REPORT SUMMARY

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

Date of Consideration: **October 13, 2016** **TIME: 9:25 A.M.**

File Number: **B66/16**

Applicant: **W.B. Pletch Company Limited**

Subject Lands: TOWN OF ERIN – Part Lot 31, Concession 8

Proposal is a request for consent to convey fee simple for a proposed severance 7.9 hectares (19.5 acres) with 353m frontage in the TOWN OF ERIN – Part Lot 31, Concession 8, existing and proposed rural residential and agricultural use with proposed dwelling, market, feed processing shed and accessory apartment; retained lands are 32.2 hectares (79.57 acres).

ISSUES: Committee satisfied that the application would not limit flexibility for future changes

SUMMARY of FILED REPORTS and COMMENTS:

Town of Erin – conditions to be fulfilled

County Planning - notice cards were posted at time of site visit; severed and retained are smaller than Official Plan minimum (35 ha); application has merit – both currently used for produce farm for severed and cash crop operation on severed. Produce farm has been operated four years as a full-time business by Harlan & Delphie Taylor. Committee should be satisfied that the application would not limit flexibility for future changes in type or size of agricultural operations on the property. Property within Protected Countryside designation (Greenbelt Plan) – minimum lot size 100 acres; County Official Plan – Prime Agricultural;

Conservation Authority (Credit Valley) – outside of regulated area

County Engineering – no objections or conditions

Others – Jeff Buisman – agent cover letter

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 B66/16.
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 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.
6) 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.
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

*****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 B66/16

APPLICANT

W.B. Pletch Company Limited
PO Box 300
Hillsburgh ON N0B 1Z0

LOCATION OF SUBJECT LANDS:

TOWN OF ERIN
Part Lot 31
Concession 8

Proposed severance is 7.9 hectares with 353m frontage, existing and proposed rural residential and agricultural use with proposed dwelling, market, feed processing shed and accessory apartment.

Retained parcel is 32.2 hectares with 185 m frontage, existing and proposed agricultural use.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, October 13, 2016**

AT 9:25 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: **Agent – Jeff Buisman**

RECEIVED

AUG 17 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: B66/16

APPLICANT

W.B. Pletch Company Limited
PO Box 300
Hillsburgh ON N0B 1Z0

LOCATION OF SUBJECT LANDS

TOWN OF ERIN
Part Lot 31
Concession 8

Proposed severance is 7.9 hectares with 353m frontage, existing and proposed rural residential and agricultural use with proposed dwelling, market, feed processing shed and accessory apartment.

Retained parcel is 32.2 hectares with 185 m frontage, existing and proposed agricultural use.

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 08-02100

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 [ ] 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: B66/16

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: W.B. Pletch Company Limited
Location: Part Lot 31, Concession 8
File: B66/16

Official Plan: Primary Agricultural
Zoning: A- Agricultural

Recommendation: The Town of Erin relies on the County of Wellington to confirm compliance with Minimum Distance Separation Formulae, and that the entrance is on a County road, so safe entrance can be provided to the satisfaction of the County of Wellington.

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 systems are 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.

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	B66/16
Location	Part Lot 31, Concession 8 TOWN OF ERIN
Applicant/Owner	W.B. Pletch Company Limited

PLANNING OPINION: This application would sever a 7.9 ha (19.5 ac) agricultural parcel with a dwelling, market, cold storage building and farm help unit in a Prime Agricultural area. A vacant 32.2 ha (80 ac) parcel would be retained for agricultural use.

Both the severed and retained lands are smaller than the 35 ha (86 ac) Official Plan minimum that would normally apply. This application has merit in terms of how both parcels are currently used (produce farm on the smaller lot and cash crop operation on the retained lands). The produce farm has been operated for four years as a full-time business by Harlan & Delphine Taylor. In terms of Official Plan conformity, the Committee should be satisfied that the application would not limit flexibility for future changes in the type or size of agricultural operations on the property.

We note that the Greenbelt Plan imposes a 100 acre minimum lot size for agricultural uses within prime agricultural areas.

If approved, we would recommend that servicing be addressed to the satisfaction of the local municipality and that safe driveway access be addressed to the satisfaction of the County Engineering Services Department.

PLACES TO GROW: No issues.

PROVINCIAL POLICY STATEMENT (PPS): Section 2.3.4.1(a) of the 2014 PPS provides for lot creation for agricultural uses "provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations".

According to Section 2.5.2.4 of the PPS "Mineral Aggregate Operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact". Section 2.5.2.5 also limits development and activities within known deposits of mineral aggregate resources.

