

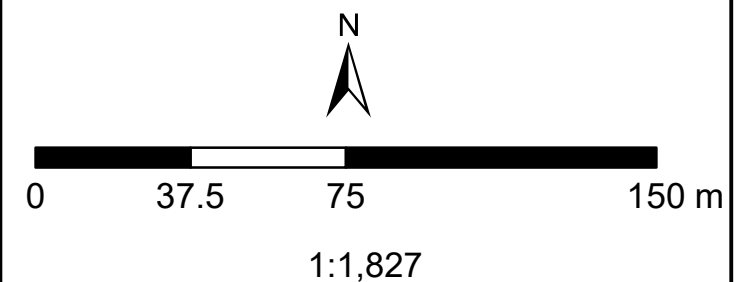
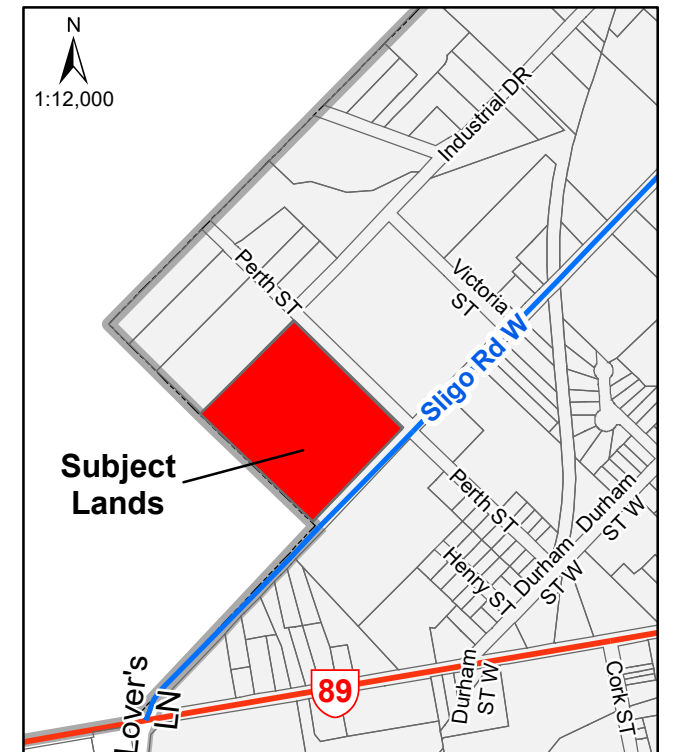
# COUNTY OF WELLINGTON LAND DIVISION

**B29-21**

Applicant:  
Robert's Farm Equipment Sales Inc.

**Township of Wellington North**

435 Sligo Rd W  
(Mount Forest)



Date: May 2021

Produced by: County of Wellington Planning & Development Department

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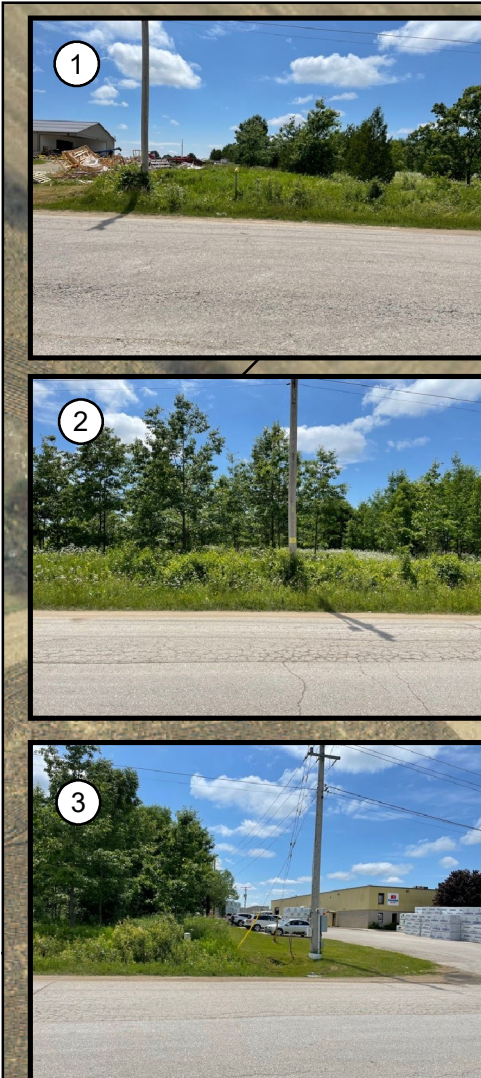
Sources:  
County of Wellington  
Ministry of Natural Resources,  
Grand River Conservation Authority.  
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2015 Ortho imagery.



