



Gamsby and Mannerow
ENGINEERS



January 21, 2013
Our File: 113-006-2

Township of Puslinch
RR 3, 7404 Wellington Road 34
Guelph, ON N1H 6H9

Attention: Mrs. Brenda Law, AMCT
Clerk Treasurer

Re: Fee Estimate and Workplan to Develop
Asset Management Plan, Township of
Puslinch

Dear Mrs. Law:

Gamsby and Mannerow Limited (G&M) is pleased to provide you with this proposed work plan and fee estimate for Consulting Services associated with the development of an Asset Management Plan for the Township of Puslinch in conformance with the Ontario Ministry of Infrastructure's document "Building Together: Guide for Municipal Asset Management Plans".

A comprehensive asset management plan will assist the Township with planning and financial management of their capital assets, ensuring that Township (public) owned assets are maintained to provide expected levels of service. Further, the Province has made it clear that any municipality requesting future provincial funding assistance for capital works projects must complete an Asset Management Plan prior to the end of 2013.

WORKPLAN

Based on our review of the Ministry of Infrastructure's website and "Guide for Municipal Asset Management Plans", we anticipate that this project will primarily entail the following tasks:

1. Identify State of Infrastructure

- Review the Township's existing Municipal DataWorks (MDW) asset inventory as it pertains to public works assets including roads, sidewalks, curbs, bridges, culverts, buildings, recreational facilities, catchbasins, manholes storm sewers and storm drainage facilities;
- Coordinate migration of asset inventory data into Township's accounting software (Keystone Princess);
- Update asset inventory with respect to addition or removal of assets, current condition and valuation;

people engineering environments

Gamsby and Mannerow Limited · Guelph, Owen Sound, Listowel, Kitchener, Exeter

650 Woodlawn Rd W., Block C, Unit 2, Guelph, ON N1K 1B8 519-824-8150 fax 519-824-8089 www.gamsby.com

- Develop a data verification, condition assessment and update policy that set out when and how assets will be assessed, consistent with provincial requirements and industry norms;
- Meet with Township staff to review and refine this stage of the study;

2. Identify Desired Levels of Service

- Review of available standards, guidelines and regulations as well as external trends and issues;
- Work with Township staff to identify service targets and desired levels of service for each type of asset;
- List the current performance of each asset relative to the service targets set out;

3. Develop an Asset Management Strategy

- Identify actions and policies to help achieve the targeted levels of service at the lowest lifecycle costs (e.g. demand management, maintenance activities, renewal activities);
- Review the Township's procurement policies and by-laws, and recommend modifications pertaining to asset management (if required);
- Identify and assess risks and evaluate options to ensure that assets achieve the service targets;
- Develop an asset management strategy identifying and prioritizing capital projects necessary to achieve the service targets;
- Meet with Township staff to review and refine this stage of the study;

4. Develop a Financing Strategy

- Forecast yearly expenditures (10-yr timeframe);
- Compare with forecasted yearly revenues, reserves, gas tax transfers, borrowing limits, funding opportunities, etc.;
- Evaluate forecasts and make recommendations to ensure funding is available for capital projects;
- Meet with Township staff to review and refine this stage of the study;

5. Prepare the Asset Management Plan Document

- Compile the asset management plan document, including the executive summary, introduction, etc.;
- Submit to Township staff for review;
- Revisions, issuance of final document.

BUDGET

Considering the nature of this assignment, and in order to provide you with a unique and high level of service and an opportunity to reduce costs, we consider that services provided on a time-plus-expenses fee basis, to an agreed upset limit based on a well-defined scope, is the most appropriate and mutually equitable structure.

The primary goal will be to complete the most thorough, accurate and appropriate document possible given a set schedule and upset budget. Our services therefore would be provided at our standard hourly rates, with in-house expenses charged at cost and external disbursements charged at cost plus 10%.



Throughout the assignment we will monitor the scope and budget and advise you in advance when changes are anticipated.

Based on the foregoing and on previous similar assignments, we anticipate that associated fees, expenses and disbursements may total approximately \$22,850 (plus HST), as per the following breakdown:

TASK	FEE BASIS	ESTIMATED UPSET FEE BUDGET
1. Identify State of Infrastructure	Time to upset	\$4,235
2. Identify Desired Levels of Service	Time to upset	\$2,540
3. Develop Asset Management Strategy	Time to upset	\$8,830
4. Develop a Financial Strategy	Time to upset	\$2,945
5. Prepare Asset Management Plan Document	Time to upset	\$3,300
5. Expenses and Disbursements	Cost Plus	\$1,000
TOTAL ESTIMATED ENGINEERING BUDGET		\$22,850 (plus HST)

The above cost estimate does not include field inspections to ascertain condition of existing Township assets. It is anticipated that OSIM inspection report will be used to establish condition of bridge/culvert infrastructure, while condition of remaining assets will be determined based on age and input from Township staff. It is also noted that input and participation from the Township's accountant will be required to assist with development of the financial strategy.

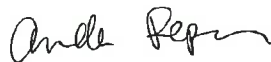
We are prepared to commence this assignment immediately upon authorization, with the goal of completing the Plan document prior to the end of 2013 or at an increased pace and earlier date upon Council's desire and direction.

We appreciate the opportunity to prepare this workplan and fee estimate, and would be pleased to discuss our proposal with you in more detail, at your convenience.

All of which is respectfully submitted,

GAMSBY AND MANNEROW LIMITED

Per:



Amanda Pepping, P. Eng.

AP/

Z:\112-2012\112006\Documents\MIT\112006 Letter_Township of Puslinch_2013-01-21.docx



Gamsby and Mannerow
ENGINEERS



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Instrument Proposal Notice:

Proponent: Nestle Canada Inc.
101 Brock Road South
Puslinch Ontario
Canada N1H 6H9

Instrument Type: Permit to take water - OWRA s. 34

EBR Registry Number: 011-7835

Ministry Reference Number: 4647-92RRLC

Ministry: Ministry of the Environment
Date Proposal loaded to the Registry: January 23, 2013

Keyword(s): Ground Water | Water

Comment Period: 30 days: submissions may be made between January 23, 2013 and February 22, 2013.

Description of Instrument:

This proposal is for an amendment to Permit to Take Water #1763-8FXR29. The purpose of the proposed amendment is to authorize the use of a second well (TW2-11) on the site to provide water to top up a fire fighting pond. The proposed water taking is not authorized for the purposes of water bottling. There will be no increase in the total amount of water taken at the site, nor the total amount authorized under the amended permit.

No other changes are proposed to the existing permit. Conditions for monitoring, reporting and complaint response will remain in the permit should the amendment be approved.

Details of the proposed water taking are as follows:

Current Source of water: Well TW3-80
Purpose of Water Taking: Bottle Water
Maximum rate of taking per minute (Litres): 2,500
Maximum number of hours of taking in a day: 24 hours
Maximum volume of taking per day (Litres): 3,600,000
Maximum number of days of taking per year: 365
Current Expiry Date: July 31, 2016

Proposal to Add Source of water: Well (TW2-11)
Purpose of Water Taking: Fire fighting
Maximum rate of taking per minute (Litres): 475
Maximum number of hours of taking in a day: 24 hours
Maximum volume of taking per day (Litres): 684,000
Maximum number of days of taking per year: 365

Public Consultation:

This proposal has been posted for a 30 day public review and comment period starting January 23, 2013. If you have any questions, or would like to submit your

Contact:

All comments on this proposal must be directed to:

West Central Region
Permit To Take Water Evaluator
Ministry of the Environment
Operations Division
West Central Regional Office
119 King Street West
Floor 12
Hamilton Ontario
L8P 4Y7
Phone: (905) 521-7833
Fax: (905) 521-7820
Toll Free Phone: (800) 668-4557

To submit a comment online, click the submit button below:

[Submit Comment](#)

Location(s) Related to this Instrument:

Nestle Waters Canada
Lot: 23, Concession: 7, Puslinch
City of Guelph, County of Wellington

PUSLINCH

comments, please do so by February 22, 2013 to the individual listed under "Contact". Additionally, you may submit your comments on-line.

All comments received prior to February 22, 2013 will be considered as part of the decision-making process by the Ministry of the Environment if they are submitted in writing or electronically using the form provided in this notice and reference EBR Registry number 011-7835.

Please Note: All comments and submissions received will become part of the public record. You will not receive a formal response to your comment, however, relevant comments received as part of the public participation process for this proposal will be considered by the decision maker for this proposal.

Additional Information:

The following government offices have additional information regarding this Proposal. To arrange a viewing of these documents please call the Ministry Contact or the Office listed below.

West Central Regional Office
119 King Street West
Floor 12
Hamilton Ontario
L8P 4Y7
Phone: (905) 521-7640
Toll Free Phone: (800) 668-4557

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CC Stan
#3a

Brenda Law

From: Schmidt, Nick <Nick.Schmidt@amec.com>
Sent: January-25-13 1:22 PM
To: Brenda Law
Cc: OMarkovski@royalcanin.ca; Gautrey, Simon; Secord, Randall
Subject: RE: Royal Canin

Hi Brenda

As part of ongoing monitoring work for Royal Canin, AMEC conducted a door to door groundwater use survey in October 2012 to collect information on the area wells. The final report of the groundwater use survey was forwarded to the Township by Royal Canin. Since then, AMEC has been retained by Royal Canin to assist them with increasing their water taking permit for their well. As a common courtesy we are informing the Township of this. If they have any questions you can reach us at the office.

Regards,

Nick Schmidt, GIT, Bsc (Hon)
Geoscientist-in-Training

AMEC Environment & Infrastructure
a Division of AMEC Americas Limited
3300 Merrittville Hwy, Unit #5 Thorold, ON L2V 4Y6
505 Woodward Ave, Unit #1, Hamilton, ON L8H 6N6
Thorold: 905-687-6616
Hamilton: 905-312-0700
Cell: 905-329-1669
email: nick.schmidt@amec.com

From: Brenda Law [<mailto:BrendaL@puslinch.ca>]
Sent: October-25-12 1:42 PM
To: Schmidt, Nick
Cc: randal.secord@amec.com; info@royalcanin.ca
Subject: RE: Royal Canin

Hello Nick,

Please see below email previously sent. No response has been received. Possibly the first email was not received by you so we are now resending it.

