



## AGENDA

### COMMITTEE OF ADJUSTMENT:

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

Committee of Adjustment minutes held August 8, 2017 be adopted

4. **APPLICATIONS FOR MINOR VARIANCE OR PERMISSION** under section 45 of the Planning Act to be heard by the Committee this date: **(See Attachment B)**

- 4(a) **Minor Variance Application D13/GUT – Lorna Guthrie** – Property described as Concession 9 Part Lot 7, 857 Watson Rd S., Township of Puslinch.

Requesting relief from provisions of Zoning By-Law #19/85, as amended, to permit a minimum lot frontage of 21.3 metres.

- 4(b) **Minor Variance Application D13/MOR – Andrew Morgan** – Property described as Concession 5 Part Lot 6, 4751 Wellington Road 32, Township of Puslinch.

Requesting relief from provisions of Zoning By-Law #19/85, as amended, to permit the construction of a detached garage with a maximum height of 5.92 metres (19.42 feet) on a property less than 1 hectare.

- 4(b(i)) **Minor Variance Application D13/MOR – Andrew Morgan** - Request to waive application fee **(See Attachment C)**

5. **ADJOURNMENT OF COMMITTEE OF ADJUSTMENT**

### PLANNING & DEVELOPMENT ADVISORY COMMITTEE

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

Planning & Development Advisory Committee meeting minutes held Tuesday August 8, 2017 be adopted.

**9. APPLICATIONS FOR SITE PLAN URBAN DESIGN REVIEW**

- None

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

- 10(a) Zoning By-law Amendment Application D14/UNI – University of Guelph Mill Creek Pit Amendment** – Property described as Rear Lot 24, Concession 1, municipally known as 7115 Concession 2, Township of Puslinch

**11. LAND DIVISION (See Attachment F)**

- 11(a) Severance Application B109/17 (D10/FRO)** – Glenn & Yvonne Frosch, Part Lots 1-3, Concession Gore, municipally known as 6505 Concession 1.

Proposed lot line adjustment 71.9 ha with 437m frontage, existing agricultural use to be added to abutting rural residential lot – Robert & Lisa Frosch.

Retained parcel is 0.72 ha with 95m frontage, existing and proposed rural residential use with existing dwelling, barn & shed. Existing drive shed to be removed.

- 11(b) Severance Application B113/17 (D10/GEO)** – Wayne & Leslie George, Part Lot 19, Concession 8 municipally known as 0 Brock Road.

Proposed severance is 0.93 hectares with 53.4m frontage, existing vacant land for proposed rural residential use.

Retained parcel is 9.9 hectares with 170m frontage, existing and proposed agricultural use with existing barn & shed.

**12. OTHER MATTERS**

- 12(a) Proposed Site Plan Control By-law (See Attachment G)**

Proposed By-law to amend By-law 16/08 – Kelly Patzer to present

**13. CLOSED MEETING**

- no matters

- 14. NEXT MEETING** Tuesday October 10<sup>th</sup> @ 7:00 p.m.

**15. ADJOURNMENT**



## **MINUTES**

### **MEMBERS PRESENT:**

Councillor John Sepulis, Chair  
Dan Kennedy  
Deep Basi  
Dianne Paron

### **MEMBERS ABSENT:**

Dennis O'Connor

### **OTHERS IN ATTENDANCE:**

Kelly Patzer – Development Coordinator  
Michelle Innocente – County of Wellington  
Andrew Morgan  
Isabelle Aubert

## **1. OPENING REMARKS**

- The meeting was called to order at 7:00 pm. The Chair welcomed the gallery to the Committee of Adjustment meeting and informed the gallery Township Staff would present the application, then the applicant would have the opportunity to present the purpose and details of the application and provide any further relevant information. Following this, the public can obtain clarification, ask questions and express their views on the proposal. The members of the Committee can then obtain clarification, ask questions and express their views on the proposal. All application decisions are subject to a 20 day appeal period.

## **2. DISCLOSURE OF PECUNIARY INTEREST**

- none

## **3. APPROVAL OF MINUTES**

Moved by Deep Basi and Seconded by Dan Kennedy,

That the minutes of the Committee of Adjustment meeting held Tuesday July 11, 2017 be adopted.

CARRIED

### **4(a) Minor Variance Application D13/MOR – Andrew Morgan – Property described as CON 5 FRONT PT LOT 6, 4751 Wellington Road 32, Township of Puslinch.**

Requesting relief from provisions of Zoning By-Law #19/85, as amended, to permit the construction of a detached garage with a maximum height of 9.4 metres (31 feet) on a property less than 1 hectare.

- Kelly Patzer outlined the application and that no objections were received from the circulated agencies or public. The County of Wellington Planning opinion stated that it did not consider the application minor and recommended two conditions of approval including that the accessory structure is only used for personal storage and cannot be used for business purposes or habitation.
- Kelly Patzer indicated there are regulations in the Zoning By-law that address the conditions but it is to the discretion of the committee to impose the conditions.
- Andrew Morgan, owner, shared a letter of support from neighbouring residents with the Committee. He indicated the future plan for the property is to plant large 10 foot trees along the north side of the property and 20 foot tall trees in the front and side yard.

- Andrew Morgan remarked he has a number of classic cars he has always worked on for his personal enjoyment. He works in automation and is away from his home approximately 70 hours a week and will not be using the garage for the purpose of a home occupation. He will not be using the loft for an accessory apartment and it will be used to store all of his spare car parts that were previously kept at a shop he rented.
- There were no comments or questions from the public.
- Dianne Paron stated the accessory building is 2½ times the size of the house which would not be considered accessory to the main house use.
- Andrew Morgan indicated that he plans to add a second story to his house in a year and currently has a building permit submitted for some minor modification to the house.
- Dianne Paron asked if the accessory building will have plumbing.
- Andrew Morgan indicated there is a rough-in for plumbing on the plans but they may be removed if there are septic capacity issues.
- Deep Basi noted concerns for the environment with the automotive use of the garage.
- Andrew Morgan remarked that there will be a trough built to a sump pit and the foundation walls will be 6" up from the floor so there will not be any contaminants leaking out of the building.
- Kelly Patzer stated the application was circulated to Source Water Protection for comments but none were received. Source Water Protection is again notified at Building Permit for any concerns to be addressed.
- John Sepulis asked Michelle Innocente for a review of County Planning's position.
- Michelle Innocente, Senior Planner County of Wellington noted the request is for a height 85% greater than the permitted height which is significant. The Agricultural zoning permits detached accessory buildings, but when you look at the definition of accessory in the zoning by-law it is described as incidental, subordinate and exclusively devoted to the main use on the property. Conditions of the variance were included to ensure the "accessory building" use stays accessory.
- Michelle Innocente addressed the desirability of the accessory building, remarking that it is challenging to assess if a building of the proposed scale is desirable for the property.
- John Sepulis questioned if the application for a significant change in height is not minor, would a rezoning be more appropriate.
- Michelle Innocente indicated that a rezoning application could be more appropriate for a substantial height increase of the accessory building.
- There were no further questions.

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

1. Construct a detached garage with a maximum height of 9.4 metres (31 feet) on a property less than 1 hectare; whereas, Zoning By-law 19-85, Section 3.1(c) states no accessory building or structure in any zone shall exceed 5 metres in height.

The Committee all voted in opposition to the motion and the request is hereby **Denied**.

CARRIED

## 5. ADJOURNMENT

Moved by Deep Basi and Seconded by Dianne Paron,

The Committee of Adjustment meeting adjourned at 7:26 p.m.

CARRIED





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

**APPLICATION:** D13/GUT  
**OWNER:** Lorna Guthrie  
**AGENT:** Nancy Shoemaker, BSRD  
**LOCATION:** 857 Watson Road S  
**REPORT DATE:** September 7, 2017  
**HEARING DATE:** September 12, 2017 @ 7:00 p.m.

---

**VARIANCE REQUESTED FROM ZONING BY-LAW 19/85:**

To permit a 21.3 metre lot frontage to accommodate a proposed severance; whereas, Zoning By-law 19-85, Section 6.3(b) requires a minimum lot frontage of 25 metres.

**CONDITIONS RECOMMENDED BY THE TOWNSHIP:**

None

---

**TOWNSHIP OF PUSLINCH ZONING BY-LAW 19/85**

**Section 6 – Hamlet Residential Zone**

**6.3 Zone Requirements**

**(a) LOT AREA (MINIMA)**

(i) single detached dwelling - 1 390 m<sup>2</sup>

(ii) other uses - 1 860 m<sup>2</sup>

**(b) LOT FRONTAGE (MINIMUM) - 25 m**

**PROPOSED TOWNSHIP OF PUSLINCH FIRST DRAFT COMPREHENSIVE ZONING BY-LAW**

Minimum Lot Frontage in Hamlet Residential Zone – 20 Metres

**COUNTY OF WELLINGTON PLANNING OPINION:**

The applicant is proposing a lot frontage of 21.3 metres. The variance requested would provide relief from Section 6.3(b) to allow a reduction in lot frontage of 3.7 metres. This application would satisfy a condition of severance application B86/16 which was granted approval (subject to conditions) by the County Land Division Committee. The minor variance applies to the severed lands of B86/16.

The minor variance application would maintain the general intent and purpose of the Official Plan and Zoning By-law, and is desirable and appropriate for the development of the subject property. We consider the request minor and have no concerns with the application.

**CONSERVATION AUTHORITY (GRCA):**

Not regulated.

**BUILDING DEPARTMENT:**

No concerns.

**FIRE DEPARTMENT:**

No concerns.

**PUBLIC WORKS AND PARKS DEPARTMENT:**

No comments.

**PUBLIC COMMENTS:**

None received.

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



## PLANNING REPORT for the TOWNSHIP OF PUSLINCH

Prepared by the County of Wellington Planning and Development Department

**DATE:** August 30, 2017  
**TO:** Kelly Patzer, Development Coordinator  
Township of Puslinch  
**FROM:** Michelle Innocente, Senior Planner  
County of Wellington  
**SUBJECT:** **MINOR VARIANCE APPLICATION D13 GUT (Lorna Guthrie)**  
**857 Watson Road South**  
**Part Lot 7, Concession 9, Township of Puslinch**

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

### Planning Opinion

The applicant is proposing a lot frontage of 21.3 metres. The variance requested would provide relief from Section 6.3(b) to allow a reduction in lot frontage of 3.7 metres. This application would satisfy a condition of severance application B86/16 which was granted approval (subject to conditions) by the County Land Division Committee. The minor variance applies to the severed lands of B86/16.

The minor variance application would maintain the general intent and purpose of the Official Plan and Zoning By-law, and is desirable and appropriate for the development of the subject property. We consider the request minor and have no concerns with the application.

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

Section of By-law	Required	Proposed
Section 6.3(b) Hamlet Residential, Zone Requirements, Lot Frontage	The By-law requires a minimum lot frontage of 25 metres.	A lot frontage of 21.3 metres.

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

Four Tests	Discussion
That the requested variance is <b>minor</b> in nature	<ul style="list-style-type: none"><li>We consider the variance minor in terms of impact.</li></ul>
That the intent and purpose of the <b>Zoning By-law</b> is maintained	<ul style="list-style-type: none"><li>The subject lands are zoned Hamlet Residential (HR)</li><li>A singled detached dwelling is a permitted use within the Hamlet Residential (HR) Zone.</li></ul>
That the general intent and purpose of the <b>Official Plan</b> is maintained	<ul style="list-style-type: none"><li>The property is designated Hamlet Area in the County Official Plan.</li><li>A single detached dwelling is a permitted use in the Hamlet Area designation.</li></ul>

Four Tests	Discussion
That the variance is <b>desirable</b> for the appropriate development and use of the land, building or structure	<ul style="list-style-type: none"> <li>• The properties to the north and south of the subject parcel are established and in separate ownership. In this case, the existing singled detached dwelling has existed with this frontage which appears to be functional.</li> <li>• We are satisfied that the reduced frontage is sufficient in this case and desirable form the appropriate development and use of the land.</li> </ul>

In conclusion, planning staff is of the opinion that the requested variance **does meet the four tests** of the *Planning Act*. I trust that these comments will be of assistance to the Committee in their consideration of this matter. We would appreciate a copy of the Committee's decision with respect to this application.

Respectfully submitted  
County of Wellington Planning and Development Department




---

Michelle Innocente, BES, BSc, RPP  
Senior Planner



The Corporation of  
The Township of Puslinch  
7404 Wellington Rd. 34  
Puslinch, ON N0B 2J0  
(Tel) 519-763-1226  
(Fax) 519-763-5846  
kpatzer@puslinch.ca

**COMMITTEE OF ADJUSTMENT**  
**NOTICE OF PUBLIC HEARING**

**MINOR VARIANCE APPLICATION #D13/GUT**

Please take note that under Section 45(1), of the *Planning Act*, the Committee of Adjustment of the Township of Puslinch will hear the application of:

**Name of Owner:** Lorna Guthrie  
**Agent:** Nancy Shoemaker, BSRD  
**Location:** 857 Watson Road S  
Part Lot 7, Concession 9, RP 61R11296 Parts 2 & 3  
Township of Puslinch, County of Wellington

**Meeting Place:** Council Chambers  
Township of Puslinch Municipal Office  
7404 Wellington Road 34

**Date:** 7:00 p.m. Tuesday September 12, 2017

**Zone Requirements:** Comprehensive Zoning By-law 19/85, as amended:

Section of By-law	Requirements	Proposed
Section 6.3(b) Hamlet Residential Zone Requirements, Lot Frontage	The by-law requires a minimum lot frontage of 25 metres	Requesting a lot frontage of 21.3 metres

**An aerial map and site sketch is included below as part of this notice.**

This is a Public Hearing and if you are aware of any persons interested or affected by this application and who have not received a copy of this notice, you are hereby requested to inform them. Any person may attend the Public Hearing to make a verbal presentation in support of or in opposition to the proposed variance. Additional information regarding this application is available to the public prior to the Hearing and may be obtained by contacting the Township during normal working hours. **If you wish to submit written comments on this application, you are requested to forward such comments to the Secretary-Treasurer of the Committee at the address shown above prior to the Hearing or you may e-mail your comments to: kpatzer@puslinch.ca. Please be advised that since this is a public process, any written comments will be provided to the applicant.**

The applicant, or his agent, is requested to attend the Hearing of this application. In the event the applicant/agent does not attend, the Committee may defer the application to a future meeting or the application may be considered without any further input from the applicant or his agent.

WHERE THE SUBJECT PROPERTY IS WITHIN 60 METRES OF AN APPROVED PLAN OF SUBDIVISION OR CONDOMINIUM AND NOTICE HAS BEEN PROVIDED TO THE OWNER, THE TOWN REQUESTS THAT ALL PROSPECTIVE PURCHASERS WHO MAY BE AFFECTED BE NOTIFIED OF THIS APPLICATION.

If you wish to be notified of the Decision of the Township of Puslinch Committee of Adjustment in respect of this application, you must submit a written request to the Secretary-Treasurer of the Committee of Adjustment. This will also entitle you to be advised of any Ontario Municipal Board Hearing. Even if you are the successful party, you should request a copy of the decision, as the Committee of Adjustment decision may be appealed to the Ontario Municipal Board by the applicant or another member of the public.

To appeal the decision to the Ontario Municipal Board, send a letter to the Secretary-Treasurer of the Township of Puslinch Committee of Adjustment outlining the reasons for the appeal. You must enclose the appeal fee of \$300 for each application appealed, paid by cheque made payable to the Ontario Minister of Finance.

---

Kelly Patzer  
Secretary-Treasurer, Township of Puslinch

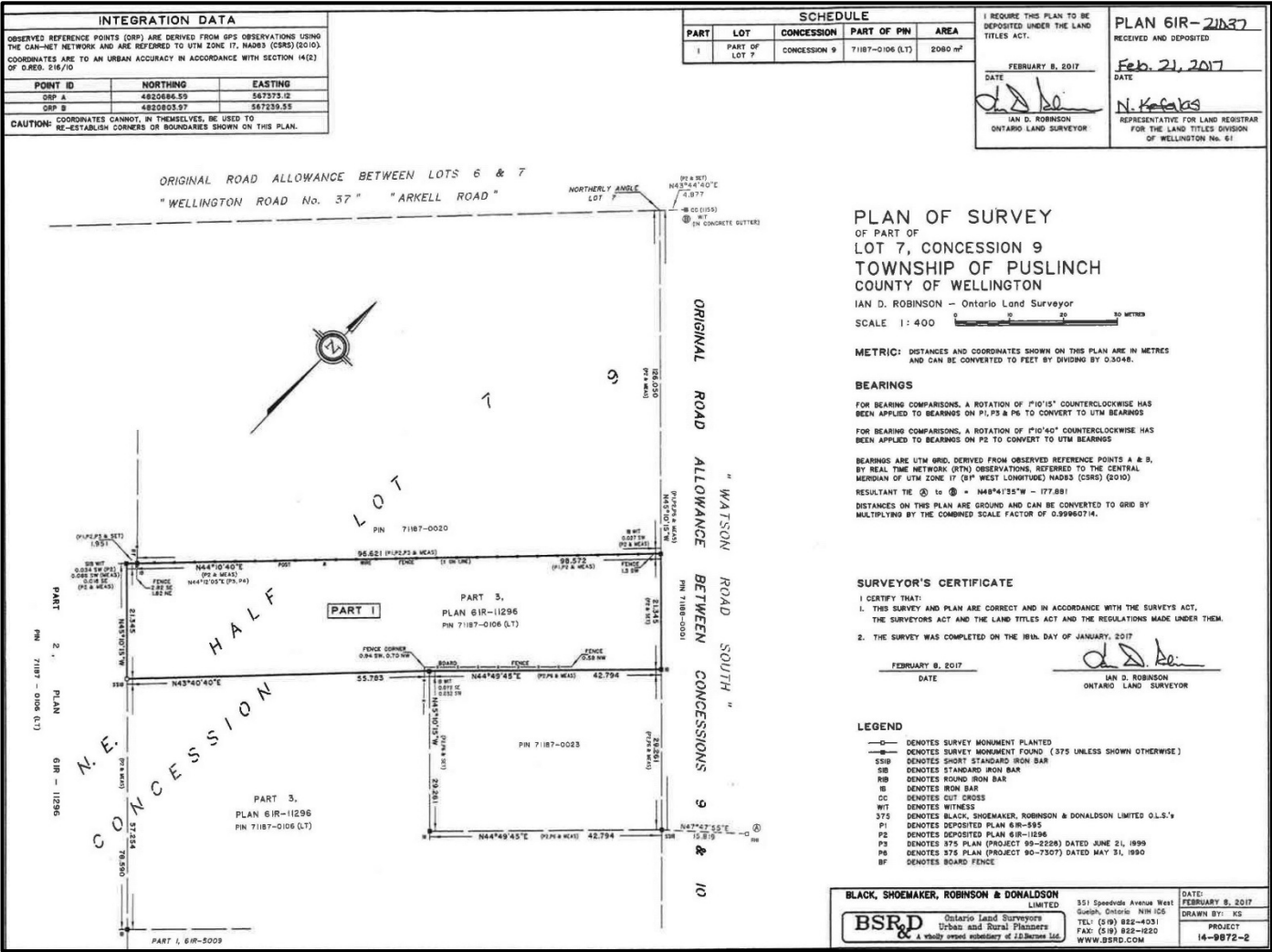
DATED: August 25, 2017  
Copied to: CofA Committee Members, Property owners within 60m, Sarah Wilhelm, County of Wellington, Michelle Innocente, County of Wellington, Adam French, CBO, M. Roess, Fire D. Creed Roads; Bell Canada



Aerial: Parcel severed from 857 Watson Road S



Site Plan:



BLACK, SHOEMAKER, ROBINSON & DONALDSON  
LIMITED



351 Speedvale Avenue West  
Guelph, Ontario N1H 1C6

TEL: 519-822-4031  
FAX: 519-822-1220

August 2, 2017

Project: 14-9872

Ms. Kelly Patzer  
Development Coordinator  
Township of Puslinch  
7404 Wellington Road 34  
Puslinch, Ontario  
N0B 2J0

RECEIVED  
AUG 02 2017  
Township of Puslinch

Dear Ms. Patzer:

**Re: Applications for Minor Variance  
Watson Road South  
Condition of Consent Application B86/16  
Owner: Lorna Margaret Guthrie**

---

Please find enclosed an "Application for Minor Variance" for the above-noted property. Also enclosed is a cheque payable to the Township of Puslinch in the amount of \$676.00 to cover the Township's processing fees. Finally, I have included a sketch illustrating the original consent and the Reference Plan showing the size of the consented parcel.

In accordance with condition 7 of the Land Division Committee approval, the owner is to make application to the Township to recognize a reduced lot frontage of 21.3 metres in lieu of the Minimum Lot Frontage requirement of 25 metres for properties located within the Hamlet Residential Zone.

Should you require any additional information in support of this application, please call me.

Yours very truly

**BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED**

  
**Nancy Shoemaker, B.A.A., M.C.I.P., R.P.P.**

Attachments

Copy: Lorna Margaret Guthrie





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

## **Minor Variance or Permission Application**

### **General Information:**

#### **1. Applicant Information:**

**Registered Owner's Name(s):** Lorna Margaret Guthrie

**Address:** 49 Edinburgh Road South

**City:** Guelph

**Postal Code:** N1H 5P2

**E-mail Address:** \_\_\_\_\_

**Telephone Number:** \_\_\_\_\_

**Fax:** \_\_\_\_\_

**Applicant (Agent) Name(s):** Black, Shoemaker, Robinson & Donaldson Limited

**Address:** 351 Speedvale Avenue West

**City:** Guelph

**Postal Code:** N1H 1C6

**E-mail Address:** [REDACTED]

**Telephone Number:** [REDACTED]

**Fax:** [REDACTED]

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

None

Send correspondence to: Owner: ☐ Agent ☒ Other: \_\_\_\_\_

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

Municipal address: Watson Road South (between 845 & 853)

Concession: 9 Lot: Part Lot 7

Registered Plan Number: Part of Part 3, Plan 61R-11296

Area: 0.2 ha      Depth: 98.5 m      Frontage: 21.3 m  
0.5 ac      323.1 ft      69.9 ft

Width of road allowance (if known): 20 metres

**Reason for Application:**

**3. Please indicate the Section of the Planning Act under which this application is being made. Select one:**

☒ Section 45(1) relates to a change to a by-law standard (e.g. setbacks, frontage, height, etc.); or

☐ Section 45(2) relates to a change to or expansion of an existing legal non-conforming use.

