

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: February 29, 2	2016
The Amendment:	
Type of amendment:	
Site specific:	
Other (specify):	
Purpose of and reasons for the	proposed amendment(s):
To change zoning designation f Exception to allow an accessory	rom A - Agriculture to A-11 - Agriculture Special y (second) dwelling for full-time farm help.
General Information:	
1. Applicant Information:	
Registered Owner's Name(s):	Ned Krayishnik and Lily Krayishnik
Address:	6643 Concession #2
City:	Puslinch
Postal Code:	N3C 2V4
Email Address:	
Telephone Number:	
Fax:	

Applicant (Agent) Name(s):	Wellings Planning Consultants Inc.
Address:	564 Emerald Street
City:	Burlington
Postal Code:	L7R 2N8
Email Address:	
Telephone Number:	
Fax:	
	Norman Doud Estate & Boarding Stables
Other Name(s):	6637 Concession 2
Address:	Puslinch
City:	Fusilitett
Postal Code:	
Email Address:	
Telephone Number:	
Fax:	
encumbrances on the property	
Send correspondence to: Owr	
When did the current owner ac	equire the subject land? Date: 2007
4. What does the amendment	cover?
The "entire" property:	
A "portion" of the property:	\checkmark
(This information should be illu	strated on the required drawing under item 24 of this
application)	
5. Provide a description of the	e "entire" property:
Municipal address: 6637 & 66	43 Concession #2

Concession:	1			Lot:	7		_
Registered Plar	ո Number:						
Area: 11.05	ha	Depth:	864	m	Frontage:	30	m
3	ac			ft.		ş	ft.
6. Provide a de	scription of	the area to l	be amende	d if only a	a "portion" (of the prop	erty:
Area: <u>8.7</u>	ha	Depth:	700	m	Frontage:	120	m
	ac			ft.		-	ft.
7. Is the applic Statement?	ation to am	end the zoni	ing by-law	consiste	nt with the	Provincial	Policy
Yes: ✓ N	o:						
8. Is the subject plans?	ct land with	in an area c	of land des	ignated ι	under any p	rovincial p	lan o
Greenbelt Plan	: 🔲	Places to Gr	row: 🗸	Othe	r: (specify):		
If yes, does the plan or plans?		n conform to	and not o	onflict w	ith the appli	ication pro	vincia
Yes: 🚺 N	o:						
9. County Offic	ial Plan						
What is the cu	rrent Count	y Official Pla	an designa	ition of th	ne subject p	roperty?	
Secondary Agr	riculture						
List land uses	permitted b	y the currer	nt Official F	lan desi	gnation:		
Agricultural use related uses; ex forestry uses; v plants used on service facilities	xisting uses vayside pits public autho s; group hor	; single detadent and quarriest ority contract	ched home s, portable a ts; licensed ing lots of re	s; access asphalt p aggrega ecord; ke	sory resident lants and po te operation ennels on exi	tial uses; ortable cond s; commun	crete nity
How does the					IAAA! MIIAIIA		
Accessory resid	dential uses	are permitte	ed by the O	fficial Pla	n for full-tim	e farm help).

settlement or to implement a new area of settlement, provide details of the Official Plan or Official Plan amendment that deals with the matter.
N/A
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.
N/A
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.
N/A
10. Zoning:
What is the current zoning of the property? Agriculture
What uses are permitted? Agriculture; 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.
N/A
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.
N/A

If the application is to implement an alteration to the boundary of an area of

Existing and Proposed Land Uses and Buildings:

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

Agriculture	

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

Assumed to be since original settlement of Puslinch.

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

Agriculture, with permission for an accessory (second) dwelling for full-time farm help.

14. Provide the following details for all buildings or structures on the subject land: Please see attached Schedule A

			-M	Dro	pacad
Building Details		EX	sting	FIO	posed
Type of Building(s) or structures	Dwelling				
Date of construction	1975				
Building height	Approx. 6	m	ft	m	ft
Number of floors	1 (back spl	it)			
* Total floor area	App.193	m^2	ft²	m ²	ft²
Ground floor area (exclude basement)	App.100	m²	ft²	m ²	ft²
Distance from building	ng				
structure to the:					
Front lot line	App. 600	m	ft	m	ft
Side lot line	App. 17	m	ft	m	ft
Other side lot line	App. 95	m	ft	m	ft
Rear lot line	App. 400	m	ft	m	ft

