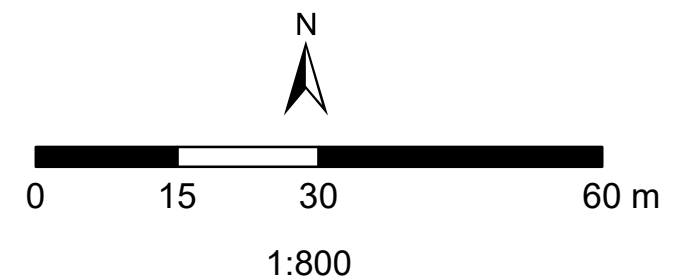
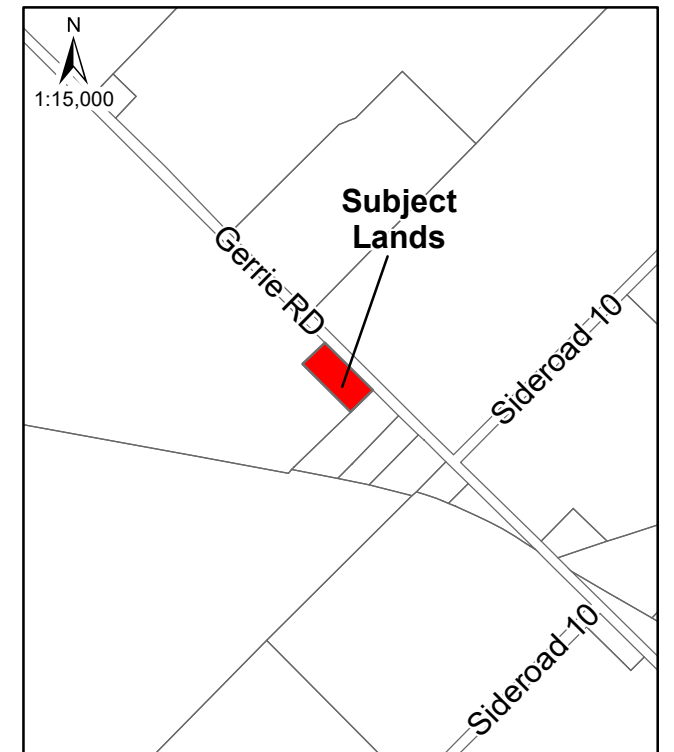


COUNTY OF WELLINGTON LAND DIVISION

B35-21

Applicant:
Howard & Sharon Carey

Township of Centre Wellington
6808 Gerrie Road



Date: May 2021

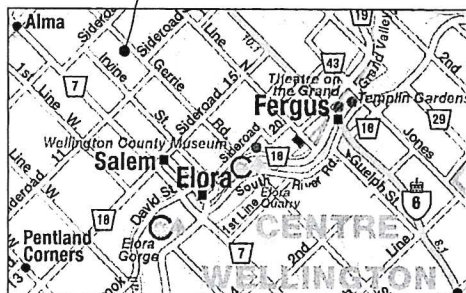
Produced by: County of Wellington Planning & Development Department

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May not be reproduced without permission.

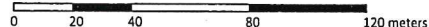
Sources:
County of Wellington
Ministry of Natural Resources,
Grand River Conservation Authority.
INCLUDES MATERIAL ©2015 OF THE QUEEN'S
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2015 Ortho imagery.



