

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER 032/14

A by-law to approve the Expropriation of Certain Lands for highway purposes to accommodate existing and planned road and bridge infrastructure and associated maintenance, signage and ancillary purposes in the vicinity of the Cook's Mill Road Bridge crossing over the Eramosa River.

WHEREAS, the Council of the Township of Puslinch enacted By-law Number 61/13 on October 2, 2013 authorizing commencement of the expropriation of certain lands, as described in that By-law, for the purposes set out therein;

AND WHEREAS a Hearing of Necessity was requested and was held on March 17, 2014 in respect of this proposed expropriation;

AND WHEREAS the Report of the Inquiry Officer relating to that Hearing of Necessity was received by the Township of Puslinch on April 1, 2014;

AND WHEREAS the Council of the Township of Puslinch has duly considered the Report of the Inquiry Officer relating to that Hearing of Necessity at its meeting held on April 16, 2014;

AND WHEREAS the Report of the Inquiry Officer concluded that the Township of Puslinch had satisfied the statutory test that the proposed expropriation is "fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority";

AND WHEREAS the Corporation of the Township of Puslinch now seeks approval of the proposed expropriation;

AND WHEREAS the Council of the Township of Puslinch hereby confirms that the reasons for its decision to approve the expropriation of these lands is that the lands are required for highway purposes to accommodate existing and planned road and bridge infrastructure and associated maintenance, signage and ancillary purposes in the vicinity of the Cook's Mill Road Bridge crossing over the Eramosa River.

AND WHEREAS the Land Registry Office has recently made a correction to the legal description of the lands being expropriated, which correction is reflected in this by-law;

NOW THEREFORE, the Council of the Township of Puslinch enacts as follows:

1. The expropriation of the above mentioned lands, more particularly described in the Certificate of Approval attached hereto as Schedule "A" to this by-law is hereby approved;
2. That the Township CAO/Clerk is hereby authorized and directed to sign and execute on behalf of the Council of the Township of Puslinch and affix the corporate seal to the Certificate of Approval attached hereto as Schedule "A" and all other notices and documents which are necessary to carry out the provisions of this by-law;
3. That the Mayor and CAO/Clerk are hereby authorized to execute and procure the registration of a Plan, in the proper land registry office, showing the land interests expropriated in accordance with the "Expropriations Act";

4. That a Notice of Expropriation be served upon the registered owners, together with a Notice of Election form as to the date of assessment of compensation and a Notice of Possession requiring possession of the lands at least three months after the date of service;
5. That an appraisal report of the market value of the expropriated lands and, if applicable, damages for injurious affection, be obtained;
6. That an offer of full compensation and an offer for immediate payment of 100% of the market value of the expropriated lands as estimated by the expropriating authority, all in accordance with section 25 of the *Expropriations Act*, be served, together with a copy of the appraisal report;
7. That compensation be paid to owners following the acceptance of the offer made pursuant to section 25 of the *Expropriations Act*;
8. That all necessary steps be taken to obtain possession of the lands.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED this 4th day of June, 2014.

Dennis Lever, Mayor

Karen Landry, CAO Clerk

Schedule "A" to By-law Number 032/14

CERTIFICATE OF APPROVAL

Expropriations Act

IN THE MATTER OF an Application by:

The Corporation of the Township of Puslinch

for approval to expropriate land being:

Part of Lot 2, East of the Blind Line, Plan 131, being Part 1, 61R-9472, Part of PIN 71185-0201, Township of Puslinch, County of Wellington; and

Part of Lot 2, East of the Blind Line, Plan 131, being Part 2, 61R-9472, Part of PIN 71185-0218, Township of Puslinch, County of Wellington

For highway purposes to accommodate existing and planned road and bridge infrastructure and associated maintenance, signage and ancillary purposes in the vicinity of the Cook's Mill Road Bridge crossing over the Eramosa River.