**MERGED**

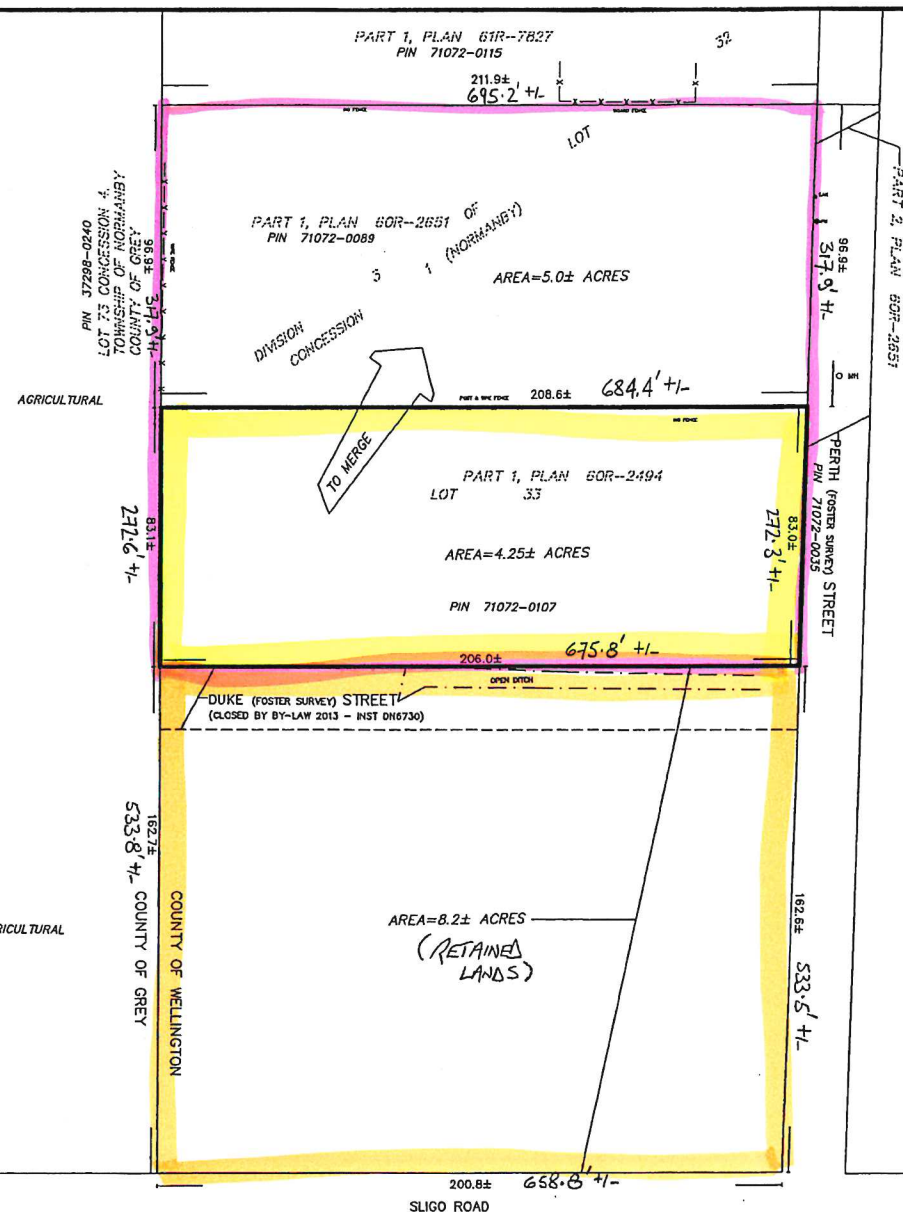
**SEVERED**

**RETAINED**





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BM ⊕ — BENCHMARK

*DIMENSIONS SHOWN HEREON REPRESENT A  
COMPILATION OF VARIOUS PLANS AND DEEDS AND  
DO NOT REFLECT THE RESULTS OF AN ACTUAL  
CURRENT FIELD SURVEY.*

GREG FORD, P.Eng(CML)  
ONTARIO LAND SURVEYOR

Surveying & Engineering  
120 KING ST. E., Box 294,  
MOUNT FOREST ON, N0G 2L0  
PHONE (519)323-2451

PROJECT No.: 21-9420 TBM HOLDCO

## 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: 07/22/2021 EXPEDITED  
File Number: B29-21  
Applicant: Robert's Farm Equipment Sales Inc.  
Subject Lands: Township of Wellington North (Mount Forest) - Part Lot 33, Concession 1, Division 3

Proposal is a request for consent to convey fee simple for a proposed lot line adjustment of 272.3' fr x 675.8' = 4.25 acres, vacant land to be added to abutting industrial/commercial property – TBM Holdco Ltd.; retained being 8.2 acres.

### SUMMARY of FILED REPORTS and COMMENTS:

Planning Review	notice cards were posted at time of site visit; application is consistent with Provincial Policy and generally conforms to Official Plan - Industrial located within Mount Forest Urban Centre; no concerns; conditions to merge
Township of Wellington North	in support of application; complies with zoning; condition to apply
Saugeen Valley CA	the property is not subject to Ontario Regulation 16/06, or to the policies of SVCA at this time - permission from SVCA is not required for development on the property
Source Water	the activities proposed at the subject property would not be considered a significant drinking water threat, therefore neither section 57 nor 58 of the Clean Water Act apply. A section 59 2(a) Notice to proceed is being provided.

