# 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:** **B20/15**

**Applicant:** **Eric & Barbara Hagens**

**Subject Lands:** TOWNSHIP OF PUSLINCH – Part Lot 16, Concession 9

**Proposal is a request for consent to convey** fee simple for a proposed severance 0.4 hectares (0.99 acres) with 56m frontage in the TOWNSHIP OF PUSLINCH – Part Lot 16, Concession 9, vacant land for proposed rural residential use; retained lands are 8.8 hectares (21.7 acres).

## ISSUES: none

## SUMMARY of FILED REPORTS and COMMENTS:

**Township of Puslinch** - in support of application; Planning & Development Review Committee – review suitability of driveway proposed due to steep grade on proposed lot; existing driveway crosses proposed lot; building note – a holding tank is not a permitted (Class 5) septic system – building staff require information on location of existing septic on retained – conditions to apply

**County Planning** - notice cards posted at time of site visit; application is consistent with Provincial Policy and generally conforms to official Plan; Secondary Agricultural; proposed lot within 1 km of City of Guelph – Urban Area Protection Policies – no concerns; Wellington County's Forest Conservation By-law – removal of trees beyond 15m of outer edge will require a permit from the County; no concerns provided conditions can be addressed

**Conservation Authority (GRCA)** – no objections – severed do not contain any features of interest

**City of Guelph** – no comments received

## ***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 B20/15.
**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 and retained 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 receive zoning compliance and classification from the Township of Puslinch in a manner deemed acceptable by the Township of Puslinch to address frontage of retained; and that the Township of Puslich file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
**8) 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.
**9) THAT** the owner provide confirmation of the location of the existing septic field on the retained lot to the satisfaction of the Township Building Official; and further that the Township of Puslich 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**

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 B20/15**

**APPLICANT**

Eric & Barbara Hagens
7667 Maltby Road E
RR#1
Puslinch ON N0B 2J0

**LOCATION OF SUBJECT LANDS:**

TOWNSHIP OF PUSLINCH
Part Lot 16
Concession 9

Proposed severance 0.4 hectares with 56m frontage, vacant land for proposed rural residential use.

Retained parcel is 8.8 hectares with 84.1m frontage, existing and proposed rural residential use with existing dwelling.

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: **Applicant – Eric & Barbara Hagens** **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.

**FILE NO: B20/15**

RECEIVED
MAR 18 2015
Township of Puslinch

**APPLICANT**

Eric & Barbara Hagens
7667 Maltby Road E
RR#1
Puslinch ON N0B 2J0

**LOCATION OF SUBJECT LANDS**

TOWNSHIP OF PUSLINCH
Part Lot 16
Concession 9

Proposed severance 0.4 hectares with 56m frontage, vacant land for proposed rural residential use.

Retained parcel is 8.8 hectares with 84.1m frontage, existing and proposed rural residential use with existing dwelling.

| 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~~ RETAINED Parcel comply with all requirements of the Zoning By-law? YES [ ] NO [✓]

**(Please Specify)** AGRICULTURAL & NATURAL ENVIRONMENT ZONES – does not meet minimum 121.4m frontage.

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

**(Please Specify)** AGRICULTURAL ZONE - Sect. 5.3e

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: B20/15**

**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 [ ]**

Building Staff require information on the location of the existing septic on the retained lot prior to confirmation.

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 Review Committee Comments
- review suitability of the driveway proposed due to the steep grade on the proposed lot
- there is an existing driveway that crosses the proposed lot

Building Note:
A Holding Tank is not a permitted (class 5) septic system.

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

What Conditions, if any, are requested by the Municipality if the Consent is granted?
- Township Building Staff require confirmation of location of existing septic field on retained lot.
- Cash in lieu of Parkland, made payable to the Township of Puslinch, is required prior to final consent approval
- Relief from Zoning By-law 19/85 is required for the retained parcel as it does not meet the minimum required 121.9m frontage.
- An approved entrance Permit from the Township is required prior to final consent approval.
- Ensure taxes/financial are up-to-date 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 20 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

| | |
|---|---|
| **Application** | B20/15 |
| **Location** | Part Lot 16, Concession 9<br>TOWNSHIP OF PUSLINCH |
| **Applicant/Owner** | Eric & Barbara Hagens |

**PLANNING OPINION:** This application would sever a 0.4 ha (1 ac) vacant rural residential lot in a Secondary Agricultural area. An 8.8 ha (21.7 ac) parcel would be retained with an existing dwelling.

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 provided to the satisfaction of the Township and that as a condition of approval, safe driveway access can be provided to the satisfaction of the applicable road authority.

**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".

We have no concerns with respect to Minimum Distance Separation 1 (MDS1) as there are no barns indicated on the survey sketch within 500 m.

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

**WELLINGTON COUNTY OFFICIAL PLAN:** The subject property is designated SECONDARY AGRICULTURAL and CORE GREENLANDS. The Core Greenlands designation is well-removed from the proposed lot.

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 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".

