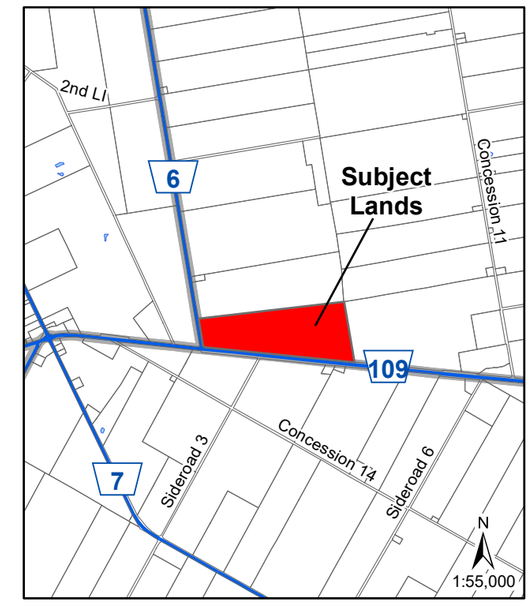
COUNTY OF WELLINGTON
LAND DIVISION
B32-23

Applicant:
Karen Martin & Marlin Martin

Township of Wellington North

6832 Wellington Rd 109

(Arthur Township)



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0 125 250 500 m

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Date: May 2023

Produced by: County of Wellington Planning & Development Department 2023

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Sources:
County of Wellington
Ministry of Natural Resources,
Grand River Conservation Authority.
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2020 Ortho imagery.

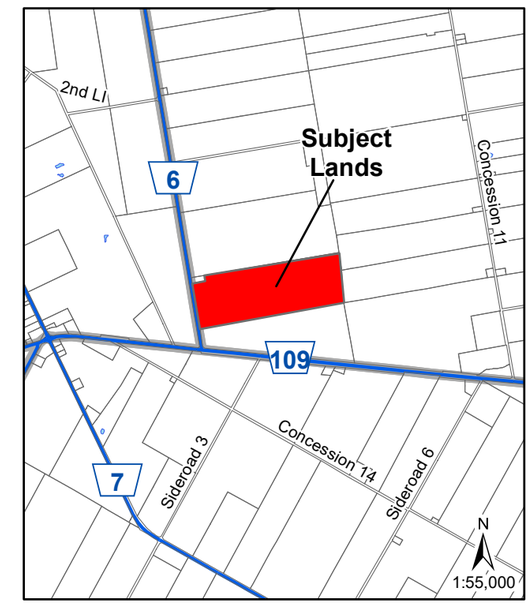
COUNTY OF WELLINGTON
LAND DIVISION
B33-23

Applicant:
Karen Martin & Marlin Martin

Township of Wellington North

8735 Wellington Rd 6

(Arthur Township)



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Ministry of Natural Resources,
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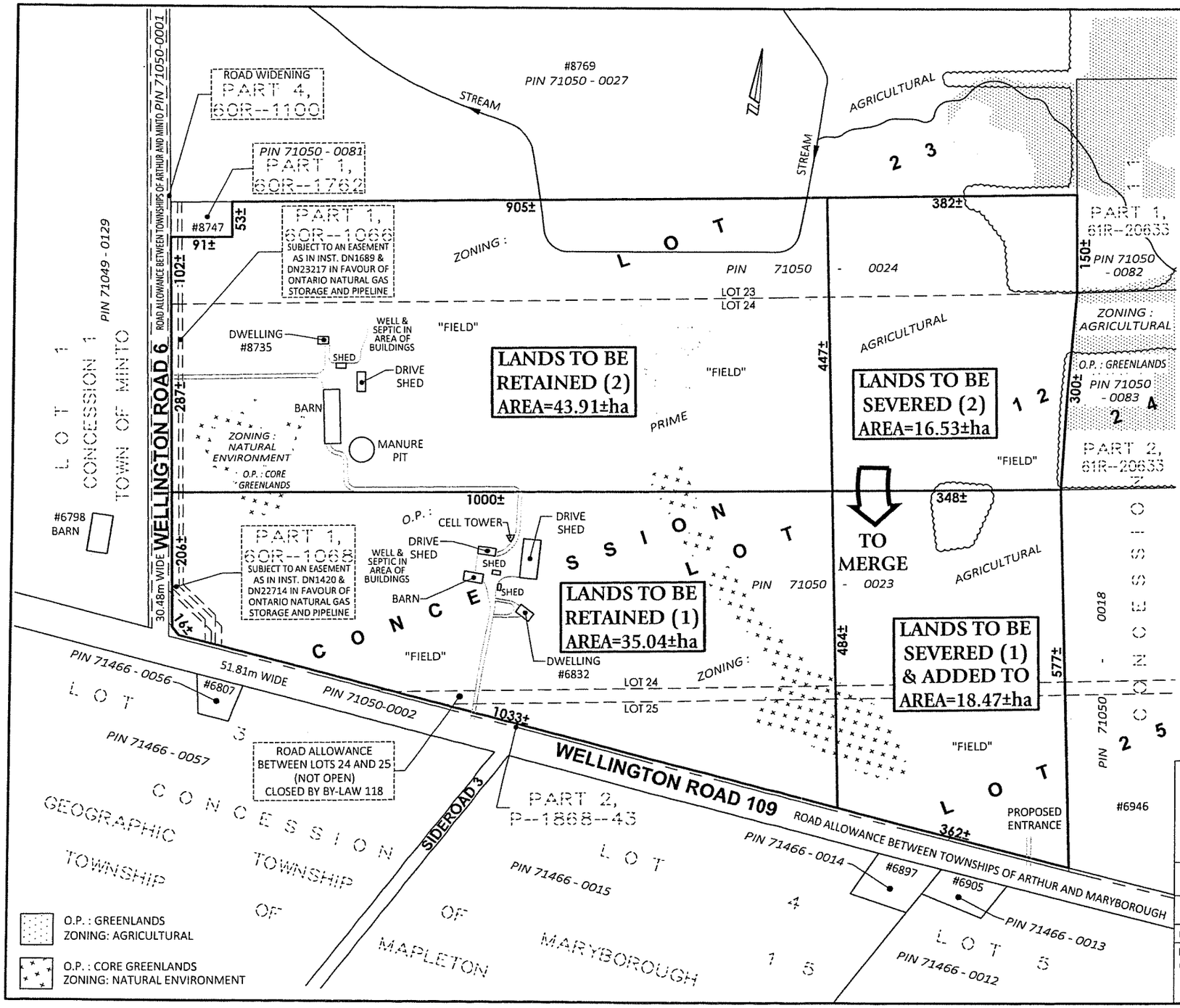
SEVERANCE SKETCH

