REPORT SUMMARY

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

Date of Consideration: **October 13, 2016** **TIME: 9:35 A.M.**

File Number: **B68/16**

Applicant: **Michael Grabowski & Katelyn McGhie**

Subject Lands: TOWNSHIP OF CENTRE WELLINGTON (Fergus) – Lot 56, S/S of St. George's St. Reg Plan 55

Proposal is a request for consent to convey fee simple for a proposed severance 10.4m fr x 38.8m = 400 square metres in the TOWNSHIP OF CENTRE WELLINGTON (Fergus) – Lot 56, S/S of St. George's St., Reg Plan 55, vacant land for proposed urban residential use; retained lands are 570 square metres.

ISSUES:

SUMMARY of FILED REPORTS and COMMENTS:

Township of Centre Wellington – Staff Opinion only – not in support of application; does not comply with policies and guidelines set out within the PPS, County and Township Official Plans with respect to lot creation in the urban centre and within designated heritage area. severed and retained do not comply with zoning – minimum lot frontage on both and lot area on severed; Township Official Plan - Fergus Urban Centre – Residential located within Heritage Area (Schedule A-1) ensure any development in this area respects goals and objectives in relation to protection and enhancement of heritage resources. There are six listed heritage properties on the same street, one property listed immediately adjacent to the property; need to determine if creation of undersized lot will have any adverse impacts on character of neighbourhood – condition for Heritage Impact Assessment. Address compatibility of new development; intensification projects need to be compatible ; streetscape should not be impacted; municipal trees are to be protected; mature trees on adjacent property may need to be removed for construction of future house if approved; Condition for Tree Saving and Compensation Plan;

County Planning - notice cards were posted at time of site visit; sketch does not identify trees on subject property and adjacent lands that relate to this application or indicate which trees are planned to be removed; County Official Plan – Urban Centre Fergus; concerns – is within identified Heritage Area with multiple identified properties nearby; result in removal of and potential damage to mature trees; would introduce what appears to be the smallest lot on that stretch of St. George St. E.; recommend matters relating to tree preservation and compensation; servicing and safe driveway access address to satisfaction of local municipality;

Conservation Authority (GRCA) – no objections; not in or adjacent to any features of interest;

Others: Paul Dunnill (233 St. George Street East Fergus, ON N1M 1K5) – objection to severance; frontage and total lot size for proposed less than 71% of the minimum requirement for residential building; additional traffic; **request notification of consideration and decision**
Jim Forbes (198 St. George St. E, Fergus, OON N1M 1K3) – objection – within Heritage Area; zoning regulations for Heritage areas require greater minimum lot area and frontage, etc.; additional parking concerns; existing trees impact; ; **request notification of consideration and decision**
Wendy Galloway (Kevin & Madison Galloway - 249 St. George St. E., Fergus ON N1M 1K5) – heritage area in Fergus; environmental concern – trees; parking problems; ; **request notification of consideration and decision**
Steven Crawford & Patrice Baker (250 Gowrie St. N. Fergus, ON N1M 2H3) – eastern rear of our lot immediately adjacent – directly affected; propose to construct a narrow dwelling on severed; concerns with environmental, aesthetic and economic conditions; ; **request notification of consideration and decision**
Pete Bolitsky (200 St. George St. E. Fergus, ON N1M 1K4) **– objections** live immediately west of Lot; concern with 100-150 year old sugar maple at southeast corner; the plan depicts a building with finished foundation within 1.9m of the maple; concern with subsequent root damage up to base of our tree (see Arborist's Report – Baum Professional Tree Care); greater parking demands on street and alter the heritage aspects of the neighbourhood with a tiny lot occupied by an oddly-shaped structure; **request notification of consideration and decision**
Petition submission – concern with architectural character; neighbourhood trees; traffic congestion with another dwelling on a too small lot;
Toni Ellis (NeighbourWoods on the Grand) – concern for well-being of sugar maple at 200 St. George St. E.

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 B68/16.

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 driveway entrance approval to the satisfaction of the Township of Centre Wellington; and further that the Township of Centre Wellington file a letter of clearance of this condition with the Secretary-Treasurer of the Planning and Land Division Committee as written proof of fulfillment of this condition.

6) THAT the Owner satisfy all the requirements of the Township of Centre Wellington, financial and otherwise (included but not limited to Taxes paid in full; copy of Deposited Reference Plan; undertaking to advise Township when deed is Registered; Tax Assessment Roll Setup Fee paid) 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 Township of Centre Wellington 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 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 enter into a Development Agreement and/or Site Plan Agreement (Lot Grading and Drainage) to the satisfaction of the Township of Centre Wellington and further that the Township of Centre Wellington file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

9) THAT servicing connections to both the severed and retained lots be confirmed to the satisfaction of the Township of Centre Wellington; and further that the Township of Centre Wellington file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

10) THAT the Owner receive zoning compliance and classification from the Local Municipality in a manner deemed acceptable by the Local Municipality to address lot frontages and area; and that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

11) THAT the Owner submit a Tree Saving and Compensation Plan prepared by a qualified professional to the satisfaction of the Township of Centre Wellington; and further that the Township of Centre Wellington file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

12) THAT the Owner submit a Heritage Impact Assessment prepared by a qualified professional to the satisfaction of the Township of Centre Wellington; and further that the Township of Centre Wellington 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 B68/16

APPLICANT

Michael Grabowski & Katelyn McGhie
442 South River Road
Elora ON N0B 1S0

LOCATION OF SUBJECT LANDS:

CENTRE WELLINGTON (Fergus)
Lot 56, S/S of St. George St.
Reg Plan 55

Proposed severance is 10.4m fr x 38.8m = 400 square metres, vacant land for proposed urban residential use.

Retained parcel is 14.7m fr x 38.8m = 570 square metres, existing and proposed urban residential use with existing dwelling.

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

AT 9:35 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**
Others: **Paul Dunnill** (233 St. George Street East Fergus, ON N1M 1K5)
Jim Forbes (198 St. George St. E, Fergus, OON N1M 1K3)
Wendy Galloway (Kevin & Madison - 249 St. George St. E., Fergus ON N1M 1K5)
Steven Crawford & Patrice Baker (250 Gowrie St. N. Fergus, ON N1M 2H3)
Pete Bolitsky (200 St. George St. E. Fergus, ON N1M 1K4)

236 ST GEORGE ST E

RECEIVED
AUG 16 2016

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: B68/16

APPLICANT

Michael Grabowski & Katelyn McGhie
442 South River Road
Elora ON N0B 1S0

LOCATION OF SUBJECT LANDS

CENTRE WELLINGTON (Fergus)
Lot 56, S/S of St. George St.
Reg Plan 55

Proposed severance is 10.4m fr x 38.8m = 400 square metres, vacant land for proposed urban residential use.

Retained parcel is 14.7m fr x 38.8m = 570 square metres, existing and proposed urban residential use with existing dwelling.

