



**MINUTES
LAND DIVISION COMMITTEE**

The Land Division Committee met in regular session on Monday, July 28, 2008, at 9:00 a.m. at the Lanark County Administration Building, Perth, Ontario.

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

Staff Present: M. Kirkham, Secretary-Treasurer

LAND DIVISION COMMITTEE

Chair: R. Strachan

1. CALL TO ORDER

The meeting was called to order at 9:00 a.m. A quorum was present.

2. DISCLOSURE OF PECUNIARY INTEREST

None.

3. APPROVAL OF MINUTES

MOTION #LD-2008-022

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

"THAT, the minutes of the Land Division Committee meeting held on July 15, 2008 be approved as circulated."
ADOPTED

4. ADDITIONS & APPROVAL OF AGENDA

MOTION #LD-2008-023

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

"THAT, the agenda be adopted as circulated".
ADOPTED

5. DELEGATIONS & PRESENTATIONS

None.

6. COMMUNICATIONS

Response to Township of Drummond / North Elmsley ER: Committee decisions – Committee reviewed the 'draft' response and approved the letter for forwarding to Drummond / North Elmsley.

7. REPORTS

7.1 NEW APPLICATIONS TO BE HEARD

The Secretary gave a verbal report for the following applications which had been previously heard by the Land Division Committee and are awaiting a decision:

7.1.1 **B08/053, Gordon J Headrick**

Pt Lot 4 Concession 11 geographic Township of Drummond, now in the Township of Drummond / North Elmsley. (Highway 511)

7.1.2 **B08/056, Keith and Carrie Larocque**

Pt Lot 16 Concession 2, geographic Township of Dalhousie, now in the Township of Lanark Highlands. (Sugarbush Way)

7.1.3 **B08/057, Keith and Carrie Larocque**

Pt Lot 16 Concession 2, geographic Township of Dalhousie, now in the Township of Lanark Highlands. (3rd Conc. Dal.)

7.1.4 **B08/059, Russell Christopher Wilson**

Pt Lot 24 Concession 8, geographic Township of Drummond, now in the Township of Drummond / North Elmsley. (Ebbs Bay Road)

7.1.5 **B07/152, B07/153, B07/154, B07/155, Maria Oliviero**

Pt Lots 4 & 5 Concession 12, geographic Township of Ramsey, now the Town of Mississippi Mills. (Golden Line)

7.2 APPLICATIONS PREVIOUSLY HEARD AND AWAITING A DECISION

7.2.1 **B07/164, Bruce Craig Munro & Marilyn Munro**

Pt Lot 24 Concession 8, geographic Township of Darling, in the Township of Lanark Highlands. (630 Peter's Point Road).

8. NEW / OTHER BUSINESS

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

8.1 PROVISIONAL CONSENT REFUSED

8.1.1 **B07/164, Bruce Craig Munro & Marilyn Munro**

Pt Lot 24 Concession 8, geographic Township of Darling, in the Township of Lanark Highlands. (630 Peter's Point Road)

8.2 PROVISIONAL CONSENT GRANTED

8.2.1 **B08/053, Gordon J Headrick**

Pt Lot 4 Concession 11 geographic Township of Drummond, now in the Township of Drummond / North Elmsley. (Highway 511)

8.2.2 **B08/056, Keith and Carrie Larocque**

Pt Lot 16 Concession 2, geographic Township of Dalhousie, now in the Township of Lanark Highlands. (Sugarbush Way)

8.2.3 **B08/057, Keith and Carrie Larocque**

Pt Lot 16 Concession 2, geographic Township of Dalhousie, now in the Township of Lanark Highlands. (3rd Conc. Dal.)

8.2.4 **B08/059, Russell Christopher Wilson**

Pt Lot 24 Concession 8, geographic Township of Drummond, now in the Township of Drummond / North Elmsley. (Ebbs Bay Road)

The hearing recessed from 11:00 a.m. and reconvened at 1:30 p.m.

8.2.5 **B07/152, B07/153, B07/154, B07/155, Maria Oliviero**

Pt Lots 4 & 5 Concession 12, geographic Township of Ramsey, now the Town of Mississippi Mills. (Golden Line)

9. ADJOURNMENT

The next meeting date was scheduled for August 25, 2008.

The meeting adjourned at 2:38 p.m.

**Mary Kirkham
Secretary-Treasurer**

LAND DIVISION STAFF REPORT

APPLICATION FOR CONSENT

Date: June 23, 2008

Owner: Bruce & Marilyn Munro
LDC File #: B07/164
Township: Darling
Municipality: Lanark Highlands
Lot: Pt. 24 **Concession:** 8
Roll #: 0940 944 025 17000
Type: New Lot

SUMMARY

The subject lands are located at Part Lot 24 Concession 8 geographic Township of Darling (630 Peters Point Road), Township of Lanark Highlands. The purpose and effect of the application is to sever a 1.54-acre seasonal residential building lot and to retain a 1.44-acre lot on which an existing seasonal residence is situated.

DETAILS OF PROPOSAL	Present Land Holding	Land to be Severed	Land to be Retained
Proposed Use Existing Use	Seasonal Residential	Residential Vacant	Residential
Area Frontage	1.21-ha 240m	0.626-ha 120m	0.584-ha (a) 30 m (b) 40 m
Road - Access to	Peters Point Road	Peters Point Road	Peters Point Road
Water Supply Sewage Disposal	Private Well Individual Septic	Proposed Proposed	Private well Individual Septic
Official Plan Designation -Conformity?	Lakefront Development		
Zoning Category			
- Area Required (min.)	1.0-ha	1.0-ha	1.0-ha
- Compliance?	Yes	No	No
- Frontage Required (min.)	50 m	50 m	50 m
- Compliance?	Yes	Yes	No
- Lot Depth (min.)	80 m	60 m	60 m
- Compliance	No	No	No

POLICY & REGULATION ANALYSIS

Provincial Policy Statement – The following provincial interests were identified during the review of this application:

