REPORT SUMMARY

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

Date of Consideration: **March 12, 2015** **TIME: 9:35 A.M.**

File Number: **B1/15**

Applicant: **John & Hanan Saliba**

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

Proposal is a request for consent to convey fee simple for a proposed easement 0.1 acres with 20' frontage in the TOWNSHIP OF PUSLINCH – Part Lot 11, Concession Gore, for access in favour of the retained parcel. Application to provide a registered easement to provide access across proposed severed parcel (B2/15) to the hayfield on the retained off Sideroad 10 South.

ISSUES: -

SUMMARY of FILED REPORTS and COMMENTS:

Township of Puslinch – in support of application; condition

County Planning - no concerns to establish an easement for access to portions of retained lands over the new severed parcel (B2/15) note access to residence on retained is currently off Gore Rd and will not be impacted; easement establishes access to agricultural field on retained

Conservation Authority (GRCA) - no objections

CP Rail – not in favour of developments adjacent to ROW – guidelines require a 30 m setback from CP property line for the residence – Condition for warning clause be inserted in all offers to purchase, agreements of purchase and sale or lease and in the title deed or lease of the dwelling as follows:

"Warning: Canadian Pacific Railway or its assigns or successors in interest has a railway right-of-way located within 300 metres from the land subject hereof. There may be alterations to or expansions of the railway facilities and/or operations in the future, which alterations or expansions may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwellings. CPR will not be responsible for complaints or claims arising from the use of its facilities and/or its operations on, over or under the aforesaid right-of-way."

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 B1/15.
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.

*****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

February 26, 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 B1/15

APPLICANT	**LOCATION OF SUBJECT LANDS:**
John & Hanan Saliba 6774 Gore Road RR#2 Puslinch ON N0B 2J0	TOWNSHIP OF PUSLINCH Part Lot 11 Concession Gore

Proposed easement is 0.1 acres with 20' frontage (Part 2 on sketch), for access in favour of the retained parcel.

Application to provide a registered easement to provide access across proposed severed parcel (B2/15) to the hayfield on the retained off Sideroad 10 South.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, March 12, 2015**

AT 9:35 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 – Ian Robinson**

RECEIVED

FEB 20 2015

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

RECEIVED

JAN 21 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: B1/15

APPLICANT

John & Hanan Saliba
6774 Gore Road
RR#2
Puslinch ON N0B 2J0

↳ see B2/15 for property comments

LOCATION OF SUBJECT LANDS

TOWNSHIP OF PUSLINCH
Part Lot 11
Concession Gore

Proposed easement is 0.1 acres with 20' frontage (Part 2 on sketch), for access in favour of the retained parcel.

Roll: 2301.000.004.02700

Application to provide a registered easement to provide access across proposed severed parcel (B2/15) to the hayfield on the retained off Sideroad 10 South.

CLERK'S DEPARTMENT
TO K.P
Copy
Please Handle ✓
For Your Information
Council Agenda
Re

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER:

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)

_____

_____

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 [ ]

(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?

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MUNICIPALITY COMMENTING FORM

FILE NO: B1/15

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 [ ] N/A.

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?

· Financial - taxes up-to-date.

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

SIGNATURE _____

TITLE: Development Coordinator

ADDRESS: 7404 Wellington Rd 34

DATE: Feb 19, 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	B1/15
Location	Part Lot 11, Concession 17 TOWNSHIP OF PUSLINCH
Applicant/Owner	John & Hanan Saliba

PLANNING OPINION: We would have no concerns with this application, which would establish a 404.6m² (4, 356 ft²) easement for access to portions of the retained lands over the new severed parcel. It should be noted that access to the residence on the retained lands is currently off of Gore Road and will not be impacted as a result of this severance. The easement will be established to provide access to the agricultural field on the retained lands, which will become land locked by the new severance and natural features on the subject property.

PLACES TO GROW: No Issues

PROVINCIAL POLICY STATEMENT (PPS): No issues.

GREENBELT PLAN: The subject property is not within the regulated area of the Greenbelt plan.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated SECONDARY AGRICULTURAL and CORE GREENLANDS.

The matters under Section 10.1.3 were also considered.

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

SITE VISIT INFORMATION: The subject property was visited and photographed on February 6th, 2015. Notice Cards were posted and the survey sketch appears to meet the application requirements.

Jameson Pickard

Jameson Pickard, Junior Planner
February 18th, 2015

RECEIVED
FEB 18 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE