



**COMMITTEE OF ADJUSTMENT  
WEDNESDAY, JANUARY 6, 2021  
1:00 PM CONSENT HEARINGS  
AGENDA**

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

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+1 647 558 0588 Canada  
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+1 438 809 7799 Canada  
+1 587 328 1099 Canada

Meeting ID: 834 0895 7097

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/83408957097>

Meeting ID: 834 0895 7097

**1. Call meeting to order**

**2. Appointment of Chair**

THAT ..... shall be appointed as the Chair of the Committee of Adjustment shall now and herein forward convene the position of Chair.

**3. Declarations of pecuniary interest**

**4. Approval of agenda**

THAT Committee approves the Agenda dated January 6, 2020.

**5. Approval of Minutes**

THAT the Minutes of July 7, 2020 be approved.

**6. New and Other Business – none**



## **7. New Applications**

### **7.1 B7-2020 Rutledge Surplus Dwelling Severance**

THAT Committee approve application B7-2020 subject to the following conditions....

### **7.2 B8-2020 Ferris Boundary Adjustment**

THAT Committee approve application B8-2020 subject to the following conditions....

### **7.3 B7-2018 Mockingbird Lot Creation**

THAT Committee approve application B7-2018 subject to the following conditions....

### **7.4 B1-2020 Mansfield Ski Easement (changing of hydro condition)**

THAT Committee approve application B1-2020 subject to the following conditions....

## **8. Items for information only**

### **8.1 Resignation of Paul Mills**

## **9. Adjournment**

THAT Committee adjourns the meeting at \_\_\_\_\_ to meet again on at the call of the Chair.





**COMMITTEE OF ADJUSTMENT  
TUESDAY, JULY 7, 2020  
2:00 PM  
ELECTRONIC MEETING - MINUTES**

**Present:** Earl Hawkins, Deputy Mayor  
Ken Cufaro, Councillor  
Kim Lyon  
Paul Mills  
Bart Wysokinski

**Staff:** Tracey Atkinson, BES, MCIP, RPP, Planner

**Public:** Finley McEwen, Karl Walsh, Wayne Goodfellow, Lisa Goodfellow, Mike Jones, Liz Anthony

**1/ Call meeting to order**

The meeting was called to order by the Planner, who assumed the position of Chair.

**2/ Appointment of Chair**

Moved by Hawkins and seconded by Cufaro  
THAT Paul Mills shall be appointed as the Chair of the Committee of Adjustment shall now and herein forward convene the position of Chair. Carried

The Planner vacated the Chair, and Chair Mills assumed the position.

**3/ Declarations of pecuniary interest**

**4/ Approval of agenda**

Moved by Cufaro and seconded by Lyon  
THAT Committee approves the Agenda dated July 7, 2020. Carried

**5/ New and Other Business – none**

**6/ Planning Legislation**

**6.1 Overview of Ontario Planning Framework**

T. Atkinson provided an overview of the planning framework in Ontario. A slide



show is attached.

## **6.2 Quick Links to Planning Resource Materials**

### **7/ New Applications**

#### **7.1 B01-2020 Mansfield Ski Easement**

The planner provided a summary of the applications. Discussions ensued regarding hydro poles, existing trees and the draft conditions.

Moved by: Hawkins and Seconded by: Lyon

That Application No. B01-2020, submitted by Mansfield Ski Club Inc., Rosalie Tough, Donald William Tough, Mark Lautens and 2724264 Ontario Corp. for approximately 7 metres easement be approved, subject to the following:

- This easement applies to LOTS 15 and 16, CONCESSION 6 EHS (PT BLK 20, PL 7M-4 AND PART LOT 15 & 16 CONCESSION 6 EHS AND PART OF BLOCK B, PLAN 86, MULMUR; DES AS PTS 19,20,5,3,6,7 & 8, PLAN 7R-6574) and is in favour of parcel rolls 117801 (Tough), 117600 (Lautens), and 117700 (2724264 Ontario Corp).
- 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 consent 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.
- The existing easement be deregistered or an undertaking by the solicitor that the existing easement be deregistered within 30 days of the registration of the new easement.
- Compliance with all bylaws, including, but not limited to zoning, site plan and property standards.
- Any existing mature trees within the new easement be relocated elsewhere on the subject lands to the satisfaction of the Township.
- The existing hydro pole be relocated outside of the easement.

Motion Carried.

#### **7.2 B02-2020 Wallace Estate (Goodfellow)**

The planner provided a summary of the applications. Ms. Anthony expressed concerns regarding the condition of the dwelling. The Director of Public Works



recommended a road widening and moving the driveway. Discussions ensued regarding the draft conditions.

Moved by: Cufaro and seconded by: Wysokinski

That Application No. B02-2020, submitted by Wayne Goodfellow for Samuel Wallace Estate for a boundary adjustment be approved, subject to the following:

- This boundary adjustment applies to rolls numbers 221600000402000 and 221600000401980, resulting in a vacant parcel of 29 ha and developed parcel of 3.2 ha.
- Confirmation of the status of the Estate of Shirley Irene Wallace, to the satisfaction of the Township's solicitor.
- 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 consent 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.
- Road Widening of 3.0 metres to be taken along the entire frontage of both properties, if not already taken.
- Section 50(3) of the Planning Act shall apply
- The applicant shall apply for and a new entrance be approved and installed to relocate the existing driveway serving the house to the satisfaction of the Director of Public Works.

Motion Carried.

#### **8/ Items for information only -- none**

#### **9/ Adjournment**

Moved by Lyons and seconded by Hawkins

THAT Council Committee adjourns the meeting at 3:02 to meet again on at the call of the Chair. Carried.





# Application for Consent

Under Section 53 of the Planning Act

DATE RECEIVED

Aug 25/20

Roll Number: 22-16-000-00 - -0000

## SUMMARY OF FEES

LOT CREATION/BOUNDARY ADJUSTMENT: \$2500  
EASEMENT/OTHER: \$2000  
CHANGE OF CONDITIONS TO A CONSENT  
DECISION: \$1000  
\*NVCA FEE IF IN REGULATED OR NHS AREA

## Submission of the Application

- ☐ One application form for each parcel to be severed.
- ☐ **Application Fees**
- ☐ Pre-consultation with NVCA, NEC or Road Authority (if required)
- ☐ Sketch or Survey

## Completeness of the Application

The information in this form **must** be provided by the applicant with the appropriate fee. If the information and fee are not provided, the application will be returned or refused for further consideration until the information and fee have been provided.

The application form also sets out other information that will assist the Township and others in their planning evaluation of the consent application. To ensure the quickest and most complete review, this information should be submitted at the time of application. In the absence of this information, it may not be possible to do a complete review within the legislated time frame for making a decision. As a result, the application may be refused.

1. Applicant and Ownership Information			
Name of Legal Owner(s) <b>D+C Rutledge Ltd</b>		Telephone: <b>519-925-6596</b>	
Address <b>558280 Mulmur-Melancthon Townline</b>		Postal Code <b>L9V 1W9</b>	
Email <b>dcrutledge68@gmail.com</b>			
Contact Information, if different than owner (this may be a person/firm acting on behalf of the owner)			
Name of Contact <b>Dale Rutledge</b>		Telephone: <b>519-940-6165</b>	
Address		Postal Code	
Email			
Mortgage, Line of Credit, Charges, or other encumbrances in respect of the subject land			
Name <b>RBC</b>		Address <b>Lergus</b>	
DC #	Telephone/Fax <b>519-669-3804</b>	Email	
2. Location and Description of the Subject Land			
Concession <b>2 WHS</b>	Lot <b>10</b>	Registered Plan/Lot(s)/block(s)	
Street/Emergency No. <b>636592</b>	Street/Road <b>Cty Rd 17+19</b>	Reference Plan No.	Part Number(s)
Width of street/road _____m	<input checked="" type="checkbox"/> Municipal year round maintained road	<input type="checkbox"/> MTO / County Road	<input type="checkbox"/> Seasonal / Private Road
Frontage (m) <b>86 ±</b>	Entire Property <b>37.25 ha</b>	Affected Area (is amendment does not affect entire property)	
Depth (m) <b>153 ±</b>	Area (hectares) <b>1.3 ha</b>		



<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, <u>farm severance</u> , lot addition, etc.										
Name of person(s) to whom land or interest in land is to be transferred, leased or charged <u>D+C Rutledge Ltd</u>										
<b>4. Description of Subject Land and Servicing Information</b>										
Frontage (m)	Severed <u>86m</u>			Retained <u>514m</u>						
Depth (m)	<u>153m</u>									
Area (m)				<u>35.7ha</u>						
<b>5. Land Use</b>										
Date Property Acquired <u>August 14 2020</u>										
Existing Use <u>Farming</u>					Proposed Use <u>Farming</u>					
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					
	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed	<u>75'</u>	<u>10'</u>	<u>N</u> <u>15'</u>	<u>S</u> <u>10'</u>					
	<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									
Water		Sewage Disposal				Storm Drainage		Tile Drainage		
<input checked="" type="checkbox"/> Private Well <input type="checkbox"/> Communal Well <input type="checkbox"/> Municipal Water <input type="checkbox"/> Other: _____		<input checked="" type="checkbox"/> Private Septic <input type="checkbox"/> Communal Septic <input type="checkbox"/> Other: _____				<input type="checkbox"/> Sewer <input type="checkbox"/> Ditches <input checked="" type="checkbox"/> Swales <input type="checkbox"/> Other: _____		<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>several residential</i>	Current Official Plan <i>Agriculture?</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? File #: <i>?</i> Status:
Provide an explanation of how the application conforms to the Official Plan  <i>excess farm buildings</i>	
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
<i>n/a</i>	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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
If yes, attach a servicing options report and hydro geological report	
Are the lands part of a Nutrient Management Plan? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
Please provide plan number _____ and date approved by OMAFRA _____	
Are there any livestock facilities within 500 metres of the subject lands? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
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

DALE RUTLEDGE

*Dale Rutledge*

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.

X

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

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

X

*Dale Rutledge*

## 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:



☐ No

school? Cty Rd 17+19  
house lot Cty Rd 17

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.

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







0113 TO

215m

135m

430m

60m

86m

310m

86m

204m

535m



## AUTHORIZATION, DECLARATIONS AND ACKNOWLEDGEMENTS

### OWNERS AUTHORIZATION

I, Dale Rutledge, am the owner of the lands subject to this application hereby agree to the following:

1. Township staff or their representatives are authorized to enter my property for the purposes of evaluating this application.
2. I acknowledge and agree to pay all costs associated with the processing and evaluation of this application, including any peer reviews and consulting fees. These costs may be deducted from the deposit or invoiced directly, at the discretion of the Township. Should this application be appealed to the Local Planning Appeal Tribunal, I am aware that I will be responsible and agree to pay all fees related to the Local Planning Appeal Tribunal process.
3. For the purposes of the Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application, and further I authorize my agent for this application to provide any of my personal information that will be included in this application or collected during the processing of this application.
4. I authorized \_\_\_\_\_ to make this application of my behalf.

Aug 25 / 20  
Date

Dale Rutledge  
Signature of Owner  
X Dale Rutledge  
Signature of Owner

### SWORN DECLARATION OF APPLICANT

I, Dale Rutledge, of the Township of Mulmur in the Province of Ontario, make oath and say (or solemnly declare) that the information contained in this application is true and that the information contained in the documents that accompany this application is true.

Sworn (or declared) before me at the Township of Mulmur in the County of Dufferin  
this 25 day of August 2020.

HBA  
Commissioner of Oaths  
**Heather Boston**  
**Treasurer**  
**Township of Mulmur**  
**Commissioner for Oaths**

Dale Rutledge  
Applicant

\_\_\_\_\_  
Applicant





**CORPORATION OF THE  
TOWNSHIP OF MULMUR**  
758070 2ND LINE EAST  
MULMUR, ONTARIO  
L9V 0G8

### **NOTICE OF A COMPLETE APPLICATION AND A PUBLIC MEETING**

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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<https://us02web.zoom.us/j/83408957097>

Meeting ID: 834 0895 7097

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

**MEETING DATE AND TIME:** January 6, 2021 at 1:00pm

**APPLICATION NUMBER:** B7-2020

**OWNER/APPLICANT:** D&C Rutledge Ltd.

**LOCATION:** 636592 COUNTY ROAD 19.

**PURPOSE:** CONSENT APPLICATION FOR A SURPLUS DWELLING AND EXCESS AGRICULTURAL BUILDINGS TO A FARMING OPERATION, AS A RESULT OF A FARM CONSOLIDATION.



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 on next page. For illustration purposes only. This is not a plan of survey.***

***A digital version is available by email.***

**Figure 1: Subject Lands**





**Figure 2: Lands Subject to Consent**



Dated December 17, 2020





## **PLANNING REPORT**

**TO:** COMMITTEE OF ADJUSTMENT

**FROM:** James Hunter Senior Planner BURPL

**MEETING DATE:** January 6, 2021

**SUBJECT:** B7-2020 Rutledge Consent Application – Surplus Dwelling

FILE NO	B7-2020
ROLL NO	221600000318400
OWNER	D&C Rutledge Ltd.
LOCATION / LEGAL DESCRIPTION:	636592 DUFFERIN COUNTY ROAD 19. CON 2 W E PT LOT 10.
OFFICIAL PLAN:	Agricultural
ZONING:	Countryside Area (A)
NEC/Greenbelt:	N/A
NVCA Regulated:	Yes (within regulated area)
Application Submission Date:	August 25, 2020
Public Meeting Date:	Wednesday January 6, 2021

### **PURPOSE**

The applicant is seeking a Consent to create one (1) new lot, deemed a surplus residence to a farming operation.

### **EXISTING AND PROPOSED CONFIGURATIONS**

The existing lot configuration and conditions are illustrated on Figure 1. The lands subject to the Consent are reflected on Figure 2.



Figure 1: Existing Lot Configuration



Figure 2: Lands Subject to Consent





## **BACKGROUND**

The subject lands are located at 636592 County Road 19 in the Township of Mulmur.

The lands currently contain land holdings of 92.58 acres (37.5 hectares) and are currently used for agricultural land uses. The lands subject to the consent contain an existing dwelling and accessory agricultural buildings.

The applicant has applied for a Consent to create one (1) new lot, deemed a surplus residence and accessory buildings to a farming operation, as a result of a farm consolidation. The new lot requested would contain an area of approximately 1.32 hectares (3.2 acres), a depth of 153 metres (501 feet), and a frontage of 86 metres (282 feet) along County Road 19.

The retained agricultural lands would contain an area of approximately 35.7 hectares (88 acres) and a frontage of approximately 514 metres (1,686 feet) along County Road 19.

## **PLANNING POLICIES & PROVISIONS:**

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

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS encourages the protection of agricultural areas for long term use, with protection stressed on prime agricultural lands (2.3).

Permitted uses are limited to agricultural uses, agriculture-related uses, and on-farm diversified uses (2.3.3).

Lot creation in prime agricultural areas is permitted for a residence surplus to a farming operation as a result of farm consolidation, provided that (2.3.4.1/2.4.2.3):

1. *The new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services.*
2. *The planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective.*

The proposed Consent is consistent with the PPS, subject to the attached Conditions.

### **Growth Plan (August 2020)**

The Growth Plan builds on the PPS together with other Provincial Plans to inform decision-making regarding growth management and environmental protection particular to



the GGH. The Growth Plan provides high-level policy direction relating to the development of healthy, safe, and balanced communities.

The guiding principles of the Plan aim to support and enhance the long-term viability and productivity of agriculture by protecting prime agricultural areas. An Agricultural System is mapped by the Province, which identifies the subject lands as prime agricultural lands, with Class 1-3 soils (4.2.6).

The retention of existing lots of record for agricultural uses is encouraged and the use of these lots for non-agricultural uses is discouraged (4.2.6.5).

As the proposed Consent would retain the existing agricultural uses and operations and does not remove land from agricultural production operation, the application conforms to the policies and intent of the Growth Plan, subject to the attached conditions.

### **Niagara Escarpment Plan (2017)**

The purpose of the Niagara Escarpment Plan (NEP) is to provide for the maintenance and protection of the plan's areas, and to ensure that development is compatible with the natural environment.

The subject lands are located outside of the plans area. The NEP does not apply.

### **Strategic Plan**

The application does not offend the Strategic Plan and would maintain the rural character of the area.

### **Dufferin County Official Plan**

The subject lands are designated as '*Countryside Area*' on Schedule B (Community Structure and Land Use), which includes the '*Agricultural Area*' on Schedule C as a policy area.

The designation includes prime agricultural areas, identified for protection, and selected to strengthen the continued viability of the agricultural community. The designation recognizes agriculture as the primary activity and land use. The Agricultural Areas are to be protected from fragmentation, development, and land uses unrelated to agriculture (4.2.1).

Mirroring the Provincial plans, all types, sizes, and intensities of agricultural uses and normal farm practices will be promoted and protected in accordance with provincial standards (4.2.2).



A secondary farm residence may be permitted on a lot, subject to satisfying the policies of the Official Plan. A consent for land division for such a dwelling is not permitted (4.2.2.c). The application does not propose a second dwelling; however, this policy should be noted.

In order to avoid land use conflicts within the Agricultural Area designation, new land uses, including lot creation are required to comply with the Minimum Distance Separation Formulae, to ensure appropriate standards for separating incompatible uses from existing, new or expanding livestock facilities (4.2.3.b).

Lot creation with the Agricultural Areas is discussed under section 4.2.5 of the County's Official Plan. Key policies that apply includes the following:

- *Lot creation in the Agricultural Area will generally be discouraged and only permitted in accordance with provincial policy and the policies of the local municipal official plan. The minimum lot area of both the retained and severed lots will be established in the local municipal official plans in accordance with the lot creation policies for the uses set out below. (4.2.5.a).*
- *For agriculture-related uses, the lot created will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services (4.2.5.g).*
- *The creation of new residential lots in the prime agricultural area shall not be permitted except in accordance with policy 4.2.5.c (4.2.5.g).*
- *Where a previous or current farm acquisition has rendered a residence surplus to a farming operation, a consent may be permitted subject to the following conditions (4.2.5.c):*
  - i. the retained farm parcel will be zoned so as to prohibit the construction of any additional dwellings;*
  - ii. the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and*
  - iii. the surplus dwelling parcel will be subject to Minimum Distance Separation / setback provisions, and be zoned to recognize the non-farm residential use, as required.*

A Zoning By-law Amendment is required to prohibit the construction of any additional dwellings on the lands. This is further discussed in the following sections and implemented as a condition.

The County's Official Plan states that consents will not be granted if the application is contrary to the policies of this Plan or local municipal official plans (8.6.4). The conformity to the Township's Official Plan must be demonstrated. This is further discussed in the following section.



## Official Plan

The lands subject to the application are designated by the Township's Official Plan as 'Agricultural' on Schedule A1, illustrated on Figure 3.

The lands contain 'Pond & Flooded Lands' and 'Streams Without Associated Buffers' according to Schedule B1, identified as Category One Natural Features. Category Two Natural Features are further shown on Schedule B2 of the Official Plan with the lands containing 'Streams (With Associated Buffers)'. The features are shown on Figure 4. The subject lands are identified by Schedule B3 of the Official Plan (Physical Constraints and Hazards) as containing 'Flood Plain & Low Lying Areas', 'Meander Belts', and a 'Moderate Slope (15-30%)'.

The portion of the lands that are identified for the new (severed) lot are located outside of all identified natural features.

Figure 3: Land Use Designation

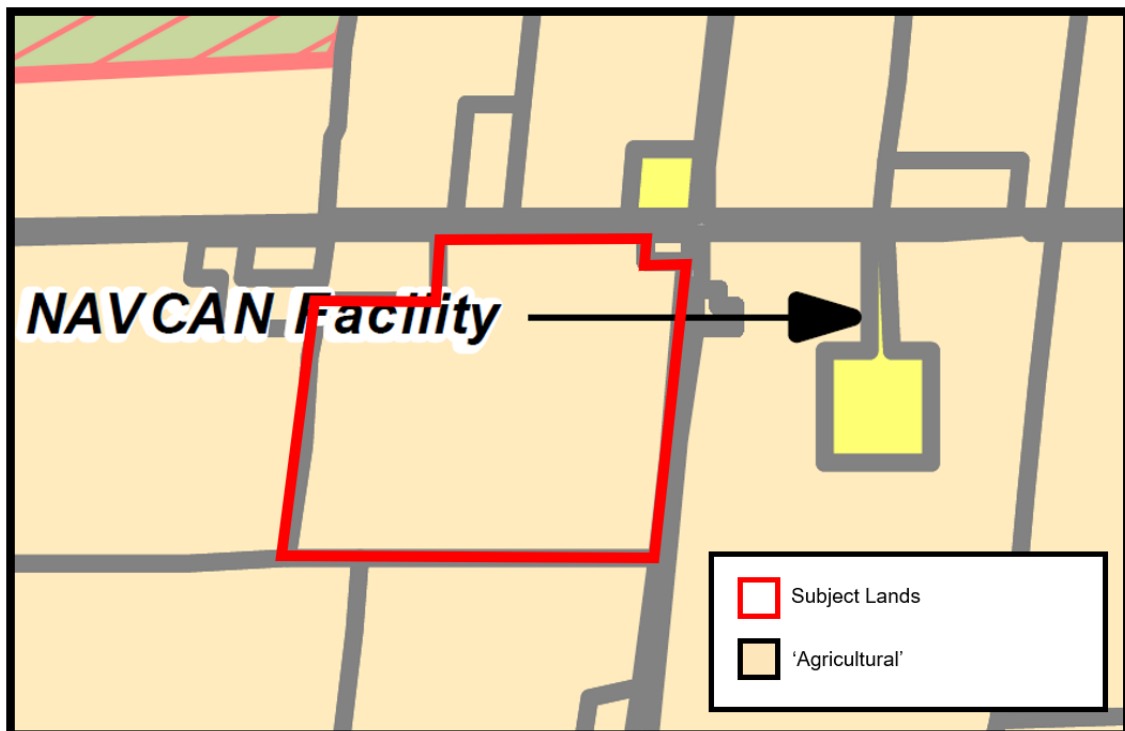
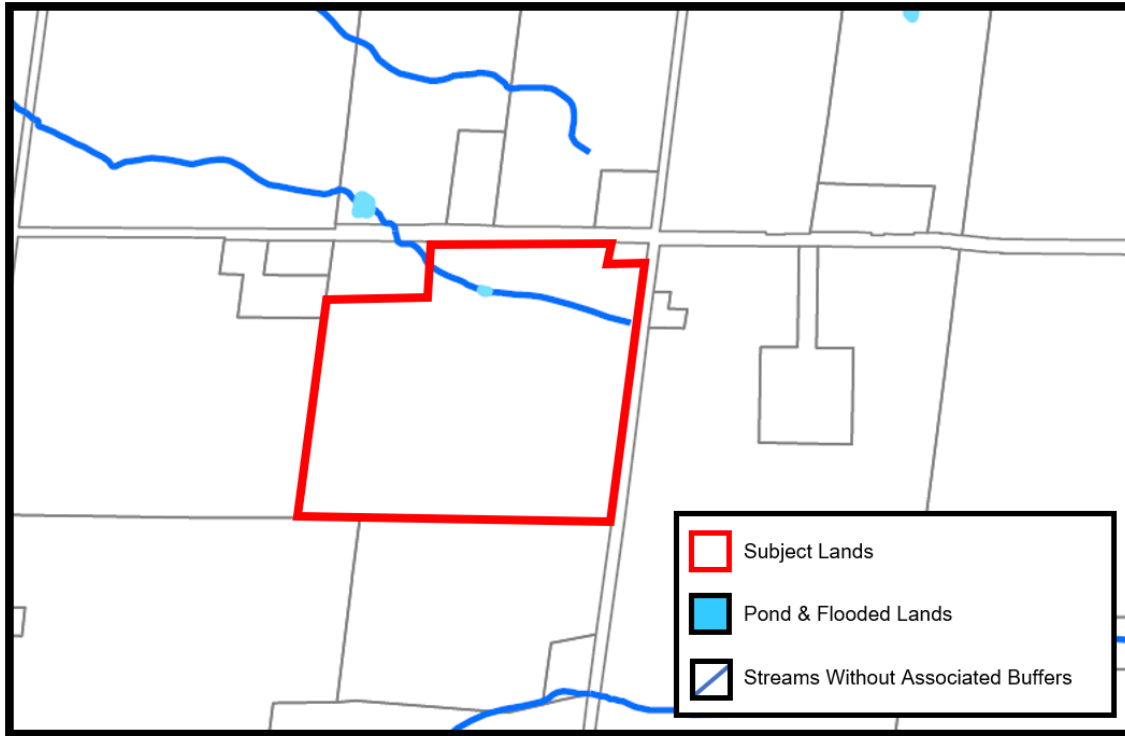




Figure 4: Category One Natural Features



Lands that are designated as Agricultural are considered prime agricultural areas, protected for long-term use for agriculture (5.9/6.1).

Permitted uses under the designation includes agricultural and related uses, secondary uses, and a single detached dwelling (6.1.3).

A residence surplus to a farming operation is defined by the Official Plan *as an existing, habitable farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).*

Lot creation in prime agricultural areas may be permitted for a residence surplus to a farming operation as a result of a farm consolidation, provided that the Township ensures that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance. As recommend by the Province, the approach is used to ensure that no new residential dwellings are permitted on the remnant parcel or other approaches which achieve the same objective (5.9.c).

New lots within the Agricultural designation are evaluated under section 6.1.7 of the Township's Official Plan. Key policies related to the application include the following:

- Existing agricultural parcels should not be subdivided into smaller parcels of land where the severance would reduce the long-term flexibility and viability of the existing farm unit.



- The severance of a surplus dwelling is dependant on the dwelling being habitable, the requirements of the Zoning By-law are met, and the lot area is kept to a minimum.
- *Neither the dwelling on the severed nor retained part was originally created for the purpose of accommodating farm help nor created as an additional single dwelling unit or as a detached accessory dwelling unit.*
- *The farm operation severing the lot must have a base of operations elsewhere in the Township or in an immediately adjacent Township.*
- New land uses including lot creation are required to comply with the minimum distance separation formulae (MDS).
- ***Such severances will be considered only on the basis of one per farm holding defined as the original farm lot of approximately 40 hectares (Township half-lot) and where no more than one lot has been previously created by severance.***
- *Wherever possible and practical, remnant lots shall be required to be merged with adjacent parcels under the ownership of the same farming enterprise, including small, existing, vacant non-farm lots, to consolidate the farm into larger blocks, eliminate the non-farm residential lot and avoid the sterilization of the remnant parcel as a building lot.*
- ***Where a remnant parcel is created, which cannot be merged with another holding under the ownership of the same farming enterprise, it shall be re-zoned,*** as a condition of consent approval and prior to the issuance of the certificate of consent, so that it cannot, in future, be used for either farm-related or non-farm residential purposes.

In accordance with the policies of the Official Plan, the remnant (retained) parcel requires a Zoning By-law Amendment to prevent the lands from being used for either farm-related or non-farm residential purposes in the future. The rezoning of the lands is executed as a condition.

As previously discussed under the County's Official Plan, consents will not be granted if the application is contrary to the policies of Township's Official Plan. The policies for lot creation under section 6.1.7 are specific, that a consent may be considered only on the basis of one per farm holding defined as the original farm lot of approximately 40 hectares, and where no more than one (1) lot has been previously created by a severance. The original farm lot contains two (2) existing lots that were previously severed. The subject consent would create a third lot for non-agricultural uses.

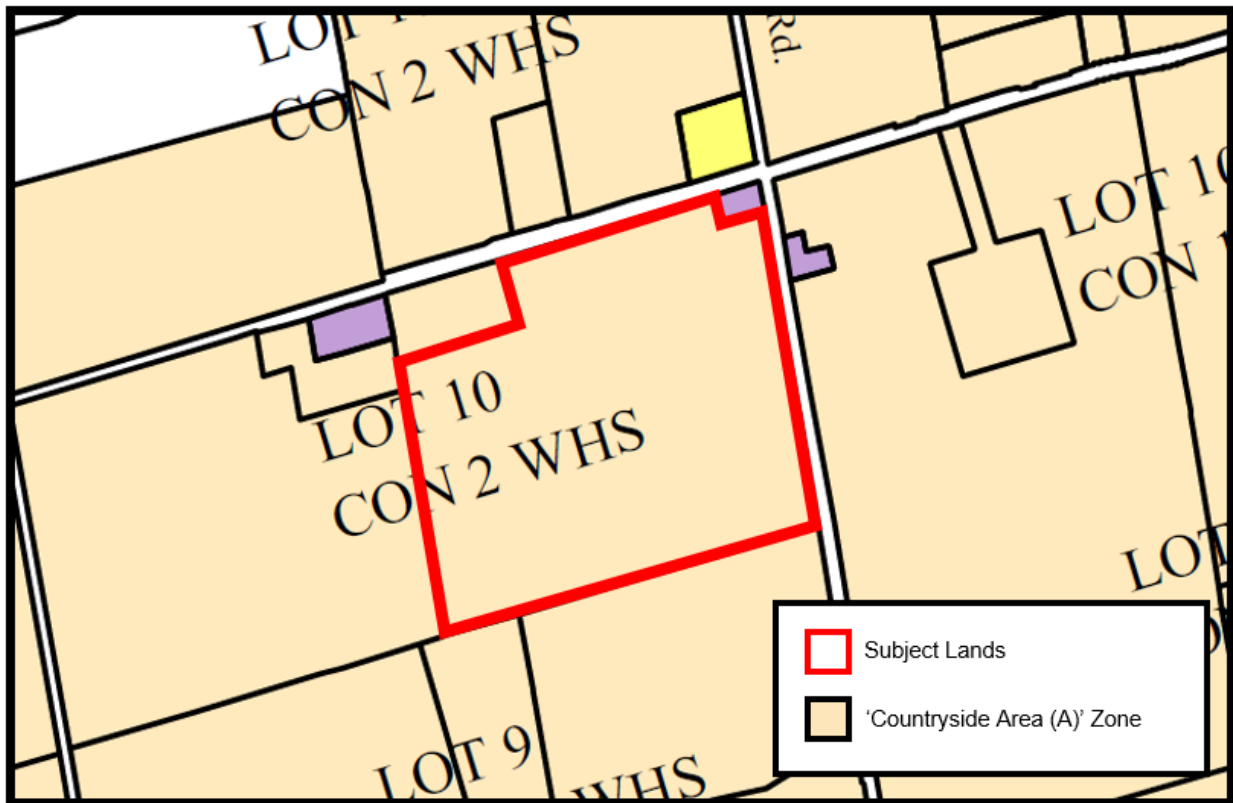
To maintain conformity to the Township's Official Plan, an Official Plan Amendment (OPA) application is required.



## Zoning By-law

The subject lands are zoned 'Countryside Area (A)' by Schedule A, illustrated on Figure 5.

Figure 5: Zoning



Permitted uses under the Countryside Area (A) zone includes single detached dwellings, agricultural uses, and agricultural-related uses (4.1.1).

Under section 4.1.2 of the Zoning By-law, lots within the zone require a minimum lot frontage of 100 meters and a minimum lot area of 2.0 hectares (4.94 acres).

A Zoning By-law Amendment (ZBA) application is required to recognize the deficient lot size and area of the severed lot. The applicant is advised to apply to rezone the severed lands to the 'Rural Residential (RR)' zone.

In accordance with the County Official Plan and Township's Official Plan, a Zoning By-law Amendment is further required for the remnant parcel of land, to prevent the lands from being used for either farm-related or non-farm residential purposes in the future.



### **FINANCIAL IMPACT:**

The costs of processing with the application are borne by the applicants.

### **AGENCY & PUBLIC COMMENTS:**

Public and agency comments are being provided as separate correspondence to this report.

### **RECOMMENDATIONS**

Consent applications must demonstrate conformity and consistency with the Provincial, County, and Township's plans and policies.

A Zoning By-law Amendment (ZBA) application is required to ensure that new residential dwellings are prohibited on the remnant parcel of farmland created by the severance, and to rezone the severed lands to the Rural Residential (RR) zone.

The Township's policies for lot creation under the current Agricultural land use designation (section 6.1.7) are explicit. A consent may be considered only on the basis of one per farm holding defined as the original farm lot of approximately 40 hectares, and where no more than one (1) lot has been previously created by a severance. The original farm lot contains two (2) existing lots that were previously severed.

As discussed throughout this report, consents will not be granted if the application is contrary to the policies of County's Official Plan or the Township's Official Plan. An Official Plan Amendment (OPA) is therefore required to permit a consent.

Subject to agency and public comments, it is recommended that this application be deferred until the applicant obtains approval from the Township for an Official Plan Amendment.

Respectfully submitted,



---

Senior Planner, BURPI.



## **DRAFT DECISION**

Date: January 6, 2021

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

That Application No. B7-2020, submitted by D&C Rutledge Ltd. for Consent be deferred, until the applicant obtains approval of an Official Plan Amendment.

Approval of consent is subject to the following:

- That the applicant obtain approval from the Township for an Official Plan Amendment, 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 consent 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 is to confirm with the Township that there is no dedication of reserves required along the frontage of County Road 19 and County Road 17, and all/any reserves required have been dedicated to the Township.
- That the applicant successfully complete 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).
- The applicant shall consult with the Whitfield Navigation Facility (NAVCAN) through the Township, prior to the re-zoning of any lands, in accordance with policy 5.34 of the Official Plan.
- 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.
- That the Owner obtain approval from the Township for a Zoning By-law Amendment, prior to the issuance of the certificate of consent, to restrict future farm related or non-farm residential uses on the remnant (retained) agricultural lot.
- The applicant is to confirm that the retained agricultural parcel maintains a suitable access point, and/or confirm if an entrance permit is required.
- That the farm operation severing the lot provide confirmation of operations base elsewhere in 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.



Yea    Nay

- |                          |                          |                 |
|--------------------------|--------------------------|-----------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Ken Cufaro      |
| <input type="checkbox"/> | <input type="checkbox"/> | Earl Hawkins    |
| <input type="checkbox"/> | <input type="checkbox"/> | Kim Lyon        |
| <input type="checkbox"/> | <input type="checkbox"/> | Paul Mills      |
| <input type="checkbox"/> | <input type="checkbox"/> | Bart Wysokinski |



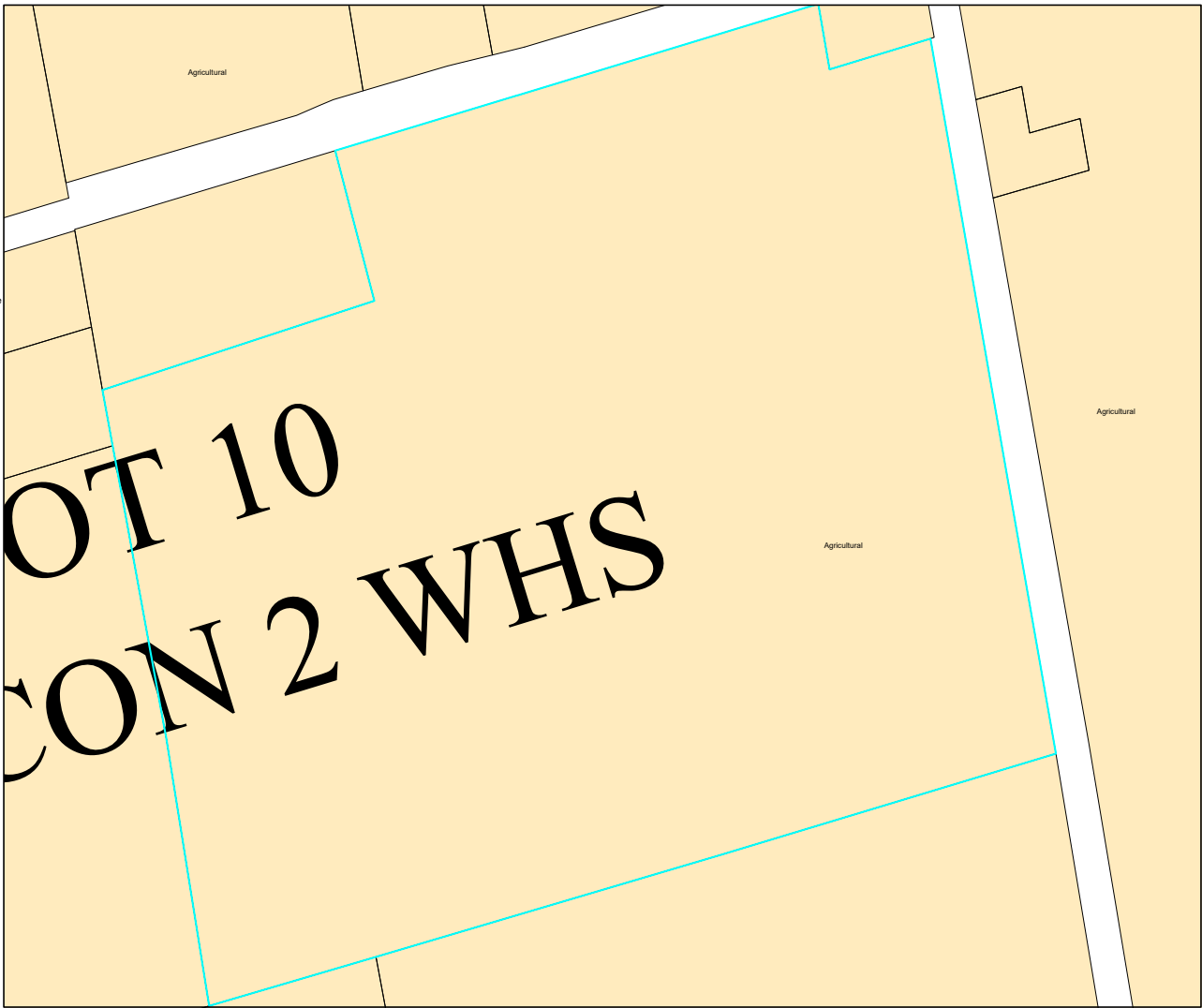
Appendix 1: Applicant's Sketch





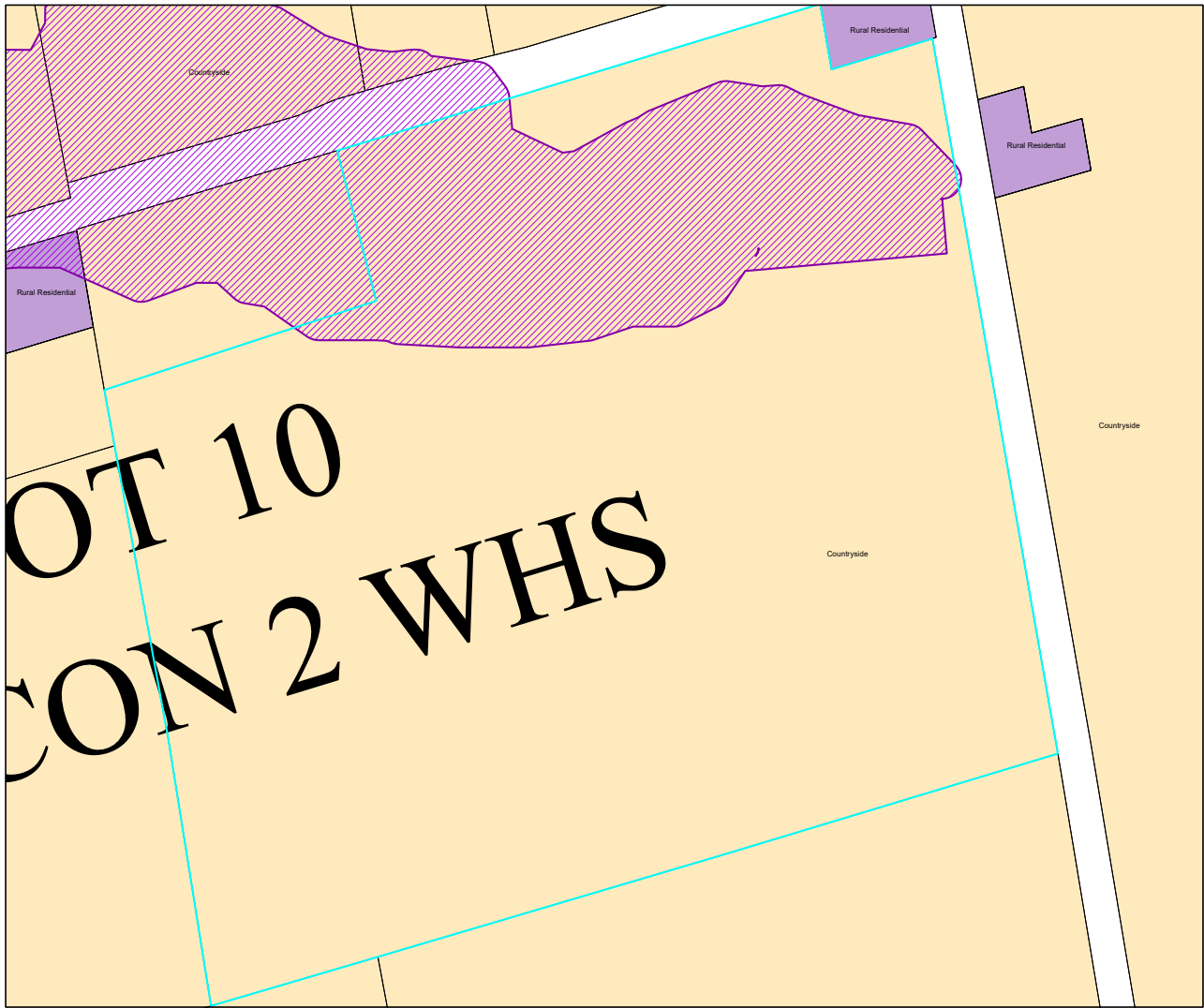
B7-2020 (636592 Cty RD 19) - OP

- Legend**
- Parcels
  - Hamlet Residential
  - Open Space Recreation
  - Highway Commercial
  - Estate Residential Special Policy Area One
  - Extractive Industrial
  - Niagara Escarpment - Recreational
  - Niagara Escarpment - Protected Area
  - Business Park Transition
  - Business Park Gateway
  - Business Park Core
  - Natural Area
  - Former Waste Disposal Area (FWD)
  - Niagara Escarpment - Rural
  - Niagara Escarpment - Natural Area
  - Open Space
  - Rural
  - Hamlet
  - Estate Residential
  - Commercial
  - Candidate Recreational Lands
  - Recreational
  - Niagara Escarpment - Extractive Industrial
  - Agricultural
  - Institutional
  - Community
  - Waste Disposal Industrial

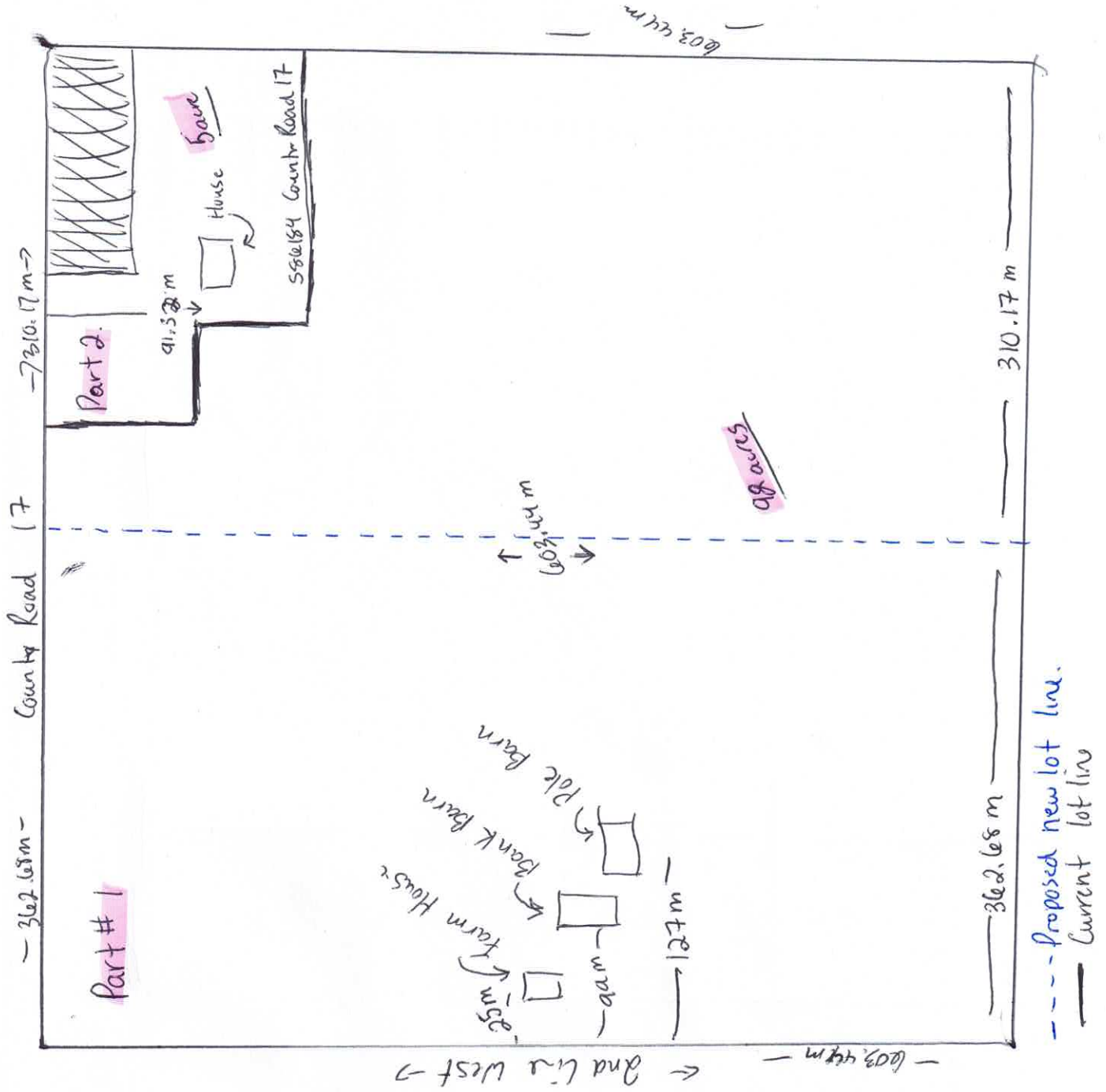




B7-2020 (636592 Cty RD 19) - Zoning







Part # 1

596577 2nd Line West - 92 Acres more/less

Part # 2

586184 County Road 17 - 5 Acres more/less

\*The Purpose is to execute a lot line adjustment increasing the lot size of 586184 County Road 17.

\*Farm house, Bank Barn & Pole Barn will remain with the agricultural lands.

\*Part 1 will adjust to 49 acres more/less  
- with no new lots created

\*Part 2 will adjust to 43 acres more/less  
- with no new lots created



DATE RECEIVED Nov 17 2020

Roll Number: 22-16-000-00 - -0000

## SUMMARY OF FEES

LOT CREATION/BOUNDARY ADJUSTMENT: \$2500  
EASEMENT/OTHER: \$2000  
CHANGE OF CONDITIONS TO A CONSENT  
DECISION: \$1000  
\*NVCA FEE IF IN REGULATED OR NHS AREA

### Submission of the Application

- ☐ One application form for each parcel to be severed.
- ☐ **Application Fees**
- ☐ Pre-consultation with NVCA, NEC or Road Authority (if required)
- ☐ Sketch or Survey

### Completeness of the Application

The information in this form **must** be provided by the applicant with the appropriate fee. If the information and fee are not provided, the application will be returned or refused for further consideration until the information and fee have been provided.

The application form also sets out other information that will assist the Township and others in their planning evaluation of the consent application. To ensure the quickest and most complete review, this information should be submitted at the time of application. In the absence of this information, it may not be possible to do a complete review within the legislated time frame for making a decision. As a result, the application may be refused.

1. Applicant and Ownership Information			
Name of Legal Owner(s) <u>Kyle Ferris &amp; Ryan Ferris</u>		Telephone: <u>519-211-7691</u>	
Address <u>596577 2nd Line West Mulmur, ON</u>		Postal Code <u>L9W 0B2</u>	
Email <u>Kyle.Ferris@hotmail.ca</u>			
Contact Information, if different than owner (this may be a person/firm acting on behalf of the owner)			
Name of Contact		Telephone:	
Address		Postal Code	
Email			
Mortgage, Line of Credit, Charges, or other encumbrances in respect of the subject land			
Name		Address	
DC #	Telephone/Fax	Email	
2. Location and Description of the Subject Land			
Concession <u>2</u>	Lot <u>10</u>	Registered Plan/Lot(s)/block(s)	
Street/Emergency No. <u>596577</u>	Street/Road <u>2nd Line West</u>	Reference Plan No.	Part Number(s)
Width of street/road <u>20.12 m</u>	<input checked="" type="checkbox"/> Municipal year round maintained road	<input checked="" type="checkbox"/> MTO / County Road	<input type="checkbox"/> Seasonal / Private Road
Frontage (m) <u>2036.62 +/-</u>	Entire Property <u>91.22 acres</u>	Affected Area (is amendment does not affect entire property)	
Depth (m) <u>2216.97 +/-</u>	Area (hectares) <u>36.915 hectares</u>		



### 3. Purpose of this Application

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.

Providing a lot line adjustment to settle estate.

