



**COMMITTEE OF ADJUSTMENT
AGENDA
November 30, 2022 – 1:30 PM**

MEETING DETAILS

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

1.0 CALL TO ORDER

2.0 LAND ACKNOWLEDGEMENT

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

3.0 APPROVAL OF THE AGENDA

Recommendation: THAT the agenda be approved.

4.0 MINUTES OF THE PREVIOUS MEETING

Recommendation: THAT the minutes of May 18, 2022 are approved.

5.0 DISCLOSURE OF PECUNIARY INTERESTS

6.0 APPLICATIONS

6.1 B03-2022 MANSFIELD CHURCH

Recommendation: THAT Application No. B03-2022 submitted by the Trustees of the Mansfield Presbyterian Church for a lot creation from CON 6 EHS PT LOT 10 (R#1 15700) be approved subject to the following:

- This consent applies to a rectangular lot creation of approximately 2.2ha, having a frontage of approximately 109 m on County Road 18 (Airport Road) and 178m on 9th Sideroad south-eastern corner of the subject lands and including the Church and gravestones
- Taxes and/or penalties must be paid in full up to and including the current fiscal year on all related properties, if the amount is known.

- All costs pertaining to this application, survey expenses and all others applicable shall be borne by the applicant. All legal costs, engineering peer reviews, and consultant fees be paid, including a 10% administration fee, as per the Township's Tariff of Fees By-law. Where the costs are unknown at the time of issuance of a Certificate of Official, a deposit shall be required in the amount of \$2000.
- Compliance with all bylaws, including, but not limited to zoning, site plan and property standards.
- The draft transfer for the subject severance must be presented to the Secretary Treasurer prior to two years after the date of decision, being November 30, 2024 less two weeks for processing for review and approval.
- That the survey for the parcels reflects the approved configuration and is within +/- 5%, of the approved area/dimensions, when rounded to one decimal place.
- Two paper copies of the registered plan of survey and one pdf copy. The copy of the draft R- plan shall be circulated to the Township for review prior to registration.
- One digital autocadd (.dwg) drawing be provided, including documentation (such as email confirmation) from the surveyor certifying that the digital copy was created from the same file that was used to plot the original paper copies of the R-plan.
- The registered owner shall obtain, from the County or Township Director of Public Works, any required entrance approvals
- Cash in lieu of Parkland shall be paid in accordance with the Parkland Dedication By-law in effect at the time of the payment. The Parkland dedication fee at the time of conditional approval is \$5000.00

6.2 B04-2022 LAZIER/TICHENOR

Recommendation: THAT Application No. B04-2022 submitted by Mary Lazier and Mark Tichenor for a lot creation from CON 4 EHS PT LOT 6 (R#1 33900) be approved subject to the following:

- This consent applies to a lot creation of approximately 10 ha, having a frontage of approximately 200m on 3rd Line and 330 metres on 5th Sideroad from the southern portion of the subject lands and includes the tillable lands located east of the existing dwelling and woodlands.
- Taxes and/or penalties must be paid in full up to and including the current fiscal year on all related properties if the amount is known.
- All costs pertaining to this application, survey expenses and all others applicable shall be borne by the applicant. All legal costs, engineering peer reviews, and consultant fees be paid, including a 10% administration fee, as per the Township's Tariff of Fees By-law. Where the costs are unknown at the time of issuance of a Certificate of Official, a deposit shall be required in the amount of \$2000.
- Compliance with all bylaws, including, but not limited to zoning, site plan and property standards.

- The draft transfer for the subject severance must be presented to the Secretary Treasurer prior to two years after the date of decision, being November 30, 2024 less two weeks for processing for review and approval.
- The applicant shall, at his/her own expense, convey to the Municipality sufficient lands, being 3.05m, along the frontage on 3rd Line East and 5 Sideroad, fronting the applicant's property to meet the requirements of the Township for road widening as well as any land between the travelled road and the municipal road allowance. Surveys are to be submitted to the Public Works Department, for review and approval, prior to registration. Deeds are to be submitted to the Municipality, for review and approval, accompanied by a solicitor's certificate indicating that the title is free and clear of all encumbrances and the Municipality has a good and marketable title. A copy of the plan of survey depicting the widening shall be provided to the Municipality for their records. The Municipality shall be consulted prior to commencing a survey to determine the amount of road widening required. All diseased and dead trees and livestock fences shall be relocated to the satisfaction of the Director of Public Works
- That the survey for the parcels reflects the approved configuration and is within +/- 5%, of the approved area/dimensions, when rounded to two decimal places, but that the area can be up to 10% greater than the approved area to reflect the inclusion of agricultural land.
- Two paper copies of the registered plan of survey and one pdf copy. The copy of the draft R- plan shall be circulated to the Township for review prior to registration.
- One digital autocadd (.dwg) drawing be provided, including documentation (such as email confirmation) from the surveyor certifying that the digital copy was created from the same file that was used to plot the original paper copies of the R-plan.
- The registered owner shall obtain, from the Director of Public Works, any required entrance approvals
- Cash in lieu of Parkland shall be paid in accordance with the Parkland Dedication By-law in effect at the time of the payment. The Parkland dedication fee at the time of conditional approval is \$5000.00

6.3 B05-2022 PEACE VALLEY RANCH

Recommendation: THAT Application No. B5-2022 submitted for the Peace Valley Ranch (Cosack/Kotyck) for a lot creation from CON 2 WHS PT LOT 23 (R#609000) be approved subject to the following:

- This consent applies to a lot creation of approximately 2.3ha, creating a corridor having a frontage of approximately 20 m on Prince of Wales Road, and extending along the north and west property lines.
- Taxes and/or penalties must be paid in full up to and including the current fiscal year on all related properties, if the amount is known.

- All costs pertaining to this application, survey expenses and all others applicable shall be borne by the applicant. All legal costs, engineering peer reviews, and consultant fees be paid, including a 10% administration fee, as per the Township's Tariff of Fees By-law. Where the costs are unknown at the time of issuance of a Certificate of Official, a deposit shall be required in the amount of \$2000.
- Compliance with all bylaws, including, but not limited to zoning, site plan and property standards.
- The draft transfer for the subject severance must be presented to the Secretary Treasurer prior to two years after the date of decision, being Nov 30, 2024 less two weeks for processing for review and approval.
- That the survey for the parcels reflects the approved configuration and is within +/- 5%, of the approved area/dimensions, when rounded to one decimal place.
- Two paper copies of the registered plan of survey and one pdf copy. The copy of the draft R- plan shall be circulated to the Township for review prior to registration.
- One digital autocadd (.dwg) drawing be provided, including documentation (such as email confirmation) from the surveyor certifying that the digital copy was created from the same file that was used to plot the original paper copies of the R-plan.
- The registered owner shall obtain, from the Township Director of Public Works.
- That the Owner agrees to establish a parking lot designed for a minimum of 6 parking spaces of 3m x 6m to service the Bruce Trail access point, in accordance with Schedule A to By-law 44-2021 and the agreement to the satisfaction of the Township.
- The solicitor for the Bruce Trail Conservancy shall provide an undertaking to make an application for consolidation within thirty days following registration of the deed to merge the severed parcel with the Bruce Trail Conservancy lands being Part of Lot 23, Concession 2 WHS, (Roll 6-08900), and to provide the Township with documentation which demonstrates that the consolidation has taken place.

8.0 ADJOURNMENT

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



**COMMITTEE OF ADJUSTMENT
MINUTES
MAY 18, 2022 | 1:00PM**

Present: Earl Hawkins, Chair
Janet Horner, Ex Officio
Kim Lyon, Member
Bart Wysokinski, Member
Tracey Atkinson – Planner
Roseann Knechtel – Deputy Clerk

Absent: Ken Cufaro, Member

1.0 CALL TO ORDER

The meeting was called to order at 1:15 p.m. by Chair Hawkins. Approximately 3 residents were in attendance.

2.0 APPROVAL OF THE AGENDA

Moved by Horner and Seconded by Lyon

THAT the agenda be approved.

CARRIED.

3.0 MINUTES OF THE PREVIOUS MEETING

Moved by Lyon and Seconded by Horner

THAT the minutes of January 26, 2022 be approved.

CARRIED.

4.0 DISCLOSURE OF PECUNIARY INTERESTS - NONE

5.0 PUBLIC MEETINGS

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

5.1 B09-2021 STROUD LOT CREATION

Township Planner Tracey Atkinson provided a summary of the application for B9-2021 and confirmed the lot lines have been reconfigured to address comments and concerns raised by the NVCA as well as remove Robert Bryan as an interested

party.

The Planner confirmed that no public comments were received at the January 26, 2022 statutory public meeting for the application nor were any received during this meeting

Members discussed potential driveway and building locations. Discussion ensued surrounding the establishment of a building envelope.

Moved by Lyon and Seconded by Horner

THAT Application No. B09-2021 submitted by Murray Stroud for a lot creation from CON 4 EHS PT LOT 4 RP 7R6596 PART 4 (R#2 02600) be approved subject to the following:

- This consent applies to a lot creation of a minimum 2 ha, having a frontage of approximately 100m and a depth of approximately 240m from the south-west corner of the subject lands.
- Taxes and/or penalties must be paid in full up to and including the current fiscal year on all related properties, if the amount is known.
- All costs pertaining to this application, survey expenses and all others applicable shall be borne by the applicant. All legal costs, engineering peer reviews, and consultant fees be paid, including a 10% administration fee, as per the Township's Tariff of Fees By-law. Where the costs are unknown at the time of issuance of a Certificate of Official, a deposit shall be required in the amount of \$2,000.
- Compliance with all bylaws, including, but not limited to zoning, site plan and property standards.
- The draft transfer for the subject severance must be presented to the Secretary Treasurer prior to two years after the date of decision, being May 18, 2024 less two weeks for processing for review and approval.
- That the survey for the parcels reflects the approved configuration and is within +/- 5%, of the approved area/dimensions, when rounded to two decimal places.
- Two paper copies of the registered plan of survey and one pdf copy. The copy of the draft R-Plan shall be circulated to the Township for review prior to registration.
- One digital autocadd (.dwg) drawing be provided, including documentation (such as email confirmation) from the surveyor certifying that the digital copy was created from the same file that was used to plot the original paper copies of the R-plan.
- The registered owner shall obtain, from the Director of Public Works, any required entrance approvals.
- An emergency number be installed at the entrance of a retained lot as per County Regulations.
- The registered owner shall enter into a development agreement pursuant to

section 51 (26) of the Planning Act to address all planning matters, including EIS mitigation to the satisfaction of the Township and NVCA.

- Cash in lieu of Parkland shall be paid in accordance with the Parkland Dedication By-law in effect at the time of the payment. (Applies to new lots, including farm surplus dwelling severances). The Parkland dedication fee at the time of conditional approval is \$5,000.00.
-

CARRIED.

5.2 B01-2022 DRYMAN CONSULTING SERVICES / MACEACHREN BOUNDARY ADJUSTMENT

Township Planner Tracey Atkinson provided a summary of the application for B01-2022, noting policy for boundary adjustments in prime agricultural areas, current property uses, as well as comments received from third party agencies and the applicants.

The applicants spoke to reasons for requesting the boundary adjustment to keep the pond and forest in the family. The applicants confirmed that the northern property contains a pole barn and two sheds and stated there is no home there.

Public comment was received from Wayne Goodfellow in support of the application and recommended the use of a one-foot reserve to prohibit future severance.

Members discussed the possibility of restricting future severance opportunities and the maintenance of agricultural lands. Members sought clarification on the buildings that currently exist on the northern lot.

The owner of the Northern (receiving) parcel stated that she was in support of a restrictive agreement to prohibit future severances, or any other tool that the Township may choose to use to ensure that the property remains in-tack.

Moved by Horner and Seconded by Wysokinski

THAT Application No. B01-2022 submitted by Norman MacEachern for Dryman Consulting Services for a boundary adjustment adding lands from CON 2 W E PT LOTS 31 & 32 RP 7R4087 PART 4 (746269 30 SIDEROAD) Roll 6-10100 to CON 2 WHS PT LOT 32 RP 7R5109 PART 3, Roll 6- 10200, be approved subject to the following:

- This consent applies to a boundary adjustment of approximately 16 ha, from CON 2 W E PT LOTS 31 & 32 RP 7R4087 PART 4 (746269 30 SIDEROAD) Roll 6-10100 to CON 2 WHS PT LOT 32 RP 7R5109 PART 3, Roll 6-10200.
- Taxes and/or penalties must be paid in full up to and including the current fiscal year on all related properties, if the amount is known.
- All costs pertaining to this application, survey expenses and all others

applicable shall be borne by the applicant. All legal costs, engineering peer reviews, and consultant fees be paid, including a 10% administration fee, as per the Township's Tariff of Fees By-law. Where the costs are unknown at the time of issuance of a Certificate of Official, a deposit shall be required in the amount of \$2,000.