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 2326 000 002 13700

Does this description reasonably describe the parcel holdings? YES(✓) 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)

See attached letter of opinion

Will the Severed Parcel comply with all requirements of the Zoning By-law? YES [ ] NO [✓]

(Please Specify) minimum lot frontage and lot area do not comply

Will the Retained Parcel comply with all requirements of the Zoning By-law? YES [ ] NO [✓]

(Please Specify) minimum lot frontage does not comply

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(✓) 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 St. George Street East

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

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

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

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

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?

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SEP 19 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Continued to Page 2

MUNICIPALITY COMMENTING FORM

FILE NO: B68/16

Is the Municipality's Building Official satisfied that there is a sufficient site on the severed parcel for individual well and septic services?
YES [ ]NO [ ]

Not Applicable

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]

see attached letter of opinion

Is the Municipality in support of this application? **YES**( ) **NO**(✓) Staff opinion only

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

see attached sheet of conditions

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

SIGNATURE V. Schmidt

TITLE: Planner

ADDRESS: 1 MacDonald Square, Elora

DATE: Sept. 16/16

Centre Wellington

September 15, 2016
County of Wellington
74 Woolwich St.
Guelph, Ontario
NIH 3T9

Attn: Deborah Turchet

Dear Deborah:

Re: Proposed Severance B68/16 (Grabowski & McGhie) – 238 St. George Street E

The subject application is for a land severance to create one new residential in-fill lot with a proposed frontage of approximately 10.4 m, depth of approximately 38.8 m and overall area of 400 m^2. The retained parcel will have a proposed frontage of 14.7 m with an approximate area of 570 m^2. The proposed use of land for the severed lot will be for the construction of a new residential dwelling. There are no changes planned for the use of land on the retained parcel. The severed parcel will require connection to municipal water and sanitary sewers.

Provincial Policy

The Provincial Policy Statement provides guiding policies that authorities need to consider when making decisions on planning matters. It includes policies on key issues that affect our communities including the protection of the environment and resources. Policy 2.6 of the PPS, states "*significant built heritage resource and significant cultural heritage landscapes shall be conserved*". Policy 2.6.3 further states proposed developments adjacent to protected heritage properties should not be permitted unless it has been demonstrated that the heritage attributes of the property are conserved. The subject property is designated Residential within a Heritage Area in the Township Official Plan. This means buildings, structures within this area are considered to be architecturally and/or historically significant to the Township.

County Official Plan

The property is located within the "Fergus Urban Centre" and within the "Built Boundary" according to Schedule A1 of the County of Wellington Official Plan. The creation of new lots is the responsibility of the County of Wellington. Section 10.1 of the Official Plan states the County will consider the following when considering a new lot creation; that new lots are consistent with the OP and zoning regulations; that the lots can be adequately serviced; sufficient capacity is available in the water and sewage systems; lots are provided with safe access; tree loss should be minimized; that natural heritage features are not affected negatively; the proposed lots are compatible and designed to minimize adverse impacts on surrounding land uses; and that all new lots have logical lot lines given the existing lot pattern in the area.

In staff's opinion, the proposed severed lots would not comply with all applicable criteria set out in the County's Official Plan for consent approval. The proposed lot size is not consistent or compatible with the larger lot size that are characterized within this heritage area. There are multiple listed heritage properties in the area that could be impacted by the proposed lot development, in particular, one listed property that is located immediately adjacent to the subject property. The potential loss of trees on the lot also poses concern that the streetscape could be adversely impacted.

Township Official Plan

According to the Township Official Plan, the subject property is located in the Fergus Urban Centre and designated 'Residential' and located within a 'Heritage Area' according to Schedule A-1 of the Official Plan. The predominant use of land in areas designated residential is low rise and low density housing such as single-detached and semi-detached dwelling units. The purpose of the heritage area designation is to ensure any development in this area respects the goals and objectives in relation to the protection and enhancement of heritage resources.

The Official Plan in Section D2.11 addresses compatibility of new development in residential neighbourhoods in the urban centre which have lots with larger than normal frontages and areas. These areas represent the community's heritage and characterize a style of development typical of small town Ontario. The intent of the plan is to preserve the charm and integrity of these areas to ensure that future development is sensitive to and compatible with existing residential development.

The Plan also outlines how intensification within all residential land use designations shall be evaluated. As noted in Section D2.12, intensification projects need to be compatible in terms of built form which include factors such as setbacks, scale, architectural character and materials. The proposed lot pattern should also be evaluated to ensure it is consistent with the predominant character of the area. The streetscape should not be impacted and, where feasible, municipal trees are to be protected. There are mature trees on the adjacent property that may need to be removed for the construction of a future house, if the application is approved. It should be determined if these trees can be preserved. The loss of mature trees on the adjacent property which is a listed heritage building could impact the existing streetscape. Therefore, a Tree Saving and Compensation Plan should be required if the consent is granted.

Section E.9.3 of the Official Plan lists a criteria to consider when evaluating consent applications to sever land. In reviewing consents, there should be regard to the Planning Act, as well as the objective, policies and land use designations within the Township OP. The proposed parcel shall comply with zoning regulations, and the size and shape of the lot shall be appropriate for the intended use and be compatible with adjacent lots. The lot fabric surrounding the subject property consists mainly of larger lots with frontages ranging from 50 feet to 80 feet with the exception of a few smaller sized lots with frontages in the 40 feet range. For the development to respect the goals of the heritage area, it must demonstrate that the size, scale and character will keep with the established character of the neighbourhood.

Section C.2.10 of the Township's Official Plan states any development or redevelopment should respect the goals and objectives relating to the protection and enhancement of heritage resources.

Centre Wellington

The Township encourages design of new development to be compatible, sensitive and sympathetic to any existing heritage building, neighbouring buildings and the area. Developments that do not keep with the size, scale and character of the surrounding heritage resources should not be permitted. There are six listed heritage properties on the same street as the subject property, with one property listed immediately adjacent to the property. It needs to be determined if the creation of an undersized lot will have any adverse impacts on the character of the neighbourhood. A Heritage Impact Assessment should be required if consent approval is granted.

Zoning

The subject property is zoned R1B and has been identified within the Heritage Area Overlay. A single detached dwelling is a permitted, however, it is subject to special regulations because it lies within the Heritage Area Overlay. The proposed lot frontages for both the severed and retained lots do not meet the minimum lot frontage requirements of the zoning by-law. The proposed severed lot also does not meet the required lot area. The applicant is proposing a lot area of 400 m2 whereas the zoning by-law requires a minimum lot area of 557.4 m2.

The severed lot that is being proposed would be the smallest lot on the block with frontage of 34 feet (10.4 m). The minimum lot frontage according to the zoning-by law is 15.2 m or 50 ft. Planning staff do recognize there are some smaller lots that exist on the block, however, these lots still have slightly larger frontages than the lot being proposed. The intent of a larger frontage within the Heritage Area Overlay is to preserve the lot fabric in the neighbourhood and maintain the heritage attributes of the area. By allowing a lot frontage undersized by 16 feet would not be keeping with the intent of the zoning by-law and Official Plan policies mentioned above.