We look forward to hearing back from you.

Thank you,
Brenda Law
CAO/Clerk-Treasurer
Township of Puslinch

From: Brenda Law
Sent: October-11-12 10:29 AM
To: 'nick.schmidt@amec.com'
Cc: Stan Denhoed (sdenhoed@hardenv.com); Heather Krouskie (HKrouskie@twp.puslinch.on.ca) (HKrouskie)
Subject: Royal Canin

Good Morning Nick,

The Township of Puslinch has been advised by residents in the Morriston Meadows residential subdivision that Royal Canin is undertaking a groundwater use survey in the vicinity of the Royal Canin site. We understand that AMEC has been retained to conduct this survey.

The Township's environmental consulting engineer Mr. Stan Denhoed of Harden Environmental has spoken to a MOE representative who advise that the MOE has requested Royal Canin to conduct a water well survey around their facility as part of a larger groundwater monitoring program that the MOE has suggested to Royal Canin.

The Township would appreciate receiving a copy of the MOE review. We would further ask to be kept updated with the results of the improved monitoring program.

Please provide the contact name and information for Royal Canin so that we may forward this request onto them as well.

Thank you for your cooperation.

Brenda Law
CAO/Clerk-Treasurer
Township of Puslinch
519-763-1226

The information contained in this e-mail is intended only for the individual or entity to whom it is addressed. Its contents (including any attachments) may contain confidential and/or privileged information. If you are not an intended recipient you must not use, disclose, disseminate, copy or print its contents. If you receive this e-mail in error, please notify the sender by reply e-mail and delete and destroy the message.

CC Stan
#41a Court

Heather Krouskie

Subject: FW: PTTW Notification

Don Creed CRS-S
Public Works Superintendent
Township of Puslinch
519-763-1470
doncreed@puslinch.ca

From: Lombardo, Stephanie (ENE) [<mailto:Stephanie.Lombardo@ontario.ca>]
Sent: January-25-13 8:38 AM
To: sshifflett@grandriver.ca; Don Creed; scottw@wellington.ca; Armour, Lynnette (ENE)
Subject: PTTW Notification

This E-mail message has been sent to you as a result of the requirements of Ontario's new Water Taking and Transfer Regulation (O.Reg 387/04). The regulation requires that the Ministry of the Environment notify municipalities and conservation authorities of applications for Permits to Take Water to withdraw water from locations within their jurisdiction.

You may examine the wording of the new Regulation online at the following web site:

http://www.e-laws.gov.on.ca/DBLaws/Source/Regs/English/2004/R04387_e.htm

Notification of Application for Permit to Take Water

Ministry Reference Number:
4715-93DSLN

Applicant:
Morguard Brock McLean Limited
Suite 800 - 55 City Centre Dr, Mississauga, City, Regional Municipality of Peel, Ontario, Canada, L5B 1M3
Telephone: (905)281-3800, Fax: (905)281-1800
Client #: 1534-8Z6NEX, Client Type: Corporation

Location of Water Taking(s):
7474 McLean Road
Lot 25, Concession 8, Geographic Township: Puslinch, County of Wellington
District Office: Guelph
GeoReference: Map Datum: NAD83, Zone: 17, Accuracy Estimate: 1-10 metres eg. Good Quality GPS, Method: GPS,
UTM Easting: 569789, UTM Northing: 4812664,
Latitude: 43.469, Longitude: -80.1285

Ministry of the Environment Region:
West Central

Description:
This proposal is a new Category 3 PTTW application for Morguard Brock McLean Limited to support water supply at the Maple Leaf Foods Distribution Centre in the Township of Puslinch, County of Wellington.

Length of taking:

10 years

Table A - Source Information and Water Taking Amount Applied For

	Source Name / Description:	Source: Type:	Taking Specific Purpose:	Taking Major Category:	Max. Taken per Minute (litres):	Max. Num. of Hrs Taken per Day:	Max. Taken per Day (litres):	Max. Num. of Days Taken per Year:	Zone/ Easting/ Northing:
1.	TW1 and TW2	Well Drilled	Other - Industrial	Industrial	454.00	24.00	653760.00	365.00	17 569789 4812664
						Total Taking:	653760.00		

This E-mail message has been sent to you as a result of the requirements of Ontario Regulation 387/04. It is the responsibility of the municipality or Conservation Authority to determine the appropriate staff person to whom this notification should be forwarded. If you wish to have subsequent notification sent to a different person within your organization, please respond to this E-mail message with an alternate E-mail address and contact name. It is the responsibility of the municipality or conservation authority to ensure that any changes to the alternate E-mail address are reported to the Ministry.

Please note that any comments, concerns, or questions must be received by the Ministry within 30 days of the date of this message. Comments should be directed to the following Contact Person:

Sincerely,

Stephanie Lombardo

Permit To Take Water Evaluator,
Ministry of the Environment, West Central Region
119 King St. W. 12th Floor, Hamilton ON, L8P 4Y7
T: 905.521.7394; F: 905.521.7820
E: Stephanie.Lombardo@ontario.ca



MINISTRY OF THE ENVIRONMENT

#4 (b)



Ministry of the Environment
Ministère de l'Environnement

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 6977-8ZKHAZ

Issue Date: November 28, 2012

Morguard Investments Limited Investissements Morguard
Limitée
55 City Centre Dr, No. 800
Mississauga, Ontario
L5B 1M3

Site Location: Maple Leaf Foods Inc - Puslinch Distribution Centre
Southwest Half of Lot 25, Concession 8
Part 1, Plan 61R-11887
Township of Puslinch, County of Wellington, Ontario

You have applied under section 20.2 of Part II.1 of the Environmental Protection Act, R.S.O. 1990, c. E. 19 (Environmental Protection Act) for approval of:

the establishment of stormwater conveyance system and stormwater management system for the collection, transmission, treatment and disposal of stormwater runoff from catchment areas with a total area of 9.61 hectares, serving Maple Leaf Foods - Puslinch Distribution Centre, located at Southwest Half of Lot 25, Concession 8, Part 1, Plan 61R-11887, in the Township of Puslinch, to provide Enhance water quality protection and to attenuate post-development peak flows to pre-development levels for all storm events up to and including the 100 year return storm, consisting of the following:

- infiltration trench, 4.8 metres wide with a total length of 142 metres, located in truck parking area and receive runoff from rooftop with an area of approximately 17,160 square metres, consisting of infiltration chamber system and clear stone and wrapped with geotextile, having a total stormwater storage volume of 434 cubic metres;
- one (1) stormwater management wet pond located in adjacent to the northern property line of the site, consisting of one (1) sediment forebay and one (1) main cell, having a design minimum liquid retention volume of 3721 cubic metres and a maximum quantity storage volume of 3813 cubic metres at an elevation of 325.99 metres for the 100 year storm event, complete with an outlet structure connected to a reverse sloped pipe and an outlet pipe with a 150 millimetre diameter orifice at an invert elevation set at permanent pool water level of 324.75 metres, as well as an emergency overflow spillway, with a controlled discharge flow rate of 49 litres per second for the 5 year storm event or 54 litres per second for the 100 year storm event, respectively, discharging with sheet flow via a proposed swale to Mill Creek wetland; and

- erosion/sedimentation control measures during construction and all other controls and appurtenances essential for the proper operation of the aforementioned works;

all in accordance with the supporting documents set out in Schedule "A" attached to this *Approval*.

For the purpose of this environmental compliance approval, the following definitions apply:

"*Approval*" means this entire document and any schedules attached to it, and the application;

"*CBOD5*" means five day carbonaceous (nitrification inhibited) biochemical oxygen demand measured in an unfiltered sample;

"*Director*" means a person appointed by the Minister pursuant to section 5 of the *EPA* for the purposes of Part II.1 of the *EPA*;

"*District Manager*" means the District Manager of the Guelph District Office;

"*EPA*" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;

"*Ministry*" means the ministry of the government of Ontario responsible for the *EPA* and *OWRA* and includes all officials, employees or other persons acting on its behalf;

"*Owner*" means the Morguard Investments Limited Investissements Morguard Limitée, and includes its successors and assignees;

"*OWRA*" means the Ontario Water Resources Act, R.S.O. 1990, c. O.40, as amended;

"*Works*" means the sewage works described in the *Owner*'s application, and this *Approval*.

You are hereby notified that this environmental compliance approval is issued to you subject to the terms and conditions outlined below:

TERMS AND CONDITIONS

1. GENERAL PROVISIONS

- (1) The *Owner* shall ensure that any person authorized to carry out work on or operate any aspect of the *Works* is notified of this *Approval* and the conditions herein and shall take all reasonable measures to ensure any such person complies with the same.
- (2) Except as otherwise provided by these conditions, the *Owner* shall design, build, install, operate and maintain the *Works* in accordance with the description given in this *Approval*, and the application for approval of the *Works*.

- (3) Where there is a conflict between a provision of any document in the schedule referred to in this *Approval* and the conditions of this *Approval*, the Conditions in this *Approval* shall take precedence, and where there is a conflict between the documents in the schedule, the document bearing the most recent date shall prevail.
- (4) Where there is a conflict between the documents listed in the Schedule, and the application, the application shall take precedence unless it is clear that the purpose of the document was to amend the application.
- (5) The Conditions of this *Approval* are severable. If any Condition of this *Approval*, or the application of any requirement of this *Approval* to any circumstance, is held invalid or unenforceable, the application of such condition to other circumstances and the remainder of this *Approval* shall not be affected thereby.

2. EXPIRY OF APPROVAL

The approval issued by this *Approval* will cease to apply to those parts of the *Works* which have not been constructed within five (5) years of the date of this *Approval*.

3. CHANGE OF OWNER

- (1) The *Owner* shall notify the *District Manager* and the *Director*, in writing, of any of the following changes within thirty (30) days of the change occurring:
 - (a) change of *Owner*;
 - (b) change of address of the *Owner*;
 - (c) change of partners where the *Owner* is or at any time becomes a partnership, and a copy of the most recent declaration filed under the Business Names Act, R.S.O. 1990, c.B17 shall be included in the notification to the *District Manager*; and
 - (d) change of name of the corporation where the *Owner* is or at any time becomes a corporation, and a copy of the most current information filed under the Corporations Informations Act, R.S.O. 1990, c. C39 shall be included in the notification to the *District Manager*.
- (2) In the event of any change in ownership of the *Works*, other than a change to a successor municipality, the *Owner* shall notify in writing the succeeding owner of the existence of this *Approval*, and a copy of such notice shall be forwarded to the *District Manager* and the *Director*.

