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: **B28/15**

Applicant: **Kenneth Fatt**

Subject Lands: TOWNSHIP OF PUSLINCH – Part Lot 11, Concession 11

Proposal is a request for consent to convey fee simple for a proposed severance 46.2m x 131.37m = 0.607 hectares (1.34 acres) in the TOWNSHIP OF PUSLINCH – Part Lot 11, Concession 11, existing vacant land for proposed rural residential use; retained lands are 1.9 hectares (4.7 acres).

ISSUES: none

SUMMARY of FILED REPORTS and COMMENTS:

Township of Puslinch – in support of application; accessory buildings require a 2 metre setback from an interior side lot line; conditions to apply

County Planning - notice cards were posted; no new lots have been created on parcel since before March 1, 2005; appropriate MDS setbacks can be achieved; secondary agriculture; application is consistent with Provincial Policy Statement and would generally conform to Official Plan; no concerns

Conservation Authority (GRCA) – no objection

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 B28/15.
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 applicable road authority in a manner deemed acceptable to that road authority for an entrance to the severed parcel; and further that the applicable authority 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.
8) THAT the accessory building on the retained lot be in compliance with the Zoning By-law or proof of legal non-conforming status (2 metre setback from side lot line required) 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.

*****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 B28/15

APPLICANT

Kenneth Fatt
4735 Concession 11
RR#1
Puslinch ON N0B 2J0

LOCATION OF SUBJECT LANDS:

TOWNSHIP OF PUSLINCH
Part Lot 11
Concession 11

Proposed severance is 46.2m x 131.37m = 0.607 hectares, existing vacant land for proposed rural residential use.

Retained parcel is 1.9 hectares with 49.4m frontage, existing and proposed rural residential use with existing house and 2 outbuildings.

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: **Applicant – Kenneth Fatt** **Agent – Brian Beatty**

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: B28/15

APPLICANT

Kenneth Fatt
4735 Concession 11
RR#1
Puslinch ON N0B 2J0

LOCATION OF SUBJECT LANDS

TOWNSHIP OF PUSLINCH
Part Lot 11
Concession 11

Proposed severance is 46.2m x 131.37m = 0.607 hectares, existing vacant land for proposed rural residential use.

Retained parcel is 1.9 hectares with 49.4m frontage, existing and proposed rural residential use with existing house and 2 outbuildings.

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 2301·000·008·00400

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) Agricultural Zone - Section 5(3.e) Meets all reduced lot requirements

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

(Please Specify) Agricultural Zone - Section 5(3.e) Meets all reduced lot requirements.

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(✓)
accessory building.

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	MP
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: B28/15

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]

Note: Accessory Buildings require a 2 metre setback from an interior side lot line

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 consent approval
- The Township requires the accessory building on the retained lot to be in compliance with the Zoning By-law, or proof of Legal-Non Conforming status. (2 metre setback from side lot line required).

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

SIGNATURE Kelly Patzer - Kelly Patzer

TITLE: Development Coordinator

ADDRESS: 7404 Wellington Rd 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

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MAY 20 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Application	B28/15
Location	Part Lot 11, Concession 11 TOWNSHIP OF PUSLINCH
Applicant/Owner	Kenneth Fatt

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 servicing can be accommodated to the satisfaction of the Township and that as a condition of approval, safe driveway access can be provided to the satisfaction of the Township of Puslinch.

PLACES TO GROW: No Issues.

PROVINCIAL POLICY STATEMENT (PPS): Regarding Minimum Distance Separation (MDS), we have been provided with the required Farm Data Sheets for the surrounding livestock facilities and have completed the necessary calculations and are satisfied that appropriate MDS setbacks can be achieved.

GREENBELT PLAN: Not within the regulated area of the Greenbelt Plan.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated SECONDARY AGRICULTRAL in the County of Wellington official plan. 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.

We would note that the Subject property underwent a lot line adjustment in 2010; no new lots have been created on the parcel since before March 1st, 2005.

The matters under Section 10.1.3 were also considered.

LOCAL ZONING BY-LAW: The subject property is currently zoned Agricultural (A). It appears that both the severed and retained lands can meet the minimum lot are and frontage requirements

SITE VISIT INFORMATION: The subject property was visited 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 13, 2015 **YOUR FILE:** B28/15
GRCA FILE: B28-15 - 4735 Concession 11 (Fatt)

RE: **Application for Consent B28/15**
4735 Concession 11, Township of Puslinch
Kenneth Fatt

GRCA COMMENT: *

The Grand River Conservation Authority (GRCA) has no objection to the severance of 0.607 hectares of vacant land for proposed rural residential use.