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

Ryan Ferris (Brother)

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

Frontage (m)	2036.62	Severed 2036.62 irreg.	Retained 2036.62
Depth (m)	2216.97	1108.48	1108.48
Area (m)			

### 5. Land Use

Date Property Acquired 1982

Existing Use FARM	Proposed Use FARM
----------------------	----------------------

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					
	<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									

#### 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 <b>AGRICULTURE</b>	Current Official Plan	
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>THERE IS NO CHANGE OF USE - SIMPLY A LOT LINE ADJUST TO EXISTING SEVERANCE (2006) TO SATISFY SETTLING AN ESTATE.</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	<b>BARNs (2)</b>	<b>YES</b>
A Landfill	<b>No</b>	<b>No</b>
A provincially significant wetland (Class 1, 2 or 3 wetland)	<b>No</b>	<b>No</b>
A locally significant wetland	<b>No</b>	<b>No</b>
Flood Plain	<b>No</b>	<b>No</b>
A rehabilitated mine site	<b>No</b>	<b>No</b>
A non-operating mine site within 1 kilometre of the subject land	<b>No</b>	<b>No</b>
An active mine site	<b>No</b>	<b>No</b>
An industrial or commercial use (specify uses)	<b>No</b>	<b>No</b>
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

NORIE HADDOCK

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]  
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

NORIE HADDOCK

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]  
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

N/A

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:

5 ACRE SEVERANCE TO SON - 2006  
2 ACRE SEVERANCE TO RELATIVE -



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

☐ Yes

☒ No

If yes, provide details:

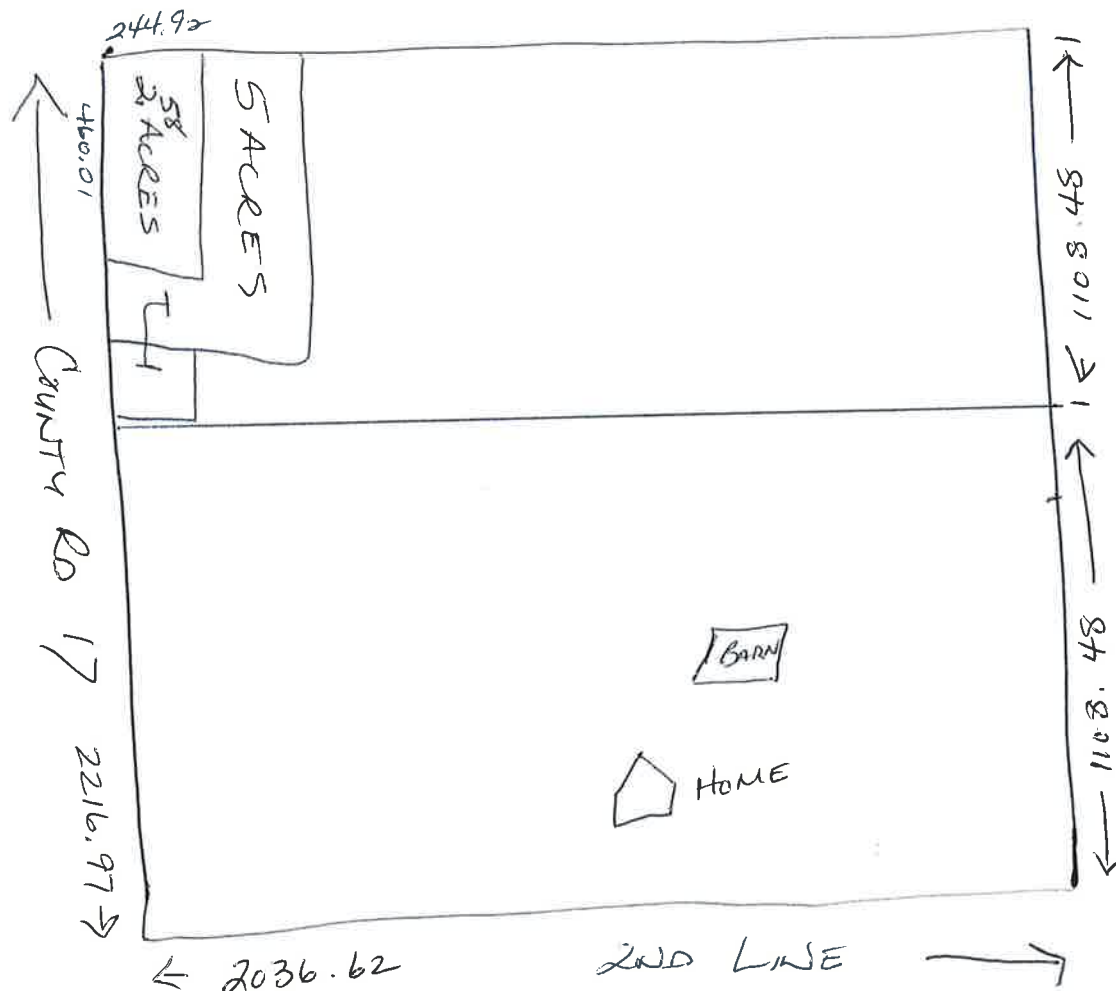
## 9. Other Information

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





## AUTHORIZATION, DECLARATIONS AND ACKNOWLEDGEMENTS

### OWNERS AUTHORIZATION

I, Kyle + Ryan Ferris, am the owner of the lands subject to this application hereby agree to the following:

1. Township staff or their representatives are authorized to enter my property for the purposes of evaluating this application.
2. I acknowledge and agree to pay all costs associated with the processing and evaluation of this application, including any peer reviews and consulting fees. These costs may be deducted from the deposit or invoiced directly, at the discretion of the Township. Should this application be appealed to the Local Planning Appeal Tribunal, I am aware that I will be responsible and agree to pay all fees related to the Local Planning Appeal Tribunal process.
3. For the purposes of the Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application, and further I authorize my agent for this application to provide any of my personal information that will be included in this application or collected during the processing of this application.
4. I authorized \_\_\_\_\_ to make this application of my behalf.

Nov 9/2020  
Date

[Signature]  
Signature of Owner

[Signature]  
Signature of Owner

### SWORN DECLARATION OF APPLICANT

I, Jessica Davidson of the City of Toronto in the Province of Ontario make oath and say (or solemnly declare) that the information contained in this application is true and that the information contained in the documents that accompany this application is true.

Sworn (or declared) before me at the City of Toronto in the Province of Ontario  
this 9<sup>th</sup> day of November 20 20

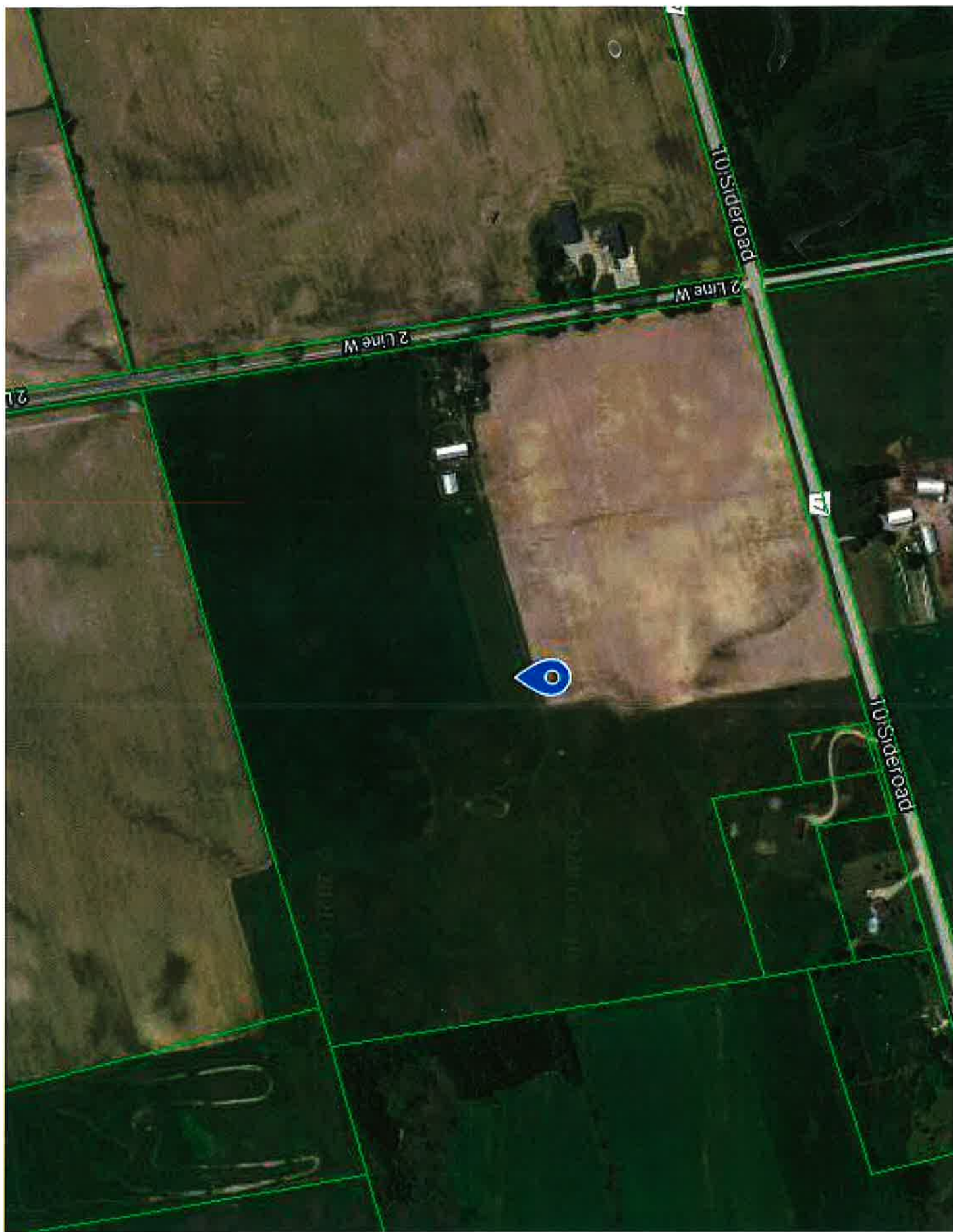
[Signature]  
Commissioner of Oaths

[Signature]  
Applicant

**JESSICA LEE DAVIDSON**  
Barrister, Solicitor, Notary Public  
and a Commissioner for Oaths  
in and for Ontario.

[Signature]  
Applicant









**CORPORATION OF THE  
TOWNSHIP OF MULMUR**  
758070 2ND LINE EAST  
MULMUR, ONTARIO  
L9V 0G8

**NOTICE OF A COMPLETE APPLICATION AND A PUBLIC MEETING**

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: 834 0895 7097

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/83408957097>

Meeting ID: 834 0895 7097

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

**MEETING DATE AND TIME:** January 6, 2021 at 1:00pm

**APPLICATION NUMBER:** B8-2020

**OWNER/APPLICANT:** Kyle Ferris and Ryan Ferris

**LOCATION:** 596577 2<sup>nd</sup> LINE WEST & 586184 COUNTY ROAD 17.

**PURPOSE:** BOUNDARY ADJUSTMENT/LOT ADDITON TO SETTLE AN ESTATE.



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 on next page. For illustration purposes only. This is not a plan of survey.***

***A digital version is available by email.***



**Figure 1: Subject Lands – Existing Conditions**

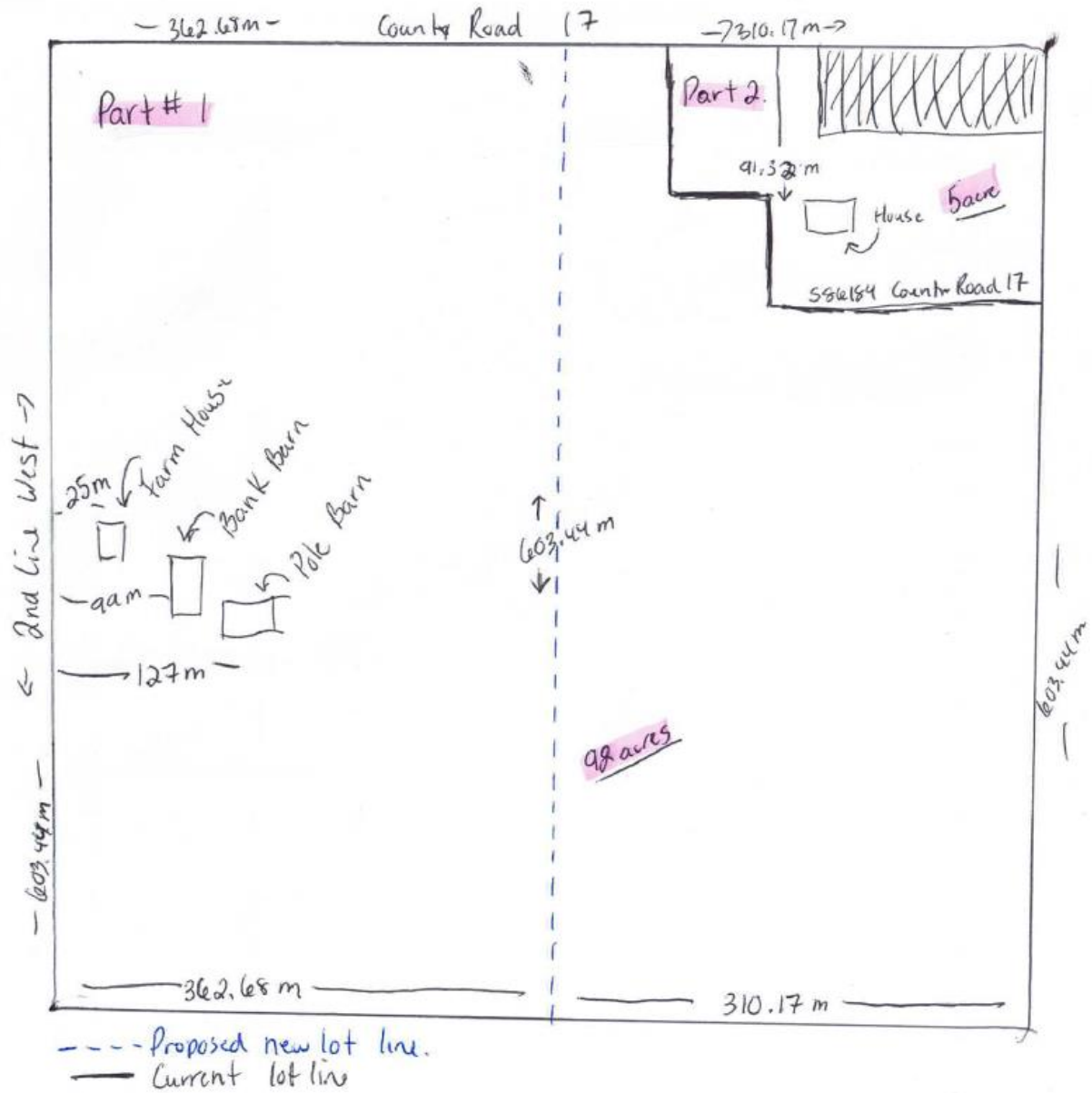


**Figure 2: Proposed Boundary Adjustment / Lot Addition**





**Figure 3: Applicant's Sketch**



Dated December 17, 2020





## **PLANNING REPORT**

**TO:** COMMITTEE OF ADJUSTMENT

**FROM:** James Hunter Senior Planner BURPL

**MEETING DATE:** January 6, 2021

**SUBJECT:** B8-2020 Ferris Consent Application – Boundary Adjustment

FILE NO	B8-2020
ROLL NO	221600000321300 221600000321370
OWNER	Kyle Ferris Ryan Ferris
LOCATION / LEGAL DESCRIPTION:	596577 2ND LINE WEST. CON 2 WHS W PT LOT 10.  586184 COUNTY ROAD 17. CON 2 WHS W PT LOT 10 RP;7R5541 PART 2 RP 7R5377 PART;2.
OFFICIAL PLAN:	Agricultural
ZONING:	Countryside Area (A)
NEC/Greenbelt:	N/A
NVCA Regulated:	Yes (beyond regulated area)
Application Submission Date:	November 17, 2020
Public Meeting Date:	Wednesday January 6, 2021

### **PURPOSE**

The applicant is seeking a Consent to execute a boundary adjustment, in order to settle an estate.

### **EXISTING AND PROPOSED CONFIGURATIONS**

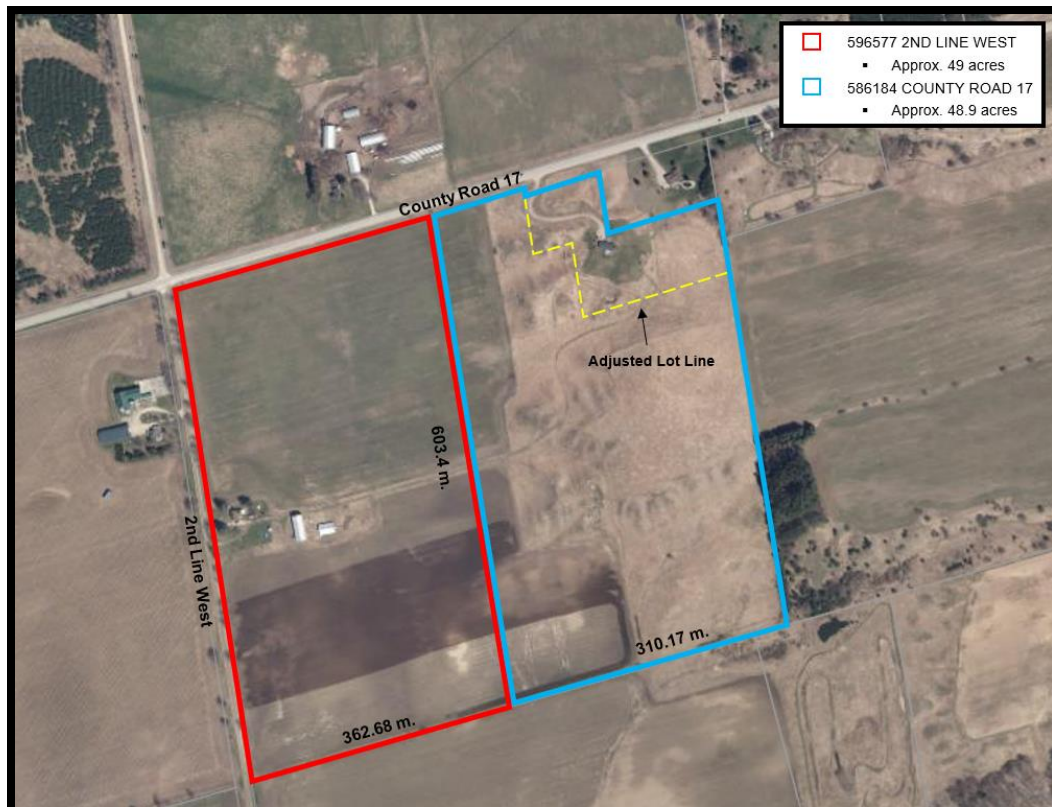
The existing lot configuration and conditions are illustrated on Figure 1. The proposed boundary adjustment / lot addition is reflected on Figure 2.



Figure 1: Existing Lot Configuration



Figure 2: Proposed Boundary Adjustment





## **BACKGROUND**

Two properties are subject to the application, located at 596577 2nd Line West and 586184 County Road 17 in the Township of Mulmur.

596577 2nd Line West currently contains a lot area of approximately 91.22 acres (36.9 hectares) and is currently used for agricultural land uses. 586184 County Road 17 currently contains a lot area of approximately 5.91 acres (2.4 hectares) and is currently used for a rural residential land use. Each property contains an existing residential dwelling and access to the lands.

In 2006, the 596577 2nd Line West parcel was subject to a Consent application, which created the existing 586184 County Road 17 parcel of land. The property owners are now applying to adjust the lot lines of the approved 2006 Consent to settle an estate and increase the lot size of the 586184 County Road 17 property.

596577 2nd Line West will be adjusted to contain land holdings of approximately 49 acres (19.8 hectares). This is reflected on Figure 2 in red.

586184 County Road 17 will be adjusted to contain land holdings of approximately 48.9 acres (19.8 hectares), with a lot addition of approximately 43 acres (17.4 hectares). This is reflected on Figure 2 in blue.

## **PLANNING POLICIES & PROVISIONS:**

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

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS encourages the protection of agricultural areas for long term use, with protection stressed on prime agricultural lands (2.3).

Permitted uses are limited to agricultural uses, agriculture-related uses, and on-farm diversified uses (2.3.3).

In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices are promoted and protected (2.3.3.2).

Lot adjustments in prime agricultural areas may be permitted for legal or technical reasons (2.3.4.2). The application seeks to add land to an adjacent lot, considered a technical consent. No new lots would be created by the application.

As the PPS encourages the retention of agricultural lands and there is no anticipated impact on farming operations, the proposed boundary adjustment is consistent with the PPS.



## **Growth Plan (August 2020)**

The Growth Plan builds on the PPS together with other Provincial Plans to inform decision-making regarding growth management and environmental protection particular to the GGH. The Growth Plan provides high-level policy direction relating to the development of healthy, safe, and balanced communities.

The guiding principles of the Plan aim to support and enhance the long-term viability and productivity of agriculture by protecting prime agricultural areas. An Agricultural System is mapped by the Province, which identifies the subject lands as prime agricultural lands, with Class 1-3 soils (4.2.6).

The retention of existing lots of record for agricultural uses is encouraged and the use of these lots for non-agricultural uses is discouraged (4.2.6.5). The application would not impact the agricultural system, as the consent would retain the agricultural lands.

The application conforms to the policies and intent of the Growth Plan.

## **Niagara Escarpment Plan (2017)**

The purpose of the Niagara Escarpment Plan (NEP) is to provide for the maintenance and protection of the plan's areas, and to ensure that development is compatible with the natural environment.

The subject lands are located outside of the plans area. The NEP does not apply.

## **Strategic Plan**

The application does not offend the Strategic Plan and would maintain the rural character of the area.

## **Official Plan**

The lands subject to the application are designated by the Township's Official Plan as '*Agricultural*' on Schedule A1, illustrated on Figure 3.

The lands contain a '*Moderate Slope (15-20%)*' according to Schedule B3.

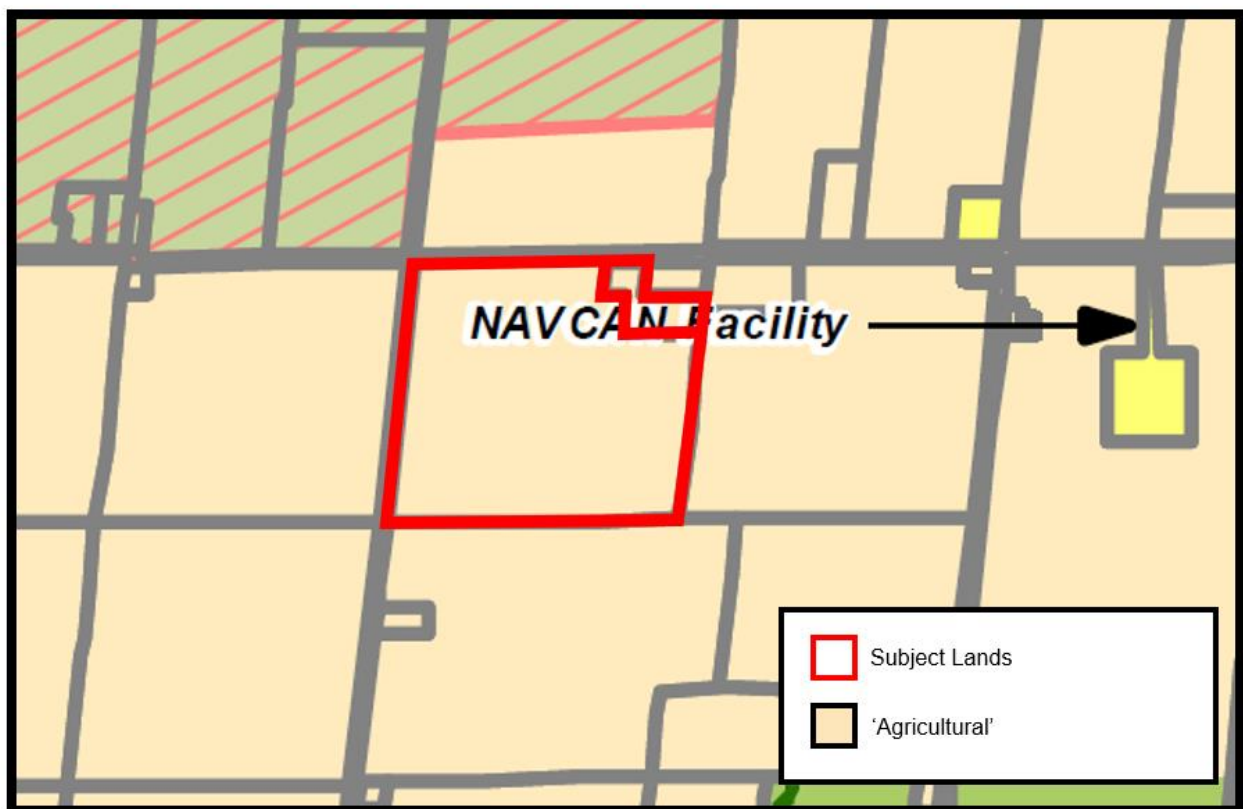
Lands that are designated as Agricultural are considered prime agricultural areas, protected for long-term use for agriculture. Permitted uses under the designation includes agricultural and related uses, secondary uses, and a single detached dwelling (5.9/6.1).

In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected, in accordance with provincial standards.



Existing agricultural parcels should not be subdivided into smaller parcels of land, where the severance would reduce the long-term flexibility and viability of the existing farm unit. Consents in prime agricultural areas may be permitted for legal or technical reasons, including boundary adjustments / lot additions (5.9/6.1.7). The subject boundary adjustment does not propose to remove any lands from agricultural operations and does not propose to create any new lots.

Figure 3: Land Use Designation



## **Zoning By-law**

The subject lands are zoned '*Countryside Area (A)*' by Schedule A, illustrated on Figure 4.

