

COUNTY of WELLINGTON PLANNING & LAND DIVISION COMMITTEE
Wellington County Administration Centre
74 Woolwich Street Guelph, Ontario N1H 3T9

ONTARIO PLANNING ACT, Section 53(14)

NOTICE of DECISION

On Application B126/17

APPLICANT:

Susan & Hugh Fielding
 7458 Fielding Lane
 Puslinch ON N0B 2J0

LOCATION of SUBJECT LANDS:

TOWNSHIP OF PUSLINCH
 Part Lot 37
 Concession Gore

The Planning and Land Division Committee, considering all of the evidence presented, and being assured that it had jurisdiction to consider the matter which was submitted to it, concludes that:

In the matter of an application by Susan & Hugh Fielding pursuant to Section 53 of the Planning Act, R. S. O. 1990 as amended for consent to convey land, being Part of Lot 37, Concession Gore, Township of Puslinch to effect an addition to abutting commercial property – 1720191 Ontario Ltd., **PROVISIONAL CONSENT IS GRANTED SUBJECT TO THE FULFILMENT OF TEN CONDITIONS OF APPROVAL.** The Planning and Land Division Committee has the opinion that a plan of subdivision of the subject lands is not necessary for the proper and orderly development of the municipality for this proposal; that the proposal satisfies generally the intent of the criteria of Section 51, subsection 24 of the Planning Act, R.S.O. 1990 as amended; and that the proposal is consistent with the intent and policies of the Provincial Policy Statement; and that it conforms generally to the intent and policies of the County's official plan.

PUBLIC INPUT: Notice of Application was circulated as required under The Planning Act, Section 53(4). There were no submissions made to the Planning and Land Division Committee or oral submissions made at the Public Meeting in support or opposition to the proposed consent.

FINAL CONSENT IS DEEMED TO BE GIVEN when the Secretary-Treasurer of the Planning and Land Division Committee has received written proof that all of the conditions of approval have been fulfilled within the prescribed period of time.

THE PLANNING AND LAND DIVISION COMMITTEE ADVISES THE APPLICANT that all of the conditions of approval for this provisional consent must be fulfilled within a period of one year after written notice of this decision was given or consent shall be deemed to be refused. In the event of an appeal to the Ontario Municipal Board, the application for consent shall not be deemed to be refused for failure to fulfill the conditions until the expiry of one year from the date of the order or date of the notice of the Ontario Municipal Board issued in respect of the appeal.

CONDITIONS OF APPROVAL TO BE FULFILLED NO LATER THAN 4:30 p.m. DECEMBER 14, 2018:

- 1) THAT** the Owner's solicitor, in preparation for the issuance of the Certificate of Consent, provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee a printed copy of the "completed electronic transfer document in preparation".
- 2) THAT** the Owner of the consented parcel shall consolidate the consented parcel with the abutting lands to which the consented parcel is to be added for **Consent B126/17** as a single parcel ("the consolidation") and **THAT** the solicitor for the owner shall provide an undertaking in writing to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee that the solicitor will attend to the consolidation and to provide within 30 days of the date of registration in the Land Registry/Land titles Office for Wellington (No. 61) a copy of the receipted and registered electronic Transfer including the **Form 4 Certificate and the Application for Consolidation of Parcels for the consolidation.**
- 3) THAT** the Owner, as provided for under Section 69 of the Planning Act, R.S.O. 1990, shall pay to the Treasurer of the County of Wellington the administrative fee which is in effect at the time of the payment of the fee for the review and issuance of the Certificate of Consent for the severed parcel.
- 4) THAT** the transfer for registration with respect to description complies with Ontario Regulation 43-96; and if that description contains a reference to a Reference Plan(s), the Owner's solicitor **shall provide a full print of that deposited reference plan(s)** to the secretary-treasurer of the Planning and Land Division Committee.
- 5) THAT** the Purchaser take title of the severed lands in the same manner as he holds his abutting lands; and **THAT** Section 50, subsection (3) of the Ontario Planning Act, R.S.O. 1990 as amended shall apply to any subsequent conveyance or any transaction involving the parcel of land that is the subject of this consent.
- 6) THAT** the conveyancing documents for the severed parcel contain a statement to ensure that Section 50, subsection (3) of the Planning Act, R. S. O. 1990, as amended shall apply to any subsequent conveyance or transaction with respect to the land described herein; and a statement that the consented parcel and the abutting lands to which this consented parcel is to be added shall be dealt with contemporaneously in any future conveyances or transactions unless further consent is granted under the Planning Act or other lawful order.
- 7) THAT** the Owner show the extents of the retained parcel lot lines on the survey sketch surrounding the lands to be severed; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 8) THAT** the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (included but not limited to Taxes paid in full and Consent Review/Condition Clearance Fee) which the Township of Puslinch may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 9) THAT** the Owner provide confirmation that the septic system on the retained lands meet the requirement setbacks of the Ontario Building Code to the proposed lot lines; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 10) THAT** the Owner receive approved zoning compliance for the severed lands subject to the lot line adjustment from the Township of Puslinch for the proposed commercial use; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