- 1.1 Building Strong Communities
- avoiding development and land use patterns which may cause environmental or public health and safety concerns.
The report filed by Mississippi Valley Conservation outlines environmental concerns due to lot configuration, size, frontage and depth. The report also cautions approval of this type of development which may result in inappropriate density for development along the waterfront.
- 1.6 Infrastructure and Public Service Facilities
- planning for sewage and water services.
The LGL Health Unit has indicated that individual on-site sewage and water facilities are appropriate; however indicate that topsoil (sandy loam) is only 10 inches in depth. Ontario Soils maps confirm that the lands has limited sandy loam, are irregular to moderately sloping and extremely stony.
Approval of a sewage disposal system on an undersized lot does not justify its creation. The cumulative effect of the installation of another septic system in an area of dense development, without further assessment of the lake's development capacity is not appropriate.
- 2.1 Natural Heritage
- natural features and areas shall be protected for the long term.
Without the benefit of an Environmental Impact Assessment and/or Statement for significant habitat, endangered species, threatened species, wildlife habitat, ecological features, natural heritage features, etc. it is difficult to make a determination of the long term effects of the proposed development on natural heritage.
- 2.2 Water
- planning authorities shall protect, improve or restore the quality and quantity of water. No assessment of the lake's development capacity has been undertaken.
- 2.6 Cultural Heritage and Archaeology
- significant built heritage resources and significant cultural heritage landscapes shall be conserved.
An "Archaeological Potential" checklist has not been completed; however the lands are located within 300 metres of water and a primary water source.

Official Plan – The Township of Lanark Highlands advises that the proposal does not comply with the existing Official Plan policies.

Zoning By-law – The Township of Lanark Highlands advises that the proposal does not meet the requirements outlined in the Township's Zoning By-law.

EXTERNAL CIRCULATION COMMENTS

Township of Lanark Highlands

The Council advised that having regard for the policies of the Official Plan, the Zoning By-law and the Provincial Policy Statements, that consent be denied.

Reasons:

Official Plan -The lot to be created and retained do not meet the minimum requirement of Section 3.6.3.4 Lot Size, Frontage and Physiography.

An Environmental Impact Statement has not been completed. Sec. 3.6.3.3. and Sec. 3.6.5

Zoning By-law – the lot to be created and the retained lot do not meet the minimum requirement of Section 11.2.

Policy – the applicant failed to proceed through the approved Council Policy regarding “Pre-consultation”.

Roads – the lands front on a Class 6 Township road (Peter’s Point Road). The Roads Department has not undertaken an inspection to determine is an access could be permitted.

Mississippi Valley / Rideau Valley Conservation

The subject application has been reviewed by the **Mississippi Valley Conservation Authority** and a site inspection was completed.

MVC has been circulated the above noted application to conduct a review in terms of 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.

Proposal

According to the information provided, the purpose of the proposed severance is to sever a 0.63-ha vacant seasonal residential building lot and to retain 0.58-ha on which an existing seasonal residence is located. The lands to be severed have water frontage in excess of 50m. It is irregular in shape and provides a variable depth that, as estimated using the information proposed, is less than 80m. The proposed retained lot has an estimated 40m of water frontage. It is also irregular in shape with a variable depth, only part of which is estimated to exceed 80m.

Property Characteristics

The subject property has frontage on White Lake which is a warm water fishery providing habitat for species such as walleye, northern pike and bass as well as a variety of non-sport and forage fish. The lot to be severed is well treed and the vegetation along its shoreline appear to have remained untouched and in its natural state.

Background

It is noted from correspondence provided with the application, that the subject property forms part of a larger holding of land. Peter’s Point Road runs through the property and effectively separates the subject property from the remained of the holding. The subject land is located to the North of this road. It is our understanding from available correspondence and discussions with the County of Lanark that the effect is any already severed lot to the South of the road. Therefore, the subject application does not include this “already severed” land. We also understand that while the applicant holds title to this road, the township has assumed its ownership as a public highway. In this case, the Lawyer representing the landowner’s has stated that they are therefore “entitled to the original road allowance”, which abuts their land. Provided that this is the case, the inclusion of the road allowance would increase the size of the proposed severance to 0.77-ha and increase the frontage by 20.1m. The retained would be

unaffected.

Review

The subject property is currently zoned as Lakefront Development in the Township of Lanark Highland's Zoning By-law. The Lakefront Development zone requires a minimum lot area of 1-ha *or such lot area as determined by the land division process*, minimum water frontage of 50 metres, and minimum lot depth of 80 metres.

Although the zoning by-law does not exclusively stipulate a minimum lot size of 1-ha, this is generally the current recommended standard for the creation of new waterfront lots on private services, where no assessment of the lake's development capacity has been undertaken. To our knowledge, this

assessment has not been completed for White Lake. Therefore, it is our view that approval of the subject application would effectively result in the creation of two undersized lots, neither of which fully meet with the minimum lot depth requirement, and one of which (*retained) does not achieve the minimum water frontage. Even with the inclusion of the road allowance in the size of the lot to be severed, there is still insufficient area.

The Health Unit has given approval for a sewage disposal system on the lot to be severed. However, we note that the approval of a sewage disposal system on an undersized lot does not, in itself, justify its creation. Approval of the subject proposal would establish a precedent for an inappropriate density of development along the waterfront. While the impact on the environment may not be measurable for this individual proposal, possible cumulative impacts to the environment, resulting from potential future proposals of a similar nature on White Lake, must be considered.

Recommendations

MVC is of the opinion that the various deficiencies in meeting with the zone requirements are not minor and do not meet with the current standards for waterfront development. On this basis and without a review of this type of development on a more comprehensive lake-wide scale, we do not support approval of the subject application.

Please advise us of the Committee's decision in this matter.

Health Unit

Severed Lands – gently rolling treed covered land with no soil drainage problems. Sandy loam soil approximately 10 inches deep. Additional granular fill will be required in proposed tile bed area.

Retained Land – existing residential dwelling serviced by a Class 4 septic system and private well. Sufficient land area to replace existing system. Sandy loam soil approximately 2 feet deep. Additional granular fill will be required in replacement tile bed area.

Hydro One Networks – No comments were received.

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

PUBLIC INPUT

The following 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.