- Compliance with all bylaws, including, but not limited to zoning, site plan and property standards.
- The draft transfer for the subject severance must be presented to the Secretary Treasurer prior to two year after the date of decision, being May 18, 2024 less two weeks for processing for review and approval.
- The severed parcel shall be subject to Section 50(3) of the Planning Act, as applicable.
- The solicitor for the owner of the lot to which the severed parcel is to be added shall provide an undertaking to make an application for consolidation within thirty days following registration of the deed for the resulting enlarged parcel, and to provide the Township with documentation which demonstrates that the consolidation has taken place.
- That the survey for the parcels reflects the approved configuration and is within +/- 5%, of the approved area/dimensions, when rounded to two decimal places.
- Two paper copies of the registered plan of survey and one pdf copy. The copy of the draft R-Plan shall be circulated to the Township for review prior to registration.
- One digital autocadd (.dwg) drawing be provided, including documentation (such as email confirmation) from the surveyor certifying that the digital copy was created from the same file that was used to plot the original paper copies of the R-Plan.
- Road widening of 3.05m taken from the severed and retained lands and dedicated to the Township to the satisfaction of the Township Director of Public Works.
- The solicitor for the owner shall provide an Acknowledgement and Direction, with the draft transfer in preparation attached, for signature by the signing officers for the municipality, including authorization to permit electronic registration of the transfer. The solicitor shall prepare an undertaking to transfer said road widening to the Township within 30 days of the completion
- That the owner provide a one foot reserve, register an agreement on title, re-zone, or redesignate to restrict future severance opportunities at the Township's preference and to the Township's satisfaction.

CARRIED.

5.3 B02-2022 GOODFELLOW LOT CREATION

Township Planner Tracey Atkinson provided a summary of the application for B02-2022. The Planner confirmed comments were received from the NVCA which

recommended deferral and noted the lands fall within the Provincial Prime Agricultural area mapping.

The applicant confirmed the NVCA's requests were reasonable and stated the land is sand and should not be included as part of the Province's mapping. The applicant noted the 2016-2036 Dufferin County Forest Management Plan and the Report on the Reforestation of Waste Lands in Southern Ontario in which large scale land clearing has resulted in sandy soil without stabilization making farming unsupportable.

No public comments were received.

Members asked the applicant if they would like to move forward with a decision or defer their application.

The applicant submitted a written request to have the application withdrawn.

6.0 ADJOURNMENT

Moved by Lyon and Seconded by Horner

THAT Committee adjourns the meeting at 2:41 pm to meet again at the call of the Chair.

CARRIED.



NOTICE OF COMPLETE APPLICATION AND PUBLIC MEETING B03-2022 MANSFIELD CHURCH

Township of Mulmur Committee of Adjustment will hold a public meeting under section 53 (5) of the *Planning Act, R.S.O. 1990 c.P.13, as amended*. The meeting may be attended in person or electronically.

MEETING DETAILS

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

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

MEETING DATE AND TIME: November 30, 2022 at 1:30PM

APPLICATION NUMBER: B03-2022

OWNER/APPLICANT: TRUSTEES OF THE MANSFIELD PRESBYTERIAN CHURCH

LOCATION: CON 6 EHS PT LOT 10 (936572 AIRPORT ROAD)

ASSESSMENT ROLL: 2216000001157000000

PURPOSE: The application proposed to sever +/- 2.2 ha (5.4 acre) lot containing an existing church, accessory shed and cemetery. The retained lot is proposed to be approximately 32.7 ha (80.8 acres) in size and comprises vacant land.

NOTE: If a person or public body that files an appeal of a decision of the Township of Mulmur Committee of Adjustment in respect of the proposed consent does not make written submissions to the Township of Mulmur Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal. If you wish to be notified of the decision of the Township of Mulmur Committee of Adjustment in respect of the proposed consent, you must make a written request to the Township of Mulmur Committee of Adjustment.

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

DATED: September 19, 2022

Additional information is available for public inspection by request. Please contact:

Tracey Atkinson, Planner

705-466-3341x222 | planning@mulmur.ca



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



B03-2022 Mansfield Church



BACKGROUND

The subject lands (CON 6 EHS PT LOT 10) are approximately 87.6 acres in size.

The lands fall within the settlement boundary of Mansfield.

The application included the following supporting documents:

- Application Form
- Draft Survey
- Affidavit from Lorne McKee (crop history from 1956-81)
- Cemetery Sections and Details (Extent of plots and burials)
- Affidavit from Somerville Nurseries (crop history from 1981 to present)

PROPOSED CONFIGURATION



PROVINCIAL POLICIES & PLANS



The Township reviews severances in Mulmur with respect to the following documents:

1. Provincial Policy Statement, 2020 (PPS)
2. A Place to Grow, 2020
3. County of Dufferin Official Plan, 2014
4. Mulmur Township Official Plan, 2012

PROVINCIAL POLICIES & PLANS



Provincial Policy Statement

The Provincial Policy Statement (PPS) contains broad policy direction and policy direction on lot creation, and the protection of farmland, features and functions.

The PPS contains policies related to protecting archaeological resources and cultural heritage landscapes and resources. (Ministry of Heritage, Tourism and Culture provided comments.)

The application is consistent with the PPS.

Growth Plan

In accordance with A Place to Grow, the majority of new growth is to be directed to settlement areas. The proposed severance would separate the cemetery and church from the developable lands streamlining a future application for new growth.

DUFFERIN COUNTY OFFICIAL PLAN



County Official Plan

The County Official Plan is a high-level policy document that directs growth to settlement areas within the Township. The plan also provides for technical consents. The proposed severance does not offend the County Plan.

It is noted that the County is undertaking its Municipal Comprehensive Review which relates to future land needs.

The County of Dufferin was circulated and provided comments on the application.

MULMUR OFFICIAL PLAN



The Mulmur Official Plan contains the following applicable policies:

5.1 – Growth Management

5.6 Archeological, Build Heritage and Cultural Heritage Landscapes

5.36 – General Lot Creation

7.0 Settlement Areas and Residential Policies

7.1.A5, Institutional

8.3 - Institutional

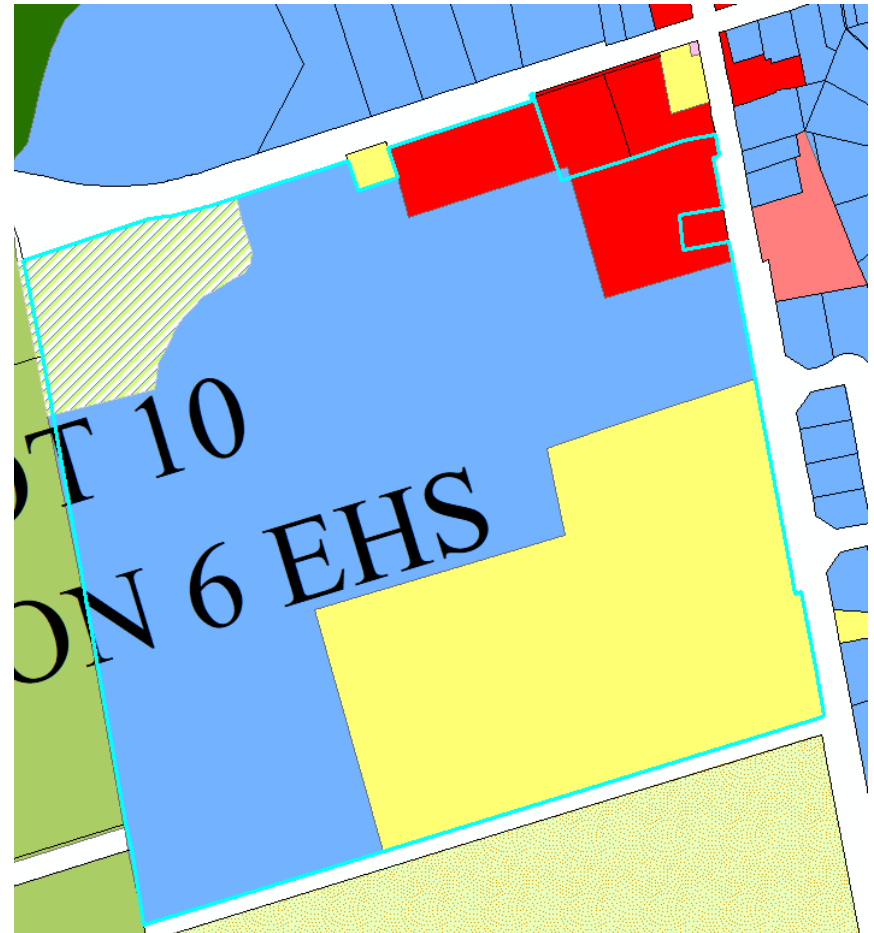
The proposed severance is consistent with the Township's policies.

OFFICIAL PLAN DESIGNATION



- Open Space Recreation
- Hamlet Residential
- Commercial
- Institutional

Note: the Institutional designation extends beyond the proposed severed lands.

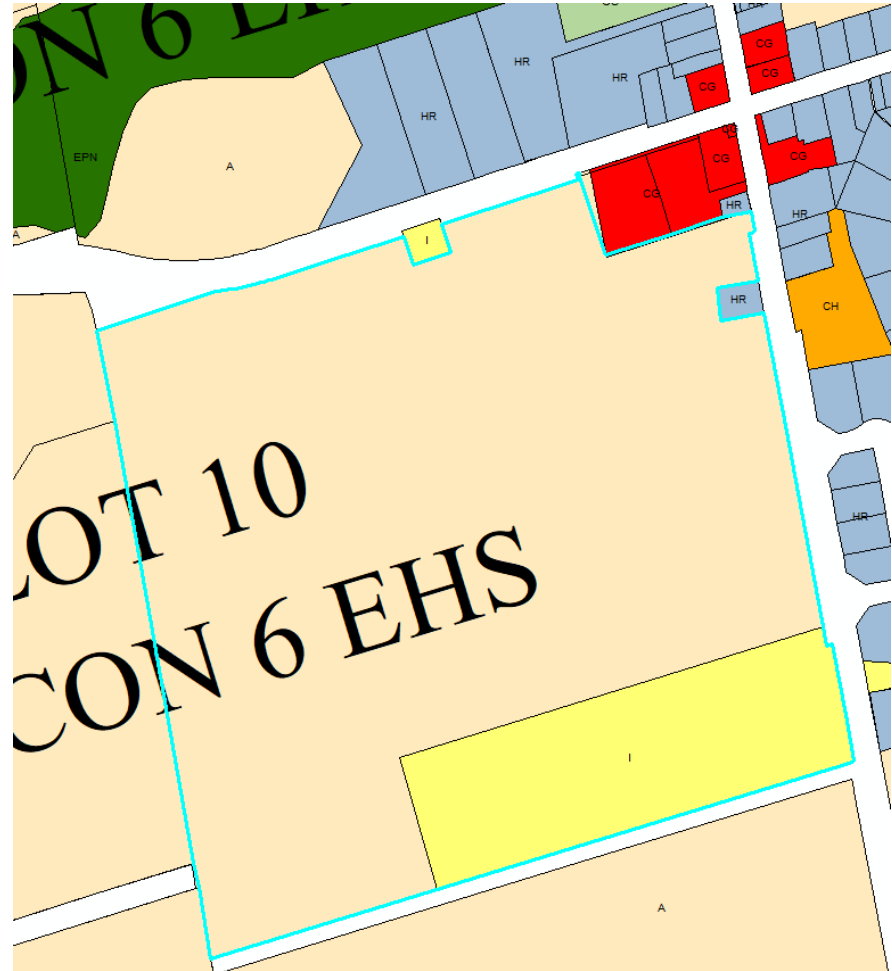


CURRENT ZONING



- Countryside Area (A)
- Institutional

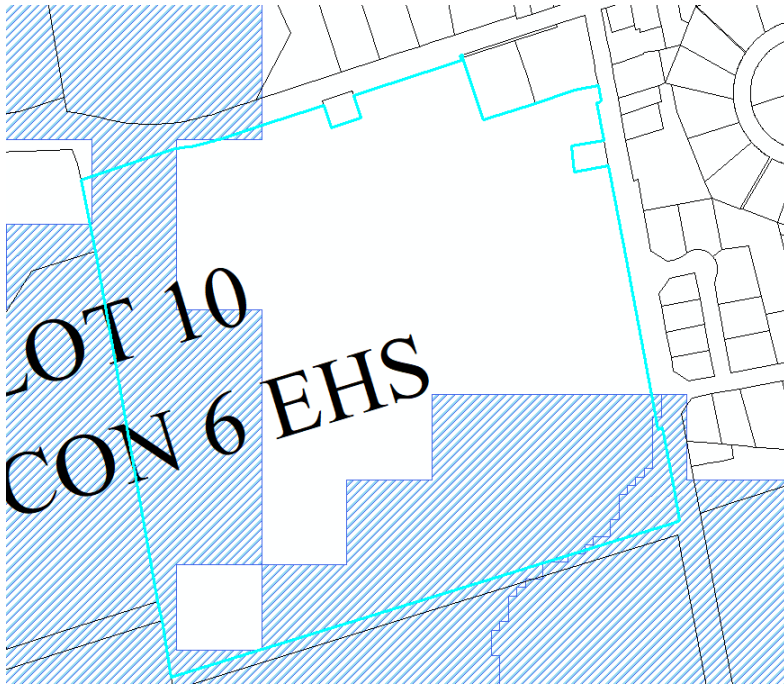
Note: the Institutional (I) zone extends beyond the proposed severed lands.