**4. What is the nature and extent of the relief that is being applied for? (please specifically indicate on sketch).**

The owner is seeking relief from Section 6 (3) (b) of the Zoning By-law which requires a Minimum Lot Frontage of 25 metres.

The proposed lot has a minimum frontage of 21.3 metres.

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

The north and south lot lines of this parcel have already been established and the properties to the north and south are in separate ownerships. As such it is not possible to meet the Minimum Lot Frontage requirements of the Zoning By-law

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

Official Plan Designation: Hamlet Area

Zoning Designation: Hamlet Residential (HR)

**7. What is the access to the subject property?**

Provincial Highway:

☐

Continually maintained municipal road:

☒

Seasonally maintained municipal road:

☐

Other: ☐ (please specify below)

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

Watson Road South

**9. If access is by water only, please describe the parking and docking facilities used or to be used and the approximate distance of these facilities from the subject land to the nearest public road.**

N/A

### Existing and Proposed Service:

#### 10. Indicate the applicable water supply and sewage disposal:

Water Supply/Sewage Disposal:	Existing:	Proposed:
Municipal Water:	<input type="checkbox"/>	<input type="checkbox"/>
Communal Water:	<input type="checkbox"/>	<input type="checkbox"/>
Private Well:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other Water Supply:	<input type="checkbox"/>	<input type="checkbox"/>
Municipal Sewers:	<input type="checkbox"/>	<input type="checkbox"/>
Communal Sewers:	<input type="checkbox"/>	<input type="checkbox"/>
Private Septic:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other Sewage Disposal:	<input type="checkbox"/>	<input type="checkbox"/>

#### 11. How is storm drainage provided?

Storm Sewers: ☐

Ditches: ☒

Swales: ☒

Other means: ☐ (explain below)

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

**12. What is the existing use of:**

The subject property? Single Detached Residential Dwelling

The abutting properties? Single Detached Residential to north & south. Horse Farm to the west.

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

Building Details:	Existing:		Proposed:	
Type of Building(s)/ structures	SF Dwelling		None	
Main Building height	4.5 m	15 ft.	m	ft.
*Percentage lot coverage	16% m	16% ft.	m	ft.
*Number of parking spaces	2	2		
*Number of loading spaces	N/A			
Number of floors	1	1		
Total floor area	132 m <sup>2</sup>	1,420 ft <sup>2</sup>	m <sup>2</sup>	ft <sup>2</sup>
Ground floor area (exclude basement)	132 m <sup>2</sup>	1,420 ft <sup>2</sup>	m <sup>2</sup>	ft <sup>2</sup>

**14. What is the location of all buildings existing and proposed for the subject property? (specify distances from front, rear and side lot lines)**

Building Details:	Existing:		Proposed:	
Front Yard	7.02 m	23.03 ft.	m	ft.
Rear Yard	75.0 m	246.0 ft.	m	ft.
Side Yards	9.44 & 2.13 m	30.9 & 6.9 ft.	m	ft.

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

Date of acquisition of subject property: November 2012

Date of construction of buildings property: unknown - early 1900's

**16. How long have the existing uses continued on the subject property?** 100 years +/-

**17. Has the owner previously applied for relief in respect of the subject property?**

Yes ☐ No ☒

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

----------------------

**Other Related Planning Applications:**

**18. Has an application for any of the following on the subject lands?**

Planning Application:	Yes:	No:	File Number:	Approval Authority:	Subject Lands	Purpose:	Status:
Official Plan Amendment	<input type="checkbox"/>	<input checked="" type="checkbox"/>					
Zoning By-Law Amendment	<input type="checkbox"/>	<input checked="" type="checkbox"/>					
Plan of Subdivision	<input type="checkbox"/>	<input checked="" type="checkbox"/>					
Consent (Severance)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	B86/16	Wellington County	Yes	Severance	Conditional approval
Site Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>					
Minor Variance	<input type="checkbox"/>	<input checked="" type="checkbox"/>					





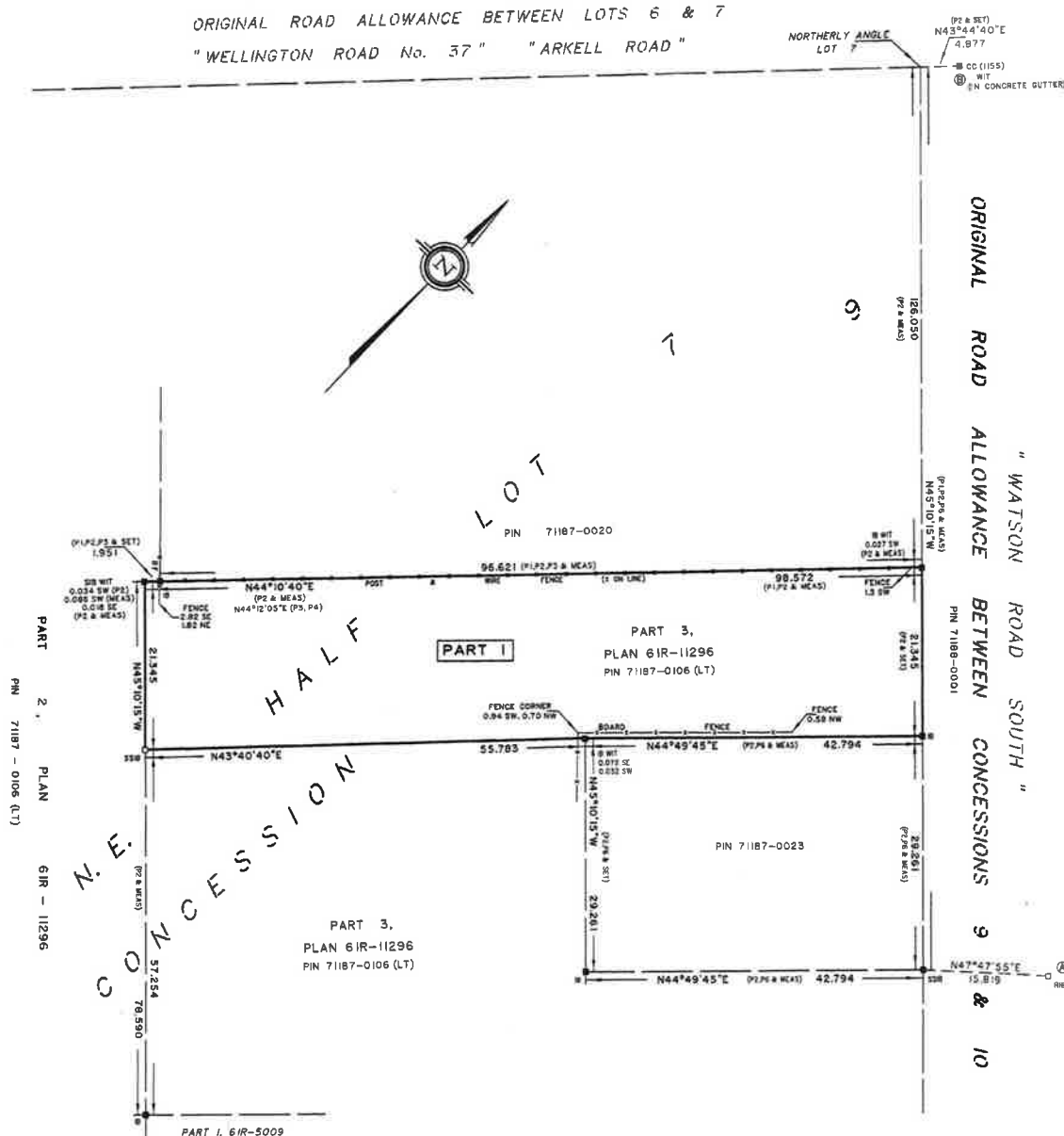
# INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORP) ARE DERIVED FROM GPS OBSERVATIONS USING THE CAN-NET NETWORK AND ARE REFERRED TO UTM ZONE 17, NAD83 (CSRS) (2010). COORDINATES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14(2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
ORP A	4820686.59	567373.12
ORP B	4820803.97	567239.55

CAUTION: COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

ORIGINAL ROAD ALLOWANCE BETWEEN LOTS 6 & 7  
"WELLINGTON ROAD No. 37" "ARKELL ROAD"



SCHEDULE				
PART	LOT	CONCESSION	PART OF PIN	AREA
1	PART OF LOT 7	CONCESSION 9	71187-0106 (LT)	2080 m <sup>2</sup>

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

FEBRUARY 8, 2017

DATE

IAN D. ROBINSON  
ONTARIO LAND SURVEYOR

PLAN 61R-21837

RECEIVED AND DEPOSITED

Feb. 21, 2017

DATE

N. Kefakis  
REPRESENTATIVE FOR LAND REGISTRAR  
FOR THE LAND TITLES DIVISION  
OF WELLINGTON No. 61

## PLAN OF SURVEY OF PART OF LOT 7, CONCESSION 9 TOWNSHIP OF PUSLINCH COUNTY OF WELLINGTON

IAN D. ROBINSON - Ontario Land Surveyor

SCALE 1:400



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

### BEARINGS

FOR BEARING COMPARISONS, A ROTATION OF 1°10'15" COUNTERCLOCKWISE HAS BEEN APPLIED TO BEARINGS ON P1, P3 & P6 TO CONVERT TO UTM BEARINGS

FOR BEARING COMPARISONS, A ROTATION OF 1°10'40" COUNTERCLOCKWISE HAS BEEN APPLIED TO BEARINGS ON P2 TO CONVERT TO UTM BEARINGS

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A & B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010)

RESULTANT TIE @ to @ = N48°41'35"W - 177.881

DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99960714.

### SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 18th DAY OF JANUARY, 2017

FEBRUARY 8, 2017

DATE

IAN D. ROBINSON  
ONTARIO LAND SURVEYOR

### LEGEND

- DENOTES SURVEY MONUMENT PLANTED
- DENOTES SURVEY MONUMENT FOUND (375 UNLESS SHOWN OTHERWISE)
- SSIB DENOTES SHORT STANDARD IRON BAR
- SIB DENOTES STANDARD IRON BAR
- RIB DENOTES ROUND IRON BAR
- IB DENOTES IRON BAR
- CC DENOTES CUT CROSS
- WIT DENOTES WITNESS
- 375 DENOTES BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED O.L.S.'s
- P1 DENOTES DEPOSITED PLAN 61R-595
- P2 DENOTES DEPOSITED PLAN 61R-11296
- P3 DENOTES 375 PLAN (PROJECT 99-2226) DATED JUNE 21, 1999
- P6 DENOTES 375 PLAN (PROJECT 90-7307) DATED MAY 31, 1990
- BF DENOTES BOARD FENCE

BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED

BSR&D

Ontario Land Surveyors  
Urban and Rural Planners  
A wholly owned subsidiary of J.D.Burns Ltd.

351 Speedvale Avenue West  
Guelph, Ontario N1H 1C6  
TEL: (519) 822-4031  
FAX: (519) 822-1220  
WWW.BSRD.COM

DATE: FEBRUARY 8, 2017  
DRAWN BY: KS  
PROJECT 14-9872-2



## ATTACHMENT B(b)

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

**APPLICATION:** D13/MOR  
**OWNER:** Andrew Morgan  
**AGENT:** owner  
**LOCATION:** 4751 Wellington Road 32  
**REPORT DATE:** September 7, 2017  
**HEARING DATE:** September 12, 2017 @ 7:00 p.m.

---

#### **VARIANCE REQUESTED FROM ZONING BY-LAW 19/85:**

To permit a maximum height of 5.92 metres (19.42 feet) for a detached garage (accessory building); whereas, Zoning By-law 19-85, Section 3.1(c) states no accessory building or structure in any zone shall exceed 5 metres in height.

#### **CONDITIONS RECOMMENDED BY THE TOWNSHIP:**

None

#### **NOTES:**

1. Accessory Apartments are not permitted within an accessory building under Zoning By-law 19/85.
  2. The maximum size for a home occupation is a maximum of 25% of the total dwelling unit area under Zoning By-law 19/85.
- 

#### **TOWNSHIP OF PUSLINCH ZONING BY-LAW 19/85**

##### **Section 3 – General Provisions**

##### **3.1 Accessory Uses**

##### **(a) ACCESSORY USES PERMITTED IN ALL ZONES**

Where this By-Law permits a lot to be used or a building or structure to be erected or used for a purpose, that purpose shall include any building, structure or use accessory thereto, except that no home occupation or accessory dwelling unit shall be permitted in any zone other than a zone in which such a use is specifically listed as a permitted use.

##### **(c) HEIGHT RESTRICTIONS**

No accessory building or structure in any zone shall exceed five metres in height. Notwithstanding the foregoing, on lots in excess of 1 hectare within an Agricultural (A) Zone, no accessory building or structure shall exceed 7 metres in height.

Township staff notes that the property is 0.78 hectares (1.92 acres)

## **PROPOSED TOWNSHIP OF PUSLINCH FIRST DRAFT COMPREHENSIVE ZONING BY-LAW**

Maximum height of an accessory building is 5 metres. Lots with an area greater than 1 hectare in the Agricultural Zone are permitted a maximum accessory building height of 7 metres.

### **COUNTY OF WELLINGTON PLANNING OPINION:**

The applicant is proposing to construct a detached garage on the property. The variance requested would provide relief from Section 3.1(c) to allow an increase in building height of 0.92 metres (3 feet) for a detached garage.

There are no major concerns with this proposal. It is our opinion that this variance is minor in nature and that it meets the intent of the Zoning Bylaw and County Official Plan and is desirable and appropriate.

### **CONSERVATION AUTHORITY (GRCA):**

No objections.

### **BUILDING DEPARTMENT:**

No comments.

### **FIRE DEPARTMENT:**

No fire code issues with this application.

### **COUNTY ENGINEERING (ROADS):**

No objection

### **PUBLIC WORKS AND PARKS DEPARTMENT:**

No comments.

### **SOURCE WATER PROTECTION:**

Located in WHPA D. No requirements per the Clean Water Act beyond general education and outreach.

### **PUBLIC COMMENTS:**

None received.

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



## PLANNING REPORT for the TOWNSHIP OF PUSLINCH

Prepared by the County of Wellington Planning and Development Department

**DATE:** August 30, 2017  
**TO:** Kelly Patzer, Development Coordinator  
Township of Puslinch  
**FROM:** Michelle Innocente, Senior Planner  
County of Wellington  
**SUBJECT:** **MINOR VARIANCE APPLICATION D13 MOR (Andrew Morgan)**  
**4751 Wellington Road 32**  
**Part Lot 6, Concession 5, Township of Puslinch**

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

### Planning Opinion

The applicant is proposing to construct a detached garage on the property. The variance requested would provide relief from Section 3.1(c) to allow an increase in building height of 0.92 metres (3 feet) for a detached garage.

There are no major concerns with this proposal. It is our opinion that this variance is minor in nature and that it meets the intent of the Zoning Bylaw and County Official Plan and is desirable and appropriate.

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

Section of By-law	Required	Proposed
Section 3.1(c) General Provisions, Accessory Uses, Height Restrictions	No accessory building or structure in any zone shall exceed 5 metres in height. Notwithstanding the foregoing, on lots in excess of 1 hectare within an Agricultural Zone, no accessory building or structure shall exceed 7 metres in height.	Requesting to construct a detached garage with a maximum height of 5.92 metres (19.42 feet) on a property less than 1 hectare.

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

Four Tests	Discussion
That the requested variance is <b>minor</b> in nature	<ul style="list-style-type: none"><li>• We consider the variance minor in terms of impact.</li></ul>
That the intent and purpose of the <b>Zoning By-law</b> is maintained	<ul style="list-style-type: none"><li>• The subject lands are zoned Agricultural (A)</li><li>• A detached garage is a permitted use within the Agricultural (A) Zone.</li><li>• The detached garage is proposed to be located toward the rear of the property and is expected to function accessory to the main dwelling.</li></ul>
That the general intent and purpose of the <b>Official Plan</b> is maintained	<ul style="list-style-type: none"><li>• The property is designated Secondary Agricultural in the County Official Plan.</li><li>• Single detached homes are permitted within the Secondary Agricultural area and a detached garage would normally be considered an accessory use.</li></ul>

Four Tests	Discussion
That the variance is <b>desirable</b> for the appropriate development and use of the land, building or structure	<ul style="list-style-type: none"> <li>• The subject lot appears to be large enough to accommodate the proposed increase in height for a detached garage.</li> <li>• The variance is considered desirable and appropriate.</li> </ul>

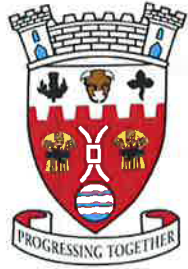
In conclusion, planning staff is of the opinion that the requested variance **does meet the four tests** of the *Planning Act*. I trust that these comments will be of assistance to the Committee in their consideration of this matter. We would appreciate a copy of the Committee's decision with respect to this application.

Respectfully submitted  
County of Wellington Planning and Development Department




---

Michelle Innocente, BES, BSc, RPP  
Senior Planner



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

## Minor Variance or Permission Application

### General Information:

#### 1. Applicant Information:

Registered Owner's Name(s):

Andrew Morgan

Address:

4751 Wellington Rd 32

City:

Guelph

Postal Code:

N1H 6J3

E-mail Address:

[REDACTED]

Telephone Number:

[REDACTED]

Fax:

\_\_\_\_\_

**Applicant (Agent) Name(s):**

Address:

\_\_\_\_\_

City:

\_\_\_\_\_

Postal Code:

\_\_\_\_\_

E-mail Address:

\_\_\_\_\_

Telephone Number:

\_\_\_\_\_

Fax:

\_\_\_\_\_

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

Send correspondence to: Owner: ☒ Agent ☐ Other: \_\_\_\_\_

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

Municipal address: 4751 Wellington Rd 32, Puslinch, On

Concession: 5 pt Lot: 6

Registered Plan Number: \_\_\_\_\_

Area: \_\_\_\_\_ ha      Depth: \_\_\_\_\_ m      Frontage: \_\_\_\_\_ m  
1.92 ac      ± 400 ft      ± 200 ft

Width of road allowance (if known): \_\_\_\_\_

**Reason for Application:**

**3. Please indicate the Section of the Planning Act under which this application is being made. Select one:**

☒ Section 45(1) relates to a change to a by-law standard (e.g. setbacks, frontage, height, etc.); or

☐ Section 45(2) relates to a change to or expansion of an existing legal non-conforming use.

**4. What is the nature and extent of the relief that is being applied for? (please specifically indicate on sketch).**

Section 7 - General Provisions, Accessory Buildings  
7(1)(c) permits a max height of 5m for accessory structures on properties less than 1ha  
Proposed: 19.42' / 5.92m



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

Ceiling height of 16' needed for 4 post hoist,  
Space needed for storage

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

Official Plan Designation: Secondary Agriculture

Zoning Designation: Agriculture

**7. What is the access to the subject property?**

Provincial Highway: ☐

Continually maintained municipal road: ☒

Seasonally maintained municipal road: ☐

Other: ☐ (please specify below)

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

Wellington Rd

**9. If access is by water only, please describe the parking and docking facilities used or to be used and the approximate distance of these facilities from the subject land to the nearest public road.**

## Existing and Proposed Service:

### 10. Indicate the applicable water supply and sewage disposal:

Water Supply/Sewage Disposal:	Existing:	Proposed:
Municipal Water:	<input type="checkbox"/>	<input type="checkbox"/>
Communal Water:	<input type="checkbox"/>	<input type="checkbox"/>
Private Well:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other Water Supply:	<input type="checkbox"/>	<input type="checkbox"/>
Municipal Sewers:	<input type="checkbox"/>	<input type="checkbox"/>
Communal Sewers:	<input type="checkbox"/>	<input type="checkbox"/>
Private Septic:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other Sewage Disposal:	<input type="checkbox"/>	<input type="checkbox"/>

### 11. How is storm drainage provided?

Storm Sewers: ☒

Ditches: ☒

Swales: ☐

Other means: ☐ (explain below)

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

**12. What is the existing use of:**

The subject property? Residential

The abutting properties? Residential

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

Building Details:	Existing:		Proposed:	
Type of Building(s)/ structures	House		Garage	
Main Building height	m	ft.	5.92 m	19.42 ft.
*Percentage lot coverage	1.25% m	ft.	4.8% m	ft.
*Number of parking spaces	NA			
*Number of loading spaces	N/A			
Number of floors	1		1	
Total floor area	92 m <sup>2</sup>	ft <sup>2</sup>	297 m <sup>2</sup>	3200 ft <sup>2</sup>
Ground floor area (exclude basement)	92 m <sup>2</sup>	ft <sup>2</sup>	297 m <sup>2</sup>	3200 ft <sup>2</sup>

**14. What is the location of all buildings existing and proposed for the subject property? (specify distances from front, rear and side lot lines)**

Building Details:	Existing:		Proposed:	
Front Yard	m	ft.	m	136 ft.
Rear Yard	m	ft.	m	224 ft.
Side Yards	m	ft.	m	10/110 ft.

Demolish existing shed

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

Date of acquisition of subject property: Oct 15/2015

Date of construction of buildings property: 1955

**16. How long have the existing uses continued on the subject property?** 1955

**17. Has the owner previously applied for relief in respect of the subject property?**

Yes ☒ No ☒

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

Applied for a height variance of ~ 30 feet

**Other Related Planning Applications:**

**18. Has an application for any of the following on the subject lands?**

Planning Application:	Yes:	No:	File Number:	Approval Authority:	Subject Lands	Purpose:	Status:
Official Plan Amendment	<input type="checkbox"/>	<input checked="" type="checkbox"/>					
Zoning By-Law Amendment	<input type="checkbox"/>	<input checked="" type="checkbox"/>					
Plan of Subdivision	<input type="checkbox"/>	<input checked="" type="checkbox"/>					
Consent (Severance)	<input type="checkbox"/>	<input checked="" type="checkbox"/>					
Site Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>					
Minor Variance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>D13/MoR Township</u>				

Date	Action
JUNE 28 2017	ISSUED FOR CLIENT REVIEW
JULY 9 2017	ISSUED FOR CLIENT REVIEW
JULY 13 2017	ISSUED FOR PHASE I
AUG. 10 2017	RE-ISSUED FOR PHASE I


THE UNDERSIGNED HAS REVIEWED  
AND TAKEN RESPONSIBILITY AND HAS  
THE QUALIFICATIONS AND MEETS  
THE REQUIREMENTS SET OUT IN  
THE ONTARIO BUILDING CODE TO  
DESIGN THE WORK SHOWN ON THE  
ATTACHED DOCUMENTS.