Building Details	Existing	Proposed
*Percentage lot		
coverage		
*Number of parking		
spaces *Number of loading		
spaces		
Existing and Pro	posed Services:	
15. What is the acc	ess to the subject propert	y?
Provincial Highway:		
Continually maintain	ed municipal road:	
Right-of-way:		
Seasonally maintain	ed municipal road:	
Water access:		
Other (please specif	y):	
16. What is the name subject proper		t that provides access to the
Concession #2		
facilities used o	water only, please describe or to be used and the appro- ubject land to the nearest	oximate distance of these
N/A		
(This information sho this application)	ould be illustrated on the req	uired drawing under item 24 of
18. Indicate the app	olicable water supply and	sewage disposal:
Water Supply	Existing	Proposed

Municipal water

Water Supply	Existing	Proposed
Communal water	Existing	
Private well		Ţ.
Other water supply		
Water sewers		
Municipal sewers		
Communal sewers		
Private septic	7	7
Other sewage disposal		
litres of effluent be pro	communal septic systence oduced per day as a res	ems, would more than 4500 ult of the development being
Yes: No: ✓	J	
If yes, the following reports	are required:	
-		
Servicing options report		
• •		
A hydrogeological report		
20. How is storm drainage Storm Sewers: Ditches: Swales:	je provided?	
Other: (explain below	w)	

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	✓		OP-2012-0	County of W	Yes	Allow second	Denied
Zoning By- Law Amendment	✓		P3/2012	Township of F	Yes	Allow second	Denied
Minor Variance	✓		A5/2006	County of Wel	Yes	Reduced From	Denied
Plan of Subdivision							
Consent (Severance)	✓		B71/15	County of Well	Yes	Lot Line Adi	Conditional
Site Plan Control							
Yes:	Order?	No: e Ontario	\checkmark	been the subsumber of that ord			ng
23. Plo Im Tr	ease list to pacts Str affic Stud	the title udy, Hy dy, Mar	es of any su drogeologic	pporting docu cal Report, Se udy, Aggregate	rvicing Opti	ons Report,	al
MDS II	ng Justifica for the Ba Assessme	rn	arm Help				

Wellings Planning Consultants Inc.

February 29, 2016

Ms. Karen Landry CAO/Clerk Township of Puslinch 7404 Wellington Road 34 Guelph, ON N1H 6H9 **Sent by Courier**

RECEIVED

MAR 02 2016

Township of Puslinch

Dear Karen:

Re:

Application for Amendment to Zoning By-law 19/85

Norman Doud Estate & Boarding Stables (Doreen Tschanz)

6637 & 6643 Concession 2 Township of Puslinch Our File: 2013/13

On behalf of Owners, Ned and Lily Krayishnik (6643 Concession 2) and the applicant Norman Doud Estate & Boarding Stables c/o Doreen Tschanz (6637 Concession 2), we are pleased to submit the enclosed application to amend Zoning By-law 19/85 to permit an accessory (second) farm residence presently situated on the Krayishnik property located at 6643 Concession 2. The purpose of the accessory residence is to accommodate farm help to assist in the existing horse boarding and training stable operation.

Background

On September 10, 2015, the County of Wellington Land Division Committee approved subject to conditions a consent application (File No.: B71/15) for a lot line addition, to allow the subject dwelling and the associated agricultural lands and barn on the Krayishnik lands (6643 Concession 2) to be added to the adjacent property at 6637 Concession 2 containing Norman Doud Estate & Boarding Stables. One of the conditions of consent (i.e. Condition #9) requires the filing of a rezoning application to allow the existing residence to be used for farm help and bring into compliance with the Township Zoning By-law.

Need for Second Residence

Ms. Doreen Tschanz, owner and manager of the adjacent Norman Doud Estate & Boarding Stables has utilized the existing barn on the Krayishnik property for several years in addition to cultivating a portion of the Krayishnik property for hay. Ms. Tschanz boards up to 16 horses and she presently rents barn space and agricultural lands from the Krayishniks to supplement her existing operation. Ms. Tschanz relies on hired help to attend to the horses, harvest the hay and perform general maintenance on fences and property. Her plan is to provide on-site accommodation for full-time farm help given the demanding nature of her business.

Given that Ms. Tschanz is already making agricultural use of a significant portion of the Krayishnik property and has a legitimate need for an accessory (second) residence for farm help, Ms. Tschanz entered into an agreement of purchase and sale with Mr. and Mrs. Krayishnik to transfer 8.7 hectares of property from 6643 Concession 2 (Krayishnik) to 6637 Concession 2 (Tschanz).

