



AGENDA

COMMITTEE OF ADJUSTMENT:

1. OPENING REMARKS

2. DISCLOSURE OF PECUNIARY INTEREST

3. APPROVAL OF MINUTES

- October 8, 2019

4. APPLICATIONS FOR MINOR VARIANCE OR PERMISSION under section 45 of the Planning Act to be heard by the Committee this date:

4(a) Minor Variance Application D13/FER – Anthony and Barbara Ann Fera

Property described as Part Lot 15, Concession Gore, 3982 Wellington Road 35, Township of Puslinch.

Requesting relief from provisions of Zoning By-Law #19/85, as amended, to permit a reduced MDS1 setback from the barn on the proposed retained parcel to the proposed severed parcel to be 97 metres instead of 233 metres.

4(b) Minor Variance Application D13/KUP – Brenda Kupferschmidt

Property described as Lot 13, Concession 3, 4597 Sideroad 12, Township of Puslinch.

Requesting relief from provisions of Zoning By-Law #19/85, as amended, to permit a reduced MDS1 setback from the barn on the proposed retained parcel to the proposed severed parcel to be 256 metres instead of 346 metres.

4(c) Minor Variance Application D13/FRA – Diego Franco & Angie Alegre

Property described as Lot 8, Concession Gore, being Part 1 on 61R-21171, Gore Road, Puslinch.

Requesting relief from provisions of Zoning By-Law #19/85, as amended, to permit relief of 5.38 metres for a proposed setback of 21.62 metres from the centreline of the road instead of 27 metres, as required.

5. OTHER MATTERS



- None

6. ADJOURNMENT OF COMMITTEE OF ADJUSTMENT

PLANNING & DEVELOPMENT ADVISORY COMMITTEE

7. OPENING REMARKS

8. DISCLOSURE OF PECUNIARY INTEREST

9. APPROVAL OF MINUTES

- October 8, 2019

10. APPLICATION FOR SITE PLAN URBAN DESIGN REVIEW

- None

11. ZONING BY-LAW AMENDMENT

- None

12. LAND DIVISION

12(a) **Severance Application B65/19 (D10/CSI)** – Csilla, Valeria & Ferenc Farkas, Part Lot 21, Concession 2, municipally known as 4453 Sideroad 20 North, RR# 6, Guelph.

Proposed severance is 0.68 hectares with 78 metres frontage, existing agricultural use for proposed rural residential use.

Retained parcel is 39.7 hectares with 761 metres frontage on Sideroad 20 North, 316 metres frontage on Highway 401 and 192 metres frontage on Wellington Road 34, existing and proposed agricultural use with existing dwelling, barn, sheds and pond.

12(b) **Severance Application B70/19 (D10/HOH)** – Paul & Mary Hohenadel, Part Lot 21, Concession 8, municipally known as 4458 Victoria Road South, Puslinch.

Proposed severance is 44 metres frontage x 91 metres = 0.4 hectares, vacant land for proposed rural residential use.



PLANNING & DEVELOPMENT ADVISORY COMMITTEE

November 12, 2019

7:00 p.m.

Retained parcel is 5.38 hectares with 14 metres frontage, existing and proposed residential use with existing dwelling and various accessory buildings (shed/storage).

12(c) Severance Application B72/19 (D10/ING) – Gari Ingertsa & Stacey Kall, Part Lots 29 & 30, Concession 1, municipally known as 7258 Concession 1, Puslinch.

Proposed severance is 3.7 hectares with 280 metres frontage, vacant land for proposed rural residential use.

Retained parcel is 20.3 hectares with 192 metres frontage on Concession 7 Road and 304 metres frontage on Concession 1 Road, existing and proposed agricultural use with existing dwelling and shed.

13. OTHER MATTERS

- None

14. CLOSED MEETING

- None

15. NEXT MEETING Tuesday, December 10, 2019 @ 7:00 p.m.

16. ADJOURNMENT



MINUTES

MEMBERS PRESENT

Councillor John Sepulis, Chair
Deep Basi
Dan Kennedy
Dennis O'Connor
Paul Sadhra

MEMBERS ABSENT

None

OTHERS IN ATTENDANCE

Lynne Banks, Development and Legislative Coordinator
Meagan Ferris, Sr. Planner, County of Wellington
Hailey Keast, Van Harten Surveying Inc.

1. OPENING REMARKS

The meeting was called to order at 7:00 pm. The Chair welcomed the gallery to the Committee of Adjustment and informed the gallery that Township Staff would present the application, then the applicant would have the opportunity to present the purpose and details of the application and provide any further relevant information. Following this, the public can obtain clarification, ask questions and express their views on the proposal. The members of the Committee can then obtain clarification, ask questions and express their views on the proposal. All application decisions are subject to a 20 day appeal period.

2. DISCLOSURE OF PECUNIARY INTEREST

- Paul Sadhra declared a conflict of interest with respect to Item 4(a) Minor Variance Application (D13/SAD) – Resham and Jasvir Sadhra, Part Lot 20, Concession 3, 7000 Wellington Road 34, Township of Puslinch because he resides at the subject property and has an interest in the minor variance application and refrained from discussions on the matter.
- John Sepulis declared a conflict of interest with respect to Item 4(b) Minor Variance Application (D10/SAD) – Resham and Jasvir Sadhra, Part Lot 20, Concession 3, 7000 Wellington Road 34, Township of Puslinch because he has an unsold lot adjacent to the property owned by the applicants, and the creation of the new lot may be perceived as impacting the value of his unsold lot and refrained from discussions on the matter.

Dennis O'Connor, Vice Chair, continued with that portion of the meeting with respect to the Minor Variance Applications.

3. APPROVAL OF MINUTES

Moved by: Dan Kennedy

Seconded by: Paul Sadhra

That the Minutes of the Committee of Adjustment meetings held Tuesday, September 10, 2019 be adopted.

CARRIED

4. APPLICATIONS FOR MINOR VARIANCE OR PERMISSION under section 45 of the Planning Act to be heard by the Committee this date:



APPLICATIONS FOR MINOR VARIANCE OR PERMISSION under section 45 of the Planning Act to be heard by the Committee this date:

4(a) Minor Variance Application D13/FER – Anthony and Barbara Ann Fera

Property described as Part Lot 115, Concession Gore, 3982 Wellington Road 35, Township of Puslinch.

Requesting relief from provisions of Zoning By-Law #19/85, as amended, to permit a reduced MDS1 setback from the barn on the proposed retained parcel to the proposed severed parcel to be 97 metres instead of 233 metres.

- John Sepulis advised that the agent for the applicant has requested that the minor variance application be deferred until the November 12, 2019 Committee of Adjustment meeting.

Moved by: Dennis O'Connor

Seconded by: Deep Basi

The Committee voted on the motion with all in favour.

That Application D13/FER requesting relief from provisions of Zoning By-Law #19/85, as amended, to permit a reduced MDS1 setback from the barn on the proposed retained parcel to the proposed severed parcel to be 97 metres instead of 233 metres be deferred.

The request is hereby **Deferred** until the November 12, 2019 meeting.

4(b) Minor Variance Application D13/KUP – Brenda Kupferschmidt

Property described as Lot 13, Concession 3, 4597 Sideroad 12, Township of Puslinch.

Requesting relief from provisions of Zoning By-Law #19/85, as amended, to permit a reduced MDS1 setback from the barn on the proposed retained parcel to the proposed severed parcel to be 256 metres instead of 346 metres.

- John Sepulis advised that the agent for the applicant has requested that the minor variance application be deferred until the November 12, 2019 Committee of Adjustment meeting.

Moved by: Dan Kennedy

Seconded by: Deep Basi

The Committee voted on the motion with all in favour.

That Application D13/KUP requesting relief from provisions of Zoning By-Law #19/85, as amended, to permit a reduced MDS1 setback from the barn on the proposed retained parcel to the proposed severed parcel to be 256 metres instead of 346 metres be deferred.

The request is hereby **Deferred** until the November 12, 2019 meeting.

4a.) Minor Variance Application D13/SAD – Resham and Jasvir Sadhra

Property described as Parts 4 and 5 on Reference Plan 61R-9320, Township of Puslinch, 7000 Wellington Road 34.

Requesting relief from provisions of Zoning By-Law #19/85, as amended, to permit a reduced frontage on the retained parcel to be 87 metres instead of 121.9 metres.

- Hailey Keast of Van Harten Surveying Inc. provided an overview of the application and noted that the minor variance is a condition of the owner's consent application to sever the land. She also advised that the existing driveway will remain as the sightlines are good.
- There were no questions or comments from the public.
- There were no questions or comments from the committee.



Moved by: Dan Kennedy

Seconded by: Deep Basi

The Committee voted on the motion with all in favour.

That Application D13/SAD requesting relief from provisions of Zoning By-Law #19/85, as amended, to permit a reduced frontage on the retained parcel to be 87 metres instead of 121.9 metres.

The request is hereby **Approved with no conditions.**

4(b) Minor Variance Application D13/SUM – Betty Summers

Property described as Lot 11, Registered Plan 61M-203, 26 Jasper Heights PV, Township of Puslinch.

Requesting relief from provisions of Zoning By-Law #19/85, as amended, to permit relief for deck replacement to increase lot coverage to a maximum of 37.3 percent.

- Betty Summers, owner, provided an overview of the application.
- There were no questions or comments from the public.
- There were no questions or comments from the committee.

Moved by: Dan Kennedy

Seconded by: Deep Basi

The Committee voted on the motion with all in favour.

That Application D13/SUM requesting relief from provisions of Zoning By-Law #19/85, as amended, to permit relief for deck replacement to increase lot coverage to a maximum of 37.3 percent.

The request is hereby **Approved with no conditions.**

5. OTHER MATTERS

- Lynne Banks provided an update on the appeal to the LPAT for the property known municipally as 161 Hume Road, and advised that a pre-conference hearing was held on October 3, 2019 and the lawyers were unable to resolve any of the issues with respect to the appeal for the severance and minor variance. A three day hearing has been scheduled for January 29, 30 and 31, 2020 in council chambers.

6. ADJOURNMENT

Moved by: Dennis O'Connor

Seconded by: Deep Basi

The Committee of Adjustment meeting adjourned at 7:15 p.m.

CARRIED

MINUTES

MEMBERS PRESENT

Councillor John Sepulis, Chair
Deep Basi
Dan Kennedy
Dennis O'Connor
Paul Sadhra

MEMBERS ABSENT

None

OTHERS IN ATTENDANCE

Lynne Banks, Development and Legislative Coordinator
Meagan Ferris, Sr. Planner, County of Wellington
Melanie Horton, Director of Planning, Harrington McAvan Ltd.
Hailey Keast, Van Harten Surveying Inc.

1 - 6. COMMITTEE OF ADJUSTMENT

- See October 8, 2019 Committee of Adjustment minutes.

7. OPENING REMARKS

The meeting was called to order at 7:16 p.m. The Chair advised that the following portion of the Committee meeting will be reviewing and commenting on development planning applications.

8. DISCLOSURE OF PECUNIARY INTEREST

- None

9. APPROVAL OF MINUTES

Moved by: Dan Kennedy

Seconded by: Paul Sadhra

That the Minutes of the Planning & Development Advisory Committee Meeting held Tuesday, October 8, 2019, be adopted.

CARRIED

10. APPLICATION FOR SITE PLAN URBAN DESIGN REVIEW

- None

11. ZONING BY-LAW AMENDMENT

Zoning Amendment D14/FAR – Farhi Holdings Corporation – Concession 2, Rear Part Lot 26.

The purpose and effect of the application is to amend Township of Puslinch Zoning By-law 19/85 to remove the Extractive (EXI) Zone and replace it with appropriate Industrial and Natural Environment Zones. The application would allow the lands to be developed for rural employment purposes.

- Melanie Horton of Harrington McAvan Ltd., agent for the applicant, provided an overview of the application and advised that the rezoning will be from Extractive to a general Industrial with Natural Environment zone. She further advised that there is no specific use proposed at this time.

- There were no questions from the public.
- Dan Kennedy advised that his only concern is the type of industry that will be going on the property due to the nearness of Heritage Lake.
- John Sepulis asked if the current required studies provided are up to date.
- Megan Ferris advised that if needed, they will be updated with a possible holding provision being considered for the property until the future development is known.

The Committee supports the development and considers it good use of the property to rezone from extractive to Commercial/Industrial.

Moved by: Dennis O'Connor

Seconded by: Deep Basi

12. LAND DIVISION

12(a) Severance Application B52/19 (D10/HMTQ) – Her Majesty The Queen in Right of The Province of Ontario, Represented by The Minister of Transportation for the Province of Ontario, Part Lots 8 & 9, Concession 2, Part of Part 1 on 61R-10764, municipally known as 289 ON-401, Cambridge South ONroute Service Centre.

Property currently lease to HKSC Developments L.P. Proposal is 0.374 hectares (outlined in purple) for a Sub-lease in excess of 21 years to Fuelco for the delivery of fueling and automotive supplies.

- There was no one present to present an overview of the application.
- There were no questions or comments from the public.
- John Sepulis asked how the lease impacts the *Planning Act*.
- Meagan Ferris advised that the *Planning Act* states that the term of the lease cannot be for more than 21 years, and that the parties require permission to extend the lease.

Moved by: Dan Kennedy

Seconded by Paul Sadhra

The committee supports the application with the **following conditions** imposed:

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) which the Township may deem to be necessary at the time of issuance of the Certificate of Consent for the property 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.
2. That the Owner ensure that the fuel storage equipment is replaced within acceptable time limits and within their end of life expectancy, if it is less than the term of the lease.

CARRIED

12(b) Severance Application B53/19 (D10/HMTQ) – Her Majesty The Queen in Right of The Province of Ontario, Represented by The Minister of Transportation for the Province of Ontario, Part Lots 8 & 9, Concession 2, Part of Part 1 on 61R-10764, municipally known as 289 ON-401, Cambridge South ONroute Service Centre.

Property currently lease to HKSC Developments L.P. Proposal is 20.92 hectares (outlined in blue) for a Sub-lease in excess of 21 years to Food & Bev. Co for the delivery of food and beverage and other services.

- There was no one present to present an overview of the application.
- There were no questions or comments from the public.

- John Sepulis asked if this application is the same principal as severance application B52/19.
- Meagan Ferris advised that it is the same principal.

Moved by: Dennis O'Connor

Seconded by: Deep Basi

The committee supports the application with the **following condition** imposed:

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) which the Township may deem to be necessary at the time of issuance of the Certificate of Consent for the property 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.

CARRIED

- 12(c) Severance Application B54/19 (D10/HMTQ)** – Her Majesty The Queen in Right of The Province of Ontario, Represented by The Minister of Transportation for the Province of Ontario, Part Lots 8 & 9, Concession 2, Part of Part 1 on 61R-10770, municipally known as 290 ON-401, Cambridge North ONroute Service Centre.

Property currently lease to HKSC Developments L.P. Proposal is 0.375 hectares (outlined in purple) for a Sub-lease in excess of 21 years to Fuelco for the delivery of fueling and automotive supplies.

- There was no one present to present an overview of the application.
- There were no questions or comments from the public.
- Paul Sadhra asked if there are any required environmental impact studies or reports required.
- Meagan Ferris advised no because the development already exists and this is just a lease renewal.
- Dan Kennedy asked if the underground storage tanks would be inspected to ensure that they are stable.
- Dennis O'Connor advised that inspections would be under the TSSA and would be monitored.

Moved by: Dennis O'Connor

Seconded by: Paul Sadhra

The committee supports the application with the **following conditions** imposed:

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) which the Township may deem to be necessary at the time of issuance of the Certificate of Consent for the property 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.
2. That the Owner ensure that the fuel storage equipment is replaced within acceptable time limits and within their end of life expectancy, if it is less than the term of the lease.

CARRIED

At this point in the meeting Item 12(a) was reopened.

Moved by: Dan Kennedy

Seconded by: Deep Basi

- An additional condition was added to Item 12(a):

That the Owner ensure that the fuel storage equipment is replaced within acceptable time limits and within their end of life expectancy, if it is less than the term of the lease.

Moved by: Dan Kennedy

Seconded by: Deep Basi

CARRIED

12(d) Severance Application B55/19 (D10/HMTQ) – Her Majesty The Queen in Right of The Province of Ontario, Represented by The Minister of Transportation for the Province of Ontario, Part Lots 8 & 9, Concession 2, Part of Part 1 on 61R-10770, municipally known as 290 ON-401, Cambridge North ONroute Service Centre.

Property currently lease to HKSC Developments L.P. Proposal is 12.82 hectares (outlined in blue) for a Sub-lease in excess of 21 years to Food & Bev. Co for the delivery of food and beverage and other services.

- There was no one present to present an overview of the application.
- There were no questions or comments from the public.
- There were no questions or comments from the committee.

Moved by: Dan Kennedy

Seconded by: Paul Sadhra

The committee supports the application with the **following condition** imposed:

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) which the Township may deem to be necessary at the time of issuance of the Certificate of Consent for the property 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.

CARRIED

12(e) Severance Application B59/19 (D10/LAU) – Victoria Laurensen, Part Lots 34 & 35, Concession 10, municipally known as 4099 Watson Road S., Puslinch.

Proposed severance is 0.7 hectares with 54.2metre frontage, existing agricultural use for proposed rural residential use.

Retained parcel is 51 hectares with 633 metres frontage, existing and proposed agricultural and residential use with existing dwelling, barn and sheds.

- Hailey Keast provided an overview of the application and advised that there were discussions with Conservation Halton regarding the floodplain and wetlands and advised that they were flagged and the parcel was reconfigured with the setbacks being 30 metres from the wetlands and 50 metres from the floodplain. The MDS calculations were also run and the parcel meets the requirement.
- John Sepulis asked why the parcel is a trapezoid shape for the severed lands and not a rectangle shape.
- Meagan Ferris advised that the County is not objecting to the 30 metre setback from the wetland with a vegetative buffer.
- John Sepulis inquired if it is hard to get the farm equipment to the crops.
- Dennis O'Connor advised that it is however if the property was squared off then it would be too small.

Moved by: Dennis O'Connor

Seconded by Deep Basi

The committee supports the application with the **following conditions** imposed:

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) which the Township may deem to be necessary at the time of issuance of the Certificate of Consent for the property 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.
2. That the Owner obtain an approved Entrance Permit verifying safe access and site lines on the severed parcel from the Township of Puslinch; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

CARRIED

12(f) Severance Application B61/19 (D10/GRE) – Arnold Gregor, Part Lot 24, Concession 9, municipally known as 4388 Watson Road South, Puslinch.

Proposed severance is 19.4 hectares with 108 metre frontage, existing agricultural land to be added to abutting residential lot for continued agricultural use – Kevin & Lori Hayden.

Retained parcel is 17.9 hectares with 52 metres frontage, existing and proposed agricultural use.

- Hailey Keast provided an overview of the application and advised that the applicant is severing a large agricultural parcel and it will be added to the property to the north. She further advised that the retained parcel will remain vacant and the owner will apply for a minor variance for the reduced frontage.

Moved by: Dan Kennedy

Seconded by: Paul Sadhra

The committee supports the application with the **following conditions** imposed:

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) which the Township may deem to be necessary at the time of issuance of the Certificate of Consent for the property 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.
2. That the Owner obtain an approved Entrance Permit verifying safe access and site lines on the severed parcel from the Township of Puslinch; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
3. That the Owner apply for, and receive, a minor variance for the decreased frontage of the retained parcel.

CARRIED

12. OTHER MATTERS

- None

13. CLOSED MEETING

- None



14. NEXT MEETING

- Next Regular Meeting Tuesday, November 12, 2019 @ 7:00 p.m.

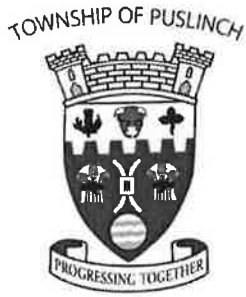
15. ADJOURNMENT

Moved by: Dennis O'Connor

Seconded by: Deep Basi

That the Planning & Development Advisory Committee is adjourned at 7:43 p.m.

CARRIED



Township of Puslinch
7404 Wellington Road #34
Guelph, ON, N1H 6H9
T: (519) 763 – 1226
F: (519) 763 – 5846
www.puslinch.ca

Minor Variance or Permission Application

General Information:

1. Applicant Information:

Registered Owner's Name(s): Anthony & Barbara Ann FERA

Address: 3982 Wellington Road No. 35

City: Puslinch, ON

Postal Code: N0B 2J0

E-mail Address: [REDACTED]

Telephone Number: [REDACTED]

Fax: _____

Applicant (Agent) Name(s): Jeff Buisman of Van Harten Surveying Inc.

Address: 423 Woolwich Street

City: Guelph

Postal Code: N1H 3X3

E-mail Address: jeff.buisman@vanharten.com

Telephone Number: 519-821-2763 ext. 225

Fax: 519-821-2770

Name, address, and phone number of all persons having any mortgages, charges, or encumbrances on the property.

None

Send correspondence to: Owner: Agent Other: _____

2. Provide a description of the "entire" property: Severed Parcel

Municipal address: 3982 Wellington County Road No. 35

Concession: GORE Lot: 15

Registered Plan Number: _____

Severed Parcel	Area: <u>0.6ha</u> ha	Depth: <u>98m</u> m	Frontage: <u>81m</u> m
	Retained Parcel <u>19.6ha</u> ac	<u>405m</u> ft	<u>410m</u> ft

Width of road allowance (if known): 30.48m

Reason for Application:

3. Please indicate the Section of the Planning Act under which this application is being made. Select one:

- Section 45(1) relates to a change to a by-law standard (e.g. setbacks, frontage, height, etc.); or
- Section 45(2) relates to a change to or expansion of an existing legal non-conforming use.

4. What is the nature and extent of the relief that is being applied for? (please specifically indicate on sketch).

The Minor Variance request is as follows:

A) To permit a reduced MDS I setback from the barns on the proposed retained parcel to the proposed severed parcel to be 97m instead of 233m.

**5. Why is it not possible to comply with the provisions of the by-law?
(please specifically indicate on sketch).**

This request is being made to permit the reduced MDS1 setback from the barns on the property to the proposed severed parcel. This request is being made prior to submitting the severance application.

Please see covering letter for more information.

6. What is the current Official Plan and zoning status?

Official Plan Designation: Secondary Agricultural, Core Greenlands & Greenlands

Zoning Designation: Agricultural & Natural Environment

7. What is the access to the subject property?

Provincial Highway:

Continually maintained municipal road:

Seasonally maintained municipal road:

Other: (please specify below)

County Road

8. What is the name of the road or street that provides access to the subject property?

Wellington County Road No. 35

9. If access is by water only, please describe the parking and docking facilities used or to be used and the approximate distance of these facilities from the subject land to the nearest public road.

N/A

Existing and Proposed Service:

10. Indicate the applicable water supply and sewage disposal:

Water Supply/Sewage Disposal:	Existing:	Proposed:
Municipal Water:	<input type="checkbox"/>	<input type="checkbox"/>
Communal Water:	<input type="checkbox"/>	<input type="checkbox"/>
Private Well:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other Water Supply:	<input type="checkbox"/>	<input type="checkbox"/>
Municipal Sewers:	<input type="checkbox"/>	<input type="checkbox"/>
Communal Sewers:	<input type="checkbox"/>	<input type="checkbox"/>
Private Septic:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other Sewage Disposal:	<input type="checkbox"/>	<input type="checkbox"/>

11. How is storm drainage provided?

Storm Sewers:

Ditches:

Swales:

Other means: (explain below)

Existing Subject and Abutting Property Land Uses, Buildings and their Locations:

12. What is the existing use of:

The subject property? Agricultural

The abutting properties? Rural Residential / Agricultural

13. Provide the following details for all buildings on or proposed for the subject land: (please use a separate page if necessary)

See sketch for details

Building Details:	Existing:		Proposed:	
Type of Building(s)/ structures				
Main Building height	m	ft.	m	ft.
*Percentage lot coverage	m	ft.	m	ft.
*Number of parking spaces				
*Number of loading spaces				
Number of floors				
Total floor area	m ²	ft ²	m ²	ft ²
Ground floor area (exclude basement)	m ²	ft ²	m ²	ft ²

14. What is the location of all buildings existing and proposed for the subject property? (specify distances from front, rear and side lot lines)

See sketch for details

Building Details:	Existing:		Proposed:	
Front Yard	m	ft.	m	ft.
Rear Yard	m	ft.	m	ft.
Side Yards	m	ft.	m	ft.

15. What are the dates of acquisition and construction of subject property and building property?

Date of acquisition of subject property: November 2008

Date of construction of buildings property: N/A

16. How long have the existing uses continued on the subject property? Many years

17. Has the owner previously applied for relief in respect of the subject property?

Yes No

If the answer is yes, please indicate the file number and describe briefly:

N/A

Other Related Planning Applications:

18. Has an application for any of the following on the subject lands?

Planning Application:	Yes:	No:	File Number:	Approval Authority:	Subject Lands	Purpose:	Status:
Official Plan Amendment	<input type="checkbox"/>	<input type="checkbox"/>					
Zoning By-Law Amendment	<input type="checkbox"/>	<input type="checkbox"/>					
Plan of Subdivision	<input type="checkbox"/>	<input type="checkbox"/>					
Consent (Severance)	<input type="checkbox"/>	<input type="checkbox"/>					
Site Plan	<input type="checkbox"/>	<input type="checkbox"/>					
Minor Variance	<input type="checkbox"/>	<input type="checkbox"/>					

Authorization for Agent/Solicitor to act for Owner:

(If affidavit is signed by an Agent/Solicitor on Owner's behalf, the Owner's written authorization below shall be completed)

I (we) Anthony FERA & Barbara Ann FERA of the
Wellington Township of Puslinch County/Region of
Wellington do hereby authorize

Jeff Buisman of Van Harten Surveying Inc. to act as my agent in this application.

