

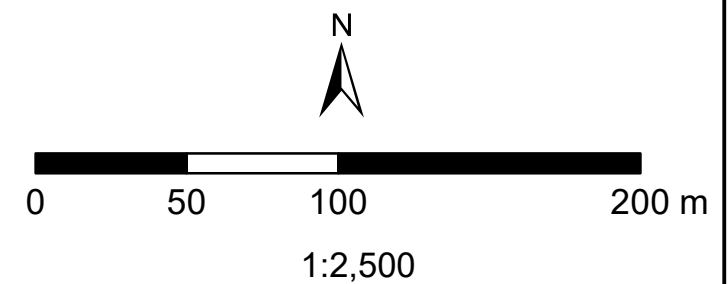
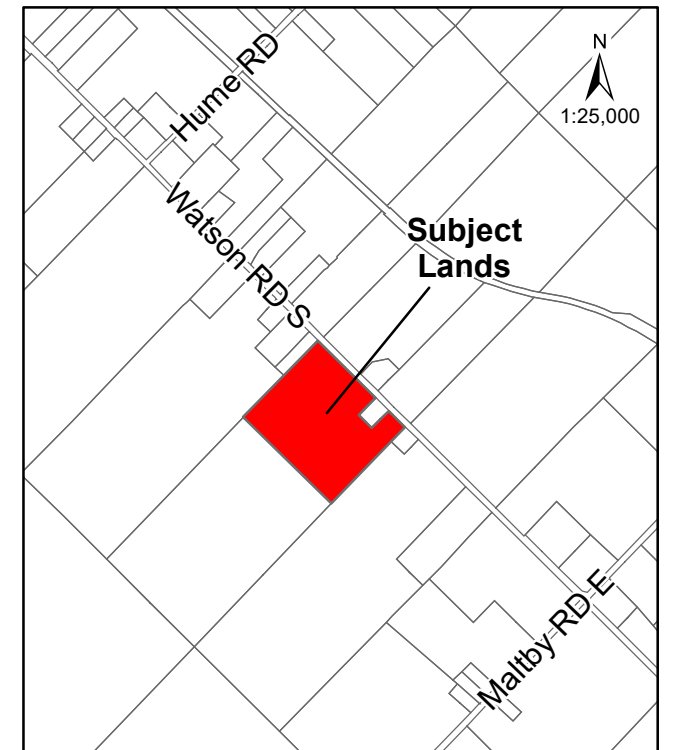
COUNTY OF WELLINGTON LAND DIVISION

B37-21 & B38-21

Applicant:
William & Lisa Hamilton

Township of Puslinch

4674 Watson Rd S



Date: May 2021

Produced by: County of Wellington Planning & Development Department

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Sources:
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Grand River Conservation Authority.
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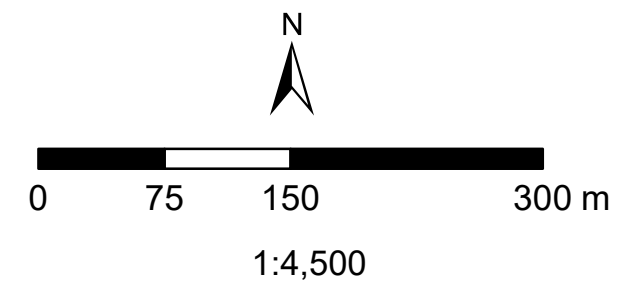
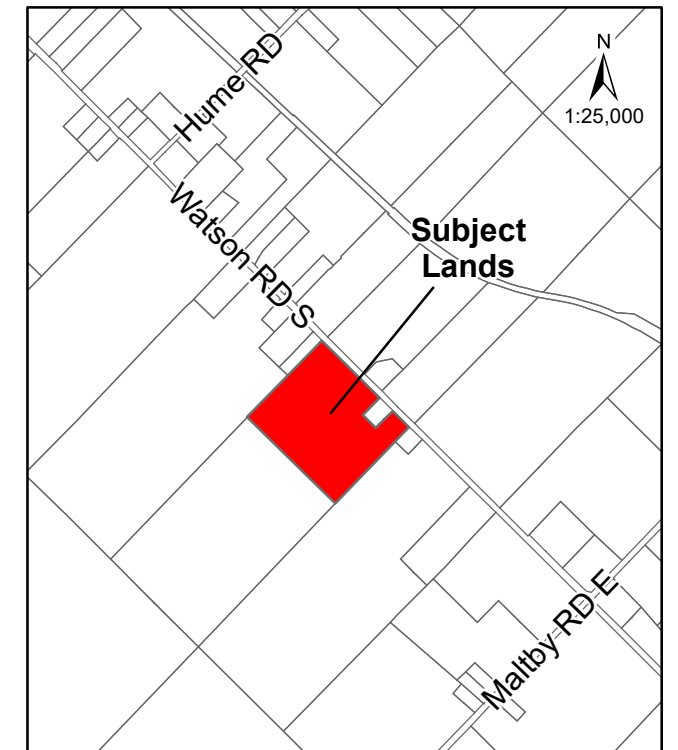
COUNTY OF WELLINGTON
LAND DIVISION

