



**MINUTES
LAND DIVISION COMMITTEE**

The Land Division Committee met in regular session on Monday, August 30, 2010 at 9:00 a.m. at the Lanark County Administration Building, 99 Christie Lake Road, Perth, Ontario.

Members Present: R. Strachan, C. Tyson and D. Murphy

Staff Present: M. Kirkham, Secretary-Treasurer

LAND DIVISION COMMITTEE

Chair: R. Strachan

1. CALL TO ORDER

A quorum was present.

2. DISCLOSURE OF PECUNIARY INTEREST

None.

3. APPROVAL OF MINUTES

MOTION #LD-2010-026

MOVED BY: C. Tyson
SECONDED BY: D. Murphy

“THAT, the minutes of the Land Division Committee meeting held on July 19, 2010 be approved as circulated.” **ADOPTED**

4. ADDITIONS & APPROVAL OF AGENDA

MOTION #LD-2010-027

MOVED BY: D. Murphy
SECONDED BY: C. Tyson

“THAT, the agenda be adopted as circulated.” **ADOPTED**

5. DELEGATIONS & PRESENTATIONS

None.

6. COMMUNICATIONS

None

1. REPORTS

7.1 New Applications to be Heard. The Land Division Committee reviewed the reports for the following new applications to be considered at the 10:00 a.m. and 1:30 p.m. public hearings:

7.1.1 B08/186 and B08/187 – Denis O'Connor and John Royle – two new lots

Pt Lot 25 Conc. 2 Township of Montague. Acton Road.

7.1.2 B09/135 – Donald McIlvenna – new lot

Pt Lot 2/3 Conc. 5, geographic Township of North Elmsley, now in the Township of Drummond / North Elmsley. Highway 43.

7.1.3 B10/058 - Viola Anderson – lot addition

Pt Lot 21 Conc. 5, Township of Montague. Roger Stevens Drive.

7.1.4 B10/064 - Lawrence and Dianne Coates – lot addition

Pt Lot 19 & 20 Conc. 4, Township of Montague. Rosedale Road South.

7.1.5 B10/065 – Derek and Kelly Haime – lot addition

Pt Lot 12 Conc. 5, geographic Township of Drummond, now in the Township of Drummond / North Elmsley. Drummond School Road.

7.1.6 B10/066 and B10/067 - Cynthia J. Smith – two new lots

Pt Lot 6 Conc. 9, Township of Beckwith. 9th Line Beckwith.

7.1.7 B10/082 – Michael Daszkowski – lot addition / new lot

Pt Lot 6 Conc. 10, geographic Township of Pakenham, now in the Town of Mississippi Mills. Needham Side Road.

7.1.8 B10/083 – Irene Delrene Leach – new lot

Pt Lot 17 Conc. 4, Township of Montague. Matheson Drive.

7.1.9 B10/084 – Leonard and Judy Fisher – new lot

Pt Lot 3 Conc. 8, geographic Township of North Elmsley, now in the Township of Drummond / North Elmsley. Glenview Road.

7.1.10 B10/087 – Winston and Muriel James – new lot

Pt Lot 22 Conc. 5, Township of Montague. Nolan's Road.

7.1.11 B10/091 – William and Donna Fulton – new lot

Pt Lot 3 Conc. 7, geographic Township of Pakenham, now in the Town of Mississippi Mills. Conc. 7 South Pakenham.

7.1.12 B10/092 – Susan Baker – lot addition

Pt Lot 4 Compiled Plan 6262 Malloch Section, Town of Almonte, now in the Town of Mississippi Mills. Martin Street.

7.1.13 B10/093 – Karl D Bruun – lot addition

Pt Lot 12 Conc. 12, geographic Township of Beckwith, now in the Town of Carleton Place. High Street.

7.1.14 B10/096 – Allan Code – new lot

Pt Lot 58, 59 & 60 Compiled Plan 276, Town of Carleton Place. Mill Street.

7.1.15 B10/097 – George & Claudette Dallaire – new lot

Pt Lot 27 Conc. 5, geographic Township of Pakenham, now in the Town of Mississippi Mills. 6th Con. Pakenham.

7.1.16 B10/099 – AMT Group – lot addition / lot line realignment

Pt Lot 12 Conc. 8 Township of Beckwith. 9th Line Beckwith.

7.1.17 B10/100, B10/101, B10/102 and B10/103 – Marriner, and Stanley – ROW

Pt Lot 3 Conc. 5, geographic Township of North Burgess, now in Tay Valley Township. Cedar Gate Road.

7.1.18 B10/104, B10/105 and B10/106 – Marilyn and David Bird – three new lots.

Pt Lot 13 Conc. 1, geographic Township of Drummond, now in the Township of Drummond / North Elmsley. Drummond Conc. 1.

7.2 Applications Previously Heard and Awaiting a Decision

None

2. CONFIDENTIAL REPORTS

None

3. NEW/OTHER BUSINESS

9.1 Endangered Species Act - Habitat Protection.

The secretary advised that new regulations are being developed to evaluate areas for protection.

4. PUBLIC HEARING:

The meeting recessed at 10:00 a.m. for the purpose of conducting the public hearings in the County Council Chambers.

10.1 PROVISIONAL CONSENT GRANTED

10.1.1 B08/186 and B08/187 – Denis O’Connor and John Royle – two new lots

10.1.3 B10/058 - Viola Anderson – lot addition

10.1.4 B10/064 - Lawrence and Dianne Coates – lot addition

10.1.5 B10/065 – Derek and Kelly Haime – lot addition

10.1.6 B10/066 and B10/067 - Cynthia J. Smith – two new lots

10.1.7 B10/082 – Michael Daszkowski – lot addition / new lot

10.1.8 B10/083 – Irene Delrene Leach – new lot

10.1.9 B10/084 – Leonard and Judy Fisher – new lot

10.1.10 B10/087 – Winston and Muriel James – new lot

10.1.11 B10/091 – William and Donna Fulton – new lot

The Hearing recessed at 11:45 a.m.

The Hearing reconvened at 1:30 p.m.

10.1.12 B10/092 – Susan Baker – lot addition

10.1.13 B10/093 – Karl D Bruun – lot addition

10.1.14 B10/096 – Allan Code – new lot

10.1.15 B10/097 – George & Claudette Dallaire – new lot

10.1.16 B10/099 – AMT Group – lot addition / lot line realignment.

10.1.17 B10/100, B10/101, B10/102 and B10/103 – Marriner, and Stanley – ROW

10.1.18 B10/104, B10/105 and B10/106 – Marilyn and David Bird – three new lots.

10.2 PROVISIONAL CONSENT DEFERRED

10.2.1 B09/135, Donald McIlvenna – New Lot

THAT application B09/135 be deferred pending a rezoning / minor variance application to reduce the lot frontage requirements

5. UPCOMING MEETINGS

Monday, September 27, 2010 @9:00 a.m.
Monday, October 18, 2010 @ 9:00 a.m.;
Monday, November 22, 2010 @9:00 a.m.; and
Monday, December 20, 2010 @9:00 a.m.

6. ADJOURNMENT – 2:45 p.m.

A handwritten signature in black ink, appearing to read "Mary Kirkham". The signature is fluid and cursive, with a prominent loop at the end.

Mary Kirkham,
Secretary-Treasurer

**PUBLIC
HEARING
REPORTS**

LAND DIVISION STAFF REPORT
APPLICATION FOR CONSENT

Owner: Dennis O'Connor & John Royle

Hearing Date: August 30, 2010

Agent: n/a

LDC File #: B08/186 and B08/187

Municipality: Township of Montague

Geographic Township: Montague

Lot: 25 **Concession:** 2

Roll No. 0901 000 040 01803

Consent Type: two new lots

Purpose and Effect:

B08/186 – To sever a 0.74-ha residential building lot;

B08/187 – To sever a 0.74-ha residential building lot;

And to retain a 2.79-ha residential building lot. All lots will access Acton Road, a municipality maintained road.

DETAILS OF PROPOSAL	Land to be Severed		Land to be Retained
Existing Use	<u>B08/186</u> Vacant	<u>B08/187</u> Vacant	Vacant
Proposed Use	Residential	Residential	Residential
Area	0.74-ha	0.74-ha	2.79-ha
Frontage	53.04 m	53.04 m	53.04 m
Depth	139.45 m	139.45 m	278.9 m
Road - Access to	Municipal	Municipal	Municipal
Water Supply	Proposed	Proposed	Proposed
Sewage Disposal	Proposed	Proposed	Proposed
Official Plan Designation -Conformity?	Rural Yes		
Zoning Category	Rural		Rural
-Area Required (min.)	0.4-ha		0.4-ha
-Compliance?	Yes		Yes
-Frontage Required (min.)	46 m		46 m
-Compliance?	Yes		Yes

(a) APPLICATION REVIEW

Provincial Policy Statement - Provincial Interests were identified as follows:

1.1 Managing and Directing Land Use

Section 1.1.1.c) Healthy, liveable and safe communities are sustained by avoiding development and land use patterns which may cause environmental or public health and safety concerns.

Section 1.1.4.1 In rural areas located in municipalities permitted uses and activities shall relate to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses.

1.6 Infrastructure and Public Service Facilities

Section 1.6.4.4 Individual on-site sewage services and individual on-site water services shall be used for a new development of five or less lots or private residences where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not provided and where site conditions are suitable for the long-term provisions of such services.

Official Plan –Section 4 General development Policies, Section 5 Rural Lands Policy, Section 11 Wetlands, Sensitive Areas and Endangered and Threatened Species Habitat, Section 12 Road Proposals, Section 13 Land Division Committee.

The Township of Montague advises that the proposal conforms with the designations and policies of the Official Plan.

Zoning By-law - Section 3 General Provisions, Section 18 Rural Zone.

The Township of Montague advises that the proposal complies with the zoning by-law regulations.

(b) AGENCY REVIEW

This application has been circulated to those agencies that were considered to have an interest in the proposal. The following comments were received:

Township of Montague– recommends approval of this application subject to the following conditions:

- That 5% cash-in-lieu of parkland be paid to the Township of Montague for each new lot created.
- The applicant shall be required to obtain an entrance location permit from the Township of Montague.
- That the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.
- That a copy of the reference plan to be provide to the Township of Montague.
- That sufficient land along the frontage of the property shall be conveyed to the Township of Montague, by registered deed, to provide a road allowance which is either 10 metres (33 feet) from the centreline of the road allowance or 10 metres (33 feet) from the centreline of the travelled ported of the road (whichever is applicable). The Ontario Land Surveyor, in preparing the reference plan describing the subject lot shall consult directly with the Township of Montague prior to the survey plan being completed.

NOTES

According to MDS calculations, any new house construction must be a minimum distance of 234 metres from the existing O'Connor barn and 264 metres from the existing Ken Hunter barn.

Conservation Authority – Rideau Valley Conservation Authority – no comments received.

On-Site Services (Septics) – Leeds, Grenville & Lanark District Health Unit

Our office has no objections to the severances created based on the engineering report attached provided by Concord Engineering, dated September 11, 2009. Additional sandy loam fill will be required in the area of future tile beds.

Hydro One Networks – HONI advises that they have no comments or concerns regarding the matter.

Bell Canada R-O-W – No comments were received.

(c) **PLANNING REVIEW**

The applicant proposes to sever two residential building lots, each being 0.74 ha and retain a 2.79-ha residential building lot.

The subject lands are located in an area characterized by intermittent residential development between farming operations.

The lands are accessed via Acton Road, a municipally maintained road which ends just north of the proposed lots.

A majority of the lands are classified as 'muck', which poses development constraints.

Due to concerns for the soil structure, the Leeds Grenville and Lanark District Health Unit required the applicant to prepare a "site grading and development plan". This plan was prepared by Concord Engineering and concluded "*An area suitable for construction of conventional tile beds sized to serve proposed residential development is available with the proposed severance as outlined on Drawing No. 4/5. Building Code requirements for setbacks concerning sewage systems and wells, should be field verified prior to construction. A review of site characteristics and development features relevant to onsite disposal of sewage indicate that groundwater and surface water would not be significantly impacted as a result of proposed residential development. Provided that legislated separation distances are maintained between the well and sewage system components, we do not anticipate any significant impact on drinking water or surface waters from functional sewage systems.*"

The report was reviewed by the Health Unit and their comments are shown above. If approved, conditions should be included that require the septic systems to be installed in accordance with the Plan dated September 11, 2009.

Two MDS Calculation reports were undertaken for the livestock facilities within proximity of the proposed lot.

Site No. 1 O'Connor – located to the west of the proposed lot – minimum setback requirement 234 metres.

Site No. 2 – Hunter – located to the north of the proposed lot – minimum setback requirement 264 metres.

If approved, a condition regarding the proximity of the agricultural operations should be included in the deed.

There were no objections raised by any of the agencies which were circulated regarding this proposal. In light of the foregoing, this office is satisfied that the applicant's proposal maintains the general intent and purpose of the PPS and Official Plan for the Township of Montague and could be given favourable consideration.

(d) **PUBLIC INPUT**

Written submissions were received in response to the notice of application sent to every landowner pursuant to Clause 53(5) (a) of the Planning Act and Section 3(2) of O.Reg. 197/96 as amended, as follows:

Kenneth E Hunter.

I would ask that the following paragraph be inserted into the transfer(s);

The transferee(s), for himself, his heirs, executors, administrators, successors and assigns, covenants and agrees being advised that the lands is located with an agricultural area and may, therefore, be subject to noise, dust, odours and other activities associated with an agricultural area.

(e) MINUTES – August 30, 2010

John Royle, agent and Ken Hunter, adjacent landowner attended the hearing and gave evidence under oath.

Mr. Hunter requested that notification of his adjacent farming operation be included within the deed.

Mr. Royle advised that he has spoken with adjacent landowners regarding water quality / quantity and no problems have been expressed.

The chair reviewed the staff report with the applicant. No further information was provided.

(f) DECISION & CONDITIONS

DECISION: PROVISIONAL CONSENT IS GRANTED

REASONS: Having determined that a plan of subdivision is not necessary for the proper and orderly development of the municipality, and having determined that the proposal is consistent with the policy statements issued under subsection 3(1) of the Planning Act, and having had regard to the matters under subsection 51(24) of the Planning Act.

CONDITIONS:

B08/186

1. An acceptable reference plan or legal description of the severed lands and the deed or Instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The Certificate of Consent "Schedule" attached to the deed / transfer required by Condition #1 above, shall include the following condition "The lot is adjacent to an agricultural area and may therefore be subject to noise, dust, odours and other nuisances associated with agricultural activities".
3. Payment shall be made to the Township of Montague representing the amount satisfactory to the Township of up to 5% of the value of the land pursuant to Section 51.1(3) of the Planning Act (Cash-in-Lieu of Parklands).
4. The applicant shall obtain an entrance location permit from the Township of Montague. The applicant shall consult directly with the Township in this regard.

5. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.
6. The applicant shall provide the Township of Montague with a copy of all reference plans associated with this application.
7. That sufficient land along the frontage of the property shall be conveyed to the Township of Montague, by registered deed, to provide a road allowance which is either 10 metres (33 feet) from the centreline of the road allowance or 10 metres (33 feet) from the centreline of the travelled ported of the road (whichever is applicable). The Ontario Land Surveyor, in preparing the reference plan describing the subject lot shall consult directly with the Township of Montague prior to the survey plan being completed.
8. A letter shall be received from the Township of Montague stating that condition #3 to #7 has been fulfilled to their satisfaction.

NOTES

1. *The lands to be severed and the retained lot may be subject to the Minimum Distance Separation requirements under the Agricultural Code of Practice. All future structures must respect MDS calculations.
The Township of Montague will require a completed MDS prior to the issuance of a Building Permit in accordance with the Ontario Building Code.*
2. *Installation of the septic system shall be in accordance with "Concord Engineering Report dated September 11, 2009".*
3. *The Leeds Grenville and Lanark District Health Unit advises that additional fill / imported fill may be required in the septic system area.*
4. *It is recommended that the applicant review available water well records of adjacent lands to determine that there is adequate potable water for a residential dwelling.*

B08/187

1. An acceptable reference plan or legal description of the severed lands and the deed or Instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The Certificate of Consent "Schedule" attached to the deed / transfer required by Condition #1 above, shall include the following condition "The lot is adjacent to an agricultural area and may therefore be subject to noise, dust, odours and other nuisances associated with agricultural activities".
3. Payment shall be made to the Township of Montague representing the amount satisfactory to the Township of up to 5% of the value of the land pursuant to Section 51.1(3) of the Planning Act (Cash-in-Lieu of Parklands).

4. The applicant shall obtain an entrance location permit from the Township of Montague. The applicant shall consult directly with the Township in this regard.
5. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.
6. The applicant shall provide the Township of Montague with a copy of all reference plans associated with this application.
7. That sufficient land along the frontage of the property shall be conveyed to the Township of Montague, by registered deed, to provide a road allowance which is either 10 metres (33 feet) from the centreline of the road allowance or 10 metres (33 feet) from the centreline of the travelled portion of the road (whichever is applicable). The Ontario Land Surveyor, in preparing the reference plan describing the subject lot shall consult directly with the Township of Montague prior to the survey plan being completed.
8. A letter shall be received from the Township of Montague stating that condition #3 to #7 has been fulfilled to their satisfaction.

NOTES

1. *The lands to be severed and the retained lot may be subject to the Minimum Distance Separation requirements under the Agricultural Code of Practice. All future structures must respect MDS calculations.
The Township of Montague will require a completed MDS prior to the issuance of a Building Permit in accordance with the Ontario Building Code.*
2. *Installation of the septic system shall be in accordance with "Concord Engineering Report dated September 11, 2009".*
3. *The Leeds Grenville and Lanark District Health Unit advises that additional fill / imported fill may be required in the septic system area.*
4. *It is recommended that the applicant review available water well records of adjacent lands to determine that there is adequate potable water for a residential dwelling.*



LAND DIVISION STAFF REPORT

APPLICATION FOR CONSENT

Owner: Viola Anderson **Hearing Date:** August 30, 2010
Agent: Gerry Seguin
LDC File #: B10/058
Municipality: Township of Montague
Geographic Township: Montague **Lot:** 21 **Concession:** 5
Roll No. 0901 000 020 43202 **Consent Type:** Lot Addition

Purpose and Effect: To sever a 0.809-ha parcel of land as an addition to lands owned by Gordon and Ann Foster at Pt Lot 21, Conc. 5 Montague RP27R-5188 Pt 1 and to retain a 20.97-ha landholding with an existing dwelling. The lands are accessed via Roger Stevens Drive.

DETAILS OF PROPOSAL	Land to be Severed	Land to be Retained
Existing Use	Vacant	Residential
Proposed Use	Lot Addition	Residential
Area	.809 ha	20.97 ha
Frontage	N/A	143.52 m
Depth	117.95 m	959.21 m
Road - Access to	County Road	County Road
Water Supply	None	Private Well
Sewage Disposal	None	Private Septic
Official Plan Designation -Conformity?		Rural Yes
Zoning Category	Rural	Rural
-Area Required (min.)	0.4-ha	0.4-ha
-Compliance?	Yes	Yes
-Frontage Required (min.)	46 m	46 m
-Compliance?	Yes	Yes

(a) **APPLICATION REVIEW**

Provincial Policy Statement - Provincial Interests were identified as follows:

1.1 Managing and Directing Land Use

Section 1.1.1.c) Healthy, liveable and safe communities are sustained by avoiding development and land use patterns which may cause environmental or public health and safety concerns.

Section 1.1.4.1 In rural areas located in municipalities permitted uses and activities shall relate to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses.

1.6 Infrastructure and Public Service Facilities

Section 1.6.4.4 Individual on-site sewage services and individual on-site water services shall be used for a new development of five or less lots or private residences where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not provided and where site conditions are suitable for the long-term provisions of such services.

Official Plan – Section 4 General Development Policies, Section 5 Rural Lands Policy, Section 12 Road Proposals, Section 14 Committee of Adjustment and Land Division Committee.

The Township of Montague advises that the proposal conforms with the designations and policies of the Official Plan.

Zoning By-law - Section 3 General Provisions, Section 18 Rural Zone.

The Township of Montague advises that the proposal complies with the zoning by-law regulations.

(b) AGENCY REVIEW

This application has been circulated to those agencies that were considered to have an interest in the proposal. The following comments were received:

Township of Montague – recommends approval of this application subject to the following conditions:

- That the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.
- That a copy of the reference plan be provided to the Township of Montague.

Conservation Authority – Rideau Valley Conservation Authority May 19, 2010

The application contains no matters that affect the Conservation Authority mandate or interests

On-Site Services (Septics) – Leeds, Grenville & Lanark District Health Unit

Severed – A 0.809-ha parcel of vacant land to be added to existing lot. The property has varying elevation. There is rock within 0.3 m of current grade. This property is to be added to a property with an existing home.

