REPORT SUMMARY

OWNER, APPLICANT or AGENT SHOULD ATTEND THE CONSIDERATION OF THIS APPLICATION

Date of Consideration: **October 9, 2014** **TIME: 9:30 a.m.**

File Number: **B88/14**

Applicant: **Reid's Heritage Homes Ltd.**

Subject Lands: TOWNSHIP OF PUSLINCH – Part Lots 11 & 12, Concession 3

Proposal is a request for consent to convey fee simple for a proposed irregular shaped lot line adjustment 1.3 hectares (3.2 acres) with no frontage in the TOWNSHIP OF PUSLINCH – Part Lots 11 & 12, Concession 3, vacant land to be added to abutting rural residential lot – Timothy & Charlotte Blevins; retained lands are 37.1 hectares (91.7 acres).

ISSUES: size of parcel

SUMMARY of FILED REPORTS and COMMENTS:

Township of Puslinch - in support of application; no new lot created – conforms to zoning; condition to apply

County Planning - notice cards were posted at time of site visit; lot line adjustment being done to provide more recreational space. Committee should be satisfied that there is suitable justification ; satisfied that mineral aggregate extraction would not be feasible at this location; planning justification report – impact on agriculture would be minimal given proposed severed is cut off from the balance of larger farm parcel by natural features – generally agree – consideration needs to be given to the size of parcel and request to go beyond the 2 acres. Note that lands to be added to are currently large at 4 acres; conditions to merge

Conservation Authority (GRCA) – no objections to lot line adjustment

County Engineering – no objections

Others – Matt Robson – letter of explanation and justification report

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 and 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 **including the Form 4 Certificate** and **Application for Consolidation of Parcels document for the consented parcel and the abutting lands to which the consented parcel is to be added** for Consent B88/14.
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 for and issuance of the Certificate of Consent.
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 Purchaser take title of the severed lands in the same manner as he holds his abutting lands; and **THAT** Section 50, subsection (3) of the Ontario Planning Act, R.S.O. 1990 as amended shall apply to any subsequent conveyance or any transaction involving the parcel of land that is the subject of this consent.
6) THAT the conveyancing documents for the severed parcel contain a statement to ensure that Section 50, subsection (3) of the Planning Act, R. S. O. 1990, as amended shall apply to any subsequent conveyance or transaction with respect to the land described herein; and a statement that the consented parcel and the abutting lands to which this consented parcel is to be added shall be dealt with contemporaneously in any future conveyances or transactions unless further consent is granted under the Planning Act or other lawful order.
7) 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.

*****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 25, 2014

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 B88/14

APPLICANT

Reid's Heritage Homes Ltd.
Attn: Matt Robson
6783 Wellington Rd 34
RR#22
Cambridge ON N3C 2V4

LOCATION OF SUBJECT LANDS:

TOWNSHIP OF PUSLINCH
Part Lots 11 & 12
Concession 3

Proposed irregular shaped lot line adjustment 1.3 hectares with no frontage, vacant land to be added to abutting rural residential lot – Timothy & Charlotte Blevins. Proposed ongoing use is expanded backyard rural residential use.

Retained parcel is 37.1 hectares with 617m frontage on WR. 34 and 219m frontage on Sideroad 10, existing and proposed agricultural and rural residential use with existing dwelling and storage buildings.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, October 9, 2014**

AT 9:30 a.m. for the purpose of considering this matter.

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 SHOULD ATTEND THIS CONSIDERATION**. Any person may be represented by counsel who has been duly authorized for that purpose.

Even if the owner/applicant does not attend, the Committee will consider the application as scheduled, and the applicant, except as otherwise provided in the Planning Act, will not be entitled to any further notice in the Proceedings.

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 – Reid's Heritage Homes Ltd.**

RECEIVED

SEP 18 2014

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

RECEIVED

AUG 08 2014

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: B88/14

APPLICANT

Reid's Heritage Homes Ltd.
Attn: Matt Robson
6783 Wellington Rd 34
RR#22
Cambridge ON N3C 2V4

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

LOCATION OF SUBJECT LANDS

TOWNSHIP OF PUSLINCH
Part Lots 11 & 12
Concession 3

Proposed irregular shaped lot line adjustment is 1.65 hectares with no frontage, vacant land to be added to abutting rural residential lot – Timothy & Charlotte Blevins. Proposed ongoing use is expanded backyard rural residential use.

Retained parcel is 36.75 hectares with 617m frontage on WR. 34 and 219m frontage on Sideroad 10, existing and proposed agricultural and rural residential use with existing dwelling and storage buildings.

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 2301-000-002-12020-0000

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)

N/A

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

(Please Specify) _____

Will the Retained Parcel comply with all requirements of the Zoning By-law? YES [✓] NO [ ] SECTION 5.

(Please Specify) No new lot created - min lot size in Agricultural (A) Zone maintained

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?

