REPORT SUMMARY

THIS PROPOSAL HAS BEEN PLACED INTO THE EXPEDITED APPROVAL PROCESS YOUR ATTENDANCE IS NOT REQUIRED BEFORE THE LAND DIVISION COMMITTEE. PLEASE SIGN and RETURN THE 'AGREEMENT TO CONDITIONS' LETTER IMMEDIATELY

Date of Consideration: **July 23, 2015**

File Number: **B43/15**

Applicant: **Allison & Charles Booth**

Subject Lands: TOWNSHIP OF CENTRE WELLINGTON (Fergus) – Lots I & K, Part Lot L, South of the River, Registered Plan 55

Proposal is a request for consent to convey fee simple for a proposed severance 6278 square feet with 64' frontage in the TOWNSHIP OF CENTRE WELLINGTON (Fergus) – Lots I & K, Part Lot L, South of the River, Registered Plan 55, existing and proposed urban residential use with existing frame garage. Together with a hydro easement; retained lands are 16,914 square feet.

ISSUES: none

SUMMARY of FILED REPORTS and COMMENTS:

Township of Centre Wellington – staff opinion – in support of application – generally satisfies necessary policies and criteria for residential infill and intensification; ; conforms to Official Plan; note that demolition of garage is required to facilitate severance – demolition will require approval from Centre Wellington Council as property is listed on municipal heritage register; conditions to apply

County Planning notice cards were posted at time of site visit; property designated Residential in Urban Centre Fergus; application is consistent with Provincial Policy and generally conforms to County Official Plan – no concerns

Conservation Authority (GRCA) – 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 B43/15.
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 receive approval from the Township of Centre Wellington road authority in a manner deemed acceptable to that road authority for an entrance to the severed parcel; 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 Twp 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; 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 receive Township of Centre Wellington Council approval for the removal of the existing detached garage 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

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 B43/15

APPLICANT	**LOCATION OF SUBJECT LANDS:**
Allison & Charles Booth 180 Queen St. E Fergus ON N1M 1T1	CENTRE WELLINGTON (Fergus) Lots I & K, Part Lot L South of the River, Reg Plan 55

Proposed severance is 6278 square feet with 64' frontage (Area B on sketch), existing and proposed urban residential use with existing frame garage. Together with a hydro easement.

Retained parcel is 16,914 square feet with 133.2' frontage on Gowrie St. and 146' frontage on Queen St., existing and proposed urban residential use with existing house and garage (Area A on sketch)

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

for the purpose of considering this **EXPEDITED APPLICATION.**

CONSIDERATION WILL BE HELD IN THE: 3A (Keith Room)
County of Wellington Administration Centre
74 Woolwich Street
Guelph, Ontario N1H 3T9

NOTICE is being sent to you for your information. **THE OWNER, APPLICANT OR AUTHORIZED AGENT, OR AUTHORIZED SOLICITOR IS NOT REQUIRED TO ATTEND**. MAKE SURE THAT THE AGREEMENT LETTER IS SIGNED AND RETURNED TO THE PLANNING AND LAND DIVISION COMMITTEE OFFICE.

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

A Copy of the **DECISION** of the Committee will be sent **to the applicant, and to each person or agency who filed with the Secretary-Treasurer a written request for Notice of Decision.**

Additional Information regarding the application is available to the public during regular business hours, Monday to Friday at the County of Wellington Planning and Land Division Office, 74 Woolwich St. Guelph ON N1H 3T9

Phone - (519) 837-2600 x2170 Fax – (519) 837-3875

To view comments for this application on our website www.wellington.ca follow these steps:

- ⇨ **Government**
- ⇨ **Council and Standing Committees**
- ⇨ **Land Division Committee**
- ⇨ **choose month & year in drop down menus**
- ⇨ **Choose Land Division Committee in the drop down menu**
- ⇨ **open appropriate agenda**

TO: **Agent – Derek Graham**

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JUN - 2 2015

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: B43/15

APPLICANT

Allison & Charles Booth
180 Queen St. E
Fergus ON N1M 1T1

LOCATION OF SUBJECT LANDS

CENTRE WELLINGTON (Fergus)
Lots I & K, Part Lot L
South of the River, Reg Plan 55

Proposed severance is 6278 square feet with 64' frontage (Area B on sketch), existing and proposed urban residential use with existing frame garage. Together with a hydro easement.

