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: **July 23, 2015**

File Number: **B48/15**

Applicant: **John & Anne Sepulis**

Subject Lands: TOWNSHIP OF PUSLINCH – Part Lot 20, Concession 3

Proposal is a request for consent to convey fee simple for a proposed severance 65m fr x 63m = 0.4 hectares (0.99 acres) in the TOWNSHIP OF PUSLINCH – Part Lot 20, Concession 3, vacant land for proposed rural residential use; retained lands are 3.3 hectares (8.2 acres).

ISSUES: none

SUMMARY of FILED REPORTS and COMMENTS:

Township of Puslinch in support of application; conforms to zoning; Municipal Building Official satisfied that there is a sufficient site on the severed parcel for individual well & septic services – A. French confirmed June 29/15; conditions to apply

County Planning - notice cards were posted at time of site visit; Minimum Distance Separation – (MDS1) application indicates there are barns located within 500m of proposed severance – we require Farm Data Sheet; note that proposed lot is occupied by what appears to be a tree plantation – tree loss should be mitigated – Wellington County's Forest Conservation By-law No. 5115-09 protects this woodland feature – where building permit is issued for a new dwelling Section 3.1 (i) allows for removal of trees only "..within 15 m of outer edge of building, structure or septic system..." removal of trees beyond this will require a permit from the County. Application is consistent with Provincial Policy and generally conforms to Official Plan – no concerns conditions to address

Conservation Authority (GRCA) – no objections

County Engineering – no objections

City of Guelph – no objections – request decision

Others (e.g. neighbours) – Jeff Buisman – agent – letter of explanation

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 B48/15.
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 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.
6) 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.
7) THAT the County of Wellington Planning Department submit to the Secretary-Treasurer of the Planning and Land Division Committee written approval which indicates that the Minimum Distance Separation required under Formula 1 are met.

*****Conditions may be deleted, added to, or changed at meeting*****

County of Wellington Planning and Land Division Committee
Deborah Turchet, Secretary-Treasurer
Wellington County Administration Centre
74 Woolwich Street, Guelph, ON N1H 3T9

July 9, 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 B48/15

APPLICANT

John & Anne Sepulis
4476 Sideroad 20 N
RR#6
Guelph ON N1H 6J3

LOCATION OF SUBJECT LANDS:

TOWNSHIP OF PUSLINCH
Part Lot 20
Concession 3

Proposed severance is 65m fr x 63m = 0.4 hectares, vacant land for proposed rural residential use.

Retained parcel is 3.3 hectares with 173m frontage on Sideroad 20 N and 113m frontage on Wellington Road #34, existing and proposed rural residential use with existing dwelling.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, July 23, 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**

TO: **Agent – Jeff Buisman**

RECEIVED
JUN 01 2015
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: B48/15

APPLICANT

John & Anne Sepulis
4476 Sideroad 20 N
RR#6
Guelph ON N1H 6J3

LOCATION OF SUBJECT LANDS

TOWNSHIP OF PUSLINCH
Part Lot 20
Concession 3

Proposed severance is 65m fr x 63m = 0.4 hectares, vacant land for proposed rural residential use.

Retained parcel is 3.3 hectares with 173m frontage on Sideroad 20 N and 113m frontage on Wellington Road #34, existing and proposed rural residential use with existing dwelling.

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 2301 · 000 · 002 · 10700

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

If answer is no, please provide new information: _____

Do you consider this proposal to conform to your Official Plan? YES( ) ~~NO( )~~

What Section(s) does it conform to or contravene? (Please specify) County to Comment

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

(Please Specify) Agricultural (A) Zone - meets all minimum lot size req.

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

(Please Specify) Agricultural & Natural Environment Zone - meets all minimum lot size req.

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( )

N/A.

Is proposal on an opened maintained year-round public road YES(✓) NO( ) - County Road.
If answer is NO, is municipality willing to enter into an agreement regarding use of the seasonal road, or opening up the road ?