Needs Assessment

Mr. Robert Stovel of Stovel and Associates Inc. was retained by Norman Doud Estate & Boarding Stables to undertake a Needs Assessment in order to justify the need for the accessory (second) residence for farm help. The Needs Assessment was requested through Condition #9 of the conditions of consent and is included as part of this submission.

Provincial Policy Statement 2014

The Provincial Policy Statement (PPS) 2014 states in Policy 1.1.4.1 that:

"Healthy, integrated and viable rural areas should be supported by:

- a) building upon rural character, and leveraging rural amenities and assets;
- d) encouraging the conservation and redevelopment of existing rural housing stock on rural lands."

A key asset to the rural character is the existing housing stock and agricultural buildings and infrastructure. Re-using existing resources results in lower expenses for rural and agricultural businesses, which will improve their viability and financial health. Additionally, Ms. Tschanz requires on-site farm help to meet the demands of her existing boarding operation. Without such assistance, the demands of her business cannot be met.

The PPS is focused on the encouragement and protection of agriculture uses while promoting agriculture-related and on-farm diversified uses. It is my opinion that the proposed second residence for farm-help is consistent with the PPS, and is supportive of an existing agricultural endeavour.

County of Wellington Official Plan

The subject lands are designated "Secondary Agricultural" on Schedule A7 – Puslinch to the County of Wellington Official Plan. Part 6 – The Rural System, Subsection 6.4.3 of the Official Plan indicates that accessory residences are a permitted use in Prime Agricultural Areas. Subsection 6.4.6 provides the following additional details:

"Accessory residential uses needed for farm help....may be allowed provided they are established near the farm buildings."

Although the above policies are contained in the Prime Agricultural section of the Official Plan, Secondary Agricultural Areas (Policy 6.5.3) permits all uses allowed in the Prime Agricultural Area. Consequently, the accessory residence policies of the Prime Agricultural Area also apply in the Secondary Agricultural Area.

The proposed accessory (second) residence is located approximately 55 m from the Krayishnik barn. As noted above this barn is already in use by Ms. Tschanz to provide additional stables for the boarding operation. In our opinion, the accessory residence is sufficiently near the existing farm buildings. This is similarly confirmed in the Stovel Needs Assessment.

The existing horse boarding operation, the acquisition of lands from Krayishnik, and the use of the existing residence for farm help are all supportive of agriculture. Allowing Ms. Tschanz to utilize the existing residential dwelling for full-time farm help allows her to accommodate on-site

farm help and will contribute in a positive manner to an agricultural business in the County/Township.

As noted above, Ms. Tschanz already makes use of the fields and stables on the Krayishnik property. The consent application to transfer those assets to her ownership was approved with conditions and will help reduce the operational complexities of her business by eliminating the need to negotiate and pay rent for those resources.

Summary and Conclusions

Based on the foregoing and a review of the relevant policies in the Provincial Policy Statement 2014, and the Secondary Agricultural Area designation of the County of Wellington Official Plan, in our opinion the site specific Zoning By-law Amendment is consistent with the PPS and conforms to the County Official Plan. It further represents good planning and supports the agricultural use of a dwelling that would otherwise be demolished.

Supporting Materials

In support of the rezoning application, please find enclosed:

- 1. One (1) original plus nine (9) copies of the completed application form;
- 2. Ten (10) large prints plus one (1) reduction (11" x 17") of the consent/survey sketch prepared by ACI Survey Consultants dated July 8, 2015;
- 3. Two (2) copies of the Needs Assessment for Farm Help prepared by Stovel and Associates Inc. dated February 23, 2016;
- 4. One (1) copy of the MDS I and II calculations; and,
- 5. A cheque made payable to the Township of Puslinch for \$2,000.00 being the requisite application fee.

Please do not hesitate to contact me should you have any questions or comments.

Yours truly,

WELLINGS PLANNING CONSULTANTS INC.

Glenn J. Wellings, MCIP, RPP

Copy: Sarah Wilhelm – County of Wellington

Ned and Lily Krayishnik - Owner

Doreen Tschanz - Norman Doud Estate & Boarding Stables

Robert Stovel - Stovel and Associates Inc.

Stovel and Associates Inc.