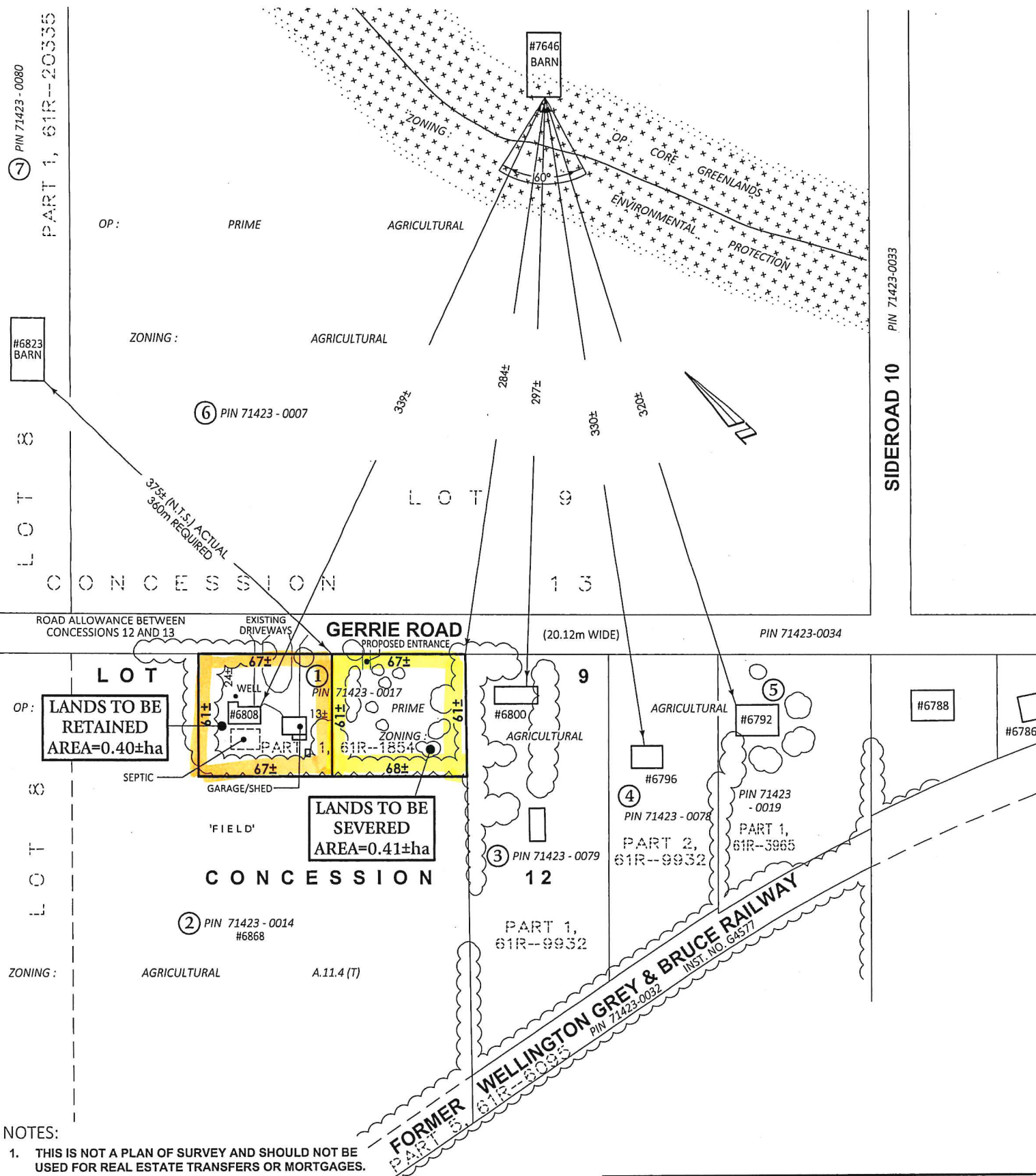
KEYMAP



SCALE 1 : 2000



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.**
3. **SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF PRIME AGRICULTURAL.**
4. **DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.**
5. **SEE ATTACHED LIST OF NAMES AND ADDRESSES OF OWNERS.**
6. **DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.**
7. **N.T.S. DENOTES NOT TO SCALE.**

