



PLANNING & DEVELOPMENT ADVISORY COMMITTEE

MAY 11, 2021

7:00 p.m.

Register at:

https://us02web.zoom.us/webinar/register/WN_INXR8vZnS86xvbHi_9ClVw

Or join by phone:

Dial (for higher quality, dial a number based on your current location):

US: +1 346 248 7799

or +1 669 900 6833

or +1 929 205 6099

or +1 253 215 8782

or +1 301 715 8592

or +1 312 626 6799

Webinar ID: 842 8745 7033

Passcode: 189708

International numbers available: <https://us02web.zoom.us/j/kdDJrL1MhW>

AGENDA

COMMITTEE OF ADJUSTMENT:

1. CALL THE MEETING TO ORDER
2. ROLL CALL
3. OPENING REMARKS
4. DISCLOSURE OF PECUNIARY INTEREST
5. APPROVAL OF MINUTES
 - April 13, 2021
6. **APPLICATIONS FOR MINOR VARIANCE OR PERMISSION** under section 45 of the Planning Act to be heard by the Committee this date:
 - 6(a) **Minor Variance Application D13-HUT – James and Sharon Hutton** – 6547 Wellington Road 34, Rear Part Lots 2 and 3, Concession 2, Township of Puslinch.

Requesting relief of Zoning By-law #23-2018, as amended, from Section 4.2(b)(i) - Accessory Apartments, to permit an accessory apartment to be located 74 meters from the single detached dwelling on the lot instead of a maximum of 15 meters, as required.



PLANNING & DEVELOPMENT ADVISORY COMMITTEE

MAY 11, 2021

7:00 p.m.

6(b) Minor Variance Application D13-BUU – Ross Buurma – 6923 Concession 1, Part Lot 17, Concession Gore, Township of Puslinch.

Requesting relief of Zoning By-law #23-2018, as amended, from Section 4.16.2 General Provisions MDS II New or Expanding Livestock Facilities and Manure Storage facilities.

The purpose and effect of the application is to provide relief from the Minimum Distance Separation II (MDS II) setback requirement to permit approximately a reduced Minimum Distance Separation Type II of 106.6 meters (a difference of 30.32 meters) instead of 137 meters. The applicant is proposing a new barn and cannot meet the required distance from the residential dwelling located at 6895 Concession 1.

7. OTHER MATTERS

- None

8. ADJOURNMENT OF COMMITTEE OF ADJUSTMENT

PLANNING & DEVELOPMENT ADVISORY COMMITTEE

1. CALL THE MEETING TO ORDER

2. OPENING REMARKS

3. ROLL CALL

4. DISCLOSURE OF PECUNIARY INTEREST

5. APPROVAL OF MINUTES

- April 13, 2021

6. APPLICATION FOR SITE PLAN URBAN DESIGN REVIEW

- None

7. ZONING BY-LAW AMENDMENT

- None

8. LAND DIVISION

8(a) Severance Application B17-21 (D10-SPE) – Corey Speers – Lot 2 and Part Lot 3, Registered Plan 131, municipally known as 11 Farnham Road, Township of Puslinch.



PLANNING & DEVELOPMENT ADVISORY COMMITTEE

MAY 11, 2021

7:00 p.m.

Proposed severance is 0.4 hectares with 11 meters frontage, vacant land for proposed rural residential use.

Retained parcel is 51.4 meters frontage x 80 meters = 0.41 hectares, existing and proposed rural residential use with existing dwelling, garage, shed & pool.

8(b). Lot Line Adjustment Application B18-21 (D10-MIL) – John and Douglas Miller – Part Lot 13, Concession 2, no municipal address, Township of Puslinch.

Proposed lot line adjustment is 2.5 hectares with 41 meters frontage, vacant land to be added to abutting rural residential & agricultural parcel - John & Douglas Miller.

Retained parcel is 59 meters frontage x 80 meters = 0.47 hectares, vacant land for proposed rural residential use.

8(c). Severance Application B19-21 (D10-LIS) – Jordan Lisso and Emily Harper – Part Lot 6, Concession 5, known municipally as 4753 Wellington Road 32, Township of Puslinch.

Proposed severance is 30 meters frontage x 128 meters = 0.39 hectares, existing and proposed rural residential use. Existing shed to be removed.

Retained parcel is 30 meter frontage x 128 meters = 0.39 hectares, existing and proposed rural residential use. Existing dwelling & sheds to be removed.

8(d). Severance Application B20-21 (D10-SLO) – John Sloot – Part Lot 10, Concession 9, known municipally as 985 Watson Road South, Township of Puslinch.

Proposed severance is 1.05 hectares with 81 meters frontage, vacant land for proposed rural residential use.

Retained parcel is 6.7 hectares with 37 meters frontage, existing and proposed rural residential use with existing dwelling and three sheds.

8(e). Severance Application B22-21 (D10-BRI) – Dorothy Briggs c/o David Briggs – Part Lot 20, Concession 4, known municipally as 7004 Concession 4, Township of Puslinch.

Proposed severance is 35 meters frontage x 115 meters = 0.4 hectares, vacant land for proposed rural residential use.

Retained parcel is 3.6 hectares with 91 meters frontage, existing and proposed rural residential use with existing dwelling, shed & pool. Pool to be removed.

9. OTHER MATTERS.



PLANNING & DEVELOPMENT ADVISORY COMMITTEE
MAY 11, 2021
7:00 p.m.

None.

10. CLOSED MEETING

- None

11. NEXT MEETING Tuesday, June 8, 2021 @ 7:00 p.m.

12. ADJOURNMENT

MINUTES

1. CALL THE MEETING TO ORDER

The April 13, 2021 Committee of Adjustment Meeting was held on the above date and called to order at 7:00 p.m. via electronic participation.

2. ROLL CALL

MEMBERS IN ATTENDANCE

Councilor John Sepulis, Chair
Dennis O'Connor
Deep Basi
Paul Sadhra
Dan Kennedy

MEMBERS ABSENT

None

STAFF IN ATTENDANCE

Lynne Banks, Development and Legislative Coordinator
Courtenay Hoytfox, Deputy Clerk
Zachary Prince, Planner, County of Wellington

3. OPENING REMARKS

The Chair welcomed those attending the meeting to the Committee of Adjustment and informed the attendees that 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.

4. DISCLOSURE OF PECUNIARY INTEREST

None

5. APPROVAL OF MINUTES

Moved by: Dennis O'Connor

Seconded by: Dan Kennedy

That the Minutes of the Committee of Adjustment meeting held Tuesday, March 9, 2021 be adopted.

CARRIED

6. APPLICATIONS FOR MINOR VARIANCE OR PERMISSION under section 45 of the Planning Act to be heard by the Committee this date:

6(a) Minor Variance Application D13-BOR– Jeffrey Born and Vicki Dickson – 4614 Concession 11, Part Lot 15, Concession 10, Township of Puslinch.

Requesting relief of Zoning By-law #23-2018, as amended, to permit:

1. A reduced MDS 1 separation from a proposed new lot (future severance) to be 47.9 metres to an existing barn and 54.8 meters to the part of the barn that contains 5 stalls for 5 Welsh ponies.

2. A reduced lot frontage for the proposed retained parcel to be 109 meters instead of 120 meters, as required.

- Nancy Shoemaker, agent for the applicant, provided an overview of the application.
- There were no questions or comments from the public.
- John Sepulis asked Zachary Prince to provide more detail on the MDS.
- Dennis O'Connor asked Nancy Shoemaker what the other properties that are constrained by MDS.
- Nancy Shoemaker advised that there are 4 houses on Maltby Road East that back onto the property. She also noted that depending on where the new house is put on the lot, the new house could be farther away from the barn than the houses on Maltby Road East.
- Deep Basi asked if it is possible to move the barn further to the rear of the property.
- Nancy Shoemaker advised that the cost to move the barn is high and noted that the ponies are only in the barn for veterinarian visits and in extreme weather.
- Deep Basi asked if when the proposed severed lot is sold, will odor be a problem for the new owners of the lot.
- Zachary Prince advised that the MDS is in place to prevent any conflicts with abutting neighbors.
- Paul Sadhra asked Dennis O'Connor if the property is sold, would the new owner be able to put different animals in the barn other than ponies.
- Dennis O'Connor advised that it would not be possible as the stalls aren't big enough to hold heavy horses and it would be difficult to obtain a building permit if large horses were to be stalled in the barn.
- John Sepulis asked if the owner sells the property how many properties would be effected by any increase in the size of the barn.
- Zachary Prince advised that if the barn was expanded, the owner would need relief from MDSII and this would be calculated during the building permit process and that there would be seven properties, possibly eight affected.
- There were no further comments or questions.

That Application D13/BOR requesting relief from provisions of Zoning By-Law #023/2018, as amended, to permit:

1. A reduced MDS 1 separation from a proposed new lot (future severance) to be 47.9 metres to an existing barn and 54.8 meters to the part of the barn that contains 5 stalls for 5 Welsh ponies.
2. A reduced lot frontage for the proposed retained parcel to be 109 meters instead of 120 meters, as required.

Is approved with the following conditions:

1. The approval of the minor variance and the reduction for the MDS 1 will only apply to the lot as shown on the survey dated March 9, 2021.
2. Subject to approval of the proposed future severance.

CARRIED

7. OTHER MATTERS

None

8. ADJOURNMENT

Moved by: Paul Sadhra

Seconded by: Deep Basi

he Committee of Adjustment meeting adjourned at 7:20 p.m.

CARRIED



Township of Puslinch
7404 Wellington Road 34
Puslinch, ON, N0B 2J0
T: (519) 763 – 1226
F: (519) 763 – 5846
www.puslinch.ca

Minor Variance or Permission Application

General Information:

1. Applicant Information:

Registered Owner's Name(s): James A Hutton & Sharon Hutton
Address: 6547 Wellington RD 34
City: Cambridge (Township of Puslinch)
Postal Code: N3C 2V4
E-mail Address: [REDACTED]
Telephone Number: [REDACTED]
Fax: _____

Applicant (Agent) Name(s): Matthew Robson - Robson Development Consulting
Address: 129 Walter Street
City: Kitchener
Postal Code: N2G1S3
E-mail Address: matthew@bertoholdings.ca
Telephone Number: 226-929-7701
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: 6547 Wellington RD 34

Concession: 2 Lot: Rear Pt Lots 2&3

Registered Plan Number: _____

Area: ~22.72 ha Depth: ~294.57 m Frontage: ~655.49 m
~56.15 ac ~966.44 ft ~2150.56 ft

Width of road allowance (if known): ~30m

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).

Relief from Section 4.2(b)(i) of the Township of Puslinch Zoning By-law 023-2018 as amended, to permit an accessory apartment to be located 74 metres from the single detached dwelling on the lot, whereby, the Zoning By-law permits a maximum separation distance of 15 metres.

Please see attached sketch detailing the requested relief.

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

The existing structure proposed to contain the accessory apartment is located 74m from the existing single detached dwelling on the property. The owner wishes to utilize the upper floor of this existing structure for this accessory apartment versus constructing a new structure within the required 15m setback requirement.

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

Official Plan Designation: Secondary Agricultural / Greenlands / Core Greenlands

Zoning Designation: Agricultural "A", Natural Environment, Environmental Protection Overlay

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 Road #34

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? Rural Residential and Agricultural

The abutting properties? Rural Residential and Agricultural

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

Type of Building(s)/ structures	Single Detached Dwelling		Accessory Structure	
Main Building height	10.9m m	35.7 ft.	6.1 m	20 ft.
*Percentage lot coverage	0.24% m	ft.	0.05% m	ft.
*Number of parking spaces	N/A			
*Number of loading spaces	N/A		N/A	
Number of floors	2 + Finished basement		1 + partially finished basement	
Total floor area	1169 m ²	12580 ft ²	241 m ²	2594 ft ²
Ground floor area (exclude basement)	557 m ²	5999 ft ²	120.5 m ²	1297 ft ²

including entire basement and attached garage

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

Front Yard	~196 m	~643 ft.	~135 m	~443 ft.
Rear Yard	~60 m	~197 ft.	~146 m	~479 ft.
Side Yards	~626/164 m	~2054/538 ft.	~577/226 m	~1893/742 ft.

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

Date of acquisition of subject property: September 2014

Date of construction of buildings property: Detached dwelling - Spring 2014, Accessory structure (former farmhouse) - 1960s

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

Detached dwelling - no change since construction.

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

Accessory structure - operating as a secondary dwelling since acquisition. The previous owner was to decommission the previous residential use but either did not do so or converted back to residential prior to acquisition by current owner.

Yes ☐ No ☒

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

N/A

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)							
Site Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>					
Minor Variance	<input type="checkbox"/>	<input checked="" type="checkbox"/>					

Authorization for Agent/Solicitor to act for Owner:

(If affidavit is signed by an Agent/Solicitor on Owner's behalf, the Owner's written authorization below shall be completed)

I (we) James Hutton of the
Township of Puslinch County/Region of
Wellington do hereby authorize

Matthew Robson

to act as my agent in this application.

April 14, 2021
Date

Affidavit:

I (we) Matthew Robson of the
City of Kitchener County/Region of
Waterloo solemnly declare that all the statements

contained in this application are true, and I, (we), make this solemn declaration
conscientiously believing it to be true, and knowing that it is of the same force and effect
as if made under oath and by virtue of the CANADA EVIDENCE ACT. DECLARED **

before me at the Township of Blandford Blenheim in the
County/Region of Oxford this 14th day of
April, 2021.

***before me by Matthew Robson on behalf of James Hutton at the Township of Blandford Blenheim in accordance with O.
Reg 431/20, Administering Oath or Declaration Remotely

Signature of Owner or authorized
solicitor or agent

April 14th 2021

Date

April 14, 2021

Date

Craig Robson

Agreement to Post Sign and Permit Site Visits:

A form is included in the Zoning By-law Amendment application to agree to erect a sign on the subject lands and to permit Township employees/representatives to enter the lands for site visits.

The applicant is required to erect and maintain a sign on the proposed lands within one week of the application being deemed complete by staff and to remove the sign when the application has been given final approval. The sign shall be a minimum of 1.2 x 1.2 metres on posts 0.5 metres above grade and include the following wording to be approved by Township staff:

A PROPOSAL HAS BEEN MADE
ON THIS SITE FOR: (50 mm text height)
A ZONING BY-LAW AMENDMENT TO xxx (100 mm text height)
FOR FURTHER INFORMATION
PLEASE CONTACT THE TOWNSHIP OF PUSLINCH 7404 WELLINGTON ROAD 34
(519) 763 - 1226 (30-50 mm text height)

For Administrative Purposes Only:

Application fee of \$_____ received by the municipality

Date Fee Received: _____

Date Application Filed: _____

File Number: _____

Application deemed complete:

Signature of Municipal Employee

Date

Personal information on this form is collected under the authority of the Planning Act. The information is used for the purpose of processing this application and administering the legislation and is maintained in accordance with the Municipal Freedom of Information and Protection of Privacy Act. Questions regarding the collection of this information may be directed to the Township Clerk's office.

The Township of Puslinch is committed to providing accessible formats and communication supports for people with a disability. If another format would work better for you, please contact the Township Clerk's office for assistance.



April 15, 2021

Township of Puslinch
7404 Wellington County Rd 34,
Puslinch, ON N0B 2J0

Attention: Lynne Banks, Development and Legislative Coordinator

RE: 6547 Wellington Road #34 - Minor Variance Application

Ms. Banks,

Please accept the attached Minor Variance application package (cover letter, application fee, sketch and images) submitted on behalf of Mr. James Hutton. The Minor Variance application is being submitted to address a zoning compliance manner regarding an existing secondary dwelling on the above noted lands.

Background

Mr. Hutton acquired the subject property in September 2014. Prior to this acquisition, the previous owner of the property had recently constructed a new single family dwelling (hereinafter referred to as the "new dwelling") on the lands to replace an existing dwelling which was constructed in the 1960s (hereinafter referred to as the "old dwelling"). The previous owner had proposed to convert the old dwelling into a recreational "clubhouse" with the kitchen and bedrooms removed. Based on recent discussions between Township Staff and Mr. Hutton, it is our understanding that a condition of the building permit to construct the new dwelling, was to decommission the residential use of the old dwelling.

Both the new dwelling and old dwelling have their own dedicated well and septic systems. Mr. Hutton has advised that both systems were professionally inspected last year and are in excellent working order. The well and septic system for the old dwelling is the same system which serviced the building when it was a permitted residential building prior to the construction of the new dwelling on the property.

At some point after the building permit was issued for the new dwelling and prior to Mr. Hutton acquiring the property, the previous owner either did not decommission the residential use in the old dwelling, or, converted the use back to residential. When Mr. Hutton acquired the subject property, the old dwelling was operating as a

residential use, and he was advised by the previous owner that all required permits had been received.

Through discussion with Mr. Hutton, and reviewing correspondence between him and Township Staff, I understand the Township received a complaint in late 2020 with respect to the old dwelling operating as a residential use in contravention to the Township's Zoning By-law. Mr. Hutton has acknowledged that this son has been living in the old dwelling since early 2020.

Zoning Review

While the Township's Zoning By-law permits accessory apartments within a detached structure within the Agricultural Zone, the old dwelling currently does not meet two standards. See applicable zoning provisions and commentary below:

Accessory apartment: a self-contained dwelling unit with a private kitchen, bathroom facilities and sleeping areas, which is within or subordinate to a detached, a semi-detached, or townhouse dwelling.

4.2(b.) In the Agricultural Zone, an accessory apartment may be permitted in a detached dwelling or within a detached building, subject to the following provisions:

<i>i. the building is located within 15 metres of the single detached dwelling on the lot;</i>	The old dwelling is located ~73m from the existing single detached dwelling. Relief from zoning provision required.
<i>ii. the building does not exceed eight (8) metres in height;</i>	The old dwelling is ~6.1m (20ft) at its tallest point. Complies with zoning.
<i>iii. the building complies with the minimum interior side, exterior side, and rear yard requirements for a single detached dwelling in the Agricultural (A) Zone; and</i>	The old dwelling complies with all setback requirements for a single detached dwelling in the Agricultural (A) Zone. Complies with zoning.
<i>iv. a maximum of one accessory apartment is provided on the lot.</i>	The proposed accessory apartment would be the only accessory apartment on the subject property. Complies with zoning.
<i>v. the maximum floor area shall not exceed 40 percent of the floor area of the principal dwelling unit to a maximum of 130m²; and,</i>	The combined living area of the ground floor and upper floor of the old dwelling is approximately 2000ft ² (186m ²) which exceeds the 130m ² requirement.

	<p>To remedy this, Mr. Hutton has committed to limiting the area of the proposed secondary apartment to the upper floor of the old dwelling only and converting the ground floor area to secure file storage for his business. To clearly isolate the two uses from one another, Mr. Hutton proposes to construct a wall at the top of the staircase which currently connects the ground floor and upper floor.</p> <p>Proposed floor plan changes would comply with zoning.</p>
<p><i>vi. individual on site sewage and water services are approved for the lot and have adequate capacity for the accessory apartment and any other uses on the lot.</i></p>	<p>Both the new dwelling and old dwelling have their own dedicated well and septic systems. Mr. Hutton has advised that both systems were professionally inspected last year and are in good working order. The well and septic system for the old dwelling is the same system which serviced the building when it was a permitted residential building prior to the construction of the new dwelling.</p> <p>If required, a report from a well & septic professional can be provided verifying the systems are in good working order.</p> <p>Complies with zoning.</p>

Review of the 4 Tests of a Minor Variance

Section 45(1) of the Planning Act sets out 4 tests for which minor variance is evaluated upon. Please see analysis on how we believe the requested variance satisfies these tests:

Is it desirable for the appropriate development or use of the land, building or structure?

