# 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:** **May 14, 2015**

**File Number:** **B22/15**

**Applicant:** **Paul & Brigitte Dimock**

**Subject Lands:** TOWNSHIP OF PUSLINCH – Part Lot 16, Concession 10

**Proposal is a request for consent to convey** fee simple for a proposed severance 70m fr x 77m = 0.5 hectares in the TOWNSHIP OF PUSLINCH – Part Lot 16, Concession 10, vacant land for proposed rural residential use; retained lands are 37.2 hectares.

## ISSUES: none

## SUMMARY of FILED REPORTS and COMMENTS:

**Township of Puslinch –** in support of application; Planning and Development Advisory Committee – consider an alternate location for severed off Maltby Rd. as to not negatively impact existing farmed Agricultural lands; confirm location of existing septic bed to ensure it is not located on proposed severed parcel. – conditions to apply

**County Planning** - notice cards were posted at time of site visit; secondary agricultural, core greenlands and greenlands; satisfied current configuration represents the most appropriate site given overall policies of plan; Barn identified within approximately 160m of proposed lot – insufficient information provided – require Farms Data sheet, manure storage location and confirmed distances to barn and manure storage - condition application is consistent with Provincial Policy Statement and generally conforms to Official Plan – no concerns - conditions to be addressed

**Conservation Authority (GRCA) –** no objections

**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 B22/15.
**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 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.
**8) THAT** the County of Wellington Planning Department submit to the Secretary-Treasurer of the Planning and Land Division Committee written approval which indicates that the Minimum Distance Separation required under Formula 1 are met.

*****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**

April 30, 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 B22/15**

**APPLICANT**

Paul & Brigitte Dimock
7815 Maltby Road E
Puslinch ON N0B 1J0

**LOCATION OF SUBJECT LANDS:**

TOWNSHIP OF PUSLINCH
Part Lot 16
Concession 10

Proposed severance is 70m fr x 77m = 0.5 hectares, vacant land for proposed rural residential use.

Retained parcel is 37.2 hectares with 993m frontage on Maltby Road and 77m frontage on Conc 11 Road, existing and proposed rural residential and agricultural use with existing dwelling and garage.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, May 14, 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**

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TO: **Agent – Jeff Buisman**

RECEIVED

APR 22 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.

RECEIVED

MAR 18 2015

Township of Puslinch

**FILE NO: B22/15**

**APPLICANT**

Paul & Brigitte Dimock
7815 Maltby Road E
Puslinch ON N0B

**LOCATION OF SUBJECT LANDS**

TOWNSHIP OF PUSLINCH
Part Lot 16
Concession 10

Proposed severance is 70m fr x 77m = 0.5 hectares, vacant land for proposed rural residential use.

Retained parcel is 37.2 hectares with 993m frontage on Maltby Road and 77m frontage on Conc 11 Road, existing and proposed rural residential and agricultural use with existing dwelling and garage.

| CLERK'S DEPARTMENT | |
|---|---|
| TO K.P. | |
| Copy | |
| Please Handle | ✓ |
| For Your Information | ✓ |
| Council Agenda | |
| File | |

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***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)** AGRICULTURAL ZONE Section 5.3e- meets reduced lot requirements

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

**(Please Specify)** AGRICULTURAL & NATURALENVIRO. ZONE - meets Section 5.3a-d 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(✓)

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?

No.

Continued to Page 2

**MUNICIPALITY COMMENTING FORM**

**FILE NO: B22/15**

**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 [ ]**

Confirmed by A. French, Apr 21, 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]

PLANNING: DEVELOPMENT ADVISORY COMMITTEE comments/notes

- Consider an alternate location for a severed parcel, off Maltby Rd, as to not negatively impact the existing farmed Agricultural Lands
- Confirm the location of existing septic bed, to ensure it is not located on proposed severed parcel

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

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

- Cash in lieu of Parkland, made payable to the Township of Puslinch, is required prior to final consent approval
- Financial/taxes up to date
- An approved Entrance Permit, issued by the Township of Puslinch, is required 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: April 21, 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
APR 24 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

| | |
|---|---|
| **Application** | B22/15 |
| **Location** | Part Lot 16, Concession 10<br>TOWNSHIP OF PUSLINCH |
| **Applicant/Owner** | Paul and Brigitte Dimock |

**PLANNING OPINION:** This application would sever a 0.5 ha (1.2 ac) vacant rural residential lot in a Secondary Agricultural area. A 37.2 ha (91.9 ac) parcel would be retained with an existing dwelling and garage.