Continued to Page 2

MUNICIPALITY COMMENTING FORM

FILE NO: B88/14

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 [ ]

No new lot created

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]

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

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

(1) The owner shall provide proof of payment of any outstanding property taxes to the satisfaction of the Township of Puslinch.

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

SIGNATURE Kelly Patzer - Kelly Patzer

TITLE: Development Coordinator

ADDRESS: 7404 Wellington Rd 34 Rd. Guelph, ON N1H 6H9

DATE: Sept 17, 2014

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 2014
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Application	B88/14
Location	Part Lot 11 & 12, Concession 3 TOWNSHIP OF PUSLINCH
Applicant/Owner	Reid's Heritage Homes Ltd.

PLANNING OPINION: This application for a lot line adjustment would sever a vacant 1.3 ac (3.2 ac) parcel and merge it with an adjacent residential lot. The resulting parcel would be a 2.95 ha (7.2 ac) residential lot with an existing dwelling and. A 37 ha (91 ac) agricultural lot would be retained. This lot line adjustment is being done to provide more recreational space for the owners of the property.

Although we agree with the rationale and conclusions reached in the planning justification report pertaining to the impacts on Agriculture; consideration needs to be given to the large 3.3 ha (8 ac) irregular shaped parcel which will be created as a result of this lot adjustment. The lot currently at 1.65 ha (4 ac) is larger than the 0.8 ha (2 ac) contemplated under the Official Plan for lots in the secondary agricultural area. The Committee should be satisfied that there is suitable justification to go further beyond the official plan policies.

If this application is approved we would request that the following be made conditions of approval:

a) That any concerns of the Conservation Authority can be addressed; and,
b) That the purchaser take title to the severed lands in the same manner as they hold their abutting land; and,
c) That Subsection 50(3) of the Planning Act, R.S.O., 1990 be applied to any subsequent conveyance or any transaction involving the parcel of land that is the subject of this Consent.

PLACES TO GROW: No issues.

PROVINCIAL POLICY STATEMENT (PPS): Regarding the applicability of Minimum Distance Separation 1 (MDS 1). According to MDS implementation guideline #12, MDS is not applied where there are four or more non-farm uses closer to the subject livestock facility and in immediate proximity to the current application.

The PPS states in section 2.5.2.5 that "in known deposits of mineral aggregate resources and on adjacent lands, development and activities which would preclude or hinder the establishment of new operations or access to the resource shall only be permitted if:

a) Resource use would not be feasible
b) The proposed land use or development serves a greater long-term public interest; and
c) Issues of public health, public safety and environmental impact are addressed.

Given the presence of several residential dwellings and natural features in the area we are satisfied that mineral aggregate extraction would not be feasible at this location.

GREENBELT PLAN: Not within the regulated area.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated SECONDARY AGRICULTURAL, CORE GREENLANDS and GREENLANDS with portions of a Life Science Area of Natural and Scientific Interest (ANSI). The property also falls within a mineral aggregate overlay. These Greenland features cover significant Wetlands, woodlands 20 ha + and environmentally sensitive areas.

According to section 10.4.6, lot line adjustments may be permitted where no adverse effect on agriculture will occur and are encouraged where:

a) More viable agricultural operations will result;
b) An undersized lot is made useable given the requirement for appropriate sewer and water systems.

Lot line adjustments are deemed not to create new lots for the purpose of this plan.

The applicant has submitted a planning justification report outlining the proposed lot line adjustment and a detailed policy overview in support of the application. The report indicates that the impact on agriculture would be minimal given that the proposed severed parcel is cut off from the balance of larger farm parcel by natural features and bordered by residential uses; thus limiting its agricultural value. While we generally agree with this conclusion, consideration needs to be given the size of the parcel and the request to go beyond the 0.8 ha (2 ac) contemplated in the official plan. We note that the existing lot ("lands to be added to") is currently large at 1.65 ha (4 ac).

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...j) that natural resources such as agricultural lands and mineral aggregates would not be affected adversely...m) That all new lots will have logical lot lines given the existing lot patterns in the area, natural and human- made features and other appropriate considerations.

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

LOCAL ZONING BY-LAW: The subject property is currently zoned Agricultural (A) and Natural Environment (NE). It appears that both lots can meet the minimum lot area and frontage requirements.

SITE VISIT INFORMATION: The subject property was visited and photographed on September 8th 2014. Notice Cards were posted and the survey sketch appears to meet the application requirements.

Jameson Pickard

Jameson Pickard, Junior Planner
September 17th, 2014

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 TO: County of Wellington, Planning & Land Division Committee
Deborah Turchet, Secretary-Treasurer

DATE: September 12th, 2014 **YOUR FILE:** B88/14
GRCA FILE: Puslinch/2014/Sev/C

RE: **Application for Consent B88/14**
Part Lot 11 and 12, Concession 3
Township of Puslinch
Reid's Heritage Homes Ltd.

