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: **B19/16**

Applicant: **Estate of Patrick Suessmuth**

Subject Lands: TOWN OF ERIN – Part Lot 16, Concession 5

Proposal is a request for consent to convey fee simple for a proposed lot line adjustment 3.4 hectares (8.4 acres) with 23m frontage in the TOWN OF ERIN – Part Lot 16, Concession 5, vacant land to be added to abutting rural residential lot to recognize and legitimize an existing use by adjoining owner – 1355528 Ontario Ltd.; retained lands are 16.3 hectares (40.28 acres).

ISSUES: none

SUMMARY of FILED REPORTS and COMMENTS:

Town of Erin – in support of application; conforms to Official Plan and Zoning; no conditions

County Planning - notice cards were posted at time of site visit; adding to an adjacent rural residential lot with natural areas; application is consistent with Provincial policy and generally conforms to Official Plan;

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

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 B19/16.
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 B19/16

APPLICANT

Estate of Patrick Suessmuth
c/o Dave Ingham
5442 Fourth Line
Erin ON N0B 1T0

LOCATION OF SUBJECT LANDS:

TOWN OF ERIN
Part Lot 16
Concession 5

Proposed lot line adjustment is 3.4 hectares with 23m frontage, vacant land to be added to abutting rural residential lot to recognize and legitimize an existing use by adjoining owner – 1355528 Ontario Ltd. (Property B on sketch)

Retained parcel is 16.3 hectares with 212m frontage, existing and proposed agricultural and rural residential use with existing dwelling (Property A on sketch).

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**

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: B19/16

APPLICANT

Estate of Patrick Suessmuth
c/o Dave Ingham
5442 Fourth Line
Erin ON N0B 1T0

LOCATION OF SUBJECT LANDS

TOWN OF ERIN
Part Lot 16
Concession 5

RECEIVED
APR 12 2016
TOWN OF ERIN

Proposed lot line adjustment is 3.4 hectares with 23m frontage, vacant land to be added to abutting rural residential lot to recognize and legitimize an existing use by adjoining owner – 1355528 Ontario Ltd. (Property B on sketch)

Retained parcel is 16.3 hectares with 212m frontage, existing and proposed agricultural and rural residential use with existing dwelling (Property A on sketch).

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( ) 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)

RECEIVED
MAY 17 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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: B19/16

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	B19/16
Location	Part Lot 16, Concession 5 TOWN OF ERIN
Applicant/Owner	Estate of Patrick Seussmuth

PLANNING OPINION: This proposed lot line adjustment would sever an irregular-shaped 3.4 ha (8.4 ac) parcel and add it to an adjacent rural residential lot with natural areas. A 16.3 ha (40.3 ac) parcel would be retained for agricultural and rural 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 development is proposed within the natural features and hazards which comprise the severed parcel.

GREENBELT PLAN: Not within Greenbelt Plan area.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated SECONDARY AGRICULTURAL, CORE GREENLANDS and GREENLANDS. The Greenland System designations protect provincially significant wetlands, GRCA wetlands, flood plain, 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 consolidate some of the natural features on the parcel with the adjacent lot. It is our understanding that no new development is proposed.

LOCAL OFFICIAL PLAN: The subject property is designated Secondary Agricultural and Core Greenlands.

WELL HEAD PROTECTION AREA: Not within a Well Head Protection Area.

LOCAL ZONING BY-LAW: The subject property is zoned Agricultural (A) and Rural Environmental Protection (EP2). Both lots would meet the minimum lot area and frontage requirements.

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

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

RECEIVED
MAY 17 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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

DATE: May 12, 2016 **YOUR FILE:** B19/16
GRCA FILE: B19-16 Town of Erin, Pt. Lot 16, Concession 5 (Suessmuth)

RE: Applications for Consent B19/16
Town of Erin
Part Lot 16, Concession 5

GRCA COMMENT:*

The Grand River Conservation Authority (GRCA) has no objection to the proposed lot line adjustment to enable a severance of a 3.4 hectare parcel with 23 metre frontage to be added to an abutting residential lot.

BACKGROUND:

1. **Resource Issues:**

   Information currently available at this office indicates that the subject lands (severed lands, lands to be added to and retained lands) contain portions of the Provincially Significant Eramosa River/ Blue Springs Wetland Complex, watercourses, floodplain, as well as the associated regulated allowances to these features. The watercourses and wetlands may offer or contribute to fish habitat.

   We have also noted that the subject lands contain portions of the Provincially Significant Eramosa River Valley Life Science Area of Natural and Scientific Interest (ANSI) and wooded area.

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

   Portions of the subject lands contain natural hazard land and natural heritage features as identified by the Provincial Policy Statement (PPS, 2014) and County of Wellington Official Plan (2015). Under the County of Wellington Official Plan lot line adjustments are not considered development; as the proposed lot line adjustment will not fragment any of the aforementioned features no impacts are anticipated.

   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 areas 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 the processing of this application.

