

COUNTY OF WELLINGTON LAND DIVISION

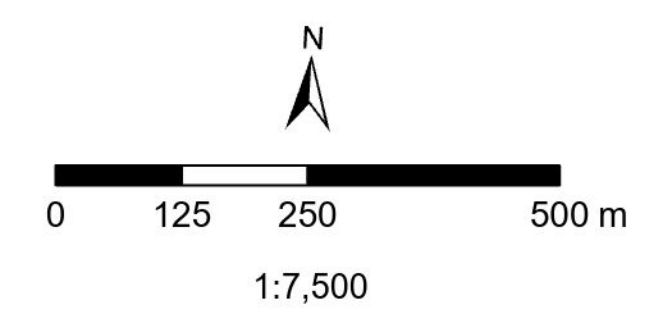
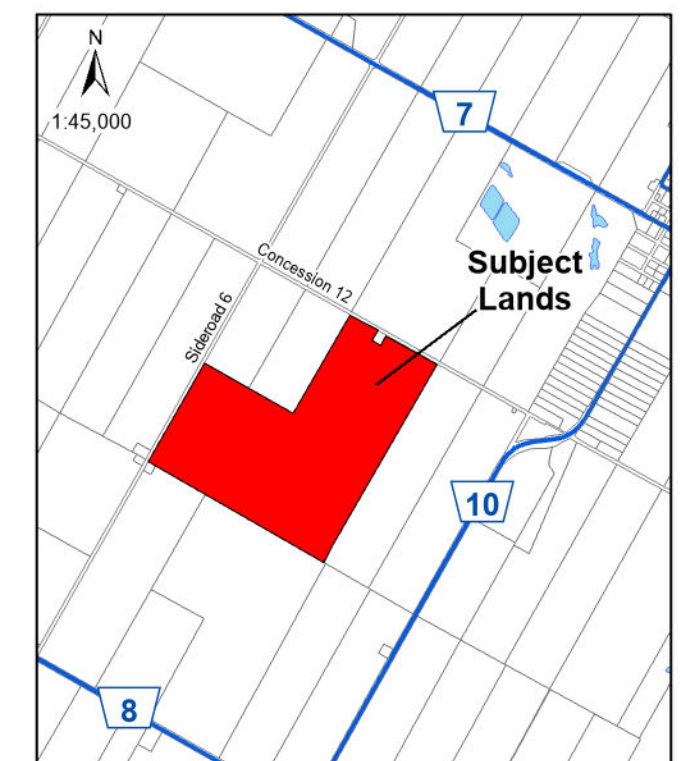
B77-23

