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: **B59/16**

Applicant: **Gary Martin**

Subject Lands: TOWNSHIP OF WELLINGTON NORTH (West Luther) – Part Lot 9, Concession 6

Proposal is a request for consent to convey fee simple for a proposed lot line adjustment 63m x 51m = 0.32 hectares (0.79 acres) with no frontage in the TOWNSHIP OF WELLINGTON NORTH (West Luther) – Part Lot 9, Concession 6, to be added to abutting vacant lot – Steven Clark; retained lands are 12.41 hectares (30.67 acres).

ISSUES: none

SUMMARY of FILED REPORTS and COMMENTS:

Township of Wellington North - in support of application; conforms to zoning; condition

County Planning - notice cards were posted at time of site visit; application is consistent with Provincial policy and conforms to Official Plan; conditions to merge

Conservation Authority (GRCA) – no objections to applications

County Engineering – no objections

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 B59/16.

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 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 all the requirements of the local municipality, financial and otherwise (included but not limited to Taxes paid in Full; a Fee of $125.00 for Township Clearance Letter of conditions – or whatever fee is applicable at the time of clearance under the municipal Fees and Charges by-law) which the Township of Wellington North 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 Wellington North file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

8) THAT the Owner enter into an agreement for reapportionment of the municipal drain costs; and further that the Township of Wellington North 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 B59/16

APPLICANT

Gary Martin
8636 Wellington Rd 16
RR#2
Arthur ON N0G 1A0

LOCATION OF SUBJECT LANDS:

WELLINGTON NORTH (West Luther)
Part Lot 9
Concession 6

Proposed lot line adjustment is 63m x 51m = 0.32 hectares (Severance No. 1 on sketch) to be added to abutting vacant lot – Steven Clark.

Retained parcel is 12.41 hectares with 370m frontage on 6th Line and 122m frontage on County Rd 16 (retained and Severance No. 3 on sketch), existing and proposed agricultural use.

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: **Owner – Gary Martin** **Applicant – Steven Clark**
Agent – Angela Alaimo

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: B59/16

APPLICANT

Gary Martin
8636 Wellington Rd 16
RR#2
Arthur ON N0G 1A0

LOCATION OF SUBJECT LANDS

WELLINGTON NORTH (West Luther)
Part Lot 9
Concession 6

Proposed lot line adjustment is 63m x 51m = 0.32 hectares (Severance No. 1 on sketch) to be added to abutting vacant lot – Steven Clark.

Retained parcel is 12.41 hectares with 370m frontage on 6th Line and 122m frontage on County Rd 16 (retained and Severance No. 3 on sketch), existing and proposed agricultural use.

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER:23-49-000-015-05110-0000

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 9 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 9 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(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 **WELLINGTON COUNTY RD 16**

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( )

Approximate Time of Servicing Availability: _____

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

The lands subject to the application are fully within the watershed of West Luther Drain 36, which is currently governed by the provisions of West Luther By-law 1074 and a Doug Gamsby report dated 7th August 1974 and a reapportionment is required.

Continued to Page 2

RECEIVED
SEP 12 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

MUNICIPALITY COMMENTING FORM

FILE NO: B59/16

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**(X) **NO**( )

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

- **THAT** Payment be made of the fee of $125.00 (or whatever fee is applicable at the time of clearance under the municipal Fees and Charges By-law) for a letter of clearance;
- **THAT** the Owner satisfy all the requirements of the local municipality, financial and otherwise for the proper and orderly development of the subject lands, including but not limited to outstanding taxes;
- **THAT** the owner enter into an agreement for reapportionment of the municipal drain costs.

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

SIGNATURE _____

TITLE: CLERK

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

DATE: September 13, 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	B59/16
Location	Part Lot 9, Concession 6 TOWNSHIP OF WELLINGTON NORTH (Damascus)
Applicant/Owner	Gary Martin

PLANNING OPINION: This proposed lot line adjustment would sever a 0.32 ha (0.8 ac) parcel and add it to an adjacent rural residential parcel in Damascus. A vacant 12.41 ha (30.7 ac) rural residential lot would be retained.

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 the purchaser take title to the severed lands in the same manner as they hold their abutting land; and,
b) 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 concerns.

PROVINCIAL POLICY STATEMENT (PPS): No concerns.

WELLINGTON COUNTY OFFICIAL PLAN: The subject lands are designated as HAMLET (Damascus) and CORE GREENLANDS. The Core Greenlands designation identifies hazard lands located on the retained lands.

According to Section 10.6.3, lot line adjustments may be permitted where there is no adverse effect provided that basic lot patterns in an area are not unreasonably altered.

The matters under Section 10.1.3 were also considered.

WELL HEAD PROTECTION AREA: The subject lands are not located within a WHPA.

LOCAL ZONING BY-LAW: The subject lands are zoned Unserviced Residential (R1A) and Natural Environment (NE and NE-55). Both lots would meet the applicable minimum frontage and area requirements.

SITE VISIT INFORMATION: The subject property was visited and photographed on September 12, 2016. Notice Cards were posted and the survey sketch appears to meet the application requirements.

Sarah Wilhelm, MCIP, RPP, Senior Planner
September 15, 2016

RECEIVED
SEP 15 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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 3, 2016

FILE NO. B59/16

APPLICANT

Gary Martin
8636 Wellington Rd 16
RR#2
Arthur ON N0G 1A0

LOCATION OF SUBJECT LANDS:

WELLINGTON NORTH (West Luther)
Part Lot 9
Concession 6

Proposed lot line adjustment is 63m x 51m = 0.32 hectares (Severance No. 1 on sketch) to be added to abutting vacant lot – Steven Clark.

Retained parcel is 12.41 hectares with 370m frontage on 6th Line and 122m frontage on County Rd 16 (retained and Severance No. 3 on sketch), 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 – Wellington North 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 the application

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

400 Clyde Road, P.O. Box 729 Cambridge, ON N3H 5W6
Phone: 519.621.2761 **Toll free:** 866.900.4722 **Fax:** 519.621.4844 **Online:** www.grandriver.ca

RECEIVED
SEP 21 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

PLAN REVIEW REPORT: County of Wellington Planning & Land Division Committee
Deborah Turchet, Secretary-Treasurer

DATE: September 21, 2016 **YOUR FILE:** B59-B61/16
GRCA FILE: B59-B61-16 8924 Wellington Road 16 (Martin and Clark)

RE: **Applications for Consent B59/16, B60/16 & B61/16**
Part Lot 9, Concession 6, Township of Wellington North (West Luther)
Wellington Road 16, Damascus
Steven Clark, Gary Martin

GRCA COMMENT: *

The Grand River Conservation Authority (GRCA) has no objection to the consent applications as proposed in the circulated information.

BACKGROUND:

1. **Resource Issues:**

   Information currently available at this office indicates that the retained parcel contains wetlands, a watercourse, floodplain and the allowances adjacent to these features.

   The lands to be severed or merged do not contain any features of interest to the GRCA.

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

   Due to the presence of the above-noted features, a portion of the retained parcel is regulated by the GRCA under Ontario Regulation 150/06 - Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation. Any future development or other alteration within the regulated area will require prior written approval from GRCA in the form of a permit pursuant to Ontario Regulation 150/06.

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 our review of these applications.

Should you have any questions or require additional information, please contact me at 519-621-2763 ext. 2236.