4. OPERATION AND MAINTENANCE

- (1) The *Owner* shall ensure that the design minimum liquid retention volume(s) is maintained at all

times.

- (2) The *Owner* shall inspect the *Works* at least once a year and, if necessary, clean and maintain the *Works* to prevent the excessive buildup of sediments, oil/grit, and/or vegetation.
- (3) The *Owner* shall maintain a logbook to record the results of these inspections and any cleaning and maintenance operations undertaken, and shall keep the logbook available for inspection by the *Ministry*. The logbook shall include the following:
 - (a) the name of the *Works*; and
 - (b) the date and results of each inspection, maintenance and cleaning, including an estimate of the quantity of any materials removed.

5. RECORD KEEPING

The *Owner* shall retain for a minimum of five (5) years from the date of their creation, all records and information related to or resulting from the operation and maintenance activities required by this *Approval*.

Schedule "A"

1. Application for Approval of Sewage Works dated April 18, 2012 and submitted by David Ward, Director, Acquisitions, Morguard Investments Limited Investissements Morguard Limitée.
2. a design brief dated June 27, 2012, including enclosed drawings and all supporting information and documentation provided by Mallot Creek Associates Inc.

The reasons for the imposition of these terms and conditions are as follows:

1. Condition 1 is imposed to ensure that the *Works* are built and operated in the manner in which they were described for review and upon which approval was granted. This condition is also included to emphasize the precedence of Conditions in the *Approval* and the practice that the *Approval* is based on the most current document, if several conflicting documents are submitted for review. The condition also advises the Owners their responsibility to notify any person they authorized to carry out work pursuant to this *Approval* the existence of this *Approval*.
2. Condition 2 is included to ensure that the *Works* are constructed in a timely manner so that standards applicable at the time of Approval of the *Works* are still applicable at the time of construction, to ensure the ongoing protection of the environment.
3. Condition 3 is included to ensure that the *Ministry* records are kept accurate and current with respect to the approved works and to ensure that subsequent owners of the *Works* are made aware of the *Approval* and continue to operate the *Works* in compliance with it.
4. Condition 4 is included to require that the *Works* be properly operated and maintained such that the environment is protected .
5. Condition 5 is included to require that all records are retained for a sufficient time period to adequately evaluate the long-term operation and maintenance of the *Works*.

In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me and the Environmental Review Tribunal within 15 days after receipt of this Notice, require a hearing by the Tribunal. Section 142 of the Environmental Protection Act provides that the Notice requiring the hearing shall state:

1. The portions of the environmental compliance approval or each term or condition in the environmental compliance approval in respect of which the hearing is required, and;
2. The grounds on which you intend to rely at the hearing in relation to each portion appealed

The Notice should also include:

3. The name of the appellant;
4. The address of the appellant;
5. The environmental compliance approval number;
6. The date of the environmental compliance approval;
7. The name of the Director, and;
8. The municipality or municipalities within which the project is to be engaged in

And the Notice should be signed and dated by the appellant.

This Notice must be served upon:

The Secretary*
Environmental Review Tribunal
655 Bay Street, Suite 1500
Toronto, Ontario
M5G 1E9

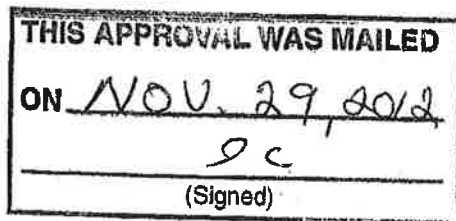
AND

The Director appointed for the purposes of
Part II.1 of the Environmental Protection Act
Ministry of the Environment
2 St. Clair Avenue West, Floor 12A
Toronto, Ontario
M4V 1L5

* Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349, Fax: (416) 314-4506 or www.ert.gov.on.ca

The above noted activity is approved under s.20.3 of Part II.1 of the Environmental Protection Act.

DATED AT TORONTO this 28th day of November, 2012



Mansoor Mahmood, P.Eng.
Director
appointed for the purposes of Part II.1 of the
Environmental Protection Act

NH/

c: District Manager, MOE Guelph District Office
Dave Fencott, Mallot Creek Associates ✓



OPTIONAL ANNUAL REPORT TEMPLATE

Drinking-Water System Number:	260021034
Drinking-Water System Name:	Puslinch Community Centre
Drinking-Water System Owner:	Township of Puslinch
Drinking-Water System Category:	SMNR – Small Municipal Non-Residential
Period being reported:	January 1, 2012 to December 31, 2012

<p><u>Complete if your Category is Large Municipal Residential or Small Municipal Residential</u></p> <p>Does your Drinking-Water System serve more than 10,000 people? Yes [] No []</p> <p>Is your annual report available to the public at no charge on a web site on the Internet? Yes [] No []</p> <p>Location where Summary Report required under O. Reg. 170/03 Schedule 22 will be available for inspection.</p> <div style="border: 1px solid black; height: 100px; width: 100%;"></div>	<p><u>Complete for all other Categories.</u></p> <p>Number of Designated Facilities served: <div style="border: 1px solid black; display: inline-block; padding: 2px 10px;">1</div></p> <p>Did you provide a copy of your annual report to all Designated Facilities you serve? Yes [X] No []</p> <p>Number of Interested Authorities you report to: <div style="border: 1px solid black; display: inline-block; padding: 2px 10px;">3</div></p> <p>Did you provide a copy of your annual report to all Interested Authorities you report to for each Designated Facility? Yes [X] No []</p>
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Note: For the following tables below, additional rows or columns may be added or an appendix may be attached to the report

List all Drinking-Water Systems (if any), which receive all of their drinking water from your system:

Drinking Water System Name	Drinking Water System Number
Puslinch Community Centre, Whistlestop Preschool, Library, Concession Booth	260021034

Did you provide a copy of your annual report to all Drinking-Water System owners that are connected to you and to whom you provide all of its drinking water?

Yes [X] No []



Indicate how you notified system users that your annual report is available, and is free of charge.

- Public access/notice via the web
- Public access/notice via Government Office
- Public access/notice via a newspaper
- Public access/notice via Public Request
- Public access/notice via a Public Library
- Public access/notice via other method

Describe your Drinking-Water System

There is a UV System in the Puslinch Branch Wellington County Public Library, as well as a UV System in the Concession Booth. There is a Softener and UV System in Puslinch Community Centre that serves the Whistlestop Preschool and The Ontario Early Years Pre-School Group.

List all water treatment chemicals used over this reporting period

N/A

Were any significant expenses incurred to? N/A

- Install required equipment
- Repair required equipment
- Replace required equipment

Please provide a brief description and a breakdown of monetary expenses incurred

Provide details on the notices submitted in accordance with subsection 18(1) of the Safe Drinking-Water Act or section 16-4 of Schedule 16 of O.Reg.170/03 and reported to Spills Action Centre

Incident Date	Parameter	Result	Unit of Measure	Corrective Action	Corrective Action Date
Oct 23/12	Sodium	162	Mg/L	Resample raw & treated	Nov. 21/12



Microbiological testing done under the Schedule 10, 11 or 12 of Regulation 170/03, during this reporting period.

	Number of Samples	Range of E.Coli Or Fecal Results (min #)-(max #)	Range of Total Coliform Results (min #)-(max #)	Number of HPC Samples	Range of HPC Results (min #)-(max #)
Raw	12	0	0	0	0
Treated	115	0	0	115	<10 - >2000
Distribution	N/A				

Operational testing done under Schedule 7, 8 or 9 of Regulation 170/03 during the period covered by this Annual Report.

	Number of Grab Samples	Range of Results (min #)-(max #)	Unit of Measure
Turbidity	0		
Chlorine	0		
Fluoride (If the DWS provides fluoridation)	0		

NOTE: For continuous monitors use 8760 as the number of samples.

Summary of additional testing and sampling carried out in accordance with the requirement of an approval, order or other legal instrument.

Date of legal instrument issued	Parameter	Date Sampled	Result	Unit of Measure
N/A				

Summary of Inorganic parameters tested during this reporting period or the most recent sample results

Parameter	Sample Date	Result Value	Unit of Measure	Exceedance
Antimony	Oct. 16/12	0.02	ug/L	
Arsenic	Oct. 16/12	.2	ug/L	
Barium	Oct. 16/12	3.30	ug/L	
Boron	Oct. 16/12	19	ug/L	
Cadmium	Oct. 16/12	0.003	ug/L	
Chromium	Oct. 16/12	.9	ug/L	
*Lead	Oct. 15/12	5.31/0.46	ug/L	
Mercury	Oct. 16/12	0.02	ug/L	
Selenium	Oct. 16/12	1	ug/L	
Sodium	Oct. 29/12	140/9.66	mg/L	140
Uranium	Oct. 16/12	0.131	ug/L	
Fluoride	Oct. 16/12	0.46	mg/L	
Nitrite	Oct. 15/12	0.005	mg/L	
Nitrate	Oct. 15/12	0.013	mg/L	



*only for drinking water systems testing under Schedule 15.2; this includes large municipal non-residential systems, small municipal non-residential systems, non-municipal seasonal residential systems, large non-municipal non-residential systems, and small non-municipal non-residential systems

Summary of lead testing under Schedule 15.1 during this reporting period

(applicable to the following drinking water systems; large municipal residential systems, small municipal residential systems, and non-municipal year-round residential systems)

Location Type	Number of Samples	Range of Lead Results (min#) – (max #)	Unit of Measure	Number of Exceedances
Plumbing				
Distribution				

Summary of Organic parameters sampled during this reporting period or the most recent sample results

