

Mar 14, 2014

Re: R & C Holdings Inc. - Ren's Pet Depot - D14/REN/P4/2012

I received an email today at 1:50 PM advising me that the Planning Report application made by R & C Job Holdings (Ren's) will be considered by Council at the meeting to be held March 19th 2014.

I am requesting that this item 8 (4) (c) on the agenda be postponed to another date as I will not be able to attend this meeting due to business travel outside of the province. As you know, I have been one of the key opponents of this expansion for over 2 years due to a variety of reasons, many of which have never been satisfactorily addressed. Therefore, I have continuing concerns that I would not be able to vocalize due to the short notice given of this meeting agenda. I find it unacceptable that the public would be given less than a weeks' notice to address such an important and turbulent topic to the community of Aberfoyle.

Secondly, I wanted to note for the record that Karen Landry specifically requested Mr. Aldo Sails to address my outstanding concerns of letters dated October 29, 2013 and March 2, 2014, which he still has yet to reach out to me to address.

Thirdly, in the planning report that was just sent to me today dated March 12, it indicates that the request for the future warehouse is to re-zone the land to C2-7 which according to the report, has a building height limit of 10 meters.

Since according to any existing C2 zones (1-6) that I have been able to find, it appears that this would be a totally new zoning and have its own set of rules. I would like to know why when all other C2 zonings appear to have a restricted height of 5 meters, you would consider allowing this expansion to have a height of 10 metres which is typically reserved for an Industrial zoned structure. Why would Mr. Sails recommend supporting this plan?

I would also like to know, and have asked on several occasions, what the existing warehouse is zoned? Since the height of the existing warehouse appears larger than 10 meters and all existing C2 zones appear to have a height restriction of 5 meters, what is the zoning designation of the existing structure? Can you please show me where in the bi-laws it states that a commercially zoned structure can have a height more than 5 metres? The only evidence I have been able to find on the Puslinch web site I have included in this document.

If I am incorrect in my findings, I welcome evidence to the contrary.

Best Regards



Brad Finck
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SECTION 3 – General Provisions

(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.

(b) LOT COVERAGE

The total lot coverage of all accessory buildings or structures on a lot shall not exceed five per cent of the lot area of the said lot.

(c) HEIGHT RESTRICTIONS

No accessory building or structure in any zone shall exceed five metres in height.

(d) YARD REQUIREMENTS

Any accessory building or structure shall comply with the zone requirements and all other provisions hereof applicable to the zone in which such accessory building or structure is located, except that nothing in this By-Law shall apply to prevent the erection of:

- (i) a building or structure accessory to a single dwelling, anywhere in an interior side yard or a rear yard, provided that such accessory building or structure is not located closer than two metres to any lot line;
- (ii) a gatehouse, anywhere in a front yard or exterior side yard in an Industrial Zone;
- (iii) a partially enclosed shelter for use by children while waiting for a school bus, anywhere in a front yard or exterior side yard in an Agricultural Zone;
- (iv) a swimming pool, in accordance with the provisions of Subsection 3(20) of this By-Law; or
- (v) a boat house or boat dock at the edge of a watercourse.

(2) ACCESS REGULATIONS

No person shall hereafter erect any main building or structure on any lot in any zone unless such lot abuts an improved street or a reserve on the opposite side of which is located an improved street, and unless the Province, the County, or the Corporation has issued an entrance permit or otherwise granted permission to provide access for vehicular traffic from such lot to the said improved street, except that this provision shall

SECTION 12 - C2 Zone - Highway Commercial Zone

(1) SCOPE

The provisions of this Section shall apply in all Highway Commercial (C2) Zones except as otherwise provided in the Special Provisions Subsection hereto.

(2) USES PERMITTED

No person shall, within any C2 Zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following C2 uses, namely:

- (a) an accessory dwelling unit;
- (b) any automotive use;
- (c) agricultural and industrial equipment sales and service;
- (d) boat, recreation vehicle and trailer sales and service;
- (e) a building or construction contractor's yard;
- (f) an existing business or professional office;
- (g) any existing dwelling or dwelling unit;
- (h) a home occupation accessory to a permitted existing single dwelling;
- (i) a motel;
- (j) an existing personal service shop;
- (k) an existing shopping centre including retail stores, however the total retail square metres may not exceed the total square metres of the shopping centre as it exists at the date of passing of this By-Law;
- (l) a public use;
- (m) garden centres or nurseries;
- (n) a retail lumber and building supply yard;
- (o) a restaurant, including drive-in; fast food; take-out;
- (p) a refreshment room;
- (q) a retail store engaged in the sale of antiques, gifts, tourist shop, furniture, automotive supplies, farm produce, landscaping and garden supplies or domestic arts and crafts;
- (r) any existing retail store;
- (s) a service trade;
- (t) a variety store;
- (u) a veterinarian's clinic;
- (v) a recreational or entertainment facility.

