# 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:** **B94/14**

**Applicant:** **Cleason & Erma Martin**

**Subject Lands:** TOWNSHIP OF MAPLETON (Peel) – Part Lot 14, Concession 5

**Proposal is a request for consent to convey** fee simple for a proposed lot line adjustment 181' fr x 194' = 0.80 acres in the TOWNSHIP OF MAPLETON (Peel) – Part Lot 14, Concession 5, vacant land to be added to abutting school for a ball diamond and playground – Trustees of the Mennonite Society of British North America; retained lands are 98.2 acres.

## ISSUES: none

## SUMMARY of FILED REPORTS and COMMENTS:

**Township of Mapleton** – council in support of application; zoning for the use – MDS requirements and possible site plan agreement (to be reviewed at zone amendment consultation); conditions to apply

**County Planning** - notice cards were posted at time of site visit; lot line adjustment minor and feel that outstanding MDS issues can be resolved through appropriate reciprocal zoning; no concerns; conditions to apply

**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 and 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 B94/14.
**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 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** the County of Wellington Planning Department submit to the Secretary-Treasurer of the Planning and Land Division Committee written approval which indicates that the Minimum Distance Separation required under Formula 1 are met.
**8) THAT** the Owner receive zoning compliance and classification from the Local Municipality in a manner deemed acceptable by the Local Municipality; and that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
**9) THAT** the Owner satisfy all the requirements of the Township of Mapleton, financial and otherwise (included but not limited to Taxes paid in full; copy of Deposited Reference Plan;) which the Township of Mapleton 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 Mapleton 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 B94/14**

**APPLICANT**

Cleason & Erma Martin
7441 4th Line
Wallenstein ON N0B 2S0

**LOCATION OF SUBJECT LANDS:**

TOWNSHIP OF MAPLETON (Peel)
Part Lot 14
Concession 5

Proposed lot line adjustment is 181' fr x 194' = 0.80 acres, vacant land to be added to abutting school for a ball diamond and school yard – Trustees of the Mennonite Society of British North America.

Retained parcel is 98.2 acres with 585' frontage, existing and proposed agricultural use with existing house, barn & sheds.

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**

---

TO: **Applicant – Orval Martin** **Agent – Woods, Clemens, Fletcher & Cronin**

Mapleton TOWNSHIP
Rooted in tradition.
Growing for the future.

RECEIVED
OCT 23 2014
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

October 23, 2014

Email Only

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

Dear Sir or Madam:

**RE: CONSENT APPLICATION B94/14 – MARTIN**

Please be advised the following resolution was carried at the October 14, 2014 Council meeting:

THAT Report CL2014-47 dated October 14, 2014 in regards to Consent Application B94/14 (Martin), Part Lot 14, Concession 5 (Peel) be hereby received;
AND FURTHER THAT THE Township of Mapleton Council supports the application as presented with the following conditions:

- ✓ Satisfy all the requirements of the local municipality, financial and otherwise
- ✓ Taxes Paid in Full
- ✓ Zoning Compliance
- ✓ Copy of deposited Reference Plan

Also enclosed you will find

- ☑ Clerk's Report CL2014-47
- ☑ Municipal Commenting Form

Should you have any questions, please don't hesitate to contact this office.

Yours truly,

BSchellenberger

Barb Schellenberger
Deputy Clerk

Township of Mapleton 7275 Sideroad 16, Box 160, Drayton, Ontario NOG 1PO
Phone: 519-638-3313 Ext. 23 Fax: 519-638-5113 Toll Free: 1-800-385-7248
www.mapleton.ca bschellenberger@town.mapleton.on.ca

Item 10.2 ii)
October 14, 2014

**THE CORPORATION OF THE TOWNSHIP OF MAPLETON**

**CLERK'S REPORT CL2014-47**

TO: Mayor Whale and Members of Council

FROM: Barb Schellenberger, Deputy Clerk

RE: Consent Application B94/14 (Martin)
Part Lot 14, Concession 5 (Peel)

