



Committee of Adjustment Agenda April 2, 2025 – 9:00 AM

MEETING DETAILS

In-Person Meeting Location: Mulmur Township Offices, located at 758070 2nd Line East
Phone Connection: 1 647 374 4685 Canada / 1 647 558 0588 Canada
Video Connection: <https://us02web.zoom.us/j/84829988171>
Meeting ID: 848 2998 8171

1.0 Call To Order

2.0 Land Acknowledgement

3.0 Approval Of The Agenda

Recommendation: That the agenda be approved.

4.0 MINUTES OF THE PREVIOUS MEETING

Recommendation: That the minutes of April 5, 2023 are approved.

5.0 Disclosure Of Pecuniary Interests

6.0 Applications

6.1 B01-2025 RIGGIN

Recommendation: That application B01-2025 be approved subject to receiving public and agency comments.

8.0 Adjournment

Recommendation: That the Committee adjourns the meeting at _____ to meet again at the call of the Chair.



**COMMITTEE OF ADJUSTMENT
MINUTES
APRIL 5, 2023 | 9:00AM**

Present: Janet Horner, Chair
Earl Hawkins
Patricia Clark
Andrew Cunningham
Kim Lyon
Tracey Atkinson – CAO/Clerk/Planner
Roseann Knechtel – Deputy Clerk/Planning Coordinator

1.0 CALL TO ORDER

The meeting was called to order at 9:07 a.m. by Chair Horner. Approximately 7 residents were in attendance.

2.0 LAND ACKNOWLEDGEMENT

We begin this meeting by acknowledging that we are meeting upon the traditional Indigenous lands of the Tionontati (Petun) and Treaty 18 territory of the Anishinaabe peoples. We recognize and deeply appreciate their historic connection to this place and we also recognize the contributions Indigenous peoples have made, both in shaping and strengthening our community, province and country as a whole.

3.0 APPROVAL OF THE AGENDA

Moved by Clark and Seconded by Lyon

THAT the agenda be approved.

CARRIED.

3.0 MINUTES OF THE PREVIOUS MEETING

Moved by Cunningham and Seconded by Clark

THAT the minutes of November 30, 2022 be approved.

CARRIED.

4.0 DISCLOSURE OF PECUNIARY INTERESTS

5.0 PUBLIC MEETINGS

5.1 B01-2023 BONNEFIELD

Township Planner, Tracey Atkinson, presented two applications made by Bonnefield Farmland Ontario III Inc., explaining the historical merger of severed lands through land registry office. Atkinson reviewed Provincial Policy Statements, Growth Plan and County of Dufferin Official Plan.

Atkinson outlined the options of merging farmland with current land holding of the interested purchaser or restrictive A-1 zoning to meet legislated requirements.

Public Comments received from Ron Parsons, asking the name of property owners being Bonnefield Farmland Ontario III Inc.

The applicant was not in attendance.

Council sought clarification on the historical merger of lands, the effects of restrictive re-zoning and payments of parkland dedication fees.

Moved by Hawkins and Seconded by Cunningham

That Application No. B01-2023 submitted by BONNEFIELD FARMLAND ONTARIO III Inc. for a lot creation from CON 3 W W PT LOT 23 (R# 6 21550) be approved subject to the following:

- That the lot creation applies to the creation of a lot of approximately 39.18 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.
- All costs pertaining to this application, survey expenses and all others applicable shall be borne by the applicant. All legal costs, engineering peer reviews, and consultant fees be paid, including a 10% administration fee, as per the Township's Tariff of Fees By-law. Where the costs are unknown at the time of issuance of a Certificate of Official, a deposit shall be required in the amount of \$2000
- The deed for the subject severance must be presented to the Secretary Treasurer prior to two years after the date of decision; being April 5, 2025 less two weeks for processing for review and approval.
- Compliance with all bylaws, including, but not limited to zoning, site plan and property standards.
- Two paper copies of the registered plan of survey and one pdf copy. The copy of the draft R-plan shall be circulated to the Township for review prior to registration.
- One digital autocadd (.dwg) drawing be provided, including documentation (such as email confirmation) from the surveyor certifying that the digital copy was created from the same file that was used to plot the original paper copies of the R-plan.
- That the lands be re-zoned Countryside (A) to Countryside Agricultural Exception One (A-1)

- An emergency number be installed at the entrance as per County Regulations.
- ROAD WIDENING: The applicant shall, at his/her own expense, convey to the Municipality sufficient lands, being 3.05m, along the frontage on the Mulmur-Melancthon Townline, 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 Township, 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
- Cash in lieu of parkland shall be paid in accordance with the Parkland dedication by-law in effect at the time of the payment.

B02-2023 BONNEFIELD

Moved by Clark Seconded by Lyon

That Application No. B02-2023 submitted for BONNEFIELD FARMLAND ONTARIO III Inc. for a lot creation from CON 3 WHS W PT LOT 21 AND RP 7R3773 PART 1 (R# 6 6 21750) be approved subject to the following:

- That the lot creation applies to the creation of a lot of approximately 38.28 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.
- All costs pertaining to this application, survey expenses and all others applicable shall be borne by the applicant. All legal costs, engineering peer reviews, and consultant fees be paid, including a 10% administration fee, as per the Township's Tariff of Fees By-law. Where the costs are unknown at the time of issuance of a Certificate of Official, a deposit shall be required in the amount of \$2000
- The deed for the subject severance must be presented to the Secretary Treasurer prior to two years after the date of decision; being April 5, 2025 less two weeks for processing for review and approval.
- Compliance with all bylaws, including, but not limited to zoning, site plan and property standards.
- Two paper copies of the registered plan of survey and one pdf copy. The copy of the draft R-plan shall be circulated to the Township for review prior to registration.
- One digital autocadd (.dwg) drawing be provided, including documentation (such as email confirmation) from the surveyor certifying that the digital copy was created from the same file that was used to plot the original paper copies of the R-plan.

- That the lands be re-zones Countryside (A) to Countryside Agricultural Exception One (A-1)
- An emergency number be installed at the entrance of a retained lot as per County Regulations.
- ROAD WIDENING: The applicant shall, at his/her own expense, convey to the Municipality sufficient lands, being 3.05m, along the frontage on the Mulmur-Melancthon Townline, 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 Township, 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
- Cash in lieu of parkland shall be paid in accordance with the Parkland dedication by-law in effect at the time of the payment.

CARRIED.

6.0 ADJOURNMENT

Moved by Cunningham and Seconded by Hawkins

THAT Committee adjourns the meeting at 9:22 am to meet again at the call of the Chair.

CARRIED.



Notice of Complete Application and Public Meeting
B01-2025 RIGGIN
Meeting Date: April 2, 2025

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*. The meeting may be attended in person or electronically.

Meeting Details

In-Person Meeting Location: Mulmur Township Offices, located at 758070 2nd Line East

Phone Connection: 1 647 374 4685 / 1 647 558 0588

Video Connection: <https://us02web.zoom.us/j/84829988171>

Meeting ID: 848 2998 8171

Meeting Date and Time: April 2, 2025 at 9:00 AM

Application Number: B01-2025

Owner(s): Linda Cullen / Judith MacLellan / Adam Riggin / Peter Riggin

Applicant: Miriam Vasni

Location: CON 5 E W PT LOT 2 RP 7R2841 PART 2 / 836081 4th Line (R#2-14000)

Purpose: Creation of a building lot approximately 5 ha (12.4 acres) in size from a 30 ha (74 acre) parcel.

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 or oral 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 on reverse for illustration purposes only. This is not a plan of survey. A digital version is available by email.



Additional information is available for public inspection by request.
Tracey Atkinson, Planner: 705-466-3341x222 | planning@mulmur.ca
Dated: February 27, 2025

Application for Consent
836081 4th Line
Township of Mulmur, County of Dufferin

PLANNING OPINION



Prepared by:



MIRIAM E. VASNI, MCIP, RPP
LAND USE PLANNING &
PROJECT MANAGEMENT

Amended February 2025

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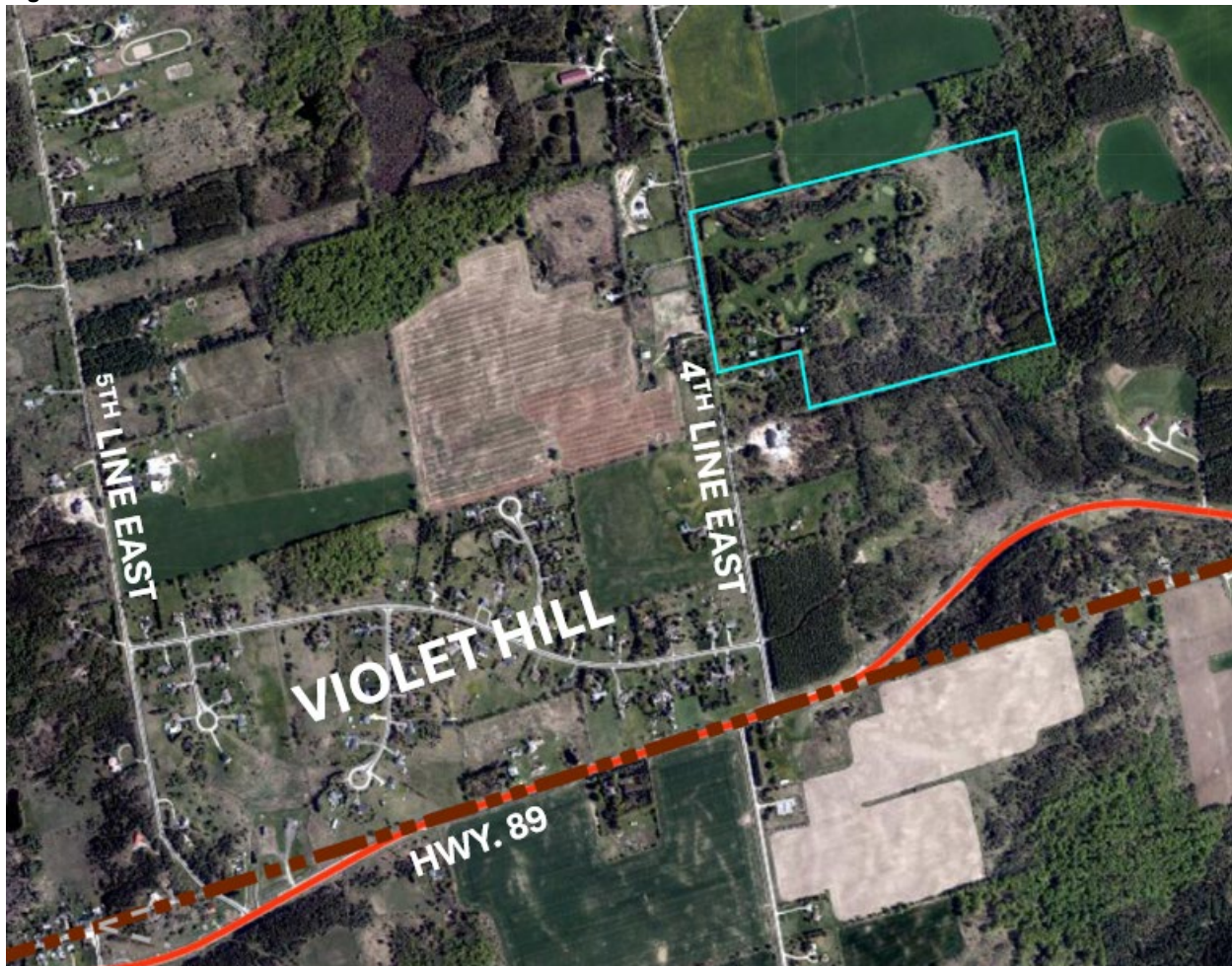
APPENDICES

Appendix 'A'	MDS I Calculation
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1.0 LOCATION

Linda Cullen, Judith MacLellan, Adam Riggan and Peter Riggan are the registered owners of those lands described as Part of Lot 2, Concession 5 EHS (ARN# 221600000201400), known municipally as 836081 4th Line East, Township of Mulmur, County of Dufferin. The applicants have submitted a consent application for the creation of a rural residential lot. The subject lands are located in the south-east quadrant of the Township, approximately 700m north of the Highway 89.

