REPORT SUMMARY

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

Date of Consideration: **September 11, 2014** **TIME: 10:00 a.m.**

File Number: **B81/14**

Applicant: **VAN-DEV Limited**

Subject Lands: TOWNSHIP OF CENTRE WELLINGTON (Elora) – Part Lots 9 & 10, Reg Plan 246

Proposal is a request for consent to convey fee simple for a proposed severance 101m fr x 45m = 0.45 hectares (1.1 acres) in the TOWNSHIP OF CENTRE WELLINGTON (Elora) – Part Lots 9 & 10, Reg Plan 246, existing and proposed commercial use; retained lands are 1.09 hectares (2.7 acres).

ISSUES: neighbour concern

SUMMARY of FILED REPORTS and COMMENTS:

Township of Centre Wellington - planning staff in support of application; conforms to Official Plan and Zoning; conditions to apply

County Planning - notice cards were posted at time of site visit; application is consistent with Provincial policy and generally conforms to County Official Plan; conditions to address

Conservation Authority (GRCA) – no objection

County Engineering – no objections; no entrance condition required

Others (e.g. neighbours) Christopher Rynberk & Douglas Wilson (93 Patrick Blvd. Elora, ON N0B 1S0) – concern with future use of land; **request notification of consideration.**
Jeff Buisman – agent – cover letter of explanation.

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 B81/14.
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 Centre Wellington in a manner deemed acceptable to that road authority for an entrance to the severed parcel; and further that the Township of Centre Wellington 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 Township of Centre Wellington, financial and otherwise (included but not limited to Taxes paid in full; copy of Deposited Reference Plan; undertaking to advise Twp when deed is Registered; Tax Assessment Roll Setup Fee paid) 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 Township of Centre Wellington file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
7) THAT the Owner enter into a Development Agreement and/or Site Plan Agreement (Lot Grading and Drainage) including a Tree Preservation Plan to the satisfaction of the Township of Centre Wellington and further that the Township of Centre Wellington file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
8) THAT servicing connections to both the severed and retained lots be confirmed to the satisfaction of the Township of Centre Wellington; and further that the Township of Centre Wellington 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

August 28, 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 B81/14

APPLICANT

VAN-DEV Limited
Ike Van Soelen
5813 Wellington Rd 7
RR#5
Guelph ON N1H 6H2

LOCATION OF SUBJECT LANDS:

CENTRE WELLINGTON (Nichol)
Part Lots 9 & 10, Registered Plan 246
328 Wellington Rd 18, Elora

Proposed severance is 101m fr x 45m = 0.45 hectares, existing and proposed commercial use.

Retained irregular shaped parcel is 1.09 hectares with 45m frontage, existing and proposed commercial use with existing commercial building and storage unit.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, September 11, 2014**

AT 10:00 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: **Agent – Jeff Buisman**
Other: Christopher Rynberk & Douglas Wilson (93 Patrick Blvd. Elora, ON N0B 1S0)

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JUL 14 2014

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: B81/14

APPLICANT

VAN-DEV Limited
Ike Van Soelen
5813 Wellington Rd 7
RR#5
Guelph ON N1H 6H2

LOCATION OF SUBJECT LANDS

CENTRE WELLINGTON (Nichol)
Part Lots 9 & 10, Registered Plan 246
328 Wellington Rd 18, Elora

Proposed severance is 101m fr x 45m = 0.45 hectares, existing and proposed commercial use.

Retained irregular shaped parcel is 1.09 hectares with 45m frontage, existing and proposed commercial use with existing commercial building and storage unit.

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 2326.000.021.01230

Does this description reasonably describe the parcel holdings? YES(✓) NO( )

If answer is no, please provide new information: _____

Do you consider this proposal to conform to your Official Plan? YES(✓) 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 [ ]

(Please Specify) _____

Will the Retained Parcel comply with all requirements of the Zoning By-law? YES [✓] NO [ ]

(Please Specify) _____

If Necessary, would the Municipality be prepared to consider an **Amendment** to the Zoning By-Law to permit the proposal to conform? YES( ) NO( ) N/A(✓) or **Minor Variance** YES( ) NO( ) N/A(✓)

Is proposal on an opened maintained year-round public road YES(✓) 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 Berrie Road.