Retained – A 20.97-ha property consisting of a house, fields and trees. The property is of varying elevations. There are areas of rock within 0.3 m of current grade. There is ample room to replace the septic system. Depending on the exact location, the septic system may need to be partially or fully raised utilizing imported sandy loam fill.

(c) PLANNING REVIEW

The applicant proposes to sever 0.809-ha parcel of land as a lot addition to lands owned by Gordon and Ann Foster at Pt Lot 21 Conc. 1 Montague, being Part 1 on Reference Plan 27R-5188 and retain a 20.97-ha landholding with an existing dwelling. The purpose of the additional lands is to provide lands to construct a garage.

The lands are accessed via Roger Stevens Road, a county maintained road. No new entrance is required.

Soils Inventory – Name: Farmington

- Stoniness: slightly stony
- CLI: 6 – natural grazing only
- Drainage: well drained
- Hydrogeology: moderate

There were no objections raised by any of the agencies which were circulated regarding this proposal. In light of the foregoing, this office is satisfied that the applicant's proposal maintains the general intent and purpose of the PPS and Official Plan for the Township of Montague and could be given favourable consideration.

(d) PUBLIC INPUT

No written submissions were received in response to the notice of application sent to every landowner pursuant to Clause 53(5) (a) of the Planning Act and Section 3(2) of O.Reg. 197/96 as amended.

(e) MINUTES – August 30, 2010

Gerry Sequin, agent attended the hearing and gave evidence under oath.

The chair reviewed the staff report with the applicant. No further information was provided.

(f) DECISION & CONDITIONS

DECISION: PROVISIONAL CONSENT IS GRANTED

REASONS: Having determined that a plan of subdivision is not necessary for the proper and orderly development of the municipality, and having determined that the proposal is consistent with the policy statements issued under subsection 3(1) of the Planning Act, and having had regard to the matters under subsection 51(24) of the Planning Act.

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands and the deed or Instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township of Montague.
3. The applicant shall provide the Township of Montague with a copy of all reference plans associated with this application.

4. The lands to be severed are for the purpose of a lot addition only to the adjacent lands owned by Gordon Bellamy Foster and Ann Rosalie Foster described as Part 1, Reference Plan 27R-5188, being Part Lot 21 Conc. 5 Township of Montague, and any subsequent transfer, charge or other conveyance of the lands to be severed is subject to Section 50(3) (or subsection 50(5) if in a plan of subdivision) of the Planning Act. Neither the lands to be severed nor the adjacent lands are to be reconveyed without the other parcel unless a further consent is obtained. The owner shall cause the lands to be severed to be consolidated on title with the adjacent lands and for this condition to be entered into the parcel register as a restriction.
5. A letter shall be received from the Township of Montague stating that condition #2 and #3 has been fulfilled to their satisfaction.

NOTES

The Leeds Grenville and Lanark District Health Unit advises that depending on the location, a partially or fully raised septic system may be required for a future replacement system on the retained lands.

LAND DIVISION STAFF REPORT
APPLICATION FOR CONSENT

Owner: Derek and Kelly Haime

Hearing Date: August 30, 2010

Agent: Barry King

LDC File #: B10/065

Municipality: Township of Drummond/North Elmsley

Geographic Township: Drummond

Lot: 12 **Concession:** 5

Roll No. 0919 919 010 45000

Consent Type: Lot Addition

Purpose and Effect: To sever a 0.25-ha parcel of land as a lot addition to lands owned by Bonnie Sue King at Pt Lot 12 Conc. 5 Drummond, Plan 27R-3059 Part 1 and to retain a 23.4-ha residential landholding. The lands are accessed via Drummond School Road.

DETAILS OF PROPOSAL	Land to be Severed	Land to be Retained
Existing Use Proposed Use	Vacant vacant	Residence
Area Frontage Depth Road - Access to	0.25 ha 40.36 m Width 63.1 m none	23.4 ha 280 m irregular Municipal Rd
Water Supply Sewage Disposal	N/A N/A	Private Well Private Septic
Official Plan Designation -Conformity?		Rural Yes
Zoning Category -Area Required (min.) -Compliance? -Frontage Required (min.) -Compliance?	Rural n/a Lot Addition	Rural 0.4-ha Yes 45 m Yes

(a) APPLICATION REVIEW

Provincial Policy Statement - Provincial Interests were identified as follows:

1.1 Managing and Directing Land Use

Section 1.1.1.c) Healthy, liveable and safe communities are sustained by avoiding development and land use patterns which may cause environmental or public health and safety concerns.

Section 1.1.4.1 In rural areas located in municipalities permitted uses and activities shall relate to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses.

1.6 Infrastructure and Public Service Facilities

Section 1.6.4.4 Individual on-site sewage services and individual on-site water services shall be used for a new development of five or less lots or private residences where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not provided and where site conditions are suitable for the long-term provisions of such services.

Official Plan – Section 3 General Provisions, Section 3.7 Division of Land, Section 4.3 Rural Policies, section 5.3 Local Roads.

The Township of Drummond / North Elmsley advises that the proposal conforms to the designations and policies of the Official Plan.

Zoning By-law - Section 4 General Provisions, Section 7 Rural Zone

The Township of Drummond / North Elmsley advises that the proposal complies with the zoning by-law regulations.

(b) AGENCY REVIEW

This application has been circulated to those agencies that were considered to have an interest in the proposal. The following comments were received:

Township of Drummond/North Elmsley – recommends approval of this application subject to the following conditions:

- The balance of any outstanding taxes shall be paid to the Township
- The applicant shall provide the Township with a registered copy of all reference plans associated with this application if a survey is required by the Registry Office.
- This severance shall be for the purposes of a lot addition only, to adjacent land owned by Bonnie Sue King.

Conservation Authority – Mississippi Valley Conservation – July 26, 2010.

Mississippi Valley Conservation (MVC) has been circulated the above noted application to conduct a review in terms of MVC Regulations and Provincial Planning Policy for Natural Heritage and Natural Hazard issues. Specifically, the purpose of this review is to assess potential impacts of the proposed development on known natural heritage features on and adjacent to the subject property. These features could include wetlands, wildlife habitat and areas of natural and scientific interest. This review also includes an evaluation of the subject property for natural hazards such as unstable slopes and areas prone to flooding and erosion.

According to the information provided, the purpose of the subject application is to sever a vacant 0.25-ha building lot as a lot addition to the adjacent lands at 1081 Drummond School Road, which has an existing residence. The retained land is a 23.4-ha landholding with an existing dwelling and outbuildings.

According to a review of available mapping, an unnamed tributary of McIntyre Creek travels through the proposed retained lands and eventually drains into McIntyre Creek. A secondary tributary/drain was observed along the rear lot line of the severed lands during a site visit conducted by MVC Staff. In addition, mapping revealed that the retained lands are located within the 120 metre adjacent lands of Blueberry Marsh, which has been classified as Provincially Significant Wetland (PSW) by the Ministry of Natural Resources. Mapping also shows the Perth Blueberry Bog ANSI extending into the northern portion of the proposed retained lands.

Guidelines prepared in support of the Provincial Policy Statement (PPS) recommend that new development, including the creation of new lots within 120 metres of a PSW or within 50 metres of an ANSI, only be permitted if it has been demonstrated that there will be no negative impacts on the natural features or on the ecological functions of these features. This would typically be examined through the preparation of an Environmental Impact Statement (EIS). However, as shown on available mapping, the proposed severed lands are located beyond the adjacent lands to these features and the retained lands are already developed with no new development proposed at this time. On this basis, MVC is of the opinion that there would be limited value in conducting an EIS at this time. However, in the event that future development is proposed within the adjacent lands to these features, an EIS may be required to evaluate such development.

The resulting lots meet with the current minimum area requirements set out in the Township of Drummond/North Elmsley's Zoning By-law and both resulting lots are already developed with no new development proposed at this time. On this basis, MVC does not have any objection to the subject application provided that potential future development complies with the zoning provisions; particularly with respect to the minimum waterbody setback, the retention of a shoreline vegetated buffer, and development within the adjacent lands to a PSW and ANSI.

The property owner should be advised that, pursuant to Ontario Regulation 153/06 - "Development, Interference with Wetlands and Alterations to Shorelines and Watercourses", written permission is required from MVC prior to any alterations to the shoreline of the tributary or for any interference within 120 metres of the Blueberry Marsh PSW.

In addition, any proposed works in or near the tributary or the PSW should be reviewed by MVC to ensure there will be no harmful alteration, disruption or destruction of fish habitat. Authorization under Section 35 of the Fisheries Act may be required for such work.

A review for Species at Risk was not conducted. We suggest contacting the Ministry of Natural Resources should you require a review in this regard.

Should any questions arise please do not hesitate to call. Please advise us of the Committee's decision in this matter.

On-Site Services (Septics) – Leeds, Grenville & Lanark District Health Unit

Severed – The property is a 0.25 hectare field. Direction of flow appears to be toward the southeast. The severed property is to be added to a parcel which contains a residence. Recommendation – granted.

Retained – The property is 23.4 hectares of fields and trees and contains a house and outbuildings. There is a pond to the right of the home. The main direction of flow near the residence appears to be toward the southeast. The well is on one side of the home with the septic system on the other. It appears to be partially raised. Recommendation – there is sufficient land to replace the septic system. The system may have to be at least partially raised using imported sandy loam fill, depending on the exact location.

(c) PLANNING REVIEW

The applicant proposes to sever 0.25-ha parcel of land as a lot addition to lands owned by Bonnie Sue King and 4.0-ha and retain a 23.4-ha landholding with an existing residence and barns.

The subject lands are located in an area characterized by Residential on large landholdings along highway No. 7 and residential on typical rural lots along Drummond Conc. 7. Drummond Centre (a settlement area) is located to the northeast and a commercial enterprise is located to the south, below Highway No. 7.

The lands are accessed via Drummond School Road, a municipally maintained road.

Barns are located to the southwest on the retained lands. No MDS was undertaken as no new residential development is proposed.

There were no objections raised by any of the agencies which were circulated regarding this proposal. In light of the foregoing, this office is satisfied that the applicant's proposal maintains the general intent and purpose of the PPS and Official Plan for the Township of Drummond / North Elmsley and could be given favourable consideration.

(d) PUBLIC INPUT

No written submissions were received in response to the notice of application sent to every landowner pursuant to Clause 53(5) (a) of the Planning Act and Section 3(2) of O.Reg. 197/96 as amended.

(e) MINUTES – August 30, 2010

Bonnie King, purchaser attended the hearing and gave evidence under oath.

Ms. King advised that the retained lands are currently being used for crop farming.

The chair reviewed the staff report with the applicant. No further information was provided.

(f) DECISION & CONDITIONS

DECISION: PROVISIONAL CONSENT IS GRANTED

REASONS: Having determined that a plan of subdivision is not necessary for the proper and orderly development of the municipality, and having determined that the proposal is consistent with the policy statements issued under subsection 3(1) of the Planning Act, and having had regard to the matters under subsection 51(24) of the Planning Act.

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands and the deed or Instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township of Drummond / North Elmsley.

3. The applicant shall provide the Township of Drummond / North Elmsley with a copy of all reference plans associated with this application.
4. A letter shall be received from the Township of Drummond / North Elmsley stating that condition #2 and #3 has been fulfilled to their satisfaction.
5. The lands to be severed are for the purpose of a lot addition only to the adjacent lands owned by Bonnie Sue King described as Part 1, Plan 27R-3059, being part Lot 12 Conc. 5, geographic Township of Drummond, and any subsequent transfer, charge or other conveyance of the lands to be severed is subject to Section 50(3) (or subsection 50(5) if in a plan of subdivision) of the Planning Act. Neither the lands to be severed nor the adjacent lands are to be reconveyed without the other parcel unless a further consent is obtained. The owner shall cause the lands to be severed to be consolidated on title with the adjacent lands and for this condition to be entered into the parcel register as a restriction.

NOTES

1. *Mississippi Valley Conservation advises, in the event that future development is proposed within the adjacent lands to the Blueberry Marsh of Perth Blueberry Boy ANSI on the retained lands, that an EIS may be required to evaluate such development.*
2. *Mississippi Valley also advises that, pursuant to Ontario Regulation 153/06 - "Development, Interference with Wetlands and Alterations to Shorelines and Watercourses", written permission is required from MVC prior to any alterations to the shoreline of the tributary or for any interference within 120 metres of the Blueberry Marsh PSW.*
3. *In addition, any proposed works in or near the tributary or the PSW should be reviewed by MVC to ensure there will be no harmful alteration, disruption or destruction of fish habitat. Authorization under Section 35 of the Fisheries Act may be required for such work.*
4. *The Leeds Grenville and Lanark District Health Unit advises that the future replacement system on the retained lands may require a partially raised septic system using imported sandy loam fill, depending on exact location.*

LAND DIVISION STAFF REPORT
APPLICATION FOR CONSENT

Owner: Cynthia Jean Smith

Hearing Date: August 30, 2010

Agent: N/A

LDC File #: B10/066 & B10/067

Municipality: Township of Beckwith

Geographic Township:

Lot: 6 **Concession:** 8

Roll No. 0924 000 020 22800

Consent Type: New Lots

Purpose and Effect:

B10/066 - To sever a 1.5-ha residential building lot;

B10/067 – To sever a 0.8-ha residential building lot and retain a 26.0-ha landholding with an existing dwelling and outbuildings. The lands are accessed via 9th Line Beckwith.

DETAILS OF PROPOSAL	Land to be Severed		Land to be Retained
Existing Use Proposed Use	B10/066 Vacant Residence	B10/067 Vacant Residence	Residence Residence
Area Frontage Depth Road - Access to	1.5 ha 50 m 300 m Municipal Rd	0.8 ha 50 m 160 m Municipal Rd	26.0 ha 207 m 1500 m Municipal Rd.
Water Supply Sewage Disposal	Proposed well Proposed Septic	Proposed well Proposed Septic	Private Well Private Septic
Official Plan Designation -Conformity?	Rural and Wetland Yes		
Zoning Category -Area Required (min.) -Compliance? -Frontage Required (min.) -Compliance?	Rural 0.4-ha Yes 45 m Yes		Rural 0.4-ha Yes 45 m Yes

(a) APPLICATION REVIEW

Provincial Policy Statement - Provincial Interests were identified as follows:

1.1 Managing and Directing Land Use

Section 1.1.1.c) Healthy, liveable and safe communities are sustained by avoiding development and land use patterns which may cause environmental or public health and safety concerns.

Section 1.1.4.1 In rural areas located in municipalities permitted uses and activities shall relate to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses.

1.6 Infrastructure and Public Service Facilities

Section 1.6.4.4 Individual on-site sewage services and individual on-site water services shall be used for a new development of five or less lots or private residences where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not provided and where site conditions are suitable for the long-term provisions of such services.

2.1 Natural Heritage

Section 2.1.1 Natural features and areas shall be protected for the long term.

Section 2.1.3 Development and site alteration shall not be permitted in: (a) significant wetlands in Ecoregions 5E, 6E and 7E.

Section 2.1.6 Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.3, 2.1.4 and 2.1.5 unless the ecological features function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features of on their ecological functions.

Official Plan – section 4 General Development Policies, Section 4.5 Division of Land, Section 6 Land Use Policies – Rural Areas, Section 7.3 Local Roads, Section 9.10 Land Division Committee.

The Township of Beckwith advises that the proposal conforms to the designations and policies of the Official Plan.

Zoning By-law - Section 3 General Provisions, Section 11 Rural Zone.

The Township of Beckwith advises that the proposal complies with the zoning by-law regulations.

(b) AGENCY REVIEW

This application has been circulated to those agencies that were considered to have an interest in the proposal. The following comments were received:

Township of Beckwith – August 5, 2010 - recommends approval of this application subject to the following conditions:

- That all structures are located under the guidance of the Chief Building Official in accordance with the Ontario Building Code and all municipal by-law.
- That a paper copy of the registered reference plan by provided to the Township of Beckwith.
- That the location of entrances will be determined in conjunction with the requirements and conditions of the Township of Beckwith Public Works Superintendent.
- That the applicant prepares and submits a grading and drainage plan to the satisfaction of the Township of Beckwith.

Conservation Authority – Mississippi Valley Conservation – July 26, 2010

Mississippi Valley Conservation (MVC) has been circulated the above noted application to conduct a review in terms of MVC Regulations and Provincial Planning Policy for Natural Heritage and Natural Hazard issues. Specifically, the purpose of this review is to assess potential impacts of the proposed development on known natural heritage features on and

adjacent to the subject property. These features could include wetlands, wildlife habitat and areas of natural and scientific interest. This review also includes an evaluation of the subject property for natural hazards such as unstable slopes and areas prone to flooding and erosion.

According to the information provided, the purpose of the subject applications is to sever two vacant building lots – B10/066 to sever 1.5 ha and B10/067 to sever 0.8 ha, and to retain a 26.0-ha landholding with an existing dwelling and outbuildings.

A review of available mapping shows an unclassified wetland extending on the subject retained lands. This wetland is contiguous with McGibbon Bay of Mississippi Lake. No natural heritage features or natural hazards were identified on the proposed severed lands.

The resulting lots meet with the current minimum area requirements set out in the Township of Beckwith's Zoning By-law and sufficient area appears to exist to locate future development in compliance with the zoning provisions. With all of this in consideration, MVC does not have any objection to the subject applications provided the following mitigative measures are implemented through a Development Agreement or Site Plan Control, for any future development on the proposed retained lands:

1. Future development, including a septic system shall be setback the greater of:
 - a minimum 30 metres from the seasonal high water mark of the wetland or
 - beyond the waterbody setback specified in the Zoning By-law at the time of new development.
2. The unclassified wetland shall remain undisturbed.
3. Natural drainage patterns on the site shall not be substantially altered, such that additional run-off is directed into the wetland or onto adjacent properties.

The property owner should be advised that in the event that shoreline work is proposed, written permission is required from MVC pursuant to Ontario Regulation 153/06 - "Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

In addition, any proposed works in or near the wetland should be reviewed by MVC to ensure there will be no harmful alteration, disruption or destruction of fish habitat. Authorization under Section 35 of the Fisheries Act may be required for such work.

A review for Species at Risk was not conducted. We suggest contacting the Ministry of Natural Resources should you require a review in this regard.

Should any questions arise please do not hesitate to call. Please advise us of the Committee's decision in this matter.

On-Site Services (Septics) – Leeds, Grenville & Lanark District Health Unit
Severed B10/066 – The property is a 3.7 acre treed lot intended for residential use. There is approximately 10 inches of topsoil. The septic system will have to be at least partially raised using imported sandy loam fill. The amount of fill will be dependent upon the exact location of septic system.

Severed B10/067– A 2-acre treed lot intended for residential use. There is approximately 10 inches of topsoil. The septic system will have to be at least partially raised using imported sandy loam fill. The amount of fill will be dependent upon the exact location of septic system.

Retained – The property is 94 acres. The lot is primarily treed with a residence. The well is to the east side of the house and the septic system is to the rear of the house. The septic system was installed fully raised in 2007, permit SF-53793, was installed in 2007 to the rear of the home. It is fully raised. There is sufficient land to replace the septic system in the future. Depending on exact location of septic system, it will need to be fully raised using imported sandy loam fill.

Hydro One Networks – HONI advises that they have no comments or concerns.

Bell Canada R-O-W – No comments were received.

(c) PLANNING REVIEW

The applicant proposes to sever two residential building lots (1.5-ha and 0.8-ha) and retain a 35 acre landholding.

The subject lands are located in an area characterized by waterfront residential development on smaller type lots to the west and large landholdings to the east along Beckwith 9th Line.

The proposed lots are in excess of 500 m from Mississippi Lake.

The lands are accessed via Beckwith 9th Line, a municipally maintained road.

Soils Inventory – East and south portion – wetlands

Middle Section – Muck

West Section - Name: Farmington
- Stoniness: slightly stony
- CLI: 6 – natural grazing only
- Drainage: well
- Hydrogeology: moderate

There were no objections raised by any of the agencies which were circulated regarding this proposal. In light of the foregoing, this office is satisfied that the applicant's proposal maintains the general intent and purpose of the PPS and Official Plan for the Township of Beckwith and could be given favourable consideration.

(d) PUBLIC INPUT

No written submissions were received in response to the notice of application sent to every landowner pursuant to Clause 53(5)(a) of the Planning Act and Section 3(2) of O.Reg. 197/96 as amended.

(e) **MINUTES – August 30, 2010**

Cynthia Smith, applicant attended the hearing and gave evidence under oath.

Ms. Smith advised that the Township requires culverts be installed in the entrances to the lands.

The chair reviewed the staff report with the applicant. No further information was provided.

(f) **DECISION & CONDITIONS**

DECISION: PROVISIONAL CONSENT IS GRANTED

REASONS: Having determined that a plan of subdivision is not necessary for the proper and orderly development of the municipality, and having determined that the proposal is consistent with the policy statements issued under subsection 3(1) of the Planning Act, and having had regard to the matters under subsection 51(24) of the Planning Act.