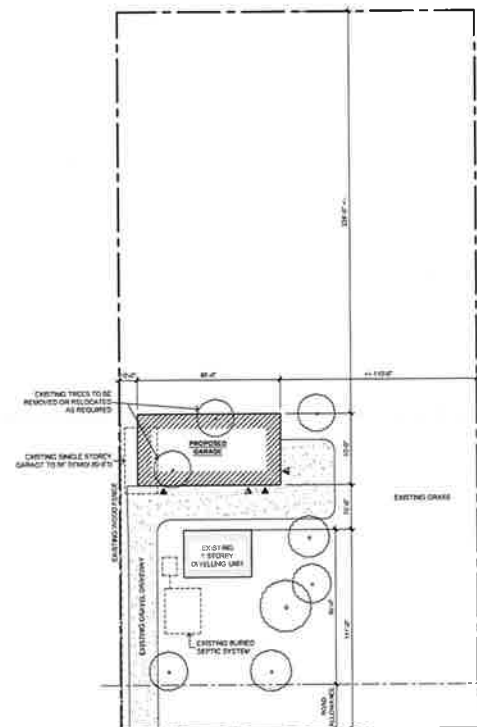
PUSH INCH ON

4794 WELLINGTON RD. SE, PUEBLO, CO 81001

 $1.752^{\circ} = 1.143^{\circ}$ 

MAY 2017  
JCH  
JDH-010-16

**SP1**



### SITE PLAN

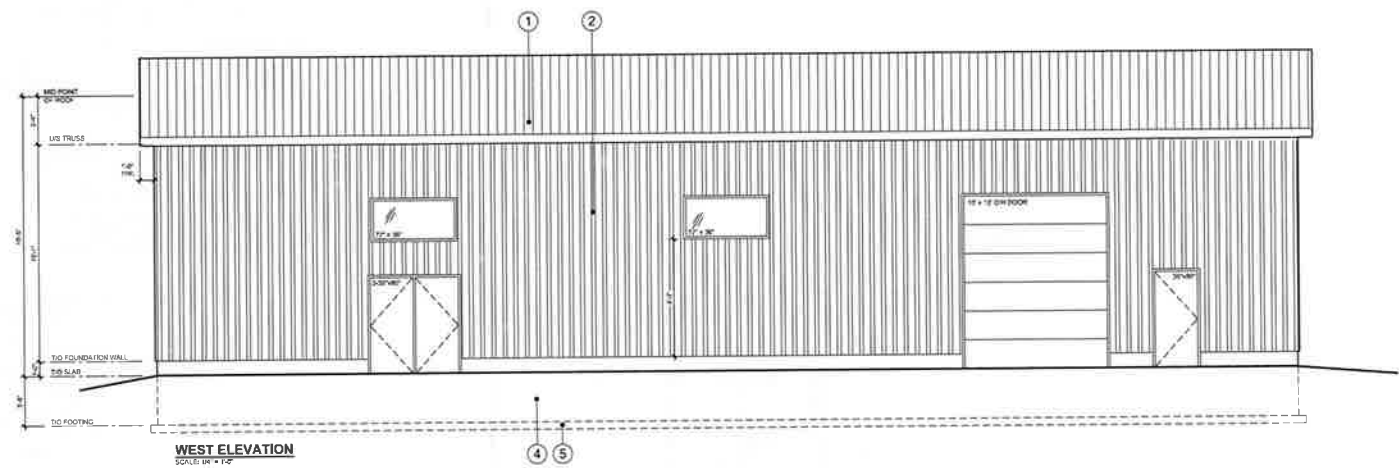
SCALE: 1/8" = 1'-0"

EXISTING BUILDING AREA	= 835 /2 (02 m <sup>2</sup> )
PROPOSED BUILDING AREA	= 3200 /2 (287 m <sup>2</sup> )
TOTAL BUILDING AREA	= 4180 /2 (389 m <sup>2</sup> )

LOT AREA = 10,950 ft<sup>2</sup> (7800 m<sup>2</sup>) 1.072 acres  
LOT COVERAGE = 4.8%

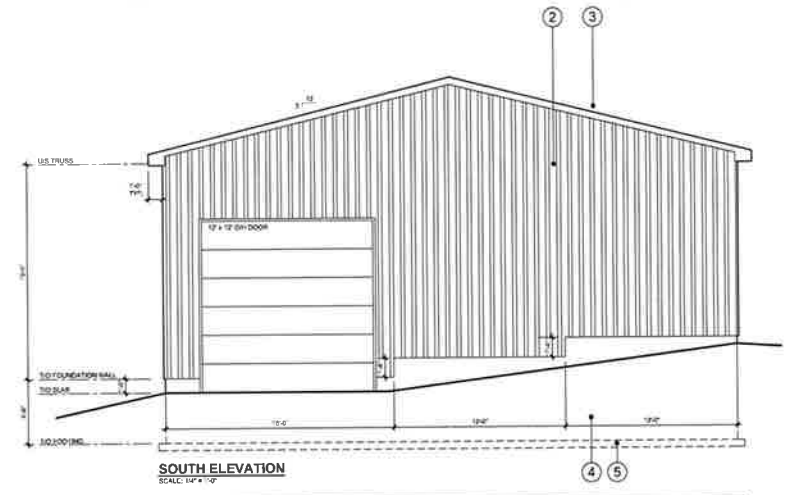
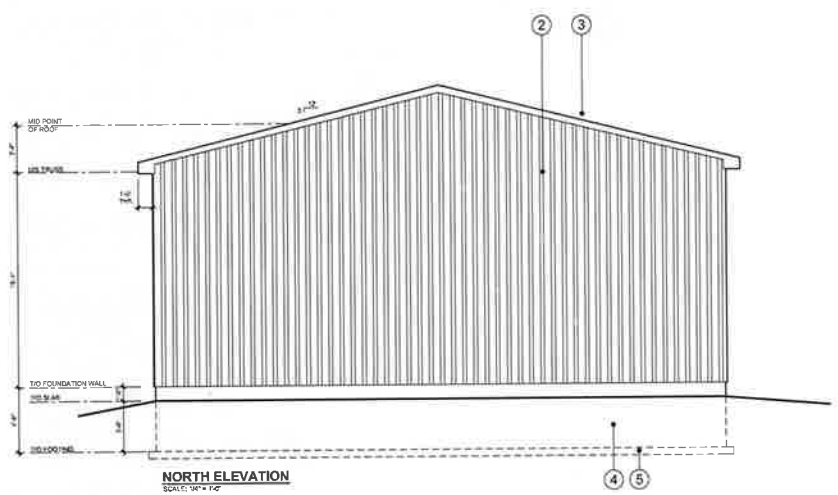
SPECIAL REPAIRS - CONSTRUCTION OF EXTERIOR WALLS										6/18/84	
INCH	AREA OF EXP (SQ)	LO (M)	UP # OF HL	PERMITS # OF CONCRETE	PROPOSED % OF EXPENSES	PER (HOURS)	LISTED EXCISE ON DESCRIPTION	CONV. CONV.	EXTERIOR REINFORCING CLOSING	NON-COST	
NORTH	24.5	22.5	164	100							
SOUTH	52.2	3.0	164	100	5%						
EAST	100.0	100.0	164	100							
WEST	100.0	100.0	164	100							

I have, document and materials of construction and are the design property of JCM Engineering & Design. This may not be reproduced, altered or copied without the expressed written consent of the undersigned (herein JCM).



ELEVATION NOTES:  
• PROVIDE THROUGH WALL (DOWN COURSE) FLASHING AT THE BASE OF EXTERIOR WALLS.  
• PROVIDE Drip Flashing OVER ALL OPENINGS.

- ELEVATION MATERIALS:
- 1 20ga. PREPARED STEEL ROOFING (COLOUR BY OWNER)
  - 2 20ga. PREPARED STEEL SIDING (COLOUR BY OWNER)
  - 3 PREPARED METAL FASCIA & SOFFIT
  - 4 FORMED CONCRETE FOUNDATION WALL
  - 5 POLYESTER CONCRETE FOOTING



DATE	REVISION
JUNE 20 2017	ISSUED FOR CLIENT REVIEW
JUL 19 2017	REVISED FOR CLIENT REVIEW
AUG 15 2017	REVISED FOR PERMIT
AUG 15 2017	REVISED FOR PERMIT

DATE	REVISION

TACOMA ENGINEERS FIRM NO. 19556

THE UNDERSIGNED HAS REVIEWED AND TAKEN RESPONSIBILITY AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO DESIGN THE WORK SHOWN ON THE ATTACHED DOCUMENTS.

JOHN HILL 38854  
NAME SIGNATURE BCN

**ANDREW MORGAN**  
PUB INCH ON

**NEW GARAGE**  
4751 WELLINGTON RD 32 - PUSLUNCH ON

**BUILDING ELEVATIONS**



1/4" = 1'-0"	A2
MAY 2017	
JCH	
JOHN HILL 38854	

[illegible][illegible]

1. ALL WORK ON THIS PROJECT SHALL CONFORM TO THE 2012 ONTARIO BUILDING CODE

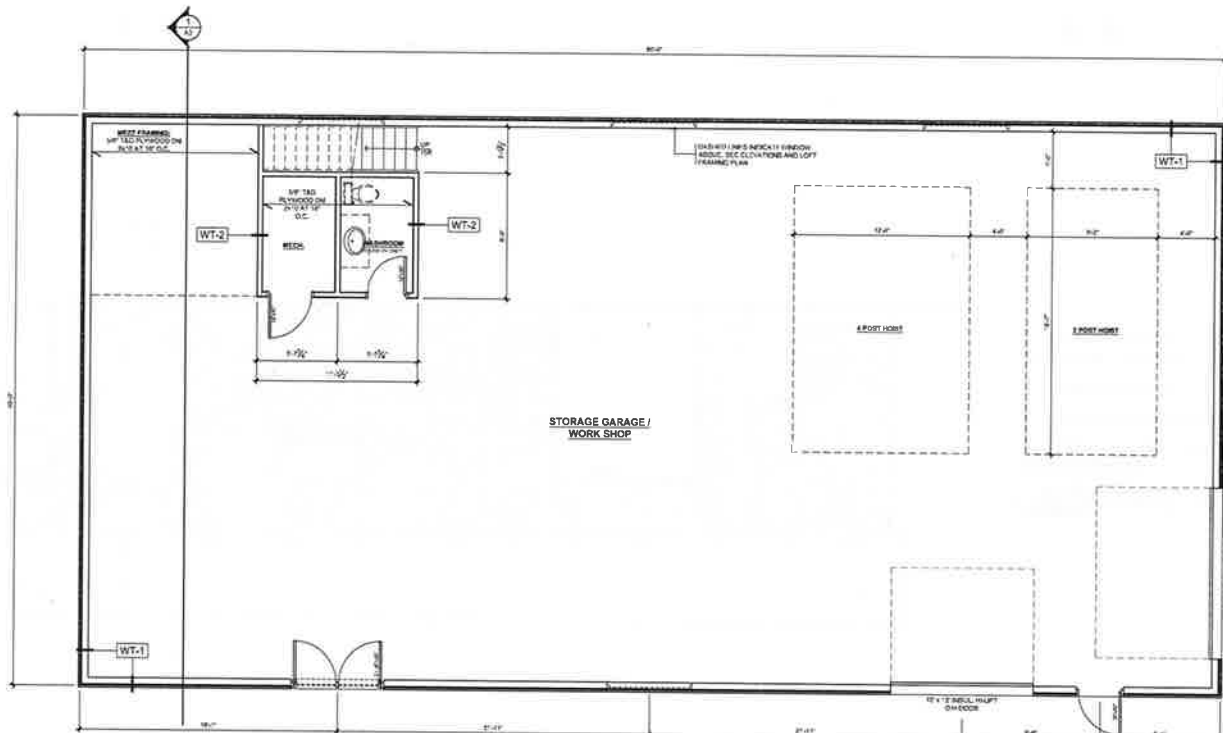
1. SNOW LOAD = 1.4 kPa (PART B DESIGN S<sub>s</sub> = 1.9 kPa QUELPH)
2. ROOF DEAD LOAD = 0.75 kPa
3. MEZZ FLOOR DEAD LOAD = 0.5 kPa
4. OCCUPANCY LIFT LOAD = 7.1 kPa (STORAGE)
5. WIND PRESSURE  $q_{bz}$  = 0.48 kPa
6. ASSUMED SOIL BEARING CAPACITY = 75 kPa
7. GUARDE TO BE BUILT ACCORDING TO QBC 707.56-F, U.L.O.
8. BUILDING IS NOT INTENDED FOR OCCUPANCY ON A CONTINUING BASIS THROUGH THE WINTER MONTHS. SB-10 COMPLIANCE IS NOT REQUIRED.

- \* BUILDING AREA (FOOTPRINT) =  $3200/2 = 2975 \text{ m}^2$
- \* TOTAL FLOOR AREA =  $3429 \text{ m}^2$
- \*\* MAIN FLOOR =  $3200 \text{ m}^2$
- \*\* MID LEVEL LANDING AREA =  $229 \text{ m}^2$

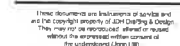
WALL SCHEDULE		
MARK	WALL DESCRIPTION	DETAIL
WTF-1	STG. 1 STG. 2 STG. 3 (20' ON RT. CHINE) 4" WOOD SHEATHING AT 24" O.C. 1/2" GYPSUM BOARD (1/2" ON 2 EQUAL) 1" X 2" CDS 24" O.C. - END 2" STUDS AT 16" O.C. 2" INS. BLOWING AT 16" O.C. 1/2" GYPSUM BOARD (OPTIONAL) THE POLY VAPOR BARRIER (OPTIONAL) 1/2" GYPSUM BOARD (OPTIONAL)	
WTF-2	1" F. BRICKS CM AT 16" O.C. 1" F. BRICK	

NOTES:

1. PROVIDE SILL GASKET BELOW ALL EXTERIOR WALL SILL PLATES.
2. SEPARATE WALL SILL PLATES FROM CONCRETE w/ 5/8" POLY SLIP SHEET OR PROVIDE PRESSURE TREATED SILL PLATES.
3. TIE EXTERIOR WALL SILL PLATES TO FOUNDATIONS WALL w/ 120 x 12" LONG HOOKS & ANCHOR BOLTS AT 6" O.C. AND EACH SIDE OF EACH OPENING.



## FLOOR PLAN



Date	Event
JUNE 28 2011	ISSUED FOR CLIENT REVIEW
JUL 10 2011	ISSUED FOR CLIENT REVIEW
JUL 13 2011	ISSUED FOR PERMIT
AUG 10 2011	RE-ISSUED FOR PERMIT

No.	Date	Remarks

TACOMA ENGINEERS FIRM BCN-29606

THE UNDERSIGNED HAS REVIEWED  
AND TAKEN RESPONSIBILITY AND HAS  
THE QUALIFICATIONS AND MEETS  
THE REQUIREMENTS SET OUT IN  
THE ONTARIO BUILDING CODE TO  
DESIGN THE WORK SHOWN ON THE  
ATTACHED DOCUMENTS

JOHN HILL	27064
NAME	SIGNATURE

ANDREW MORGAN

PULSE-BLOCK ONE

## NEW GARAGE

4751 WELLINGTON RD. 22 • PULBACH, OH

### MAIN FLOOR PLAN

MAY 2017  
 JCH  
 JCH 10-18

## A1



**From:** [Andrew Morgan](#)  
**To:** [Kelly Patzer](#)  
**Subject:** Re: Minor Varaince Application  
**Date:** September-05-17 6:04:24 AM

---

I was unclear as to what the protocols were for the last meeting, had I known I could have asked for a continence, or a deferral, in place of a new set of plans I'd have done it. Would it be possible to waive the second fee, since that's basically what is happening now?

On Mon, Aug 21, 2017 at 9:00 AM, Kelly Patzer <[kpatzer@puslinch.ca](mailto:kpatzer@puslinch.ca)> wrote:

Hi Andrew,

I have attached the existing application. The following are the items that needed amended:

#4 please add the height you're requesting. I had written what is required and you are to add in the max height requested.

# 13 will need to be amended for the total floor area

#3 – the first box is to be checked (Section 45(1))

#17 – Yes and describe the height requested

#18 – Minor variance – Yes – File D13/MOR Status - denied

Here is the link to the application: <http://www.puslinch.ca/en/living-here/applications-licences-and-permits.asp> it's #16

Best Regards,

**Kelly Patzer**

Development Coordinator

Township of Puslinch

[\(519\) 763-1226](tel:(519)763-1226)

[www.puslinch.ca](http://www.puslinch.ca)



## **MINUTES**

### **MEMBERS PRESENT:**

Councillor John Sepulis, Chair  
Dan Kennedy  
Dianne Paron  
Deep Basi

### **MEMBERS ABSENT:**

Dennis O'Connor

### **OTHERS IN ATTENDANCE:**

Kelly Patzer – Development & Legislative Coordinator  
Michelle Innocente – County of Wellington  
Andrew Morgan  
Isabelle Aubert  
Jeff Buisman

### **1 - 5. COMMITTEE OF ADJUSTMENT**

- See August 8, 2017 Committee of Adjustment Minutes.

### **DEVELOPMENT APPLICATIONS**

#### **6. OPENING REMARKS**

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

#### **7. DISCLOSURE OF PECUNIARY INTEREST**

- None

#### **8. APPROVAL OF MINUTES**

Moved by Dan Kennedy, Seconded by Dianne Paron

- That the minutes of the July 11<sup>th</sup>, 2017 Planning & Development Advisory Committee Meeting are hereby adopted.

CARRIED

#### **9. APPLICATIONS FOR SITE PLAN APPROVAL**

- None

#### **10. ZONING BY-LAW AMENDMENTS**

- None

#### **11. LAND DIVISION**

##### **11(a) Severance Application B81/17 (D10/PED) – John Pedersen, Part Lot 10, Concession 1, municipally known as 4214 Sideroad 10 South.**

Proposed severance is 7037 sq m with rural residential use, vacant land for proposed rural residential use. Retained parcel is 9158 square metres with 68.69m frontage, existing and proposed rural residential use.

Note: Related Lot line adjustment application B41/16. This application is to prevent lots created by severance with consent B82/15 from merging on title.

Moved by Deep Basi, Seconded by Dianne Paron that the following comments be forwarded to the County of Wellington Land Division Committee:

- No comments

CARRIED

**11(b) Severance Application B90/17 (D10/OOS)** – Edward & Dianne Oosterveld, Part Lot 2, West of Blind Line, Registered Plan 131 municipally known as 268 Carter Road.

Proposed severance is 0.6 hectares with 50m frontage, existing and proposed rural residential use with existing dwelling. Retained parcel is 1.9 hectares with 190m frontage, existing and proposed rural residential use. Existing shop to be removed.

Moved by Dianne Paron, Seconded by Dan Kennedy that the following comments be forwarded to the County of Wellington Land Division Committee:

- The shop on the retained lands is to be removed.

CARRIED

**11(c) Severance Application B91/17 (D10/NIC)** – Gregory Nichol & Tracey Hawkins, Part Lot 23, Concession 8, municipally known as 4414 Victoria Road S.

Proposed severance is 0.4 hectares with 38m frontage, vacant bush for proposed rural residential use. Retained parcel is 3.7 hectares with 100m frontage, existing and proposed rural residential use with existing dwelling, shop, shed & pond.

- John Sepulis expressed concern that the application to reduce the lot area under the required 1 acre could be precedent setting.
- Sarah Wilhelm remarked that as long as servicing can be achieved and Building has no objections, the reduction in lot size would be considered minor.

Moved by Deep Basi, Seconded by Dan Kennedy that the following comments be forwarded to the County of Wellington Land Division Committee:

- No comments

CARRIED

**11(d) Lot Line Adjustment Application B93/17 (D10/WES)** – Hubert & Elizabeth Wesseling, Part Lot 15, Concession 3, municipally known as 4574 Wellington Road 35.

Proposed lot line adjustment is 7m fr x 249m = 0.1 hectares (Severed 1 on sketch), vacant land to be added to abutting rural residential lot - Jeffrey Wesseling & Margarida Fontes. Retained parcel is 3.4 hectares with 47.4m frontage, existing and proposed rural residential and bush with existing dwelling & pool.

Moved by Dianne Paron, Seconded by Dan Kennedy that the following comments be forwarded to the County of Wellington Land Division Committee:

- No comments

CARRIED

**11(e) Severance Application B94/17 (D10/WES)** – Hubert & Elizabeth Wesseling, Part Lot 15, Concession 3, municipally known as 4574 Wellington Road 35.

Proposed severance is 0.4 hectares with 43m frontage (Severed 2 on sketch), existing and proposed rural residential use with existing dwelling & shop. Retained parcel is 3.4 hectares with 47.4m frontage, existing and proposed rural residential and bush with existing dwelling & pool.

Moved by Deep Basi, Seconded by Dianne Paron that the following comments be forwarded to the County of Wellington Land Division Committee:

- Driveway/entrance widths and setbacks shall meet the requirements of the Zoning By-law and Township standards for the severed and retained parcel

CARRIED

**11(f) Severance Application B95/17 (D10/MCF) – Allan McFee, Part Lot 13, Concession 10, municipally known as 4677 Watson Road S.**

Proposed severance is 0.7 hectares with 80m frontage, vacant land for proposed rural residential use. Retained parcel is 10.9 hectares with 172m frontage, existing and proposed rural residential and agricultural use with existing dwelling, garage, barn & sheds.

Moved by Dan Kennedy, Seconded by Dianne Paron that the following comments be forwarded to the County of Wellington Land Division Committee:

- Note the irregular lot shape is dictated by the MDS I calculation to the property line.

CARRIED

**11(g) Lot Line Adjustment Application B96/17 (D10/SOM) – Michele & David Somerville, Part Lot 15, Concession 3, municipally known as 4215 Wellington Road 35.**

Proposed lot line adjustment is 0.1 134 hectares with no frontage (Parcel 2 on sketch), rural residential use with part of pool and pool related equipment to be added to abutting rural residential lot - Isabelle Aubert. Retained parcel is 3.0758 hectares with 37.6m frontage, existing and proposed rural residential use with existing house.

Moved by Dianne Paron, Seconded by Deep Basi that the following comments be forwarded to the County of Wellington Land Division Committee:

- No comments

CARRIED

**12. OTHER MATTERS**

- None

**13. CLOSED MEETING**

- No matters

**14. FUTURE MEETINGS**

- Next Regular Meeting September 12, 2017 @ 7:00 p.m.

**15. ADJOURNMENT**

Moved by Dan Kennedy and Seconded by Deep Basi,

- That the Planning & Development Advisory Committee adjourns at 7:56 p.m.

