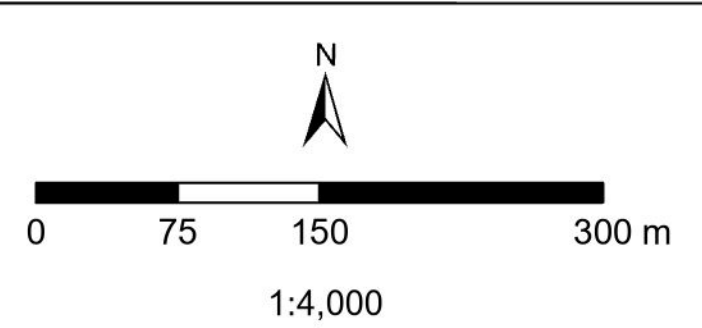
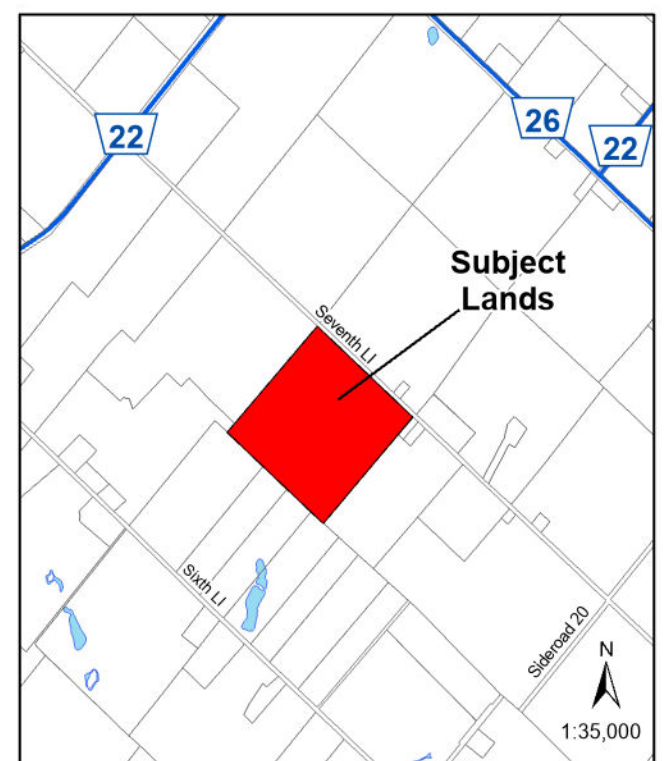


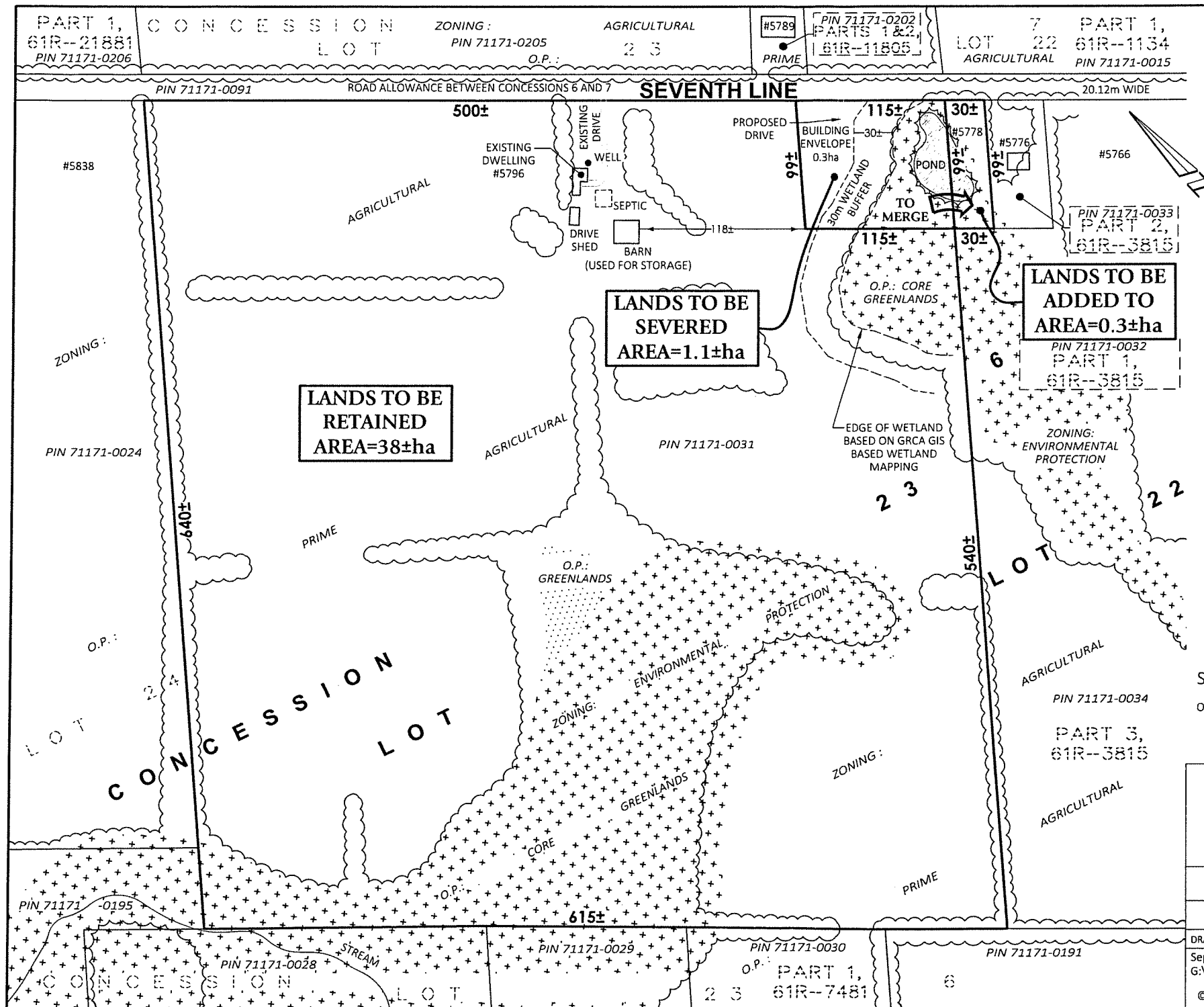
COUNTY OF WELLINGTON
LAND DIVISION
B80-23
Dave Adsett
Township of Guelph/Eramosa
5796 Seventh Line
(Eramosa Township)