 O.P. : PRIME AGRICULTURAL
ZONING: ENVIRONMENTAL PROTECTION OVERLAY

O.P. : CORE GREENLANDS
ZONING: ENVIRONMENTAL PROTECTION

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

JEFFREY E. BUISMAN
ONTARIO LAND SURVEYOR



Van Harten
SURVEYING INC.
LAND SURVEYORS and ENGINEERS

Waterloo/Kitchener
Ph: 519-669-5070

Guelph
Ph: 519-821-2763

Orangeville
Ph: 519-940-4110

www.vanharten.com

info@vanharten.com

DRAWN BY: ARN

CHECKED BY: JEB

PROJECT No. 29410-21

May 06, 2021-10:44am

G:\NICHOL\con12\ACAD\SEV PTLT 9 (CAREY) 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 #2
File Number: B35-21
Applicant: Howard & Sharon Carey
Subject Lands: Township of Centre Wellington (Nichol) - Part Lot 9, Concession 12

Proposal is a request for consent to convey fee simple for a proposed rural residential lot 67m fr x 61m = 0.41 ha; retained being 0.4 ha

SUMMARY of FILED REPORTS and COMMENTS:

Planning Review	Notice cards were posted at the time of site visit; application for vacant residential lot within the Prime Agricultural Area which is not permitted by Provincial and County Official Plan policies; barn located at 7646 Sideroad 10 requires a condition requiring MDS compliance; condition to apply
Township of Centre Wellington	planning staff opinion - not in support of application; complies with zoning; Provincial and County policy framework does not allow new lot creation for residential purposes in the Prime Agricultural Area. Should the Land Division Committee approve the application - conditions to be addressed
Grand River CA	no objection to proposed consent
Source Water	application can be screened out and does not require a Section 59 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 B35-21
- 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 under Formula 1 are met.
- 6) **THAT** the Owner satisfy all the requirements of the Township of Centre Wellington, financial and otherwise (included but not limited to Taxes paid in full; copy of Deposited Reference Plan; undertaking to advise Township when deed is Registered; Tax Assessment Roll Setup Fee paid) which the local municipality 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 Centre Wellington file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 7) **THAT** the Owner satisfy the requirements of the Local Municipality in reference to parkland dedication as provided for in the Planning Act, R.S.O. 1990; and that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 8) **THAT** for the proposed retained parcel, confirmation that the existing septic system is functioning properly and that it has been pumped if necessary, to the satisfaction of the Chief Building Official; and further that the Township of Centre Wellington file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition
- 9) **THAT** for the proposed severed parcel, a road entrance permit will be required from the Township. Note: The owner should be aware that a culvert with a diameter of 450mm will be required; and further that the Township of Centre Wellington 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.

*****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 B35-21

APPLICANT

Howard & Sharon Carey
7646 Sideroad 10
Elora

LOCATION OF SUBJECT LANDS

Township of Centre Wellington (Nichol)
Part Lot 9
Concession 12

Proposed severance is 67m fr x 61m = 0.41 hectares, vacant land for proposed rural residential use.

Retained parcel is 67m fr x 61m = 0.40 hectares, existing and proposed rural residential use with existing dwelling, garage & shed.

ITEM #2 ON AGENDA

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

CONSIDERATION WILL BE HELD BY ZOOM

PLEASE NOTE: To avoid application deferral, any updated comments, reports, sketches, photos etc. that you are requesting the Committee to consider in respect to your application are to be submitted to the Secretary Treasurer of Land Division **no later than Friday, July 16, 2021 by 3:00 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**

To: Van Harten Surveying Inc. - c/o Jeff Buisman



RECEIVED

JUN 30 2021

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

**Application
Location**

B35/21
Part Lot 9, Concession 12
TOWNSHIP OF CENTRE WELLINGTON (Nichol)
Howard & Sharon Carey

Applicant/Owner

PLANNING OPINION: This proposal would create a 0.49 ha (1.2 ac) rural residential lot with an existing storage building in a Prime Agricultural Area. A 0.44 ha (1.08 ac) parcel would be retained with an existing dwelling.

The subject proposal seeks to create a vacant residential lot within the Prime Agricultural Area, which is not permitted by Provincial and County Official Plan policies. This application is not consistent with the Provincial Policy Statement and would not conform to the County Official Plan.

If approved, the following matters should be addressed as conditions of approval:

- a) That MDS compliance be achieved to the satisfaction of the County of Wellington.