We believe it would be a poor use of resources to construct a new structure on the subject property to contain the desired accessory apartment. The existing accessory building proposed to contain the accessory apartment on the property was previously utilized as a permitted single detached dwelling and represents an appropriate location for an accessory apartment on the subject lands. Given the previous use and fact a building permit will be required to formally convert the space to an accessory apartment; there should be limited concern on the suitability of the existing structure for a residential use.

The accessory apartment will also provide much needed additional rental housing to the Township and County and represents an efficient use of land and existing structures. It will have no negative impact on the subject or abutting lands and would continue to be hidden from public view based on the existing forest buffering it from Wellington Road #34 and the abutting property to the east. No new services will be required to service the accessory apartment as it will continue to utilize the existing well and septic which serviced the old dwelling.

The accessory apartment is located within the overall building cluster on the property. Given the scale of the new dwelling on the property and the size of the overall parcel, the location of the accessory apartment is logical and appropriate.

Is it in keeping with the general intent and purpose of the Zoning By-law?

As detailed above, the proposed accessory apartment is a permitted use in the Agricultural "A" Zone. The only zoning deficiency is the setback distance from the single detached dwelling being 74m whereby 15m is required by the Zoning By-law. The intent of the 15m setback requirement is to help ensure the accessory apartment is kept within an overall building cluster on a property and limit a potential negative visual impacts of having two buildings a significant distance apart from one another from the public view (which would be exaggerated on a small parcel). Given the scale of the new dwelling and overall size of the parcel, a 15m setback from the new dwelling could appear as crowding the new dwelling.

Furthermore, given the significant buffering provided by the existing forest on the property, and the fact the structure to contain the accessory apartment already

exists, there will be no change to, or negative visual impact associated with, the requested variance. The accessory apartment will continue to be subordinate to new dwelling on the property.

Is it in keeping with the general intent and purpose of the Official Plan?

With respect to accessory apartments, the County of Wellington's Official Plan offers the following:

4.4.6.2 Additional Residential Units Within an Ancillary Building or Structure

Local municipalities shall enact zoning provisions to allow one Additional Residential Unit within a building or structure that is ancillary to a single detached dwelling, semi-detached dwelling or rowhouse, provided that a residential unit does not already exist in an ancillary building on the property. For clarity, an Additional Residential Unit may be permitted as a separate standalone ancillary building or as part of an ancillary building. An Additional Residential Unit is prohibited from being severed from the property.

When developing zoning provisions to address Additional Residential Units in ancillary buildings local municipalities should give consideration to the items listed in section 4.4.6.1. and shall have zoning provisions to address the following:

- a) the Additional Residential Unit is located within the main building cluster on the property;*
- b) the Additional Residential Unit will be clearly secondary to the main residence on the property; and*
- c) Minimum Distance Separation formula is complied with, where applicable.*

As noted above, the County Official plan permits Additional Residential Units in standalone ancillary building or as part of an ancillary building.

The accessory apartment would be located within the overall building cluster on the property and would clearly secondary to the new dwelling on the property given the scale and site layout.

There are no MDS concerns with the proposed accessory apartment.

Is the application minor in nature?

While the requested 74m setback may appear as significant relief from the maximum 15m required by the Zoning By-Law, we believe it is minor in nature given it would permit the proposed accessory apartment to be located within an existing accessory building on the subject property which was previously used for permitted residential purposes. Given the structure is existing, and there is significant landscape buffering in place hiding it and the new dwelling from public view, the variance would have no negative visual impact. As such, the impact of the variance would be minor in nature.

We look forward to the opportunity to discuss further with Staff and the Township's Committee of Adjustment. Please do not hesitate to contact me should you require any further information or have any questions.

Thank you,

Matthew Robson

Robson Development Consulting

matthew@bertoholdings.ca

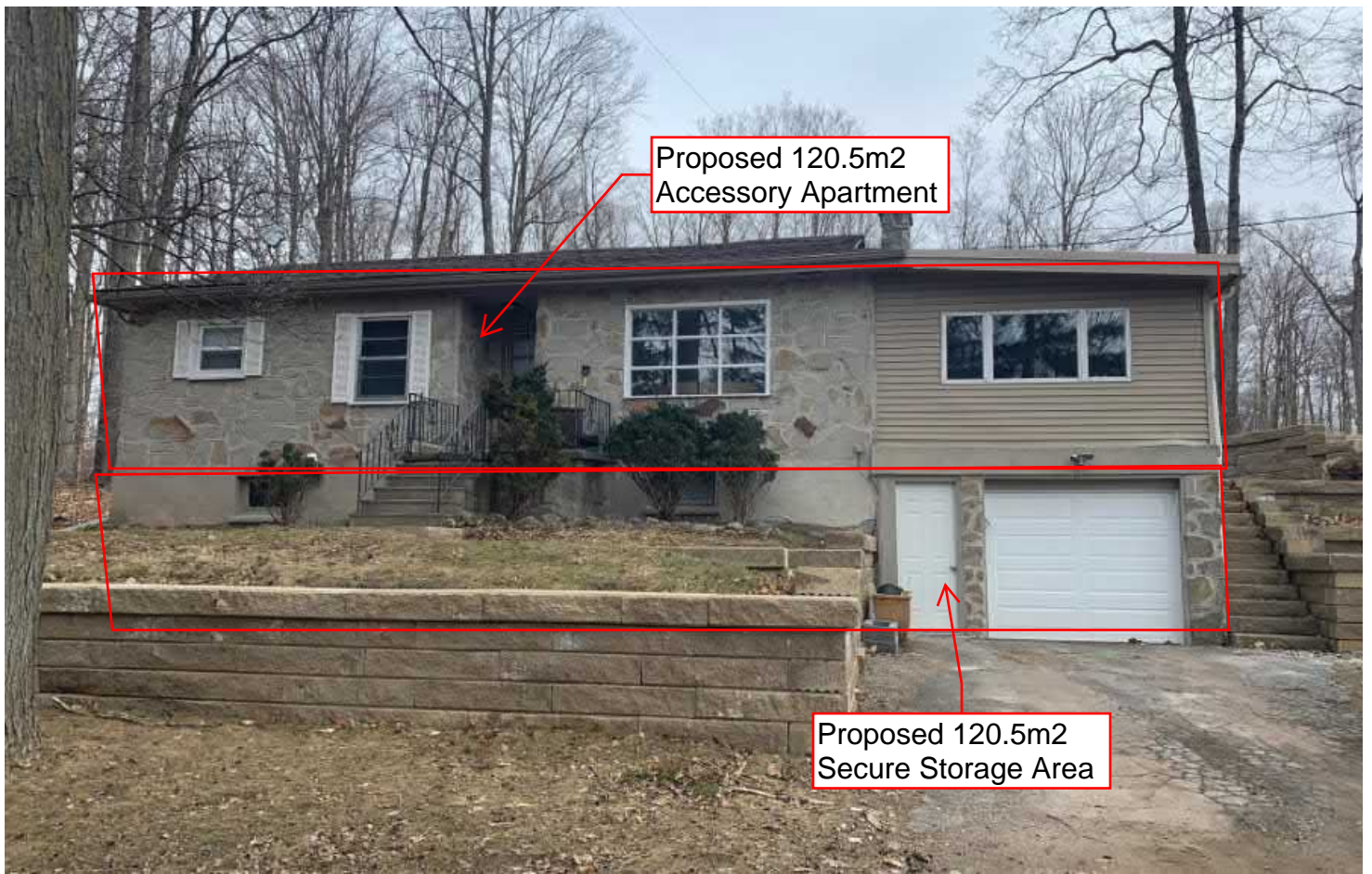
(226)-929-7701

cc: James Hutton (owner) – by e-mail only

6547 Wellington Road #34 - Minor Variance Sketch & Images



*distance verified by laser rangefinder.





PLANNING REPORT for the TOWNSHIP OF PUSLINCH

Prepared by the County of Wellington Planning and Development Department

MEETING DATE: May 11th, 2021
TO: Lynne Banks, Secretary-Treasurer
Township of Puslinch
FROM: Zach Prince, Senior Planner
County of Wellington
SUBJECT: **MINOR VARIANCE APPLICATION D13/HUT (HUTTON)**
6547 Wellington Rd. 34, Puslinch
Rear Part Lots 2 and 3, Concession 2
ATTACHMENTS: 1 - Images submitted by the applicant - Accessory Apartment

We have reviewed the application for minor variance and provide the following comments. These comments are offered without the benefit of a site visit.

Summary

The applicant is requesting relief from the Township Zoning By-law, specifically Section 4.2. b) (i), to permit an accessory apartment (also known as an accessory residential unit) to be located 73 m from the primary residential dwelling where the by-law requires an accessory apartment to be located within 15 m. If approved, the relief would permit the original dwelling on the subject lands to remain and be considered an accessory apartment. The history of the original dwelling is outlined in the background information section below.

The applicant has also indicated that the subject dwelling is approximately 186m² in size, which exceeds the Township's maximum size for an accessory apartment. In-lieu of requesting relief to permit a accessory apartment to be a stand-alone unit and relief from the maximum unit size, the applicant is proposing to convert the ground floor portion of the dwelling to storage in relation to the applicant's business. This would render the upper half of the dwelling, as shown in **Attachment 1**, to be the accessory apartment and the lower portion would be considered as storage.

A copy of the pictures submitted by the applicant has been included within **Attachment 1** to this report. The site location can also be seen in **Figure 1**.

Background

The original dwelling, which is now proposed to be considered an accessory apartment and is the subject of this application, was originally constructed in the 1960's (based on information from MPAC). The previous owner of the site was issued a permit to build what is now the primary dwelling on the site in and around 2014. However, in order for the new dwelling to be permitted the original dwelling was required to be removed. Instead of removing the original dwelling the dwelling was converted to a non-residential use by the previous owner.

The applicant acquired the subject property in September 2014 and prior to his acquisition, the previous owner had constructed the new single family dwelling. However, the original dwelling was identified by the applicant as being converted back to residential dwelling. Since that time, the

Township received a complaint regarding the use which has triggered the need to address this issue of non-compliance with the Zoning By-law.

Planning Opinion

Planning staff have concerns with this subject application based primarily on: (i) the location of the accessory apartment; (ii) the substantial setback of the accessory apartment from the primary dwelling; (iii) the size and proposal to convert the lower portion of the unit; and (iv) the timing and appropriateness of the application.

With regards to the building location – through the review of this application it has been identified that the proposed accessory apartment appears to be located within a portion of the site that is zoned as Natural Environment (NE) Zone. Section 4.2 of the Township's By-law allows an accessory apartment within a detached building that is located within the Agriculture (A) Zone. If approved, this would add a use where the use is not permitted. Further, a setback of 73 m from the primary dwelling is substantial and not minor when the maximum setback permitted is 15 m. A setback is included in the by-law to ensure compliance with County Official Plan policies that require an accessory apartment to be located within the existing building cluster.

In reference to the proposal to convert a portion of the unit to storage – the intent of the Township's Zoning By-law is to allow an accessory apartment unit within an accessory building which is "naturally and normally incidental to, subordinate to, or exclusively developed to a principle use or building on the same lot." To ensure the conversion of the ground floor portion of the unit is completed and that the storage use is used for purposes solely related to the primary dwelling is challenging to implement and regulate.

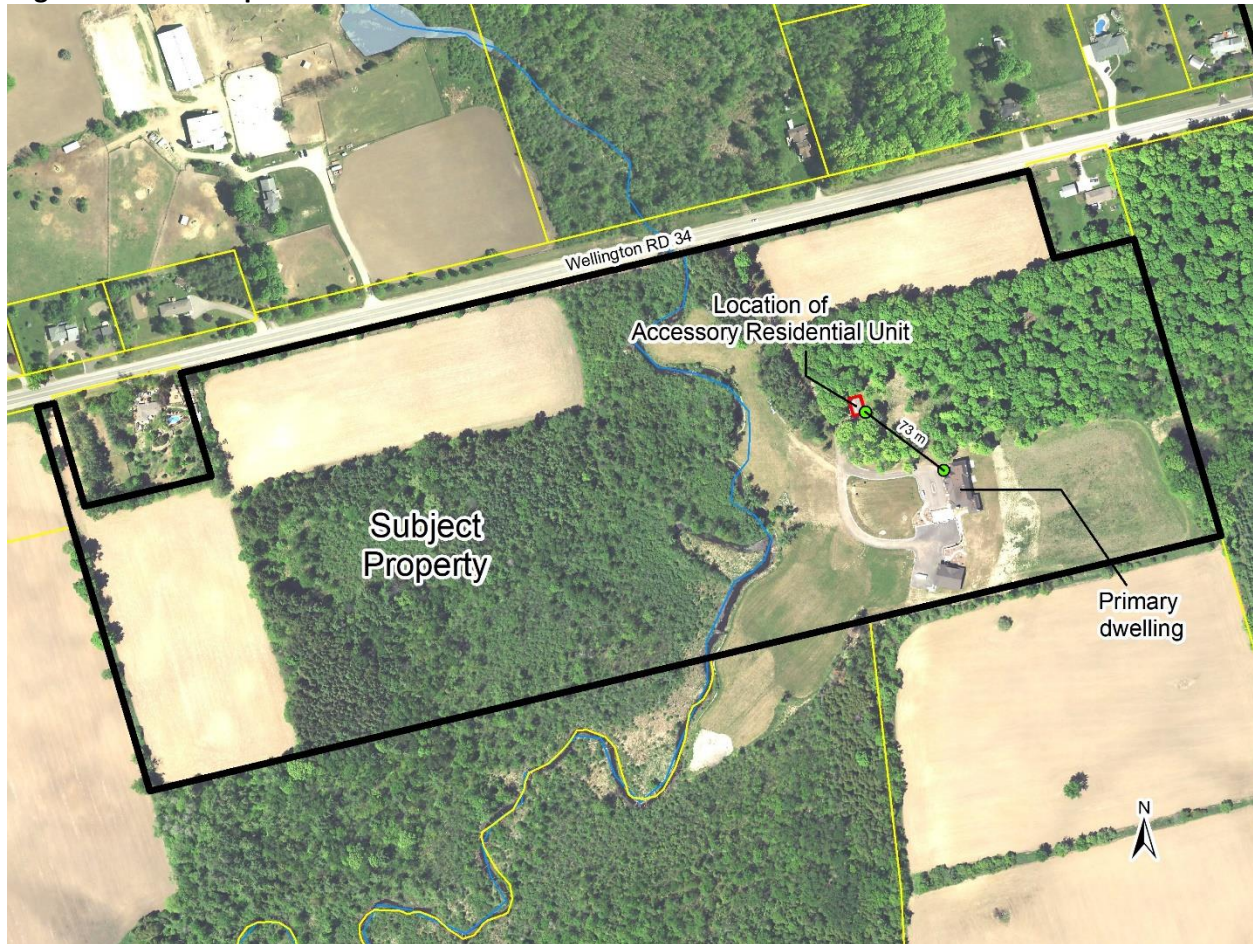
Finally, the Township is undertaking a zoning by-law review that would incorporate provisions for accessory apartments/accessory dwelling units to modernize the zoning provisions based on best practices and to also ensure consistency with an update to the County of Wellington Official Plan. To address this issue through a minor variance when this review is underway and has not yet been through a public process or been in front of Township Council is, in planning staff's opinion, not minor and is premature.

Due to these concerns, planning staff recommends that this application be **denied** and a Zoning by-law amendment application be submitted to permit the accessory apartment in the Natural Environment (NE) Zone and address the other non-compliances with the Zoning By-law.

The details of the minor variance application are included in the table below. It is noted that as part of the planning review that an additional item of relief was identified as being potentially required with regards to maximum lot coverage.

Regulation	By-law Section	Required	Proposed	Relief Requested
Accessory Apartments - distance from the single detached dwelling	4.2 (b)(i)	15 m	73.08 m	58.08 m

Figure 1: Aerial Map



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 minor in nature	<ul style="list-style-type: none"> • The subject property is approximately 22.66 ha (55.84 ac) in size and is designated as Secondary Agriculture, Core Greenlands and Greenlands. • The original dwelling/proposed accessory apartment is located within lands that are designated as part of the County's Greenland System. • The accessory apartment is located within an area zoned as Natural Environment (NE) Zone, whereas the by-law only permits an accessory apartment within a detached structure, subject to criteria, in the Agriculture (A) Zone. • The relief from the maximum 15 m setback is substantial and is not considered minor. • The applicant is proposing a conversion to a portion of the proposed accessory apartment in order to meet the maximum permitted area of a unit which is 130 m² or less. • The Township is undergoing a review and update of their Zoning By-law provisions for accessory apartments to align with an update to the County Official Plan and to consider other approaches for these uses subject to appropriateness within the context of Puslinch.

That the intent and purpose of the Zoning By-law is maintained	<ul style="list-style-type: none"> • The subject property is zoned Agricultural, Natural Environmental (NE) with Environmental Protection Overlay. A part of the site has site specific zoning SP-1. • The 'A' Zone allows a single detached dwelling, an accessory building to the main dwelling, and an accessory apartment (subject to Section 4.2). The existing dwelling is located within the Natural Environment (NE) Zone – an accessory apartment is not permitted within this zone. • The site specific provision (SP-1) on-site permits establishment of kennel within a part of the site. • Section 4.2 of the Zoning By-law establishes maximum distance from the Primary Residential Unit, height and area requirements for accessory buildings and structures.
That the general intent and purpose of the Official Plan is maintained	<ul style="list-style-type: none"> • The property is designated as Secondary Agriculture, Core Greenlands and Greenlands. • Identified feature include Provincially Significant Wetlands, Wetlands, Significant Wooded areas, Flood Plain, Slope Erosion Allowances and Environmentally Sensitive Areas. • The Township Zoning by-law includes provisions related to location/distance from the dwelling, size and height restrictions etc. to align with permissions in the County of Wellington Official Plan. • Within the County Official Plan, additional residential units within an Ancillary building or structure is permitted, subject to criteria. • Accessory apartments are not permitted in hazardous areas as such, comments from the conservation authority should be considered as the existing unit is located within the Greenland System designation. • An accessory apartment/additional residential unit is prohibited from being severed from the property.
That the variance is desirable for the appropriate development and use of the land, building or structure	<ul style="list-style-type: none"> • The intent of the subject application is to regularize the existing accessory structure on-site that was supposed to be removed/decommissioned after the construction of a new single family dwelling. • Planning staff have concerns with the relief requested as it is not minor in nature and recommends that a Zoning By-law Amendment be submitted instead.

In conclusion, planning staff is of the opinion that the requested variance application **be denied and a Zoning Bylaw Amendment application to be submitted**. 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

Zach Prince, RPP MCIP, Senior Planner

ATTACHMENT 1

Images submitted by the applicant - Accessory Apartment



Lynne Banks

From: Brent Smith
Sent: Monday, May 3, 2021 2:45 PM
To: Lynne Banks
Subject: RE: Notice of Public Hearing - Minor Variance - 6547 Wellington Rd 34 - Hutton

Sensitivity: Confidential

Hi Lynne,

Puslinch Fire and Rescue Services have reviewed the Minor variance submission for 6547 Wellington Road 34 on May, 3, 2021. To ensure adequate access to the principle residence and the proposed accessory apartment the access route from the street to the buildings must be wide enough , have suitable construction to be able to handle the heavy loads of our fire trucks loaded with water and have no overhead obstructions over the access route less than 5 meters high. It appears from the aerial photos that there could be an issue with tree limbs overhanging the driveway. We will need confirmation that the access route is suitable.

Brent Smith

CFPO

Puslinch Fire and Rescue Services

SCALE 1 : 750

0 15 30 45 metres

VAN HARTEN SURVEYING INC.

[illegible]

1. **THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.**
2. SUBJECT LANDS ARE ZONED AGRICULTURAL
3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF POLICY AREA (PA7-4).
4. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
5. DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.
6. SEE ATTACHED LIST OF NAMES AND ADDRESSES OF OWNERS.

114

Kitchener/Waterloo Ph: 519-742-8371	Guelph Ph: 519-821-2763	Orangeville Ph: 519-940-4110
www.vanharten.com		info@vanharten.com
DRAWN BY: ARN	CHECKED BY: JEB	PROJECT No. 29485-21
Mar 30, 2021 3:39:48 PM G:\PLS1\INCH\131\ACAD\SEV PTLOT 2.3 (SPEERS) UTM.dwg		



Township of Puslinch
7404 Wellington Road 34
Puslinch, ON, N0B 2J0
T: (519) 763 – 1226
F: (519) 763 – 5846
www.puslinch.ca

Minor Variance or Permission Application

General Information:

1. Applicant Information:

Registered Owner's Name(s): Ross Buurma

Address: 6923 Concession 1

City: Puslinch, Ontario

Postal Code: N0B 2J0

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: 6923 Concession 1

Concession: _____ Lot: 17

Registered Plan Number: CON GORE PT LOT 17

Area: _____ ha Depth: _____ m Frontage: _____ m
 _____ ac _____ ft _____ 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).

New barn construction within the MDS setback

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

New barn construction within the MDS setback

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

Official Plan Designation: Prime Agriculture

Zoning Designation: Agricultural (sp17) and Natural Environment

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?

Concession 1

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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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? Horse training/boarding facilityThe abutting properties? Farming**13. Provide the following details for all buildings on or proposed for the subject land: (please use a separate page if necessary)**

Type of Building(s)/ structures	Barn		
Main Building height	m	20 ft.	m ft.
*Percentage lot coverage	m	ft.	m ft.
*Number of parking spaces	7		
*Number of loading spaces	0		
Number of floors	1 (ground floor)		
Total floor area	m ²	10800 ft ²	m ² ft ²
Ground floor area (exclude basement)	m ²	10800 ft ²	m ² ft ²

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

Front Yard	m	ft.	m	ft.
Rear Yard	m	ft.	m	ft.
Side Yards	m	ft.	m	ft.

15. What are the dates of acquisition and construction of subject property and building property?Date of acquisition of subject property: August 1, 2020Date of construction of buildings property: June 1, 2021**16. How long have the existing uses continued on the subject property? 18****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"/>					
Site Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>					
Minor Variance	<input type="checkbox"/>	<input checked="" type="checkbox"/>					

Authorization for Agent/Solicitor to act for Owner:

(If affidavit is signed by an Agent/Solicitor on Owner's behalf, the Owner's written authorization below shall be completed)

I (we) _____ of the
_____ of _____ County/Region of
_____ do hereby authorize
_____ to act as my agent in this application.

Signature of Owner(s) Date

Affidavit:

I (we) _____ of the
_____ of _____ County/Region of
_____ solemnly declare that all the statements
contained in this application are true, and I, (we), make this solemn declaration
conscientiously believing it to be true, and knowing that it is of the same force and effect
as if made under oath and by virtue of the CANADA EVIDENCE ACT. DECLARED
before me at the _____ of _____ in the
County/Region of _____ this _____ day of
_____, 20_____.

Signature of Owner or authorized solicitor or agent Date

Signature of Commissioner Date

Agreement to Post Sign and Permit Site Visits:

A form is included in the Zoning By-law Amendment application to agree to erect a sign on the subject lands and to permit Township employees/representatives to enter the lands for site visits.

The applicant is required to erect and maintain a sign on the proposed lands within one week of the application being deemed complete by staff and to remove the sign when the application has been given final approval. The sign shall be a minimum of 1.2 x 1.2 metres on posts 0.5 metres above grade and include the following wording to be approved by Township staff:

A PROPOSAL HAS BEEN MADE
ON THIS SITE FOR: (50 mm text height)
A ZONING BY-LAW AMENDMENT TO xxx (100 mm text height)
FOR FURTHER INFORMATION
PLEASE CONTACT THE TOWNSHIP OF PUSLINCH 7404 WELLINGTON ROAD 34
(519) 763 - 1226 (30-50 mm text height)

For Administrative Purposes Only:

Application fee of \$_____received by the municipality

Date Fee Received: _____

Date Application Filed: _____

File Number: _____

Application deemed complete:

Signature of Municipal Employee

Date

Personal information on this form is collected under the authority of the Planning Act. The information is used for the purpose of processing this application and administering the legislation and is maintained in accordance with the Municipal Freedom of Information and Protection of Privacy Act. Questions regarding the collection of this information may be directed to the Township Clerk’s office.

The Township of Puslinch is committed to providing accessible formats and communication supports for people with a disability. If another format would work better for you, please contact the Township Clerk’s office for assistance.

DocuSigned by:

Ross Buurma

Sworn (or Affirmed or Declared) remotely by

of (City, Town, etc.) of Puslinch

in the (County, Regional Municipality, etc.) of Wellington

before me at the (City, Town, etc.) of Waterloo

in the (County, Regional Municipality, etc.) of Waterloo

on 3/25/2021 (date) in accordance with O.Reg. 431/20, Administering Oath or Declaration Remotely

Lynne Banks

Commissioner for Taking Affidavits
Township of Puslinch
County of Wellington



Sealed by: The Corporation of the Township of Puslinch

Sealed Time: 3/25/2021

Sworn (or Affirmed or Declared) remotely by

of (City, Town, etc.) of

in the (County, Regional Municipality, etc.) of

before me at the (City, Town, etc.) of

in the (County, Regional Municipality, etc.) of

on (date) in accordance with O.Reg. 431/20, Administering Oath or Declaration Remotely



Sealed by: The Corporation of the Township of Puslinch

Sealed Time:

Commissioner for Taking Affidavits
Township of Puslinch
County of Wellington

General Information

Please ensure you retain a copy of the completed NM Strategy (and NM Plan, if applicable) for your records. Please note, approved documents will not be returned. It is your responsibility to keep copies of the documents that comprise your approved NMS. You will be contacted by OMAFRA staff if you are required to provide additional information during the review process. Upon approval, your NM Strategy is valid for a period of 5 years. At that time, you are not required to resubmit, but are required to update the NM Strategy and to keep it on file and available for inspection, if requested.

Reason for Submission

This document has been prepared for **approval**

Constructing or expanding a building or structure to house farm animals or store manure: new 44 stall horse barn and temporary manure stora

Preparer Information

Chad Anderson (#ASOPDC15823)
Agronomist
Anderson Agronomy Services
1327 Moore Line
RR#1
Mooretown, ON, Canada N0N 1M0
Phone #1: 519-331-0526
Phone #2: 519-864-1161
Fax: 519-864-1161
Email: andersonagronomyservices@live.ca

Agricultural Operation Information

Federal Business Number: [REDACTED]
Operation Type: [REDACTED]
Legal Farm Name: Classy Lane Stables LTD
Operator Contact Information
Ross Buurma
6923 Concession 1
RR#2
Puslinch, ON, Canada N0B2J0
[REDACTED]

Owner is the same as the operator

NMS Summary

Total Nutrient Units: 286 NU
Total Tillable Area: 80 ac
Non-NMA Transfer Area: 0 ac

Municipal well(s) do not exist within 100 m of the farm unit

A NMP hasn't been required for this farm unit in the past

A NMP is not required for this farm unit but recommended as a BMP

Storage groups with less than 240 days of storage:

Group 1

New/expanding storages that require engineering:

Group 1, new temp

Storages that require runoff management:

None

Farm Unit Summary**Classy Lane**

This farm:

Generates ASM
Receives Commercial Fertilizer

Status: Owned

Tillable Area: 30 ac

Farm Location

County of Wellington, Township of Puslinch
PUSLINCH, Concession: GORE, Lot: 17 (Generates ASM)

Roll Number(s) 230100004054000000.

911 Address: 6923 Concession 1

Yzerman

This farm:

 Generates ASM
 Receives Commercial Fertilizer

Status: Rented

Property/Landowner Contact:

 Chris Yzerman
 Yzerman Farm Family Corporation
 6895 Concession 1
 RR#2
 Puslinch, ON, Canada N0B2J0

Farm Location

 County of Wellington, Township of Puslinch
 PUSLINCH, Concession: GORE, Lot: 16 (Generates ASM)

Roll Number(s) 2301000004053000000

911 Address: 6895 Concession 1

Tillable Area: 50 ac


Storage System Summary
Horse Farm

September 2021 - August 2026






Total Nutrient Units: 286 NU

* Material amounts are for the duration of the plan (5 years)

Source Material
Material Production (5 years)

 Livestock 1	Horses, Medium Frame (including unweaned offspring), Box Stalls 286 (max) @ 1000 lb (286 NU) 100% utilization (100% suggested) Estimated Barn Area: 71500 ft ²	Solid: 4449451 ft ³ , 48.3% DM (Group 1) *
--	--	---

Storages
Dimensions

 Group 1 From: Livestock 1 (Solid)	Solid: 20000 ft ³ , 8.2 days  temp 1 Solid, Rectangular, Uncovered (Existing) Storage Capacity: 4000 ft ³ , 1.6 days Material: 3400 ft ³ Rainfall: 600 ft ³	Average Depth: 8 ft Wall Height (z): 8 ft Length (x): 25 ft Width (y): 20 ft
	 temp 2 Solid, Rectangular, Uncovered (Existing) Storage Capacity: 4000 ft ³ , 1.6 days Material: 3400 ft ³ Rainfall: 600 ft ³	Average Depth: 8 ft Wall Height (z): 8 ft Length (x): 25 ft Width (y): 20 ft
	 new temp Solid, Rectangular, Uncovered (New/Expanding) Storage Capacity: 4000 ft ³ , 1.6 days Material: 3400 ft ³ Rainfall: 600 ft ³	Average Depth: 8 ft Wall Height (z): 8 ft Length (x): 25 ft Width (y): 20 ft
	 temp 3 Solid, Rectangular, Uncovered (Existing) Storage Capacity: 8000 ft ³ , 3.3 days Material: 6800 ft ³ Rainfall: 1200 ft ³	Average Depth: 8 ft Wall Height (z): 8 ft Length (x): 50 ft Width (y): 20 ft

Nutrient Content & Utilization
Material Production (5 years)


Group 1

Outgoing Transfers: 100.4%

 Solid, 47.9% DM
 4472276 ft³, 82172 ton *
 893965 ft³/year, 16425 ton/year (avg)

 From:
 Group 1 (Solid)

Transfer Contacts
LaSalle Agri

 Transfer Type: Broker Agreement
 Outgoing Transfers
 Broker #: 000000000000

Transfer Contact Information

 LaSalle Agri Inc
 7162 LaSalle Line
 Watford, ON, Canada N0M 2S0
 Phone #1: 519-671-2534
 Phone #2: 519-312-7551

Transfer Location Information

 County of Lambton
 Roll Number(s)

Outgoing Transfer Summary

Material	Transfer Contact	Date	Amount
Group 1	LaSalle Agri	Sep 1, 2021 - Aug 31, 2026 (Weekly)	82476 ton (316 ton X 261)

Flag Summary
Proof of Incorporation (Buurma)


The farm business number or corporate profile must be provided.

Target Storage Capacity (Group 1)


The actual storage capacity (8.2 days) is less than the target storage capacity (240 days).

Storage Holds Rainfall (Group 1, temp 1)


This storage retains 100% of the rainfall that falls into this storage.

Storage Holds Rainfall (Group 1, temp 2)


This storage retains 100% of the rainfall that falls into this storage.

Storage Holds Rainfall (Group 1, new temp)


This storage retains 100% of the rainfall that falls into this storage.

Engineering Required (Group 1, new temp)


Engineering is required for this storage.

Storage Holds Rainfall (Group 1, temp 3)


This storage retains 100% of the rainfall that falls into this storage.

Manure Bedding Amount User Override (Livestock 1)


The amount of bedding in the manure has been adjusted by 1000%.

Farm Unit Declaration Form & NMS/P Signoff Form

The undersigned declares that the information contained in this Nutrient Management Plan and/or Nutrient Management Strategy:

1. identifies the Farm Unit on which the operations to which this strategy or plan applies is carried out;
2. provides an accurate description of the Agricultural Operation;
3. has been completed in accordance with the Regulation, the Nutrient Management Protocol and the Sampling and Analysis Protocol;
4. contains a contingency plan consistent with the Nutrient Management Protocol, part 12; and
5. is complete.

Signatures

Chad Anderson (#ASOPDC15823)

Plan Preparer

Signature

Date (yyyy/mm/dd)

Ross Buurma

Owner of the Agricultural Operation

Signature

Date (yyyy/mm/dd)

Notice

Information collected for the NMS/P is about your farm business and is collected under the Nutrient Management Act, S.O. 2002, c.4, as amended and its regulations. It will be to identify the operation as subject to provisions under the Nutrient Management Act. The information may be shared with other ministries, municipalities and external experts for the purposes of approval, administration of the program, inspection and enforcement. Information from this form may be made available for program or policy evaluation and research related to nutrient management, environmental management or agricultural issues. Under the Nutrient Management Act this document may be made available in a public registry. All information may be subject to disclosure under the Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.F.31 and may be made available on request.

Questions about this collection should be directed to the Manager, Approvals, Certification and Licensing, Environmental Management Branch, Ministry of Agriculture, Food and Rural Affairs, 1 Stone Road West, Guelph ON N1G 4Y2, Telephone: (519)826-6368.

Appendix A

NMS Approvals Submission

Please provide the following documents in the same order as listed:

1. Overview of the Operation

Please provide a description of the operation including the following:

1. Reason for submission (expanding operation, new operation, planned changes).
2. Type and size of the operation.
3. Overview of livestock/poultry facilities and practices that impact nutrient management, e.g. all in/all out; feed additives used.
4. Prescribed material produced or received including all Non-Agricultural Source Material (NASM).
5. Overview of cropping and management practices.

2. Farmstead Sketch (attach sketch and label clearly)

Farmstead Sketch (The farmstead sketch(s) may be an aerial photo, computer generated or hand drawn and must include/address the following items, either by including them on the sketch, or indicating on the sketch that they do not exist. Sketch should be readable and include north arrow)

- a. Location of generation facilities and storage(s):
 1. Permanent, temporary and proposed generating facilities
 2. Permanent, temporary and proposed storage facilities and sites
 3. Dimensions of all generating and storage facilities and sites
- b. Distance from sensitive features to the nearest permanent nutrient storage/generating facility, including:
 - i. Known wells (includes gas, oil, test and water wells)
 - ii. Municipal wells
 - iii. Tile inlets
 - iv. Surface water (as defined in Part I of O.Reg. 267/03)
- c. For nutrient storages within 50 m of surface water, show a Flow Path of at least 50 m to surface water or tile inlet.

3. Additional Storage Information

Please include the following if necessary:

- a. If runoff management is required for one or more solid storage facilities, complete and attach the Runoff Management Checklist available at www.ontario.ca/omafra.
- b. If temporary storage is required, complete and attach the Temporary Storage Checklist available at www.ontario.ca/omafra.
- c. For new and expanding prescribed material storage facilities, attach an Engineer's Commitment Certificate or Engineering Requirement Form. The Engineering forms are not required for a permanent, solid nutrient storage facility that has (O.Reg. 267/03, Section 62):
 - i. a volume less than 600 m³
 - ii. a surface area less than 600 m² and
 - iii. walls that do not have an exposed height of more than 1 m
- d. If the number of days of storage is less than 240, attach a detailed description showing how the prescribed materials will be managed within the storage capacity of the operation.

4. Transfer Information

Nutrient Management Protocol States:

Any Agreements required by the strategy must be signed and copies attached to the NMS. There are two types of agreements recognized by the regulation. Broker Agreement + Nutrient Transfer Agreement

Appendix B

Other Information

Please include any other information that pertains to the Nutrient Management Strategy that is not part of the NMAN printout or Appendix A.



Ministry of Agriculture,
Food and Rural Affairs
Environmental Management Branch

Engineering Requirement Form

Section 1 – Project Information

Project Name

Classy Lane Stables LTD

Project Mailing Address

Unit No.	Street No. 6923	Street Name Concession 1	Rural Route	PO Box
City/Town/Village Puslinch			Province Ontario	Postal Code N0B2J0

Section 2 – Applicant Declaration

Declaration

This is to certify that I, as the Applicant, understand that under the *Nutrient Management Act, 2002* and Ontario Regulation 267/03, as amended, I am required to retain professional engineering services for design and general review of certain projects and situations. I also understand that it is my responsibility to submit a completed **Engineer's Commitment Certificate** signed and dated by the Professional Engineer(s) who will provide design and general review of the project components identified on this form. The Engineer's Commitment Certificate will be submitted to the Chief Building Official at the local building authority as part of my building permit application for the related project.

Applicant Last Name

Buurma

Applicant First Name

Ross

Applicant Signature

Date (yyyy/mm/dd)

200210322

Section 3 – Project Components Information

Project Components Requiring Engineering

All in accordance with Ontario Regulation 267/03, as amended, and all applicable law.

Design/General
Review Required

A. Site Characterization performed by a Professional Engineer or Geoscientist*

Sub-surface information, soil properties, water table and bedrock location.

*Geoscientist retained to perform a Site Characterization evaluation must be a member of the Association of Professional Geoscientists of Ontario.

☐ Yes

☒ N/A

B. Synthetic or Compacted Soil Liner.

Design details, including details of site review and testing where applicable.

☐ Yes

☒ N/A

C. Earthen Storage Facilities

Siting, design and construction of a permanent nutrient storage facility made of earth, including details for any embankment penetrations to accept transfer system piping and to prevent leakage at those locations.

☐ Yes

☒ N/A

D. Liquid Storage Facilities

Siting, design and construction of a permanent liquid nutrient storage facility. Includes wall openings where transfer piping penetrates permanent liquid nutrient storage, sump or holding pit, where nutrient leakage could occur. All such openings shall include provision for flexible watertight gasket or membrane to prevent leakage, and design details shall be included with the structural drawings.

☐ Yes

☒ N/A

Liner – Unless a designer has been identified in Part B, then the following applies. If the site characterization report either specifies a liner or reveals a soil condition that requires a liner be used, the structural engineer designing the storage is responsible for incorporating a liner in the design drawings and specifications, and for site review of same.

E. Transfer Systems

Design and construction to include all piping, connections and associated fittings/couplings to prevent leakage of liquid nutrients transferred to a permanent liquid storage. Flush systems are considered transfer systems. Coordinate with structural engineer regarding wall penetrations for transfer system piping and fittings that prevent leakage at the connection.

