REPORT SUMMARY

THIS PROPOSAL HAS BEEN PLACED INTO THE EXPEDITED APPROVAL PROCESS YOUR ATTENDANCE IS NOT REQUIRED BEFORE THE LAND DIVISION COMMITTEE. PLEASE SIGN and RETURN THE 'AGREEMENT TO CONDITIONS' LETTER IMMEDIATELY

Date of Consideration: **April 9, 2015**

File Number: **B120/14**

Applicant: **Margaret Andersen**

Subject Lands: TOWNSHIP OF PUSLINCH – Part Lot 5, Concession 1

Proposal is a request for consent to convey fee simple for a proposed severance 1.96 hectares (4.8 acres) with 24.3m frontage in the TOWNSHIP OF PUSLINCH – Part Lot 5, Concession 1, vacant land for proposed rural residential use. Together with access over existing right-of-way known as Clergy Lane; retained lands are 3.38 hectares (8.4 acres).

ISSUES: County Planning in support – MDS1 can be met

SUMMARY of FILED REPORTS and COMMENTS:

Township of Puslinch - application conforms to zoning; conditions to apply

County Planning - notice cards were posted at time of circulation; application is not consistent with Provincial Policy and does not conform to the Official Plan as Minimum Distance Separation 1(MDS1) cannot be met to the livestock facilities within 500m of the proposed lot. If approved conditions to be addressed ***UPDATED COMMENTS*** – March 19, 2015 – application previously deferred to allow applicant an opportunity to address Minimum Distance Separation 1 compliance . applicant has provided information – barn on retained is an implement shed and MDS1 compliance can be met from neighbouring livestock facility under Guideline 42; no concerns

Conservation Authority (GRCA) – no objections

Others – Brian Beatty - agent – letter of explanation on entrance

PROPOSED CONDITIONS of APPROVAL

1) THAT the Owner's solicitor, in preparation for the issuance of the Certificate of Consent, provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee a printed copy of the "completed electronic transfer document in preparation".
2) THAT the Solicitor for the Owner give an undertaking in writing to provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee within 30 days of the date of registration in the Land Registry/Land Titles Office for Wellington (No. 61) a copy of the receipted and registered electronic transfer document including the Form 2 Certificate for Consent B120/14.
3) THAT the Owner, as provided for under Section 69 of the Planning Act, R.S.O. 1990, shall pay to the Treasurer of the County of Wellington the administrative fee which is in effect at the time of the payment of the fee for the review and issuance of the Certificate of Consent for the severed parcel.
4) THAT the transfer for registration with respect to description complies with Ontario Regulation 43-96; and if that description contains a reference to a Reference Plan(s), the Owner's solicitor **shall provide a full print of that deposited reference plan(s)** to the secretary-treasurer of the Planning and Land Division Committee.
5) THAT the Owner satisfy the requirements of the Local Municipality in reference to parkland dedication as provided for in the Planning Act, R.S.O. 1990; and that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
6) THAT the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (included but not limited to Taxes paid in full) which the Township of Puslinch may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
7) THAT the Township of Puslinch reviews the deeds for any/all affected properties who use Clergy Lane prior to final consent approval; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

*****Conditions may be deleted, added to, or changed at meeting*****

County of Wellington Planning and Land Division Committee
Deborah Turchet, Secretary-Treasurer
Wellington County Administration Centre
74 Woolwich Street, Guelph, ON N1H 3T9

March 26, 2015

NOTICE OF CONSIDERATION IN PUBLIC FORUM

Pursuant to SECTION 53 of the ONTARIO PLANNING ACT and applicable Regulations

with respect to Application for consent,

File B120/14

APPLICANT

Margaret Andersen
6592 Concession 1
RR#2
Puslinch ON N0B 2J0

LOCATION OF SUBJECT LANDS:

TOWNSHIP OF PUSLINCH
Part Lot 5
Concession 1

Proposed irregular shaped severance is 1.96 hectares with 24.3m frontage (Part 1 on sketch) vacant land for proposed rural residential use. Together with access over existing right-of-way known as Clergy Lane.

Retained parcel is 3.38 hectares with 99.5m frontage (Part 2 on sketch) existing and proposed rural residential use with existing house, barn & 2 storage buildings.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, April 9, 2015**

for the purpose of considering this **EXPEDITED APPLICATION.**

CONSIDERATION WILL BE HELD IN THE: 3A (Keith Room)
County of Wellington Administration Centre
74 Woolwich Street
Guelph, Ontario N1H 3T9

NOTICE is being sent to you for your information. **THE OWNER, APPLICANT OR AUTHORIZED AGENT, OR AUTHORIZED SOLICITOR IS NOT REQUIRED TO ATTEND**. MAKE SURE THAT THE AGREEMENT LETTER IS SIGNED AND RETURNED TO THE PLANNING AND LAND DIVISION COMMITTEE OFFICE.

Please also be advised that if a person or public body that filed an appeal of a decision of the County of Wellington Planning and Land Division Committee in respect of the proposed consent has not made written submission to the County of Wellington Planning and Land Division Committee before it gives or refuses to give a provisional consent, then the Ontario Municipal Board may dismiss the appeal.

A Copy of the **DECISION** of the Committee will be sent **to the applicant, and to each person or agency who filed with the Secretary-Treasurer a written request for Notice of Decision.**

Additional Information regarding the application is available to the public during regular business hours, Monday to Friday at the County of Wellington Planning and Land Division Office, 74 Woolwich St. Guelph ON N1H 3T9

Phone - (519) 837-2600 x2170 Fax – (519) 837-3875

To view comments for this application on our website www.wellington.ca follow these steps:

- ⇨ **Government**
- ⇨ **Council and Standing Committees**
- ⇨ **Land Division Committee**
- ⇨ **choose month & year in drop down menus**
- ⇨ **Choose Land Division Committee in the drop down menu**
- ⇨ **open appropriate agenda**

TO: **Applicant – Margaret Andresen** **Agent – Brian Beatty**

Planning and Development Department | County of Wellington
County Administration Centre | 74 Woolwich Street | Guelph ON N1H 3T9
T 519.837.2600 | F 519.823.1694

Application	B120/14
Location	Part Lot 5, Concession 1 TOWNSHIP OF PUSLINCH
Applicant/Owner	Margaret Andersen

PLANNING OPINION: This application would sever a 1.96 ha (4.84 ac) vacant parcel in the Secondary Agricultural area. The retained parcel is 3.38 ha (8.35 ac) and is occupied by a dwelling and shed and barn.

This application was deferred in order to allow the applicant an opportunity to address Minimum Distance Separation 1 (MDS 1) compliance. The applicant has provided staff with information related to the affected barns. The barn on the retained lands is actually an implement shed and MDS 1 compliance can be met from the neighbouring livestock facility under Guideline 42, which states "where larger lots may be permitted a suitable location must be identified for a 1 ha building envelope outside the MDS1 setback". The proposed lot can meet this criteria. Based on this information staff are satisfied that MDS 1 compliance can be met.

We would have no concerns, provided safe driveway access and servicing can be provided to the site to the satisfaction of the local municipality.

L Redmond

Linda Redmond, Senior Planner
March 19, 2015