_____

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

Is the Retained Lot serviced now by Municipal Water YES( ) NO(✓)

Is the Proposed Lot(s) serviced now by Municipal Sewers YES( ) NO(✓)

Is the Retained Lot serviced now by Municipal Sewers YES( ) NO(✓)

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AUG 19 2014
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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

Approximate Time of Servicing Availability: _____

Are there any other servicing arrangements, Municipal easements or Municipal Drains on the subject lands?

N/A

Continued to Page 2

MUNICIPALITY COMMENTING FORM

FILE NO: B81/14

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

N/A

Is the Municipality in support of this application? **YES**(✓) **NO**( ) Planning staff opinion only.

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

Please see attached sheet of conditions.

Does the Municipality request a Notice of the Decision? YES( ) NO( )

SIGNATURE _____

TITLE: Planner

ADDRESS: 1 MacDonald Square, Elora, ON N0B 1S0

DATE: Aug. 19/14.

Centre Wellington

Memorandum

To: **Chantalle Pellizzari – Planning Coordinator, TCW**

From: Brandon Buehler - Engineering Technologist Water/Wastewater, TCW

Date: August 13, 2014

Re: **328 Wellington Road 18 - Severance Proposal**

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1. **Municipal Servicing – Severed Lands**

   1.1. Municipal services are not provided to the severed lot. Should the owner decide to develop the property they will be required to extend both the watermain and sanitary sewer along Gerrie Road to their development and connect. The owner will be responsible for all costs associated with the extension and connection to the municpal services. The Township requires the owner to enter into a development agreement that is registered on title that will stipulate these requirements. Said requirements must be fulfilled prior to any building permits being issued.

2. **Municipal Servicing – Retained Lands**

   2.1. The Township requires the retained lands to connect to the municipal services that are provided at the property line. The applicable connection, frontage and area wide fees apply. Once connected to the municipal services, the onsite private well and septic system must be abandoned within ninety (90) days of connecting. The owner is required to provide a copy of the Ministry of the Environment Well Record as proof that the well has been abandoned in accordance with the Ontario Water Resources Act, R.R.O. 1990, Regulation 903, as amended as well as proof that the septic tank has been decommissioned.

Township of Centre Wellington – Public Works
P.O. Box 10, Elora, ON N0B 1S0 - Office: 519-846-9801 Fax: 519-846-9858

www.centrewellington.ca

FILE NO: B 81/14 – Van-Dev Limited
328 Wellington Road 18, Elora

Conditions requested if the Consent is granted:

- ☐ That land be dedicated or other requirements met for park or other public recreational purposes.
- ☑ Satisfy all the requirements of the local municipality, financial and otherwise
- ☑ Driveway entrance approval
- ☑ Taxes Paid in Full
- ☑ Service Connections to be confirmed
- ☐ Official Plan Amendment
- ☐ Zoning Compliance
- ☑ Development Agreement and/or Site Plan Agreement (Lot Grading and Drainage)
- ☑ Copy of deposited Reference Plan
- ☑ Undertaking to advise Township when deed is Registered
- ☑ Tax Assessment Roll Setup Fee

Additional Notes:

LDC-conditions

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

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AUG 20 2014
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Application	B81/14
Location	Part Lots 9 & 10 , Reg. Plan 246 TOWNSHIP OF CENTRE WELLINGTON
Applicant/Owner	VAN-DEV Limited

PLANNING OPINION: This application would sever a vacant 0.45 ha (1.1 ac) Highway Commercial lot in the Urban Centre of Elora. A 1.09 ha (2.69 ac) irregular shaped Highway Commercial lot with existing commercial use would be retained.

This application is consistent with Provincial policy and generally conforms to the Official Plan, provided that the following matters are addressed as conditions of approval:

a) That servicing can be provided to the satisfaction of the local municipality; and,
b) That safe access can be provided to the site to the satisfaction of the local municipality.

PLACES TO GROW: The Places to Grow policies place an emphasis on intensification and optimizing the use of existing land supplies. Under section 2.2.2.1 which deals with managing growth it states, "population and employment growth will be accommodated by focusing intensification in intensification areas". Intensification is defined as "the development of a property, site or area at a higher density than currently exists through,.....b) the development of vacant and/or underutilized lots within previously developed areas; or c) infill development".