PLACES TO GROW: The Growth Plan for the Greater Golden Horseshoe 2020 was prepared and approved under the Places to Grow Act, 2005 and came into effect on July 1, 2017. The Natural Heritage System mapping and Agricultural Land Base mapping prepared under the Growth Plan for the Greater Golden Horseshoe was issued on February 9, 2018 and is now in effect. All planning decisions are required to conform within the Growth Plan.

The subject lands are identified as PRIME AGRICULTURAL within the Agricultural Land Base mapping. The provincial growth plan encourages intensification within urban areas.

PROVINCIAL POLICY STATEMENT (PPS): The subject property is within a prime agricultural area. According to Section 2.3.4.3, the creation of new residential lots in the prime agricultural areas shall not be permitted (except for residence surplus to a farming operation). The proposed severance does not conform with the Provincial Policy Statement.

Regarding MDS I, the barn located at 7646 Sideroad 10 requires a setback of 339 m, the proposed lot is located approximately 284 m from the existing barn. A condition requiring MDS compliance is included.

WELLINGTON COUNTY OFFICIAL PLAN: The subject lands are designated PRIME AGRICULTURAL. According to Section 10.3.1, lot creation in prime agricultural areas will be restricted to the following:

- a) agricultural uses
- b) agriculture-related uses
- c) a residence surplus to a farming operation
- d) lot line adjustments
- e) community service facilities

The matters under Section 10.1.3 were also given consideration, including "a) that any new lots will be consistent with official plan policies and zoning regulations." and p) "that provincial legislation and policies are met...". The subject lands are designated Prime Agricultural therefore the consent application is not consistent with Provincial Policy and does not conform to the County Official Plan.

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

LOCAL ZONING BY-LAW: The subject property is zoned Agricultural (A). Both the severed and retained lands would meet the minimum lot area and frontage requirements for reduced lots in Section 6.1.3.2.

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.

File: B35-21 (SEV006-2021)

RECEIVED

MAY 21 2021

APPLICANT

Howard & Sharon Carey
7646 Sideroad 10
Elora

LOCATION OF SUBJECT LANDS

Township of Centre Wellington (Nichol)
Part Lot 9
Concession 12

Proposed severance is 67m fr x 61m = 0.41 hectares, vacant land for proposed rural residential use.

Retained parcel is 67m fr x 61m = 0.40 hectares, existing and proposed rural residential use with existing dwelling, garage & shed.

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 2326-000-023-08900

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? County OP applies YES ☐ NO ☐

What sections does it conform to or contravene? (Please specify) _____

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

(Please Specify): Section 6.1.3 - "A - Agricultural (Reduced Lot Area)"

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

(Please Specify): Section 6.1.3 - "A - Agricultural (Reduced Lot Area)"

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 _____

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?

N/A

RECEIVED

JUL 05 2021

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Continued to Page 2

MUNICIPALITY COMMENTING FORM

File: B35-21

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

YES ☐ NO ☐

See attached sheet of conditions

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]

N/A

Is the Municipality in support of this application?

YES ()

NO (X) Planning staff opinion only

Provincial and County policy framework does not allow new lot creation for residential purposes in the Prime Agricultural Area. Should the Land Division Committee approve the application, the below (attached) conditions are requested by the Township.

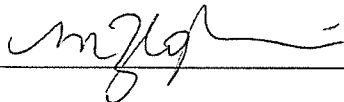
What Conditions, if any, are requested by the Municipality if the Consent is granted?

Please see attached sheet of conditions if the Land Division Committee approves the application.

Does the Municipality request a Notice of the Decision?

