REPORT SUMMARY

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

Date of Consideration: **February 11, 2016** **TIME: 9:35 a.m.**

File Number: **B127/15**

Applicant: **Larry & Wilma Bowman**

Subject Lands: TOWNSHIP OF CENTRE WELLINGTON (Pilkington) – Part Lot 12, Conc A (WOGR)

Proposal is a request for consent to convey fee simple for a proposed lot line adjustment 8.9 hectare (22 acres)with 94.5m frontage in the TOWNSHIP OF CENTRE WELLINGTON (Pilkington) – Part Lot 12, Conc A (WOGR), existing agricultural use to be added to abutting agricultural parcel – Elverne Martin; retained lands are 12.14 hectares (30 acres).

ISSUES: Committee to be satisfied LLA is justified.

SUMMARY of FILED REPORTS and COMMENTS:

Township of Centre Wellington – staff opinion only – in support of application; conforms to zoning; County Official Plan applies; conditions to apply

County Planning - notice cards were posted at time of site visit; lot line adjustment – merged parcel will be 60.5 ha (149.7 acres) in size. A 12.14 ha (30 acre) agricultural parcel would be retained and is occupied by two residences and a pig operation – Committee should be satisfied that the lot line adjustment is justified; conditions to merge

Conservation Authority (GRCA) – no objection to lot line adjustment

Additional information – Letter to support Severance Application – see attached

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 **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 B127/15.
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 and issuance of the Certificate of Consent for the severed parcel.
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 Township 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

January 28, 2016

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 B127/15

APPLICANT

Larry & Wilma Bowman
7110 Middlebrook Rd
RR#1
Elora ON N0B 1S0

LOCATION OF SUBJECT LANDS:

CENTRE WELLINGTON (Pilkington)
Part Lot 12
Concession A (West of Grand River)

Proposed lot line adjustment is 8.9 hectare with 94.5m frontage (Parcel A on sketch), existing agricultural use to be added to abutting agricultural parcel – Elverne Martin (Parcel C on sketch)

Retained parcel is 12.14 hectares with 386.55m frontage, (Parcel B on sketch) existing and proposed agricultural and rural residential use with existing barn, 2 dwellings & 2 sheds.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, February 11, 2016**

AT 9:35 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: **Owner – Larry & Wilma Bowman** **Applicant – Elverne Martin**
Agent – Mary-Lou Fletcher

RECEIVED

JAN 2 1 2016

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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DEC 1 2 2016

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: B127/15

APPLICANT

Larry & Wilma Bowman
7110 Middlebrook Rd
RR#1
Elora ON N0B 1S0

LOCATION OF SUBJECT LANDS

CENTRE WELLINGTON (Pilkington)
Part Lot 12
Concession A (West of Grand River)

Proposed lot line adjustment is 8.9 hectare with 94.5m frontage (Parcel A on sketch), existing agricultural use to be added to abutting agricultural parcel – Elverne Martin (Parcel C on sketch)

Retained parcel is 12.14 hectares with 386.55m frontage, (Parcel B on sketch) existing and proposed agricultural and rural residential use with existing barn, 2 dwellings & 2 sheds.

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 2326.000-017.18400

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 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) "A" – Agricultural regulations

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

(Please Specify) "A" – Agricultural regulations (based on revised sketch received Jan. 21)

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 Middlebrook 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(✓)

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: B127/15

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?

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 N0B1S0

DATE: Jan. 21/16

FILE NO: B 127/15 – Larry & Wilma Bowman
7110 Middlebrook Road, Pilkington

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

Application	B127/15
Location	Part Lot 12, Concession A (WOGR) TOWNSHIP OF CENTRE WELLINGTON (Pilkington)
Applicant/Owner	Larry & Wilma Bowman

PLANNING OPINION: This proposed lot line adjustment would add an 8.9 ha. (22 ac.) existing cultivated agricultural parcel to an abutting 51.6 ha (127.7 ac) farm. The merged parcel will be 60.5 ha (149.7 ac.) in size. A 12.14 ha (30 ac.) agricultural parcel would be retained and is occupied by two residences and a pig operation.

The Committee should be satisfied that the lot line adjustment is justified. If approved, we would recommend that the following conditions be imposed for the subject lands:

1. That the purchaser take title to the severed lands in the same manner as they hold their abutting land; and,
2. 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 issues.

PROVINCIAL POLICY STATEMENT (PPS): Lot line adjustments in prime agricultural areas may be permitted for legal or technical reasons.