Figure 1: Location



Source: Township of Mulmur GIS Mapping

2.0 EXISTING SITE CONDITIONS

Figure 2: Existing Site Conditions



Source: Township of Mulmur GIS Mapping

The subject lands consist various existing buildings and structures (see Figure 3 below), wooded areas and open space lands as a result of the former operating six-hole private golf course, which ceased to exist in the fall of 2024.

Generally, the topography slopes downward from the 4th Line to the east, with a greater slope downward in the south-east quadrant of the property. The proposed severed parcel maintains a steady, relatively flat elevation.

There are three ponds on the subject property; one natural and two man-made.

Pond #1 (P1) is a man-made pond and was created approximately 40 years ago. It is fed by an underground pipe running up the hill from a pump in Pond #2. Pond #1 feeds an underground piping system that was used to get water to the greens and tees of the former golf course.

Pond #2 (P2) is a natural spring-fed pond and feeds a stream that runs through adjacent properties to the east.

Pond #3 (P3) is also a man-made pond.

Figure 3: Existing Buildings/Structures



Source: Township of Mulmur GIS Mapping

1. Principal Residence
2. Swimming Pool
3. 3-car garage with apartment above. Apartment has 2-bedrooms with 3-piece bath, living area and a kitchenette (small sink and fridge, no stove or oven). In 1996 a building permit was issued by the Township to add a second level to the 3-car garage for the apartment.
4. Equipment/storage shed
5. Equipment/storage shed
6. Tennis court

3.0 PURPOSE

The subject property is comprised of approximately 30 ha (75 ac) with approximately 350 m (1,150 ft) of frontage onto the 4th Line E. The applicants have submitted an application for consent to create an approximate 5 ha (13 ac) rural residential lot with approximately 150 m (490 ft) of frontage onto the 4th Line E.

The retained parcel will have an approximate lot area of 25 ha (62 ac) and an approximate lot frontage of 200 m (656 ft) onto the 4th Line E.

Figure 4: Proposed Consent



Source: Township of Mulmur GIS Mapping

4.0 SURROUNDING LAND USES

Surrounding land uses consist of developed rural residential lots, a commercial well drilling business, agricultural fields in crop production and two vacant parcels.

Figure 5: Surrounding Land Uses



Source: Township of Mulmur GIS Mapping

R – Rural Residential **A** – Agricultural **C** - Commercial **V** - Vacant

5.0 POLICY FRAMEWORK AND PROVINCIAL PLANS

5.1 PROVINCIAL PLANNING STATEMENT (PPS) 2024

The Provincial Planning Statement was issued under Section 3 of the *Planning Act* and came into effect October 20, 2024. This new streamlined provincial planning document replaces the Provincial Policy Statement 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019, except in the Greenbelt Plan where policies refer to the Growth Plan to maintain existing protections for the Greenbelt.

The PPS 2024 provides policy direction on matters of provincial interest related to land use planning and development. Planning decisions must be consistent with the policies of the PPS.

The PPS defines Rural Lands as lands which are located outside settlement areas, and which are outside prime agricultural areas. Both the County of Dufferin and the Township of Mulmur Official Plans designate the subject lands 'Rural'.

Based on the PPS definition, the subject lands are considered Rural Lands.

Section 2.6 provides policies for Rural Lands.

1. **On rural lands located in municipalities, permitted uses are:**
 - a) **the management or use of resources;**
 - b) **resource-based recreational uses (including recreational dwellings not intended as permanent residences);**
 - c) **residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services;**
 - d) **agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;**
 - e) **home occupations and home industries;**
 - f) **cemeteries; and**
 - g) **other rural land uses.**
2. **Development that can be sustained by rural service levels should be promoted.**
3. **Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the uneconomical expansion of this infrastructure.**
4. **Planning authorities should support a diversified rural economy by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.**
5. **New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.**

Consistency:

- The proposed consent will create a rural residential lot, where site conditions are suitable for the provision of appropriate private services. The proposed retained parcel contains an existing dwelling, existing private servicing and existing access onto a public road, maintained year-round.
- The proposed new lot can be sustained by rural service levels, being private septic and water services, existing garbage/recycling pick-up & mail delivery.
- The proposed lot will have frontage onto an existing municipal road, maintained year-round and will be serviced with private septic system and private water supply. There is no need for expansion of infrastructure.
- The creation of the proposed lot will not impede any agricultural or resource-based uses.
- Based on our review of the Township of Mulmur GIS Mapping System, there is a livestock barn on 836153 4th Line. The barn is approximately 400 m². The owner of the property has confirmed that they currently have 25 beef cattle. A MDS I setback is required for proposed development or dwellings, even though there may be existing or approved development or dwellings nearby that do not conform to MDS I requirements.

Although there are currently 25 beef cattle that are housed in the barn, the MDS I calculation was completed to ascertain the full potential for the number of beef cattle that could be accommodated, based on the 400 m² barn. The results of the MDS I calculation determined that the minimum distance required between the barn and manure storage to a new dwelling on the proposed severed parcel is 255m (*see Appendix 'A'*). The proposed lot can accommodate a dwelling that is at minimum approximately 600 m from the barn and manure storage. The proposed severed parcel meets the requirement of MDS I.

Figure 6: MDS I



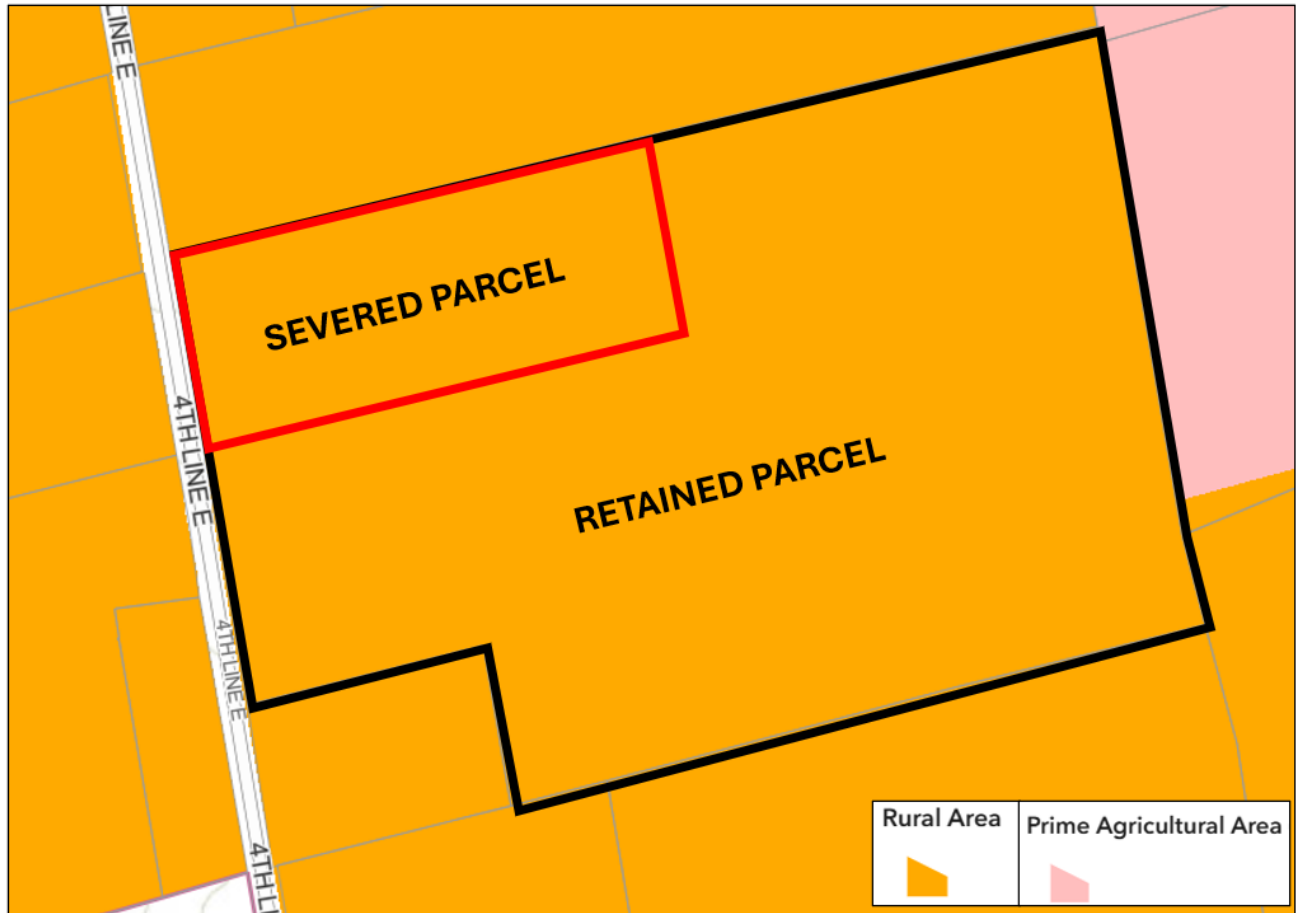
Source: Township of Mulmur GIS Mapping

The proposed consent is consistent with the Provincial Planning Statement 2024.

5.2 COUNTY OF DUFFERIN OFFICIAL PLAN

The County of Dufferin designates the subject property Rural. Rural lands are recognized as lands located outside settlement areas and do not comprise prime agricultural areas in the County.

Figure 7: County of Dufferin Official Plan – Land Use



Source: Dufferin County GIS Mapping

OBJECTIVES OF RURAL DESIGNATION

- Promote development that is compatible with the rural landscape and character and can be sustained by rural service levels, which generally includes individual on-site sewage and individual on-site water services. [Sec. 4.3.1(d)]
- Accommodate development that is appropriate to the infrastructure, which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of infrastructure. [Sec. 4.3.1(e)]
- Provide for the protection of natural heritage features and their ecological functions. [Sec. 4.3.1(g)]

Comment:

- The proposed rural residential lot is compatible with the existing rural landscape and lot fabric. The lot will be serviced with an individual on-site sewage system and an individual on-site water service.
- The proposed lot will have frontage onto an existing municipal road, maintained year-round and will be serviced with private septic system and private water supply. There is no need for expansion of infrastructure.
- The identified natural heritage features on the proposed retained parcel and their ecological functions will be protected. There is no site alteration or construction proposed for the retained parcel.
- The proposed severed lot does not contain any natural heritage features.

PERMITTED USES [Sec. 4.3.2(a)(iii)]

- **Permitted uses include limited residential development in the form of single detached dwellings, which includes no more than three new lots.**

Comment:

Development on the proposed severed parcel will be a single detached dwelling and permitted accessory uses/structures. The proposed consent constitutes the third lot from the original half township lot.

LAND USES [Sec. 4.3.3(m)]

- **Lot creation in the rural lands will only be permitted in accordance with the policies of this Plan and the local municipal official plan.**

Comment:

The proposed consent is consistent with the policies of the County of Dufferin Official Plan and the policies of the Township of Mulmur Official Plan.

