



AGENDA

COMMITTEE OF ADJUSTMENT:

1. **OPENING REMARKS**
2. **DISCLOSURE OF PECUNIARY INTEREST**
3. **APPROVAL OF MINUTES** (See Attachment A)

Committee of Adjustment minutes held March 8, 2016 be adopted

4. **APPLICATIONS FOR MINOR VARIANCE OR PERMISSION** under section 45 of the Planning Act to be heard by the Committee this date: (See Attachment B)
- 4(a) **Minor Variance Application D13/NAG – Arthur & Lena Nagel** – Property described as Part Lot 21, Concession 1,4247 Sideroad 20 S, Township of Puslinch.

Requesting relief from provisions of Zoning By-Law #19/85, as amended, to allow a 15 metre buffer from the limit of the NE Zone (edge of wetlands) for buildings, structures and septic systems related Wellington County severance application B117/15

5. **ADJOURNMENT OF COMMITTEE OF ADJUSTMENT**

PLANNING & DEVELOPMENT ADVISORY COMMITTEE

6. **OPENING REMARKS**
7. **DISCLOSURE OF PECUNIARY INTEREST**
8. **APPROVAL OF MINUTES** (See Attachment C)

Planning & Development Advisory Committee meeting minutes held Tuesday March 8, 2016 be adopted.

9. **APPLICATIONS FOR SITE PLAN APPROVAL**

- None

10. **ZONING BY-LAW AMENDMENT** (See Attachment D)

- 10(a) **Zoning Amendment Application D14/HAY** – Chad & Gerry Hayden, 7128 Smith Road and legally known as Part Lots 24 & 25, Concession 3, 61R11766, Township of Puslinch

The Purpose is to rezone the lands from Agricultural (A) to an Agricultural (A-_) Site Specific Zone to permit a landscape contractor's yard with an office and outdoor storage of equipment and materials.

11. LAND DIVISION (See Attachment E)

11(a) Severance Application B15/16(D10/BEA) – John & Sharon Beaupre, Part Lot 12, Concession 2, municipally known as 6786 Concession 2.

Proposed severance is 1.9 acres with 135 m frontage, existing agricultural and bush for proposed rural residential use.

Retained parcel is 31.4 hectares with 269 m frontage existing and proposed agricultural and rural residential use with existing dwelling, barn, 2 drive sheds and shed.

12. OTHER MATTERS

- no matters

13. CLOSED MEETING

- no matters

14. NEXT MEETING Tuesday May 10 @ 7:00 p.m.

15. ADJOURNMENT



Attachment A

Planning & Development Advisory Committee Meeting
Committee of Adjustment
March 8, 2016
7:00 pm
Council Chambers, Aberfoyle

MINUTES

MEMBERS PRESENT:

John Sepulis, Chair
Councillor Ken Roth
Dennis O'Connor
Deep Basi

MEMBERS ABSENT:

Dianne Paron

OTHER STAFF IN ATTENDANCE:

Kelly Patzer – Development Coordinator
Sarah Wilhelm – County of Wellington
Karen Landry – CAO/Clerk
Marny Mason
Liz Nimmo
Wayne Hodges
Joan Hodges
Anna Vera
Javier Vera
Dave Hazelwood
Isabelle Hazelwood
Jay Wilson

Councillor Susan Fielding
Rev. Marcie Gibson
Jeff Buisman
Gerie McCauley
Mike McCauley
Sally Prior
Dave Prior
Doug Smith
Jessica Goyda
Stephen Goyda
John Lawrence
Joel Sypkes

1. OPENING REMARKS

- The meeting was called to order at 7:00 pm. The Chair welcomed the gallery to the Committee of Adjustment meeting and informed the gallery Township Staff would present the application, then the applicant would have the opportunity to speak 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

- None

3. APPROVAL OF MINUTES

Moved by Ken Roth and Seconded by Deep Basi

That the minutes of the Committee of Adjustment meeting held Tuesday February 9th, 2016 be adopted.

CARRIED

4. COMMITTEE OF ADJUSTMENT – Applications for Minor Variance

- 4(a) **Minor Variance Application D13/VER – Anna & Javier Vera** – Property described as Part Lot 18, Concession 4, 6964 Concession 4, Township of Puslinch.

Requesting relief from provisions of Zoning By-Law #19/85, as amended, to allow a 28 metre frontage instead of 121.9 metres on the retained parcel of Wellington County severance application B117/15

- Kelly Patzer stated that the application for reduced frontage is a Township condition of County of Wellington severance application B117/15. The application was circulated to properties 60 metres from the subject property and required staff and agencies. No objections were received from circulated agencies or the public.
- Jeff Buisman of VanHarten Surveying, agent, presented the application and noted that the application for the proposed frontage applies to the retained parcel. The frontage on the severed parcel is 76 metres. The proposed severance was created this way to protect environmental features on the property and to have the property entrances close to each other for safe access onto Concession 4 Road.
- There were no questions or comments from the Public or Committee.

Moved by Dennis O'Connor and Seconded by Deep Basi

In the matter of Section 45 (1) of the Planning Act, as amended, and Comprehensive Zoning By-law 19/85 as amended, and an application for a minor variance requesting permission to allow:

1. A 28 metre minimum lot frontage; whereas, Section 5.3(b) of the by-law, Agricultural Zone, Zone Requirements, requires a minimum lot frontage of 121.9 metres for properties 4.0 hectares or greater in area.

The request is hereby Approved.

CARRIED

4(b) Minor Variance Application D13/WIL – Jay Alec Stirling Wilson – Property described as Part Lot 6, Concession 5, 4783 Wellington Road 32, Township of Puslinch.

Requesting relief from provisions of Zoning By-Law #19/85, as amended, to allow for the proposed 26 m frontage on the retained parcel of Wellington County severance application B115/15.

- Kelly Patzer stated that the application for reduced frontage is a Township condition of County of Wellington severance application B115/15. The application was circulated to properties 60 metres from the subject property and required staff and agencies. No objections were received from circulated agencies or the public.
- Jeff Buisman of VanHarten Surveying, agent, presented the application and noted that the reduced frontage applies to the retained parcel and noted that the parcel is 4.2 hectares in size. If it was under 4 hectares that the lot frontage minimum requirement would be 24.3 metres.
- There were no questions or comments from the Public or Committee.

Moved by Ken Roth and Seconded by Deep Basi

In the matter of Section 45 (1) of the Planning Act, as amended, and Comprehensive Zoning By-law 19/85 as amended, and an application for a minor variance requesting permission to allow:

1. A 26 metre minimum lot frontage; whereas, Section 5.3(b) of the by-law, Agricultural Zone, Zone Requirements, requires a minimum lot frontage of 121.9 metres for properties 4.0 hectares or greater in area.

The request is hereby Approved.

CARRIED

4(c) Minor Variance Application D13/SLO – Slood Construction Ltd. – Property described as Part Lot 7, Concession 9, 599 Arkell Road, Township of Puslinch.

Requesting relief from provisions of Zoning By-Law #19/85, as amended, to allow 5 parking spaces instead of the 11 that are required for a mixed use building of a professional office, retail/variety store and restaurant.

- Kelly Pater detailed that the minor variance is a result of a proposed intensification of the property at 599 Arkell Road. A restaurant and market store use is newly proposed on the main floor of the building and the second floor of the building is currently an office for a construction company. The site is able to accommodate 5 parking spaces for a total of the uses proposed.
- Kelly Patzer stated that the application was circulated to staff and neighbouring properties within 60 metres of the subject property. There were no objections from commenting staff and County Engineering noted that the Highway Traffic Act restricts parking on the right-of-way to permit snow removal from November through to March.
- Kelly Patzer noted the County Parking by-law states that “no person shall park a vehicle upon a highway between the hours of 2 and 6am of any day during the months of November through to March.
- Kelly Patzer indicated that the Township received 6 letters of opposition for the parking variance that stated the reduction of parking is not minor, noted concerns such as an increase in traffic, the potential increase in accidents from on-street parking, possible parking of customers on Boreham Drive and the increased use of the existing on-street parking.
- Kelly Patzer indicated that approximately 15 letters of support were received for the variance, noting that a reduction of parking is minor and believe the restaurant is a positive addition to the community as a local gathering establishment, and the community has been able to accommodate parking for special events at the church and historic uses of the subject property such as a General Store and Post Office.
- Kelly Patzer noted that a breakdown of required parking was provided by the agent and it showed that the barrier free parking space was added as a required parking space, the by-law includes a barrier free parking space within the total calculation of required parking spaces. Therefore, 10 spaces are required for the total of the proposed uses, not 11.
- Jeff Buisman of VanHarten Surveying, agent, presented the application. A restaurant, The Dirty Apron, is proposed in the existing building and the property can accommodate only 5 parking spaces. The building has existed a long time on the property and has been a cornerstone of the community, at one time being the Arkell Post Office.
- Jeff Buisman outlined the proposed business is a variety store type use of a grab and go market with prepared foods, ready-made meals, soups, stocks, sauces, pizza, and fresh meats where people in the community can pick up items to go. There is also an open kitchen/bistro area that will offer cooking classes and an 18-20 seat dining area that will be operating as a restaurant approximately three nights a week.
- Jeff Buisman presented the following parking calculation based on the combined uses for Section 3.16(c) of the Zoning By-law:

(iii) A business office: 135m ² /40m ² =	4 spaces
(xii) A retail/variety store =	1 space
(xiii) A restaurant - greater of:	
20 seats in dining room/4 =	5 spaces
26m ² per first floor plan/10 =	3 spaces
3.16(m) Barrier free parking =	<u>1 space</u>
Total =	11 spaces
- Jeff Buisman clarified that he misinterpreted the by-law, and a barrier free parking space is included in the total required parking, not in addition, therefore 10 spaces are required for the proposed use.
- Jeff Buisman noted that there are 2 employees in the existing office on the second floor, but if the application is approved and the restaurant/market store is able to open, the Slood Construction office is moving to a new location and there would no longer be any traffic to the site relating to the construction business. The upstairs would be used as storage and an office space for the restaurant and would not be a separate business.

- Jeff Buisman indicated that there are approximately 18-20 public parking spaces in Arkell and that old downtowns with commercial buildings generally do not have adequate parking.
- Jeff Buisman stated that a building permit for a redesigned septic has been approved and a Site Plan application is in process that proposes a new board fence along the property lines between the neighbouring residential properties. There will be a landscape buffer approximately 2.5 metres in width between the parking area and fence on the property line, greater than the required 1.5 metre landscape buffer in the C1 Zone.
- Jeff Buisman noted that the existing deck is being removed on the other side of the building.
- Jeff Buisman noted that historically the Arkell school house held concerts and parking was accommodated in the village and the Church uses the parking area at 599 Arkell on Sundays.
- Jeff Buisman concluded that the application meets the 4 tests of a minor variance. The reduction in parking is minor and will have a limited impact on the existing parking in Arkell, the community has a history of sharing public parking spaces and the office use and related traffic will be decreased; the intent and purpose of the zoning by-law is maintained as the proposed uses are permitted; the intent and purpose of the official plan is maintained as local commercial uses are permitted in the Hamlet areas and the variance is desirable as the building has been a meeting place in Arkell for many years and the use will contribute to the character and community spirit of Arkell.
- Marny Mason of 13 Boreham Drive, questioned how the letters of support relate specifically to parking and how the letters are weighted and believes that a 50% reduction in parking is not minor.
- John Sepulis indicated that the application is considered based on staff and public comments and the variance request.
- Sarah Wilhelm noted there is not a specific formula for variances and is often assessed if a request is minor in terms of impact. There is also case law that can have an impact on a decision.
- Marny Mason inquired if the parking calculation includes staff parking for the business and noted on-street parking is used for 3 or 4 other businesses who are concerned in a reduction of available parking for their customers.
- Marny Mason noted that some of the public parking spaces along the church are used by residents for mail pick-up and the remainder of the parking is often full. An additional business using the parking is a concern as it reduces the available parking for the community and is a safety concern for neighbours.
- David Prior of 835 Watson Rd. S. stated the business has an on-going application for a liquor licence and has filed a complaint to the Township regarding the landscaped area between 599 Arkell and his property and noted the landscape buffer should be 4.5 metres and that would further reduce the parking area.
- Sarah Wilhelm confirmed that a 4.5 metre landscaping buffer is not required.
- David Prior stated that he has not been advised by the Township that the Township does not agree with his interpretation of the Township's Zoning by-law requirements particularly as they related to the minimum landscaping buffer requirements.
- David Prior indicated that there are 4 home operated businesses within the vicinity who use the public parking and does not believe that best efforts have been made to achieve more parking on the property.
- David Prior remarked there have been discrepancies between the square footage of the restaurant between the liquor licence and parking calculation for the site plan.
- David Prior stated that the application for reduced parking is not minor and the impact will be negative on the community of Arkell.

