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: **October 9, 2014**

File Number: **B86/14**

Applicant: **James Dixon**

Subject Lands: TOWNSHIP OF CENTRE WELLINGTON (West Garafraxa) – Part Lot 6, Conc 3

Proposal is a request for consent to convey fee simple for a proposed lot line adjustment is is 0.4 acres with 195.5m frontage in the TOWNSHIP OF CENTRE WELLINGTON (West Garafraxa) – Part Lot 6, Conc 3, vacant land to be added to abutting rural residential parcel – William Langford & Bronwyn Watters, together with an easement for hydro; retained lands are 5.3 acres.

ISSUES: none

SUMMARY of FILED REPORTS and COMMENTS:

Township of Centre Wellington – staff opinion - in support of application – conforms to zoning

County Planning notice cards were not posted at time of site visit; application is consistent with Provincial Policy and generally conforms to Official Plan; purpose of lot line adjustment is to acquire more land for recreational purposes and to secure a hydro easement; conditions to merge

Conservation Authority (GRCA) – no objections to lot line adjustment to abutting rural residential parcel

Others - cover letter Vince Starratt - agent

PROPOSED CONDITIONS of APPROVAL

1) THAT the Owner's solicitor, in preparation for the issuance of the Certificate of Consent, provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee a printed copy of the "completed electronic transfer document in preparation".
2) THAT the solicitor for the Owner give and undertaking in writing to provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee within 30 days of the date of registration in the Land Registry/Land titles Office for Wellington (No. 61) a copy of the receipted and registered electronic Transfer **including the Form 4 Certificate** and **Application for Consolidation of Parcels document for the consented parcel and the abutting lands to which the consented parcel is to be added** for Consent B86/14.
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 Purchaser take title of the severed lands in the same manner as he holds his abutting lands; and **THAT** Section 50, subsection (3) of the Ontario Planning Act, R.S.O. 1990 as amended shall apply to any subsequent conveyance or any transaction involving the parcel of land that is the subject of this consent.
6) THAT the conveyancing documents for the severed parcel contain a statement to ensure that Section 50, subsection (3) of the Planning Act, R. S. O. 1990, as amended shall apply to any subsequent conveyance or transaction with respect to the land described herein; and a statement that the consented parcel and the abutting lands to which this consented parcel is to be added shall be dealt with contemporaneously in any future conveyances or transactions unless further consent is granted under the Planning Act or other lawful order.
7) THAT the 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) 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.

*****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

September 25, 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 B86/14

APPLICANT

James Dixon
0058 Sideroad 19
RR#1
Fergus ON N1M 2W3

LOCATION OF SUBJECT LANDS:

CENTRE WELLINGTON (West Garafraxa)
Part Lot 6
Concession 3

Proposed lot line adjustment is 0.4 acres with 195.5m frontage, vacant land to be added to abutting rural residential parcel – William Langford & Bronwyn Watters. Together with an easement for hydro.

Retained parcel is 5.3 acres with 370m frontage, existing and proposed recreational use with existing dwelling and shed.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, October 9, 2014**

for the purpose of considering this **EXPEDITED APPLICATION.**

CONSIDERATION WILL BE HELD IN THE: 3A (Keith Room)
County of Wellington Administration Centre
74 Woolwich Street
Guelph, Ontario N1H 3T9

NOTICE is being sent to you for your information. **THE OWNER, APPLICANT OR AUTHORIZED AGENT, OR AUTHORIZED SOLICITOR IS NOT REQUIRED TO ATTEND**. MAKE SURE THAT THE AGREEMENT LETTER IS SIGNED AND RETURNED TO THE PLANNING AND LAND DIVISION COMMITTEE OFFICE.

Please also be advised that if a person or public body that filed an appeal of a decision of the County of Wellington Planning and Land Division Committee in respect of the proposed consent has not made written submission to the County of Wellington Planning and Land Division Committee before it gives or refuses to give a provisional consent, then the Ontario Municipal Board may dismiss the appeal.

