REPORT SUMMARY

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

Date of Consideration: **July 23, 2015** **TIME: 9:35 a.m.**

File Number: **B52/15**

Applicant: **Edward Peavoy & Bonnie Kirkwood-Peavoy**

Subject Lands: TOWN OF ERIN – Part Lot 27, Concession 8

Proposal is a request for consent to convey fee simple for a proposed severance is 60m fr x 135m = 0.8 hectares (2 acres) in the TOWN OF ERIN – Part Lot 27, Concession 8, vacant land for proposed rural residential use; retained lands are 19 hectares (47 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; preliminary calculations – proposed lot appears outside of MDS1 arc; lands designated Secondary Agricultural and Core Greenlands; severed located outside of Greenland features; application is consistent with Provincial Policy and generally conforms to Official Plan – no concerns

Conservation Authority (Credit Valley) – no objection to severance – outside of regulated area – would not require permit; subject property may contain or provide habitat for known species-at-risk – consultation with MNR is advised

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 B52/15.
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 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.
6) 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.
7) 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.

*****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 B52/15

APPLICANT

Edward Peavoy & Bonnie Kirkwood-Peavoy
6122 Fifth Line
RR#3
Orton ON L0N 1N0

LOCATION OF SUBJECT LANDS:

TOWN OF ERIN
Part Lot 27
Concession 8

Proposed severance is 60m fr x 135m = 0.8 hectares, vacant land for proposed rural residential use.

Retained parcel is 19 hectares with 227m frontage, existing and proposed agricultural use.

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

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: **Applicant – Edward Peavoy & Bonnie Kirkwood-Peavoy** **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: B52/15

APPLICANT

Edward Peavoy & Bonnie Kirkwood-Peavoy
6122 Fifth Line
RR#3
Orton ON L0N 1N0

LOCATION OF SUBJECT LANDS

TOWN OF ERIN
Part Lot 27
Concession 8

Proposed severance is 60m fr x 135m = 0.8 hectares, vacant land for proposed rural residential use.

Retained parcel is 19 hectares with 227m frontage, existing and proposed agricultural use.

RECEIVED
JUN 0 2 2015
TOWN OF ERIN

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER:

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(x) 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) _____

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

(Please Specify) _____

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

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

Please specify _____

_____

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

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

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

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

Is there a **Capital Works Project** underway to service these lots in the near future YES( ) NO(x)

Approximate Time of Servicing Availability: _____

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

Continued to Page 2

MUNICIPALITY COMMENTING FORM

FILE NO: B52/15

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: Edward Peavoy & Bonnie Kirkwood-Peavoy
Location: Part Lot 27 Concession 8
File: B52/15

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 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.

2. 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.

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	B52/15
Location	Part Lot 27, Concession 8 TOWN OF ERIN
Applicant/Owner	Edward Peavoy & Bonnie Kirkwood-Peavoy

PLANNING OPINION: This application would sever a 0.8 ha (1.9 ac) vacant parcel in the Secondary Agricultural area. The retained parcel is 19 ha (46.9 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 safe driveway access and servicing can be provided to the site to the satisfaction of the local municipality.

PLACES TO GROW: No issues

PROVINCIAL POLICY STATEMENT (PPS): With respect to Minimum Distance Separation 1 (MDS1), there are two barns within 500m of the proposed lot. Based on preliminary calculations the proposed lot appears to be located well outside of the MDS1 arcs.

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

WELLINGTON COUNTY OFFICIAL PLAN: The subject lands are designated SECONDARY AGRICULTURAL and CORE GREENLANDS. The Greenlands System designations protect hazard lands and significant wetlands. The proposed severed parcel is located outside of the Greenland features.

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 including... h) natural heritage features are not affected negatively."

LOCAL ZONING BY-LAW: The proposed severed lot is currently zoned Agricultural (A).

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.