Retained parcel is 16,914 square feet with 133.2' frontage on Gowrie St. and 146' frontage on Queen St., existing and proposed urban residential use with existing house and garage (Area A on sketch)

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 2326.000.001.03800

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)
Section C.5.5. - Residential Intensification and Section E.9.3 - Consent Policies

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

(Please Specify) R1B - Residential

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

(Please Specify) R1B - Residential & proposed garage location will 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 Queen St. E. and Gowrie St. S.

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?

N/A

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SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Continued to Page 2

MUNICIPALITY COMMENTING FORM

FILE NO: B43/15

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

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]

Please see attached letter of opinion.

Is the Municipality in support of this application? **YES**(✓) **NO**( ) Planning 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 _____

TITLE: Planner

ADDRESS: 1 MacDonald Square, Elora ON N0B 1S0

DATE: June 30/15

Centre Wellington

June 30, 2015

County of Wellington
Planning and Development Department (Land Division)
74 Woolwich Street
Guelph, ON
N1H 3T9

Attn: Deborah Turchet
Secretary-Treasurer

Dear Deborah:

Re: Proposed Severance B43/15 (Allison and Charles Booth), 180 Queen St. E., Fergus

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The Township is providing written comments in addition to completing the Municipality Commenting Form for the attached application. The subject application is for a proposed land severance to create one new buildable residential lot with a frontage of 19.5 metres (64ft), depth of approximately 27 metres (88ft) on the shorter side and lot area of 583.3m2 (6,278 sq. ft.). The application will also create a 1.5 metre hydro easement along the west side of the severed parcel. The proposed retained parcel currently supports a residential dwelling. The property is listed on the Municipal Register of Cultural Heritage Resources as a non-designated property of cultural heritage value or interest.

The subject property is designated "Residential" within the Township Official Plan and is within the "Fergus Urban Centre" boundary and the "Built Boundary" area as per "Schedule A-1" of the Township's Official Plan. The residential designation permits residential development, predominantly in the form of low rise and low density housing such as single-detached and semi-detached housing forms. The Plan strives to protect the character of existing low density residential neighbourhoods from land uses which would cause significant loss of privacy, loss of view, or loss of sunlight due to shadowing or which would be incompatible due to their nature. The use of the proposed severed lot is single detached residential development which is considered compatible with the surrounding land uses.

The Plan also encourages residential intensification primarily in the urban centres and within the built boundary. It encourages modest intensification in stable residential areas that respects the character of the area and small scale intensification in rural areas and hamlets consistent with their character and servicing. The addition of one residential dwelling is consistent with the existing lotting pattern and can be considered modest intensification provided the property can be adequately serviced.

Centre Wellington

The consent policies in the Official Plan (Section E.9.3) set out criteria against which to evaluate such applications. The proposed severance meets the criteria except the location of the proposed detached garage on the retained parcel would not comply with zoning. Staff is prepared to consider supporting a minor variance application. Both the severed and retained parcels would otherwise comply with the requirements of the Zoning By-law with respect to setbacks and lot coverage.

Although the severance would create one of the smallest lots in the neighbourhood, it is staff's opinion that the proposed new lot would be functional and would not adversely impact the character of the existing neighbourhood or the streetscape, provided the design of the new dwelling is compatible in scale and massing to those in the vicinity. Staff has some concern about the width of the proposed driveway for the retained parcel. Planning staff defers comments on this matter to Infrastructure Services staff.

Conclusion:

The Township's planning staff have no objection to the application for consent, subject to the attached conditions, as it generally satisfies the necessary policies and current criteria for residential infill and intensification, as well as lot severances to create a new buildable lot within the Urban Centre. The zoning deficiencies that would be generated for the severed lot could be addressed by way of application for minor variance which staff would likely support.

It should be noted that demolition of the existing detached garage is required to facilitate the proposed severance. Demolition of any structure(s) on the property will require approval from the Township of Centre Wellington Council as the property is listed on the Municipal Heritage Register.

