

AMENDED

**Third Reading**

No 65-09

Council of the Corporation of the Township of Wollaston session August 19, 2009  
Moved by Graham Blair Seconded by Brent Goodwin  
That a by-law to amend By-Law 8-79 being a By-Law to regulate the use of land height, bulk, location, spacing, character and the use of buildings, that Concession 8 Part Lot 4 in the Township of Wollaston is hereby changed from m RU (EP) Rural, Environmental Protection to SR-\*, Seasonal Residential-Special EP as reported by the committee of the Whole be read a third time, passed and numbered 65-09\_ and the said by-law be signed by the Reeve and Clerk, sealed with the seal of the Corporation. And be engrossed in the by-law book.

Carried,

Brent Goodwin

**Second Reading**

No 65-09

Council of the Corporation of the Township of Wollaston Session, April 15, 2009  
Moved by Ron Eank Seconded by Graham Blair  
That a by-law to amend By-Law 8-79 being a By-Law to regulate the use of land height, bulk, location, spacing, character and the use of buildings, that Concession 8 Part Lot 4 in the Township of Wollaston is hereby changed from m RU (EP) Rural, Environmental Protection to SR-\*, Seasonal Residential-Special EP, be read a second time and be referred to a committee of the whole council.

Carried,

Brent Goodwin

**First Reading**

**65-09**

Council of the Corporation of the Township of Wollaston Session April 15, 2009  
Moved by Brent Goodwin Seconded by Ron Eank  
That a by-law to amend By-Law 8-79 being a By-Law to regulate the use of land height, bulk, location, spacing, character and the use of buildings, that Concession 8 Part Lot 4 in the Township of Wollaston is hereby changed from m RU (EP) Rural, Environmental Protection to SR-\*, Seasonal Residential-Special EP, be received and read a first time.

Carried

Brent Goodwin

**The Corporation of the Township of Wollaston**  
**By –Law No. 65-09**

A By-Law to amend By-Law 8-79 being a By-Law to regulate the use of land height, bulk, location, spacing, character and the use of buildings.

WHEREAS BY-law 8-79, being the Comprehensive Zoning By-Law of the Township of Wollaston, zones Concession 8, Part Lot 4, Plan 21R-11625 Parts 13,14,15, & R.O.W. as RU (EP), Rural, Environmental Protection.

AND WHEREAS an application for the rezoning of Concession 8 Part Lot 4 from RU (EP) to SR-\*, Seasonal Residential – Special & (EP) Environmental Protection (no change to the EP zone boundaries)


AND WHEREAS, the Council of the Corporation of the Township of Wollaston deems it advisable to amend the Township's Comprehensive Zoning By-Law No 8-79;

NOW, THEREFORE the Council of the Corporation of the Township of Wollaston enacts as follows:

1. That Concession 8 Part Lot 4 in the Township of Wollaston as shown on the attached Schedule A sketch, being one and the same are hereby changed from RU (EP) Rural, Environmental Protection to SR-\*, Seasonal Residential-Special & EP (Environmental Protection) with no change to the EP zone boundaries.
2. The use of the subject lands shall be in conformity with the standards of the SR-\* (EP).
3. This By-Law shall come into force and take effect on the twentieth day after the day that the giving of written notice was given, providing no notice of appeal is filed. In the event that an appeal is filed, this By-Law shall not come into force and take effect until finally disposed of by the Ontario Municipal Board.

Read a First, Second and Third time and finally passed this August 19<sup>th</sup>, 2009.

  
Dan McCaw, Reeve,

  
Marilyn Brickles, CAO/Clerk-Treasurer

# RICKETTS, HARRIS LLP

BARRISTERS & SOLICITORS

M.J. White  
 J. G. Miller  
 A. Sternberg  
 G.H. Luftspring  
 J.S. Quigley  
 E.C. Mourao  
 S.J.R. Smith

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 R.D. Preston  
 M.G. Cochrane  
 M.R. McMackin  
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 M5H 2X7

Tel: 416 364-6211 ext 218  
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Counsel  
 W.H.O. Mueller, Q.C.  
 J.Z. Josefo

D. John Hamilton

twarne@rickettsharris.com  
 www.rickettsharris.com

January 29, 2009

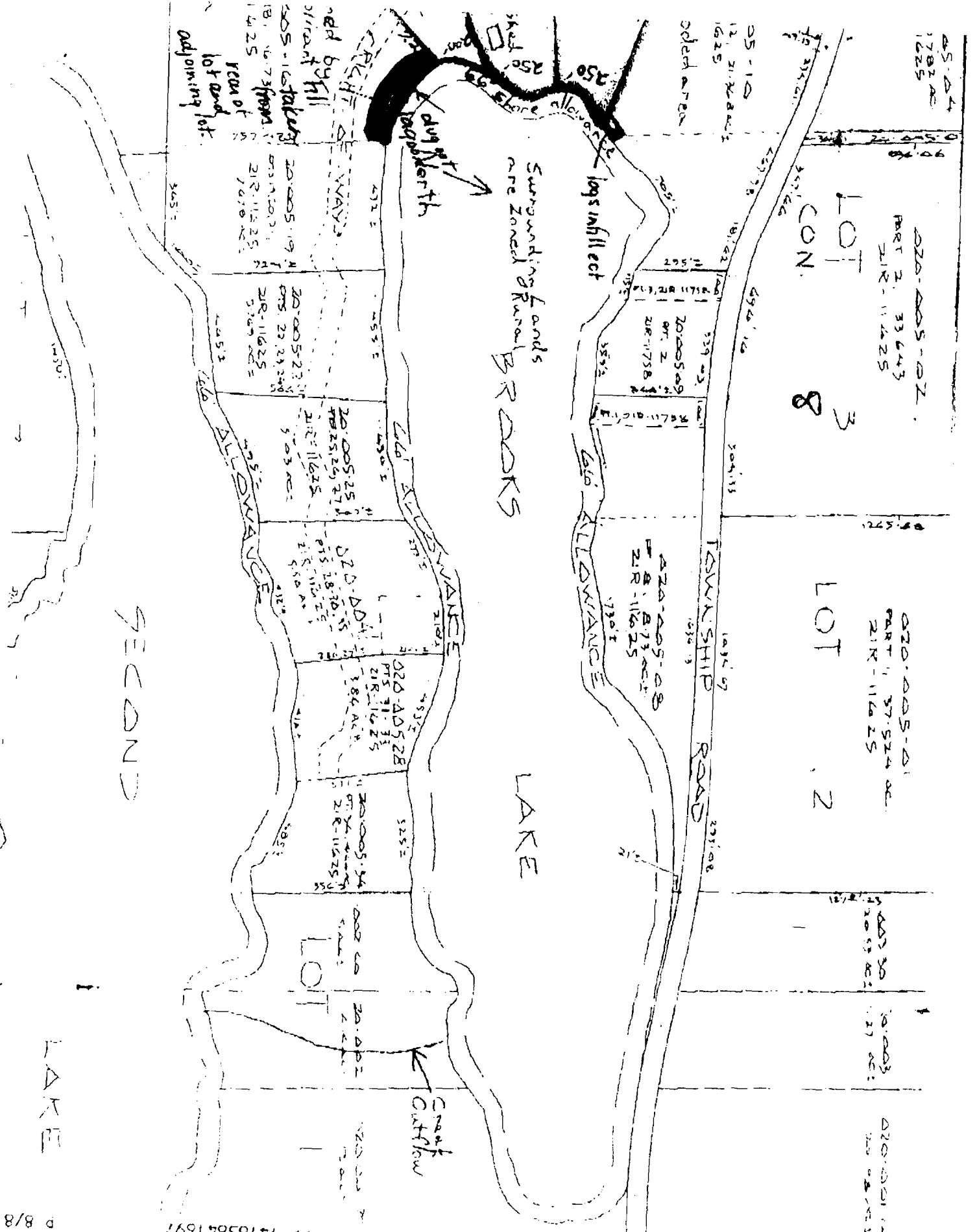
Hastings County  
 Planning & Development Dept.  
 15 Victoria Avenue  
 Box 2, 2<sup>nd</sup> Floor  
 Belleville, Ontario  
 K8N 1V5

Attention: Margaret A. Luck

Dear Madam:

RE: Application for Consent - **B36/08 (Tim Conlin)**  
 Lot 4, Plan 21R-11625  
Township of Wollaston, Brooks Lake

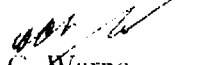
Please be advised that we act for concerned citizens and ratepayers of Brooks Lake with respect to the application by 1447099 Ontario Inc. concerning the severance of Concession 8, Lot 4, on Plan 21R-11625, being Parts 13, 14 and 15. The amended application for consent filed on Jan 6, 2009 noted as B36/08. Please be advised that your request for the creation of a new lot now that the plan has been amended would be acceptable to the unitholders of Brooks Lake, provided that the applicant be ordered to follow the strict guidelines of shoreline remediation imposed by the Crowe Lake Conservation Authority. It would also be a condition of such acceptance of the consent that the applicant would remediate the adjoining properties that he currently owns on the lake as it relates to shoreline disruption that has occurred on the applicant's adjacent lots. The location of such disruption is depicted in the attached schedule.