Date: November 2023
Produced by: County of Wellington Planning & Development Department 2023
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Sources:
County of Wellington
Teranet 2002
Ministry of Natural Resources and Forestry,
Grand River Conservation Authority.
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2020 Ortho imagery.



380-23 Adsett

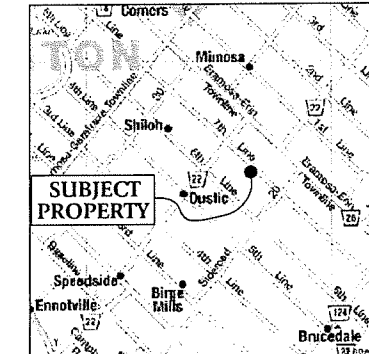


SEVERANCE SKETCH

PART OF LOTS 22 & 23, CONCESSION 6
GEOGRAPHIC TOWNSHIP OF ERAMOSA
TOWNSHIP OF GUELPH/ERAMOSA
COUNTY OF WELLINGTON

SCALE 1 : 3000
0 50 100 150 200 metres
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, ENVIRONMENTAL PROTECTION AND ENVIRONMENTAL PROTECTION OVERLAY.
3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF PRIME AGRICULTURAL, GREENLANDS & 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 28th DAY OF SEPTEMBER, 2023

JEFFREY E. BUISMAN
ONTARIO LAND SURVEYOR



Van Harten
LAND SURVEYORS - ENGINEERS

Kitchener/Waterloo
Ph: 519-742-8371

Guelph
Ph: 519-821-2763

Orangeville
Ph: 519-940-4110

www.vanharten.com

info@vanharten.com

DRAWN BY: AN

CHECKED BY: JB

PROJECT No. 32349-23

Sep 28, 2023-12:17:57 PM

G:\ERAMOSA\con6\acad\SEV PT LT 22,23 (ADSETT) UTM 2010.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: 12/07/2023 **EXPEDITED**
File Number: B80-23
Applicant: Dave Adsett
Subject Lands: Township of Guelph-Eramosa (Eramosa) - Part Lots 22 & 23, Concession 6

Proposal is a request for consent to convey fee simple for a proposed lot line adjustment of 1.1 ha, 115m fr to abutting property (981470 Ontario Inc.) for rural residential use; retained existing agricultural parcel being 38 ha

ISSUES: none

SUMMARY of FILED REPORTS and COMMENTS:

Planning Review	notice cards were posted at time of site visit; application; application consistent with Provincial Policy and generally conforms to Official Plan; proposed lot line adjustment is within the Greenland System; the proposed lot lines are based on the natural features on the property including incorporating a whole wetland on the severed lot rather than splitting the wetland between the severed and retained; no concerns
Township of Guelph/Eramosa	Council in support of application with conditions; severed and retained comply with zoning
Grand River CA	no objections - severance sketch proposes a building envelope on the enlarged parcel that is greater than 30 m from the wetland. no new lots are being created and development setback of 30 m from the wetland is proposed.
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 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 B80-23 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 Township of Guelph/Eramosa, financial and otherwise (included but not limited to fees incurred for review of application) which the Township of Guelph/Eramosa 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 Guelph/Eramosa file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 8) **THAT** zoning compliance is achieved to the satisfaction of the Township; and further that the Township of Guelph/Eramosa file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 9) **THAT** the County of Wellington Planning Department submit to the Secretary-Treasurer of the Planning and Land Division Committee written approval which indicates that the Minimum Distance Separation required under Formula 1 are met.

*****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

November 23, 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 B80-23

<u>APPLICANT</u>	<u>LOCATION OF SUBJECT LANDS</u>
Dave Adsett 905 Gartshore Street PO Box 252 Fergus N1M 2W8	Township of Guelph-Eramosa (Eramosa) Part Lots 22 & 23 Concession 6

Proposed lot line adjustment is 115m fr x 99m = 1.1 hectares, existing agricultural use to be added to abutting rural residential lot – 981470 Ontario Inc.