CARRIED



KITCHENER  
WOODBRIDGE  
LONDON  
KINGSTON  
BARRIE  
BURLINGTON

September 6, 2017

**Kelly Patzer, Development Coordinator**  
**Township of Puslinch**  
7404 Wellington Road 34  
Puslinch, ON  
N0B 2J0

**Sarah Wilhelm, MCIP, RPP, Senior Planner**  
**County of Wellington**  
74 Woolwich Street  
Guelph, ON  
N1H 3T9

Dear Ms. Patzer & Ms. Wilhelm:

**RE: Revisions to Draft Official Plan Amendment and Zoning By-law Amendment**  
**Mill Creek Pit – Proposed Phase 6**  
**OUR FILE 9061CL**

---

On behalf of our Client, Dufferin Aggregates (a division of CRH Canada Group Inc.), we are submitting the proposed revisions to the Draft Official Plan Amendment (2016) and Draft Zoning By-law Amendment (2015) based on the revised application submitted in May 2017.

Despite the proposed revisions to the Official Plan Amendment, Dufferin maintains the position that the Official Plan Amendment is not required based on the following reasons:

- The licence area is identified as a “Licensed Aggregate Operations” on Appendix 2 of the County’s Official Plan;
- There are currently no “Mineral Aggregate Areas” identified on Schedule A of the County’s Official Plan and including this portion would be anomaly since only a tiny portion of an existing licence would be identified on the Schedule; and,
- To permit rezoning it is not a requirement to change Schedule A7 as aggregate operations are permitted within the Greenlands and Secondary Agriculture designations.

In the intent of addressing the County’s comments, Dufferin is prepared to move forward with an Official Plan Amendment as part of the application; however, in the event that the Official Plan Amendment becomes contested, Dufferin maintains the right to carry forward their position that the Amendment is not required at a later date.

Throughout your review of the proposed revisions to the Official Plan Amendment and Zoning By-law Amendment it is helpful to read alongside the attached “Figure 2” that was previously submitted. This map reflects the areas and setback that have been included in the revised Official Plan Amendment and Zoning By-law Amendment.

We look forward to the opportunity to discuss these revisions with you in advance of the Planning Development Advisory Committee meeting held on September 12, 2017.

Yours truly,

**MHBC**

A black rectangular redaction box covering the signature of Brian Zeman.

Brian Zeman, BES, MCIP, RPP  
President

cc. *Kevin Mitchell, Dufferin Aggregates (CRH Canada Group Inc.)*  
*Maria Topalovic, Dufferin Aggregates (CRH Canada Group Inc.)*  
*Stefanie Pratt, MHBC Planning*

**AMENDMENT NUMBER \_\_\_\_\_**  
**TO THE OFFICIAL PLAN FOR THE**  
**COUNTY OF WELLINGTON**

**Dufferin Aggregates  
Proposed Mill Creek Pit Expansion  
Part Lot 24, Concession 1  
Township of Puslinch**

**County File No. OP-2015-04**

February 11, 2016

**DRAFT**

**This amendment has been prepared based on the application as submitted. Please be advised that this amendment may be revised after the statutory public meeting at any point prior to County Council's consideration as a result of public input, agency comments, and further review by the County.**

AMENDMENT NUMBER \_\_\_\_  
TO THE  
COUNTY OF WELLINGTON OFFICIAL PLAN

**INDEX**

**PART A - THE PREAMBLE**

The Preamble provides an explanation of the proposed amendment including the purpose, location, and background information, but does not form part of this amendment.

**PART B - THE AMENDMENT**

The Amendment describes the changes and/or modifications to the Wellington County Official Plan which constitute Official Plan Amendment Number \_\_\_\_.

**PART C - THE APPENDICES**

The Appendices, if included herein, provide information related to the Amendment, but do not constitute part of the Amendment.



# PART A - THE PREAMBLE

## PURPOSE

The purpose of this proposed Amendment is to:

1. Change Schedule A7 of the Official Plan (the land use schedule for the Township of Puslinch) to allow for expansion of an aggregate extraction operation and accessory uses by adding the Mineral Aggregate Area to the subject land and to the map legend.
2. Change Schedule A7 of the Official Plan to remove the Greenlands designation and replace it with the Secondary Agricultural Area designation.
3. Change Schedule C of the Official Plan (Mineral Aggregate Resource Overlay) to add portions of the subject land to the overlay.

## LOCATION

The entire Mill Creek Pit aggregate operation is approximately 188 ha in size and includes the lands both north and south of Concession Road 2 which are described as Part of Lots 21, 22, 23 and 24, Concession 2 and Part Lot 24, Concession 1 in the Township of Puslinch. The land is bordered on the north by Highway 401 and has frontage on both sides of Concession 2. The property is owned by the University of Guelph and the pit is operated by Dufferin Aggregates, a division of CRH Canada Group Inc.

This amendment deals with the 42.1 ha of land on the south side of Concession Road 2, which are described as Part Lot 24, Concession 1. These lands are licensed, but only 25 ha are included in the area to be extracted. This application seeks to expand the area to be extracted by ~~6.8 ha~~ 6.53 ha which contains approximately 2.2 million tonnes of aggregate. Extraction would be above and below the water table. This area is included within the "Licensed Aggregate Operations" as shown on Appendix 2 of the Official Plan.

## BASIS

The County Official Plan provides for the establishment of new or expanded aggregate extraction operations subject to consideration of the potential impacts of such land uses on the natural environment, surrounding land uses, and the agricultural operations.

The area of the proposed expansion includes open field and a woodland, which are both vacant. The aggregate has been confirmed by testing to be over 22 metres deep above and below the water table.

The current annual tonnage limit of the Mill Creek Pit of 2,000,000 tonnes is to remain unchanged. The haul route (which is also to remain unchanged) follows Concession Road 2, Concession Road 7, McLean Road and Brock Road to access Highway 401.

The subject property is within the SECONDARY AGRICULTURAL and GREENLANDS designation of the County of Wellington Official Plan. New or expanded mineral aggregate operations shall only be established through amendment to Mineral Aggregate Area shown on Schedule 'A' of the Official Plan. To permit an expanded extraction operation, an Official Plan Amendment is required to include the remaining lands, ~~approximately 6.8 hectares~~, within the Mineral Aggregate Area.

Consideration will be given to removing ~~lands~~ 0.57 ha from the Greenlands designation for extraction. The features related to the Greenlands designation of the property are identified as significant woodlands and wildlife habitat. These features are proposed to be removed and compensated for

Deleted since the "Mineral Aggregate Area" the County has identified on Schedule A of the Amendment is all of the Phase 6 lands which include the area to be extracted and the buffer area which are already licensed. This area is greater than 6.8 hectares.

through rehabilitation. Schedule 'A' of the Official plan would need to be amended to remove ~~the associated Greenlands area~~ and replace it with the Secondary Agricultural designation.  
a small portion of the

Portions of the additional lands to be extracted are identified on Schedule "C" (Mineral Aggregate Resource Overlay) of the Official Plan. The Overlay generally identifies areas of high potential for mineral aggregate extraction. These lands have been identified based on geological information in the Ministry of Northern Development and Mines Aggregate Resources Inventory Paper report (ARIP No. 162) or are areas previously licenced by ARA for a pit or quarry. The amendment also includes a map change to include the entire proposed ~~extraction area~~ within the Schedule C overlay.  
Phase 6 area

### OTHER APPROVALS

A Major Site Plan Amendment has been submitted to the Ministry of Natural Resources and Forestry (MNRF) for the Dufferin Aggregates (DFA) Mill Creek Pit expansion. An application for zone change has also been submitted to the Township of Puslinch by the owner. A rezoning of the property from "A" Agricultural to the "EX1" Extraction Zone is also required to permit the proposed aggregate extraction operation.

### SUPPORTING INFORMATION

In support of the proposed amendments to the planning documents, Dufferin Aggregates/University of Guelph has prepared a hydrogeological assessment, archaeological assessment, natural environment assessment, noise assessment, dust assessment and planning justification report.

## PART B - THE AMENDMENT

All of this part of the document entitled **Part B - The Amendment**, consisting of the following text and map constitutes Amendment No. \_\_\_\_\_ to the County of Wellington Official Plan.

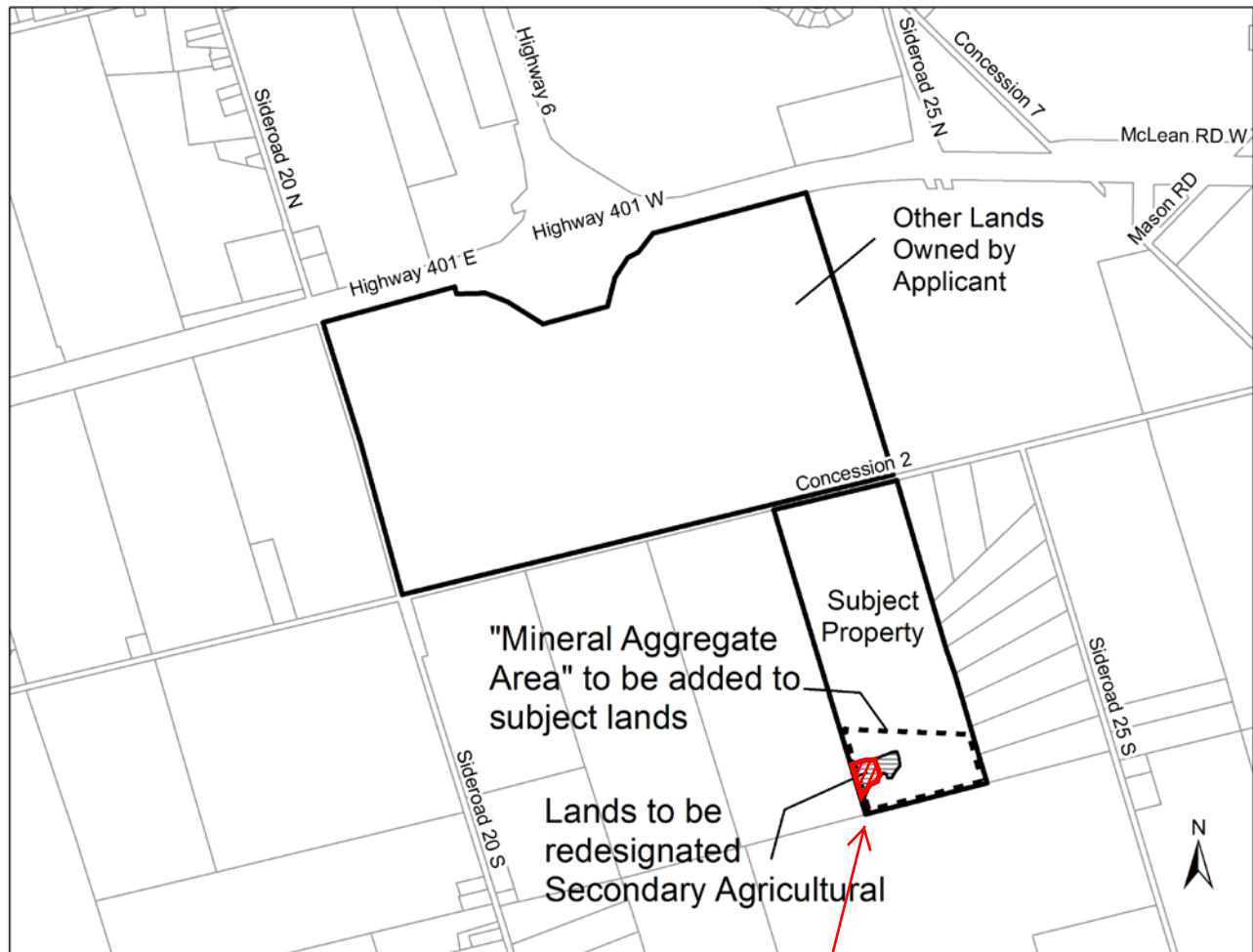
### DETAILS OF THE AMENDMENT

The Official Plan of the County of Wellington is hereby amended as follows:

1. THAT **Schedule A7 (Puslinch)** be amended by changing the designation of Part Lot 24, Concession 1, in the Township of Puslinch from Greenlands to Secondary Agricultural and by adding the Mineral Aggregate Area to the subject land as illustrated on the attached Schedule "A" of this Amendment.
2. THAT **Schedule C (Mineral Aggregate Resource Overlay)** be amended expanding the Mineral Aggregate Resource Overlay of Part Lot 24, Concession 1, in the Township of Puslinch by revising the Sand and Gravel Resources of Primary and Secondary Significance boundary as it relates to the subject land as illustrated on the attached Schedule "B" of this Amendment.

**AMENDMENT NUMBER \_\_\_\_  
TO THE  
COUNTY OF WELLINGTON OFFICIAL PLAN**

**Schedule "A"**

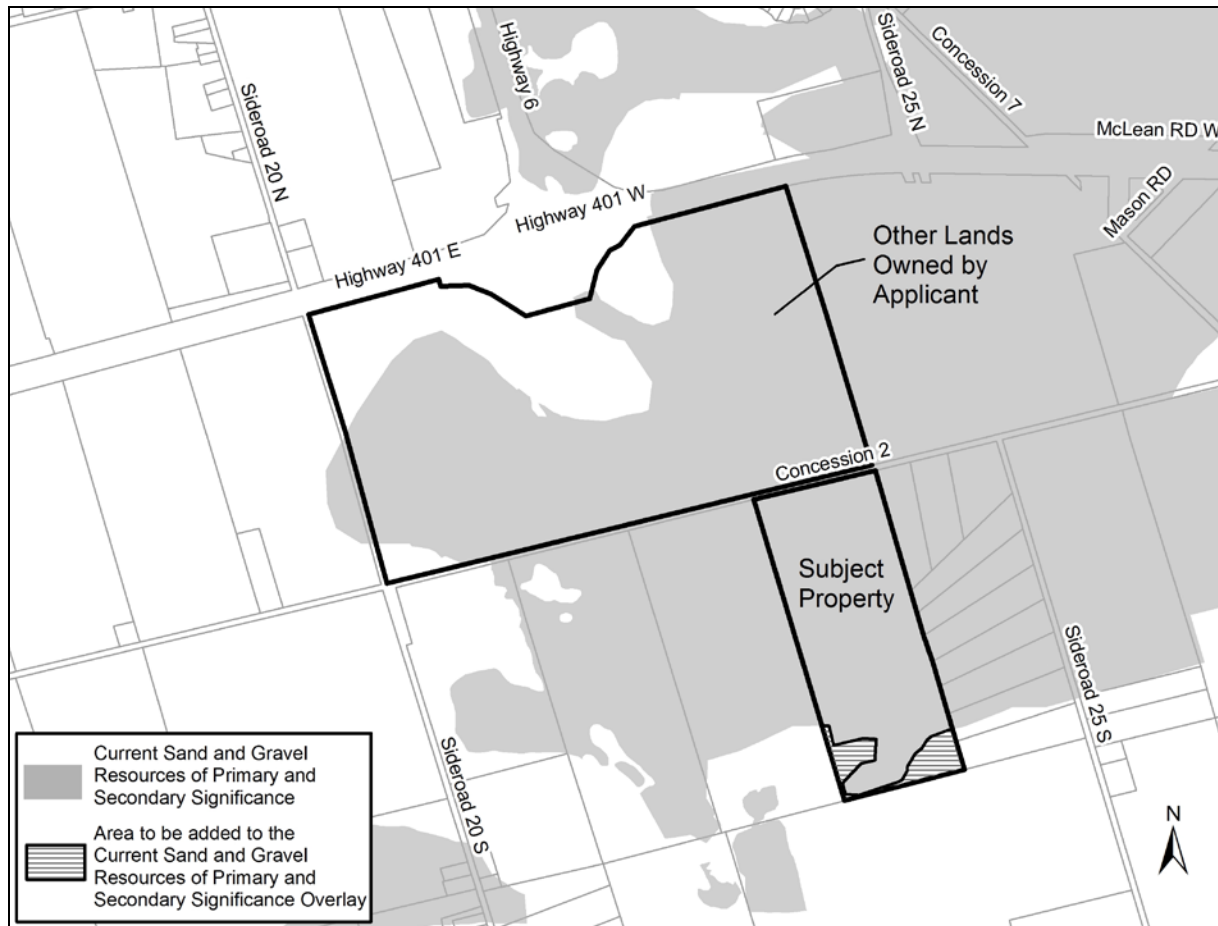


**Amendment to Schedule A7 (Puslinch)**

Area to be retained as Greenlands and should not be included in the area to be redesignated Secondary Agriculture.

**AMENDMENT NUMBER \_\_\_\_  
TO THE  
COUNTY OF WELLINGTON OFFICIAL PLAN**

**Schedule “B”**



**Amendment to Schedule “C”**

**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 Section 34 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 the southern portion of Part Lots 21, 22, 23 and 24, Concession 2 and Part Lot 24, Concession 1 in the Township of Puslinch, County of Wellington, from AGRICULTURAL (A-13) ZONE to EXTRACTIVE (EXI-?) ZONE, as shown on Schedule "A" of this By-law

and OPEN SPACE (OS-?) ZONE

2. That all uses permitted within the EXI Zone shall be permitted within the EXI-? Zone
3. That a minimum pitface setback of 15 metres shall be required for any pitface of excavation on those lands zoned EXI-? on Schedule 'A' when adjacent to an OS2 Zone and 30 metres from any A Zone.

- ~~5. 4.~~ That a minimum setback of 15 metres shall be required for any building, structure or reduce stockpile on those lands zoned EXI-? on Schedule 'A' when adjacent to an OS2 Zone and 30 metres from any A Zone.

- ~~6. 5.~~ That a minimum berming setback of 15 metres shall be required for any berm on those lands zoned EXI-? on Schedule 'A' when adjacent to an OS2 Zone. ~~and 30 metres from any A Zone.~~

4. That a minimum pitface setback of 5 metres shall be required for any pitface of excavation on those lands zoned EXI-? on Schedule 'A' when adjacent to the OS-? Zone as shown on Schedule 'A'

7. OS-? (CRH CANADA GROUP INC. - MILL CREEK PIT PHASE 6

Notwithstanding any provisions of this By-law to the contrary, the area zoned OS-? on Schedule 'A' hereto may be included within a licence issued by the Ministry of Natural Resources and Forestry to extract sand and/or gravel, but no aggregate extraction within the area zoned OS-? shall occur and further provided that the uses within this zone shall be restricted to forestry, fish and wildlife management.

8. ~~6~~. The 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 \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_

MAYOR

\_\_\_\_\_

CLERK

READ A THIRD AND PASSED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_

MAYOR

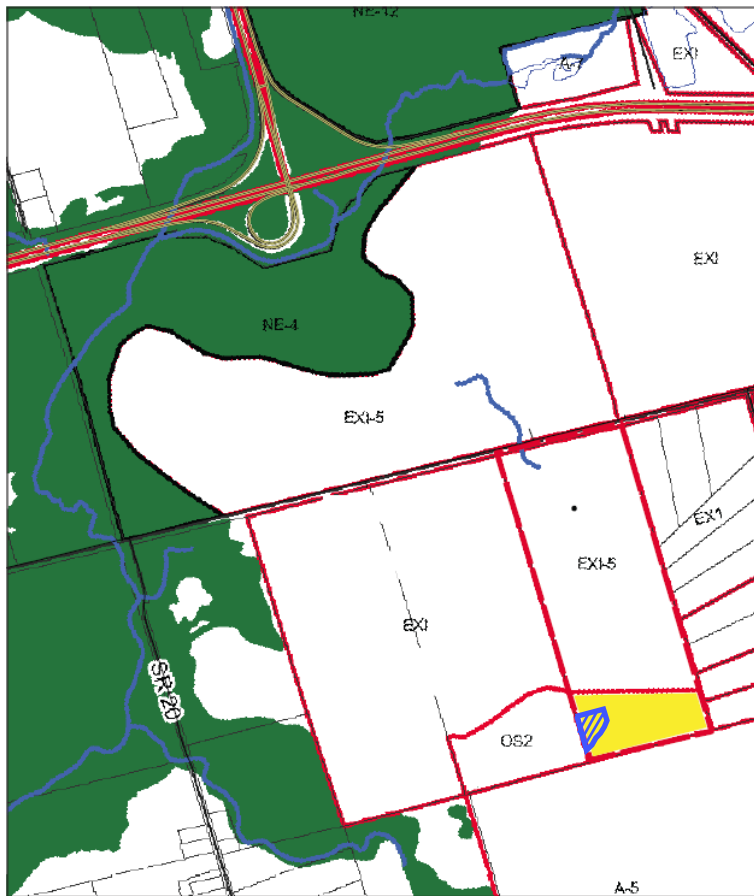
\_\_\_\_\_

CLERK

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NO. \_\_\_\_\_

SCHEDULE "A"



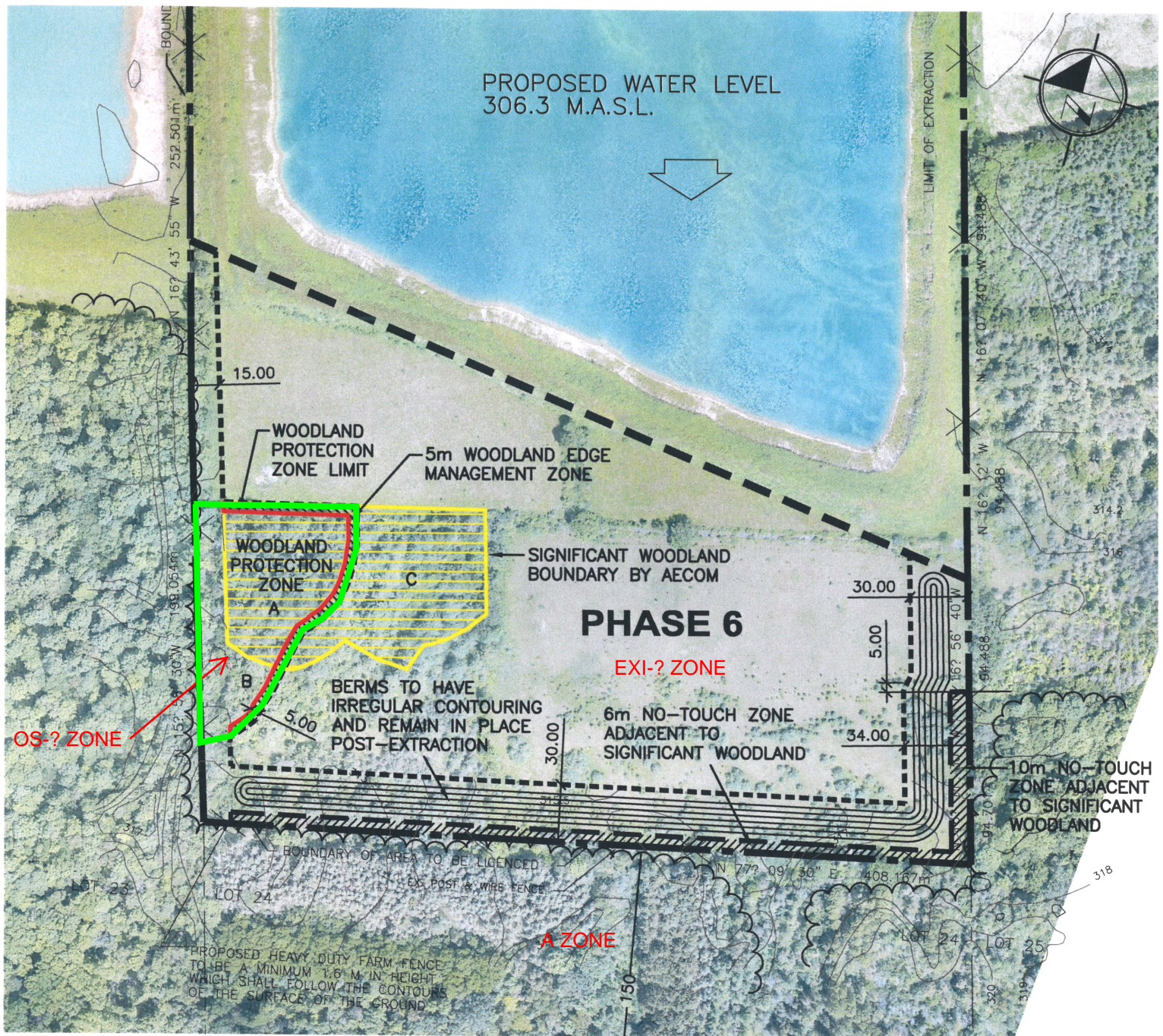
 To be rezoned from A-13 to EXI-7

 To be rezoned from A-13 to OS-7

This is Schedule "A" to By-law No. \_\_\_\_\_

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2015.