A Copy of the **DECISION** of the Committee will be sent **to the applicant, and to each person or agency who filed with the Secretary-Treasurer a written request for Notice of Decision.**

Additional Information regarding the application is available to the public during regular business hours, Monday to Friday at the County of Wellington Planning and Land Division Office, 74 Woolwich St. Guelph ON N1H 3T9

Phone - (519) 837-2600 x2170 Fax – (519) 837-3875

To view comments for this application on our website www.wellington.ca follow these steps:

- ⇨ **Government**
- ⇨ **Council and Standing Committees**
- ⇨ **Land Division Committee**
- ⇨ **choose month & year in drop down menus**
- ⇨ **Choose Land Division Committee in the drop down menu**
- ⇨ **open appropriate agenda**

TO: **Applicant – William Langford & Bronwyn Watters** **Agent – Vince Starratt**

RECEIVED

SEP 17 2014

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

RECEIVED
AUG 11 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: B86/14

APPLICANT

James Dixon
0058 Sideroad 19
RR#1
Fergus ON N1M 2W3

LOCATION OF SUBJECT LANDS

CENTRE WELLINGTON (West Garafraxa)
Part Lot 6
Concession 3
6385 Second Line

Proposed lot line adjustment is 0.4 acres with 195.5m frontage, vacant land to be added to abutting rural residential parcel – William Langford & Bronwyn Watters. Together with an easement for hydro.

Retained parcel is 5.3 acres with 370m frontage, existing and proposed recreational use with existing dwelling and shed.

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 2326·000·024·06550

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( ) County of Wellington Official Plan applies

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 Second Line (with access easement to #6389 Second Line)

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(✓)

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: B86/14

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: Sept. 16/14

FILE NO: B 86/14 – James Dixon
6385 Second Line, West Garafraxa

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:

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
SEP 18 2014
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Application	B86/14
Location	Part Lot 6, Concession 3 TOWNSHIP OF CENTRE WELLINGTON
Applicant/Owner	James Dixon

PLANNING OPINION: This application for a lot line adjustment would sever a vacant 0.4 ac (17,424 ft²) irregular shaped parcel and merge it with an adjacent 0.3 ac (13,068 ft²) parcel with existing dwelling. The resulting parcel would be 0.7 ac (30,492 ft²) irregular shaped parcel. A 2.1 ha (5.3 ac) parcel would be retained with existing dwelling and shed. The purpose of the lot line adjustment is to acquire more land for recreational purposes and to secure a hydro easement.

This application is consistent with Provincial Policy and would generally conform to the Official Plan. We would have no concerns, provided that the following matters are addressed as conditions of approval:

a) That any concerns of the Conservation Authority can be addressed; and,
b) That the purchaser take title to the severed lands in the same manner as they hold their abutting land; and,
c) That Subsection 50(3) of the Planning Act, R.S.O., 1990 be applied to any subsequent conveyance or any transaction involving the parcel of land that is the subject of this Consent.

PLACES TO GROW: No concerns.

PROVINCIAL POLICY STATEMENT (PPS): Lot line adjustments in prime agricultural areas may be permitted for legal or technical reasons. Legal or technical is defined as "severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot".

Section 2.1.5 States "Development *and site alteration shall not be permitted in: a) significant wetlands; b) significant woodlands; c) significant valleylands; d) significant wildlife habitats; e) significant areas of natural and scientific interest; and, f) coastal wetlands unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological function."*

The property is completely within a significant woodland identified in the County of Wellington Official plan.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated GREENLANDS. The Greenland feature covers portions of a significant woodlot 20 ha + in size. Section 10.3.5 of the Official Plan provides for lot line adjustments in Prime Agricultural areas for "legal or technical reasons, such as easements, corrections of deeds, quit claims, and minor boundary adjustments. Lot line adjustments may also be permitted where no adverse impact on agricultural will occur where:

- Two abutting farms are merged and an existing farm residence is made surplus to the resulting enlarged farm parcel; and
- More viable agricultural operations will result; and
- An undersized lot is made useable given the requirement for appropriate sewer and water systems.

Lot line adjustments are deemed not to create new lots for the purposes of this plan. The creation of new lots for residences surplus to farm operations is not permitted.

The proposed severed lands would have the effect of bringing the currently undersized lot closer to the required Lot size requirements in the By-law.

Section 10.2.2 states that "where the County is concerned that a proposed lot in or adjacent to the Greenland's 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...h) that natural heritage features are not affected negatively.