### 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 Owner of the consented parcel shall consolidate the consented parcel with the abutting lands to which the consented parcel is to be added for B29-21 as a single parcel ("the consolidation") and THAT the solicitor for the owner shall provide an 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 the Application for Consolidation of Parcels for the consolidation.
- 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.

\*\*\*\*\*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

July 8, 2021

NOTICE OF CONSIDERATION IN PUBLIC FORUM

Pursuant to SECTION 53 of the ONTARIO PLANNING ACT and applicable Regulations

with respect to Application for consent,

File B29-21

**APPLICANT**

Robert's Farm Equipment Sales Inc.  
435 Sligo Rd W  
Mount Forest N0G 2L1

**LOCATION OF SUBJECT LANDS**

Township of Wellington North (Mount Forest)  
Part Lot 33  
Concession 1, Division 3

Proposed lot line adjustment is 272.3' fr x 675.8' = 4.25 acres, vacant land to be added to abutting industrial/commercial property – TBM Holdco Ltd.

Retained parcel is 533.5' fr x 658.8' = 8.2 acres, existing and proposed commercial use with existing retail building.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, JULY 22, 2021** for the purpose of considering this **EXPEDITED APPLICATION**.

**CONSIDERATION** County of Wellington Administration Centre

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](http://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: TBM Holdco Ltd. attention Jeff Campbell  
Baker & McKenzie LLP - c/o Anne Sedgwick



RECEIVED

JUN 28 2021

SECRETARY TREASURER  
WELLINGTON COUNTY  
LAND DIVISION COMMITTEE

Application	B29/21
Location	Part Lot 33, Concession 1, Div 3 TOWNSHIP OF WELLINGTON NORTH
Applicant/Owner	Robert's Farm Equipment Sales Inc

**PLANNING OPINION:** This application is for a lot line adjustment which would sever a 1.72 ha (4.25 ac) vacant lot within the urban area of Mount Forest and merge it with the abutting industrial/commercial property. A 3.31 ha (8.2 ac) vacant lot would be retained.