CONDITIONS:

B10/066

1. An acceptable reference plan or legal description of the severed lands and the deed or Instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township of Beckwith.
3. The applicant shall provide the Township of Beckwith with a copy of all reference plans associated with this application.
4. The applicant shall obtain an entrance location permit from the Township of Beckwith. The applicant shall consult directly with the Township in this regard.
5. That the applicant prepares and submits a grading and drainage plan to the satisfaction of the Township of Beckwith.
6. A letter shall be received from the Township of Beckwith stating that condition #2 through #4 has been fulfilled to their satisfaction.

NOTES

1. *The Mississippi Valley Conservation advises that any future development of the retained lands will require a "Development Agreement or Site Plan Control Agreement", outlining that:*

Future development, including a septic system shall be setback the greater of:

- *a minimum 30 metres from the seasonal high water mark of the wetland or*
- *beyond the waterbody setback specified in the Zoning By-law at the time of new development.*

The unclassified wetland shall remain undisturbed.

Natural drainage patterns on the site shall not be substantially altered, such that additional run-off is directed into the wetland or onto adjacent properties.

- 2. The Mississippi Valley Conservation Authority advises that in the event that shoreline work is proposed, written permission is required from MVC pursuant to Ontario Regulation 153/06 - "Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".*
- 3. In addition, any proposed works in or near the wetland should be reviewed by MVC to ensure there will be no harmful alteration, disruption or destruction of fish habitat. Authorization under Section 35 of the Fisheries Act may be required for such work.*
- 4. The Leeds Grenville and Lanark District Health Unit advises that the septic system on the severed lot and any replacement system on the retained lot will have to be at least partially raised using imported sandy loam fill. The amount of fill will be dependent upon the exact location of septic system.*
- 5. The Township of Beckwith advises that all future structures are to be located under the guidance of the Chief Building Official in accordance with the Ontario Building Code and all municipal by-laws.*
- 6. It is recommended that the applicant review available water well records of adjacent lands to determine that there is adequate potable water for a residential dwelling.*

B10/067

1. An acceptable reference plan or legal description of the severed lands and the deed or Instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township of Beckwith.
3. The applicant shall provide the Township of Beckwith with a copy of all reference plans associated with this application.
4. The applicant shall obtain an entrance location permit from the Township of Beckwith. The applicant shall consult directly with the Township in this regard.
5. That the applicant prepares and submits a grading and drainage plan to the satisfaction of the Township of Beckwith.

6. A letter shall be received from the Township of Beckwith stating that condition #2 through #4 has been fulfilled to their satisfaction.

NOTES

1. *The Mississippi Valley Conservation advises that any future development of the retained lands will require a “Development Agreement or Site Plan Control Agreement”, outlining that:
Future development, including a septic system shall be setback the greater of:*
 - *a minimum 30 metres from the seasonal high water mark of the wetland or*
 - *beyond the waterbody setback specified in the Zoning By-law at the time of new development.**The unclassified wetland shall remain undisturbed.
Natural drainage patterns on the site shall not be substantially altered, such that additional run-off is directed into the wetland or onto adjacent properties.*
2. *The Mississippi Valley Conservation Authority advises that in the event that shoreline work is proposed, written permission is required from MVC pursuant to Ontario Regulation 153/06 - “Development, Interference with Wetlands and Alterations to Shorelines and Watercourses”.*
3. *In addition, any proposed works in or near the wetland should be reviewed by MVC to ensure there will be no harmful alteration, disruption or destruction of fish habitat. Authorization under Section 35 of the Fisheries Act may be required for such work.*
4. *The Leeds Grenville and Lanark District Health Unit advises that the septic system on the severed lot and any replacement system on the retained lot will have to be at least partially raised using imported sandy loam fill. The amount of fill will be dependent upon the exact location of septic system.*
5. *The Township of Beckwith advises that all future structures are to be located under the guidance of the Chief Building Official in accordance with the Ontario Building Code and all municipal by-laws.*
6. *It is recommended that the applicant review available water well records of adjacent lands to determine that there is adequate potable water for a residential dwelling.*
7. *The current Official Plan provides that up to two consents may be granted for a lot or landholding. No further consents will be permitted on the retained lands or the severed lands through the consent process without an amendment to the Official Plan*

LAND DIVISION STAFF REPORT
APPLICATION FOR CONSENT

Owner: Michael Drummond Daszkowski **Hearing Date:** August 30, 2010
Agent: N/A
LDC File #: B10/082
Municipality: Township of Mississippi Mills
Geographic Township: Pakenham **Lot:** 6 **Concession:** 10
Roll No. 0931 946 025 01700 **Consent Type:** Lot Addition

Purpose and Effect:

To sever a 1.82-ha residential lot with an existing dwelling (surplus agricultural dwelling) and retain a 13.4-ha agricultural landholding. The retained lands are to be consolidated with an adjacent farming operation. The lands are accessed via Needham Side Road.

DETAILS OF PROPOSAL	Land to be Severed	Land to be Retained
Existing Use	Residence	Agricultural
Proposed Use	Residence	Agricultural
Area	1.82 ha	13.4 ha
Frontage	209 m	82 m
Depth	174 m	174 m
Road - Access to	Municipal Road	Municipal Road
Water Supply	Private well	None
Sewage Disposal	Private Septic	None
Official Plan Designation - Conformity?	Agriculture Yes	
Zoning Category	Agriculture	Agriculture
-Area Required (min.) -Compliance? -Frontage Required (min.) -Compliance?	0.4-ha Yes 45 m Yes	n/a – lands to be consolidated with adjacent farmlands

(a) APPLICATION REVIEW

Provincial Policy Statement - Provincial Interests were identified as follows:

1.1 Managing and Directing Land Use

Section 1.1.1.c) Healthy, liveable and safe communities are sustained by avoiding development and land use patterns which may cause environmental or public health and safety concerns.

Section 1.1.4.1 In rural areas located in municipalities permitted uses and activities shall relate to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses.

1.6 Infrastructure and Public Service Facilities

Section 1.6.4.4 Individual on-site sewage services and individual on-site water services shall be used for a new development of five or less lots or private residences where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not provided and where site conditions are suitable for the long-term provisions of such services.

2.3 Agriculture

Section 2.3.1 Prime agricultural areas shall be protected for long-term use for agriculture.

Section 2.3.4.1 Lot creation in prime agricultural areas is discouraged and may only be permitted for:

- c) A residence surplus to a farming operation as a result of farm consolidation, provided that the planning authority ensures that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance.

Official Plan – Section 2 Basis of Plan, Section 3.2 Agricultural Policies, Section 3.2.7 Severances and lot creation, Section 4 General Policies, Section 4.6.4 Local Municipal Roads, Section 4.8.3 Sewage Disposal and Water Supply, Section 5.3.11 Consent to Sever Land.

The Town of Mississippi Mills advises that the proposal conforms to the designations and policies of the Community Official Plan.

Zoning By-law - Section 6 General Provisions, Section 8 Agricultural Zone.

The Town of Mississippi Mills advises that the proposal complies with the zoning by-law regulations.

(b) AGENCY REVIEW

This application has been circulated to those agencies that were considered to have an interest in the proposal. The following comments were received:

Town Planner's Report – August 24, 2010

Background

Michael Daszkowski currently owns approximately 15.22ha (37.61 ac) of land located on Concession in Pakenham Ward, in the Town of Mississippi Mills. The property currently has a Community Official Plan designation of Agriculture and Rural. The property is zoned Agricultural (A) Zone. The applicant is proposing to sever the dwelling and outbuilding and consolidate the retained land to neighbouring agricultural land.

Severance Application Summary

This is an application to sever a lot with the existing dwelling and outbuilding. The severed land would total 1.82ha (4.5 ac) of land from the existing 15.22ha (37.61 ac) of agricultural land on Lot 6, Conc. 10, Ward of Pakenham. The new lot would have a proposed lot frontage of 209m (685.7ft). Access to the lot will be from Needham Side Road, Pakenham Ward. The retained lands will have an approximate land area of 13.4ha (33.1 ac), with a lot frontage of 82m (269.03ft) on Needham Side Road, Pakenham Ward.

Provincial Policy Statement

Section 2.3.4.1 of the Provincial Policy Statement discourages the creation of lots from agricultural land, except when the lots being created are appropriate for agricultural uses, limited to a minimum size to accommodate appropriate sewage and water services,

residences surplus to a farming operation or where facility or corridor infrastructure cannot be accommodated through the use of easements or right of ways. The severance application is based on severing the existing residence from the farm land. The retained lands would have an approximate lot area of 13.4ha (33.1 ac), and would be added to the abutting farming operation.

Section 2.3.3.3 states that “new land uses, including the creation of lots, and new or expanding livestock facilities shall comply with the minimum distance separation formula”. The retained lands will be use for a tillable agricultural operation, and therefore the MDS calculation for the new lot does not apply.

Community Official Plan Policies

The subject property has a Community Official Plan (COP) designation of Agricultural and Rural. The dwelling and portion of land to be severed is located on the land designated in the COP as Rural. The COP states that severances and lot creation are permitted in lands designated Rural, but are limited to two lots plus the retained lot, except where otherwise specially provided in the plan. Section 3.3.6(4) also states that consents for boundary adjustments, partial discharge of mortgage, easements or right of ways shall not be considered towards the maximum number of consents per holding. In this case, this proposed severance is not creating a new lot, but rather is adding approximately 13.4-ha (33.1 ac), to an existing lot of record. As a result, the severance is reviewed as a boundary adjustment and therefore the limitation of 2 severances per lot of record does not apply in this case. Other provisions within the COP regarding rural severances, such as access, lot area, lot frontage, demonstrate capacity for private services, also do not apply because the application is not creating a new lot.

Section 3.3.6(2)-Severances and Lot Creation, “Severance for boundary adjustments between agricultural holdings may be permitted provided that no new lot is created and the size of the parcels are appropriate for the type of agriculture proposed.” The retained lands, with the Agriculture OP designation will be acquired by the abutting property owners to expand their current farming operation and therefore no new lots will be created. As previously mentioned, the application is subject to the minimum distance separation requirements. The lands surrounding the severed property are being used for crop production and as a result the MDS does not apply.

The proposed severance is consistent with the intent of the Community Official Plan.

Zoning By-law

The subject property is currently zoned Agricultural (A) zone and permits residential land uses that are either accessory to the agricultural use or a non farm dwelling. The by-law requires a minimum lot area of 0.4 hectares (1.0 acres) and a minimum lot frontage of 45m (147ft). Application B10/082 is proposing a non-farm residential lot with a lot area of 1.82-ha (4.5ac) with a frontage of 209m (685.7ft). The application is consistent with the lot provisions outlined in the agricultural zone.

The zoning by-law also requires that the proposed lots must meet the minimum distance separation requirements. The agricultural use on the abutting property is crop based and therefore MDS is not required.

It would appear that the proposed severances would maintain the intent and purpose of the zoning by-law.

Town of Mississippi Mills – recommends approval of this application subject to the following conditions:

1. That the applicant provide a copy of the registered reference plan to the Town;
2. That the applicant provide a digital copy of the registered reference plan in a .DWG file format;
3. That the applicant pay any outstanding property taxes on the subject property;
4. That the owner shall register a covenant on title of the severed land stating that the lot is adjacent to an agricultural area and may therefore be subject to noise, dust, odours and other nuisances associated with agricultural activities.
5. That the owner shall merge the retained lands with the abutting lands owned by Drew and Stacy Blair.

Conservation Authority – Mississippi Valley Conservation - July 26, 2010

Mississippi Valley Conservation (MVC) has been circulated the above noted application to conduct a review in terms of MVC Regulations and Provincial Planning Policy for Natural Heritage and Natural Hazard issues. Specifically, the purpose of this review is to assess potential impacts of the proposed development on known natural heritage features on and adjacent to the subject property. These features could include wetlands, wildlife habitat and areas of natural and scientific interest. This review also includes an evaluation of the subject property for natural hazards such as unstable slopes and areas prone to flooding and erosion.

According to the information provided, the purpose of the subject application is to sever a 1.82-ha lot with an existing residence and retain a vacant 13.4-ha landholding.

A review of available mapping shows an unnamed watercourse travelling through the proposed retained lands. No other natural heritage features or natural hazards were identified.

The resulting lots meet with the current minimum area requirements set out in the Town of Mississippi Mills' Zoning By-law. And, sufficient area appears to exist on the proposed retained lands to locate potential future development in compliance with the zoning provisions. The proposed severed lands are already developed with no new development proposed at this time. With all of this in consideration, MVC does not have any objection to the subject application provided the following mitigative measures are implemented for any future development on the proposed retained lands in the form of a Development Agreement or Site Plan Control:

1. Future development, including a septic system shall be setback the greater of:
 - a minimum 30 metres from the seasonal high water mark of the watercourse or
 - beyond the waterbody setback specified in the Zoning By-law at the time of new development.
2. The shoreline vegetation surrounding the watercourse shall be retained to a minimum depth of 15 metres.
3. Natural drainage patterns on the site shall not be substantially altered, such that additional run-off is directed into the watercourse or onto adjacent properties.

The property owner should be advised that in the event that shoreline work is proposed, written permission may be required from MVC pursuant to Ontario Regulation 153/06 - "Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

In addition, any proposed works in or near the watercourse should be reviewed by MVC to ensure there will be no harmful alteration, disruption or destruction of fish habitat. Authorization under Section 35 of the Fisheries Act may be required for such work.

A review for Species at Risk was not conducted. We suggest contacting the Ministry of Natural Resources should you require a review in this regard.

Should any questions arise please do not hesitate to call. Please advise us of the Committee's decision in this matter.

On-Site Services (Septics) – Leeds, Grenville & Lanark District Health Unit
Severed – A 4.5 acre property with a house and shed. Well is to the east of the dwelling. There is a creek bordering the rear of the property and a ditch to the west. There is approximately 20 cm topsoil and rocky outcroppings in the area. According to permit SF-201-86, the soil is clay in the area of the septic system.

There is room to replace the septic system in same area as existing system. Clearance distances would need to be considered with respect to creek, ditch and well. As per SF-201-86, the system would need to be raised using imported sandy loam fill.

Retained – The 33 acre property is a field used for agriculture. Direction of flow appears to be toward the southwest. There is approximately 20 cm topsoil. There are rocky outcroppings. Land is intended to remain agricultural. Should a septic system be required in the future, there would be suitable areas. Type would depend upon exact location.

Hydro One Networks – HONI advises that they have no comments or concerns.

Bell Canada R-O-W – No comments were received.

(c) **PLANNING REVIEW**

The applicant proposes to sever a 1.82-ha parcel of land with an existing dwelling and outbuildings. The retained lands (farmland) are to be consolidated with the adjacent lands owned by Dean and Stacy Blair. If approved, a condition will be required to consolidate the retained lands with the adjacent farmlands.

The subject lands are located in an area characterized by Farm Residential on large landholdings along Needham Road. A rail-line is located to the east, although use is limited, a note should be included, if approved, to advise future purchasers of the lands of the rail line. The Mississippi River is located to the west of the lands.

The lands are accessed via Needham Road, a municipally maintained road.

Soils Inventory – Lands to be severed	Retained lands
- Name: Farmington	- Snedden
- Stoniness: slightly stony	- not stony
- CLI: 6 – natural grazing only	- CLI 1 – No significant limitations
- Drainage: well drained	- imperfectly
- Hydrogeology: moderate	- High run-off

There were no objections raised by any of the agencies which were circulated regarding this proposal. In light of the foregoing, this office is satisfied that the applicant's proposal maintains the general intent and purpose of the PPS and Official Plan for the Town of Mississippi Mills and could be given favourable consideration.

(d) PUBLIC INPUT

No written submissions were received in response to the notice of application sent to every landowner pursuant to Clause 53(5) (a) of the Planning Act and Section 3(2) of O.Reg. 197/96 as amended.

(e) MINUTES – August 30, 2010

Michael Daskowski, applicant and Mary Daskowski, sister of the applicant attended the hearing and gave evidence under oath.

The chair reviewed the staff report with the applicant. No further information was provided.

(f) DECISION & CONDITIONS

DECISION: PROVISIONAL CONSENT IS GRANTED

REASONS: Having determined that a plan of subdivision is not necessary for the proper and orderly development of the municipality, and having determined that the proposal is consistent with the policy statements issued under subsection 3(1) of the Planning Act, and having had regard to the matters under subsection 51(24) of the Planning Act.

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands and the deed or Instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The Certificate of Consent "Schedule" attached to the deed / transfer required by Condition #1 above, shall include the following condition "The lot is adjacent to an agricultural area and may therefore be subject to noise, dust, odours and other nuisances associated with agricultural activities".
3. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Town of Mississippi Mills.
4. The applicant to provide a digital copy of the registered reference plan in a .DWG file format to the Town of Mississippi Mills.
5. The applicant shall provide the Town of Mississippi Mills with a copy of all reference plans associated with this application.

6. A letter shall be received from the Town of Mississippi Mills stating that condition #3 through #5 has been fulfilled to their satisfaction.
7. The lands to be retained are to be consolidated with the adjacent lands owned by Drew David Albert Blair and Stacey Lynne Blair described as Part West Lot 6 Conc. 10, geographic Township of Pakenham, now in the Town of Mississippi Mills, and any subsequent transfer, charge or other conveyance of the lands to be severed is subject to Section 50(3) (or subsection 50(5) if in a plan of subdivision) of the Planning Act. Neither the lands to be retained nor the adjacent lands are to be reconveyed without the other parcel unless a further consent is obtained. The owner shall cause the lands to be retained to be consolidated on title with the adjacent lands and for this condition to be entered into the parcel register as a restriction.

NOTES

1. *The Leeds Grenville and Lanark District Health Unit advises that there is room to replace the septic system in same area as existing system on the severed lands. Clearance distances would need to be considered with respect to creek, ditch and well. As per SF-201-86, the system would need to be raised using imported sandy loam fill.*
2. *The Mississippi Valley Conservation advises that any future development of the retained lands will require a "Development Agreement or Site Plan Control Agreement", outlining that:
Future development, including a septic system shall be setback the greater of:*
 - *a minimum 30 metres from the seasonal high water mark of the watercourse or*
 - *beyond the waterbody setback specified in the Zoning By-law at the time of new development.**The shoreline vegetation surrounding the watercourse shall be retained to a minimum depth of 15 metres.
Natural drainage patterns on the site shall not be substantially altered, such that additional run-off is directed into the watercourse or onto adjacent properties.*
3. *The Mississippi Valley Conservation advises that in the event that shoreline work is proposed, written permission may be required from MVC pursuant to Ontario Regulation 153/06 - "Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".*
4. *In addition, any proposed works in or near the watercourse should be reviewed by MVC to ensure there will be no harmful alteration, disruption or destruction of fish habitat. Authorization under Section 35 of the Fisheries Act may be required for such work.*

LAND DIVISION STAFF REPORT
APPLICATION FOR CONSENT

Owner: Delrene Irene Leach

Hearing Date: August 30, 2010

Agent: Michael Clifflen

LDC File #: B10/083

Municipality: Township of Montague

Geographic Township: Montague

Lot: 17 **Concession:** 4

Roll No. 0901 000 020 33600

Consent Type: New Lot

Purpose and Effect: To sever a 30.0-ha landholding with an existing quarry and retain a 42.0-ha landholding with an existing dwelling. The lands are accessed via Matheson Dr.

DETAILS OF PROPOSAL	Land to be Severed	Land to be Retained
Existing Use	Quarry & Vacant	Rural/Agriculture
Proposed Use	Quarry & Vacant	Rural/Agriculture
Area	30 ha	42 ha
Frontage	547 m	538 m
Depth	548 m	789 m
Road - Access to	Municipal Road	Municipal Road
Water Supply	N/A	Private Well
Sewage Disposal	N/A	Septic System
Official Plan Designation - Conformity?	Rural and Aggregate Yes	
Zoning Category	Rural (legal non-conforming)	Rural
-Area Required (min.)	0.4-ha	0.4-ha
-Compliance?	Yes	Yes
-Frontage Required (min.)	46 m	46 m
-Compliance?	Yes	Yes

(a) APPLICATION REVIEW

Provincial Policy Statement - Provincial Interests were identified as follows:

1.1 Managing and Directing Land Use

Section 1.1.1.c) Healthy, liveable and safe communities are sustained by avoiding development and land use patterns which may cause environmental or public health and safety concerns.

Section 1.1.4.1 In rural areas located in municipalities permitted uses and activities shall relate to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses.

1.6 Infrastructure and Public Service Facilities

Section 1.6.4.4 Individual on-site sewage services and individual on-site water services shall be used for a new development of five or less lots or private residences where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not provided and where site conditions are suitable for the long-term provisions of such services.