Parameter	Sample Date	Result Value	Unit of Measure	Exceedance
Alachlor	Oct. 16/12	0.02	ug/L	
Aldicarb	Oct. 16/12	0.01	ug/L	
Aldrin + Dieldrin	Oct. 16/12	0.01	ug/L	
Atrazine + N-dealkylated metabolites	Oct. 16/12	0.01	ug/L	
Azinphos-methyl	Oct. 16/12	0.02	ug/L	
Bendiocarb	Oct. 16/12	0.01	ug/L	
Benzene	Oct. 16/12	0.32	ug/L	
Benzo(a)pyrene	Oct. 16/12	0.004	ug/L	
Bromoxynil	Oct. 16/12	0.33	ug/L	
Carbaryl	Oct. 16/12	0.01	ug/L	
Carbofuran	Oct. 16/12	0.01	ug/L	
Carbon Tetrachloride	Oct. 16/12	0.16	ug/L	
Chlordane (Total)	Oct. 16/12	0.01	ug/L	
Chlorpyrifos	Oct. 16/12	0.02	ug/L	
Cyanazine	Oct. 16/12	0.03	ug/L	
Diazinon	Oct. 16/12	0.02	ug/L	
Dicamba	Oct. 16/12	0.20	ug/L	
1,2-Dichlorobenzene	Oct. 16/12	0.41	ug/L	
1,4-Dichlorobenzene	Oct. 16/12	0.36	ug/L	
Dichlorodiphenyltrichloroethane (DDT) + metabolites	Oct. 16/12	0.01	ug/L	
1,2-Dichloroethane	Oct. 16/12	0.35	ug/L	
1,1-Dichloroethylene (vinylidene chloride)	Oct. 16/12	0.33	ug/L	
Dichloromethane	Oct. 16/12	0.35	ug/L	
2-4 Dichlorophenol	Oct. 16/12	0.15	ug/L	
2,4-Dichlorophenoxy acetic acid (2,4-D)	Oct. 16/12	0.19	ug/L	
Diclofop-methyl	Oct. 16/12	0.40	ug/L	
Dimethoate	Oct. 16/12	0.03	ug/L	
Dinoseb	Oct. 16/12	0.36	ug/L	



Diquat	Oct. 16/12	1	ug/L	
Diuron	Oct. 16/12	0.03	ug/L	
Glyphosate	Oct. 16/12	6	ug/L	
Heptachlor + Heptachlor Epoxide	Oct. 16/12	0.01	ug/L	
Lindane (Total)	Oct. 16/12	0.01	ug/L	
Malathion	Oct. 16/12	0.02	ug/L	
Methoxychlor	Oct. 16/12	0.01	ug/L	
Metolachlor	Oct. 16/12	0.01	ug/L	
Metribuzin	Oct. 16/12	0.02	ug/L	
Monochlorobenzene	Oct. 16/12	0.30	ug/L	
Paraquat	Oct. 16/12	1	ug/L	
Parathion	Oct. 16/12	0.02	ug/L	
Pentachlorophenol	Oct. 16/12	0.15	ug/L	
Phorate	Oct. 16/12	0.01	ug/L	
Picloram	Oct. 16/12	1	ug/L	
Polychlorinated Biphenyls(PCB)	Oct. 16/12	0.04	ug/L	
Prometryne	Oct. 16/12	0.03	ug/L	
Simazine	Oct. 16/12	0.01	ug/L	
THM (NOTE: show latest annual average)	Oct. 16/12		ug/L	
Temphos	Oct. 16/12	0.01	ug/L	
Terbufos	Oct. 16/12	0.01	ug/L	
Tetrachloroethylene	Oct. 16/12	0.35	ug/L	
2,3,4,6-Tetrachlorophenol	Oct. 16/12	0.14	ug/L	
Triallate	Oct. 16/12	0.01	ug/L	
Trichloroethylene	Oct. 16/12	0.44	ug/L	
2,4,6-Trichlorophenol	Oct. 16/12	0.25	ug/L	
2,4,5-Trichlorophenoxy acetic acid (2,4,5-T)	Oct. 16/12	0.22	ug/L	
Trifluralin	Oct. 16/12	0.02	ug/L	
Vinyl Chloride	Oct. 16/12	0.17	ug/L	

List any Inorganic or Organic parameter(s) that exceeded half the standard prescribed in Schedule 2 of Ontario Drinking Water Quality Standards.

Parameter	Result Value	Unit of Measure	Date of Sample

**Environment and Land Tribunals
Ontario**

Ontario Municipal Board

655 Bay Street, Suite 1500
Toronto ON M5G 1E5
Telephone: (416) 212-6349
Toll Free: 1-866-448-2248
Fax: (416) 326-5370
Website: www.elto.gov.on.ca

**Tribunaux de l'environnement et de
l'aménagement du territoire Ontario**

Commission des affaires municipales
de l'Ontario

655 rue Bay, suite 1500
Toronto ON M5G 1E5
Téléphone: (416) 212-6349
Sans Frais: 1-866-448-2248
Télécopieur: (416) 326-5370
Site Web: www.elto.gov.on.ca



January 17, 2013

(Sent by e-mail)

Heather Krouskie
Municipal Complex
7404 Wellington Rd 34, Guelph
Aberfoyle, RR3
Puslinch, ON
N1H 6H9

Phone: (519) 763-1226 Ext. 210
Fax: (519) 763-5846
E-mail: admin@twp.puslinch.on.ca

CONFIRMATION OF HEARING ROOM ARRANGEMENTS

CASE NUMBER: PL121314
FILE NUMBER: PL121314

PROPERTY LOCATION: 6643 Concession 2
CASE TITLE: N&L KrayishnikAgricultural use

FIRST DAY OF HEARING: THURSDAY 16-MAY-2013 10:00 AM
TOTAL HEARING LENGTH: 2 Day(s)

HEARING LOCATION: Puslinch Municipal Complex
Council Chambers
7404 Wellington Rd # 34
Aberfoyle, ON N1H 6H9

PLEASE NOTE:

Along with the use of a Hearing Room the Board requests that the Board Member **be provided with a separate room in order to have a place for private deliberation on cases before them.** The Hearing Room and the separate Room should be accessible ½ hour prior to the designated hearing time.

The Board Member will check in at Reception or General Enquiry upon arrival at the venue. Please ensure that staff is aware of the Board hearing being conducted and the arrangements that have been made. No change in venue or room location should be made without first consulting the Board.

Thank you for your assistance.
George Rayner
(416) 326 – 6781

SR 1/Hearing

#66



PLANNING REPORT

Township Zoning By-law Amendment - File P3/2012
County Official Plan Amendment - File OP-2012-03

Proposal for two single detached dwellings on one lot
Part of Lot 7, Concession 1
Township of Puslinch
Ned & Lily Krayishnik

Prepared by the County of Wellington Planning & Development Department
January 22, 2013

1. INTRODUCTION

1.1 Purpose

A complete application for a Zoning By-law Amendment (File #P3/2012) was submitted to the Township of Puslinch on May 22, 2012. Concurrent with the rezoning request is an application to amend the Wellington County Official Plan (File OP-2012-03). The Official Plan Amendment application was deemed complete June 20, 2012. Both files have been appealed to the Ontario Municipal Board by the applicant for failure to make a decision within the prescribed timeframe under the *Planning Act*.

The purpose of both applications is to permit two single detached dwellings on one lot. This would legalize a dwelling constructed in 1975 together with a single detached dwelling constructed in 2007.

This report is intended to provide the Township with a review of the subject development proposal in terms of the applicable Provincial and County land use planning policies.

1.2 Location and Surroundings

The subject property is in the southwest of the Township, east of Cambridge and south of Highway 401. To the west is the recreational and seasonal cottage area of Puslinch Lake and rural residential uses. There are also rural residential uses to the east. Conservation lands managed by the Grand River Conservation Authority (Puslinch Tract) are across Concession 2 to the north of the property and agricultural parcels to the south.

1.3 Property Description

The property is legally described as Part of Lot 7, Rear Concession 1, Township of Puslinch, County of Wellington with a municipal address of 6643 Concession 2.

The subject land is approximately 11.12 ha (25.5 acres) in size with 30.5 m (100 ft) frontage along Concession 2. There is a single detached dwelling and a duplex dwelling on the property (Figures 2 and 3) which share direct access to Concession 2, a Township-maintained and operated municipal road. Over half of the property is treed.

The newer of the two dwellings was built in 2007 and is just under 3,000 square feet in size (MPAC records). This building is situated approximately 205 m (673 ft) from the road and is well separated from the original building cluster. This residential dwelling is serviced by an individual well and septic system.

Figure 1 Key Map

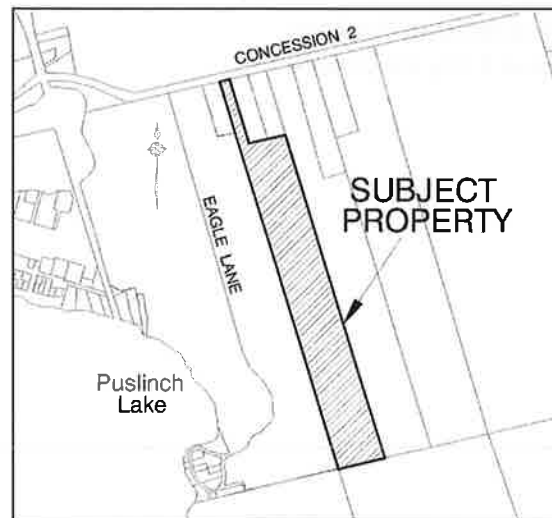


Figure 2 2007 Dwelling



Figure 3 1975 Dwelling



Source: S. Wilhelm, County of Wellington Planning and Development Department, January 2012.

The older dwelling is just over 2,000 square feet (MPAC records). The dwelling is located in a cleared area together with a frame barn and garage in the middle of the property. The residential unit(s) within the dwelling are serviced by an individual well and septic system.

It is our understanding based on the Planning Justification Report prepared by the applicant's planner, John Ghent, that the wooded area of the property is 6.6 ha (16.3 ac). About half of this area is a hardwood woodlot and the other consists of a conifer plantation. The woodlot has been professionally managed since 2007. Mr. Ghent also made note of a small cultivated field of 1.2 ha (3 ac) in size. This land is not designated prime agricultural land.