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 the purchaser take title to the severed 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:** No issues.

**PROVINCIAL POLICY STATEMENT (PPS):** Under section 1.3.1 "Planning authorities shall promote economic development and competitiveness by: a) providing for an appropriate mix and range of employment and institutional uses to meet long term needs; b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses..."

**WELLINGTON COUNTY OFFICIAL PLAN:** The subject property is designated INDUSTRIAL and located within the Mount Forest Urban Centre.

The matters under Section 10.1.3 were also considered, including "a) that any new lots will be consistent with official plan policies and zoning regulations.", b) "that all lots can be adequately serviced with water, sewage disposal..."; and p) "that provincial legislation and policies are met..."

**WELL HEAD PROTECTION AREA:** A small portion of the retained lands is located within the wellhead protection area C with a vulnerability score of 6.

**LOCAL ZONING BY-LAW:** The proposed severed and retained lands are zoned INDUSTRIAL (M1). The severed and retained lands appear to meet the lot frontage and setback requirements in the By-law.

**SITE VISIT INFORMATION:** The subject property was visited and photographed on June 18, 2021. Notice Cards were posted, and the survey sketch appears to meet the application requirements.

Matthieu Daoust MCIP RPP  
Planner  
June 3, 2021

# MUNICIPALITY COMMENTING FORM

The Planning and Land Division Committee, in considering the following application, respectfully requests input from the municipality. The Application and Sketch are enclosed for your information.

**FILE NO: B29-21**

## APPLICANT

Robert's Farm Equipment Sales Inc.  
435 Sligo Rd W  
Mount Forest N0G 2L1

## LOCATION OF SUBJECT LANDS

Township of Wellington North (Mount Forest)  
Part Lot 33  
Concession 1, Division 3

Proposed lot line adjustment is 272.3' fr x 675.8' = 4.25 acres, vacant land to be added to abutting industrial/commercial property – TBM Holdco Ltd.

Retained parcel is 533.5' fr x 658.8' = 8.2 acres, existing and proposed commercial use with existing retail building.

**PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER:**

**23-49-000-004-12000-0000**

Does this description reasonably describe the parcel holdings?		YES:	<input checked="" type="checkbox"/>	NO:	<input type="checkbox"/>	BUILDING & PLANNING DEPARTMENTS	
If answer is no, please provide new information:							
Do you consider this proposal to conform to your Official Plan?		YES:	<input type="checkbox"/>	NO:	<input type="checkbox"/>		
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:	<input checked="" type="checkbox"/>	NO:	<input type="checkbox"/>		
(Please Specify) Section 24-M1 of Zoning By-law 66-01							
Will the Retained Parcel comply with all requirements of the Zoning By-law?		YES:	<input checked="" type="checkbox"/>	NO:	<input type="checkbox"/>		
(Please Specify) Section 24-M1 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:	<input type="checkbox"/>	NO:	<input type="checkbox"/>		NA:
Or Minor Variance		YES:	<input type="checkbox"/>	NO:	<input type="checkbox"/>	NA:	<input checked="" type="checkbox"/>
Is proposal on an opened maintained year-round public road?		YES:	<input checked="" type="checkbox"/>	NO:	<input type="checkbox"/>	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:	<input checked="" type="checkbox"/>	NO:	<input type="checkbox"/>	WATER	
Is the Retained Lot serviced now by Municipal Water?		YES:	<input checked="" type="checkbox"/>	NO:	<input type="checkbox"/>		
Is the Proposed Lot(s) serviced now by Municipal Sewers?		YES:	<input checked="" type="checkbox"/>	NO:	<input type="checkbox"/>		
Is the Retained Lot serviced now by Municipal Sewers?		YES:	<input checked="" type="checkbox"/>	NO:	<input type="checkbox"/>		
Is there a Capital Works Project underway to service these lots in the near future?		YES:	<input type="checkbox"/>	NO:	<input checked="" type="checkbox"/>		
Approximate Time of Servicing Availability:							
Are there any other servicing arrangements, Municipal easements or Municipal Drains on the subject lands?						WORKS / DRAIN	
No Drains							

