



**COMMITTEE OF ADJUSTMENT  
WEDNESDAY, July 21, 2021  
9:00 AM CONSENT HEARINGS  
AGENDA**

**THIS MEETING IS BEING HELD ELECTRONICALLY USING VIDEO AND/OR AUDIO  
CONFERRING.**

To connect only by phone, please dial any of the following numbers. When prompted, please enter the meeting ID provided below the phone numbers. You will be placed into the meeting in muted mode. If you encounter difficulty, please call the front desk at 705-466-3341, ext. 0

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<https://us02web.zoom.us/j/84602248258>

Meeting ID: 846 0224 8258

- 1. Call meeting to order**
- 2. Declarations of pecuniary interest**
- 3. Approval of agenda**

THAT Committee approves the agenda.

- 4. Approval of Minutes**

THAT the Minutes of May 12, 2021 be approved.

- 5. New and Other Business – none**

- 6. New Applications**

- 6.1 (9:00 AM) B5-2021 CHOUDHRY / CHAUDHARY Lot Merger**
- 6.2 (9:00 AM) B6-2021 CHOUHAN / VARVARO Boundary Adjustment**

- 6.3 (9:00 AM) B13-2021 CHOUDRY Boundary Adjustment**
- 6.4 (9:00 AM) B7-2021 Bruce Trail Conservancy Severance**
- 6.5 (9:00 AM) B11-2021 Bruce Trail Conservancy / COHEN Boundary Adjustment**
- 6.6 (9:00 AM) B12-2021 Bruce Trail Conservancy / SALES Boundary Adjustment**
- 6.7 (9:30 AM) B8-2021 CLARK Severance**
- 6.8 (10:30 AM) B9-2021 STROUD Severance**
- 6.9 (10:45 AM) B10-2021 MAITLAND Boundary Adjustment**

**7. Adjournment**

THAT Committee adjourns the meeting at \_\_\_\_\_ to meet again at 9:00 am on \_\_\_\_\_ or at the call of the Chair.



**COMMITTEE OF ADJUSTMENT  
MINUTES  
MAY 12, 2021 | 9:00AM**

Present: Earl Hawkins, Deputy Mayor  
Ken Cufaro, Councillor  
Kim Lyon, Member  
Bart Wysokinski, Member  
Tracey Atkinson – CAO  
Roseann Knechtel – Deputy Clerk

**1.0 Call to Order**

The meeting was called to order at 9:00 a.m. by the Chair Hawkins. The meeting was held using electronic “Zoom” application.

**2.0 Declaration of Pecuniary Interest**

**3.0 Approval of the Agenda**

**Moved by Cufaro and Seconded by Lyon**

THAT Committee approves the Agenda dated May 12, 2021.

**Carried.**

**4.0 Approval of Minutes**

**Moved by Lyon and Seconded by Cufaro**

THAT Committee approves the Minutes dated January 6, 2021.

**Carried.**

**5.0 New and Other Business – None**

**6.0 New Applications**

Township Planner Tracey Atkinson confirmed that notice was given in accordance with the Planning Act on all 4 applications, being a first-class mailout to all landowners within 120m of the subject properties and required agencies a minimum of 20 days before the meeting and a yellow notice sign for each property.

**6.1 B2-2021 Monachino Lot Creation – 9:00am**

Township Planner Tracey Atkinson provided a summary of the application.

Adam Santos, the applicant’s planner provided a presentation on the application and described the proposed severance. Consultation with Township staff, Dufferin

County and the conservation authority was undertaken prior to their application and MDS and environmental impact studies were conducted. All requirements of the studies have been met. The concerns outlined in Mr. Clark's letter were responded to.

Daniel Clark spoke to his concerns and asked for clarification on previous severances, the building envelope locations on the severed and retained portions of land and the concerns surrounding the lack of natural screening on the northern lot. Mr. Clark requested the building envelope on both of the retained and severed portions be moved to the east where there is more screening.

Verbal comments were received prior to the meeting from Doreen Riffin in support of the application.

Adam Santos, confirmed that ecological and conservation authority approvals may be required if the building envelopes were to be dramatically altered. The envelopes currently meet all application zoning and environmental requirements.

Discussion ensued and the Township Planner Tracey Atkinson spoke to the natural heritage systems and the protection of such. Comments were received by the Conservation Authority, with no objects to the approval of the application apart from the review of the EIS. Mitigation measures would be incorporated into the development agreement.

**Moved by Lyon and Seconded by Wysokinski**

THAT Application No. B2-2021 submitted by 2407951 Ontario Inc. c/o Frank Monachino for a lot creation from 836059 4<sup>th</sup> Line – 508029 Highway 89 (R#2-0150) be approved subject to the following:

- That the lot creation applies to the creation of a lot of approximately 3.9 ha (+/- 5%) rounded to two decimal places.
- Taxes and/or penalties must be paid in full up to and including the current fiscal year on all related properties, if the amount is known.
- The deed for the subject severance must be presented to the Secretary Treasurer prior to one year after the date of decision; a copy of the consent decision to be kept on file at the Township solicitor's office.
- Two paper copies of the registered plan of survey and one digital copy be provided, including documentation from the surveyor certifying that the digital copy was created from the same file that was used to plot the original paper copies. The digital copy shall be of a format to the Township's satisfaction. The paper copy shall be circulated to the Township for review prior to registration.
- Compliance with all bylaws, including, but not limited to zoning, site plan and property standards.
- That the lot complies with MDS1 analysis between the severed dwelling and any nearby livestock facilities/anaerobic digesters on separate lots in accordance with



the Minimum Separation Distance Document and provide proof of attempted confirmation with the facility operators/owners.

- The applicant shall remove the existing entrance and culvert infrastructure on Highway 89 and reinstate the ditch.
- The applicant shall, at his/her own expense, convey to the Municipality sufficient lands, being 3.05m, along the frontage on 4th Line, fronting the applicant's property to meet the requirements of the Township for road widening as well as any land between the travelled road and the municipal road allowance. Surveys are to be submitted to the Roads Department, for review and approval, prior to registration. Deeds are to be submitted to the Municipality, for review and approval, accompanied by a solicitor's certificate indicating that the title is free and clear of all encumbrances and the Municipality has a good and marketable title. A copy of the plan of survey depicting the widening shall be provided to the Municipality for their records. The Municipality shall be consulted prior to commencing a survey to determine the amount of road widening required. All diseased and dead trees and livestock fences shall be relocated to the satisfaction of the Director of Public Works
- That the registered owner shall enter into a severance agreement pursuant to Section 51(26) of the Planning Act to address all planning matters, including, but not limited, to establishing building envelopes on the severed and retained lots that are in keeping with the severance sketch, MDS setbacks and include all applicable mitigation measures from the Colville EIS and any requirements from the NVCA, and tree planting along the southern lot line of the severed lot. The setback between the closest dwelling and the proposed building envelop on the southern parcel shall be a minimum of 255m from the front lot line and a minimum of 50m from the abutting lot line of roll no. 221600000201450000. The proposed building envelop on the severed portion shall be a minimum of 93m from the front lot line and 90m from the southern lot line.
- A copy of the registered agreement shall be provided to the Municipality, prior to endorsement of the deeds for this Application for consent.
- That all conditions of consent be fulfilled within one year of the date of notice of decision where failure to do so will cause the application to be null and void.
- Cash in lieu of parkland in the amount of \$5,000.00
- Planting of screenings on the southern lot line of the severed portion of land shall be required.

**Carried.**

Notice of decision will be mailed within 15 days of the date of decision.

## **6.2 B1-2021 Coe Surplus Farm Dwelling Severance - 9:30am**

Township Planner, Tracey Atkinson, provided a summary of the application.

Kristine Loft, the applicant's planner provided a presentation on the application and described the proposed severance. The applicant spoke in support of the application.

There were no comments from the public or committee members.

**Moved by Cufaro and Seconded by Lyon**

THAT Application No. B1-2021 submitted by Stanley Michael Coe for a surplus swelling lot creation from 746029 30<sup>th</sup> Sideroad (R#6-19825) as a result of a farm consolidation be approved subject to the following:

- That the owner is successful in obtaining an amendment to the Official Plan to permit the severance of a third non-agricultural parcel of land
- Taxes and/or penalties must be paid in full up to and including the current fiscal year on all related properties if the amount is known.
- The deed for the subject severance must be presented to the Secretary Treasurer prior to one year after the date of decision; a copy of the consent decision to be kept on file at the Township solicitor's office.
- Two paper copies of the registered plan of survey and one digital copy be provided, including documentation from the surveyor certifying that the digital copy was created from the same file that was used to plot the original paper copies. The digital copy shall be of a format to the Township's satisfaction. The paper copy shall be circulated to the Township for review prior to registration.
- Compliance with all bylaws, including, but not limited to zoning, site plan and property standards.
- That the applicant successfully completes an MDS1 analysis between the severed dwelling and any nearby livestock facilities/anaerobic digesters (LF/ADs) on separate lots in accordance with the Minimum Separation Distance Document (2016).
- That the applicant obtain approval from the Township for a Zoning By-law Amendment, to re-zone the severed lands to the Rural Residential (RR) zone and the Environmental Protection (EP) zones and to restrict residential uses on the remnant (retained) agricultural lot.
- That the farm operation severing the lot provide confirmation of operations base elsewhere in an abutting Township.
- That all conditions of consent be fulfilled within one year of the date of notice of decision where failure to do so will cause the application to be null and void.
- The applicant shall, at his/her own expense, convey to the Municipality sufficient lands, being 3.05m, along the frontage on 30 Sideroad, fronting the applicant's property to meet the requirements of the Township for road widening as well as any land between the travelled road and the municipal road allowance. Surveys are to be submitted to the Roads Department, for review and approval, prior to registration. Deeds are to be submitted to the Municipality, for review and approval, accompanied by a solicitor's certificate indicating that the title is free and clear of all encumbrances and the Municipality has a good and marketable title. A copy of the plan of survey depicting the widening shall be provided to the Municipality for their records. All diseased and dead trees and livestock fences shall be relocated to the satisfaction of the Director of Public Works.

**Carried.**

Notice of decision will be mailed within 15 days of the date of decision.

### **6.3 B3-2021 Unger Severance | B4-2021 Unger Easement – 9:45am**

Kristine Loft, the applicant's planner provided a presentation on the application and described the proposed severance and easement.

There were no comments from the public.

Discussion ensued and the Township Planner provided comments from the Nottawasaga Valley Conservation Authority, stating there are no objections to the application but noted the presence of natural heritage features. It is recognized that the new severance is slightly different in size from the originally severed lot. Consolidation is therefore required by the solicitor to ensure that a sliver of land is not being created in error.

#### **Moved by Lyon and Seconded by Wysokinski**

THAT Application No. B3-2021 submitted by Mark Unger for a lot creation from CON 3 E W PT LOT 14 RP 7R4317 PT 3 PT PT 1 and PT 2 (Roll #1-34810 / #1-34820) be approved subject to the following:

- This consent applies to a lot creation of approximately 12 hectare (+/- 5%) rounded to two decimal places, having a minimum frontage of 180m and a depth of approximately 680m.
- Taxes and/or penalties must be paid in full up to and including the current fiscal year on all related properties if the amount is known.
- The deed for the subject severance must be presented to the Secretary Treasurer prior to one year after the date of decision; a copy of the consent decision to be kept on file at the Township solicitor's office.
- Two paper copies of the registered plan of survey and one digital copy be provided, including documentation from the surveyor certifying that the digital copy was created from the same file that was used to plot the original paper copies. The digital copy shall be of a format to the Township's satisfaction. The paper copy shall be circulated to the Township for review prior to registration.
- Compliance with all bylaws, including, but not limited to zoning, site plan and property standards.
- The applicant shall, at his/her own expense, convey to the Municipality sufficient lands, being 3.05m, along the frontage on 2<sup>ND</sup> Line East, fronting the applicant's property to meet the requirements of the Township for road widening as well as any land between the travelled road and the municipal road allowance. Surveys are to be submitted to the Roads Department, for review and approval, prior to registration. Deeds are to be submitted to the Municipality, for review and approval, accompanied by a solicitor's certificate indicating that the title is free and clear of all encumbrances and the Municipality has a good and marketable title. A copy of

the plan of survey depicting the widening shall be provided to the Municipality for their records. The Municipality shall be consulted prior to commencing a survey to determine the amount of road widening required. All diseased and dead trees and livestock fences shall be relocated to the satisfaction of the Director of Public Works

- That all conditions of consent be fulfilled within one year of the date of notice of decision where failure to do so will cause the application to be null and void.
- The solicitor for the owner of the subject lands shall provide an undertaking to make an application for consolidation within thirty days following registration of the deed for the resulting parcels, and to provide the Township with documentation which demonstrates that the consolidation has taken place, if required by the Township's solicitor.

**Carried.**

Notice of decision will be mailed within 15 days of the date of decision.

#### **6.4 B4-2021 Unger Easement – 9:45am**

##### **Moved by Lyon and Seconded by Wysokinski**

THAT Application No. B4-2021 submitted by Zoe Unger on Part of Lot 14, Concession 3, for an easement subject to the following:

- This easement applies to an approximate 1.0 hectares, located along the south lot line of 757233 2nd Line E (being Roll No. 221600000134800) in favour of Roll No. 221600000134810.
- Taxes and/or penalties must be paid in full up to and including the current fiscal year on all related properties if the amount is known.
- The deed for the subject severance must be presented to the Secretary Treasurer prior to one year after the date of decision; a copy of the consent decision to be kept on file at the Township solicitor's office.
- Two paper copies of the registered plan of survey and one digital copy be provided, including documentation from the surveyor certifying that the digital copy was created from the same file that was used to plot the original paper copies. The digital copy shall be of a format to the Township's satisfaction. The paper copy shall be circulated to the Township for review prior to registration.
- Compliance with all bylaws, including, but not limited to zoning, site plan and property standards.
- The applicant shall, at his/her own expense, convey to the Municipality sufficient lands, being 3.05m, along the frontage on 2<sup>ND</sup> Line East, fronting the applicant's property to meet the requirements of the Township for road widening as well as any land between the travelled road and the municipal road allowance. Surveys are to be submitted to the Roads Department, for review and approval, prior to registration. Deeds are to be submitted to the Municipality, for review and approval, accompanied by a solicitor's certificate indicating that the title is free and clear of all encumbrances and the Municipality has a good and marketable title. A copy of

the plan of survey depicting the widening shall be provided to the Municipality for their records. All diseased and dead trees and livestock fences shall be relocated to the satisfaction of the Director of Public Works

- That the language of the new easement is to the Township’s solicitor satisfaction, and that all legal costs for such review be paid in full.
- That all conditions be fulfilled within one year of the date of notice of decision where failure to do so will cause the application to be null and void.

A recorded vote was requested.

	<b>Yea</b>	<b>Nay</b>
Ken Cufaro		N
Earl Hawkins, Chair	Y	
Kim Lyon	Y	
Bart Wysokinski	Y	

**Carried.**

Notice of decision will be mailed within 15 days of the date of decision.

## **7.0 Adjournment**

### **Moved by Cufaro and Seconded by Lyon**

THAT Committee adjourns the meeting at 10:34 am to meet again at 9:00 am on Wednesday June 30, 2021 or at the call of the Chair.

**Carried.**



**CORPORATION OF THE TOWNSHIP OF MULMUR  
NOTICE OF COMPLETE APPLICATION & PUBLIC MEETING  
B5-2021 CHAUDHARY**

Township of Mulmur Committee of Adjustment will hold a public meeting under section 53 (5) of the *Planning Act, R.S.O. 1990 c.P.13, as amended*.

**This meeting is being conducted by means of Electronic Participation by a majority of members, as permitted by Section 238 (3.3) of the Municipal Act, 2001, as amended.  
USING VIDEO AND/OR AUDIO CONFERENCING.**

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Meeting ID: 846 0224 8258

The meeting is being held to consider an application for Consent which has been submitted. The following are the particulars:

**MEETING DATE AND TIME:** July 21, 2021 at 9:00am

**APPLICATION NUMBER:** B5-2021

**OWNER/APPLICANT:** CHOUDHRY MONA / CHAUDHARY KULVINDER KUMAR

**LOCATION:** CONCESSION 2 EHS, EAST PART LOT 1 PCL 2 & PCL 3

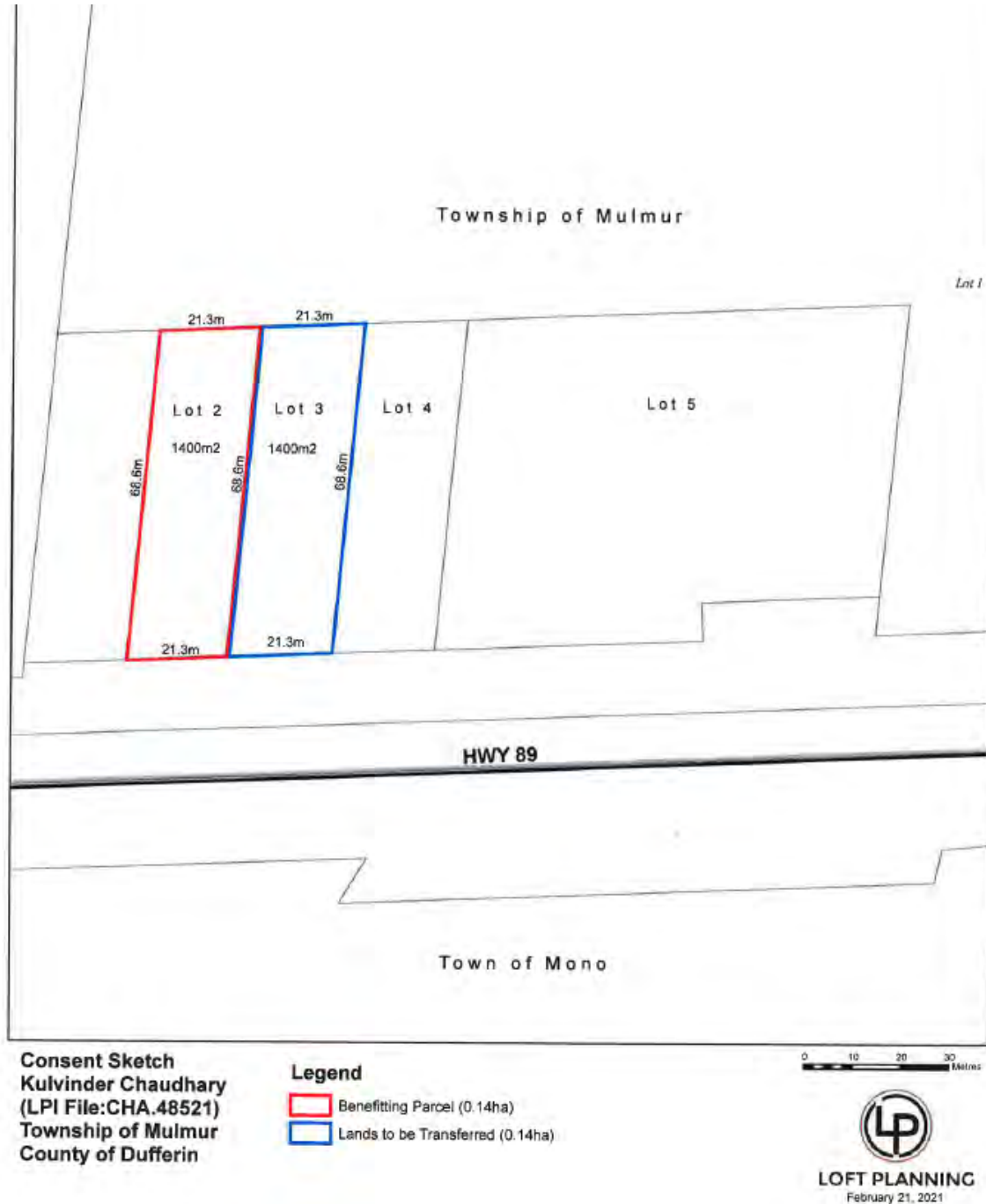
**PURPOSE:** The application proposes to merge two individual 1400m<sup>2</sup> lots (parcels 2 and 3) in order to create one 2800m<sup>2</sup> Rural Residential (RR) lot.

Additional information is available for public inspection by request. If you require additional information on this application, it may also be obtained by contacting the CAO/Planner, Tracey Atkinson, 705 466 3341 X222 or by email: [takinson@mulmur.ca](mailto:takinson@mulmur.ca) during regular office hours.

**NOTE:** If a person or public body that files an appeal of a decision of the Township of Mulmur Committee of Adjustment in respect of the proposed consent does not make written submissions

to the Township of Mulmur Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal may dismiss the appeal. If you wish to be notified of the decision of the Township of Mulmur Committee of Adjustment in respect of the proposed consent, you must make a written request to the Township of Mulmur Committee of Adjustment.

**See Map for illustration purposes only. This is not a plan of survey. A digital version is available by email.**



Dated May 18, 2021



**CORPORATION OF THE TOWNSHIP OF MULMUR  
NOTICE OF COMPLETE APPLICATION & PUBLIC MEETING  
B6-2021 CHOUHAN**

Township of Mulmur Committee of Adjustment will hold a public meeting under section 53 (5) of the *Planning Act, R.S.O. 1990 c.P.13, as amended*.

**This meeting is being conducted by means of Electronic Participation by a majority of members, as permitted by Section 238 (3.3) of the Municipal Act, 2001, as amended.  
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Meeting ID: 846 0224 8258

The meeting is being held to consider an application for Consent which has been submitted. The following are the particulars:

**MEETING DATE AND TIME:** July 21, 2021 at 9:00am

**APPLICATION NUMBER:** B6-2021

**OWNER/APPLICANT:** CHOUHAN RITU/ VARVARO VINCENZO

**LOCATION:** CONCESSION 2 EHS, EAST PART LOT 1 PCL 4 & PCL 5

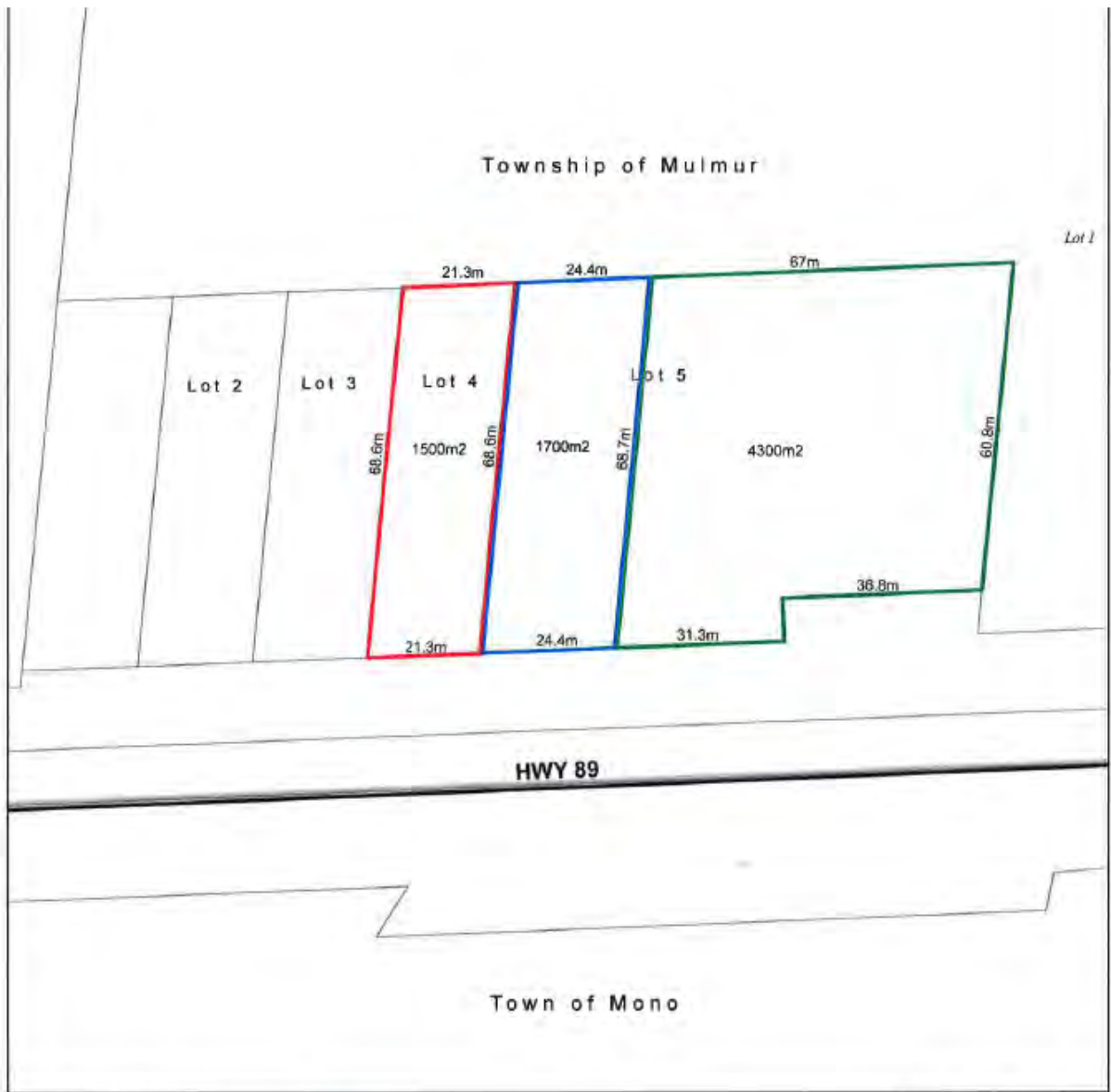
**PURPOSE:** The application proposes to sever 0.17 ha (1700m<sup>2</sup>) from the existing 0.60 hectare lot and convey the land to the adjacent 0.15 ha (1500 m<sup>2</sup>) lot. The retained lot would have a lot area of 0.43 ha (4300 m<sup>2</sup>).

Additional information is available for public inspection by request. If you require additional information on this application, it may also be obtained by contacting the CAO/Planner, Tracey Atkinson, 705 466 3341 X222 or by email: [takinson@mulmur.ca](mailto:takinson@mulmur.ca) during regular office hours.



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**Consent Sketch**  
**Kulvinder Chaudhary**  
**(LPI File:CHA.48521)**  
**Township of Mulmur**  
**County of Dufferin**

**Legend**

- Benefitting Parcel (0.15ha)
- Lands to be Transferred (0.17ha)
- Retained Lands (0.43ha)



**LOFT PLANNING**  
 February 21, 2021



**CORPORATION OF THE TOWNSHIP OF MULMUR  
NOTICE OF COMPLETE APPLICATION & PUBLIC MEETING  
B13-2021 CHAUDHARY**

Township of Mulmur Committee of Adjustment will hold a public meeting under section 53 (5) of the *Planning Act, R.S.O. 1990 c.P.13, as amended*.

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<https://us02web.zoom.us/j/84602248258>

Meeting ID: 846 0224 8258

The meeting is being held to consider an application for Consent which has been submitted. The following are the particulars:

**MEETING DATE AND TIME:** July 21, 2021 at 9:00am

**APPLICATION NUMBER:** B13-2021

**OWNER/APPLICANT:** CHOUDHRY MONA

**LOCATION:** CON 2 E E PT LOT 1 PCL 2

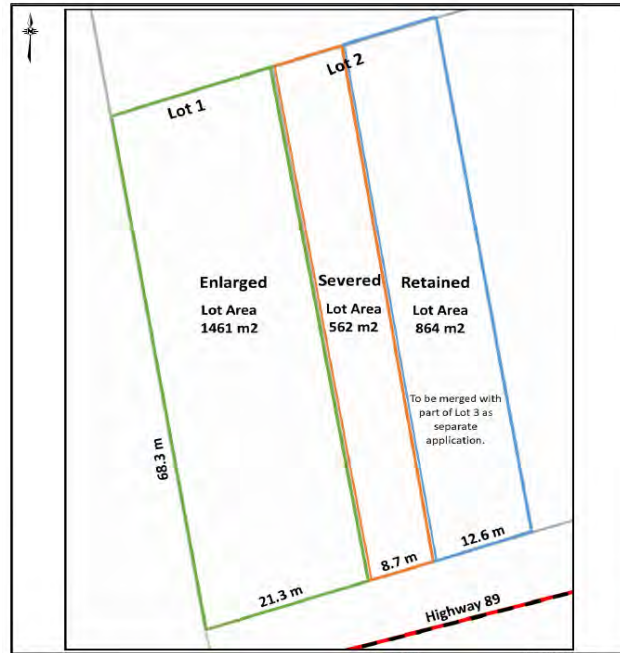
**PURPOSE:** The application proposes to sever +/- 0.056 ha (0.14 acres) from Lot 1 and convey it to Lot 1 in order to create a Rural Residential (RR) building lot.

Additional information is available for public inspection by request. If you require additional information on this application, it may also be obtained by contacting the CAO/Planner, Tracey Atkinson, 705 466 3341 X222 or by email: [takinson@mulmur.ca](mailto:takinson@mulmur.ca) during regular office hours.

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to the Township of Mulmur Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal may dismiss the appeal. If you wish to be notified of the decision of the Township of Mulmur Committee of Adjustment in respect of the proposed consent, you must make a written request to the Township of Mulmur Committee of Adjustment.

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Dated June 17, 2021





# TOWNSHIP OF MULMUR COMMITTEE OF ADJUSTMENT

CONCESSION 2 EHS, EAST PART LOT 1 PCL 2 & PCL 3  
CONCESSION 2 EHS, EAST PART LOT 1 PCL 4 & PCL 5  
CONCESSION 2 EHS, EAST PART LOT 1 PCL 1 & PCL 2

Application Number: B5-2021(CHAUDHARY)/ B6-2021 (CHOUHAN)/B13-2021 (CHOUDHRY)

July 21, 2021 Committee of Adjustment, Township of Mulmur



LOFT PLANNING

# SITE LOCATION

- The Subject Lands are located on the North side of Highway 89 west of Airport Road between the 1st Line EHS and the 2nd Line EHS 10 in the Township of Mulmur.
- The property is located within a rural area that is largely comprised of agricultural and environmental lands with an aggregate operation to the north.
- Surrounding Uses –
  - **North:** Aggregate, Agricultural and environmental lands associated with Boyne Valley.
  - **West:** Aggregate, Agricultural, Residential and some highway commercial along Highway 89 at the intersection of Highway 10.
  - **South:** Agricultural and environmental lands.
  - **East:** Aggregate, Agricultural with some Residential along Highway 89.





# PURPOSE:

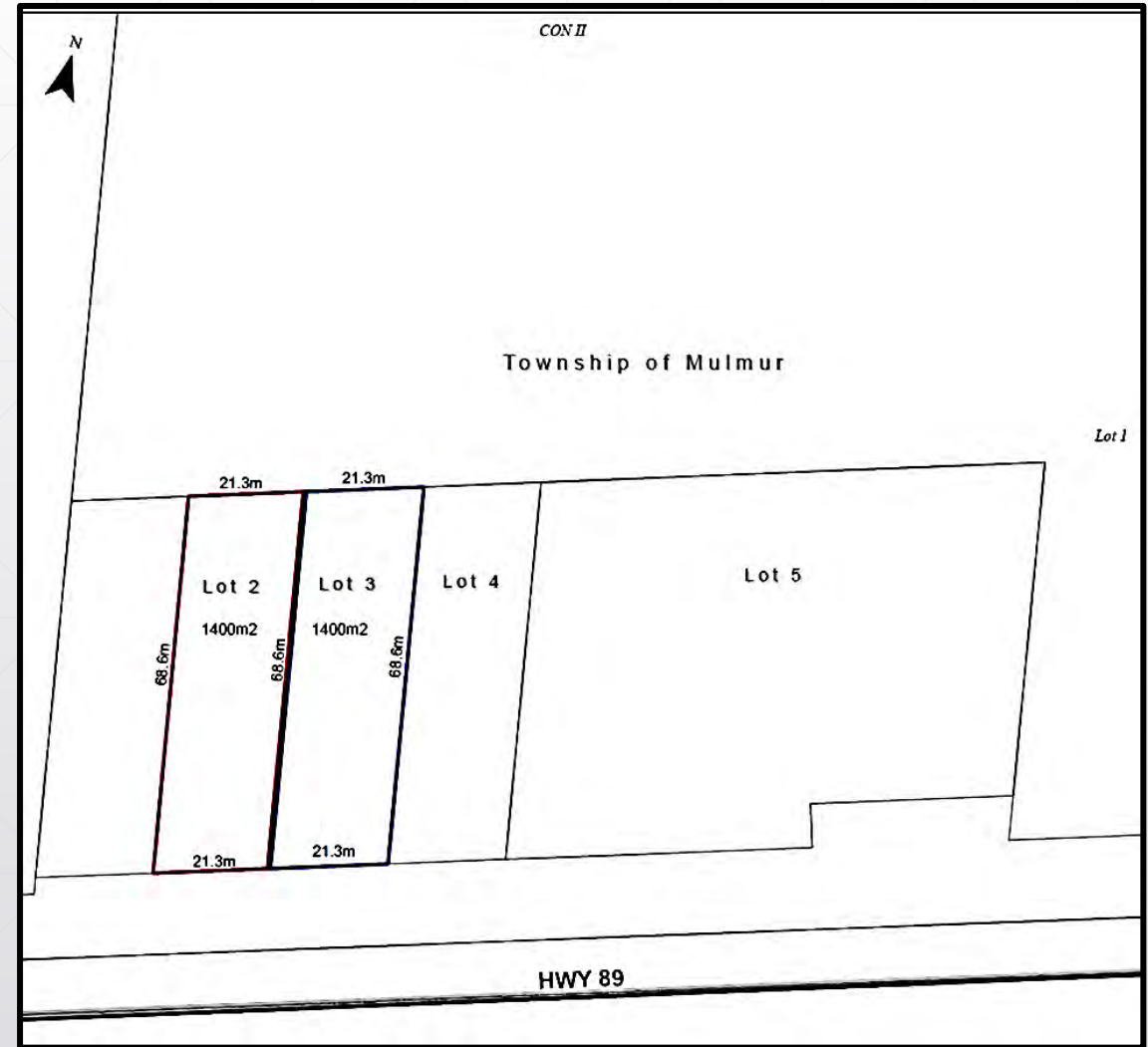
- The Purpose of the Consent applications is to reconfigure five deficient lots into four developable residential lots.
- The owners have purchased these lots with the intention of applying for consents for lot conveyances in order to create suitably sized parcels of land for residential development.
- The parcels currently are vacant.



# PROPOSAL

## CONSENT APPLICATION #1: B5-2021 (Choudhry/Chaudhary)

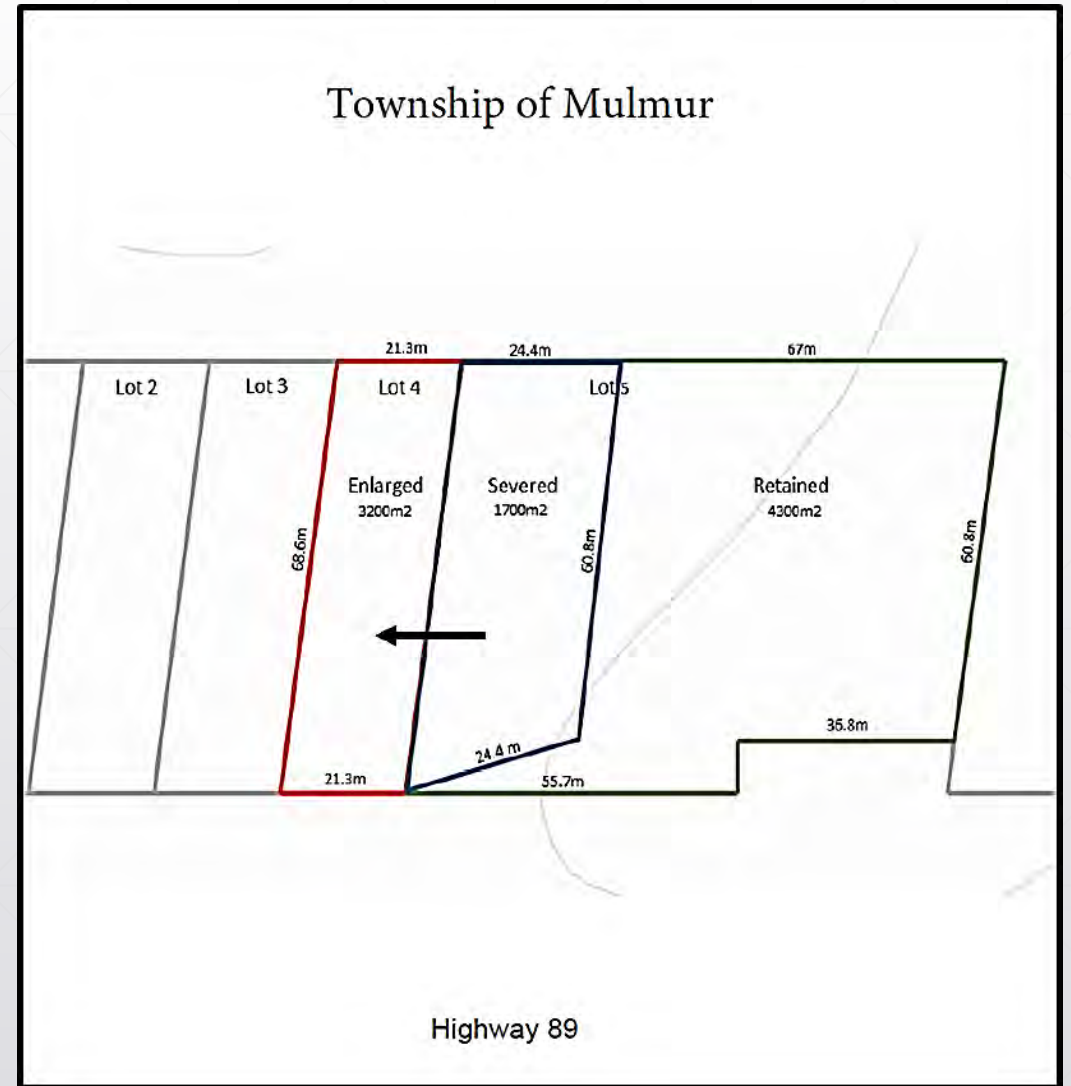
- This application for consent pertains to lands located at CONCESSION 2 EHS, EAST PART LOT 1 PCL 2 & PCL 3.
- The application proposes to merge two individual 1400m<sup>2</sup> lots (parcels 2 and 3) in order to create one 2800m<sup>2</sup> Rural Residential (RR) lot.
- The parcels currently are vacant.
- Lots 2 and 3 do not meet the minimum lot frontage requirement of 45 m or lot area requirement of 0.4 ha of the Rural Residential (RR) Zone.



# PROPOSAL

## CONSENT APPLICATION #2: #B6-2021(Chouhan):

- This application pertains to the lands located at CONCESSION 2 EHS, EAST PART LOT 1 PCL 4 & PCL 5.
- The application proposes to sever 0.17 ha (1700m<sup>2</sup>) from the existing 0.60 hectare lot (#5) and convey the land to the adjacent 0.15 ha (1500 m<sup>2</sup>) lot.(#4). The retained lot would have a lot area of 0.43 ha (4300 m<sup>2</sup>).
- MTO did comment and requested a minor change to the severed parcel, and we would agree with this change.

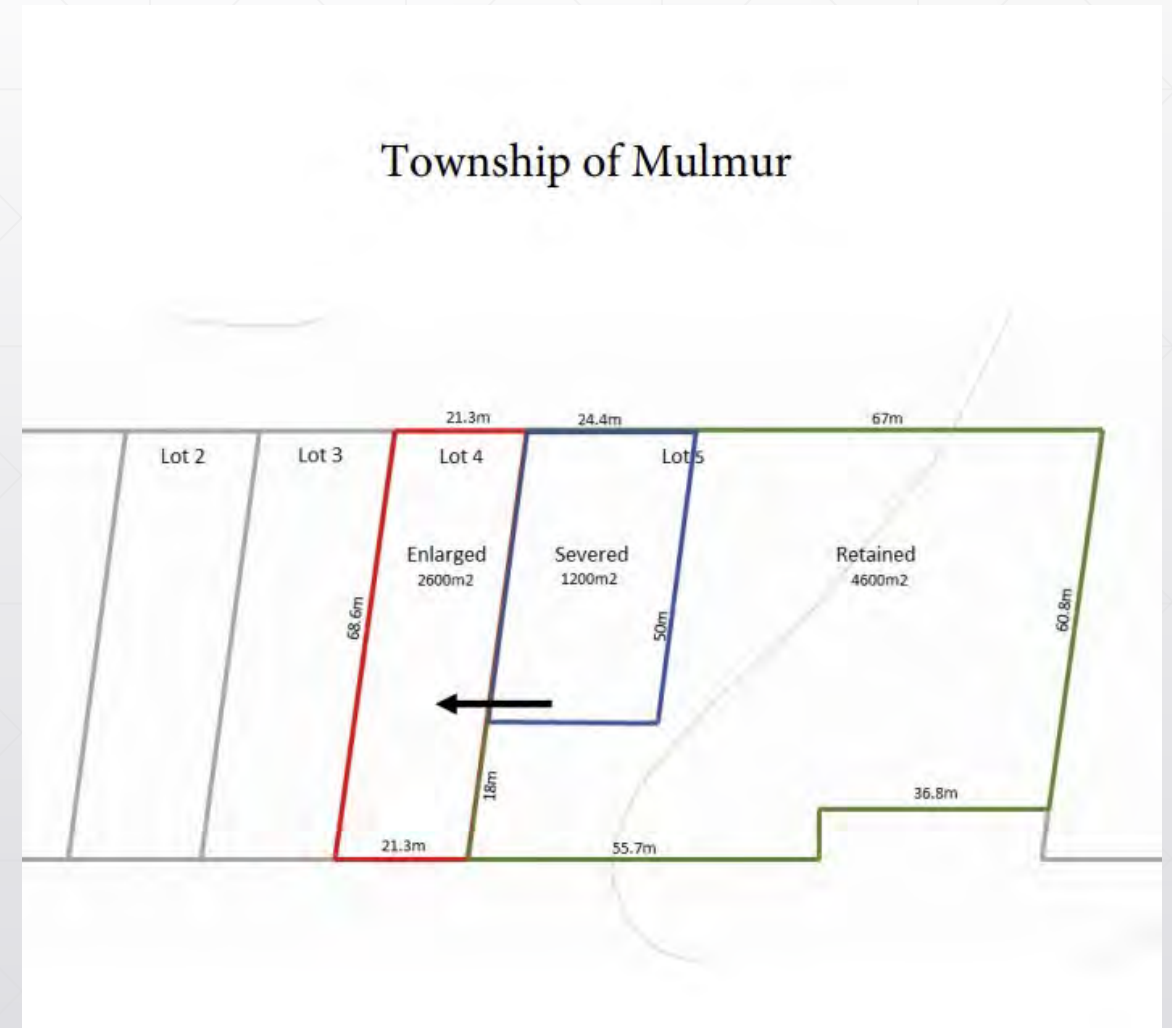




# PROPOSAL

## CONSENT APPLICATION #2: #B6-2021(Chouhan):

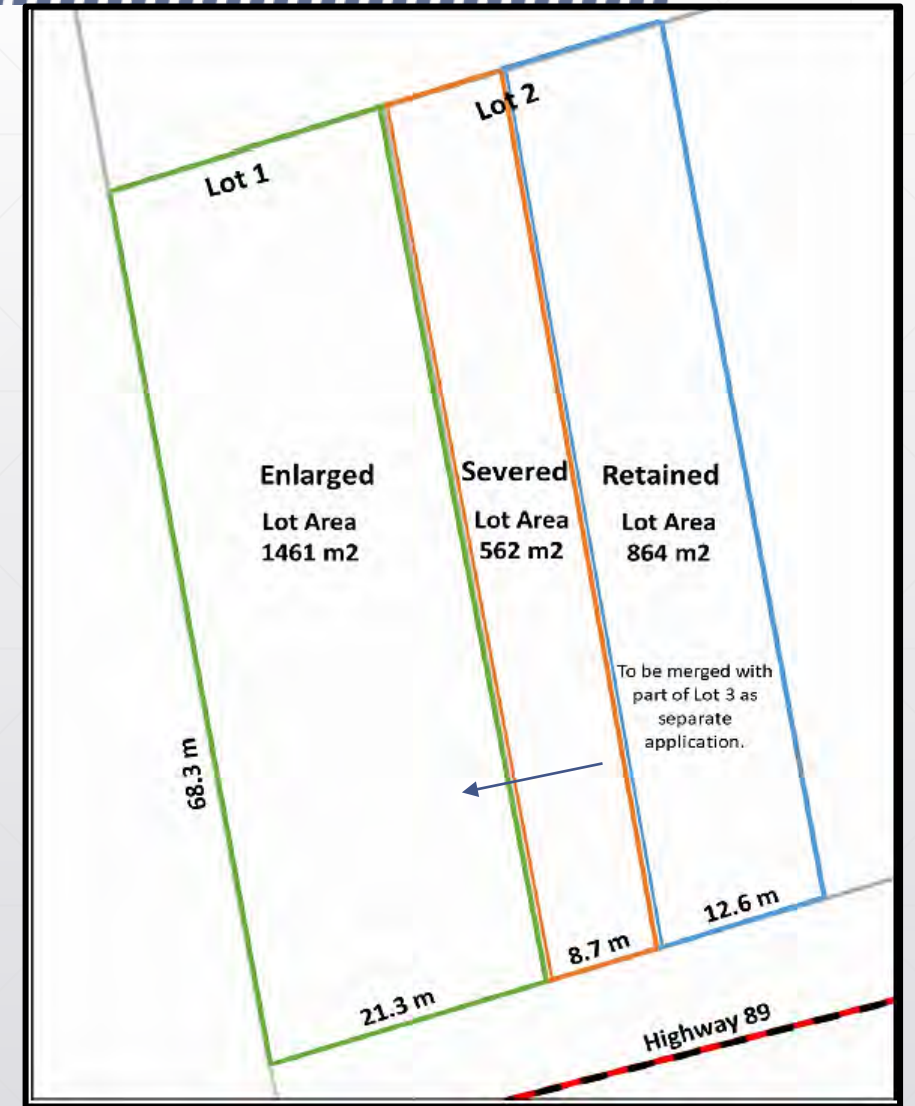
- This application pertains to the lands located at CONCESSION 2 EHS, EAST PART LOT 1 PCL 4 & PCL 5.
- MTO did comment and requested a minor change to the severed parcel, and we would agree with this change.



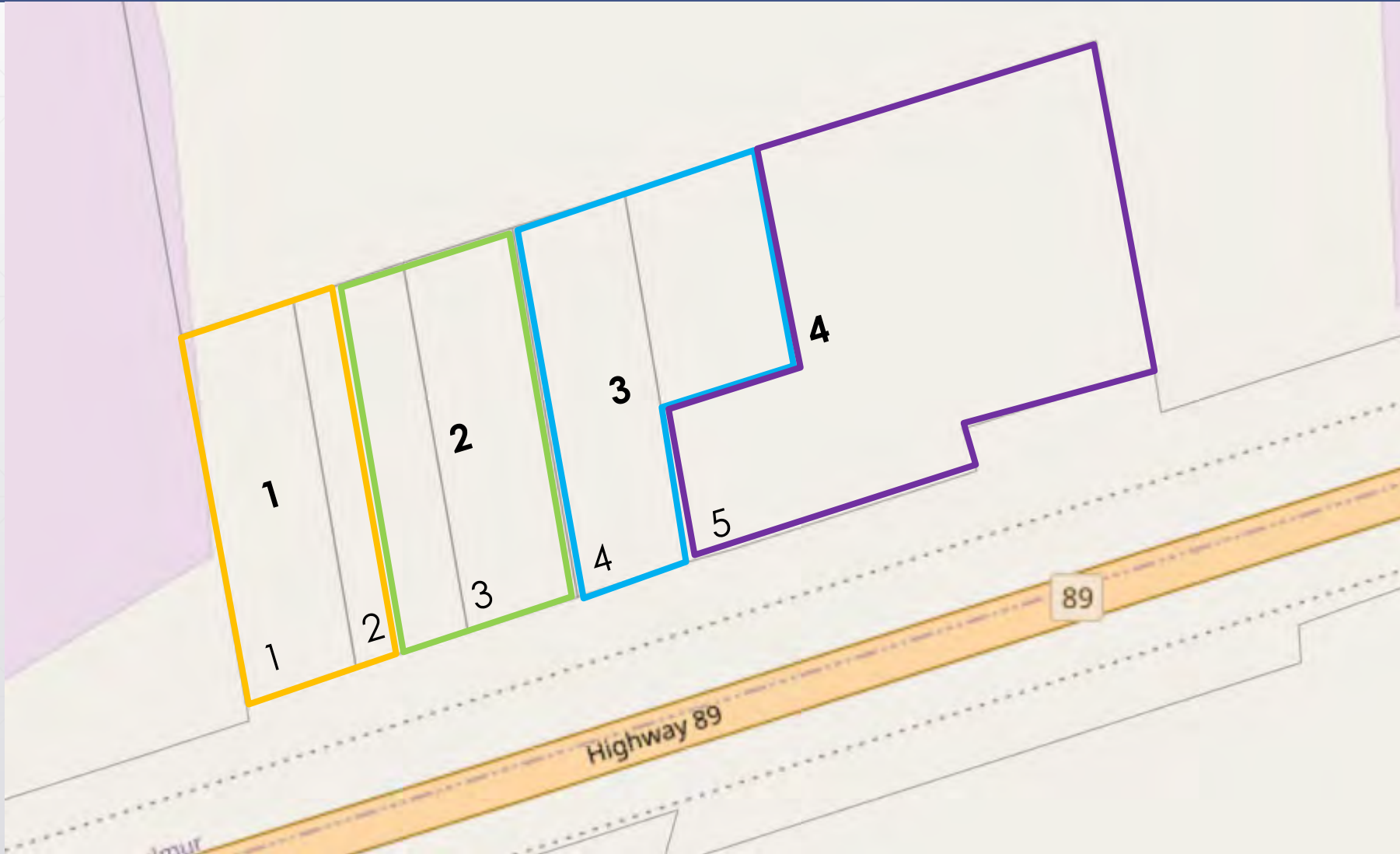
# PROPOSAL

## CONSENT APPLICATION #3 : B13-2021(Choudhry):

- This application for consent pertains to the lands located at CONCESSION 2 EHS, EAST PART LOT 1 PCL 2.
- This application proposes to sever .056ha from Lot 2 and convey to Lot 1.
- Lot 1 and 2 do not meet the minimum lot frontage requirement of 45 m or lot area requirement of 0.4ha of the Rural Residential (RR) Zone in which they are located.



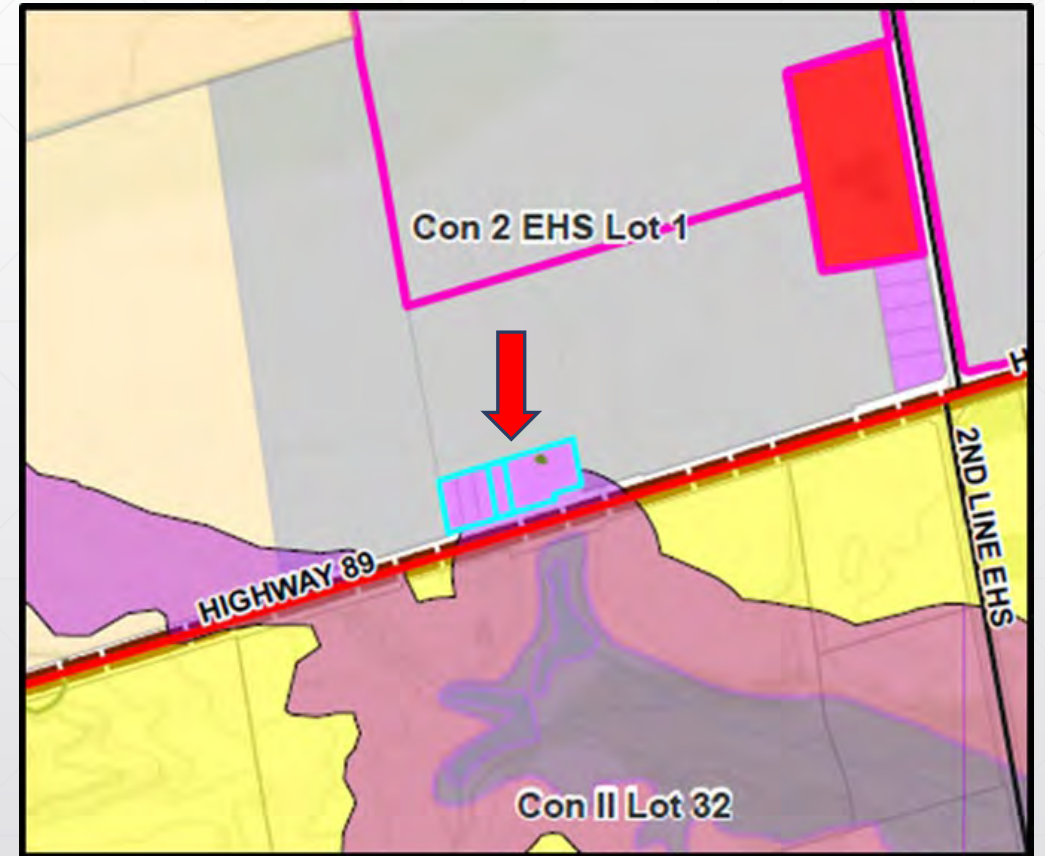
# PROPOSED LOT CONFIGURATION





# TOWNSHIP OF MULMUR ZONING BY-LAW

- The lots are zoned as Rural Residential (RR).
- Each of the lots are existing conveyable parcels.
- The proposed lots will more closing meet the RR zone provisions.



# CONCLUSION

- The proposed development is consistent with the Provincial Policy Statement.
- The proposed development conforms to the Growth Plan for the Greater Golden Horseshoe.
- The proposed development conforms to the County of Dufferin and Township of Mulmur Official Plans.
- The proposed application complies with the Township of Mulmur Zoning By-law Amendment, as amended.



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April 16 2021

Ms. Tracey Atkinson  
CAO/Planner/Acting Clerk  
Township of Mulmur  
758070 2<sup>nd</sup> Line E  
Mulmur ON  
L9V 0G8

Dear Ms. Atkinson:

**RE: Planning Justification Letter  
Two Proposed Consents  
Lot 2 – PT LT 1, CON 2 EHS, AS IN MF171881; MULMUR  
Lot 3 - PT LT 1, CON 2 EHS, AS IN MF198188; MULMUR  
Lot 5 - PT LT 1 CON 2 EHS MULMUR AS IN MF193815 EXCEPT PT 4, 7R3700; MULMUR**

We have been retained by landowners Mona Choudhry, Kulvinder Kumar Chaudhary and Ritu Chouhan, owner of the above-noted lands, to act as planners for applications for Consent that will facilitate consents for conveyances. The purpose of these application is to reduce four deficient lots to three developable lots. This Planning Justification Letter is being submitted as part of a complete application in support of the planning applications.

## 1.0 Location & Description of Subject Lands

The Subject Lands are located on the north side of Highway 89 west of Airport Road between the 1<sup>st</sup> Line EHS and the 2<sup>nd</sup> Line EHS 10. The owners have purchased a series of lots with the intention of applying for consents for lot conveyances in order to create development parcels of land. Their intention is to construct single detached units.

The proposal includes the following,

### Consent 1 – To merge Lot 2 and Lot 3.

Provisions	Lot 2	Lot 3	Merged Lot 2 and 3
Lot Frontage	21 m	21 m	42 m
Lot Area	1 400 sq m	1 400 sq m	2800 sq m



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### Consent 2 - Lot 5 – To sever a portion of Lot 5 and convey to Lot 4.

Provisions	Severed	Retained	Enlarged
Lot Frontage	24.4 m	68 m	45.7 m
Lot Area	1700 sq m	4300 sq m	3200 sq m

The parcels currently are vacant, undeveloped land but have been maintained as separately conveyable parcels. The existing lots are considered legal non-conforming in view of the Township of Mulmur Zoning By-law 28-18. Lots 2, 3 and 4 do not meet the minimum lot frontage requirement of 45 m or lot area requirement of 0.4 ha of the Rural Residential (RR) Zone in which they are located. Lot 5 meets the Township's zoning by-law requirement.

### 2.0 Existing and Surrounding Uses

The Subject Lands comprise vacant scrubland with some vegetation in the form of trees around the boundary of the site. The property is located within a rural area that is largely comprised of agricultural and environmental lands with an aggregate operation to the north. The lands have frontage on Highway 89. The surrounding land uses are described as follows:

- **North:** Aggregate, Agricultural and environmental lands associated with Boyne Valley.
- **East:** Aggregate, Agricultural with some Residential along Highway 89.
- **South:** Agricultural and environmental lands.
- **West:** Aggregate, Agricultural, Residential and some highway commercial along Highway 89 at the intersection of Highway 10.

The Boyne Valley Provincial Park is located to the northwest of the property within the Niagara Escarpment Area that traverses the area northward from the southwest. The nearest communities include Violet Hill to the east and Primrose to the west at the intersection of Highway 10.

### 3.0 Policy Analysis

A review of the relevant planning documents must be undertaken to determine conformity of the applications to the Planning Act as well as the provincial and municipal planning documents. A review of the Consent Applications based on the applicable planning documents made the following conclusions:

1. **The Applications have Regard for Matters of Provincial Interest (Section 2) of the Planning Act, 1990.** The new lot configuration will result in developable building lots.





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2. **The Applications are consistent with the Provincial Policy Statement 2020 and conform to the Growth Plan for the Greater Golden Horseshoe.** The Provincial policies and plans permit residential uses in rural areas on lands already zoned for residential use and development that is compatible with the surrounding uses and can be sustained on rural service levels.
3. **The Applications conform to the Dufferin County and Township of Mulmur Official Plans.** The Dufferin County Official Plan and the Township of Mulmur Official Plan permit technical severances which do not result in the creation of a new lot.
4. **The Applications conform to the intent of the Township of Mulmur Zoning By-law.** The Subject Lands comprise pre-existing undersized lots and the new lot configuration will create developable lots that maintain the intent of the Zoning By-law.

A detailed review of the applicable planning documents is provided in the following sections.

### 3.1 Planning Act

The Planning Act provides the legislative framework for land use planning decisions in Ontario and must be considered by decision makers when reviewing development applications. Sections 2 (Provincial Interest), 3 (Provincial Plans) and 53 (Consents) of the Planning Act apply to the applications.

- Section 2 of the Planning Act requires the consideration of matters of "Provincial Interest" including protection of resources, orderly development of communities and the appropriate location of growth and development.

The applications propose the reconfiguration of existing residential lots to enable their development for single detached units. Given that the lots are designated and zoned for rural residential uses, the Subject Lands are considered an appropriate location for development and the proposed consent applications will facilitate the development of the lands for this purpose. While it is noted that an aggregate operation is located adjacent to the Subject Lands, the lots are existing and are not anticipated to hinder aggregate operations.

- Section 3 (5) (a) of the Planning Act requires that planning decisions be consistent with policy statements and conform to provincial plans that are issued under the Act.

The Provincial Policy Statement (PPS) 2020 and the Growth Plan for the Greater Golden Horseshoe apply to the applications. Both of these documents are addressed within this letter.

- Section 53 permits the approval of consents if a plan of subdivision is not necessary for the proper and orderly development of the municipality.

The applications propose technical consents and will not result in the creation of lots, in fact there is a net loss on one lot.

**CONCLUSION:** The proposed Consents meet the requirements of the Planning Act RSO.

### 3.2 Provincial Policy Statement (PPS)





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The Provincial Policy Statement (PPS) 2020 promotes efficient development patterns that support viable communities, facilitate economic growth and protect the environment and public health and safety. Viable and healthy rural areas are supported by promoting rural character and regeneration, accommodating a range of housing in settlement areas and using rural infrastructure efficiently (S. 1.1.4.1). Growth and development generally are directed to rural settlement areas, but locally appropriate residential development is permitted on rural lands (S. 1.1.5.2) and development that is compatible with the rural landscape and can be sustained by rural service levels is promoted (S. 1.1.5.3).

Section 2.5.2.4 protects mineral aggregate operations from development and activities that would preclude or hinder their operation or are incompatible based on public health and safety. Typically, residential uses would be discouraged from locating next to an aggregate operation. The Subject Lands are designated and zoned for rural residential uses. The lots are existing and in fact this proposal will reduce the net density of lots by one.

The proposed consents will not result in lot creation but rather will enable existing residential lots to be reduced in number and reconfigured to a size that will facilitate construction of residential dwellings. The proposed applications support the PPS policies by promoting rural residential development on lands identified for this use and based on the available rural infrastructure.

**Conclusion: Consistency with the Provincial Policy Statement 2020 has been demonstrated.**

### **3.3 Growth Plan for the Greater Golden Horseshoe**

The Subject Lands are located within the Greater Golden Horseshoe and, therefore, the Growth Plan policies must be considered. The Growth Plan generally discourages growth and development outside of settlement areas, however, new multiple lots or units for residential development are permitted on rural lands in site-specific locations with approved zoning or designation in an official plan that permitted this type of development as of June 16, 2006 (S. 2.2.9). Accordingly, the development of the Subject Lands for residential purposes is permitted. The proposed Consents will facilitate the construction of new residential dwellings on lands already designated for this type of development.

**Conclusion: Conformity to the Growth Plan for the Greater Golden Horseshoe has been demonstrated.**

### **3.4 Dufferin County Official Plan**

The Subject Lands are identified as a "Countryside Area" on Schedule B Community Structure and Land Use and as being within an Aggregate Resource Area on Schedule D in the Dufferin County Official Plan. The Countryside Area policies in Section 4 and the policies that regulate aggregate uses in Section 4.4 are applicable to the applications. Policies that guide the review of consents are provided in Section 8.6.4.

- **Countryside Area**

The Countryside Area encompasses lands outside of settlement areas and includes rural lands and important resource areas such as mineral aggregate areas. The County supports a healthy and viable Countryside Area by maintaining the rural character and leveraging rural assets, protecting agriculture, directing growth to settlement areas, and promoting the efficient use of infrastructure and



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mineral and aggregate resources for their long-term use (S. 4.1). The Plan states that limited residential development of up to three lots is permitted on rural lands, and that specific permitted uses will be established in the local municipal plan and zoning by law (S. 4.3). The Subject Lands are designated as Rural in the Township of Mulmur Official Plan and are zoned Rural Residential in the Township's Zoning By-law and, therefore, the residential uses of which the proposed consent application will facilitate are permitted.

- **Aggregate Resource Policies**

Section 4.4 reflects the PPS by protecting existing pits and quarries from activities that could preclude or hinder their continued use. Recognition of the permissions for residential uses on the Subject Lands are pre-existing and, as indicated the proposal will reduce the number of lots by one. Accordingly, it is not expected that the rural residential uses will impact or hinder the aggregate operations on the adjacent lands.

- **Consent Policies**

The policies in Section 8.6.4 (Consent to Sever) address lot creation and do not specifically address technical severances such as proposed by the Consent Application. Nevertheless, this Section requires that consent applications be in conformity with local and County Official Plan as well as provincial policy. The proposed consents conform to Provincial, County and local planning policies.

**Conclusion: Conformity to the Dufferin County Official Plan has been established.**

### **3.5 Official Plan for the Township of Mulmur**

The Subject Lands are designated as a "Rural" on Schedule A1 Community Structure and Land Use D in the Official Plan for the Township of Mulmur. Growth Management policies in Section 5.2 and Rural policies in Section 5.8 apply to the proposed Consents as well as Rural land use designation policies in Section 6.2.

- **Rural Policies**

Rural residential development is permitted on existing vacant lots provided the lot is large enough to sustain private sewage and water services and will not detract from the surrounding rural uses (S. 5.2). The Rural Areas policies in Section 5.8 also permit limited residential development and promote development that is compatible with the rural landscape and that can be sustained on rural service levels. Rural residential development is recognized as part of what makes up the rural character and smaller lot sizes, frontages and setbacks are not characteristic of the rural area (S. 5.26). The Plan encourages the Township to mitigate and minimize impacts on the rural character of the surrounding area and the Township in general. Finally, Section 6.2 identifies a variety of permitted uses in the Rural designation including single detached residential dwellings.

Residential uses are recognized as a permitted use by the Township's Official Plan and lot configurations that reflect the rural character of the area are supported. The proposed Consent will reduce the number of lots from four to three and will create larger lots that are more in keeping with the Rural Residential Zone regulations and that can support the development of single detached



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dwelling. The Consents will facilitate a lot configuration that better supports the rural policies of the Township's Official Plan.

- **Lot Creation**

Section 5.36 and 6.2.5 provide policies that guide lot creation in Mulmur Township. Section 5.36 provides land division policies that apply to all land use designations and guide the creation of new lots. The proposed Consents do not result in lot creation but rather in a reduction of the number of lots from four to three. Section 6.2.5 provides lot creation policies specific to the Rural designation. This section permits technical and boundary adjustment severances provided they do not create a new lot or re-divide a parcel of land that had merged in the past. The Plan defines technical reasons as meaning "severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot". The applications are considered technical as no new lots will be created but rather the boundaries will be adjusted to create developable parcels of land.

Finally, Section 6.2.5 identifies that the lots will be subject to the criteria and policies of the Ministry of Transportation given their frontage on Highway 89.

**Conclusion: Conformity to the Official Plan of the Township of Mulmur has been established.**

### 3.5 Township of Mulmur Zoning By-law 28-18

The Subject Lands are zoned Rural Residential (RR) in the Township of Mulmur Zoning By-law. Section 4.2 provides the zone regulations for the Rural Residential Zone which permits a single detached dwelling as well as an additional single dwelling (ASD or attached accessory dwelling unit or habitable pool house). The Rural Residential Zone Requirements are as follows:

Rural Residential (RR)	Requirements	Proposed		
		Lot 2/3 Merged	Merged Lot 4	Retained Lot 5
Minimum Lot Area	0.4 ha	.28 ha	.32 ha	.43 ha
Minimum Lot Frontage	45 m	42.6 m	45.7 m	68.1 m

Section 3.10.2.3 which is entitled, *Existing Undersized Lots of Record*, indicates that, *Lots which have been increased in size following passing of this By-law to comply with the above minimum frontage and lot area standards may also be used in accordance with this provision.* This proposal does increase the lot sizes to more appropriately reflect the zoning provisions.



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### 4.0 Conclusions

This Planning Report has been prepared in support of the applications for technical Consents which will facilitate the re-configuration of existing lots on the Subject Lands into parcels that can support the development of single detached homes. The applications are in keeping with the Planning Act RSO 1990, are consistent with the Provincial Policy Statement, 2020, and conform to the Growth Plan for the Greater Golden Horseshoe, the Dufferin County Official Plan, the Official Plan of the Township of Mulmur and the Township of Mulmur Zoning By-law 28-18. Furthermore, it is our opinion that the applications represent good land use planning.

Yours truly,

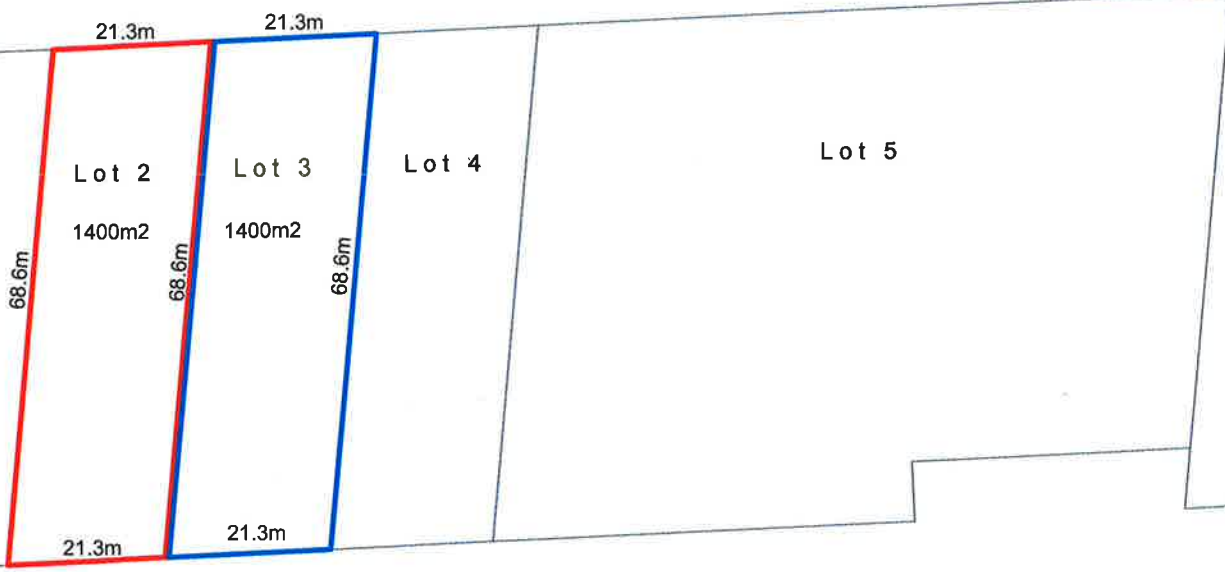
Kristine A. Loft BES BAA MCIP RPP  
Principal

Attached: Consent Sketches



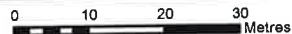
Township of Mulmur

Lot 1



HWY 89

Town of Mono



**Consent Sketch**  
**Kulvinder Chaudhary**  
**(LPI File:CHA.48521)**  
**Township of Mulmur**  
**County of Dufferin**

**Legend**

- Benefitting Parcel (0.14ha)
- Lands to be Transferred (0.14ha)



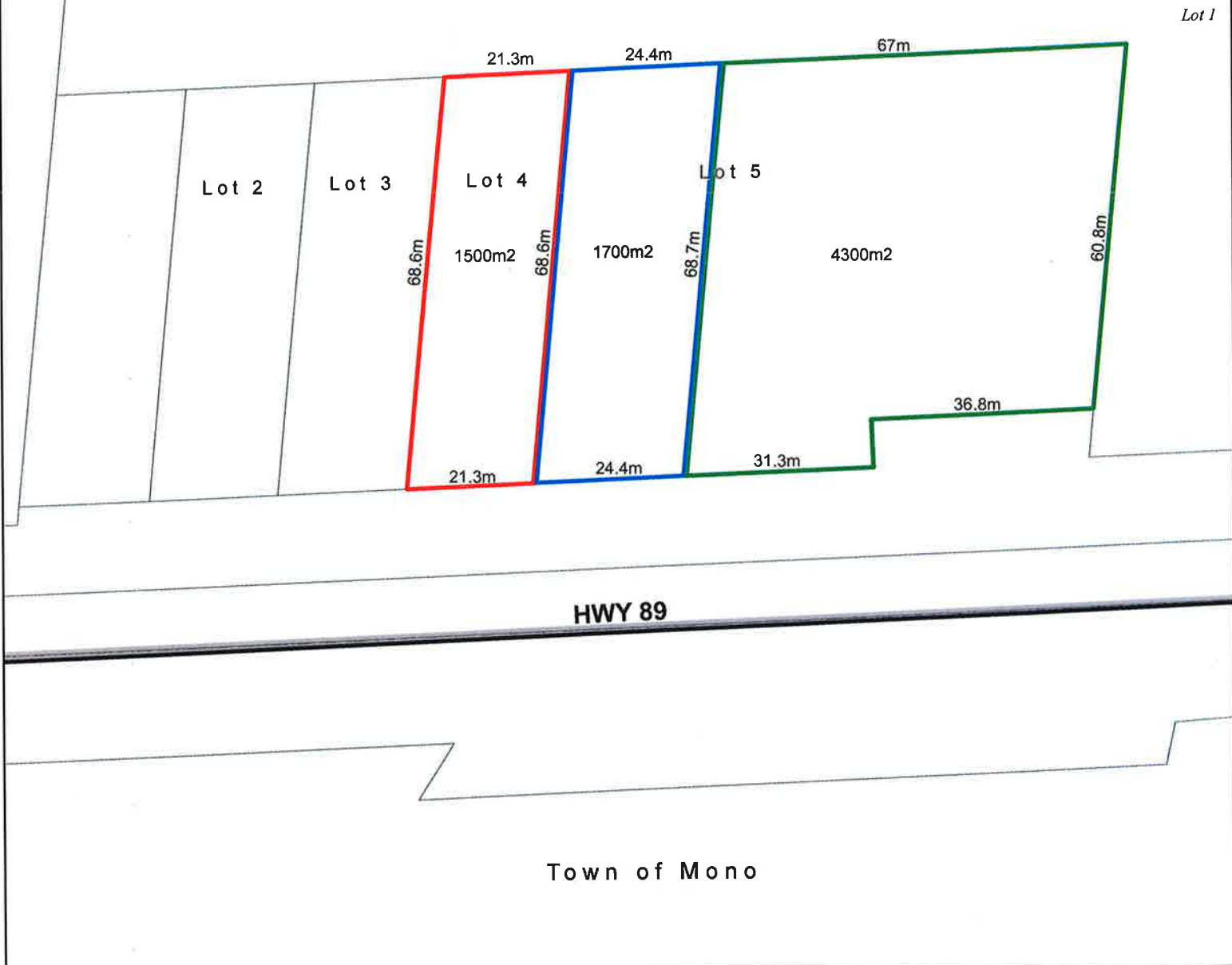
**LOFT PLANNING**  
 February 21, 2021



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Township of Mulmur

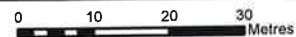
Lot 1



**Consent Sketch**  
**Kulvinder Chaudhary**  
**(LPI File:CHA.48521)**  
**Township of Mulmur**  
**County of Dufferin**

**Legend**

- Benefitting Parcel (0.15ha)
- Lands to be Transferred (0.17ha)
- Retained Lands (0.43ha)



**LOFT PLANNING**  
 February 21, 2021



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June 16, 2021

Ms. Tracey Atkinson  
CAO/Planner/Acting Clerk  
Township of Mulmur  
758070 2<sup>nd</sup> Line E  
Mulumur ON  
L9V 0G8

Dear Ms. Atkinson:

**RE: Planning Justification Letter  
Proposed Consent  
Lot 2 – CON 2 E E PT LOT 1 PLC 2  
Owner: Kulvinder Chaudhary and Mona Choudhry**

We have been retained by Kulvinder Chaudhary and Mona Choudhry, owners of the above-noted lands, to act as planners for application for Consent that will facilitate a lot addition. The purpose of this application is to sever a portion of Lot 2 and convey to Lot 1. This Planning Justification Letter is being submitted as part of a complete application.

## 1.0 Location & Description of Subject Lands

The Subject Lands are located on the north side of Highway 89 west of Airport Road between the 1<sup>st</sup> Line EHS and the 2<sup>nd</sup> Line EHS 10. The owners have purchased a series of lots with the intention of applying for consents for lot conveyances in order to create suitably sized development lots.

The proposal includes the following,

### Consent 1 – To sever a portion of Lot 2 and convey to Lot 1

Provisions	Severed	Retained (to be merged under separate application)	Enlarged Lot 1
Lot Frontage	8.7 m	12.6 m	21.3 m
Lot Area	596 m <sup>2</sup>	864 m <sup>2</sup>	1461 m <sup>2</sup>

The parcel is currently vacant land but has been maintained as a separate conveyable parcel. Lot 1 and 2 do not meet the minimum lot frontage requirement of 45 m or lot area requirement of 0.4 ha of



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the Rural Residential (RR) Zone in which they are located. The proposal would enlarge Lot 1 to more appropriately meet the zoning provisions.

### 2.0 Existing and Surrounding Uses

The Subject Lands comprise vacant land with some vegetation in the form of trees around the boundary of the site. The property is located within a rural area that is largely comprised of agricultural and environmental lands with an aggregate operation to the north. The lands have frontage on Highway 89. The surrounding land uses are described as follows:

- **North:** Aggregate, Agricultural and environmental lands associated with Boyne Valley.
- **East:** Aggregate, Agricultural with some Residential along Highway 89.
- **South:** Agricultural and environmental lands.
- **West:** Aggregate, Agricultural, Residential and some highway commercial along Highway 89 at the intersection of Highway 10.

The Boyne Valley Provincial Park is located to the northwest of the property within the Niagara Escarpment Area that traverses the area northward from the southwest. The nearest communities include Violet Hill to the east and Primrose to the west at the intersection of Highway 10.

### 3.0 Policy Analysis

A review of the relevant planning documents must be undertaken to determine conformity of the application to the Planning Act as well as the provincial and municipal planning documents. A review of the Consent Application based on the applicable planning documents made the following conclusions:

1. **The Applications have Regard for Matters of Provincial Interest (Section 2) of the Planning Act, 1990.** The new lot configuration will result in developable building lots.
2. **The Applications are consistent with the Provincial Policy Statement 2020 and conform to the Growth Plan for the Greater Golden Horseshoe.** The Provincial policies and plans permit residential uses in rural areas on lands already zoned for residential use and development that is compatible with the surrounding uses and can be sustained on rural service levels.
3. **The Applications conform to the Dufferin County and Township of Mulmur Official Plans.** The Dufferin County Official Plan and the Township of Mulmur Official Plan permit technical severances which do not result in the creation of a new lot.
4. **The Applications conform to the intent of the Township of Mulmur Zoning By-law.** The Subject Lands comprise pre-existing undersized lots and the new lot configuration will create developable lots that maintain the intent of the Zoning By-law.

A detailed review of the applicable planning documents is provided in the following sections.





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### 3.1 *Planning Act*

The Planning Act provides the legislative framework for land use planning decisions in Ontario and must be considered by decision makers when reviewing development applications. Sections 2 (Provincial Interest), 3 (Provincial Plans) and 53 (Consents) of the Planning Act apply to the applications.

- Section 2 of the Planning Act requires the consideration of matters of “Provincial Interest” including protection of resources, orderly development of communities and the appropriate location of growth and development.

The application proposes the reconfiguration of an existing residential lot to enable development. Given that the lot is designated and zoned for rural residential use, the Subject Lands are considered an appropriate location for development and the proposed consent application will facilitate the development of the lands for this purpose. While it is noted that an aggregate operation is located adjacent to the Subject Lands, the lots are existing and are not anticipated to hinder aggregate operations.

- Section 3 (5) (a) of the Planning Act requires that planning decisions be consistent with policy statements and conform to provincial plans that are issued under the Act.

The Provincial Policy Statement (PPS) 2020 and the Growth Plan for the Greater Golden Horseshoe apply to the application. Both of these documents are addressed within this letter.

- Section 53 permits the approval of consents if a plan of subdivision is not necessary for the proper and orderly development of the municipality.

The application proposes to sever a portion of Lot 2 and convey to Lot 1.

**CONCLUSION:** The proposed Consents meet the requirements of the Planning Act RSO.

### 3.2 *Provincial Policy Statement (PPS)*

The Provincial Policy Statement (PPS) 2020 promotes efficient development patterns that support viable communities, facilitate economic growth and protect the environment and public health and safety. Viable and healthy rural areas are supported by promoting rural character and regeneration, accommodating a range of housing in settlement areas and using rural infrastructure efficiently (S. 1.1.4.1). Growth and development generally are directed to rural settlement areas, but locally appropriate residential development is permitted on rural lands (S. 1.1.5.2) and development that is compatible with the rural landscape and can be sustained by rural service levels is promoted (S. 1.1.5.3).

Section 2.5.2.4 protects mineral aggregate operations from development and activities that would preclude or hinder their operation or are incompatible based on public health and safety. Typically, residential uses would be discouraged from locating next to an aggregate operation. The Subject Lands is designated and zoned for rural residential use and the lot is already existing.



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The proposed Consent will not result in lot creation but will enable existing residential lots to be reduced in number and reconfigured to a size that will facilitate construction of residential dwellings. The proposed application support the PPS policies by promoting rural residential development on lands identified for this use and based on the available rural infrastructure.