GRCA COMMENT:*

The Grand River Conservation Authority (GRCA) has no objection to the proposed lot line adjustment as shown on the updated survey dated September 10th, 2014.

BACKGROUND:

1. **Resource Issues:**

   Information currently available at this office indicates that the retained lands contain portions of Provincially Significant Cranberry Oil Well Bog Wetland Complex, a tributary of Irish Creek, Irish Creek Floodplain and the allowances associated with these features.

   The lands to be merged contain a portion of the Provincially Significant Cranberry Oil Well Bog Wetland Complex and allowances associated with these features.

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

   Due to the presence of the above-noted features, the subject lands are regulated by the GRCA under the *Development, Interference, with Wetlands, and Alterations to Shorelines and Watercourses Regulation* (*Ontario Regulation 150/06*). As such, a permit may be required prior to development.

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 do not hesitate to contact me at extension 2247.

RECEIVED
SEP 22 2014
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Grand River Conservation Authority
Map created: September 12, 2014

Part Lots 11 & 12, C3

LEGEND

- WATERSHED BOUNDARY (GRCA)
- UTILITY LINE (NRVIS)
- ROADS-ADDRESSED (MNR)
- RAILWAY (NRVIS)
- DRAINAGE-NETWORK (GRCA)
- PARCELS-ASSESSMENT (MPAC)
- FLOODPLAIN (GRCA)
  - ENGINEERED
  - APPROXIMATE
  - ESTIMATED
- WETLAND (GRCA)
- WETLAND (NRVIS)
  - PROVINCIALLY SIGNIFICANT
  - LOCALLY SIGNIFICANT
  - UNEVALUATED
- PARKS (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 29 58 87 116 m.

NAD 1983, UTM Zone 17 Scale 1:2,500

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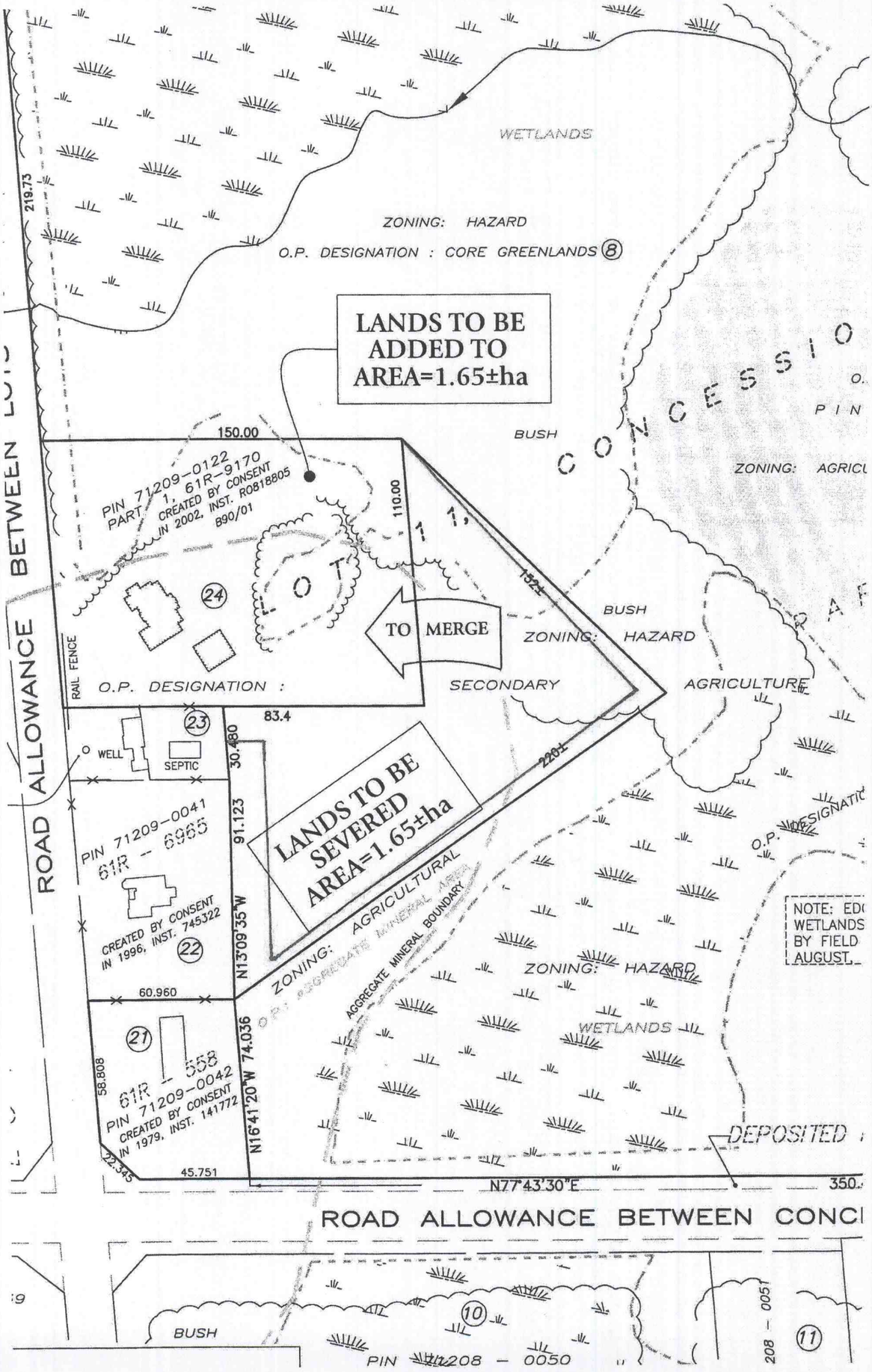

