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: **October 8, 2015**

File Number: **B78/15**

Applicant: **Douglas Pilkey**

Subject Lands: TOWNSHIP OF PUSLINCH – Part Lot 10, Concession 10

Proposal is a request for consent to convey fee simple for a proposed severance 85m fr x 132m = 1.1 hectares (2.7 acres) in the TOWNSHIP OF PUSLINCH – Part Lot 10, Concession 10, existing and proposed rural residential use with existing dwelling and garage; retained lands are 11 hectares (27.2 acres).

ISSUES: none

SUMMARY of FILED REPORTS and COMMENTS:

Township of Puslinch – in support of application; conforms to zoning; conditions to apply

County Planning - notice cards were posted at time of site visit; application is consistent with Provincial Policy Statement and generally conforms to County Official Plan; no concerns

Conservation Authority (GRCA) – no objections; future development or other alteration within regulated areas will require written approval in the form of a permit

Others: Jeff Buisman – agent – cover letter

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 B78/15.
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 an entrance permit verifying safe access can be provided to the satisfaction of the Township of Puslinch 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.
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 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.

*****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 B78/15

APPLICANT

Douglas Pilkey
16 Hume Road
RR#1
Puslinch ON N0B 2J0

LOCATION OF SUBJECT LANDS:

TOWNSHIP OF PUSLINCH
Part Lot 10
Concession 10

Proposed severance is 85m fr x 132m = 1.1 hectares, existing and proposed rural residential use with existing dwelling and garage.

Retained parcel is 11 hectares with 119m frontage on Wellington Rd 41 and 230m frontage on Hume Rd, existing and proposed agricultural and bushland.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, October 8, 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: **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: B78/15

APPLICANT

Douglas Pilkey
16 Hume Road
RR#1
Puslinch ON N0B 2J0

LOCATION OF SUBJECT LANDS

TOWNSHIP OF PUSLINCH
Part Lot 10
Concession 10

Proposed severance is 85m fr x 132m = 1.1 hectares, existing and proposed rural residential use with existing dwelling and garage.

Retained parcel is 11 hectares with 119m frontage on Wellington Rd 41 and 230m frontage on Hume Rd, existing and proposed agricultural and bushland.

2301 · 000 · 008 · 03660

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 requirements of Agricultural Zone Section 5.3(e)

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

(Please Specify) Meets min lot requirements of Agricultural Zone Section 5.3 (a-d)

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: B78/15

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 [ ]

Existing.

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 - no comment.

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

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

- Parkland Dedication Fee, made payable to the Township of Puslinch, is required prior to final consent approval.
- Proof of up-to-date taxes is required prior to final consent approval
- Entrance Permit, verifying safe access, shall be required on the retained parcel.

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

SIGNATURE Kelly Patzer K. Patzer

TITLE: Development Coordinator

ADDRESS: 7404 Wellington Rd 34 Guelph ON N1H6H9

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	B78/15
Location	Part Lot 10, Concession 10 TOWNSHIP OF PUSLINCH
Applicant/Owner	Douglas Pilkey

PLANNING OPINION: This application would sever a 1.1 ha (2.7 ac) residential parcel in the Secondary Agricultural area with an existing dwelling and garage. A vacant 11 ha (27.2 ac) irregular shaped agricultural parcel would be retained.

This application is consistent with the Provincial Policy Statement and generally conforms to the County Official Plan. We would have no concerns, provide that the following matters are addressed as conditions of approval:

a) That any concerns of the Conservation Authority can be addressed;
b) That safe driveway access can be provided to the retained lands to the satisfaction of the local municipality.

PLACES TO GROW: No issues.

PROVINCIAL POLICY STATEMENT (PPS): 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: Not within the Greenbelt regulated area.

WELLINGTON COUNTY OFFICIAL PLAN: the subject lands are designated SECONDARY AGRICULTURAL, CORE GREENLANDS and is located within the Paris and Galt Moraine Policy Area. The Greenland features protect provincially significant wetlands. The proposed severed lot would include these features. According to Section 10.4.4, one new residential lot may be allowed from a parcel of land within the Secondary Agricultural designation, which existed on March 1, 2005, subject to the following criteria:

a) The lot generally meets a 0.4 ha minimum lot size and is not larger than needed to accommodate the intended residential use, consisting of the dwelling, accessory buildings and uses, and individual sewage and water services, while taking into account site constraints such as grading, sightlines, natural heritage features, hazardous lands, and Minimum Distance Separation requirements;
b) The accessory buildings referred to in a) above may include a hobby barn, subject to local regulations;
c) The lot has access to an open public road;
d) The residential use will not hinder or preclude the present use or future potential for agricultural or mineral aggregate operations;
e) The residential use is compatible with surrounding development;
f) The use is well removed from any settlement boundary;
g) The lands have been owned by the applicant for at least five years.

The property is located within the Paris and Galt Moraine Policy area identified on Schedule B of the Official Plan. According to section 4.9.7.2b) of the plan it states that small "scale developments that do not rely on significant site alterations will not normally be required to demonstrate protection of the moraines...best practices for alterations will be required to reduce or eliminate cut and fill activities that would fill in land surface depressions." A new single detached dwelling would be permitted on the retained lands and would be considered small scale development.

Section 10.2.2 states that "where the County is concerned that a proposed lot in or adjacent to the Greenland's System could negatively impact a natural feature or function, the County may require an environmental impact study to assess potential impacts and means of mitigation."

The matters under Section 10.1.3 were also considered including b) "that all lots can be adequately serviced with water, sewage disposal.....to accepted municipal standards" d) "that all lots will have safe driveway access to an all-season maintained public road, and g) "that natural heritage features are not affected negatively".

LOCAL ZONING BY-LAW: The subject property is currently zoned Agricultural (A) zone and Natural Environment (NE) zone. It appears that both the severed and retained parcels can meet the minimum lot area and frontage requirements.

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:** B78/15
GRCA FILE: B78-15 – 16 Hume Road (Pilkey)

RECEIVED
SEP 22 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

RE: **Application for Consent B78/15**
Part Lot 10, Concession 10, Township of Puslinch
16 Hume Road
Douglas Pilkey

GRCA COMMENT: *

The Grand River Conservation Authority (GRCA) has no objection to the severance of a 1.1 hectare lot with existing and proposed rural residential uses.

BACKGROUND:

1. **Resource Issues:**

   Information currently available at this office indicates that the subject lands contain wetlands that are part of the Provincially Significant Arkell Corwhin Wetland Complex and the allowances adjacent to the wetlands.

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

   Due to the presence of the above-noted features, portions of the severed and retained parcels 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 this application.

Should you have any further questions or require additional information, please do not hesitate to contact me at 519-621-2763 ext. 2236.

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

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
Jeff Buisman, Van Harten Surveying Inc. – 423 Woolwich Street, Guelph, ON N1H 3X3
Douglas Pilkey – 16 Hume Road, R.R.#1 Puslinch, ON N0B 2J0

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Grand River Conservation Authority

Map created: August 27, 2015
Prepared by: ah

B78/15

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-ASSESSMENT (MPAC)
- LOTS (NRVIS)
- 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

0 65 130 195 260 m.

NAD 1983, UTM Zone 17 Scale 1:5,465

N

B18/15

Van Harten
SURVEYING & ENGINEERING

July 28, 2015
Jeff.Buisman@vanharten.com
22961-15

County of Wellington Land Division Committee
74 Woolwich Street
GUELPH, Ontario
N1H 3T9

Attention: Ms. Deborah Turchet

Dear Ms. Turchet:

Re: **Severance Sketch and Application for Pilkey**
16 Hume Road
Part of Lot 10, Concession 10
PIN 71188-0104
Township of Puslinch

Please find enclosed an application for a severance on the above-mentioned property. Included with this submission are copies of the severance sketch, completed application form, the required deeds, addresses of neighbouring properties, two Farm Data Sheets, a cheque to Wellington County for $ 1,000 and a cheque to the GRCA for $380.

Proposal

The proposal is to sever off a parcel of land around the existing dwelling (No. 16 Hume Road). The proposed severed parcel has a width of 85±m, depth of 132±m, and an area of 1.1±ha. The retained lands will have an area of 11± ha where the current cash cropping operation will continue.

We reviewed the Official Plan criteria in section 10.4.4 for a proposed severance and we provide the opinion that the relevant criteria are met including the following:

- The severed lands are designated Secondary Agricultural
- Ownership is longer than 5 years
- No severance since March 2005
- Safe entrance
- MDS compliance
- Adequate space for new dwelling and septic

Please call me if you or the Planning Staff have any questions.

Very truly yours,
Van Harten Surveying Inc.

Jeffrey E. Buisman B.E.S, B.Sc.
Ontario Land Surveyor

JEB:lb

c.c. Douglas Pilkey