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 13, 2016**

File Number: **B65/16**

Applicant: **Jane Anderson**

Subject Lands: TOWNSHIP OF PUSLINCH – Part Lot 11, Concession 2

Proposal is a request for consent to convey fee simple for a proposed severance 0.4 hectares (0.99 acres) with 58m frontage in the TOWNSHIP OF PUSLINCH – Part Lot 11, Concession 2, vacant land for proposed rural residential use; retained lands are 8.6 hectares (21.3 acres).

ISSUES: None

SUMMARY of FILED REPORTS and COMMENTS:

Township of Puslinch – in support of application; conforms to zoning; conditions 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 (Secondary Agricultural); no new lots have been created since March 1, 2005 and has been owned for over five years

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 B65/16.
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 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.
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 and Consent Review/Condition Clearance Fee) 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 an Entrance Permit verifying safe access and site lines on the severed lot be approved to the satisfaction of the Township of Puslinch; 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.

*****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 29, 2016

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 B65/16

APPLICANT	**LOCATION OF SUBJECT LANDS:**
Jane Anderson 4337 Sideroad 10 S Cambridge ON N3C 2V4	TOWNSHIP OF PUSLINCH Part Lot 11 Concession 2

Proposed irregular shaped severance is 0.4 hectares with 58m frontage, vacant land for proposed rural residential use.

Retained parcel is 8.6 hectares with 141m frontage, existing and proposed rural residential and agricultural use with existing dwelling and barn.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, October 13, 2016**

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**

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.: B65/16

APPLICANT

Jane Anderson
4337 Sideroad 10 S
Cambridge, ON N3C 2V4

LOCATION OF SUBJECT LANDS

TOWNSHIP OF PUSLINCH
Part Lot 11, Concession 2

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 2301-000-004-14600

Does this description reasonably describe the parcel holdings? YES (x) 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 (x) NO ( )

(Please Specify) Agriculture – Section 5.3(e) - meets minimum lot requirements

Will the Retained Parcel comply with all requirements of the Zoning By-law? YES (x) NO ( )

(Please Specify) Agriculture – Section 5.3(e) - meets minimum lot requirements & Natural Environment-9

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 (x) or **Minor Variance** YES ( ) NO ( ) N/A (x)

Is proposal on an opened maintained year-round public road? YES (x) 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 (x)

Is the Retained Lot serviced now by Municipal Water YES ( ) NO (x)

Is the Proposed Lot(s) serviced now by Municipal Sewers YES ( ) NO (x)

Is the Retained Lot serviced now by Municipal Sewers YES ( ) NO (x)

Is there a **Capital Works Project** underway to service these lots in the near future? YES ( ) NO (x)

Approximate Time of Servicing Availability:

Are there any other servicing arrangements, Municipal Easements OR Municipal Drains on the subject lands?
No

RECEIVED
SEP 21 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

MUNICIPALITY COMMENTING FORM

FILE NO.: B65/16 - Anderson

Is the Municipality's Building Official satisfied that there is a sufficient site on the severed parcel for individual well and septic services?

YES (x) NO ( )

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 (x) NO ( )

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

1. That the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (including taxes paid in full and Consent Review/Condition Clearance fee).
2. That an Entrance Permit for the severed parcel verifying safe access and site lines be approved to the satisfaction of the Township of Puslinch.
3. 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;

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

SIGNATURE

TITLE Development Coordinator

ADDRESS 7404 Wellington Road 34, Guelph, ON N1H 6H9

DATE September 21, 2016

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 15 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Application	B65/16
Location	Part Lot 11, Concession 2 TOWNSHIP OF PUSLINCH
Applicant/Owner	Jane Anderson

PLANNING OPINION: This application would sever a 0.4 ha (1 ac) vacant rural residential lot in a Secondary Agricultural area. An 8.6 ha (21.3 ac) parcel would be retained with an existing dwelling and barn.

This application is consistent with Provincial Policy and would generally conform to the Official Plan, provided that servicing and safe driveway access can be addressed to the satisfaction of the local municipality.

PLACES TO GROW: No issues.

PROVINCIAL POLICY STATEMENT (PPS): According to Section 1.1.5.2, limited rural residential development is permitted on rural lands, which are lands outside settlement areas and which are outside prime agricultural areas.

With respect to Minimum Distance Separation 1 (MDS1), there is a livestock facility on the retained lands. According to Guideline 12, "Where there are four, or more, existing non-farm uses closer to the subject livestock facility and in immediate proximity to the current application, MDS1 will not be applied.

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 protects wetlands and significant woodlands.