DATE: October 14, 2014

---

**RECOMMENDATION:**

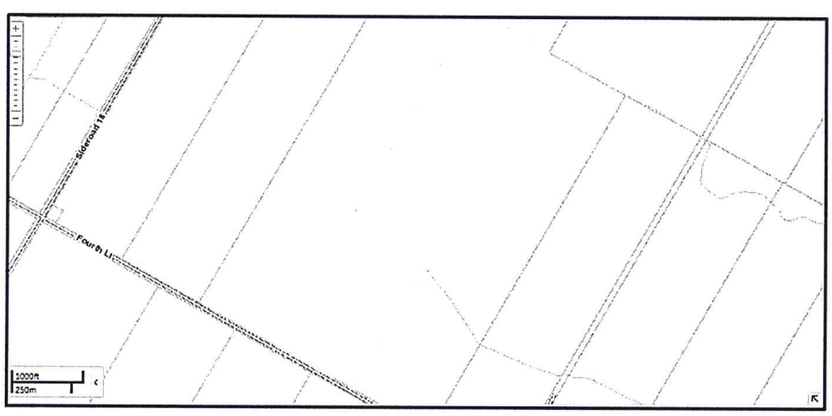
THAT Report CL2014-47 dated October 14, 2014 in regards to Consent Application B94/14 (Martin), Part Lot 14, Concession 5 (Peel) be hereby received;

AND FURTHER THAT THE Township of Mapleton Council supports the application as presented with the following conditions:

- ✓ Satisfy all the requirements of the local municipality, financial and otherwise
- ✓ Taxes Paid in Full
- ✓ Zoning Compliance
- ✓ Copy of deposited Reference Plan

**BACKGROUND:**

The subject property is Part Lot 14, Concession 5, geographic area Township of Peel, now in the Township of Mapleton. Property roll number is 2332-000-003-02500-0000 and the subject lands are shown below.



This application is a proposed lot line adjustment 181' fr x 194 =0.80 acres, vacant land to be added to abutting school for a ball diamond and school yard – Trustees of the Mennonite Society of British North America. Retained parcel is 98.2 acres with 585' frontage, existing and proposed agricultural use with existing house, barn and sheds.

Comments (with no issues) were received from Drainage Inspector Jim Grose, Director of Public Works Brad McRoberts and Fire Chief Rick Richardson. CBO Patty Wright reviewed the application with concerns regarding zoning, MDS and Site Plan Control.

Attached you will find the following:

- Junior Planner Jameson Pickard comments dated October 1, 2014
- Application B94/14

Submitted by

Barb Schellenberger
Deputy Clerk

Reviewed by

Patty Sinnamon
CAO Clerk

Attach A - Planner's comments
Attach B – Application B94/14

**MUNICIPALITY COMMENTING FORM**
**FILE NO: B94/14**

**APPLICANT**

Cleason and Erma Martin
7441 4th Line
Wallenstein ON N0B 2S0

**LOCATION**

TOWNSHIP OF MAPLETON (Peel)
Part Lot 14
Concession 5

Proposed lot line adjustment is 181'fr X 194' = 0.80 acres, vacant land to be added to abutting school for a ball diamond and school yard – Trustees of the Mennonite Society of British North America.

Retained parcel is 98.2 acres with 585' frontage, existing and proposed agricultural use with existing house, barn & sheds.

*PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER*

**23-32-000-003-02500-0000 – 99.0 acres (source MPAC)**

Does this description reasonably describe the parcel holdings? **YES**

Do you consider this proposal to conform to your Official Plan? **YES (see Junior Planner Jameson Pickard comments dated October 1, 2014)**

What Section(s) does it conform to or contravene? **See Junior Planner Jameson Pickard comments dated October 1, 2014)**

Will the Severed (.8 acre) Parcel comply with all requirements of the Zoning By-law? **NO, rezoning will be required on the severed parcel for the institutional use.**

Will the Retained Parcel comply with all requirements of the Zoning By-law? **YES**

If Necessary, would the Municipality be prepared to consider an Amendment to the Zoning By-Law to permit the proposal to conform? **YES** Minor Variance **N/A**

Is proposal on an opened maintained year-round public road? **YES**

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

Is the Retained Lot serviced now by Municipal Water **NO**

Is the Proposed Lot(s) serviced now my Municipal Sewers **NO**

Is the Retained Lot serviced now by Municipal Sewers **NO**

Is there a **Capital Works Project** underway to service these lots in the near future **NO**

**MUNICIPALITY COMMENTING FORM**

**FILE NO: B94/14**

Are there any other servicing arrangements, Municipal easements or Municipal Drains on the subject lands? **NO**

Is the Municipality's Building Official satisfied that there is a sufficient site on the severed or retained parcel for individual well and septic services? **YES**

Is there any further information that may assist the Land Division Committee?

**CBO Patty Wright reviewed the application with concerns regarding zoning for the use, MDS requirements and possible Site Plan Agreement (issues to be reviewed at zone amendment consultation).**

Is the Municipality in support of this application? **YES**

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

**Conditions requested are**

- ✓ **Satisfy all the requirements of the local municipality, financial and otherwise**
- ✓ **Taxes Paid in Full**
- ✓ **Zoning Compliance (use and**
- ✓ **Copy of deposited Reference Plan**

Does the Municipality request a Notice of the Decision? **YES**

SIGNATURE BSchellenberger
Barbara Schellenberger

TITLE: Deputy Clerk

ADDRESS: Township of Mapleton, 7275 Sideroad 16
Box 160, Drayton ON N0G 1P0

DATE: October 23, 2014

**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
OCT 22 2014
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

| | |
|---|---|
| **Application** | B94/14 |
| **Location** | Part Lot 14, Concession 5<br>TOWNSHIP OF MAPLETON |
| **Applicant/Owner** | Cleason & Erma Martin |

**PLANNING OPINION:** This application would sever a 0.3 ha (0.8 ac) parcel and merge it with an adjacent 0.4 ha (1 ac) lot with an existing Parochial school. The resulting lot would be a 0.73 ha (1.8 ac) parcel. A 39.7 ha (98.1 ac) agricultural parcel would be retained with existing dwelling bank barn, and two sheds. The reason for the lot line adjustment is to add lands currently used by the school and to provide space for a new baseball diamond.

Staff would find this lot line adjustment to be minor in nature and feel that the outstanding MDS issues can be resolved through appropriate reciprocal zoning. We would have no concerns, provided that the following matters are addressed as conditions of approval:

a) That MDS 1 relief be achieved to the satisfaction of County of Wellington Planning Department; and,
b) That zoning compliance be achieved to the satisfaction of the local municipality; and,
c) That the purchaser take title to the severed lands in the same manner as they hold their abutting land; and,
d) 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):** Lot line adjustments in prime agricultural areas may be permitted for legal or technical reasons. Legal or technical is defined as "severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot".

Regarding Minimum Distance Separation 1 (MDS 1), we have been provided with the required farm data sheets for all of the surrounding livestock facilities. We have completed the necessary calculations and have determined that the livestock facilities located at 7471, 7740 and 7456 Fourth Line cannot meet the required MDS setbacks. MDS relief will be required from the school lot to these livestock facilities.

**WELLINGTON COUNTY OFFICIAL PLAN:** The subject property is designated PRIME AGRICULTURAL. Section 10.3.5 of the Official Plan provides for lot line adjustments in Prime Agricultural areas for "legal or technical reasons, such as easements, corrections of deeds, quit claims, and minor boundary adjustments.

The matters under section 10.1.3 were also considered including…j) that natural resources such as agricultural lands and mineral aggregates would not be affected negatively.

**LOCAL ZONING BY-LAW:** the severed parcel is currently zoned Agricultural (A) and the school parcel is zoned Institutional (IN). A zoning by-law amendment would be required in order to address MDS, and it is our recommendation, that the school parcel be placed in to an Agricultural site specific category at this time removing the Institutional (IN) zoning. Both lots meet the minimum lot area and frontage requirements.

**SITE VISIT INFORMATION:** The subject property was visited and photographed on October 17th 2014. Notice Cards were posted and the survey sketch appears to meet the application requirements.

Jameson Pickard

Jameson Pickard, Junior Planner
October 22nd, 2014

400 Clyde Road, P.O. Box 729, Cambridge, ON N1R 5W6
**Phone:** 519-621-2761 **Toll free:** 866-900-4722 **www.grandriver.ca**

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

**DATE:** October 17, 2014 **YOUR FILE:** B94/14
**GRCA FILE:** Mapleton/2014/Sev

---

**RE:** Application for Consent B94/14
Part Lot 14, Concession 5
Cleason & Erma Martin

---

**GRCA COMMENT: ***
The Grand River Conservation Authority (GRCA) does not object to the above noted severance application as proposed in the circulated material.

---

**BACKGROUND:**

1. **Resource Issues:**

   Information currently available at this office indicates that the severed and retained lands do not contain any features of interest to the GRCA.

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

   None.

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.

We trust these comments are of assistance. Should you have any further questions, please do not hesitate to contact the undersigned at ext. 2320.