2.5 Mineral Aggregate Resources

Section 2.5.1 Mineral aggregate resources shall be protected for long-term use.

Section 2.5.2.1 As much of the mineral aggregate resources as is realistically possible shall be made available as close to market as possible.

Section 2.5.2.4 Mineral aggregate operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing mineral aggregate operations shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the Planning Act.

Official Plan – Section 4 General Development Policies, Section 5 Rural Lands Policy, Section 6 Mineral Aggregate Lands, section 12 Road Proposals, Section 14 Committee of Adjustment and Land Division Committee.

The Township of Montague advised that the proposal conforms with the designations and policies of the Official Plan.

Zoning By-law - Section 3 General Provisions, Section 18 Rural Zone.

The Township of Montague advises that the proposal complies with the zoning by-law regulations.

(b) AGENCY REVIEW

This application has been circulated to those agencies that were considered to have an interest in the proposal. The following comments were received:

Township of Montague – recommends approval of this application subject to the following conditions:

- That 5% cash in lieu of parkland be paid to the Township of Montague for each new lot created.
- The applicant shall be required to obtain an entrance location permit from the Township of Montague.
- That the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.
- That a copy of the reference plan to be provided to the Township of Montague.
- Sufficient land along the frontage of the property shall be conveyed to the Township of Montague, by registered deed, to provide a road allowance which is either 10 metres (33 feet) from the centreline of the road allowance or 10 metres (33 feet) from the centreline of the travelled portion of the road (whichever is applicable). The Ontario Land Surveyor, in preparing the reference plan describing the subject lot shall consult directly with the Township of Montague prior to the survey plan being completed.

Conservation Authority – Rideau Valley Conservation Authority – June 4, 2010.

We wish to advise the committee that this application contains no matters that affect the Conservation Authority mandate or interests. For the information of the owner, a watercourse crosses the east corner of the severed parcel which is subject to the RVCA's O. Reg. 174/07 "Development, interference with Wetlands and Alterations to Shorelines and Watercourses". Any work touching the bank or bed of this watercourse requires a permit from the RVCA. There are also unevaluated wetlands indicated as being present on portions of the severed parcel.

On-Site Services (Septics) – Leeds, Grenville & Lanark District Health Unit

Severed – This 30 hectare property is comprised of a quarry and vacant land. There are some low areas where the water table appears to be high. The current and intended use of the property is as a quarry. A septic system will not be installed.

Retained – The property is 42 hectares consisting of farmland, trees and a farmhouse and barn. There is a drilled well to the east of the house. The current septic system appears to be on the west side of the home. There will be ample room for future replacement of the septic system. Depending on the exact location of the system, it may need to be raised using imported sandy loam fill.

Hydro One Networks – HONI advises that they have no comments or concerns.

Bell Canada R-O-W – No comments were received.

(c) PLANNING REVIEW

The applicant proposes to sever a 30-ha parcel of land with an existing pit/quarry and retain a 42-ha landholding with an existing dwelling and farm buildings. The quarry was in operation prior to 1987, and therefore is legal non-conforming within the Township's OP and Zoning By-law.

The subject lands are located in an area characterized by limited Residential on large landholdings along Matheson Drive. The Montague Airport is adjacent to the lands to the north east.

The lands are accessed via Matheson Drive, a municipally maintained road.

There were no objections raised by any of the agencies which were circulated regarding this proposal. In light of the foregoing, this office is satisfied that the applicant's proposal maintains the general intent and purpose of the PPS and Official Plan for the Township of Montague and could be given favourable consideration.

(d) PUBLIC INPUT

Written submissions were received in response to the notice of application sent to every landowner pursuant to Clause 53(5) (a) of the Planning Act and Section 3(2) of O.Reg. 197/96 as amended, as follows:

Linda Norris – June 22, 2010 - advises that she has no comments or concerns.

(e) **MINUTES – August 30, 2010**

Irene Leach, owner, Mike Ross, agent and Paul Rodgers, agent for purchaser, attended the hearing and gave evidence under oath.

Mr. Ross questioned the road widening requirement. The chair advised Mr. Ross to discuss this condition with the Township.

The chair reviewed the staff report with the applicant. No further information was provided.

(f) **DECISION & CONDITIONS**

DECISION: PROVISIONAL CONSENT IS GRANTED

REASONS: Having determined that a plan of subdivision is not necessary for the proper and orderly development of the municipality, and having determined that the proposal is consistent with the policy statements issued under subsection 3(1) of the Planning Act, and having had regard to the matters under subsection 51(24) of the Planning Act.

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands and the deed or Instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. Payment shall be made to the Township of Montague representing the amount satisfactory to the Township of up to 5% of the value of the land pursuant to Section 51.1(3) of the Planning Act (Cash-in-Lieu of Parklands).
3. The applicant shall obtain an entrance location permit from the Township of Montague. The applicant shall consult directly with the Township in this regard.
4. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township of Montague.
5. The applicant shall provide the Township of Montague with a copy of all reference plans associated with this application.
6. Sufficient lands shall be deeded to the Township of Montague along the frontages of the lot to be severed to meet the municipality's road widening requirements, at no cost to the Township. Deeds are to be submitted to the municipality for review accompanied by a solicitor's certificate indicating that the municipality's title is free and clear of all encumbrances and the municipality has a good and marketable title. The Township Roads Superintendent should be consulted prior to commencing a survey to determine the amount of road widening required.
7. A letter shall be received from the Township of Montague stating that condition #2 through #6 has been fulfilled to their satisfaction.

NOTES

1. *The Rideau Valley Conservation Authority advises that a watercourse crosses the east corner of the severed parcel which is subject to the RVCA's O. Reg. 174/07 "Development, interference with Wetlands and Alterations to Shorelines and Watercourses". Any work touching the bank or bed of this watercourse requires a permit from the RVCA.*
2. *The Leeds Grenville and Lanark District Health Unit advice that depending on the exact location of the replacement septic system on the retained lands, it may need to be raised using imported sandy loam fill.*
3. *Any purchase and sale agreement for the retained lands should contain a note that the lands are adjacent to an active pit and quarry and that the occupants of the lot may be susceptible to noise, dust, vibration and related impacts from time to time".*

LAND DIVISION STAFF REPORT
APPLICATION FOR CONSENT

Owner: H. Lenard Fisher & Judy Fisher

Hearing Date: August 30, 2010

Agent:

LDC File #: B10/084

Municipality: Township of Drummond/North Elmsley

Geographic Township: Drummond

Lot: 3

Concession: 8

Roll No. 0919 908 010 43501

Consent Type: New Lot

Purpose and Effect: To sever a 27-ha vacant landholding and retain a 13.0-ha landholding with an existing dwelling and farm buildings. The lands to be severed are accessed via Glenview Road.

DETAILS OF PROPOSAL	Land to be Severed	Land to be Retained
Existing Use	Vacant	Farm
Proposed Use	Residence	Farm
Area	27 ha	13 ha
Frontage	516 m	315 m
Depth	518 m	518 m
Road - Access to	Municipal Road	Municipal Road
Water Supply	Proposed Well	Private Well
Sewage Disposal	Proposed Septic	Private Septic
Official Plan Designation -Conformity?	Rural and Aggregate Reserve Yes	
Zoning Category	Rural	Rural & Aggregate Reserve
-Area Required (min.)	0.4-ha	0.4-ha
-Compliance?	Yes	Yes
-Frontage Required (min.)	45 m	45 m
-Compliance?	Yes	Yes

(a) APPLICATION REVIEW

Provincial Policy Statement - Provincial Interests were identified as follows:

1.1 Managing and Directing Land Use

Section 1.1.1.c) Healthy, liveable and safe communities are sustained by avoiding development and land use patterns which may cause environmental or public health and safety concerns.

Section 1.1.4.1 In rural areas located in municipalities permitted uses and activities shall relate to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses.

1.6 Infrastructure and Public Service Facilities

Section 1.6.4.4 Individual on-site sewage services and individual on-site water services shall be used for a new development of five or less lots or private residences where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not provided and where site conditions are suitable for the long-term provisions of such services.

2.1 Natural Heritage

Section 2.1.1 Natural features and areas shall be protected for the long term.

Section 2.1.3 Development and site alteration shall not be permitted in: (a) significant wetlands in Ecoregions 5E, 6E and 7E.

Section 2.1.6 Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.3, 2.1.4 and 2.1.5 unless the ecological features function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features of on their ecological functions.

2.5 Mineral Aggregate Resources

Section 2.5.1 Mineral aggregate resources shall be protected for long-term use.

Section 2.5.2.1 As much of the mineral aggregate resources as is realistically possible shall be made available as close to market as possible.

Section 2.5.2.4 Mineral aggregate operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing mineral aggregate operations shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the Planning Act.

3.1 Natural Hazards

Section 3.1.1 Development shall generally be directed to areas outside of: (b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards.

Official Plan – Section 3 General Provisions, Section 3.7 Division of Land, Section 3.18 Influence Areas, Section 4.3 Rural Policies, Section 4.8 Mineral Resource Policy, Section 5.3 Local Roads

The Township of Drummond / North Elmsley advises that the proposal conforms to the Township's Official Plan Policies.

Zoning By-law - Section 4 General Provisions, Section 7 Rural Zone, Section 22 Aggregate Reserve Zone.

The Township of Drummond / North Elmsley advises that the proposal complies with the zoning by-law regulations

(b) AGENCY REVIEW

This application has been circulated to those agencies that were considered to have an interest in the proposal. The following comments were received:

Township of North Elmsley – recommends approval of this application subject to the following conditions:

- The balance of any outstanding taxes shall be paid to the Township.
- The applicant shall provide the Township with a registered copy of all reference plans associated with this application if a survey is required by the Registry Office.
- Sufficient lands shall be deeded to the Township of Drummond / North Elmsley along the frontages of the lot to be severed and retained to meet the municipality's road widening requirements. Deeds are to be submitted to the municipality for review accompanied by a solicitor's certificate indicating that the municipality's title is free and clear of all encumbrances and the municipality has a good and marketable title. The Township Roads Superintendent should be consulted prior to commencing a survey to determine the amount of road widening required.
- That a residential entrance to the subject lot shall be obtained. The applicant shall consult directly with the Township of Drummond / North Elmsley in this regard.

Conservation Authority – Rideau Valley Conservation June 23, 2010

The subject application has been reviewed by the Rideau Valley Conservation Authority. We have visited the site and have the following comments for the Committee's assistance. The proposal involves the creation of a new 27 ha lot for a retirement home. The 13 ha retained parcel is to remain a farm operation.

Our wetland mapping indicates that there are portions of a locally significant wetland adjacent to the retained parcel, although the wetland boundary appears to be west of the lot boundary on Porter Road.

In addition, our mapping indicates that there is a provincially significant wetland (PSW) designation on the associated wetland across Porter Road. It is this wetland designation which has impact on the retained lot. The area of influence, i.e., our regulator limit relating to the PSW extends north and west parallel to Porter Road on the retained lot, to include the area occupied by the firm buildings and existing residence. Under Ontario Regulation 174/06, "Development Interference with Wetlands and Alterations to Shorelines and Watercourses", requires prior written approval from the Rideau Valley Conservation Authority.

Please also note that the watercourse known as the Ford Drain appears to traverse the parcel to be severed. This watercourse is a "C" category stream, with bait fish habitat. Again, any alteration to the watercourse is subject to the Authority's Regulation 174/06, written approval of the Conservation Authority is necessary prior to straightening, changing, diverting, or interfering in any way with the existing channel of a watercourse.

We would give consideration to fish habitat concerns as part of any regulatory review. More generally, the RVCA recommends a 30 metre development setback from all watercourses to mitigate the effects of flooding, erosion, pollution as well as the overall conservation of land. It appears that a building envelope is readily available on the severed parcel without encroaching within 30 metres of the Watercourse.

We have no objection to the application provided these above noted concerns are addressed and provided the Township is satisfied in regard to the requirements of the Official Plan and Zoning By-law'.

Trusting this is satisfactory and thank you for the opportunity to comment. Please do not hesitate to contact the undersigned should there be any questions.

On-Site Services (Septics) – Leeds, Grenville & Lanark District Health Unit
Severed – The approximately 27 hectare property is comprised mainly of fields with some trees. The elevations are varying. Main direction of flow appears to be toward Glenview Road and toward the ditch.

There is sufficient space to construct a septic system. Depending on the exact location, the system may need to be partially raised using imported sandy loam fill.

Retained – The approximately 13 hectare property is a farm with a residence and outbuildings. The well is in front of the house and the septic is in the rear. The current septic system does not appear to be raised. There is ample space for future replacement of the septic system.

Hydro One Networks – HONI advises that they have no comments or concerns.

Bell Canada R-O-W – No comments were received.

(c) **PLANNING REVIEW**

The applicant proposes to sever a 27.0-ha vacant landholding and retain a 13.0-ha landholding with an existing dwelling and outbuildings.

The subject lands are located in an area characterized by Residential on large landholdings along Glenview and Porter Roads. Typical Residential development is present on Glenview Road southerly toward Highway 43. The CPR Rail Line is approximately 2 km's south of the lot.

The aggregate reserve located on the retained lands is a non-licensed aggregate area. The influence area (300m) of the site is partially on the lands to be severed, however with the size of the lot, there is ample room to situate a building envelope outside the influence area.

The lands to be severed are accessed via Glenview Road and the retained lands are accessed via Porter Road, both being municipally maintained roads.

Soils Inventory – mixture

South Section - Name: North Gower	North Section - Farmington
- Stoniness: non-stony	- slightly stony
- CLI: 2 – Moderation limitations	- 6 – natural grazing only
- Drainage: poorly drained	- well drained
- Hydrogeology: high run-off	- moderate infiltration

There were no objections raised by any of the agencies which were circulated regarding this proposal. In light of the foregoing, this office is satisfied that the applicant's proposal maintains the general intent and purpose of the PPS and Official Plan for the Township of Drummond / North Elmsley and could be given favourable consideration.

(d) **PUBLIC INPUT**

No written submissions were received in response to the notice of application sent to every landowner pursuant to Clause 53(5) (a) of the Planning Act and Section 3(2) of O.Reg. 197/96 as amended.

(e) **MINUTES – August 30, 2010**

Judy and Leonard Fisher, applicants, attended the hearing and gave evidence under oath.

Mr. Fisher advised that there is an existing entrance. The chair advised Mr. Fisher to confirm with the Township that this entrance is a 'residential entrance'.

The chair reviewed the staff report with the applicant. No further information was provided.

(f) **DECISION & CONDITIONS**

DECISION: PROVISIONAL CONSENT IS GRANTED

REASONS: Having determined that a plan of subdivision is not necessary for the proper and orderly development of the municipality, and having determined that the proposal is consistent with the policy statements issued under subsection 3(1) of the Planning Act, and having had regard to the matters under subsection 51(24) of the Planning Act.

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands and the deed or Instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township of Drummond / North Elmsley.
3. The applicant shall provide the Township of Drummond / North Elmsley with a copy of all reference plans associated with this application.
4. Sufficient lands shall be deeded to the Township of Drummond / North Elmsley along the frontages of the lot to be severed and retained to meet the municipality's road widening requirements, at no cost to the Township. Deeds are to be submitted to the municipality for review accompanied by a solicitor's certificate indicating that the municipality's title is free and clear of all encumbrances and the municipality has a good and marketable title. The Township Roads Superintendent should be consulted prior to commencing a survey to determine the amount of road widening required.

5. The applicant shall obtain an entrance location permit from the Township of Drummond / North Elmsley. The applicant shall consult directly with the Township in this regard
6. A letter shall be received from the Township of Drummond / North Elmsley stating that condition #2 through #5 has been fulfilled to their satisfaction.

NOTES

1. *The Rideau Valley Conservation Authority advises that under Ontario Regulation 174/06, "Development Interference with Wetlands and Alterations to Shorelines and Watercourses", requires prior written approval from the Rideau Valley Conservation Authority.*
2. *The watercourse known as the Ford Drain appears to traverse the parcel to be severed. This watercourse is a "C" category stream, with bait fish habitat. Any alteration to the watercourse is subject to the Authority's Regulation 174/06, written approval of the Conservation Authority is necessary prior to straightening, changing, diverting, or interfering in any way with the existing channel of a watercourse.*
3. *The RVCA also recommends a 30 metre development setback from all watercourses to mitigate the effects of flooding, erosion, pollution as well as the overall conservation of land.*
4. *It is recommended that the applicant review available water well records of adjacent lands to determine that there is adequate potable water for a residential dwelling.*
5. *The Leeds Grenville and Lanark District Health Unit advises that additional fill / imported fill may be required in the septic system area.*
6. *A portion of the lands are within the influence area of an aggregate reserve. No development is permitted within this area.*

LAND DIVISION STAFF REPORT
APPLICATION FOR CONSENT

Owner: Winston & Muriel James

Hearing Date: August 30, 2010

Agent: Gerald E. Seguin

LDC File #: B10/087

Municipality: Township of Montague

Geographic Township:

Lot: 22 **Concession:** 5

Roll No. 0901 000 010 43400

Consent Type: New Lot

Purpose and Effect: To sever a 39.0-ha vacant landholding and retain a 0.95-ha residential lot with an existing dwelling. The lands are accessed via Nolan's Road.

DETAILS OF PROPOSAL	Land to be Severed	Land to be Retained
Existing Use	Vacant	Residence
Proposed Use	Vacant	Residence
Area	39 ha	0.95- ha
Frontage	180.5 m	97.5 m
Depth	2077 m	97.5 m
Road - Access to	Municipal Road	Municipal Road
Water Supply	Proposed	Private Well
Sewage Disposal	Proposed	Private Septic
Official Plan Designation -Conformity?		Rural Yes
Zoning Category	Rural	Rural
-Area Required (min.)	0.4-ha	0.4-ha
-Compliance?	Yes	Yes
-Frontage Required (min.)	46 m	46 m
-Compliance?	Yes	Yes

(a) APPLICATION REVIEW

Provincial Policy Statement - Provincial Interests were identified as follows:

1.1 Managing and Directing Land Use

Section 1.1.1.c) Healthy, liveable and safe communities are sustained by avoiding development and land use patterns which may cause environmental or public health and safety concerns.

Section 1.1.4.1 In rural areas located in municipalities permitted uses and activities shall relate to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses.

1.6 Infrastructure and Public Service Facilities

Section 1.6.4.4 Individual on-site sewage services and individual on-site water services shall be used for a new development of five or less lots or private residences where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not provided and where site conditions are suitable for the long-term provisions of such services.

Official Plan – Section 4 General Development Policies, Section 5 Rural Lands Policy, Section 12 Road Proposals, Section 14 Committee of Adjustment and Land Division Committee.

The Township of Montague advises that the proposal conforms with the designations and policies of the Official Plan.

Zoning By-law - Section 3 General Provisions, Section 18 Rural Zone.

The Township of Montague advises that the proposal complies with the zoning by-law regulations.

(b) AGENCY REVIEW

This application has been circulated to those agencies that were considered to have an interest in the proposal. The following comments were received:

Township of Montague – recommends approval of this application subject to the following conditions:

- That 5% cash-in-lieu of parkland be paid to the Township of Montague for each new lot created.
- The applicant shall be required to obtain an entrance location permit from the Township of Montague.
- That the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.
- That a copy of the reference plan be provide to the Township of Montague.
- That sufficient land along the frontage of the property shall be conveyed to the Township of Montague, by registered deed, to provide a road allowance which is either 10 metres (33 feet) from the centreline of the road allowance or 10 metres (33 feet) from the centreline of the travelled ported of the road (whichever is applicable). The Ontario Land Surveyor, in preparing the reference plan describing the subject lot shall consult directly with the Township of Montague prior to the survey plan being completed.

Conservation Authority - Rideau Valley Conservation Authority – June 11, 2010

We wish to advise the committee that this application contains no matters that affect the Conservation Authority mandate or interests. We note for the information of the applicant that there is an unevaluated wetland on the parcel to be severed. Furthermore, several watercourses traverse the severed parcel and are subject to Ontario Regulation 174/06 “Development, Interference with Wetlands and Alterations to Shoreline and Watercourses” as administered by the Rideau Valley Conservation Authority.

On-Site Services (Septics) – Leeds, Grenville & Lanark District Health Unit

Severed – The property is a 39 ha parcel. The land comprises fields and trees. Elevations vary. Soil conditions will vary but in general, there is a layer of topsoil above rocky areas.

There would be ample space to install a septic system on the property. If a home is built in area of abandoned home, it will be necessary to ensure adequate clearance distances

to the existing drilled well. The system would need to be at least partially raised using imported sandy loam fill. The amount would depend on exact location.

Retained – The property is a 0.95 ha parcel. It contains a residence. The lot is primarily developed with gardens and the rest is a field. There is approximately 0.2 metres of topsoil and then rock in the area examined.