BACKGROUND:

1. **Resource Issues:**

   Information currently available at this office indicates that the severed and retained lands do not contain any features of interest to the GRCA.

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

   None.

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

   We wish to acknowledge receipt of the applicable plan review fee in the amount of $380.00 for the processing of this application.

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

Yours truly,

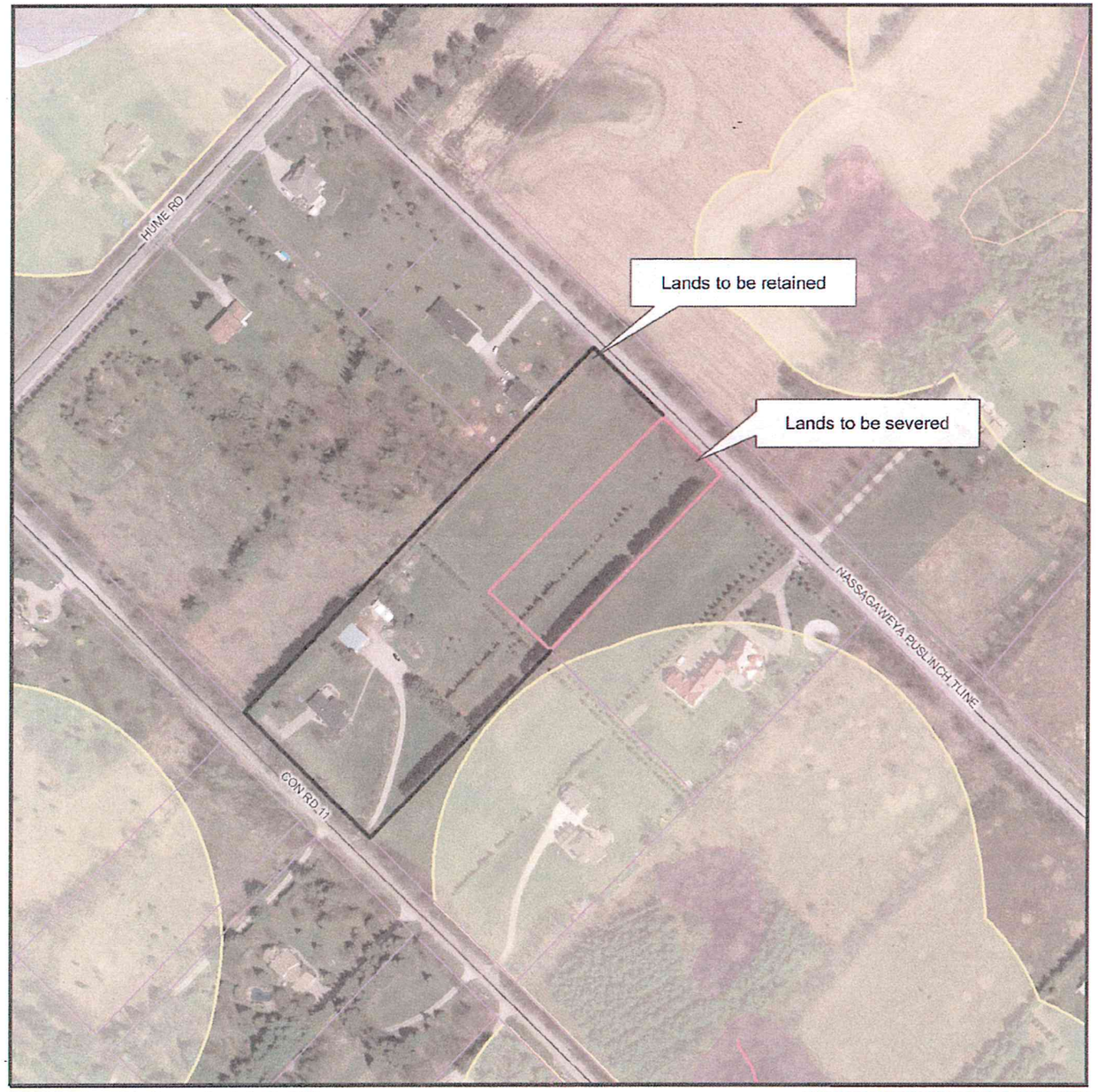
Andrew Herreman
Resource Planner
Grand River Conservation Authority

RECEIVED
MAY 20 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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

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

cc: Township of Puslinch
Kenneth Fatt – 4735 Concession 11, 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: April 24, 2015
Prepared by: ah

B28/15

LEGEND

- OTHER CA WATERSHEDS (MNR)
- 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

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NAD 1983, UTM Zone 17 Scale 1:3,032

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