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: **B13/15**

Applicant: **Alphons Mulder**

Subject Lands: TOWNSHIP OF CENTRE WELLINGTON (West Garafraxa) – Pt Lots 16 & 17, Conc 7

Surplus Farm Dwelling Application

Proposal is a request for consent to convey fee simple for a proposed severance 0.7 hectares (1.73 ac) with 122m fr in the TOWNSHIP OF CENTRE WELLINGTON (West Garafraxa) – Pt Lots 16 & 17, Conc 7, existing and proposed rural residential use with existing house and shed; retained lands are 41 ha (101.3 ac)

ISSUES: none

SUMMARY of FILED REPORTS and COMMENTS:

Township of Centre Wellington – staff opinion – in support of application; conditions to apply

County Planning - notice cards were posted; application is under the Surplus Farm Dwelling policies; MDS 1 is not applicable; have been provided with a Farm Information Form list of other farm holdings of the applicant demonstrating farm consolidation; restriction of residential to apply to lands consolidated with the retained (B12/15) application is consistent with Provincial Policy Statement and generally conforms to Official Plan – no concerns provided conditions addressed

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 B13/15.
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; 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 provides written confirmation from a licensed septic installer that the existing septic system on the severed parcel is functioning properly and that the septic system has been pumped 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
8) THAT the Owner receive zoning compliance and classification from the Local Municipality and the County of Wellington Planning Department to prohibit a new residential dwelling on the retained parcel in a manner deemed acceptable; and that the Local Municipality and the County of Wellington Planning Department 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 B13/15

APPLICANT

Alphons Mulder
6829 Fifth Line
RR#1
Belwood ON N0B 1J0

LOCATION OF SUBJECT LANDS:

CENTRE WELLINGTON (West Garafraxa)
Part Lots 16 & 17
Concession 7

Surplus Farm Dwelling Application

Proposed severance is 0.7 hectares with 122m frontage (Severance #2 on sketch), existing and proposed rural residential use with existing house and shed.

Retained parcel is 41 hectares with 438m frontage, existing and proposed agricultural use with existing barn foundation ruins and shed (Retained #2 on sketch).

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: **Agent – Vincent Starratt**

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JAN 19 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: B13/15

APPLICANT

Alphons Mulder
6829 Fifth Line
RR#1
Belwood ON N0B 1J0

LOCATION OF SUBJECT LANDS

CENTRE WELLINGTON (West Garafraxa)
Part Lots 16 & 17
Concession 7
6827 Sixth Line

Surplus Farm Dwelling Application

Proposed severance is 0.7 hectares with 122m frontage (Severance #2 on sketch), existing and proposed rural residential use with existing house and shed.

Retained parcel is 41 hectares with 438m frontage, existing and proposed agricultural use with existing barn foundation ruins and shed (Retained #2 on sketch).

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 2326.000.027.06200

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( ) County of Wellington O Papplies

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) "A"-Agricultural and "EP" Environmental Protection

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

(Please Specify) Township will require a zoning amendment to restrict residential uses

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 Sixth Line

_____

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(✓)

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SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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

Continued to Page 2

MUNICIPALITY COMMENTING FORM

FILE NO: B13/15

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 [ ]

Please see attached sheet of conditions

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]

N/A

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?

Please 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: Feb. 17/15

FILE NO: B 13/15 – A. Mulder/Purple Rain Farms Ltd.
6827 Sixth Line, West Garafraxa

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:

Please add the following condition for the severed parcel:

- Confirmation that the existing septic system on the severed parcel is functioning properly and that the septic system has been pumped if necessary.

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	B13/15
Location	Part Lot 16 & 17, Concession 7 TOWNSHIP OF CENTRE WELLINGTON
Applicant/Owner	Alphons Mulder

PLANNING OPINION: This application would sever a 0.7 ha (1.7 ac) rural residential lot with an existing dwelling and accessory structure in the Prime Agricultural area. A 60 ha (148 ac) agricultural parcel with existing accessory structure will be retained. This application is being submitted under the Surplus Farm Dwelling policies.

