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: **B128/15**

Applicant: **Ian Bauman**

Subject Lands: TOWNSHIP OF MAPLETON (Peel) – Part Lots 20 & 21, Concession 2

Proposal is a request for consent to convey fee simple for a proposed lot line adjustment 0.46 hectares (1.14 acres) with no frontage in the TOWNSHIP OF MAPLETON (Peel) – Part Lots 20 & 21, Concession 2, existing woodlot and storage yard to be added to abutting residential & commercial parcel – Esther Bauman; retained lands are 31.21 hectares (77.12 acres).

ISSUES: none

SUMMARY of FILED REPORTS and COMMENTS:

Township of Mapleton – in support of application; conforms to zoning; conditions to apply

County Planning - notice cards not posted at time of site inspection; Greenlands feature protects a forested area; there is an existing building encroaching onto the subject lands; application is consistent with Provincial policy and generally conforms to Official Plan; conditions to merge

Conservation Authority (GRCA) – no objections 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 B128/15.
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 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 satisfy all the requirements of the Township of Mapleton, financial and otherwise (included but not limited to Taxes paid in full; copy of Deposited Reference Plan;) which the Township of Mapleton 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 Mapleton file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
9) THAT the lands under application have municipal drain reapportionment or mutual agreement to the satisfaction of the Township of Mapleton; and further that the Township of Mapleton 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 B128/15

APPLICANT

Ian Bauman
7212 Third Line
Elmira ON N3B 2Z3

LOCATION OF SUBJECT LANDS:

TOWNSHIP OF MAPLETON (Peel)
Part Lots 20 & 21
Concession 2

Proposed lot line adjustment is 0.46 hectares with no frontage(Parcel B on sketch), existing woodlot and storage yard to be added to abutting residential & commercial parcel – Esther Bauman (Parcel C on sketch).

Retained parcel is 31.21 hectares with 240.8m frontage on Third Line and 269.9m frontage on Reid Woods Drive, existing and proposed rural residential and agricultural use with existing house, barn & 2 sheds. (Parcel A on sketch)

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 – Ian Bauman** **Agent – Mary-Lou Fletcher**

January 22, 2016

Email Only

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

Dear Sir or Madam:

RE: CONSENT APPLICATION B128/15 – BAUMAN

Please be advised the following resolution was carried at the January 12, 2016 Council meeting:

> THAT Consent Application B128/15 (Bauman), Part Lots 20 & 21, Concession 2 (Peel) be hereby received;
> AND FURTHER THAT Township of Mapleton Council supports the submitted application with the following conditions:
> - Cash in lieu of parkland as per the Township's fees and charges by-law
> - Satisfy all the requirements of the local municipality, financial and otherwise
> - Taxes Paid in Full
> - Municipal Drain Reapportionment or Mutual Agreement
> - Copy of deposited Reference Plan

Also enclosed you will find

- ☑ Consent Application Summary prepared by B. Schellenberger
- ☑ Municipal Commenting Form

Should you have any questions, please don't hesitate to contact this office.

Yours truly,

B Schellenberger

Barb Schellenberger
Deputy Clerk

Encl.

Township of Mapleton 7275 Sideroad 16, Box 160, Drayton, Ontario NOG 1PO
Phone: 519-638-3313 Fax: 519-638-5113 Toll Free: 1-800-385-7248
www.mapleton.ca

MUNICIPALITY COMMENTING FORM
FILE NO: B128/15

APPLICANT	**LOCATION**
Ian Bauman 7212 Third Line Elmira ON N3B 2Z3	Concession 2 Part Lots 20 & 21 (P) 7212 Third Line

Proposed lot line adjustment is 0.46 hectares with no frontage (Parcel B on sketch), existing woodlot and storage yard to be added to abutting residential & commercial parcel – Esther Bauman (Parcel C on sketch)

Retained parcel is 31.21 hectares with 240.8m frontage on Third Line and 269.9m frontage on Reid Woods Drive, existing and proposed rural residential and agricultural use with existing house, barn & 2 sheds. (Parcel A on sketch)

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER

23-32-000-001-15000-0000

Does this description reasonably describe the parcel holdings? **YES**

Do you consider this proposal to conform to your Official Plan? **SEE L. REDMOND COMMENTS DATED DECEMBER 30, 2015**

What Section(s) does it conform to or contravene? **SEE L. REDMOND COMMENTS DATED DECEMBER 30, 2015**