Thank you for your consideration and for forwarding the amended application for our review.

Yours very truly,

RICKFTTS, HARRIS LLP

  
Tracy C. Warne  
TCW/jg

Cc: Concerned Residents of Brooks Lake



LAID OVER  
MAY 14  
Public Meeting on HEARINGS

File No(s): B 36/08

**HASTINGS COUNTY CONSENT STAFF REPORT**

**Applicant(s):** #1447099 Ontario Ltd.  
**Civic Address:** Brooks Lane  
**Legal Description:** Conc. 8, Part Lot 4, Wollaston Township

<b>Proposed Lot:</b> B-36/08	<b>Proposed Zoning:</b>	<b>Area:</b> 8 acres
<b>Existing Lot:</b>	<b>Proposed Use:</b>	<b>Area:</b> 28 acres
<b>Official Plan Designation</b>	<b>RURAL &amp; ENVIRONMENTAL PROTECTION</b>	
<b>Existing Zoning</b>	<b>"RU (Rural)" &amp; "EP (Environmental Protection)"</b>	
<b>Previous Consents:</b>	B388/88	
<b>Type of Consent(s):</b>	New Lot (X) Lot Addition ( ) Other:	

**Recommendation:**

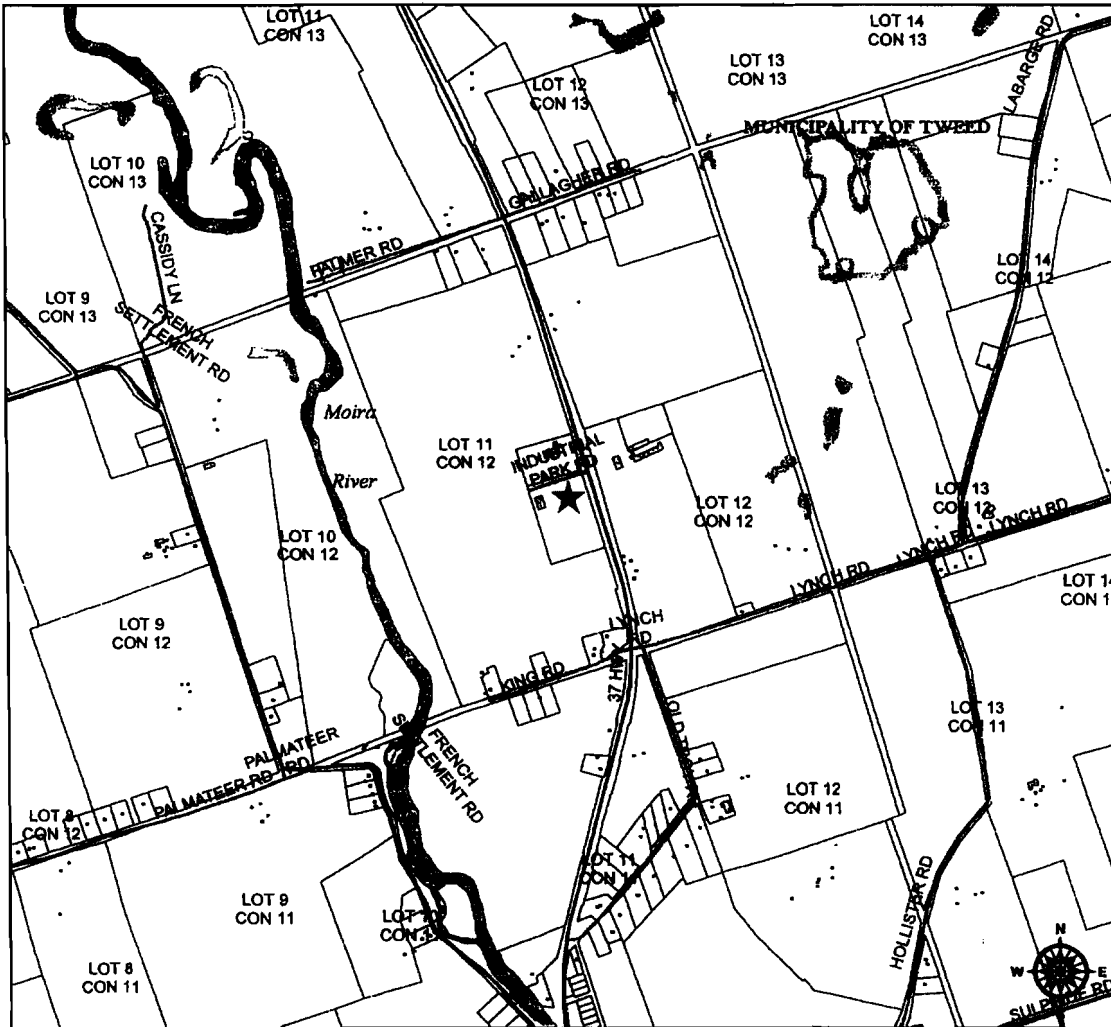
**THAT** subject to the conditions outlined in the Planning Staff Report, Consent File B36/08, 1447099 Ontario Ltd. for lands located Conc. 8, Part Lot 4, Wollaston Township BE APPROVED.

