REPORT SUMMARY

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

Date of Consideration: **September 11, 2014** **TIME:** **10:20 A.M.**

File Number: **B59/14**

Applicant: **Martin Abell**

Subject Lands: TOWN OF ERIN – Part Lot 24, Concession 6

Proposal is a request for consent to convey fee simple for a proposed severance 10.4 hectares (25.7 acres) with 275m frontage in the TOWN OF ERIN – Part Lot 24, Concession 6, existing and proposed rural residential and agricultural use with existing 2 dwellings, garage, barn and drive sheds; retained lands are 55.7 hectares (138 acres).

ISSUES: See attached Foxcote Farms Business Plan for Committee approval

SUMMARY of FILED REPORTS and COMMENTS:

Town of Erin – conforms to zoning and official plan; suitable driveway location exists; conditions to be addressed

County Planning - notice cards were posted at time of site visit; application has indicated proposed consent for new agricultural lot – applicant needs to demonstrate a viable agricultural pursuit can be established on a farm of this size – no supplemental information was provided ***UPDATED COMMENTS (July 22/14)*** **– main concern raised by County and Town staff – severed 26 ac parcel small for new agricultural lot. Prior applications - justification in the form of business plan or farm plan prior to decision. Supplemental information provided indicating his intention to sell the 26 ac parcel to fund the purchase of other farmlands nearby to expand his hay operation – does not constitute a farm plan and does not satisfy staff concerns or meet the OP policies. Recommend a business plan or farm plan be provided demonstrating viability prior to decision therefore, eliminating Condition #11**

Conservation Authority (GRCA) – the northwest corner of the proposed severed will be approximately 20m from wetland edge – recommend the severance in this location is adjusted to include a minimum 30 m buffer from the wetland edge; suggest deferral until comments regarding setback to the wetlands are addressed; note that development within 30m of wetland edge would require a supporting environmental impact statement to demonstrate no negative impacts to wetland; any future development within the regulated areas will require a permit from GRCA

Conservation Authority (Credit Valley) – no comments received at time of circulation

Others - Nestle Waters – no objections
Adrian & Mary Coote – concern that if granted the property will be sold and purchaser may then wish to further sub-divide the property to enable a subdivision of 8 to 10 houses – if approved restrictions placed on property to not allow any further severances

Application #38 – further information for Committee

AGENT – John Cox – objecting to proposed Condition #11 – Land Division to evaluate rather than Town of Erin. GRCA – increase setback to 35m to allow a laneway accessing rear portion of property

OWNER – Martin Abell – further background information for Committee

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 B59/14.
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 provide a survey denoting a driveway access acceptable to the Town of Erin Road Department; and further that the Town of Erin Road Department 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 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.

8) 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

9) 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.

10) THAT the owner provide a predevelopment 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); 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.

*****11) **THAT** the Owner provide clear evidence in the form of a Business Plan that the agricultural pursuit on both the severed and retained parcels can be successful to the satisfaction of the Town of Erin; 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.*****

*****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 B59/14

APPLICANT

Martin Abell
Foxcote Farm
PO Box 359
Hillsburgh ON N0B 1Z0

LOCATION OF SUBJECT LANDS:

TOWN OF ERIN
Part Lot 24
Concession 6

Proposed severance is 10.4 hectares with 275m frontage, existing and proposed rural residential and agricultural use with existing 2 dwellings, garage, barn and drive sheds.

Retained parcel is 55.7 hectares with 325m frontage on Sixth Line and 800m frontage on Station Road, existing and proposed agricultural use.

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

AT 10:20 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 – Martin Abell** **Agent – JL Cox**

B59/14

FOXCOTE FARMS

FARM SEVERENCE & HORSE BUSINESS PLAN

prepared by

Gosling Stables

Sheri Gosling 519-942-7456

Lessons, Camps & Show Events

Gosling Stables Report 2014

August 14, 2014 PROPOSAL - NEW HORSE FARM

FOXCOTE FARMS
5830 6th Line,
Hillsburgh, Ontario
N0B 1Z0

POTENTIAL FOR NEW HORSE FARM

Introduction

Mr. Martin Abell is considering the options for a Horse Farm Business after the severance of the current farm into two parcels generating a 26 acre farm. located at 5830 Sixth Line Hillsburgh, Ontario. This report will address the following priorities:

- Existing Bank Barn
- Existing Residences
- Proposal In-door Riding Arena
- Proposed Outdoor Sand Ring
- 10 acres of paddocks
- Horse Stalls
- Hay storage
- Feed &, Tack Rooms

Part 1 – Physical Facility

Mr. Abell intends to sever the property so that the existing buildings, which include two (2) homes, a bank barn, two (2) equipment sheds and an accessory barn. These existing and new structures (see below) will take-up approximately 6 acres of the property. The current facility is large enough to accommodate much of what would be needed. However, there would be a need for a New In-door Riding Arena of 60' x 120' and an Outdoor Sand Ring of 60' x 120'. In addition new fencing to create a total of 10 acres of paddocks to be installed. 10 acres of hayfield (existing) would yield approximately 4,500 small square bales of hay annually that would feed 20 horses each year. The Bank Barn would require renovation and reconfiguring to yield 20 - 10' x10' (minimum size) box stalls for the horses. The bank barn would also house the tack room, feed room, wash stall for the horses and a washroom for the staff and clients.

