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: **B112/14**

Applicant: **James & Mary Miller**

Subject Lands: TOWN OF ERIN – Part Lot 22, Concession 8

Proposal is a request for consent to convey fee simple for a proposed severance 3.8 hectares (9.4 acres) with 272m frontage in the TOWN OF ERIN – Part Lot 22, Concession 8, existing agricultural use for proposed rural residential use; retained lands are 2.1 hectares (5.2 acres).

ISSUES: None – CVC – no objections

SUMMARY of FILED REPORTS and COMMENTS:

Town of Erin – conforms to zoning and Official Plan; conditions to apply

County Planning - notice cards were posted at time of site visit; application is consistent with Provincial Policy and generally conforms to Official Plan – no concerns

Conservation Authority (Credit Valley) – do not support creation of new lots unless it is confirms that a suitable building envelope exists; Provincially Wetland on site – requirement to stake the wetland boundary and need confirmation of a suitable building envelope – recommend defer **UPDATED COMMENTS (January 18, 2016)** – satisfied with survey provided by J.R. Finnie providing the 30m setback from the wetland that was staked on June 3, 2015. Survey identifies building envelope. Staff recommend that new proposed driveway and home be located outside of estimated floodplain mapping; it appears feasible to the westerly side of the new proposed severance – as such no objection to proposed severance application

County Engineering – no objections – entrance condition not required

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 B112/14.
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 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.
6) 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.
7) 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
8) 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.

*****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 B112/14

APPLICANT	**LOCATION OF SUBJECT LANDS:**
James & Mary Miller 9471 Wellington Rd 22 Hillsburgh ON N0B 1Z0	TOWN OF ERIN Part Lot 22 Concession 8

Proposal is to sever a lot 3.8 hectares with 272m frontage, existing agricultural use for proposed rural residential use.

Retained parcel is 2.1 hectares with 180m frontage, existing and proposed rural residential use with existing house, barn & pool.

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 – James & Mary Miller** **Agent – Rod Finnie**

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

MINUTES

ON APPLICATION B112/14

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James & Mary Miller 9471 Wellington Rd 22 Hillsburgh ON N0B 1Z0	TOWN OF ERIN Part Lot 22 Concession 8

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Retained parcel is 2.1 hectares with 180m frontage, existing and proposed rural residential use with existing house, barn & pool.

COMMITTEE MEMBERS PRESENT: **George Bridge, Warden; Andy Lennox - Chairman**
Councilors - Shawn Watters, Don McKay, Allan Alls

DATE: **January 15, 2015**

Appearing Before the Committee: Linda Redmond – P&D Staff

Public Hearing Notes: No representation as application was scheduled as an Expedited Application. D. McKay – reviewed comments received – noticed that CVC letter had requested a deferral to get information for wetland boundary and building envelope. D. Turchet – Expedited process cover letter explains that Committee can chose not to Expedite and instead hold a meeting to discuss issues.

Moved by Councilor Don McKay Seconded by Warden George Bridge

THAT application B112/14 be deferred to address requirements of Credit Valley Conservation Authority to stake the wetland boundary and confirm a suitable building envelope.

Carried.

CVC
CREDIT VALLEY CONSERVATION

January 18, 2016

RECEIVED
JAN 25 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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

Attention Deborah Turchet, Secretary-Treasurer

Re: CVC File No. B 14/112
Your File No. B 112/14
James and Mary Miller
9471 Wellington Road 22
Part Lot 22, Concession 8
Town of Erin

Further to our comments dated December 8th 2014 Staff of Credit Valley Conservation (CVC) has now reviewed the updated survey and we provide the following comments for your consideration:

PURPOSE:
The purpose of this application is to sever a lot: 3.8 hectares with 292 m frontage, existing agricultural use for proposed rural residential use. The retained parcel is 2.1 hectares with 180m frontage, existing and proposed rural residential use with existing house, barn and pool.

ONTARIO REGULATION NO. 160/06:
The subject property is located partially within the Authority's Regulated Area. As such, the parcel is subject to CVC Regulation of Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses (Ontario Regulation No. 160/06). This regulation prohibits altering a watercourse or wetland, and prohibits development (e.g. new structures. additions, site grading) in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands (floodplain, erosion), and wetlands without the prior written approval of CVC (i.e. the issuance of a permit). The property is regulated due to a provincially significant wetland and potentially a watercourse.

Comments
CVC is satisfied with the survey provided by J.R. Finnie providing the 30 m setback from the wetland that was staked on June 3, 2015. The survey also identifies the building envelope. CVC staff recommend that the new proposed driveway and home be located outside of the estimated floodplain mapping. It appears that will be feasible to the westerly side of the new proposed severance. As such CVC has no objection to the proposed severance application.

If you have any questions or concerns, please do not hesitate to contact the undersigned at 905-670-1615 (x. 245).

January 18, 2016

Re: CVC File No. B 14/112
Your File No. B 112/14
James and Mary Miller
9471 Wellington Rd 22
Part Lot 22, Concession 8
Town of Erin

Yours truly,

Suzie Losiak, M.Sc.Pl., RPP
Planner

Rod Finnie
P.O. Box 31,
Erin, ON N0B 1T0