[Redacted Signature]

Signature of Owner(s)

SEPT 3. 2019

Date

[Redacted Signature]

Signature of Owner(s)

SEPT 3 / 2019

Date

Affidavit:

I (we) Jeff Buisman of Van Harten Surveying Inc. of the
Wellington City of Guelph County/Region of
Wellington solemnly declare that all the statements

contained in this application are true, and I, (we), make this solemn declaration
conscientiously believing it to be true, and knowing that it is of the same force and effect
as if made under oath and by virtue of the CANADA EVIDENCE ACT. DECLARED

before me at the City of Guelph in the
County/Region of Wellington this 13 day of
Sept, 2019.

[Redacted Signature]

Signature of Owner or authorized

Sept 13, 2019

Date

[Redacted Signature]

Signature of Commissioner

Sept 13, 2019

Date

James Michael Laws,
a Commissioner, etc.,
Province of Ontario,
for Van Harten Surveying Inc.
Expires May 11, 2021.

Agreement to Post Sign and Permit Site Visits:

A form is included in the Zoning By-law Amendment application to agree to erect a sign on the subject lands and to permit Township employees/representatives to enter the lands for site visits.

The applicant is required to erect and maintain a sign on the proposed lands within one week of the application being deemed complete by staff and to remove the sign when the application has been given final approval. The sign shall be a minimum of 1.2 x 1.2 metres on posts 0.5 metres above grade and include the following wording to be approved by Township staff:

A PROPOSAL HAS BEEN MADE
ON THIS SITE FOR: (50 mm text height)
A ZONING BY-LAW AMENDMENT TO xxx (100 mm text height)
FOR FURTHER INFORMATION
PLEASE CONTACT THE TOWNSHIP OF PUSLINCH 7404 WELLINGTON ROAD 34
(519) 763 - 1226 (30-50 mm text height)

For Administrative Purposes Only:

Application fee of \$ _____ received by the municipality

Date Fee Received: _____

Date Application Filed: _____

File Number: _____

Application deemed complete:

Signature of Municipal Employee

Date

Personal information on this form is collected under the authority of the Planning Act. The information is used for the purpose of processing this application and administering the legislation and is maintained in accordance with the Municipal Freedom of Information and Protection of Privacy Act. Questions regarding the collection of this information may be directed to the Township Clerk's office.

The Township of Puslinch is committed to providing accessible formats and communication supports for people with a disability. If another format would work better for you, please contact the Township Clerk's office for assistance.



**PLAN REVIEW REPORT: Township of Puslinch,
Lynne Banks, Secretary-Treasurer**

DATE: September 24, 2019

YOUR FILE: D13/FER

**RE: Minor Variance Application #D13/FER
Anthony and Barbara Ann Fera
3982 Wellington Road 35, Puslinch**

GRCA COMMENT: *

The Grand River Conservation Authority (GRCA) has no objection to the proposed minor variance.

BACKGROUND:

1. Resource Issues:

Information currently available at this office indicates that the subject property contains portions of the Provincially Significant Fairchild Creek Headwaters Wetland Complex, floodplain and the lands adjacent to these features. It also contains the lands adjacent to a wetland located on adjacent property.

2. Legislative/Policy Requirements and Implications:

The subject property contains natural heritage and natural hazard features as identified in the Provincial Policy Statement (PPS, 2014), and Core Greenlands and Greenlands in accordance with the County of Wellington Official Plan (2019).

As outlined in the PPS and County of Wellington Official Plan, development or site alteration is not permitted in or on adjacent lands to Provincially Significant Wetlands unless it is demonstrated that there will be no negative impacts on the natural feature or its ecological function. Additionally, the County of Wellington Official Plan indicates that development in or adjacent to the Core Greenlands system requires an environmental impact assessment demonstrating that the requirements of the Official Plan have been met.

We understand that the homeowner is seeking relief from Zoning By-Law 19/85 Section 3 (13) to permit a reduced MDS setback in support of a future severance. The proposed severed lot is already developed with no additional development proposal, and the retained lands contain sufficient space for future development outside the features and adjacent lands. As such, GRCA staff would not object to the proposed minor variance and associated severance application.

Due to the presence of the above-noted features, the entire proposed severed lot, and a portion of the retained lot is regulated by the GRCA under the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 150/06). Any future development within the regulated area, including the addition or removal of fill, will require a permit from our office.

3. Additional information/suggestions provided in an advisory capacity:

This application is considered a “minor” minor variance application. We wish to acknowledge receipt of the applicable plan review fee for the processing of this application.

Should you have any further questions or require additional information, please contact Jenn Simons at ext. 2236.

Yours truly,



Fred Natolochny, MCIP, RPP
Supervisor of Resource Planning
*FN/js

c.c. ✓ Anthony and Barbara Ann Fera, 3982 Wellington Road 35, Puslinch ON, N0B 2J0
Van Harten Surveying Inc. c/o Jeff Buisman, jeff.buisman@vanharten.com

**** These comments are respectfully submitted to the Committee and reflect the resource concerns within the scope and mandate of the Grand River Conservation Authority.***



**Grand River
Conservation Authority**
Date: Sep 18, 2019
Author: mk

**3982 Wellington Road 35,
Puslinch**

PSW - Fairchild Creek Headwaters Wetland
Complex

Legend

- Regulated Limit (GRCA)
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Floodplain (GRCA)
- Engineered
- Estimated
- Approximate
- Special Policy Area
- Slope Valley (GRCA)
- Steep
- Oversteep
- Steep
- Slope Erosion (GRCA)
- Oversteep
- Toe
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNRF)

This legend is static and may not fully reflect the layers shown on the map. The text of Ontario Regulation 150/06 supercedes the mapping as represented by these layers.

Copyright Grand River Conservation Authority, 2019.
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 use of the information 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>





PLANNING REPORT for the TOWNSHIP OF PUSLINCH

Prepared by the County of Wellington Planning and Development Department

DATE: September 30th, 2019
TO: Lynne Banks, Development and Legislative Coordinator
 Township of Puslinch
FROM: Meagan Ferris, Senior Planner
 County of Wellington
SUBJECT: **MINOR VARIANCE APPLICATION D13 FER (FERA)**
Anthony & Barbara Ann Fera
3982 Wellington Road 35
Part Lot 15, Concession Gore

We have reviewed the application for minor variance and provide the following comments. These comments are offered without the benefit of a site visit.

Planning Opinion

The subject minor variance request would provide relief from Section 3.13(a) and allow a reduction in the Minimum Distance Separation (MDS I) setback from a new lot to existing barns located on the subject lands. The reduction would be from the required 233 metres (764.4 feet) setback to permit a reduced 97 metres (318 feet) setback. The use is considered a Type B use due to Guideline #34.

With respects to the MDS relief, planning staff are not supportive of the reduction as the proposed lot will impact future expansion of the livestock structures on-site as it is the closest receptor to *both* of the barns. Further, there does not appear to be a location on the site to construct a barn and meet MDS requirements.

In regards to the future severance – it is understood that the subject application is being submitted in advance of a severance application for a rural residential lot in the Secondary Agricultural area. This approach was discussed with planning staff prior to submission. Although the subject land is generally eligible for one rural residential lot, the proposed lot configuration is not consistent with the requirements of the Provincial Growth Plan.

Planning staff recommends that the application be deferred to allow the proposed lot configuration to be amended to align with the requirements of the new Provincial Growth Plan prior to the Committee rendering a decision on MDS relief. The deferral recommendation is being advised by staff, because if the lot shape was to later change to be brought into conformity with the Growth Plan, the MDS reduction may need to be amended as well.

Section of the By-law	Requirements	Proposed
Section 3 (13) (a) – General Provision, Minimum Distance Separation Requirements - MDS I – New Non-Farm Uses	No residential, institutional, commercial, industrial or recreational use, located on a separate lot and permitted within the Agricultural (A) Zone or any other zone in which agricultural uses are permitted, shall be erected or altered unless it complied with Minimum Distance Separation I (MDS I) setback from a livestock facility, calculated using the Formulas published by the Province of	Requesting relief to permit a reduced MDS 1 setback from the existing barn on the proposed retained parcel to the proposed severed parcel to be 97 metres (318 feet) instead of the required 233 metres (764.4 feet).

	Ontario, as may be amended from time to time.	
--	---	--

Our discussion of this application relative to the four tests under the Planning Act is as follows:

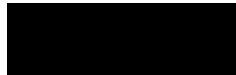
Four Tests	Discussion: Reduced MDS I
That the requested variance is minor in nature	<ul style="list-style-type: none"> • The subject proposal identifies that there are two (2) barns located on the proposed retained lands. Combined, these barns have been identified as having fourteen (14) horse stalls. • It is noted that there are existing dwellings located across the road, with one dwelling being setback approximately 138 metres (452.7 feet) from the closest barn. As such, there are existing sensitive uses in the area that will also impact any livestock structure expansions. • As the intent is to sever the existing dwelling as the rural residential lot, there are no alternative locations to consider. The MDS Guidelines does allow consideration of a setback reduction when reasonable alternative locations are limited.
That the intent and purpose of the Zoning By-law is maintained	<ul style="list-style-type: none"> • The subject property is zoned Agricultural (A) and Natural Environment (NE). Within the new by-law (023/18) the subject lands also includes an environmental protection overlay which limits development <i>within</i> a feature, unless an Environmental Impact Study (EIS) has been provided and identifies no negative impacts to the feature or its ecological function. • A single detached dwelling, accessory uses to a dwelling, and a barn are permitted use within the Agricultural (A) Zone. No new structures are proposed; however, the new lot lines are proposed within the 'NE' Zone and the environmental protection overlay. • The intent of the MDS I setback is to provide a minimum distance between livestock facilities and anaerobic digesters and sensitive lands uses (i.e. dwellings). The intent of MDS setbacks is to promote and protect agricultural uses while also reducing odour complaints and land use incompatibility.
That the general intent and purpose of the Official Plan is maintained	<ul style="list-style-type: none"> • The property is designated Secondary Agricultural, Core Greenland System, and Greenland System. The features identified on the subject lands include a Provincially Significant Wetland (PSW) and Significant Woodlands. • As the lands are within the Secondary Agricultural designation and the subject lands have not been severed after March 1, 2005, one residential lot can be considered. However, staff notes that the proposed lot configuration is located partially within the Core and Greenland System. No new structures are proposed within the Greenland area. • The Provincial Growth Plan (2019) requires that a minimum of 30 metres (98.4 feet) for development (which includes lot creation), is required and that the setback is determined/justified through an Environmental Impact Study (EIS). It is unknown if the minimum setback is required and an EIS has not been submitted. • When considering severance applications, Section 10.1.3 of the County Official Plan requires that a future severance meet provincial legislation and policies. • The comments of the Grand River Conservation Authority (GRCA) should also be considered by the Committee as wetlands and Provincially Significant Wetlands are regulated by the GRCA.

That the variance is **desirable** and **appropriate** development and use of the land, building or structure

- The proposed lot is within an area with other, sensitive lands uses; however, the proposed new lot is the closest sensitive use to *both* barns and will impose the most restriction on the barns.

I trust that these comments will be of assistance to the Committee in their consideration of this matter. We would appreciate a copy of the Committee's decision with respect to this application.

Respectfully submitted
County of Wellington Planning and Development Department



Meagan Ferris, RPP MCIP
Senior Planner

Minimum Distance Separation I

Fera Severance
Prepared By: Hailey Keast, Van Harten Surveying Inc.


Description: Fera Barn
Application Date: Tuesday, March 19, 2019
Municipal File Number:
Proposed Application: Lot creation for four, or more, residential lots outside of a settlement area
 Type B Land Use

Applicant Contact Information

Anthony Fera
3982
Wellington Road 35
Puslinch, ON, Canada N0B 2J0

Location of Subject Lands

County of Wellington, Township of Puslinch
PUSLINCH, Concession: GORE, Lot: 15

Roll Number: 2301 

Calculation Name: *Barn 1*


Description: Fera Barn

Farm Contact Information

Anthony Fera
3982
Wellington Road 35
Puslinch, ON, Canada N0B 2J0

Location of existing livestock facility or anaerobic digester

County of Wellington, Township of Puslinch
PUSLINCH, Concession: GORE, Lot: 15

Roll Number: 2301 

Total Lot Size: 20 ha

The barn area is an estimate only and is intended to provide users with an indication of whether the number of livestock entered is reasonable.

Manure Type	Type of Livestock/Manure	Existing Maximum Number	Existing Maximum Number (NU)	Estimated Livestock Barn Area
Solid	Horses, Medium-framed, mature; 227 - 680 kg (including unweaned offspring)	8	8.0	186 m ²
Solid	Horses, Medium-framed, mature; 227 - 680 kg (including unweaned offspring)	6	6.0	139 m ²

Existing Manure Storage: V3. Solid, outside, no cover, >= 30% DM

Design Capacity (NU): 14.0

Potential Design Capacity (NU): 28.0

Factor A (Odour Potential) **0.7** X Factor B (Size) **216** X Factor D (Manure Type) **0.7** X Factor E (Encroaching Land Use) **2.2** = Building Base Distance 'F' (minimum distance from livestock barn) **233 m (764 ft)** (actual distance from livestock barn) **TBD**

Storage Base Distance 'S' (minimum distance from manure storage) **233 m (764 ft)** (actual distance from manure storage) **TBD**

Preparer Information

Hailey Keast
Van Harten Surveying Inc.
423 Woolwich Street
Guelph, ON, Canada N1H 3X3
Phone #1: 519-821-2763 ext. 248
Email: hailey.keast@vanharten.com

Signature of Preparer: _____ Date: _____
Hailey Keast

NOTE TO THE USER:
The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.



FARM DATA SHEET
Minimum Distance Separation I (MDSI)
County of Wellington

NOTE TO FARM OWNER(S)
 By filling out this form you will help to ensure that new land uses will be located a suitable distance from your livestock operation. Feel free to contact the County Planning office with any questions.

Owner(s) of Livestock Facility Anthony & Barbara Fera

Contact Information
 Email [REDACTED] Telephone [REDACTED]
 Civic Address 3982 Wellington Road No 3 Municipality [REDACTED]
 Lot 15 Concession GORE Division [REDACTED]
 Lot Size (where livestock facility is located) 20ha hectares [REDACTED] acres
 Signature of Livestock Facility Owner [REDACTED] Date March 26, 2019

BARN(S) SIZE Please provide the size of the barns located on the property. This information is used to verify maximum livestock capacity. _____ ft²/m² _____ ft²/m²

- Manure Storage Types** Solid manure: 18% dry matter, or more Liquid manure: <18% dry matter
- V1 Solid, inside, bedded pack
 - V2 Solid, outside, covered
 - V3 Solid, outside, no cover, ≥30% dry matter
 - V4 Solid, outside, no cover, 18% - <30% dry matter, with covered liquid runoff storage
 - V5 Liquid, inside, underneath slatted floor
 - V6 Liquid, outside, with a permanent, tight-fitting cover
 - L1 Solid, outside, no cover, 18% - <30% dry matter, with uncovered liquid runoff storage
 - L2 Liquid, outside, with a permanent floating cover
 - M1 Liquid, outside, no cover, straight-walled storage
 - M2 Liquid, outside, roof, but with open sides
 - H1 Liquid, outside, no cover, sloped-sided storage

Animal Type of Material	Description	Housing Capacity (maximum)	Manure Storage Type (select from list)
Beef Cattle	Cows, including calves to weaning (all breeds)		
	Feeders (7 – 16 months)		
	Backgrounders (7 – 12.5 months)		
	Shortkeepers (12.5 – 17.5 months)		
Dairy Cattle	Milking-age cows (dry or milking)		
	Large-framed; 545 – 658 kg (e.g. Holsteins)		
	Medium-framed; 455 – 545 kg (e.g. Guernseys)		
	Small-framed; 364 – 455 kg (e.g. Jerseys)		
	Hieifers (5 months to freshening)		
	Large-framed; 182 – 545 kg (e.g. Holsteins)		
	Medium-framed; 148 – 455 kg (e.g. Guernseys)		
	Small-framed; 125 – 364 kg (e.g. Jerseys)		
	Calves (0 – 5 months)		
	Large-framed; 45 – 182 kg (e.g. Holsteins)		
Medium-framed; 39 – 148 kg (e.g. Guernseys)			
Small-framed; 30 – 125 kg (e.g. Jerseys)			
Horses	Large-framed, mature; >681 kg (e.g. draft or draft cross breeds including unweaned offspring)		
	Medium-framed, mature; 227 – 680 kg (e.g. saddle, riding and racing breeds including unweaned offspring)	8 stalls 6 stalls	✓3
	Small-framed, mature; <227 kg (e.g. ponies and miniatures including unweaned offspring)		

FARM DATA SHEET (continued)
Minimum Distance Separation I (MDSI)

County of Wellington

Animal Type of Material	Description	Housing Capacity (maximum)	Manure Storage Type (select from list)
Swine	Sows with litter, dry sows or boars		
	Breeder gilts (entire barn designed specifically for this purpose)		
	Weaners (7 – 27 kg)		
	Feeders (27 – 136 kg)		
Sheep	Ewes & rams (for meat lambs; includes unweaned offspring & replacements)		
	Ewes & rams (dairy operation; includes unweaned offspring & replacements)		
	Lambs (dairy or feeder lambs)		
Goats	Does & bucks (for meat kids; includes unweaned offspring and replacements)		
	Does & bucks (for dairy; includes unweaned offspring & replacements)		
	Kids (dairy or feeder kids)		
Chickens	Layer hens (for eating eggs; after transfer from pullet barn)		
	Layer pullets (day-olds until transferred into layer barn)		
	Broiler breeder growers (males/females transferred out to layer barn)		
	Broiler breeder layers (males/females transferred in from grower barn)		
	Broilers on any length of cycle		
Turkeys	Turkey poults (day-old until transferred to grow out turkey barn)		
	Turkey breeder layers (males/females transferred in from grower barn)		
	Breeder toms		
	Broilers (day-olds to 6.2 kg)		
	Hens (day-olds up to 6.2 to 10.8 kg; 7.5 kg is typical)		
	Toms (day-olds to over 10.8 to 20 kg; 14.5 kg is typical)		
	Turkeys at any other weights, or if unknown (by floor area)		
Veal	Milk-fed		
	Grain-fed		
Other	Please refer to Factor Table 1 of The Minimum Distance Separation (MDS) Document for complete list of animal types		
Imported manure	Use the volume of the manure storages		
Unoccupied livestock barns	A livestock barn that does not currently house any livestock, but that housed livestock in the past and continues to be structurally sound and reasonably capable of housing livestock.*		

*NOTE: This should only be used where obtaining information from the farm operator(s) and/or owner(s) was not possible (see Implementation Guideline 20 for more information).

QUESTIONS?

PLEASE CONTACT

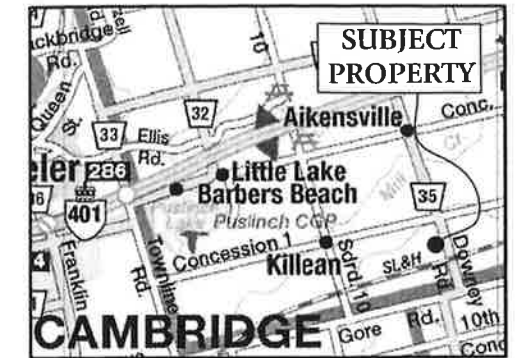
County of Wellington
 Planning and Development Department
 74 Woolwich Street, Guelph
 ON N1H 3T9
 F 519.923.1694

Linda Redmond, Senior Planner
 E lindar@wellington.ca
 T 519.837.2600 x2380
 1.800.663.0750 x2380

Sarah Wilhelm, Senior Planner
 E sarahw@wellington.ca
 T 519.837.2600 x2130
 1.800.663.0750 x2130

**MINOR VARIANCE SKETCH
PART OF LOT 15, CONCESSION CORE
TOWNSHIP OF PUSLINCH
COUNTY OF WELLINGTON**

KEYMAP



SCALE 1 : 3000



VAN HARTEN SURVEYING INC.

NOTES:

1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
2. SUBJECT LANDS ARE ZONED AGRICULTURAL & NATURAL ENVIRONMENT.
3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF SECONDARY AGRICULTURAL, GREENLANDS, & CORE GREENLANDS.
4. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
5. DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.
6. OWNERS: ANTHONY & BARBARA FERA.

THIS SKETCH WAS PREPARED ON THE 12th DAY OF SEPTEMBER 2019

JEFFREY E. BUISMAN
ONTARIO LAND SURVEYOR

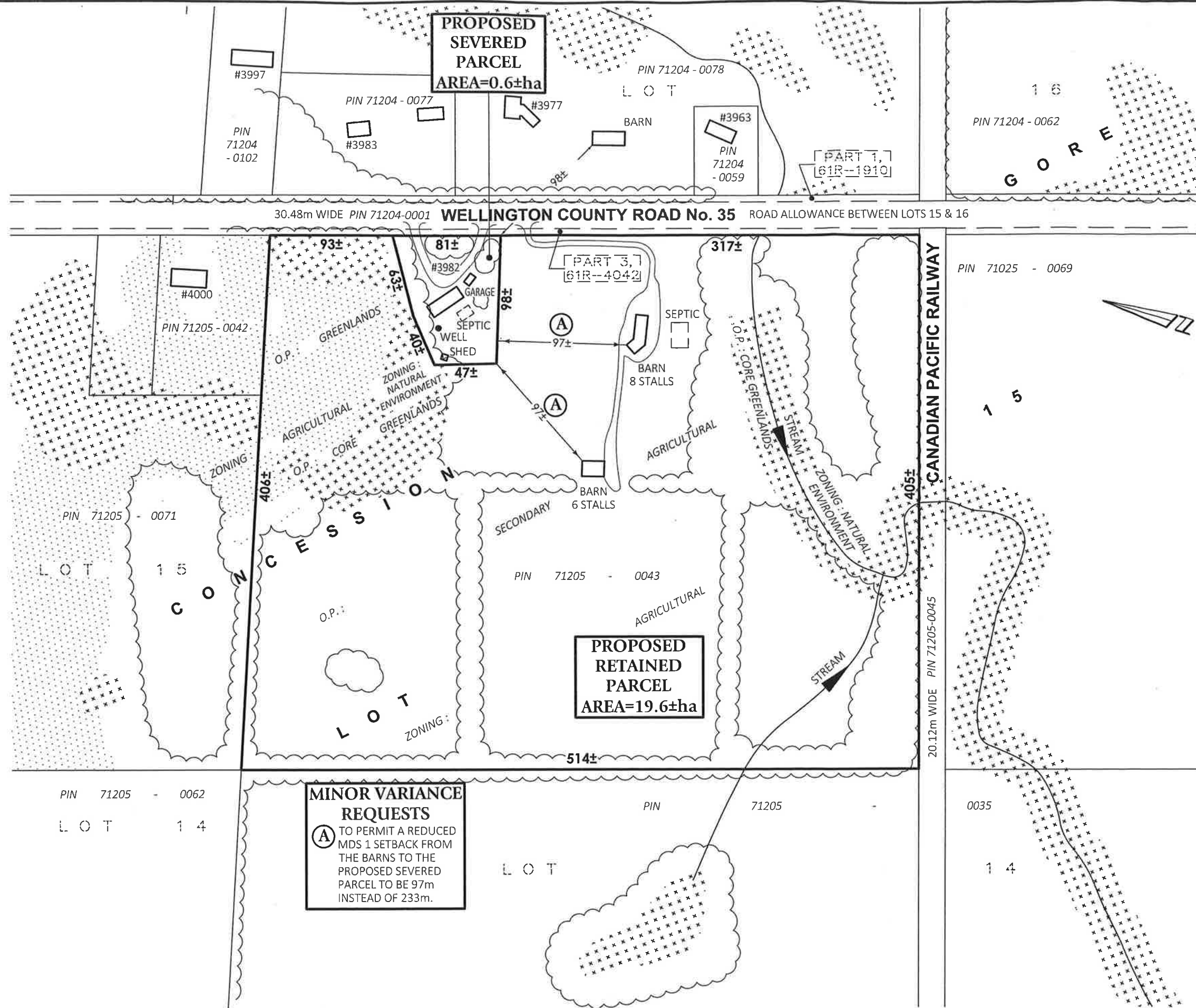
Van Harten
SURVEYING INC.
LAND SURVEYORS and ENGINEERS

Kitchener Ph: 519-742-8371 Guelph Ph: 519-821-2763 Orangeville Ph: 519-940-4110

www.vanharten.com info@vanharten.com

DRAWN BY: ARN CHECKED BY: JEB PROJECT No. 26845-19

Sep 13, 2019-1:26:02 PM
G:\PUSLINCH\ConGore\ACAD\MV LOT 15 (FERA) UTM.dwg



MINOR VARIANCE REQUESTS
 (A) TO PERMIT A REDUCED MDS 1 SETBACK FROM THE BARN TO THE PROPOSED SEVERED PARCEL TO BE 97m INSTEAD OF 233m.