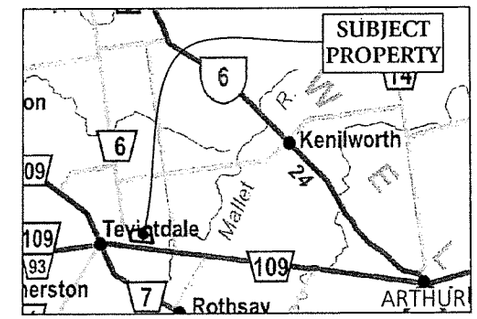
PART OF LOTS 23, 24 & 25,
CONCESSION 12
GEOGRAPHIC TOWNSHIP OF ARTHUR
TOWNSHIP OF WELLINGTON NORTH
COUNTY OF WELLINGTON
SCALE 1 : 6000

0 60 120 240 360 meters

VAN HARTEN SURVEYING INC.



KEYMAP:



NOTES:

1. **THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.**
2. SUBJECT LANDS ARE ZONED AGRICULTURAL AND NATURAL ENVIRONMENT.
3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF PRIME AGRICULTURAL AND CORE GREENLANDS.
4. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
5. DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.
6. SEE ATTACHED LIST OF NAMES AND ADDRESSES OF OWNERS.

SURVEYOR'S CERTIFICATE:
THIS SKETCH WAS PREPARED
ON THE 27th DAY OF MARCH, 2023

JEFFREY E. BUISMAN
ONTARIO LAND SURVEYOR

Van Harten
LAND SURVEYORS - ENGINEERS

Kitchener/Waterloo	Guelph	Orangeville
Ph: 519-742-8371	Ph: 519-821-2763	Ph: 519-940-4110

www.vanharten.com info@vanharten.com

DRAWN BY: ARN	CHECKED BY: JEB	PROJECT No. 32197-23

Mar 22, 2023-10:40:24 AM
G:\ARTHUR\CON12\acad\SEV LOT 23-25 (MARTIN) UTM.dwg

© 2023 THIS SKETCH IS PROTECTED BY COPYRIGHT

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:	**06/08/2023**	**EXPEDITED**
File Number:	**B32-23**	
Applicant:	**Karen Martin**	
Subject Lands:	Township of Wellington North (Arthur Twp) - Part Lots 23, 24 & 25, Concession 12	

Proposal is a request for consent to convey fee simple for a proposed agricultural parcel 18.47 ha, 362m frontage; retained agricultural lands being 35.04 ha

ISSUES: none

SUMMARY of FILED REPORTS and COMMENTS:

Planning Review	notice cards were not posted at time of site visit; applicant has been informed; application in relation to application B33/23 - consider this application as an undersize farm severance, however when considering the related lot line adjustment, the minimum lot area for an agricultural use would be met; application is consistent with Provincial Policy and generally conforms to Official Plan - Prime Agricultural and Core Greenlands; no concerns
County Roads Department	no entrance condition required
Township of Wellington North	severed and retained parcels comply with Section 8 and 30 of Zoning By-law 66-01; conditions to apply
Maitland Valley CA	no objections to intention of merging the severed lands to form a third agricultural land parcel
Miscellaneous	Jeff Buisman, agent cover letter attached

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 a signed 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
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 satisfy all the requirements of the local municipality, financial and otherwise (included but not limited to Taxes paid in Full; a Fee of $130.00 for Township Clearance Letter of conditions - or whatever fee is applicable at the time of clearance under the municipal Fees and Charges by-law) which the Township of Wellington North 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 Wellington North 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 Township of Wellington North in reference to parkland dedication consistent with By-Law 011-22; and further that the Township of Wellington North 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 apportioning any future maintenance costs on any municipal drain impacted by the application, and the owner shall provide a $500.00 deposit to cover the cost of the reapportionment if it is determined there are municipal drains impacted by the application and a $250.00 fee for the Drainage Superintendent's review of the application to determine status of any drain; and further that the Township of Wellington North file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
8) **THAT** servicing can be provided to the severed and retained lands to the satisfaction of the local municipality; and further that the Township of Wellington North file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
9) **THAT** application B33-23 be approved for consolidation with the severed parcel to the satisfaction of the County of Wellington.

*****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

May 25, 2023

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 B32-23

APPLICANT
Karen Martin
8735 Wellington Rd 6
RR#1
Palmerston N0G 2P0

LOCATION OF SUBJECT LANDS
Township of Wellington North (Arthur Twp)
Part Lots 23, 24 & 25
Concession 12

Proposed severance is 18.47 hectares with 362m frontage (Severed 1 on sketch), existing and proposed agricultural use.

