



**MINUTES
LAND DIVISION COMMITTEE**

The Land Division Committee met in a special meeting on Monday, June 23, 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-2008-016

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

"THAT, the minutes of the Land Division Committee meeting held on May 26, 2008 be approved as circulated."
ADOPTED

4. ADDITIONS & APPROVAL OF AGENDA

MOTION #LD-2008-017

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

"THAT, the agenda be adopted as circulated and amended".
(Defer Item 7.1.5 to August 25, 2008 at request of applicants solicitor)
ADOPTED

5. DELEGATIONS & PRESENTATIONS

None.

6. COMMUNICATIONS

Ontario East Municipal Conference – September 10, 11 and 12 2008 Kingston
- accommodation has been arranged at the Comfort Inn (next to the Ambassador Hotel on Princess Street).

- please advise by August 8th if you wish to register for the conference.

OACA 2008 Conference – review of presentation by Gordon J Whicher –
Adequate reasons for Consent and Variance Decisions.

R. Strachan thanked the LDC members for the ‘fruit basket’ that was received following recent surgery.

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

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

7.1.2 **B08/014 and B08/015, Thomas & Constance Gardiner**

Pt Lot 27 Concession 9, geographic Township of Drummond, in the Township of Drummond / North Elmsley. (Scotch Corners Road)

7.1.3 **B08/036, Janet Louise Campbell (resubmission)**

Pt Lot 5 Concession 6, geographic Township of Drummond, in the Township of Drummond / North Elmsley. (3069 Drummond Conc. 7)

7.1.4 **B08/039, B08/040 and B08/041, Kathleen Ruth Varcoe & Brian Richard Varcoe**

Pt Lots 10 & 11, Concession 4, Township of Beckwith. (9310 Highway 15)

7.1.5 **B08/043, Alan William Miller & Ivan Matthew Miller - DEFERRED**

Pt Lot 19 & 20 Concession 11, geographic Township of Pakenham, in the Town of Mississippi Mills (2539 12th Con. N)

- 7.1.6 **B08/045, Georg & Berta Lindenstruth**
Pt E 1/3 Lot 12 Concession 9, geographic Township of Drummond, in the Township of Drummond / North Elmsley. (1705 Drummond Conc. 10A)
- 7.1.7 **B08/050, Marius Krukowski**
Pt Lot 17 Concession1, Township of Montague (McRae Road).
- 7.1.8 **B08/052, 1155427 Ontario Inc.**
Pt Lot 9 & 10 Concession 10, geographic Township of South Sherbrooke, In Tay Valley Township. (22755 Highway #7)
- 7.1.9 **B08/055 Doris McCue**
Pt Lot 23 Concession 7, geographic Township of North Elmsley, in the Township of Drummond / North Elmsley. (Rideau Ferry 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.

R. Strachan requested that C. Tyson act as chair for the public hearings.

The Land Division Committee made the following decisions at the hearings:

8.1 PROVISIONAL CONSENT GRANTED

- 8.1.1 **B08/014 and B08/015, Thomas & Constance Gardiner**
Pt Lot 27 Concession 9, geographic Township of Drummond, in the Township of Drummond / North Elmsley. (Scotch Corners Road)
- 8.1.2 **B08/036, Janet Louise Campbell (resubmission)**
Pt Lot 5 Concession 6, geographic Township of Drummond, in the Township of Drummond / North Elmsley. (3069 Drummond Conc. 7)
- 8.1.3 **B08/039, B08/040 and B08/041, Kathleen Ruth Varcoe & Brian Richard Varcoe**
Pt Lots 10 & 11, Concession 4, Township of Beckwith. (9310 Highway 15)
- 8.1.4 **B08/045, Georg & Berta Lindenstruth**
Pt E 1/3 Lot 12 Concession 9, geographic Township of Drummond, in the Township of Drummond / North Elmsley. (1705 Drummond Conc. 10A)
- 8.1.5 **B08/050, Marius Krukowski**
Pt Lot 17 Concession1, Township of Montague (McRae Road).
- 8.1.6 **B08/052, 1155427 Ontario Inc.**
Pt Lot 9 & 10 Concession 10, geographic Township of South Sherbrooke, In Tay Valley Township. (22755 Highway #7)

8.1.7 **B08/055 Doris McCue**

Pt Lot 23 Concession 7, geographic Township of North Elmsley, in the Township of Drummond / North Elmsley. (Rideau Ferry Road)

9. ADJOURNMENT

The next meeting dates were scheduled for July 15, 2008 and July 23, 2008.

The meeting adjourned at 12:30 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. Sand 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.

Dona 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 Weber (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, 2007 and gave evidence under oath.

Mr. Weber 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.

LAND DIVISION STAFF REPORT

APPLICATION FOR CONSENT

Date: June 23, 2008

Owner: Thomas & Constance Gardiner
LDC File #: B08/014
Township: Drummond
Municipality: Drummond / North Elmsley
Lot: 27 **Concession:** 9
Roll #: 0919 919 025 42600
Type: New Lot

SUMMARY

The subject lands are located on Scotch Corners Road, Drummond. The purpose and effect of the application is to sever a 0.72-ha residential building lot and retained a 37.72-ha vacant lot. This application is in conjunction with application B08/015.

DETAILS OF PROPOSAL	Present Land Holding	Land to be Severed	Land to be Retained
Proposed Use Existing Use	Vacant	Residential	Vacant
Area Frontage Road - Access to	38.44-ha 320m Scotch Corners Road	0.72-ha 60m Scotch Corners Road	37.72-ha 260m Scotch Corners Road
Water Supply Sewage Disposal	n/a n/a	Proposed well Proposed septic	n/a n/a
Official Plan Designation -Conformity?	Rural		
Zoning Category			
-Area Required (min.)	0.4 ha	0.4 ha	0.4 ha
-Compliance?	Yes	Yes	Yes
-Frontage Required (min.)	45 m	45 m	45 m
-Compliance?	Yes	Yes	Yes

POLICY & REGULATION ANALYSIS

Provincial Policy Statement – No provincial interests were identified during the review of this application.

Official Plan – The Township of Drummond / North Elmsley advised that the proposal conforms to the applicable policies of the Official Plan.

Zoning By-law – The Township of Drummond / North Elmsley advised that the proposal complies with the Zoning By-law regulations.