O.P. : GREENLANDS
ZONING: AGRICULTURAL

O.P. : CORE GREENLANDS
ZONING: NATURAL ENVIRONMENT



LAND SURVEYORS and ENGINEERS

September 13, 2019

26845-19

Jeff.Buisman@vanharten.com

Township of Puslinch
7404 Wellington Road 34
R.R. #3
Guelph, Ontario
N1H 6H9

Attention: Lynne Banks

Dear Ms. Banks:

**Re: Minor Variance Application & Sketch
3982 Wellington Road 35
Part of Lot 15, Concession GORE
PIN 71205-0043
Township of Puslinch**

RECEIVED

SEP 13 2019

Township of Puslinch

Please find enclosed an application for a minor variance on the above-mentioned property. Included with this submission are copies of the minor variance sketch, completed application form, required deed, PIN Report and Map, MDS Farm Data Sheet and Calculations, a cheque in the amount of \$410.00 to the GRCA and a cheque in the amount of \$706.00 to the Township of Puslinch.

Proposal

A minor variance request is being made for the proposed severed parcel at the above mentioned property. The Minor Variance request is as follows:

- A. To permit a reduced MDS I setback from the barns on the proposed retained parcel to the proposed severed parcel to be 97 m instead of 233 m.**

The minor variance application is being submitted prior to the severance application so that the MDS requirement can be addressed in advance of the severance application.

The Severance Application will be for a rural residential parcel that incorporates the existing dwelling, garage and shed. The retained parcel will be the rest of the farm that includes two horse barns.

71 Weber Street East
Kitchener, ON N2H 1C6
519-742-8371

Elmira, ON:
519-669-5070

423 Woolwich Street
Guelph, ON N1H 3X3
519-821-2763

660 Riddell Road, Unit 1
Orangeville, ON L9W 5G5
519-940-4110

Collingwood, ON:
249-499-8359

www.vanharten.com



LAND SURVEYORS and ENGINEERS

We have been considering various configurations of the proposed severance and our preferred option is shown on the sketch. One of the guidelines of the Provincial Policy Statement (PPS) suggest that any development (including a property line) be at least 30 m away from a wetland and/or an environmental impact study be prepared to support a reduced buffer. This suggests another option that includes the house area, the bush & wetlands to the north and a 30 m buffer around the wetlands. This would end up with a very large parcel and a loss of agricultural land. We reviewed the options with the GRCA and they indicated a preference to the configuration presented on the sketch.

The son of the owners of this property operates the horse farm and lives at another property in the area. This severance is motivated by the need to divide assets and allow their son to own the farm land so that he can continue the successful horse farm.

When evaluating the MDS requirement it was determined that this proposal falls under the Type B scenario in that the severance creates *"one or more lots for development on land outside a settlement area, that results in four or more lots for development, which are in immediate proximity to one another"* (Guideline 34 of OMAFRA's Guidelines for MDS). In the event there are less than 4 lots in the immediate proximity, the Type A scenario would apply and the minimum distance requirement drops in half.

There are 14 stalls between the two barns on the retained parcel and the required minimum distance under Type B is 233 m. The minimum requirement under Type A would be 116 m. County Planning Staff consider this area having 4 or more residential parcels and provide the opinion that Type B applies which implies a minimum of 233 m. The actual distance from both barns to the proposed severed parcel is 97 m and the minor variance is being sought to allow an MDS of 97 m.

Please note that the MDS requirement is to the property line. The residential buildings are about 128 m away from the barn with 8 stalls and 153 m away from the barn with 6 stalls.

There is barn across the road at #3977 County Road No. 35; however the MDS setback is not required to the severed parcel as the conflict already exists between the dwelling and barn (in accordance with MDS Guideline #9.1). The barn at #3977 is a similar distance (98± m) to the severed parcel as the barn on the subject property, it is also close to the surrounding houses and therefore, we feel that the requested variance is minor and will not cause any additional odour conflicts.



LAND SURVEYORS and ENGINEERS

We felt that MDS would be a significant issue for this potential severance and that it should be addressed prior to a severance application.

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 Anthony & Barbara Fera

www.vanharten.com

R.P. Magahay, B.A. J.E. Buisman, B.E.S., B.Sc., O.L.S. R.M. Mak, B.Sc., O.L.S. J.M. Laws, B.Sc., O.L.S. J.M. Duffy, P.Eng.



*Received
Oct. 11/19*

Township of Puslinch
7404 Wellington Road 34
Puslinch, ON, N0B 2J0
T: (519) 763 – 1226
F: (519) 763 – 5846
www.puslinch.ca

Minor Variance or Permission Application

General Information:

1. Applicant Information:

Registered Owner's Name(s): Diego H. Cardenas Franco & Angie R. Alegre

Address: 248 Steepleridge St.

City: Kitchener

Postal Code: N2P 2W1

E-mail Address: [REDACTED]

Telephone Number: [REDACTED]

Fax: _____

Applicant (Agent) Name(s): _____

Address: _____

City: _____

Postal Code: _____

E-mail Address: _____

Telephone Number: _____

Fax: _____

Name, address, and phone number of all persons having any mortgages, charges, or encumbrances on the property.

None

Send correspondence to: Owner: Agent Other: _____

2. Provide a description of the "entire" property:

Municipal address: _____

Concession: Gore Lot: Lot 8 PT 1

Registered Plan Number: 61R21171 Part 1

Area: _____ ha Depth: _____ m Frontage: _____ m
1.00 ac 172.26 ft 252.88 ft

Width of road allowance (if known): _____

Reason for Application:

3. Please indicate the Section of the Planning Act under which this application is being made. Select one:

Section 45(1) relates to a change to a by-law standard (e.g. setbacks, frontage, height, etc.); or

Section 45(2) relates to a change to or expansion of an existing legal non-conforming use.

4. What is the nature and extent of the relief that is being applied for? (please specifically indicate on sketch).

We are applying for relief to the 27 metres Required Setbacks in Section (8) (a); Zoning By-Law 19/85. We are applying for relief of 5.38 metres to a proposed setback of 21.62 metres from the centreline of the road to the closest point of the building (garage bump-out). This distance is shown in the sketch as 10.00 metres from the front lot line. This puts the front door at 16.55 metres from the front lot line (28.17 metres from the road centreline). Having this relief will allow us to provide a larger safe area in the rear yard for our children to play and enjoy without having to go close to Gore Road posing a risk to their safety due to the volume of traffic and speed of vehicles. This relief will also allow us to keep some mature walnut trees that we want to have for our enjoyment in the back yard for years to come.

**5. Why is it not possible to comply with the provisions of the by-law?
(please specifically indicate on sketch).**

Because we want to be able to have an adequate and safe space for our children to play without having to get too close to Gore Road which sees a significant amount of traffic at considerable speeds. By reducing the size of the front yard and increasing the size of the rear yard, you would allow us to provide a safe space for our children to play. In addition, we would like to be able to keep and enjoy the mature trees in our property for many years to come. These trees are what made us fall in love with the property and helped us to make the decision of building our forever home in this piece of land.

6. What is the current Official Plan and zoning status?

Official Plan Designation: _____

Zoning Designation: Agricultural

7. What is the access to the subject property?

Provincial Highway:

Continually maintained municipal road:

Seasonally maintained municipal road:

Other: (please specify below)

8. What is the name of the road or street that provides access to the subject property?

Gore Road

9. If access is by water only, please describe the parking and docking facilities used or to be used and the approximate distance of these facilities from the subject land to the nearest public road.

Not Applicable

Existing and Proposed Service:

10. Indicate the applicable water supply and sewage disposal:

Water Supply/Sewage Disposal:	Existing:	Proposed:
Municipal Water:	<input type="checkbox"/>	<input type="checkbox"/>
Communal Water:	<input type="checkbox"/>	<input type="checkbox"/>
Private Well:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other Water Supply:	<input type="checkbox"/>	<input type="checkbox"/>
Municipal Sewers:	<input type="checkbox"/>	<input type="checkbox"/>
Communal Sewers:	<input type="checkbox"/>	<input type="checkbox"/>
Private Septic:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other Sewage Disposal:	<input type="checkbox"/>	<input type="checkbox"/>

11. How is storm drainage provided?

Storm Sewers:

Ditches:

Swales:

Other means: (explain below)

Existing Subject and Abutting Property Land Uses, Buildings and their Locations:

12. What is the existing use of:

The subject property? Vacant Land

The abutting properties? Horse Farm (North & East) and Single Residential (West)

13. Provide the following details for all buildings on or proposed for the subject land: (please use a separate page if necessary)

Type of Building(s)/ structures	Proposed Dwelling			
Main Building height	m	23.6 ft.	m	ft.
*Percentage lot coverage	m	10% ft.	m	ft.
*Number of parking spaces	5			
*Number of loading spaces	--			
Number of floors	1			
Total floor area	m ²	2642 ft ²	m ²	ft ²
Ground floor area (exclude basement)	m ²	2642 ft ²	m ²	ft ²

14. What is the location of all buildings existing and proposed for the subject property? (specify distances from front, rear and side lot lines)

Front Yard	10.00 m	ft.	m	ft.
Rear Yard	22.57 m	ft.	m	ft.
Side Yards	8.00 m	ft.	43.32 m	ft.

15. What are the dates of acquisition and construction of subject property and building property?

Date of acquisition of subject property: November 28, 2018

Date of construction of buildings property: Not built yet

16. How long have the existing uses continued on the subject property? N/A

17. Has the owner previously applied for relief in respect of the subject property?

Yes No

If the answer is yes, please indicate the file number and describe briefly:

Other Related Planning Applications:

18. Has an application for any of the following on the subject lands?

Planning Application:	Yes:	No:	File Number:	Approval Authority:	Subject Lands	Purpose:	Status:
Official Plan Amendment	<input type="checkbox"/>	<input checked="" type="checkbox"/>					
Zoning By-Law Amendment	<input type="checkbox"/>	<input checked="" type="checkbox"/>					
Plan of Subdivision	<input type="checkbox"/>	<input checked="" type="checkbox"/>					
Consent (Severance)							
Site Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>					
Minor Variance	<input type="checkbox"/>	<input checked="" type="checkbox"/>					

Authorization for Agent/Solicitor to act for Owner:

(If affidavit is signed by an Agent/Solicitor on Owner's behalf, the Owner's written authorization below shall be completed)

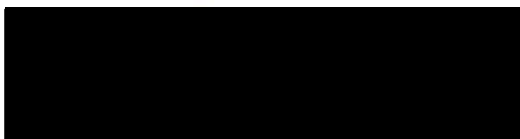
I (we) _____ of the
_____ of _____ County/Region of
_____ do hereby authorize
_____ to act as my agent in this application.

Signature of Owner(s)

Date

Affidavit:

I (we) DIEGO CARDENAS FRANCO & ANGE REIS ALEGRE of the
TOWNSHIP of PUSLINCH County/Region of
WELLINGTON solemnly declare that all the statements
contained in this application are true, and I, (we), make this solemn declaration
conscientiously believing it to be true, and knowing that it is of the same force and effect
as if made under oath and by virtue of the CANADA EVIDENCE ACT. DECLARED
before me at the TOWNSHIP of PUSLINCH in the
County/Region of WELLINGTON this 15 day of
OCTOBER, 2019.



Signature of Owner or authorized
solicitor or agent

OCT. 15/19
Date

Signature of Commissioner

Date

Agreement to Post Sign and Permit Site Visits:

A form is included in the Zoning By-law Amendment application to agree to erect a sign on the subject lands and to permit Township employees/representatives to enter the lands for site visits.

The applicant is required to erect and maintain a sign on the proposed lands within one week of the application being deemed complete by staff and to remove the sign when the application has been given final approval. The sign shall be a minimum of 1.2 x 1.2 metres on posts 0.5 metres above grade and include the following wording to be approved by Township staff:

A PROPOSAL HAS BEEN MADE
ON THIS SITE FOR: (50 mm text height)
A ZONING BY-LAW AMENDMENT TO xxx (100 mm text height)
FOR FURTHER INFORMATION
PLEASE CONTACT THE TOWNSHIP OF PUSLINCH 7404 WELLINGTON ROAD 34
(519) 763 - 1226 (30-50 mm text height)

For Administrative Purposes Only:

Application fee of \$ 706. received by the municipality

Date Fee Received: Oct. 15, 2019

Date Application Filed: Oct. 15, 2019

File Number: _____

Application deemed complete:



Signature of Municipal Employee

Oct. 15, 2019

Date

Personal information on this form is collected under the authority of the Planning Act. The information is used for the purpose of processing this application and administering the legislation and is maintained in accordance with the Municipal Freedom of Information and Protection of Privacy Act. Questions regarding the collection of this information may be directed to the Township Clerk's office.

The Township of Puslinch is committed to providing accessible formats and communication supports for people with a disability. If another format would work better for you, please contact the Township Clerk's office for assistance.



PLANNING REPORT for the TOWNSHIP OF PUSLINCH

Prepared by the County of Wellington Planning and Development Department

DATE: November 4, 2019
TO: Lynne Banks, Secretary-Treasurer
 Township of Puslinch
FROM: Matthieu Daoust, Junior Planner
 Zach Prince, Planner
 County of Wellington
SUBJECT: **MINOR VARIANCE APPLICATION D13/FRA (Diego Franco & Angie Alegre)**
0 Gore Road, Puslinch (Vacant)
Lot 8, Concession Gore, Part 1 on 61R-21171

We have reviewed the application for minor variance and provide the following comments. These comments are offered without the benefit of a site visit.

Planning Opinion

The applicant is seeking relief from the Zoning By-law, specifically Section 3(18)(a) which requires a setback of 27 metres (88.5 feet) from the centerline of a highway for any building. The proposed house will be setback 21.62 metres (70.93 feet) from the centerline of a highway.

Planning staff have no concerns with this proposal provided that the Township Roads Department has no concerns. The application would maintain the general intent and purpose of the Official Plan and Zoning By-law, and is desirable and appropriate for the development of the subject property. Planning staff considers the proposal minor in nature and represents appropriate development.

The details of the minor variance application are included in the table below.

Section of By-law	Required	Proposed
Section 3 General Provisions 18(a) setback requirements	The by-law requires that buildings or structures shall not be constructed closer than 27 metres to the centreline of a highway.	Requesting relief to permit a setback of 21.62 metres from the centreline of the road.


Our discussion of this application relative to the four tests under the *Planning Act* is as follows:

Four Tests	Discussion
That the requested variance is minor in nature	<ul style="list-style-type: none"> The requested reduction is 5.38 metres (17.65 feet), resulting in a reduced setback of 21.62 metres (70.93 feet). The house will maintain a 10 metre setback from the property line. The requested variance is minor in nature.


<p>That the intent and purpose of the Zoning By-law is maintained</p>	<ul style="list-style-type: none"> • The subject property is zoned Agricultural (A). • The intent of the by-law is to establish setbacks from the centreline of the road to ensure that if the road be reconstructed or a road widening is ever required, that buildings are constructed far enough back on the property. Planning staff are of the opinion that a sufficient setback is being provided. The local roads authority should be satisfied with the proposed reduction.
<p>That the general intent and purpose of the Official Plan is maintained</p>	<ul style="list-style-type: none"> • The subject property is designated as Secondary Agricultural in the County of Wellington Official Plan, which permits single detached homes.
<p>That the variance is desirable for the appropriate development and use of the land, building or structure</p>	<ul style="list-style-type: none"> • The dwelling is desirable as it will make use of current vacant land.

We trust that these comments will be of assistance to the Committee in their consideration of this matter. We would appreciate a copy of the Committee’s decision with respect to this application.

Respectfully submitted
County of Wellington Planning and Development Department



Matthieu Daoust BES, Junior Planner



Zach Prince RPP MCIP, Planner



Township of Puslinch
7404 Wellington Road #34
Guelph, ON, N1H 6H9
T: (519) 763 – 1226
F: (519) 763 – 5846
www.puslinch.ca

Minor Variance or Permission Application

General Information:

1. Applicant Information:

Registered Owner's Name(s): Brenda Kupferschmidt

Address: 4597 Sideroad 12

City: Puslinch, ON

Postal Code: N0B 2J0

E-mail Address: [REDACTED]

Telephone Number: [REDACTED]

Fax: _____

Applicant (Agent) Name(s): Jeff Buisman of Van Harten Surveying Inc.

Address: 423 Woolwich Street

City: Guelph

Postal Code: N1H 3X3

E-mail Address: jeff.buisman@vanharten.com

Telephone Number: 519-821-2763 ext. 225

Fax: 519-821-2770

Name, address, and phone number of all persons having any mortgages, charges, or encumbrances on the property.

- Easement as in INST No. I-11035 for Bell Canada

Send correspondence to: Owner: Agent Other: _____

2. Provide a description of the "entire" property: Severed Parcel

Municipal address: 4597 Sideroad 12

Concession: 3 Lot: 13

Registered Plan Number: _____

Severed Parcel Area: 0.8 ha Depth: 65 m Frontage: 123 m
Retained Parcel 41.7ha ac _____ ft _____ ft

Width of road allowance (if known): 20.12m

Reason for Application:

3. Please indicate the Section of the Planning Act under which this application is being made. Select one:

Section 45(1) relates to a change to a by-law standard (e.g. setbacks, frontage, height, etc.); or

Section 45(2) relates to a change to or expansion of an existing legal non-conforming use.

4. What is the nature and extent of the relief that is being applied for? (please specifically indicate on sketch).

The Minor Variance request is as follows:
A) To permit a reduced MDS I setback from the barn on the proposed retained parcel to the proposed severed parcel to be 256m instead of 346m.

**5. Why is it not possible to comply with the provisions of the by-law?
(please specifically indicate on sketch).**

This request is being made to permit the reduced MDS1 setback from the barn on the property to the proposed severed parcel. This request is being made prior to submitting the severance application.

Please see covering letter for more information.

6. What is the current Official Plan and zoning status?

Official Plan Designation: Secondary Agricultural, Core Greenlands and Greenlands

Zoning Designation: Agricultural & Natural Environment

7. What is the access to the subject property?

Provincial Highway:

Continually maintained municipal road:

Seasonally maintained municipal road:

Other: (please specify below)

8. What is the name of the road or street that provides access to the subject property?

Sideroad 12

9. If access is by water only, please describe the parking and docking facilities used or to be used and the approximate distance of these facilities from the subject land to the nearest public road.

N/A

Existing and Proposed Service:

10. Indicate the applicable water supply and sewage disposal: **Proposed for Severed Parcel**

Water Supply/Sewage Disposal:	Existing:	Proposed:
Municipal Water:	<input type="checkbox"/>	<input type="checkbox"/>
Communal Water:	<input type="checkbox"/>	<input type="checkbox"/>
Private Well:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Other Water Supply:	<input type="checkbox"/>	<input type="checkbox"/>
Municipal Sewers:	<input type="checkbox"/>	<input type="checkbox"/>
Communal Sewers:	<input type="checkbox"/>	<input type="checkbox"/>
Private Septic:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Other Sewage Disposal:	<input type="checkbox"/>	<input type="checkbox"/>

11. How is storm drainage provided?

Storm Sewers:

Ditches:

Swales:

Other means: (explain below)

Existing Subject and Abutting Property Land Uses, Buildings and their Locations:

12. What is the existing use of:

The subject property? Agricultural

The abutting properties? Rural Residential / Agricultural

13. Provide the following details for all buildings on or proposed for the subject land: (please use a separate page if necessary)

See sketch for details

Building Details:	Existing:		Proposed:	
Type of Building(s)/ structures				
Main Building height	m	ft.	m	ft.
*Percentage lot coverage	m	ft.	m	ft.
*Number of parking spaces				
*Number of loading spaces				
Number of floors				
Total floor area	m ²	ft ²	m ²	ft ²
Ground floor area (exclude basement)	m ²	ft ²	m ²	ft ²

14. What is the location of all buildings existing and proposed for the subject property? (specify distances from front, rear and side lot lines)

See sketch for details

Building Details:	Existing:		Proposed:	
Front Yard	m	ft.	m	ft.
Rear Yard	m	ft.	m	ft.
Side Yards	m	ft.	m	ft.

15. What are the dates of acquisition and construction of subject property and building property?

Date of acquisition of subject property: Original (February 2014), Estate Transfer (October 2016)

Date of construction of buildings property: Pending MV and SEV approval

16. How long have the existing uses continued on the subject property? Many years

17. Has the owner previously applied for relief in respect of the subject property?

Yes No

If the answer is yes, please indicate the file number and describe briefly:

N/A

Other Related Planning Applications:

18. Has an application for any of the following on the subject lands?

Planning Application:	Yes:	No:	File Number:	Approval Authority:	Subject Lands	Purpose:	Status:
Official Plan Amendment	<input type="checkbox"/>	<input type="checkbox"/>					
Zoning By-Law Amendment	<input type="checkbox"/>	<input type="checkbox"/>					
Plan of Subdivision	<input type="checkbox"/>	<input type="checkbox"/>					
Consent (Severance)	<input type="checkbox"/>	<input type="checkbox"/>					
Site Plan	<input type="checkbox"/>	<input type="checkbox"/>					
Minor Variance	<input type="checkbox"/>	<input type="checkbox"/>					

Authorization for Agent/Solicitor to act for Owner:


(If affidavit is signed by an Agent/Solicitor on Owner's behalf, the Owner's written authorization below shall be completed)

I (we) Brenda KUPFERSCHMIDT of the

Township of Puslinch County/Region of

Wellington do hereby authorize

Jeff Buisman of Van Harten Surveying Inc. to act as my agent in this application.


Signature of Owner(s)

Aug. 24/19
Date

Signature of Owner(s)

Date

Affidavit:

I (we) Jeff Buisman of Van Harten Surveying Inc. of the

City of Guelph County/Region of

Wellington solemnly declare that all the statements

contained in this application are true, and I, (we), make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the CANADA EVIDENCE ACT. DECLARED

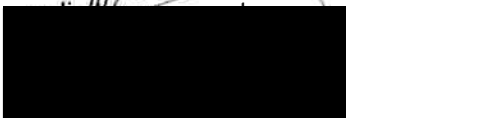
before me at the City of Guelph in the

County/Region of Wellington this 13 day of

Sept, 20 19.


Signature of Owner or authorized

Sept 13/2019
Date



ner

Sept 13, 2019
Date

a Commissioner, etc.,
Province of Ontario,
for Van Harten Surveying Inc.
Expires May 11, 2021.

Agreement to Post Sign and Permit Site Visits:

A form is included in the Zoning By-law Amendment application to agree to erect a sign on the subject lands and to permit Township employees/representatives to enter the lands for site visits.

The applicant is required to erect and maintain a sign on the proposed lands within one week of the application being deemed complete by staff and to remove the sign when the application has been given final approval. The sign shall be a minimum of 1.2 x 1.2 metres on posts 0.5 metres above grade and include the following wording to be approved by Township staff:

A PROPOSAL HAS BEEN MADE
ON THIS SITE FOR: (50 mm text height)
A ZONING BY-LAW AMENDMENT TO xxx (100 mm text height)
FOR FURTHER INFORMATION
PLEASE CONTACT THE TOWNSHIP OF PUSLINCH 7404 WELLINGTON ROAD 34
(519) 763 - 1226 (30-50 mm text height)

For Administrative Purposes Only:

Application fee of \$_____ received by the municipality

Date Fee Received: _____

Date Application Filed: _____

File Number: _____

Application deemed complete:

Signature of Municipal Employee

Date

Personal information on this form is collected under the authority of the Planning Act. The information is used for the purpose of processing this application and administering the legislation and is maintained in accordance with the Municipal Freedom of Information and Protection of Privacy Act. Questions regarding the collection of this information may be directed to the Township Clerk's office.

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**PLAN REVIEW REPORT: Township of Puslinch,
Lynne Banks, Secretary-Treasurer**

DATE: September 27, 2019

YOUR FILE: D13/KUP

**RE: Minor Variance Application #D13/KUP
Brenda Kupferschmidt
4597 Sideroad 12, Puslinch**

GRCA COMMENT: *

The Grand River Conservation Authority (GRCA) has no objection to the proposed minor variance.

BACKGROUND:

1. Resource Issues:

Information currently available at this office indicates that the subject property contains portions of the Provincially Significant Cranberry Oil Well Bog Wetland Complex (PSW), a watercourse, floodplain and the lands adjacent to these features. It also contains the lands adjacent to a wetland located on adjacent property.

2. Legislative/Policy Requirements and Implications:

The subject property contains natural heritage and natural hazard features as identified in the Provincial Policy Statement (PPS, 2014), and falls within Greenlands and Core Greenlands in accordance with the County of Wellington Official Plan (2019).

As outlined in the PPS and County of Wellington Official Plan, development or site alteration is not permitted in or on adjacent lands to Provincially Significant Wetlands unless it is demonstrated that there will be no negative impacts on the natural feature or its ecological function. Additionally, the County of Wellington Official Plan indicates that development in or adjacent to the Core Greenlands system requires an environmental impact assessment demonstrating that the requirements of the Official Plan have been met.

We understand the homeowner is seeking relief from Zoning By-Law 19/85 Section 3(13) to permit a reduced MDS setback from the existing barn on the retained land

to the proposed severed lot. Based on the sketch prepared by Van Harten Surveying Inc., the severed parcel is proposed within the lands adjacent to the PSW, however is further from the PSW than the neighbouring developed property. It is therefore, in the opinion of GRCA staff that an Environmental Impact Study would not be required and do not anticipate a negative impact to the features as a result of this minor variance application and associated severance application.