Retained parcel is 35.04 hectares with 1033m frontage on Wellington Rd 109 and 206m frontage on Wellington Rd 6, (retained 1 on sketch) existing and proposed agricultural and rural residential use with existing dwelling, barn, drive sheds, sheds & cell tower.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, JUNE 08, 2023** 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 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: Van Harten Surveying Inc.

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: **06/08/2023** **EXPEDITED**

File Number: **B33-23**

Applicant: **Marline Martin**

Subject Lands: Township of Wellington North (Arthur Twp) - Part Lots 23, 24 & 25, Concession 12

Proposal is a request for consent to convey fee simple for a proposed lot line adjustment for agricultural use, 16.53 ha, no frontage to be added to abutting agricultural parcel created under B32-23; retained agricultural lands being 43.91 ha

ISSUES: none

SUMMARY of FILED REPORTS and COMMENTS:

Planning Review	notice cards were not posted at time of site visit - applicant has been informed; agricultural parcel to merge with future severed parcel B32-23 to create 35 ha agricultural parcel; application is consistent with Provincial policy and generally conforms to Official Plan - designated Prime Agricultural and Greenlands; the lot line adjustment would create an agricultural lot that meets the minimum lot area requirements; no concerns
County Roads Department	no entrance condition required; no objections
Township of Wellington North	severed and retained comply with zoning; conditions to apply
Maitland Valley CA	no objections to intention of merging the severed lands to form a third agricultural land parcel

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 copy of the "completed electronic transfer document in preparation" and a draft copy of the "Application for Consolidation of Parcels" to be consolidated.
2) **THAT** the Owner of the consented parcel shall consolidate the consented parcel with the abutting lands to which the consented parcel is to be added for B33-23 as a single parcel ("the consolidation ") and THAT the solicitor for the owner shall provide a signed undertaking in writing to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee that the solicitor will attend to the consolidation and to provide within 30 days of the date of registration in the Land Registry/Land titles Office for Wellington (No. 61) a copy of the receipted and registered electronic Transfer including the Form 4 Certificate and a copy of the registered Consolidated Parcels.
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 Purchaser take title of the severed lands in the same manner as he holds his abutting lands; and THAT Section 50, subsection (3) of the Ontario Planning Act, R.S.O. 1990 as amended shall apply to any subsequent conveyance or any transaction involving the parcel of land that is the subject of this consent.
6) **THAT** the conveyancing documents for the severed parcel contain a statement to ensure that Section 50, subsection (3) of the Planning Act, R. S. O. 1990, as amended shall apply to any subsequent conveyance or transaction with respect to the land described herein; and a statement that the consented parcel and the abutting lands to which this consented parcel is to be added shall be dealt with contemporaneously in any future conveyances or transactions unless further consent is granted under the Planning Act or other lawful order.
7) **THAT** the Owner satisfy all the requirements of the local municipality, financial and otherwise (included but not limited to Taxes paid in Full; a Fee of $130.00 for Township Clearance Letter of conditions - or whatever fee is applicable at the time of clearance under the municipal Fees and Charges by-law) which the Township of Wellington North 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 Wellington North file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
8) **THAT** the Owner enter into an agreement apportioning any future maintenance costs on any municipal drain impacted by the application, and the owner shall provide a $500.00 deposit to cover the cost of the reapportionment if it is determined there are municipal drains impacted by the application and a $250.00 fee for the Drainage Superintendent's review of the application to determine status of any drain; and further that the Township of Wellington North file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
9) **THAT** application B32-23 be approved for consolidation with the severed parcel to the satisfaction of the County of Wellington.

*****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

May 25, 2023

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with respect to Application for consent,

File B33-23

APPLICANT
Marline Martin
8735 Wellington Rd 6
RR#1
Palmerston N0G 2P0

LOCATION OF SUBJECT LANDS
Township of Wellington North (Arthur Twp)
Part Lots 23, 24 & 25
Concession 12

Proposed lot line adjustment is 16.53 hectares with no frontage (severed 2 on sketch), agricultural use to be added to abutting agricultural parcel – Karen Martin (severed 1 and added to on sketch).

Retained parcel is 43.91 hectares with 287m frontage, existing and proposed agricultural and rural residential use with existing dwelling, barn, drive shed, shed & manure pit (retained 2 on sketch).

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, JUNE 08, 2023** 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

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- ⇨ **Council and Standing Committees**
- ⇨ **Agenda & Minutes**
- ⇨ **Select Land Division Committee**
- ⇨ **choose month & year in drop down menus**
- ⇨ **open appropriate agenda**

TO: Van Harten Surveying Inc.

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

RECEIVED
MAY 16 2023
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Application	B32/23
Location	Part Lots 23, 24 and 25, Concession 12 TOWNSHIP OF WELLINGTON NORTH (Arthur Twp)
Applicant/Owner	Karen Martin

PLANNING OPINION: This application would sever a 18.47 ha (45.6 ac) vacant agricultural parcel. A 35.04 ha (86.6 ac) vacant lot would be retained. This application is in relation to application B33/23.

Staff would consider this application as an undersized farm severance, however when considering the related lot line adjustment, the minimum lot area for an agricultural use would be met. Staff recommend this application be approved together with application B33/23.

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 servicing can be provided to the severed and retained lands to the satisfaction of the local municipality;
b) That safe driveway access is provided to the severed and retained lands to the satisfaction of the appropriate road authority;
c) That any concerns by the Conservation Authority be addressed and,
d) That application B33/23 be approved and consolidated with the severed parcel to the satisfaction of the County of Wellington.

A PLACE TO GROW: No concerns.

PROVINCIAL POLICY STATEMENT (PPS): Section 2.3.4 allows for lot creation in the Prime Agricultural Area for agricultural uses provided the lots are of a size that is common in the area.

Regarding MDS, staff have reviewed the farm information sheets and MDS setback requirements and have no concerns.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated as Prime Agricultural, and Core Greenlands. Identified features include hazard area regulated by the Maitland Valley Conservation Authority.

Section 10.3.1 allows for lot creation in the Prime Agricultural area provided the new lot is a minimum 35 ha (86 ac). When considering the associated application, the proposed farm would be 35 ha (86 ac) which would meet the minimum lot area requirements identified in the County Official Plan.

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 zoned as Agricultural (A) and Natural Environment (NE). The severed and retained land would meet the frontage and area requirements of the by-law.

SITE VISIT INFORMATION: The subject property was visited and photographed on April 26th. 2023. Notice Cards were not posted and the applicant has been informed, the survey sketch appears to meet the application requirements.

Zach Prince RPP MCIP, Senior Planner
May 16th, 2023

MUNICIPALITY COMMENTING FORM

RECEIVED
MAY 09 2023
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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: B32-23

APPLICANT
Karen Martin
8735 Wellington Rd 6
RR#1
Palmerston N0G 2P0

LOCATION OF SUBJECT LANDS
Township of Wellington North (Arthur Twp)
Part Lots 23, 24 & 25
Concession 12

Proposed severance is 18.47 hectares with 362m frontage (Severed 1 on sketch), existing and proposed agricultural use.

Retained parcel is 35.04 hectares with 1033m frontage on Wellington Rd 109 and 206m frontage on Wellington Rd 6, (retained 1 on sketch), existing and proposed agricultural and rural residential use with existing dwelling, barn, drive sheds, sheds & cell tower.

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: **23-49-000-010-19100-0000**

Does this description reasonably describe the parcel holdings?			YES:	x	NO:		BUILDING & PLANNING DEPARTMENTS
If answer is no, please provide new information:							
Do you consider this proposal to conform to your Official Plan?			YES:		NO:		
What Section(s) does it conform to or contravene? (Please specify)							
Will the Severed Parcel comply with all requirements of the Zoning By-law?			YES:	x	NO:		
(Please Specify) Sections 8 and 30 of zoning by-law 66-01							
Will the Retained Parcel comply with all requirements of the Zoning By-law?			YES:	x	NO:		
(Please Specify) Sections 8 and 30 of zoning by-law 66-01							
If Necessary, would the Municipality be prepared to consider an **Amendment** to the Zoning By-Law to permit the proposal to conform?	YES:		NO:		NA:		
Or **Minor Variance**	YES:		NO:		NA:		
Is proposal on an opened maintained year-round public road?			YES:	X	NO:		ROADS
If answer is NO, is municipality willing to enter into an agreement regarding use of the seasonal road, or opening up the road?							
(Please Specify)							
Is the Proposed Lot(s) serviced now by Municipal Water?			YES:		NO:	X	WATER
Is the Retained Lot serviced now by Municipal Water?			YES:		NO:	X	
Is the Proposed Lot(s) serviced now by Municipal Sewers?			YES:		NO:	X	
Is the Retained Lot serviced now by Municipal Sewers?			YES:		NO:	X	
Is there a **Capital Works Project** underway to service these lots in the near future?			YES:		NO:	X	
Approximate Time of Servicing Availability:							
Are there any other servicing arrangements, Municipal easements or Municipal Drains on the subject lands?							WORKS / DRAIN
To be Determined							

Continue to Page 2

MUNICIPALITY COMMENTING FORM

FILE NO: B32-23

Is the Municipality's Building Official satisfied that there is a sufficient site on the severed parcel for individual well and septic services?	**YES:**	**x**	**NO:**		*BUILDING*
Is there any further information that may assist the Planning and Land Division Committee? [A letter may be attached if there is insufficient space to explain.]					
Is the Municipality in support of this application?	**YES:**		**NO:**		*COUNCIL*
What Conditions, if any, are requested by the Municipality if the Consent is granted?					Initial
THAT the Owner satisfy all the requirements of the local municipality, financial and otherwise (included but not limited to Taxes paid in Full; a Fee of $130.00 for Township Clearance Letter of conditions — or whatever fee is applicable at the time of clearance under the municipal Fees and Charges by-law) which the Township of Wellington North 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;					TP
THAT the Owner satisfy the requirements of the Township of Wellington North in reference to parkland dedication consistent with By-Law 011-22;					TP
THAT the Owner enter into an agreement apportioning any future maintenance costs on any municipal drain impacted by the application, and the owner shall provide a $500.00 deposit to cover the cost of the re-apportionment if it is determined there are municipal drains impacted by the application and a $250.00 fee for the Drainage Superintendent's review of the application to determine status of any drain;					TP
Does the Municipality request a Notice of the Decision?	**YES:**	**X**	**NO:**		

SIGNATURE: Tammy B

TITLE: DEVELOPMENT CLERK

ADDRESS: P.O. BOX 125, 7490 SIDEROAD 7 W., KENILWORTH, ON, N0G 2E0

DATE: May 8, 2023

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

RECEIVED
MAY 16 2023
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Application	B33/23
Location	Part Lots 23, 24 and 25, Concession 12 TOWNSHIP OF WELLINGTON NORTH (Arthur Twp)
Applicant/Owner	Marline Martin

PLANNING OPINION: This application would sever a 16.53 ha (40.8 ac) vacant agricultural parcel and merge it with a future severed parcel (B32/23) creating a 35 ha (86 ac) agricultural parcel. A 43.91 ha (108.5 ac) agricultural parcel with an existing dwelling, barn, drive shed and manure pit would be retained. This application is in relation to application B32/23.

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 application B32/23 be approved and consolidated with the severed parcel to the satisfaction of the County of Wellington.
b) That the purchaser take title to the severed lands in the same manner as they hold their abutting land; and,
c) That Subsection 50(3) of the Planning Act, R.S.O., 1990 be applied to any subsequent conveyance or any transaction involving the parcel of land that is the subject of this Consent.

A PLACE TO GROW: No concerns.

PROVINCIAL POLICY STATEMENT (PPS): Section 2.3.4.2 allows for lot line adjustments in the Prime Agricultural Area.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated as Prime Agricultural, and Greenlands. Identified features include a Significant Wooded area.

Section 10.3 allows for lot line adjustments for legal and technical reasons. The lot line adjustment would create an agricultural lot that meets the minimum lot area requirements.

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 zoned as Agricultural (A). The severed and retained land would meet the frontage and area requirements of the by-law.

SITE VISIT INFORMATION: The subject property was visited and photographed on April 26th. 2023. Notice Cards were not posted and the applicant has been informed, the survey sketch appears to meet the application requirements.

Zach Prince RPP MCIP, Senior Planner
May 16th, 2023

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MAY 09 2023
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WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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FILE NO: B33-23

APPLICANT
Marlin Martin
8735 Wellington Rd 6
RR#1
Palmerston N0G 2P0

LOCATION OF SUBJECT LANDS
Township of Wellington North (Arthur Twp)
Part Lots 23, 24 & 25
Concession 12

Proposed lot line adjustment is 16.53 hectares with no frontage (severed 2 on sketch), agricultural use to be added to abutting agricultural parcel – Karen Martin (severed 1 and added to on sketch).

Retained parcel is 43.91 hectares with 287m frontage, existing and proposed agricultural and rural residential use with existing dwelling, barn, drive shed, shed & manure pit (retained 2 on sketch).

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: **23-49-000-010-19000-0000**

Does this description reasonably describe the parcel holdings?		YES:	x	NO:		BUILDING & PLANNING DEPARTMENTS
If answer is no, please provide new information:						
Do you consider this proposal to conform to your Official Plan?		YES:		NO:		
What Section(s) does it conform to or contravene? (Please specify)						
Will the Severed Parcel comply with all requirements of the Zoning By-law?		YES:	x	NO:		
(Please Specify) Sections 8 and 30 of zoning by-law 66-01						
Will the Retained Parcel comply with all requirements of the Zoning By-law?		YES:	x	NO:		
(Please Specify) Sections 8 and 30 of zoning by-law 66-01						
If Necessary, would the Municipality be prepared to consider an **Amendment** to the Zoning By-Law to permit the proposal to conform?	YES:		NO:		NA:	
Or **Minor Variance**	YES:		NO:		NA:	
Is proposal on an opened maintained year-round public road?		YES:	X	NO:		ROADS
If answer is NO, is municipality willing to enter into an agreement regarding use of the seasonal road, or opening up the road?						
(Please Specify)						
Is the Proposed Lot(s) serviced now by Municipal Water?		YES:		NO:	X	WATER
Is the Retained Lot serviced now by Municipal Water?		YES:		NO:	X	
Is the Proposed Lot(s) serviced now by Municipal Sewers?		YES:		NO:	X	
Is the Retained Lot serviced now by Municipal Sewers?		YES:		NO:	X	
Is there a **Capital Works Project** underway to service these lots in the near future?		YES:		NO:	X	
Approximate Time of Servicing Availability:						
Are there any other servicing arrangements, Municipal easements or Municipal Drains on the subject lands?						WORKS/ DRAIN
To be Determined						

Continue to Page 2

MUNICIPALITY COMMENTING FORM

FILE NO: B33-23

Is the Municipality's Building Official satisfied that there is a sufficient site on the severed parcel for individual well and septic services?	**YES:**	**x**	**NO:**		*BUILDING*
Is there any further information that may assist the Planning and Land Division Committee? [A letter may be attached if there is insufficient space to explain.]					
Is the Municipality in support of this application?	**YES:**		**NO:**		*COUNCIL*
What Conditions, if any, are requested by the Municipality if the Consent is granted?					Initial
THAT the Owner satisfy all the requirements of the local municipality, financial and otherwise (included but not limited to Taxes paid in Full; a Fee of $130.00 for Township Clearance Letter of conditions — or whatever fee is applicable at the time of clearance under the municipal Fees and Charges by-law) which the Township of Wellington North 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;					TP
THAT the Owner enter into an agreement apportioning any future maintenance costs on any municipal drain impacted by the application, and the owner shall provide a $500.00 deposit to cover the cost of the re-apportionment if it is determined there are municipal drains impacted by the application and a $250.00 fee for the Drainage Superintendent's review of the application to determine status of any drain;					TP
Does the Municipality request a Notice of the Decision?	**YES:**	**X**	**NO:**		

SIGNATURE: Tammy RL

TITLE: DEVELOPMENT CLERK

ADDRESS: P.O. BOX 125, 7490 SIDEROAD 7 W., KENILWORTH, ON, N0G 2E0

DATE: May 8, 2023

County of Wellington Planning and Land Division Committee
Deborah Turchet, Secretary-Treasurer
Wellington County Administration Centre
74 Woolwich Street, Guelph ON N1H 3T9

RECEIVED
MAY 16 2023
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

April 6, 2023

NOTICE OF AN APPLICATION FOR CONSENT

Ontario Planning Act, Section 53(4)

The County of Wellington Planning and Land Division Committee requests your written comments on this application for consent.