CONSENT TO SEVER [Sec. 8.6.4]

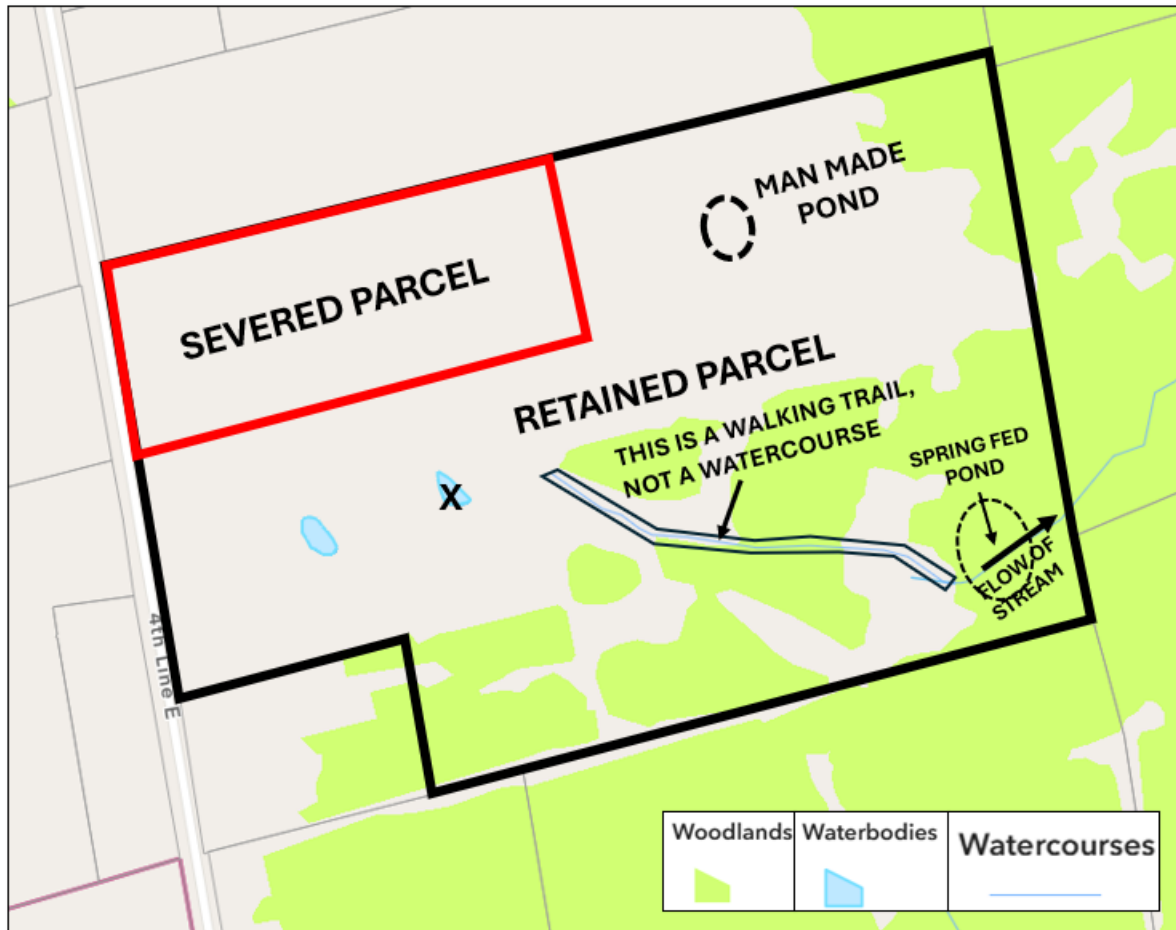
Applications to create lots through the consent to sever process will be in accordance with the policies contained in the local municipal official plans which are required to be in conformity with the policies contained herein and provincial policy. The County may comment on consent applications particularly those that involve lands abutting County roads and cross-jurisdictional matters. Consents will not be granted if the application is contrary to the policies of this Plan or local municipal official plans.

Comment:

The proposed consent to sever is in accordance with the policies contained within the Township of Mulmur Official Plan.

Schedule 'E' to the County of Dufferin Official Plan identifies woodlands, two waterbodies and a watercourse on the proposed retained parcel. It should be noted that the eastern waterbody shown on Schedule 'E' does not exist. A portion of the identified watercourse is in fact a walking trail.

Figure 8: County of Dufferin Official Plan – Schedule 'E' – Natural Heritage



Source: Dufferin County GIS Mapping

5.3.4 Woodlands

The intent of this 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. Some areas may not be identified since the exact boundaries of mapped areas may change over time. 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.

5.3.8 Watercourse

It is the intent of this Plan to protect natural watercourses from incompatible development to minimize the impacts of such development on their function.

Comment:

All natural features and areas identified in the Natural Heritage policies of the Official Plan are to be protected. 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.

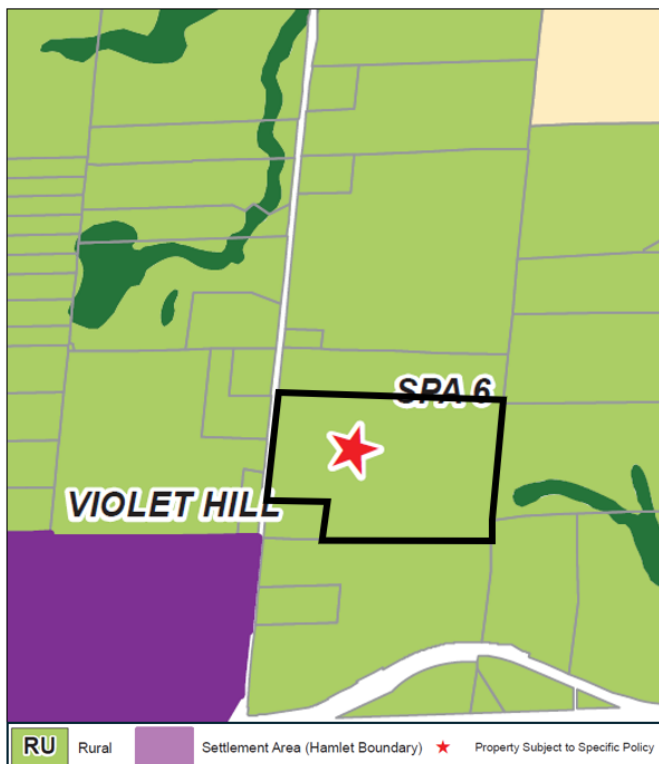
The proposed severed parcel contains no Natural Heritage Features. The proposed retained parcel contains woodlands, a spring fed pond and the headwaters of the watercourse. There is no site alteration or development proposed on the retained parcel.

The former golf course lands will revert back to a naturalized state, thereby eliminating the use for fertilizers and weed control that is commonly used to maintain golf courses. The subject lands will be naturally restored and improved for the long-term protection of the natural heritage features. The development of the proposed severed lot as a rural residential parcel will not negatively affect any Natural Heritage Features on or adjacent to the subject lands.

5.3 TOWNSHIP OF MULMUR OFFICIAL PLAN

The Township of Mulmur Official Plan designates the subject lands Rural and within Special Policy Area (SPA) #6.

Figure 9: Township of Mulmur Official Plan – Land Use



Source: Schedule 'A-1' – Township of Mulmur Official Plan

6.2.1 OBJECTIVES

- 1) To facilitate and permit a broader range of compatible rural, resource, recreational and residential uses, and uses related to such uses, that have a minimal impact on agricultural uses, natural resources, environmental features and rural character, and;
- 2) To encourage continued agricultural use and protect farming operations where they exist within rural areas.

Comment:

The proposed consent will create a rural residential parcel that is in keeping with the surrounding rural character. Development of a single-family dwelling and associated permitted accessory uses on the proposed lot will not negatively impact any surrounding agricultural uses, natural resources or environmental features.

6.2.5 NEW LOTS

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.

Proposals for rural lot creation shall conform to the requirements of Sections 5.35 and 5.36, and the intent of Sections 5.25 and 5.26, and the following policies, so that the character and scenic attractiveness of rural areas is maintained and, wherever possible and practical, enhanced.

The following may be used as guidelines to ensure that rural lot creation is carried out in such a way as to help maintain and, where possible and practical, enhance the rural character:

- Variations in the size and configuration of lots created within each original Township half-lot, and variations in lot frontages and front and side yard set-backs are encouraged. Clusters or rows of residences at a density that allow the built environment to dominate will be prohibited. Site plan control and or zoning provisions may be utilized to preserve rural character where new lots are proposed.
- Lot creation shall take into account the unique physical and environmental characteristics and features of the parcel from which each new lot is created, to ensure that both the severed and retained portions have superior building sites upon which development can occur in a manner which does not predominate over or appear out of character with the rural and natural surroundings.
- Consideration shall be given to the existing lot pattern and the cumulative impacts of potential lot creation under these policies on adjacent parcels on each side of the lot being severed and on the

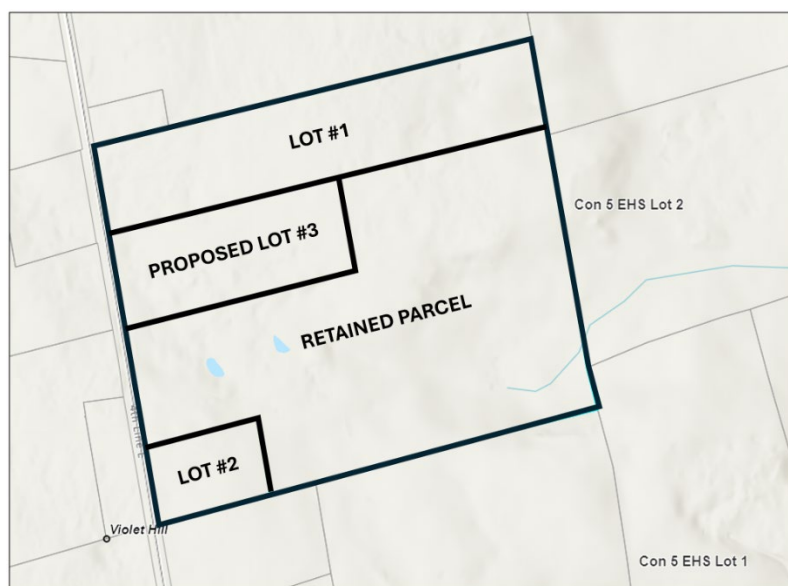
opposite side of the road to ensure that the development pattern remains random and that the creation or subsequent development of both existing and new lots does not result in the appearance of a residential cluster or strip development.

- Screening of the building envelope from view from adjacent roads and from existing developments on adjacent lots shall be encouraged and, in some cases, may be required as a condition of severance. Lots which provide natural screening of the building site by means of vegetation and/or topographic relief are preferred.

Comment:

The proposed consent will create the third lot on an original 40 ha Township half-lot. The proposed lot contains no resources or natural features. The creation of the lot will have no adverse effects on any natural heritage feature located on the proposed retained parcel or on adjacent lands.

Figure 10: Township Half-lot Parcels



Source: Township of Mulmur GIS Mapping System

The proposed lot creation conforms to the requirements of Sections 5.35 and 5.36, and the intent of Section 5.25. There is no reference to Section 5.26 in the April 2024 Consolidated Official Plan.

The size and lot frontage of the proposed rural residential parcel provides a varied lot configuration of lots created within this original Township half-lot, and those lots opposite, on the west side of the 4th Line E. The built environment will not dominate, and rural character will be preserved.

The proposed severed parcel exhibits existing natural screening from the 4th Line and existing development on adjacent lots, for any building site to be selected for a future residence. Figure __ below provides a possible scenario for access and a building site. This figure is provided for demonstration purposes only.

Figure 11: Access & Building Site for Demonstration Purposes



Source: Township of Mulmur GIS Mapping System

5.34 LOT CREATION

Within this Plan there are land division policies that apply to the various land use designations. The following policies apply to all land division in the Township:

- a) **Growth Plan policy 2.2.9.3 provides that no more than 3 lots/or units are permitted outside of settlement areas unless there were site specific approvals prior to June 16, 2006 or that development can be justified in accordance with policy 2.2.2.1(i) of the Growth Plan.**

Comment:

Not applicable. The new Provincial Planning Statement replaces the Provincial Policy Statement 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019, except in the Greenbelt Plan where policies refer to the Growth Plan to maintain existing protections for the Greenbelt.

- b) **The size and configuration of new lots shall be subject to the requirements of this Plan and the Zoning By-law, and the policies of the applicable Niagara Escarpment Plan designation, where applicable;**

Comment:

The proposed new lot maintains the intent and direction of the Township of Mulmur Official Plan and complies with the zone provisions of the Countryside Area (A) Zone provisions. The lands are not subject to the Niagara Escarpment Plan.

c) **Ribbon or strip development shall generally be prevented;**

Comment:

The proposed lot does not create ribbon or strip development.

d) **Where a lot is proposed in more than one designation, the severance policy of the least restrictive designation may be applied if there is sufficient area in the least restrictive designation to accommodate the development. The form and location of such development on the lot may be defined through zoning, in a development agreement or by other means, as a condition of approval;**

Comment:

Not applicable.

e) **New building lots created by consent shall front onto a public road maintained year-round which meet standards of construction and maintenance acceptable to the Township. Agreements providing for the up-grading and/or maintenance of roads fronting and providing access to such lots may be required as a condition of consent or development (building permit) approval.**

Comment:

The proposed lot has frontage on the 4th Line E, which is a public road maintained year-round.

f) **Approval of entrances to all new building lots shall be obtained in advance of the creation of the lot, in accordance with the Township's Entrance Policy or, in the case of County Roads and Provincial Highways, the policies and requirements of the appropriate road authority. Highway 89 is a controlled access highway and applications for severances involving direct access to Highway 89 are discouraged and will be subject to the criteria and policies of the Ministry of Transportation;**

Comment:

The proposed lot has approximately 150 m of frontage onto the 4th Line E. A new driveway access can be located directly opposite the driveway providing access to 836100 4th Line E, opposite the proposed lot.

g) **New lots shall not be permitted where the development (e.g. driveway, house, septic, and accessory uses) on the severed and/or retained portion, is on lands containing physical constraints to development such as poor drainage, unstable soils, flood susceptibility, steep slopes or any other physical condition that may jeopardize public health and safety, without the written approval of the Nottawasaga Valley Conservation Authority and the Dufferin County Building Department;**

Comment:

The proposed new lot does not contain any physical constraints. The proposed retained parcel contains an existing driveway, dwelling, septic system, private water source and accessory uses. No development is proposed for the retained parcel.

- h) **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;**

Comment:

Not applicable.

- i) **The creation of new lots within or adjacent to the resources and features identified on Schedule B5 are only permitted in accordance with the policies of this Plan;**

Comment:

Neither the proposed severed or retained lots contain or are adjacent to resources and features identified on Schedule B5.

- j) **Lot lines through natural hazard areas or sites that pose a significant safety threat shall be avoided and;**

Comment:

No lot lines are proposed through natural hazard areas or sites that pose a significant safety threat.

- k) **Lot lines shall avoid the fragmentation of provincially significant wetlands and significant woodlands and should avoid the fragmentation of other natural heritage features and areas wherever possible and practical.**

Comment:

There are no Provincially Significant Wetlands on the subject property. Woodlands and a watercourse have been identified in the south-east quadrant of the subject lands.

SPECIAL POLICY (SPA) #6

“The private, non-commercial golf course listed as permitted use b) above, and identified as Specific Policy Area 6 on Schedule A1, shall be permitted as an accessory use to the existing residential dwelling on the lot and shall be permitted to be used only for the private enjoyment of the owner, and guests of the owner, on a non-commercial basis. Any expansion of the present use is not permitted. The conversion of this course to a commercial establishment shall only be permitted if an amendment to this Plan is obtained and the lands are re-zoned and brought under site plan control.”

Comment:

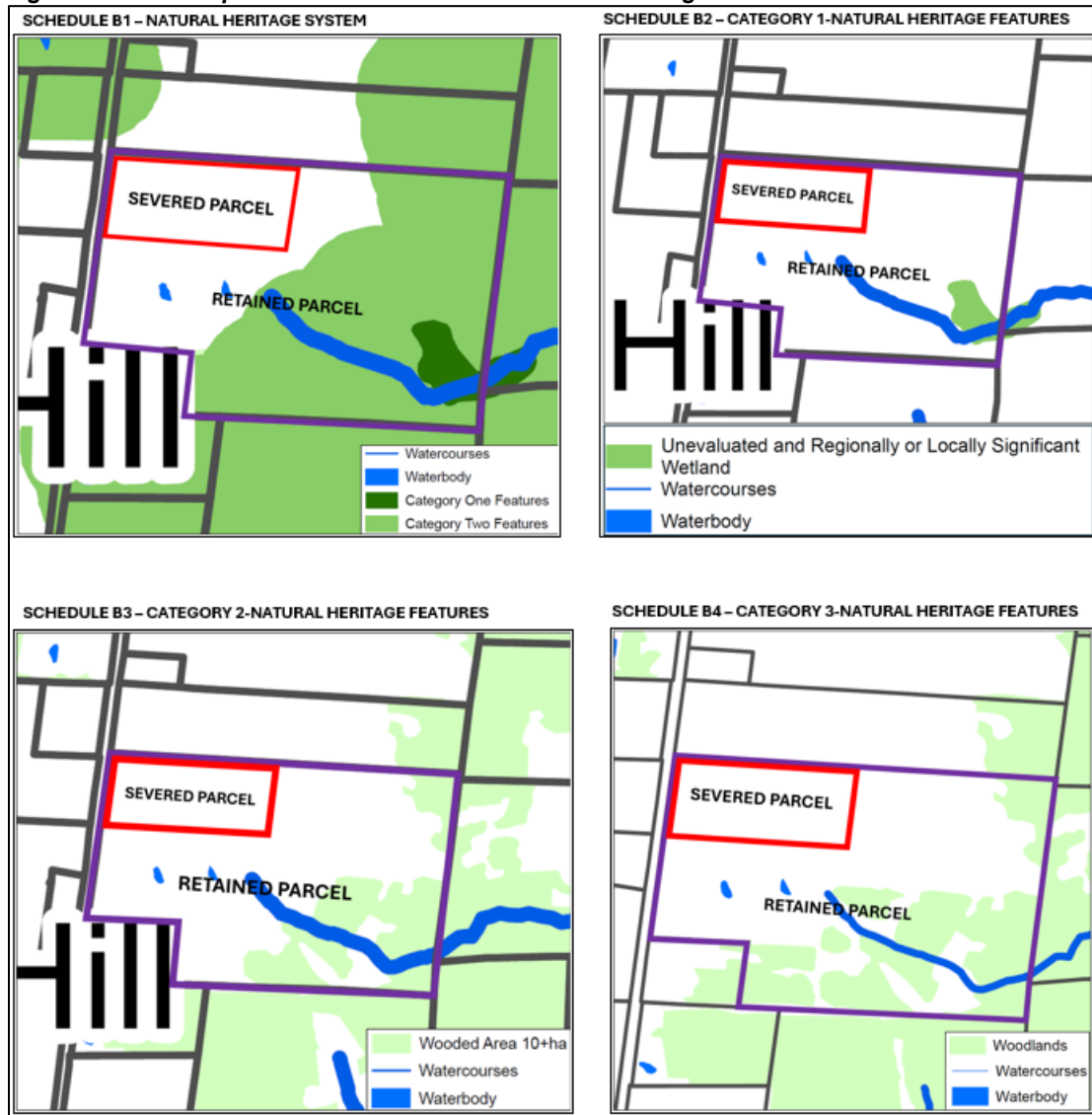
SPA #6 speaks to the private 6-hole golf course on the property, which ceased to exist in the fall of 2024. The site-specific policy provides limitations on who could use this private golf course and direction should the conversion to a commercial establishment be contemplated. SPA #6 does not prohibit the creation

of a lot, nor does it incumber the consent process or new lot delineation. With the physical eradication of the private golf course use, SPA #6 is now a defunct site-specific policy.

The Township has indicated that they have started their Official Plan update. The removal of SPA #6 can be incorporated into this process.

Schedule B1, B2, B3 and B4 identify a variety Natural Heritage Features (NHF's) on the proposed retained parcel.

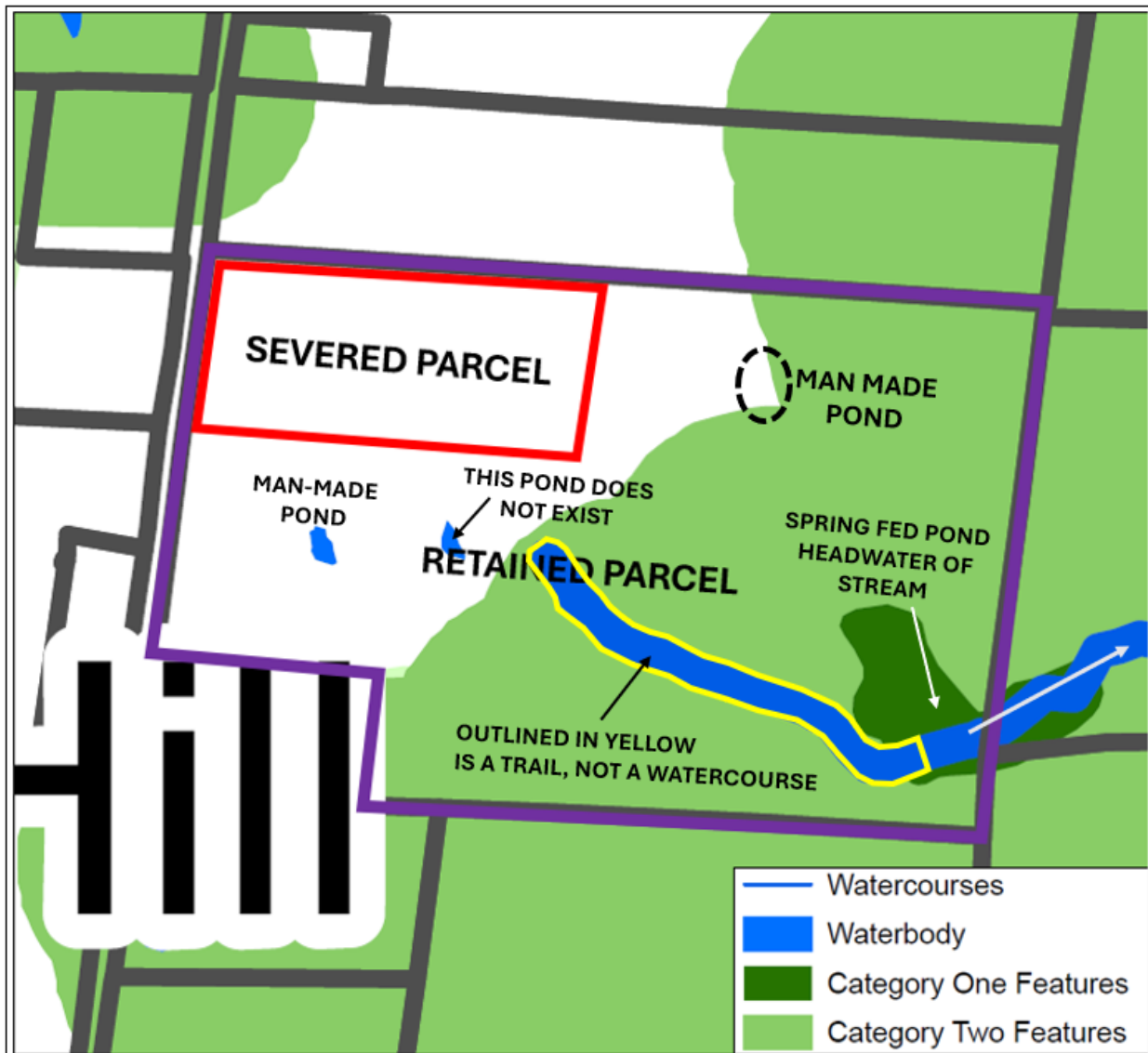
Figure 12: Township of Mulmur Official Plan – Natural Heritage Features



Source: Township of Mulmur Official Plan

The owners have confirmed that these schedules are not a true representation of the site conditions. Figure 13 below provides a more realistic depiction of the existing natural heritage features.

Figure 13: Natural Heritage Features



All natural features and areas identified in the Natural Heritage policies of the Official Plan are to be protected where they are present within the Township in accordance with the policies of the Provincial Planning Statement, and both the Dufferin County and Township of Mulmur Official Plans.

