REPORT SUMMARY

OWNER, APPLICANT or AGENT SHOULD ATTEND THE CONSIDERATION OF THIS APPLICATION

Date of Consideration: **May 9, 2013** **TIME: 10:10 A.M.**

File Number: **B30/13**

Applicant: **Neil & Janice Hackbart**

Subject Lands: TOWN OF MINTO – Part Lot 5, Concession A

Proposal is a request for consent to convey fee simple for a proposed severance 1.0 acre with 280.36' frontage in the TOWN OF MINTO – Part Lot 5, Concession A, vacant land for proposed rural residential use; retained lands are 30.26 acres.

ISSUES: Town comments

SUMMARY of FILED REPORTS and COMMENTS:

Town of Minto – no comments available at time of circulation

County Planning - notice cards were posted at time of site visit; MDS does not comply for barn and manure storage facility on retained; majority of proposed severance on former CN railway line – record of site condition (soil assessment done in 2005); Committee should be satisfied that location of lot will not have effect of hindering or precluding potential extraction in immediate area; conditions to be addressed

Conservation Authority (Saugeen Valley) – permits have not been approved for recent minor grading and site alterations that have occurred on portions of proposed parcel (rail lands west of South Saugeen River) no additional grading, filling or site alterations should occurred without first contacting SVCA – approvals are required; condition that natural environment zone and natural heritage features are avoided

Others (e.g. neighbours) – Jason Pilkington (6740 12th Line, RR#1 Harriston ON N0G 1Z0) – Saugeen Conservation protection – restrictions on this property have not been followed – additions without permits issued from Municipality and Saugeen; concerns – Environmental Protection Act; ground removal has taken place resulting in runoff and risk of flooding on my property; construction of well/septic – compromise my property; soil sample done several years ago – new sample should be required;
Applicant – explanation and copy of T-Time and Soil analysis Results (August 2005)

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 B30/13.
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 applicable road authority in a manner deemed acceptable to that road authority for safe access entrance to the severed parcel; and further that the applicable authority file a letter of clearance of this condition with the Secretary-Treasurer of the Planning and Land Division Committee as written proof of fulfillment of this condition.
6) THAT the Owner satisfy all the requirements of the local municipality, financial and otherwise which the local municipality 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 Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
7) THAT zoning compliance with respect to the Natural Environment Zone boundary and buffer is addressed to the satisfaction of the Town of Minto; and further that the Town of Minto file a letter of clearance of this condition with the Secretary-Treasurer of the Planning and Land Division Committee as written proof of fulfillment of this condition.
8) THAT the applicant provides, to the satisfaction of the town of Minto, an MOEE acknowledged Record of Site Condition for the severed parcel which provides evidence that the site is not contaminated and no remediation is required; or that the required site remediation has taken plan; and further that the Town of Minto file a letter of clearance of this condition with the Secretary-Treasurer of the Planning and Land Division Committee as written proof of fulfillment of this condition.
9) THAT the barn on the retained lands be demolished or rezoned to prohibit the housing of livestock to meet MDS requirements to the satisfaction of the County of Wellington Planning Department and the Town of Minto; and further that the County of Wellington Planning Department and the Town of Minto file a letter of

clearance of this condition with the Secretary-Treasurer of the Planning and Land Division Committee as written proof of fulfillment of this condition.

10) THAT a building envelope be established to the satisfaction of the Saugeen Valley Conservation Authority and the Town of Minto outside of the Natural Environment Zone and Natural Heritage Features; and further that the Town of Minto and the Saugeen Valley Conservation Authority file a letter of clearance of this condition with the Secretary-Treasurer of the Planning and Land Division Committee as written proof of fulfillment 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

April 25, 2013

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 B30/13

APPLICANT

Neil & Janice Hackbart
6730 12th Line
RR#1
Harriston ON N0G 1Z0

LOCATION OF SUBJECT LANDS:

TOWN OF MINTO
Part Lot 5
Concession A

Proposal is to sever a lot 1.0 acre with 280.36' frontage, vacant land for proposed rural residential use.

Retained parcel is 30.26 acres with 160' frontage, existing and proposed rural residential use with existing dwelling, shed and horse barn.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, May 9, 2013**

AT 10:10 a.m. for the purpose of considering this matter.

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 SHOULD ATTEND THIS CONSIDERATION**. Any person may be represented by counsel who has been duly authorized for that purpose.

Even if the owner/applicant does not attend, the Committee will consider the application as scheduled, and the applicant, except as otherwise provided in the Planning Act, will not be entitled to any further notice in the Proceedings.