WETLANDS
ZONING: HAZARD
O.P. DESIGNATION : CORE GREENLANDS 8
LANDS TO BE ADDED TO AREA=1.65±ha
BUSH
ZONING: AGRICU
150.00
PIN 71209-0122
PART 1, 61R-9170
CREATED BY CONSENT
IN 2002, INST. R0818805
B90/01
110.00
LOT 1
24
TO MERGE
152±
BUSH
ZONING: HAZARD
RAIL FENCE
O.P. DESIGNATION : SECONDARY
AGRICULTURE
83.4
23
WELL
SEPTIC
30.480
220±
LANDS TO BE SEVERED AREA=1.65±ha
PIN 71209-0041
61R - 6965
CREATED BY CONSENT
IN 1996, INST. 745322
22
91.123
N13°09'35"W
ZONING: AGRICULTURAL
AGGREGATE MINERAL AREA
AGGREGATE MINERAL BOUNDARY
ZONING: HAZARD
WETLANDS
60.960
21
61R - 558
PIN 71209-0042
CREATED BY CONSENT
IN 1979, INST. 141772
58.808
N16°41'20"W 74.036
22.345
45.751
N77°43'30"E
350.
DEPOSITED
ROAD ALLOWANCE BETWEEN CONC
ROAD ALLOWANCE BETWEEN LOTS
219.73
BUSH
10
PIN 208 - 0050
208 - 0051
11

COUNTY OF WELLINGTON

AUG 07 2014

ENGINEERING SERVICES DEPARTMENT

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 03 2014

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

August 8, 2014

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 1, 2014

FILE NO. B88/14

APPLICANT

Reid's Heritage Homes Ltd.
Attn: Matt Robson
6783 Wellington Rd 34
RR#22
Cambridge ON N3C 2V4

LOCATION OF SUBJECT LANDS:

TOWNSHIP OF PUSLINCH
Part Lots 11 & 12
Concession 3

Proposed irregular shaped lot line adjustment is 1.65 hectares with no frontage, vacant land to be added to abutting rural residential lot – Timothy & Charlotte Blevins. Proposed ongoing use is expanded backyard rural residential use.

Retained parcel is 36.75 hectares with 617m frontage on WR. 34 and 219m frontage on Sideroad 10, existing and proposed agricultural and rural residential use with existing dwelling and storage buildings.

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

September 17, 2014

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 Committee, Guelph ON N1H 3T9. Phone: (519) 837-2600 x2170 Fax: (519) 837-3875

COUNTY OF WELLINGTON
ENGINEERING SERVICES
NO OBJECTION
NOTICE OF DECISION REQ'D.
PASQUALE COSTANZO, CET
ENGINEERING TECHNOLOGIST
Date: Sep 2/14

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 with this application

REID'S HERITAGE HOMES
Modern Thinking. Timeless Values.™

6783 Wellington Road 34, RR 22
Cambridge ON N3C 2V4
T: 519.658.6656
TF: 877.88.REIDS
F: 519.654.9746

September 15, 2014

County of Wellington
Planning and Land Division
74 Woolwich Street
Guelph, Ontario
N1H 3T9

Attention: **Ms. Deborah Turchet, Secretary-Treasurer Land Division**

RE: **Consent Application to allow for a lot addition to lands municipally known as 4485 Sideroad #10 North and legally described as Part Lot 11, Concession 3, BEING Part 1 on Reference Plan 61R9170, Township of Puslinch.**

Ms. Turchet,

As discussed, please accept this letter describing minor revisions to consent application BB88/14. A revised consent sketch has been attached for your review as well as a redlined sketch which outlines the original consent sketch.

