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: **February 11, 2016**

File Number: **B121/15**

Applicant: **Elwyn Rice**

Subject Lands: TOWNSHIP OF WELLINGTON NORTH (Mount Forest) – Part Park Lot 1, South of Sligo & West of Main, 657 Queen St.

Proposal is a request for consent to convey fee simple for a proposed easement 420.6 square metres with 4.6m frontage in the TOWNSHIP OF WELLINGTON NORTH (Mount Forest) – Part Park Lot 1, South of Sligo & West of Main, 657 Queen St., vacant land for water supply to benefit Part 13 on sketch – Elwyn & Jay Rice.

ISSUES: None

SUMMARY of FILED REPORTS and COMMENTS:

Township of Wellington North – in support of application; "The easement is required in order to provide a water service to the lots shown on Schedule "A" as Part 13 and Part 14 from the Township's water main on Queen Street West. The water service located on the easement lands will be on private property and privately owned. The Township will own the service pipe located within the public road allowance to the curb stop that will be installed on Queen Street West prior to entering the easement lands. The cost of installing the water service on private property will be borne by the applicant and the cost to provide the water service from the water main to the curb-stop will be per the Township's fees and charges by-law" condition to apply

County Planning - no concerns with proposed easements

Conservation Authority (Saugeen Valley) – no new buildings or structures are proposed – applications are acceptable to SVCA staff

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 including the Form 2 Certificate for Consent B121/15.
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 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.

*****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 B121/15

APPLICANT

Elwyn Rice
635 Queen St. W
Mount Forest ON N0G 2L1

LOCATION OF SUBJECT LANDS:

WELLINGTON NORTH (Mount Forest)
Pt of Pk Lt 1, South of Sligo & West of Main
657 Queen St.

Proposed easement is 420.6 square metres with 4.6m frontage, (Sever 1 on sketch) vacant land for water supply to benefit Part 13 on sketch – Elwyn & Jay Rice.

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

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 – Dwight Benson** **Agent – Gil Deverell**

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: B121/15

APPLICANT

Elwyn Rice
635 Queen St. W
Mount Forest ON N0G 2L1

LOCATION OF SUBJECT LANDS

WELLINGTON NORTH (Mount Forest)
Pt of Pk Lt 1, South of Sligo & West of Main
657 Queen St.

Proposed easement is 420.6 square metres with 4.6m frontage, (Sever 1 on sketch) vacant land for water supply to benefit Part 13 on sketch – Elwyn & Jay Rice.

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 23-49-000-004-03420-0000

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( ) 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 [X] NO [ ]

(Please Specify) Section 12 of Zoning By-law 66-01_____

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

(Please Specify) Section 12 of Zoning By-law 66-01_____

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 _____

_____

Is the Proposed Lot(s) serviced now by Municipal Water YES( ) NO( ) N/A

Is the Retained Lot serviced now by Municipal Water YES( ) NO( ) N/A

Is the Proposed Lot(s) serviced now by Municipal Sewers YES( ) NO( ) N/A

Is the Retained Lot serviced now by Municipal Sewers YES( ) NO( ) N/A

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

Continued to Page 2

RECEIVED
JAN 12 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

MUNICIPALITY COMMENTING FORM

FILE NO: B121/15

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 [ ] N/A [X]

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]

The easement is required in order to provide a water service to the lots shown on Schedule "A" as Part 13 and Part 14 from the Township's water main on Queen Street West. The water service located on the easement lands will be on private property and privately owned. The Township will own the service pipe located within the public road allowance to the curb stop that will be installed on Queen Street West prior to entering the easement lands. The cost of installing the water service on private property will be borne by the applicant and the cost to provide the water service from the water main to the curb-stop will be per the Township's fees and charges by-law.

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

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

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.

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

SIGNATURE Karen D. Allen

TITLE: CLERK

ADDRESS: BOX 125, 7490 Sideroad 7 W Kenilworth N0G 2E0

DATE: January 12, 2016

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	B121/15 to B123/15
Location	657 Queen St. & 510 Sligo Road W(Mount Forest) TOWNSHIP OF WELLINGTON NORTH
Applicant/Owner	Elwyn Rice & Jay Rice

PLANNING OPINION: These applications would establish an easement for water supply, in favour of the abutting properties to the north. We have no concerns with proposed easement.

PLACES TO GROW: No issues.

PROVINCIAL POLICY STATEMENT (PPS): No issues.

WELLINGTON COUNTY OFFICIAL PLAN: The subject lands are designated Highway Commercial (Mount Forest). The matters under Section 10.1.3 were also considered.

LOCAL ZONING BY-LAW: The subject lands are zoned R2 (Residential).

SITE VISIT INFORMATION: The subject property has not been visited and photographed.

Linda Redmond, Senior Planner
December 30, 2015

RECEIVED
JAN 21 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

1078 Bruce Road 12, P.O. Box 150, Formosa ON Canada N0G 1W0
Tel 519-367-3040, Fax 519-367-3041, publicinfo@svca.on.ca, www.svca.on.ca

SENT ELECTRONICALLY ONLY *(debt@wellington.ca)*

January 6, 2016

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

RECEIVED
JAN 07 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

ATTENTION: Deborah Turchet, Secretary – Treasurer

Dear Ms. Turchet,

RE: Applications for Consent B121/15; and B122/15; and B123/15
657 Queen Street
Roll No.: 234900000403420
Park Lot 1 South of Sligo and West of Main; Part of Park Lot 2 North of Durham and West of Main; Parts 7 and 8 Plan 60R3016
-and-
510 Sligo Road West
Roll No.: 234900000412050
Part of Park Lot 2 South of Sligo and West of Main; Part 14 Plan 60R3016
Geographic Town of Mount Forest
Township of Wellington North (Dwight Benson, applicant)

Saugeen Valley Conservation Authority (SVCA) staff have reviewed these proposals in accordance with the SVCA's mandate and the policies and the Memorandum of Agreement between the Authority and County of Wellington related to plan review.

According to the Application for Consent B121/15 the proposed easement is 420.6 square metres with 4.6 metres frontage, (Sever 1 on sketch) vacant land for water supply to benefit Part 13 on the sketch – Elwyn and Jay Rice.

According to the Application for Consent B122/15 the proposed easement is 420.6 square metres with 4.6 metres frontage, (Sever 2 on sketch) vacant land for water supply to benefit Part 14 on the sketch – Jay Rice.

According to the Application for Consent B123/15 the proposed easement is 28.8 square metres with no frontage, (Sever 3 on sketch) vacant land for water supply to benefit Part 13 on the sketch – Elwyn and Jay Rice.

It is the understanding of SVCA staff that no new buildings or structures are proposed as part of these applications. The Applications for Consent are acceptable to SVCA staff; and we offer the following comments.

Natural Heritage

The significant natural heritage features affecting the properties are potentially the significant habitat of endangered or threatened species.

Habitat of Endangered Species or Threatened Species

It has come to the attention of the SVCA that habitat of endangered species or threatened species may be located in the area of the proposed applications. Provided the applicable legislation referenced by Section 2.1.7 of the Provincial Policy Statement (PPS) is addressed by the applicant associated with the proposals then Threatened or Endangered Species polices have been accommodated by the proposals. Please contact the Ministry of Natural Resources and Forestry (MNRF) to address this policy.

Township of Wellington North Zoning By-law 66-01

In the opinion of the SVCA, the properties are not zoned Natural Environment (NE) in the Township of Wellington North Zoning By-law 66-01.

SVCA Regulation

Please be advised that the properties are not subject to the SVCA's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 169/06, as amended). This Regulation is in accordance with Section 28 of the Conservation Authorities Act, R.S.O, 1990, Chap. C. 27 and requires that a person obtain the written permission of the SVCA prior to any "development" in a Regulated Area or alteration to a wetland or watercourse.

All of the plan review functions listed in the Agreement have been assessed with respect to these proposals. SVCA staff are of the opinion that the Applications for Consent appear to conform to the relevant policies of the County of Wellington Official Plan, and Provincial Policies referred to in the Agreement.

We trust these comments are helpful. Should questions arise, please do not hesitate to contact this office.

Sincerely,

Michael Oberle

Michael Oberle
Environmental Planning Technician
Saugeen Conservation

MO\
cc: Jana Poechman, Wellington County (via email)
Karren Wallace, Clerk – Township of Wellington North (via email)
Dwight Benson, applicant (via email)
Gil Deverell, agent (via email)
Steve McCabe, SVCA Director (via email)

LAWYERS

B121/15

P.O. Box 460, 166 Main Street South
Mount Forest, ON., N0G 2L0

Telephone (519) 323-1600
Facsimile (519) 323-3877

G.W. DEVERELL, Q.C., PROFESSIONAL CORPORATION
GUILDFORD W. DEVERELL, B.A., LL.B., Q.C.
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J. BRADY CUNNINGHAM, B.Sc., J.D. – Associate
cunningham@northwellington-law.ca

November 26, 2015

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

RECEIVED
DEC 02 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Dear Sirs/Ladies:

Re: Elwyn Milford Rice and Jay Rice
Three applications for Severance Consent <u>to create three easements</u> for water servicing purposes

We act as solicitors for the above parties and enclose for illustrative purposes only a copy of Reference Plan 60R3016 registered November 14, 1989. As background to the three easement consent applications referred to below Elwyn Rice is the owner of the lot being Parts 7 and 8 fronting on Queen Street alone; Jay Rice is the owner of the lot being Part 14 fronting on Sligo Road in his name alone; and Elwyn and Jay Rice together are the owners of the lot being Part 13 fronting on Sligo Road.

Regarding the three easement consent applications we enclose the following:

1. The application by Elwyn Rice owner of Parts 7 and 8 to create an easement in favour of Elwyn Rice and Jay Rice benefitting Part 13. This application has attached to it two copies of the severance sketch prepared by Alex R. Wilson Surveying Inc., Ontario Land Surveyor showing the easement areas as sever 1, sever 2 and sever 3 and a copy of the deed number 99337.

2. The application by Elwyn Rice owner of Parts 7 and 8 to create an easement in favour of Jay Rice benefitting Part 14. This application has attached to it two copies of the severance sketch prepared by Alex R. Wilson Surveying Inc., Ontario Land Surveyor showing the easement areas as sever 1, sever 2 and sever 3 and a copy of the deed number 99337.

3. The application by Jay Rice owner of Part 14 to create an easement in favour of Elwyn Rice and Jay Rice benefitting Part 13. This application has attached to it two copies of the severance sketch prepared by Alex R. Wilson Surveying Inc., Ontario Land Surveyor showing the easement areas as sever 1, sever 2 and sever 3 and a copy of the deed number WC449074.

4. Three cheques dated November 15, 2015 from Elwyn Rice each for $1,000.00 made payable to Treasurer of the County of Wellington in payment of the application fee for each of the three applications.

It is our understanding that Wilson Surveying has requested the Township of Wellington North to forward the neighbour details directly to your office.

If you have any further requirements with respect to these applications please let us know.

DEVERELL & LEMAICH
Per:

G.W. Deverell

GWD/dgd