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 13, 2016**

File Number: **B63/16**

Applicant: **Ron Hartwick**

Subject Lands: TOWN OF ERIN – Part Lot 24, Concession 9

Proposal is a request for consent to convey fee simple for a proposed severance 50m fr x 92m = 0.46 hectares (1.14 acres) in the TOWN OF ERIN – Part Lot 24, Concession 9, vacant land for proposed rural residential use; retained lands are 6.8 hectares (16.8 acres).

ISSUES: none

SUMMARY of FILED REPORTS and COMMENTS:

Town of Erin – Conforms to zoning; conditions to apply

County Planning - notice cards were posted at time of site visit; application consistent with Provincial policy and conforms to Official Plan; no new lots have been created since March 1, 2005 and have been owned over five years;
Note that property across is former Hillsburgh Waste Disposal Site. Landfill constraint area for development proposed on or within 500 m of land used for waste disposal; Environmental Considerations Report;
Wellington County's Forest Conservation By-law No. 5115-09 protects woodlands – where building permit issued allows removal of trees within 15 metres of outer edge of building structure or septic system – removal of trees beyond will require a permit from the County;

Conservation Authority (Credit Valley) – no objection, site visit (Oct 7, 2015) flagged the outermost limit of PSW with flag marker as identified on survey; recommend minimize tree removal by siting proposed building within existing open area (where trailer is); or close to the road, re-use the existing driveway and hydro lines and restore disturbed areas

Source Water – property located in WHPA-D – does not require a Section 59 notice

Solid Waste Services – due to proximity to the Hillsburgh Closed Landfill, located at 5830 Eigth Line. Condition 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 B63/16.
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.
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 survey confirming the location of the proposed entrance that should meet the standards outlined in the entrances by-law 10-47 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

9) THAT the owner satisfy the requirements of the Town of Erin concerning road widening conveyances along the frontage of the severed and retained parcel; 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.
10) 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.
11) THAT the Owner submit an Environmental Considerations report prepared by a qualified professional to the satisfaction of the County of Wellington Solid Waste Services Division; and further that the County of Wellington Solid Waste Services Division 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 29, 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 B63/16

APPLICANT

Ron Hartwick
75 Lacewood Crescent
Brampton ON L6S 3K3

LOCATION OF SUBJECT LANDS:

TOWN OF ERIN
Part Lot 24
Concession 9

Proposed severance is 50m fr x 92m = 0.46 hectares, vacant land for proposed rural residential use.

Retained parcel is 6.8 hectares with 125m frontage, existing and proposed rural residential use with existing house, cabin and greenhouses.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, October 13, 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 – Ron Hartwick** **Agent – JL Cox**

RECEIVED
AUG 1 7 2016
TOWN OF ERIN

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: B63/16

APPLICANT

Ron Hartwick
75 Lacewood Crescent
Brampton ON L6S 3K3

LOCATION OF SUBJECT LANDS

TOWN OF ERIN
Part Lot 24
Concession 9

Proposed severance is 50m fr x 92m = 0.46 hectares, vacant land for proposed rural residential use.

Retained parcel is 6.8 hectares with 125m frontage, existing and proposed rural residential use with existing house, cabin and greenhouses.

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 08 - 04800

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) _____

Will the Retained Parcel comply with all requirements of the Zoning By-law? YES [x] 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(x) 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(x)

Is the Retained Lot serviced now by Municipal Water YES( ) NO(x)

Is the Proposed Lot(s) serviced now by Municipal Sewers YES( ) NO(x)

Is the Retained Lot serviced now by Municipal Sewers YES( ) NO(x)

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

Approximate Time of Servicing Availability: _____

Are there any other servicing arrangements, Municipal easements or Municipal Drains on the subject lands?

Continued to Page 2

MUNICIPALITY COMMENTING FORM

FILE NO: B63/16

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

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

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

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

SIGNATURE _____

TITLE: Building and Planning Assistant, Town of Erin

ADDRESS: 5684 Trafalgar Rd, Hillsburgh ON, N0B 1Z0

DATE: September 21, 2016

Corporation of the Town of Erin
5684 Trafalgar Road
RR2 Hillsburgh ON N0B 1Z0
(519) 855-4407 Ext. 240 Fax: (519) 855-4281
EMAIL: jessica.wilton@erin.ca

Severance Application Recommendation

To: County of Wellington Land Division Committee
From: Jessica Wilton, Building & Planning Assistant, Town of Erin
Date: September 21, 2016
Applicant: Ron Hartwick
Location: Part Lot 24, Concession 9
File: B63/16

Official Plan: Secondary Agricultural
Zoning: A- Agricultural

Recommendation: The Town of Erin relies on the County of Wellington to confirm compliance with Minimum Distance Separation Formulae.

