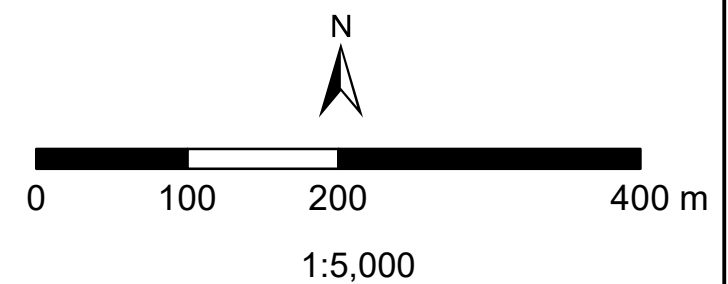
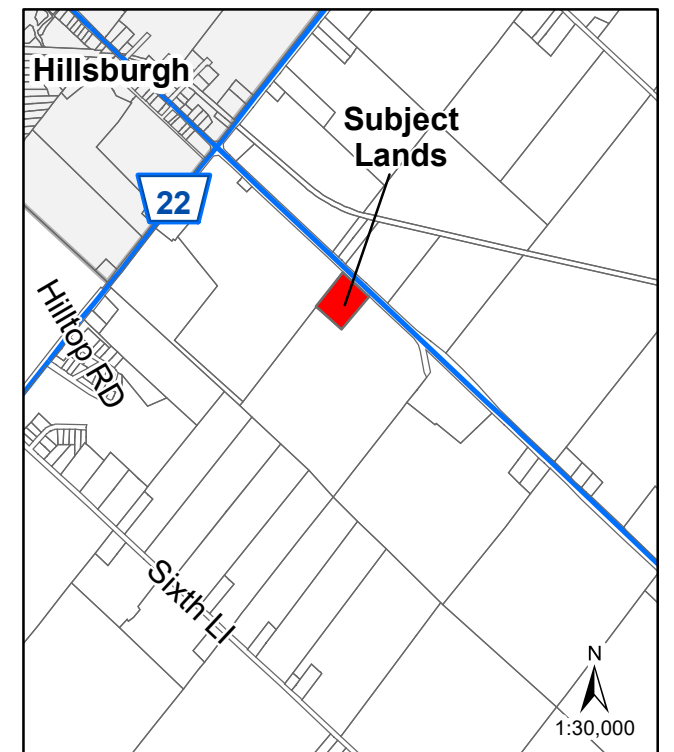


COUNTY OF WELLINGTON LAND DIVISION

B26-21

Applicant:
Joanne Milton

Town of Erin
5712 Trafalgar Rd N



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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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: B26-21
Applicant: Joanne Milton
Subject Lands: Town of Erin - Part Lot 21, Concession 7

Proposal is a request for consent to convey fee simple for a proposed lot line adjustment of 1.8 ha, 90m fr. (Part 2 on sketch) agricultural to be added to abutting Kelly Gluck; retained being 1.66 ha (Pt 1, 61R-4710)

SUMMARY of FILED REPORTS and COMMENTS:

Planning Review	notice cards were posted at time of site visit; proposed lot line adjustment will provide consolidation of existing wetland features that are currently fragmented between existing properties; agricultural portions of retained will continue as agricultural and would not be impacted by adjustment; staff note upon completion of lot line adjustment the retained 1.66 ha would automatically merge on title with abutting farm lands (5712 Trafalgar Rd); application is consistent with Provincial policy and generally conforms to Official Plan - no concerns
County Roads Department	no objections - an entrance condition is not required
Credit Valley CA	no objections to consents
Town of Erin	in support of application provided proposal is to take parts of 3 lots and through this lot line adjustment merge portions of each, with the final result being 2 lots. The remaining portions of the lot should merge with the larger two parcels and not be separately conveyable - in this case - no cash in lieu of parkland would be required (as no new lot is created); complies with zoning as remainder of parcel should not be able to be separately conveyed, as outlined in applicant letter; conforms with Official Plan; conditions to apply
Neighbours	Joseph Gilbey (1 Gilbey Lane, R. R. #2 Hillsburgh, ON N0B 1Z0) - concern with stream on his property (Pt Lot 23, Concession 7) wish to be assured that B26-21 & B27-21 will not affect our stream.
Miscellaneous	Jean L. Leonard - solicitor for applicant Kelly Gluck - letter of explanation

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 B26-21 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 provides written confirmation from a qualified septic professional that the existing on-site septic system(s) - if any- are functioning properly as designed and that all required clearances for treatment units, distribution piping/leaching chambers and holding tanks are in compliance with the Ontario Building Code Division B, Part 8; and further that the Town of Erin file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition
- 8) **THAT** the Owner satisfy all the requirements of the Town of Erin, financial and otherwise which the Town of Erin 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 Town of Erin file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 9) **THAT** the owner provide a predevelopment site plan to the satisfaction of the Town of Erin denoting the existing (if applicable) and proposed driveway, buildings, well and on-site septic field locations to ensure the site will accommodate development of a single dwelling residence. Provide dimensions to illustrate compliance with setback requirements; and that the Town of Erin files with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 10) **THAT** the Owner provide a survey confirming the location of the proposed entrance - if any - that should meet the standards outlined in the entrances by-law 10-47 to the satisfaction of the Town of Erin; and further that the Town of Erin file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition
- 11) **THAT** the applicant shall confirm that the remainder of Part 1 61R-4710 will merge with the retained parcel (and not be a separately conveyable parcel) and that Parts 1 and 2 on the severance sketch will merge with the receiving parcel, to the satisfaction of the Town of Erin and County of Wellington; and further that the Town of Erin and County of Wellington 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 B26-21

APPLICANT

Joanne Milton
5712 Trafalgar Road N
Hillsburgh N0B 1Z0

LOCATION OF SUBJECT LANDS

Town of Erin ()
Part Lot 21
Concession 7

Proposed lot line adjustment is 1.8 hectares with 90m frontage (Part 2 on sketch), existing agricultural use to be added to abutting woodland property – Kelly Gluck.

Retained parcel is 1.66 hectares with 83m frontage, existing and proposed agricultural use (remainder of Part 1 – 61R-4710).

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: Joanne Milton
Miller Thomson LLP - c/o Jean Leonard
Kelly Gluck



RECEIVED

JUN 30 2021

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Application	B26/21
Location	Part Lot 21, Concession 7
	TOWN OF ERIN
Applicant/Owner	Joanne Milton

PLANNING OPINION: This application for a lot line adjustment would sever a 1.8 ha (4.4 ac) portion of land from an existing, vacant rural residential lot (Part 2 of severance sketch) and these lands are to be merge with an abutting agricultural property (5746 Trafalgar Road). A 1.66 ha (4.1 ac) vacant parcel would be retained. This application is related to application B27/21 and after both transfers the receiving agricultural property will be 37.94 ha (93.75 ac) in size.

Staff notes that upon completion of this lot line adjustment the retained parcel (1.66 ha) would automatically merge on title with the abutting farm lands (5712 Trafalgar Road) and would no longer be a separate lot.

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

- That any comments from the Conservation Authority be addressed;
- That the purchaser take title to the severed lands in the same manner as they hold their abutting land; and,
- 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): No issues

GREENBELT PLAN: The subject property is within the Natural Heritage System of the Protected Countryside.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated as SECONDARY AGRICULTURAL, GREENLANDS and CORE GREENLANDS in the Official Plan. Identified features include provincially significant wetlands, wetlands, significant wooded area, and subwatershed environmental priority area.

Within the Official Plan, lot line adjustments may be permitted for legal or technical reasons, including minor boundary adjustments. Section 10.4.6 of the County Official Plan further states that:

"Lot line adjustments are permitted where no adverse effect on agriculture will occur and encouraged where:

- More viable agricultural operations will result;
- An undersized lot is made more usable given the requirement for appropriate sewer and water systems.

Lot line adjustments are deemed not to create new lots for the purposes of this Plan."

The proposed lot line adjustment will provide for consolidation of the existing wetland features that are currently fragmented between the existing properties. The agricultural portions of the retained lands will continue to be operated as agricultural and would not be impacted by this adjustment.

The matters under section 10.1.3 were also considered including items h), j), and p).

LOCAL OFFICIAL PLAN: The subject property is designated as SECONDARY AGRICULTURAL, GREENLANDS and CORE GREENLANDS in the Official Plan.

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

LOCAL ZONING BY-LAW: The subject property is currently zoned Agricultural (A) and Environmental Protection (EP2). The retained lands would meet the frontage and area requirements of the zoning By-law.