The Council of The Township of Puslinch hereby certifies that approval was given to The Corporation of the Township of Puslinch on the 4th day of June, 2014 to expropriate the following lands:

Fee Simple Partial Taking

The fee simple partial taking interest in the lands described as:

Part of Lot 2, East of the Blind Line, Plan 131, being Part 1, 61R-9472, Part of PIN 71185-0201, Township of Puslinch, County of Wellington; and

Part of Lot 2, East of the Blind Line, Plan 131, being Part 2, 61R-9472, Part of PIN 71185-0218, Township of Puslinch, County of Wellington

being more particularly identified on a draft Plan of Expropriation, prepared by Black, Shoemaker, Robinson, Donaldson Ltd., Surveyors, attached hereto.

being the lands described in the application.

Dated at Puslinch this 4th day of June, 2014.

The Corporation of the Township of Puslinch

Karen Landry, CAO/Clerk

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER XXX/14

**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 Part of Lot 26, Gore Concession from an AGRICULTURAL (A) ZONE to an **AGRICULTURAL SITE SPECIFIC (A-57)** zone, as shown on schedule "A" of this By-law, with the existing NATURAL ENVIRONMENT (NE) zoning to remain unchanged.
2. That subsection 5(4) SPECIAL PROVISIONS of the Agricultural Zone is amended by adding the following new exceptions:

(eee) **A-57 (PROFESSIONAL OFFICE)**

Notwithstanding any provisions of this By-law to the contrary, the lands zoned A-57 on Schedule 'A' hereto, the following special provisions shall apply to permit a Professional Office:

(i) **Uses Permitted**

- A professional office shall have a maximum gross floor area of 100 sq. m (1,076 sq. ft.), with a maximum height of 8.5 m (27.1 ft).
- Any use permitted in an (A) zone

(ii) **Zone Requirements**

- That the professional office building be contained to an area in proximity to the existing building cluster and be setback approximately:

240 m from Concession Road 1; and,
250 m from Side road 25; and,
145 m from the East property line

- The professional office building on the property shall not be used for residential purposes and shall not contain any sleeping quarters within it.
- No outdoor storage associated with the professional office use shall be permitted.
- The number of employees permitted to work at the professional office shall not exceed three (3) and shall not include any off-site employees.

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

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 4TH DAY OF JUNE, 2014.