I trust these comments are of assistance to the Land Division Committee.

Yours truly,

Mariana Iglesias, MCIP, RPP, CAHP
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 43/15 – Allison and Charles Booth
180 Queen Street East, Fergus

Conditions requested if the Consent is granted:

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

Additional Notes:

Prior to final consent:

Council approval will be required for removal of the existing detached garage.

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	B43/15
Location	Lots 1 & K, Part Lot L, South of the River, Reg. Plan 55 TOWNSHIP OF CENTRE WELLINGTON (Fergus)
Applicant/Owner	Allison & Charles Booth

PLANNING OPINION: This application would sever a 583 sq.m (6278 sq.ft.) lot in Fergus together with a hydro easement. A 1571 sq. m (16,914 sq. ft.) lot would be retained and is currently occupied by a residential dwelling. The parcel to be severed is occupied by the accessory garage.

This application is consistent with Provincial Policy and would generally conform to the County Official Plan. We would have no concerns, provided that servicing and safe access can be provided to the satisfaction of the local municipality.

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): Section 1.1.3 of the Provincial Policy Statement directs growth to occur within settlement areas. The proposed lot creation is located within the Fergus Urban Centre and is consistent with the PPS.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated RESIDENTIAL in the Urban Centre of Fergus. Section 10.6.2, states that new lots may be created in Urban Centres provided that the lands are appropriately zoned. Lot creation will normally proceed by plan of subdivision and will be based on the provisions of full urban services, wherever such services are available. We are satisfied that a plan of subdivision is not necessary for the creation the proposed lot.

The matters under Section 10.1.3 were also considered.

LOCAL OFFICIAL PLAN: The subject lands are designated RESIDENTIAL and are located within the heritage district.

LOCAL ZONING BY-LAW: The subject property is currently zoned Residential (R1B). The existing garage appears to be straddling the proposed property line. This will have to be removed.

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 26, 2015

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: June 22, 2015 **YOUR FILE:** B43/15
GRCA FILE: CentWell/2015/Sev/C

RE: **Application for Consent B43/15**
Lots I & K, Part Lot L
Township of Centre Wellington
Allison & Charles Booth

GRCA COMMENT:*

The Grand River Conservation Authority (GRCA) has no objection to the proposed severance of 6278 square feet for existing and proposed urban residential use with existing frame garage.

BACKGROUND:

1. **Resource Issues:**

   Information currently available at this office indicates that the lands to be severed and retained do not contain any features of interest to the GRCA.

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

   None.

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

   We wish to acknowledge receipt of the applicable plan review fee in the amount of $380.00 for the processing of this application.