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



Corporation of the Town of Erin
5684 Trafalgar Road
RR2 Hillsburgh ON N0B 1Z0
(519) 855-4407 Ext. 240 Fax: (519) 855-4281
EMAIL: Pileggi@mshplan.ca

Severance Application Recommendation

To: County of Wellington Land Division Committee
From: Nick Pileggi, Consulting Planner, Town of Erin
Date: July 5, 2021
Applicant: Joanne Milton
Location: Part Lot 21 Concession 7
File: B26 and 27-21

RECEIVED

JUL 06 2021

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Local Official Plan: Secondary Agriculture, Greenlands and Core Greenlands
Zoning By-Law: A-Agricultural

Recommendation: The Town of Erin relies on the County of Wellington to confirm compliance with Minimum Distance Separation Formulae.

The Town of Erin requests that the following conditions of approval be required if the application is approved. The Town of Erin will file clearance of these conditions with the Secretary-Treasurer of the Planning and Land Division once the conditions have been fulfilled.

1. That the owner provides **written confirmation from a qualified septic professional** that the existing on-site sewage system(s) – if any - are functioning properly as designed and that ALL required clearances for treatment units, distribution piping/leaching chambers and holding tanks are in compliance with the Ontario Building Code Division B, Part 8.
2. That the owner satisfy any other requirements of the local municipality, **financial and otherwise** to 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.
3. That the owner provide a **predevelopment site plan** to the satisfaction of the Town of Erin, denoting the existing (if applicable) and proposed driveway, buildings, well and on-site septic field locations to ensure the site will accommodate development of a single dwelling residence. Provide dimensions to illustrate compliance with setback requirements.
4. Provide a survey confirming the location of the **proposed entrance** – if any - that should meet the standards outlined in the entrances by-law 10-47.
5. The applicant shall confirm that the remainder of Part 1 65R4710 will merge with the retained parcel (and not be a separately conveyable parcel) and that Parts 1 and 2 on

the severance sketch will merge with the receiving parcel, to the satisfaction of the County of Wellington and the Town of Erin.

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: B26-21

APPLICANT
Joanne Milton
5712 Trafalgar Road N
Hillsburgh N0B 1Z0

LOCATION OF SUBJECT LANDS
Town of Erin
Part Lot 21
Concession 7

Proposed lot line adjustment is 1.8 hectares with 90m frontage (Part 2 on sketch), existing agricultural use to be added to abutting woodland property – Kelly Gluck.

Retained parcel is 1.66 hectares with 83m frontage, existing and proposed agricultural use (remainder of Part 1 – 61R-4710).

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER:

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

If the answer is no, please provide new information:

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

What sections does it conform to or contravene? (Please specify) 5.15.2 Consents

~~Lot line adjustments for the purposes of boundary alterations, right-of-ways, easements, and conveyances to abutting may be permitted. In no case, however, shall such a consent result in a lot that does not comply with the requirements of the Zoning By-law.~~

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

(Please Specify): remainder parcels should not be able to be separately conveyed, as outlined in applicant letter

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

(Please Specify): remainder parcels should not be able to be separately conveyed, as outlined in applicant letter

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 (X) or Minor Variance YES () NO () NA (X)

Is proposal on an opened maintained year-round public road? YES [X] 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 (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?

MUNICIPALITY COMMENTING FORM

File: B26-21

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 []

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 proposal is to take parts of 3 lots and through this lot line adjustment merge portions of each, with the final result being 2 lots. The remaining portions of the lot should merge with the larger two parcels and not be separately conveyable.

In this case, no cash in lieu of parkland would be required (as no new lot is created).

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

Subject to the understanding noted above.

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

See attached conditions.

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

SIGNATURE Nick Pileggi _____

TITLE Planning Consultant for the Township of Erin _____

ADDRESS _____

DATE July 5, 2021 _____



**Credit Valley
Conservation**
inspired by nature

RECEIVED

MAY 26 2021

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

May 27, 2021

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

Attention: Deborah Turchet, Secretary-Treasurer

Dear Ms. Turchet:

**Re: CVC File No. B 21/026, B 21/027
Municipality File No. B26-21, B27-21
Joanne Milton
5712 Trafalgar Rd N
Part of Lot 21, Concession 7
Town of Erin**

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Watershed Based Resource Management Agency and Public (commenting) Body under the *Planning Act* – providing comments based on CVC's Board approved policies;
2. Planning Advisory Services – providing environmental planning and technical advice/comments based on service agreements or memorandum of understanding;
3. Delegated Responsibilities – providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the *Provincial Policy Statement (2020)*;
4. Regulatory Responsibilities – providing comments to ensure the coordination of requirements under the *Conservation Authorities Act Section 28 regulation*, to eliminate unnecessary delay or duplication in process;
5. Source Protection Agency – providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the Clean Water Act, as applicable.