Rose Biehn, Edwin Biehn & Tyler Biehn

Township of Mapleton

8410 Concession 12

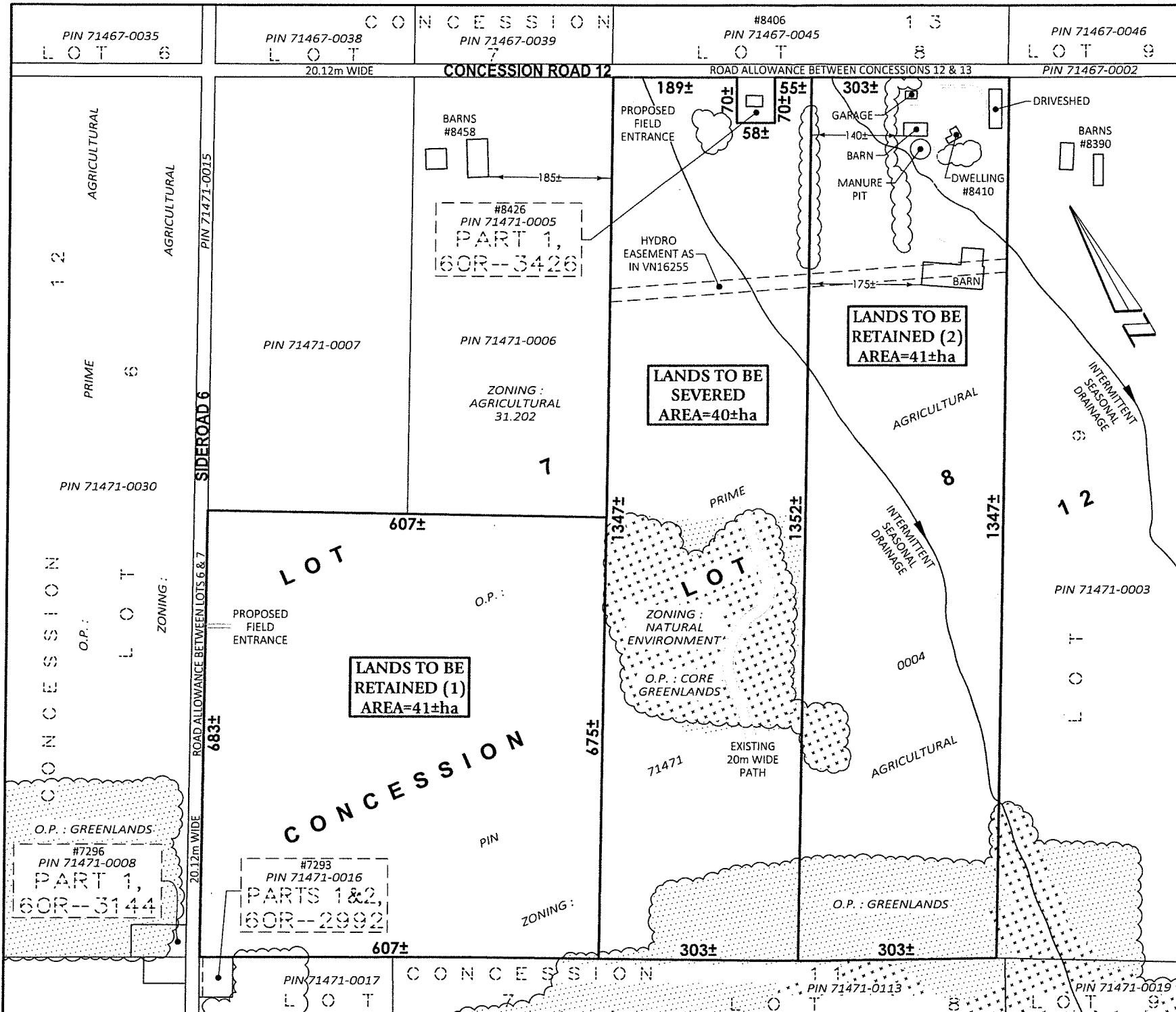
(Maryborough Township)



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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B77-23-Biehn

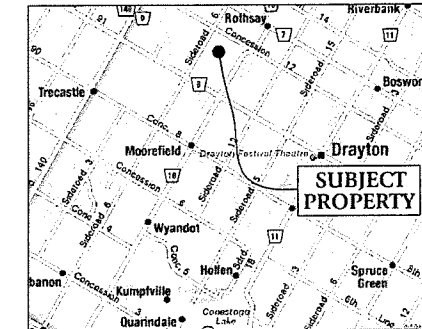


SEVERANCE SKETCH
PART OF LOTS 7 AND 8,
CONCESSION 12
GEOGRAPHIC TOWNSHIP OF MARYBOROUGH
TOWNSHIP OF MAPLETON
COUNTY OF WELLINGTON
SCALE 1 : 6000

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, 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.

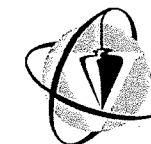
O.P. : GREENLANDS
ZONING: AGRICULTURAL

O.P. : CORE GREENLANDS
ZONING: NATURAL ENVIRONMENT

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. 32801-23

Sep 28, 2023-9:53:51 AM

G:\MARYBOROUGH\Con12\ACAD\SEV LOT 7 8 (BIEHN) UTM 2010.dwg

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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 ITEM #2
File Number: B77-23
Applicant: Rose Biehn, Edwin Biehn & Tyler Biehn
Subject Lands: Township of Mapleton (Maryborough) - Part Lots 7 & 8, Concession 12
Proposal is a request for consent to convey fee simple for a proposed agricultural parcel 40 ha, no buildings; retained two agricultural parcels are 41 ha (Parcel 1 – buildings) and 41 Ha (Parcel 2, existing buildings)
ISSUES: County Planning concerns

