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: **March 12, 2015**

File Number: **B10/15**

Applicant: **Donald Bender**

Subject Lands: TOWNSHIP OF WELLINGTON NORTH (West Luther) – Part Lot 10, Concession 6

Proposal is a request for consent to convey fee simple for a proposed lot line adjustment 317 square metres with no frontage in the TOWNSHIP OF WELLINGTON NORTH (West Luther) – Part Lot 10, Concession 6, vacant land to be added to abutting rural residential lot – Richard Gorrie & Wendy Agnew; retained lands are 1390.8 square metres. Resubmission of lapsed application B121/13.

ISSUES: None

SUMMARY of FILED REPORTS and COMMENTS:

Township of Wellington North – Council supports – conditions to apply

County Planning - resubmission of a lot line adjustment previously approved but lapsed – conditions were not completed in the allotted time; proposal is identical to previous submission; application consistent with Provincial Policy and generally conforms to Official Plan; no concerns – conditions to merge

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 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 B10/15.
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 receive approval from the Township of Wellington North road authority in a manner deemed acceptable to that road authority; 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 fulfillment 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 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.
10) THAT the Owner receive zoning compliance and classification from the Local Municipality in a manner deemed acceptable by the Local Municipality regarding minimum lot area n retained parcel; and that the Local Municipality 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

February 26, 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 B10/15

APPLICANT

Donald Bender
8417 Line 6
Damascus
RR#4
Kenilworth ON N0G 2E0

LOCATION OF SUBJECT LANDS:

WELLINGTON NORTH (West Luther)
Part Lot 10
Concession 6

Proposed lot line adjustment is 317 square metres with no frontage, vacant land to be added to abutting rural residential lot – Richard Gorrie & Wendy Agnew. Resubmission of lapsed application B121/13.

Retained parcel is 1390.8 square metres with 30.5m frontage, existing and proposed rural residential use with existing dwelling.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, March 12, 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: **Applicant – Richard Gorrie & Wendy Agnew**

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: B10/15

APPLICANT

Donald Bender
8417 Line 6
Damascus
RR#4
Kenilworth ON N0G 2E0

LOCATION OF SUBJECT LANDS

WELLINGTON NORTH (West Luther)
Part Lot 10
Concession 6

Proposed lot line adjustment is 317 square metres with no frontage, vacant land to be added to abutting rural residential lot – Richard Gorrie & Wendy Agnew. Resubmission of lapsed application B121/13.

Retained parcel is 1390.8 square metres with 30.5m frontage, existing and proposed rural residential use with existing dwelling.

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 23-49-000-015-05750-0000

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 [x] NO [ ]

(Please Specify) Section 9 of Zoning By-law 66-01_____

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

(Please Specify) 9 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

RECEIVED
FEB 10 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

MUNICIPALITY COMMENTING FORM

FILE NO: B10/15

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**( ) **NO**( )

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

- THAT the retained receive zoning compliance for minimum lot area;
- 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;
- THAT the Owner receives approval from the applicable road authority;
- THAT the Owner satisfy the requirements of the local Municipality in reference to parkland dedication.

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

SIGNATURE Karen Wallace

TITLE: Clerk

ADDRESS: Box 125, 7490 Sideroad 7 W Kenilworth, ON N0G 2E0

DATE: Feb 10/15

TOWNSHIP OF WELLINGTON NORTH
Regular Meeting of Council

COPY

MOVED BY: _____ DATE: February 9, 2015

SECONDED BY: _____ RES. NO.: 2015- 49

THAT the Council of the Corporation of the Township of Wellington North receive CLK Report 2015-008 being a report on Consent Application B10/15 (Bender) known as Part Lot 10, Concession 6, formerly West Luther, now the Township of Wellington North;

AND FURTHER THAT the Council of the Township of Wellington North supports consent application B10/15 as presented with the following conditions:

- **THAT the retained receive zoning compliance for minimum lot area;**
- **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;**
- **THAT the Owner receives approval from the applicable road authority;**
- **THAT the Owner satisfy the requirements of the local Municipality in reference to parkland dedication.**

