REPORT SUMMARY

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

Date of Consideration: **July 23, 2015** **TIME:** **9:05 a.m.**

File Number: **B37/15**

Applicant: **Frank Maas & Catherine Higdon**

Subject Lands: TOWNSHIP OF WELLINGTON NORTH (Mount Forest) – Pt Lt 11, w/s Normanby St.

Proposal is a request for consent to convey fee simple for a proposed lot line adjustment 15.2m x 15m = 228 sq.m with no frontage in the TWP OF WELLINGTON NORTH (Mount Forest) – Pt Lt 11, w/s Normanby St., vacant land to be added to abutting apartment building for proposed parking and snow storage – Frank Maas; retained lands are 857 sq.m.

ISSUES: neighbour concerns

SUMMARY of FILED REPORTS and COMMENTS:

Township of Wellington North – Council in support of application; conforms to zoning; conditions to apply

County Planning - additional parking to the existing apartment - application is consistent with provincial Policy and generally conforms to the Official Plan; conditions to merge

Conservation Authority (Saugeen Valley) – no significant natural heritage features or natural hazards affecting property

Others (e.g. neighbours) – Robert & Aletha McArthur (135 Sligo Road East M.F. ON N0G 2L2) – in support of development but have concerns – severed area used for parking and snow storage – adjacent to back of residential property – affect drainage and waterflow (melting snow); plans in place to protect property from environmental pollution – area already prone to excess water runoff**; request notification of consideration and decision.**
Barry & Corrine Vaine (335 Wellington St. W MF ON N0G 2L0) – located directly east and South of property – concern – snow melting and running into basement; wold like to see proper drainage installed to collect runoff and guide to storm drains; concern that tenants – small backyard green space – suggest privacy fence dividing yard from parking/storage area; **; request notification of consideration and decision.**

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 and undertaking in writing to provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee within 30 days of the date of registration in the Land Registry/Land titles Office for Wellington (No. 61) a copy of the receipted and registered electronic Transfer **including the Form 4 Certificate** and **Application for Consolidation of Parcels document for the consented parcel and the abutting lands to which the consented parcel is to be added** for Consent B37/15.
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 Purchaser take title of the severed lands in the same manner as he holds his abutting lands; and **THAT** Section 50, subsection (3) of the Ontario Planning Act, R.S.O. 1990 as amended shall apply to any subsequent conveyance or any transaction involving the parcel of land that is the subject of this consent.
6) THAT the conveyancing documents for the severed parcel contain a statement to ensure that Section 50, subsection (3) of the Planning Act, R. S. O. 1990, as amended shall apply to any subsequent conveyance or transaction with respect to the land described herein; and a statement that the consented parcel and the abutting lands to which this consented parcel is to be added shall be dealt with contemporaneously in any future conveyances or transactions unless further consent is granted under the Planning Act or other lawful order.
7) THAT the Owner satisfy 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 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.
9) THAT servicing and safe access can be provided to the satisfaction of the Township of Wellington North and further that the Township of Wellington North file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
10) THAT adequate buffering (fencing) is provided around the parking area (severed lands) to the satisfaction of the Township of Wellington North (as per section 6.3 of zoning by-law 66-01); and further that the Township of Wellington North file a letter of clearance of this condition with the Secretary-Treasurer of the Planning and Land Division Committee as written proof of the fulfillment of this condition.
11) THAT the applicant receive site plan approval to address storm water management to the satisfaction of the Township of Wellington North and further that the Township of Wellington North file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

*******Conditions may be deleted, added to, or changed at meeting*******

County of Wellington Planning and Land Division Committee
Deborah Turchet, Secretary-Treasurer
Wellington County Administration Centre
74 Woolwich Street, Guelph, ON N1H 3T9

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 B37/15

APPLICANT

Frank Maas
251 Elgin St. N
Mount Forest
N0G 2L1

Catherine Higdon
370 William St.
Mount Forest
N0G 2L3

LOCATION OF SUBJECT LANDS:

WELLINGTON NORTH (Mount Forest)
Part Lot 11, w/s Normanby St.
Plan Town of Mount Forest
115 Normanby St. N

Proposed lot line adjustment is 15.2m x 15m = 228 square metres with no frontage, vacant land to be added to abutting apartment building for proposed parking and snow storage – Frank Maas.

Retained parcel is 57.1m fr x 15m = 857 square metres, vacant land for proposed urban residential use.