ONTARIO REGULATION 160/06:

Portions of the property are subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

All of the severed lands and portions of the retain lands are located in CVC's Regulated Area and a CVC permit is required for development in these areas.

May 27, 2021

Re: CVC File No. B 21/026, B 21/027
Municipality File No. B26-21, B27-21
Joanne Milton
5712 Trafalgar Rd N
Part of Lot 21, Concession 7
Town of Erin

SITE CHARACTERISTICS:

The property is located within the Protected Countryside of the Greenbelt Plan, and partially within the Greenbelt Natural Heritage System (NHS), Erin Greenlands/Core Greenlands, and Environmentally Significant Area (ESA- Credit River West-Hillsburgh) designations. The property contains Provincially Significant Wetlands (PSW- West Credit River Swamp). It is traversed by a watercourse (tributary To the West Credit River) and hazards associated with the watercourse including floodplain. It is located within a Significant Groundwater Recharge Area (SGRA) and Highly Vulnerable Aquifer (HVA).

It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological, and biological features associated with the above-noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

PROPOSAL:

Based on our review of B26-21, we understand that the proposal would sever approx. 1.8 ha of land to be added to the abutting property, with approx. 1.66 ha of retained land.

Based on our review of B27-21, we understand that the proposal would sever approx. 4.31 ha of land to be added to the abutting property, with approx. 28 ha of retained land.

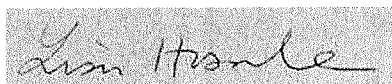
COMMENTS:

Based on our review of the applications as submitted, CVC staff have **no objection** to the approval of the Consents by the Committee at this time.

CVC staff generally recommend that proposed lot lines should be located outside of, and not fragment, natural features and hazards. However, we acknowledge that the existing lot line between 5712 Trafalgar and the abutting property currently fragments the natural features and hazards that are present on both properties, and that the proposed Consents would not increase fragmentation over the existing condition. As such, we have no objection to the Consents.

We trust that these comments are sufficient. If you have any questions or concerns, please do not hesitate to contact the undersigned at 905-670-1615 (x 268).

Sincerely,



Lisa Hosale, Planner

JOSEPH GILBEY
1 GILBEY LANE
R.R. #2

HILLSBURGH ON NOB 120

NOTICE FOR CONSENT FILES B26-21 & B27-21

COUNTY OF WELLINGTON, PLANNING & LAND DIV. COMMITTEE
SECRETARY TREASURER, DEBORAH TURCHET.

RE. APPLICATIONS FOR CONSENT AT PROPERTY LOCATE
PART LOT 21 TOWN OF ERIN CONCESSION 7. BY
APPLICANT JOANNE MILTON.

IN RESPONSE TO YOUR MAIL - MAY 14, 2021
I WISH TO SUBMIT COMMENTS.

THE SUBJECT LAND MAY CONTAIN A SEGMENT
OF THE HILLSBURGH TRIBUTARY OF THE WEST
CREDIT RIVER.

MY FAMILY (GILBEY) OWNS CONCESSION 7 EAST
PART LOT 23 (25 AC) THAT CONTAINS A PORTION
OF THE SAME TRIBUTARY - FROM JANE ST / WILLIAM
ST. INTERSECTION TO S.E. CONNECTION AT 22ND
SIDE RD. COLVERT.

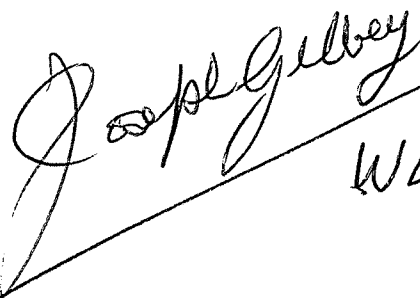
OUR STREAM IS CURRENTLY UNDER DISPUTE WITH
MNRIF DUE TO SILT DAMAGE FROM RECENT
"RUDD DAM" CONSTRUCTION.

I WISH TO BE ASSURED THAT ANY
CHANGES IN WATER COURSE / WATER QUALITY
IN FILES B26-21 + B27-21 WILL NOT
AFFECT OUR STREAM.