As you can see on the revised sketch, the proposal has been modified as follows:

1. The area of the lands to be severed and added to 4485 Sideroad #10 has been reduced to ensure that an existing trail is kept on the lands to be retained. This trail is currently utilized to provide access to a portion of the lands to be retained.
2. A 15m x 92m (.14ha) strip of land has been removed from the lands to be severed. The purpose of removing this strip of land is to give the owners of the two properties to south the subject lands (4481 Sideroad #10 & 4477 Sideroad #10) the ability to access the aforementioned trail subject to the ongoing permission of Reid's Heritage Homes Ltd.

Please note that the revised proposal has now reduced the lands to be added to 4485 Sideroad #10 from ±1.65ha to ±1.3ha and would result in the property being enlarged to a total of ±2.95ha. As we believe these revisions are minor, and reflect an improvement on what was originally proposed, we request that the County of Wellington Land Division Committee consider this application at the October 9th, 2014 Committee Meeting.

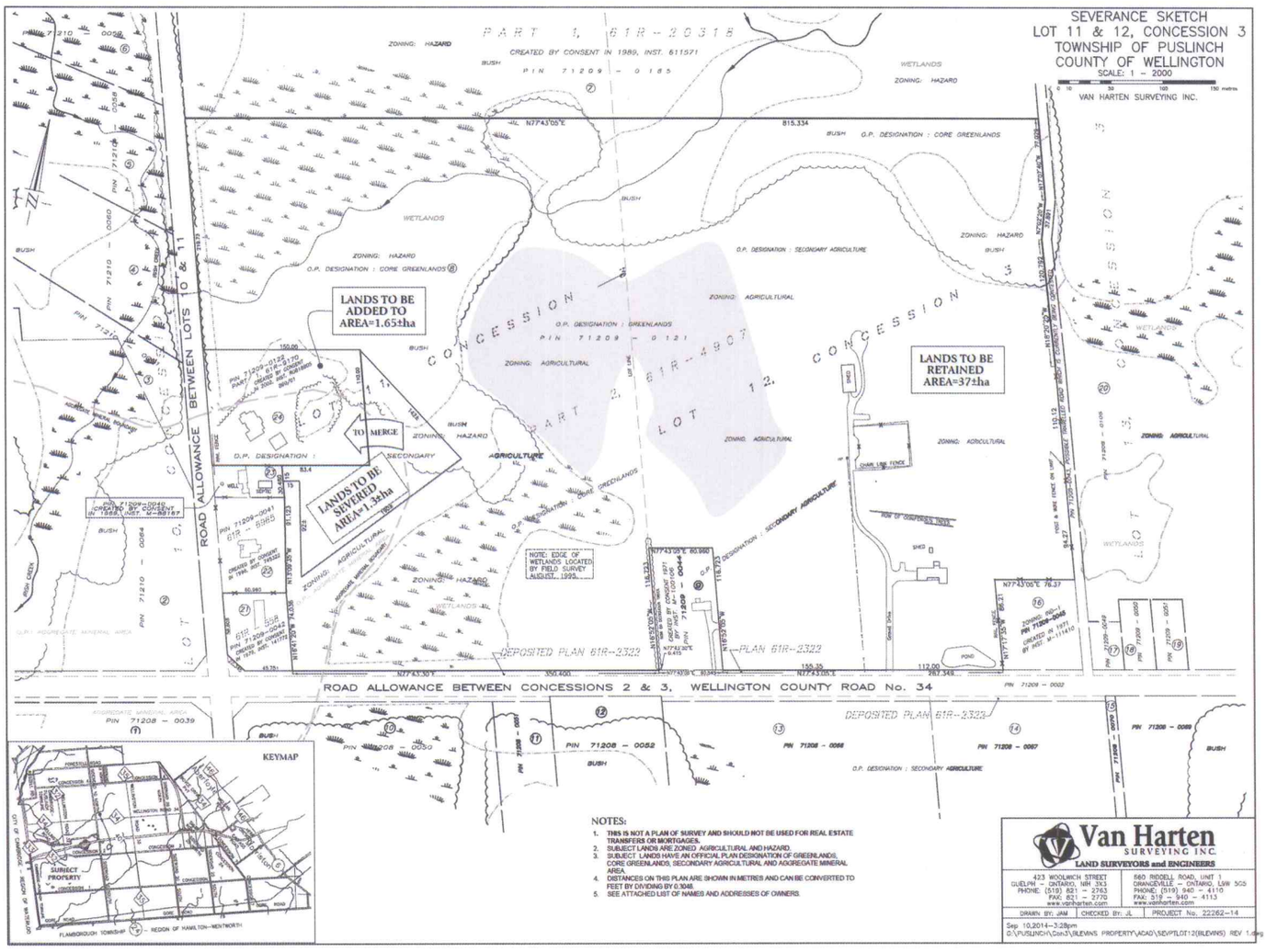
I trust that you have everything required to review and process the application; however, should you need any additional information, please do not hesitate to contact me by email at mrobson@heritagehomes.com or by telephone at (519)-658-6656 ext 274.

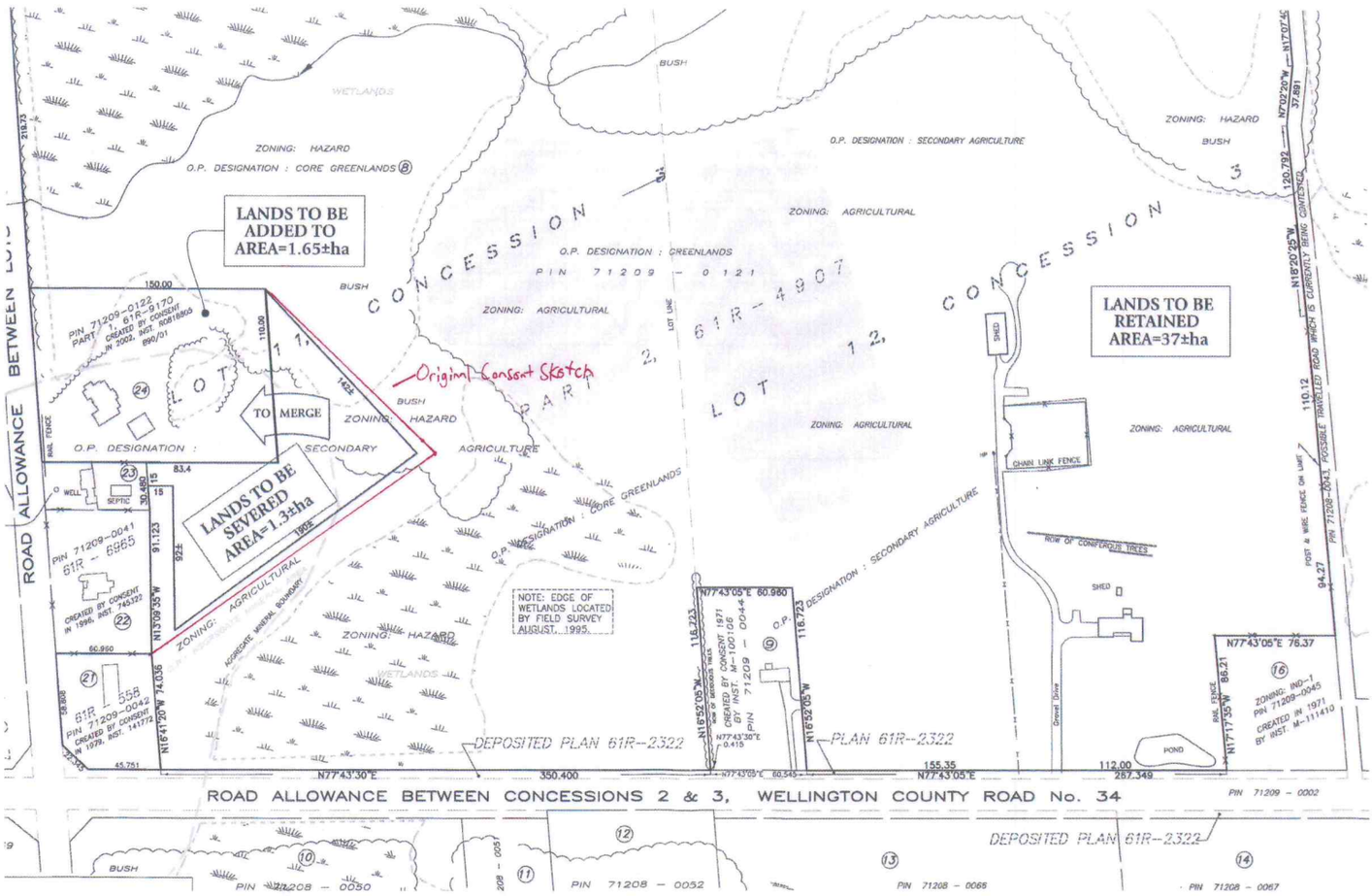
Regards,

Matt Robson
Land Development Project Manager

Cc: Jamie Laws, Van Harten Surveying and Engineering
Jim Dodd, Reid's Heritage Homes Ltd.
Tim Blevins
Charlotte Blevins