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 – Neil & Janice Hackbart**
Other: Jason Pilkington (6740 12th Line, RR#1 Harriston ON N0G 1Z0)

April 17, 2013

Deborah Turchet, Secretary Treasurer
County of Wellington
Planning & Land Division Committee
74 Woolwich Street
Guelph, Ontario
N1H 3T9

Re: Severance Application B30/13

Dear Deborah:

The Council of the Town of Minto at their regular meeting held on April 16, 2013 approved the following motion;

THAT the Council of the Corporation of the Town of Minto defers commenting on Severance Application B30/13, to the County pending applicant addressing concerns from the County of Wellington Planning Department.

The Town of Minto Council meet on Tuesday May 7, 2013 and may at that time have further comments on the B30/13 Severance Application.

Should you require additional information, please contact Bill White C.A.O. Clerk at 519-338-2511. Ext. 222.

Sincerely

Peg Schieck
Clerk's Assistant

5941 Highway #89
Harriston, Ontario
N0G 1Z0

tel: 519-338-2511
fax: 519-338-2005

www.town.minto.on.ca

RECEIVED
APR 18 2013
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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
APR 08 2013
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Application	B30/13
Location	Part Lot 5, Concession A TOWN OF MINTO
Applicant/Owner	Neil & Janice Hackbart

PLANNING OPINION: This application would sever a vacant 0.4 ha (1.0 ac) irregular shaped lot within Secondary Agricultural and Core Greenlands areas on a former CN railway line. The retained parcel is a 12.2 ha (30.26 ac) irregular shaped lot with an existing house, shed and horse barn.

We have concerns related to the following matters:

Protection of Core Greenlands Features	• Comments of the Conservation Authority should be considered in terms of whether an Environmental Impact Study (EIS) would be required to address potential impacts on the Greenland System and means of mitigation.
Compatibility with Aggregate Operations	• The Committee should be satisfied that this proposed residential use will not have the effect of hindering or precluding potential extraction in the immediate area or create potential land use conflicts.
MDS1 Compliance	• The new lot does not meet MDS1 requirements from the small horse barn and manure storage on the retained lands. The barn would need to be removed or rezoned to prohibit livestock as a condition of approval.

If the application is approved we would request that the following matters are addressed as conditions of approval:

a) That any concerns of the Conservation Authority can be addressed;
b) That zoning compliance with respect to the Natural Environment Zone boundary and buffer is addressed to the satisfaction of the local municipality;
c) That the applicant provides, to the satisfaction of the local municipality, an MOEE acknowledged Record of Site Condition for the severed parcels which provides evidence that the site is not contaminated and no remediation is required; or that the required site remediation has taken place;
d) That the barn on the retained lands be demolished or rezoned to prohibit the housing of livestock to meet MDS requirements to the satisfaction of the County of Wellington Planning Department and the local municipality; and
e) That safe driveway access can be provided to the site to the satisfaction of the local municipality.

PROVINCIAL POLICY STATEMENT (PPS): Under Section 2.1.6 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.

A portion of the severed lands are situated within a significant mineral aggregate area, and is in close proximity to existing gravel operations. Section 2.5.2.4 states, "areas adjacent to or in known deposits, mineral aggregate operations will be protected from activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact".

The application form indicates that the site has been used as a former CN railway line. Under the Human-made Hazards policy, Section 3.2.2 states that "Contaminated sites shall be remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects". The majority of the proposed severance is situated on the former railway bed.

Regarding Minimum Distance Separation 1 (MDS1), there is a horse barn and manure storage for two horses located on the retained lands. We prepared the necessary calculations and MDS1 requirements have not been met from the barn or the manure storage facility it appears that MDS does not comply for the barn and manure storage facility.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated SECONDARY AGRICULTURAL, CORE GREENLANDS and falls within a MINERAL AGGREGATE overlay. The Core Greenlands designation is a composite of significant wetlands and hazard lands.

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

Section 10.4.4, states that one new residential lot may be allowed from a parcel of land within the Secondary Agricultural designation, which existed on the date of provincial approval of the County Plan, subject to the following criteria:

a) Individual services can be accommodated;
b) The lot is not normally larger than 0.8 hectares (2 acres) unless existing natural features or development patterns make a larger lot more practical;
c) The lot has access to an open and maintained public road;
d) The residential use will not hinder or preclude potential agricultural or mineral aggregate operations;
e) The residential use is compatible;
f) The use is well removed from any settlement boundary;
g) The applicant has owned the property for at least five years.

Regarding the mineral aggregate operation we do not anticipate a conflict with mineral resources as a result of the consent, the significance of the area for mineral aggregate should be a consideration. Therefore, the Committee should be satisfied that the location of the proposed residential lot will not have the effect of hindering or precluding potential extraction in the immediate area

Further, the proposed severance contains an abandoned Canadian National Rail way line, section 4.5.2 of the Plan provides policy direction for dealing with contaminated sites, including the following:

Development will not be permitted on contaminated sites. Development may only proceed once a contaminated site is restored such that no adverse effect will result from any on-site activity associated with the proposed use. Also, the applicant is required to provide an MOEE acknowledged Record of Site Condition for the severed lands which provides evidence that the site is not contaminated and no remediation is required, or that the required site remediation has taken place.