THE OLD / ANCIENT PLAN OF SURVEY SUBMITTED
WITH THE PROPOSALS DOES NOT REPRESENT
A VALID FIELD SURVEY.

COULD YOU PLEASE ADVISE?

THANK YOU,



WED. June 16, 2021

400.00'

N50°50'30"W

N38°29'30"W

200.00'

CREEK

CREEK IS ENTIRELY ON THIS
PROPERTY FROM THIS POINT

27.815 ACRES ±

LANDS EXPROPRIATED BY -
INST. M 34790 0.029 ACS.

N38°29'30"E

T - 1108.00'

1058.00'

ROAD ALLOWANCE BETWEEN LOTS 22 & 23

NOTE:

5/8" IRON BARS ARE SHOWN THUS - ■
ROUND IRON BARS ARE SHOWN THUS - ●

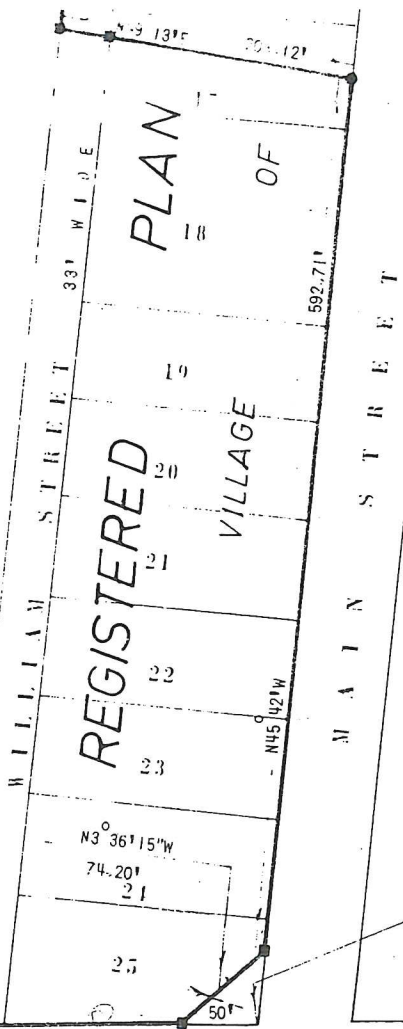
PLAN OF SURVEY
PT. REGISTERED PLAN 155
VILLAGE OF HILLSBURGE
PT. E1/2 LOT 23 CONCESSION 7
TOWNSHIP OF ERIN
COUNTY OF WELLINGTON

SCALE: 1" = 100'

DATE: NOVEMBER 6, 1968.