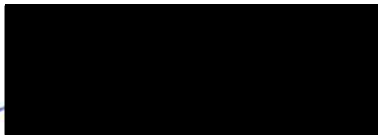
Due to the features noted above, a significant portion of both the severed and retained lot is regulated by the GRCA under Ontario Regulation 150/06 - Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation due to the presence of wetland, a watercourse and floodplain. As such, any future development within the regulated area will require a permit from GRCA.

3. Additional information/suggestions provided in an advisory capacity:

This application is considered a "minor" minor variance application. We wish to acknowledge receipt of the applicable plan review fee for the processing of this application.

Should you have any further questions or require additional information, please contact Jenn Simons at ext. 2236.

Yours truly,



Fred Natolochny, MCIP, RPP
Supervisor of Resource Planning

**** 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. Brenda Kupferschmidt, 4597 Sideroad 12, Puslinch ON N0B 2J0
Jeff Buisman, VanHarten Surveying Inc. (via email jeff.buisman@vanharten.com)



4597 Sideroad 12, Puslinch

PSW - Cranberry Oil Well Bog Wetland Complex

Legend

- Regulation Limit (GRCA)
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Floodplain (GRCA)
- Engineered
- Estimated
- Approximate
- Special Policy Area
- Slope Valley (GRCA)
 - Steep
 - Oversteep
 - Steep
- Slope Erosion (GRCA)
 - Oversteep
 - Toe
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNRF)

This legend is static and may not fully reflect the layers shown on the map. The text of Ontario Regulation 150/06 supercedes the mapping as represented by these layers.

Copyright Grand River Conservation Authority, 2019.
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/source-and-citation.pdf>





**PLANNING REPORT
for the TOWNSHIP OF PUSLINCH**

Prepared by the County of Wellington Planning and Development Department

DATE: September 30th, 2019
TO: Lynne Banks, Development and Legislative Coordinator
 Township of Puslinch
FROM: Meagan Ferris, Senior Planner
 County of Wellington
SUBJECT: **MINOR VARIANCE APPLICATION D13 KUP (KUPFERSCHMIDT)**
Brenda Kupferschmidt
4597 Sideroad 12
Part Lot 13, Concession 3

We have reviewed the application for minor variance and provide the following comments. These comments are offered without the benefit of a site visit.

Planning Opinion

The subject minor variance request would provide relief from Section 3.13(a) to permit a reduction in the Minimum Distance Separation (MDS I) setback for a new, vacant residential lot from an existing barn located on the subject lands. The reduction would be from the required 346 metres (1135.2 feet) setback to permit a reduced setback of 256 metres (839.9 feet). The use is considered a Type B use due to Guideline #34.

With respects to the MDS relief, planning staff generally do not object to the requested relief as there is an existing dwelling located closer to the subject barn, thus already posing as an impediment to future barn expansion. Also, staff have identified that there are other, existing circumstances that limit the location of a future lot.

In regards to the future severance – it is understood that the subject application is being submitted in advance of a severance application for a rural residential lot in the Secondary Agricultural area. This approach was discussed with planning staff prior to submission. Although the subject land is generally eligible for one rural residential lot, and staff generally does not object to the requested MDS relief, the proposed lot configuration does not appear to be consistent with the requirements of the Provincial Growth Plan. As such, planning staff cannot fully support the proposed minor variance application and the proposed lot configuration may need to be amended. It is likely that the requested MDS relief will not change if the lot configuration was amended; however, there is an existing barn on an adjacent property that will need to be considered if the lot configuration was adjusted.

The Committee should be satisfied that the subject application is minor in nature, maintains the intent and purpose of the County Official Plan and the Township’s Zoning By-law, and represents desirable and appropriate development.

Section of the By-law	Requirements	Proposed
Section 3 (13) (a) – General Provision, Minimum Distance Separation Requirements - MDS I – New Non-Farm Uses	No residential, institutional, commercial, industrial or recreational use, located on a separate lot and permitted within the Agricultural (A) Zone or any other zone in which agricultural uses are permitted, shall be erected or altered unless it complied with Minimum Distance	Requesting relief to permit a reduced MDS 1 setback from the existing barn on the proposed retained parcel to the proposed severed parcel to be 256 metres (839.9 feet) instead

	Separation I (MDS I) setback from a livestock facility, calculated using the Formulas published by the Province of Ontario, as may be amended from time to time.	of the required 346 metres (1135.2 feet).
--	--	---

Our discussion of this application relative to the four tests under the Planning Act is as follows:

Four Tests	Discussion: Reduced MDS I
That the requested variance is minor in nature	<ul style="list-style-type: none"> • Staff notes that there is one, existing dwelling located closer to the barn at a distance of approximately 150 metres (492.1 feet). This dwelling is located at 4601 Sideroad 12 N. • Due to an adjacent barn on 4604 Sideroad 12 N, the location of existing dwellings, the fact that Sideroad 12 N isn't fully constructed the length of the lot, and natural features on-site, there is limited locations as to where a new lot can be located. The MDS Guidelines does allow consideration of a setback reduction when reasonable alternative locations are limited. • Overall, due to existing sensitive land uses, any future livestock expansions are already limited. Staff also notes that the retained farm land is large enough to locate another barn further south on the lot.
That the intent and purpose of the Zoning By-law is maintained	<ul style="list-style-type: none"> • The subject property is zoned Agricultural (A) and Natural Environment (NE). A single detached dwelling, accessory uses to a dwelling, and a barn are permitted use within the Agricultural (A) Zone. • Within the new by-law (023/18) the subject lands also includes an environmental protection overlay which limits development <i>within</i> a feature, unless an Environmental Impact Study (EIS) has been provided and identifies no negative impacts to the feature or its ecological function. • The intent of the MDS I setback is to provide a minimum distance between livestock facilities and anaerobic digesters and sensitive lands uses (i.e. dwellings). The intent of MDS setbacks is to promote and protect agricultural uses while also reducing odour complaints and land use incompatibility.
That the general intent and purpose of the Official Plan is maintained	<ul style="list-style-type: none"> • The property is designated Secondary Agricultural, Core Greenland System, and Greenland System. The features identified on the subject lands include – Provincially Significant Wetlands (PSW), wetlands, hazard lands, and Significant Woodlands. A PSW and wetland feature are located immediately behind the proposed lot. • As the lands are within the Secondary Agricultural designation, and have not been previous severed after March 1, 2005, one residential lot may be considered. • The Provincial Growth Plan (2019) requires that a minimum of 30 metres (98.4 feet) for development (which includes lot creation), is required and that the setback is determined/justified through an Environmental Impact Study (EIS). It is unknown if the minimum setback is met and an EIS has not been submitted. • When considering severance applications, Section 10.1.3 of the County Official Plan requires that a future severance meet provincial legislation and policies. • The comments of the Grand River Conservation Authority (GRCA) should also be considered by the Committee as wetlands and Provincially

	Significant Wetlands are regulated by the GRCA.
That the variance is desirable and appropriate development and use of the land, building or structure	<ul style="list-style-type: none"> • Generally, the subject lands are eligible for a severance, but locating a lot on the subject lands are limited by existing circumstances (i.e. location of other dwellings, the limitations with Sideroad 12 N, and location of an adjacent barn).

I trust that these comments will be of assistance to the Committee in their consideration of this matter. We would appreciate a copy of the Committee’s decision with respect to this application.

Respectfully submitted
County of Wellington Planning and Development Department



Meagan Ferris, RPP MCIP
Senior Planner



Minimum Distance Separation I

Severance
Prepared By: Hailey Keast, Van Harten Surveying Inc.

Description: Kupferschmidt Severance
Application Date: Monday, January 29, 2018
Municipal File Number:
Proposed Application: Lot creation for four, or more, residential lots outside of a settlement area
 Type B Land Use

Applicant Contact Information

Mark & Brenda Kupferschmidt
 4597 Sideroad 12
 Puslinch, ON, Canada
 [Redacted]
 Email: [Redacted]

Location of Subject Lands

County of Wellington, Township of Puslinch
 PUSLINCH, Concession: 3, Lot: 15
 Roll Number: 2301

Calculation Name: *Farm 2*
Description: Kupferschmidt Barn

Farm Contact Information

Brenda Kupferschmidt
 4597 Sideroad 12
 Puslinch, ON, Canada
 [Redacted]

Location of existing livestock facility or anaerobic digester

County of Wellington, Township of Puslinch
 PUSLINCH, Concession: 3, Lot: 13
 Roll Number: 2301

Total Lot Size: 41 ha

The barn area is an estimate only and is intended to provide users with an indication of whether the number of livestock entered is reasonable.

Manure Type	Type of Livestock/Manure	Existing Maximum Number	Existing Maximum Number (NU)	Estimated Livestock Barn Area
Solid	Beef, Cows, including calves to weaning (all breeds), Yard/Barn	35	35.0	163 m ²

Existing Manure Storage: V3. Solid, outside, no cover, >= 30% DM

Design Capacity (NU): 35.0
Potential Design Capacity (NU): 105.0

Factor A (Odour Potential)	Factor B (Size)	Factor D (Manure Type)	Factor E (Encroaching Land Use)	=	Building Base Distance 'F' (minimum distance from livestock barn)	(actual distance from livestock barn)	
0.7	X	321.19	X		346 m (1136 ft)	TBD	
						Storage Base Distance 'S' (minimum distance from manure storage)	(actual distance from manure storage)
						346 m (1136 ft)	TBD

Preparer Information

Hailey Keast
 Van Harten Surveying Inc.
 423 Woolwich Street
 Guelph, ON, Canada N1H 3X3
 Phone #1: 519-821-2763 ext. 248
 Email: hailey.keast@vanharten.com

Signature of Preparer: _____ Date: _____
 Hailey Keast

NOTE TO THE USER:
 The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.



FARM DATA SHEET

Minimum Distance Separation I (MDSI)

County of Wellington

NOTE TO FARM OWNER(S)
 By filling out this form you will help to ensure that new land uses will be located a suitable distance from your livestock operation. Feel free to contact the County Planning office with any questions.

Owner(s) of Livestock Facility Rolf Deter

Contact Information

Email [REDACTED] Telephone [REDACTED]
 Civic Address [REDACTED] Municipality Puslinch
 Lot 12 Concession 3 Division _____
 Lot Size (where livestock facility is located) 34ha hectares _____ acres

Signature of Livestock Facility Owner [REDACTED] Date Jan 29/18

BARN(S) SIZE Please provide the size of the barns located on the property. This information is used to verify maximum livestock capacity. 3344 ft²/m² _____ ft²/m²

- Manure Storage Types** Solid manure: 18% dry matter, or more Liquid manure: <18% dry matter
- V1 Solid, inside, bedded pack
 - V2 Solid, outside, covered
 - V3 Solid, outside, no cover, ≥30% dry matter
 - V4 Solid, outside, no cover, 18% - <30% dry matter, with covered liquid runoff storage
 - V5 Liquid, inside, underneath slatted floor
 - V6 Liquid, outside, with a permanent, tight-fitting cover
 - L1 Solid, outside, no cover, 18% - <30% dry matter, with uncovered liquid runoff storage
 - L2 Liquid, outside, with a permanent floating cover
 - M1 Liquid, outside, no cover, straight-walled storage
 - M2 Liquid, outside, roof, but with open sides
 - H1 Liquid, outside, no cover, sloped-sided storage

Animal Type of Material	Description	Housing Capacity (maximum)	Manure Storage Type (select from list)
Beef Cattle	Cows, including calves to weaning (all breeds)	30	V3
	Feeders (7 – 16 months)		
	Backgrounders (7 – 12.5 months)		
	Shortkeepers (12.5 – 17.5 months)		
Dairy Cattle	Milking-age cows (dry or milking)		
	Large-framed; 545 – 658 kg (e.g. Holsteins)		
	Medium-framed; 455 – 545 kg (e.g. Guernseys)		
	Small-framed; 364 – 455 kg (e.g. Jerseys)		
	Hifers (5 months to freshening)		
	Large-framed; 182 – 545 kg (e.g. Holsteins)		
	Medium-framed; 148 – 455 kg (e.g. Guernseys)		
	Small-framed; 125 – 364 kg (e.g. Jerseys)		
	Calves (0 – 5 months)		
	Large-framed; 45 – 182 kg (e.g. Holsteins)		
Medium-framed; 39 – 148 kg (e.g. Guernseys)			
Small-framed; 30 – 125 kg (e.g. Jerseys)			
Horses	Large-framed, mature; >681 kg (e.g. draft or draft cross breeds including unweaned offspring)		
	Medium-framed, mature; 227 – 680 kg (e.g. saddle, riding and racing breeds including unweaned offspring)		
	Small-framed, mature; <227 kg (e.g. ponies and miniatures including unweaned offspring)		

FARM DATA SHEET (continued)
Minimum Distance Separation I (MDSI)

County of Wellington

Animal Type of Material	Description	Housing Capacity (maximum)	Manure Storage Type (select from list)
Swine	Sows with litter, dry sows or boars		
	Breeder gilts (entire barn designed specifically for this purpose)		
	Weaners (7 – 27 kg)		
	Feeders (27 – 136 kg)		
Sheep	Ewes & rams (for meat lambs; includes unweaned offspring & replacements)		
	Ewes & rams (dairy operation; includes unweaned offspring & replacements)		
	Lambs (dairy or feeder lambs)		
Goats	Does & bucks (for meat kids; includes unweaned offspring and replacements)		
	Does & bucks (for dairy; includes unweaned offspring & replacements)		
	Kids (dairy or feeder kids)		
Chickens	Layer hens (for eating eggs; after transfer from pulletbarn)		
	Layer pullets (day-olds until transferred into layer barn)		
	Broiler breeder growers (males/females transferred out to layerbarn)		
	Broiler breeder layers (males/females transferred in from growerbarn)		
	Broilers on any length of cycle		
Turkeys	Turkey poults (day-old until transferred to grow out turkeybarn)		
	Turkey breeder layers (males/females transferred in from growerbarn)		
	Breeder toms		
	Broilers (day-olds to 6.2 kg)		
	Hens (day-olds up to 6.2 to 10.8 kg; 7.5 kg is typical)		
	Toms (day-olds to over 10.8 to 20 kg; 14.5 kg is typical)		
	Turkeys at any other weights, or if unknown (by floor area)		
Veal	Milk-fed		
	Grain-fed		
Other	Please refer to Factor Table 1 of The Minimum Distance Separation (MDS) Document for complete list of animal types		
Imported manure	Use the volume of the manure storages		
Unoccupied livestock barns	A livestock barn that does not currently house any livestock, but that housed livestock in the past and continues to be structurally sound and reasonably capable of housing livestock.*		

*NOTE: This should only be used where obtaining information from the farm operator(s) and/or owner(s) was not possible (see Implementation Guideline 20 for more information).

QUESTIONS?

PLEASE CONTACT

County of Wellington
 Planning and Development Department
 74 Woolwich Street, Guelph
 ON N1H 3T9
 F 519.923.1694

Linda Redmond, Senior Planner
 E lindar@wellington.ca
 T 519.837.2600 x2380
 1.800.663.0750 x2380

Sarah Wilhelm, Senior Planner
 E sarahw@wellington.ca
 T 519.837.2600 x2130
 1.800.663.0750 x2130



FARM DATA SHEET
Minimum Distance Separation I (MDSI)
County of Wellington

NOTE TO FARM OWNER(S)
 By filling out this form you will help to ensure that new land uses will be located a suitable distance from your livestock operation. Feel free to contact the County Planning office with any questions.

Owner(s) of Livestock Facility Brenda Kupferschmidt

Contact Information

Email _____ Telephone _____

Civic Address 4601 Sideroad 12 North Municipality Puslinch

Lot 13 Concession 3 Division _____

Lot Size (where livestock facility is located) 41ha hectares _____ acres

Signature of Livestock Facility Owner _____ Date Feb. 6/18

BARN(S) SIZE Please provide the size of the barns located on the property. This information is used to verify maximum livestock capacity. _____ ft²/m² _____ ft²/m²

- | | | | |
|-----------------------------|---|--------------------------------|--|
| Manure Storage Types | Solid manure: 18% dry matter, or more | Liquid manure: <18% dry matter | |
| V1 | Solid, inside, bedded pack | L1 | Solid, outside, no cover, 18%- <30% dry matter, with uncovered liquid runoff storage |
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| V5 | Liquid, inside, underneath slatted floor | H1 | Liquid, outside, no cover, sloped-sided storage |
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	Feeders (7 – 16 months)		
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FARM DATA SHEET (continued)
Minimum Distance Separation I (MDSI)

County of Wellington

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	Ewes & rams (dairy operation; includes unweaned offspring & replacements)		
	Lambs (dairy or feeder lambs)		
Goats	Does & bucks (for meat kids; includes unweaned offspring and replacements)		
	Does & bucks (for dairy; includes unweaned offspring & replacements)		
	Kids (dairy or feeder kids)		
Chickens	Layer hens (for eating eggs; after transfer from pullet barn)		
	Layer pullets (day-olds until transferred into layer barn)		
	Broiler breeder growers (males/females transferred out to layer barn)		
	Broiler breeder layers (males/females transferred in from grower barn)		
	Broilers on any length of cycle		
Turkeys	Turkey poults (day-old until transferred to grow out turkey barn)		
	Turkey breeder layers (males/females transferred in from grower barn)		
	Breeder toms		
	Broilers (day-olds to 6.2 kg)		
	Hens (day-olds up to 6.2 to 10.8 kg; 7.5 kg is typical)		
	Toms (day-olds to over 10.8 to 20 kg; 14.5 kg is typical)		
	Turkeys at any other weights, or if unknown (by floor area)		
Veal	Milk-fed		
	Grain-fed		
Other	Please refer to Factor Table 1 of The Minimum Distance Separation (MDS) Document for complete list of animal types		
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*NOTE: This should only be used where obtaining information from the farm operator(s) and/or owner(s) was not possible (see Implementation Guideline 20 for more information).

**QUESTIONS?
PLEASE CONTACT**

County of Wellington
Planning and Development Department
74 Woolwich Street, Guelph
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Sarah Wilhelm, Senior Planner
E sarahw@wellington.ca
T 519.837.2600 x2130
1.800.663.0750 x2130

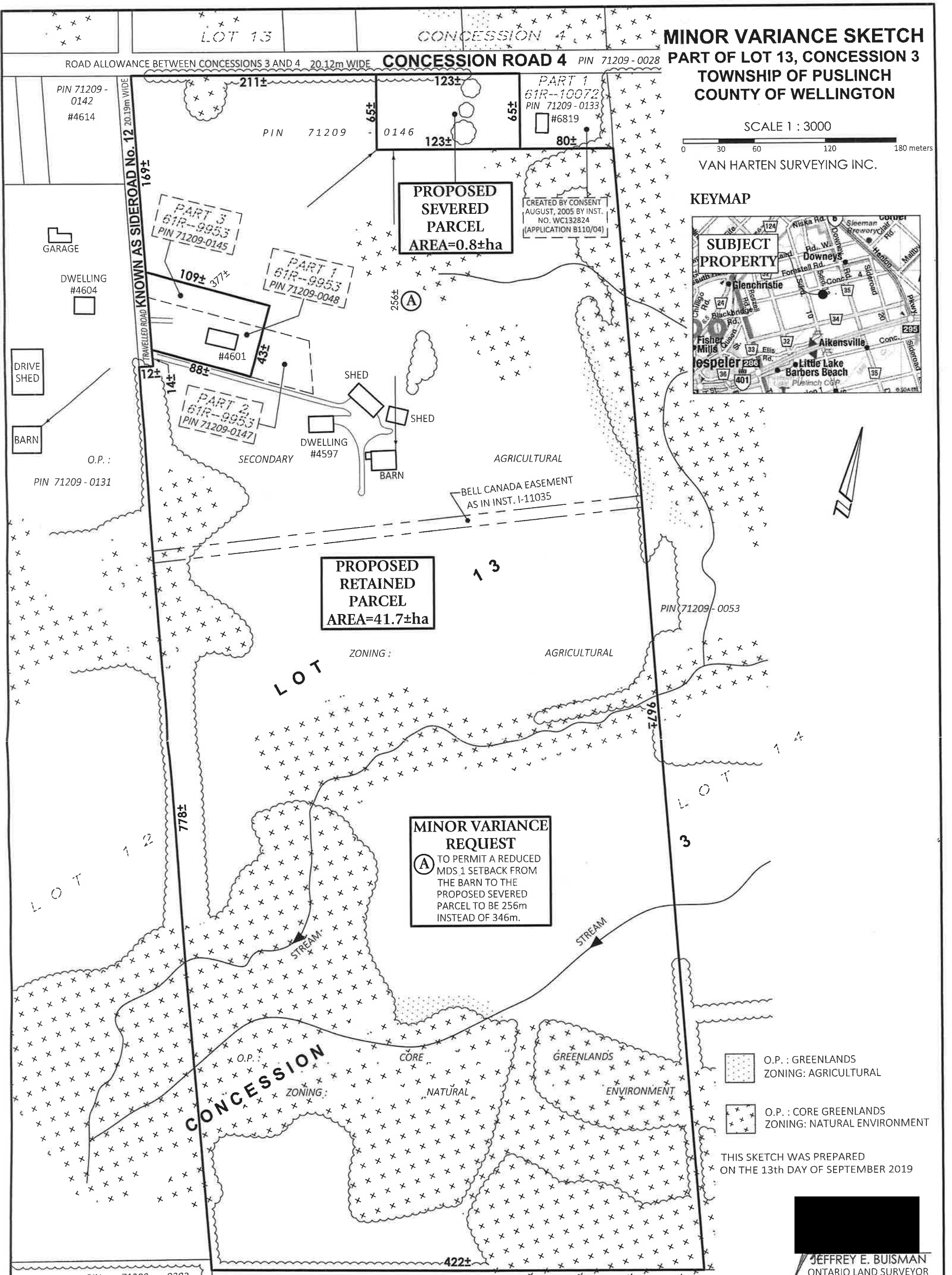
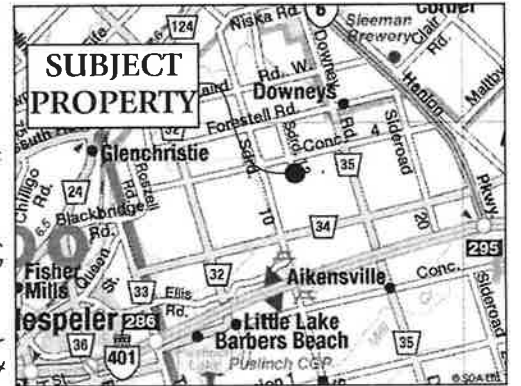
**MINOR VARIANCE SKETCH
PART OF LOT 13, CONCESSION 3
TOWNSHIP OF PUSLINCH
COUNTY OF WELLINGTON**

SCALE 1 : 3000



VAN HARTEN SURVEYING INC.

KEYMAP



- O.P. : GREENLANDS ZONING: AGRICULTURAL
- O.P. : CORE GREENLANDS ZONING: NATURAL ENVIRONMENT

THIS SKETCH WAS PREPARED ON THE 13th DAY OF SEPTEMBER 2019

JEFFREY E. BUISMAN
ONTARIO LAND SURVEYOR

- NOTES:**
1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
 2. SUBJECT LANDS ARE ZONED AGRICULTURAL & NATURAL ENVIRONMENT.
 3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF SECONDARY AGRICULTURAL, CORE GREENLANDS, & GREENLANDS.
 4. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
 5. DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.
 6. DISTANCES FROM BARNS TAKEN FROM WELLINGTON COUNTY GIS MAPPING
 7. N.T.S. DENOTES NOT TO SCALE.
 6. OWNER: BRENDA KUPFERSCHMIDT.

Van Harten
SURVEYING INC.
LAND SURVEYORS and ENGINEERS

Kitchener Ph: 519-742-8371	Guelph Ph: 519-821-2763	Orangeville Ph: 519-940-4110
www.vanharten.com		info@vanharten.com
DRAWN BY: ARN	CHECKED BY: JEB	PROJECT No. 27167-19
Sep 13, 2019-9:11:29 AM G:\PUSLINCH\Con3\ACAD\MV LOT 13 (KUPFER) UTM.dwg		



LAND SURVEYORS and ENGINEERS

September 13, 2019

27167-19

Jeff.Buisman@vanharten.com

Township of Puslinch
7404 Wellington Road 34
R.R. #3
Guelph, Ontario
N1H 6H9

Attention: Lynne Banks

Dear Ms. Banks:

**Re: Minor Variance Application & Sketch
4597 Sideroad 12
Part of Lot 13, Concession 3
PIN 71209-0146
Township of Puslinch**

RECEIVED

SEP 13 2019

Township of Puslinch

Please find enclosed an application for a minor variance on the above-mentioned property. Included with this submission are copies of the minor variance sketch, completed application form, required deed, PIN Report and Map, MDS Farm Data Sheet and Calculations, Source Water Protection Form, a cheque in the amount of \$410.00 to the GRCA and a cheque in the amount of \$706.00 to the Township of Puslinch.

Proposal

A minor variance request is being made for the proposed severed parcel at the above mentioned property. The Minor Variance request is as follows:

- A. To permit a reduced MDS I setback from the barn on the proposed retained parcel to the proposed severed parcel to be 256 m instead of 346 m.**

The minor variance application is being submitted prior to the severance application so that the MDS requirement can be addressed in advance of the severance application.

The Severance Application will be for a rural residential parcel along Concession Road 4. The parcel will have a frontage of 123± m and a depth of 65± m for an area of 0.8± ha. The proposed retained parcel, with access along Sideroad 12, has an area of 41.7± ha where the existing dwelling, barn and sheds will remain.

