# 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:** **November 13, 2014**

**File Number:** **B78/14**

**Applicant:** **Richard & Wendy Ward**

**Subject Lands:** TOWNSHIP OF GUELPH/ERAMOSA - Part Lot 15, Concession 4

**Surplus Farm Dwelling Application**

**Proposal is a request for consent to convey** fee simple for a proposed severance *revised sketch - 28.92 hectares (71.46 acres) with 135.85m frontage* in the TOWNSHIP OF GUELPH/ERAMOSA - Part Lot 15, Concession 4, existing and proposed agricultural use; retained lands are *1.34 hectares (3.3 acres).*

**ISSUES:** County Planning – size of retained residential – Committee should be satisfied proposal is justified based on existing site conditions.

## SUMMARY of FILED REPORTS and COMMENTS:

**Township of Guelph/Eramosa -** in support of application; conforms to County OP; does not meet minimum lot size zoning on severed; retained complies with zoning; conditions to be addressed

**County Planning** - notice cards were posted at time of site visit; MDS1 is not applicable as existing dwelling is already located on parcel of land separate from the subject livestock facility; a Farm Information Form has been provided including a list of farm holdings of the intended purchaser (Fielders Farms Inc) which demonstrate that this application would constitute a farm consolidation; applicant indicated barn on retained is to be removed and demolition permit has been applied for; appears remaining accessory structures can meet the 5% maximum ground floor coverage permitted in by-law; staff preference to see smaller parcel 0.8 ha (2 ac) in size for retained residential lot; conditions to apply ***updated comments*** **– reconfigured to remove approximately 0.4 ha (1 acre) leaving a 1.34 ha (3.3 ac) retained parcel – these revisions are consistent with recommendations made by Committee and staff at time of hearing – no concerns with revised configuration.**

**Conservation Authority (GRCA) –** no objections

## *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 for Consent B78/14.
**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 for and issuance of the Certificate of Consent.
**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 Owner receive approval from the Township of Guelph/Eramosa that a valid entrance permit for the severed parcel exists; 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.
**6) 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.
**7) THAT** the Owner receive zoning compliance and classification from the Local Municipality in a manner deemed acceptable by the Local Municipality for reduced lot area of severed; 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 Owner receive zoning compliance and classification from the Local Municipality and the County of Wellington Planning Department to prohibit a new residential dwelling on the severed parcel in a manner deemed acceptable; and that the Local Municipality and the County of Wellington Planning Department 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**

October 30, 2014

**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 B78/14**

**APPLICANT**

Richard & Wendy Ward
5495 Fourth Line
Rockwood ON N0B 2K0

**LOCATION OF SUBJECT LANDS:**

GUELPH/ERAMOSA
Part Lot 15
Concession 4

**Surplus Farm Dwelling Application**

Proposal is to sever an irregular shaped parcel *revised sketch - 28.92 hectares with 135.85m frontage*, existing and proposed agricultural use.

Retained lot is *revised sketch - 1.34 hectares with 81.28m frontage*, existing and proposed rural residential use with existing house, metal clad building and shed.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, November 13, 2014**

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**

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TO: **Agent – Brian Beatty**

**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

| | |
|---|---|
| **Application** | B78/14- **UPDATED** |
| **Location** | Part Lot 15, Concession 4<br>TOWNSHIP OF GUELPH/ERAMOSA |
| **Applicant/Owner** | Richard & Wendy Ward |

**SUPPLEMENTAL COMMENTS:** This application was previously deferred by the Wellington Land Division Committee at the September 11th, 2014 Land Division meeting. It was deferred so the applicant could address concerns raised by staff about the large size of the 1.81 ha (4.47 ac) retained residential parcel.

The applicant has since reconfigured the retained lands to remove approximately 0.4 ha (1 ac) of land; leaving a 1.34 ha (3.3 ac) retained parcel and a 28.92 ha (71.4 ac) agricultural severed parcel. These revisions are consistent with the recommendations made by the Committee and staff at the time of the hearing. Staff would have no concerns with the revised configuration provided the following are made a condition of approval:

a) That safe driveway access can be provided to the severed lands to the satisfaction of the local municipality; and,
b) That the severed lands are rezoned to prohibit residential use to the satisfaction of the local municipality and County of Wellington Planning and Development Department.

Jameson Pickard

Jameson Pickard, Junior Planner
October 22nd, 2014

RECEIVED
OCT 23 2014
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

**County of Wellington Planning and Land Division Committee**
**Wellington County Administration Centre**
**74 Woolwich Street, Guelph, ON N1H 3T9**

## MINUTES

### ON APPLICATION B78/14

**APPLICANT**

Richard & Wendy Ward
5495 Fourth Line
Rockwood ON N0B 2K0

**LOCATION OF SUBJECT LANDS:**

GUELPH/ERAMOSA
Part Lot 15
Concession 4

**Surplus Farm Dwelling Application**

Proposal is to sever an irregular shaped parcel 28.45 hectares with 135.85m frontage, existing and proposed agricultural use.