EXTERNAL CIRCULATION COMMENTS

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

- (1) That the balance of any outstanding taxes shall be paid to the Township.
- (2) That the applicant shall provide the Township with a registered copy of all reference plans associated with the application is a survey is required by the Registry Office.
- (3) Sufficient land for Road Widening purposes shall be conveyed to the Township of Drummond / North Elmsley by registered deed, to meet the road widening requirements of the Township, The applicant shall consult directly with the Township Road Superintendent in this regard.

Mississippi Valley Conservation

Mississippi Valley Conservation has screened this application out of our formal review process for the following reasons:

- According to available mapping, an unnamed watercourse runs in the vicinity of the subject property. However, it is not located within 30 metres of the subject lots. Therefore, there are no concerns regarding the ability of future development on these lots to meet the minimum setback requirement of 30 metres from the watercourse.
- A preliminary review of the location of the above noted application revealed no other Natural Heritage values requiring comments through the Mississippi Valley Conservation's planning advisory program.

Health Unit

Severed Lands – relatively flat pasture land sloping from East to West. No soil drainage problems. Sandy loam soil 5 feet deep.

Retained Lands – Gently rolling mixture of treed and pasture land with no soil drainage problems. Sandy loam soil variable soil depth.

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

No persons attended the held on Monday, June 23, 2007.

DECISION

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. That the applicant provide the Township of Drummond / North Elmsley with a registered copy of all reference plans associated with the application if a survey is required by the Registry Office.
4. Sufficient lands for Road Widening purposes shall be conveyed to the Township of Drummond / North Elmsley by registered deed, to meet the road widening requirements of the Township. The applicant shall consult directly with the Township Road Superintendent in this regard.
5. A letter shall be received from the Township stating that conditions #2 to #4 have been fulfilled to their satisfaction.

NOTE: NOTE: The Township of Drummond / North Elmsley Official Plan Section 3.7.2.5 provides that up to three lots may be granted for an original parcel of land as it existed on January 1, 1979. The Land Division Committee will not entertain any further consents on the retained lands.

LAND DIVISION STAFF REPORT

APPLICATION FOR CONSENT

Date: June 23, 2008

Owner: Thomas & Constance Gardiner
LDC File #: B08/015
Township: Drummond
Municipality: Drummond / North Elmsley
Lot: 27 **Concession:** 9
Roll #: 0919 919 025 42600
Type: New Lot

SUMMARY

The subject lands are located on Scotch Corners Road, Drummond. The purpose and effect of the application is to sever a 0.72-ha residential building lot and retained a 37.0-ha vacant lot. This application is in conjunction with application B08/014.

DETAILS OF PROPOSAL	Present Land Holding	Land to be Severed	Land to be Retained
Proposed Use Existing Use	Vacant	Residential	Vacant
Area Frontage Road - Access to	37.72-ha 260m Scotch Corners Road	0.72-ha 60m Scotch Corners Road	37.0-ha 200m Scotch Corners Road
Water Supply Sewage Disposal	n/a n/a	Proposed well Proposed septic	n/a n/a
Official Plan Designation -Conformity?	Rural		
Zoning Category -Area Required (min.) -Compliance? -Frontage Required (min.) -Compliance?	0.4 ha Yes 45 m Yes	0.4 ha Yes 45 m Yes	0.4 ha Yes 45 m Yes

POLICY & REGULATION ANALYSIS

Provincial Policy Statement – No provincial interests were identified during the review of this application.

Official Plan – The Township of Drummond / North Elmsley advised that the proposal conforms to the applicable policies of the Official Plan.

Zoning By-law – The Township of Drummond / North Elmsley advised that the proposal complies with the Zoning By-law regulations.

EXTERNAL CIRCULATION COMMENTS

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

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Mississippi Valley Conservation

Mississippi Valley Conservation has screened this application out of our formal review process for the following reasons:

- According to available mapping, an unnamed watercourse runs in the vicinity of the subject property. However, it is not located within 30 metres of the subject lots. Therefore, there are no concerns regarding the ability of future development on these lots to meet the minimum setback requirement of 30 metres from the watercourse.
- A preliminary review of the location of the above noted application revealed no other Natural Heritage values requiring comments through the Mississippi Valley Conservation's planning advisory program.

Health Unit

Severed Lands – relatively flat pasture land sloping from East to West. No soil drainage problems. Sandy loam soil 5 feet deep.

Retained Lands – Gently rolling mixture of treed and pasture land with no soil drainage problems. Sandy loam soil variable soil depth.

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

No persons attended the held on Monday, June 23, 2007.

DECISION

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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. That the applicant provide the Township of Drummond / North Elmsley with a registered copy of all reference plans associated with the application is a survey is required by the Registry Office.
4. Sufficient lands for Road Widening purposes shall be conveyed to the Township of Drummond / North Elmsley by registered deed, to meet the road widening requirements of the Township. The applicant shall consult directly with the Township Road Superintendent in this regard.
5. A letter shall be received from the Township stating that conditions #2 to #4 have been fulfilled to their satisfaction.

LAND DIVISION STAFF REPORT

APPLICATION FOR CONSENT

Date: June 23, 2008

Owner: Janet Louise Campbell
LDC File #: B08/036 RESUBMISSION
Township: Drummond
Municipality: Drummond/North Elmsley
Lot: 5 **Concession:** 6
Roll No. 0919 919 030 01300
Type: New Lot

SUMMARY

The subject lands are located at 3017 Drummond Con. 7 and are designated “Agricultural” (northerly end – approx. 60%), “Rural” and “Provincially Significant Wetland” in the Township Official Plan. The purpose and effect of the application is to sever a 1.2-ha lot on which an existing single family residence and outbuildings are situated and to retain a 29.03-ha vacant agricultural parcel. The retained lands will become consolidated with the adjacent agricultural lot at 3069 Drummond Conc. 7.