Will the Severed (0.46 acre) Parcel comply with all requirements of the Zoning By-law? **YES, as it will merge to adjoining parcel.**

Will the Retained Parcel comply with all requirements of the Zoning By-law? **YES**

If Necessary, would the Municipality be prepared to consider an Amendment to the Zoning By-Law to permit the proposal to conform? **N/A** Minor Variance **N/A**

Is proposal on an opened maintained year-round public road? **YES**

Is the Proposed Lot(s) serviced now by Municipal Water **NO**

Is the Retained Lot serviced now by Municipal Water **NO**

Is the Proposed Lot(s) serviced now my Municipal Sewers **NO**

Is the Retained Lot serviced now by Municipal Sewers **NO**

Is there a **Capital Works Project** underway to service these lots in the near future **NO**

MUNICIPALITY COMMENTING FORM

FILE NO: B128/15

Are there any other servicing arrangements, Municipal easements or Municipal Drains on the subject lands? **YES –SEE DRAINAGE INSPECTOR REPORT DATED JANUARY 4, 2016**

Is the Municipality's Building Official satisfied that there is a sufficient site on the severed or retained parcel for individual well and septic services? **YES**

Is there any further information that may assist the Land Division Committee? **NOT AT THISTIME**

Is the Municipality in support of this application? **YES**

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

Conditions Requested Are

- **Cash In Lieu Of Parkland As Per The Township's Fees And Charges By-Law**
- **Satisfy All The Requirements Of The Local Municipality, Financial And Otherwise**
- **Taxes Paid In Full**
- **Municipal Drain Reapportionment Or Mutual Agreement**
- **Copy Of Deposited Reference Plan**

Does the Municipality request a Notice of the Decision? **YES**

SIGNATURE BSchellenberger

Barbara Schellenberger

TITLE: Deputy Clerk

ADDRESS: Township of Mapleton, 7275 Sideroad 16
Box 160, Drayton ON N0G 1P0

DATE: January 22, 2016

TOWNSHIP OF MAPLETON

7275 Sideroad 16, P.O. Box 160, Drayton, ON N0G 1P0
Phone: 519.638.3313, Fax: 519.638.5113, TF: 1.800.385.7248
www.mapleton.ca

CONSENT APPLICATION SUMMARY
LAND DIVISION FILE NO. B128/15

APPLICANT
Ian Bauman
7212 Third Line
Elmira ON N3B 2Z3

LOCATION OF SUBJECT LANDS
Township of Mapleton (Peel)
Part Lots 20 & 21
Concession 2

RECOMMENDATION:

THAT Consent Application B128/15 (Bauman), Part Lots 20 & 21, Concession 2 (Peel) be hereby received;
AND FURTHER THAT Township of Mapleton Council supports the submitted application with the following conditions:

- ✓ Cash in lieu of parkland as per the Township's fees and charges by-law
- ✓ Satisfy all the requirements of the local municipality, financial and otherwise
- ✓ Taxes Paid in Full
- ✓ Municipal Drain Reapportionment or Mutual Agreement
- ✓ Copy of deposited Reference Plan

BACKGROUND:

Township staff were circulated the Notice of An Application for Consent dated December 11, 2015 on December 21, 2015.

The following staff comments were received:

Public Works – no comments on the application

CAO Clerk – no comments based upon my review of the various commenting agencies.

Drainage Superintendent – Re-apportionment is suggested. See attachment for additional information.

Building Department - no concerns on the above noted consent.

Finance Department – no comments received.

Fire Department – no comments received.

CONSENT APPLICATION SUMMARY
LAND DIVISION FILE NO. B128/15

Additional comments were received from:

Planning - Senior Planner Linda Redmond comments dated December 30, 2015 included in.

GRCA - Resource Planner Jason Wagler comments dated December 21, 2015 (no objection) included in the agenda package.