(3) ZONE REQUIREMENTS

No person shall, within any C2 Zone, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) LOT AREA (MINIMUM) - 1 000 m²
- (b) LOT FRONTAGE (MINIMUM) - 30 m
- (c) FRONT YARD DEPTH (MINIMUM) - 10 m

- (d) INTERIOR SIDE YARD WIDTH (MINIMUM) - 3 m
- (e) EXTERIOR SIDE YARD WIDTH (MINIMUM) - 10 m
- (f) REAR YARD DEPTH (MINIMUM) - 7 m
- (g) LOT COVERAGE (MAXIMUM) - 35%
- (h) LANDSCAPED OPEN SPACE (MINIMUM) - 25%
- (i) AN ACCESSORY DWELLING UNIT

A lot used for a permitted commercial use, other than an automotive use, may contain one accessory residential dwelling unit for the owner or operator of said commercial use, subject to the following regulations:

- (i) That the dwelling unit shall form part of the main building and shall be located on the ground floor to the rear of the commercial use or on the second or higher floors of the main building;
- (ii) That the dwelling unit shall be fully self-contained and have a minimum floor area in accordance with provisions of Section 3(5)(e) of this By-law;
- (iii) That the dwelling unit shall have direct means of access to a public street by means of stairs or halls;
- (iv) That only one accessory dwelling unit is permitted per lot; and
- (v) That the requirements of Section 3(5), and any other applicable regulations of this By-law, shall be complied with.

(4) SPECIAL PROVISIONS

(a) C2-1 (SERVICE CENTRE)

Notwithstanding any provisions of this By-Law to the contrary, within any area designated C2-1 on Schedule 'A' hereto, the following special provisions shall apply:

- (i) **Uses Permitted Restricted To**
 - automobile service station;
 - restaurant;
 - picnic area.

By-law
24-86

(b) **C2-2**

Notwithstanding any provisions of this By-Law to the contrary, within any area designated C2-2 on Schedule 'A' hereto, the following special provisions shall apply:

(i) **Uses Permitted**

- a single detached dwelling
- a semi-detached dwelling
- a duplex dwelling
- a rooming house or boarding house
- a commercial establishment where goods are sold or services rendered to the local trade only
- a hotel or motel
- a repair garage or service station
- light fabricating, assembly or manufacturing
- professional office
- funeral home
- inside storage or warehousing

By-law
18/89

(c) **C2-3**

Notwithstanding Section 12(2) of By-law 19/85, within any area designated C2-3 on Schedule 'A' hereto, the following special provisions shall apply:

(i) **Uses Permitted**

- an art gallery;
- conference or meeting facility;
- a personal service shop;
- professional office;
- a public office;
- garden centres or nurseries
- log cabin/model home display;
- a restaurant;
- miniature golf;
- a refreshment room;
- a retail store engaged in the sale of gifts, antiques, tourist shop, furniture, home and garden or landscaping improvement supplies, farm produce, or domestic arts and crafts;
- model railway;
- a specialty food store;
- a variety store;
- outdoor activity area;
- a recreational or entertainment facility;

By-law
16/92

(d) **C2-4 (GAS BAR)**

Notwithstanding any provisions of this By-law to the contrary, the land zoned C2-4 may only be used for a gas bar, convenience store and accessory uses, buildings and structures subject to the applicable regulations of this By-law.

(e) **C2-5 (Automotive Sales and Service)**

Notwithstanding subsection 12(2) or any other provisions of this By-law to the contrary, the land zoned **C2-5** on Schedule 'A' may only be used for the following uses subject to the applicable regulations of this By-law and the following special provisions:

(i) **Uses Permitted Restricted To:**

- an automobile sales and service establishment including auto body repair and outdoor display of vehicles for sale or lease.
- uses, buildings and structures accessory to the above main use.

(ii) **Zone Requirements**

The applicable provisions of this By-law, including Section 12.3, shall apply to the subject land together with the following special regulations:

- **Maximum Floor Area** The maximum floor area for the main building shall be 300 sq. metres (3,300 sq. ft.).
- **Planting Strip** A planting strip of not less than 7 metres (23 ft.) in width shall be provided along the entire frontage of the property save and except the location of a driveway not exceeding 6 metres (20 ft.) in width.
- **Outdoor Storage** An outdoor storage area, in accordance with the provisions of subsection 3(15) of this By-law, may be permitted within the zoned area. This area may be used for the storage of vehicles, material or equipment, but does not include the storage of tires, batteries, gasoline, engine oil and other hazardous fluids or chemicals.

Outdoor Display Area An area to display vehicles for sale or lease is permitted between the front lot line and the front wall of the main building. The outdoor display area shall not exceed 10% of the total zoned area nor obstruct any required parking area or loading area on the property.
- All other applicable regulations of the Zoning By-law shall be maintained.

(d) **C2-6 (Golf Driving Range)**

Notwithstanding subsection 12(2) or any other provisions of this By-law to the contrary, the land zoned **C2-6** on Schedule 'A' may only be used for the following uses subject to the applicable regulations of this By-law and the following special provisions:

(i) **Uses Permitted Restricted To:**

- a golf driving range
- club house
- 18-hole miniature golf facility
- pitching & putting greens
- buildings, structures and uses accessory to the above uses.

(ii) **Zone Requirements**

The applicable provisions of this By-law, including Section 12.3, shall apply to the subject land together with the following special regulations:

- **Club House** The maximum floor area for the club house building shall be 232 sq. metres (2,500 sq. ft.). For the purposes of the C2-6 Zone, a club house is defined as a "Refreshment Room" pursuant to Section 2 of By-law 19/85. The club house may include an outdoor patio with a maximum floor area of 56 square metres (600 sq. ft.).
- **Parking** Off-street parking shall be provided in accordance with the provisions of subsection 3(16) of By-law 19/85.
- **Outdoor Storage** All outdoor storage of equipment or material shall be contained within a fenced and screened storage area and shall not be visible from any public road or adjacent lot.
- All other applicable regulations of the Zoning By-law shall be maintained.

March 15, 2014

Re: Application File Number OP-2012-05

I would like to address my concern with a document submitted by the MHBC in response to the public meeting held at the township offices regarding the Rens re-zoning and expansion.

At the public meeting, I raised a concern that when I expanded my garage, I was informed that I was to restrict my garage addition to the bi-law height of 5 meters. I found it unusual and unfair that Rens existing and proposed warehouse was allowed to go much higher than this. Upon further investigation on the Puslinch web site, it does indeed state that the maximum height for a commercial building in this zoning should indeed not exceed 5 meters.

The response to my concerns according to the MHBC document of January 15th states that the Owner has agreed to change the design of the building to a flat roof and is prepared to set a maximum height of 10m (33 feet).

However, I find this response to be unacceptable. Why should we allow some businesses to exceed the use and height permitted in the commercial zone when other businesses are meant to comply?

I find this response unacceptable and would find it irresponsible if Council would accept this agreement when other hard-working business owners in the area are not given the same latitude.

Please include and submit this letter to Council for consideration.

Sincerely

Michael Marinovic

7424 Wellington Road 34

Al & Judy Krist
 27 Brock Rd. North
 Aberfoyle, Ontario

March 17/2014

Dear Puslinch Township council members,

We are submitting this letter to express our concerns that a decision on the rezoning and warehouse expansion may be made when questions asked at the previous council meetings have not been satisfactorily answered.

We also request that the item 8 (4) (c) scheduled for March 19th 2014 be postponed to allow time for a residents delegation to prepare questions for the meeting. Having just received the report from MHBC in the email from the township, some time is needed to prepare.

Please advise me if a rescheduling of this item can be planned with allowing enough time to prepare a response to the MHBC report.

It appears that representatives of Ren's Pets Depot (MHBC) are submitting reports that gloss over the concerns that the citizens of the Hamlet of Aberfoyle have, regarding not only the rezoning, the expansion, but also the existing warehouse structure itself.

