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: **June 11, 2015**

File Number: **B31/15**

Applicant: **Estate of Barbara McAllister**

Subject Lands: TOWNSHIP OF PUSLINCH – Part Lot 26, Concession 1

Proposal is a request for consent to convey fee simple for a proposed severance 75m fr x 75m = 0.56 hectares (1.4 acres) in the TOWNSHIP OF PUSLINCH – Part Lot 26, Concession 1, vacant land for proposed rural residential use; retained lands are 39 hectares (96 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; application is consistent with Provincial Policy Statement and generally conforms to Official Plan – no concerns

Conservation Authority (GRCA) – no objections to severance

Agent – Jeff Buisman – cover letter attached

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 B31/15.
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 Owner receive approval from the Township of Puslinch road authority in a manner deemed acceptable to that road authority for an entrance to the severed parcel; and further that the Township of Puslinch file a letter of clearance of this condition with the Secretary-Treasurer of the Planning and Land Division Committee as written proof of fulfillment 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

May 28, 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 B31/15

APPLICANT

Estate of Barbara McAllister
c/o Roy McAllister
2232 Fifth Concession W
RR#2
Branchton ON N0B 1L0

LOCATION OF SUBJECT LANDS:

TOWNSHIP OF PUSLINCH
Part Lot 26
Concession 1

Proposed severance is 75m fr x 75m = 0.56 hectares, vacant land for proposed rural residential use.

Retained parcel is 39 hectares with 328m frontage on Conc 1 Rd and 619m frontage on Sideroad 25, existing and proposed residential and agricultural use with existing dwelling and barn.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, June 11, 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

MAY 2 1 2015

SECRETARY-TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

RECEIVED

APR 1 3 2015

Township of Puslinch

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: B31/15

APPLICANT

Estate of Barbara McAllister
c/o Roy McAllister
2232 Fifth Concession W
RR#2
Branchton ON N0B 1L0

LOCATION OF SUBJECT LANDS

TOWNSHIP OF PUSLINCH
Part Lot 26
Concession 1

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Retained parcel is 39 hectares with 328m frontage on Conc 1 Rd and 619m frontage on Sideroad 25, existing and proposed residential and agricultural use with existing dwelling and barn.

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 2301·000·004·07900

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) Ag Zone · Section 5.3e · meets min lot size & dimensions.

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

(Please Specify) Ag Zone & Natural Enviro. Zone · meets min lot size and dimensions Section 5.3

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(✓)

CLERK'S DEPARTMENT
TO KP
Copy
Please Handle ✓
For Your Information
Council Agenda
File

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?

No

Continued to Page 2

MUNICIPALITY COMMENTING FORM

FILE NO: B31/15

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 [ ]

Robert Kelly
May 20, 2015.

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]

N/A.

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, confirming safe access, is required by the Township of Puslinch prior to final consent approval.
- Cash-in-lieu of Parkland, made payable to the Township of Puslinch, is required prior to final consent approval
- The Township of Puslinch requires that payment of taxes or other financial requirements be up-to-date prior to final consent approval

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

SIGNATURE Kelly Patzer Kelly Patzer

TITLE: Development Coordinator

ADDRESS: 7404 Wellington Road 34, Guelph, ON N1H 6H9

DATE: MAY 20, 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
MAY 20 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Application	B31/15
Location	Part Lot 26, Concession 1 TOWNSHIP OF PUSLINCH
Applicant/Owner	Estate of Barbra McAllister

PLANNING OPINION: This application would sever a vacant 0.61 ha (1.5 ac) parcel in the Secondary agricultural area. A 1.9 ha (4.7 ac) parcel would be retained with an existing dwelling and two accessory structures.

This application is consistent with the Provincial Policy Statement and would generally conform to the Official Plan. We would have no concerns, provided that following can be addressed as conditions of approval:

a) That any concerns of the Conservation Authority can be addressed,
b) That servicing can be accommodated to the satisfaction of the local municipality,
c) That safe driveway access can be provided to the satisfaction of the local municipality.

PLACES TO GROW: No issues.

PROVINCIAL POLICY STATEMENT (PPS): Section 1.1.4 states that "In rural areas located in municipalities... a) permitted uses and activities shall relate to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses;... c) new land uses, including the creation of lots shall comply with the minimum distance separation formulae".

GREENBELT PLAN: Not within the regulated area.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated SECONDARY AGRICULTURAL, CORE GREENLANDS, and GREENLANDS and is located within a Provincial Earth Science ANSI. 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.

Section 10.2.2 states that "where the County is concerned that a proposed lot in or adjacent to the Greenlands 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 h) "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 minimum lot area and frontage requirements can be met.

SITE VISIT INFORMATION: The subject property was visited and photographed on May 15th 2015. Notice Cards were posted and the survey sketch appears to meet the application requirements.

Jameson Pickard

Jameson Pickard, Planner
May 20th, 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: May 19, 2015 **YOUR FILE:** B31/15
GRCA FILE: B31-15 – 7176 Concession Road 1 (McAllister)

RECEIVED
MAY 20 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

RE: **Application for Consent B31/15**
Part Lot 26, Concession 1, Township of Puslinch
7176 Concession Road 1
Estate of Barbara McAllister

GRCA COMMENT: *

The Grand River Conservation Authority (GRCA) has no objection to the severance of a 0.56 hectare lot for proposed rural residential use.

BACKGROUND:

1. **Resource Issues:**

   Information currently available at this office indicates that the retained parcel contains wetlands and the allowances adjacent to the wetlands.

   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, portions of the retained parcel 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:**

   A portion of the property is within the Hamilton Conservation Authority watershed.

   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

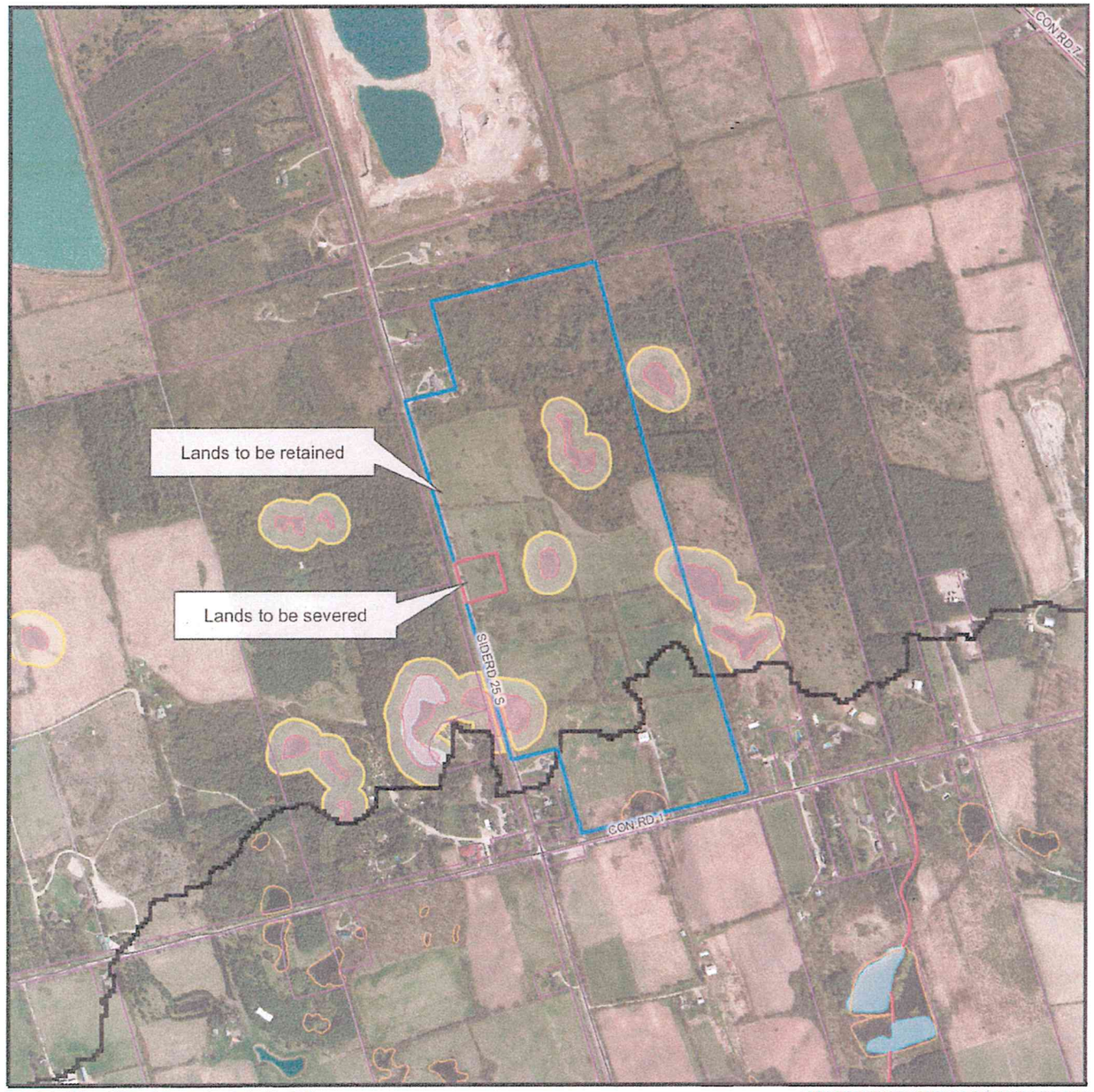
Should you have any further questions or require additional information, please do not hesitate to contact me at 519-621-2763 ext. 2236.

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. Township of Puslinch
Jeff Buisman, Van Harten Surveying Inc. – 423 Woolwich Street, Guelph, ON N1H 3X3
Estate of Barbara McAllister c/o Roy McAllister – 2232 Fifth Concession West, R.R.#2 Branchton, ON N0B 1L0



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Grand River Conservation Authority
Map created: April 24, 2015
Prepared by: ah

B31/15

LEGEND

- WATERSHED BOUNDARY (GRCA)
- UTILITY LINE (NRVIS)
- ROADS-ADDRESSED (MNR)
- RAILWAY (NRVIS)
- CLASSIFIED STREAMS - NEW (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

0 125 250 375 500 m.

NAD 1983, UTM Zone 17 Scale 1:10,636

N

B31/15

Van Harten
SURVEYING & ENGINEERING

April 6, 2015
Jeff.Buisman@vanharten.com
22687-15

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 Barbara McAllister Estate**
Part Lot 26, Concession 1
PIN 71202-0087 (LT)
Town 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, a cheque to Wellington County for $ 1,000 and a cheque to GRCA for $380.

Proposal

The proposal is to create a new rural residential parcel of 75m wide and 75m deep (0.56 ha) at "the top of the hill" along the Sideroad 25 limit. This is the only location where a severance would be possible to allow for a safe entrance and in compliance with other relevant criteria.

Consideration was made for a severance to the north of Parcel 7 shown on the sketch. This was an ideal location in terms of addition to the village of Crieff and taking advantage of an opening between the rural residence to the south and the wetlands to the north. This location does not, however, allow for compliance the MDS requirements to the barn on the retaining property.

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
- Adequate space for new dwelling and septic
- No impacts on environmentally sensitive lands or woodlot
- MDS requirements are met

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. Roy McAllister, Executor for Estate of Barbara McAllister