RECEIVED
SEP 16 2014
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE


SEVERANCE SKETCH
LOT 11 & 12, CONCESSION 3
TOWNSHIP OF PUSLINCH
COUNTY OF WELLINGTON
SCALE: 1 - 2000
VAN HARTEN SURVEYING INC.
LANDS TO BE ADDED TO AREA=1.65±ha
LANDS TO BE SEVERED AREA=1.3±ha
LANDS TO BE RETAINED AREA=37±ha
TO MERGE
PART 1, 61R-20318
CREATED BY CONSENT IN 1989, INST. 611571
PART 2, 61R-4907
DEPOSITED PLAN 61R-2322
ROAD ALLOWANCE BETWEEN CONCESSIONS 2 & 3, WELLINGTON COUNTY ROAD No. 34
ROAD ALLOWANCE BETWEEN LOTS 10 & 11
CONCESSION 2
CONCESSION 3
LOT 11
LOT 12
NOTE: EDGE OF WETLANDS LOCATED BY FIELD SURVEY AUGUST, 1995.
KEYMAP
SUBJECT PROPERTY
NOTES:
1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
2. SUBJECT LANDS ARE ZONED AGRICULTURAL AND HAZARD.
3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF GREENLANDS, CORE GREENLANDS, SECONDARY AGRICULTURAL AND AGGREGATE MINERAL AREA.
4. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
5. SEE ATTACHED LIST OF NAMES AND ADDRESSES OF OWNERS.
Van Harten SURVEYING INC.
LAND SURVEYORS and ENGINEERS
423 WOOLWICH STREET GUELPH - ONTARIO, N1H 3X3 PHONE: (519) 821 - 2763 FAX: 821 - 2770 www.vanharten.com
560 RIDDELL ROAD, UNIT 1 ORANGEVILLE - ONTARIO, L9W 5G5 PHONE: (519) 940 - 4110 FAX: 319 - 940 - 4113 www.vanharten.com
DRAWN BY: JAM | CHECKED BY: JL | PROJECT No. 22262-14
Sep 10,2014-3:28pm
C:\PUSLINCH\Con3\ULEVINS PROPERTY\ACAD\SEVPTLOT12(ULEVINS) REV 1.dwg


LANDS TO BE ADDED TO AREA=1.65±ha
LANDS TO BE SEVERED AREA=1.3±ha
LANDS TO BE RETAINED AREA=37±ha
TO MERGE
Original Consent Sketch
ZONING: HAZARD
O.P. DESIGNATION : CORE GREENLANDS
ZONING: AGRICULTURAL
O.P. DESIGNATION : SECONDARY AGRICULTURE
O.P. DESIGNATION : GREENLANDS
PIN 71209 - 0121
61R-4907
CONCESSION 3
LOT 11, PART 2
LOT 12
WETLANDS
BUSH
NOTE: EDGE OF WETLANDS LOCATED BY FIELD SURVEY AUGUST, 1995.
DEPOSITED PLAN 61R-2322
PLAN 61R-2322
ROAD ALLOWANCE BETWEEN CONCESSIONS 2 & 3, WELLINGTON COUNTY ROAD No. 34
ROAD ALLOWANCE BETWEEN LOTS
PIN 71209-0122 PART 1, 61R-9170 CREATED BY CONSENT IN 2002, INST. R061860S 89G/01
PIN 71209-0041 61R - 6965 CREATED BY CONSENT IN 1996, INST. 745322
61R - 558 PIN 71209-0042 CREATED BY CONSENT IN 1979, INST. 141772
PIN 71209-0044 CREATED BY CONSENT 1971 BY INST. M-100106
ZONING: IND-1 PIN 71209-0045 CREATED IN 1971 BY INST. M-111410
SHED
CHAIN LINK FENCE
ROW OF CONIFEROUS TREES
POND
Gravel Drive
SEPTIC
WELL
RAIL FENCE
POST & WIRE FENCE ON LIMIT
PIN 71208-0050
PIN 71208 - 0052
PIN 71208 - 0065
PIN 71208 - 0067
PIN 71209 - 0002

Planning Justification

The following is a concise planning justification for the proposed consent application. The purpose of this planning justification is to describe the subject properties and carry out a review of the proposal against applicable planning policies contained within the County of Wellington Official Plan and the Township of Puslinch Zoning By-law No. 19/85.

Location and Description

The Blevins property is located at 4485 Sideroad #10 North, while the RHHL property is located at 6792 Wellington County Road #34. Both properties are located in the Township of Puslinch within the County of Wellington, and are approximately ±5km east of the City of Cambridge.

The RHHL property is ±38.4ha in area and irregularly shaped, while the Blevins Property is ±1.65ha in area and rectangular. The proposal would result in the area of the RHHL property being reduced to ±36.75ha and the area of the Blevins property being increased to ±3.3ha.

The Blevins property was created by way of consent in September 2002 when it was severed from the RHHL property. The RHHL property was acquired by the present owners in 1989 as the retained portion of an original ±80hectare land holding which was severed into 2 separate lots. The attached consent sketch provides a detailed description of past severances.

The Blevins property currently contains a single-detached dwelling, detached garage, as well as a number of small accessory sheds. A grassed area is also contained within the rear area of the property which has historically been utilized by the owners of the Blevins property for recreational purposes.

The RHHL property contains a single detached dwelling, a small shed, as well as two large coverall buildings used for storage. The property is primarily being utilized for cropping.