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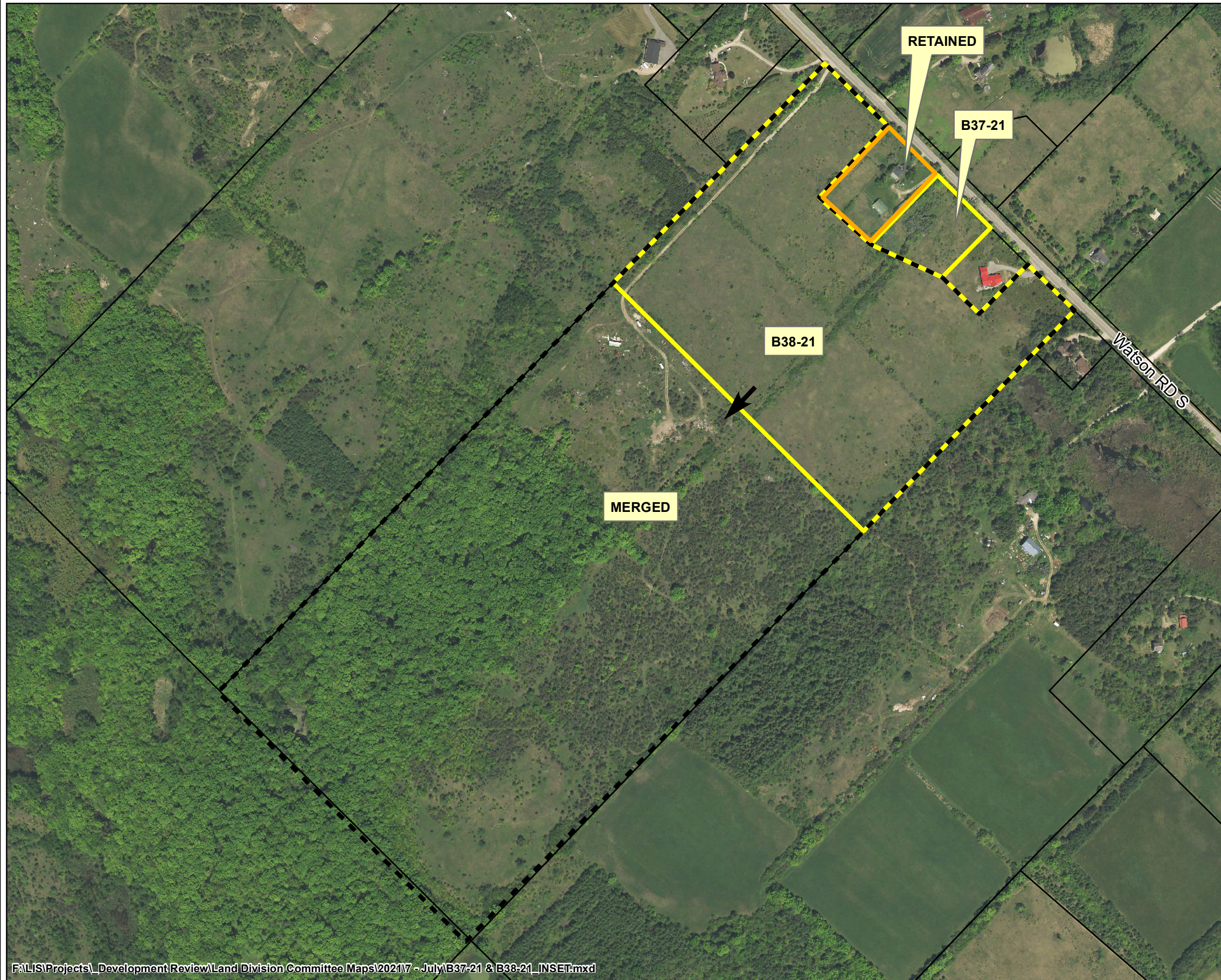