Conclusion

It is staff's opinion that the severance application for the property does not comply with the policies and guidelines set out within the PPS, the County and the Township Official Plans with respect to lot creation in the urban centre and within a designated heritage area. The proposed severed and retained lots do not meet the requirements of the Zoning By-law and is not compatible or consistent with the current lotting pattern. If the application is granted, a Tree Saving and Compensation Plan and Heritage Impact Assessment should be required as part of consent approval.

I trust the above is satisfactory and of assistance to the Land Division Committee

Sincerely,
Township of Centre Wellington

V. Schmidt

Valerie Schmidt
Planner

Township of Centre Wellington – Planning
1 MacDonald Square, P.O. Box 10, Elora, ON N0B 1S0 - Office: 519-846-9691 Fax: 519-846-2190

www.centrewellington.ca

FILE NO: B 68/16 – Michael Grabowski & Katelyn McGhie
236 St. George Street E, Fergus

Conditions requested if the Consent is granted:

- [x] That land be dedicated or other requirements met for park or other public recreational purposes.
- [x] Satisfy all the requirements of the local municipality, financial and otherwise
- [x] Driveway entrance approval
- [x] Taxes Paid in Full
- [x] Service Connections to be confirmed
- [ ] Official Plan Amendment
- [x] Zoning Compliance
- [x] Development Agreement and/or Site Plan Agreement (Lot Grading and Drainage)
- [x] Copy of deposited Reference Plan
- [x] Undertaking to advise Township when deed is Registered
- [x] Tax Assessment Roll Setup Fee

Additional Notes:

For the severed lot, that the owner submit a Tree Saving and Compensation Plan prepared by a qualified professional to the satisfaction of the Township if consent approval is granted.

For the severed lot, that the owner submit a Heritage Impact Assessment by a qualified professional to the satisfaction of the Township if consent approval is granted.

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

RECEIVED
SEP 21 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Application	B68/16
Location	Lot 56, S/S of St. George Street TOWNSHIP OF CENTRE WELLINGTON
Applicant/Owner	Michael Grabowski & Katelyn McGhie

PLANNING OPINION: This application would sever a 400 sq.m (4,306 sq.ft.) vacant urban residential lot in Fergus on full municipal services. A 570 sq.m (6,136 sq.ft.) lot would be retained with an existing dwelling.

We have concerns with this application as it:

- Is within an identified Heritage Area with multiple listed properties nearby;
- Would result in removal of, and potential damage to, mature trees;
- Would introduce what appears to be the smallest lot on that stretch of St. George Street East.

If approved, we would recommend that matters relating to tree preservation and compensation, servicing and safe driveway access be addressed to the satisfaction of the local municipality.

PLACES TO GROW: These policies place an emphasis on intensification and optimizing the use of existing land supplies. This includes accommodating population growth through increases in density, development of vacant and/or underutilized lots within previously developed areas, or infill development.

PROVINCIAL POLICY STATEMENT (PPS): According to Section 1.1.3.2 "Land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources..."

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated URBAN CENTRE (Fergus). New lots may be created in Urban Centres provided that the lands will be appropriately zoned.

The matters under Section 10.1.3 were also considered including:

g) that tree loss related to anticipated development be kept to a minimum and, wherever reasonable, be compensated for by new tree planting;
k) that the size and shape of proposed lots is suitable, including frontage, area and the proportion of frontage to depth; and,
l) that the proposed lots and uses are compatible with and designed to minimize adverse impacts on surrounding uses.

With respect to item (g) we note that Section 7.5.14 of the Plan dealing with urban forests (including street trees and trees in yards) "make important economic, visual and environmental contributions to the quality of life in Wellington's small towns and hamlets." We are aware of mature trees on and adjacent to the property that would likely be impacted by the proposed lot creation. Regarding (l), the proposed severed lot appears to be the smallest lot on St. George Street East between Gowrie and Cameron Streets.

WELL HEAD PROTECTION AREA: The subject property is in a WHPA B with a Vulnerability Score of 8.

LOCAL OFFICIAL PLAN: The subject property is designated Residential and falls within a Heritage Area. A detailed review of the applicable Official Plan policies is provided as part of the Township's comments on this matter.

LOCAL ZONING BY-LAW: The subject property is zoned Residential (R1B) and is located within the Fergus Heritage Area Overlay. According to the survey sketch, the severed and retained parcels would be deficient in frontage and the severed lot would be deficient in area.

SITE VISIT INFORMATION: The subject property was visited and photographed on September 16, 2016. Notice Cards were posted. The survey sketch does not identify trees on the subject property and those on adjacent lands that relate to this application, nor does it indicate which trees are planned to be removed.

Sarah Wilhelm, MCIP, RPP, Senior Planner
September 21, 2016

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 TO:	**County of Wellington, Planning & Land Division Committee** **Deborah Turchet, Secretary-Treasurer**

DATE: September 19, 2016 **YOUR FILE:** B68/16
GRCA FILE: CENTWELL\2016\Severance\B68-16

RE: **Application for Consent B68/16**
Lot 56, S/S of St. George Street
Fergus, Ontario

GRCA COMMENT:*

The Grand River Conservation Authority (GRCA) has no objection to the proposed severance with existing and proposed urban residential use.

BACKGROUND:

1. **Resource Issues:**

   Information currently available at this office indicates that the subject lands are not in or adjacent to any features of interest to the Grand River Conservation Authority.

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

   None.

3. **Additional Information/Suggestions provided in an advisory capacity:**

   This application is a minor consent application and the applicable plan review fee is $380.00. With a copy of this correspondence, the applicant will be invoiced in the amount of $380.00 for our review of the application.

Should you have any questions or require further information, please contact Ashley Rye at 519-621-2763 ext. 2320.

Yours truly,

Fred Natolochny, MCIP, RPP
Supervisor of Resource Planning
Grand River Conservation Authority
FN/ar

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SEP 20 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

* ***These comments are respectfully submitted to the Committee and reflect the resource concerns within the scope and mandate of the Grand River Conservation Authority.***

Encl. (1)
c.c. Township of Centre Wellington
Michael Grabowski & Katelyn McGhie, 442 South River Road, Elora ON N0B 1S0

Map Centre (UTM NAD83 z17): 550,154.60 4,839,687.17

This map is not to be used for navigation

Grand River Conservation Authority

Date: Sep 13, 2016

Author: A.Rye

B68/16- St. George's Street

Notes

Legend

Municipal Boundary (GRCA)

Parcel - Assessment

Regulation Limit (GRCA)

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 4 8 16 24 Metres

N

NAD 1983 UTM Zone 17N

Scale: 677

Wednesday, September 14, 2016

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SEP 19 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

Re: Notice of an Application for Consent, File # B68/16

Location of Subject Lands: Centre Wellington (Fergus)
Lot 56, S/S of St. George St.
Reg Plan 55

With letter I wish to express my objection for the severance of the above mentioned land and building proposed. The land to be severed is not even close to meeting the minimum requirement for a residential building lot in this area and therefore should not be allowed to proceed. Both the frontage and the total lot size for the proposed severance lot are less than 71% of the minimum requirement for a residential building. These are not minor variances and this should not be allowed to proceed on that basis alone.

