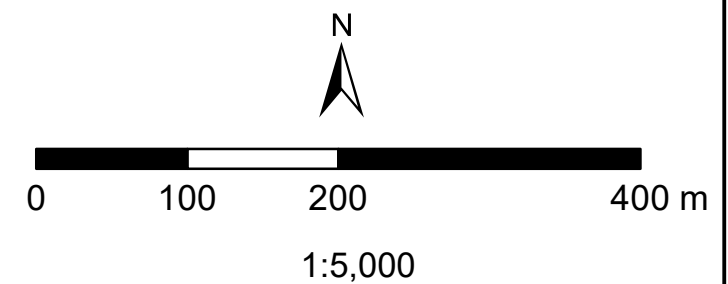
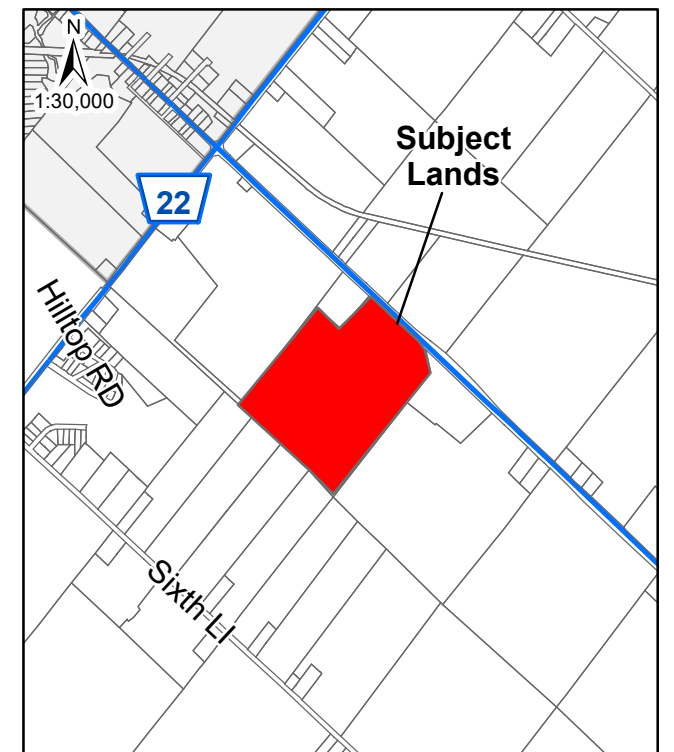