Retained lot is 1.81 hectares with 81.28m frontage, existing and proposed rural residential use with existing house, barn, metal clad building and shed.

**COMMITTEE MEMBERS PRESENT:** **Chris White, Warden; Lou Maieron - Chairman**
**John Green, Shawn Watters**

**ABSENT:** **Bruce Whale**

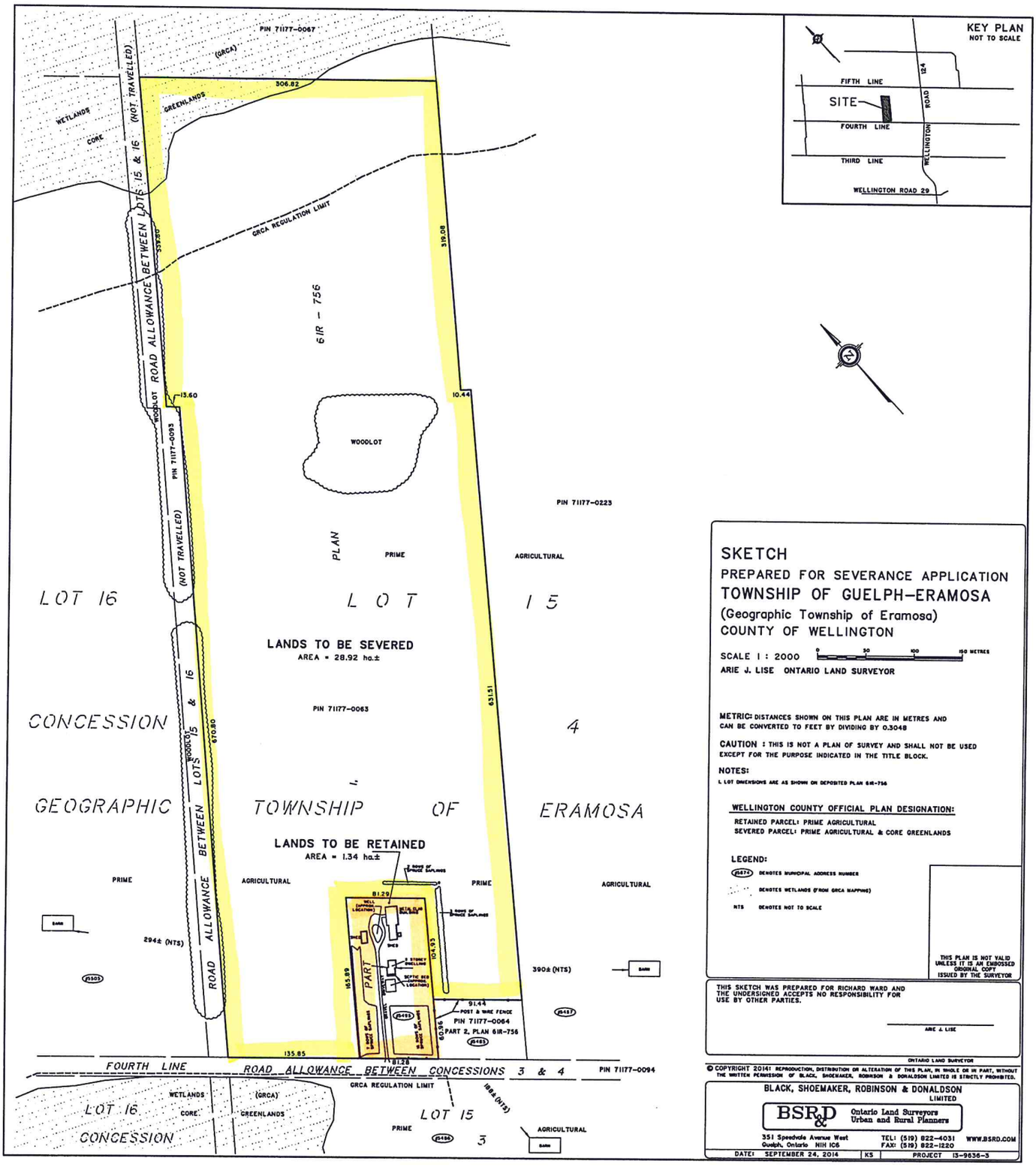
**DATE:** **September 11, 2014**

**Appearing Before the Committee:** Brian Beatty – agent; Jameson Pickard – P&D Staff

**Public Hearing Notes:** Land Division Committee considered aerial views and pictures of the site and written reports; J. Pickard – demolition permit has been obtained for barn removal; issue is size of retained residential – loo large; committee should b satisfied with size; B. Beatty – barn and silos to be removed; worked with GRCA to plant saplings up driveway and around property; defined; have been living here some years and plan to stay here; J. Green – why not smaller by tree line? B. Beatty – saplings; S. Watters – saplings can be moved; if natural feature – ravine or older trees then understand; L. Maieron – work hard to bring surplus farm to a two acre lot size; suggest defer and come back with a smaller envelope; J. Green – client not here – if we change the line and not satisfied; L. Maieron – take back application to see if can reduce;