**PART I - Recommended Consent Conditions for File No. B36/08 (if approved):**

The following conditions to approval must be fulfilled no later than one year from the date of mailing of the consent decision:

- (1) In accordance with Section 53(42) of the Planning Act, 1990, deeds and a registered survey plan be presented to the Committee in order that the consent stamp of approval of the Committee may be affixed thereto.
- (2) Prior to the endorsing of deeds for the severed lot, proof be lodged with the Land Division Office from the Hastings County Planning Department that the surveyor has submitted a digital copy of the registered survey and/or real property report in an AutoCAD format. Please quote the Land Division file number and registered survey number and email to: [brucen@hastingscounty.com](mailto:brucen@hastingscounty.com)
- (3) Completed rezoning (if not previously established) of the severed and retained lots and proof of completion and approval of same be lodged with the Land Division Office prior to the endorsing of deeds for the severed lot. The rezoning should be to a SR - \* (Seasonal Residential - Special - \*) zone (See Township for rezoning procedure.) The zone shall establish that the means of access is by a private road.
- (4) Prior to the endorsing of deeds for the severed lots, proof be lodged with the Land Division Office from the Township of Wollaston that the right-of-way has been improved to the satisfaction of the Township Road Supervisor, in terms of widening,

# Land Division Key Map - B20/08

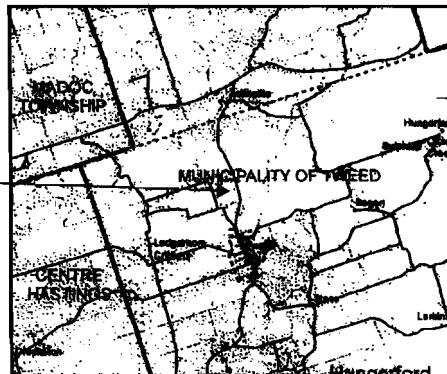


★ Denotes Area of Interest

LOT: 11  
 CON: 12  
 TOWNSHIP: Municipality of Tweed (Hungerford)



County of Hastings  
 Planning & Development Department  
 General Reference Only



**File No(s): B 36/08**

surface conditions and turn-outs, capable of permitting the safe movement of emergency vehicles, including pumper trucks.

- (5) Prior to the endorsing of deeds for the severed lot, proof be lodged with the Land Division Office that an Agreement has been entered into with the Township of Wollaston and REGISTERED on title to the effect that the Township of Wollaston is not now nor ever shall be responsible for assuming the upgrading or the ownership of this right-of-way and the following covenant be inserted in the deed and executed by the transferee(s): "The transferee(s) acknowledges that this transfer is subject to the terms of an Agreement between the transferor and the Corporation of the Township of Wollaston REGISTERED as No. \_\_\_\_\_."
- (6) Surveyor confirms that the private road is located within the surveyed right-of-way.
- (7) A surveyor identifies by way of the installation of stakes on the sites of both severed and the retained portion the location of the 30 metre setback from high water mark.
- (8) That the trailer located on #167 Brooks Lake Lane be removed to the satisfaction of the Township of Wollaston.
- (9) Application B37/08 is officially closed by way of a letter from the landowner.

NOTE: The Crowe Valley Conservation Authority requires any future development to Complete and file an Application for the Development, Interference with Wetlands & Alterations to Shorelines & Watercourses Permit 159/06, when applicable.

**PART II - Agency & Public Comments Received:**

**Town/Township Council:** Recommended approval subject to no conditions.

**Crowe Valley Conservation:** Referred to without comment on the revised application. See previous Planning staff report for the agency's comment.

**Applicable Ministries:** N/A

**Public Comments:** N/A

**PART III Planning Review:**

**Purpose/Description of Application:** The application represents a revised proposal. Previously, two applications for the creation of 2 new lots and a retained were presented and were deferred by the Land Division Committee to give the applicant an opportunity to revise the plan. The revision was to divide the holdings into two parts. The subject application represents one new lot that essentially divides the water frontage in two and the second application is to be withdrawn/closed. Please see the Attachment I – Planning Staff Report for B36/08 and B37/08.




File No(s): B 36/08

**Official Plan Conformity:** The proposal conforms to the Official Plan as revised. The creation of one new lot would have little effect on the lake water quality. The Official Plan, at Section 6.3.3 (c) (iii), prohibits development on new private rights-of-way unless the local Council has adopted and registered with the County a by-law to permit such development. However, the current proposal is for a lot on an existing right-of-way. The Plan requires that existing rights-of-way have capacity to handle required traffic. Improvements should be made to address turn-outs and grade changes that may pose a hazard to emergency vehicles, such as pumper trucks.

The application would conform to the Official Plan provide the above mentioned conditions are met.

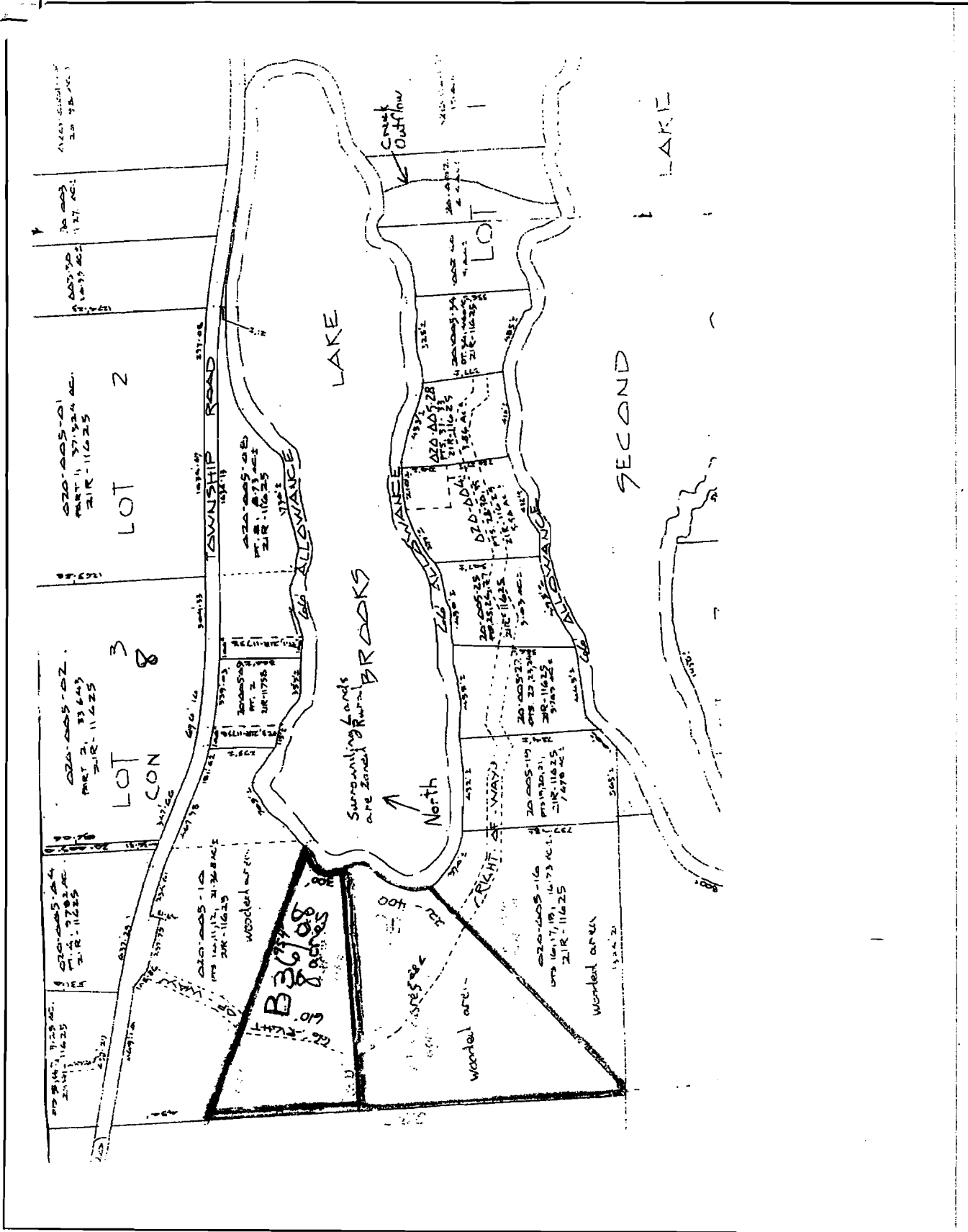
**Zoning Conformity & Compliance:** The lands are currently zoned "RU (Rural)" and "EP (Environmental Protection)". The "EP (Environmental Protection)" zone should remain unchanged. The area of the resulting lots outside of the "EP (Environmental Protection)" zone should be rezoned to "SR-\* (Seasonal Residential - Special -\*)" to reflect the nature of the land use and the means of access. A zoning bylaw amendment may have occurred during the approval of B388/88 that created the subject lands.

**Provincial Policy Statement (PPS) Consistency:** The proposal is consistent with the PPS if the conditions are met.

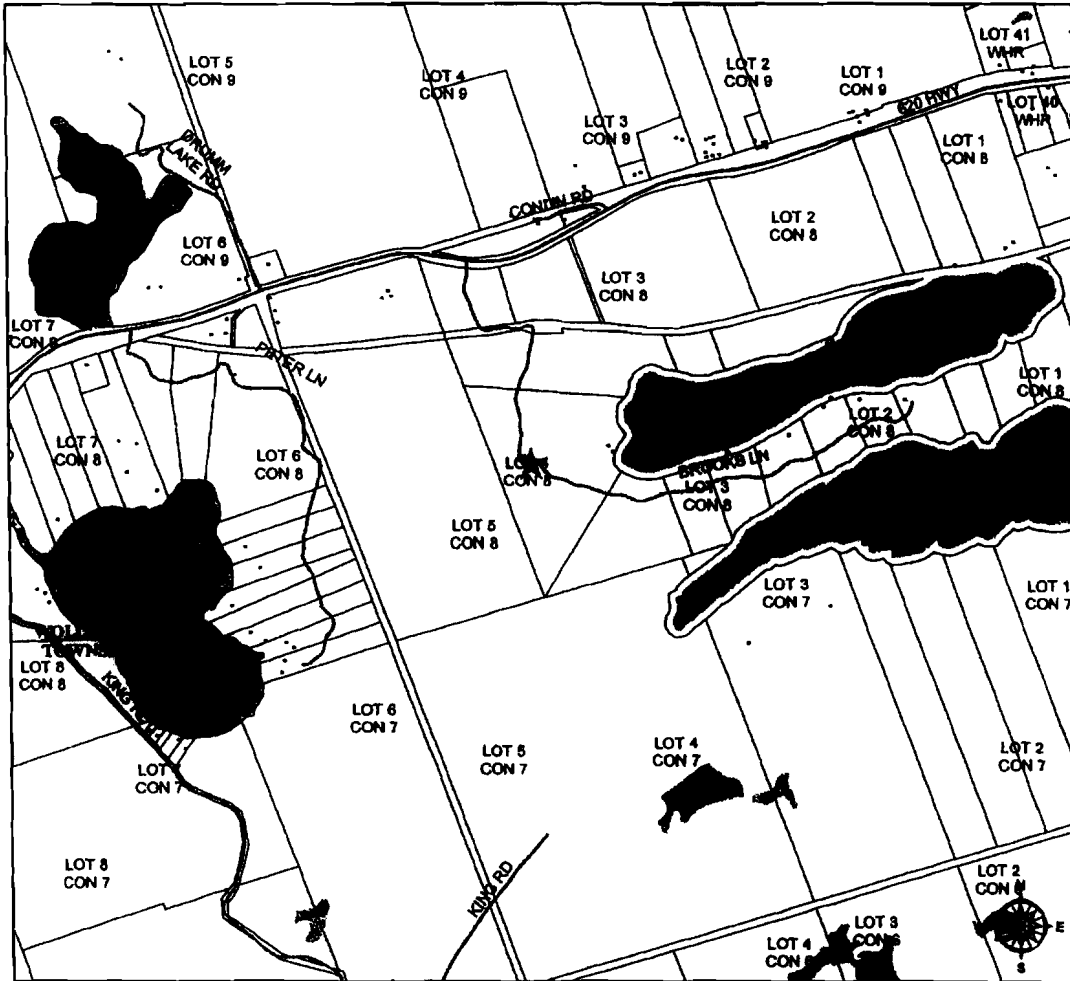
Respectfully Submitted by:   
Paul Walsh, Planner