The well is in front of the house with the septic system to the rear. The leaching bed appears to be partially raised above original grade. There is room for future replacement of the septic system behind the home. It would need to be at least partially raised using imported sandy loam fill.

Hydro One Networks – HONI advises that they have no comments or concerns.

Bell Canada R-O-W – No comments were received.

(c) PLANNING REVIEW

The applicant proposes to sever 39.0-ha landholding with an abandoned dwelling and storage shed and retain a 0.95-ha lot with an existing dwelling.

The subject lands are located in an area characterized by Residential on large landholdings along Nolan's Road easterly and residential on smaller lots westerly along Nolan's Road and Code Drive. The CPR Rail Line is located approx 1.5-km north of the lot.

The lands are accessed via Nolan's Road, a municipally maintained road.

Soils Inventory – Name: Franktown

- Stoniness: slightly stony
- CLI: 6 – natural grazing only
- Drainage: imperfectly
- Hydrogeology: moderate

There were no objections raised by any of the agencies which were circulated regarding this proposal. In light of the foregoing, this office is satisfied that the applicant's proposal maintains the general intent and purpose of the PPS and Official Plan for the Township of Montague and could be given favourable consideration.

(d) PUBLIC INPUT

No written submissions were received in response to the notice of application sent to every landowner pursuant to Clause 53(5) (a) of the Planning Act and Section 3(2) of O.Reg. 197/96 as amended.

(e) MINUTES – August 30, 2010

Gerald Sequin, agent, attended the hearing and gave evidence under oath.

Mr. Sequin questioned the 5% cash-in-lieu of parklands, and was advised that this fee is based on vacant land not improved lands.

Mr. Sequin requested that the application be amended to indicate that the lands being severed in the 0.95-ha residential lot rather than the 39-ha vacant parcel.

The committee reviewed the staff report and amended the draft conditions to reflect the revised application. No further information was provided.

(f) DECISION & CONDITIONS

DECISION: PROVISIONAL CONSENT IS GRANTED

REASONS: Having determined that a plan of subdivision is not necessary for the proper and orderly development of the municipality, and having determined that the proposal is consistent with the policy statements issued under subsection 3(1) of the Planning Act, and having had regard to the matters under subsection 51(24) of the Planning Act.

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands and the deed or Instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The reference plan or legal description and the deed or instrument required by condition #1 above shall relate to the "revised Sketch" presented August 30, 2010.
3. Payment shall be made to the Township of Montague representing the amount satisfactory to the Township of up to 5% of the value of the land pursuant to Section 51.1(3) of the Planning Act (Cash-in-Lieu of Parklands).
4. The applicant shall provide the Township of Montague with a copy of all reference plans associated with this application.
5. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township of Montague.
6. Sufficient lands shall be deeded to the Township of Montague along the frontages of the lot to be severed to meet the municipality's road widening requirements, at no cost to the Township. Deeds are to be submitted to the municipality for review accompanied by a solicitor's certificate indicating that the municipality's title is free and clear of all encumbrances and the municipality has a good and marketable title. The Township Roads Superintendent should be consulted prior to commencing a survey to determine the amount of road widening required.
7. The applicant shall obtain an entrance location permit to the retained lands from the Township of Montague. The applicant shall consult directly with the Township in this regard.
8. A letter shall be received from the Township of Montague stating that condition #3 through #7 has been fulfilled to their satisfaction.

NOTES

1. *The Rideau Valley Conservation Authority advises that there is an unevaluated wetland on the parcel to be retained. Furthermore, several watercourses traverse the retained parcel and are subject to Ontario Regulation 174/06 "Development, Interference with Wetlands and Alterations to Shoreline and Watercourses" as administered by the Rideau Valley Conservation Authority.*
2. *The Leeds Grenville and Lanark District Health Unit advises that a septic system on the retained lands and a replacement system on the severed lands would need to be partially raised using imported sandy loam fill.*
3. *It is recommended that the applicant review available water well records of adjacent lands to determine that there is adequate potable water for a residential dwelling on the retained lands.*

LAND DIVISION STAFF REPORT
APPLICATION FOR CONSENT

Owner: William Fulton & Donna Fulton **Hearing Date:** August 30, 2010
Agent: N/A
LDC File #: B10/091
Municipality: Township of Mississippi Mills
Geographic Township: Pakenham **Lot:** 3 **Concession:** 7
Roll No. 0931 946 015 15000 **Consent Type:** New Lot

Purpose and Effect: to sever a 1.04-ha residential building lot and retain a 40-ha landholding with an existing dwelling, barn and outbuildings. The lands are accessed via Con 7 South Pakenham.

DETAILS OF PROPOSAL	Land to be Severed	Land to be Retained
Existing Use	Vacant	Residential/Farm
Proposed Use	Residential	Residential/Farm
Area	1.04 ha	40 ha
Frontage	102 m	535.02 m
Depth	102 m	637.02 m
Road - Access to	Municipal Road	Municipal Road
Water Supply	Private Well	Private Well
Sewage Disposal	Private Septic	Private Septic
Official Plan Designation -Conformity?		Rural Yes
Zoning Category	Agricultural	Agricultural & Rural
-Area Required (min.)	0.4-ha	37-ha
-Compliance?	Yes	Yes
-Frontage Required (min.)	45 m	150 m
-Compliance?	Yes	Yes

(a) **APPLICATION REVIEW**

Provincial Policy Statement - Provincial Interests were identified as follows:

1.1 Managing and Directing Land Use

Section 1.1.1.c) Healthy, liveable and safe communities are sustained by avoiding development and land use patterns which may cause environmental or public health and safety concerns.

Section 1.1.4.1 In rural areas located in municipalities permitted uses and activities shall relate to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses.

1.6 Infrastructure and Public Service Facilities

Section 1.6.4.4 Individual on-site sewage services and individual on-site water services shall be used for a new development of five or less lots or private residences where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not provided and where site conditions are suitable for the long-term provisions of such services.

2.3 Agriculture

Section 2.3.1 Prime agricultural areas shall be protected for long-term use for agriculture.

Section 2.3.4.1 Lot creation in prime agricultural areas is discouraged and may only be permitted for:

- c) A residence surplus to a farming operation as a result of farm consolidation, provided that the planning authority ensures that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance.

Official Plan – Section 2 Basis of Plan, Section 3.2 Agricultural Policies, Section 3.2.7 Severances and lot creation, Section 4 General Policies, Section 4.6.4 Local Municipal Roads, Section 4.8.3 Sewage Disposal and Water Supply, Section 5.3.11 Consent to Sever Land.

The Town of Mississippi Mills advises that the proposal conforms to the designations and policies of the Community Official Plan.

Zoning By-law - Section 6 General Provisions, Section 8 Agricultural Zone, Section 9 Rural Zone.

The Town of Mississippi Mills advises that the proposal complies with the zoning by-law regulations.

(b) AGENCY REVIEW

This application has been circulated to those agencies that were considered to have an interest in the proposal. The following comments were received:

Town Planner's Report - August 24, 2010

Background

William and Donna Fulton currently own approximately 41.04-ha (101.41 acres) of land located at 378, 7 Concession, Pakenham Ward, in the Town of Mississippi Mills. The property currently has a Community Official Plan designation of Rural and is zoned Agricultural (A) and Rural (RU) Zone. The property is currently pastured and wooded and is bisected by the Fulton Lowe Drain as well as a primary service hydro power line. A dwelling and barn are currently present on the property. The applicant is proposing to sever one (1) new lot from the existing lot, creating two lots.

Severance Application Summary

This application is to sever a 1.04 ha (2.57ac) vacant parcel of land to create a new lot on Part of Lot 3, Concession 7, Pakenham Ward. The proposed lot will have 102m (344.65ft) of frontage on 7th Concession Road. Access to the lot will be from 7th Concession Road. The retained lands will have an approximate land area of 40-ha (98.84 acres), with a lot frontage of 535.02m (1755ft) on 7th Concession Road.

Community Official Plan Policies

The subject property has an Official Plan designation of Rural. Section 3.3.6(4)- Severances and Lot Creation, permit severances for rural non-farm residential lots that are

designated Rural, subject to the land holding permitting a maximum of two severances. A land holding is defined as a parcel of land held in a conveyable ownership as of July 1, 1973 or is an original township lot. The subject property is a parcel of land held in conveyable ownership as of July 1, 1973. Based on the rural policies in the Community Official Plan, the owner has the ability to acquire two severances on the property. Research on the property indicates that there have been no previous severances. The Community Official Plan for the Town of Mississippi Mills sets out clear minimum lot area standards for land designated rural. Section 3.3.6.5 (iv), states that each lot must be 1-ha (2.47ac) for both the severed and the retained lands. The proposed severance will create two lots; the severed lot being 1.04-ha (2.57ac) and the retained lot being 40-ha (98.84 acres).

Section 3.3.6.5(u) requires the applicant demonstrate capacity for the lot to support the proposed development on private services. This to ensure that once the lot is created it will be able to support the development. The applicant has a completed Severance Permit from the Leeds, Lanark and Grenville District Health Unit stating there is ample property to build a septic system.

The proposed application is subject to the minimum distance separation requirements and appears to meet these requirements.

It appears that the proposed severance maintains the intent and purpose of the COP.

Zoning By-law

The subject property is currently zoned Agricultural (A) and Rural (RU) zone and permits residential land uses. The portion of the property subject to the severance is located on the land zoned Agricultural (A) in the Zoning By-law. The By-law requires a minimum lot area of 0.4 hectares (1.0 acres) and a minimum lot frontage of 45m (147.6ft). The minimum lot area in the zoning by-law differs from the Community Official Plan and as a result the minimum lot area requirement must be 1-ha (2.47 ac). Therefore, the requirements of the lot must be a minimum 1-ha (2.47ac) in lot area and a minimum lot frontage of 45m (147ft). The proposed lots, (both the severed and retained lots) will exceed the area and frontage requirements.

The proposed application is subject to the minimum distance separation requirements and appears to meet these requirements.

It would appear that the proposed severance would maintain the intent and purpose of the zoning by-law.

Conclusion

The proposed severance is consistent with the Community Official Plan policy regarding severances and lot creation and the proposed lot area and lot frontage is consistent with the zoning by-law. Each of the proposed lots has access to a municipally owned and maintained right of way. With this in mind, staff's recommendation regarding the proposed severance is to support the application.

Town of Mississippi Mills – recommends approval of this application subject to the following conditions:

1. That the applicant provide a copy of the registered reference plan to the Town;
2. That the applicant provide a digital copy of the registered reference plan in a .DWG file format;

3. That the applicant pay any outstanding property taxes on the subject property;
4. That the owner shall register a covenant on title of the severed land stating that the lot is adjacent to an agricultural area and may therefore be subject to noise, dust, odours and other nuisances associated with agricultural activities; and
5. That the applicant must acquire an entrance permit from 7b Concession Road.”

Conservation Authority – Mississippi Valley Conservation

Mississippi Valley Conservation (MVC) has been circulated the above noted application to conduct a review in terms of MVC Regulations and Provincial Planning Policy for Natural Heritage and Natural Hazard issues. Specifically, the purpose of this review is to assess potential impacts of the proposed development on known natural heritage features on and adjacent to the subject property. These features could include wetlands, wildlife habitat and areas of natural and scientific interest. This review also includes an evaluation of the subject property for natural hazards such as unstable slopes and areas prone to flooding and erosion.

According to the information provided, the purpose of the subject application is to sever a vacant 1.04-ha building lot and retain a 40-ha landholding with an existing residence, barn and outbuildings.

A review of available mapping shows the Lowe-Fulton Municipal Drain traveling through the retained lands. The proposed severed lands and a large portion of the proposed retained lands are well treed. No natural hazards or significant natural heritage features were identified on the proposed severed lands.

The resulting lots meet with the current minimum area requirements set out in the Town of Mississippi Mills’ Zoning By-law and the proposed retained lands are already developed with no new development proposed at this time. Concerning the proposed severed lands, no natural hazards or significant natural heritage features were identified. With all of this in consideration, MVC does not have any objection to the subject application

The property owner should be advised that in the event that shoreline work is proposed, written permission may be required from MVC pursuant to Ontario Regulation 153/06 - “Development, Interference with Wetlands and Alterations to Shorelines and Watercourses”.

In addition, any proposed works in or near the municipal drain should be reviewed by MVC to ensure there will be no harmful alteration, disruption or destruction of fish habitat. Authorization under Section 35 of the Fisheries Act may be required for such work.

A review for Species at Risk was not conducted. We suggest contacting the Ministry of Natural Resources for a review in this regard.

Should any questions arise please do not hesitate to call. Please advise us of the Committee’s decision in this matter.

On-Site Services (Septics) – Leeds, Grenville & Lanark District Health Unit

Severed – A 1.04 hectare property which is currently a field. Drainage mainly to the northwest. A hydro line intersects the property. There are rocky outcroppings. There is ample property to build a septic system. Care would need to be taken when installing due to power lines. The system would likely need to be fully raised using imported sandy loam fill.

Retained – A 40 hectare property. There are variations in elevation but main slope appears to be to the southwest. There is a treed area to rear of home. A ditch intersects the property. There is a house, barn and other outbuildings on the property. The soil is clay and there are rocky areas. A replacement septic system can be accommodated on property, keeping the clearance distance to the well.

Hydro One Networks

Hydro One has an unregistered easement through this property. If the customer wishes to have the hydro line moved in the future it will be at their expense. Also, the customer will need to grant Hydro One an easement location to move the new line if this were to take place. In saying this, Hydro One has no objection to the severance, just note that the Hydro line has easements in place on it.

Bell Canada R-O-W – No comments were received.

(c) PLANNING REVIEW

The applicant proposes to sever 1.04-ha residential building lot and retain a 40-ha landholding with an existing residence and farm buildings.

The subject lands are located in an area characterized by Residential / Farm along 7th Conc. Pakenham with intermittent smaller residential lots.

Due to the proximity of livestock facilities, MDS calculations were undertaken for the Fulton Farm located on Lot 3 and the Reid Farm located on Lot 4. The required setbacks are 198 m (Fulton) and 282 m (Fulton). If approved a note will be required that a completed MDS will be required prior to the issuance of a Building Permit.

The lands are accessed via 7th Conc. Pakenham, a municipally maintained road.

Soils Inventory – Name: Tweed

- Stoniness: very stony
- CLI: 6 – natural grazing only
- Drainage: well drained
- Hydrogeology: moderate

There were no objections raised by any of the agencies which were circulated regarding this proposal. In light of the foregoing, this office is satisfied that the applicant's proposal maintains the general intent and purpose of the PPS and Official Plan for the Town of Mississippi Mills and could be given favourable consideration.

(d) PUBLIC INPUT

No written submissions were received in response to the notice of application sent to every landowner pursuant to Clause 53(5) (a) of the Planning Act and Section 3(2) of O.Reg. 197/96 as amended.

(e) **MINUTES – August 30, 2010**

William and Donna Fulton, applicants, attended the hearing and gave evidence under oath.

The committee reviewed the staff report. No further information was provided.

(f) **DECISION & CONDITIONS**

DECISION: PROVISIONAL CONSENT IS GRANTED

REASONS: Having determined that a plan of subdivision is not necessary for the proper and orderly development of the municipality, and having determined that the proposal is consistent with the policy statements issued under subsection 3(1) of the Planning Act, and having had regard to the matters under subsection 51(24) of the Planning Act.

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands and the deed or Instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The Certificate of Consent "Schedule" attached to the deed / transfer required by Condition #1 above, shall include the following condition "The lot is adjacent to an agricultural area and may therefore be subject to noise, dust, odours and other nuisances associated with agricultural activities".
3. The deed and / or survey plan required by condition #1 above shall recognize any easements that currently exist.
4. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Town of Mississippi Mills.
5. The applicant to provide a digital copy of the registered reference plan in a .DWG file format to the Town of Mississippi Mills.
6. The applicant shall provide the Town of Mississippi Mills with a copy of all reference plans associated with this application.
7. The applicant shall obtain an entrance location permit from the Town of Mississippi Mills. The applicant shall consult directly with the Town in this regard.
8. A letter shall be received from the Town of Mississippi Mills stating that condition #4 through #7 has been fulfilled to their satisfaction.

NOTES

1. *Mississippi Valley Conservation advises that in the event that shoreline work is proposed, written permission may be required from MVC pursuant to Ontario Regulation 153/06 - "Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".*
2. *In addition, any proposed works in or near the municipal drain should be reviewed by MVC to ensure there will be no harmful alteration, disruption or destruction of fish habitat. Authorization under Section 35 of the Fisheries Act may be required for such work.*
3. *Hydro One advises that there is an unregistered easement through this property. If the customer wishes to have the hydro line moved in the future it will be at their expense.*
4. *It is recommended that the applicant review available water well records of adjacent lands to determine that there is adequate potable water for a residential dwelling.*
5. *The Leeds Grenville and Lanark District Health Unit advises that additional fill / imported fill may be required in the septic system area.*
6. *The lands to be severed and the retained lot may be subject to the Minimum Distance Separation requirements under the Agricultural Code of Practice. All future structures must respect MDS calculations.
The Town of Mississippi Mills will require a completed MDS prior to the issuance of a Building Permit in accordance with the Ontario Building Code.*

LAND DIVISION STAFF REPORT
APPLICATION FOR CONSENT

Owner: Lawrence & Dianne Coates

Hearing Date: August 30, 2010

Agent: N/A

LDC File #: B10/064

Municipality: Township of Montague

Geographic Township:

Lot: 19 & 20

Concession: 4

Roll No. 0901 000 020 36200

Consent Type: Lot Addition

Purpose and Effect: To sever a 0.6637-ha parcel of land as a lot addition to lands owned by Randy & Lynda Coates at Pt Lot 20 Conc. 4, Township of Montague.

DETAILS OF PROPOSAL	Land to be Severed	Land to be Retained
Existing Use	Farm	Residence and outbuildings
Proposed Use	Residence	Residence and outbuildings
Area	0.6337 ha	43.68 ha
Frontage	N/A	1100 m plus 500 m
Depth	48.768 m	500 m
Road - Access to	County Road	County Rd & Municipal Rd
Water Supply	None	Private Well
Sewage Disposal	None	Private Septic
Official Plan Designation -Conformity?		Rural Yes
Zoning Category	Rural	Rural
-Area Required (min.)	0.4-ha	0.4-ha
-Compliance?	Yes	Yes
-Frontage Required (min.)	46 m	46 m
-Compliance?	Yes	Yes

(a) **APPLICATION REVIEW**

Provincial Policy Statement - Provincial Interests were identified as follows:

1.1 Managing and Directing Land Use

Section 1.1.1.c) Healthy, liveable and safe communities are sustained by avoiding development and land use patterns which may cause environmental or public health and safety concerns.

Section 1.1.4.1 In rural areas located in municipalities permitted uses and activities shall relate to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses.

Official Plan – Section 4 General Development Policies, Section 5 Rural Lands Policy, Section 12 Road Proposals, Section 14 Committee of Adjustment and Land Division Committee.

The Township of Montague advises that the proposal conforms with the designations and policies of the Official Plan.

Zoning By-law - Section 3 General Provisions, Section 18 Rural Zone.

The Township of Montague advises that the proposal complies with the zoning by-law regulations.

(b) AGENCY REVIEW

This application has been circulated to those agencies that were considered to have an interest in the proposal. The following comments were received:

Township of Montague – recommends approval of this application subject to the following conditions:

- That the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.
- That a copy of the reference plan to be provided to Township of Montague.

Conservation Authority – Rideau Valley Conservation – May 19, 2010

This application contains no matters that affect the Conservation Authority mandate or interests.

On-Site Services (Septics) – Leeds, Grenville & Lanark District Health Unit

Severed – The property is 1.64 acres of farmland consisting of fields and trees. The severed property will be added to an existing lot previously severed from the property

Retained – The property is 107.95 acres of farmland consisting of pastures, treed areas, a residence and outbuildings. The existing septic system will not be adversely affected by the severance. There will be ample land for future replacement of the septic system.

(c) PLANNING REVIEW

The applicant proposes to sever 0.6637-ha parcel of land as a lot addition to lands owned by Randy and Lynda Coates at Pt Lot 20 Conc. 4 Montague and retain a 43.68-ha landholding with an existing dwelling, barn and outbuildings. .

A livestock facility is located on the retained lands; therefore an MDS calculation was undertaken. A minimum distance separation of 211 m is required. The separation distance between the manure storage and livestock facility is 425 m.

The lands are accessed via Rosedale Road S, a county maintained road. No new entrance is proposed.

Soils Inventory – Name: Farmington

- Stoniness: slightly stony
- CLI: 6 – natural grazing only
- Drainage: well drained
- Hydrogeology: moderate

There were no objections raised by any of the agencies which were circulated regarding this proposal. In light of the foregoing, this office is satisfied that the applicant's proposal maintains the general intent and purpose of the PPS and Official Plan for the Township of Montague and could be given favourable consideration.