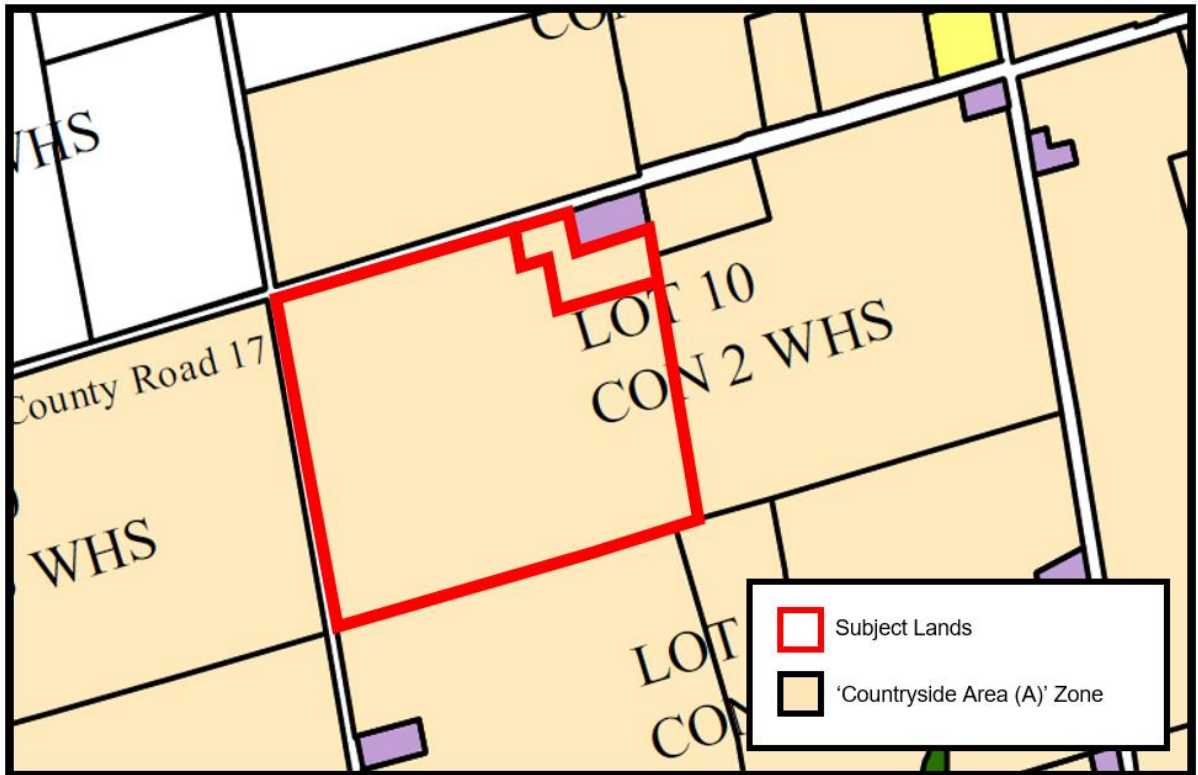
Permitted uses includes single detached dwellings, agricultural uses, and agricultural-related uses.

Under section 4.1.2 of the Zoning By-law, lots within the Countryside Area (A) zone require a minimum lot frontage of 100 meters and a minimum lot area of 2.0 hectares (4.94 acres).

The proposed lots would meet the requirements of the Zoning By-law.



Figure 4: Zoning



**FINANCIAL IMPACT:**

The costs of processing with the application are borne by the applicants.

**AGENCY & PUBLIC COMMENTS:**

Public and agency comments are being provided as separate correspondence to this report.



## **RECOMMENDATIONS**

The subject Consent application for a boundary adjustment / lot addition is consistent with Provincial Policy and does not conflict with Provincial Plans. The application further conforms to the Township's Official Plan and Zoning By-law.

Subject to agency and public comments, it is recommended that this application be approved with the conditions attached being fulfilled.

Respectfully submitted,



---

Senior Planner, BURPI.



## **DRAFT DECISION**

Date: January 6, 2021

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

That Application No. B8-2020, submitted by Kyle Ferris and Ryan Ferris for Consent (Boundary Adjustment / Lot Addition) be approved, subject to the following:

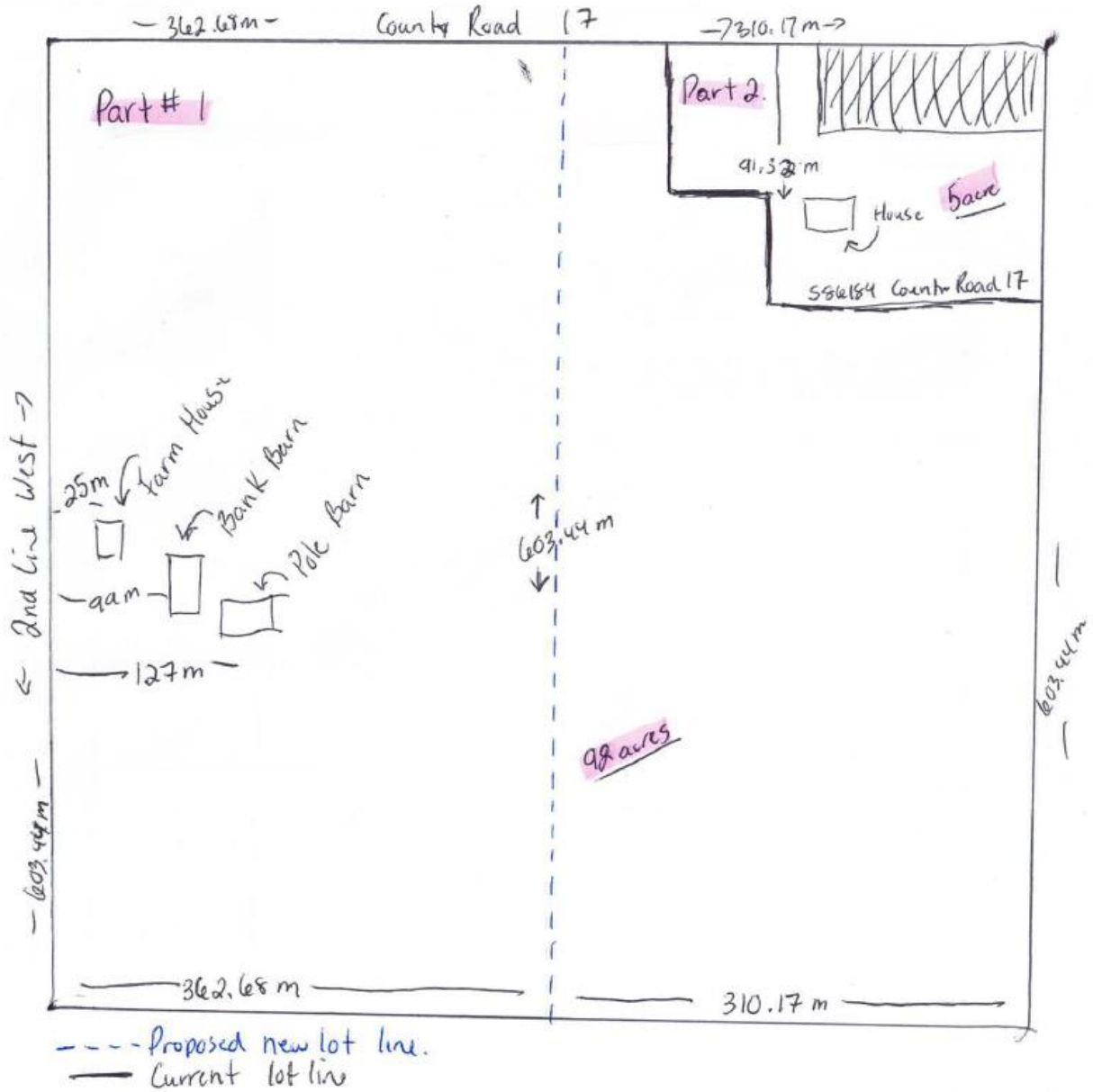
- Taxes and/or penalties must be paid in full up to and including the current fiscal year on all related properties, if the amount is known.
- The deed for the subject consent be presented to the Secretary Treasurer prior to one year after the date of decision; a copy of the consent decision to be kept 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 is to confirm with the Township that there is no dedication of reserves required along the frontage of County Road 17, and all/any reserves required have been dedicated to the Township.
- 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.

Yea    Nay

<input type="checkbox"/>	<input type="checkbox"/>	Ken Cufaro
<input type="checkbox"/>	<input type="checkbox"/>	Earl Hawkins
<input type="checkbox"/>	<input type="checkbox"/>	Kim Lyon
<input type="checkbox"/>	<input type="checkbox"/>	Paul Mills
<input type="checkbox"/>	<input type="checkbox"/>	Bart Wysokinski



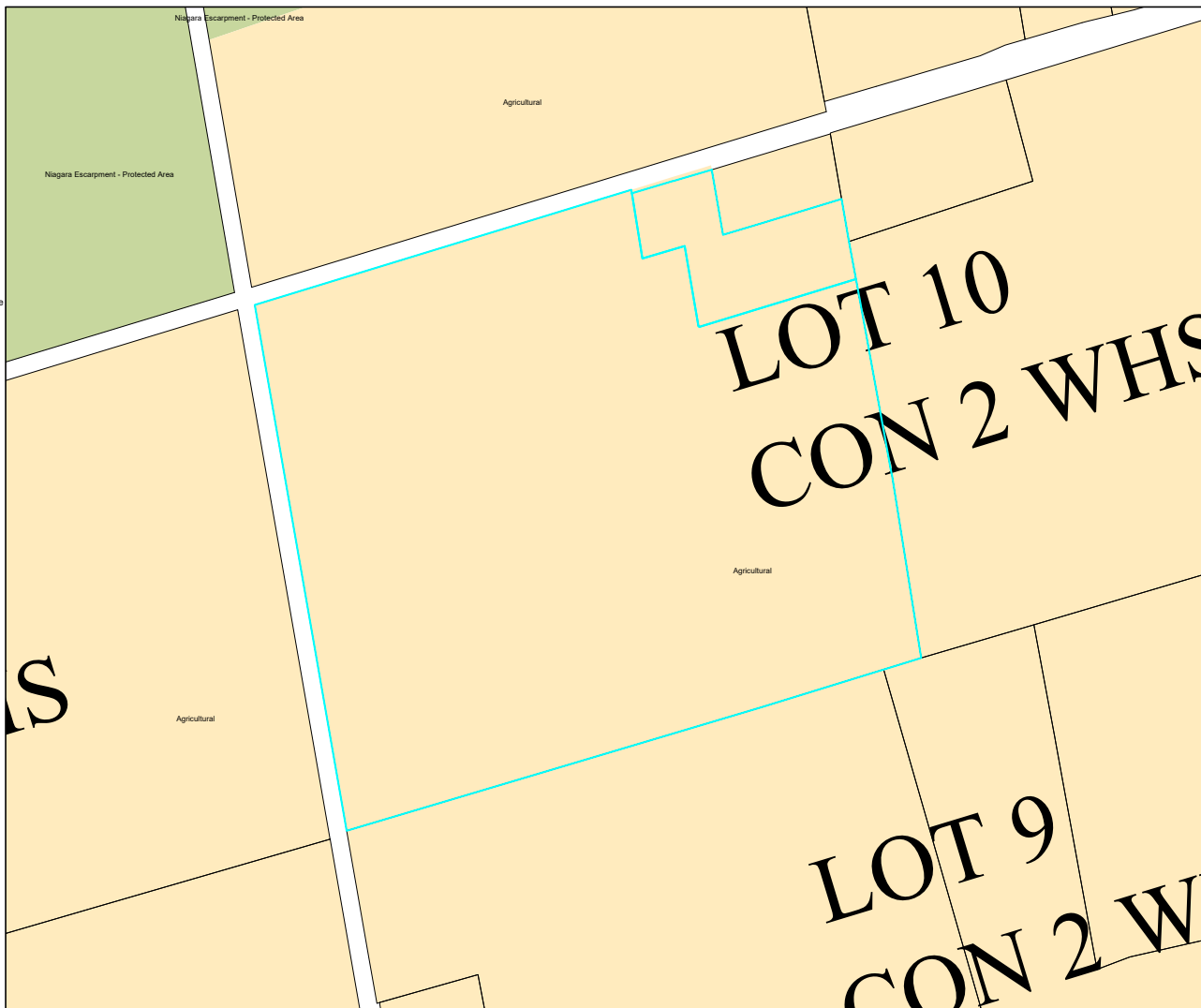
# **Appendix 1: Applicant's Sketch**





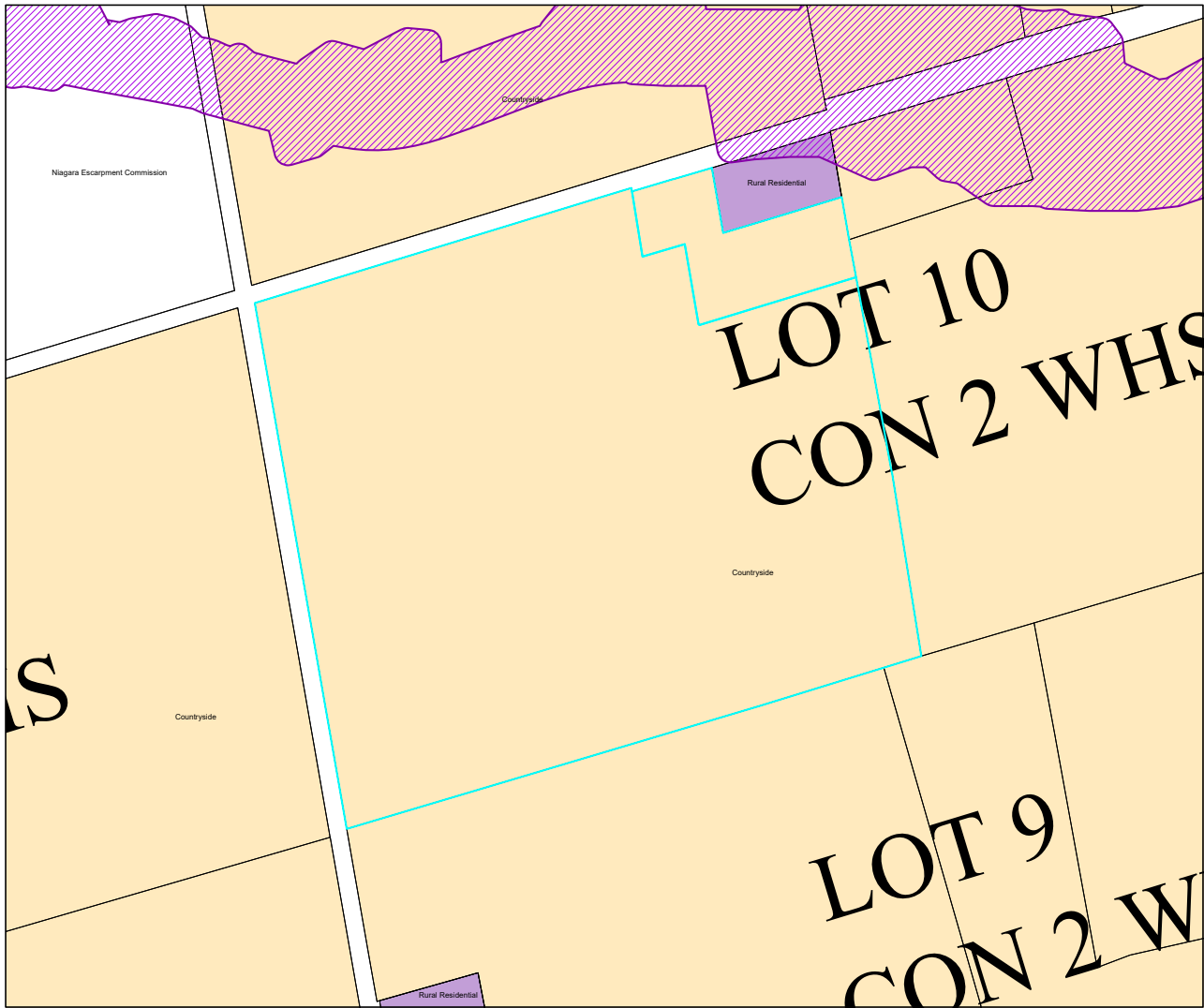
B8-2020 (596577 2nd line E) - OP

- Legend**
- Parcels
  - Hamlet Residential
  - Open Space Recreation
  - Highway Commercial
  - Estate Residential Special Policy Area One
  - Extractive Industrial
  - Niagara Escarpment - Recreational
  - Niagara Escarpment - Protected Area
  - Business Park Transition
  - Business Park Gateway
  - Business Park Core
  - Natural Area
  - Former Waste Disposal Area (FWD)
  - Niagara Escarpment - Rural
  - Niagara Escarpment - Natural Area
  - Open Space
  - Rural
  - Hamlet
  - Estate Residential
  - Commercial
  - Candidate Recreational Lands
  - Recreational
  - Niagara Escarpment - Extractive Industrial
  - Agricultural
  - Institutional
  - Community
  - Waste Disposal Industrial

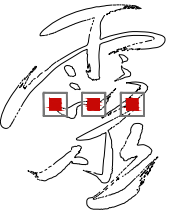




B8-2020 (596577 2nd line E) - Zoning







LLOYD HUNT  
architect

705 466 3111  
lloyd@lloydhuntarchitect.com  
21 Station Street, Glen Huron  
Ontario, L0M 1L0, Canada



LICENCE BCDN:	PRACTICE BCDN:
4188	2773

THE DRAWINGS ARE THE PROPERTY OF THE ARCHITECT.  
UNAUTHORIZED USE OF THE DRAWINGS IS PROHIBITED.  
REPORT ANY DISCOVERY OF ERROR OR DISCREPANCY  
TO THE ARCHITECT. ALL MEASUREMENTS MUST BE  
CHECKED ON SITE BY THE CONTRACTOR. USE ONLY THE  
LATEST REVISED DRAWINGS. DO NOT SCALE DRAWINGS.

SCALE: 1:3000

DATE: 19.06.19

DRAWN BY: LH / AM

ISSUE NO. / DATE : ISSUE NO. : 6

- 18.07.15 SITE PLAN
- 18.08.30 SEVERANCE APPLICATION
- 18.09.06 PUBLIC WORKS COMMENTS
- 19.02.12 SEVERANCE REVISIONS
- 19.05.24 SEVERANCE PROPOSAL REV.
- 19.06.19 SEVERANCE AREA REVISION

DRAWING TITLE:

SITE PLAN

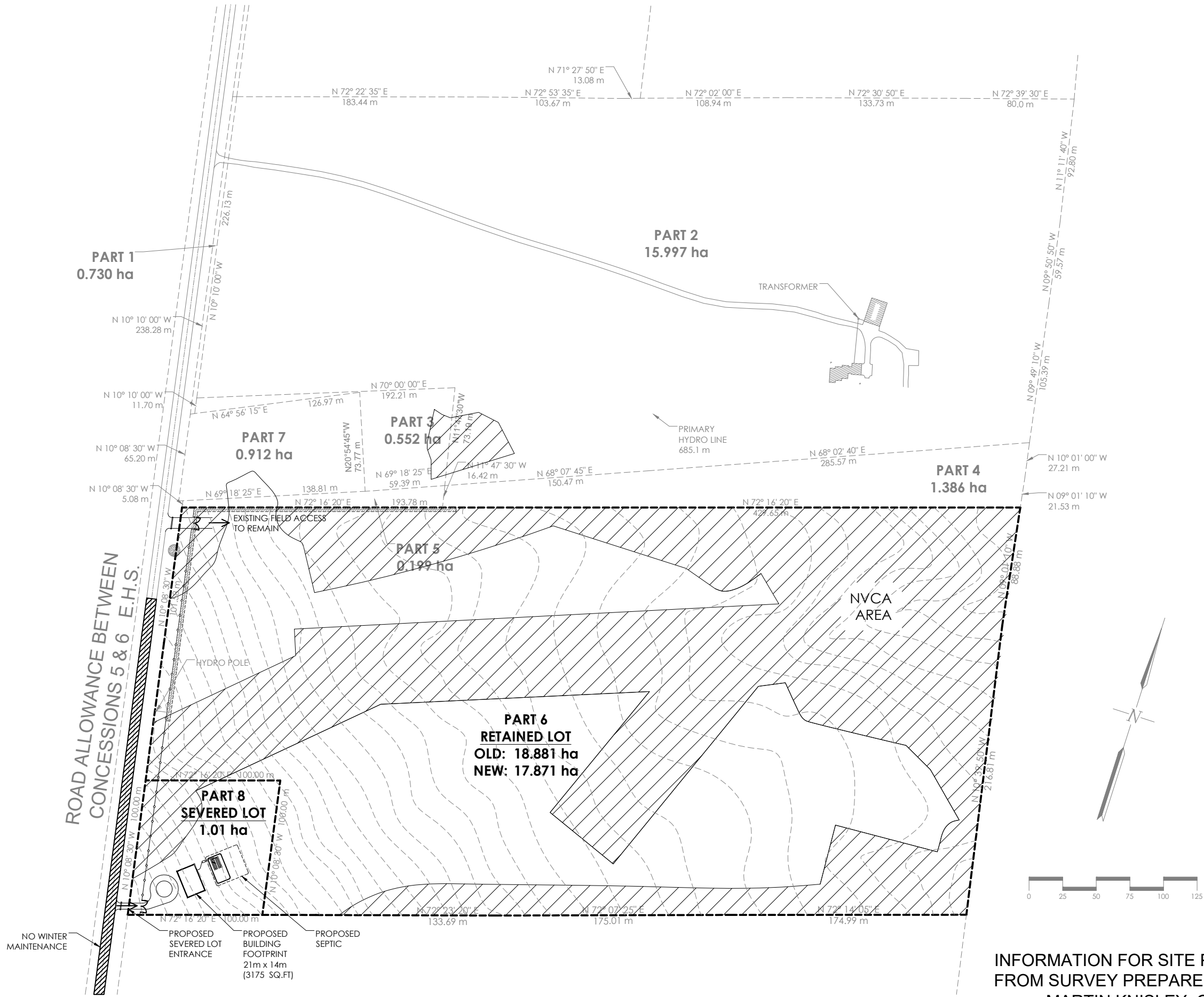
PROJECT :

SEVERANCE  
APPLICATION

877 217 5TH LINE  
MULMUR E.H.S.

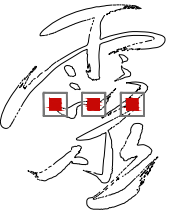
PROJECT NO. : 18.473

DRAWING NO. : SP-01



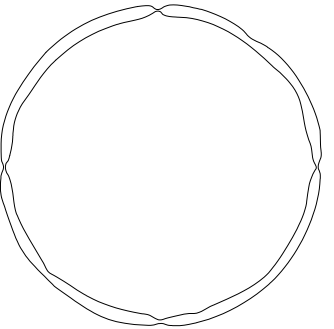
INFORMATION FOR SITE PLAN  
FROM SURVEY PREPARED BY  
MARTIN KNISLEY, O.L.S.  
DATED: JUNE 15, 2010





LLOYD HUNT  
architect

705 466 3111  
lloyd@lloydhuntarchitect.com  
21 Station Street, Glen Huron  
Ontario, L0M 1L0, Canada



LICENCE BCDN: 4188	PRACTICE BCDN: 2773
THE DRAWINGS ARE THE PROPERTY OF THE ARCHITECT. UNAUTHORIZED USE OF THE DRAWINGS IS PROHIBITED. REPORT ANY DISCOVERY OF ERROR OR DISCREPANCY TO THE ARCHITECT. ALL MEASUREMENTS MUST BE CHECKED ON SITE BY THE CONTRACTOR. USE ONLY THE LATEST REVISED DRAWINGS. DO NOT SCALE DRAWINGS.	
SCALE:	1:1500
DATE:	19.06.19
DRAWN BY:	LH / AM
ISSUE NO. / DATE :	ISSUE NO. : 6
1. 18.07.15 SITE PLAN 2. 18.08.30 SEVERANCE APPLICATION 3. 18.09.06 PUBLIC WORKS COMMENTS 4. 19.02.12 SEVERANCE REVISIONS 5. 19.05.24 SEVERANCE PROPOSAL REV. 6. 19.06.19 SEVERANCE AREA REVISION	

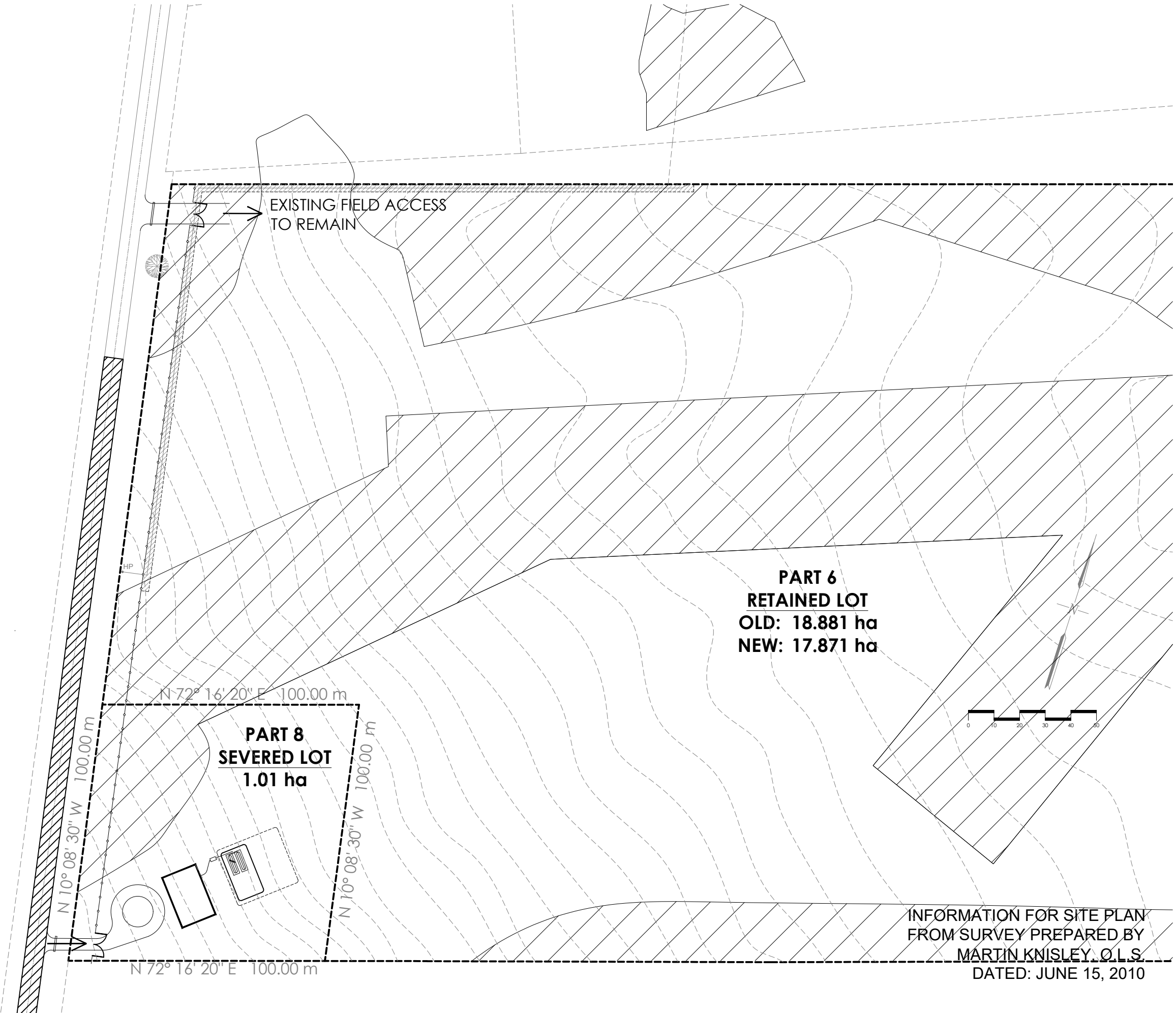
DRAWING TITLE:  
**DETAILED SITE PLAN**

PROJECT :

## SEVERANCE APPLICATION

877 217 5TH LINE  
MULMUR E.H.S.