1.4 Supporting Technical Reports

To address Provincial, County and local land use policies and requirements, the applicant has submitted the following reports:

Planning Justification Report (John Ghent, J Ghent Planning, dated April 27, 2012)

Sewage Generation Consultation (Chung & Vander Doelen Engineering Ltd., June 14, 2011)

2. BACKGROUND

Only one dwelling is permitted per lot in the Agricultural Zone. The circumstances requiring zoning relief to allow for two existing dwellings date back to 2007. At that time, a building permit was filed to construct a new replacement dwelling on the property. As was the practice at that time, the Township collected a \$5,000 deposit from Mr. Krayishnik to ensure that the original 1975 dwelling would be demolished. The new house was constructed and occupied, but the original house was not removed.

2.1 Previous Planning Applications

There are several planning applications associated with the property under the current and previous owners (Figure 4). In 2011 the current owner applied for, and subsequently withdrew an application to rezone the property to recognize the existing dwellings and allow for five additional homes. Shortly thereafter a minor variance was filed to allow for the three existing dwelling units on the property to be retained. This application was denied by the Township's Committee of Adjustment and appealed to the Ontario Municipal Board (OMB). The appeal was dismissed by the OMB and the variance was not authorized (OMB File PL111161).

There have been two rural residential lots severed from the property in 1988 and 2006. A minor variance was necessary in 2006 to allow for a reduced lot frontage associated with the second severance. These applications were undertaken by previous owners in the name of Maton and Johnson.

Figure 4 Previous Planning Applications on Property

Year	Type of Application	Applicant	Proposal	Status/Decision
1988	Severance B70/88	Maton	<ul style="list-style-type: none"> 2 ac retirement lot with retained hobby farm (10 sheep) 	<ul style="list-style-type: none"> Approved
2006	Severance B26/06	Johnson	<ul style="list-style-type: none"> 2 ac rural residential lot 	<ul style="list-style-type: none"> Approved
2006	Minor Variance A5/06	Johnson	<ul style="list-style-type: none"> Reduction in lot frontage 	<ul style="list-style-type: none"> Approved
2011	Rezoning	Krayishnik	<ul style="list-style-type: none"> A "senior project" that would "ratify two houses in existence and add five more." 	<ul style="list-style-type: none"> Withdrawn
2011	Minor Variance A17/11 (OMB Case/File PL111161)	Krayishnik	<ul style="list-style-type: none"> To permit three dwelling units on one lot (single detached and duplex), whereas only one is permitted 	<ul style="list-style-type: none"> Denied Appeal dismissed by OMB, variance not authorized

2.2 Court Order

As Council is aware, in 2012 the Township's solicitor obtained a court order pertaining to the 1975 dwelling that:

- the lower level apartment be vacated on or before July 1, 2012;
- the upper level be vacated before September 1, 2012; and
- the residence shall remain vacant until further order of the Ontario Superior Court of Justice

It is our understanding that the order will remain in place until final decisions have been rendered on the current planning applications.

The court order relates to a legal proceeding heard May 10, 2012 regarding an application for:

- A determination that the original old dwelling on the Krayishnik property is illegal; and
- An order that this dwelling, now a duplex, be vacated and the structure be demolished.

The grounds of the court application are identified in Figure 5.

Figure 5 Excerpt, Notice of Application (Court File No. 300/12)
Applicant: Corporation of the Township of Puslinch
Respondent: Ned Krayishnik, Lily Krayishnik

The grounds for the application are:

- a) The respondents purchased their property (being Part Lot 7, Concession 1, Puslinch) in 2007. They applied for a building permit to build a new residence on their property. There already was an older residence on the property.
- b) The respondents were advised by the Township Chief Building Official that the Township zoning by-law permitted only one dwelling on their property which was in an A-Zone (Agricultural Zone). The respondents were advised that a permit could not be obtained for a new residence unless they agreed to demolish the old residence prior to occupying the new residence.
- c) The respondents agreed to demolish the old house and posted \$5,000.00 cash security with the Township as token security to honour this commitment.
- d) The new house was completed and occupied by the respondents since 2009; however, the respondents have refused to comply with the zoning by-law and their commitment to demolish the old house.
- e) The respondents, contrary to their agreement, proceeded to renovate and upgrade the old house without a building permit, and it now contains two units and is rented.
- f) The house has numerous building code deficiencies and is unsafe, especially because there is no fire separation between the two dwelling units; the septic system needs upgrading, and guard rails are required on the deck.
- g) After receiving a demand for the old dwelling to be demolished, the respondents made an application to re-zone the property, and this application was returned as it lacked necessary reports and information. The respondents then applied for a minor variance which was appealed to the Ontario Municipal Board after being refused by the Committee of Adjustment. After a hearing, the Ontario Municipal Board dismissed the respondent's appeal from the dismissal of his minor variance application.
- h) The applicant relies on the determination and interpretation of the zoning by-law (No. 19-85) and in particular, the permitted uses of Section 5 – A Zone – Agricultural Zone, which permits only one single detached dwelling with exceptions which do not apply to the respondents land.
- i) The applicant further relies on Rule 14.05(3)(d) and (g) of the Rules of Civil Procedure.
- j) The applicant further relies on the contractual agreement by the respondents to demolish the old residence prior to occupying the new residence.

The Chief Building Official inspected the property October 2, 2012 in advance of the Public Meeting for these planning applications and advised that the lower level was vacant and unoccupied. The upper level was still furnished, had clothing in the closets and perishables in the fridge.

The 1975 dwelling meets the definition of a duplex under the Township's Zoning By-law and both units are independently accessed. This is an illegal duplex and we have not been provided with any information as to how the current owner intends to convert it back to the single detached dwelling requested under the current applications.

3. PLANNING REVIEW

3.1 Applicable Planning Policies

The planning applications filed on behalf of Ned & Lily Krayishnik are subject to the 2005 Provincial Policy Statement (PPS) and the Wellington County Official Plan (OP). The Growth Plan for the Greater Golden Horseshoe applies to all land within Wellington County. The County Official Plan has been amended to conform to the Growth Plan and to ensure consistency with the PPS. The subject land is not within the Greenbelt Planning Area and therefore not subject to the policies of the Greenbelt Plan.

3.2 Provincial Policies

The subject property is within the RURAL AREAS designation of the Growth Plan as it is located outside of a settlement or prime agricultural area. The Growth Plan and the PPS place a clear emphasis on directing growth to settlement areas which in the case of Puslinch, includes the urban centres of Aberfoyle and Morriston, and the hamlet of Arkell. The subject property is not located in one of these settlement areas.

Intensification (development of a property at a higher density than currently exists) is also specifically directed to settlement areas. There is no specific policy requirement to accommodate intensification in rural areas.

Policy direction for non-prime farmland is found in Section 1.1.4 of the PPS, including provision for "limited residential development" in rural areas such as the Secondary Agricultural Area in which the subject property is located. For the most part Provincial planning documents do not address how residential development should be limited in rural areas without urban services and leave it to local planning administration.

3.3 Wellington County Official Plan

The subject property is within the Rural System of the County, designated SECONDARY AGRICULTURAL and GREENLANDS, and falling within the Mineral Aggregate Area overlay. The County Official Plan policies for the Rural System provide for accessory residential uses needed for farm help or a garden suite, provided they are established near the farm buildings. An accessory apartment unit may be established within the main residence on a lot. In all cases adequate water supply and sewage disposal systems must be available.

The two dwellings on the Krayishnik property do not fall within the accessory residential use categories noted above and therefore require an Official Plan Amendment to include the subject lands within a site-specific policy area. In his decision of March 9, 2012 on the minor variance for this property (OMB File PL111161), OMB Member Denhez agreed with this interpretation of the Official Plan.

Rural Area Growth and Intensification

In combination the growth strategy, rural system and lot creation policies of the County Official Plan limit the extent of residential development which may take place in rural areas by:

- Directing growth to urban centres with full municipal services, **as a priority**;
- Directing growth to urban centres and hamlets with partial, private communal or individual on-site services, **to a limited degree**;
- Directing growth to Secondary Agricultural areas, **to a lesser extent**;
- **Restricting accessory residential uses** to farm help or a garden suite near the farm buildings, and an accessory apartment unit within the main residence on a lot;
- **Prohibiting** new country residential and lifestyle communities in the County;
- Only allowing consideration of **one new residential lot** to be created in Secondary Agricultural areas from a parcel existing since May 6, 1999.

As part of a strategy to provide a variety of housing types, Section 4.4.3 of the Official Plan encourages intensification which results in new rental accommodation and which is of a small scale in rural areas consistent with the character and servicing of the area. This includes accessory or second residences, limited severances and conversions. The only forms of intensification permitted by the Official Plan in the Rural System include:

- accessory residences such as farm help, a temporary garden suite or an accessory apartment within the main house; and
- limited severances.

With respect to the above, we note that residential lot creation is prohibited in prime agricultural areas (unless involving a surplus farm dwelling). Only the secondary agricultural area designation allows for rural residential lot creation. This represents a broader range of residential uses contemplated within the secondary agricultural area policies, as stated within Section 6.3 of the Plan:

“While farming will be the main land use activity in these areas, a broader range of residential, employment and community uses will be allowed than in prime agricultural areas so long as the use does not adversely impact existing agricultural operations and is in keeping with the rural character of the area.”

Although the amendments requested are site-specific in nature, the broader implications must also be considered. While we recognize that the dwellings in question are not highly visible from adjacent properties or the public road, this situation is not unique to rural areas of the County, particularly in Puslinch with its extensive tree cover and rolling topography.

The intensity of land use proposed would not be in keeping with the intent and purpose of the policies for rural areas of the County, which place clear limitations on the extent of residential development which may be considered. The key method available to the Township to limit residential growth in the rural area is to restrict the extent of residential development (including accessory residential uses) which may take place.

3.4 Second Residential Unit Provisions (Bill 140)

Bill 140 (*Strong Communities through Affordable Housing Act*) introduced changes to the *Planning Act* which came into effect January 1, 2012 to provide enhanced provisions for second units and garden suites. Official Plans are now required to contain policies that allow a second unit in a single detached, semi-detached and townhouse, or within an ancillary structure. Where policies have been established in an Official Plan for second units, the *Planning Act* has been amended to require that the local municipal zoning by-law authorize such policies.

County planning staff is in the process of determining any necessary policy changes to implement Bill 140. With respect to the current applications, the new legislation does not grandfather existing illegal second units and we would not consider a stand-alone residence to be an ancillary structure.

In a November 26, 2012 Information Report to Puslinch Council regarding Bill 140, we reviewed the current zoning by-laws of the seven local municipalities to determine what type of permanent second units are permitted as-of-right. We found that local municipalities are not generally allowing second units as-of-right within ancillary structures or as a permanent detached dwelling.

Second residential units are a subset of the bigger affordable housing picture. In Puslinch, the zoning by-law provides for a variety of housing within the Township's two urban areas (Aberfoyle and Morriston) and hamlet (Arkell) including:

- Single detached, semi-detached and duplex dwellings;
- A rooming house or boarding house;
- Group homes; and
- An accessory dwelling unit to a non-residential use.

Within the rural area, housing is limited to one single detached dwelling per lot and group homes. There are provisions for an accessory dwelling unit to a non-residential use within the agricultural commercial and highway commercial zones.

The County Official Plan recognizes that municipalities may apply zoning to reflect "local needs and circumstances". The Township chooses to implement the Official Plan policies for farm help by consideration of site-specific rezoning requests for such use. Since 1985, there have been eight site-specific zones created to accommodate a second residence for farm help. Otherwise, in Puslinch one single detached dwelling per lot is the general rule in the Agricultural Zone.

3.5 5-year Review of County Official Plan

The 5-year review of the County Official Plan is in progress. In a letter of October 11, 2012, the applicant's agent requested that as part of the 5-year review, the Wellington County Official Plan be amended to permit the two dwelling units that currently exist on the Krayishnik property to remain. In correspondence of November 22, 2012 County staff advised that they "do not intend to deal with this matter through the 5-year Review Amendment (OPA 81). In our opinion, this is a local matter that is best dealt with through the current site-specific Rezoning (P3/2012) and Official Plan Amendment (OP-2012-03) applications."

We also note that under the current residential lot creation policies for the Secondary Agricultural area (Section 10.4.4) the applicant would not qualify for consideration of a new lot as one has been severed since 1999. At this time it is unclear whether changes will be made to the 1999 cutoff date as part of the Official Plan review. If a change was made that would allow for consideration of a new residential lot on the subject property, we would not be in a position to support it due to deficient frontage and the shared access arrangement.

3.6 Public Meeting

The statutory public meeting was held on Wednesday, October 17, 2012. No comments or concerns were raised by the public at the meeting. Four written submissions from neighbours in support of the application were provided by the applicant.

3.7 Written Submissions

In terms of both the Official Plan and Zoning By-law amendment applications, comments indicating no objection were submitted by the Grand River Conservation Authority. No other comments from public agencies were received and no letters of objection or concern were received from the public.

3.8 Proposed Official Plan Amendment

The subject land is within the Secondary Agricultural and Greenlands designation of the County Official Plan. An Official Plan Amendment is required to include the subject lands within a site-specific Policy Area to permit two single detached dwellings on one property in the rural system which are not for farm help, a temporary garden suite or an accessory apartment within the main residence.

3.9 Proposed Zoning By-law Amendment

The purpose of the amendment to the Township Zoning By-law is to rezone the subject land from the current Agricultural (A) Zone to an appropriate Agricultural Site-Specific Zone to permit two single detached dwellings.

As indicated in our October 3, 2012 preliminary comments, the applicant has requested to retain the 1975 dwelling as a single detached dwelling, but it currently contains an illegal second unit. We have been advised by the Township's Chief Building Official that a building permit would be required to convert the 1975 dwelling back into a single detached dwelling, if it was permitted by the zoning amendment. Until the dwelling is converted back into a single detached dwelling the Chief Building Official's order to remedy an unsafe building will remain in effect. Also, due to the fact that the dwelling would likely be a five bedroom home, an evaluation of the septic system would need to be completed and a permit may be necessary to upgrade the septic system. These matters could be addressed through the inclusion of a holding provision within the amending by-law. We have not, however, prepared a proposed amending zoning by-law at this time.

4. CONCLUSIONS

4.1 Summary

The purpose of the application is to permit two single detached dwellings on one lot in a rural area. Our review centres around the following issues:

- What is a reasonable method to limit growth in the rural area?
- How does a municipality comply with provincial policy if it is acceptable to build a second residence and seek approval later?
- On what basis could these applications be allowed but second residences on all other lots refused?

The Growth Plan and the PPS place a clear emphasis on directing growth to settlement areas. This property is outside of the Puslinch settlement areas of Aberfoyle, Morriston and Arkell. There is no provincial policy requirement to accommodate intensification in rural areas.

Provincial planning documents provide for limited residential development in rural areas without urban services, but leave it to local planning administration to determine how to do so. In Wellington County this is accomplished by limiting the extent of accessory residential uses in the rural system to:

- farm help;
- a temporary garden suite; and
- and an accessory apartment unit within the main residence on a lot.

The current applications represent a significant departure from what is the norm across the County.

The Township has the authority to apply zoning to reflect local needs and circumstances. In Puslinch, one single detached dwelling per lot is the general rule in the Agricultural Zone.

4.2 Planning Opinion

It is our opinion that the proposed amendments to the County Official Plan and Puslinch Zoning By-law do not represent good planning and are not in the public interest. The amendments do not conform with the Growth Plan and are not consistent with the Provincial Policy Statement, which direct growth to settlement areas. The amendments do not conform with Official Plan policies established to manage growth in rural areas and limit residential development in secondary agricultural areas.

4.3 Recommendations

Based on the above, we would recommend:

1. That Council not support the proposed Official Plan Amendment (Application OP-2012-03) and advise the County of Wellington and the Ontario Municipal Board of its position; and
2. That Council advise the Ontario Municipal Board that the proposed zoning by-law amendment (Application P3/2012) should be refused.

**RESPECTFULLY SUBMITTED,
COUNTY OF WELLINGTON PLANNING & DEVELOPMENT DEPARTMENT**



Sarah Wilhelm, BES, MCIP, RPP
Planner

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

NOTICE OF PUBLIC MEETING

TO CONSIDER AN APPLICATION TO AMEND THE TOWNSHIP ZONING BY-LAW

TAKE NOTICE that the Council of the Corporation of the Township of Puslinch will hold a public meeting on **Wednesday, February 6, 2013 at 3 p.m.** in the Council Chambers of the Puslinch Municipal Complex at 7404 Wellington Road 34 in Aberfoyle to consider a proposed amendment to Zoning By-law 19/85 pursuant to the requirements of the Planning Act, R.S.O. 1990, as amended.

Location of Subject Land

The property subject to the proposed amendment is described as Part of Lot 17, Gore Concession, in the Township of Puslinch, with a municipal address of 6926 Gore Road, and as illustrated on the key map below.

The Purpose and Effect of Application

The purpose and effect of the proposed amendment (Application P7/2012) is to rezone the subject property to an appropriate zone category to allow for a second dwelling on the property on a temporary basis (a garden suite).

Oral or Written Submissions

Any person may attend the public meeting and make an oral submission either in support of or in opposition to the proposed Zoning By-law amendment. Written submissions are also invited and should be directed to the Township Clerk at the address shown below. All those present at the public meeting will be given the opportunity to make an oral submission. However, we would request that those wishing to address Council at the public meeting notify the Township Clerk in advance of the public meeting.

Power of OMB to Dismiss Appeals

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Puslinch before the zoning by-law is passed, the person or public body is not entitled to appeal the decision of the Council of the Township to the Ontario Municipal Board.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Township of Puslinch before the zoning by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Request for Notice of Decision

If you wish to be notified of the decision of the Township of Puslinch regarding a Zoning By-law amendment, you must make a written request to the Clerk at the address shown below.

Additional Information

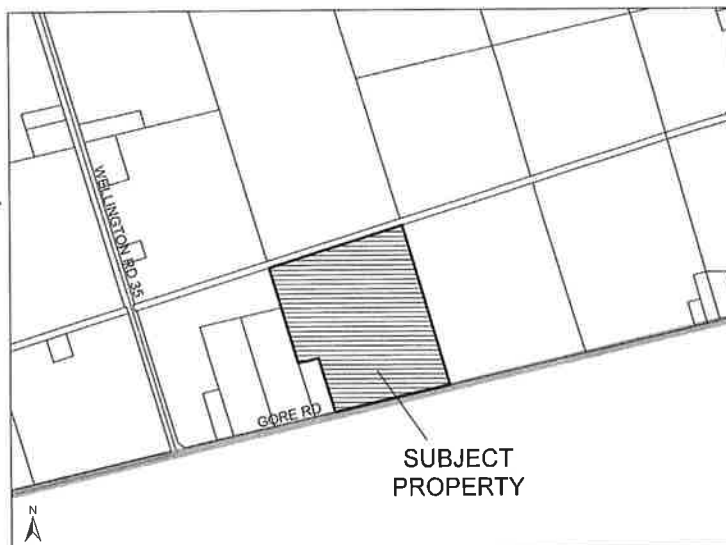
Additional information regarding this application is available at the Township municipal office at the address shown below.

Dated at the Township of Puslinch on this 9th day of January, 2013.

Brenda Law

Mrs. Brenda Law, AMCT
CAO/Clerk-Treasurer
Township of Puslinch
7404 Wellington Road 34
Puslinch, R.R. #3
Guelph, Ontario
N1H 6H9

Phone: (519) 763-1226
Fax: (519) 763-5846



#76



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
GARY A. COUSINS, M.C.I.P., DIRECTOR
T 519.837.2600
T 1.800.663.0750
F 519.823.1694

ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH ON N1H 3T9

January 30, 2013

BY E-MAIL

Mrs. Brenda Law, CAO/Clerk-Treasurer
Township of Puslinch
R. R. 3 (Aberfoyle)
Guelph, Ontario N1H 6H9

Dear Mrs. Law:

**Re: PUBLIC MEETING - Proposed Zoning By-law Amendment P7/2012
Marina Harrison & Michel Gingras
Part Lot 17, Gore Concession (6926 Gore Road)
Township of Puslinch**

Thank you for circulating the above-noted public meeting notice to our office. In our comments to the Puslinch Planning Advisory Committee of November 21, 2012 (attached) we provided a policy review of this application. We offer the following additional comments for Council's consideration.

Development Proposal

The purpose of the rezoning application is to allow for the establishment of a garden suite as a temporary second dwelling on the property. The Planning Act allows for garden suites to be established as a temporary use for a maximum duration of 20 years. The land owners wish to use the proposed dwelling as a residence for their parents.

Agency Comments

Hamilton Conservation Authority comments of November 20, 2012 waived the requirement for an Environmental Impact Study due to the scope and location of the dwelling. They did recommend that the applicant complete a preliminary screening for species at risk on the subject property through Graham Buck of the Ministry of Natural Resources. We contacted Mr. Buck by telephone, who confirmed that the necessary screening was completed and he had no further concerns.

Visual Impact

We met with Bill Brunsveld the owner of the farm to the east (6976 Gore Road) and his son, Wayne Brunsveld. They advised of their concern that the garden suite would be visible from their property. There would be a distance of approximately 270 m (886 ft) between the proposed garden suite and the existing dwelling on their property. They indicated a preference for the garden suite to be situated west of the existing home on the Harrison/Gingras property, which would help screen it from their view. I was advised that the Brunsvelds discussed their concerns with the applicant. I have attempted to contact the applicants by telephone and by e-mail. As they did not respond, I was unable to discuss possible alternatives with them prior to finalizing my comments and the draft amending by-law.

Figure 1 Air Photo
6926 Gore Road (Harrison/Gingras) & 6954 Gore Road (Brunsveld)



With respect to visual impact, the policies of the County Official Plan provide for municipalities to enact zoning provisions to address matters pertaining to garden suites including the following:

“adequate screening/buffering, where deemed necessary, is provided to minimize the visual impact of the second unit to adjacent properties” (Section 6.5.4c)

Council may wish to consider alternative locations for the garden suite to minimize the visual impact on adjacent properties or the requirement for additional screening.

If a different location is to be considered, a revised Site Sketch would need to be circulated to Hamilton Conservation Authority for comment. In the case of additional screening, related requirements would need to be added to the amending by-law.

Size of Garden Suite

Council has previously allowed for an increase in the maximum floor area from 92.9 sq. m (1,000 sq. ft.) to 110 m² (1,184 sq. ft.). In this case, the applicants are requesting consideration of 125 sq. m (1,350 sq. ft.).

Draft Development Agreement

The previous garden suite approvals in the Township were established for immediate family members of the property owners (i.e. one or both parents). The Planning Act provides the authority for a municipality to specifically name the occupants of a garden suite within a development agreement.

The Planning Act also provides for a development agreement to address, among other things, the installation, maintenance, and removal of the temporary housing unit, the duration of occupancy, the rehabilitation of the site to its pre-garden suite condition, and other matters that Council may consider necessary or advisable. We have not been provided with a development agreement at this time.

Draft Amending By-law

We have attached a draft amending by-law for Council's review which would permit a garden suite on a temporary basis. A site-specific provision has been included to allow for an increase in the maximum floor area of the suite to 125 sq. m (1,350 sq. ft.). Please note that the specific duration of the proposed temporary use and other minor wording should be considered by Council and revised/added to clause (ii) of the amending by-law.

Planning Opinion

In our opinion, the proposed rezoning of the subject land to permit a garden suite as a temporary use is consistent with the Provincial Policy Statement and generally conforms to the Greenbelt Plan, Provincial Growth Plan and the County Official Plan. There may, however, be a need to further address concerns of neighbouring land owners regarding the visual impact of the garden suite. This might involve revisions to the applicant's Site Sketch and/or additional standards within the amending by-law. We will attend the public meeting to listen to the applicant's presentation and any comments of members of the public.

I trust that these comments are of assistance.

Yours truly,



Sarah Wilhelm, B.E.S., MCIP, RPP
Planner

Attachments:

November 21, 2012 Comments
Draft Amending By-law



PLANNING AND DEVELOPMENT DEPARTMENT
GARY A. COUSINS, M.C.I.P., DIRECTOR
T 519.837.2600
T 1.800.663.0750
F 519.823.1694

ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH ON N1H 3T9

November 21, 2012

BY E-MAIL

Mrs. Colleen Sutton, Secretary
Planning Advisory Committee
Township of Puslinch
R. R. 3 (Aberfoyle)
Guelph, Ontario N1H 6H9

Dear Mrs. Sutton:

**Re: Proposed Zoning By-law Amendment P7/2012
Marina Harrison, Michel Gingras
Part Lot 17, Gore Concession (6926 Gore Road)
Township of Puslinch**

We have reviewed the above-noted rezoning application and provide the Committee with the following comments.

Proposal

The land subject to the proposed zoning amendment is located at 6926 Gore Road (Part Lot 17, Gore Concession) as identified at right.

It is our understanding that the owner would like to rezone the subject property to allow for a temporary garden suite for use by family members. A modular home is proposed approximately 39.5 m (130 ft) southwest of the existing dwelling. Existing conditions on the property are identified in Figure 2.

County Official Plan

According to Schedule A7 (Puslinch) of the Official Plan, the property is designated SECONDARY AGRICULTURAL and CORE GREENLANDS. The proposed garden suite appears to be well-removed from the Core Greenlands designation.

Figure 1 Location

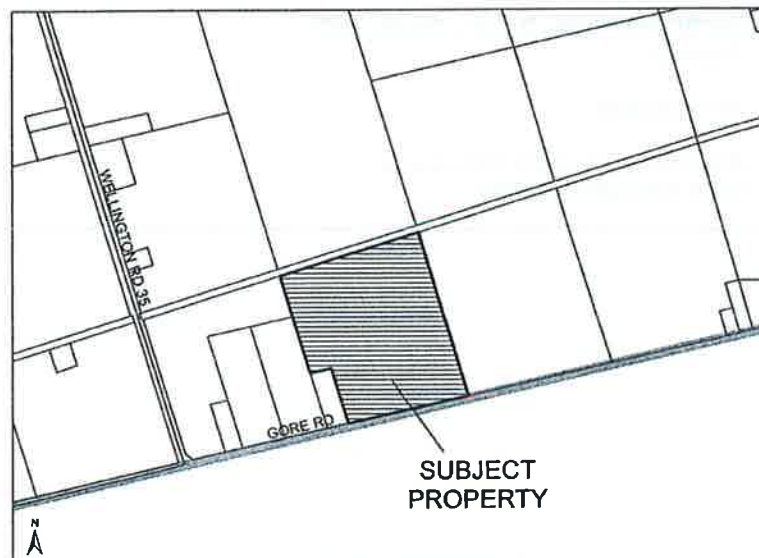


Figure 2 Aerial View and Detail
6926 Gore Road



Section 6.4.5 of the County Plan provides for a temporary garden suite as an accessory residence in a Secondary Agricultural Area provided that adequate water supply and sewage disposal is available and the garden suite is established near the farm buildings.

Municipalities may also enact zoning provisions to address the following matters pertaining to garden suites:

- a) the second unit is located close to the existing residence on the property and is portable so that it can be easily removed when the need for the unit has discontinued;
- b) no additional access shall be provided to the lot from a public road;
- c) adequate screening/buffering, where deemed necessary, is provided to minimize the visual impact of the second unit to adjacent properties;
- d) adequate amenity areas are provided for the existing dwelling and the second unit;
- e) the provision of a satisfactory site plan which illustrates how items a) to d), and any other matters deemed necessary by the municipality, have been addressed; and
- f) the establishment of a development agreement between the owner and the municipality to address the installation and removal of the unit, site rehabilitation, listing the occupant(s) of the unit and the period of occupancy, and any other matter deemed necessary by the municipality.

General Provisions of Zoning By-law

The Township zoning by-law contains detailed standards for garden suites found in Section 3(24), including a maximum floor area of 92.9 sq. m (1,000 sq.ft.). At 125 sq. m (1,350 sq.ft.), the proposed garden suite would exceed the minimum. This could be addressed through the addition of a site-specific provision in the amending by-law to allowing for an increased floor area in this instance.

Summary

We have no concerns with the proposed amendment at this time. We will be in attendance at the Planning Advisory Committee meeting on November 26, 2012 to hear the applicant's presentation.

I trust that these comments are of assistance.

Yours truly,



Sarah Wilhelm, B.E.S., MCIP, RPP
Planner

ZONING BY-LAW AMENDMENT

for

Marina Harrison and Michel Gingras

**Part Lot 17, Gore Concession
6926 Gore Road
Township of Puslinch**

Township Application #P7/2012

DRAFT

**Prepared by the
County of Wellington Planning Department**

January 30, 2013

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER _____

**A BY-LAW TO AMEND BY-LAW NUMBER 19/85, AS AMENDED,
BEING THE ZONING BY-LAW OF THE TOWNSHIP OF PUSLINCH**

WHEREAS, the Council of the Corporation of the Township of Puslinch deem it appropriate and in the public interest to amend By-Law Number 19/85 pursuant to Sections 34, 39 and 39.1 of the Planning Act, R.S.O. 1990 as amended;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE
TOWNSHIP OF PUSLINCH ENACTS AS FOLLOWS:**

1. That Schedule "A" of By-law 19/85 is hereby amended by rezoning Part of Lot 17, Gore Concession, municipally referred to as 6926 Gore Road, from an AGRICULTURAL (A) ZONE to a site specific **AGRICULTURAL (A-53) ZONE**, as shown on schedule "A" of this By-law, with the existing NATURAL ENVIRONMENT (NE) zoning and a portion of the existing AGRICULTURAL (A) zoning to remain unchanged.
2. That subsection 5(4) SPECIAL PROVISIONS of the Agricultural Zone is amended by the addition of the following new exception:

"(aaa) A-53 (Temporary Use – Garden Suite)

Notwithstanding any provisions of this By-law to the contrary and in addition to the uses permitted under subsection 5(2), the land zoned **A-53** on Schedule "A" may also be permitted a garden suite subject to the following special provisions:

- (i) **Zone Requirements**
The applicable regulations of Sections 3 and 5 shall apply to the subject land. Notwithstanding the provisions of section 3(24) (c) of this By-law, the maximum floor area of a garden suite shall be 125.4 m² (1,350 sq. ft.).
- (ii) **Expiration of Garden Suite Use**
This garden suite is a temporary use, established by By-law No. ___/2013 and shall be in effect for a maximum of twenty (20) years from the date of passage of this By-law (to _____, 20__). Upon the expiry of this time period, unless extended by further amendment(s) to this By-law, the subject land shall revert to the original Agricultural (A) Zone whereby a garden suite is not a permitted use."