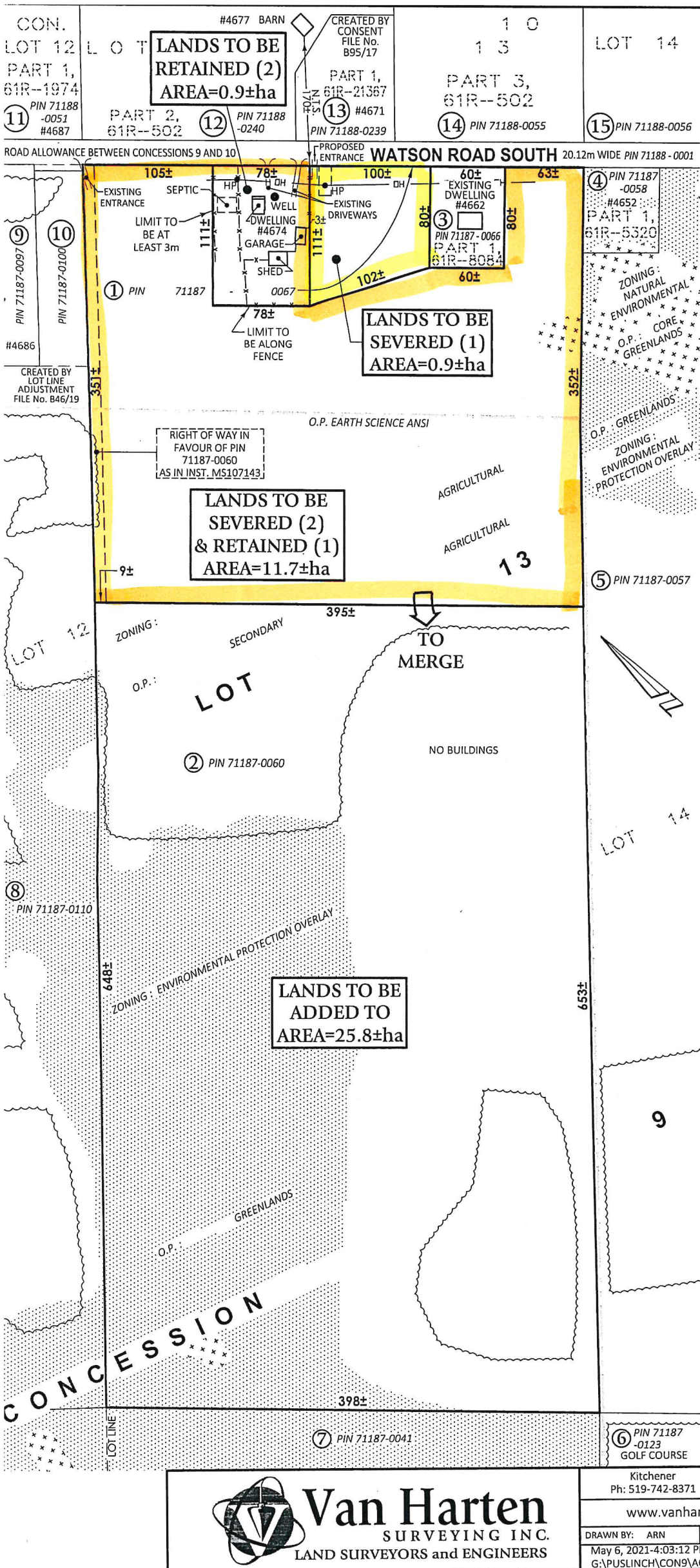
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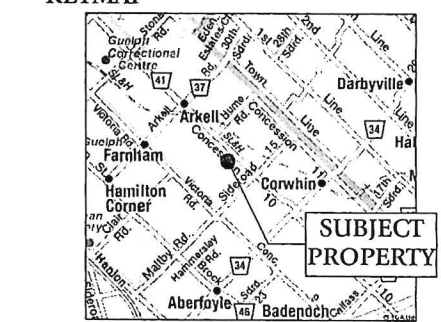




SEVERANCE SKETCH
PART OF LOT 13, CONCESSION 9
TOWNSHIP OF PUSLINCH
COUNTY OF WELLINGTON

SCALE 1 : 3000
0 30 60 120 180 meters

VAN HARTEN SURVEYING INC.



- 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, NATURAL ENVIRONMENT & ENVIRONMENTAL PROTECTION OVERLAY.
 3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF SECONDARY AGRICULTURAL, GREENLANDS, CORE GREENLANDS & EARTH SCIENCE ANSI.
 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.
 7. N.T.S. DENOTES NOT TO SCALE.

O.P. : EARTH SCIENCE ANSI

O.P. : GREENLANDS
ZONING: ENVIRONMENTAL PROTECTION OVERLAY

O.P. : CORE GREENLANDS
ZONING: NATURAL ENVIRONMENT

THIS SKETCH WAS PREPARED
ON THE 6th DAY OF MAY 2021

JEFFREY E. BUISMAN
ONTARIO LAND SURVEYOR

	Kitchener Ph: 519-742-8371		Guelph Ph: 519-821-2763	Orangeville Ph: 519-940-4110
	www.vanharten.com info@vanharten.com			
	DRAWN BY: ARN		CHECKED BY: JEB	PROJECT No. 29598-21
	May 6, 2021-4:03:12 PM G:\PUSLINCH\CON9\ACAD\SEV LOT 13 (HAMILTON) UTM.dwg			

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: B37-21
Applicant: William & Lisa Hamilton
Subject Lands: Township of Puslinch () - Part Lot 13
Concession 9

Proposal is a request for consent to convey fee simple for a proposed rural residential lot 0.9 ha, 100m fr (sever 1 on sketch); retained being 11.7 ha

SUMMARY of FILED REPORTS and COMMENTS:

Planning Review	Notice cards were posted at time of site visit; application is consistent with Provincial Policy - farm located at 4677 Watson Rd. S; due to number of lots in area this would be considered a Type B land use; condition requiring MDS compliance has been included; application generally conforms to Official Plan - Secondary Agricultural - no new lots have been created on parcel since March 1, 2005 and owned by the applicant over 5 years; conditions to apply
Township of Puslinch	in support of application; severed complies with zoning; minor variance required for reduced MDS on retained; conditions to apply
Grand River CA	no objection to consent application; staff do not anticipate any negative impacts to the natural heritage features as a result of the proposed severance or lot line adjustment application
Source Water	application can be screened out and does not require a notice under the Clean Water Act.
Miscellaneous	Jeff Buisman, agent cover letter

PROPOSED CONDITIONS of APPROVAL

- 1) **THAT** the Owner's solicitor, in preparation for the issuance of the Certificate of Consent, provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee a printed copy of the "completed electronic transfer document in preparation".
- 2) **THAT** the Solicitor for the Owner give an undertaking in writing to provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee within 30 days of the date of registration in the Land Registry/Land Titles Office for Wellington (No. 61) a copy of the receipted and registered electronic transfer document including the Form 2 Certificate for Consent B37-21.
- 3) **THAT** the Owner, as provided for under Section 69 of the Planning Act, R.S.O. 1990, shall pay to the Treasurer of the County of Wellington the administrative fee which is in effect at the time of the payment of the fee for the review and issuance of the Certificate of Consent for the severed parcel.
- 4) **THAT** the transfer for registration with respect to description complies with Ontario Regulation 43-96; and if that description contains a reference to a Reference Plan(s), the Owner's solicitor shall provide a full print of that deposited reference plan(s) as well as a digital PDF copy to the secretary-treasurer of the Planning and Land Division Committee.
- 5) **THAT** the 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 has been met.
- 6) **THAT** servicing can be accommodated on the severed lands to the satisfaction of the local municipality; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 7) **THAT** the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (included but not limited to Taxes paid in full and Consent Review/Condition Clearance Fee) which the Township of Puslinch 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. Any fees incurred by the Township for the review of this application will be the responsibility of the applicant; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 8) **THAT** the Owner obtain an approved Entrance Permit from the Township of Puslinch, verifying safe access and site lines on the severed parcel from the Township of Puslinch; and further that the Township of Puslinch file a letter of clearance of this condition with the Secretary-Treasurer of the Planning and Land Division Committee as written proof of fulfillment of this condition.
- 9) **THAT** the Owner apply for, and receive approval of a minor variance for the retained parcel for reduced MDS; and further that the Township of Puslinch 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*****

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 B37-21

APPLICANT

William & Lisa Hamilton
4674 Watson Rd S
Puslinch N0B 2C0

LOCATION OF SUBJECT LANDS

Township of Puslinch
Part Lot 13
Concession 9

Proposed severance is 0.9 hectares with 100m frontage (severed 1 on sketch), vacant land for proposed rural residential use.

Retained parcel is 11.7 hectares with 168m frontage, existing and proposed agricultural use (retained 1 on sketch)

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 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. - c/o Jeff Buisman



RECEIVED

JUN 30 2021

Application | B37/21
Location | Part Lot 13, Concession 9
TOWNSHIP OF PUSLINCH
Applicant/Owner | William and Lisa Hamilton

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

PLANNING OPINION: This application would sever a vacant 0.9 ha (2. ac) parcel as a rural residential lot. A 11.7 ha (ac) parcel would be retained with an existing dwelling, garage and shed. This application is in relation to B38/21.

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

- a) That MDS compliance be achieved to the satisfaction of the County of Wellington Planning and Development Department;
- b) That driveway access can be provided to the severed lands to the satisfaction of the of the appropriate road authority; and
- c) That servicing can be accommodated on the severed lands to the satisfaction of the local municipality.

A PLACE TO GROW: No concerns.

PROVINCIAL POLICY STATEMENT (PPS): Section 2.3.3.3 of the PPS states new land uses, including the creation of lots, and new or expanding livestock facilities shall comply with minimum distance separation formulae. There is a farm located at 4677 Watson Road S, farm data sheets have been provided for the barns. Due to the number of lots in the area this would be considered a Type B land use. The severed lot is proposed to be located 170 m to the barn, the required MDS setback is 220 m. A condition requiring MDS compliance has been included.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated as SECONDARY AGRICULTURAL, GREENLANDS AND CORE GREENLANDS. Identified features include wetlands and provincially significant wetlands. The proposed severed lands are located outside of any environmental features.

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

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

No new lots have been created on the parcel since March 1, 2005 and the lands have been owned by the applicant for over 5 years. The matters in Section 10.1.3 were also considered, including item g).

WELL HEAD PROTECTION AREA: The subject property is located within a Wellhead Protection Area C with Vulnerability Score 2, 4, and 6.

LOCAL ZONING BY-LAW: The subject property is currently zoned Agricultural (A). The severed and retained lands meet the zoning requirements for lot area and frontage.

SITE VISIT INFORMATION: The subject property was visited and photographed on June 11th, 2021. Notice Cards were posted and the survey sketch appears to meet the application requirements.

Zach Prince, RPP MCIP, Senior Planner
June 30th, 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.

APPLICANT

FILE NO. B37-21

LOCATION OF SUBJECT LANDS

William & Lisa Hamilton
4674 Watson Rd. S.
Township of Puslinch

Part Lot 13, Concession 9
Puslinch

Proposed severance is 0.9 hectares with 100 meters frontage (severed 1 on sketch), vacant land for proposed rural residential use.

Retained parcel is 11.7 hectares with 168 meters frontage, existing and proposed agricultural use (retained 1 on sketch).

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 23-01-000-008-07400-0000

Does this description reasonably describe the parcel holdings? YES (x) NO ()
If answer is NO, please provide new information:

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

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

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

(Please Specify)

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

(Please Specify) Minor variance required for reduced MDS

If Necessary, would the Municipality be prepared to consider an **Amendment** to the Zoning By-law to permit the proposal to conform? YES () NO () N/A (x) or **Minor Variance** YES (x) NO ()
N/A (x)

Is proposal on an opened maintained year-round public road? YES (x) NO ()

If answer is NO, is municipality willing enter into an agreement regarding use of the seasonal road, or opening up the road?