Bruce Horlin (Feb 1 2008) – I am writing in response to the notice of application for consent File Number B07/164, pt Lot 24, Concession 8 Township of Darling, for Bruce Craig Munro and Marilyn Munro.

It is my recommendation that the application for consent not be granted. The recommendation is based on the following;

One of the tenets of the Official Plan (OP) for the Township of Lanark Highlands is environmental protection, especially those areas adjacent to waterbodies designed as Lakefront Development (LD). The Lanark Highlands OP and Zoning By-law require that the severed and retained lots be at least one (1) hectare in size. In this application the lot to be retained with the dwelling is 0.59 hectares (1.44 acres) in acre while the lot to be severed is 0.62 hectares (1.54 acres), creating two additional non-conforming lots in an area of White Lake with existing high density residential development.

In my opinion, Peter's Point is presently overdeveloped with eight lots. All of the lots, with the exception of the lot owned by the Munro's are nonconforming with respect to their size. For example, one lot is 0.5 acre in size while another is less than 0.5 acre in area. The land to be retained (0.86 acres) is a natural severance and makes nine lots without granting this application. If the severance is granted all the lots on Peter's Point would be non-conforming. I believe the Official Plan was designed to protect these sensitive waterfront areas from overdevelopment and that the development proposal does not conform to the level of environmental protection that Lanark Highlands OP demands.

Is this natural severance being used to increase the lot size of the retained portion containing the dwelling to meet the requirements of the Official Plan? The Munro's have indicated to me personally and at a presentation made to Lanark Highlands Council in 2006 that they want two consents and consider this a natural severance. The secondary lot size (0.86 acres), which does not abut the retained portion, should not be used when calculating the size of the lands to be retained to increase the size to one hectare to comply with the requirements of the OP and Zoning By-law.

In the application it is stated that a seasonal residence is situated on the lands to be retained. This is incorrect information. The original building permit may have been for a 'seasonal residence' but this structure is now the Munro's permanent dwelling. A permanent dwelling has more impact on Peter's Point and needs to be taken into consideration. The Munro's have also removed a large amount of natural vegetation and altered the shoreline of their lot containing a permanent dwelling. This has had a detrimental impact on the environmental, which to a certain degree has been offset by the other portion of their property left in a more natural state. The shoreline of the parcel to be severed is wetland. Last year there were loons nesting in front of the property. If the consent were to be granted, there will be a heavy additional environmental impact on an already fragile overdeveloped point.

Concerning the legitimacy of the natural severance, Lanark Highlands Township assumed Peter's Point Road into their road systems many, many years ago. The municipality has winter and summer maintained the road and their records so indicate. I have been informed that the Township sent correspondence to Mr. and Mrs. Munro in 2006 stating that Peter's Point Road is a municipal road and that the Township recommends that they hire a professional planner or lawyer to review this issue prior to proceeding with an application to the Lanark Division Committee for consent. To my knowledge, this has not been done.

Peter's Point is also an area of archaeological potential, as this area was home to the Algonquin Indians for thousands of years. On my property, which is on the other side of the municipal road from the lot to be severed, there is indications of Algonquin Indian settlement, as arrowheads have been found in the vicinity. As far as I can ascertain, the Munro's application does not contain an archaeological assessment.

Mr. Horlin also sent by e-mail (Dec 16 2007) – that he be notified of the public meeting and to be notified of the decision of the Lanark Division Committee in respect of the proposed consent.

Don and Lynda Reynolds (Dec 18 2007)

Please take this letter as an objection to the application for severance proposed by Bruce and Marilyn Munro at 630 Peter's Point Road Lanark Highlands.

We are very concerned about this matter because:

1. The application for severance is incomplete. His plan does not show the road connecting the main property.
2. His plan does not have our access to our cottage shown on the site plan.
3. The lots he wants to sever are undersized according to Lanark Highlands official plan.
4. The lots concerned are fronted by wetlands. Is he going to destroy these?
5. The development on Peter's Point is already at a saturation level and there are already enough lots that are substandard in size. This brings us to real concerns about the environment that should be addressed before a severance is granted. The existing wells and septic tanks should be a priority!
6. He states the existing dwelling on the property is seasonal??? I would like to know here his other permanent Ontario residence it. We believe that the dwelling in question is his permanent home and should not be classed seasonal.

You stated in your notice that there would be a public meeting held. We wish to be notified when and if there is one schedule. We certainly wish to be notified of the decision of the Land Division Committee.

William and Lea Baker (Dec 16 2007)

I am writing in response to the notice of application for consent file Number B07/164 pt Lot 24, Concession 8, Township of Darling, for Bruce Craig Munro and Marilyn Munro.

I am giving written notice that I wish to be notified of the public meeting and to be notified of the decision of the Lanark Division Committee in respect of the proposed consent.

We will be providing recommendations to the Land Division Committee on the proposed consent. (*Note – none received*).

MINUTES OF PUBLIC MEETING

Paul Webber (solicitor for the applicant), Bruce & Marilyn Munro, Lea & Stephen Baker, William Baker, Don and Linda Reynolds and Bruce Horlin were present at the public meeting held on Monday, June 23, 2008 and gave evidence under oath.

Mr. Webber gave a briefing on the background of the application, including the question of whether Peter's Point Road is a municipal road or private property. Mr. Weber concluded that there was no principle of planning that would prevent the consent from being approved and that if the Committee granted approval of the consent his clients would agree to the following:

- that the applicant enter into an agreement with the Township that the retained lands as shown on the application (.3488m² plus .6263m²) be considered as one lot for zoning purposes.
- that the applicant would dedicated Peter's Point Road to the Township for road purposes, and
- that the Munro's would waive all rights to the unopened road allowance abutting their property.

B Horlin advised that he had declared a possible conflict of interest to the application when presented to Lanark Highlands Council, and was at this time speaking as an adjacent landowner. Mr. Horlin advised that Peter's Point Road has been maintained by the Township for many years and was assumed by the former Township of Darling over 30 years ago and that there was an adverse affect on the area and water quality if further consents were to be granted on an already built up point of land on White Lake.

W. Baker advised that the small retained lot was almost all swamp and was not suitable for development.

Committee agreed that the public hearing be adjourned to provide an opportunity for the members to discuss the application with the LDC Solicitor.

MINUTES OF PUBLIC MEETING

Chairman Strachan called to order the reconvened hearing for Consent Application B07/164.

Paul Webber (solicitor for the applicant), Bruce & Marilyn Munro (applicants), Don and Linda Reynolds and Bruce Horlin were present at the public meeting held on Monday, July 23, 2008. Chairman Strachan advised those present that they were still under oath as taken June 23, 2008.

Mr. Horlin advised that he was also acting as 'agent' on behalf of the Bakers.

Chairman Strachan outlined the results of the committee member's discussion with the LDC Solicitor:

- The Road issues are not under the mandate of the Land Division Committee, these are a Township issue and the applicant should deal directly with the Township of Lanark Highlands.

- The Committee will not be reviewing or commenting on the Road Allowance or the request for compensation as this is a Township issue and the applicant should deal directly with the Township of Lanark Highlands.
- The small lot to the south of Peter's Point Road is not part of the retained lands as it is separate lot, naturally severed by Peter's Point Road.
- The lands to be considered for the severance application are only those lands lying northerly of Peter's Point Road.

Chairman Strachan opened to floor for input, noting that the committee would only consider 'new' information.

Paul Webber noted that the application has been put forth as using the lot to the south of Peter's Point Road as part of the retained lot and that this is allowable for planning purposes.

No others requested to address Committee.

DECISION & CONDITIONS

DECISION: Having had regard for the reports provided by the Township of Lanark Highlands and the Mississippi Valley Conservation as outlined in their responses dated March 20, 2008 and February 1, 2008 respectively, **PROVISIONAL CONSENT IS DENIED.**

REASONS: Approval of this proposal would be contrary to many of the provisions of the Provincial Policy Statement, the Township of Lanark Highlands Official Plan and the Township of Lanark Highlands Zoning By-law, particularly in relation to lots sizes, frontage and depth.

LAND DIVISION STAFF REPORT

APPLICATION FOR CONSENT

Date: July 9, 2008

Owner: Keith and Carrie Larocque

LDC File #: B08/056

Township: Dalhousie

Municipality: Lanark Highlands

Lot: Pt 16 Conc: 2

Roll No. 0940 002 025 08600

Type: New Lot

SUMMARY

The purpose and effect of the application is to sever a 1.38-ha residential building lot and retain a 4.78-ha residential lot with an existing dwelling. This application is being submitted concurrently with B08/057.

DETAILS OF PROPOSAL	Present Land Holding	Land to be Severed	Land to be Retained
Existing Use Proposed Use	Residential Residential	Vacant residential	Residential Residential
Area	6.16-ha	1.38-ha	4.78-ha
Frontage	371.5 m	167.6 m	371.5 m
Depth	275.5 m	79.3 m	275.5 m
Road - Access to	Sugarbush Way	Sugarbush Way	Sugarbush Way
Water Supply	Private Well	Proposed	Private Well
Sewage Disposal	Septic System	Proposed	Septic System
Official Plan Designation -Conformity?	Rural		
Zoning Category	Rural	Rural	Rural
-Area Required (min.)	1.0-ha	1.0-ha	1.0-ha
-Compliance?	Yes	Yes	Yes
-Frontage Required (min.)	60m	60m	60m
-Compliance?	Yes	Yes	Yes
-Depth Required (min.)	n/a	n/a	n/a
-Compliance			

POLICY & REGULATION ANALYSIS

Provincial Policy Statement – Provincial interests were identified by MVC during the review of this application. See MVC report for details.

Official Plan – The Township of Lanark Highlands advises that the proposal complies with the existing Official Plan policies.

Zoning By-law - The Township of Lanark Highlands advises that the proposal meets the requirements outlined in the Township's Zoning By-law.

EXTERNAL CIRCULATION COMMENTS

Township of Lanark Highlands –

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

1. That lands be dedicated for road widening purposes. The applicant shall consult directly with the Public Works Superintendent.
2. That development charges shall be paid in full prior to the issuance of a building permit.
3. That a Civic Address Sign be required for the severed land prior to a building permit being issued.
4. That property taxes be paid in full.
5. That Cash-in-Lieu of Parklands be paid to the Township per By-law No. 2005-575.
6. The landowner shall enter into a development agreement with the Township of Lanark Highlands, the wording of which shall be satisfactory to Mississippi Valley Conservation (MVC), to implement the mitigative measures outlined in the EIS which include a clause to recognize the abandoned cemetery.

Conservation Authority – Mississippi Valley Conservation

Mississippi Valley Conservation (MVC) has been circulated the application to conduct a review in terms of MVC Regulations and Provincial Planning Policy for Natural Heritage and Natural Hazard issues. Specially, 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 application is to sever two vacant residential building lots measuring 1.37- ha and 1.0-ha in size and to retain a 5.16-ha residential lot. The retained land is already developed.

A review of available GIS mapping shows that an unnamed watercourse runs through the northwest corner of the proposed severance B078/056 and through the western side of B08/057. The presence of this watercourse was confirmed during a site visit conducted by MVC staff on July 10 2008.

MVC does not have any objection to the proposed severances provided the following mitigative measures are implemented for any future development:

1. A minimum 30 metre setback from the tributary shall be maintained for future structures and a septic system.
2. The existing shoreline vegetative buffer shall be retained to a minimum depth of 15 metres, along the tributary.
3. Natural drainage patterns on the site shall not be substantially altered, such that additional run-off is directed into the tributary or onto adjacent properties.

The property owner should be advised that in the event that shoreline work is proposed on the tributary in the future, 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, in accordance with MVC’s Level II fish habitat agreement with the Department of Fisheries and Oceans, MVC is responsible for evaluating proposed works as to their impact on fish habitat in our watershed. Therefore, any proposed works in or near the tributary 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.

Please advise us of the Committee’s decision in this matter.

LGL Health Unit –

Severed Lands – Relatively flat scrub land sloping from west to east. No soil drainage problems. Sandy loam soil approximately 2 feet deep. Additional granular fill 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 septic system. Sandy loam soil 5 feet deep.

Hydro One Networks – No comments were received.

