REPORT SUMMARY

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

Date of Consideration: **July 23, 2015** **TIME: 9:50 A.M.**

File Number: **B53/15**

Applicant: **Carol-Joy Slack**

Subject Lands: TOWN OF ERIN – Part Lots 25 & 26, Concession 11

Proposal is a request for consent to convey fee simple for a proposed severance 100m fr x 127m = 1.2 hectares (3 acres) in the TOWN OF ERIN – Part Lots 25 & 26, Concession 11, vacant land for proposed rural residential use; retained lands are 48.4 hectares(120 acres)

ISSUES: CVC comments to consult with Ministry of Natural Resources Re: Species-at-Risk

SUMMARY of FILED REPORTS and COMMENTS:

Town of Erin – in support of application – conforms to Official Plan and Zoning; conditions to apply

County Planning - notice cards were posted at time of site visit; Minimum Distance Separation 1 – two barns identified within 500m of proposed severance; have been provided photo evidence that building across road not a barn; barn located on retained cannot meet MDS1 – condition; application is consistent with Provincial Policy and generally conforms to Official Plan; no concerns – conditions to be addressed

Conservation Authority (Credit Valley) – visited site April 2/15 – noted that new lot line needed to be located minimum 30m from significant woodland feature – illustrated on survey – no concerns with applications; permit may be required prior to issuance of a Building Permit from Town of Erin; mapping indicates a Species-at-risk in vicinity – consultation with MNR is advised

Peel Region – subject site falls beyond the portion of Winston Churchill Blvd under the ownership of Regional of Peel – staff have no objections to application

Other – Courtney Stiles (5924 Winston Churchill Blvd. Erin, On N0B 1T0) – comment – sketch – pond and bush have been drawn only on Part Lot 26 – actual pond (approx. 10%) and bush cross both properties – all other measurements on sketch are calculated to be accurate

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 B53/15.
3) THAT the Owner, as provided for under Section 69 of the Planning Act, R.S.O. 1990, shall pay to the Treasurer of the County of Wellington the administrative fee which is in effect at the time of the payment of the fee for the review and issuance of the Certificate of Consent for the severed parcel.
4) THAT the transfer for registration with respect to description complies with Ontario Regulation 43-96; and if that description contains a reference to a Reference Plan(s), the Owner's solicitor **shall provide a full print of that deposited reference plan(s)** to the secretary-treasurer of the Planning and Land Division Committee.
5) THAT the Owner satisfy the requirements of the Local Municipality in reference to parkland dedication as provided for in the Planning Act, R.S.O. 1990; and that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
6) THAT the Owner satisfy all the requirements of the local municipality, financial and otherwise which the local municipality may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands; and further that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
7) THAT the Owner provides written confirmation from a licensed septic installer that the existing septic system is functioning properly and the required setbacks from property boundaries are in compliance with the Ontario Building Code to the satisfaction of the Town of Erin; and further that the Town of Erin file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition
8) THAT the owner provide a predevelopment site drainage and grading plan to the satisfaction of the Town of Erin (denoting the existing lot elevations, proposed driveway, buildings/septic field location and existing overland flow together with proposed elevations and grading, demonstrating that drainage and grading do not impact on adjacent properties or trees noted for preservation); and that the Town of Erin files with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
9) THAT the owner satisfy the requirements of the Town of Erin concerning road widening conveyances along the frontage of the severed and retained parcel; and that the Town of Erin files with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

*****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

July 9, 2015

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 B53/15

APPLICANT

Carol-Joy Slack
5920 Winston Churchill Blvd
Erin ON N0B 1T0

LOCATION OF SUBJECT LANDS:

TOWN OF ERIN
Part Lots 25 & 26
Concession 11

Proposed severance is 100m fr x 127m = 1.2 hectares, vacant land for proposed rural residential use.

Retained parcel is 48.4 hectares with 113m frontage, existing and proposed agricultural and rural residential use with house, garage and workshop.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, July 23, 2015**

AT 9:50 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: **Applicant – Dave Flaherty** **Agent – JL Cox**

RECEIVED
JUN 3 0 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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: B53/15

APPLICANT

Carol-Joy Slack
5920 Winston Churchill Blvd
Erin ON N0B 1T0

LOCATION OF SUBJECT LANDS

TOWN OF ERIN
Part Lots 25 & 26
Concession 11

Proposed severance is 100m fr x 127m = 1.2 hectares, vacant land for proposed rural residential use.