RECEIVED

JUN 15 2021

SECRETARY TREASURER  
WELLINGTON COUNTY  
LAND DIVISION COMMITTEE

Continue to Page 2

FILE NO: B29-21

SIGNATURE:

TITLE:

DEVELOPMENT CLERK

ADDRESS:

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

DATE:

June 14 2021





1078 Bruce Road 12, P.O. Box 150, Formosa ON Canada N0G 1W0  
Tel 519-367-3040, Fax 519-367-3041, publicinfo@svca.on.ca, www.svca.on.ca

SENT ELECTRONICALLY ONLY: [debt@wellington.ca](mailto:debt@wellington.ca)

June 18, 2021

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

ATTENTION: Deborah Turchet, Secretary – Treasurer

Dear Ms. Turchet,

RE: Application for Consent B29-21 (Robert's Farm Equipment)  
435 Sligo Road  
Part Lot 33 Concession 1, Division 3  
Roll No.: 234900000412000  
Geographic Town of Mount Forest  
Township of Wellington North

RECEIVED

JUN 18 2021

SECRETARY TREASURER  
WELLINGTON COUNTY  
LAND DIVISION COMMITTEE

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

#### Purpose

The purpose of application is for a lot line adjustment for the severed parcel to be added to the abutting industrial/commercial property-TBM Holdco Ltd. The retained parcel is existing and proposed commercial use with existing retail building.

#### Recommendation

SVCA staff find the application acceptable. The subject property does not contain any floodplains, watercourses, shorelines, wetlands, valley slopes or other environmental features of interest to SVCA or as per our MOA with the County of Wellington. As such, it is the opinion of SVCA staff that the application is consistent with the



#### Watershed Member Municipalities

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



County of Wellington Planning & Land Division Committee  
Application for Consent B29-21 (Robert's Farm Equipment)  
June 18, 2021  
Page 2 of 2

Natural Hazard and Natural Heritage Policies of the PPS, 2020 and the Wellington County Official Plan. Additionally, the property is not subject to Ontario Regulation 169/06, or to the policies of SVCA at this time, and as such, permission from the SVCA is not required for development on the property.

Please inform this office of any decision made by the planning approval authority regarding the application. We respectfully request to receive a copy of the decision and notice of any appeals filed. Should questions arise, please do not hesitate to contact this office.

Sincerely,



Michael Oberle  
Environmental Planning Technician  
Saugeen Conservation  
MO\

cc: Jana Poechman, Wellington County (via email)  
Karren Wallace, Clerk, Township of Wellington North (via email)  
Robert's Farm Equipment Sales Inc. c/o Brian Osterndorff-president, owner (via email)  
Grove-McClement & Fischer LLP, agent (via email)  
Steve McCabe, SVCA Authority Member for Wellington North (via email)



May 13, 2021

## Restricted Land Use Notice No Prohibition or Risk Management Plan Requirement

Issued under the *Clean Water Act*, Section 59 (2) (a)

Township of Centre Wellington  
c/o Wellington Source Water Protection  
Risk Management Office  
7444 Wellington Road 21  
Elora, ON, N0B 1S0  
1-844-383-9800  
[sourcewater@centrewellington.ca](mailto:sourcewater@centrewellington.ca)

<b>Notice Number:</b> WN-S59-21-008		
<b>Description and Date of Application / Supporting Documents:</b> SWP screening form, WHPA map		
<b>Municipality Application No:</b>		<b>Applicant Project No:</b>
<b>Applicant:</b> Robert Scalesse		<b>Email:</b>
<b>Roll No:</b> 2349000004120000000 2349000004232500000	<b>WHPA:</b> B-C	<b>Vulnerability Score:</b> 4-6
<b>Property Address:</b> 435 Sligo Road West 555 Perth Street		<b>Town:</b> Mount Forest
<b>Municipality:</b> Centre Wellington	<b>Province:</b> ON	<b>Postal Code:</b> N0G 2L1
<b>Source Protection Plan:</b> Saugeen		<b>Drinking Water System:</b>