Section 10.2.2 states that "where the County is concerned that a proposed lot in or adjacent to the Greenlands System could negatively impact a natural feature or function, the County may require an environmental impact study to assess potential impacts and means of mitigation."

The matters under Section 10.1.3 were also considered including b) "that all lots can be adequately serviced...", d) "that all lots will have safe driveway access to an all-season maintained public road" and g) "that tree loss be kept to a minimum and compensated for by new tree planting".

LOCAL ZONING BY-LAW: The Subject property is currently zoned Natural Environmental Zone (NE) and Agricultural (A). There is also a 30 m (98.4 ft) setback required from the Natural Environment Zone. At this time, it is unclear whether a viable building envelope would be available on the parcel to be severed. Section 2.6 of the Zoning By-law allows for the NE Zone boundary to be more precisely determined in consultation with the Conservation Authority. Zoning relief from the 30 m setback may also be necessary.

ADDITIONAL INFORMATION: We note that the applicant has provided a soil survey from 2005 dealing with previous CN railway lands on the site. That report indicates that no soil contaminants were found to exceed the maximum allowable concentration levels. We would request that a MOEE acknowledged record of site condition be submitted to confirm the results of the soil assessment done in 2005.

SITE VISIT INFORMATION: The subject property was visited and photographed on March 20th 2013. Notice Cards were posted and the survey sketch appears to meet the application requirements.

Sarah Wilhelm, MCIP, RPP, Senior Planner
April 8, 2013

Attachment: MDS1 Calculation for retained lands

Minimum Distance Separation I (MDS I) Report

Application Date: 21-Mar-2013
File Number: B30/13

Preparer Information
jameson Pickard
County of Wellington
74 Woolwich
Guelph, ON, Canada N1H3T9

Applicant Information
Unspecified

County of Wellington

Calculation #1

Adjacent Farm Contact Information
Unspecified

Farm Location
County of Wellington
City of Guelph

Manure Form	Type of Livestock/Material	Existing Capacity	Existing NU	Estimated Barn Area
Solid	Horses; Large-framed, mature; > 680 kg (including unweaned offspring)	2	2.9	60 m²

Encroaching Land Use Factor: Type A Land Use

Tillable area of land on this lot: 0 ha

Manure/Material Storage Type: V3. Solid, outside, no cover, >= 30% DM

Factor A (Odour Potential): 0.7
Factor B (Nutrient Units): 150
Factor D (Manure/Material Type): 0.7
Factor E (Encroaching Land Use): 1.1
Total Nutrient Units: 3

	Required Setback	Actual Setback
Distance from nearest livestock building 'F' (A x B x D x E):	81 m (265 ft)	68 m (223 ft) ⚠
Distance from nearest permanent manure/material storage 'S':	81 m (265 ft)	58 m (190 ft) ⚠

Signature of Preparer: FOR jameson Pickard, County of Wellington

Date: APRIL 8, 2013

NOTE TO THE USER:
The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.

Ontario

SAUGEEN CONSERVATION

1078 Bruce Rd. 12,
P.O. Box 150
Formosa ON
Canada N0G 1W0

Tel 519-367-3040
Fax 519-367-3041
publicinfo@svca.on.ca
www.svca.on.ca

April 16, 2013

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

RECEIVED
APR 2 2013
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

ATTENTION: Deborah Turchet

Dear Mrs. Turchet:

RE: Application for Consent B30/13
Part Lot 5, Concession A
Geographic Township of Minto
Town of Minto (Neil Hackbart)

E-MAILED
April 16/13

The Saugeen Valley Conservation Authority (SVCA) has reviewed the application for consent in accordance with the SVCA's mandate and policies and the Memorandum of Agreement between the Authority and the County of Wellington with respect to Plan Review. This application for consent is acceptable to the SVCA conditional on the following comments. We offer the following comments.

Site Description

There are wetlands, and woodlands, located on and to the north and south of the subject lands. The South Saugeen River flows through the subject lands. Existing development is located on the subject property, and a portion of a decommissioned rail line also is located on the subject lands.

Natural Heritage

The wetlands on and around the property form a part of the Clifford-Harriston Complex which has been evaluated by the Ministry of Natural Resources as a Provincially Significant Wetland (PSW). In addition, as the wooded areas on the property form a part of a larger woodlot. Fish habitat is also located in the area associated with the River. All of these features are significant natural heritage features.

Wellington County Official Plan

The PSW is designated Core Greenland in the County Official Plan. The woodlands are considered to be Greenlands by the Wellington County Official Plan, therefore the entire property is designated as Greenlands or Core Greenlands. Section 5.6.3, Development Impacts, of

Conservation Through Cooperation

A Member of Conservation Ontario

the Official Plan provides direction for new development that is proposed in, and adjacent to, the Greenlands System. Specifically, any new development within 120 metres of a PSW must ensure that there will be no negative impacts on the natural features or their ecological functions.