Please specify _____

Is the Proposed Lot(s) serviced now by Municipal Water YES( ) NO(✓)

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

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

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

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

Approximate Time of Servicing Availability: _____

Are there any other servicing arrangements, Municipal easements or Municipal Drains on the subject lands?

No.

Continued to Page 2

RECEIVED
JUN 30 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMM.

MUNICIPALITY COMMENTING FORM

FILE NO: B48/15

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 [ ]

A. French
June 29, 2015.

Is there any further information that may assist the Planning and Land Division Committee?
[A letter may be attached if there is insufficient space to explain]

N/A.

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

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

- Cash-in-lieu of Parkland, made payable to the Township of Puslinch, is required prior to final consent approval
- Payment of any outstanding taxes is required prior to final consent approval.

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

SIGNATURE K. Patzer

TITLE: Development Coordinator

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

DATE: June 29, 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

Application	B48/15
Location	Part Lot 20, Concession 3 TOWNSHIP OF PUSLINCH
Applicant/Owner	John & Anne Sepulis

PLANNING OPINION: This application would sever a 0.4 ha (0.98 ac) vacant parcel in the Secondary Agricultural area. The retained parcel is 3.3 ha (8.1 ac) and is occupied by a dwelling, barn and shed.

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:

1. That safe driveway access can be provided to the site to the satisfaction of the County; and,
2. That servicing can be provided to the site to the satisfaction of the Township; and,
3. That Farm Data Sheets demonstrating compliance with Minimum Distance Separation 1 (MDS1) requirements are provided to the satisfaction of the County Planning and Development Department.

PLACES TO GROW: No issues

PROVINCIAL POLICY STATEMENT (PPS): With respect to Minimum Distance Separation 1 (MDS1), the application indicates that there are barns located within 500m of the proposed severance. We require a Farm Data Sheet for these facilities to determine if MDS1 requirements can be met.

GREENBELT PLAN: Not within the Greenbelt Plan.

WELLINGTON COUNTY OFFICIAL PLAN: The Subject property is designated SECONDARY AGRICULTURAL and CORE GREENLANDS. The severed parcel is located outside of the Greenland features.

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 the proposed lot is occupied by what appears to be a tree plantation. This area is not designated as a Greenland feature however, the tree loss should be mitigated. As such in this case the Wellington County's Forest Conservation By-law No. 5115-09 protects this woodland feature. 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.

LOCAL ZONING BY-LAW: The subject property is currently zoned Agricultural (A) and Rural Environmental Protection (EP2).

SITE VISIT INFORMATION: The subject property was visited and photographed on June 25, 2015. Notice Cards were posted and the survey sketch appears to meet the application requirements.

L Redmond

Linda Redmond, Senior Planner
June 26, 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: June 29, 2015 **YOUR FILE:** B48/15
GRCA FILE: B48-15 – 4476 Sideroad 20 North (Sepulis)

RECEIVED
JUN 30 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

RE: **Application for Consent B48/15**
Part Lot 20, Concession 3, Township of Puslinch
4476 Sideroad 20 North
John and Anne Sepulis

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 portions of the Provincially Significant Mill Creek Puslinch Wetland Complex and the allowances adjacent to these features.

   A majority of the severed parcel is within the allowance adjacent to the wetlands.

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

   Due to the presence of the above-noted features, the severed and retained parcels 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 subject lands will require prior written approval from GRCA in the form of a permit pursuant to Ontario Regulation 150/06.

3. **Additional Information/Suggestions provided in an advisory capacity:**

   We wish to acknowledge receipt of the minor consent plan review fee in the amount of $380.00 for the processing of this application.

