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: **October 9, 2014**

File Number: **B89/14**

Applicant: **Lowell & Judy Toews**

Subject Lands: TOWNSHIP OF PUSLINCH – Part Lot 11, Concession 3

Proposal is a request for consent to convey fee simple for a proposed lot line adjustment is 500 square metres with 9m frontage in the TOWNSHIP OF PUSLINCH – Part Lot 11, Concession 3, vacant land to be added to abutting rural residential lot – James & Lisa Hogeveen; retained lands are 0.53 hectares (1.3 acres).

ISSUES:

SUMMARY of FILED REPORTS and COMMENTS:

Township of Puslinch – in support of application; conforms with zoning; condition to apply

County Planning - notice cards were posted at time of site visit; application is consistent with Provincial Policy and generally conforms to Official Plan – no concerns – conditions to merge

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

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 B89/14.
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 B89/14

APPLICANT

Lowell & Judy Toews
4477 Sideroad 10 N
Cambridge ON N3C 2V4

LOCATION OF SUBJECT LANDS:

TOWNSHIP OF PUSLINCH
Part Lot 11
Concession 3

Proposed lot line adjustment is 500 square metres with 9m frontage, vacant land to be added to abutting rural residential lot – James & Lisa Hogeveen.

Retained parcel is 0.53 hectares with 82m frontage, existing and proposed rural residential use with existing dwelling and 2 sheds.

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

for the purpose of considering this **EXPEDITED APPLICATION.**

CONSIDERATION WILL BE HELD IN THE: 3A (Keith Room)
County of Wellington Administration Centre
74 Woolwich Street
Guelph, Ontario N1H 3T9

NOTICE is being sent to you for your information. **THE OWNER, APPLICANT OR AUTHORIZED AGENT, OR AUTHORIZED SOLICITOR IS NOT REQUIRED TO ATTEND**. MAKE SURE THAT THE AGREEMENT LETTER IS SIGNED AND RETURNED TO THE PLANNING AND LAND DIVISION COMMITTEE OFFICE.

Please also be advised that if a person or public body that filed an appeal of a decision of the County of Wellington Planning and Land Division Committee in respect of the proposed consent has not made written submission to the County of Wellington Planning and Land Division Committee before it gives or refuses to give a provisional consent, then the Ontario Municipal Board may dismiss the appeal.

A Copy of the **DECISION** of the Committee will be sent **to the applicant, and to each person or agency who filed with the Secretary-Treasurer a written request for Notice of Decision.**

Additional Information regarding the application is available to the public during regular business hours, Monday to Friday at the County of Wellington Planning and Land Division Office, 74 Woolwich St. Guelph ON N1H 3T9

Phone - (519) 837-2600 x2170 Fax – (519) 837-3875

To view comments for this application on our website www.wellington.ca follow these steps:

- ⇨ **Government**
- ⇨ **Council and Standing Committees**
- ⇨ **Land Division Committee**
- ⇨ **choose month & year in drop down menus**
- ⇨ **Choose Land Division Committee in the drop down menu**
- ⇨ **open appropriate agenda**

TO: **Agent – Jeff Buisman**

RECEIVED

SEP 18 2014

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

RECEIVED
AUG 18 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: B89/14

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

APPLICANT

Lowell & Judy Toews
4477 Sideroad 10 N
Cambridge ON N3C 2V4

LOCATION OF SUBJECT LANDS

TOWNSHIP OF PUSLINCH
Part Lot 11
Concession 3

Proposed lot line adjustment is 500 square metres with 9m frontage, vacant land to be added to abutting rural residential lot – James & Lisa Hogeveen.

Retained parcel is 0.53 hectares with 82m frontage, existing and proposed rural residential use with existing dwelling and 2 sheds.

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 2301·000·002·12063·0000

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) Retained parcel meets min lot size Section 5(3e) — severed/other parcel 3(14c) Non-conforming uses & lots

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

(Please Specify) _____

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: B89/14

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 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

Application	B89/14
Location	Part Lot 11, Concession 3 TOWNSHIP OF PUSLINCH
Applicant/Owner	Lowell & Judy Toews

PLANNING OPINION: This application for a lot line adjustment would sever a vacant 0.12 ac (500 m²) parcel and merge it with an adjacent residential lot. The resulting parcel would be a 0.6 ac (2,500 m²) residential lot with an existing dwelling and shed. A 0.53 ha (1.3 ac) residential lot would be retained.

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

a) That the purchaser take title to the severed lands in the same manner as they hold their abutting land; and,
b) 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 Concerns.

PROVINCIAL POLICY STATEMENT (PPS): No concerns

GREENBELT PLAN: Not within the regulated area.

WELLINGTON COUNTY OFFICIAL PLAN: The Subject property is designated SECONDARY AGRICULTRAL. According to section 10.4.6, lot line adjustments may be permitted where no adverse effect on agriculture will occur and are encouraged where:

c) More viable agricultural operations will result;
d) 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.

Regarding Item b), this lot line adjustment would have the result of bringing the undersized lot closer to the required lot area prescribed in the Zoning By-law.

The matters under Section 10.1.3 were also considered

LOCAL ZONING BY-LAW: The subject property is currently zoned Agricultural (A). The lands to be added to are currently undersized at 0.5 ac. This application would bring the lot closer to the lot area requirements outlined in the zoning by-law. It appears the frontage requirements for both lots can be met.

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

RECEIVED
SEP 17 2014
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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

RECEIVED
SEP 03 2014
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

PLAN REVIEW REPORT: ✓ **County of Wellington Planning & Land Division Committee**
Deborah Turchet, Secretary-Treasurer

DATE: August 18, 2014 **YOUR FILE:** B89/14
GRCA FILE: Wellington/Puslinch/2014/Sev/C

RE: Application for Consent B89/14
Part Lot 11, Concession 3, Township of Puslinch
Lowell & Judy Toews

GRCA COMMENT: *

The Grand River Conservation Authority (GRCA) does not object to the above noted lot line adjustment as proposed in the circulated consent application.

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 comments, please feel free to contact me at 519-621-2763 ext. 2236.

Member of Conservation ONTARIO Natural Champions
ISO 14001 Registered
Canadian Heritage Rivers System

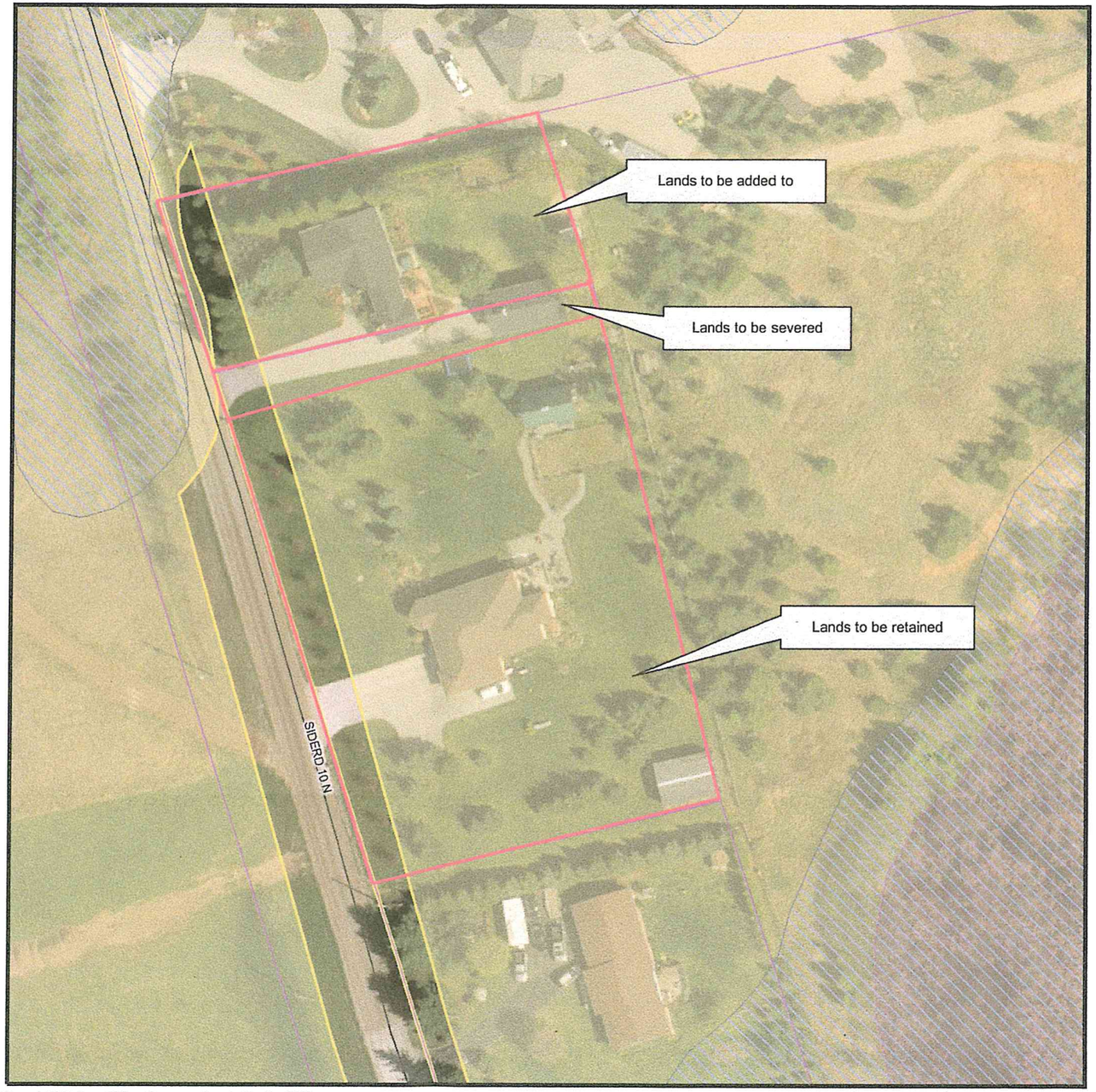
Yours truly,

Nathan Garland
Resource Planner
Grand River Conservation Authority

NG/bl

* ***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: Lowell Dean & Judy Coleen, 4477 Sideroad 10 North, Cambridge, ON, N3C 2V4
cc: Van Harten Surveying, 423 Woolwich Street, Guelph, ON, N1H 3X3



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Grand River Conservation Authority

Map created: August 18, 2014
Prepared by: bl

LEGEND

- WATERSHED BOUNDARY (GRCA)
- UTILITY LINE (NRVIS)
- ROADS-ADDRESSED (MNR)
- RAILWAY (NRVIS)
- 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 1:967

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