### LEGEND

- LICENSED BOUNDARY
- LIMIT OF EXTRACTION
- WOODLAND PROTECTION ZONE LIMIT
- WOODLAND PROTECTION ZONE
- PROPOSED BERM
- WOODLAND EDGE MANAGEMENT ZONE
- NO-TOUCH ZONE
- SIGNIFICANT WOODLAND

- A - WOODLAND TO BE RETAINED
- B - WOODLAND TO BE RETAINED
- C - WOODLAND TO BE REMOVED



Goodban  
Ecological  
Consulting Inc.

## FIGURE 2

### REVISED EXTRACTION FOOTPRINT MILL CREEK PIT

PART OF LOTS 21, 22, 23 AND 24, CONCESSION II  
PART OF LOT 24, CONCESSION I  
TOWNSHIP OF PUSLINCH, COUNTY OF WELLINGTON



SCALE: 1:3000

DATE: MAR. 15/17



## Dufferin Aggregates

a division of CRH Canada Group Inc.  
2200 Steeles Ave. W. Suite 400, Concord, Ontario L4K 5Y6





# MILL CREEK PIT PROPOSED PHASE 6

Dufferin Aggregates

A Division of CRH Canada  
Group Inc.

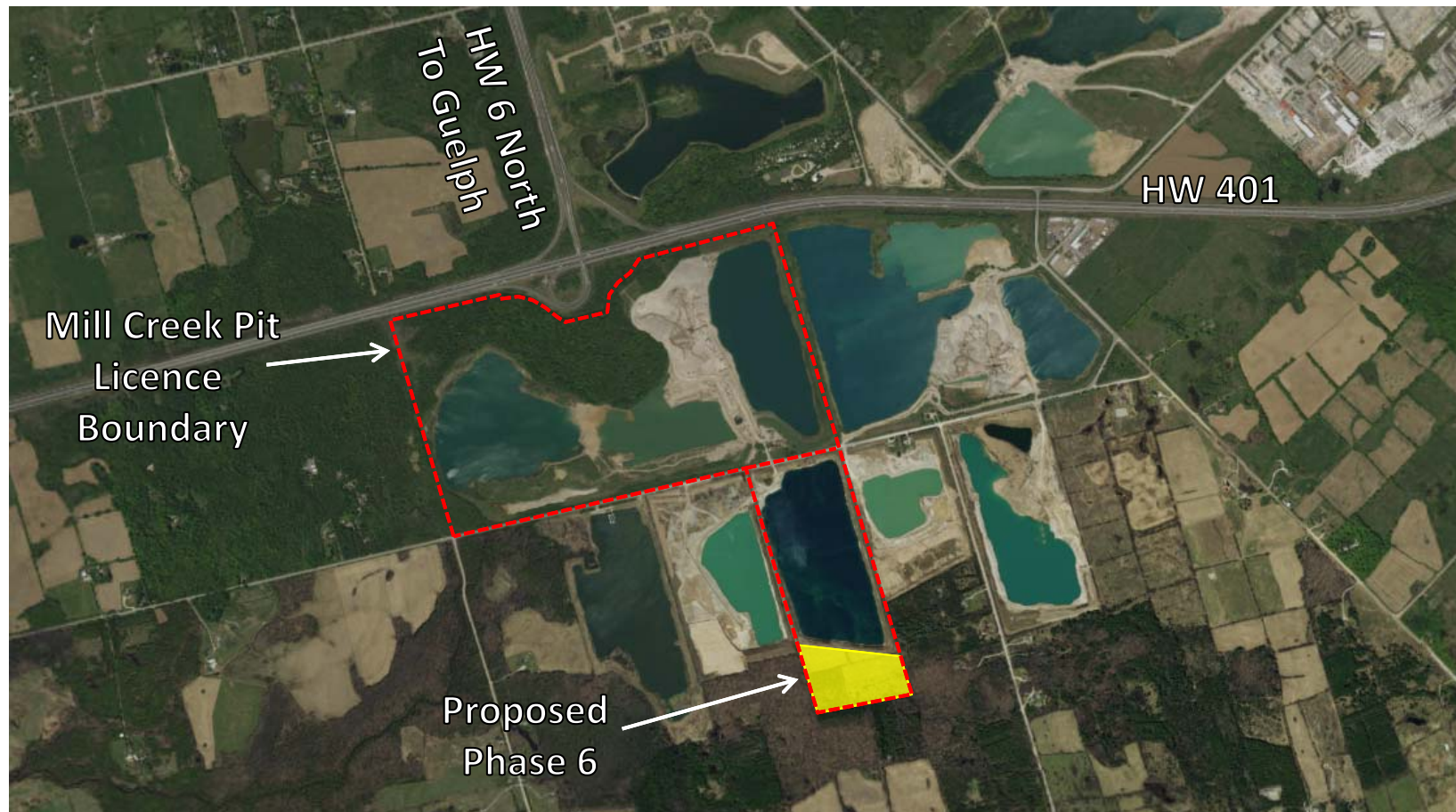


Tuesday, September 12, 2017

Brian Zeman

# Location

Proposed Phase 6: Part of Lot 24, Concession 1,  
Township of Puslinch, County of Wellington





# Mill Creek Pit Proposed Phase 6



- Existing Licence Area:  
188.6 ha
- Existing Extraction Area:  
111.7 ha
- Proposed Phase 6  
Extraction Area:  
6.53 ha

# Applications Submitted September 2015

Applications Submitted	Technical Reports Submitted
<ul style="list-style-type: none"><li>• Official Plan Amendment</li><li>• Zoning By-law Amendment</li><li>• Ministry of Natural Resources and Forestry Site Plan Amendment</li></ul>	<ul style="list-style-type: none"><li>• Site Plans</li><li>• Planning Justification Report</li><li>• Natural Environment Assessment Report</li><li>• Archaeological Assessment Report</li><li>• Noise Impact Study</li><li>• Hydrogeological Assessment Report</li></ul>

# Agency Review & Comments Submitted



# CRH's Response to Agency Comments

- The majority of comments received were related to the Natural Environment
- May 4, 2017
  - Response to all agencies' Natural Environment comments
- July 5, 2017
  - Response to Township Hydrogeology comments

# Revised Application to Address Agency Comments

- Proposed extraction area reduced from **6.8 ha to 6.53 ha**;
- Proposed woodland to be removed reduced from **1.04 ha to 0.57 ha**; and,
- Detailed Ecological Management Plan prepared for **9.08 ha**.



PROPOSED WATER LEVEL  
306.3 M.A.S.L.

0.57 ha of Woodland  
To Be Extracted

6.53 ha Proposed  
For Extraction

15.00

WOODLAND PROTECTION ZONE LIMIT

5m WOODLAND EDGE MANAGEMENT ZONE

WOODLAND PROTECTION ZONE A

C

SIGNIFICANT WOODLAND BOUNDARY BY AECOM

PHASE 6

30.00

5.00

BERMS TO HAVE IRREGULAR CONTOURING AND REMAIN IN PLACE POST-EXTRACTION

5.00

30.00

6m NO-TOUCH ZONE ADJACENT TO SIGNIFICANT WOODLAND

34.00

10m NO-TOUCH ZONE ADJACENT TO SIGNIFICANT WOODLAND

BOUNDARY OF AREA TO BE LICENCED

LOT 23

LOT 24

PROPOSED HEAVY DUTY FARM FENCE TO BE A MINIMUM 1.6 M IN HEIGHT WHICH SHALL FOLLOW THE CONTOURS OF THE SURFACE OF THE GROUND

LOT 24

LOT 25

LOT 26

LOT 27

LOT 28

LOT 29

LOT 30

LOT 31

LOT 32

LOT 33

LOT 34

LOT 35

LOT 36

LOT 37

LOT 38

LOT 39

LOT 40

LOT 41

LOT 42

LOT 43

LOT 44

LOT 45

LOT 46

LOT 47

LOT 48

LOT 49

LOT 50

LOT 51

LOT 52

LOT 53

LOT 54

LOT 55

LOT 56

LOT 57

LOT 58

LOT 59

LOT 60

LOT 61

LOT 62

LOT 63

LOT 64

LOT 65

LOT 66

LOT 67

LOT 68

LOT 69

LOT 70

LOT 71

LOT 72

LOT 73

LOT 74

LOT 75

LOT 76

LOT 77

LOT 78

LOT 79

LOT 80

LOT 81

LOT 82

LOT 83

LOT 84

LOT 85

LOT 86

LOT 87

LOT 88

LOT 89

LOT 90

LOT 91

LOT 92

LOT 93

LOT 94

LOT 95

LOT 96

LOT 97

LOT 98

LOT 99

LOT 100

LOT 101

LOT 102

LOT 103

LOT 104

LOT 105

LOT 106

LOT 107

LOT 108

LOT 109

LOT 110

LOT 111

LOT 112

LOT 113

LOT 114

LOT 115

LOT 116

LOT 117

LOT 118

LOT 119

LOT 120

LOT 121

LOT 122

LOT 123

LOT 124

LOT 125

LOT 126

LOT 127

LOT 128

LOT 129

LOT 130

LOT 131

LOT 132

LOT 133

LOT 134

LOT 135

LOT 136

LOT 137

LOT 138

LOT 139

LOT 140

LOT 141

LOT 142

LOT 143

LOT 144

LOT 145

LOT 146

LOT 147

LOT 148

LOT 149

LOT 150

LOT 151

LOT 152

LOT 153

LOT 154

LOT 155

LOT 156

LOT 157

LOT 158

LOT 159

LOT 160

LOT 161

LOT 162

LOT 163

LOT 164

LOT 165

LOT 166

LOT 167

LOT 168

LOT 169

LOT 170

LOT 171

LOT 172

LOT 173

LOT 174

LOT 175

LOT 176

LOT 177

LOT 178

LOT 179

LOT 180

LOT 181

LOT 182

LOT 183

LOT 184

LOT 185

LOT 186

LOT 187

LOT 188

LOT 189

LOT 190

LOT 191

LOT 192

LOT 193

LOT 194

LOT 195

LOT 196

LOT 197

LOT 198

LOT 199

LOT 200

LOT 201

LOT 202

LOT 203

LOT 204

LOT 205

LOT 206

LOT 207

LOT 208

LOT 209

LOT 210

LOT 211

LOT 212

LOT 213

LOT 214

LOT 215

LOT 216

LOT 217

LOT 218

LOT 219

LOT 220

LOT 221

LOT 222

LOT 223

LOT 224

LOT 225

LOT 226

LOT 227

LOT 228

LOT 229

LOT 230

LOT 231

LOT 232

LOT 233

LOT 234

LOT 235

LOT 236

LOT 237

LOT 238

LOT 239

LOT 240

LOT 241

LOT 242

LOT 243

LOT 244

LOT 245

LOT 246

LOT 247

LOT 248

LOT 249

LOT 250

LOT 251

LOT 252

LOT 253

LOT 254

LOT 255

LOT 256

LOT 257

LOT 258

LOT 259

LOT 260

LOT 261

LOT 262

LOT 263

LOT 264

LOT 265

LOT 266

LOT 267

LOT 268

LOT 269

LOT 270

LOT 271

LOT 272

LOT 273

LOT 274

LOT 275

LOT 276

LOT 277

LOT 278

LOT 279

LOT 280

LOT 281

LOT 282

LOT 283

LOT 284

LOT 285

LOT 286

LOT 287

LOT 288

LOT 289

LOT 290

LOT 291

LOT 292

LOT 293

LOT 294

LOT 295

LOT 296

LOT 297

LOT 298

LOT 299

LOT 300

LOT 301

LOT 302

LOT 303

LOT 304

LOT 305

LOT 306

LOT 307

LOT 308

LOT 309

LOT 310

LOT 311

LOT 312

LOT 313

LOT 314

LOT 315

LOT 316

LOT 317

LOT 318

LOT 319

LOT 320

LOT 321

LOT 322

LOT 323

LOT 324

LOT 325

LOT 326

LOT 327

LOT 328

LOT 329

LOT 330

LOT 331

LOT 332

LOT 333

LOT 334

LOT 335

LOT 336

LOT 337

LOT 338

LOT 339

LOT 340

LOT 341

LOT 342

LOT 343

LOT 344

LOT 345

LOT 346

LOT 347

LOT 348

LOT 349

LOT 350

LOT 351

LOT 352

LOT 353

LOT 354

LOT 355

LOT 356

LOT 357

LOT 358

LOT 359

LOT 360

LOT 361

LOT 362

LOT 363

LOT 364

LOT 365

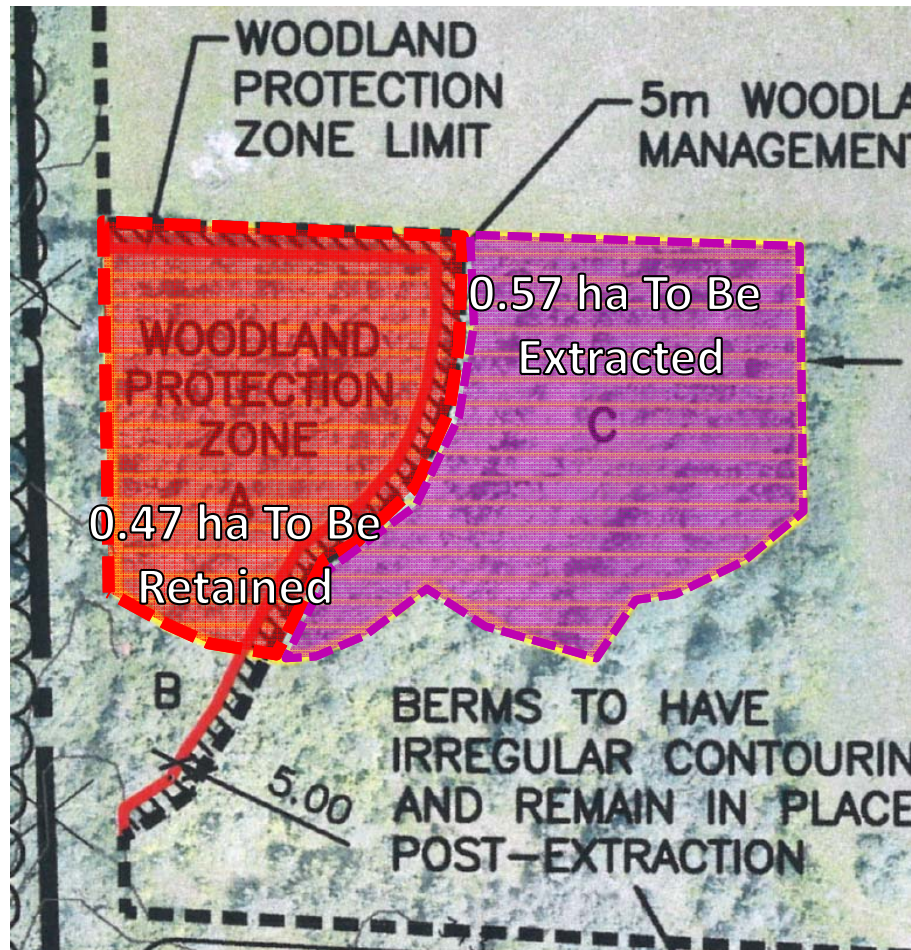
LOT 366

LOT 367

LOT 368



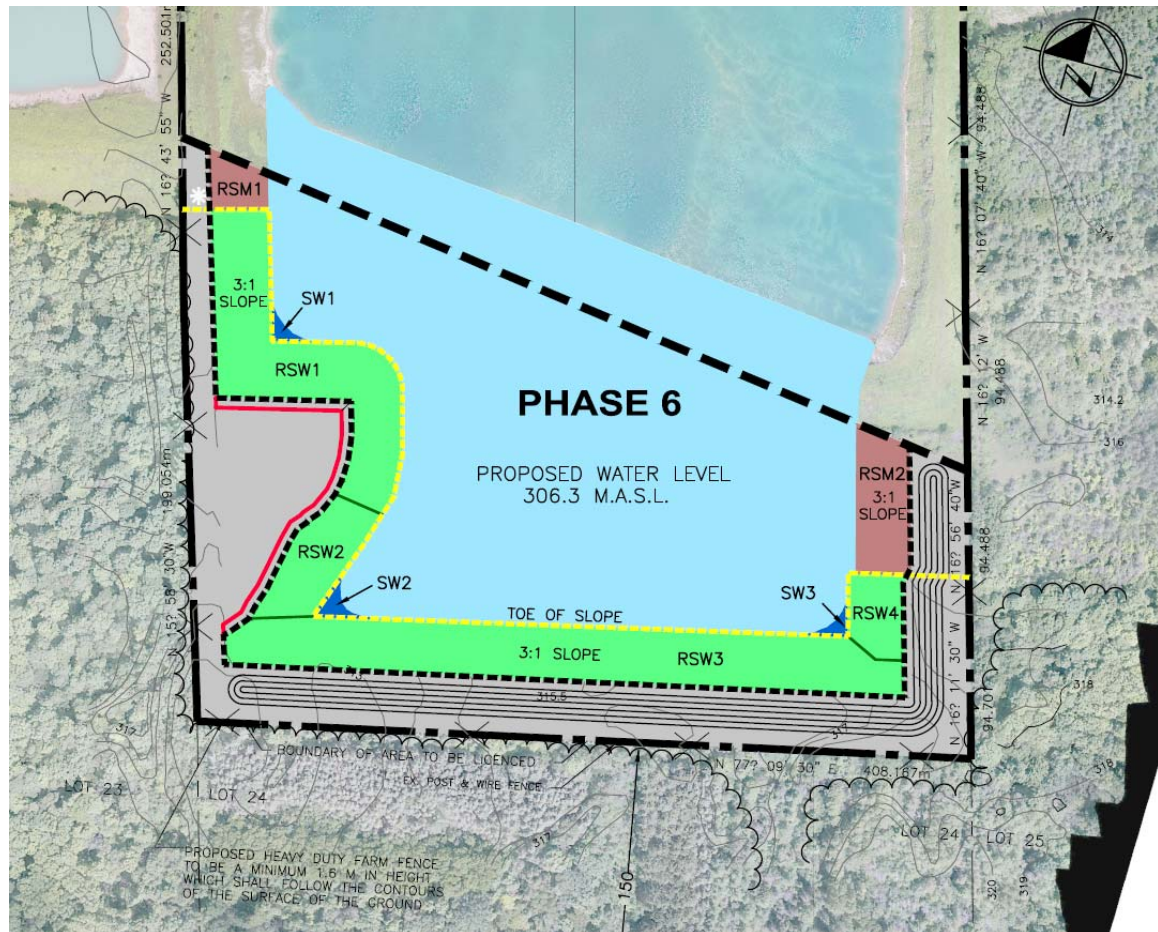
# Woodland Protection Zone



- **0.57 ha** of woodland is a white pine stand with few deciduous trees resulting in limited groundcover with thick patches of invasive Tatarian Honeysuckle.
- **0.47 ha** of woodland contains mainly larger trees, a native hardwood stand and native groundcover flora. This area will be retained.

# Ecological Management Plan & Rehab

- **9.08 ha** of ecological enhancements increasing biodiversity.
- **2.98 ha** net increase in the size of the Significant Woodland.



# Revised Application

- The site can be extracted in compliance with the *Endangered Species Act*;
- There will be no negative impact to Significant Woodlands and Significant Wildlife Habitat; and,
- The proposal will result in an overall net gain to the County's Greenlands System.