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

AT 9:05 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 – Frank Maas** **Applicant – Catherine Higdon**

Others: Robert & Aletha McArthur (135 Sligo Road East M.F. ON N0G 2L2)
Barry & Corrine Vaine (335 Wellington St. W MF ON N0G 2L0)

Township of Wellington North

P.O. Box 125 • 7490 Sideroad 7 W • Kenilworth • ON • N0G 2E0

July 14, 2015

Deborah Turchet, Planning and Land Division
County of Wellington
74 Woolwich Street
Guelph, ON N1H 3T9

Dear Ms. Turchet:

RE: FRANK MAAS
Consent B37/15

Please find enclosed the municipal commenting form for the above noted Consent, together with a copy of the resolution passed by the Council of the Township of Wellington North.

Should you require more information, please do not hesitate to contact me.

Sincerely,

Karren Wallace

Karren Wallace, Clerk

Encl.

RECEIVED
JUL 14 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Tel 519-848-3620 Toll Free 1-866-848-3620 Fax 519-848-3228
www.wellington-north.com township@wellington-north.com

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: B37/15

APPLICANT

Frank Maas
251 Elgin St. N
Mount Forest
N0G 2L1

Catherine Higdon
370 William St.
Mount Forest
N0G 2L3

LOCATION OF SUBJECT LANDS

WELLINGTON NORTH (Mount Forest)
Part Lot 11, w/s Normanby St.
Plan Town of Mount Forest
115 Normanby St. N

Proposed lot line adjustment is 15.2m x 15m = 228 square metres with no frontage, vacant land to be added to abutting apartment building for proposed parking and snow storage – Frank Maas.

Retained parcel is 57.1m fr x 15m = 857 square metres, vacant land for proposed urban residential use.

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER:
23-49-000-004-20900-0000

Does this description reasonably describe the parcel holdings? YES(X) NO( )

If answer is no, please provide new information: _____

Do you consider this proposal to conform to your Official Plan? YES( ) NO( )

What Section(s) does it conform to or contravene? (Please specify)

_____

_____

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

(Please Specify) Sections 10.1 and 6.3 of Zoning By-law 66-01_____

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

(Please Specify) Section 10 of Zoning By-law 66-01_____

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

Is proposal on an opened maintained year-round public road YES( ) 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: B37/15

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

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?

1. servicing is addressed to the satisfaction of the municipality
2. safe driveway access is addressed to the satisfaction of the municipality
3. 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;
4. the Owner satisfy the requirements of the local municipality in reference to parkland dedication
5. the severed parcel must receive zoning compliance to allow for the parking lot use
6. A Buffer Area must be provided on the severed as per section 6.3 of zoning by-law 66-01
7. The applicant must receive site plan approval to address storm water management

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

SIGNATURE Karren Wallace

TITLE: Karren Wallace, Clerk Township of Wellington North

ADDRESS: Box 125 Kenilworth NOG 2E0

DATE: July 14, 2015

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	B37/15
Location	Part Lot 11, w/s Normanby St. (Mount Forest) TOWNSHIP OF WELLINGTON NORTH
Applicant/Owner	Frank Maas & Catherine Higdon

PLANNING OPINION: This application for a lot line adjustment would sever a 228 sq.m (2454 sq.ft.) vacant parcel and merge it with an adjacent residential parcel. The resulting parcel will have an area of 1380 sq.m (0.34 ac) and is occupied by an apartment. The retained parcel is 857 sq.m (9224 sq.ft.). The purpose of the additional land is to provide additional parking to the existing apartment.

This application is consistent with Provincial Policy and generally conforms to the Official Plan, provided that the following matters are addressed as conditions of approval:

a) That adequate buffering (fencing) is provided around the parking area (severed lands),
b) That the purchaser take title to the severed lands in the same manner as they hold their abutting land; and,
c) That Subsection 50(3) of the Planning Act, R.S.O., 1990 be applied to any subsequent conveyance or any transaction involving the parcel of land that is the subject of this Consent.

PLACES TO GROW: The Places to Grow policies place an emphasis on intensification and optimizing the use of existing land supplies. Under section 2.2.2.1 which deals with managing growth it states, "population and employment growth will be accommodated by focusing intensification in intensification areas". Intensification is defined as "the development of a property, site or area at a higher density than currently exists through,.....b) the development of vacant and/or underutilized lots within previously developed areas; or c) infill development".