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 conditions of approval:

a) Safe driveway access can be provided to the satisfaction of the Township of Puslinch; and
b) Farm Data Sheets are provided demonstrating compliance with Minimum Distance Separation 1 (MDS1) requirements to the satisfaction of the County Planning and Development Department.

**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".

With respect to Minimum Distance Separation 1 (MDS1), a barn is identified within approximately 160 m of the proposed lot. Insufficient information was provided and we require:

- a Farm Data Sheet which includes a tillable area for the farm;
- location of manure storage; and
- confirmed distances to the barn and manure storage.

**GREENBELT PLAN:** Not within Greenbelt Plan area.

**WELLINGTON COUNTY OFFICIAL PLAN:** The subject property is designated SECONDARY AGRICULTURAL, CORE GREENLANDS and GREENLANDS. The Greenlands System designations protect areas of floodplain, wetlands and significant wooded areas.

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.

With respect to alternate lot locations, we are satisfied that the current configuration represents the most appropriate site given the overall policies of the Plan. We also note that the subject property underwent a lot line adjustment in 2010. No new lots have been created on the parcel since before March 1, 2005.

The matters under Section 10.1.3 were also considered including b) "that all lots can be adequately serviced with water, sewage....." and d) "that all lots will have safe driveway access to an all-season maintained public road".

**LOCAL ZONING BY-LAW:** The subject lands are zoned Agricultural (A) and Natural Environment (NE). Both lots would meet the applicable lot area and frontage requirements.

**SITE VISIT INFORMATION:** The subject property was visited and photographed on April 16, 2015. Notice Cards were posted and the survey sketch appears to meet the application requirements.

Sarah Wilhelm, MCIP, RPP, Senior Planner
April 23, 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:** April 21, 2015 **YOUR FILE:** B22/15
**GRCA FILE:** B22-15 – 7815 Maltby Road East (Dimock)

RECEIVED
APR 29 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

**RE:** **Application for Consent B22/15**
Part Lot 16, Concession 10, Township of Puslinch
7815 Maltby Road East
Paul and Brigitte Dimock

**GRCA COMMENT: ***

The Grand River Conservation Authority (GRCA) has no objection to the severance of a 0.5 hectare lot for proposed rural residential use.

**BACKGROUND:**

1. **Resource Issues:**

   Information currently available at this office indicates that the retained parcel contains Provincially Significant Arkell Corwhin Wetland Complex, a watercourse, 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 majority 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 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 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. (email)
Paul and Brigitte Dimock – 7815 Maltby Road East, Puslinch, ON N0B 1J0

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

**Grand River Conservation Authority**
Map created: April 21, 2015
Prepared by: ah

## B22/15

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*

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NAD 1983, UTM Zone 17 Scale 1:9,597

N

B22/15

Van Harten
SURVEYING & ENGINEERING

March 9, 2015
Jeff.Buisman@vanharten.com
20728-12

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

Attention: Ms. Deborah Turchet

Dear Ms. Turchet:

Re: **Severance Application for 7815 Maltby Road East**
**Paul & Brigette DIMOCK**
**Part of Lot 16, Concession 10; PIN 71189-0143**

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, MDS Data Form, a cheque to Wellington County for $ 975 and a cheque to GRCA for $380.

Proposal

The proposal is to create a new rural residential parcel along Concession 11 Road of 70m wide and 77m deep for an area of 0.54 ha. The severed parcel contains existing field and is located north of dwelling 4586 Concession 11. The retained parcel will have an area of about 37 ha.

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 is available at the north end of the severance.
- Adequate space for new dwelling and septic
- No impacts on environmentally sensitive lands or woodlot.
- MDS requirements are met

Ownership Information

The ownership information was gathered from Registry Office records and request for ownership confirmation has been given to the Township of Puslinch. We will forward to you the confirmation from Puslinch once it has been received.

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. Paul & Brigette DIMOCK
c.c. Izaak deRijcke