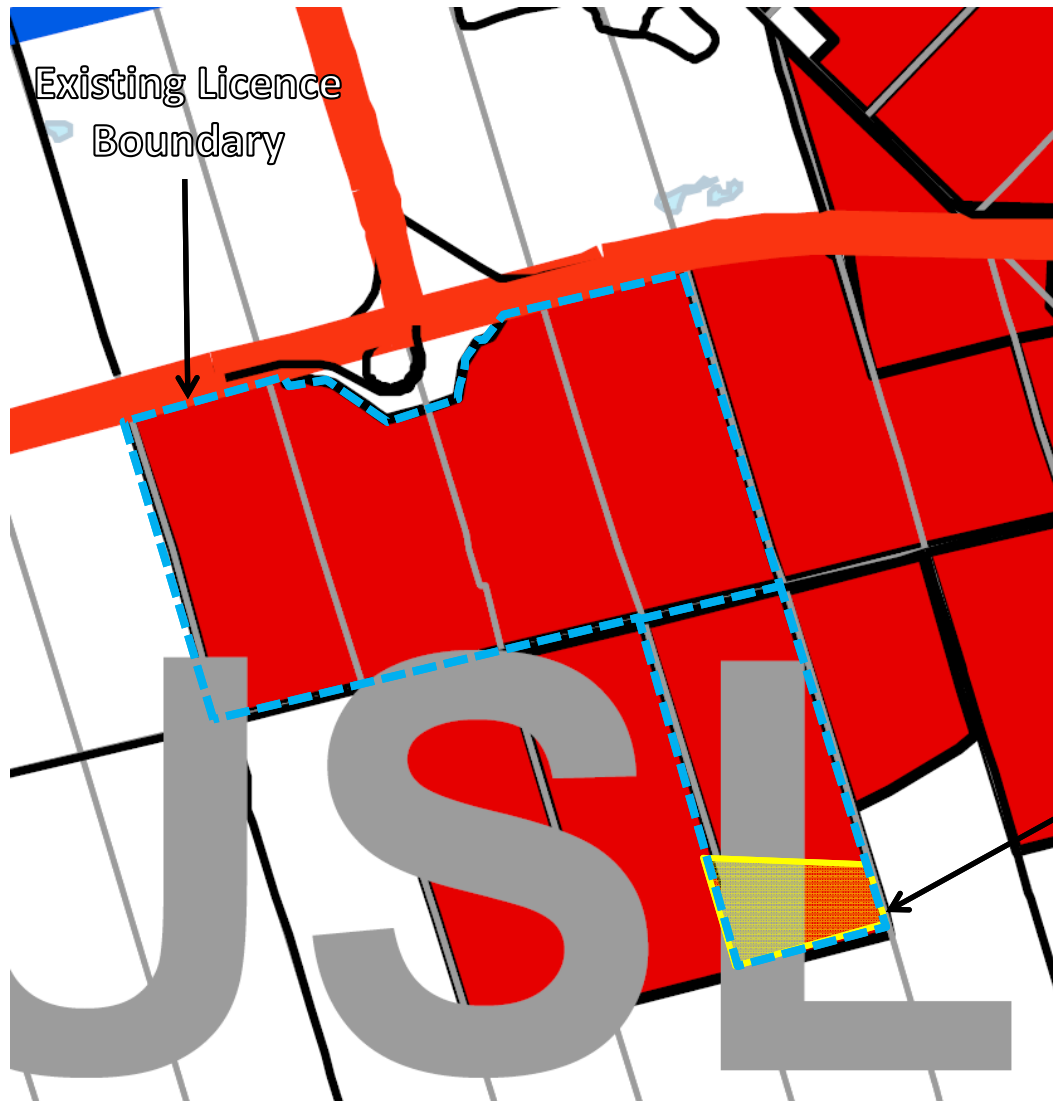


# Agency Review of Revised Application



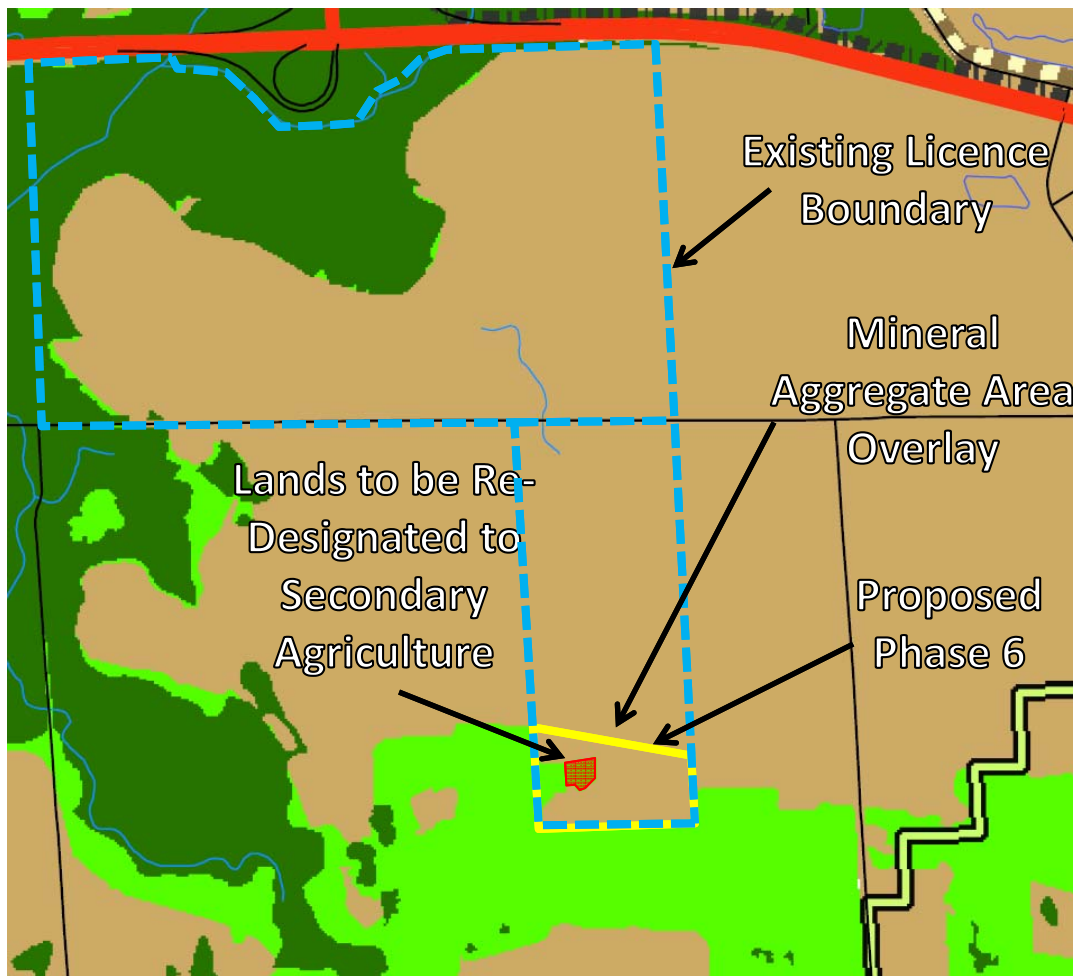
- GRCA - No further concerns
- MNRF – No further concerns subject to review of updated Site Plans
- MMAH - Original comments were similar to MNRF. CRH is following up to confirm they are satisfied
- Township Natural Environment Peer Review: No further concerns
- Township Water Resources Peer Review: No major issues identified; awaiting response from CRH's July response

# Revised Official Plan Amendment



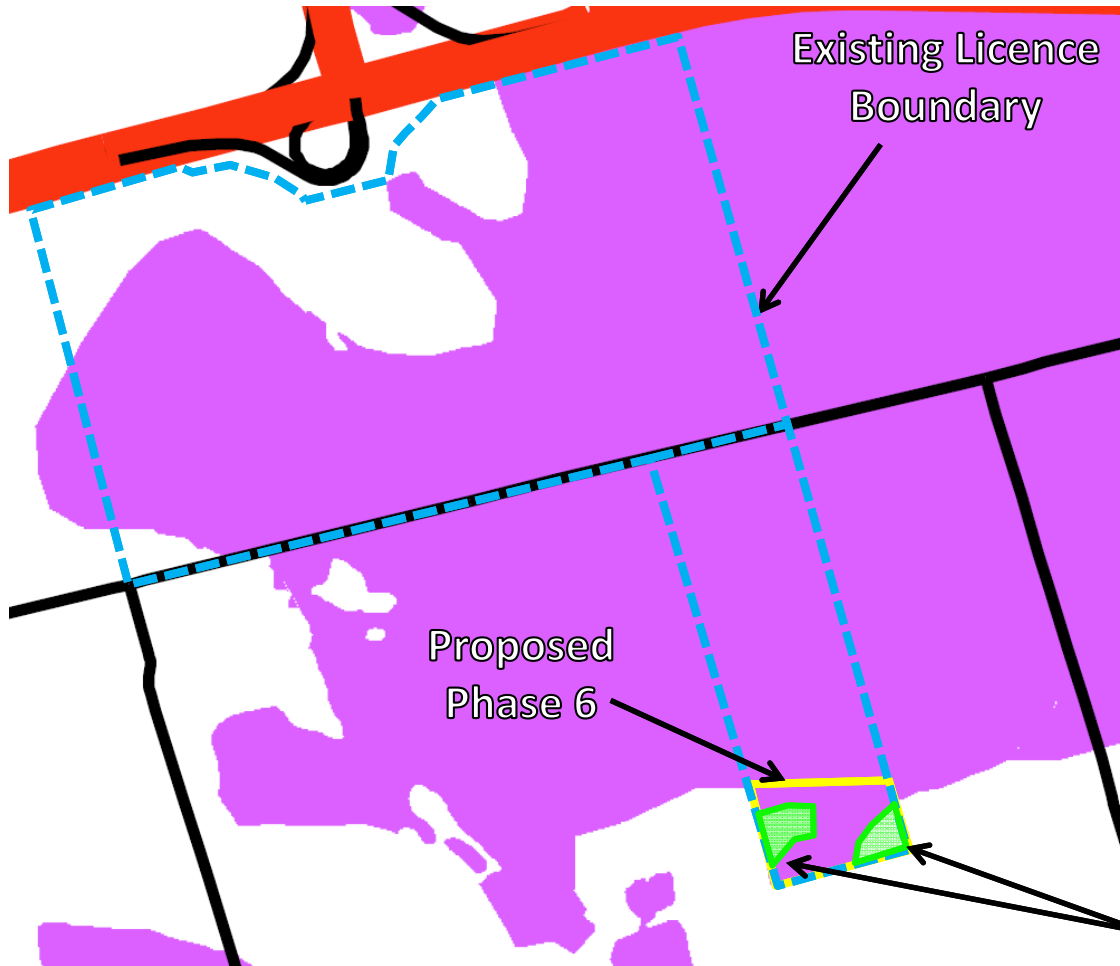
- Identified as “Licensed Aggregate Operations” on Appendix 2
- No Amendment required

# Revised Official Plan Amendment



- County has requested Amendment to Schedule A7
- Amendment includes re-designating portion of lands from 'Greenlands' to 'Secondary Agriculture' and overlay of 'Mineral Aggregate Area'

# Revised Official Plan Amendment

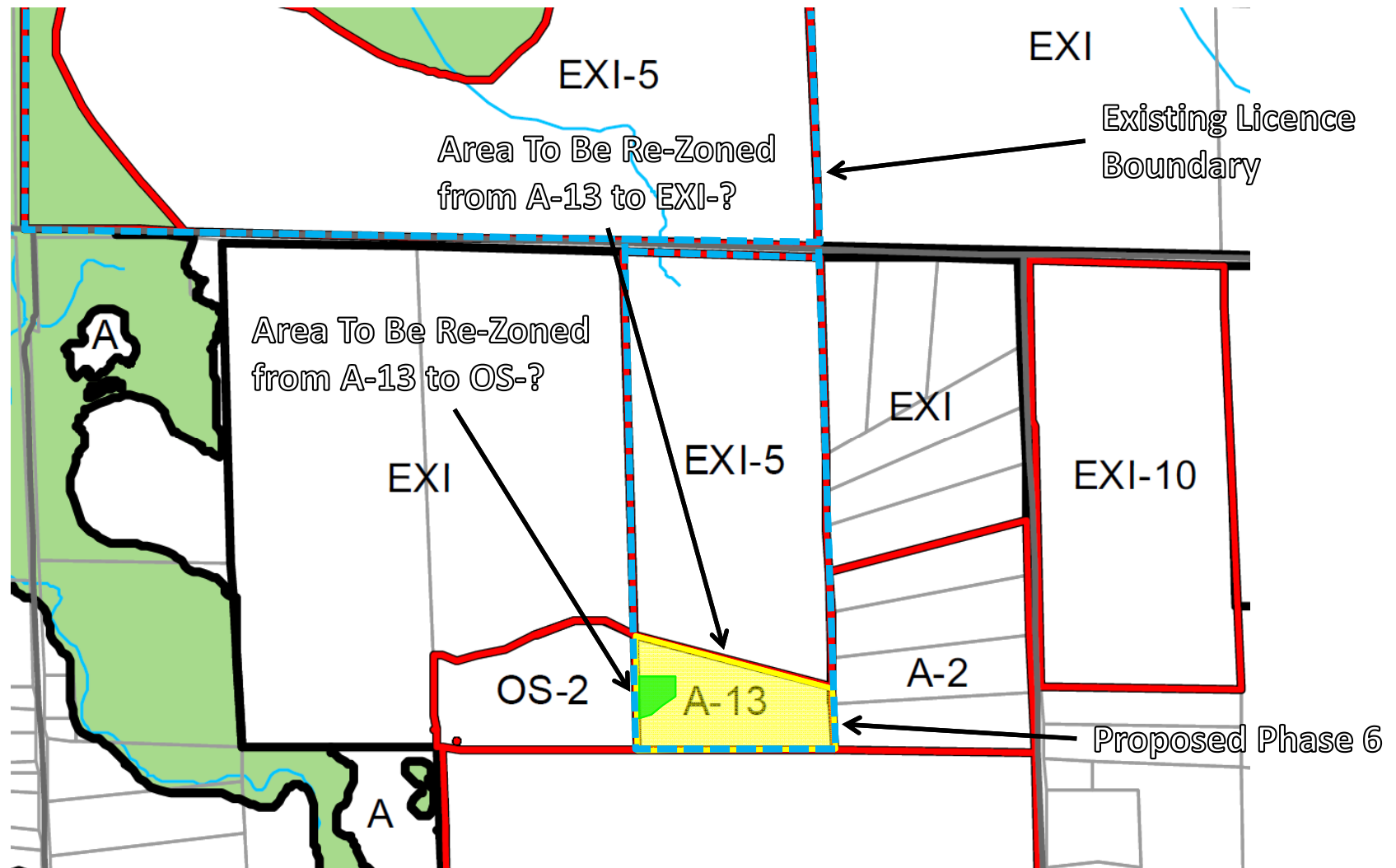


- County has requested Amendment to Schedule C
- Amendment to include remainder of property within 'Sand and Gravel Resources of Primary and Secondary Significance' Overlay

Lands to be added to  
'Sand and Gravel  
Resources of Primary and  
Secondary Significance'



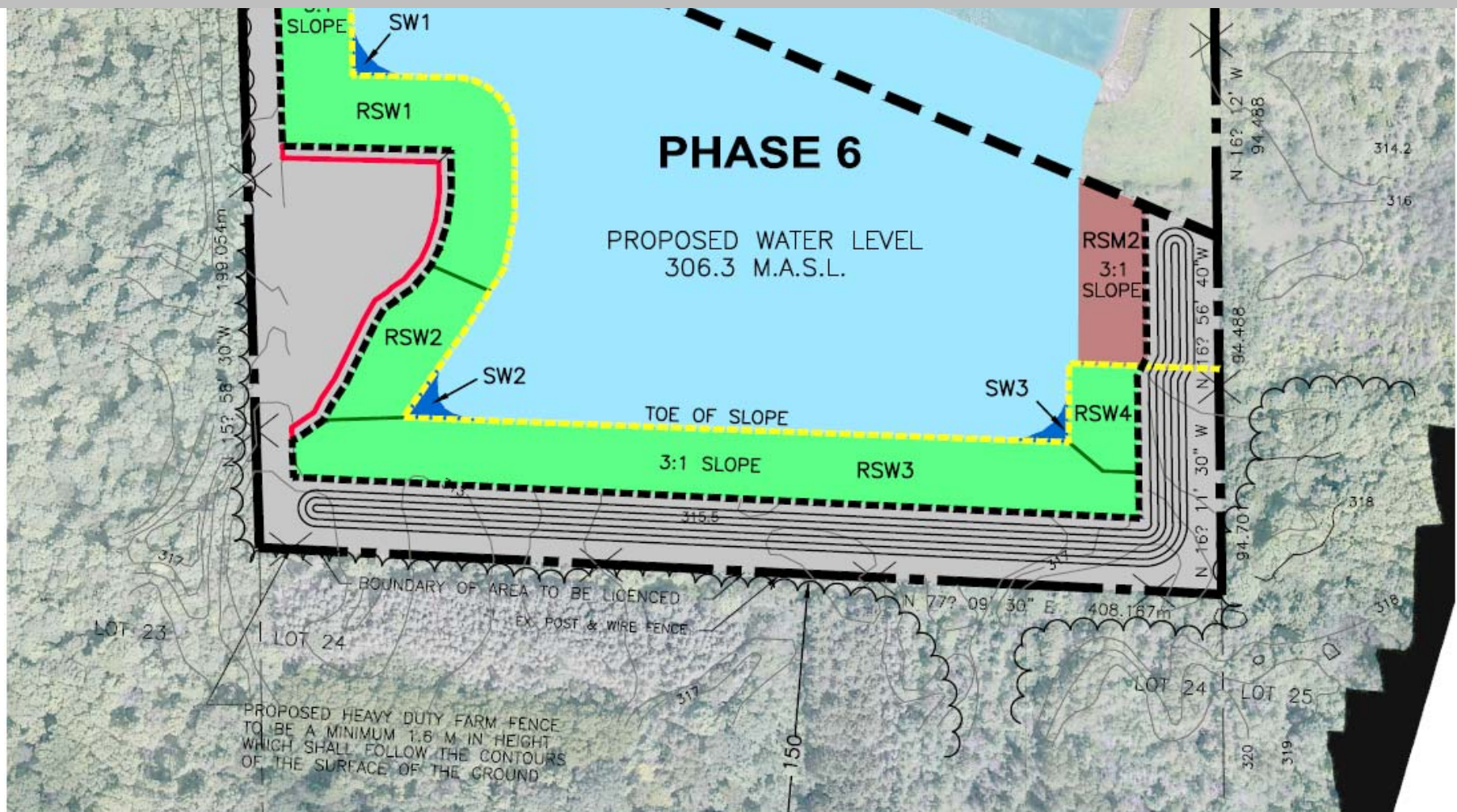
# Revised Zoning By-law Amendment



# Revised Zoning By-law Amendment

- Pitface Setback
  - 15 metres when adjacent to OS2 Zone
  - 30 metres when adjacent to A Zone
  - 5 m when adjacent to OS-? Zone
- Setback from Buildings and Structures
  - 15 metres when adjacent to OS2 Zone
  - 30 metres when adjacent to A Zone
- Berming Setback
  - 15 metres when adjacent to OS2 Zone

# QUESTIONS?



## ATTACHMENT F (a)

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

August 11, 2017

### NOTICE OF AN APPLICATION FOR CONSENT

Ontario Planning Act, Section 53(4)

The County of Wellington Planning and Land Division Committee requests your written comments on this application for consent.

*APPLICATION SUBMITTED ON: August 4, 2017*

FILE NO. B109/17

#### APPLICANT

Glenn & Yvonne Frosch  
c/o Robert & Lisa Frosch  
6505 Concession Road 1  
RR#2  
Puslinch ON N0B 2J0

#### LOCATION OF SUBJECT LANDS:

TOWNSHIP OF PUSLINCH  
Part Lots 1, 2 & 3  
Gore Concession

Proposed lot line adjustment 71.9 hectares with 437m frontage, existing agricultural use to be added to abutting rural residential lot – Robert & Lisa Frosch.

Retained parcel is 0.72 hectares with 95m frontage, existing and proposed rural residential use with existing dwelling, barn & shed. Existing drive shed to be removed.

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

**September 20, 2017**

**Please note** that if the Comments are not received by the requested date, the Planning and Land Division Committee may proceed to consider the application, and may assume that you have no objection to this APPLICATION for CONSENT.

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

If you wish to be **NOTIFIED OF THE DATE AND TIME OF THE CONSIDERATION** of this application - **please make your request in writing** to the Planning and Land Division Committee before the "Comments Return Date" noted above.

If you wish to be **NOTIFIED OF THE DECISION** of the County of Wellington Planning and Land Division Committee in respect of this proposed consent, **you must make a request in writing** to the County of Wellington Planning and Land Division Committee. This will also entitle you to be advised of a possible Ontario Municipal Board Hearing. Even if you are the successful party, you should request a copy of the decision since the County of Wellington Planning and Land Division Committee's decision may be appealed to the Ontario Municipal Board by the applicant or another member of the Public

**INFORMATION REGARDING THE APPLICATION** is available to the public during regular business hours, Monday to Friday at the County of Wellington Planning and Land Division Office- 74 Woolwich St. Guelph ON N1H 3T9. Phone: (519) 837-2600 x2170 Fax: (519) 837-3875

#### **MAILED TO:**

Local Municipality - Puslinch      County Planning      Conservation Authority - GRCA

Source Water Protection

Bell Canada      County Clerk      Roads/Solid Waste      Civic Addressing

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



**APPLICATION FOR CONSENT**

Ontario Planning Act

**1. Approval Authority:**

County of Wellington Planning and Land Division Committee  
County of Wellington Administration Centre  
74 Woolwich Street, GUELPH, Ontario N1H 3T9

Phone: 519-837-2600, ext. 2170 or 2160 Fax: 519-837-3875

**SECTION B**

Required Fee: \$ 1050  
Fee Received: Aug 4/17

File No. B109/17

Accepted as Complete on: Aug 4/17

**A COPY OF YOUR CURRENT DEED MUST BE SUBMITTED WITH THIS APPLICATION**

**SECTION B: Parcel from which land is being transferred**

**2(a) Name of Registered Owner(s)** Glenn Allan & Yvonne FROSCH  
c/o Robert Frederick & Lisa Janice FROSCH

**Address** 6505 Concession Road 1, RR#2, Puslinch, ON, N0B 2J0

**Phone No.** [REDACTED]

**Email:** [REDACTED]

**(b) Name and Address of Applicant (as authorized by Owner)** \_\_\_\_\_

**Phone No.** \_\_\_\_\_

**Email:** \_\_\_\_\_

**(c) Name and Address of Owner's Authorized Agent:** \_\_\_\_\_

Jeff Buisman of VanHarten Surveying Inc.  
423 Woolwich Street, Guelph, ON, N1H 3X3

**Phone No.** [REDACTED]

**Email:** [REDACTED]

**(d) All Communication to be directed to:**

REGISTERED OWNER [ ]      APPLICANT [ ]      AGENT [X]

**(e) Notice Cards Posted by:**

REGISTERED OWNER [ ]      APPLICANT [ ]      AGENT [X]

**3 (a) Type and Purpose of Proposed Transaction:** (Check off appropriate box & provide short explanation)

☒ **Conveyance to effect an addition to a lot**

☐ **Other** (Specify – e.g. mortgage, lease, easement, Right-of-way, correction of title): \_\_\_\_\_

**(b) Provide legal description of the lands to which the parcel will be added:**

Part of Lot 1, Concession Gore, Parts 1 & 2, 61R-11897 (PIN 71206-0126)

4. (a) Location of Land in the County of Wellington:

Local Municipality: Township of Puslinch

Concession GORE Lot No. Part of Lots 1, 2 & 3

Registered Plan No. Lot No.