PROJECT NO. : **18.473**  
DRAWING NO. : **SP-02**











×

Measure distance

Click on the map to add to your path

Total distance: 198.90 m (652.55 ft)





705 466 3111  
 lloyd@lloydhuntarchitect.com  
 21 Station Street, Glen Huron  
 Ontario, L0M 1L0, Canada



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TO THE ARCHITECT. ALL MEASUREMENTS MUST BE  
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DATE: 18.09.04

DRAWN BY: LH / AM

ISSUE NO. / DATE:                      ISSUE NO.: 3

1. 18.07.15 SITE PLAN
2. 18.08.30 SEVERANCE APPLICATION
3. 18.09.06 PUBLIC WORKS COMMENTS

DRAWING TITLE:

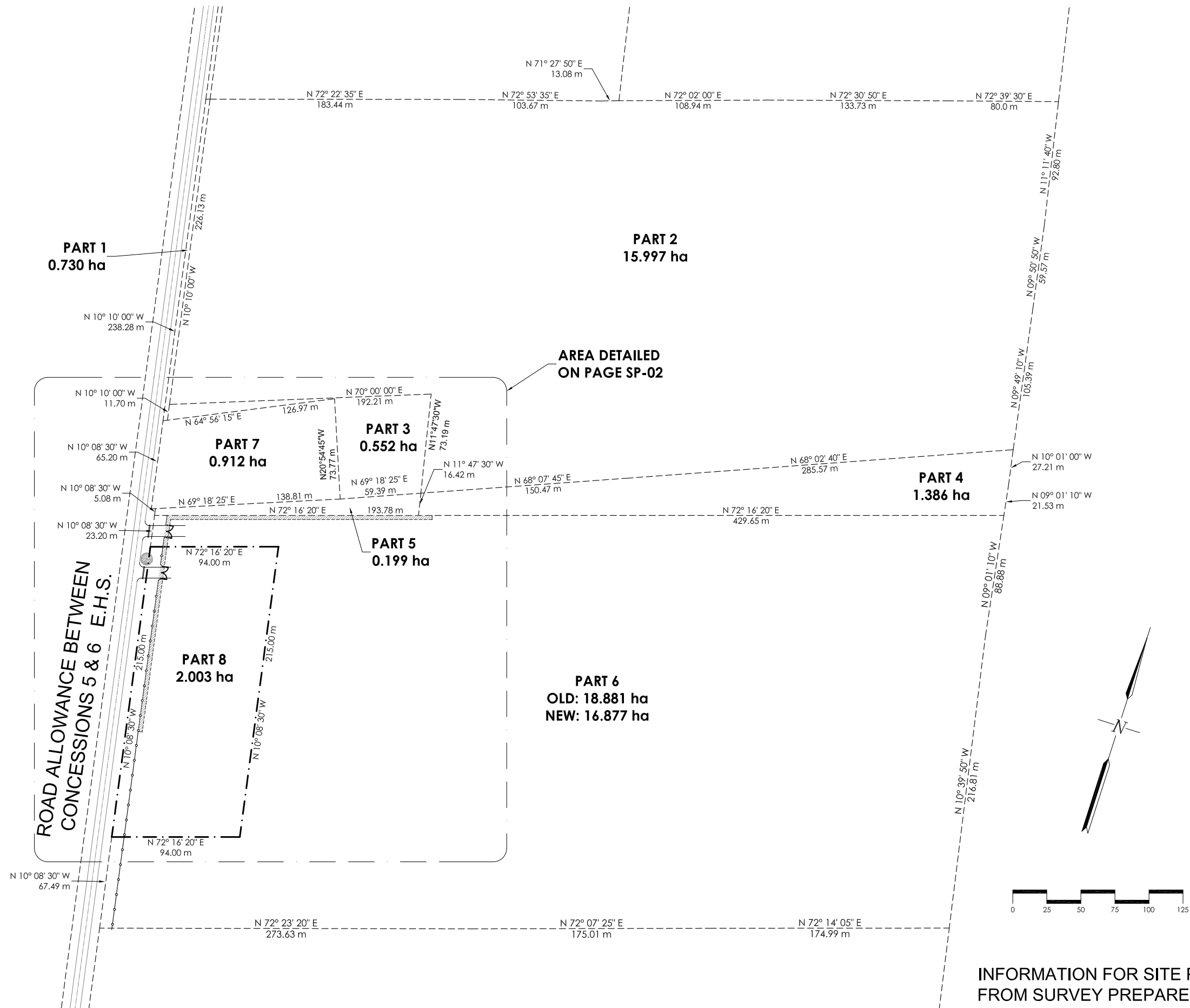
## SITE PLAN

PROJECT : \_\_\_\_\_

# SEVERANCE APPLICATION

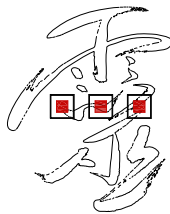
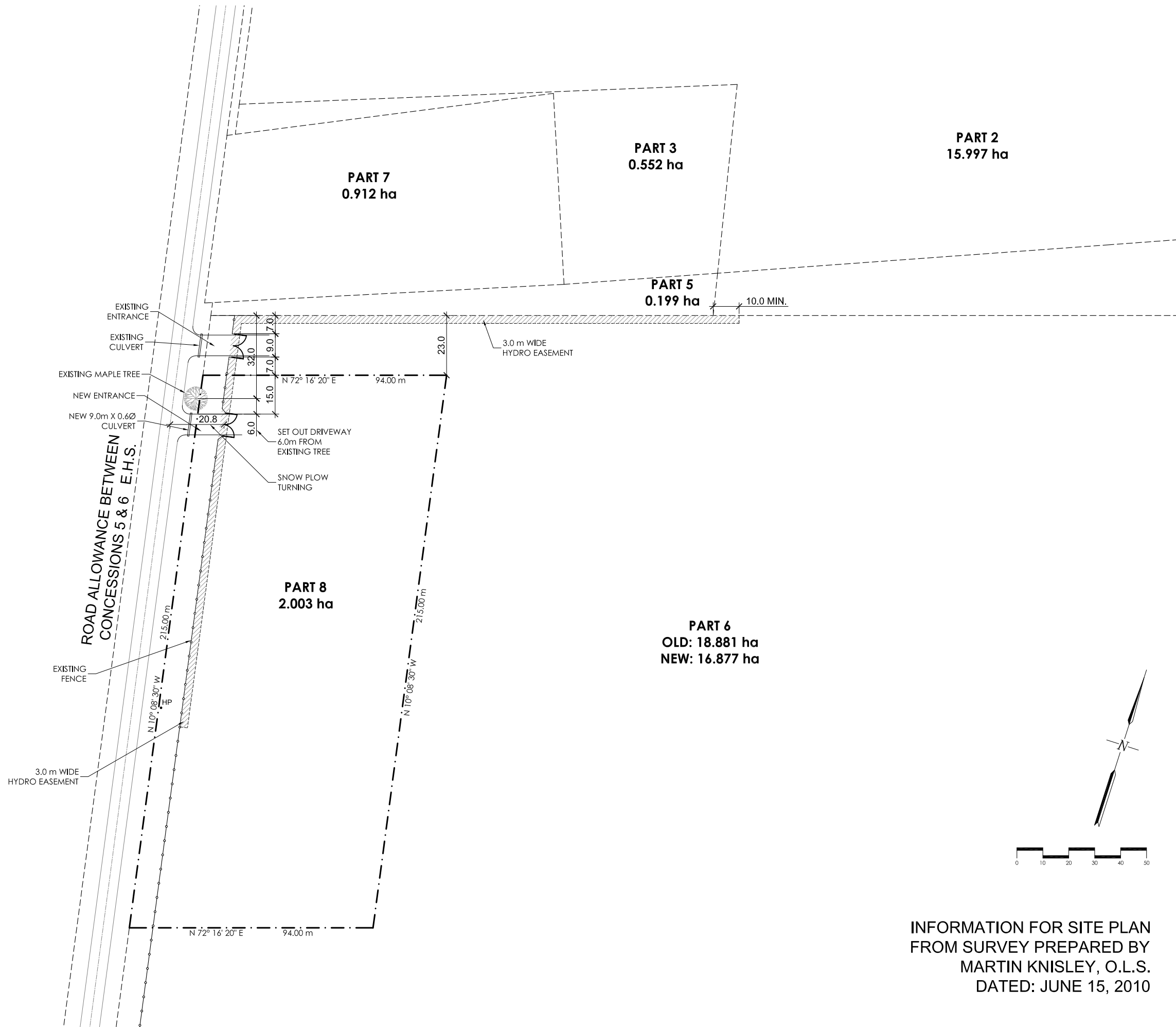
877 217 5TH LINE  
MULMUR E.H.S.

PROJECT NO. : 17.435

DRAWING NO. : **SP-01**

INFORMATION FOR SITE PLAN  
FROM SURVEY PREPARED BY  
MARTIN KNISLEY, O.L.S.  
DATED: JUNE 15, 2010





LLOYD HUNT  
architect

705 466 3111  
lloyd@lloydhuntarchitect.com  
21 Station Street, Glen Huron  
Ontario, L0M 1L0, Canada



LICENCE BCDN:	PRACTICE BCDN:
4188	2773

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SCALE: 1:1500

DATE: 18.09.06

DRAWN BY: LH / AM

ISSUE NO. / DATE: ISSUE NO.: 3

- 18.07.15 SITE PLAN
- 18.08.30 SEVERANCE APPLICATION
- 18.09.06 PUBLIC WORKS COMMENTS

DRAWING TITLE:

SITE PLAN

PROJECT :

SEVERANCE  
APPLICATION

877 217 5TH LINE  
MULMUR E.H.S.

PROJECT NO.: 17.435

DRAWING NO.: SP-02

INFORMATION FOR SITE PLAN  
FROM SURVEY PREPARED BY  
MARTIN KNISLEY, O.L.S.  
DATED: JUNE 15, 2010





**CORPORATION OF THE TOWNSHIP OF MULMUR**  
758070 2ND LINE EAST  
MULMUR, ONTARIO  
L9V 0G8

**NOTICE OF A COMPLETE APPLICATION AND A PUBLIC MEETING**

**REVISED APPLICATION**

**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: 834 0895 7097

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/83408957097>

Meeting ID: 834 0895 7097

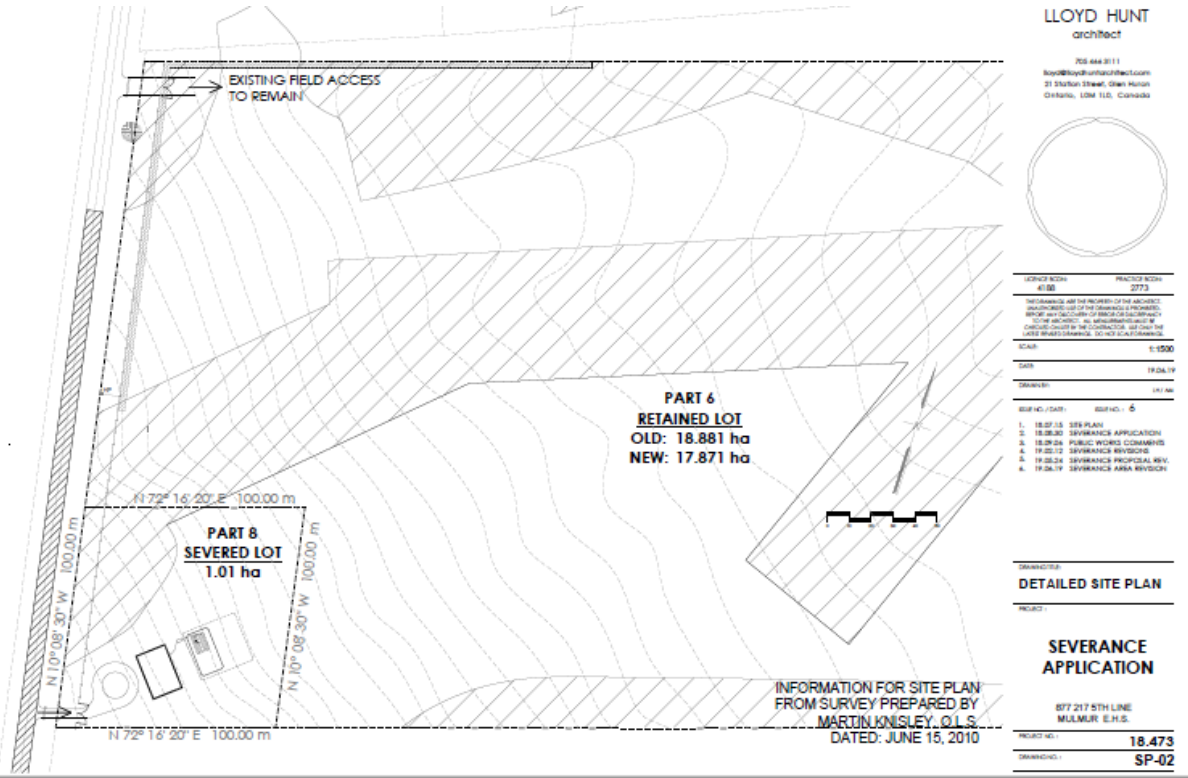
<b>APPLICATION NUMBER:</b>	B07/ 2018
<b>OWNER/APPLICANT:</b>	MOCKINGBIRD WOODS LTD. (LLOYD HUNT)
<b>LOCATION:</b>	CON 6 EHS PT LOT 14
<b>PURPOSE OF APPLICATION:</b>	SUBJECT LANDS ARE APPROX 19 HA. PROPOSED LOT IS APPROX 1 HA. WITH APPROX 100M FRONTAGE AND DEPTH TO BE LOCATED IN SOUTH-WESTERN CORNER.
<b>MEETING DATE AND TIME:</b>	WEDNESDAY, JANUARY 6, 2021 AT 1:00 P.M.



Additional information is available for public inspection on our website or 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 in respect of the proposed consent, you must make a written request to the Township of Mulmur.

*For illustration purposes only. This is not a plan of survey*





## Tracey Atkinson

---

**From:** Amy Knapp <aknapp@nvca.on.ca>  
**Sent:** October 11, 2019 1:22 PM  
**To:** 'Lloyd Hunt'  
**Cc:** Tracey Atkinson  
**Subject:** Dietrich Severance 877217 5th Line Mulmur

**Importance:** High

Good Afternoon Lloyd,

The Nottawasaga Valley Conservation Authority (NVCA) has reviewed your severance proposal in accordance Natural Heritage and Natural Hazard policies established under the Provincial Policy Statement 2014 (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 portion of the property is regulated by the NVCA due to the Pine River and associated slope and meander hazard areas.

It appears that there is sufficient area for a developable envelope and to provide safe access provided that the driveway (when installed) is situated at the south 1/2 of the proposed lot. The proposed severed lot would be affected by Ontario Regulation 172/06 under the Conservation Authorities Act where a permit or clearance from NVCA would be required prior to any future development. Our Permits and Regulations staff may request an assessment of any impacts of proposed development and mitigation measures associated with the slope hazards. However, this is an item that would be completed at the permit stage.

### **Natural Hazard - Regulatory Comments**

Policies contained within the PPS restrict development (including lot creation) to areas outside of hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards.

### **Natural Heritage - Advisory Comments**

There are no Natural Heritage concerns with the proposed consent.

### **Conclusions**

On these grounds, NVCA could support an application for consent to sever on the subject property.

These comments should be considered preliminary in nature. We will require additional information (full application submission) in order to complete our review and additional comments may be provided in the future. 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 II**

**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:** Emma Perry  
**Sent:** Friday, October 11, 2019 12:59 PM  
**To:** 'Lloyd Hunt' <lloyd@lloydhuntarchitect.com>  
**Cc:** Amy Knapp <aknapp@nvca.on.ca>  
**Subject:** FW: Dietrich Severance 877217 5th Line Mulmur

Hi Lloyd,  
I looked into it further and determined that Amy Knapp was assigned to this review as she is the planner for Mulmur. I've cc'd her here to provide an update on her comments.  
Best,  
Emma

**Emma Perry | Planner II**

**Nottawasaga Valley Conservation Authority**  
8195 8<sup>th</sup> Line, Utopia, ON L0M 1T0  
**T** 705-424-1479 ext.244 | **F** 705-424-2115  
**eperry@nvca.on.ca | nvca.on.ca**

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**From:** Lloyd Hunt [<mailto:lloyd@lloydhuntarchitect.com>]  
**Sent:** Friday, October 11, 2019 11:44 AM  
**To:** Emma Perry <[eperry@nvca.on.ca](mailto:eperry@nvca.on.ca)>  
**Subject:** Dietrich Severance 877217 5th Line Mulmur

Hello Emma,

Attached are the pdf's of the severance that we have requested comment.

Regards,  
Lloyd

--

[lloyd@lloydhuntarchitect.com](mailto:lloyd@lloydhuntarchitect.com)  
705-466-3111





**TO:** COMMITTEE OF ADJUSTMENT

**FROM:** Tracey Atkinson, BES MCIP RPP

**MEETING DATE:** January 6, 2021

**SUBJECT:** B07-2018 – Mockingbird Woods (Lloyd Hunt)

FILE NO	B07-2018
ROLL NO	22160000124420
OWNER	MOCKINGBIRD WOODS LIMITED
ADDRESS	5 <sup>th</sup> LINE
LEGAL DESCRIPTION:	MULMUR CON 6 EHS PT LOT 14 RP 7R5919 PART 6
OFFICIAL PLAN:	Rural, Environmental Protection (not within the GGH Ag Land Base)
ZONING:	Countryside Area (A), Environmental Protection (EPN)
NEC/Greenbelt:	n/a
NVCA Regulated:	Yes
Application Submission Date:	August 31, 2018 Deemed Complete: September 12, 2018
Public Meeting Date:	September 27, 2018 January 6, 2021

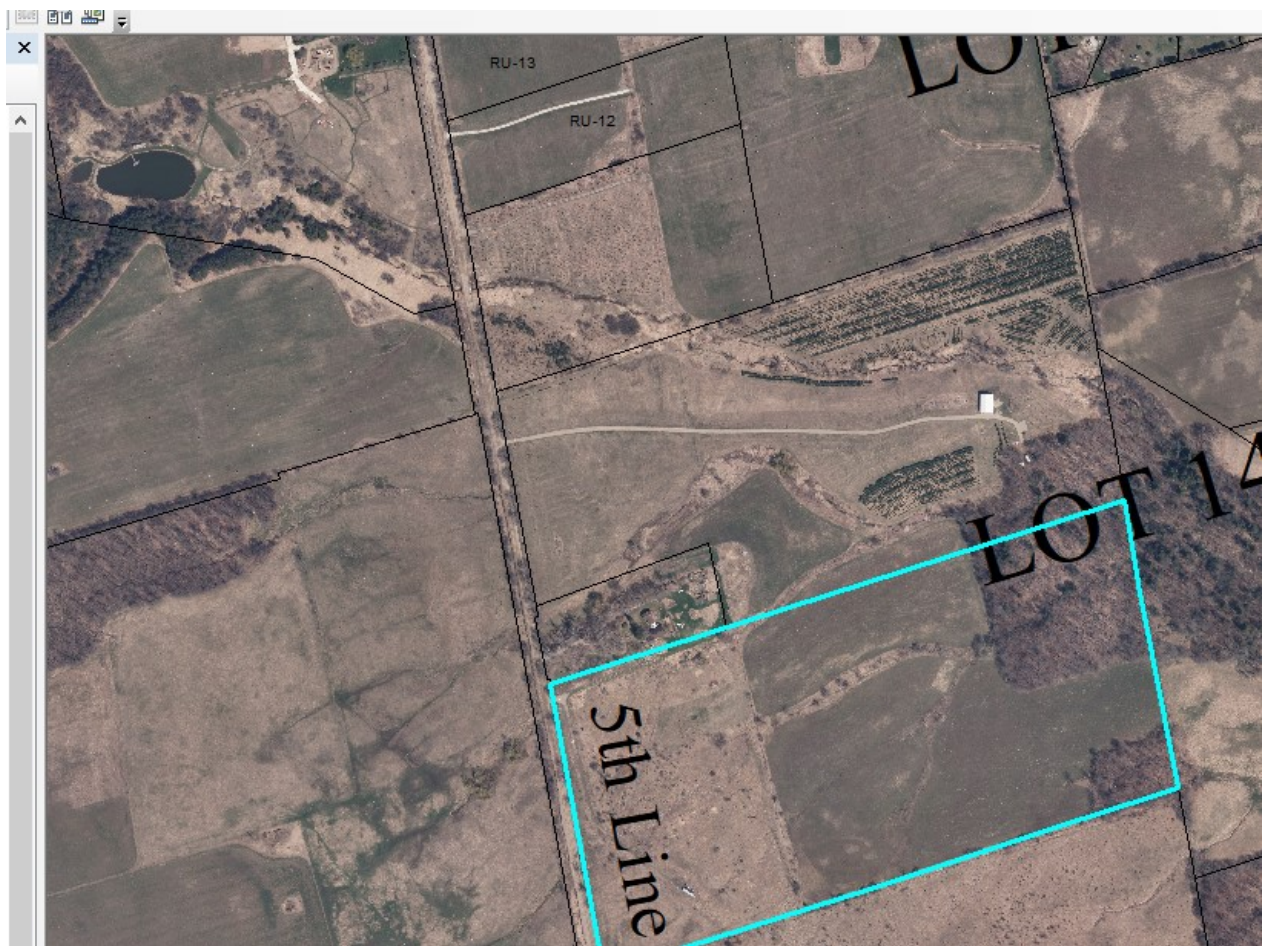
## **PURPOSE**

The subject application for consent is to create a residential building lot as characterized in the following charts and maps.



## EXISTING CONFIGURATION

Frontage (approximate)	305m
Area (approximate)	18.9ha
Use	Agricultural



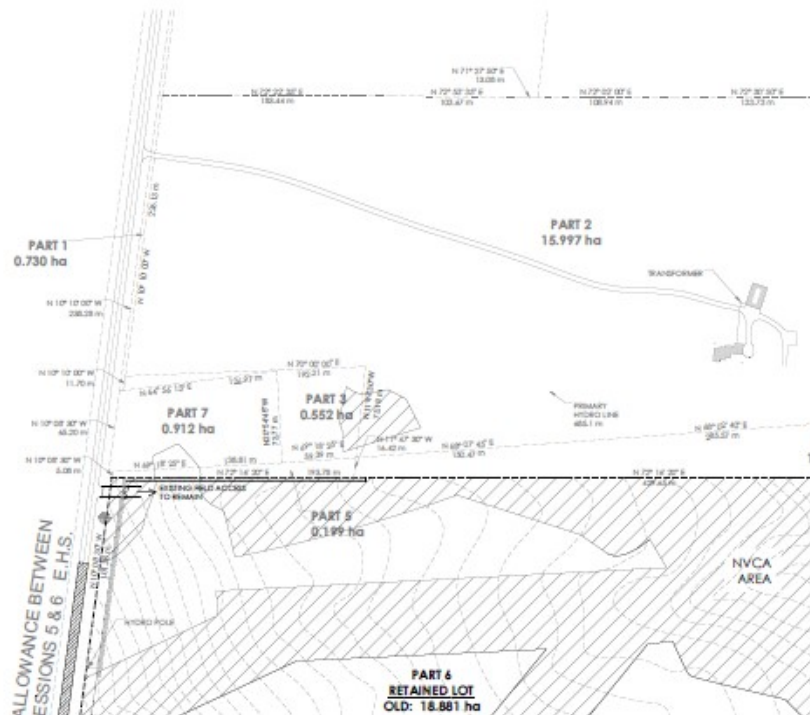


## PROPOSED CONFIGURATION

	B07-2018 Severed	RETAINED
Frontage (approx.)	100m	Approx. 250m
Depth (approx.)	100m	624m
Area (approx.)	1.0 ha	Approx. 17.8 ha
Use	Building lot	Building Lot/Agricultural

'-01

'-02



## BACKGROUND

The subject lands were created by consent under application B15/2004, being the creation of the approximate 20ha parcel in the Rural designation and proposed as the 2<sup>nd</sup> severance from an original 100 acre parcel. The current application would be the 3<sup>rd</sup> severance.

This application was circulated and reviewed in 2018. At the time of the original submission the Township had concerns as the lot was on a year round maintained road. Since that time, trees have been planted on the lands to the west. In addition, the Township has made arrangements for increased capacity for snow removal, including purchasing a tractor and snow blower.

## PLANNING POLICIES & PROVISIONS:

Please see 2018 report.