The MHBC report dated Jan. 15/2014 is providing self-serving answers to questions asked of council and other agencies by the residents.

Here is just one example of a concern presented at the last meeting and how it is presented on the report submitted by MHBC.

Installation of culvert behind retail store	<p>expert.</p> <ul style="list-style-type: none"> The culvert installed directly behind the retail building was part of the previous stormwater management design. This culvert is not within the creek corridor and does not alter or impact the creek.
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Photos of the culvert and location previously submitted to township.



The statement that “This culvert is not within the creek corridor and does not alter or impact the creek.) is a prime example of Colin Job’s entire attitude towards the concerns of the surrounding residents.

Not only is it in the corridor, it was placed in the creek and even Colin Job admitted at the last meeting that it was a way of getting equipment across the creek.

The culvert presents a flood risk to neighbouring land and residences upstream and if it was placed in the stream without proper approvals, it must be removed.

GRCA regulations

Policies for the Straightening, Changing, Diverting or Interfering With the Existing Channel of a River, Creek, Stream, or Watercourse

9.1.1 *Straightening, changing, diverting or interfering* with existing river, creek, stream or watercourse channel is not permitted except as specified in *Sections 9.1.2-9.1.17*.

Adverse Hydraulic and Fluvial Impacts means flood elevations are not increased, flood and ice flows are not impeded and the risk of flooding to and erosion on adjacent upstream and/or downstream properties is not increased.

Dam means a structure or work holding back or diverting water and includes a dam, tailings dam, dyke, diversion, channel, artificial channel, culvert or causeway (Lakes and Rivers Improvement Act, R.S.O. 1990 c. L3, s. 1)

Ontario Regulation 150/06

Wetland means land that:

- is seasonally or permanently covered by shallow water or has a water table close or at the surface
- directly contributes to the hydrological function of a watershed through connection with a surface watercourse,
- has hydric soils, the formation of which have been caused by the presence of abundant water, and
- has vegetation dominated by hydrophytic plants or water tolerant plants, the dominance of which has been favoured by the presence of abundant water

To meet the criteria of Wetland, does it require any 1 of the elements or all of the elements?

The land and banks around the creek at the Ren's site has been dramatically altered with illegal infill.

I am sure that prior to the illegal infill, it had all of the elements.

Hazardous Land means land that could be unsafe for development because of naturally-occurring processes associated with flooding, erosion, dynamic beaches or unstable soil or bedrock.

Has an independant study been done to determine how high or close to the surface the water table is on the proposed site?

In their report, MHBC states that

The following bylaw needs to be clarified.

Puslinch bylaw 10/05

(26) SETBACKS FROM WATERCOURSES

a) No buildings or structures shall be constructed closer than 30 m (98.4 ft.) from a cold water watercourse

I believe the creek running through the proposed property is in fact a COLD WATER WATERCOURSE which in the past was a trout habitat.

Excerpt from MNR River and stream systems flood hazard literature

It is safe to conclude that there is a general perception amongst the public that severe weather events and the occurrence of more frequent, intense rainstorm activity is increasing. The state of

the science concerning the potential impacts to Ontario's hydrological regime is evolving, however, **current information and evidence seems justify public concerns** and potential risks to society. Certainly, Ontarians have experienced extreme weather events in the past, such as the

Hurricane Hazel Storm. This storm event was the largest 12-hour rainstorm ever recorded in Ontario up until 1954. The storm was centred over the Humber River in Toronto and affected a 30,000 square kilometer area, dumping over 280 mm of rain in a 2 day period,

resulting in the loss of 81 lives and incredible damages to property and infrastructure. Statistically, it is unlikely that such a large rainstorm could occur again, however it remains a possibility. As an example,

the Harrow Storm occurred in 1989 over the Town of Harrow in Essex County in southwestern Ontario with a total recorded amount of 450 mm of rain that fell in less than 36 hours. The rainfall event exceeded the Hurricane Hazel Storm, and resulted in close to 100 million dollars of damage.

Many communities in Ontario with flood risks have been mapped and designated as flood risk areas. While these maps and designations provide useful tools to assist municipalities in making planning decisions, they are by no means static and stable over the long term.

