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: **May 9, 2013**

File Number: **B28/13**

Applicant: **Gilles & Beryl Camirand**

Subject Lands: TOWN OF ERIN – Part Lot 18, Concession 1

Proposal is a request for consent to convey fee simple for a proposed severance 0.296 hectares with 47m frontage in the TOWN OF ERIN – Part Lot 18, Concession 1, existing and proposed rural residential use with existing garage; retained lands are 3.89 hectares.

ISSUES:

SUMMARY of FILED REPORTS and COMMENTS:

Town of Erin – suitable driveway location exists; conditions of approval to apply

County Planning - notice cards were posted at time of site visit; application is consistent with Provincial Policy and generally conforms to Official Plan; zoning relief for lot area under one acre minimum and to permit garage to be retained as an accessory building without a primary use

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 B28/13.
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 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.
6) THAT the Owner satisfy all the requirements of the local municipality for a lot grading and drainage plan; 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 the Owner provides written confirmation from a licensed septic installer that the existing septic system is functioning properly and the required setbacks from property boundaries are in compliance with the Ontario Building Code to the satisfaction of the Town of Erin; and further that the Town of Erin file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition
8) THAT the owner satisfy the requirements of the Town of Erin concerning road widening conveyances along the frontage of the severed and retained parcel; and that the Town of Erin files with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
9) THAT the Owner satisfy the requirements of the Local Municipality in reference to parkland dedication as provided for in the Planning Act, R.S.O. 1990; and that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
10) 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.

*****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 B28/13

APPLICANT

Gilles & Beryl Camirand
8750 Sideroad 17
RR#3
Acton ON L7J 2L9

LOCATION OF SUBJECT LANDS:

TOWN OF ERIN
Part Lot 18
Concession 1

Proposal is to sever a lot 0.296 hectares with 47m frontage, existing and proposed rural residential use with existing garage.

Retained parcel is 3.89 hectares with 51.33m frontage, existing and proposed rural residential use with existing house and 2 sheds.

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

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 – Gilles & Beryl Camirand** **Agent – JL Cox**

RECEIVED

APR 17 2013

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

RECEIVED

MAR 13 2013

TOWN OF ERIN

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: B28/13

APPLICANT

Gilles & Beryl Camirand
8750 Sideroad 17
RR#3
Acton ON L7J 2L9

LOCATION OF SUBJECT LANDS

TOWN OF ERIN
Part Lot 18
Concession 1

Proposal is to sever a lot 0.296 hectares with 47m frontage, existing and proposed rural residential use with existing garage.

Retained parcel is 3.89 hectares with 51.33m frontage, existing and proposed rural residential use with existing house and 2 sheds.

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 06-05209

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 [ ] NO [X]

(Please Specify) Size & main use

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(X) N/A( ) or **Minor Variance** YES( ) NO( ) N/A( )

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)

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 <u>or</u> Municipal Drains on the subject lands?

Continued to Page 2

MUNICIPALITY COMMENTING FORM

FILE NO: B28/13

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]

See attached

Is the Municipality in support of this application? **YES( ) NO(X)**

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: PLANNER, TOWN OF ERIN

ADDRESS: 5684 TRAFALGAR RD RR 2 HILLSBURGH

DATE: April 11, 2013

Corporation of the Town of Erin
5684 Trafalgar Road
RR2 Hillsburgh ON N0B 1Z0
(519) 855-4407 Ext. 240 Fax: (519) 855-4281
EMAIL: sally.stull@erin.ca

Severance Application Recommendation

To:	County of Wellington Land Division Committee
From:	Sally Stull, Planner, Town of Erin
Date:	April 17, 2013
File:	B28/13
Applicant:	Giles & Beryl Camirand
Location:	8750 Sideroad 17
Official Plan:	Secondary Agricultural & Core Greenlands
Zoning:	A- Agricultural & EP-2 Environmental Protection

Recommendation: A suitable driveway location exists. An entrance permit will be required prior to building permit issuance. The Town of Erin relies on the County of Wellington to confirm compliance with Minimum Distance Separation Formulae. The Town of Erin requests the following conditions of approval. The Town of Erin will file clearance of these conditions with the Secretary-Treasurer of the Committee of Adjustment once the conditions have been fulfilled.

1. That the applicant complies with the Town of Erin Zoning By-law in regard to lot size and also in regard to Section 4.2.5; that does not allow for accessory building or accessory uses to be established on any lot or site until the main building has commenced construction.

2. That the owner convey to the Town of Erin on both the severed and retained parcels of land, a road widening, to achieve a 13m right-of-way from the centerline of the 17^{h} Sideroad. The parcel(s) conveyed must be free of liens and encumbrances.

3. That the owner pay parkland dedication and satisfy any other requirements of the local municipality, financial and otherwise to 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.

4. That the owner provides written confirmation from a licensed septic installer that the existing septic system is functioning properly and the required setbacks from property boundaries are in compliance with the Ontario Building Code.