Date: January 27/09

Director Concurrence:   
Brian McComb, Director of Planning and Development



# Land Division Key Map - B36/08

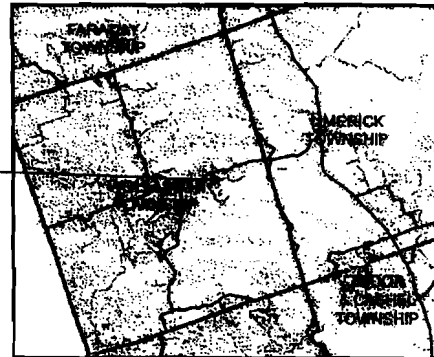


★ Denotes Area of Interest

LOT: 4  
CON: 8  
TOWNSHIP: Wollaston Township



County of Hastings  
Planning & Development Department  
General Reference Only



- (1) In accordance with Section 53(42) of the Planning Act, 1990, deeds and a registered survey plan be presented to the Committee in order that the consent stamp of approval of the Committee may be affixed thereto.
- (2) Prior to the endorsing of deeds for the severed lot, proof be lodged with the Land Division Office from the Hastings County Planning Department that the surveyor has submitted a digital copy of the registered survey and/or real property report in an AutoCAD format. **Please quote the Land Division file number and registered survey number and email to: [brucen@hastingscounty.com](mailto:brucen@hastingscounty.com)**
- (3) *SR* The severed and retained lots be rezoned to "SR - \* (SEASONAL RESIDENTIAL - SPECIAL - \*)" zone (if not previously completed) and shall establish that the means of access is by a private road. (See Township for rezoning procedure.) ✓  
*no change to EA Zone boundaries*
- (4) Prior to the endorsing of deeds for the severed lots, proof be lodged with the Land Division Office from the Township of Wollaston that the right-of-way has been improved to the satisfaction of the Township Road Supervisor, in terms of widening, surface conditions and turn-outs, capable of permitting the safe movement of emergency vehicles, including pumper trucks. ✓
- (5) Prior to the endorsing of deeds for the severed lot, proof be lodged with the Land Division Office that an Agreement has been entered into with the Township of Wollaston and **REGISTERED** on title to the effect that the Township of Wollaston is not now nor ever shall be responsible for assuming the upgrading or the ownership of this right-of-way and the following covenant be inserted in the deed and executed by the transferee(s): "The transferee(s) acknowledges that this transfer is subject to the terms of an Agreement between the transferor and the Corporation of the Township of Wollaston **REGISTERED** as No. \_\_\_\_\_." ✓
- (6) Surveyor confirms that the private road is located within the surveyed right-of-way.
- (7) A surveyor identifies by way of the installation of stakes on the sites of both severed and the retained portion the location of the 30 metre setback from high water mark.
- (8) *SR* The trailer located on #167 Brooks Lake Lane be removed to the satisfaction of the Township of Wollaston. \* *gml*
- (9) Application B37/08 is officially closed by way of a letter from the landowner.

**NOTE:** The Crowe Valley Conservation Authority advise any future development will require an Application for the Development, Interference with Wetlands & Alterations to Shorelines & Watercourses Permit 159/06, when applicable.

Dear Marg:

Please note that you may wish to revise Appendix "A" of severance conditions for B36/08 to correct the wording in section 3 to:

**SR-\* (Seasonal Residential – Special) & EP (Environmental Protection) with no change to the EP zone boundaries**

As discussed by Marilyn Brickles and Paul Walsh today.

Thank you

*Christine FitzSimons*

Deputy Clerk

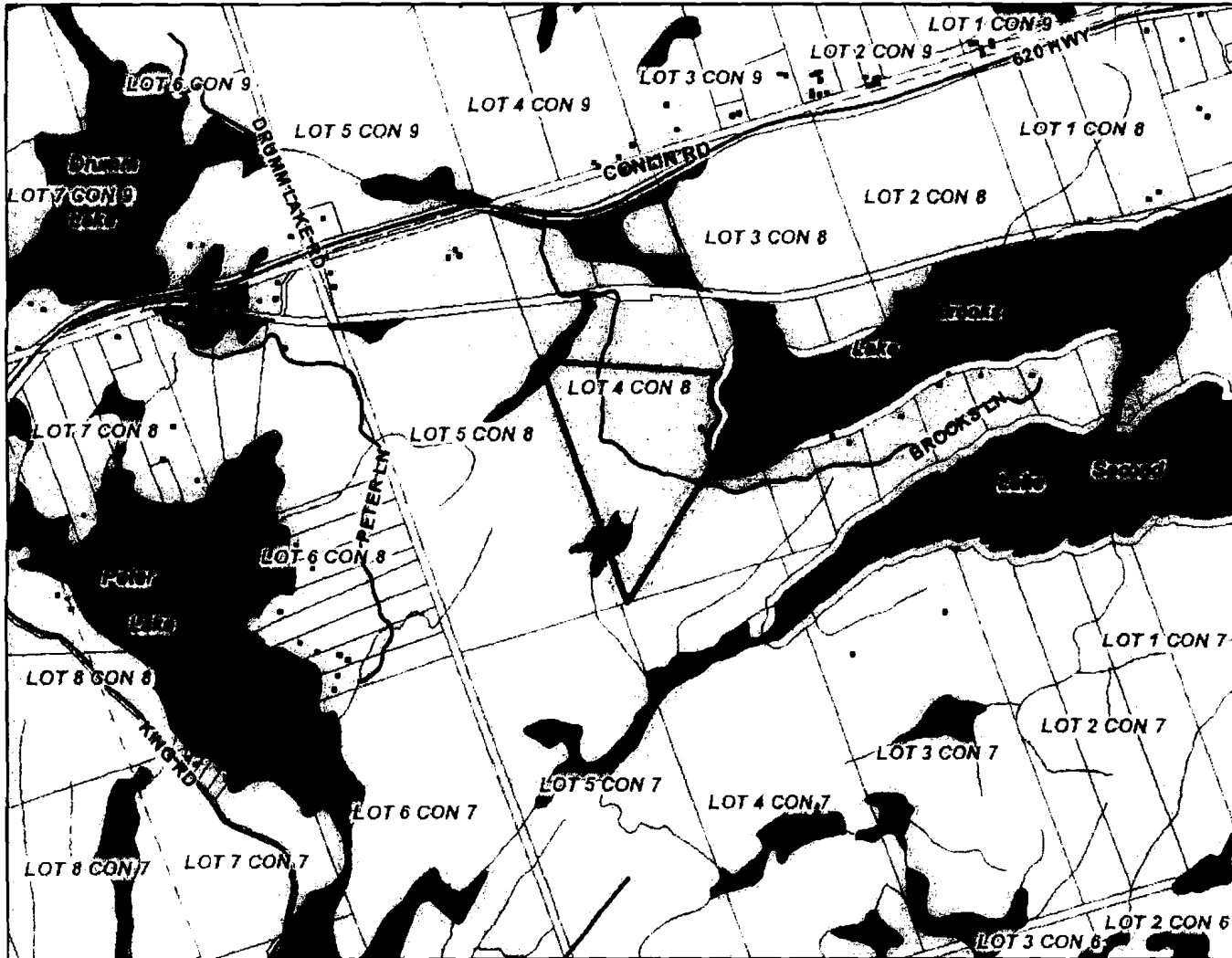
Wollaston Township

613.337.5731

[cfitzsimons@bellnet.ca](mailto:cfitzsimons@bellnet.ca)

Interactive  
GIS

125400002000513



### Legend

- Community
- Highway 401
- Provincial Highway
- Road
- Ontario Road Network
- Unaddressed Trail
- Hastings Rail
- Hastings\_AbandonRail
- Structure
- Almagamated Boundary
- Municipal Boundary
- Lot and Concession
- Permanent Water
- Stream
- Environmental Protected (EP) Land
  
- Land Parcel
- Provincial Parks
- County of Hastings

0 450 900 1350 m.

Map center: 280264, 4972161



Scale: 1:15,901

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION. County of Hastings GIS Section 2008 ([www.hastingsnavigator.ca](http://www.hastingsnavigator.ca))

PLANNING & DEVELOPMENT DEPT.  
15 Victoria Ave.  
Box 2, 2<sup>nd</sup> Floor  
BELLEVILLE, ONTARIO, K8N 1Z5



Phone 613.966.6712  
Fax: 613.966.7654  
Toll Free: 1.866.321.9563

February 20, 2009

1447099 Ontario Inc.  
c/o Mr. Tim Conlin,  
12 Rose Island Rd.,  
Apsley, Ontario,  
KOL 1A0

Dear Mr. Conlin:

**RE: Application for Consent,  
File No: B36/08  
Location: Part Lot 4, Conc. 8, Wollaston Twp.**

This is to advise you that there is a concern with the above-noted application and it will be reviewed by the Hastings County Planning Advisory and Land Division Committee on MARCH 12<sup>TH</sup>, 2009 at 9:30 a.m. at the COUNTY OF HASTINGS ADMINISTRATION BUILDING, 228 CHURCH ST., BELLEVILLE, ONTARIO, K8N 3A9, 3<sup>RD</sup> FLOOR COUNCIL CHAMBERS.

You are hereby requested to attend the meeting on which your application will be heard or advise the Land Division Office by calling **(613) 966-6712** to have it deferred to a later date.

If there is no request for a deferral, your application will proceed as scheduled.

Should you have any questions, please call.

Yours truly,

Margaret A. Luck,  
Land Division Secretary,  
Hastings County

Cc: Ricketts, Harris,  
Attn: Tracy C. Warne,  
181 University Ave.,  
Suite 816,  
Toronto, Ontario,  
M5H 2X7