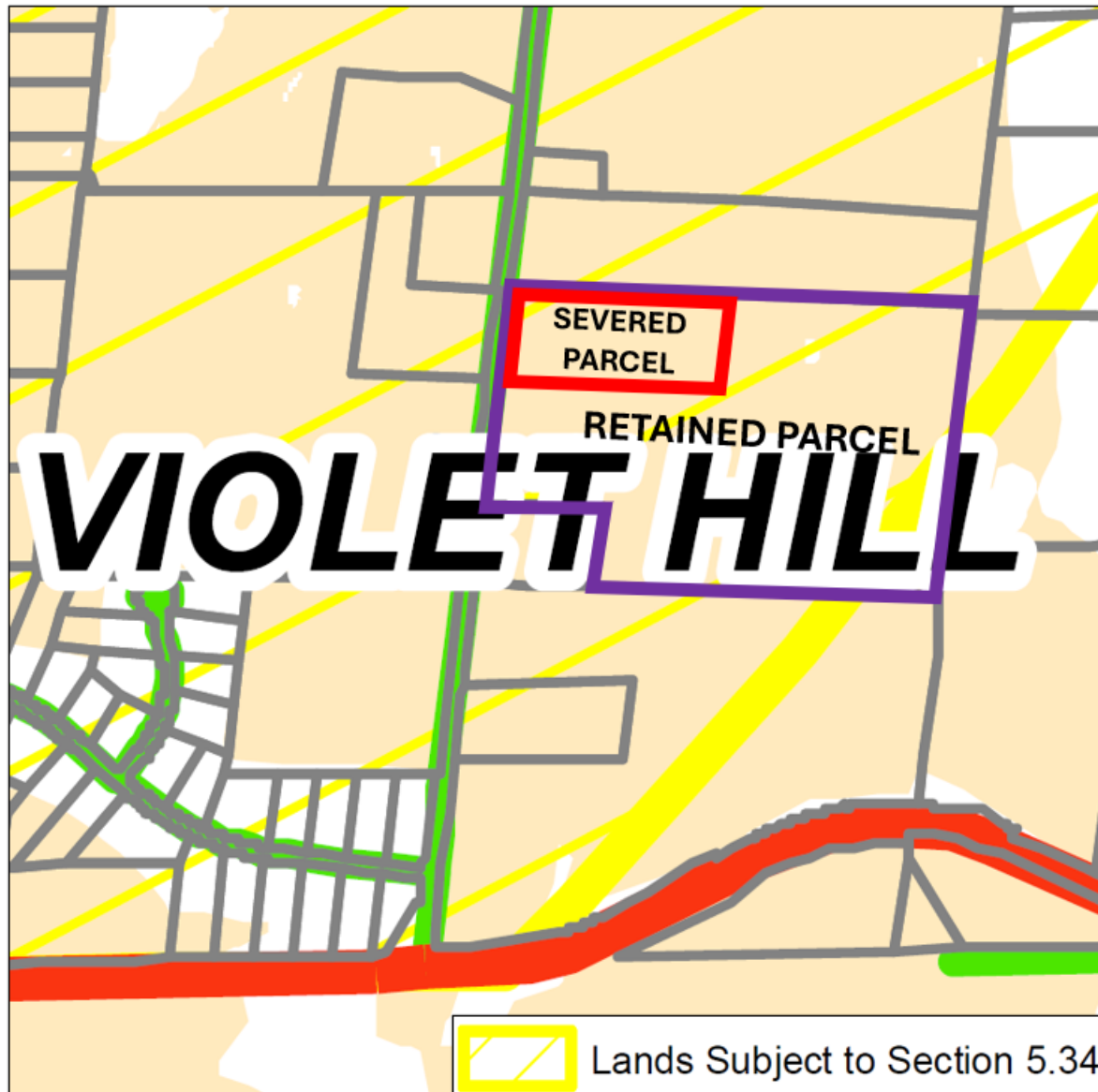
The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

The proposed severed parcel contains no Natural Heritage Features. The proposed retained parcel contains woodlands, a spring fed pond and the headwaters of the watercourse. There is no site alteration or development proposed on the retained parcel.

The former golf course lands will revert back to a naturalized state, thereby eliminating the use for fertilizers and weed control that is commonly used to maintain golf courses. The subject lands will be naturally restored and improved for the long-term protection of the natural heritage features. The development of the proposed severed lot as a rural residential parcel will not negatively affect any Natural Heritage Features on or adjacent to the subject lands.

Schedule “C” to the Official Plan indicates that the lands are subject to Section 5.34.

Figure 14: Township of Mulmur Official Plan – Schedule ‘C’



Source: Township of Mulmur Official Plan

5.34 LANDS ADJACENT TO THE NAVCAN NAVIGATION FACILITY

“The location of the Navigation Canada (NAVCAN) Whitfield Navigation Facility is shown on Schedule A1.

The Township shall consult with NAVCAN prior to the re-designation or re-zoning of any land within a radius of 8 km. of the NAVCAN facility, as shown on Schedule C.

Any proposal involving the erection of a building or structures, or the establishment of any other use, the height of which exceeds the normal requirements of the Zoning By-law pertaining to the zone in which the structure is to be erected that, in the opinion of NAVCAN could block or interfere with the signals between the facility and aircraft, may not be permitted.

The Township shall also ensure that the Province is aware of the facility and the need for NAVCAN clearance relating to any proposal for a wind turbine or wind farm.”

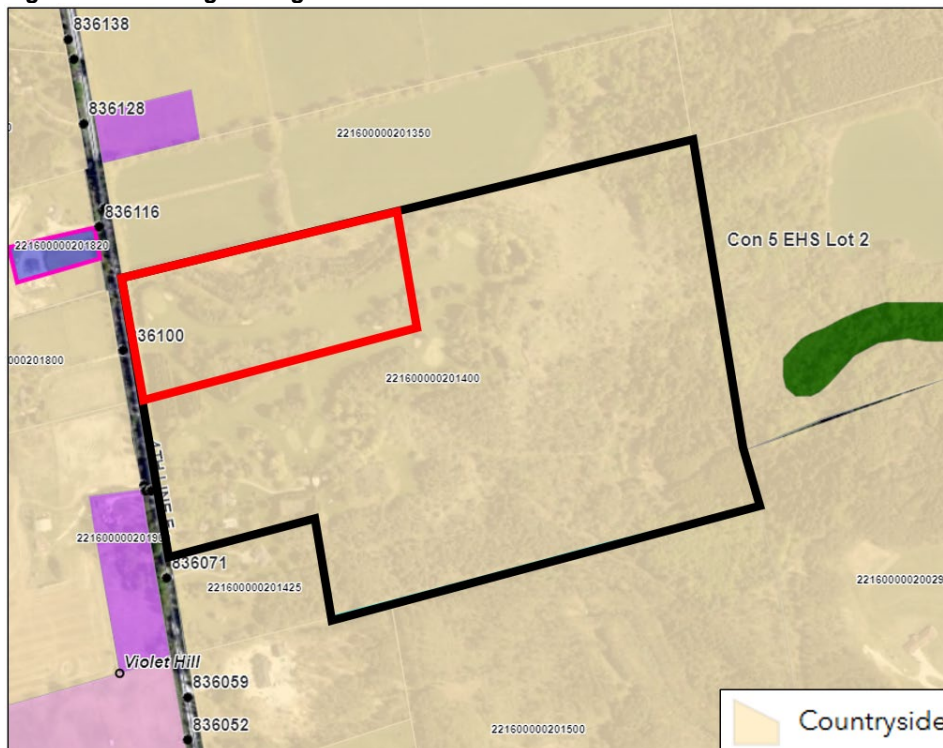
Comment:

The proposed consent does not require an Official Plan Amendment or Zoning By-law Amendment. The maximum height permitted under the implementing Countryside Area (A) Zone is 10.5 m (34.5 ft), which would not block or interfere with the signals between the Whitfield Navigation Facility and any aircraft.

5.4 TOWNSHIP OF MULMUR ZONING BY-LAW 28-18

The subject lands are zoned ‘Countryside Area (A)’ in the Township’s Zoning By-law.

Figure 15: Existing Zoning



Source: Township of Mulmur GIS Mapping System

Comment:

The proposed severed parcel is approximately 5 ha in lot area and therefore, the zone provisions under the ‘2.00 ha to 7.99 ha’ are applicable. The proposed severed lot will have approximately 150 m of frontage onto the 4th Line E and the lot is of a significant size for development to easily adhere to the required zone provisions.

The retained parcel is approximately 25 ha in lot area and therefore, the zone provisions under the ‘8.00 ha and over’ are applicable. The measurements listed in the column entitled ‘Retained Parcel’ are calculated using the Township of Mulmur GIS Mapping System. The existing buildings/structures all comply with the required zone provisions.

Countryside Area (A) Zone Provisions

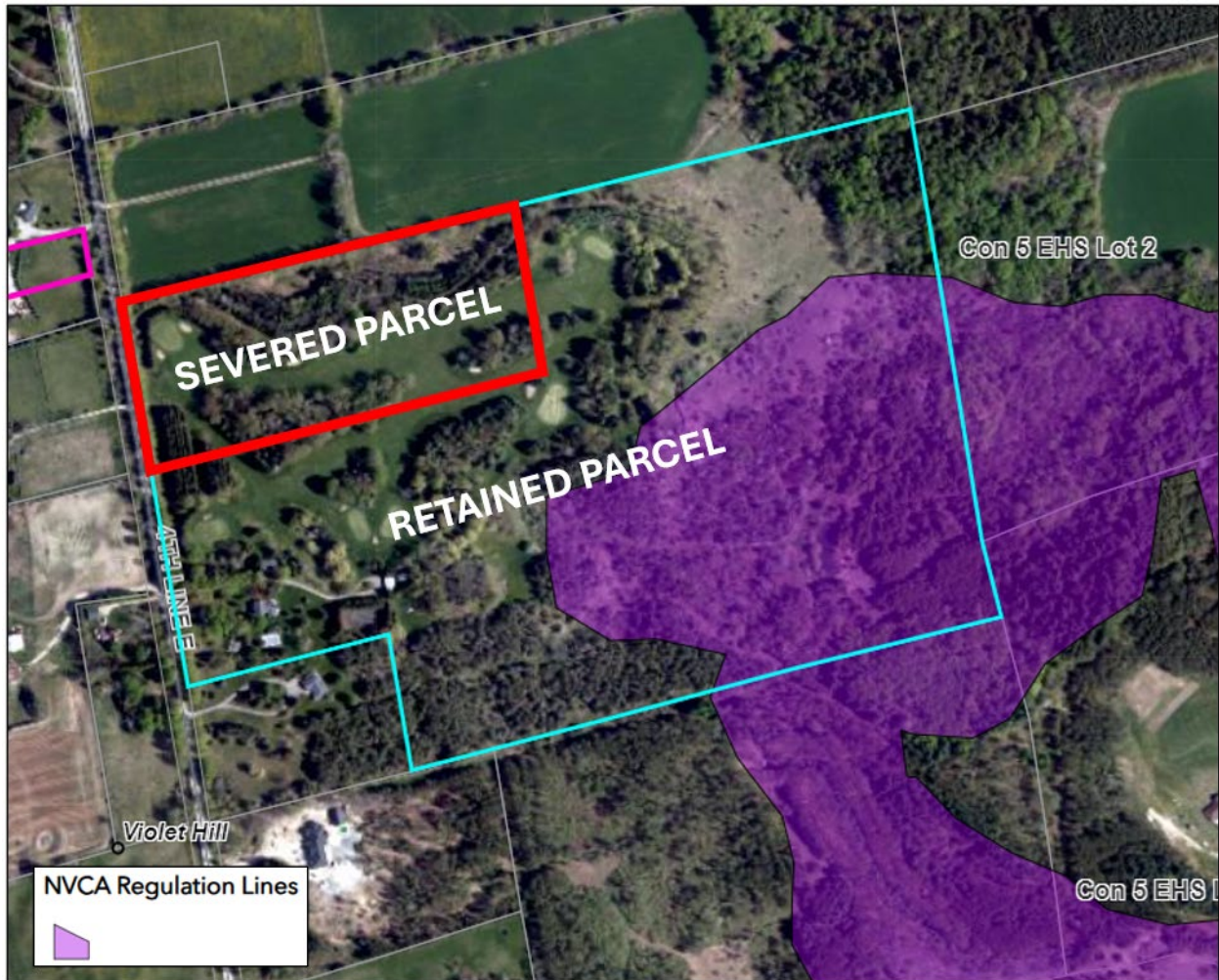
Minimum Lot Area (ha)	8.00 ha and over	RETAINED PARCEL 25 ha +/-	2.00 ha to 7.99 ha	SEVERED PARCEL 5 ha +/-
Minimum Lot Frontage (m)	100	200	100	150
Minimum Yards – Front (m)	30	65	20	Will comply
Interior Side	20	40 & 120	10	Will comply
Exterior Side	30	n/a	20	n/a
Rear	20	620	10	Will comply
Maximum Lot Coverage (%)	5	.007	10	Will comply
Maximum Height	10.5	9	10.5	Will comply

A Zoning By-law Amendment is not required for the proposed severed parcel or the proposed retained parcel.

5.5 ONTARIO REGULATION 151/06 UNDER THE CONSERVATION AUTHORITIES ACT

The subject lands are partially located within the Regulated Area of the Nottawasaga Valley Conservation Authority (NVCA). The proposed severed parcel is completely outside of the regulated area. No site alteration and/or new construction is proposed on the retained parcel or within the portion of the lands regulated by the NVCA. The NVCA has been directly circulated a copy of this consent submission.

Figure 16: NVCA Regulated Area



Source: Township of Mulmur GIS Mapping System

6.0 PLANNING OPINION

The proposed Consent application is consistent with the Provincial Planning Statement (2024), maintains the intent and direction of the County of Dufferin and the Township of Mulmur Official Plans and conforms to the provisions of the Township of Mulmur Zoning By-law 28-18.

The proposed consent application has merit and constitutes good planning.

Respectfully submitted,



Miriam Vasni, *MCIP, RPP*

APPENDIX 'A'

MDS I CALCULATION



MDS I

General information

Application date
Feb 10, 2025

Municipal file number

Proposed application
Building permit for the construction of a dwelling
(farm or non-farm)

Applicant contact information

Miriam Vasni
62 Highlands Crescent
62 Highlands Crescent
Collingwood, ON
L9Y 5H3
705-445-7332
miriamvasni@rogers.com

Location of subject lands

County of Dufferin
Township of Mulmur
MULMUR
Concession 5 EAST OF HURONTARIO STREET , Lot 3
Roll number: 221600000201300

Calculations**Riggin****Farm contact information**

Miriam Vasni
 62 Highlands Crescent
 62 Highlands Crescent
 Collingwood, ON
 L9Y 5H3
 705-445-7332
 miriamvasni@rogers.com

Location of existing livestock facility or anaerobic digester

County of Dufferin
 Township of Mulmur
 MULMUR
 Concession 5 EAST OF HURONTARIO STREET ,
 Lot 3
 Roll number: 22160000201300

Total lot size
 37.6 ha

Livestock/manure summary

Manure Form	Type of livestock/manure	Existing maximum number	Existing maximum number (NU)	Estimated livestock barn area
Solid	Beef, Backgrounders (7 - 12.5 months), Yard/Barn	108	36 NU	401 m ²
Solid	Beef, Backgrounders (7 - 12.5 months), Yard/Barn	108	36 NU	401 m ²

**Confirm Livestock/Manure Information (Riggin)**

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

Setback summary

Existing manure storage	V3. Solid, outside, no cover, >= 30% DM		
Design capacity	72 NU		
Potential design capacity	216 NU		
Factor A (odour potential)	0.8	Factor B (design capacity)	413.43
Factor D (manure type)	0.7	Factor E (encroaching land use)	1.1

Building base distance 'F' (A x B x D x E) (minimum distance from livestock barn)	255 m (837 ft)
Actual distance from livestock barn	600 m (1968 ft)
Storage base distance 'S' (minimum distance from manure storage)	255 m (837 ft)
Actual distance from manure storage	600 m (1968 ft)

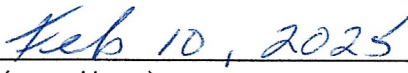
Preparer signoff & disclaimer**Preparer contact information**

Miriam Vasni
 62 Highlands Crescent
 62 Highlands Crescent
 Collingwood, ON
 L9Y 5H3
 705-445-7332
 miriamvasni@rogers.com

Signature of preparer



Miriam Vasni



Date (mmm-dd-yyyy)

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.

PUBLIC MEETING

April 2nd, 2025

Application for Consent B01-2025

836081 4th Line

Township of Mulmur, County of Dufferin

Prepared by:



MIRIAM E. VASNI, MCIP, RPP
LAND USE PLANNING &
PROJECT MANAGEMENT

LOCATION



PROPOSED SEVERANCE



EXISTING SITE CONDITIONS

- Wooded areas
- Open space lands as a result of the former operating six-hole private golf course, which ceased to exist in the fall of 2024.
- Pond #1 (P1) is a man-made pond
- Pond #2 (P2) is a natural spring-fed pond and feeds a stream that runs through adjacent properties to the east.
- Pond #3 (P3) is a man-made pond

1. Principal Residence
2. Swimming Pool
3. 3-car garage with apartment above. In 1996 a building permit was issued by the Township to add a second level to the 3-car garage for the apartment.
4. Equipment/storage shed
5. Equipment/storage shed
6. Tennis court

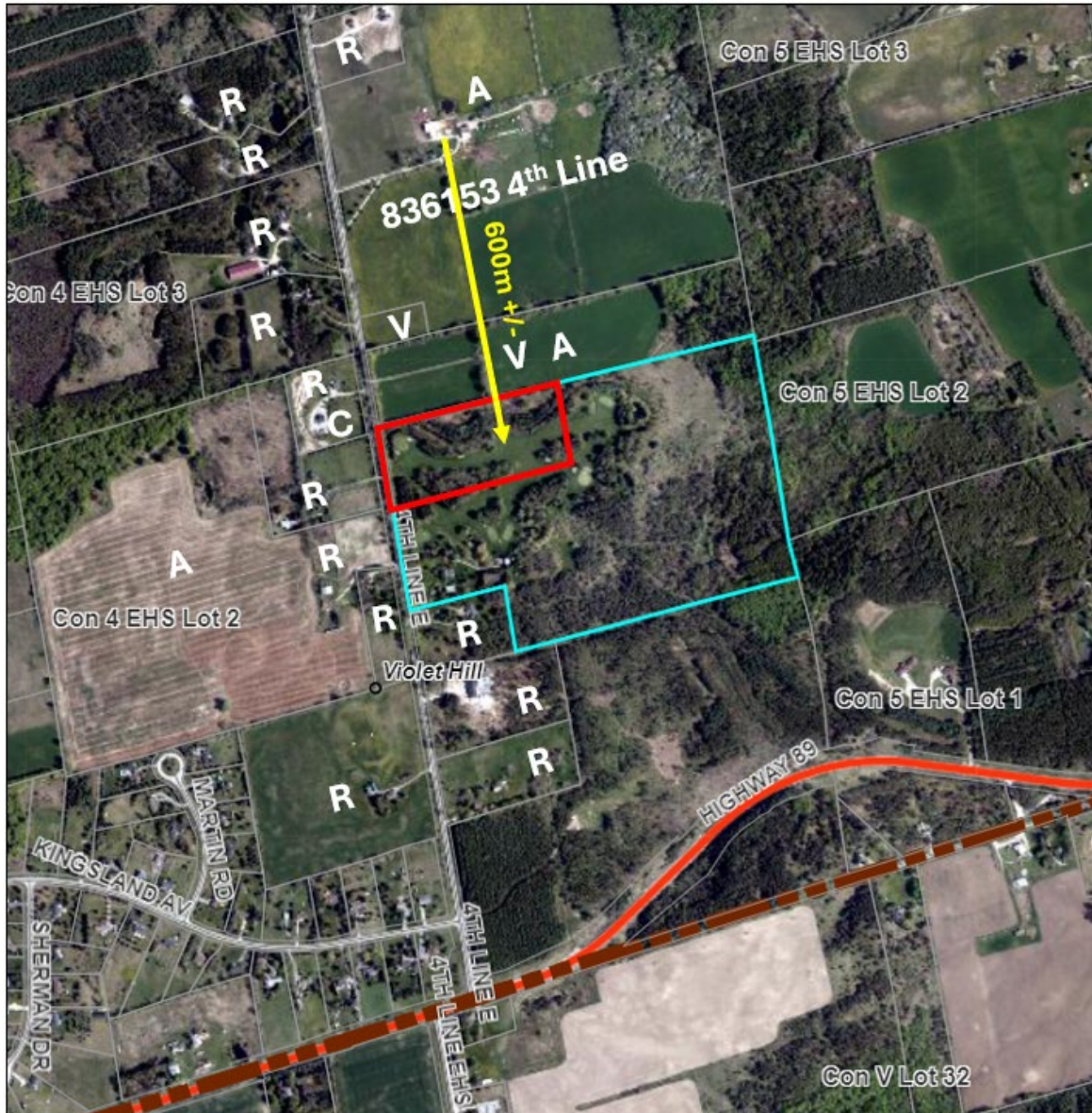


POTENTIAL ACCESS & BUILDING SITE –SEVERED PARCEL



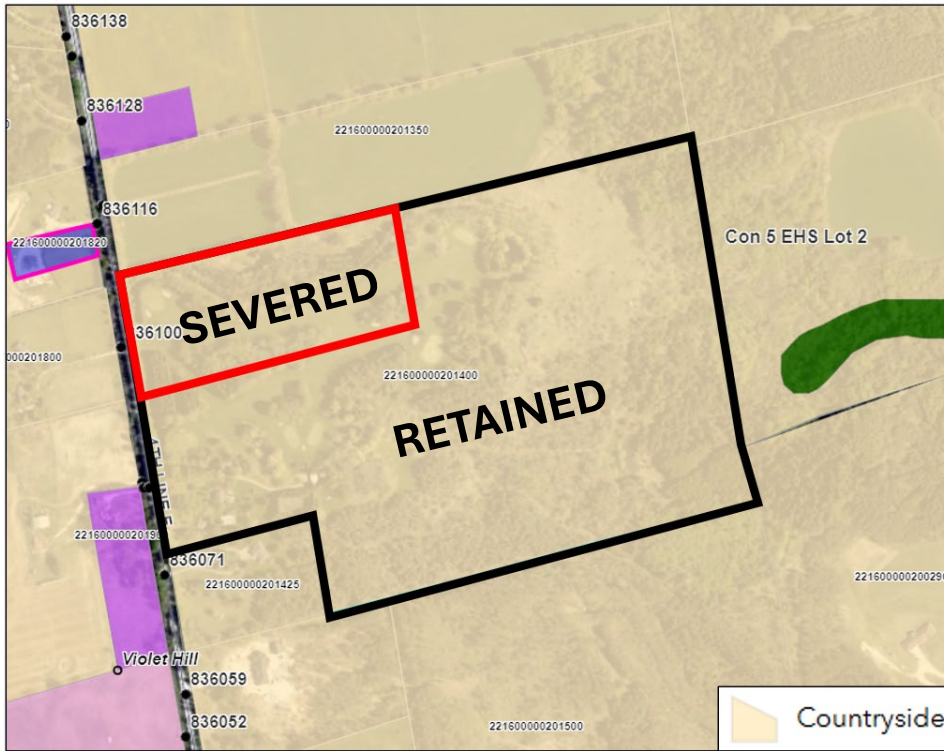
- Proposed severed parcel exhibits existing natural screening from the 4th Line
- New driveway can be aligned directly opposite existing driveway to the west

MDS 1



- Currently 25 beef cattle are housed in the barn
- MDS I calculation was completed based on full potential of this 400 m² barn
- Minimum distance required between the barn and manure storage to a new dwelling on the proposed severed parcel is 255 m
- Proposed lot can accommodate a dwelling that is at minimum approximately 600 m from the barn and manure storage.
- The proposed severed parcel meets the requirement of MDS I.

ZONING



- Subject lands are zoned Countryside Area (A)
- ZBA is not required

Minimum Lot Area (ha)	8.00 ha and over	RETAINED PARCEL 25 ha +/-	2.00 ha to 7.99 ha	SEVERED PARCEL 5 ha +/-
Minimum Lot Frontage (m)	100	200	100	150
Minimum Yards – Front (m)	30	65	20	Will comply
Interior Side	20	40 & 120	10	Will comply
Exterior Side	30	n/a	20	n/a
Rear	20	620	10	Will comply
Maximum Lot Coverage (%)	5	.007	10	Will comply
Maximum Height	10.5	9	10.5	Will comply

CONCLUSION

The proposed Consent application is consistent with:

- Provincial Planning Statement 2024
- County of Dufferin Official Plan
- Township of Mulmur Official Plan
- Township of Mulmur Zoning By-law

The proposed application has merit and constitutes good planning.

TOWNSHIP OF
MULMUR

The logo for the Township of Mulmur is a triangular shield. At the top, a black silhouette of a bird is in flight against a light blue sky. Below the bird are two green hills. In the center, a shield with a red cross on a white background is superimposed on the hills. At the bottom left, there are three black evergreen trees. At the bottom right, there is a golden sheaf of wheat.

2023 AERIAL IMAGEREY



PROPOSED SEVERANCE



OFFICIAL PLAN DESIGNATION: Rural

Section 5.8 – Rural Areas

In rural areas located in the Township, permitted uses and activities shall relate to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses. Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure;

New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the Provincial Minimum Distance Separation Formulae and Implementation Guidelines, as amended from time to time.

Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.

Locally-important agricultural and resource areas should be designated and protected by directing non-related development to areas where it will not constrain these uses.

Opportunities should be retained to locate new or expanding land uses that require separation from other uses.

Recreational, tourism and other economic opportunities, in conformity with the Growth Plan, should be promoted.

OFFICIAL PLAN LOT CREATION POLICY

SECTION 6.2.5 NEW LOTS (RURAL)

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.

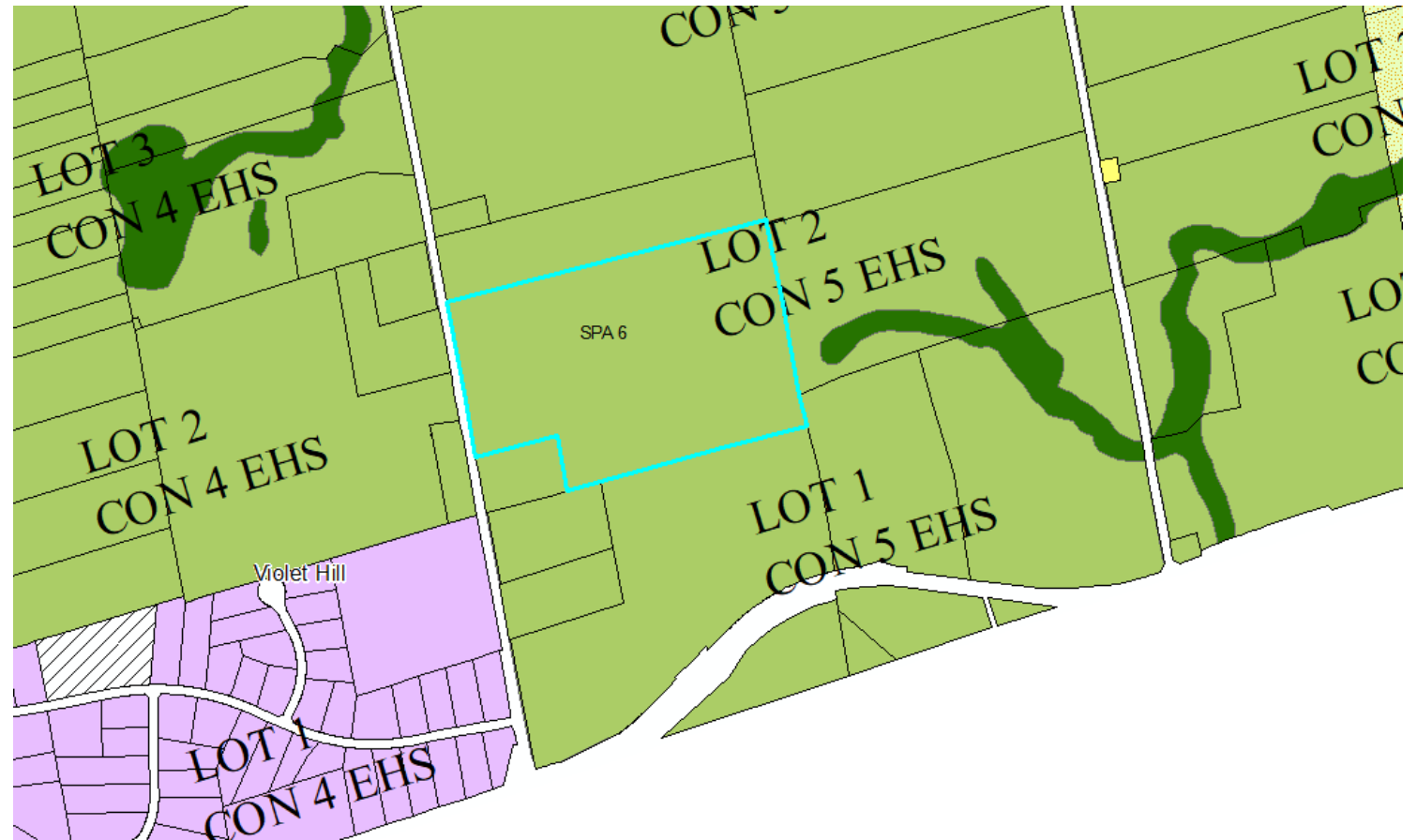
Proposals for rural lot creation shall conform to the requirements of Sections 5.35 and 5.36, and the intent of Sections 5.25 and 5.26, and the following policies, so that the character and scenic attractiveness of rural areas is maintained and, wherever possible and practical, enhanced.

The following may be used as guidelines to ensure that rural lot creation is carried out in such a way as to help maintain and, where possible and practical, enhance the rural character:

- The creation of the maximum of three new lots from each and every original Township half-lot is not necessarily appropriate. Although it may not be possible or necessary to adhere to each and every one of the following guidelines which are applicable to a specific situation, preference will be given to proposals which demonstrate that a reasonable effort has been made to achieve compliance and/or where there is a clear opportunity to enhance compliance through the imposition of appropriate conditions of severance, with the owner's agreement and at the owner's expense. Lots may not necessarily be approved if clearly superior opportunities to create lots that better achieve conformity with the guidelines exist elsewhere within the original Township half-lot, regardless of ownership;
- Variations in the size and configuration
- unique physical and environmental characteristics and features of the parcel
- Screening of the building envelope

OFFICIAL PLAN DESIGNATION

-  Agricultural
-  Business Park Core
-  Open Space Recreation
-  Open Space
-  Hamlet
-  Business Park Gateway
-  Business Park Transition
-  Agricultural Special Policy Area One
-  Rural
-  Rural Special Policy Area One
-  Natural Area
-  Community
-  Hamlet Residential
-  Estate Residential
-  Estate Residential Special Policy Area One



Minimum Distance Separation

Figure 6: MDS I



Source: Township of Mulmur GIS Mapping

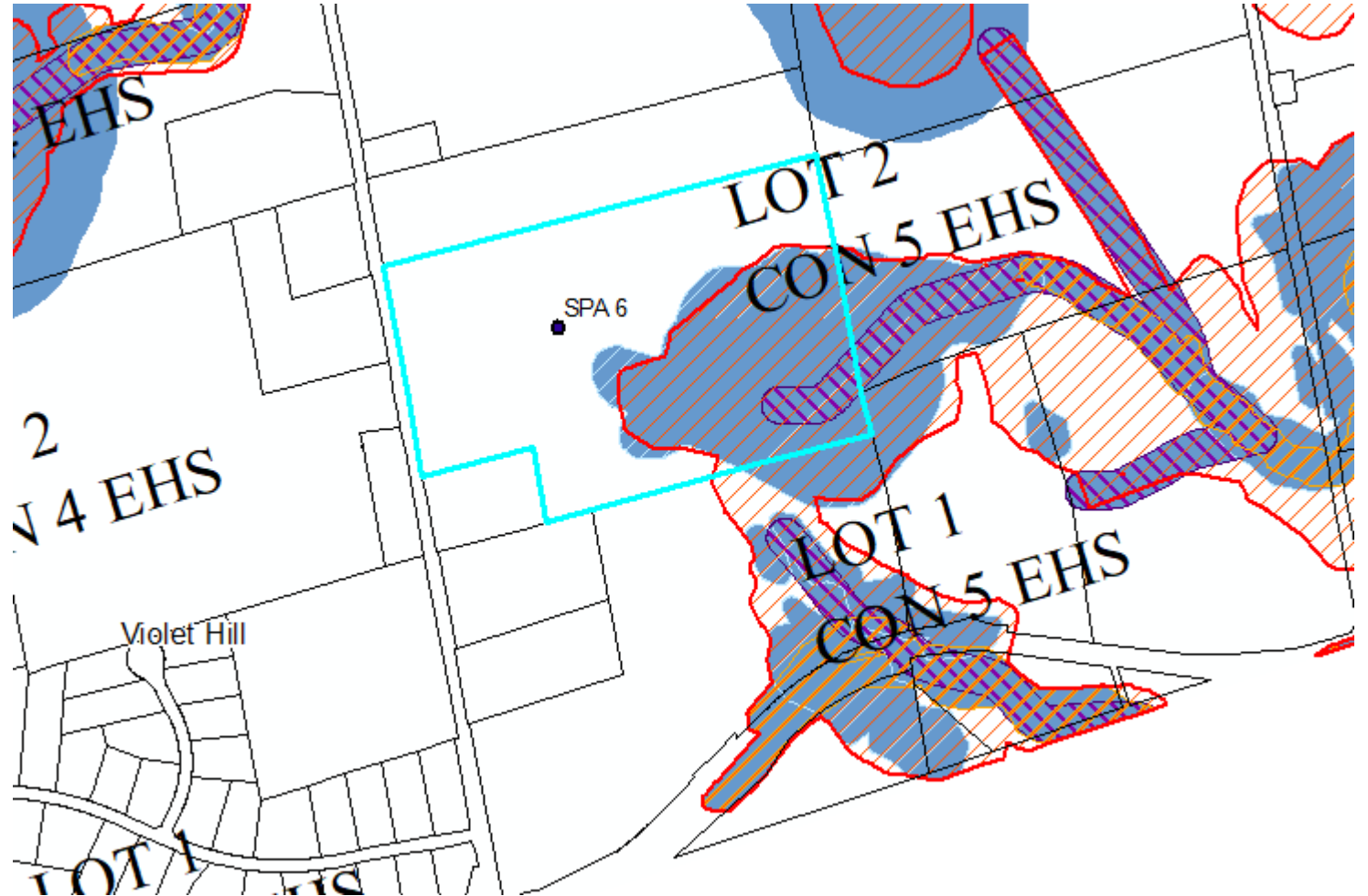
SPECIAL POLICY AREA 6

Section 6.2.4

The private, non-commercial golf course listed as permitted use b) above, and identified as Specific Policy Area 6 on Schedule A1, shall be permitted as an accessory use to the existing residential dwelling on the lot and shall be permitted to be used only for the private enjoyment of the owner, and guests of the owner, on a non-commercial basis. Any expansion of the present use is not permitted. The conversion of this course to a commercial establishment shall only be permitted if an amendment to this Plan is obtained and the lands are re-zoned and brought under site plan control.

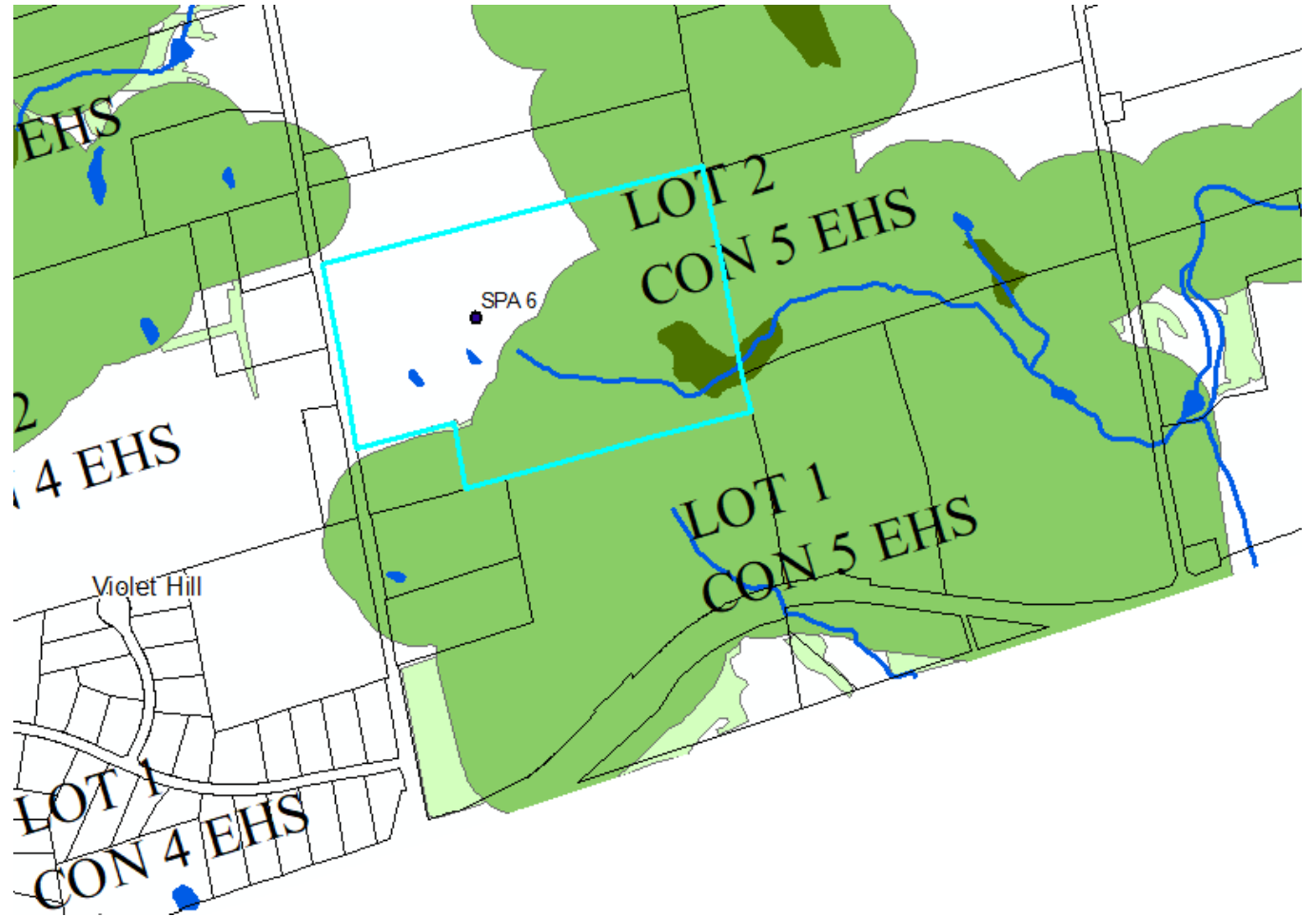
OFFICIAL PLAN Appendix 2

- Flood Hazard
- Meander Belts
- Slope Hazard
- NVCA Regulated Areas



OFFICIAL PLAN Schedule B

- Watercourses
—
- Waterbody
■
- Category One Features
 - Wetland
- Category Two Features
 - Woodlands, Unevaluated Wetland
- Category Three Features
 -



OFFICIAL PLAN FINANCIAL IMPACT POLICIES

2.0 PURPOSE OF THE PLAN

This Official Plan establishes the pattern which development within the Township should follow during the planning period 2009 to 2029.

The policies in this Plan are intended to: ...ensure that development does not have a detrimental financial impact on the Township...

6.0.4 General Policies (of the Rural Countryside and Environmental Lands)

....An economic impact assessment shall be undertaken to evaluate the financial impact of proposed development on the Township, including the existing assessment base. Proposals which have a detrimental economic impact shall not be permitted unless compensatory measures have been undertaken, to the satisfaction of the Township...

11.2 Planning Applications and Recovery of Costs

....New development shall not place an additional financial burden on the Township and will balance the costs of providing necessary additional municipal services, facilities and infrastructure, through off-setting compensatory benefits...

Managed Forest Tax Incentive Program

To be eligible, land must:

- be owned by a Canadian citizen or permanent resident, or a Canadian business, trust or conservation authority
- have at least 4 hectares (9.88 acres) of forest on a single property in Ontario on one municipal roll number
- have a minimum number of trees per hectare (read the [Managed Forest Tax Incentive Program Guide](#) for details)
- Residences, landscaped areas and land used for residential or other purposes are not eligible.

ZONING: Countryside

Permitted Uses	Size of Parcel	
	8.00 ha and over	2.00 ha to 7.99 ha
Single Detached Dwelling	X	X
Accessory dwelling unit in a detached structure (1) in accordance with section 3.3	X	X
One Accessory Attached dwelling unit (1)	X	X
Agricultural Use	X	X
Agriculture-Related Use	X	X
Bed and Breakfast	X	X
Crisis Centre	X	X
Garden Center	X	X
Group Home	X	X
On-Farm Diversified Use	X	X
Home Industry	X	X
Home Occupation	X	X
Kennel (see Canine By-law)	X	
Cannabis Facility	X	
Portable Sawmill	X	
Public Open Space or Park	X	X
Resource Management	X	X
Veterinary Clinic	X	X
Wayside Pit or Wayside Quarry	X	X
Regulations for Permitted Uses	Size of Parcel	
	8.00 ha and over	2.00 ha to 7.99 ha
Minimum Lot Area (ha)	100	100
Minimum Lot Frontage (m)	30	20
Minimum Yards – Front (m)	20	10
Interior Side	30	20
Exterior Side	20	10
Rear	20	10
Maximum Lot Coverage (%)	5	10
Maximum Height	10.5	10.5

AGENCY COMMENTS

- NVCA - the proposed severance as per the submitted drawing appears to be located outside of the regulated area. On this basis, the NVCA has no objection to the approval of this application.
- Dufferin County Building Department – no comments.
- Dufferin County Planning and Development – Lot creation is permitted in accordance with the County and municipal policies, no notable natural heritage features, consultation with NVCA shall be undertaken.

PUBLIC COMMENTS

- None received at time of agenda preparation.

RECOMMENDATION

That the Committee of Adjustment approve the application for consent subject to the following conditions, including a reduction in the lot area to address the financial impact policies of the Official Plan:

- That the lot creation applies to the creation of a lot having a maximum area of 4.00 ha (9.88 acres) when rounded to two decimal places.
- All costs pertaining to this application, survey expenses and all others applicable shall be borne by the applicant. All legal costs, engineering peer reviews, and consultant fees be paid, including a 10% administration fee, as per the Township's Tariff of Fees By-law. Where the costs are unknown at the time of issuance of a Certificate of Official, a deposit shall be required in the amount of \$2,000
- The deed for the subject severance must be presented to the Secretary Treasurer prior to two years after the date of decision; being April 2, 2027 less two weeks for processing for review and approval.
- Compliance with all bylaws, including, but not limited to zoning, site plan and property standards.
- Two paper copies of the registered plan of survey and one pdf copy. The copy of the draft R-plan shall be circulated to the Township for review prior to registration.
- One digital autocadd (.dwg) drawing be provided, including documentation (such as email confirmation) from the surveyor certifying that the digital copy was created from the same file that was used to plot the original paper copies of the R-plan.
- ROAD WIDENING: 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 Municipality, 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 Infrastructure.
- The registered owner shall obtain, from the Municipality, any required entrance approvals.
- An emergency number be installed at the entrance of a retained lot as per County Regulations.
- PARKLAND: Cash in lieu of parkland shall be paid in accordance with the Parkland Dedication By-law in effect at the time of the payment.
- TAXES Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. This includes all taxes levied as of the date of the stamping of the deeds.

Roseann Knechtel

From: Planning Dept <Planning@nvca.on.ca>
Sent: February 7, 2025 11:31 AM
To: Roseann Knechtel
Cc: Planning Dept; Tyler Mulhall
Subject: NVCA Comments - Consent - 836081 4th Line

Good morning,

Thank you for circulating the consent application for the property located at 836081 4th Line in Mulmur.

The subject property appears to be partially regulated under the Conservation Authority Regulation 41/24 (Prohibited Activities, Exemptions and Permits). However, the proposed severance as per the submitted drawing appears to be located outside of the regulated area. On this basis, the NVCA has no objection to the approval of this application.

Please note that this property is within a Source Water area and may need to be reviewed by the RMO for Mulmur.

Please feel free to contact planning@nvca.on.ca should you require any further information or clarification on any matters contained herein. NVCA staff appreciates the opportunity to comment at this stage in the process.

Kindly,

Mariella Kaczmarczyk (she/her/hers)
Development Review Assistant

Planning Department
Nottawasaga Valley Conservation Authority
8195 8th Line, Utopia, ON L0M 1T0
T 705-424-1479
planning@nvca.on.ca | www.nvca.on.ca

To see if your property is regulated by the NVCA, use our [Interactive Mapping Tool](#).

To find out if your property may be affected by NVCA policies and regulations, complete our online property inquiry form at <https://permit.nvca.on.ca/>.

This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender and destroy all copies of the original message.



Date: March 10, 2025

To: Township of Mulmur

Re: B01-2025 – 836081 4th Line, Mulmur

Dufferin County is in receipt of the Request for Comments for the above noted application, dated 2024-09-10. The request for comments was circulated to the following department(s):

1. [Building Services](#)
2. [Planning and Development](#)

The department(s) have reviewed the documents submitted with the request for comments against the applicable policies. The comments are on the following pages.

Please keep Dufferin County informed with respect to the status of the attached comments and the decision of the Council related to the subject application.

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

Kind regards,

A handwritten signature in black ink, appearing to read 'LM'.

Liam Morgan, BES, MEPP, RPP Candidate
Development Planner
Phone: 519-941-2816 Ext. 2511
lmorgan@dufferincounty.ca



Date: March 10, 2025

From: Building Services

Building Services has no comments pertaining to this application. A building permit application is required for Construction or Demolition as defined in the 2024 Ontario Building Code and Building Code Act.

Regards,

A handwritten signature in black ink, appearing to read 'K. Millar'.

Kristina Millar, Plans Examiner, CBCO,
Development and Tourism, County of Dufferin

Phone: 519.941.2816 x 2710
kmillar@dufferincounty.ca

Date: March 10, 2025

From: Planning and Development

The County Planning division has reviewed the consent application and has the following comments:

- The subject lands are designated as *Rural* under the County Official Plan.
 - Section 4.3.3.m of the County Official Plan speaks to lot creation for lands designated as *Rural* and states the following:

“Lot creation in the rural lands will only be permitted in accordance with the policies of this Plan and the local municipal official plan”.
- The lands to be severed do not have any notable natural heritage features, as per the County’s mapping system.
- Consultation with the Nottawasaga Valley Conservation Authority (NVCA) shall be undertaken to determine any developmental limitations and/or regulations, as well as whether any mitigative actions need to be implemented prior to development being that the subject lands are in a *Significant Groundwater Recharge Area*.
- The County will require that the applicant pay a **\$250 review fee** for the consent application. Payment can be completed online or by cheque, payable to The Corporation of the County of Dufferin, and addressed to the Finance Department. To pay online, please visit our website at <https://dufferin-county-online-payments.myshopify.com/> and select **Invoice Payment** from the **Catalog section**.

Based on the above, the County Planning division has no concerns pertaining to the consent application.

Kind regards,



Liam Morgan, BES, MEPP, RPP Candidate
Development Planner
Phone: 519-941-2816 Ext. 2511
lmorgan@dufferincounty.ca



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

FILE NO. B01-2025 Riggins Severance RE: Consent Application

The following decision was reached by the Committee of Adjustment for the Township of Mulmur at the meeting on April 2, 2025:

That Application No. B01-2025 submitted by Miriam Vasni for a lot creation from 836081 4th Line/ (R# 2-01400) be approved subject to the following:

- That the lot creation applies to the creation of a lot having a maximum area of 4.00 ha (9.88 acres) when rounded to two decimal places.
- All costs pertaining to this application, survey expenses and all others applicable shall be borne by the applicant. All legal costs, engineering peer reviews, and consultant fees be paid, including a 10% administration fee, as per the Township’s Tariff of Fees By-law. Where the costs are unknown at the time of issuance of a Certificate of Official, a deposit shall be required in the amount of \$2,000
- The deed for the subject severance must be presented to the Secretary Treasurer prior to two years after the date of decision; being April 2, 2027 less two weeks for processing for review and approval.
- Compliance with all bylaws, including, but not limited to zoning, site plan and property standards.
- Two paper copies of the registered plan of survey and one pdf copy. The copy of the draft R-plan shall be circulated to the Township for review prior to registration.
- One digital autocadd (.dwg) drawing be provided, including documentation (such as email confirmation) from the surveyor certifying that the digital copy was created from the same file that was used to plot the original paper copies of the R-plan.
- ROAD WIDENING: 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 Municipality, 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 Infrastructure.
- The registered owner shall obtain, from the Municipality, any required entrance approvals.
- An emergency number be installed at the entrance of a retained lot as per County Regulations.
- PARKLAND: Cash in lieu of parkland shall be paid in accordance with the Parkland Dedication By-law in effect at the time of the payment.

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 **May 15, 2023**.

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 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.



DECISION OF COUNCIL WITH REASONS

(The Planning Act, R.S.O. 1990, c. 13, s. 45 (8), 1994 c. 23, s.26.)

- **TAXES** Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. This includes all taxes levied as of the date of the stamping of the deeds.

REASON: Any public comments, if applicable were addressed, as indicated in the minutes, and the approval of the application conforms to the Township’s Official Plan with the proposed conditions.

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 **May 15, 2023**.

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