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: **B75/15**

Applicant: **Todd Noonan & Debbie McIntosh**

Subject Lands: TOWNSHIP OF PUSLINCH – Part Lot 6, Concession 1

Proposal is a request for consent to convey fee simple for a proposed severance 66.54m fr x 60.96m = 4050 square metres in the TOWNSHIP OF PUSLINCH – Part Lot 6, Concession 1, vacant land for proposed rural residential use; retained lands are 41.26 hectares (102 acres).

ISSUES: none

SUMMARY of FILED REPORTS and COMMENTS:

Township of Puslinch - in support of application; site specific zone amended so the severed parcel would not be permitted to have two dwellings and zoning address minimum lot area required; conditions to apply

County Planning - notice cards were posted at time of site visit; application consistent with Provincial Policy Statement staff has been provided with required farm data sheets for barns – MDS setbacks can be met; conforms to County Official Plan – proposed severed parcel is Secondary Agricultural ; retained agricultural parcel used for horse boarding operation with two existing dwellings (one for farm help) and two barns – zoned site specific (A-43); zone amendment required to remove site specific zoning from severed and to address lot area reduction of retained; conditions to address

Conservation Authority (GRCA) – no objections

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 B75/15.
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 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.
8) THAT the Owner receive zoning compliance and classification from the Township of Puslinch in a manner deemed acceptable by the Township of Puslinch on the severed and retained lands; and 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

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 B75/15

APPLICANT	**LOCATION OF SUBJECT LANDS:**
Todd Noonan & Debbie McIntosh 6620 Concession 1 Puslinch ON N0B 2J0	TOWNSHIP OF PUSLINCH Part Lot 6 Concession 1

Proposed severance is 66.54m fr x 60.96m = 4050 square metres, vacant land for proposed rural residential use.

Retained parcel is 41.26 hectares with 313.53m frontage, existing and proposed rural residential and horse boarding with existing 2 barns, farm house and additional house.

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: **Applicant – Todd Noonan & Debbie McIntosh**

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: B75/15

APPLICANT	**LOCATION OF SUBJECT LANDS**
Todd Noonan & Debbie McIntosh 6620 Concession 1 Puslinch ON N0B 2J0	TOWNSHIP OF PUSLINCH Part Lot 6 Concession 1

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2301·000·003·02100

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) Property Zoned A-43 Min Lot Area is 41.6ha

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

(Please Specify) Property Zoned A-43. Min Lot Area is 41.6ha & NE-14

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 N/A.

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: B75/15

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 [ ]

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:
- Site Specific By-law A-43 would need to be amended so the severed parcel would not be permitted to have two dwellings
- Minimum Lot Area required under Site Specific By-law A-43 would also need to be amended.

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

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

- An Entrance Permit, verifying safe access, will be required from the Township of Puslinch prior to final consent approval
- 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
- The property (retained and severed) shall receive Zoning Compliance from the Township of Puslinch 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, Guelph, ON N1H 6H9

DATE: Sept 15, 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

Application	B75/15
Location	Part Lot 6, Concession 1 TOWNSHIP OF PUSLINCH
Applicant/Owner	Todd Noonan & Debbie McIntosh

PLANNING OPINION: This application would sever a vacant 0.4 ha (1 ac) rural residential parcel in the Secondary Agricultural area. A retained (41.26 ha) 102 ac agricultural parcel used for a horse boarding operation with 2 existing dwellings (one for farm help) and two barns.

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

a) That both the severed and retained lands be rezoned to the satisfaction of the local municipality; and
b) That safe driveway access can be provided to the site to the satisfaction of the local municipality.

PLACES TO GROW: No issues.

PROVINCIAL POLICY STATEMENT (PPS): With regards to Minimum Distance Separation 1 (MDS 1), we have been provided with the required farm data sheets for the barns on the subject lands and surrounding properties and have completed the necessary calculations and are satisfied that the appropriate MDS setbacks can be met.

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

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated SECONDARY AGRICULTURAL, CORE GREENLANDS, GREENLANDS and contains portions of special policy Area 9.8.2. The proposed lot is located outside of all natural features and special policy area. 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 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."

LOCAL ZONING BY-LAW: The subject property is currently zoned Site Specific Agricultural (A-43) Zone, Site Specific Natural Environment (NE-14) Zone and Natural Environment (NE) Zone.

The site specific (A-43) permits an accessory dwelling unit for farm help to be established within the existing farm house, in addition to a single detached dwelling. This site specific zone also set a minimum lot area of 41.6 ha (103 ac) for the for the subject lands. A zone amendment would be required to remove the site specific zoning from the severed lands and to address the lot area reduction of the 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

RECEIVED
SEP 21 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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:** B75/15
GRCA FILE: B75-15 – 6620 Concession 1 (Noonan and McIntosh)

RECEIVED
SEP 22 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

RE: **Application for Consent B75/15**
Part Lot 6, Concession 1, Township of Puslinch
6620 Concession 1
Tod Noonan and Debbie McIntosh

GRCA COMMENT: *

The Grand River Conservation Authority (GRCA) has no objection to the severance of a 4,050 square metre lot for proposed rural residential use.

BACKGROUND:

1. **Resource Issues:**

   Information currently available at this office indicates that the retained parcel contains part of the Provincially Significant Puslinch Lake Irish Creek Wetland Complex, erosion hazard, floodplain, and the allowances adjacent to these features.

   The lands to be severed do not contain any features of interest to the GRCA.

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

   Due to the presence of the above-noted features, a portion of the retained parcel is 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 area on the retained 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.

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

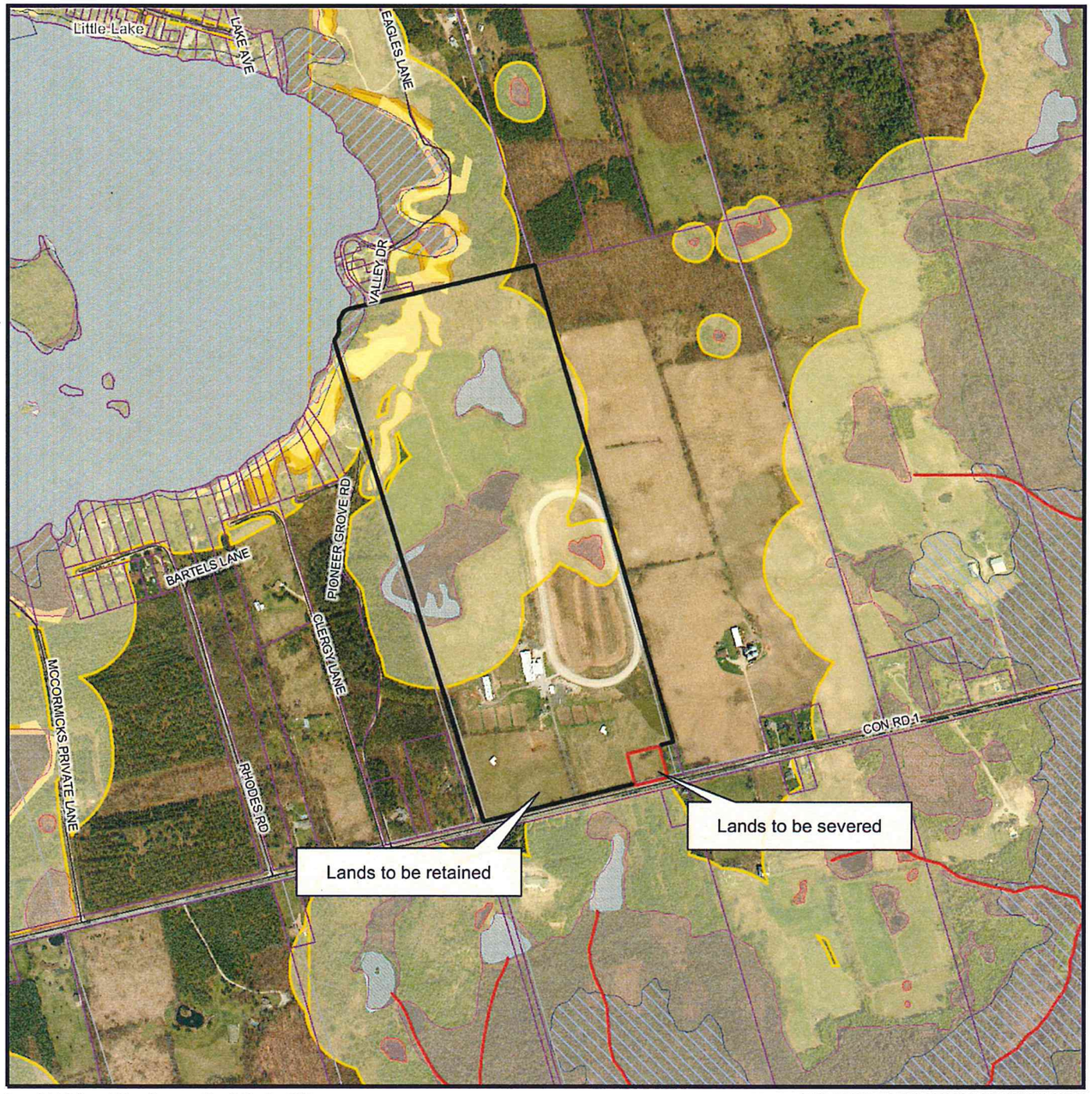
Should you have any further questions or require additional information, please contact me at 519-621-2763 ext. 2236.

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
Todd Noonan & Debbie McIntosh – 6620 Concession 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

B75/15

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)
- 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

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NAD 1983, UTM Zone 17 Scale 1:11,050

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