SUMMARY of FILED REPORTS and COMMENTS:

Planning Review notice cards were posted at time of site visit; application proposed to create three farm parcels; severed and retained parcel 1 are vacant agricultural; retained parcel 2 has existing dwelling and buildings; property contains wetland centrally located. Growth Plan does not permit development, including lot creation, within a wetland or less than 30m from wetland; farm split is not consistent with Provincial Policy and County Official Plan;

Township of Mapleton Council resolution for conditions to apply; MDS1 setbacks can be achieved for proposed vacant farm parcels when siting new buildings on the parcel; new agricultural lots will normally be a minimum of 35 ha in size. All three parcels will exceed the minimum lot size; no zoning issues; proposed consent meets the policies of the PPS, County Official Plan and Zoning By-law. - staff have no planning concerns

Grand River CA no objections to consent application; application proposes to sever the central portion of the property to create two additional agricultural parcels. Although the central property contains a wetland that spans the entire width of the property, GRCA staff attended the property to confirm the presence of an existing driveway through the wetland to the rear field. The driveway has existed for many years and it is adequate for the passage of farm equipment without modifications or upgrades. additional impacts to the wetland are not anticipated as a result of this consent application - no objection to continued use of driveway but advise the applicant that current policies generally do not allow development within wetlands.

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 Township of Mapleton, financial and otherwise (included but not limited to Taxes paid in full; copy of Deposited Reference Plan being hard copy and digital) which the Township of Mapleton may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands; and further that the Township of Mapleton file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 6) THAT payment be made of the fee of \$355 (or whatever fee is applicable at the time of clearance under the Fees and Charges By-law) for a letter of clearance; and further that the Township of Mapleton file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 7) THAT a Parkland dedication fee be paid (\$1,400 in 2023) for each new parcel as provided for in the Planning Act, R.S.O. 1990; and further that the Township of Mapleton file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 8) THAT servicing can be accommodated on the severed lands to the satisfaction of the Township of Mapleton; and further that the Township of Mapleton file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 9) THAT driveway access to the retained/severed lands can be provided or upgraded to the satisfaction of the Township of Mapleton; and further that the Township of Mapleton file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

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 B77-23

APPLICANT

Rose Biehn, Edwin Biehn & Tyler Biehn
8410 Concession 12
Moorefield, ON N0G 2K0

LOCATION OF SUBJECT LANDS

Township of Mapleton (Maryborough)
Part Lots 7 & 8
Concession 12

Proposed severance is 40 hectares with 244m frontage, existing and proposed agricultural use.

Retained parcel #1 – 41 hectares with 683m frontage, existing and proposed agricultural use. Retained parcel #2 – 41 hectares with 303m frontage, existing and proposed agricultural use with existing dwelling, barns, driveshed and garage.

ITEM #2 ON AGENDA

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, DECEMBER 07, 2023 AT 09:00 AM** for the purpose of considering this matter.

CONSIDERATION WILL BE HELD IN THE: 3A (Keith Room)
County of Wellington Administration Centre
74 Woolwich Street
Guelph, Ontario N1H 3T9

PLEASE NOTE: To avoid application deferral, any new information addressing comments presented in the attached Report Summary are to be submitted to the Secretary Treasurer of Land Division no later than THURSDAY, NOVEMBER 30, 2023 by 1:00 pm.

NOTICE is being sent to you for your information. **THE OWNER, APPLICANT OR AUTHORIZED AGENT, OR AUTHORIZED SOLICITOR SHOULD ATTEND THIS CONSIDERATION.** Any person may be represented by counsel who has been duly authorized for that purpose.

Even if the owner/applicant does not attend, the Committee will consider the application as scheduled, and the applicant, except as otherwise provided in the Planning Act, will not be entitled to any further notice in the Proceedings.