Commercial pump systems: If the design of transfer system piping – type, size, operating pressure and gasketed connections – is clearly described in the pump manufacturer's installation guide and specification, then only site review of construction is required.

Note: Design of wall openings in nutrient storages, sumps and holding pits to accept transfer system piping shall be designed by a qualified professional engineer.

☐ Yes

☒ N/A



Nutrient Management Strategy
Buurma (Fall 2021 - Fall 2026)

Farm Unit Declaration Form & NMS/P Signoff Form

The undersigned declares that the information contained in this Nutrient Management Plan and/or Nutrient Management Strategy:

1. identifies the Farm Unit on which the operations to which this strategy or plan applies is carried out;
2. provides an accurate description of the Agricultural Operation;
3. has been completed in accordance with the Regulation, the Nutrient Management Protocol and the Sampling and Analysis Protocol;
4. contains a contingency plan consistent with the Nutrient Management Protocol, part 12; and
5. is complete.

Signatures

Chad Anderson (#ASOPDC15823)

Plan Preparer

2021/03/22
Date (yyyy/mm/dd)

Ross Buurma

Owner of the Agricultural Operation

2021/03/22
Date (yyyy/mm/dd)

Notice

Information collected for the NMS/P is about your farm business and is collected under the Nutrient Management Act, S.O. 2002, c.4, as amended and its regulations. It will be to identify the operation as subject to provisions under the Nutrient Management Act. The information may be shared with other ministries, municipalities and external experts for the purposes of approval, administration of the program, inspection and enforcement. Information from this form may be made available for program or policy evaluation and research related to nutrient management, environmental management or agricultural issues. Under the Nutrient Management Act this document may be made available in a public registry. All information may be subject to disclosure under the Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.F.31 and may be made available on request.

Questions about this collection should be directed to the Manager, Approvals, Certification and Licensing, Environmental Management Branch, Ministry of Agriculture, Food and Rural Affairs, 1 Stone Road West, Guelph ON N1G 4Y2, Telephone: (519)826-6368.

F. Solid Storage Facilities Siting, design and construction of a permanent solid nutrient storage facility. Note: If a solid storage is to hold rainfall or any other liquid (excluding milkhous washwater that meets the requirements of s.61.5 of the Regulation), it must be designed as a liquid storage (see Liquid Storage Facilities). Note: The structural engineer designing the storage must ensure a runoff management system is included as part of the storage design, and is in place.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> N/A
G. Vegetative Filter Strip System (VFSS) Siting, design and construction. Reference OMAFRA publication 826 for design details.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
H. Facilities for the Storage of Off-Farm Anaerobic Digestion Material Siting, design and construction for storage facilities.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
I. Regulated Mixed Anaerobic Digestion System Siting, design and construction for digester construction and operation.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
J. Further Treatment System for Off-Farm Anaerobic Digestion Materials Siting, design and construction of further treatment systems.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
K. Design of Facility to Reduce Total Volatile Solids by at least 50 per cent If digester operation has less than 20 day average AD treatment time.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
L. Design of Facility to Reduce Total Volatile Solids by at least 50 per cent If digester is operated at less than 35 degrees Celsius.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
M. Minimization of Odour Emissions For facilities accepting off-farm materials from Schedule 2, or facilities storing OC1 or OC2 Non-Agricultural Source Materials.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A

Classy Lane Stables LTD

Overview of Operation

Ross Buurma of Classy Lane Stables, Puslinch Ontario is seeking a nutrient management strategy approval for the construction of a new 44 stall horse barn 72 feet wide, 150 feet long; and temporary uncovered manure storage 20 feet wide 25 feet deep.

The farm currently has 5 horse barns (marked barn 2 through 6 on farmstead sketch) 44 stalls per barn and one barn with 22 stalls which is only used in the summer months. At capacity the farm will have 286 medium sized horses. The farm features a large standardbred horse track which is used for training at this facility, all the horses are boarded and the Buurma's do not own any of the horses. It is also important to note that Barn 5 noted on the farmstead sketch is under control of Classy Lane but it actually owned by Chris Yzerman being located on a neighboring farm.

In terms of sensitive features, there is a drilled well on the farm, it is greater than 15 meters from the proposed construction, there is also a drilled well on the Yzerman property, it as well is greater than 15 meters from the proposed construction. The nearest surface water to the proposed construction is located at the front of the property, adjacent to farm the farm's west side, there is a tile outlet exhausting here. The open drain is greater than 50 meters from the proposed construction.

Although the barn is cleaned out daily, given the size, an engineering commitment form accompanies this submission. The temporary storage will be uncovered with a cement pad floor and walls made from cement blocks. Because manure is transferred weekly and this storage only has capacity for 7 days, no engineering is required given these are deemed temporary. There is also no runoff from these storages given the high dry matter content of the manure and the fact they are emptied weekly. Please note the manure generation has been altered in NMAN. This is a high end, high value horse facility; as a result, bedding from wood shavings is considerably higher in use than an average horse farm. The generation is based upon current bedding and manure production. At current livestock numbers, the farm uses 2 approx. 40 mt loads of shavings per week and transfers 3 same weight loads of manure off farm per week. LaSalle Agri Inc. of Watford Ontario currently removes the manure from the farm weekly, it is realized that once phased in, LaSalle Agri Inc. will need a NMA broker license to continue the transfer arrangement with Classy Lane. LaSalle Agri is scheduled to write the Brokers exam April 1 2021.

The farm purchases most of it's hay but does grow hay on a 30 acre field at the back of the farm. It is a permanent grass field, receiving only commercial fertilizer. There is no non-agriculturally sourced material received or applied within farm unit. There is no municipal well within 100 meters of the farm unit boundaries.

Classy Lane Stables LTD

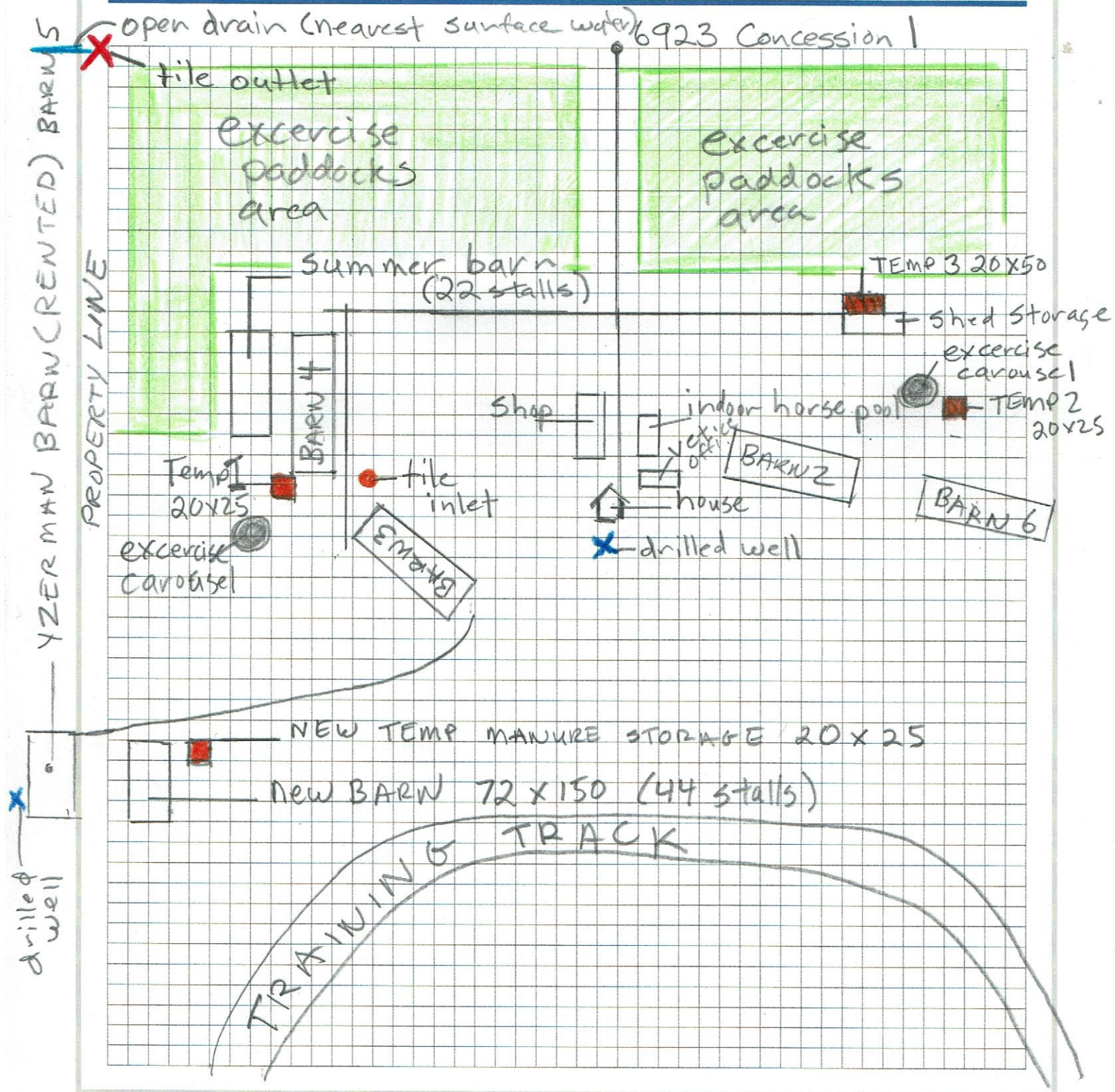
Farmstead Sketch Index/Notes

- 1> Drilled wells marked are greater than 15 meters from proposed construction
- 2> Nearest surface water is greater than 50 meters from proposed construction
- 3> There is no municipal well within 100 meters of farm unit boundaries
- 4> Tile inlet is greater than 50 meters from proposed construction
- 5> Sketch not to scale
- 6> Measurements in feet unless noted

Classy Lane Stables Farmstead Sketch

Anderson Agronomy Services

Chad Anderson
1327 Moore Line
Mooretown, ON., N0N 1M0



Approval of Nutrient Management Strategy - 50422

Under Regulation 267/03, as amended

Nutrient Management Act, 2002

Please use your operation identifier [REDACTED] whenever you contact the Ministry by telephone, e-mail, post or other means. It will assist the ministry to locate your Nutrient Management file as quickly as possible.

This Approval is issued to the Owner of the Approved Agricultural Operation, because the Director is satisfied that there is nothing under the Regulation, or the Act, that prevents the issuance of this Approval.

THIS APPROVAL IS ISSUED TO:

Classy Lane Stables Ltd., ("Owner")
Ross Buurma
6923 Concession 1, R.R. #2
Puslinch, ON
N0B 2J0

Definitions

1. For the purposes of this Approval, the following terms shall have the meaning described below:
 - a) "Act" means the *Nutrient Management Act, 2002*, S.O. 2002, c.4.
 - b) "Agricultural Operation" means agricultural operation as defined in the Act.
 - c) "Agricultural Source Material" means agricultural source material as defined in the Regulation
 - d) "Approval" means this approval including Schedules A and B;
 - e) "Approved Farm Unit" means the properties described in the application contained in Schedule B, as amended in accordance with this Approval and the Regulation.
 - f) "Approved Agricultural Operation" means the Agricultural Operation described in the application contained in Schedule B as amended in accordance with this Approval and the Regulation.
 - g) "Director" means a Director appointed under subsection 3 (1) of the Act for the purposes of section 28 of the Regulation;
 - h) "Farm Unit" means farm unit as described in section 5 of the Regulation.
 - i) "Ministry" means the Ministry of Agriculture, Food and Rural Affairs;
 - j) "Nutrient" means nutrient as defined in the Act;
 - k) "Owner/Operator" means the person to whom this approval is issued; and
 - l) "Regulation" means Ontario Regulation 267/03 made under the Act.

Approval of Nutrient Management Strategy - 50422

Under Regulation 267/03, as amended

Nutrient Management Act, 2002

Pursuant to the Act and Regulation, the Director approves the nutrient management strategy identified by submission number [REDACTED] that is Schedule B of this Approval subject to the conditions set out in Schedule A.

This Approval Applies to the Approved Agricultural Operation and Approved Farm Unit described in Schedule B as updated in accordance with the Regulation.

Interpretation

1. Where there is a conflict between a provision of the *Act* or the *Regulation* and any condition of this Approval, the provision of the Act or Regulation shall take precedence. Where there is a conflict between a provision of Schedule B of this Approval and any other provision of this Approval, the latter shall prevail. For greater certainty, a conflict only occurs where compliance with one provision would make compliance with the other provision impossible.
2. The conditions of this Approval are severable. If any condition of this Approval, or the application of any condition of this Approval to any circumstance, is held invalid or unenforceable, the application of such condition to other circumstances and the remainder of this Approval shall not be affected thereby.
3. The issuance of, and compliance with, this Approval does not relieve the Owner of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement.

Schedules

This Approval incorporates Schedules A and B attached hereto.

Schedule	Description
A	Conditions and Reasons for Conditions
B	Nutrient Management Strategy Approvals Submission

Approval of Nutrient Management Strategy - 50422

Under Regulation 267/03, as amended

Nutrient Management Act, 2002

Schedule A

Conditions

This Approval is subject to the following conditions:

General

1. The Owner shall provide written notice to the Ministry of the Environment Conservation and Parks - Area District Office and the Director signing this approval that the Approved Agricultural Operation will use land that is part of a Farm Unit subject to another nutrient management strategy at least 30 days before starting such use and such notice shall include a description of the land being added.

Approval of Nutrient Management Strategy - 50422

Under Regulation 267/03, as amended

Nutrient Management Act, 2002

IMPORTANT

In accordance with Section 9 of the *Nutrient Management Act, 2002*, you may by written notice, that you serve upon me and the Environmental Review Tribunal **within 15 days of receipt of this Notice**, require a hearing by the Tribunal. This section provides that the Notice requiring a hearing shall state:

- (a) the portions of the approval in respect of which the hearing is required; and
- (b) the grounds on which the applicant for the hearing intends to rely at the hearing.

Nutrient Management Act 2002, s. 9 (6).

In addition to these legal requirements, you should also include:

- your name and address
- the operation identifier
- the name of the Director who signed the approval.

This Notice requiring a hearing should be signed and dated by yourself, and must be served upon:

**The Secretary
Environmental Review Tribunal
655 Bay Street, Suite 1500
Toronto, Ontario
M5G 1E5**

and

**The Director, Approvals
Environmental Management Branch
Ministry of Agriculture, Food
and Rural Affairs
1 Stone Road West
Guelph, Ontario
N1G 4Y2**

Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Email: ERTTribunalSecretary@ontario.ca or Tel: (416) 212-6349, Toll free 1-866-448-2248 or Fax: (416) 314-3717, Toll Free Fax: 1-877-849-2066 or www.ert.gov.on.ca, or TTY 1-800-855-1155.

Director
Section 3, *Nutrient Management Act, 2002*

Cc Andrew Barrie OMAFRA, Environmental Specialist
Chad Anderson, Consultant
Travis Burns, Ministry of the Environment, Conservation and Parks

Approval of Nutrient Management Strategy - 50422

Under Regulation 267/03, as amended

Nutrient Management Act, 2002

Reasons for Conditions

The reason for conditions 1 is to ensure that the Ministry of Environment Conservation and Parks Area District Office and the Director are aware that the Approved Agricultural Operation will be operating on land that is already part of a farm unit and can ensure that the appropriate nutrient management strategies are updated to avoid the over application of nutrients on that land.

Appendix B

Other Information

Please include any other information that pertains to the Nutrient Management Strategy that is not part of the NMAN printout or Appendix A.



PLANNING REPORT for the TOWNSHIP OF PUSLINCH

Prepared by the County of Wellington Planning and Development Department

MEETING DATE: May 11th, 2021
TO: Lynne Banks, Development and Legislative Coordinator
Township of Puslinch
FROM: Asavari Jadhav, Junior Planner
Zach Prince, Senior Planner
County of Wellington
SUBJECT: **MINOR VARIANCE APPLICATION D13/BUU (BUURMA)**
Ross Buurma
6923 Concession 1
Part Lot 17, Concession Gore
SCHEDULES: **1 – Applicant's Sketch**

We have reviewed the application for minor variance and provide the following comments. These comments are offered without the benefit of a site visit.

Planning Opinion

The subject minor variance request would provide relief from Section 4.16.2 to permit a reduction in the Minimum Distance Separation (MDS II) setback for construction of a new barn on the subject lands. The subject lands are known locally as Classy Lane Stables. The reduction would be required from the setback of 137m to permit a reduced setback of 106.6m. As a part of staffs review it was identified that the subject property would be considered as Type A use as per Guideline #33 of the MDS Guidelines.

With respects to the MDS relief, planning staff notes that the setback from the barn is based on the new barn containing 44 medium horses and a total of 264 horses on the property. The property is surrounded by existing agricultural parcels and rural residential lots (**Figure 1**). Additionally, the applicant has submitted an approved nutrient management strategy.

This 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, provided that manure continues to be removed from the site every fourteen days.

Section of the By-law	Requirements	Proposed	Relief Requested
Section 4.16.2 - General Provisions MDS II New or Expanding Livestock Facilities and Manure Storage facilities.	Notwithstanding any other yard or setback provisions of the By-law to the contrary, no livestock facility or manure storage facility shall be erected or expanded unless it complies with the Minimum Distance Separation II (MDS II) setback, calculated using the Formulas published by the Province of Ontario, as may be amended from time to time. Planning staff have completed the MDS calculations and have confirmed the required distance of 137 m.	106.6m	30.32m

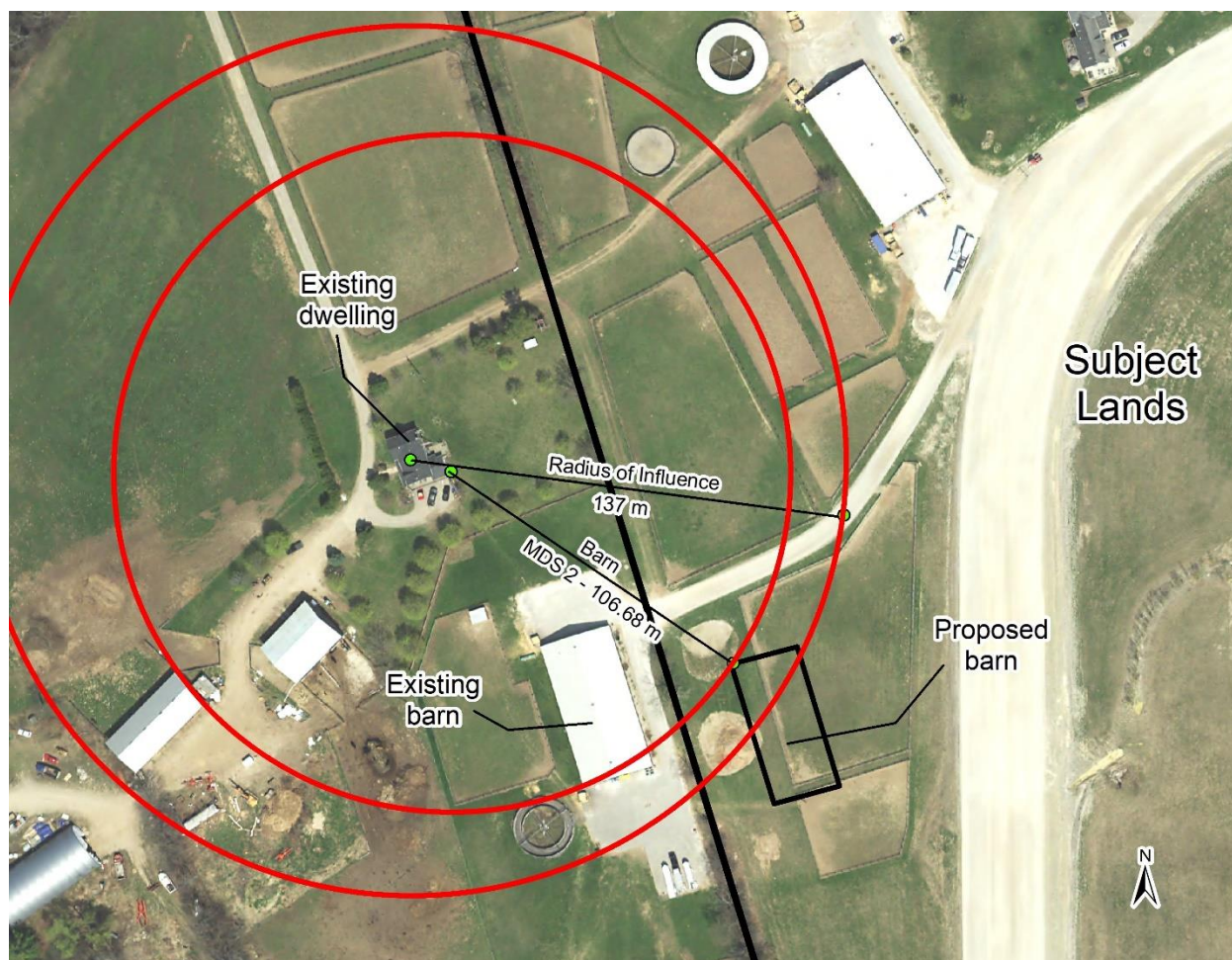


Figure 1 - Subject Property


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 minor in nature	<ul style="list-style-type: none"> • The required MDS setback is from a newly proposed barn. • The calculations are based on a capacity of 44 medium size horses for a total of 264 horses on the property. • The applicant has confirmed and provided evidence that manure is onsite for less than 2 weeks. • A new barn has not been constructed in the last 3 years. • The sensitive receptor that is triggering the MDSII setback is an existing dwelling located on an agricultural lot. • Guideline #43 allows for consideration of MDS relief.
That the intent and purpose of the Zoning By-law is maintained	<ul style="list-style-type: none"> • The subject property is zoned Agricultural (A) (sp17). The site specific zoning establishes permissions for some additional uses. • The intent of the MDS II setback is to provide a minimum distance between livestock facilities and sensitive lands uses (i.e. dwellings). The intent of MDS setbacks is to promote and protect agricultural uses while also reducing odour complaints and land use incompatibility. • The applicant runs a large stable operation and is proposed to construct a new barn for horses. It is the proposed new barn that is triggering MDSII relief.

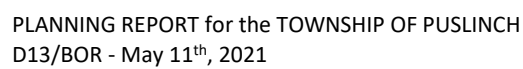
That the general intent and purpose of the Official Plan is maintained	<ul style="list-style-type: none"> • The property is designated Prime Agricultural, Secondary Agricultural, Core Greenlands, and Greenlands. • The features identified on the subject lands include – Provincially Significant Wetlands (PSW), and hazard lands. The PSW and wetland feature are located immediately behind the proposed lot. The barn is located substantially farm from the existing features on-site. • Local zoning by-laws implement MDS II calculations.
That the variance is desirable and appropriate development and use of the land, building or structure	<ul style="list-style-type: none"> • This minor variance would allow the operator to construct a new barn on the property to support an existing horse operation. • The property that is directly effected by the new barn is an agricultural property and it is noted that the applicant also uses a barn on this property. • The operation is a large operation and this will increase the total number of horses on the property.

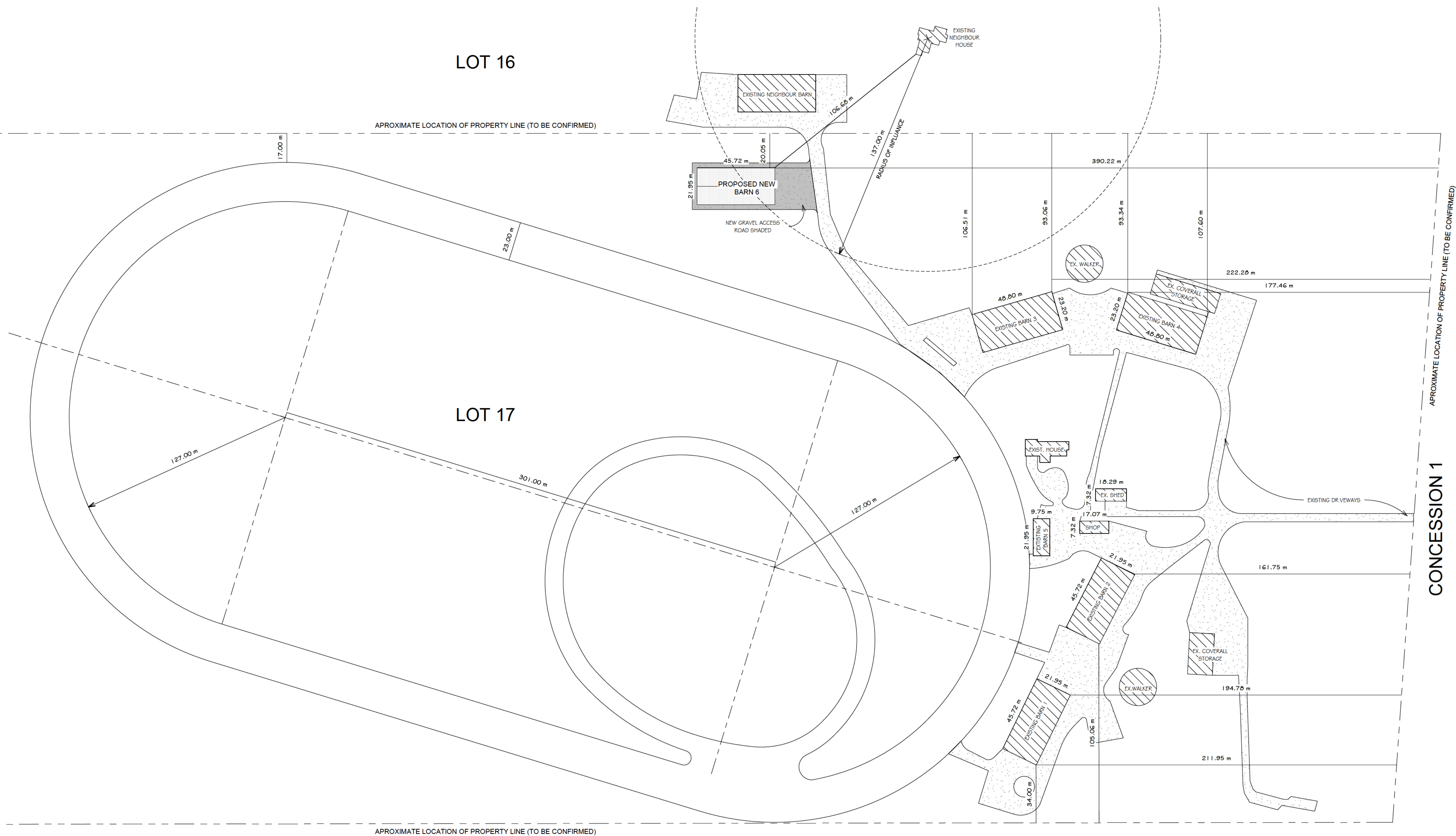
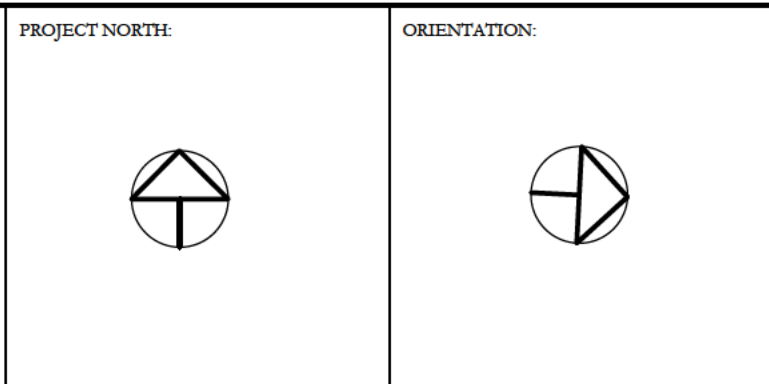
I trust that these comments will be of assistance to the Committee in their consideration of this matter.
We would appreciate a copy of the Committee's decision with respect to this application.

Respectfully submitted
County of Wellington Planning and Development Department



Zach Prince, RPP MCIP
Senior Planner

PLANNING REPORT for the TOWNSHIP OF PUSLINCH
D13/BOR - May 11th, 2021





1 Site Plan
1" = 100'-0"

Revision Schedule			DETAIL SYMBOL: <div><div>DETAIL NO: DRAWING NO:</div></div>		ALL DIMENSIONS SHALL BE VERIFIED BY THE SITE SUPERVISOR BEFORE COMMENCEMENT OF WORK. ANY DISCREPANCIES SHALL BE REPORTED TO THE DESIGNER SIGNED BELOW PRIOR TO THE COMMENCEMENT OF WORK. ALL DRAWINGS, SPECIFICATIONS ETC. PREPARED BY THE DESIGNER ARE THEIR PROPERTY AS INSTRUMENTS OF SERVICE TO BE RETURNED AS REQUESTED. ALL WORK SHALL COMPLY WITH THE CURRENT EFFECTIVE ONTARIO BUILDING CODE AND ALL BY-LAWS WITH AUTHORITIES HAVING JURISDICTION.		Owner: Ross Burma		PROJECT: Classy Lane Stables		LOCATION: 6923 Concession 1, Puslinch Classy Lane Stables		DRAWN BY: 		DRAWING NO:	
Revision Number	Revision Date	Revision Description							Minor Variance 04.18.2021		DRAWING: Site Plan		ISSUE DATE: 04.19.2021		C1	
												SCALE: 1" = 100'-0"				
												PROJECT NO: New Barn #6				



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
PLANNING & DEVELOPMENT ADVISORY COMMITTEE

APRIL 13, 2021

7:00 PM

VIRTUAL MEETING BY ELECTRONIC PARTICIPATION

MINUTES

1. CALL THE MEETING TO ORDER

The April 13, 2021 Planning & Development Advisory Committee Meeting was held on the above date and called to order at 7:20 p.m. via electronic participation.

2. OPENING REMARKS

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

3. ROLL CALL

MEMBERS IN ATTENDANCE

Councilor John Sepulis, Chair
Dennis O'Connor
Deep Basi
Paul Sadhra
Dan Kennedy

MEMBERS ABSENT

None

STAFF IN ATTENDANCE

Lynne Banks, Development and Legislative Coordinator
Courtenay Hoytfox, Deputy Clerk
Zachary Prince, Planner, County of Wellington

4. DISCLOSURE OF PECUNIARY INTEREST

None

5. APPROVAL OF MINUTES

- March 9, 2021

Moved by: Dan Kennedy

Seconded by: Deep Basi

That the Minutes of the Planning & Development Advisory Committee Meeting held Tuesday, March 9, 2021, be adopted.

CARRIED

6. APPLICATION FOR SITE PLAN URBAN DESIGN REVIEW

None

7. ZONING BY-LAW AMENDMENT

None

8. LAND DIVISION

- 8(a) Lot Line Adjustment Application B8-21 (D10/YZE) – William Yzerman – Part Lots 13 & 14, Concession Gore, municipally known as 6830 Gore Road, Township of Puslinch.**

Proposed lot line adjustment 42 meters frontage x 60.96 meters = 2560 square meters (Part 3 on sketch), vacant land to be added to abutting rural residential lot - Correia/Krzewinski (Part 2 on sketch).

Retained parcel is 71.7 hectares with 606.18 meters frontage, existing and proposed agricultural use with existing house, barn and shed (Part 1 on sketch).

- Nancy Shoemaker, agent for the applicant provided an overview of the application.
- There were no comments or questions from the public.
- There were no comments or questions from the committee members.

The committee supports the application with the **following condition** imposed:

1. That the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (including taxes paid in full and Consent Review/Condition Clearance fee) which the Township may deem to be necessary at the time of issuance of the Certificate of Consent for the property and orderly development of the subject lands; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

CARRIED

Moved by: Dennis O'Connor

Seconded by: Dan Kennedy

- 8(b) Severance Application B9-21 (D10/DIO) – Diodoro Enterprises Limited** – Part Lot 15, Concession 9, municipally known as 7660 Maltby Road East, Township of Puslinch.

Proposed severance is 0.827 hectares with 99.2 meters frontage, vacant land for proposed rural residential use.

Retained parcel is 45.89 hectares with 429 meters frontage, existing and proposed golf course & clubhouse with existing clubhouse & storage buildings.

- Nancy Shoemaker, agent for the applicant, provided an overview of the application.
- There were no comments or questions from the public.
- There were no comments or questions from the committee members.

The Committee supports the application with the **following conditions** imposed:

1. That the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (including taxes paid in full and Consent Review/Condition Clearance fee) which the Township may deem to be necessary at the time of issuance of the Certificate of Consent for the property and orderly development of the subject lands; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
2. That the Owner obtain an approved Entrance Permit verifying safe access and site lines on the retained parcel from the Township of Puslinch; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
3. That approval of the consent application is conditional on the applicant's zoning by-law amendment not receiving any appeals. The deadline for any appeals is 4:30 p.m. on April 18, 2021.

CARRIED

Moved by: Deep Basi

Seconded by: Dennis O'Connor

7. OTHER MATTERS

7(a) 19 Visser Drive Minor Variance appeal to the LPAT.

- Lynne Banks advised the committee that the minor variance application for 19 Visser Drive has been appealed by the owner to the LPAT and further advised that the Case Management Conference is scheduled for April 22, 2021.

7(b) Update on changes to County of Wellington Planning staff.

- Zachary Prince provided an update on the changes to the planning staff at the County of Wellington and advised that Meagan Ferris is now the Manager of Planning and Environment, Zachary Prince is now senior planner and that they will be adding another planner to the County planning staff.

8. CLOSED MEETING

- None

9. NEXT MEETING

- Next Regular Meeting is Tuesday, May 11, 2021 @ 7:00 p.m.

10. ADJOURNMENT

Moved by: Paul Sadhra

Seconded by: Deep Basi

That the Planning & Development Advisory Committee is adjourned at 7:34 p.m.

CARRIED

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

April 9, 2021

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: April 01, 2021

FILE NO. B17-21

APPLICANT

Corey Speers
11 Farnham Rd
Puslinch N0B 2J0

LOCATION OF SUBJECT LANDS

Township of Puslinch
Lot 2 & Part Lot 3
Reg Plan 131

Proposed severance is 0.4 hectares with 11m frontage, vacant land for proposed rural residential use.

Retained parcel is 51.4m fr x 80m = 0.41 hectares, existing and proposed rural residential use with existing dwelling, garage, shed & pool.

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

May 19, 2021

Comments can be provided by mail at address above or by email janap@wellington.ca

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 Local Planning Appeal Tribunal 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 and provide your email address** 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 Local Planning Appeal Tribunal. 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 Local Planning Appeal Tribunal 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 (email) 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: \$ 4630Fee Received: April 21File No. B17-21Accepted as Complete on: April 21**A COPY OF YOUR CURRENT DEED MUST BE SUBMITTED WITH THIS APPLICATION**2. (a) Name of Registered Owner(s) Corey William SPEERSAddress 11 Farnham Road, Puslinch, ON, N0B 2J0

Phone [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 Van Harten 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 & provide short explanation)

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

To create a new lot for rural 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 _____

Lot No. _____

Registered Plan No. 131

Lot No. All of Lot 2 & Part of Lot 3

Reference Plan No. _____

Part No. _____

Civic Address 11 Farnham Road

(b) When was property acquired: June 2016

Registered Instrument No. WC471771

5. Description of Land intended to be SEVERED:

Metric []

Imperial []

Frontage/Width 11.0 / 62.5 ±

AREA

0.40 ha ±

Depth 130.9 ±

Existing Use(s)

Rural Residential

Existing Buildings or structures: Vacant Land

Proposed Uses (s): Rural Residential – Proposed Dwelling

Type of access (Check appropriate space)

Existing []

Proposed [X]

[] Provincial Highway

[] Right-of-way

[] County Road

[] Private road

[X] Municipal road, maintained year round

[] Crown access road

[] Municipal road, seasonally maintained

[] Water access

[] Easement

[] Other

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

[] Municipally owned and operated piped water system

[X] Well [X] individual [] communal

[] Lake

[] Other _____

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

[] Municipally owned and operated sanitary sewers

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

[] Pit Privy

[] Other (Specify): _____

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

Frontage/Width 51.4 ± AREA 0.41 ha ±
Depth 80.0 ± Existing Use(s) Rural Residential
Existing Buildings or structures: Dwelling, Garage, Shed and Pool
Proposed Uses (s): No Change

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

<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

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):

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. a) 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: Guelph Junction Railway

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. Provide explanation of how the application is consistent with the Provincial Policy Statement.

This application is consistent with the PPS as per Section 2.3.3.3 where it states that new land uses, including the creation of lots shall comply with the minimum distance separation formula.

25. In addition to Places to Grow (Provincial Growth Plan), is the subject land within an area of land designated under the Greenbelt Plan? Provide explanation of how the application conforms or does not conflict with the Provincial plan or plans.

There are no Natural Heritage Features on property.

26. a) Indicate the existing **County Official Plan** designation(s) of the subject land, and provide explanation of how the application conforms with the Official Plan (severed and retained).

The subject property is designated as Prime Agricultural and within Special Policy Area (PA7-4) which allows the parcel to follow the Secondary Agricultural Guidelines in the Official Plan. The criteria outlined in Section 10.4.4 of the Official Plan are met.

- b) Indicate the existing **Local Official Plan** (if any) designation(s) of the subject land, and provide explanation of how the application conforms with the Official Plan (severed and retained).

N/A

- 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. 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.

28. What is the zoning of the subject lands? **Agricultural (A)**

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

A Minor Variance Application will be submitted pending severance approval

- 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 [X] NO []

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

For mortgages just provide complete name and address of Mortgagee.

- **Mortgage as in Instrument No. WC504120 with CIBC located at PO Box 115, Commerce Court Postal Station, Toronto, ON, M5L 1E5**

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: **None**

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

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

<u>Retained</u>	Width <u>7±m</u>	Length <u>7±m</u>	Area <u>49±m²</u>	Use <u>Garage</u>
	Width	Length	Area	Use
<u>Severed</u>	Width	Length	Area	Use
	Width	Length	Area	Use

33. **Manure Storage Facilities** on these lands: **None**

DRY		SEMI-SOLID		LIQUID	
Open Pile	<input type="checkbox"/>	Open Pile	<input type="checkbox"/>	Covered Tank	<input type="checkbox"/>
Covered Pile	<input type="checkbox"/>	Storage with Buck Walls	<input type="checkbox"/>	Aboveground Uncovered Tank	<input type="checkbox"/>
				Belowground Uncovered Tank	<input type="checkbox"/>
				Open Earth-sided Pit	<input type="checkbox"/>

34. Are there any drainage systems on the retained and severed lands? YES ☐ NO ☒

Type	Drain Name & Area	Outlet Location
Municipal Drain <input type="checkbox"/>		Owner's Lands <input type="checkbox"/>
Field Drain <input type="checkbox"/>		Neighbours Lands <input type="checkbox"/>
		River/Stream <input type="checkbox"/>

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 ☐

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 ☐ NO ☒

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

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.

The Owner must complete the following to authorize applicant, agent or solicitor to act on their behalf.

NOTE: If more than one owner is listed in item #2 of this application, then all owners must sign this authorization section of the application form or by a letter of authorization duly signed.

If the Owner is a corporation, the authorization must be by an officer of the corporation who has authority to bind the corporation.

I, (we), Corey William SPEERS the Registered Owners of
All of Lot 2, Part of Lot 3, Plan 131, as in INST No. R0762732 Of the Township of Puslinch in the
County/Region of Wellington severally and jointly, solemnly declare that

Jeffrey E. Buisman, OLS, of Van Harten Surveying Inc.

Is authorized to submit an application for consent on my (our) behalf.

Owner(s) or Corporation's Officer

APPLICANT'S DECLARATION

This must be completed by the Applicant for the proposed consent

I, (we) Jeffrey E. Buisman, OLS, of Van Harten Surveying Inc. of the
City of Guelph In the County/~~Region~~ of
Wellington Solemnly declare that all

the statements contained in this application for consent for (property description)

All of Lot 2, Part of Lot 3, Plan 131, as in INST No. R0762732 Of the Township of Puslinch

And all the supporting documents are true, and I, (we), make this solemn declaration conscientiously believing it to be true and complete, and knowing that it is of the same force and effect as if made under oath, and virtue of the CANADA EVIDENCE ACT.

DECLARED before me at the

City _____ Of _____
Guelph _____ In the _____
County/Region of **Wellington**

This 30 day of March 20 21

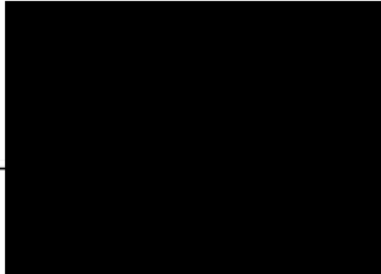
Commissioner of Oaths

James Michael Laws,
a Commissioner, etc.,
Province of Ontario,
Printed Commissioner's Secretary's Name,
Expires May 11, 2021.

APPLICANT'S CONSENT (FREEDOM OF INFORMATION):

In accordance with the provisions of the Planning Act, it is the policy of the County Planning and Development Department to provide public access to all development applications and supporting documentation. In submitting this development application and supporting documentation, I, Jeff Buisman of Van Harten Surveying Inc., the applicant, hereby acknowledge the above-noted and provide my consent in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act that the information on this application and any supporting documentation provided by myself, my agents, solicitors, and consultants will be part of the public record and will also be available to the general public.

Signature of Owner(s)



Date

March 30, 2021

THIS APPLICATION PACKAGE IS TO BE SUBMITTED TO:

**Secretary-Treasurer
Planning and Development Department
County of Wellington
74 Woolwich Street
Guelph, Ontario
N1H 3T9**

Phone (519) 837-2600 Ext. 2160

March 31, 2021
29485-21

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 & Sketch
11 Farnham Road
All of Lot 2 & Part of Lot 3
Registered Plan 131
Township of Puslinch**

RECEIVED

MAR 31 2021

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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, PIN Report and Map, the required deed, addresses of neighbouring properties, Source Water Protection Form, a cheque to the GRCA for \$430.00 and a cheque to Wellington County for \$4,630.00.

Proposal:

The proposal is to create a new rural residential parcel along Farnham Road. The Severed Parcel is flag shaped with a frontage of 11.0±m, depth of 130.9±m, for an area of 0.40±ha where a dwelling is proposed to be built. The Retained Parcel (#11 Farnham Road) will have a frontage of 51.4±m, depth of 80.0±m, for an area of 0.41±ha where the existing dwelling, garage, shed and pool will remain for rural residential use.

The existing owners intend to construct a new house on the severed parcel and the tentative plan is for one of the owner's mother to purchase the existing house on the retained parcel.

The severed parcel consists of cut grass and an open area that is ideal for a new dwelling. A new driveway will be constructed between existing rows of trees. There should be no disruption for the existing house and features on the retained parcel.

The subject property is zoned Agricultural, and the Reduced Lot Requirements listed in Table 11.3 of the Zoning By-law will be met for the retained parcel. The rear boundary of the retained parcel was set to be at least 2m from the rear of the garage/shed and at least 1.5m from the pool (water's edge) so that these zoning requirements could be met. All the zoning requirements are met for the retained parcel but the severed parcel will require a Minor Variance to permit a frontage of 11m instead of 25m as required in the Zoning By-law.

572 Weber Street North, Unit 7
Waterloo ON N2L 5C6
519-742-8371

Elmira, ON:
519-669-5070

423 Woolwich Street
Guelph, ON N1H 3X3
519-821-2763

660 Riddell Road, Unit 1
Orangeville, ON L9W 5G5
519-940-4110

Collingwood, ON:
249-499-8359

www.vanharten.com

The subject property has a County Official Plan designation of Prime Agriculture which normally does not support severances for residential uses. However, the subject lands are part of Special Policy Area PA7-4. This section states that "if the livestock operations are not affected or have ceased operation, the uses permitted under the Secondary Agricultural Areas would be allowed without an amendment to this Plan." There are no livestock operations on the subject property therefore the subject lands can be treated as if they are designated Secondary Agricultural.

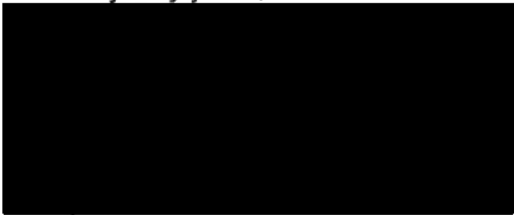
We provide the opinion that the proposed severance meets the requirements of Section 10.4.4 of the Official Plan for lot creation in Secondary Agricultural areas including the following:

- The severed lands are designated Secondary Agricultural.
- Ownership is longer than 5 years
- No severance since March 2005
- Safe entrance is available
- Adequate space for new dwelling and septic
- No impacts on environmentally sensitive lands or woodlot.
- MDS requirements are met.
- Zoning requirements are met – A minor variance will be applied for pending severance approval for the reduced frontage of the Severed Parcel.

In addition to meeting the requirements for a severance, this is a great in-fill opportunity in this older rural estate subdivision.

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

Very truly yours,



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

cc Corey Speers & Johanna Atkinson Speers

O.P. : POLICY AREA (PA7-4)
PIN 71185 - 0070

LOT 5, WEST OF THE BLIND LINE, REGISTERED PLAN 121

PART 18, 61R-2845

ESTABLISHED BY REGISTERED PLAN 131

FARNHAM ROAD

20.12m WIDE

PIN 71185 - 0141

ARKELL ROAD

ROAD ALLOWANCE BETWEEN LOTS 6 & 7
ESTABLISHED BY REGISTERED PLAN 131

30.48m WIDE

PIN 71185 - 0002

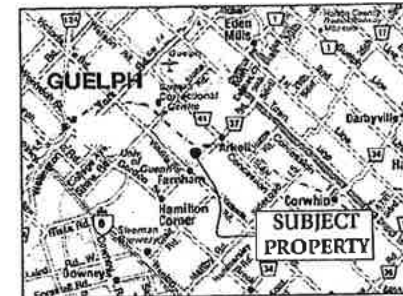
**SEVERANCE SKETCH
ALL OF LOT 2 & PART OF LOT 3,
REGISTERED PLAN 131
TOWNSHIP OF PUSLINCH
COUNTY OF WELLINGTON**

SCALE 1 : 750



VAN HARTEN SURVEYING INC.

KEYMAP



NOTES:

1. **THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.**
2. **SUBJECT LANDS ARE ZONED AGRICULTURAL**
3. **SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF POLICY AREA (PA7-4).**
4. **DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.**
5. **DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.**
6. **SEE ATTACHED LIST OF NAMES AND ADDRESSES OF OWNERS.**

THIS SKETCH WAS PREPARED ON
THE 30th DAY OF MARCH, 2021

ONTARIO LAND SURVEYOR



Van Harten
SURVEYING INC.
LAND SURVEYORS and ENGINEERS

Kitchener/Waterloo
Ph: 519-742-8371

Guelph
Ph: 519-821-2763

Orangeville
Ph: 519-940-4110

www.vanharten.com

info@vanharten.com

DRAWN BY: ARN

CHECKED BY: JEB

PROJECT No. 29485-21

Mar 30, 2021-3:39:48 PM

G:\PUSLINCH\131\ACAD\SEV PTLOT 2.3 (SPEERS) UTM.dwg

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

April 9, 2021

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: April 01, 2021

FILE NO. B18-21

APPLICANT

John & Douglas Miller
6812 Concession 2
Puslinch N3C 2V4

LOCATION OF SUBJECT LANDS

Township of Puslinch
Part Lot 13
Concession 2

Proposed lot line adjustment is 2.5 hectares with 41m frontage, vacant land to be added to abutting rural residential & agricultural parcel – John & Douglas Miller.

Retained parcel is 59m fr x 80m = 0.47 hectares, vacant land for proposed rural residential use.

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

May 19, 2021

Comments can be provided by mail at address above or by email janap@wellington.ca

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 Local Planning Appeal Tribunal 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 and provide your email address** 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 Local Planning Appeal Tribunal. 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 Local Planning Appeal Tribunal 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

Bell Canada (email) 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: \$ 4630
Fee Received: Apr 1/21

File No. B18-21

Accepted as Complete on: Apr 1/21

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) Douglas Jamieson MILLER

Address 6812 Concession 2, Puslinch, ON, N3C 2V4

Phone No. [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 Van Harten Surveying Inc.
423 Woolwich Street, Guelph, ON, N1H 3X3

Phone No. 519-821-2763 x225

Email: Jeff.Buisman@vanharten.com

(d) All Communication to be directed to:

REGISTERED OWNER ☐ APPLICANT ☐ AGENT ☒

(e) Notice Cards Posted by:

REGISTERED OWNER ☐ APPLICANT ☐ AGENT ☒

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 13, Concession 2, Part 1, 61R-5548 (PIN 71208-0144)

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

Local Municipality: Township of Puslinch

Concession 3

Lot No. Part of Lot 12

Registered Plan No.

Lot No.

Reference Plan No. 61R-10560

Part No. 1

Civic Address Concession 2

(b) When was property acquired: June 2007

Registered Instrument No. WC175763

5. Description of Land intended to be SEVERED:

Metric ☒

Imperial ☐

Frontage/Width 41 / 100 ±

AREA

2.5 ha ±

Depth 300 ±

Existing Use(s)

Rural Residential (Vacant)

Existing Buildings or structures: Vacant

Proposed Uses (s): To be added to Part 1, 61R-5548 (PIN 71208-0144) for continued use

Type of access (Check appropriate space)

Existing ☒

Proposed ☐

☐ Provincial Highway

☐ Right-of-way

☐ County Road

☐ Private road

☐ Municipal road, maintained year round

☐ Crown access road

☒ Municipal road, seasonally maintained

☐ Water access

☐ Easement

☐ Other

Entrance on Lands to be Added to

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

☐ Municipally owned and operated piped water system

☐ Well ☐ individual ☐ communal

☐ Lake

☒ Other (specify): Well on lands to be added to

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

☐ Municipally owned and operated sanitary sewers

☐ Septic Tank ☐ individual ☐ communal

☐ Pit Privy

☒ Other (specify): Septic on lands to be added to

6. Description of Land intended to be RETAINED:

Metric ☒

Imperial ☐

Frontage/Width 59 ±

AREA

0.47 ha ±

Depth 80 ±

Existing Use(s)

Rural Residential (Vacant)

Existing Buildings or structures: None

Proposed Uses (s): Residential Dwelling

Type of access (Check appropriate space)	Existing []	Proposed [X]
[] Provincial Highway	[] Right-of-way	
[] County Road	[] Private road	
[X] Municipal road, maintained year round	[] Crown access road	
[] Municipal road, seasonally maintained	[] Water access	
[] Easement	[] Other (specify) _____	

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

[] Municipally owned and operated piped water system

[X] Well [X] individual [] communal

[] Lake

[] Other (specify): _____

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

[] Municipally owned and operated sanitary sewers

[X] Septic Tank [X] 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 [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. 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 [] NO [X]
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 meteres [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 [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.**

- **PIN 71208-0143 was created by consent June 2007 by INST No. WC175763 (Application B70/06). Transferred from Douglas Miller and John Miller to Douglas Miller**

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. Provide explanation of how the application is consistent with the Provincial Policy Statement.

The application is consistent with the PPS. There are no MDS concerns as the structures already exist and a lot line adjustment is deemed not to create a new lot.

25. In addition to the Places to Grow (Provincial Growth Plan), is the subject land within an area of land designated under the Greenbelt Plan? Provide explanation of how the application conforms or does not conflict with the Provincial plan or plans.

The Natural Heritage System mapping indicates that there is a small portion of wetland features on the subject property, however the new boundary limits will be at least 30m outside of the natural features area and the area will not be disturbed.

26. a) Indicate the existing **County Official Plan** designation(s) of the subject land, and provide explanation of how the application conforms with the Official Plan (severed and retained).

The subject property is designated as Secondary Agricultural, Core Greenlands and Greenlands in the Official Plan. This proposal follows the guidelines set out in Section 10.4.6 for Secondary Agricultural parcels that states that lot line adjustments are permitted where no adverse effect on agriculture will occur and where an undersized lot is made useable.

b) Indicate the existing **Local Official Plan** (if any) designation(s) of the subject land, and provide explanation of how the application conforms with the Official Plan (severed and retained).

N/A

- 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? Agricultural, Natural Environment and Environmental Protection Overlay

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

29. Are the lands subject to any mortgages, easements, right-of-ways or other charges? YES ☒ NO ☐

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

For mortgages, provide complete name and address of Mortgagee _____

Lands to be Added to: Mortgage as in INST No. WC427953 with the Royal Bank of Canada located at 10 York Mills Road, 3rd Floor, Toronto, ON, M2P 0A2

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: None

Type: Dairy ☐ Beef Cattle ☐ Swine ☐ Poultry ☐ Other ☐

31. Dimensions of Barn(s)/Outbuildings/Sheds (that are to remain) Severed & Retained Lands None

	Width	Length	Area	Use
<u>Severed</u>				
	Width	Length	Area	Use
<u>Retained</u>	Width	Length	Area	Use
	Width	Length	Area	Use

32. Manure Storage Facilities on these lands: None

DRY		SEMI-SOLID		LIQUID	
Open Pile	<input type="checkbox"/>	Open Pile	<input type="checkbox"/>	Covered Tank	<input type="checkbox"/>
Covered Pile	<input type="checkbox"/>	Storage with Buck Walls	<input type="checkbox"/>	Aboveground Uncovered Tank	<input type="checkbox"/>
				Belowground Uncovered Tank	<input type="checkbox"/>
				Open Earth-sided Pit	<input type="checkbox"/>

33. Are there any drainage systems on the retained and severed lands? YES ☐ NO ☒

Type	Drain Name & Area	Outlet Location	
Municipal Drain <input type="checkbox"/>		Owner's Lands	<input type="checkbox"/>
Field Drain <input type="checkbox"/>		Neighbours Lands	<input type="checkbox"/>
		River/Stream	<input type="checkbox"/>

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 [] NO [X]

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 [] NO [X]

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

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.**

OWNER'S AUTHORIZATION:

The Owner must complete the following to authorize applicant, agent or solicitor to act on their behalf.

NOTE: If more than one owner is listed in item #2 of this application, then all owners must sign this authorization section of the application form or by a letter of authorization duly signed.

If the Owner is a corporation, the authorization must be by an officer of the corporation who has authority to bind the corporation.

I, (we), Douglas Jamieson MILLER the Registered Owners of
Part of Lot 13, Concession 2, Part 1, 61R-10560 the Township of Puslinch in the
 County/-Region of Wellington severally and jointly, solemnly declare that
Jeffrey E. Buisman, OLS, of Van Harten Surveying Inc.

Is authorized to submit an application for consent on my (our) behalf.

X

Signature(s) of Registered Owner(s) or Corporation's Officer

APPLICANT'S DECLARATION

This must be completed by the Applicant for the proposed consent

I, (we) Jeffrey E. Buisman, OLS, of Van Harten Surveying Inc. of the
City of Guelph In the County/-Region of
Wellington Solemnly declare that all

the statements contained in this application for consent for (property description)

Part of Lot 13, Concession 2, Part 1, 61R-10560 Of the Township of Puslinch

And all the supporting documents are true, and I, (we), make this solemn declaration conscientiously believing it to be true and complete, and knowing that it is of the same force and effect as if made under oath, and virtue of the CANADA EVIDENCE ACT.

DECLARED before me at the

City of Guelph In the

County/-Region of Wellington

This 30 day of March 20 21

Commissioner of Oaths

James Michael Laws,
 a Commissioner, etc.,
 Province of Ontario,
 for Van Harten Surveying Inc.
 Printed Commissioner's etc. Name

APPLICANT'S CONSENT (FREEDOM OF INFORMATION):

In accordance with the provisions of the Planning Act, it is the policy of the County Planning and Development Department to provide public access to all development applications and supporting documentation. In submitting this development application and supporting documentation, I, Jeff Buisman of Van Harten Surveying Inc., the applicant, hereby acknowledge the above-noted and provide my consent in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act that the information on this application and any supporting documentation provided by myself, my agents, solicitors, and consultants will be part of the public record and will also be available to the general public.

Signature of

A black rectangular box redacting the signature of the applicant.

Date

March 30, 2021

THIS APPLICATION PACKAGE IS TO BE SUBMITTED TO:

**Secretary-Treasurer
Planning and Development Department
County of Wellington
74 Woolwich Street
Guelph, Ontario
N1H 3T9**

Phone (519) 837-2600 Ext. 2160

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 A

Fee Received: Apr 1/21

File No. 318-21

Accepted as Complete on: Apr 1/21

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) John Allen MILLER & Douglas Jamieson MILLER

Address **6812 Concession 2, Puslinch, ON, N3C 2V4**

Phone No. [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 Van Harten Surveying Inc.
423 Woolwich Street, Guelph, ON, N1H 3X3

Phone No. **519-821-2763 x225**

Email: **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. Location of Land in the County of Wellington:

Local Municipality: **Township of Puslinch**

Concession **2**

Lot No. **Part of Lot 13**

Registered Plan No.

Lot No.

Reference Plan No. **61R-5548**

Part No. **1**

Civic Address **6812 Concession 2**

(b) When was property acquired: November 1996

Registered Instrument No. **RO762426**

March 31, 2021

29455-21

Jeff.Buisman@vanharten.com

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

Attention: Deborah Turchet

Dear Ms. Turchet:

**Re: Lot Line Adjustment Application and Sketch
6812 Concession 2
Part of Lot 13, Concession 2
PIN 71208-0143 & 71208-0144
Township of Puslinch**

RECEIVED

MAR 31 2021

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Please find enclosed an application for a Lot Line Adjustment Severance and Sketch on the above-mentioned property. Included with this submission are copies of the Severance Sketch, completed application form, the required deeds, PIN report and map, addresses of neighbouring properties, a cheque to the GRCA for \$430.00 and a cheque to Wellington County for \$4,630.00.