5. That the owner prepare a site drainage and grading plan to the satisfaction of the Town of Erin, denoting the existing lot elevations, proposed driveway, buildings/septic field location and existing overland flow together with proposed elevations and grading, demonstrating that drainage and grading do not impact on adjacent properties or trees noted for preservation.

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 15 2013
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Application	B28/13
Location	Part Lot 18, Concession 1 TOWN OF ERIN
Applicant/Owner	Gilles & Bery Camirand

PLANNING OPINION: This application would sever an irregular-shaped 0.3 ha (0.7 ac) lot in a Secondary Agricultural designation with an existing garage. The retained would be a 3.9 ha (9.6 ac) lot with an existing house and two sheds.

This application is consistent with Provincial Policy and would generally conform to the Official Plan, provided that servicing can be provided to the Town's satisfaction. We would have no other concerns provided that zoning compliance and safe driveway access can be addressed to the satisfaction of the local municipality as conditions of approval.

PLACES TO GROW: No issues.

PROVINCIAL POLICY STATEMENT (PPS): No issues.

GREENBELT PLAN: Not within the Greenbelt Plan area.

WELLINGTON COUNTY OFFICIAL PLAN: The subject lands are designated SECONDARY AGRICULTURAL and CORE GREENLANDS. The proposed severance would be entirely within the Secondary Agricultural designation and appears to be well-removed from the Core Greenlands area.

According to Section 10.4.4, 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.

The matters under Section 10.1.3 were also considered.

The matters under Section 10.1.3 were also considered including b) "that all lots can be adequately serviced with water, sewage disposal...", d) "that all lots will have safe driveway access to an all-season maintained public road", k) "that the size and shape of the proposed lots is suitable, including frontage, area and the proportion of frontage to depth" and m) "that all new lots shall have logical lot lines given existing lot patterns in the area, natural and human-made features and other appropriate considerations".

LOCAL OFFICIAL PLAN: The subject property is designated Secondary Agricultural and Core Greenlands in the Town of Erin Official Plan.

LOCAL ZONING BY-LAW: The subject property is currently zoned Rural Environmental Protection zone (EP2) and Agricultural (A). The retained parcel would meet the minimum lot area and frontage requirements. The severed parcel would meet the minimum lot frontage requirement, but would require zoning relief for a lot area under the 1 acre minimum. Relief may also be required to permit the garage to be retained as an accessory building without a primary use on the severed parcel. The comments of the Town's planner should be considered in this regard.

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

Sarah Wilhelm, MCIP, RPP, Senior Planner
April 15, 2013
-

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

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

DATE: April 12, 2013 **YOUR FILE:** B28/13
GRCA FILE: Erin/2013/Sev/C

RE: Application for Consent B28/13
Part Lot 18, Concession 1
8750 Sideroad 17, Town of Erin
Gilles & Beryl Camirand

GRCA COMMENT:
The Grand River Conservation Authority (GRCA) has no objection to the proposal to sever as circulated in the above noted material.

BACKGROUND:

1. **Resource Issues:**

   Information currently available at this office indicates that the lands to be retained contain portions of the Provincially Significant Speed – Lutteral – Swan Creek Wetland Complex and the allowance to this feature.

   The lands to be severed contain the allowance associated with the Provincially Significant Speed – Lutteral – Swan Creek Wetland Complex.

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

   Due to the above noted features, portions of the severed and retained 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 other alteration within the regulated areas will require a permit from our office.

3. **Additional Information/Suggestions provided in an advisory capacity:**

   Future development and/or site alteration within the regulated areas will require a permit from our office

   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 do not hesitate to contact Heather Ireland at 519-621-2763 ext. 2320.

RECEIVED
APR 1 2 2013
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Yours truly,

Fred Natolochny, MCIP, RPP
Supervisor of Resource Planning
Grand River Conservation Authority
FN/hi

* ***These comments are respectfully submitted to the Committee and reflect the resource concerns within the scope and mandate of the Grand River Conservation Authority.***

Encl. (1)
cc. Town of Erin
Gilles & Berly Camirand. 8750 Side Road 17 RR#3 Acton ON L7J 2L9
JL Cox Planning Consultants, 350 Speedvale Ave W Unit 6 Guelph ON N1H 7M7

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Grand River Conservation Authority
Map created: April 12, 2013

B28/13

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 (WELLINGTON)
- LOTS (NRVIS)
- FLOODPLAIN (GRCA)
  - ENGINEERED
  - APPROXIMATE
  - ESTIMATED
- WETLAND (GRCA)
- SLOPE VALLEY (GRCA)
  - STEEP
  - OVERSTEEP
- SLOPE EROSION (GRCA)
  - STEEP
  - OVERSTEEP
  - TOE
- WETLAND (NRVIS)
  - PROVINCIALLY SIGNIFICANT
  - OTHER
  - UNEVALUATED
- REGULATION LIMIT (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

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NAD 1983, UTM Zone 17 Scale 1:4,162

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