Please also be advised that if a person or public body that filed an appeal of a decision of the County of Wellington Planning and Land Division Committee in respect of the proposed consent has not made written submission to the County of Wellington Planning and Land Division Committee before it gives or refuses to give a provisional consent, then the Ontario 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**



RECEIVED

NOV 15 2023

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Application
Location
Applicant/Owner

B77/23
Part Lots 7 and 8, Concession 12
TOWNSHIP OF MAPLETON (Maryborough)
Rose Biehn, Edwin Biehn & Tyler Biehn

PLANNING OPINION: This application proposes to create three farm parcels within the Prime Agricultural Area under the farm split policies of the Official Plan within Section 10.3.2, as shown in the chart below:

Parcel	Lot Area	Frontage
Severed Parcel	40 ha (98 ac)	244 m
Retained Parcel 1	41 ha (101 ac)	683 m
Retained Parcel 2	41 ha (101 ac)	303 m

The severed and retained parcel 1 are vacant agricultural parcels and the retained parcel 2 has an existing dwelling, barns, driveshed, manure pit and garage.

The property also contains a wetland that is centrally located. The Growth Plan does not permit development, including lot creation, within a wetland or less than 30 metres from the wetland. Therefore, the proposed farm split is not consistent with Provincial Policy and the County Official Plan.

If this application is approved, we would request that the following be made conditions of approval:
a) That any concerns of the Conservation Authority can be adequately addressed; and
b) That safe driveway access can be provided to the severed parcel and retained parcel 1 to the satisfaction of the local municipality.

A PLACE TO GROW (2020): The Growth Plan for the Greater Golden Horseshoe, 2019, came into effect on May 16, 2019. Based on the survey sketch submitted, the proposed new farm parcel will result in the fragmentation of the existing wetland (Key Hydrological Feature).

The proposed severance would create a lot line through an existing wetland, further the 30m vegetative buffer required in the Growth Plan for new development, including lot creation, is not met.

PROVINCIAL POLICY STATEMENT (PPS): New lots in the Prime Agricultural Area are discouraged and may only be permitted in the specific circumstances described in Section 2.3.4.1 including for agricultural uses, 'provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations' (Section 2.3.4.1.a).

Regarding Minimum Distance Separation, the MDS Guidelines recognize that where a larger lot is created without an existing dwelling, a suitable location must be identified for a 0.5 ha building envelope outside of the MDS I setback. Given the size of the severed parcel and vacant retained parcel 1, planning staff are satisfied that there is sufficient space to site a 0.5 hectare building envelope.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated as PRIME AGRICULTURAL, CORE GREENLANDS and GREENLANDS. The identified environmental features include a Significant Wooded Areas and GRCA regulated Wetlands.

Section 10.3.2 of the Official Plan provides policy direction for agricultural lot creation in Prime Agricultural Areas. New Lots for agricultural uses will normally be a minimum of 35 hectares in size. Both the severed and retained parcel 1 and 2 meet the minimum size. The creation of new agricultural lots along original lots lines in the Township survey is encouraged. New agricultural lots may include lands within the Greenlands System where necessary to provide logical lot lines, provided that suitable building envelopes and new access routes are available outside of and a suitable distance from Core Greenlands and Greenland Features.

The matters under Section 10.1.3 were also considered, including item "d) that all lots will have safe driveway access to an all-season maintained public road...", and item h) 'that natural heritage features are not affected negatively'.

Section 10.3.2 allows for the inclusion of lands within the Greenlands System where necessary to provide for logical lot lines for consents for agricultural uses.

LOCAL ZONING BY-LAW: The subject property is zoned Agriculture (A) and Natural Environment (NE). The severed and retained parcel 2 contains both zones and the retained parcel 1 is entirely within the A Zone. Both the severed and the retained parcels 1 and 2, meet minimum lot area and



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

frontage requirements of the A Zone. Further zoning compliance will be reviewed by the local municipality.

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

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

A handwritten signature in black ink, appearing to read 'Zach Prince'.