**Conclusion: Consistency with the Provincial Policy Statement 2020 has been demonstrated.**

### **3.3 Growth Plan for the Greater Golden Horseshoe**

The Subject Lands are located within the Greater Golden Horseshoe and, therefore, the Growth Plan policies must be considered. The Growth Plan generally discourages growth and development outside of settlement areas, however, new multiple lots or units for residential development are permitted on rural lands in site-specific locations with approved zoning or designation in an official plan that permitted this type of development as of June 16, 2006 (S. 2.2.9). Accordingly, the development of the Subject Lands for residential purposes is permitted. The proposed Consent will facilitate the construction of new residential dwellings on lands already designated for this type of development.

**Conclusion: Conformity to the Growth Plan for the Greater Golden Horseshoe has been demonstrated.**

### **3.4 Dufferin County Official Plan**

The Subject Lands are identified as a "Countryside Area" on Schedule B Community Structure and Land Use and as being within an Aggregate Resource Area on Schedule D in the Dufferin County Official Plan. The Countryside Area policies in Section 4 and the policies that regulate aggregate uses in Section 4.4 are applicable to the applications. Policies that guide the review of consents are provided in Section 8.6.4.

- **Countryside Area**

The Countryside Area encompasses lands outside of settlement areas and includes rural lands and important resource areas such as mineral aggregate areas. The County supports a healthy and viable Countryside Area by maintaining the rural character and leveraging rural assets, protecting agriculture, directing growth to settlement areas, and promoting the efficient use of infrastructure and mineral and aggregate resources for their long-term use (S. 4.1). The Plan states that limited residential development of up to three lots is permitted on rural lands, and that specific permitted uses will be established in the local municipal plan and zoning by law (S. 4.3). The Subject Lands are designated as Rural in the Township of Mulmur Official Plan and are zoned Rural Residential in the Township's Zoning By-law and, therefore, the residential uses of which the proposed consent application will facilitate are permitted.

- **Aggregate Resource Policies**

Section 4.4 reflects the PPS by protecting existing pits and quarries from activities that could preclude or hinder their continued use. Accordingly, it is not expected that the rural residential uses will impact or hinder the aggregate operations on the adjacent lands.

- **Consent Policies**



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The policies in Section 8.6.4 (Consent to Sever) address lot creation and do not specifically address technical severances such as proposed by the Consent Application. Nevertheless, this Section requires that consent applications be in conformity with local and County Official Plan as well as provincial policy. The proposed consent conforms to Provincial, County and local planning policies.

**Conclusion: Conformity to the Dufferin County Official Plan has been established.**

### 3.5 Official Plan for the Township of Mulmur

The Subject Lands are designated as a "Rural" on Schedule A1 Community Structure and Land Use D in the Official Plan for the Township of Mulmur. Growth Management policies in Section 5.2 and Rural policies in Section 5.8 apply to the proposed Consents as well as Rural land use designation policies in Section 6.2.

- **Rural Policies**

Rural residential development is permitted on existing vacant lots provided the lot is large enough to sustain private sewage and water services and will not detract from the surrounding rural uses (S. 5.2). The Rural Areas policies in Section 5.8 also permit limited residential development and promote development that is compatible with the rural landscape and that can be sustained on rural service levels. Rural residential development is recognized as part of what makes up the rural character and smaller lot sizes, frontages and setbacks are not characteristic of the rural area (S. 5.26). The Plan encourages the Township to mitigate and minimize impacts on the rural character of the surrounding area and the Township in general. Finally, Section 6.2 identifies a variety of permitted uses in the Rural designation including single detached residential dwellings.

Residential uses are recognized as a permitted use by the Township's Official Plan and lot configurations that reflect the rural character of the area are supported. The proposed Consent will configure a lot that is more in keeping with the Rural Residential Zone regulations and that can support the development of a single detached dwelling. The Consent will facilitate a lot configuration that better supports the rural policies of the Township's Official Plan.

- **Lot Creation**

Section 5.36 and 6.2.5 provide policies that guide lot creation in Mulmur Township. Section 5.36 provides land division policies that apply to all land use designations and guide the creation of new lots. The proposed Consent does not result in lot creation. Section 6.2.5 provides lot creation policies specific to the Rural designation. This section permits technical and boundary adjustment severances provided they do not create a new lot or re-divide a parcel of land that had merged in the past. The Plan defines technical reasons as meaning "*severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot*". The application is considered technical as no new lots will be created but rather the boundaries will be adjusted to create developable parcels of land.

Finally, Section 6.2.5 identifies that the lot will be subject to the criteria and policies of the Ministry of Transportation given their frontage on Highway 89.



P.O. Box 246, STN MAIN  
Collingwood, Ontario  
L9Y 3Z5

705.446.1168  
kristine@loftplanning.com  
loftplanning.com

## LOFT PLANNING

**Conclusion:** Conformity to the Official Plan of the Township of Mulmur has been established.

### 3.5 Township of Mulmur Zoning By-law 28-18

The Subject Lands are zoned Rural Residential (RR) in the Township of Mulmur Zoning By-law. Section 4.2 provides the zone regulations for the Rural Residential Zone which permits a single detached dwelling. The Rural Residential Zone Requirements are as follows:

Rural Residential (RR)	Requirements	Proposed			
		Severed Lot	Retained Lot	Enlarged Lot	Amalgamated Lot
Minimum Lot Area	0.4 ha	0.06 ha	0.09 ha	0.15 ha	0.2 ha
Minimum Lot Frontage	45 m	8.7 m	12.6 m	21.3 m	30 m

Section 3.10.2.3 which is entitled, *Existing Undersized Lots of Record*, indicates that, *Lots which have been increased in size following passing of this By-law to comply with the above minimum frontage and lot area standards may also be used in accordance with this provision.* This proposal does increase the lot sizes to more appropriately reflect the zoning provisions.

## 4.0 Conclusions

This Planning Report has been prepared in support of an application for Consent which will facilitate the enlargement of Lot 1. The application is in keeping with the Planning Act RSO 1990, is consistent with the Provincial Policy Statement, 2020, and conforms to the Growth Plan for the Greater Golden Horseshoe, the Dufferin County Official Plan, the Official Plan of the Township of Mulmur and the Township of Mulmur Zoning By-law 28-18. Furthermore, it is our opinion that the application represents good land use planning.

Yours truly,

Kristine A. Loft BES BAA MCIP RPP  
Principal

Attached: Consent Sketch

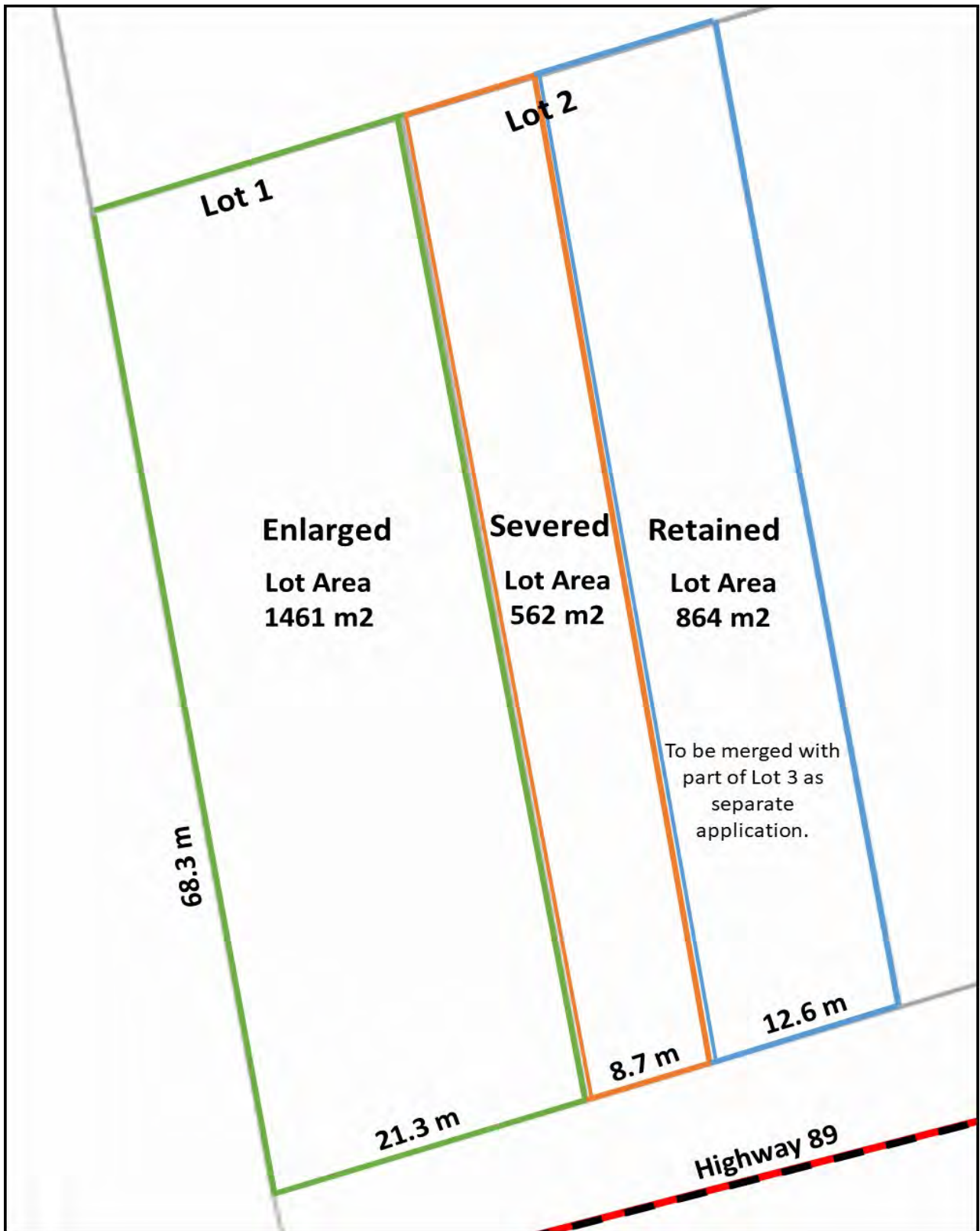


Figure 1  
Consent Sketch Lot 2  
CON 2 E E PT LOT 1 PCL 2  
Township of Mulmur

Planner-Agent:



LOFT PLANNING

Municipal #: -----

Project #:  
#CHA 48521

Date: June 2021

Scale:

<b>3. Purpose of this Application</b>											
Proposed transaction (check appropriate box)											
<input type="checkbox"/> Transfer	<input checked="" type="checkbox"/> Creation of a new lot	<input checked="" type="checkbox"/> Addition to a lot	<input type="checkbox"/> An easement								
<input type="checkbox"/> A charge	<input type="checkbox"/> A lease	<input type="checkbox"/> A correction of title	<input type="checkbox"/> Other								
Specify Purpose, ie. Building lot, farm severance, lot addition, etc. TO MERGE TWO INDIVIDUAL 1400m2 LOTS (LOT 2 AND LOT 3) IN ORDER TO CREATE ONE 2800m2 RURAL RESIDENTIAL LOT.											
Name of person(s) to whom land or interest in land is to be transferred, leased or charged  TBD											
<b>4. Description of Subject Land and Servicing Information</b>											
Frontage (m)	<b>Severed</b> 21.3m + 21.3m					<b>Merged and Retained</b> 42.6m					
Depth (m)	68.6m + 68.6m					68.6m					
Area (m)	1400m2 + 1400m2					2800m2					
<b>5. Land Use</b>											
Date Property Acquired TBD											
Existing Use  VACANT RESIDENTIAL						Proposed Use  RESIDENTIAL					
Existing and Proposed buildings and Structures											
Type of Building or Structure		Set Backs (m)				Height (m)	Dimensions (m x m)	Area (m2)	Date of Construction / Proposed Construction	Time use has continued (for existing buildings & structures)	
		Front	Rear	Side	Side						
N/A	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed										
<b>Water</b> <input type="checkbox"/> Private Well <input type="checkbox"/> Communal Well <input type="checkbox"/> Municipal Water <input type="checkbox"/> Other: _____		<b>Sewage Disposal</b> <input type="checkbox"/> Private Septic <input type="checkbox"/> Communal Septic <input type="checkbox"/> Other: _____				<b>Storm Drainage</b> <input type="checkbox"/> Sewer <input type="checkbox"/> Ditches <input type="checkbox"/> Swales <input type="checkbox"/> Other: _____			<b>Tile Drainage</b> <input type="checkbox"/> No <input type="checkbox"/> Yes, please mark on site plan location of tile runs		



## 6. Zoning and Official Plan Information

Current Zoning  Rural Residential (RR)	Current Official Plan  Rural	
Related Applications under the Planning Act, if any including Official Plan, Official Plan Amendment, Zoning By-law Amendment, Minister's Zoning Order (amendment), Consent or Plan of Subdivision:	Has subject lands even been subject of an application under the Planning Act?  File #: _____ Status: _____	
Provide an explanation of how the application conforms to the Official Plan  See Planning Justification Report		
Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified? Please check the appropriate boxes, if any apply.		
Use or Feature	On the Subject Land	Within 500 metres of Subject Land, unless otherwise specific (indicate approximate distance)
Agricultural buildings/structure or manure storage facilities	NO	NO
A Landfill	NO	NO
A provincially significant wetland (Class 1, 2 or 3 wetland)	NO	NO
A locally significant wetland	NO	NO
Flood Plain	NO	NO
A rehabilitated mine site	NO	NO
A non-operating mine site within 1 kilometre of the subject land	NO	NO
An active mine site	NO	(GRAVEL PIT)
An industrial or commercial use (specify uses)	NO	NO
Does the proposed development produce greater than 4500 litres of effluent per day?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, attach a servicing options report and hydro geological report		
Are the lands part of a Nutrient Management Plan?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Please provide plan number _____ and date approved by OMAFRA _____		
Are there any livestock facilities within 500 metres of the subject lands?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, provide a Farm Data Sheet completed by each livestock facility owner for each of the livestock facilities. <a href="http://mulmur.ca/departments/planning">http://mulmur.ca/departments/planning</a>		

<b>7. Consistency with Policy Documents</b>			
Does this application: Alter the boundary of a settlement area?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Create a new settlement area?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Remove lands from an employment area?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
If yes, provide details of any Official Plan or Official Plan Amendment on a separate submission			
Are the subject lands in an area where conditional zoning may apply?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
If yes, provide details of how this application conforms to Official Plan conditional zoning policies on a separate submission			
Is the proposed application consistent with the Provincial Policy Statement and any other Policy Statements issued under subsection 3(1) of the Planning Act:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
<u>KRISTINE LOFT, LOFT PLANNING INC.</u>			
Name of individual having knowledge of the policy statements. A report may be required to accompany this application and support the above statement of consistency.	Signature		
Are the subject lands within the Niagara Escarpment Greenbelt Plan area?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Are the subject lands within the Greater Golden Horseshoe Growth Plan area?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Does the proposed application conform to or does not conflict with the Provincial Plans, including the Greenbelt Plan and Growth Plan:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
<u>KRISTINE LOFT, LOFT PLANNING INC.</u>			
Name of individual having knowledge of the policy statements. A report may be required to accompany this application and support the above statement of consistency.	Signature		
<b>8. History of the Subject Land</b>			
Has the subject land ever been the subject of an application for approval of a plan of subdivision or consent under the Planning Act?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown
If yes, and if known, provide the file number and the decision made on the application: _____			
If this application is a re-submission of a previous consent application, describe how it has been changed from the original application			
Has any land been severed from the parcel originally acquired by the owner of the subject land?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
If yes, provide for each parcel severed, the date of transfer, the name of transferee and the land use:			



Has any land been severed from the original, 40 hectare (approx.) parcel

Yes

No

If yes, provide details:

### 9. Other Information

Please provide any other information that may be useful to the Council or other agencies in reviewing this application, ie. health department, conservation authority, etc.

### 10. Sketch (please use metric units)

The application shall be accompanied by a sketch showing the following:

- The boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained
- The boundaries and dimensions of any land owned by the owner of the subject land and that abuts the subject land
- The distance between the subject land and the nearest Township lot line or landmark, such as a railway crossing or bridge
- The location of all land previously severed from the original approximate 40 hectare parcel
- The approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks
- The existing uses on adjacent lands
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or right of way
- The location and nature of any easement affecting the subject land

<b>3. Purpose of this Application</b>										
Proposed transaction (check appropriate box)										
<input type="checkbox"/> Transfer	<input type="checkbox"/> Creation of a new lot	<input checked="" type="checkbox"/> Addition to a lot	<input type="checkbox"/> An easement							
<input type="checkbox"/> A charge	<input type="checkbox"/> A lease	<input type="checkbox"/> A correction of title	<input type="checkbox"/> Other							
Specify Purpose, ie. Building lot, farm severance, lot addition, etc.										
TO SEVER .17 HECTARES FROM THE EXISTING .60 HECTARE LOT AND CONVEY THE LAND THE ADJACENT .15 HECTARE LOT.										
Name of person(s) to whom land or interest in land is to be transferred, leased or charged										
PCL 4										
<b>4. Description of Subject Land and Servicing Information</b>										
Frontage (m)		<b>Severed</b>			<b>Retained</b>					
		24.4m			68.1 m					
Depth (m)		68.6m			68.7m/60.8m					
Area (m)		1700m2			4300m2					
<b>5. Land Use</b>										
Date Property Acquired										
TBD										
Existing Use					Proposed Use					
VACANT RESIDENTIAL					RESIDENTIAL					
Existing and Proposed buildings and Structures										
Type of Building or Structure		Set Backs (m)				Height (m)	Dimensions (m x m)	Area (m2)	Date of Construction / Proposed Construction	Time use has continued (for existing buildings & structures)
		Front	Rear	Side	Side					
N/A	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
<b>Water</b>		<b>Sewage Disposal</b>				<b>Storm Drainage</b>			<b>Tile Drainage</b>	
<input type="checkbox"/> Private Well		<input type="checkbox"/> Private Septic				<input type="checkbox"/> Sewer			<input type="checkbox"/> No	
<input type="checkbox"/> Communal Well		<input type="checkbox"/> Communal Septic				<input type="checkbox"/> Ditches			<input type="checkbox"/> Yes, please mark on site plan location of tile runs	
<input type="checkbox"/> Municipal Water		<input type="checkbox"/> Other: _____				<input type="checkbox"/> Swales				
<input type="checkbox"/> Other: _____						<input type="checkbox"/> Other: _____				

## 6. Zoning and Official Plan Information

Current Zoning  RURAL RESIDENTIAL(RR)	Current Official Plan  RURAL	
Related Applications under the Planning Act, if any including Official Plan, Official Plan Amendment, Zoning By-law Amendment, Minister's Zoning Order (amendment), Consent or Plan of Subdivision:	Has subject lands even been subject of an application under the Planning Act?  File #: _____ Status: _____	
Provide an explanation of how the application conforms to the Official Plan		
Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified? Please check the appropriate boxes, if any apply.		
Use or Feature	On the Subject Land	Within 500 metres of Subject Land, unless otherwise specific (indicate approximate distance)
Agricultural buildings/structure or manure storage facilities	NO	NO
A Landfill	NO	NO
A provincially significant wetland (Class 1, 2 or 3 wetland)	NO	NO
A locally significant wetland	NO	NO
Flood Plain	NO	NO
A rehabilitated mine site	NO	NO
A non-operating mine site within 1 kilometre of the subject land	NO	NO
An active mine site	NO	GRAVEL PIT
An industrial or commercial use (specify uses)	NO	NO
Does the proposed development produce greater than 4500 litres of effluent per day?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, attach a servicing options report and hydro geological report		
Are the lands part of a Nutrient Management Plan?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Please provide plan number _____ and date approved by OMAFRA _____		
Are there any livestock facilities within 500 metres of the subject lands?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, provide a Farm Data Sheet completed by each livestock facility owner for each of the livestock facilities. <a href="http://mulmur.ca/departments/planning">http://mulmur.ca/departments/planning</a>		

**7. Consistency with Policy Documents**

Does this application:  
Alter the boundary of a settlement area?  Yes  No

Create a new settlement area?  Yes  No

Remove lands from an employment area?  Yes  No

If yes, provide details of any Official Plan or Official Plan Amendment on a separate submission

Are the subject lands in an area where conditional zoning may apply?  Yes  No

If yes, provide details of how this application conforms to Official Plan conditional zoning policies on a separate submission

Is the proposed application consistent with the Provincial Policy Statement and any other Policy Statements issued under subsection 3(1) of the Planning Act:  Yes  No

KRISTINE LOFT, LOFT PLANNING INC.

Name of individual having knowledge of the policy statements. A report may be required to accompany this application and support the above statement of consistency.

Signature

Are the subject lands within the Niagara Escarpment Greenbelt Plan area?  Yes  No

Are the subject lands within the Greater Golden Horseshoe Growth Plan area?  Yes  No

Does the proposed application conform to or does not conflict with the Provincial Plans, including the Greenbelt Plan and Growth Plan:  Yes  No

KRISTINE LOFT, LOFT PLANNING INC.

Name of individual having knowledge of the policy statements. A report may be required to accompany this application and support the above statement of consistency.

Signature

**8. History of the Subject Land**

Has the subject land ever been the subject of an application for approval of a plan of subdivision or consent under the Planning Act?  Yes  No  Unknown

If yes, and if known, provide the file number and the decision made on the application: \_\_\_\_\_

If this application is a re-submission of a previous consent application, describe how it has been changed from the original application

Has any land been severed from the parcel originally acquired by the owner of the subject land?  Yes  No

If yes, provide for each parcel severed, the date of transfer, the name of transferee and the land use:

Has any land been severed from the original, 40 hectare (approx..) parcel	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, provide details:		

**9. Other Information**

Please provide any other information that may be useful to the Council or other agencies in reviewing this application, ie. health department, conservation authority, etc.

**10. Sketch (please use metric units)**

The application shall be accompanied by a sketch showing the following:

- The boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained
- The boundaries and dimensions of any land owned by the owner of the subject land and that abuts the subject land
- The distance between the subject land and the nearest Township lot line or landmark, such as a railway crossing or bridge
- The location of all land previously severed from the original approximate 40 hectare parcel
- The approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks
- The existing uses on adjacent lands
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or right of way
- The location and nature of any easement affecting the subject land

<b>3. Purpose of this Application</b>										
Proposed transaction (check appropriate box)										
<input type="checkbox"/> Transfer	<input type="checkbox"/> Creation of a new lot	<input checked="" type="checkbox"/> Addition to a lot	<input type="checkbox"/> An easement							
<input type="checkbox"/> A charge	<input type="checkbox"/> A lease	<input type="checkbox"/> A correction of title	<input type="checkbox"/> Other							
Specify Purpose, ie. Building lot, farm severance, lot addition, etc.										
Residential Building Lot										
Name of person(s) to whom land or interest in land is to be transferred, leased or charged										
TBD										
<b>4. Description of Subject Land and Servicing Information</b>										
Frontage (m)	<b>Severed</b> 8.7 m				<b>Retained</b> 12.6 m					
Depth (m)	68.6m				68.6m					
Area (m)	596 sqm				864 sqm					
<b>5. Land Use</b>										
Date Property Acquired										
April 2021										
Existing Use					Proposed Use					
VACANT					RURAL RESIDENTIAL					
Existing and Proposed buildings and Structures										
Type of Building or Structure		Set Backs (m)				Height (m)	Dimensions (m x m)	Area (m2)	Date of Construction / Proposed Construction	Time use has continued (for existing buildings & structures)
		Front	Rear	Side	Side					
N/A	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
<b>Water</b>		<b>Sewage Disposal</b>				<b>Storm Drainage</b>			<b>Tile Drainage</b>	
<input checked="" type="checkbox"/> Private Well		<input checked="" type="checkbox"/> Private Septic				<input type="checkbox"/> Sewer			<input checked="" type="checkbox"/> No	
<input type="checkbox"/> Communal Well		<input type="checkbox"/> Communal Septic				<input checked="" type="checkbox"/> Ditches			<input type="checkbox"/> Yes, please mark on site plan location of tile runs	
<input type="checkbox"/> Municipal Water		<input type="checkbox"/> Other: _____				<input type="checkbox"/> Swales				
<input type="checkbox"/> Other: _____						<input type="checkbox"/> Other: _____				



<b>7. Consistency with Policy Documents</b>		
Does this application: Alter the boundary of a settlement area?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Create a new settlement area?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Remove lands from an employment area?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, provide details of any Official Plan or Official Plan Amendment on a separate submission		
Are the subject lands in an area where conditional zoning may apply?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, provide details of how this application conforms to Official Plan conditional zoning policies on a separate submission		
Is the proposed application consistent with the Provincial Policy Statement and any other Policy Statements issued under subsection 3(1) of the Planning Act:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<u>KRISTINE LOFT, LOFT PLANNING INC.</u>	_____	
Name of individual having knowledge of the policy statements. A report may be required to accompany this application and support the above statement of consistency.	Signature	
Are the subject lands within the Niagara Escarpment Greenbelt Plan area?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are the subject lands within the Greater Golden Horseshoe Growth Plan area?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the proposed application conform to or does not conflict with the Provincial Plans, including the Greenbelt Plan and Growth Plan:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<u>KRISTINE LOFT, LOFT PLANNING INC.</u>	_____	
Name of individual having knowledge of the policy statements. A report may be required to accompany this application and support the above statement of consistency.	Signature	
<b>8. History of the Subject Land</b>		
Has the subject land ever been the subject of an application for approval of a plan of subdivision or consent under the Planning Act?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
If yes, and if known, provide the file number and the decision made on the application: <u>Consent application for lot addition currently being processed by municipality. (B5 2021)</u>		
If this application is a re-submission of a previous consent application, describe how it has been changed from the original application		
Has any land been severed from the parcel originally acquired by the owner of the subject land?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, provide for each parcel severed, the date of transfer, the name of transferee and the land use:		
Consent application for lot addition currently being processed by municipality. (B5 2021)		



Has any land been severed from the original, 40 hectare (approx..) parcel  Yes  No

If yes, provide details:

**9. Other Information**

Please provide any other information that may be useful to the Council or other agencies in reviewing this application, ie. health department, conservation authority, etc.

**10. Sketch (please use metric units)**

The application shall be accompanied by a sketch showing the following:

- The boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained
- The boundaries and dimensions of any land owned by the owner of the subject land and that abuts the subject land
- The distance between the subject land and the nearest Township lot line or landmark, such as a railway crossing or bridge
- The location of all land previously severed from the original approximate 40 hectare parcel
- The approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks
- The existing uses on adjacent lands
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or right of way
- The location and nature of any easement affecting the subject land

**Description:** Lot Addition/Merger

**Application Date:** Monday, May 31, 2021

**Municipal File Number:** Chaudhray

**Proposed Application:** Lot creation that results in a cluster of four, or more, non-agricultural use lots in immediate proximity to one another  
Type B Land Use

**Applicant Contact Information**

K Chaudhary

**Location of Subject Lands**

 County of Dufferin, Township of Mulmur  
 MULMUR, Concession: 2 EAST OF HURONTARIO STREET, Lot: 32  
 Roll Number: 221600000205702

**Calculation Name:** *Farm 1*
**Description:**
**Farm Contact Information**

K Chaudhary

**Location of existing livestock facility or anaerobic digester**

 County of Dufferin, Township of Mulmur  
 MULMUR, Concession: 2 EAST OF HURONTARIO STREET, Lot: 32  
 Roll Number: 221600000409800  
 Total Lot Size: 33.8 ha

The barn area is an estimate only and is intended to provide users with an indication of whether the number of livestock entered is reasonable.

Manure Type	Type of Livestock/Manure	Existing Maximum Number	Existing Maximum Number (NU)	Estimated Livestock Barn Area
Solid	Horses, Large-framed, mature; > 680 kg (including unweaned offspring)	15	21.4	453 m <sup>2</sup>



The livestock/manure information has not been confirmed with the property owner and/or farm operator.

**Existing Manure Storage:** V3. Solid, outside, no cover, >= 30% DM

**Design Capacity (NU):** 21.4

**Potential Design Capacity (NU):** 42.9

Factor A (Odour Potential)	Factor B (Size)	Factor D (Manure Type)	Factor E (Encroaching Land Use)	=	Building Base Distance 'F' (minimum distance from livestock barn)	(actual distance from livestock barn)
0.7	X 245.71	X 0.7	X 2.2	=	265 m (869 ft)	126 m (413 ft)

Storage Base Distance 'S' (minimum distance from manure storage)	(actual distance from manure storage)
265 m (869 ft)	126 m (413 ft)

**Preparer Information**

Kristine Loft

Email: kristine@loftplanning.com

 Signature of Preparer: \_\_\_\_\_  
 Kristine Loft

Date: \_\_\_\_\_

**NOTE TO THE USER:**

The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.

**Description:** Lot Addition/Merger  
**Application Date:** Monday, May 31, 2021  
**Municipal File Number:** Chaudhry  
**Proposed Application:** Lot creation for a maximum of three non-agricultural use lots  
 Type A Land Use

**Applicant Contact Information**  
 K Chaudhary

**Location of Subject Lands**  
 County of Dufferin, Township of Mulmur  
 MULMUR, Concession: 2 EAST OF HURONTARIO STREET, Lot: 32  
 Roll Number: 221600000205702


**Calculation Name:** *Farm 1*  
**Description:**

**Farm Contact Information**  
 K Chaudhary

**Location of existing livestock facility or anaerobic digester**  
 County of Dufferin, Township of Mulmur  
 MULMUR, Concession: 2 EAST OF HURONTARIO STREET, Lot: 32  
 Roll Number: 221600000409800  
 Total Lot Size: 33.8 ha

The barn area is an estimate only and is intended to provide users with an indication of whether the number of livestock entered is reasonable.


Manure Type	Type of Livestock/Manure	Existing Maximum Number	Existing Maximum Number (NU)	Estimated Livestock Barn Area
Solid	Horses, Large-framed, mature; > 680 kg (including unweaned offspring)	15	21.4	453 m <sup>2</sup>


 The livestock/manure information has not been confirmed with the property owner and/or farm operator.

**Existing Manure Storage:** V3. Solid, outside, no cover, >= 30% DM

**Design Capacity (NU):** 21.4

**Potential Design Capacity (NU):** 42.9

Factor A (Odour Potential)	Factor B (Size)	Factor D (Manure Type)	Factor E (Encroaching Land Use)	=	Building Base Distance 'F' (minimum distance from livestock barn)	(actual distance from livestock barn)
0.7	X 245.71	X 0.7	X 1.1	=	132 m (435 ft)	126 m (413 ft) 

Storage Base Distance 'S' (minimum distance from manure storage)	(actual distance from manure storage)
132 m (435 ft)	126 m (413 ft) 

**Preparer Information**

Kristine Loft

Email: kristine@loftplanning.com

Signature of Preparer: \_\_\_\_\_ Date: \_\_\_\_\_  
 Kristine Loft

**NOTE TO THE USER:**  
 The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.

## Roseann Knechtel

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**Subject:** FW: Hwy 89 lots  
**Attachments:** cid16%253aX%253aRgAAAAC32GU4%  
252bVGvSLfvrqwx4Lq6BwBfMn8yQ2J9TLVy50ty84IjAAAAAAEMAABfMn8yQ2J9TLVy50ty84IjAAWUVw  
o3AAAJ%253aEACQ7r6D%252bqqAQpalxbYZPQ00.pdf

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**From:** Leyten, Martin (MTO)  
**Sent:** Thursday, June 24, 2021 8:02 AM  
**Subject:** RE: Hwy 89 lots

Hi Tracey & Kristine,

The Ministry of Transportation (MTO) has completed a cursory review of the subject property and the proposal for boundary adjustments. The proposal has been considered in accordance with the requirements of the *Public Transportation and Highway Improvement Act*, MTO's Highway Access Management Guidelines and all related policies. The following outlines our comments.

Highway 89 at this location is classified as a 2B Arterial Highway in MTO's Access Management Classification System. As such, all requirements, guidelines and best practices in accordance with this classification shall apply.

The subject property is located adjacent to Highway 89, within MTO's Permit Control Area (PCA), and as such, MTO permits are required before any demolition, grading, construction or alteration to the site commences.

MTO requires all buildings, structures and features integral to the site to be located a minimum of 8.0 metres from the highway property limit, inclusive of driveway lanes.

Currently as the plan is today, a driveway lane will run parallel to Highway 89 within MTO's 8.0m setback, in order to avoid this Lot 5 will need to maintain a minimum depth of 18.0 m rather than the proposed 7.8m This will allow the property to construct a driveway lane outside of MTO's setback requirements.

MTO has also received entrance applications for adjacent lots, given that there are proposed boundary adjustments outstanding for all of these lots MTO will be placing the entrance permits on hold.

If you have any questions please feel free to contact me directly.

Thanks

Martin



## MEMO

**TO:** County of Dufferin

**FROM:** Matt Alexander, Project Manager, WSP  
Angela Zhao, Project Planner, WSP

**SUBJECT:** Consent Application (File #: B5-21, B6-21), CON 2EEPT LOT I PCL 1;  
CON 2EEPT LOT I PCL2, CON 2EEPT LOT I PCL 3, CON 2 E,  
Township of Mulmur, ON

**DATE:** May 17, 2021

---

### Recommendation

Based on our review, the proposal is consistent with the Rural Lands designation and the related policies in the Dufferin County Official Plan. It is recommended that:

- Consultation occur with the Township of Mulmur and the Nottawasaga Conservation Authority (NVCA) related to the potential impacts to source water because the subject properties are located within a source water protection area (Significant Groundwater Recharge Area and Low & High Aquifer Vulnerability).

### Summary

The purpose of the two consent applications are the following:

#### B5-2021 – Lot Consolidation

The application proposes to merge two (1) lots, each having an area of 1400 square metres, for the purpose of creating one (1) lot with an area of 2800 square metres.

#### B6-2021 – Lot Addition

The application proposes to sever 0.17 hectares from the existing 0.60-hectare lot and convey the severed lands to the adjacent 0.15-hectare lot.

The documents received by WSP on May 11<sup>th</sup>, 2021 include:

- Consent Application Form & Cover Letter; and
- Notice of Public Meeting;

The circulation documents were reviewed against the Dufferin County Official Plan.

### **Dufferin County Official Plan (2017)**

The subject property is within the Countryside Area designation under Schedule B (Community Structure and Land Use) and within the Rural designation under Schedule C (Agricultural Area and Rural Lands) of the County Official Plan. The intent of the Rural Lands designation is to protect the natural amenities and rural character of the County while promoting development opportunities related to the management or use of resources, resource-based recreational uses (including recreational dwellings), tourism, limited residential development, home occupations and home industries, and other rural land uses that cannot be located in settlement areas.

The County Official Plan does not have specific policies as it relates to boundary adjustment in Rural Lands and defers to the local municipal policies.

Under Appendix 2 (Source Water Protection) the subject property is located within a source water protection area (Significant Ground Water Recharge Area and Low Aquifer Vulnerability). Policy 5.4.2(c) states that prior to the approval of development applications within designated vulnerable areas, the proponents shall demonstrate to the satisfaction of the County, local municipality, Conservation Authority and Province, where necessary, that the quality and quantity of municipal drinking water sources will not be negatively impacted. It is anticipated that the Nottawasaga Valley Conservation Authority (NVCA) will provide further review and comments with respect to the requirements for Source Water Protection as it relates to the changes proposed on the subject properties.

Given that access to the proposed development is not located on a Provincial Highway, the Ministry of Transportation should provide comments regarding access.

### **Recommendation**

Based on our review, the proposal is consistent with the Rural Lands designation and the related policies in the Dufferin County Official Plan. It is recommended that:

- Consultation occur with the Township of Mulmur the Nottawasaga Conservation Authority (NVCA) related to the potential impacts to source water because the subject properties are located within a source water protection area (Significant Groundwater Recharge Area and Low & High Aquifer Vulnerability).



## MEMO

**TO:** Dufferin County

**FROM:** Matt Alexander, Project Manager, WSP  
William Turman, Planner, WSP

**SUBJECT:** Application for Consent– B13-2021  
Con 2 E E PT LOT 1 PCL 2, Mulmur, ON

**DATE:** June 24, 2021

---

### Recommendation

The proposal generally conforms with the Countryside Area designation and the related policies in the Dufferin County Official Plan. It is recommended that:

- Confirmation be provided as to whether residential use is compatible with surrounding aggregate extraction, and whether it satisfies minimum separation distance requirements
- Confirmation be provided as to whether the unevaluated wetlands adjacent (within 120m) to the subject properties are deemed significant
- Confirmation be provided as to whether an Environmental Impact Statement (EIS) is required relative to the proximity of unevaluated wetlands.
- Consultation occur with the Township of Mulmur and the Nottawasaga Valley Conservation Authority (NVCA) related to the potential impacts to source water because the subject properties are located within a source water protection area (Low Vulnerability Aquifer and Significant Groundwater Recharge Area).

### Summary

The purpose of the Application for Consent is to sever a lot with 8.7 metres of frontage on Highway 89 and an area of 0.056 hectares and convey it to the abutting lot in order to create a Rural Residential (RR) building lot. The retained lot will have a frontage of 12.6 metres and an area of 864 square metres (0.0864 hectares). The enlarged lot will have a frontage of 30 metres and an area of 2023 square metres (0.2023 hectares).

The documents received by WSP on June 21, 2021 include:

- Notice of Complete application and Public Meeting

The circulation documents were reviewed against the Province's Natural Heritage mapping and the Dufferin County Official Plan.



## Provincial Policy Statement, 2020 (PPS) and Province of Ontario’s Natural Heritage Mapping

As a result of Growth Plan 2019 (as amended), the Province’s Natural Heritage mapping must be studied and implemented into the County’s Official Plan before it can be applied at a local level. However, as it relates to land use designations, the mapping should continue to be used as a guide to determine if the subject property is identified with identified Natural Heritage features, should the County or local Official Plans not reflect current mapping.

Under Ontario’s Natural Heritage mapping, the subject property is adjacent to the Niagara Escarpment Plan area.

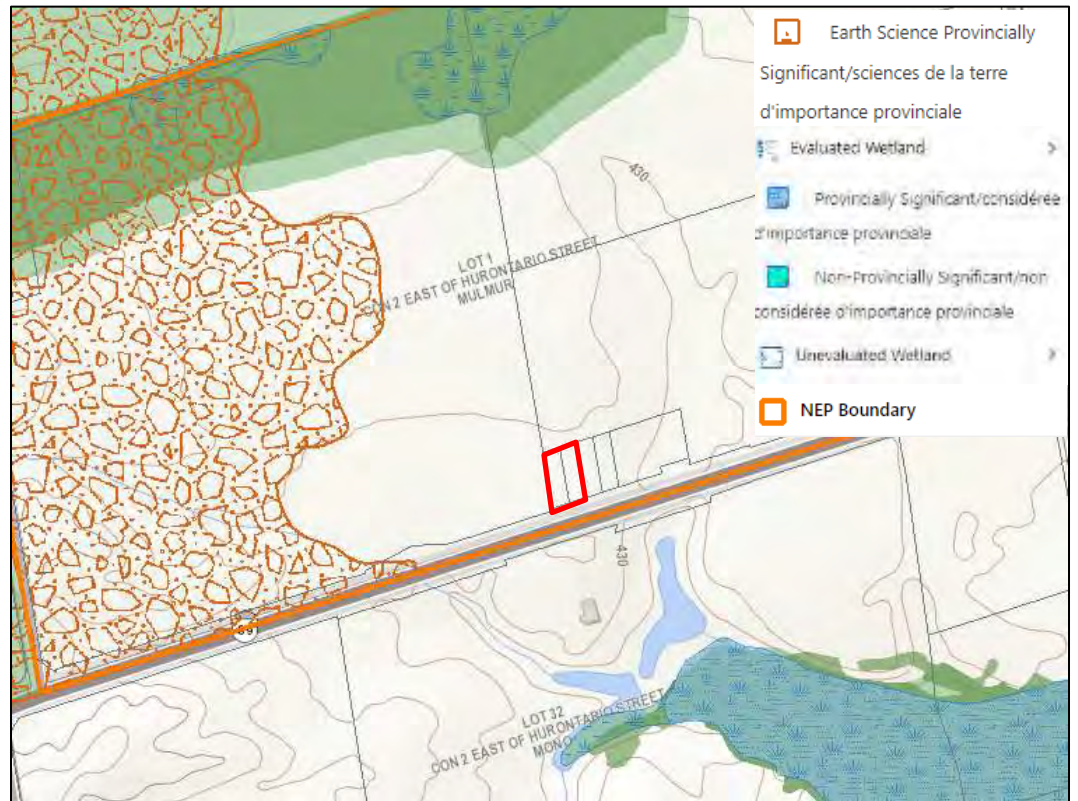


Figure 1: Ontario Natural Heritage Areas

## Dufferin County Official Plan (2017)

The subject property is within the Rural Lands designation under Schedule B (Community Structure and Land Use) and within the Rural designation under Schedule C (Agricultural Area and Rural Lands) of the County Official Plan. The intent of the Rural Lands designation is to protect the natural amenities and rural character of the County while promoting development opportunities related to the management or use of resources,

resource-based recreational uses (including recreational dwellings), tourism, limited residential development, home occupations and home industries, and other rural land uses that cannot be located in settlement areas.

Per section 4.3.2, limited residential development, home occupations, and home industries are permitted with the Rural Lands designation.

Per section 4.3.2 (e) of the County Official Plan, the specific permitted uses and accessory uses will be established in the local municipal official plans and implementing zoning by-laws.

Per section 4.3.3(i), an appropriate separation distance will be established between rural industrial land use and any *sensitive land use*, based upon the Ministry of Environments relevant guidelines related to land use compatibility. The subject properties are located adjacent to several existing aggregate pits or quarries.

Schedules E (Natural Heritage Features) identifies Unevaluated Wetlands adjacent to the Subject Properties. Further consultations with the township of Mulmur, the township of Mono, and the NVCA should be undertaken to determine whether the wetlands are deemed significant and whether the proposed development will have a negative impact on the wetlands. Section 5.3.4 of the County Official Plan directs that development and site alteration adjacent to significant woodlands is not permitted unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions through preparation of an EIS.

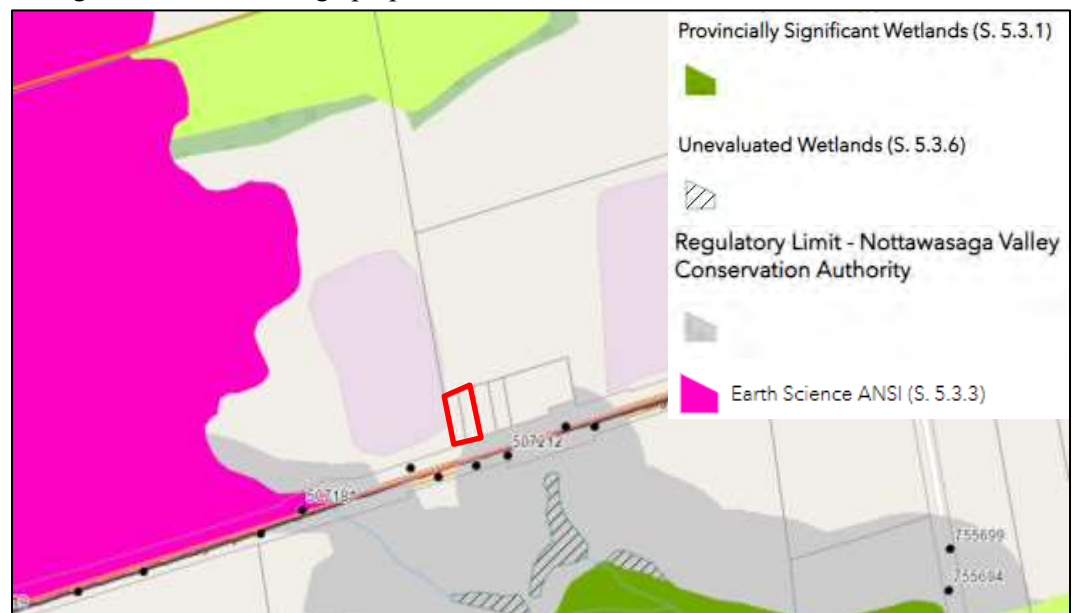


Figure 2 Schedule C: Natural Heritage Features

The subject properties are located on a County Road and as such, County Public Works should provide any comments regarding access., the Township should provide comments regarding access.

Under Appendix 2 (Source Water Protection) the subject property is located within a source water protection area (Significant Groundwater Recharge Area). Policy 5.4.2(c) states that prior to the approval of development applications within designated vulnerable areas, the proponents shall demonstrate to the satisfaction of the County, local municipality, Conservation Authority and Province, where necessary, that the quality and quantity of municipal drinking water sources will not be negatively impacted. It is anticipated that the NVCA will provide further review and comments with respect to the requirements for Source Water Protection as it relates to the changes proposed on the subject properties.

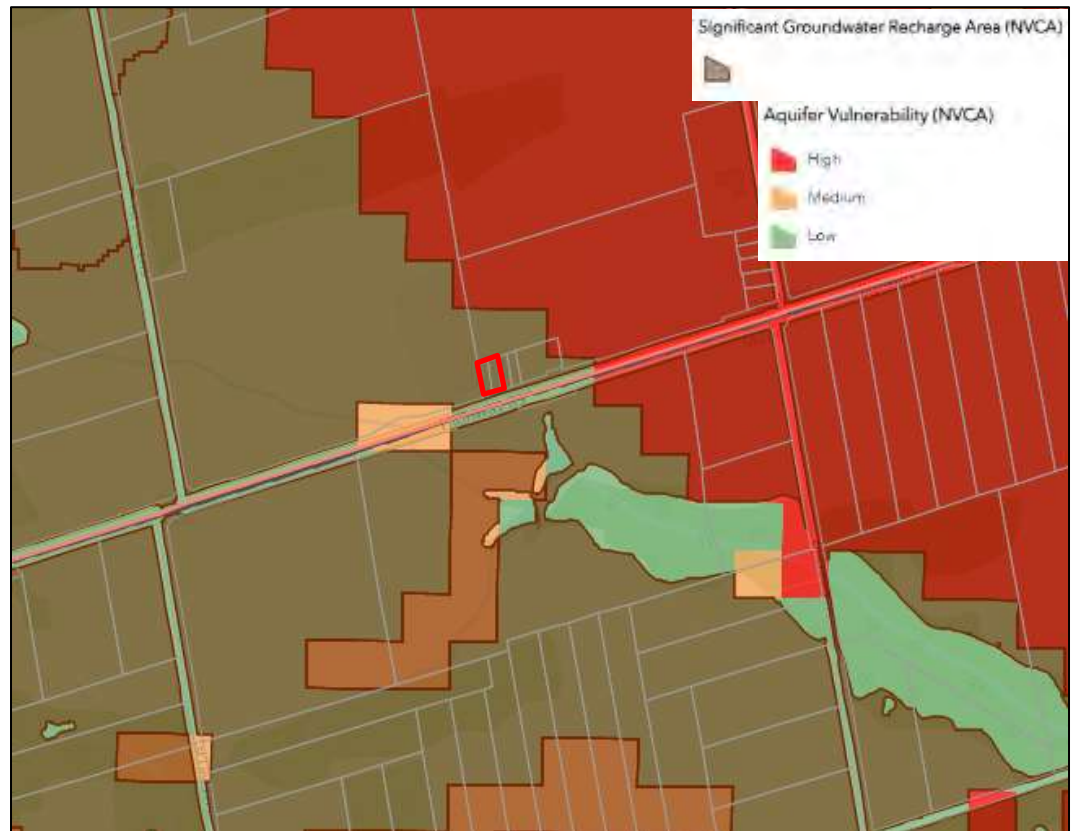


Figure 3: Appendix 2: Source Water Protection

**Recommendation**

The proposal generally conforms with the Countryside Area designation and the related policies in the Dufferin County Official Plan. It is recommended that:



- Confirmation be provided as to whether residential use is compatible with surrounding aggregate extraction, and whether it satisfies minimum separation distance requirements
- Confirmation be provided as to whether the unevaluated wetlands adjacent (within 120m) to the subject properties are deemed significant
- Confirmation be provided as to whether an Environmental Impact Statement (EIS) is required relative to the proximity of unevaluated wetlands.
- Consultation occur with the Township of Mulmur and the Nottawasaga Valley Conservation Authority (NVCA) related to the potential impacts to source water because the subject properties are located within a source water protection area (Low Vulnerability Aquifer and Significant Groundwater Recharge Area).

## Roseann Knechtel

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**Subject:** FW: 519-21-372 - Consent Application B13-2021 - 205701 and 205702 Highway 89

**From:** "Hall, Charleyne

**Date:** June 29, 2021 at 10:30:27 AM EDT

**To:** Tracey Atkinson

**Subject:** 519-21-372 - Consent Application B13-2021 - 205701 and 205702 Highway 89

Good morning Tracey,

Bell Canada has no concerns with Application for Consent B13-2021 regarding 205701 and 205702 Highway 89.

Thank you,

Charleyne



Right of Way Associate

140 Bayfield Street, Floor 2, Barrie ON L4M 3B1

T: 705-722-2264 Toll Free: 1-888-646-4817

she/her

Recognizing traditional territory of Haudenosaunee and Anishnaabeg Peoples; part of the Upper Canada Treaties.



**Description:** Lot Addition/Merger  
**Application Date:** Monday, May 31, 2021  
**Municipal File Number:** Chaudhray  
**Proposed Application:** Lot creation for a maximum of three non-agricultural use lots  
 Type A Land Use

**Applicant Contact Information**  
K Chaudhary

**Location of Subject Lands**  
County of Dufferin, Township of Mulmur  
MULMUR, Concession: 2 EAST OF HURONTARIO STREET, Lot: 32  
Roll Number: 221600000205702


**Calculation Name:** *Farm 1*  
**Description:**

**Farm Contact Information**  
K Chaudhary

**Location of existing livestock facility or anaerobic digester**  
County of Dufferin, Township of Mulmur  
MULMUR, Concession: 2 EAST OF HURONTARIO STREET, Lot: 32  
Roll Number: 221600000409800  
Total Lot Size: 33.8 ha

The barn area is an estimate only and is intended to provide users with an indication of whether the number of livestock entered is reasonable.


Manure Type	Type of Livestock/Manure	Existing Maximum Number	Existing Maximum Number (NU)	Estimated Livestock Barn Area
Solid	Horses, Large-framed, mature; > 680 kg (including unweaned offspring)	15	21.4	453 m <sup>2</sup>


 The livestock/manure information has not been confirmed with the property owner and/or farm operator.

**Existing Manure Storage:** V3. Solid, outside, no cover, >= 30% DM

**Design Capacity (NU):** 21.4

**Potential Design Capacity (NU):** 42.9

Factor A (Odour Potential)	Factor B (Size)	Factor D (Manure Type)	Factor E (Encroaching Land Use)	=	Building Base Distance 'F' (minimum distance from livestock barn)	(actual distance from livestock barn)
0.7	X 245.71	X 0.7	X 1.1	=	132 m (435 ft)	126 m (413 ft) 

Storage Base Distance 'S' (minimum distance from manure storage)	(actual distance from manure storage)
132 m (435 ft)	126 m (413 ft) 

**Preparer Information**

Kristine Loft

Email: kristine@loftplanning.com

Signature of Preparer: \_\_\_\_\_ Date: \_\_\_\_\_  
 Kristine Loft

**NOTE TO THE USER:**

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**From:** [Ryan Post](#)  
**To:** [Tracey Atkinson](#)  
**Subject:** FW: Comments for 3 consents (residential lot craation)  
**Date:** July 12, 2021 7:19:42 AM  
**Attachments:** [B5-2021 Notice.pdf](#)  
[B6-2021 Notice.pdf](#)  
[B13-2021 Notice.docx](#)

Tracey:

To follow up on the below note, I have no comments/issues with the attached three proposed consent applications from a SWP vantage.

Sincerely

Rpost

**Ryan Post M.Sc., P. Geo | Manager, Watershed Science**

**Nottawasaga Valley Conservation Authority**

8195 8<sup>th</sup> Line, Utopia, ON L0M 1T0  
T 705-424-1479, ext. 249  
[rpost@nvca.on.ca](mailto:rpost@nvca.on.ca) | [nvca.on.ca](http://nvca.on.ca)

**Important note:** I am currently working remotely as the Nottawasaga Valley Conservation Authority is taking preventative measures to limit the spread of COVID-19. You may experience some delays or disruptions as we follow recommendations of public health experts.

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**From:** Amy Knapp

**Sent:** Friday, July 9, 2021 9:55 AM

**To:** Ryan Post <[rpost@nvca.on.ca](mailto:rpost@nvca.on.ca)>

**Cc:** 'Tracey Atkinson' <[tatkinson@mulmur.ca](mailto:tatkinson@mulmur.ca)>

**Subject:** Comments for 3 consents (residential lot craation)

Good Morning Ryan,

I am in receipt of three consent applications (see attached) that I need your assistance on. The subject lands are outside of NVCA Regulated Jurisdiction and I have provided you with my response below for context. In looking as Source Water Protection, the property has been identified as a Significant Groundwater Recharge and a corner of the retained land are within an HVA.

Can you review the materials attached and below and respond directly to Tracey? Thanks in advance. Amy



The Nottawasaga Valley Conservation Authority (NVCA) has reviewed the planning application related and have determined the subject lands and proposed consent is not within:

- a flood susceptible area;
- a hazardous site (characterized by unstable soils or bedrock);
- an erosion hazard area, or;
- an area subject to this Authority's Development, Interference With Wetlands and Alterations To Shorelines and Watercourses Regulation (Ontario Regulation 172/06).
- No Natural Heritage Features present

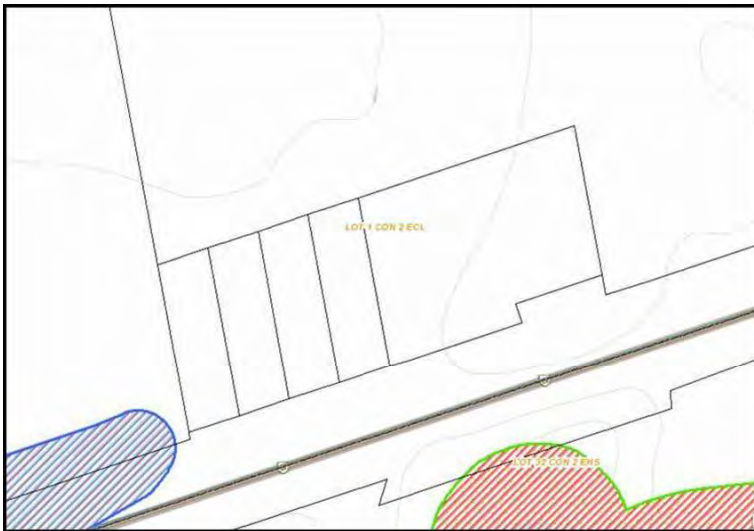
**From:** [Amy Knapp](#)  
**To:** [Tracey Atkinson](#)  
**Subject:** NVCA Comments for CofA - Application B06-2021  
**Date:** July 9, 2021 9:33:29 AM

---

Good Morning Tracey,

The Nottawasaga Valley Conservation Authority (NVCA) has reviewed the planning application related and have determined the subject lands and proposed consent is not within:

- a flood susceptible area;
- a hazardous site (characterized by unstable soils or bedrock);
- an erosion hazard area, or;
- an area subject to this Authority's Development, Interference With Wetlands and Alterations To Shorelines and Watercourses Regulation (Ontario Regulation 172/06).
- No Natural Heritage Features present



**Amy Knapp** | Planner III  
**Nottawasaga Valley Conservation Authority**  
8195 8<sup>th</sup> Line, Utopia, ON L0M 1T0  
T 705-424-1479 ext.233 | F 705-424-2115  
[aknapp@nvca.on.ca](mailto:aknapp@nvca.on.ca) | [nvca.on.ca](http://nvca.on.ca)

*I am currently working remotely as the Nottawasaga Valley Conservation Authority is taking preventative measures to limit the spread of COVID-19. You may experience some delays or disruptions as we follow recommendations of health professionals to slow the virus from spreading.*

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**From:** Tracey Atkinson <[tatkinson@mulmur.ca](mailto:tatkinson@mulmur.ca)>  
**Sent:** Friday, July 9, 2021 9:03 AM  
**To:** Amy Knapp <[aknapp@nvca.on.ca](mailto:aknapp@nvca.on.ca)>



BUILDING SERVICES

Date: June 24, 2021

To: Tracey Atkinson CAO/Planner  
Township of Mulmur

Re: Consent file # B13-2021  
Township of Mulmur, County of Dufferin.

This letter serves to confirm that I have commenced a preliminary review of the application B13-2021 and request for comment.

After review of the application for lot addition, the Building Division would like to note that we have the following concerns.

- please add the condition to your decision that the applicant shall provide a satisfactory Lot Suitability letter for the sewage disposal system from the County of Dufferin Building Division for the newly enlarged lot.
- Please add the condition that the retained must be merged with Part Lot 3 as per the provided sketch and not left as a non-buildable lot.
- Please add the condition that entrance and construction permits are required from Ministry of Transportation, Highway Corridor Management or favorable comments that they have no concerns.

It should be noted that the applicant is required to apply for building permit to our office with respect to the above property before any type of construction begins on either the severed or retained.

If you should have any questions pertaining to this letter, please do not hesitate to contact the undersigned.

Regards,

Doug Kopp CBCO  
Plans Examiner



BUILDING SERVICES

Date: June 24, 2021

To: Tracey Atkinson CAO/Planner  
Township of Mulmur

Re: Consent file # B13-2021  
Township of Mulmur, County of Dufferin.

This letter serves to confirm that I have commenced a preliminary review of the application B13-2021 and request for comment.

After review of the application for lot addition, the Building Division would like to note that we have the following concerns.

- please add the condition to your decision that the applicant shall provide a satisfactory Lot Suitability letter for the sewage disposal system from the County of Dufferin Building Division for the newly enlarged lot.
- Please add the condition that the retained must be merged with Part Lot 3 as per the provided sketch and not left as a non-buildable lot.
- Please add the condition that entrance and construction permits are required from Ministry of Transportation, Highway Corridor Management or favorable comments that they have no concerns.

It should be noted that the applicant is required to apply for building permit to our office with respect to the above property before any type of construction begins on either the severed or retained.

If you should have any questions pertaining to this letter, please do not hesitate to contact the undersigned.

Regards,

Doug Kopp CBCO  
Plans Examiner





Date: July 21, 2021  
To: Committee of Adjustment  
From: John Willmetts, Director of Public Works  
Re: B5 – CHAUDHARY

## ROAD WIDENING

---

With respect to this application, I have no conditions or concerns.

Yours truly,

*John Willmetts*

John Willmetts  
Director of Public Works  
Township of Mulmur



Date: July 21, 2021  
To: Committee of Adjustment  
From: John Willmetts, Director of Public Works  
Re: B6 – CHAUDHARY

## ROAD WIDENING

---

With respect to this application, I have no conditions or concerns.

Yours truly,

*John Willmetts*

John Willmetts  
Director of Public Works  
Township of Mulmur



**STAFF REPORT**

**TO:** COMMITTEE OF ADJUSTMENT  
**SUBJECT:** Tracey Atkinson, BES MCIP RPP  
**MEETING DATE:** July 21, 2021  
**SUBJECT:** B05-2021 (Chaudhary)  
 B06-2021 (Chouhan)  
 B13-2021 (Chaudhary)

**PURPOSE:**

The purpose of this report is to assess the planning merits of three applications for consent to merge/adjust boundary lines to establish four building lots from five existing parcels.

- B05-2021 proposes to merge two individual 1400m<sup>2</sup> lots (parcels 2 and 3) in order to create one 2800m<sup>2</sup> Rural Residential (RR) lot. (This lot would further be reduced to an area of 2238m<sup>2</sup> through application B13-2021)
- B06-2021 proposes to sever 0.17 ha (1700m<sup>2</sup>) from the existing 0.60 hectare lot and convey the land to the adjacent 0.15 ha (1500 m<sup>2</sup>) lot. The retained lot would have a lot area of 0.43 ha (4300 m<sup>2</sup>).
- B13-2021 proposes to sever 0.05ha (562m<sup>2</sup>) from parcel 2 and add it to lot 1, resulting in a total lot area of 0.20 ha for lot 1.

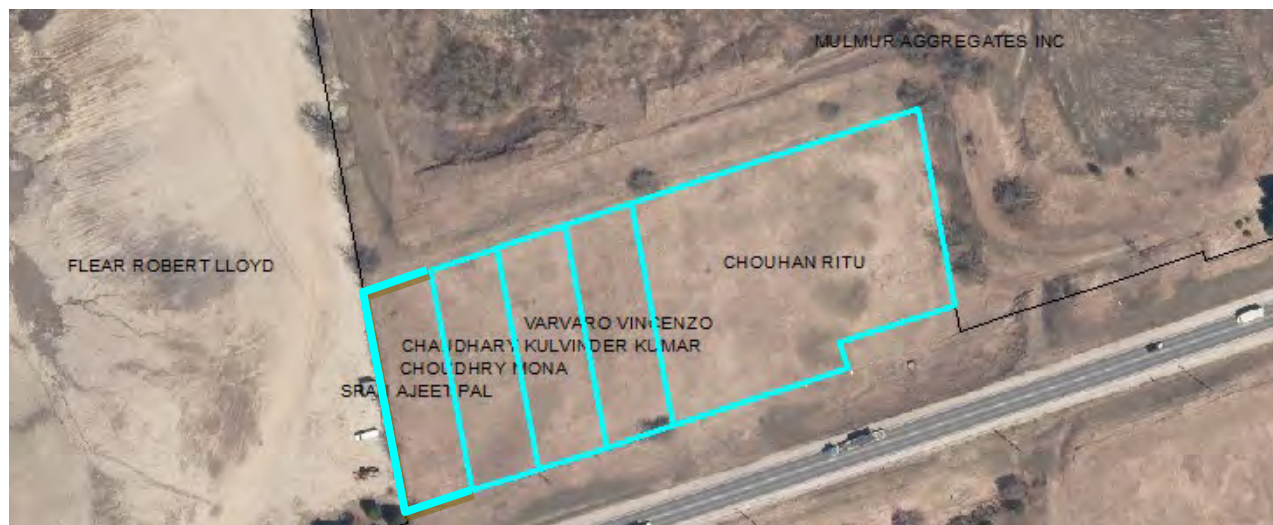
**BACKGROUND:**

FILE NO	B05-2021, B06-2021, B13-2021
ROLL NO	2216000002057010000 (Parcel 1) 2216000002057020000 (Parcel 2) 2216000002057030000 (Parcel 3) 2216000002057040000 (Parcel 4) 2216000002057050000 (Parcel 5)
OWNER	5: CHOUDHRY MONA (Parcel 2) CHAUDHARY KULVINDER KUMAR (Parcel 3) 6: VARVARO VINCENZO (Parcel 4) CHOUHAN RITU (Parcel 5) 13: CHOCHAN JAGBISH (Parcel 1) being transferred from SRAN AJEET PAL
ADDRESS	Highway 89

LEGAL DESCRIPTION:	5: CONCESSION 2 EHS, EAST PART LOT 1 PCL 2 & PCL 3 6: CONCESSION 2 EHS, EAST PART LOT 1 PCL 4 & PCL 5 13: CONCESSION 2 EHS, EAST PART LOT 1 PCL 4 & PCL 1 & PCL 2
OFFICIAL PLAN:	Rural Features: Aggregate Resource Vulnerable Aquifer (Lot 5)
ZONING:	Rural Residential (RR)
NEC/Greenbelt:	N/A
NVCA Regulated:	N/A
Natural Heritage System	Regulated Wetland South of Subject lands
Agricultural Land Base	Candidate Area (Not recommended by Council)
Application Submission Date:	April 19, 2021, April 19, 2021, June, 2021
Public Meeting Date:	July 21, 2021

## EXISTING CONFIGURATION

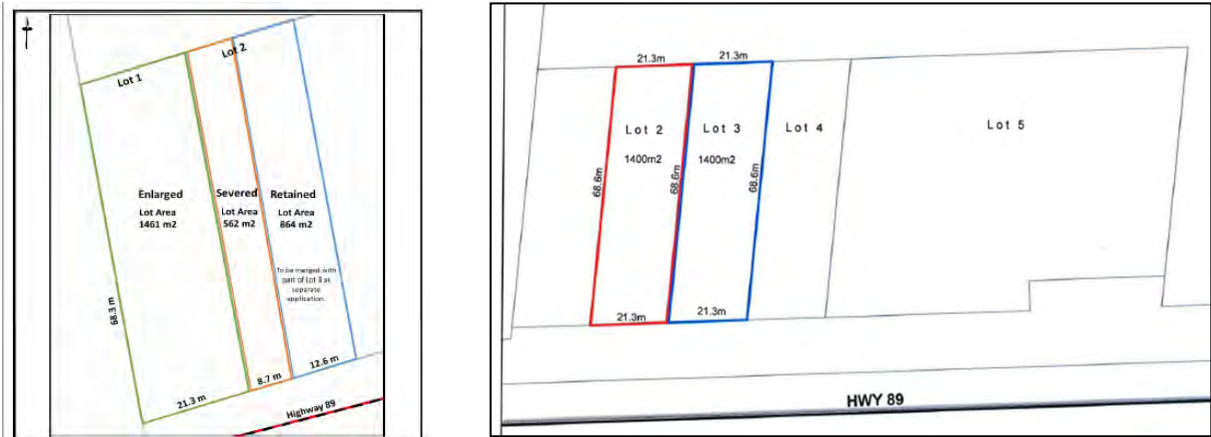
The subject lands are identified on the aerial photograph and described in the table below.



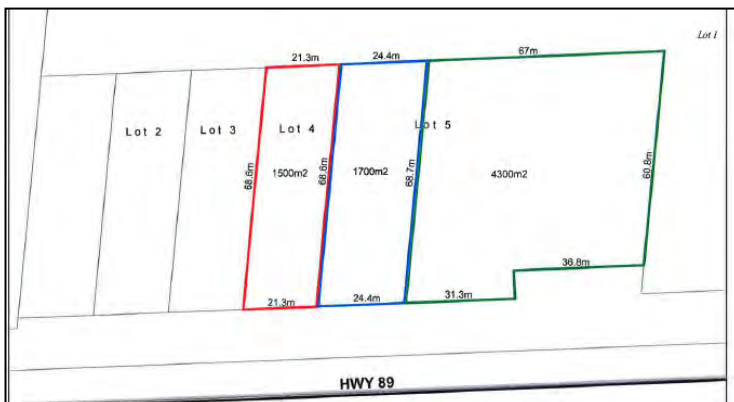
PARCEL	AREA	FRONTAGE
1	1461m2 (.36 acres)	21.3m (70')
2	1400 m2 (.36 acres)	21m (70')
3	1400m2 (.36 acres)	21m (70')
4	1400m2 (.36 acres)	21m (70')
5	6000m2 (1.47 acres)	92m (300')

## PROPOSED CONFIGURATION

The proposed configuration would result in a total of 4 parcels, as shown in the sketches below. B05-2021 proposes to merge Lot 2 and 3, resulting in a combined area of 2800m<sup>2</sup>, being 0.28 hectares, and a frontage of 42m.



B06-2021 proposes a boundary adjustment of 24.4m frontage and 1700m<sup>2</sup> area from Lot 5 to Lot 4, with the enlarged Lot 4 having a combined frontage of 45.7m and area of 3200m<sup>2</sup>. Lot 5 would be left with 68m of frontage and an area of 4300 sq ft.



	Lot 1 +2	Lot 2 + 3	Lot 4 Enlarged	Lot 5 Decreased
Area (approx.)	0.20 ha	.22 ha	.32 ha	.43 ha
Frontage (approx.)	30m	30m	45m	68m
Use	Proposed Residential	Proposed residential	Proposed residential	Proposed residential

**STRATEGIC PLAN ALIGNMENT:**

This application is aligned with the following strategic plan path:

- 4. Growing a Sustainable Mulmur: Being Proactive in Sustainable Initiatives to ensure the long term well being of Mulmur (includes Resources/Financial/People).

**FINANCIAL IMPACTS:**



No financial impact. Processing costs are generally covered by the application fee.

### **ANALYSIS:**

The application was supported by the following submissions:

- Loft Planning Report, April 16, 2021
- Loft Planning Report, June 16, 2021

### **PLANNING POLICIES & PROVISIONS:**

The applications do not create new lots but rather would allow existing lots to be developed.

#### **Provincial Policy Statement (2020)**

The 2020 Provincial Policy Statement (PPS) contains broad policy direction and policy direction on lot creation and development of the Rural and Agricultural Areas, and provides for limited development on rural lands. The PPS provides for limited development on Rural lands.

The PPS also provides protection for mineral aggregates, water resources and natural heritage features.

#### **Growth Plan (2019, consolidated Aug 2020)**

A Place to Grow: Growth plan for the Greater Golden Horseshoe, provides high-level policy direction relating to the development of healthy, safe and balanced communities. The Growth Plan directs the majority of development to settlement areas except where otherwise permitted. Section 2.2.9(3) of the GP provides for rural land uses that will not negatively affect agriculture and Section 2.2.9.6 allows for consideration of some lots within the rural area.

#### **Natural Heritage System**

The subject lands are not regulated by the Conservation Authority nor are they mapped as part of the Natural Heritage System. It is noted that a wetland is identified south of Highway 89.

Comments are anticipated from the NVCA regarding the wetland feature.

#### **Niagara Escarpment Plan**

The subject lands are not regulated by the Niagara Escarpment Plan.

#### **NVCA**

The subject lands are not regulated by the NVCA regulation.

#### **County Official Plan**

The subject lands are designated “Rural Lands” and identified as being within a significant groundwater recharge area and low & high aquifer vulnerability” in the County Official Plan schedules.

Comments dated May 17, 2021 were received from the County of Dufferin (WSP Planning Consultants)

### **Mulmur Official Plan (2012)**

The lot creation policies of section 5.36 and 6.2.5 area applicable to the subject applications. The policies permit technical severances and boundary adjustments that do not create a new building lot.

Section 6.2.5 of the Official Plan includes the following:

Other technical or boundary correction severances are generally permitted, provided that they do not result in the creation of a new lot or the re-division of parcels that have merged, unless, in the latter instance, the severance is otherwise permitted by this Plan and both the severed and retained lots conform to the requirements of the Zoning By-law. Lot enlargements and boundary line adjustments are generally permitted, provided the purposes and overall intent of this Plan are maintained.

The Official Plan also contains policies with respect to wetlands, vulnerable aquifers, frontage on a Provincial Highway and Minimum Distance to livestock facilities/odour.

The subject lands are identified as having aggregate resources and back on to an aggregate operation. While it is not desirable to limit access to aggregates, by building houses on them, the existing lots area already created, and the subject applications would result in less development than originally anticipated.

There appears, from aerial photography, that there may be an equestrian livestock facility approximately 130m south of the subject lands. A minimum distance separation calculation is required to confirm conformity with the MDS section of the Township’s planning documents. It is noted that the current MDS provisions apply to existing vacant lots.

### **Zoning By-law**

The applications do not create new lots but rather would allow existing lots to be developed. The current zoning by-law minimum lot size provisions are not met by the current undersized lot areas of Lots 1 to 4. The subject applications would allow all lots to meet the minimum requirements of the zoning by-law (through the undersized lot provision).

The subject lands are zoned Rural Residential, an excerpt from which is provided below.

#### 4.2.1 Permitted Uses

- i) Single Detached Dwelling
- ii) additional single dwelling (ASD) or attached accessory dwelling unit or habitable pool house
- iii) bed and breakfast
- iv) home industry
- v) home occupation
- vi) the keeping of not more than 50 chickens on a lot of not less than 0.5 ha and at a location not less than 60 m from any dwelling on an adjacent lot.

#### 4.2.2 Regulations for Permitted Rural Residential Uses

- |      |                           |        |      |
|------|---------------------------|--------|------|
| i)   | Minimum Lot Area          | 0.4 ha |      |
| ii)  | Minimum Lot Frontage      |        | 45 m |
| iii) | Minimum Yard Requirements |        |      |
| a)   | Front Yard                | 20 m   |      |
| b)   | Interior Side Yard        | 6 m    |      |
| c)   | Exterior Side Yard        | 20 m   |      |
| d)   | Rear Yard                 | 20 m   |      |
| iv)  | Maximum Lot Coverage      |        | 10%  |
| v)   | Maximum Height            | 10.5 m |      |

The existing parcels, with the exception of Parcel 5, do not meet the minimum lot area and minimum lot area requirements of the Rural Residential Zone. However, the zoning by-law, in section 3.10.2.3 provides leniency to the minimum requirements for existing undersized lots. The existing lots, if successfully merged and adjusted, would be able to form 3 lots that would meet the minimum requirements.

#### 3.10.2.3 Existing Undersized Lots of Record

Where a lot, having a lesser lot area and/or lot frontage than required herein, existed on the date of passing of this By-law, or where such a lot is created by a public authority, such smaller lot may be used and a permitted building or structure may be erected, altered and/or used on such smaller lot provided that the lot has at least 30 m of frontage, an area of at least 0.2 hectares, is located on a maintained public road and all other applicable zone provisions of this By-law are complied with.

Lots which have been increased in size following passing of this By-law to comply with the above minimum frontage and lot area standards may also be used in accordance with this provision.

### **AGENCY COMMENTS**

Comments received are appended to this report, and recommendations for provisional consent condition have been included in the draft decision.

Comments were received from the Ministry of Transportation (MTO) regarding the proposed access location for Lots 4 and 5. The applicant has submitted a revised sketch which would maintain the frontage of Lot 5 but still adjust the boundary allowing all lots to meet the minimum lot area provision. The reconfiguration may result in a deficient lot frontage for lot 4. Provided there is sufficient room for an access and setbacks, a zoning amendment could be considered if necessary.

**RECOMMENDATION:**

It is recommended:

THAT applications B5-2021, B6-2021 and B13-2021 be approved subject to the standard conditions, as well as addressing MTO entrance requirements, water vulnerability/Source Water, wetland south of Highway 89, and Minimum Distance Separation from the barn south of Highway 89.

It is noted that there may need to be a condition with respect to registration in a specific order to the intent of the applications.

Respectfully submitted,

*Tracey Atkinson*

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Tracey Atkinson, BES MCIP RPP  
Planner



**DECISION OF COMMITTEE OF ADJUSTMENT WITH REASONS  
(The Planning Act, R.S.O. 1990, c. 13, s. 45 (8), 1994 c. 23, s.26.)**

**FILE NO. B6-2021 CHOUHAN**

**RE: Boundary Adjustment**

The following decision was reached by the Committee of Adjustment for the Township of Mulmur at the meeting on July 21, 2021:

That Application No. B6-2021 submitted by Ritu and Nakshat Chouhan for a boundary adjustment from CON 2 EHS W, EAST PART LOT 1 PARCEL 5 (R#2 05705) to CON 2 EHS W, EAST PART LOT 1 PARCEL 4 (R#2 05704) be approved subject to the following:

- That the boundary adjustment applies to a minimum 500 m2 parcel of land rounded to two decimal places be added to CON 2 EHS W, EAST PART LOT 1 PARCEL 4 (R#2 05704) subject to MTO Satisfaction of lot configuration.
- Taxes and/or penalties must be paid in full up to and including the current fiscal year on all related properties, if the amount is known.
- The deed for the subject severance must be presented to the Secretary Treasurer prior to one year after the date of decision; a copy of the consent decision to be kept on file at the Township solicitor's office.
- Two paper copies of the registered plan of survey and one digital copy be provided, including documentation from the surveyor certifying that the digital copy was created from the same file that was used to plot the original paper copies. The digital copy shall be of a format to the Township's satisfaction. The paper copy shall be circulated to the Township for review prior to registration.
- Compliance with all bylaws, including, but not limited to zoning, site plan and property standards.
- That the lot complies with MDS1 analysis between any nearby livestock facilities/anaerobic digesters on separate lots in accordance with the Minimum Separation Distance Document and provide proof of attempted confirmation with the facility operators/owners.
- That the applicant shall, at his-her own expense, undertake a Zoning Bylaw Amendment to address any Zoning requirements that cannot be fulfilled through the Boundary Adjustment including but not limited to MDS setbacks, lot size and minimum frontage requirements, only if required.
- The application is to comply with all requirements from the MTO to obtain an approved entrance permit. Prior to endorsement of the deeds, the Municipality shall receive confirmation from the MTO, that their conditions have been fulfilled to their satisfaction.
- The severed parcel shall be subject to Section 50(3) of the Planning Act.
- The solicitor for the owner of the lot to which the severed parcel is to be added shall provide an undertaking to make an application for consolidation within thirty days following registration of the deed for the resulting enlarged parcel, and to provide the Township with documentation which demonstrates that the consolidation has taken place.
- That all conditions of consent be fulfilled within one year of the date of notice of decision where failure to do so will cause the application to be null and void.

**REASON:** Conforms to the Township's Official Plan with the proposed conditions.

**CERTIFICATION**  
**(The Planning Act, R.S.O. 1990 c. p. 13 s. 45 (10))**

I, **Tracey Atkinson**, Clerk of the Township of Mulmur, hereby certify that the above is a true copy of the decision of the Committee of Adjustment for the Township of Mulmur with respect to the application recorded herein.

.....  
Tracey Atkinson, Clerk, Township of Mulmur

The last date that this decision may be appealed to the Ontario Land Tribunal is \_\_\_\_\_, 2021.

**NOTICE OF LAST DAY OF APPEALING TO THE ONTARIO LAND TRIBUNAL (OLT)**

The applicant, the Minister, or any other person who has an interest in this matter may, within twenty (20) days of the date of this notice, appeal to the Ontario Land Tribunal against the decision of the Committee by serving personally or sending by registered mail to the Secretary-Treasurer of the Committee a Notice of Appeal along with Appellant Form (A1) available from the Township office or from the OLT website at [www.olto.gov.on.ca](http://www.olto.gov.on.ca) setting out the objection to the decision and the reasons for the objection and accompanied by the fee of \$300.00 payable by certified cheque or money order to the MINISTER OF FINANCE as prescribed by the Ontario Land Tribunal as payable on an appeal from a Committee of Adjustment to the Board.

Tracey Atkinson, Clerk  
Telephone: (705) 466-3341 Ext 222  
[tatkinson@mulmur.ca](mailto:tatkinson@mulmur.ca)

Date of Mailing: July \_\_\_\_\_, 2021  
Last day to appeal to OLT: August \_\_\_\_, 2021



**DECISION OF COMMITTEE OF ADJUSTMENT WITH REASONS  
(The Planning Act, R.S.O. 1990, c. 13, s. 45 (8), 1994 c. 23, s.26.)**

**FILE NO. B5-2021 CHOUDARY / CHAUDHARY**

**RE: Boundary Adjustment**

The following decision was reached by the Committee of Adjustment for the Township of Mulmur at the meeting on July 21, 2021:

That Application No. B5-2021 submitted by Kulvinder Chaudhary and Mona Choudhery for a boundary adjustment to merge from CON 2 EHS W, EAST PART LOT 1 PARCELS 2 & 3 (R#2 05702 & R#2 05703) be approved subject to the following:

- That the boundary adjustment merge two parcels of land, both being approximately 0.36 acres (+/- 5%) rounded to two decimal places to create one lot approximately 0.72 acres (+/- 5%) with a frontage of approximately 42.56m subsequent to the completion of File No. B13-2021 Choudhry.
- No fragment parcel shall exist through this transaction.
- Taxes and/or penalties must be paid in full up to and including the current fiscal year on all related properties, if the amount is known.
- The deed for the subject severance must be presented to the Secretary Treasurer prior to one year after the date of decision; a copy of the consent decision to be kept on file at the Township solicitor's office.
- Two paper copies of the registered plan of survey and one digital copy be provided, including documentation from the surveyor certifying that the digital copy was created from the same file that was used to plot the original paper copies. The digital copy shall be of a format to the Township's satisfaction. The paper copy shall be circulated to the Township for review prior to registration.
- Compliance with all bylaws, including, but not limited to zoning, site plan and property standards.
- That the lot complies with MDS1 analysis between any nearby livestock facilities/anaerobic digesters on separate lots in accordance with the Minimum Separation Distance Document and provide proof of attempted confirmation with the facility operators/owners.
- That the applicant shall, at his/her own expense, undertake a Zoning Bylaw Amendment to address any Zoning requirements that cannot be fulfilled through the Boundary Adjustment, which may include but not limited to MDS setbacks, lot size and minimum frontage requirements.
- The application is to comply with all requirements from the MTO to obtain an approved entrance permit. Prior to endorsement of the deeds, the Municipality shall receive confirmation from the MTO, that their conditions have been fulfilled to their satisfaction.
- The transaction shall be subject to Section 50(3) of the Planning Act.
- The solicitor for the owner of the lot to which the severed parcel is to be added shall provide an undertaking to make an application for consolidation within thirty days following registration of the deed for the resulting enlarged parcel, and to provide the Township with documentation which demonstrates that the consolidation has taken place.
- That all conditions of consent be fulfilled within one year of the date of notice of decision where failure to do so will cause the application to be null and void.

**REASON:** Conforms to the Township's Official Plan with the proposed conditions.

**CERTIFICATION**  
**(The Planning Act, R.S.O. 1990 c. p. 13 s. 45 (10))**

I, **Tracey Atkinson**, Clerk of the Township of Mulmur, hereby certify that the above is a true copy of the decision of the Committee of Adjustment for the Township of Mulmur with respect to the application recorded herein.

.....  
Tracey Atkinson, Clerk, Township of Mulmur

The last date that this decision may be appealed to the Ontario Land Tribunal is \_\_\_\_\_, 2021.

**NOTICE OF LAST DAY OF APPEALING TO THE ONTARIO LAND TRIBUNAL (OLT)**

The applicant, the Minister, or any other person who has an interest in this matter may, within twenty (20) days of the date of this notice, appeal to the Ontario Land Tribunal against the decision of the Committee by serving personally or sending by registered mail to the Secretary-Treasurer of the Committee a Notice of Appeal along with Appellant Form (A1) available from the Township office or from the OLT website at [www.olto.gov.on.ca](http://www.olto.gov.on.ca) setting out the objection to the decision and the reasons for the objection and accompanied by the fee of \$300.00 payable by certified cheque or money order to the MINISTER OF FINANCE as prescribed by the Ontario Land Tribunal as payable on an appeal from a Committee of Adjustment to the Board.

Tracey Atkinson, Clerk  
Telephone: (705) 466-3341 Ext 222  
[tatkinson@mulmur.ca](mailto:tatkinson@mulmur.ca)

Date of Mailing: July \_\_\_\_\_, 2021  
Last day to appeal to OLT: August \_\_\_\_, 2021





**DECISION OF COMMITTEE OF ADJUSTMENT WITH REASONS  
(The Planning Act, R.S.O. 1990, c. 13, s. 45 (8), 1994 c. 23, s.26.)**

**FILE NO. B13-2021 CHOUDHRY**

**RE: Boundary Adjustment**

The following decision was reached by the Committee of Adjustment for the Township of Mulmur at the meeting on July 21, 2021:

That Application No. B13-2021 submitted by Mona Choudhry for a boundary adjustment from CON 2 EHS W, EAST PART LOT 1 PARCEL 2 (R#2 05702) to CON 2 EHS W, EAST PART LOT 1 PARCEL 1 (R#2 05701) be approved subject to the following:

- That the boundary adjustment applies to a 562 m2 (+/- 5%) parcel of land rounded to two decimal places with a frontage of 8.7m be added to CON 2 EHS W, EAST PART LOT 1 PARCEL 1 (R#2 05701).
- Taxes and/or penalties must be paid in full up to and including the current fiscal year on all related properties, if the amount is known.
- The deed for the subject severance must be presented to the Secretary Treasurer prior to one year after the date of decision; a copy of the consent decision to be kept on file at the Township solicitor's office.
- Two paper copies of the registered plan of survey and one digital copy be provided, including documentation from the surveyor certifying that the digital copy was created from the same file that was used to plot the original paper copies. The digital copy shall be of a format to the Township's satisfaction. The paper copy shall be circulated to the Township for review prior to registration.
- Compliance with all bylaws, including, but not limited to zoning, site plan and property standards.
- That the lot complies with MDS1 analysis between any nearby livestock facilities/anaerobic digesters on separate lots in accordance with the Minimum Separation Distance Document and provide proof of attempted confirmation with the facility operators/owners.
- That the applicant shall, at his-her own expense, undertake a Zoning Bylaw Amendment to address any Zoning requirements that cannot be fulfilled through the Boundary Adjustment including but not limited to MDS setbacks, lot size and minimum frontage requirements.
- The application is to comply with all requirements from the MTO to obtain an approved entrance permit. Prior to endorsement of the deeds, the Municipality shall receive confirmation from the MTO, that their conditions have been fulfilled to their satisfaction.
- The severed parcel shall be subject to Section 50(3) of the Planning Act.
- The solicitor for the owner of the lot to which the severed parcel is to be added shall provide an undertaking to make an application for consolidation within thirty days following registration of the deed for the resulting enlarged parcel, and to provide the Township with documentation which demonstrates that the consolidation has taken place.
- That all conditions of consent be fulfilled within one year of the date of notice of decision where failure to do so will cause the application to be null and void.

**REASON:** Conforms to the Township's Official Plan with the proposed conditions.

**CERTIFICATION**  
**(The Planning Act, R.S.O. 1990 c. p. 13 s. 45 (10))**

I, **Tracey Atkinson**, Clerk of the Township of Mulmur, hereby certify that the above is a true copy of the decision of the Committee of Adjustment for the Township of Mulmur with respect to the application recorded herein.

.....  
Tracey Atkinson, Clerk, Township of Mulmur

The last date that this decision may be appealed to the Ontario Land Tribunal is \_\_\_\_\_, 2021.

**NOTICE OF LAST DAY OF APPEALING TO THE ONTARIO LAND TRIBUNAL (OLT)**

The applicant, the Minister, or any other person who has an interest in this matter may, within twenty (20) days of the date of this notice, appeal to the Ontario Land Tribunal against the decision of the Committee by serving personally or sending by registered mail to the Secretary-Treasurer of the Committee a Notice of Appeal along with Appellant Form (A1) available from the Township office or from the OLT website at [www.olto.gov.on.ca](http://www.olto.gov.on.ca) setting out the objection to the decision and the reasons for the objection and accompanied by the fee of \$300.00 payable by certified cheque or money order to the MINISTER OF FINANCE as prescribed by the Ontario Land Tribunal as payable on an appeal from a Committee of Adjustment to the Board.

Tracey Atkinson, Clerk  
Telephone: (705) 466-3341 Ext 222  
[tatkinson@mulmur.ca](mailto:tatkinson@mulmur.ca)

Date of Mailing: July \_\_\_\_\_, 2021  
Last day to appeal to OLT: August \_\_\_\_, 2021



**CORPORATION OF THE TOWNSHIP OF MULMUR  
NOTICE OF COMPLETE APPLICATION & PUBLIC MEETING  
B7-2021 BRUCE TRAIL**

Township of Mulmur Committee of Adjustment will hold a public meeting under section 53 (5) of the *Planning Act, R.S.O. 1990 c.P.13, as amended*.

**This meeting is being conducted by means of Electronic Participation by a majority of members, as permitted by Section 238 (3.3) of the Municipal Act, 2001, as amended.  
USING VIDEO AND/OR AUDIO CONFERENCING.**

To connect only by phone, please dial any of the following numbers. When prompted, please enter the meeting ID provided below the phone numbers. You will be placed into the meeting in muted mode. If you encounter difficulty, please call the front desk at 705-466-3341, ext. 0

+1 647 374 4685 Canada  
+1 647 558 0588 Canada  
+1 778 907 2071 Canada  
+1 438 809 7799 Canada  
+1 587 328 1099 Canada

Meeting ID: 846 0224 8258

To connect to video with a computer, smart phone or digital device and with either digital audio or separate phone line, download the zoom application ahead of time and enter the digital address below into your search engine or follow the link below. Enter the meeting ID when prompted.

<https://us02web.zoom.us/j/84602248258> Meeting ID: 846 0224 8258

The meeting is being held to consider an application for Consent which has been submitted. The following are the particulars:

**MEETING DATE AND TIME:** July 21, 2021 at 9:00am

**APPLICATION NUMBER:** B7-2021

**OWNER/APPLICANT:** THE BRUCE TRAIL CONSERVANCY

**LOCATION:** CONCESSION 2 WHS, EAST PART LOT 22 (PRINCE OF WALES)

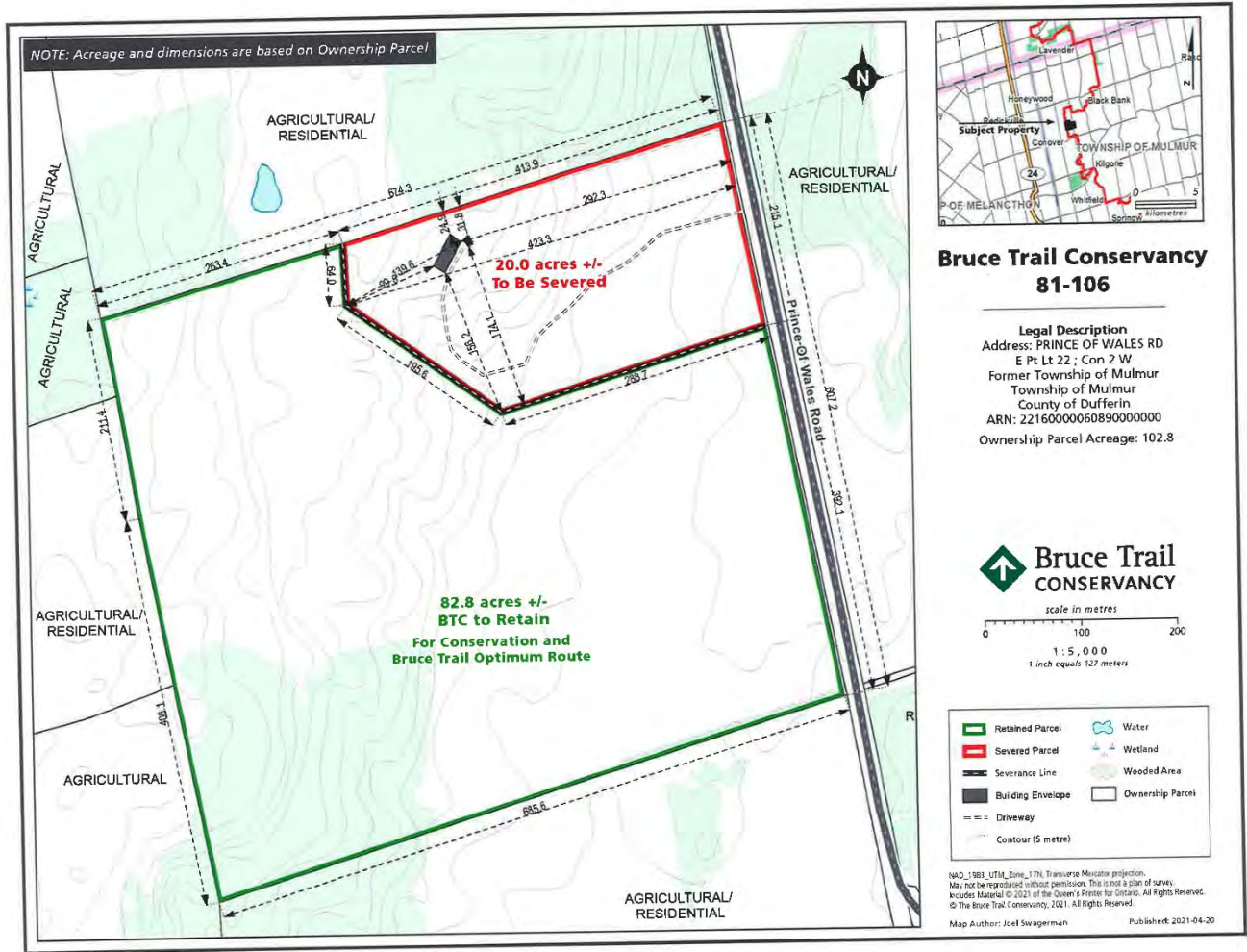
**PURPOSE:** The application proposes to sever a +/- 8.1 ha (20 acre) building lot from a 41.6 ha (103 acre) parcel.

Additional information is available for public inspection by request. If you require additional information on this application, it may also be obtained by contacting the CAO/Planner, Tracey Atkinson, 705 466 3341 X222 or by email: [takinson@mulmur.ca](mailto:takinson@mulmur.ca) during regular office hours.

**NOTE:** If a person or public body that files an appeal of a decision of the Township of Mulmur Committee of Adjustment in respect of the proposed consent does not make written submissions

to the Township of Mulmur Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal may dismiss the appeal. If you wish to be notified of the decision of the Township of Mulmur Committee of Adjustment in respect of the proposed consent, you must make a written request to the Township of Mulmur Committee of Adjustment.

**See Map for illustration purposes only. This is not a plan of survey. A digital version is available by email.**



Dated May 18, 2021



**CORPORATION OF THE TOWNSHIP OF MULMUR  
NOTICE OF COMPLETE APPLICATION & PUBLIC MEETING  
B11-2021 BRUCE TRAIL (COHEN)**

Township of Mulmur Committee of Adjustment will hold a public meeting under section 53 (5) of the *Planning Act, R.S.O. 1990 c.P.13, as amended*.

**This meeting is being conducted by means of Electronic Participation by a majority of members, as permitted by Section 238 (3.3) of the Municipal Act, 2001, as amended.  
USING VIDEO AND/OR AUDIO CONFERENCING.**

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Meeting ID: 846 0224 8258

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<https://us02web.zoom.us/j/84602248258>

Meeting ID: 846 0224 8258

The meeting is being held to consider an application for Consent which has been submitted. The following are the particulars:

**MEETING DATE AND TIME:** July 21, 2021 at 9:00am

**APPLICATION NUMBER:** B11-2021

**OWNER/APPLICANT:** 2798986 ONTARIO INC

**LOCATION:** CON 2 W E PT LOT 21 (638040 PRINCE OF WALES ROAD)

**PURPOSE:** The application proposes to sever +/- 3.3 ac for the development of the Bruce Trail.

Additional information is available for public inspection by request. If you require additional information on this application, it may also be obtained by contacting the CAO/Planner, Tracey Atkinson, 705 466 3341 X222 or by email: [takinson@mulmur.ca](mailto:takinson@mulmur.ca) during regular office hours.

**NOTE:** If a person or public body that files an appeal of a decision of the Township of Mulmur Committee of Adjustment in respect of the proposed consent does not make written submissions to the Township of Mulmur Committee of Adjustment before it gives or refuses to give a provisional



consent, the Ontario Land Tribunal may dismiss the appeal. If you wish to be notified of the decision of the Township of Mulmur Committee of Adjustment in respect of the proposed consent, you must make a written request to the Township of Mulmur Committee of Adjustment.

**See Map for illustration purposes only. This is not a plan of survey. A digital version is available by email.**



Dated June 3, 2021



CORPORATION OF THE TOWNSHIP OF MULMUR  
NOTICE OF COMPLETE APPLICATION & PUBLIC MEETING  
B12-2021 BRUCE TRAIL (SALES)

Township of Mulmur Committee of Adjustment will hold a public meeting under section 53 (5) of the *Planning Act, R.S.O. 1990 c.P.13, as amended*.

**This meeting is being conducted by means of Electronic Participation by a majority of members, as permitted by Section 238 (3.3) of the Municipal Act, 2001, as amended. USING VIDEO AND/OR AUDIO CONFERENCING.**

To connect only by phone, please dial any of the following numbers. When prompted, please enter the meeting ID provided below the phone numbers. You will be placed into the meeting in muted mode. If you encounter difficulty, please call the front desk at 705-466-3341, ext. 0

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Meeting ID: 846 0224 8258

To connect to video with a computer, smart phone or digital device and with either digital audio or separate phone line, download the zoom application ahead of time and enter the digital address below into your search engine or follow the link below. Enter the meeting ID when prompted.

<https://us02web.zoom.us/j/84602248258>

Meeting ID: 846 0224 8258

The meeting is being held to consider an application for Consent which has been submitted. The following are the particulars:

**MEETING DATE AND TIME:** July 21, 2021 at 9:00am

**APPLICATION NUMBER:** B12-2021

**OWNER/APPLICANT:** SALES SUE ELAINE / SALES CHRISTOPHER TAYLOR

**LOCATION:** CON 2 W W PT LOT 21 (598011 2<sup>ND</sup> LINE WEST)

**PURPOSE:** The application proposes to sever +/- 1.3 acres for the development of the Bruce Trail and convey +/- 0.3 acres to the Township of Mulmur.

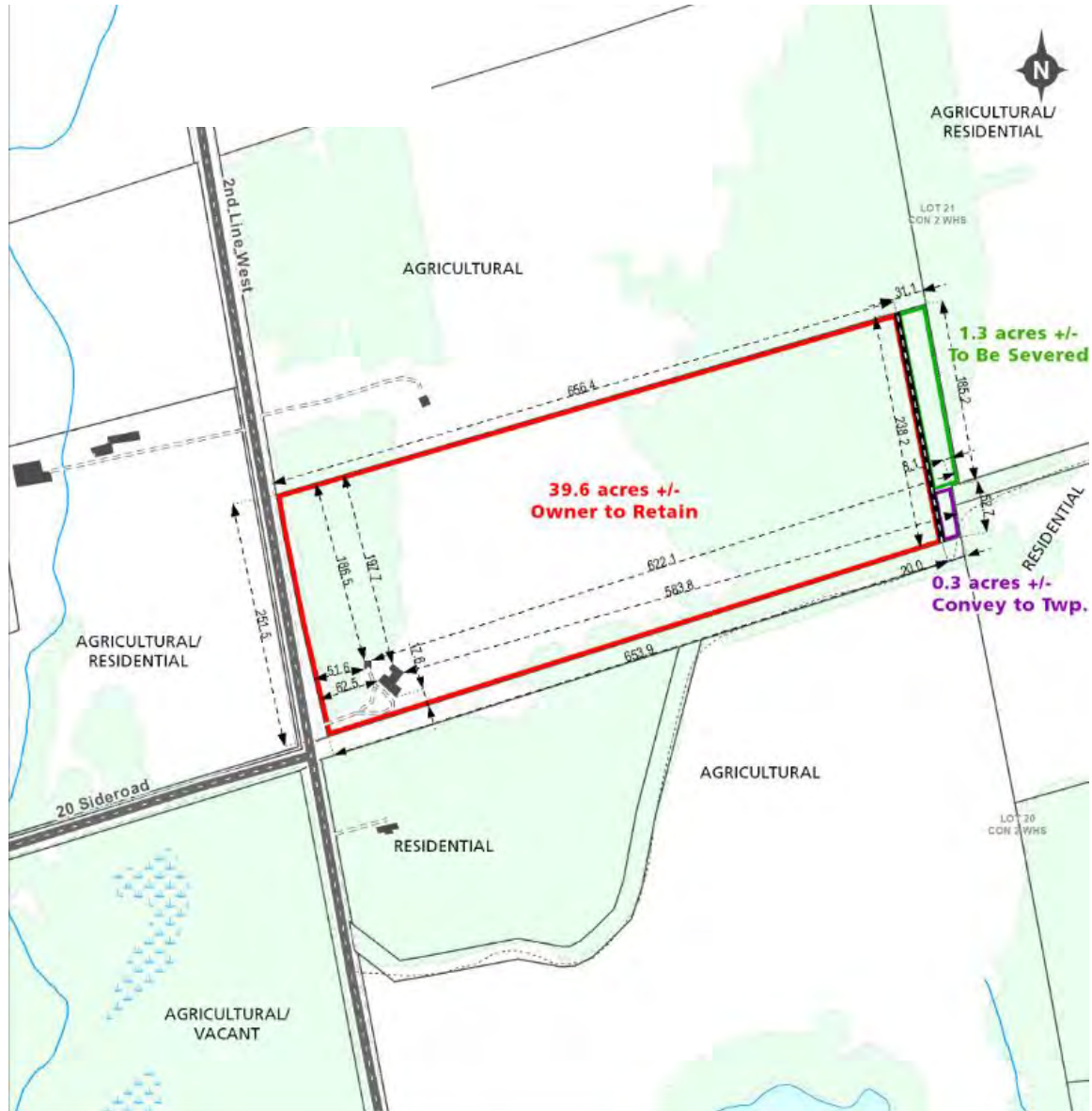
Additional information is available for public inspection by request. If you require additional information on this application, it may also be obtained by contacting the CAO/Planner, Tracey Atkinson, 705 466 3341 X222 or by email: [takinson@mulmur.ca](mailto:takinson@mulmur.ca) during regular office hours.

**NOTE:** If a person or public body that files an appeal of a decision of the Township of Mulmur Committee of Adjustment in respect of the proposed consent does not make written submissions



to the Township of Mulmur Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal. If you wish to be notified of the decision of the Township of Mulmur Committee of Adjustment in respect of the proposed consent, you must make a written request to the Township of Mulmur Committee of Adjustment.

**See Map for illustration purposes only. This is not a plan of survey. A digital version is available by email.**



Dated June 3, 2021

BT-2021



# Bruce Trail CONSERVANCY



April 22, 2021

Township of Mulmur  
758070 2<sup>nd</sup> Line East  
Mulum, ON  
L9V 0G8

**Attention: Tracey Atkinson, CAO/Clerk/Planner**

**RE: Consent to sever conservation land from property described as East Part Lot 22, Concession 2 West, Township of Mulmur, County of Dufferin (ARN: 2216000006089000000)**

Bruce Trail Conservancy (BTC) owns the subject property described above. We respectfully submit the attached Consent application and associated sketches for your review and consideration. The purpose and effect of this application is to support the severance of the existing building lot from the subject property and to secure approx. 33.51 hectares for the Bruce Trail Optimum Route and conservation corridor. The BTC plans to sell the reduced size building lot in order to recoup funds for conserving these lands.

### **Subject Property & Proposal**

The subject property comprises more or less 41.6 hectares (102.8 acres) located on Prince of Wales Road north of 20<sup>th</sup> Sideroad, in the Township of Mulmur. The property is designated mostly Escarpment Protection, with the south-west corner of the property being designated Escarpment Natural under the Niagara Escarpment Plan.

BTC is seeking consent to sever and sell approximately 8.09 hectares (20.0 acres) subject to a survey, from the subject lands, allowing the BTC to recoup funds to secure a portion of the Bruce Trail Optimum Route and protect over 80 acres of Niagara Escarpment lands for conservation in perpetuity.

Our application is consistent with the Lot Creation policies under of the Niagara Escarpment Plan (NEP), including policies under Part 2.4.12 that permit a severance for conservation and Bruce Trail purposes, which is also consistent with policies under Part 3 (Niagara Escarpment Parks and Open Space System). BTC is a recognized *public body* within the NEP, and is able to sever land for conservation and Bruce Trail purposes. In this instance, approx. 620 metres of Bruce Trail Optimum Route will be secured.

Permitted uses within the Escarpment Natural and Escarpment Protection areas include single dwellings, and the Bruce Trail. The proposed lot creation will allow for these uses to continue on separate lots of record. It is also important to note that existing agricultural practices will be allowed to continue on the conservation lands. Agricultural policies are designed to protect agricultural land from incompatible development. These lands are marginal, used mainly for pasture, something the BTC has committed to maintaining via a land use agreement with the farmer (Carl Cosack). Mr. Cosack has and will continue to use these lands to pasture cattle, which will support his businesses, Peace Valley Ranch and Raw Hides

Adventures. In return, Mr. Cosack will continue to permit the Bruce Trail to cross his adjacent lands. The BTC has a letter of intent with Mr. Cosack committing to maintain this relationship.

To ensure we maintain the existing community and open landscape character of the Escarpment, as well as preserve existing natural heritage, agricultural and hydrologic features and functions, we have proposed the following lot sizes and configurations for each parcel:

- **Conservation Lot (Retained by BTC):** +/- 82.8 acres – to be preserved and protected as part of the Bruce Trail conservation corridor. More than 600 metres of Bruce Trail Optimum Route will cross this part of the property, securing public access to the Niagara Escarpment, protecting and enhancing habitat for species at risk, and enhancing hiker safety.
- **Building Lot (To be severed):** +/- 20.0 acres – hypothetical 2 storey dwelling consisting of an area of 464.5 square metres and having a maximum height of 8 metres, and an attached garage consisting of an area of approximately 47.5 square metres, private sewage disposal system and a driveway.

Please note that Bruce Trail Conservancy will not be developing the building lot. The proposed development is hypothetical only and is intended to support the severance of this lot for a single dwelling.

The Niagara Escarpment recently issued a Notice of Decision for conditional approval of our Development Permit application (File No. M/L/2020-2021/374). In order to satisfy Condition #3 of the approval, we are pursuing consent to sever the proposed lot.

The Township of Mulmur has approved a number of conservation severances in the past for this area. Examples include; FILE NO. B01/2010 (Toronto District School Board), FILE NO. B04/2014 (Chisholm).

The Bruce Trail Conservancy has completed more than 90 conservation severances in other jurisdictions, such as the Town of Halton Hills, Town of Caledon, Municipality of Meaford, Town of Blue Mountains, City of Burlington, Town of Mono, amongst others, to secure the Bruce Trail corridor.

## **Background**

The Bruce Trail is Canada's oldest and longest footpath. It was founded in the early 1960s as a way of raising awareness for the need to protect the Niagara Escarpment. Today, the Bruce Trail stretches 895 kilometres from Queenston on the Niagara River to the tip of the Bruce Peninsula. Including side trails, it is more than 1,300 kilometres long, and it is recognized as one of Canada's premier natural recreational opportunities and one of the world's great hiking trails. It forms an integral part of the Southern Ontario landscape, allowing people to explore the beautiful Niagara Escarpment, and become more aware of the need for its preservation.

Over the past 50 years, the Bruce Trail and the work of the Bruce Trail Conservancy has brought about expansive and lasting benefits for the people of Ontario. The Bruce Trail Conservancy has been responsible for conserving more than 16,000 acres and to date has secured 69 percent of the Bruce Trail's Optimum Route. The work continues, however, to secure the remaining links within the NEPOSS consisting of over 163 parks and open spaces, the majority of which are connected by the Bruce Trail.

Preserving this property will add a further 82.8 acres to NEPOSS and secure 620 metres of Bruce Trail Optimum Route (broad overview map attached).

We thank you for your consideration of this matter and look forward to hearing from you soon. You can reach me at 800-665-4453 ext. 235 or [adiamond@brucetrail.org](mailto:adiamond@brucetrail.org) you have any questions or require any further information.

Best regards,



Antoin Diamond, MCIP, RPP  
Vice President of Land Acquisition  
The Bruce Trail Conservancy

<b>3. Purpose of this Application</b>										
Proposed transaction (check appropriate box)										
<input type="checkbox"/> Transfer			<input checked="" type="checkbox"/> Creation of a new lot			<input type="checkbox"/> Addition to a lot			<input type="checkbox"/> An easement	
<input type="checkbox"/> A charge			<input type="checkbox"/> A lease			<input type="checkbox"/> A correction of title			<input type="checkbox"/> Other	
Specify Purpose, ie. Building lot, farm severance, lot addition, etc.										
<b>Conservation severance of +/- 33.5 ha for the protection of Niagara Escarpment lands and the Bruce Trail</b>										
Name of person(s) to whom land or interest in land is to be transferred, leased or charged										
+/- 8.1 ha building lot to be severed and transferred to a buyer TBD										
<b>4. Description of Subject Land and Servicing Information</b>										
Frontage (m)			<b>Severed</b> +/- 215.1				<b>Retained</b> +/- 392.1			
Depth (m)			+/- 413.9				+/- 685.6			
Area (m)			+/- 8.1 ha / 80,937 sq.m.				+/- 33.5 ha / 335,080 sq.m.			
<b>5. Land Use</b>										
Date Property Acquired January 28, 2021										
Existing Use						Proposed Use				
Agriculture, Bruce Trail						Conservation/Bruce Trail, Agriculture, Single Dwelling				
Existing and Proposed buildings and Structures										
Type of Building or Structure		Set Backs (m)				Height (m)	Dimensions (m x m)	Area (m <sup>2</sup> )	Date of Construction / Proposed Construction	Time use has continued (for existing buildings & structures)
		Front	Rear	Side	Side					
Single Dwelling	<input type="checkbox"/> Existing <input checked="" type="checkbox"/> Proposed	+/- 292	+/-100	+/- 25	+/- 156	+/- 8m	+/- 20 x 11.6	+/- 464	TBD	
Garage	<input type="checkbox"/> Existing <input checked="" type="checkbox"/> Proposed	+/- 285	+/-140	+/- 32	+/- 175	+/- 4	+/- 6.6 x 7.2	+/- 47.5	TBD	
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed	NOTE: BTC is not developing the building lot. These figures are hypothetical for the purposes of establishing a building envelope for the NEC.								
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
<b>Water</b>		<b>Sewage Disposal</b>				<b>Storm Drainage</b>			<b>Tile Drainage</b>	
<input checked="" type="checkbox"/> Private Well		<input checked="" type="checkbox"/> Private Septic				<input type="checkbox"/> Sewer			<input checked="" type="checkbox"/> No	
<input type="checkbox"/> Communal Well		<input type="checkbox"/> Communal Septic				<input checked="" type="checkbox"/> Ditches			<input type="checkbox"/> Yes, please mark on site plan location of tile runs	
<input type="checkbox"/> Municipal Water		<input type="checkbox"/> Other: _____				<input type="checkbox"/> Swales				
<input type="checkbox"/> Other: _____						<input type="checkbox"/> Other: _____				



## 6. Zoning and Official Plan Information

Current Zoning	Current Official Plan	
Niagara Escarpment Commission	Agriculture, Niagara Escarpment Plan Area	
Related Applications under the Planning Act, if any including Official Plan, Official Plan Amendment, Zoning By-law Amendment, Minister's Zoning Order (amendment), Consent or Plan of Subdivision:	Has subject lands even been subject of an application under the Planning Act?  File #: _____ Status: _____	
Provide an explanation of how the application conforms to the Official Plan Sec. 6.4.5.4: lot may be severed from an original half township lot for permitted use Sec. 6.4.8.6: Bruce Trail is an essential component of NEPOSS linking parks, open space areas and natural areas through a trail corridor  Part 2.4.12 of NEP permits severances for conservation and Bruce Trail purposes. BTC is a recognized "public body" within the NEP		
Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified? Please check the appropriate boxes, if any apply.		
<b>Use or Feature</b>	<b>On the Subject Land</b>	<b>Within 500 metres of Subject Land, unless otherwise specific (indicate approximate distance)</b>
Agricultural buildings/structure or manure storage facilities		285 m (northeast)
A Landfill		
A provincially significant wetland (Class 1, 2 or 3 wetland)		
A locally significant wetland		410 m (east)
Flood Plain		
A rehabilitated mine site		
A non-operating mine site within 1 kilometre of the subject land		
An active mine site		
An industrial or commercial use (specify uses)		
Does the proposed development produce greater than 4500 litres of effluent per day?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, attach a servicing options report and hydro geological report		
Are the lands part of a Nutrient Management Plan?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Please provide plan number _____ and date approved by OMAFRA _____		
Are there any livestock facilities within 500 metres of the subject lands?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, provide a Farm Data Sheet completed by each livestock facility owner for each of the livestock facilities. <a href="http://mulmur.ca/departments/planning">http://mulmur.ca/departments/planning</a>		



## 7. Consistency with Policy Documents

Does this application:  
Alter the boundary of a settlement area?  Yes  No

Create a new settlement area?  Yes  No

Remove lands from an employment area?  Yes  No

If yes, provide details of any Official Plan or Official Plan Amendment on a separate submission

Are the subject lands in an area where conditional zoning may apply?  Yes  No

If yes, provide details of how this application conforms to Official Plan conditional zoning policies on a separate submission

Is the proposed application consistent with the Provincial Policy Statement and any other Policy Statements issued under subsection 3(1) of the Planning Act?  Yes  No

Joel Swagerman, MCIP RPP

  
Signature

Name of individual having knowledge of the policy statements. A report may be required to accompany this application and support the above statement of consistency.

Are the subject lands within the Niagara Escarpment Greenbelt Plan area?  Yes  No

Are the subject lands within the Greater Golden Horseshoe Growth Plan area?  Yes  No

Does the proposed application conform to or does not conflict with the Provincial Plans, including the Greenbelt Plan and Growth Plan:  Yes  No

Joel Swagerman, MCIP RPP

  
Signature

Name of individual having knowledge of the policy statements. A report may be required to accompany this application and support the above statement of consistency.

## 8. History of the Subject Land

Has the subject land ever been the subject of an application for approval of a plan of subdivision or consent under the Planning Act?  Yes  No  Unknown

If yes, and if known, provide the file number and the decision made on the application: \_\_\_\_\_

If this application is a re-submission of a previous consent application, describe how it has been changed from the original application

Has any land been severed from the parcel originally acquired by the owner of the subject land?  Yes  No

If yes, provide for each parcel severed, the date of transfer, the name of transferee and the land use:

Has any land been severed from the original, 40 hectare (approx..) parcel

Yes

No

If yes, provide details:

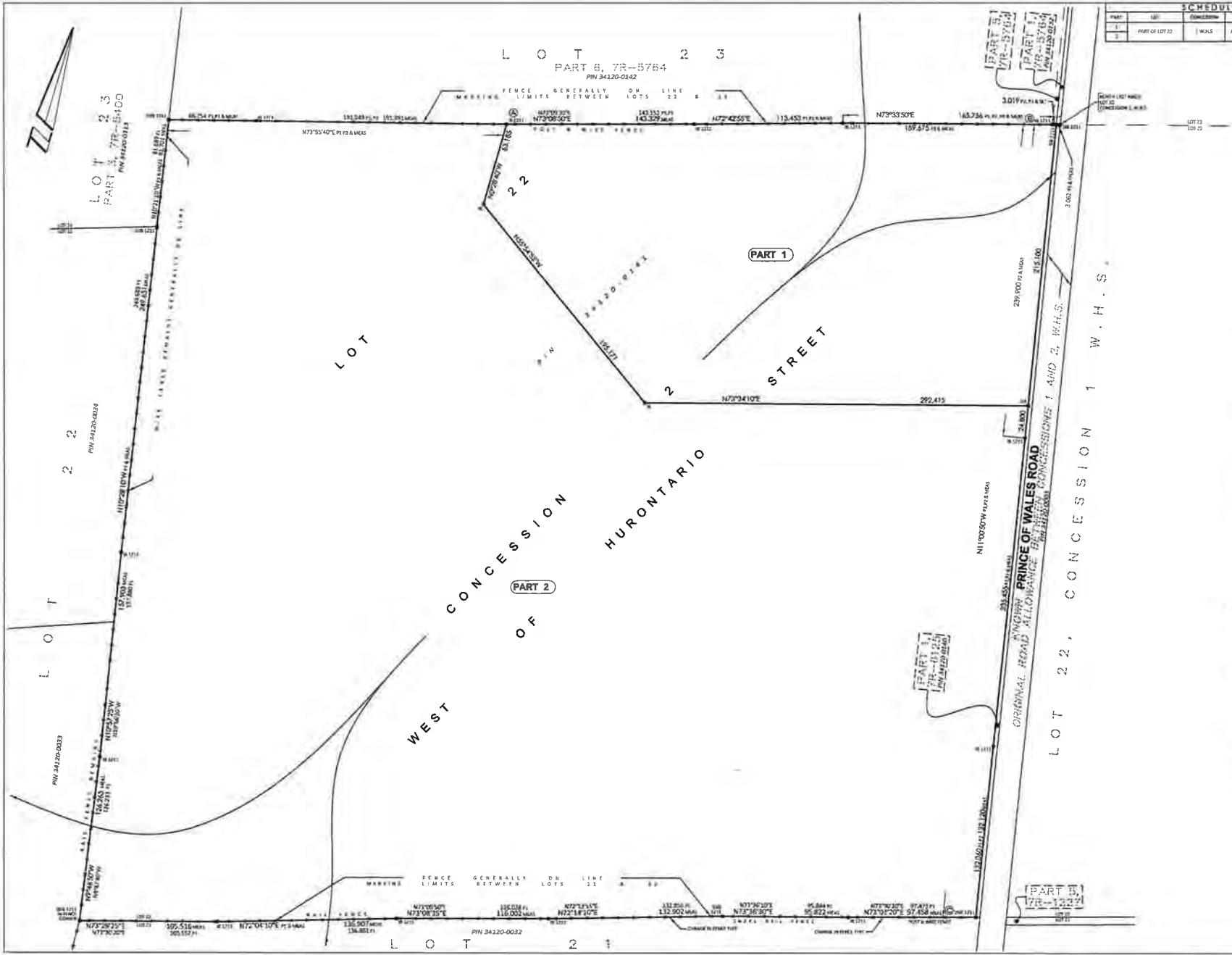
### 9. Other Information

Please provide any other information that may be useful to the Council or other agencies in reviewing this application, ie. health department, conservation authority, etc.

### 10. Sketch (please use metric units)

The application shall be accompanied by a sketch showing the following:

- The boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained
- The boundaries and dimensions of any land owned by the owner of the subject land and that abuts the subject land
- The distance between the subject land and the nearest Township lot line or landmark, such as a railway crossing or bridge
- The location of all land previously severed from the original approximate 40 hectare parcel
- The approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks
- The existing uses on adjacent lands
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or right of way
- The location and nature of any easement affecting the subject land



SCHEDULE			
Part	Lot	Concession	Pin
1	PART OF LOT 22	WALS	ALL OF PW-34120-0341
2			22317

**PLAN OF SURVEY OF  
LOT 22  
CONCESSION 2  
WEST OF HURONTARIO STREET  
TOWNSHIP OF MULMER  
COUNTY OF DUFFERIN**

SCALE 1:1250

VAN HARTEN SURVEYING INC.

THE INTENDED PLOT SIZE OF THIS PLAN IS 915mm  
IN WIDTH BY 610mm IN HEIGHT WHEN PLOTTED AT  
A SCALE OF 1:1250

- LEGEND:
- BENCH MARK
  - BENCH SURVEY MONUMENT ROUND
  - BENCH 205 X 205 X 1.30 STANDARD IRON BAR
  - BENCH 205 X 205 X 30.50 IRON BAR
  - BENCH 205 X 205 X 2.00 SHORT STANDARD IRON BAR
  - BENCH 205 X 205 X 2.00 BENCH FROM CAN WITH STANDARD WAGON
  - BENCH 205 X 205 X 2.00 PLASTIC BAR
  - BENCH SET OF CROSS
  - BENCH SET OF CROSS
  - BENCH CRON LARDNER
  - BENCH VAN HARTEN SURVEYING INC. D.I.S
  - BENCH WEST OF ALTON LARDNER STREET
  - BENCH WEST OF WILKINS D.I.S
  - BENCH PLAN OF SURVEY BY PETER J. WILLIAMS, DATED AUGUST 15, 1990
  - BENCH PLAN 78-5125
  - BENCH PLAN 78-5763

BEARING AND COORDINATE NOTE:

- BEARINGS AND GRID COORDINATES ARE DERIVED FROM GPS OPERATIONS AND ARE REFERENCED TO THE UTM PROJECTION ZONE 18 UTM 18 (GEOID-SOUTH) ADJUSTMENT.
- VERTICAL CURVES ON THIS PLAN ARE ASSUMED AROUND INTERSECTIONS AND CAN BE REFERENCED TO THE UTM PROJECTION ZONE 18 UTM 18 (GEOID-SOUTH) ADJUSTMENT AND ARE BASED ON THE OPERATIONAL DATA NETWORK OF PERMANENT GPS REFERENCE STATIONS.
- COORDINATES ON THIS PLAN ARE UTM ZONE 18, MOOD COORDINATE ADJUSTMENT AND ARE BASED ON THE OPERATIONAL DATA NETWORK OF PERMANENT GPS REFERENCE STATIONS.

UTM COORDINATES (METERS)			
POINT	NORTHING	EASTING	ZONING
1	5564382.4	501314.8	18U
2	5564382.4	501314.8	18U
3	5564382.4	501314.8	18U

BEARING COMPARISON:

FOR THE PURPOSES OF BEARING COMPARISON, PREVIOUS SURVEYS HAVE BEEN ADJUSTED TO UTM BEARINGS BY THE ABOVE METHOD BELOW.

PLAN	BEARING FOR WORKSHEET BEARING
PL 22	22317

METRIC:  
DIMENSIONS AND COORDINATES ON THIS PLAN ARE IN METERS UNLESS OTHERWISE STATED IN PARAGRAPH 2.1.

SURVEYOR'S CERTIFICATE

I, THE SURVEYOR, HAVE CONDUCTED AND REVISITED WITH THE SURVEYOR AND THE SURVEYOR'S AGENT THE LAND TITLE ACT AND THE REGISTRY ACT AND HAVE BEEN CONVINCED THAT THE SURVEYOR'S CERTIFICATE IS CORRECT AND ACCURATE.

SIGNED: \_\_\_\_\_

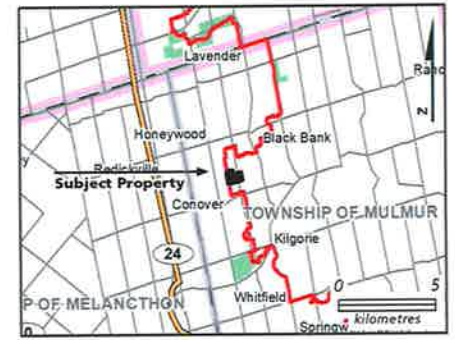
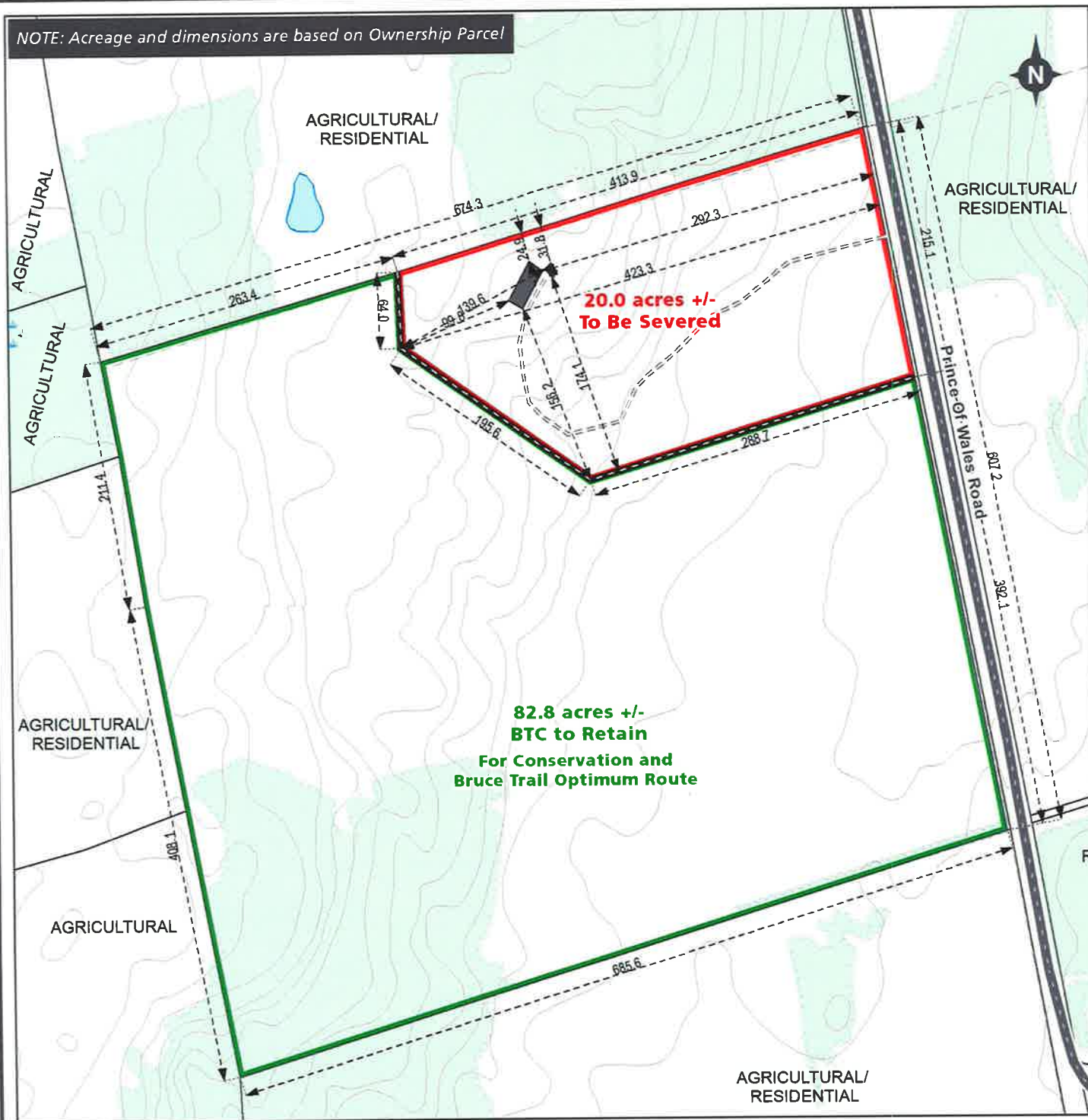
LUKE S. BACCOY

THIS PLAN OF SURVEY RELATES TO THE PLAN SUBMISSION FORM NUMBER 22317.

**Van Harten SURVEYING INC.**

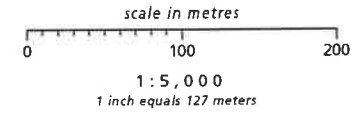
1000 Highway 10 East, Suite 101, Mulmer, Ontario, Canada N0A 1L0  
 Phone: (519) 875-1234 Fax: (519) 875-1234  
 Website: www.vanhartensurveying.com  
 Email: info@vanhartensurveying.com

NOTE: Acreage and dimensions are based on Ownership Parcel



## Bruce Trail Conservancy 81-106

**Legal Description**  
 Address: PRINCE OF WALES RD  
 E Pt Lt 22 ; Con 2 W  
 Former Township of Mulmur  
 Township of Mulmur  
 County of Dufferin  
 ARN: 22160000060890000000  
 Ownership Parcel Acreage: 102.8



	Retained Parcel		Water
	Severed Parcel		Wetland
	Severance Line		Wooded Area
	Building Envelope		Ownership Parcel
	Driveway		
	Contour (5 metre)		

NAD\_1983\_UTM\_Zone\_17N, Transverse Mercator projection.  
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# Minimum Distance Separation I

Worksheet 1

Prepared By: Joel Swagerman, Land Acquisition Planner, Bruce Trail Conservancy

**Description:** Prince of Wales Rd

**Application Date:** Tuesday, May 25, 2021

**Municipal File Number:**

**Proposed Application:** Lot creation for a maximum of three non-agricultural use lots  
Type A Land Use

**Applicant Contact Information**

Not Specified

**Location of Subject Lands**

County of Dufferin, Township of Mulmur  
MULMUR, Concession: 2 WEST OF HURONTARIO STREET, Lot: 22  
Roll Number: 2216000006089000000

**Calculation Name:** *Farm 1*

**Description:**

**Farm Contact Information**

Carl Cosack  
Peace Valley Ranch Ltd.  
  
Phone #: 519-925-6628

**Location of existing livestock facility or anaerobic digester**

County of Dufferin, Township of Mulmur  
MULMUR, Concession: 2 WEST OF HURONTARIO STREET, Lot: 23  
Roll Number: 2216000006090000000  
Total Lot Size: 39.5 ha

The barn area is an estimate only and is intended to provide users with an indication of whether the number of livestock entered is reasonable.

Manure Type	Type of Livestock/Manure	Existing Maximum Number	Existing Maximum Number (NU)	Estimated Livestock Barn Area
Solid	Beef, Cows, including calves to weaning (all breeds), Yard/Barn	33	33.0	153 m <sup>2</sup>

**Existing Manure Storage:** V1. Solid, inside, bedded pack

**Design Capacity (NU):** 33.0

**Potential Design Capacity (NU):** 99.0

Factor A (Odour Potential)	Factor B (Size)	Factor D (Manure Type)	Factor E (Encroaching Land Use)	=	Building Base Distance 'F' (minimum distance from livestock barn)	Building Base Distance 'F' (actual distance from livestock barn)
<b>0.7</b>	<b>X</b>	<b>314.85</b>	<b>X</b>		<b>170 m (557 ft)</b>	<b>360 m (1181 ft)</b>

Storage Base Distance 'S' (minimum distance from manure storage)	Storage Base Distance 'S' (actual distance from manure storage)
<b>170 m (557 ft)</b>	<b>360 m (1181 ft)</b>

**Preparer Information**

Joel Swagerman  
Land Acquisition Planner  
Bruce Trail Conservancy

Email: jswagerman@brucetrail.org

Signature of Preparer: \_\_\_\_\_

Joel Swagerman, Land Acquisition Planner

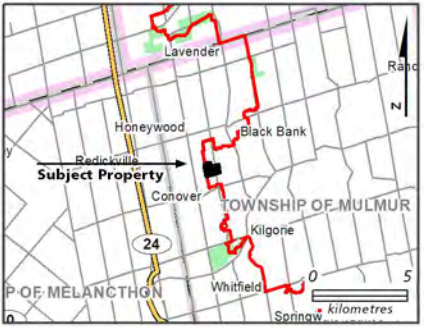
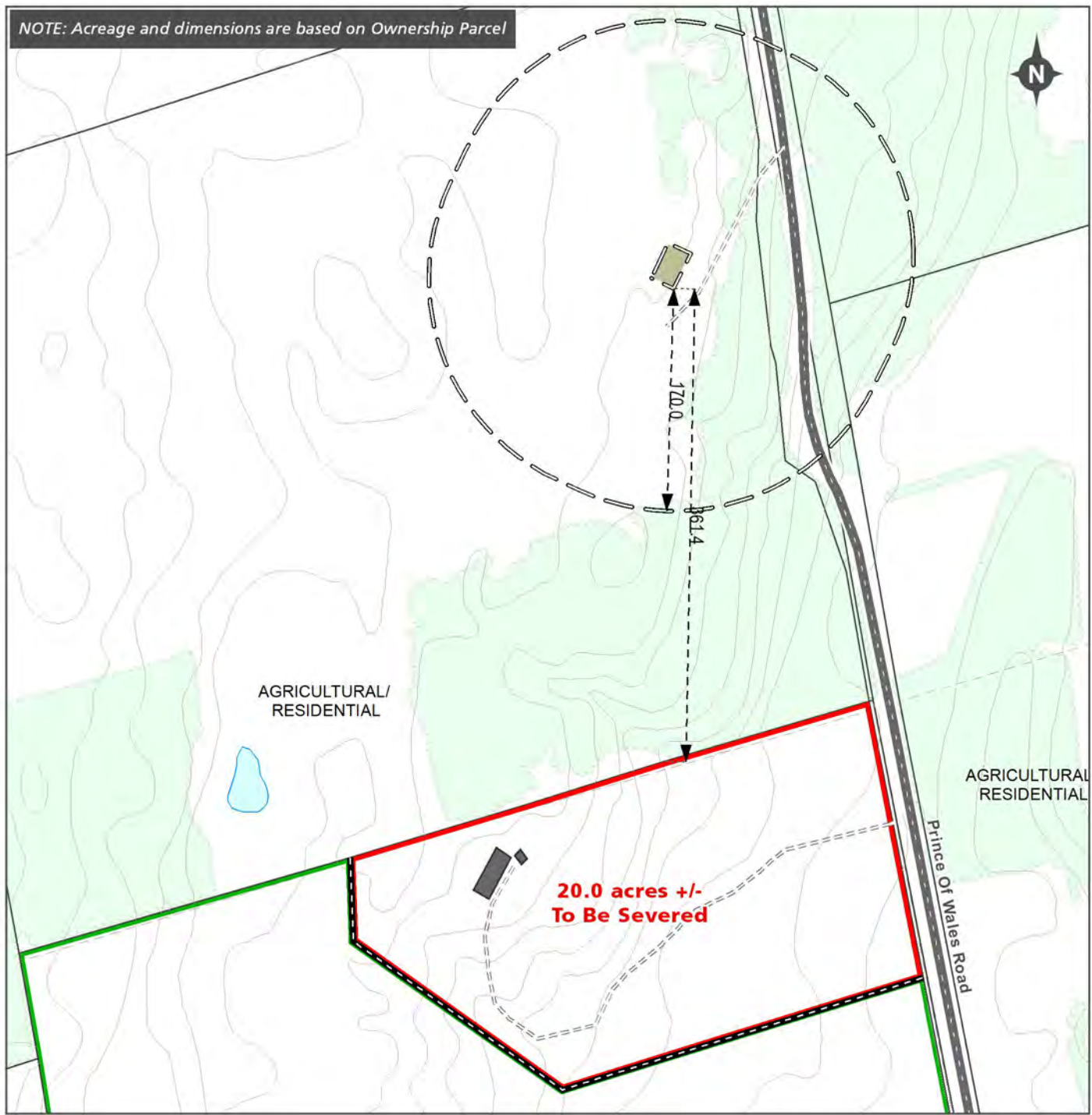
Date: May 26, 2021

**NOTE TO THE USER:**

The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.

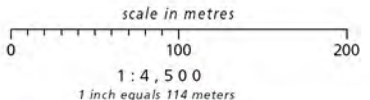


NOTE: Acreage and dimensions are based on Ownership Parcel



## Bruce Trail Conservancy 81-106

**Legal Description**  
 Address: PRINCE OF WALES RD  
 E Pt Lt 22 ; Con 2 W  
 Former Township of Mulmur  
 Township of Mulmur  
 County of Dufferin  
 ARN: 221600006089000000  
 Ownership Parcel Acreage: 102.8



	Livestock Facility		Water
	MDS Buffer (170m)		Wooded Area
	Retained Parcel		Ownership Parcel
	Severed Parcel		Building Envelope
	Severance Line		Driveway
	Building Envelope		Contour (5 metre)
	Driveway		
	Contour (5 metre)		

NAD\_1983\_UTM\_Zone\_17N, Transverse Mercator projection.  
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Map Author: Joel Swagerman Published: 2021-05-26





# Bruce Trail CONSERVANCY

May 26, 2021

Township of Mulmur  
758070 2<sup>nd</sup> Line East  
Mulumur, ON  
L9V 0G8

**Attention: Tracey Atkinson, CAO/Clerk/Planner**

**RE: Consent to sever conservation land as lot addition from property described as East Part Lot 21, Concession 2 West, Township of Mulmur, County of Dufferin (ARN: 2216000006087000000)**

Bruce Trail Conservancy (BTC) is acting as agent for the owner of the property described above, 2798986 Ontario Inc., c/o Paul Cohen. We respectfully submit the attached Consent application and associated sketches for your review and consideration. The purpose and effect of this application is to support the severance of approximately 1.33 hectares to add to the adjacent BTC lands to secure the Bruce Trail Optimum Route and conservation corridor. Mr. Cohen has generously agreed to donate these lands to BTC to further our mission.

## **Subject Property & Proposal**

The subject property comprises more or less 40.47 hectares (100 acres) located on the north-west corner of the unimproved portion of 20 Sideroad and Prince of Wales Road at 638040 Prince of Wales Road in the Township of Mulmur. The property is designated mostly Escarpment Protection, with the north-west corner of the property being designated Escarpment Natural under the Niagara Escarpment Plan.

BTC is seeking consent to sever approximately 1.33 hectares (3.3 ac) from the subject lands to secure a connecting corridor for the Bruce Trail with approximately 22 metres of frontage on the unimproved portion of 20 Sideroad. The corridor will be a lot addition to the adjacent 33.2 hectares (82 ac) owned by BTC, which is currently subject to a consent application for conservation and Bruce Trail purposes submitted to the Township April 22, 202 (File No. B7-2021). A third consent application (Sales) is being submitted concurrently for the purpose of a lot addition from the Sales property to the Cohen lands, in order to widen the corridor in this location. Please see accompanying Sales property consent application. In total, these conservation severances will secure a kilometre of Bruce Trail Optimum Route and protect approx. 88 acres of sensitive Niagara Escarpment lands for conservation in perpetuity.

We have confirmed with the NEC that the subject application, as well as the Sales application, are consistent with the Lot Creation policies of the Niagara Escarpment Plan (NEP), including policies under Part 2.4.12 that permit a severance for conservation and Bruce Trail purposes, which is also consistent with policies under Part 3 (Niagara Escarpment Parks and Open Space System). BTC is a recognized *public body* within the NEP, and is able to sever land for conservation and Bruce Trail purposes. In both

instances no new lots are being created, in that both are lot additions that will secure the Bruce Trail Optimum Route.

The Township of Mulmur has approved a number of conservation severances in the past for this area. Examples include; FILE NO. B01/2010 (Toronto District School Board), FILE NO. B04/2014 (Chisholm).

## Background

The Bruce Trail is Canada's oldest and longest footpath. It was founded in the early 1960s as a way of raising awareness for the need to protect the Niagara Escarpment. Today, the Bruce Trail stretches 895 kilometres from Queenston on the Niagara River to the tip of the Bruce Peninsula. Including side trails, it is more than 1,300 kilometres long, and it is recognized as one of Canada's premier natural recreational opportunities and one of the world's great hiking trails. It forms an integral part of the Southern Ontario landscape, allowing people to explore the beautiful Niagara Escarpment, and become more aware of the need for its preservation.

Over the past 50 years, the Bruce Trail and the work of the Bruce Trail Conservancy has brought about expansive and lasting benefits for the people of Ontario. The Bruce Trail Conservancy has been responsible for conserving more than 16,000 acres and to date has secured 69 percent of the Bruce Trail's Optimum Route. The work continues, however, to secure the remaining links within the NEPOSS consisting of over 163 parks and open spaces, the majority of which are connected by the Bruce Trail. Preserving this property will add a further 3.3 acres to NEPOSS and secure 510 metres of Bruce Trail Optimum Route (broad overview map attached).

We thank you for your consideration of this matter and look forward to hearing from you soon. You can reach me at 800-665-4453 ext. 231 or [jswagerman@bruce-trail.org](mailto:jswagerman@bruce-trail.org) you have any questions or require any further information.

Best regards,



Joel Swagerman, MCIP, RPP  
Land Acquisition Planner  
The Bruce Trail Conservancy

### 3. Purpose of this Application

Proposed transaction (check appropriate box)

- Transfer                       Creation of a new lot                       Addition to a lot                       An easement  
 A charge                       A lease                       A correction of title                       Other

Specify Purpose, ie. Building lot, farm severance, lot addition, etc.

**Conservation severance of +/- 3.3 ac for the Bruce Trail and Conservation purposes**

Name of person(s) to whom land or interest in land is to be transferred, leased or charged

**Bruce Trail Conservancy**

### 4. Description of Subject Land and Servicing Information

Frontage (m)	<b>Severed</b> (On unopened portion of 20th Sdrd) +/- 24 m	<b>Retained</b> +/- 614 m (Prince of Wales Rd)
Depth (m)	+/- 614 m	+/- 670 m
Area (m)	+/- 13,354 sq m (1.33 ha)	+/- 410,756 sq m (41.8 ha)

### 5. Land Use

Date Property Acquired

**Dec.15, 2020**

Existing Use

**Residential, Agricultural**

Proposed Use

**Residential, Agricultural, Bruce Trail & Conservation**

Existing and Proposed buildings and Structures

Type of Building or Structure		Set Backs (m)				Height (m)	Dimensions (m x m)	Area (m2)	Date of Construction / Proposed Construction	Time use has continued (for existing buildings & structures)
		Front	Rear	Side	Side					
House	<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed	<b>40</b>	<b>630</b>	<b>190</b>	<b>420</b>	<b>11</b>	<b>10 x 21</b>	<b>210</b>	<b>1890</b>	<b>131 years</b>
Barn 1	<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed	<b>90</b>	<b>590</b>	<b>220</b>	<b>370</b>	<b>15</b>	<b>11 x 18.4</b>	<b>203</b>	<b>≈ 1910</b>	<b>≈ 111 years</b>
Barn 2	<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed	<b>65</b>	<b>600</b>	<b>250</b>	<b>350</b>	<b>5.2</b>	<b>7.6 x 18.4</b>	<b>141</b>	<b>≈ 1940</b>	<b>≈ 81 years</b>
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									

**Water**

- Private Well  
 Communal Well  
 Municipal Water  
 Other: \_\_\_\_\_

**Sewage Disposal**

- Private Septic  
 Communal Septic  
 Other: \_\_\_\_\_

**Storm Drainage**

- Sewer  
 Ditches  
 Swales  
 Other: \_\_\_\_\_

**Tile Drainage**

- No  
 Yes, please mark on site plan location of tile runs

## 6. Zoning and Official Plan Information

Current Zoning	Current Official Plan	
<b>Niagara Escarpment Commission</b>	<b>Niagara Escarpment Commission</b>	
Related Applications under the Planning Act, if any including Official Plan, Official Plan Amendment, Zoning By-law Amendment, Minister's Zoning Order (amendment), Consent or Plan of Subdivision:	Has subject lands even been subject of an application under the Planning Act?  File #: _____ Status: _____	
Provide an explanation of how the application conforms to the Official Plan <b>Sec. 6.4.5.4: lot may be severed from an original half township lot for permitted use</b> <b>Sec. 6.4.8.6: Bruce Trail is an essential component of NEPOSS linking parks, open space areas and natural areas through a trail corridor</b>  <b>Part 2.4.12 of NEP permits severances for conservation and Bruce Trail purposes.</b> <b>BTC is a recognized "public body" within the NEP</b>		
Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified? Please check the appropriate boxes, if any apply.		
Use or Feature	On the Subject Land	Within 500 metres of Subject Land, unless otherwise specific (indicate approximate distance)
Agricultural buildings/structure or manure storage facilities	no	no
A Landfill	no	no
A provincially significant wetland (Class 1, 2 or 3 wetland)	no	no
A locally significant wetland	no	no
Flood Plain	no	no
A rehabilitated mine site	no	no
A non-operating mine site within 1 kilometre of the subject land	no	no
An active mine site	no	no
An industrial or commercial use (specify uses)	no	no
Does the proposed development produce greater than 4500 litres of effluent per day?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, attach a servicing options report and hydro geological report		
<b>Are the lands part of a Nutrient Management Plan?</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Please provide plan number _____ and date approved by OMAFRA _____		
<b>Are there any livestock facilities within 500 metres of the subject lands?</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, provide a Farm Data Sheet completed by each livestock facility owner for each of the livestock facilities. <a href="http://mulmur.ca/departments/planning">http://mulmur.ca/departments/planning</a>		

**7. Consistency with Policy Documents**

Does this application:  
Alter the boundary of a settlement area?  Yes  No

Create a new settlement area?  Yes  No

Remove lands from an employment area?  Yes  No

If yes, provide details of any Official Plan or Official Plan Amendment on a separate submission

Are the subject lands in an area where conditional zoning may apply?  Yes  No

If yes, provide details of how this application conforms to Official Plan conditional zoning policies on a separate submission

Is the proposed application consistent with the Provincial Policy Statement and any other Policy Statements issued under subsection 3(1) of the Planning Act:  Yes  No

**Joel Swagerman, MCIP, RPP**



Signature

Name of individual having knowledge of the policy statements. A report may be required to accompany this application and support the above statement of consistency.

Are the subject lands within the Niagara Escarpment Greenbelt Plan area?  Yes  No

Are the subject lands within the Greater Golden Horseshoe Growth Plan area?  Yes  No

Does the proposed application conform to or does not conflict with the Provincial Plans, including the Greenbelt Plan and Growth Plan:  Yes  No

**Joel Swagerman, MCIP, RPP**



Signature

Name of individual having knowledge of the policy statements. A report may be required to accompany this application and support the above statement of consistency.

**8. History of the Subject Land**

Has the subject land ever been the subject of an application for approval of a plan of subdivision or consent under the Planning Act?  Yes  No  Unknown

If yes, and if known, provide the file number and the decision made on the application: \_\_\_\_\_

If this application is a re-submission of a previous consent application, describe how it has been changed from the original application

Has any land been severed from the parcel originally acquired by the owner of the subject land?  Yes  No

If yes, provide for each parcel severed, the date of transfer, the name of transferee and the land use:

Has any land been severed from the original, 40 hectare (approx.) parcel

Yes

No

If yes, provide details:

### 9. Other Information

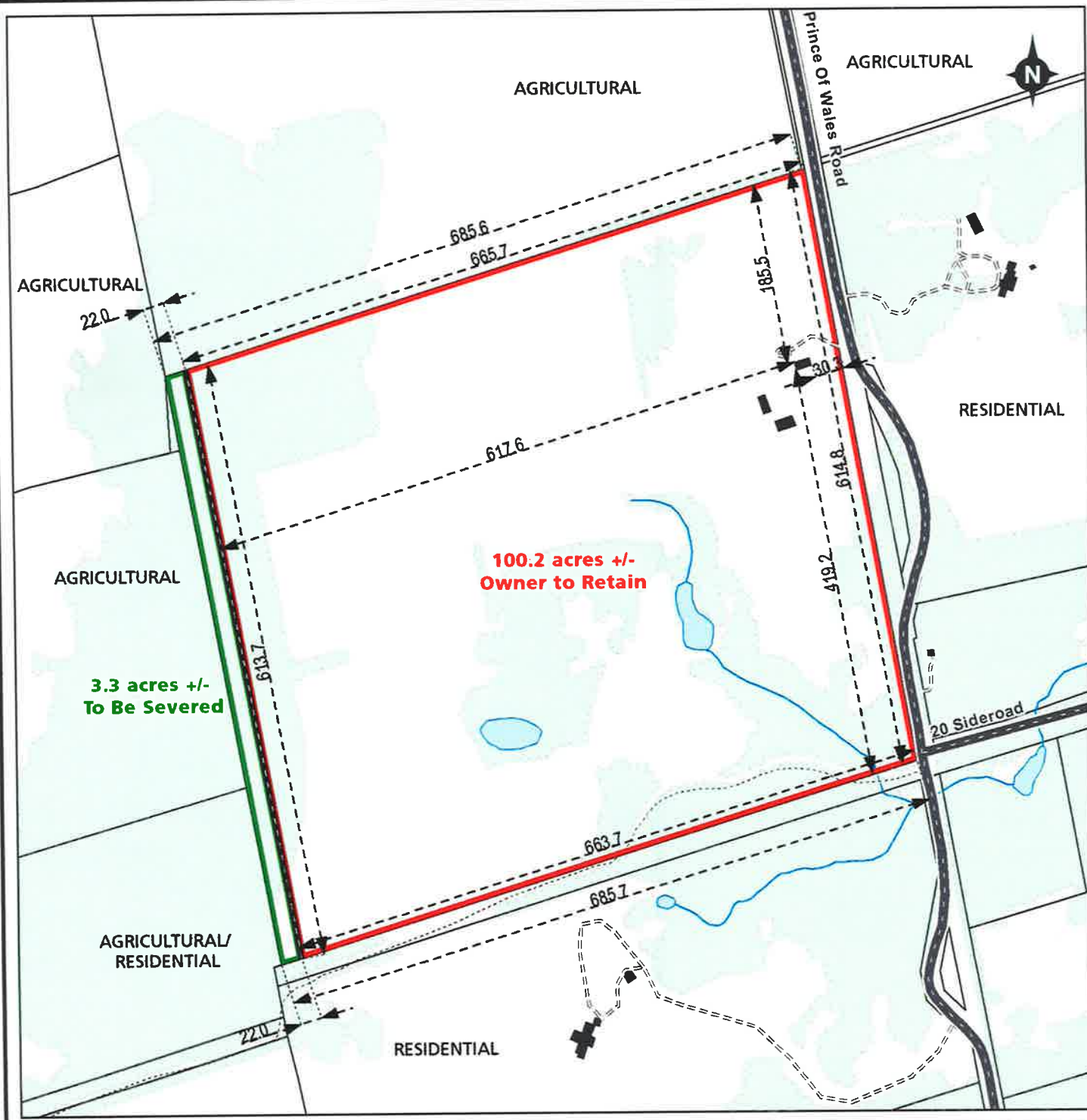
Please provide any other information that may be useful to the Council or other agencies in reviewing this application, ie. health department, conservation authority, etc.

### 10. Sketch (please use metric units)

The application shall be accompanied by a sketch showing the following:

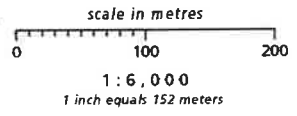
- The boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained
- The boundaries and dimensions of any land owned by the owner of the subject land and that abuts the subject land
- The distance between the subject land and the nearest Township lot line or landmark, such as a railway crossing or bridge
- The location of all land previously severed from the original approximate 40 hectare parcel
- The approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks
- The existing uses on adjacent lands
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or right of way
- The location and nature of any easement affecting the subject land





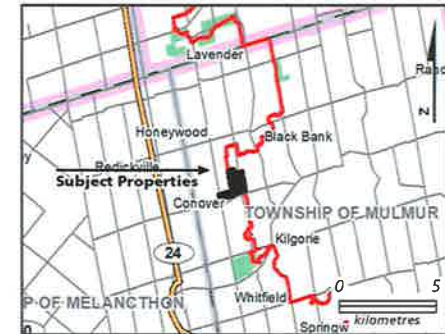
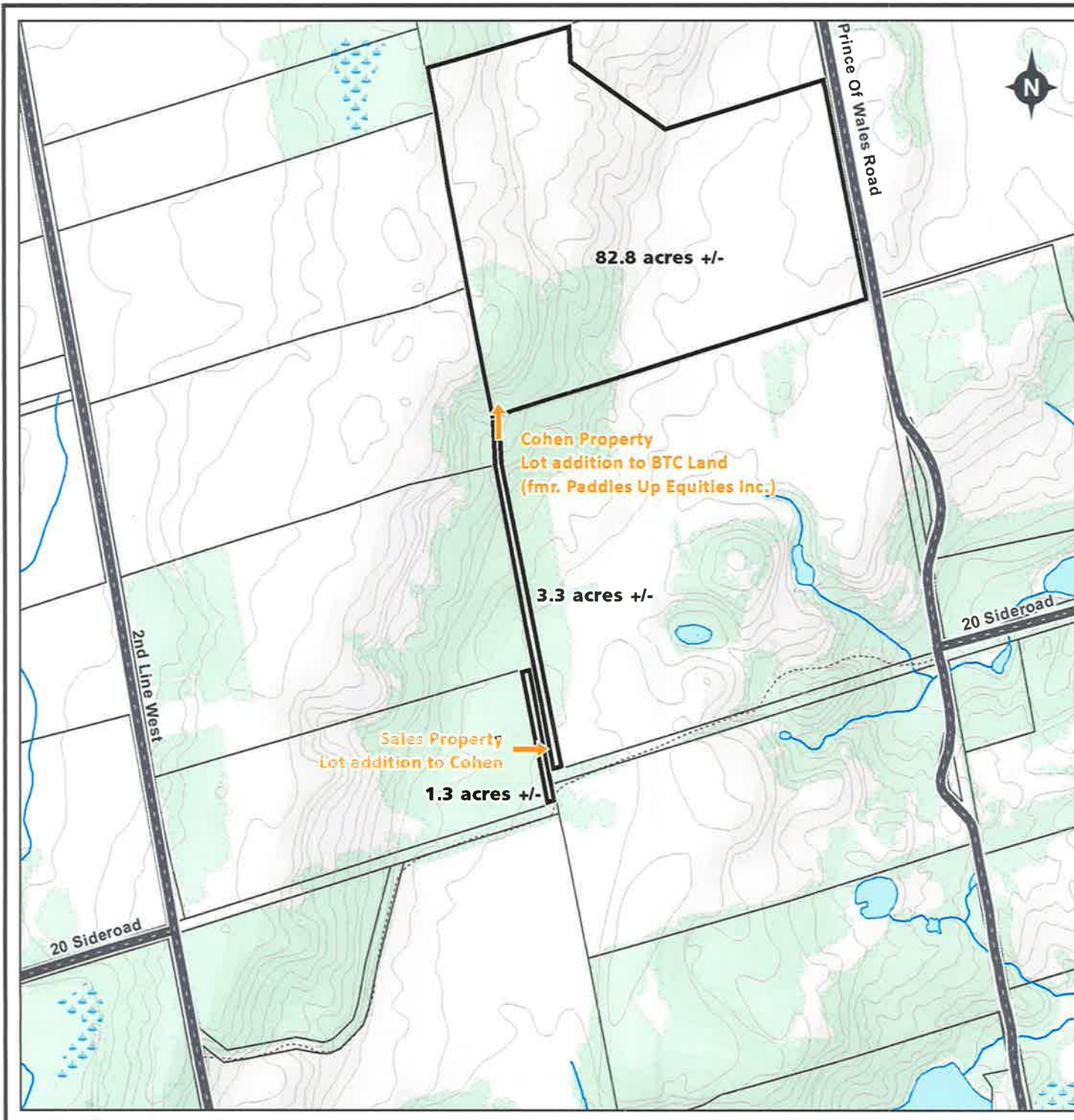
## Cohen 81-102

**Legal Description**  
 Address: 638040 PRINCE OF WALES RD  
 E Pt Lt 21 ; Con 2 W  
 Former Township of Mulmur  
 Township of Mulmur  
 County of Dufferin  
 ARN: 22160000060870000000  
 Assessed Acreage: 100.00  
 GIS Acreage: 103.50



	Severed Parcel		Stream (permanent)
	Retained Parcel		Stream (intermittent)
	Severance Line		Water
	Driveway		Wooded Area
	Building		Ownership Parcel

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## Honeywood Ridge Bruce Trail Conservancy



**Bruce Trail  
CONSERVANCY**

scale in metres  
0 100 200  
1 : 10,000  
1 inch equals 254 meters

	Subject Properties		Water
	Contour (5 metre)		Wetland
	Stream (permanent)		Wooded Area
	Stream (intermittent)		Ownership Parcel

NAD\_1983\_UTM\_Zone\_17N, Transverse Mercator projection.  
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### 3. Purpose of this Application

Proposed transaction (check appropriate box)

- |                                   |   |   |                                      |
|-----------------------------------|---|---|--------------------------------------|
| <input type="checkbox"/> Transfer | <input checked="" type="checkbox"/> Creation of a new lot | <input checked="" type="checkbox"/> Addition to a lot | <input type="checkbox"/> An easement |
| <input type="checkbox"/> A charge | <input type="checkbox"/> A lease                          | <input type="checkbox"/> A correction of title        | <input type="checkbox"/> Other       |

Specify Purpose, ie. Building lot, farm severance, lot addition, etc.

Conservation severance of +/- 0.5 ha for Conservation of Niagara Escarpment Lands and securement of the Bruce Trail Corridor

Name of person(s) to whom land or interest in land is to be transferred, leased or charged

**Bruce Trail Conservancy**

### 4. Description of Subject Land and Servicing Information

Frontage (m)	<b>Severed</b> +/- 251.5 m	<b>Retained</b> N/A
Depth (m)	+/- 656.4 m	+/- 31.1 m
Area (m)	+/- 0.5 ha (5,261 sq.m.)	+/- 16.0 ha (160,255 sq.m.)

### 5. Land Use

Date Property Acquired  
1995

Existing Use <b>Residential, Agriculture, Bruce Trail</b>	Proposed Use <b>Residential, Agriculture, Bruce Trail</b>
--	--

Existing and Proposed buildings and Structures

Type of Building or Structure		Set Backs (m)				Height (m)	Dimensions (m x m)	Area (m2)	Date of Construction / Proposed Construction	Time use has continued (for existing buildings & structures)
		Front	Rear	Side	Side					
<b>House</b>	<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed	+/- 63.8	+/- 584.6	+/- 18.8	+/- 197.8	7	24 x 20	480	1987	34 years
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									

<b>Water</b> <input checked="" type="checkbox"/> Private Well <input type="checkbox"/> Communal Well <input type="checkbox"/> Municipal Water <input type="checkbox"/> Other: _____	<b>Sewage Disposal</b> <input checked="" type="checkbox"/> Private Septic <input type="checkbox"/> Communal Septic <input type="checkbox"/> Other: _____	<b>Storm Drainage</b> <input type="checkbox"/> Sewer <input checked="" type="checkbox"/> Ditches <input type="checkbox"/> Swales <input type="checkbox"/> Other: _____	<b>Tile Drainage</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, please mark on site plan location of tile runs
---	---	--	--



## 6. Zoning and Official Plan Information

Current Zoning <b>Niagara Escarpment Commission</b>	Current Official Plan <b>Niagara Escarpment Commission</b>
Related Applications under the Planning Act, if any including Official Plan, Official Plan Amendment, Zoning By-law Amendment, Minister's Zoning Order (amendment), Consent or Plan of Subdivision: <b>To be lot addition to Cohen consent (638040 Prince of Wales Rd)</b>	Has subject lands even been subject of an application under the Planning Act?  File #: _____ Status: _____

Provide an explanation of how the application conforms to the Official Plan  
**Sec. 6.4.5.4: lot may be severed from an original half township lot for permitted use**  
**Sec. 6.4.8.6: Bruce Trail is an essential component of NEPOSS linking parks, open space areas and natural areas through a trail corridor**

**Part 2.4.12 of NEP permits severances for conservation and Bruce Trail purposes. BTC is a recognized "public body" within the NEP**

Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified? Please check the appropriate boxes, if any apply.

Use or Feature	On the Subject Land	Within 500 metres of Subject Land, unless otherwise specific (indicate approximate distance)
Agricultural buildings/structure or manure storage facilities	No	No
A Landfill	No	No
A provincially significant wetland (Class 1, 2 or 3 wetland)	No	No
A locally significant wetland	No	No
Flood Plain	No	No
A rehabilitated mine site	No	No
A non-operating mine site within 1 kilometre of the subject land	No	No
An active mine site	No	No
An industrial or commercial use (specify uses)	No	No

Does the proposed development produce greater than 4500 litres of effluent per day?  Yes  No

If yes, attach a servicing options report and hydro geological report

Are the lands part of a Nutrient Management Plan?  Yes  No

Please provide plan number \_\_\_\_\_ and date approved by OMAFRA \_\_\_\_\_

Are there any livestock facilities within 500 metres of the subject lands?  Yes  No

If yes, provide a Farm Data Sheet completed by each livestock facility owner for each of the livestock facilities. <http://mulumur.ca/departments/planning>

## 7. Consistency with Policy Documents

Does this application:  
Alter the boundary of a settlement area?  Yes  No

Create a new settlement area?  Yes  No

Remove lands from an employment area?  Yes  No

If yes, provide details of any Official Plan or Official Plan Amendment on a separate submission

Are the subject lands in an area where conditional zoning may apply?  Yes  No

If yes, provide details of how this application conforms to Official Plan conditional zoning policies on a separate submission

Is the proposed application consistent with the Provincial Policy Statement and any other Policy Statements issued under subsection 3(1) of the Planning Act?  Yes  No

Joel Swagerman, MCIP, RPP



Signature

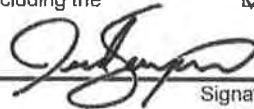
Name of individual having knowledge of the policy statements. A report may be required to accompany this application and support the above statement of consistency.

Are the subject lands within the Niagara Escarpment Greenbelt Plan area?  Yes  No

Are the subject lands within the Greater Golden Horseshoe Growth Plan area?  Yes  No

Does the proposed application conform to or does not conflict with the Provincial Plans, including the Greenbelt Plan and Growth Plan:  Yes  No

Joel Swagerman, MCIP, RPP



Signature

Name of individual having knowledge of the policy statements. A report may be required to accompany this application and support the above statement of consistency.

## 8. History of the Subject Land

Has the subject land ever been the subject of an application for approval of a plan of subdivision or consent under the Planning Act?  Yes  No  Unknown

If yes, and if known, provide the file number and the decision made on the application: \_\_\_\_\_

If this application is a re-submission of a previous consent application, describe how it has been changed from the original application

Has any land been severed from the parcel originally acquired by the owner of the subject land?  Yes  No

If yes, provide for each parcel severed, the date of transfer, the name of transferee and the land use:

Has any land been severed from the original, 40 hectare (approx..) parcel

Yes

No

If yes, provide details:

### 9. Other Information

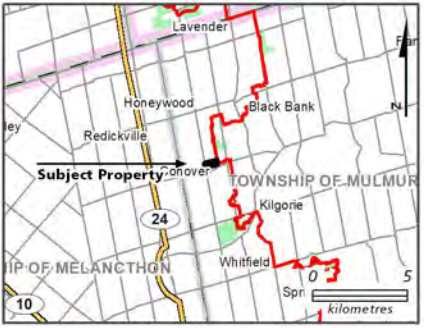
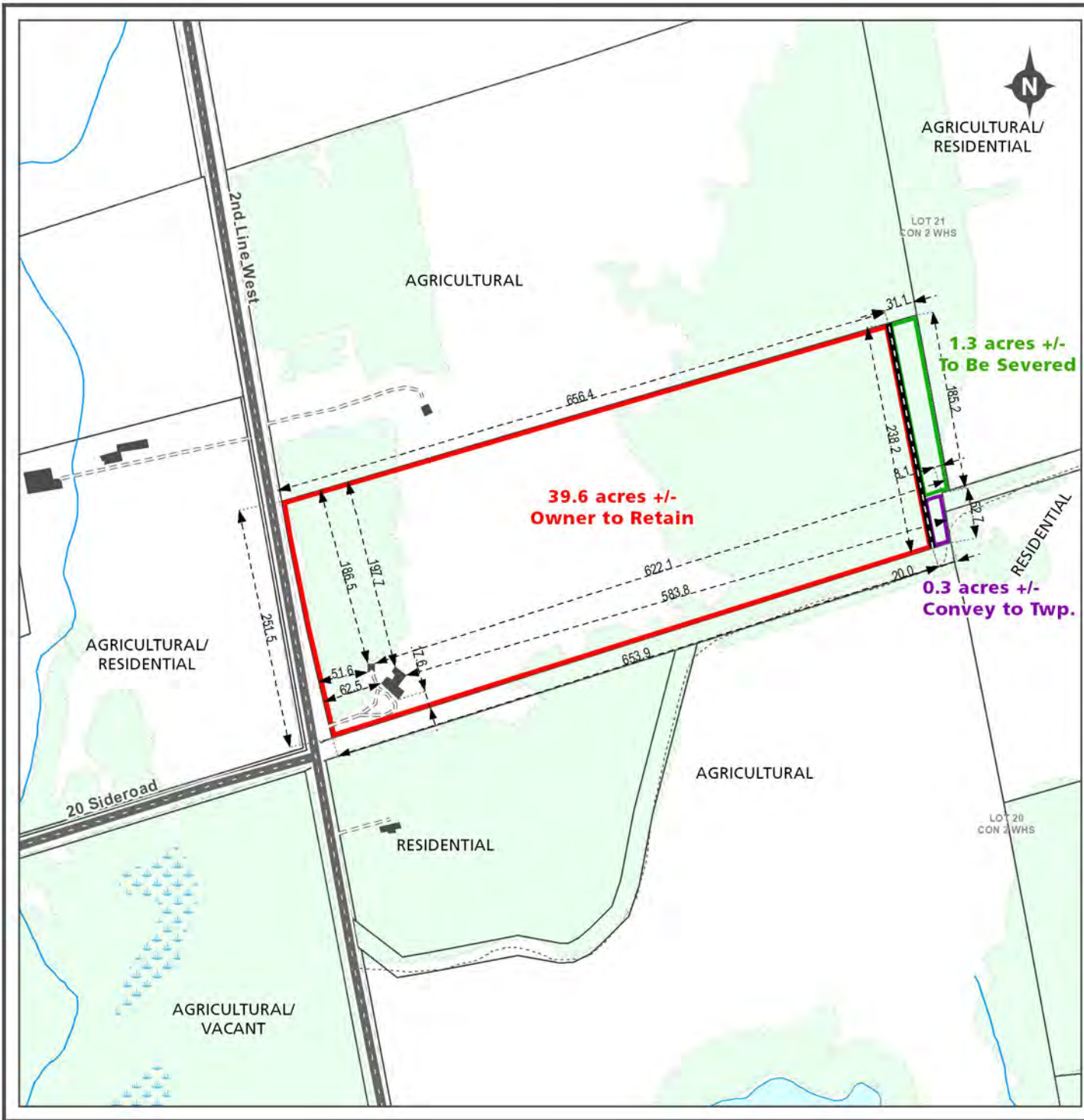
Please provide any other information that may be useful to the Council or other agencies in reviewing this application, ie. health department, conservation authority, etc.

### 10. Sketch (please use metric units)

The application shall be accompanied by a sketch showing the following:

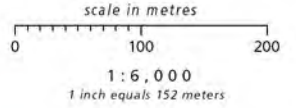
- The boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained
- The boundaries and dimensions of any land owned by the owner of the subject land and that abuts the subject land
- The distance between the subject land and the nearest Township lot line or landmark, such as a railway crossing or bridge
- The location of all land previously severed from the original approximate 40 hectare parcel
- The approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks
- The existing uses on adjacent lands
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or right of way
- The location and nature of any easement affecting the subject land





## Sales 81-103

**Legal Description**  
 Address: 598011 2ND LINE W  
 W Pt Lt 21 ; Con 2 W  
 Former Township of Mulmur  
 Township of Mulmur  
 County of Dufferin  
 ARN: 2216000061675000000  
 Assessed Acreage: 40.89  
 GIS Acreage: 41.19  
 OR on Land: 225 metres  
 MT on Land: 188 metres  
 ST on Land: 0 metres



	Retained Parcel		Stream (permanent)
	Severed Parcel		Water
	Convey to Twp.		Wetland
	Severance Line		Wooded Area
	Driveway		Ownership Parcel
	Building		
	Lot/Concession		

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March 28, 2021

## STAFF REPORT

**DEVELOPMENT PERMIT APPLICATION M/L/2020-2021/374**  
**Bruce Trail Conservancy (BTC) c/o Joel Swagerman**  
**Part Lot 22 E, Concession 2 WHS**  
**Township of Mulmur, County of Dufferin**

---

**RECEIVED:** December 9, 2020

**SOURCE:** Bruce Trail Conservancy (BTC) c/o Joel Swagerman (applicant)  
Paddles Up Equities c/o Cedric Pakham (Owner)

**PROPOSAL:** To sever a ± 33.2 ha (82.0 ac) parcel from a 41.6 ha (102.8 ac) vacant agricultural property for conservation purposes (BTC Trail and Conservation lands)

**Note:** The application seeks to construct a 2 storey ± 464.5 (5,000 sq ft) single dwelling with a maximum height to peak of 8 m (26.2 ft), a 47.5 sq m (511 sq ft) attached garage, a private sewage treatment system, well, and driveway on the retained 8.1 ha (20 ac) lot. This proposal has been provided to NEC Staff as a hypothetical scenario thus it will not form part of this approval. The owner of the severed lot will be required to submit a separate NEC DPA when plans for the single dwelling are finalized and if the consent application is approved.

**RELATED FILES:**

None.

**NIAGARA ESCARPMENT PLAN (2017):**

Designation: Escarpment Protection Area, Escarpment Natural Area  
Permitted Use: Public Body Lot Creation  
Development Criteria: General (2.2); Lot Creation (2.4), Agriculture (2.8), Bruce Trail (2.14)

**LOCAL OFFICIAL PLAN:**

Official Plan: Township of Mulmur Official Plan  
Designation: Escarpment Natural Area, Escarpment Protection Area  
Permitted Use: Uses in conformity with the NEP.  
In conformity with NEP: Yes

**REGIONAL OFFICIAL PLAN:**

Official Plan: County of Dufferin Official Plan  
Designation: Escarpment Natural Area, Escarpment Protection Area  
Permitted Use: Uses in conformity with the NEP  
In conformity with NEP: Yes.

**PROVINCIAL POLICY STATEMENT (PPS):**

Section 2.0 of the PPS identifies the Province’s objectives respecting the long-term protection of natural heritage and water resources for their economic, environmental and social benefits. Part 2.1 requires that natural features and areas shall be protected for the long-term and Part 2.1.2 identifies that the diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

Section 1.1.5.2 supports resource-based recreational uses while promoting recreational opportunities on rural lands in Section 1.1.5.3. No additional building lots are being proposed and no physical development is proposed at this time. The proposal is not anticipated to impact the on-site hazards or natural heritage resources.

The proposal is consistent with the PPS (2020).

**CONSULTED AGENCIES:**

**Township of Mulmur:**

Planning

1. The Township prefers that the applicants maintain the prime agricultural land in the larger parcel. The proposed severance will split up prime agricultural lands, with class 1 agricultural lands being maintained on the conservation parcel. The preferred configuration would be to maintain the prime agricultural land on a single parcel.
2. A new dwelling would be subject to development charges.
3. Entrance permit will be required by Public Works for the severed parcel proposed driveway
4. The Township reserves the ability to provide additional comments through its severance process, including conditions and may require the Bruce Trail Conservatory lands be merge with abutting lands, as well as a road widening along the severed and retained parcel.

**County of Dufferin:**

Development and Tourism.

- Consultation occur with the Province to confirm the proposal conforms with the Greenbelt Plan (2017);

- Consultation occur with the Town to ensure appropriate mitigation measures be implemented as recommended in the Ministry of Natural Resources and Forestry's "Wildland Fire Assessment and Mitigation Standards" due to the presence of hazardous forest types for wildland fire;
- Confirmation be provided as to whether the woodlands located on subject property are deemed significant and whether an Environmental Impact Statement (EIS) is required relative to the proximity of woodlands and wetlands; and
- Consultation occur with the Township of Mulmur and the Nottawasaga Valley Conservation Authority (NVCA) related to the potential impacts to source water due to the subject property being located within a source water protection area (Low Vulnerability Aquifer and Significant Groundwater Recharge Area) as indicated in Appendix 2 of the Dufferin County Official Plan (2017).

### Building and By-Law

Please be advised that the application for the above noted address has not revealed any issues. The Building Department has no other comments at this time.

Please be advised that this is a preliminary review by the Building Department and that a full review of the proposed project will be completed upon receipt of a complete set of construction drawings.

### **Nottawasaga Valley Conservation Authority (NVCA)**

The subject property is captured within Ontario's Natural Heritage System. Though the need for a Natural Heritage Evaluation may be triggered through NEP policy, the NVCA is of the opinion that the development is likely to result in minimal impact to the Natural Heritage System and that such studies could be waived or highly scoped, considering no physical development is occurring at this time. The NVCA is available for further consultation on Natural Heritage concerns should the NEC require more detail in that regard.

### **Bruce Trail Conservancy**

No comments received.

### **COMMENT:**

- The property is designated as Escarpment Natural Area and Escarpment Protection Area. The proposed severance would result in the creation of a ±8.1 ha rural residential property and a ± 33.2 ha property for conservation use and for the Bruce Trail Optimum Route.
- The east half of the property is predominantly flat, sloping slightly in an east to west direction. The eastern portion of the property slopes more predominantly in an east to west direction. The southwest corner of the property is designated Escarpment Natural Area due to the presence of a portion of a significant woodland.

- The Bruce Trail Main Trail traverses the western edge of the property in a north/south direction. The trail provides passage for hikers through two woodlands at either side of the subject lands.
- No physical development is proposed through this application. A proposed dwelling was originally incorporated into the development proposal. However, upon review NEC Staff identified potential policy issues related to the proposed siting that would require additional studies per Parts 2.2.2, 2.5.1, 2.5.2, 2.5.3, 2.5.4, 2.10.2, and 2.13.2 of the NEP (2017). These policy concerns related to the siting of the dwelling on slopes associated with the brow of the escarpment, in an area of potential karst (likely), a meandering driveway through the lower slopes of the escarpment, the potential for impact to areas of archaeological potential, and impacts to scenic resources that could not be assessed due to lack of detail in the submission.
- NEC Staff discussed these challenges with the applicant and provided the option to move forward with the lot division portion of the application only. The applicant accepted the suggestion with the understanding that a further application would have to be made by the new owner of the property for the proposed development and that studies would be required at that time if the current siting of the dwelling is to remain unchanged.
- NEC Staff are of the opinion that while the suggested building envelope cannot be confirmed without study, there is confidence that a viable building envelope does exist on what will be the newly created parcel. The envelope would be in close proximity to Prince of Wales Road, at a lower elevation, where the topography of the lands is relatively flat. This would reduce the potential for impact to the scenic resources of the escarpment, eliminate the need to traverse the lower slopes with a long meandering driveway, and would be in an area that is not identified as potential karst. An archaeological assessment may still be required for the alternative envelope.
- The newly proposed rural residential property will be created entirely within the Escarpment Protection Area designation and thus future development will be contained to that designation. The lands are subject to slopes that could impact the location of a future residence however there is ample space near the frontage of Prince of Wales Road that is flat and not subject to any potential hazards. The proposal conforms with **Part 2.2 (General) of the NEP (2017)**.
- Part 2.4.12 of the NEP permits a *public body* to create a new lot through acquisition, disposal, or exchange provided such a lot would not conflict with the lot creation policies of the applicable land use designations (Part 1.4.4). This proposal represents an acquisition by the Bruce Trail Conservancy.
- Part 1.4.4.2 (c) allows for a severance by a *public body* so long as no new building lot is created. The current vacant lands represent one building lot; the retained lot will be used for conservation/Bruce Trail uses only, thus no new building lot is realized through the proposed lot creation. The proposal conforms with **Part 2.4 (Lot Creation) of the NEP (2017)**.

- Despite being historically farmed and in active agricultural production, the lands are not identified as *prime agricultural lands* as mapped in the Agricultural Land Base provided by OMAFRA. There is no conflict with **Part 2.8 (Agriculture) of the NEP (2017)**.
- Given the retained parcel of lands will contain significant road frontage along Prince of Wales Road there is the possibility that the property could act as an access point offering parking and overnight rest areas supporting local hikers. The BTC is required to enter into an agreement with the NEC stating no residential or commercial development of the lands. There is no conflict with **Part 2.14 (Bruce Trail) of the NEP (2017)**.
- The proposal is consistent with the PPS (2020). There were no objecting commenting agencies.

**RECOMMENDATION:** The proposal be **approved** subject to the conditions listed on the attached Appendix.

John Stuart



**CONDITIONS OF APPROVAL**

1. Development shall occur in accordance with the Site Plan, Development Permit Application and Conditions as approved.
2. The Development Permit shall expire three years from its date of issuance unless the development has been completed in accordance with the Development Permit.
3. The landowner shall obtain a Consent to sever the proposed lot in accordance with this Development Permit and shall complete the transfer of title in accordance with the Development Permit.
4. That prior to the issuance of the Development Permit that the applicant enters into an agreement with the Niagara Escarpment Commission to prohibit the construction of a single dwelling on the retained lands.

**ADVISORY NOTES:**

- a) This Development Permit does not limit the need for or the requirements of any other applicable approval licence or certificate under any statute (e.g., Ontario Building Code, *Conservation Authorities Act*, *Endangered Species Act*, etc). The Niagara Escarpment Commission Development Permit is required prior to the issuance of any other applicable approval, licence or certificate.



April 9, 2021

To: Applicant/Agent/Owner; Assessed owners of land within 120 m of the subject property; Consulted Agencies; Parties who requested Notice or are considered to have an interest in the Decision.

Re: **NOTICE OF DECISION**  
**Development Permit Application: M/L/2020-2021/374**

---

Attached is a **Notice of Decision** from the Niagara Escarpment Commission regarding an application for a Niagara Escarpment Development Permit.

You have the right to appeal this decision. If you have reason to appeal, you must submit a copy of an Appeal Form or a written letter, **specifying your reasons for appeal, within 14 days** of the date of this letter.

An Appeal Form can be downloaded from [www.escarpment.org](http://www.escarpment.org). If you submit a written letter of appeal, please include your name, address, daytime phone number, e-mail address and your fax number. The completed Appeal Form or the letter of appeal must be submitted via **fax, email, courier or in person** to this office (address and fax # above) or sent by email to [necowensound@ontario.ca](mailto:necowensound@ontario.ca)

Please note that the last day that appeals may be received is: **April 23, 2021** (midnight).

The Commission's decision is confirmed if no appeal is received within the 14 days.

If the Commission's decision is appealed, a Hearing Officer will be appointed by the Minister of Natural Resources and Forestry to conduct a Hearing. The Hearing Office may contact you for additional information regarding your appeal, and all parties will be notified by mail of the time and location of the Hearing. If you appealed, you are expected to attend the Hearing to present your reasons for appeal. If the appeal is withdrawn or the appellant fails to appear at the Hearing, the Commission's decision is confirmed.

If you have questions about this process or about the details of the Development Permit application, please contact me at 905-703-5837 or [John.Stuart@ontario.ca](mailto:John.Stuart@ontario.ca)

Yours truly,

A handwritten signature in black ink, appearing to read "John Stuart".

John Stuart, MCIP RPP  
Senior Planner

**NOTICE OF DECISION  
OF THE NIAGARA ESCARPMENT COMMISSION  
REGARDING**

**AN APPLICATION FOR A DEVELOPMENT PERMIT UNDER SECTION 25  
OF THE NIAGARA ESCARPMENT PLANNING AND DEVELOPMENT ACT,  
R.S.O. 1990, Chapter N.2**

---

**FILE NUMBER:** M/L/2020-2021/374

**LOCATION:** Part Lot 22 E, Concession 2 WHS  
Township of Mulmur, County of Dufferin  
**ARN** 221600000608900

**PROPOSED DEVELOPMENT:**

To sever a ± 33.2 ha (82.0 ac) parcel from a 41.6 ha (102.8 ac) vacant agricultural property for conservation purposes (BTC Trail and Conservation lands).

**Note:** The application seeks to construct a 2 storey ± 464.5 (5,000 sq ft) single dwelling with a maximum height to peak of 8 m (26.2 ft), a 47.5 sq m (511 sq ft) attached garage, a private sewage treatment system, well, and driveway on the retained 8.1 ha (20 ac) lot. This proposal has been provided to NEC Staff as a hypothetical scenario thus it will not form part of this approval. The owner of the severed lot will be required to submit a separate NEC DPA when plans for the single dwelling are finalized and if the consent application is approved.

---

**DECISION of the NIAGARA ESCARPMENT COMMISSION:**

The application for a Development Permit, as described above, has been:  
**CONDITIONALLY APPROVED.**

The **Conditions of Approval** are listed on the attached **APPENDIX**.

DATE: March 31, 2021

SIGNED:



Kim Peters, MCIP/RPP, Manager (A)

<p>THIS IS NOT A DEVELOPMENT PERMIT DEVELOPMENT IS NOT TO COMMENCE UNTIL THE DEVELOPMENT PERMIT HAS BEEN ISSUED</p>
---

## APPENDIX

Part Lot 22 E, Concession 2 WHS  
M/L/2020-2021/374

### CONDITIONS of APPROVAL

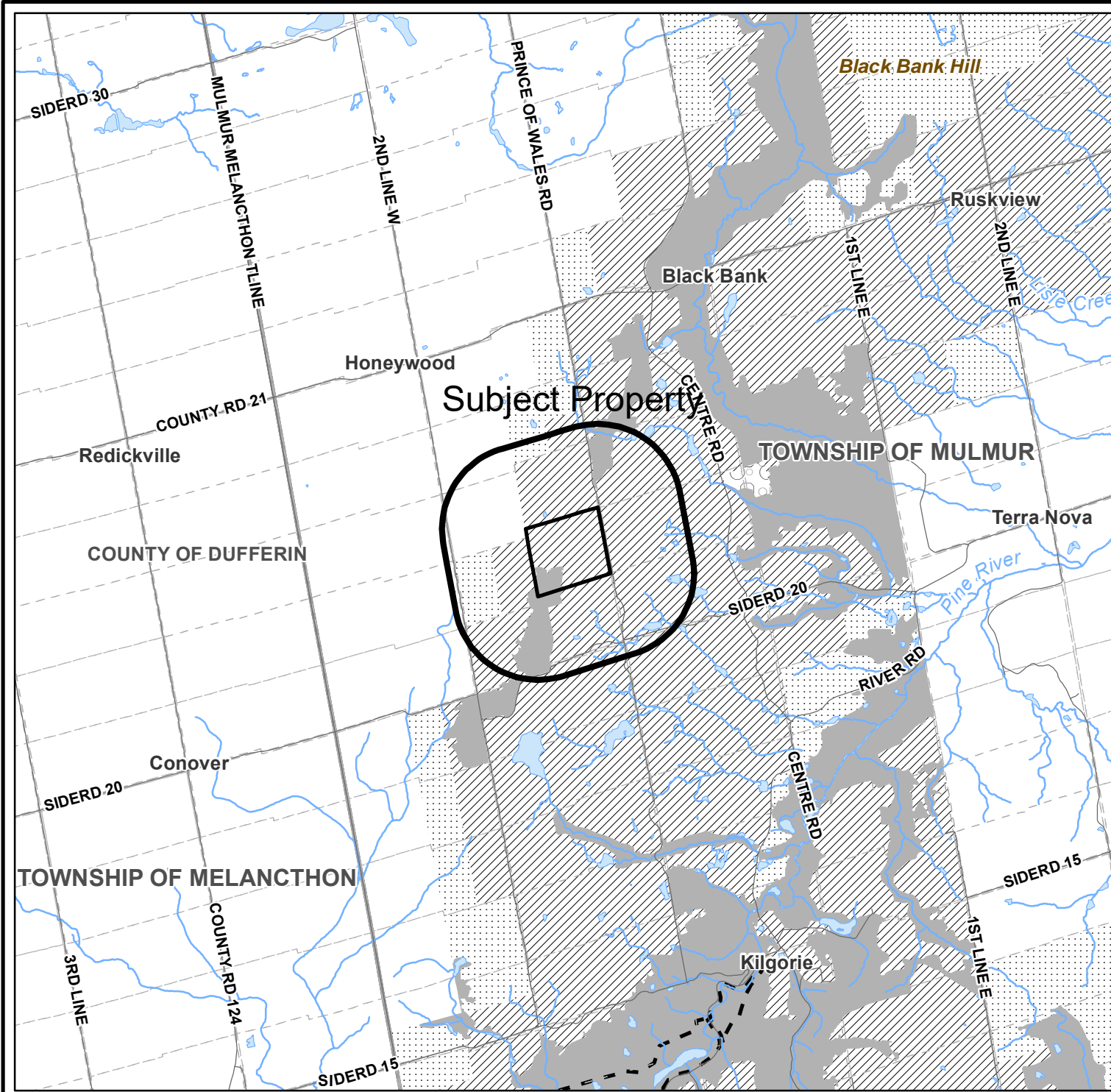
1. Development shall occur in accordance with the Site Plan, Development Permit Application and Conditions as approved.
2. The Development Permit shall expire three years from its date of issuance unless the development has been completed in accordance with the Development Permit.
3. The landowner shall obtain a Consent to sever the proposed lot in accordance with this Development Permit and shall complete the transfer of title in accordance with the Development Permit.
4. That prior to the issuance of the Development Permit that the applicant enters into an agreement with the Niagara Escarpment Commission to prohibit the construction of a single dwelling on the retained lands.

### ADVISORY NOTES:

- a) This Development Permit does not limit the need for or the requirements of any other applicable approval licence or certificate under any statute (e.g., Ontario Building Code, *Conservation Authorities Act*, *Endangered Species Act*, etc). The Niagara Escarpment Commission Development Permit is required prior to the issuance of any other applicable approval, licence or certificate.

# Map 1A Niagara Escarpment Plan

PRINCE OF WALES RD  
File: M/L/2020-2021/374



- Subject Property
- Plan Designations**
- Escarpment Natural Area
- Escarpment Protection Area
- Escarpment Rural Area
- Mineral Resource Extraction Area
- Public Land (in Parks and Open Space System)
- Roads
- Waterbodies
- Watercourse
- Upper Tier Municipality
- Lower/Single Tier Municipality
- Lot and Concession Boundary

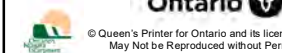
NOTE: The Niagara Escarpment Plan Designation boundaries shown on this map are approximate and subject to confirmation through Site Inspection and the application of the 'Interpretation of Boundaries' section of the Niagara Escarpment Plan

Scale 1:50,000  
0 380 760 1140 1520

Metres

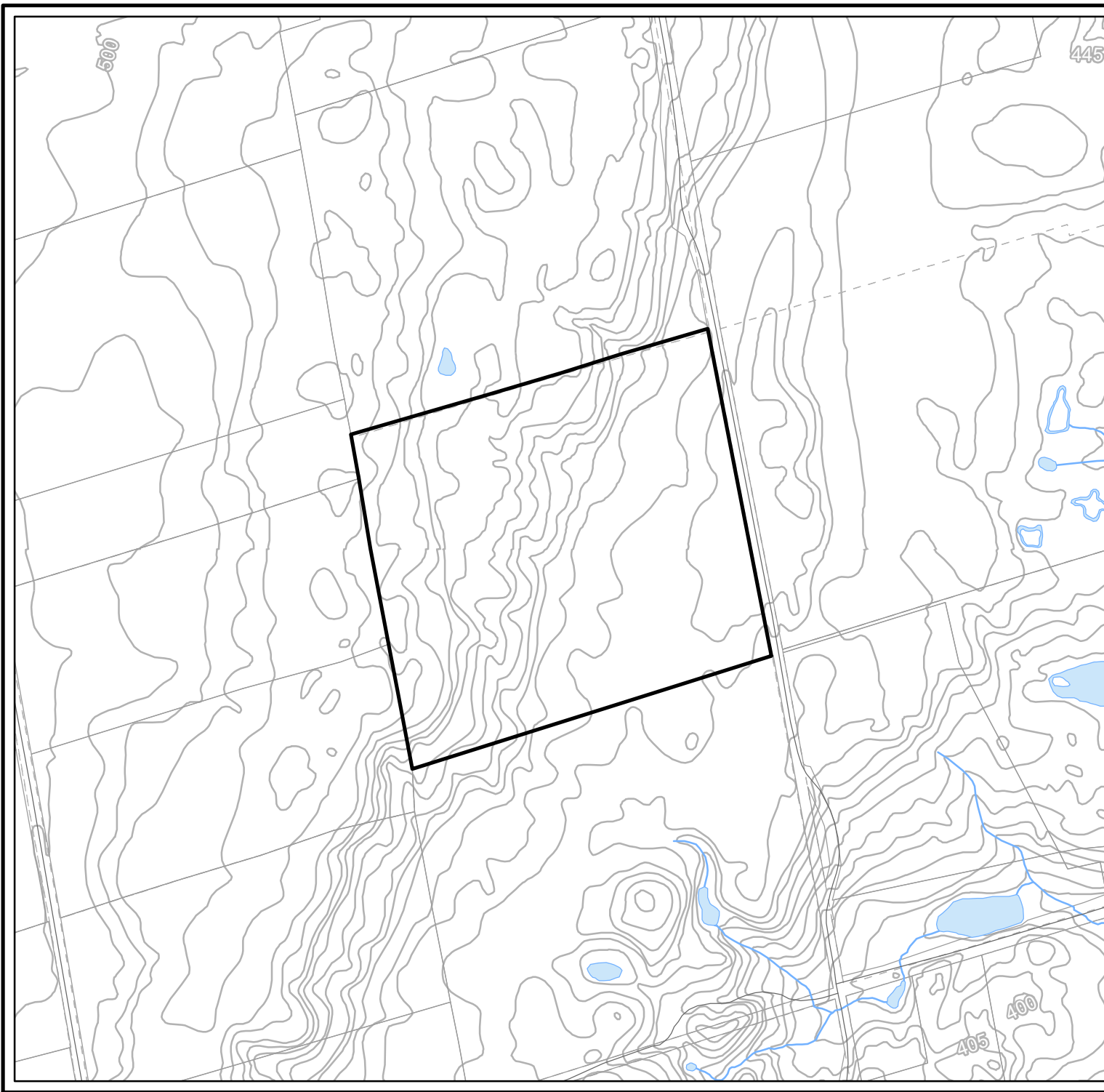
Printed on Dec 09, 2020

THIS IS NOT A PLAN OF SURVEY.  
This map is illustrative only. Do not rely on it as being a precise indicator of routes, location of features, nor as a guide to navigation. Base derived from various sources.  
Map compiled and produced by the Geographic Information Systems (GIS) Department of the Niagara Escarpment Commission, Ministry of Natural Resources












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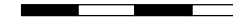


## Map 2 Lot Configuration

PRINCE OF WALES RD  
File: M/L/2020-2021/374

-  Subject Property
-  Roads
-  Waterbodies
-  Watercourse
-  Contour (5 metre intervals)
-  Upper Tier Municipality
-  Lower/Single Tier Municipality
-  Lot and Concession Boundary
-  Parcel Boundary

Scale 1:10,000  
0 75 150 225 300



Metres

Printed on Dec 09, 2020

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Proposed Severance  
Sketch  
Project: Paddles Up

29119-20 Bruce Trail  
January 28th, 2021



EAST HALF OF LOT 23  
CONCESSION 2, W.H.S  
PIN 34120-0142

417.6

64.0

TO BE SEVERED  
80984.297092 sq. units  
20.00 Acres

195.7

EAST HALF OF LOT 22  
CONCESSION 2, W.H.S  
PIN 34120-0141

292.4

215.1

PRINCE OF WALES ROAD WEST

TO BE RETAINED  
80984.297092 sq. units  
81.99 Acres +/-



EAST HALF OF LOT 21  
CONCESSION 2, W.H.S













WEST HALF OF LOT 22  
WEST HALF OF LOT 21



# Map 1A

## Niagara Escarpment Plan

PRINCE OF WALES RD  
File: M/L/2020-2021/374

-  Subject Property
- Plan Designations**
-  Escarpment Natural Area
-  Escarpment Protection Area
-  Escarpment Rural Area
-  Mineral Resource Extraction Area
-  Public Land (in Parks and Open Space System)
-  Roads
-  Waterbodies
-  Watercourse
-  Upper Tier Municipality
-  Lower/Single Tier Municipality
-  Lot and Concession Boundary

NOTE: The Niagara Escarpment Plan Designation boundaries shown on this map are approximate and subject to confirmation through a Site Inspection and/or a Review of Boundaries section of the Niagara Escarpment Plan.

Scale 1:50,000  
0 380 760 1140 1520

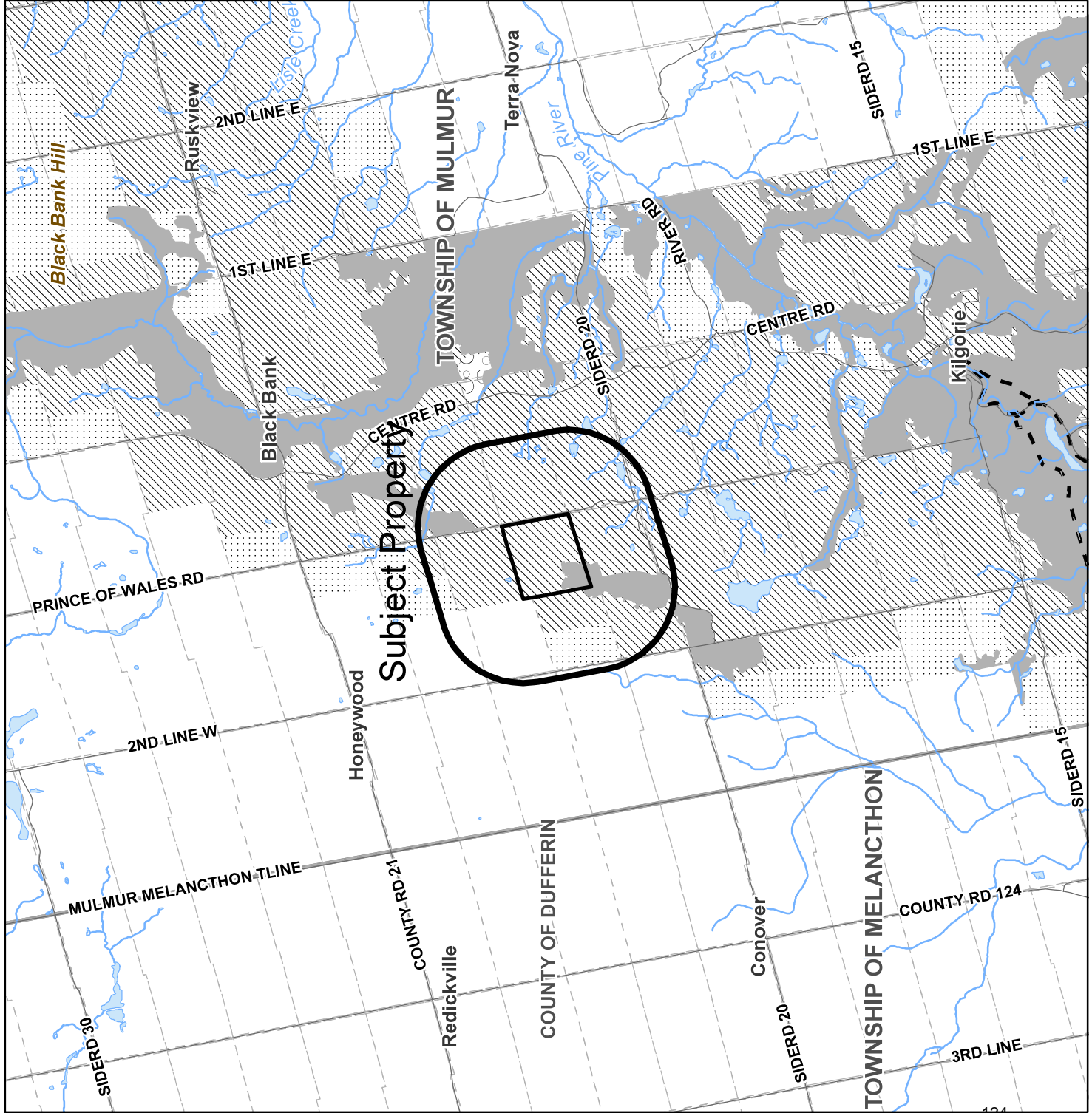
Metres

Printed on Dec 09, 2020

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# Map 2

**Lot Configuration**  
PRINCE OF WALES RD  
File: M/L/2020-2021/374

-  Subject Property
-  Roads
-  Waterbodies
-  Watercourse
-  Contour (5 metre intervals)
-  Upper Tier Municipality
-  Lower/Single Tier Municipality
-  Lot and Concession Boundary
-  Parcel Boundary

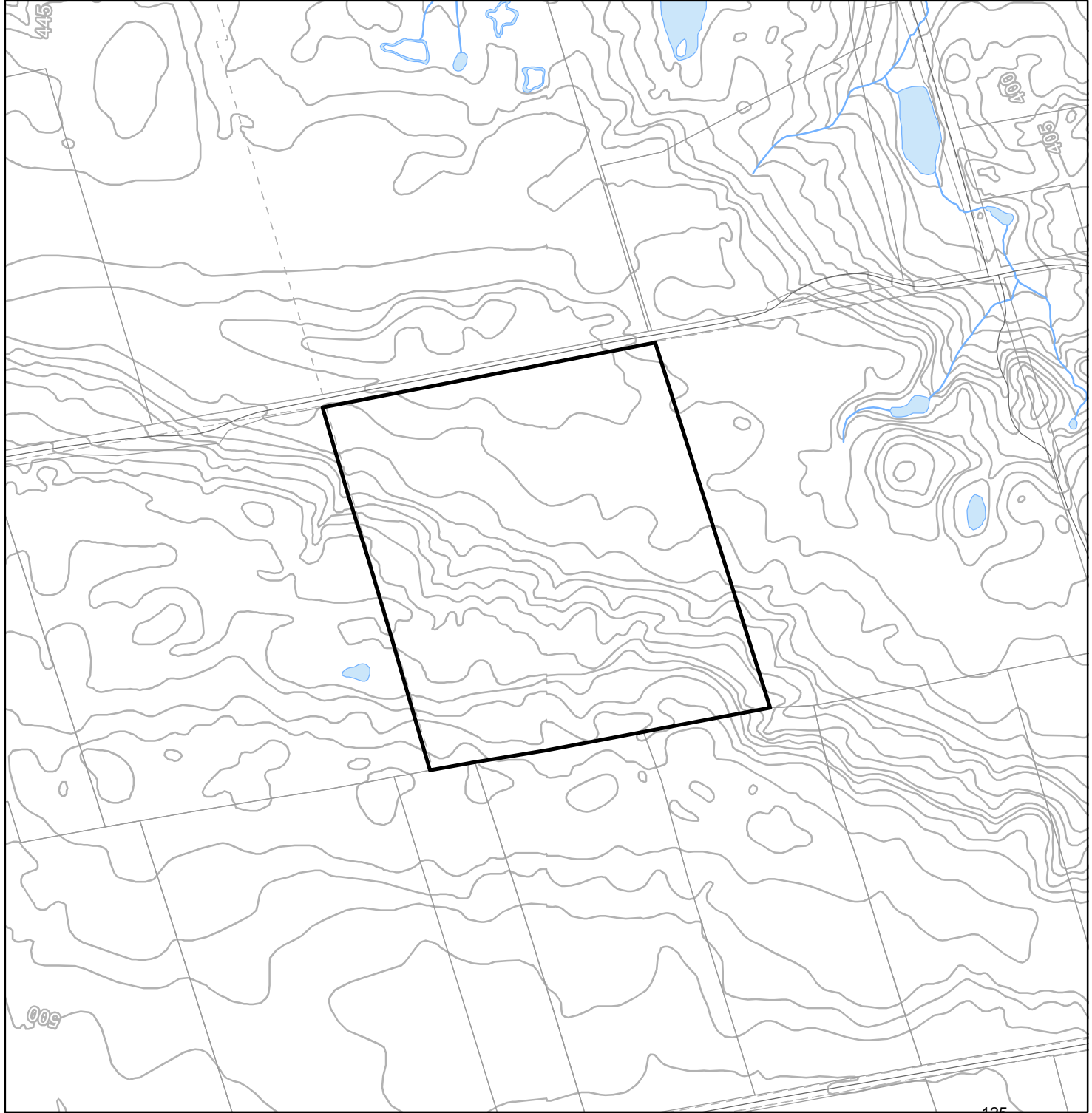
Scale 1:10,000  
0 75 150 225 300  
Metres

Printed on Dec 09, 2020

**THIS IS NOT A PLAN OF SURVEY.**  
This map is illustrative only. Do not rely on it as being a precise indicator of routes, location of features, or as a guide to navigation. Base derived from various sources, including aerial photography, ground surveys, and other data provided to the Ministry of Natural Resources.



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Proposed Severance

Sketch

Project: Paddles Up

29119-20 Bruce Trail

January 28th, 2021





# ① PROPERTY DIRECTLY EAST OF SUBJECT



## FARM DATA SHEET Minimum Distance Separation I (MDSI)

**NOTE TO THE FACILITY OWNER:**  
Your cooperation in filling out this sheet will help to ensure that new land uses will be located a suitable distance from your operation.

Owner of Livestock Facility PEACE VALLEY RANCH LIMITED  
 Telephone [REDACTED] Civic Address 658135 PRINCE OF WALES  
 Municipality MUEMUK Lot 22123 Concession LWPS DIV  
 Tillable Hectares/Acres\* on the lot where the livestock facility is located 256 hectares ✓ acres  
 Closest distance from the livestock facility to the new lot and/or land use 75 metres ✓ feet  
 Closest distance from the manure storage system to the new lot and/or land use 75 metres ✓ feet  
 Size of the Livestock Facility (Barn): 25000 sq.m.  
 Signature of Livestock Facility Owner Carl Cosack Date Jan 8, 2021  
CARL COSACK

### Permanent Manure or Material Storage Types

- Solid Manure: 18% dry matter, or more  
 Liquid Manure: Less than 18% dry matter  
 Digestate: Less than 18% dry matter
- D No storage required (manure/material stored for less than 14 days)
  - V1 Solid, inside, bedded pack
  - V2 Solid, outside, covered
  - V3 Solid, outside, no cover, greater than or equal 30% dry matter
  - V4 Solid, outside, no cover, 18% to less than 30% dry matter, with covered liquid runoff storage
  - L1 Solid, outside, no cover, 18% to less than 30% dry matter, with uncovered liquid runoff storage
  - V6 Liquid, inside, underneath elated floor
  - V7 Liquid, outside, with a permanent, tight fitting cover
  - L2 Liquid, (digestate), outside, no cover
  - M1 Liquid, outside, with a permanent floating cover
  - M2 Liquid, outside, no cover, straight-sided storage
  - M3 Liquid, outside, roof, but with open sides
  - M4 Liquid, outside, no cover, sloped-sided storage

Housing Capacity & Manure Storage: shall be provided in square metres

Animal Type or Material	Description	Housing Capacity* (m <sup>2</sup> )	Manure Storage Type* (select from list above)
Beef Cattle	Cows, including calves to weaning (all breeds)	HEAD 115	V3
	Feeders (7 - 16 months)	HEAD 17	V3
	Backgrounders (7 - 12.5 months) Shortfiners (12.5 - 17.5 months)		
Dairy Cattle	Milking-age cows (dry or milking)		
	Large-framed, 545 kg - 850 kg (for example - Holsteins)		
	Medium-framed, 455 kg - 545 kg (for example - Guernseys)		
	Small-framed, 354 kg - 455 kg (for example - Jerseys)		
	Heifers (5 months to freshening)		
	Large-framed, 182 kg - 545 kg (for example - Holsteins)		
	Medium-framed, 148 kg - 455 kg (for example - Guernseys)		
	Small-framed, 125 kg - 354 kg (for example - Jerseys)		
	Calves (0 - 5 months)		
	Large-framed, 45 kg - 182 kg (for example - Holsteins)		
Medium-framed, 39 kg - 148 kg (for example - Guernseys)			
Small-framed, 30 kg - 125 kg (for example - Jerseys)			
Swine	Sows with litter, dry sows/boars, Segregated Early Weaning (SEW)		
	Sows with litter, dry sows or boars (non-SEW)		
	Breeder gilts (entire barn designed specifically for this purpose)		
	Weaners (7 kg - 27 kg)		
Horses	Feeders (27 kg - 105 kg)		
	Large-framed, mature, >681 kg (including unweaned offspring)		
	Medium-framed, mature, 227 kg - 680 kg (including unweaned offspring)		
Sheep	Small-framed, mature, <227 kg (including unweaned offspring)		
	Ewes & rams (for meat lamb; includes unweaned offspring & replacements)		
	Ewes & rams (dairy operation; includes unweaned offspring & replacements)		
	Lambs (dairy or feeder lambs)		

Animal Type or Material	Description	Housing Capacity* (m <sup>2</sup> )	Manure Storage Type* (select from list above)
Goats	Does & bucks (for meat kids; includes unweaned offspring & replacements)		
	Does & bucks (for dairy; includes unweaned offspring & replacements)		
	Kids (dairy or feeder kids)		
Chickens	Layer hens (for eating eggs; after transfer from pullet barn)		
	Layer pullets (day olds until transferred into layer barn)		
	Broiler breeder growers (males/ females transferred out to layer barn)		
	Broiler breeder layers (males/ females transferred in from grower barn)		
	Broilers on an 8 week cycle		
	Broilers on a 9 week cycle		
	Broilers on a 10 week cycle		
	Broilers on a 12 week cycle		
Turkeys	Broilers on any other cycle, or unknown		
	Turkey pullets (day old until transferred to layer turkey barn)		
	Turkey breeder layers (males/ females transferred in from grower barn)		
	Broiler toms		
	Broilers (day olds to 6.2 kg)		
Veal	Hens (day olds up to 6.2 kg to 10.8 kg; 7.5 kg is typical)		
	Toms (day olds to over 10.8 kg to 20 kg; 14.5 kg is typical)		
	Turkeys at any other weights, or unknown		
	Milk-fed Grain-fed		
Other	Manure imported to a lot not generating manure	Maximum capacity of permanent storages at any time: solid or liquid capacity	
	Anaerobic Digester	Maximum capacity of permanent storages at any time: solid or liquid capacity	

Livestock Facility (Barn): One or more barns or permanent structures with livestock occupied portions, intended for keeping or housing of livestock.  
 A livestock facility also includes all manure or material storages and anaerobic digesters.

② PROPERTY DIRECTLY NORTH OF SUBJECT.



**FARM DATA SHEET**  
Minimum Distance Separation I (MDSI)

**NOTE TO THE FACILITY OWNER:**  
Your cooperation in filling out this sheet will help to ensure that new land uses will be located a suitable distance from your operation.

Owner of Livestock Facility PEACE VALLEY RANCH LIMITED  
 Telephone [REDACTED] Civic Address 638162 PRINCE OF WALES  
 Municipality MULMUR Lot 23 Concession 2015 DIV 97.5  
 Tillable Hectares/Acres\* on the lot where the livestock facility is located 500 hectares 97.5 acres  
 Closest distance from the livestock facility to the new lot and/or land use 500 metres 500 feet  
 Closest distance from the manure storage system to the new lot and/or land use 500 metres 500 feet  
 Size of the Livestock Facility (Barn): 540 sq.m.  
 Signature of Livestock Facility Owner Carl Cosack Date June 8, 2021  
CARL COSACK

**Permanent Manure or Material Storage Types**

- Solid Manure: 18% dry matter, or more
  - Liquid Manure: Less than 18% dry matter
  - Digestate: Less than 18% dry matter
- 0 No storage required (manure/material stored for less than 14 days)
  - V1 Solid, inside, bedded pack
  - V2 Solid, outside, covered
  - V3 Solid, outside, no cover, greater than or equal 30% dry matter
  - V4 Solid, outside, no cover, 16% to less than 30% dry matter, with covered liquid runoff storage
  - L1 Solid, outside, no cover, 16% to less than 30% dry matter, with uncovered liquid runoff storage
  - V5 Liquid, inside, underneath slatted floor
  - V6 Liquid, outside, with a permanent, tight fitting cover
  - V7 Liquid, (digestate), outside, no cover
  - L2 Liquid, outside, with a permanent floating cover
  - M1 Liquid, outside, no cover, straight-walled storage
  - M2 Liquid, outside, roof, but with open sides
  - H1 Liquid, outside, no cover, sloped-sided storage

Housing Capacity & Manure Storage: shall be provided in square metres

Animal Type or Material	Description	Housing Capacity* (in square metres)	Manure Storage Type* (select from list above)
Beef Cattle	Cows, including calves to weaning (all breeds)	33	H1
	Feeders (7 - 16 months)		
	Backgrounders (7 - 12.5 months)		
Dairy Cattle	Shortkeepers (12.5 - 17.5 months)		
	Milking-age cows (dry or milking)		
	Large-framed; 545 kg - 636 kg (for example - Holsteins)		
	Medium-framed; 455 kg - 545 kg (for example - Guernseys)		
	Small-framed; 364 kg - 455 kg (for example - Jerseys)		
	Hollers (5 months to freshening)		
	Large-framed; 182 kg - 545 kg (for example - Holsteins)		
	Medium-framed; 148 kg - 450 kg (for example - Guernseys)		
	Small-framed; 125 kg - 364 kg (for example - Jerseys)		
	Calves (0 - 5 months)		
Swine	Large-framed; 45 kg - 182 kg (for example - Holsteins)		
	Medium-framed; 39 kg - 148 kg (for example - Guernseys)		
	Small-framed; 30 kg - 125 kg (for example - Jerseys)		
	Sows with litter, dry sows/boars; Segregated Early Weaning (SEW)		
	Sows with litter, dry sows or boars (non-SEW)		
Horses	Broader girth (entire barn designed specifically for this purpose)		
	Weaners (7 kg - 27 kg)		
	Feeders (27 kg - 105 kg)		
	Large-framed, mature; >681 kg (including unweaned offspring)		
Sheep	Medium-framed, mature; 227 kg - 680 kg (including unweaned offspring)		
	Small-framed, mature; <227 kg (including unweaned offspring)		
	Ewes & rams (for most lambs; includes unweaned offspring & replacements)		
	Ewes & rams (dairy operation; includes unweaned offspring & replacements)		
	Lambs (dairy or feeder lambs)		

Animal Type or Material	Description	Housing Capacity*	Manure Storage Type* (select from list above)
Goats	Does & bucks (for meat list; includes unweaned offspring & replacements)		
	Does & bucks (for dairy; includes unweaned offspring & replacements)		
	Kids (dairy or feeder kids)		
Chickens	Layer hens (for eating eggs; after transfer from pullet barn)		
	Layer pullets (day olds until transferred into layer barn)		
	Broiler breeder growers (males/ females transferred out to layer barn)		
	Broiler breeder layers (males/ females transferred in from grower barn)		
	Broilers on an 8 week cycle		
	Broilers on a 9 week cycle		
	Broilers on a 10 week cycle		
Turkeys	Broilers on a 12 week cycle		
	Broilers on any other cycle, or unknown		
	Turkey pullets (day old until transferred to layer turkey barn)		
	Turkey breeder layers (males/ females transferred in from grower barn)		
	Breeder toms		
Veal	Broilers (day olds to 6.2 kg)		
	Hens (day olds up to 6.2 kg to 10.6 kg; 7.5 kg is typical)		
	Toms (day olds to over 10.6 kg to 20 kg; 14.6 kg is typical)		
	Turkeys at any other weights, or unknown		
Other	Milk-fed		
	Grain-fed		
Manure imported to a lot not generating manure			
Anaerobic Digester			

Livestock Facility (Barn): One or more barns or permanent structures with livestock occupied portions, intended for keeping or housing of livestock. A livestock facility also includes all manure or material storages and anaerobic digesters.





BUILDING SERVICES

Date: June 10, 2021

To: Tracey Atkinson CAO/Planner  
Township of Mulmur

Re: Consent file # B11-2021  
Township of Mulmur, County of Dufferin.

This letter serves to confirm that I have commenced a preliminary review of the application B11-2021 and request for comment.

After review of the application, the Building Division would like to note that we have no further concerns.

It should be noted that the applicant is required to submit an application for building permit to our office with respect to the above property before any type of construction begins on either the severed or retained.

If you should have any questions pertaining to this letter, please do not hesitate to contact the undersigned.

Regards,

Doug Kopp CBCO  
Plans Examiner



BUILDING SERVICES

Date: June 10, 2021

To: Tracey Atkinson CAO/Planner  
Township of Mulmur

Re: Consent file # B12-2021  
Township of Mulmur, County of Dufferin.

This letter serves to confirm that I have commenced a preliminary review of the application B12-2021 and request for comment.

After review of the application, the Building Division would like to note that we have no further concerns.

It should be noted that the applicant is required to submit an application for building permit to our office with respect to the above property before any type of construction begins on either the severed or retained.

If you should have any questions pertaining to this letter, please do not hesitate to contact the undersigned.

Regards,

Doug Kopp CBCO  
Plans Examiner



## MEMO

**TO:** County of Dufferin

**FROM:** Matt Alexander, Project Manager, WSP  
Angela Zhao, Project Planner, WSP

**SUBJECT:** Consent Application (File #: B11-21), 638040 Prince of Wales Road, Township of Mulmur, ON

**DATE:** July 12, 2021

---

### Recommendation

Based on our review, the proposal is consistent with the Provincial Policy Statement, 2020 and related policies in the Dufferin County Official Plan. It is recommended that:

- Confirmation be provided as to whether an Environmental Impact Statement (EIS) is required relative to the presence of woodlands on the subject property; and
- Consultation occur with the Township of Mulmur the Nottawasaga Conservation Authority (NVCA) related to the potential impacts to source water because the subject properties are located within a source water protection area (Low Aquifer Vulnerability and Significant Groundwater Recharge Area).

### Summary

The purpose of the consent application is to sever a parcel of land with an area of approximately 1.34 hectare which will be used to facilitate the development of the Bruce Trail. The balance of the lands with an area of approximately 40.55 hectares will be retained.

The documents received by WSP on June 4<sup>th</sup>, 2021 include:

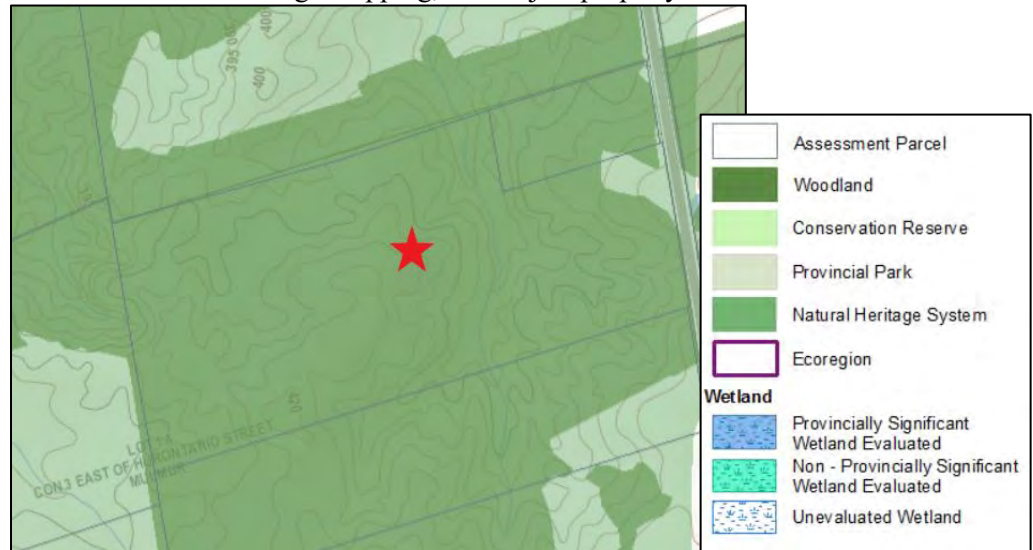
- Notice of Public Meeting;

The circulation documents were reviewed against the Dufferin County Official Plan.

### Provincial Policy Statement, 2020 (PPS), Province of Ontario's Natural Heritage Mapping

As a result of Growth Plan 2019, the Province's Natural Heritage mapping must be studied and implemented into the County's Official Plan before it can be applied at a local level. However, as it relates to land use designations, the mapping should continue to be used as a guide to determine if the subject property is identified with identified Natural Heritage

features, should the County or local Official Plans not reflect current mapping. Under Ontario’s Natural Heritage mapping, the subject property contains woodlands.



### Dufferin County Official Plan (2017)

The subject property is within the Countryside Area designation under Schedule B (Community Structure and Land Use) and within the Rural Lands designation under Schedule C (Agricultural Area and Rural Lands) of the County Official Plan. The intent of the Rural Lands designation is to protect the natural amenities and rural character of the County while promoting development opportunities related to the management or use of resources, resource-based recreational uses (including recreational dwellings), tourism, limited residential development, home occupations and home industries, and other rural land uses that cannot be located in settlement areas.

Per Section 4.3.3 (m) of the County OP, lot creation will only be permitted in accordance with the policies of this Plan and the local municipal official plan. Per Section 4.3.2 of the OP, the Rural Lands designation permits limited residential development, which includes no more than three new lots or units;

Schedule E (Natural Heritage Features) identifies woodlands on the subject property. Further consultation with the Township of Mulmur, the NVCA should be undertaken to determine whether the woodlands are deemed significant and whether the proposed development will have a negative impact on the woodlands. Section 5.3.4 of the County Official Plan directs that development and site alteration adjacent to significant woodlands is not permitted unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions through preparation of an EIS.

Under Appendix 2 (Source Water Protection) the subject property is located within a source water protection area (Low Aquifer Vulnerability and Significant Groundwater Recharge Area). Policy 5.4.2(c) states that prior to the approval of development applications within designated vulnerable areas, the proponents shall demonstrate to the satisfaction of the County, local municipality, Conservation Authority and Province, where



necessary, that the quality and quantity of municipal drinking water sources will not be negatively impacted. It is anticipated that the NVCA will provide further review and comments with respect to the requirements for Source Water Protection as it relates to the changes proposed on the subject properties.

Given that the proposed development is not located on a County Road, the Town should provide any comments regarding access.

### **Recommendation**

Based on our review, the proposal is consistent with the Rural Lands designation and the related policies in the Dufferin County Official Plan. It is recommended that:

- Confirmation be provided as to whether an Environmental Impact Statement (EIS) is required relative to the presence of woodlands on the subject property; and
- Consultation occur with the Township of Mulmur the Nottawasaga Conservation Authority (NVCA) related to the potential impacts to source water because the subject properties are located within a source water protection area (Low Aquifer Vulnerability and Significant Groundwater Recharge Area).

## Roseann Knechtel

---

**Subject:** FW: 519-21-341 - Consent Application B11-2021 - 638040 Prince of Wales Road

---

**From:** Hall, Charleyne

**Sent:** June 11, 2021 2:04 PM

**To:** Tracey Atkinson

**Subject:** 519-21-341 - Consent Application B11-2021 - 638040 Prince of Wales Road

Good afternoon Tracey,

Bell Canada has no concerns with Application for Consent B11-2021 regarding 638040 Prince of Wales Road.

Thank you,

Charleyne



Right of Way Associate

140 Bayfield Street, Floor 2, Barrie ON L4M 3B1

T: 705-722-2264 Toll Free: 1-888-646-4817

she/her

Recognizing traditional territory of Haudenosaunee and Anishnaabeg Peoples; part of the Upper Canada Treaties.



## Roseann Knechtel

---

**Subject:** FW: 519-21-333 - Consent Application B12-2021 - 598011 2nd Line West

---

**From:** Hall, Charleyne

**Sent:** June 11, 2021 2:34 PM

**To:** Tracey Atkinson

**Subject:** 519-21-333 - Consent Application B12-2021 - 598011 2nd Line West

Good afternoon Tracey,

Bell Canada has no concerns with Application for Consent B12-2021 regarding 598011 2nd Line West.

Thank you,

Charleyne



Right of Way Associate

140 Bayfield Street, Floor 2, Barrie ON L4M 3B1

T: 705-722-2264 Toll Free: 1-888-646-4817

she/her

Recognizing traditional territory of Haudenosaunee and Anishnaabeg Peoples; part of the Upper Canada Treaties.



Date: July 21, 2021  
To: Committee of Adjustment  
From: John Willmetts, Director of Public Works  
Re: B7 – 2021 BRUCE TRAIL

## ROAD WIDENING SEVERED AND RETAINED

---

With respect to this application, I request that the Committee impose the following conditions,

1. Acquire a road widening (3.05 metres) from the severed and retained portions.

It would be advisable to impose this condition to allow the Township more flexibility to perform necessary road improvements in the future.

Yours truly,

*John Willmetts*

John Willmetts  
Director of Public Works  
Township of Mulmur



# Site Visit

(Driveway Location)

**Date:** July 21, 2021  
**To:** Committee of Adjustment  
**From:** John Willmetts, Director of Public Works

**Re:** B-7 – 2021 BRUCE TRAIL

## Comments:

This proposed severance has a suitable location for a driveway. The final location will be determined when the entrance permit is granted.

Regards,

John Willmetts  
Director of Public Works



Date: July 21, 2021  
To: Committee of Adjustment  
From: John Willmetts, Director of Public Works  
Re: B11 – BRUCE TRAIL

## ROAD WIDENING

---

With respect to this application, I have no conditions or concerns.

Yours truly,

*John Willmetts*

John Willmetts  
Director of Public Works  
Township of Mulmur



Date: July 21, 2021  
To: Committee of Adjustment  
From: John Willmetts, Director of Public Works  
Re: B12 – BRUCE TRAIL

## ROAD WIDENING

---

With respect to this application, I have no conditions or concerns.

Yours truly,

*John Willmetts*

John Willmetts  
Director of Public Works  
Township of Mulmur

## Tracey Atkinson

---

**From:** Amy Knapp <aknapp@nvca.on.ca>  
**Sent:** July 8, 2021 4:06 PM  
**To:** Tracey Atkinson  
**Subject:** NVCA Comments for CofA  
**Attachments:** NVCA Comments (B08- 2021) 08-JUL-2021.pdf

Good Afternoon Tracey,

The Nottawasaga Valley Conservation Authority (NVCA) has reviewed the planning applications contained within this email and can offer the following for consideration:

### **Consent – B8-2021– 796186 3rd Line (Creation of a new lot)**

Comments attached for consideration.

### **Consent – B10-2021– 758008 2nd Line East (Boundary Adjustment)**

The Nottawasaga Valley Conservation Authority (NVCA) has reviewed the above noted application for consent for the purpose of a boundary adjustment. Based on our mandate and policies under the Conservation Authorities Act, we have no objection to the approval of the application.

### **Consent – B11-2021– 638040 Prince of Wales Road (Creation of a new lot)**

The Nottawasaga Valley Conservation Authority (NVCA) has reviewed the above noted application for consent. Based on our mandate and policies under the Conservation Authorities Act, we have no objection to its approval. We also offer the following comments:

The property falls partially within an area affected by Ontario Regulation 172/06 (the Authority's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation) due to a watercourse (Pine River), an unevaluated wetland, floodplain, slope erosion hazard areas and associated buffers. The proposed severed lot is outside of the NVCA's Regulatory jurisdiction.

NVCA staff note that the severed parcel contains a natural heritage feature that is part of a large continuous patch of forested land which may be a candidate Significant Woodland. NVCA staff further note that the natural heritage feature is designated as a Natural Area within the Niagara Escarpment Plan which restricts all development within this category.

### **Consent – B12-2021– 598011 2nd Line West**

The application proposes to sever +/-1.3 acres for the development of the Bruce Trail and convey +/-0.3 acres to the Township of Mulmur.

The Nottawasaga Valley Conservation Authority (NVCA) has reviewed the application and based on our mandate and policies under the Conservation Authorities Act, we have no objection to its approval.

Thank you for circulating these applications and please forward a copy of any decision and notice of any appeals filed for the above reference applications

Sincerely,

**Amy Knapp | Planner III**





**STAFF REPORT**

**TO:** COMMITTEE OF ADJUSTMENT  
**SUBJECT:** Tracey Atkinson, BES MCIP RPP  
**MEETING DATE:** July 21, 2021  
**SUBJECT:** B7-2021 (The Bruce Trail Conservancy)  
 B11-2021 (Cohen)  
 B12-2021 (Sales)

**PURPOSE:**

The purpose of this report is to assess the planning merits of three applications for consent for the benefit of the Bruce Trail Conservancy.

- B7-2021 (The Bruce Trail Conservancy) proposes to sever a +/- 8.1 ha (20 acre) building lot from a 41.6 ha (103 acre) parcel. The severed lot would be a building lot. The retained lots would be sterilized from future residential construction through the Niagara Escarpment Decision.
- B11-2021 (Cohen) proposes to sever +/- 3.3 ac from the rear of the 40 ha property for the development of the Bruce Trail as a boundary adjustment.
- B12-2021 (Sales) proposes to sever +/- 1.3 acres from the 16 ha property for the development of the Bruce Trail and convey +/- 0.3 acres to the Township of Mulmur for road purposes as boundary adjustments.

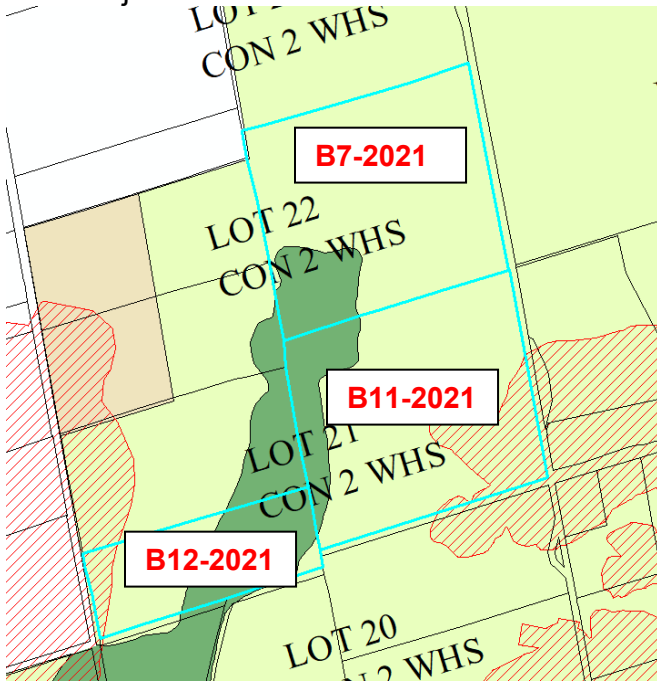
**BACKGROUND:**

FILE NO	B7-2021, B11-2021, B12-2021
ROLL NO	7: 2216000006089000000 11: 2216000006087000000 12: 2216000006167500000
OWNER	7: THE BRUCE TRAIL CONSERVANCY 11: 2798986 ONTARIO INC (COHEN) 12: SALES SUE ELAINE / SALES CHRISTOPHER TAYLOR
ADDRESS	7: PRINCE OF WALES 11: 638040 PRINCE OF WALES ROAD 12: 598011 2ND LINE WEST
LEGAL DESCRIPTION:	7: CONCESSION 2 WHS, EAST PART LOT 22 11: CON 2 W E PT LOT 21

	12: CON 2 W W PT LOT 21
OFFICIAL PLAN:	Niagara Escarpment – Protection Area, Natural Area  Features: Natural Heritage System Wooded Area (10-40ha size)
ZONING:	n/a
NEC/Greenbelt:	Escarpment Protection Area Escarpment Natural Area
NVCA Regulated:	Yes – beyond area of proposal
Natural Heritage System	Yes – entire parcels
Agricultural Land Base	No
Application Submission Date:	April 20, 2021, June 3, 2021, June 3, 2021
Public Meeting Date:	July 21, 2021

**EXISTING CONFIGURATION**

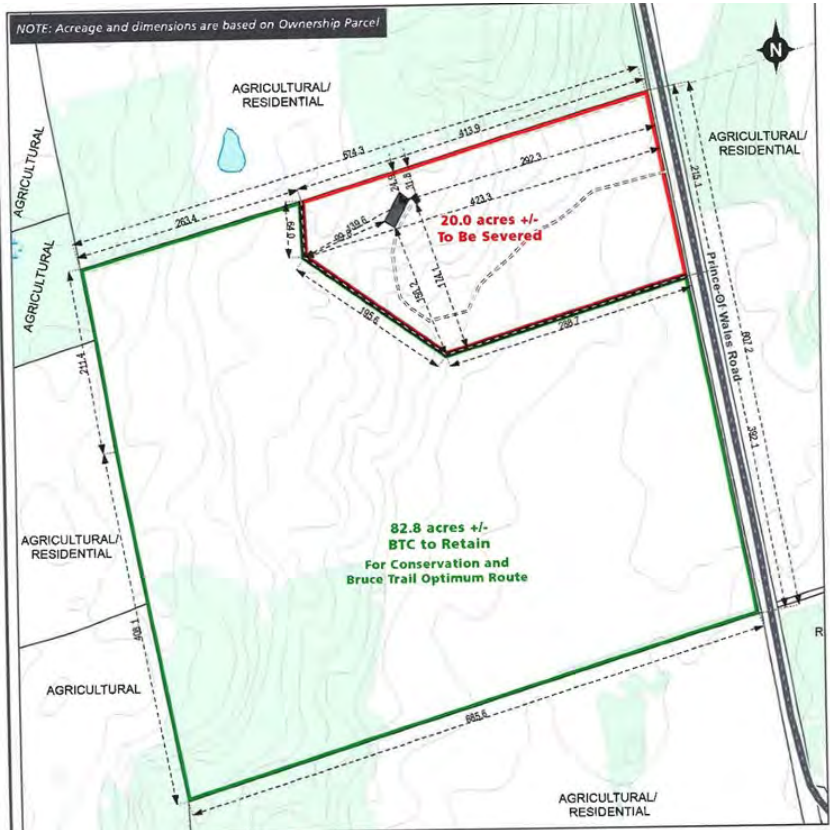
The subject lands are identified on the NEC map excerpt below.



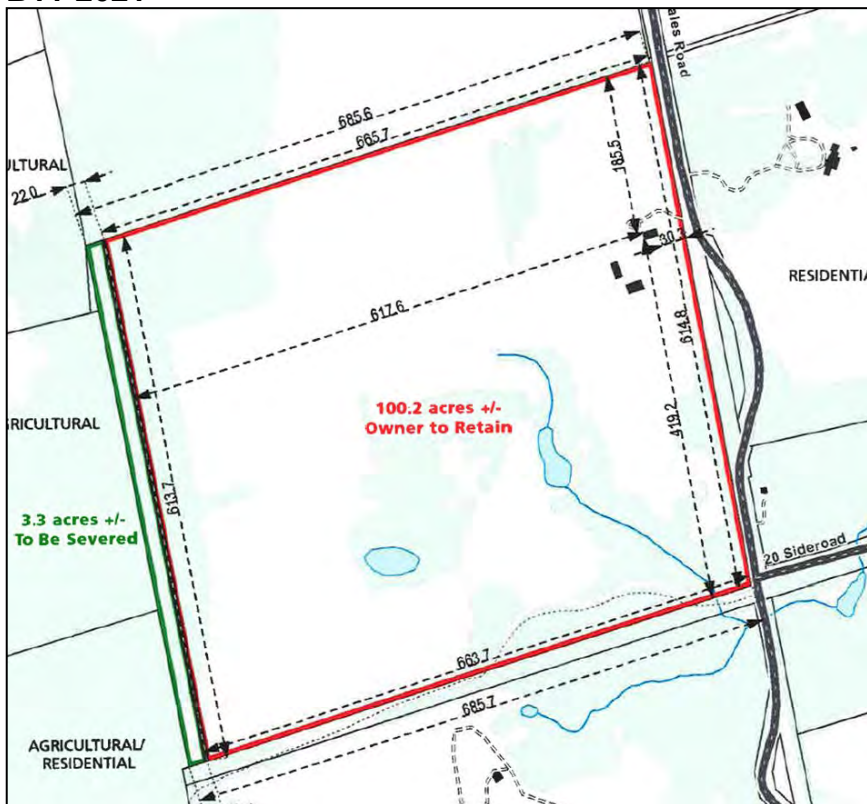
**PROPOSED CONFIGURATION**

The proposed configuration is shown in the following figures.

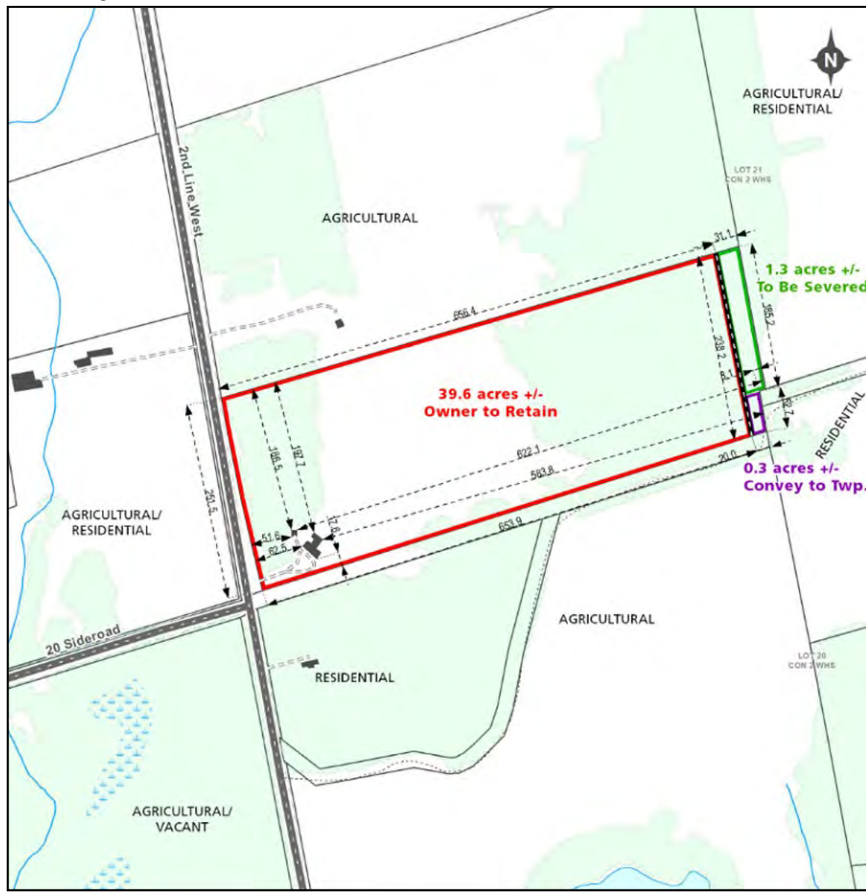
# B7-2021



# B11-2021



## B12-2021



### **STRATEGIC PLAN ALIGNMENT:**

This application is aligned with the following strategic plan path:

4. Growing a Sustainable Mulmur: Being Proactive in Sustainable Initiatives to ensure the long term well being of Mulmur (includes Resources/Financial/People).

### **FINANCIAL IMPACTS:**

No financial impact. Processing costs are generally covered by the application fee.

### **ANALYSIS:**

The application was supported by the following submissions:

- Niagara Escarpment Development Permit Approval (B7-2021)
- Planning Submission, April 22, 2021 (Bruce Trail Conservancy B7-2021)
- Farm Data Sheet (Peace Valley Ranch)
- Planning Submission, May 26, 2021 (Bruce Trail Conservancy – Cohen: B11-2021)
- Planning Submission, May 26, 2021 (Bruce Trail Conservancy – Sales: B12-2021)

The Township provided comments on the NEC circulation indicating that the Township prefers that the applicants maintain the prime agricultural land in the larger parcel. The proposed severance will split up prime agricultural lands, with class 1 agricultural lands being maintained on the conservation parcel. The preferred configuration would be to maintain the prime agricultural land on a single parcel.

The Township also reserved the ability to provide additional comments through its severance process, including conditions and may require the Bruce Trail Conservatory lands be merge with abutting lands.

## **PLANNING POLICIES & PROVISIONS:**

Application B7-2021 creates a building lot.

Applications B11-2021 and B12-2021 do not create any new building lots and do not have frontage, except the 20m width, as would be created through the land dedication to the Township's ROW to the summer road (i.e not a year-round municipally maintained road).

### **Provincial Policy Statement (2020)**

The 2020 Provincial Policy Statement (PPS) contains broad policy direction and policy direction on lot creation and development of the Rural and Agricultural Areas, and provides for limited development on rural lands. The PPS provides for limited development on Rural lands.

The PPS also provides protection of natural heritage features.

### **Growth Plan (2019, consolidated Aug 2020)**

A Place to Grow: Growth plan for the Greater Golden Horseshoe, provides high-level policy direction relating to the development of healthy, safe and balanced communities. The Growth Plan directs the majority of development to settlement areas except where otherwise permitted. Section 2.2.9(3) of the GP provides for rural land uses that will not negatively affect agriculture and Section 2.2.9.6 allows for consideration of some lots within the rural area.

### **Natural Heritage System**

Provincial mapping of the Natural Heritage System for the Growth Plan does not apply until it has been implemented in the County Official Plan. Until that time, the policies apply to areas that were mapped in the existing County and local plans.

The subject lands are entirely within an “undifferentiated” area of the Provincial Natural Heritage System. The lands include a wooded area, and farmland. The Township maps the wooded area, which is approximately over 40 ha in size and extends over neighbouring properties.

#### 5.20.1 Significant Woodlands

*For the purposes of this Plan, a woodland is significant if it constitutes a forested area of at least 10 ha in size and is: ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history.*

*Single, multiple or successive development or site alteration activities resulting in degradation that threatens the health and integrity of significant woodlands or their ecological functions, shall not be permitted.*

*Development and site alteration shall not be permitted in significant woodlands or on adjacent lands unless it has been demonstrated, through an EIS, that there will be no negative impacts on the woodland or on its ecological functions. Adjacent lands are defined for the purposes of this Section as lands within 120 m. of the significant woodland.*

Comments are anticipated from the NVCA and/or Dufferin County regarding the Natural Heritage features.

### **Niagara Escarpment Plan**

The subject lands are designated Escarpment Protection Area and Escarpment Natural Area.

#### B7-2021

On B7-2021, the Natural designation reflects a wooded area in the South-West corner of the subject lands. The proposed lot would be entirely within the Protection designation.

NEC staff commented that:

“Part 2.4.12 of the NEP permits a *public body* to create a new lot through acquisition, disposal, or exchange provided such a lot would not conflict with the lot creation policies of the applicable land use designations (Part 1.4.4). This proposal represents an acquisition by the Bruce Trail Conservancy.”

A Conditional Approval was granted by the Niagara Escarpment Commission (NEC) on March 31, 2021, which includes a requirement to prohibit the construction of a dwelling on the retained lands, through an agreement.

NEC staff commented that:

“Part 1.4.4.2 (c) allows for a severance by a *public body* so long as no new building lot is created. The current vacant lands represent one building lot; the retained lot will



be used for conservation/Bruce Trail uses only, thus no new building lot is realized through the proposed lot creation. The proposal conforms with **Part 2.4 (Lot Creation) of the NEP (2017).**”

The policies of the Niagara Escarpment Plan are embedded in the Township Official Plan, and referred in the applicable section of this report.

A copy of the NEC planning report is attached. The NEC report identifies a number of potential issues with the building envelop that require additional study.

“No physical development is proposed through this application. A proposed dwelling was originally incorporated into the development proposal. However, upon review NEC Staff identified potential policy issues related to the proposed siting that would require additional studies per Parts 2.2.2, 2.5.1, 2.5.2, 2.5.3, 2.5.4, 2.10.2, and 2.13.2 of the NEP (2017). These policy concerns related to the siting of the dwelling on slopes associated with the brow of the escarpment, in an area of potential karst (likely), a meandering driveway through the lower slopes of the escarpment, the potential for impact to areas of archaeological potential, and impacts to scenic resources that could not be assessed due to lack of detail in the submission.”

“NEC Staff are of the opinion that while the suggested building envelope cannot be confirmed without study, there is confidence that a viable building envelope does exist on what will be the newly created parcel. The envelope would be in close proximity to Prince of Wales Road, at a lower elevation, where the topography of the lands is relatively flat. This would reduce the potential for impact to the scenic resources of the escarpment, eliminate the need to traverse the lower slopes with a long meandering driveway, and would be in an area that is not identified as potential karst. An archaeological assessment may still be required for the alternative envelope.”

#### B11-2021, B12-2021

The Niagara Escarpment plan supports the boundary adjustments for the purpose of the Bruce Trail Conservancy. Through legal mechanisms the proposed lots may be merged with abutting trail lands to achieve boundary adjustments opposed to lot creations which could be available for building lots.

#### **NVCA**

The portions of subject lands proposed for the lot creations are not regulated by the Conservation Authority. Comments from the NVCA are included in this package.

#### **County Official Plan**

The subject lands are designated “Countryside Area” and “Rural Lands” in the County Official Plan schedules. The Countryside designation provides for the protection of agricultural areas, while allowing some growth and development. The majority of the agricultural land is proposed to be within the retained parcel. Comments are anticipated from the County of Dufferin related to the County OP policies.

## Mulmur Official Plan (2012)

The lot creation policies of section 6.4.6.4 apply to the Escarpment Protection Area. It is noted that the proposed severance does create a new building lot, but that the retained lands are proposed to be sterilized, through a development agreement, thereby resulting in no increase in development rights, although the change of ownership will likely result in development.

### **6.4.6.4 NEW LOTS**

*New lots may be created subject to conformity with the applicable policies and Development Criteria of the Niagara Escarpment Plan, the general lot creation policies of this Plan and the following.*

*Provided no new building lot(s) is created, a severance may be permitted for:*

- the purpose of correcting conveyances, provided the correction does not include the re-creation of merged lots;*
- the purpose of enlarging existing lots;*
- as part of, or following, the acquisition of lands by a public body; or*
- as part of, or following, the acquisition of lands by an approved conservation organization for the purpose of establishing a nature preserve.*

### **Agriculture and Minimum Distance Separation**

Every house introduced within an Agricultural area limits the flexibility of future barn placement. The proposed severance is a vacant parcel and is zoned to allow for the development of one single detached dwelling, to be located almost anywhere on the property. The proposed severance would create an opportunity for a dwelling that may impact agricultural operations. It is noted that the current ownership by the Bruce Trail has lead to the subject lands being conserved, and rented to a local farmer, and no residential development establishing on the subject lands. It is noted that although the lands are actively farmed, they were not identified by the Province as part of the Agricultural Land Base mapped by OMAFRA

There are livestock operations in proximity to the subject lands as well as barns that are capable of being used for livestock.

Based on the information provided by the applicant, the Minimum Distance Separation (MDS) arcs do not impact the proposed development. The MDS circles of influence is 170m which does not extend onto the subject lands and therefore does not impact the proposed lot creation. It is noted that the barns on the subject lands appear to be significantly larger than the area estimated for the livestock in the applicants calculation. However, as noted in the applicants calculation, the actual distance between the barn and lot is significantly larger.

The Township Official Plan contains high-level protection for agriculture and prime agricultural lands. The proposal does represent a removal of lands from the agricultural land base, even though they are not identified as having a high capability for agriculture. We note that the preservation of larger parcels of pasture lands, for example, play a significant role in the larger agricultural system. While the NEC plan and Provincial Prime Agricultural Land mapping and MDS do not prevent the consideration of the proposed lot creation, it is noted that the proposed severance may result in the removal of pasture/crop lands, and reducing parcel size may result in a decrease in agricultural productivity.

The Township is concerned with Rural Character and the introduction of new building lots within the Escarpment. In this instance, the Township is concerned with the perceived precedent setting, where a public body is permitted to create a building lot. It is recognized that the retained lands, in this instance, are sterilized, such that the total dwelling yield is unchanged.

The Township is concerned that the building lot that is being created has not been supported by the environmental and possible archeological studies that may be necessary to establish a building envelope. The Township prefers to ensure that a building envelope is available so that it is not creating lots that are unbuildable. However, in this instance, it would be within the jurisdiction of the NEC to issue a permit at the time of an application. The NEC believe that there is a viable building envelope within the proposed lot.

### **Zoning By-law**

The subject lands are within the Niagara Escarpment Plan and therefore not subject to the provisions of the zoning by-law.

### **AGENCY COMMENTS**

Comments were received from Dufferin County, NEC, NVCA and Bell.

The Township has concerns with illegal and unsafe parking practices of some trail users and the lack of parking options in proximity to trail access points. Mulmur staff have shared these concerns with the Bruce Trail Conservancy staff, and expressed a need for parking lots in relation to increased trail development in proximity to municipal roads. The Township has provided preliminary content for such an agreement, and are scheduled to meet with the Bruce Trail Conservancy staff. A road widening was previously acquired.

The application proposes a land dedication (as shown in purpose on the aerial below) to the Township of Mulmur to connect the Municipal right-of-way. It is noted that the (summer) road currently does not fall within the proposed land dedication, however, it is still beneficial for the Township to obtain legal access beside the forced road. The Township is working with the surveyor and legal to determine whether the Township can acquire the entire area identified in purple, and may have to undertake a process to acquire absolute title for a portion of the lands.



**RECOMMENDATION:**

While the Township is concerned with the proposed lot creation, the NEP policies, which apply to the subject lands, do support the application and the NEC has issued a conditional permit for same.

Should the Committee of Adjustment support application B7-2021, it is recommended that it be approved subject to standard conditions, fulfilling NEC permit requirements with respect to building on the retained lands, parking lot agreement, and recognize that the NEC permit process will assess any future EIS, archeological studies and building locations.

Further, it is recommended that applications B11-2021 and B12-2021 be approved subject to standard conditions.

Respectfully submitted,

*Tracey Atkinson*

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Tracey Atkinson, BES MCIP RPP  
Planner



**DECISION OF COMMITTEE OF ADJUSTMENT WITH REASONS  
(The Planning Act, R.S.O. 1990, c. 13, s. 45 (8), 1994 c. 23, s.26.)**

**FILE NO. B7-2021 Bruce Trail Conservancy RE: Consent Application**

The following decision was reached by the Committee of Adjustment for the Township of Mulmur at the meeting on July 21, 2021:

That Application No. B7-2021 submitted by the Bruce Trail Conservancy for a lot creation from CON 2 WHS E PT LOT 22 (R# 6 08900) be approved subject to the following:

- That the lot creation applies to the creation of a lot of approximately 8.1 ha (+/- 5%) rounded to two decimal places.
  - Taxes and/or penalties must be paid in full up to and including the current fiscal year on all related properties, if the amount is known.
  - The deed for the subject severance must be presented to the Secretary Treasurer prior to one year after the date of decision; a copy of the consent decision to be kept on file at the Township solicitor's office.
  - Two paper copies of the registered plan of survey and one digital copy be provided, including documentation from the surveyor certifying that the digital copy was created from the same file that was used to plot the original paper copies. The digital copy shall be of a format to the Township's satisfaction. The paper copy shall be circulated to the Township for review prior to registration.
  - Compliance with all bylaws, including, but not limited to zoning, site plan and property standards.
  - The Bruce Trail Conservancy enter into an agreement for the establishment of a parking lots to the satisfaction of the Township.
  - That all conditions of consent be fulfilled within one year of the date of notice of decision where failure to do so will cause the application to be null and void.
  - Cash in lieu of parkland shall be paid to the Municipality in the amount of \$5,000.00
- REASON: Conforms to the Township's Official Plan with the proposed conditions.

**CERTIFICATION**  
**(The Planning Act, R.S.O. 1990 c. p. 13 s. 45 (10))**

I, **Tracey Atkinson**, Clerk of the Township of Mulmur, hereby certify that the above is a true copy of the decision of the Committee of Adjustment for the Township of Mulmur with respect to the application recorded herein.

.....  
Tracey Atkinson, Clerk, Township of Mulmur

The last date that this decision may be appealed to the Ontario Land Tribunal is \_\_\_\_\_, 2021.

**NOTICE OF LAST DAY OF APPEALING TO THE ONTARIO LAND TRIBUNAL (OLT)**

The applicant, the Minister, or any other person who has an interest in this matter may, within twenty (20) days of the date of this notice, appeal to the Ontario Land Tribunal against the decision of the Committee by serving personally or sending by registered mail to the Secretary-Treasurer of the Committee a Notice of Appeal along with Appellant Form (A1) available from the Township office or from the OLT website at [www.elto.gov.on.ca](http://www.elto.gov.on.ca) setting out the objection to the decision and the reasons for the objection and accompanied by the fee of \$300.00 payable by certified cheque or money order to the MINISTER OF FINANCE as prescribed by the Ontario Land Tribunal as payable on an appeal from a Committee of Adjustment to the Board.

Tracey Atkinson, Clerk  
Telephone: (705) 466-3341 Ext 222  
[tatkinson@mulmur.ca](mailto:tatkinson@mulmur.ca)

Date of Mailing: July \_\_\_\_\_, 2021  
Last day to appeal to OLT: August \_\_\_\_, 2021



**DECISION OF COMMITTEE OF ADJUSTMENT WITH REASONS  
(The Planning Act, R.S.O. 1990, c. 13, s. 45 (8), 1994 c. 23, s.26.)**

**FILE NO. B11-2021 Bruce Trail / 2798986 Ontario Inc. (Cohen) RE: Boundary Adjustment**

The following decision was reached by the Committee of Adjustment for the Township of Mulmur at the meeting on July 21, 2021:

That Application No. B11-2021 submitted by 2978986 Ontario Inc. (Paul Cohen) for a boundary adjustment from CON 2 WHS PT LOT 21 (R# 6 08700) to CON 2 WHS E PT LOT 22 (R#6 08900) be approved subject to the following:

- That the boundary adjustment applies to an approximate 3.3 ha (+/- 5%) parcel of land rounded to two decimal places to be added to CON 2 WHS E PT LOT 22 (R#6 08900)
- Taxes and/or penalties must be paid in full up to and including the current fiscal year on all related properties, if the amount is known.
- The deed for the subject severance must be presented to the Secretary Treasurer prior to one year after the date of decision; a copy of the consent decision to be kept on file at the Township solicitor's office.
- Two paper copies of the registered plan of survey and one digital copy be provided, including documentation from the surveyor certifying that the digital copy was created from the same file that was used to plot the original paper copies. The digital copy shall be of a format to the Township's satisfaction. The paper copy shall be circulated to the Township for review prior to registration.
- Compliance with all bylaws, including, but not limited to zoning, site plan and property standards.
- The severed parcel shall be subject to Section 50(3) of the Planning Act.
- The solicitor for the owner of the lot to which the severed parcel is to be added shall provide an undertaking to make an application for consolidation within thirty days following registration of the deed for the resulting enlarged parcel, and to provide the Township with documentation which demonstrates that the consolidation has taken place.
- That all conditions of consent be fulfilled within one year of the date of notice of decision where failure to do so will cause the application to be null and void.

**REASON:** Conforms to the Township's Official Plan with the proposed conditions.

**CERTIFICATION**  
**(The Planning Act, R.S.O. 1990 c. p. 13 s. 45 (10))**

I, **Tracey Atkinson**, Clerk of the Township of Mulmur, hereby certify that the above is a true copy of the decision of the Committee of Adjustment for the Township of Mulmur with respect to the application recorded herein.

.....  
Tracey Atkinson, Clerk, Township of Mulmur

The last date that this decision may be appealed to the Ontario Land Tribunal is \_\_\_\_\_, 2021.

**NOTICE OF LAST DAY OF APPEALING TO THE ONTARIO LAND TRIBUNAL (OLT)**

The applicant, the Minister, or any other person who has an interest in this matter may, within twenty (20) days of the date of this notice, appeal to the Ontario Land Tribunal against the decision of the Committee by serving personally or sending by registered mail to the Secretary-Treasurer of the Committee a Notice of Appeal along with Appellant Form (A1) available from the Township office or from the OLT website at [www.olto.gov.on.ca](http://www.olto.gov.on.ca) setting out the objection to the decision and the reasons for the objection and accompanied by the fee of \$300.00 payable by certified cheque or money order to the MINISTER OF FINANCE as prescribed by the Ontario Land Tribunal as payable on an appeal from a Committee of Adjustment to the Board.

Tracey Atkinson, Clerk  
Telephone: (705) 466-3341 Ext 222  
[tatkinson@mulmur.ca](mailto:tatkinson@mulmur.ca)

Date of Mailing: July \_\_\_\_\_, 2021  
Last day to appeal to OLT: August \_\_\_\_, 2021





**DECISION OF COMMITTEE OF ADJUSTMENT WITH REASONS  
(The Planning Act, R.S.O. 1990, c. 13, s. 45 (8), 1994 c. 23, s.26.)**

**FILE NO. B12-2021 Bruce Trail / Sales**

**RE: Boundary Adjustment**

The following decision was reached by the Committee of Adjustment for the Township of Mulmur at the meeting on July 21, 2021:

That Application No. B12-2021 submitted by Christopher, Martha and Sue Sales for a boundary adjustment from CON 2 WHS W PT LOT 21 (R# 6 16750) to CON 2 WHS E PT LOT 22 (R#6 08900) be approved subject to the following:

- That the boundary adjustment applies to an approximate 1.10 acres (+/- 10%) parcel of land rounded to two decimal places to be conveyed to CON 2 WHS E PT LOT 22 (R#6 08900) subsequent to the completion of File No. B11-2021 Bruce Trail / Cohen
- The applicant shall, at his/her own expense, convey to the Municipality sufficient lands being approximately 0.2 acres (+/- 10%) rounded to two decimal places, located west of "no mans land". Deeds are to be submitted to the Municipality, for review and approval, accompanied by a solicitor's certificate indicating that the title is free and clear of all encumbrances and the Municipality has a good and marketable title. A copy of the plan of survey depicting the conveyance shall be provided to the Municipality for their records.
- That the Bruce Trail Conservancy, Christopher, Martha and Sue Sales and Paul Cohen (2798986 Ontario Inc.) provide conformation that they have no claim to "no mans lands" to the Township's solicitors satisfaction.
- Taxes and/or penalties must be paid in full up to and including the current fiscal year on all related properties, if the amount is known.
- The deed for the subject severance must be presented to the Secretary Treasurer prior to one year after the date of decision; a copy of the consent decision to be kept on file at the Township solicitor's office.
- Two paper copies of the registered plan of survey and one digital copy be provided, including documentation from the surveyor certifying that the digital copy was created from the same file that was used to plot the original paper copies. The digital copy shall be of a format to the Township's satisfaction. The paper copy shall be circulated to the Township for review prior to registration.
- Compliance with all bylaws, including, but not limited to zoning, site plan and property standards.
- The severed parcel shall be subject to Section 50(3) of the Planning Act.
- The solicitor for the owner of the lot to which the severed parcel is to be added shall provide an undertaking to make an application for consolidation within thirty days following registration of the deed for the resulting enlarged parcel, and to provide the Township with documentation which demonstrates that the consolidation has taken place.
- That all conditions of consent be fulfilled within one year of the date of notice of decision where failure to do so will cause the application to be null and void.

**REASON:** Conforms to the Township's Official Plan with the proposed conditions.

**CERTIFICATION**  
**(The Planning Act, R.S.O. 1990 c. p. 13 s. 45 (10))**

I, **Tracey Atkinson**, Clerk of the Township of Mulmur, hereby certify that the above is a true copy of the decision of the Committee of Adjustment for the Township of Mulmur with respect to the application recorded herein.

.....  
Tracey Atkinson, Clerk, Township of Mulmur

The last date that this decision may be appealed to the Ontario Land Tribunal is \_\_\_\_\_, 2021.

**NOTICE OF LAST DAY OF APPEALING TO THE ONTARIO LAND TRIBUNAL (OLT)**

The applicant, the Minister, or any other person who has an interest in this matter may, within twenty (20) days of the date of this notice, appeal to the Ontario Land Tribunal against the decision of the Committee by serving personally or sending by registered mail to the Secretary-Treasurer of the Committee a Notice of Appeal along with Appellant Form (A1) available from the Township office or from the OLT website at [www.elto.gov.on.ca](http://www.elto.gov.on.ca) setting out the objection to the decision and the reasons for the objection and accompanied by the fee of \$300.00 payable by certified cheque or money order to the MINISTER OF FINANCE as prescribed by the Ontario Land Tribunal as payable on an appeal from a Committee of Adjustment to the Board.

Tracey Atkinson, Clerk  
Telephone: (705) 466-3341 Ext 222  
[tatkinson@mulmur.ca](mailto:tatkinson@mulmur.ca)

Date of Mailing: July \_\_\_\_\_, 2021  
Last day to appeal to OLT: August \_\_\_\_, 2021



**CORPORATION OF THE TOWNSHIP OF MULMUR**  
**NOTICE OF COMPLETE APPLICATION & PUBLIC MEETING**  
**B8-2021 CLARK**

Township of Mulmur Committee of Adjustment will hold a public meeting under section 53 (5) of the *Planning Act, R.S.O. 1990 c.P.13, as amended*.

**This meeting is being conducted by means of Electronic Participation by a majority of members, as permitted by Section 238 (3.3) of the Municipal Act, 2001, as amended. USING VIDEO AND/OR AUDIO CONFERENCING.**

To connect only by phone, please dial any of the following numbers. When prompted, please enter the meeting ID provided below the phone numbers. You will be placed into the meeting in muted mode. If you encounter difficulty, please call the front desk at 705-466-3341, ext. 0

+1 647 374 4685 Canada  
+1 647 558 0588 Canada  
+1 778 907 2071 Canada  
+1 438 809 7799 Canada  
+1 587 328 1099 Canada

Meeting ID: 846 0224 8258

To connect to video with a computer, smart phone or digital device and with either digital audio or separate phone line, download the zoom application ahead of time and enter the digital address below into your search engine or follow the link below. Enter the meeting ID when prompted.

<https://us02web.zoom.us/j/84602248258>

Meeting ID: 846 0224 8258

The meeting is being held to consider an application for Consent which has been submitted. The following are the particulars:

**MEETING DATE AND TIME:** July 21, 2021 at 9:30am

**APPLICATION NUMBER:** B8-2021

**OWNER/APPLICANT:** 1066886 Ontario Inc c/o John Clark

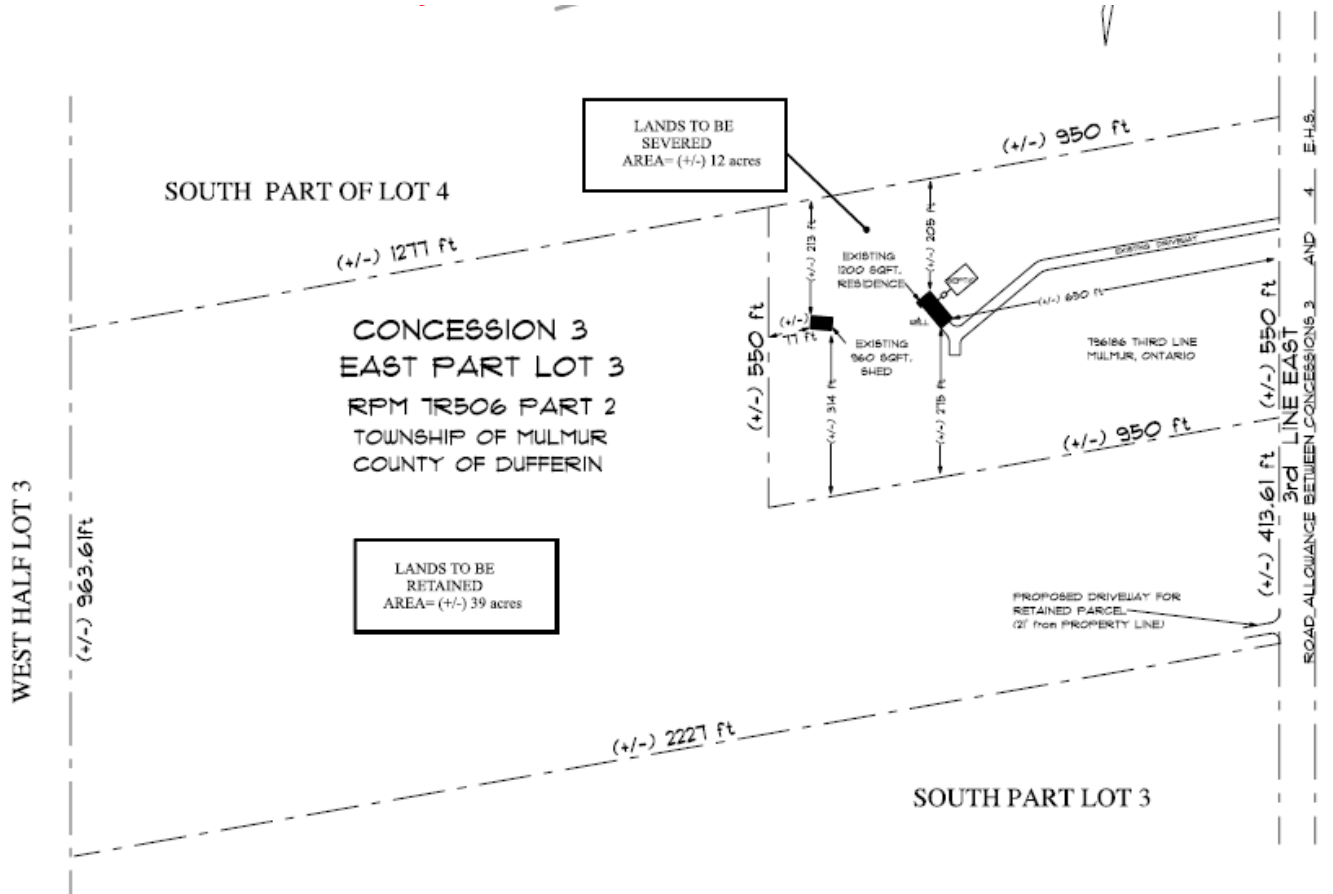
**LOCATION:** CON 3 E E PT LOT 3 RP 7R506 PART 2

**PURPOSE:** The application proposes to sever a +/- 4.8 ha (12 acre) lot containing an existing house and shed. The retained lot is proposed to be 15.4 ha (38.2 acres) in size and comprises vacant woodlands (Natural Heritage System and Earth Science ANSI).

Additional information is available for public inspection by request. If you require additional information on this application, it may also be obtained by contacting the CAO/Planner, Tracey Atkinson, 705 466 3341 X222 or by email: [takinson@mulmur.ca](mailto:takinson@mulmur.ca) during regular office hours.

**NOTE:** If a person or public body that files an appeal of a decision of the Township of Mulmur Committee of Adjustment in respect of the proposed consent does not make written submissions to the Township of Mulmur Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal may dismiss the appeal. If you wish to be notified of the decision of the Township of Mulmur Committee of Adjustment in respect of the proposed consent, you must make a written request to the Township of Mulmur Committee of Adjustment.

**See Map for illustration purposes only. This is not a plan of survey. A digital version is available by email.**



Dated May 25, 2021



# COMMITTEE OF ADJUSTMENT PUBLIC MEETING 1066886 ONTARIO INC. (JOHN CLARK)

796186 3<sup>rd</sup> Line, Township of Mulmur  
CON 3 EE PT LOT 3 RP 7R506 PART 2

B8-2021 CLARK

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July 21, 2021 Committee of Adjustment Public Meeting



LOFT PLANNING<sup>156</sup>



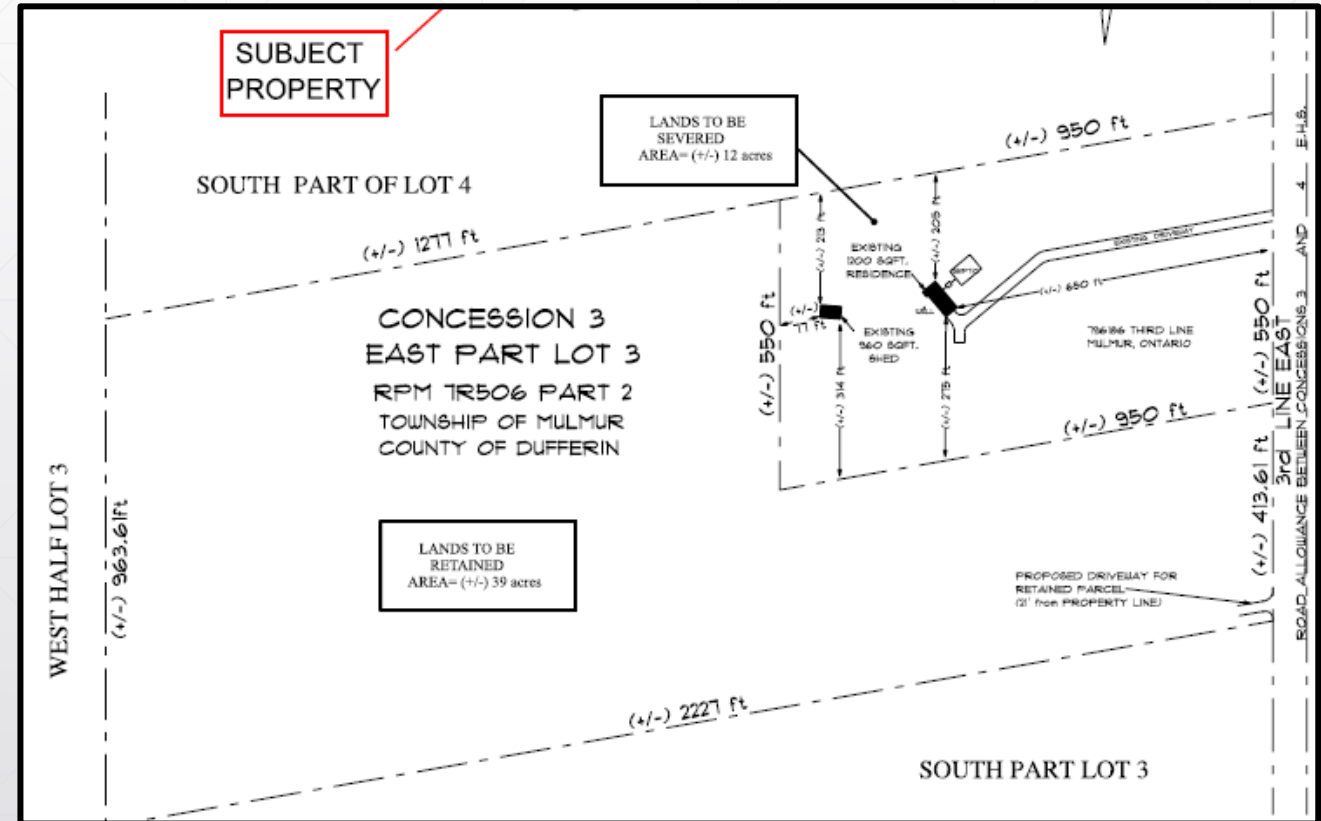
# Site Location: 796186 3<sup>rd</sup> Line East, Township of Mulmur

- The property is located on the west side of the 3rd Line approximately 2 ½ kms north of the intersection of the 3rd Line and Highway 9.
- The Subject Lands are 20 hectares in lot area with a frontage of approximately 300 metres on the 3rd Line.
- The lands are occupied by a single detached residence and a shed with a large woodlot area.
- The property is identified as being part of the Provincial's Natural Heritage System as well as within an Earth Science Area of Natural and Scientific Interest (ANSI).
- The Subject Lands are located within a rural area with a range of rural residential, agricultural and farm related uses as well as environmental areas particularly to the north west
- Surrounding Uses –
  - **North:** Agricultural/Rural Lands, Violet Hill Farm, wedding venue.
  - **West:** Agricultural & Natural Area.
  - **South:** Natural Area & Violet Hill community.
  - **East:** Rural/Agricultural Farms and Rural Residential Lots



# Proposal:

- The Consent application will facilitate the creation of a rural residential lot on rural lands.
- The application proposes to sever a +/- 4.8 ha (12 acre) lot containing an existing house and shed.
- The retained lot is proposed to be 15.4 ha (38.2 acres) in size and comprises vacant woodlands (Natural Heritage System and Earth Science ANSI).
- No impacts are anticipated on ecological features or functions that are associated with the Subject Lands.





# Township of Mulmur Land Use Designation and Zoning

- The Subject Lands are designated as “**Rural**” in the Township of Mulmur Official Plan.
- The Subject Lands are zoned as “**Countryside**” (A) in the Township of Mulmur Zoning By-law.

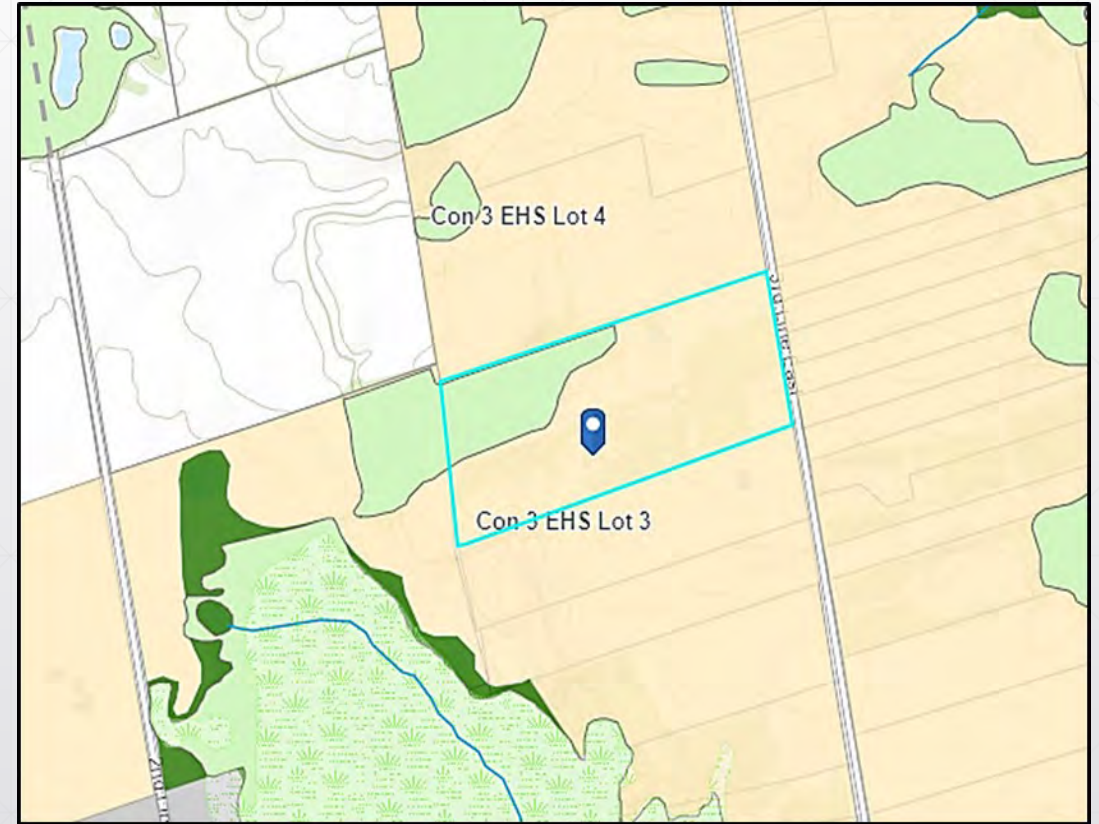
The Consent Application is described as follows:

## A.) Severed Lot:

- will contain the existing house and shed.
- will be approximately 4.8 ha (12 ac)
- will have frontage of approximately 168 m (550 ft) on the 3rd Line.

## B.) Retained Lot:

- will be 15.4 ha (38.2 ac) in size with a
  - Will have frontage of approximately 137 m (450 ft) on the 3rd Line.
  - The proposed retained lot comprises vacant woodlands.
- Both lots meet the zone regulations of the Countryside (A) Zone



TOWNSHIP OF MULMUR MUNICIPAL ZONING BY-LAW MAP

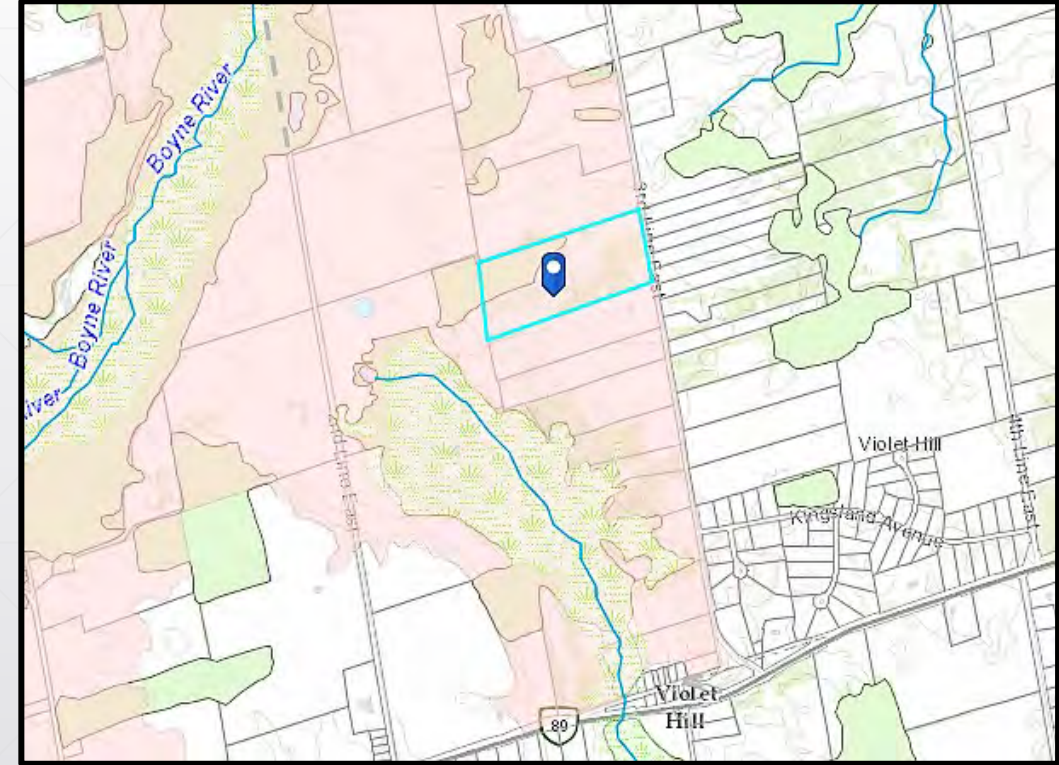
# Environmental Impact Study (EIS)- Azimuth Environmental Consulting

- An Environmental Impact Study (EIS) was completed due to the identification with the Province's Natural Heritage System and the ANSI (Earth Sciences).
- Azimuth Environmental Consulting was retained to undertake an EIS to assess the potential impact to environmental features from future development of a new residential dwelling and ancillary structure.

The findings of the EIS are summarized as follows:

- The environmental conditions are not limiting to the proposed development.
- No negative impacts are anticipated to the habitat of any documented Species at Risk nor the ecological function of Candidate Significant Woodlands, Wildlife Habitat or ANSI provided suggested mitigation measures are implemented.
- The application conforms to the applicable environmental policies.

Mitigation measures included a setback of 30 m from the woodland and timing of tree clearing.





# CONCLUSION

- The proposed development is consistent with the Provincial Policy Statement.
- The proposed development conforms to the Growth Plan.
- The proposed development conforms to the Township of Mulmur Official Plan.
- The proposed application complies with the Township of Mulmur Zoning By-law Amendment, as amended.



## LOFT PLANNING

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### TRANSMITTAL

**DATE:** May 13 2021      **PAGES:** Submission      **LPI FILE NO:** CLA.50321  
**TO:** Tracey Atkinson, Township of Mulmur  
**FROM:** Kristine Loft, MCIP RPP, Loft Planning Inc.  
**SUBJECT:** Application for Consent (1066886 ONTARIO INC)  
796186 3<sup>RD</sup> Line, Township of Mulmur

---

Tracey,

Please find enclosed an Application for Consent pertaining to the aforementioned lands, including the applicable fees and supporting documents.

Should you have any questions regarding these applications, please do not hesitate to contact us at 705.446.1168.

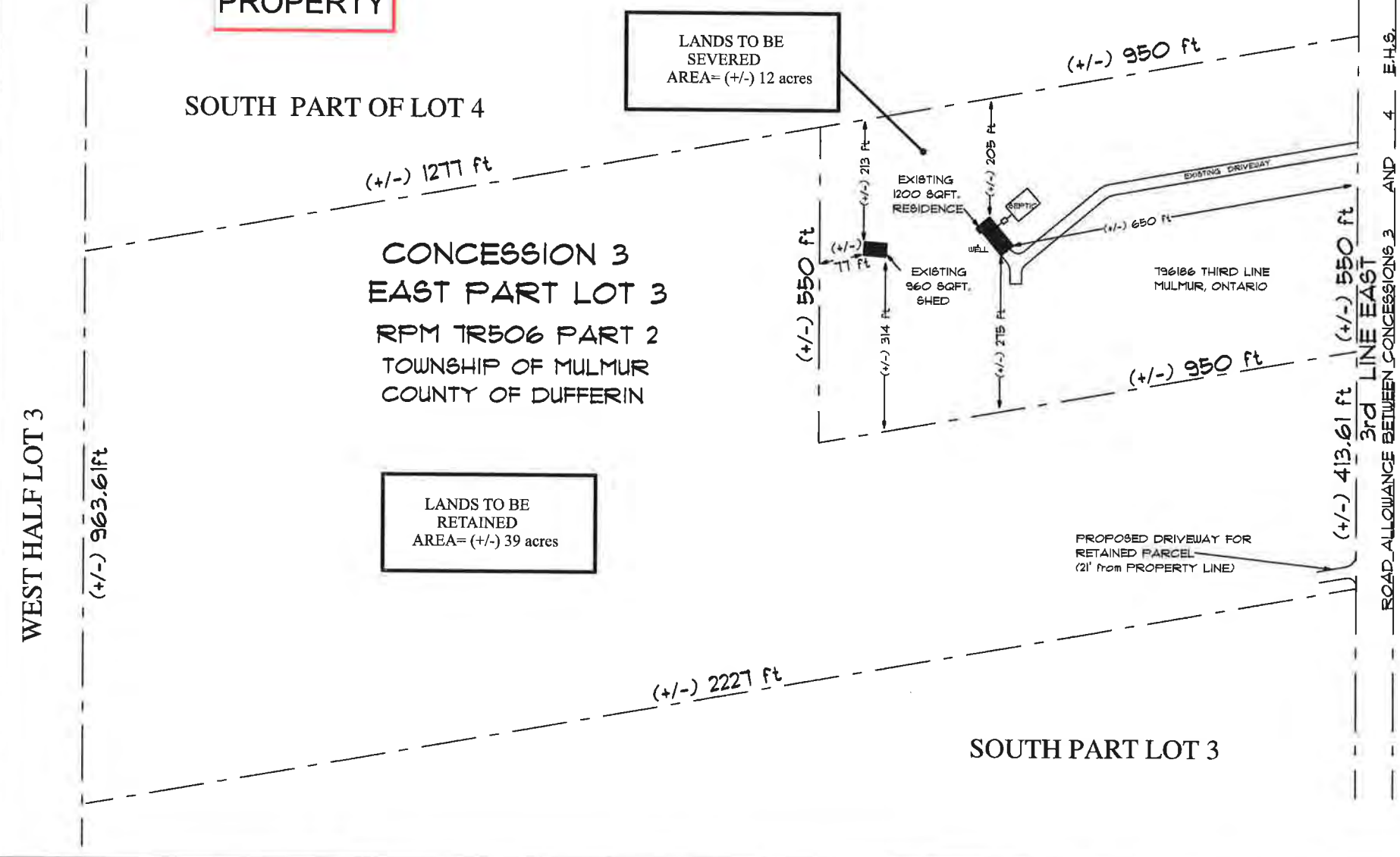
Your truly,

Kristine Loft  
Loft Planning Inc.  
kristine@loftplanning.com

# KEY MAP



**SUBJECT PROPERTY**



MUNICIPAL ZONING SUMMARY			
PROJECT: John Clark Severance (Lands Severed)			DATE: April 16, 2021
LOCATION: 796186 Third Line, Mulmur, Ontario			
LEGAL DESCRIPTION: Part 1 of LOT 3, Concession 3, E.H.S.			
ZONING SUMMARY FOR:		TOWNSHIP OF MULMUR	ZONING: (A)
ROW	REGULATION	REQUIRED (m/ft)	PROPOSED (m/ft) COMPLIANCE
1	MIN. LOT AREA	2 ha / 5 acres	4.89ha / 12 acres ✓ YES NO
2	MIN. LOT FRONTAGE	100m / 328ft	167.6m / 550ft ✓ YES NO
3	MIN. FRONT YARD SETBACK	20m / 65.6ft	198m / 650ft ✓ YES NO
4	MIN. REAR YARD SETBACK	10m / 32.8ft	23.5m / 77ft ✓ YES NO
5	MIN. EXT. SIDE YARD SETBACK	20m / 65.6ft	N/A / N/A ✓ YES NO
6	MIN. INT. SIDE YARD SIDE A	10m / 32.8ft	62.5m / 205ft ✓ YES NO
	SETBACK AND SIDE B	10m / 32.8ft	83.8m / 275ft ✓ YES NO
7	MIN. GROSS FLOOR AREA	m <sup>2</sup> / unit sqft	sqft / sqft ✓ YES NO
8	MAX. WALL AREA BELOW GRDE	m <sup>2</sup> 0% sqft	m <sup>2</sup> % sqft ✓ YES NO
9	MAX. LOT COVERAGE	15932m <sup>2</sup> 10% 52272ft	0.4% / 0.4% ✓ YES NO
10	MAX. BUILDING HGHT	10.5m / 34.5ft	7.9m / 26ft ✓ YES NO
11	MAX. DENSITY <	1 UNIT	m <sup>2</sup> / sqft ✓ YES NO
12	MIN. PARKING SPACES #'S	3 per Unit	5 per Unit ✓ YES NO
	Sizing	3x6m / 10x20ft	3x6m / 10x20ft ✓ YES NO
	Front Yard Coverage	m 0% sqft	% sqft ✓ YES NO
13	MIN. LANDSCAPE OPEN SPACE	N/A	N/A ✓ YES NO

\* MIN. SETACKS RELATE TO STRUCTURES CLOSEST TO EXISTING/PROPOSED PROPERTY LINES

MUNICIPAL ZONING SUMMARY			
PROJECT: John Clark Severance (Lands Retained)			DATE: April 16, 2021
LOCATION: 796186 Third Line, Mulmur, Ontario			
LEGAL DESCRIPTION: Part 1 of LOT 3, Concession 3, E.H.S.			
ZONING SUMMARY FOR:		TOWNSHIP OF MULMUR	ZONING: (A)
ROW	REGULATION	REQUIRED (m/ft)	PROPOSED (m/ft) COMPLIANCE
1	MIN. LOT AREA	2 ha / 5 acres	15.6ha / 39 ✓ YES NO
2	MIN. LOT FRONTAGE	100m / 328ft	126.1m / 413.61ft ✓ YES NO
3	MIN. FRONT YARD SETBACK	30m / 100ft	N/A / N/A ✓ YES NO
4	MIN. REAR YARD SETBACK	20m / 65.6ft	N/A / N/A ✓ YES NO
5	MIN. EXT. SIDE YARD SETBACK	30m / 100ft	N/A / N/A ✓ YES NO
6	MIN. INT. SIDE YARD SIDE A	20m / 65.6ft	N/A / N/A ✓ YES NO
	SETBACK AND SIDE B	20m / 65.6ft	N/A / N/A ✓ YES NO
7	MIN. GROSS FLOOR AREA	m <sup>2</sup> / unit sqft	N/A / N/A ✓ YES NO
8	MAX. WALL AREA BELOW GRDE	m <sup>2</sup> 0% sqft	N/A % N/A ✓ YES NO
9	MAX. LOT COVERAGE	15932m <sup>2</sup> 5% 52272ft	N/A / N/A ✓ YES NO
10	MAX. BUILDING HGHT	10.5m / 34.5ft	N/A / N/A ✓ YES NO
11	MAX. DENSITY <	1 UNIT	N/A / N/A ✓ YES NO
12	MIN. PARKING SPACES #'S	3 per Unit	N/A / N/A ✓ YES NO
	Sizing	3x6m / 10x20ft	N/A / N/A ✓ YES NO
	Front Yard Coverage	m 0% sqft	N/A % N/A ✓ YES NO
13	MIN. LANDSCAPE OPEN SPACE	N/A	N/A ✓ YES NO



- NOTES:
1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED AS SUCH
  2. SUBJECT LANDS ARE ZONED COUNTRYSIDE (A)
  3. DISTANCES ON THIS PLAN ARE SHOWN IN FEET AND CAN BE CONVERTED TO METRES BY DIVIDING BY 3.281
  4. DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY
  5. SEE ATTACHED FOR ENVIRONMENTAL IMPACTS ON PROPOSED PROPERTIES

CLARK RESIDENCE  
79186 THIRD LINE EAST, MULMUR, ON.  
**SEVERANCE PROPOSAL**

## SEVERANCE SKETCH

**NOTES:**

1. THE CONTRACTOR SHALL CHECK ALL DIMENSIONS OF THE WORK AND SHALL REPORT DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH SAID WORK
2. WRITTEN DIMENSIONS SHALL GOVERN WHERE THEY DIFFER FROM SCALED MEASUREMENTS. THE DESIGNER ACCEPTS NO RESPONSIBILITY FOR MEASUREMENTS SCALED FROM THE DRAWINGS.
3. ALL CONSTRUCTION WORK TO CONFORM TO THE MOST RECENT O.B.C.
4. VENTILATION AND AIR EXCHANGE TO COMPLY WITH O.B.C. 9.32 REFER TO HEAT LOSS/HEAT GAIN CALC. AND MECH. PLAN ATTACHED TO DRAWING (if applicable)

**CHRITAN LIMITED**  
DESIGN / BUILD  
RR#1 CONN, ONTARIO,  
CANADA, N0G 1N0  
TEL: (519) 323-4192 FAX: (519) 323-4192



DESIGNED BY: D. J. G. GLERUM  
SCIN 2471 B. TECH. (ARCH)  
DRAWN BY: DJCG  
CHECKED BY: DJCG  
DATE: APRIL 2021  
SCALE: AS NOTED  
PROJECT NO.: 2104

**S1**





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May 13, 2021

Ms. Tracey Atkinson,  
CAO/Planner  
Township of Mulmur  
758070 2<sup>nd</sup> Line East  
Mulmur, Ontario  
L9V 0G8

Dear Ms. Atkinson:

**RE: Planning Justification Letter - Proposed Consent  
796186 3<sup>rd</sup> Line, Mulmur  
Client: 1066886 ONTARIO INC. (c/o John Clark)  
LPI No: P.50321**

---

We have been retained by 1066886 ONTARIO INC. (c/o John Clark) to act as planners for a proposed consent application that will facilitate the creation of a rural residential lot on the aforementioned lands. This Planning Justification Letter is being submitted as part of a complete application in support of the planning applications.

## 1.0 Background

### 1.1 Location and Site Description

The Subject Lands are legally described as CON 3 E E PT LOT 3 RP 7R506, PART 2; TOWNSHIP OF MULMUR, COUNTY OF DUFFERIN and municipally as 796186 3<sup>rd</sup> Line, Mulmur (Figure 1 – Location). The property is located on the west side of the 3<sup>rd</sup> Line approximately 2 ½ kms north of the intersection of the 3<sup>rd</sup> Line and Highway 9.

The Subject Lands are 20 hectares in lot area with a frontage of approximately 300 metres on the 3<sup>rd</sup> Line. The lands are occupied by a single detached residence and a shed with a large woodlot area. The property is identified as being part of the the Provincial's Natural Heritage System as well as within an Earth Science Area of Natural and Scientific Interest (ANSI).

### 1.2 Description of Surrounding Area

The Subject Lands are located within a rural area with a range of scattered residential, agricultural and farm related uses as well as environmental areas particularly to the north west.

Existing and surrounding land uses are described as follows:

- **North:** Agricultural/Rural Lands, Violet Hill Farm, a wedding venue.
- **East:** Rural/Agricultural Farms and Rural Residential Lots.
- **South:** Natural Area & Violet Hill community.
- **West:** Agricultural/Rural & Natural Area.





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The Niagara Escarpment abuts the northwest corner of the Subject Lands which extends to the west north and the property is identified as being within the Violet Hill Channel – Boyne Valley Area of Natural and Scientific Interest (Earth Science). A large extractive area is located to the southwest of the Subject Lands on the north side of Highway 89.

### 2.0 Purpose of the Application

This Planning Justification Report has been prepared in support of a consent application to create a rural residential lot. The Subject Lands are designated as "Rural" in the Township of Mulmur Official Plan and zoned as "Countryside" (A) in the Township of Mulmur Zoning By-law. The consent application is described as follows:

1. **The Severed Lot** – The severed lot will contain the existing house and shed. It will be approximately 4.8 ha (12 ac) in size with a frontage of approximately 168 m (550 ft) on the 3<sup>rd</sup> Line.
2. **The Retained Lot** – The Retained Lot is proposed to be 15.4 ha (38.2 ac) in size with a frontage of approximately 137 m (450 ft) on the 3<sup>rd</sup> Line. The proposed retained lot comprises vacant, woodlands.

Both lots meet the zone regulations of the Countryside (A) Zone. (Figure 2 – Consent Sketch (prepared by Chritan Limited))

### 3.0 Supporting Studies – Environmental Impact Study

An Environmental Impact Study (EIS) was requested as part of the complete submission due to the identification with the Province's Natural Heritage System and the ANSI (Earth Sciences). Accordingly, Azimuth Environmental Consulting was retained to undertake an EIS to assess the potential impact to environmental features from future development of a new residential dwelling and ancillary structure.

The findings of the EIS are summarized as follows:

- The environmental conditions are not limiting to the proposed development.
- No negative impacts are anticipated to the habitat of any documented Species at Risk nor the ecological function of Candidate Significant Woodlands, Wildlife Habitat or ANSI provided suggested mitigation measures are implemented.
- The application conforms to the applicable environmental policies.

Mitigation measures included a setback of 30 m from the woodland and timing of tree clearing which will be implemented as part of any future development.



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### 4.0 Policy Analysis

A review of planning documents must be undertaken to determine conformity of the Consent applications to the Planning Act as well as the relevant planning documents. Our review of the application based on the applicable planning policies made the following conclusions:

- 1. The Application has Regard for Matters of Provincial Interest (Section 2) of the Planning Act, 1990.** The Application will facilitate the creation of a rural residential lot on rural lands in an area already well developed with scattered rural residential lots along the east side of the 3<sup>rd</sup> Line. No impacts are anticipated on ecological features or functions that are associated with the Subject Lands.
- 2. The Applications are consistent with the Provincial Policy Statement 2020.** The relevant provincial policies permit single detached dwellings on Rural Lands.
- 3. The Applications conforms to the County of Dufferin and the Township of Mulmur Official Plans.** The Dufferin County Official Plan and the Township of Mulmur Official Plan both permit rural residential uses in the rural area and the proposed consent appropriately addresses the consent policies that guide lot creation on the Subject Lands.
- 4. The Applications conform to the intent of the Township of Mulmur Zoning By-law.** Rural Residential uses are permitted in the Countryside Zone and the proposed lots meet the Countryside Zone regulations.

A detailed review of the applicable planning documents is provided in the following sections.

#### 4.1 Planning Act

The Planning Act must be considered when reviewing development applications. Sections 2 (Provincial Interest), Section 3 (Provincial Plans) and Section 53 (Consents) of the Planning Act apply to the Consent and Zoning By-law Amendment applications as follows:

- **Section 2** of the Planning Act requires consideration of matters of provincial interest which includes the protection of ecological systems, the conservation of features of scientific interest and the appropriate location of growth and development.
  - ✓ The Subject Lands are located on Rural Lands within the Township of Mulmur on which rural residential uses are permitted.
  - ✓ The proposed lots reflect other land parcels and uses along the 3<sup>rd</sup> Line.
  - ✓ An EIS was undertaken to evaluate the potential impact of proposed works on natural heritage features and functions associated with the Subject Lands, concluding that no impacts are anticipated.
- **Section 3 (5) (a)** of the Planning Act requires that planning decisions be consistent with policy statements and conform to provincial plans that are issued under the Act.
  - ✓ The Provincial Policy Statement (PPS) 2020 applies to the applications and is addressed in following sections.



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- **Section 53** of the Planning Act permits land division through consent provided a plan of subdivision is not appropriate.
  - ✓ A consent is appropriate given that one lot will be created.

**Conclusion:** The proposed Consent meets the requirements of the Planning Act RSO.

### 4.2 Provincial Policy Statement (PPS)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS promotes appropriate development while protecting resources, public health and safety and the quality of the natural and built environment. Policies that guide growth and development in Rural Areas are provided in Sections 1.1.4 and 1.1.5. The Subject Property is considered Rural Lands in the context of the PPS.

- **Section 1.1.4** supports rural areas by building upon rural character, promoting regeneration, accommodating a range and mix of housing in rural settlement areas, encouraging the conservation and redevelopment of existing rural housing stock on rural lands and using infrastructure and public service facilities efficiently. Growth and development may be directed to Rural Lands in accordance with policy 1.1.5.
- **Section 1.1.5** permits residential development, including lot creation, that is locally appropriate on Rural Lands. Development that is compatible with the rural landscape and can be sustained by rural service levels is promoted and lot creation must comply with the MDS Formulae.

The proposed new lot that will be created through the consent application is of a similar configuration to other lots along the 3<sup>rd</sup> Line in this area. The severed lot will comprise the existing single detached house and shed and the retained lot comprises a large, vacant wooded lot. Both the retained and severed lot will be privately serviced. The retained parcel will be a vacant lot with an available building envelope.

Finally, Section 2.0 of the PPS provides policies for the Wise Use and Management of Resources which are relevant to the proposed applications given the location within an Area of Natural and Scientific Interest (Earth Sciences).

- **Section 2.1 of the PPS** does not permit development and site alteration in significant features or on adjacent lands to natural heritage features and areas unless it has been demonstrated no negative impacts on the natural features or their ecological functions.
  - ✓ The Environmental Impact Study undertaken in support to the applications identified the natural heritage features associated with the Subject Lands. The EIS concluded no negative impacts to the Candidate Significant Woodland, Candidate Significant Wildlife Habitat and Earth Science ANSI associated with the property and adjacent lands.

**Conclusion:** The proposed Consent is consistent with the Provincial Policy Statement 2020.



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### 4.3 Growth Plan for the Greater Golden Horseshoe (PPS)

The Subject Lands are located within the Greater Golden Horseshoe Growth Plan Area and are identified as part of the Growth Plan's Natural Heritage System. The Growth Plan provides policy direction on where and how growth should occur in Section 2.0 and provides policies to protect important hydrologic and natural heritage features and areas in Section 4.0.

Section 1.0 of the Growth Plan does not specifically address the creation of a single lot in a rural area. The Growth Plan promotes the development of complete communities, directing the majority of growth and development to settlement areas where it can be efficiently serviced. Section 4.2 of the Growth Plan provides policies for the Natural Heritage System which requires that new development or site alteration must demonstrate no negative impacts on key natural heritage features. As described, the EIS confirmed that no negative impacts are expected on any associated natural heritage features.

**Conclusion:** The proposed Consent conforms to the Growth Plan for the Greater Golden Horseshoe.

### 4.4 County of Dufferin Official Plan

The Subject Lands are designated as "Countryside Areas" (Section 4) and identified as "Rural Lands" (Section 4.3). Woodlands have been identified on Schedule E and E1 of the County's Official Plan as part of the County's Preliminary Natural Heritage System (Section 5.3.4). The property also is subject to the policies within 5.3.3 which address Areas of Natural and Scientific Interest and policies that address properties with areas of steep slopes (Section 6.2.1). A summary of the relevant policies are as follows:

- **Countryside Areas** encompass the lands outside of settlement areas and include prime agricultural areas, rural lands, natural heritage features and natural resource areas. Like the PPS, growth generally is directed to settlement areas and County policies emphasize maintaining and building upon the rural character, leveraging of rural amenities, and protecting and enhancing the natural environment (Section 4.1). Growth and development may be accommodated on Rural Lands in accordance with the policies in Section 4.3.
- **Rural Lands** are comprised of lands outside of settlement areas that are not prime agricultural lands. Residential development of up to three lots is permitted and must be compatible with the rural landscape and sustained on rural service levels which generally is private services (Section 4.3). All development must comply with the MDS Formulae.
- Development and site alteration are not permitted within or adjacent to **Significant Woodlands** (Section 5.3.4) unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions through the preparation of an EIS.
- Development and site alteration also are not permitted within or adjacent to an **Areas of Natural and Scientific Interest (ANSI)** unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions through the preparation of an EIS.





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- Generally, development is directed away from areas of natural hazards including **steep slopes** (Section 6.2.1).
- **Consents** must be in accordance with policies the local and County Official Plans as well as provincial policy (Section 8.6.4)

An EIS was undertaken which assessed the potential direct and indirect impacts of proposed works on the natural heritage features and functions identified on the Subject Lands and on adjacent lands. The EIS concluded that no impacts are anticipated on any associated natural heritage features or functions, nor on landform features related to the Earth Sciences ANSI and confirmed that the environmental conditions are not limiting to the proposed development. The severed and retained lots are similarly sized to other lots along this stretch of the 3<sup>rd</sup> Line and are reflective of the rural landscape in this area and both can be supported based on the available rural services. Lastly, no MDS concerns have been identified.

**Conclusion:** The proposed Consent conforms to the County of Dufferin Official Plan.

### 4.5 Township of Mulmur Official Plan

The Subject Lands are designated as Rural in the Township of Mulmur Official Plan (Figure 3 – Official Plan) and have several identified features including a significant wooded area of 10 ha, a wetland bordering the property to the southwest and an Earth Sciences ANSI across the property. Several relevant policies apply to the applications in addition to consent policies which guide the creation of new lots.

- **Section 5.8** provides land use policies for the Rural Areas of the Township which permits uses and activities related to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses. A range of uses are permitted including single detached residences (Section 6.2.3) Development must be appropriate to the available infrastructure, sustained on rural service levels and compatible with the rural landscape, and new uses must meet the MDS Formulae.
  - ✓ The new, additional lot can be supported based on the rural infrastructure and is compatible with adjacent development. The proposed lot configuration is in keeping with other lots along the 3<sup>rd</sup> Line. No MDS concerns have been identified. (Figure 5 – MDS Calculations)
- **Section 5.18** protects wetlands and significant natural features and areas from development and site alteration which could threaten the health or integrity of these features. Development is not permitted within or adjacent to these features unless the ecological function of the feature or the adjacent lands has been evaluated and there will be no negative impacts.
- **A Category 2 Natural Feature** was identified across the Subject Lands which recognizes the Earth Sciences ANSI across the property. Category Two natural features may be capable of sustaining some development and site alteration.
- A wooded area over 10 ha is identified on the northwest corner of the Subject Lands. Development or site alteration is not permitted within or adjacent (120 m) to the feature unless



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it has been demonstrated through an EIS that there will be no negative impacts on the feature or its ecological function (**Sections 5.20.1**).

✓ The EIS evaluated the potential impact on both the natural heritage and landform features associated with the Subject Lands and identified no potential negative impacts due to the proposed works.

- **Section 5.23** requires that prior to the submission of an application for development within an ANSI, consultation with the ministry of Natural Resources must be undertaken.
  - ✓ The Ministry of Natural Resources advised that they do not comment on site specific development applications.
- **Section 5.35** provides general Development Criteria that apply to development in the Township including the following applicable criteria:
  - The site can support the use without a significant negative impact on natural resources and features and the cultural and archaeological heritage resources on the site, or the scenic resources and character of the rural area;
  - The cumulative impact of development does not result in unacceptable impacts on the above resources and features;
  - The development is not out of character, but rather is in keeping with or contributes positively to the existing built environment;
  - The site is not considered hazardous to life or property due to the presence of natural hazards such as unstable soil conditions or possible flooding, or human-made hazards such as pollution;
  - Development meets all other applicable federal, provincial and municipal requirements, including health and safety, and servicing requirements and emission standards; and,
  - Development does not result in the potential for predictable and significant land use conflicts, including conflicts with agricultural, extractive industrial and industrial operations.

The Development Criteria under Section 5.35 generally are more applicable to a larger development application. Nevertheless, the criteria have been considered through this report and through the EIS that also has been submitted with this application. The review of the proposed Consent concludes that the application is appropriate, and the lands can support the development with minimal impacts on natural features nor adjacent uses. The proposed lots are similar to other lots in the area and are large with buildings set back from the 3<sup>rd</sup> Line. The proposed rural residential lots will contribute positively to the rural atmosphere in this area and are considered compatible with surrounding uses.

- **Lot Creation policies** that apply to the Subject Lands includes general policies in Section 5.36 as well as Section 5.26 that are specific to lot creation on rural lands. The proposed consent satisfies the applicable lot creation policies as follows:
  - i. No more than 3 lots/or units are permitted outside of settlement areas unless prior approval and a maximum of three lots per original township lot.
    - ✓ Only 1 new lot will be created on a 50 acre parcel of land.





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L9Y 3Z5

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kristine@loftplanning.com  
loftplanning.com

- ii. Size and configuration of new lots will be subject to applicable requirements of relevant planning documents. Variations in size and configuration are encouraged, and consideration of physical and environmental must be undertaken to ensure building envelopes that create development which is compatible with natural and rural surroundings.
- iii. Ribbon or strip development generally must be avoided through consideration to the existing lot pattern and cumulative lot pattern to ensure the development pattern remains random.
  - ✓ The proposed lots meet the zone standards that apply to the Subject Lands and reflect the size and configuration of other rural residential lots along the 3<sup>rd</sup> Line.
  - ✓ The EIS reviewed the building envelope and concluded no concerns in regard to compatibility with the natural features.
  - ✓ The proposed lots do not contribute to ribbon or strip development along the west side of the 3<sup>rd</sup> Line. The proposed lots are large with large frontages relative to lots along the east side of the 3<sup>rd</sup> Line, and therefore will present some variety regarding lot structure in this area.
- iv. Frontage onto a public road maintained year-round.
  - ✓ The lots have frontage onto the 3<sup>rd</sup> Line.
- v. Lots which provide natural screening of building envelopes is preferred and screening of development from the road is encouraged.
  - ✓ Both the Retained and the Severed Lots are well treed and the buildings on the Severed Lot are set back from the road and well screened by vegetation.
- vi. New lots shall not be permitted where the development is on lands containing physical constraints to development without the written approval of the Nottawasaga Valley Conservation Authority and the Dufferin County Building Department.
  - ✓ No physical constraints have been identified.
- vii. New lots shall not be permitted where the lot to be severed or retained contains a residence which was permitted or approved as a temporary use (such as a garden suite), second unit, or second residential unit dwelling, or farm help house, or any other detached dwelling.
  - ✓ N/A
- viii. The creation of new lots within or adjacent to the resources and features identified on Schedule B4 (Natural Resources are only permitted in accordance with the policies of this Plan - the SW portion of the property is classified as an "Attractive" NEC View Rating).
  - ✓ The Consent conforms to the policies of the Township of Mulmur Official Plan.
- ix. Lot lines through natural hazard areas or sites that pose a significant safety threat, and through significant natural heritage features or areas shall be avoided.
  - ✓ The EIS confirmed no concerns with the proposed Consent.

**Conclusion:** Conformity to the Township of Mulmur Official Plan has been established.



# LOFT PLANNING

P.O. Box 246, STN MAIN  
Collingwood, Ontario  
L9Y 3Z5

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kristine@loftplanning.com  
loftplanning.com

## 4.6 Township of Mulmur Zoning By-law

The lands are zoned Countryside (A) (Figure 4 – Zoning Bylaw) which permits a range of uses including single detached dwellings, as well as a range of rural, agricultural and agriculturally related uses. The following is a zoning conformity chart for the Countryside Zone:

	Countryside (A) Zone		Severed	Retained
<b>Min. Lot Area</b>	8+ ha	2 – 7.99 ha	15.5 ha	4.9 ha
<b>Min. Lot Frontage</b>	100 m	100 m	167 m	126 m
<b>Min. Front Yard</b>	30 m	20 m	198 m	Vacant
<b>Min. Side Yard (Interior)</b>	20 m	10 m	62 m +	Vacant
<b>Min. Side Yard (Exterior)</b>	30 m	20 m	Not Applicable	Not Applicable
<b>Min. Rear Yard</b>	20 m	10 m	23 m	Vacant
<b>Maximum Height</b>	10.5 m	10.5 m	2 stories	Vacant
<b>Maximum Lot Coverage</b>	5%	10%	0.4%	Vacant

The proposed lots both meet the requirements of the current Countryside (A) zone provisions.

## 5.0 Conclusions

This Planning Letter has been prepared in support of an application for Consent at 796186 3rd Line in the Township of Mulmur. The application is in keeping with the Planning Act RSO 1990, is consistent with the Provincial Policy Statement, 2020, and conforms to the Growth Plan for the Greater Golden Horseshoe, the County of Dufferin Official Plan, the Township of Mulmur Official Plan and the Township of Mulmur Zoning By-law. Furthermore, it is our opinion that the application represents good land use planning.

Yours truly,

Kristine A. Loft BES BAA MCIP RPP  
Principal

Attached:

- Figure 1 – Location
- Figure 2 – Consent Sketch
- Figure 3 – Official Plan
- Figure 4 – Zoning By-law
- Figure 5 – MDS Calculations



Figure 1  
LOCATION

Planner-Agent:



**LOFT PLANNING**

Municipal #: -----

Project #: CLA. 50321

Date: May 13 2021

Scale: Not to scale



# KEY MAP



**SUBJECT PROPERTY**

**LANDS TO BE SEVERED**  
AREA= (+/-) 12 acres

SOUTH PART OF LOT 4

**CONCESSION 3**  
**EAST PART LOT 3**  
RPM TR506 PART 2  
TOWNSHIP OF MULMUR  
COUNTY OF DUFFERIN

**LANDS TO BE RETAINED**  
AREA= (+/-) 39 acres

WEST HALF LOT 3

(+/-) 963.6 ft

(+/-) 1277 ft

(+/-) 550 ft

(+/-) 950 ft

(+/-) 213 ft

(+/-) 205 ft

(+/-) 650 ft

(+/-) 11 ft

(+/-) 314 ft

(+/-) 275 ft

(+/-) 950 ft

(+/-) 550 ft

3RD LINE EAST

ROAD ALLOWANCE BETWEEN CONCESSIONS 3 AND 4 E.H.S.

PROPOSED DRIVEWAY FOR RETAINED PARCEL  
(2' from PROPERTY LINE)

SOUTH PART LOT 3

(+/-) 2227 ft



MUNICIPAL ZONING SUMMARY				
PROJECT: John Clark Severance (Lands Severed)				DATE: April 16, 2021
LOCATION: 796186 Third Line, Mulmur, Ontario				
LEGAL DESCRIPTION: Part 1 of LOT 3, Concession 3, E.H.S.				
ZONING SUMMARY FOR: TOWNSHIP OF MULMUR			ZONING: (A)	
ROW	REGULATION	REQUIRED (m/ft)	PROPOSED (m/ft)	COMPLIANCE
1	MIN. LOT AREA	2 ha / 5 acres	4.89ha / 12 acres	✓ YES NO
2	MIN. LOT FRONTAGE	100m / 328ft	167.6m / 550ft	✓ YES NO
3	MIN. FRONT YARD SETBACK	20m / 65.6ft	198m / 650ft	✓ YES NO
4	MIN. REAR YARD SETBACK	10m / 32.8ft	23.5m / 77ft	✓ YES NO
5	MIN. EXT. SIDE YARD SETBACK	20m / 65.6ft	N/A / N/A	✓ YES NO
6	MIN. INT. SIDE YARD SIDE A	10m / 32.8ft	62.5m / 205ft	✓ YES NO
7	MIN. INT. SIDE YARD SIDE B	10m / 32.8ft	83.8m / 275ft	✓ YES NO
8	MIN. GROSS FLOOR AREA	m <sup>2</sup> / unit sqft	sqft / sqft	✓ YES NO
9	MAX. WALL AREA BELOW GRDE	m <sup>2</sup> 0% sqft	m <sup>2</sup> % sqft	✓ YES NO
10	MAX. LOT COVERAGE	15932m <sup>2</sup> 10% 52272ft	0.4% / 0.4%	✓ YES NO
11	MAX. BUILDING HGT	10.5m / 34.5ft	7.9m / 26ft	✓ YES NO
12	MAX. DENSITY < 1 UNIT	m <sup>2</sup> /	sqft /	✓ YES NO
13	MIN. PARKING SPACES #5	3 per Unit	5 per Unit	✓ YES NO
	Sizing	3x6m / 10x20ft	3x6m / 10x20ft	✓ YES NO
	Front Yard Coverage	m 0% sqft	% sqft	✓ YES NO
13	MIN. LANDSCAPE OPEN SPACE	N/A	N/A	✓ YES NO

\* MIN. SETACKS RELATE TO STRUCTURES CLOSEST TO EXISTING/PROPOSED PROPERTY LINES

MUNICIPAL ZONING SUMMARY				
PROJECT: John Clark Severance (Lands Retained)				DATE: April 16, 2021
LOCATION: 796186 Third Line, Mulmur, Ontario				
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1	MIN. LOT AREA	2 ha / 5 acres	15.6ha / 39	✓ YES NO
2	MIN. LOT FRONTAGE	100m / 328ft	126.1m / 413.61ft	✓ YES NO
3	MIN. FRONT YARD SETBACK	30m / 100ft	N/A / N/A	✓ YES NO
4	MIN. REAR YARD SETBACK	20m / 65.6ft	N/A / N/A	✓ YES NO
5	MIN. EXT. SIDE YARD SETBACK	30m / 100ft	N/A / N/A	✓ YES NO
6	MIN. INT. SIDE YARD SIDE A	20m / 65.6ft	N/A / N/A	✓ YES NO
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12	MAX. DENSITY < 1 UNIT	m <sup>2</sup> /	N/A /	✓ YES NO
13	MIN. PARKING SPACES #5	3 per Unit	N/A	✓ YES NO
	Sizing	3x6m / 10x20ft	N/A /	✓ YES NO
	Front Yard Coverage	m 0% sqft	N/A %	✓ YES NO
13	MIN. LANDSCAPE OPEN SPACE	N/A	N/A	✓ YES NO



SCALE 1 : 250

## NOTES:

1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED AS SUCH
2. SUBJECT LANDS ARE ZONED COUNTRYSIDE (A)
3. DISTANCES ON THIS PLAN ARE SHOWN IN FEET AND CAN BE CONVERTED TO METRES BY DIVIDING BY 3.281
4. DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY
5. SEE ATTACHED FOR ENVIRONMENTAL IMPACTS ON PROPOSED PROPERTIES

CLARK RESIDENCE  
79186 THIRD LINE EAST, MULMUR, ON.  
**SEVERANCE PROPOSAL**

# SEVERANCE SKETCH

### NOTES:

1. THE CONTRACTOR SHALL CHECK ALL DIMENSIONS OF THE WORK AND SHALL REPORT DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH SAID WORK.

2. WRITTEN DIMENSIONS SHALL GOVERN WHERE THEY DIFFER FROM SCALED MEASUREMENTS. THE DESIGNER ACCEPTS NO RESPONSIBILITY FOR MEASUREMENTS SCALED FROM THE DRAWINGS.

3. ALL CONSTRUCTION WORK TO CONFORM TO THE MOST RECENT O.B.C.

4. VENTILATION AND AIR EXCHANGE TO COMPLY WITH O.B.C. 9.33 REFER TO HEAT LOSS/HEAT GAIN CALC. AND MECH. PLAN ATTACHED TO DRAWING (if applicable)



**CHRITAN LIMITED**

DESIGN / BUILD

RR#1 CONN. ONTARIO,  
CANADA, N0G 1N0

TEL: (519) 325-4182 FAX: (519) 325-4182



DESIGNED BY:  
D.J.C. CHRISTIAN GLERUM,  
BCIN 24211, B. TECH. (ARCH)

DRAWN BY: DJCG  
CHECKED BY: DJCG

DATE: APRIL 2021  
SCALE: AS NOTED

PROJECT NO.: 2104

**51**



Figure 3  
OFFICIAL PLAN - TOWNSHIP OF MULMUR

Planner-Agent:



LOFT PLANNING

Municipal #: -----

Project #: CLA. 50321

Date: May 13 2021

Scale: Not to scale



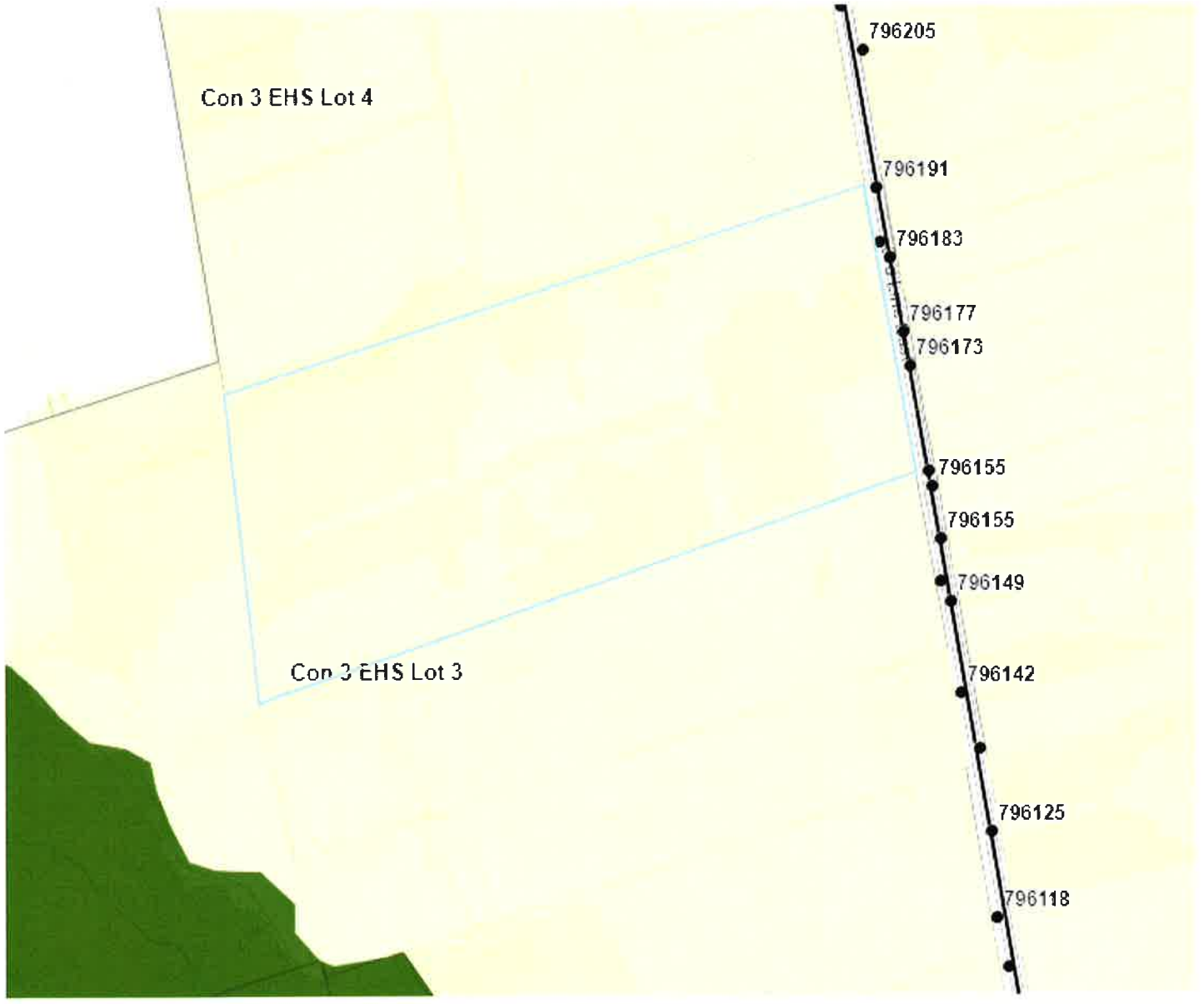


Figure 4  
ZONING BYLAW - TOWNSHIP OF MULMUR

Planner-Agent:



LOFT PLANNING

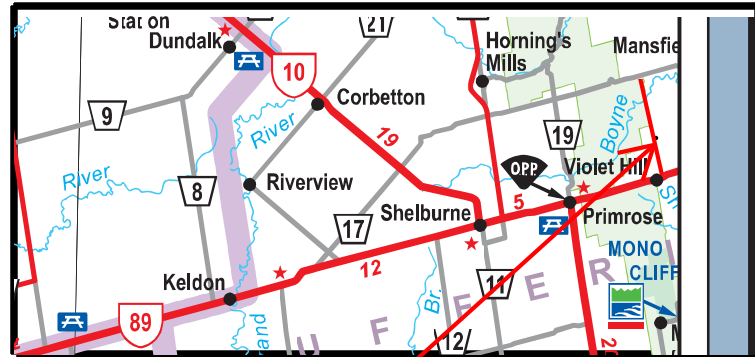
Municipal #: -----

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Date: May 13 2021

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# KEY MAP



**SUBJECT PROPERTY**

LANDS TO BE SEVERED  
AREA= (+/-) 12 acres

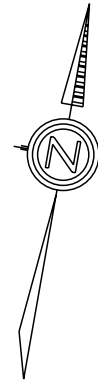
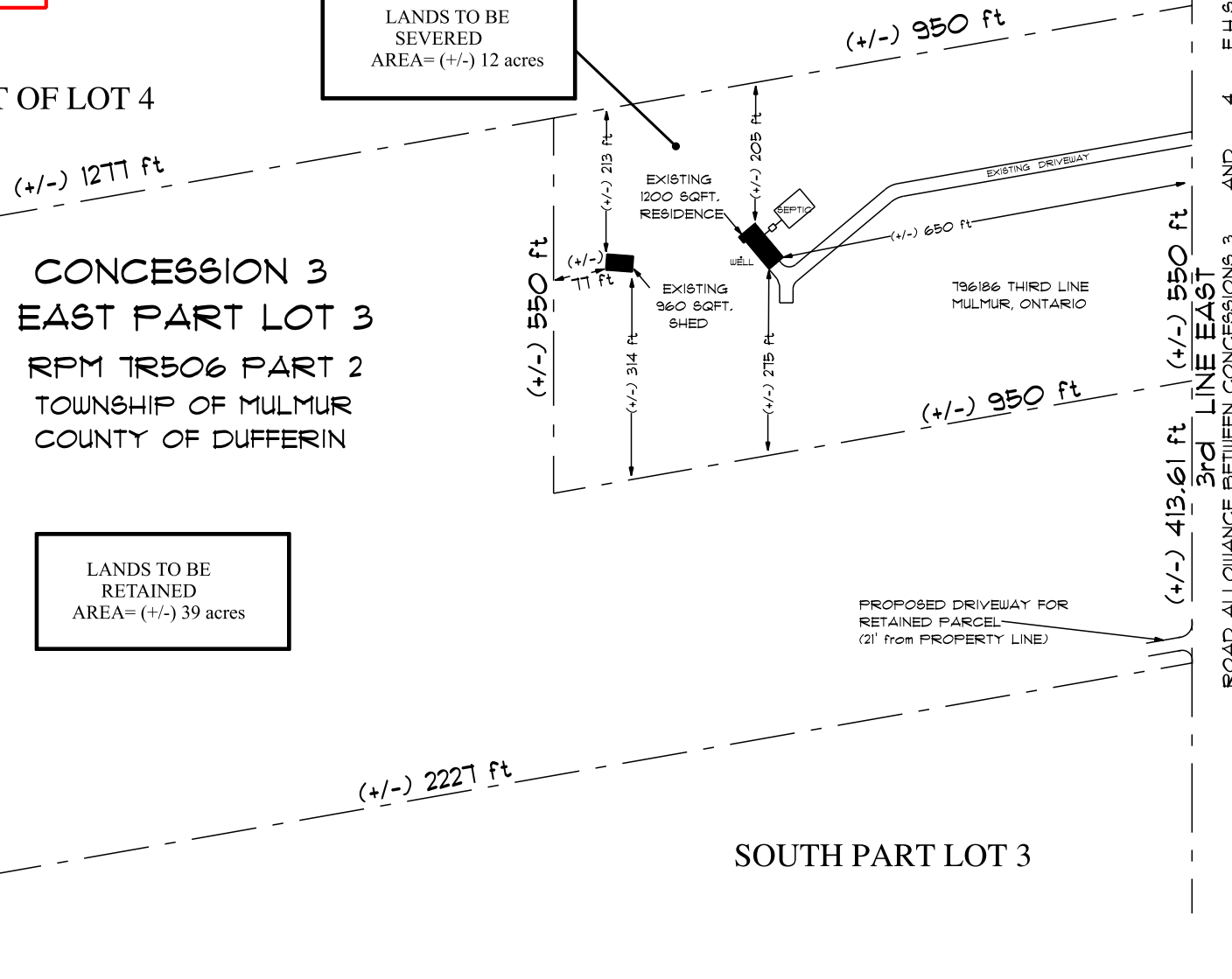
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CONCESSION 3  
EAST PART LOT 3  
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LANDS TO BE RETAINED  
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8	MIN. GROSS FLOOR AREA	m2 /unit sqft	sqft / sqft	✓ YES NO
9	MAX. WALL AREA BELOW GRDE	m2 0% sqft	m2 % sqft	✓ YES NO
10	MAX. LOT COVERAGE	15932m2 10% 52272ft	0.4% / 0.4%	✓ YES NO
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13	MIN. LANDSCAPE OPEN SPACE	N/A	N/A	✓ YES NO



SCALE 1 : 250

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CLARK RESIDENCE  
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**SEVERANCE PROPOSAL**

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**CHRITAN LIMITED**  
DESIGN / BUILD  
RR#1 CONN, ONTARIO, CANADA, N0G 1N0  
TEL: (519) 323-4192 FAX: (519) 323-4192

DESIGNED BY:  
D.J. CHRISTIAN GLERUM,  
BCIN# 24211 B. TECH. (ARCH.)  
DRAWN BY: D.J.C. GLERUM  
CHECKED BY: D.J.C. GLERUM  
DATE: APRIL 2021  
SCALE: AS NOTED  
PROJECT NO.: 2104



NO. DESCRIPTION REVISIONS/ISSUES

**S1**

<b>3. Purpose of this Application</b>										
Proposed transaction (check appropriate box)										
<input type="checkbox"/> Transfer	<input checked="" type="checkbox"/> Creation of a new lot	<input type="checkbox"/> Addition to a lot	<input type="checkbox"/> An easement							
<input type="checkbox"/> A charge	<input type="checkbox"/> A lease	<input type="checkbox"/> A correction of title	<input type="checkbox"/> Other							
Specify Purpose, ie. Building lot, farm severance, lot addition, etc.										
<b>LOT CREATION/SEVERANCE</b>										
Name of person(s) to whom land or interest in land is to be transferred, leased or charged										
TBD										
<b>4. Description of Subject Land and Servicing Information</b>										
Frontage (m)		<b>Severed</b>			<b>Retained</b>					
		167m			125 m					
Depth (m)		289 m			678 m					
Area (m)		4.8 ha			15.7 ha					
<b>5. Land Use</b>										
Date Property Acquired <b>January 2015</b>										
Existing Use					Proposed Use					
<b>RURAL</b>					<b>RURAL</b>					
Existing and Proposed buildings and Structures										
Type of Building or Structure		Set Backs (m)				Height (m)	Dimensions (m x m)	Area (m2)	Date of Construction / Proposed Construction	Time use has continued (for existing buildings & structures)
		Front	Rear	Side	Side					
DWELLING	<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed									
ACCESSORY BUILDING	<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed									
PROPOSED BUILDING ENVELOPE	<input type="checkbox"/> Existing <input checked="" type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
<b>Water</b>		<b>Sewage Disposal</b>				<b>Storm Drainage</b>			<b>Tile Drainage</b>	
<input checked="" type="checkbox"/> Private Well		<input checked="" type="checkbox"/> Private Septic				<input type="checkbox"/> Sewer			<input checked="" type="checkbox"/> No	
<input type="checkbox"/> Communal Well		<input type="checkbox"/> Communal Septic				<input checked="" type="checkbox"/> Ditches			<input type="checkbox"/> Yes, please mark on site plan location of tile runs	
<input type="checkbox"/> Municipal Water		<input type="checkbox"/> Other: _____				<input type="checkbox"/> Swales				
<input type="checkbox"/> Other: _____						<input type="checkbox"/> Other: _____				

## 6. Zoning and Official Plan Information

Current Zoning  Countryside (A)	Current Official Plan  RURAL	
Related Applications under the Planning Act, if any including Official Plan, Official Plan Amendment, Zoning By-law Amendment, Minister's Zoning Order (amendment), Consent or Plan of Subdivision:  Two previous consents. File numbers unknown.	Has subject lands even been subject of an application under the Planning Act?  File #: _____ Status: _____  2 previous consents	
Provide an explanation of how the application conforms to the Official Plan  See Planning Report.		
Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified? Please check the appropriate boxes, if any apply.		
Use or Feature	On the Subject Land	Within 500 metres of Subject Land, unless otherwise specific (indicate approximate distance)
Agricultural buildings/structure or manure storage facilities	NO	YES
A Landfill	NO	NO
A provincially significant wetland (Class 1, 2 or 3 wetland)	NO	NO
A locally significant wetland	NO	NO
Flood Plain	NO	NO
A rehabilitated mine site	NO	NO
A non-operating mine site within 1 kilometre of the subject land	NO	NO
An active mine site	NO	NO
An industrial or commercial use (specify uses)	NO	NO
Does the proposed development produce greater than 4500 litres of effluent per day? If yes, attach a servicing options report and hydro geological report	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are the lands part of a Nutrient Management Plan?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Please provide plan number _____ and date approved by OMAFRA _____		
Are there any livestock facilities within 500 metres of the subject lands?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, provide a Farm Data Sheet completed by each livestock facility owner for each of the livestock facilities. <a href="http://mulmur.ca/departments/planning">http://mulmur.ca/departments/planning</a>		

<b>7. Consistency with Policy Documents</b>			
Does this application: Alter the boundary of a settlement area?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Create a new settlement area?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Remove lands from an employment area?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
If yes, provide details of any Official Plan or Official Plan Amendment on a separate submission			
Are the subject lands in an area where conditional zoning may apply?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
If yes, provide details of how this application conforms to Official Plan conditional zoning policies on a separate submission			
Is the proposed application consistent with the Provincial Policy Statement and any other Policy Statements issued under subsection 3(1) of the Planning Act:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
<u>Kristine Loft, Loft Planning Inc.</u>	<u></u>		
Name of individual having knowledge of the policy statements. A report may be required to accompany this application and support the above statement of consistency.	Signature		
Are the subject lands within the Niagara Escarpment Greenbelt Plan area?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Are the subject lands within the Greater Golden Horseshoe Growth Plan area?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Does the proposed application conform to or does not conflict with the Provincial Plans, including the Greenbelt Plan and Growth Plan:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
<u>Kristine Loft, Loft Planning Inc.</u>	<u></u>		
Name of individual having knowledge of the policy statements. A report may be required to accompany this application and support the above statement of consistency.	Signature		
<b>8. History of the Subject Land</b>			
Has the subject land ever been the subject of an application for approval of a plan of subdivision or consent under the Planning Act?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown
If yes, and if known, provide the file number and the decision made on the application: _____			
If this application is a re-submission of a previous consent application, describe how it has been changed from the original application			
Has any land been severed from the parcel originally acquired by the owner of the subject land?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
If yes, provide for each parcel severed, the date of transfer, the name of transferee and the land use:			



Has any land been severed from the original, 40 hectare (approx..) parcel

Yes

No

If yes, provide details:

### 9. Other Information

Please provide any other information that may be useful to the Council or other agencies in reviewing this application, ie. health department, conservation authority, etc.