YES (X) NO ()

SIGNATURE



TITLE

Senior Planner

ADDRESS

1 MacDonald Square, Elera DN NOB 150

DATE

June 29 / 21

FILE NO: B35/21 – 608 Gerrie Road, Nichol
Howard and Sharon Carey

Conditions requested if the Consent is granted:

- ☒ That land be dedicated or other requirements met for park or other public recreational purposes.
- ☒ Satisfy all the requirements of the local municipality, financial and otherwise
- ☒ Driveway entrance approval (*see below note*)
- ☒ Taxes Paid in Full
- ☐ Service Connections to be confirmed
- ☐ Official Plan Amendment
- ☐ Zoning Compliance
- ☐ Development Agreement and/or Site Plan Agreement (Lot Grading and Drainage)
- ☒ Copy of deposited Reference Plan
- ☒ Undertaking to advise Township when deed is Registered

Should the Land Division Committee approve the application for consent, please add the following conditions:

- For the proposed retained parcel, confirmation that the existing septic system is functioning properly and that it has been pumped if necessary, to the satisfaction of the Chief Building Official
- For the proposed severed parcel, a road entrance permit will be required from the Township. Note: The owner should be aware that a culvert with a diameter of 450mm will be required.

LDC-conditions



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

DATE: June 30, 2021 **YOUR FILE:** B35-21

RE: **Application for Consent B35-21**
6808 Gerrie Road, Township of Centre Wellington
Howard & Sharon Carey

GRCA COMMENT:*

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

BACKGROUND:

1. Resource Issues:

Information currently available at this office indicates that the subject lands do not contain any features of interest to the GRCA.

2. Legislative/Policy Requirements and Implications:

None.

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.

Should you have any questions or require further information, please contact me at 519-621-2763 ext. 2228.

Yours truly,

A handwritten signature in black ink, appearing to read "Andrew Herreman".

Andrew Herreman, CPT
Resource Planning Technician
Grand River Conservation Authority

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

c.c. Howard & Sharon Carey (via email)
Jeff Buisman, Van Harten Surveying Inc. (via email)
Chantalle Pellizzari, Township of Centre Wellington (via email)

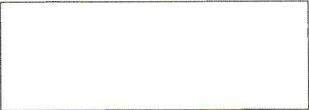
RECEIVED

JUN 30 2021



Grand River
Conservation Authority
Date: Jun 30, 2021
Author: ah

B35-21 - 6808 Gerrie Road



Legend

- Regulation Limit (GRCA)
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Welland (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 10 20 40 60 Meters
NAD 1983 UTM Zone 17N
Scale: 2,043



Map Centre (UTM NAD83 z17): 543,953.48 4,841,075.53

This map is not to be used for navigation | 2015 Ortho (ON) | 2019 Ortho (KWCG)

Jana Poechman

From: Emily Vandermeulen <EVandermeulen@centrewellington.ca>
Sent: Thursday, May 13, 2021 8:17 AM
To: Jana Poechman
Cc: Source Water
Subject: RE: B35-21 - SW Screening Form
Attachments: WHPA_Map_Gerrie_6808.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 11:43 AM
To: Emily Vandermeulen <EVandermeulen@centrewellington.ca>; Kyle Davis <KDavis@centrewellington.ca>
Cc: Source Water <sourcewater@centrewellington.ca>
Subject: B35-21 - SW Screening Form

Here is another consent application for our May 13th circulation.

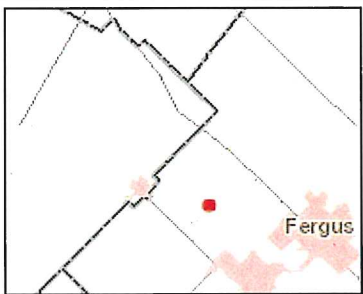
Thanks.
Jana

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



Explore
Wellington

6808 Gerrie Road, Elora



Legend

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

0.1 0 0.05 0.1 Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
Includes material © 2016 of the Queen's Printer for Ontario. All rights reserved.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
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THIS IS NOT SURVEY DATA. Parcels - Teranet 2002, Wellington County 2018

Notes



May 6, 2021
29410-21

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
6808 Gerrie Road
Part of Lot 9, Concession 12
Part 1, 61R-1854
PIN 71423-0017
Geographic Township of Nichol
Township of Centre Wellington**

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, Source Water Protection Form, MDS Farm Data Sheets, a cheque to the GRCA for \$430.00, and a cheque to Wellington County for \$4,630.00. Please note we are waiting for the signed Farm Data Sheet from #6823 Gerrie Road. We will forward that you once we receive the signed copy.