Prepared by:

BSchellenberger

Barb Schellenberger
Deputy Clerk

Reviewed by:

Brad McRoberts
CAO Clerk

Attach A – Planner comments dated December 30, 2015
Attach B – Application B128/15
Attach C – CBO email comments dated January 07, 2016
Attach D – Drainage Superintendent comments dated January 4, 2016
Attach E – GRCA comments dated December 21, 2015

Township of Mapleton
Drainage Inspector

Memo

To: Barb Schellenberger, Deputy Clerk

From: Jim Grose, Drainage Inspector

Date: January 4, 2016

Re: Consent Application – B128/15

Ian Bauman, Part Lots 20 & 21, Concession 2 (P), 7212 Third Line, Roll #23-32-000-001-15000-0000

Please be advised that the above named consent application is impacted by the following drain:

- Municipal Drain No. 2 Annex, Townships of Peel and Woolwich
  Peel Township By-law #980

Be further advised, that the lands are in the watershed of a municipal drain, and could be affected should there be work required under *The Drainage Act.*

Re-apportionment is suggested for this consent application. There is no re-apportionment agreement on file for the parcel of land receiving the land proposed to be severed. As such a re-apportionment agreement is suggested for the retained 31.21 hectare parcel A, roll #001-15000 and the combination of parcel C, 1.19 hectares, and severed parcel B, 0.46 hectares, roll #001-15001, see attached consent application sketch.

If you have any questions, please don't hesitate to contact this office (519-638-3313 Ext. 43)

Regards,

Jim Grose, Drainage Inspector

PHONE: 519-638-3313

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	B128/15
Location	Part Lot 21, Concession 2 TOWNSHIP OF MAPLETON
Applicant/Owner	Ian Bauman

PLANNING OPINION: This application for a lot line adjustment would sever a 0.46 ha (1.1 ac) vacant parcel and merge it with an adjacent rural residential parcel with existing dwelling and sheds. The resulting parcel will have an area of 1.65 ha (4 ac). The retained parcel is 31.21 ha (77 ac) and is occupied by a farm. The lot line adjustment follows a forested area.

This application is consistent with Provincial policy and generally conforms to the Official Plan, 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 issues.

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".

WELLINGTON COUNTY OFFICIAL PLAN: The land subject to the lot line adjustment is designated GREENLANDS. The Greenland feature protects a forested area. Section 10.3.5 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. Lot line adjustments may also be permitted where no adverse effect on agricultural will occur. In this instance there is an existing building encroaching onto the subject lands.

The matters under section 10.3.1 were also considered.

LOCAL ZONING BY-LAW: The subject property is currently zoned Agricultural (A) and Natural Environment (NE).

SITE VISIT INFORMATION: The subject property was visited and photographed on January 20, 2016. Notice Cards were **not** posted, the survey sketch appears to meet the application requirements.

Linda Redmond, Senior Planner
December 30, 2015

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:** B128/15
GRCA FILE: Mapleton/2015/Sev/

RE: **Application for Consent B128/15**
Part Lots 20 & 21, Concession 2 (Peel)
Ian Bauman

GRCA COMMENT:*

The Grand River Conservation Authority (GRCA) has no objection to the proposed lot line adjustment to enable a severance of a 0.46 hectare parcel with no frontage to be added to an abutting residential and commercial 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 wetland.

   The lands to be retained contain a watercourse, floodplain, wetland, and the adjacent regulated allowances to these features.

   The lands to be added to contain the above noted wetland and the adjacent regulated allowance.

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

   Due to the above mentioned features, portions of the lands are regulated by the GRCA under the *Development, Interference, with Wetlands, and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 150/06)*. Future development or site alteration within the regulated areas will require a permit from our 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