DETAILS OF PROPOSAL	Present Land Holding	Land to be Severed	Land to be Retained
Proposed Use	N/A	Residential	Lot Addition
Existing Use	Agricultural		Agricultural
Area	30.23 ha	1.2 ha	29.3 ha
Frontage	213	147m	66m
Road - Access to	Drummond Conc. 7	Drummond Conc. 7	n/a
Water Supply	Well	Well	n/a
Sewage Disposal	Septic	Septic	n/a
Official Plan Designation -Conformity?	Agricultural, Rural & Provincially Significant Wetland		
Zoning Category	A	A	A
-Area Required (min.)	39 ha	0.4 ha	39 ha
-Compliance?	No	Yes	Yes
-Frontage Required (min.)	45m	45m	45m
-Compliance?	Yes	N/A	Yes

POLICY & REGULATION ANALYSIS

Provincial Policy Statement – Any provincial interests were addressed by the Township in their review of the application.

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

Zoning By-law – The Township advises that the proposal complies with the pertinent provisions of the Zoning By-law.

NOTE: The lands are currently zoned Agricultural (A) Zone Section 6. Section 6.1 provides for residential uses 'single-detached dwelling house on an existing lot of record or on a lot created by the Land Division Committee'.

Section 6.2 provides for a minimum lot area of 39 ha, except for a single detached dwelling house in which case the minimum lot area shall be 4,000 m².

EXTERNAL CIRCULATION COMMENTS

Health Unit

Retained Lands – existing residential home serviced by a Class 4 septic system and private well. Sufficient land area to replace existing system. Clay loam soil 5ft deep.

Severed Lands – relatively flat agricultural land with no soil drainage problem. Clay loam soil 5 feet deep.

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

1. That the balance of any outstanding taxes shall be paid to the Township.
2. The applicant shall provide the Township with a registered copy of all reference plans associated with this application is a survey is required by the Registry Office.
3. Sufficient land from all parcels for Road Widening purposes shall be conveyed to the Township of Drummond / North Elmsley by registered deed, to meet the road widening requirements of the Township. The applicant shall consult directly with the Township Roads Superintendent in this regard.

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 – April 28 2008

S. Craig Halpenny, lawyer acting on behalf of the applicant was present at the public meeting held on Monday, April 28, 2008 and gave evidence. Mr. Halpenny requested that, for the purpose of reducing the survey requirements for this application, the severed lot and the retained lot be switched. Mr. Halpenny will also prepare an undertaking to consolidate the adjacent lot with the lot to be retained as a condition of severance.

The Land Division Committee deferred their decision to allow for the application to be re-circulated, with the lot to be severed interchanged with the lot to be retained.

MINUTES OF PUBLIC MEETING – June 23 2008

Robert Campbell was present at the public meeting held on Monday, June 23, 2007 and gave evidence under oath. No further information was provided.

DECISION

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 the Township with a copy of the registered reference plan.
4. Sufficient land along the frontage of the property shall be conveyed to the Township of Drummond / North Elmsley, by registered deed, to meet the road widening requirements of the Township of Drummond / North Elmsley. The applicant shall consult directly with the Township Road Superintendent in this regard.
5. A letter shall be received from the Township of Drummond / North Elmsley that conditions #2- #4 have been fulfilled to their satisfaction.
6. The lands to be retained are for the purpose of a lot addition only to the adjacent lands owned by Robert L Campbell, and any subsequent transfer, charge or other conveyance of the lands to be retained 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.

LAND DIVISION STAFF REPORT

APPLICATION FOR CONSENT

Date: June 23, 2008

Owner: Kathleen Ruth & Brian Richard Varcoe
LDC File #: B08/039
Township: Beckwith
Municipality: Beckwith
Lot: 10 & 11 **Concession:** 4
Roll #: 0924 000 010 21900
Type: New Lot

SUMMARY

The subject lands are located on Richmond Road, Beckwith. The purpose and effect of the application is to sever a 1.17-ha residential building lot and retained a 24.47-ha residential lot with an existing dwelling. This application is in conjunction with application B08/040 and B08/041.

DETAILS OF PROPOSAL	Present Land Holding	Land to be Severed	Land to be Retained
Proposed Use Existing Use	Residential	Residential	Residential
Area Frontage Road - Access to	25.64-ha 685m Highway 15	1.17-ha 93m Richmond Road	24.47-ha 685m Highway 15
Water Supply Sewage Disposal	Private well Individual Septic	Proposed well Proposed septic	Private well Individual Septic
Official Plan Designation -Conformity?	Rural		
Zoning Category			
-Area Required (min.) -Compliance? -Frontage Required (min.) -Compliance?	0.4-ha Yes 45m Yes	0.4-ha Yes 45m Yes	0.4-ha Yes 45m Yes

POLICY & REGULATION ANALYSIS

Provincial Policy Statement – No provincial interests were identified during the review of this application.

Official Plan – The Township of Beckwith advises that the proposal conforms to the applicable policies of the Official Plan.

Zoning By-law – The Township of Beckwith advises that the proposal complies with the pertinent provisions of the Zoning By-law.

EXTERNAL CIRCULATION COMMENTS

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

- (1) That a copy of the registered reference plan be provided to the Township of Beckwith.
- (2) That all structure are located under the guidance of the Chief Building Official in accordance with the Ontario Building Code and all municipal by-law.
- (3) That the location of entrances will be determined in conjunction with the requirements and conditions of the County of Lanark Director of Public Works.

Rideau Valley Conservation

Rideau Valley Conservation Authority has completed a review of the above noted application that will result in the creation of three rural residential lots, each of which will be 1.17 hectares in area. The proposed lots are currently vacant. The 22.13 hectare retained parcel has a residence and shed situated on it. We have undertaken our review within the context of:

- Sections 2.1 Natural Heritage and 3.1 Natural Hazards of the Provincial Policy Statement (2005) issued under Section 3 of the Planning Act,
- Regulations under Section 28 of the Conservation Authorities Act.

We have not identified any natural heritage or natural hazard features on this site, nor is the site subject to regulations administered by the Conservation Authority under Section 28 of the Conservation Authorities Act. Therefore we have no objection to, or conditions of approval for these applications.

Health Unit

Severed Lands – relatively flat mixture of treed and scrub land with no soil drainage problems. Sandy loan soil approximately 8-12 inches deep. Additional granular fill will be required in proposed tile bed area.

Retained Lands – existing residential dwelling serviced by a Class 4 septic system and private well. Sufficient land area to replace existing system. Sandy loan soil approximately 10 – 12 inches deep. Additional granular fill will be required in replacement tile bed area.

County Roads Department – entrance has been reviewed and is acceptable

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

Kathleen Varcoe was present at the public meeting held on Monday, June 23, 2007 and gave evidence under oath. Ms. Varcoe advised that the Township is looking into including their entire property within the settlement area, locally known as Franktown.

DECISION

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. That a copy of the registered reference plan be provided to the Township of Beckwith.
3. That all structure are located under the guidance of the Chief Building Official in accordance with the Ontario Building Code and all municipal by-law.
4. That the location of entrances will be determined in conjunction with the requirements and conditions of the County of Lanark Director of Public Works.
5. A letter shall be received from the Township stating that conditions #2 to #4 have been fulfilled to their satisfaction.
6. A letter shall be received from the County of Lanark Roads Department that condition #4 has been fulfilled to their satisfaction.

NOTES:

The Township of Beckwith Official Plan Section 4.5 provides that generally, the consent process will be used for the purpose of creating one or two new lots. The Land Division Committee will not entertain any further consents on the retained lands.

The Leeds Grenville and Lanark Health Unit advised that additional granular fill will be required in proposed tile bed area.

LAND DIVISION STAFF REPORT

APPLICATION FOR CONSENT

Date: June 26, 2008

Owner: Kathleen Ruth & Brian Richard Varcoe
LDC File #: B08/040
Township: Beckwith
Municipality: Beckwith
Lot: 10 & 11 **Concession:** 4
Roll #: 0924 000 010 21900
Type: New Lot

SUMMARY

The subject lands are located on Richmond Road, Beckwith. The purpose and effect of the application is to sever a 1.17-ha residential building lot and retain a 23.30-ha residential lot with an existing dwelling. This application is in conjunction with application B08/039 and B08/041.

DETAILS OF PROPOSAL	Present Land Holding	Land to be Severed	Land to be Retained
Proposed Use Existing Use	Residential	Residential	Residential
Area Frontage Road - Access to	24.47-ha 685m Highway 15	1.17-ha 93m Richmond Road	23.30-ha 685m Highway 15
Water Supply Sewage Disposal	Private well Individual Septic	Proposed well Proposed septic	Private well Individual Septic
Official Plan Designation -Conformity?	Rural		
Zoning Category -Area Required (min.) -Compliance? -Frontage Required (min.) -Compliance?	0.4-ha Yes 45m Yes	0.4-ha Yes 45m Yes	0.4-ha Yes 45m Yes

POLICY & REGULATION ANALYSIS

Provincial Policy Statement – No provincial interests were identified during the review of this application.

Official Plan – The Township of Beckwith advises that the proposal conforms to the applicable policies of the Official Plan.

Zoning By-law – The Township of Beckwith advises that the proposal complies with the pertinent provisions of the Zoning By-law.

EXTERNAL CIRCULATION COMMENTS

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

- (1) That a copy of the registered reference plan be provided to the Township of Beckwith.
- (2) That all structure are located under the guidance of the Chief Building Official in accordance with the Ontario Building Code and all municipal by-law.
- (3) That the location of entrances will be determined in conjunction with the requirements and conditions of the County of Lanark Director of Public Works.

Rideau Valley Conservation

Rideau Valley Conservation Authority has completed a review of the above noted application that will result in the creation of three rural residential lots, each of which will be 1.17 hectares in area. The proposed lots are currently vacant. The 22.13 hectare retained parcel has a residence and shed situated on it. We have undertaken our review within the context of:

- Sections 2.1 Natural Heritage and 3.1 Natural Hazards of the Provincial Policy Statement (2005) issued under Section 3 of the Planning Act,
- Regulations under Section 28 of the Conservation Authorities Act.

We have not identified any natural heritage or natural hazard features on this site, nor is the site subject to regulations administered by the Conservation Authority under Section 28 of the Conservation Authorities Act. Therefore we have no objection to, or conditions of approval for these applications.

Health Unit

Severed Lands – relatively flat mixture of treed and scrub land with no soil drainage problems. Sandy loan soil approximately 8-12 inches deep. Additional granular fill will be required in proposed tile bed area.

Retained Lands – existing residential dwelling serviced by a Class 4 septic system and private well. Sufficient land area to replace existing system. Sandy loan soil approximately 10 – 12 inches deep. Additional granular fill will be required in replacement tile bed area.

County Roads Department entrance has been reviewed and location is acceptable.

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

Kathleen Varcoe was present at the public meeting held on Monday, June 23, 2007 and gave evidence under oath. Ms. Varcoe advised that the Township is looking into including their entire property within the settlement area, locally known as Franktown.

DECISION

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. That a copy of the registered reference plan be provided to the Township of Beckwith.
3. That all structure are located under the guidance of the Chief Building Official in accordance with the Ontario Building Code and all municipal by-law.
4. That the location of entrances will be determined in conjunction with the requirements and conditions of the County of Lanark Director of Public Works.
5. A letter shall be received from the Township stating that conditions #2 to #4 have been fulfilled to their satisfaction.
6. A letter shall be received from the County of Lanark Roads Department that condition #4 has been fulfilled to their satisfaction.

NOTES:

The Township of Beckwith Official Plan Section 4.5 provides that generally, the consent process will be used for the purpose of creating one or two new lots. The Land Division Committee will not entertain any further consents on the retained lands.

The Leeds Grenville and Lanark Health Unit advised that additional granular fill will be required in proposed tile bed area.

LAND DIVISION STAFF REPORT

APPLICATION FOR CONSENT

Date: June 26, 2008

Owner: Kathleen Ruth & Brian Richard Varcoe
LDC File #: B08/041
Township: Beckwith
Municipality: Beckwith
Lot: 10 & 11 **Concession:** 4
Roll #: 0924 000 010 21900
Type: New Lot

SUMMARY

The subject lands are located on Richmond Road, Beckwith. The purpose and effect of the application is to sever a 1.17-ha residential building lot and retain a 22.13-ha residential lot with an existing dwelling. This application is in conjunction with application B08/039 and B08/040.

DETAILS OF PROPOSAL	Present Land Holding	Land to be Severed	Land to be Retained
Proposed Use Existing Use	Residential	Residential	Residential
Area Frontage Road - Access to	24.47-ha 685m Highway 15	1.17-ha 72.83m Richmond Road	23.30-ha 685m Highway 15
Water Supply Sewage Disposal	Private well Individual Septic	Proposed well Proposed septic	Private well Individual Septic
Official Plan Designation -Conformity?	Rural		
Zoning Category			
-Area Required (min.) -Compliance? -Frontage Required (min.) -Compliance?	0.4-ha Yes 45m Yes	0.4-ha Yes 45m Yes	0.4-ha Yes 45m Yes

POLICY & REGULATION ANALYSIS

Provincial Policy Statement – No provincial interests were identified during the review of this application.

Official Plan – The Township of Beckwith advises that the proposal conforms to the applicable policies of the Official Plan.

Zoning By-law – The Township of Beckwith advises that the proposal complies with the pertinent provisions of the Zoning By-law.

EXTERNAL CIRCULATION COMMENTS

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

- (1) That a copy of the registered reference plan be provided to the Township of Beckwith.
- (2) That all structure are located under the guidance of the Chief Building Official in accordance with the Ontario Building Code and all municipal by-law.
- (3) That the location of entrances will be determined in conjunction with the requirements and conditions of the County of Lanark Director of Public Works.

Rideau Valley Conservation

Rideau Valley Conservation Authority has completed a review of the above noted application that will result in the creation of three rural residential lots, each of which will be 1.17 hectares in area. The proposed lots are currently vacant. The 22.13 hectare retained parcel has a residence and shed situated on it. We have undertaken our review within the context of:

- Sections 2.1 Natural Heritage and 3.1 Natural Hazards of the Provincial Policy Statement (2005) issued under Section 3 of the Planning Act,
- Regulations under Section 28 of the Conservation Authorities Act.

We have not identified any natural heritage or natural hazard features on this site, nor is the site subject to regulations administered by the Conservation Authority under Section 28 of the Conservation Authorities Act. Therefore we have no objection to, or conditions of approval for these applications.

Health Unit

Severed Lands – relatively flat mixture of treed and scrub land with no soil drainage problems. Sandy loan soil approximately 8-12 inches deep. Additional granular fill will be required in proposed tile bed area.

Retained Lands – existing residential dwelling serviced by a Class 4 septic system and private well. Sufficient land area to replace existing system. Sandy loan soil approximately 10 – 12 inches deep. Additional granular fill will be required in replacement tile bed area.

County Roads Department – entrance has been reviewed and location is acceptable.

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

Kathleen Varcoe was present at the public meeting held on Monday, June 23, 2007 and gave evidence under oath. Ms. Varcoe advised that the Township is looking into including their entire property within the settlement area, locally known as Franktown.

DECISION

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. That a copy of the registered reference plan be provided to the Township of Beckwith.
3. That all structure are located under the guidance of the Chief Building Official in accordance with the Ontario Building Code and all municipal by-law.
4. That the location of entrances will be determined in conjunction with the requirements and conditions of the County of Lanark Director of Public Works.
5. A letter shall be received from the Township stating that conditions #2 to #4 have been fulfilled to their satisfaction.
6. A letter shall be received from the County of Lanark Roads Department that condition #4 has been fulfilled to their satisfaction.

NOTE:

The Township of Beckwith Official Plan Section 4.5 provides that generally, the consent process will be used for the purposes of creating one or two new lots. The Land Division Committee will not entertain any further consents on the retained lands.

The Leeds Grenville and Lanark Health Unit advised that additional granular fill will be required in proposed tile bed area.

LAND DIVISION STAFF REPORT

APPLICATION FOR CONSENT

Date: June 23, 2008

Owner: Georg & Berta Lindenstruth
LDC File #: B08/045
Township: Drummond
Municipality: Drummond / North Elmsley
Lot: Pt E ½ 12 **Concession:** 9
Roll #: 0919 919 020 11300
Type: Addition to lot

SUMMARY

The subject lands are located at 1705 Drummond Conc. 10A. The purpose and effect of the application is to sever a 0.4-ha vacant parcel of land as an addition to the adjacent lands owned by Susan Elizabeth Thomson-Lafosse and Paul Lawrence Lafosse at 1890 Drummond Con 9A and retained a 37.9-ha vacant agricultural lot.

DETAILS OF PROPOSAL	Present Land Holding	Land to be Severed	Land to be Retained
Proposed Use Existing Use	Vacant agriculture	Lot addition	Vacant agriculture
Area Frontage Road - Access to	38.3-ha 144.48m Drummond Con 9A	0.4-ha 30.48m Drummond Con 9A	37.9-ha 114.0m Drummond Con 9A
Water Supply Sewage Disposal	Private well Individual Septic	n/a n/a	Private well Individual Septic
Official Plan Designation -Conformity?	Rural Residential and Agriculture		
Zoning Category -Area Required (min.) -Compliance? -Frontage Required (min.) -Compliance?	0.4-ha Yes 45m Yes	0.4-ha Yes 45m Yes (combined frontage = 95m)	0.4-ha Yes 45m Yes

POLICY & REGULATION ANALYSIS

Provincial Policy Statement – No provincial interests were identified during the review of this application.

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 - recommends approval of this application subject to the following conditions:

- (1) That the balance of any outstanding taxes shall be paid to the Township.
- (2) The Applicant shall provide the Township with a registered copy of all reference plan associated with this application is a survey is required by the Registry Office.
- (3) That sufficient land from all parcels for Road Widening purposes shall be conveyed to the Township of Drummond / North Elmsley by registered deed, to meet road widening requirements of the Township. The applicant shall consult directly with the Township Roads Superintendent in this regard.

Mississippi Valley / Rideau Valley Conservation – no comments were received

Health Unit – No comments were received

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

Susan Thomson-Lafrosse was present at the public meeting held on Monday, June 23, 2007 and gave evidence under oath. No further information was provided.

DECISION

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 the Township of Drummond / North Elmsley with a copy of the registered reference plan.
4. Sufficient land from all parcels for Road Widening purposes shall be conveyed to the Township of Drummond / North Elmsley, by registered deed, to meet the road widening requirements of the Township of Drummond / North Elmsley. The applicant shall consult directly with the Township Road Superintendent in this regard.
5. A letter shall be received from the Township of Drummond / North Elmsley that conditions #2- #4 have 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 Susan Elizabeth Thomson-Lafrosse & Paul Lawrence Lafrosse (Pts. 1 & 2 on Reference Plan 27R-6778), and any subsequent transfer, charge or other conveyance of the lands to be retained 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

Date: June 23, 2008

Owner: Marius Krukowski
LDC File #: B08/050
Township: Montague
Municipality: Montague
Lot: Pt. 17 **Concession:** 1
Roll #: 0901 000 020 11800
Type: New Lot

SUMMARY

The subject lands are located at Part Lot 17 Concession 1, Township of Montague. The purpose and effect of the application is to sever a 3.12-ha residential building lot and retain a 52.32-ha vacant landholding. Two new lots were created previously by Consent Applications B185/04 and B186/04. The lands will be accessed from McRae Road.

DETAILS OF PROPOSAL	Present Land Holding	Land to be Severed	Land to be Retained
Proposed Use Existing Use	Vacant Recreation	Residential Vacant	Residential
Area Frontage	55.44-ha 124.25 m	3.12-ha 70.10 m	52.32-ha 54.25 m
Road - Access to	McRae Road	McRae Road	McRae Road
Water Supply Sewage Disposal	none none	Proposed Proposed	Proposed Proposed
Official Plan Designation -Conformity?	Rural Residential		
Zoning Category			
- Area Required (min.)	0.4-ha	0.4-ha	0.4-ha
- Compliance?	Yes	Yes	Yes
- Frontage Required (min.)	46m	46 m	46 m
- Compliance?	Yes	Yes	Yes

POLICY & REGULATION ANALYSIS

Provincial Policy Statement – No provincial interests were identified during the review of this application.

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

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

EXTERNAL CIRCULATION COMMENTS

Township of Montague

A resolution was adopted by the Council of the Township of Montague, prior to the formal submission of the application for consent, endorsing and supporting the creation of a third severance on part of Lot 17 Conc. 1 Montague.

“NOW THERFORE the Council of the Township of Montague resolves to support the creation of a third severance on Part of Lot 17 Concession 1 for the following reasons:

1. Council does not believe that the pattern of existing and future lotting indicate that a plan of subdivision is necessary for the orderly development of the subject parcel of land;
2. Council does not believe that the proposal will cause or aggravate further environmental problems or have a detrimental impact on the surrounding area or its residents;
3. Council's appointed agent has undertaken an on-site inspection of the subject property to ensure that the Municipality has a clear understanding of the consent proposal;
4. The proposed consents, plus the retained parcel will not exceed the total of four (4) lots created from an original landholding since the adoption of the Township of Montague's Official Plan; and
5. The proposed landholding has not been subject to a consent application in the five (5) year period immediately preceding the consent application.

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

1. That 5% cash in lieu of parkland be paid to the Township of Montague for each new lot created.
2. That an approved entrance to the subject lot be installed by the owner. The applicant shall consult directly with the Township of Montague in this respect.
3. That the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, is applicable) shall be paid to the Township.
4. That a copy of the reference plan to be provided to the Township of Montague.
5. 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.

Mississippi Valley / Rideau Valley Conservation

The subject application has been reviewed by the **Rideau Valley Conservation Authority** and a site inspection was completed. We have the following comments for the Committee's assistance.

The proposal involves the creation of a new parcel of 3.12 ha with 52 ha remaining in the retained portion. The proposed lots consist of abandon pasture with mixed bush. A watercourse (Rideau Creek) and wetlands are located on the retained lands. The previous severances in 2004 resulted in the lots bisecting the wetlands and the watercourse. The current proposal does not impact those features. It should be noted that the subject lands contain the headwaters of Rideau Creek, a significant tributary of the Rideau River.

Rideau Creek is subject to the Authority's "Alteration to Waterways Regulation" (Ontario Regulation 174/06) written approval from the Conservation Authority must be obtained prior to straightening, changing, diverting, or interfering in any way with the existing channel of a watercourse.

The Conservation Authority has no objection to the consent as there is no anticipated impact to the watercourse or wetlands on the subject property.

Health Unit

Severed Lands – Flat land with no obvious drainage problems. 7.7 acres approximately. Sandy loam fill will be required in area of proposed leaching bed.

Retained Land – Rolling scrub land with variable drainage. Includes a creek and wetland. Sandy loam fill will be required in area of proposed leaching bed.

Hydro One Networks – No comments were received.

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

PUBLIC INPUT

The following submission was 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.

Matt Braid – we have no objection to the consent but require to be advised of the decision of the Land Division committee.

MINUTES OF PUBLIC MEETING

No persons attended the public meeting held on Monday, June 23, 2007.

DECISION

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. That 5% cash in lieu of parkland be paid to the Township of each new lot created.
3. That an approved entrance to the subject lot be installed by the owner. The applicant shall consult directly with the Township of Montague in this respect.
4. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.
5. That a copy of the reference plan to be provided to the Township of Montague.
6. 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.

7. A letter shall be received from the Township stating that conditions #2 to #6 have been fulfilled to their satisfaction.

NOTES:

The Township of Montague Official Plan Section 4.5.15 provides that generally, the number of lots created by consent per landholding will be two (2). The Land Division Committee will not entertain any further consents on the retained lands.

Rideau Creek is subject to the Rideau Valley Conservation Authority's "Alteration to Waterways Regulation" (Ontario Regulation 174/06), written approval from the Conservation must be obtained prior to straightening, changing, diverting, or interfering in any way with the existing channel of a watercourse.

The Leeds Grenville and Lanark Health Unit advised that sandy loan fill will be required in area of proposed leaching bed of the severed and retained parcels.

LAND DIVISION STAFF REPORT

APPLICATION FOR CONSENT

Date: June 23, 2008

Owner: 1155427 Ontario Inc
LDC File #: B08/052
Township: South Sherbrooke
Municipality: Tay Valley
Lot: Pt. 9 & 10 **Concession:** 10
Roll #: 0911 914 010 34000
Type: Lot addition

SUMMARY

The subject lands are located at Part Lot 9 and 10 Concession 10, geographic Township of South Sherbrooke (22755 Highway #7). The purpose and effect of the application is to sever a 0.438-ha lot with an existing restaurant as a lot addition to a vacant parcel of land described as Part 1 on Reference Plan 27R-2451 and retain a 2.196-ha lot with an existing gas bar. The existing restaurant buildings are to be removed. The lands are accessed by Highway #7.

DETAILS OF PROPOSAL	Present Land Holding	Land to be Severed	Land to be Retained
Proposed Use Existing Use	Restaurant & Gas Bar	Restaurant vacant	Gas Bar
Area Frontage Road - Access to	2.634-ha 442.75m Highway #7	0.438-ha 81.0m Highway #7	2.196-ha 361.75m Highway #7
Water Supply Sewage Disposal	Private Well Individual Septic	Private well Individual Septic	Private well Individual Septic
Official Plan Designation -Conformity?	General Commercial		
Zoning Category			
-Area Required (min.)	4050m ²	4050m ²	4050m ²
-Compliance?	Yes	Yes	Yes
-Frontage Required (min.)	60 m	60 m	60 m
-Compliance?	Yes	Yes	Yes

POLICY & REGULATION ANALYSIS

Provincial Policy Statement – The Ministry of the Environment have advised that the proposed severance of the Silver 7 Restaurant property to the lands owned by Petro-Canada is required to facilitate the on-going clean-up of petroleum hydrocarbon (Brownfield).

Official Plan – Tay Valley Township advises that the proposal complies with the existing Official Plan policies.

Zoning By-law – Tay Valley Township advises that the proposal meets the requirements outlined in the Township's Zoning By-law.

EXTERNAL CIRCULATION COMMENTS

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

- (1) That all outstanding taxes owing be paid.
- (2) That all costs incurred by the Township for review of the application be paid.
- (3) That the Township obtain a copy of the deed/transfer(s)
- (4) That the Township obtain a copy of the reference plan.

Conservation Authority

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. Specifically, the purpose of this review is to assess any potential impacts of the proposed development on known natural heritage features present 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 0.438-ha lot with an existing restaurant as a lot addition to a vacant parcel of land. The retained lot is 2.196-ha in size and consists of an existing gas bar. The intent is to remove the existing restaurant.

We understand that the subject property was exposed to fuel contamination which is being addressed by the Ministry of the Environment.

An unnamed tributary of Silver Lake runs within the western boundary of the lot to be enlarged. Unclassified wetland is located to the rear of the subject land and, during high water, drains into this tributary.

MVC has no objection to the proposed severance provided the following mitigative measures are implemented for any future development;

1. All future development, including septic systems shall be setback a minimum of 30 metres from the seasonal high water mark of the creek and a minimum of 20 metres from the wetland.
2. The shoreline vegetation buffer shall be enhanced with deep rooting native plant species to a minimum depth of 3 metres.
3. Natural drainage patterns on the site shall not be substantially altered, such that additional run-off is directed into the creek, wetland or adjacent properties.
4. Sediment control measures must be implemented throughout any future construction process (mainly the placement of a sediment barrier between exposed soil and the creek and wetland).

Septic System Office

Mississippi - Rideau Septic System Office provided the following comments:

The applicant is proposing to sever a portion of 22755 Highway 7. The existing property was formerly used as a gas bar and restaurant. The purpose of the severance appears to separate the restaurant portion from the gas bar portion of the property.

Both the proposed severed and retained portions of the lot have existing septic systems on-site. Both systems appear to require some remedial work to be brought up to Ontario Building Code standards.

Insufficient detail has been provided with regards to the location of the proposed lot line on the west edge of the restaurant. It appears from Dwg. No. 1 that the proposed lot line will not respect the required 3 meter separation distance between septic distribution piping and the Western property line. If the existing septic system on the proposed severed lot is failed or were to fail in the future it is questionable if sufficient space has been provided for the replacement system on the property.

As the proposed severance appears to divide the property into 3 parcels it is unclear as to the status of the Western portion of the property after severance. The Mississippi-Rideau Septic System also requires more information as to the nature of the contamination being monitored and treated in this area. The status of the contamination and treatment is important in determining on-site waste-water treatment options for the proposed severed portion.

Particularly given the history of environmental remediation and monitoring for this site there is currently insufficient information being provided for the Mississippi-Rideau Septic System Office to recommend this severance.

We caution that other considerations must also be taken into account, however, in the review of any development application under the Planning Act for this lot including but not limited to Provincial Policy, the municipal Official Plan and Zoning By-law, watershed and water quality objectives, lake carrying capacity and fish habitat considerations, greater setbacks and lot layout modifications may be required for development to proceed. These matter may be commented on separately by the Rideau Valley Conservation Authority and advice provided to the approval authority.

Ministry of Transportation – Planning and Design Section

The Ministry of Transportation (MTO) has reviewed the application and provides the following comments.

The Ministry is prepared to endorse Application for Consent B06/052 amended application, as submitted.

It is noted that the lands to be retained have an existing double end entrance configurations, consistent with current commercial access configuration for a gas station. As such, the current access for the retained portion will be permitted to remain. It is notable that previous negotiation between MTO and the property owner has determined the current east end of the entrance will, in the future, be removed and replaced at a location directly opposite the Park (Silver Lake Park) entrance.

It is the Ministry's understanding that the reason for the application for consent is to sever the contaminated portion of Part 2 on Reference Plan 27R-2451 and add the parcel to

contaminated Part 1 Plan 27R-2451. The intent is to provide mitigation to the overall contaminated portion, all under one ownership.

The owner should be aware that, under the authority of the *Public transportation and Highway Improvement Act RSO 1990* the MTC controls land use within specified limits of a provincial highway. Any future development within 45 metres of the MTO property limit, or within 395 metres of the intersection of Highway 7 and a municipal road is subject to ministry Building and Land Use Permit control. It is noted that the proposed use of the “Lot to be enlarged” and the “lands to be severed”, is listed as vacant. However, there is involvement with the First Nations, and the land may have some future commercial use. As the future use is not known, and no MTO permit is require at this time, it is not appropriate to require that the existing double entrance configuration be changed as a Condition of Severance.

Ministry of the Environment

MOE supports the addition of lands from the Silver 7 Restaurant property to the lands owned by Petro-Canada in order to facilitate the on-going clean-up of petroleum hydrocarbon contamination.

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. 197/96as amended.

MINUTES OF PUBLIC MEETING

Brent Carriveau (owner), John Davis (planner for the Sharbot Obaadjiwan First Nations) and Lixmen Aloysius (solicitor for Petro Canada) were present at the public meeting held on Monday, June 23, 2007 and gave evidence under oath.