(d) **PUBLIC INPUT**

No written submissions were received in response to the notice of application sent to every landowner pursuant to Clause 53(5) (a) of the Planning Act and Section 3(2) of O.Reg. 197/96 as amended.

(e) **MINUTES – August 30, 2010**

No persons attended the hearing.

(f) **DECISION & CONDITIONS**

DECISION: PROVISIONAL CONSENT IS GRANTED

REASONS: Having determined that a plan of subdivision is not necessary for the proper and orderly development of the municipality, and having determined that the proposal is consistent with the policy statements issued under subsection 3(1) of the Planning Act, and having had regard to the matters under subsection 51(24) of the Planning Act.

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands and the deed or Instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The Certificate of Consent "Schedule" attached to the deed / transfer required by Condition #1 above, shall include the following condition "The lot is adjacent to an agricultural area and may therefore be subject to noise, dust, odours and other nuisances associated with agricultural activities".
3. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township of Montague.
4. The applicant shall provide the Township of Montague with a copy of all reference plans associated with this application.
5. The lands to be severed are for the purpose of a lot addition only to the adjacent lands owned by Randy Lawrence Coates and Lynda Valerie Coates described as Part 1, Reference Plan 27R-3784 and Part 1 Reference Plan 27R-8166, being Part Lot 20 Conc. 4 Township of Montague, and any subsequent transfer, charge or other conveyance of the lands to be severed is subject to Section 50(3) (or subsection 50(5) if in a plan of subdivision) of the Planning Act. Neither the lands to be severed nor the adjacent lands are to be reconveyed without the other parcel unless a further consent is obtained. The owner shall cause the lands to be severed to be consolidated on title with the adjacent lands and for this condition to be entered into the parcel register as a restriction.
6. A letter shall be received from the Township of Montague stating that condition # 3 to #4 has been fulfilled to their satisfaction.



LAND DIVISION STAFF REPORT

APPLICATION FOR CONSENT

Owner: Susan Margo Baker **Hearing Date:** August 30, 2010
Agent: Evelyn Wheeler & Duncan Abbott
LDC File #: B10/092
Municipality: Township of Mississippi Mills
Geographic Township: Almonte **Lot:** 4 **Plan:** 6262 Malloch Section
Roll No. 0931 010 010 14701 **Consent Type:** Lot Addition

Purpose and Effect: To sever a 1729.86 sq.m. parcel of land as a lot addition to lands owned by Evelyn Wheeler and Duncan Abbott at Pt Lot 36 Plan 6262 Malloch Section, Town of Almonte. The lands are accessed via Mitcheson Street.

DETAILS OF PROPOSAL	Land to be Severed	Land to be Retained
Existing Use	Vacant	Vacant
Proposed Use	Lot Addition	Vacant
Area	1729.86 sq m	3459.72 sq m
Frontage	26.21 m	52.42 m
Depth	66 m	66 m
Road - Access to	County Rd	County Rd
Water Supply	Public	None
Sewage Disposal	Public	None
Official Plan Designation -Conformity?	Residential Yes	
Zoning Category	Residential 1	Residential 1
-Area Required (min.)	n/a – lot addition	460 sq.m.
-Compliance?		Yes
-Frontage Required (min.)		18 m
-Compliance?		Yes

(a) APPLICATION REVIEW

Provincial Policy Statement - Provincial Interests were identified as follows:

1.1 Managing and Directing Land Use

Section 1.1.1.c) Healthy, liveable and safe communities are sustained by avoiding development and land use patterns which may cause environmental or public health and safety concerns.

1.1.3 Settlement Areas

Section 1.1.3.1 Settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted.

Section 1.1.3.3 Planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas including brownfield sites.

Section 1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while maintained appropriate levels of public held and safety.

1.6 Infrastructure and Public Service Facilities

Section 1.6.4.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement area. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible.

Official Plan – Section 2 Basis of Plan, 3.6 Residential Policies, Section 4 General Policies, Section 5.3.11 Consent to Sever.

The Town of Mississippi Mills advises that the proposal conforms to the designations and policies of the Community Official Plan

Zoning By-law - Section 6 General Provisions, Section 10 Residential Type 1 Zone.

The Town of Mississippi Mills advises that the proposal complies with the zoning by-law regulations.

(b) AGENCY REVIEW

This application has been circulated to those agencies that were considered to have an interest in the proposal. The following comments were received:

Town Planner's Report – August 24, 2010

Background

Susan Baker currently owns approximately .52ha (1.29ac) of land located on a municipally owned and maintained street, Martin Street, in Almonte Ward, in the Town of Mississippi Mills. The intent of the application is to sever off a portion of the property and add it to an abutting property.

The lot subject to the consent application is designated Residential in the Official Plan. The retained parcel of land is designated Residential. All of the lands are zoned "Residential Type 1 (RI) Zone."

Severance Application Summary

Lot Severance - This application is to sever a .427ac (1729.86m²) parcel of Residential Type 1 land and add it to an existing residential lot located to the south-west, known municipally as 233 Mitcheson St., currently owned by Evelyn Wheeler and Duncan Abbott. The intent of the application is to increase the size of the neighbouring residential lot. The retained lands would maintain a road frontage of approximately 52.42m (11350.8ft) on Martin St. and would have a lot area of .855ac (3459.72m²).

Community Official Plan:

The Community Official Plan states that severances and lot creation are permitted on lands designated Residential, but are limited to two lots plus the retained lot, except where

otherwise specially provided in the plan. Section 5.3.11.2.1(iii) General Consent Policies also states that the "Town shall support applications to create lots by consent when: the proposed lots are in keeping with the lot area, frontage and density pattern of the

surrounding neighbourhood” As well, Section 5.3.11.2.7(u) states, “In addition to the creation of new lots, consents may be granted for the following purposes: convey additional land to an adjacent lot, provided the conveyance does not lead to the creation of an undersized lot.” In this case, this proposed severance is not creating a new lot, but rather is adding approximately .427ac (1729.86m²) to an existing lot of record, bringing the lot to .833ac (3371.05m²). There are several lots within the surrounding neighbourhood which are of a similar size as the lot being proposed. In addition, the retained lands will remain .855ac (3459.72m²). As a result, the severance is viewed as a boundary adjustment and therefore the limitation of 2 severances per lot of record does not apply in this case. Other provisions within the Official Plan regarding general consent policies for severances, such as access, lot area, lot frontage, demonstrate capacity for private services do not apply because the application is not creating a new lot.

The proposed severance is consistent with the intent of the Community Official Plan.

Zoning By-law 01-70:

The property subject to the application is zoned Residential. The zoning provisions for lots in the Residential Type 1 (R1) zone require a minimum lot area of 460m² (4951 .6112) on municipal water and sewer. The required minimum lot frontage for Residential Type 1 property is 18m (5911). While this requirement may not be required for the land being severed because it is being added to an existing lot, these requirements will apply to the retained parcel. In regard to the application, the retained lands will have a minimum lot area of 3459.72m² (37240.43112) and a minimum lot frontage of 52.42m (171.9811), which meet the zoning requirements. The proposed severance is consistent with the intent of the Zoning By-law.

Conclusion

The proposed severance is consistent with the Community Official Plan policy regarding severances and lot creation and is consistent with the zoning by-law. With this in mind, staff’s recommendation regarding the proposed severance is to support the application.

Town of Mississippi Mills – recommends approval of this application subject to the following conditions:

- That the applicant provide a copy of the registered reference plan to the Town.
- That the applicant provide a digital copy of the registered reference plan in a .DWG file format.
- That the applicant pays any outstanding property taxes on the subject property.

(c) **PLANNING REVIEW**

The applicant proposes to sever 1729.86 sq.m. parcel of land as a lot addition to land owned by Evelyn Wheeler and Duncan Abbott at Pt Lot 36 Plan 6262 Malloch Section, Town of Almonte and retain a 3459.72 sq.m. vacant building lot.

The lands to be enlarged are accessed via Mitcheson Street and the lands to be retained are accessed via Martin Street, both municipally maintained streets.

There were no objections raised by any of the agencies which were circulated regarding this proposal. In light of the foregoing, this office is satisfied that the applicant’s proposal maintains the general intent and purpose of the PPS and Official Plan for the Town of Mississippi Mills and could be given favourable consideration.

(d) **PUBLIC INPUT**

No written submissions were received in response to the notice of application sent to every landowner pursuant to Clause 53(5)(a) of the Planning Act and Section 3(2) of O.Reg. 197/96 as amended.

(e) **MINUTES – August 30, 2010**

Duncan Abbott, agent, attended the hearing and gave evidence under oath.

Mr. Abbott advised that as the lands are on a Plan of Subdivision and do not require a survey, also that under the Planning Act, the lands being severed as a lot addition can still be sold separately as they are on a plan of subdivision.

The committee reviewed the staff report. No further information was provided.

(f) **DECISION & CONDITIONS**

DECISION: PROVISIONAL CONSENT IS GRANTED

REASONS: Having determined that a plan of subdivision is not necessary for the proper and orderly development of the municipality, and having determined that the proposal is consistent with the policy statements issued under subsection 3(1) of the Planning Act, and having had regard to the matters under subsection 51(24) of the Planning Act.

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands and the deed or Instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Town of Mississippi Mills.
3. The applicant to provide a digital copy of the registered reference plan in a .DWG file format to the Town of Mississippi Mills (if required by the Land Titles Office).
4. The applicant shall provide the Town of Mississippi Mills with a copy of all reference plans associated with this application (if required by the Land Titles Office).
5. A letter shall be received from the Town of Mississippi Mills stating that condition #2 through #4 has been fulfilled to their satisfaction.

6. The lands to be severed are for the purpose of a lot addition only to the adjacent lands owned by Evelyn Wheeler and Duncan Abbott described as Pt Lot 36 Plan 6262 Malloch Section, Town of Almonte, and any subsequent transfer, charge or other conveyance of the lands to be severed is subject to Section 50(3) (or subsection 50(5) if in a plan of subdivision) of the Planning Act. Neither the lands to be severed nor the adjacent lands are to be reconveyed without the other parcel unless a further consent is obtained. The owner shall cause the lands to be severed to be consolidated on title with the adjacent lands and for this condition to be entered into the parcel register as a restriction.



LAND DIVISION STAFF REPORT

APPLICATION FOR CONSENT

Owner: Karl David Bruun **Hearing Date:** August 30, 2010

Agent: N. Alan Jones

LDC File #: B10/093

Municipality: Town of Carleton Place

Geographic Township: Beckwith **Lot:** 12 **Concession:** 12

Roll No. 0928 010 025 05601 **Consent Type:** Lot Addition

Purpose and Effect: To sever a 0.103-ha parcel of land as a lot addition to lands owned by Carlgate Development Inc. (under purchase and sale agreement with the Town of Carleton Place) at Pt Lot 12 Conc. 12 Beckwith. The lands to be enlarged are accessed via Townline Road.

DETAILS OF PROPOSAL	Land to be Severed	Land to be Retained
Existing Use	Vacant	Residential
Proposed Use	Vacant	Residential
Area	0.103 ha	0.253 ha
Frontage	N/A	36.33 m
Depth	Irregular	58.44 m Irregular
Road - Access to	None	Municipal Road
Water Supply	Public	Public
Sewage Disposal	Public	Public
Official Plan Designation	Residential – 2	
-Conformity?	Yes	
Development Permit Category	High Street Residential	High Street Residential
- Lot Coverage (min.)	n/a – lot addition	60%
-Compliance?		Yes
-Frontage Required (min.)		10.6 m
-Compliance?		Yes

(a) **APPLICATION REVIEW**

Provincial Policy Statement - Provincial Interests were identified as follows:

1.1 Managing and Directing Land Use

Section 1.1.1.c) Healthy, liveable and safe communities are sustained by avoiding development and land use patterns which may cause environmental or public health and safety concerns.

Section 1.1.4.1 In rural areas located in municipalities permitted uses and activities shall relate to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses.

1.6 Infrastructure and Public Service Facilities

Section 1.6.4.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement area. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible.

Official Plan – Section 3 General Policies, Section 4.2 Residential Policies, Section 7.4 Subdivision (consent).

The Town of Carleton Place advises that the proposal conforms with the designations and policies of the Official Plan.

Development Permit By-law - Section 2.0 Administration, Section 3.0 General Provisions, Section 5.3 High Street Residential.

The Town of Carleton Place advises that the proposal complies with the provisions of the Development Permit By-law regulations.

(b) AGENCY REVIEW

This application has been circulated to those agencies that were considered to have an interest in the proposal. The following comments were received:

Town of Carleton Place – Planners Report

A consent application has been received for the property known municipally as 345 High Street to sever the rear portion of the property being 0.103 ha and add it to the adjacent property at 320 Townline Road. There is an existing single family dwelling on the retained parcel. The severed parcel will be added to the adjacent lands (which is under a purchase and sale agreement with the Town by Carlgate Developments) and will be incorporated into a future subdivision.

COMMENT

The application is a lot line adjustment between the two parcels of land noted above. The Official Plan designation is High Street Residential (R-2). This designation restricts residential development to single and semi-detached units. The Development Permit designation of the property is High Street Residential.

Town of Carleton Place – recommends approval of this application subject to the following conditions:

1. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Town.
2. That the applicant provides a digital copy of the deposited reference plan (in NAD83 datum) to the Town of Carleton Place.
3. The lands to be severed are for the purpose of a lot addition only to the adjacent lands owned by the Town of Carleton Place under a Purchase and Sale Agreement with Carlgate Developments.

(c) PLANNING REVIEW

The applicant proposes to sever 0.103-ha parcel of land as a lot addition to lands owned by the Town of Carleton Place (which is under purchase and sale to Carlgate Developments) and retain a 0.253-ha residential lot with an existing dwelling at 345 High

Street) 35 acre landholding. The additional lands will be added to lands which will be the subject of a future plan of subdivision.

The subject lands are located in an area characterized by typical residential development along High Street.

The retained lands are accessed via High Street, a municipally maintained road.

There were no objections raised by any of the agencies which were circulated regarding this proposal. In light of the foregoing, this office is satisfied that the applicant's proposal maintains the general intent and purpose of the PPS and Official Plan for the Town of Carleton Place and could be given favourable consideration.

(d) PUBLIC INPUT

No written submissions were received in response to the notice of application sent to every landowner pursuant to Clause 53(5) (a) of the Planning Act and Section 3(2) of O.Reg. 197/96 as amended.

(e) MINUTES – August 30, 2010

Alan Jones, agent, attended the hearing and gave evidence under oath.

Mr. Abbott confirmed that the lands being severed are to be added to lands currently owned by the Town of Carleton Plan, under a 'Purchase and Sale Agreement' with Carlgate Developments Inc.

The committee reviewed the staff report. No further information was provided.

(f) DECISION & CONDITIONS

DECISION: PROVISIONAL CONSENT IS GRANTED

REASONS: Having determined that a plan of subdivision is not necessary for the proper and orderly development of the municipality, and having determined that the proposal is consistent with the policy statements issued under subsection 3(1) of the Planning Act, and having had regard to the matters under subsection 51(24) of the Planning Act.

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands and the deed or Instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Town of Carleton Place.

3. The applicant to provide a digital copy of the registered reference plan in a .DWG file format to the Town of Carleton Place.
4. A letter shall be received from the Town of Carleton Place stating that condition #2 and #3 has been fulfilled to their satisfaction.
5. The lands to be severed are for the purpose of a lot addition only to the adjacent lands owned by the Corporation of the Town of Carleton Place (under a purchase and sale agreement with Carlgate Developments Inc.) described as Part Lot 12 Conc. 12, geographic Township of Beckwith, and any subsequent transfer, charge or other conveyance of the lands to be severed is subject to Section 50(3) (or subsection 50(5) if in a plan of subdivision) of the Planning Act. Neither the lands to be severed nor the adjacent lands are to be reconveyed without the other parcel unless a further consent is obtained. The owner shall cause the lands to be severed to be consolidated on title with the adjacent lands and for this condition to be entered into the parcel register as a restriction.



LAND DIVISION STAFF REPORT

APPLICATION FOR CONSENT

Owner: Allan Code **Hearing Date:** August 30, 2010
Agent: N/A
LDC File #: B10/096
Municipality: Town of Carleton Place
Geographic Township: **Lot:** 58, 59, 60 **Plan:** 276
Roll No. 0928 020 040 00400 **Consent Type:** New Lot

Purpose and Effect: To sever a 582.83 sq.m. residential building lot and retain a 569.82 sq.m. residential building lot. The lands are accessed via Mill Street.

DETAILS OF PROPOSAL	Land to be Severed	Land to be Retained
Existing Use Proposed Use	Vacant Residential	Vacant Residential
Area Frontage Depth Road - Access to	582.83 sq m 20.76 m 27.02 m Municipal Road	569.82 sq m 22.68 m 23.88 m Municipal Road
Water Supply Sewage Disposal	Public Public	Public Public
Official Plan Designation -Conformity?		Residential Yes
Development Permit Category -Coverage (Max.) -Compliance? -Frontage Required (min.) -Compliance?	Primary Residential 60% Yes 10.6 m Yes	Primary Residential 60% Yes 10.6 m Yes

(a) **APPLICATION REVIEW**

Provincial Policy Statement - Provincial Interests were identified as follows:

1.1 Managing and Directing Land Use

Section 1.1.1.c) Healthy, liveable and safe communities are sustained by avoiding development and land use patterns which may cause environmental or public health and safety concerns.

Section 1.1.4.1 In rural areas located in municipalities permitted uses and activities shall relate to the management or use of resources, resource-based recreational activities,

limited residential development and other rural land uses.

1.1.3 Settlement Areas

Section 1.1.3.1 Settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted.

Section 1.1.3.3 Planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas including brownfield sites.

Section 1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while maintained appropriate levels of public held and safety.

1.6 Infrastructure and Public Service Facilities

Section 1.6.4.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement area. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible.

2.6 Cultural Heritage and Archaeology

Section 2.6.2 Development and site alteration shall only be permitted on lands containing archaeological resources or areas of archaeological potential if the significant archaeological resources have been conserved by removal and documentation, or by preservation o site. Where significant archaeological resources must be preserved on site, only development and site alteration which maintain the heritage integrity of the site may be permitted.

Section 2.6.3 Development site alteration may be permitted on adjacent lands to protected heritage property where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected property will be conserved.

Mitigative measures and/or alternative development approaches may be required in order to conserve the heritage attributes of the protected heritage property affected by the adjacent development or site alterations.

Official Plan – Section 3 General Policies, Section 4.2 Residential Policies, Section 7.4 Subdivision (consent).

The Town of Carleton Place advises that the proposal conforms with the designations and policies of the Official Plan.

Development Permit By-law - Section 2.0 Administration, Section 3.0 General Provisions, Section 5.1 Primary Residential.

The Town of Carleton Place advises that the proposal complies with the provisions of the Development Permit By-law regulations.

(b) AGENCY REVIEW

This application has been circulated to those agencies that were considered to have an interest in the proposal. The following comments were received:

TOWN OF CARLETON PLACE – Planner's Report

A consent application has been received for the property known municipally as 72 Mill Street. The lot is currently vacant and the applicant intends to sever one residential lot from the existing parcel. The result would be 2 residential lots. The severed lot would be approximately 22.0 metres wide and 569.82m². The retained parcel would be approximately 20.76 metres wide and 582.83m².

COMMENT

The Official Plan designation is Residential (R). This designation allows for a mix of housing types which complement the existing small town character. This includes single detached, semi-detached and townhouse style dwellings and apartment units. The Development Permit designation of the property is Residential. The effect of the application will be to create two vacant building lots. A conditional permit for a single family house has been granted for the property. The house has been positioned on the property in relation to the proposed lot line.

Upon review of the application, a road widening is required across the entire frontage of the property. The applicant is aware of this and the location of the house has taken this into consideration.

Town of Carleton Place – recommends approval of this application subject to the following conditions:

1. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Town.
2. That the applicant provides a Site Grading and Drainage Plan for the retained and severed parcels to the satisfaction of the Town of Carleton Place.
3. That the applicant provides a digital copy of the reference plan (in NAD83 datum);
4. That the applicant provides the Town with a Building Location Survey or Surveyor's Certificate demonstrating that the lands severed and the lands retained are in compliance with all Development Permit provisions. The surveyor's information shall include confirmation of adequate frontage and area for both the severed and retained parcels along the maintained road.
5. Satisfactory evidence shall be provided to the Town of Carleton Place by way of a surveyor's report to confirm the setback for the existing building to the new property lines and existing property lines meet the Ontario Building Code and Development Permit by-law.
6. That a road widening be provided for Mill Street.
7. That building elevations for the severed lot be provided that demonstrate that the existing character of the neighbourhood is maintained.

Hydro One Networks – No comments were received.

Bell Canada R-O-W – No comments were received.