Yours truly,

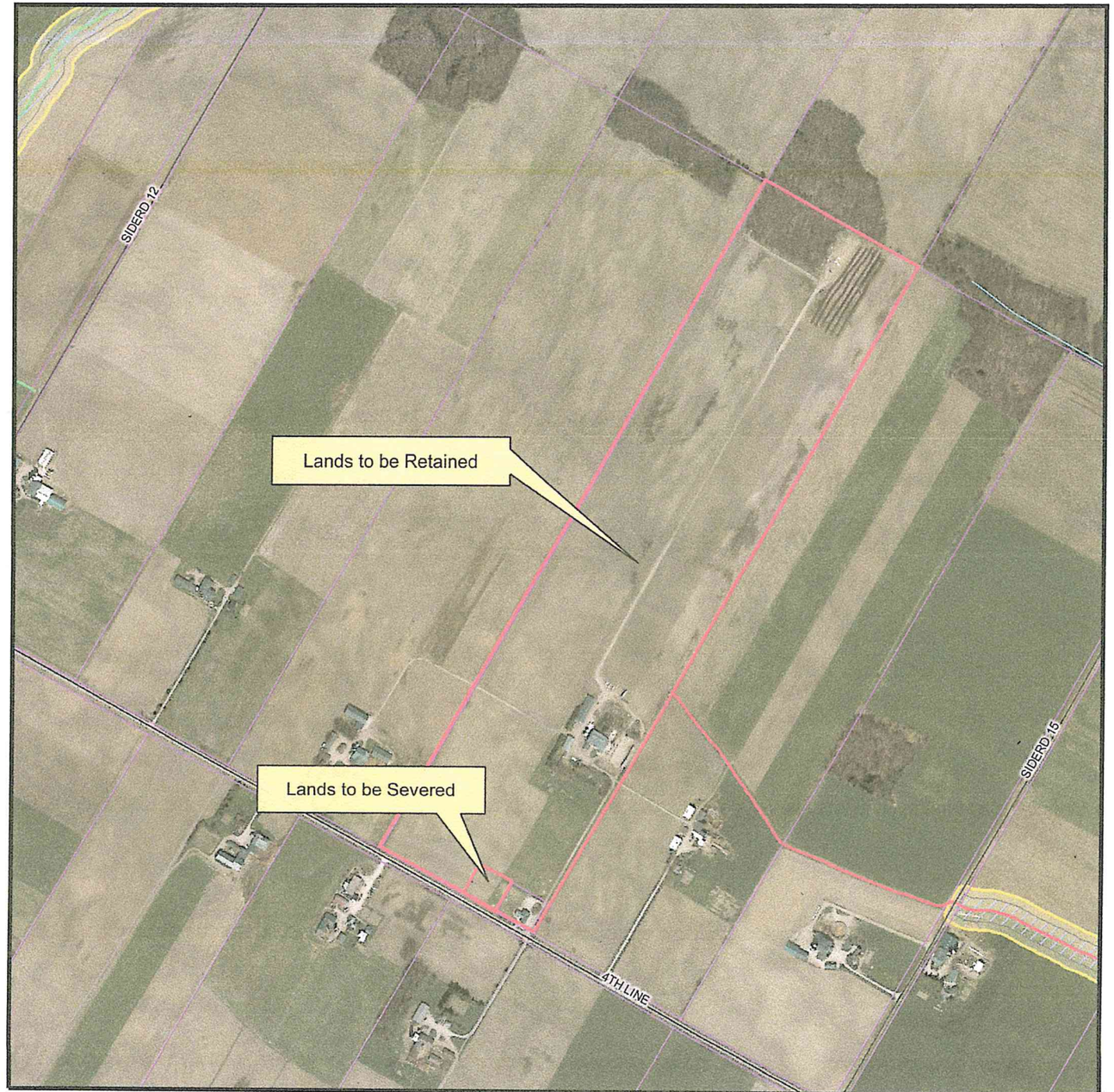
Jason Wagler, MCIP, RPP
Resource Planner
Grand River Conservation Authority

RECEIVED
OCT 22 2014
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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. Township of Mapleton
Cleason & Erma Martin, 7441 4th Line, Wallenstein, ON N0B 2S0




Copyright © Grand River Conservation Authority, 2013

THIS MAP IS NOT TO BE USED FOR NAVIGATION

**Grand River Conservation Authority**
Map created: September 22, 2014

## B94-14 - Martin

LEGEND

- WATERSHED BOUNDARY (GRCA)
- UTILITY LINE (NRVIS)
- ROADS-ADDRESSED (MNR)
- RAILWAY (NRVIS)
- CLASSIFIED STREAMS - NEW (NRVIS)
  - COLD WATER
  - COOL WATER
  - UNKNOWN
  - WARM WATER
- DRAINAGE-NETWORK (GRCA)
- PARCELS-ASSESSMENT (MPAC)
- LOTS (NRVIS)
- 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*

0 115 230 345 460 m.

NAD 1983, UTM Zone 17 Scale 1:10,000

N