- New Riding Arena
- New Sand Ring
- New Paddock fencing
- Bank Barn Renovation

The existing main residence would accommodate the farm owner and the second or smaller residence for the farm manager/staff. The two (2) existing sheds would serve well for equipment storage. Hay storage would be in the upper level of the existing bank barn as it is now; the lower level is the area for the box stalls, wash stall, tack and feed rooms and staff washroom.

Part 2: The Business - Schooling Barn

Based upon a Schooling Barn with 20 horses on the property, the following assets and revenues would be involved.

Business - Assets/Liabilities

- ☐ 20 horses
- ☐ Tack for each horse
- ☐ Feed supplies & storage
- ☐ Watering system & water troughs etc.
- ☐ Horse & Rider Training equipment (jumps)
- ☐ Farm equipment (tractor or skid-steer, horse trailer, etc)

Business - Revenue

- ☐ 4 Riders per hour lesson (4/group)
- ☐ 1 hour lesson (4/group) @ $40 per rider
- ☐ 5 - 1 hour lessons (4 per group) / evening (4 days/week) = $40 x 4 riders x 5 hours x 4 days = $3200.00/week
- ☐ Weekend lessons 7 - 1 hour lessons (4/group) $40 x 4 x 7 = $1120.00/weekend
- ☐ **TOTAL REVENUE = $4320.00/week**
- ☐ *Potential to add additional lessons weekly.*

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

MINUTES

ON APPLICATION B59/14

APPLICANT	**LOCATION OF SUBJECT LANDS:**
Martin Abell Foxcote Farm PO Box 359 Hillsburgh ON N0B 1Z0	TOWN OF ERIN Part Lot 24 Concession 6

Proposed severance is 10.4 hectares with 275m frontage, existing and proposed rural residential and agricultural use with existing 2 dwellings, garage, barn and drive sheds.

Retained parcel is 55.7 hectares with 325m frontage on Sixth Line and 800m frontage on Station Road, existing and proposed agricultural use.

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

DATE: **July 24, 2014**

Appearing Before the Committee: John Cox – agent; Martin Abell – owner;
Jameson Pickard – P&D Staff

Public Hearing Notes: Land Division Committee considered aerial views and pictures of the site and written reports; J. Pickard – county had concerns with size of proposed – agricultural small – no justification; Conservation – encroaching on wetland – this can be addressed; J. Cox – GRCA – went through a pre-consultation – 30 m buffer, but scale of sketch did not show intent; would approval OLS setback requirement; Mr. Abell sent in intent of use of land; lands in area owned by Mr. Martin and sister; want to sell this land to have money to buy agricultural; sever 10 acres at rear – small agricultural operation portion at back; more useable – Secondary Agricultural area – intent to allow potential for agricultural use – can be used that way; something smaller would not be useable; L. Maieron – concern is how can be a viable farm operation – to be clear – agricultural land associated – is it feasible? J. Pickard – options – residential or agricultural; application – agricultural – needs to be a viable agricultural lot; substantially smaller than lots in area; L. Maieron – justification and staff – have not addressed concerns; J. Cox – need this land to be used with residence and building; cold be a business plan but this is not being used to sell as a use; proposed 6.5.3 of plan – needs amend; all types sizes; J. Pickard – agree there are sections that speak to this but is under appeal; need information that this can be viable; L Redmond – policy aimed as second residential lots? J. Pickard – agricultural uses and normal farm operations; J. Cox – have concern with Condition #11 – Town staff – not their role to approve – should be County; like to see approved as submitted – options generic business plan or reduce size of proposed; Mr Abell – intend to keep farming; want to buy sister land to continue farming; do not need residence; J. Pickard – agree Township does not need to make decision – should be Land Division to review a business plan; L Redmond – add – this application has been reviewed under agricultural one residential lot – severed; if this is a residential severance – need to specify in application;

Moved by Warden White Seconded by Councilor Shawn Watters

THAT application B59/14 be deferred to reduce size of proposed lot severance or submit a business plan to the satisfaction of the Planning and Land Division Committee.

Carried.