PROVINCIAL POLICY STATEMENT (PPS): Section 1.1.3 of the Provincial Policy Statement directs growth to occur within settlement areas. The proposed lot creation is located within the Elora Urban Centre and is consistent with the PPS.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated URBAN CENTRE and is located in the Urban Centre of Elora.

Section 10.6.2 States that "new lots may be created in Urban Centres provided that the land will be appropriately zoned. Lots may be created for a variety of community uses subject to the policies of this plan. Lot creation will normally proceed by plan of subdivision and will be based on the provision of full urban services, wherever such services are available."

The matters under section 10.3.1 were also considered.

LOCAL OFFICIAL PLAN: The subject property is Designated Highway Commercial in the Township of Centre Wellington Official Plan.

LOCAL ZONING BY-LAW: The subject property is currently zoned Highway Commercial (C2). It appears that both lots can meet the minimum lot area and frontage requirements.

SITE VISIT INFORMATION: The subject property was visited and photographed on July 31st 2014. Notice Cards were posted and the survey sketch appears to meet the application requirements.

Jameson Pickard

Jameson Pickard, Junior Planner
August 20th, 2014

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

DATE: August 8, 2014 **YOUR FILE:** B81/14
GRCA FILE: CentWell/2014/Sev

RE: **Application for Consent B81/14**
Part Lots 9 & 10, Registered Plan 246
328 Wellington Rd 18, Elora
VAN-DEV Limited (Ike Van Soelen)

GRCA COMMENT:*

The Grand River Conservation Authority (GRCA) has no objection to the subject consent application to sever a 0.45 hectares parcel for existing and proposed commercial use.

BACKGROUND:

1. **Resource Issues:**

   Information currently available at this office indicates that the subject 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.

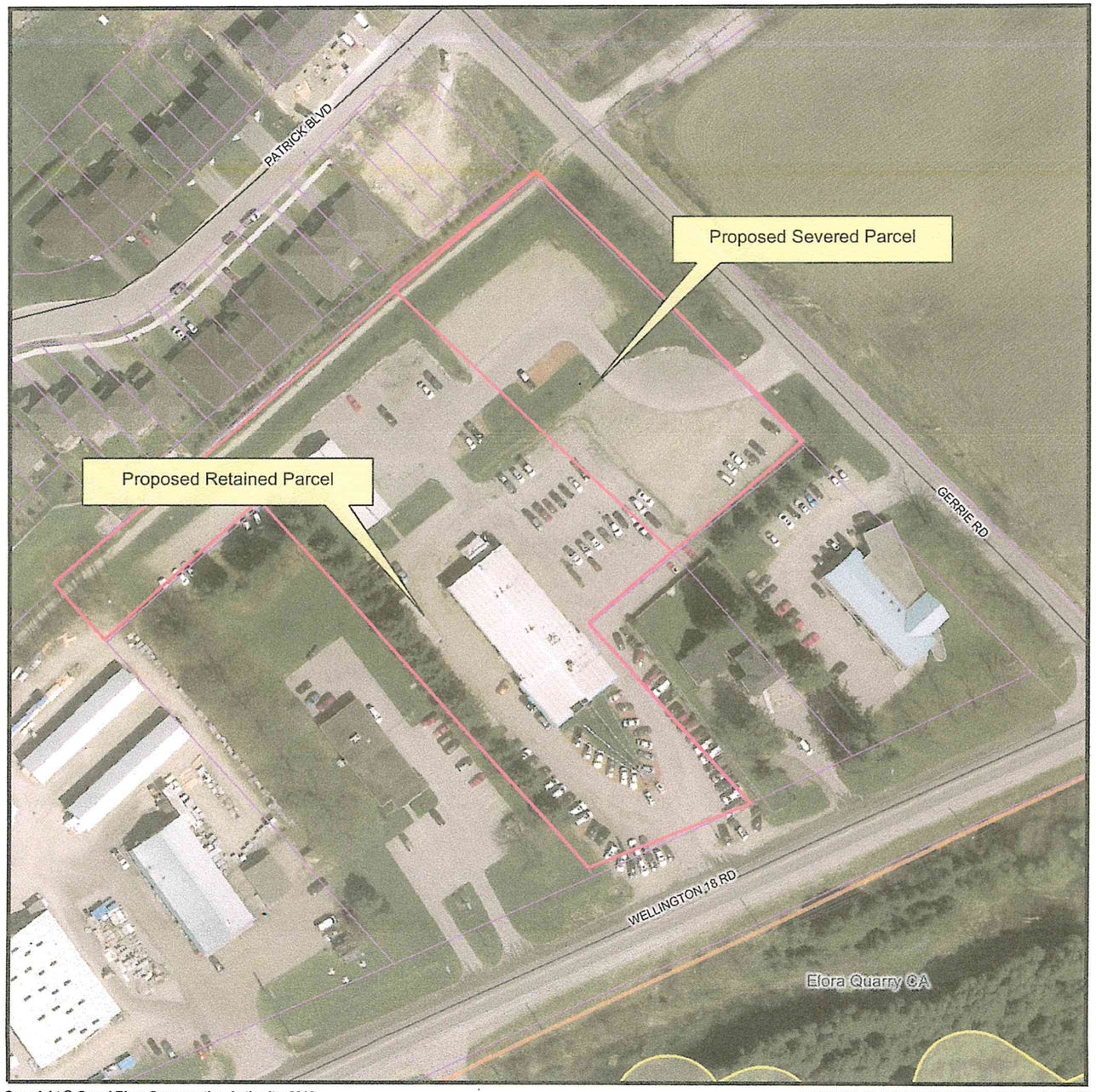
Should you have any questions or require further information, please contact the undersigned at extension 2320.