The Town of Erin requests that the following conditions of approval be required. The Town of Erin will file clearance of these conditions with the Secretary-Treasurer of the Planning and Land Division once the conditions have been fulfilled.

1. 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.

2. That the owner pay parkland dedication and satisfy any other requirements of the local municipality, financial and otherwise to 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.

3. Request a 3m road widening on the severed and retained parcels, anything beyond that is beyond the control of the applicant.

4. Provide a survey confirming the location of the proposed entrance that should meet the standards outlined in the entrances by-law 10-47.

5. 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.

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	B63/16
Location	Part Lot 24, Concession 9 TOWN OF ERIN
Applicant/Owner	Ron Hartwick

PLANNING OPINION: This application would sever a 0.46 ha (1.1 ac) vacant rural residential lot in a Secondary Agricultural Area. A 6.8 ha (16.8 ac) parcel would be retained for continued rural residential use.

This application is consistent with Provincial policy and conforms to the Official Plan, provided that the following matters are addressed as conditions of approval:

a) That servicing and safe driveway access can be provided to the satisfaction of the local municipality; and,
b) That an Environmental Considerations Report prepared by a qualified professional is provided to the satisfaction of County Solid Waste Services.

PLACES TO GROW: No issues.

PROVINCIAL POLICY STATEMENT (PPS): According to Section 1.1.5.2, limited rural residential development is permitted on rural lands, which are lands outside settlement areas and which are outside prime agricultural areas.

GREENBELT PLAN: The property is within the Protected Countryside designation. Policy 3.2.4.1 and 3.2.4.4 of the Plan states that development or site alteration is not permitted in key hydrologic features and key natural heritage features including any associated vegetated protection zone.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated SECONDARY AGRICULTURAL, CORE GREENLANDS and GREENLANDS. The Greenlands System designations protect significant woodlands, Subwatershed Environmental Priority Area and Provincially Significant Wetlands. These features appear to be sufficiently removed from the proposed new lot.

According to Section 10.4.4, one new residential lot may be allowed from a parcel of land within the Secondary Agricultural designation, which existed on March 1, 2005, subject to the following criteria:

a) The lot generally meets a 0.4 ha minimum lot size and is not larger than needed to accommodate the intended residential use, consisting of the dwelling, accessory buildings and uses, and individual sewage and water services, while taking into account site constraints such as grading, sightlines, natural heritage features, hazardous lands, and Minimum Distance Separation requirements;
b) The accessory buildings referred to in a) above may include a hobby barn, subject to local regulations;
c) The lot has access to an open public road;
d) The residential use will not hinder or preclude the present use or future potential for agricultural or mineral aggregate operations;
e) The residential use is compatible with surrounding development;
f) The use is well removed from any settlement boundary;
g) The lands have been owned by the applicant for at least five years.

No new lots have been created on the parcel since March 1, 2005 and the lands have been owned by the applicant for over five years.

We note that the property is across from the former Hillsburgh Waste Disposal Site. Policy Area (PA2-2) of the Plan identifies a landfill constraint area for development proposed on or within 500 metres of land used for waste disposal. These lands will be subject to the requirements of the Environmental Protection Act and Section 11.4.5 of the Plan, which states that "Where development is proposed within 500 metres of an active or known closed landfill site, the proponent may be required to demonstrate that no impacts will result from the landfill activities or associated activities and appropriate buffering and monitoring may be required."

The Manager of Solid Waste Services has requested submission of an Environmental Considerations Report by the applicant due to the proximity of the new lot to the former landfill.

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

The matters under Section 10.1.3 were also considered including:

b) "that all lots can be adequately serviced with water, sewage disposal.....to accepted municipal standards"
d) "that all lots will have safe driveway access to an all-season maintained public road"
g) "that tree loss related to anticipated development be kept to a minimum and wherever reasonable, be compensated for by new planting".

With respect to item g), we note that Wellington County's Forest Conservation By-law No. 5115-09 protects woodlands. Where a building permit is issued for a new dwelling, Section 3.1(i) allows for the removal of trees only "...within 15 metres of the outer edge of the building, structure or septic system...". Removal of trees beyond this will require a permit from the County.

WELL HEAD PROTECTION AREA: The subject lands are within a WHPA D with a Vulnerability Score of 2.

LOCAL OFFICIAL PLAN: The subject property is designated Secondary Agricultural.

LOCAL ZONING BY-LAW: The subject property is zoned Agricultural (A). Both lots would meet the minimum lot area and frontage requirements.

SITE VISIT INFORMATION: The subject property was visited and photographed on September 16, 2016. Notice Cards were posted and the survey sketch appears to meet the application requirements.