COUNTY OF WELLINGTON LAND DIVISION

B27-21

Applicant:
Joanne Milton

Town of Erin
5712 Trafalgar Rd N

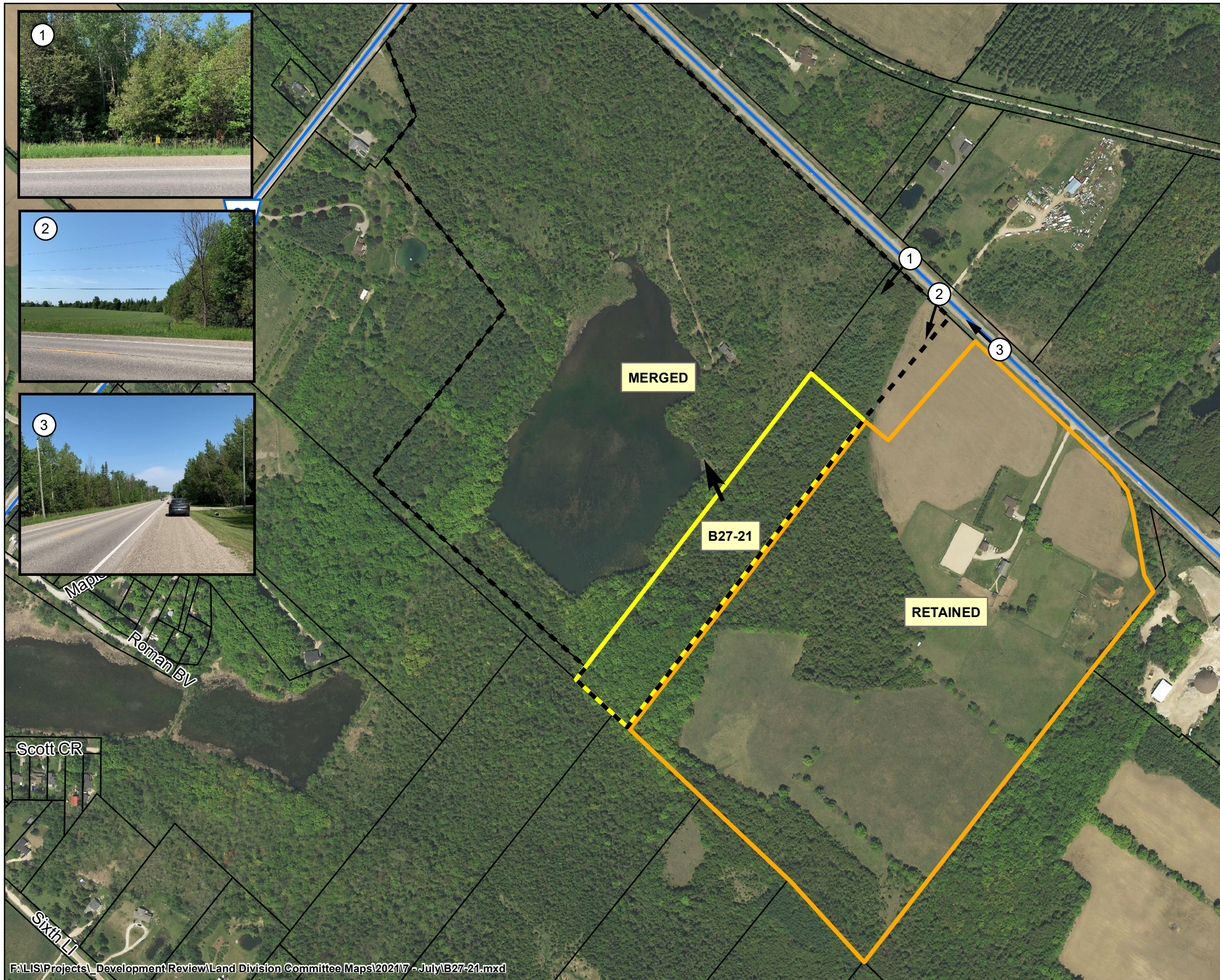


Date: May 2021

Produced by: County of Wellington Planning & Development Department

This is not survey data. All rights reserved.
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Sources:
County of Wellington
Ministry of Natural Resources,
Grand River Conservation Authority.
INCLUDES MATERIAL ©2015 OF THE QUEEN'S
PRINTER FOR ONTARIO. ALL RIGHTS RESERVED
2015 Ortho imagery.



THE PRO. DISTANCE AND BEARING ARE SHOWN ON THE
PLAN AND IN THE FIELD AND CAN BE CORRECTED TO
THE PRO. DISTANCE BY THE FIELD.

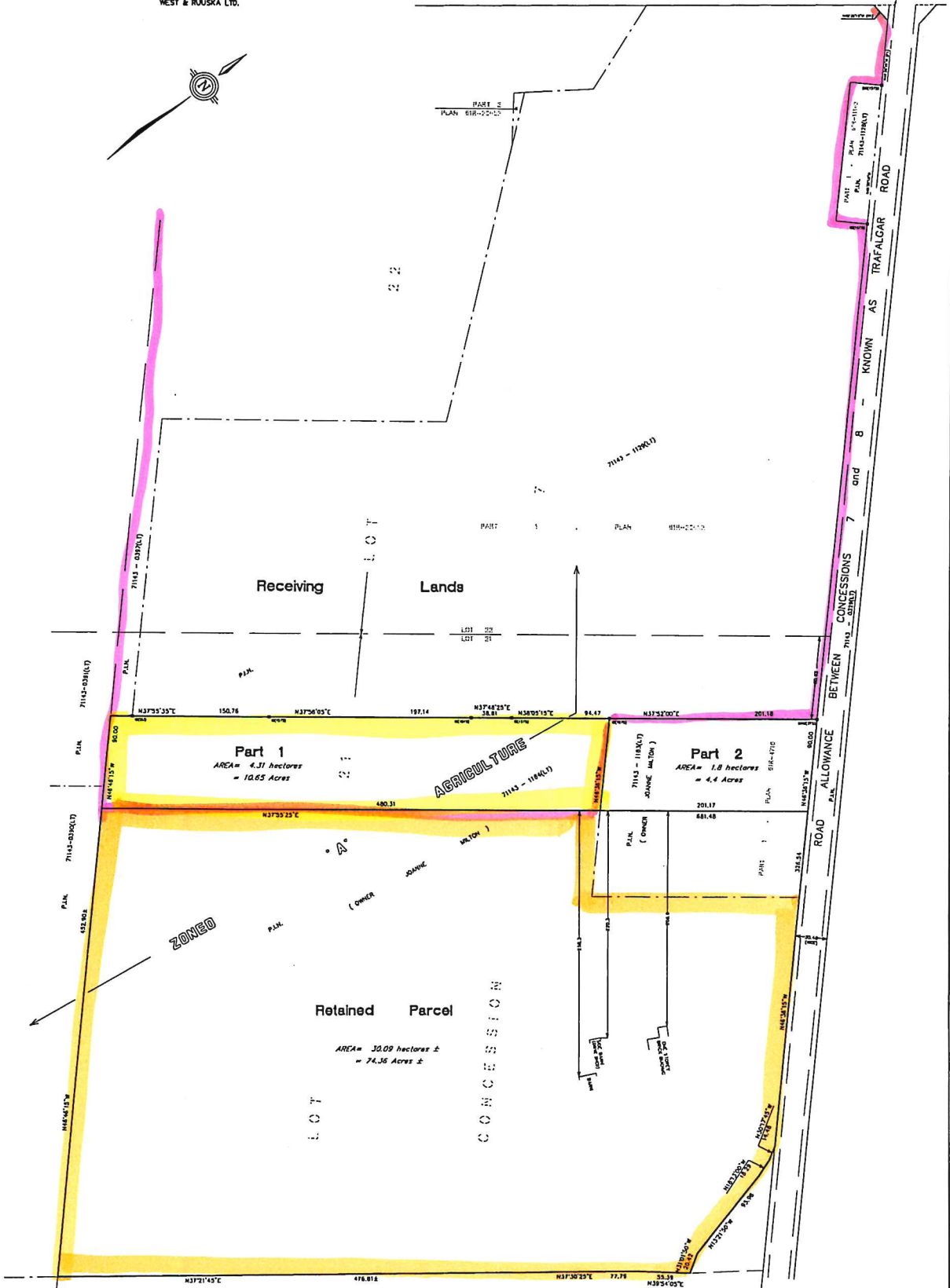
ILLUSTRATION OF
PART OF LOT 21
CONCESSION 7
GEOGRAPHIC TOWNSHIP OF ERIN
TOWN OF ERIN
WELLINGTON COUNTY