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

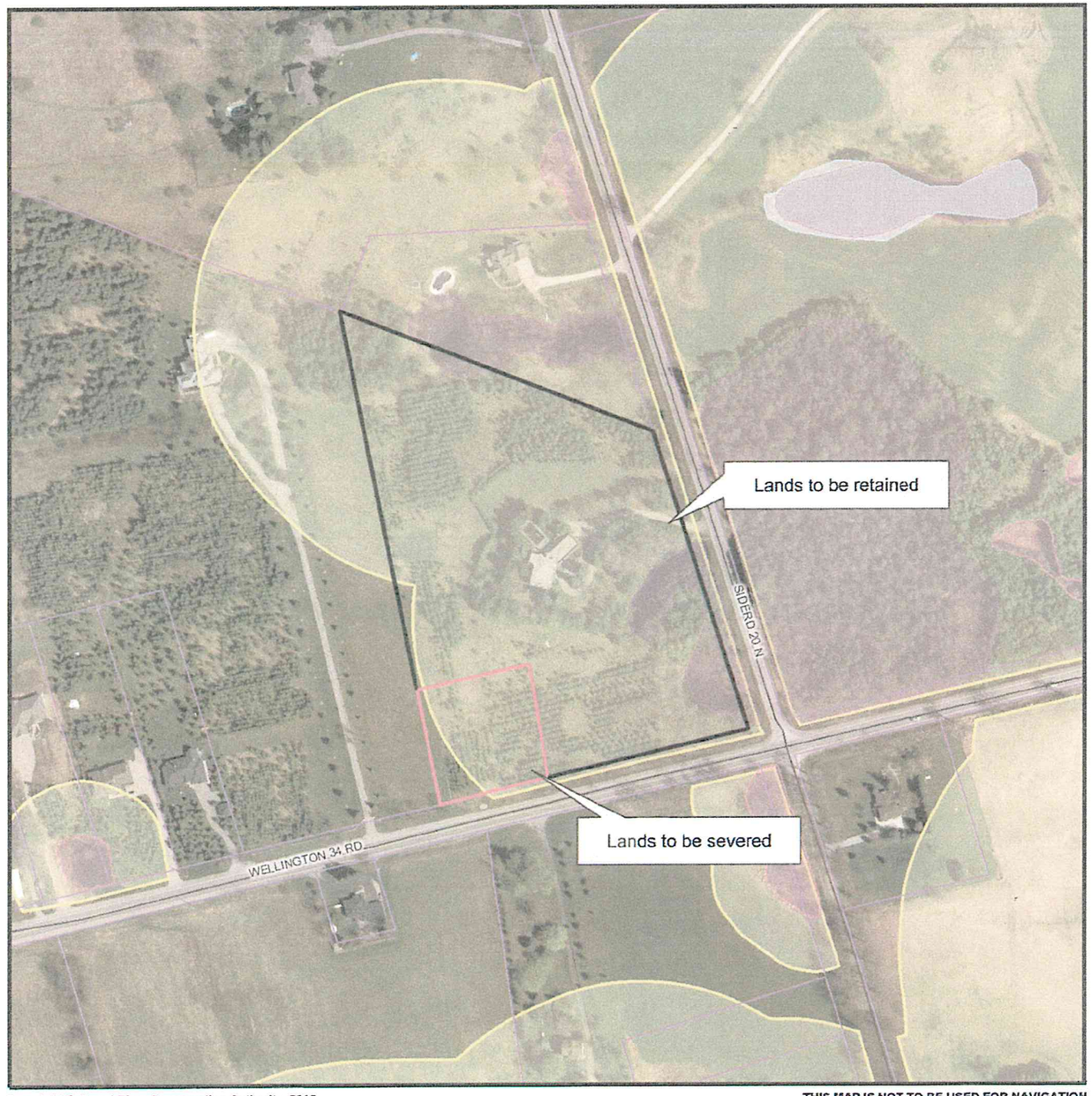
Should you have any further questions or require additional information, please contact me at 519-621-2763 ext. 2236.