Sarah Wilhelm, MCIP, RPP, Senior Planner
September 20, 2016

September 15, 2016

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

RECEIVED
SEP 22 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Attention Deborah Turchet, Secretary-Treasurer

Dear Ms. Turchet:

Re: CVC File No. B 63/16
Your File No. B63/16
Ron Hartwick
Part Lot 24, Concession 9
Town of Erin

Staff of Credit Valley Conservation (CVC) has now reviewed the above-noted application and we provide the following comments for your consideration:

PURPOSE: B163/16
The purpose of this application is to sever 0.46 hectares (50m fr x 92m), vacant land for proposed residential use. The retained lot is 6.8 hectares with 125m frontage, existing and proposed rural residential use with existing house, cabin and greenhouse.

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 the presence of a watercourse, floodplain, valley slope and PSW.

SITE CHARACTERISTICS:
Wetland: The subject property is contains portions of the West Credit River Provincially Significant Wetland (PSW) Complex. It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features and functions of the above noted characteristics and that no development be permitted which would adversely affect the natural features or the ecological functions of these areas.

Provincial Greenbelt: The entire property falls with the Protected Countryside of the Greenbelt Plan Area. We recommend that you contact the Town of Erin for further information with respect to these designations as certain policies of the Greenbelt Plan apply to future use of the property.

Credit Valley Conservation 1255 Old Derry Road, Mississauga, Ontario L5N 6R4
Phone (905) 670-1615 Fax (905) 670-2210

September 15, 2016
Re: CVC File No. B 16/63

COMMENTS:
CVC staff went on site on October 7, 2015 and flagged the outermost limit of the PSW with a flag marker as identified on the survey. Staff have no objection to the proposed severance but recommend the following to demonstrate the least amount of environmental impact on the woodland:

- Minimize tree removal by siting the proposed building within the existing open area (where the trailer is);
- Or close to the road, re-use the existing driveway and hydro lines;
- and to restore disturbed areas.

We request to be notified of the Committee's decision in relation to this application.

We trust that these comments are sufficient. If you have any questions or concerns, please do not hesitate to contact the undersigned at 905-670-1615 (x. 245).

Yours truly,

Suzie Losiak, RPP
Planner

JL Cox Planning Consultants
350 Speedvale Avenue W, Unit 6
Guelph, ON N1H 7M7

Jana Poechman

From: Kyle Davis <KDavis@centrewellington.ca>
Sent: September 20, 2016 11:35 AM
To: Jana Poechman
Cc: SourceWater
Subject: FW: Source Water - WHPA D (Hartwick)

Hi Jana,

Please see the below emails regarding the Hartwick severance. This property is located in a WHPA-D and therefore does not require a Section 59 notice. We are only required to document the creation of a new transport pathway, which has been documented by the applicant filling out the form.

Hope that helps,

Kyle

COUNTY OF WELLINGTON

OFFICE OF THE COUNTY ENGINEER
ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH ON N1H 3T9
T 519.837.2601
T 1.866.899.0248
F 519.837.8138

GORDON J. OUGH, P. Eng.
COUNTY ENGINEER

September 26, 2016

RECEIVED
SEP 26 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

To: Deborah Turchet,
Secretary-Treasurer
Planning, Land Division Committee

RE: Application B63-16

The County of Wellington's Solid Waste Services was asked to comment on the proposed severance at 5833 Eighth Line, Town of Erin, due to the proximity to the Hillsburgh Closed Landfill, located at 5830 Eighth Line.

Under Legislative Authority of;

Environmental Protection Act RSO 1990, Part V, Sections 27 and 46
O. Reg. 347, General -- Waste Management
Planning Act, RSO 1990, Sections 2(a)(b)(c)(f)(g)(h), 17(9),22(3), 41(4) and 51(3)
Condominium Act, RSO 1990, Section 50(3)
Environmental Assessment Act, RSO 1990, Section 5(3)

Guideline D-4 "Land Use On or Near Landfills and Dumps" requires a proponent of a proposal on or near an operating or closed landfill site to apply the guideline in order to satisfy any concerns for the health and safety of residents, or potential residents, near such facilities.

Typically this would be achieved by retaining a consultant or expert to prepare an Environmental Conditions Report which would assess the various environmental considerations. Solid Waste Services requests the following condition;

"THAT the Owner submit an Environmental Considerations report prepared by a qualified professional to the satisfaction of the County of Wellington Solid Waste Services Division"

Solid Waste Services is willing to work with the proponent, and any consultant or expert that is retained, to facilitate the process.

Regards,

Das Soligo
Manager of Solid Waste Services