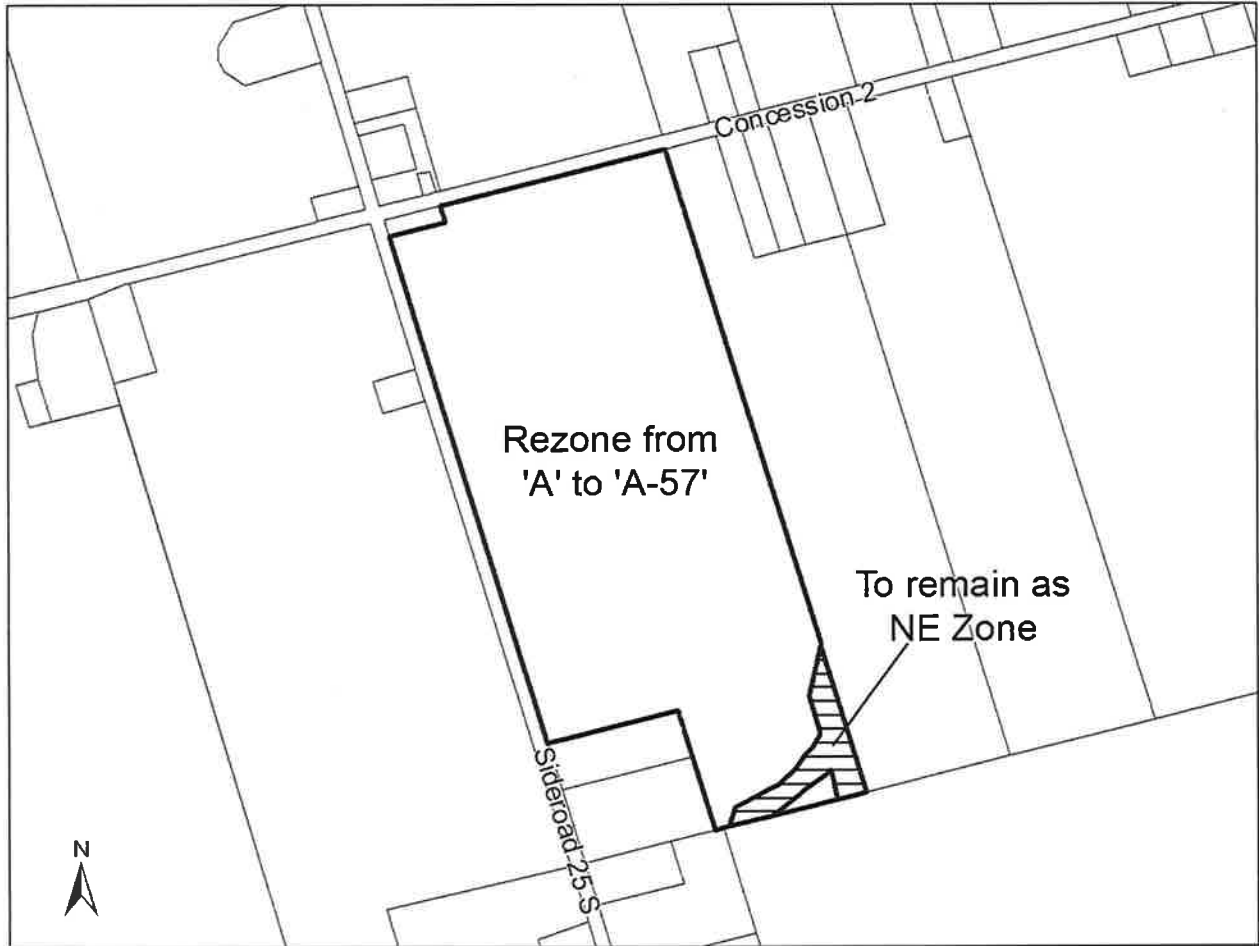
Dennis Lever, Mayor

Karen Landry, CAO Clerk

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER XXX/14

SCHEDULE "A"



This is Schedule "A" to By-law No. XXX/14
Passed this 4TH day of June, 2014.

MAYOR

CAO/CLERK

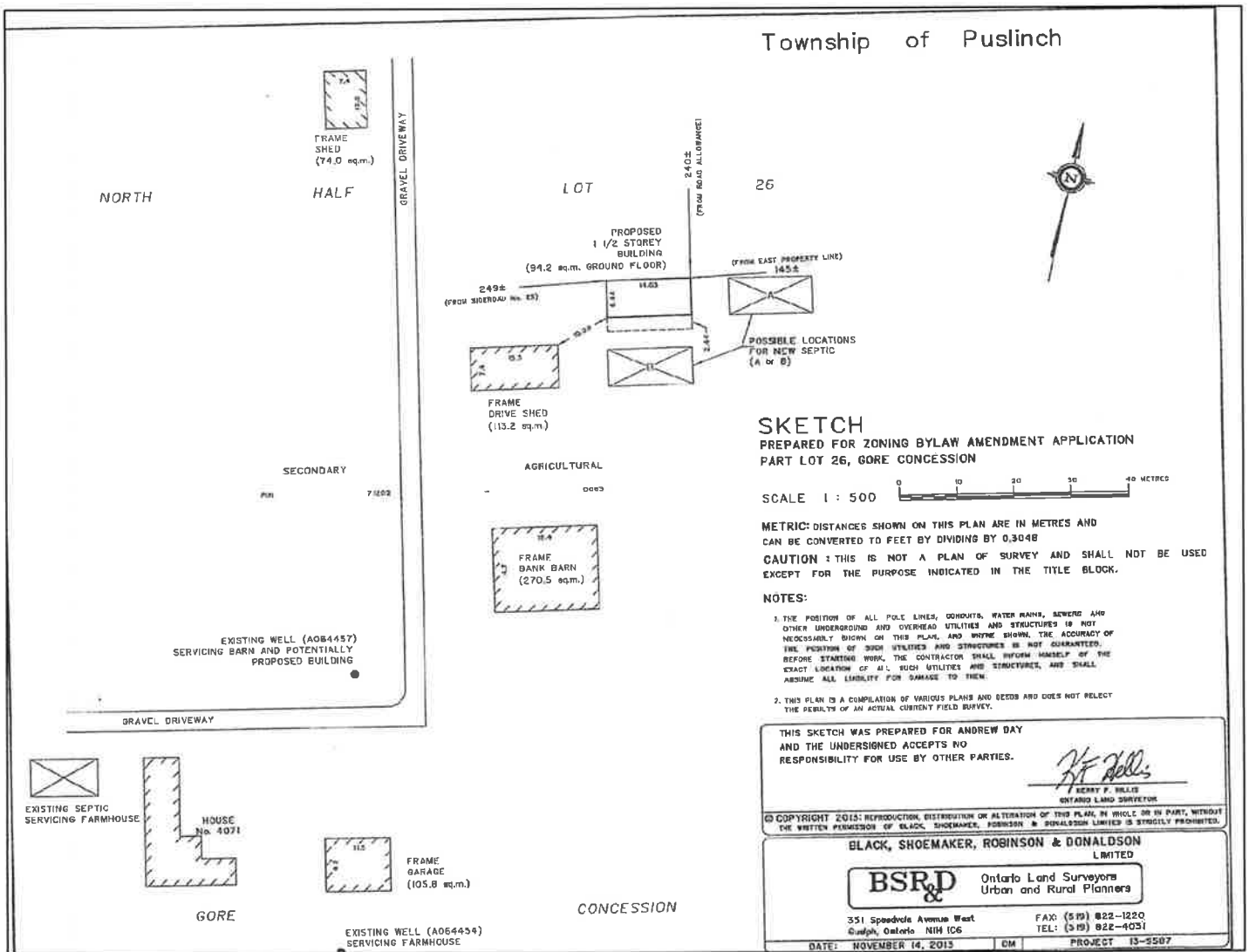
THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

EXPLANATION OF BY-LAW NO. XXX/14

By-law Number XXX/14 amends the Township of Puslinch Zoning By-law 19/85 by rezoning Part Lot 26, Gore Concession, from Agricultural (A) to an **Agricultural Site Specific (A-57)** to allow for the use of a professional office on the property.

The purpose of this zone change is to rezone the property to allow for professional office use to be established on the property. The zone provisions include a maximum gross floor area, maximum height limit, restrictions on uses in the building, siting requirements and numbers of employees allowed on site. These restrictions will ensure that the size and use of the building will not be increased or changed unless approved by Council.

The siting requirements referenced in the amending by-law reflect the setbacks on the sketch submitted with the application and are illustrated below.



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER XXX/14

Being a by-law to confirm the proceedings of the Council of the Corporation of the Township of Puslinch at its meeting held on June 4, 2014.

WHEREAS by Section 5 of the *Municipal Act, 2001, S.O. 2001, c.25* the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Section 5, Subsection (3) of the *Municipal Act*, a municipal power including a municipality's capacity, rights, powers and privileges under section 8, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS it is deemed expedient that the proceedings of the Council of the Corporation of the Township of Puslinch at its meeting held June 4, 2014 be confirmed and adopted by By-law;

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

- 1) The action of the Council of the Corporation of the Township of Puslinch, in respect of each recommendation contained in the reports of the Committees and each motion and resolution passed and other action taken by the Council at said meeting are hereby adopted and confirmed.
- 2) The Head of Council and proper official of the Corporation are hereby authorized and directed to do all things necessary to give effect to the said action of the Council.
- 3) The Head of Council and the Clerk are hereby authorized and directed to execute all documents required by statute to be executed by them, as may be necessary in that behalf and the Clerk authorized and directed to affix the seal of the said Corporation to all such documents.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 4th DAY OF June, 2014.

Dennis Lever, Mayor

Karen Landry, C.A.O./Clerk