Planners, Agrologists and Environmental Consultants

February 23, 2016

Wellings Planning Consultants 564 Emerald Street Burlington, ON L7R 2N8

Attention:

Mr. Glenn Wellings, MCIP, RPP

Re:

Needs Assessment

Request for a Second Residence – Farm Help (Norman Doud Estate & Boarding Stables)

6637 Concession 2 Township of Puslinch County of Wellington

As per our discussion, Norman Doud Estate & Boarding Stables have retained Stovel and Associates Inc. to complete a Needs Assessment. The purpose of the Needs Assessment is to justify the request for a second residence to be used to house farm help.

Please accept this letter as the requisite Needs Assessment of the proposal.

Background

Doreen Tschanz is the owner of the Norman Doud Estate & Boarding Stables. She is a bona fide farmer and her Farm Business Registration (FBR) number is 4181343 (Attachment #1 – Affidavit).

Ms. Tschanz operates a horse boarding and training stables in the Township of Puslinch. The number of horses that board at her farm operation range from 9 to 16 over the course of the year. Farm-related activities associated with horse training include grooming, exercising and trail riding, training, feeding/watering and manure management.

As part of the normal farm operation, Ms. Tschanz cultivates arable lands on the subject farm and adjacent lands. Ms. Tschanz is attempting to become self-sufficient with respect to the production of hay and straw for her horses. Farming is her primary source of income.

Ms. Tschanz does not operate a tack shop, blacksmith shop or snack bar/restaurant associated with the stables.

Farm Labour

Ms. Tschanz has no full-time employees to assist her with the farm operation. Over the years of business, Ms. Tschanz has retained subcontractors and co-op students to assist with the training and exercising of the horses. During planting and harvest, Ms. Tschanz's son has assisted her but he operates a full-time heating/air-conditioning business and cannot be relied upon on a 100% basis. Co-op students have assisted Ms. Tschanz with daily chores such as grooming and exercising but the availability of these students is inconsistent.

The main concern associated with Ms. Tschanz's farm business is that she is having difficulty providing the continuous care for the boarding horses. Additional farm help, especially during planting/harvest, the evenings and when Ms. Tschanz is ill, is also required.

The operation of a horse-boarding stable requires 24-hour supervision to ensure safety and water availability to the horses. Horses must be regularly checked and managed appropriately; horse boarding

is not a 9-5 job. Proper supervision requires that the boarder must commit to round-the-clock access of the boarding stables.

The location of the sleeping quarters for staff is an important consideration. The sleeping quarters must be situated in close proximity to the barn/stables, should an emergency arise such as a fire/smoke alarm or if a break-in alarm is triggered.

The approval of a second residence for farm help will satisfy this requirement. The second residence is located close to the existing stables and an alarm system can be easily wired to the second house.

Minimum Distance Separation (MDS)

MDSII calculation was completed for the proposed land use. Attachment 2 provides a summary report of the MDSII calculation.

Conclusion

In conclusion, it is clear that Ms. Tschanz requires farm help to assist her with the operation of the horse boarding stables. Given the nature of the farm operation, the farm help must be capable of providing assistance on a 24-hour basis. Round-the-clock care is a normal requirement of a horse boarding stables. Given the nature of the farm operation, the approval of the second residence for the Norman Doud Estate & Boarding Stables is justified and a reasonable consideration.

Please do not hesitate to contact me if you have any questions or concerns regarding this Needs Assessment.

Yours truly,

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

AFFIDAVIT

IN THE MATTER OF REZONING APPLICATION FOR 6643 CONCESSION 2 TO PERMIT AN ACCESSORY RESIDENCE FOR FULL-TIME FARM HELP

- I, Doreen Tschanz, reside at 6637 Concession 2 in Puslinch Township hereby make oath and say as follows:
 - I own and manage Norman Doud Estate and Boarding Stables ("farm business") which is located at 6637 Concession 2 adjacent to 6643 Concession 2 upon which the second residence is situate.
 - 2. I am a full time farmer with FBR #4181343.

Witnessed by and signed

- 3. The farm business requires constant 24 hour supervision of the horses.
- 4. I require the second residence that I propose to purchase for much needed full-time farm help which is necessary to run the farm business.
- 5. The subject residence is in a good location because it is located close to the farm business and the existing barns/stables.
- This Affidavit is made in support of an Application for Rezoning and for no improper purpose.