This application is consistent with the Provincial Policy Statement 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 retained lands be rezoned to restrict residential development to the satisfaction of the County of Wellington Planning Department;
b) That any concerns of the Conservation Authority can be Adequately addressed; and,
c) That access to the retained lands is provided to the satisfaction of the Local Municipality;

PLACES TO GROW: No issues.

PROVINCIAL POLICY STATEMENT (PPS): The creation of new residential lots in prime agricultural areas shall not be permitted, except in accordance with policy 2.3.4.1(c). According to this policy, lot creation in prime agricultural areas may be permitted for a residence surplus to a farming operation as a result of farm consolidation, provided that there is a restriction against new residential dwellings on any vacant farmland parcel created by severance. Farm consolidation is defined as the acquisition of additional farm parcels to be operated as one farm operation.

Minimum Distance Separation 1 (MDS1) is not applicable to surrounding livestock facilities as MDS1 is not applied to a proposed lot with an existing dwelling when that dwelling is already located on a parcel of land separate from the subject livestock facility (Guideline 8).

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated PRIME AGRICULTURAL and CORE GREENLANDS. According to Section 10.3.4, a severance may be considered for an existing residence that is surplus to a farming operation as a result of farm consolidation, provided that:

"a) the remaining vacant farmland is large enough to function as a significant part of the overall farm unit; and
b) the result of removing the surplus dwelling from the farm does not render the remaining farmlands difficult or inefficient to farm; and
c) the amount of good farmland retained with the surplus house is kept to a minimum size needed for residential purposes, taking into consideration environmental and topographic features; and
d) the surplus residence is habitable and is not expected to be demolished by a future owner; and
e) the Minimum Distance Separation formula will be met; and
f) the vacant parcel of farmland is rezoned to prohibit a residential use.

The intention of this policy is to allow farmers to reduce their costs of acquiring additional farm parcels, where the impact on existing and future farm operations can be kept to a minimum."

With respect to the above criteria, we are satisfied that this application conforms to criteria a), b), c), d) and e). Item f) can be addressed as a condition of approval.

In terms of the overall farm operation, we have been provided with a Farm Information Form including a list of other farm holdings of the applicant which demonstrates that this application would constitute a farm consolidation.

The matters under Section 10.1.3 were also considered.

LOCAL ZONING BY-LAW: The subject property is currently zoned Agricultural (A) and Environmental Protection (EP) zone. The retained lands will need to be rezoned to restrict residential development in accordance with Provincial policy.

The restriction of residential development will also apply to the lands that were consolidated with the retained lands as a result of lot line adjustment application B12/15.

SITE VISIT INFORMATION: The subject property was visited and photographed on February 6th, 2015. Notice Cards were posted and the survey sketch appears to meet the application requirements.

Jameson Pickard

Jameson Pickard, Junior Planner
February 18th, 2015

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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

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

DATE: February 6, 2015 **YOUR FILE:** B13/15
GRCA FILE: CentWell/2015/Sev/C

RE: **Application for Consent B13/15**
Part Lots 16 & 17, Concession 7, Former Township of West Garafraxa
Township of Centre Wellington
Alphons Mulder

GRCA COMMENT:*

The Grand River Conservation Authority (GRCA) has no objection to the proposed severance of 0.7 hectares for existing and proposed rural residential use.

BACKGROUND:

1. **Resource Issues:**

   Information currently available at this office indicates that the lands to be retained contain the Sargent Drainage Works, a tributary, and floodplain.

   The lands to be severed contain floodplain and slope valley.

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

   Due to the presence of the above-noted features, portions of the retained lands are regulated under the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 150/06). A permit would be required from the GRCA prior to any development within the regulated portions of the property pursuant to Ontario Regulation 150/06.

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.

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FEB 09 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

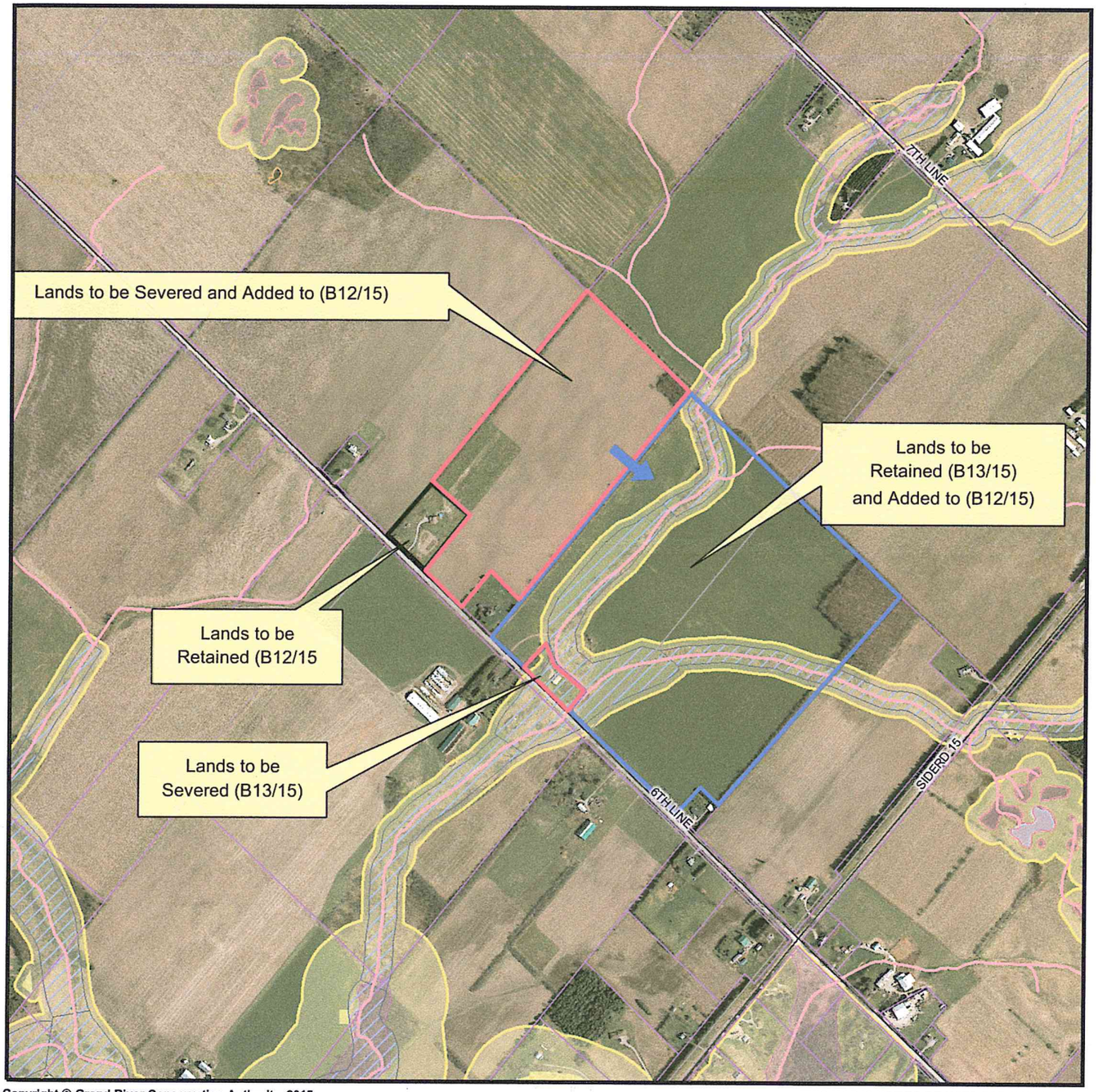
Yours truly,

Jason Wagler, MCIP, RPP
Resource Planner
Grand River Conservation Authority
JW/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.***

Encl. (1)

cc. Township of Centre Wellington
Alphons Mulder, 6829 Fifth Line, RR#1 Belwood, ON N0B 1J0



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Grand River Conservation Authority

Map created: February 3, 2015
Prepared by: al

B12/15 & B13/15

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 1:12,145

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