71 Weber Street East
Kitchener, ON N2H 1C6
519-742-8371

Elmira, ON:
519-669-5070

423 Woolwich Street
Guelph, ON N1H 3X3
519-821-2763

660 Riddell Road, Unit 1
Orangeville, ON L9W 5G5
519-940-4110

Collingwood, ON:
249-499-8359

www.vanharten.com



LAND SURVEYORS and ENGINEERS

We reviewed the MDS guidelines with County Planning Staff and Staff provided the opinion that this proposal falls under the Type B scenario in that the severance creates "one or more lots for development on land outside a settlement area, that results in four or more lots for development, which are in immediate proximity to one another" (Guideline 34 of OMAFRA's Guidelines for MDS). The minimum MDS requirement under Type B is 346 m.

If there were less than 4 lots in the immediate proximity, the Type A scenario would apply, in which case the minimum requirement would be 173 m. We are asking for a minimum set back of 256 m, which is about $\frac{3}{4}$ of the minimum requirement under the Type B scenario but 1.5 times the minimum requirement if Type A applied.

The MDS guideline refers to the creation of 4 residential lots. A typical rural residential lot in Puslinch is about 0.4 to 0.8 ha (1 to 2 acres) in size. Due to severance history, bush, poor soil conditions, etc., there are many lots in Puslinch with 2 to 4ha including a lot of bush. Some have small vegetable gardens, a few chickens or other agricultural type uses. The guideline does not give a clear distinction of when a property is residential versus agricultural. This agricultural/residential determination is an opinion with very limited guidance on parameters. In this case, there are three properties across Concession Road 4 with areas of 3.6 ha, 2.8 ha and 9.4 ha. Two of these have at least a hectare of space for agriculture. I would suggest that including them as residential only parcels is debatable.

We also considered the barn across Sideroad 12. The MDS requirement is 331 m and the actual distance is 377 m, therefore the MDS requirement has been met.

In summary the MDS minimum being sought is very reasonable (halfway between the Type A and Type B requirements). We provide the opinion that the minor variance request meets the four tests for a minor variance.

Other than the MDS requirement being addressed in this application, the proposed severance meets all the relevant requirements.

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 Mark & Brenda Kupferschmidt

www.vanharten.com

October 11, 2019

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: October 02, 2019

FILE NO. B65-19

APPLICANT

Csilla, Valeria & Ferenc Farkas
4453 Sideroad 20 North
RR#6
Guelph N1H 6J3

LOCATION OF SUBJECT LANDS

Township of Puslinch
Part Lot 21
Concession 2

Proposed severance is 0.68 hectares with 78m frontage, existing agricultural use for proposed rural residential use.

Retained parcel is 39.7 hectares with 761m frontage on Sideroad 20N, 316m frontage on Highway 401 and 192m frontage on Wellington Rd 34, existing and proposed agricultural use with existing dwelling, barn, sheds & pond.

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

November 13, 2019

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

MAILED TO:

Local Municipality - Puslinch County Planning Conservation Authority - GRCA
County Engineering MTO – London MTO – Owen Sound Source Water Protection
Bell Canada (email) County Clerk Roads/Solid Waste Civic Addressing
Neighbour - as per list verified by local municipality and filed by applicant with this application

1. Approval Authority:

County of Wellington Planning and Land Division Committee
County of Wellington Administration Centre
74 Woolwich Street, GUELPH, Ontario N1H 3T9

Phone: 519-837-2600, ext. 2170 or 2160 Fax: 519-837-3875

Required Fee: \$ 4340
Fee Received: Oct 2/19

File No. 365-19

Accepted as Complete on: Oct 2/19

A COPY OF YOUR CURRENT DEED MUST BE SUBMITTED WITH THIS APPLICATION

2. (a) Name of Registered Owner(s) Csilla FARKAS, Valeria FARKAS & Ferenc FARKAS

Address 4453 Sideroad 20 North, RR # 6, Guelph, ON, N1H 6J3

Phone No. [REDACTED]

Email: [REDACTED]

(b) Name and Address of Applicant (as authorized by Owner) _____

Phone No. _____

Email: _____

(c) Name and Address of Owner's Authorized Agent: _____

Jeff Buisman of Van Harten Surveying Inc.

423 Woolwich Street, Guelph, ON, N1H 3X3

Phone No. 519-821-2763 x225

Email: Jeff.Buisman@vanharten.com

(d) All Communication to be directed to:

REGISTERED OWNER [] APPLICANT [] AGENT [X]

(e) Notice Cards Posted by:

REGISTERED OWNER [] APPLICANT [] AGENT [X]

3. Type and Purpose of Proposed Transaction: (Check off appropriate box & provide short explanation)

RURAL RESIDENTIAL[X] AGRICULTURAL[] URBAN RESIDENTIAL[] COMMERCIAL/INDUSTRIAL[]

To create a new lot for rural residential purposes

OR

EASEMENT [] RIGHT OF WAY [] CORRECTION OF TITLE [] LEASE []

(a) If known, the name of person to whom the land or an interest in the land is to be transferred, charged or leased.

Future owner is not known

4. (a) Location of Land in the County of Wellington:

Local Municipality: Township of Puslinch

Concession 2

Lot No. Part of Lot 21

Registered Plan No. _____

Lot No. _____

Reference Plan No. 61R-8375
61R-3309

Part No. 2
Part No. 4

Civic Address 4453 Sideroad 20 North

(b) When was property acquired: August 2010

Registered Instrument No. WC287554

5. Description of Land intended to be SEVERED:

Metric []

Imperial []

Frontage/Width 78 ±

AREA

0.68 ha ±

Depth 86 ±

Existing Use(s)

Agricultural – Vacant Land

Existing Buildings or structures: None

Proposed Uses (s): Rural Residential

Type of access (Check appropriate space)

Existing []

Proposed [X]

[] Provincial Highway

[] Right-of-way

[X] County Road

[] Private road

[] Municipal road, maintained year round

[] Crown access road

[] Municipal road, seasonally maintained

[] Water access

[] Easement

[] Other

Type of water supply - Existing [] Proposed [X] (check appropriate space)

[] Municipally owned and operated piped water system

[X] Well [X] individual [] communal

[] Lake

[] Other _____

Type of sewage disposal - Existing [] Proposed [X] (check appropriate space)

[] Municipally owned and operated sanitary sewers

[X] Septic Tank (specify whether individual or communal): Individual

[] Pit Privy

[] Other (Specify): _____

6. Description of Land intended to be RETAINED: Metric Imperial

Frontage/Width 196 & 65 / 397 ± AREA 39.7 ha ±
Depth 947 ± Existing Use(s) Agricultural

Existing Buildings or structures: Dwelling, Barn, Sheds & Pond

Proposed Uses (s): Agricultural (No Change)

Type of access (Check appropriate space)	Existing <input checked="" type="checkbox"/>	Proposed <input type="checkbox"/>
<input type="checkbox"/> Provincial Highway	<input type="checkbox"/> Right-of-way	
<input type="checkbox"/> County Road	<input type="checkbox"/> Private road	
<input checked="" type="checkbox"/> Municipal road, maintained year round	<input type="checkbox"/> Crown access road	
<input type="checkbox"/> Municipal road, seasonally maintained	<input type="checkbox"/> Water access	
<input type="checkbox"/> Easement	<input type="checkbox"/> Other	

Type of water supply - Existing Proposed (check appropriate space)

Municipally owned and operated piped water system
 Well individual communal
 Lake
 Other

Type of sewage disposal - Existing Proposed (check appropriate space)

Municipally owned and operated sanitary sewers
 Septic Tank (specify whether individual or communal):
 Pit Privy
 Other (Specify):

7. Is there an agricultural operation, (either a barn, manure storage, abattoir, livestock area or stockyard) within 500 metres of the Subject lands (severed and retained parcels)? YES NO
*If yes, see sketch requirements and the application must be accompanied by a MINIMUM DISTANCE SEPARATION FORM.

8. Is there a landfill within 500 metres [1640 feet]? YES NO

9. a) Is there a sewage treatment plant or waste stabilization plant within 500 metres [1640']? YES NO

10. Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the lands to be retained or to be severed or within 120 metres [394 feet]? YES NO

11. Is there any portion of the land to be severed or to be retained located within a floodplain? YES NO

12. Is there a provincial park or are there Crown Lands within 500 metres [1640']? YES NO

13. Is any portion of the land to be severed or retained within a rehabilitated mine/pit site? YES NO

14. Is there an active or abandoned mine, quarry or gravel pit within 500 metres [1640']? YES NO

15. Is there a noxious industrial use within 500 meters [1640']? YES NO

16. Is there an active or abandoned principal or secondary railway within 500 metres [1640']? YES NO

Name of Rail Line Company:

17. Is there an airport or aircraft landing strip nearby? YES [] NO [X]
18. Is there a propane retail outlet, propane filling tank, cardlock/keylock or private propane outlet/container refill centre within 750 metres of the proposed subject lands? YES [] NO [X]

19. PREVIOUS USE INFORMATION:

- a) Has there been an industrial use(s) on the site? YES [] NO [X] UNKNOWN []

If YES, what was the nature and type of industrial use(s)?

- b) Has there been a commercial use(s) on the site? YES [] NO [X] UNKNOWN []

If YES, what was the nature and type of the commercial use(s)

- c) Has fill been brought to and used on the site (other than fill to accommodate septic systems or residential landscaping?) YES [] NO [X] UNKNOWN []

- d) Has there been commercial petroleum or other fuel storage on the site, underground fuel storage, or has the site been used for a gas station at any time, or railway siding? YES [] NO [X] UNKNOWN []

If YES, specify the use and type of fuel(s) _____

20. Is this a **resubmission** of a previous application? YES [] NO [X]

If YES, is it identical [] or changed [] Provide previous File Number _____

21. a) Has any severance activity occurred on the land from the holding which existed as of March 1, 2005 and as registered in the Land Registry/Land Titles Office? YES [] NO [X]

- b) If the answer in (a) is YES, please indicate the previous severance(s) on the required sketch and provide: **Transferee's Name, Date of the Transfer and Use of Parcel Transferred.**

22. Has the parcel intended to be severed ever been, or is it now, the subject of an application for a plan of subdivision or other Consent or approval under the Planning Act or its predecessors?

YES [] NO [X] UNKNOWN []

23. Under a separate application, is the Owner, applicant, or agent applying for additional consents on this holding simultaneously with this application? YES [] NO [X]

24. Provide explanation of how the application is consistent with the Provincial Policy Statement.

This application is consistent with the PPS as per Section 2.3.3.3 where it states that new land uses, including the creation of lots shall comply with the minimum distance separation formula. The required MDS distance is 187m and the actual distance is 183m and a Minor Variance Application will be applied for the 4m deficiency pending severance approval.

25. In addition to Places to Grow (Provincial Growth Plan), is the subject land within an area of land designated under the Greenbelt Plan? Provide explanation of how the application conforms or does not conflict with the Provincial plan or plans.

The Natural Heritage System mapping indicates that there is a wetland area on the subject property. The lot line of the proposed severed parcel is to be outside of this feature by at least 30m.

26. a) Indicate the existing **County Official Plan** designation(s) of the subject land, and provide explanation of how the application conforms with the Official Plan (severed and retained).

The subject property is designated as Secondary Agricultural, Core Greenlands and Greenlands in the Official Plan and this severance follows the guidelines set out in Section 10.4.4 for rural residential severances.

b) Indicate the existing **Local Official Plan** (if any) designation(s) of the subject land, and provide explanation of how the application conforms with the Official Plan (severed and retained).

N/A

c) If this consent relates directly to an Official Plan Amendment(s) currently under review by an approval authority, please indicate the Amendment Number and the applicable file number(s).

Amendment Number(s): _____ File Number(s): _____

27. Is the subject land a proposed surplus farm dwelling?* YES [] NO [X]

*If yes, an application to sever a surplus farm dwelling must be accompanied by a FARM INFORMATION FORM.

28. What is the zoning of the subject lands? Agricultural & Natural Environment

29. Does the proposal for the subject lands conform to the existing zoning? YES [] NO [X]

A Minor Variance for the reduced MDS will be applied for

If NO, a) has an application been made for re-zoning? YES [] NO [] File Number _____

b) has an application been made for a minor variance? YES [] NO [] File Number _____

30. Are the lands subject to any mortgages, easements, right-of-ways or other charges? YES [X] NO []

If the answer is YES, please provide a copy of the relevant instrument.
For mortgages just provide complete name and address of Mortgagee.

• Hydro Easement as in INST No. IS12102

• [REDACTED]

Questions 31 – 34 must be answered for Applications for severance in the Rural/Agricultural Area -- Otherwise, if this is not applicable to your application, please state "not Applicable"

31. Type of Farm Operation conducted on these subject lands: Horses

Type: Dairy [] Beef Cattle [] Swine [] Poultry [] Other [X]

32. Dimensions of Barn(s)/Outbuildings/Sheds (that are to remain) Severed & Retained Lands

<u>Retained</u>	Width <u>4.5m±</u>	Length <u>5.5m±</u>	Area <u>25m²±</u>	Use <u>Shed</u>
	Width <u>15m±</u>	Length <u>20m±</u>	Area <u>300m²±</u>	Use <u>Horse Barn</u>
	Width <u>15m±</u>	Length <u>18m±</u>	Area <u>270m²±</u>	Use <u>Pole Shed</u>
	Width <u>6m±</u>	Length <u>15m±</u>	Area <u>90m²±</u>	Use <u>Drive Shed</u>



Van Harten
SURVEYING INC.

LAND SURVEYORS and ENGINEERS

October 1, 2019

27489-19

Jeff.Buisman@vanharten.com

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

Attention: Deborah Turchet

Dear Ms. Turchet:

Re: Severance Application & Sketch
4453 Sideroad 20 North
Part of Lot 21, Concession 2
PIN 71201-0160
Township of Puslinch

RECEIVED

OCT 02 2019

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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, PIN Report and Map, the required deed, addresses of neighbouring properties, MDS Farm Data Sheet, a cheque to the GRCA for \$410.00 and a cheque to Wellington County for \$4,340.00.

Proposal

The proposal is to create a new rural residential parcel with frontage along Wellington County Road 34. The vacant parcel will have a width of $78\pm$ m, depth of $86\pm$ m for an area of $0.68\pm$ ha. The retained parcel has frontages along Sideroad 20 North and County Road 34 and will have an area of $39.7\pm$ ha where the existing dwelling, barn and sheds will remain.

The severed parcel was configured so that the eastern limit will be 30 m away from the wetland limit. This results in a 30 m remnant field to the east of the severance and a "cut-off" corner at the rear of the severance.

The sightlines were evaluated and the proposed driveway will be about 20 m from the east property line.

The requirement of a road widening along County Road No. 34 is expected and has been presented on the Severance Sketch.

71 Weber Street East
Kitchener, ON N2H 1C6
519-742-8371

Elmira, ON:
519-669-5070

423 Woolwich Street
Guelph, ON N1H 3X3
519-821-2763

660 Riddell Road, Unit 1
Orangeville, ON L9W 5G5
519-940-4110

Collingwood, ON:
249-499-8359

www.vanharten.com

R.P. Magahay, B.A. J.E. Buisman, B.E.S., B.Sc., O.L.S. R.M. Mak, B.Sc., O.L.S. J.M. Laws, B.Sc., O.L.S. J.M. Duffy, P.Eng.

MDS Evaluation

The Minimum Distance Separation (MDS) guidelines were evaluated for this severance. County Planning Staff provided the opinion that this proposal falls under the Type B scenario in that the severance creates *“one or more lots for development on land outside a settlement area, that results in four or more lots for development, which are in immediate proximity to one another”* (Guideline 34 of OMAFRA’s Guidelines for MDS). In the event there are less than 4 lots in the immediate proximity, Type A scenario would apply and the minimum distance requirement drops in half.

There are 6 horse stalls in the barn on the retained parcel and the required minimum distance under Type B is 187 m. The position of the barn was surveyed and we found it to be 183 m from the proposed severance. One option would be to reduce the depth of the severance by 4 m, but this would result in an impractical property line relative to the parcel to the west. We feel, therefore, that it is better to apply for a minor variance for the 4 m deficiency. A minor variance application will be submitted after the severance is approved.

Overall Review

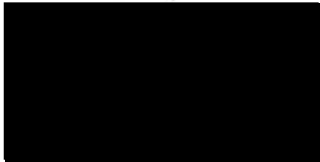
The parcel has a designation of Secondary Agricultural in the County of Wellington Official Plan which allows for a severance, provided that certain criteria (Section 10.4.4) are met. We reviewed this section and we provide the opinion that the relevant criteria are met including the following:

- The severed lands are designated Secondary Agricultural.
- Ownership is longer than 5 years.
- No severance since March 2005.
- Safe entrance is available – sight lines have been evaluated.
- Adequate space for new dwelling and septic.
- No impacts on environmentally sensitive lands or woodlot
- MDS requirements can be met with a minor variance application.
- Zoning requirements are met.

In summary, this severance is a very practical and an efficient use of an open space.

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 Csilla Farkas

33. **Manure Storage Facilities** on these lands: **None**

DRY		SEMI-SOLID		LIQUID	
Open Pile	[]	Open Pile	[]	Covered Tank	[]
Covered Pile	[]	Storage with Buck Walls	[]	Aboveground Uncovered Tank	[]
				Belowground Uncovered Tank	[]
				Open Earth-sided Pit	[]

34. Are there any drainage systems on the retained and severed lands? YES [] NO [X]

Type	Drain Name & Area	Outlet Location
Municipal Drain	[]	Owner's Lands []
Field Drain	[]	Neighbours Lands []
		River/Stream []

35. Source Water Protection Plan

Is the subject land within a Wellhead Protection Area, Issue Contributing Area, or Intake Protection Zone of a Source Protection Plan in effect? YES [] NO [X]

If YES, please complete the Source Water Protection Form and submit with your application.

36. Have you had a pre-consultation meeting with County Planning Staff before filling out this application form?

YES [X] NO []

If yes, please indicate the person you have met/spoken to: **Meagan Ferris**

37. If you wish to provide some further information that may assist the Planning and Land Division Committee in evaluating your application, please provide by a letter and attach it to this application.

Please see covering letter.

OWNER'S AUTHORIZATION:

The Owner must complete the following to authorize applicant, agent or solicitor to act on their behalf.

NOTE: If more than one owner is listed in item #2 of this application, then all owners must sign this authorization section of the application form or by a letter of authorization duly signed.

If the Owner is a corporation, the authorization must be by an officer of the corporation who has authority to bind the corporation.

I, (we), Ferenc FARKAS, Valeria FARKAS & Csilla FARKAS the Registered Owners of
Part of Lot 21, Concession 2, as in INST. IS12862 Of the Township of Puslinch in the
County/-Region of Wellington severally and jointly, solemnly declare that

Jeffrey E. Buisman, OLS, of Van Harten Surveying Inc.

Is authorized to submit an application for

Signature(s) of Registered Owner(s) or Corporation's Officer

APPLICANT'S DECLARATION

This must be completed by the Applicant for the proposed consent

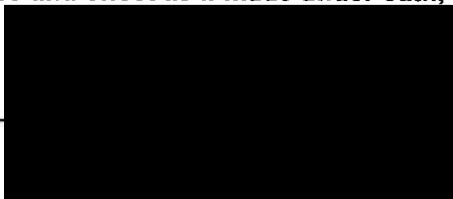
I, (we) Jeffrey E. Buisman, OLS, of Van Harten Surveying Inc. of the
City of Guelph In the County/-Region of
Wellington Solemnly declare that all

the statements contained in this application for consent for (property description) _____
Part of Lot 21, Concession 2, as in INST. IS12862 Of the Township of Puslinch

And all the supporting documents are true, and I, (we), make this solemn declaration conscientiously believing it to be true and complete, and knowing that it is of the same force and effect as if made under oath, and virtue of the CANADA EVIDENCE ACT.

DECLARED before me at the

City _____ Of _____
Guelph In the
County/-Region of Wellington



This 1 day of October 20 19

(Owner or Applicant)

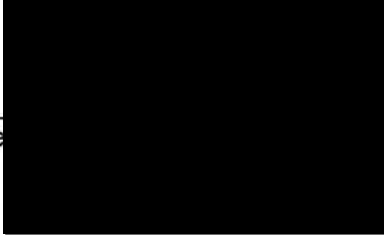


James Michael Laws,
a Commissioner, etc.,
Province of Ontario,
for Van Harten Surveying Inc. Name
Expires May 11, 2021.

APPLICANT'S CONSENT (FREEDOM OF INFORMATION):

In accordance with the provisions of the Planning Act, it is the policy of the County Planning and Development Department to provide public access to all development applications and supporting documentation. In submitting this development application and supporting documentation, I, Jeff Buisman of Van Harten Surveying Inc., the applicant, hereby acknowledge the above-noted and provide my consent in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act that the information on this application and any supporting documentation provided by myself, my agents, solicitors, and consultants will be part of the public record and will also be available to the general public.

Signature of Owner



Date

Oct 1, 2019

THIS APPLICATION PACKAGE IS TO BE SUBMITTED TO:

**Secretary-Treasurer
Planning and Development Department
County of Wellington
74 Woolwich Street
Guelph, Ontario
N1H 3T9**

Phone (519) 837-2600 Ext. 2160



FARM DATA SHEET
Minimum Distance Separation I (MDSI)
 County of Wellington

217814

NOTE TO FARM OWNER(S)
 By filling out this form you will help to ensure that new land uses will be located a suitable distance from your livestock operation. Feel free to contact the County Planning office with any questions.

Owner(s) of Livestock Facility Csilla Fortas

Contact Information [Redacted]
 Email [Redacted] Telephone [Redacted]
 Civic Address 4453 Sideroad 20 N Municipality _____
 Lot 21 Concession 2 Division _____
 Lot Size (where livestock facility is located) _____ hectares _____ acres
 Signature of Livestock Facility Owner [Redacted] Date Aug 20/19

BARN(S) SIZE Please provide the size of the barns located on the property. This information is used to verify maximum livestock capacity. _____ ft²/m² _____ ft²/m²

- Manure Storage Types** Solid manure: 18% dry matter, or more Liquid manure: <18% dry matter
- V1 Solid, inside, bedded pack
 - V2 Solid, outside, covered
 - V3 Solid, outside, no cover, ≥30% dry matter
 - V4 Solid, outside, no cover, 18% - <30% dry matter, with covered liquid runoff storage
 - V5 Liquid, inside, underneath slatted floor
 - V6 Liquid, outside, with a permanent, tight-fitting cover
 - L1 Solid, outside, no cover, 18% - <30% dry matter, with uncovered liquid runoff storage
 - L2 Liquid, outside, with a permanent floating cover
 - M1 Liquid, outside, no cover, straight-walled storage
 - M2 Liquid, outside, roof, but with open sides
 - H1 Liquid, outside, no cover, sloped-sided storage

Animal Type of Material	Description	Housing Capacity (maximum)	Manure Storage Type (select from list)
Beef Cattle	Cows, including calves to weaning (all breeds)		V3
	Feeders (7 – 16 months)		
	Backgrounders (7 – 12.5 months)		
	Shortkeepers (12.5 – 17.5 months)		
Dairy Cattle	Milking-age cows (dry or milking)		
	Large-framed; 545 – 658 kg (e.g. Holsteins)		
	Medium-framed; 455 – 545 kg (e.g. Guernseys)		
	Small-framed; 364 – 455 kg (e.g. Jerseys)		
	Hieifers (5 months to freshening)		
	Large-framed; 182 – 545 kg (e.g. Holsteins)		
	Medium-framed; 148 – 455 kg (e.g. Guernseys)		
	Small-framed; 125 – 364 kg (e.g. Jerseys)		
	Calves (0 – 5 months)		
	Large-framed; 45 – 182 kg (e.g. Holsteins)		
Medium-framed; 39 – 148 kg (e.g. Guernseys)			
Small-framed; 30 – 125 kg (e.g. Jerseys)			
Horses	Large-framed, mature; >681 kg (e.g. draft or draft cross breeds including unweaned offspring)		
	Medium-framed, mature; 227 – 680 kg (e.g. saddle, riding and racing breeds including unweaned offspring)	6	V3
	Small-framed, mature; <227 kg (e.g. ponies and miniatures including unweaned offspring)		

Animal Type of Material	Description	Housing Capacity (maximum)	Manure Storage Type (select from list)
Swine	Sows with litter, dry sows or boars		
	Breeder gilts (entire barn designed specifically for this purpose)		
	Weaners (7 – 27 kg)		
	Feeders (27 – 136 kg)		
Sheep	Ewes & rams (for meat lambs; includes unweaned offspring & replacements)		
	Ewes & rams (dairy operation; includes unweaned offspring & replacements)		
	Lambs (dairy or feeder lambs)		
Goats	Does & bucks (for meat kids; includes unweaned offspring and replacements)		
	Does & bucks (for dairy; includes unweaned offspring & replacements)		
	Kids (dairy or feeder kids)		
Chickens	Layer hens (for eating eggs; after transfer from pullet barn)		
	Layer pullets (day-olds until transferred into layer barn)		
	Broiler breeder growers (males/females transferred out to layer barn)		
	Broiler breeder layers (males/females transferred in from grower barn)		
	Broilers on any length of cycle		
Turkeys	Turkey poults (day-old until transferred to grow out turkey barn)		
	Turkey breeder layers (males/females transferred in from grower barn)		
	Breeder toms		
	Broilers (day-olds to 6.2 kg)		
	Hens (day-olds up to 6.2 to 10.8 kg; 7.5 kg is typical)		
	Toms (day-olds to over 10.8 to 20 kg; 14.5 kg is typical)		
	Turkeys at any other weights, or if unknown (by floor area)		
Veal	Milk-fed		
	Grain-fed		
Other	Please refer to Factor Table 1 of The Minimum Distance Separation (MDS) Document for complete list of animal types		
Imported manure	Use the volume of the manure storages		
Unoccupied livestock barns	A livestock barn that does not currently house any livestock, but that housed livestock in the past and continues to be structurally sound and reasonably capable of housing livestock.*		

*NOTE: This should only be used where obtaining information from the farm operator(s) and/or owner(s) was not possible (see Implementation Guideline 20 for more information).

QUESTIONS?

PLEASE CONTACT

County of Wellington
Planning and Development Department
74 Woolwich Street, Guelph
ON N1H 3T9
F 519.923.1694

Linda Redmond, Senior Planner

E lindar@wellington.ca
T 519.837.2600 x2380
1.800.663.0750 x2380

Sarah Wilhelm, Senior Planner

E sarahw@wellington.ca
T 519.837.2600 x2130
1.800.663.0750 x2130

Jana Poechman

From: Emily Vandermeulen <EVandermeulen@centrewellington.ca>
Sent: Friday, October 4, 2019 8:16 AM
To: Jana Poechman
Cc: Source Water
Subject: RE: Screening Form - 4453 Sideroad 20 N
Attachments: WHPA_Map_4453Sideroad20N.PDF; WHPA_Map_4453Sideroad20N_Q.PDF

Hi Jana,

Thank you for providing the above referenced application for review. Since this property is not located in a vulnerable area (wellhead protection area, issues contributing area, intake protection zone etc.), the application can be screened out and it does not require a Section 59 notice under the Clean Water Act.

This property is located in the Guelph/Guelph-Eramosa WHPA-Q or IPZ-Q (quantity). The WHPA-Q and IPZ-Q are not currently in legal effect. The applicant should be made aware that policy requirements are being developed for inclusion in the applicable Source Protection Plan and policies may apply to this property in the future. Further information can be found at <http://www.wellingtonwater.ca/en/how-does-this-affect-me/tier-3-water-budget-studies.aspx>.

I have attached a couple of maps showing the property and Wellhead Protection Areas for your reference.

If you have any further questions regarding this application, please contact me.

Emily Vandermeulen | Risk Management Inspector / Source Protection Coordinator

Wellington Source Water Protection | 7444 Wellington Road 21, Elora, ON, N0B 1S0
519.846.9691 x365 | evandermeulen@centrewellington.ca | www.wellingtonwater.ca
Toll free: 1.844.383.9800

From: Jana Poechman [<mailto:janap@wellington.ca>]
Sent: Wednesday, October 2, 2019 4:31 PM
To: Emily Vandermeulen <EVandermeulen@centrewellington.ca>; Kyle Davis <KDavis@centrewellington.ca>
Cc: Source Water <sourcewater@centrewellington.ca>
Subject: Screening Form - 4453 Sideroad 20 N

Hello.

Please see the attached screening form for your review. We plan to circulate October 10th if possible.

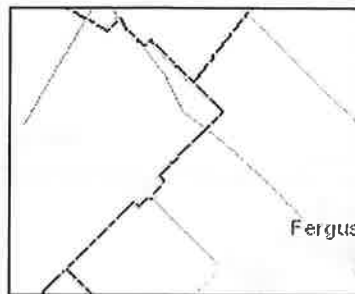
Thanks.

Jana

Jana Poechman
Planning Administrative Clerk
Planning and Development Department
County of Wellington
74 Woolwich Street
Guelph ON N1H 3T9
T 519.837.2600 x 2170
E janap@wellington.ca

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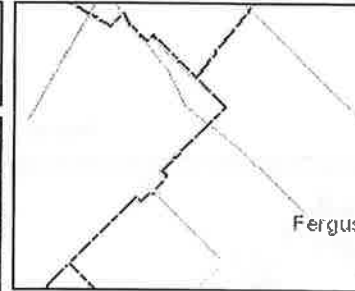
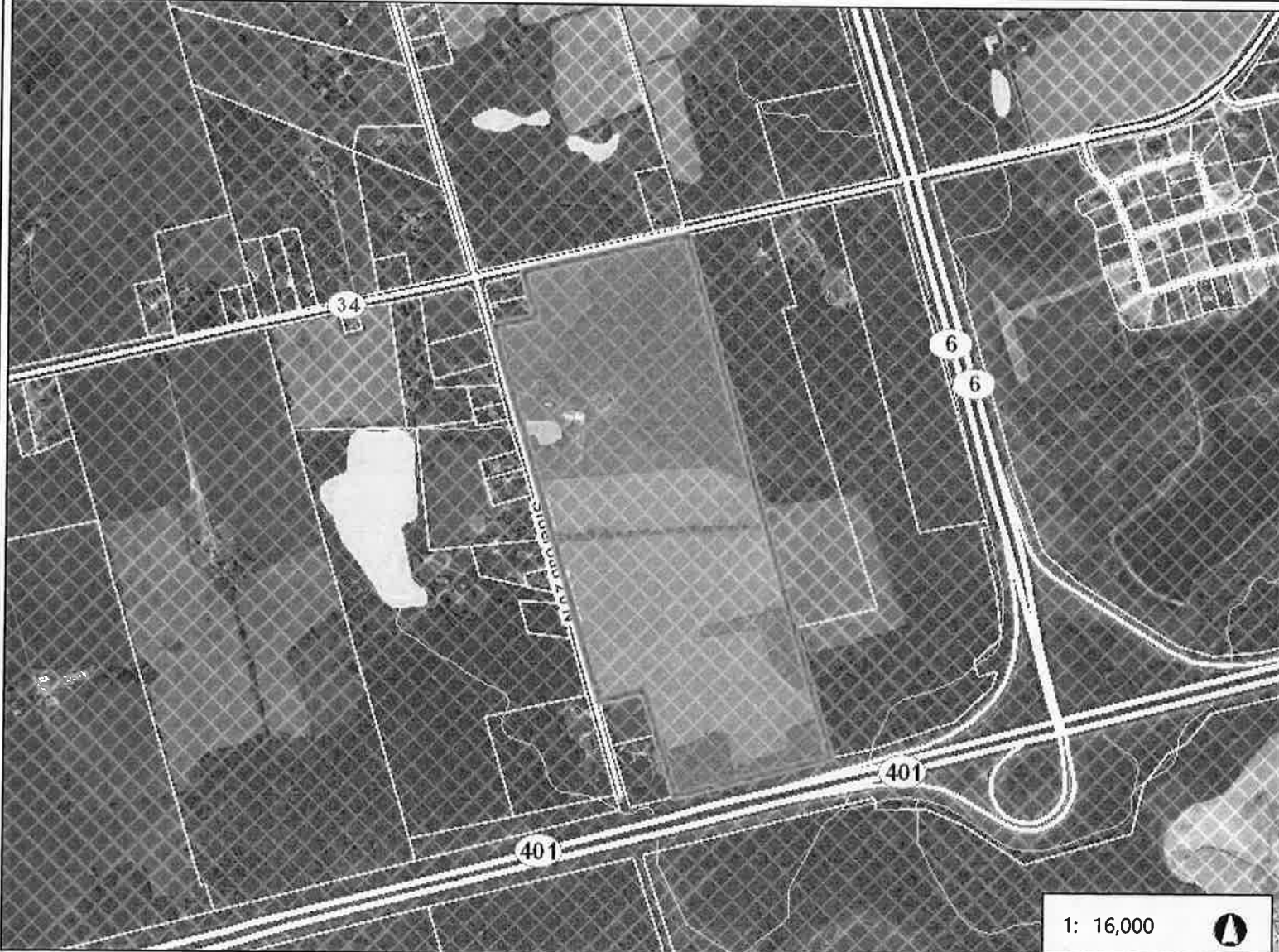
- Parcels
- Waterbodies
- Watercourses
- Well Locations
- Wellhead Protection Area Boundaries
 - A
 - B
 - C
 - D
- Vulnerability Score
 - 10
 - 8
 - 2, 4, 6 (A, B or C)
 - 2, 4, 6 (D)
- RoadsLookup

1: 32,000

1.6 0 0.81 1.6 Kilometers

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Notes



Legend

- Parcels
- Roads
 - Local Road
 - County Road
 - Highway
- Waterbodies
- Watercourses
- Well Locations
- Q1 and Q2 Boundary
- Q1 and Q2
 - Approved
 - Draft
- RoadsLookup

0.8 0 0.41 0.8 Kilometers

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Notes



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

DATE: October 21, 2019

YOUR FILE: B65-19

RE: **Application for Consent B65-19**
4453 Sideroad 20 North, Township of Puslinch
Csilla, Valeria & Ferenc Farkas

GRCA COMMENT:*

The Grand River Conservation Authority (GRCA) has no objection to the proposed consent application.

BACKGROUND:

1. Resource Issues:

Information currently available at this office indicates that both the retained parcel contains portions of the Provincially Significant Mill Creek Puslinch Wetland Complex, floodplain and the lands adjacent to these features. The severed lot contains lands adjacent to the wetland.

2. Legislative/Policy Requirements and Implications:

The subject property contains a natural hazard and natural heritage as identified by the Provincial Policy Statement (PPS, 2014) and falls within the Core Greenlands and Greenlands in accordance to the County of Wellington Official Plan (2019). Development and site alteration is prohibited on lands adjacent to Provincially Significant Wetlands (PSW) unless it can demonstrated that the proposal would have no negative impacts on the feature and its ecological function. Additionally, the County of Wellington Official Plan indicates that development in or adjacent to the Core Greenland and Greenland systems requires an EIS demonstrating that the requirements of the Official Plan have been met.

From the information provided, it appears there is space on the proposed severed land for a dwelling and septic system while maintaining a sufficient setback from the wetland. As such, it is in the opinion of GRCA staff that an EIS will not be required and that no negative impact to the natural heritage feature will occur as a result of this application.

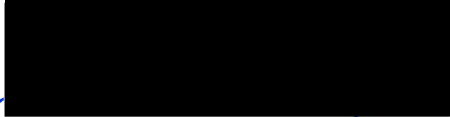
Due to the presence of the above-noted features, both the retained and severed parcels are regulated by the GRCA under the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 150/06). Any future development or site alteration within the regulated area will require a permit from our office.

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

We wish to acknowledge receipt of the applicable plan review in the amount of \$410.00 for the processing of this application.

We trust the above information is of assistance. Should you have any further questions please contact Jenn Simons at ext. 2236.

Yours truly,



Fred Natolochny, MCIP, RPP
Supervisor of Resource Planning
FN/js

Encl. (1)

cc: Township of Puslinch
Csilla, Valeria & Ferenc Farkas, 4453 Sideroad 20 North, RR#6, Guelph ON N1H 6J3

- ***These comments are respectfully submitted to the Committee and reflect the resource concerns within the scope and mandate of the Grand River Conservation Authority.***



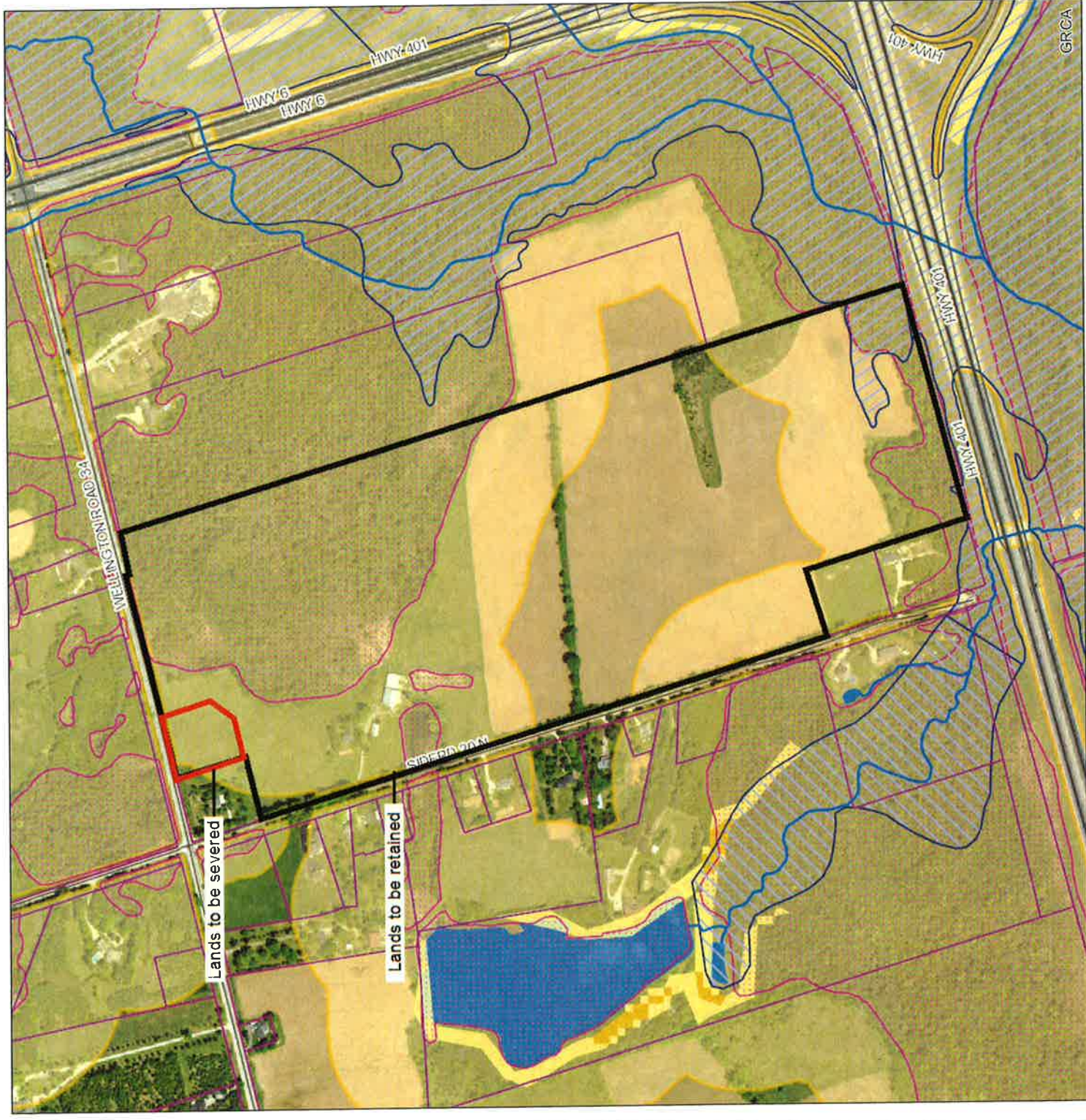
B65-19

Legend

- Regulated Limit (GRCA)
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Floodplain (GRCA)
- Engineered
- Estimated
- Approximate
- Special Policy Area
- Slope Valley (GRCA)
- Steep
- Oversteep
- Steep
- Slope Erosion (GRCA)
- Oversteep
- Toe
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNRF)

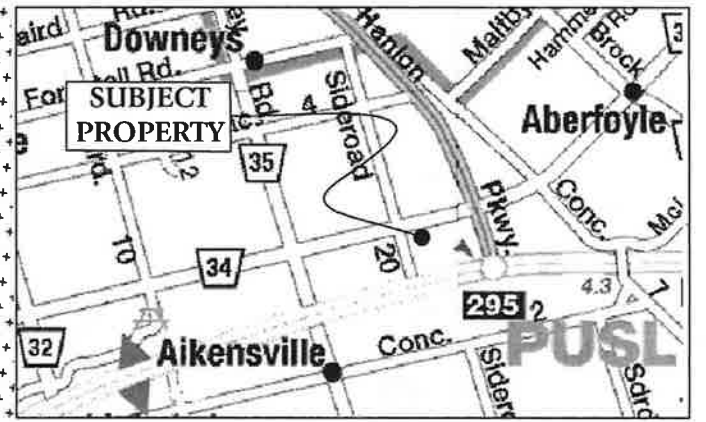
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**SEVERANCE SKETCH
PART OF LOT 21, CONCESSION 2
TOWNSHIP OF PUSLINCH
COUNTY OF WELLINGTON**

KEYMAP



SCALE 1 : 3000





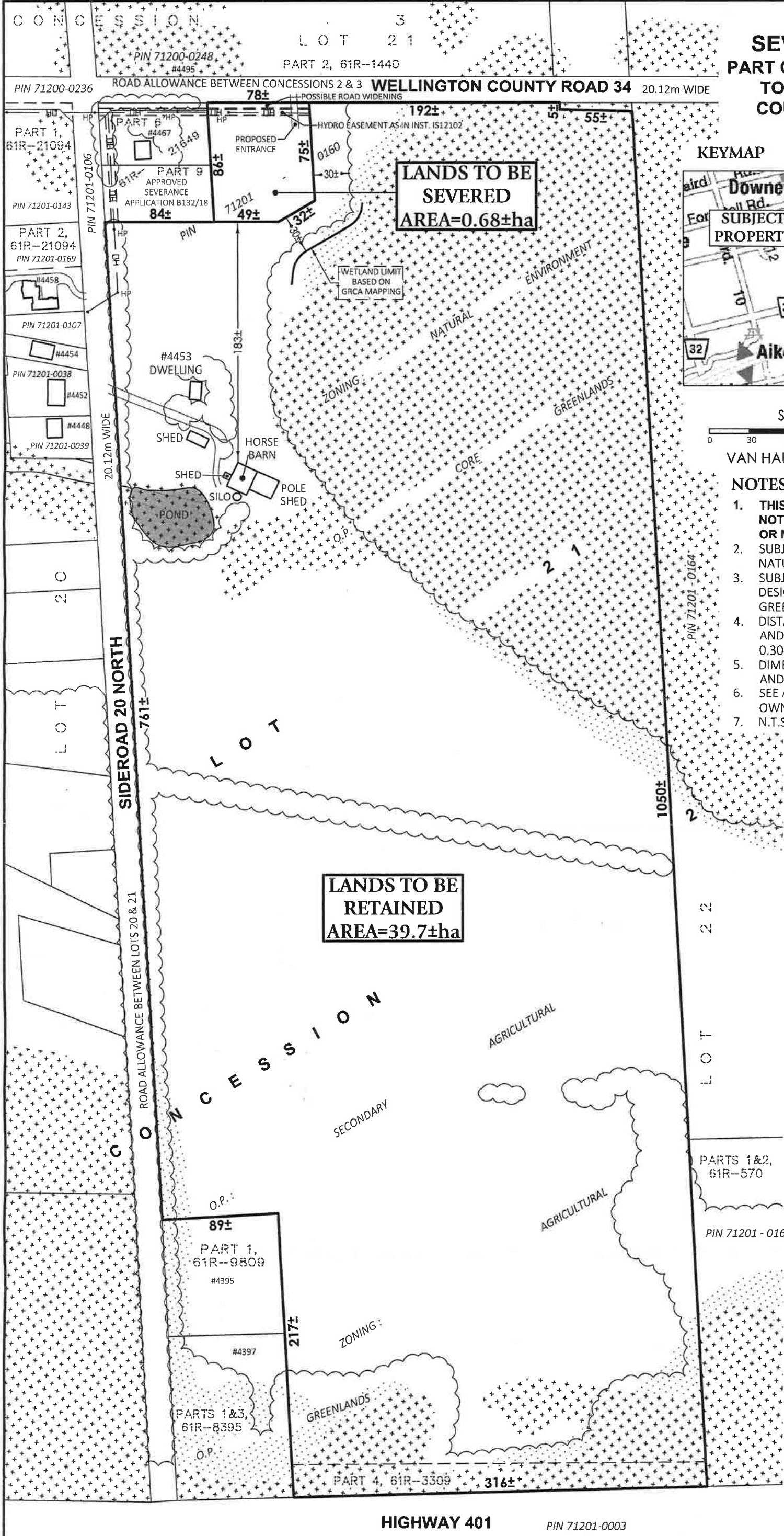
VAN HARTEN SURVEYING INC.

NOTES:

1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
2. SUBJECT LANDS ARE ZONED AGRICULTURAL & NATURAL ENVIRONMENT.
3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF SECONDARY AGRICULTURAL, CORE GREENLANDS & GREENLANDS.
4. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
5. DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.
6. SEE ATTACHED LIST OF NAMES AND ADDRESSES OF OWNERS.
7. N.T.S. DENOTES NOT TO SCALE.



-  O.P. : GREENLANDS
ZONING: AGRICULTURAL
-  O.P. : CORE GREENLANDS
ZONING: NATURAL ENVIRONMENT



THIS SKETCH WAS PREPARED ON THE 30th DAY OF SEPTEMBER 2019



Van Harten
SURVEYING INC.
LAND SURVEYORS and ENGINEERS

Elmira Ph: 519-669-5070	Guelph Ph: 519-821-2763	Orangeville Ph: 519-940-4110
www.vanharten.com		info@vanharten.com
DRAWN BY: ARN	CHECKED BY: JEB	PROJECT No. 27489-19
Oct 1, 2019-9:33:56 AM		
G:\PUSLINCH\Con2\Acad\SEV LOT 21 (FARKAS) UTM.dwg		

October 11, 2019

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: October 03, 2019

FILE NO. B70-19

APPLICANT

Paul & Mary Hohenadel
4458 Victoria Rd S
Puslinch N0B 2J0

LOCATION OF SUBJECT LANDS

Township of Puslinch
Part Lot 21
Concession 8

Proposed severance is 44m fr x 91m = 0.4 hectares, vacant land for proposed rural residential use.

Retained parcel is 5.38 hectares with 14m frontage, existing and proposed rural residential use with existing dwelling and various accessory buildings (shed/storage).

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

November 13, 2019

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

MAILED TO:

Local Municipality - Puslinch County Planning Conservation Authority - GRCA

Source Water Protection

Bell Canada (email) County Clerk Roads/Solid Waste Civic Addressing

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

1. Approval Authority:

County of Wellington Planning and Land Division Committee
County of Wellington Administration Centre
74 Woolwich Street, GUELPH, Ontario N1H 3T9

Phone: 519-837-2600, ext. 2170 or 2160 Fax: 519-837-3875

Required Fee: \$ 4340
Fee Received: Oct 3/19

File No. 870-19

Accepted as Complete on: Oct 3/19

A COPY OF YOUR CURRENT DEED MUST BE SUBMITTED WITH THIS APPLICATION

2. (a) Name of Registered Owner(s) Paul Francis HOHENADEL & Mary Helen HOHENADEL

Address 4458 Victoria Road South, Puslinch, ON, N0B 2J0

Phone No. [REDACTED]

Ema [REDACTED]

(b) Name and Address of Applicant (as authorized by Owner) _____

Phone No. _____

Email: _____

(c) Name and Address of Owner's Authorized Agent: _____

Jeff Buisman of Van Harten Surveying Inc.

423 Woolwich Street, Guelph, ON, N1H 3X3

Phone No. 519-821-2763 x225

Email: Jeff.Buisman@vanharten.com

(d) All Communication to be directed to:

REGISTERED OWNER []

APPLICANT []

AGENT [X]

(e) Notice Cards Posted by:

REGISTERED OWNER []

APPLICANT []

AGENT [X]

3. Type and Purpose of Proposed Transaction: (Check off appropriate box & provide short explanation)

RURAL RESIDENTIAL[X] AGRICULTURAL[] URBAN RESIDENTIAL[] COMMERCIAL/INDUSTRIAL[]

To create a new parcel for rural residential purposes.

OR

EASEMENT []

RIGHT OF WAY []

CORRECTION OF TITLE []

LEASE []

(a) If known, the name of person to whom the land or an interest in the land is to be transferred, charged or leased.