While the wetlands are avoided by the proposed lot, the proposed lot does not avoid the 120 metre adjacent lands to these features. According to Section 5.5.4 the woodlands located on the property are over 10 hectares in size and will be protected from development or site alterations that would negatively impact the woodlands or their ecological functions. The woodlands are located on, and in close proximity to, the proposed lot.

Cleared areas for future construction are located on the subject lands associated with the historic rail line disturbance and existing lawn areas. These areas are still located within the Greenlands and as such an Environmental Impact Study (EIS) would normally be required.

Based on the review of potential building sites, and historic alterations and disturbance in the area, the SVCA recommends that an EIS is not necessary provided a building envelope to the satisfaction of the SVCA and Township is a condition of this consent's approval which avoids the natural heritage features on site. Alternately, the SVCA recommends the decision on this application be deferred and an EIS be completed and findings of the EIS implemented as conditions of approval of the severance.

Town of Minto Zoning By-Law No. 01-86

In the opinion of the SVCA the majority of the property is zoned NE by the Town of Minto. The NE zone includes the PSW, the watercourse, and an appropriate setback from these features, and other hazardous lands.

Generally, no new buildings or structures are permitted in the NE zone. Also, any new development should be setback at least 30 metres from the NE zone to comply with Section 6.20.2 (c) Natural Environment and Municipal Drain Setbacks. The proposed lot will have difficulty avoiding this 30 metre setback. The eventual building envelope to address natural heritage on site will also need to accommodate the NE zone and related provisions. An additional planning application may be necessary to reduce the 30 metre setback associated with the NE zone on the proposed lot.

SVCA Regulation

Please be advised that the entirety of the subject property is within the SVCA's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 169/06). This Regulation requires that a person obtain the written permission of the SVCA prior to any "development" in a Regulated Area or "alteration" to a wetland or watercourse. The approximate Regulated Area includes the Provincially Significant Wetland and the adjacent lands to this Wetland being 120 metres, the watercourse, adjacent low lying areas and an appropriate setback from these features.

In accordance with Subsection 28(25) of the Conservation Authorities Act "development" is defined as follows:

a) *the construction, reconstruction, erection or placing of a building or structure of any kind,*

b) *or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure,*

c) *site grading, or*

d) *the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.*

According to Section 5 of Ontario Regulation 169/06, "alteration" generally includes the straightening, diverting or interference in any way with the existing channel of a river, creek, stream or watercourse, or the changing or interfering in any way with a wetland.

Permission for Development or Alteration

If development or alteration including construction, reconstruction, conversion, grading, filling or excavation is proposed in or near the Regulated Area, the SVCA should be contacted, as a permit may be required.

The SVCA does not have a record of SVCA review or approval of the recent minor grading and site alterations that have occurred on portions of the proposed severed parcel (on the rail line lands to the west of the South Saugeen River). The SVCA's above noted Regulation requires SVCA permits be acquired prior to such works occurring. No SVCA permits have been issued for the subject property. No additional grading, filling, or site alterations should occur on the subject lands without first contacting the SVCA as approvals are required from the SVCA. The SVCA will be in contact with the owner on this matter as a separate issue to this application for consent.

Associated with the intended development of the proposed lot the decommissioned rail line is the proposed building site the SVCA understands. The western portions of this feature would likely be a suitable location associated with SVCA staff review of an eventual permit for the proposed lot. Development on the northern extent of the rail line on the proposed lot, or development to the south of the rail line or in the eastern portion of the lot may not be acceptable to SVCA staff given flooding hazards in the area. If future development is not suitable in the western portion of the lot the SVCA would ask to review the specific development area proposed prior to this application proceeding.

Conclusion

All of the plan review functions listed in the agreement have been assessed with respect to this application, the Authority is of the opinion that the application for consent appears to comply with the relevant policies of the Wellington Official Plan and Provincial Policies referred to in

the agreement provided the NE zone and natural heritage features are avoided as a condition of the consent's approval to the satisfaction of the SVCA and Town of Minto.

We trust these comments are helpful. Should questions arise, please do not hesitate to contact this office.

Yours Sincerely,

Erik Downing
Environmental Planning Coordinator

ED/
cc: Terry Fisk, SVCA Director, via email
Neil Hackbart, R.R.#1 Harriston, ON N0G 1Z0

File No. B30/13

RECEIVED
APR 15 2013
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Applicant

Neil & Janice Hackbart
6730 12th Line
RR#1
Minto ON NOG 1Z0

Proposal is to sever a lot 1.0 acre, vacant land for proposed rural residential use.