### 10. Sketch (please use metric units)

The application shall be accompanied by a sketch showing the following:

- The boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained
- The boundaries and dimensions of any land owned by the owner of the subject land and that abuts the subject land
- The distance between the subject land and the nearest Township lot line or landmark, such as a railway crossing or bridge
- The location of all land previously severed from the original approximate 40 hectare parcel
- The approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks
- The existing uses on adjacent lands
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or right of way
- The location and nature of any easement affecting the subject land

# FARM DATA SHEET

## Minimum Distance Separation I (MDSI)

NOTE TO THE FACILITY OWNER  
Your cooperation in filling out this sheet will help to ensure that new land uses will be located a suitable distance from your operation

File No. \_\_\_\_\_  
Applicant \_\_\_\_\_

Owner of Livestock Facility ANDREW & CHRISTINE POST  
 Telephone \_\_\_\_\_ Civic Address 796152 3RD LINE E  
 Municipality MULMUR Lot 3 Concession 3E (DIV)  
 Tillable Hectares/Acres\* on the lot where the livestock facility is located \_\_\_\_\_ hectares 17 acres  
 Closest distance from the livestock facility to the new lot and/or land use 48.72 metres 160 feet  
 Closest distance from the manure storage system to the new lot and/or land use \_\_\_\_\_ metres \_\_\_\_\_ feet  
 Size of the Livestock Facility (Barn) 450 sq.m  
 Signature of Livestock Facility Owner And Post Date Mar 11, 2021

### Permanent Manure or Material Storage Types

- Solid Manure: 18% dry matter, or more  
 Liquid Manure: Less than 18% dry matter  
 Digestate: Less than 18% dry matter
- 0 No storage required (manure/material stored for less than 14 days)
  - V1 Solid, inside, bedded pack
  - V2 Solid, outside, covered
  - V3 Solid, outside, no cover, greater than or equal 30% dry matter
  - V4 Solid, outside, no cover, 16% to less than 30% dry matter, with covered liquid runoff storage
  - L1 Solid, outside, no cover, 18% to less than 30% dry matter, with uncovered liquid runoff storage
  - V5 Liquid, inside, underneath slatted floor
  - V6 Liquid, outside, with a permanent, tight fitting cover
  - L2 Liquid, (digestate) outside, no cover
  - M1 Liquid, outside, with a permanent floating cover
  - M2 Liquid, outside, no cover, straight-walled storage
  - M3 Liquid, outside, not full with open sides
  - H1 Liquid, outside, no cover, sloped-sided storage

Housing Capacity & Manure Storage shall be provided in square metres

Animal Type or Material	Description	Housing Capacity* (maximum)	Manure Storage Type* (select from list above)
Beef Cattle	Cows, including calves to weaning (all breeds)		
	Feeders (7 - 16 months)		
	Backrounders (7 - 12.5 months)		
Dairy Cattle	Shortkeepers (12.5 - 17.5 months)		
	Milking age cows (dry or milking)		
	Large-framed, 545 kg - 636 kg (for example - Holsteins)		
	Medium-framed, 455 kg - 545 kg (for example - Guernseys)		
	Small-framed, 364 kg - 455 kg (for example - Jerseys)		
	Heifers (1 months to freshening)		
	Large-framed, 182 kg - 545 kg (for example - Holsteins)		
	Medium-framed, 148 kg - 455 kg (for example - Guernseys)		
	Small-framed, 125 kg - 364 kg (for example - Jerseys)		
	Calves (6 - 8 months)		
Swine	Large-framed, 45 kg - 182 kg (for example - Holsteins)		
	Medium-framed, 39 kg - 146 kg (for example - Guernseys)		
	Small-framed, 30 kg - 125 kg (for example - Jerseys)		
	Sows with litter, dry sows or boars (non-SW)		
	Breeder sows (sow barn designed specifically for this purpose)		
Horses	Weaners (2 kg - 27 kg)		
	Feeders (27 kg - 105 kg)		
	Large-framed, mature, >561 kg (including unweaned offspring)		
	Medium-framed, mature, 227 kg - 580 kg (including unweaned offspring)		
Sheep	Small-framed, mature, <227 kg (including unweaned offspring)		
	Ewes & rams (for meat lambs, includes unweaned offspring)		
	Ewes & rams (for wool operation, includes unweaned offspring & ewes/rams for meat lambs)		

Animal Type or Material	Description	Housing Capacity*	Manure Storage Type* (select from list above)
Goats	Does & bucks (for meat kids, includes unweaned offspring & replacements) Does & bucks (for dairy, includes unweaned offspring & replacements) Kids (dairy or feeder kids)		
Chickens	Layer hens (including eggs, after transfer from pullet barn) Layer pullets (day olds until transferred into layer barn) Broiler breeder growers (males/ females transferred out to layer barn) Broiler breeder layers (males/ females transferred in from grower barn) Broilers on an 8 week cycle Broilers on a 9 week cycle Broilers on a 10 week cycle Broilers on a 12 week cycle Broilers on any other cycle, or unknown		
Turkeys	Turkey pullets (day old until transferred to layer turkey barn) Turkey breeder layers (males/ females transferred in from grower barn) Breeder toms Broilers (day olds to 6.2 kg) Hens (day olds up to 6.2 kg to 10.8 kg, 7.5 kg is typical) Toms (day olds to over 10.8 kg to 20 kg, 14.5 kg is typical) Turkeys at any other weights, or unknown		
Veal	Milk-fed Grain-fed		
Other			
Manure imported to a lot not generating manure	Maximum capacity of permanent storages at any time, solid or liquid capacity		
Anaerobic Digester	Maximum capacity of permanent storages at any time, solid or liquid capacity		

Livestock Facility (Barn)

One or more barns or permanent structures with livestock occupied portions, intended for keeping or housing of livestock  
 A livestock facility also includes all manure or material storages and anaerobic digesters.

NOTE: CURRENTLY THERE IS NOT A LIVESTOCK FACILITY IN OPERATION ON THIS PROPERTY.

And Post F



# Minimum Distance Separation I

POST  
Prepared By: Township Mulmur

**Description:** Existing Vacant Barn

**Application Date:** Tuesday, March 16, 2021

**Municipal File Number:** P2-2021

**Proposed Application:** Lot creation for a maximum of three non-agricultural use lots  
Type A Land Use


**Applicant Contact Information**  
John Clark

**Location of Subject Lands**  
County of Dufferin, Township of Mulmur  
MULMUR, Concession: 3 EAST OF HURONTARIO STREET, Lot: 3  
Roll Number: 22160000204100000

**Calculation Name:** *POST*

**Description:**

**Farm Contact Information**  
Not Specified

**Location of existing livestock facility or anaerobic digester**  
County of Dufferin, Township of Mulmur  
MULMUR, Concession: , Lot:  
Roll Number: 2216   
Total Lot Size: 6.87 ha

The barn area is an estimate only and is intended to provide users with an indication of whether the number of livestock entered is reasonable.


Manure Type	Type of Livestock/Manure	Existing Maximum Number	Existing Maximum Number (NU)	Estimated Livestock Barn Area
Solid	Unoccupied Livestock Barn, -	450 m <sup>2</sup>	22.5	450 m <sup>2</sup>

**Existing Manure Storage:** V1. Solid, inside, bedded pack

**Design Capacity (NU):** 22.5

**Potential Design Capacity (NU):** 45.0

Factor A (Odour Potential)	Factor B (Size)	Factor D (Manure Type)	Factor E (Encroaching Land Use)	=	Building Base Distance 'F' (minimum distance from livestock barn)	(actual distance from livestock barn)
1.0	X 250	X 0.7	X 1.1	=	193 m (632 ft)	TBD
					Storage Base Distance 'S' (minimum distance from manure storage)	(actual distance from manure storage)
					193 m (632 ft)	TBD

 The calculated setback is based on assumptions for an unoccupied barn or unused storage that may not reflect the actual design capacity.

**Preparer Information**  
Township Mulmur

Signature of Preparer: \_\_\_\_\_ Date: \_\_\_\_\_  
Township Mulmur

**NOTE TO THE USER:**  
The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.









**Scoped Environmental Impact Study**  
**796186 Third Line**  
**Township of Mulmur, Dufferin County**

Prepared for:  
John Clark

Prepared by:  
Azimuth Environmental  
Consulting, Inc.

May 2021

AEC 21-171





Environmental Assessments & Approvals

May 18, 2021

AEC 21-171

John Clark  
426155 25<sup>th</sup> Sideroad  
Mono ON  
L9V 1E3

Re: **Scoped Environmental Impact Study for a Proposed Severance on 796186  
Third Line, Township of Mulmur, Dufferin County**

Dear Mr. Clark:

Azimuth Environmental Consulting, Inc. was retained to provide an Environmental Impact Study report for a proposed severance and residential development at the location described above. The purpose of this report is to provide the Township of Mulmur and other review agencies with an understanding of natural environmental conditions and potential for impacts related to the proposed development on significant natural heritage features and functions of the property and adjacent lands. This report also documents the natural environmental features present within the property and adjacent lands with regard to Species at Risk and their habitats.

Should you have any questions or require additional information please do not hesitate to contact the undersigned.

Yours truly,  
AZIMUTH ENVIRONMENTAL CONSULTING, INC.

Lisa Moran, B.Sc.Env.  
Terrestrial Ecologist



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## 1.0 INTRODUCTION

Azimuth Environmental Consulting, Inc. (Azimuth) was retained by John Clark to prepare a Scoped Environmental Impact Study (Scoped EIS) for a proposed severance and subsequent construction of a single detached dwelling, driveway, and accessory structures at 796186 Third Line, Township of Mulmur (Township), Dufferin County (County) (Figure 1). Pre-consultation with the Township, County and Nottawasaga Valley Conservation Authority (NVCA) revealed the need for an EIS to be undertaken due to the presence of woodlands and the Primrose-Boyne Valley Earth Science Area of Natural and Scientific Interest (ANSI) on and adjacent to the property (Appendix A and B).

This purpose of this Scoped EIS is to identify the candidate Key Natural Heritage Features (KNHFs) present within the study area and address potential impacts to candidate KNHFs. A review of background information in combination with a single site visit was undertaken on March 29, 2021 to identify natural heritage features and functions as candidates for consideration as significant KNHFs associated with the study area. This report also examines potential for Species at Risk (SAR) protected under the *Endangered Species Act, 2007* (ESA) within the study area. The potential for negative impacts to natural heritage features resulting from the proposed development is considered and recommendations for avoidance and mitigation are provided.

## 2.0 PLANNING CONTEXT

### 2.1 Provincial Planning Policy (2020)

The Provincial Policy Statement (PPS) (MMAH, 2020a) outlines policies related to natural heritage features (Section 2.1) and water resources (Section 2.2). Ontario's *Planning Act*, (1990) requires that planning decisions shall be consistent with the PPS. The study area for this assessment is located entirely within **Ecoregion 6E**. According to the PPS development and site alteration shall not be permitted in:

- *Significant wetlands* in Ecoregions 5E, 6E and 7E; and,
- *Significant coastal wetlands*.

Similarly, Section 2.1.5 of the PPS states that, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions, development and site alteration shall not be permitted within:

- a) *significant wetlands* in the Canadian Shield north of Ecoregions 5E, 6E; and 7E;
- b) *significant woodlands* in Ecoregions 6E; and 7E;
- c) *significant valleylands* in Ecoregions 6E; and 7E;



- d) *significant wildlife habitat*;
- e) *significant areas of natural and scientific interest*; and,
- f) *coastal wetlands* in Ecoregions 5E, 6E; and 7E that are not subject to policy 2.1.4(b)

It is ultimately the responsibility of the Province and/or the Municipality to designate areas identified within Section 2.1.4 and 2.1.5 of the PPS as 'significant'.

Section 2.1.6 of the PPS states that development and site alteration is not permitted in fish habitat except in accordance with federal and provincial requirements.

Section 2.1.7 of the PPS states that development and site alteration shall not be permitted in habitat of Endangered and Threatened species, except in accordance with provincial and federal requirements.

Furthermore, under Section 2.1.8 of the PPS, no development and site alteration will be permitted on lands adjacent to natural heritage features and areas identified in policies 2.1.4, 2.1.5 and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated there will be no negative impacts on the natural features and ecological functions.

## **2.2 Growth Plan for the Greater Golden Horseshoe, 2020**

The Growth Plan for the Greater Golden Horseshoe (Growth Plan; MMAH, 2020b) informs decision-making regarding growth management and environmental protection in the Greater Golden Horseshoe, which includes the property.

A Natural Heritage System for the Growth Plan has been mapped by the province. However, as per Section 4.2.2.4, provincial mapping of the Natural Heritage System for the Growth Plan does not apply until it has been implemented in the applicable upper or single tier official plan. Until that time, the policies in the Growth Plan that refer to the Natural Heritage System for the Growth Plan will apply outside settlement areas to the natural heritage systems identified in official plans that were approved and in effect as of July 1, 2017. The natural heritage system identified within the Town's Official Plan is described in Section 2.5 below.

Section 4.2 of the Growth Plan outlines protections for natural heritage features and functions within the *Natural Heritage System*. *Key natural heritage features* are defined within the Growth Plan as “habitat of endangered species and threatened species; fish habitat; wetlands; life science ANSIs, significant valleylands, significant woodlands; significant wildlife habitat (including habitat of special concern species); sand barrens,

savannahs, and tallgrass prairies; and alvars,” while *key hydrologic features* are defined as “permanent streams, intermittent streams, inland lakes and their littoral zones, seepage areas and springs, and wetlands.”

Section 4.2.3.1 states that outside of *settlement areas, development and site alteration* is not permitted in *key natural heritage features* that are part of the *Natural Heritage System* or in *key hydrologic features*, with some exceptions.

As per Section 4.2.4.1, outside settlement areas, a proposal for new *development or site alteration* within 120 metres of a *key natural heritage feature* within the Natural Heritage System or a *key hydrologic feature* will require a natural heritage evaluation or hydrologic valuation that identifies a vegetation protection zone, which:

- a. is of sufficient width to protect the key natural heritage feature or key hydrologic feature and its functions from the impacts of the proposed change;
- b. is established to achieve and be maintained as natural self-sustaining vegetation; and
- c. for key hydrologic features, fish habitat, and significant woodlands, is no less than 30 metres measured from the outside boundary of the *key natural heritage feature* or *key hydrologic feature*.

### **2.3 Endangered Species Act, 2007**

Ontario’s ESA provides regulatory protection to Endangered and Threatened species prohibiting harassment, harm and/or killing of individuals and destruction of their habitats. Habitat is broadly characterized within the ESA as the area prescribed by a regulation as the habitat of the species or an area on which the species depends, directly or indirectly, to carry on its life processes including reproduction, rearing of young, hibernation, migration or feeding.

The various schedules of the ESA included under O. Reg. 230/08 identify SAR in Ontario. These include species listed as Extirpated, Endangered, Threatened and Special Concern. As noted above, only species listed as Endangered and Threatened receive protection from harm and destruction to habitat on which they depend.

### **2.4 Dufferin County Official Plan (2017)**

The property is designated as Rural according to Schedule C (Appendix A). As per Section 4.3.2 of the Official Plan, limited residential development which includes no more than three new lots of units is permitted within the Rural designation.

Woodlands have been mapped on the property that are also part of the County's Preliminary Natural Heritage System according to Schedule E and E1 (Appendix A). As per Section 5.3.4 of the Official Plan, development and site alteration will not be permitted within or adjacent to significant woodlands unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions through the preparation of an EIS.

## **2.5 Township of Mulmur Official Plan (2012)**

The property is designated as Rural according to Schedule A1 – Land Use Designations (Appendix A). As per Section 5.8 of the Official Plan, limited residential development may be permitted within Rural areas.

Wooded Area and an Earth Science ANSI have been mapped on the property according to Schedule B2 – Category Two Natural Features (Appendix A). According to Section 5.1.8 of the Official Plan, unless it has been demonstrated that there will be no negative impacts, on the natural features or their ecological functions, development and site alteration shall not be permitted in significant woodlands or ANSIs.

According to Schedule B3 (Physical Constraints and Hazards), the property has some areas of Moderate Slope.

## **2.6 Nottawasaga Valley Conservation Authority**

The study area is located within the jurisdiction of the NVCA. The study area includes lands subject to O. Reg. 172/06 – “Regulation of Development Interference with Wetlands and Alterations to Shorelines and Watercourses” by the NVCA. Under Regulation 172/06, the NVCA requires that approvals be obtained for any proposed development or site alteration within areas regulated under a Conservation Authority's jurisdiction. However, there is no development or site alteration proposed within any NVCA regulated lands (Appendix B).

## **3.0 STUDY APPROACH**

Azimuth attended the property on March 29, 2021 to carry out an assessment of the natural features within the study area. The site investigation was undertaken subsequent to snow melt, therefore natural feature limits were not obscured by snow cover. It is acknowledged that the site visit occurred prior to the growing season of mid-May when vegetation surveys are typically accepted by regulatory agencies, however due to the lack of snow cover, Azimuth was able to accurately delineate vegetation communities therein.

Prior to undertaking the field study an initial classification of habitats was undertaken using recent air photo imagery for an area encompassing the study area, defined as the property delineated in Figure 1 and adjacent lands (*i.e.* lands within approximately 120 metres (m) of the property boundary). Within the property, our search effort/assessment was focused within areas of proposed development including areas within approximately 50m. Vegetation boundaries were checked in the field and delineated as illustrated in Figure 2. Vegetation community types were classified using the Ecological Land Classification for Southern Ontario: First Approximation (ELC: Lee *et al.*, 1998; 2008). Natural features in the overall planning area beyond the defined study area limits are discussed where applicable throughout this report.

A SAR screening was undertaken for the scope of this assignment that compares the habitat requirements of species with potential to occur in the overall planning area with habitat types that occur on the property. The screening was based on air photo interpretation combined with onsite evaluation of habitats within the study area.

A Terms of Reference for the above survey program was provided to the NVCA on March 17, 2021, to which a response was received on March 23, 2021 (Mike Francis, Planning Ecologist) confirming the scope of the program undertaken was acceptable and provided some additional information for consideration. A consultation record between Azimuth and the NVCA is provided in Appendix B.

A request for background information including SAR data was provided to the Ministry of the Environment, Conservation and Parks (MECP) on April 23, 2021 (Appendix C). MECP responded on May 18, 2021 to indicate that they do not have any other SAR occurrences to add to our consolidated list (Shamus Snell, Acting Management Biologist). A consultation record between Azimuth and the MECP is provided in Appendix C.

The Township requested MNRF be contacted as it relates to SAR and the ANSI. The landowner reached out to Ministry of Natural Resources and Forestry (MNRF) to acquire this information. A response was provided on March 4, 2021 (Kim Benner, District Planner). A consultation record between the landowner and the MNRF is provided in Appendix C.

## **4.0 EXISTING CONDITIONS**

### **4.1 Land Use**

Currently, a single-detached residence exists on the property with access off of the Third Line. Associated amenities include septic, well, shed (outbuilding) and lawn. The

remainder of the property is undeveloped and is primarily composed of forested communities. It is our understanding that at least a portion of the property (*i.e.* southern half of the property) was the location of a former nursery operation, as such; much of the existing tree cover originates from nursery tree planting.

Adjacent lands are primarily agricultural and rural residences with woodland extending onto adjacent lands. To the south appears to be an early successional area that is utilized recreationally (including for motorized vehicles) as evidenced by the trail network.

## 4.2 Vegetation

A field survey was undertaken to evaluate vegetation community types including representative plant species compositions on March 29, 2021, noting that no snow cover was present. Property access was granted within the property boundary only (Figure 2), and therefore alternative survey techniques (*i.e.* “fenceline”/binocular surveys) were completed for lands located beyond the property line. The site visit was undertaken by a qualified Terrestrial Ecologist with knowledge of rare, Threatened, and Endangered plant species with potential to occur in the area, acknowledging that most herbaceous plants could not be identified in the late winter/early spring period.

There are no elements of occurrence (EO\_ID) within the property or adjacent lands for provincially Endangered or Threatened, or provincially rare vegetation species according to the MNRF Natural Heritage Information Centre (NHIC) database. A detailed survey was undertaken to identify Butternut (*Juglans cinerea*) trees in proximity to the proposed development. Two Butternuts were observed on the property (Figure 2).

None of the vegetation communities or species documented are of federal or provincial conservation concern (NHIC, 2021).

Vegetation communities within the property were determined in accordance with the ELC system, and are summarized as observed in Table 1 and illustrated on Figure 2. Vegetation communities identified within the study area are listed as follows:

- FODM3 Dry-Fresh Poplar-White Birch Deciduous Forest
- FODM4-11 Dry-Fresh Black Locust Deciduous Forest
- FODM5-1 Dry-Fresh Sugar Maple Deciduous Forest
- FOMM5 Dry-Fresh White Birch-Poplar Conifer Mixed Forest
- MEGM3 Dry-Fresh Graminoid Meadow Ecosite
- TAGM3 Deciduous Plantation



### 4.3 Wildlife

Direct and indirect observations of wildlife (*i.e.* tracks, scat, fur) were collected as a matter of course during the March 29, 2021 site investigation, acknowledging that the survey occurred outside of the active period for bat species, migratory birds, reptiles, and amphibians. The following species and signs thereof were observed within the study area limits during the site investigation:

- Birds: American Crow, American Goldfinch, Black-capped Chickadee, Blue Jay, Chipping Sparrow, Dark-eyed Junco, Downy Woodpecker, Ruffed Grouse (drumming/scat), Mourning Dove, Red-breasted Nuthatch and Song Sparrow.
- Mammals: Cottontail, Coyote (scat) and White-tailed Deer (scat/browse)

### 4.4 Species at Risk

A screening for SAR occurred within the planning area based on potentially suitable habitat features identified during the site investigation (Table 2). The SAR assessment fully considers SAR with potential to occur within the planning area in a list provided and approved by MECP (Appendix C). Based on this assessment in combination with vegetation communities and other environmental features observed during the site investigation, the following species are considered below in this report:

- **Threatened and Endangered:**
  - Barn Swallow, Bobolink and Eastern Meadowlark (adjacent lands);
  - Butternut (confirmed on the property); and
  - Little Brown Myotis, Northern Myotis, Tri-colored Bat
- **Special Concern:** Common Nighthawk, Eastern Wood-pewee, Monarch, and Wood Thrush

### 4.5 Wetlands

There were no wetlands identified on or adjacent to the property based on our March 29, 2021 field investigation and available on Township, County, or Provincial mapping resources (NHIC, 2021; Appendix C).

### 4.6 Significant Woodland

The woodland area within the northern and western portion of the property have been identified as Woodlands according to the County of Dufferin and as Category Two

Natural Feature Wooded Area (>10 hectares (ha)) according to the Township of Mulmur (Appendix A).

Within the Township of Mulmur, there is approximately 45% woodland cover; therefore, a woodland must be at least 50ha in size or larger to be considered significant according to the Natural Heritage Reference Manual (NHRM; OMNR, 2010). The woodland on the property and extending onto adjacent lands is >50ha in size and may qualify as significant according to the province.

The woodland on the property potentially meets the following NHRM standards for consideration as a Significant Woodland feature:

- Contiguous woodland is ~90ha in size. This includes woodland on the property and extending onto adjacent lands;
- Woodland Interior (adjacent contiguous woodland may provide at least 8ha of interior habitat);
- Proximity to other woodlands and other habitats (within 30m of wetland features)
- Linkages (provides a linkage between woodland and wetland habitats); and
- Water protection (a mapped watercourse traverses through the contiguous woodland/wetland feature).

Based on the above assessment, the woodland may qualify as Significant Woodland.

#### **4.7 Significant Valleyland**

No portion of the study area is identified as Significant Valleyland, nor assigned a similar designation on Township, County, or Provincial mapping resources (NHIC, 2021). Moderate slopes are present on the property, as per Township mapping. However, was no evidence of any watercourses/drainage features.

Therefore, there are no valleyland features located within the study area according standards presented in the NHRM, requiring a defined watercourse between substantial embankments to be considered as such.

#### **4.8 Significant Wildlife Habitat**

An assessment of the potential for Significant Wildlife Habitat (SWH) within study area was conducted using the criteria outlined within MNRF's Significant Wildlife Habitat Technical Guide (2000) and the accompanying the Ecoregion 6E Criteria Schedules (MNRF, 2015b). The following Candidate SWH types have potential to be present within the study area based on the results of the field program:

- Raptor Wintering Area;
- Bat Maternity Colonies;
- Reptile Hibernacula;
- Woodland Raptor Nesting Habitat;
- Woodland Area-Sensitive Bird Breeding Habitat;
- Open Country Bird Breeding Habitat (adjacent lands); and
- Special Concern and Rare Wildlife Species
  - Common Nighthawk
  - Eastern Wood-pewee
  - Wood Thrush
  - Monarch Butterfly

#### **4.9 Areas of Natural and Scientific Interest**

According to provincial mapping resources, the property is within the Violet Hill Channel – Boyne Valley Area of Natural and Scientific Interest (Earth Science) (NHIC, 2021). The area is identified as having provincially significant earth science representation of the “type” area of the Orangeville Moraine and the Violet Hill meltwater channel, as well as representation of a portion of the Singhampton-Gibraltar Moraine complex (OMNR, 1991).

#### **4.10 Fish and Fish Habitat**

There are no features with potential to provide fish habitat within the property limits.

#### **4.11 Natural Heritage Features Summary**

The results of Azimuth’s site investigation combined with review of background information indicate the potential for the following candidate KNHFs within the study area:

- Habitat for Endangered and Threatened Species;
  - Barn Swallow, Bobolink and Eastern Meadowlark (adjacent lands);
  - Butternut (confirmed on the property); and
  - Little Brown Myotis, Northern Myotis, Tri-colored Bat (woodland).
- Candidate Significant Woodland (on and adjacent to property);
- Candidate Significant Wildlife Habitat; and
- Earth Science Area of Natural and Scientific Interest (Violet Hill Channel – Boyne Valley).

## **5.0 PROPOSED DEVELOPMENT**

The proposed development involves the severance of the lot and the construction of a single detached dwelling, driveway, and accessory structures on the retained parcel. The

proposed development is within in the draft site plan presented in Appendix D. The new dwelling and amenity space will be located within the limits of the woodland on the property, with access off of Third line along the woodland edge.

Mapping of the proposed development as it relates to environmental features on the property is presented in Figure 3.

## **6.0 IMPACT ASSESSMENT**

This impact assessment is prepared with regards to the construction footprint of proposed structures and anticipated grading limits, as described above and illustrated in Figure 3.

### **6.1 Habitat for Threatened and Endangered Species**

Impacts with regards to the ESA and Habitat of Threatened or Endangered Species are covered under Section 9 and 10 of the ESA. Section 9 deals directly with killing, harming, or harassing living members of a species while Section 10 covers destruction or damage to habitat of Threatened or Endangered species. The following Threatened and Endangered species have the potential and/or have been confirmed to occur within the limits of the property and on adjacent lands:

- Barn Swallow, Bobolink and Eastern Meadowlark (adjacent lands);
- Butternut (confirmed on the property); and
- Little Brown Myotis, Northern Myotis, Tri-colored Bat (woodland).

#### **6.1.1 Barn Swallow, Bobolink and Eastern Meadowlark (adjacent lands)**

Barn Swallow, Bobolink and Eastern Meadowlark are grassland birds associated with open grassland habitat. The barn on the adjacent lands has the potential to offer suitable nesting habitat for Barn Swallow. All potentially suitable habitat for these grassland species are associated with adjacent agricultural lands. The proposed development will occur up to the property line (driveway), however, there is no expectation that works would result in indirect impacts to any of these species as they tend to avoid woodland edges. There will be no reduction the available grassland habitat post-development.

#### **6.1.2 Butternut**

Two Butternut were identified on the property. All proposed development or site alteration is located >50m from the Butternuts. There will be no impact to these trees post-development.

### 6.1.3 Little Brown Myotis, Northern Myotis, Tri-colored Bat

Little Brown Myotis, Northern Myotis, and Tri-colored Bat may utilize woodlands as maternity roost sites, utilizing trees >25 centimetres (cm) diameter at breast height with evidence of cracks, holes, splits, lifted bark, *etc.* (called “snags”) to provide refuge for the rearing of young during the late spring and early summer months (approximately June). Potentially suitable habitat is primarily associated with the FODM5-1 community (Figure 2) that contains mature trees of sufficient size to provide this potential function.

The early successional poplar/ash communities with Scot’s Pine (*Pinus sylvestris*) are generally insufficient in size and lack features that would be considered suitable for SAR bats.

The proposed development will result in the removal of approximately 0.81ha of poor quality bat habitat (FODM3, Figure 2 and Figure 3). Overall, approximately 17.3ha of woodland will remain on site including the potential high quality bat habitat within the Sugar Maple forest (FODM5-1 (5.9ha), Figure 2). Providing that conformance is demonstrated for environmental considerations and mitigation described in Section below, there is no expectation that the proposed development will result in a negative impact to Little Brown Myotis, Northern Myotis, Tri-Colored Bat, or the habitat upon which they depend. This approach is consistent with similar projects in Townships with a high degree of woodland representation such as Mulmur.

## 6.2 Candidate Significant Woodland

According to the PPS development and site alteration are not permitted within Significant Woodlands located in Ecoregion 6E, unless it can be demonstrated there will be no negative impacts upon the feature and its ecological functions.

The NHRM outlines several criteria that contribute to the ecological functionality of a woodland feature. As described above, the woodland on the property potentially meets the following NHRM standards for consideration as a Significant Woodland feature:

- Woodland size (>50ha in size);
- Woodland Interior (adjacent contiguous woodland may provide at least 8ha of interior habitat);
- Proximity to other woodlands and other habitats (within 30 m of wetland features)
- Linkages (provides a linkage between woodland and wetland habitats); and
- Water protection (a mapped watercourse traverses through the contiguous woodland/wetland feature).



The proposed development will occur in the southern portion of the woodland along an existing edge and will result in the removal of approximately 0.81ha of woodland (FODM3, Figure 3). Post-development, there will be approximately 17.3ha of woodland on the property. This represents a reduction in is 4.5% of woodland on site and 0.9% of the overall woodland community (extending off-site and on adjacent lands)

Post development, the overall woodland would still meet the criteria to be considered Significant as per the NHRM:

- Overall, the woodland will remain sufficient size to be considered significant. The loss of 0.9% of woodland does not represent a significant loss to the system;
- There will be no reduction in off-site interior habitat;
- Proximity to other woodlands/habitats will be maintained;
- Connectivity and linkage will be maintained throughout the property and across the landscape;
- The woodland (on adjacent lands) will continue to provide ecological benefit to the watercourse located off of the property.

As such, the ecological functionality associated with the woodland would be expected to continue in a manner similar to pre-construction condition and would not be expected to negatively impact Candidate Significant Woodland providing conformance is demonstrated for environmental considerations and mitigation described in Section 8 below.

### **6.3 Candidate Significant Wildlife Habitat**

According to the PPS development and site alteration are not permitted within SWH located in Ecoregion 6E, unless it can be demonstrated there will be no negative impacts upon the feature and its ecological functions. For the purposes of this assessment, Candidate SWH described below is treated as significant.

- Raptor Wintering Area;
- Bat Maternity Colonies;
- Reptile Hibernacula;
- Woodland Raptor Nesting Habitat;
- Woodland Area-sensitive Bird Breeding Habitat;
- Open Country Bird Breeding Habitat; and
- Special Concern and Rare Wildlife Species.
  - Common Nighthawk
  - Eastern Wood-pewee
  - Wood Thrush

- Monarch Butterfly

#### 6.3.1 Raptor Wintering Area

Post-development, potentially suitable raptor wintering habitat will remain. Woodland on and extending off of the property will continue to meet size criteria for this potential function (>20ha) and the overall area will continue to provide a combination of fields and woodlands that could provide roosting, foraging and resting habitat for wintering raptors. Therefore, this potential SWH function will continue post-development.

#### 6.3.2 Bat Maternity Colonies

As highlighted above, potentially suitable habitat is primarily associated with the FODM5-1 community (Figure 2) that contains mature trees of sufficient size to provide this potential function. The early successional poplar/ash communities with Scot's Pine are generally insufficient in size and lack features that would be considered suitable for bat maternity colonies. Therefore, this potential SWH function will continue post-development.

#### 6.3.3 Woodland Raptor Nesting Habitat and Woodland Area-Sensitive Bird Breeding Habitat

The overall woodland is of sufficient size to provide these potential functions. Due to the configuration of the woodland, any potential Woodland Raptor Nesting and Area-Sensitive Bird Breeding Habitat would be associated with adjacent lands with sufficient interior habitat determined with a 200m buffer. No raptor nests observed during Azimuth's field investigation (undertaken during leaf-off conditions). These potential SWH functions will continue post-development.

#### 6.3.4 Reptile Hibernaculum

Two rock piles were noted on the property. The rock piles are associated with existing/former fencelines and are highlighted on Figure 2. It is unknown if these features extend below the frost line. Nonetheless, they will remain post-development (Figure 3). Therefore, this potential SWH function will continue post-development.

#### 6.3.5 Open Country Bird Breeding Habitat

Open Country Bird Breeding Habitat may be associated with the open/agricultural areas on adjacent lands. Any grasslands of sufficient size not being actively used for intensive farming could provide this function. All development is contained within the woodland on the property. Therefore, this potential SWH function will continue post-development.

### 6.3.6 Habitat for Special Concern and Rare Wildlife Species

Species-specific surveys to target presence/absence of Special Concern species were not conducted as a part of this assessment. For the purposes of this assessment, presence of Special Concern species (for which suitable habitat may be present) is assumed in lieu of conducting appropriate screenings for these species.

#### Common Nighthawk

High quality Common Nighthawk habitat consists of open areas with little to no ground vegetation, such as logged or burned-over areas, forest clearings, rock barrens, peat bogs, lakeshores, and mine tailings (COSEWIC, 2007). Although the species also nests in cultivated fields, orchards, urban parks, and along gravel roads, large gravel roofs, and railways, the species tends to occupy natural sites (MECP, 2021). Open meadow within the property limits (MEGM3; Figure 2) may provide marginal habitat for Common Nighthawk. There is no development proposed within the meadow community as such, no negative impact to the species or their habitat is anticipated as a result of the proposed development.

#### Eastern Wood-pewee and Wood Thrush

These woodland species prefer mature and intermediate age deciduous and mixed forests with varying degrees of undergrowth (open [Eastern Wood-pewee] and dense [Wood Thrush]). They are often associated with forests dominated by Sugar Maple (*Acer saccharum*). The overall size of the woodland habitat does not appear to be an important factor in habitat selection as both species have been documented in highly fragmented forests (COSEWIC, 2012a and COSEWIC, 2012b). Based on this information, it appears that the most potentially suitable habitat on the property would be associated with the Sugar Maple forest community. However, the mixed forested communities may provide marginal habitat for the species. The reduction of approximately 0.8ha of marginal potentially suitable habitat will not reduce the overall availability of habitat for the species post-development. Therefore, this potential SWH function will continue post-development.

#### Monarch Butterfly

Monarch Butterfly can generally be identified in any old field or cultural meadow habitat often including disturbed ditches along road right of ways, however the key habitat is typically associated with tracts of old-field meadow habitat containing an abundance of Common Milkweed (*Asclepias syriaca*). The open meadow (CUM; Figure 2) community present within the property limit may provide limited habitat opportunities for Monarch Butterfly although no Common Milkweed was noted. Potentially suitable habitat may

also be associated with the roadside vegetation and along the edge of the woodland communities.

The proposed driveway will traverse along the edge of the woodland community – which was largely dominated by grasses and small shrubs (*i.e.* Red Raspberry (*Rubus idaeas ssp. idaeas*) and dogbane (*Apocyanum spp.*)) with the occasional small tree (poplar (*Populus spp.*)). Based on this information, there may be minor removals of some marginal habitat that may be suitable for Monarch Butterfly.

Habitat for this species is highly represented in the general area however, and as such, no negative impact to the species or its habitat is anticipated as a result of the proposed development.

#### **6.4 Earth Science Area of Natural and Scientific Interest (Violet Hill Channel – Boyne Valley)**

The MNRF has confirmed that their ministry does not comment on site-specific proposal (*i.e.* severances) where the approval authority is the municipality. Such planning matters should be deferred to the Township (Kim Benner, District Planner, March 12, 2021 e-mail correspondence; Appendix C). The proposed development does not represent a land use that would be considered incompatible with the earth science ANSI (*i.e.* removal of aggregate) (OMNR, 1991). The proposed development will not impact the landform features for which the earth-science ANSI was identified.

## **7.0 RECOMMENDATIONS**

### **7.1 Species at Risk**

This report is intended as a point in time assessment of the potential to impact SAR; not to provide long term “clearance” for SAR. While there is no expectation that the assessment should change significantly, it is the responsibility of the proponent to ensure that they are not in contravention of the ESA at the time that site works are undertaken. A review of the assessment provided in this report by a qualified person should be sufficient to provide appropriate advice at the time of the onset of future site works.

### **7.2 Migratory Breeding Birds and SAR Bats**

Activities involving the removal of vegetation should be restricted from occurring during the breeding season. Migratory birds, nests, and eggs are protected by the *Migratory Birds Convention Act, 1994* (MBCA) and the *Fish and Wildlife Conservation Act, 1997* (FWCA). Environment Canada outlines dates when activities in any region have potential to impact nests at the Environment Canada Website

(<https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds/general-nesting-periods/nesting-periods.html>). In Zones C1 and C2 vegetation clearing should be avoided between **April 1 through August 31** of any given year. If work requires that vegetation clearing is required between these dates screening by an ecologist with knowledge of bird species present in the area could be undertaken to ensure that the vegetation has been confirmed to be free of nests prior to clearing.

It is expected that adherence to a tree clearing restriction between the above dates will similarly avoid potential incidental impacts to bats that may utilize woodlands within the study area for maternity roosting or day roosting purposes.

### **7.3 Sediment and Erosion Controls**

Diligent application of sediment and erosion controls is recommended for all future construction activities to minimize the extent of accidental or unavoidable impacts to adjacent vegetation communities and wildlife habitat. Prior to the commencement of site works, silt fencing should be applied along the length of directly adjacent natural or naturalized features, and routine inspection/maintenance of the silt fencing should occur throughout construction. This will also help to define the limits of development and prevent incidental encroachment into non-development areas.

### **7.4 Operations**

All maintenance activities required during future construction should be conducted at least 30m away from woodlands and/or wetlands to prevent accidental spillage of deleterious substances that may harm natural environments.

## **8.0 POLICY CONFORMITY**

### **8.1 Provincial Policy Statement**

No negative impacts to the Candidate Significant Woodland, Candidate Significant Wildlife Habitat and Earth Science ANSI associated with the property and adjacent lands – **Conforms.**

### **8.2 Growth Plan**

The FODM5-1 (Figure 2) woodland on the property appears to generally align with the County's Preliminary Natural Heritage System. Although the County's mapping is preliminary, for the purposes of this assessment, it is assumed that this layer will serve as the relevant Natural Heritage System layer for application of the Growth Plan. Therefore, the FODM5-1 within the mapped Natural Heritage System may meet the criteria for significance according to the Growth Plan (Figure 3). There will be no development within the significant woodland itself. All development, including proposed



lot lines, will be located at least 30m from the limit of the Growth Plan Significant Woodland (Figure 3) – **Conforms**.

### **8.3 Endangered Species Act**

There will be no negative impact to identified potentially suitable SAR habitat on or adjacent to the property. Mitigation in the form of timing of tree clearing has been proposed to avoid potential incidental impacts to SAR bats – **Conforms**.

### **8.4 County of Dufferin Official Plan**

There will be no development within the woodland that is part of the County's Preliminary Natural Heritage System. All development, including lot lines, will be located at least 30m from the mapped woodlands and Preliminary Natural Heritage System (Figure 3). There will be no negative impact to the Candidate Significant Woodland as per the EIS - **Conforms**.

### **8.5 Township of Mulmur Official Plan (2012)**

Wooded Area and an Earth Science ANSI have been mapped on the property according to Schedule B2 – Category Two Natural Features (Appendix A). There will be no negative impact to the Wooded Area or Earth Science ANSI as per the EIS – **Conforms**.

### **8.6 Nottawasaga Valley Conservation Authority**

The proposed development is located outside of any NVCA regulated areas. As such, no permit is required from NVCA – **Conforms**.

## **9.0 CONCLUSIONS**

Based upon our analysis, it is concluded that the environmental conditions are not limiting to the proposed development of a single detached dwelling, driveway, and accessory structures through a lot severance application, providing incorporation of the environmental protection measures described in Section 8 of this report are followed.

At this time, our findings are summarized as follows:

- The proposed site alteration is consistent with the policies of the Provincial Policy Statement, Growth Plan, ESA, Dufferin County Official Plan, Township of Mulmur Official Plan, and Nottawasaga Valley Conservation Authority O. Reg. 172/06.
- Our impact assessment has given full consideration to the habitat requirements of all SAR assumed and documented to occur in the area and results indicate the

proposed development will not result in negative direct or indirect impacts to habitat of SAR providing conformance is demonstrated to mitigation measures described in Section 8.

- The proposed works are not expected to negatively impact the ecological functions of Candidate Significant Woodland, Candidate Significant Wildlife Habitat or the Earth Science ANSI outlined in Section 4.11 if the appropriate mitigation measures outlined in Section 8 are followed.

## 10.0 REFERENCES

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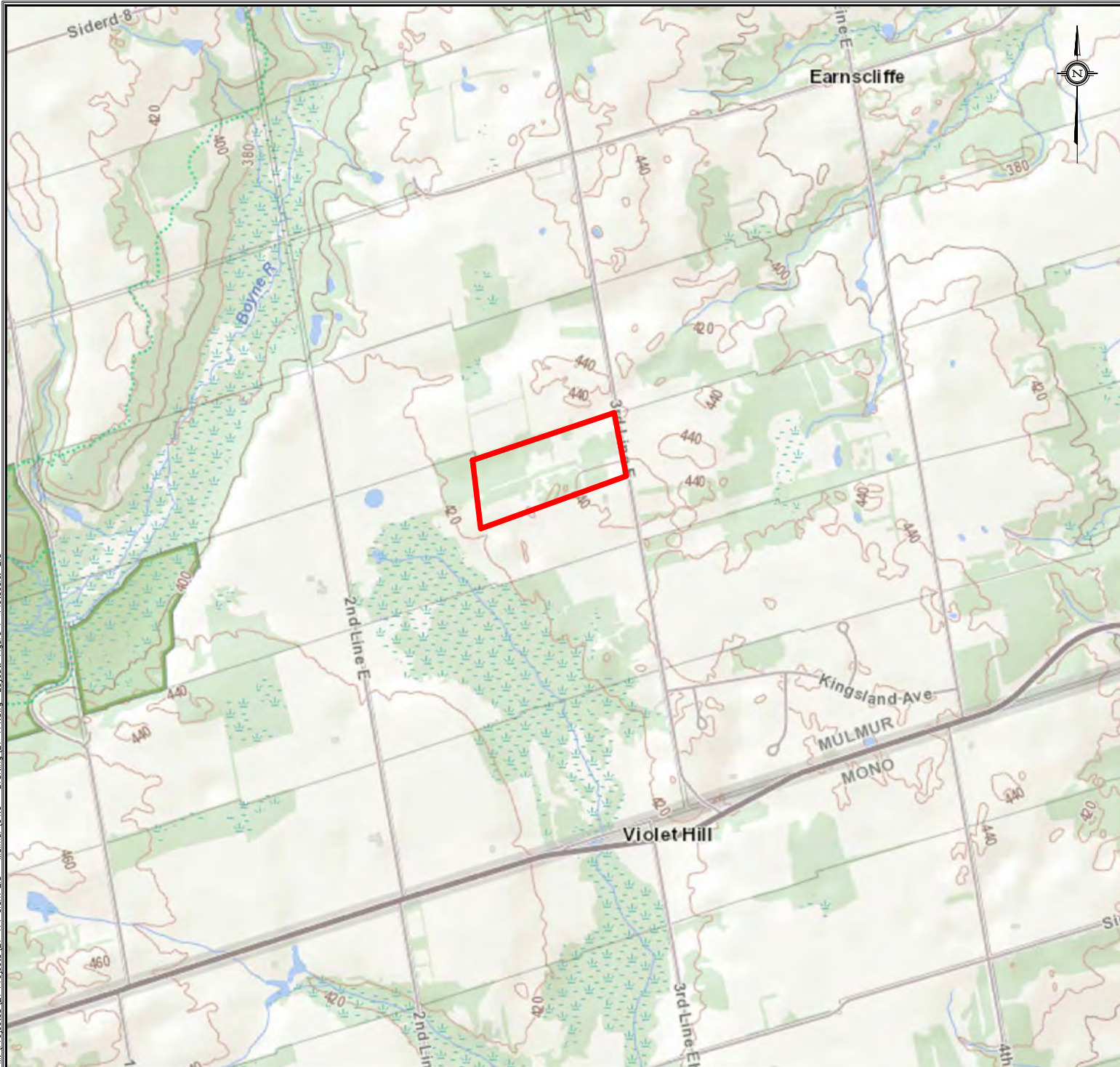
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Ontario Ministry of Natural Resources (OMNR). 2010. Natural Heritage Reference Manual for Policy 2.3 of the provincial policy statement, 2005 (2<sup>nd</sup> Ed.). Ontario Ministry of Natural Resources, Toronto, ON.

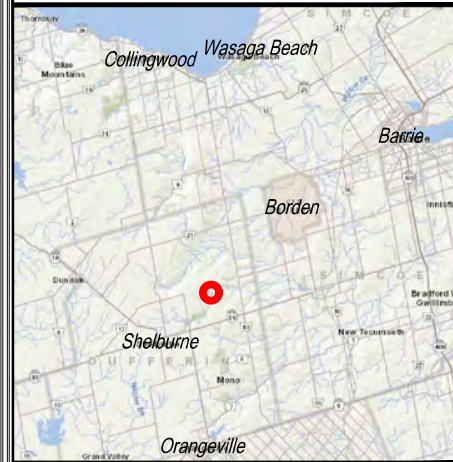
Township of Mulmur Official Plan (Approved by MMAH 2012).

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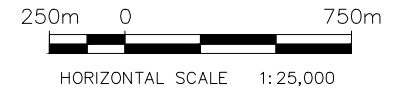


**LEGEND:**

 *Approx. Property Boundary*



*Regional Map*

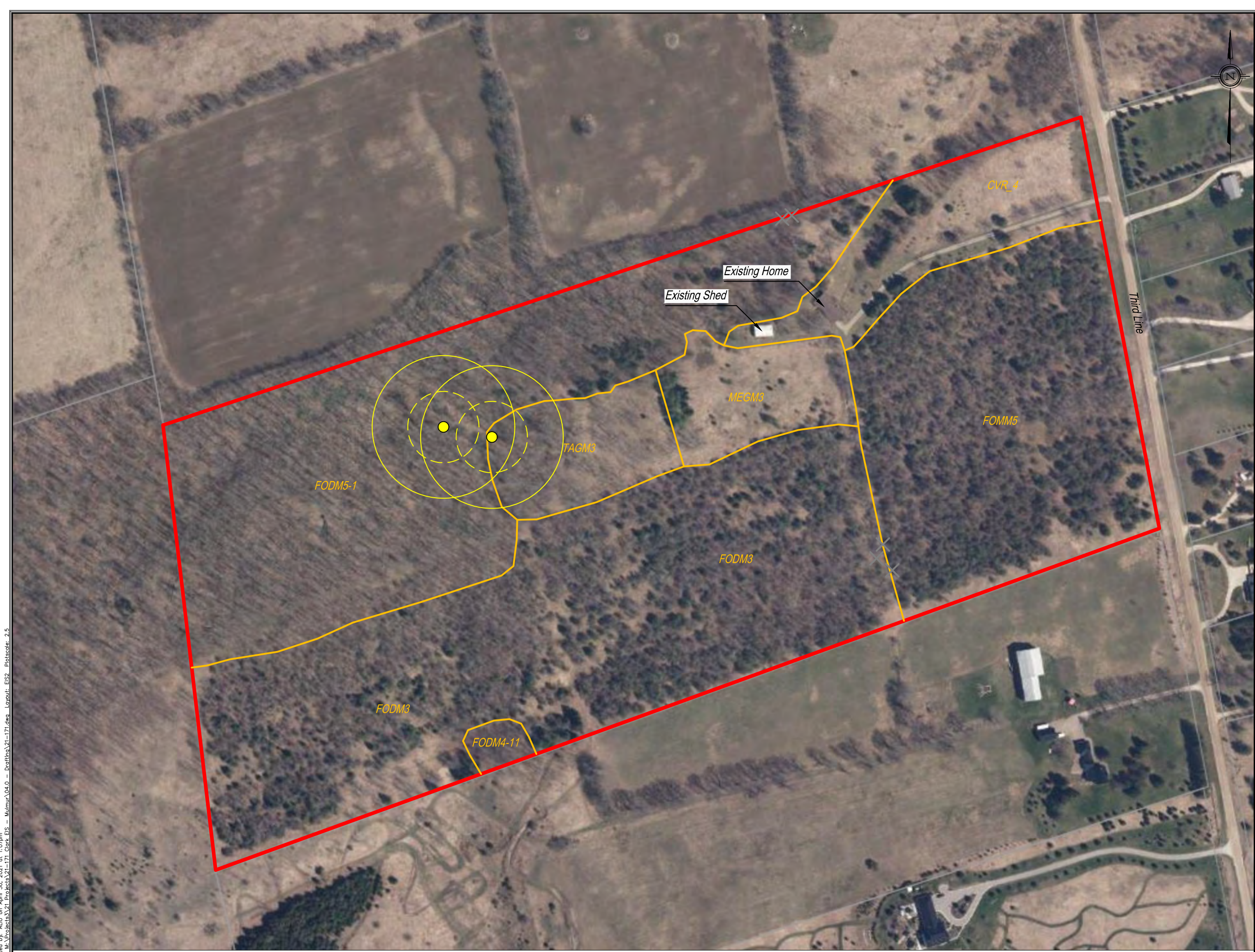


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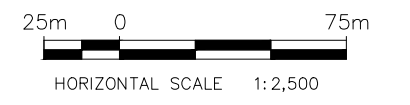
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Mulmur, ON

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REFERENCE: <i>MNRF 210</i>	





- LEGEND:**
- Approx. Property Boundary
  - Butternut Locations w/25m and 50m Buffers
  - ✕ Rock Piles
  - Vegetation Communities
  - CVR\_4* Rural Property
  - FODM3* Dry-Fresh Poplar-White Birch Deciduous Forest
  - FODM4-11* Dry-Fresh Black Locust Deciduous Forest
  - FODM5-1* Dry-Fresh Sugar Maple Deciduous Forest
  - FOMM5* Dry-Fresh White Birch-Poplar Conifer Mixed (White Ash)Forest
  - MEGM3* Dry-Fresh Graminoid Meadow Ecosite
  - TAGM3* Deciduous Plantation



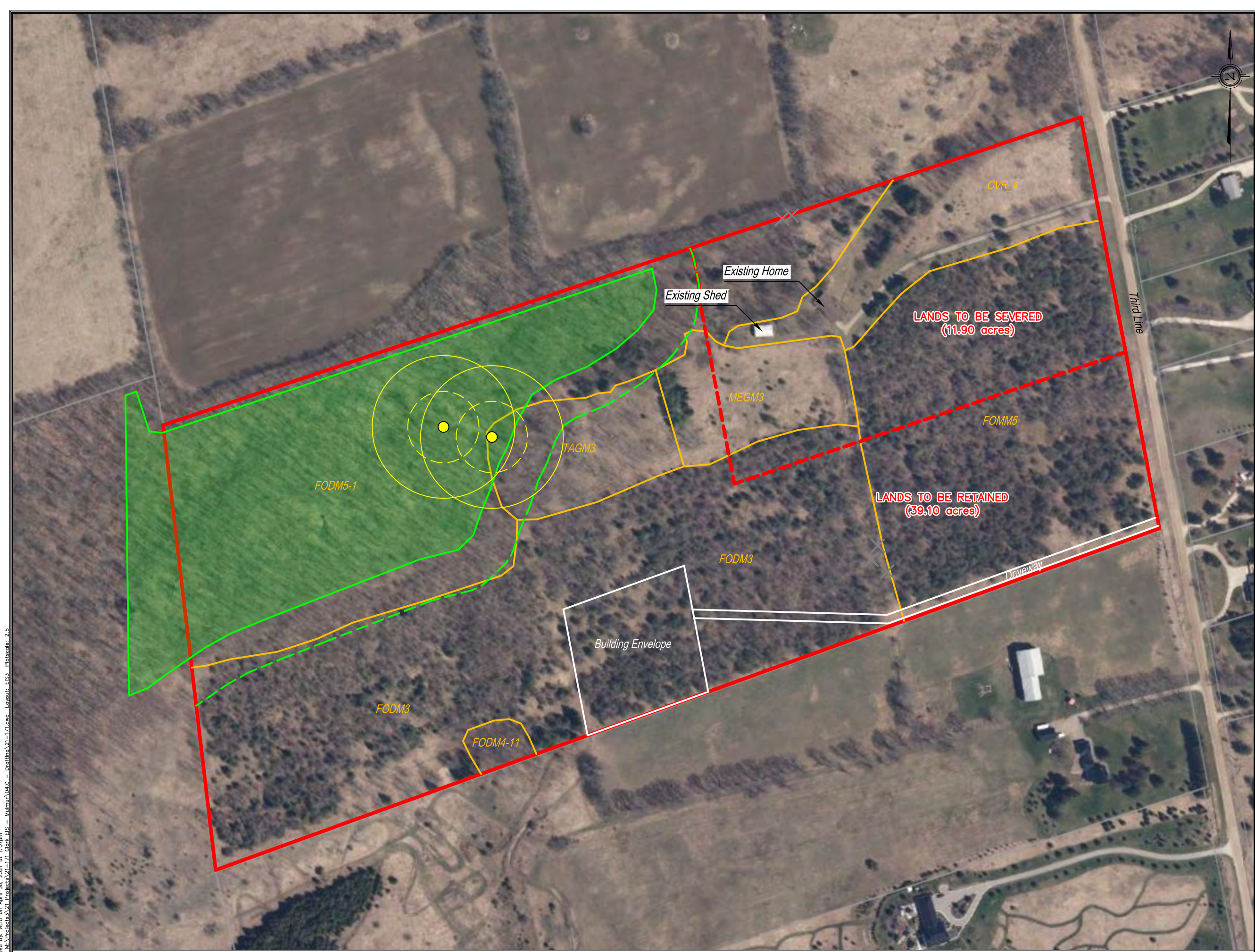
**Environmental Features**

796186 Third Line,  
Mulmur, ON

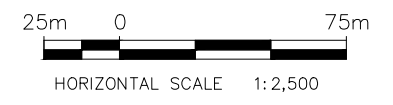
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- LEGEND:**
- Approx. Property Boundary
  - - - Proposed Severance
  - Proposed Building Envelope (white)
  - Butternut Locations w/25m and 50m Buffers
  - × Rock Piles
  - County of Dufferin Preliminary Natural Heritage System (NHS)
  - - - 30m NHS Buffer
  - Vegetation Communities
  - CVR\_4* Rural Property
  - FODM3* Dry-Fresh Poplar-White Birch Deciduous Forest
  - FODM4-11* Dry-Fresh Black Locust Deciduous Forest
  - FODM5-1* Dry-Fresh Sugar Maple Deciduous Forest
  - FOMM5* Dry-Fresh White Birch-Poplar Conifer Mixed (White Ash)Forest
  - MEGM3* Dry-Fresh Graminoid Meadow Ecosite
  - TAGM3* Deciduous Plantation



**Proposed Development**

796186 Third Line,  
Mulmur, ON

DATE ISSUED:	March 2021	Figure No. <b>3</b>
CREATED BY:	JLM	
PROJECT NO.:	21-171 212	
REFERENCE:	Dufferin County Maps	

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Ecological Land Classification <sup>1</sup>				Composition	Ground Cover
System	Community Class	Community Series	Ecosite/Vegetation Type		
Terrestrial	Forest	FOD, Deciduous Forest	FODM3, Dry-Fresh Poplar-White Birch Deciduous Forest Ecosite	A relatively young early successional community that has formed as a result of the previous nursery operation. The diameter breast height (dbh) of the trees within this community ranged from 10-25 centimeters (cm) with only the occasional tree >25cm dbh. The community is patchy with openings throughout. Largely dominated by Trembling Aspen ( <i>Populus tremuloides</i> ) with Scots Pine ( <i>Pinus sylvestris</i> ), Paper Birch ( <i>Betula papyrifera</i> ), White Pine ( <i>Pinus strobus</i> ) and Sugar Maple ( <i>Acer saccharum</i> ).	The ground cover is composed of Red Raspberry ( <i>Rubus idaeus</i> ), goldenrods including Tall Goldenrod ( <i>Solidago altissima</i> ), Awnless Brome ( <i>Bromus inermis</i> ), strawberry ( <i>Fragaria</i> sp.), avens ( <i>Geum</i> sp.) with other open/meadow species. Minor amounts of Common Buckthorn ( <i>Rhamnus Cathartica</i> ) and Garlic Mustard ( <i>Alliaria petiolata</i> ) were noted.
Terrestrial	Forest	FOD, Deciduous Forest	FODM4-11, Dry-Fresh Black Locust Deciduous Forest	Pocket of Black Locust ( <i>Robinia pseudoacacia</i> ) resulting from previous land use (nursery).	Ground cover composition similar to that within the FODM3.
Terrestrial	Forest	FOD, Deciduous Forest	FODM5-1, Dry-Fresh Sugar Maple Deciduous Forest	Mature woodland community within the north/north-west portion of the property. The dbh of the trees within the community were generally larger component of trees >25cm and up to 50cm dbh. The community is dominated by Sugar Maple with smaller amounts of Paper Birch, Trembling Aspen, American Beech ( <i>Fagus grandifolia</i> ), American Basswood ( <i>Tilia americana</i> ), Black Cherry ( <i>Prunus serotina</i> ) and Ironwood ( <i>Ostrya virginiana</i> ). Two Butternuts were documented within this community (Figure 2).	Ground cover was largely dominated by Herb Robert ( <i>Geranium robertianum</i> ) with avens, strawberry, woodland sedges ( <i>Carex</i> sp.), Spinulose Woodfern ( <i>Dryopteris carthusiana</i> ) and minor amounts of Garlic Mustard.
Terrestrial	Forest	FOM, Mixed Forest	FOMM5, Dry-Fresh White Birch-Poplar Conifer Mixed Forest	Similar to the FODM3 in age and composition, this community is a result of previous land use (nursery). The composition is very similar but White Ash ( <i>Fraxinus americana</i> ) and Scots Pine appear to be the predominant species with Eastern White Pine ( <i>Pinus strobus</i> ), Black Walnut ( <i>Juglans nigra</i> ) and White Spruce ( <i>Picea glauca</i> ).	Buckthorn is common/abundant within this portion of the woodland in addition to Garlic Mustard, Common Burdock ( <i>Arctium minus</i> ). Red Raspberry, Red-osier Dogwood ( <i>Cornus stolonifera</i> ), goldenrod, Riverbank Grape ( <i>Vitis riparia</i> ) and strawberry could also be found within the groundcover.

Table 1: Summary of Vegetation Communities, 796186 Third Line Mulmur

Terrestrial	Meadow	MEG, Graminoid Meadow	MEGM3, Dry-Fresh Graminoid Meadow Ecosite	N/A	Open cultural community dominated by Awnless Brome with the occasional Scots Pine, White Pine and oak ( <i>Quercus sp.</i> ). It appears that this community may be mowed periodically.
Terrestrial	Plantation	TAG, Treed Agriculture	TAGM3, Deciduous Plantation	Deciduous plantation dominated by Black Walnut.	Similar groundcover composition as found within the MEGM3.

Table 2. Species at Risk Habitat Summary and Assessment

AEC 21-171

Taxa	Common Name <sup>1</sup>	ESA Status <sup>2</sup>	Habitat Requirements	Habitat on or Adjacent to Lands?	Issue Related to Proposed Development?
Bird	Bank Swallow	THR	Nest in burrows it constructs in sand banks associated with valleylands and in fill piles/gravel pits having near vertical faces.	No suitable habitat. No exposed verticle faces observed on or adjacent to the property.	No
Bird	Barn Swallow	THR	Build nests in manmade structures like sheds, barns, etc. and under bridges/in culverts, etc.	The exterior of the dwelling and shed were searched for nests. No nests observed. The barn on adjacent lands has the potential to provide habitat for Barn Swallow.	No
Bird	Bobolink	THR	Large grasslands	No suitable habitat on the property. Adjacent agricultural lands (i.e. Hayfields) may provide suitable habitat fo the species.	No
Bird	Chimney Swift	THR	Build nests in chimneys and/or on walls of built structures (barns, houses, churches, etc.)	The chimney associated with the single detached dwelling is capped thus precluding wildife from entering. No suitable habitat on or adjacent to the property.	No
Bird	Eastern Meadowlark	THR	Large grasslands	No suitable habitat on the property. Adjacent agricultural lands (i.e. Hayfields) may provide suitable habitat fo the species.	No
Mammal	Little Brown Myotis	END	Mature woodlands (snag/cavity trees) and buildings (churches, older homes with attics, etc.)	Potentially suitable habitat may be present within woodland on and adjacent to the property. Potentially suitable habitat may be associated with barn on adjacent lands.	No, provided the recommended mitigation measures are adhered to.
Mammal	Northern Myotis	END	Mature woodlands (snag/cavity trees)	Potentially suitable habitat may be present within woodland on and adjacent to the property.	No, provided the recommended mitigation measures are adhered to.
Mammal	Tri-coloured Bat	END	Mature woodlands (snag/cavity trees) and occasionally in barns or other buildings	Potentially suitable habitat may be present within woodland on and adjacent to the property.	No, provided the recommended mitigation measures are adhered to.
Plant	Butternut	END	Forests, woodlands, fencerows, open lands	Azimuth's 2021 field investigation revealed the presence of two Butternuts on the property.	No



Taxa	Common Name <sup>1</sup>	ESA Status <sup>2</sup>	Habitat Requirements	Habitat on or Adjacent to Lands?	Issue Related to Proposed Development?
Bird	Common Nighthawk	SC	Open habitats including forest openings, pastures, open forests, marshes, lakeshores, gravel roads and other relatively clear areas.	Potentially suitable habitat within forest openings on the property and open, early successional habitat on adjacent lands.	N/A <sup>3</sup>
Bird	Eastern Wood-Pewee	SC	Forests	Potentially suitable woodland habitat on and adjacent to the property.	N/A <sup>3</sup>
Bird	Wood Thrush	SC	Mature forests	Potentially suitable woodland habitat on and adjacent to the property.	N/A <sup>3</sup>
Reptile	Snapping Turtle	SC	Wetland	No suitable habitat.	N/A <sup>3</sup>
Insect	Monarch Butterfly	SC	Meadow habitat where milkweed grows.	Potentially suitable habitat on and adjacent to the property.	N/A <sup>3</sup>

<sup>1</sup>List compiled based on SAR known/expected or documented to occur within the general area

<sup>2</sup> Protection status under Ontario's *Endangered Species Act*, 2007 (ESA). Endangered (END), Threatened (THR), Special Concern (SC)

<sup>3</sup>Not Applicable - Ontario's *Endangered Species Act*, 2007 does not afford individual or habitat protection to species listed as Special Concern

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## **APPENDICES**

**Appendix A:** Municipal Planning Information

**Appendix B:** NVCA Information

**Appendix C:** Provincial Information

**Appendix D:** Proposed Site Plan

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**APPENDIX A**

**Appendix A: Municipal Planning Information**

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758070 2<sup>nd</sup> Line E  
Mulmur, Ontario  
L9V 0G8

Local **(705) 466-3341**  
Toll Free from 519 only **(866) 472-0417**  
Fax **(705) 466-2922**

March 1, 2021

John Clark  
[clarkproperties@hotmail.com](mailto:clarkproperties@hotmail.com) (sent by email only)

Re: Roll 2216 0000 02 0415 0000  
P2-2021

Dear: Mr. Clark

Thank you for pre-consulting with the Township of Mulmur regarding your proposed severance.

The lands, described as part of Lot 3, Concession 3 EHS are zoned Countryside Area (A) and designated Rural in the Official Plan. The lands are outside of the Provincial Agricultural Land Base map. The lands are within the Provincial Natural Heritage System. The lands are also mapped as including steep slope, woodlot, Earth Science ANSI. It is unknown whether there is significant habitat or significant species associated with the woodlot. A portion of the land is also regulated by the Nottawasaga Valley Conservation Authority.

The proposed severed and retained lands would meet the minimum lot requirements of the Countryside Area (A) Zone. Based on the information provided we are unable to confirm the compliance of existing buildings and structures and uses with the Township's by-laws.

The following is our comments based on the level of information that you provided. We are unable to confirm the likelihood of an application conforming to the Townships policies and regulations, as additional studies are required.

- NVCA Comments dated February 1, 2021 (Amy Knapp) identified a woodlot and slope steep erosion hazard and are within the Provincial Natural Heritage System. It included a requirement for a Natural Heritage Assessment and minimum setback to a woodlot of 30 metres.
- Consent application and associated fees of \$2500 required.

- Minimum Distance Separation (MDS) calculation is required to confirm distance between bank barn on lands located directly south of subject lands. From a preliminary calculation, it is anticipated that the building envelop would need to be shifted west to comply with the MDS requirement, assuming the barn is capable of housing livestock and the manure storage is in proximity to the barn.
- Subject lands include and Earth Science ANSI, being the Primrose-Boyne Valley Provincial ANSI. Confirmation from the Ministry of Natural Resources regarding the unrestricted use and proposed development is required.
- Review of the Township's Tree Cutting By-law and confirmation that the proposed development will comply or that approval is required for the development. Approval is not guaranteed.
- Confirmation from the NVCA required regarding wildlife habitat and whether an EIS is required.
- Confirmation from the Ministry of Natural Resources on whether there are any species at risk. This may trigger an EIS.
- Driveway location would be subject to an entrance permit, and the exact location can not be confirmed without a formal application.
- Pre-Consultation with the County of Dufferin is recommended.

Sincerely,

Tracey Atkinson  
Township of Mulmur

cc. Amy Knapp, NVCA (via email only)  
John Willmetts, Director of Public Works  
Jenny Li, Dufferin County Planner



## Lisa Moran

---

**From:** John Clark [REDACTED]  
**Sent:** March-12-21 10:59 AM  
**To:** Lisa Moran  
**Subject:** Fw: Preliminary Comments for P2-2021 Clark Severance

---

**From:** Tracey Atkinson <[tatkinson@mulmur.ca](mailto:tatkinson@mulmur.ca)>  
**Sent:** March 3, 2021 11:29 AM  
**To:** John Clark [REDACTED]  
**Subject:** FW: Preliminary Comments for P2-2021 Clark Severance

Hi John,

Please see the comments below from Dufferin County.

Kind regards,

**Tracey Atkinson, BES MCIP RPP Dipl M.M.** | CAO | Planner | Acting Clerk  
*Township of Mulmur | 758070 2nd Line E Mulmur, ON L9V 0G8*  
*Phone 705-466-3341 ext. 222 | Fax 705-466-2922 | [tatkinson@mulmur.ca](mailto:tatkinson@mulmur.ca)*

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**From:** Jenny Li <[jli@dufferincounty.ca](mailto:jli@dufferincounty.ca)>  
**Sent:** March 3, 2021 10:49 AM  
**To:** Tracey Atkinson <[tatkinson@mulmur.ca](mailto:tatkinson@mulmur.ca)>  
**Subject:** RE: Preliminary Comments for P2-2021 Clark Severance

Good morning Tracey,

Please see the preliminary comments I have regarding the proposed severance. Let me know if you have any questions.

**The subject property is Within the Rural Lands Designation in the County Official Plan (Schedule C).** Under Section 4.3.2 Permitted Uses allow limited residential development, which includes no more than three new lots or units. And Under Section 4.3.3 Land Use Policies, development in rural lands will be subject to the policies of Section 7.3, with respect to servicing. All farm and non-farm development, including lot creation and new/expanding livestock facilities, will comply with the MDS as implemented through the applicable local municipal planning documents. The subject property is located on a local road, access to a municipal road will require approval from the Township. Lot creation in rural lands will only be permitted in accordance with the policies of the County Official Plan and the local municipal Official Plan

### **Natural Heritage Features and Functions**

The subject property is within the Provincial Natural Heritage System and contains Earth Science ANSI (Primrose-Boyne Valley), which is identified on Schedule E of the County Official Plan. Development and site alteration will not be permitted within or adjacent to ANSI's unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions through the preparation of an EIS. Also, there are woodlands on and adjacent to the property and the intent of the County Official Plan is to conserve existing woodlands and vegetation and prohibit incompatible land uses that deter their long term benefits. Woodlands are illustrated on Schedule E. Development and site alteration will not be permitted within or adjacent to significant woodlands unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions through the preparation of an EIS. Consultation with the Township and NVCA regarding the scope of an EIS.

### **6.2.1 Flooding hazards, steep slopes, unstable soils and erosion hazards**

The application should address the policies of Section 6.2.1 of the County Official Plan regarding hazard lands and ensure any necessary setbacks or buffers are appropriate. Policy 6.2.1 directs that development (including lot creation), be directed to areas outside of hazard lands.

### **5.4.2 Sourcewater Protection**

Under Appendix 2 (Source Water Protection) the subject property is located within the Significant Groundwater Recharge Area. Policy 5.4.2(c) states that prior to the approval of development applications within designated vulnerable areas, the proponents shall demonstrate to the satisfaction of the County, local municipality, Conservation Authority and Province, where necessary, that the quality and quantity of municipal drinking water sources will not be negatively impacted. Consultation occur with the Township of Mulmur and the Nottawasaga Valley Conservation Authority (NVCA) related to the potential impacts to source water.

Jenny

**Jenny Li, Planning Coordinator | Development and Tourism| County of Dufferin|** Phone: 519.941.2816 Ext: 2509 | [jli@dufferincounty.ca](mailto:jli@dufferincounty.ca) | 55 Zina St, Orangeville, ON L9W 1E5

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Visit our services online at [DufferinCounty.ca](http://DufferinCounty.ca) | [JoininDufferin](http://JoininDufferin) | [DufferinMuseum.com](http://DufferinMuseum.com)

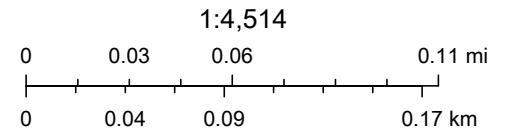
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# 796186 Third Line Mulmur



4/23/2021, 3:56:28 PM

- Assessment Lot Parcels
- Address Points
- Official Plan Rural Lands
- Provincial Plan Areas



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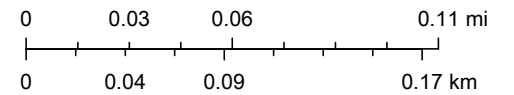
# 796186 Third Line Mulmur - Schedule E Natural Heritage Features



4/23/2021, 4:01:15 PM

- Address Points
- Assessment Lot Parcels
- ▬ Dufferin County Boundary
- ▬ Dufferin County Municipal Boundaries
- ▭ Niagara Escarpment Plan Area (S. 2.3)
- Woodlands (S. 5.3.4)
- Regulatory Limit - Nottawasaga Valley Conservation Authority

1:4,514



Dufferin, Maxar, Esri, HERE, Garmin, iPC, NRCan



# 796186 Third Line - Schedule E1 Natural Heritage System (Preliminary)

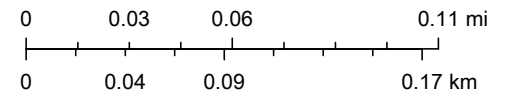


4/23/2021, 4:03:56 PM

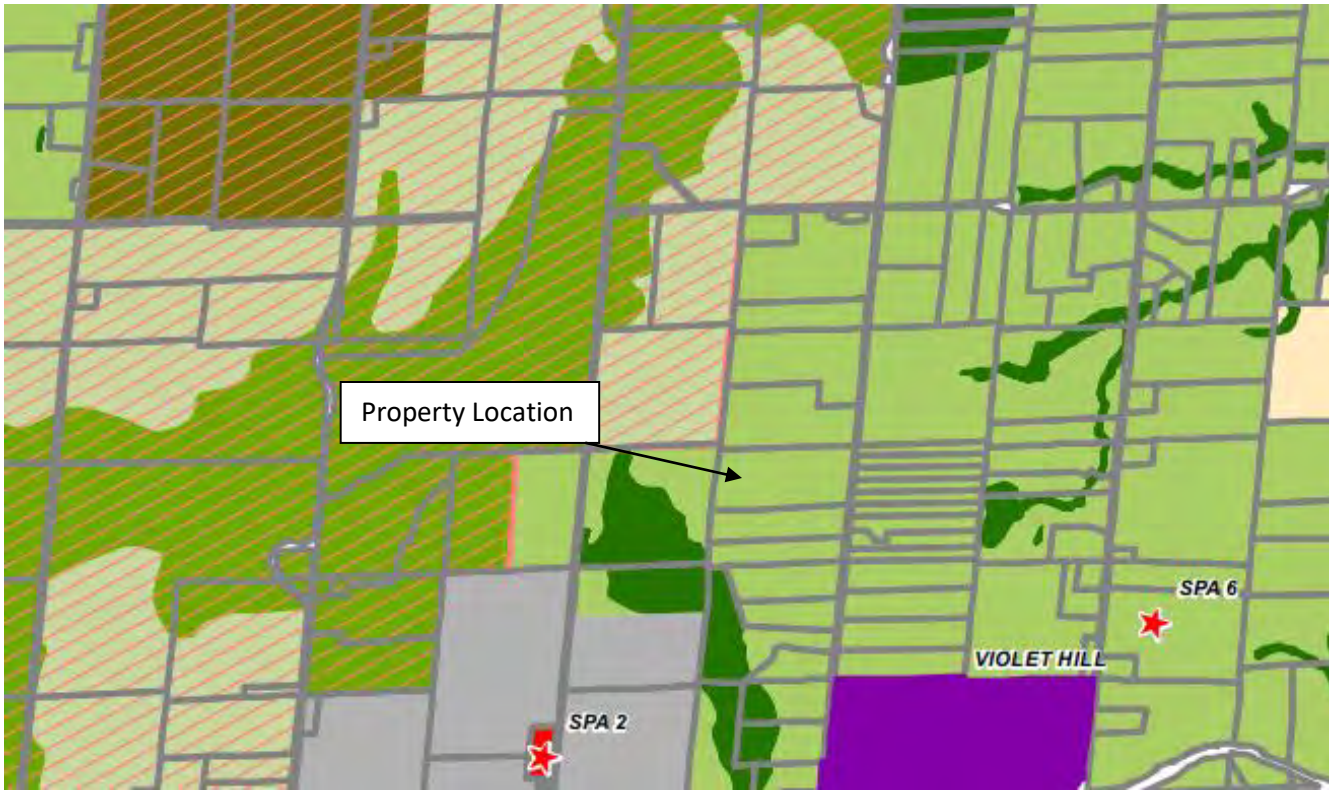
- Address Points
- Assessment Lot Parcels
- ▬ Dufferin County Boundary
- ▬ Dufferin County Community Settlement Areas Municipal Boundaries

- ▭ Niagara Escarpment Plan Area (S. 2.3)
- ▭ Niagara Escarpment Plan (S.2.3)
- ▭ Escarpment Protection Area
- ▭ County Preliminary Natural Heritage System

1:4,514



Dufferin, Maxar, Esri, HERE, Garmin, iPC, NRCan



### Township of Mulmur Official Plan Schedule A1 - Land Use Designations



**Legend**

- ★ Property Subject to Specific Policy
- ☐ Mansfield North Recreation Area
- ☐ Promissio Settlement Area (Community Boundary)
- ☐ Settlement Area (Barred Boundary)
- ☐ Settlement Area (Community Boundary)
- EXI Extractive Industrial
- NE-PA Niagara Escarpment - Protected Area
- NE-RU Niagara Escarpment - Rural
- NE-NA Niagara Escarpment - Natural Area
- NE-EXI Niagara Escarpment - Extractive Industrial
- BP-T Business Park Transition
- BP-G Business Park Gateway
- BP-C Business Park Core
- NA Natural Area
- FWD Former Waste Disposal Area (FWCA)
- OSR Open Space Recreation
- OS Open Space
- RU Rural
- HM Hamlet
- ER Estate Residential
- C Commercial
- R Recreation
- A Agricultural
- I Institutional
- HC Highway Commercial
- CO Community
- WI Waste Disposal Industrial
- HR Hamlet Residential
- ☐ Parcels
- ☐ Niagara Escarpment Plan Area

**NOTES:**

1. Schedule A - Official Plan Conditions information has not been approved by the Ontario Municipal Board (OMB) or the Ministry of Municipal Affairs and Housing (MMAH) and therefore it is not subject to change.

**SOURCES:**

1. All land Ownership Data has been provided by the Ministry of Natural Resources (MNR) (O.P. Map).
2. Parcel Data has been provided by the Township of Mulmur.
3. Official Plan Areas have been provided by the Township of Mulmur.

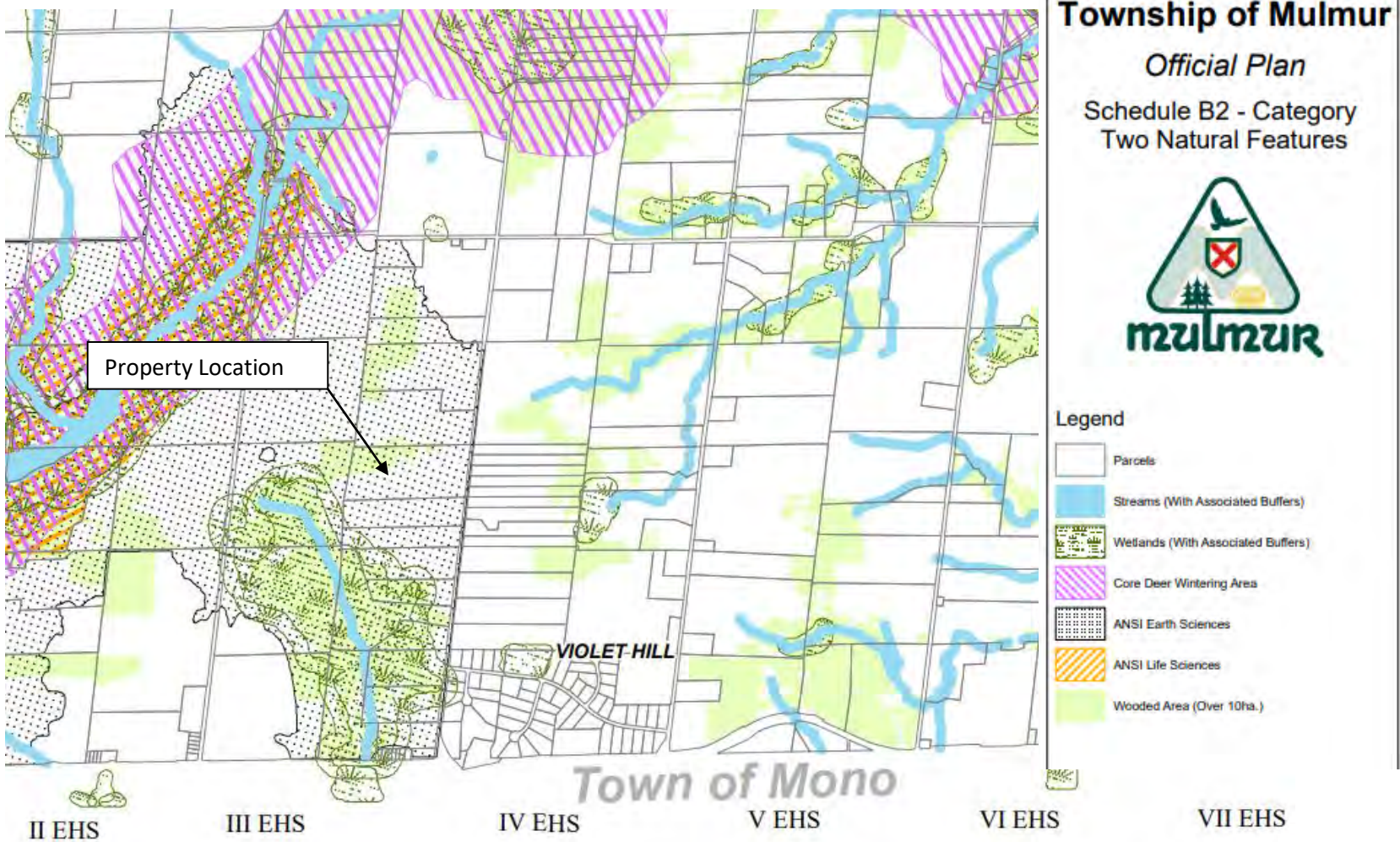
**DISCLAIMER:**

M.A. Barnhill and Associates, and its team, provided services, and is not responsible for any errors, omissions or conditions of the data reported on this map. It is the responsibility of all users of the map to verify the accuracy of the information.



Appendix A: Excerpt from the Township of Mulmur Official Plan Schedule A1 – Land Use Designations





Appendix A: Excerpt from the Township of Mulmur Official Plan Schedule B2 – Category Two Natural Features

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**APPENDIX B**

**Appendix B: NVCA Information**

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## Lisa Moran

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**From:** John Clark [REDACTED]  
**Sent:** March-12-21 10:57 AM  
**To:** Lisa Moran  
**Subject:** Fw: NVCA comments - Severance inquiry for 796186 3rd line (Mulmur)

---

**From:** Amy Knapp <aknapp@nvca.on.ca>  
**Sent:** February 2, 2021 9:47 AM  
**To:** 'John Clark' [REDACTED]  
**Subject:** RE: NVCA comments - Severance inquiry for 796186 3rd line (Mulmur)

Good Morning John,

I am not sure whom in the Planning Department you may have spoken to in the past and I do not have any written documentation confirming the same . However, I can confirm that the Provincial Policy Statement (PPS) has identified this property to be within the Natural Heritage System and based on aerial photograph below, the natural heritage feature would be the woodlot.

In order to confirmed the significance of the natural heritage features an EIS is required to assess the potential impacts of development on such features, and evaluate conformity of the proposal with relevant natural heritage-related policies. This requires an applicant retain a qualified ecologist to prepare this submission, at which point the consultant shall contact NVCA planning staff to discuss the appropriate scope of required studies.

The PPS defines a natural heritage system and feature to be the following:

**Natural heritage system:** means a system made up of natural heritage features and areas, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. These systems can include natural heritage features and areas, federal and provincial parks and conservation reserves, other natural heritage features, lands that have been restored or have the potential to be restored to a natural state, areas that support hydrologic functions, and working landscapes that enable ecological functions to continue. The Province has a recommended approach for identifying natural heritage systems, but municipal approaches that achieve or exceed the same objective may also be used.

**Natural heritage features and areas:** means features and areas, including significant wetlands, significant coastal wetlands, other coastal wetlands in Ecoregions 5E, 6E and 7E, fish habitat, significant woodlands and significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River), habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.



**Significant: means**

*a) in regard to wetlands, coastal wetlands and areas of natural and scientific interest, an area identified as provincially significant by the Ontario Ministry of Natural Resources and Forestry using evaluation procedures established by the Province, as amended from time to time;*

I hope this clarifies our position. Any other questions, please let me know.

**Amy Knapp | Planner III**  
**Nottawasaga Valley Conservation Authority**  
8195 8<sup>th</sup> Line, Utopia, ON L0M 1T0  
T 705-424-1479 ext.233 | F 705-424-2115  
aknapp@nvca.on.ca | nvca.on.ca

*I am currently working remotely as the Nottawasaga Valley Conservation Authority is taking preventative measures to limit the spread of COVID-19. You may experience some delays or disruptions as we follow recommendations of health professionals to slow the virus from spreading.*

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---

**From:** John Clark [REDACTED]  
**Sent:** Tuesday, February 2, 2021 6:55 AM  
**To:** Amy Knapp <aknapp@nvca.on.ca>  
**Subject:** Re: NVCA comments - Severance inquiry for 796186 3rd line (Mulmur)

Good morning Amy that you for your response. I am a little confused. I previously spoke to someone at nvca who looked at it on a map and indicated that there was no natural heritage on the property. Can you tell me where it is identified as natural heritage and what defines natural heritage please. Also who does natural heritage assessments.

Thanks  
John

---

**From:** Amy Knapp <aknapp@nvca.on.ca>  
**Sent:** February 1, 2021 1:28 PM  
**To:** 'John Clark' [REDACTED]  
**Cc:** Tracey Atkinson <tatkinson@mulmur.ca>; Morgen Wilson <mwilson@nvca.on.ca>  
**Subject:** NVCA comments - Severance inquiry for 796186 3rd line (Mulmur)

Good Morning John,

The Nottawasaga Valley Conservation Authority (NVCA) has reviewed your inquiry for a possible severance (no concept plan provided) in accordance Natural Heritage and Natural Hazard policies established under the Provincial Policy Statement 2020 (PPS) and our Planning and Regulation Guidelines established under the Conservation Authorities Act. Based upon our mandate and policies, the NVCA offer the following comments for consideration.

## **Ontario Regulation 172/06**

We advise that a small portion of the property is regulated by the NVCA due to slope erosion hazards.

Further, the majority of the property also contains a woodlot feature as illustrated on the attached map below.



## **Natural Heritage Impacts**

### Woodlands impact(s)

**SECTION 2.1.5** Policies contained within the PPS prohibit development (including lot creation) and site alteration in significant natural heritage features unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. This would involve the undertaking of a Natural Heritage Assessment of the site completed by a qualified professional and at the your cost and risk. Further, the undertaking of this the assessment is not a guarantee an approval and results may not necessarily be in your favor.

It appears woodlands would more than likely be impacted by development based on the location of the woodlots relative to the location of a proposed new lot and potential building envelope due to environmental restrictions (noted below).

Our minimum setback from all woodlots is 30 metres which in this case would reduce the amount of land available for development.

## Adjacent to Wetlands or Woodlands impact(s)

**SECTION 2.1.8** Policies contained within the PPS prohibit development (including lot creation) and site alteration adjacent to significant natural heritage features unless it unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

## **Conclusions**

In summary, it appears from a preliminary environmental perspective there may be some challenges and without a firm concept or supporting technical studies (Natural Heritage Assessment) staff are unable to provide a position (for or against). The subject lands have been identified to be within the Provincial Natural Heritage System. Therefore, staff recommend pre-consultation with the County and the Township prior to undertaking any technical study as it relates to severance policies within Natural Heritage features which may provide you with a clear direction.

These comments should be considered preliminary in nature. NVCA staff appreciates the opportunity to comment at this stage in the process. Should you require any further information, please feel free to contact the undersigned.

**Amy Knapp | Planner III**  
**Nottawasaga Valley Conservation Authority**  
8195 8<sup>th</sup> Line, Utopia, ON L0M 1T0  
T 705-424-1479 ext.233 | F 705-424-2115  
aknapp@nvca.on.ca | nvca.on.ca

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---

**From:** John Clark [REDACTED]  
**Sent:** Monday, January 18, 2021 3:00 PM  
**To:** Amy Knapp <[aknapp@nvca.on.ca](mailto:aknapp@nvca.on.ca)>  
**Subject:** Severance application

Hi Amy, I have a property in Mulmur that is 50 acres. Address is 796186 3rd line. I would like to apply for a severance and there is a small corner at the back that is regulated by the NVCA. Could you guide me as to what the procedure is through the NVCA? Thank you.

John clark





# Property Screening Report

03-May-2021

## Information Resources for Regulated Properties

[Do I need a permit?](#)

[Submit a Property Inquiry](#)

[Google Driving Directions](#)

[Info Regarding Covid-19](#)

Email the Regulations Department  
[permits@nvca.on.ca](mailto:permits@nvca.on.ca)

## NVCA Contact Information

(705) 424-1479

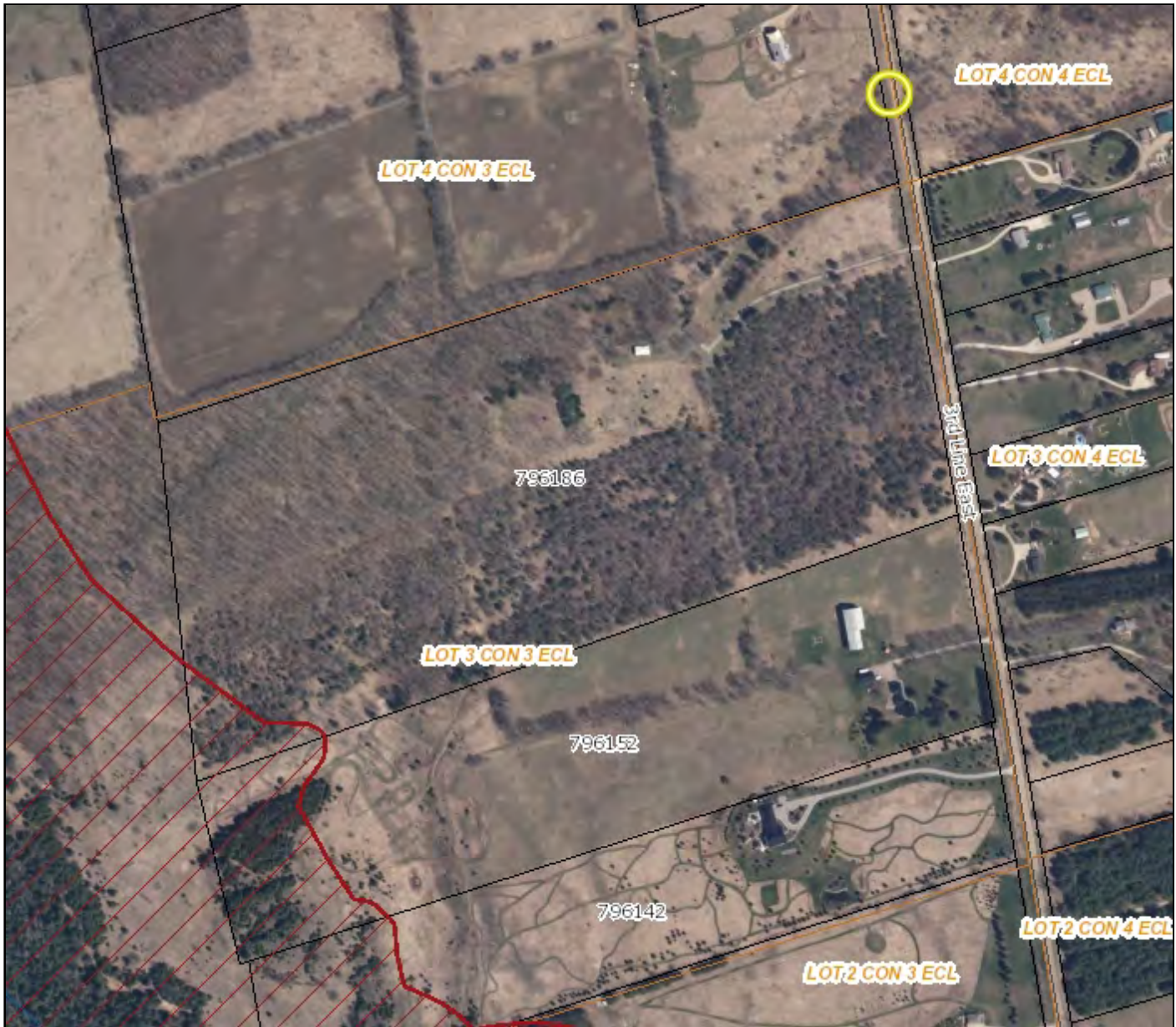
8195 8th Line,  
Utopia, ON L0M 1T0

[www.nvca.on.ca](http://www.nvca.on.ca)

Monday to Friday

8:30 a.m. to 4:30 p.m.

except between 12:00 p.m. - 1:00 p.m.



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## Lisa Moran

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**From:** Mike Francis [mfrancis@nvca.on.ca]  
**Sent:** March 23, 2021 11:28 AM  
**To:** Lisa Moran; Amy Knapp  
**Cc:** tatkinson@mulmur.ca; jli@dufferincounty.ca  
**Subject:** RE: 796186 3rd Line, Mulmur - EIS Terms of Reference

Hi, Lisa. Some thoughts on your proposal below:

Please ensure that your report applies the collected natural heritage information to provide an overall assessment of conformity and consistency with relevant provincial and local land-use planning policies. The subject parcel appears to contain areas mapped by Dufferin County as Natural Heritage System. This should serve as the relevant NHS layer for application and demonstration of conformity with policies of the provincial Growth Plan. In order to further apply Growth Plan policies, please ensure that your EIS incorporate a figure which depicts the limits of any Key Natural Heritage Features (KNHF) and/or Key Hydrologic Features (KHF) in relation to proposed development. Note that development in this context is defined as the actual creation of the lot itself, and not limited to a potential future dwelling envelope on the proposed new lot. The scope of your data collection efforts should be planned accordingly. With a proposed highly-scoped field program, it would be expected that any assumptions regarding natural heritage feature presence/absence would be made conservatively.

It does not appear that I have any additional information that might assist in your report. NVCA's regulatory wetland layer does not show any mapped wetland on this parcel. However, your vegetation community assessment will need to confirm if this is accurate.

Hope this is helpful, and happy to discuss further as needed.

**Mike Francis, H.B.Sc., M.E.S., E.P. | Planning Ecologist**

**Nottawasaga Valley Conservation Authority**  
8195 8<sup>th</sup> Line, Utopia, ON L0M 1T0  
T 705-424-1479 ext. 236 | F 705-424-2115  
[mfrancis@nvca.on.ca](mailto:mfrancis@nvca.on.ca) | [nvca.on.ca](http://nvca.on.ca)

**IMPORTANT NOTE**

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**From:** Lisa Moran <Lisa@Azimuthenvironmental.Com>  
**Sent:** Wednesday, March 17, 2021 4:51 PM  
**To:** Amy Knapp <aknapp@nvca.on.ca>  
**Cc:** tatkinson@mulmur.ca; jli@dufferincounty.ca  
**Subject:** 796186 3rd Line, Mulmur - EIS Terms of Reference

Hello Amy,

We have been retained by the landowner, John Clark, to complete an EIS for the property located at 796186 3<sup>rd</sup> Line, Township of Mulmur.



The property is designated as Rural within the Township of Mulmur (Township) and County of Dufferin (County) Official Plans.

The Primrose-Boyne Valley Earth Science ANSI is present on the property and it is primarily wooded with an existing single residential dwelling. The woodland on the property (and adjacent lands) may meet the definition of “significant” as per the Provincial Planning Policy (PPS), Township and County Official Plan. Current applicable policies (provincial, County and Township) currently may permit development within a Significant Woodland through the completion of an EIS provided it demonstrates that there will be no negative impacts on the natural features or their ecological functions.

The southwest portion of the property is currently regulated by the Nottawasaga Valley Conservation Authority (NVCA) due to the presence of slope hazards.

The proponent wishes to sever a parcel with the intent of constructing a single residential dwelling on the retained parcel. The NVCA, Township and County have advised that an EIS is required.

The purpose of this study will be to identify natural heritage features and functions via desktop review combined with a single site visit undertaken in winter/spring 2021 to identify potential Key Natural Heritage Features on the property. A screening for the habitat of Species at Risk (SAR) listed under the Ontario’s *Endangered Species Act, 2007* (ESA) associated with development area and adjacent lands will also be carried out as a part of this assignment. A potential building envelope and strategy for mitigation and/or restoration will be recommended as a component of the EIS report.

Based on this information, Azimuth proposes the following scope of work for the EIS:

#### Phase 1: Natural Heritage Constraints and Consultation

This phase will assess the extent of natural features on the property, consult with the NVCA, Township and County to confirm the Terms of Reference and discuss the feasibility for a severance and construction of a single detached dwelling.

- Submit an information request to the Ministry of the Environment, Conservation and Parks (MECP) to obtain existing natural heritage data on and adjacent to the property, including SAR that have potential to occur in the area;
- Contact the Ministry of Natural Resources and Forestry (MNRF) regarding the Earth Science ANSI regarding the proposed land use (already completed by proponent – correspondence to be provided in EIS);
- Contact the regulatory agencies (NVCA, Township, County) and confirm the Terms of Reference for the EIS and generally discuss the feasibility of the project;
- Conduct a desktop review of existing natural heritage features;
- Complete one (1) site visit of the property (winter/spring 2021) to confirm the extent of natural features onsite which will include:
  - Define and map vegetation communities following protocol of the Ecological Land Classification for Southern Ontario. Survey efforts will focus within and adjacent to the potential development areas (i.e. within 50m);
  - Search for Butternut;
  - Record all wildlife observations;
- Assess wildlife habitat functions according to provincial criteria for identification of Significant Wildlife Habitat;
- Complete an assessment of potential SAR and their habitats that could be affected within the study area;
- Subsequent to the site visit, provide a brief e-mail summary and preliminary figure (including a potential development envelope) to the agencies with to generally discuss the feasibility of the severance and subsequent construction of a single detached dwelling.

## Phase 2: Environmental Impact Study

Phase 2 will include preparation of an EIS report for submission to the regulatory agencies. As part of the EIS, Azimuth will:

- Identify a potential building envelope and/or assess the potential direct and indirect impacts of the proposed works on the natural heritage features and functions identified on or adjacent to the property;
- Prepare an EIS (electronic) for your review and comment. The EIS will include information on impact mitigation/avoidance where required.

At this time, we request that you review and provide comment on the proposed scope of the EIS. We would also like to take the opportunity to request any available background information that may be useful for inclusion within the EIS.

Please do not hesitate to contact me should you wish to discuss.

Regards,

*Lisa Moran*

Terrestrial Ecologist

Azimuth Environmental Consulting, Inc

642 Welham Road

Barrie, ON, L4N 9A1

ph: (705) 721-8451 ext 202

cell: (705) 331-1479

[lisa@azimuthenvironmental.com](mailto:lisa@azimuthenvironmental.com)

[www.azimuthenvironmental.com](http://www.azimuthenvironmental.com)

*Providing services in **hydrogeology, terrestrial and aquatic ecology & environmental engineering***

*At this time, I am working remotely. The Azimuth office is currently closed to the public but I can be reached on my cell or email.*

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**APPENDIX C**

**Appendix C: Provincial Information**

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## Information Request

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**Date:** April 23, 2021

**Project Reference:** AEC 21-171

**Azimuth Contact:** Lisa Moran, Terrestrial Ecologist  
[lisa@azimuthenvironmental.com](mailto:lisa@azimuthenvironmental.com)

**Attachments:** Figure outlining study area

---

**Project Location:** 796186 Third Line, Township of Mulmur, Dufferin County. UTM coordinates: Northern limit - 17 T 573689.63 E 4885561.84.

**Activity Description:** Species at Risk (SAR) Assessment for proposed severance and construction of a single detached dwelling.

**The following sources were queried for natural heritage information related to the general location of the property:**

- Species at Risk Ontario (*i.e.* Ontario Regulation 230/08);
- Land Information Ontario;
- Natural Heritage Information Centre (Squares 17NJ7285, 17NJ7385, 17NJ7485);
- Ontario Breeding Bird Atlas (Square 17TNJ78); and
- Ontario Reptile and Amphibian Atlas (Square 17NJ78).

**Natural Heritage Features on and Adjacent to the Property:**

- Deciduous woodland within and adjacent to study area;
- Coniferous/Mixed woodland (plantation) within study area; and
- Within Primrose-Boyne Valley Earth Science ANSI.

**Consolidated SAR List for the Study Area and Adjacent Lands:**

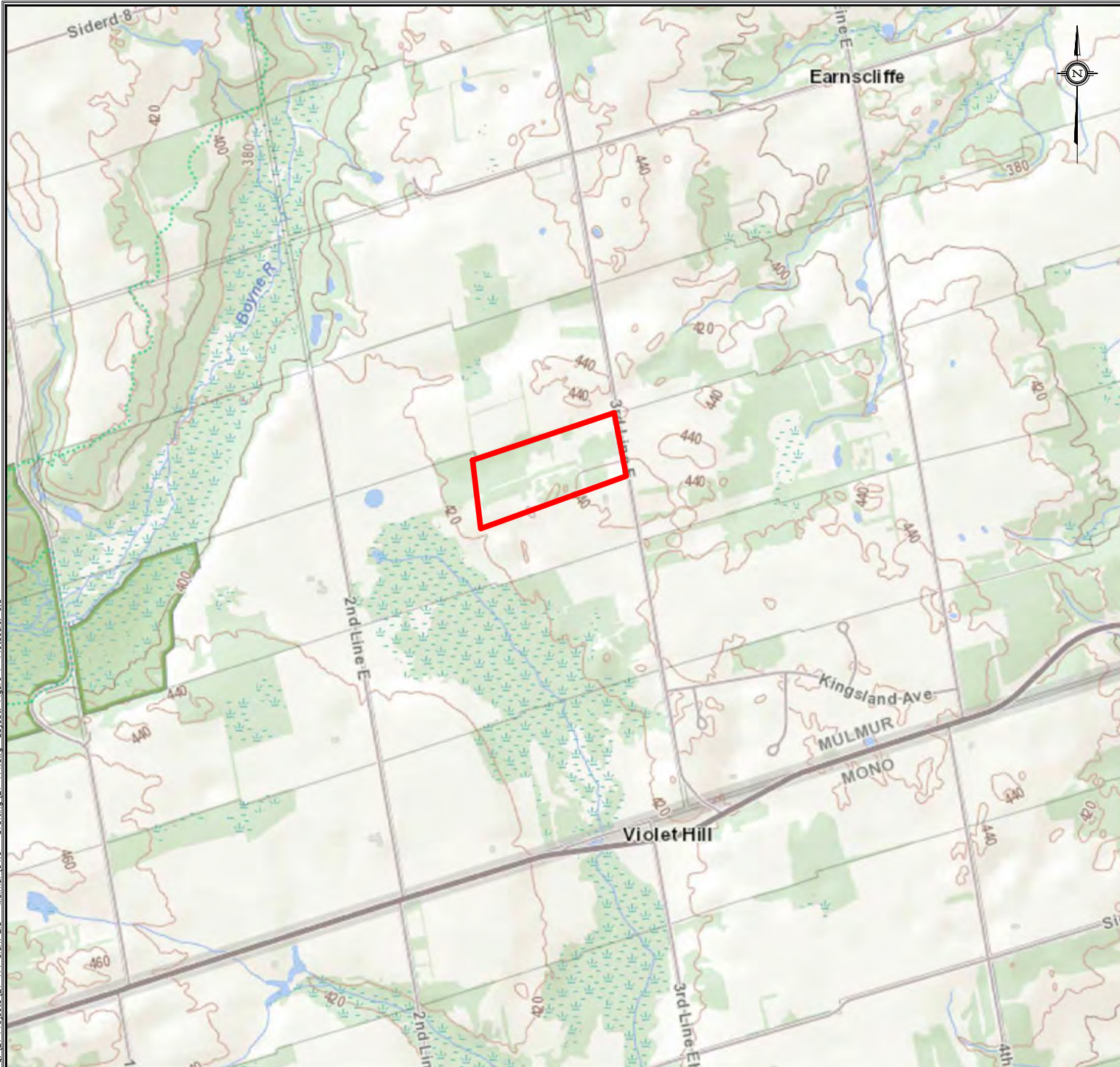
- Birds: Barn Swallow (THR), Bank Swallow (THR), Bobolink (THR), Chimney Swift (THR), Common Nighthawk (SC), Eastern Meadowlark (THR), Eastern Wood-Pewee (SC), Wood Thrush (SC);
- Insects: Monarch Butterfly (SC);
- Mammals: Little Brown Myotis (END), Northern Myotis (END), and Tri-colored Bat (END);
- Plants: Butternut (END); and
- Reptiles: Snapping Turtle (SC).



**Information Request**

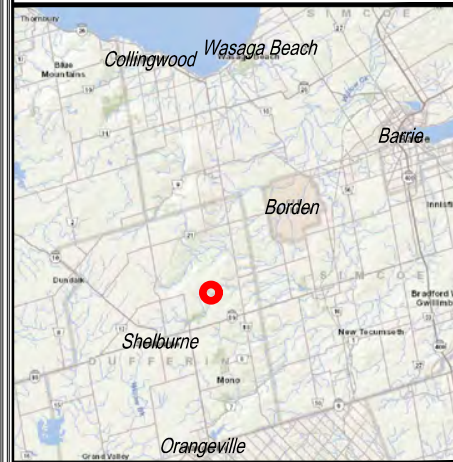
Please confirm that the SAR list above includes all species of concern to the MECP and if not, please amend the list for accuracy.



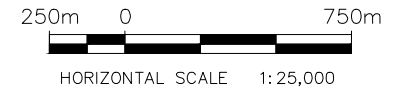


**LEGEND:**

 *Approx. Property Boundary*



*Regional Map*



Site Location

796186 Third Line,  
Mulmur, ON

DATE ISSUED: <i>March 2021</i>	Figure No.
CREATED BY: <i>JLM</i>	1
PROJECT NO.: <i>21-171</i>	
REFERENCE: <i>MNRF 241</i>	





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## Lisa Moran

---

**From:** Snell, Shamus (MECP) [Shamus.Snell@ontario.ca]  
**Sent:** May 18, 2021 1:36 PM  
**To:** Lisa Moran  
**Subject:** MECP SARB Review: Information Request 796186 Third Line Mulmur

Hi Lisa,

The Ministry of Environment, Conservation and Parks (MECP) SARB has conducted review of 796186 Third Line, Township of Mulmur for Species at Risk (SAR) occurrences and has not detected any additional SAR occurrences which were not already identified in the consolidated species list.

While this review represents MECP's best currently available information, it is important to note that a lack of information for a site does not mean that SAR or their habitat are not present. There are many areas where the Government of Ontario does not currently have information, especially in areas not previously surveyed. On-site assessments will need to be performed to verify site conditions, identify and confirm presence of species at risk and/or their habitats.

It is the responsibility of the proponent to ensure that SAR are not killed, harmed, or harassed, and that their habitat is not damaged or destroyed through the proposed activities to be carried out on the site. If the proposed activities can not avoid impacting protected species and their habitats then the proponent will need to apply for a authorization under the Endangered Species Act (ESA).

Regards,

Shamus Snell  
A/ Management Biologist  
Species at Risk Branch  
Ministry of Environment, Conservation and Parks  
Email: [shamus.snell@ontario.ca](mailto:shamus.snell@ontario.ca)

---

**From:** Lisa Moran <[Lisa@Azimuthenvironmental.Com](mailto:Lisa@Azimuthenvironmental.Com)>  
**Sent:** April 23, 2021 3:30 PM  
**To:** Species at Risk (MECP) <[SAROntario@ontario.ca](mailto:SAROntario@ontario.ca)>  
**Subject:** Request for Preliminary Screening - 796186 Third Line Mulmur

**CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.**

Good afternoon,

Please find attached a request for background Species at Risk information related to 796186 Third Line Mulmur.

Regards,

*Lisa Moran*  
Terrestrial Ecologist

Azimuth Environmental Consulting, Inc

642 Welham Road  
Barrie, ON, L4N 9A1  
ph: (705) 721-8451 ext 202  
cell: (705) 331-1479  
[lisa@azimuthenvironmental.com](mailto:lisa@azimuthenvironmental.com)  
[www.azimuthenvironmental.com](http://www.azimuthenvironmental.com)

*Providing services in **hydrogeology, terrestrial and aquatic ecology & environmental engineering***

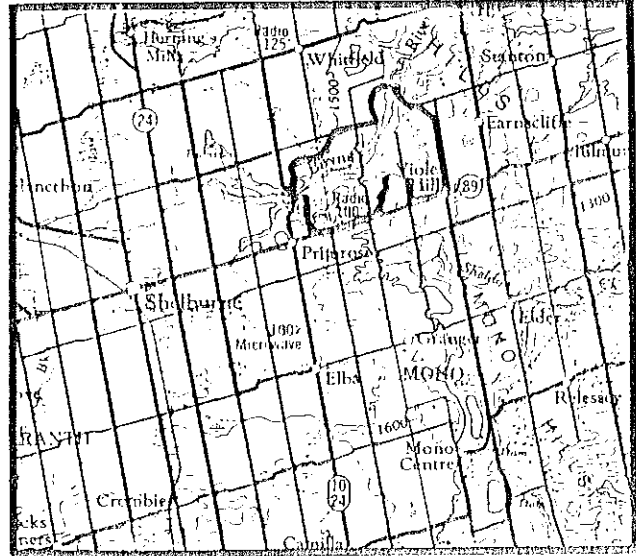
*At this time, I am working remotely. The Azimuth office is currently closed to the public but I can be reached on my cell or email.*

# NIAGARA ESCARPMENT INVENTORY PROJECT – EARTH SCIENCE CHECKSHEET

NAME <b>Violet Hill Channel – Boyne Valley ANSI</b>	OBM MAP NUMBER 5650 48800 5650 48850 5700 48800 5700 48850	NTS MAP NUMBER 41 A/1	UTM REFERENCE 715845
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COUNTY <b>Dufferin</b>			
TOWNSHIP <b>Mulmur</b>			
LAT. 44° 07'	LONG. 80° 06'	AREA 1326 ha	ALTITUDE (MIN/MAX) 374m 505m
OWNERSHIP <b>Public/Private</b>			
MNR REGION & DISTRICT <b>Central/Huronia</b>		CONSERVATION AUTHORITY	
AERIAL PHOTOGRAPHS – BASEMAPS			
<u>YEAR</u>	<u>ROLL</u>	<u>FLIGHT LINE</u>	<u>NUMBERS</u>
1978	134	4407	271–275
		4408	222–229
		4409	176–181
		4410	131–134

1:250,000 NTS MAP SHOWING AREA BOUNDARIES



### EARTH SCIENCE FEATURES

The Violet Hill Channel-Boyne Valley ANSI is located in an area of confluence between the late glacial Simcoe sublobe (from the northeast) and Georgian Bay Lobe (from the northwest) ice. This area of the escarpment, marked by a minor re-entrant valley through which the Boyne River now flows, marks the chaotic junction of the deposits of these ice lobes, the Orangeville Interlobate Moraine to the west and a complex of the Singhampton-Gibraltar Moraine to the east. Separating these major ice-contact bodies of sediment is the Violet Hill meltwater channel, which drained meltwaters from the north between the Niagara Escarpment and the stagnating Singhampton-Gibraltar Moraine position. Two levels of the meltwater channel, representing two periods of use, are represented in the area. Ice-contact stratified drift is interbedded with glaciofluvial and minor glaciolacustrine sediments within the moraines, while sand and gravel dominate the flat-bottomed meltwater channels.

Minor bedrock exposure in the re-entrant valley occurs where the Boyne River has cut through the thick glacial sediment cover. The ANSI overlaps with Boyne Valley Provincial Park. The ANSI overlaps with Boyne Valley Provincial Park.

### SIGNIFICANCE AND SENSITIVITY

The area is identified as having provincially significant earth science representation of the "type" area of the Orangeville Moraine and the Violet Hill meltwater channel, as well as good representation of a portion of the Singhampton-Gibraltar Moraine complex. Though generally quite resistant to most existing land use, the removal of aggregate poses a danger to landform integrity and should be discouraged in the ANSI. Present rural land uses, such as grazing and farming, should be encouraged.

### MAJOR INFORMATION SOURCES

- Gwyn, Q.H.J. 1975. Quaternary Geology of the Dundalk Area, Southern Ontario; Ontario Division of Mines, Open File Report 5132, 120p.
- Liberty, BA., Bond, I. J. and Telford, P.G. 1976. Paleozoic Geology, Dundalk, Southern Ontario; Ontario Division of Mines, Map 2340, scale 1:50 000.

DATE COMPILED <b>December 1991</b>	COMPILED BY <b>P. Kor</b>
------------------------------------	---------------------------



## Lisa Moran

---

**From:** John Clark [REDACTED]  
**Sent:** March-12-21 12:42 PM  
**To:** Lisa Moran  
**Subject:** Fw: 796186 3rd Line, Township of Mulmur  
**Attachments:** 1991-12\_Boyne\_Valley\_ES\_Checklist.pdf

---

**From:** Benner, Kim (MNRF) <[kim.benner@ontario.ca](mailto:kim.benner@ontario.ca)>  
**Sent:** March 4, 2021 9:09 AM  
**To:** [REDACTED]  
**Cc:** Mott, Ken (MNRF) <[ken.mott@ontario.ca](mailto:ken.mott@ontario.ca)>  
**Subject:** 796186 3rd Line, Township of Mulmur

Hi John,

My colleague, Ken Mott, has asked me to follow-up with you on your questions.

I understand that the Township has asked you to contact our ministry regarding Species at Risk information and Area of Natural and Scientific Information related to your property at 796186 3<sup>rd</sup> Line in the Township of Mulmur.

Our ministry no longer provides advice related to Species at Risk. This responsibility was transferred to the Ministry of Environment, Conservation and Parks on April 1, 2019. Please send your enquiry to [SAROntario@ontario.ca](mailto:SAROntario@ontario.ca).

I see that your property is located within the provincially significant earth science Primrose-Boyne River Valley Area of Natural and Scientific Interest (ANSI). I have attached an information checklist for this ANSI. This is the best available information that we have to describe this ANSI's features, significance and sensitivity.

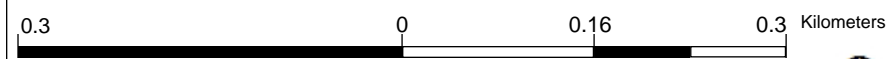
Our ministry does not comment on site-specific development proposals (i.e. severances) where the approval authority is the municipality. We encourage you to discuss planning related matters with the Township of Mulmur.

If you have any additional questions, please do not hesitate to call or e-mail me.

Regards,

Kim Benner  
District Planner | Midhurst District  
Ministry of Natural Resources and Forestry  
2284 Nursery Road, Midhurst, ON, L9X 1N8  
☎ +1 (249) 288-4563 | ✉ [kim.benner@ontario.ca](mailto:kim.benner@ontario.ca)

As part of providing [accessible customer service](#), please let me know if you have any accommodation needs or require communication supports or alternate formats.



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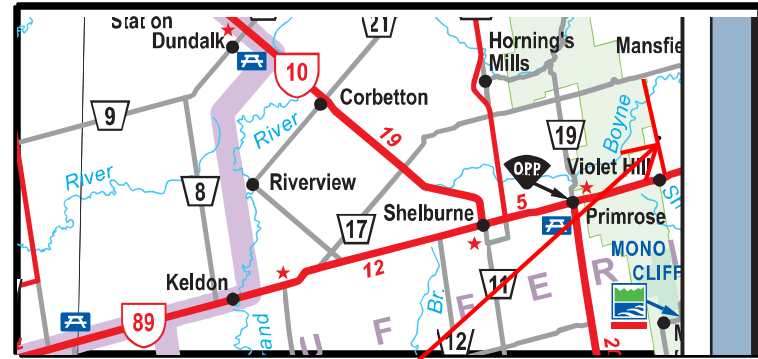
**APPENDIX D**

**Appendix D: Proposed Site Plan**

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# KEY MAP



**SUBJECT PROPERTY**

LANDS TO BE SEVERED  
AREA= (+/-) 12 acres

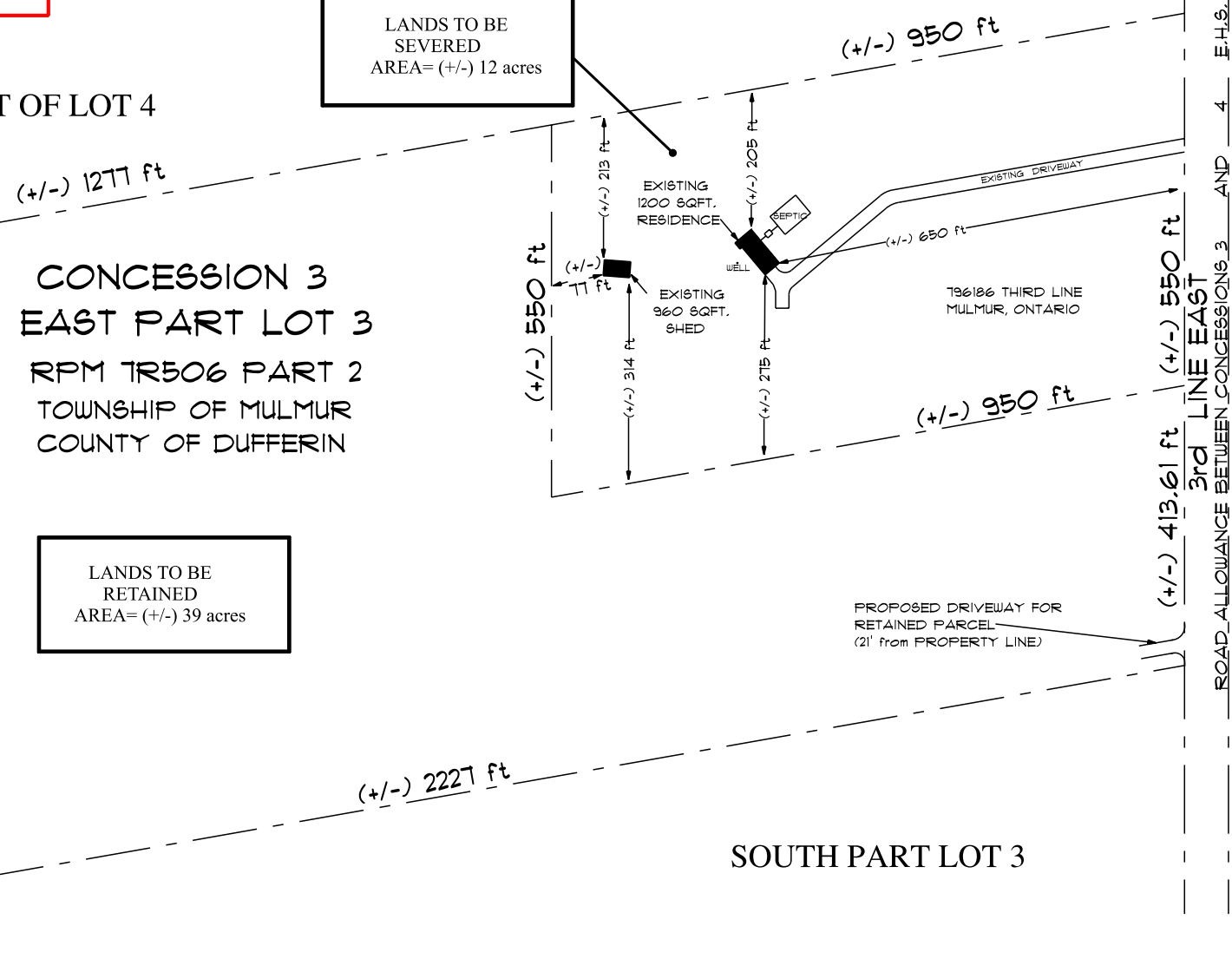
SOUTH PART OF LOT 4

CONCESSION 3  
EAST PART LOT 3  
RPM TR506 PART 2  
TOWNSHIP OF MULMUR  
COUNTY OF DUFFERIN

LANDS TO BE RETAINED  
AREA= (+/-) 39 acres

WEST HALF LOT 3

(+/-) 963.61ft



PROPOSED DRIVEWAY FOR RETAINED PARCEL  
(21' from PROPERTY LINE)

SOUTH PART LOT 3

MUNICIPAL ZONING SUMMARY				
PROJECT: John Clark Severance (Lands Severed)			DATE: April 16, 2021	
LOCATION: 796186 Third Line, Mulmur, Ontario				
LEGAL DESCRIPTION: Part 1 of LOT 3, Concession 3, E.H.S.				
ZONING SUMMARY FOR: TOWNSHIP OF MULMUR			ZONING: (A)	
ROW	REGULATION	REQUIRED (m/ft)	PROPOSED (m/ft)	COMPLIANCE
1	MIN. LOT AREA	2 ha. / 5 acres	4.89ha / 12 acres	✓ YES NO
2	MIN. LOT FRONTAGE	100m / 328ft	167.6m / 550ft	✓ YES NO
3	MIN. FRONT YARD SETBACK	20m / 65.6ft	198m / 650ft	✓ YES NO
4	MIN. REAR YARD SETBACK	10m / 32.8ft	23.5m / 77ft	✓ YES NO
5	MIN. EXT. SIDE YARD SETBACK	20m / 65.6ft	N/A / N/A	✓ YES NO
6	MIN. INT. SIDE YARD SIDE A	10m / 32.8ft	62.5m / 205ft	✓ YES NO
7	MIN. INT. SIDE YARD SIDE B	10m / 32.8ft	83.8m / 275ft	✓ YES NO
8	MIN. GROSS FLOOR AREA	m2 /unit sqft	sqft / sqft	✓ YES NO
9	MAX. WALL AREA BELOW GRDE	m2 0% sqft	m2 % sqft	✓ YES NO
10	MAX. LOT COVERAGE	15932m2 10% 52272ft	0.4% / 0.4%	✓ YES NO
11	MAX. BUILDING HGHT	10.5m / 34.5ft	7.9m / 26ft	✓ YES NO
12	MAX. DENSITY <	1 UNIT	m2 / sqft	✓ YES NO
13	MIN. PARKING SPACES #/S	3 per Unit	5 per Unit	✓ YES NO
	Sizing	3x6m / 10x20ft	3x6m / 10x20ft	✓ YES NO
	Front Yard Coverage	m 0% sqft	% sqft	✓ YES NO
13	MIN. LANDSCAPE OPEN SPACE	N/A	N/A	✓ YES NO

\* MIN. SETACKS RELATE TO STRUCTURES CLOSEST TO EXISTING/PROPOSED PROPERTY LINES

MUNICIPAL ZONING SUMMARY				
PROJECT: John Clark Severance (Lands Retained)			DATE: April 16, 2021	
LOCATION: 796186 Third Line, Mulmur, Ontario				
LEGAL DESCRIPTION: Part 1 of LOT 3, Concession 3, E.H.S.				
ZONING SUMMARY FOR: TOWNSHIP OF MULMUR			ZONING: (A)	
ROW	REGULATION	REQUIRED (m/ft)	PROPOSED (m/ft)	COMPLIANCE
1	MIN. LOT AREA	2 ha. / 5 acres	15.6ha / 39	✓ YES NO
2	MIN. LOT FRONTAGE	100m / 328ft	126.1m / 413.61ft	✓ YES NO
3	MIN. FRONT YARD SETBACK	30m / 100ft	N/A / N/A	✓ YES NO
4	MIN. REAR YARD SETBACK	20m / 65.6ft	N/A / N/A	✓ YES NO
5	MIN. EXT. SIDE YARD SETBACK	30m / 100ft	N/A / N/A	✓ YES NO
6	MIN. INT. SIDE YARD SIDE A	20m / 65.6ft	N/A / N/A	✓ YES NO
7	MIN. INT. SIDE YARD SIDE B	20m / 65.6ft	N/A / N/A	✓ YES NO
8	MIN. GROSS FLOOR AREA	m2 /unit sqft	N/A / N/A	✓ YES NO
9	MAX. WALL AREA BELOW GRDE	m2 0% sqft	N/A % N/A	✓ YES NO
10	MAX. LOT COVERAGE	15932m2 5% 52272ft	N/A / N/A	✓ YES NO
11	MAX. BUILDING HGHT	10.5m / 34.5ft	N/A / N/A	✓ YES NO
12	MAX. DENSITY <	1 UNIT	N/A / N/A	✓ YES NO
13	MIN. PARKING SPACES #/S	3 per Unit	N/A	✓ YES NO
	Sizing	3x6m / 10x20ft	N/A / N/A	✓ YES NO
	Front Yard Coverage	m 0% sqft	N/A % N/A	✓ YES NO
13	MIN. LANDSCAPE OPEN SPACE	N/A	N/A	✓ YES NO



SCALE 1 : 250

### NOTES:

1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED AS SUCH
2. SUBJECT LANDS ARE ZONED COUNTRYSIDE (A)
3. DISTANCES ON THIS PLAN ARE SHOWN IN FEET AND CAN BE CONVERTED TO METRES BY DIVIDING BY 3.281
4. DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY
5. SEE ATTACHED FOR ENVIRONMENTAL IMPACTS ON PROPOSED PROPERTIES

CLARK RESIDENCE  
796186 THIRD LINE EAST, MULMUR, ON.  
**SEVERANCE PROPOSAL**

## SEVERANCE SKETCH

- NOTES:**
1. THE CONTRACTOR SHALL CHECK ALL DIMENSIONS OF THE WORK AND SHALL REPORT DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH SAID WORK.
  2. WRITTEN DIMENSIONS SHALL GOVERN WHERE THEY DIFFER FROM SCALED MEASUREMENTS. THE DESIGNER ACCEPTS NO RESPONSIBILITY FOR MEASUREMENTS SCALED FROM THE DRAWINGS.
  3. ALL CONSTRUCTION WORK TO CONFORM TO THE MOST RECENT O.B.C.
  4. VENTILATION AND AIR EXCHANGE TO COMPLY WITH O.B.C. 9.32 REFER TO HEAT LOSS/HEAT GAIN CALC. AND MECH. PLAN ATTACHED TO DRAWING (IF APPLICABLE)

**CHRITAN LIMITED**  
DESIGN / BUILD  
RR#1 CONN, ONTARIO, CANADA, N0G 1N0  
TEL: (519) 323-4192 FAX: (519) 323-4192

DESIGNED BY:  
D.J. CHRISTIAN GLERUM,  
BCIN# 24211 B. TECH. (ARCH.)  
DRAWN BY: CHECKED BY:  
D.J.C. GLERUM D.J.C.G.  
DATE: APRIL 2021 SCALE: AS NOTED  
PROJECT NO.: 2104

NO. DESCRIPTION REVISIONS/ISSUES

**S1**





## MEMO

**TO:** County of Dufferin

**FROM:** Matt Alexander, Project Manager, WSP  
Angela Zhao, Project Planner, WSP

**SUBJECT:** Consent Application (File #: B8-21), CON 3 E E PT LOT 3 RP 7R506  
PART 2, Township of Mulmur, ON

**DATE:** June 28, 2021

---

### Recommendation

Based on our review, the proposal is consistent with the Provincial Policy Statement, 2020 and related policies in the Dufferin County Official Plan. It is recommended that:

- Confirmation be provided as to whether an Environmental Impact Statement (EIS) is required relative to the presence of woodlands on the subject property; and
- Consultation occur with the Township of Mulmur the Nottawasaga Conservation Authority (NVCA) related to the potential impacts to source water because the subject properties are located within a source water protection area (Low Aquifer Vulnerability and Significant Groundwater Recharge Area).

### Summary

The purpose of the consent application is to sever a parcel of land with an area of approximately 4.86 hectare which contains an existing dwelling. The balance of the lands consisting primarily of natural heritage features with an area of 15.78 hectares will be retained.

The documents received by WSP on May 28<sup>th</sup>, 2021 include:

- Notice of Public Meeting;

The circulation documents were reviewed against the Dufferin County Official Plan.

### Provincial Policy Statement, 2020 (PPS), Province of Ontario's Natural Heritage Mapping

As a result of Growth Plan 2019, the Province's Natural Heritage mapping must be studied and implemented into the County's Official Plan before it can be applied at a local level. However, as it relates to land use designations, the mapping should continue to be used as a guide to determine if the subject property is identified with identified Natural Heritage

features, should the County or local Official Plans not reflect current mapping. Under Ontario’s Natural Heritage mapping, the subject property contains woodlands.



**Dufferin County Official Plan (2017)**

The subject property is within the Countryside Area designation under Schedule B (Community Structure and Land Use) and within the Rural Lands designation under Schedule C (Agricultural Area and Rural Lands) of the County Official Plan. The intent of the Rural Lands designation is to protect the natural amenities and rural character of the County while promoting development opportunities related to the management or use of resources, resource-based recreational uses (including recreational dwellings), tourism, limited residential development, home occupations and home industries, and other rural land uses that cannot be located in settlement areas.

Per Section 4.3.3 (m) of the County OP, lot creation will only be permitted in accordance with the policies of this Plan and the local municipal official plan. Per Section 4.3.2 of the OP, the Rural Lands designation permits limited residential development, which includes no more than three new lots or units;

Schedule E (Natural Heritage Features) identifies woodlands on the subject property. Further consultation with the Township of Mulmur, the NVCA should be undertaken to determine whether the woodlands are deemed significant and whether the proposed development (land division by severance) will have a negative impact on the woodlands. Section 5.3.4 of the County Official Plan directs that development and site alteration adjacent to significant woodlands is not permitted unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions through preparation of an EIS.

Under Appendix 2 (Source Water Protection) the subject property is located within a source water protection area (Low Aquifer Vulnerability and Significant Groundwater Recharge Area). Policy 5.4.2(c) states that prior to the approval of development



applications within designated vulnerable areas, the proponents shall demonstrate to the satisfaction of the County, local municipality, Conservation Authority and Province, where necessary, that the quality and quantity of municipal drinking water sources will not be negatively impacted. It is anticipated that the NVCA will provide further review and comments with respect to the requirements for Source Water Protection as it relates to the changes proposed on the subject properties.

Given that the proposed development is not located on a County Road, the Town should provide any comments regarding access.

### **Recommendation**

Based on our review, the proposal is consistent with the Rural Lands designation and the related policies in the Dufferin County Official Plan. It is recommended that:

- Confirmation be provided as to whether an Environmental Impact Statement (EIS) is required relative to the presence of woodlands on the subject property; and
- Consultation occur with the Township of Mulmur the Nottawasaga Conservation Authority (NVCA) related to the potential impacts to source water because the subject properties are located within a source water protection area (Low Aquifer Vulnerability and Significant Groundwater Recharge Area).



Date: June 16, 2021

To: Tracey Atkinson, CAO/Planner

Re: Application for Consent – B8-2021

The purpose to sever a 12-acre lot containing an existing house and shed. The retained lot is proposed to be 38.2 acres in size.

1066886 Ontario Inc c/o John Clark  
Concession 3 E, E Pt Lot 3

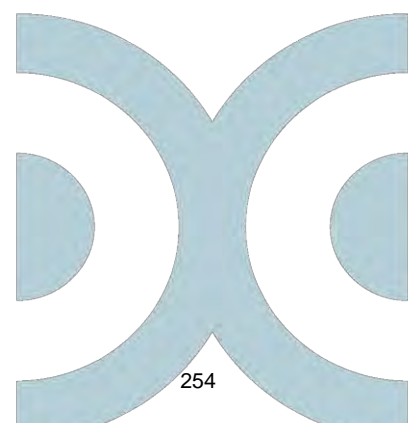
This letter serves to confirm that I have commenced a preliminary review of the application and other information submitted with your request for comments.

Please be advised that the application for the above noted address has not revealed any issues with regards to the Application for Consent. The Building Department has no other comments at this time.

If you should have any questions pertaining to this letter, please do not hesitate to contact the undersigned.

Regards,

Rita Geurts, M.A.A.T.O., CBCO  
Building Inspector / Plans Examiner  
T: 519-941-2362 Ext. 2704  
[rgeurts@dufferincounty.ca](mailto:rgeurts@dufferincounty.ca)





Date: July 21, 2021  
To: Committee of Adjustment  
From: John Willmetts, Director of Public Works  
Re: B8 – 2021 CLARK

## ROAD WIDENING SEVERED AND RETAINED

---

With respect to this application, I request that the Committee impose the following conditions,

1. Acquire a road widening (3.05 metres) from the severed and retained portions.

It would be advisable to impose this condition to allow the Township more flexibility to perform necessary road improvements in the future.

Yours truly,

*John Willmetts*

John Willmetts  
Director of Public Works  
Township of Mulmur





# Site Visit

(Driveway Location)

**Date:** July 21, 2021  
**To:** Committee of Adjustment  
**From:** John Willmetts, Director of Public Works

**Re:** B-8 – 2021 CLARK

## Comments:

This proposed severance has a suitable location for a driveway. The final location will be determined when the entrance permit is granted.

Regards,

John Willmetts  
Director of Public Works



**STAFF REPORT**

**TO:** COMMITTEE OF ADJUSTMENT  
**SUBJECT:** Tracey Atkinson, BES MCIP RPP  
**MEETING DATE:** July 21, 2021  
**SUBJECT:** B08-2021 (Clark)

**PURPOSE:**

To assess the planning merits of an application for consent to sever a building lot.

The application proposes to sever a +/- 4.8 ha (12 acre) lot containing an existing house and shed. The retained lot is proposed to be 15.4 ha (38.2 acres) in size and comprises vacant woodlands (Natural Heritage System and Earth Science ANSI).

**BACKGROUND:**

FILE NO	B8-2021
ROLL NO	2216000002041500000
OWNER	1066886 Ontario Inc c/o John Clark
ADDRESS	796186 3 <sup>rd</sup> Line
LEGAL DESCRIPTION:	CON 3 E E PT LOT 3 RP 7R506 PART 2
OFFICIAL PLAN:	Rural
ZONING:	Countryside Area
NEC/Greenbelt:	N/A
NVCA Regulated:	Yes
Natural Heritage System	Yes
Agricultural Land Base	No
Application Submission Date:	May 10, 2021
Public Meeting Date:	July 21, 2021

**EXISTING CONFIGURATION**

Frontage (approximate)	300m
Area (approximate)	20ha
Use	Woodlot with dwelling and shed

## **PROPOSED CONFIGURATION**

	North portion	South portion
Area (approx.)	4.8ha (12 acres)	15.4ha (38 acres)
Frontage (approx.)	168m (550')	137m (450')
Use	Existing House and Shed	Building lot/woodlot

### **STRATEGIC PLAN ALIGNMENT:**

This application is aligned with the following strategic plan path:

4. Growing a Sustainable Mulmur: Being Proactive in Sustainable Initiatives to ensure the long term well being of Mulmur (includes Resources/Financial/People).

### **FINANCIAL IMPACTS:**

Processing costs are generally covered by the application fee.

It is noted that lots with 10 acres of woodlot may be eligible for tax incentive programs. As such, consideration should be had to the proposed lot area.

### **ANALYSIS:**

The application was supported by the following submissions:

- Planning Justification Report, Loft Planning, May 13, 2021
- Scoped Environmental Impact Study, Azimuth Consulting
- Severance Sketch, Chritan Limited April 2021

### **PLANNING POLICIES & PROVISIONS:**

#### **Provincial Policy Statement (2020)**

The 2020 Provincial Policy Statement (PPS) contains broad policy direction and policy direction on lot creation. The PPS provides for limited development on Rural lands.

The PPS also provides protection for natural heritage features and hazards and agricultural operations.

#### **Growth Plan (2019, consolidated Aug 2020)**

A Place to Grow: Growth plan for the Greater Golden Horseshoe, provides high-level policy direction relating to the development of healthy, safe and balanced communities. The Growth Plan directs the majority of development to settlement areas except where otherwise permitted. Section 2.2.9(3) of the GP provides for rural land uses that will not negatively affect agriculture and Section 2.2.9.6 allows for consideration of some lots within the rural area.

#### **Natural Heritage System**

Provincial mapping of the Natural Heritage System for the Growth Plan does not apply until it has been implemented in the County Official Plan. Until that time, the policies apply to areas that were mapped in the existing County and local plans.

The subject lands are entirely within an “undifferentiated” area of the Provincial Natural Heritage System. The lands include a wooded area. The Township maps the woodlot, which is significant in size and extends over neighbouring properties.

#### *5.20.1 Significant Woodlands*

*For the purposes of this Plan, a woodland is significant if it constitutes a forested area of at least 10 ha in size and is: ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history.*

*Single, multiple or successive development or site alteration activities resulting in degradation that threatens the health and integrity of significant woodlands or their ecological functions, shall not be permitted.*

*Development and site alteration shall not be permitted in significant woodlands or on adjacent lands unless it has been demonstrated, through an EIS, that there will be no negative impacts on the woodland or on its ecological functions. Adjacent lands are defined for the purposes of this Section as lands within 120 m. of the significant woodland.*

The Environmental Impact Study, submitted on behalf of the applicant is summarized as follows:

- The environmental conditions are not limiting to the proposed development.
- No negative impacts are anticipated to the habitat of any documented Species of Risk nor the ecological function of Candidate Significant Woodlands, Wildlife Habitat or ANSI provided suggested mitigation measures are implemented.
- The application conforms to the applicable environmental policies.
- Mitigation measures (found in section 8 of the report) are necessary to ensure policy compliance.

Implementation of the mitigation measures could be achieved through a building envelop agreement, which can locate the future building placement

### **Niagara Escarpment Plan**

N/A

### **NVCA**

The subject lands are partially regulated, with the regulated portion being in the South-East corner of the subject lands, following the steep slope feature mapping.

### **County Official Plan**

The subject lands are designated “Countryside Area” and “Rural Lands” in the County Official Plan schedules. The Countryside designation provides for the protection of agricultural areas, while allowing some growth and development. The County mapping also identifies an Earth Science ANSI and wooded area, as well as a wetland south of the subject lands. Comments are anticipated from the County of Dufferin related to the County OP policies and access.

### **Mulmur Official Plan (2012)**

The Rural lot creation policies of section 6.2.5 permit the consideration of the proposed severance, being the third lot creation, for a total of four parcels from an original 40ha parcel. The Rural lot creation policies also speak to agricultural impacts. The policy states that:

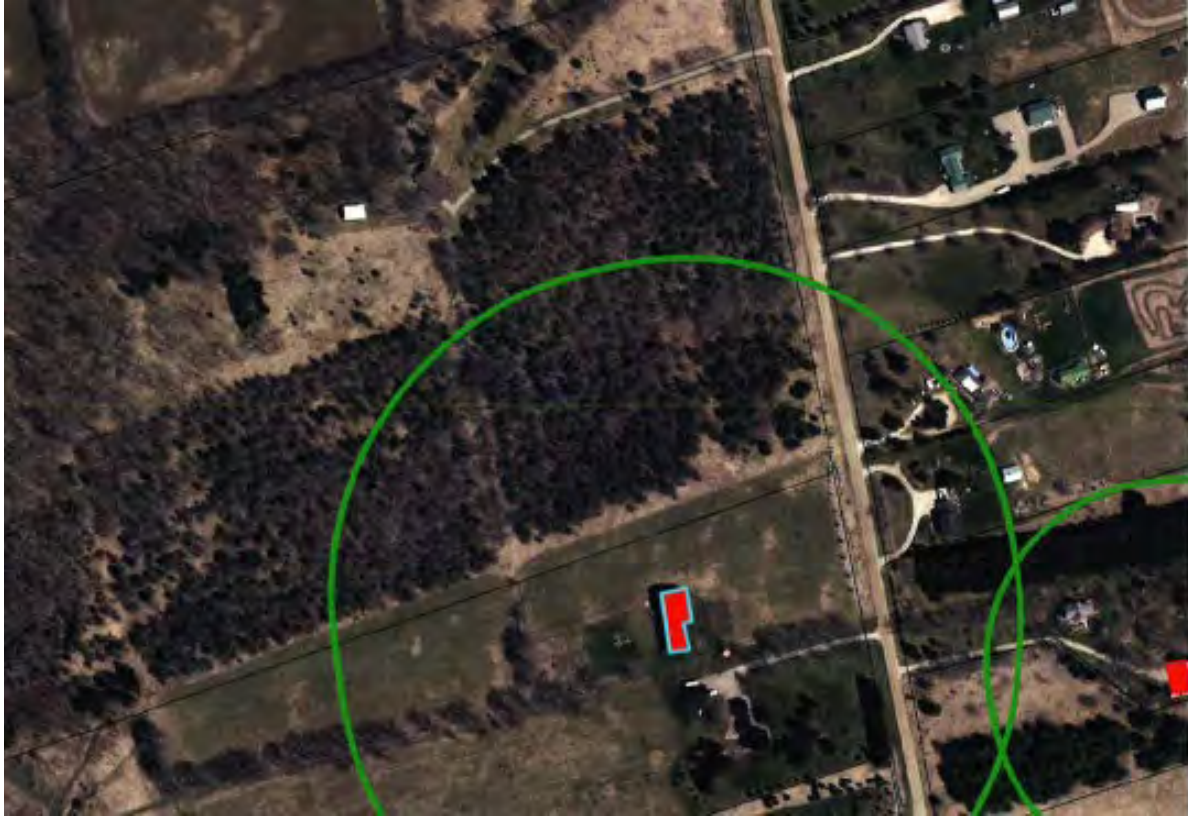
*Severances involving the creation of one and, in appropriate circumstances, two or a maximum of three new lots from the original 40 ha. Township half-lot, may be considered by the Committee of Adjustment where it can be shown that there will be no adverse effects on nearby farming operations, where impacts on the resources and natural features identifies on the schedules to this Plan are minimal and acceptable, and where the rural character of the area will be maintained.*

*In assessing applications for severance, priority over the application shall be given to nearby agricultural operations on lands designated Agricultural under this Plan, especially those existing or potential operations having to conform to the Minimum Distance Separation requirements and/or the requirements of, and any regulations made pursuant to the Nutrient Management Act.*

Every house introduced within an Agricultural area limits the flexibility of future barn placement. The proposed severance is a vacant parcel and is zoned to allow for the development of one single detached dwelling, to be located almost anywhere on the property. The proposed severance would permit a second buildable parcel, which therefore could result in double the residential impact on agricultural operations.

There are livestock operations in proximity to the subject lands as well as barns that are capable of being used for livestock. The applicants retained a consultant to undertake a MDS calculation. The MDS circles of influence are included on the sketch provided by the applicant. The circles of influence do extend onto the subject lands but do provide sufficient area for a dwelling outside of the circle.





The Mulmur Official Plan contains policies with respect to maintaining the Rural Character, by staggering lots to limit the appearance of strip development and to provide a look of spaciousness, dominated by trees and open land opposed to dwellings. The MDS setback requirement will result in a new house on the proposed retained lands likely being setback significantly from the right of way, although there may also be an envelope close to the road that would avoid MDS.

The details of the building envelope, MDS and EIS mitigation can be addressed through a building envelope agreement.

**Zoning By-law**

The subject lands are zoned Countryside (A). The Countryside (A) zone provides for a range of land uses and are required to have a minimum lot area of 2.0 hectares and frontage of 100m.

The proposed severed and retained lots would meet the minimum requirements of the Countryside (A) zone.

A range of permitted uses would be permitted subject to meeting other applicable policies.

**AGENCY COMMENTS**

Comments are anticipated from the NVCA with respect to the EIS. Public Works and Dufferin County have provided comments which are included in the information package.

**RECOMMENDATION:**

It is recommended:

THAT the Committee defer this application until commenting agencies have had sufficient time to review the supporting EIS.

OR

THAT Committee consider approval of the proposed severance, subject to the standard conditions, and specific conditions identified through the studies, agency comments and public concerns, and more specifically, that the conditions recognize the mitigation measures recommended in section 8 of the EIS, MDS setbacks and a building envelop maximizing tree retention.

Respectfully submitted,

*Tracey Atkinson*

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Tracey Atkinson, BES MCIP RPP  
Planner



**DECISION OF COMMITTEE OF ADJUSTMENT WITH REASONS  
(The Planning Act, R.S.O. 1990, c. 13, s. 45 (8), 1994 c. 23, s.26.)**

**FILE NO. B8-2021 1066886 Ontario Inc. (Clark)**

**RE: Consent Application**

The following decision was reached by the Committee of Adjustment for the Township of Mulmur at the meeting on July 21, 2021:

That Application No. B8-2021 submitted by 1066886 Ontario Inc. c/o John Clark for a lot creation from CON 3 E E PT LOT 3 RP 7R506 PART 2 (R# 2 04150) be **deferred.**

DRAFT

**CERTIFICATION**  
**(The Planning Act, R.S.O. 1990 c. p. 13 s. 45 (10))**

I, **Tracey Atkinson**, Clerk of the Township of Mulmur, hereby certify that the above is a true copy of the decision of the Committee of Adjustment for the Township of Mulmur with respect to the application recorded herein.

.....  
Tracey Atkinson, Clerk, Township of Mulmur

The last date that this decision may be appealed to the Ontario Land Tribunal is **July 21**, 2021.

**NOTICE OF LAST DAY OF APPEALING TO THE ONTARIO LAND TRIBUNAL (OLT)**

The applicant, the Minister, or any other person who has an interest in this matter may, within twenty (20) days of the date of this notice, appeal to the Ontario Land Tribunal against the decision of the Committee by serving personally or sending by registered mail to the Secretary-Treasurer of the Committee a Notice of Appeal along with Appellant Form (A1) available from the Township office or from the OLT website at [www.olto.gov.on.ca](http://www.olto.gov.on.ca) setting out the objection to the decision and the reasons for the objection and accompanied by the fee of \$300.00 payable by certified cheque or money order to the MINISTER OF FINANCE as prescribed by the Ontario Land Tribunal as payable on an appeal from a Committee of Adjustment to the Board.

Tracey Atkinson, Clerk  
Telephone: (705) 466-3341 Ext 222  
[tatkinson@mulmur.ca](mailto:tatkinson@mulmur.ca)

Date of Mailing: **July 21**, 2021  
Last day to appeal to OLT: August **11**, 2021



**DECISION OF COMMITTEE OF ADJUSTMENT WITH REASONS  
(The Planning Act, R.S.O. 1990, c. 13, s. 45 (8), 1994 c. 23, s.26.)**

The following decision was reached by the Committee of Adjustment for the Township of Mulmur at the meeting on July 21, 2021:

That Application No. B8-2021 submitted by 1066886 Ontario Inc. c/o John Clark for a lot creation from CON 3 E E PT LOT 3 RP 7R506 PART 2 (R# 2 04150) be **approved** subject to the following:

- That the lot creation applies to the creation of a lot of approximately 4.8 ha (+/- 5%) rounded to two decimal places.
- Taxes and/or penalties must be paid in full up to and including the current fiscal year on all related properties, if the amount is known.
- The deed for the subject severance must be presented to the Secretary Treasurer prior to one year after the date of decision; a copy of the consent decision to be kept on file at the Township solicitor's office.
- Two paper copies of the registered plan of survey and one digital copy be provided, including documentation from the surveyor certifying that the digital copy was created from the same file that was used to plot the original paper copies. The digital copy shall be of a format to the Township's satisfaction. The paper copy shall be circulated to the Township for review prior to registration.
- Compliance with all bylaws, including, but not limited to zoning, site plan and property standards.
- The applicant shall, at his/her own expense, convey to the Municipality sufficient lands, being 3.05m, along the frontage on severed and retained lands on 3<sup>rd</sup> Line EHS, fronting the applicant's property to meet the requirements of the Township for road widening as well as any land between the travelled road and the municipal road allowance. Surveys are to be submitted to the Public Works Department, for review and approval, prior to registration. Deeds are to be submitted to the Municipality, for review and approval, accompanied by a solicitor's certificate indicating that the title is free and clear of all encumbrances and the Municipality has a good and marketable title. A copy of the plan of survey depicting the widening shall be provided to the Municipality for their records. All diseased and dead trees and livestock fences shall be relocated to the satisfaction of the Director of Public Works
- That the registered owner shall enter into a development agreement pursuant to Section 51(26) of the Planning Act to address all planning matters, including, but not limited to building envelope, MDC setbacks and EIS Mitigation (found in section 8) to the satisfaction of the Township and NVCA.
- That the Owner submit an **updated** EIS to the satisfaction of the NVCA
- A copy of the registered agreement shall be provided to the Municipality, prior to endorsement of the deeds for this Application for consent.
- That all conditions of consent be fulfilled within one year of the date of notice of decision where failure to do so will cause the application to be null and void.
- Cash in lieu of parkland shall be paid to the Municipality in the amount of \$5,000.00

REASON: Conforms to the Township's Official Plan with the proposed conditions.

**CERTIFICATION**  
**(The Planning Act, R.S.O. 1990 c. p. 13 s. 45 (10))**

I, **Tracey Atkinson**, Clerk of the Township of Mulmur, hereby certify that the above is a true copy of the decision of the Committee of Adjustment for the Township of Mulmur with respect to the application recorded herein.

.....  
Tracey Atkinson, Clerk, Township of Mulmur

The last date that this decision may be appealed to the Ontario Land Tribunal is **July 21**, 2021.

**NOTICE OF LAST DAY OF APPEALING TO THE ONTARIO LAND TRIBUNAL (OLT)**

The applicant, the Minister, or any other person who has an interest in this matter may, within twenty (20) days of the date of this notice, appeal to the Ontario Land Tribunal against the decision of the Committee by serving personally or sending by registered mail to the Secretary-Treasurer of the Committee a Notice of Appeal along with Appellant Form (A1) available from the Township office or from the OLT website at [www.olto.gov.on.ca](http://www.olto.gov.on.ca) setting out the objection to the decision and the reasons for the objection and accompanied by the fee of \$300.00 payable by certified cheque or money order to the MINISTER OF FINANCE as prescribed by the Ontario Land Tribunal as payable on an appeal from a Committee of Adjustment to the Board.

Tracey Atkinson, Clerk  
Telephone: (705) 466-3341 Ext 222  
[tatkinson@mulmur.ca](mailto:tatkinson@mulmur.ca)

Date of Mailing: **July 21**, 2021  
Last day to appeal to OLT: August **11**, 2021



**CORPORATION OF THE TOWNSHIP OF MULMUR  
NOTICE OF COMPLETE APPLICATION & PUBLIC MEETING  
B9-2021 STROUD**

Township of Mulmur Committee of Adjustment will hold a public meeting under section 53 (5) of the *Planning Act, R.S.O. 1990 c.P.13, as amended*.

**This meeting is being conducted by means of Electronic Participation by a majority of members, as permitted by Section 238 (3.3) of the Municipal Act, 2001, as amended.  
USING VIDEO AND/OR AUDIO CONFERENCING.**

To connect only by phone, please dial any of the following numbers. When prompted, please enter the meeting ID provided below the phone numbers. You will be placed into the meeting in muted mode. If you encounter difficulty, please call the front desk at 705-466-3341, ext. 0

+1 647 374 4685 Canada  
+1 647 558 0588 Canada  
+1 778 907 2071 Canada  
+1 438 809 7799 Canada  
+1 587 328 1099 Canada

Meeting ID: 846 0224 8258

To connect to video with a computer, smart phone or digital device and with either digital audio or separate phone line, download the zoom application ahead of time and enter the digital address below into your search engine or follow the link below. Enter the meeting ID when prompted.

<https://us02web.zoom.us/j/84602248258>

Meeting ID: 846 0224 8258

The meeting is being held to consider an application for Consent which has been submitted. The following are the particulars:

**MEETING DATE AND TIME:** July 21, 2021 at 10:30am  
**APPLICATION NUMBER:** B9-2021  
**OWNER/APPLICANT:** MURRAY STROUD / ROBERT BRYAN  
**LOCATION:** CON 4 EHS PT LOT 4 RP 7R6596 PART 4

**PURPOSE:** The application proposes to sever a +/- 2.43 ha (6.02 acre) building lot from a 34.74 ha (85.84 acre) parcel.

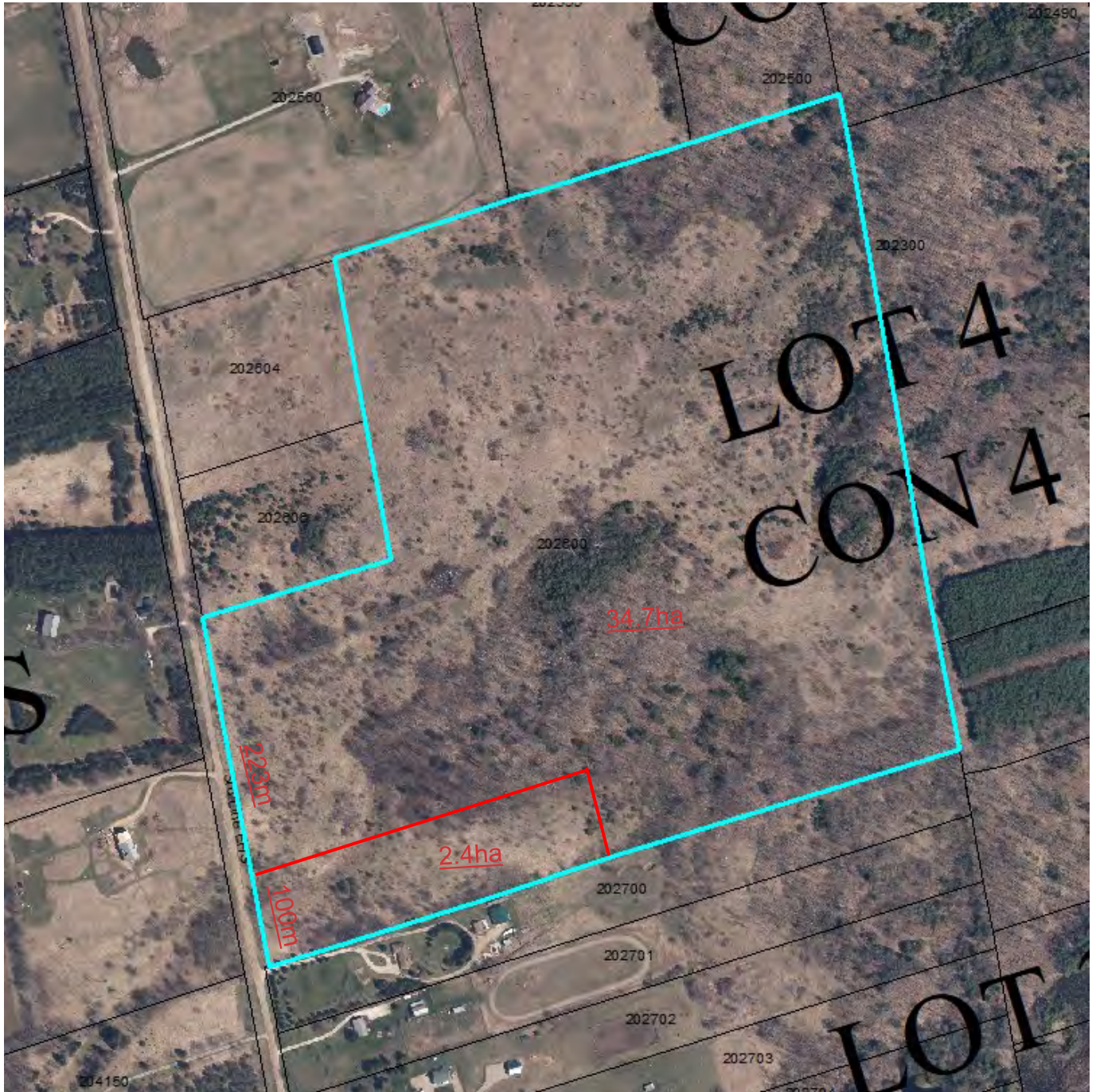
Additional information is available for public inspection by request. If you require additional information on this application, it may also be obtained by contacting the CAO/Planner, Tracey Atkinson, 705 466 3341 X222 or by email: [takinson@mulmur.ca](mailto:takinson@mulmur.ca) during regular office hours.

**NOTE:** If a person or public body that files an appeal of a decision of the Township of Mulmur Committee of Adjustment in respect of the proposed consent does not make written submissions



to the Township of Mulmur Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal may dismiss the appeal. If you wish to be notified of the decision of the Township of Mulmur Committee of Adjustment in respect of the proposed consent, you must make a written request to the Township of Mulmur Committee of Adjustment.

**See Map for illustration purposes only. This is not a plan of survey. A digital version is available by email.**



Dated May 18~~25~~, 2021

<b>3. Purpose of this Application</b>										
Proposed transaction (check appropriate box)										
<input type="checkbox"/> Transfer	<input checked="" type="checkbox"/> Creation of a new lot	<input type="checkbox"/> Addition to a lot	<input type="checkbox"/> An easement							
<input type="checkbox"/> A charge	<input type="checkbox"/> A lease	<input type="checkbox"/> A correction of title	<input type="checkbox"/> Other							
Specify Purpose, ie. Building lot, farm severance, lot addition, etc.										
Building lot										
Name of person(s) to whom land or interest in land is to be transferred, leased or charged										
ROBERT BRYAN										
<b>4. Description of Subject Land and Servicing Information</b>										
Frontage (m)	323.25m	Severed	91.44m	100m	Retained	231.81m	243.84m			
Depth (m)	660.82m		213.36m			447.46m				
Area (m)	346,653.72m <sup>2</sup>		19,509.64m <sup>2</sup>			327,144.08m <sup>2</sup>				
<b>5. Land Use</b>										
Date Property Acquired June 2, 2020										
Existing Use					Proposed Use					
Vacant Land (Rural Residential)					Rural Residential					
<b>Existing and Proposed buildings and Structures</b>										
Type of Building or Structure		Set Backs (m)				Height (m)	Dimensions (m x m)	Area (m <sup>2</sup> )	Date of Construction / Proposed Construction	Time use has continued (for existing buildings & structures)
		Front	Rear	Side	Side					
BP. Approved ← house	<input checked="" type="checkbox"/> Existing <input checked="" type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
<b>Water</b> <input checked="" type="checkbox"/> Private Well <input type="checkbox"/> Communal Well <input type="checkbox"/> Municipal Water <input type="checkbox"/> Other: _____		<b>Sewage Disposal</b> <input checked="" type="checkbox"/> Private Septic <input type="checkbox"/> Communal Septic <input type="checkbox"/> Other: _____				<b>Storm Drainage</b> <input type="checkbox"/> Sewer <input type="checkbox"/> Ditches <input type="checkbox"/> Swales <input type="checkbox"/> Other: _____			<b>Tile Drainage</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, please mark on site plan location of tile runs	



6. Zoning and Official Plan Information		
Current Zoning <i>Residential</i>	Current Official Plan <i>Rural</i>	
Related Applications under the Planning Act, if any including Official Plan, Official Plan Amendment, Zoning By-law Amendment, Minister's Zoning Order (amendment), Consent or Plan of Subdivision:	Has subject lands even been subject of an application under the Planning Act? <i>N/A</i> File #: _____ Status: _____	
Provide an explanation of how the application conforms to the Official Plan		
Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified? Please check the appropriate boxes, if any apply.		
Use or Feature	On the Subject Land	Within 500 metres of Subject Land, unless otherwise specific (indicate approximate distance)
Agricultural buildings/structure or manure storage facilities		✓
A Landfill		
A provincially significant wetland (Class 1, 2 or 3 wetland)		
A locally significant wetland		
Flood Plain		
A rehabilitated mine site		
A non-operating mine site within 1 kilometre of the subject land		
An active mine site		
An industrial or commercial use (specify uses)		
Does the proposed development produce greater than 4500 litres of effluent per day?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, attach a servicing options report and hydro geological report		
Are the lands part of a Nutrient Management Plan?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Please provide plan number _____ and date approved by OMAFRA _____		
Are there any livestock facilities within 500 metres of the subject lands?	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, provide a Farm Data Sheet completed by each livestock facility owner for each of the livestock facilities. <a href="http://mulmur.ca/departments/planning">http://mulmur.ca/departments/planning</a>		

Notes:  
 - prime ag.  
 - regulated slope.

Has any land been severed from the original, 40 hectare (approx.) parcel

Yes

No

If yes, provide details:

2 lots on the north west side of the original parcel of land.

### 9. Other Information

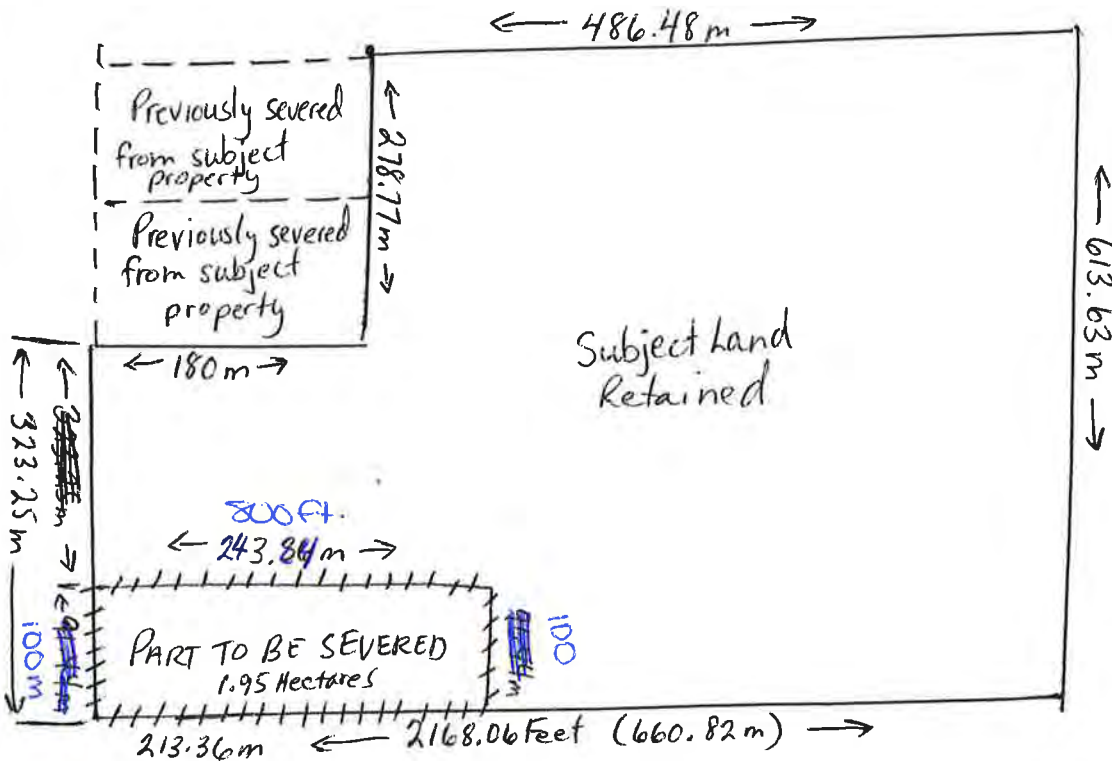
Please provide any other information that may be useful to the Council or other agencies in reviewing this application, ie. health department, conservation authority, etc.

### 10. Sketch (please use metric units)

The application shall be accompanied by a sketch showing the following:

- The boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained
- The boundaries and dimensions of any land owned by the owner of the subject land and that abuts the subject land
- The distance between the subject land and the nearest Township lot line or landmark, such as a railway crossing or bridge
- The location of all land previously severed from the original approximate 40 hectare parcel
- The approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks
- The existing uses on adjacent lands
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or right of way
- The location and nature of any easement affecting the subject land

3rd Line Mulmur



Adjacent land is rural residential.



# FARM DATA SHEET

## Minimum Distance Separation I (MDSI)

**NOTE TO THE FACILITY OWNER:**

Your cooperation in filling out this sheet will help to ensure that new land uses will be located a suitable distance from your operation.

File No. \_\_\_\_\_  
 Applicant \_\_\_\_\_

Owner of Livestock Facility Michelle Jacqueline Kerr  
 Telephone ( ) \_\_\_\_\_ Civic Address 796177  
 Municipality Mumour Lot 3 Concession 4 DIV \_\_\_\_\_  
 Tillable Hectares/Acres\* on the lot where the livestock facility is located 4.04 hectares \_\_\_\_\_ acres  
 Closest distance from the livestock facility to the new lot and/or land use 145 metres 475 feet  
 Closest distance from the manure storage system to the new lot and/or land use \_\_\_\_\_ metres \_\_\_\_\_ feet  
 Size of the Livestock Facility (Barn): 185.91 sq.m.  
 Signature of Livestock Facility Owner \_\_\_\_\_ Date \_\_\_\_\_

**Permanent Manure or Material Storage Types**

Solid Manure: 18% dry matter, or more  
 Liquid Manure: Less than 18% dry matter  
 Digestate: Less than 18% dry matter

- 0 No storage required (manure/material stored for less than 14 days)
- V1 Solid, inside, bedded pack
- V2 Solid, outside, covered
- V3 Solid, outside, no cover, greater than or equal 30% dry matter
- V4 Solid, outside, no cover, 18% to less than 30% dry matter, with covered liquid runoff storage
- L1 Solid, outside, no cover, 18% to less than 30% dry matter, with uncovered liquid runoff storage
- V5 Liquid, inside, underneath slatted floor
- V6 Liquid, outside, with a permanent, tight fitting cover
- V7 Liquid, (digestate), outside, no cover
- L2 Liquid, outside, with a permanent floating cover
- M1 Liquid, outside, no cover, straight-walled storage
- M2 Liquid, outside, roof, but with open sides
- H1 Liquid, outside, no cover, sloped-sided storage

Housing Capacity & Manure Storage: shall be provided in square metres

Animal Type or Material	Description	Housing Capacity* (maximum)	Manure Storage Type* (select from list above)
Beef Cattle	Cows, including calves to weaning (all breeds)		
	Feeders (7 - 16 months)		
	Backgrounders (7 - 12.5 months)		
	Shortkeepers (12.5 - 17.5 months)		
Dairy Cattle	Milking-age cows (dry or milking)		
	Large-framed, 545 kg - 636 kg (for example - Holsteins)		
	Medium-framed, 455 kg - 545 kg (for example - Guernseys)		
	Small-framed, 364 kg - 455 kg (for example - Jerseys)		
	Heifers (5 months to freshening)		
	Large-framed, 182 kg - 545 kg (for example - Holsteins)		
	Medium-framed, 148 kg - 455 kg (for example - Guernseys)		
	Small-framed, 125 kg - 364 kg (for example - Jerseys)		
	Calves (0 - 5 months)		
	Large-framed, 45 kg - 182 kg (for example - Holsteins)		
Medium-framed, 39 kg - 148 kg (for example - Guernseys)			
Small-framed, 30 kg - 125 kg (for example - Jerseys)			
Swine	Sows with litter, dry sows/boars, Segregated Early Weaning (SEW)		
	Sows with litter, dry sows or boars (non-SEW)		
	Breeder gilts (entire barn designed specifically for this purpose)		
	Weaners (7 kg - 27 kg)		
	Feeders (27 kg - 105 kg)		
Horses	Large-framed, mature, >681 kg (including unweaned offspring)	5	V1
	Medium-framed, mature, 227 kg - 680 kg (including unweaned offspring)		
	Small-framed, mature, <227 kg (including unweaned offspring)		
Sheep	Ewes & rams (for meat lambs, includes unweaned offspring & replacements)		
	Ewes & rams (dairy operation, includes unweaned offspring & replacements)		
	Lambs (dairy or feeder lambs)		

Animal Type or Material	Description	Housing Capacity*	Manure Storage Type* (select from list above)
Goats	Does & bucks (for meat kids; includes unweaned offspring & replacements)		
	Does & bucks (for dairy, includes unweaned offspring & replacements)		
	Kids (dairy or feeder kids)		
Chickens	Layer hens (for eating eggs; after transfer from pullet barn)		
	Layer pullets (day olds until transferred into layer barn)		
	Broiler breeder growers (males/ females transferred out to layer barn)		
	Broiler breeder layers (males/ females transferred in from grower barn)		
	Broilers on an 8 week cycle		
	Broilers on a 9 week cycle		
	Broilers on a 10 week cycle		
	Broilers on a 12 week cycle		
Turkeys	Broilers on any other cycle, or unknown		
	Turkey pullets (day old until transferred to layer turkey barn)		
	Turkey breeder layers (males/ females transferred in from grower barn)		
	Breeder toms		
	Broilers (day olds to 6.2 kg)		
	Hens (day olds up to 6.2 kg to 10.8 kg, 7.5 kg is typical)		
Veal	Toms (day olds to over 10.8 kg to 20 kg, 14.5 kg is typical)		
	Turkeys at any other weights, or unknown		
	Milk-fed		
Other	Grain-fed		
Manure imported to a lot not generating manure	Maximum capacity of permanent storages at any time: solid or liquid capacity		
Anaerobic Digester	Maximum capacity of permanent storages at any time: solid or liquid capacity		

Livestock Facility (Barn): One or more barns or permanent structures with livestock occupied portions, intended for keeping or housing of livestock. A livestock facility also includes all manure or material storages and anaerobic digesters.

\* confirmed by applicant





# FARM DATA SHEET

## Minimum Distance Separation I (MDSI)

**NOTE TO THE FACILITY OWNER:**

Your cooperation in filling out this sheet will help to ensure that new land uses will be located a suitable distance from your operation.

File No. \_\_\_\_\_  
 Applicant \_\_\_\_\_

Owner of Livestock Facility Victoria Lynne Creighton  
 Telephone ( ) \_\_\_\_\_ Civic Address 796224  
 Municipality MVLMR Lot 4 Concession 3 DIV \_\_\_\_\_  
 Tillable Hectares/Acres\* on the lot where the livestock facility is located 20.77 hectares \_\_\_\_\_ acres  
 Closest distance from the livestock facility to the new lot and/or land use 750 metres \_\_\_\_\_ feet  
 Closest distance from the manure storage system to the new lot and/or land use \_\_\_\_\_ metres \_\_\_\_\_ feet  
 Size of the Livestock Facility (Barn): 580 sq.m.  
 Signature of Livestock Facility Owner \_\_\_\_\_ Date \_\_\_\_\_

**Permanent Manure or Material Storage Types**

Solid Manure: 18% dry matter, or more  
 Liquid Manure: Less than 18% dry matter  
 Digestate: Less than 18% dry matter

- 0 No storage required (manure/material stored for less than 14 days)
- V1 Solid, inside, bedded pack
- V2 Solid, outside, covered
- V3 Solid, outside, no cover, greater than or equal 30% dry matter
- V4 Solid, outside, no cover, 18% to less than 30% dry matter, with covered liquid runoff storage
- L1 Solid, outside, no cover, 18% to less than 30% dry matter, with uncovered liquid runoff storage
- V5 Liquid, inside, underneath slatted floor
- V6 Liquid, outside, with a permanent, light fitting cover
- V7 Liquid, (digestate), outside, no cover
- L2 Liquid, outside, with a permanent floating cover
- M1 Liquid, outside, no cover, straight-walled storage
- M2 Liquid, outside, roof, but with open sides
- H1 Liquid, outside, no cover, sloped-sided storage

Housing Capacity & Manure Storage shall be provided in square metres

Animal Type or Material	Description	Housing Capacity* (maximum)	Manure Storage Type* (select from list above)
Beef Cattle	Cows, including calves to weaning (all breeds)		
	Feeders (7 - 16 months)		
	Backgrounders (7 - 12.5 months)		
	Shortkeepers (12.5 - 17.5 months)		
Dairy Cattle	Milking-age cows (dry or milking)		
	Large-framed, 545 kg - 636 kg (for example - Holsteins)		
	Medium-framed, 455 kg - 545 kg (for example - Guernseys)		
	Small-framed, 364 kg - 455 kg (for example - Jerseys)		
	Heifers (5 months to freshening)		
	Large-framed, 182 kg - 545 kg (for example - Holsteins)		
	Medium-framed, 148 kg - 455 kg (for example - Guernseys)		
	Small-framed, 125 kg - 364 kg (for example - Jerseys)		
	Calves (0 - 5 months)		
	Large-framed, 45 kg - 182 kg (for example - Holsteins)		
Medium-framed, 39 kg - 148 kg (for example - Guernseys)			
Small-framed, 30 kg - 125 kg (for example - Jerseys)			
Swine	Sows with litter, dry sows/boars, Segregated Early Weaning (SEW)		
	Sows with litter, dry sows or boars (non-SEW)		
	Breeder gilts (entire barn designed specifically for this purpose)		
	Weaners (7 kg - 27 kg)		
	Feeders (27 kg - 105 kg)		
Horses	Large-framed, mature, >681 kg (including unweaned offspring)		
	Medium-framed, mature, 227 kg - 680 kg (including unweaned offspring)	2	VI
	Small-framed, mature, <227 kg (including unweaned offspring)		
Sheep	Ewes & rams (for meat lambs; includes unweaned offspring & replacements)		
	Ewes & rams (dairy operation; includes unweaned offspring & replacements)		
	Lambs (dairy or feeder lambs)		

Animal Type or Material	Description	Housing Capacity*	Manure Storage Type* (select from list above)
Goats	Does & bucks (for meat kids; includes unweaned offspring & replacements)		
	Does & bucks (for dairy; includes unweaned offspring & replacements)		
	Kids (dairy or feeder kids)		
Chickens	Layer hens (for eating eggs; after transfer from pullet barn)		
	Layer pullets (day olds until transferred into layer barn)		
	Broiler breeder growers (males/ females transferred out to layer barn)		
	Broiler breeder layers (males/ females transferred in from grower barn)		
	Broilers on an 8 week cycle		
	Broilers on a 9 week cycle		
	Broilers on a 10 week cycle		
	Broilers on a 12 week cycle		
Turkeys	Broilers on any other cycle, or unknown		
	Turkey pullets (day old until transferred to layer turkey barn)		
	Turkey breeder layers (males/ females transferred in from grower barn)		
	Breeder toms		
	Broilers (day olds to 6.2 kg)		
Veal	Hens (day olds up to 6.2 kg to 10.8 kg, 7.5 kg is typical)		
	Toms (day olds to over 10.8 kg to 20 kg, 14.5 kg is typical)		
	Turkeys at any other weights, or unknown		
	Milk-fed		
Other	Grain-fed		
Manure imported to a lot not generating manure	Maximum capacity of permanent storages at any time: solid or liquid capacity		
Anaerobic Digester	Maximum capacity of permanent storages at any time: solid or liquid capacity		

Livestock Facility (Barn): One or more barns or permanent structures with livestock occupied portions, intended for keeping or housing of livestock. A livestock facility also includes all manure or material storages and anaerobic digesters.



# FARM DATA SHEET

## Minimum Distance Separation I (MDSI)

**NOTE TO THE FACILITY OWNER:**

Your cooperation in filling out this sheet will help to ensure that new land uses will be located a suitable distance from your operation.

File No. \_\_\_\_\_  
 Applicant \_\_\_\_\_

Owner of Livestock Facility Christopher Nerina LIONAN  
 Telephone ( ) \_\_\_\_\_ Civic Address 796183  
 Municipality MULMUR Lot 3 Concession 4 DIV \_\_\_\_\_  
 Tillable Hectares/Acres\* on the lot where the livestock facility is located 4.09 hectares \_\_\_\_\_ acres  
 Closest distance from the livestock facility to the new lot and/or land use 8.204 metres 275 feet  
 Closest distance from the manure storage system to the new lot and/or land use \_\_\_\_\_ metres \_\_\_\_\_ feet  
 Size of the Livestock Facility (Barn): 278.71 sq.m.  
 Signature of Livestock Facility Owner \_\_\_\_\_ Date \_\_\_\_\_

**Permanent Manure or Material Storage Types**

Solid Manure: 18% dry matter, or more  
 Liquid Manure: Less than 18% dry matter  
 Digestate: Less than 18% dry matter

- 0 No storage required (manure/material stored for less than 14 days)
- V1 Solid, inside, bedded pack
- V2 Solid, outside, covered
- V3 Solid, outside, no cover, greater than or equal 30% dry matter
- V4 Solid, outside, no cover, 18% to less than 30% dry matter
- L1 Solid, outside, no cover, 18% to less than 30% dry matter, with covered liquid runoff storage
- V5 Liquid, inside, underneath slatted floor
- V6 Liquid, outside, with a permanent, tight fitting cover
- V7 Liquid, (digestate), outside, no cover
- L2 Liquid, outside, with a permanent floating cover
- M1 Liquid, outside, no cover, straight-walled storage
- M2 Liquid, outside, roof, but with open sides
- H1 Liquid, outside, no cover, sloped-sided storage

Housing Capacity & Manure Storage: shall be provided in square metres

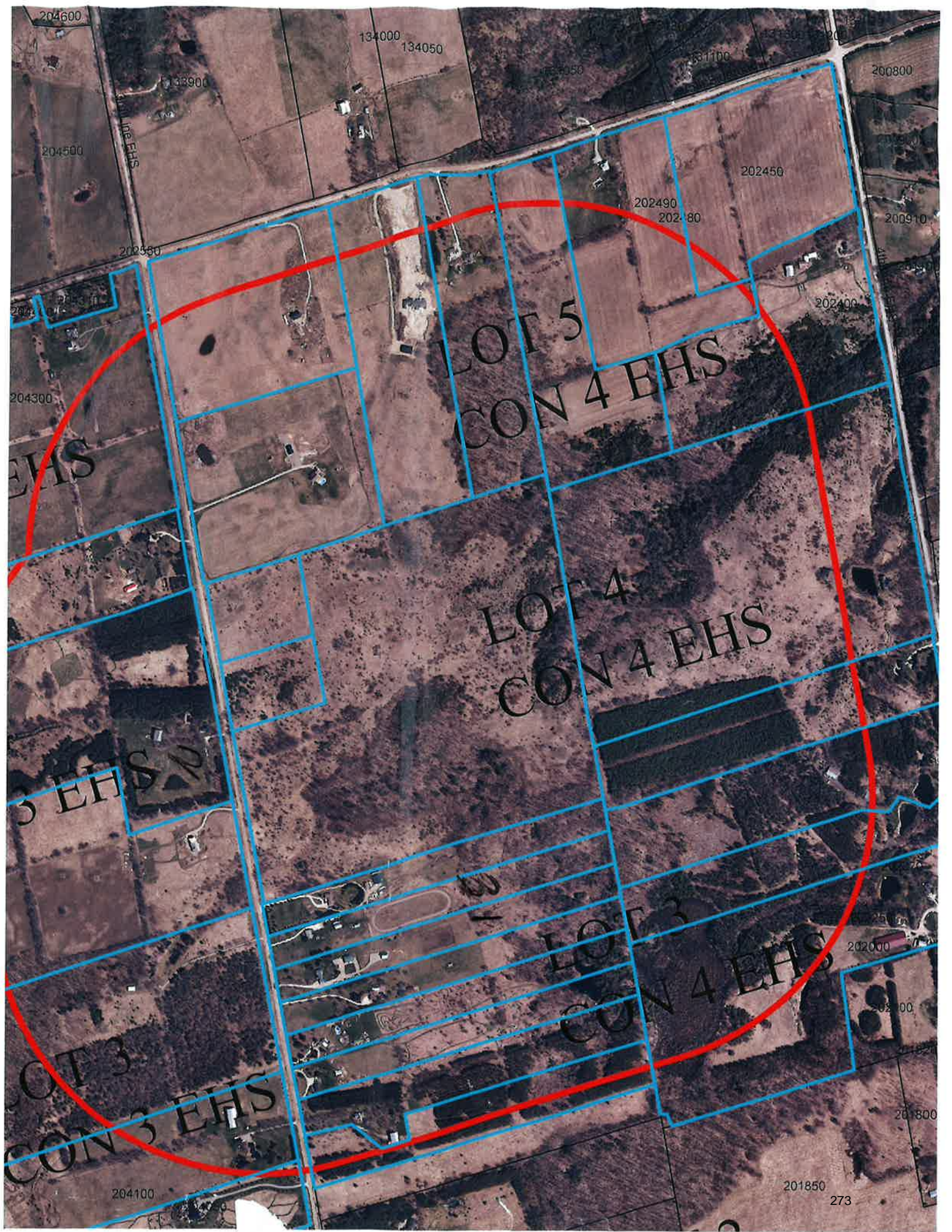
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Beef Cattle	Cows, including calves to weaning (all breeds)		
	Feeders (7 - 16 months)		
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	Medium-framed; 455 kg - 545 kg (for example - Guernseys)		
	Small-framed; 364 kg - 455 kg (for example - Jerseys)		
	Heifers (5 months to freshening)		
	Large-framed; 182 kg - 545 kg (for example - Holsteins)		
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	Small-framed; 125 kg - 364 kg (for example - Jerseys)		
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	Sows with litter, dry sows or boars (non-SEW)		
	Breeder gilts (entire barn designed specifically for this purpose)		
	Weaners (7 kg - 27 kg)		
	Feeders (27 kg - 105 kg)		
Horses	Large-framed, mature; >681 kg (including unweaned offspring)		
	Medium-framed, mature; 227 kg - 680 kg (including unweaned offspring)		
	Small-framed, mature; <227 kg (including unweaned offspring)	3	V1
Sheep	Ewes & rams (for meat lambs, includes unweaned offspring & replacements)		
	Ewes & rams (dairy operation; includes unweaned offspring & replacements)		
	Lambs (dairy or feeder lambs)		

Animal Type or Material	Description	Housing Capacity*	Manure Storage Type* (select from list above)
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	Does & bucks (for dairy; includes unweaned offspring & replacements)		
	Kids (dairy or feeder kids)		
Chickens	Layer hens (for eating eggs, after transfer from pullet barn)		
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	Broiler breeder layers (males/ females transferred in from grower barn)		
	Broilers on an 8 week cycle		
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	Broilers on any other cycle, or unknown		
	Turkey pullets (day old until transferred to layer turkey barn)		
	Turkey breeder layers (males/ females transferred in from grower barn)		
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	Broilers (day olds to 6.2 kg)		
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	Toms (day olds to over 10.8 kg to 20 kg, 14.5 kg is typical)		
	Turkeys at any other weights, or unknown		
	Milk-fed		
Other	Grain-fed		
Manure imported to a lot not generating manure	Maximum capacity of permanent storages at any time: solid or liquid capacity		
Anaerobic Digester	Maximum capacity of permanent storages at any time: solid or liquid capacity		

Livestock Facility (Barn)

One or more barns or permanent structures with livestock occupied portions, intended for keeping or housing of livestock. A livestock facility also includes all manure or material storages and anaerobic digesters.





LOT 5  
CON 4 EHS

LOT 4  
CON 4 EHS

LOT 3  
CON 4 EHS

LOT 3  
CON 3 EHS

204100

201850

273

201800

202000

202100

2500

EHS

3 EHS

204500

Mill Inlet EHS

133900

134000  
134050

134050

131100

200800

202450

202490  
202480

200910

202400

202500

204300

204300

204600





Date: July 21, 2021  
To: Committee of Adjustment  
From: John Willmetts, Director of Public Works  
Re: B9 – 2021 STROUD

## ROAD WIDENING

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With respect to this application, I have no conditions or concerns as a road widening has already been acquired.

Yours truly,

*John Willmetts*

John Willmetts  
Director of Public Works  
Township of Mulmur



# Site Visit

(Driveway Location)

**Date:** July 21, 2021  
**To:** Committee of Adjustment  
**From:** John Willmetts, Director of Public Works

**Re:** B9 – 2021 STROUD

## Comments:

This proposed severance has a suitable location for a driveway. The final location will be determined when the entrance permit is granted.

Regards,

John Willmetts  
Director of Public Works





BUILDING SERVICES

Date: June 24, 2021

To: Tracey Atkinson CAO/Planner  
Township of Mulmur

Re: Consent file # B9-2021  
Township of Mulmur, County of Dufferin.

This letter serves to confirm that I have commenced a preliminary review of the application B9-2021 and request for comment.

After review of the application, the Building Division would like to note that we have no further concerns, however please add the condition to your decision that the applicant shall provide a satisfactory Lot Suitability letter for the sewage disposal system from the County of Dufferin Building Division.

It should be noted that the applicant is required to submit an application for building permit to our office with respect to the above property before any type of construction begins on either the severed or retained.

If you should have any questions pertaining to this letter, please do not hesitate to contact the undersigned.

Regards,

Doug Kopp CBCO  
Plans Examiner



## MEMO

**TO:** Dufferin County

**FROM:** Matt Alexander, Project Manager, WSP  
William Turman, Planner, WSP

**SUBJECT:** Application for Consent– B9-2021  
Con 4 EHS PT lot 4 RP 7R6596 part 4, Mulmur, ON

**DATE:** June 24, 2021

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### Recommendation

The proposal generally conforms with the Rural Lands designation and the related policies in the Dufferin County Official Plan. It is recommended that:

- Confirmation be provided as to whether the woodlands on the subject property are deemed significant.
- Confirmation be provided as to whether an Environmental Impact Statement (EIS) is required relative to the proximity of woodlands, and the ANSI Earth Science Area of Natural and Scientific Interest.
- The municipality is satisfied that the proposed severance would be considered limited residential development as per Section 4.3.2 a) iii of the County Official Plan.
- Consultation occur with the Township of Mulmur and the Nottawasaga Valley Conservation Authority (NVCA) related to the potential impacts to source water because the subject properties are located within a source water protection area (Low Vulnerability Aquifer and Significant Groundwater Recharge Area).

### Summary

The purpose of the Application for Consent is to sever a lot with 100 metres of frontage on 3<sup>rd</sup> Line East and an area of 2.4 hectares from the subject lands for development. The retained lands will have a frontage of 223 metres on 3<sup>rd</sup> Line East and an area of 34.7 hectares.

The documents received by WSP on June 16, 2021 include:

- Notice of Complete Application and Public Meeting

The circulation documents were reviewed against the Province's Natural Heritage mapping and the Dufferin County Official Plan.

## Provincial Policy Statement, 2020 (PPS) and Province of Ontario’s Natural Heritage Mapping

As a result of Growth Plan 2019, the Province’s Natural Heritage mapping must be studied and implemented into the County’s Official Plan before it can be applied at a local level. However, as it relates to land use designations, the mapping should continue to be used as a guide to determine if the subject property is identified with identified Natural Heritage features, should the County or local Official Plans not reflect current mapping.

Under Ontario’s Natural Heritage mapping, the subject property contains woodlands that are part of Ontario’s Natural Heritage System and is adjacent to ANSI Earth Science Provincially Significant area.

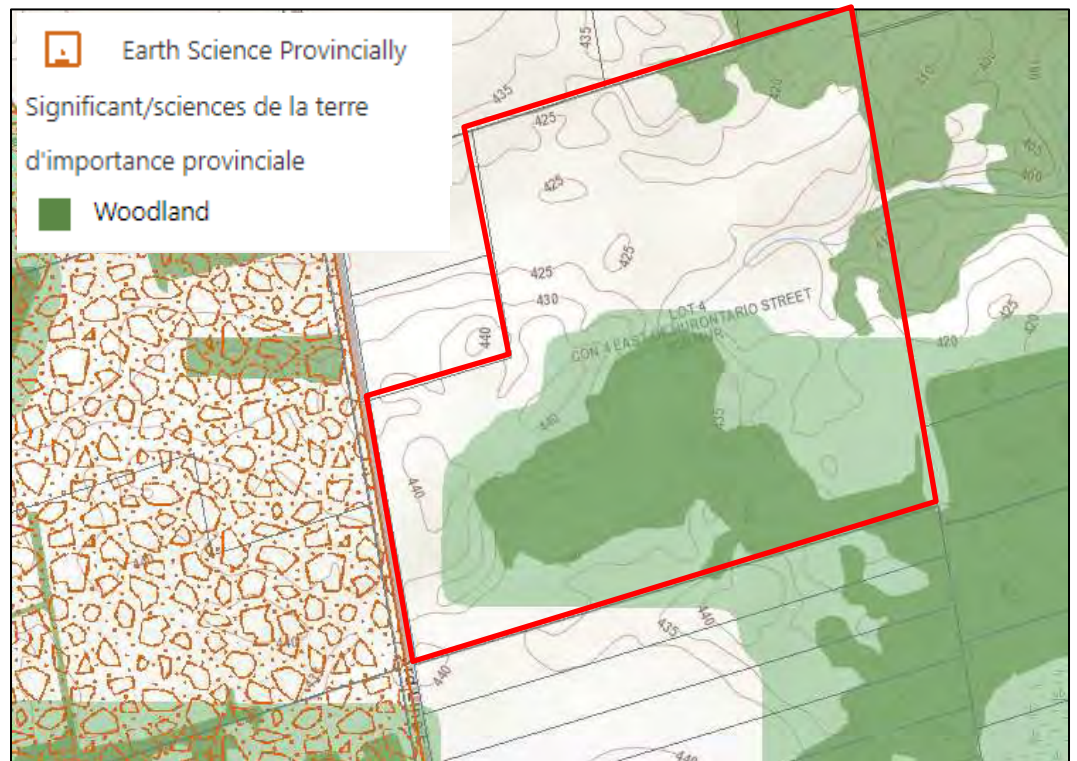


Figure 1: Ontario's Natural Heritage Map showing presence of Natural Heritage System and adjacency of ANSI Earth Science Provincially Significant

## Dufferin County Official Plan (2017)

The subject property is within the Countryside Area designation under Schedule B (Community Structure and Land Use) and within the Rural Lands designation under Schedule C (Agricultural Area and Rural Lands) of the County Official Plan. The intent of the Rural Lands designation is to protect the natural amenities and rural character of the



County while promoting development opportunities related to the management or use of resource-based recreational uses (including recreational dwellings), tourism, limited residential development, home occupations and home industries, and other rural land uses that cannot be located in settlement areas.

Per section 4.3.2, limited residential development is permitted, which includes no more than three new lots or units are permitted with the Rural Lands designation. It is worth noting that it appears this lot has been severed twice previously. As such, the municipality should confirm that the proposed severance would be considered limited residential development in accordance with Section 4.3.2 a) iii of the County Official Plan.

Per section 4.3.3(e), lot creation will comply with the Minimum Distance Separation Formulae as implemented through the applicable local municipal planning documents. Consultation with the Township of Mulmur is recommended.

Schedule E (Natural Heritage Features) identifies woodlands on the subject property. Further consultation with the Township of Mulmur and the NVCA should be undertaken to determine whether the woodlands are deemed significant and whether the proposed development will have a negative impact on the woodlands. Section 5.3.4 of the County Official Plan directs that development and site alteration adjacent to significant woodlands is not permitted unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions through preparation of an EIS.

Schedule E (Natural Heritage Features) identifies ANSI Earth Science Area of Natural and Scientific Interest Adjacent to the subject property. Section 5.3.3 states that development and site alteration will not be permitted within or adjacent to ANSI's unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions through the preparation of an EIS.

Given that access to the proposed development is not located on a County Road, the Township should provide comments regarding access.

Under Appendix 2 (Source Water Protection) the subject property is located within a source water protection area (Low Vulnerability Aquifer and Significant Groundwater Recharge Area). Policy 5.4.2(c) states that prior to the approval of development applications within designated vulnerable areas, the proponents shall demonstrate to the satisfaction of the County, local municipality, Conservation Authority and Province, where necessary, that the quality and quantity of municipal drinking water sources will not be negatively impacted. It is anticipated that the NVCA will provide further review and comments with respect to the requirements for Source Water Protection as it relates to the changes proposed on the subject properties.



### **Recommendation**

The proposal generally conforms with the Rural Lands designation and the related policies in the Dufferin County Official Plan. It is recommended that:

- Confirmation be provided as to whether the woodlands on the subject property are deemed significant.
- Confirmation be provided as to whether an Environmental Impact Statement (EIS) is required relative to the proximity of woodlands, and the ANSI Earth Science Area of Natural and Scientific Interest.
- The municipality is satisfied that the proposed severance would be considered limited residential development as per Section 4.3.2 a) iii of the County Official Plan.
- Consultation occur with the Township of Mulmur and the Nottawasaga Valley Conservation Authority (NVCA) related to the potential impacts to source water because the subject properties are located within a source water protection area (Low Vulnerability Aquifer and Significant Groundwater Recharge Area).



**From:** [Amy Knapp](#)  
**To:** [REDACTED]  
**Cc:** [Lee Bull](#)  
**Subject:** RE: Mulmur lot

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Good Evening Mark,

From a 'high level' perspective, I can confirm that a portion of the property is regulated by the NVCA due to a watercourse (Boyne River) and associated slope erosion hazard areas. Further, a portion of the property also contains a woodlot feature (a natural heritage feature) as illustrated on the aerial photograph provided. The proposed lot is outside of the NVCA's regulatory jurisdiction.

Natural Heritage and Ecology - Advisory Comments

The proposed development shall be consistent with the following policies within the Provincial Policy Statement (PPS 2020)

Woodlands impact(s)

SECTION 2.1.5 Policies contained within the PPS prohibit development (including lot creation) and site alteration in significant natural heritage features unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. The proposed lot configuration appears to bisect nature heritage features.

Adjacent to Woodlands impact(s)

SECTION 2.1.8 Policies contained within the PPS prohibit development (including lot creation) and site alteration adjacent to significant natural heritage features unless it unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

Due to the presence of confirmed and candidate significant natural heritage features within proximity to the proposed development, an EIS will be required to assess the potential impacts of development on such features, and evaluate conformity of the proposal with relevant natural heritage-related policies. The applicant will be required to retain a qualified ecologist to prepare this submission, at which point the consultant shall contact NVCA planning staff to discuss the appropriate scope of required studies. NVCA's Planning and Regulations Guidelines stipulate a 30m setback to significant natural heritage features from development activities.

NVCA staff appreciates the opportunity to comment at this stage in the process. These comments should be considered valid at the time of issuance and preliminary in nature. The information presented herein is based on a preliminary concept plan and should not be considered NVCA final comments at this time.

We will require additional information (full application submission, studies and the applicable review fees) in order to complete our review and additional comments may be provided in the future. The NVCA may at any point change our comments should new information become available which raises concerns pertaining to the NVCA core mandate.

Amy Knapp | Planner III  
Nottawasaga Valley Conservation Authority  
8195 8th Line, Utopia, ON L0M 1T0  
T 705-424-1479 ext.233 | F 705-424-2115  
[aknapp@nvca.on.ca](mailto:aknapp@nvca.on.ca) | [nvca.on.ca](http://nvca.on.ca)

I am currently working remotely as the Nottawasaga Valley Conservation Authority is taking preventative measures to limit the spread of COVID-19. You may experience some delays or disruptions as we follow recommendations of health professionals to slow the virus from spreading.

This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain

## Roseann Knechtel

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**Subject:** FW: 519-21-353 - Consent Application B9-2021 - CONC 4 EHS PT LOT 4 RP 7R6596 PART 4

**From:** "Hall, Charleyne"

**Date:** June 29, 2021 at 10:25:20 AM EDT

**To:** Tracey Atkinson

**Subject:** 519-21-353 - Consent Application B9-2021 - CONC 4 EHS PT LOT 4 RP 7R6596 PART 4

Good morning Tracey,

Bell Canada has no concerns with Application for Consent B9-2021 regarding CONC 4 EHS PT LOT 4 RP 7R6596 PART 4.

Thank you,

Charleyne



Right of Way Associate

140 Bayfield Street, Floor 2, Barrie ON L4M 3B1

T: 705-722-2264 Toll Free: 1-888-646-4817

she/her

Recognizing traditional territory of Haudenosaunee and Anishnaabeg Peoples; part of the Upper Canada Treaties.



**Nottawasaga Valley**  
Conservation Authority

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July 9, 2021

SENT BY EMAIL

Township of Mulmur  
758070 2nd Line East  
Mulmur, ON  
L9V 0G8

Attn: Tracey Atkinson, BES MCIP RPP,  
C.A.O. / Planner  
tatkinson@mulmur.ca

Dear Ms. Atkinson,

**RE: Comments for Consent Application B9-2021  
Vacant Lands on CON 4 EHS PT LOT 4  
Township of Mulmur  
NVCA ID #50009**

Nottawasaga Valley Conservation Authority [NVCA] staff is in receipt of an application to create a new residential lot. The application proposes to sever a +/- 2.43 ha (6.02 acre) building lot from a 34.74 ha (85.84 acre) parcel.

Staff has reviewed this application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 172/06. The application has also been reviewed through our role as a public body under the Planning Act as per our CA Board approved policies.

**Ontario Regulation 172/06**

The property is partially regulated for slope erosion hazards and partially regulated for slope erosion hazards associated with a watercourse (Boyne River) located northeast of the subject lands. The proposed lot is outside of the NVCA's regulatory jurisdiction.

Further, the property contains a candidate for a significant woodlot feature (a natural heritage feature). Please note that the NVCA does not support proposed lot lines through natural heritage features.

**Provincial Policy Statement PPS (2020)**

The PPS defines development to be the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the Planning Act.

**Natural Heritage and Ecology - Advisory Comments**

Policies contained within the PPS prohibit development and site alteration within significant natural heritage features unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

In addition, policies within the PPS prohibit development (including lot creation) and site alteration adjacent to significant natural heritage features unless it unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

In this regard, due to the presence of confirmed and candidate significant natural heritage features within the proposed development, a Natural Heritage Study/EIS would be required to assess the potential impacts of development on such features, and evaluate conformity of the proposal with relevant natural heritage-related policies as part of any formal application submission. The applicant would be required to retain a qualified ecologist to prepare this submission, at which point the consultant shall contact NVCA planning staff to discuss the appropriate scope of required studies

To date, no technical studies were submitted to evaluate consistency with Section 2.0 of the PPS. NVCA staff are of the opinion that the above noted consent application is not consistent with the above noted policies of the Provincial Policy Statement.

### **Conclusion**

The NVCA recommend that the consent application as applied be **deferred** for the following reasons.

- The application is not consistent with Section 2 (Natural Heritage) policies of the Provincial Policy Statement 2020.
- No Natural Heritage Study/EIS has been submitted.

Should you require any further information, please feel free to contact the undersigned.

Sincerely,



Amy Knapp  
Planner III



**STAFF REPORT**

**TO:** COMMITTEE OF ADJUSTMENT  
**SUBJECT:** Tracey Atkinson, BES MCIP RPP  
**MEETING DATE:** July 21, 2021  
**SUBJECT:** B09-2021 (Stroud)

**PURPOSE:**

To assess the planning merits of an application for consent to sever a building lot.

The application proposes to sever a +/- 2.43 ha (6.02 acre) building lot from a 34.74 ha (85.84 acre) parcel.

**BACKGROUND:**

FILE NO	B9-2021
ROLL NO	221600000202600
OWNER	MURRAY STROUD / ROBERT BRYAN
ADDRESS	796205 3 <sup>rd</sup> Line
LEGAL DESCRIPTION:	CON 4 EHS PT LOT 4 RP 7R6596 PART 4
OFFICIAL PLAN:	Rural
ZONING:	Countryside Area / Environmental Protection
NEC/Greenbelt:	N/A
NVCA Regulated:	Yes
Natural Heritage System	Yes
Agricultural Land Base	No
Application Submission Date:	May 12, 2021
Public Meeting Date:	July 21, 2021

A similar application was submitted in 2018 and withdrawn (MacKinnon) following comments from the NVCA regarding an Environmental study.

**EXISTING CONFIGURATION**

Frontage (approximate)	333mm
Area (approximate)	34.7ha
Use	Vacant (Building permit approved for dwelling)



	on proposed retained lands)
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**PROPOSED CONFIGURATION**

	North portion	South portion
Area (approx.)	32.3ha	2.4 ha (6 acres)
Frontage (approx.)	323m	100m
Use	Residential	Building lot

**STRATEGIC PLAN ALIGNMENT:**

This application is aligned with the following strategic plan path:

4. Growing a Sustainable Mulmur: Being Proactive in Sustainable Initiatives to ensure the long term well being of Mulmur (includes Resources/Financial/People).

**FINANCIAL IMPACTS:**

Processing costs are generally covered by the application fee.

**ANALYSIS:**

The application was supported by the following submissions:

- Farm Data Sheets

**PLANNING POLICIES & PROVISIONS:**

**Provincial Policy Statement (2020)**

The 2020 Provincial Policy Statement (PPS) contains broad policy direction and policy direction on lot creation. The PPS provides for limited development on Rural lands.

The PPS also provides protection for natural heritage features and hazards and agricultural operations.

**Growth Plan (2019, consolidated Aug 2020)**

A Place to Grow: Growth plan for the Greater Golden Horseshoe, provides high-level policy direction relating to the development of healthy, safe and balanced communities. The Growth Plan directs the majority of development to settlement areas except where otherwise permitted. Section 2.2.9(3) of the GP provides for rural land uses that will not negatively affect agriculture and Section 2.2.9.6 allows for consideration of some lots within the rural area.

**Natural Heritage System**

The subject lands are within the Provincial mapping of the Natural Heritage System (NHS) for the Growth Plan.

The subject lands include a woodlot that is greater than 10ha, extending onto abutting properties. The natural heritage system mapping reflects the woodlot on the southern portion of the subject lands.

The subject lands also include hazard lands (outside of the NHS), being a regulated slope/valley, extending from the centre of the east lot line. The proposed lot would include lands within the woodlot and NHS, but do allow for a building envelop outside of both mapped features. The proposed lot would split the natural features.

### **Niagara Escarpment Plan**

N/A

### **NVCA**

The subject lands are partially regulated, following the steep slope feature mapping.

This application is a re-submission from B4, B5, B6-2018 (MacKinnon) submitted by a previous owner. The previous application was withdrawn as a result of comments from the NVCA with respect to Natural Heritage features and study requirements.

The following comments were submitted September 26, 2018 on a similar application.

*The NVCA has reviewed the above-noted applications for consent. Based on our mandate and policies established under the Conservation Authorities Act and the Provincial Policy Statement, we advise the Committee that at this time we are unable to support applications B04-18 and B05-18 and recommend that the Committee defer these applications until additional technical information is provided to the satisfaction of the NVCA.*

*The NVCA regulates a local drainage feature on the north east portion of the retained lot - the proposed severed lots are not within an area regulated by the NVCA. To the south west portion of the property lies a woodland feature which is captured in the Provincial Natural Heritage System overlay. Due to the presence of this feature, the proposed lot configuration is not in compliance with Natural Heritage policies established under the Growth Plan for the Greater Golden Horseshoe (Growth Plan). Growth Plan policies specifically prohibit development (including lot creation) within the Natural Heritage System. Section 4.2.3.1 states "Outside of settlement areas, development or site alteration is not permitted in key natural heritage features that are part of the Natural Heritage System or in key hydrologic features. Growth Plan policies also state that new development (including lot creation) or site alteration will demonstrate that there are no negative impacts on key natural heritage features or key hydrologic features or their functions.*

*The NVCA does not support applications for consent within the Natural Heritage system unless it has been demonstrated that the proposed development will not impact natural features. This approach is in concert with the PPS which states that Natural Features will be protected for the long term; as well as the Growth Plan policies on development within the Natural Heritage System. In order to demonstrate no negative impact to the feature, the applicant must undertake a Natural Heritage Assessment which, among other things, evaluates the significance of the woodland feature on the proposed lots and within the NHS overlay. The assessment should be undertaken by a qualified ecologist, and a formal study Terms of Reference should be scoped with NVCA staff at a preliminary stage. The NVCA is available to consult with the applicant to scope the studies required and provide information on the local connectivity of the feature as required.*

## **County Official Plan**

The subject lands are designated “Countryside Area” and “Rural Lands” in the County Official Plan schedules. The Countryside designation provides for the protection of agricultural areas, while allowing some growth and development. The County mapping also identifies a wooded area. Comments are anticipated from the County of Dufferin related to the County OP policies.

## **Mulmur Official Plan (2012)**

The Rural lot creation policies of section 6.2.5 permit the consideration of the proposed severance, being the third lot creation, for a total of four parcels from an original 40ha parcel. The Rural lot creation policies also speak to agricultural impacts. The policy states that:

*Severances involving the creation of one and, in appropriate circumstances, two or a maximum of three new lots from the original 40 ha. Township half-lot, may be considered by the Committee of Adjustment where it can be shown that there will be no adverse effects on nearby farming operations, where impacts on the resources and natural features identified on the schedules to this Plan are minimal and acceptable, and where the rural character of the area will be maintained.*

*In assessing applications for severance, priority over the application shall be given to nearby agricultural operations on lands designated Agricultural under this Plan, especially those existing or potential operations having to conform to the Minimum Distance Separation requirements and/or the requirements of, and any regulations made pursuant to the Nutrient Management Act.*

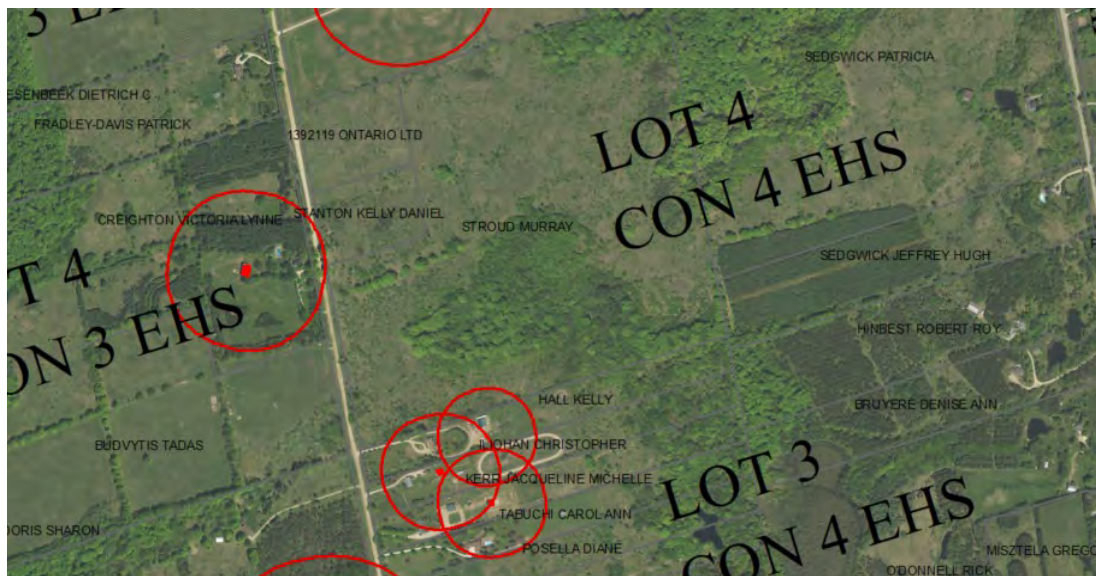
Every house introduced within an Agricultural area limits the flexibility of future barn placement. The proposed severance is a vacant parcel and is zoned to allow for the development of one single detached dwelling, to be located almost anywhere on the property. The proposed severance would permit a second buildable parcel, which therefore could result in double the residential impact on agricultural operations.

There are livestock operations in proximity to the subject lands as well as barns that are capable of being used for livestock. The applicants provided Farm Data sheets with their application.

MDS Calculation resulted in the following separation requirements, as shown on the map below. The proposed severance would not be significantly restricted due to the MDS setbacks.

1. Kerr – 4 ha tillable farm with 185m<sup>2</sup> (6 horse capacity based on floor area) facility = 87m
2. Creighton – 20.77 ha tillable farm with 580m<sup>2</sup> facility (19 horse capacity) = 127 MDS
3. Iliohan – 4 ha tillable farm with 278m<sup>2</sup> facility (12 horse capacity) = 93m

In speaking with a neighbour, it was brought to our attention that there is an additional livestock facility located directly south of the subject lands, on the Hall/Dean property. An MDS calculation was prepared based on this additional information and aerial photography. The original barn burned down. Livestock (3 sheep, 2 cows and chickens) are housed Estimated as a 4ha parcel with a 36m<sup>2</sup> barn, a MDS distance of 81m was calculated.



The Mulmur Official Plan contains policies with respect to maintaining the Rural Character, by staggering lots to limit the appearance of strip development and to provide a look of spaciousness, dominated by trees and open land opposed to dwellings.

The details of the building envelope and MDS can be addressed through a building envelope agreement.

### Zoning By-law

The subject lands are zoned Countryside (A) and Environmental Protection (EP) along the steep slope. The proposed lot is within the Countryside (A) zone. The Countryside (A) zone provides for a range of land uses and are required to have a minimum lot area of 2.0 hectares and frontage of 100m.

The proposed severed and retained lots would meet the minimum requirements of the Countryside (A) zone. A range of permitted uses would be permitted subject to meeting other applicable policies.

### **AGENCY COMMENTS**

Comments have been received from Public Works, Dufferin County, Bell and NVCA.

It is noted that the Township received engineering information regarding entrance location on a previous application for the same lands.

### **RECOMMENDATION:**

It is recommended:

THAT this application be deferred until an EIS has been completed to the satisfaction on the NVCA in support of the application.

Respectfully submitted,

*Tracey Atkinson*

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Tracey Atkinson, BES MCIP RPP  
Planner





**DECISION OF COMMITTEE OF ADJUSTMENT WITH REASONS  
(The Planning Act, R.S.O. 1990, c. 13, s. 45 (8), 1994 c. 23, s.26.)**

**FILE NO. B9-2021 Stroud**

**RE: Consent Application**

The following decision was reached by the Committee of Adjustment for the Township of Mulmur at the meeting on July 21, 2021:

That Application No. B9-2021 submitted by Murray Stroud for a lot creation from CON 4 EHS PT LOT 4 RP 7R6596 PART 4 (R# 2 02600) be deferred.

DRAFT

**CERTIFICATION**  
**(The Planning Act, R.S.O. 1990 c. p. 13 s. 45 (10))**

I, **Tracey Atkinson**, Clerk of the Township of Mulmur, hereby certify that the above is a true copy of the decision of the Committee of Adjustment for the Township of Mulmur with respect to the application recorded herein.

.....  
Tracey Atkinson, Clerk, Township of Mulmur

The last date that this decision may be appealed to the Ontario Land Tribunal is \_\_\_\_\_, 2021.

**NOTICE OF LAST DAY OF APPEALING TO THE ONTARIO LAND TRIBUNAL (OLT)**

The applicant, the Minister, or any other person who has an interest in this matter may, within twenty (20) days of the date of this notice, appeal to the Ontario Land Tribunal against the decision of the Committee by serving personally or sending by registered mail to the Secretary-Treasurer of the Committee a Notice of Appeal along with Appellant Form (A1) available from the Township office or from the OLT website at [www.olto.gov.on.ca](http://www.olto.gov.on.ca) setting out the objection to the decision and the reasons for the objection and accompanied by the fee of \$300.00 payable by certified cheque or money order to the MINISTER OF FINANCE as prescribed by the Ontario Land Tribunal as payable on an appeal from a Committee of Adjustment to the Board.

Tracey Atkinson, Clerk  
Telephone: (705) 466-3341 Ext 222  
[tatkinson@mulmur.ca](mailto:tatkinson@mulmur.ca)

Date of Mailing: July \_\_\_\_\_, 2021  
Last day to appeal to OLT: August \_\_\_\_, 2021



**CORPORATION OF THE TOWNSHIP OF MULMUR  
NOTICE OF COMPLETE APPLICATION & PUBLIC MEETING  
B10-2021 MAITLAND**

Township of Mulmur Committee of Adjustment will hold a public meeting under section 53 (5) of the *Planning Act, R.S.O. 1990 c.P.13, as amended.*

**This meeting is being conducted by means of Electronic Participation by a majority of members, as permitted by Section 238 (3.3) of the Municipal Act, 2001, as amended.  
USING VIDEO AND/OR AUDIO CONFERENCING.**

To connect only by phone, please dial any of the following numbers. When prompted, please enter the meeting ID provided below the phone numbers. You will be placed into the meeting in muted mode. If you encounter difficulty, please call the front desk at 705-466-3341, ext. 0

- +1 647 374 4685 Canada
- +1 647 558 0588 Canada
- +1 778 907 2071 Canada
- +1 438 809 7799 Canada
- +1 587 328 1099 Canada

Meeting ID: 846 0224 8258

To connect to video with a computer, smart phone or digital device and with either digital audio or separate phone line, download the zoom application ahead of time and enter the digital address below into your search engine or follow the link below. Enter the meeting ID when prompted.

<https://us02web.zoom.us/j/84602248258>

Meeting ID: 846 0224 8258

The meeting is being held to consider an application for Consent which has been submitted. The following are the particulars:

**MEETING DATE AND TIME:** July 21, 2021 at 10:45

**APPLICATION NUMBER:** B10-2021

**OWNER/APPLICANT:** MAITLAND CAROL / BURRES GRAEME

**LOCATION:** CON 2 EHS PT LOT 21 RP 7R3985 PARTS 1 and 3 (667287 20 SIDEROAD) / CON 2 EHS E PT LOT 21 RP 7R3885 PART 1 RP 7R4560 PART 1 (758008 2<sup>ND</sup> LINE EAST)

**PURPOSE:** BOUNDARY ADJUSTMENT LANDS TO BE ADDED TO THE PROPERTY TO THE NORTH (758008 2<sup>ND</sup> LINE EAST - CON 2 EHS E PT LOT 21 RP 7R3885 PART 1 RP 7R4560 PART 1)

Additional information is available for public inspection by request. If you require additional information on this application, it may also be obtained by contacting the CAO/Planner, Tracey Atkinson, 705 466 3341 X222 or by email: [takinson@mulmur.ca](mailto:takinson@mulmur.ca) during regular office hours.

**NOTE:** If a person or public body that files an appeal of a decision of the Township of Mulmur Committee of Adjustment in respect of the proposed consent does not make written submissions to the Township of Mulmur Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal may dismiss the appeal. If you wish to be notified of the decision of the Township of Mulmur Committee of Adjustment in respect of the proposed consent, you must make a written request to the Township of Mulmur Committee of Adjustment.

**See Map for illustration purposes only. This is not a plan of survey. A digital version is available by email.**



Dated May 25, 2021

### 3. Purpose of this Application

Proposed transaction (check appropriate box)

- |                                   |  |  |  |
|-----------------------------------|--|--|--|
| <input type="checkbox"/> Transfer | <input type="checkbox"/> Creation of a new lot | <input type="checkbox"/> Addition to a lot     | <input type="checkbox"/> An easement                                       |
| <input type="checkbox"/> A charge | <input type="checkbox"/> A lease               | <input type="checkbox"/> A correction of title | <input checked="" type="checkbox"/> Other Lot creation boundary adjustment |

Specify Purpose, ie. Building lot, farm severance, lot addition, etc.

Lot creation boundary adjustment

Name of person(s) to whom land or interest in land is to be transferred, leased or charged

Carol Maitland

### 4. Description of Subject Land and Servicing Information

Frontage (m)	<b>Severed</b> 26.87 m	<b>Retained</b> 26.87 m
Depth (m)	83.02 m	67.17
Area (m)	4682 m2	4027 m2

### 5. Land Use

Date Property Acquired 2017

Existing Use Residential	Proposed Use Residential
-----------------------------	-----------------------------

Existing and Proposed buildings and Structures

Type of Building or Structure		Set Backs (m)				Height (m)	Dimensions (m x m)	Area (m2)	Date of Construction / Proposed Construction	Time use has continued (for existing buildings & structures)
		Front	Rear	Side	Side					
House	<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed	26.87	27.92	35.02	18.51	9.144	9.49 x 7.31	77.388	June 1993	1993
Garage	<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed	22.338	35.84	9.12	42.88	9.144	9.15 x 10.97	100.33	unkown	NA
Shed	<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed	46.15	21.21	42.67	17.91	3.048	.74 x .74	5.95	unknown	NA
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed									

<b>Water</b> <input checked="" type="checkbox"/> Private Well <input type="checkbox"/> Communal Well <input type="checkbox"/> Municipal Water <input type="checkbox"/> Other: _____	<b>Sewage Disposal</b> <input checked="" type="checkbox"/> Private Septic <input type="checkbox"/> Communal Septic <input type="checkbox"/> Other: _____	<b>Storm Drainage</b> <input type="checkbox"/> Sewer <input checked="" type="checkbox"/> Ditches <input type="checkbox"/> Swales <input type="checkbox"/> Other: _____	<b>Tile Drainage</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, please mark on site plan location of tile runs
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6. Zoning and Official Plan Information		
Current Zoning Hamlet Residential	Current Official Plan <b>Hamlet</b>	
Related Applications under the Planning Act, if any including Official Plan, Official Plan Amendment, Zoning By-law Amendment, Minister's Zoning Order (amendment), Consent or Plan of Subdivision: NA	Has subject lands even been subject of an application under the Planning Act? NA File #: _____ Status: _____	
Provide an explanation of how the application conforms to the Official Plan		
Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified? Please check the appropriate boxes, if any apply.		
Use or Feature	On the Subject Land	Within 500 metres of Subject Land, unless otherwise specific (indicate approximate distance)
Agricultural buildings/structure or manure storage facilities		<input checked="" type="checkbox"/> R#518
A Landfill		
A provincially significant wetland (Class 1, 2 or 3 wetland)		
A locally significant wetland		
Flood Plain		
A rehabilitated mine site		
A non-operating mine site within 1 kilometre of the subject land		
An active mine site		
An industrial or commercial use (specify uses)		
Does the proposed development produce greater than 4500 litres of effluent per day? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If yes, attach a servicing options report and hydro geological report		
Are the lands part of a Nutrient Management Plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Please provide plan number _____ and date approved by OMAFRA _____		
Are there any livestock facilities within 500 metres of the subject lands? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If yes, provide a Farm Data Sheet completed by each livestock facility owner for each of the livestock facilities. <a href="http://mulmur.ca/departments/planning">http://mulmur.ca/departments/planning</a>		

Regulated Wetland R# 5-129



Has any land been severed from the original, 40 hectare (approx..) parcel

Yes

No

If yes, provide details:

### 9. Other Information

Please provide any other information that may be useful to the Council or other agencies in reviewing this application, ie. health department, conservation authority, etc.

### 10. Sketch (please use metric units)

The application shall be accompanied by a sketch showing the following:

- The boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained
- The boundaries and dimensions of any land owned by the owner of the subject land and that abuts the subject land
- The distance between the subject land and the nearest Township lot line or landmark, such as a railway crossing or bridge
- The location of all land previously severed from the original approximate 40 hectare parcel
- The approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks
- The existing uses on adjacent lands
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or right of way
- The location and nature of any easement affecting the subject land





Terra Nova Ontario

758008

758007

758005

212.21 FT

66 FT

155 FT

87.45 FT

18.20 FT

28.64 FT

28.76 FT

33 FT

86 FT

37 FT

36 FT

20 FT

26 FT

98 ft

43.6 FT

338.25 FT

2nd line East

SHED

120 FT

48.98 FT

60.72 FT

NOTES: WE WOULD LIKE TO ADJUST THE LOT LINE BY .157 ACRES

LOT LINE ADJUSTMENT

758008 - CURRENT PROPERTY LINES

667287 - CURRENT PROPERTY LINES

DITCH

LOT SIZE 1.157  
667287

20th Side Road

20th Side Road





Date: July 21, 2021  
To: Committee of Adjustment  
From: John Willmetts, Director of Public Works  
Re: B10 – 2021 MAITLAND

## ROAD WIDENING

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With respect to this application, I request that the Committee impose the following condition.

1. Acquire a road widening / Site triangle at the intersection of 20 Sideroad and 2<sup>nd</sup> Line E,  
The site triangle would measure 12 meters north and west along the property line from the southeast corner of the lot (667287) with a line intersecting these points.



It would be advisable to impose this condition to allow the Township more flexibility to perform necessary road improvements in the future.

Yours truly,

*John Willmetts*

John Willmetts  
Director of Public Works  
Township of Mulmur



Date: June 16, 2021

To: Tracey Atkinson, CAO/Planner

Re: Application for Consent - Boundary adjustment lands to be added to the property to the North (758008 2<sup>nd</sup> Line East)

Maitland Carol / Burres Graeme  
758008 2<sup>nd</sup> Line, Mulmur  
Concession 2 EHS E Pt Lot 21

This letter serves to confirm that I have commenced a preliminary review of the application and other information submitted with your request for comments.

Please be advised that the application for the above noted address has not revealed any issues with regards to the Application for Consent. The Building Department has no other comments at this time.

If you should have any questions pertaining to this letter, please do not hesitate to contact the undersigned.

Regards,

Rita Geurts, M.A.A.T.O., CBCO  
Building Inspector / Plans Examiner  
T: 519-941-2362 Ext. 2704  
[rgeurts@dufferincounty.ca](mailto:rgeurts@dufferincounty.ca)





## MEMO

**TO:** County of Dufferin

**FROM:** Matt Alexander, Project Manager, WSP  
Angela Zhao, Project Planner, WSP

**SUBJECT:** Consent Application (File #: B10-21), 758008 2nd Line East & 667282  
20 Side Road, Township of Mulmur, ON

**DATE:** July 2, 2021

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### Recommendation

Based on our review, the proposal is consistent with the Community Settlement designation and the related policies in the Dufferin County Official Plan. It is recommended that:

- Consultation occur with the Township of Mulmur the Nottawasaga Conservation Authority (NVCA) related to the potential impacts to source water because the subject properties are located within a source water protection area (High Aquifer Vulnerability and Significant Groundwater Recharge Area).

### Summary

The purpose of the consent application is for a boundary adjustment. A parcel of land with a frontage of 10.06 metres and an area of 635.36 square metres will be severed from the subject lands and added to the adjacent property at 758008 2nd Line East. No new lot is being created as part of this application.

The documents received by WSP on May 28<sup>th</sup>, 2021 include:

- Notice of Public Meeting;

The circulation documents were reviewed against the Dufferin County Official Plan.

### Dufferin County Official Plan (2017)

The subject property falls within the Community Settlement Area under Schedules A (Provincial Plan Areas) and B (Community Structure and Land Use) of the County Official Plan. Community Settlement Areas include small villages and rural hamlets that may experience limited growth through infilling and development of vacant lands. These areas are to maintain a rural settlement character and evolve as service and residential centres for their surrounding Countryside Areas. The County OP does not have specific provisions as it relates to lot adjustments in the Community Settlement Area.





Under Appendix 2 (Source Water Protection) the subject property is located within a source water protection area (High Aquifer Vulnerability and Significant Groundwater Recharge Area). Policy 5.4.2(c) states that prior to the approval of development applications within designated vulnerable areas, the proponents shall demonstrate to the satisfaction of the County, local municipality, Conservation Authority and Province, where necessary, that the quality and quantity of municipal drinking water sources will not be negatively impacted. It is anticipated that the CVC will provide further review and comments with respect to the requirements for Source Water Protection as it relates to the changes proposed on the subject properties.

Given that the proposed development is not located on a County Road, the Town should provide any comments regarding access.

### **Recommendation**

Based on our review, the proposal is consistent with the Community Settlement designation and the related policies in the Dufferin County Official Plan. It is recommended that:

- Consultation occur with the Township of Mulmur the Nottawasaga Conservation Authority (NVCA) related to the potential impacts to source water because the subject properties are located within a source water protection area (High Aquifer Vulnerability and Significant Groundwater Recharge Area).



**STAFF REPORT**

**TO:** COMMITTEE OF ADJUSTMENT  
**SUBJECT:** Tracey Atkinson, BES MCIP RPP  
**MEETING DATE:** July 21, 2021  
**SUBJECT:** B10-2021 (Maitland)

**PURPOSE:**

To assess the planning merits of an application for consent to a boundary adjustment (lot line addition).

The application proposes to adjust the boundary between two parcels in Terra Nova, adding lands from the southern parcel to the Northern parcel, so that the ditch is completely within the Northern parcel.

**BACKGROUND:**

FILE NO	B10-2021
ROLL NO	221600000512700 221600000512900
OWNER	(Both lots in same ownership) MAITLAND CAROL / BURRES GRAEME
ADDRESS	Southern Lot: 667287 20 SIDEROAD Northern Lot: 758008 2 <sup>ND</sup> LINE EAST
LEGAL DESCRIPTION:	Southern Lot: CON 2 EHS PT LOT 21 RP 7R3985 PARTS 1 and 3 Northern Lot: CON 2 EHS E PT LOT 21 RP 7R3885 PART 1 RP 7R4560 PART 1
OFFICIAL PLAN:	Hamlet Settlement Boundary Hamlet Designation
ZONING:	Hamlet Residential
NEC/Greenbelt:	N/A
NVCA Regulated:	Yes -beyond boundary adjustment proposal (Wetland)
Natural Heritage System	No
Agricultural Land Base	No

Application Submission Date:	May 21, 2021
Public Meeting Date:	July 21, 2021

**EXISTING CONFIGURATION**

	North portion	South portion
Area (approx.)	4472m <sup>2</sup> (1.09 acres)	4680 (1.17 acres)
Frontage (approx.)	37m (122)'	58m on 20 <sup>th</sup> SR 67m (220') on 2nd
Use	Residential	Residential

(It is noted that the information has been taken from a combination of the applicant’s sketch and Township GIS, and is approximate)

**PROPOSED CONFIGURATION**

	North portion	South portion
Area (approx.)	4682m <sup>2</sup>	4027m <sup>2</sup>
Frontage (approx.)	47.25m	56.75m
Use	Residential	Residential

**STRATEGIC PLAN ALIGNMENT:**

This application is aligned with the following strategic plan path:

4. Growing a Sustainable Mulmur: Being Proactive in Sustainable Initiatives to ensure the long term well being of Mulmur (includes Resources/Financial/People).

**FINANCIAL IMPACTS:**

Processing costs are generally covered by the application fee.

**ANALYSIS:**

The application was supported by the following submissions:

- Lot sketch

**PLANNING POLICIES & PROVISIONS:**

**Provincial Policy Statement (2020)**

The 2020 Provincial Policy Statement (PPS) contains broad policy direction and policy direction. The PPS does not provide specific direction on boundary adjustments in settlement areas. The proposed boundary adjustment is consistent with Provincial Policy.

**Growth Plan (2019, consolidated Aug 2020)**

A Place to Grow: Growth plan for the Greater Golden Horseshoe, provides high-level policy direction relating to the development of healthy, safe and balanced communities. The Growth Plan directs the majority of development to settlement areas except where otherwise permitted. The proposed boundary adjustment conforms to the Provincial Growth Plan.

#### Natural Heritage System – Not applicable

Provincial mapping of the Natural Heritage System (NHS) for the Growth Plan does not apply until it has been implemented in the County Official Plan. Until that time, the policies apply to areas that were mapped in the existing County and local plans. The subject lands are outside of the Natural Heritage System. It is noted that a regulated (locally significant) wetland is mapped on the rear of the Northern parcel, beyond the lands proposed to be included in the boundary adjustment.

The Northern parcel includes a portion of a woodlot, however, the feature is not within the proposed boundary adjustment.

The subject lands also include regulated lands associated with a buffer to the regulated flood lands. The proposed boundary adjustment does not include the regulated lands.

#### **Niagara Escarpment Plan**

N/A

#### **NVCA**

The subject lands are partially regulated due to features on abutting lands.

#### **County Official Plan**

The subject lands are designated as a Settlement Area in the County Official Plan schedules. Comments are anticipated from the County of Dufferin related to the County OP policies.

#### **Mulmur Official Plan (2012)**

Sections 7.1, Hamlet and 7.1.A.2, Hamlet Residential, of the Official Plan sets out permitted uses and general development policies. It includes a net average lot area requirement of approximately 0.4ha. The Official Plan does not contain specific boundary adjustment policies for the Hamlet or Hamlet Residential designation.

#### **Zoning By-law**

The subject lands are zoned Hamlet Residential. Based on the Township GIS mapping, it appears that the Northern lot does not currently meet the minimum lot frontage, being slightly deficient but benefiting from sections of the zoning by-law that allow deficient pre-existing lots. Both lots currently meet the minimum lot requirements and would continue to meet the minimum requirements with the proposed boundary adjustment. The

boundary adjustment would result in both lots meeting the minimum lot frontage requirements. The following are excerpts from the zoning by-law.

#### 4.5.1 PERMITTED USES

- i) *single detached dwelling*
- ii) *attached accessory dwelling unit* having a maximum floor area of 80 m<sup>2</sup>
- iii) *home occupation*

#### 4.5.2 REGULATIONS FOR PERMITTED USES

- i) Minimum Lot Area 0.4 ha
- ii) Minimum Lot Frontage 38.0 m
- iii) Minimum Yard Requirements
  - a) Front Yard 7.5 m
  - b) Interior Side Yard 1.5 m
  - c) Exterior Side Yard 7.5 m
  - d) Rear Yard 7.5 m
- iv) Maximum Lot Coverage 20%
- v) Maximum Height 10.5 m

#### 3.10.2.3 Existing Undersized Lots of Record

Where a lot, having a lesser lot area and/or lot frontage than required herein, existed on the date of passing of this By-law, or where such a lot is created by a public authority, such smaller lot may be used and a permitted building or structure may be erected, altered and/or used on such smaller lot provided that the lot has at least 30 m of frontage, an area of at least 0.2 hectares, is located on a maintained public road and all other applicable zone provisions of this By-law are complied with.

Lots which have been increased in size following passing of this By-law to comply with the above minimum frontage and lot area standards may also be used in accordance with this provision.

### **AGENCY COMMENTS**

Comments were received from Dufferin County and anticipated from the NVCA. The Township does not believe the current application impacts Source Water due to the nature of the application and approvals.

Public Works has reviewed the application and requested a sight triangle.



**RECOMMENDATION:**

It is recommended:

THAT Committee consider approval of the proposed severance, subject to the standard conditions and sight triangle.

Respectfully submitted,

*Tracey Atkinson*

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Tracey Atkinson, BES MCIP RPP  
Planner



**DECISION OF COMMITTEE OF ADJUSTMENT WITH REASONS  
(The Planning Act, R.S.O. 1990, c. 13, s. 45 (8), 1994 c. 23, s.26.)**

**FILE NO. B10-2021 Maitland RE: Boundary Adjustment**

The following decision was reached by the Committee of Adjustment for the Township of Mulmur at the meeting on July 21, 2021:

That Application No. B10-2021 submitted by Carol Maitland for a boundary adjustment from CON 2 EHS PT LOT 21 RP 7R3985 PARTS 1 and 3 (R#5-12700) to CON 2 EHS E PT LOT 21 RP 7R3885 PART 1 RP 7R4560 PART 1 (R#5-12900) be approved subject to the following:

- That the boundary adjustment conveys approximately 210m<sup>2</sup> (+/- 5%) rounded to two decimal places to the northern parcel being CON 2 EHS E PT LOT 21 RP 7R3885 PART 1 RP 7R4560 PART 1 (R#5-12900).
- Taxes and/or penalties must be paid in full up to and including the current fiscal year on all related properties, if the amount is known.
- The deed for the subject severance must be presented to the Secretary Treasurer prior to one year after the date of decision; a copy of the consent decision to be kept on file at the Township solicitor's office.
- Two paper copies of the registered plan of survey and one digital copy be provided, including documentation from the surveyor certifying that the digital copy was created from the same file that was used to plot the original paper copies. The digital copy shall be of a format to the Township's satisfaction. The paper copy shall be circulated to the Township for review prior to registration.
- Compliance with all bylaws, including, but not limited to zoning, site plan and property standards.
- The applicant shall, at his/her own expense, convey to the Municipality sufficient lands, being a sight triangle measuring 12m north on 2<sup>nd</sup> Line East and 12m west along 20 Sideroad, fronting the applicant's property to meet the requirements of the Township for road widening as well as any land between the travelled road and the municipal road allowance. Surveys are to be submitted to the Public Works Department, for review and approval, prior to registration. Deeds are to be submitted to the Municipality, for review and approval, accompanied by a solicitor's certificate indicating that the title is free and clear of all encumbrances and the Municipality has a good and marketable title. A copy of the plan of survey depicting the widening shall be provided to the Municipality for their records. All diseased and dead trees and livestock fences shall be relocated to the satisfaction of the Director of Public Works
- The severed parcel shall be subject to Section 50(3) of the Planning Act
- The solicitor for the owner of the lot to which the severed parcel is to be added shall provide an undertaking to make an application for consolidation within thirty days following registration of the deed for the resulting enlarged parcel, and to provide the Township with documentation which demonstrates that the consolidation has taken place.
- That all conditions of consent be fulfilled within one year of the date of notice of decision where failure to do so will cause the application to be null and void.

REASON: Conforms to the Township's Official Plan with the proposed conditions.

**CERTIFICATION**  
**(The Planning Act, R.S.O. 1990 c. p. 13 s. 45 (10))**

I, **Tracey Atkinson**, Clerk of the Township of Mulmur, hereby certify that the above is a true copy of the decision of the Committee of Adjustment for the Township of Mulmur with respect to the application recorded herein.

.....  
Tracey Atkinson, Clerk, Township of Mulmur

The last date that this decision may be appealed to the Ontario Land Tribunal is \_\_\_\_\_, 2021.

**NOTICE OF LAST DAY OF APPEALING TO THE ONTARIO LAND TRIBUNAL (OLT)**

The applicant, the Minister, or any other person who has an interest in this matter may, within twenty (20) days of the date of this notice, appeal to the Ontario Land Tribunal against the decision of the Committee by serving personally or sending by registered mail to the Secretary-Treasurer of the Committee a Notice of Appeal along with Appellant Form (A1) available from the Township office or from the OLT website at [www.olto.gov.on.ca](http://www.olto.gov.on.ca) setting out the objection to the decision and the reasons for the objection and accompanied by the fee of \$300.00 payable by certified cheque or money order to the MINISTER OF FINANCE as prescribed by the Ontario Land Tribunal as payable on an appeal from a Committee of Adjustment to the Board.

Tracey Atkinson, Clerk  
Telephone: (705) 466-3341 Ext 222  
[tatkinson@mulmur.ca](mailto:tatkinson@mulmur.ca)

Date of Mailing: July \_\_\_\_\_, 2021  
Last day to appeal to OLT: August \_\_\_\_, 2021