3. That the subject land as shown on Schedule "A" to this By-Law shall be subject to all applicable regulations of Zoning By-Law 19/85, as amended.

4. This By-law shall become effective from the date of passage by Council and come into force in accordance with the requirements of the Planning Act, R.S.O. 1990, as amended.

READ A FIRST AND SECOND TIME THIS _____ OF _____, 2013.

MAYOR

CLERK

READ A THIRD TIME AND PASSED THIS _____ OF _____, 2013.

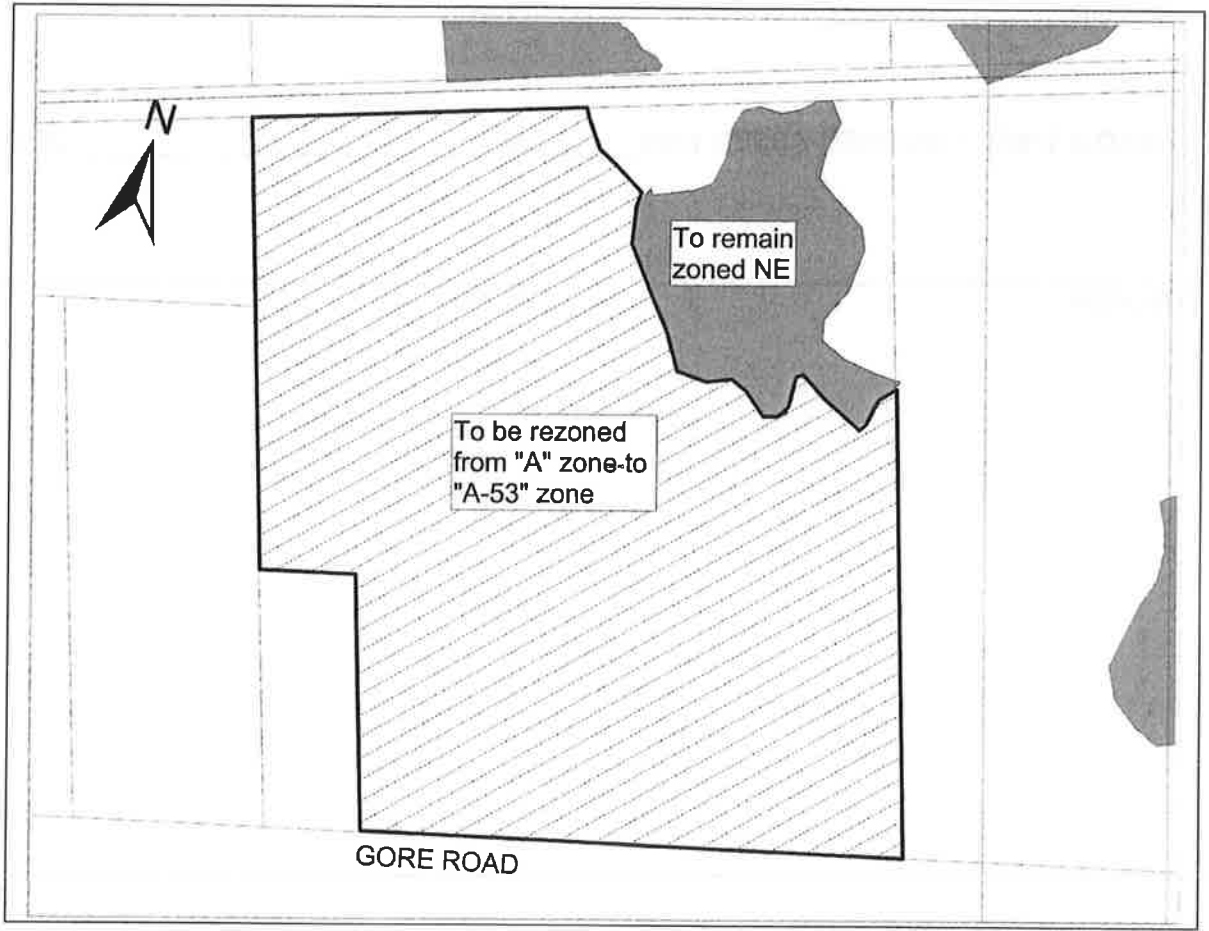
MAYOR

CLERK

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER _____

Schedule "A"



This is Schedule "A" to By-law No. _____
Passed this ____ day of _____, 2013.

MAYOR

CLERK

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

EXPLANATION OF BY-LAW NO. _____

By-law Number _____ amends the Township of Puslinch Zoning By-law 19/85 by rezoning Part of Lot 17, Gore Concession, municipally known as 6926 Gore Road, from an AGRICULTURAL (A) ZONE to a site specific AGRICULTURAL (A-53) ZONE to permit the establishment of a "garden suite" (a temporary residential unit). The existing NATURAL ENVIRONMENT (NE) Zone and a portion of the existing AGRICULTURAL (A) Zone in the north corner of the property is to remain unchanged.

The subject property is approximately 17.4 ha (43 ac) and is occupied by a single-detached dwelling, barn and garage. The proposed garden suite is to be located in proximity to the main residence on the property.

A garden suite is a permitted use within the Secondary Agricultural designation in the County Official Plan. The proposed development is subject to the establishment of a development agreement between the land owner and the Township to address the installation, maintenance, and removal of the temporary housing unit, the duration of occupancy, the rehabilitation of the site to its pre-garden suite condition, and other matters that Council may consider necessary or advisable for the subject land.



#8a

400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6

Phone: 519.621.2761 Toll free: 866.900.4722 Fax: 519.621.4844 Online: www.grandriver.ca

RECEIVED

JAN 18 2013

Township of Puslinch

January 24th, 2013

Triton Engineering Services
105 Queen Street West, Unit 14
Fergus, ON N1M 1S6

Attention: Mr. Ray Kirtz, P.Eng.

**Re: Stormwater Management Comments for the Proposed Draft Plan of Vacant Land
Condominium, Part Lot 19, Concession 8,
Township of Puslinch, Fox Run Phase 2 File No. 23CD-09003**

We have reviewed the Preliminary Stormwater Management and Site Servicing Report prepared by Triton Engineering and dated October, 2012. The updated comments provided satisfy the GRCA regulatory requirements as well as the recommendations in the Mill Creek Subwatershed Study with respect to the Stormwater Management. Therefore please find attached a set of comments for your consideration as part of the submission for final design of stormwater management plan and report.

1. As an alternative to the side slopes and swales propose it may be worth considering oil and grit separators to eliminate some of the steeper slopes at the rear of the properties.
2. For the reconfigured SWM pond as shown on Drawings 5 and 6, please confirm the suitability for reuse and illustrate the physical characteristics of the salvaged out structure and its associated sub-drain.

Advisory

1. In the general grading plans the proposed buildings have groundwater elevations higher than the underside of the footings (Units 4 and 5)
2. We recommend clarifying the groundwater elevations used for the basis of home and septic design. In figure 5 of the hydrological investigation, April 16th, 2002 observations were used to map high water table contours. However, in Drawing No. 1, the October 2009 observations have been used to establish building foundations and tile bed clearances. We recommend using or confirming that the most conservative and highest groundwater observations have been used.



Please note that the comments provided are only applicable to the Stormwater Management Plan. Comments will be forthcoming from our office on the Environmental Implementation Report which is currently under review.

Should you have any questions or comments please contact Nathan Garland at 519-621-2763 ext. 2236 (ngarland@grandriver.ca)

Yours truly,



Fred Natolochny
Supervisor Resource Planning
Grand River Conservation Authority

cc: Brenda Law, Township of Puslinch
Hans Groh, Gamsby and Mannerow, 650 Woodlawn Road W., Block C, Unit 2, Guelph, ON N1K 1B8
Sarah Wilhelm, County of Wellington
Stan Denhoed, Harden Environmental
Greg Schiefele, G.W.S. Environmental



CC Rove
#9a

COUNTY OF WELLINGTON

SCOTT WILSON
CHIEF ADMINISTRATIVE OFFICER
TEL: (519) 837-2600, EXT. 2330
1-800-663-0750
FAX: (519) 837-1909
e-mail: scottw@wellington.ca

74 WOOLWICH STREET
GUELPH, ONTARIO
N1H 3T9

RECEIVED

JAN 29 2013

Township of Puslinch

January 25, 2013

Dear Brenda,

Thanks very much for attending our meeting yesterday to discuss the issue of municipal roles and responsibilities legislated by the Clean Water Act. As all local municipalities were represented, I believe the consensus option suggested below will serve all of us well.

In brief, the meeting participants agreed to recommend to their Councils a risk management structure based on the (successful) Fire Training Officer model, with the relevant features being:

- the County will provide the funds to cover employment costs of the Risk Management Official (RMO);
- a single RMO will be appointed by each local municipality in the County, and will fulfill any and all legislated duties for each local municipality, including supervising any appointed Risk Management Inspector (RMI); and,
- the RMO will be an employee of the Township of Centre Wellington (TCW), and report to the Township's Director of Public works.

As agreed at our meeting, each municipal Council will be presented with a common report, containing a recommendation to endorse the above concept, and requesting the County to fulfill the role of funder of the RMO. Decisions on how the local municipalities fund the RMI position(s) have yet to be made.

Further details will need to be discussed, and agreed to, following each Council's approval, and it is my hope that at our next meeting (scheduled for Wednesday, March 27th at 2:00 p.m. at the TCW offices in Elora), we will be able to move the process along, and get an RMO hired.

The spirit of co-operation associated with the County and the local municipalities was in evidence again yesterday, and I thank you for the part you played.

Respectfully,

Scott Wilson

CAO

c. Warden Chris White
Gary Cousins, Director of Planning and Development
Aldo Salis, Senior Planner