(c) PLANNING REVIEW

The applicant proposes to sever a 569.82 sq.m. and retain a 582.83 sq.m. residential building lot. Both lots are currently vacant.

The subject lands are located in an area characterized by Residential on typical urban lots.

The lands are accessed via Mill Street, a municipally maintained road.

The lands are within 500 m of a Primary Water Source (Mississippi River)

There were no objections raised by any of the agencies which were circulated regarding this proposal. In light of the foregoing, this office is satisfied that the applicant's proposal maintains the general intent and purpose of the PPS and Official Plan for the Town of Carleton Place and could be given favourable consideration.

(d) **PUBLIC INPUT**

Written submissions were received in response to the notice of application sent to every landowner pursuant to Clause 53(5) (a) of the Planning Act and Section 3(2) of O.Reg. 197/96 as amended. as follows:

Trish & Jamie Dyer
158 Judson St
Carleton Place, ON K7C 2S9

My husband and I are owners of 156 Judson and 158 Judson and occupy the latter. On Friday July 23rd. we received your notice of the application by Mr Allan Code to sever a lot at the corner of Judson and Mill Street from the property he and his wife are currently building a home on.

The notice indicates that the lot is accessed from Mill Street

We do not oppose the severance PROVIDED:

- 1)the property CONTINUES to be accessed from Mill Street.
- 2)the zoning on the property is SINGLE family residential.

Our concern about access to the property is based on the fact that there are two driveways on Judson Street directly across from the subject property. The first driveway leads into a parking lot for the Boulton Brown Condominiums on Mill Street. The second is our driveway at 158. Turning either way out of either driveway is already tricky enough due to close proximity to the corner of Mill. A third driveway on Judson in that short stretch would be hazardous.

Our concern about the zoning pertains to the character of the area and property values.

Mill Street, as you probably know, runs east from Bridge Street (Carleton Place Town Hall is on the north side) and sort of peters out at a railway trestle which leads to Princess Street and two single lane bridges.

The majority of the buildings on the street including the condominiums (a converted grist mill) are limestone fronted heritage properties.

From Judson Street east there are two houses on the north (river shoreline side) directly across from the Code's property including a stone house which is being done up to the nines by an (obviously wealthy) couple who plan to occupy it during part of the year.

Mr. Code and his wife own the entire south side including a massive single story commercial/industrial building which occupies the land up to the railway tracks. The modern bungalow they are building is between that building and the lot they are applying to sever.

Here's our concern:

The lot to be severed has a view of the river across the second condominium parking lot which is located on the river.

The riverview will attract developers. To maximize profit a developer would be looking at a semi-detached minimum or worse.

If that happened the character of the neighbourhood would be all but destroyed and property values compromised.

My husband and I bought our property- a duplexed one hundred and sixty year stone cottage with ninety feet of frontage on Judson Street a year ago this month from a 'slumlord' and have invested our life savings gutting and rebuilding it.

(We are middle aged and plan to use income from the rental side as our pension when we have paid off our mortgage.

We chose the property-despite all the work and money involved specifically because of it's location - the heritage aspect really appealed to us- and the fact that lots in the area were large keeping down density.

Could you address our concerns?

Is there zoning involved in the severance?

Is access to the property restricted to Mill Street?

Can it be restricted to Mill Street?

Do we need to come to Perth to attend the meeting?

(Note – a reply was provided to the above noted concerns.)

(e) MINUTES – August 30, 2010

Eleanor and Allan Code, applicants, attended the hearing and gave evidence under oath.

Mrs. Code expressed concern that they were being restricted to access only by Mill Street as outlined by the Dyer's. The chair advised that this issue should be discussed with the Town of Carleton Place.

The committee reviewed the staff report. No further information was provided.

(f) DECISION & CONDITIONS

DECISION: PROVISIONAL CONSENT IS GRANTED

REASONS: Having determined that a plan of subdivision is not necessary for the proper and orderly development of the municipality, and having determined that the proposal is consistent with the policy statements issued under subsection 3(1) of the Planning Act, and having had regard to the matters under subsection 51(24) of the Planning Act.

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands and the deed or Instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.

2. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Town of Carleton Place.
3. That the applicant provides a Site Grading and Drainage Plan for the retained and severed parcels to the satisfaction of the Town of Carleton Place.
4. That the applicant provides a digital copy of the reference plan (in NAD83 datum) to the Town of Carleton Place.
5. That the applicant provides the Town of Carleton Place with a Building Location Survey or Surveyor's Certificate demonstrating that the lands severed and the lands retained are in compliance with all Development Permit provisions. The surveyor's information shall include confirmation of adequate frontage and area for both the severed and retained parcels along the maintained road.
6. Satisfactory evidence shall be provided to the Town of Carleton Place by way of a surveyor's report to confirm the setback for the existing building to the new property lines and existing property lines meet the Ontario Building Code and Development Permit by-law.
7. That the applicant provide the Town of Carleton Place with the building elevations for the severed lot demonstrating that the existing character of the neighbourhood is maintained.
8. Sufficient lands shall be deeded to the Town of Carleton Place along the frontages of the lot to be severed and retained to meet the municipality's road widening requirements, at no cost to the Town. Deeds are to be submitted to the municipality for review accompanied by a solicitor's certificate indicating that the municipality's title is free and clear of all encumbrances and the municipality has a good and marketable title. The Town Roads Public Works Director should be consulted prior to commencing a survey to determine the amount of road widening required.
9. A letter shall be received from the Town of Carleton Place stating that condition #2 through #8 has been fulfilled to their satisfaction.

NOTES

1. *That if during the process of development archeological remains be uncovered, the developer or their agents should immediately notify the Archaeology Section of the Ontario Ministry of Culture.
That in the event that human remains are encountered during construction, the developer should immediately contact both the Ministry of Culture and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Commercial Relations.*



LAND DIVISION STAFF REPORT

APPLICATION FOR CONSENT

Owner: George & Claudette Dallaire **Hearing Date:** August 30, 2010
Agent: Timothy B. Colbert
LDC File #: B10/097
Municipality: Township of Mississippi Mills
Geographic Township: Pakenham **Lot:** 27 **Concession:** 5
Roll No. 0931 946 020 13800 **Consent Type:** New Lot

Purpose and Effect: To sever a 19.83-ha vacant landholding and retain a 19.83-ha landholding with an existing dwelling. The lands are accessed via 5th Conc. Pakenham North. This application is a resubmission of application B08/074 which was allowed to lapse.

DETAILS OF PROPOSAL	Land to be Severed	Land to be Retained
Existing Use	Bush	Bush
Proposed Use	Residence	Residence
Area	19.83 ha	19.83 ha
Frontage	335.28 m	335.28 m
Depth	1182.9 m	1182.9 m
Road - Access to	Municipal Road	County Road
Water Supply	Private Well	Private Well
Sewage Disposal	Private Septic	Private Septic
Official Plan Designation -Conformity?		Rural Yes
Zoning Category	Rural 0.4-ha	Rural 0.4-ha
-Area Required (min.)	Yes	Yes
-Compliance?	45 m	45 m
-Frontage Required (min.)	Yes	Yes
-Compliance?	n/a	n/a

(a) **APPLICATION REVIEW**

Provincial Policy Statement - Provincial Interests were identified as follows:

1.1 Managing and Directing Land Use

Section 1.1.1.c) Healthy, liveable and safe communities are sustained by avoiding development and land use patterns which may cause environmental or public health and safety concerns.

Section 1.1.4.1 In rural areas located in municipalities permitted uses and activities shall relate to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses.

1.6 Infrastructure and Public Service Facilities

Section 1.6.4.4 Individual on-site sewage services and individual on-site water services shall be used for a new development of five or less lots or private residences where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not provided and where site conditions are suitable for the long-term provisions of such services.

Official Plan – Section 2 Basis of Plan, Section 2.1.2 Environmental and Natural Heritage Features, Section 3.3 Rural Policies, Section 4 General Policies, Section 4.8.3 Sewage Disposal and Water Supply, Section 5.3.11 Consent to Sever Land.

The Town of Mississippi Mills advises that the proposal conforms to the designations and policies of the Community Official Plan.

Zoning By-law - Section 6 General Provisions, Section 14.0 Rural Residential Environmental Protection Zone.

The Town of Mississippi Mills advises that the proposal complies with the provisions of the Zoning By-law.

(b) AGENCY REVIEW

This application has been circulated to those agencies that were considered to have an interest in the proposal. The following comments were received:

The Town of Mississippi Mills requested that the same conditions apply to the application being resubmitted:

1. that the applicant provide a copy of the registered reference plan to the Town;
2. that the applicant pay any outstanding property taxes on the subject property;
3. that the applicant must acquire an entrance permit from 5th Concession Road;

On-Site Services (Septics) – Leeds, Grenville & Lanark District Health Unit Severed – Gently Rolling treed covered land sloping from South to North. Wet conditions exist in South West corner of the lot. Sandy loam soil approximately 3 feet deep. Additional granular fill will be required in proposed tile bed area.

Retained – Existing residential house serviced by a Class 4 septic system and private well. Sufficient land area to replace existing system. Sandy loam soil 5 feet deep. Satisfactory.

(c) PLANNING REVIEW

The applicant proposes to sever 19.8254-ha vacant landholding and retain a 19.825-ha landholding with an existing dwelling. The lands were the subject of Severance B08/074, which was allowed to lapse.

The subject lands are located in an area characterized by Residential on large landholdings along Waba Road and Stewart Road, smaller residential lots are located to the south along Campbell Side Road.

The lands are outside any Conservation Area.

The lands to be severed are accessed via Stewart Road, a municipally maintained road.

Soils Inventory – Muck – however not classified as wetlands.

The lands are within the Spartum Deer Yard. Notes will be required (if approved) to advise future purchasers.

There were no objections raised by any of the agencies which were circulated regarding this proposal. In light of the foregoing, this office is satisfied that the applicant's proposal maintains the general intent and purpose of the PPS and Official Plan for the Town of Mississippi Mills and could be given favourable consideration.

(d) PUBLIC INPUT

No written submissions were received in response to the notice of application sent to every landowner pursuant to Clause 53(5) (a) of the Planning Act and Section 3(2) of O.Reg. 197/96 as amended.

(e) MINUTES – August 30, 2010

George and Claudette Dallaire, applicants, attended the hearing and gave evidence under oath.

The committee reviewed the staff report. No further information was provided.

(f) DECISION & CONDITIONS

DECISION: PROVISIONAL CONSENT IS GRANTED

REASONS: Having determined that a plan of subdivision is not necessary for the proper and orderly development of the municipality, and having determined that the proposal is consistent with the policy statements issued under subsection 3(1) of the Planning Act, and having had regard to the matters under subsection 51(24) of the Planning Act.

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands and the deed or Instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Town of Mississippi Mills.

3. The applicant to provide a digital copy of the registered reference plan in a .DWG file format to the Town of Mississippi Mills.
4. The applicant shall provide the Town of Mississippi Mills with a copy of all reference plans associated with this application.
5. The applicant shall obtain an entrance location permit from the Town of Mississippi Mills. The applicant shall consult directly with the Town in this regard.
6. A letter shall be received from the Town of Mississippi Mills stating that condition #2 through #5 has been fulfilled to their satisfaction.

NOTES

1. *Future building envelope should be positioned on open lands. Limited tree cover should be removed, particularly browse and cedar trees.*
2. *Landowners are encouraged to keep domestic pets (dogs) leashed or penned at all times.*
3. *The Leeds Grenville and Lanark District Health Unit advises that additional granular fill will be required in proposed tile bed area.*
4. *It is recommended that the applicant review available water well records of adjacent lands to determine that there is adequate potable water for a residential dwelling.*



LAND DIVISION STAFF REPORT

APPLICATION FOR CONSENT

Owner: Alex Testa c/o AMT Group **Hearing Date:** August 30, 2010
Agent: Kate Whitfield c/o J.L. Richards & Associates Ltd.
LDC File #: B10/099
Municipality: Township of Beckwith
Geographic Township: **Lot:** 12 **Concession:** 8
Roll No. 0924 000 020 25800 **Consent Type:** Lot Line Adjustment

Purpose and Effect:

Lot Line A – To sever a 4.5 m x 82.5 m strip of land as a lot line adjustment to accommodate a new driveway off 9th Line Beckwith between Lots 1 and 3.

Lot Line B – To sever a 2.5 m x 59.3 m strip of land as a lot line adjustment to provide Lot 1 with a larger rear lot line between Lots 1 and 2.

DETAILS OF PROPOSAL	Land to be Severed	Land to be Retained
Existing Use Proposed Use	Vacant Vacant	Residential Residential
Official Plan Designation -Conformity?	Residential Yes	
Zoning Category -Area Required (min.) -Compliance? -Frontage Required (min.) -Compliance?	Residential n/a Lot Addition	Residential

(a) APPLICATION REVIEW

Provincial Policy Statement - Provincial Interests were identified as follows:

1.1 Managing and Directing Land Use

Section 1.1.1.c) Healthy, liveable and safe communities are sustained by avoiding development and land use patterns which may cause environmental or public health and safety concerns.

Section 1.1.4.1 In rural areas located in municipalities permitted uses and activities shall relate to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses.

J.L. Richards – Planner’s Report – June 18, 2010

Please find enclosed an Application package for a Lot Line Adjustment for Lot 1, of Registered Subdivision 091-07006 (Country Lane Estates), Greater Blacks Corners, Township of Beckwith.

J.L. Richards & Associates Limited (JLR) has been retained by Mr. Alex Testa of AMT Group Inc. to assist with management of this Application.

The subject lands are labelled Lot land Lot 2 in the Country Lane Estates Subdivision. For the purpose of this Application the property located at 1883 9^o Line Road will be labelled Lot 3 (refer to attached diagram).

The first lot line to be adjusted divides Lot 1 and Lot 3. For these purposes, we will call this lot line “Lot Line A.” The second lot line to be adjusted divides Lot 1 and Lot 2. For these proposes, we will call this lot line “Lot Line B.”

The purpose of this Application to adjust Lot Line A, is to provide Lot 3 with space to create a new driveway off of 9th Line Road and ends at an existing garage on the property. The existing house on the property has access to 9th Line Road by an existing driveway. The lot line would be shifted approximately 7 m to the northeast. The location of the new Lot Line A was selected in order to accommodate the new driveway, while also preserving a large tree that currently exists on Lot 3 on the edge of the current driveway.

With respect to Lot Line B, the purpose of this Application is to provide Lot 1 with a larger rear yard, while still maintaining a distance of 5 m between the lot line and the septic bed of Lot 2. The required separation distance between a septic bed and a lot line is 4.5 m.

As both Lot Line Adjustments alter the dimensions of Lot 1 and as both Lot 1 and Lot 2 are currently held under ownership of AMT Group Inc., it is our belief that both adjustments should be included in the same Application.

Both Lot 1 and Lot 3 have existing houses and private services on the properties. Lot 1 and Lot 2 are subject to a Plan of Subdivision file number: 09T-07006 (Country Lane Estates) registered May/April 2010.

Lot Line A is to be moved farther northwest onto Lot 1. This move will be at a 90 degree angle to 9th Line Road by 7 m at the northernmost end of Lot Line A and 5 m at the southernmost end. Lot Line B is to be moved farther southeast onto Lot 2. This adjustment will be at a 90 degree angle to the first lot line adjustment, 2 m at the southernmost end of Lot Line B and 2.5 m at the northernmost end. This adjustment will make Lot 1 a rectangle.

Both lot line adjustments will result in Lot 2 dimensions becoming 59.3 m by 82.5 m, with an area of 4892.25 m². These adjustments allow for the minimum Frontage and Yard requirements found in the Township of Beckwith Zoning By-law 91-14. Lot 1 and Lot 3 minimum Frontage and Yard requirements are also met.

The subject lands are designated Residential in the Township of Beckwith Official Plan (Office Consolidation April 2006). The subject lands are also within a Community Development Area of Greater Blacks Corners, identified as such in the Official Plan. In the Township of Beckwith Zoning By-law, the subject lands are zoned Residential.

No significant natural or man-made features have been identified on the subject property. In addition, the historic evaluation of the overall site undertaken as part of the Plan of Subdivision process does not indicate any significant land uses on the site.

Should you require any additional information, please do not hesitate to contact the undersigned. It is our hope that the enclosed material constitutes a complete Application and that the County will notify JLR as soon as possible, should additional material be required.

(b) AGENCY REVIEW

This application has been circulated to those agencies that were considered to have an interest in the proposal. The following comments were received:

Township of Beckwith – recommends approval of this application subject to the following conditions:

- That a paper copy of the registered reference plan be provided to the Township of Beckwith

(c) PLANNING REVIEW

Please refer to J.L. Richards Planning Report

There were no objections raised by any of the agencies which were circulated regarding this proposal. In light of the foregoing, this office is satisfied that the applicant's proposal maintains the general intent and purpose of the PPS and Official Plan for the Township of Beckwith and could be given favourable consideration.

(d) PUBLIC INPUT

No written submissions were received in response to the notice of application sent to every landowner pursuant to Clause 53(5)(a) of the Planning Act and Section 3(2) of O.Reg. 197/96 as amended.

(e) MINUTES – August 30, 2010

Alex Testa, applicant, attended the hearing and gave evidence under oath.

Mr. Testa advised that the lot line adjustments were required to fulfill commitments made through the Subdivision process (i.e. relocation of driveway).

The committee reviewed the staff report. No further information was provided.

(f) DECISION & CONDITIONS

DECISION: PROVISIONAL CONSENT IS GRANTED

REASONS: Having determined that a plan of subdivision is not necessary for the proper and orderly development of the municipality, and having determined that the proposal is consistent with the policy statements issued under subsection 3(1) of the Planning Act, and having had regard to the matters under subsection 51(24) of the Planning Act.

CONDITIONS:

1. An acceptable reference plan or legal description of the severed lands and the deed or Instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township of Beckwith.
3. The applicant shall provide the Township of Beckwith with a copy of all reference plans associated with this application.
4. A letter shall be received from the Township of Beckwith stating that condition #2 and #3 has been fulfilled to their satisfaction.
5. The lands to be severed (per Lot Line A) are for the purpose of a lot addition only to the adjacent lands owned by David Wayne Richardson described as Part Lot 13 Conc. 8, Township of Beckwith, and any subsequent transfer, charge or other conveyance of the lands to be severed is subject to Section 50(3) (or subsection 50(5) if in a plan of subdivision) of the Planning Act. Neither the lands to be severed nor the adjacent lands are to be reconveyed without the other parcel unless a further consent is obtained. The owner shall cause the lands to be severed to be consolidated on title with the adjacent lands and for this condition to be entered into the parcel register as a restriction.
6. The lands to be severed (per Lot Line B) are for the purpose of a lot addition only to the adjacent lands owned by Alex Testa c/o AMT Group Inc. described as Part Lot 13 Conc. 8, Township of Beckwith, and any subsequent transfer, charge or other conveyance of the lands to be severed is subject to Section 50(3) (or subsection 50(5) if in a plan of subdivision) of the Planning Act. Neither the lands to be severed nor the adjacent lands are to be reconveyed without the other parcel unless a further consent is obtained. The owner shall cause the lands to be severed to be consolidated on title with the adjacent lands and for this condition to be entered into the parcel register as a restriction.



LAND DIVISION STAFF REPORT

APPLICATION FOR CONSENT

Owner: Calvin and Martha Marriner, **Hearing Date:** August 30, 2010
 Carole Anne Marriner, Richard & Eva Stanley
Agent: Peter Woodwark, Woodwark & Stevens
LDC File #: B10/100, B10/101, B10/102 & B10/103
Municipality: Tay Valley Township
Geographic Township: North Burgess **Lot:** 3 **Concession:** 5
Roll No. 0911 911 025 07150 **Consent Type:** Right-of-Way

Purpose and Effect: To sever a R-O-W over Part 11 RP27R-8383, Part 7 and 8 RP27R-8383, Part 2 and 3 RP27R-8383, and Part 3 RP27R-1577 for lands created by Consent B07/138. The lands are locally known as Cedar Gate Road.

DETAILS OF PROPOSAL	Land to be Severed				Land to be Retained
	B10/100	B10/101	B10/102	B10/103	
Existing Use Proposed Use	R-O-W R-O-W	R-O-W R-O-W	R-O-W R-O-W	R-O-W R-O-W	Residential Residential
Area Road - Access to	20.11 m X 48.67 m 0.00692 ha Registered R-O-W	20.61 m X 162.38 m 0.30 ha Registered R-O-W	20.11 m X 78.46 m 0.159 ha Registered R-O-W	23 m X 535m 1.11 ha Registered R-O-W	n/a
Water Supply Sewage Disposal	N/A N/A	N/A N/A	N/A N/A	N/A N/A	n/a n/a
Official Plan Designation -Conformity?	Rural Yes				
Zoning Category -Area Required (min.) -Compliance? -Frontage Required (min.) -Compliance?	Limited Service Residential n/a – R-O-W				Limited Service Residential

(a) APPLICATION REVIEW

Provincial Policy Statement - Provincial Interests were identified as follows:

1.1 Managing and Directing Land Use

Section 1.1.1.c) Healthy, liveable and safe communities are sustained by avoiding development and land use patterns which may cause environmental or public health and safety concerns.