As a neighbor to the applicant, I have several issues and concerns regarding the application submitted. The property that I reside is protected under the Saugeen Conservation Authority which restricts me from a number of guidelines that I am to follow, with respect to this act; I have maintained all of these guidelines. The applicant's property also follows under these guidelines, but unfortunately has not been followed. Several additions to the property (not the proposed property) have been added without and permits issued from the Local Municipality and the approval from the Saugeen authority.

Concerns

- *Does the proposed site fall under the Environmental Protection Act*
- *Applicant has started ground removal among the property and has taken the property level down several feet, which has resulted in runoff and the risk of flooding on my property. Again without any consent from the Conservation Authority.*
- *A survey has been performed from by the applicant who does not carry a surveying license. Only a section has been measured by a surveying company.*
- *Will the construction of a well or septic system compromise my property.*
- *Applicant has provided a soil sample, (unfortunately was taken several years ago) which will determine the suitability of the soil and land site, a new sample should be required as this location was a former railroad.*

I wish to be notified of the date and time of the consideration and wish to be notified of the decision.

Thank you for allowing me to express my concerns and the issues I have with the applicant's proposal.

Jason Pilkington

Schedule A: To form part of severance application:

Property known as Part Lot 5, Conc. A, Town of Minto, County of Wellington.

Owner: Neil Hackbart and Janice Hackbart

Explanation of lot size: This is a unique property formerly owned by Canadian National Railway. The original area owned by CN included a large section beyond Bell's Creek, due to accessibility we have not included this section, however we have increased the original section to be in compliance with one acre minimum area. There is sufficient allowance for a house to be set back far enough from the road to allow for privacy. The back of the property would also convey privacy as well as serenity due to water and view.

Please consider severance as this piece of country property is beautiful and would make an exceptional building lot and enjoyable place to live.

Thank you for your consideration.

Neil and Janice Hackbart

CMT Engineering Inc.
1011 Industrial Crescent, Unit 1
P.O. Box 159
St. Clements, Ontario N0B 2M0
Tel: 519-699-5775
Fax: 519-699-4664
www.cmtinc.net

August 2, 2005 05-117.R01

Neil Hackbart
R.R.1
Harriston, Ontario
~~N2E 3E1~~ N0G 1Z0

Dear Sir:

Re: <u>T-Time and Soil Analysis Results - Hackbart Residence</u>

Construction Materials Technology Inc. (CMT Inc.) visited the above-indicated site and obtained representative samples in order to determine the percolation rate (T-Time) of the soil and to undertake a chemical analysis of the soil. The sampling was undertaken on July 14, 2005 in an area where an old railway line previously existed.

The soil was determined to be a mixture of gravel, sand and silt ("GM" according to the Unified Soil Classification System). The corresponding T-time was estimated at 8 min/cm. The particle size distribution curve is attached.

The results of the chemical analysis for PAH (Polycyclic Aromatic Hydrocarbons) were compared to Table A (Surface soil and groundwater criteria for agricultural, residential/parkland, industrial/commercial land use for a potable groundwater condition) of the "Guideline for use at Contaminated Sites in Ontario". Based on this assessment, no soil components were found to exceed the maximum allowable concentration levels. A report providing the results of the chemical analysis by Enviro-Test Laboratories is attached.

The results and comments for this project are based on the information gathered at the test locations only. It is therefore assumed that the sample information is representative of the subsoil conditions throughout the site.

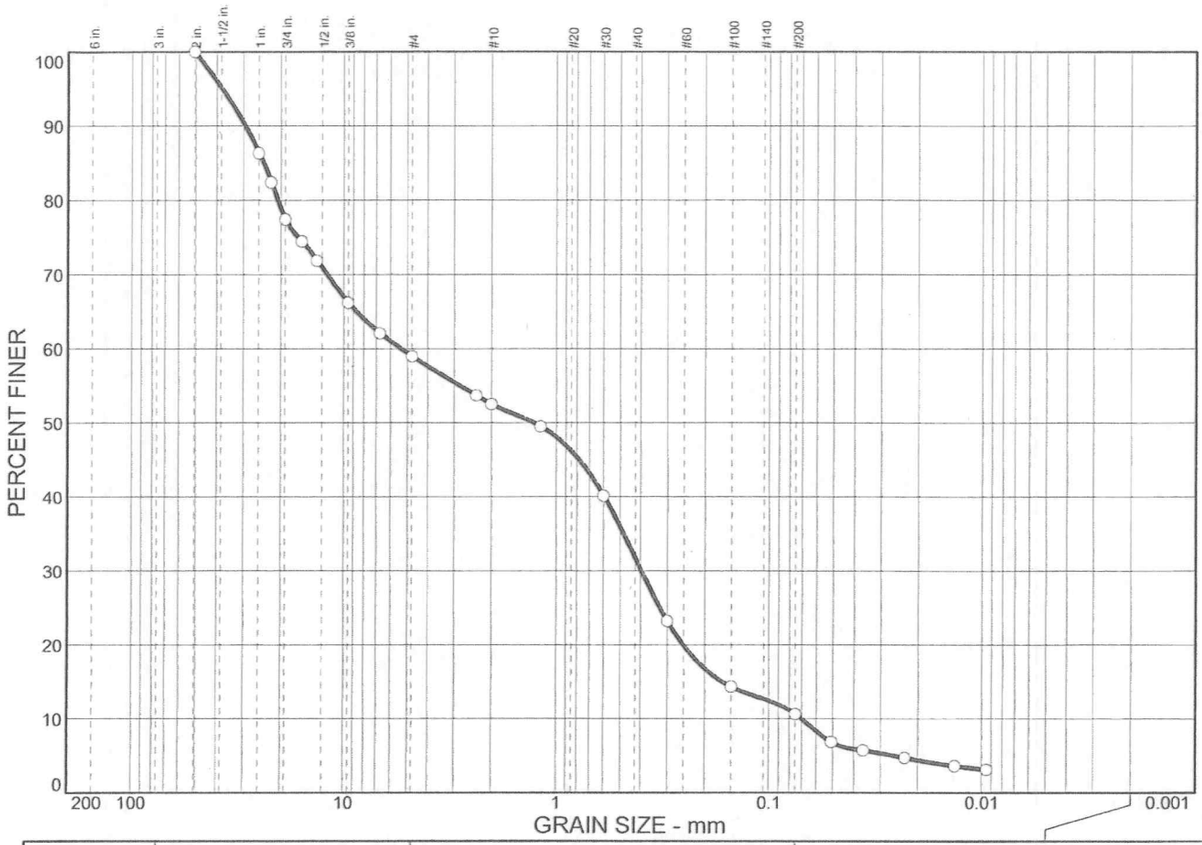
If you have any questions or concerns, please contact our office at your convenience.

Yours very truly,

Robert Koopmans, P.Eng.

Encl. Grain Size Analysis
Laboratory Test Results

Particle Size Distribution Report



	% COBBLES	% GRAVEL		% SAND			% FINES	
		CRS.	FINE	CRS.	MEDIUM	FINE	SILT	CLAY
○	0.0	22.6	18.4	6.5	20.9	21.0	10.6	

SOIL DATA

SYMBOL	SOURCE	SAMPLE NO.	DEPTH (ft.)	DESCRIPTION	USCS
○	Test Pit 1	1	1.0 to 1.5 m	gravel-sand-silt mixture	GM
				estimated percolation rate T = 8 min/cm	
				tested by CMT Inc. - July 15, 2005	

Particle Size Distribution Report **Construction Materials Technology Inc.**	**Client:** Mr. Neil Hackbart **Project:** Hackbart Septic R. R. 1, Harriston **Project No.:** 05-117 **Figure** 1

ETL Envirotest LABORATORIES

ANALYTICAL REPORT

CONSTRUCTION MATERIALS TECHNOLOGY
ATTN: DAVE BENDER
695 MCMURRAY ROAD, UNIT 4
WATERLOO ON N2V 2B7

DATE: 21-JUL-05 02:41 PM

Lab Work Order #: L288727 Sampled By: Date Received: 18-JUL-05

Project P.O. #:

Project Reference:

Other Information:

Comments:

APPROVED BY: Wayne Smith

WAYNE SMITH, C.CHEM., C.E.T.
Project Manager

THIS REPORT SHALL NOT BE REPRODUCED EXCEPT IN FULL WITHOUT THE WRITTEN AUTHORITY OF THE LABORATORY. ANY REMAINING SAMPLES WILL BE DISPOSED OF AFTER 30 DAYS FOLLOWING ANALYSIS. PLEASE CONTACT THE LAB IF YOU REQUIRE ADDITIONAL SAMPLE STORAGE TIME.

ENVIRO-TEST ANALYTICAL REPORT

Sample Details/Parameters		Result	Qualifier	D.L.	Units	Extracted	Analyzed	By	Batch
L288727-1	NEIL HACKBART SOIL								
Sample Date:	14-JUL-05								
Matrix:	SOIL								
	% Moisture	8.1		0.5	%	19-JUL-05	19-JUL-05	RB	R304534
PAH Compounds in Soil									
	Acenaphthene	<0.05		0.05	mg/kg	20-JUL-05	21-JUL-05	AZT	R305367
	Acenaphthylene	<0.05		0.05	mg/kg	20-JUL-05	21-JUL-05	AZT	R305367
	Anthracene	<0.05		0.05	mg/kg	20-JUL-05	21-JUL-05	AZT	R305367
	Benzo(a)anthracene	<0.05		0.05	mg/kg	20-JUL-05	21-JUL-05	AZT	R305367
	Benzo(a)pyrene	<0.02		0.02	mg/kg	20-JUL-05	21-JUL-05	AZT	R305367
	Benzo(b)fluoranthene	<0.05		0.05	mg/kg	20-JUL-05	21-JUL-05	AZT	R305367
	Benzo(g,h,i)perylene	<0.05		0.05	mg/kg	20-JUL-05	21-JUL-05	AZT	R305367
	Benzo(k)fluoranthene	<0.05		0.05	mg/kg	20-JUL-05	21-JUL-05	AZT	R305367
	Chrysene	<0.05		0.05	mg/kg	20-JUL-05	21-JUL-05	AZT	R305367
	Dibenzo(ah)anthracene	<0.05		0.05	mg/kg	20-JUL-05	21-JUL-05	AZT	R305367
	Fluoranthene	<0.05		0.05	mg/kg	20-JUL-05	21-JUL-05	AZT	R305367
	Fluorene	<0.05		0.05	mg/kg	20-JUL-05	21-JUL-05	AZT	R305367
	Indeno(1,2,3-cd)pyrene	<0.05		0.05	mg/kg	20-JUL-05	21-JUL-05	AZT	R305367
	Naphthalene	<0.05		0.05	mg/kg	20-JUL-05	21-JUL-05	AZT	R305367
	Phenanthrene	<0.05		0.05	mg/kg	20-JUL-05	21-JUL-05	AZT	R305367
	Pyrene	<0.05		0.05	mg/kg	20-JUL-05	21-JUL-05	AZT	R305367
Surr:	2-Fluorobiphenyl	76		50-150	%	20-JUL-05	21-JUL-05	AZT	R305367
Surr:	p-Terphenyl d14	84		50-150	%	20-JUL-05	21-JUL-05	AZT	R305367

Refer to Referenced Information for Qualifiers (if any) and Methodology.

Reference Information

Methods Listed (if applicable):

ETL Test Code	Matrix	Test Description	Preparation Method Reference(Based On)	Analytical Method Reference(Based On)
MOISTURE-WT	Soil	% Moisture		Gravimetric: Oven Dried
PAH-WT	Soil	PAH Compounds in Soil		SW486 8270

** Laboratory Methods employed follow in-house procedures, which are generally based on nationally or internationally accepted methodologies.

Chain of Custody numbers:

The last two letters of the above test code(s) indicate the laboratory that performed analytical analysis for that test. Refer to the list below:

Laboratory Definition Code	Laboratory Location	Laboratory Definition Code	Laboratory Location
WT	Enviro-Test Laboratories - Waterloo (Sentinel), Ontario, Can		

GLOSSARY OF REPORT TERMS
Surr - A surrogate is an organic compound that is similar to the target analyte(s) in chemical composition and behavior but not normally detected in enviromental samples. Prior to sample processing, samples are fortified with one or more surrogate compounds.
The reported surrogate recovery value provides a measure of method efficiency. The Laboratory warning units are determined under column heading D.L.
mg/kg (units) - unit of concentration based on mass, parts per million
mg/L (units) - unit of concentration based on volume, parts per million
< - Less than
D.L. - Detection Limit
N/A - Result not available. Refer to qualifier code and definition for explanation

Test results reported relate only to the samples as received by the laboratory.
UNLESS OTHERWISE STATED, ALL SAMPLES WERE RECEIVED IN ACCEPTABLE CONDITION.
UNLESS OTHERWISE STATED, SAMPLES ARE NOT CORRECTED FOR CLIENT FIELD BLANKS.
Although test results are generated under strict QA/QC protocols, any unsigned test reports, faxes, or emails are considered preliminary.

Enviro-Test Laboratories has an extensive QA/QC program where all analytical data reported is analyzed using approved referenced procedures followed by checks and reviews by senior managers and quality assurance personnel. However, since the results are obtained from chemical measurements and thus cannot be guaranteed, Enviro-Test Laboratories assumes no liability for the use or interpretation of the results.