(Please Specify)

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

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

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

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

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

Approximate Time of Servicing Availability:

Are there any other servicing arrangements, Municipal Easements OR Municipal Drains on the subject lands?

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JUN 09 2021

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

MUNICIPALITY COMMENTING FORM

FILE NO.: B37-21

Is the Municipality's Building Official satisfied that there is a sufficient site on the severed parcel for individual well and septic services?

YES (x) NO ()

Is there any further information that may assist the Planning and Land Division Committee?
(A letter may be attached if there is insufficient space to explain)

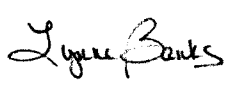
The Committee supports the application.

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

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

1. That the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (including taxes paid in full and Consent Review/Condition Clearance fee) which the Township may deem to be necessary at the time of issuance of the Certificate of Consent 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; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
2. That the Owner obtain an approved Entrance Permit verifying safe access and site lines on the severed parcel from the Township of Puslinch; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
3. That the Owner apply for, and receive approval of a minor variance for the retained parcel for reduced MDS.

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

SIGNATURE 

TITLE Development & Legislative Coordinator

ADDRESS 7404 Wellington Road 34, Puslinch N0B 2J0

DATE June 8, 2021



**PLAN REVIEW REPORT: County of Wellington, Planning & Land Division Committee
Deborah Turchet, Secretary-Treasurer**

DATE: June 25, 2021 **YOUR FILE:** B37-21 & B38-21

RE: **Application for Consent B37-21 & B38-21**
4676 Watson Road South, Township of Puslinch
William & Lisa Hamilton

GRCA COMMENT:*

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

BACKGROUND:

1. Resource Issues:

Information currently available at this office indicates that the lands to be retained and merged contain a wetland, valley slopes and the regulated allowance adjacent to these features. The lot to be severed under application B37-21 for proposed rural residential use does not contain any features of interest to the GRCA.

2. Legislative/Policy Requirements and Implications:

Portions of the subject lands contain natural heritage features that are identified by the Provincial Policy Statement (PPS, 2020). Portions of the subject lands are also identified as Greenlands in the County of Wellington Official Plan.

GRCA staff do not anticipate any negative impacts to the natural heritage features as a result of the proposed severance or lot line adjustment. As such, the GRCA has no objection to the proposed consent application.

Due to the presence of the above-noted features, 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 the GRCA in the form of a permit pursuant to Ontario Regulation 150/06.

3. Additional Information/Suggestions provided in an advisory capacity:

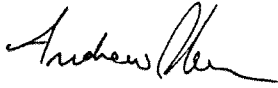
We wish to acknowledge receipt of the applicable plan review fee in the amount of \$430.00 for the processing of this application.

RECEIVED

JUN 30 2021

We trust the above information is of assistance. Should you have any further questions, please contact me at 519-621-2763 ext. 2228.

Yours truly,



Andrew Herreman, CPT
Resource Planning Technician
Grand River Conservation Authority

Encl (1)

c.c. William & Lisa Hamilton (via email)
Jeff Buisman, Van Harten Surveying Inc. (via email)
Township of Puslinch (via email)

* *These comments are respectfully submitted to the Committee and reflect the resource concerns within the scope and mandate of the Grand River Conservation Authority.*

4674 Watson Road South

PIN 71095-0025

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)