*Moved by Councilor Shawn Watters* *Seconded by Councilor John Green*

*THAT application B78/14 be deferred to allow agent time to discuss with clients the Land Division Committee concern with the size of the retained and discuss a reduction in the size of residential lot.*
*Carried*




# SKETCH

PREPARED FOR SEVERANCE APPLICATION

TOWNSHIP OF GUELPH–ERAMOSA

(Geographic Township of Eramosa)

COUNTY OF WELLINGTON

SCALE 1 : 2000 (0 50 100 150 METRES)

ARIE J. LISE ONTARIO LAND SURVEYOR

**METRIC:** DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

**CAUTION :** THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.

**NOTES:**

L LOT DIMENSIONS ARE AS SHOWN ON DEPOSITED PLAN 6IR-756

**WELLINGTON COUNTY OFFICIAL PLAN DESIGNATION:**

RETAINED PARCEL: PRIME AGRICULTURAL

SEVERED PARCEL: PRIME AGRICULTURAL & CORE GREENLANDS

**LEGEND:**

(5472) DENOTES MUNICIPAL ADDRESS NUMBER

DENOTES WETLANDS (FROM GRCA MAPPING)

NTS DENOTES NOT TO SCALE

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR

THIS SKETCH WAS PREPARED FOR RICHARD WARD AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

ARIE J. LISE

ONTARIO LAND SURVEYOR

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BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED

BSR&D Ontario Land Surveyors Urban and Rural Planners

351 Speedvale Avenue West
Guelph, Ontario N1H 1C6

TEL: (519) 822-4031
FAX: (519) 822-1220

WWW.BSRD.COM

DATE: SEPTEMBER 24, 2014 | KS | PROJECT 13-9636-3

BLACK, SHOEMAKER, ROBINSON & DONALDSON
LIMITED

BSR&D Ontario Land Surveyors
Urban and Rural Planners

351 Speedvale Avenue West
Guelph, Ontario N1H 1C6

TEL: 519-822-4031
FAX: 519-822-1220

September 30, 2014

Project No.: 13-9636

Corporation of the
County of Wellington
74 Woolwich Street,
Guelph, Ontario
N1H 3T9

RECEIVED
OCT 01 2014
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Attn: Mrs. Deborah Turchet
Secretary-Treasurer,
Land Division Committee

Dear Mrs. Turchet:

Re: Proposed Severance (Consent Application B78/14, Richard & Wendy Ward), Deferred by the LDC at the September 11, 2014 Meeting, Part Lot 10, Concession 4, Part 1 of Registered Plan 61R 756, 5495 Fourth Line, Township of Guelph/Eramosa, County of Wellington

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As you know we represent the interests of Richard and Wendy Ward in matters pertaining to a proposed severance on the property at the above referenced location. Further to the deferral action taken by the LDC, we have discussed a reduction in the size of the proposed residential parcel with our client and Jameson Pickard of County Planning staff. As illustrated on the revised sketch attached, the parcel size has been reduced by 1.1 acres and has received support of the County. We understand that the application can be re-scheduled before the Committee on its November 13, 2014 agenda.

Should you require further information or clarification on any matter, please do not hesitate to contact me.

I. D. ROBINSON, B.Sc., O.L.S., O.L.I.P. K. F. HILLIS, B.Sc., O.L.S., O.L.I.P. N. C. SHOEMAKER, B.A.A., M.C.I.P., R.P.P.
A. B. DONALDSON, O.L.S., O.L.I.P. ARIE LISE, O.L.S., O.L.I.P., Dipl.T. BRIAN BEATTY, B.A.A., M.U.R.PL C. V. YOUNG, C.S.T.
S. W. BLACK, O.L.S. (1917 - 2007) R. L. SHOEMAKER, O.L.S. (1923-2008) W. F. ROBINSON, O.L.S. (1924-2010)

Yours very truly

BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED

Brian Beatty

Brian Beatty, B.A.A., M.U.R.PL
Planner

Encl.

cc Kelsey Lang, Planning Associate, Guelph/Eramosa Township, 8348 Wellington Rd. 124, P.O. Box 700, Rockwood, Ontario N0B 2K0;
Jameson Pickard, County Planning & Development Department;
Richard Ward, 5495 Fourth Line, Rockwood, Ontario N0B 2K0