Future owner is not known

4. (a) Location of Land in the County of Wellington:

Local Municipality: Township of Puslinch

Concession 8

Lot No. Part of Lot 21

Registered Plan No. _____

Lot No. _____

Reference Plan No. 61R-8905

Part No. 3

Civic Address 4458 Victoria Road South

(b) When was property acquired: December 1987

Registered Instrument No. ROS564096

5. Description of Land intended to be SEVERED:

Metric []

Imperial []

Frontage/Width 44 ±

AREA

0.4 ha ±

Depth 91 ±

Existing Use(s)

Vacant Land

Existing Buildings or structures: None

Proposed Uses (s): A new rural residential dwelling

Type of access (Check appropriate space)

Existing [X]

Proposed []

[] Provincial Highway

[] Right-of-way

[] County Road

[] Private road

[X] Municipal road, maintained year round

[] Crown access road

[] Municipal road, seasonally maintained

[] Water access

[] Easement

[] Other

Type of water supply - Existing [] Proposed [X] (check appropriate space)

[] Municipally owned and operated piped water system

[X] Well [X] individual [] communal

[] Lake

[] Other

Type of sewage disposal - Existing [] Proposed [X] (check appropriate space)

[] Municipally owned and operated sanitary sewers

[X] Septic Tank (specify whether individual or communal): Individual

[] Pit Privy

[] Other (Specify):

6. Description of Land intended to be RETAINED: Metric [X] Imperial []

Frontage/Width	<u>14 / 128 ±</u>	AREA	<u>5.3 ha ±</u>
Depth	<u>505 ±</u>	Existing Use(s)	<u>Rural Residential</u>

Existing Buildings or structures: Dwelling and various accessory buildings (Shed/Storage)

Proposed Uses (s): No Change

Type of access (Check appropriate space)	Existing []	Proposed [X]
<input type="checkbox"/> Provincial Highway	<input type="checkbox"/> Right-of-way	
<input type="checkbox"/> County Road	<input type="checkbox"/> Private road	
<input checked="" type="checkbox"/> Municipal road, maintained year round	<input type="checkbox"/> Crown access road	
<input type="checkbox"/> Municipal road, seasonally maintained	<input type="checkbox"/> Water access	
<input type="checkbox"/> Easement	<input type="checkbox"/> Other	

Type of water supply - Existing [X] Proposed [] (check appropriate space)

Municipally owned and operated piped water system
 Well individual communal
 Lake
 Other

Type of sewage disposal - Existing [X] Proposed [] (check appropriate space)

Municipally owned and operated sanitary sewers
 Septic Tank (specify whether individual or communal):
 Pit Privy
 Other (Specify):

7. Is there an agricultural operation, (either a barn, manure storage, abattoir, livestock area or stockyard) within 500 metres of the Subject lands (severed and retained parcels)? YES [] NO [X]
 *If yes, see sketch requirements and the application must be accompanied by a MINIMUM DISTANCE SEPARATION FORM.
8. Is there a landfill within 500 metres [1640 feet]? YES [] NO [X]
9. a) Is there a sewage treatment plant or waste stabilization plant within 500 metres [1640']? YES [] NO [X]
10. Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the lands to be retained or to be severed or within 120 metres [394 feet]? YES [X] NO []
11. Is there any portion of the land to be severed or to be retained located within a floodplain? YES [] NO [X]
12. Is there a provincial park or are there Crown Lands within 500 metres [1640']? YES [] NO [X]
13. Is any portion of the land to be severed or retained within a rehabilitated mine/pit site? YES [] NO [X]
14. Is there an active or abandoned mine, quarry or gravel pit within 500 metres [1640']? YES [X] NO []
15. Is there a noxious industrial use within 500 meters [1640']? YES [] NO [X]
16. Is there an active or abandoned principal or secondary railway within 500 metres [1640']? YES [] NO [X]

Name of Rail Line Company: _____

17. Is there an airport or aircraft landing strip nearby? YES [] NO [X]
18. Is there a propane retail outlet, propane filling tank, cardlock/keylock or private propane outlet/container refill centre within 750 metres of the proposed subject lands? YES [] NO [X]

19. PREVIOUS USE INFORMATION:

- a) Has there been an industrial use(s) on the site? YES [] NO [X] UNKNOWN []

If YES, what was the nature and type of industrial use(s)?

- b) Has there been a commercial use(s) on the site? YES [] NO [X] UNKNOWN []

If YES, what was the nature and type of the commercial use(s)

- c) Has fill been brought to and used on the site (other than fill to accommodate septic systems or residential landscaping?) YES [] NO [X] UNKNOWN []

- d) Has there been commercial petroleum or other fuel storage on the site, underground fuel storage, or has the site been used for a gas station at any time, or railway siding? YES [] NO [X] UNKNOWN []

If YES, specify the use and type of fuel(s) _____

20. Is this a **resubmission** of a previous application? YES [] NO [X]

If YES, is it identical [] or changed [] Provide previous File Number

21. a) Has any severance activity occurred on the land from the holding which existed as of March 1, 2005 and as registered in the Land Registry/Land Titles Office? YES [] NO [X]

- b) If the answer in (a) is YES, please indicate the previous severance(s) on the required sketch and provide: **Transferee's Name, Date of the Transfer and Use of Parcel Transferred.**
-

22. Has the parcel intended to be severed ever been, or is it now, the subject of an application for a plan of subdivision or other Consent or approval under the Planning Act or its predecessors?

YES [] NO [X] UNKNOWN []

23. Under a separate application, is the Owner, applicant, or agent applying for additional consents on this holding simultaneously with this application? YES [] NO [X]

24. Provide explanation of how the application is consistent with the Provincial Policy Statement.

This application is consistent with the PPS as per Section 2.3.3.3 where it states that new land uses, including the creation of lots shall comply with the minimum distance separation formula.

25. In addition to Places to Grow (Provincial Growth Plan), is the subject land within an area of land designated under the Greenbelt Plan? Provide explanation of how the application conforms or does not conflict with the Provincial plan or plans.

The Natural Heritage System mapping indicates that there is a wetland area on the retained parcel, however the severance boundaries are outside of this feature.

26. a) Indicate the existing **County Official Plan** designation(s) of the subject land, and provide explanation of how the application conforms with the Official Plan (severed and retained).

The subject property is designated as Secondary Agricultural, Core Greenlands and Greenlands in the Official Plan. Section 10.4.4 of the Official Plan that states that lot creation for residential uses is permitted in lands designated as Secondary Agricultural provided the criteria is met.

- b) Indicate the existing **Local Official Plan** (if any) designation(s) of the subject land, and provide explanation of how the application conforms with the Official Plan (severed and retained).

N/A

- c) If this consent relates directly to an Official Plan Amendment(s) currently under review by an approval authority, please indicate the Amendment Number and the applicable file number(s).

Amendment Number(s): _____ File Number(s): _____

27. Is the subject land a proposed surplus farm dwelling?* YES [] NO [X]

*If yes, an application to sever a surplus farm dwelling must be accompanied by a FARM INFORMATION FORM.

28. What is the zoning of the subject lands? **Agricultural and Natural Environment**

29. Does the proposal for the subject lands conform to the existing zoning? YES [] NO [X]

A minor variance will be applied for pending severance approval for the reduced frontage of the retained parcel

- If NO, a) has an application been made for re-zoning?
YES [] NO [] File Number _____

- b) has an application been made for a minor variance?
YES [] NO [] File Number _____

30. Are the lands subject to any mortgages, easements, right-of-ways or other charges? YES [X] NO []

If the answer is YES, please provide a copy of the relevant instrument.
 For mortgages just provide complete name and address of Mortgagee.

- **Mortgage as in Instrument No. WC11123 with the Toronto-Dominion Bank located at 496 Edinburgh Road, Guelph, ON, N1G 4Z1**
- **Easement as in INST No LT67493 on Part 2, 61R-8905 for maintenance of overhead utilities**

Questions 31 – 34 must be answered for Applications for severance in the Rural/Agricultural Area -- Otherwise, if this is not applicable to your application, please state "not Applicable"

31. **Type of Farm Operation** conducted on these subject lands: **None**

Type: Dairy [] Beef Cattle [] Swine [] Poultry [] Other []

32. **Dimensions of Barn(s)/Outbuildings/Sheds (that are to remain) Severed & Retained Lands**

<u>Retained</u>	Width <u>10±m</u>	Length <u>16±m</u>	Area <u>160±m²</u>	Use <u>Shed 1</u>
	Width <u>10±m</u>	Length <u>40±m</u>	Area <u>400±m²</u>	Use <u>Shed 2</u>
	Width <u>8±m</u>	Length <u>14±m</u>	Area <u>112±m²</u>	Use <u>Outdoor Storage</u>

October 3, 2019
27548-19

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 & Sketch
4458 Victoria Road South
Part of Lot 21, Concession 8
PIN 71195-0254
Township of Puslinch**

RECEIVED

OCT 03 2019

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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, PIN report and map, the required deeds, addresses of neighbouring properties, a cheque to the GRCA for \$410.00 and a cheque to Wellington County for \$4,340.00.

Proposal:

The proposal is to create a new rural residential parcel along Victoria Road South with a frontage of 44± m, depth of 91± m for an area of 0.40 ha. The severed parcel was configured to have the same depth as the other three parcels to the west. The severance is an efficient use of open space with flat terrain and safe access for the entrance is already provided.

The retained parcel will have a narrow frontage of 14±m along Victoria Road South and widens at the rear to 128± m for an area of 5.38± ha where the existing dwelling and accessory buildings will remain. The retained parcel will have a reduced frontage of 14 m instead of 121.9 m as required for parcels over 4.0 ha and a minor variance application will be submitted to the Township of Puslinch. The sightlines have been evaluated and a safe entrance is possible.

There is a wetland on the retained parcel and based on GRCA mapping it is located approximately 20 m from the rear limit. The Provincial Growth Plan recommends a 30 m buffer to a natural feature. We provide the opinion, however, that the proposed limit is more logical than setting the parcel 10 m shorter than the parcel to the west. In addition, a reduced depth would require the severance to be widened to 49.5 m to create a 0.40 ha parcel – giving the retained parcel a frontage of 8.5 m. Creating unison with the other parcels to the north is the more practical solution.

The parcel has a designation of Secondary Agricultural in the County of Wellington 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.
- Safe entrance is available.
- Adequate space for new dwelling and septic.
- No impacts on environmentally sensitive lands or woodlot.
- MDS requirements are met.
- Zoning requirements are met for the severed parcel.

In summary, this severance is a very practical, is great use of the open space and follows the relevant criteria for severances.

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

33. **Manure Storage Facilities** on these lands: **None**

DRY		SEMI-SOLID		LIQUID	
Open Pile	[]	Open Pile	[]	Covered Tank	[]
Covered Pile	[]	Storage with Buck Walls	[]	Aboveground Uncovered Tank	[]
				Belowground Uncovered Tank	[]
				Open Earth-sided Pit	[]

34. Are there any drainage systems on the retained and severed lands? YES [] NO [X]

Type	Drain Name & Area	Outlet Location
Municipal Drain	[]	Owner's Lands []
Field Drain	[]	Neighbours Lands []
		River/Stream []

35. **Source Water Protection Plan**

Is the subject land within a Wellhead Protection Area, Issue Contributing Area, or Intake Protection Zone of a Source Protection Plan in effect? YES [] NO [X]

If YES, please complete the Source Water Protection Form and submit with your application.

36. Have you had a pre-consultation meeting with County Planning Staff before filling out this application form?

YES [] NO [X]

If yes, please indicate the person you have met/spoken to:

37. If you wish to provide some further information that may assist the Planning and Land Division Committee in evaluating your application, please provide by a letter and attach it to this application.

Please see covering letter.

NOTES:

1. **One original completed application and two original sketches must be filed with the County of Wellington Planning and Land Division office.** If original sketch is larger than 11" x 17", 8 additional copies are required plus one sketch reduced to a size of 11" x 17" (or smaller) for office photocopying and circulation to neighbours. Facsimile documents are not acceptable for reasons of the necessity of good photocopying.
2. The location of the lands (severed & retained) which are the subject of the application must also be shown on the Surveyor's sketch or on an attached "Key Map" and included with the application.
3. Since the filing fee for applications for consent change from time to time, please contact the Planning and Land Division office for current fee information. This fee may be paid in cash or by cheque payable to the County of Wellington.
4. Additional information about the process, about any particular application or obtaining application forms may be obtained by attending at the County of Wellington Administration Centre, 74 Woolwich Street, Guelph Ontario N1H 3T9, by telephone at 519-837-2600, ext. 2160 or 2170; or by facsimile (fax) at 519-837-3875.

OWNER'S AUTHORIZATION:

The Owner must complete the following to authorize applicant, agent or solicitor to act on their behalf.

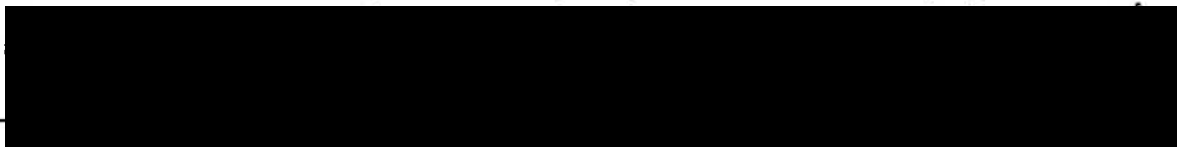
NOTE: If more than one owner is listed in item #2 of this application, then all owners must sign this authorization section of the application form or by a letter of authorization duly signed.

If the Owner is a corporation, the authorization must be by an officer of the corporation who has authority to bind the corporation.

I, (we), Mary Helen HOHENADEL & Paul Francis HOHENADEL the Registered Owners of Part of Lot 21, Concession 8, Part 3, 61R-8905 T/W Easement No. LT67493 on Part 2, 61R-8905 Of the Township of Puslinch in the

County/-Region of Wellington severally and jointly, solemnly declare that

Jeffrey E. Buisman, OLS, of Van Harten Surveying Inc.

Is 

APPLICANT'S DECLARATION

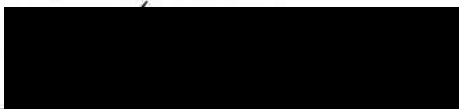

This must be completed by the Applicant for the proposed consent

I, (we) Jeffrey E. Buisman, OLS, of Van Harten Surveying Inc. of the City of Guelph In the County/-Region of Wellington Solemnly declare that all

the statements contained in this application for consent for (property description) _____

Part of Lot 21, Concession 8, Part 3, 61R-8905 T/W Easement No. LT67493 on Part 2, 61R-8905 Of the Township of Puslinch

And all the supporting documents are true, and I, (we), make this solemn declaration conscientiously believing it to be true and complete, and knowing that it is of the same force and effect as if made under oath, and virtue of the CANADA EVIDENCE ACT.

DECLARED before me at the  Of  (Owner or Applicant)

Guelph In the County/-Region of Wellington

This 3 day of October 20 19  (Owner or Applicant)

James Michael Laws,
a Commissioner, etc.,
Province of Ontario,
Commissioner of Oaths
for Van Harten Surveying Inc.
Expires May 11, 2021.

Printed Commissioner's, etc. Name

APPLICANT'S CONSENT (FREEDOM OF INFORMATION):

In accordance with the provisions of the Planning Act, it is the policy of the County Planning and Development Department to provide public access to all development applications and supporting documentation. In submitting this development application and supporting documentation, I, Jeff Buisman of Van Harten Surveying Inc., the applicant, hereby acknowledge the above-noted and provide my consent in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act that the information on this application and any supporting documentation provided by myself, my agents, solicitors, and consultants will be part of the public record and will also be available to the general public.

Signature

A large black rectangular redaction box covers the signature area.

Date

Oct 3, 2019

THIS APPLICATION PACKAGE IS TO BE SUBMITTED TO:

**Secretary-Treasurer
Planning and Development Department
County of Wellington
74 Woolwich Street
Guelph, Ontario
N1H 3T9**

Phone (519) 837-2600 Ext. 2160

Jana Poechman

From: Emily Vandermeulen <EVandermeulen@centrewellington.ca>
Sent: Tuesday, October 8, 2019 4:29 PM
To: Jana Poechman
Cc: Source Water
Subject: RE: Screening Form - B70-19
Attachments: WHPA_Map_4458VictoriaRdS_Q.PDF

Hi Jana,

Thank you for providing the above referenced application for review. Since this property is **not** located in a vulnerable area (wellhead protection area, issues contributing area, intake protection zone etc.), the application can be screened out and it does not require a Section 59 notice under the *Clean Water Act*.

This property is located in the Guelph/Guelph-Eramosa WHPA-Q or IPZ-Q (quantity). The WHPA-Q and IPZ-Q are not currently in legal effect. The applicant should be made aware that policy requirements are being developed for inclusion in the applicable Source Protection Plan and policies may apply to this property in the future. Further information can be found at <http://www.wellingtonwater.ca/en/how-does-this-affect-me/tier-3-water-budget-studies.aspx>

I have attached a map showing the property and Wellhead Protection Areas for your reference.

If you have any further questions regarding this application, please contact me.

Emily Vandermeulen | Risk Management Inspector / Source Protection Coordinator

Wellington Source Water Protection | 7444 Wellington Road 21, Elora, ON, N0B 1S0
519.846.9691 x365 | evandermeulen@centrewellington.ca | www.wellingtonwater.ca
Toll free: 1.844.383.9800

From: Jana Poechman [mailto:janap@wellington.ca]
Sent: Tuesday, October 8, 2019 10:32 AM
To: Emily Vandermeulen <EVandermeulen@centrewellington.ca>
Subject: Screening Form - B70-19

Good Morning Emily.

Here is the screening form for the property we were discussing.
We plan to circulate Thursday.

Thanks.
Jana

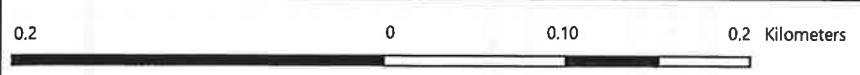
Jana Poechman
Planning Administrative Clerk
Planning and Development Department
County of Wellington
74 Woolwich Street
Guelph ON N1H 3T9
T 519.837.2600 x 2170
E janap@wellington.ca

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- Legend**
- Parcels
 - Roads
 - Local Road
 - County Road
 - Highway
 - Well Locations
 - Q1 and Q2 Boundary
 - Q1 and Q2
 - Approved
 - Draft
 - RoadsLookup



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Notes



4458 Victoria Road South,
Puslinch

B70-19



Lands to be severed

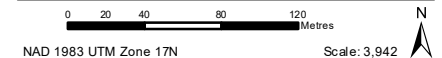
Lands to be retained

Legend

- Regulation Limit (GRCA)
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Floodplain (GRCA)
 - Engineered
 - Estimated
 - Approximate
 - Special Policy Area
- Slope Valley (GRCA)
 - Steep
 - Oversteep
 - Steep
- Slope Erosion (GRCA)
 - Oversteep
 - Toe
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNRF)

This legend is static and may not fully reflect the layers shown on the map. The text of Ontario Regulation 150/06 supercedes the mapping as represented by these layers.

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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>



<p align="center">LOT CONCESSION</p> <p align="center">LANDS TO BE SEVERED AREA=0.40±ha</p> <p>PIN 71191 - 0003</p>		<p align="center">2 1</p> <p align="center">PIN 71191 - 0010</p> <p align="center">#4457</p> <p align="center">PART 1, 61R-818</p>	<p align="center">LOT 9</p> <p align="center">PIN 71191 - 0011</p> <p align="center">PART 1, 61R-663</p>	<p align="center">2 2</p> <p align="center">'ST LAWRENCE CEMENT INC'</p>
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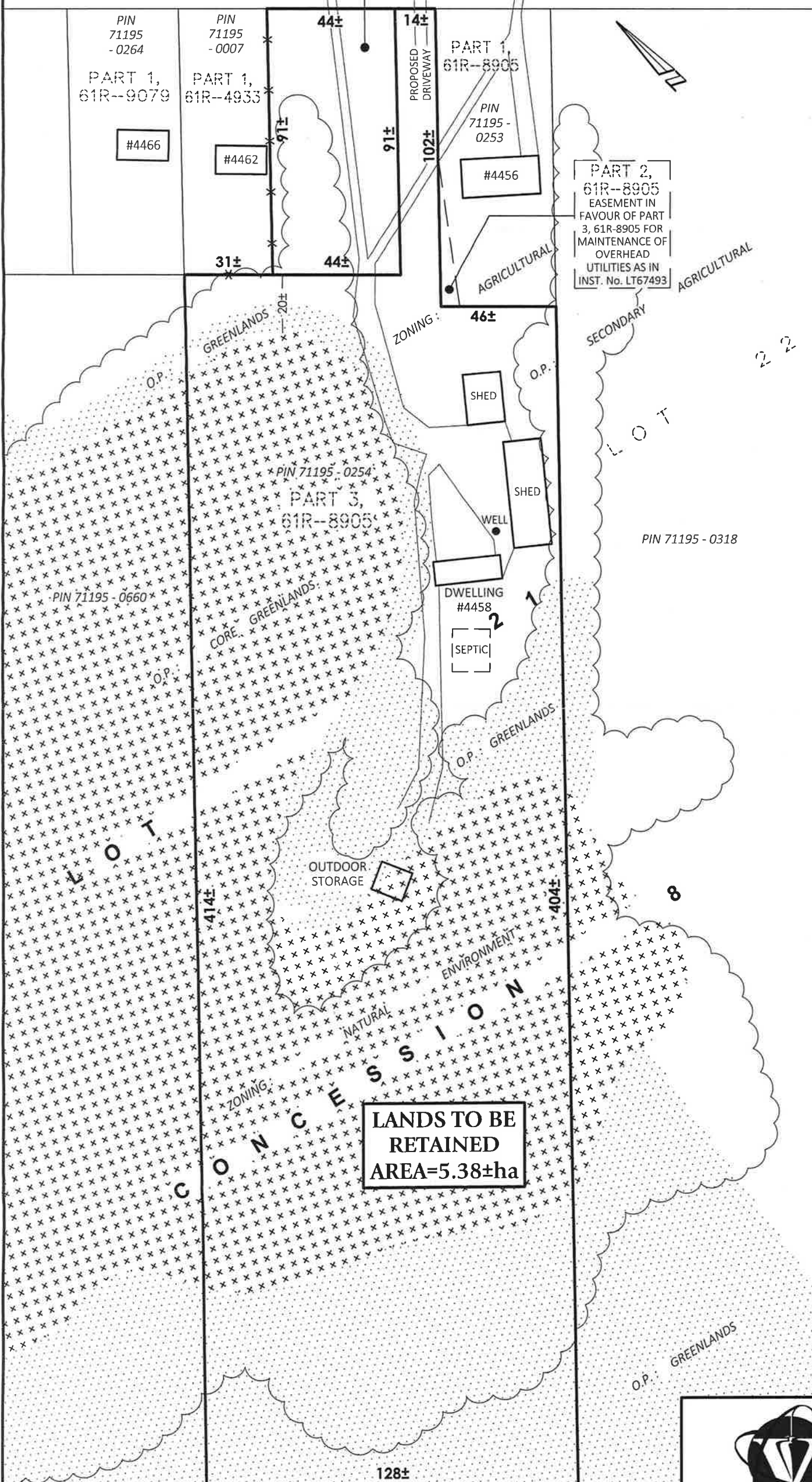
SEVERANCE SKETCH
PART OF LOT 21, CONCESSION 8
TOWNSHIP OF PUSLINCH
COUNTY OF WELLINGTON

SCALE 1 : 1500

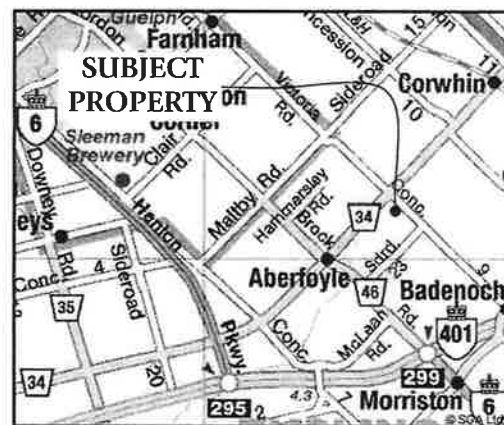


VAN HARTEN SURVEYING INC.

PIN 71191-0001 **VICTORIA ROAD SOUTH** ROAD ALLOWANCE BETWEEN CONCESSIONS 8 & 9
20.12m WIDE



KEYMAP



NOTES:

1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
2. SUBJECT LANDS ARE ZONED AGRICULTURAL & NATURAL ENVIRONMENT.
3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF SECONDARY AGRICULTURAL, GREENLANDS & CORE GREENLANDS.
4. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
5. DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.
6. SEE ATTACHED LIST OF NAMES AND ADDRESSES OF OWNERS.

- O.P. : GREENLANDS
ZONING: AGRICULTURAL
- O.P. : CORE GREENLANDS
ZONING: NATURAL ENVIRONMENT

THIS SKETCH WAS PREPARED
ON THE 3rd DAY OF OCTOBER 2019

JEFFREY E. BUISMAN
 ONTARIO LAND SURVEYOR



Van Harten
SURVEYING INC.
LAND SURVEYORS and ENGINEERS

Kitchener Ph: 519-742-8371	Guelph Ph: 519-821-2763	Orangeville Ph: 519-940-4110
www.vanharten.com		info@vanharten.com
DRAWN BY: ARN	CHECKED BY: JEB	PROJECT No. 27548-19
Oct 03, 2019-11:04am G:\PUSLINCH\Con8\Lot21\Acad\SEV LOT 21 (HOHENADEL) UTM.dwg		

REG'D		PLAN	61M --	203
O.P.	SPECIAL ZONING:	POLICY ML	AREA PA7-6 (H-1)	

October 11, 2019

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: October 03, 2019

FILE NO. B72-19

APPLICANT

Gari Ingertsa & Stacey Kall
7258 Concession 1
Puslinch N0B 2J0

LOCATION OF SUBJECT LANDS

Township of Puslinch
Part Lots 29 & 30
Concession 1

Proposed severance is 3.7 hectares with 280m frontage, vacant land for proposed rural residential use.

Retained parcel is 20.3 hectares with 192m frontage on Concession 7 Road and 304m frontage on Concession 1 Road, existing and proposed agricultural use with existing dwelling & shed.