Township of Puslinch Zoning By-law 19/85

Both properties contain a mixture of Natural Environment (NE) and Agricultural (A) zoning. The Natural Environment (NE) zoning covers woodlot and wetland areas on the properties while the Agricultural (A) zoning is over the remaining open space areas. The proposed area to be severed is predominately zoned Agricultural.

While the Zoning By-law requires a minimum lot size of 4.0ha for properties zoned Agricultural, it does allow for lots created by way of consent to be a minimum of 0.1394ha. As the Blevins property was created by way of consent, it currently exceeds the minimum lot size requirement of the By-law. That being said, it should be noted that the proposed lot addition would bring Blevins property closer to the 4.0ha figure contemplated within the By-law. The RHHL property will also continue to meet the development standards of the Agricultural (A) Zone.

The provisions of the Natural Environment (NE) Zone, including the 30m setback requirement, will continue to apply to any future development on the subject properties.

County Official Plan

The County Official Plan designates the subject properties as a mixture of Secondary Agricultural, Greenlands, and Core Greenlands, as well as a portion of the Blevins property as Mineral Aggregate Area. The properties also appear to be impact by a Life Sciences ANSI overlay. The Secondary Agricultural designation is consistent with the area zoned Agricultural (A) Zone while the Greenlands and Core Greenlands designation is consistent with the areas zoned Natural Environment (NE) Zone.

As the proposal is for a lot-line adjustment, it would be subject to Section 10.4.6 of the Official Plan. This section notes that lot-line-adjustments are permitted where no adverse effect on agricultural will occur. While the lands to be severed are predominately designated as Secondary Agricultural Lands, they are fragmented from the much larger agricultural holding by the Greenland/Core Greenland Areas

as well as abutting rural-residential land uses. Based on this, we believe the agricultural value of the severed land is limited as there is no real potential for it to be utilized for typical agricultural purposes.

The Official Plan also contains specific policies with respect to the creation of new residential lots within Secondary Agricultural Areas. While these policies are not necessarily applicable as the proposal is for a lot-line adjustment, some regard should be given to them. With respect to maximum lot size, Section 10.4.4 of the Official Plan states that new lots should not normally be larger than 0.8ha unless existing natural features or development patterns make a larger lot more practical. We believe the rationale behind this maximum lot size provision is to ensure that as much active/future agricultural land is kept in production as possible, and is therefore not necessarily applicable in this instance. As noted above, based on the size and fragmentation of the severed lands, we believe the agricultural value is limited.

With respect to lot shape, the Official Plan states new lots must be of a suitable shape, while Section 51(24) of the Planning Act, R.S.O. 1990 requires regard to be had for the dimension and shape of proposed lots. While the proposal would result in a somewhat irregularly shaped lot, this configuration has been proposed as it limits the encroachment into the Greenland/Core Greenland areas and would thereby represent a logical lot line. It is noted that any 'squaring off' of the severed area would result in additional encroachment into the Greenland/Core Greenland areas.

With respect to the proximity to the Greenland/Core Greenland areas, a pre-consultation meeting with a planner (Nathan Garland) from the Grand River Conservation Authority (GRCA) took place on June 30th. During this meeting, the Mr. Garland did not raise concern with the proposed lot configuration with respect to the abutting Greenland/Core Greenlands areas. It was noted this lack of concern was based on the Blevins property already encroaching on the Greenland Areas and the fact the proposal is for a line adjustment versus the creation of a new lot. The Mr. Garland also noted that the ANSI boundary did not appear to be displayed correctly on the County Official Plan mapping and that the GRCA would not be requesting an Environmental Impact Study to be prepared in support of the proposal.

Regarding the Mineral Aggregate Area designation on the Blevins property, based on the limited area designated and the abutting rural-residential land uses, resource extraction from this area would not be feasible.

Minimum Distance Separation (MDS) Formula

As there are four or more existing non-farm uses to the east and west which are closer to any barn than the lands to be severed, a detailed MDS I calculation was not carried out for the proposal. This is based on MDS Implementation Guideline #12 which exempts such situations from the MDS I calculation. Furthermore, Section 10.4.7 of the County Official Plan notes that the appropriate MDS formula will be applied to all new lot creation, while the proposal is for a lot-line adjustment.

With respect to MDS II calculation, the owners of the Blevins property understand that any new livestock facility on the lands would be subject setbacks from an MDS II calculation.

Conclusion

Overall, we believe the proposed consent application satisfies the requirements of the Township of Puslinch Zoning By-law 19/85 and the County of Wellington Official Plan. We believe the configuration of lot is logical as it limits encroachment into the abutting Greenlands/Core Greenland areas and includes the area which has historically been utilized by the Owners of the Blevins property. Furthermore, the proposal will allow for lands which are otherwise fragmented from the RHHL property to continue to be used for rural activities.