LOCAL ZONING BY-LAW: The subject property is currently zoned Environmental Protection (EP).

SITE VISIT INFORMATION: The subject property was visited and photographed on September 8th 2014. Notice Cards were **not** posted at the time of the site visit. The survey sketch appears to meet the application requirements.

Jameson Pickard

Jameson Pickard, Junior Planner
September 17th, 2014

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

RECEIVED
SEP 18 2014
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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

DATE: September 9, 2014 **YOUR FILE:** B86/14
GRCA FILE: CentWell/2014/Sev/C

RE: **Application for Consent B86/14**
Part Lot 6, Concession 3 (West Garafraxa)
Township of Centre Wellington
James Dixon

GRCA COMMENT:*

The Grand River Conservation Authority (GRCA) has no objection to the lot line adjustment of 0.4 acres with 195.5m frontage of vacant land to be added to an abutting rural residential parcel.

BACKGROUND:

1. **Resource Issues:**

   Information currently available at this office indicates that the lands to be retained contain the Grand River, a tributary of the Grand River, wetland, floodplain, slope valley (steep), slope erosion (oversteep), and the allowances associated with these features.

   The lands to be severed and merged with 6389 2nd Line contain the Grand River, a tributary of the Grand River, wetland, and floodplain.

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

   Due to the presence of the above-noted features, the subject lands are entirely regulated under the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 150/06). A permit would be required from the GRCA prior to any development within the regulated portions of the property pursuant to Ontario Regulation 150/06.

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 519-621-2763 ext. 2320.

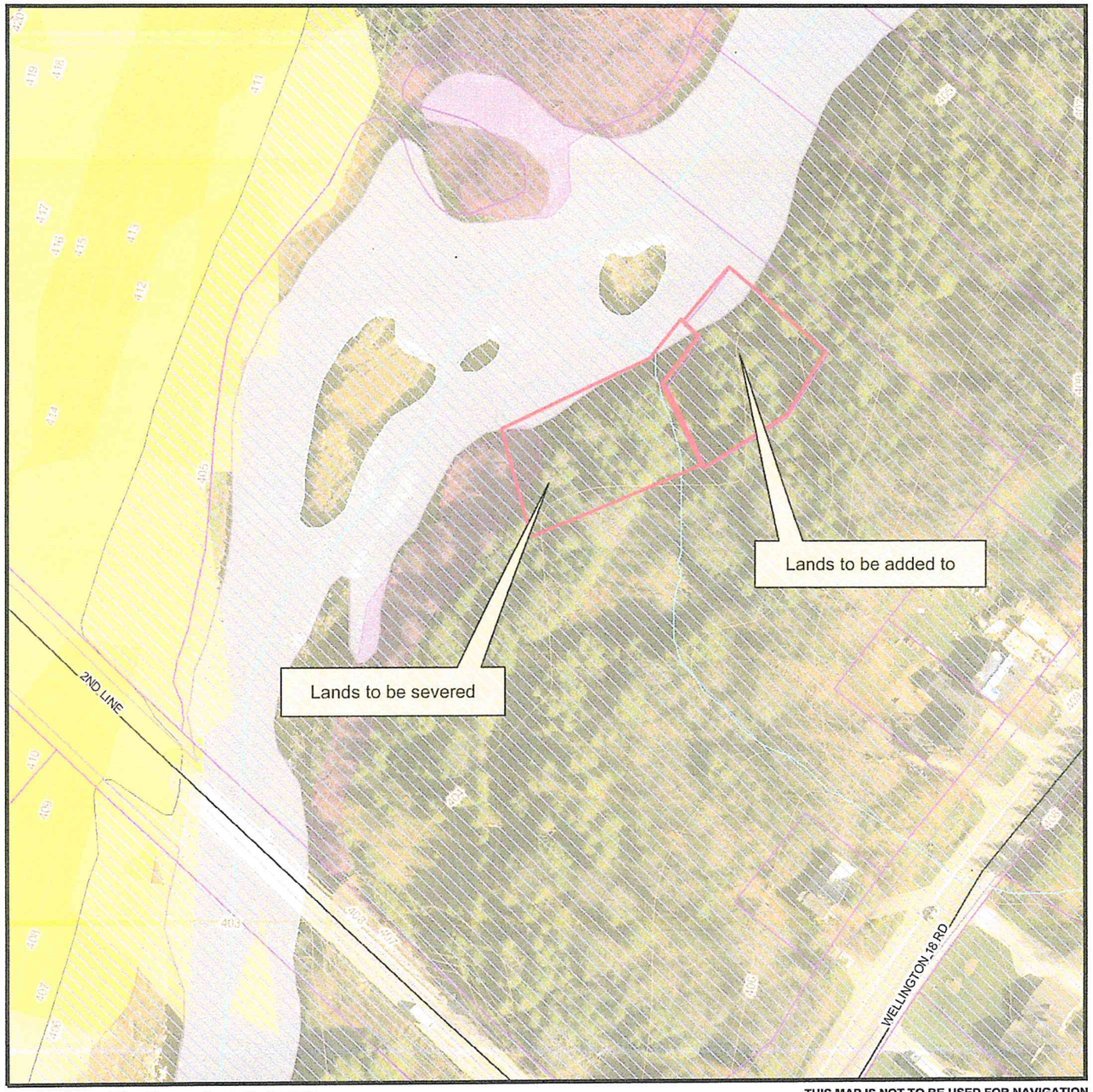
Yours truly,

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

* ***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. Township of Centre Wellington
Mark Van Patter, Manger of Plannin g& Environment, County of Wellington
Jana Poechman, County of Wellington
Vincent J. Starratt, Grant & Acheson Law Firm, 265 Bridge Street, Fergus, Ontario, N1M 1T7



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Grand River Conservation Authority
Map created: September 9, 2014

B83/14 - Dixon

LEGEND

- WATERSHED BOUNDARY (GRCA)
- UTILITY LINE (NRVIS)
- ROADS-ADDRESSED (MNR)
- RAILWAY (NRVIS)
- DRAINAGE-NETWORK (GRCA)
- PARCELS-ASSESSMENT (MPAC)
- LOTS (NRVIS)
- CONTOUR 1m (GRCA)
- CONTOUR 1m - GTA (MNR)
- 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

B36/14

SMITH VALERIOTE
LAW FIRM LLP
EXCELLENCE IN OUR COMMUNITY

GRANT & ACHESON
LAW FIRM
EXCELLENCE IN OUR COMMUNITY
In partnership with
SMITH VALERIOTE
LAW FIRM LLP

DELIVERED BY HAND

July 31, 2014

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

Attention: Deborah Turchet, Secretary-Treasurer

Dear Ms. Turchet:

Re: Langford/Watters (Applicant) - Lot Line Adjustment, Dixon (Owner)
Part of Southwest Half of Lot 6, Concession 3 (West Garafraxa), Centre Wellington

We wish to advise that we are the solicitors acting for Andy Langford and Bronwyn Watters with respect to the above-mentioned Lot Line Adjustment application. We enclose, herewith, the following:

1. Application for Consent;
2. Cheque payable to County of Wellington in the amount of $975.00;
3. Cheque payable to Grand River Conservation Authority in the amount of $380.00;
4. Sketch prepared by Derek G. Graham Limited, dated July 16, 2014;
5. Copy of owner's Transfer registered as Instrument No. WC362125; and
6. Copy of applicants' Transfer registered as Instrument No. WC221125;

List of neighbouring property owners within 60 metres of subject lands will be provided to you under separate cover.

With respect to the purpose for the Lot Line Adjustment, our clients are very aware that this land is environmental protection and in the Grand River Conservation floodplain. Our clients, in fact, tried to buy the entire adjoining parcel when Mr. Dixon purchased same. Their intent here is to simply acquire more recreational land and to secure a hydro easement for the supply to their existing cottage.

We trust you find the enclosed to be in order and look forward to receiving Notice of Hearing in due course. Should you require any further information, please do not hesitate to contact our offices.

Yours very truly,

GRANT & ACHESON

Lisa Zabielski

for Vincent J. Starratt, B.A., M.A., LL.B.
VJS/lz

Encls.

direct line: 519-837-6932
email:vstarratt@smithvaleriote.com
assistant: lzabielski@smithvaleriote.com