REPORT SUMMARY

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

Date of Consideration: **July 23, 2015** **TIME: 9:15 A.M.**

File Number: **B49/15**

Applicant: **Ervin & Margit Laszlo**

Subject Lands: TOWNSHIP OF PUSLINCH – Part Lot 18, Concession 11

Proposal is a request for consent to convey fee simple for a proposed severance 65m fr x 75m = 0.5 hectares (1.2 acres) in the TOWNSHIP OF PUSLINCH – Part Lot 18, Concession 11, vacant land for proposed rural residential use; retained lands are 9.2 hectares (22.7 acres).

ISSUES: Township – possible lot wider instead of as deep;
County Planning – Environmental Impact Study and MDS1

SUMMARY of FILED REPORTS and COMMENTS:

Township of Puslinch - in support of application; Planning Advisory Committee – if proposed parcel were made wider instead of as deep it would not interfere with crop production; request to reduce the depth of the property to reduce the intrusion into the Agricultural farmed lands; conditions to apply

County Planning - notice cards were posted at time of site visit; proposed lot located within Greenlands in the County Official Plan; recommend deferral until such time that an Environmental Impact study has been completed – if no significant negative impact on Greenland features and functions – Secondary Agricultural policies could be applied. Require Farm Data Sheet for facilities located within 500m of proposed severance to determine if MDS1 requirements can be met; Section 10.1.3 consider service and save access; conditions to be addressed

Conservation Authority (GRCA) – no objection to application; defer the review of this woodland to County of Wellington staff

Town of Milton – no comments received

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 B49/15.
3) THAT the Owner, as provided for under Section 69 of the Planning Act, R.S.O. 1990, shall pay to the Treasurer of the County of Wellington the administrative fee which is in effect at the time of the payment of the fee for the review and issuance of the Certificate of Consent for the severed parcel.
4) THAT the transfer for registration with respect to description complies with Ontario Regulation 43-96; and if that description contains a reference to a Reference Plan(s), the Owner's solicitor **shall provide a full print of that deposited reference plan(s)** to the secretary-treasurer of the Planning and Land Division Committee.
5) THAT the Owner receive approval from the Township of Puslinch in a manner deemed acceptable to that road authority for an entrance to the severed parcel; and further that the Township of Puslinch file a letter of clearance of this condition with the Secretary-Treasurer of the Planning and Land Division Committee as written proof of fulfillment of this condition.
6) THAT the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (included but not limited to Taxes paid in full) which the Township of Puslinch may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
7) THAT the Owner 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.
8) THAT the Owner submit an Environmental Impact Assessment (EIS) which focuses on a tree saving and compensation plan to the satisfaction of the County of Wellington Planning and Development Department ; and further that the County of Wellington Planning and Development Department file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
9) 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 B49/15

APPLICANT

Ervin & Margit Laszlo
4539 Concession 11
RR#1
Puslinch ON N0B 2J0

LOCATION OF SUBJECT LANDS:

TOWNSHIP OF PUSLINCH
Part Lot 18
Concession 11

Proposed severance is 65m fr x 75m = 0.5 hectares, vacant land for proposed rural residential use.

Retained parcel is 9.2 hectares with 410m frontage on Nassagaweya-Puslinch Townline and 139m frontage on Concession 11 Road, existing and proposed rural residential and agricultural use with existing dwelling, 3 bay garage and shed.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, July 23, 2015**

AT 9:15 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: **Agent – Jeff Buisman**

MUNICIPALITY COMMENTING FORM

RECEIVED
JUN 01 2015
Township of Puslinch

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: B49/15

APPLICANT

Ervin & Margit Laszlo
4539 Concession 11
RR#1
Puslinch ON N0B 2J0

LOCATION OF SUBJECT LANDS

TOWNSHIP OF PUSLINCH
Part Lot 18
Concession 11

Proposed severance is 65m fr x 75m = 0.5 hectares, vacant land for proposed rural residential use.

Retained parcel is 9.2 hectares with 410m frontage on Nassagaweya-Puslinch Townline and 139m frontage on Concession 11 Road, existing and proposed rural residential and agricultural use with existing dwelling, 3 bay garage and shed.

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 2301 · 000 · 007 · 01820

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 · reduced lot requirements are satisfied / met.

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

(Please Specify) Agricultural (A) Zone · meets minimum lot requirements

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( )
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 N/A.

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

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

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

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

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

Approximate Time of Servicing Availability:

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

N/A.