Retained parcel is 48.4 hectares with 113m frontage, existing and proposed agricultural and rural residential use with house, garage and workshop.

RECEIVED
JUN 0 2 2015
TOWN OF ERIN

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER:

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)

_____

_____

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

(Please Specify) _____

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

(Please Specify) _____

If Necessary, would the Municipality be prepared to consider an **Amendment** to the Zoning By-Law to permit the proposal to conform? YES( ) NO( ) N/A(✕) or **Minor Variance** YES( ) NO( ) N/A(✕)

Is proposal on an opened maintained year-round public road YES(✕) NO( )
If answer is NO, is municipality willing to enter into an agreement regarding use of the seasonal road, or opening up the road ?

Please specify _____

_____

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

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 <u>or</u> Municipal Drains on the subject lands?

Continued to Page 2

MUNICIPALITY COMMENTING FORM

FILE NO: B53/15

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?

See attached

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

SIGNATURE _____

TITLE: Building and Planning Assistant, Town of Erin

ADDRESS: 5684 Trafalgar Rd. Hillsburgh, ON. N0B1Z0

DATE: June 30, 2015

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

Severance Application Recommendation

To: County of Wellington Land Division Committee
From: Jessica Wilton, Building & Planning Assistant, Town of Erin
Date: June 30, 2015
Applicant: Carol-Joy Slack.
Location: Part Lot 25 & 26 Concession 11
File: B53/15

Official Plan: Secondary Agricultural, Core Greenlands, and Greenlands
Zoning: A- Agricultural and EP2- Rural Environmental Protection

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

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

1. That the owner convey to the Town of Erin on both the severed and retained parcels of land, a road widening, to achieve a 13m right-of-way from the centerline of Winston Churchill Boulevard. The parcel(s) conveyed must be free of liens and encumbrances.

2. That the owner pay parkland dedication and satisfy any other requirements of the local municipality, financial and otherwise to which the local municipality may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands.

3. That the owner provide a predevelopment site drainage and grading plan to the satisfaction of the Town of Erin, denoting the existing lot elevations, proposed driveway, buildings/septic field location and existing overland flow together with proposed elevations and grading, demonstrating that drainage and grading do not impact on adjacent properties or trees noted for preservation.

4. That the owner provides written confirmation from a licensed septic installer that the existing septic system is functioning properly and the required setbacks from property boundaries are in compliance with the Ontario Building Code.

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	B53/15
Location	Part Lot 25 & 26, Concession 11 TOWN OF ERIN
Applicant/Owner	Carol-Joy Slack

PLANNING OPINION: This application would sever a 1.2 ha (2.9 ac) vacant parcel in the Secondary Agricultural area. The retained parcel is 48.4 ha (119.5 ac) and is occupied by a dwelling, barn and shed.

This application is consistent with Provincial Policy and would generally conform to the Official Plan. We would have no concerns, provided that the following matters are addressed as conditions of approval:

a) That safe driveway access and servicing can be provided to the satisfaction of the County and local municipality;
b) That any concerns of the Conservation Authority can be addressed; and
c) That Minimum Distance Separation 1 (MDS1) is met from the barn located on the retained parcel to the satisfaction of the County Planning and Development Department.

PLACES TO GROW: No issues.

PROVINCIAL POLICY STATEMENT (PPS): Section 1.1.4 states that "In rural areas located in municipalities... a) permitted uses and activities shall relate to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses;... c) new land uses, including the creation of lots shall comply with the minimum distance separation formulae".

With respect to Minimum Distance Separation 1 (MDS1), there are two barns identified on the survey sketch within 500m of the proposed severance. We have been provided with photo evidence that the building across the road is not a barn. However, the barn located on the retained lands cannot meet the required MDS 1 setback to the proposed lot. A condition to comply to MDS 1 has been recommended.

GREENBELT PLAN: This property is located within the rural area of the Protected Countryside.

WELLINGTON COUNTY OFFICIAL PLAN: The Subject property is designated SECONDARY AGRICULTURAL, CORE GREENLANDS and GREENLANDS. The Greenlands System designations protect hazard lands and significant wetlands.

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

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

The matters under Section 10.1.3 were also considered.

LOCAL OFFICIAL PLAN The Subject property is designated SECONDARY AGRICULTURAL, CORE GREENLANDS and GREENLANDS.

LOCAL ZONING BY-LAW: The subject property is currently zoned Agricultural (A) and Rural Environmental Protection (EP2).

