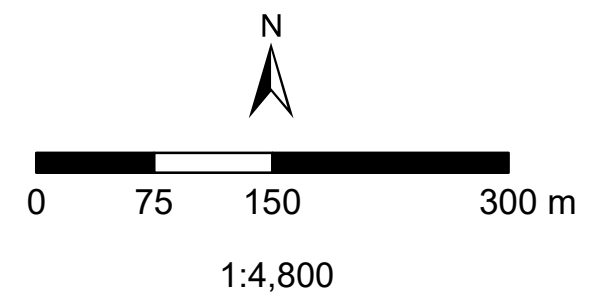
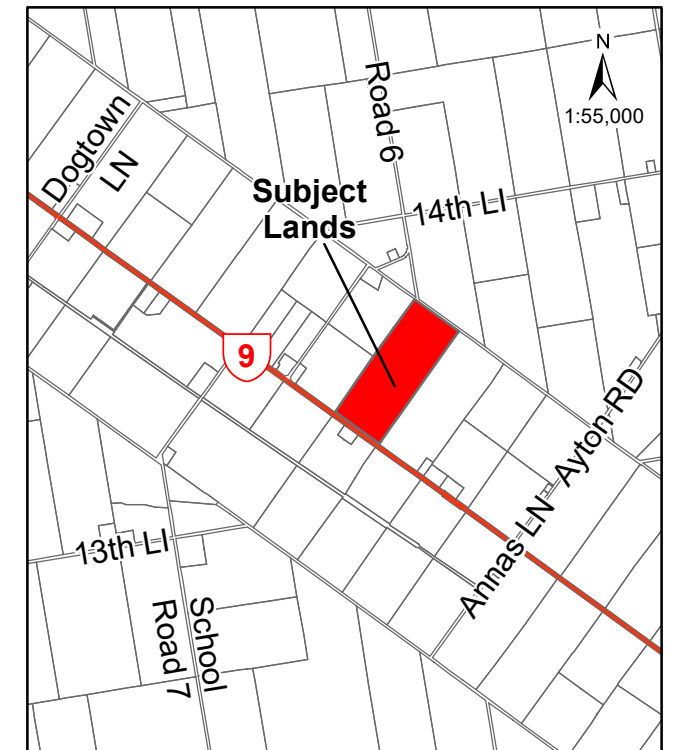


COUNTY OF WELLINGTON LAND DIVISION

B81-21

Applicant:
Agnes & James Norris

Town of Minto
5630 Highway 9

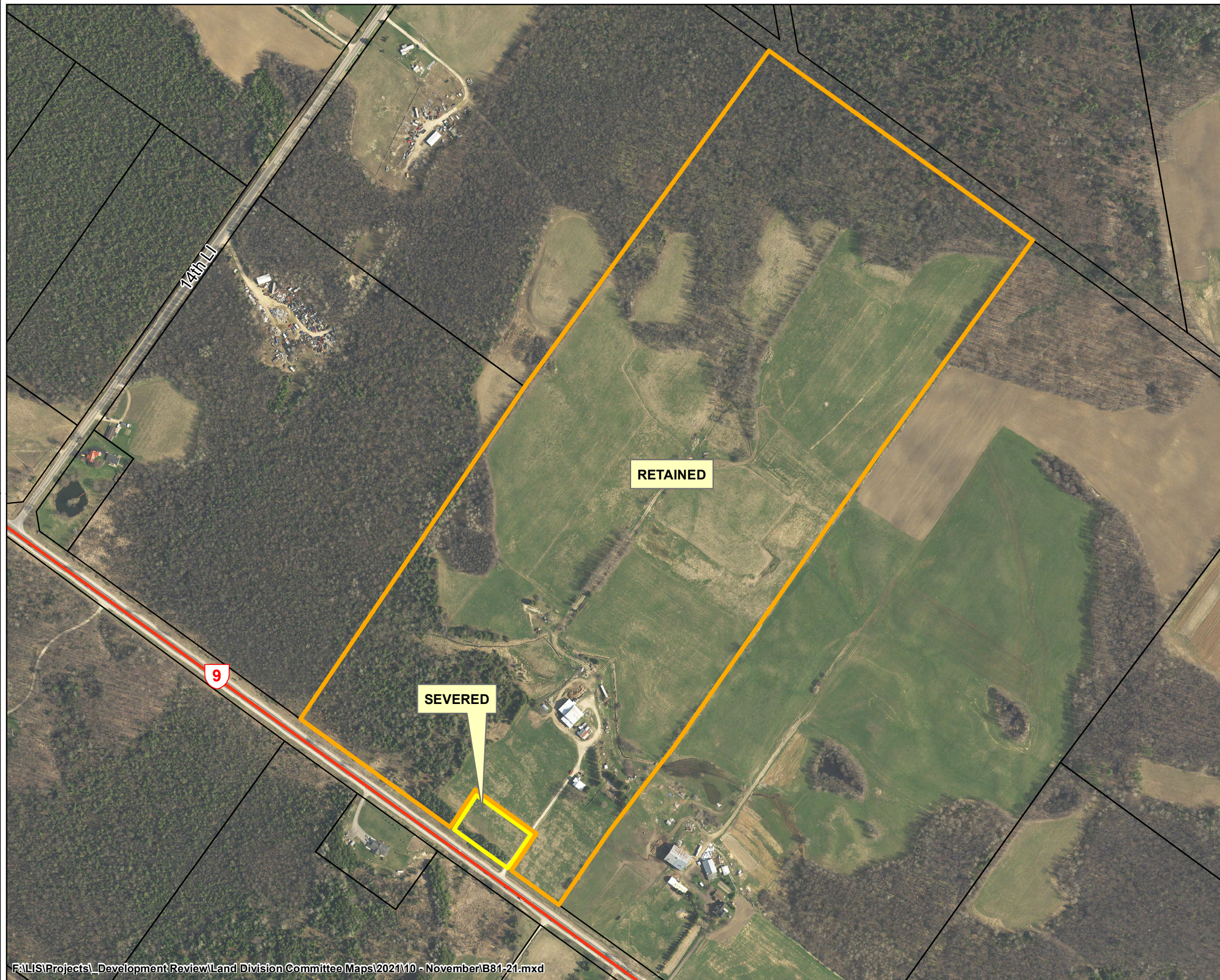


Date: October 2021

Produced by: County of Wellington Planning & Development Department

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Sources:
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Ministry of Natural Resources,
Grand River Conservation Authority.
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2015 Ortho imagery.