Retained parcel is 38 hectares with 500m frontage, existing and proposed agricultural use with existing dwelling, barn & drive shed.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, DECEMBER 07, 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.



NOV 15 2023

Application
Location

B80/23
Part Lots 22 and 23
TOWNSHIP OF GUELPH-ERAMOSA
Dave Adsett

Applicant/Owner

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

PLANNING OPINION: This application for lot line adjustment would sever 1.1 ha (2.7 ac) parcel of land and merge it with an abutting vacant rural residential lot (5778 Seventh Line). The additional land would result in the benefitting lot being increased to a total lot size of approximately 1.4 ha (3.45 ac). Approximately 38 ha (93.9 ac) of agricultural parcel would be retained with existing dwelling, barn and driveway.

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:

- That any concerns of the Conservation Authority can be adequately addressed;
- That Minimum Distance Separation be addressed to the satisfaction of the County;
- That the purchasers take title of the severed and retained lands in the same manner as they hold their abutting land;
- 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: 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 Growth Plan requires new development including lot creation to be located 30m from a Key Hydrogeological Feature.

PROVINCIAL POLICY STATEMENT (PPS): Section 2.3.4.2 states of PPS "Lot line adjustments in prime agricultural areas may be permitted for legal or technical reasons".

Section 2.3.3.3 of the PPS requires that new land uses including lot creation shall comply with the minimum separation formulae. The applicant has provided a farm data sheet that would indicate the barn is not capable of housing livestock. Staff have concerns with not applying MDS at this time as the lot line adjustment will result in a building lot being constructed closer to the existing barn. The existing barn is approximately 3,000 ft² using the unoccupied barn calculation would generate a required setback of 167 m. A condition requiring MDS compliance has been added.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated PRIME AGRICULTURAL, CORE GREENLANDS and GREENLANDS. Identified features include Significant Wooded Area and Grand River Conservation Authority (GRCA) regulated Flood Plain, Wetlands and Provincially Significant Wooded Areas. The proposed lot line adjustment is within the Greenland system.

Section 10.3.5 permits lot line adjustments in the Prime Agricultural Area. No additional lots are being created as part of this lot line application.

Section 10.2.1 b) allows minor boundary adjustments where there is no negative impacts to the Greenland feature. The applicant has included a large enough area to provide a 30 m buffer to the existing wetland and a condition requiring any concerns raised by the Conservation Authority has been added.

The matters under Section 10.1.3 were also considered including item k) that the size and shape of proposed lots is suitable, including frontage, area and the proportion of frontage to depth and m) that all new lots shall have logical lot lines given existing lot patterns in the area, natural and human-made features and other appropriate considerations. The proposed lot lines are based on the natural features on the property including incorporating a whole wetland on the severed lot rather than splitting the wetland between the severed and retained lots.

WELL HEAD PROTECTION AREA: The subject property is not located within Well Head Protection Area.

LOCAL ZONING BY-LAW: The subject property is zoned Agricultural (A) and Environmental Protection (EP). Both severed and retained lands meet the minimum lot area and lot frontage requirements of the by-law.

SITE VISIT INFORMATION: The subject property was visited and photographed on November 3, 2023. Notice Cards were posted, and the survey sketch appears to meet the application requirements.

Zach Prince MCIP RPP, Senior Planner, November 15, 2023

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: B80-23

APPLICANT

Dave Adsett
905 Gartshore Street
PO Box 252
Fergus N1M 2W8

LOCATION OF SUBJECT LANDS

Township of Guelph-Eramosa (Eramosa)
Part Lots 22 & 23
Concession 6

Proposed lot line adjustment is 115m fr x 99m = 1.1 hectares, existing agricultural use to be added to abutting rural residential lot – 981470 Ontario Inc.

Retained parcel is 38 hectares with 500m frontage, existing and proposed agricultural use with existing dwelling, barn & drive shed.

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 2311000006192000000

Does this description reasonably describe the parcel holdings? YES ☒ NO ()

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

Do you consider this proposal to conform to your Official Plan? YES ☒ NO ()

What sections does it conform to or contravene? (Please specify)
See Planning Report 23-18.

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

(Please Specify): See Planning Report 23-18.

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

(Please Specify): See Planning Report 23-18.

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 ☒ NO []

If 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 Note that the severed parcel does not have an existing entrance onto Seventh Line.
An approved entrance will be required through the Township entrance permit process.
See Planning Report 23-18 for related comments provided by the Director of Public Works.

Is the Proposed Lot(s) serviced now by Municipal Water? YES () NO ☒

Is the Retained Lot serviced now by Municipal Water? YES () NO ☒

Is the Proposed Lot(s) serviced now by Municipal Sewers? YES () NO ☒

Is the Retained Lot serviced now by Municipal Sewers? YES () NO ☒

Is there a **Capital Works Project** underway to service these lots in the near future? YES () NO ☒

Approximate Time of Servicing Availability: _____

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

No. See Planning Report 23-18.

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NOV 15 2023

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Continued to Page 2

MUNICIPALITY COMMENTING FORM

File: B80-23

Is the Municipality's Building Official satisfied that there is a sufficient site on the severed parcel for individual well and septic services?
YES ☒ NO ☐

See Planning Report 23-18 and Council Resolution.

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]

See Planning Report 23-18 and Council Resolution.


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

See Planning Report 23-18 and Council Resolution.

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

See Planning Report 23-18 and Council Resolution.

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

SIGNATURE 

TITLE Planning Technician/ Secretary Treasurer, Committee of Adjustment

ADDRESS Township of Guelph/Eramosa, 8348 Wellington Road 124, PO Box 700, Rockwood, ON N0B 2K0

DATE November 15, 2023



**PLANNING REPORT
for the TOWNSHIP OF GUELPH/ERAMOSA
Report 23-18**

Prepared by the County of Wellington Planning and Development Department in
our capacity as planning consultants for the Township

MEETING DATE: November 06, 2023
TO: The Mayor and Members of Council
FROM: Asavari Jadhav, Planner
Zach Prince, Senior Planner
SUBJECT: Consent Application B80/23 (Dave Adsett)
5796 Seventh Line
Township of Guelph/Eramosa (Ward 4)
ATTACHMENTS: 1 - Location Map
2 - Application Sketch

RECEIVED

NOV 15 2023

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

PROPOSAL:

The County of Wellington has received a consent application (B80/23) from Dave Adsett. The application proposes to sever approximately 1.1 ha (2.7 ac) of land from 5796 Seventh Line and add it to a vacant undersized rural residential parcel at 5778 Seventh Line of size 0.3 ha (0.74 ac). There are no new lots being created. The lot line adjustment will result in a 1.4 ha (3.45 ac) rural residential lot. The retained parcel is approximately 38 ha (93.9 ac) and contains an existing dwelling, barn and a drive shed. An existing access is located on Seventh Line for retained parcel. A new entrance is proposed on Seventh Line to access the merged parcel. Staff note the existing merged lot will include an existing wetland which limits where a building can be located on the lot. Surrounding uses include agricultural and residential uses. An aerial map of the subject lands can be seen in **Attachment 1**

PROVINCIAL POLICY – Provincial Policy Statement (2020) & Provincial Growth Plan (2019):

Section 2.3.4.2 of the Provincial Policy Statement (PPS) states “Lot line adjustments in prime agricultural areas may be permitted for legal or technical reasons”.

COUNTY OF WELLINGTON OFFICIAL PLAN:

The subject lands and the benefitting lands are designated as Prime Agricultural, Core Greenlands and Greenlands within the County of Wellington Official Plan. Identified features include; Significant Wooded Area, Grand River Conservation Authority (GRCA) regulated Flood Plain, Wetlands and Provincially Significant Wooded Areas.

Section 10.3.5 contains the requirements for Lot Line Adjustments within the Prime Agricultural Areas. This section specifies that lot line adjustments may be permitted for legal or technical reasons such as minor boundary adjustments. The Official Plan clarifies that Lot Line adjustments do not create new lots and further directs that there are specific scenarios where lot line adjustments may be permitted, which includes where a boundary adjustment does not adversely impact agriculture.

It is noted that the benefiting parcel is located completely within the Core Greenland Designation. Section 10.2 contains direction for lot creation within the Greenlands System, with Section 10.2.1.b restricting development unless the lot provides a minor boundary adjustment or correction of title that does not require any activity that would impair the greenland features or functions.

The proposed lot lines are based on the natural features on the property including incorporating a whole wetland on the severed lot rather than splitting the wetland between the severed and retained lots. It is understood that the intent of the severance application is to add land to the undersized lot to facilitate construction of a single detached. GRCA will provide comments on the severance application as a part of the consent process and may require permits for future building permit applications.

TOWNSHIP OF GUELPH/ERAMOSA ZONING BY-LAW 40/2016:

The subject property and the benefitting parcel are within the Agricultural (A) Zone and Environmental Protection (EP) Zone. The benefitting rural residential parcel is 0.3 ha (0.74 ac), and the retained parcel agricultural parcel is 38 ha (93.9 ac). The proposed lot line adjustment will result in an increase to the vacant residential parcel to 1.4 ha (3.45 ac). The retained and the benefitting parcel meets the provisions of the By-law for the minimum required lot area and frontage requirements. Further, compliance with Section 4.24 of the zoning By-law will be required at the building permit stage to ensure that the setback requirements for MDS I is achieved from the barn at 5796 Seventh Li. A condition for zoning compliance is added to ensure that the zoning by-law requirements are reviewed for the proposed building as a part of building permit application meeting MDS requirements for the existing barn.

Section 4.25 requires all buildings, structures and septic systems to be setback 30 metres from the feature. However, this setback can be reduced in certain circumstances. The application sketch can be seen in **Attachment 2**.

COMMENTS

The application has been reviewed by the Townships Building Department and Public Works Department with the following comments received and noted below:

Township Public Works Department: The severed parcel does not have an existing entrance to Seventh Line. An approved entrance will be required through the Township entrance permit process.

There are no capital works proposed or underway to service the subject lands.

Township Building Department: An inspection by The Building Department is required to ensure that MDS guideline #20 is applicable.

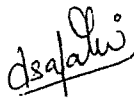
A preliminary septic design to be completed showing the envelope of a 3- bedroom house and septic system can adequately be provided on the "building envelope area" shown on the Van Harten Land Surveyors sketch.

CONCLUSION/RECOMMENDATIONS

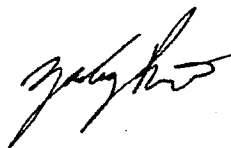
Provided below is a list of conditions for Council’s consideration:

- 1. That the applicant satisfies all the requirements of the Township of Guelph/Eramosa, financial and otherwise, which the municipality deems necessary at the time of issuance of the Consent Certificate for the property and orderly development of the subject lands. Any fees incurred by the Township for the review of this application will be the responsibility of the applicant;
- 2. That any concerns of the Conservation Authority can be adequately addressed; and
- 3. That zoning compliance is achieved to the satisfaction of the Township.

Respectfully submitted by:

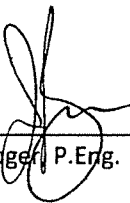


Asavari Jadhav
Planner



Zach Prince MCIP RPP
Senior Planner

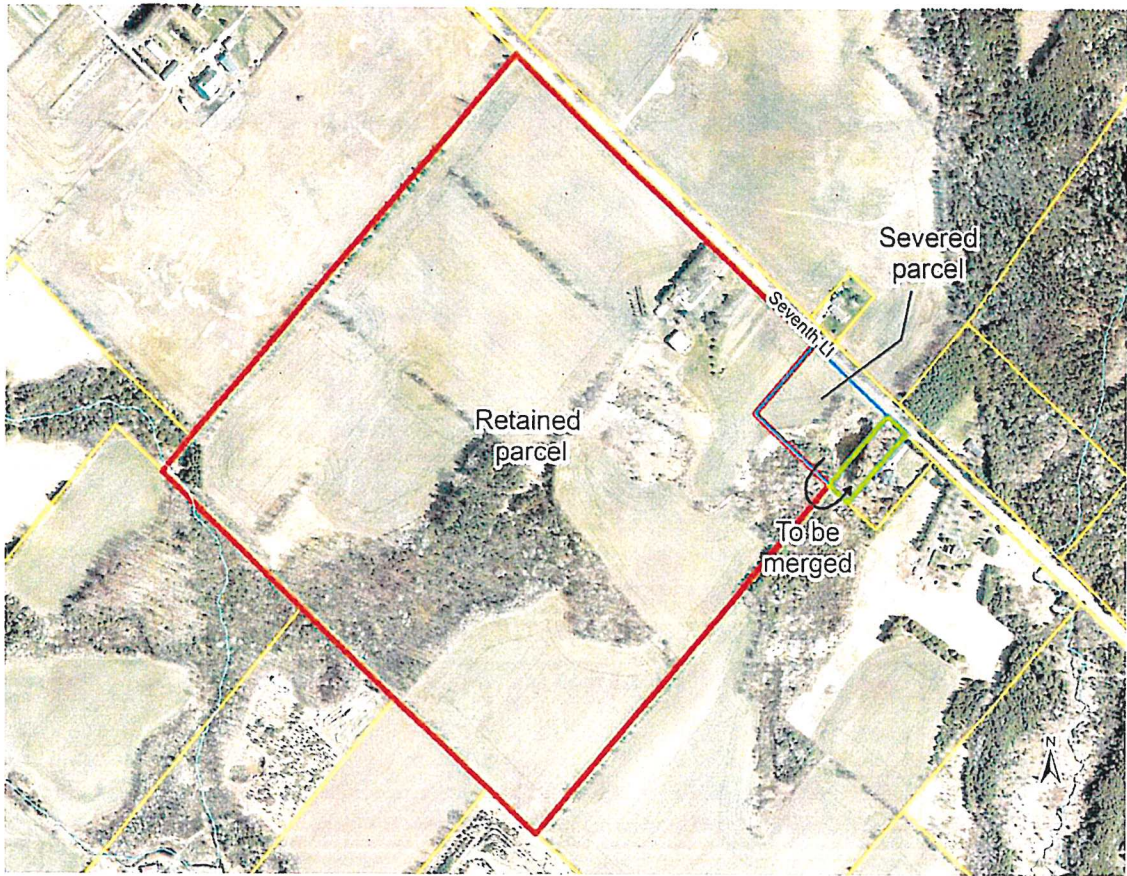
Reviewed by
Township of Guelph Eramosa CAO



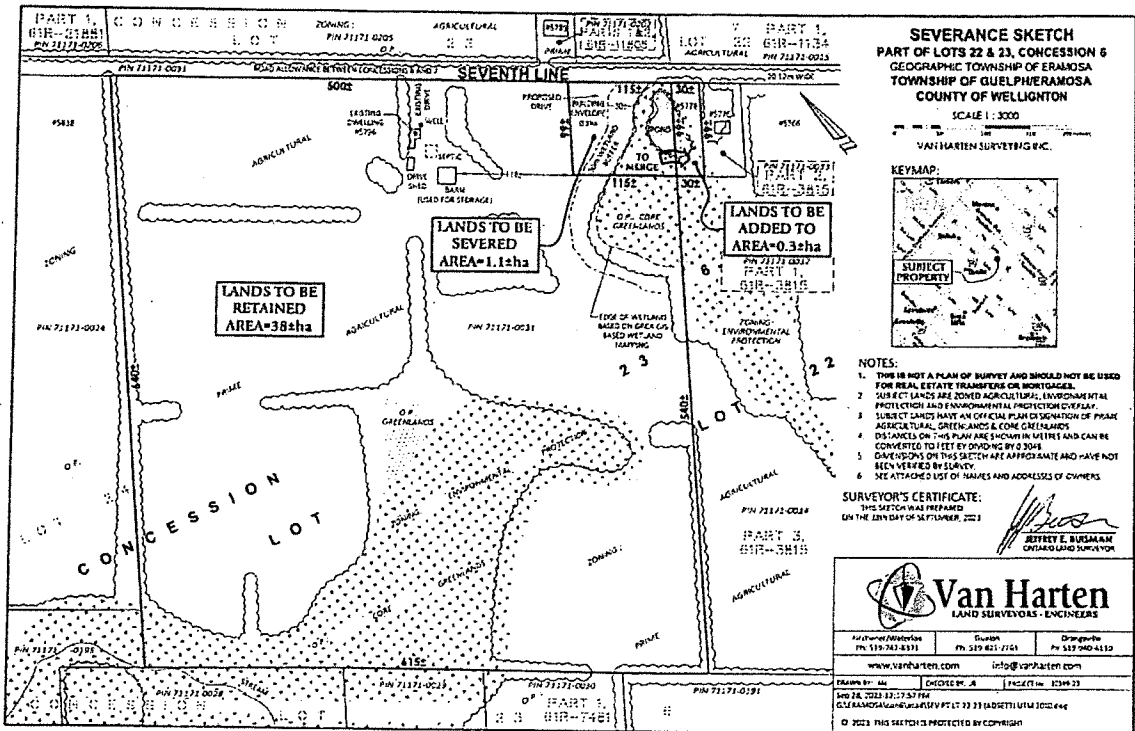
Ian Roger P. Eng.
CAO

ATTACHMENT 1:

Location Map



ATTACHMENT 2:
Application Sketch



THE COPRORATION OF THE TOWNSHIP OF GUELPH/ERAMOSA

Moved by: Corey Woods

Date: Monday, November 6, 2023

Seconded by: Bruce Dickieson

Resolution Number: 11/6/2023 – 9.1 - CL

9.1

Be it resolved that the Council for the Township of Guelph/Eramosa has received Planning Department Report 23/18 regarding Consent application B80/23 (Dave Adsett) 5796 Seventh Line Township of Guelph/Eramosa (Ward 4); and

That the Township conditions be imposed should the application be approved:

- 1. That the applicant satisfies all the requirements of the Township of Guelph/Eramosa, financial and otherwise, which the municipality deems necessary at the time of issuance of the Consent Certificate for the property and orderly development of the subject lands. Any fees incurred by the Township for the review of this application will be the responsibility of the applicant;
- 2. That any concerns of the Conservation Authority can be adequately addressed; and
- 3. That zoning compliance is achieved to the satisfaction of the Township.

Recorded Vote Requested By:		
	Yea	Nay
DICKIESON, B.	___	___
WOODS, C.	___	___
LIEBIG, S.	___	___
BOUWMEESTER, M.	___	___
WHITE, C.	___	___

MAYOR

Tabled

Lost

Carried

Declaration of Pecuniary Interest:

Disclosed his/her/their interest(s), vacated his/her/their seat(s), abstained from discussion and did not vote.

Copied to:

Building

By-Law Enforcement

Engineer

Fire

Planning/Planner

PLS

Public Works



Administration Centre: 400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6

Phone: 519-621-2761 Toll free: 1-866-900-4722 Fax: 519-621-4844 www.grandriver.ca

November 14, 2023

via email

GRCA File: B80-23 – 5796 Seventh Line

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

Dear Ms. Turchet,

Re: Application for Consent B80-23
5796 Seventh Line, Township of Guelph-Eramosa
Dave Adsett

RECEIVED
NOV 15 2023

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Grand River Conservation Authority (GRCA) staff has reviewed the above-noted consent application for a proposed lot line adjustment.

Recommendation

The Grand River Conservation Authority (GRCA) has no objection to the proposed consent application.

GRCA Comments

GRCA has reviewed this application under the Mandatory Programs and Services Regulation (Ontario Regulation 686/21), including acting on behalf of the Province regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020), as a regulatory authority under Ontario Regulation 150/06, and as a public body under the *Planning Act* as per our CA Board approved policies.

Information currently available at this office indicates that the retained parcel contains floodplain, valley slopes, wetlands, and the regulated allowance adjacent to these features. The lands to be severed and lands to be enlarged contain a wetland and the regulated allowance adjacent to the wetland. A copy of GRCA's resource mapping is attached. Portions of the subject lands are also designated as part of the Greenlands System in the County of Wellington Official Plan (2023).