SOURCE WATER PROTECTION



HIGHLY VULNERABLE AQUIFER



WELL HEAD PROTECTION AREAS



COMMENTS RECEIVED



- Public Works Road – no concerns
- Hydro – no concerns
- Upper Grand District School Board – no comments on severance but will review future application on retained lands (i.e. future subdivisions)
- Resident – no concerns with current proposal, but desire to keep existing buffering on retained lands.
- Dufferin County Building Department – no concerns
- Ministry of Heritage, Tourism and Culture - administrative in nature

STAFF RECOMMENDATION:

APPROVAL

- Subject to receiving public and agency comments



- 758070 2nd Line E Mulmur, ON L9V0G8
Telephone: 705 466 3341 Toll Free: 1 866 472 0417
(from 519 only) www.mulmur.ca

- © Mulmur Township. All rights Reserved.



Date: November 30, 2022
To: Committee of Adjustment
From: John Willmetts, Director of Public Works
Re: B03 – 2022 MANSFIELD CHURCH

ROAD WIDENING

With respect to this application, I have no conditions or concerns as a road widening has already been acquired.

Yours truly,

John Willmetts

John Willmetts
Director of Public Works
Township of Mulmur



BUILDING SERVICES

Date: September 26, 2022

To: Tracey Atkinson CAO/Planner
Township of Mulmur

Re: Consent file # B03-2022
Township of Mulmur, County of Dufferin.

This letter serves to confirm that I have commenced a preliminary review of the application B03-2022 and request for comment.

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

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

Regards,

A handwritten signature in blue ink, appearing to be 'DK'.

Doug Kopp CBCO
Plans Examiner

Roseann Knechtel

From: LANDUSEPLANNING <LandUsePlanning@HydroOne.com>
Sent: October 4, 2022 12:47 PM
To: Roseann Knechtel
Subject: Mulmur Twp - 936572 Airport Rd - B03-2022
Attachments: 20221004124611883.pdf

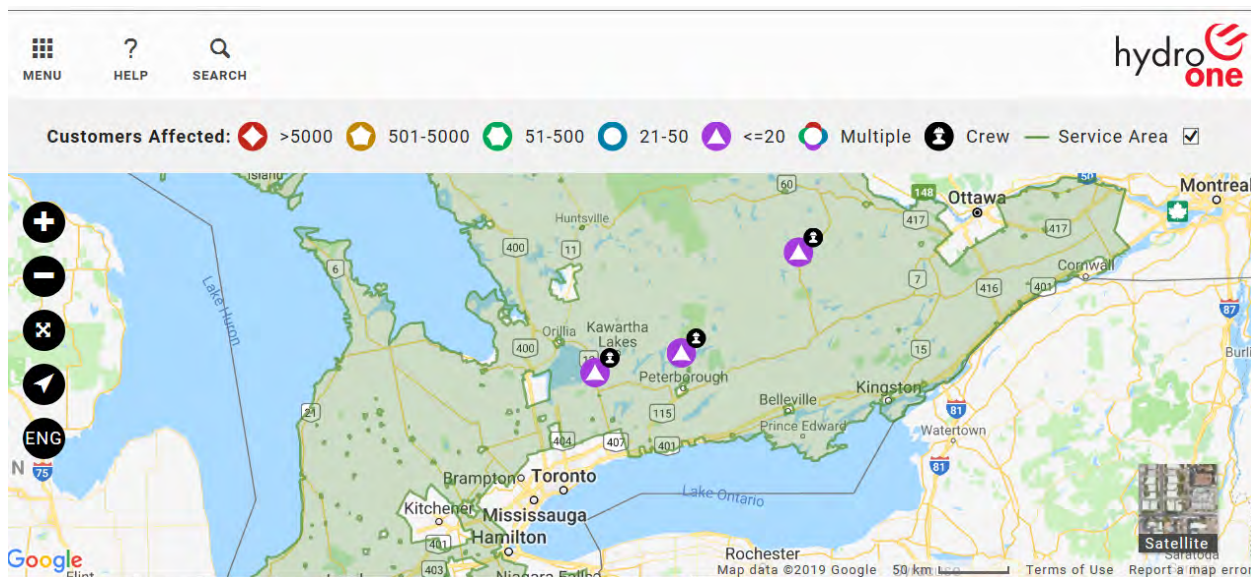
Hello,

We are in receipt of your Consent Application, B03-2022 received Oct 4, 2022. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.

For proposals affecting 'Low Voltage Distribution Facilities' please consult your local area Distribution Supplier. To confirm if Hydro One is your local distributor please follow the following link:

[Stormcentre \(hydroone.com\)](https://stormcentre.hydroone.com)

Please select " Search" and locate address in question by entering the address or by zooming in and out of the map



If Hydro One is your local area Distribution Supplier, please contact Customer Service at 1-888-664-9376 or e-mail CustomerCommunications@HydroOne.com to be connected to your Local Operations Centre

Thank you,

Kitty Luk
Records Administrator | Land Use Planning

Hydro One Networks Inc.
185 Clegg Road
Markham, ON | L6G 1B7



UPPER GRAND DISTRICT SCHOOL BOARD

Planning Department

Board Office: 500 Victoria Road N. Guelph, ON N1E 6K2

Email: municipal.circulations@ugdsb.on.ca

Tel: 519-822-4420 ext. 821 or Toll Free: 1-800-321-4025

23 September 2022

PLN: 22-088

File Code: R14

Tracey Atkinson
Planner
Township of Mulmur
065371 Dufferin County Road 3, Unit 2,
East Garafraxa ON L9W 7J80G8

Dear Ms. Atkinson;

**Re: B03-2022
Mansfield Presbyterian Church, 936572 Airport Rd, Township of Mulmur**

Planning staff at the Upper Grand District School Board have received and reviewed the above noted notice of Committee of Adjustment meeting for a consent application proposing to sever an existing church, accessory shed and cemetery. The retained lot is proposed to be approximately 80.8 acres in size and a portion of the lands is shown as designated for future development.

Please be advised that the Planning Department does not have concerns about the proposed severance however we will be reviewing more thoroughly any future applications related to the retained lands.

Should you require additional information, please feel free to contact the undersigned.

Sincerely,

Upper Grand District School Board

Heather Imm
Senior Planner

Upper Grand District School Board

• Martha MacNeil; Chair
• Mark Bailey

• Barbara Lustgarten Evoy; Vice-Chair
• Jen Edwards

• Jolly Bedi
• Mike Foley

• Linda Busuttil
• Robin Ross

• Gail Campbell
• Lynn Topping

From: [Harvey, Joseph \(MTCS\)](#)
To: [Tracey Atkinson](#)
Cc: [Parnell, Jane \(MMAH\)](#); [Barboza, Karla \(MTCS\)](#); [Grant, Kay \(MMAH\)](#)
Subject: RE: archeological assessment requirements
Date: September 16, 2022 10:21:18 AM

Hi Tracey,

As you know, conservation of Ontario's cultural heritage is a matter of provincial interest, and the *Ontario Heritage Act* and *Planning Act*, including the Provincial Policy Statement, are key pieces of legislation supporting it.

Municipalities (upper-tier and lower-tier) have the authority to make decisions on matters within their jurisdiction in compliance with provincial legislation, provincial plans and other (municipal) planning documents when reviewing an application under *the Planning Act*. Municipalities are accountable for these decisions.

PPS 2.6.2 states that, "development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved."

Based on the information provided, MTCS recommends that an archaeological assessment be undertaken by a licensed archaeologist as part of the proposed severance. This would ensure compliance with the provincial legislation, municipal and provincial plans.

The removal of trees would need to be addressed as a development impact. In addition, if the landowner were to erect a building following the building permit process this would not trigger an archaeological assessment (As you may be aware, building permits as per the *Building Code Act* do not trigger archaeological assessments). Therefore, even if there is no current intention to develop the property, future possibilities need to be taken into account.

Furthermore, the lands to be severed may be considered cemetery lands under the *Funeral, Burial and Cremation Services Act, 2002*, and a cemetery closure application may be required if these lands are to be used for purposes other than a cemetery. An archaeological assessment will determine this as well as confirm the boundaries of the burials within the cemetery which will be needed as part of this process.

If you have additional documentation which may change our advice above please let us know.

For further information on archaeological assessments, including a list of licensed archaeologists in Ontario, please visit our ministry's website

- http://www.mtc.gov.on.ca/en/archaeology/licensed_archaeologists.shtml
- http://www.mtc.gov.on.ca/en/archaeology/archaeology_assessments.shtml

I hope this is of assistance. Let me know if you have any further questions.

Regards,

Joseph Harvey | Heritage Planner

Heritage, Tourism and Culture Division | Programs and Services Branch | Heritage Planning Unit

Ministry of Tourism, Culture, and Sport

613.242.3743

Joseph.Harvey@ontario.ca

From: Harvey, Joseph (MTCS) <Joseph.Harvey@ontario.ca>

Sent: September 27, 2022 3:38 PM

To: Tracey Atkinson <tatkinson@mulmur.ca>

Subject: RE: archeological assessment requirements

Hi Tracy,

We do not recommend a holding provision as these are typically reserved for situations where an archaeological site has been identified.

Our main concern with this application is whether the consent will result in alterations to either property or is simply administrative in nature. If the application is purely administrative in nature we recommend that the township include as part of the application a direct statement acknowledging that the purpose of the consent is entirely administrative in nature, is subject to a clear demonstration of that, and does not include any restrictions or conditions.

As indicated before, please note that the lands to be severed may be considered cemetery lands under the Funeral, Burial and Cremation Services Act, 2002, and a cemetery closure application may be required if these lands are to be used for purposes other than a cemetery. An archaeological assessment will determine this as well as confirm the boundaries of the burials within the cemetery which will be needed as part of this process.

I hope this is of assistance. Do not hesitate to contact me with any further questions or concerns.

Thanks,

Joseph Harvey | Heritage Planner

Heritage, Tourism and Culture Division | Programs and Services Branch | Heritage Planning Unit

Ministry of Tourism, Culture, and Sport

613.242.3743

Joseph.Harvey@ontario.ca

From: Tracey Atkinson <tatkinson@mulmur.ca>

Sent: September 22, 2022 9:06 AM

To: Harvey, Joseph (MTCS) <Joseph.Harvey@ontario.ca>

Subject: RE: archeological assessment requirements

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

Hi Joseph,

Thank you for your email. There is no development proposed at this time. However, I note that the removal of the church and cemetery from the remainder will allow them to sell the vacant land for future development. The remainder of the lands are designated for residential development, but would require a Plan of Subdivision application under the Planning Act R.S.O. 1990, c.P. 13 as amended, and the submission of a complete application (including an archeological assessment) in accordance with our Official Plan (approved under the Planning Act).

Tracey Atkinson, BES MCIP RPP Dipl M.M. | CAO | Clerk | Planner

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

Phone 705-466-3341 ext. 222 | Fax 705-466-2922 | tatkinson@mulmur.ca

TO: Tracey Atkinson, Township of Mulmur
FROM: Kevin Greer, Mansfield Presbyterian Church
DATE: 26 September 2022
SUBJECT: B03-2022 (Mansfield Church)

We are in receipt of your "Notice of Incomplete Application" to sever the lands located at CON 6 EHS PT LOT 10. We request that you deem the application complete based on the additional information enclosed with regards to requirements for development at archaeological sites as outlined in the Township's Official Plan.

1. Mapping of the graveyards
2. Letter from the Mansfield Cemetery Board regarding past upgrades
3. Affidavit from current farm land renter on land use
4. Affidavit from previous farm land renter on land use

In addition to the above provided documents this table outlines the farm land renters since 1876, with affidavits on land use provided from renters over the past 70 years.

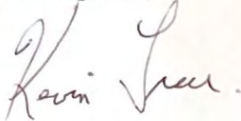
Time Period	Farm Land Renters
1876 – 1942	Sam & Bob Fleming
1942 – 1944	Frank Fitzpatrick
1944 – 1951	Elwood & Eleanor Greer
1951 – 1956	Russell & Doris Newell
1956 – 1981	Lorne & Mary McKee
1981 – present	Somerville Nurseries Inc.

Given the extensive work, as outlined in the attached letter, that the Mansfield Cemetery Board has completed over the years to extend and preserve the cemetery and given that this application is to merely increase the size of the current cemetery boundary, it would seem appropriate that the future owner of the farm land meet the requirements for "development at archaeological sites".

In addition, the Mansfield Cemetery Board commits to ensuring that an appropriate fence is constructed to encompass the full cemetery and church grounds to facilitate clear designation and protection of the graveyards in the future.

We appreciate your consideration of the additionally provided documents and information to deem this application complete and also look forward to working with the Township to further this development.

Kind Regards,

A handwritten signature in cursive script that reads "Kevin Greer".

Kevin Greer

On behalf of the Mansfield Presbyterian Church Future Planning Committee

Enclosed

Mansfield Cemetery Part A, B & C

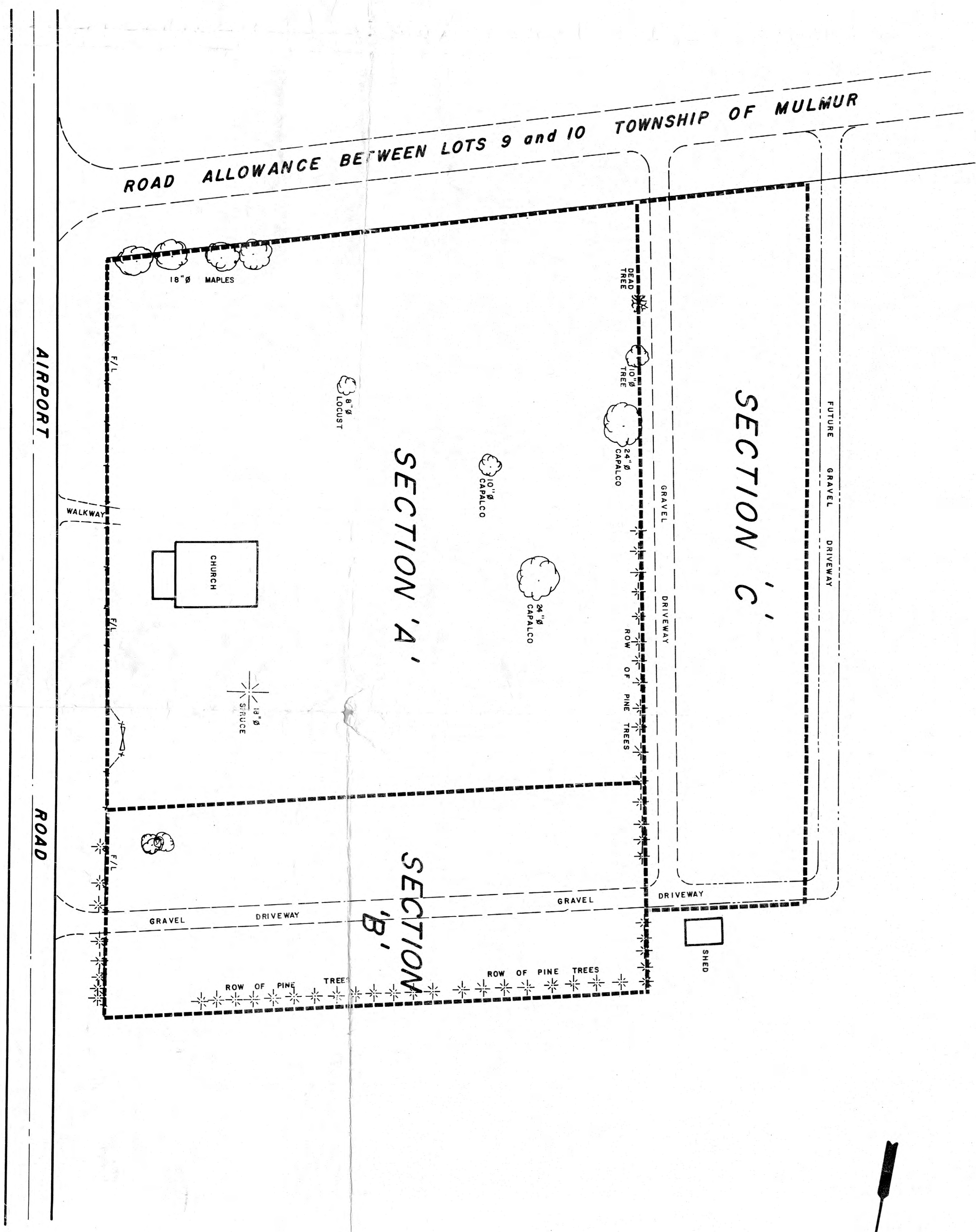
Mansfield Cemetery Part D

Letter from Mansfield Cemetery Board

Affidavit from Current Farm Land Renter

Affidavit from Previous Farm Land Renter

SECTION D



Section A - 1855
 Section B - 1882
 Section C - 2003
 Section D - 2006
 Prepared
 Section E

NOTES

NO.		REVISIONS		DATE		APPR.	

R. J. BURNSIDE & ASSOCIATES LTD.
 CONSULTING MUNICIPAL ENGINEERS & PLANNERS
 150-3074 PARKWAY AVENUE, WINNIPEG, MANITOBA R3K0X2
 30 MILL STREET, ORANGEVILLE, ONTARIO L9W 2A3

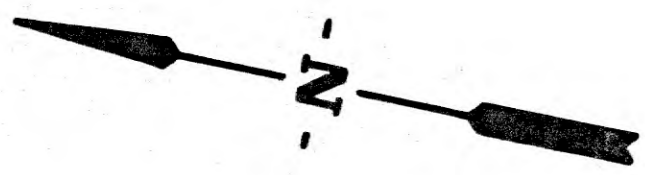
CLIENT	TITLE	DATE	ISSUED
R. J. BURNSIDE PENG.	GENERAL PLAN	NOV 19/12	

DRAWN: D. C. MON TOMERY
 DESIGNED: G. E. CLARKE
 SCALE: 1" = 30'

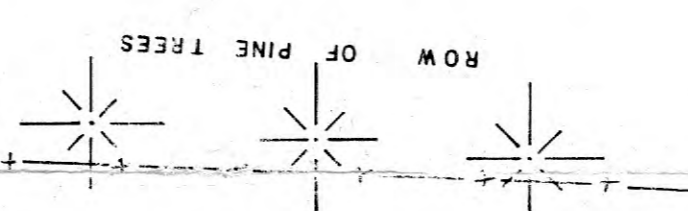
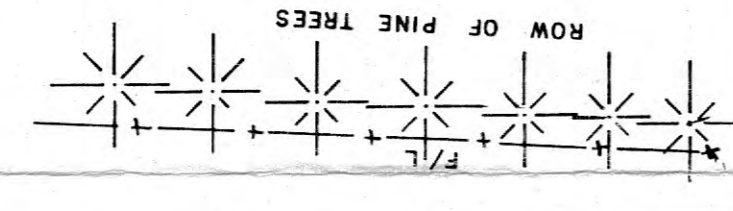
PRANKING NO: C-655-1

24" x 42" x 12.4R

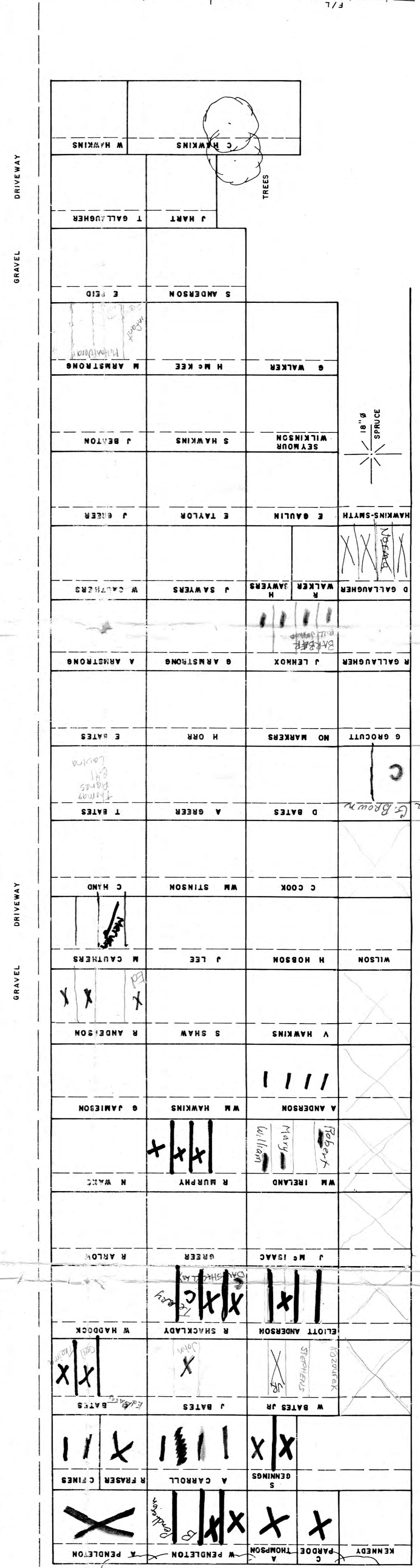
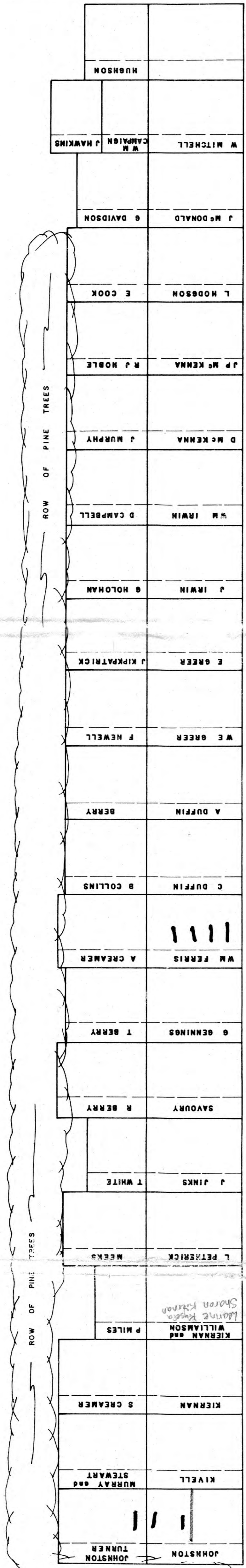
B



AIRPORT ROAD



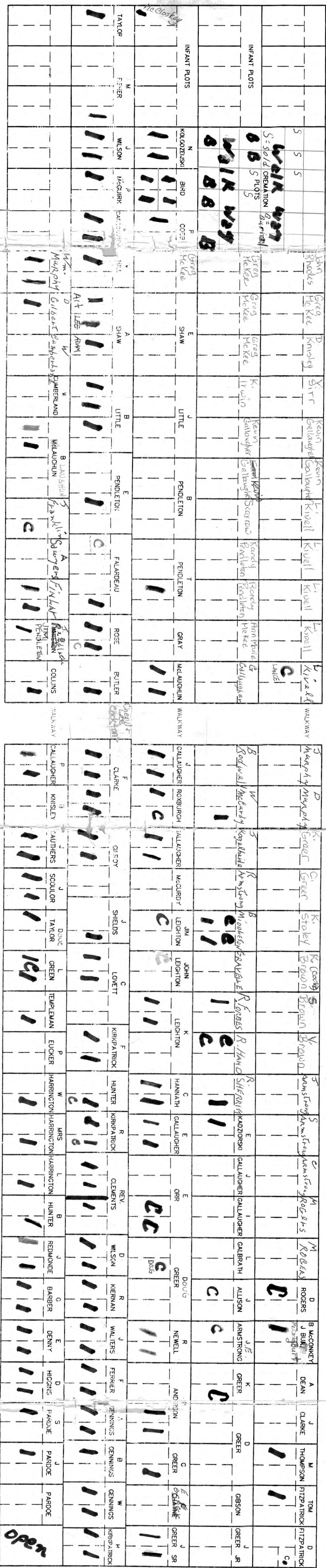
SECTION 'B'



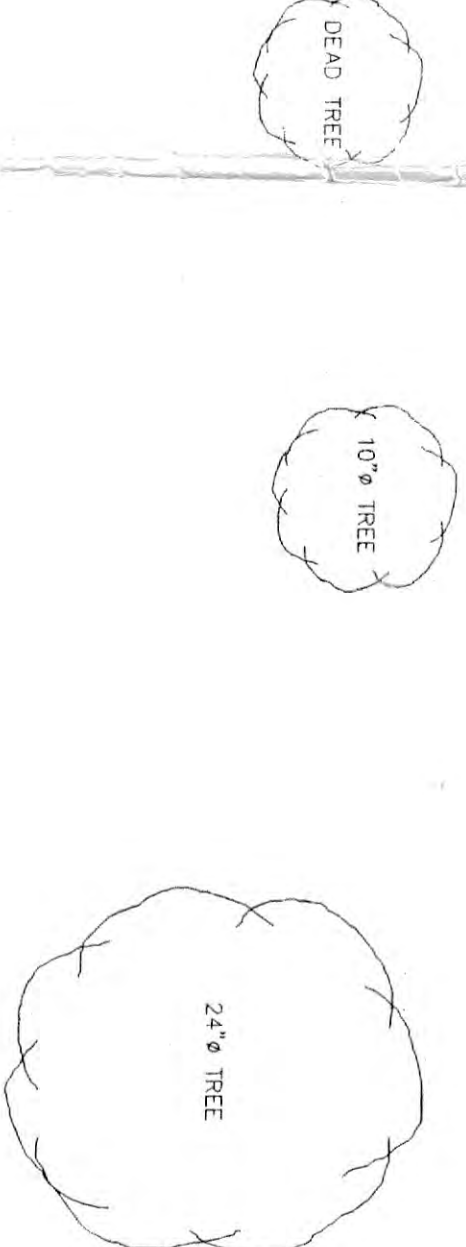
R.J. BURNSIDE & ASSOCIATES LTD. CONSULTING MUNICIPAL ENGINEERS & PLANNERS 180-1074 PORTAGE AVENUE WINNIPEG, MANITOBA R3X0Y2 30 MILL STREET, ORANVILLE, ONTARIO L5W 6M3		DRAWN: D. C. MONTGOMERY DESIGNED: G. E. CLARKE DATE: NOV 1962	DRAWING NO: C-655-2 SCALE: 1" = 10' ISSUED
CLIENT		TITLE	
SECTION 'B'		R.J. BURNSIDE P. ENG.	
NO. 1 2	DATE OCT/84 JUNE/03	APP'D E.G. G.C.	REVISIONS
NOTES			

ROAD ALLOWANCE BETWEEN LOTS 9 and 10 TOWNSHIP OF MULMUR

SECTION 'C'



NOTE:
Some trees still remain
These trees will be removed & placed above the
Derrick (road) & the water (road) to use RIGHT-OF-WAY
OF owner (2.0 acre/row)



NOTES

NO.	REVISIONS	DATE	APP'D
1	UPDATED	OCT/04	E.G.
2	UPDATED	MAY/05	E.G.
3	UPDATED	OCT/02	E.G.
4	REWORK IN AUTOCAD AND UPDATED	JUNE/03	C.C.

CLIENT

SECTION 'C'



BURNSIDE
44 Burnside & Associates Limited
15 Toronto, Ontario, Canada L6W 3K4
Telephone (905) 941-5311 Fax (905) 941-8270

DATE: JUNE 2003
DRAWN: D.C.M.
DESIGNED: G.E.C.

SCALE: 1" = 10'
ISSUED

Section "D"

- Staked 2006

	38	37	36	35	34	33	32	31	30	29	28	28	27	26	25	24	23	22	21	20	19	18	17	16	15	14	13	12	11	10	9	8	7	6	5	4	3	2	1		
J																																									
I																																									
H																																									
G																																									
F																																									

Gravel Driveway

Gravel Driveway

From: Chris Armstrong, Chairperson Mansfield Cemetery Board
 Date: 26 September 2022
 Subject: B03-2022 (Mansfield Church)
 Maintenance and Upgrades to the Mansfield Cemetery

Please accept this letter as additional information to deem complete the application to sever lands located at CON 6 EHS PT LOT 10 with regards to requirements for development at archaeological sites as outlined in section 5.6 of the Township's Official Plan.

Below is a history of major upgrades and cemetery growth over the past 50 plus years, with reference to sections A, B, C and D as outlined in the cemetery site drawings. All of this work was supervised, and in many cases performed, by members of the Cemetery Board and congregation members of the Mansfield Presbyterian Church.

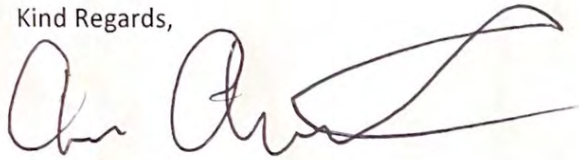
Year	Work Performed
Pre 1977	Removal of old pine trees, including stumps using a back hoe, along the north side of section A Addition of section B for additional gravesites Construction of laneway between sections A and B
1977	Addition of section C for additional gravesites Construction of laneway between sections A and C Planting of pine trees along the west side of section C Installation of large brick cemetery dedication monument on east side of section A to the north of the church
2003	Construction of parking area adjacent to 9 side road on the south perimeter of section A Planting of hardwood trees along the south side of section A and the north side of section B Addition of north/south walkway through the cemetery from the parking area to the church Addition of east/west walkway through the cemetery from the church to the back of section A
2006	Addition of section D for additional gravesites Construction of laneway between sections C and D Planting of pine trees along the west side of section D
2012	Construction of 20 x 40 foot shed north of section C for purposes of storing cemetery equipment and supplies

The majority of these upgrades entailed digging on all 4 sides of the cemetery. During these upgrades there has never been an incident of unmarked graves being discovered or disturbed. The majority of current Cemetery Board members and several active members of the congregation helped in the completion of these upgrades.

Based on the amount of ground work that has been completed around the perimeter of the cemetery over the past 50 years, the Cemetery Board confidently believes any further digging outside of the current cemetery grounds would not result in the disturbance or discovery of human remains or unnatural objects.

We hope this record of upgrades will assist in deeming the application complete as submitted by the Mansfield Presbyterian Church.

Kind Regards,

A handwritten signature in black ink, appearing to read "Chris Armstrong", with a large, sweeping flourish at the end.

Chris Armstrong

Chairperson, Mansfield Cemetery Board

To Whom It May Concern:

I, Ryan Tyce (Somerville Nurseries Inc.) can confirm that Somerville Nurseries Inc. rented CON 6 EHS PT LOT 10 for the purposes of planting and harvesting Christmas trees for the period 1981 to present day. I also confirm that during the stated period Somerville Nurseries Inc. did not discover any signs of digging, burying or objects that resembled human remains in relation to the adjacent cemetery.

Ryan Tyce

Somerville Nurseries Inc. Representative Printed

Ryan Tyce

Somerville Nurseries Representative Signature

Sept. 26, 2022

Date

Ryan Chambers

Witness Printed

Ryan Chambers

Witness Signature

Sep. 26/22

Date

To Whom It May Concern:

I, Lorne McKee can confirm that I rented CON 6 EHS PT LOT 10 for my own agricultural purposes for the period 1956 to 1981. During this period the land was plowed, cultivated, disked, planted and harvested with various crops. I can confirm that during the stated period I did not discover any objects that resembled human remains or unnatural objects in relation to the adjacent cemetery and I never saw any signs of previous digging on the property.

Lorne McKee
Lorne McKee

Lorne McKee Signature

Sept 26/22

Date

Greg McKee

Witness Printed

Sept 26/22

Date

[Signature]

Witness Signature

Sept 26/22

Date



NOTICE OF COMPLETE APPLICATION AND PUBLIC MEETING B04-2022 LAZIER/TICHENOR

Township of Mulmur Committee of Adjustment will hold a public meeting under section 53 (5) of the *Planning Act, R.S.O. 1990 c.P.13, as amended*. The meeting may be attended in person or electronically.

MEETING DETAILS

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

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

MEETING DATE AND TIME: November 30, 2022 at 1:30PM

APPLICATION NUMBER: B04-2022

OWNER/APPLICANT: MARY LAZIER / MARK TICHENOR

LOCATION: CON 4 E PT LOT 6 PT LOT 7 (796343 3RD LINE EAST)

ASSESSMENT ROLL: 2216000001339000000

PURPOSE: The application proposed to sever a +/- 6.5 ha (16 acre) building lot. The retained lot is proposed to be approximately 19.8 ha (49 acres) in size and comprises an existing single detached dwelling and accessory structures.

NOTE: If a person or public body that files an appeal of a decision of the Township of Mulmur Committee of Adjustment in respect of the proposed consent does not make written submissions to the Township of Mulmur Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal. If you wish to be notified of the decision of the Township of Mulmur Committee of Adjustment in respect of the proposed consent, you must make a written request to the Township of Mulmur Committee of Adjustment.

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

DATED: September 19, 2022

Additional information is available for public inspection by request. Please contact:

Tracey Atkinson, Planner

705-466-3341x222 | planning@mulmur.ca



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



B04-2022 Lazier/Tichenor



BACKGROUND

The subject lands (CON 4 E PT LOT 6 PT LOT 7) are approximately 65 acres in size.

The southern and eastern portions of the subject lands are tillable.

The northern property has a woodlot.

PROPOSED CONFIGURATION



PROVINCIAL POLICIES & PLANS



AGRICULTURAL AND RURAL POLICY FRAMEWORK

The Township reviews severances in Mulmur with respect to the following documents:

1. Provincial Policy Statement, 2020 (PPS)
2. A Place to Grow, 2020
3. County of Dufferin Official Plan, 2014
4. Mulmur Township Official Plan, 2012

PROVINCIAL POLICIES & PLANS



Provincial Policy Statement

The Provincial Policy Statement (PPS) contains broad policy direction and policy direction on lot creation. The PPS provides high-level protection of prime agricultural lands and areas.

The lands subject to the severance are part of the Rural designation and Natural Area designation and are not considered part of the Prime Agricultural Area, as provincially mapped for the Greater Golden Horseshoe.

The lands are however under cultivation, and contribute to agriculture in Mulmur.

Growth Plan

In accordance with A Place to Grow policy, the majority of new growth is to be directed to settlement areas. The proposed severance would not conflict with the Growth Plan.

DUFFERIN COUNTY OFFICIAL PLAN



County Official Plan

The County Official Plan is a high-level policy document that directs growth to settlement areas within the Township. The plan also provides for technical consents. The proposed severance does not offend the County Plan.

MULMUR OFFICIAL PLAN



The Garden Township vision recognizes the importance of farmland in Section 3.0.

Section 5.9 of the Official Plan provides high level protection for agricultural land and operations.

The Mulmur Official Plan permits the consideration of limited lot creation within the Rural Designation. Specifically, Section 6.2.5 states that:

Severances involving the creation of one and, in appropriate circumstances, two or a maximum of three new lots from the original 40 ha. Township half-lot, may be considered by the Committee of Adjustment where it can be shown that there will be no adverse effects on nearby farming operations, where impacts on the resources and natural features identifies on the schedules to this Plan are minimal and acceptable, and where the rural character of the area will be maintained.

OFFICIAL PLAN DESIGNATION



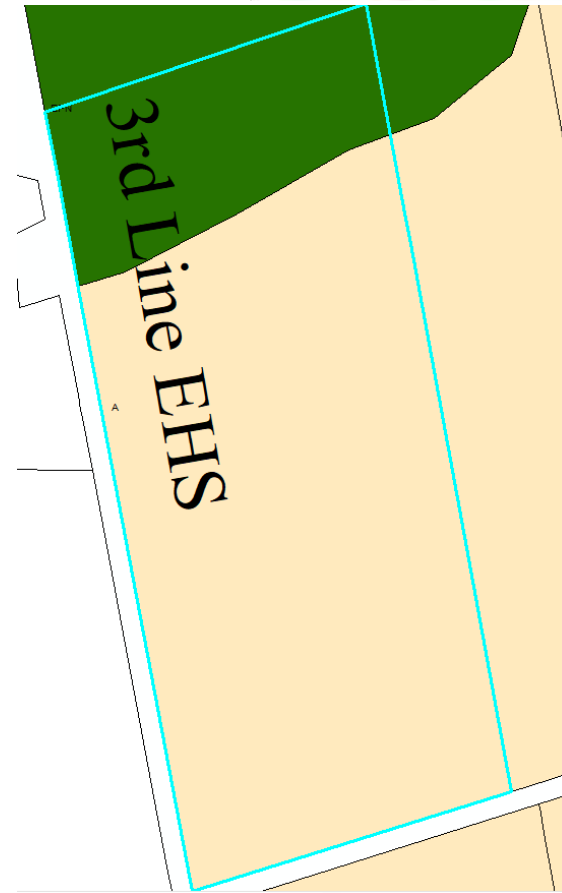
- Rural Designation
- Natural Area Designation



CURRENT ZONING



- Countryside Area (A)
- Environmental Protection



ENVIRONMENTAL

- Woodlot greater than 80ha
- Natural Heritage System
- The Subject lands are not regulated by the Conservation Authority.



