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: **B77/15**

Applicant: **Michael Oosterveld & Jennifer MacDonald**

Subject Lands: TOWNSHIP OF PUSLINCH – Part Lot 2, East of Blind Line, Reg Plan 131

Proposal is a request for consent to convey fee simple for a proposed severance 44m fr x 95m = 0.4 hectares (1 acre) in the TOWNSHIP OF PUSLINCH – Part Lot 2, East of Blind Line, Reg Plan 131, vacant land for proposed rural residential use; retained lands are 1.1 hectares (2.7 acres).

ISSUES: none

SUMMARY of FILED REPORTS and COMMENTS:

Township of Puslinch - in support of application; 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; note that severed lot covered with trees. This area not designated as a Greenland feature - tree loss should be mitigated (Wellington County Forest Conservation Bylaw No. 5115-09) where a building permit is issued for a new dwelling the removal of trees only within 15 metres of outer edge of building, structure or septic – removal of trees beyond this will require a permit from the County.

Conservation Authority (GRCA) – no objections; woodland present on lands may meet the criteria to be included within Greenlands system in the County of Wellington Official Plan – defer the review of woodland to County of Wellington staff.

County Engineering – no objection; no condition required

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 B77/15.
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 existing driveway shall be fully relocated onto the retained lands prior to final consent approval 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.
8) THAT the shed, shown on the proposed lot line of the severance sketch, shall be relocated to meet minimum yard requirements undersection 3(d) of Zoning By-law 19/85; 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.
9) 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 B77/15

APPLICANT

Michael Oosterveld & Jennifer MacDonald
131 Cooks Mill Rd
Guelph ON N1H 6H8

LOCATION OF SUBJECT LANDS:

TOWNSHIP OF PUSLINCH
Part Lot 2, East of the Blind Line
Registered Plan 131

Proposed severance is 44m fr x 95m = 0.4 hectares, vacant land for proposed rural residential use.

Retained parcel is 1.1 hectares with 47m frontage on Cook's Mill Road and 11m frontage on Wellington Rd 41, existing and proposed rural residential use with existing dwelling and shed.

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**

RECEIVED

SEP 16 2015

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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: B77/15

APPLICANT

Michael Oosterveld & Jennifer MacDonald
131 Cooks Mill Rd
Guelph ON N1H 6H8

LOCATION OF SUBJECT LANDS

TOWNSHIP OF PUSLINCH
Part Lot 2, East of the Blind Line
Registered Plan 131

Proposed severance is 44m fr x 95m = 0.4 hectares, vacant land for proposed rural residential use.

Retained parcel is 1.1 hectares with 47m frontage on Cook's Mill Road and 11m frontage on Wellington Rd 41, existing and proposed rural residential use with existing dwelling and shed.

2301 · 000 · 008 · 12810

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(e)

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: B77/15

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 → no comments

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, is 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 shed, shown on the proposed lot line of the severence sketch, shall be relocated to meet minimum Yard Requirements under Section 3(l) of Zoning By-law 19/85
- The existing driveway shall be fully relocated onto the retained lands prior to final consent approval

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

SIGNATURE Kelly Lutz

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

RECEIVED
SEP 17 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Application	B77/15
Location	Part Lot 2, East of Blind Line, Reg. Pl 131 TOWNSHIP OF PUSLINCH
Applicant/Owner	Michael Oosterveld & Jennifer MacDonald

PLANNING OPINION: This application would sever a vacant 0.4 ha (1 ac) parcel in the Secondary Agricultural area. An irregular shaped 1.1 ha (2.7 ac) parcel would be retained with an existing dwelling and shed.

This application is consistent with the Provincial Policy Statement and generally conforms to the County Official Plan. We would have no concerns, provided 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 and servicing be provided to the satisfaction of the local municipality; and
c) That the shed on the subject property be relocated onto the retained lands or removed to the satisfaction of the local municipality.

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.

GREENBELT PLAN: Not within the Greenbelt plan regulated area.

WELLINGTON COUNTY OFFICIAL PLAN: The Subject property is designated SECONDARY AGRICULTURAL, CORE GREENLANDS, and GREENLANDS. The Greenland's features represent an Environmentally Significant Area (ESA), Floodplains and Provincially significant wetlands. The proposed severed lot appears to take in portion of the ESA at the rear. 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 subject lands are located within a Well Head Protection Area 2 (WHPA 2) Section 4.9.5.5 of the Official Plan does permit small scale residential development (less than 4 lots or units) on individual services within Well Head Protection Areas. Only small scale residential development within a WHPA 1 will be required to provide an enhanced level of sewage treatment.

The matters under Section 10.1.3 were also considered including d) "that all lots will have safe driveway access to an all-season maintained public road" and g) "that tree loss related to anticipated development be kept to a minimum and wherever reasonable, be compensated for by new planting, and h) that natural heritage features are not affected negatively".