Increasing urban development, changing land uses, new construction, bridges and other constriction points and infilling result in changes to the hydrologic regime. Any long term change in climate will also result in a change to the hydrology of the system. Flood risk maps therefore, will need to be updated to account for these changes.

Impacts to Ontario's Great Lakes shorelines, waterbodies and river and stream systems from potential climate change scenarios are not explicitly considered within the Provincial Policy Statement and the application of the Natural Hazards Policies. However, climate change does require new management considerations, and long term adaptation strategies will be needed to address potential changes in precipitation and discharge patterns.

Current projections indicate that, in general, Ontario's total mean annual precipitation will not change, but precipitation patterns will include an increased occurrence of high intensity rainfall events followed by longer periods of dry weather (Environment Canada, 1998). Stream systems may be affected by the increased sporadic flows that are associated with high intensity rainfall events and can increase the potential for localized flooding, stream bank erosion and slope failures.

Identifying and protecting river and stream systems and coastal areas from infringement is not only a means of reducing risk to loss of life and property damage, but an example of a good adaptation strategy, allowing for well planned future growth opportunities in many communities.

Sincerely and without prejudice,

Al & Judy Krist

(4.1)

Karen Landry

From: Dave Aston <daston@mhbcplan.com>
Sent: March-18-14 11:35 AM
To: Karen Landry; Aldo Salis; Dennis Lever
Cc: Colin Job; Francis Reyes
Subject: FW: Request for postponement of item 8 (4) (c) at Mar. 19/2014 meeting
Attachments: Rens Pet 2006 .pdf; Rens Pet 2000.pdf; Culverts[2].pdf

Thanks Karen.

We have reviewed the correspondence from Mr. Krist and now understand the culvert and location that he has been referencing through the process. There are 2 culverts in this area. A plan identifying the locations is attached.

Culvert # 1 is the culvert referred to in the public response document and the only culvert that was installed by Mr. Job as part of the connection between the SWM facility and the existing warehouse facility and this is .

Culvert # 2 is now understood to be the culvert in question. This culvert is located to the north and upstream of the SWM facility constructed by Mr. Job and not connected to the SWM plan for the existing or proposed facility. The culvert (Culvert #2) is within Mill Creek and has been in that location prior to the Rens Pet use and Mr. Job's ownership of the lands. I have included images from the GRCA website from 2000 and 2006 which illustrates that the culvert was in place in 2000 (and perhaps prior to 2000) and 2006. Mr. Job purchased the lands in January 2007.

Therefore, as was stated at the Public Meeting, Mr. Job has not installed the culvert (Culvert #2) within Mill Creek and it has existed for some time.

We trust this clarifies our response and provides you with information on this matter.

DAVID W. ASTON, MSc, MCIP, RPP | Partner

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2006 (Lands not owned)

LEGEND

-  WATERSHED MASK
-  WATERSHED BOUNDARY (GRCA)
-  UTILITY LINE (NRVIS)
-  ROADS-ADDRESSED (MNR)
-  DRAINAGE-NETWORK (GRCA)
-  PARCELS-ASSESSMENT (MPAC)
-  LOTS (NRVIS)
-  FLOODPLAIN (GRCA)
-  ENGINEERED
-  APPROXIMATE
-  ESTIMATED
-  WETLAND (GRCA)
-  SLOPE VALLEY (GRCA)
-  STEEP
-  OVERSTEEP
-  SLOPE EROSION (GRCA)
-  STEEP
-  OVERSTEEP
-  TOE
-  REGULATION LIMIT (GRCA)
-  DRAINAGE-POLY (NRVIS)
-  2006 ORTHO (FBS)

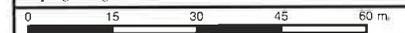


GRCA Disclaimer

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The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to:

<http://grims.grandriver.ca/docs/SourcesCitations2.htm>





2000 (Lands not owned)

LEGEND

- WATERSHED MASK
- WATERSHED BOUNDARY (GRCA)
- UTILITY LINE (NRVIS)
- ROADS-ADDRESSED (MNR)
- DRAINAGE-NETWORK (GRCA)
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- LOTS (NRVIS)
- FLOODPLAIN (GRCA)
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- WETLAND (GRCA)
- SLOPE VALLEY (GRCA)
- STEEP
- OVERSTEEP
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0 15 30 45 60 m.

NAD 1983, UTM Zone 17 Scale 1:1,347



