



— TOWNSHIP OF —  
ASHFIELD - COLBORNE - WAWANOSH

November 5, 2008

Huron County Planning & Development Department  
The Court House  
Goderich, Ontario  
N7A 1M2

Attention: Senga Smith, Land Division Secretary

RE: Ireland Severance File B 54/08

Please be advised that Ashfield-Colborne-Wawanosh Council recommends that this application be deferred until completion of the Township's Storm Water Management Plan for the area. See the Planner's Report dated October 28<sup>th</sup>, 2008, attached.

Yours truly,

A handwritten signature in cursive script that reads "Linda Andrew".

Linda Andrew,  
Deputy Clerk

Via FAX

82133 Council Line, RR#5, Goderich, Ontario N7A 3Y2  
Phone 519-524-4669 • Fax 519-524-1951  
Email clerk@acwtownship.ca

**Consent Application Report – File B54/08  
Report for ACW Council**

Name: <b>Owners:</b> Rob Ireland, Roberta Vance, Richard Ireland, Pamela Ireland, Jeffrey Ireland and Debbie Ireland c/o Rob Ireland <b>Applicant:</b> Douglas A. Culbert, OLS	Date: Oct. 28, 2008
Property Address: London Road	
Property Description: Part Park Lots 7 and 8 East of London Rd. and Part Lots 1 and 2 West of Harrison St. Registered Plan 136, Port Albert, Ashfield Ward, Township of Ashfield-Colborne-Wawanosh.	

**Recommendation:** That provisional consent be:

- granted with conditions (attached)
- deferred until completion of the Township Storm Water Management Plan for the area
- denied (referred to the County Planning Committee for a decision)

**Purpose:**

- enlarge abutting lot
- create new lot
- surplus farm dwelling
- right-of-way / easement
- other:

Area to be Severed: .6 ha (1.4 acres)	Official Plan Designation: Village/ Hamlet Zoning: Village/ Hamlet Residential VR1
Area to be Retained #1: .9 ha (2.3 acres)	Official Plan Designation: Village/ Hamlet Zoning: Village/ Hamlet Residential VR1
Area to be Retained #2: .6 ha (1.4 acres)	Official Plan Designation: Village/ Hamlet Zoning: Village/ Hamlet Residential VR1

**Review:** This application:

- Is consistent with the Provincial Policy Statement (s. 3(5) Planning Act);
  - Does not require a plan of subdivision for the proper and orderly development of the municipality (s. 53(1) Planning Act);
  - Conforms with section 51(24) of the Planning Act;
  - Conforms with the Huron County Official Plan;
  - Conforms with the Ashfield-Colborne-Wawanosh Official Plan, sections 8.4.4.6, 8.8.3 and 9.1; subject to storm water management being addressed
  - Complies with the municipal Zoning By-law (or will comply subject to a standard condition of rezoning or minor variance);
  - Has been recommended for approval by the local municipality; and
  - Has no unresolved objections/concerns raised (to date) from agencies or the public.
- (Applications that do not meet all of the foregoing criteria will be referred to the County Planning Committee for a decision)

**Agency Comments:**

	Not Received	No Concerns	See Conditions
Huron County Health Unit	<input checked="" type="checkbox"/>		
Ministry of Transportation of Ontario		<input checked="" type="checkbox"/>	

**Additional Comments:**

This application has been recommended to be deferred by Township staff because there are issues with drainage. Township staff are currently working with their engineers to design and implement drainage improvements in the area affected by the proposed severance. It is recommended that the application be deferred until a development agreement can be signed or similar arrangements are made for development to proceed in compliance with the planned drainage improvements.

The purpose of this application is to create 1 residential lots by severance. Three more lots are proposed to be created through a separate application through the lifting of the deeming by-law. The ACW official plan permits small scale development to proceed by consent based on an acceptable concept plan. A concept plan was submitted with the application.

Provincial guidelines require that a nitrate assessment be conducted for the subject property to determine the suitability of the site for the number of septic systems proposed when there is potential for more than 5 lots to be created. The applicants have submitted a nitrate assessment that indicates up to 11 lots can be created from a 4.6 hectare parcel of land owned by the applicant. This application affects 2.1 hectares of the 4.6 hectare parcel.

A lot grading and drainage plan is to be submitted as a condition of consent.

Section 8.4.4.6 (11) of the Official Plan requires a development agreement to be signed and registered on title to the satisfaction of the municipality. The need for a development agreement is at the discretion of the Township.

**Recommended Conditions** (denoted by X)

**Expiry Period**

- X Conditions imposed must be met within one year of the date of notice of decision, as required by Section 53(41) of the Planning Act, RSO 1990, as amended. If conditions are not fulfilled as prescribed within one year, the application shall be deemed to be refused. Provided the conditions are fulfilled within one year, the application is valid for two years from the date of decision.

**Municipal Requirements**

- X All municipal requirements be met to the satisfaction of the municipality including servicing connections if required, cash-in-lieu of park dedication, property maintenance, compliance with zoning by-law provisions for structures, and any related requirements, financial or otherwise.
- X The subject parcel be numbered and addressed for 911 purposes to the satisfaction of the municipality.
- X The sum of \$250 be paid to the municipality as cash-in-lieu of parkland.

The applicant enter into a development agreement with the municipality addressing (septic systems, lot grading and drainage, storm water management, provision of services).

**Survey**

- X A survey to be submitted to the County and to the Township showing the lot lines of the severed parcel and the location of any buildings thereon. Where a violation of any

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municipal zoning by-law is evident, the appropriate minor variance or rezoning shall be obtained before the deed is stamped.

**Zoning**

The severed/retained land be rezoned to the appropriate zone (e.g.), to the satisfaction of the municipality.

The retained land be rezoned to the appropriate zone (e.g., ) to prohibit a residence, to the satisfaction of the municipality.

A minor variance be approved to recognize \*\*\*

**Storm Water**

X A lot grading and drainage plan to be completed to the satisfaction of the Township, and the Huron County Health Unit.

A storm water management plan to be completed to the satisfaction of the municipality, Conservation Authority and Health Unit.

Section 65 of the Drainage Act to be addressed to the satisfaction of the municipality.

**Septic System Inspection**

Applicant to provide a letter from a licensed contractor advising that the tank has been pumped and is functioning properly for the severed parcel of land to the satisfaction of the Huron County Health Unit//Township of Howick /Municipality of Bluewater/ Municipality of South Huron.

**Merging**

The severed land merge on title with the abutting property to the north-west upon issuance of the certificate under Section 53(42) of the Planning Act, RSO 1990, as amended.

A firm undertaking be provided from the solicitor indicating that the severed land and the abutting property to the north-west will be consolidated under Land Titles onto one P.I.N.

Section 50(3) of the Planning Act, RSO 1990, as amended, applies to any subsequent conveyance or transaction of the severed land.

A one square foot portion of the abutting property to which the severed land is to be merged be conveyed to the municipality. A survey be provided showing the one square foot parcel as a part on the reference plan. (this condition ensures that the severed portion will remain merged with a previously severed lot).

**Other**



Monica Walker-Bolton, Planner  
Site Inspection, July 29, 2008