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

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.

MINUTES OF PUBLIC MEETING

Carrie Larocque (applicant) was present at the public meeting held on Monday, June 28, 2008 and gave evidence under oath. No further comments were provided.

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 Planning Approvals Administrator 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.
3. Payment shall be made to the Township of Lanark Highlands of an amount satisfactory to the Township of up to 5% of the value of the land pursuant to Section 51.1 of the Planning Act.
4. Sufficient lands shall be conveyed to the Township of Lanark Highlands along the frontage of the lot to be retained to meet the requirements of the municipality for road widening. Deeds are to be submitted to the municipality for review and approval 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 enter into a development agreement with the Township, the terms of which are to be acceptable to the Township and Conservation Authority to implement appropriate mitigative measures to regarding future development and organic soils.
6. The applicant shall enter into a development agreement with the Township, to implement appropriate mitigative measures to protect and recognize the abandoned cemetery.
7. A letter shall be received from the Township of Lanark Highlands stating that conditions #2 to #6 has been fulfilled to their satisfaction.
8. A letter shall be received from Mississippi Valley Conservation stating that condition # 5 has been fulfilled to their satisfaction.

NOTES:

- *The Township advises that, prior to the issuance of building permits for the lots to be severed and retained, development charges must be paid to the Township and civic address signs and entrance permits obtained.*
- *The LGL Health Unit advises that the lots can be made suitable for on-site sewage disposal with the importation of additional granular fill in the proposed tile bed area.*
- *The MVC advises that the property owner be advised that in the event that shoreline work is proposed on the tributary in the future, written permission may be required from MVC pursuant to Ontario Regulation 153/06 – “Development, Interference with Wetlands and Alterations to Shorelines and Watercourses”.*
- *The MVC advised that, in accordance with MVC’s Level II fish habitat agreement with the Department of Fisheries and Oceans, MVC is responsible for evaluating proposed works as to their impact on fish habitat in our watershed. Therefore, any proposed works in or near the tributary 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.*
- *The Township of Lanark Highlands Official Plan Section 10.11.13 B.4 provides that up to two consents may be granted for a lot or landholding. Committee will not entertain any further consents on the retained lands or the severed lands.*

LAND DIVISION STAFF REPORT

APPLICATION FOR CONSENT

Date: July 9, 2008

Owner: Keith and Carrie Larocque

LDC File #: B08/057

Township: Dalhousie

Municipality: Lanark Highlands

Lot: Pt 16 **Conc:** 2

Roll No. 0940 002 025 08600

Type: New Lot

SUMMARY

The purpose and effect of the application is to sever a 1.0-ha residential building lot and retain a 3.78-ha residential lot with an existing dwelling. This application is being submitted concurrently with B08/056.

DETAILS OF PROPOSAL	Present Land Holding	Land to be Severed	Land to be Retained
Existing Use Proposed Use	Residential Residential	Vacant residential	Residential Residential
Area Frontage Depth Road - Access to	6.16-ha 371.5 m 275.5 m Sugarbush Way	1.0-ha 167.6 m 79.3 m 3 rd Conc Dalhousie	3.78-ha 371.5 m 275.5 m Sugarbush Way
Water Supply Sewage Disposal	Private Well Septic System	Proposed Proposed	Private Well Septic System
Official Plan Designation -Conformity?	Rural		
Zoning Category -Area Required (min.) -Compliance? -Frontage Required (min.) -Compliance? -Depth Required (min.) -Compliance	Rural 1.0-ha Yes 60m Yes n/a	Rural 1.0-ha Yes 60m Yes n/a	Rural 1.0-ha Yes 60m Yes n/a

POLICY & REGULATION ANALYSIS

Provincial Policy Statement – provincial interests were identified by MVC during the review of this application. See MVC report for details.

Official Plan – The Township of Lanark Highlands advises that the proposal complies with the existing Official Plan policies.

Zoning By-law - The Township of Lanark Highlands advises that the proposal meets the requirements outlined in the Township's Zoning By-law.

EXTERNAL CIRCULATION COMMENTS

Township of Lanark Highlands –

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

1. That lands be dedicated for road widening purposes. The applicant shall consult directly with the Public Works Superintendent.
2. That development charges shall be paid in full prior to the issuance of a building permit.
3. That a Civic Address Sign be required for the severed land prior to a building permit being issued.
4. That property taxes be paid in full.
5. That Cash-in-Lieu of Parklands be paid to the Township per By-law No. 2005-575.
6. The landowner shall enter into a development agreement with the Township of Lanark Highlands, the wording of which shall be satisfactory to Mississippi Valley Conservation (MVC), to implement the mitigative measures outlined in the EIS which include a clause to recognize the abandoned cemetery.

(Note – abandoned Cemetery is on B08/056 only)

Conservation Authority – Mississippi Valley Conservation

Mississippi Valley Conservation (MVC) has been circulated the application to conduct a review in terms of MVC Regulations and Provincial Planning Policy for Natural Heritage and Natural Hazard issues. Specially, 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 application is to sever two vacant residential building lots measuring 1.37-ha and 1.0-ha in size and to retain a 5.16-ha residential lot. The retained land is already developed.

A review of available GIS mapping shows that an unnamed watercourse runs through the northwest corner of the proposed severance B078/056 and through the western side of B08/057. The presence of this watercourse was confirmed during a site visit conducted by MVC staff on July 10 2008.

MVC does not have any objection to the proposed severances provided the following mitigative measures are implemented for any future development:

1. A minimum 30 metre setback from the tributary shall be maintained for future structures and a septic system.
2. The existing shoreline vegetative buffer shall be retained to a minimum depth of 15 metres, along the tributary.
3. Natural drainage patterns on the site shall not be substantially altered, such that additional run-off is directed into the tributary or onto adjacent properties.

The property owner should be advised that in the event that shoreline work is proposed on the tributary in the future, 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, in accordance with MVC’s Level II fish habitat agreement with the Department of Fisheries and Oceans, MVC is responsible for evaluating proposed works as to their impact on fish habitat in our watershed. Therefore, any proposed works in or near the tributary 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.

Please advise us of the Committee’s decision in this matter.

LGL Health Unit –

Severed Lands – Relatively flat scrub land sloping from west to east. No soil drainage problems. Sandy loam soil approximately 2 feet deep. Additional granular fill 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 septic system. Sandy loam soil 5 feet deep.

Hydro One Networks – No comments were received.

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

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.

MINUTES OF PUBLIC MEETING

Carrie Larocque (applicant) was present at the public meeting held on Monday, June 28, 2008 and gave evidence under oath. No further comments were provided.

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 Planning Approvals Administrator 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 penal ties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.
3. Payment shall be made to the Township of Lanark Highlands of an amount satisfactory to the Township of up to 5% of the value of the land pursuant to Section 51.1 of the Planning Act.
4. Sufficient lands shall be conveyed to the Township of Lanark Highlands along the frontage of the lot to be retained to meet the requirements of the municipality for road widening. Deeds are to be submitted to the municipality for review and approval 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 enter into a development agreement with the Township, the terms of which are to be acceptable to the Township and Conservation Authority to implement appropriate mitigative measures to regarding future development and organic soils.
6. A letter shall be received from the Township of Lanark Highlands stating that conditions #2 to #5 has been fulfilled to their satisfaction.
7. A letter shall be received from Mississippi Valley Conservation stating that condition # 5 has been fulfilled to their satisfaction.

NOTES:

- *The Township advises that, prior to the issuance of building permits for the lots to be severed and retained, development charges must be paid to the Township and civic address signs and entrance permits obtained.*
- *The LGL Health Unit advises that the lots can be made suitable for on-site sewage disposal with the importation of additional granular fill in the proposed tile bed area.*
- *The MVC advises that the property owner be advised that in the event that shoreline work is proposed on the tributary in the future, written permission may be required from MVC pursuant to Ontario Regulation 153/06 – “Development, Interference with Wetlands and Alterations to Shorelines and Watercourses”.*
- *The MVC advised that, in accordance with MVC's Level II fish habitat agreement with the Department of Fisheries and Oceans, MVC is responsible for evaluating proposed works as to their impact on fish habitat in our watershed. Therefore, any proposed works in or near the tributary 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.*
- *The Township of Lanark Highlands Official Plan Section 10.11.13 B.4 provides that up to two consents may be granted for a lot or landholding. Committee will not entertain any further consents on the retained lands or the severed lands.*

LAND DIVISION STAFF REPORT

APPLICATION FOR CONSENT

Date: July 9, 2008

Owner: Russell Christopher Wilson
LDC File #: B08/059
Township: Drummond
Municipality: Drummond /North Elmsley
Lot: Pt 24 **Conc:** 8
Roll No. 0919 919 025 22100
Type: New Lot

SUMMARY

The purpose and effect of the application is to sever a residential building lot 0.66-ha and retain a 0.85-ha building lot with an existing garage and workshop. Properties were inadvertently merged on title.

DETAILS OF PROPOSAL	Present Land Holding	Land to be Severed	Land to be Retained
Existing Use Proposed Use	Residential Residential	Residential Residential	Vacant with outbuildings Residential
Area	1.52-ha	0.67-ha	0.85-ha
Frontage	72.0 m	30.5 m	41.5 m
Depth	150.32 m	150.32 m	150.32 m
Road - Access to	Ebbs Bay Rd	Ebbs Bay Rd	Ebbs Bay Rd
Water Supply	Private Well	Private Well	Proposed
Sewage Disposal	Septic System	Septic System	Proposed
Official Plan Designation -Conformity?	Rural		
Zoning Category	LSR	LSR	LSR
-Area Required (min.)	0.4-ha	0.4-ha	0.4-ha
-Compliance?	Yes	Yes	Yes
-Frontage Required (min.)	50m	50m	50m
-Compliance?	Yes	No	No
-Depth Required (min.)	n/a	n/a	n/a
-Compliance			

POLICY & REGULATION ANALYSIS

Provincial Policy Statement – Provincial interests were identified by MVC during the review of this application. See MVC report for details.

Official Plan – The Township of Drummond / North Elmsley advises that the proposal complies with the existing Official Plan policies.

Zoning By-law - The Township of Drummond / North Elmsley advises that the proposal meets the requirements outlined in the Township's Zoning By-law.

EXTERNAL CIRCULATION COMMENTS

Township of Drummond / North Elmsley –

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

1. That the balance of any outstanding taxes shall be paid to the Township.

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 areas of natural hazards such as unstable slopes and areas prone to flooding and erosion.

Proposal

According to the information provided, the purpose of the proposed severance is to sever a 0.66-ha lot with an existing seasonal residence and to retain a 0.55-ha building lot with an existing garage and workshop.

Property Characteristics

A portion of the subject property consists of wetland running along the eastern property line to an estimated depth of 25 metres on the proposed retained lands. A review of MVC's flood plain mapping also revealed that the proposed retained lands are partially located within the Regulatory (1:100 year) flood plain and the Regulation Limit of Mississippi Lake. The flood plain appears to extend 25 metres into the proposed retained lands in the same area as the wetland. The remainder of the property consists of higher ground. The proposed severed parcel does not consist of wetland and is not located within the flood plain or the Regulation Limit.

Review

Both of the resulting lots (severed and retained) meet the current minimum area requirements set out in the Township of Drummond / North Elmsley's Zoning By-law. In addition, sufficient area appears to exist to accommodate a modest structure and a septic system on the proposed retained lands. The proposed severed parcel is already developed and no new development is proposed at this time.

Conclusion

With all of the above in consideration, MVC does not have any objection to the proposed severance provided the following mitigative measures are implemented for any future construction:

1. Future structures, including a septic system shall be located a minimum of 20 metres from the high water mark of the wetland.
2. Future structure, including a septic system shall be located outside of the Regulatory (1:100 year) flood plain.
3. Excavated material shall be disposed of outside of the flood plain.
4. Regular pick-up of construction debris is also encouraged to prevent construction debris from blowing into the wetland.

5. Natural drainage patterns on the side shall not be substantially altered such that additional run-off is directed into the wetland or onto neighbouring properties. In order to achieve this, eaves troughing shall be installed. The eaves troughing shall be outletted away from the wetland to a leach pit or well-vegetated area to allow for maximum infiltration.
6. Overland runoff shall not enter onto neighbouring properties as a result of altering the pre-development grade of the building lot. If necessary a drainage swale shall be provided at the lot boundary to intercept drainage and direct it away from neighbouring properties.

A portion of the subject property is regulated under Ontario Regulation 153/06 – “Development, Interference with Wetlands and Alterations to Shorelines and Watercourses”. Written permission is required from MVC prior to the initiation of any construction and / or filling activity (which includes excavation, stockpiling and site grading) within the flood plain or the Regulation Limit. In addition, written permission may be required for any alterations to the shoreline of the wetland.

In addition, in accordance with MVC’s Level II fish habitat agreement with the Department of Fisheries and Oceans, MVC is responsible for evaluating proposed works as to their impact on fish habitat in our watershed. Therefore, 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.

Please advise us of the Committee’s decision in this matter.

LGL Health Unit –

Severed Lands – Existing seasonal cottage serviced by a private well and Class 4 septic system. Sufficient land area to replace existing system. Sandy loam soil 0 inches to 5 feet. Additional granular fill may be required in replacement tile bed area.

Retained Lands – Relatively flat mixture of treed and grassed land with an existing garage located on the property. Sandy loam soil 0 inches to 5 feet. Satisfactory for intended purpose.

Hydro One Networks – No comments were received.

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

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.

MINUTES OF PUBLIC MEETING

Russell Wilson (applicant) and Julia Wilson (purchaser) were present at the public meeting held on Monday, July 28, 2008 and gave evidence under oath.

Mr. Wilson advised that the Township Planner for Drummond / North Elmsley has advised that a minimum lot frontage is not required for lots being created on a private road. Mr. Wilson also questioned the necessity of having to submit an application for zoning or minor variance.

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 Planning Approvals Administrator 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.
3. The applicant shall bring the lot to be severed and the lot to be retained into compliance with the minimum provisions of the Zoning By-law by obtaining either a minor variance or an amendment to the Zoning By-law.
Alternatively:
That the Township of Drummond / North Elmsley provide a letter advising that the lots are acceptable as 'non-conforming' lots.
4. The land owner shall enter into a development agreement with the Township of Drummond / North Elmsley, the wording of which shall be satisfactory to Mississippi Valley Conservation (MVC), to implement the mitigative measures for future construction as recommended by MVC.
5. A letter shall be received from the Township of Drummond / North Elmsley stating that condition # 2 to #4 have been fulfilled to their satisfaction.

NOTES:

- *The LGL Health Unit advises that additional granular fill may be required in replacement tile bed area.*
- *The MVC advises that a portion of the subject property is regulated under Ontario Regulation 153/06 – "Development, Interference with Wetlands and Alterations to Shorelines and Watercourses". Written permission is required from MVC prior to the initiation of any construction and / or filling activity (which includes excavation, stockpiling and site grading) within the flood plain or the Regulation Limit. In addition, written permission may be required for any alterations to the shoreline of the wetland.*
- *The MVC advises that in accordance with MVC's Level II fish habitat agreement with the Department of Fisheries and Oceans, MVC is responsible for evaluating proposed works as to their impact on fish habitat in our watershed. Therefore, 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.*

LAND DIVISION STAFF REPORT

APPLICATION FOR CONSENT

Date: July 22, 2008

Owner: Maria Oliviero

LDC File #: B07/152 to B07/155

Township: Ramsey

Municipality: Mississippi Mills

Lot: Pt 4/5 **Concession:** 12

Roll No. 0931 929 020 58100

0931 929 020 57600

0931 929 020 57800

Type: New Lot (3) & a Private Road

SUMMARY

The purpose and effect of the application is to sever three (3) residential building lots, ranging from 1.254-ha to 1.579-ha in size, and to sever a 15.24 m wide private road which is to be held in title by the owners of the lots to be severed. This proposal has been submitted as a "Cluster Lot Development" under the Town of Mississippi Mills Official Plan.

DETAILS OF PROPOSAL	Present Land Holding	Land to be Severed	Land to be Retained
Lot B07/152 Existing Use Proposed Use	Residential Residential	Vacant Private Road	Residential Residential
Lot B07/153 Existing Use Proposed Use	Residential Residential	Vacant Residential	Residential Residential
Lot B07/154 Existing Use Proposed Use	Residential Residential	Vacant Residential	Residential Residential
Lot B07/155 Existing Use Proposed Use	Residential Residential	Vacant Residential	Residential Residential
Lot B07/152 Area Frontage Depth Road - Access to	67.26-ha 529.78m Irregular Ramsey Conc. 1	0.139-ha 15.24m 91.44m Golden Line	67.121-ha 529.78m Irregular Ramsey Conc.1
Lot B07/153 Area Frontage Depth Road - Access to	67.21-ha 529.78m Irregular Ramsey Conc. 1	1.254-ha 91.44m 137.16m average Golden Line	67.8670ha 529.78m Irregular Ramsey Conc. 1
Lot B07/154 Area Frontage Depth	67.867-ha 529.78m Irregular	1.254-ha 91.44m 137.16m average	64.613-ha 529.78m Irregular

Road - Access to	Ramsey Conc. 1	Golden Line	Ramsey Conc. 1
Lot B07/155			
Area	64.613-ha	1.579-ha	63.034-ha
Frontage	529.78m	15.24m	529.78m
Depth	Irregular	121.92m	Irregular
Road - Access to	Ramsey Conc. 1	Golden Line	Ramsey Conc. 1
Water Supply	Private Well	Proposed	Private Well
Sewage Disposal	Septic System	Proposed	Septic System
Official Plan Designation	Rural, with Agriculture overlays and Agriculture		
-Conformity?	Yes		
Zoning Category	Rural /Agriculture	Rural	Rural / Agriculture
-Area Required (min.)	10.0-ha	0.4-ha	10.0-ha
-Compliance?	Yes	Yes	Yes
-Frontage Required (min.)	150m	45m	150m
-Compliance?	Yes	Yes	Yes
-Depth Required (min.)	n/a	n/a	n/a
-Compliance?			