Due to the presence of the features noted above, portions of the subject lands are regulated by the GRCA under Ontario Regulation 150/06 - Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation. Any future development or other alteration within the regulated area will require prior written approval from GRCA in the form of a permit pursuant to Ontario Regulation 150/06.

The proposed consent application will sever a parcel from 5796 Seventh Line and merge the parcel with 5778 Seventh Line as a lot addition. The circulated severance sketch proposes a building envelope on the enlarged parcel that is greater than 30

metres from the wetland. No new lots are being created as part of this application and a development setback of 30 metres from the wetland is proposed in the circulated severance sketch. As such, the GRCA has no objection to the approval of this application.

Further to our comments above, any future development on the enlarged parcel will require a GRCA permit. If any development on the enlarged parcel is proposed less than 30 metres from the wetland, additional study of the wetland may be required to demonstrate conformance with applicable GRCA policies.

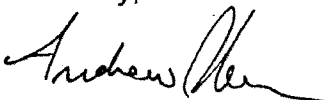
We wish to acknowledge receipt of the applicable plan review fee in the amount of \$465.00 for GRCA's review of this application.

For Municipal Consideration

Please be advised that on January 1, 2023, a new Minister's regulation (Ontario Regulation 596/22: Prescribed Acts – Subsections 21.1.1 (1.1) and 21.1.2 (1.1) of the Conservation Authorities Act) came into effect. As a result, non-mandatory technical review services that the GRCA formerly provided under agreement with some municipalities (e.g., technical reviews related to natural heritage and select aspects of stormwater management) will no longer be provided.

Should you have any questions, please contact me at 519-621-2763 ext. 2228 or aherreman@grandriver.ca.

Sincerely,



Andrew Herreman, CPT
Resource Planning Technician
Grand River Conservation Authority

Enclosed: GRCA Mapping

Copy: Dave Adsett (via email)

Jeff Buisman, Van Harten Surveying Inc. (via email)

Township of Guelph-Eramosa (via email)