Proposal:

The proposal is to sever the property at #6808 Gerrie Road in half to create a new parcel for rural residential purposes. The Severed Parcel is vacant and has a frontage of 67±m, depth of 61±m for an area of 0.41ha where a dwelling is proposed. The Retained Parcel has a frontage of 67±m, depth of 61±m, for an area of 0.40±ha where the existing dwelling and garage/shed will remain.

The severed parcel is vacant yard and contains some trees and bush along the exterior. The severance is an efficient use of open space and logical to create a new rural residential parcel. The buildings, septic, well and features on the retained parcel are all centrally located on the Retained Parcel. All the zoning requirements are easily met for both parcels.

The parcels were evaluated and the existing entrance for the retained parcel provides safe access and will remain. A new entrance is proposed for the severed parcel and a safe access is possible.

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

Elmira, ON
519-689-5070

423 Woolwich Street
Guelph, ON N1H 3X3
519-821-2783

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

Collingwood, ON
249-499-8359

www.vanharten.com

R.P. Magahay, B.A. J.E. Buisman, B.E.S., B.Sc., O.L.S. R.M. Mak, B.Sc., O.L.S. J.M. Laws, B.Sc., O.L.S. J.M. Duffy, P.Eng.

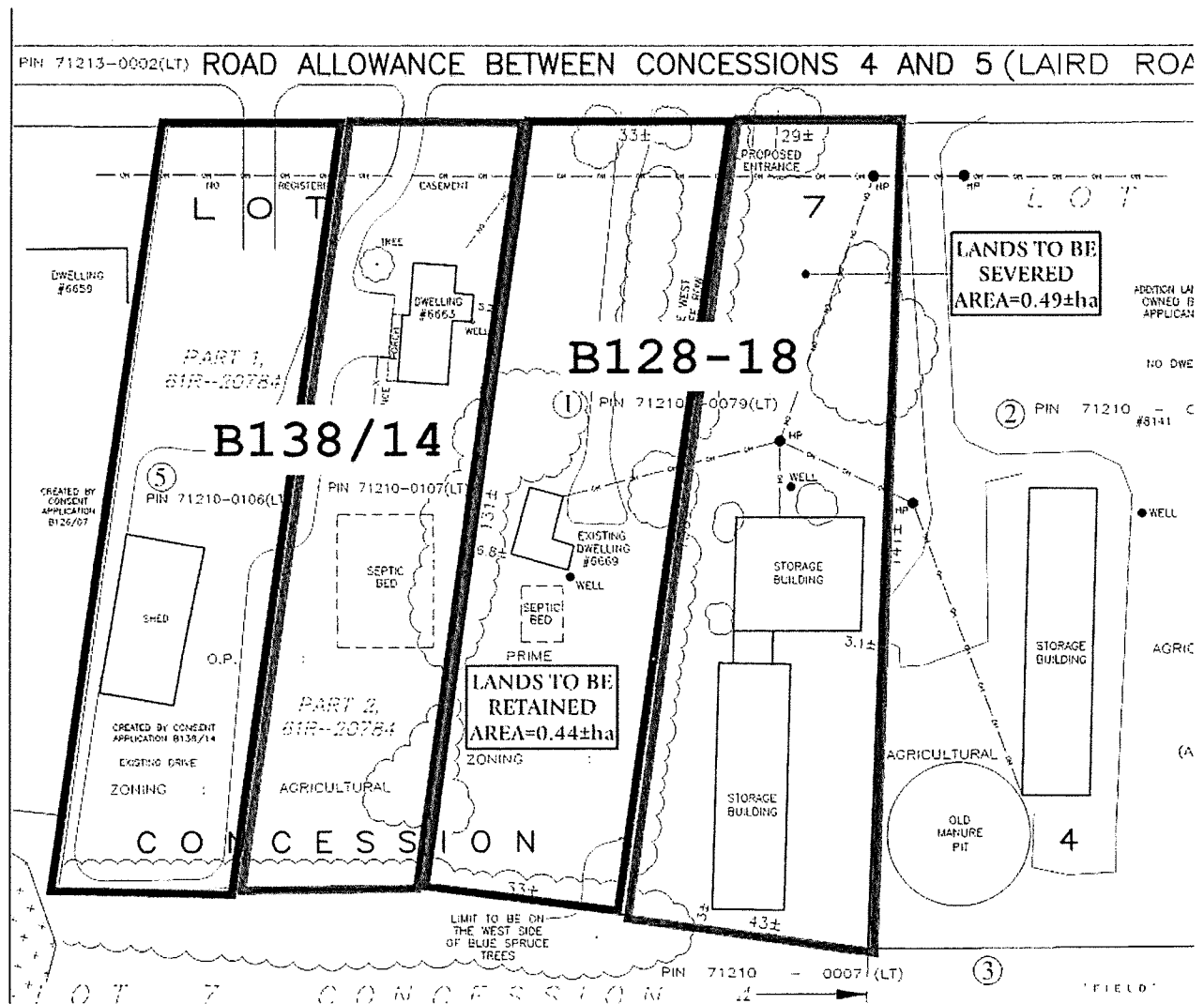
Review of Policies:

This is a unique situation where the subject property is in an area designated as Prime Agricultural in the County of Wellington Official Plan and Severances for new rural residential parcels are generally not permitted in Prime Agricultural areas. The Wellington County Land Division Committee has, over the years, approved a few rural residential severances where there was a cluster of homes and the severance was approved due to its practical merit. Aspects of the practical merit include the following:

1. The land is not used and will likely never be used for agricultural operations – so there is no loss in farmland.
2. A new lot makes use of an open yard that is generally not used other than cutting the grass.
3. This is a good in-fill opportunity which is a key aspect to the governing Planning Policies.
4. There will be no impact on agricultural operations in the area other than one more home of rural residents.

This severance is another example of very practical severance that makes use of 0.40ha vacant yard to create a new parcel in the midst of existing rural residential parcels. In this case there will be 7 abutting rural residential parcels along Gerrie Road where the severance would be the second last parcel to the north. Although not designated as Secondary Agricultural, it functions as a Secondary Agricultural or Rural Residential use.

The Figure below shows two examples where the Land Division Committee approved severances in a similar situation. The parcels are on Laird Road in Puslinch and were all designated Primary Agricultural in the Official Plan. The blue box represents the approved severance and the red box represents the retained lands for each application. Application (B128-18) was approved January 2020 and Application B138/17 was approved May 2015 (B138/14).



MDS Evaluation

The Minimum Distance Separation (MDS) guidelines for two barns were evaluated for this severance. One barn is north of the property (#6823 Gerrie Road) and the other is northeast (#7646 Sideroad 10) of the property.

The parcel to the north (#6823) contains an old bank barn that is unoccupied and a horse barn. The farm data sheet is included and the calculations show that MDS is met using Type B with 360m required and there is an approximate distance of 375m.



The second barn that we evaluated to the northeast at #7646 is owned by the applicant and the barn contains 100 beef cattle. The calculated MDS requirement using Type B is 512m. However, MDS Guideline #12 indicates that where there are four *non-agricultural or residential uses* closer to the barn the MDS minimum requirement will be the furthest of the 4 non-agricultural units. As presented on the sketch, the furthest non-agricultural unit is 339m. Therefore, the current MDS requirement is 339m and not 512m. The distance to the severance is about 284m. A Minor Variance would be submitted to allow for an MDS setback of 284m instead of 339m.

In the event that this was a Type A scenario of MDS, the minimum distance would have been 256m.

Conclusion:

In summary, this severance is practical and provides a great opportunity to utilize the vacant, open yard to create a new rural residential parcel while adhering to the reduced lot regulations of the Zoning By-law.

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

Very truly yours,
Van Harten Surveying Inc.

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cc Howard Carey