APPLICATION SUBMITTED ON: March 29, 2023

FILE NO. B32-23

APPLICANT
Karen Martin
8735 Wellington Rd 6
RR#1
Palmerston N0G 2P0

LOCATION OF SUBJECT LANDS
Township of Wellington North (Arthur Twp)
Part Lots 23, 24 & 25
Concession 12

Proposed severance is 18.47 hectares with 362m frontage (Severed 1 on sketch), existing and proposed agricultural use.

Retained parcel is 35.04 hectares with 1033m frontage on Wellington Rd 109 and 206m frontage on Wellington Rd 6, (retained 1 on sketch) existing and proposed agricultural and rural residential use with existing dwelling, barn, drive sheds, sheds & cell tower.

IF YOU WISH TO SUBMIT COMMENTS ON THIS APPLICATION, WE MUST HAVE YOUR WRITTEN COMMENTS BEFORE

May 17, 2023

Comments can be provided by mail at address above or by email landdivisioninfo@wellington.ca

Please note that if the Comments are not received by the requested date, the Planning and Land Division Committee may proceed to consider the application, and may assume that you have no objection to this Application for Consent.

NOTE: Any verbal or written comment/objection submitted to the County of Wellington regarding this application which is being processed under the Planning Act, may be made public as part of the process.

Please also be advised that if a person or public body that files 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.

If you wish to **attend** the public meeting to consider the application, please request to be **NOTIFIED OF THE DATE AND TIME OF THE CONSIDERATION** of this application - **please make your request in writing and provide your email address** to the Planning and Land Division Committee before the "Comments Return Date" noted above.

If you wish to be **NOTIFIED OF THE DECISION** of the County of Wellington Planning and Land Division Committee in respect of this proposed consent, **you must make a request in writing** to the County of Wellington Planning and Land Division Committee. This will also entitle you to be advised of a possible Ontario Land Tribunal. Even if you are the successful party, you should request a copy of the decision since the County of Wellington Planning and Land Division Committee's decision may be appealed to the Ontario Land Tribunal by the applicant or another member of the Public.

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

MAILED TO:

Local Municipality – Wellington North County Planning Conservation Authority – Maitland Valley

County Engineering

Bell Canada (email) County Clerk Roads/Solid Waste Civic Addressing

Neighbour - as per list verified by local municipality and filed by applicant with this application

COUNTY OF WELLINGTON
ENGINEERING SERVICES
NO OBJECTION
NOTICE OF DECISION REQ'D.
Philippe Campbell
ENGINEERING TECHNOLOGIST
Date 05/16/2023

NO ENTRANCE CONDITION REQUIRED

County of Wellington Planning and Land Division Committee
Deborah Turchet, Secretary-Treasurer
Wellington County Administration Centre
74 Woolwich Street, Guelph ON N1H 3T9

RECEIVED MAY 16 2023 SECRETARY TREASURER WELLINGTON COUNTY LAND DIVISION COMMITTEE

April 6, 2023

NOTICE OF AN APPLICATION FOR CONSENT

Ontario Planning Act, Section 53(4)

The County of Wellington Planning and Land Division Committee requests your written comments on this application for consent.

APPLICATION SUBMITTED ON: March 29, 2023

FILE NO. B33-23

APPLICANT
Marline Martin
8735 Wellington Rd 6
RR#1
Palmerston N0G 2P0

LOCATION OF SUBJECT LANDS
Township of Wellington North (Arthur Twp)
Part Lots 23, 24 & 25
Concession 12

Proposed lot line adjustment is 16.53 hectares with no frontage (severed 2 on sketch), agricultural use to be added to abutting agricultural parcel – Karen Martin (severed 1 and added to on sketch).

Retained parcel is 43.91 hectares with 287m frontage, existing and proposed agricultural and rural residential use with existing dwelling, barn, drive shed, shed & manure pit (retained 2 on sketch).

IF YOU WISH TO SUBMIT COMMENTS ON THIS APPLICATION, WE MUST HAVE YOUR WRITTEN COMMENTS BEFORE

May 17, 2023

Comments can be provided by mail at address above or by email landdivisioninfo@wellington.ca

Please note that if the Comments are not received by the requested date, the Planning and Land Division Committee may proceed to consider the application, and may assume that you have no objection to this Application for Consent.

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

MAILED TO:

Local Municipality – Wellington North County Planning Conservation Authority – Maitland Valley

County Engineering

Bell Canada (email) County Clerk Roads/Solid Waste Civic Addressing

Neighbour - as per list verified by local municipality and filed by applicant with this application

COUNTY OF WELLINGTON
ENGINEERING SERVICES
NO OBJECTION
NOTICE OF DECISION REQ'D
Philippe Campbell
ENGINEERING TECHNOLOGIST
Date 05/16/2023

NO ENTRANCE CONDITION REQUIRED

Maitland CONSERVATION

RECEIVED
MAY 09 2023
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

MEMORANDUM

TO:	**Deborah Turchet, Planning and Land Division Secretary-Treasurer, Wellington County**
CC:	**Jana Poechman, Planning Administrative Clerk, Wellington County, via email** **Karen Martin, Applicant, via email** **Jeff Buisman, Van Harten Surveying, via email**
FROM:	**Anna Marie Soleski, Environmental Planner/Regulations Officer, MVCA**
DATE:	**May 9, 2023**
SUBJECT:	**Application for Consent to Sever: B32-23 & B33-23.** **Concession 12, Part Lots 23, 24, & 25, Part Rd Closed, Arthur Ward, Municipality of Wellington North, County of Wellington, known as 6832 Wellington Rd 109 & 8735 Wellington Rd 6**

The Maitland Valley Conservation Authority (MVCA) has reviewed the above-noted application with respect to natural hazards in accordance with our Memorandum of Understanding with the County of Wellington; and in accordance with our delegated responsibility for representing the "Provincial Interest" for natural hazards; and relative to MVCA policies made under *Ontario Regulation 164/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation).* Based on our review, we offer the following comments.