GREENBELT PLAN: The property is within the Protected Countryside designation. The policies of 4.6.3(b) provide for lot creation for agricultural uses. The minimum lot size for agricultural uses is 100 acres within prime agricultural areas.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated PRIME AGRICULTURAL. New lots for agricultural operations:

> "shall be of a size appropriate for the type of agricultural use(s) common in the area and sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations. New agricultural lots will normally be a minimum of 35 hectares in size. Smaller lots may only be considered where there is clear evidence that the farmer intends to conduct an agricultural pursuit which can be successful on a smaller property."

The matters under Section 10.1.3 were also considered including j) "that natural resources such as agricultural lands and mineral aggregates would not be affected adversely". We note that there is a zoned gravel pit to the east (CBM Hillsburgh Pit) with plans for expansion along the eastern property boundary of the subject lands. The subject lands are also within the Mineral Aggregate Resource Area. We do not expect impacts to the mineral aggregate area associated with the proposed new lot as it deals with existing development.

WELL HEAD PROTECTION AREA: The subject lands are not within a Wellhead Protection Area.

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

LOCAL ZONING BY-LAW: The subject property is zoned Agricultural (A). Both lots would meet the applicable minimum lot area and frontage requirements. Approval for a dwelling unit for farm help was granted by minor variance on February 13, 1984. We would consider the market a permitted use provided that it is solely used to sell products grown on the same property and is clearly incidental, subordinate and exclusively devoted to the main agricultural use of the property.

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

Jana Poechman

From: Losiak, Suzie <slosiak@creditvalleyca.ca>
Sent: September 19, 2016 11:18 AM
To: Jana Poechman
Subject: RE: B66/16 - W.B. Pletch Company Limited

Hi Jana, Severance B66/16 is outside of CVC's Regulated Area.

Regards,

Suzie

Suzie Losiak, M.Sc.Pl., RPP
Planner | Credit Valley Conservation
905.670.1615 ext 245 | 1.800.668.5557
slosiak@creditvalleyca.ca | creditvalleyca.ca

From: Jana Poechman [mailto:janap@wellington.ca]
Sent: September 19, 2016 11:02 AM
To: Losiak, Suzie
Subject: B66/16 - W.B. Pletch Company Limited

Good Morning Suzie.

It has been brought to my attention that the attached application was circulated to GRCA instead of Credit Valley Conservation. The comments are due on Wed Sept 21st. Could you please review and bill the applicant directly for any required fees?

Sorry for the inconvenience.

Thanks.
Jana

Jana Poechman| Planning Administrative Clerk | Planning and Development Department
County of Wellington | 74 Woolwich Street | Guelph | Ontario | N1H 3T9
(519) 837-2600 x2170 | fax (519) 837-3875 | janap@wellington.ca | www.wellington.ca

The information contained in this Credit Valley Conservation electronic message is directed in confidence solely to the person(s) named above and may not be otherwise distributed, copied or disclosed including attachments. The message may contain information that is privileged, confidential and exempt from disclosure under the Municipal Freedom of Information and Protection and Privacy Act and by the Personal Information Protection Electronic Documents Act. The use of such personal information except in compliance with the Acts, is strictly prohibited. If you have received this message in error, please notify the sender immediately advising of the error and delete the message without making a copy. Thank you

County of Wellington Planning and Land Division Committee
Deborah Turchet, Secretary-Treasurer
Wellington County Administration Centre
74 Woolwich Street, Guelph ON N1H 3T9

RECEIVED
SEP 16 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

August 12, 2016

NOTICE OF AN APPLICATION FOR CONSENT

Ontario Planning Act, Section 53(4)

The County of Wellington Planning and Land Division Committee requests your written comments on this application for consent.

APPLICATION SUBMITTED ON: August 8, 2016

FILE NO. B66/16

APPLICANT

W.B. Pletch Company Limited
PO Box 300
Hillsburgh ON N0B 1Z0

LOCATION OF SUBJECT LANDS:

TOWN OF ERIN
Part Lot 31
Concession 8

Proposed severance is 7.9 hectares with 353m frontage, existing and proposed rural residential and agricultural use with proposed dwelling, market, feed processing shed and accessory apartment.

Retained parcel is 32.2 hectares with 185 m frontage, existing and proposed agricultural use.

IF YOU WISH TO SUBMIT COMMENTS ON THIS APPLICATION, WE MUST HAVE YOUR WRITTEN COMMENTS BEFORE

September 21, 2016

Please note that if the Comments are not received by the requested date, the Planning and Land Division Committee may proceed to consider the application, and may assume that you have no objection to this APPLICATION for CONSENT.

Please also be advised that if a person or public body that files 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.

If you wish to be **NOTIFIED OF THE DATE AND TIME OF THE CONSIDERATION** of this application - **please make your request in writing** to the Planning and Land Division Committee before the "Comments Return Date" noted above.