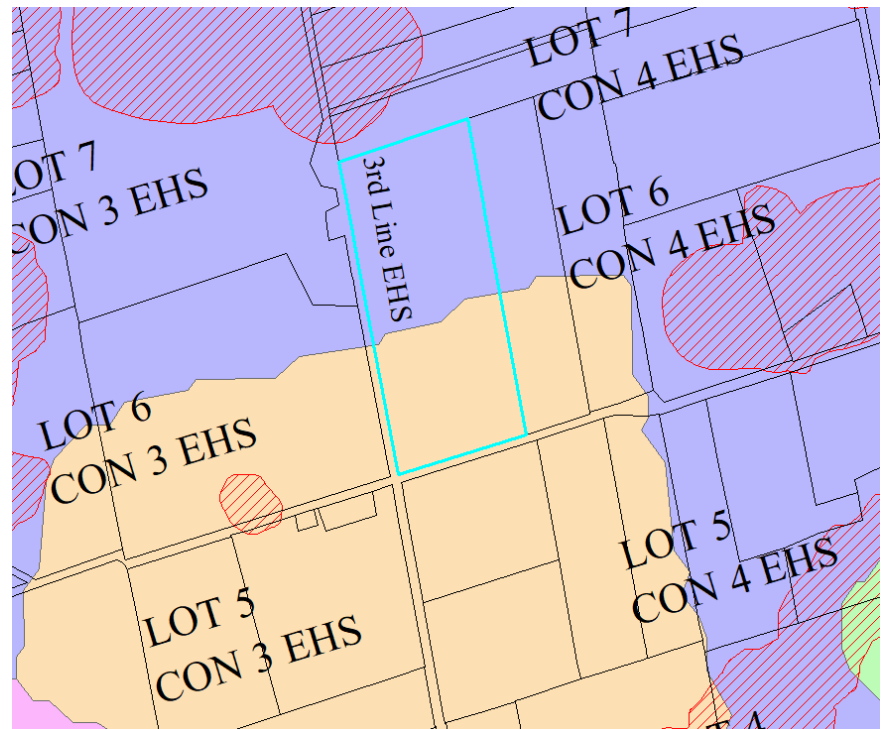


COMMENTS RECEIVED

- Public Works Road Widening
- NVCA Comments in support
- UGDSB no concerns

AGRICULTURAL LAND BASE MAPPING

While the lands are not identified as Prime Agricultural soils, it is noted that they are in crop production.



PLANNING DEPARTMENT COMMENTS

- All effort should be made to preserve as much farmland as possible in one large contiguous block. Farmland located to the east of the existing residential cluster should be maintained with the lands to the south. (See draft conditions)



STAFF RECOMMENDATION:

- Approval subject to reconfiguration to preserve agricultural land and receiving public and agency comments



- 758070 2nd Line E Mulmur, ON L9V0G8
Telephone: 705 466 3341 Toll Free: 1 866 472 0417
(from 519 only) www.mulmur.ca

- © Mulmur Township. All rights Reserved.

August 17 2022

Here's a short history of the property in question.

This land was bought jointly by my mother Helen Lazier and Christian Grotrian from Elmer Ward in 1965. I believe they paid \$20,000 for 120 acres.

Around 1975 Christian and Anne Grotrian got divorced, and my mother severed off half the property and put up the Viceroy Home we live in now. She did not intend to leave the property to the family, she intended to leave it to the township of Mulmur. In her late years she lived with us in Toronto and we came up on weekends. At that time she was about 90, I was married to Mark who preferred to live in the county. My sister Ann had died, and our mother changed her will to leave the farm to her two living children with no per stirpes. When Mum died, I had the property assessed and paid my brother \$100,000 for his share. We moved here in 1999.

We have built a pottery studio with a gallery, and a greenhouse. As well we grow food indoors under lights during the winter. We have a big crop of medicinal herbs which we use for tea, salve and soap.

To maintain the stewardship of the land, we are leaving it to three people who are unrelated, but they all helped us through covid, and remained loyal helpers every week. We could stay in our house for as long as possible, they would take care of us and then inherit the property because they know it very well.

We would like to sever the 16 acres now, not to sell it, but to keep it agricultural, and make it available to sell if our inheritors need money for equipment, maintenance, taxes and insurance. This severance would enable the inheritors to proceed financially, without having to sell the whole farm.

We would like to retain the small field to the east so our inheritors can use it to grow fruit trees and bushes.

Thank You

A handwritten signature in cursive script that reads "Mary Lazier".

Mary Lazier

Mary Lazier
519-925-2304
marylazier@redhen.ca



Date: November 30, 2022
To: Committee of Adjustment
From: John Willmetts, Director of Public Works
Re: Application for Consent File: NO: B04-2022 LAZIER/TICHENOR

ROAD WIDENING SEVERED AND RETAINED

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

1. Acquire a road widening (3.05 metres) from the severed and retained portion along the east side of the 3rd line
2. Acquire a road widening (3.05 metres) from the severed portion along the north side of 5 Sideroad.

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

Yours truly,

John Willmetts

John Willmetts
Director of Public Works
Township of Mulmur



BUILDING SERVICES

Date: September 26, 2022

To: Tracey Atkinson CAO/Planner
Township of Mulmur

Re: Consent file # B04-2022
Township of Mulmur, County of Dufferin.

This letter serves to confirm that I have commenced a preliminary review of the application B04-2022 and request for comment.

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

- please add the condition to your decision that the applicant shall provide a satisfactory Lot Suitability letter for the sewage disposal system from the County of Dufferin Building Division for the newly enlarged lot.

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

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

Regards,

A handwritten signature in black ink, appearing to be 'D Kopp'.

Doug Kopp CBCO
Plans Examiner



23 September 2022

PLN: 22-089

File Code: R14

Tracey Atkinson
Planner
Township of Mulmur
065371 Dufferin County Road 3, Unit 2,
East Garafraxa ON L9W 7J80G8

Dear Ms. Atkinson;

**Re: B04-2022
796343 3rd Line East, Township of Mulmur**

Planning staff at the Upper Grand District School Board have received and reviewed the above noted notice of Committee of Adjustment meeting for a consent application proposing to sever a 16-acre building lot. The retained lot is proposed to be approximately 49 acres in size and comprises an existing single detached dwelling and accessory structures.

Please be advised that the Planning Department does not have concerns about the proposed severance however we will be reviewing more thoroughly any future applications related to the severed lands.

Should you require additional information, please feel free to contact the undersigned.

Sincerely,

Upper Grand District School Board

Heather Imm
Senior Planner

Upper Grand District School Board

• Martha MacNeil; Chair
• Mark Bailey

• Barbara Lustgarten Evoy; Vice-Chair
• Jen Edwards

• Jolly Bedi
• Mike Foley

• Linda Busuttil
• Robin Ross

• Gail Campbell
• Lynn Topping



October 24, 2022

SENT BY EMAIL

Township of Mulmur
758070 2nd Line E
Mulmur, Ontario
L9V 0G8

Attn: Tracey Atkinson
CAO | Clerk | Planner
tatkinson@mulmur.ca

RE: NVCA Comments for a Consent
796343 3rd Line East
Township of Mulmur
Township File No. B04-2022
NVCA ID #43731

Nottawasaga Valley Conservation Authority [NVCA] staff is in receipt of a consent to sever a +/- 6.5 ha (16 acre) building lot. The retained lot is proposed to be approximately 19.8 ha (49 acres) in size and comprises of an existing single detached dwelling and accessory structure.

NVCA staff have reviewed this submission as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 172/06. The submission has also been reviewed through our role as a public body under the *Planning Act* as per our CA Board approved policies and per our Municipal Partnership and Service Agreement with the Township.

Ontario Regulation 172/06

The property 796343 3rd Line East is not within:

- A flood susceptible area;
- A hazardous site (characterizes by unstable soils or bedrock);
- An erosion hazard area, or;
- An area subject to this Authority's Development, Interference With Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 172.06).

However, a significant portion of the property contains a Natural Heritage feature (woodlot).

Natural Hazard - Regulatory Comments

1. NVCA staff have no natural hazard concerns with the proposed consent.

Natural Heritage - Advisory Comments

2. PPS policies prohibit development (including lot creation) and site alteration within significant natural heritage features (wetlands and woodlands).

3. Notwithstanding, the submitted site plan indicates that the severed lands are located on the southern portion of the property abutting 5th Sideroad, and will not bisect any natural heritage features. Therefore, NVCA staff have no natural heritage concerns.

Conclusion

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

Thank you for circulating this application and please forward a copy of any decision and notice of any appeals filed for the above referenced application.

Please feel free to contact the undersigned at ext. 222 or kwardlaw@nvca.on.ca should you require any further information or clarification with regards to any matters contained herein.

Sincerely,



Katelyn Wardlaw, Planner I

re the forest @ north of property

Subject: Severance Inquiry for 796343 3rd Line East (UNC 43731)

From: Amy Knapp <aknapp@nvca.on.ca>

Date: Wed, 7 Oct 2020 18:29:16 +0000

To: "marylazier" [REDACTED]

CC: Morgen Wilson <mwilson@nvca.on.ca>

OCTOBER 2020

Good Afternoon Mrs. Lazier

Thank you for your inquiry to the Nottawasaga Valley Conservation Authority (NVCA) regarding the property located at 796343 3rd Line East, in the Township of Mulmur.

The Nottawasaga Valley Conservation Authority (NVCA) has reviewed the potential for severances in accordance with Natural Heritage and Natural Hazard policies established under the Provincial Policy Statement 2020 (PPS) and our Planning and Regulation Guidelines established under the Conservation Authorities Act. Based upon our mandate and policies, the NVCA offer the following comments for consideration.

Ontario Regulation 172/06

We advise that the property is not within:

- a flood susceptible area;
- a hazardous site (characterized by unstable soils or bedrock);
- an erosion hazard area, or;
- an area subject to this Authority's Development, Interference With Wetlands and Alterations To Shorelines and Watercourses Regulation (Ontario Regulation 172/06).

However, a significant portion of the property contains a Natural Heritage Feature (woodlot)

Natural Heritage Impacts

PPS policies prohibit development (including lot creation) and site alteration within significant natural heritage features (wetlands and woodlands). Therefore, the severance as proposed could not be supported.

However, PPS policies may permit development (including lot creation) and site alteration adjacent to significant natural heritage features provided ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. NVCA can advise that any proposed lot lines shall not go through or bisect the natural heritage feature. Further, any potential building envelope should accommodate minimum setbacks from natural heritage features of 30 metres

Therefore, there may be the potential to accommodate a lot within the southern portion of the property abutting the 5th Sideroad.

These comments should be considered preliminary in nature. Additionally, if not already initiated we would encourage you to consult with the local municipal planning staff.

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.

Sincerely,

Amy Knapp | Planner III
Nottawasaga Valley Conservation Authority
8195 8th Line, Utopia, ON L0M 1T0
T 705-424-1479 ext.233 | F 705-424-2115
aknapp@nvca.on.ca | nvca.on.ca


MDS I

General information

Application date Nov 4, 2022	Municipal file number B4-2022	Proposed application Lot creation for a maximum of three non-agricultural use lots
Applicant contact information Mary Lazier Farmer: Grotrian, John & Philip 527447 5th Sideroad ON	Location of subject lands County of Dufferin Township of Mulmur MULMUR Concession 4 EAST OF HURONTARIO STREET , Lot 6 Roll number: 221600000134000000	

Calculations

Lot Creation Lazier B4-2022

Farm contact information John & Philip Grotrian ON	Location of existing livestock facility or anaerobic digester County of Dufferin Township of Mulmur MULMUR Concession 4 EAST OF HURONTARIO STREET , Lot 6 Roll number: 221600000134000000	Total lot size 80 ac		
Livestock/manure summary				
Manure Form	Type of livestock/manure	Existing maximum number	Existing maximum number (NU)	Estimated livestock barn area
Solid	Beef, Backgrounders (7 - 12.5 months), Confinement	125	41.7 NU	5000 ft ²
 Confirm Livestock/Manure Information (Lot Creation Lazier B4-2022) The livestock/manure information has not been confirmed with the property owner and/or farm operator.				
Setback summary				
Existing manure storage	V1. Solid, inside, bedded pack			
Design capacity	41.7 NU			
Potential design capacity	125 NU			
Factor A (odour potential)	0.8	Factor B (design capacity)	341.41	
Factor D (manure type)	0.7	Factor E (encroaching land use)	1.1	
Building base distance 'F' (A x B x D x E) (minimum distance from livestock barn)				211 m (692 ft)
Actual distance from livestock barn				NA
Storage base distance 'S' (minimum distance from manure storage)				No existing manure storage
Actual distance from manure storage				NA

Preparer signoff & disclaimer

Preparer contact information

Township of Mulmur
ON

Signature of preparer

Township of Mulmur	Date (mmm-dd-yyyy)
--------------------	--------------------

Note to the user

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

© Queen's Printer for Ontario, 2012-22



NOTICE OF COMPLETE APPLICATION AND PUBLIC MEETING B05-2022 PEACE VALLEY RANCH

Township of Mulmur Committee of Adjustment will hold a public meeting under section 53 (5) of the *Planning Act, R.S.O. 1990 c.P. 13, as amended*. The meeting may be attended in person or electronically.

MEETING DETAILS

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

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

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

Meeting ID: 848 2998 8171

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

MEETING DATE AND TIME: November 30, 2022 at 1:30PM

APPLICATION NUMBER: B05-2022

OWNER/APPLICANT: PEACE VALLEY RANCH (COSAK/KOTYCK)

LOCATION: CON 2 WHS E PT LOT 23 RP 7R5764 PARTS 2 TO 6
(638162 PRINCE OF WALES ROAD)

ASSESSMENT ROLL: 2216000006090000000

PURPOSE: The application proposed to sever a +/- 2.34 ha (5.8 acre) corridor to further extend the Bruce Trail Optimum Route. The retained lot is proposed to be approximately 37.10 ha (91.7 acres) in size.

NOTE: If a person or public body that files an appeal of a decision of the Township of Mulmur Committee of Adjustment in respect of the proposed consent does not make written submissions to the Township of Mulmur Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal. If you wish to be notified of the decision of the Township of Mulmur Committee of Adjustment in respect of the proposed consent, you must make a written request to the Township of Mulmur Committee of Adjustment.

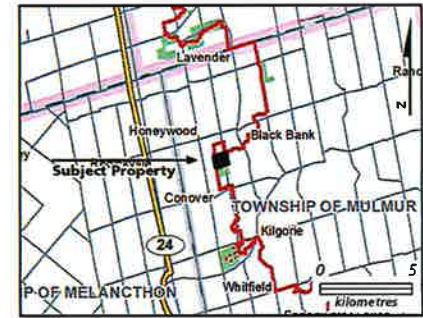
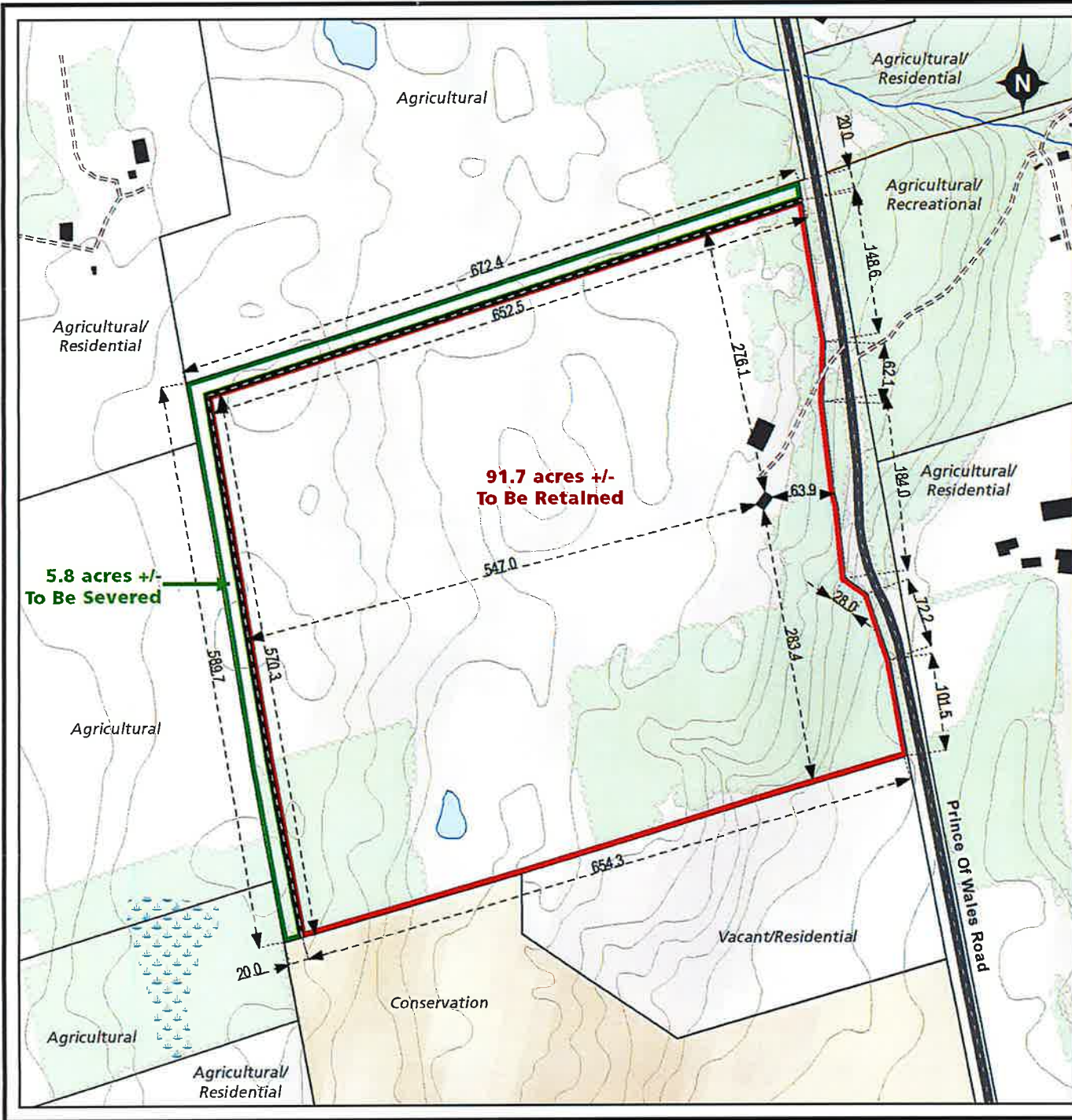
See map on reverse for illustration purposes only. This is not a plan of survey. A digital version is available by email.

DATED: November 2, 2022

Additional information is available for public inspection by request. Please contact:

Tracey Atkinson, Planner

705-466-3341x222 | planning@mulmur.ca



Cosack 82-001

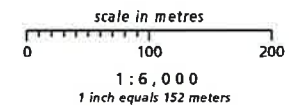
Legal Description

Address: 638162 PRINCE OF WALES RD
 E Pt Lt 23 ; Con 2 W
 Former Township of Mulmur
 Township of Mulmur
 County of Dufferin
 ARN: 2216000060900000000
 GIS Acreage: 97.46

OR on Land: 1295 metres
 MT on Land: 169 metres
 ST on Land: 0 metres



**Bruce Trail
CONSERVANCY**



	Driveway		Stream (permanent)
	Building		Stream (intermittent)
	Severance Line		Water
	To Be Severed		Wetland
	To Be Retained		Wooded Area
	Contour (5 metre)		BTC Preserved Land
			Private Land

May not be reproduced without permission. This is not a plan of survey.
 Contains information licensed under the Open Government Licence - Ontario.
 © 2022 of the Queen's Printer for Ontario. All Rights Reserved.
 © The Bruce Trail Conservancy, 2022. All Rights Reserved.

Map Author: Joel Swagerman

Published: 2022-10-13



B05-2022 PEACE VALLEY RANCH



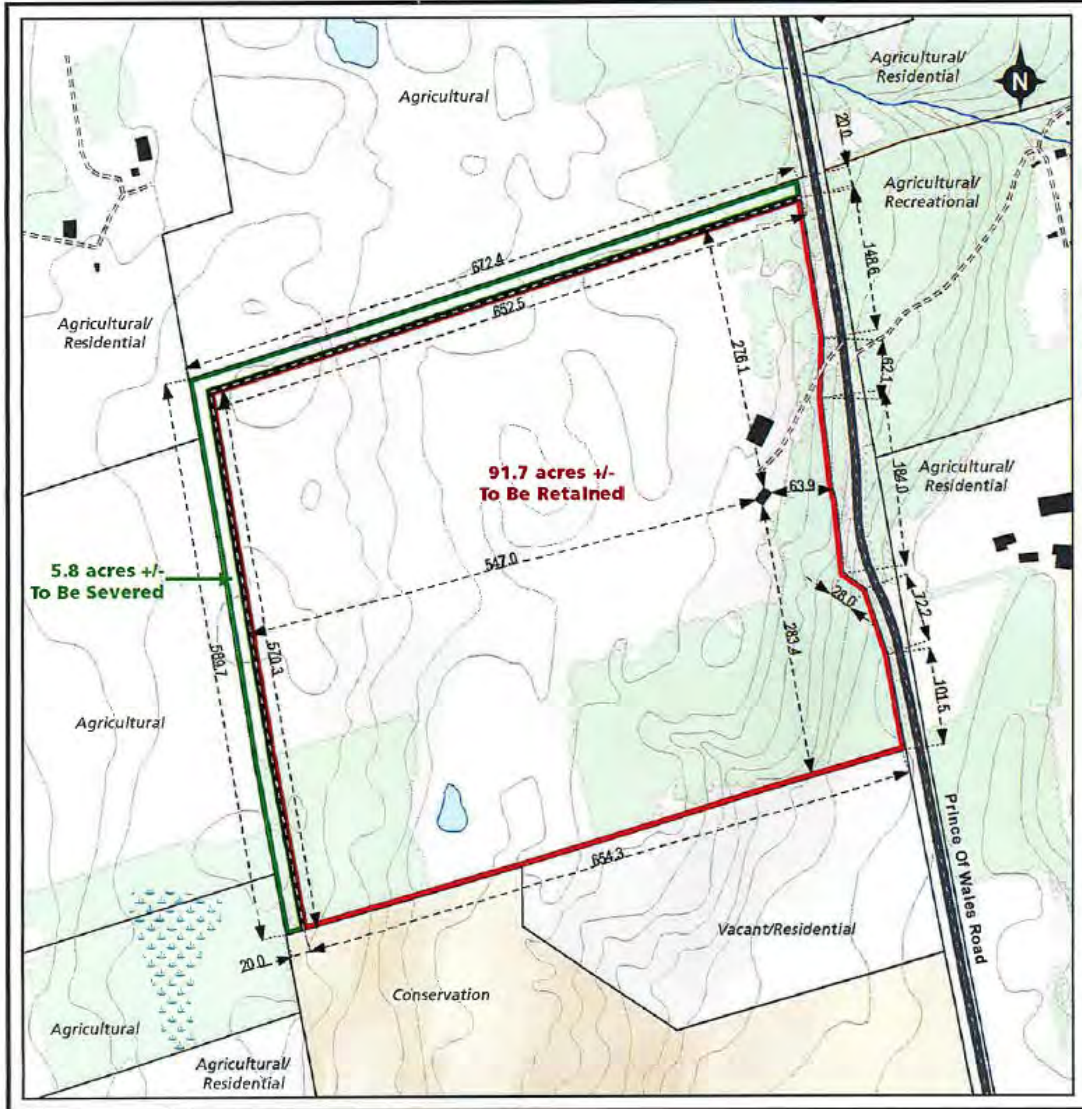
BACKGROUND

The subject lands (CON 2 WHS E PT LOT 23 RP 7R5764 PARTS 2 TO 6) are approximately 97.55 acres in size.

The property consists of tillable acreage and woodlots

The Bruce Trail is located directly south of the subject lands, and has trails on the subject lands in the vicinity.

PROPOSED CONFIGURATION



PROVINCIAL POLICIES & PLANS



The Township reviews severances in Mulmur with respect to the following documents:

1. Provincial Policy Statement, 2020 (PPS)
2. A Place to Grow, 2020
3. Niagara Escarpment Plan, 2017
4. County of Dufferin Official Plan, 2014
5. Mulmur Township Official Plan, 2012

PROVINCIAL POLICIES & PLANS



Provincial Policy Statement

The Provincial Policy Statement (PPS) contains broad policy direction and policy direction on lot creation. The application is consistent with the Provincial Policy.

Growth Plan

The Growth Plan directs growth to settlement areas. The proposed severance does not create any new building lots. The application would conform and not conflict with the Growth Plan.

Niagara Escarpment Plan

The Township has circulated the application to the Niagara Escarpment for comments.

DUFFERIN COUNTY OFFICIAL PLAN



County Official Plan

The County of Dufferin Official Plan provides high-level policies related to development.

The Township has circulated the application Dufferin County for comments.

NOTTAWASAGA VALLEY CONSERVATION AUTHORITY

The subject lands are not regulated by the Conservation Authority.