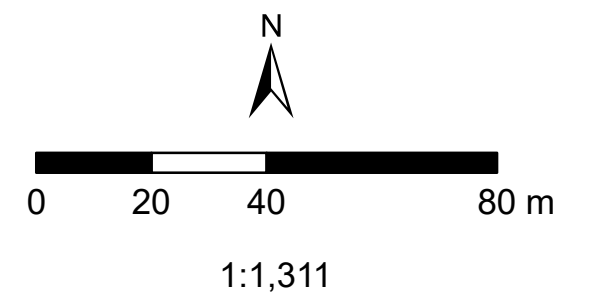
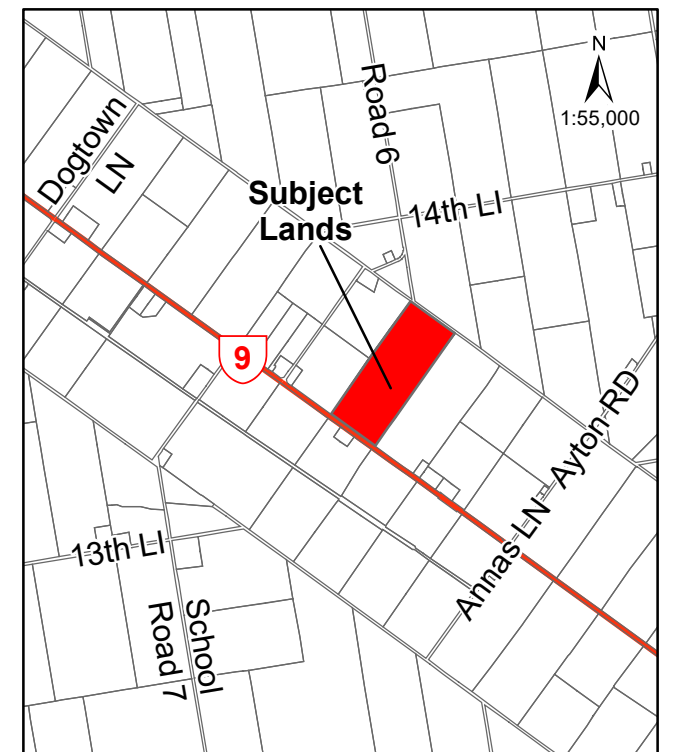


COUNTY OF WELLINGTON LAND DIVISION

B81-21

Applicant:
Agnes & James Norris

Town of Minto
5630 Highway 9



Date: October 2021

Produced by: County of Wellington Planning & Development Department

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TOWN OF MINTO
COUNTY OF WELLINGTON

C O N C E S S I O N 1 4

LOT 31

LOT 30

LOT 29

LOT 28

(KNOWN AS)
14th LINE
PAVED ROAD

LOT 71

LOT 70

PART 2
(TO BE RETAINED)
AREA = 40.0 ha ±

LOT 72

LOT 73

LOT 74

LOT 75

C O N C E S S I O N C

PART 1
(TO BE SEVERED)
AREA = 4150 sq.m.

LOT 72

LOT 73

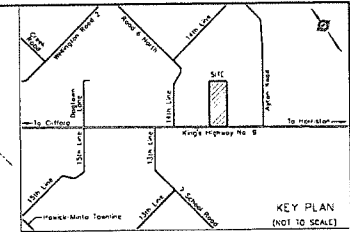
LOT 74

LOT 75

C O N C E S S I O N D

(KNOWN AS) THE KING'S HIGHWAY No. 9 ROAD ALLOWANCE BETWEEN CONCESSIONS C & D

PLAN No. 17037 W 32 (P-1983-7)



PLAN
PREPARED FOR CONSENT APPLICATION

SCALE 1 : 3000

METRIC DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

CAUTION: THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.

NOTES

THIS PLAN REPRESENTS A COMPILED OF VARIOUS PLANS AND REGISTRY OFFICE RECORDS AND IS SUBJECT TO VERIFICATION BY A CURRENT FIELD SURVEY.

WELLINGTON COUNTY OFFICIAL PLAN DESIGNATION

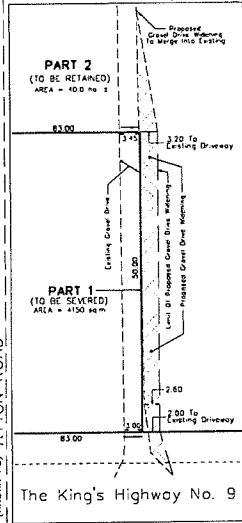
RETAINED PARCEL: CORE GREENLANDS, GREENLANDS AND SECONDARY AGRICULTURAL
SEVERED PARCEL: SECONDARY AGRICULTURAL
THIS PROPERTY IS SITUATED WITHIN THE PROVINCIAL NATURAL HERITAGE SYSTEM
THIS PROPERTY IS NOT SITUATED WITHIN A WILDLIFE PROTECTION AREA

TOWN OF MINTO ZONING DESIGNATION

RETAINED PARCEL: (NE) - NATURAL ENVIRONMENT AND AGRICULTURAL
SEVERED PARCEL: AGRICULTURAL

LEGEND

SECTORS DENOTES MUNICIPAL ADDRESS



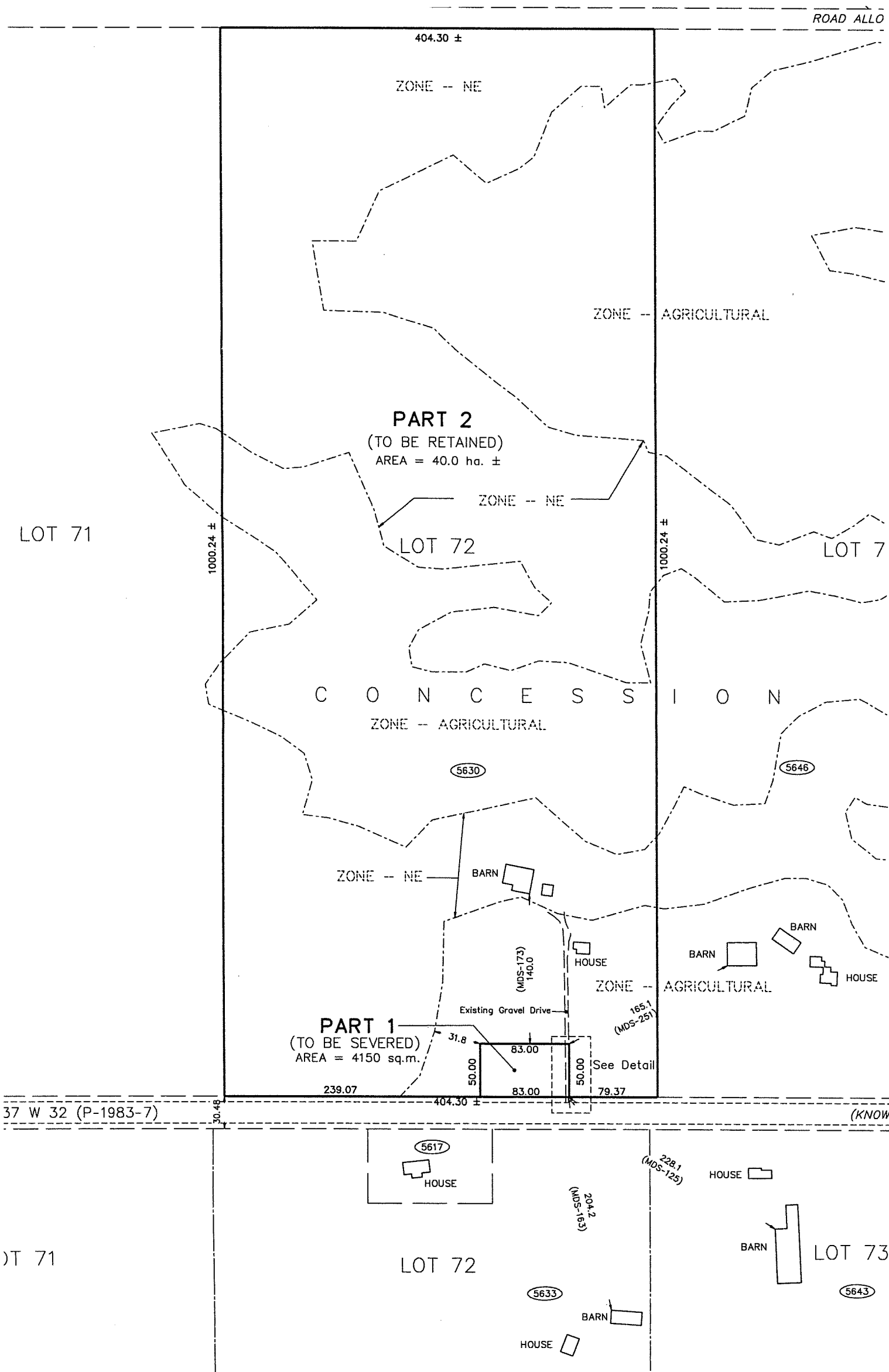
THIS SKETCH WAS PREPARED FOR JAMES NORMAN AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES

REPRODUCED & FORWARDED BY THE TOWN OF MINTO

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BSR&D
357 WOODLAWN ROAD WEST UNIT 101, GUELPH, ONTARIO
T: (519) 432-4811 F: (519) 432-1226 www.bsr&d.com

GRAB BY: N/A CHECKED BY: NS REFERENCE NO: 21-14-484-00-A
DATED: 8/25/2021



WELLINGTON COUNTY OFFICIAL PLAN DESIGNATION

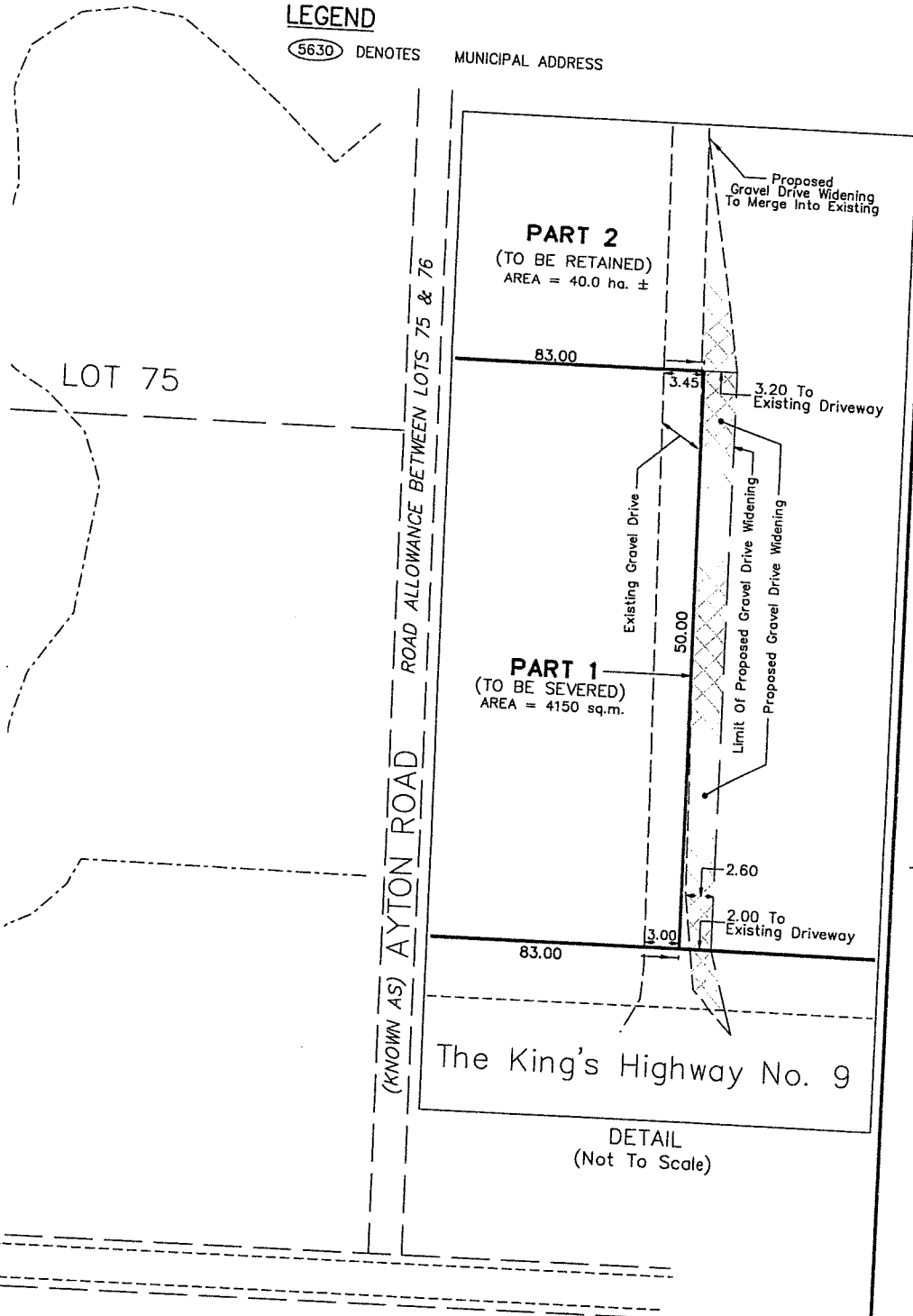
RETAINED PARCEL: CORE GREENLANDS, GREENLANDS AND SECONDARY AGRICULTURAL
SEVERED PARCEL: SECONDARY AGRICULTURAL
THIS PROPERTY IS SITUATED WITHIN THE PROVINCIAL NATURAL HERITAGE SYSTEM
THIS PROPERTY IS NOT SITUATED WITHIN A WELLHEAD PROTECTION AREA

TOWN OF MINTO ZONING DESIGNATION

RETAINED PARCEL: (NE) - NATURAL ENVIRONMENT AND AGRICULTURAL
SEVERED PARCEL: AGRICULTURAL

LEGEND

(5630) DENOTES MUNICIPAL ADDRESS



DETAIL
(Not To Scale)

THIS SKETCH WAS PREPARED FOR JAMES NORRIS
AND THE UNDERSIGNED ACCEPTS NO
RESPONSIBILITY FOR USE BY OTHER PARTIES.

Raymond J. Sibthorp
RAYMOND J. SIBTHORP
ONTARIO LAND SURVEYOR

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BSR&D ONTARIO LAND SURVEYORS SURVEYING
URBAN & RURAL PLANNERS MAPPING
A wholly owned subsidiary of J.D. Barnes Ltd. GIS

257 WOODLAWN ROAD WEST, UNIT 101, GUELPH, ON N1H 8J1
T: (519) 822-4031 F: (519) 822-1220 www.jdbarnes.com

DRAWN BY: RPA	CHECKED BY: NS	REFERENCE NO.: 21-14-484-00-A
PLOTTED: 8/25/2021		DATED: August 25, 2021

REPORT SUMMARY

OWNER, APPLICANT or AGENT SHOULD ATTEND THE CONSIDERATION OF THIS APPLICATION
NOTE: IF EXPEDITED ATTENDANCE NOT REQUIRED BEFORE THE LAND DIVISION COMMITTEE.
SIGN AND RETURN 'AGREEMENT TO CONDITIONS' LETTER IMMEDIATELY.

Date of Consideration: 11/18/2021 EXPEDITED
File Number: B81-21
Applicant: Agnes & James Norris
Subject Lands: Town of Minto - Part Lot 72, Concession C

Proposal is a request for consent to convey fee simple for a proposed rural residential lot 83m fr x 50m = 4,150 sq.m, existing paddock; retained being 40 ha

SUMMARY of FILED REPORTS and COMMENTS:

Planning Review	notice cards were posted at time of site visit; application is consistent with Provincial Policies - MDS is met for this application; conforms to Official Plan - proposed severed lot is located solely in Secondary Agricultural; no new lots have been created since March 1 2005 and have been owned by applicant over 5 years; conditions to apply
Town of Minto	Council recommends approval with conditions; application complies with zoning and conforms to the County of Wellington Official Plan; conditions to apply
Saugeen Valley CA	proposed consent is generally acceptable to SVCA staff
Miscellaneous	Nancy Shoemaker, agent cover letter

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 B81-21.
- 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) as well as a digital PDF copy to the secretary-treasurer of the Planning and Land Division Committee.
- 5) **THAT** the owner/applicant satisfies all the requirements of the Town of Minto, financial and otherwise, which the Town of Minto may deem to be necessary for the proper and orderly development of the subject lands, including but not limited to, the payment of any monies owed to the Town of Minto, and that all accounts are in good standing; and further that the Town of Minto file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 6) **THAT** the owner/applicant confirms there is satisfactory access for both the severed and retained parcels from the road authority with jurisdiction and to the satisfaction of the Town of Minto; and further that the Town of Minto file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 7) **THAT** the owner/applicant supplies to the Town of Minto proof that a new Drainage Assessment Schedule has been approved to ensure the reapportionment of the applicable municipal drain(s) has been completed to satisfaction of the Town of Minto; and further that the Town of Minto file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 8) **THAT** the owner/applicant obtains a written statement from the Town of Minto confirming the proposed lots and associated land uses, buildings and structures comply with all applicable requirements in the Town of Minto; and further that the Town of Minto 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

October 28, 2021

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 B81-21

APPLICANT

Agnes & James Norris
5630 Highway 9
RR#4
Harriston N0G 1Z0

LOCATION OF SUBJECT LANDS

Town of Minto
Part Lot 72
Concession C

Proposed severance is 83m fr x 50m = 4150 square metres, existing paddock area for proposed rural residential use.

Retained parcel is 40 hectares with 321.3m frontage, existing and proposed agricultural and residential use with existing dwelling, barn & shed.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, NOVEMBER 18, 2021** for the purpose of considering this **EXPEDITED APPLICATION**.

CONSIDERATION WILL BE HELD IN THE: Council Chambers
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 Land Tribunal 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**
- ⇒ **Agenda & Minutes**
- ⇒ **Select Land Division Committee**
- ⇒ **choose month & year in drop down menus**
- ⇒ **open appropriate agenda**

To: Agnes & James Norris
BSR&D Limited - c/o Nancy Shoemaker



RECEIVED

OCT 20 2021

Application	B81/21	SECRETARY TREASURER
Location	Part Lot 72, Concession C	WELLINGTON COUNTY
	TOWN OF MINTO	LAND DIVISION COMMITTEE
Applicant/Owner	Agnes and James Norris	

PLANNING OPINION: This application would sever 0.41 ha (1.02 ac) rural residential parcel in the Secondary Agricultural area. A 40 ha (52.63 ac) agricultural parcel would be retained for agricultural use with an existing dwelling, barn and shed.

This application is consistent with Provincial Policy and would generally conform to the Official Plan. We have no concerns provided the following matters are addressed as conditions of approval:

- a) That driveway access can be provided to the severed and retained lands to the satisfaction of the of the appropriate road authority; and,
- b) That servicing can be accommodated on the severed lands to the satisfaction of the local municipality.

PLACES TO GROW: The Growth Plan for the Greater Golden Horseshoe, 2019, came into effect on May 16, 2019. The result of recent changes to the Growth Plan means the natural heritage system policies will continue to apply, however will only apply to the natural heritage systems mapped in the County Official Plan. The Agricultural System policies will continue to apply, but will apply only to the prime agricultural areas mapped in the County Official Plan as of July 1, 2017. All planning decisions are required to conform with the Growth Plan.

The retained lands contain a Key Hydrologic Feature, which is identified in the County Official Plan as a provincially significant wetland. As per Section 4.2.4, the proposed severed parcel is required to maintain a minimum 30 metre vegetative protection zone from the feature. The proposed severed parcel is approximately 30 metres from the feature and therefore maintains the vegetative protection zone and conforms to the policies of the Growth Plan

PROVINCIAL POLICY STATEMENT (PPS): Section 2.3.3.3 of the PPS states new land uses, including the creation of lots, and new or expanding livestock facilities shall comply with minimum distance separation formulae. Minor Variance application MV2021-11 was approved in August 2021 and notice of no appeals was sent out on September 7th, 2021. The minor variance application was to recognize the reduced MDS setback of 169 m (554 ft) in lieu of the required minimum distance of 217 m (711 ft), therefore MDS is met for this application.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated SECONDARY AGRICULTURAL, CORE GREENLANDS and GREENLANDS. The identified environmental features are Hazard Lands, Provincially Significant Wetlands and Significant Wooded Areas, regulated by the Saugeen Valley Conservation Authority. The proposed severed lot is located solely in the Secondary Agricultural area.

According to Section 10.4.4, one new residential lot may be allowed from a parcel of land within the Secondary Agricultural designation, which existed on March 1, 2005, subject to the following criteria:

- a) The lot generally meets a 0.4 ha minimum lot size and is not larger than needed to accommodate the intended residential use, consisting of the dwelling, accessory buildings and uses, and individual sewage and water services, while taking into account site constraints such as grading, sightlines, natural heritage features, hazardous lands, and Minimum Distance Separation requirements;
- b) The accessory buildings referred to in a) above may include a hobby barn, subject to local regulations;
- c) The lot has access to an open public road;
- d) The residential use will not hinder or preclude the present use or future potential for agricultural or mineral aggregate operations;
- e) The residential use is compatible with surrounding development;
- f) The use is well removed from any settlement boundary;
- g) The lands have been owned by the applicant for at least five years.

No new lots have been created on the parcel since March 1, 2005 and the lands have been owned by the applicant for over 5 years. The matters under section 10.1.3 were also considered.

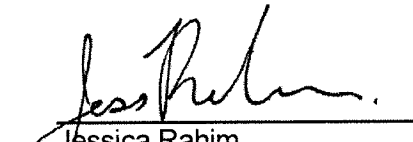
WELL HEAD PROTECTION AREA: The subject property is not located within a Wellhead Protection Area.

LOCAL ZONING BY-LAW: The subject property is currently zoned Agricultural (A) Zone and Natural Environment (NE). The severed and retained lands appear to meet the minimum lot area and frontage requirements.



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

SITE VISIT INFORMATION: The subject property was visited and photographed on October 20th, 2021. Notice Cards were posted and the survey sketch appears to meet the application requirements.



Jessica Rahim
Senior Planner
October 20th, 2021

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: B81-21

RECEIVED

OCT 20 2021

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

APPLICANT	LOCATION OF SUBJECT LANDS
Agnes & James Norris	Town of Minto
5630 Highway 9	Part Lot 72
RR#4	Concession C
Harriston NOG 1Z0	

Proposed severance is 83m fr x 50m = 4150 square metres, existing paddock area for proposed rural residential use.

Retained parcel is 40 hectares with 321.3m frontage, existing and proposed agricultural and residential use with existing dwelling, barn & shed.

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 23-41-000-002-21300-0000

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

If the answer is no, please provide new information: _____

Do you consider this proposal to conform to your Official Plan? YES (X) No ()
It conforms to the County of Wellington Official Plan.

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

The County of Wellington Official Plan designates the subject property as Secondary Agricultural, Greenlands, and Core Greenlands. The proposal conforms to Section 10.4.4 and Section 10.1.3 of the OP. For further information, please refer to the Town of Minto staff report provided.

Will the Severed Parcel comply with all requirements of the Zoning By-law? YES (X) No ()

(Please Specify): The lot will be considered a Reduced Agricultural Lot subject to the provisions under Section 8.5 of the Town of Minto's Comprehensive Zoning By-law, as amended. A single-detached dwelling as well as accessory structures are permitted provided they adhere to the provisions. Lot area and lot frontage requirements are currently met, and when it comes to setbacks and floor areas, the zoning provisions apply for the proposed building envelope.

Will the Retained Parcel comply with all requirements of the Zoning By-law? YES (X) No ()

(Please Specify): The existing use is permitted with the current zoning.

If necessary, would the Municipality be prepared to consider an Amendment to the Zoning By-law to permit the proposal to conform? YES (X) NO () NA () or Minor Variance YES (X) NO () NA ()

Is the proposal on an opened maintained year-round public road? YES (X) No ()

If the answer is NO, is municipality willing to enter into an agreement regarding the 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: N/A

Are there any other servicing arrangements, Municipal easements or Municipal Drains on the subject lands?

MUNICIPALITY COMMENTING FORM

File: B81-21

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 (☐)

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 the Town of Minto’s staff report to Council, as well as the recommended conditions on behalf of the Town of Minto.

Is the Municipality in support of this application? YES (☒) NO (☐)

Yes, with the recommended conditions. Please see attached the Town of Minto’s staff report to Council, as well as the recommended conditions on behalf of the Town of Minto.

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

Please see attached the Town of Minto’s staff report to Council, as well as the recommended conditions on behalf of the Town of Minto.

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

SIGNATURE	<u>Ashley Sawyer (Ashley Sawyer)</u>
TITLE	<u>Planning Technician/Administrative Assistant</u>
ADDRESS	<u>5941 Highway 89, Harriston ON NOG 2P0</u>
DATE	<u>October 20th, 2021</u>



County of Wellington
Deborah Turchet
Secretary-Treasurer Land Division
Email: debt@wellington.ca

October 20th, 2021

Re: B81/21 – Consent Application
Agnes & James Norris
5630 Highway 9
Concession C, Part Lot 72

The Council of the Town of Minto met on October 5th, 2021 to consider the above noted and passed the following Resolution:

MOTION: COW 2021-180

Moved By: Councillor Elliott

Seconded By: Councillor Anderson

THAT the Council of the Town of Minto recommends the County of Wellington Land Division Committee approve the Consent Application for B81/21 - Agnes & James Norris, for land legally described as Concession C, Part Lot 72, with a municipal address of 5630 Highway 9, in the Town of Minto, and that the following conditions be considered:

1. THAT the owner/applicant satisfies all the requirements of the Town of Minto, financial and otherwise, which the Town of Minto may deem to be necessary for the proper and orderly development of the subject lands, including but not limited to, the payment of any monies owed to the Town of Minto, and that all accounts are in good standing; and further that the Town of Minto file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

5941 Highway #89
Harriston, Ontario
NOG 1Z0

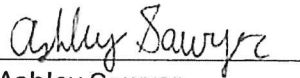
tel: 519-338-2511
fax: 519-338-2005

www.town.minto.on.ca

2. THAT the owner/applicant confirms there is satisfactory access for both the severed and retained parcels from the road authority with jurisdiction and to the satisfaction of the Town of Minto; and further that the Town of Minto file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
3. THAT the owner/applicant supplies to the Town of Minto proof that a new Drainage Assessment Schedule has been approved to ensure the reapportionment of the applicable municipal drain(s) has been completed to satisfaction of the Town of Minto; and further that the Town of Minto file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
4. THAT the owner/applicant obtains a written statement from the Town of Minto confirming the proposed lots and associated land uses, buildings and structures comply with all applicable requirements in the Town of Minto; and further that the Town of Minto file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

Please consider this as formal notice of Council's decision on this matter. The Town of Minto staff report and Municipal Commenting Form is also attached for your review.

Sincerely,



Ashley Sawyer

Planning Technician/Administrative Assistant





TOWN OF MINTO

DATE: October 5th, 2021
TO: Mayor Bridge and Members of Council
FROM: Ashley Sawyer, Planning Technician/Administrative Assistant
RE: Consent (Severance)
B81/21 – Agnes & James Norris
5630 Highway 9
Concession C, Part Lot 72

RECOMMENDATION

THAT the Council of the Town of Minto recommends the County of Wellington Land Division Committee approve the Consent Application for B81/21 – Agnes & James Norris, for land legally described as Concession C, Part Lot 72, with a municipal address of 5630 Highway 9, in the Town of Minto, and that the following conditions be considered:

1. THAT the owner/applicant satisfies all the requirements of the Town of Minto, financial and otherwise, which the Town of Minto may deem to be necessary for the proper and orderly development of the subject lands, including but not limited to, the payment of any monies owed to the Town of Minto, and that all accounts are in good standing; and further that the Town of Minto file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
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4. THAT the owner/applicant obtains a written statement from the Town of Minto confirming the proposed lots and associated land uses, buildings and structures comply with all applicable requirements in the Town of Minto; and further that the Town of Minto file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

ACKGROUND

Consent application B81/21 is being considered before the County of Wellington Land Division Committee to sever +/- 1.03 ac (+/- 0.41 ha) of a vacant rural residential parcel, and retain +/- 98.84 ac (+/- 40.0 ha) with an existing and proposed agricultural and residential use. The retained parcel currently has an existing single-detached dwelling, barn, and an agricultural shed.

Proposed Severed
+/- 1.03 ac (+/- 0.41 ha)
Proposed rural residential.

Proposed Retained
+/- 98.84 ac (+/- 40.0 ha)
Existing/proposed agricultural and rural residential.

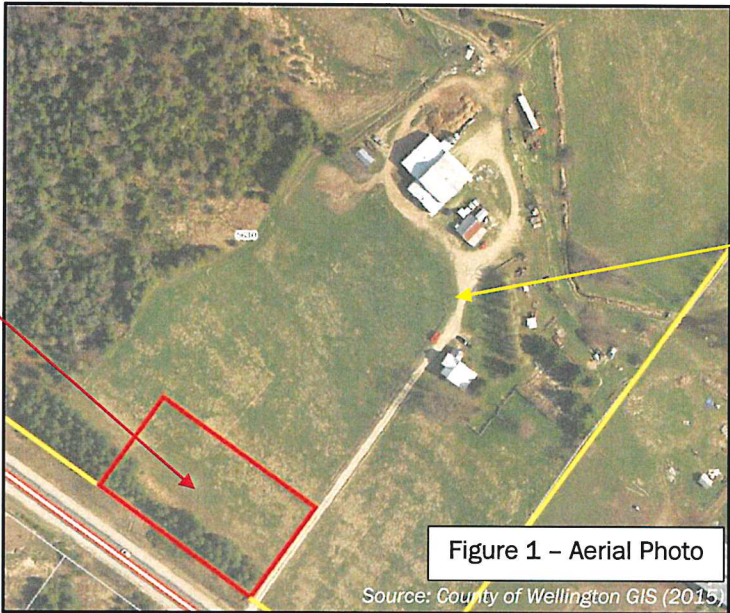


Figure 1 – Aerial Photo

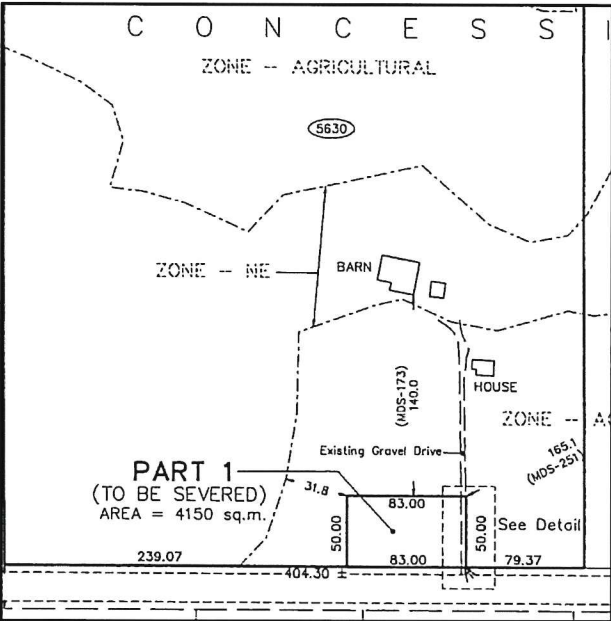


Figure 2 – Survey Sketch

Source: BSR & D (2021)

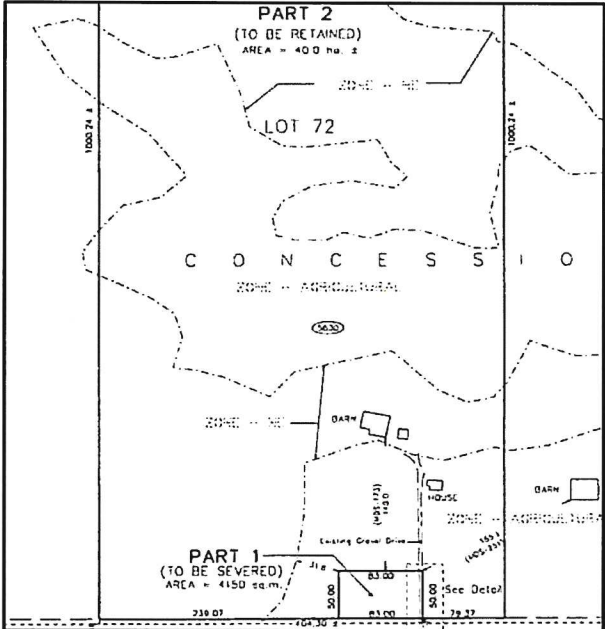


Figure 3 – Survey Sketch

Source: BSR & D (2021)

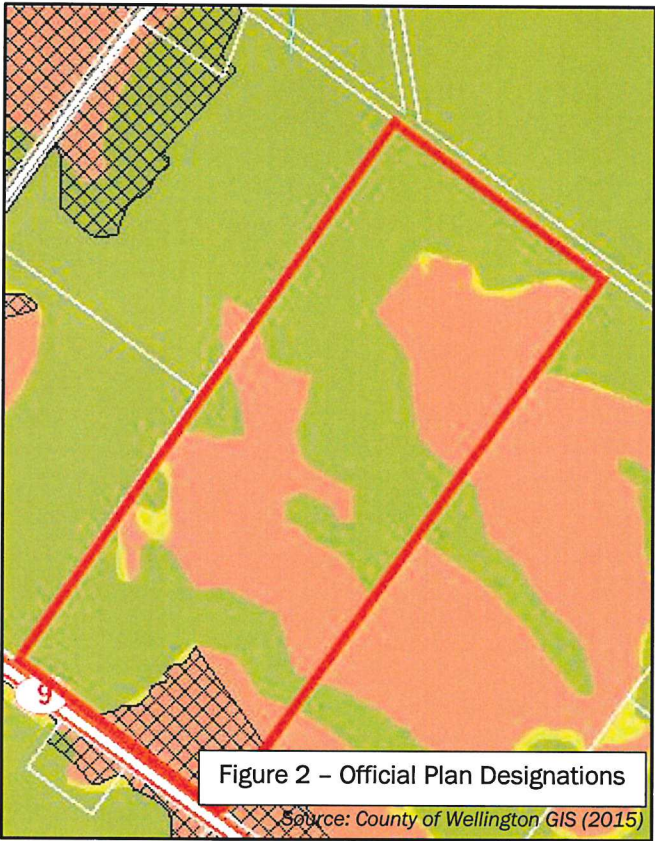
Council may recall a Minor Variance pertaining to the subject property coming before them on August 17th regarding Minimum Distance Separation relief. Council approved the requested relief and the appeal period has now ended which finalized the Minor Variance. It should be noted that the Town did not receive any written or verbal comments of opposition, and no appeals were filed. These calculations were based on both the existing livestock counts, where there was not a concern, as well as the potential maximum capacity which required minor relief from one neighbouring farm and livestock operation.

County of Wellington Official Plan

The subject property is currently designated by the County of Wellington Official Plan as Secondary Agricultural, Greenlands, and Core Greenlands.

Section 10.4.4 of the Official Plan states that one new lot for residential purposes may be allowed provided that the lot generally meets the 0.4 ha minimum lot size and is not larger than needed to accommodate the intended residential use, has individual services, and takes into constraints such as grading, sightlines, natural heritage features, hazardous lands, and Minimum Distance Separation requirements. Additionally, the lot must be on an opened public road, must be compatible with surrounding development, is well removed from the settlement boundary, have been owned by the applicant for at least 5 years, and will not hinder present or future potential for agricultural operations. This section also notes that residential lots in the Secondary Agricultural Area are considered part of the rural portion of the local municipal growth strategy.

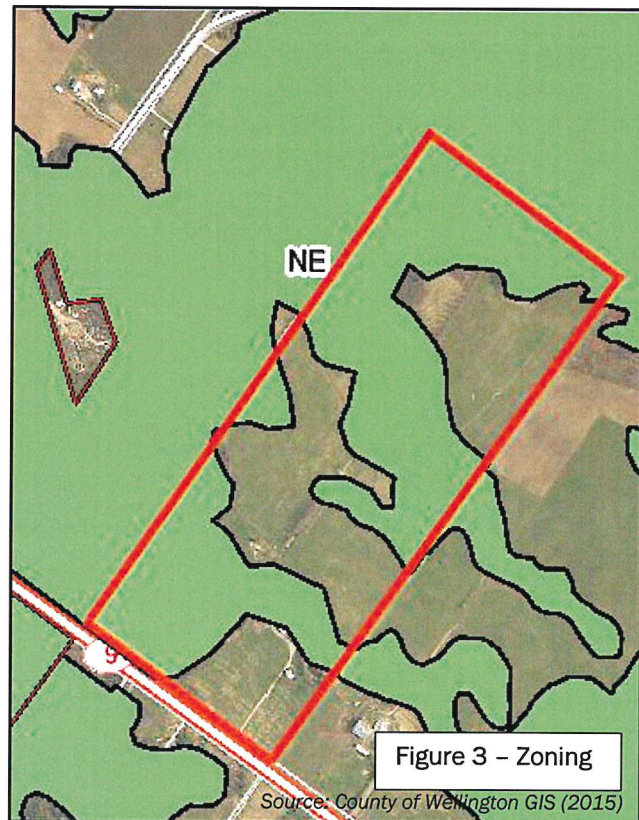
Additionally, under Section 10.1.3 – General Policies for Creating New Lots, states that matters to be considered include that new lots must be consistent with Official Plan and Zoning regulations, that the lot can be adequately serviced, that it will have adequate stormwater management, drainage, fire protection, roads, utilities and solid waste disposal to accepted municipal standards, that all lots have a safe driveway access to an all-season maintained public road, and that the proposed lots and uses are compatible with the surrounding use.



Town of Minto Zoning By-law

The subject property is currently zoned by the Town of Minto's Comprehensive Zoning By-law 01-86, as amended, as Agricultural (A) and Natural Environment (NE). The severed lot is not proposed to be encompass any of the NE zone.

As this lot is less than 25.0 ac (10.1 ha) it will be considered a Reduce Agricultural Lot under Section 8.5 of the By-law. This permits for a single-detached residential dwelling as well as accessory uses, buildings, and structures. Town staff note that the lot area and lot frontage requirements are met with the severance, and when it comes to setbacks and floor areas, these provisions in the By-law will have to be met with the proposed building envelope. Minor relief pertaining to Minimum Distance Separation has been granted and finalized with a Minor Variance previously brought before Council, as mentioned above.



COMMENTS

Town staff were circulated the application for review and the following comments were received.

Clerks

Standard financial conditions are recommended, including the payment of any monies owed to the Town of Minto, and that all accounts are in good standing.

Building Department

A standard condition in relation to access is required. Town staff note that the Minimum Distance Separation relief from the potential maximum capacity of a neighbouring farm and livestock operation has previously been granted, as such this is not required as a condition of the severance application.

Public Works

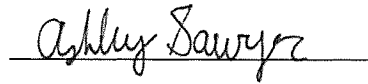
Standard conditions pertaining to satisfactory access arrangements apply. In this case, the retained and severed parcel has access off Highway 9, which is under the jurisdiction of the County of Wellington. Staff note that a sufficient driveway width of 3.0 m for both parcels will have to be met, or a Right-Of-Way easement will have to be registered on both parcels.

Additionally, a drainage re-apportionment to the satisfaction of the Town is also recommended as a condition.

The above comments will be addressed through the Town of Minto's recommended conditions. These conditions are standard for a consent application of this nature.

STRATEGIC PLAN

Ensure growth and development in Clifford, Palmerston and Harriston makes cost effective and efficient use of municipal services, and development in rural and urban areas is well planned, reflects community interests, is attractive in design and layout, and is consistent with applicable County and Provincial Policies.

A handwritten signature in cursive script, reading "Ashley Sawyer", is written over a horizontal line.

Ashley Sawyer
Planning Technician/Administrative Assistant



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

SENT ELECTRONICALLY ONLY: debt@wellington.ca

October 20, 2021

County of Wellington Planning and Land Division Committee
Wellington County Administration Centre
74 Woolwich Street
Guelph, Ontario N1H 3T9

ATTENTION: Deborah Turchet, Secretary – Treasurer

Dear Ms. Turchet,

RE: Application for Consent B-81-21 (Norris)
5630 Highway 9
Part Lot 72, Concession C
Roll No.: 234100000221300
Geographic Township of Minto
Town of Minto

RECEIVED

OCT 20 2021

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). The application has also been reviewed through our role as a public body under the *Planning Act* as per our Conservation Authority Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018.

Purpose

The purpose of the application is create a severed parcel for rural residential use, and a retained parcel for existing and proposed agricultural and residential use.

Background

On the request of Town of Minto staff, the SVCA was contacted for pre-submission consultation by the owners/applicants about the proposal on May 28, 2021, and provided pre-submission consultation comments to the owners/applicants. SVCA then provided comments, dated July 30, 2021, to a related minor variance application (MV-2021-11) for the property.

Recommendation

The proposed consent is generally acceptable to SVCA staff.



Watershed Member Municipalities
Municipality of Arran-Elderslie, Municipality of Brockton, Township of Chatsworth, Municipality of Grey Highlands,
Town of Hanover, Township of Howick, Municipality of Morris-Turnberry, Municipality of South Bruce,
Township of Huron-Kinloss, Municipality of Kincardine, Town of Minto, Township of Wellington North,
Town of Saugeen Shores, Township of Southgate, Municipality of West Grey

Delegated Responsibility and Advisory Comments

SVCA staff has reviewed the applications through our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020). We have also reviewed the applications through our responsibilities as a service provider to the County of Wellington in that we provide expert advice and technical clearance on *Planning Act* applications with regards to natural hazards, and natural heritage as set out in the PPS, 2020, County Official Plan (OP) and/or local official plans. Comments below only include features/technical requirements affecting the property.

Natural Hazards:

Areas of the property are designated Core Greenlands or Greenlands in the County of Wellington Official Plan (OP), Schedule A5 Minto and zoned Natural Environment (NE) in the Town of Minto Zoning By-law 01-86, Schedule 'A' Map 1. The Core Greenlands designation and NE zone generally match the SVCA Hazardous Lands for the property as originally plotted by SVCA staff. However, there is one area where the Core Greenlands (hazard) and NE mapping do not match SVCA's Hazard Mapping, and we recommend this be updated at the next available opportunity. However, this inconsistency does not affect the proposed. The Core Greenlands designation and NE zone are representing the wetlands; watercourse and any floodplain; and woodlands. In the opinion of SVCA staff, the proposed lot is not located in the Core Greenlands designation or in the NE zone of the property. Therefore, new development within the parcel to be severed will not be affected by the above noted natural hazards.

Provincial Policy Statement – Section 3.1

Section 3.1.1 of the PPS, 2020 states in part that development shall generally be directed to areas outside of hazardous lands, and hazardous sites. It is the opinion of SVCA staff that the application is consistent with Section 3.1.1 of the PPS, 2020.

Wellington County OP Policies

Section 5.4.3 of the Wellington County OP generally directs development to be located outside of Hazardous Lands. It is the opinion of SVCA staff that the application appears to be consistent with the policies of the Wellington County OP.

Natural Heritage:

As part of SVCA staff's desktop review, the following significant natural heritage features were identified as affecting the property: Provincially Significant Wetlands (PSW), significant woodlands, fish habitat and the adjacent lands to fish habitat, potentially significant wildlife habitat, and potentially the habitat of endangered species and threatened species.

Provincial Policy Statement – Section 2.1

Section 2.1 of the PPS, 2020 states in part that development shall not be permitted in significant wetlands, significant woodlands, significant wildlife habitat, and the habitat of endangered species and threatened species, and the adjacent lands to the above referenced features, except in accordance with Policies found in Section 2.1.

Wellington County OP Policies

Provincially Significant Wetlands (PSW)

Part of the Clifford-Harriston Wetland Complex PSW is located on the property and on lands adjacent to the property. According to section 5.4.1 of the Wellington County OP, PSWs are included in the Core Greenlands designation and are shown on Schedule A5 Minto of the Wellington County OP. However, based on the application, it is the opinion of SVCA staff that impacts to the PSW are likely to be negligible, and the preparation of an Environmental Impact Study (EIS) to address the PSW is not recommended at this time.

Significant Woodlands

Significant woodlands are included in the Core Greenlands and Greenlands designation and are shown on Schedule A5 Minto of the Wellington County OP. The woodlands on the parcel to be retained as well as the woodlands located on lands adjacent to the property may be considered significant woodlands. However, based on the application, it is the opinion of SVCA staff that impacts to the significant woodlands are likely to be negligible, and the preparation of an EIS to address the woodlands are not recommended at this time.

Adjacent Lands to Fish Habitat

According to information available to SVCA staff, an unnamed watercourse/ditch may be located on the property. The watercourse may be considered fish habitat by SVCA staff, and section 5.4.2 of the Wellington County OP is applicable. However, based on the application, it is the opinion of SVCA staff that impacts to fish habitat will be negligible, therefore the preparation of an EIS to address the fish habitat is not recommended at this time.

Significant Wildlife Habitat

It has come to the attention of SVCA staff that significant wildlife habitat may be located on and/or on lands adjacent to the property. Section 5.5.1 of the Wellington County OP states, in part, that development and site alteration shall not be permitted within significant wildlife habitat, unless it has been demonstrated that there will be no negative impacts to the habitat or its ecological functions. In the opinion of SVCA staff, an EIS is not necessary, as SVCA staff does not anticipate any negative impacts to significant wildlife habitat resulting from this proposal.

Habitat of Endangered Species and Threatened Species

It has come to the attention of SVCA staff that habitat of endangered species and threatened species may be located on and/or on lands adjacent to the property. Section 5.4.2 of the Wellington County OP states in part that development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements. It is the responsibility of the applicant to ensure the endangered species and threatened species policy referred to in the PPS has been appropriately addressed. Please contact the Ministry of Environment, Conservation and Parks (MECP) for information on how to address this policy. MECP inquiries can be sent via email to: SAROntario@ontario.ca.

Statutory Comments

SVCA staff has reviewed the application as per our responsibilities as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). This regulation, made under Section 28 of the *Conservation Authorities Act*, enables SVCA to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake shorelines, watercourses, hazardous lands and wetlands. Subject to the CA Act, development taking place on or adjacent to these lands may require permission from SVCA to confirm that the control of flooding, erosion, dynamic

beaches, pollution or the conservation of land are not affected. SVCA also regulates the alteration to or interference in any way with a watercourse or wetland.

The majority of the property is within the SVCA Approximate Screening Area associated with Ontario Regulation 169/06, as amended. The SVCA Approximate Screening Area is representing the watercourse, wetlands and their adjacent lands as defined in the regulation. As such, development and/or site alteration within the SVCA Approximate Screening Area on the property requires the permission from SVCA, prior to work commencing.

“Development” as defined under the *Conservation Authorities Act* means:

- a) *the construction, reconstruction, erection or placing of a building or structure of any kind;*
- b) *any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;*
- c) *site grading; or,*
- d) *the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.*

And;

“Alteration” as per Section 5 of Ontario Regulation 169/06 generally includes the straightening, diverting or interference in any way with a river, creek, stream, or watercourse, or the changing or interfering in any way with a wetland.

To determine the SVCA Approximate Screening Area on the property, please refer to the SVCA’s online mapping program, available via the SVCA’s website at <http://eprweb.svca.on.ca>. Should you require assistance, please contact our office directly.

Based on the plan submitted with the application, the entirety of the parcel to be severed will be within the SVCA Approximate Screening Area (within 120 metres adjacent lands from the wetland edge), and an SVCA permit will be required prior to development on the parcel to be severed. Once available, the developer of the parcel to be severed should contact the SVCA to proceed with the permit process.

Summary

SVCA staff has reviewed the application as per our mandated responsibilities for natural hazard management, including our regulatory role under the *Conservation Authorities Act*. The proposed consent to sever land is generally acceptable to SVCA staff.

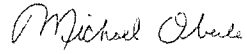
Given the above comments, and subject to the above comments, it is the opinion of the SVCA staff that:

- 1) Consistency with Section 3.1, Natural Hazard policies of the PPS, 2020 has been demonstrated.
- 2) Consistency with Section 2.1, Natural Heritage policies of the PPS, 2020 has been demonstrated, with the exception of Section 2.1.7 (habitat of endangered species and threatened species), which must be addressed by the landowner/applicant; and
- 3) Consistency with local planning policies for natural hazards and natural heritage has been demonstrated, with the exception of Section 2.1.7 (habitat of endangered species and threatened species), which must be addressed by the landowner/applicant.

County of Wellington Planning & Land Division Committee
Application for Consent B-81-21 (Norris)
October 20, 2021

Please inform this office of any decision made by the County of Wellington with regard to the application. We respectfully request to receive a copy of the decision and notices of any appeals filed. Should you have any questions, please contact the undersigned.

Sincerely,



Michael Oberle
Environmental Planning Technician
Saugeen Conservation
MO\

cc: Jana Poechman, Wellington County (via email)
Agnes and James Norris, owners (via email)
Terry Kuipers, Chief Building Official, Town of Minto (via email)
Annileene McRobb, Clerk, Town of Minto (via email)
Steve McCabe, SVCA Authority Member for Wellington North and Town of Minto (via email)



August 30, 2021

Project: 21-14-484

Ms. Deborah Turchet
Secretary-Treasurer
Land Division Committee
Wellington County Administration Centre
74 Woolwich Street
GUELPH, Ontario
N1H 3T9

RECEIVED

AUG 31 2021

Dear Ms. Turchet:

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Re: Proposed Consent– 5630 Highway 9
Part of Lot 72, Concession C, Town of Minto

Please find enclosed a completed "Application for Consent" for the above-noted property. Also enclosed is a cheque in the amount of \$4,630.00 payable to the County of Wellington.

Agnes Marie Norris and James Wilbert Norris purchased the property in 1993. A copy of their deed is attached (R0701483). Also included is a sketch illustrating the proposed severance. The property is not located within the Source Water Protection area.

We have not included a cheque to the Saugeen Valley Conservation Authority as they have already been circulated this proposal by way of the minor variance and had no objections. The owner provided payment directly to the Conservation Authority for their review of this proposal. I have included a copy of their correspondence which addresses the minor variance and lot creation.

The parcel to be severed from this property will have a frontage of 83.0 metres along the east side of Highway 9 and an overall lot area of 0.415 hectares. This parcel is currently vacant. The retained parcel contains a single detached dwelling, a barn, a shed, a septic system and well. It will have a frontage of approximately 321 metres and an overall lot area of 40.0 hectares.

This property is designated Secondary Agricultural in the County's Official Plan and is zoned Agricultural. Both the severed and retained parcels will meet the requirements set out in the Township of Wellington North Zoning By-law, save for the following approved minor variances:

- 1) A minor variance for a reduced MDS of 140 metres in lieu of the required 173 metre set back from barns located on the retained parcel, and
- 2) A minor variance for a reduced MDS of 168 metres in lieu of the required 217 metre set back from barns located at 5646 Highway 9

The Farm Data sheets and MDS calculations for four properties have been included with this submission. Two of the properties (5646 and 5630 Highway 9) required two calculations as the existing livestock count provided by the owners was less than the allowable limit for the size of barn.

The proposed severance meets the policies of the County Official Plan. One new lot for residential purposes may be allowed from a parcel of land existing on March 1, 2005, and this application satisfies the following criteria:

Surveying | Mapping | GIS
Unit 101- 257 Woodlawn Road West | Guelph | Ontario | N1H 8J1
T: [519] 822-4031 | F: [519] 822-1220
www.jdbarnes.com

- the lot meets a 0.4 ha minimum lot size
- the lot has access to an open public road;
- the residential use is compatible with surrounding development;
- the use is well removed from any settlement area boundary; and
- the lands have been owned by the applicant for at least 5 years.

It should be noted that the existing driveway providing access to this property will be widened to allow a 3 metre wide access into the proposed severed parcel and a 3 metre wide driveway to remain with the retained parcel. To achieve this joint access driveway and to allow independent access to each property, the existing driveway along the south side of the proposed severance will be extended southerly by approximately 2.5 to 3.0 metres.

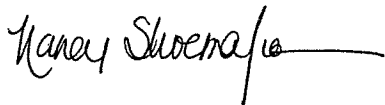
I have also enclosed a copy of the property owners within 60 metres of the application as provided to me by the Township.

Finally, I have included 8 full size copies of the proposed consent and an 11 x 17 reduction of same.

Should you have any questions, please do not hesitate to call me.

Yours very truly

BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED



Nancy Shoemaker, B.A.A., R.P.P.

Attachments

Copy: Tamara MacDermott-Norris

Surveying | Mapping | GIS
Unit 101- 257 Woodlawn Road West | Guelph | Ontario | N1H 8J1
T: [519] 822-4031 | F: [519] 822-1220
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