Enviro-Test Quality Control Report

Workorder: L288727

Client: CONSTRUCTION MATERIALS TECHNOLOGY
695 MCMURRAY ROAD, UNIT 4
WATERLOO ON N2V 2B7

Contact: DAVE BENDER

Test	Matrix	Reference	Result	Qualifier	Units	RPD	Limit	Analyzed
MOISTURE-WT	Soil							
Batch R304534								
WG325570-3 DUP		L288581-5						
% Moisture		4.9	4.6	J,G	%	0.2	0.15	19-JUL-05
WG325570-2 LCS								
% Moisture			99		%		70-110	19-JUL-05
WG325570-1 MB								
% Moisture			<0.5		%		0.5	19-JUL-05
PAH-WT	Soil							
Batch R305367								
WG326570-1 CVS								
Acenaphthene			104		%		80-120	20-JUL-05
Acenaphthylene			98		%		30-140	20-JUL-05
Anthracene			104		%		60-130	20-JUL-05
Benzo(a)anthracene			104		%		60-140	20-JUL-05
Benzo(a)pyrene			99		%		20-170	20-JUL-05
Benzo(b)fluoranthene			100		%		60-140	20-JUL-05
Benzo(g,h,i)perylene			99		%		50-150	20-JUL-05
Benzo(k)fluoranthene			102		%		60-140	20-JUL-05
Chrysene			102		%		70-130	20-JUL-05
Dibenzo(ah)anthracene			98		%		30-160	20-JUL-05
Fluoranthene			102		%		70-130	20-JUL-05
Fluorene			99		%		60-140	20-JUL-05
Indeno(1,2,3-cd)pyrene			97		%		50-150	20-JUL-05
Naphthalene			105		%		57-123	20-JUL-05
Phenanthrene			101		%		70-130	20-JUL-05
Pyrene			106		%		70-130	20-JUL-05
WG326429-2 LCS								
Acenaphthene			78		%		40-150	21-JUL-05
Acenaphthylene			72		%		30-140	21-JUL-05
Anthracene			83		%		60-130	21-JUL-05
Benzo(a)anthracene			87		%		60-140	21-JUL-05
Benzo(a)pyrene			77		%		63-117	21-JUL-05
Benzo(b)fluoranthene			80		%		60-140	21-JUL-05
Benzo(g,h,i)perylene			78		%		50-150	21-JUL-05
Benzo(k)fluoranthene			79		%		60-140	21-JUL-05

Enviro-Test Quality Control Report

Workorder: L288727

Test	Matrix	Reference	Result	Qualifier	Units	RPD	Limit	Analyzed
PAH-WT	Soil							
Batch R305367								
WG326429-2 LCS								
Chrysene			87		%		70-130	21-JUL-05
Dibenzo(ah)anthracene			70		%		30-160	21-JUL-05
Fluoranthene			78		%		70-130	21-JUL-05
Fluorene			68		%		60-140	21-JUL-05
Indeno(1,2,3-cd)pyrene			72		%		50-150	21-JUL-05
Naphthalene			77		%		57-123	21-JUL-05
Phenanthrene			82		%		70-130	21-JUL-05
Pyrene			83		%		70-130	21-JUL-05
WG326429-1 MB								
Acenaphthene			<0.05		mg/kg		0.05	21-JUL-05
Acenaphthylene			<0.05		mg/kg		0.05	21-JUL-05
Anthracene			<0.05		mg/kg		0.05	21-JUL-05
Benzo(a)anthracene			<0.05		mg/kg		0.05	21-JUL-05
Benzo(a)pyrene			<0.02		mg/kg		0.02	21-JUL-05
Benzo(b)fluoranthene			<0.05		mg/kg		0.05	21-JUL-05
Benzo(g,h,i)perylene			<0.05		mg/kg		0.05	21-JUL-05
Benzo(k)fluoranthene			<0.05		mg/kg		0.05	21-JUL-05
Chrysene			<0.05		mg/kg		0.05	21-JUL-05
Dibenzo(ah)anthracene			<0.05		mg/kg		0.05	21-JUL-05
Fluoranthene			<0.05		mg/kg		0.05	21-JUL-05
Fluorene			<0.05		mg/kg		0.05	21-JUL-05
Indeno(1,2,3-cd)pyrene			<0.05		mg/kg		0.05	21-JUL-05
Naphthalene			<0.05		mg/kg		0.05	21-JUL-05
Phenanthrene			<0.05		mg/kg		0.05	21-JUL-05
Pyrene			<0.05		mg/kg		0.05	21-JUL-05

ENVIRO-TEST QC REPORT

Workorder # L288727

Legend:

Limit	95% Confidence Interval (Laboratory Warning Limits)
DUP	Duplicate
RPD	Relative Percent Difference
N/A	Not Available
LCS	Laboratory Control Sample
SRM	Standard Reference Material
MS	Matrix Spike
MSD	Matrix Spike Duplicate
ADE	Average Desorption Efficiency
MB	Method Blank
IRM	Internal Reference Material
CRM	Certified Reference Material
CCV	Continuing Calibration Verification
CVS	Calibration Verification Standard
LCSD	Laboratory Control Sample Duplicate

Qualifier:

RPD-NA	Relative Percent Difference Not Available due to result(s) being less than detection limit.
A	Method blank exceeds acceptance limit. Blank correction not applied, unless the qualifier "RAMB" (result adjusted for method blank) appears in the Analytical Report.
B	Method blank result exceeds acceptance limit, however, it is less than 5% of sample concentration. Blank correction not applied.
E	Matrix spike recovery may fall outside the acceptance limits due to high sample background.
F	Silver recovery low, likely due to elevated chloride levels in sample.
G	Outlier - No assignable cause for nonconformity has been determined.
H	Result falls within the 99% Confidence Interval (Laboratory Control Limits)
J	Duplicate results and limit(s) are expressed in terms of absolute difference.
K	The sample referenced above is of a non-standard matrix type; standard QC acceptance criteria may not be achievable.