PROVINCIAL POLICY STATEMENT (PPS): No issues.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated RESIDENTIAL and is located in the Urban Centre of Mount Forest. Section 10.6.3, states that lot line adjustments may be permitted where there is no adverse effect provided that basic lot patterns in an area are not unreasonably altered.

The matters under Section 10.1.3 were also considered.

LOCAL ZONING BY-LAW: The lands are currently zoned Residential (R3 and R2). Both lots would meet the minimum frontage and area.

SITE VISIT INFORMATION: The subject property has not been visited to date.

L Redmond

Linda Redmond, Senior Planner
June 11, 2015

1078 Bruce Road 12, P.O. Box 150, Formosa ON Canada N0G 1W0
Tel 519-367-3040, Fax 519-367-3041, publicinfo@svca.on.ca, www.svca.on.ca

June 29, 2015

Secretary-Treasurer
County of Wellington Planning and Land Division Committee
Wellington County Administration Centre
74 Woolwich Street,
Guelph, ON
N1H 3T9

RECEIVED
JUN 30 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

ATTENTION: Deborah Turchet

Dear Mrs. Turchet:

RE: Application for Consent B37/15
Part Lot 11, W/S Normanby St.
115 Normanby St. South
Geographic Town of Mount Forest
Township of Wellington North (Frank Mass, Catherine Higdon)

The Saugeen Valley Conservation Authority (SVCA) has reviewed this application for consent in accordance with the SVCA's mandate and policies and the Memorandum of Agreement between the Authority and the County of Wellington with respect to Plan Review. This application for consent is acceptable to the SVCA.

There are no significant natural heritage features or natural hazards affecting the property.

All of the plan review functions listed in the agreement have been assessed with respect to this application for consent, the Authority is of the opinion that the application for consent appears to comply with the relevant policies of the Wellington Official Plan and Provincial Policies referred to in the agreement.

We trust this information is helpful. Should questions arise, please do not hesitate to contact this office.

Yours Sincerely,

Erik Downing
Manager, Environmental Planning & Regulations
Saugeen Conservation

ED/
cc: Steve McCabe, SVCA Director, via email
Karen Wallace, Clerk, Wellington North, via email

Frank Maas, 251 Elgin St. N., Mount Forest, ON N0G 1L0
Linda Redmond, Planner, Wellington County, via email

June 15, 2015

To: Deborah Turchet, County of Wellington Planning and land Division Committee

We are property owners at 125 Normanby St. North and have received notification of an Application for Severence File #B37/15 for the next door to ours. We are in support of development but in reading the proposal we have questions and concerns.

The proposal is for the severed area to be used for parking and snow storage. This area in question which is adjacent to the back of our residential property will affect drainage and waterflow especially from melting snow. Snow storage is one of the proposed uses.

What plans would be in place to protect our property from environmental pollution from vehicles and snow storage and the resulting increase in water runoff especially in the Spring? Our area is already prone to excess water runoff problems.

We appreciate your reply to our questions and concerns at your earliest convenience. We are willing to attend a meeting when notified of the date and time. We also wish to be notified of the decision of the Committee.

Yours truly,

Robert and Aletha McArthur, 135 Sligo Rd. East. Mount Forest, ON N0G2L2

Owners of Property at 125 Normanby St. North, Mount Forest, ON, N0G2L1

Aletha M Arthur
Robert L McArthur

RECEIVED
JUN 19 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

County of Wellington Planning and Land Division Committee

Wellington County Administration Centre

74 Woolwich Street, Guelph ON N1H 3T9

June 16,2015

Attn: Deborah Turchet

Re: File No. B37/15

Please accept our comments and concerns regarding the proposed lot line adjustment to be added to the abutting apartment building for proposed parking and snow storage. We are located directly east and south of this property and our biggest concern would be the snow melting and running into our basement. We would like to see proper drainage installed to collect the runoff and guide it to the storm drains at the street. The other concern we have is that the tenants have always had a green space to look out on from the small backyard, and would suggest a privacy fence dividing the yard from the parking / storage area.

We wish to be notified of the date and time of the Consideration and Decision of this application, and we are requesting a copy of any reports, sketches, aerial views, etc. as this process goes forward.

Sincerely,

Barry Vaine

Corrine Vaine

Barry Vaine

Corrine Vaine

335 Wellington St W

Part Lot 12, Mount Forest, ON N0G 2L0

519-323-4978

RECEIVED

JUN 23 2015

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE