accordance with the *Clean Water Act*, 2006, Section 59, Ontario Regulation 287/07 and the CTC Source Protection Plan, effective on December 31, 2015.

If you require further information, please contact the undersigned.

Digitally signed by
kdavis@centrewellington.ca
DN: cn=kdavis@centrewellington.ca
Date: 2016.05.18 16:34:31 -04'00'

Kyle Davis, Risk Management Official
519-846-9691 ext 362
kdavis@centrewellington.ca

Town of Erin
c/o Wellington Source Water Protection
Risk Management Office
7444 Wellington Road 21
Elora, ON, N0B 1S0
1-844-383-9800
sourcewater@centrewellington.ca

Wellington Source Water Protection is a municipal partnership between Township of Centre Wellington | Town of Erin | Guelph / Eramosa Township | Township of Mapleton | Town of Minto | Township of Puslinch | Township of Wellington North | County of Wellington. The purpose of the *Clean Water Act* is to protect existing and future sources of drinking water.

Jana Poechman

From: McKenna, Tara (MNRF) <Tara.McKenna@ontario.ca>
Sent: May 18, 2016 4:47 PM
To: Jana Poechman
Cc: Thompson, Melinda (MNRF); Mark Van Patter
Subject: RE: County of Wellington - Severance applications
Attachments: 861467OntarioIncConsentMNRFComments-2016-05-18.pdf

Hi Jana,

Ministry staff have reviewed the following applications for species at risk information that may be relevant for these properties:

- Application B24/16 and Application B25/16
    - See attached comments
- Application B26/16
    - It is understood that the lot line adjustment is proposed to recognize an existing encroachment, and no new development is proposed. As such, Ministry of Natural Resources and Forestry (MNRF) staff have no comments on the proposal. However, MNRF staff note that the existing encroachment is within the Blue Springs Creek Wetland Provincially Significant Wetland Complex and Eramosa River Valley Provincially Significant Life Science Area of Natural and Scientific Interest (ANSI).

It is recommended that the proponents be made aware that the *Endangered Species Act* (ESA) is dynamic legislation, which is updated periodically. The ESA may be amended as a result of species assessment and re-assessment, which can change the level of protection for species' and their habitats. More information about the ESA can be accessed on this webpage: http://www.ontario.ca/environment-and-energy/how-get-endangered-species-act-permit-or-authorization.

I hope these comments are of assistance.

Regards,

Tara

Tara McKenna, M.PI.
District Planner
Ministry of Natural Resources and Forestry, Guelph District
1 Stone Road West
Guelph ON, N1G 4Y2
(P) 519-826-4912
(F) 519-826-4929
email: tara.mckenna@ontario.ca

From: Jana Poechman [mailto:janap@wellington.ca]
Sent: April-08-16 1:45 PM
To: McKenna, Tara (MNRF)
Subject: County of Wellington - Severance applications

Hi Tara.

I'm attaching 3 applications for your review. The comments are due May 18, 2016.

Thanks very much...enjoy your weekend.
Jana

Jana Poechman| Planning Administrative Clerk | Planning and Development Department
County of Wellington | 74 Woolwich Street | Guelph | Ontario | N1H 3T9
(519) 837-2600 x2170 | fax (519) 837-3875 | janap@wellington.ca | www.wellington.ca