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



RECEIVED
NOV 15 2023

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

November 14, 2023

Dear Deborah Turchet

RE: CONSENT APPLICATION B77-23

Please be advised the following resolution was carried at our November 13, 2023 Council meeting:

- THAT the Owner satisfy all the requirements of the local municipality, financial and otherwise for the proper and orderly development of the subject lands, including but not limited to outstanding taxes;
- THAT Payment be made of the fee of \$355 (or whatever fee is applicable at the time of clearance under the Fees and Charges By-law) for a letter of clearance;
- THAT a Parkland dedication fee be paid (\$1,400 in 2023) for each new parcel as provided for in the Planning Act, R.S.O. 1990;
- THAT driveway access to the retained/severed lands can be provided or upgraded to the satisfaction of the Township of Mapleton;
- THAT servicing can be accommodated on the severed and retained lands to the satisfaction of the Township of Mapleton.

- THAT a copy of the deposited Reference Plan be submitted to the Township (hard copy and digital file);

AND FURTHER THAT Council authorizes the Planning & Development Manager to file with the Secretary-Treasurer of the Planning and Land Division Committee at the County of Wellington, a letter of clearance of these conditions on completion of same.

Attached you will find the completed Municipal Commenting Form, along with the Mapleton Planner Report.

Thank you,

Michelle Brown
Planning & Development Manager

To: Manny Baron, CAO
Subject: B77/23 – Biehn
Meeting: November 14, 2023
Department: Planning Department
Staff Contact: Linda Redmond, Planner

RECOMMENDATION:

THAT the Council of the Township of Mapleton support Consent Application B77/23 as presented on lands described as as Part Lots 7 and 8, Concession 12 (M), with the following conditions:

- THAT the Owner satisfy all the requirements of the local municipality, financial and otherwise for the proper and orderly development of the subject lands, including but not limited to outstanding taxes;
- THAT Payment be made of the fee of \$355 (or whatever fee is applicable at the time of clearance under the Fees and Charges By-law) for a letter of clearance;
- THAT a Parkland dedication fee be paid (\$1,400 in 2023) for each new parcel as provided for in the Planning Act, R.S.O. 1990;
- THAT servicing can be accommodated on the severed and retained lands to the satisfaction of the Township of Mapleton.
- THAT driveway access to the retained/severed lands can be provided or upgraded to the satisfaction of the Township of Mapleton;
- THAT a copy of the deposited Reference Plan be submitted to the Township (hard copy and digital file);

AND FURTHER THAT Council authorizes the Planning & Development Manager to file with the Secretary-Treasurer of the Planning and Land Division Committee at the County of Wellington, a letter of clearance of these conditions on completion of same.

BACKGROUND INFORMATION:

The proposed consent application will sever an existing 121 ha (299 ac) farm into three farm parcels. The severed parcel is 40 ha (99 ac) and is vacant. Retained parcel 1 has an area of 41 ha (100 ac) and is currently occupied by a dwelling and dairy farm operation. Retained parcel 2 is vacant and is proposed at a size of 41 ha (100 ac).

Location

The subject lands are located in the rural area of Mapleton and are legally described as Part Lots 7 and 8, Concession 12 (M). The municipal address is 8410 Concession 12. The location of the subject lands are shown in Figure 1.

Provincial Policy Statement (PPS)

The subject property is within an area of prime agricultural land. According to section 2.3.3.2, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected.

The MDS guidelines provide exceptions for the creation of parcels that are large enough to accommodate a 1 ha building envelope outside of MDS1 arcs as per guideline #41. In this instance staff are satisfied that the required MDS1 setbacks can be achieved for the proposed vacant farm parcels when siting new buildings on the parcel.

Wellington County Official Plan

The subject property is designated Prime Agricultural, Core Greenland and Greenland. The identified environmental features include hazardlands and forested areas.

The Official Plan permits consents in the Prime Agricultural area for agricultural uses. Section 10.3.2, requires that new lots for agricultural operations must be of an appropriate size for the type of agricultural uses common in the area and also large enough to maintain flexibility for future changes. It further states that new agricultural lots will normally be a minimum of 35 hectares in size. All three parcels will exceed the minimum lot size.

Mapleton Zoning By-law

The subject property is zoned Agricultural (A) and Natural Environment (NE). There are no zoning issues with severance.

CONSULTATION:

Township staff were circulated, and the following comments were received:

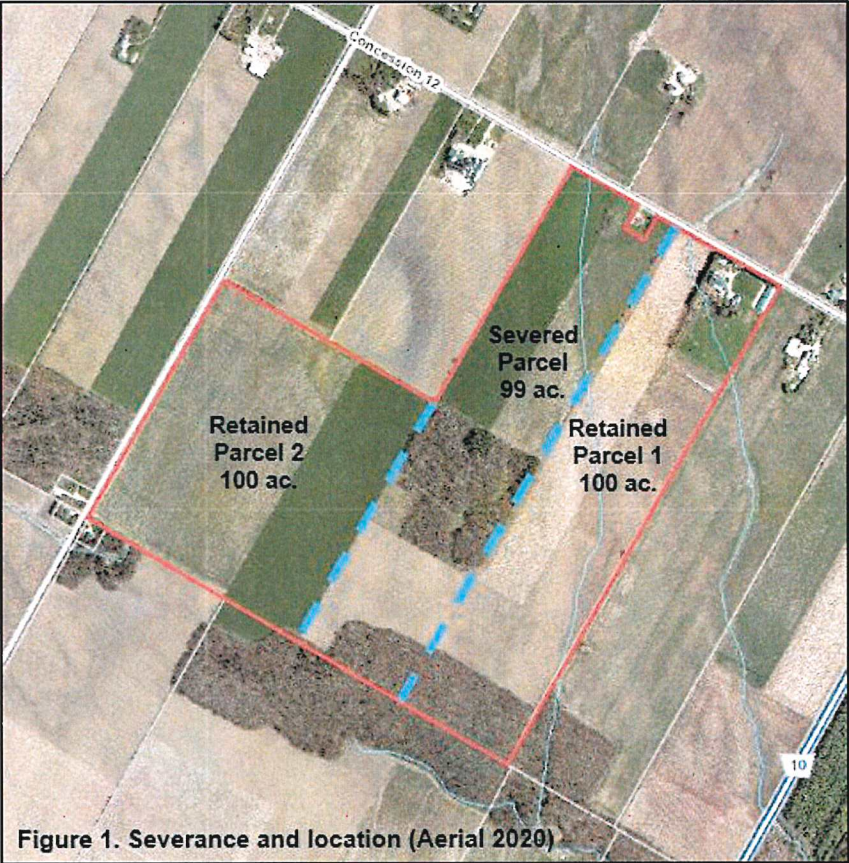
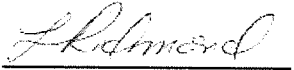


Figure 1. Severance and location (Aerial 2020)

Commenting Agency	Received		Comments
	Y	N	
Mapleton Building Department	✓		No Concerns.
Mapleton Fire Department	✓		No Concerns
Mapleton Public Works Dept.	✓		Entrance permits required. Section 65 (i) will be required.

Planning Comments

The proposed consent meets the policies of the PPS, the County Official Plan and the Zoning By-law. Staff have no planning concerns with the proposed severances.



Linda Redmond, RPP MCIP
Planner



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 10, 2023

via email

GRCA File: B77-23 – 8410 Concession 12

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 B77-23
8410 Concession 12, Township of Mapleton
Rose, Edwin & Tyler Biehn

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NOV 15 2023

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Grand River Conservation Authority (GRCA) staff has reviewed the above-noted consent application to create two agricultural parcels.

Recommendation

The Grand River Conservation Authority (GRCA) has no objection to the proposed consent application. Please see detailed comments below.

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 severed parcel contains a wetland, its regulated allowance, and the regulated allowance adjacent to an off-site wetland. The severed parcels contain watercourses and the regulated allowance associated with the watercourses and wetlands. 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 consent application proposes to sever the central portion of the property to create two additional agricultural parcels for continued agricultural use. Although the central property contains a wetland that spans the entire width of the property, GRCA staff

attended the property to confirm the presence of an existing driveway through the wetland to the rear field. The driveway has existed for many years and it is adequate for the passage of farm equipment without modifications or upgrades. Based on the above, additional impacts to the wetland are not anticipated as a result of this consent application.