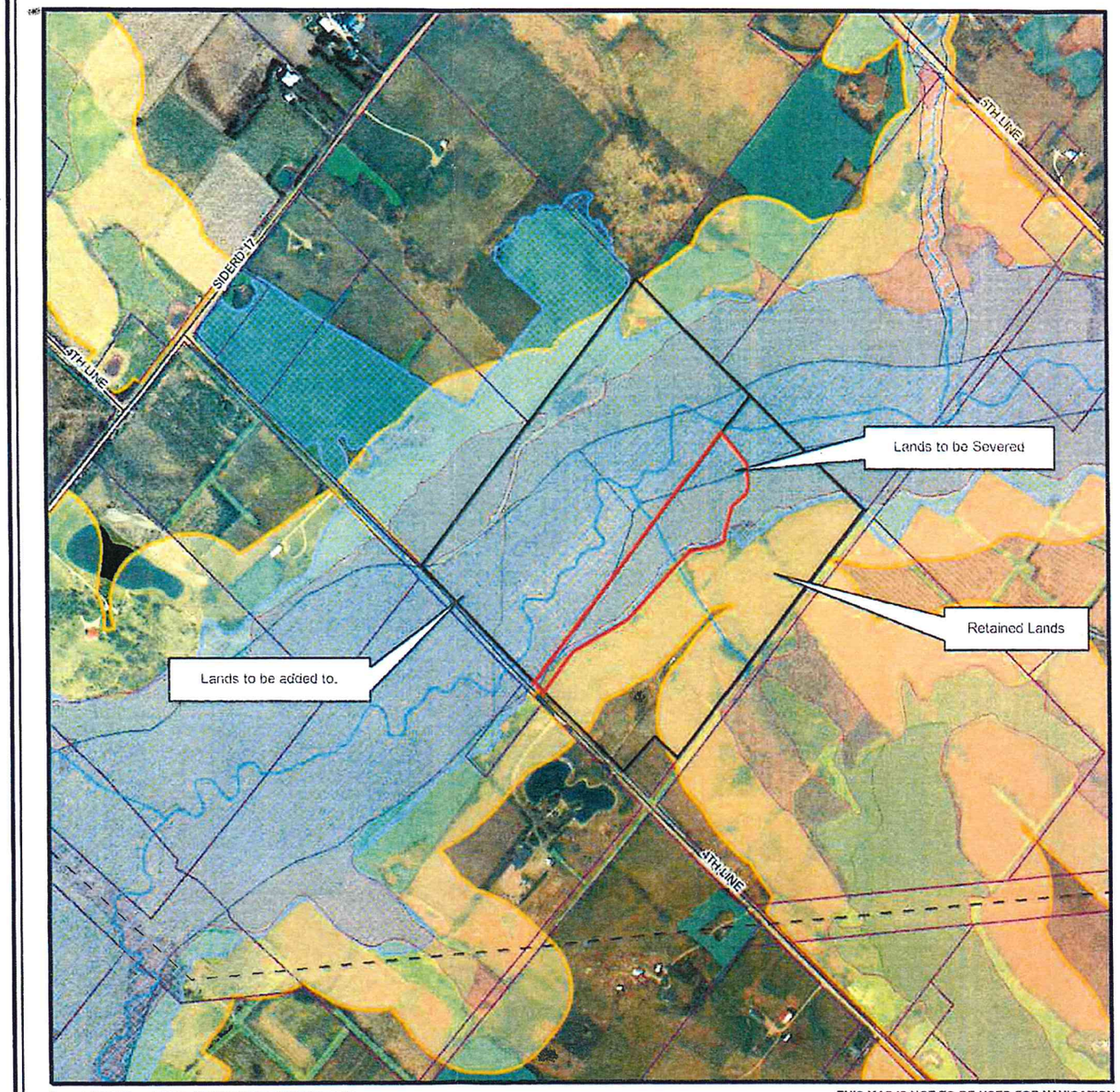
Should you have any questions or require further information, please contact Ashley Rye, Resource Planner at 519-621-2763 ext. 2320.

Yours truly,

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

- ***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. Jessica Wilton, Town of Erin
Rod Finnie, P.O. Box 31, Erin, ON. N0B 2T0



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Grand River Conservation Authority

Map created: April 19, 2016

B19/16 Erin, Pt Lot 16 C5

LEGEND

- WATERSHED BOUNDARY (GRCA)
- UTILITY LINE (NRVIS)
- ROADS-ADDRESSED (MNR)
- RAILWAY (NRVIS)
- WATERCOURSE (GRCA)
- PARCELS-ASSESSMENT (MPAC)
- FLOODPLAIN (GRCA)
  - ENGINEERED
  - APPROXIMATE
  - ESTIMATED
- WETLAND (GRCA)
- ANSI (NRVIS)
- WETLAND (NRVIS)
  - PROVINCIALLY SIGNIFICANT
  - LOCALLY SIGNIFICANT
  - UNEVALUATED
- PARKS (GRCA)
- REGULATION LIMIT 2014 (GRCA)
- WOODED AREA (MNR)
  - HEDGEROW
  - PLANTATION
  - TREED
- 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

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NAD 1983, UTM Zone 17

Scale 1:10,537

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