POLICY & REGULATION ANALYSIS

Provincial Policy Statement – Provincial interests were identified by the Conservation Authority and the Town of Mississippi Mills during their review of the applications. See MVC and Town of Mississippi Mills reports for details.

Official Plan – The Town of Mississippi Mills has advised that the proposal maintain the intent and purpose of the Community Official Plan policies.

Zoning By-law – The Town of Mississippi Mills advises that with the addition of the emergency turn around, which will increase the lot frontage of the third lot; it would appear that the proposed severance would maintain the intent and purpose of the Zoning By-law.

EXTERNAL CIRCULATION COMMENTS

Town of Mississippi Mills – please refer to Planning Report.

Conservation Authority – Please refer to Planning Report.

LGL Health Unit –

B07/152 – Private road – no report required.

B07/153 – A 3.0 acre treed property intended for a residential lot. The property is fairly flat. There is approximately 0.3 metres of topsoil. Groundwater level is approximately 0.5 – 1 metre below grade. A hydrogeological evaluation by Houle Chevier Engineering has been submitted. There is sufficient space for the installation of a conventional septic system. The system may need to be raised depending on the exact location, using imported fill.

B07/154 - A 3.0 acre treed property intended for a residential lot. The property is fairly flat. There is approximately 0.3 metres of topsoil. Groundwater level is approximately 0.5 – 1 metre below grade. A hydrogeological evaluation by Houle Chevier Engineering has been submitted. There is sufficient space for the installation of a conventional septic system. The system may need to be raised depending on the exact location, using imported fill.

B07/155 - A 3.0 acre treed property intended for a residential lot. The property is fairly flat. There is approximately 0.3 metres of topsoil. Groundwater level is approximately 0.5 – 1 metre below grade. A hydrogeological evaluation by Houle Chevrier Engineering has been submitted. There is sufficient space for the installation of a conventional septic system. The system may need to be raised depending on the exact location, using imported fill.

Retained lands – An 80 acre property with bush, trees, field, a residence's outbuilding s. The property is gently rolling. The existing septic system is located behind the house. There is sufficient space to replace it with a conventional leaching bed.

Hydro One Networks – No comments were received.

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

Houle Chevrier - See report dated May 2007 and subsequent report dated May 2008.

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.

Mark & Rebecca Wissink – We are concerned about how this decision will impact the environment. We know that there is a natural creek that runs on this property. How will the construction of homes affect the natural water tables that exist in this area? This land is already very wet and does not drain well. Will this change make it worse? Will changes be detrimental to the wildlife in this area? Has enough research been done to determine the long term effects of changes made today? We wish to be notified of all public meetings and any notice of decisions.

Langevin Morris Smiths (David Capra) – Counsel for Hector Sloan, Joanne Sloan, Mark Wissink and Rebecca Wissink, advising of opposition. (Dec 6 2007). July 21, 2008 received notice that Sloan / Wissink no longer opposed to consent application.

MINUTES OF PUBLIC MEETING

Bruno Oliviero (agent for the applicant) and John Price (MVC Representative) were present at the public meeting held on Monday, July 28, 2008 and gave evidence under oath.

Mr. Oliviero outlined the background to the proposal.

John Price provided the Conservation Authority's review of the development proposal. The main concern of the MVC was to review the water quality and quantity. The conditions requested by Mississippi Mills for a hydrogeological assessment will provide information on the quality and quantity as the hydro-g provides water testing information and quantity through a drawn-down and recovery report.

Mr. Oliviero noted that he is prepared to undertake the hydro-g assessment and drill the necessary wells without delay.

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.

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 Planning Approvals Administrator 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.
3. The applicant shall provide a copy of the registered reference plan to the Town of Mississippi Mills.
4. The applicant shall provide a Site Plan to the satisfaction of the Town of Mississippi Mills.
5. The applicant shall enter into a Development Agreement with the Town of Mississippi Mills to be registered on title of the new lots and the private road, the wording of which shall be satisfactory to Town and Mississippi Valley Conservation (MVC), to address lot grading, hydrogeological requirements, water supply, geotechnical provisions and future maintenance of the private road and to implement the environmental protection measures as recommended by MVC.
6. The applicant shall provide a lot grading plan, prepared and stamped by a professional engineer to the satisfaction of the Town of Mississippi Mills.
7. The applicant shall provide a hydrogeological assessment to the satisfaction of the Town of Mississippi Mills and the Mississippi Valley Conservation. The hydrogeological assessment shall demonstrate the adequate supply of water for the proposed three (3) new residential lots.
For applications B07/153, B07/154 and B07/155, that the applicant provide certification of the following to the Town of Mississippi Mills:
 - (a) The wells have been constructed in accordance with the Ministry of Environment guideline "Water Wells and Groundwater Supplies of Ontario";
 - (b) That the quality of water meets the Ministry of Environment "Ontario Drinking Water Standards"; and
 - (c) That there is sufficient quantity of potable water for the intended use.
8. That the lands in application B07/152 be dedicated as a right-of-way with a common elements agreement being registered on title providing access rights and maintenance requirements for the abutting properties.

9. That the lands in application B07/152 be enlarged to allow for an emergency turn-around. The applicant shall consult directly with the Town of Mississippi Mills Planner, prior to any survey works being completed.
10. The applicant shall provide a geotechnical investigative report to the satisfaction of the Town of Mississippi Mills.
11. That a 'Notice" be registered on the title of all lots being created, including the private road, to the effect that the Town of Mississippi Mills will not assume maintenance or repairs of the private right-of-way.
12. That a one (1) foot reserve be added to Lots B07/153 and B07/154 where they abut the road locally known as Golden Line. The application shall consult directly with the Town of Mississippi Mills Planner, prior to any survey works being completed.
13. A letter shall be received from the Town of Mississippi Mills stating that conditions #2 through #12 have been fulfilled to their satisfaction.
14. A letter shall be received from the Mississippi Valley Conservation stating that conditions #5 and #7 have been fulfilled to their satisfaction.

NOTES:

The Leeds Grenville and Lanark Health Unit advises that the septic system may need to be raised depending on the exact location, using imported fill.