Lloyd Thomson

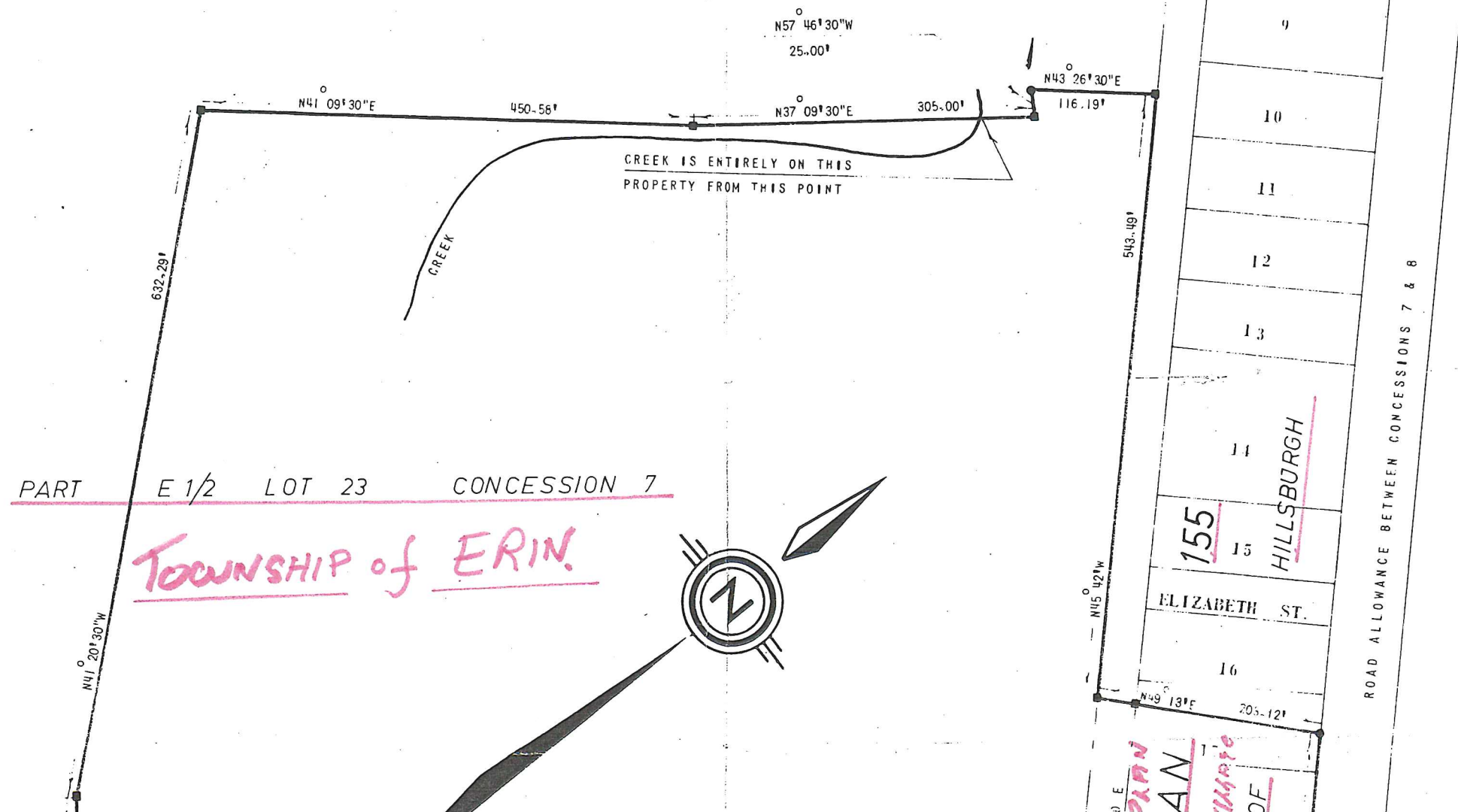
LLOYD THOMSON, ONTARIO LAND SURVEYOR
59 THIRD STREET, ORANGEVILLE, ONT.
PHONE: 941-3881



592.74
50
642.74

MOST EASTERLY ANGLE
E1/2 LOT 23 CON. 7
MOST EASTERLY ANGLE
LOT 25 REG'D. PLAN 155

TOWNSHIP OF ERIN - COUNTY OF WELLINGTON



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

RECEIVED

JUL 05 2021

SECRETARY-TREASURER
MAY 14 2021
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

NOTICE OF AN APPLICATION FOR CONSENT

Ontario Planning Act, Section 53(4)

The County of Wellington Planning and Land Division Committee requests your written comments on this application for consent.

APPLICATION SUBMITTED ON: April 28, 2021

FILE NO. B26-21

APPLICANT

Joanne Milton
5712 Trafalgar Road N
Hillsburgh N0B 1Z0

LOCATION OF SUBJECT LANDS

Town of Erin
Part Lot 21
Concession 7

Proposed lot line adjustment is 1.8 hectares with 90m frontage (Part 2 on sketch), existing agricultural use to be added to abutting woodland property – Kelly Gluck.

Retained parcel is 1.66 hectares with 83m frontage, existing and proposed agricultural use (remainder of Part 1 – 61R-4710).

IF YOU WISH TO SUBMIT COMMENTS ON THIS APPLICATION,
WE MUST HAVE YOUR WRITTEN COMMENTS BEFORE

June 30, 2021

Comments can be provided by mail at address above or by email janap@wellington.ca

Please note that if the Comments are not received by the requested date, the Planning and Land Division Committee may proceed to consider the application, and may assume that you have no objection to this Application for Consent.

Please also be advised that if a person or public body that files 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 Local Planning Appeal Tribunal may dismiss the appeal.

If you wish to be NOTIFIED OF THE DATE AND TIME OF THE CONSIDERATION of this application - please make your request in writing and provide your email address to the Planning and Land Division Committee before the "Comments Return Date" noted above.

If you wish to be NOTIFIED OF THE DECISION of the County of Wellington Planning and Land Division Committee in respect of this proposed consent, you must make a request in writing to the County of Wellington Planning and Land Division Committee. This will also entitle you to be advised of a possible Local Planning Appeal Tribunal. Even if you are the successful party, you should request a copy of the decision since the County of Wellington Planning and Land Division Committee's decision may be appealed to the Local Planning Appeal Tribunal by the applicant or another member of the Public.