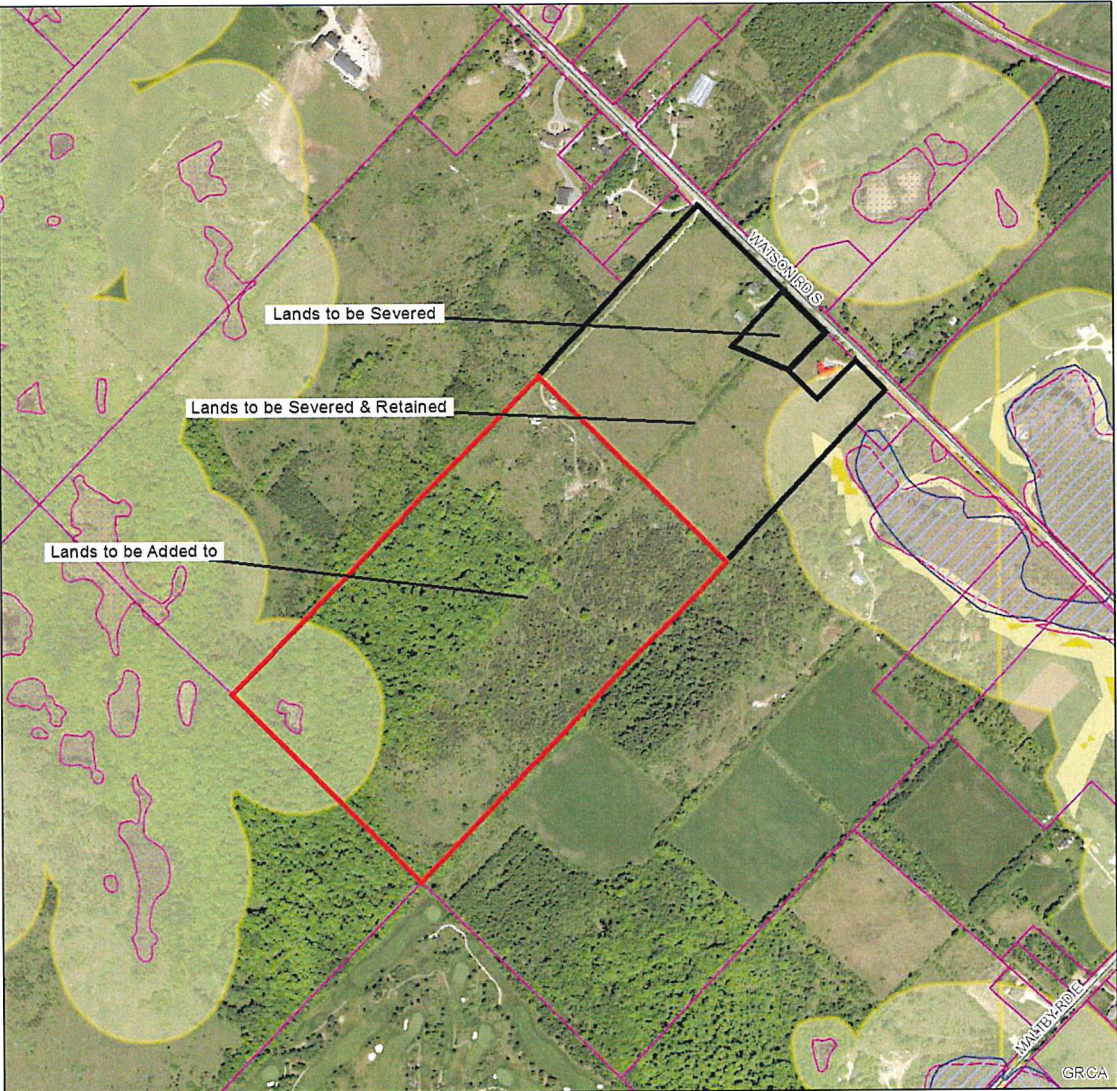
 Lake Erie Dynamic Beach (GRCA)

 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>



Map Centre (UTM NAD83 z17): 568,760.52 4,818,560.48

This map is not to be used for navigation | 2015 Ortho (ON)

Jana Poechman

From: Emily Vandermeulen <EVandermeulen@centrewellington.ca>
Sent: Thursday, May 13, 2021 9:02 AM
To: Jana Poechman
Cc: Source Water
Subject: RE: B37-21 & B38-21 - SW Screening Form
Attachments: WHPA_Map_WatsonS_4674.pdf

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you know the contents to be safe.

Hi Jana,

Thank you for providing the above referenced application for review. Since this property is located in a vulnerable area (wellhead protection area, issues contributing area, intake protection zone etc.), but the activity(ies), as indicated, would not create a significant drinking water threat, the application can be screened out and it does not require a Section 59 notice under the *Clean Water Act*.

I have attached a map showing the property and Wellhead Protection Areas for your reference.

If you have any further questions regarding this application, or in the event of any technical problem with the email or attachments, please contact me.

Emily Vandermeulen | Risk Management Inspector / Source Protection Coordinator

Wellington Source Water Protection | 7444 Wellington Road 21, Elora, ON, N0B 1S0
519.846.9691 x365 | evandermeulen@centrewellington.ca | www.wellingtonwater.ca
Toll free: 1.844.383.9800

Wellington Source Water Protection's offices are located in the Township of Centre Wellington offices. Centre Wellington has moved to a province wide shutdown. All Township facilities are closed for public use however many departments are offering most services electronically and scheduling appointments for services that cannot be delivered remotely. With the proper protocols in place, we are working to deliver services in a timely manner, however, you may still experience some delays or disruptions.

Phones will continue to be answered between the hours of 8:30 a.m. and 4:30 p.m., Monday-Friday at 519-846-9691, general email inquiries can be sent to clerks@centrewellington.ca and service requests such as purchasing of dog tags and burn permits are available online at www.centrewellington.ca/permits.

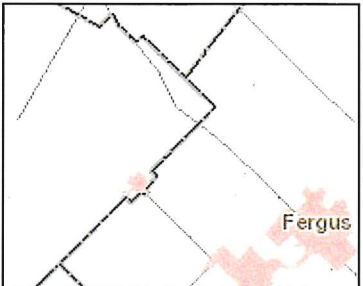
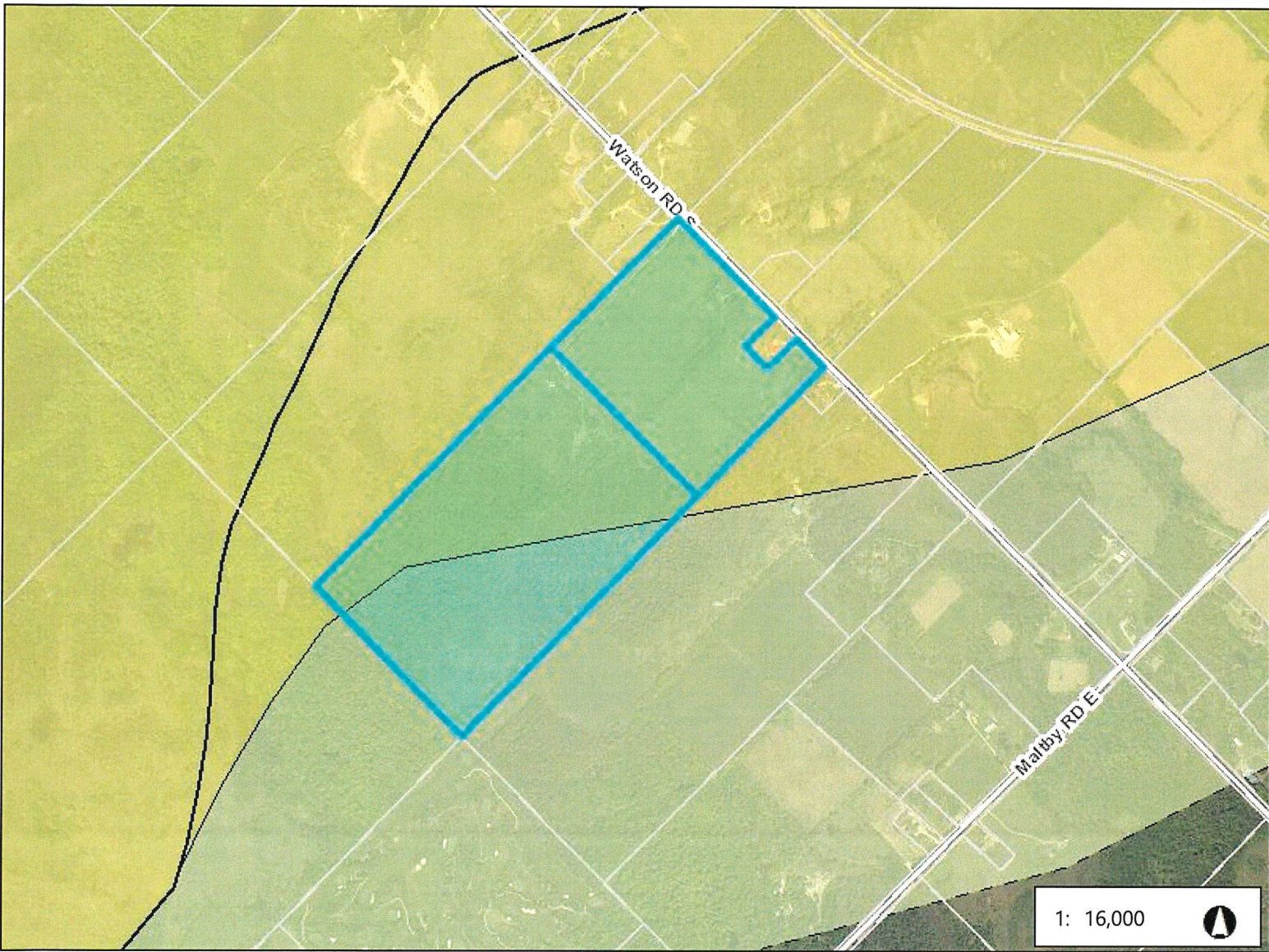
This is a rapidly evolving situation; discussions and decisions are ongoing. Any changes in operations will be communicated and posted to the Townships website at www.centrewellington.ca/emergencyplanning and our social media platforms, www.facebook.com/CentreWellington and Twitter www.twitter.com/CentrWellington

From: Jana Poechman [<mailto:janap@wellington.ca>]
Sent: May 7, 2021 11:44 AM
To: Emily Vandermeulen <EVandermeulen@centrewellington.ca>; Kyle Davis <KDavis@centrewellington.ca>
Cc: Source Water <sourcewater@centrewellington.ca>
Subject: B37-21 & B38-21 - SW Screening Form

Here is a pair of consent applications for our May 13th circulation. I believe there is just one more that I'm expecting later today.

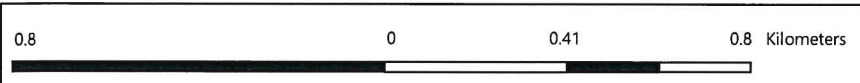
Thanks.
Jana

Jana Poechman
Planning Administrative Clerk
Planning and Development Department
County of Wellington
74 Woolwich Street
Guelph ON N1H 3T9
T 519.837.2600 x 2170



Legend

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



Notes

May 7, 2021
29598-21

Jeff.Buisman@vanharten.com

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

Attention: Deborah Turchet

Dear Ms. Turchet:

**Re: Severance and Lot Line Adjustment Applications and Sketch
4674 Watson Road South
Part of Lot 13, Concession 9
Township of Puslinch**

Please find enclosed an application for a Severance and Lot Line Adjustment Severance and Sketch on the above-mentioned property. Included with this submission are copies of the Severance Sketch, completed application forms, the required deeds, PIN report and map, MDS Farm Data Sheet, Sourcewater Protection Form, a cheque to the GRCA for \$430.00 and a cheque to Wellington County for \$9,260.00.

Proposal:

The proposal is to reconfigure the two properties into three properties with a severance and lot line adjustment. The result is to create a new parcel for rural residential purposes and to merge two larger, vacant parcels for continued agricultural use, retaining the dwelling on a smaller lot. The two existing properties are as follows:

- 1) **PIN 71187-0067** – 4674 Watson Road South, Puslinch (owned by William Hamilton and Lisa Hamilton)
- 2) **PIN 71187-0060** – Vacant Parcel (owned by William Harvey Hamilton, Lisa Hamilton, Nancy Ann Hamilton & The Estate of William Michael Hamilton).

Please see the sketch which shows the severances and the configuration.

RECEIVED

MAY 07 2021

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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

Elmira, ON:
519-669-5070

423 Woolwich Street
Guelph, ON N1H 3X3
519-821-2763

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

Collingwood, ON:
249-499-8359

www.vanharten.com

Severance Review:

The proposal is to create a new rural residential parcel along Watson Road South in between two existing residential parcels. The proposed Severed Parcel (1) will have a frontage of $100\pm\text{m}$, depth of $111\pm\text{m}$ and $80\pm\text{m}$, for an area of $0.9\pm\text{ha}$ where a dwelling is proposed. The severed parcel was configured to fill in the space between the existing rural residential parcel (#4662) and the retained parcel (2) of the lot line adjustment (#4674). The depths match each adjacent parcel which creates a diagonal rear property line. The parcel has been evaluated and a safe entrance is possible. The Zoning requirements are met for the Severed Parcel (1).

The Retained Parcel (1) known as 4674 Watson Road South will have a frontage of $168\pm\text{m}$, depth of $352\pm\text{m}$ for an area of $11.7\pm\text{ha}$ that is vacant.

The Minimum Distance Separation (MDS) guidelines were evaluated for the barn across the road at #4677 Watson Road South. The MDS requirement of "Type B" Land Use must be applied in this situation instead of "Type A" Land Use. Type B applies in situations *"that results in four or more lots for development, which are in immediate proximity to one another"* (Guideline #34). Under this definition, Type B applies because this is an existing cluster of rural residential parcels and this severance creates a fourth. The challenge is, however, that the MDS minimum under Type B is 220m whereas under Type A, the minimum is 110m. In this case the barn is about 170m to severed parcel.

The barn at #4677 is approximately $170\pm\text{m}$, whereas the required distance is 220m using Type B land use. Therefore technically, the MDS requirement is not met and a minor variance for the MDS requirement will have to be sought.

The subject property is zoned Agricultural and the Reduced Lot Requirements listed in Table 11.3 of the Zoning By-law will be met for the Severed and Retained Parcels.

The parcel has a designation of Secondary Agricultural in the County of Wellington Official Plan which allows for a severance, provided that certain criteria (Section 10.4.4) are met. We reviewed this section, and we provide the opinion that the relevant criteria are met including the following:

- The severed lands are designated Secondary Agricultural.
- Ownership is longer than 5 years.
- No severance since March 2005.
- Safe entrance is available – sight lines have been evaluated.
- Adequate space for new dwelling and septic.
- No impacts on environmentally sensitive lands or woodlot
- Very close to meeting the MDS requirement which can be addressed via a Minor Variance.

In summary this severance is a very practical and follows the relevant criteria for severance.

Lot Lone Adjustment Review:

The proposal for the lot line adjustment is to sever the majority of the large agricultural property known as #4674 Watson Road South (PIN 71187-0067) and merge it with the vacant parcel to the south-west (PIN 71187-0060) to create a larger agricultural parcel. The Severed Parcel (2) has a frontage of 168±m, depth of 351±m for an area of 11.7±ha that will be merged with the adjacent parcel to the southwest (PIN 71187-0060) for continued agricultural use. The Lands to be Added to is also vacant and the merged parcel will have a combined area of 37.5±ha.

The Retained Parcel (2) will have a frontage of 78±m, depth of 111±m for an area of 0.9±ha where the existing dwelling, garage and shed will remain for continued residential purposes. The configuration of the retained parcel is to follow the fence line and the side lot lines will be at least 3m from the garage and septic to meeting Zoning and OBC requirements. The rear limit is to follow an existing fence line. The zoning requirements are met for this parcel.

A strong benefit to this lot line adjustment is the fact that the rear parcel (PIN 71187-0060) does not currently have frontage along Watson Road South and access to that property is through a Right-of-Way Easement identified as INST. MC107143. This easement runs along the northwest side of the Severed Parcel (2) (PIN 71187-0067). The lot line adjustment will merge the rear parcel with the front parcel and extinguishing the right-of-way.

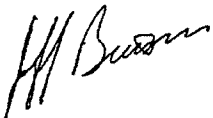
After reviewing the Minimum Distance Separation (MDS) Guideline # 8, it is our interpretation that MDS I setbacks are not applicable to this application as this proposal is for a boundary adjustment and not the creation of a new lot and the buildings already exist.

The proposed lot line adjustment follows the guidelines in Section 10.4.6 of the Wellington County Official Plan for lot line adjustments of lands that are designated Secondary Agricultural. This section states that lot line adjustments are permitted where no adverse effect on agriculture will occur and where a more viable agricultural operation will result.

In conclusion, the severance is very practical and allows for the creation of a rural residential while following the relevant criteria and the lot lone adjustment will create a larger parcel for agricultural proposes and also allow the rear, isolated parcel to have frontage along Watson Road South.

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

Very truly yours,
Van Harten Surveying Inc.



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Ontario Land Surveyor

cc Bill Hamilton