Yours truly,

RECEIVED
AUG 13 2014
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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

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



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Grand River Conservation Authority
Map created: August 7, 2014

B81/14

LEGEND

- WATERSHED BOUNDARY (GRCA)
- UTILITY LINE (NRVIS)
- ROADS-ADDRESSED (MNR)
- RAILWAY (NRVIS)
- 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 17 34 51 68 m.

NAD 1983, UTM Zone 17 Scale 1:1,500

N

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

July 11, 2014

NOTICE OF AN APPLICATION FOR CONSENT

Ontario Planning Act, Section 53(4)

The County of Wellington Planning and Land Division Committee requests your written comments on this application for consent.

APPLICATION SUBMITTED ON: July 7, 2014

FILE NO. B81/14

APPLICANT

VAN-DEV Limited
Ike Van Soelen
5813 Wellington Rd 7
RR#5
Guelph ON N1H 6H2

LOCATION OF SUBJECT LANDS:

CENTRE WELLINGTON (Nichol)
Part Lots 9 & 10, Registered Plan 246
328 Wellington Rd 18, Elora

Proposed severance is 101m fr x 45m = 0.45 hectares, existing and proposed commercial use.

Retained irregular shaped parcel is 1.09 hectares with 45m frontage, existing and proposed commercial use with existing commercial building and storage unit.

COUNTY OF WELLINGTON
JUL 10 2014
ENGINEERING SERVICES DEPARTMENT

IF YOU WISH TO SUBMIT COMMENTS ON THIS APPLICATION, WE MUST HAVE YOUR WRITTEN COMMENTS BEFORE

August 20, 2014

Please note that if the Comments are not received by the requested date, the Planning and Land Division Committee may proceed to consider the application, and may assume that you have no objection to this APPLICATION for CONSENT.

Please also be advised that if a person or public body that files 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.

If you wish to be **NOTIFIED OF THE DATE AND TIME OF THE CONSIDERATION** of this application - **please make your request in writing** to the Planning and Land Division Committee before the "Comments Return Date" noted above.

If you wish to be **NOTIFIED OF THE DECISION** of the County of Wellington Planning and Land Division Committee in respect of this proposed consent, **you must make a request in writing** to the County of Wellington Planning and Land Division Committee. This will also entitle you to be advised of a possible Ontario Municipal Board Hearing. Even if you are the successful party, you should request a copy of the decision since the County of Wellington Planning and Land Division Committee's decision may be appealed to the Ontario Municipal Board by the applicant or another member of the Public

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

COUNTY OF WELLINGTON
ENGINEERING SERVICES
NO OBJECTION
NOTICE OF DECISION REQ'D.
PASQUALE COSTANZO, CET
ENGINEERING TECHNOLOGIST
Date: AUG 13/14

MAILED TO:

Local Municipality – Centre Wellington County Planning

County Engineering

GRCA Bell Canada County Clerk Roads

Neighbour - as per list verified by local municipality and filed by applicant with this application

* NO ENTRANCE CONDITION REQ'D *

August 13, 2014

93 Patrick Blvd
Elora, ON N0B 1S0

County of Wellington Planning and Land Division Committee
Wellington Country Administration Office
74 Woolwich Street
Guelph, ON N1H3T9

ATT: Deborah Turchet, Secretary-Treasurer

RE: NOTICE OF AN APPLICATION FOR CONSENT FILE NO. B81/14

Dear Ms Turchet:

I am writing about your notice regarding the applicant VAN-DEV Ltd and their request of proposed severance of the subject lands Part Lots 9&10 Registered Plan 246 at 328 Wellington Rd 18, Elora.

I wish to be notified of the date and time of the consideration of this application. Our property borders directly onto the said lands for severance and we have concerns about the severance, its purpose, and its future use and development. I called your office recently and was only given limited information as that is all that was available from the person with whom I spoke on the phone.

Please provide acceptable solutions, clarification or answers to our following concerns:

1. The lands to be severed are zoned commercial. How can we be sure that the present owner won't sell the land or request rezoning resulting perhaps in inappropriate purposes and uses regarding lands bordering onto it at Patrick Blvd, a dense residential neighbourhood?
2. I was informed that the present owner is the accounting firm at the corner of Gerrie St and Wellington Rd 18, and that the reason for the severance request is that they wish to expand their company and services. How are we to be assured that this will in effect occur if the severance is allowed? Are there plans and diagrams available to determine how the site will be developed?
3. I am concerned that the land will be severed, perhaps resold, perhaps rezoned, and that a building/business that will create noise pollution, unsightly vistas from our property, and block air space, perhaps exceeding height restrictions will be erected.
4. When I called your office initially, I was unfortunately given only vague answers which concerns us greatly as to what will actually be done with the land if rezoning occurs.

I trust that you will provide satisfactory explanations to our concerns at your earliest convenience.

Sincerely

Christopher A. Rynberk
Douglas A. Wilson

B81/14

Van Harten
SURVEYING & ENGINEERING

July 7, 2014
Jeff.Buisman@vanharten.com
22157-14

County of Wellington Land Division Committee
74 Woolwich Street
GUELPH, Ontario
N1H 3T9

Attention: Ms. Deborah Turchet

Dear Ms. Turchet:

Re: **Severance Sketch and Application**
342 Gerrie Road
Part of Lots 9 &10, Registered Plan 246
PIN 71414-0123
Geographic Township of Nichol, Township of Centre Wellington

Please find enclosed an application for a severance on the above-mentioned property. Included with this submission are copies of the severance sketch, completed application form, required deeds, ownership confirmation, a cheque to Wellington County for $975, and a cheque to GRCA for $380.

Proposal

The proposal is to create a new commercial parcel with a frontage of 101±m on Gerrie Road and a depth of 45± m (0.45± ha) at the North-western portion of the subject lands. The retained lands will have an area of 1.09± ha.

Both the original and severed parcels are designated Urban Centre in the County Official Plan and zoned (C2) Highway Commercial in the Township Zoning By-law. The parcels have been configured to conform to applicable Zoning Requirements.

The owner (Collins Barrow Accountants) of 342 Gerrie Road (the property to the south of the proposed severed parcel) is the intended purchaser of the proposed severance. The immediate intention is to use the subject lands for overflow parking for the accounting office. Long term plans have not been established, but a second building for the accounting business is a possibility.

We found the proposed severance to meet the key criteria for a new severance including:

- Designated as an Urban Centre in the Official Plan
- Safe entrance along the front
- No environmental concerns
- No severance since 1972

Please call me if you or the Planning Staff have any questions.

Very truly yours,
Van Harten Surveying Inc.

Jeffrey E. Buisman B.E.S, B.Sc.
Ontario Land Surveyor

JEB:lb

c.c. Van-Dev Limited, Ike VanSoelen
c.c. 635995 Ontario Inc.., Ed Mitukiewicz