- Jeff Buisman clarified that the restaurant is 18-20 seats and cooking classes will be held in the space when it is not a restaurant.
- John Sepulis indicated that the committee considers the application that is submitted and the report and comments submitted by staff to ensure the application is accurate.
- Gerie McCauley of 834 Watson Rd S. stated that when there were concerts at the old school house residents were putting rocks on the boulevard to prevent cars parking on their property. Arkell is a small community and Council and the Committee should ensure that the owners of 599 Arkell abide by the regulations of the by-law.
- Sally Prior of 835 Watson Rd S. noted there was not a representative here to speak on behalf of the church. The church requires 15 parking spaces and there are several events and meetings held at the church and the public parking is full during these times and she has no option but to walk around cars.
- Sally Prior noted there are only 4 public spaces available along Arkell Road to maintain required distances from driveways and stop signs, and three of the parking spaces along Arkell Road beside the church are not full spaces due to the mail boxes impeding the spaces and one space is reserved for the church reverend.
- Doug Smith of 570 Arkell Road, stated when there are cars parked in front of the super mail boxes on Arkell road Canada Post does not deliver the mail, and this happens approximately three times a week. The church and the existing businesses in the area already use all of the available parking.
- Doug Smith asked about the septic and garbage storage on the property.
- Doug Smith also referred to another construction business on Watson Road.
- John Sepulis stated the variance requested is for parking and the details of the site plan are addressed under a separate application process.
- Jessica Goyda of 859 Watson Rd S (co-owner of the proposed restaurant business) stated a septic permit has been issued for the property. She knows that there are concerns regarding the business which she does not take lightly and has made concessions to alleviate the concerns of the neighbours. Plans for exterior seating have been removed and a fence with landscaping is proposed adjacent to 835 Watson Road S. that will block light and give privacy.
- Jessica Goyda stated there is enough parking in the area for a variance reduction of 5 required spaces, and the impact of 5 additional cars is minimal and will not add congestion. There will be 18 seats in the restaurant and she does not anticipate customers would be parking on Boreham Drive.
- Jessica Goyda remarked that there are a lot of people who want to see this establishment come to life and not permitting the relief would result in the business not being able to open. There are sentimental ties to the building as her grandfather operated the store there years ago. She's hoping the establishment will bring to life a small town community feel and be a positive community impact.
- Michael McCauley of 834 Watson Rd. S. requested to see all public letters written regarding the application.
- Kelly Patzer stated that they would be posted with the agenda on the Township website.
- David Prior stated that no one was notified that the office use was leaving the property.
- Jessica Goyda stated that the office has just recently made arrangements to rent new space.
- Jessica Goyda indicated that due to negative feedback received regarding the proposed name of the restaurant that they are renaming the restaurant to "Union Market Square".

- Jeff Buisman indicated that the septic design required less staff to meet standards.
- Sally Prior stated that delivery trucks have been an issue on the property because they block sidewalks.
- Marny Mason stated that Council had previously noted that the development would not move forward if it did not meet all the by-laws yet the parking does not meet the by-law requirement.
- Kelly Patzer explained that a minor variance is an application that a property owner can make to vary the requirements of the by-law to bring a property into conformity with the by-law.
- Dave Hazelwood of 593 Arkell Road, asked what happens if the Slood office does not move out.
- John Sepulis stated that the office use is proposed within the minor variance.
- There were no further questions or comments from the public.
- Dennis O'Connor inquired if there are other septic designs that could be done to make more room on the property for parking.
- Jeff Buisman noted the septic design is already a small system.
- Karen Landry clarified that the septic permit had been issued meeting Ontario Building Code requirements.
- Ken Roth requested clarification if the office leaves would the parking requirement be reduced.
- Jeff Buisman noted the office use requires 4 parking spaces.
- Deep Basi asked if the property is wheelchair accessible and if there is a designated accessible parking space.
- Jeff Buisman stated that there will be an accessible parking space and the business will be accessible.
- John Sepulis asked if the parking could be extended to the west where there is a flat area.
- Jeff Buisman confirmed that the parking could not be extended because part of the septic system is in that area and it cannot be parked on top of.

Moved by Ken Roth and Seconded by Deep Basi

In the matter of Section 45 (1) of the Planning Act, as amended, and Comprehensive Zoning By-law 19/85 as amended, and an application for a minor variance requesting permission to allow:

Five (5) parking spaces for a mixed use building of a professional office, retail/variety store and restaurant, whereas Section 3.16(c), General Provisions, Parking Regulations, requires a total of ten (10) spaces for the mixed use building

The request is hereby Approved with the Following Conditions:

1. The minor variance to permit 5 parking spaces is conditional upon the applicant obtaining Site Plan Approval.

CARRIED

5. ADJOURNMENT

Moved by Dennis O'Connor and Seconded by Deep Basi

The Committee of Adjustment meeting adjourned at 8:34 p.m.

CARRIED



Attachment B

COMMITTEE OF ADJUSTMENT Township Summary of Comments from Staff, Agencies and the Public

APPLICATION: D13/NAG
OWNER: Arthur & Lena Nagel
AGENT: Jeff Buisman, Van Harten Surveying
LOCATION: 4247 Sideroad 20 S
REPORT DATE: April 8, 2016
HEARING DATE: April 12, 2016 @ 7:00 p.m.

VARIANCES REQUESTED FROM ZONING BY-LAW 19/85:

1. To allow a 15 metre buffer (setback) from the limit of the Natural Environment Zone for buildings, structures and septic systems, whereas Zoning By-law 19-85 Section 3.25(a) requires a 30 metre setback from the limit of the Natural Environment Zone for all buildings or structures including a private sewage treatment system and associated weeping tile bed.

CONDITIONS RECOMMENDED BY THE TOWNSHIP:

None

DECISION:

The Township recommends the decision be amended to permit a 22 metre buffer (setback) from the limit of the Natural Environment Zone for buildings, structures and septic systems, as per GRCA recommendation.

TOWNSHIP OF PUSLINCH ZONING BY-LAW 19/85

Section 3 – General Provisions

3.25 Setbacks from the Natural Environment Zone:

a) No buildings or structures, including a private sewage treatment system and associated tile weeping bed, shall be constructed closer than 30.0 m (98.4 ft) from the limit of a Natural Environment NE Zone.

c) Notwithstanding the above, the setback from the Natural Environment (NE) Zone may be reduced to a distance that is supported by the Conservation Authority having jurisdiction pursuant to its authority provided under the Conservation Authorities Act, R.S.O. 1990.

COUNTY OF WELLINGTON PLANNING OPINION:

The variance requested is for a new lot and would provide relief from the minimum 30.0 m NE Zone setback for buildings, structures and septic systems of Section 3(25)(a) of the Zoning By-law. This application was granted provisional consent on March 10, 2016.

Conservation Authority comments were not available at the time of writing this report. We would have no concerns with the minor variance if GRCA is supportive of this request.

GRAND RIVER CONSERVATION AUTHORITY (GRCA):

The GRCA recommends that the proposed setback from the wetland be consistent with the Scoped Environmental Impact Study submitted in support of the proposed works, that being a 22 metre setback from the wetlands.

BUILDING DEPARTMENT:

No comment.

FIRE DEPARTMENT:

No Concerns.

PUBLIC COMMENTS:

None received to-date.

REPORT PREPARED BY: K. Patzer, Secretary-Treasurer, Committee of Adjustment /
Development Coordinator



PLANNING REPORT for the TOWNSHIP OF PUSLINCH

Prepared by the County of Wellington Planning and Development Department

DATE: April 7, 2016
TO: Kelly Patzer, Development Coordinator
Township of Puslinch
FROM: Sarah Wilhelm, Senior Planner
County of Wellington
SUBJECT: **MINOR VARIANCE APPLICATION D13 NAG (Nagel)**
4247 Sideroad 20 South
Pt. Lot 21, Concession 1, Puslinch

We have reviewed the application for minor variance and provide the following comments.

Planning Opinion

The variance requested is for a new lot and would provide relief from the minimum 30.0 m NE Zone setback for buildings, structures and septic systems of Section 3(25)(a) of the Zoning By-law. This application was granted provisional consent on March 10, 2016.

Conservation Authority comments were not available at the time of writing this report. We would have no concerns with the minor variance if GRCA is supportive of this request.

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

Regulation	By-law Section	Required	Proposed
Natural Environment (NE) Zone Setback	3(25)(a)	30 m setback from NE Zone	15 m setback from NE Zone

In support of the severance application, the applicant submitted an Environmental Impact Study dated January 13, 2016. In response to GRCA comments a memo and amended Site Plan dated February 29, 2016 were submitted and accepted by the Conservation Authority. This supplemental material was not available when the Minor Variance application was submitted and therefore, did not form part of the circulation. We have attached the documents for information.

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

Four Tests	Discussion – 15 m NE Zone Setback
That the requested variance is minor in nature	<ul style="list-style-type: none">Subject to GRCA support, we would consider the variance minor in terms of impact
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 and accessory uses are a permitted use within the Agricultural (A) Zone

Four Tests	Discussion – 15 m NE Zone Setback
	<ul style="list-style-type: none"> • The intent of maintaining a setback from the NE Zone is to provide separation from significant natural features and/or hazard lands • Comments of the GRCA should be considered in this regard
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 Greenlands and Greenlands • The Core Greenlands designation protects significant wetlands and floodplain • The Greenlands designation protects significant woodlands and an Environmentally Significant Area (ESA) • The applicant submitted an Environmental Impact Study (EIS) and supplemental memo and site plan which was accepted by GRCA
That the variance is desirable for the appropriate development and use of the land, building or structure	<ul style="list-style-type: none"> • Section 3(25)(c) allows for the 30 m setback to be reduced subject to support of the Conservation Authority

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



Sarah Wilhelm, BES, MCIP, RPP
Senior Planner

Attach.

February 29, 2016 EIS Memo and Site Plan

ABOUD & ASSOCIATES INC.

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ENVIRONMENTAL IMPACT
STATEMENTS
ECOLOGICAL LAND
CLASSIFICATION
WETLAND EVALUATION
VEGETATION ASSESSMENT
BOTANICAL INVENTORIES
WILDLIFE SURVEYS
MONITORING

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COMMERCIAL/INDUSTRIAL
HEALTHCARE AND EDUCATION
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PARKS AND OPEN SPACES
TRAIL SYSTEMS
GREEN ROOFS
CONTRACT ADMINISTRATION

EXPERT OPINION
OMB TESTIMONY
LEGAL PROCEEDINGS
PEER REVIEW
RESEARCH
EDUCATION

February 29, 2016

Our Project No: AA15-112A

Sent by email: ngarland@grandriver.ca

Nathan Garland, Resource Planner
Grand River Conservation Authority
P. O. Box 729, 400 Clyde Road
Cambridge, Ontario N1R 5W6

Re: EIS Advisory comments for Scoped Environmental Impact Study of a severance application at 4225 Sideroad 20 South, Lot 21, Concession 1, Puslinch Township (submitted January 13, 2016).

Dear Nathan:

This letter is in response to GRCA Staff comments, provided on February 17, 2016 (*Appendix 1*). Please review the responses below for approval of the 4225 Sideroad 20 South Scoped Environmental Impact Study completed by Aboud & Associates, January 13th, 2016.

Proposed Development

The proposed development includes the severance of lands to accommodate the construction of a residential dwelling. Site alteration involves construction of a detached residential development adjacent a portion of existing woodland. All site development is located within Secondary Agricultural lands. The lands are proposed to be cleared to accommodate grading, construction of a house, septic field, amenities and driveway.

Background and Context

The study area comprises the lands proposed to be severed (~0.95ha) and up to 30m from the severed parcel on the adjacent retained lands, this includes areas of the Mill Creek-Puslinch Wetland Complex (PSW) immediately adjacent to the severed parcel. The study area is located on the south side of Concession Road 2. A large quarry operation occurs to the north and east of the study area, with woodlands to the west.

The subject parcel is located within the jurisdiction of the Grand River Conservation Authority (GRCA). A Provincially Significant Wetland (PSW), the Mill Creek-Puslinch Wetland Complex, is located adjacent to the severance parcel.

The White Cedar Forest is part of 78ha woodland (as mapped in the County's *Official Plan*) and therefore by definition is identified as a *Significant Woodland* by the County.

The study area is adjacent to the Natural Environmental (NE) Zone, as defined by the *Puslinch Township Zoning By-law 19/85* (2012). The limit of the NE Zone follows the boundary of the Mill Creek-Puslinch Wetland Complex PSW and the Core Greenlands (as designated in the *Wellington County Official Plan*, 2013).

A Scoped EIS for the application was initially submitted to the GRCA and Wellington County for review January 13, 2016. GRCA Staff provided comments on February 17th which recommended conditional support of the Scoped EIS subject to the clarification of the EIS.

SCOPED EIS ADVISORY COMMENTS

GRCA Advisory comments, provided on February 17th 2016, are addressed individually below.

1. **“Based on the EIS which has been provided it is unclear if the proposed building encroaches within the significant wildlife Habitat. Buildings and Structures should not encroach within the significant Wildlife habitat. Based on the drawings provided there appears to be sufficient space to locate the dwelling out of the significant wildlife habitat however this is not clear.”**

The proposed building and all amenities are located outside of the identified significant wildlife habitat. No part of the development footprint occurs in the woodland feature, and the feature is buffered from the edge of the woodland feature by a minimum of 5m. The development footprint will occur entirely within the dry-fresh mixed meadow, which was previously an agricultural field.

The woodland feature, which occurs in the proposed severance, has been identified as a Deer Wintering Area by the Ministry of Natural Resources and Forestry. Deer wintering areas are defined as areas where white-tailed deer congregate in large numbers in suitable forested habitat (MNR, 2000). The Significant Wildlife Habitat boundary for the Deer Wintering Area, provided by Land Information Ontario was determined in 2008 using Ortho-photography interpretation. Field studies conducted by Aboud & Associates indicate that the treed dripline has changed since the Significant Wildlife Habitat boundaries were delineated, resulting in a change to the boundary of the Significant Wildlife Habitat. The boundary of the Significant Wildlife Habitat is considered equivalent with the boundary of the treed dripline.

2. **“Based on the proposed plan. It is unclear why the proposed building is located closer than 30 metres to the wetland. The GRCA would recommend the 30 metre setback from the wetland for the building and structures. However, we are satisfied with the 15m no touch area proposed. Additional clarification and/or mitigation measures should be provided to encroach within 30 metres for the proposed building/structures.”**

The proposed building encroaches within 30m of the wetland buffer in order to allow for sufficient room for vehicle access to the garage and setback from the road to provide privacy, reduce light penetration and traffic noise to the house from nearby industry and highway 401.

It should also be noted that encroachment occurs where the wetland limit extends out by approximately 5 metres from the general boundary of the wetland, further constricting the area of

land available outside the 30m buffer. Generally the building is located 30 metres from the PSW boundary, with the exception of this area. Further mitigation is recommended to compensate for the area that extends out a further 5 metres, and is discussed below.

Additional Mitigation measures are proposed to offset the encroachment within 30 metres of the PSW below:

1. The amended site plan (Van Harten Surveying Inc., February 29, 2016) for the house has been adjusted to ensure the south side of the house is at least 30 metres from the PSW boundary, adjusting the development footprint forward by 4 metres, thus limiting the area of encroachment within 30 metres of the PSW to only the west side of the building footprint.

2. A 0.3 metre high berm will be installed inside the western limit of the tree protection fence (Site Plan, Van Harten Surveying Inc., February 29, 2016), and naturalization of the woodland edge between the berm and woodland edge will be completed using recommended plantings and seed sources provided below. The Berm and naturalization area will provide protection to the Significant Woodland and PSW through infiltration of runoff from the building, and reduction of light infiltration into the feature through the planting of trees and shrubs.

Suggested Plant List for EIS	
Botanical Name	Common Name
Trees	
<i>Abies balsamea</i> *	Balsam Fir
<i>Acer rubrum</i> *	Red Maple
<i>Thuja occidentalis</i> *	Eastern White Cedar
Shrubs	
<i>Cornus sericea</i> *	Red Osier Dogwood
<i>Ilex verticillata</i>	Winterberry
<i>Ribes triste</i> **	Swamp Red Currant
<i>Salix bebbiana</i> **	Beaked Willow
<i>Salix exigua</i> **	Sandbar Willow
<i>Sambucus canadensis</i>	American Elder
<i>Spiraea alba</i> *	Meadowsweet
*Species found adjacent to or near site (ELC inventories)	
** Native species that occur in region (Soper and Heimburger 1982)	

Suggested Seed Mix:

Early Succession Wet Meadow Mix 8170 Available from OSC Seeds:

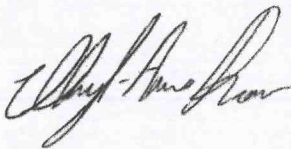
Awl Sedge (*Carex stipata*), Bebb's Sedge (*Carex bebbii*), Big Bluestem (*Andropogon gerardii*), Blunt Broom Sedge (*Carex scorparia*), Flat Topped White Aster (*Aster umbellatus*), Fox Sedge (*Carex vulpinoidea*), Fringed Sedge (*Carex crinata*), Great Blue Lobelia (*Lobelia siphilatica*), New England Aster (*Aster novae-angliae*), Path Rush (*Juncus tenuis*), Showy Tick trefoil (*Desmodium canadense*), Soft Rush (*Juncus effusus*), Tall Manna Grass (*Glyceria grandis*), Virginia Wild Rye (*Elymus virginicus*), Wild Bergamot (*Monarda fistulosa*).

CONCLUSION:

Provided that the recommendations above are implemented, we believe that the above changes to the site plan and additional mitigation will protect the Significant Woodland and Provincially Significant Wetland in the long term. The addition of a Berm and naturalized area will physically protect the features and reduce the potential for encroachment into the feature. We hope that these changes and additional mitigation satisfy the comments provided by the GRCA. Please do not hesitate to contact us if you require any further information.

Yours truly,

ABOUT & ASSOCIATES INC.



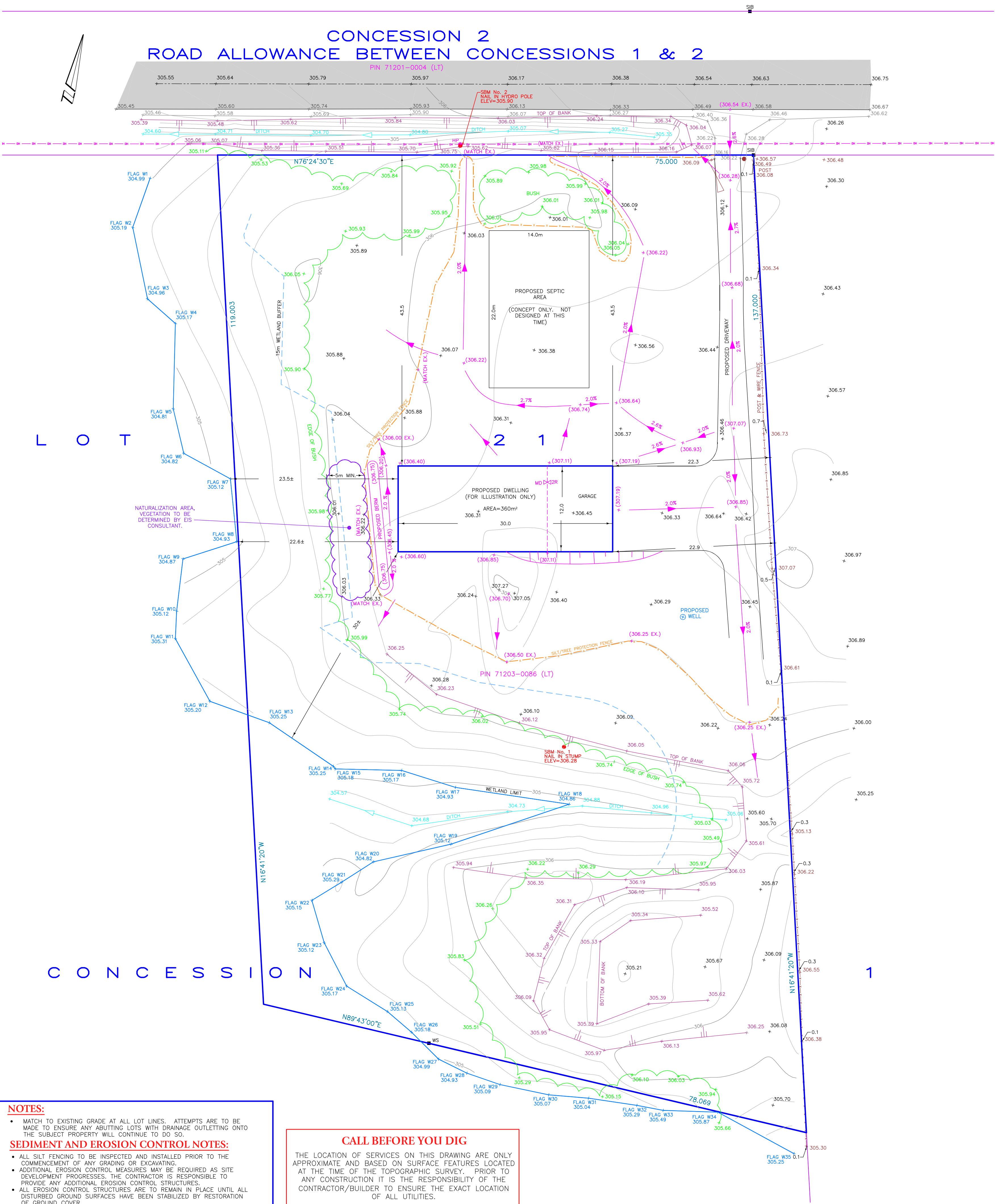
Cheryl-Anne Ross, B. Sc., Wildlife Ecologist

cc. Jeff Buisman, Van Harten Surveying Inc. (email)
Allen Nagel (email)
Arthur and Lena Nagel, 4225 Sideroad 20 South, Puslinch, ON N0B 2J0

References

- About & Associates, 2016. 4225 Sideroad 20 South, Scoped Environmental Impact Study. January 13, 2016.
- MNRF, 2000. Significant wildlife Habitat Technical Guide. Ontario Ministry of Natural Resources, Fish and Wildlife Branch, wildlife section. October 2000.
- Soper and Heimbürger, 1982. Shrubs of Ontario. ROM. Royal Ontario Museum Publication in Life Science.

CONCESSION 2
ROAD ALLOWANCE BETWEEN CONCESSIONS 1 & 2



NOTES:

- MATCH TO EXISTING GRADE AT ALL LOT LINES. ATTEMPTS ARE TO BE MADE TO ENSURE ANY ADJUTING LOTS WITH DRAINAGE OUTLETING INTO THE SUBJECT PROPERTY WILL CONTINUE TO DO SO.

SEDIMENT AND EROSION CONTROL NOTES:

- ALL SILT FENCING TO BE INSPECTED AND INSTALLED PRIOR TO THE COMMENCEMENT OF ANY GRADING OR EXCAVATING.
- ADDITIONAL EROSION CONTROL MEASURES MAY BE REQUIRED AS SITE DEVELOPMENT PROGRESSES. THE CONTRACTOR IS RESPONSIBLE TO PROVIDE ANY ADDITIONAL EROSION CONTROL STRUCTURES.
- ALL EROSION CONTROL STRUCTURES ARE TO REMAIN IN PLACE UNTIL ALL DISTURBED GROUND SURFACES HAVE BEEN STABILIZED BY RESTORATION OF GROUND COVER.

CALL BEFORE YOU DIG

THE LOCATION OF SERVICES ON THIS DRAWING ARE ONLY APPROXIMATE AND BASED ON SURFACE FEATURES LOCATED AT THE TIME OF THE TOPOGRAPHIC SURVEY. PRIOR TO ANY CONSTRUCTION IT IS THE RESPONSIBILITY OF THE CONTRACTOR/BUILDER TO ENSURE THE EXACT LOCATION OF ALL UTILITIES.

KEYMAP:

PROPERTY DESCRIPTION:

- PIN 71203-0086 (LT)
- PART OF LOT 21, CONCESSION 1 AS IN ROS541086 EXCEPT PART 1, 61R-9956
- TOWNSHIP OF PUSLINCH

LEGEND:

- DENOTES SURVEY MONUMENT SET
- DENOTES SURVEY MONUMENT FOUND
- SIB DENOTES .025 x .025 x 1.20 STANDARD IRON BAR
- IB DENOTES .015 x .015 x 0.60 IRON BAR
- 375 DENOTES BLACK, SHOEMAKER et. al., O.L.S.'s
- VH DENOTES VAN HARTEN SURVEYING INC., O.L.S.'s
- P1 DENOTES ILLUSTRATION PLAN BY (375) DATED MARCH 26, 1986

OVERHEAD HYDRO — OH — OH — OH — OH —

FENCELINE — x — x — x — x —

SILT/TREE PROTECTION FENCE — x — x — x — x —

CENTRELINE OF ROAD — — — — —

TOP OF BANK — — — — —

DECK GRAVEL PAVESTONE ASPHALT BUILDING

EXISTING ELEVATION HYDRO METER HM

HYDRO POLE HP GAS METER GM

GUY WIRE GW CATCHBASIN CB CONIFEROUS TREE

LIGHT STANDARD LS MANHOLE MH DECIDUOUS TREE

GATE SIGN

ZONING: AGRICULTURAL (A) REQUIRED

- MINIMUM LOT AREA = 0.4 ha
- MINIMUM LOT WIDTH = 24.3m
- MINIMUM SIDE YARD 1 STOREY = 1.8m 1 1/2 TO 2 STOREYS = 2.4m
- MINIMUM REAR YARD = 7.6m

PROPOSED

- (0.958ha)
- (75.0m)
- (18.0m)
- (>7.6m)

PROPOSED DWELLINGS:

- TOP OF FOUNDATION = (307.39)
- UNDERSIDE OF FOOTING = (304.87)
- BASEMENT FLOOR = (305.10)
- FINISHED FLOOR = (307.69)
- GARAGE CUT = (0.20)

NOTE: 7"-10" FOUNDATION WALLS (SEE NOTES)

NOTES:

- DWELLING IS ILLUSTRATED FOR CONCEPTUAL PURPOSES ONLY. DWELLING IS SUBJECT TO CHANGE. THE SITE PLAN IS TO BE UPDATED WHEN FINAL ARCHITECTURAL PLANS BECOME AVAILABLE.
- SEWAGE SYSTEM SIZE, LOCATION AND DESIGN ARE TO BE DETERMINED.
- WELL LOCATION SUBJECT TO CHANGE.

BEARING AND COORDINATE NOTE:

- BEARINGS ARE GRID BEARINGS AND ARE DERIVED FROM GPS OBSERVATIONS AND ARE REFERRED TO THE UTM PROJECTION, ZONE 17, NAD 83 (CSRS-2010) ADJUSTMENT.
- DISTANCES SHOWN ON THIS PLAN ARE ADJUSTED GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY AN AVERAGED COMBINED SCALE FACTOR OF 0.999612.
- COORDINATES ON THIS PLAN ARE UTM, ZONE 17, NAD83 (CSRS-2010) ADJUSTMENT AND ARE BASED ON GPS OBSERVATIONS FROM A NETWORK OF PERMANENT GPS REFERENCE STATIONS.

BEARING COMPARISONS:

FOR THE PURPOSES OF BEARING COMPARISONS, PREVIOUS SURVEYS HAVE BEEN ROTATED TO UTM BEARINGS BY THE ANGLES SHOWN BELOW.

PLANS	ROTATION FOR NORTHEAST BEARINGS
P1	-0°25'20"

SURVEY INFORMATION:

BENCHMARK REFERENCE:

ELEVATIONS ARE BASED ON GPS OBSERVATIONS TO PERMANENT REFERENCE STATIONS AND HAVE BEEN CORRECTED TO ORTHOMETRIC ELEVATIONS WITH GEOD MODEL HTv2.0, AS SUPPLIED BY NATURAL RESOURCES CANADA.

SITE BENCHMARK:

- NAIL IN STUMP HAVING AN ELEVATION OF 306.28 METRES.
- NAIL IN HYDRO POLE NORTH OF SUBJECT PROPERTY HAVING AN ELEVATION OF 305.90 METRES.

TOPOGRAPHIC SURVEY DATE:

THIS TOPOGRAPHIC SURVEY WAS COMPLETED ON THE 29th DAY OF OCTOBER, 2015.

CAUTION: — THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES.

— THIS SKETCH IS PROTECTED BY COPYRIGHT. ©

METRIC: DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

SITE PLAN FOR:

PART OF LOT 21, CONCESSION 1

TOWNSHIP OF PUSLINCH

COUNTY OF WELLINGTON

DRAWING REVISION SCHEDULE

NO.	REVISION	DATE
3	GRCA COMMENTS	FEB. 29, 2016
2	REVISED GRADING DESIGN & FENCE	JAN. 6, 2016
1	REVISED PROPOSED DWELLING LOCATION	DEC. 14, 2015

PREPARED FOR: ART NAGEL

PROJECT No. 23074-15

DRAWING SCALE 1 : 300

Van Harten SURVEYING INC.

LAND SURVEYORS and ENGINEERS

423 WOOLWICH STREET GUELPH - ONTARIO, N1H 3X3 PHONE: (519) 821 - 2763 FAX: 821 - 2770 www.vanharten.com

660 RIDDELL ROAD, UNIT 1 ORANGEVILLE - ONTARIO, L9W 5G5 PHONE: (519) 940 - 4110 FAX: 519 - 940 - 4113 www.vanharten.com

DRAWN BY: S.A.P. DESIGNED BY: T.K.M. CHECKED BY: W.V.

Feb. 29, 2016-12:35pm
G:\PUSLINCH\Con1\ACAD\SITE PTLOT 21 (NAGEL) UTM-17 2010 NR.dwg



**PLAN REVIEW REPORT: Township of Puslinch
Kelly Patzer, Development Coordinator**

DATE: April 8, 2016
GRCA FILE: D13-NAG

YOUR FILE: D13/NAG

**RE: Application For Site Plan approval D13/NAG
Part Lot 21, Concession 1
Arthur and Lena Nagel**

GRCA COMMENT: *

The Grand River Conservation Authority (GRCA) recommends that the proposed setback (22 meters from the wetland) be consistent with the Scoped Environmental Impact Study submitted in support of the proposed works. This would be reflected in a request for an 8 metre reduction to the by-law requirements.

BACKGROUND:

1. Resource Issues:

Information currently available at this office indicates that the lands contain a portion of the Provincially Significant Mill Creek Wetland Complex and the allowance adjacent to the wetland. The wetland is also identified as part of the Greenlands system in the County of Wellington Official Plan.

2. Advisory Comments:

None

3. Legislative/Policy Requirements and Implications:

Due to the presence of the wetland, the severed and retained lands are regulated by the GRCA under Ontario Regulation 150/06 - Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation. Any future development or other alteration within the regulated areas on the subject lands will require prior written approval from GRCA in the form of a permit pursuant to Ontario Regulation 150/06.

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

None

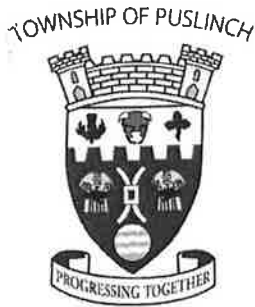
Yours truly,



Nathan Garland
Resource Planner
Grand River Conservation Authority

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

c.c. Township of Puslinch
Sarah Wilhelm, County of Wellington (email)
Arthur and Lena Nagel – 4225 Sideroad 20 S, Puslinch, ON N0B 2J0
Van Harten Surveying Inc. c/o Jeff Buisman – 423 Woolwich Street, Guelph, ON N1H 3X3



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): Arthur & Lena NAGEL

Address: 4225 Sideroad 20 S

City: PUSLINCH

Postal Code: N0B 2J0

E-mail Address: [REDACTED]

Telephone Number: [REDACTED]

Fax:

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

Address: 423 Woolwich Street

City: Guelph

Postal Code: N1H 3X3

E-mail Address: [REDACTED]

Telephone Number: [REDACTED]

Fax:

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

Send correspondence to: Owner: ☐ Agent ☒ Other: _____

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

Municipal address: 4225 Sideroad 20 South **4247 Sideroad 20 S**

Concession: 1 Lot: Part of Lot 21

Registered Plan Number: _____

Area: 1 ha Depth: 137 m Frontage: 75 m
 _____ 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).

We are requesting a minor variance for severance application B8/16 to allow for a 15m buffer to the edge of the wetlands instead of 30m as required by Section 3(25)(a).

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

As shown in the Site Plan, a 15m buffer is being requested to provide space for the construction of a residential dwelling and septic field. The EIS prepared by Aboud & Associates Inc. has determined that a 15m buffer from the proposed development will have no negative impacts on the Natural Environment Zone. All development is to be located within Secondary Agricultural lands.

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

Official Plan Designation: Secondary Agricultural, greenlands, & core greenlands

Zoning Designation: Agricultural, Natural Environment Zone

7. What is the access to the subject property?

Provincial Highway: ☐

Continually maintained municipal road: ☒

Seasonally maintained municipal road: ☐

Other: ☐ (please specify below)

N/A

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

Concession 2

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 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)

See attached Site Plan prepared by Van Harten.

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

12. What is the existing use of:

The subject property? vacant, bush

The abutting properties? Rural residential and agricultural

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

Building Details:	Existing:		Proposed:	
Type of Building(s)/ structures	None		Dwelling	
Main Building height	m	ft.	m	ft.
*Percentage lot coverage	%	%	0.036 %	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	360 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)

Building Details:	Existing:		Proposed:	
Front Yard	m	m	47.7 m	ft.
Rear Yard	m	m	m	ft.
Side Yards	m	m	22.3/22.6 m	ft.

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

Date of acquisition of subject property: December 1986

Date of construction of buildings property: To be determined

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?

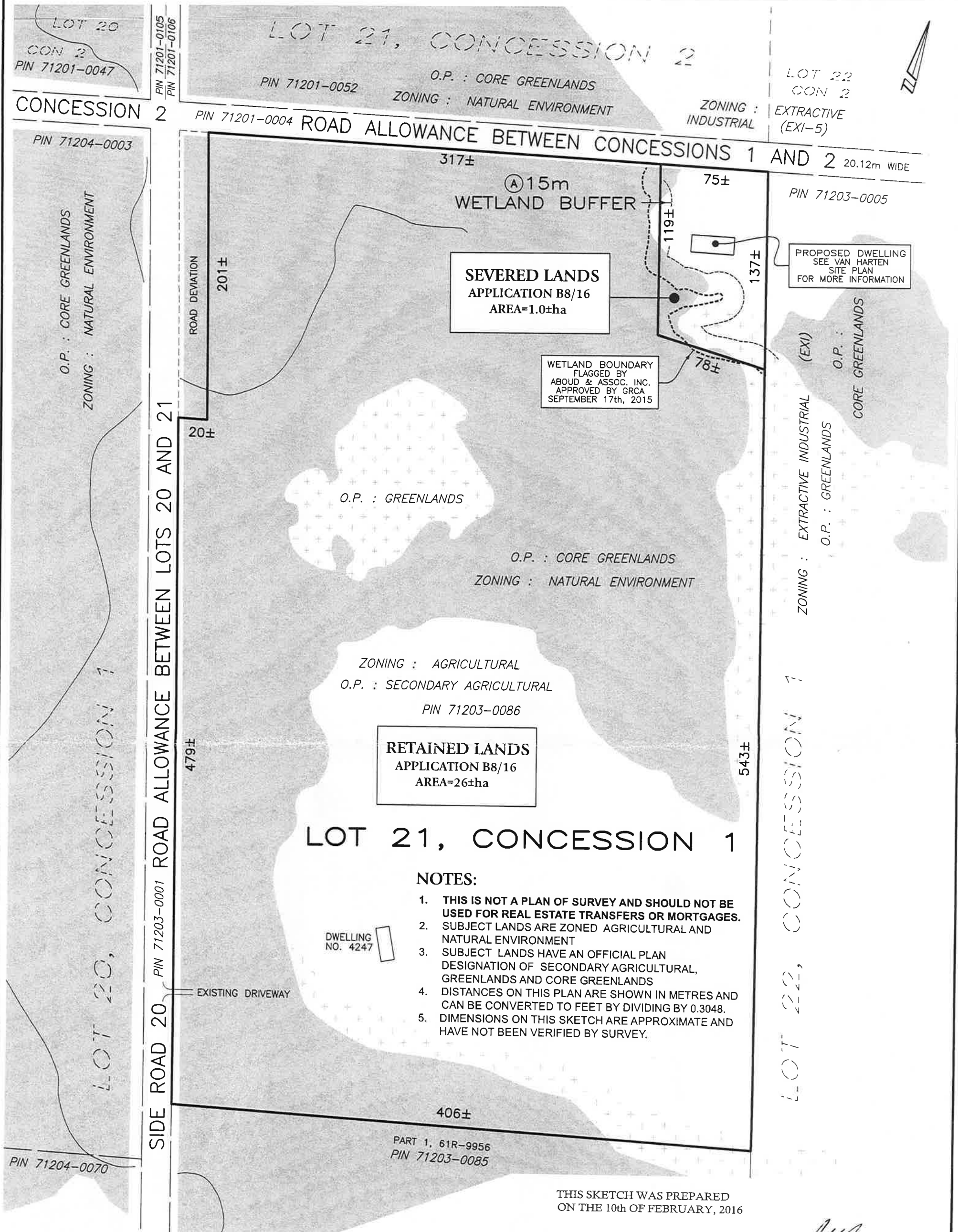
Yes ☐ No ☒

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

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)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	B8/16	Wellington County	Pt of Lot 21, Con 1	To create new rural residential lot	Under consideration
Site Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>					
Minor Variance	<input type="checkbox"/>	<input checked="" type="checkbox"/>					

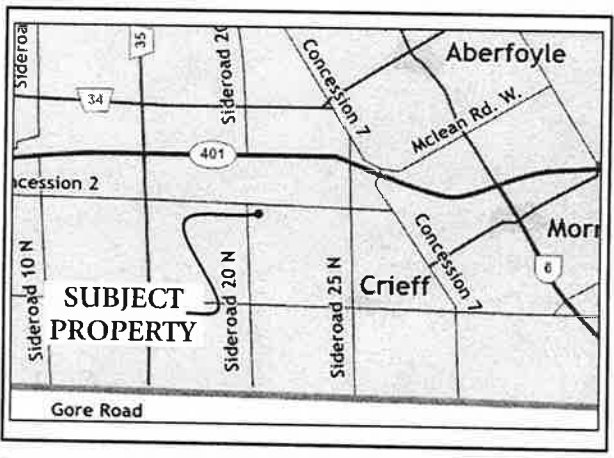


- NOTES:**
1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
 2. SUBJECT LANDS ARE ZONED AGRICULTURAL AND NATURAL ENVIRONMENT
 3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF SECONDARY AGRICULTURAL, GREENLANDS AND CORE GREENLANDS
 4. DISTANCES ON THIS 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.

THIS SKETCH WAS PREPARED
ON THE 10th OF FEBRUARY, 2016


Jeffrey E. Buisman
JEFFREY E. BUISMAN
ONTARIO LAND SURVEYOR

KEYMAP



**MINOR VARIANCE SKETCH
PART OF LOT 21
CONCESSION 1
TOWNSHIP OF PUSLINCH
COUNTY OF WELLINGTON**

SCALE: 1 - 2500
0 50 100 150
VAN HARTEN SURVEYING INC.

**Van Harten**
SURVEYING INC.
LAND SURVEYORS and ENGINEERS

423 WOOLWICH STREET GUELPH - ONTARIO, N1H 3X3 PHONE: (519) 821 - 2763 FAX: 821 - 2770 www.vanharten.com	660 RIDDELL ROAD, UNIT 1 ORANGEVILLE - ONTARIO, L9W 5G5 PHONE: (519) 940 - 4110 FAX: 519 - 940 - 4113 www.vanharten.com	
DRAWN BY: JAM	CHECKED BY: JEB	PROJECT No. 23074-15
Feb 10, 2016-11:25am G:\PUSLINCH\Con1\ACAD\MV PT21 (NAGEL) UTM 2010 NR.dwg		



LAND SURVEYORS and ENGINEERS

February 8, 2016

23074-15

Jeff.Buisman@vanharten.com

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

Attention: Kelly Patzer

Dear Ms. Patzer,

**Re: Minor Variance Application for Severance Application B8/16
4225 Sideroad 20 South
Part of Lot 21, Concession 1
PIN 71203-0086
Township of Puslinch, County of Wellington**

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, Site Plan, Environmental Impact Study, PIN report, the required deed, and a cheque of \$650 to the Township of Puslinch.

A Severance Application (B8/16) has been submitted and is scheduled to be at the March 10, 2016 hearing of the Wellington County Land Division Committee. The severance application was supported with an Environmental Impact Study (EIS) by Aboud & Associates Inc and Site Plan by Van Harten Surveying showing a buffer to the wetlands of less than 30m. This EIS is currently under review by the GRCA and we are hoping that their review and comments will be available for the above mentioned March 10 meeting. We are requesting that this buffer be reduced to 15m versus the 30m minimum as stated in section 3(25)(a) of the Zoning By-law. The requested 15m distance has been approved by Aboud & Associates Inc. in their EIS.

We feel that this Minor Variance application meets the intention of the Zoning By-law especially in regards to section 3(25)(c) which indicates that the setback from the NE Zone may be reduced to a distance that is supported by the GRCA.

12 Memorial Avenue,
Elmira, Ontario N3B 2R2
Phone: 519-669-5070

423 Woolwich Street,
Guelph, Ontario N1H 3X3
Phone: 519-821-2763

660 Riddell Road, Unit 1,
Orangeville, Ontario L9W 5G5
Phone: 519-940-4110

www.vanharten.com



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

Van Harten Surveying Inc.

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

cc Arthur & Lena Nagel



Attachment C

Planning & Development Advisory Committee Meeting
March 8, 2016
7:00 pm
Council Chambers, Aberfoyle

MINUTES

MEMBERS PRESENT:

John Sepulis, Chair
Councillor Ken Roth
Deep Basi
Dennis O'Connor

MEMBERS ABSENT:

Dianne Paron

OTHERS IN ATTENDANCE:

Kelly Patzer – Development Coordinator
Sarah Wilhelm – County of Wellington
Karen Landry – CAO/Clerk
Marny Mason
Liz Nimmo
Wayne Hodges
Joan Hodges
Anna Vera
Javier Vera
Dave Hazelwood
Isabelle Hazelwood
Jay Wilson

Councillor Susan Fielding
Rev. Marcie Gibson
Jeff Buisman
Gerie McCauley
Mike McCauley
Sally Prior
Dave Prior
Doug Smith
Jessica Goyda
Stephen Goyda
John Lawrence
Joel Sypkes

1. - 5. COMMITTEE OF ADJUSTMENT

- See March 8, 2016 Committee of Adjustment Minutes

DEVELOPMENT APPLICATIONS

6. OPENING REMARKS

- The Chair advised the gallery that the following portion of the Committee meeting will be reviewing and commenting on planning development applications.

7. DISCLOSURE OF PECUNIARY INTEREST

- None

8. APPROVAL OF MINUTES

- Moved by Deep Basi, Seconded by Ken Roth
- That the minutes of the Tuesday February 9, 2016 Planning & Development Advisory Committee Meeting are hereby adopted as amended.

CARRIED

9. APPLICATIONS FOR SITE PLAN URBAN DESIGN REVIEW

- None

10. ZONING BY-LAW AMENDMENTS

- None

11. LAND DIVISION

11(a) Severance Application B13/16(D10/ONT) – 1543446 Ontario Ltd., Part Lot 16, Concession 3, municipally known as 6898 Wellington Road 34.

Proposed severance is 145 m frontage x 105 m = 1.5 hectares, vacant land for proposed rural residential use.

Retained parcel is 37.8 hectares with 360 m frontage on Wellington Road 34 and 760 m frontage on Wellington Rd 35, existing and proposed agricultural use with existing storage barn.

Moved by Ken Roth, Seconded by Dennis O'Connor that the following comments be forwarded to the County of Wellington Land Division Committee:

- No comments

CARRIED

12. OTHER MATTERS

12a) 2016 Zoning By-law Housekeeping

Moved by Dennis O'Connor, Seconded by Deep Basi that the following comments be received by staff for Zoning By-law 19/85 2016 Housekeeping Amendment:

Table of Proposed Changes #8:

- Define "Contractor's Yard"
- Outline screening requirements and outdoor storage for Contractor's Yard

Table of Proposed Changes #17 (edits):

- (g) Lot Area (~~maximum~~) (minimum)
- (g) Accessory Building - ... in or as a detached building or structure

Table of Proposed Changes #18:

- Second dwelling - remove "traditionally constructed"
- Investigate accessory building size permissions
- Bring clarity to encroachments to natural Environment Zone

CARRIED

13. CLOSED MEETING

- No matters

14. FUTURE MEETINGS

- Next Regular Meeting Tuesday April 12, 2016 @ 7:00 p.m.

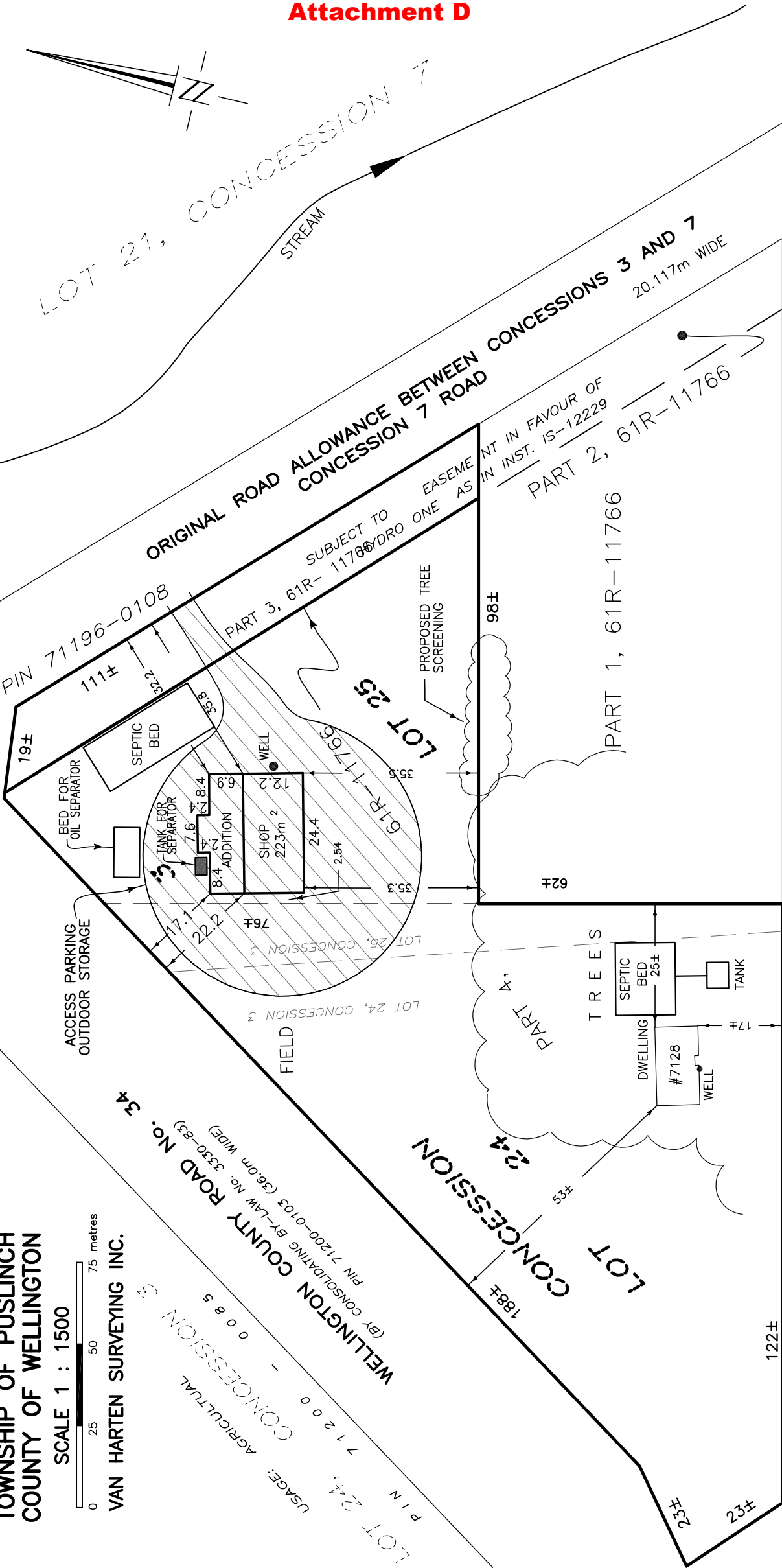
15. ADJOURNMENT

Moved by Ken Roth and Seconded by Deep Basi,

- That the Planning & Development Advisory Committee adjourns at 9:24 p.m.

CARRIED

PROPOSED LAYOUT
PART OF LOTS 24 & 25, CONCESSION 3
TOWNSHIP OF PUSLINCH
COUNTY OF WELLINGTON



ORIGINAL ROAD ALLOWANCE BETWEEN CONCESSIONS 2 AND 3 (SMITH ROAD)

PIN 71201-0034

(20.117m WIDE)

Stovel and Associates Inc.
Planners, Agrologists and Environmental Consultants

February 1, 2016

Township of Puslinch
7404 Wellington Road 34
Guelph, ON
N1H 6H9

Attention: Karen Landry, CAO/Clerk

Re: Application to amend the Zoning By-Law (Hayden)
7128 Smith Road
Part of Lots 24 and 25, Concession 3
Township of Puslinch
County of Wellington

Gerry and Chad Hayden have retained Stovel and Associates Inc. to prepare the Zoning By-law Amendment application for their proposed property in the Township of Puslinch. Please accept this letter as a planning assessment of the proposal.

Background

The lands in question are approximately 1.4 ha in size and owned by Chad and Gerry Hayden. The subject property is a triangular piece of land located between three roads - Smith Road, Concession 7 Road, and Wellington Road 34 (see attached figure). Access for the subject property is from Concession 7, however the onsite dwelling has access to Smith Road.

There is one additional property included in this triangular piece of land. This parcel fronts onto Smith Road and is located in the southeast corner is also owned by Christine Hayden and Nick Islic (and is in the process of being sold to the mother of Chad and Gerry Hayden). This +/- 0.6 ha parcel is a residential severance that was granted in 2012. There is no house on this property.

Chad and Gerry Hayden operate a landscaping and lawn/property maintenance business in the Township of Puslinch. In the winter, the Haydens plow snow. There are 6-7 part-time/seasonal employees in the spring/summer months and two employees in the winter.

The owners applied to the Township and were granted three building permits to construct an accessory structure (referred to as a "shop/shed" in the context of this report). At the time of submission, Gerry Hayden lived on the property and this was his primary residence. The owners of the property constructed the accessory structure as per the provisions of the Township of Puslinch Comprehensive Zoning By-law. This structure provided storage for the owner's equipment. In addition, some limited external storage also occurred.

In 2014, Mr. Hayden made application to the Township to expand the shop/shed. The building permit was granted in 2014. However, shortly after the permit was granted, the Township became aware that Mr. Hayden had moved to a different location in the township. As such, the Township does not consider the shop/shed to be an accessory structure and an amendment to the Zoning By-law is required.

Description of the Site and Surrounding Area

The lands subject to the zoning application are approximately 0.79 ha in size. These lands include an existing shop/shed. A commercial access for the shop/shed was constructed to municipal standard in 2013. Access for the shop/shed is from Concession 7 Road.

The shop/shed is approximately 297 m² in size. The addition is approximately 189 m². The addition

includes an office. The total floor area of the shop/shed is 486 m².

As part of the construction of the shop/shed, a septic system and parking lot were constructed. The septic system was constructed to service the shop/shed and an office. The remaining lands are cropped for agricultural purposes.

Approximately 35 m south of the shop/shed, there is a treed woodland area. The existing residence (owned by the Hayden's) is located a further 30 m from the shop/shed. Although not part of the proposed zoning amendment application, this existing residence is set on approximately 0.69 ha of land. Access for this residential dwelling is from Smith Road.

On the south side of Smith Road are three rural residential lots. These houses are approximately 150 m from the existing shop/shed. East of Concession 7 is a woodland/wetland system. Capitol Paving is located over 200 m southeast of the subject property. Northwest and northeast of the subject properties are agricultural parcels.

Existing Designation and Zoning

The subject property is designated Secondary Agricultural Area in the County of Wellington Official Plan. Permitted Uses and activities in the Secondary Agricultural Area may include:

- a) *All uses allowed in the Prime Agricultural Area;*
- b) *Small scale commercial, industrial and institutional uses;*
- c) *Public service facilities.*

Section 6.5.4 of the Official Plan sets out criteria for considering small-scale Commercial, Industrial and Institutional uses:

- a) *Appropriate sewage and water systems can be established;*
- b) *The proposed use is compatible with surrounding uses;*
- c) *The use requires a non-urban location due to: market requirements, land requirements, compatibility issues;*
- d) *The use will not hinder or preclude the potential for agricultural or mineral aggregate operations;*
- e) *The use will be small-scale and take place on one lot and large-scale proposals or proposals involving more than one lot will require an official plan amendment.*

The subject property is zone A-Agricultural. The Uses Permitted in the A zone are as follows:

- a) *An agricultural use;*
- b) *An intensive agricultural use;*
- c) *A single detached dwelling;*
- d) *A home occupation;*
- e) *A retail farm sales outlet accessory to an agricultural use;*
- f) *Existing churches, schools, community halls, and nursing homes;*
- g) *A wayside pit;*
- h) *Forestry and woodlots;*
- i) *Open space and conservation areas;*
- j) *A fish and wildlife management area;*
- k) *A public use.*

The Proposal

A zoning amendment application has been submitted to the Township of Puslinch. The purpose of the

Stovel and Associates Inc., 655 Orangeville Road, Fergus ON, N1M 1T9 Phone: 519 843-3112

amendment is to permit the establishment of a landscape contractor's yard with an office, external storage of equipment, and landscape materials with limited agricultural uses (excluding livestock). The amendment affects approximately 0.79 ha of the subject property. The Hayden's would like to continue to use the shop/shed for the storage of equipment and repair of their equipment.

To ensure that the proposal is limited, the maximum size of the shop/shed can be capped in the site-specific zoning. It is suggested that the maximum size of the building be set at 675 m². Another method of capping the size is by limiting the total lot coverage for buildings at 10 per cent.

The equipment that is used as part of the landscaping and maintenance business includes: tractor, truck, mowers, trailer and implements that are part of the landscaping trade, such as a seeder or planter. The owners also plow snow in the winter and therefore they will need to store their plows at the site.

External storage is also proposed. Some of the equipment will need to be stored outside, especially during the offseason. In addition, the Hayden's stockpile a small amount of sand, gravel, topsoil and mulch outside. These products are used as part of the landscaping business.

The remainder of the lands, that are not used for parking or form part of the sewage treatment system, will be used for the growing of crops or trees or grass. A conceptual layout of the proposed land use has been prepared and attached to this report.

Compatibility

As previously noted, the lands subject to this application are contained within a relatively small triangle of land bordered by three paved municipal roads. There are two parcels of land within this triangle that are owned by the Hayden's. One parcel has an existing dwelling and shop/shed and the other parcel is a residential lot that has not had a house constructed on it yet.

The shop/shed has already been constructed and serviced, as per building permit requirements. The sewage system was designed and installed according to municipal standard. The onsite well was recently drilled to service the shop/shed.

The Hayden's do not propose to change the use of shop/shed, as a result of this application.

The subject property is well separated from the Capital Paving operation. No conflicts with this mineral aggregate operation are anticipated.

The subject property is well separated from existing farm operations. No conflicts with the normal operation of adjacent farm properties are anticipated.