Reference Plan No. Part No.

Civic Address 6525 Concession Road 1

(b) When was property acquired: February 1995 Registered Instrument No. RO727742

5. Description of Land intended to be SEVERED: Metric ☒ Imperial ☐

Frontage/Width 365 & 72 / 176 & 612 ± AREA 71.9 ha ±

Depth 925 ± Existing Use(s) Agricultural Field & Bush

Existing Buildings or structures: None

Proposed Uses (s): To be added to Parts 1 & 2, 61R-11987 for continued agricultural use.

Type of access (Check appropriate space) Existing ☒ Proposed ☐

Existing entrance on lands to be added to.

<input type="checkbox"/> Provincial Highway	<input type="checkbox"/> Right-of-way
<input type="checkbox"/> County Road	<input type="checkbox"/> Private road
<input checked="" type="checkbox"/> Municipal road, maintained year round	<input type="checkbox"/> Crown access road
<input type="checkbox"/> Municipal road, seasonally maintained	<input type="checkbox"/> Water access
<input type="checkbox"/> Easement	<input type="checkbox"/> Other

Type of water supply - Existing ☒ Proposed ☐ (check appropriate space)

☐ Municipally owned and operated piped water system

☒ Well ☒ individual ☐ communal

☐ Lake

☐ Other (specify): Private well exists on lands to be added to; not required for agricultural field

Type of sewage disposal - Existing ☒ Proposed ☐ (check appropriate space)

☐ Municipally owned and operated sanitary sewers

☒ Septic Tank ☒ individual ☐ communal

☐ Pit Privy

☐ Other (specify): Septic exists on lands to be added to; not required for agricultural field

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

Frontage/Width 95 ± AREA 0.72 ha ±

Depth 76 ± Existing Use(s) Rural residential

Existing Buildings or structures: Dwelling, Barn, Shed & Drive Shed (to be removed)

Proposed Uses (s): No Change

Type of access (Check appropriate space)

☐ Provincial Highway

☐ County Road

☒ Municipal road, maintained year round

☐ Municipal road, seasonally maintained

☐ Easement

☐ Right-of-way

☐ Private road

☐ Crown access road

☐ Water access

☐ Other (specify) \_\_\_\_\_

Type of water supply - Existing ☒ Proposed ☐ (check appropriate space)

☐ Municipally owned and operated piped water system

☒ Well ☒ individual ☐ communal

☐ Lake

☐ Other (specify): \_\_\_\_\_

Type of sewage disposal - Existing ☒ Proposed ☐ (check appropriate space)

☐ Municipally owned and operated sanitary sewers

☒ Septic Tank ☒ individual ☐ communal

☐ Pit Privy

☐ Other (specify): \_\_\_\_\_

7. Is there an agricultural operation, (either a barn, manure storage, abattoir, livestock area or stockyard) within 500 metres of the Subject lands (severed and retained parcels)?

YES ☒ NO ☐

\*If yes, see sketch requirements and the application must be accompanied by a:  
MINIMUM DISTANCE SEPARATION FORM.

8. Is there a landfill within 500 metres [1640 feet]?

YES ☐ NO ☒

9. Is there a sewage treatment plant or waste stabilization plant within 500 metres [1640']?

YES ☐ NO ☒

10. Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the lands to be retained or to be severed or within 120 metres [394 feet]?

YES ☒ NO ☐

11. Is there any portion of the land to be severed or to be retained located within a floodplain?

YES ☐ NO ☒

12. Is there a provincial park or are there Crown Lands within 500 metres [1640']?

YES ☐ NO ☒

13. Is any portion of the land to be severed or retained within a rehabilitated mine/pit site?

YES ☐ NO ☒

14. Is there an active or abandoned mine, quarry or gravel pit within 500 metres [1640']?

YES ☐ NO ☒

15. Is there a noxious industrial use within 500 meters [1640']?

YES ☐ NO ☒

16. Is there an active or abandoned principal or secondary railway within 500 metres [1640']?

YES ☐ NO ☒

Name of Rail Line Company: \_\_\_\_\_

17. Is there an airport or aircraft landing strip nearby?

YES ☐ NO ☒

18. Is there a propane retail outlet, propane filling tank, cardlock/keylock or private propane outlet/container refill centre within 750 metres of the proposed subject lands?

YES ☐ NO ☒

19. PREVIOUS USE INFORMATION:

a) Has there been an industrial use(s) on the site? YES [ ] NO [X] UNKNOWN [ ]

If YES, what was the nature and type of industrial use(s)?

b) Has there been a commercial use(s) on the site? YES [ ] NO [X] UNKNOWN [ ]

If YES, what was the nature and type of the commercial use(s)

c) Has fill been brought to and used on the site (other than fill to accommodate septic systems or residential landscaping?) YES [ ] NO [X] UNKNOWN [ ]

d) Has there been commercial petroleum or other fuel storage on the site, underground fuel storage, or has the site been used for a gas station at any time, or railway siding? YES [ ] NO [X] UNKNOWN [ ]

If YES, specify the use and type of fuel(s)

20. Is this a **resubmission** of a previous application? YES [ ] NO [X]

If YES, is it identical [ ] or changed [ ] Provide previous File Number

21. a) Has any severance activity occurred on the land from the holding which existed as of March 1, 2005 and as registered in the Land Registry/Land Titles Office? YES [X] NO [ ]

b) If the answer in (a) is YES, please indicate the previous severance(s) on the required sketch and provide: **Transferee's Name, Date of the Transfer and Use of Parcel Transferred.**

**Parcel 20 on sketch created by consent Dec 1997 by Instrument 788230**  
**Parcel 8 on sketch created by consent May 2003 by Instrument WC27152 and expanded by lot line adjustment consent August 2012 by Instrument WC353300**  
**Parcel 21 on sketch created by consent July 2016 by Instrument WC474032**

22. Has the parcel intended to be severed ever been, or is it now, the subject of an application for a plan of subdivision or other Consent or approval under the Planning Act or its predecessors? YES [ ] NO [X] UNKNOWN [ ]

23. Under a separate application, is the Owner, applicant, or agent applying for additional consents on this holding simultaneously with this application? YES [ ] NO [X]

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

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

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

If YES, does the application conform with the applicable Provincial Plan(s) YES [X] NO [ ]

26. a) What is the existing **County Official Plan** designation of the subject land? (severed and retained)  
**Secondary Agricultural, Core Greenlands and Greenlands**

b) What is the existing **Local Official Plan** (if any) designation of the subject land? (severed and retained)

c) If this consent relates directly to an Official Plan Amendment(s) currently under review by an approval authority,



please indicate the Amendment Number and the applicable file number(s).

Amendment Number(s): \_\_\_\_\_ File Number(s): \_\_\_\_\_

27. What is the zoning of the subject lands?

**Site Specific Agricultural (A-61) & (A-62) and Natural Environment (NE)**

28. Does the proposal for the subject lands conform to the existing zoning?

YES [ ] NO [X]

**A Minor Variance application will be submitted for the accessory buildings**

If NO, a) has an application been made for re-zoning?

YES [ ] NO [X] File Number \_\_\_\_\_

b) has an application been made for a minor variance?

YES [ ] NO [X] File Number \_\_\_\_\_

29. Are the lands subject to any mortgages, easements, right-of-ways or other charges?

YES [ ] NO [X]

If the answer is YES, please provide a copy of the relevant instrument.

For mortgages, provide complete name and address of Mortgagee \_\_\_\_\_

Questions 30 – 33 must be answered for Applications for severance in the Rural/Agricultural Area -- Otherwise, if this is not applicable to your application, please state "not Applicable"

30. **Type of Farm Operation** conducted on these subject lands: **Cash Crop**

Type: Dairy [ ] Beef Cattle [ ] Swine [ ] Poultry [ ] Other [ ]

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

<u>Severed</u>	Width	Length	Area	Use
	Width	Length	Area	Use
<u>Retained</u>	Width	Length	Area <b>515±m<sup>2</sup></b>	Use <b>Barn</b>
	Width <b>4±m</b>	Length <b>7±m</b>	Area <b>28±m<sup>2</sup></b>	Use <b>Shed</b>

32. **Manure Storage Facilities** on these lands: **NONE**

DRY		SEMI-SOLID		LIQUID	
Open Pile	[ ]	Open Pile	[ ]	Covered Tank	[ ]
Covered Pile	[ ]	Storage with Buck Walls	[ ]	Aboveground Uncovered Tank	[ ]
				Belowground Uncovered Tank	[ ]
				Open Earth-sided Pit	[ ]

33. Are there any drainage systems on the retained and severed lands?

YES [ ] NO [X]

Type	Drain Name & Area	Outlet Location	
Municipal Drain	[ ]	Owner's Lands	[ ]
Field Drain	[ ]	Neighbours Lands	[ ]
		River/Stream	[ ]

County of Wellington Land Division Committee  
74 Woolwich Street  
Guelph, Ontario  
N1H 3T9

Attention: Ms. Deborah Turchet

Dear Ms. Turchet,

**Re: Lot Line Adjustment Severance Application and Sketch**  
**6525 Concession Road 1**  
**Part of Lots 1, 2 & 3, GORE Concession**  
**PIN 71206-0135**  
**Township of Puslinch**

Please find enclosed an application for a lot line adjustment severance on the above-mentioned property. Included with this submission are copies of the severance sketch, completed application form, the required deeds, PIN reports and map, Sourcewater Protection Form, Bylaw 007/16, addresses of neighbouring properties, a cheque to Wellington County for \$1,050 and a cheque to the GRCA for \$390.

**Proposal:**

The proposal is to change the configuration of the subject property so that the farm lands (71.9 ha) of 6525 Concession 1 are merged with 6505 Concession 1 for continued agricultural use – leaving a retained parcel of 0.72 ha with the original farm house, barn and shed.

The Frosch family have owned these lands for generations (since 1917) and they want to keep the majority of the farm in the ownership of the family. Glenn and Yvonne Frosch (the parents) have moved off the farm and Robert & Lisa Frosch (the children) would like to keep the farm land and add it to their existing residence. The original farmhouse and barn will be sold. Robert & Lisa Frosch will continue their custom farming arrangement with a farmer in the area.

The retained parcel was recently rezoned to not permit livestock so that MDS compliance could be achieved for Severance Application (B32/15) which created the parcel shown as 21 on the sketch. The barn is in excellent shape and the owners did not want to remove the classic structure.

One impact of this proposal is that the Puslinch Zoning By-law requirement for the maximum area of the accessory buildings can't be met. The owners will remove two drivesheds, but the accessory buildings will still have an area of 7.5% relative to the size of the retained parcel, whereas the maximum is 5%. The owners will apply for a Minor Variance to allow the accessory buildings maximum to be 7.5% after the severance is approved.

One option would have been to have the severance extend easterly up to Parcel 20. The added area would have created a parcel large enough to meet the maximum accessory building requirement. However, this option would have been contradictory to the Planning policies to avoid the loss of agricultural land.

The proposed lot line adjustment follows the guidelines in Section 10.4.6 of the Wellington County Official Plan for lot line adjustments of lands that are designated Secondary Agricultural. This section states that lot line adjustments are permitted as long as there is no adverse effect on agricultural operations. This severance meets that requirement as the agricultural field will continue to be farmed and it will not be affected by the lot line adjustment.

Section 10.4.1 of the County Official Plan presents a list (shown below) of the types of severances permitted in Secondary Agricultural Areas such as this one. Lot Line Adjustments (e) apply to this application.

**10.4.1 Lot Creation**

*Lot creation in secondary agricultural areas may be allowed for:*

- a) agricultural uses*
- b) agricultural-related uses*
- c) residential uses*
- d) commercial, industrial or institutional uses*
- e) lot line adjustments***

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

**34. Source Water Protection Plan**

Is the subject land within a Wellhead Protection Area, Issue Contributing Area, or Intake Protection Zone of a **Source Protection Plan** in effect? YES [X] NO [ ]

If YES, please complete the Source Water Protection Form and submit with your application.

**35.** Have you had a pre-consultation meeting with County Planning Staff before filling out this application form? YES [X] NO [ ]

If yes, please indicate the person you have met/spoken to: Michelle Innocente

**36.** If a **new farm operation**, or **new crops**, or **new farm buildings** are being proposed for the severed and/or retained lands. Please provide some details:

**None**

**37.** If you wish to provide some further information that may assist the Planning and Land Division Committee in evaluating your application, please provide by a letter and attach it to this application.

**Please see covering letter**

**NOTES:**

1. **One original completed application and two original sketches must be filed with the County of Wellington Planning and Land Division office.** If original sketch is larger than 11" x 17", 8 additional copies are required plus one sketch reduced to a size of 11" x 17" (or smaller) for office photocopying and circulation to neighbours. Facsimile documents are not acceptable for reasons of the necessity of good photocopying.
2. The location of the lands (severed & retained) which are the subject of the application must also be shown on the Surveyor's sketch or on an attached "Key Map" of the local municipality and included with the application.
3. Since the filing fee for applications for consent change from time to time, please contact the Planning and Land Division office for current fee information. This fee may be paid in cash or by cheque payable to the County of Wellington.
4. Additional information about the process, about any particular application or obtaining application forms may be obtained by attending at the County of Wellington Administration Centre, 74 Woolwich Street, Guelph Ontario N1H 3T9, by telephone at 519-837-2600, ext. 2160 or 2170; or by facsimile (fax) at 519-837-3875.
5. Some municipalities also require the applicant to attend at a Planning Advisory Committee or Council meeting to discuss the application prior to the Municipality's submitting comments to the County of Wellington Planning and Land Division Committee. Please check with your local municipality on this matter.
6. If the applicant is a Corporation, then the applicant's Declaration or if applicable, the Owner's authorization too, must be signed by an officer of the corporation who has authority to bind the corporation; or the corporation's seal must be affixed.
7. **ONE CONSOLIDATED SKETCH WITH APPROPRIATE NOTES AND MARKINGS MAY SUFFICE FOR SECTIONS A AND B OF THIS CONSOLIDATED APPLICATION FORM for LOT LINE ADJUSTMENTS ONLY.**

APPLICATION FOR CONSENT

1. Approval Authority:

County of Wellington Planning and Land Division Committee  
County of Wellington Administration Centre  
74 Woolwich Street, GUELPH, Ontario N1H 3T9

Phone: 519-837-2600, ext. 2170 or 2160 Fax: 519-837-3875

SECTION A

Fee Received: Aug 4/17

File No. B109/17

Accepted as Complete on: Aug 4/17

A COPY OF YOUR CURRENT DEED MUST BE SUBMITTED WITH THIS APPLICATION

SECTION A: Parcel to which land is being added.

2. (a) Name of Registered Owner(s) Robert Frederick & Lisa Janice FROSCH

Address 6505 Concession Road 1, RR#2, Puslinch, ON, N0B 2J0

Phone No. [REDACTED]

Email: [REDACTED]

(b) Name and Address of Applicant (as authorized by Owner) \_\_\_\_\_

Phone No. \_\_\_\_\_

Email: \_\_\_\_\_

(c) Name and Address of Owner's Authorized Agent: \_\_\_\_\_

Jeff Buisman of VanHarten Surveying Inc.  
423 Woolwich Street, Guelph, ON, N1H 3X3

Phone No. [REDACTED]

Email: [REDACTED] hha [REDACTED]

(d) All Communication to be directed to:

REGISTERED OWNER [ ]

APPLICANT [ ]

AGENT [X]

(e) Notice Cards Posted by:

REGISTERED OWNER [ ]

APPLICANT [ ]

AGENT [X]

3. Location of Land in the County of Wellington:

Local Municipality: Township of Puslinch

Concession GORE

Lot No. Part of Lot 1

Registered Plan No.

Lot No.

Reference Plan No. 61R-11897

Part No. 1 & 2

Civic Address 6505 Concession Road 1

(b) When was property acquired: August 2012 Registered Instrument No. WC353300



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

August 11, 2017

**NOTICE OF AN APPLICATION FOR CONSENT**

Ontario Planning Act, Section 53(4)

The County of Wellington Planning and Land Division Committee requests your written comments on this application for consent.

*APPLICATION SUBMITTED ON: August 8, 2017*

FILE NO. B113/17

**APPLICANT**

Wayne & Leslie George  
63 Brock Road  
Guelph ON N1H 6H9

**LOCATION OF SUBJECT LANDS:**

TOWNSHIP OF PUSLINCH  
Part Lot 19  
Concession 8

Proposed severance is 0.93 hectares with 53.4m frontage, existing vacant land for proposed rural residential use.

Retained parcel is 9.9 hectares with 170.6m frontage, existing and proposed agricultural use with existing barn & shed.

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

**September 20, 2017**

**Please note** that if the Comments are not received by the requested date, the Planning and Land Division Committee may proceed to consider the application, and may assume that you have no objection to this APPLICATION for CONSENT.

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

If you wish to be **NOTIFIED OF THE DATE AND TIME OF THE CONSIDERATION** of this application - **please make your request in writing** to the Planning and Land Division Committee before the "Comments Return Date" noted above.

If you wish to be **NOTIFIED OF THE DECISION** of the County of Wellington Planning and Land Division Committee in respect of this proposed consent, **you must make a request in writing** to the County of Wellington Planning and Land Division Committee. This will also entitle you to be advised of a possible Ontario Municipal Board Hearing. Even if you are the successful party, you should request a copy of the decision since the County of Wellington Planning and Land Division Committee's decision may be appealed to the Ontario Municipal Board by the applicant or another member of the Public

**INFORMATION REGARDING THE APPLICATION** is available to the public during regular business hours, Monday to Friday at the County of Wellington Planning and Land Division Office- 74 Woolwich St. Guelph ON N1H 3T9. Phone: (519) 837-2600 x2170 Fax: (519) 837-3875

**MAILED TO:**

Local Municipality - Puslinch      County Planning      Conservation Authority - GRCA

County Engineering      Neighbouring Municipality – City of Guelph

Bell Canada      County Clerk      Roads/Solid Waste      Civic Addressing

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



## APPLICATION FOR CONSENT

Ontario Planning Act

## 1. Approval Authority:

County of Wellington Planning and Land Division Committee  
County of Wellington Administration Centre  
74 Woolwich Street, GUELPH, Ontario N1H 3T9

Phone: 519-837-2600, ext. 2170 or 2160 Fax: 519-837-3875

Required Fee: \$ 1050  
Fee Received: Aug 8/17  
File No. 3113/17  
Accepted as Complete on: Aug 8/17

**A COPY OF YOUR CURRENT DEED MUST BE SUBMITTED WITH THIS APPLICATION**

2. (a) Name of Registered Owner(s) Wayne & Leslie GEORGEAddress 63 Brock Road, Guelph, ON, N1H 6H9

Phone No. [REDACTED]

Email: [REDACTED]

## (b) Name and Address of Applicant (as authorized by Owner) \_\_\_\_\_

Phone No. \_\_\_\_\_

Email: \_\_\_\_\_

## (c) Name and Address of Owner's Authorized Agent: \_\_\_\_\_

Jeff Buisman of VanHarten Surveying Inc.423 Woolwich Street, Guelph, ON, N1H 3X3Phone No. 519-821-2763 x225Email: Jeff.Buisman@vanharten.com(d) All Communication to be directed to:

REGISTERED OWNER [ ]

APPLICANT [ ]

AGENT [X]

## (e) Notice Cards Posted by:

REGISTERED OWNER [ ]

APPLICANT [ ]

AGENT [X]

## 3. Type and Purpose of Proposed Transaction: (Check off appropriate box &amp; provide short explanation)

RURAL RESIDENTIAL[X] AGRICULTURAL[ ] URBAN RESIDENTIAL[ ] COMMERCIAL/INDUSTRIAL[ ]

To create a new lot for residential purposesOR

EASEMENT [ ] RIGHT OF WAY [ ] CORRECTION OF TITLE [ ] LEASE [ ]

(a) If known, the name of person to whom the land or an interest in the land is to be transferred, charged or leased.

Future owner is not known

4. (a) Location of Land in the County of Wellington:

Local Municipality: Township of Puslinch

Concession 8 Lot No. Part of Lot 19

Registered Plan No. \_\_\_\_\_ Lot No. \_\_\_\_\_

Reference Plan No. 61R-8176 Part No. 1

Civic Address 8142 Brock Road

(b) When was property acquired: March 2000 Registered Instrument No. LT28452

5. Description of Land intended to be SEVERED: Metric ☒ Imperial ☐

Frontage/Width 53.4 / 52.2 ± AREA 0.93 ha ±

Depth 180.2 ± Existing Use(s) Vacant bush/yard

Existing Buildings or structures: None

Proposed Uses (s): A new rural residential dwelling

Type of access (Check appropriate space)	Existing <input type="checkbox"/>	Proposed <input checked="" type="checkbox"/>
<input type="checkbox"/> Provincial Highway	<input type="checkbox"/> Right-of-way	
<input checked="" type="checkbox"/> County Road	<input type="checkbox"/> Private road	
<input type="checkbox"/> Municipal road, maintained year round	<input type="checkbox"/> Crown access road	
<input type="checkbox"/> Municipal road, seasonally maintained	<input type="checkbox"/> Water access	
<input type="checkbox"/> Easement	<input type="checkbox"/> Other	

Type of water supply - Existing ☐ Proposed ☒ (check appropriate space)

☐ Municipally owned and operated piped water system

☒ Well ☒ individual ☐ communal

☐ Lake

☐ Other \_\_\_\_\_

Type of sewage disposal - Existing ☐ Proposed ☒ (check appropriate space)

☐ Municipally owned and operated sanitary sewers

☒ Septic Tank (specify whether individual or communal): Individual

☐ Pit Privy

☐ Other (Specify): \_\_\_\_\_



6. Description of Land intended to be RETAINED:

Metric [X]

Imperial [ ]

Frontage/Width 170.6 ±

AREA

9.9 ha ±

Depth 353 ±

Existing Use(s)

Agricultural and bush area

Existing Buildings or structures: Barn (used as shed) & shed

Proposed Uses (s): No Change

Type of access (Check appropriate space)

Existing [X]

Proposed [ ]

[ ] Provincial Highway

[X] County Road

[ ] Municipal road, maintained year round

[ ] Municipal road, seasonally maintained

[ ] Easement

[ ] Right-of-way

[ ] Private road

[ ] Crown access road

[ ] Water access

[ ] Other

Type of water supply - Existing [ ] Proposed [ ] (check appropriate space)

[ ] Municipally owned and operated piped water system

[ ] Well [ ] individual [ ] communal

[ ] Lake

[X] Other (Specify): Not required for agricultural use

Type of sewage disposal - Existing [ ] Proposed [ ] (check appropriate space)

[ ] Municipally owned and operated sanitary sewers

[ ] Septic Tank (specify whether individual or communal):

[ ] Pit Privy

[X] Other (Specify): Not required for agricultural use

7. Is there an agricultural operation, (either a barn, manure storage, abattoir, livestock area or stockyard) within 500 metres of the Subject lands (severed and retained parcels)? YES [X] NO [ ]

\*If yes, see sketch requirements and the application must be accompanied by a MINIMUM DISTANCE SEPARATION FORM.

