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JUN 21 2013

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

Township of Puslinch

CLERK'S DEPARTMENT	
TO	JB
Copy	JUNE 18, 2013
Please Handle	
For Your Information	
Council Agenda	July 17/13
File	

EXPLANATION OF APPEAL PROCEDURES

DEAR SIR or MADAM:

Attached is a **Notice of Decision for a Change of Condition on Application for Consent B42/12** pursuant to the provisions of the Ontario Planning Act.

The Decision of the County of Wellington Land Division Committee, and/or the Conditions of Approval for the provisional consent **may be appealed to the Ontario Municipal Board not later than 20 days after the giving of Notice of Decision is completed**, by filing with the Secretary-treasurer of the County of Wellington Land Division Committee at the above address a **written notice** of your desire to appeal the Decision and/or **a written notice** of your desire to appeal a Condition(s) of Approval imposed in the Decision. **Such notice will require reasons to be set out in writing of your appeal, and must be accompanied with a fee of \$ 125.00, as prescribed by the Ontario Municipal Board Act.** Certified cheques, or money orders should be made payable to the **Minister of Finance of Ontario**.

If a person or public body that files an appeal of a decision of the County of Wellington Land Division Committee in respect of the proposed consent has not made a written submission to the County of Wellington Land Division Committee before it gives or refuses to give a provisional consent then the Ontario Municipal Board may dismiss the appeal.

Also, the Ontario Municipal Board may, where it is of the opinion that the reasons in support of an appeal are insufficient, dismiss the appeal without a full hearing; but, before so dismissing an appeal, shall notify the appellant and afford him or her an opportunity to make representation as to the merits of the appeal.

The Ontario Municipal Board, when it is holding a hearing, will give notice to such agencies or persons and in such manner as the Board may determine, and in this appeal hearing, may make any decision that could have been made on the original application.

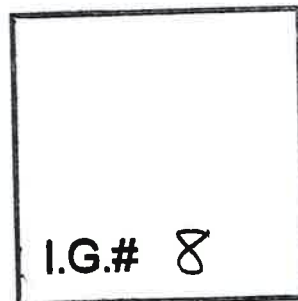
If the Decision of the County of Wellington Land Division Committee is to give provisional consent on the above-numbered application, and no appeals are filed within the time period allowed, the Consent shall be given, **except that where conditions of approval have been imposed, the Consent shall not be given until** the conditions of approval have been fulfilled to the satisfaction of the Secretary-Treasurer of the County of Wellington Land Division Committee.

Subject to any action taken under Subsection 53(23), the Applicant(s) has a **period of ONE YEAR FROM the GIVING of NOTICE of DECISION to fulfill all the Conditions of Approval in respect of the consent. If the Applicant(s) has not fulfilled all the conditions, the Consent on the application shall thereupon be Deemed to be Refused, pursuant to Subsection 53(41) of the Ontario Planning Act.**

ADDITIONAL INFORMATION regarding this application for consent and this decision of the County of Wellington Land Division Committee is available for inspection at the County of Wellington Land Division office at 74 Woolwich Street, Guelph, Ontario, during regular business hours, Monday through Friday.

MAILED TO:

APPLICANT – Linda Hayden AGENT – Jeff Buisman MUNICIPALITY – Puslinch Township
COUNTY PLANNING DEPARTMENT



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

ONTARIO PLANNING ACT, Subsections 53 (23, 24)

NOTICE of DECISION re REQUEST FOR CHANGE of CONDITION

On Application B42/12

APPLICANT:

Chad Hayden
8-12 Glasgow St. S
Guelph ON N1H 4T5

LOCATION of LAND:

TOWNSHIP OF PUSLINCH
Part Lot 24
Concession 9

The Land Division Committee, having regard to the provisions in the Ontario Planning Act R.S.O. 1990, as amended and having regard also to the Provincial Policy Statement conclude that:

In the matter of an application Linda Hayden pursuant to Subsections 53 (23, 24 & 26) of the Planning Act, R. S. O. 1990 as amended for consent to change a condition of approval which was imposed on Provisional Consent B42/12 (lot line adjustment 10.06m fr x 112.69m = 0.11 hectares to abutting Linda Hayden rural residential use), being Part of Lot 24, Concession 9, Township of Puslinch and specifically Condition No. 4 regarding the number of deposited reference plans **PROVISIONAL CONSENT IS GRANTED SUBJECT NOW TO THE FULFILMENT OF NINE CHANGED CONDITIONS OF APPROVAL.** The Land Division Committee has the opinion that Condition No. 4 may be changed to require the Owner's solicitor to provide **two (2)** copies of a full print of that deposited reference plan after receipt of the owner's agent submitting a letter for this request. Notice of this change of condition will be provided to the applicants, their agent, Township of Puslinch and Wellington County Planning Department.

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

THE 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 of the Ontario Municipal Board issued in respect of the appeal.

The LAND DIVISION COMMITTEE ALSO ADVISES THE APPLICANT THAT WRITTEN NOTICE of this DECISION WAS GIVEN by the Land Division Committee's Secretary-Treasurer on JUNE 19, 2013. All conditions of approval must be fulfilled NO LATER THAN 4:00 p.m. on JUNE 20, 2014.

CHANGED CONDITIONS OF APPROVAL TO BE FULFILLED:

- 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 and 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 **including the Form 4 Certificate and Application for Consolidation of Parcels document for the consented parcel and the abutting lands to which the consented parcel is to be added** for Consent B42/12.
- 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 two (2) full print copies 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** surveyed distances are provided from the Hohenadel barn and manure storage to the closest point of the severed parcel confirming compliance with Minimum Distance Separation 1 (MDS1) 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.