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

November 13, 2019

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

MAILED TO:

Local Municipality - Puslinch County Planning Conservation Authority - GRCA

Bell Canada (email) County Clerk Roads/Solid Waste Civic Addressing

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

1. Approval Authority:

County of Wellington Planning and Land Division Committee
County of Wellington Administration Centre
74 Woolwich Street, GUELPH, Ontario N1H 3T9

Phone: 519-837-2600, ext. 2170 or 2160 Fax: 519-837-3875

Required Fee: \$ 4340
Fee Received: Oct 3/19

File No. 372-19

Accepted as Complete on: Oct 3/19

A COPY OF YOUR CURRENT DEED MUST BE SUBMITTED WITH THIS APPLICATION

2. (a) Name of Registered Owner(s) Gari INGERTSA & Stacey Elizabeth KALL

Address 7258 Concession 1, Puslinch, ON, N0B 2J0

Phone No. [REDACTED]

Email: [REDACTED]

m

(b) Name and Address of Applicant (as authorized by Owner)

Phone No. _____

Email: _____

(c) Name and Address of Owner's Authorized Agent:

Jeff Buisman of Van Harten Surveying Inc.
423 Woolwich Street, Guelph, ON, N1H 3X3

Phone No. 519-821-2763 x225

Email: Jeff.Buisman@vanharten.com

(d) All Communication to be directed to:

REGISTERED OWNER []

APPLICANT []

AGENT [X]

(e) Notice Cards Posted by:

REGISTERED OWNER []

APPLICANT []

AGENT [X]

3. Type and Purpose of Proposed Transaction: (Check off appropriate box & provide short explanation)

RURAL RESIDENTIAL[X] AGRICULTURAL[] URBAN RESIDENTIAL[] COMMERCIAL/INDUSTRIAL[]

To create a new lot for rural residential purposes

OR

EASEMENT [] RIGHT OF WAY [] CORRECTION OF TITLE [] LEASE []

(a) If known, the name of person to whom the land or an interest in the land is to be transferred, charged or leased.

Future owner is not known

4. (a) Location of Land in the County of Wellington:

Local Municipality: Township of Puslinch

Concession 1

Lot No. Part of Lots 29 & 30

Registered Plan No. _____

Lot No. _____

Reference Plan No. 61R-10971

Part No. 1-7

Civic Address 7258 Concession Road 1

(b) When was property acquired: January 2014

Registered Instrument No. WC395220

5. Description of Land intended to be SEVERED:

Metric []

Imperial []

Frontage/Width 280 / 277 ±

AREA

3.7 ha ±

Depth 140 ±

Existing Use(s)

Vacant Land

Existing Buildings or structures: None

Proposed Uses (s): Rural Residential – Proposed Dwelling

Type of access (Check appropriate space)

Existing []

Proposed [X]

[] Provincial Highway

[] Right-of-way

[] County Road

[] Private road

[X] Municipal road, maintained year round

[] Crown access road

[] Municipal road, seasonally maintained

[] Water access

[] Easement

[] Other

Type of water supply - Existing [] Proposed [X] (check appropriate space)

[] Municipally owned and operated piped water system

[X] Well [X] individual [] communal

[] Lake

[] Other _____

Type of sewage disposal - Existing [] Proposed [X] (check appropriate space)

[] Municipally owned and operated sanitary sewers

[X] Septic Tank (specify whether individual or communal): Individual

[] Pit Privy

[] Other (Specify): _____

6. Description of Land intended to be RETAINED: Metric [X] Imperial []

Frontage/Width **304 ±** AREA **20.3 ha ±**

Depth **726 ±** Existing Use(s) **Agricultural**

Existing Buildings or structures: **Dwelling and Shed**

Proposed Uses (s): **No Change**

Type of access (Check appropriate space)	Existing [X]	Proposed []
<input type="checkbox"/> Provincial Highway	<input type="checkbox"/> Right-of-way	
<input type="checkbox"/> County Road	<input type="checkbox"/> Private road	
<input checked="" type="checkbox"/> Municipal road, maintained year round	<input type="checkbox"/> Crown access road	
<input type="checkbox"/> Municipal road, seasonally maintained	<input type="checkbox"/> Water access	
<input type="checkbox"/> Easement	<input type="checkbox"/> Other	

Type of water supply - Existing [X] Proposed [] (check appropriate space)

Municipally owned and operated piped water system
 Well individual communal
 Lake
 Other

Type of sewage disposal - Existing [X] Proposed [] (check appropriate space)

Municipally owned and operated sanitary sewers
 Septic Tank (specify whether individual or communal): **Individual**
 Pit Privy
 Other (Specify): _____

7. Is there an agricultural operation, (either a barn, manure storage, abattoir, livestock area or stockyard) within 500 metres of the Subject lands (severed and retained parcels)? YES [] NO [X]
 *If yes, see sketch requirements and the application must be accompanied by a MINIMUM DISTANCE SEPARATION FORM.
8. Is there a landfill within 500 metres [1640 feet]? YES [] NO [X]
9. a) Is there a sewage treatment plant or waste stabilization plant within 500 metres [1640']? YES [] NO [X]
10. Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the lands to be retained or to be severed or within 120 metres [394 feet]? YES [X] NO []
11. Is there any portion of the land to be severed or to be retained located within a floodplain? YES [] NO [X]
12. Is there a provincial park or are there Crown Lands within 500 metres [1640']? YES [] NO [X]
13. Is any portion of the land to be severed or retained within a rehabilitated mine/pit site? YES [] NO [X]
14. Is there an active or abandoned mine, quarry or gravel pit within 500 metres [1640']? YES [] NO [X]
15. Is there a noxious industrial use within 500 meters [1640']? YES [] NO [X]
16. Is there an active or abandoned principal or secondary railway within 500 metres [1640']? YES [] NO [X]

Name of Rail Line Company: _____

17. Is there an airport or aircraft landing strip nearby? YES [] NO [X]
18. Is there a propane retail outlet, propane filling tank, cardlock/keylock or private propane outlet/container refill centre within 750 metres of the proposed subject lands? YES [] NO [X]

19. PREVIOUS USE INFORMATION:

- a) Has there been an industrial use(s) on the site? YES [] NO [X] UNKNOWN []

If YES, what was the nature and type of industrial use(s)?

- b) Has there been a commercial use(s) on the site? YES [] NO [X] UNKNOWN []

If YES, what was the nature and type of the commercial use(s)

- c) Has fill been brought to and used on the site (other than fill to accommodate septic systems or residential landscaping?) YES [] NO [X] UNKNOWN []

- d) Has there been commercial petroleum or other fuel storage on the site, underground fuel storage, or has the site been used for a gas station at any time, or railway siding? YES [] NO [X] UNKNOWN []

If YES, specify the use and type of fuel(s) _____

20. Is this a **resubmission** of a previous application? YES [] NO [X]

If YES, is it identical [] or changed [] Provide previous File Number _____

21. a) Has any severance activity occurred on the land from the holding which existed as of March 1, 2005 and as registered in the Land Registry/Land Titles Office? YES [] NO [X]

- b) If the answer in (a) is YES, please indicate the previous severance(s) on the required sketch and provide:
Transferee's Name, Date of the Transfer and Use of Parcel Transferred.

22. Has the parcel intended to be severed ever been, or is it now, the subject of an application for a plan of subdivision or other Consent or approval under the Planning Act or its predecessors? YES [] NO [X] UNKNOWN []

23. Under a separate application, is the Owner, applicant, or agent applying for additional consents on this holding simultaneously with this application? YES [] NO [X]

24. Provide explanation of how the application is consistent with the Provincial Policy Statement.

This application is consistent with the PPS as per Section 2.3.3.3 where it states that new land uses, including the creation of lots shall comply with the minimum distance separation formula. MDS is met.

25. In addition to Places to Grow (Provincial Growth Plan), is the subject land within an area of land designated under the Greenbelt Plan? Provide explanation of how the application conforms or does not conflict with the Provincial plan or plans.

The the rear portion of the subject property is within the Greenbelt Plan, however the severance is outside of this area and it adheres to the policies.

26. a) Indicate the existing **County Official Plan** designation(s) of the subject land, and provide explanation of how the application conforms with the Official Plan (severed and retained).

The subject property is designated as Secondary Agricultural, Core Greenlands and Earth Science ANSI in the Official Plan. Section 10.4.4 of the Official Plan that states that lot creation for residential uses is permitted in lands designated as Secondary Agricultural provided the criteria is met.

- b) Indicate the existing **Local Official Plan** (if any) designation(s) of the subject land, and provide explanation of how the application conforms with the Official Plan (severed and retained).

N/A

- c) If this consent relates directly to an Official Plan Amendment(s) currently under review by an approval authority, please indicate the Amendment Number and the applicable file number(s).

Amendment Number(s): _____ File Number(s): _____

27. Is the subject land a proposed surplus farm dwelling?* YES [] NO [X]

*If yes, an application to sever a surplus farm dwelling must be accompanied by a FARM INFORMATION FORM.

28. What is the zoning of the subject lands? **Agricultural and Natural Environment**

29. Does the proposal for the subject lands conform to the existing zoning? YES [X] NO []

If NO, a) has an application been made for re-zoning?

YES [] NO [] File Number _____

b) has an application been made for a minor variance?

YES [] NO [] File Number _____

30. Are the lands subject to any mortgages, easements, right-of-ways or other charges? YES [X] NO []

If the answer is YES, please provide a copy of the relevant instrument.

For mortgages just provide complete name and address of Mortgagee.

- Easement for Hydro One as in INST No. IS12163
- Easement for Driveway to Pond and to Concession Road 7 as in INST No. IS12931
- Mortgage as in INST No. WC395221 with The Bank of Nova Scotia located at 611 Third Line at Speers Road, Oakville, ON, L6L 4A8

Questions 31 – 34 must be answered for Applications for severance in the Rural/Agricultural Area – Otherwise, if this is not applicable to your application, please state “not Applicable”

31. **Type of Farm Operation** conducted on these subject lands: **None**

Type: Dairy [] Beef Cattle [] Swine [] Poultry [] Other []

32. **Dimensions of Barn(s)/Outbuildings/Sheds (that are to remain) Severed & Retained Lands**

<u>Retained</u>	Width	<u>12±m</u>	Length	<u>20±m</u>	Area	<u>240±m²</u>	Use	<u>Shed</u>
	Width		Length		Area		Use	
<u>Severed</u>	Width		Length		Area		Use	
	Width		Length		Area		Use	



Van Harten
SURVEYING INC.

LAND SURVEYORS and ENGINEERS

October 3, 2019
27577-19

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 & Sketch
7258 Concession 1
Part of Lot 29, Concession 1
PIN 71202-0097
Township of Puslinch**

RECEIVED

OCT 03 2019

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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, PIN Report and Map, the required deed, addresses of neighbouring properties, a cheque to the GRCA for \$410.00 and a cheque to Wellington County for \$4,340.00.

Proposal:

The proposal is to create a new rural residential parcel along Concession Road 7 at the north end of the property. The severance will have a frontage of 280± m, depth of 140± m for an area of 3.7± ha. The retained parcel will have an area of 20.3± ha where an existing dwelling and shed will remain with access along Concession Road 1.

There is a high tension hydro tower and corresponding easement along the Concession 7 limit. Similar to a previous severance in 2004 (shown as PIN 71202-0096 on the sketch), this hydro line and easement will not impede the severance.

The severed parcel is relatively hilly and required an evaluation of the safe entrance possibilities. A safe entrance is possible just south of the tower for the high tension line. This driveway will be opposite Calfass Road located on the east side of Concession 7.

71 Weber Street East
Kitchener, ON N2H 1C6
519-742-8371

423 Woolwich Street
Guelph, ON N1H 3X3
519-821-2763

660 Riddell Road, Unit 1
Orangeville, ON L9W 5G5
519-940-4110

Elmira, ON:
519-869-5070

Collingwood, ON:
249-499-3359

www.vanharten.com

R.P. Magahay, B.A. J.E. Buisman, B.E.S., B.Sc., O.L.S. R.M. Mak, B.Sc., O.L.S. J.M. Laws, B.Sc., O.L.S. J.M. Duffy, P.Eng



Van Harten
SURVEYING INC.

LAND SURVEYORS and ENGINEERS

The property is subject to two additional easements which are old and not being used as easements for decades. One of the easements (Instrument IS12931 – Part 3, 61R-10971) is for driveway access for the property to the west. There is no driveway in this location. The property to the west uses a driveway that is located north of the proposed severance.

The second old easement (Instrument IS12931 – Part 7, 61R-10971) is for access to a pond on the retained parcel. I understand that this was to allow animals to access the pond for water. This easement has not been used as such for decades.

The proposed severance is 3.7 ha and a fair bit larger than the typical 0.4 to 0.8 ha severance; however the unique characteristics of the site warrants the proposed configuration. The existing parcel is quite large and fronts on Concession 1 Road. The area of the proposed severance is separated from the front area with fields and dwelling by 350 m of bush. The proposed severance fronts on Concession 7 and the owners never go to this area except to occasionally cut the grass/field. It is an isolated area relative to the main property.

A severance of just 1 ha centred on the proposed driveway would leave behind a hilly area of grass/weeds in the responsibility of the retained parcel. This would be quite impractical. Also, a severance at the north end of the proposed severance would not work due to the lack of having a safe entrance. In summary the proposed severance is an appropriate split of the parcel in light of the topography and location of bush.

The subject property is within both the GRCA and Hamilton Conservation Area Authority. The severed parcel is completely within the GRCA boundary which is why we included the \$410.00 review fee and not the Hamilton Conservation fee.

The parcel has a designation of Secondary Agricultural in the County of Wellington 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.
- Safe entrance is available.
- Adequate space for new dwelling and septic.
- No impacts on environmentally sensitive lands or woodlot.
- MDS requirements are met.
- Zoning requirements are met.

In summary, this severance is a very practical and efficient use of an open space.

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 Stacey Kall & Gari Ingertsa

33. **Manure Storage Facilities** on these lands: None

DRY		SEMI-SOLID		LIQUID	
Open Pile	[]	Open Pile	[]	Covered Tank	[]
Covered Pile	[]	Storage with Buck Walls	[]	Aboveground Uncovered Tank	[]
				Belowground Uncovered Tank	[]
				Open Earth-sided Pit	[]

34. Are there any drainage systems on the retained and severed lands? YES [] NO [X]

Type	Drain Name & Area	Outlet Location
Municipal Drain	[]	Owner's Lands []
Field Drain	[]	Neighbours Lands []
		River/Stream []

35. **Source Water Protection Plan**

Is the subject land within a Wellhead Protection Area, Issue Contributing Area, or Intake Protection Zone of a Source Protection Plan in effect? YES [] NO [X]

If YES, please complete the Source Water Protection Form and submit with your application.

36. Have you had a pre-consultation meeting with County Planning Staff before filling out this application form?

YES [] NO [X]

If yes, please indicate the person you have met/spoken to:

37. If you wish to provide some further information that may assist the Planning and Land Division Committee in evaluating your application, please provide by a letter and attach it to this application.

Please see covering letter.

NOTES:

1. **One original completed application and two original sketches must be filed with the County of Wellington Planning and Land Division office.** If original sketch is larger than 11" x 17", 8 additional copies are required plus one sketch reduced to a size of 11" x 17" (or smaller) for office photocopying and circulation to neighbours. Facsimile documents are not acceptable for reasons of the necessity of good photocopying.
2. The location of the lands (severed & retained) which are the subject of the application must also be shown on the Surveyor's sketch or on an attached "Key Map" and included with the application.
3. Since the filing fee for applications for consent change from time to time, please contact the Planning and Land Division office for current fee information. This fee may be paid in cash or by cheque payable to the County of Wellington.
4. Additional information about the process, about any particular application or obtaining application forms may be obtained by attending at the County of Wellington Administration Centre, 74 Woolwich Street, Guelph Ontario N1H 3T9, by telephone at 519-837-2600, ext. 2160 or 2170; or by facsimile (fax) at 519-837-3875.

OWNER'S AUTHORIZATION:

The Owner must complete the following to authorize applicant, agent or solicitor to act on their behalf.

NOTE: If more than one owner is listed in item #2 of this application, then all owners must sign this authorization section of the application form or by a letter of authorization duly signed.

If the Owner is a corporation, the authorization must be by an officer of the corporation who has authority to bind the corporation.

I, (we), Gari INGERTSA & Stacey Elizabeth KALL the Registered Owners of
Part of Lots 29 & 30, Concession 1, Parts 1-7, 61R-10971 S/T IS12163 Of the Township of Puslinch
in the

County/-Region of Wellington severally and jointly, solemnly declare that
Jeffrey E. Buisman, OLS, of Van Harten Surveying Inc.

Is authorized to submit an application for consent on my (our) behalf

X  
Signature(s) of Registered Owner(s) or Corporation's Officer

APPLICANT'S DECLARATION

This must be completed by the Applicant for the proposed consent

I, (we) Jeffrey E. Buisman, OLS, of Van Harten Surveying Inc. of the
City of Guelph In the County/-Region of
Wellington Solemnly declare that all

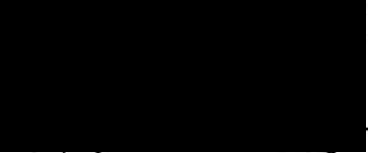
the statements contained in this application for consent for (property description) _____
Part of Lots 29 & 30, Concession 1, Parts 1-7, 61R-10971 S/T IS12163 Of the Township of
Puslinch

And all the supporting documents are true, and I, (we), make this solemn declaration conscientiously believing it to be true and complete, and knowing that it is of the same force and effect as if made under oath, and virtue of the CANADA EVIDENCE ACT.

DECLARED before me at the _____
City Of  (Owner or Applicant)
Guelph In the

County/-Region of Wellington

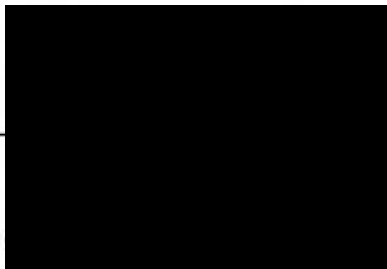
This 3 day of October 2019 _____ (Owner or Applicant)


Commissioner of Oaths
James Michael Laws,
a Commissioner, etc.,
Province of Ontario.
for Van Harten Surveying Inc.
Expires May 11, 2021
Printed Commissioner's, etc. Name

APPLICANT'S CONSENT (FREEDOM OF INFORMATION):

In accordance with the provisions of the Planning Act, it is the policy of the County Planning and Development Department to provide public access to all development applications and supporting documentation. In submitting this development application and supporting documentation, I, Jeff Buisman of Van Harten Surveying Inc., the applicant, hereby acknowledge the above-noted and provide my consent in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act that the information on this application and any supporting documentation provided by myself, my agents, solicitors, and consultants will be part of the public record and will also be available to the general public.

Signature of Owner(s)



Date

Oct 3, 2014

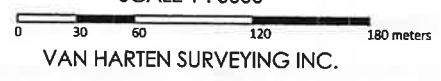
THIS APPLICATION PACKAGE IS TO BE SUBMITTED TO:

**Secretary-Treasurer
Planning and Development Department
County of Wellington
74 Woolwich Street
Guelph, Ontario
N1H 3T9**

Phone (519) 837-2600 Ext. 2160

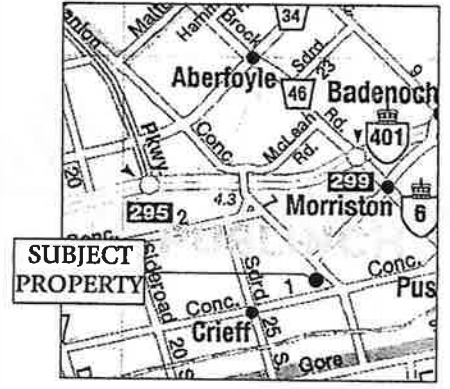
SEVERANCE SKETCH PART OF LOTS 29 & 30, CONCESSION 1 TOWNSHIP OF PUSLINCH COUNTY OF WELLINGTON

SCALE 1 : 3000



VAN HARTEN SURVEYING INC.

KEYMAP

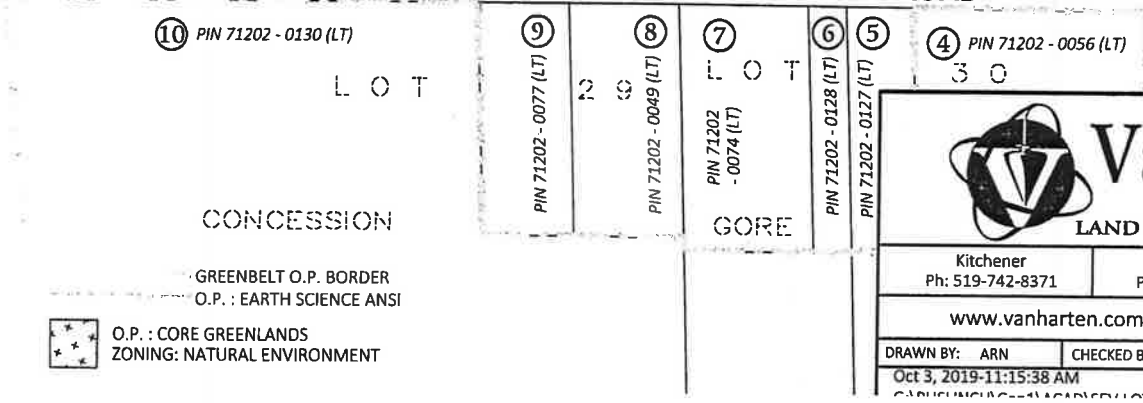
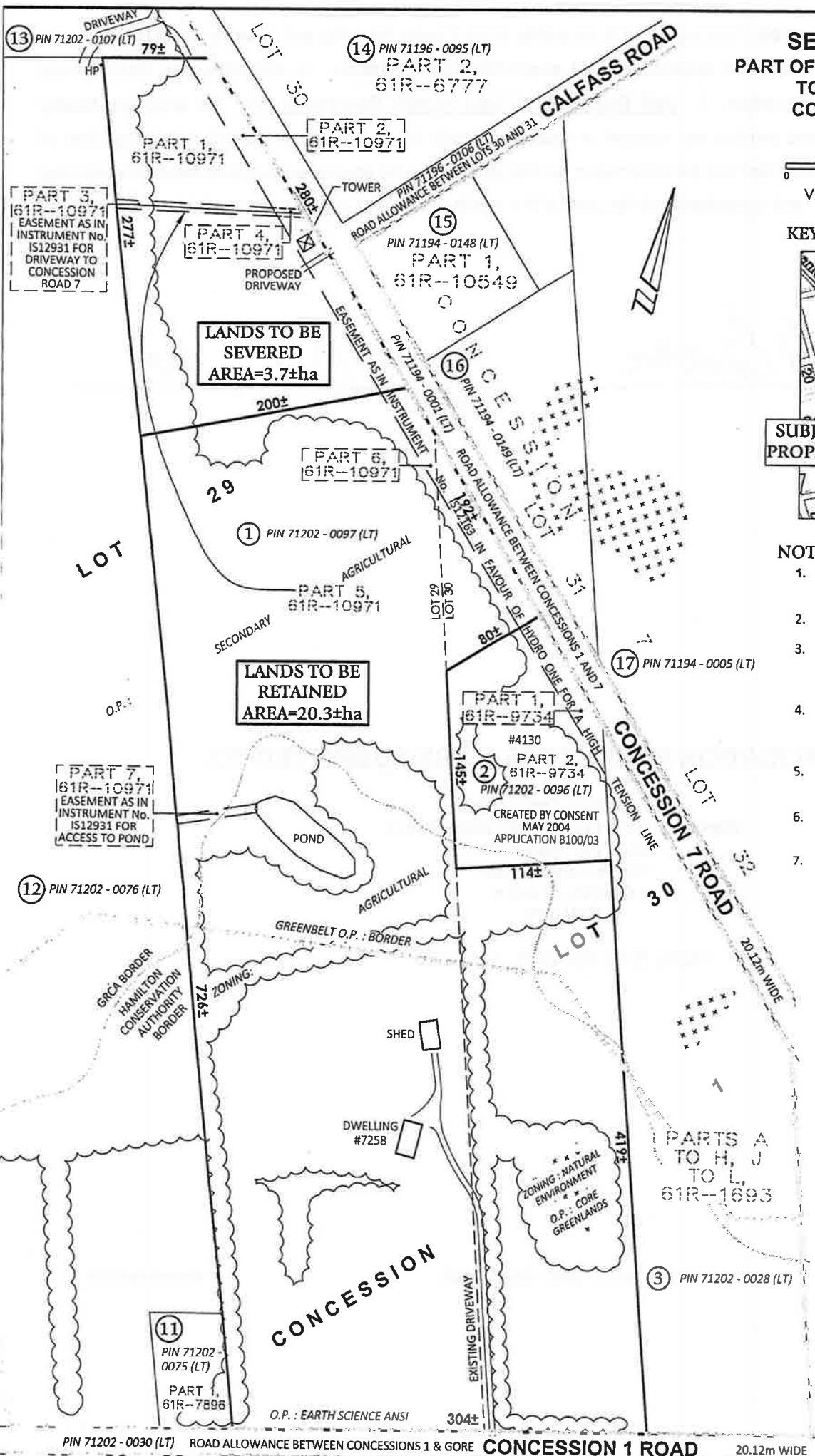


SUBJECT
PROPERTY

NOTES:

1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
2. SUBJECT LANDS ARE ZONED AGRICULTURAL & NATURAL ENVIRONMENT.
3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF SECONDARY AGRICULTURAL, CORE GREENLANDS, & EARTH SCIENCE ANSI.
4. SUBJECT LANDS HAVE A GREENBELT OFFICIAL PLAN DESIGNATION OF PROTECTED COUNTRYSIDE & NATURAL HERITAGE SYSTEMS.
5. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
6. DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.
7. SEE ATTACHED LIST OF NAMES AND ADDRESSES OF OWNERS.

THIS SKETCH WAS PREPARED
ON THE 3rd DAY OF OCTOBER 2019



Van Harten
SURVEYING INC.
LAND SURVEYORS and ENGINEERS

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Oct 3, 2019-11:15:38 AM		

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