

**TOWNSHIP OF PUSLINCH**

**PLANNING ADVISORY COMMITTEE MEETING**

**MINUTES**

Date: Thursday, February 24<sup>th</sup>, 2011

Time: 5:00 p.m.

The Second Regular 2011 Planning Advisory Committee meeting was held on the above date and called to order at 5:00 p.m. in the Council Chambers.

**ATTENDANCE:** All members of the Committee (except Brian Cowan and Beverley Nykamp) and the Secretary Colleen Sutton were in attendance.

**OTHERS IN ATTENDANCE:**

1. Councillor Roth
2. Councillor Stokley
3. Sarah Wilhelm
4. Hans Madan
5. Mrs. Joyce Record
6. Bev Wozniak

**ADOPTION OF THE MINUTES:**

Motion No. 1: MOVED by Marilyn Fisher and SECONDED by Barry Lee;

THAT: The Minutes of the First Regular 2011 Planning Advisory Committee Meeting dated January 24, 2011 be and are hereby adopted as presented.  
CARRIED.

**BUSINESS ARISING OUT OF THE MINUTES:**

1. Jason McLay has been newly appointed to our area with the Ministry of Natural Resources. Through correspondence with the Clerk, he is willing to attend a Council meeting and discuss the process in determining rehabilitation status. Mayor Lever would rather meet on-site with Mr. McLay at both the Martinello and Nigro sites and these arrangements will be made in the spring when the snow is gone.

**DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF:**

Nil.

**COMMUNICATIONS:**

1. #P1/2010 – Landry
  - a) Township of Puslinch letter dated February 9, 2011 wherein Bruce Donaldson is asked to attend the PAC meeting on March 28, 2011 to discuss this application. He was advised that the Committee would be making a resolution to Council following this meeting.
  - b) Bruce Donaldson's e-mail dated February 16, 2011 wherein he requests a delay until our April meeting for discussion on this application as he is unable to attend in March. *Secretary to confirm this with Bruce.*
2. #P4/2010 – 340268 Ontario Limited (George)
  - a) Township of Puslinch Notice of Public Meeting that was held on Wednesday, February 23, 2011 at 7:00 p.m. The purpose and effect of the proposed amendment is to rezone the subject land to an appropriate zone category to permit the development of employment lands (industrial uses). It is also proposed that the Natural Environment zone as it relates to portions of the flood plain on the property be adjusted subject to Grand River Conservation Authority review. Council may

- consider the use of holding provisions and may also consider a reduction in the full range of industrial uses as currently listed under the Industrial Zone.
- b) Linda Dickson's letter dated February 11, 2011 wherein she provides her comments relating to the Hazard Identification and Risk Assessment. Ms. Dickson notes that by restricting certain industries will prevent hazards from occurring.
  - c) County of Wellington e-mail dated February 22, 2011 wherein Mr. Salis advises that he is awaiting some responses and that he will attend the public meeting to hear the applicant's presentation.
  - d) Ms. Bev Wozniak's letter dated February 24, 2011 wherein she advises that she has no problem with the proposal for industrial zoning.
3. #P6/2010 – Mini Lakes
    - a) County of Wellington e-mail dated January 20, 2011 along with the draft version of the conditions for the draft plan of subdivision and condominium. Ms. Wilhelm advises that these draft conditions are under legal review by the County solicitor and may be subject to change.
  4. a) Ministry of Natural Resources letter dated December 23, 2010 re New Licence for Preston Sand & Gravel (Roszell Pit). It is a condition of this licence that no more than 750,000 tonnes of material shall be removed from the site annually.
  5. a) Grand River Conservation Authority memo dated February 2, 2011 advising of their revised fees for Plan Review, GRCA Permit and Inquiry services.

#### **COMMITTEE OF ADJUSTMENT REPORT**

1. A2/2011: MUSTARD/CICHOCKI, 47 Swastika Trail
  - a) Notice of Application. There were three areas involved in this application: i) Applicant is requesting relief to recognize the .38 metre deficiency on the west side yard at the deck location. The east side yard has the required 2 metres. ii) Applicant is requesting relief to recognize that the property has 39.3% total lot coverage. iii) Permission requesting the legal non-conforming status of these two buildings as it would appear they were built prior to the 1985 by-law.
  - b) Notice of Decision. The request was approved with the following condition: 1. The applicant is given 60 days to remove the small shed
  - c) Township of Puslinch letter dated February 9, 2011 wherein the secretary clarifies the decision by the Committee.