## FINANCIAL IMPACT:



The costs of processing the application are borne by the applicants.

**AGENCY & PUBLIC COMMENTS:**

Public Works have reviewed the entrances and provided comments, which are incorporated into the draft decision.

No comments have been received to date from the NVCA on the revised application.

**CONCLUSIONS:**

The revised submission addresses the previous concerns regarding the lot configuration. The planting of trees and increased snow maintenance capacity address the un-maintained road concerns.

It is recommended that this application be considered for approval, subject to the conditions noted in the draft decision.

Respectfully submitted,

*Tracey Atkinson*

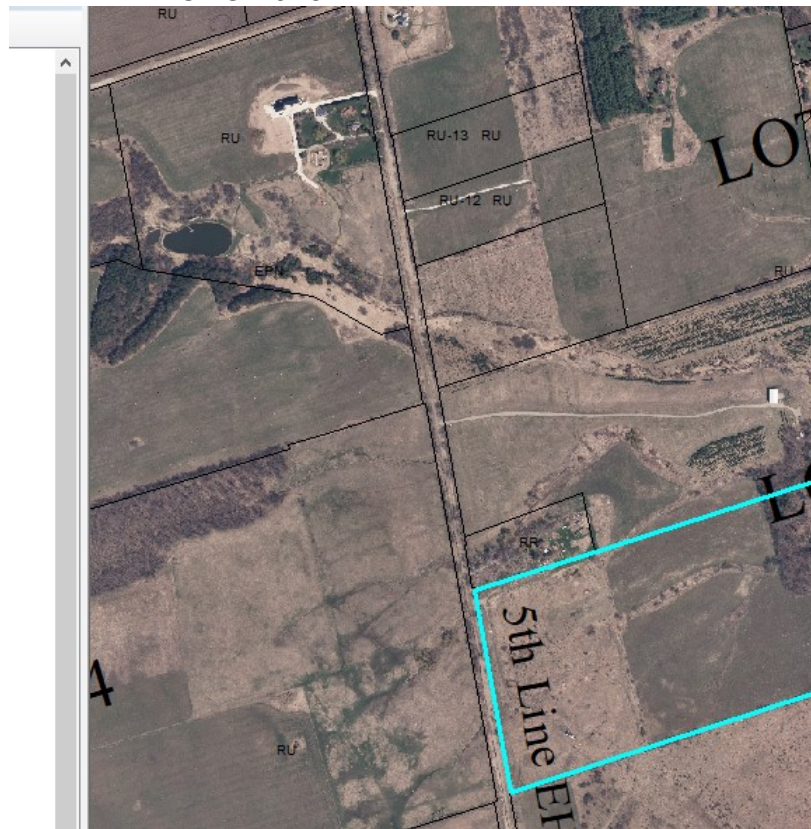
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Tracey Atkinson, BES MCIP RPP



## APPENDIX 1

### AERIAL PHOTO 2018



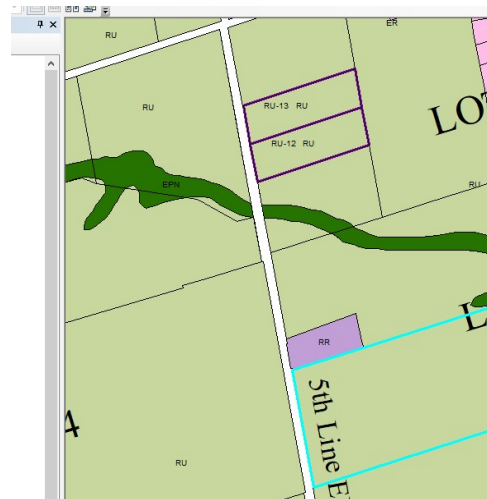
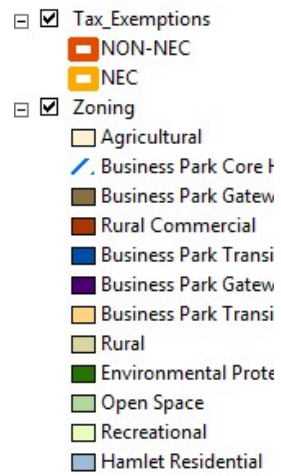
### OFFICIAL PLAN

- ☐ C
- ☐ D
- ☒ Official\_Plan
  - ☐ <all other value
  - ☐ Agricultural
  - ☐ Business Park C
  - ☐ Open Space Rec
  - ☐ Open Space
  - ☐ Hamlet
  - ☐ Business Park G
  - ☐ Business Park Ti
  - ☐ Agricultural Spe
  - ☐ Rural
  - ☐ Rural Special Po
  - ☐ Natural Area
  - ☐ Community
  - ☐ Hamlet Residen
  - ☐ Estate Residenti
  - ☐ Estate Residenti
  - ☐ Highway Comn
  - ☐ Commercial





## ZONING







**TO:** COMMITTEE OF ADJUSTMENT

**FROM:** Tracey Atkinson, BES MCIP RPP

**MEETING DATE:** September 27, 2018

**SUBJECT:** B07-2018 – Mockingbird Woods (Lloyd Hunt)  
ADDENDUM REPORT

FILE NO	B07-2018
ROLL NO	22160000124420
OWNER	MOCKINGBIRD WOODS LIMITED
ADDRESS	5 <sup>th</sup> LINE
LEGAL DESCRIPTION:	MULMUR CON 6 EHS PT LOT 14 RP 7R5919 PART 6
OFFICIAL PLAN:	Rural, Environmental Protection (not within the GGH Ag Land Base)
ZONING:	Countryside Area (A), Environmental Protection (EPN)
NEC/Greenbelt:	n/a
NVCA Regulated:	Yes
Application Submission Date:	August 31, 2018 Deemed Complete: September 12, 2018
Public Meeting Date:	September 27, 2018

### **PURPOSE**

To provide corrected information regarding County conformity.

### **County of Dufferin Official Plan**

Schedule E (Natural Heritage Features) of the County Official Plan identifies part of the site as *Woodlands* and *Watercourses*. Per Policy 5.3.4, 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. Per Policy 5.3.11, the County, in consultation with the applicable Conservation Authority must be satisfied with an EIS prior to the granting of development approvals.

### **Growth Plan (2017)**

The 2017 Growth Plan (GP) provides high-level policy direction relating to the development of healthy, safe and balanced communities. The GP directs the majority of



residential development to settlement areas, but does allow for limited development in the rural area.

The subject lands are not part of the Agricultural Land base as defined by OMAFRA.

Section 4.2.2 of the GP requires municipalities to incorporate the Natural Heritage System (NHS) as an overlay in the next update, which may be refined through the County Municipal Comprehensive Review (MCR). The County has commenced the MCR process, but the NHS refinement work has not been initiated and therefore is not incorporated in local nor County Official Plans.

In accordance with section 4.2.2,3(a), new development (which includes lot development) is not permitted unless it can demonstrate no negative impact on key natural heritage features or key hydrological features and fulfill the requirements of the subsection.

The subject lands are identified as having a natural heritage area (light green on the excerpt below), specifically a woodlot features and a wetland in proximity. An assessment would be necessary to determine if the features are “key” and demonstrate impacts.

### **RECOMMENDATIONS:**

It is recommended that the application be deferred to allow for possible reconfiguration to address the GP policies.

Respectfully submitted,

*Tracey Atkinson*

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Tracey Atkinson, BES MCIP RPP





**TO:** COMMITTEE OF ADJUSTMENT

**FROM:** Tracey Atkinson, BES MCIP RPP

**MEETING DATE:** September 27, 2018

**SUBJECT:** B07-2018 – Mockingbird Woods (Lloyd Hunt)

FILE NO	B07-2018
ROLL NO	22160000124420
OWNER	MOCKINGBIRD WOODS LIMITED
ADDRESS	5 <sup>th</sup> LINE
LEGAL DESCRIPTION:	MULMUR CON 6 EHS PT LOT 14 RP 7R5919 PART 6
OFFICIAL PLAN:	Rural, Environmental Protection (not within the GGH Ag Land Base)
ZONING:	Countryside Area (A), Environmental Protection (EPN)
NEC/Greenbelt:	n/a
NVCA Regulated:	Yes
Application Submission Date:	August 31, 2018 Deemed Complete: September 12, 2018
Public Meeting Date:	September 27, 2018

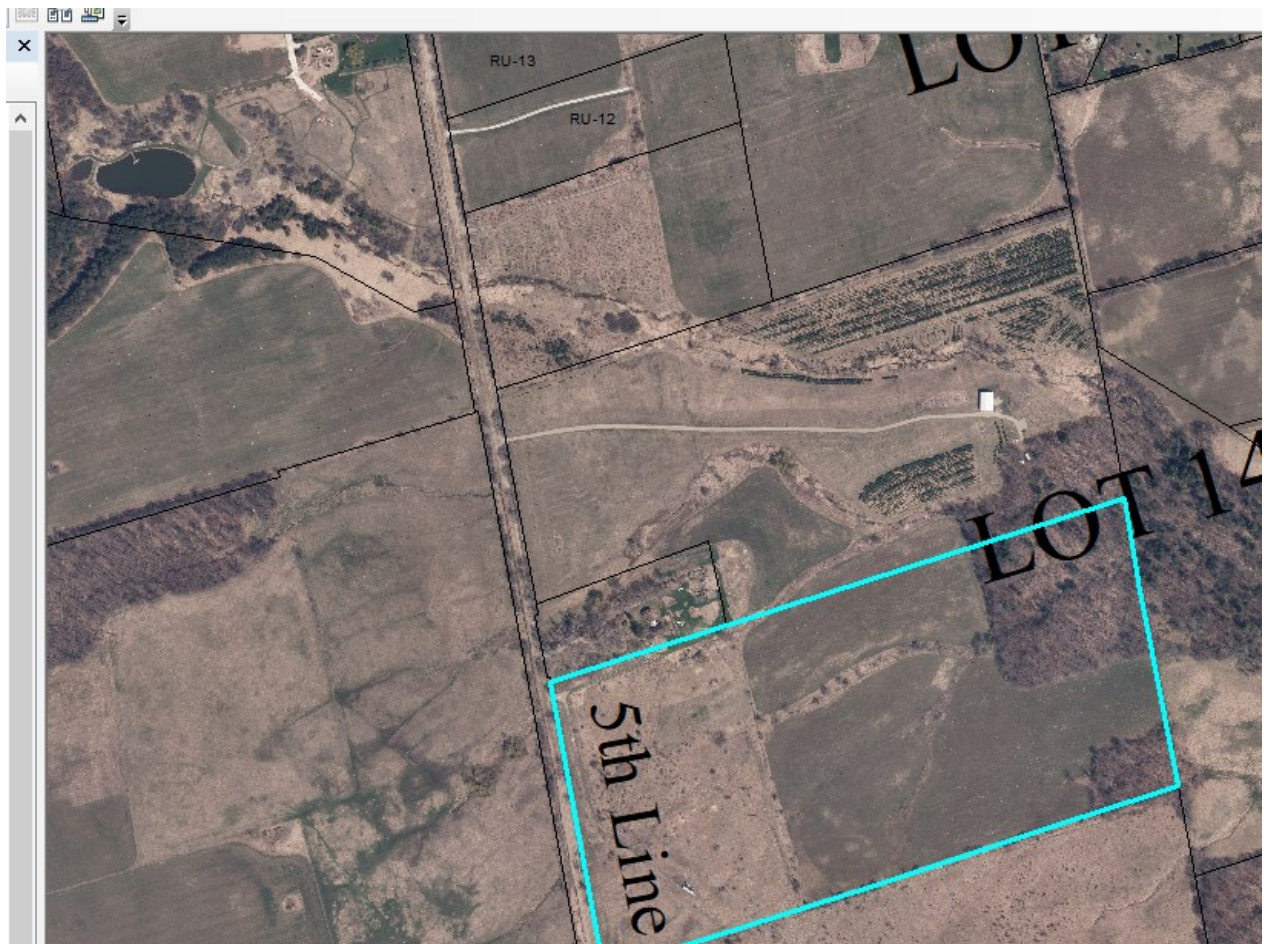
## **PURPOSE**

The subject application for consent is to create a residential building lot as characterized in the following charts and maps.



## EXISTING CONFIGURATION

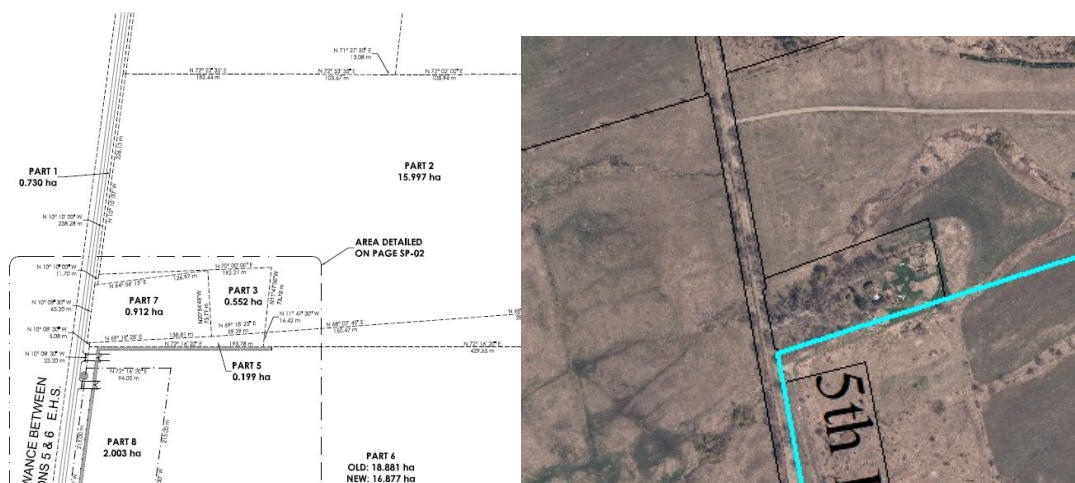
Frontage (approximate)	305m
Area (approximate)	18.9ha
Use	Agricultural





## PROPOSED CONFIGURATION

	B07-2018 Severed	RETAINED
Frontage (approx.)	215m	89m
Depth (approx.)	94m	624m
Area (approx.)	2ha	Approx. 16.9 ha
Use	Building lot	Building Lot/Agricultural



## BACKGROUND

The subject lands were created by consent under application B15/2004, being the creation of the approximate 20ha parcel in the Rural designation and proposed as the 2<sup>nd</sup> severance from an original 100 acre parcel. The current application would be the 3<sup>rd</sup> severance.

## PLANNING POLICIES & PROVISIONS:

### Provincial Policy Statement (2014)

The 2014 Provincial Policy Statement (PPS) contains broad policy direction and policy direction on development. The PPS provides policies for rural area and allows for limited residential development. The application is consistent with the PPS.

### Growth Plan (2017)

The 2017 Growth Plan (GP) provides high-level policy direction relating to the development of healthy, safe and balanced communities. The GP directs the majority of residential development to settlement areas but does allow for limited development in the rural area. The application conforms to or does not conflict with the GP.

The subject lands are not part of the Agricultural Land base as defined by OMAFRA.

### Niagara Escarpment Plan (2017)

n/a



## **Strategic Plan**

The application does not offend the Strategic Plan. Responsible growth includes creating lots that front onto already maintained roads and do not increase infrastructure, maintenance and servicing costs. Additional information provided related to frontage on a maintained road and Public Work comments.

## **Official Plan**

The Official Plan (OP) contains policy direction relating to development in the Rural designation. It provides for a range of uses, including single detached dwellings, agriculture and accessory uses.

The OP allows consideration of up to three severances from an original 40 ha parcel. The proposed consent would be considered the third and last severance that could be considered within the original 40 ha parcel.

An excerpt from policy 6.2.5 is included below. It is noted that the maximum of three severances is only to be considered in appropriate circumstances.

*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.*

Rural character is defined and protected in the OP. The proposed lot would result in a staggering of development and variety of lot sizes and dimensions, which is consistent with the rural character policy.

## **Zoning By-law**

The subject lands are zoned Countryside Area (A). The A zone permits a range of uses, including a single detached dwelling and accessory uses. It is noted that the proposed retained lot with an area over 8ha may be eligible for a second dwelling unit. Any second dwelling unit would be subject to a site plan agreement to address siting, buffering, servicing and access, and generally would not be permitted on an individual or second driveway.

Through section 3.9.2, Frontage on Improved Public Road, the zoning by-law requires frontage on an improved public road, which is defined to include “normal year-round vehicle access”. The length of frontage is determined by the zone-specific minimum frontage requirements in addition to the Road Entrance policy and setback requirements therein.

The minimum lot frontage for a Countryside (A) lot shall be 100m as per section 4.1.2 of the Zoning By-law. The proposed lot meets the minimum lot frontage and area, and could be maintained in the Countryside (A) zone or rezoned to the Rural Residential (RR) zone to provide for smaller setback requires and a more appropriate range of uses for the smaller sized lot.



The retained lands, unless merged with the lots owned in similar ownership would not meet the Countryside (A) zone requirements. It could be considered for site specific zoning as a condition of the consent, should this approach be supportable.

The division of the frontage is not desirable and limits the flexibility of the retained lands. In addition, it may impact on the maintenance, drainage and compatibility with the proposed Rural Residential lots.

No Minimum Distance Separation calculations were prepared in relation to this application. The subject lands and lands in vicinity are capable of and used for a range of crops. To the best of our knowledge and information provided, no livestock facilities are near the subject lands. It is noted that the best lands (for cultivation) appear to be at the center and rear of the subject lands, and appear to be worked in connection with the farm directly north of the subject lands. As such, the creation of a lot and building envelop in the front third of the property is preferred.

#### **FINANCIAL IMPACT:**

The costs of processing the application are borne by the applicants.

#### **AGENCY & PUBLIC COMMENTS:**

Public Works have reviewed the entrances and provided comments. It is noted that the 5th Line is not year-round maintained in front of the majority of the subject lands, but does currently include access to the most northerly portion of the subject lands. It is also noted that improvements are recommended to improve the ability to turn around snow plows in this area. Additional comments are provided by Public Works.

No comments have been received to date from the NVCA. Comments are anticipated due to the presence of regulated lands in proximity of the proposed entrances..



## **CONCLUSIONS:**

The Committee of Adjustment must be satisfied that the proposed lot is good planning. While the Official Plan provides policies to allow for its consideration, the lot configuration is not ideal in that it splits the frontage and leaves a narrow strip of land for access only.

Regardless of the Committee's direction, it is recommended that a building envelope agreement be registered on title to address future building envelopes and access thereto.

It is recommended that this application be amended to either:

- 1) Require the subject retained lands be merged with the lands directly north of the subject lands; or
- 2) A condition be added to facilitate opening the 5<sup>th</sup> Line as a year-round maintained road, including requiring that the owner secure an easement on lands described as Part of the east half of Lot 13, Conc 5 EHS to allow for a living tree fence to prevent snow drifting which currently prevents year-round maintenance.

Respectfully submitted,

*Tracey Atkinson*

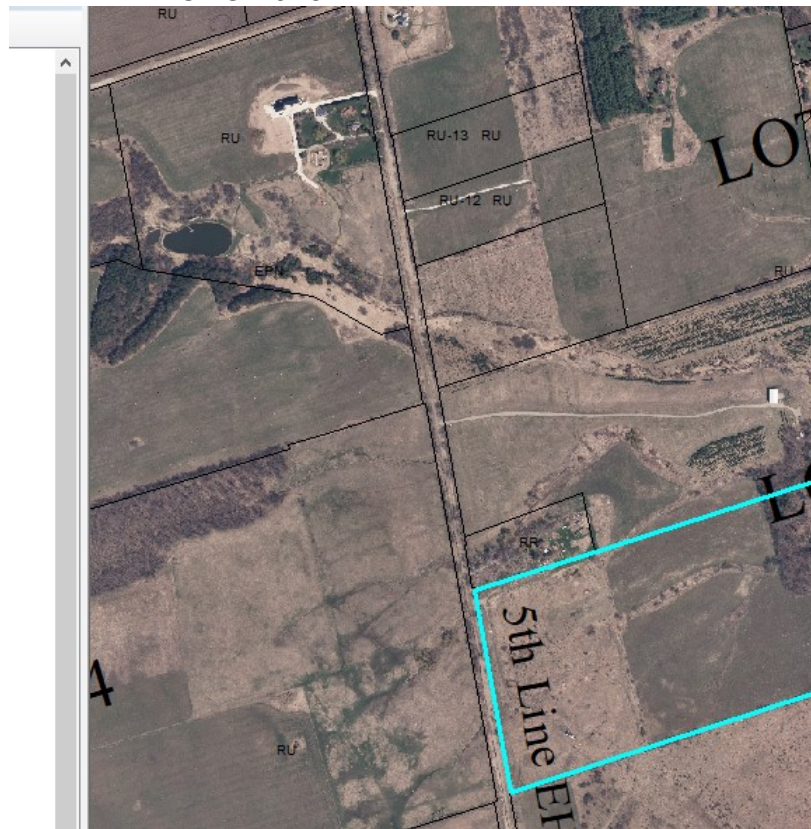
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Tracey Atkinson, BES MCIP RPP



## APPENDIX 1

### AERIAL PHOTO 2018



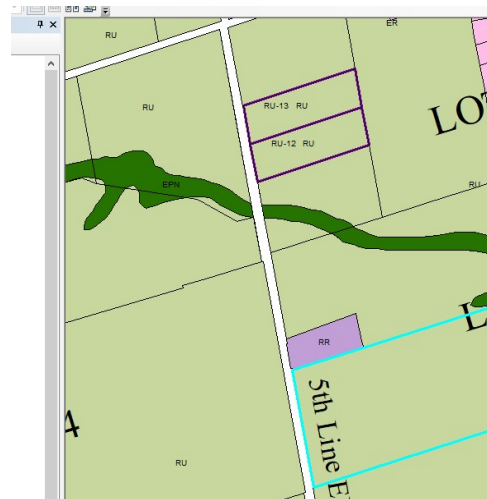
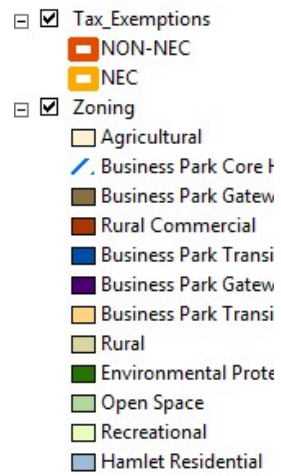
### OFFICIAL PLAN

- ☐ C
- ☐ D
- ☒ Official\_Plan
  - ☐ <all other value
  - ☐ Agricultural
  - ☐ Business Park C
  - ☐ Open Space Rec
  - ☐ Open Space
  - ☐ Hamlet
  - ☐ Business Park G
  - ☐ Business Park Ti
  - ☐ Agricultural Spe
  - ☐ Rural
  - ☐ Rural Special Po
  - ☐ Natural Area
  - ☐ Community
  - ☐ Hamlet Residen
  - ☐ Estate Residenti
  - ☐ Estate Residenti
  - ☐ Highway Comn
  - ☐ Commercial





## ZONING





## **MOCKINGBIRD DRAFT DECISION**

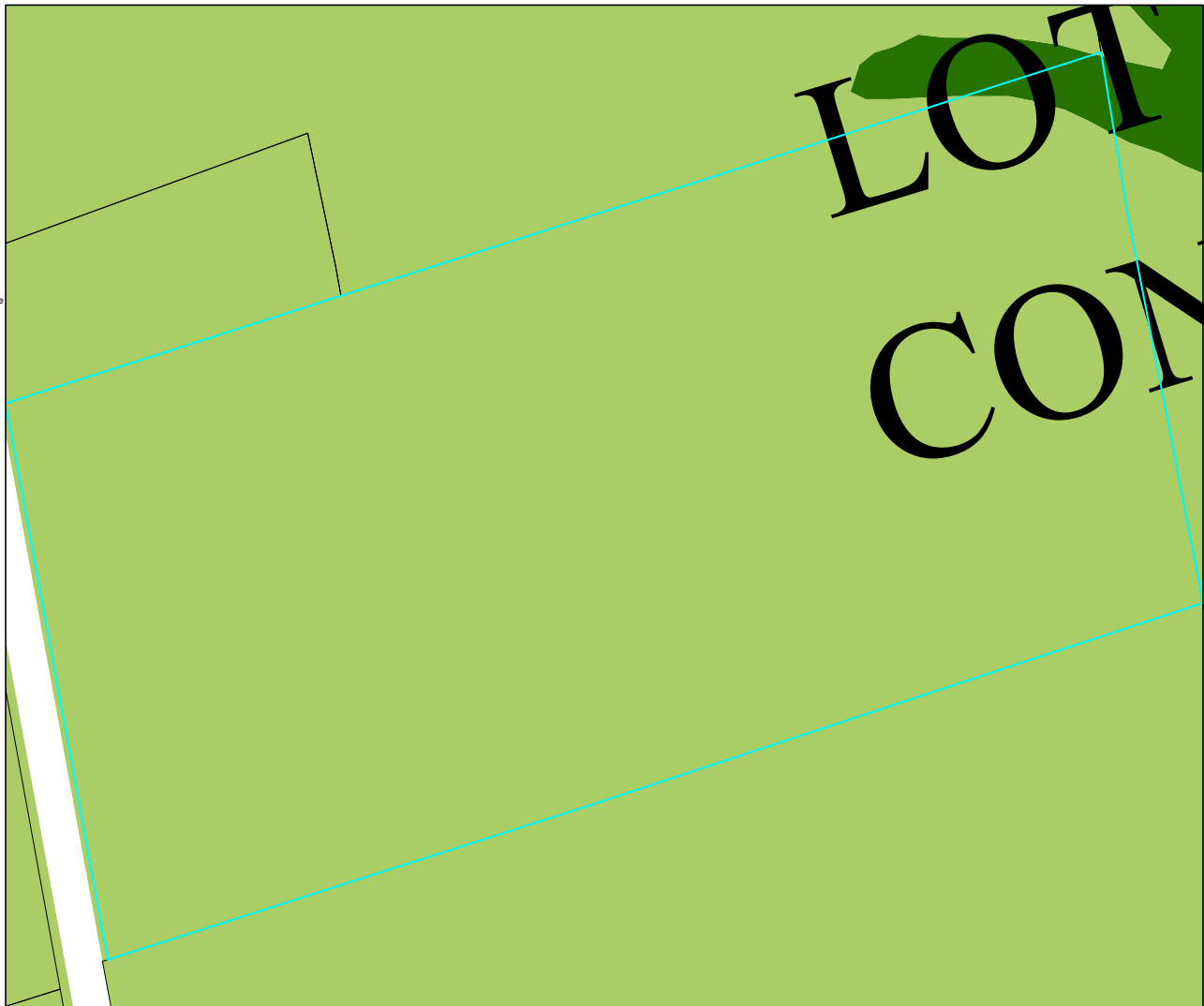
**That Application No. B07/2018, submitted by Lloyd Hunt, for a lot creation of 1.0 hectare, from lands owned by Mockingbird Woods Ltd. from CON 6 EHS PT LOT 14 RP 7R5919 PART 6 (Roll 1 24420), be approved, subject to the following:**