Additional Concerns:

1) Several other home owners on this block have requested permits requiring less variance than this and have been denied, therefore this current application should not be given consideration either.
2) Traffic congestion is already an issue on this street, it is often reduced to one direction of traffic at a time because of on street parking. Adding an additional residence will add to the congestion of on street parking ever further.

Regards,

Fergus resident
Paul Dunnill
233 St. George St. E.
Fergus, ON N1M 1K5

Wednesday, September 14, 2016

RECEIVED
SEP 19 2016
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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

Re: Notice of an Application for Consent, File # B68/16

Location of Subject Lands: Centre Wellington (Fergus)
Lot 56, S/S of St. George St.
Reg Plan 55

Please accept this letter as my written request to be notified of the date and time of the consideration of this application.

Best regards,

Fergus resident
Paul Dunnill
233 St. George St. E.
Fergus, ON N1M 1K5

Wednesday, September 14, 2016

RECEIVED
SEP 19 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

Re: Notice of an Application for Consent, File # B68/16

Location of Subject Lands: Centre Wellington (Fergus)
Lot 56, S/S of St. George St.
Reg Plan 55

Please accept this letter as my written request to be notified of the decision made by the County of Wellington Planning and Land Division Committee with respect to this Application for Consent.

Best regards,

Fergus resident
Paul Dunnill
233 St. George St. E.
Fergus, ON N1M 1K5

Deborah Turchet
Secretary-Treasurer
County of Wellington Planning & Land Division Committee
Wellington County
74 Woolwich St., Guelph ON N1H 3T9

RECEIVED
SEP 19 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Re: Application for Consent: File No. B68/16

Dear Ms. Turchet:

The following comments are submitted to file my OBJECTION to the above noted APPLICATION FOR CONSENT and related VARIANCES.

The above application is clearly an attempt by an absentee landlord to maximize profit from a recently purchased property at the expense of a well established and otherwise stable neighbourhood. This level of intensification is not in keeping with the spirit and intent of Provincial Planning Policy and is contrary to the intent of the Official Plan and the implementing provisions of the Centre Wellington Zoning By-law.

While the subject property is not designated or listed as a heritage building, it is clearly within the Heritage Area and part of this Heritage neighbourhood as defined by the Official Plan and Zoning By-law. The entire block of houses facing this property are "listed" specifically as Heritage buildings and two properties backing onto this property are "designated" Heritage properties.

The Zoning regulations for Heritage Areas require greater minimum lot area and frontage , lower maximum coverage and lower building height than would otherwise apply to an R1B property. With this in mind, I would point out that the proposed lot does not even meet the minimum regulations of the R1B zone let alone the R1B regulations within a Heritage Area. In fact the requested reduction in lot frontage is 32% less than the required minimum, the lot area is 25% less than the required minimum, and the lot coverage will be greater than the 30% maximum, especially with any accessory building (ie. a tool shed). Clearly, this application is contrary to the intent of the Official Plan and its implementing Zoning By-law; and, not minor in nature .

The proposed severance will not only creates a new lot that is significantly inadequate but will also reduce the retained parcel well below the required minimum frontage. Variances will be required for the retained parcel as well.

Given the requested frontage, it is only possible to provide 1 legal parking space and no way of providing access to the rear yard for additional parking. Since the municipality can not control the number of cars/drivers per household; inevitably, occupants will have to resort to on-street parking which is already a large issue for the neighbourhood. Such a small and potentially overbuilt lot will only exacerbate the on-street parking problems and will force the residents to park illegally on the required landscaped open space in the front yard. This practice does deteriorate the streetscape and can lead to impact on neighbouring property values. The proliferation of on-street parking also presents a safety hazard,in a neighbourhood that is occupied by an increasing number of young families and their pre-school children.

This severance will also result in a detrimental impact on the aesthetics and environmental character of the streetscape in this neighbourhood, particularly for the adjacent properties. Two very large and currently healthy maple trees will have to be removed and a third specimen maple on the westerly side lot line will likely be very negatively impacted by the foundation digging for any proposed building.

The Preamble to the by-law, p. V, states that: "It should be noted that in an existing neighbourhood, the minimum lot frontage and area requirements in themselves do not indicate an entitlement to create a new lot with that minimum frontage and area. The policies of the Official Plan apply to new lot creation and for a variety of reasons a new lot proposed in an existing neighbourhood might be considered inappropriate even if it meets the minimum frontage and area specified in the zone regulations." As the proposed lot is far below the minimum frontage and area standards and the retained lot frontage will also be reduced below the minimum regulations, it is clear that the proposed lot is not in keeping with intent of this Heritage neighbourhood and totally inappropriate!

I trust that municipal staff will seriously consider my comments and other neighbourhood concerns, and decide not to support this application. To do otherwise, in my opinion, will set a dangerous precedent for residential neighbourhoods in Fergus and represent poor planning.

Finally, I wish :

1. To be notified of the Date, Time, and Location of the consideration of this application.
2. To be notified of The Committee decision.
3. To receive staff comments (both County & Centre Wellington) prior to the meeting to consider this application

Thank you,

Jim Forbes
198 St. George St.E.
Fergus, ON N1M 1K3

cc. Planning Staff
Department of Planning , Building and Development
Township of Centre Wellington
1 MacDonald Square
Flora ON
N0B 1S0

Rob Black
Ward 5 Councillor
Centre Wellington

Wendy Galloway
249 St. George St. E
Fergus, ON
N1M 1K5

September 19, 2016

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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

RE: FILE NO. B68/16

Dear Ms. Turchet,

I am writing you today on behalf of the residents of 249 St. George St. E, Fergus, ON (Kevin Galloway, Wendy Galloway, and Madison Galloway) to inform you of our objection to the request made by Michael Grabowski and Katelyn McGhie to sever Lot 56, S/S of St. George St, Reg Plan 55, Centre Wellington (Fergus).

We believe that this request is unfair to the other residents on St. George St. E and our environment, as well as contributes to the already problematic situation on this street. The action of severing the lot will decrease the value of the larger properties by building a very small house and cluttering our spacious street, not to mention destroying one of the heritage areas in Fergus. Not only is this unfair to the existing residences, but it is also greatly unfair to our environment as at least two beautiful healthy trees will be ruthlessly cut down in the process of construction, also taking away from the natural beauty and heritage of our street. Finally, there are already a great number of citizens who park on the street making it difficult to drive down the street; adding another house will add more people and their vehicles to this problem.

Thank you for taking the time to read this letter, we appreciate your consideration of our thoughts regarding the request to sever lot 56, S/S of St. George St. We look forward to hearing back from you with notification of the date and time of the consideration as well as the final decision.

