REPORT SUMMARY

OWNER, APPLICANT or AGENT SHOULD ATTEND THE CONSIDERATION OF THIS APPLICATION

Date of Consideration: **October 8, 2015** **TIME: 9:45 a.m.**

File Number: **B81/15**

Applicant: **William Yzerman**

Subject Lands: TOWNSHIP OF PUSLINCH – Part Lot 16, Concession Gore

Proposal is a request for consent to convey fee simple for a proposed lot line adjustment is 0.7 hectares (1.7 acres) with 21m frontage in the TOWNSHIP OF PUSLINCH – Part Lot 16, Concession Gore, vacant land to be added to rural residential lot – Catherine Rizzo; retained lands are 35.3 hectares (87.2 acres).

ISSUES: County Planning defer until consent application B80/15 is considered by Committee
GRCA recommend deferral - Environmental Impact Study required

SUMMARY of FILED REPORTS and COMMENTS:

Township of Puslinch – in support of application; Comment from Chief Building Official and PDAC - well and septic locations should be identified on Parcel 10; conforms to zoning; condition to address

County Planning - notice cards were posted at time of site visit; the lot line adjustment is being requested to provide more amenity space on lands to be added to; provides a consistent lot depth and area with proposed lot created by consent B80/15 - defer until application B80/15 is fully considered by Committee; if B80/15 approved the lot line adjustment applicant can be appropriately considered and a logical lot configuration can be determined;

Conservation Authority (GRCA) – recommend deferral of applications B80/15 and B81/15 – EIS required to demonstrate that the proposed development will not negatively impact the wetlands. Terms of Reference to be submitted to ensure that the study will include the required information

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 and 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 **including the Form 4 Certificate** and **Application for Consolidation of Parcels document for the consented parcel and the abutting lands to which the consented parcel is to be added** for Consent B81/15.
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 Purchaser take title of the severed lands in the same manner as he holds his abutting lands; and **THAT** Section 50, subsection (3) of the Ontario Planning Act, R.S.O. 1990 as amended shall apply to any subsequent conveyance or any transaction involving the parcel of land that is the subject of this consent.
6) THAT the conveyancing documents for the severed parcel contain a statement to ensure that Section 50, subsection (3) of the Planning Act, R. S. O. 1990, as amended shall apply to any subsequent conveyance or transaction with respect to the land described herein; and a statement that the consented parcel and the abutting lands to which this consented parcel is to be added shall be dealt with contemporaneously in any future conveyances or transactions unless further consent is granted under the Planning Act or other lawful order.
7) 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.
8) THAT the Owner submit an Environmental Impact Study (EIS) to the satisfaction of the Grand River Conservation Authority and County of Wellington Planning Department and further that the Grand River Conservation Authority and the County of Wellington Planning Department 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

September 24, 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 B81/15

APPLICANT

William Yzerman
6895 First Line
RR#2
Puslinch ON N0B 2J0

LOCATION OF SUBJECT LANDS:

TOWNSHIP OF PUSLINCH
Part Lot 16
Gore Concession

Proposed lot line adjustment is 0.7 hectares with 21m frontage, vacant land to be added to rural residential lot – Catherine Rizzo.

Retained parcel is 35.3 hectares with 390m frontage, existing and proposed agricultural and residential use with existing dwelling, drive shed, coverall, bank barn and horse barn.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, October 8, 2015**

AT 9:45 a.m. for the purpose of considering this matter.

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 SHOULD ATTEND THIS CONSIDERATION**. Any person may be represented by counsel who has been duly authorized for that purpose.

Even if the owner/applicant does not attend, the Committee will consider the application as scheduled, and the applicant, except as otherwise provided in the Planning Act, will not be entitled to any further notice in the Proceedings.

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: **Agent – Jeff Buisman**

MUNICIPALITY COMMENTING FORM

The Planning and Land Division Committee, in considering the following application, respectfully requests input from the municipality. The Application and Sketch are enclosed for your information.

FILE NO: B81/15

APPLICANT

William Yzerman
6895 First Line
RR#2
Puslinch ON N0B 2J0

LOCATION OF SUBJECT LANDS

TOWNSHIP OF PUSLINCH
Part Lot 16
Gore Concession

Proposed lot line adjustment is 0.7 hectares with 21m frontage, vacant land to be added to rural residential lot – Catherine Rizzo.

Retained parcel is 35.3 hectares with 390m frontage, existing and proposed agricultural and residential use with existing dwelling, drive shed, coverall, bank barn and horse barn.

2301 · 000 · 004 · 05300

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER:

Does this description reasonably describe the parcel holdings? YES(✓) NO( )

If answer is no, please provide new information: _____

Do you consider this proposal to conform to your Official Plan? YES( ) NO( )

What Section(s) does it conform to or contravene? (Please specify) County to Comment

Will the Severed Parcel comply with all requirements of the Zoning By-law? YES [✓] NO [ ]

(Please Specify) Meets Min Lot Size Section 5.3(c) AG Zone.

Will the Retained Parcel comply with all requirements of the Zoning By-law? YES [✓] NO [ ]

(Please Specify) Meets Min Lot Requirements Section 5.3(a-d) AG Zone.

If Necessary, would the Municipality be prepared to consider an **Amendment** to the Zoning By-Law to permit the proposal to conform? YES( ) NO( ) N/A(✓) or **Minor Variance** YES( ) NO( ) N/A(✓)

Is proposal on an opened maintained year-round public road YES(✓) NO( )
If answer is NO, is municipality willing to enter into an agreement regarding use of the seasonal road, or opening up the road ?

Please specify /

Is the Proposed Lot(s) serviced now by Municipal Water YES( ) NO(✓)

Is the Retained Lot serviced now by Municipal Water YES( ) NO(✓)

Is the Proposed Lot(s) serviced now by Municipal Sewers YES( ) NO(✓)

Is the Retained Lot serviced now by Municipal Sewers YES( ) NO(✓)

Is there a **Capital Works Project** underway to service these lots in the near future YES( ) NO(✓)

Approximate Time of Servicing Availability: /

Are there any other servicing arrangements, Municipal easements or Municipal Drains on the subject lands?
N/A

Continued to Page 2

MUNICIPALITY COMMENTING FORM

FILE NO: B81/15

Is the Municipality's Building Official satisfied that there is a sufficient site on the severed parcel for individual well and septic services?
YES [✓] NO [ ]

Confirmed by Robert Kelly, CBO. Sept. 16, 2015
Note - septic & well locations should be identified on all severance sketches.

Is there any further information that may assist the Planning and Land Division Committee?
[A letter may be attached if there is insufficient space to explain]

PDAC Comments
- Well and septic locations should be identified on Parcel 10

Is the Municipality in support of this application? **YES(✓) NO( )**

What Conditions, if any, are requested by the Municipality if the Consent is granted?

- Proof of up-to-date property taxes is required prior to final consent approval.

Does the Municipality request a Notice of the Decision? YES(✓) NO( )

SIGNATURE Kelly Patzer K. Patzer

TITLE: Development Coordinator

ADDRESS: 7404 Wellington Rd 34

DATE: Sept 16, 2015

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

RECEIVED
SEP 17 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Application	B81/15
Location	Part Lot 16, Gore Concession TOWNSHIP OF PUSLINCH
Applicant/Owner	William Yzerman

PLANNING OPINION: This application for a lot line adjustment would sever a 0.7 ha (1.7 ac) vacant parcel and merge it with an existing 1 ha (2.47 ac) rural residential parcel. The resulting lot would be a 1.7 ha (4.2 ac) rural residential parcel with an existing dwelling. A retained 35.3 ha (87.2 ac) parcel would be retained. The lot line adjustment is being requested to provide more amenity space on the lands to be added to and to provide a consistent lot depth and area with the proposed lot that would be created by consent B80/15.

At this time Staff recommends deferral of this application until such a time that consent application B80/15 is fully considered by the Committee. If application B80/15 is approved the lot line adjustment application can be appropriately considered and a logical lot configuration can be determined.

If this application is approved we would request that the following be made conditions of approval:

a) That any concerns of the Conservation Authority can be addressed; and,
b) That the purchaser take title to the severed lands in the same manner as they hold their abutting land; and,
c) That Subsection 50(3) of the Planning Act, R.S.O., 1990 be applied to any subsequent conveyance or any transaction involving the parcel of land that is the subject of this Consent.

PLACES TO GROW: No issues.

PROVINCIAL POLICY STATEMENT (PPS): Under Section 2.1.8 development and site alteration shall not be permitted on adjacent lands to the natural heritage features...unless the 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.

With respect to the Minimum Distance Separation 1 (MDS1), we have been provided with the farm data sheet for the barns surrounding the subject property and have performed the required calculations and are satisfied that MDS1 compliance can be achieved.

GREENBELT PLAN: The subject lands area located outside of the regulated Greenbelt area.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated SECONDARY AGRICULTURAL, CORE GREENLANDS and GREENLANDS. The Greenland's features represent significant woodland and significant wetlands. The proposed lot adjustment would extend the rear lot line into these features. According to section 10.4.6, "lot line adjustments may be permitted where no adverse effect on agriculture will occur and are encouraged where:

a) More viable agricultural operations will result;
b) An undersized lot is made useable given the requirement for appropriate sewer and water systems.

Lot line adjustments are deemed not to create new lots for the purpose of this plan."

Staff would note that the existing parcel at 1 ha (2.47 ac) is large and currently accommodates the existing dwelling and service facilities on the property. The Committee should be satisfied that there is suitable justification to go beyond the existing lot size.

The matters under Section 10.1.3 were also considered including h) that natural heritage features are not affected negatively". ... m) "That all lots would shall have logical lot lines given existing lot patterns in the area, natural and human-made features and other appropriate considerations."

Regarding item h) the proposed lot addition would extend the rear lot line into significant wetlands and woodlands resulting in fragmentation of these features. Staff would prefer to see the rear lot line remain unchanged to avoid fragmentation of these features.

Regarding item m) at this time the approval of consent application B80/15 is unknown. As such staff cannot make a determination on whether the proposed lot configuration represents the most logical configuration of the lands.

LOCAL ZONING BY-LAW: The subject lands are currently zoned Agricultural (A) zone and Natural Environment (NE) zone. It appears that the minimum lot are and frontage requirements can be maintained for the severed and retained lands.

SITE VISIT INFORMATION: The subject property was visited and photographed on September 9th 2015. Notice Cards were posted and the survey sketch appears to meet the application requirements.

Jameson Pickard

Jameson Pickard, Planner
September 16th, 2015

400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6
Phone: 519.621.2761 **Toll free:** 866.900.4722 **Fax:** 519.621.4844 **Online:** www.grandriver.ca

PLAN REVIEW REPORT: County of Wellington, Planning & Land Division Committee
Deborah Turchet, Secretary-Treasurer

DATE: September 14, 2015 **YOUR FILE:** B80/15 & B81/15
GRCA FILE: B80-15 and 81-15 – 6895 Concession 1 (Yzerman)

RE: **Applications for Consent B80/15 & B81/15**
Part Lot 16, Gore Concession, Township of Puslinch
6895 Concession 1
William Yzerman

RECEIVED
SEP 16 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

GRCA COMMENT: *

The Grand River Conservation Authority (GRCA) recommends deferral of these consent applications to allow the applicant the opportunity to provide an Environmental Impact Study (EIS) to inform the proposed lot lines and address applicable policies. Please see below for detailed comments.

BACKGROUND:

1. **Resource Issues:**

   Information currently available at this office indicates that the lands to be severed and merged with the abutting parcel contain wetlands and are within the allowance adjacent to the Provincially Significant Fairchild Creek Headwaters Wetland Complex.

   The retained parcel contains a tributary of Fairchild Creek, floodplain, Provincially Significant Fairchild Creek Headwaters Wetland Complex, additional wetlands and the allowances adjacent to these features.

   Portions of the lands to be severed and lands to be retained are within the Greenlands system in the County of Wellington Official Plan.

2. **Legislative/Policy Requirements and Implications:**

   The Provincial Policy Statement (2014) indicates that natural features shall be protected for the long term. The County of Wellington Official Plan indicates that development may be permitted adjacent to the Greenlands where an EIS demonstrates that the requirements of the Official Plan have been met. Consequently, an EIS should be prepared to demonstrate that the proposed development will not negatively impact the wetlands. A Terms of Reference should be submitted to ensure that the study will include the required information.

Member of Conservation Ontario, representing Ontario's 36 Conservation Authorities ▪ The Grand – A Canadian Heritage River

Grading has recently occurred on the lands to be severed through B80/15 in the vicinity of the proposed driveway. The EIS should also include a restoration plan for this area.

Due to the presence of the above-noted features, the severed and retained lands are regulated by the GRCA under Ontario Regulation 150/06 - Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation. Any future development or other alteration within the regulated areas on the subject lands will require prior written approval from GRCA in the form of a permit pursuant to Ontario Regulation 150/06.

3. **Additional Information/Suggestions provided in an advisory capacity:**

   We wish to acknowledge receipt of the minor consent plan review fee in the amount of $380.00 for the processing of these applications. However, as these applications will involve the review of an EIS, the major consent review fee of $950.00 is applicable. When the EIS is submitted to this office, the difference of $570.00 will be required.

Should you have any further questions or require additional information, please contact me at 519-621-2763 ext. 2236.

Yours truly,

Andrew Herreman
Resource Planner
Grand River Conservation Authority

These comments are respectfully submitted to the Committee and reflect the resource concerns within the scope and mandate of the Grand River Conservation Authority.

c.c. Kelly Patzer, Township of Puslinch
Jameson Pickard, County of Wellington (email)
William Yzerman – 6895 First Line, R.R.#2 Puslinch, ON N0B 2J0
Van Harten Surveying Inc. c/o Jeff Buisman – 423 Woolwich Street, Guelph, ON N1H 3X3

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Grand River Conservation Authority

Map created: September 14, 2015
Prepared by: ah

B81/15

LEGEND

- WATERSHED BOUNDARY (GRCA)
- UTILITY LINE (NRVIS)
- ROADS-ADDRESSED (MNR)
- RAILWAY (NRVIS)
- AQUATIC RESOURCE-LINE (NRVIS)
  - COLD WATER
  - COOL WATER
  - UNKNOWN
  - WARM WATER
- DRAINAGE-NETWORK (GRCA)
- PARCELS (WELLINGTON)
- FLOODPLAIN-SPECIAL POLICY AREA (GRCA)
- FLOODPLAIN (GRCA)
  - ENGINEERED
  - APPROXIMATE
  - ESTIMATED
- WETLAND (GRCA)
- SLOPE VALLEY (GRCA)
  - STEEP
  - OVERSTEEP
- SLOPE EROSION (GRCA)
  - STEEP
  - OVERSTEEP
  - TOE
- WETLAND (NRVIS)
  - PROVINCIALLY SIGNIFICANT
  - LOCALLY SIGNIFICANT
  - UNEVALUATED
- PARKS (GRCA)
- REGULATION LIMIT 2014 (GRCA)
- DRAINAGE-POLY (NRVIS)
- 2010 ORTHO (ONT)

GRCA Disclaimer

This map is for illustrative purposes only. Information contained hereon is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.

The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to:

http://grims.grandriver.ca/docs/SourcesCitations1.htm

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NAD 1983, UTM Zone 17 Scale 1:10,362

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