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
John and Anne Sepulis – 4476 Sideroad 20 North, R.R.#6 Guelph, ON N1H 6J3



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Grand River Conservation Authority
Map created: June 29, 2015
Prepared by: ah

B48/15

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)
- 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

0 35 70 105 140 m.

NAD 1983, UTM Zone 17 Scale 1:3,151

N

County of Wellington Planning and Land Division Committee
Deborah Turchet, Secretary-Treasurer
Wellington County Administration Centre
74 Woolwich Street, Guelph ON N1H 3T9

RECEIVED
JUL 03 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

May 29, 2015

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: May 25, 2015

FILE NO. B48/15

APPLICANT

John & Anne Sepulis
4476 Sideroad 20 N
RR#6
Guelph ON N1H 6J3

LOCATION OF SUBJECT LANDS:

TOWNSHIP OF PUSLINCH
Part Lot 20
Concession 3

Proposed severance is 65m fr x 63m = 0.4 hectares, vacant land for proposed rural residential use.

Retained parcel is 3.3 hectares with 173m frontage on Sideroad 20 N and 113m frontage on Wellington Road #34, existing and proposed rural residential use with existing dwelling.

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

July 2, 2015

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 Office- 74 Woolwich St. 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
JUN 29 2015
Date:

MAILED TO:

Local Municipality - Puslinch County Planning

County Engineering Neighbouring Municipality – City of Guelph

GRCA Bell Canada County Clerk Roads

Neighbour - as per list verified by local municipality and filed by applicant with this application

CITY OF Guelph
Making a Difference

June 26, 2015

Ms. Deborah Turchet
Secretary-Treasurer, Planning and Land Division Committee
County of Wellington
74 Woolwich Street
Guelph, ON
N1H 3T9

Dear Ms. Turchet,

RE: County of Wellington Planning and Land Division Committee Consent Application B48/15

Thank you for circulating the above referenced severance application to the City for review and comment. We have no objection to the proposal. The City requests to be notified of the Committee's decision on this matter.

Regards,

Abby Watts
Policy Planner

Planning, Urban Design & Building
Location: 1 Carden St, 3rd Floor

T 519-822-1260 x 3314
F 519-822-4632
E abby.watts@guelph.ca

C Todd Salter, General Manager of Planning, Urban Design & Building Services
Melissa Aldunate, Manager of Policy Planning and Urban Design

City Hall
1 Carden St
Guelph, ON
Canada
N1H 3A1

T 519-822-1260
TTY 519-826-9771

guelph.ca

B48/15

Van Harten
SURVEYING & ENGINEERING

May 15, 2015
Jeff.Buisman@vanharten.com
22844-15

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

Attention: Ms. Deborah Turchet

Dear Ms. Turchet:

Re: **Severance Sketch and Application for Sepulis**
4476 Sideroad 20 N
Part of Lot 20, Concession 3
PIN 71200-0077
Town of Puslinch

Please find enclosed an application for a severance on the above-mentioned property. Included with this submission are copies of the severance sketch, completed application form, required deeds, addresses of neighbouring properties, a cheque to Wellington County for $1,000 and a cheque to GRCA for $380.

Proposal

The proposal is to create a new rural residential parcel of 65m wide and 63m deep (0.4 ha) at the southwest corner of the property. The retained lands will have a remaining area of 3.3± ha where the existing residence will remain.

We reviewed the Official Plan criteria in section 10.4.4 for a proposed severance and we provide the opinion that the relevant criteria are met including the following:

- The severed lands are designated Secondary Agricultural
- Ownership is longer than 5 years
- No severance since March 2005
- Safe entrance
- Adequate space for new dwelling and septic
- No impacts on environmentally sensitive lands or woodlot

Please call me if you or the Planning Staff have any questions.

Very truly yours,
Van Harten Surveying Inc.

Jeffrey E. Buisman B.E.S, B.Sc.
Ontario Land Surveyor

JEB:lb

c.c. John and Anne Sepulis