With respect to item g), we note that Wellington County's Forest Conservation By-law No. 5115-09 protects woodlands. 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.

We note that the proposed lot is within 1 km of the City of Guelph. In terms of the Urban Area Protection Policies, section 4.7.1 states that "this policy does not apply to prevent..... development of a minor nature which does not impede the efficient expansion of this urban area". We have no concerns in this regard.

**LOCAL ZONING BY-LAW:** The subject property is 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 20, 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:** B20/15
**GRCA FILE:** B20-15 – 7667 Maltby Road East (Hagens)

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APR 29 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

**RE:** **Application for Consent B20/15**
Part Lot 16, Concession 9, Township of Puslinch
7667 Maltby Road East
Eric and Barbara Hagens

**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 Provincially Significant Mill Creek Puslinch Wetland Complex and the allowance adjacent to the wetland.

   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 parcel 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

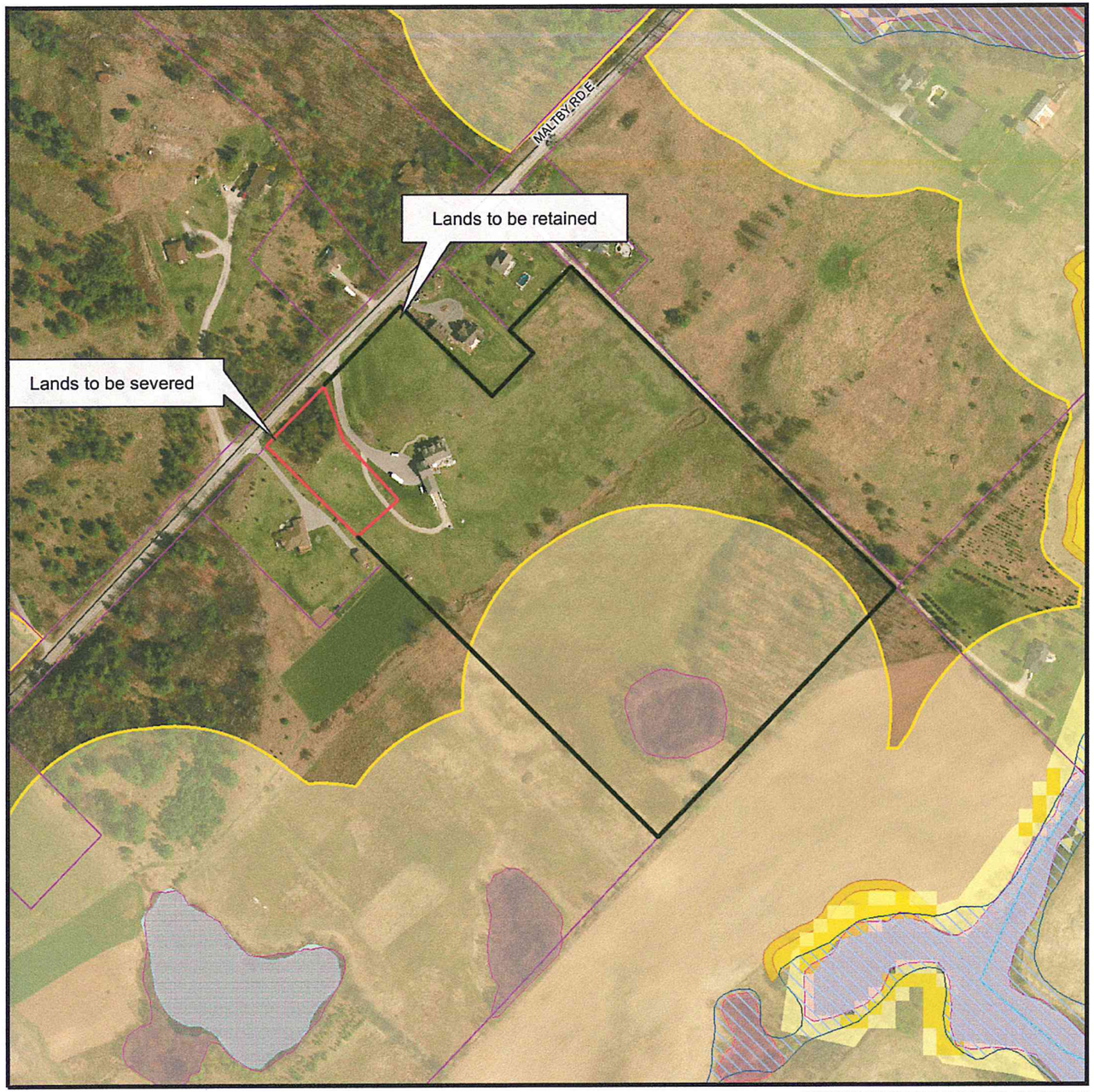
Should you have any further questions or require additional information, please do not hesitate to contact me at 519-621-2763 ext. 2236.

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
Eric and Barbara Hagens – 7667 Maltby Road East, 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 21, 2015
Prepared by: ah

## B20/15

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 1:4,146

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