Official Plan – Section 2 General Development Policies, Section 3.6 Rural Policies, Section 4.5 Private Roads, Section 5.2.3 Consent Policies.

Tay Valley Township advises that the proposal conforms to the designations and policies of the Official Plan.

Zoning By-law - Section 3 General Provisions, section 5.3 Limited Service Residential Zone.

Tay Valley Township advises that the proposal complied with the zoning by-law regulations.

(b) AGENCY REVIEW

This application has been circulated to those agencies that were considered to have an interest in the proposal. The following comments were received:

Tay Valley Township – recommends approval of this application subject to the following conditions:

- Payment of all taxes owing
- Payment of all costs incurred by the Township for review
- Copy of Deed/Transfer(s)
- 2 copies of the reference plan

(c) PLANNING REVIEW

The applicant proposes to sever the right to use the existing R-O-W locally known as Cedar Gate Road to allow George Ronald Ashley access to the lands created by B07/138. Until a title search was conducted, it was now known the Mr. Ashley did not have a legal right to use this r-o-w. These consents are required In order to complete the provisional consent conditions for B07/138.

No new private road is being created.

There were no objections raised by any of the agencies which were circulated regarding this proposal. In light of the foregoing, this office is satisfied that the applicant's proposal maintains the general intent and purpose of the PPS and Official Plan for Tay Valley Township and could be given favourable consideration.

(d) PUBLIC INPUT

No written submissions were received in response to the notice of application sent to every landowner pursuant to Clause 53(5) (a) of the Planning Act and Section 3(2) of O.Reg. 197/96 as amended.

(e) MINUTES – August 30, 2010

Ron Ashley, applicant, attended the hearing and gave evidence under oath.

Mr. Ashley explained that he was of the understanding that his use of Cedar Gate Road (a private road) was all inclusive, however it was discovered that his right to use ended at the lot line between Lots 3 and 4. Therefore in order to complete Consent B07/138 he needed to obtain a r-o-w for that portion of Cedar Gate Road that traverses through Lot 3.

The committee reviewed the staff report. No further information was provided.

(f) **DECISION & CONDITIONS**

DECISION: PROVISIONAL CONSENT IS GRANTED

REASONS: Having determined that a plan of subdivision is not necessary for the proper and orderly development of the municipality, and having determined that the proposal is consistent with the policy statements issued under subsection 3(1) of the Planning Act, and having had regard to the matters under subsection 51(24) of the Planning Act.

CONDITIONS:

B10/100

1. An acceptable reference plan or legal description of the severed lands and the deed or Instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to Tay Valley Township.
3. The applicants shall satisfy all the requirements of Tay Valley Township, financial and otherwise, that may be required under established by-laws for consent applications.
4. The applicant shall provide Tay Valley Township with a copy of the deed/transfer for the property.
5. The applicant shall provide Tay Valley Township with two copies of all reference plans associated with this application.
6. A letter shall be received from Tay Valley Township stating that condition #2 through #5 has been fulfilled to their satisfaction.
7. The lands to be severed are for the purpose of a right-of-way only to the adjacent lands owned by George Ronald Ashley described as Part 1, Reference Plan 27R-9753, Part Lot 4 Conc. 5, geographic Township of North Burgess, and any subsequent transfer, charge or other conveyance of the lands to be severed is subject to Section 50(3) (or subsection 50(5) if in a plan of subdivision) of the Planning Act. Neither the lands to be severed nor the adjacent lands are to be reconveyed without the other parcel unless a further consent is obtained. The owner shall cause the lands to be severed to be consolidated on title with the adjacent lands and for this condition to be entered into the parcel register as a restriction.

B10/101

1. An acceptable reference plan or legal description of the severed lands and the deed or Instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.

2. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to Tay Valley Township.
3. The applicants shall satisfy all the requirements of Tay Valley Township, financial and otherwise, that may be required under established by-laws for consent applications.
4. The applicant shall provide Tay Valley Township with a copy of the deed/transfer for the property.
5. The applicant shall provide Tay Valley Township with two copies of all reference plans associated with this application.
6. A letter shall be received from Tay Valley Township stating that condition #2 through #5 has been fulfilled to their satisfaction.
7. The lands to be severed are for the purpose of a right-of-way only to the adjacent lands owned by George Ronald Ashley described as Part 1, Reference Plan 27R-9753, Part Lot 4 Conc. 5, geographic Township of North Burgess, and any subsequent transfer, charge or other conveyance of the lands to be severed is subject to Section 50(3) (or subsection 50(5) if in a plan of subdivision) of the Planning Act. Neither the lands to be severed nor the adjacent lands are to be reconveyed without the other parcel unless a further consent is obtained. The owner shall cause the lands to be severed to be consolidated on title with the adjacent lands and for this condition to be entered into the parcel register as a restriction.

B10/102

1. An acceptable reference plan or legal description of the severed lands and the deed or Instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to Tay Valley Township.
3. The applicants shall satisfy all the requirements of Tay Valley Township, financial and otherwise, that may be required under established by-laws for consent applications.
4. The applicant shall provide Tay Valley Township with a copy of the deed/transfer for the property.
5. The applicant shall provide Tay Valley Township with two copies of all reference plans associated with this application.
6. A letter shall be received from Tay Valley Township stating that condition #2 through #5 has been fulfilled to their satisfaction.

7. The lands to be severed are for the purpose of a right-of-way only to the adjacent lands owned by George Ronald Ashley described as Part 1, Reference Plan 27R-9753, Part Lot 4 Conc. 5, geographic Township of North Burgess, and any subsequent transfer, charge or other conveyance of the lands to be severed is subject to Section 50(3) (or subsection 50(5) if in a plan of subdivision) of the Planning Act. Neither the lands to be severed nor the adjacent lands are to be reconveyed without the other parcel unless a further consent is obtained. The owner shall cause the lands to be severed to be consolidated on title with the adjacent lands and for this condition to be entered into the parcel register as a restriction.

B10/103

1. An acceptable reference plan or legal description of the severed lands and the deed or Instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to Tay Valley Township.
3. The applicants shall satisfy all the requirements of Tay Valley Township, financial and otherwise, that may be required under established by-laws for consent applications.
4. The applicant shall provide Tay Valley Township with a copy of the deed/transfer for the property.
5. The applicant shall provide Tay Valley Township with two copies of all reference plans associated with this application.
6. A letter shall be received from Tay Valley Township stating that condition #2 through #5 has been fulfilled to their satisfaction.
7. The lands to be severed are for the purpose of a right-of-way only to the adjacent lands owned by George Ronald Ashley described as Part 1, Reference Plan 27R-9753, Part Lot 4 Conc. 5, geographic Township of North Burgess, and any subsequent transfer, charge or other conveyance of the lands to be severed is subject to Section 50(3) (or subsection 50(5) if in a plan of subdivision) of the Planning Act. Neither the lands to be severed nor the adjacent lands are to be reconveyed without the other parcel unless a further consent is obtained. The owner shall cause the lands to be severed to be consolidated on title with the adjacent lands and for this condition to be entered into the parcel register as a restriction.

B10/104

1. An acceptable reference plan or legal description of the severed lands and the deed or Instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.

2. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to Tay Valley Township.
3. The applicants shall satisfy all the requirements of Tay Valley Township, financial and otherwise, that may be required under established by-laws for consent applications.
4. The applicant shall provide Tay Valley Township with a copy of the deed/transfer for the property.
5. The applicant shall provide Tay Valley Township with two copies of all reference plans associated with this application.
6. A letter shall be received from Tay Valley Township stating that condition #2 through #5 has been fulfilled to their satisfaction.
7. The lands to be severed are for the purpose of a right-of-way only to the adjacent lands owned by George Ronald Ashley described as Part 1, Reference Plan 27R-9753, Part Lot 4 Conc. 5, geographic Township of North Burgess, and any subsequent transfer, charge or other conveyance of the lands to be severed is subject to Section 50(3) (or subsection 50(5) if in a plan of subdivision) of the Planning Act. Neither the lands to be severed nor the adjacent lands are to be reconveyed without the other parcel unless a further consent is obtained. The owner shall cause the lands to be severed to be consolidated on title with the adjacent lands and for this condition to be entered into the parcel register as a restriction.



LAND DIVISION STAFF REPORT

APPLICATION FOR CONSENT

Owner: Marilyn & David Bird **Hearing Date:** August 30, 2010

Agent: N/A

LDC File #: B10/104, B10/105 & B10/106

Municipality: Township of Drummond/North Elmsley

Geographic Township: Drummond **Lot:** 13 **Concession:** 1

Roll No. 0919 919 010 04900 **Consent Type:** New Lots

Purpose and Effect: To sever three (3) 0.49-ha residential building lots and retain a 40.0-ha landholding with an existing dwelling and outbuildings. The lands are accessed via Drummond Conc. 1. These applications are a re-submission of Applications B09/011, B09/012 and B09/013 which were allowed to lapse.

DETAILS OF PROPOSAL	Land to be Severed			Land to be Retained
	B10/104	B10/105	B10/106	
Existing Use Proposed Use	Vacant Residence	Vacant Residence	Vacant Residence	Residence Residence
Area	0.49 ha	0.49 ha	0.49 ha	40 ha
Frontage	50 m	50 m	50 m	150 m
Depth	100 m	100 m	100 m	1375 m
Road - Access to	Mun. Rd	Mun. Rd	Mun. Rd	Municipal Road
Water Supply Sewage Disposal	Proposed Proposed	Proposed Proposed	Proposed Proposed	Private well Private Septic
Official Plan Designation -Conformity?	Rural Yes			
Zoning Category	Rural			Rural
-Area Required (min.)	0.4-ha			0.4-ha
-Compliance?	Yes			Yes
-Frontage Required (min.)	45 m			45 m
-Compliance?	Yes			Yes

(a) APPLICATION REVIEW

Provincial Policy Statement - Provincial Interests were identified as follows:

1.1 Managing and Directing Land Use

Section 1.1.1.c) Healthy, liveable and safe communities are sustained by avoiding development and land use patterns which may cause environmental or public health and safety concerns.

Section 1.1.4.1 In rural areas located in municipalities permitted uses and activities shall relate to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses.

1.6 Infrastructure and Public Service Facilities

Section 1.6.4.4 Individual on-site sewage services and individual on-site water services shall be used for a new development of five or less lots or private residences where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not provided and where site conditions are suitable for the long-term provisions of such services.

Official Plan – Section 3 General Provisions, Section 3.7 Division of Land, Section 4.3 Rural Policies, Section 5.3 Local Roads.

The Township of Drummond / North Elmsley advise that the proposal conforms to the policies of the Township's Official Plan.

Zoning By-law - Section 4 General Provisions, Section 7 Rural Zone

The Township of Drummond / North Elmsley advises that the proposal complies with the Township's Zoning By-law.

(b) AGENCY REVIEW

This application has been circulated to those agencies that were considered to have an interest in the proposal. The following comments were received:

Township of Drummond/North Elmsley – recommends approval of this application subject to the following conditions:

- That the balance of any outstanding taxes shall be paid to the Township.
- The applicant shall provide the Township with a registered copy of all reference plans associated with this application if a survey is required by the Registry Office.
- Sufficient lands shall be deeded to the Township of Drummond / North Elmsley along the frontages of the lot to be severed and retained, to meet the municipality's road widening requirements. Deeds are to be submitted to the municipality for review accompanied by a solicitor's certificate, indicating that the municipality's title is free and clear of all encumbrances and the municipality has a good and marketable title. The Township Roads Superintendent should be consulted prior to commencing a survey to determine the amount of road widening required.
- That a residential entrance to the subject lot shall be obtained. The applicant shall consult directly with the Township of Drummond/North Elmsley in this regard.

Conservation Authority – Rideau Valley Conservation Authority (Feb 27/09)

The subject application has been reviewed by the Rideau Valley Conservation Authority. We have the following comments for the Committee's assistance.

The proposal involved the creation of three new parcels of 0.5 ha with 40 hectares (existing residence) remaining in the retained parcel. From our site inspection it is determined that the proposed lots are located on abandon pasture land / agricultural lands.

Ontario Base Mapping published by the Ministry of Natural Resources indicates that there is a small seasonal watercourse on the retained portion (verified on site at County Road 10). This watercourse is not classified as a municipal drain. We note that water from the property flows north across County Road 10 and then again at Lot 9. It then becomes a

municipal drain and sampling indicated that predator type fish (pike, young of the year) are present.

We have no objection to the severance provided the Township is satisfied in regard to the requirements of the Township's Official Plan and Zoning By-law. We recommend a 30 metre setback for any future development or disturbance to soil or vegetation cover from the watercourse.

The landowner should contact the Conservation Authority prior to any maintenance of the drain / watercourse. Works including widening, deepening, altering, straightening, changing, diverting or interference requires approval of the Conservation Authority. The effects of the works on the control of flooding, erosion, pollution, impacts to downstream fish habitat as well as the overall conservation of land shall be considered in the review of these types of application.

Trusting this is satisfactory and thank you for the opportunity to comment.

On-Site Services (Septics) – Leeds Grenville and Lanark District Health Unit

Severed Lot #1 – relatively flat mixture of treed and scrub-land with no soil drainage problem. Sandy loam soil approximately 18 inches deep. Addition granular fill required in proposed tile bed area.

Severed Lot #2 – relatively flat mixture of treed and scrub-land with no soil drainage problem. Sandy loam soil approximately 18 inches deep. Addition granular fill required in proposed tile bed area.

Severed Lot #3 – relatively flat scrub land with no soil drainage problem. Sandy loam soil approximately 18 inches deep. Addition granular fill required in proposed tile bed area.

Retained lands – existing residential house serviced by a Class 4 septic system and private well. Sufficient land area to replace existing system. Sandy loam soil approximately 18 inches deep. Addition granular fill required in replacement tile bad area.

Hydro One Networks – No comments were received.

Bell Canada R-O-W – No comments were received.

(c) PLANNING REVIEW

The applicant proposes to sever three (3) 0.5-ha residential building lots and retain a 40.0-ha landholding with an existing residential dwelling. These applications are a re-submission of B09/010, B09/011 and B09/012 which were allowed to lapse.

The subject lands are located in an area characterized by residential to the west and south on a variety of lot sizes. Large residential landholdings are located to the east. Fellingner's Mills, a residential subdivision containing 50+ lots is located approximately 600 m to the west.

The following has been extracted from the Fellingner's Mill (South Phase) Subdivision Decision:

Well owners should be aware that conventional treatment systems may become necessary to address the aesthetic water quality problems expected from the local groundwater source which may include incrustation, taste, colour and odour. Treatment by water softeners will increase sodium content and persons on sodium restricted diets should use a separate water supply and consult their physician.

The lands are accessed via Drummond Con. 1, a municipally maintained road.

Soils Inventory – Name: Tennyson

- Stoniness: slightly stony
- CLI: 6 – natural grazing only
- Drainage: well drained
- Hydrogeology: moderate

The northern section of the lands to be retained is Class 2 with a Municipal Drain.

There were no objections raised by any of the agencies which were circulated regarding this proposal. In light of the foregoing, this office is satisfied that the applicant's proposal maintains the general intent and purpose of the PPS and Official Plan for the Township of Drummond / North Elmsley and could be given favourable consideration.

(d) PUBLIC INPUT

No written submissions were received in response to the notice of application sent to every landowner pursuant to Clause 53(5) (a) of the Planning Act and Section 3(2) of O.Reg. 197/96 as amended.

(e) MINUTES – August 30, 2010

Marilyn Bird, applicant, attended the hearing and gave evidence under oath.

Ms. Bird advised that their water quality is excellent.

The committee reviewed the staff report. No further information was provided.

(f) DECISION & CONDITIONS

DECISION: PROVISIONAL CONSENT IS GRANTED

REASONS: Having determined that a plan of subdivision is not necessary for the proper and orderly development of the municipality, and having determined that the proposal is consistent with the policy statements issued under subsection 3(1) of the Planning Act, and having had regard to the matters under subsection 51(24) of the Planning Act.

CONDITIONS:

B10/104

1. An acceptable reference plan or legal description of the severed lands and the deed or Instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.

2. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township of Drummond / North Elmsley.
3. Sufficient lands shall be deeded to the Township of Drummond / North Elmsley along the frontages of the lot to be severed and retained to meet the municipality's road widening requirements. Deeds are to be submitted to the municipality for review accompanied by a solicitor's certificate indicating that the municipality's title is free and clear of all encumbrances and the municipality has a good and marketable title. The Township Roads Superintendent should be consulted prior to commencing a survey to determine the amount of road widening required.
4. The applicant shall provide the Township of Drummond / North Elmsley with a copy of all reference plans associated with this application.
5. The applicant shall obtain an entrance location permit from the Township of Drummond / North Elmsley. The applicant shall consult directly with the Township in this regard.
6. A letter shall be received from the Township of Drummond / North Elmsley stating that condition #2 through #5 has been fulfilled to their satisfaction.

NOTES:

1. *The Leeds Grenville and Lanark District Health Unit advises that additional granular fill will be required in proposed tile bed area and in the replacement (when required) tile bed area.*
2. *The Rideau Valley Conservation Authority advises that the Conservation Authority should be notified prior to any maintenance of the drain / watercourse on the retained lands. Works including widening, deepening, altering, straightening, changing, diverting or interference requires approval of the Conservation Authority. The effects of the works on the control of flooding, erosion, pollution, impacts to downstream fish habitat as well as the overall conservation of land shall be considered in the review of these types of application.*
3. *The Land Division Committee advises that well owners located in Fellingner's Mills Subdivision (located to the west of the lot to be severed) have been made aware that conventional treatment systems may become necessary to address the aesthetic water quality problems expected from the local groundwater source which may include incrustation, taste, colour and odour. Treatment by water softeners will increase sodium content and persons on sodium restricted diets should use a separate water supply and consult their physician. While no study has been undertaken on these lands, wells in this area may 'tap' into the same groundwater source and therefore be susceptible to the same aesthetic water quality problems.*
4. *It is recommended that the applicant review available water well records of adjacent lands to determine that there is adequate potable water for a residential dwelling.*

B10/105

1. An acceptable reference plan or legal description of the severed lands and the deed or Instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township of Drummond / North Elmsley.
3. Sufficient lands shall be deeded to the Township of Drummond / North Elmsley along the frontages of the lot to be severed and retained to meet the municipality's road widening requirements. Deeds are to be submitted to the municipality for review accompanied by a solicitor's certificate indicating that the municipality's title is free and clear of all encumbrances and the municipality has a good and marketable title. The Township Roads Superintendent should be consulted prior to commencing a survey to determine the amount of road widening required.
4. The applicant shall provide the Township of Drummond / North Elmsley with a copy of all reference plans associated with this application.
5. The applicant shall obtain an entrance location permit from the Township of Drummond / North Elmsley. The applicant shall consult directly with the Township in this regard.
6. A letter shall be received from the Township of Drummond / North Elmsley stating that condition #2 through #5 has been fulfilled to their satisfaction.

NOTES:

1. *The Leeds Grenville and Lanark District Health Unit advises that additional granular fill will be required in proposed tile bed area and in the replacement (when required) tile bed area.*
2. *The Rideau Valley Conservation Authority advises that the Conservation Authority should be notified prior to any maintenance of the drain / watercourse on the retained lands. Works including widening, deepening, altering, straightening, changing, diverting or interference requires approval of the Conservation Authority. The effects of the works on the control of flooding, erosion, pollution, impacts to downstream fish habitat as well as the overall conservation of land shall be considered in the review of these types of application.*
3. *The Land Division Committee advises that well owners located in Fellingner's Mills Subdivision (located to the west of the lot to be severed) have been made aware that conventional treatment systems may become necessary to address the aesthetic water quality problems expected from the local groundwater source which may include incrustation, taste, colour and odour. Treatment by water softeners will increase sodium content and persons on sodium restricted diets should use a separate water supply and consult their physician. While no study*

has been undertaken on these lands, wells in this area may 'tap' into the same groundwater source and therefore be susceptible to the same aesthetic water quality problems.

4. *It is recommended that the applicant review available water well records of adjacent lands to determine that there is adequate potable water for a residential dwelling.*

B10/106

1. An acceptable reference plan or legal description of the severed lands and the deed or Instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
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4. *It is recommended that the applicant review available water well records of adjacent lands to determine that there is adequate potable water for a residential dwelling.*
5. *The current Official Plan provides that up to three consents may be granted for a lot or landholding. No further consents will be permitted on the retained lands or the severed lands through the consent process without an amendment to the Official Plan.*