- **This consent applies to a lot creation of approximately 1 ha, having a minimum frontage of 100m and a depth of approximately 100m from CON 6 EHS PT LOT 14 RP 7R5919 PART 6.**
- **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 a road widening be required along the severed and retained if a widening has not been previously taken, to the satisfaction of the Director of Public Works.**



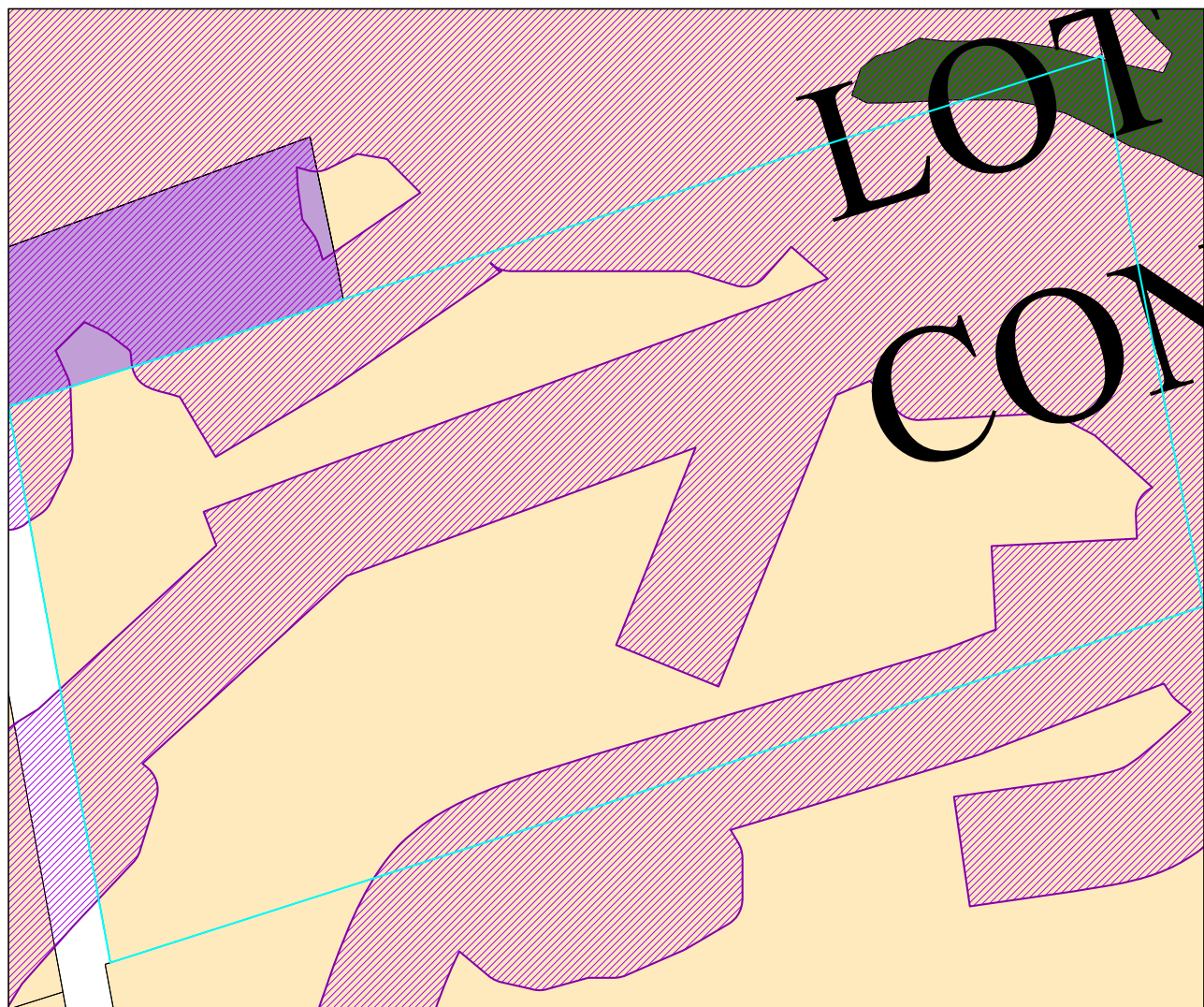
B7-2018 (877217 5th Line) - Zoning

- Legend**
- Parcels
  - Hamlet Residential
  - Open Space Recreation
  - Highway Commercial
  - Estate Residential Special Policy Area One
  - Extractive Industrial
  - Niagara Escarpment - Recreational
  - Niagara Escarpment - Protected Area
  - Business Park Transition
  - Business Park Gateway
  - Business Park Core
  - Natural Area
  - Former Waste Disposal Area (FWD)
  - Niagara Escarpment - Rural
  - Niagara Escarpment - Natural Area
  - Open Space
  - Rural
  - Hamlet
  - Estate Residential
  - Commercial
  - Candidate Recreational Lands
  - Recreational
  - Niagara Escarpment - Extractive Industrial
  - Agricultural
  - Institutional
  - Community
  - Waste Disposal Industrial





**B7-2018 (877217 5th Line) - Zoning**







# Application for Consent

Under Section 53 of the Planning Act

DATE RECEIVED \_\_\_\_\_

Roll Number: 22-16-000-001\_\_\_\_-24200\_\_\_\_\_-0000

## SUMMARY OF FEES

LOT CREATION/BOUNDARY ADJUSTMENT: \$2500  
EASEMENT/OTHER: \$2000  
CHANGE OF CONDITIONS TO A CONSENT  
DECISION: \$1000  
\*NVCA FEE IF IN REGULATED OR NHS AREA

### Submission of the Application

- ☐ One application form for each parcel to be severed.
- ☒ **Application Fees**
- ☐ Pre-consultation with NVCA, NEC or Road Authority (if required)
- ☐ Sketch or Survey

### Completeness of the Application

The information in this form **must** be provided by the applicant with the appropriate fee. If the information and fee are not provided, the application will be returned or refused for further consideration until the information and fee have been provided.

The application form also sets out other information that will assist the Township and others in their planning evaluation of the consent application. To ensure the quickest and most complete review, this information should be submitted at the time of application. In the absence of this information, it may not be possible to do a complete review within the legislated time frame for making a decision. As a result, the application may be refused.

1. Applicant and Ownership Information			
Name of Legal Owner(s) Mansfield Ski Club Inc.		Telephone: 416-312-5276	
Address 628213 Sideroad 15, Mansfield, Ontario		Postal Code L9V 0T9	
Email finley.mcewen@gmail.com			
Contact Information, if different than owner (this may be a person/firm acting on behalf of the owner)			
Name of Contact		Telephone:	
Address		Postal Code	
Email			
Mortgage, Line of Credit, Charges, or other encumbrances in respect of the subject land			
Name		Address	
DC #	Telephone/Fax	Email	
2. Location and Description of the Subject Land			
Concession Mulmur Cons 6E PT	Lot Lots 15 16 17 PT RD ALLOW PLAN 86 PT	Registered Plan/Lot(s)/block(s) <small>7R2240 Part 1 RP 7R455 Part 1 and 2 RP7R 4660 Part 1 RP 7R6323 Part 1 to 3 RP 7R6308 Parts 1 to 3</small>	
Street/Emergency No.	Street/Road	Reference Plan No.	Part Number(s)
Width of street/road _____m	<input type="checkbox"/> Municipal year round maintained road	<input type="checkbox"/> MTO / County Road	<input type="checkbox"/> Seasonal / Private Road
Frontage (m)	Entire Property	Affected Area (is amendment does not affect entire property)	
Depth (m)	Area (hectares)		



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 checked="" 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. Consent requested to remove the following approval condition: <b>"The existing hydro pole be relocated outside of the easement."</b> The easement contains the following provision: <b>"The Grantor, after the date when the first new residential unit in the planned Mansfield Ski Club Village is occupied, will maintain at its sole cost, the driving surface.."</b> . The Applicant will relocate the two hydro poles which encroach on the easement at the same time. Final wording of the easement to be approved by Mulmur solicitor.										
Name of person(s) to whom land or interest in land is to be transferred, leased or charged										
4. Description of Subject Land and Servicing Information										
Frontage (m)			Severed				Retained			
Depth (m)										
Area (m)										
5. Land Use										
Date Property Acquired										
Existing Use					Proposed Use					
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					
	<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	Current Official Plan	
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		
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 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 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 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?	<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 checked="" type="checkbox"/> Yes	<input 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
<div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 45%;"> <p style="margin: 0;"><u>Finley McEwen</u></p> <p style="margin: 5px 0 0 0; font-size: small;">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.</p> </div> <div style="width: 50%; text-align: center;"> <p style="margin: 0;">_____ Signature</p> </div> </div>		
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
<div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 45%;"> <p style="margin: 0;"><u>Finley McEwen</u></p> <p style="margin: 5px 0 0 0; font-size: small;">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.</p> </div> <div style="width: 50%; text-align: center;"> <p style="margin: 0;">_____ Signature</p> </div> </div>		
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?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No <span style="margin-left: 20px;"><input type="checkbox"/> Unknown</span>
If yes, and if known, provide the file number and the decision made on the application: _____		
<p>If this application is a re-submission of a previous consent application, describe how it has been changed from the original application</p> <p>Consent requested to remove the following approval condition: <b>"The existing hydro pole be relocated outside of the easement."</b> The easement contains the following provision: <b>"The Grantor, after the date when the first new residential unit in the planned Mansfield Ski Club Village is occupied, will maintain at its sole cost, the driving surface.."</b> The Applicant will relocate the two hydro poles which encroach on the easement at the same time. Final wording of the easement to be approved by Mulmur solicitor.</p>		
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	<input checked="checked" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, provide details:	
<b>9. Other Information</b>	
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.	
<b>10. Sketch (please use metric units)</b>	
<p>The application shall be accompanied by a sketch showing the following:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained</li> <li><input type="checkbox"/> The boundaries and dimensions of any land owned by the owner of the subject land and that abuts the subject land</li> <li><input type="checkbox"/> The distance between the subject land and the nearest Township lot line or landmark, such as a railway crossing or bridge</li> <li><input type="checkbox"/> The location of all land previously severed from the original approximate 40 hectare parcel</li> <li><input type="checkbox"/> 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</li> <li><input type="checkbox"/> The existing uses on adjacent lands</li> <li><input type="checkbox"/> 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</li> <li><input type="checkbox"/> The location and nature of any easement affecting the subject land</li> </ul>	



## **AUTHORIZATION, DECLARATIONS AND ACKNOWLEDGEMENTS**

### **OWNERS AUTHORIZATION**

I, Mansfield Ski Club Inc., am the owner of the lands subject to this application hereby agree to the following:

1. Township staff or their representatives are authorized to enter my property for the purposes of evaluating this application.
2. I acknowledge and agree to pay all costs associated with the processing and evaluation of this application, including any peer reviews and consulting fees. These costs may be deducted from the deposit or invoiced directly, at the discretion of the Township. Should this application be appealed to the Local Planning Appeal Tribunal, I am aware that I will be responsible and agree to pay all fees related to the Local Planning Appeal Tribunal process.
3. For the purposes of the Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application, and further I authorize my agent for this application to provide any of my personal information that will be included in this application or collected during the processing of this application.
4. I authorized \_\_\_\_\_ to make this application of my behalf.

Nov 18, 2020

Date



Signature of Owner

\_\_\_\_\_  
Signature of Owner

### **SWORN DECLARATION OF APPLICANT**

I, EBANEHITA JOAN EDEKO of the CITY OF TORONTO in the PROVINCE OF  
ONTARIO make oath and say (or solemnly declare) that the information contained in this application is true and that the information contained in the documents that accompany this application is true.

Sworn (or declared) before me at the CITY OF TORONTO in the PROVINCE OF ONTARIO  
this 24TH day of NOVEMBER 2020.



Commissioner of Oaths

**EBANEHITA JOAN EDEKO  
BARRISTER, SOLICITOR & NOTARY PUBLIC**

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Applicant



Mansfield Ski Club Inc.  
628213, Side Rd 15  
Mansfield, ON  
L9V 0T9



November 20, 2020

Township of Mulmur  
758070 2 Line E  
Mulumur, ON  
L9V 0G8

**Re: Application for Consent, Roll Number 22-16-000-001-24200-0000**

**Attention: Tracey Atkinson, CAO**

Dear Tracey,

Please find enclosed an Application for Consent related to the recent approval for an easement on the above-mentioned property. The approval was granted with the following conditions:

- Any existing mature trees within the new easement be relocated elsewhere on the subject lands to the satisfaction of the Township.
- The existing hydro pole be relocated outside of the easement.

The area has been surveyed and no mature trees need to be relocated for the easement. The new easement will contain a provision stipulating that **“The Grantor, after the date when the first new residential unit in the planned Mansfield Ski Club Village is occupied, will maintain at its sole cost, the driving surface on Parts 19, 20, 5, 3, 6, 7 and 8 including plowing, sanding, and grading to a reasonable standard for comparable gravel access roads. The grantor will also relocate or bury any encroaching hydro poles to facilitate free passage.”** Once registered the obligation will bind the applicant. We therefore request the Application for Consent be amended to remove the conditions.

Please do not hesitate to contact us if you require any further information.

Yours Truly,

Finley McEwen



**ACCESS & MAINTENANCE AGREEMENT** made the 1<sup>st</sup> day of April, 2020

**Between:**

**MANSFIELD SKI CLUB INC.  
Hereinafter referred to as the "Grantor"**

**OF THE FIRST PART**

**And**

**JUNE ROSALIE TOUGH  
DONALD WILLIAM TOUGH  
MARK LAUTENS  
2724264 ONTARIO CORP.  
Hereinafter referred to as the "Grantees"**

**OF THE SECOND PART**

**WHEREAS**, the Grantor is the rightful successor and registered owner of land legally described as PT LTS 15, 16 & 17, CON 6 EHS & PT RDAL BTN LTS 15 & 16 CON 6 EHS; Township of Mulmur; more particularly described in Part 1 of Schedule A attached hereto;

**AND WHEREAS**, June Rosalie Tough and Donald William Tough are the registered owners of land legally described as PT BLK B PL 86 & PT LT 16, CON 6 EHS AS IN MF115024; Mulmur; more particularly described in Part 2 of Schedule A attached hereto;

**AND WHEREAS**, Mark Lautens is the registered owner of land legally described as PT BLK B PL 86 & PT LT 16, CON 6 EHS AS IN MF124925; Mulmur; more particularly described in Part 3 of Schedule A attached hereto;

**AND WHEREAS**, 2724264 Ontario Corp. is the registered owner of land legally described as PT BLK B PL 86 & PT LOT 16 CON 6, EHS AS IN MF26329; Mulmur; more particularly described in Part 4 of **Schedule A** herein;

**AND WHEREAS**, Mark Lautens, 2724264 Ontario Corp., June Rosalie Tough and Donald William Tough, hereinafter referred to as the Grantees have an existing Right-of-Way (ROW) with the Grantor for access to their respective lands, registered in the Land Registry Office of the Township of Mulmur, County of Dufferin, such ROW having been registered over time as Instrument Nos. MF20959, MF115024, MF216152, MF26327, MF124925, MF17381, LTD7176 and DC38560;

**AND WHEREAS**, the Grantor and its predecessor Mansfield Ski Club Village have over time established and implemented the planning, construction and development of a residential village (the "Mansfield Ski Club Village") as depicted in **Schedule B** herein;

**AND WHEREAS**, parts of land of the Grantor described in Part 1 of Schedule A, shall form part of the Mansfield Ski Club Village and are described in Schedule C below as Parts 19,20,5,3,6,7 & 8 as designated on survey PLAN 7R-6574 Part Block 20, Plan 7M-4 and Part Lot 15 & 16 Concession 6 EHS and Part of Block B, Plan 86;

**AND WHEREAS**, the Grantees shall require a Right of Way to their respective lands through parts of the Mansfield Ski Club Village, described as Parts 19,20,5,3,6,7 & 8 as designated on survey PLAN 7R-6574 (**Schedule C** herein) as Part Block 20, Plan 7M-4 and Part Lot 15 & 16 Concession 6 EHS and Part of Block B, Plan 86 ;

**AND WHEREAS**, the Grantor and the Grantees now wish to enter into a new Right of Way agreement for access and maintenance of the parts of land described in Schedule C and such ROW to be registered as Instrument No. \_\_\_\_\_ on \_\_\_\_\_, 2020;

**NOW THEREFORE**, in consideration of the sum of TWO DOLLARS (\$2.00) now paid by the Grantees to the Grantor (receipt of which is hereby acknowledged as sufficient) and other good and valuable consideration, the parties hereby covenant and agree as follows:



1. the Grantor shall grant to the Grantees, their heirs, successors, executors and assigns, free and uninterrupted right of way in common with the Grantor for persons, animals and vehicles (including service vehicles) through, along and over certain parts of the Grantor's land depicted in *Schedule C* herein and legally described as Parts 19,20,5,3,6,7 & 8 as designated on survey PLAN 7R-6574 Part Block 20, Plan 7M-4 and Part Lot 15 & 16 Concession 6 EHS and Part of Block B, Plan 86.
2. The Grantor, after the date when the first new residential unit in the planned Mansfield Ski Club Village is occupied, will maintain at its sole cost, the driving surface on Parts 19, 20, 5, 3, 6, 7 and 8 including plowing, sanding and grading to a reasonable standard for comparable gravel access roads.
3. The Grantees acknowledge that on February 29, 2004, they entered into a cost sharing agreement for maintenance of parts 2,3,4,6,7,8,10,11,12 on reference plan No. 7R-5249, in *Schedule D* herein, which agreement was registered on September 3, 2004 as instrument number DC38563. The grantees acknowledge that parts 10 and 11 on reference plan 7R-5249 are the same as parts 19 and 20 on survey plan 7R-6574 to be registered. The Grantees hereby confirm that the terms of this agreement shall now govern maintenance of parts 10 and 11 on the old reference plan No. 7R-5249 and hereby consent to a partial release of interest on DC38563 as it relates to parts 10 and 11 on plan 7R-5249.
4. The Grantees will EACH pay to the Grantor an annual maintenance fee of \$300.00, for the first year following the date when the first new residential unit on the planned Mansfield Ski Club Village is occupied (the "Maintenance Term"). The annual maintenance charge for subsequent years shall be calculated as follows: *the cost from the previous year times (1 + the annual % change in the Consumer Price Index for Ontario for the previous year as published by Statistics Canada) inclusive of applicable taxes (the "Annual Maintenance Charge")*;

By way of example, if the annual % change in the Consumer Price Index for Ontario for the first year of the Maintenance Term was 1.5%, the Annual Maintenance Charge for the second year of the Maintenance Term would be  $\$300 + (1 + 0.015) = \$304.50$ .

5. For purposes of clarity, the parties covenant and acknowledge that the Annual Maintenance Charge shall be attributed to each land described in parts 2, 3 and 4 of Schedule A herein.
6. The parties agree that failure by any of the Grantees herein to pay the Annual Maintenance Charge shall entitle the Grantor to place a lien on the land of the defaulting Grantee by way of a charge or mortgage and the terms set out in Standard Charge Terms No. 200033, in *Schedule E* herein, shall apply.
7. The parties acknowledge that where title to any of the lands described in Schedule parts 2, 3 and 4 is owned by more than one individual, both individuals shall be jointly and severally responsible for payment of the Annual Maintenance Charge.
8. The parties acknowledge and confirm that this agreement shall continue to be binding on all parties herein, their successors, heirs, assigns and future purchasers of any lands described in parts 1 to 4 of Schedule A. For further clarity, the parties herein acknowledge responsibility for notifying all prospective purchasers of the terms of this agreement.
9. The parties hereby acknowledge that this agreement shall continue to be in force and effect until all parties unanimously agree in writing to terminate this agreement. All amendments to this agreement shall be in writing and by two-thirds majority vote. For purposes of clarity, each land described in parts 1 to 4 of Schedule A, shall be entitled to one vote, regardless of the number of title owners of said land. In the event a land described in parts 1 to 4 of Scheduled A is owned by one or more persons or corporations and said owners are unable to arrive at a unanimous decision or vote, all other parties shall proceed with the decision making, to the exclusion of the conflicted title owners.
10. The parties acknowledge that this agreement and all amendments hereafter shall be governed by the Laws of Ontario.

**\*SIGNATURE PAGE FOLLOWS\***





**DECISION OF COMMITTEE OF ADJUSTMENT WITH REASONS  
(The Planning Act, R.S.O. 1990, c.P 13, as amended)**

**FILE NO. B1-2020**

**RE: Consent Application**

Date of Mailing: July 10, 2020

The following decision was reached by the Township of Mulmur Committee of Adjustment at the meeting on July 7, 2020:

Application No. B1/2020 a consent application to relinquish an existing easement over lands owned by Mansfield Ski Club in favour of a new easement that will align with a driveway in the vicinity of the existing parking lot.

The subject lands are owned by Mansfield Ski Club Inc., Rosalie Tough, Donald William Tough, Mark Lautens and 2724264 Ontario Corp and legally described as Lots 15 And 16, Concession 6 Ehs (Pt Blk 20, Pl 7m-4 And Part Lot 15 & 16 Concession 6 EHS And Part Of block B, Plan 86, Mulmur; Des As Pts 19,20,5,3,6,7 & 8, Plan 7r-6574), was approved subject to the following conditions:

- This easement applies to LOTS 15 and 16, CONCESSION 6 EHS (PT BLK 20, PL 7M-4 AND PART LOT 15 & 16 CONCESSION 6 EHS AND PART OF BLOCK B, PLAN 86, MULMUR; DES AS PTS 19,20,5,3,6,7 & 8, PLAN 7R-6574) and is in favour of parcel rolls 117801 (Tough), 117600 (Lautens), and 117700 (2724264 Ontario Corp).
- 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 consent 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.
- The existing easement be deregistered or an undertaking by the solicitor that the existing easement be deregistered within 30 days of the registration of the new easement.
- Compliance with all bylaws, including, but not limited to zoning, site plan and property standards.
- Any existing mature trees within the new easement be relocated elsewhere on the subject lands to the satisfaction of the Township.
- The existing hydro pole be relocated outside of the easement.

REASON: conforms to the Township's Official Plan.

**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.

Dated this 10th day of July, 2020

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

**The last date that this decision may be appealed to the Local Planning Appeal Tribunal is July 31, 2020**

**NOTICE OF LAST DAY OF APPEALING TO THE LOCAL PLANNING APPEAL TRIBUNAL (LPAT)**

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 Local Planning Appeal 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 LPAT 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 applicable fee payable by certified cheque or money order to the MINISTER OF FINANCE as prescribed by the Local Planning Appeal Tribunal as payable on an appeal from a Committee of Adjustment to the Board.