Mr. Carriveau confirmed that one well on the property had been decommissioned and that the second well had been retrofitted with a treatment plant which will now be used by the Gas Barr property. Also that the Township had agreed to receive payment of the outstanding taxes by arrangement.

Mr. Davis advised that the Sharbot Obaadjiwan would deal with the outstanding taxes and that it was their intention to upgrade the property by constructing a ‘Trade Store’ which would be an economic benefit to the area.

DECISION

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 applicant and the Township shall enter into a mutually acceptable agreement to pay the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable).
3. That all costs incurred by the Township for review of the application be paid through a mutually acceptable payment plan.
4. That the Township obtain a copy of the deed/transfers(s).
5. That the Township obtain a copy of the reference plan.
6. A letter shall be received from Tay Valley Township that conditions #2 - #5 have been fulfilled to their satisfaction.
7. That a covenant be placed on the deed/transfer of the severed lands, to the effect that the lands may be contaminated with petroleum hydrocarbon. An Environmental Assessment Report will be required prior to the installation of an individual septic system or potable water source.
8. The lands to be severed are for the purpose of a lot addition only to the adjacent lands owned by Petro-Canada (Pt Lot 9 Conc 9, Pt 1 Reference Plan 27R-2461), and any subsequent transfer, charge or other conveyance of the lands to be retained 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:

The Mississippi Valley Conservation advises that:

- *All future development, including septic systems shall be setback a minimum of 30 metres from the seasonal high water mark of the creek and a minimum of 20 metres from the wetland.*
- *The shoreline vegetation buffer shall be enhanced with deep rooting native plant species to a minimum depth of 3 metres.*
- *Natural drainage patterns on the site shall not be substantially altered, such that additional run-off is directed into the creek, wetland or adjacent properties.*

LAND DIVISION STAFF REPORT

APPLICATION FOR CONSENT

Date: June 23, 2008

Owner: Doris McCue
LDC File #: B08/055
Township: North Elmsley
Municipality: Drummond / North Elmsley
Lot: Pt. 23 **Concession:** 7
Roll #: 0919 908 015 46900
Type: New Lot

SUMMARY

The subject lands are located at Part Lot 23 Concession 7 geographic Township of North Elmsley, in the Township of Drummond / North Elmsley. The purpose and effect of the application is to sever a 8-ha residential building lot and retained a 51-ha landholding with an existing residential dwelling and hobby farm barn. The lands will be accessed from Rideau Ferry Road.

DETAILS OF PROPOSAL	Present Land Holding	Land to be Severed	Land to be Retained
Proposed Use		Residential	Residential / Hobby Farm
Existing Use	Residential / Hobby Farm	Vacant	
Area Frontage	59-ha 309 m	8-ha 49 m	51-ha 260 m
Road - Access to	Rideau Ferry Road	Rideau Ferry Road	Rideau Ferry Road
Water Supply Sewage Disposal	Individual Well Individual Septic	Proposed Proposed	Individual Well Individual Septic
Official Plan Designation -Conformity?	Rural Residential		
Zoning Category			
- Area Required (min.)	0.4-ha	0.4-ha	0.4-ha
- Compliance?	Yes	Yes	Yes
- Frontage Required (min.)	45m	45 m	45 m
- Compliance?	Yes	Yes	Yes

POLICY & REGULATION ANALYSIS

Provincial Policy Statement – No provincial interests were identified during the review of this application.

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 - recommends approval of this application subject to the following conditions:

1. That the balance of any outstanding taxes shall be paid to the Township.
2. The applicant shall provide the Township with a registered copy of all reference plans associated with this application is a survey is required by the Registry Office.

Mississippi Valley / Rideau Valley Conservation

The subject application has been reviewed by the **Rideau Valley Conservation Authority**. The focus of our review has been natural hazard issues (flooding and unstable soil, slopes and bedrock), natural heritage issues such as wetlands and fish habitat, and surface water quality and quantity. The 2005 Provincial Policy Statement (PPS) under Section 3 of the Planning Act and complimentary local policies provide scope for our review. We have the following comments for the Committee's consideration.

The application involves a proposal to create a new parcel of 8 hectares with 51 hectares remaining in the retained portion. The proposed severed parcel is currently vacant and will also require private on-site servicing. The retained lands are within and adjacent to a Provincially Significant Wetland known as the Tay Marsh. Only a very small portion of the wetland is within the retained lands. The adjacent lands of the McLean's Bay wetland also extend into the retained lands to the south. The proposed lot contains unevaluated wetlands which may be connected to the adjacent wetlands, however at this time they are not delineated as provincially significant.

The RVCA has no objection provided that a 30 metre wide protective buffer be established around the unevaluated wetland as to protect the function of the wetland and the habitat associated with these features. The applicant has indicated that the proposed building site is located in excess of 30 metres from the wetland feature. Please note that the adjacent lands shown on the map provided are under the regulation of the Conservation Authority. A permit is required for any site disturbances within 120 metres of these wetlands.

Health Unit

Severed Lands – Relatively flat pasture land sloping from North to South. No soil drainage problems. Sandy loam soil 5 feet deep.

Retained Land – Gently rolling mixture of treed and pasture land with no soil drainage problems. Sandy loam soil 5 feet deep.

County Roads Department

Road Widening not required.

A full application must be made to the County of Lanark for the severed lands.

Hydro One Networks – No comments were received.

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

PUBLIC INPUT

The following submission was 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.

Robert Kerr and Sheila Moffatt – requested to be advised of the public meeting.

MINUTES OF PUBLIC MEETING

Doris McCue and Krista Prost were present at the public meeting held on Monday, June 23, 2007 and gave evidence under oath. No further information was provided.

DECISION

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 entrance to the lot to be severed shall be installed to the satisfaction of the County Public Works Department (Application #2143).
3. A letter shall be received from the County Public Works Department stating that condition #2 has been fulfilled to their satisfaction.
4. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.
5. That a copy of the reference plan to be provided to the Township of Drummond / North Elmsley.
6. A letter shall be received from the Township stating that conditions #4 to #5 have been fulfilled to their satisfaction.

NOTES:

The Rideau Valley Conservation Authority advises that a 30 metre wide protective buffer be established around the unevaluated wetland as to protect the function of the wetland and the habitat associated with these features. A permit is required for any site disturbances within 120 metres of the. Provincially Significant Wetland known as the Tay Marsh and the McLean's Bay wetland.