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.

No new lots have been created on the parcel since March 1, 2005 and the lands have been owned by the applicant for over five years.

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

WELL HEAD PROTECTION AREA: The subject lands are not within a Well Head Protection Area.

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

SITE VISIT INFORMATION: The subject property was visited and photographed on September 12, 2016. Notice Cards were posted and the survey sketch appears to meet the application requirements.

Sarah Wilhelm, MCIP, RPP, Senior Planner
September 15, 2016

400 Clyde Road, P.O. Box 729 Cambridge, ON N3H 4W6
Phone: 519.621.2761 **Toll free:** 866.900.4722 **Fax:** 519.621.4844 **Online:** www.grandriver.ca

RECEIVED
SEP 21 2016
SECRETARY-TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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

DATE: September 19, 2016 **YOUR FILE:** B65/16
GRCA FILE: B65/16 – 4337 Sideroad 10 South (Anderson)

RE: **Application for Consent B65/16**
Part Lot 11, Concession 2, Township of Puslinch
4337 Sideroad 10 South
Jane Anderson

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 wetlands and the allowances adjacent to the wetlands.

   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, portions of the retained parcel are 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 areas 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.

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

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

Yours truly,

Nathan Garland
Resource Planner
Grand River Conservation Authority
NG/ah

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. Kelly Patzer, Township of Puslinch (email)
Jane Anderson – 4337 Sideroad 10 South, Cambridge, ON N3C 2V4
Van Harten Surveying Inc. c/o Jeff Buisman – 423 Woolwich Street, Guelph, ON N1H 3X3

Map Centre (UTM NAD83 z17): 562,172.02 4,808,995.34

This map is not to be used for navigation

Grand River Conservation Authority

Date: Sep 12, 2016

Author: ah

B65/16

Notes

Legend

- Regulation Limit 2014 (GRCA)
- Drainage - Network (GRCA)
- Drainage - Polygons (GRCA)
- Wetland (GRCA)
- Wetland (MNRF)
  - Provincially Significant
  - Locally Significant
  - Unevaluated
- Floodplain (GRCA)
  - Engineered
  - Estimated
  - Approximate
  - Special Policy Area
- Slope Valley (GRCA)
  - Steep
  - Oversteep
- Slope Erosion (GRCA)
  - Steep
  - Oversteep
  - Toe
- Parcel - Assessment (MNRF/MPAC)
- Park (GRCA)
- Aquatic Resource - Line (MNRF)
  - Cold Water
  - Cool Water
  - Warm Water
  - Unknown
- Utility Line (ON)
- Roads (ON)
- Railway (ON)

GRCA Disclaimer

This map is for illustrative purposes only. Information contained herein 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: https://maps.grandriver.ca/Sources-and-Citations.pdf

0 15 30 60 90 Metres

N

NAD 1983 UTM Zone 17N

Scale: 3,133

B65/16

Van Harten
SURVEYING INC.

LAND SURVEYORS and ENGINEERS

August 5, 2016
23977-15
Jeff.Buisman@vanharten.com

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

Attention: Ms. Deborah Turchet

Dear Ms. Turchet,

Re: Severance Application and Sketch
4337 Sideroad 10 South
Part of Lot 11, Concession 2
PIN 71208-0131
Township of Puslinch, County of Wellington

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, the required deed, addresses of neighbouring properties, a cheque to Wellington County for $1,025 and a cheque to the GRCA for $380.

Proposal:

The proposal is to create a new rural residential parcel along Concession Road 2 of with a frontage of 58m± and depth of 54m± for an area of 0.4 ha±. The severed parcel is part of the vacant yard of #4337 Sideroad 10 South. The retained parcel will have an area of about 8.6 ha± where the existing dwelling and small barn will remain.

The severed lands are designated Secondary Agricultural in the Official Plan which allows for a severance provided that certain criteria (Section 10.4.4) are met. We reviewed this section 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. Application B15/03 was denied in 2003 because it would have been the second severance since 1999. In 2003, the official plan only allowed one severance after May 1999. Now the official plan allows a severance after 2005 so we are resubmitting the application with minor revisions.
- Safe entrance is available and confirmed by the Township Road Superintendent
- Adequate space for new dwelling and septic
- No impacts on environmentally sensitive lands or woodlot.

- MDS requirements are met. There is a small barn on the retained lands for three miniature horses located 175m ± from the proposed severed lands. However, through consultation with County Planning staff, it has been determined that MDS1 would not be applied as per regulation #12 because there are four other lots that are closer than the proposed lot.

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

cc Stuart Anderson