Proposal:

The proposal of this lot line adjustment is to sever the majority of the vacant parcel on Concession 2, shown as PIN 71208-0143 and merge it with the surrounding adjacent parcel at #6812 Concession 2 (PIN 71208-0144) where an existing dwelling will remain for continued rural residential / agricultural use. The retained parcel will have an area of 0.47±ha for future residential dwelling. The merged parcel will have an area of 14.2±ha.

There has been severance history on this property that is worth reviewing. The subject parcel (PIN 71208-0143) was created by consent in 2007 by Application B70/06. This application created the 2.9ha parcel, retaining the 11.7ha parcel (#6812). The proposed lot line adjustment is reconfiguring the parcels so that the previously approved severance becomes a 0.47ha parcel for rural residential use.

The Retained Parcel will be used for a future residence and has a width of 59±m, depth of 80±m for an area of 0.47±ha. This parcel has been evaluated and a safe entrance is possible. The parcel was also configured to be at least 30±m from the wetland area on the severed parcel. The majority of the wetland feature was flagged by GRCA in 2006 and surveyed at that time.

572 Weber Street North, Unit 7
Waterloo ON N2L 5C6
519-742-8371

Elmira, ON:
519-669-5070

423 Woolwich Street
Guelph, ON N1H 3X3
519-821-2763

660 Riddell Road, Unit 1
Orangeville, ON L9W 5G5
519-940-4110

Collingwood, ON:
249-499-8359

www.vanharten.com



LAND SURVEYORS and ENGINEERS

The Lands to be Severed has a frontage of 41±m, depth of 300±m for an area of 2.5±ha that will be merged with the adjacent parcel at #6812 Concession 2. The Lands to be Added to contains an existing dwelling (#6812) on 11.7±ha of land. The majority of the rear half of the parcel is dense with trees and bush and the dwelling is set quite far back into the property. There are more open areas in the front half of the parcel. The merged parcel will have a combined area of 14.2±ha.

The zoning for the subject property is Agricultural, Natural Environment and Environmental Protection Overlay. The zoning requirements are met for the Retained Parcel. The zoning is met for the Merged Parcel except for the frontage.

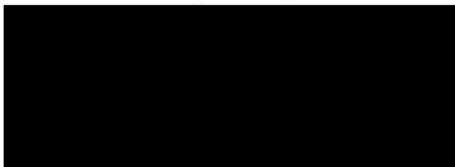
The merged parcel will have a combined frontage of 106±m and the minimum zoning requirement for parcels over 4.0ha is 120m. However, as part of the previous severance (Application B70/06), Minor Variance Application approved a reduced frontage of 64m. I assume that this minor variance is still in effect and that the frontage of the expanded parcel would be considered in conformance with zoning.

After reviewing the Minimum Distance Separation (MDS) Guideline # 8, it is our interpretation that MDS I setbacks are not applicable to this application as this proposal is for a boundary adjustment and not the creation of a new lot. It should be noted that the MDS requirements were considered to have been met for the initial creation of this parcel in 2007.

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 where no adverse effect on agriculture will occur and where an undersized lot is made useable.

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

Very truly yours,
Van Harten Surveying Inc.



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

cc Jamie Miller

www.vanharten.com

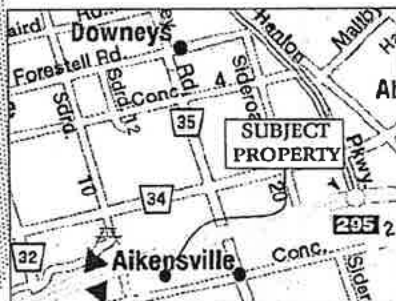
R.P. Magahay, B.A. J.E. Buisman, B.E.S., B.Sc., O.L.S. R.M. Mak, B.Sc., O.L.S. J.M. Laws, B.Sc., O.L.S. J.M. Duffy, P.Eng.

91.44m WIDE HIGHWAY 401 PIN 71208-0034

SEVERANCE SKETCH PART OF LOT 13, CONCESSION 2 TOWNSHIP OF PUSLINCH COUNTY OF WELLINGTON

SCALE 1 : 3000
0 30 60 120 180 meters
VAN HARTEN SURVEYING INC.

KEYMAP



NOTES:

1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
2. SUBJECT LANDS ARE ZONED AGRICULTURAL, NATURAL ENVIRONMENT & ENVIRONMENTAL PROTECTION OVERLAY.
3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF SECONDARY AGRICULTURAL, GREENLANDS & CORE GREENLANDS.
4. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
5. DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.
6. SEE ATTACHED LIST OF NAMES AND ADDRESSES OF OWNERS.
7. N.T.S. DENOTES NOT TO SCALE.

- O.P. : GREENLANDS
ZONING : ENVIRONMENTAL PROTECTION OVERLAY
- O.P. : CORE GREENLANDS
ZONING : NATURAL ENVIRONMENT

LANDS TO BE
ADDED TO
AREA=11.7±ha

LANDS TO BE
SEVERED
AREA=2.5±ha

LANDS TO BE
RETAINED
AREA=0.47±ha

CREATED BY
CONSENT JUNE
2017 BY INST. No.
WC175763 & FILE
No. B70/06

CREATED BY
CONSENT MAY
2017 BY INST. No.
WC502681 & FILE
No. B15/16

LOT 12

ZONING:

O.P. :

SECONDARY

LOT 13

AGRICULTURAL

AGRICULTURAL

THIS SKETCH WAS PREPARED ON
THE 30TH DAY OF MARCH 2021

ONTARIO LAND SURVEYOR



Van Harten
SURVEYING INC.
LAND SURVEYORS and ENGINEERS

Waterloo
Ph: 519-742-8371

Guelph
Ph: 519-821-2763

Orangeville
Ph: 519-940-4110

www.vanharten.com

info@vanharten.com

DRAWN BY: ARN

CHECKED BY: JEB

PROJECT No. 29455-21

Mar 30, 2021 5:10:37 PM

C:\GIS\PROJECTS\2021\29455-21\LOT 13\LOT 13.DWG

218-21

April 9, 2021

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: April 01, 2021

FILE NO. B19-21

APPLICANT

LOCATION OF SUBJECT LANDS

Jordan Lisso

Township of Puslinch
Part Lot 6
Concession 5

Emily Harper

Proposed severance is 30m fr x 128m = 0.39 hectares, existing and proposed rural residential use. Existing shed to be removed.

Retained parcel is 30m fr x 128m = 0.39 hectares, existing and proposed rural residential use. Existing dwelling & sheds to be removed.

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

May 19, 2021

Comments can be provided by mail at address above or by email janap@wellington.ca

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 Local Planning Appeal Tribunal 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 and provide your email address 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 Local Planning Appeal Tribunal. 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 Local Planning Appeal Tribunal 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 | Source Water Protection | |
| Bell Canada (email) | 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: \$ 4630
 Fee Received: Apr 1/21

File No. B19-21

Accepted as Complete on: Apr 1/21

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

2. (a) Name of Registered Owner(s) Jordan Thomas LISSO & Emily Mae HARPER having Power of Attorney for Gary Charles LISSO

Address Jordan Lisso - [REDACTED]

Phone [REDACTED]

Address Emily Harper - [REDACTED]

Phone No. [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 Van Harten Surveying Inc.

423 Woolwich Street, Guelph, ON, N1H 3X3

Phone No. 519-821-2763 x225

Email: 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 & provide short explanation)

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

To create a new lot for rural residential purposes

OR

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 5

Lot No. Part of Lot 6

Registered Plan No. _____

Lot No. _____

Reference Plan No. _____

Part No. _____

Civic Address 4753 Wellington Road 32

(b) When was property acquired: March 2004

Registered Instrument No. WC55775

5. Description of Land intended to be SEVERED:

Metric []

Imperial []

Frontage/Width 30 ±

AREA

0.39 ha ± After Widening
0.405 ha ± Before Widening

Depth 128 ±

Existing Use(s)

Rural Residential

Existing Buildings or structures: Shed (To Be Removed)

Proposed Uses (s): Proposed Dwelling

Type of access (Check appropriate space)

Existing []

Proposed [X]

- ☐ 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

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

- ☐ Municipally owned and operated piped water system
☒ Well ☒ individual ☐ communal
☐ Lake
☐ Other

Type of sewage disposal - Existing [] Proposed [X] (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 30 ± AREA 0.39 ha ± After Widening
0.405 ha ± Before Widening

Depth 128 ± Existing Use(s) Rural Residential

Existing Buildings or structures: Dwelling and Sheds (To Be Removed)

Proposed Uses (s): New dwelling proposed.

Type of access (Check appropriate space)	Existing [X]	Proposed []
<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 [X] Proposed [] (check appropriate space)

☐ Municipally owned and operated piped water system

☒ Well ☒ individual ☐ communal

☐ Lake

☐ Other _____

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

☐ Municipally owned and operated sanitary sewers

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

☐ Pit Privy

☐ Other (Specify): Existing septic is to be removed and a new septic is proposed

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 [] NO [X]
11. Is there any portion of the land to be severed or to be retained located within a floodplain? YES [] NO [X]
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 [X] NO []
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. Provide explanation of how the application is consistent with the Provincial Policy Statement.

This application is consistent with the PPS as per Section 2.3.3.3 where it states that new land uses, including the creation of lots shall comply with the minimum distance separation formula.

25. In addition to Places to Grow (Provincial Growth Plan), is the subject land within an area of land designated under the Greenbelt Plan? Provide explanation of how the application conforms or does not conflict with the Provincial plan or plans.

There are no Natural Heritage Features on property.

26. a) Indicate the existing **County Official Plan** designation(s) of the subject land, and provide explanation of how the application conforms with the Official Plan (severed and retained).

The subject property is designated as Secondary Agricultural in the Official Plan. Section 10.4.4 of the Official Plan that states that lot creation for residential uses is permitted in lands designated as Secondary Agricultural provided the criteria is met.

- b) Indicate the existing **Local Official Plan** (if any) designation(s) of the subject land, and provide explanation of how the application conforms with the Official Plan (severed and retained).

N/A

- 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. 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.

28. What is the zoning of the subject lands? **Agricultural**

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

A Minor Variance Application may be required and will be submitted pending severance approval

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 [X] NO []**

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

For mortgages just provide complete name and address of Mortgagee.

- **Mortgage as in Instrument No. WC297748 with the Royal Bank of Canada**

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: **None**

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

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

<u>Retained</u>	Width	Length	Area	Use	<u>All buildings to be removed</u>
	Width	Length	Area	Use	
<u>Severed</u>	Width	Length	Area	Use	
	Width	Length	Area	Use	

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 []

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 [X] NO []

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: **Meagan Ferris**

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.

OWNER'S AUTHORIZATION:

The Owner must complete the following to authorize applicant, agent or solicitor to act on their behalf.

NOTE: If more than one owner is listed in item #2 of this application, then all owners must sign this authorization section of the application form or by a letter of authorization duly signed.

If the Owner is a corporation, the authorization must be by an officer of the corporation who has authority to bind the corporation.

I, (we), Jordan Thomas Lisso and Emily Mae Harper having Power of Attorney for Gary Charles LISSO
the Registered Owners of

Part of Lot 6, Concession 5, as in INST R0666676 Of the Township of Puslinch in the
County/-Region of Wellington severally and jointly, solemnly declare that
Jeffrey E. Buisman, OLS, of Van Harten Surveying Inc.

Is authorized to submit an application for consent on my (our) behalf.

Signature(s) of Registered Owner(s) or Corporation's Officer

APPLICANT'S DECLARATION

This must be completed by the Applicant for the proposed consent

I, (we) Jeffrey E. Buisman, OLS, of Van Harten Surveying Inc. of the
City of Guelph In the County/-Region of
Wellington Solemnly declare that all

the statements contained in this application for consent for (property description)

Part of Lot 6, Concession 5, as in INST R0666676 Of the Township of Puslinch

And all the supporting documents are true, and I, (we), make this solemn declaration conscientiously believing it to be true and complete, and knowing that it is of the same force and effect as if made under oath, and virtue of the CANADA EVIDENCE ACT.

DECLARED before me at the

City Of

Guelph In the

County/-Region of Wellington

This 31 day of March 20 21

Commissioner of Oaths

County of Wellington

(Owner or Applicant)

James Michael Laws,
a Commissioner, etc.,
Province of Ontario,
for Van Harten Surveying Inc.

Expires May 11, 2021
Printed Commissioner's, etc. Name

APPLICANT'S CONSENT (FREEDOM OF INFORMATION):

In accordance with the provisions of the Planning Act, it is the policy of the County Planning and Development Department to provide public access to all development applications and supporting documentation. In submitting this development application and supporting documentation, I, Jeff Buisman of Van Harten Surveying Inc., the applicant, hereby acknowledge the above-noted and provide my consent in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act that the information on this application and any supporting documentation provided by myself, my agents, solicitors, and consultants will be part of the public record and will also be available to the general public.

Signature of Owner



Date

March 31, 2021

THIS APPLICATION PACKAGE IS TO BE SUBMITTED TO:

**Secretary-Treasurer
Planning and Development Department
County of Wellington
74 Woolwich Street
Guelph, Ontario
N1H 3T9**

Phone (519) 837-2600 Ext. 2160



FARM DATA SHEET
Minimum Distance Separation I (MDSI)
County of Wellington

NOTE TO FARM OWNER(S)

By filling out this form you will help to ensure that new land uses will be located a suitable distance from your livestock operation. Feel free to contact the County Planning office with any questions.

Owner(s) of Livestock Facility 2754912 Ontario Limited

Contact Information

Email [REDACTED]
Civic Address 4734 Wellington Road 32 Municipality Puslinch
Lot 6 Concession 4 Division
Lot Size (where livestock facility is located) hectares 87 acres
Signature of Livestock Facility Owner [REDACTED] Date March 30/21

BARN(S) SIZE Please provide the size of the barns located on the property. This information is used to verify maximum livestock capacity. B1 - 32840 B2 44,000 (ft²/m²) B3 40,000 (ft²/m²)

Manure Storage Types Solid manure: 18% dry matter, or more

- V1 Solid, inside, bedded pack
V2 Solid, outside, covered
V3 Solid, outside, no cover, ≥30% dry matter
V4 Solid, outside, no cover, 18% - <30% dry matter, with covered liquid runoff storage
V5 Liquid, inside, underneath slatted floor
V6 Liquid, outside, with a permanent, tight-fitting cover

Liquid manure: <18% dry matter

- L1 Solid, outside, no cover, 18% - <30% dry matter, with uncovered liquid runoff storage
L2 Liquid, outside, with a permanent floating cover
M1 Liquid, outside, no cover, straight-walled storage
M2 Liquid, outside, roof, but with open sides
H1 Liquid, outside, no cover, sloped-sided storage

Animal Type of Material	Description	Housing Capacity (maximum)	Manure Storage Type (select from list)
Beef Cattle	Cows, including calves to weaning (all breeds)		
	Feeders (7 - 16 months)		
	Backgrounders (7 - 12.5 months)		
	Shortkeepers (12.5 - 17.5 months)		
Dairy Cattle	Milking-age cows (dry or milking)		
	Large-framed; 545 - 658 kg (e.g. Holsteins)		
	Medium-framed; 455 - 545 kg (e.g. Guernseys)		
	Small-framed; 364 - 455 kg (e.g. Jerseys)		
	Heifers (5 months to freshening)		
	Large-framed; 182 - 545 kg (e.g. Holsteins)		
	Medium-framed; 148 - 455 kg (e.g. Guernseys)		
	Small-framed; 125 - 364 kg (e.g. Jerseys)		
	Calves (0 - 5 months)		
	Large-framed; 45 - 182 kg (e.g. Holsteins)		
	Medium-framed; 39 - 148 kg (e.g. Guernseys)		
	Small-framed; 30 - 125 kg (e.g. Jerseys)		
Horses	Large-framed, mature; >681 kg (e.g. draft or draft cross breeds including unweaned offspring)		
	Medium-framed, mature; 227 - 680 kg (e.g. saddle, riding and racing breeds including unweaned offspring)		
	Small-framed, mature; <227 kg (e.g. ponies and miniatures including unweaned offspring)		

Animal Type of Material	Description	Housing Capacity (maximum)	Manure Storage Type (select from list)
Swine	Sows with litter, dry sows or boars		
	Breeder gilts (entire barn designed specifically for this purpose)		
	Weaners (7 – 27 kg)		
	Feeders (27 – 136 kg)		
Sheep	Ewes & rams (for meat lambs; includes unweaned offspring & replacements)		
	Ewes & rams (dairy operation; includes unweaned offspring & replacements)		
	Lambs (dairy or feeder lambs)		
Goats	Does & bucks (for meat kids; includes unweaned offspring and replacements)		
	Does & bucks (for dairy; includes unweaned offspring & replacements)		
	Kids (dairy or feeder kids)		
Chickens	Layer hens (for eating eggs; after transfer from pullet barn)		
	Layer pullets (day-olds until transferred into layer barn)		
	Broiler breeder growers (males/females transferred out to layer barn)		
	Broiler breeder layers (males/females transferred in from grower barn)		
	Broilers on any length of cycle	56,800	V2
Turkeys	Turkey poults (day-old until transferred to grow out turkey barn)		
	Turkey breeder layers (males/females transferred in from grower barn)		
	Breeder toms		
	Broilers (day-olds to 6.2 kg)		
	Hens (day-olds up to 6.2 to 10.8 kg; 7.5 kg is typical)		
	Toms (day-olds to over 10.8 to 20 kg; 14.5 kg is typical)		
	Turkeys at any other weights, or if unknown (by floor area)	10,000	V2
Veal	Milk-fed		
	Grain-fed		
Other	Please refer to Factor Table 1 of The Minimum Distance Separation (MDS) Document for complete list of animal types		
Imported manure	Use the volume of the manure storages		
Unoccupied livestock barns	A livestock barn that does not currently house any livestock, but that housed livestock in the past and continues to be structurally sound and reasonably capable of housing livestock.*		

*NOTE: This should only be used where obtaining information from the farm operator(s) and/or owner(s) was not possible (see Implementation Guideline 20 for more information).

QUESTIONS?

PLEASE CONTACT

County of Wellington
Planning and Development Department
74 Woolwich Street, Guelph
ON N1H 3T9
F 519.923.1694

Linda Redmond, Senior Planner

E lindar@wellington.ca
T 519.837.2600 x2380
1.800.663.0750 x2380

Sarah Wilhelm, Senior Planner

E sarahw@wellington.ca
T 519.837.2600 x2130
1.800.663.0750 x2130



FARM DATA SHEET
Minimum Distance Separation I (MDSI)
County of Wellington

NOTE TO FARM OWNER(S)

By filling out this form you will help to ensure that new land uses will be located a suitable distance from your livestock operation. Feel free to contact the County Planning office with any questions.