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

MAILED TO:

Local Municipality – Town of Erin County Planning Conservation Authority – Credit Valley Conservation
County Engineering
Bell Canada (email) County Clerk Roads/Solid Waste Civic Address
Neighbour - as per list verified by local municipality and filed by applicant with this application

An entrance condition is
not required. No objections.
Af. 06/30/21

COUNTY OF WELLINGTON
ENGINEERING SERVICES
NO OBJECTION
NOTICE OF DECISION REQ'D.
ANGELA PECK
ENGINEERING TECHNOLOGIST
05/27/2021
Date:

B26-21 & B27-21



MILLER THOMSON
AVOCATS | LAWYERS

MILLER THOMSON LLP
ACCELERATOR BUILDING
295 HAGEY BLVD., SUITE 300
WATERLOO, ON N2L 6R5
CANADA

T 519.579.3660
F 519.743.2540

MILLERTHOMSON.COM

April 29, 2021

Jean L. Leonard
Direct Line: 519.593.3246
jleonard@millertthomson.com

County of Wellington Planning and Land
Division
74 Woolwich St.
Guelph, ON N1H 3T9

Attention: Jana Poechman, Planning
Administrative Clerk

Dear Ms. Poechman:

**Re: Kelly Gluck and Joanne Milton
Two Lot Line Adjustment Applications**

Further to the two Lot Line Adjustment Applications submitted to the Planning and Land Division by Ms. Kelly Gluck, we wish to provide some background information to clarify the objectives of the applications.

The surveyor's sketch included with the two applications identifies Part 1 and Part 2. The intention is for both Part 1 and Part 2 to be added to the lands currently owned by Ms. Gluck (identified on the sketch as "Receiving Lands"). Part 2 on the sketch is part of Part 1 on 61R4710 (a copy of that Reference Plan is included with this letter). Part 1, 61R4710 was severed from the remainder of the lands currently owned by Joanne Milton with *Planning Act* consent in 1990. We understand that the intent was to develop Part 1, 61R4710, but this did not materialize. As Part 1, 61R4710 is a separate parcel from the remainder of Ms. Milton's lands, we were advised that a separate Lot Line Adjustment Application is required to transfer Part 2 on the sketch to Ms. Gluck.

Both Part 1, 61R4710 and the lands marked as "Retained Parcel" on the sketch are owned by Joanne Milton. If consent is granted to sever Part 2 on the sketch and transfer it to Ms. Gluck, the remainder of Part 1, 61R4710 will automatically merge with Ms. Milton's adjacent lands. Part 1, 61R4710 will lose its status as a separately conveyable parcel. If the Planning and Land Division would like assurances that the remainder of Part 1, 61R4710 will merge with Ms. Milton's adjacent lands, we can provide an Undertaking agreeing to only transfer Part 2 on the sketch to Ms. Gluck if, at the time of the transfer, the remainder of Part 1, 61R4710 and Ms. Milton's adjacent lands are held in the same name (thereby ensuring merger).

Part 1 on the sketch is to be severed and added to Ms. Gluck's lands also. If the Planning and Land Division grants the request to sever Parts 1 and 2 on the sketch, the consent stamp can state that the severed lands will be subject to *Planning Act* consent for any future transfers (i.e. a "one time only" consent). Parts 1 and 2 on the sketch will thereby merge with the remainder of Ms. Gluck's lands.

You had noted that the Lot Line Adjustment Application for Part 1 on the sketch listed the dimensions of the retained parcel as being approximately 28 hectares while the sketch

indicates the dimensions are 30.09 hectares. The surveyor gave the dimensions on the sketch for all of the lands owned by Ms. Milton (i.e. the large parcel labelled "Retained Parcel" together with the remainder of Part 1, 61R4710). We therefore calculated the approximate dimensions of the retained lands for the two applications. However, as the retained lands will merge, the overall dimensions for the retained lands will be 30.09 hectares as shown on the sketch.

We trust the foregoing explains the rationale behind the two applications. If you have any questions or if we can provide additional materials to support these applications, please advise.

Yours truly,

MILLER THOMSON LLP

Per:

A handwritten signature in black ink, appearing to read "J. Leonard", written over the printed name.

Jean L. Leonard

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