#### **COUNTY OF WELLINGTON LAND DIVISION COMMITTEE: Applications:**

1. B44/11: REID, Part Lots 11&12, Concession 3  
Purpose: Proposal is to sever a lot 80 m fr x 120 m = 0.96 hectares, existing vacant land for proposed rural residential use.  
 Retained irregular shaped parcel is 40 hectares with 416.8 m frontage, existing and proposed rural residential and agricultural use with existing house, shed, horse "run-in" and horse barn.  
Decision: The Committee was in favour of this application as it would appear to comply with the current severance policies.
2. B46/11: Heritage Lake GP Corporation, Part Lots 23&24, Concession 2  
Purpose: Proposal is for non-exclusive easements for installation, operation, maintenance, repair, replacement and removal of said easements from the heritage Lake GP Corporation to Wellington Vacant Land Plan 172 for: Utility Services; Landscaping & Irrigation; Entrance Features and Access for Persons and Equipment.  
Decision: All easements must be registered on title. Applicant should provide clarification to Land Division Committee regarding proposed well for irrigation purposes.
3. B47/11: Heritage Lake GP Corporation, Part Lots 23&24, Concession 2  
Purpose: Proposal is for non-exclusive easement from Heritage Lake GP to Union Gas for installation, operation, maintenance, repair, replacement and removal of its

- utilities lines and services from County Road 34 to the Condo Plan under, through, along and upon Parts 4&5 on Reference Plan 61R-11533.
4. Decision: All easements need to be registered on-title.  
B48/11: Heritage Lake GP Corporation, Part Lots 23&24, Concession 2  
Purpose: Proposal is for a non-exclusive easement from Heritage Lake GP to Union Gas for installation, operation, maintenance, repair, replacement and removal of its utilities lines and service from County Road 34 to the Condo Plan under, through, along and upon Parts 4&5 on Reference Plan 61R-11533.
5. Decision: All easements need to be registered on-title.  
B49/11: Heritage Lake GP Corporation, Part Lots 23&24, Concession 2  
Purpose: Proposal is for release and abandonment by Rogers Cable Communications Inc. to Heritage Lake GP Corporation of its interest in the following lands which are currently included as part of the blanket easement registered as Instrument Number WC 281339. Includes Parts 1,2,4,12&13 on Reference Plan 61R-11348, Save and Except for Part 1 on Reference Plan 61R-11398 and Parts 4&5 on Reference Plan 61R-11533.
- Decision: All easements need to be registered on-title.

**COUNTY OF WELLINGTON LAND DIVISION COMMITTEE: Decisions:**

1. B31/10: Crawley, Part Lot 16, Concession 4  
 Comment: Bruce Donaldson has advised Land Division Committee that Mr. Crawley wishes to withdraw this application.
2. B1/11: Soares, Part Lot 6, Concession 3  
 Decision: Provisional consent was DEFEATED. No appeals were received and the file is now considered to be closed.
3. B4/11: McPherson Estate, Part Lot 30, Concession 10  
 Decision: Provisional consent is granted subject to the fulfillment of seven conditions of approval.
4. B20/11: Kurtz, Part Lot 14, Concession 4  
 Decision: Provisional consent is granted subject to the fulfillment of six conditions of approval.

**DELEGATION:**

1. Zoning By-law Amendment Application P#1/2011  
 Record 6637 Ellis Road  
 Hans Madan 5:30 p.m.
- a) Notice of Complete Application and Initial Review. The purpose and effect of the proposed amendment is to rezone a portion of the subject land from the current NATURAL ENVIRONMENT (NE) ZONE to an AGRICULTURAL (A) ZONE. Due to changes in the road elevation on Ellis Road, the property is no longer within the floodplain. The rezoning is a condition of provisional consent application B128/10 to permit a new rural residential lot.
  - b) County of Wellington letter dated February 8, 2011 wherein Sarah Wilhelm advises that the County has no concerns with the application at this time.
  - c) Grand River Conservation Authority plan review report dated February 11, 2011 wherein Liz Yerex advises that due to changes in the elevation of Ellis Road, the subject lands are not located within the floodplain. As such, the GRCA has no objection to the zoning by-law amendment.
  - d) Ministry of Transportation letter dated February 15, 2011 wherein Ian Smyth advises that MTO has no objection to the approval of this application.

Mr. Madan attended the meeting and spoke to the Committee regarding this application. He described the property as being located on the south side of Ellis Road. The existing house is to the east side of the property and is zoned Agricultural. Previous road work was done and has raised Ellis Road and it is no longer within the floodplain. The berm on the neighbouring property will assist with noise attenuation.

Mrs. Record advised that she has lived on the property for 43 years and has never seen any water on their property.

The background material provided seemed to satisfy the concerns the Committee members may have had at the outset.

Motion #2: MOVED by Councillor Fielding and SECONDED by Councillor Schmidt; THAT : The Puslinch Planning Advisory Committee does hereby recommend that zoning By-law Amendment Application #P1/2011 as filed by Hans Madan on behalf of Francis & Joyce Record with respect to property located at Part Lot 6, Concession 2, 6637 Ellis Road, requesting rezoning of the subject land from NATURAL ENVIRONMENT (NE) to AGRICULTURAL (A) zone (due to changes in the road elevation on Ellis Road, the property is no longer within the floodplain) be forwarded to Township of Puslinch Council for further consideration. This application is a condition of Severance Application B128/10. CARRIED.

**UNFINISHED BUSINESS:**

Nil.

**REPORTS:**

Nil.

**NEW BUSINESS:**

Nil.

**ADJOURNMENT:**

Motion #3: MOVED by Barry Lee and SECONDED by Marilyn Fisher; THAT: The Puslinch Planning Advisory Committee does hereby adjourn at 5:40 p.m. CARRIED.

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Chairman

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Secretary