It is our understanding that the purpose of this application is to sever agricultural lands from Part Lots 23 & 24 and Part Lots 24 & 25, with the intention of merging the severed lands to form a third agricultural land parcel.

Natural Hazards:

Severed and retained lands on Part Lots 23 & 24, known as 8735 Wellington Rd 6, contains an open watercourse.

MVCA Regulated Lands:

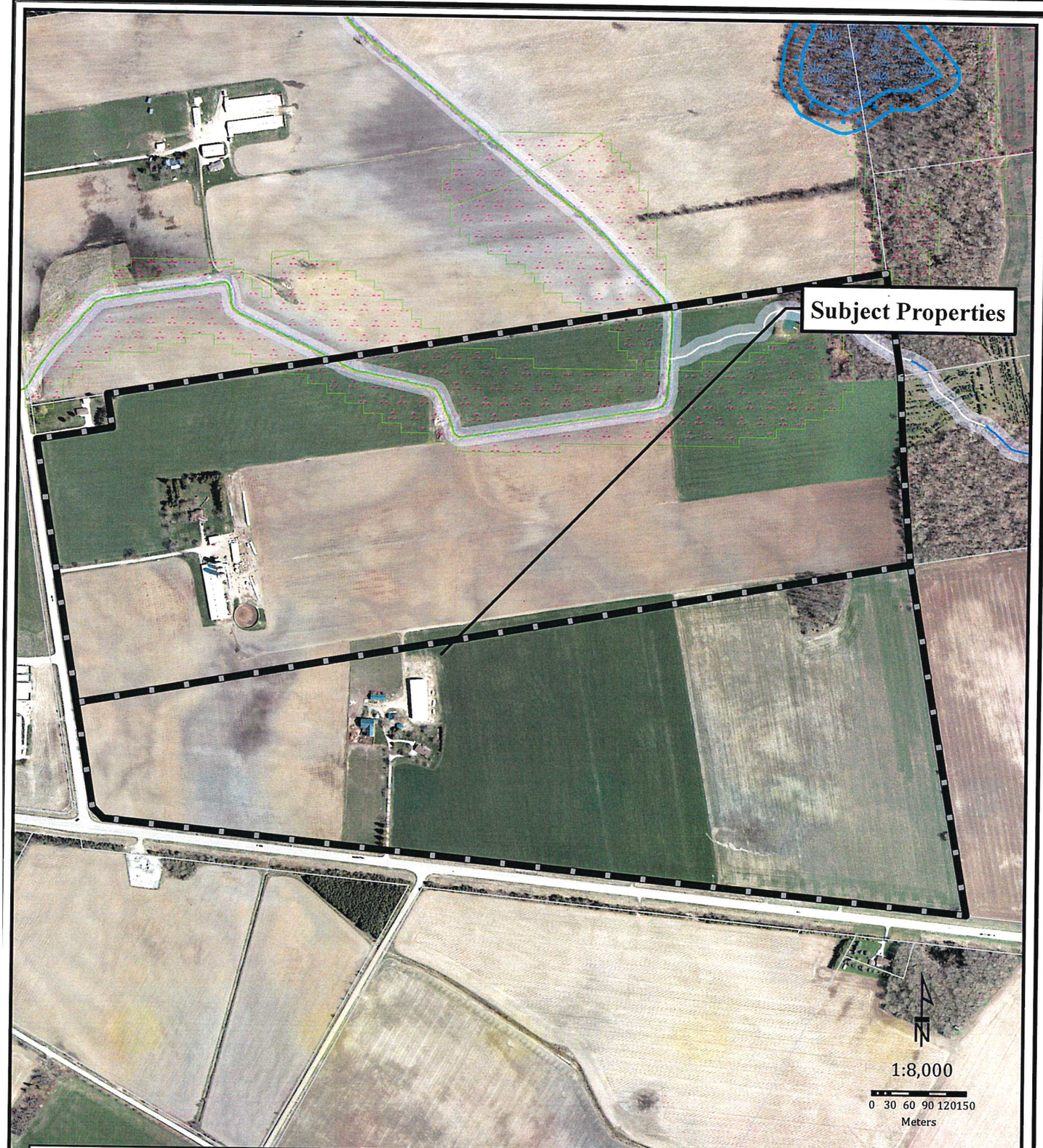
As per *Ontario Regulation 164/06*, watercourses, plus 15 meters of adjacent land from the top of bank, are regulated by the Maitland Valley Conservation Authority (MVCA) under the *Conservation Authorities Act (R.S.O., 1990, chapter C.27)*. Subject to the regulation, any proposed development (construction, reconstruction, filling and/or site grading) interference and/or site alteration must be reviewed and approved by MVCA prior to any works beginning.

Background & Recommendation:

The application to sever lands is in general conformance with Section 3.1, Natural Hazard Policies of the PPS, 2020; and as such MVCA has no objections.

Thank you for the opportunity to comment at this time. Feel free to contact this office if you have any questions.