Buffering

The existing woodland/treeline to the south of the shop/shed provides an effective buffer for a portion of the site. The Hayden's intend to plant and/or maintain the existing tree line along the southern property line with native coniferous trees (i.e. White Pine, White Cedar, White Spruce). No additional planting is proposed along Wellington Road 34 or Concession 7 as there are no residential receptors located immediately adjacent to the subject lands in these areas.

The zoning provisions for this site-specific use could implement a vegetated buffer along the southerly portion of the lands subject to this zoning application. The buffer would be no less than 3 m in width, consisting of native coniferous trees. With the implementation of the buffer plantings to the south of the existing shop/shed, no conflicts with existing residential uses are anticipated.

Conclusion

Chad and Gerry Hayden propose to amend the Zoning By-law. The purpose of the amendment is to permit the establishment of a landscape contractor's yard with an office, external storage of equipment, and landscape materials with limited agricultural uses (excluding livestock). The existing shop/shed will be used for storage and repair of equipment/materials. The office will also be established in the shop/shed. No further construction is anticipated.

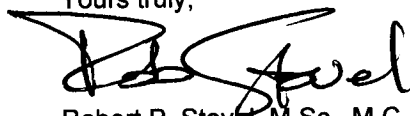
The subject property is well-separated from adjacent land uses, including agricultural operations and mineral aggregate operations.

With the enhancement of an existing tree screen to the south of the subject shop/shed, existing residential land uses will remain well-buffered from the Hayden's operation.

Based on the above information, it is my opinion that the proposal conforms to the County of Wellington Official Plan and is considered to be good planning.

Please do not hesitate to contact me if you have any questions or concerns during the processing of this application.

Yours truly,



Robert P. Stovel, M.Sc., M.C.I.P., R.P.P., P.Ag.

Cc Sarah Wilhelm (email copy only)
Gerry Hayden (email copy only)



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

Zoning By-law Amendment Application

Date submitted: Feb 8, 2016 - complete. submitted Dec 16, 2015

The Amendment:

Type of amendment:

Site specific:



Other (specify):



Purpose of and reasons for the proposed amendment(s):

To permit the establishment of a landscape contractor's yard with an office, external storage of equipment and landscaping materials and limited agricultural uses (excluding livestock)

General Information:

1. Applicant Information:

Registered Owner's Name(s): Gerry Hayden

Address:

6 Victoria Street

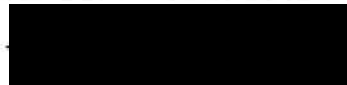
City:

Morrison

Postal Code:

N3C 2V4

Email Address:



Telephone Number:

Fax:

Applicant (Agent) Name(s): Rob Stovel c/o Stovel and Associates Inc.
Address: 655 Orangeville Road
City: Fergus
Postal Code: N1M 1T9
Email Address: [REDACTED]
Telephone Number: [REDACTED]
Fax: [REDACTED]

Other Name(s): _____
Address: _____
City: _____
Postal Code: _____
Email Address: _____
Telephone Number: _____
Fax: _____

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

Scotia Bank, 338 Speedvale Ave East, Guelph ON

Send correspondence to: Owner: ☐ Agent: ☒ Other: _____

When did the current owner acquire the subject land? Date: 2012

4. What does the amendment cover?

The "entire" property: ☐

A "portion" of the property: ☒

(This information should be illustrated on the required drawing under item 24 of this application)

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

Municipal address: 7128 Smith Road

Concession: 3 Lot: part of lots 24 and 25
Registered Plan Number: _____
Area: +/- 1.6 ha Depth: +/- 138 m Frontage: +/- 145 m
_____ ac _____ ft. _____ ft.

6. Provide a description of the area to be amended if only a "portion" of the property:

Area: +/- 1 ha Depth: +/- 50 m Frontage: +/- 211 m
_____ ac _____ ft. _____ ft.

7. Is the application to amend the zoning by-law consistent with the Provincial Policy Statement?

Yes: ☒ No: ☐

8. Is the subject land within an area of land designated under any provincial plan or plans?

Greenbelt Plan: ☒ Places to Grow: ☒ Other: (specify): _____

If yes, does the application conform to and not conflict with the application provincial plan or plans?

Yes: ☒ No: ☐

9. County Official Plan

What is the current County Official Plan designation of the subject property?

Secondary Agriculture

List land uses permitted by the current Official Plan designation:

Agriculture, home businesses, farm businesses, single detached homes, small scale commercial and industrial and institutional uses.

How does the application conform to the Official Plan?

Application is for a small-scale commercial landscaping business.

If the application is to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement, provide details of the Official Plan or Official Plan amendment that deals with the matter.

NA

If the application is to remove land from an area of employment, provide details of the Official Plan or Official Plan amendment that deals with the matter.

NA

If the subject land is within an area where zoning with conditions may apply, provide an explanation of how the application conforms to the Official Plan policies relating to zoning with conditions.

NA

10. Zoning:

What is the current zoning of the property? Agriculture

What uses are permitted? Agricultural, single detached dwelling, home occupation

If the subject land is within an area where zoning with conditions may apply, provide an explanation of how the application conforms to the Official Plan policies relating to zoning with conditions.

NA

If the subject land is within an area where the municipality has pre-determined minimum and maximum density requirements or the minimum and maximum height requirements provide a statement of these requirements.

NA

Existing and Proposed Land Uses and Buildings:

11. What is the "existing" use(s) of the subject land?

The subject property is used for residential purposes with limited cultivation of arable farmlands. A shed was recently constructed and used as part of a home occupation - landscaping business - in the Agricultural zone as per regulations of the zoning by-law.

12. How long has the "existing" use(s) continued on the subject land?

The home occupation is approximately 1 year old. The residence and limited agricultural use of the farmlands has occurred for several decades.

13. What is the "proposed" use(s) of the subject land?

Recently, the owner of the property purchased another house and is using this other house as a primary residence. As a result, the use of the shed for business purposes requires site specific zoning approval.

14. Provide the following details for all buildings or structures on the subject land:

Building Details		Existing		Proposed	
Type of Building(s) or structures	house	Shop/Shed			
Date of construction		2014			
Building height		m	ft	m	ft
Number of floors	1	1			
* Total floor area		m ²	ft ²	m ²	ft ²
Ground floor area (exclude basement)		m ²	4300 ft ²	m ²	ft ²
Distance from building structure to the:					
Front lot line	+/- 17	m	+/- 32.2	ft	m
Side lot line	+/- 25	m	+/- 17.1	ft	m
Other side lot line	+/- 53	m		ft	m
Rear lot line		m	+/- 35.5	ft	m

Building Details	Existing		Proposed	
*Percentage lot coverage				
*Number of parking spaces				
*Number of loading spaces				

Existing and Proposed Services:

15. What is the access to the subject property?

- Provincial Highway: ☐
- Continually maintained municipal road: ☒
- Right-of-way: ☐
- Seasonally maintained municipal road: ☐
- Water access: ☐
- Other (please specify): ☐

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

Concession 7
House has access off of Smith Road

17. 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 subject land to the nearest public road.

NA

(This information should be illustrated on the required drawing under item 24 of this application)

18. Indicate the applicable water supply and sewage disposal:

Water Supply	Existing	Proposed
Municipal water	<input type="checkbox"/>	<input type="checkbox"/>

Water Supply	Existing	Proposed
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"/>
Water sewers	<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"/>

19. If the application would permit development on privately owned and operated individual or communal septic systems, would more than 4500 litres of effluent be produced per day as a result of the development being completed?

Yes: ☐ No: ☒

If yes, the following reports are required:

Servicing options report

A hydrogeological report

20. How is storm drainage provided?

Storm Sewers: ☐

Ditches: ☒

Swales: ☐

Other: ☐ (explain below)

Other Related Planning Applications:

21. Has the current owner (or any previous owner) made application for any of the following, either on the subject property or within 120 metres of 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"/>					
Minor Variance	<input type="checkbox"/>	<input type="checkbox"/>					
Plan of Subdivision	<input type="checkbox"/>	<input type="checkbox"/>					
Consent (Severance)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		County		residential	approved
Site Plan Control	<input type="checkbox"/>	<input type="checkbox"/>					

22. Has the subject land ever been the subject of a Minister's Zoning Order?

Yes: ☐ No: ☒

If yes, provide the Ontario Regulation number of that order, if known: _____

Other Supporting Information

23. Please list the titles of any supporting documents: (e.g. Environmental Impacts Study, Hydrogeological Report, Servicing Options Report, Traffic Study, Market Area Study, Aggregate Licence Report, Stormwater Management Report, etc.)

Site Plan

Attachment E

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

March 11, 2016

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: March 2, 2016

FILE NO. B15/16

APPLICANT

John & Sharron Beaupre
6786 Concession 2
Cambridge ON N3C 2V4

LOCATION OF SUBJECT LANDS:

TOWNSHIP OF PUSLINCH
Part Lot 12
Concession 2

Proposed severance is 1.9 hectares with 135m frontage, existing agricultural and bush for proposed rural residential use.

Retained parcel is 31.4 hectares with 269m frontage, existing and proposed agricultural and rural residential use with existing dwelling, barn, 2 drive sheds and shed.

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

April 20, 2016

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 County Clerk Roads Civic Addressing

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

APPLICATION FOR CONSENT

Ontario Planning Act

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: \$ 1025
Fee Received: Mar 2/16File No. BIS/16Accepted as Complete on: Mar 2/16**A COPY OF YOUR CURRENT DEED MUST BE SUBMITTED WITH THIS APPLICATION**2. (a) Name of Registered Owner(s) John Phillip & Sharron Joan BEAUPREAddress 6786 Concession 2, Cambridge, ON, N3C 2V4

Phone No. [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 VanHarten Surveying Inc.423 Woolwich Street, Guelph, ON, N1H 3X3

Phone No. [REDACTED]

(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 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 12

Registered Plan No.

Lot No.

Reference Plan No. 61R-6924

Part No. Part 2

Civic Address 6786 Concession 2

(b) When was property acquired: August 1997 Registered Instrument No. RO781986

5. Description of Land intended to be SEVERED:

Metric ☒

Imperial ☐

Frontage/Width 135 / 75 ±

AREA

1.9 ha ±

Depth 184 ±

Existing Use(s)

Agricultural, bush

Existing Buildings or structures: None

Proposed Uses (s): A new rural residential dwelling

Type of access (Check appropriate space)

Existing ☐

Proposed ☒

☐ Provincial Highway

☐ Right-of-way

☐ 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 ☒ (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 ☒ individual ☐ communal

☐ Pit Privy

☐ Other (Specify):

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

Frontage/Width	<u>269 ±</u>	AREA	<u>31.4 ha ±</u>
Depth	<u>801 ±</u>	Existing Use(s)	<u>Dwelling, agricultural</u>

Existing Buildings or structures: Dwelling, Barn, 2 Drive Sheds, and Shed

Proposed Uses (s): 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 ☒ individual ☐ 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 ☒

b) Is there an individual well or septic system within 45.7 metres [150 feet] of the boundaries of the proposed severed parcel?

YES ☐ NO ☒ If answer to 9b) is YES, these must be shown on the severance sketch

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 metres [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 [X] NO []
Private airfield (Reid's Field) to the north

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. Is the application consistent with the Provincial Policy Statement? YES [X] NO []

25. Is the subject land within an area of land designated under any provincial plan or plans?

Greenbelt Plan [] Places to Grow [X] Other []

If **YES**, does the application conform with the applicable Provincial Plan(s) YES ☒ NO ☐

26. Is the subject land a proposed surplus farm dwelling? YES ☐ NO ☒

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

27. a) What is the existing **Local Official Plan** designation(s) of the subject land? (severed and retained)

b) What is the existing **County Official Plan** designation(s) of the subject land? (severed and retained)

Secondary Agricultural and Core Greenlands

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): _____

28. What is the zoning of the subject lands? **Agricultural (A) and Natural Environment Zone**

29. Does the proposal for the subject lands conform to the existing zoning? YES ☒ 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 ☒ 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 with MCF Mortgage Investment Corp.; 70 Wellington Street East, Aurora, ON, L4G 1H8

Mortgage with John MCMAHON; 6 Brandiff Court, Caledon, ON, L7C 1P6

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:

Type: Dairy ☐ Beef Cattle ☐ Swine ☐ Poultry ☐ Other ☒ **15 Horses**

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

<u>Severed</u>	Width	Length	Area	Use
<u>Retained</u>	Width <u>15±m</u>	Length <u>25±m</u>	Area <u>390±m²</u>	Use <u>Barn</u>
	Width <u>12±m</u>	Length <u>25±m</u>	Area <u>328±m²</u>	Use <u>Barn</u>
	Width <u>10±m</u>	Length <u>23±m</u>	Area <u>230±m²</u>	Use <u>Drive shed</u>
	Width <u>6±m</u>	Length <u>12.5±m</u>	Area <u>75±m²</u>	Use <u>Shed</u>

33. **Manure Storage Facilities** on these lands:

DRY		SEMI-SOLID	LIQUID
Open Pile <input checked="" type="checkbox"/>		Open Pile <input type="checkbox"/>	Covered Tank <input type="checkbox"/>
Covered Pile <input type="checkbox"/>		Storage with Buck Walls <input type="checkbox"/>	Aboveground Uncovered Tank <input type="checkbox"/>
			Belowground Uncovered Tank <input type="checkbox"/>
			Open Earth-sided Pit <input type="checkbox"/>

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 []

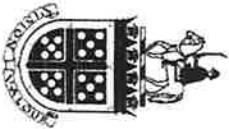
If yes, please indicate the person you have met/spoken to: Sarah Wilhelm

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.
5. Generally, regular severance application forms are also available at the local municipal office.
6. Some municipalities also require the applicant to attend at a Planning Advisory Committee or Council meeting to discuss the application prior to the Municipality's submitting comments to the County of Wellington Planning and Land Division Committee. Please check with your local municipality.
7. If the applicant is a Corporation, then the applicant's Declaration or if applicable, the Owner's authorization too, must be signed by an officer of the corporation who has authority to bind the corporation; or the corporation's seal must be affixed.



County of Wellington

FARM DATA SHEET
Minimum Distance Separation I (MDSI)

NOTE TO THE FACILITY OWNER:
Your cooperation in filling out this sheet will help to ensure that new land uses will be located a suitable distance from your operation.

Owner of Livestock Facility Miroslav and Jana RAK

Telephone _____
Municipality Paschim Civic Address 6793 Concession 2
Lot P4L12 Concession 1 DIV 2

Tillable Hectares/Acres* on the lot where the livestock facility is located 24 hectares _____ acres

Signature of Livestock Facility Owner John Rake Date _____

Martin 319 - 861-2655
Farmers 519 - 658-4799
Martin Deter

Permanent Manure or Material Storage Types

Solid Manure: 18% dry matter, or more
Liquid Manure: Less than 18% dry matter
Digestate: Less than 18% dry matter

- 0 No storage required (manure/material stored for less than 14 days)
- V1 Solid, inside, bedded pack
- V2 Solid, outside, covered
- V3 Solid, outside, no cover, greater than or equal 30% dry matter
- V4 Solid, outside, no cover, 18% to less than 30% dry matter, with covered liquid runoff storage
- L1 Solid, outside, no cover, 18% to less than 30% dry matter, with uncovered liquid runoff storage
- V5 Liquid, inside, underneath slatted floor
- V6 Liquid, outside, with a permanent, tight fitting cover
- V7 Liquid, (digestate), outside, no cover

BARN(S) SIZE:

416 m² (ft² / m²)

Please provide the size of the barns located on the property. This information is required to determine maximum livestock capacity.

Animal Type or Material	Description	Housing Capacity* (maximum)	Manure Storage Type* (select from list above)
Beef Cattle	Cows, including calves to weaning (all breeds)	25	V3
	Feeders (7 - 18 months)	25	V3
	Backgrounders (7 - 12.5 months)	25	V3
	Shortkeepers (12.5 - 17.5 months)	25	V3
	Milking-age cows (dry or milking)		
Dairy Cattle	Large-framed: 545 kg - 636 kg (for example - Holsteins)		
	Medium-framed: 455 kg - 545 kg (for example - Guernseys)		
	Small-framed: 364 kg - 455 kg (for example - Jerseys)		
	Heifers (5 months to freshening)		
	Large-framed: 182 kg - 545 kg (for example - Holsteins)		
	Medium-framed: 148 kg - 455 kg (for example - Guernseys)		
	Small-framed: 125 kg - 364 kg (for example - Jerseys)		
	Calves (0 - 5 months)		
	Large-framed: 45 kg - 182 kg (for example - Holsteins)		
	Medium-framed: 39 kg - 148 kg (for example - Guernseys)		
Swine	Small-framed: 30 kg - 125 kg (for example - Jerseys)		
	Sows with litter, dry sows/boars: Segregated Early Weaning (SEW)		
	Sows with litter, dry sows or boars (non-SEW)		
	Breeder gilts (entire barn designed specifically for this purpose)		
	Weaners (7 kg - 27 kg)		
Horses	Feeders (27 kg - 105 kg)		
	Large-framed, mature: >681 kg (including unweaned offspring)		
	Medium-framed, mature: 227 kg - 680 kg (including unweaned offspring)		
	Small-framed, mature: <227 kg (including unweaned offspring)		
Sheep	Ewes & rams (for meat lambs; includes unweaned offspring & replacements)		
	Ewes & rams (dairy operation; includes unweaned offspring & replacements)		
	Lambs (dairy or feeder lambs)		

Animal Type or Material	Description	Housing Capacity*	Manure Storage Type* (select from list above)
Goats	Does & bucks (for meat kids; includes unweaned offspring & replacements)		
	Does & bucks (for dairy; includes unweaned offspring & replacements)		
	Kids (dairy or feeder kids)		
	Layer hens (for eating eggs; after transfer from pullet barn)		
	Layer pullets (day olds until transferred into layer barn)		
Chickens	Broiler breeder growers (males/ females transferred out to layer barn)		
	Broiler breeder layers (males/ females transferred in from grower barn)		
	Broilers on an 8 week cycle		
	Broilers on a 9 week cycle		
	Broilers on a 10 week cycle		
	Broilers on a 12 week cycle		
	Broilers on any other cycle, or unknown		
	Turkey pullets (day old until transferred to layer turkey barn)		
	Turkey breeder layers (males/ females transferred in from grower barn)		
	Breeder toms		
Turkeys	Broilers (day olds to 6.2 kg)		
	Hens (day olds up to 6.2 kg to 10.8 kg; 7.5 kg is typical)		
	Toms (day olds to over 10.8 kg to 20 kg; 14.5 kg is typical)		
	Turkeys at any other weights, or unknown		
Veal	Milk-fed		
	Grain-fed		
Other			
Manure imported to a lot not generating manure	Maximum capacity of permanent storages at any time: solid or liquid capacity		
	Maximum capacity of permanent storages at any time: solid or liquid capacity		
Anaerobic Digester	Maximum capacity of permanent storages at any time: solid or liquid capacity		

*see terms defined on reverse side of page

Minimum Distance Separation I (MDS I) Report

File: MDS.mds

Application Date: 04-Dec-2015

File Number: 23304-15

Preparer Information
Colin Vanderwoerd
Van Harten

Applicant Information
Unspecified

County of Wellington

Rak

Adjacent Farm Contact Information
Miroslav Rak

Farm Location
County of Wellington
City of Guelph
Geotownship: PUSLINCH
Concession: 1
Lot: 12

Manure Form	Type of Livestock/Material	Existing Capacity	Existing NU	Estimated Barn Area
Solid	Beef; Cows, including calves to weaning (all breeds); Confinement	25	25.0	232 m²
Solid	Beef; Backgrounders (7 - 12.5 months); Confinement	25	8.3	Unavailable
Solid	Beef; Feeders (7 - 16 months); Confinement Bedded Pack	25	8.3	116 m²
Solid	Beef; Shortkeepers (12.5 - 17.5 months)	25	12.5	151 m²

Encroaching Land Use Factor: Type A Land Use

Tillable area of land on this lot: 21 ha

Manure/Material Storage Type: V3. Solid, outside, no cover, >= 30% DM

Factor A (Odour Potential): 0.75

Factor B (Nutrient Units): 370

Factor D (Manure/Material Type): 0.7

Factor E (Encroaching Land Use): 1.1

Total Nutrient Units: 54

Distance from nearest livestock building 'F' (A x B x D x E):

Distance from nearest permanent manure/material storage 'S':

Required Setback
215 m (705 ft)

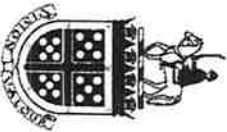
Actual Setback
215 m (705 ft)

Signature of Preparer: Colin Vanderwoerd, Van Harten

Date:

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.





County of Wellington

FARM DATA SHEET
Minimum Distance Separation I (MDSI)

NOTE TO THE FACILITY OWNER:
Your cooperation in filling out this sheet will help to ensure that new land uses will be located a suitable distance from your operation.

Owner of Livestock Facility Sharon Beaudre

Telephone (519) 220-0150 Civic Address 6786 Can 2

Municipality Rushden Lot 12 Concession 2 DIV 30-40 acres

Tillable Hectares/Acres* on the lot where the livestock facility is located _____ hectares _____ acres

Signature of Livestock Facility Owner [Signature] Date Nov. 6 - 15

Animal Type or Material	Description	Housing Capacity* (maximum)	Manure Storage Type* (select from list above)
Beef Cattle	Cows, including calves to weaning (all breeds)		
	Feeders (7 - 16 months)		
	Backgrounders (7 - 12.5 months)		
	Shortkeepers (12.5 - 17.5 months)		
	Milking-age cows (dry or milking)		
Dairy Cattle	Large-framed, 545 kg - 636 kg (for example - Holsteins)		
	Medium-framed, 455 kg - 545 kg (for example - Guernseys)		
	Small-framed, 364 kg - 455 kg (for example - Jerseys)		
	Heifers (5 months to freshening)		
	Large-framed, 182 kg - 545 kg (for example - Holsteins)		
	Medium-framed, 148 kg - 455 kg (for example - Guernseys)		
	Small-framed, 125 kg - 364 kg (for example - Jerseys)		
	Calves (0 - 5 months)		
	Large-framed, 45 kg - 182 kg (for example - Holsteins)		
	Medium-framed, 39 kg - 148 kg (for example - Guernseys)		
Swine	Small-framed, 30 kg - 125 kg (for example - Jerseys)		
	Sows with litter, dry sows/boars, Segregated Early Weaning (SEW)		
	Sows with litter, dry sows or boars (non-SEW)		
	Breeder gilts (entire barn designed specifically for this purpose)		
	Weaners (7 kg - 27 kg)		
Horses	Feeders (27 kg - 105 kg)		
	Large-framed, mature, >681 kg (including unweaned offspring)		
	Medium-framed, mature, 227 kg - 680 kg (including unweaned offspring)	5 + 10	V3
	Small-framed, mature, <227 kg (including unweaned offspring)		
Sheep	Ewes & rams (for meat lambs; includes unweaned offspring & replacements)		
	Ewes & rams (dairy operation; includes unweaned offspring & replacements)		
	Lambs (dairy or feeder lambs)		

- Permanent Manure or Material Storage Types
- Solid Manure: 18% dry matter, or more
- Liquid Manure: Less than 18% dry matter
- Digestate: Less than 18% dry matter
- 0 No storage required (manure/material stored for less than 14 days)
- V1 Solid, inside, bedded pack
- V2 Solid, outside, covered
- V3 Solid, outside, no cover, greater than or equal 30% dry matter
- V4 Solid, outside, no cover, 18% to less than 30% dry matter, with covered liquid runoff storage
- L1 Solid, outside, no cover, 18% to less than 30% dry matter, with uncovered liquid runoff storage
- V5 Liquid, inside, underneath slatted floor
- V6 Liquid, outside, with a permanent, tight fitting cover
- V7 Liquid, (digestate), outside, no cover

BARN(S) SIZE: 390 m² (ft² / m²)

_____ (ft² / m²)

_____ (ft² / m²)

Please provide the size of the barns located on the property. This information is required to determine maximum livestock capacity.

Animal Type or Material	Description	Housing Capacity*	Manure Storage Type* (select from list above)
Goats	Does & bucks (for meat kids; includes unweaned offspring & replacements)		
	Does & bucks (for dairy; includes unweaned offspring & replacements)		
Chickens	Kids (dairy or feeder kids)		
	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 an 8 week cycle		
	Broilers on a 9 week cycle		
	Broilers on a 10 week cycle		
	Broilers on a 12 week cycle		
	Broilers on any other cycle, or unknown		
Turkeys	Turkey pullets (day old until transferred to layer 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 kg to 10.8 kg; 7.5 kg is typical)		
Veal	Toms (day olds to over 10.8 kg to 20 kg; 14.5 kg is typical)		
	Turkeys at any other weights, or unknown		
	Milk-fed		
Other	Grain-fed		
Manure imported to a lot not generating manure			
	Maximum capacity of permanent storages at any time: solid or liquid capacity		
Anaerobic Digester	Maximum capacity of permanent storages at any time: solid or liquid capacity		

Minimum Distance Separation I (MDS I) Report

Application Date:	04-Dec-2015		
File Number:	23304-15		
Preparer Information	Applicant Information	County of Wellington	
Colin Vanderwoerd	Unspecified		
Van Harten			

Beaupre

Adjacent Farm Contact Information	Farm Location
Beaupre	County of Wellington
6786 Concession 2	City of Guelph
ON, Canada	Geotownship: PUSLINCH
	Concession: 2
	Lot: 12

Manure Form	Type of Livestock/Material	Existing Capacity	Existing NU	Estimated Barn Area
Solid	Horses; Medium-framed, mature; 227 - 680 kg (including unweaned offspring)	15	15.0	348 m²

Encroaching Land Use Factor: Type A Land Use

Tillable area of land on this lot: 14 ha

Manure/Material Storage Type: V3. Solid, outside, no cover, >= 30% DM

Factor A (Odour Potential): 0.7

Factor B (Nutrient Units): 321

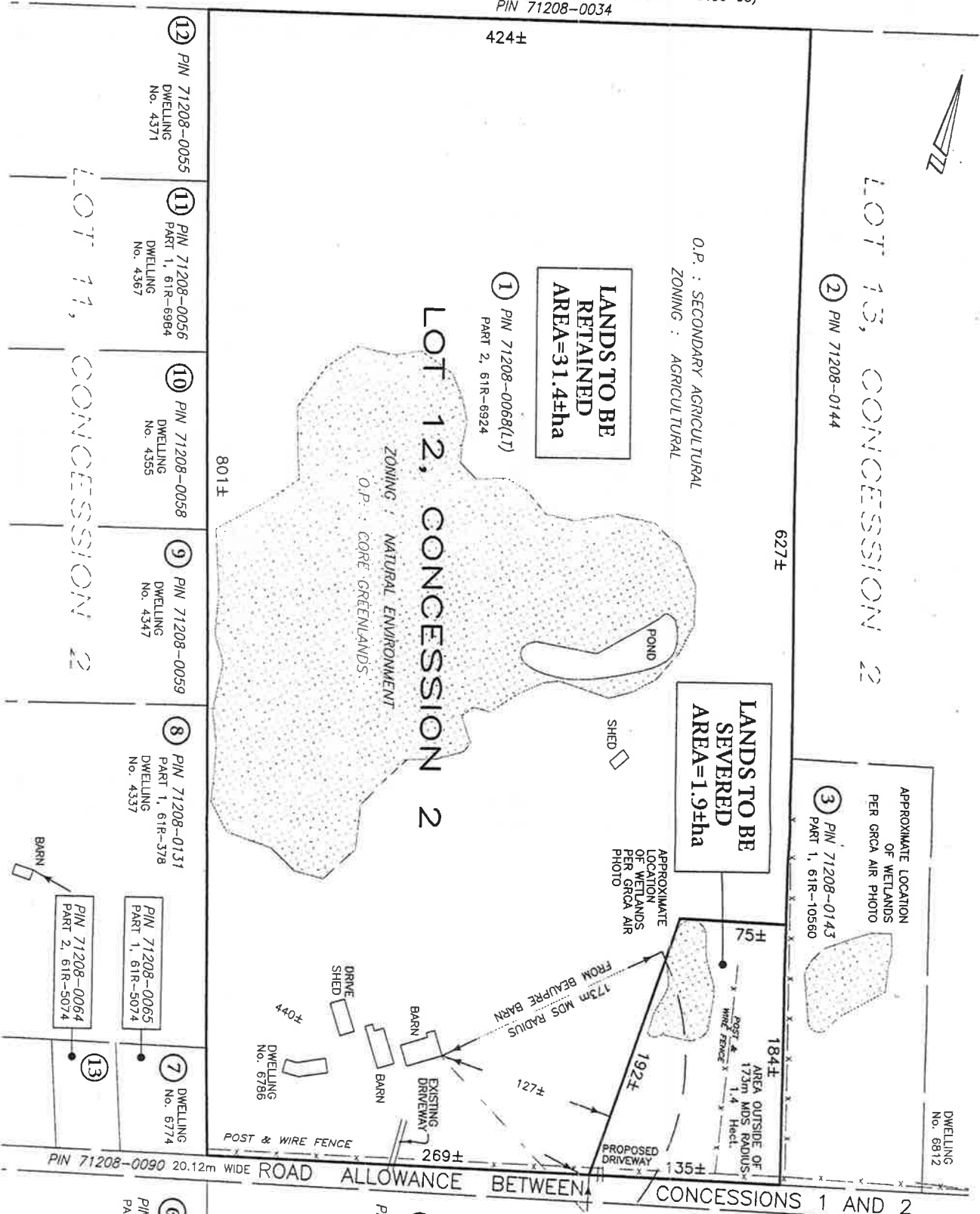
Factor D (Manure/Material Type): 0.7

Factor E (Encroaching Land Use): 1.1

Total Nutrient Units: 15

Distance from nearest livestock building 'F' (A x B x D x E):	Required Setback	Actual Setback
Distance from nearest permanent manure/material storage 'S':	173 m (568 ft)	
	173 m (568 ft)	

Signature of Preparer: Colin Vanderwoerd, Van Harten Date:

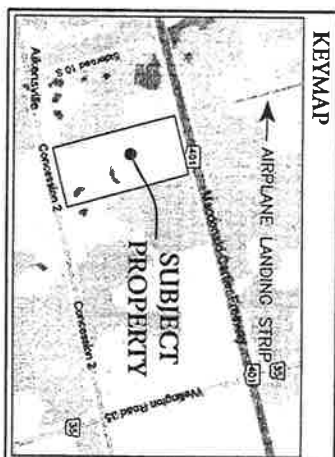


NOTES:

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 AND NATURAL ENVIRONMENT
3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF SECONDARY AGRICULTURAL AND CORE GREENLANDS
4. DISTANCES TO BARN ARE TAKEN FROM GRCA WEBSITE.
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.

THIS SKETCH WAS PREPARED
ON THE 1ST DAY OF MARCH, 2016

SCALE: 1 - 3000
0 30 60 120 180 metres
VAN HARTEN SURVEYING INC.



Van Harten
SURVEYING INC.
LAND SURVEYORS AND ENGINEERS

423 WOOLWICH STREET
GUELPH - ONTARIO, N1H 3X3
PHONE: (519) 821 - 2763
FAX: 821 - 2770
www.vanharten.com

660 RIDELL ROAD, UNIT 1
ORANGEVILLE - ONTARIO, L9W 5G5
PHONE: (519) 940 - 4110
FAX: 519 - 940 - 4113
www.vanharten.com

JEFFREY E. BUISMAN
ONTARIO LAND SURVEYOR

Jeffrey E. Buisman

O.P. : CORE GREENLANDS
ZONING : NATURAL ENVIRONMENT

DRAWN BY: JAW
CHECKED BY: JEB
PROJECT No. 23304-15

Mar 01, 2016 - 4:17pm
G:\PUSLINCH\Con2\Acad\SEVERANCES\sev P112 (BEAUPRE) REV C UTM.dwg

March 1, 2016

23304-15

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 Sketch and Application
6786 Concession 2
Part of Lot 12, Concession 2
PIN 71208-0068
Township of Puslinch**

RECEIVED
MAR 02 2016
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Please find enclosed an application for a severance on the above-mentioned property. Included with this submission is a copy of the severance sketch, completed application form, the required deeds, addresses of neighbouring properties, MDS forms and calculations, the PIN report and map, a cheque to the GRCA for \$380, and a cheque to Wellington County for \$1,025 for the severance application fee.

The proposal is to create a new rural residential parcel with a frontage of 135±m, depth of 184±m, and area of 1.9± ha. The retained lands have an area of 31.4± ha where the existing agricultural operation will continue. The configuration of the proposed severance has been determined by three main factors:

1. Safe driveway location: The proposed severance has a frontage of 135±m in order to include the safe entrance at the west end of the severance.
2. Minimum distance separation guidelines from nearby barns: The proposed severance is required to be located a minimum distance of 173 m from the barn on the subject property. The lot has been configured so that more than 1 ha of land is beyond the 173m arc from the barn as permitted in guideline 42 of the MDS Guidelines.
3. Location of Provincially Significant Wetlands: Generally, the GRCA prefers that proposed lot lines don't split Provincially Significant Wetlands onto two properties. The depth of the proposed severance is 184±m in order to include all of the wetlands at the rear of the proposed severance. There is sufficient space for a dwelling, septic bed, and well in the front portion of the property outside of the 30m wetland buffer.

12 Memorial Avenue,
Elmira, Ontario N3B 2R2
Phone: 519-669-5070

423 Woolwich Street,
Guelph, Ontario N1H 3X3
Phone: 519-821-2763

660 Riddell Road, Unit 1,
Orangeville, Ontario L9W 5G5
Phone: 519-940-4110

www.vanharten.com

Pre-consultation with County Planning Staff revealed that staff had concerns about the shape of the parcel. Two main areas of concern were based on the requirements in Sections 10.1.3 (k) and 10.1.3 (m) of the County Official Plan: They require:

- *k) that the size and shape of proposed lots is suitable, including frontage, area and the proportion of frontage to depth;*
- *m) that all new lots shall have logical lot lines given existing lot patterns in the area, natural and human-made features and other appropriate considerations;*

There are parcels throughout Puslinch that aren't rectangular because the configuration has taken into account unique natural or man-made features such as driveways and wetlands. Below are six examples of parcels that have unique property lines because of natural or human made features.

4280 Victoria Road South (PIN 71195-0281):

This parcel was created in 2005 and a dwelling has been built on the property in the last five years. The aerial photo below shows that this parcel's configuration is unique because the right property line (when facing the property from the road) bends out as a result of the location of the driveway.



4485 Sideroad 10 North (PIN71209-0192):

The shape of the parcel shown in the image below was created in 2014 based on the location of open field and bush lines and in order to leave space between neighbours.



485 Townline Road (71206-0099):

A reference plan was created in 2007 for the configuration shown in the aerial photo below. The right property line is curved because of the location of the driveway.



6494 Concession 1 (PIN 71207-0374):

The property was created by a severance in 2011. The aerial photo below shows that the parcel has a unique shape because the location of wetlands at the back left corner of the property.



6934 Concession 2 (PIN 71201-0090) & 6938 Concession 2 (PIN 71201-0021):

The parcels shown in the image below share a curved property line.





LAND SURVEYORS and ENGINEERS

6938 Wellington Road 34 (PIN 71200-0062):

The parcel shown in the image below was created in 1996 and has an angled rear property line following the edge of existing parking.



Therefore, although it is preferred to have a rectangular shaped parcel, the previous six examples are situations where natural and manmade features were considered and resulted in a unique shape. These configurations are fitting and were considered to be appropriate by the Land Division Committee. We believe that the unique property line configuration in this application is similar and appropriate.

Furthermore, Section 10.1.3(m) states that proposed lots should match existing lot patterns in the area. Although the majority of the lots in the area are rectangular, the image below shows three properties near the subject property that are not rectangular. 6756 Concession 2 (PIN 71208-0132) has an unusual shape because of the location of the driveway. 6767 Concession 2 (PIN 71205-0048) and 4215 Sideroad 10 South have angled properties lines because of the location of the field and bush.



Section 10.4.4(a) of the Official Plan gives guidance for lot size for new residential lots in secondary agricultural areas. The section requires that;

the lot generally meets a 0.4 ha minimum lot size and is not larger than needed to accommodate the intended residential use, consisting of the dwelling, accessory buildings and uses, and individual sewage and water services, while taking into account site constraints such as grading, sightlines, natural heritage features, hazardous lands, and Minimum Distance Separation requirements.

The proposed configuration has an area of 1.9ha which is a result of taking into account three of the factors listed in Section 10.4.4(a); sightlines, natural heritage features (wetlands), and MDS requirements.

The intent of having maximum area requirements for proposed lots is to minimize the amount of farmland taken out of production. Less than half of the severed lands are currently being used as part of the pasture for the agricultural operation. Reducing the pasture will not have a significant effect on the farming operation as the farm has roughly 14 tillable hectares.



LAND SURVEYORS and ENGINEERS

In conclusion, the proposed severance has been created based on the requirements of Section 10.4 of the Official Plan. In order to account for the requirements for a safe driveway entrance and MDS requirements, the proposed severance has an area of 1.9 ha and the westerly property line is angled. The County Official Plan allows consideration for natural or human made features in lot creation. There are a number of properties in the neighbourhood and in the Township of Puslinch that have unique shapes because of natural or human made features.

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

Van Harten Surveying Inc.

A handwritten signature in black ink, appearing to read "Jeffrey E. Buisman".

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

c.c. John & Sharon Beaupre

424±

LOT 13, CONCESSION 2

② PIN 71208-0144

627±

O.P. : SECONDARY AGRICULTURAL
ZONING : AGRICULTURAL

LANDS TO BE
RETAINED
AREA=31.4±ha

① PIN 71208-0068(LT)
PART 2, 61R-6924

LOT 12, CONCESSION 2

ZONING : NATURAL ENVIRONMENT
O.P. : CORE GREENLANDS

801±

⑫ PIN 71208-0055
DWELLING
No. 4371

⑪ PIN 71208-0056
PART 1, 61R-6984
DWELLING
No. 4367

⑩ PIN 71208-0058
DWELLING
No. 4355

⑨ PIN 71208-0059
DWELLING
No. 4347

⑧ PIN 71208-0131
PART 1, 61R-378
DWELLING
No. 4337

⑦ DWELLING
No. 6774

⑥ PIN 71205-0048
PART 2, 61R-6411
DWELLING
No. 6767

LOT 11, CONCESSION 2

PIN 71208-0064
PART 2, 61R-5074

PIN 71208-0065
PART 1, 61R-5074

BARN

DWELLING
No. 6812

APPROXIMATE LOCATION
OF WETLANDS
PER GRCA AIR PHOTO

③ PIN 71208-0143
PART 1, 61R-10560

LANDS TO BE
SEVERED
AREA=1.9±ha

APPROXIMATE
LOCATION
OF WETLANDS
PER GRCA AIR
PHOTO

POND

SHED

173m MDS RADIUS
FROM BEAUPRE BARN

EXISTING
DRIVEWAY

BARN

BARN

DRIVE
SHED

DWELLING
No. 6786

POST & WIRE FENCE

PIN 71208-0090 20.12m WIDE ROAD ALLOWANCE BETWEEN

⑤ PIN 71205-0012
DWELLING
No. 6793

220±
NOT TO SCALE

BARN

④ PIN 71205-0054
PART 1, 61R-9441
DWELLING No. 6805

184±
AREA OUTSIDE OF
173m MDS RADIUS
1.4 Hect.

POST &
WIRE FENCE

PROPOSED
DRIVEWAY

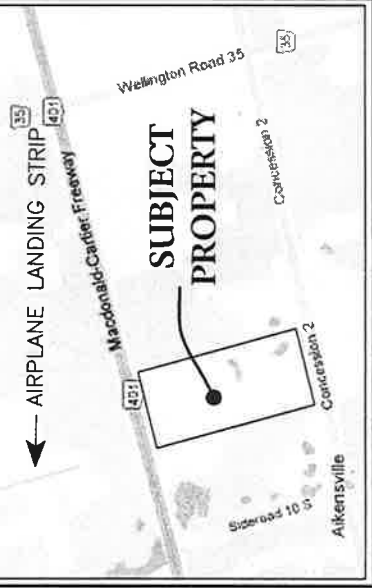
135±

192±

127±

⑤

KEYMAP



SEVERANCE SKETCH
PART OF LOT 12, CONCESSION 2
TOWNSHIP OF PUSLINCH
COUNTY OF WELLINGTON

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 AND NATURAL ENVIRONMENT
3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF SECONDARY AGRICULTURAL AND CORE GREENLANDS
4. DISTANCES TO BARNS ARE TAKEN FROM GRCA WEBSITE.
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.

THIS SKETCH WAS PREPARED
ON THE 1ST DAY OF MARCH, 2016

JEFFREY E. BUISMAN
ONTARIO LAND SURVEYOR

Van Harten
SURVEYING INC.
LAND SURVEYORS and ENGINEERS

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DRAWN BY: JAM CHECKED BY: JEB PROJECT No. 23304-15

Mar 01,2016-4:17pm
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