Grand River
Conservation Authority
Date: Nov 10, 2023
Author: ah

B80-23 - 5796 Seventh Line

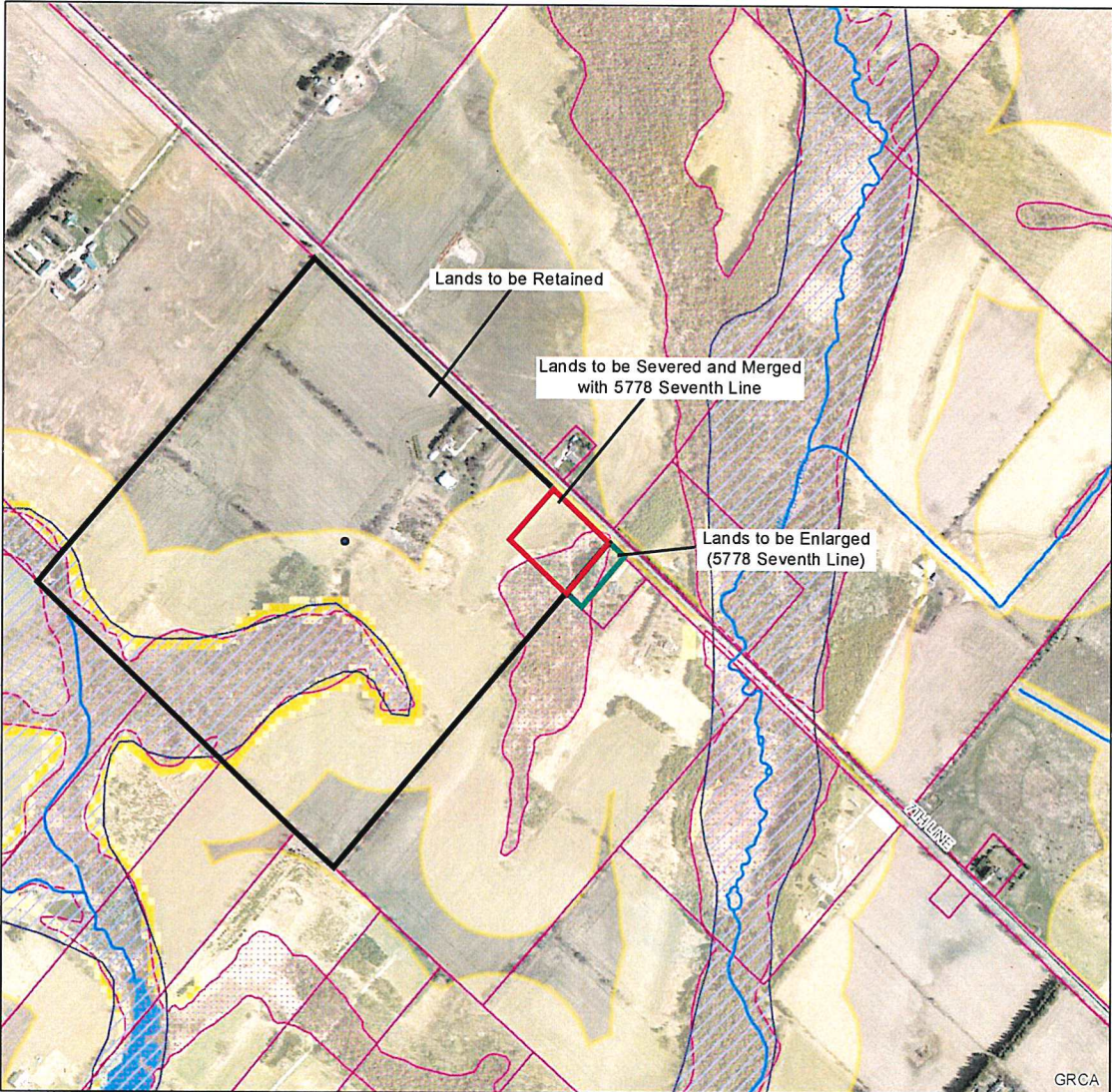
Legend

- Regulation Limit (GRCA)
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Floodplain (GRCA)
 - Engineered
 - Estimated
 - Approximate
- Special Policy Area
- Slope Valley (GRCA)
 - Sleep
 - Oversteep
 - Sleep
- Slope Erosion (GRCA)
 - Oversteep
 - Toe
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNRF)

This legend is static and may not fully reflect the layers shown on the map. The text of Ontario Regulation 150/06 supercedes the mapping as represented by these layers.

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The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to: <https://maps.grandriver.ca/Sources-and-Citations.pdf>

0 50 100 200 300 Meters
NAD 1983 UTM Zone 17N
Scale: 6,363



Map Centre (UTM NAD83 217): 562,980.96 4,839,249.92

This map is not to be used for navigation | 2020 Ortho (ON)

GRCA



September 28, 2023

32349-23

Jeff.Buisman@vanharten.com

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

Attention: Deborah Turchet

Dear Ms. Turchet:

Re: Lot Line Adjustment Application and Sketch
5796 Seventh Line; Part of Lot 23, Con 6; PIN 71171-0031
5778 Seventh Line; Part of Lot 22, Con 6; PIN 71171-0032
Geographic Township of Eramosa
Township of Guelph-Eramosa

Please find enclosed an application for a Lot Line Adjustment Severance and Sketch on the above-mentioned property. Included with this submission are copies of the Severance Sketch, completed application form, the required deeds, PIN report and map, addresses of neighbouring properties, MDS Farm Data Sheet, a cheque to the GRCA for \$465.00 and a cheque to Wellington County for \$4,960.00.

Proposal:

The proposal of this lot line adjustment is to make an undersized and unusable Parcel (5778 Seventh Line) into a viable Parcel by taking some land from the neighbouring farm parcel (5796 Seventh Line) and adding it to the smaller one. The Severed Parcel is vacant agricultural field and bush / wetland area. The parcel has a frontage of 115±m, depth of 99±m, for an area of 1.1±ha. The merged parcel will be 1.4ha in size. A building envelope area of 0.3ha with a 30m buffer to the wetland is shown on the sketch.

The Lands to be Added to (#5778) is a vacant, undersized rural residential lot with a frontage of 30±m, depth of 99±m, for an area of 0.3±ha. The parcel mainly consists of trees / a portion of pond and there is no suitable building envelope.

The Merged Parcel will have a combined area of 1.4±ha, with the majority of it being bush and features, however, the boundary adjustment will allow for a lot with a suitable building envelope and allow an undersized lot to be made useable. There is a pond that crosses both of these properties, but this lot line adjustment will allow the pond to be on one parcel.

The Retained Parcel (#5796) is a large farm parcel with an area of 38±ha after the severance, where the existing dwelling, barn (used for storage) and drive shed will remain. The parcel will continue to be used for agricultural purposes.

572 Weber Street North, Unit 7
 Waterloo, ON, N2L 5C6
 519-742-8371

2106 Gordon Street
 Guelph, ON, N1L 1G6
 519-821-2763

660 Riddell Road, Unit 1
 Orangeville, ON, L9W 5G5
 519-940-4110

www.vanharten.com

A small area of field will be removed in order to accommodate this boundary adjustment, however the remaining 38ha will continue to be farmed and 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 Parcel. The existing entrance to the Severed Parcel will continue to provide safe access and a new entrance is proposed to access the Merged Parcel.

The Minimum Distance Separation (MDS) Policies have been considered for this parcel. The barn is 118m from the proposed severance. However, the barn is empty and the owner has indicated that the barn is structurally inadequate for animals. MDS Guideline #20 states that:

MDS 1 setback is not required when:

- *the building has been deemed by a municipal building official, with input from a professional engineer or a consultant knowledgeable about livestock facilities where appropriate, as no longer being structurally sound or reasonably capable of housing livestock; or*
- *the portion of the lot on which the unoccupied livestock barn is located is zoned such that the building shall not be used for housing livestock; or*
- *the floor area of the unoccupied livestock barn is <100m².*

We provide the opinion that MDS 1 setback is not required.

We have also considered the possibility of the barn being used for horses. Using OMAFRA's formula, we determined that capacity of this barn would be 13 horses and have a minimum MDS of 114m.

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 and where an undersized lot is made useable.

In summary, the proposed lot line adjustment will allow for a boundary re-configuration to increase the area of an undersized rural residential parcel and the retained parcel will continue to be used for agricultural purposes.



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 Dave Adsett