Sincerely,

Wendy Galloway

Wendy Galloway
(On behalf of Kevin Galloway, Wendy Galloway, and Madison Galloway)

20 September 2016

Ms. Deborah Turchet, Secretary-Treasurer
County of Wellington Planning & Land Division Committee
74 Woolwich Street
Guelph, Ontario
N1H 3T9

RECEIVED
SEP 20 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Re: Application for Consent - File No. B68/16

Dear Ms. Turchet,

Please accept this letter for consideration by the Planning & Land Division Committee when reviewing the Application to Consent B68/16 for proposed severance and construction of a new dwelling at 236 St. George Street East, Fergus, Ontario. Our home is located at 250 Gowrie Street North; the eastern rear of our lot is immediately adjacent to more than half of the western side of the 236 St. George Street lot, and thus represents one of the two properties that is most directly affected by the proposed severance and construction.

Based on the drawings that we were provided with, our understanding is that the current owners of the 236 St. George St. E. property propose to sever a sub-minimum (i.e. 10.4 m) width lot on the western side adjacent to our property and that of our next-door neighbours at 200 St. George St. E. We also understand that the current owners further propose to construct a narrow dwelling on that severed lot; one which would extend approximately half way back into the proposed severance, immediately adjacent to the eastern (rear) edge of our property.

In this letter to the Planning & Land Division Committee, we wish to identify and discuss important factors that need to be considered when evaluating the proposed severance/construction. Specifically, we have organized these factors as likely effects on (1) Environmental, (2) Aesthetic, and (3) Economic conditions in our neighborhood generally, and for our home specifically. It should be noted that some of the factors included in this evaluation were derived from the Arborist's report included in Mr. Bolitsky's submission (200 St. George St. E).

1. Effects of Severance/Construction on Environmental Conditions
We see the proposed activities having important effects on a group of specific trees and a hedge as described in detail below:

(A) Sugar Maple on the property line between 200-236 St. George St. E.

We understand this to be a healthy, 15+m tree that would be approximately 100 years old; one that could reasonably be expected to live at least another 100+ years under current conditions. We expect that the proposed construction activities would significantly reduce the

root structure for this tree by cutting/tearing, as well as significantly compacting the soil structure for the remaining roots. Ultimately, these effects would combine to significantly reduce health and life expectancy of this tree.

(B) Sugar Maple on front property of 236 St. George St. E.

We understand this tree to also be healthy, approximately 100 years old, and also with a reasonable expectation for 100+ years additional life expectancy under current circumstances. Although not explicitly stated in the drawing, it seems obvious that proposed construction would require prior complete removal of this tree to make room for the dwelling.

(C) Silver Maple on hedge property line between our home at 250 Gowrie St. N. and southeast side of the 236 St. George St. E. property.

Based on the drawings provided, the proposed dwelling construction would reach almost as far south as this Silver Maple, with a high probability of negative effects on root structure from root tearing and/or soil compaction.

(D) White Cedar hedge row (3+m height) extending completely approximately 25 m along the entire rear, eastern edge of our property line with 236 St. George St. E.

While it is more difficult for us to predict what the effects of proposed construction would be on this Cedar hedge row, it seems likely that the continuous front provided would be at risk of indirect/direct damage from having a house constructed less than 2 meters along its northeastern edge. Currently, this hedge row serves as a natural fence between the properties; however it can reasonably be expected that construction activities in such close quarters would destroy some or all of the coverage currently provided by this hedge row.

(E) Cumulative Environmental Effects of damage to existing trees and hedge row.

The most immediate effects of the proposed construction would be tree removal and significant reduction of lifespan for remaining maple trees and hedge row. However, the indirect consequences of such removals/reductions in tree coverage on this site has important implications on the local environment, especially for our home.

First, there will be a significant decrease in shade and associated increase in energy costs for heating/cooling of adjacent dwellings, including our home.

Second, and perhaps more seriously, direct and indirect effects of tree removal/reduction on soil structure have very serious implications for drainage of surface water from snow thaw and storm rainfall - especially for our home at 250 Gowrie St. N. which is downhill from 200 St. George St. E and the northern half of 236 St. George St. E. It seems clear to us that any increased snow thaw flow and rainwater flow resulting from removal/decrease of these trees will necessarily course downhill and thus pose a significant flooding risk for (a) the landscaped patio in our back yard and (b) the adjacent rear wall of our home leading to our basement. Since purchasing our home in the early 1990s, we have had absolutely zero issues with dampness in our basement at any time of year, and we are obviously very concerned about the short- and long-term consequences of water management issues created by the proposed severance/construction. As we are sure the Planning & Land Division Committee is well aware, future conditions projected by climate change models for southern Ontario are

characterized by increasing frequency and intensity of severe weather events, especially extreme rainfall and associated flooding. Removal and/or damage to such large trees with massive canopies and deep root structures would only amplify such negative flooding consequences that our property would be exposed to. Century-old trees, and these stabilizing ecosystem services they provide, are not easily replaced once removed.

2. Effects of Severance/Construction on Aesthetic Conditions

Based on the drawings provided to us, the proposed dwelling to be constructed on the severed lot at 236 St. George St. E would extend almost halfway back along our rear property line, and that the building would be within 2 meters of our White Cedar hedge row/Silver Maple on the property line. The back yard that would be available to occupants of the proposed dwelling would be cramped into a relatively small area - immediately adjacent to our patio. It is important to note that since we started living at 250 Gowrie St. N. in early 1990s, this cedar hedge row has provided a complete and natural barrier between our backyard patio (where we spend most of our summers) and the 236 St. George St E property; obviously, we have very serious concerns about loss of privacy and associated issues created by such a compression of living space caused by the proposed severance/construction.

From a neighbourhood perspective, it must be noted that several adjacent and neighbouring properties to the proposed severance/construction are Listed and/or Designated as Heritage properties. We feel strongly that cramming a 'sardine-can' property into this neighbourhood would stand out like a very sore thumb, with strongly negative consequences on the aesthetic appeal of such a stately, mature neighborhood.

3. Effects of Severance/Construction on Economic Conditions

As mentioned above, several adjacent and neighbouring properties are Listed and/or Designated as Heritage properties, and the proposed severance/construction would have a negative effect on the economic value (and associated valuation-dependent tax base) of all adjacent properties in the neighbourhood, including our home. With specific regard to the economic valuation of our property we feel strongly that having a dwelling constructed in such tight conditions along the rear of our lot, immediately adjacent to our backyard/patio would only have a significantly negative effect on the economic value of our property. As described above, we see very real economic disadvantages associated with loss of tree shade on heating/cooling costs for all properties in the immediate neighborhood, including our home. Finally, as described in detail above, we are very concerned about surface water flow consequences associated with proposed severance/construction effects on existing trees and their root systems - obviously any increased flooding risks to our landscaped backyard/patio and especially our basement would have highly significant, negative economic consequences via mitigation costs and lowered resale value.