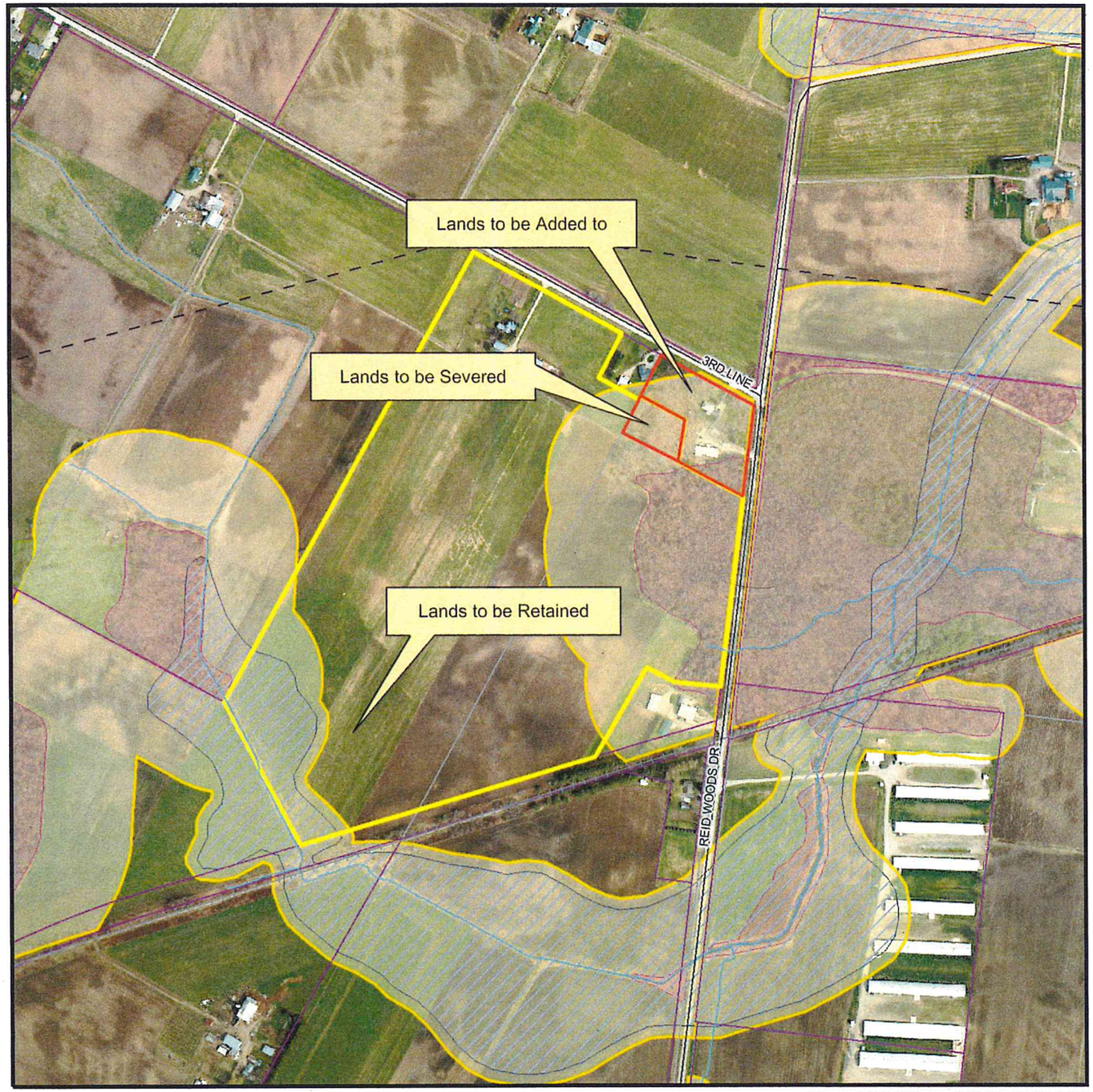
RECEIVED
JAN 04 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Resource Planner
Grand River Conservation Authority

JW

* ***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. Town of Mapleton
Ian M. Bauman, 7212 Third Line, Elmira, ON N3B 2Z3



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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

B128/15

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 85 170 255 340 m.

NAD 1983, UTM Zone 17 Scale 1:7,500

N

B128/15

SCHEDULE "A"

Ian Bauman owns the farm at Part Lot 20 and 21, Concession 2, Peel (now Mapleton) – 7212 3rd Line, Elmira, Ontario. He and his wife Esther Bauman recently purchased lands at Part Lot 21, Concession 2, Peel (now Mapleton) – 7196 3rd Line, Elmira and took title in Esther's name alone. Prior to the purchase of the adjacent lands located at 7196 Third Line Elmira, it became apparent that there was an issue with the metes and bounds description in a previous deed, in that the boundary limit of the property they were buying ran directly through the commercial shop building located at 7196 Third Line, Elmira.

It appears that this boundary error had resulted from an improper metes and bounds description in the deed, which assumed that the road ran straight with a 90 degree corner, when in actual fact, it runs on an angle. The "distance from the road" noted in the description was therefore closer to the road than what the previous owner had realized when the shop had been built on those lands years ago.

Since Ian Bauman also owned the farm surrounding the subject property, he proceeded with the purchase and is now requesting a lot line adjustment so that the boundary limit of the property in Esther Bauman's name will not run through the building on the 7196 Third Line, Elmira property.

The boundary limits of the new severed parcel to be added to 7196 "squares up" the property. The severed lands are all bush and/or yard and storage area for the commercial shop, which had been continually used by the previous owner of Esther Bauman's parcel as part of that property. Accordingly, these are the lands that should naturally be added to the existing property.

There is no workable farmland being taken away from the existing farm land, nor would this bush land ever be cleared for farming purposes.

We make these statements to support the lot line adjustment application.