SWORN BEFORE ME at the Township of City SWORN BEFORE ME at the Township of City Sworn Before Me at the Township of Waterloo this Coday of February 2016.))	Warren Jankan
a Commissioner, etc. GARY E. J. HAUSER))	Doreen Tschanz

Minimum Distance Separation II (MDS II) Report

File: MDS.jan-2016.mds

MDS 1.0.0 08-Feb-2016 12:17 Page 1

Application Date:

27-Jan-2016

File Number:

Preparer Information

Rob Stovel

Calculation #1

Contact Information doreen Tschanz

Phone #1: 519-240-1680

Farm Location
County of Wellington
Township of Puslinch

6637 Concession 2

Puslinch

Township of Pu

Geotownship: PUSLINCH

Concession: 1 Lot: 6 and 7

RR 22 Cambrdge, ON, Canada N3C 2V4

Manure Existing Existing Total Total Estimated Type of Livestock/Material Capacity Form Capacity NU NU Barn Area Horses; Large-framed, mature; > 680 kg (including Solid 16 22.9 20 28.6 604 m² unweaned offspring)

Manure/Material Storage Type:

Storage already exists

Building Base Distance 'F' (A x B x C x D):

Storage Base Distance 'S':

70 m (229 ft)

No storage construction

Factor A (Odour Potential): 0.7 Factor B (Nutrient Units): 217

Factor C (Orderly Expansion): 0.6550 Factor D (Manure/Material Type): 0.7

Total Nutrient Units: 29

Description	Multiplier	Required Barn Setback	Actual Barn Setback
Nearest neighbour's dwelling	1.0	70 m 229 ft	160 m 525 ft
Type A land uses	1.0	70 m 229 ft	80 m 262 ft
Type B land uses	2.0	139 m 457 ft	400 m 1312 ft
Nearest lot line (side or rear)	0.1	7 m 23 ft	80 m 262 ft
Nearest road allowance	0.2	14 m 46 ft	90 m 295 ft

Signature of Preparer:

Rob Stovel

Date: 108/2016

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 dirtinbuted 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; mistak-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.



Application Date:

03-Sep-2015

File Number:

B71/15

Preparer Information

Sarah Wilhelm

Senior Planner

County of Wellington 74 Woolwich Street

Guelph, ON, Canada N1H 3T9 Email: sarahw@wellington.ca

Applicant Information

Ned & Lily Krayishnik 6643 Concession 2

Puslinch, ON, Canada

County of Wellington Township of Puslinch

Geotownship: PUSLINCH

Concession: 1 Lot: 6 & 7

Calculation #1

Tschanz

This represents the combined tillable area including lot line adjustment B71/15 and the livestock facilities on the merged lands.

Adjacent Farm Contact Information

Doreen Tschantz 6637 Concession 1 Puslinch, ON, Canada Farm Location County of Wellington Township of Puslinch Geotownship: PUSLINCH

Concession: 1 Lot: 6 & 7

Manure Form	Type of Livestock/Material	Existing Capacity	Existing NU	Estimated Barn Area
Solid	Horses; Small-framed, mature; < 227 kg (including unweaned offspring)	1	0.5	16 m²
Solid	Horses; Medium-framed, mature; 227 - 680 kg (including unweaned offspring)	14	14.0	325 m²
Solid	Horses; Large-framed, mature; > 680 kg (including unweaned offspring)	1	1.4	30 m²

Encroaching Land Use Factor: Type A Land Use

Tillable area of land on this lot: 5.4 ha

Manure/Material Storage Type:

V3. Solid, outside, no cover, >= 30% DM

Factor A (Odour Potential):

0.7

Factor B (Nutrient Units):

241

Factor D (Manure/Material Type):

0.7

Factor E (Encroaching Land Use): 1.1 Total Nutrient Units:

16

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

Actual Setback

130 m (426 ft)

130 m (426 ft)

COUNTY STAFF REQUIRE AN UPDATED SURVEY SHOWING THE CLOSEST DISTANCE FROM BARNS AND MANURE STORAGE TO LINE BEFORE WE CAN COMPLIANCE.

Signature of Preparer:

Sarah Wilhelm, Senior Planner

Date: SEPT. 4, 2015



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Page 1

File: MDS.jan-2016.mds

Application Date:

27-Jan-2016

File Number:

Preparer Information

Rob Stovel

Calculation #1

Puslinch

Contact Information doreen Tschanz

6637 Concession 2

Phone #1: 519-240-1680

Farm Location County of Wellington Township of Puslinch Geotownship: PUSLINCH

Concession: 1 Lot: 6 and 7

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RR 22 Cambrdge, ON, Canada N3C 2V4

70 m (229 ft)

Storage Base Distance 'S':

No storage construction

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Factor C (Orderly Expansion): 0.6550 Factor D (Manure/Material Type): 0.7

Total Nutrient Units: 29

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Signature of Preparer:

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