Conclusions and Recommendation

We agree with our neighbours' strong concerns that the proposed severance/construction represents an effort by an absentee landowner to maximize profit from a very recent property acquisition, with little regard for the negative environmental, aesthetic and economic consequences for our neighbourhood generally, and our adjacent home

specifically. One of our neighbours recently commented that if this same kind sub-minimum severance and 'sardine-can' construction was proposed adjacent to wherever the absentee landowners reside - that they would likely raise similar, serious objections. It is hard to disagree with that kind of logic.

For all of the reasons identified and discussed above, we believe that Application for Consent - File No. B68/16 is highly inconsistent with the intent of the Official Plan and provisions of the Centre Wellington Zoning By-Law. Therefore, in the strongest possible terms we formally object to this Application for Consent, and we request that the Planning & Land Division Committee deny the application. If the Committee has any questions regarding our objection and/or reasons for holding these opinions, please contact us.

If possible, we would very much like to review any additional comments/evaluations that may be prepared by either the proponent or Township/County staff for consideration of this file by the Planning & Land Division Committee in advance of the upcoming hearing.

Sincerely,

Steve Crawford

Patrice Baker

250 Gowrie Street North
Fergus, Ontario
N1M 2H3
email scrawfor@uoguelph.ca
tel. 519.400.6323

Sept 21/16
Requested Notification of Consideration and Decision by email
D. Turlet

Jana Poechman

From: Deborah Turchet
Sent: September 19, 2016 11:39 AM
To: Jana Poechman
Subject: FW: B68/16 Aplication for Consent to sever Lot 56 Fergus, ON.
Attachments: letter to planning committee.docx; Petition against the severance and variance applications for.docx; Sugar Maple 200 St.George st.jpg; Petition_FileB68-16.pdf

Please print

Maybe he is not coming in.

Deborah

From: Pete Bolitsky [mailto:sublimestone@gmail.com]
Sent: Monday, September 19, 2016 11:05 AM
To: Deborah Turchet; Sarah Wilhelm
Subject: Re: B68/16 Aplication for Consent to sever Lot 56 Fergus, ON.

Deborah and Sarah,

Attached you will find the letter I have crafted to voice our concerns as well as a petition that has been signed by a number of neighbours who will be directly affected if this severance is granted. We are waiting on more signatures. I have also attached a photo of the tree that shows how close it is to the fence that borders lot 56.

On behalf of our neighbourhood, we thank you for your consideration,

Pete Bolitsky

County of Wellington Planning and Land Division Committee
Deborah Turchet, Secretary-Treasurer
Wellington County Administration Centre
74 Woolwich St., Guelph ON N1H 3T9
Re: Application for Consent: File # B68/16

RECEIVED
SEP 20 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

September 18, 2016

Dear Ms. Turchet and Committee,

We wish to express our objection to the committee with regard to the Application for Consent to sever 236 St. George St. E., Fergus (Lot 56) and to allow variances. Our family lives at 200 St. George St. E which is the property immediately west of Lot 56. We have, on our lot, a 100-150 year old sugar maple that adorns the southeast corner. The plan that we were provided when issued the notice in this matter depicts a building with a finished foundation wall within 1.9 m of the maple in question. The application shows the removal of another mature maple as well as a number of other trees. While we can't speak for all of the trees, we have tremendous concern for the continued health of the maple on our property. The trenching involved with pouring a foundation would bring excavation and subsequent root damage up to the base of our tree, ultimately resulting in its demise. Please see the attached Arborist's Report for a description of the effect this construction would have. Our family was thrilled to purchase a house with a great deal of character in a town that considers heritage to be of great importance. It is our opinion that the heritage of our area is more than architectural in nature and should also be recognized in the trees that have stood alongside the dwellings. Further value of these trees is found in their ability to moderate temperature, provide flood control, attract wildlife, CO2 capture, as well as many other positive features.

In addition, we have concerns about the management of the property as one that provides income to a landowner living off-site. We feel strongly that the request being made to sever this property into two smaller-than-code lots and building an extra income property will exact negative pressure on the neighborhood while providing only benefit to the landlord. We will lose the ecosystem services of the trees that are removed and damaged, face greater parking demands on the street and see an alteration of the heritage aspects of the neighborhood with a tiny lot occupied by an oddly-shaped structure. We ask the Committee please refuse to grant the severance and variance request as it is undesirable and inappropriate in this instance.

Attached you will find a petition that was circulated to some of the immediate neighbours that will be affected.

We request to be notified of the date, time and location of the consideration of this application as well as being notified of the committee decision.

Sincerely,

Peter Bolitsky

200 St. George st. E.

Fergus, ON. N1M 1K4

BAUM
Professional Tree Care

Philip Guenter
Certified Arborist
Baum Professional Tree Care
199 Hill St W
Fergus On N1M 1G2
(office) 226 383 2286
(cell) 226 971 0555

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WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Report for
Peter Bolitsky
200 St George St E
519 993 8453

Location of tree: Back yard of 200 St George St E flaring out over the property line of 222.

Tree Species: *Acer saccharum* Sugar maple

Size:
Height: 16 meters
Diameter: 76 cm

Condition of Tree:

The tree is healthy and has good vigour. There is a trunk scar present on the west side of the tree beginning from the main union at 4.5 meters to the base of tree. (image 1) There is a 30cm wound on the east side of the tree caused by a large branch tear out. There are small fruiting bodies visible on the trunk scar. (image 1 – black fungus)
A fence runs to the east side of tree with cut out over the root flare. (image 2) The main union contains included bark. (image 3) The tree also has a loss of root flare on west side of tree where trunk scar is located. This could be due to a possible girdling root. There is a dead branch at the top of the tree (15cm diameter) and a slight lean towards neighbours shed to the south.

Nature of construction affecting tree:

Proposed severance for 222 St George St E and construction of dwelling on new lot adjacent to the Sugar Maple at 200 St George St E. Such construction would remove at least 30% of the roots of the tree and likely inflict damage by compaction to another 20%.

Other significant trees affected by construction:

There is a Sugar Maple on the property at 222 St George St E that would likely be removed prior to construction or at least be severely damaged. There is also Large Sugar Maple on the boulevard of 222 with a smaller Norway Maple beside it.

Arborist recommendations:

Development of the property east of the tree would cause severe root damage to the tree. Such root damage would cause the tree to die back and eventually cause the death of the tree. Visible signs of this damage would not be seen until 5-7 years after the roots are damaged.

Building so close to the tree could create a hazard in the future buy removing structural or anchor roots. Removing such roots can destabilize the tree as well as make the tree more susceptible to total root failure. The tearing and removing of roots can also open a vector for root decay and eventual trunk decay.

If construction does occur it is highly recommended to trench with a hydro vac machine along the east side the tree prior to any foundation excavation. The trench should be as far from the tree as possible. Once the trench is created the roots would need to be pruned by a professional arborist to prevent tearing by heavy equipment.