Tracey Atkinson, Acting Clerk  
[tatkinson@mulmur.ca](mailto:tatkinson@mulmur.ca)

Telephone: (705) 466-3341  
Fax: (705) 466-2922





**CORPORATION OF THE  
TOWNSHIP OF MULMUR**  
758070 2ND LINE EAST  
MULMUR, ONTARIO  
L9V 0G8

**NOTICE OF A COMPLETE APPLICATION AND A PUBLIC MEETING**

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: 834 0895 7097

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/83408957097>

Meeting ID: 834 0895 7097

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

**MEETING DATE AND TIME:** January 6, 2021 at 1:00pm

**APPLICATION NUMBER:** B1-2020

**OWNER/APPLICANT:** Mansfield Ski Club Inc.

Rosalie Tough  
Donald William Tough  
Mark Lautens  
2724264 Ontario Corp



**LOCATION:** LOTS 15 and 16, CONCESSION 6 EHS (PT BLK 20, PL 7M-4 AND PART LOT 15 & 16 CONCESSION 6 EHS AND PART OF BLOCK B, PLAN 86, MULMUR; DES AS PTS 19,20,5,3,6,7 & 8, PLAN 7R-6574)

**PURPOSE:** CONSENT APPLICATION TO AMEND TWO (2) CONDITONS OF CONSENT APPROVAL.

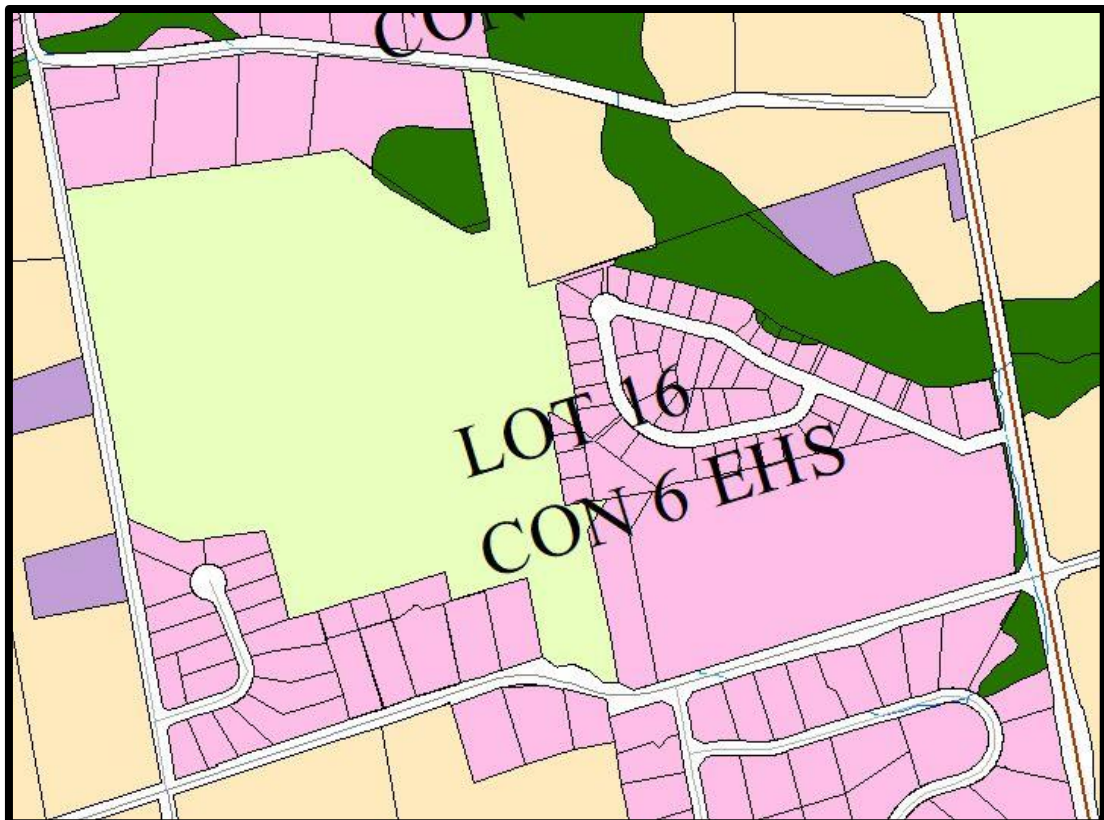
Additional information is available for public inspection by request. If you require additional information on this application, it may also be obtained by contacting the CAO/Planner, Tracey Atkinson, 705 466 3341 X222 or by email: [takinson@mulmur.ca](mailto:takinson@mulmur.ca) during regular office 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 on next page. For illustration purposes only. This is not a plan of survey.***

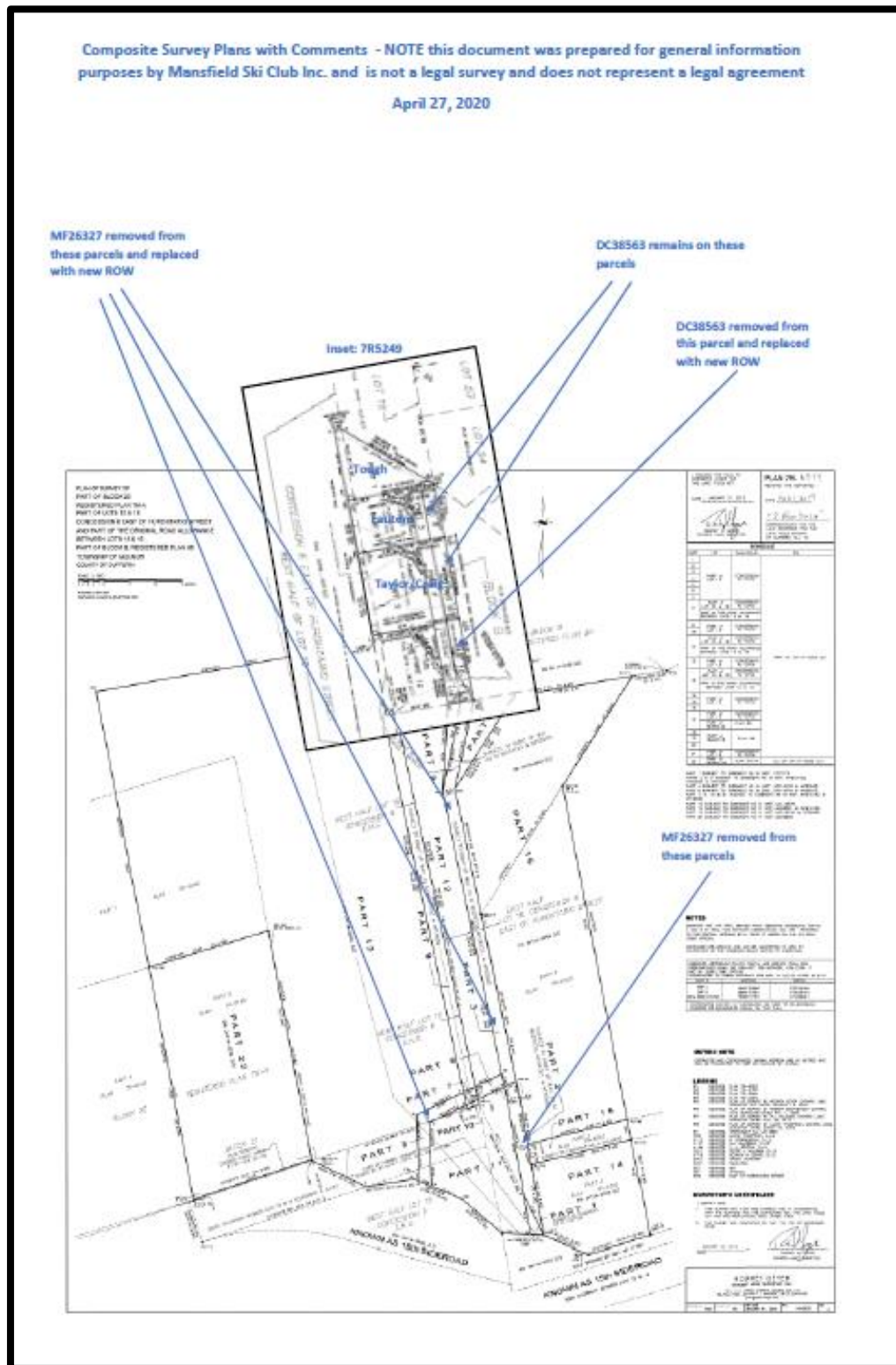
***A digital version is available by email.***

**Figure 1: Subject Lands**





**Figure 2: Applicants Reference Survey**



Dated December 17, 2020





**TO:** COMMITTEE OF ADJUSTMENT

**FROM:** James Hunter Senior Planner BURPL

**MEETING DATE:** January 6, 2021

**SUBJECT:** B1-2020 Mansfield Ski Club Consent Application

FILE NO	B1-2020
ROLL NO	22160000124200
OWNER	Mansfield Ski Club Inc Rosalie Tough Donald William Tough Mark Lautens 2724264 Ontario Corp
LEGAL DESCRIPTION:	LOTS 15 and 16, CONCESSION 6 EHS (PT BLK 20, PL 7M-4 AND PART LOT 15 & 16 CONCESSION 6 EHS AND PART OFBLOCK B, PLAN 86, MULMUR; DES AS PTS 19,20,5,3,6,7 & 8, PLAN 7R-6574)
OFFICIAL PLAN:	Recreation, Estate Residential
ZONING:	Recreational Exception One Holding (RE-1-H), Estate Residential (ER)
NEC/Greenbelt:	N/A
NVCA Regulated:	Yes (beyond regulated area)
Application Submission Date:	November 24, 2020
Public Meeting Date:	Wednesday January 6, 2021

## **PURPOSE**

The applicant is seeking to Amend two (2) conditions from a previously approved Consent (Easement) application (B1-2020, July 2020).



## **EXISTING AND PROPOSED CONFIGURATIONS**

The existing and proposed easement configurations are provided on the attached draft survey, included as Appendix 1.

## **BACKGROUND**

The Mansfield Ski Club is in the process of securing approvals from the Township to develop the resort, including new dwellings, townhomes, and improvements to the ski terrain and lift equipment. As part of the Site Plan Approval process, the parking area will be further defined and delineated. On May 1<sup>st</sup>, 2020, the Mansfield Ski Club Inc. submitted a Consent application to relinquish an existing easement over their lands, to replace the easement with a new easement following the new driveway location. A Public Meeting was held on July 7<sup>th</sup>, 2020, where the Consent application was approved with a number of conditions.

The applicant has now requested that the approved Conditions be amended to remove the following two (2) conditions:

1. *Any existing mature trees within the new easement be relocated elsewhere on the subject lands to the satisfaction of the Township.*
2. *The existing hydro pole be relocated outside of the easement.*

It is our understanding that the applicant has surveyed the area within the easement and there are no mature trees within the easement required to be relocated.

The applicant wishes to maintain the location of all existing hydro poles within the easement and those encroaching, until the time of future development when it is feasible to relocate the services underground.

## **PLANNING POLICIES & PROVISIONS:**

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

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development.

The application is consistent with the PPS.

### **Growth Plan (August 2020)**

The Growth Plan builds on the PPS together with other Provincial Plans to inform decision-making regarding growth management and environmental protection particular to the GGH. The Growth Plan provides high-level policy direction relating to the development of healthy, safe, and balanced communities.



The application conforms to or does not conflict with the Growth Plan.

### **Niagara Escarpment Plan (2017)**

The purpose of the Niagara Escarpment Plan (NEP) is to provide for the maintenance and protection of the plan's areas, and to ensure that development is compatible with the natural environment.

The subject lands are located outside of the plans area. The NEP does not apply.

### **Strategic Plan**

The application does not offend the Strategic Plan.

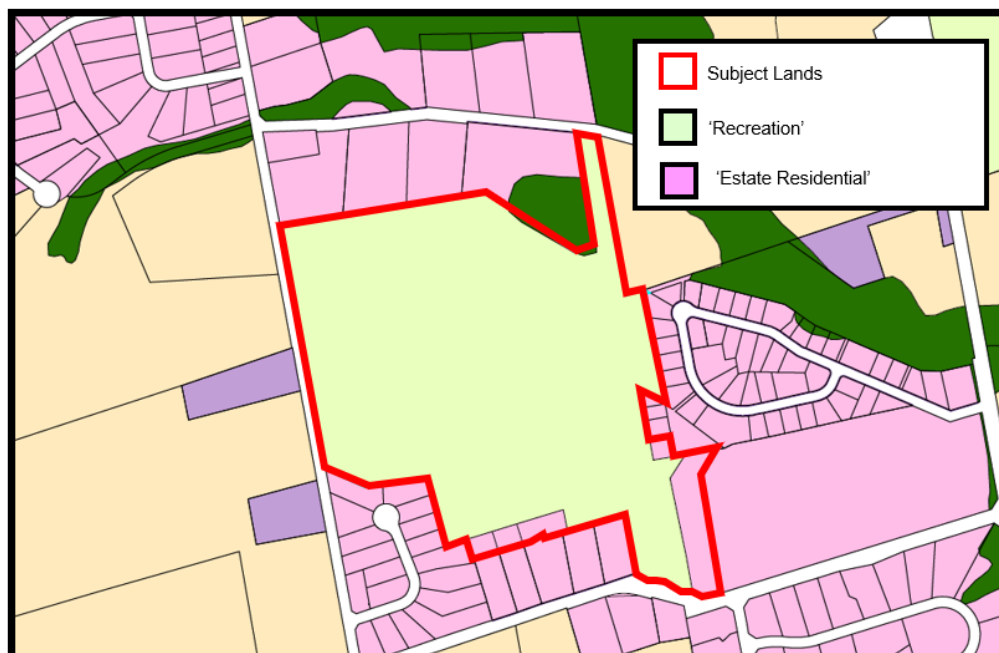
### **Official Plan**

The subject lands are designated '*Recreation*' and '*Estate Residential*'.

The lands fall within the Mansfield North Recreation Area, defined on Schedule A1 of the Official Plan. The Official Plan encourages and promotes the development of recreational facilities and related uses.

The Official Plan (OP) contains policy direction relating to development and consent applications in section 5.36 and 5.37. The Plan does not contain specific policy direction regarding easements.

Figure 1: Land Use Designation





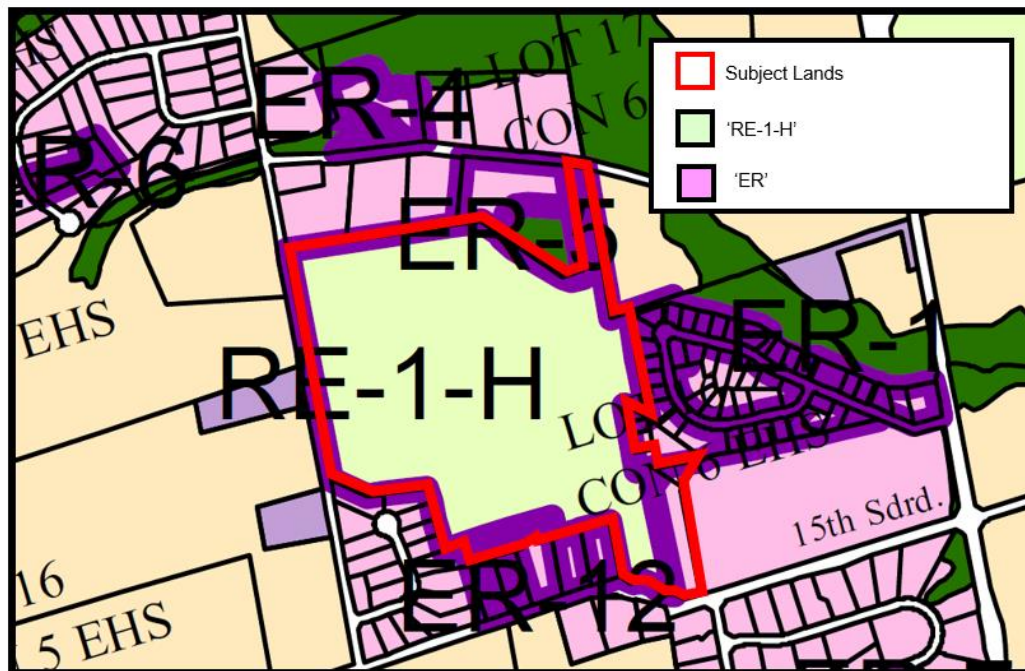
## Zoning By-law

The subject lands are zoned 'Recreational Exception One Holding (RE-1-H)' and 'Estate Residential (ER)'.

The site-specific recreational zoning relates to the proposed accommodations at the ski club and satisfying a number of requirements (sign-offs, clearances, etc.). A driveway is permitted in both zones.

The subject application does not propose a change or impact the zone.

Figure 2: Zoning



## FINANCIAL IMPACT:

The costs of processing with the application are borne by the applicants.

## AGENCY & PUBLIC COMMENTS:

Public and agency comments are being provided as separate correspondence to this report.



## **RECOMMENDATIONS**

The easement is consistent with Provincial Policy and conforms to or does not conflict with Provincial Plans, and conforms to the Official Plan and Zoning By-law.

Subject to agency and public comments, it is recommended that this application to amend two (2) conditions of Consent be approved with the conditions attached.

Respectfully submitted,



---

Senior Planner, BURPI.



## **DRAFT DECISION**

Date: January 6, 2021

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

That Application No. B1-2020, submitted by Mansfield Ski Club Inc., Rosalie Tough, Donald William Tough, Mark Lautens and 2724264 Ontario Corp. to amend conditions of Consent be approved, subject to the following:

- This easement applies to LOTS 15 and 16, CONCESSION 6 EHS (PT BLK 20, PL 7M-4 AND PART LOT 15 & 16 CONCESSION 6 EHS AND PART OF BLOCK B, PLAN 86, MULMUR; DES AS PTS 19,20,5,3,6,7 & 8, PLAN 7R-6574) and is in favour of parcel rolls 117801 (Tough), 117600 (Lautens), and 117700 (724264 Ontario Corp.
- 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 consent 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 Township's solicitor confirms, at the applicants expense, that the wording of the provision and timing of servicing as stipulated by the applicant is satisfactory, as it applies to the new easement; *"The Grantor, after the date when the first new residential unit in the planned Mansfield Ski Club Village is occupied, will maintain at its sole cost, the driving surface on Parts 19, 20, 5, 3, 6, 7 and 8 including plowing, sanding, and grading to a reasonable standard for comparable gravel access roads. The grantor will also relocate or bury any encroaching hydro poles to facilitate free passage"*.
- That the applicant provides a copy of the survey to the Township, demonstrating that there are no mature trees within the easement required to be relocated.
- 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.



Yea    Nay

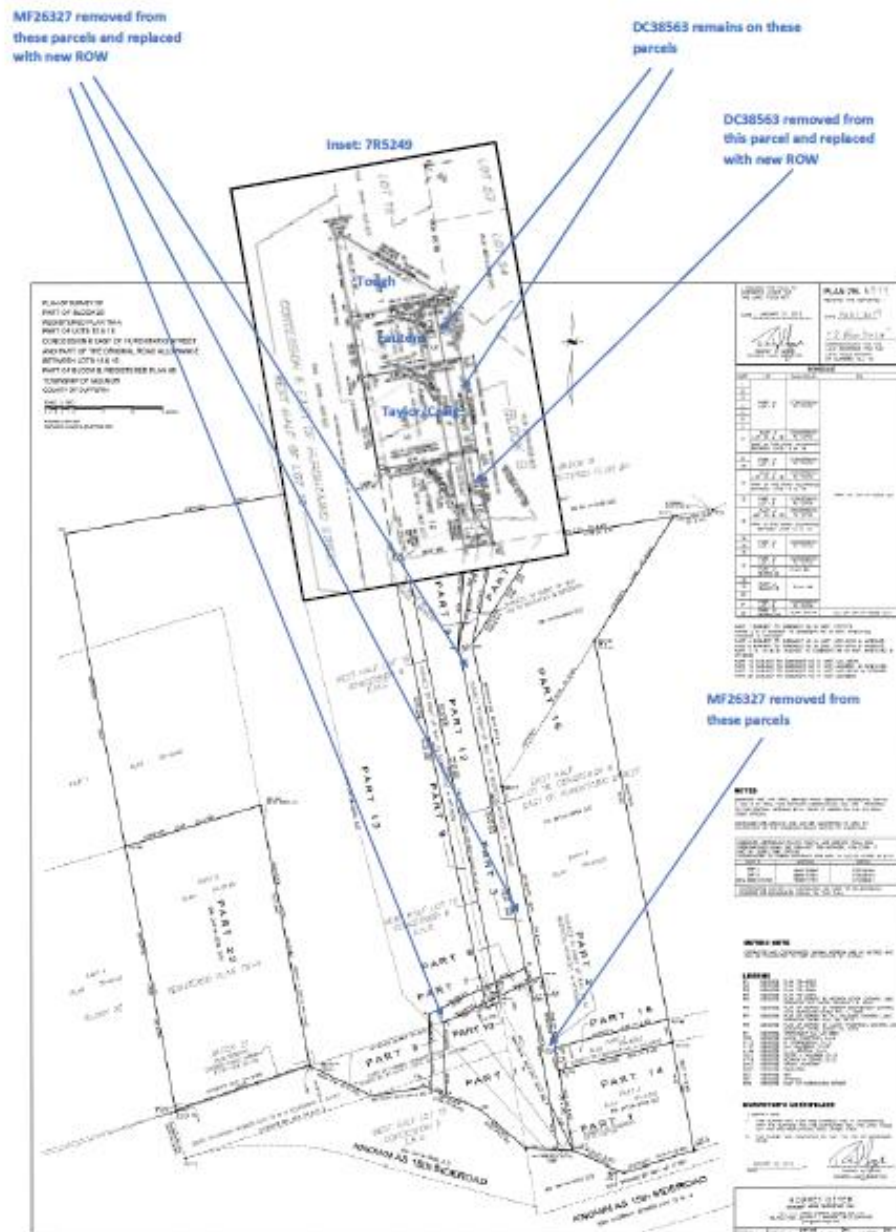
- |                          |                          |                 |
|--------------------------|--------------------------|-----------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Ken Cufaro      |
| <input type="checkbox"/> | <input type="checkbox"/> | Earl Hawkins    |
| <input type="checkbox"/> | <input type="checkbox"/> | Kim Lyon        |
| <input type="checkbox"/> | <input type="checkbox"/> | Paul Mills      |
| <input type="checkbox"/> | <input type="checkbox"/> | Bart Wysokinski |



## **Appendix 1: Applicant's Reference Survey**

Composite Survey Plans with Comments - NOTE this document was prepared for general information purposes by Mansfield Ski Club Inc. and is not a legal survey and does not represent a legal agreement

April 27, 2020

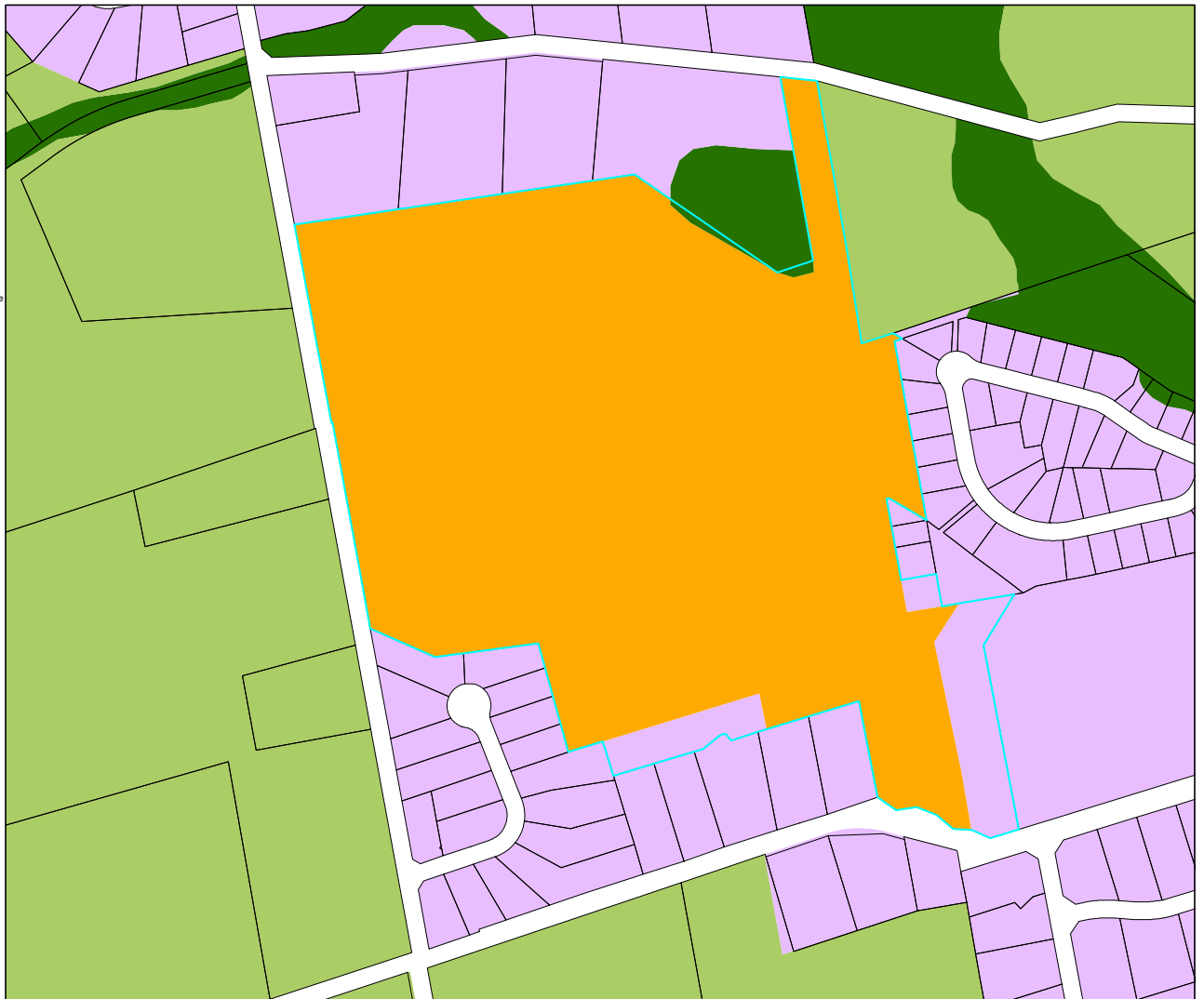




## B1-2020 (628213 15th SR) - OP

### Legend

- Parcels
- Hamlet Residential
- Open Space Recreation
- Highway Commercial
- Estate Residential Special Policy Area One
- Extractive Industrial
- Niagara Escarpment - Recreational
- Niagara Escarpment - Protected Area
- Business Park Transition
- Business Park Gateway
- Business Park Core
- Natural Area
- Former Waste Disposal Area (FWD)
- Niagara Escarpment - Rural
- Niagara Escarpment - Natural Area
- Open Space
- Rural
- Hamlet
- Estate Residential
- Commercial
- Candidate Recreational Lands
- Recreational
- Niagara Escarpment - Extractive Industrial
- Agricultural
- Institutional
- Community
- Waste Disposal Industrial





## B1-2020 (628213 15th SR) - Zoning