SCALE - 1 : 1500

WEST & RUUSKA LTD.



ROAD ALLOWANCE BETWEEN LOTS 22 and 23



NOTE:
THIS PLAN HAS BEEN COMPILED FROM PREVIOUS RECORDS
AND DOES NOT REPRESENT AN ACTUAL FIELD SURVEY.

LOT 20

LEGEND

- 01 BOUNDARY SET HIGHLIGHT
- 02 FIELD HIGHLIGHT
- 03 ROAD HIGHLIGHT
- 04 ROAD HIGHLIGHT
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WEST & RUUSKA LTD.
Land Surveyors
17 HURON STREET, BRANTFORD, ONTARIO, N3T 2H6
DRAWN BY: Ted S. RUUSKA, M.S. 117
DATE: 11/11/2011

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: B27-21
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 4.31 ha,(Part 1 on sketch), to be added to abutting – Kelly Gluck; retained being 28 ha

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; application is consistent with Provincial policy and generally conforms to Official Plan - no concerns
County Roads Department	no objections - entrance condition not required
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
Credit Valley CA	no objections to consents
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.

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 B27-21 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 B27-21

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 4.31 hectares with 90m frontage (Part 1 on sketch), existing agricultural use to be added to abutting woodland property – Kelly Gluck.

Retained parcel is 28 hectares with 400m frontage, existing and proposed rural residential & agricultural use with existing dwelling and 2 barns.

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	B27/21
Location	Part Lot 21, Concession 7
Applicant/Owner	TOWN OF ERIN Joanne Milton

PLANNING OPINION: This application would sever a 4.3 ha (10.6 ac) lot with no frontage (Part 1 on severance sketch) and merge with an abutting agricultural property (5746 Trafalgar Road). A 28 ha (69.2 ac) agricultural lot with an existing dwelling and barn would be retained (retained parcel on severance sketch). The application is related to application B26/2121 and after both transfers the receiving agricultural property will be 37.94 ha (93.75 ac) in size.

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 concerns by 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 less fragmentation of the existing wetland that is split 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

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: B27-21

APPLICANT	LOCATION OF SUBJECT LANDS
Joanne Milton	Town of Erin
5712 Trafalgar Road N	Part Lot 21
Hillsburgh NOB 1Z0	Concession 7

Proposed lot line adjustment is 4.31 hectares with 90m frontage (Part 1 on sketch), existing agricultural use to be added to abutting woodland property – Kelly Gluck.

Retained parcel is 28 hectares with 400m frontage, existing and proposed rural residential & agricultural use with existing dwelling and 2 barns.

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): emainder 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): emainder 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: B27-21

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, Town of Erin
ADDRESS	
DATE	July 5, 2021

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

NOTICE OF AN APPLICATION FOR CONSENT

Ontario Planning Act, Section 53(4)

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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. B27-21

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 4.31 hectares with 90m frontage (Part 1 on sketch), existing agricultural use to be added to abutting woodland property – Kelly Gluck.

Retained parcel is 28 hectares with 400m frontage, existing and proposed rural residential & agricultural use with existing dwelling and 2 barns.

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
County of Wellington

County Engineering

Bell Canada (email)

County Clerk

Roads/Solid Waste

Civic Addressing

Neighbour - as per list verified by local municipality and filed by applicant with this application

We have no conditions or
objections at this time
A. 06/30/21

COUNTY OF WELLINGTON
ENGINEERING SERVICES
NO OBJECTION
NOTICE OF DECISION REQ'D.
ANGELA PECK
ENGINEERING TECHNOLOGIST
06/27/2021
Date: