REPORT SUMMARY

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

Date of Consideration: **March 12, 2015** **TIME: 10:00 a.m.**

File Number: **B5/15**

Applicant: **John Hollen**

Subject Lands: TOWNSHIP OF MAPLETON (Peel) – Part Lot 6, Concession 16

Proposal is a request for consent to convey fee simple for a proposed severance 100 acres with 1977' frontage on Sixteenth Line and 2200' frontage on Sideroad 17 in the TOWNSHIP OF MAPLETON (Peel) – Part Lot 6, Concession 16, existing and proposed residential and agricultural use with existing house, 4 buildings and a silo; retained lands are 100 acres.

ISSUES: access to retained

SUMMARY of FILED REPORTS and COMMENTS:

Township of Mapleton – Council in support of application; note access to retained – Sideroad 17 is a "no winter maintenance road"; conditions to apply

County Planning - notice cards were posted; Official Plan requires access to new lots be provided to an all-season maintained road - retained land would utilize a seasonally maintained roadway (Sideroad 17); application indicates retained will be used for cash cropping operation and the Township Chief Building Official has indicated that a building permit cannot be issued on the lands due to seasonal access; Committee to be satisfied that adequate access is provided to the retained lot; no other concerns with this application.

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 B5/15.
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 Township of Mapleton, financial and otherwise (included but not limited to Taxes paid in full; copy of Deposited Reference Plan;) which the Township of Mapleton 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 Mapleton 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 enter into an Agreement/Acknowledgment, signed by the property owner and to be registered on title, indicating that Sideroad 17 is a *"no winter maintenance road"* and that the Township of Mapleton is not agreeable to making improvements or upgrade Sideroad 17 as an all-season maintained public road, to the satisfaction of the Township of Mapleton; and further that the Township of Mapleton 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 B5/15

APPLICANT

John Hollen
7788 Sixteenth Line
PO Box 301
Arthur ON N0G 1A0

LOCATION OF SUBJECT LANDS:

TOWNSHIP OF MAPLETON (Peel)
Part Lot 6
Concession 16

Proposed severance is 100 acres with 1977' frontage on Sixteenth Line and 2200' frontage on Sideroad 17, existing and proposed residential and agricultural use with existing house, 4 buildings and a silo.

Retained parcel is 100 acres with 2200' frontage, existing and proposed agricultural use with 2 existing wind turbines.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, March 12, 2015**

AT 10:00 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: **Agent – Derek Graham**

February 11, 2015

RECEIVED
FEB 12 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

EMAIL ONLY

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

Dear Sir or Madam:

RE: CONSENT APPLICATION B05/15 – HOLLEN

Please be advised the following resolution was carried at the February 10, 2015 Council meeting:

"THAT Report CL2015-08 dated February 10, 2015 in regards to Consent Application B5/15 (Hollen), Part Lot 6, Concession 16 (Peel) be hereby received;
AND FURTHER THAT THE Township of Mapleton Council supports the submitted application with the following conditions:

- ✓ Cash in lieu of parkland as per the Township's fees and charges by-law
- ✓ Satisfy all the requirements of the local municipality, financial and otherwise
- ✓ Taxes Paid in Full
- ✓ Copy of deposited Reference Plan

AND FURTHER THAT staff indicate on the Municipal Commenting Form that Sideroad 17 is a "no winter maintenance road"

Also enclosed you will find

- ☑ Clerk's Report CL2015-08
- ☑ Municipal Commenting Form

Should you have any questions, please don't hesitate to contact this office.

Yours truly,

BSchellenberger
Barb Schellenberger
Deputy Clerk

Township of Mapleton 7275 Sideroad 16, Box 160, Drayton, Ontario NOG 1PO
Phone: 519-638-3313 Fax: 519-638-5113 Toll Free: 1-800-385-7248
www.mapleton.ca

RECEIVED
FEB 19 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

MUNICIPALITY COMMENTING FORM
FILE NO: B5/15

APPLICANT

John Hollen
7788 Sixteenth Line
PO Box 31
Arthur ON N0G 1A0

LOCATION

Township of Mapleton (Peel)
Part Lot 6
Concession 16

Proposed severance is 100 acres with 1977' frontage on Sixteenth Line and 2200' frontage on Sideroad 17, existing and proposed residential and agricultural use with existing house, 4 buildings and a silo.

Retained parcel is 100 acres with 2200' frontage, existing and proposed agricultural use with 2 existing wind turbines.

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER

2332-000-006-06800-0000

Does this description reasonably describe the parcel holdings? **YES**

Do you consider this proposal to conform to your Official Plan? **YES**

What Section(s) does it conform to or contravene? **SEE PLANNER COMMENTS DATED JANUARY 29, 2015**

Will the Severed (68 acre) Parcel comply with all requirements of the Zoning By-law? **YES, SEE PLANNER COMMENTS DATED JANUARY 29, 2015**

Will the Retained Parcel comply with all requirements of the Zoning By-law? **YES, SEE PLANNER COMMENTS DATED JANUARY 29, 2015**

If Necessary, would the Municipality be prepared to consider an Amendment to the Zoning By-Law to permit the proposal to conform? **N/A** Minor Variance **N/A**

Is proposal on an opened maintained year-round public road? **NO**
Access to the retained parcel (fronting on SR17) is a no winter maintenance road. We note that the County's Official Plan indicates that "all lots be adequately serviced with water, sewage disposal, stormwater management or drainage, fire protection, roads, utilities, solid waste disposal to accepted municipal standards and without undue financial burden on the municipality; and that all lots will have safe driveway access to <u>an all-season maintained public road."</u>

Should the severance be approved, we would request that an agreement or acknowledgment signed by the property owner be registered on title indicating that Sideroad 17 is a no winter maintenance road and that the Township is not agreeable to making improvements or upgrade Sideroad 17 as an all-season maintained public road.

THAT Report CL2015-08 dated February 10, 2015 in regards to Consent Application B5/15 (Hollen), Part Lot 6, Concession 16 (Peel) be hereby received;

AND FURTHER THAT THE Township of Mapleton Council supports the submitted application with the following conditions:

- ✓ Cash in lieu of parkland as per the Township's fees and charges by-law
- ✓ Satisfy all the requirements of the local municipality, financial and otherwise
- ✓ Taxes Paid in Full
- ✓ Copy of deposited Reference Plan

AND FURTHER THAT staff indicate on the Municipal Commenting Form that Sideroad 17 is a "no winter maintenance road"

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

Is the Retained Lot serviced now by Municipal Water **NO**

Is the Proposed Lot(s) serviced now my Municipal Sewers **NO**

Is the Retained Lot serviced now by Municipal Sewers **NO**

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

MUNICIPALITY COMMENTING FORM

FILE NO: B5/15

Are there any other servicing arrangements, Municipal easements or Municipal Drains on the subject lands? **NONE KNOWN**

Is the Municipality's Building Official satisfied that there is a sufficient site on the severed or retained parcel for individual well and septic services? **THERE WERE NO CONCERNS FROM THE CBO.**

Is there any further information that may assist the Land Division Committee?

Is the Municipality in support of this application? **YES**

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

Conditions requested are

- ✓ Cash in lieu of parkland as per the Township's fees and charges by-law
- ✓ Satisfy all the requirements of the local municipality, financial and otherwise
- ✓ Taxes Paid in Full
- ✓ Copy of deposited Reference Plan

Does the Municipality request a Notice of the Decision? **YES**

SIGNATURE _____
Patty Sinnamon

TITLE: CAO Clerk

ADDRESS: Township of Mapleton, 7275 Sideroad 16
Box 160, Drayton ON N0G 1P0

DATE: February , 2015

THE CORPORATION OF THE TOWNSHIP OF MAPLETON

CLERK'S REPORT CL2015-08

TO: Mayor Driscoll and Members of Council

FROM: Barb Schellenberger, Deputy Clerk

RE: Consent Application B5/15 (Hollen)
Part Lot 6, Concession 16 (P)

DATE: February 10, 2015

RECOMMENDATION:

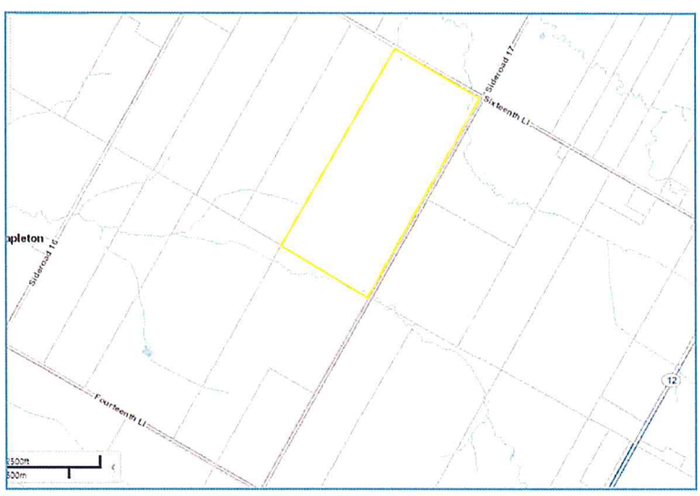
THAT Report CL2015-08 dated February 10, 2015 in regards to Consent Application B5/15 (Hollen), Part Lot 6, Concession 16 (Peel) be hereby received;
AND FURTHER THAT THE Township of Mapleton Council supports the submitted application with the following conditions:

- ✓ Cash in lieu of parkland as per the Township's fees and charges by-law
- ✓ Satisfy all the requirements of the local municipality, financial and otherwise
- ✓ Taxes Paid in Full
- ✓ Copy of deposited Reference Plan

AND FURTHER THAT staff indicate on the Municipal Commenting Form that Sideroad 17 is a "no winter maintenance road"

BACKGROUND:

Part Lot 6, Concession 16, geographic area Township of Peel, now in the Township of Mapleton. Property roll number where lands are being severed from is 2332-000-006-06800-0000. The parcels involved are shown below.



Proposed severance is 100 acres with 1977' frontage on Sixteenth Line and 2200' frontage on Sideroad 17, existing and proposed residential and agricultural use with existing house, 4 buildings and a silo. The severed portion is the north half of subject lands.

Retained parcel is 100 acres with 2200' frontage, existing and proposed agricultural use with 2 existing wind turbines.

Comments were received from Drainage Inspector Jim Grose (no impacts), and CBO Patty Wright (no comments or concerns). Director of Public Works Brad McRoberts reviewed the application.

Attached you will find the following:

- Junior Planner Jameson Pickard comments dated January 29, 2015
- Application B5/15

Council should be aware that the retained parcel will have access from Sideroad 17. This is a no-winter maintenance road.

Submitted by

BSchellenberger

Barb Schellenberger
Deputy Clerk

Reviewed by

Patty Sinnamon
CAO Clerk

Attach A - Planner's comments
Attach B – Application B5/15

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	B5/15
Location	Part Lot 6, Concession 16 TOWNSHIP OF MAPLETON
Applicant/Owner	John Hollen

PLANNING OPINION: The application would sever a 40 ha (100 ac) Agricultural parcel with existing dwelling and accessory buildings in the Prime agricultural area. A 40 ha (100 ac) Agricultural parcel would be retained with two existing wind turbines.

Staff note that sideroad 17 is a seasonally maintained road and the retained lands is proposing access off this road way. The Official Plan requires that access to new lots be provided to an all-season maintained road. The Township Chief Building Official has indicated that a building permit cannot be issued on the retained lands due to the seasonal access. The application indicates the retained lands will be used for a cash cropping operation. The Committee should be satisfied that adequate access is provided to the retained lot.

We would have no other concerns with this application, should it be approved we would request that the following be made conditions of approval:

a) 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 is discouraged, except in accordance with policy 2.3.4.1(a). According to this policy, lot creation in prime agricultural areas may be permitted for agricultural uses provided that the lots are of a size appropriate for the type of agricultural uses common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations.

Regarding Minimum Distance Separation (MDS), we have been provided with the necessary Farm Data sheets for the surrounding Livestock facilities and have completed the necessary calculations and are satisfied that MDS can be met.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated PRIME AGRICULTURAL and CORE GREENLANDS. According to Section 10.3.2, new lots for agricultural operation will normally be a minimum of 35 hectares (86 ac).

The matters under Section 10.1.3 were also considered including d) "that all lots will have safe driveway access to an all-season maintained public road" Staff would note that the access to the retained lands would utilize a seasonally maintained road way (Sideroad 17) the Township should be satisfied that suitable access can be provided to the site.

LOCAL ZONING BY-LAW: The subject property is zoned Agricultural (A) and Natural Environment (NE). Both lots would meet the applicable minimum lot area and frontage requirements.

The Chief Building Official has indicated that due to the seasonal road no building would be able to be constructed on the property. This is due to certain restrictions in the building code pertaining to emergency service access.

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

400 Clyde Road, P.O. Box 729, Cambridge, ON N1R 5W6
Phone: 519-621-2761 Toll free: 866-900-4722 www.grandriver.ca

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

DATE: February 6, 2015 **YOUR FILE:** B5/15
GRCA FILE: Mapleton/2015/Sev

RE: **Application for Consent B5/15**
Part Lot 6, Concession 16
Township of Mapleton
John Hollen

GRCA COMMENT:*

The Grand River Conservation Authority (GRCA) has no objection to the proposed severance of 40 hectares for existing and proposed residential and agricultural use.

BACKGROUND:

1. **Resource Issues:**

   Information currently available at this office indicates that the proposed severed lands contain a watercourse, floodplain, and the regulated allowance to these features.

   Information currently available at this office indicates that the proposed retained lands contain a watercourse, floodplain, and the regulated allowance to these features.

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

   Due to the presence of the above noted features, portions of the retained and severed lands are regulated by the GRCA under the Development, Interference, with Wetlands, and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 150/06). Please note that any future development within the regulated areas will require a permit from this office.

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 extension 2320.

RECEIVED
FEB 06 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

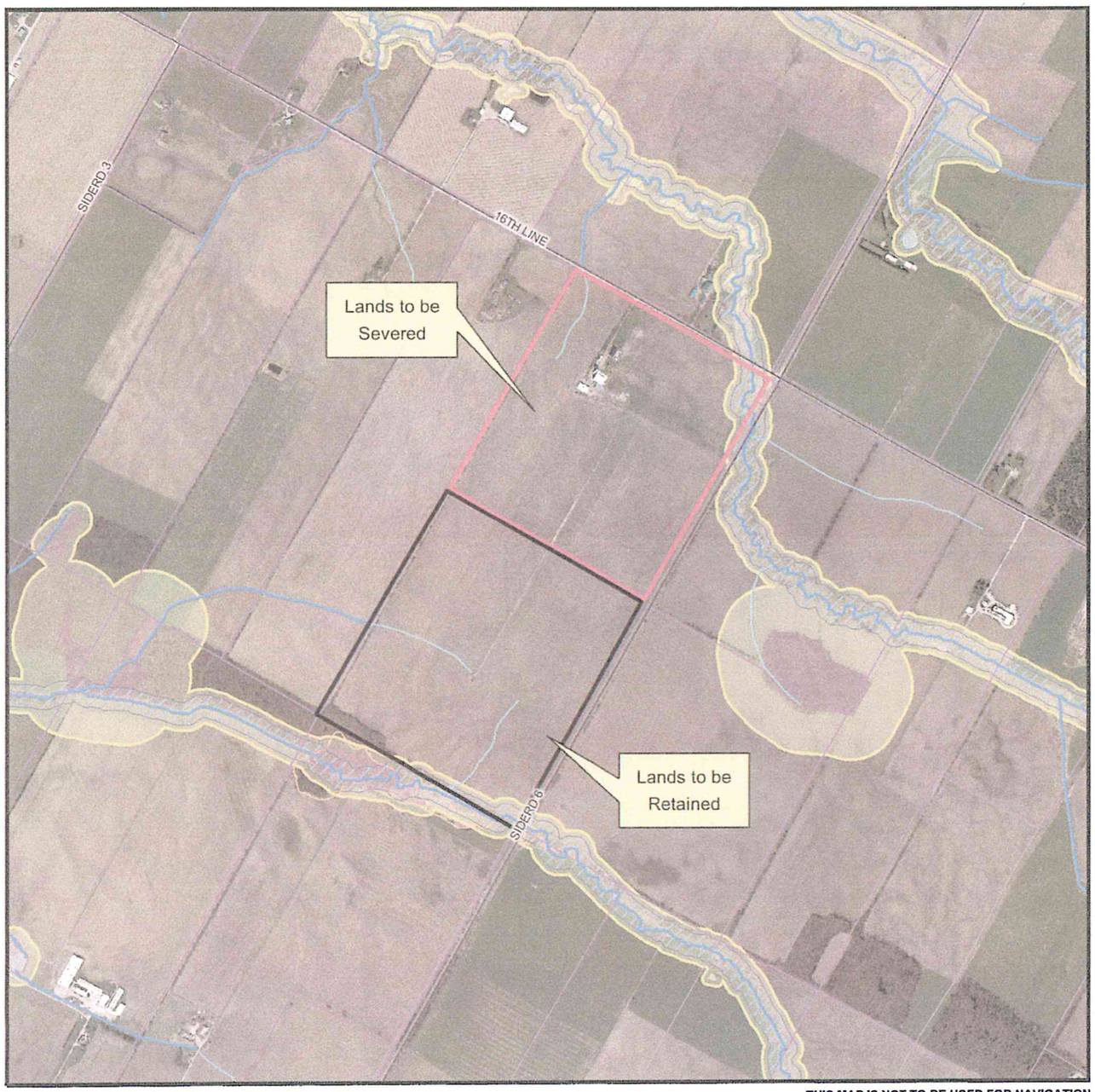
Yours truly,

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
John Hollen, 7788 Sixteenth Line, PO Box 301, Arthur, ON N0G 1A0
Derek G. Graham Ltd., PO Box 295 Elora, ON N0B 1S0



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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

B5/15 - Mapleton

LEGEND

- WATERSHED BOUNDARY (GRCA)
- UTILITY LINE (NRVIS)
- ROADS-ADDRESSED (MNR)
- RAILWAY (NRVIS)
- MUNICIPAL BOUNDARY (GRCA)
- 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 1:15,101 N