If you wish to be **NOTIFIED OF THE DECISION** of the County of Wellington Planning and Land Division Committee in respect of this proposed consent, **you must make a request in writing** to the County of Wellington Planning and Land Division Committee. This will also entitle you to be advised of a possible Ontario Municipal Board Hearing. Even if you are the successful party, you should request a copy of the decision since the County of Wellington Planning and Land Division Committee's decision may be appealed to the Ontario Municipal Board by the applicant or another member of the Public

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

MAILED TO:

Local Municipality – Erin County Planning Conservation Authority - GRCA

County Engineering

Bell Canada County Clerk Roads Civic Addressing

Neighbour - as per list verified by local municipality and filed by applicant with this application

COUNTY OF WELLINGTON
ENGINEERING SERVICES
NO OBJECTION
NOTICE OF DECISION REQ'D.
PASQUALE COSTANZO, CET
ENGINEERING TECHNOLOGIST
SEP 13 2016
Date:

B66/16

Van Harten
SURVEYING INC.

LAND SURVEYORS and ENGINEERS

August 5, 2016
23841-16
Jeff.Buisman@vanharten.com

County of Wellington Land Division Committee
74 Woolwich Street
GUELPH, Ontario
N1H 3T9

Attention: Ms. Deborah Turchet

Dear Ms. Turchet,

Re: Severance Sketch and Application
6113 Trafalgar Road
Part of Lot 31, Concession 8
PIN 71139-0487
Town of Erin

Please find enclosed an application for a severance on the above-mentioned property. Included with this submission are copies of the severance sketch, completed application form, the required deed, addresses of neighbouring properties, and a cheque to Wellington County for $1,025.

The subject property is located at 6113 Trafalgar Road (Wellington Road 24) in the Town of Erin and has a total area of about 40± ha. The proposal is to sever about 7.9± ha for the existing produce farm leaving 32.2± ha of agricultural land that will be part of a larger farming operation.

The produce farm on the proposed severed lands has been in operation by Harlan & Delphine Taylor for four years now and has been profitable and growing. The farm is open 6 days a week from May to October and sells an assortment of produce such as asparagus, raspberries, peas, beans, cut flowers etc at this location. Harlan uses drip irrigation which is a practice used for intense agricultural activity. He also sells produce at the Food Distribution Terminal for Wholesalers in Toronto and at markets in the local area. He also has a market outlet at the property that local customers can visit themselves. At most, there are 2-5 customers visiting the market at one time to purchase produce. The severed lands where the produce farm is located includes an existing dwelling, a market area for customers to pick up produce, a cold storage shed, an area for food processing and an accessory apartment used by the three seasonal workers that assist during the growing season. The market/cold storage/apartment was built in 1994 and was used by Birk Bank Farms in the past.

The property is designated prime agriculture in the County and Local Township Official Plans and zoned agricultural in the Zoning Bylaw. Section 10.3.2 of the Official Plan addresses the creation of new lots for agricultural purposes in areas designated as primary agricultural and states that,

> *"New lots for agricultural operations shall be of a size appropriate for the type of agricultural use(s) common in the area and sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations. New agricultural lots will normally be a minimum of 35 hectares in size. Smaller lots may only be considered where there is clear evidence that the farmer intents to conduct an agricultural pursuit which can be successful on a smaller property."*

New lots must be an appropriate size for the type of farm. The Official Plan suggests a preference for new lots of at least 35 hectares in size. This requirement favours large farms that are used for cash cropping, dairy, or beef. However, the last part of the section above allows for smaller agricultural parcels provided they are economically viable.

Not only *can* the agricultural pursuit be successful on the smaller property, *it is already successful*. The produce farm on the proposed severed lands has been in operation for four years now and has been profitable and growing. Harlan & Delphine Taylor purchased the subject lands (40± ha) in 2013 but had to sell the entire property in 2015. Since then, Harlan & Delphine have had an agreement in place with the new owner of the lands (Barry Pletch) to use a portion of the property for their produce farm. Barry Pletch uses the rest of the land (the proposed retained lands) for cash cropping as part of a larger farming operation which is around 1,000 acres. This severance would allow Harlan & Delphine Taylor to regain ownership of the property their produce operation depends on. This is their full-time business and thus a successful agricultural operation on a smaller parcel of land.

Although the area of the severed and retained parcels are less than suggested by the Official Plan, the parcels will (and already are) both used successfully for agricultural purposes. The severed lands have been used for the past four years for a successful produce farm and market, and the retained lands are part of a large cash cropping agricultural operation.

Please call me if you or the Planning Staff have any questions.