A tree protection zone should be built around the tree with plywood to protect it from compaction by heavy equipment. Using Toronto's Tree Protection Policy as reference for a tree that is 76 cm in diameter, hording should be built 9.6m away from the base of the tree. In this case the new dwelling would likely be built in that zone.

Storing any amount of soil on the roots of the tree during construction would also cause damage to the tree and its roots by limiting oxygen intake. Storing soil over tree roots should be avoided.

Cabling of the tree is recommended to support the main union. The cable should be installed 2/3 of the way up the tree linking the two stems. Removal of deadwood is also recommended.

Conclusion:

It is in my opinion, that if excavation does occur on the property directly east of the tree, it will severely shorten the life span of the tree. Loosing this tree would effect many surrounding properties as it provides shade, storm water management, lowers the cost of energy use and increases the property values surrounding them.

Images:

image 1

image 2

image 3

Petition against the severance and variance applications for #236 St.George St. E. Fergus, ON. The application is to sever the land into two lots, retain the existing home, and construct a new home on the second lot.

To the County of Wellington Planning and Land Division Committee, Guelph, ON.

Re: FILE NO. B68/16

We, the undersigned, are opposed to the severance and variance applications for 236 St. George St. E. Fergus, ON. (lot 56).

Our community has worked hard to protect the unique architectural character of our neighbourhood. We feel the variances applied for contravene section E.8.1 of the Centre Wellington Official Plan as they are not minor in nature and constitute a 32% reduction in lot frontage and a 30% reduction in lot area.

The proposed construction on the land being applied for severance will result in the removal of one mature sugar maple and the removal of 30 % of the roots of a 16 metre (100+ yr old) Sugar Maple located on the neighboring property of 200 St. George St. E. It is also felt that 20% more of the root mass will be affected by compaction (please see attached arborist report). A number of minor trees will also be removed. The Provincial Policy Statement states that "strong, livable and healthy communities promote and enhance human and social well-being, are economically sound, and are resilient to climate change." We believe the removal and negative effect on these trees will undermine the benefits these trees provide with regard to shade, flood control and CO2 capture.

We are also concerned with the increase in traffic congestion that another dwelling built on a too small lot will add to the neighborhood.

We ask that your committee please consider the concerns of the surrounding neighbours and refuse the Application for Consent in the matter of severing and allowing variances for lot 56 / 236 St. George St. E. Fergus.

Sincerely,

The Undersigned.

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SEP 20 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

To the County of Wellington Planning and Land Division Committee, Guelph, ON,

Re: FILE NO. B68/16

We, the undersigned, are opposed to the severance and variance applications for 236 St. George St. E., Fergus, ON. (lot 56).

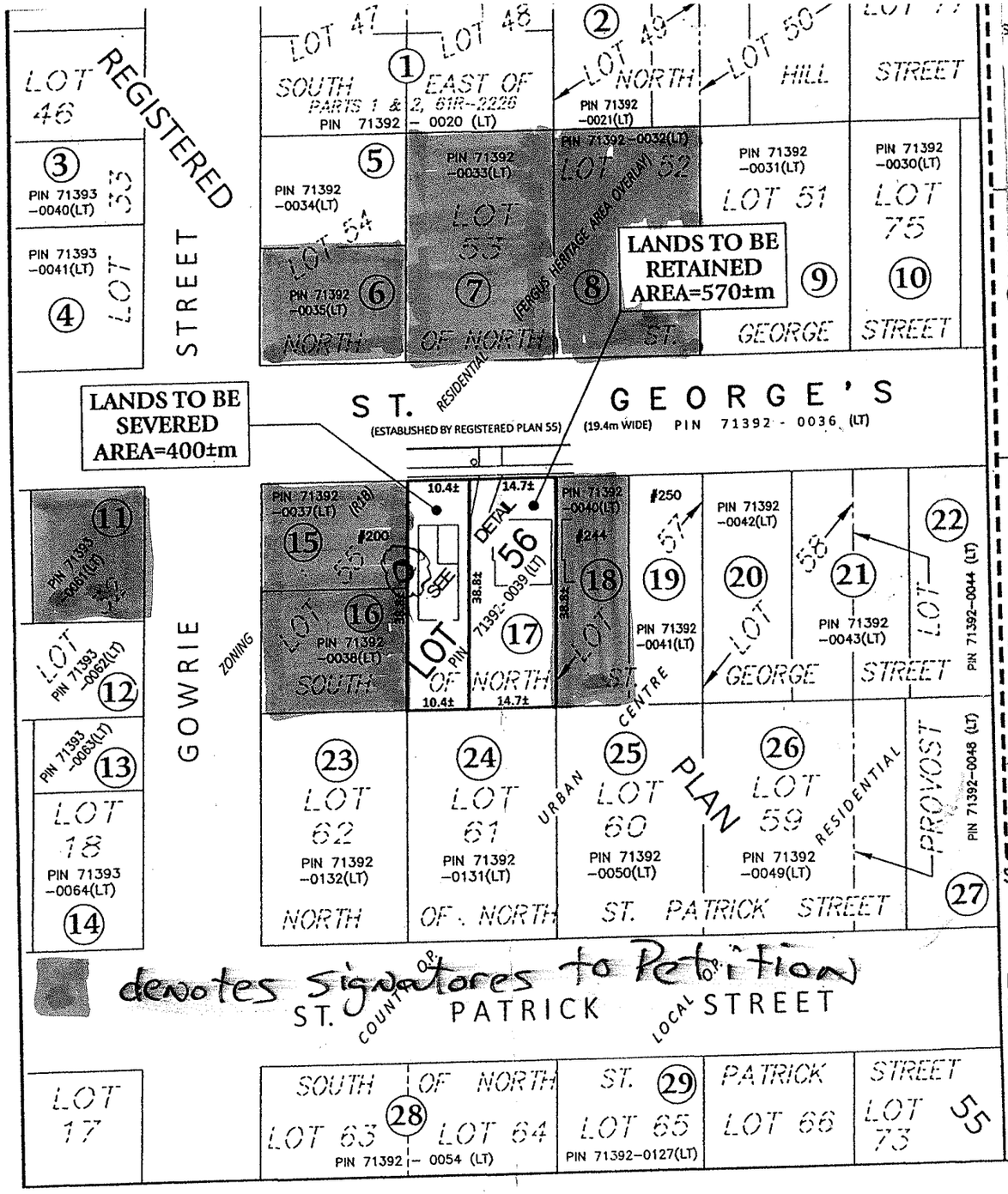
Name (printed)	**Address**	**Phone** (optional)	**Signature**	**Date**
PETER BOUTSKY	200 St George St E	519 938 453		18 Sept 2016
Steve Crawford	250 Gowrie St. N	519.400 6323		18 Sep 2016
PAUL + WILMA DUNNILL	233 ST. GEORGE ST. E	519-787-0887	Paul Dunnill Wilma Dunnill	18 Sept. 2016
KATIE McLELLAN	200 St. George St E	519 766. 9934		18 Sept/16
JIM FORBES	198 ST. GEORGE E.	519-843-3922		Sept 18/16
MARG FORBES	198 ST. GEORGE. E	519 843 3922	M. Forbes	09/18/16.
Kevin Galloway	249 ST GEORGE ST E	519 829 8039		09/18/16
M. ISLA TULLOCH	364 ST. PATRICK ST. E	519 787 1733		09-19-16
STEVE MASSEY	223 ST. GEORGE E	519 787 0672		Sept. 19/16