WELLINGTON COUNTY OFFICIAL PLAN: The subject lands are designated PRIME AGRICULTURAL. Section 10.3.5 of the Official Plan dealing with lot line adjustments in Prime Agricultural areas states that "*Lot line adjustments may be permitted for legal or technical reasons, such as easements, corrections of deeds, quit claims, and minor boundary adjustments.*" This section also states that Lot line adjustments may also be permitted where no adverse effect on agriculture will occur where "*an undersized lot is made useable given the requirement of appropriate sewer and water systems.*"

Matters under Section 10.1.3 were also considered including h) that natural resources such as agricultural lands and mineral aggregates would not be affected adversely.

According to Schedule B1 (Centre Wellington Well Head Protection Areas), the subject lands are not within a well head protection area.

LOCAL ZONING BY-LAW: The subject lands are zoned Agricultural (A). The minimum lot area in the A zone is 24.7 ac.

SITE VISIT INFORMATION: The subject property was visited and photographed on January 20, 2016. Notice Cards were posted and the survey sketch appears to meet the application requirements.

Linda Redmond, Senior Planner
January 21, 2016

RECEIVED
JAN 21 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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: December 21, 2015 **YOUR FILE:** B127/15
GRCA FILE: CentWell/2015/Sev/B127-15

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JAN 04 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

RE: **Application for Consent B127/15**
Part Lot 12, Concession A (West of Grand River)
Larry & Wilma Bowman

GRCA COMMENT:*

The Grand River Conservation Authority (GRCA) has no objection to the proposed lot line adjustment to sever a 8.9 hectare parcel of land to be added to an abutting 51.6 hectare agricultural parcel.

BACKGROUND:

1. **Resource Issues:**

   Information currently available at this office indicates that the lands to be severed contain the adjacent regulated allowance to a watercourse and wetland located on abutting lands.

   The lands to be retained contain a watercourse and the adjacent regulated area to this feature.

   The lands to be added to contain wetlands and the adjacent regulated areas to these features.

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

   Due to the presence of the above noted features, the properties are regulated by the GRCA under the Development, Interference, with Wetlands, and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 150/06). Please note that any future development within the regulated areas will require a permit from this office.

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 me at 519-621-2763 extension 2320.