8. Is there a landfill within 500 metres [1640 feet]? YES [ ] NO [X]

9. a) Is there a sewage treatment plant or waste stabilization plant within 500 metres [1640']? YES [ ] NO [X]

10. Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the lands to be retained or to be severed or within 120 metres [394 feet]? YES [X] NO [ ]

11. Is there any portion of the land to be severed or to be retained located within a floodplain? YES [X] NO [ ]

12. Is there a provincial park or are there Crown Lands within 500 metres [1640']? YES [ ] NO [X]

13. Is any portion of the land to be severed or retained within a rehabilitated mine/pit site? YES [ ] NO [X]

14. Is there an active or abandoned mine, quarry or gravel pit within 500 metres [1640']? YES [ ] NO [X]

15. Is there a noxious industrial use within 500 meters [1640']? YES [ ] NO [X]

16. Is there an active or abandoned principal or secondary railway within 500 metres [1640']? YES [ ] NO [X]

Name of Rail Line Company: \_\_\_\_\_

17. Is there an airport or aircraft landing strip nearby? YES [ ] NO [X]

18. Is there a propane retail outlet, propane filling tank, cardlock/keylock or private propane outlet/container refill centre within 750 metres of the proposed subject lands? YES [ ] NO [X]

**19. PREVIOUS USE INFORMATION:**

a) Has there been an industrial use(s) on the site? YES [ ] NO [X] UNKNOWN [ ]

If YES, what was the nature and type of industrial use(s)?  
\_\_\_\_\_

b) Has there been a commercial use(s) on the site? YES [ ] NO [X] UNKNOWN [ ]

If YES, what was the nature and type of the commercial use(s)?  
\_\_\_\_\_

c) Has fill been brought to and used on the site (other than fill to accommodate septic systems or residential landscaping?) YES [ ] NO [X] UNKNOWN [ ]

d) Has there been commercial petroleum or other fuel storage on the site, underground fuel storage, or has the site been used for a gas station at any time, or railway siding? YES [ ] NO [X] UNKNOWN [ ]

If YES, specify the use and type of fuel(s) \_\_\_\_\_

20. Is this a **resubmission** of a previous application? YES [ ] NO [X]

If YES, is it identical [ ] or changed [ ] Provide previous File Number \_\_\_\_\_

21. a) Has any severance activity occurred on the land from the holding which existed as of March 1, 2005 and as registered in the Land Registry/Land Titles Office? YES [ ] NO [X]

b) If the answer in (a) is YES, please indicate the previous severance(s) on the required sketch and provide:  
**Transferee's Name, Date of the Transfer and Use of Parcel Transferred.**  
\_\_\_\_\_

22. Has the parcel intended to be severed ever been, or is it now, the subject of an application for a plan of subdivision or other Consent or approval under the Planning Act or its predecessors? YES [ ] NO [X] UNKNOWN [ ]

23. Under a separate application, is the Owner, applicant, or agent applying for additional consents on this holding simultaneously with this application? YES [ ] NO [X]

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

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

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

If YES, does the application conform with the applicable Provincial Plan(s) YES [X] NO [ ]

26. Is the subject land a proposed surplus farm dwelling?\* YES [ ] NO [X]

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

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

Secondary Agricultural and Core Greenlands

c) If this consent relates directly to an Official Plan Amendment(s) currently under review by an approval authority, please indicate the Amendment Number and the applicable file number(s).

Amendment Number(s): File Number(s):

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

29. Does the proposal for the subject lands conform to the existing zoning? YES [X] NO [ ]

If NO, a) has an application been made for re-zoning? YES [ ] NO [ ] File Number

b) has an application been made for a minor variance? YES [ ] NO [ ] File Number

30. Are the lands subject to any mortgages, easements, right-of-ways or other charges? YES [ ] NO [X]

If the answer is YES, please provide a copy of the relevant instrument.  
For mortgages just provide complete name and address of Mortgagee.

Questions 31 – 34 must be answered for Applications for severance in the Rural/Agricultural Area -- Otherwise, if this is not applicable to your application, please state “not Applicable”

31. Type of Farm Operation conducted on these subject lands: Cash Crop

Type: Dairy [ ] Beef Cattle [ ] Swine [ ] Poultry [ ] Other [ ]

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

<u>Severed</u>	Width	Length	Area	Use	
	Width	Length	Area	Use	
<u>Retained</u>	Width <u>15±m</u>	Length <u>18±m</u>	Area <u>270±m²</u>	Use	<u>Barn (used as shed)</u>
	Width <u>6±m</u>	Length <u>9±m</u>	Area <u>54±m²</u>	Use	<u>Shed</u>

33. Manure Storage Facilities on these lands: None

DRY		SEMI-SOLID		LIQUID	
Open Pile [ ]		Open Pile [ ]		Covered Tank [ ]	
Covered Pile [ ]		Storage with Buck Walls [ ]		Aboveground Uncovered Tank [ ]	
				Belowground Uncovered Tank [ ]	
				Open Earth-sided Pit [ ]	

August 8, 2017  
23807-16

Jeff.Buisman@vanharten.com

County of Wellington Land Division Committee  
74 Woolwich Street  
Guelph, Ontario  
N1H 3T9

Attention: Ms. Deborah Turchet

Dear Ms. Turchet,

**Re: Severance Application and Sketch**  
**8142 Brock Road**  
**Part of Lot 19, Concession 8**  
**Part 1, 61R-8176**  
**PIN 71197-0262**  
**Township of Puslinch**

Please find enclosed an application for a severance on the above-mentioned property. Included with this submission are copies of the severance sketch, completed application form, the required deed, PIN report and map, addresses of neighbouring properties, Site Plan, a cheque to Wellington County for \$1,050 and a cheque to the GRCA for \$390.

**Proposal:**

The proposal is to create a new rural residential parcel along County Road 46 (Brock Road North) with a frontage of 53.4m, depth of 180.2m and an area of 0.93±ha. The proposed severed land is currently bush and field where a new dwelling is proposed to be built. The retained parcel will have an area of 9.9±ha where the existing accessory buildings, agricultural field and bush will remain.

The front portion of the severed parcel has an Official Plan designation of Core Greenlands. The rear portion of the parcel has a designation of Secondary Agricultural in the County of Wellington Official Plan which allows for a severance provided that certain criteria (Section 10.4.4) are met. We reviewed this section and we provide the opinion that the relevant criteria are met including the following:

- The severed lands are designated Secondary Agricultural
- Ownership is longer than 5 years
- No severance since March 2005
- Safe entrance is available – the proposed entrance was reviewed and approved by the County of Wellington Roads Department
- Adequate space for new dwelling and septic
- MDS requirements are met
- No impacts on environmentally sensitive lands or woodlot – an EIS is being completed by Natural Resource Solutions Inc. and it was determined that there is an adequate building envelope for a dwelling and septic at the rear of the severed parcel without impacting sensitive lands.

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

Van Harten Surveying Inc.



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

cc Wayne George

34. Are there any drainage systems on the retained and severed lands? YES [ ] NO [X]

Type	Drain Name & Area	Outlet Location
Municipal Drain [ ]		Owner's Lands [ ]
Field Drain [ ]		Neighbours Lands [ ]
		River/Stream [ ]

35. Source Water Protection Plan

Is the subject land within a Wellhead Protection Area, Issue Contributing Area, or Intake Protection Zone of a Source Protection Plan in effect? YES [ ] NO [X]

If YES, please complete the Source Water Protection Form and submit with your application.

36. Have you had a pre-consultation meeting with County Planning Staff before filling out this application form?

YES [X] NO [ ]

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

37. If you wish to provide some further information that may assist the Planning and Land Division Committee in evaluating your application, please provide by a letter and attach it to this application.

**Please see covering letter.**

NOTES:

1. **One original completed application and two original sketches must be filed with the County of Wellington Planning and Land Division office.** If original sketch is larger than 11" x 17", 8 additional copies are required plus one sketch reduced to a size of 11" x 17" (or smaller) for office photocopying and circulation to neighbours. Facsimile documents are not acceptable for reasons of the necessity of good photocopying.
2. The location of the lands (severed & retained) which are the subject of the application must also be shown on the Surveyor's sketch or on an attached "Key Map" and included with the application.
3. Since the filing fee for applications for consent change from time to time, please contact the Planning and Land Division office for current fee information. This fee may be paid in cash or by cheque payable to the County of Wellington.
4. Additional information about the process, about any particular application or obtaining application forms may be obtained by attending at the County of Wellington Administration Centre, 74 Woolwich Street, Guelph Ontario N1H 3T9, by telephone at 519-837-2600, ext. 2160 or 2170; or by facsimile (fax) at 519-837-3875.
5. Generally, regular severance application forms are also available at the local municipal office.
6. Some municipalities also require the applicant to attend at a Planning Advisory Committee or Council meeting to discuss the application prior to the Municipality's submitting comments to the County of Wellington Planning and Land Division Committee. Please check with your local municipality.
7. If the applicant is a Corporation, then the applicant's Declaration or if applicable, the Owner's authorization too, must be signed by an officer of the corporation who has authority to bind the corporation; or the corporation's seal must be affixed.





**REPORT PD-2017-007**

---

TO: Mayor and Members of Council

FROM: Kelly Patzer, Development & Legislative Coordinator

MEETING DATE: August 9, 2017

SUBJECT: Site Plan Control By-law

---

**RECOMMENDATIONS**

That Report PD-2017-007 regarding the proposed Site Plan By-law, be received; and

That Council directs staff to proceed with holding a Public Meeting on September 21, 2017 at 7:30 p.m. at the Township Municipal Office to obtain public input on the proposed Site Plan By-law as presented in Schedule A to Report PD-2017-007; and

That staff publish notice in the Wellington Advertiser and Township website to advise of the Public Meeting; and

That staff report back on the results of the Public Meeting.

**DISCUSSION****Purpose:**

An updated Site Plan Control By-law is being proposed to align with review of the 2018 User Fee By-law, the existing Building By-law and to facilitate economic development by providing Township staff discretion and flexibility when applying Site Plan Control to facilitate economic development.

This report is to provide Council with the proposed changes to the Site Plan Control By-law and to obtain direction from Council to proceed with holding a public meeting to solicit input on the proposed By-law.

**Background:**

Site plan control is a tool that is provided to municipalities by Ontario's Planning Act to ensure that land development is designed appropriately, safely, functionally and minimizes potential impacts on neighbouring properties. It also makes sure that the Township's standards for developing land are respected.

The Site Plan Control By-law was scheduled for review in 2024 as outlined in Council's future goals and objectives. Upon review of the 2018 User fees By-law it was

determined that an update of the Site Plan Control By-law would provide a clear understanding of grading requirements for residential dwellings.

The existing Site Plan Control By-law notes that the following types of development are exempt from the Site Plan requirements of the Planning Act:

“Single detached, semi-detached and duplex dwellings except to establish lot grading and drainage approval on lots where such requirement does not otherwise apply through the provisions of a subdivision development agreement or to protect a feature of the Greenland System”

The previous User Fee By-law included a grading fee of \$2,000 applicable to all new single detached dwellings in the Township to implement the above requirement of the Site Plan Control By-law. It has been determined that an additional review of grading for residential dwellings is not required as there are grading submission requirements in the Building By-law that include the submission of a grading plan certified by an engineer or Ontario Land Surveyor as part of the building permit application. The building department reviews the certified grading plan to ensure it is appropriate and where deemed required by the Chief Building Official, a drainage certificate is submitted prior to closing the permit.

In addition to the removal of any grading requirement in the Site Plan Control by-law, clauses have been amended and added which will provide staff scoped ability to review minor development proposals that will have limited impact on the site or neighbouring properties and exempt such proposals from the requirement of Site Plan Approval. The existing Site Plan Control By-law 16/08 does have a clause to exempt properties from Site Plan Control where the construction value is less than \$10,000 or other minor applications as determined by the Chief Building Official. This is proposed to be removed as it is difficult to quantify a construction value of \$10,000 and what a minor project is. The following exemption criteria proposed in the new Site Plan Control By-law will give staff a solid decision making basis to exempt certain development from Site Plan Approval:

- Aesthetic or use alteration of an existing building or structure, unless such alteration of the building or structure has the effect of substantially increasing its size and/or impact, such as the alteration of a residential building to introduce a commercial use, as determined by the Chief Building Official and/or Development & Legislative Coordinator;
- Commercial and Institutional structures and/or additions not exceeding 93 square metres, or other minor applications, provided it can be demonstrated to the Chief Building Official and/or Development & Legislative Coordinator the addition will not have a negative impact on the Township's Urban Design Guidelines, site

servicing and grading, stormwater management, parking and loading or site access.

- Industrial structures and/or additions not exceeding 186 square metres, or other minor applications, provided it can be demonstrated to the Chief Building Official and/or Development & Legislative Coordinator the addition will not have a negative impact on the Township's Urban Design Guidelines, site servicing and grading, stormwater management, parking and loading or site access.

The above exemption options will facilitate development and remove sometimes unnecessary municipal processes that can cause applicants time delays and additional monetary expense. Examples of such could be the addition of a 900 ft<sup>2</sup> storage shed to a large commercial, industrial or institutional property or the conversion of a residential dwelling into a low impact commercial business such as a salon where existing parking and landscaping is provided and the property conforms to the provisions of Zoning By-law.

Staff is also proposing that Council delegate authority to the Mayor and CAO/Clerk for the signing of Site Plan Agreements. A comparison of surrounding municipalities' Site Plan Control By-laws was completed for the Township's proposed by-law and it was found that Guelph/Eramosa, Minto, Milton, Cambridge and Halton Hills have provisions for delegated authority to exercise Council's powers under the Planning Act to approve plans and drawings. It can take approximately a month in additional time after staff/consultant review and approval of a Site Plan for the agreement to be authorized by Council which is valuable time for applicants who are eager to proceed with development. A clause has been included in the proposed by-law that certain proposals, under the discretion of the CAO, are presented to Council prior to final approval. This could be put to use in the case of a contentious development that is permitted on a property.

The proposed By-law also includes new clauses for any noncompliance with approved development plans to benefit the Township.

### **Applicable Legislation and Requirements:**

Planning Act, R.S.O. 1990, c. P.13

### **Attachments:**

Attachment "A" – proposed Site Plan Control By-law

Attachment "B" – Site Plan Control By-law 16/08

**THE CORPORATION OF THE TOWNSHIP OF PUSLINCH**

**BY-LAW NO. 2017-\_\_\_\_\_**

Being a by-law establish a Site Plan Control Area, to define classes of development and to delegate Council Authority pursuant to section 41 of the *Planning Act*, R.S.O. 1990 c.P13, as amended, and to repeal By-law 16/08.

WHEREAS subsection 41(2) of the Planning Act provides that the Council of a local municipality may, by by-law, designate a Site Plan Control Area;

AND WHEREAS the Official Plan identifies the whole of the County of Wellington as a proposed Site Plan Control Area;

AND WHEREAS section 41(13)(a) of the Planning Act provides that the Council of a municipality may, by by-law, define any class or classes of development that may be undertaken without the approval of plans and drawings otherwise required under subsection 41(4) or 41(5);

AND WHEREAS Subsection 41(11) of the Planning Act provides that Section 446 of the Municipal Act, 2001 applies to any requirements made under clauses (7) (a) and (b) and to any requirements made under an agreement entered into under clause (7) (c) or (c.1);

AND WHEREAS the Council of the Corporation of the Township of Puslinch is desirous of repealing By-law 16/08;

NOW THEREFORE the Council of The Corporation of the Township of Puslinch HEREBY ENACTS AS FOLLOWS:

1. All Lands within the corporate limits of the Township of Puslinch (hereinafter the "Township") are hereby designated as a Site Plan Control Area.
2. No person shall undertake development in the Site Plan Control Area without the approval of the required plans and drawings in accordance with the requirements of Section 41 of the Planning Act.
3. Notwithstanding Section 2 and pursuant to Section 41(13)(a) the following types of development are exempt from Site Plan Control without the approval of plans and drawings:
  - (a) Single detached dwellings, semi-detached dwellings, duplex dwellings and triplex dwellings;
  - (b) Any building or structure deemed accessory to a single detached dwelling, semi-detached dwelling, duplex dwellings, triplex dwelling or townhouse dwelling;
  - (c) Agricultural and farm related buildings or structures, except for those associated with a commercial, industrial or farm related tourism use that serves the public;
  - (d) Aesthetic or use alteration of an existing building or structure, unless such alteration of the building or structure has the effect of substantially increasing its size and/or impact, such as the alteration of a residential building to introduce a commercial use, as determined by the Chief Building Official and/or Development & Legislative Coordinator;
  - (e) Commercial and Institutional structures and/or additions not exceeding 93 square metres, or other minor applications, provided it can be demonstrated to the Chief Building Official and/or Development & Legislative Coordinator the addition will not have a negative impact on the Township's Urban Design Guidelines, site servicing and grading, stormwater management, parking and loading or site access.
  - (f) Industrial structures and/or additions not exceeding 186 square metres, or other minor applications, provided it can be demonstrated to the Chief Building Official and/or Development & Legislative Coordinator the

addition will not have a negative impact on the Township's Urban Design Guidelines, site servicing and grading, stormwater management, parking and loading or site access.

- (g) Building and structures for flood control or conservation purposes;
  - (h) Pits and quarries licensed or permitted under the Aggregate Resources Act, R.S.O. 1990, c.A.8, as amended;
  - (i) All individual trailer site improvements.
4. The Mayor and the Clerk of the Corporation of the Township are hereby authorized to execute all agreements (generally referred to as Site Plan Agreements) required by the municipality under Subsection 41(7)(c) of the Planning Act and to affix the seal of the corporation thereto.
5. Notwithstanding Section 4, the CAO/Clerk of the Township may request that certain proposals be presented to Council prior to final approval.
6. The Chief Building Official and/or Development & Legislative Coordinator are hereby authorized to approve minor changes to any approved site plan, in writing, without an amendment to the Site Plan Agreement.
7. Every person who contravenes the site plan provisions of Section 41 of the Planning Act is guilty of an offence and is liable to a fine as set out in Section 67 of the Planning Act.
8. In accordance with Section 446 of the Municipal Act the Township may direct or require a person to do a matter or thing as required as part of Site Plan Approval or the Site Plan Agreement, and in default of it being done by the person directed or required to do it, the matter of thing shall be done at the person's expense.
9. For the purposes of Section 8 the Township may enter upon the land at any reasonable time.
10. The Township may recover the costs of doing a matter or thing from the person directed or required to do it by adding the costs to the tax roll and collecting them in the same matter as property taxes.
11. By-law 16/08 is hereby repealed.

**READ THREE TIMES AND FINALLY PASSED IN OPEN COUNCIL THIS \_\_\_\_\_ DAY  
OF \_\_\_\_\_, 2017.**

\_\_\_\_\_  
Dennis Lever, Mayor

\_\_\_\_\_  
Karen Landry, Clerk

**THE CORPORATION OF THE TOWNSHIP OF PUSLINCH**

**BY-LAW NUMBER 16/08**

**BEING A BY-LAW TO ESTABLISH SITE PLAN CONTROL  
WITHIN THE TOWNSHIP OF PUSLINCH**

**WHEREAS** the Official Plan for the County of Wellington provides for the establishment of a Site Plan Control Area pursuant to Section 41 of the *Planning Act, R.S.O. 1990*, as amended;

**AND WHEREAS** the Official Plan identifies the whole of the County of Wellington as a proposed site plan control area;

**AND WHEREAS** Council may designate the whole or any part of such area as a Site Plan Control Area and may define certain classes of development which may be undertaken without approval of plans under Section 41 (4) and Section 41 (5) of the Planning Act, R.S.O., 1990, as amended;

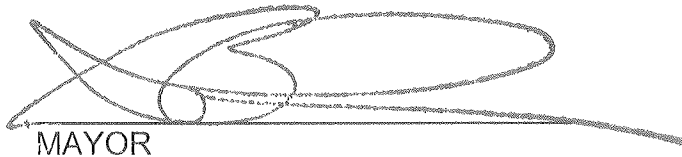
**NOW THEREFORE** the Council of the Corporation of the Township of Puslinch enacts as follows:

1. That all lands within the corporate limits of the Township of Puslinch are hereby designated as a Site Plan Control Area pursuant to Section 41 (2) of the Planning Act, R.S.O. 1990, as amended.
2. Pursuant to Section 41 (13) (a) the following types of development are exempt from the requirements of Section 41 (4) and Section 41 (5) of the Planning Act, R.S.O., 1990, as amended:
  - a) single detached, semi-detached and duplex dwellings except to establish lot grading and drainage approval on lots where such requirement does not otherwise apply through the provisions of a subdivision development agreement, or to protect a feature of the Greenland System;
  - b) agricultural buildings and structures, save and except farm help houses, trailers and garden suites;
  - c) agricultural uses, but not included farm related commercial or industrial uses;
  - d) all individual trailer site improvements;
  - e) buildings and structures for flood control or conservation purposes.
3. No person shall undertake any development (as defined in Subsection 41 (1) of the Planning Act, R.S.O. 1990, as amended) in a site plan control area unless they have first obtained written approval from the Township with respect to such development pursuant to this section.

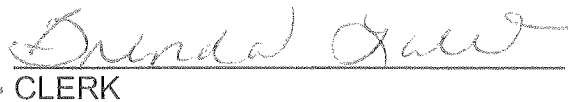


4. That the Council of the Township of Puslinch delegates to the Chief Building Official of the Township of Puslinch the power and authority to exempt from site plan control any property proposing construction alterations within the site plan control area which do not change the occupancy use of the building or premises and have a construction value less than \$10,000.00 or other minor applications as determined by the Chief Building Official.
5. Every person who uses any lot, or erects or uses any building or structure or any part of any lot, building or structure in a manner contrary to any requirements of this by-law, or who causes or permits such use or erection, or who violates any provisions of this By-law or permits such a violation, shall be guilty of an offence, and upon conviction thereof, shall forfeit and pay a penalty pursuant to Section 67 of the Planning Act, R.S.O. 1999, as amended.
6. This by-law shall come into force and effect on the final passing thereof by the Council of the Corporation of the Township of Puslinch.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 6<sup>th</sup> DAY OF FEBRUARY, 2008.



MAYOR



CLERK