The GRCA does not object to the continued use of the driveway noted above, but we wish to advise the applicant that current GRCA policies generally do not allow development within wetlands. Development includes but is not limited to site grading, placement or removal of fill, and placement of buildings or structures of any kind. Development also includes widening or raising the existing driveway.

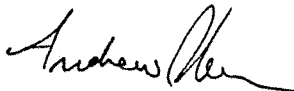
We wish to acknowledge receipt of the applicable plan review fee in the amount of \$465.00 for GRCA's review of this application.

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: Rose, Edwin & Tyler Biehn (via regular mail)
Jeff Buisman, Van Harten Surveying Inc. (via email)
Township of Mapleton (via email)



Grand River
Conservation Authority

Date: Oct 10, 2023

Author: ah

B77-23 - 8410 Concession 12

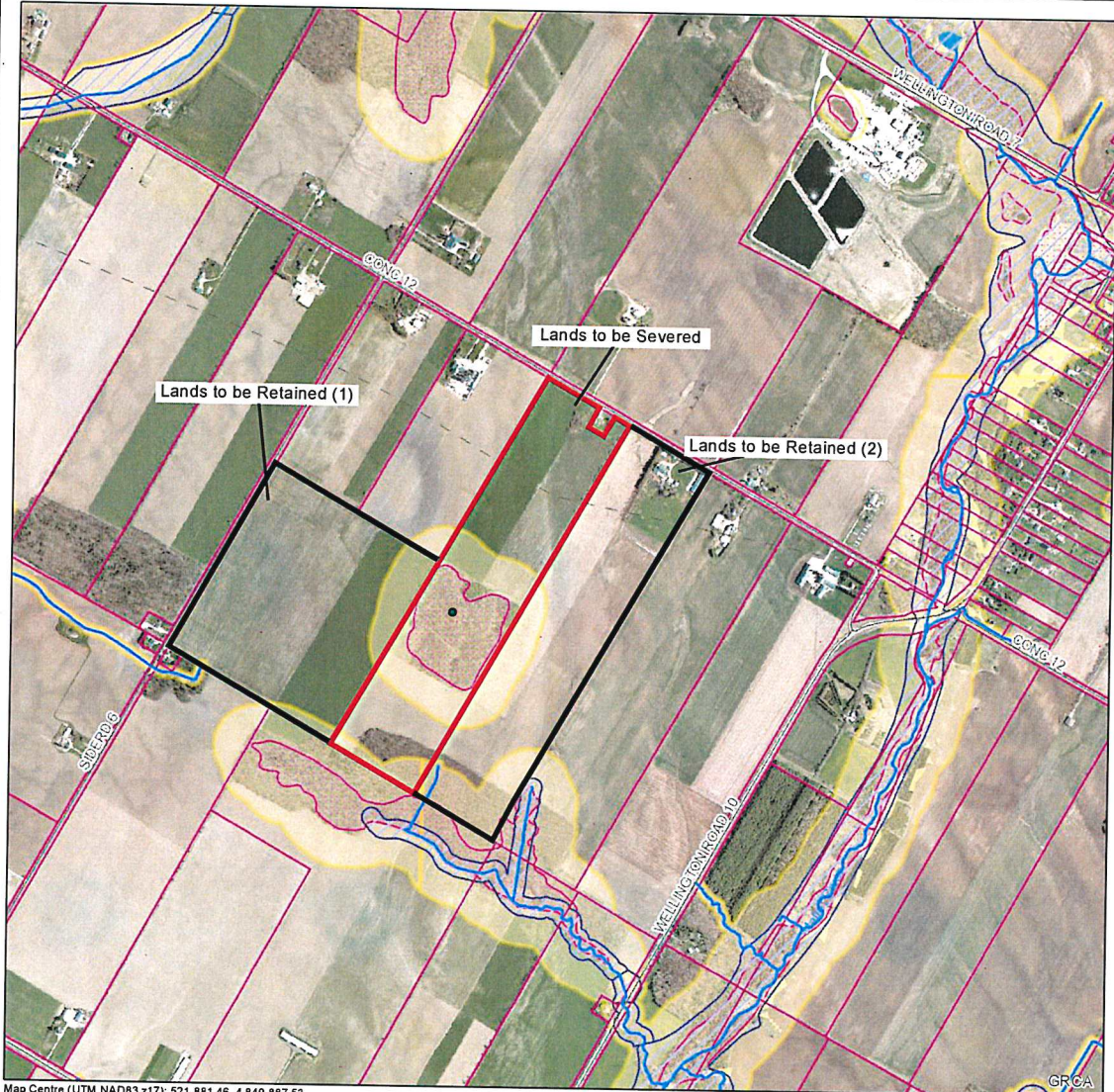
Legend

- 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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Disclaimer: This map is for illustrative purposes only. Information contained herein is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.
The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to: <https://maps.grandriver.ca/Sources-and-Citations.pdf>

0 105 210 420 830 Meters
NAD 1983 UTM Zone 17N
Scale: 1:7,673



Map Centre (UTM NAD83 z17): 521,881.46 4,849,887.53

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



September 28, 2023

32801-23

Jeff.Buisman@vanharten.com

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

Attention: Ms. Deborah Turchet

Dear Ms. Turchet:

**Re: Severance Application and Sketch
 8410 Concession 12
 Part of Lot 7 & 8 Concession 12
 PIN 71471-0004
 Geographic Township of Maryborough
 Township of Mapleton**

Please find enclosed an application for a Severance on the above-mentioned property. Included with this submission are copies of the Severance Sketch, completed application form, required deeds, PIN report and map, addresses of neighbouring properties, MDS Farm Data Sheet, a cheque to the GRCA for \$5.00, and a cheque to Wellington County for \$4,960.00.

Proposal:

The proposal is to divide a "triple-sized" farm into three 40 ha (100 acres) parcels. The West Half of Lot 8, Concession 12 is being severed, which will leave the East Half of Lot 8 and the South Half of Lot 7, Concession 12 as Retained Parcels.

The Severed Parcel will have a frontage of 244±m along Concession Road 12, depth of 1352±m, for an area of 40±ha. The parcel is vacant and will continue to be used for agricultural purposes. The parcel will also include the majority of the wetland area to the rear. The zoning requirements are met and a field entrance is proposed to allow for access.

Retained Parcel #1 will have a frontage of 683±m along Sideroad 6, depth of 607±m, for an area of 41±ha. The parcel is vacant and will continue to be used for agricultural purposes. The zoning requirements are met and a field entrance is proposed to allow for access.

Retained Parcel #2 contains the existing "Farm" dwelling (#8410) and farm buildings. The frontage will be 303±m along Concession Road 12, depth of 1352±m, for an area of 41±ha where the existing dwelling, barns and accessory buildings will remain. The parcel will continue to be used for agricultural purposes. The existing entrance will continue to provide safe access and the zoning requirements are met.

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



The Minimum Distance Separation (MDSI) has been evaluated for barns on the subject property and in the area. There are existing barns on neighbouring properties, however because of the large area of the Severed 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 to the two vacant parcels. According to MDS Guideline #41; *"for proposed lots without an existing dwelling that are more than 1ha, MDS 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"*.

The property is designated as Prime Agricultural, Core Greenlands and 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 two retained parcels will all be over 35ha at approximately 40 to 41 ha each.
- ***The creation of agricultural lots along the original lots in the Township survey is encouraged*** – The subject property is within Lots 7 and 8. The proposed new boundaries will allow the Retained Parcel 1 to be on Lot 7 and the Severed Parcel and Retained Parcel 2 will split along the half lot line of Lot 8.
- ***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*** – The new limits will follow the lot lines or half lot lines and a small portion of natural features will be split and included on two parcels, however it is logical to follow the lot lines which fragments a small portion, rather than create a jog in the lot line to accommodate this.

In summary, this severance is dividing a large farm into three typical-sized farms of 40 ha each. The proposal follows the relevant criteria for creating agricultural parcels within Prime Agricultural designation.

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

Very truly yours,
Van Harten Surveying Inc.

A handwritten signature in black ink, appearing to read 'Jeff Buisman', written over a horizontal line.

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

cc Ed Biehn
cc Mary-Lou Fletcher, Woods, Clemens, Fletcher & Cronin Law Office