..... **End of Conditions of Approval; see next page for signatures, dates and other information**

COUNTY of WELLINGTON PLANNING & LAND DIVISION COMMITTEE
Wellington County Administration Centre
74 Woolwich Street Guelph, Ontario N1H 3T9

ONTARIO PLANNING ACT, Section 53(14)

NOTICE of DECISION

On Application B130/12

APPLICANT:

St. Mary's Cement Inc. (Canada)
 55 Industrial St.
 Toronto ON M4G 3W9

LOCATION of SUBJECT LANDS:

TOWNSHIP OF PUSLINCH
 Part Lots 11 & 12
 Concession 4

The Planning and Land Division Committee, considering all of the evidence presented, and being assured that it had jurisdiction to consider the matter which was submitted to it, concludes that:

In the matter of an application by St. Mary's Cement Inc. (Canada) pursuant to Section 53 of the Planning Act, R. S. O. 1990 as amended for consent to convey land for rural residential use, being Part of Lot 12, Concession 4, Puslinch Township, **PROVISIONAL CONSENT IS GRANTED SUBJECT TO THE FULFILMENT OF EIGHT CONDITIONS OF APPROVAL.** The Planning and Land Division Committee has the opinion that a plan of subdivision of the subject lands is not necessary for the proper and orderly development of the municipality for this proposal; that the proposal satisfies generally the intent of the criteria of Section 51, subsection 24 of the Planning Act, R.S.O. 1990 as amended; and that the proposal is consistent with the intent and policies of the Provincial Policy Statement; and that it conforms generally to the intent and policies of the County's official plan.

PUBLIC INPUT: Notice of Application was circulated as required under The Planning Act, Section 53(4). There were no submissions made to the Planning and Land Division Committee or oral submissions made at the Public Meeting in support or opposition to the proposed consent.

FINAL CONSENT IS DEEMED TO BE GIVEN when the Secretary-Treasurer of the Planning and Land Division Committee has received written proof that all of the conditions of approval have been fulfilled within the prescribed period of time.

THE PLANNING AND LAND DIVISION COMMITTEE ADVISES THE APPLICANT that all of the conditions of approval for this provisional consent must be fulfilled within a period of one year after written notice of this decision was given or consent shall be deemed to be refused. In the event of an appeal to the Ontario Municipal Board, the application for consent shall not be deemed to be refused for failure to fulfill the conditions until the expiry of one year from the date of the order or date of the notice of the Ontario Municipal Board issued in respect of the appeal.

CONDITIONS OF APPROVAL TO BE FULFILLED NO LATER THAN 4:30 p.m. DECEMBER 14, 2018:

- 1) **THAT** the Owner's solicitor, in preparation for the issuance of the Certificate of Consent, provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee a printed copy of the "completed electronic transfer document in preparation".
- 2) **THAT** the Solicitor for the Owner give an undertaking in writing to provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee within 30 days of the date of registration in the Land Registry/Land Titles Office for Wellington (No. 61) a copy of the receipted and registered electronic transfer document for Consent B130/12.
- 3) **THAT** the Owner, as provided for under Section 69 of the Planning Act, R.S.O. 1990, shall pay to the Treasurer of the County of Wellington the administrative fee which is in effect at the time of the payment of the fee for the review for and issuance of the Certificate of Consent.
- 4) **THAT** the transfer for registration with respect to description complies with Ontario Regulation 43-96; and if that description contains a reference to a Reference Plan(s), the Owner's solicitor **shall provide a full print of that deposited reference plan(s)** to the secretary-treasurer of the Planning and Land Division Committee.
- 5) **THAT** the Owner satisfy the requirements of the Local Municipality in reference to parkland dedication as provided for in the Planning Act, R.S.O. 1990; and that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 6) **THAT** the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (included but not limited to Taxes paid in full and Consent Review/Condition Clearance Fee) which the Township of Puslinch may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 7) **THAT** an Entrance Permit (preferred on Sideroad 12) verifying safe access and site lines on the severed lot be applied for and approved the satisfaction of the Township of Puslinch; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 8) **THAT** the severed and retained lands are rezoned to remove the Extractive zoning to the satisfaction of the county of Wellington Planning Department; and further that the County of Wellington Planning Department file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

..... **End of Conditions of Approval; see next page for signatures, dates and other information**