LRedmond

Linda Redmond, Senior Planner
June 30, 2015

RECEIVED
JUL 02 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

June 23, 2015

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

RECEIVED
JUL 02 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Attention Deborah Turchet, Secretary-Treasurer

Dear Ms. Turchet:

Re: CVC File No. B 15/052
Your File No. B 052/15
Edward and Bonnie Peavoy
Part Lot 27, Concession 8
Town of Erin

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

PURPOSE:
Proposed severance is 60m fr x 135m = 0.8 hectares, vacant land for proposed rural residential use.

Retained parcel is 19 hectares with 227m frontage, existing and proposed agricultural use.

SITE CHARACTERISTICS:
Regulated Area: The subject property is located partially within the Regulated Area. A permit may be required from CVC for any grading or construction works within this area.

Watercourse: Retained parcel has a tributary of the West Credit. Any alteration to a watercourse (i.e: culverts, bridges, ponds etc.) requires a permit issued by CVC. Our concerns for new construction would include maintaining setbacks to address channel bank erosion, sediment control during construction, and to ensure no degradation to water quality.

Floodplain: The subject property is located partially within the Regulatory Storm Flood Plain associated with the tributary of the West Credit River. A permit may be required from CVC for any construction activity in this area. Our primary concern is the protection of life and property from the flood hazard. We have specific criteria and requirements for construction in the flood plain.

Erin Greenlands: The subject property is partially within an area designated as Core Greenlands by the Town of Erin. It is the policy of the Town of Erin to protect the form and function of these natural areas. CVC provides technical support to this agency with respect to delineation of natural features and reviewing potential impacts from subsequent development within and adjacent to these lands.

Provincial Greenbelt: According to Schedules 1 and 4 of the Province of Ontario's Greenbelt Plan 2005, the entire property falls within the Protected Countryside of the Greenbelt Plan. We recommend that you contact the

Town of Erin for further information with respect to these designations as certain polices of the Greenbelt Plan apply to the future use of the property.

Endangered and/or Threatened Species: The subject property may contain or provide habitat for a known Species-at-Risk. Under the Provincial Policy Statement (2005), the Province protects the significant habitat of endangered and threatened species from development. Additionally, 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 has no objection to the proposed severance, as it is outside of our Regulated Area and would not require a permit.

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, M.Sc.Pl, MCIP, RPP
Planner

cc: **Town of Erin**

J.L. Cox Planning Consultants Inc.
Attn: John Cox
17 Spencer Crescent
Guelph, ON N1L 1N1

RECEIVED
JUL 03 2015
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

May 29, 2015

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: May 25, 2015

FILE NO. B52/15

APPLICANT

Edward Peavoy & Bonnie Kirkwood-Peavoy
6122 Fifth Line
RR#3
Orton ON L0N 1N0

LOCATION OF SUBJECT LANDS:

TOWN OF ERIN
Part Lot 27
Concession 8

Proposed severance is 60m fr x 135m = 0.8 hectares, vacant land for proposed rural residential use.

Retained parcel is 19 hectares with 227m frontage, existing and proposed agricultural use.

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

July 2, 2015

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

Please also be advised that if a person or public body that files an appeal of a decision of the County of Wellington Planning and Land Division Committee in respect of the proposed consent has not made written submission to the County of Wellington Planning and Land Division Committee before it gives or refuses to give a provisional consent, then the Ontario Municipal Board may dismiss the appeal.

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

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

INFORMATION REGARDING THE APPLICATION is available to the public during regular business hours, Monday to Friday at the County of Wellington Planning and Land Division Office- 74 Woolwich St. Guelph ON N1H 3T9. Phone: (519) 837-2600 x2170 Fax: (519) 837-3875

MAILED TO:

Local Municipality – Erin County Planning Conservation Authority – Credit Valley

County Engineering

Bell Canada County Clerk Roads

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

COUNTY OF WELLINGTON
ENGINEERING SERVICES
NO OBJECTION
NOTICE OF DECISION REQ'D.
PASQUALE COSTANZO, CET
ENGINEERING TECHNOLOGIST
JUN 29 2015
Date: