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: **B61/16**

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 severance 0.4395 hectares (1.09 acres) with 7m frontage in the TOWNSHIP OF WELLINGTON NORTH (West Luther) – Part Lot 9, Concession 6, existing and proposed agricultural use; retained lands are 12 hectares (29.65 acres)

ISSUES: none

SUMMARY of FILED REPORTS and COMMENTS:

Township of Wellington North - in support of application; zoning required to address frontage of 7m whereas 30.5m is required; conditions

County Planning - notice cards were posted; rural residential lot in Damascus; access to proposed lot would be created via lot line adjustment application B60/16; application is consistent with Provincial policy and conforms to Official Plan;

Conservation Authority (GRCA) – no objections

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 document including the Form 2 Certificate for Consent B61/16.
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 receive zoning compliance and classification from the Local Municipality in a manner deemed acceptable by the Local Municipality to address minimum lot frontage; 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 (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.
7 THAT the Owner satisfy the requirements of the Township of Wellington North in reference to parkland dedication of $1,000.00 (or whatever fee is applicable at the time of clearance under the municipal Fees and Charges by-law) as provided for in the Planning Act, R.S.O. 1990; and 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 B61/16

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 severance is 0.4395 hectares with 7m frontage, (Severance No. 2 and 3 on sketch) existing and proposed agricultural use.

Retained parcel is 12 hectares with 370m frontage on 6th Line and 122m frontage on Wellington Road 16, 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: B61/16

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 severance is 0.4395 hectares with 7m frontage, (Severance No. 2 and 3 on sketch) existing and proposed agricultural use.

Retained parcel is 12 hectares with 370m frontage on 6th Line and 122m frontage on Wellington Road 16, 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 [ ] NO [**X**]

(Please Specify) Section 9.2.2 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: B61/16

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 As provided for in the Planning Act, R.S.O. 1990 the Owner satisfy the requirements of the Local Municipality in reference to parkland dedication fee in the amount of $1,000.00 (or whatever fee is applicable at the time of clearance under the municipal Fees and Charges By-law).

THAT the owner obtain zoning relief to allow a minimum frontage of 7 m whereas 30.5 m is required.

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 Karen Wallace

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	B61/16 (also see B60/16)
Location	Part Lot 9, Concession 6 TOWNSHIP OF WELLINGTON NORTH (Damascus)
Applicant/Owner	Gary Martin

PLANNING OPINION: This application would sever a 0.4 ha (1.1 ac) parcel for a proposed rural residential lot in Damascus. A vacant 12 ha (29.6 ac) parcel would be retained. Access for this proposed lot would be created via lot line adjustment application B60/16.

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 zoning relief is obtained for reduced frontage to the satisfaction of the local municipality;
b) That application B60/16 receives approval; and
c) That servicing can be provided to the satisfaction of the local municipality.

PLACES TO GROW: No concerns.

PROVINCIAL POLICY STATEMENT (PPS): Section 1.1.3 of the Provincial Policy Statement directs growth to occur within settlement areas. The proposed lot creation is located within the Hamlet of Damascus.

WELLINGTON COUNTY OFFICIAL PLAN: The subject lands are designated as HAMLET AREA (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 as Unserviced Residential (R1A). The proposed severance would comply with the minimum lot area requirements of the Zoning By-law.

Zoning relief is required for a reduced frontage. Section 9.2.2 of the By-law requires a 30.5 m frontage, whereas 7.0 m has been proposed for this application.

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

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. B61/16

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 severance is 0.4395 hectares with 7m frontage, (Severance No. 2 and 3 on sketch) existing and proposed agricultural use.

Retained parcel is 12 hectares with 370m frontage on 6th Line and 122m frontage on Wellington Road 16, 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 this application

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