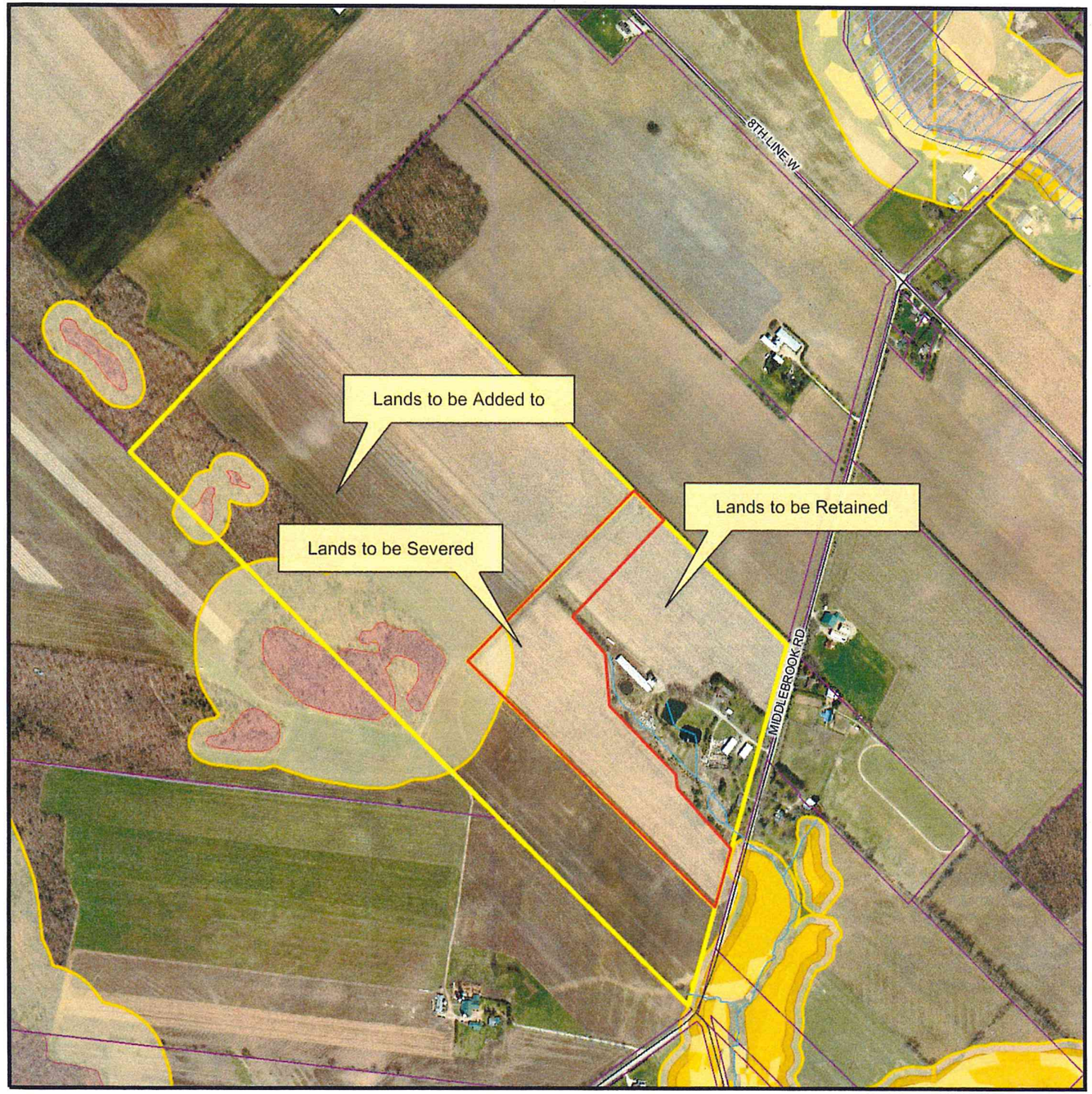
Yours truly,

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.***

cc. Larry & Wilma Bowman, 7110 Middlebrook Road, RR#1 Elora, ON N0B 1S0



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Grand River Conservation Authority

Map created: December 21, 2015
Prepared by: J. Wagler

B127-15

LEGEND

- WATERSHED BOUNDARY (GRCA)
- UTILITY LINE (NRVIS)
- ROADS-ADDRESSED (MNR)
- RAILWAY (NRVIS)
- WATERCOURSE - DRAFT (GRCA)
- PARCELS-ASSESSMENT (MPAC)
- LOTS (NRVIS)
- FLOODPLAIN (GRCA)
  - ENGINEERED
  - APPROXIMATE
  - ESTIMATED
- WETLAND (GRCA)
- SLOPE VALLEY (GRCA)
  - STEEP
  - OVERSTEEP
- SLOPE EROSION (GRCA)
  - STEEP
  - OVERSTEEP
  - TOE
- WETLAND (NRVIS)
  - PROVINCIALLY SIGNIFICANT
  - LOCALLY SIGNIFICANT
  - UNEVALUATED
- PARKS (GRCA)
- REGULATION LIMIT 2014 (GRCA)
- 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

0 115 230 345 460 m.

NAD 1983, UTM Zone 17 Scale 1:10,000

N

B127/15

SCHEDULE "A"

To Land Division Committee

Letter to support Severance Application of Larry Bowman

7110 Middlebrook Road, Elora,

Lot 12, Con. A West of the Grand River; Pilkinton, except Part 1, 61R-5138

Larry and Wilma Bowman own this 52 acre farm on Middlebrook Road, Elora. Larry Bowman purchased the farm from his parents in 1988. The farm currently has two residential dwellings and a hog nursery barn which is operated by Larry Bowman. The land is rented out and there is a nutrient management plan in place to permit Mr. Bowman to spread manure on the surrounding farm land with the adjacent owner, namely Elverne H. Martin.

Elverne H. Martin, the adjacent farmer would like to purchase additional workable farmland. Larry and Wilma Bowman would like to sever and sell 22 acres of workable land to Elverne H. Martin as a lot line adjustment. The goal with the retained farmland is for Larry and Wilma Bowman to transfer their family farm to their son. Larry and Wilma Bowman will live in the second dwelling on this farm and their son and daughter-in-law will live in the main farm house. The existing hog barn is not in good condition, but Larry wants to continue to use it for another 3-5 years, at which time, the goal is to convert the existing hog barn into a barn suitable to house 4-5 horses and 10 – 20 beef cattle. Their daughter-in-law has horses and the son works off the farm as a police officer, but would like to have the barn and remaining 17 acres as pasture for the horses/cows. Basically they would continue to keep this as a family farm, but it would be more of a hobby farm.

There is no adverse affect on agriculture with respect to this lot line adjustment, as the lands currently being farmed will continue to be farmed and it would merge workable farmland with the abutting farm owned by Elverne Martin.

Mr. Bowman has indicated that there is currently a similar sized small farm (20 acre) with a horse barn and horse track located directly across the road.

We make these statements in support of the Application for the Lot Line Adjustment.