NOTICE OF DECISION ON CHANGE OF CONDITION, APPLICATION B 42/12, continued:

PLEASE BE ADVISED:

1. Additional information regarding this application for consent is available to the public for inspection at the County of Wellington Land Division Office, 74 Woolwich Street, Guelph ON N1H 3T9 during regular business hours, Monday through Friday, holidays excepted.
2. You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have either made a written request to be notified of the decision to give or refuse to give provisional consent or made a written request to be notified of changes to the conditions of the provisional consent.
3. Only individuals, corporations or public bodies may appeal decisions in respect of applications for consent to the Ontario Municipal Board. A notice of appeal may be filed on behalf of an unincorporated association by a person who is a member of the association but not by the association.

WE, the undersigned



Shawn Watters



John Green



Lou Maieron



Bruce Whale



Chris White

CONCURRED TO GRANT A CHANGE OF CONDITIONS FOR PROVISIONAL CONSENT B42/12 ON
JUNE 13, 2013

AN APPEAL TO THE ONTARIO MUNICIPAL BOARD IN RESPECT OF THIS DECISION OR
CONDITION(S) OF APPROVAL MUST BE FILED WITH THE SECRETARY-TREASURER OF THE LAND
DIVISION COMMITTEE NO LATER THAN 4:00 p.m. ON July 9, 2013

I certify that these two pages are the decision of the County of Wellington Planning and Land Division
Committee with respect to this request for a change of condition on provisional consent B42/12.

DATED: JUNE 19, 2013

SIGNED: Deborah Twidest

RECEIVED

JUN 21 2013

Township of Puslinch

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

CLERK'S DEPARTMENT	
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Please Handle	
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Council Agenda	July 17/13
File	

JUNE 19 2013

EXPLANATION OF APPEAL PROCEDURES

DEAR SIR or MADAM:

Attached is a **Notice of Decision for a Change of Condition on Application for Consent B41/12** pursuant to the provisions of the Ontario Planning Act.

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APPLICANT – Linda Hayden AGENT – Jeff Buisman MUNICIPALITY – Puslinch Township
COUNTY PLANNING DEPARTMENT

I.G.# 9

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

ONTARIO PLANNING ACT, Subsections 53 (23, 24)

NOTICE of DECISION re REQUEST FOR CHANGE of CONDITION

On Application B41/12

APPLICANT:

Linda Hayden
 4399 Victoria Rd S. RR#1
 Puslinch ON N1H 6H9

LOCATION of LAND:

TOWNSHIP OF PUSLINCH
 Part Lot 24
 Concession 9

The Land Division Committee, having regard to the provisions in the Ontario Planning Act R.S.O. 1990, as amended and having regard also to the Provincial Policy Statement conclude that:

In the matter of an application Linda Hayden pursuant to Subsections 53 (23, 24 & 26) of the Planning Act, R. S. O. 1990 as amended for consent to change a condition of approval which was imposed on Provisional Consent B41/12 (to sever 19.94m fr x 112.7m = 0.23 hectares rural residential), being Part of Lot 24, Concession 9, Township of Puslinch and specifically Condition No. 4 regarding the number of deposited reference plans **PROVISIONAL CONSENT IS GRANTED SUBJECT NOW TO THE FULFILMENT OF NINE CHANGED CONDITIONS OF APPROVAL.** The Land Division Committee has the opinion that Condition No. 4 may be changed to require the Owner's solicitor to provide **two (2)** copies of a full print of that deposited reference plan after receipt of the owner's agent submitting a letter for this request. Notice of this change of condition will be provided to the applicants, their agent, Township of Puslinch and Wellington County Planning Department.

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- 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 B41/12.
- 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 two (2) full print copies of that deposited reference plan(s)** to the secretary-treasurer of the Planning and Land Division Committee.
- 5) **THAT** the Owner receive approval from the applicable road authority in a manner deemed acceptable to that road authority for an entrance to the retained parcel; and further that the applicable authority file a letter of clearance of this condition with the Secretary-Treasurer of the Planning and Land Division Committee as written proof of fulfillment of this condition.
- 6) **THAT** the Owner satisfy all the requirements of the local municipality, financial and otherwise which the local municipality 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 Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 7) **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.
- 8) **THAT** surveyed distances are provided from the Hohenadel barn and manure storage to the closest point of the severed parcel confirming compliance with Minimum Distance Separation 1 (MDS1) 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.
- 9) **THAT** the Owner receive zoning compliance and classification from the Local Municipality in a manner deemed acceptable by the Local Municipality; and that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

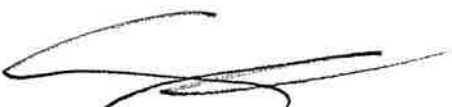
..... End of Conditions of Approval; see page two for signatures and dates

NOTICE OF DECISION ON CHANGE OF CONDITION, APPLICATION B 41/12 ____, continued:

PLEASE BE ADVISED:

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WE, the undersigned


Shawn Watters


John Green


Lou Maieron


Bruce Whale


Chris White

CONCURRED TO GRANT A CHANGE OF CONDITIONS FOR PROVISIONAL CONSENT B41/12 ON
JUNE 13, 2013

AN APPEAL TO THE ONTARIO MUNICIPAL BOARD IN RESPECT OF THIS DECISION OR
CONDITION(S) OF APPROVAL MUST BE FILED WITH THE SECRETARY-TREASURER OF THE LAND
DIVISION COMMITTEE NO LATER THAN 4:00 p.m. ON

July 9, 2013

I certify that these two pages are the decision of the County of Wellington Planning and Land Division
Committee with respect to this request for a change of condition on provisional consent B41/12.

DATED: JUNE 19, 2013

SIGNED: Deborah Turlet