SITE VISIT INFORMATION: The subject property was visited and photographed on June 25, 2015. Notice Cards were posted and the survey sketch appears to meet the application requirements.

Linda Redmond, Senior Planner
June 30, 2015

RECEIVED
JUL 02 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

June 18, 2015

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

RECEIVED
JUL 0 2 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Attention Deborah Turchet, Secretary-Treasurer

Dear Ms. Turchet:

Re: CVC File No. B 15/053 and B15/054
Your File No. B053/15 and B054/15
Carol-Joy Slack
5920 Winston Churchill Blvd
Lot 25 & 26 Concession 11
Town of Erin

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

SITE CHARACTERISTICS:
The subject property is traversed by tributaries of the West Credit River and contains portions of the associated regulatory floodplain. The property also contains portions of the Provincially Significant West Credit River Wetland Complex (PSW) as well as unmapped wetlands. It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features and functions of the PSW and that no development be permitted which would adversely affect the natural features or the ecological functions of these areas.

ONTARIO REGULATION NO. 160/06:
The subject property is located within a portion of this Authority's Regulated Area. As such, the property is subject to CVC Regulation of Development Interference with Wetlands, and Alterations to Shorelines and Watercourses (Ontario Regulation No. 160/06). This regulation prohibits altering a watercourse, wetland, or shoreline, and prohibits development (e.g. new structures. additions, site grading) in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands (floodplain, erosion), and wetlands without the prior written approval of CVC (i.e. the issuance of a permit). The property is regulated due to the presence of watercourses, floodplain and wetlands.

In addition, the subject property is located within the Provincial Greenbelt, as Protected Countryside and is partially designated as Greenbelt Natural Heritage System. The subject property is also partially designated as Core Greenlands and Greenlands by the Town of Erin and the subject property is partially designated as Greenlands by the County of Wellington.

June 18, 2015
Re: **CVC File No. B 15/053**
Your File No. B15/053
Carol-Joy Slack
5920 Winston Churchill Blvd
Lot 25 & 26 Concession 11
Town of Erin

PROPOSAL:
Proposal B53/15 is to sever 100m fr x 127m = 1.2 hectares, vacant land for proposed rural residential use.

Retained parcel is 48.4 hectares with 113 m frontage, existing and proposed agricultural and rural residential use with house, garage and workshop.

Proposal B54/15 is a proposed lot line adjustment of 47 hectares with no frontage, existing and proposed agricultural use to be added to abutting agricultural and residential parcel- Junior Mine Services Ltd.

Retained parcel is 113m fr x 127m = 1.4 hectares, existing and proposed rural residential use with existing house, garage and workshop.

CVC mapping indicates a Species-at-Risk in the vicinity. Under the Provincial Policy Statement (2005), the Province protects the significant habitat of endangered and threatened species from development. Furthermore, the *Endangered Species Act 2007* provides legal protection and recovery for species-at-risk and their habitats. As such, consultation with MNR is advised as a permit under the *Endangered Species Act* may be required

COMMENTS:
CVC staff visited the site on April 2nd 2015. CVC staff noted that the new lot line needed to be located a minimum of 30m from the significant woodland feature (which the survey illustrates). On this basis, CVC has no concerns with these applications and no objection to its approval by the Committee at this time.

It should be noted that a permit from CVC may be required prior to the issuance of a Building Permit from the Town of Erin in order to authorize development on both the severed and retained parcels.

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

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

Yours truly,

Suzie Losiak
Planner

cc: **Town of Erin**

J.L. Cox Planning Consultants
17 Spencer Crescent
Guelph, ON N1L 1N1

Deborah Turchet

From: Courtney <stiles_@hotmail.com>
Sent: Thursday, July 02, 2015 10:32 AM
To: Deborah Turchet
Subject: Comment on File B53/15 and B54/15

Dear Deborah,

After speaking with your office, I have been advised to make a comment on the applications for file B53/15 and B54/15. I ask that this comment be added to the file for consideration.

After reviewing the detailed sketch provided in the notice, it is apparent that the pond and bush have been drawn only on Part Lot 26 (registered as Inst. No. 229550). In actuality both the pond (approx. 10%) and bush cross both properties (registered as Inst. No 229550 and M-131407 - as per Plan 61R-3601, 1986). All other measurements on the sketch are calculated to be accurate.

If you require any further information, please do not hesitate to contact me.

Courtney Stiles

5924 Winston Churchill Blvd.
Erin, ON N0B 1T0

905-965-2569