<b>Property Owner:</b> Roberts Farm Equipment Sales Inc.		
<b>Mailing Address:</b> same as above		<b>Town:</b>
<b>Municipality:</b>	<b>Province:</b>	<b>Postal Code:</b>
<b>Phone:</b>	<b>Alt. Phone:</b>	<b>Email:</b>

This Notice is being issued under subsection 59 2(a) of the *Clean Water Act*, 2006 and was prepared in response to an Application (as described above under Description / Supporting Documents) received for the property that is identified above. One or more of the land uses proposed to be engaged in, at the above noted property, has been designated as a restricted land use under Section 59 of the *Clean Water Act* and the application is either for a provision of the *Planning Act* prescribed under Section 62, Ontario Regulation 287/07 of the *Clean Water Act* or for a building permit under the *Ontario Building Code*.

The Application was reviewed in accordance with the *Clean Water Act* and the *Grand River Source Protection Plan* which came into effect July 1, 2016. Based on the information submitted as part of the Application, Section 57 (Prohibition) or

Wellington Source Water Protection is a municipal partnership between Township of Centre Wellington | Town of Erin | Guelph / Eramosa Township | Township of Mapleton | Town of Minto | Township of Puslinch | Township of Wellington North | County of Wellington. The purpose of the *Clean Water Act* is to protect existing and future sources of drinking water.

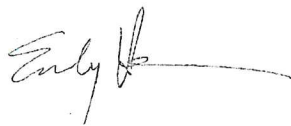


Section 58 (Risk Management Plan) of the *Clean Water Act* **do not** apply, at this time, to the activities outlined in the Application for the above referenced property.

**Rationale:** As it pertains to this application and based on the submitted screening form, the activities proposed at the subject property would not be considered a significant drinking water threat, therefore neither section 57 nor 58 of the *Clean Water Act* apply. A section 59 2 (a) Notice to proceed is being provided.

- This Notice is only effective as it relates to the above referenced Application;
- Any change to the information submitted under the Application nullifies this Notice, unless otherwise permitted by the Risk Management Official.
- This Notice is not valid for any subsequent approvals under the *Planning Act* or building permits under the *Ontario Building Code* for the property. Further Section 59 notices will be required for subsequent applications at the property and a risk management plan may be required.
- Pursuant to Section 53 (3), Ontario Regulation 287/07 under the *Clean Water Act*, this notice, once issued, is a public document. All information submitted for development of this notice is subject to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).
- This Notice has been issued under the Authority of the Risk Management Official appointed for Township of Centre Wellington under by-law 2016-22. This Notice has been issued in accordance with the *Clean Water Act*, 2006, Section 59, Ontario Regulation 287/07 and the Grand River Source Protection Plan, as amended, which became effective on July 1, 2016.