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

Yours truly,

Jason Wagler, MCIP, RPP
Resource Planner
Grand River Conservation Authority

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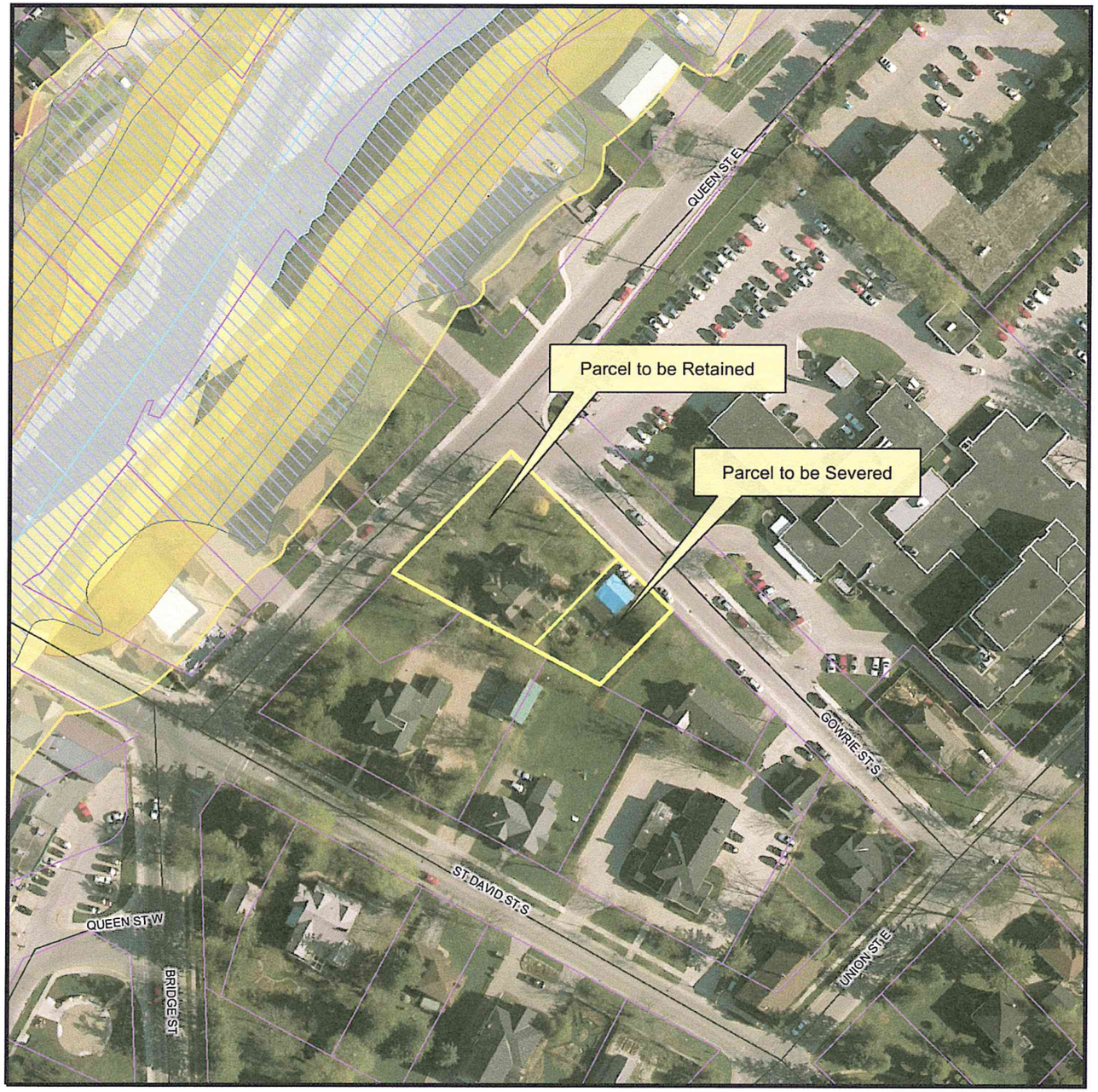
JUN 26 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

* ***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)

cc. Township of Centre Wellington
Sarah Wilhelm, County of Wellington
Allison & Charles Booth, 180 Queen Street E, Fergus ON, N1M 1T1



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Grand River Conservation Authority
Map created: June 5, 2015

B43-15 - 180 Queen St. E

LEGEND

- WATERSHED BOUNDARY (GRCA)
- UTILITY LINE (NRVIS)
- ROADS-ADDRESSED (MNR)
- RAILWAY (NRVIS)
- CLASSIFIED STREAMS - NEW (NRVIS)
  - COLD WATER
  - COOL WATER
  - UNKNOWN
  - WARM WATER
- DRAINAGE-NETWORK (GRCA)
- PARCELS-ASSESSMENT (MPAC)
- FLOODPLAIN (GRCA)
  - ENGINEERED
  - APPROXIMATE
  - ESTIMATED
- WETLAND (GRCA)
- SLOPE VALLEY (GRCA)
  - STEEP
  - OVERSTEEP
- SLOPE EROSION (GRCA)
  - STEEP
  - OVERSTEEP
  - TOE
- PARKS (GRCA)
- REGULATION LIMIT 2014 (GRCA)
- DRAINAGE-POLY (NRVIS)
- 2010 ORTHO (ONT)

GRCA Disclaimer

This map is for illustrative purposes only. Information contained hereon 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:

http://grims.grandriver.ca/docs/SourcesCitations1.htm

0 17 34 51 68 m.

NAD 1983, UTM Zone 17 Scale 1:1,500

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