ONTARIO REGULATION 164/06
REGULATED FEATURES



This map is for illustrative purposes only. Information contained hereon is not a subsitute for professional review or a site survey and is subject to change without notice. The Maitland Valley Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any

B32-23 & B33-23

Van Harten
LAND SURVEYORS - ENGINEERS

March 28, 2023
32197-23
Jeff.Buisman@vanharten.com

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

Attention: Deborah Turchet

RECEIVED
MAR 30 2023
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Dear Ms. Turchet:

Re: Severance & Lot Line Adjustment Applications and Sketch
8735 Wellington Road 6 & 6832 Wellington Road 109
Part of Lots 23, 24 25, Concession 12
PIN 71050-0024 & 71050-0023
Township of Arthur
Township of Wellington North

Please find enclosed the applications for a Severance and Lot Line Adjustment, along with the Sketch for the above-mentioned properties. Included with this submission are copies of the Severance Sketch, completed application forms, the required deeds, PIN report and map, addresses of neighbouring properties, MDS Farm Data Sheets, a cheque to the Maitland Valley Conservation Authority for $275.00 and a cheque to Wellington County for $9,920.00 for the application fees.

Proposal:

The purpose of the applications is to reconfigure the two large farm properties – known as #6832 Wellington County Road 109 (PIN 71050-0023) and #8735 Wellington County Road 6 (PIN 71050-0024) – so that there will be 3 farms of at least 35ha each. This will be accomplished through a severance and lot line adjustment application.

Severance No. 1 – 8632 Wellington County Road No. 109:

The proposal is to sever a large parcel of vacant agricultural land from #6832 Wellington County Road 109 for agricultural purposes, leaving the existing dwelling, barn and accessory buildings on the Retained Parcel No. 1.

The Severed Parcel No. 1 is vacant and will have a frontage of 362±m along Wellington Road 109, depth of 577±m, for an area of 18.47±ha. This parcel will then be merged with the parcel to the north through a lot line adjustment.

The Retained Parcel No. 1 (#6832) is a corner lot with frontage along Wellington Road 6 and Wellington Road 109, with an area of 35.04±ha where the existing dwelling and various accessory buildings will remain.

The subject property is zoned Agricultural and Natural Environment and the Zoning requirements are for the Retained Parcel and the Severed Parcel will be met after the corresponding lot line adjustment.

The property is designated as Prime Agricultural and Core Greenlands in the County of Wellington Official Plan. Section 10.3.2 of the County Official Plan addresses the creation of new lots for agricultural purposes in areas designated as Prime Agricultural and states that:

- ***New lots for agricultural operations shall be an appropriate size for existing and future agricultural use and new lots will normally be a minimum of 35 ha*** – The severed and retained parcels will be at least 35ha after the severance and lot line adjustment and will be of a sufficient size for continued agricultural use.
- ***The creation of agricultural lots along the original lots in the Township survey is encouraged*** There are no existing original lot lines on these two parcels to create 3 parcels of 35ha. The overall configuration is, however, logical in that three approximate rectangles are created.
- ***New agricultural lots may include lands in the Greenlands System where necessary to provide logical lot lines, provided that suitable building envelopes are available outside of the features*** – A possible building envelope on the Severed Parcel far from any environmental features.

Lot Line Adjustment No. 2 – 8735 Wellington County Road No. 6:

The purpose of this lot line adjustment is to sever a large piece at the rear of #8735 Wellington County Road 6 and merge it with above mentioned Severed Parcel No. 1 so that the newly-created parcel will have the required area of 35ha. The dwelling and accessory buildings will remain on the Retained Parcel No. 2.

The Severed Parcel No. 2 is an agricultural field with no frontage along a road. The parcel has a width of 447±m, depth of 382±m, for an area of 15.53±ha.

The Retained Parcel No. 2 (#8735) is a large farm parcel with an area of 43.91±ha after the severance, where the existing dwelling, barns and accessory buildings will remain. The parcel will continue to be used for agricultural purposes.

The subject properties are zoned Agricultural and Natural Environment and the Zoning requirements (including frontage and lot area) are met for the Merged Parcel and Retained Parcels. The three parcels will all be at least 35ha at minimum. The existing entrances will continue to provide safe access to the Retained Parcels and a new entrance is proposed along Wellington County Road 109 to access the Merged Parcel.

Van Harten
LAND SURVEYORS - ENGINEERS

The Minimum Distance Separation (MDSI) has been evaluated for barns in the area. There are existing barns on Retained Parcels and neighbouring parcels, however because of the large area of the Merged Parcel, there is adequate space for a 0.5ha building envelope more than 500m to any barn and we are confident that MDS can be met. According to MDS Guideline #41; *"for proposed lots without an existing dwelling that are more than 1ha, MDS I setbacks are measured as the shortest distance between a 0.5ha or larger building envelope (for a potential dwelling) and either the surrounding livestock occupied portions of the livestock barns, manure storages or anaerobic digesters".*

This type of severance follows Section 10.3.5 of the Wellington County Official Plan for Lot Line Adjustments on lands that are designated Prime Agricultural. This section states that lot line adjustments are permitted for where no adverse effect on agriculture will occur; where a more viable agricultural operation will result and where two abutting farms are merged.

In summary, proposed severance and lot line adjustment will allow for the continued agricultural use on three farm parcels which meet relevant Zoning and Official Plan criteria.

Please call me if you or the Planning Staff have any questions.

Very truly yours,
Van Harten Surveying Inc.

Jeffrey E. Buisman B.E.S, B.Sc.
Ontario Land Surveyor

cc Marlin Martin