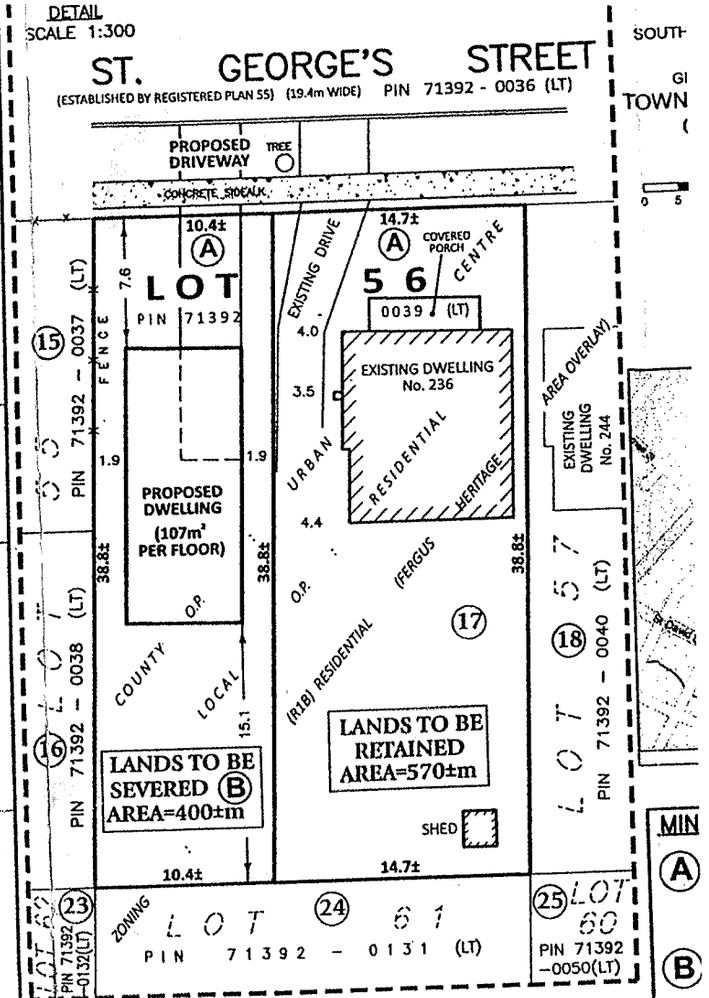
To the County of Wellington Planning and Land Division Committee, Guelph, ON,

Re: FILE NO. B68/16

We, the undersigned, are opposed to the severance and variance applications for 236 St. George St. E., Fergus, ON. (lot 56).

Name (printed)	**Address**	**Phone** (optional)	**Signature**	**Date**
Tonya & Kevin Thorpe	244 St George St East	226-383-5417	[illegible]	Sept 19, 2016





SURVEYOR'S CERTIFICATE:
THIS SKETCH WAS PREPARED ON THE 5th DAY OF AUGUST, 2016.

JEFFREY E. BUISMAN
ONTARIO LAND SURVEYOR

Aug 05,2016-5:47pm
G:\FERGUS\055\AreaE

NOTES:

1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
2. SUBJECT LANDS ARE ZONED R1B RESIDENTIAL (FERGUS HERITAGE AREA OVERLAY).
3. SUBJECT LANDS HAVE A COUNTY OFFICIAL PLAN DESIGNATION OF URBAN CENTRE AND LOCAL OFFICIAL PLAN DESIGNATION OF RESIDENTIAL.
4. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
5. SEE ATTACHED LIST OF NAMES AND ADDRESSES OF OWNERS.

Elmira
Ph: 519-669-5070
www.vanharte

DRAWN BY: N.C.H.

NeighbourWoods
ON THE GRAND

RECEIVED
SEP 20 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

19 September 2016

RE: 200 St George Street East Fergus

We are writing to express our concern about the minor variance proposed by the new owners of 236 St George Street East, Fergus.

Our specific concern relates to the well-being of a sugar maple growing on the property owned by the Bolitsky family at 200 St George Street East. This sugar maple is a magnificent specimen which shades the entire back yard of the home along with several adjacent properties. It is a valuable species and in good health given its age.

As indicated by the arborist's report, the proposed construction will cut a significant number of roots and clearly shorten this tree's life.

To protect the tree, we request that that County require that the owners of 236 St George East modify their proposed plan in order to accommodate a tree protection zone which would extend to the drip-line of the tree.

Wellington County is rightly admired for your impressive planting program under Green Legacy. By protecting this tree by requiring a tree protection zone, you will acknowledge the importance of established healthy trees. As you well know, It will take several dozen Green Legacy seedlings and 75 years before they can match the contribution afforded by this sugar maple.

Sincerely,

Toni Ellis
Coordinator
NeighbourWoods
neighbourwoods@eloraenvironmentcentre.ca

B68/16

Van Harten
SURVEYING INC.
LAND SURVEYORS and ENGINEERS

August 5, 2016
23790-15
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 Application and Sketch
236 St. George Street East
Lot 56, Plan 55
PIN 71392-0039
Geographic Town of Fergus, Township of Centre Wellington

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, names and addresses of neighbours and a cheque to Wellington County for $1,025.

Proposal

The proposal is to take advantage of an in-fill opportunity to create a new parcel in the vacant side yard of 236 St. George Street East. The new parcel will be 10.4±m wide and 38.8±m deep with an area of 400±m^2. The retained parcel is 14.7±m wide and has an area of 570±m^2 where the existing dwelling will remain.

Intensification opportunities such as this one are encouraged in the relevant Planning documents and policies. Section C.5.5 of the Centre Wellington Official Plan provides 9 specific types of intensifications and this application probably best applies to e) for modest intensification in stable residential areas respecting the character of the area. The eight requirements for severances as presented in Section E.9.3 of the Township Official Plan have been considered and all of them are met.

The subject lands are zoned Residential (R1B) within the Fergus Heritage Area Overlay. The proposed parcels are similar to parcels in the neighbourhood and require three minor variances:

- To allow a frontage of 14.7± m instead of 15.2 m for the Lands to be Retained
- To allow a frontage of 10.4± m instead of 15.2 m for the Lands to be Severed
- To allow a lot area of 400± m^2 instead of 557.4 m^2 for the Lands to be Severed

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

Van Harten Surveying Inc.

Jeffrey E. Buisman B.E.S, B.Sc.
Ontario Land Surveyor

cc Mike Grabowski