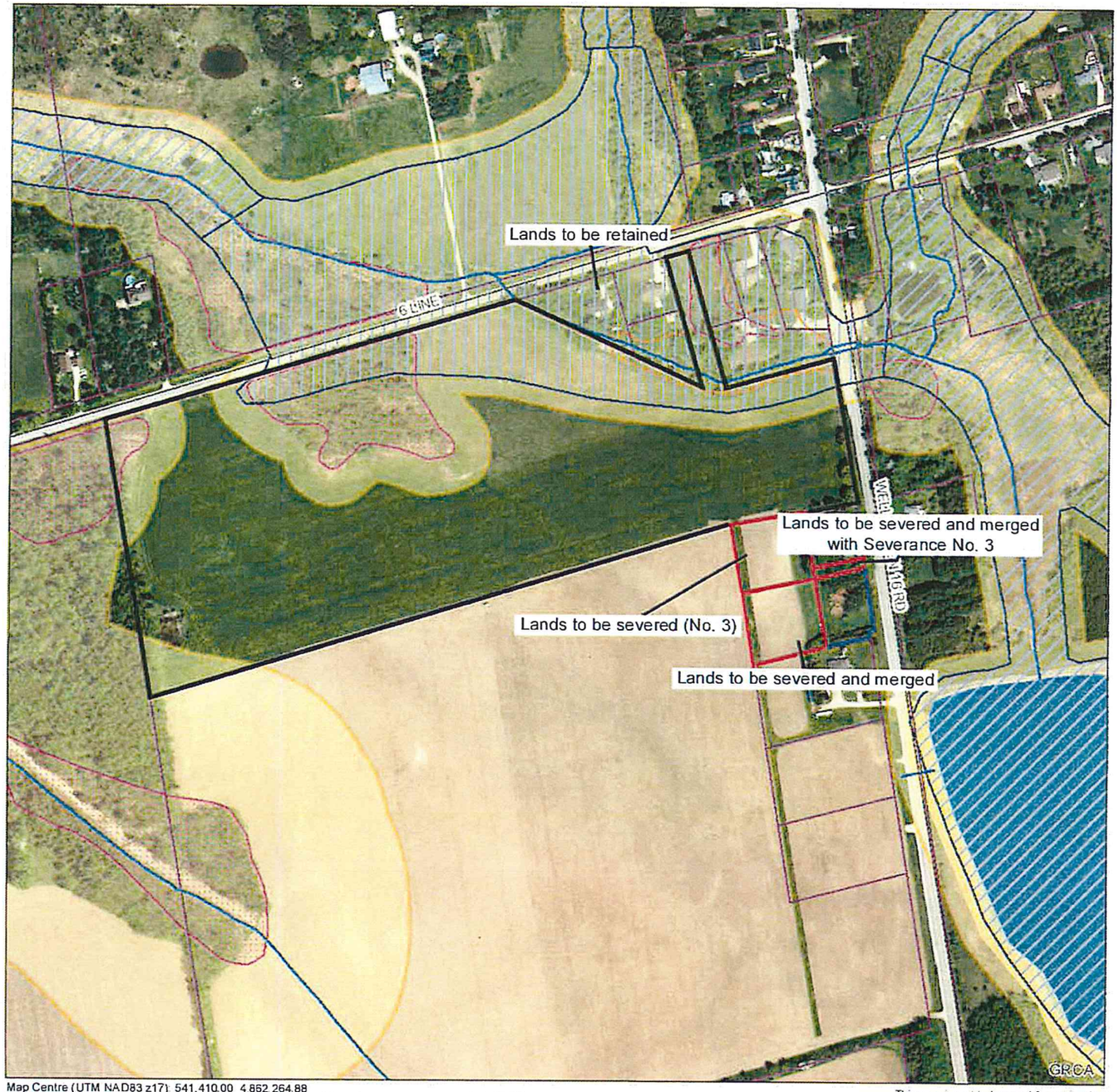
Member of Conservation Ontario, representing Ontario's 36 Conservation Authorities ▪ The Grand – A Canadian Heritage River

Yours truly,

Nathan Garland
Resource Planner
Grand River Conservation Authority
NG/ah

* ***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: Township of Wellington North
Gary Martin – 8636 Wellington Road 16, R.R.#2 Arthur, ON N0G 1A0
Steven Clark – 9206 Wellington Road 14, R.R.#4 Kenilworth, ON N0G 2E0



Grand River
Conservation Authority

Date: Sep 16, 2016
Author: ah

B59/16, B60/16 & B61/16

Notes

Legend

- Regulation Limit 2014 (GRCA)
- Drainage - Network (GRCA)
- Drainage - Polygons (GRCA)
- Wetland (GRCA)
- Wetland (MNRF)
  - Provincially Significant
  - Locally Significant
  - Unevaluated
- Floodplain (GRCA)
  - Engineered
  - Estimated
  - Approximate
  - Special Policy Area
- Slope Valley (GRCA)
  - Steep
  - Oversteep
- Slope Erosion (GRCA)
  - Steep
  - Oversteep
  - Toe
- Parcel - Assessment (MNRF/MPAC)
- Park (GRCA)
- Aquatic Resource - Line (MNRF)
  - Cold Water
  - Cool Water
  - Warm Water
  - Unknown
- Utility Line (ON)
- Roads (ON)
- Railway (ON)

GRCA Disclaimer
This map is for illustrative purposes only. Information contained herein 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: https://maps.grandriver.ca/Sources-and-Citations.pdf

0 25 50 100 150 Metres

N

Map Centre (UTM NAD83 z17): 541,410.00 4,862,264.88

This map is not to be used for navigation

NAD 1983 UTM Zone 17N

Scale: 4,625