With respect to item g), we note that the proposed lot is completely covered with trees. This area is not designated as a Greenland feature however; the tree loss should be mitigated. As such in this case the Wellington County's Forest Conservation By-law No. 5115-09 protects this woodland feature. Where a building permit is issued for a new dwelling, Section 3.1(i) allows for the removal of trees only "...within 15 metres of the outer edge of the building, structure or septic system..." Removal of trees beyond this will require a permit from the County.

LOCAL ZONING BY-LAW: The subject property is currently zoned Agricultural (A) and Natural Environment (NE) zone. Both the severed and retained lands appear to meet the minimum lot area and frontage requirements. However, there is a shed on the subject lands that is bisected by the proposed severed parcel. The severance sketch has indicated that the shed is to be relocated to an area on 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.

L Redmond

Linda Redmond, Senior 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:** B77/15
GRCA FILE: B77-15 – 131 Cooks Mill Road (Oosterveld and MacDonald)

RECEIVED
SEP 22 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

RE: **Application for Consent B77/15**
131 Cooks Mill Road, Township of Puslinch
Michael Oosterveld and Jennifer MacDonald

GRCA COMMENT: *

The Grand River Conservation Authority (GRCA) has no objection to the severance of a 0.4 hectare lot for proposed rural residential use.

BACKGROUND:

1. **Resource Issues:**

   Information currently available at this office indicates that the retained parcel contains floodplain of the Eramosa River and the allowance adjacent to Provincially Significant Eramosa River Blue Springs Creek Wetland Complex.

   A portion of the severed lot is also within the allowance adjacent to the Provincially Significant Eramosa River Blue Springs Creek Wetland Complex. Based on our review of aerial photos for the subject lands, a woodland present on these lands may meet the criteria to be included within the Greenlands system in the County of Wellington Official Plan. We defer the review of this woodland to County of Wellington staff.

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

   Due to the presence of the above-noted feature, 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 area 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.

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

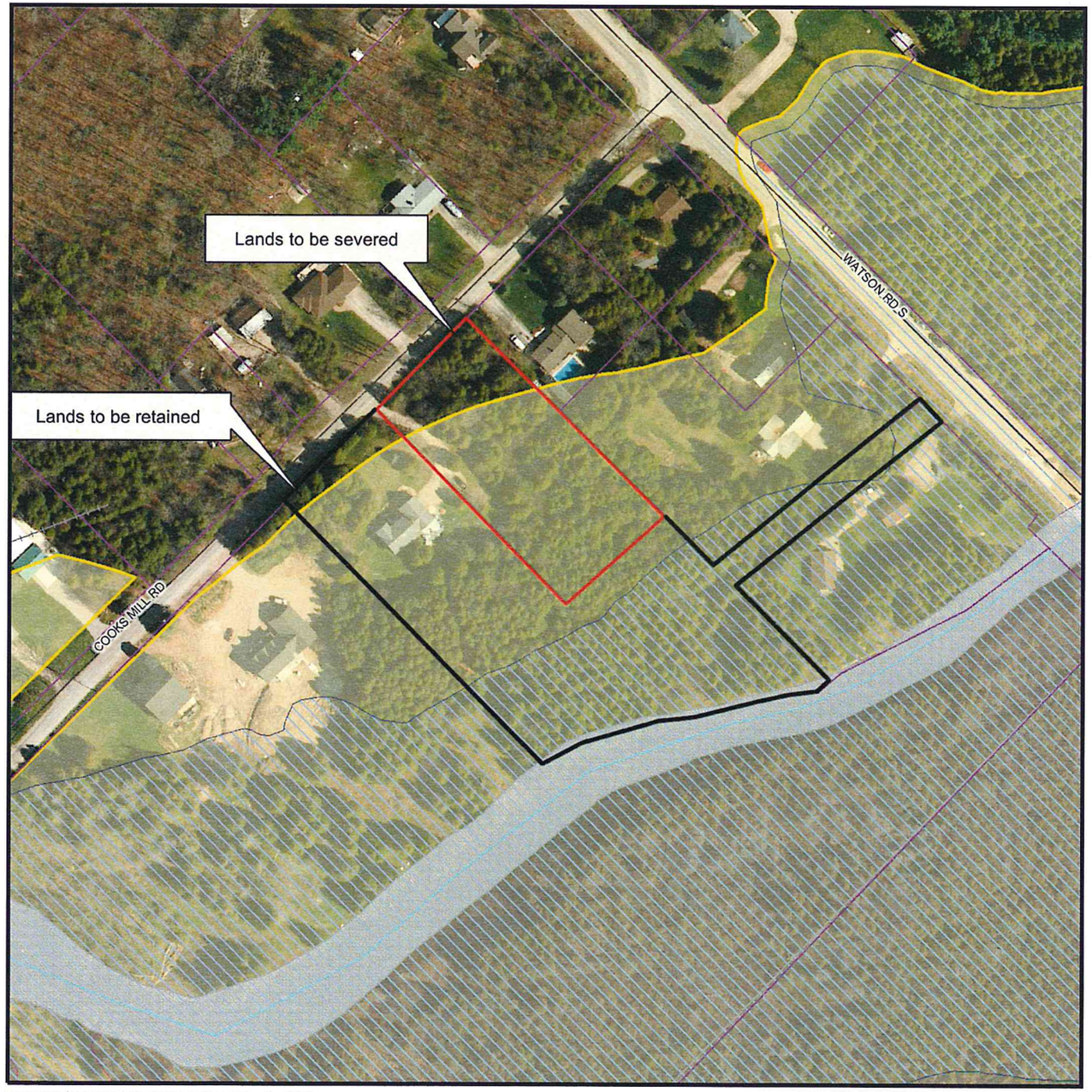
Should you have any questions or comments, please feel free to contact me at 519-621-2763 ext. 2236.

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
Michael Oosterveld & Jennifer MacDonald – 131 Cooks Mill Road, Guelph, ON N1H 6H8



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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

B77/15

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 23 46 69 92 m.

NAD 1983, UTM Zone 17 Scale 1:1,965

N

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

RECEIVED
SEP 1 1 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

August 14, 2015

NOTICE OF AN APPLICATION FOR CONSENT

Ontario Planning Act, Section 53(4)

The County of Wellington Planning and Land Division Committee requests your written comments on this application for consent.

APPLICATION SUBMITTED ON: August 10, 2015

FILE NO. B77/15

APPLICANT

Michael Oosterveld & Jennifer MacDonald
131 Cooks Mill Rd
Guelph ON N1H 6H8

LOCATION OF SUBJECT LANDS:

TOWNSHIP OF PUSLINCH
Part Lot 2, East of the Blind Line
Registered Plan 131

Proposed severance is 44m fr x 95m = 0.4 hectares, vacant land for proposed rural residential use.

Retained parcel is 1.1 hectares with 47m frontage on Cook's Mill Road and 11m frontage on Wellington Rd 41, existing and proposed rural residential use with existing dwelling and shed.

IF YOU WISH TO SUBMIT COMMENTS ON THIS APPLICATION, WE MUST HAVE YOUR WRITTEN COMMENTS BEFORE

September 16, 2015

Please note that if the Comments are not received by the requested date, the Planning and Land Division Committee may proceed to consider the application, and may assume that you have no objection to this APPLICATION for CONSENT.

Please also be advised that if a person or public body that files 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.

If you wish to be **NOTIFIED OF THE DATE AND TIME OF THE CONSIDERATION** of this application - **please make your request in writing** to the Planning and Land Division Committee before the "Comments Return Date" noted above.

If you wish to be **NOTIFIED OF THE DECISION** of the County of Wellington Planning and Land Division Committee in respect of this proposed consent, **you must make a request in writing** to the County of Wellington Planning and Land Division Committee. This will also entitle you to be advised of a possible Ontario Municipal Board Hearing. Even if you are the successful party, you should request a copy of the decision since the County of Wellington Planning and Land Division Committee's decision may be appealed to the Ontario Municipal Board by the applicant or another member of the Public

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

MAILED TO:

Local Municipality – Puslinch County Planning Conservation Authority - GRCA

County Engineering

Bell Canada County Clerk Roads

Neighbour - as per list verified by local municipality and filed by applicant/agent

COUNTY OF WELLINGTON
ENGINEERING SERVICES
NO OBJECTION
NOTICE OF DECISION REQ'D.
PASQUALE COSTANZO, CET
ENGINEERING TECHNOLOGIST
SEP 10 2015
Date:

* ENTRANCE COND NOT REQ *

B77/15

Van Harten
SURVEYING & ENGINEERING

July 28, 2015
Jeff.Buisman@vanharten.com
22922-15

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 Oosterveld**
131 Cook's Mill Road
Part of Lot 2, Plan 131 EAST OF BLIND LANE
PIN 71185-0179
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, required deeds, addresses of neighbouring properties, a cheque to Wellington County for $ 1,000, and a cheque to the GRCA for $380.

Proposal

The proposal is to create a new rural residential parcel of 44±m wide and 95±m deep (0.4±ha) along the east portion of the subject lands' frontage on Cooks Mill Road. The retained lands will have an area of 1.1± ha where the current dwelling will remain. The existing driveway crosses into the retained parcel; therefore, a new driveway is also proposed for the severed lands.

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. Michael Oosterveld