MAYOR _____

[X] CARRIED [ ] DEFEATED

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	B10/15
Location	Part Lot 10, Concession 6 TOWNSHIP OF WELLINGTON NORTH
Applicant/Owner	Donald Bender

PLANNING OPINION: Located in the Damascus Hamlet, the proposed lot line adjustment would sever a vacant 317 m² (3, 412 ft²) parcel and merge it with an abutting residential lot with an existing dwelling. The resulting lot would be 1,822 m² (19, 611ft²). A 1,390 m² (14, 961 ft²) residential parcel would be retained with an existing dwelling.

This application is a resubmission for a lot line adjustment that was previously approved but lapsed because the associated conditions were not completed in the allotted time. The proposal which has been presented is identical to the previous submission.

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 the purchaser take title to the severed lands in the same manner as they hold their abutting land; and,
b) 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: No issue.

PROVINCIAL POLICY STATEMENT (PPS): No issue

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated HAMLET (Damascus). Section 10.6.3 states, "lot line adjustments may be permitted where there are no adverse effects provided that the basic lot patterns in the area are not unreasonably altered.

LOCAL ZONING BY-LAW: The subject property is currently zoned Unserviced Residential (R1A). As a pre-existing condition both the severed and retained lots are undersized and do not meet the minimum 1 ac lot area requirements. The lot frontage requirements appear to be met for both the severed and retained properties.

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

Jameson Pickard

Jameson Pickard, Junior Planner
February 18th, 2015

RECEIVED
FEB 18 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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

RECEIVED
FEB 19 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

PLAN REVIEW REPORT: County of Wellington, Planning & Land Division Committee
Deborah Turchet, Secretary-Treasurer

DATE: February 17, 2015 **YOUR FILE:** B10/15
GRCA FILE: B10-15 – 8417 Line 6 (Bender)

RE: **Application for Consent B10/15**
Part Lot 10, Concession 6, Township of Wellington North (West Luther)
8417 Line 6
Donald Bender

GRCA COMMENT: *

The Grand River Conservation Authority (GRCA) has no objection to the proposed lot line adjustment of 317 square metres to be added to 8421 Line 6.

BACKGROUND:

1. **Resource Issues:**

   Information currently available at this office indicates that both the lands to be severed and the lands to be 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 minor consent plan review fee in the amount of $380.00 for the processing of B121/13. As this application is a resubmission of lapsed application B121/13, an additional plan review fee will not be applied.

Should you have any further questions or require additional information, please do not hesitate to contact me at 519-621-2763 ext. 2236.

Member of Conservation Ontario, representing Ontario's 36 Conservation Authorities ▪ The Grand – A Canadian Heritage River

Yours truly,

Andrew Herreman
Resource Planner
Grand River Conservation Authority
AH/al

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

c.c. Township of Wellington North
Donald Bender, 8417 Line 6, Damascus, RR#4 Kenilworth, ON N0G 2E0
Richard Gorrie & Wendy Agnew, 8421 Line 6, Damascus, RR#4 Kenilworth, Ontario N0G 2E0

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Grand River Conservation Authority
Map created: January 21, 2015
Prepared by: al

8417 Line 6, Damascus

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 (WELLINGTON)
- LOTS (NRVIS)
- FLOODPLAIN-SPECIAL POLICY AREA (GRCA)
- FLOODPLAIN (GRCA)
  - ENGINEERED
  - APPROXIMATE
  - ESTIMATED
- WETLAND (GRCA)
- SLOPE VALLEY (GRCA)
  - STEEP
  - OVERSTEEP
- SLOPE EROSION (GRCA)
  - STEEP
  - OVERSTEEP
  - TOE
- WETLAND (NRVIS)
  - PROVINCIALLY SIGNIFICANT
  - LOCALLY SIGNIFICANT
  - UNEVALUATED
- 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

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NAD 1983, UTM Zone 17 Scale 1:985

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