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

Continued to Page 2

MUNICIPALITY COMMENTING FORM

FILE NO: B49/15

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]

Note: Planning & Development Advisory Committee
- If the proposed parcel were made wider, instead of as deep, it would not interfere with crop production
- request to reduce the depth of the property to reduce the intrusion into the Agriculturally farmed lands.

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.
- An Entrance Permit, verifying safe access, from 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 Kelly Patzer 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	B49/15
Location	Part Lot 18, Concession 11 TOWNSHIP OF PUSLINCH
Applicant/Owner	Ervin & Margit Laszlo

PLANNING OPINION: This application would sever a 0.5 ha (1.2 ac) vacant parcel in the Secondary Agricultural area. The retained parcel is 9.2 ha (22.7 ac) and is occupied by a dwelling, barn and shed.

The proposed lot is located within an area designated GREENLANDS in the County Official Plan. In accordance with the lot creation policies for a new residential lot within this designation we would recommend deferral of this application until such time that an Environmental Impact study has been completed. Should this study determine that there is no significant negative impact on the Greenland features and functions, than the Secondary Agricultural policies could be apply.

If approved, we would recommend that the following matters are addressed as conditions of approval:

1. That servicing and safe driveway access can be provided to the satisfaction of the local municipality; and,
2. That an Environmental Impact Assessment (EIS) which focuses on a tree saving and compensation plan is provided to the satisfaction of the County.
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): Under Section 2.1.8 development and site alteration shall not be permitted on adjacent lands to the natural heritage features...unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

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 proposed severed lot is designated GREENLANDS. The Greenlands designation protects a Significant Woodland.

The new residential lot proposed could only be considered in the Greenlands System if:

e) the lot has sufficient area outside the Core Greenland System for all its intended functions including suitable buffering and includes core Greenland areas only to provide for logical boundaries;
f) the lot provides a minor boundary adjustment or correction of title and does not require any activity which would impair Greenland features or functions:
g) the lot is for conservation purposes which provide an overall benefit to the environment:
h) there will be no negative impacts on natural features or their ecological functions.

In the event that the Greenlands System policies are adequately addressed, then the adjacent/underlying designation would be applicable. In this instance the designation is SECONDARY AGRICULTURAL. As per 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 criteria.

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 b) "that all lots can be adequately serviced with water, sewage disposal.....to accepted municipal standards" d) "that all lots will have safe driveway access to an all-season maintained public road, and g) "that natural heritage features are not affected negatively".

LOCAL ZONING BY-LAW: The subject property is currently zoned Agricultural (A).

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.

LRedmond

Linda Redmond, Senior Planner
June 26, 2015

RECEIVED
JUL 02 2015
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

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

DATE: June 29, 2015 **YOUR FILE:** B49/15
GRCA FILE: B49-15 – 4539 Concession 11 (Laszlo)

RECEIVED
JUN 30 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

RE: **Application for Consent B49/15**
Part Lot 18, Concession 11, Township of Puslinch
4539 Concession 11
Ervin and Margit Laszlo

GRCA COMMENT: *

The Grand River Conservation Authority (GRCA) has no objection to the severance of a 0.5 hectare lot for proposed rural residential use.

BACKGROUND:

1. **Resource Issues:**

   Information currently available at this office indicates that the subject lands do not contain any features that are regulated by the GRCA under Ontario Regulation 150/06 – Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation.

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

   None.

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

   A woodland present on the lands to be severed appears to meet the criteria of a significant woodland under the Greenlands system in the County of Wellington Official Plan. We defer the review of this woodland to County of Wellington staff.

   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 questions or comments, please feel free 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,

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
Ervin and Margit Laszlo – 4539 Concession 11, R.R.#1 Puslinch, ON N0B 2J0

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Grand River Conservation Authority
Map created: June 17, 2015

B49/15 Pt. Lot 18 Con.11

LEGEND

- WATERSHED BOUNDARY (GRCA)
- UTILITY LINE (NRVIS)
- ROADS-ADDRESSED (MNR)
- RAILWAY (NRVIS)
- WATERCOURSE - DRAFT (GRCA)
- 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)
- 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 40 80 120 160 m.

NAD 1983, UTM Zone 17 Scale 1:3,500

N

B49/15

Van Harten
SURVEYING & ENGINEERING

May 21, 2015
Jeff.Buisman@vanharten.com
22728-15

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 Laszlo**
4539 Concession 11
Part of Lot 18, Concession 11
PIN 71189-0107
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, 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 75m deep (0.5 ha) at the south corner of the property. The retained lands will have a remaining area of 9.2± ha. The north-westerly limit for the new parcel will be along the edge of the agricultural field.

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. Ervin Laszlo