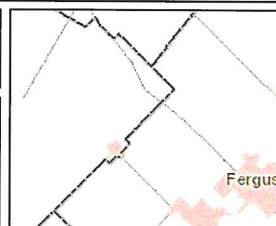
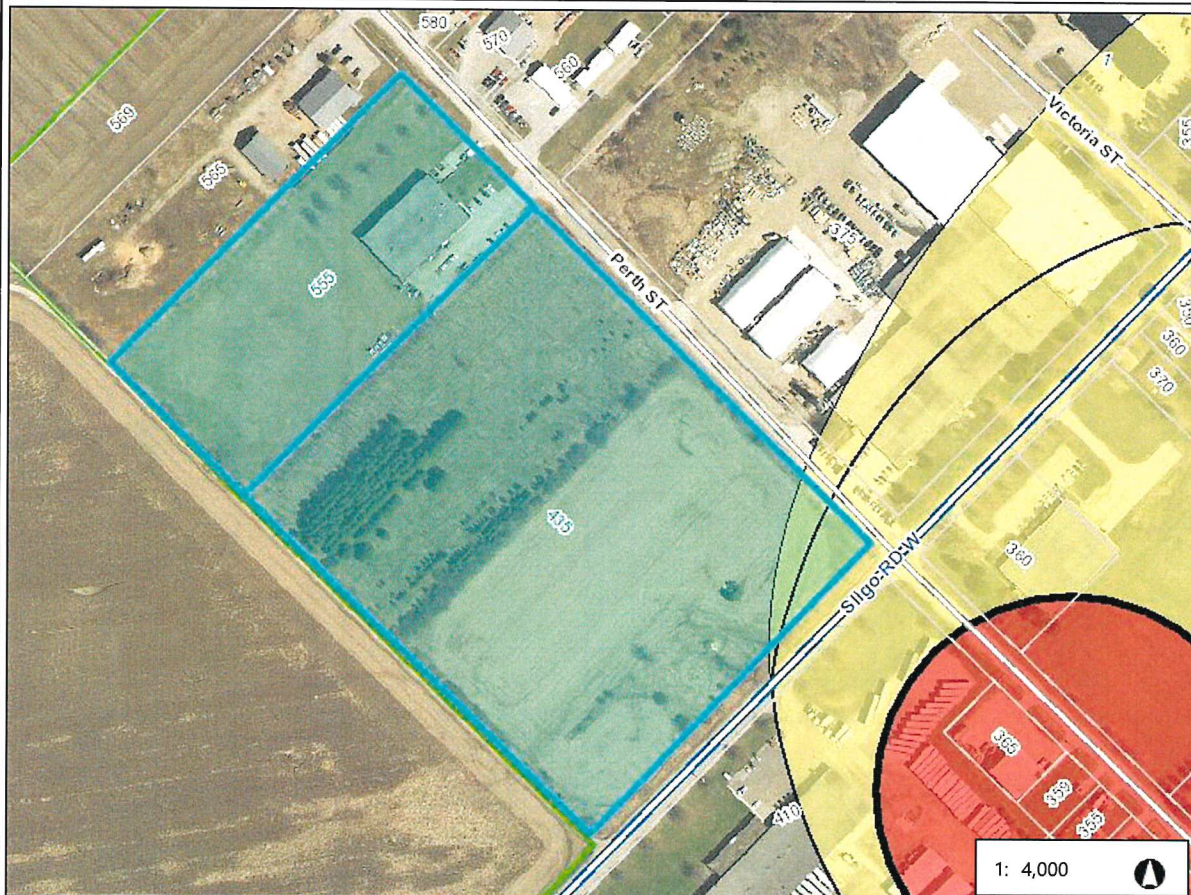
If you require further information, please contact the undersigned.


















Digitally signed by  
Emily Vandermeulen  
Date: 2021.05.13  
07:28:50 -04'00'

Emily Vandermeulen, Risk Management Official  
(519) 846-9691, ext 365  
[evandermeulen@centrewellington.ca](mailto:evandermeulen@centrewellington.ca)

Attachment – WHPA\_Map\_SligoRdW\_435



Legend

-  **Parcels**
- Roads**
-  Local Road
  -  County Road
  -  Highway
-  **Conservation Authority Boundary**
-  **Waterbodies**
-  **Watercourses**
-  **Well Locations**
- Wellhead Protection Area Boundary**
-  A
  -  B
  -  C
  -  D
- Vulnerability Score**
-  10
  -  8, D; 8, C
  -  2, 4, 6 (A, B or C)
- 2, 4, 6; 2, 4, D; 2, 4, 6 (D); 4, D; 6,
- RoadsLookup**

0.2                      0                      0.10                      0.2 Kilometers

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
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THIS IS NOT SURVEY DATA. Parcels - Teranet 2002, Wellington County 2018

## Notes