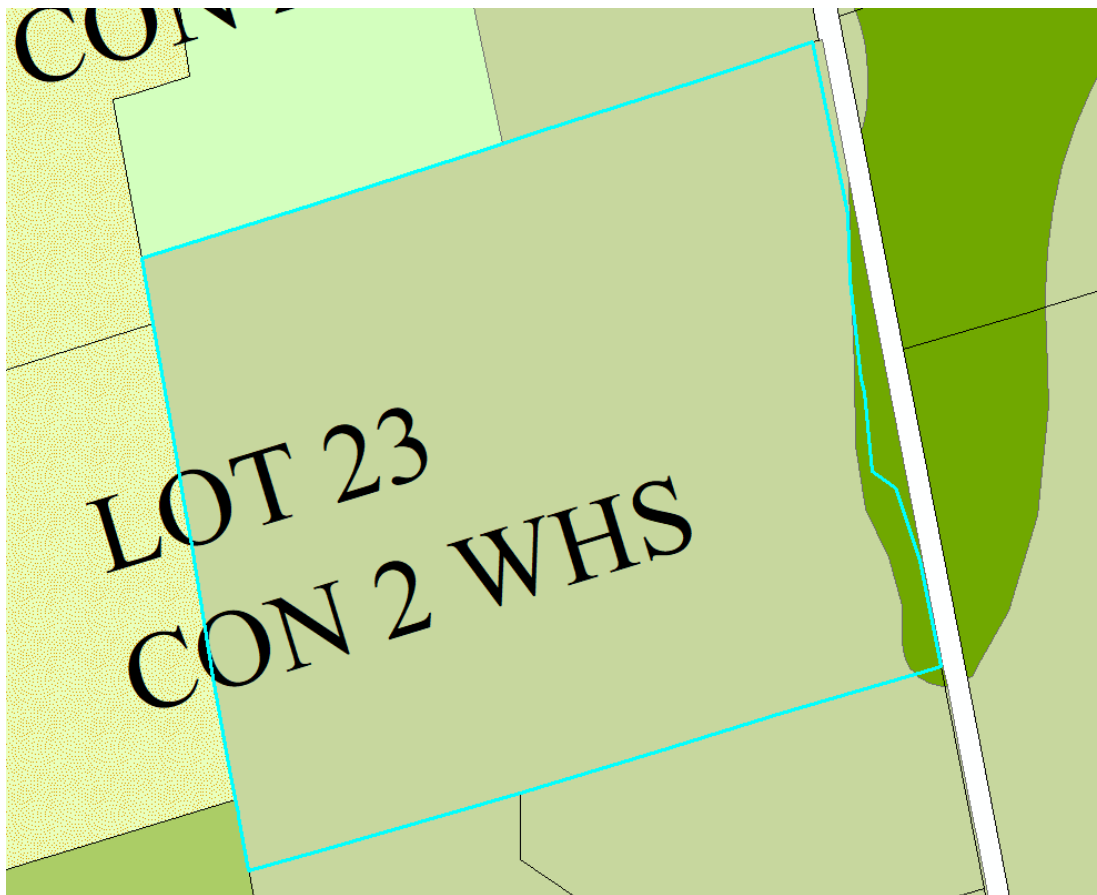
OFFICIAL PLAN DESIGNINATION



The Mulmur Official Plan contains policies for lot creation and boundary adjustments.

The subject lands are not designated in the Township's Official Plan, and rather are identified as 'Escarpment Protection Area' and 'Escarpment Natural Area' in the Niagara Escarpment Plan.

The Niagara Escarpment Plan includes policies related to extending and securing lands for the Bruce Trail.



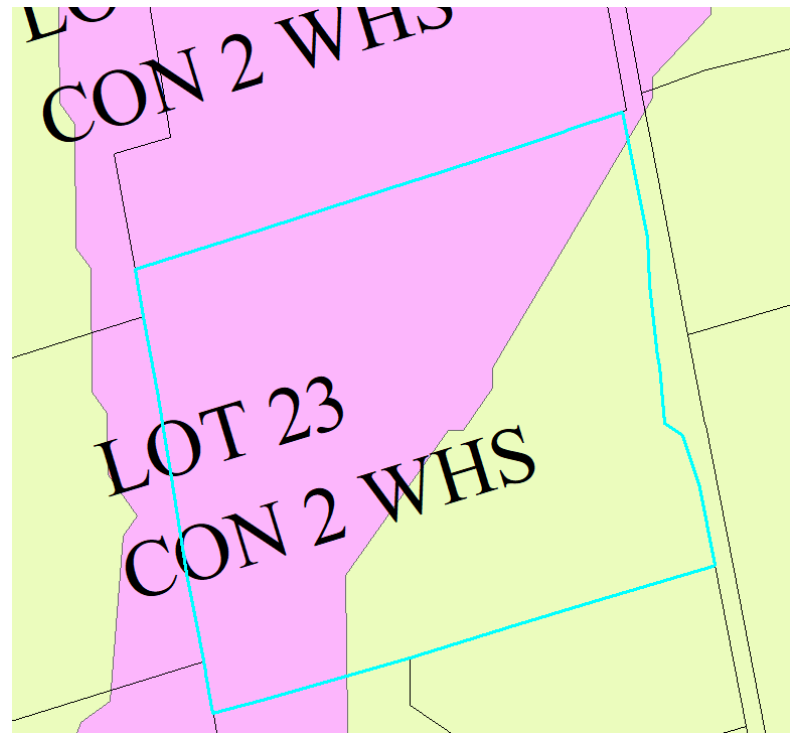
CURRENT ZONING

- Not applicable (Niagara Escarpment Plan)



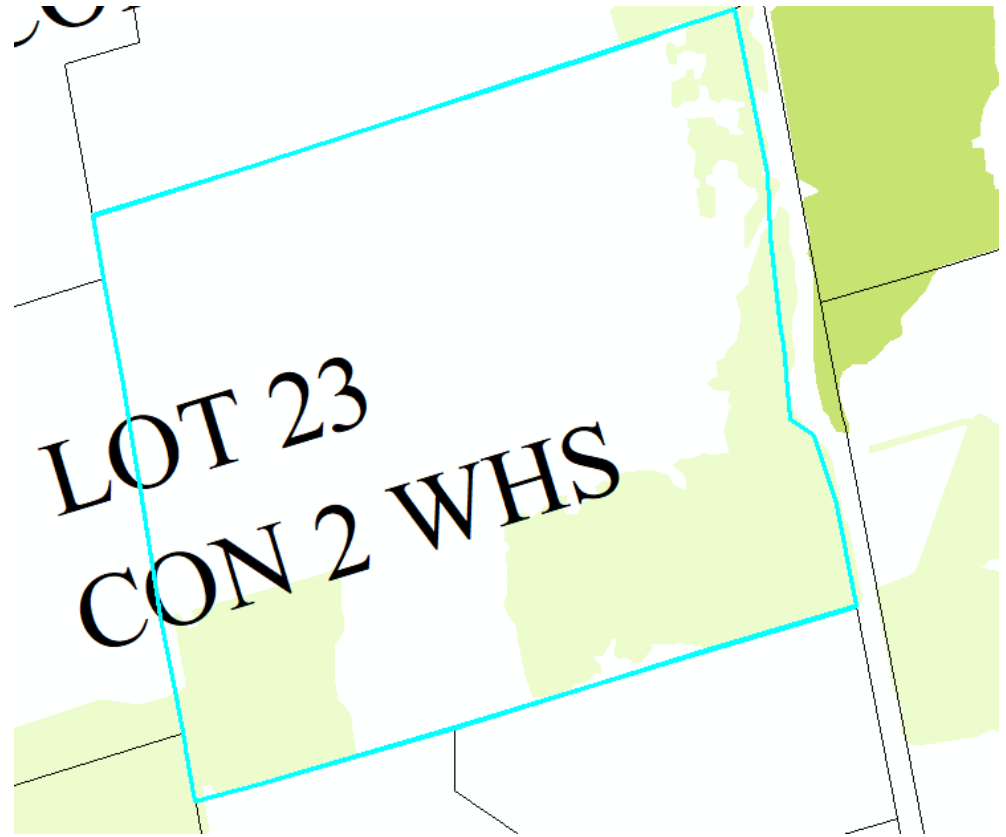
AGRICULTURE

- Class 1 (pink) and 2 (green) lands



ENVIRONMENTAL

- Woodlot less than 10 ha
- Natural Heritage System (100%)





BY-LAW 44-2021: BRUCE TRAIL PARKING LOT AGREEMENT

PARKING LOTS AT TRAIL ACCESS

8. BTC undertakes to establish parking lots at locations of concern as identified by the Township or BTC, acting reasonable.
9. BTC agrees to establish parking lots for all new trail networks and side loops that are accessed by or intersect with established roads within the Township jurisdiction, at a location mutually agreed by both parties, acting reasonable.
10. Parking lot sizes and locations will be mutually agreed upon and will take into consideration ownership, entrance width and topography.
11. For parking lots being established on Township lands, roads, and right-ofways, BTC acknowledges and agrees to undertake the necessary works as identified by the Township, including but not limited to culvert installation, grubbing, tree removal, gravel parking area upgrades, signage, delineation, and winter maintenance.
12. All reasonable costs and expenses with respect to establishing and maintaining such parking lots shall be borne by BTC.

COMMENTS RECEIVED



- Public Works Parking Location

PLANNING COMMENTS

- trail lands should be merged with the Bruce Trail Conservancy land holdings, located directly south of the subject lands.

STAFF RECOMMENDATION:

APPROVAL

- subject to receiving public and agency comments and being satisfied that the intent of the parking agreement is complied with



- 758070 2nd Line E Mulmur, ON L9V0G8
Telephone: 705 466 3341 Toll Free: 1 866 472 0417
(from 519 only) www.mulmur.ca
- © Mulmur Township. All rights Reserved.



Bruce Trail CONSERVANCY

October 25, 2022

Township of Mulmur
758070 2nd Line East
Mulmur, ON
L9V 0G8

Attention: Roseann Knechtel, Deputy Clerk/Planning Coordinator

RE: Consent to sever vacant conservation land from 638162 Prince of Wales Road, Mulmur, legally described as: PT LT 23, CON 2 WHS, PTS 2, 3, 4, 5 & 6, 7R5764; SUBJECT TO MUL12765; TOWNSHIP OF MULMUR; Being Part of PIN 34120-0142 (LT)

Bruce Trail Conservancy (BTC) and Carl Cosack and Natalie Kotyck (owners) of the subject property described above respectfully submit the attached Consent application, associated sketch and fees for your review and consideration. The purpose and effect of this application is to support the severance of vacant land to secure the Bruce Trail Optimum Route.

Subject Property & Proposal

The subject property comprises more or less 39.44 hectares (97.46 acres) located on the west side of Prince of Wales Road north of 20th Sideroad, in the Township of Mulmur. The property is designated Escarpment Protection under the Niagara Escarpment Plan.

BTC and owners are seeking consent to sever a 20-metre wide corridor comprising +/- 2.34 hectares (+/- 5.8 acres) of vacant land from the western and norther boundaries of the subject property to secure a portion of the Bruce Trail Optimum Route. The owners will retain more or less 37.10 hectares (+/-91.7 acres) including structures.

The Niagara Escarpment Commission (NEC) will provide formal comments on the application as it is circulated. However, preliminary discussions with Janet Sperling, NEC planner confirms that this application is consistent with the Lot Creation policies of the Niagara Escarpment Plan (NEP), including policies under Part 2.4.12 that permit a severance for Bruce Trail purposes, which is also consistent with policies under Part 3 under Niagara Escarpment Parks and Open Space System (NEPOSS). BTC is a recognized *public body* within the NEP, and is able to sever land for conservation and Bruce Trail purposes. The subject land is designated Escarpment Protection under the NEP with includes Bruce Trail as a permitted use. In this instance, approx. 1,295 metres of Bruce Trail Optimum Route will be secured, while also improving hiker safety by removing the trail off of Prince of Wales Road.

The owners use the subject property as part of their Peace Valley Ranch operation. The BTC and owners are entering into a land use agreement to allow the owners to continue their cattle operations post severance. Fencing as well as a number of stiles and a gate will be installed to separate cattle from hikers to mitigate any risks.

Proposal

- **Conservation Lot (Severed):** a 20-metre wide corridor comprising +/- 2.34 hectares (+/-5.8 acres) of vacant land from the western and northern boundaries of the subject property to secure a portion of the Bruce Trail Optimum Route and enhance hiker safety by remove trail off the road.
- **Owners to retain (Retained):** The owners will retain more or less 37.10 hectares (+/-91.7 acres) including structures.

The Township of Mulmur has approved a number of conservation severances in the past for this area. Examples include; File No. B7/2021, B11/2021, B12/2021. File No. B04/2014 and others.

Background

The Bruce Trail Conservancy is one of Ontario's largest land trusts and the steward of Canada's longest marked footpath. We conserve, restore and manage land along the Niagara Escarpment UNESCO World Biosphere to protect its ecosystems for the benefit of all. We make it available to explore by foot along the Bruce Trail and our protected natural areas.

Working with each of our nine Bruce Trail Clubs, we are committed to caring for the Bruce Trail and to preserving land along its route. The Bruce Trail route is an essential component of NEPOSS, a system of 163 parks and open spaces, the majority of which are or will be connected by the Bruce Trail. To date the Bruce Trail Conservancy been involved in preserving almost 19,000 acres and securing more than 70 per cent of the Bruce Trail. The work continues, however, to secure the remaining links. Preserving this corridor will add a further 5.8 acres to NEPOSS and secure 1,295 metres of Bruce Trail Optimum Route (broad overview map attached).

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

Best regards,



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



Site Visit

(Parking Lot Location)

Date: November 30, 2022
To: Committee of Adjustment
From: John Willmetts, Director of Public Works

Re: B05 2022 COSACK

Comments:

This proposed severance has a suitable location for a parking area.

A Road Occupancy Permit from the Township will be required to create a parking lot designed for a minimum of 6 parallel parking spaces of 3m x 6m to be established within the Road allowance along the East side of Prince of Wales Road, adjacent to the Bruce Trail access point, in accordance with Schedule A to By-law 44-2021 and the agreement.

Regards,

John Willmetts

John Willmetts
Director of Public Works