Owner(s) of Livestock Facility 1337192 Ontario Limited

Contact Information

Email [REDACTED]

Civic Address 6601 Laird Road Municipality Puslinch

Lot 5 Concession 4 Division

Lot Size (where livestock facility is located) 19 ha hectares acres

Signature of Livestock Facility Owner [REDACTED] Date March 30/21

BARN(S) SIZE Please provide the size of the barns located on the property. This information is used to verify maximum livestock capacity. 32,000 (ft²)m² ft²/m²

Manure Storage Types Solid manure: 18% dry matter, or more

Liquid manure: <18% dry matter

V1 Solid, inside, bedded pack

L1 Solid, outside, no cover, 18% - <30% dry matter, with uncovered liquid runoff storage

V2 Solid, outside, covered

L2 Liquid, outside, with a permanent floating cover

V3 Solid, outside, no cover, ≥30% dry matter

M1 Liquid, outside, no cover, straight-walled storage

V4 Solid, outside, no cover, 18% - <30% dry matter, with covered liquid runoff storage

M2 Liquid, outside, roof, but with open sides

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	Small-framed; 364 – 455 kg (e.g. Jerseys)		
	Hifers (5 months to freshening)		
	Large-framed; 182 – 545 kg (e.g. Holsteins)		
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	Does & bucks (for dairy; includes unweaned offspring & replacements)		
	Kids (dairy or feeder kids)		
Chickens	Layer hens (for eating eggs; after transfer from pullet barn)		
	Layer pullets (day-olds until transferred into layer barn)		
	Broiler breeder growers (males/females transferred out to layer barn)		
	Broiler breeder layers (males/females transferred in from grower barn)		
	Broilers on any length of cycle	40,500	V2
Turkeys	Turkey poults (day-old until transferred to grow out turkey barn)		
	Turkey breeder layers (males/females transferred in from grower barn)		
	Breeder toms		
	Broilers (day-olds to 6.2 kg)		
	Hens (day-olds up to 6.2 to 10.8 kg; 7.5 kg is typical)		
	Toms (day-olds to over 10.8 to 20 kg; 14.5 kg is typical)		
	Turkeys at any other weights, or if unknown (by floor area)		
Veal	Milk-fed		
	Grain-fed		
Other	Please refer to Factor Table 1 of The Minimum Distance Separation (MDS) Document for complete list of animal types		
Imported manure	Use the volume of the manure storages		
Unoccupied livestock barns	A livestock barn that does not currently house any livestock, but that housed livestock in the past and continues to be structurally sound and reasonably capable of housing livestock.*		

* NOTE: This should only be used where obtaining information from the farm operator(s) and/or owner(s) was not possible (see Implementation Guideline 20 for more information).

QUESTIONS?

PLEASE CONTACT

County of Wellington
Planning and Development Department
74 Woolwich Street, Guelph
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F 519.923.1694

Linda Redmond, Senior Planner

E lindar@wellington.ca
T 519.837.2600 x2380
1.800.663.0750 x2380

Sarah Wilhelm, Senior Planner

E sarahw@wellington.ca
T 519.837.2600 x2130
1.800.663.0750 x2130

Description:

Application Date: Monday, March 29, 2021

Municipal File Number:


Proposed Application: Lot creation that results in a cluster of four, or more, non-agricultural use lots in immediate proximity to one another
Type B Land Use

Applicant Contact Information

Emily Harper

Location of Subject Lands

County of Wellington, Township of Puslinch
PUSLINCH, Concession: 5, Lot: 6

Roll Number: 2301 Calculation Name: **Farm 1**


Description: Weber Barn - 6601 Laird Rd

Farm Contact Information

Elaine Weber

Location of existing livestock facility or anaerobic digester

County of Wellington, Township of Puslinch
PUSLINCH, Concession: 4, Lot: 5

Roll Number: 2301 

Total Lot Size: 18 ha

The barn area is an estimate only and is intended to provide users with an indication of whether the number of livestock entered is reasonable.

Manure Type	Type of Livestock/Manure	Existing Maximum Number	Existing Maximum Number (NU)	Estimated Livestock Barn Area
Solid	Chickens, Broilers	2,973 m ²	119.9	2,973 m ²

Existing Manure Storage: V2. Solid, outside, covered

Design Capacity (NU): 119.9

Potential Design Capacity (NU): 239.8

Factor A (Odour Potential)	Factor B (Size)	Factor D (Manure Type)	Factor E (Encroaching Land Use)	Building Base Distance 'F' (minimum distance from livestock barn)	(actual distance from livestock barn)
0.7	X	428.81	X	0.7	X
				2.2	
				=	
				462 m (1517 ft)	TBD
Storage Base Distance 'S'					
				(minimum distance from manure storage)	(actual distance from manure storage)
				462 m (1517 ft)	TBD

Preparer Information

Jeff Buisman
Van Harten Surveying Inc.
423 Woolwich Street
Guelph, ON, Canada N1H 3X3
Phone #1: 519-821-2763 ext 225
Email: jeff.buisman@vanharten.com

Signature of Preparer: _____ Date: _____
Jeff Buisman

NOTE TO THE USER:
The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.

March 31, 2021

29442-21

Jeff.Buisman@vanharten.com

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

Attention: Deborah Turchet

Dear Ms. Turchet:

**Re: Severance Application & Sketch
4753 Wellington Road 32
Part of Lot 6, Concession 5
PIN 71213-0035
Township of Puslinch**

RECEIVED

MAR 31 2021

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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, PIN Report and Map, the required deed, addresses of neighbouring properties, MDS Farm Data Sheets, Source Water Protection Form, Power of Attorney document, a cheque to the GRCA for \$430.00 and a cheque to Wellington County for \$4,630.00.

Proposal

The proposal is to split the subject property known as #4753 Wellington Road 32 (PIN 71213-0035) in half to create a new rural residential parcel along Wellington Road No. 32. The Severed Parcel and Retained Parcels will each have a frontage of 30±m, depth of 128±m, for an area of 0.39±ha each. (Please note that this assumes a road widening of 5.182m will be required along the front. Without the widening, the areas would be 0.405ha each).

The Severed Parcel is currently vacant and a new residential dwelling is proposed. The dwelling, all the accessory buildings and the existing septic system on the Retained Parcel will be removed and a new dwelling and septic system will be constructed.

572 Weber Street North, Unit 7
Waterloo ON N2L 5C6
519-742-8371

Elmira, ON:
519-669-5070

423 Woolwich Street
Guelph, ON N1H 3X3
519-821-2763

660 Riddell Road, Unit 1
Orangeville, ON L9W 5G5
519-940-4110

Collingwood, ON:
249-499-8359

www.vanharten.com

R.P. Magahay, B.A. J.E. Buisman, B.E.S., B.Sc., O.L.S. R.M. Mak, B.Sc., O.L.S. J.M. Laws, B.Sc., O.L.S. J.M. Duffy, P.Eng.

The land consists of cut grass and planted trees. The land is relatively open with moderate grade changes. The existing entrance will remain for the Retained Parcel and a safe entrance can be provided to the Severed Parcel. In summary, this is a very practical in-fill opportunity.

The subject property is zoned Agricultural, and the Reduced Lot Requirements listed in Table 11.3 of the Zoning By-law will be met for both the severed and retained parcels if there was no road widening. The expected road widening requirement will reduce the parcels from 4,050m² each to 3,892m² each. One interpretation is that the minimum area requirements are met prior to the road widening and therefore these parcels would be considered legal non-conforming with regards to the minimum area requirements. We kindly request an evaluation of this matter to determine whether or not a Minor Variance would be needed for this application.

MDS Evaluation

The Minimum Distance Separation (MDS) guidelines for two barns were evaluated for this severance. One barn is south of the property (#4739 on sketch) and the other is southwest (#6601 on sketch) of the property.

The barn (#4739) to the south is about 285m south of the retained parcel and 315m south of the severed parcel. MDS is met due to this barn due to guideline #12 which says that when there are 4 dwellings closer to the barn than the proposed severance, the MDS setback distance will be the furthest of the 4 non-agricultural uses. In this case the furthest of the four non-agricultural uses is 265±m to dwelling #4751. The proposed severed parcel is 315±m from the barn and therefore the MDS requirement is met.

The barn (#6601) to the southwest is 300m to the proposed severance and 280m to the retained parcel. The application of Guideline #12 is very close in that we found 3 non-agricultural uses being closer instead of the required four. Therefore technically, the MDS requirement is not met and a minor variance for the MDS requirement will have to be sought.

The other strenuous rule of MDS is that the MDS requirement of "Type B" Land Use must be applied instead of "Type A" Land Use. Type B applies in situations *"that results in four or more lots for development, which are in immediate proximity to one another"* (Guideline #34). Under this definition, Type B applies because this is an existing cluster of rural residential parcels. The challenge is, however, that the MDS minimum under Type B is 462m whereas under Type A, the minimum is 231m. In this case the barn is about 300m to severed parcel and 280m to the retained.

Looking at the methodology of applying MDS 2 which governs possible barn expansion, the proposed severance would not impact the expansion possibilities for Barn #6601.

A minor variance for the MDS to Barn #6601 will be sought after the severance is approved. Based on the review above, the proposed Minor Variance is very reasonable.

Overall Review

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 – sight lines have been evaluated.
- Adequate space for new dwelling and septic.
- No impacts on environmentally sensitive lands or woodlot
- Very close to meeting the MDS requirement which can be addressed via a Minor Variance.

In summary, this severance is a very practical in-fill development.

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

Very truly yours,
Van Harten Surveying Inc.



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

cc Matt & Emily Harper
cc Jordon Lisso

SCALE 1 : 2000
0 20 40 80 120 meters
VAN HARTEN SURVEYING INC.

1. **THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.**
2. **SUBJECT LANDS ARE ZONED AGRICULTURAL.**
3. **SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF SECONDARY AGRICULTURAL.**
4. **DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.**
5. **DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.**
6. **SEE ATTACHED LIST OF NAMES AND ADDRESSES OF OWNERS.**
7. **T.B.R. DENOTES TO BE REMOVED (ALL BUILDINGS ON SITE WILL BE REMOVED).**

ONTARIO LAND SURVEYOR

Van Harten

SURVEYING INC.
LAND SURVEYORS and ENGINEERS

Kitchener
Ph: 519-742-8371

Guelph
Ph: 519-821-2763

Orangeville
Ph: 519-940-4110

www.vanharten.com

info@vanharten.com

DRAWN BY: ARN

CHECKED BY: JEB

PROJECT No. 29442-21

Mar 31, 2021-11:08:05 AM

April 9, 2021

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: April 01, 2021

FILE NO. B20-21

APPLICANT

John Slood
599 Arkell Road
Arkell N0B 1C0

LOCATION OF SUBJECT LANDS

Township of Puslinch
Part Lot 10
Concession 9

Proposed severance is 1.05 hectares with 81m frontage, vacant land for proposed rural residential use.

Retained parcel is 6.7 hectares with 37m frontage, existing and proposed rural residential use with existing dwelling and three sheds.

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

May 19, 2021

Comments can be provided by mail at address above or by email janap@wellington.ca

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 Local Planning Appeal Tribunal 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 and provide your email address** 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 Local Planning Appeal Tribunal. 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 Local Planning Appeal Tribunal 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

Neighbouring Municipality – City of Guelph Source Water Protection

Bell Canada (email) 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: \$ 4630
Fee Received: Apr 1/21File No. B20-21Accepted as Complete on: Apr 1/21**A COPY OF YOUR CURRENT DEED MUST BE SUBMITTED WITH THIS APPLICATION**2. (a) Name of Registered Owner(s) John SLOOTAddress 599 Arkell Road, Arkell, ON, N0B 1C0

Phone No. [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 Van Harten 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 & provide short explanation)

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

To create a new parcel for rural residential purposes.OR

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 9

Lot No. Part of Lot 10

Registered Plan No. _____

Lot No. _____

Reference Plan No. 61R-6390

Part No. 1

Civic Address 985 Watson Road South

(b) When was property acquired: September 2014

Registered Instrument No. WC414958

5. Description of Land intended to be SEVERED:

Metric []

Imperial []

Frontage/Width 81 ±

AREA

1.05 ha ±

Depth 150 ±

Existing Use(s)

Vacant Land

Existing Buildings or structures: None – portion of existing driveway

Proposed Uses (s): A new rural residential dwelling

Type of access (Check appropriate space)

Existing [X]

Proposed []

[] Provincial Highway

[] Right-of-way

[] County Road

[] Private road

[X] Municipal road, maintained year round

[] Crown access road

[] Municipal road, seasonally maintained

[] Water access

[] Easement

[] Other

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

[] Municipally owned and operated piped water system

[X] Well [X] individual [] communal

[] Lake

[] Other

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

[] Municipally owned and operated sanitary sewers

[X] 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 37 / 162 ± AREA 6.7 ha ±

Depth 508 ± Existing Use(s) Rural Residential

Existing Buildings or structures: Dwelling and three sheds

Proposed Uses (s): No Change

Type of access (Check appropriate space)	Existing []	Proposed [X]
<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 [X] Proposed [] (check appropriate space)

☐ Municipally owned and operated piped water system

☒ Well ☒ individual ☐ communal

☐ Lake

☐ Other

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

☐ Municipally owned and operated sanitary sewers

☒ Septic Tank (specify whether individual or 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 [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 [] NO [X]

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 [X] NO []

Name of Rail Line Company: Guelph Junction Railway

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. Provide explanation of how the application is consistent with the Provincial Policy Statement.

This application is consistent with the PPS as per Section 2.3.3.3 where it states that new land uses, including the creation of lots shall comply with the minimum distance separation formula. MDS is met for Type A, however we are under the required distance for Type B. A minor variance application will be applied for.

25. In addition to Places to Grow (Provincial Growth Plan), is the subject land within an area of land designated under the Greenbelt Plan? Provide explanation of how the application conforms or does not conflict with the Provincial plan or plans.

The subject property contains wetland features however the wetland is at least 30m from the lot lines and proposed building envelope and an ESI has been completed.

26. a) Indicate the existing **County Official Plan** designation(s) of the subject land, and provide explanation of how the application conforms with the Official Plan (severed and retained).

The subject property is designated as Secondary Agricultural, Core Greenlands, Greenlands and Earth Science ANSI in the Official Plan. Section 10.4.4 of the Official Plan states that lot creation for residential uses is permitted in lands designated as Secondary Agricultural provided the criteria is met.

- b) Indicate the existing **Local Official Plan** (if any) designation(s) of the subject land, and provide explanation of how the application conforms with the Official Plan (severed and retained).

N/A

- 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. 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.

28. What is the zoning of the subject lands? **Agricultural and Natural Environment**

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

A minor variance will be applied for pending severance approval

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 [X] NO []**

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

For mortgages just provide complete name and address of Mortgagee.

- **Mortgage as in Instrument No. WC414960 with Meridian Credit Union Limited located at 75 Corporate Park Drive, St. Catharines, ON, L2S 3W3**
- **Mortgage as in INST No. WC414690 & WC497655 with Luke & Gay Kukovica located at 953 Watson Road South, RR#1, Puslinch, ON, N0B 2J0**

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: **None**

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

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

<u>Retained</u>	Width <u>12±</u>	Length <u>22±</u>	Area <u>264±m²</u>	Use <u>Shed 1</u>
	Width <u>10±</u>	Length <u>12±</u>	Area <u>120±m²</u>	Use <u>Shed 2</u>
	Width <u>7±</u>	Length <u>10±</u>	Area <u>70±m²</u>	Use <u>Shed 3</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 []

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 [X] NO []

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 [] NO [X]

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

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.

OWNER'S AUTHORIZATION:

The Owner must complete the following to authorize applicant, agent or solicitor to act on their behalf.

NOTE: If more than one owner is listed in item #2 of this application, then all owners must sign this authorization section of the application form or by a letter of authorization duly signed.

If the Owner is a corporation, the authorization must be by an officer of the corporation who has authority to bind the corporation.

I, (we), John SLOOT the Registered Owners of
Part of Lot 10, Concession 9, Part 1, 61R-6390 Of the Township of Puslinch in the
 County/Region of Wellington severally and jointly, solemnly declare that

Jeffrey E. Buisman, OLS, of Van Harten Surveying Inc.

tion for consent on my (our) behalf.

Signature(s) of Registered Owner(s) or Corporation's Officer

APPLICANT'S DECLARATION

This must be completed by the Applicant for the proposed consent

I, (we) Jeffrey E. Buisman, OLS, of Van Harten Surveying Inc. of the
City of Guelph In the County/Region of
Wellington Solemnly declare that all
 the statements contained in this application for consent for (property description)

Part of Lot 10, Concession 9, Part 1, 61R-6390 Of the Township of Puslinch

And all the supporting documents are true, and I, (we), make this solemn declaration conscientiously believing it to be true and complete, and knowing that it is of the same force and effect as if made under oath and virtue of the CANADA EVIDENCE ACT.

DECLARED before me at the

City Of
Guelph In the

County/Region of Wellington

This 31 day of March 2021

(Owner or Applicant)

Oaths

James Michael Laws,
 a Commissioner, etc.,
 Province of Ontario.
 Printed Commissioners, etc. Name
 for Van Harten Surveying Inc.
 Expires May 11, 2021.

APPLICANT'S CONSENT (FREEDOM OF INFORMATION):

In accordance with the provisions of the Planning Act, it is the policy of the County Planning and Development Department to provide public access to all development applications and supporting documentation. In submitting this development application and supporting documentation, I, Jeff Buisman of Van Harten Surveying Inc., the applicant, hereby acknowledge the above-noted and provide my consent in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act that the information on this application and any supporting documentation provided by myself, my agents, solicitors, and consultants will be part of the public record and will also be available to the general public.

Signature of C



Date

March 31 / 2024

THIS APPLICATION PACKAGE IS TO BE SUBMITTED TO:

**Secretary-Treasurer
Planning and Development Department
County of Wellington
74 Woolwich Street
Guelph, Ontario
N1H 3T9**

Phone (519) 837-2600 Ext. 2160



FARM DATA SHEET
Minimum Distance Separation I (MDSI)
County of Wellington

NOTE TO FARM OWNER(S)

By filling out this form you will help to ensure that new land uses will be located a suitable distance from your livestock operation. Feel free to contact the County Planning office with any questions.

Owner(s) of Livestock Facility John Sloat

Contact Information

Email _____ Telephone [REDACTED]
Civic Address 4726 Watson Road Municipality Puslinch
Lot 11 Concession 19 Division _____
Lot Size (where livestock facility is located) _____ acres
Signature of Livestock Facility Owner [REDACTED] Date Aug 22, 2018

BARN(S) SIZE Please provide the size of the barns located on the property. This information is used to verify maximum livestock capacity. _____ ft²/m² _____ ft²/m²

Manure Storage Types Solid manure: 18% dry matter, or more Liquid manure: <18% dry matter

- | | | | |
|----|---|----|---|
| V1 | Solid, inside, bedded pack | L1 | Solid, outside, no cover, 18% - <30% dry matter, with uncovered liquid runoff storage |
| V2 | Solid, outside, covered | L2 | Liquid, outside, with a permanent floating cover |
| V3 | Solid, outside, no cover, ≥30% dry matter | M1 | Liquid, outside, no cover, straight-walled storage |
| V4 | Solid, outside, no cover, 18% - <30% dry matter, with covered liquid runoff storage | M2 | Liquid, outside, roof, but with open sides |
| V5 | Liquid, inside, underneath slatted floor | H1 | Liquid, outside, no cover, sloped-sided storage |
| V6 | Liquid, outside, with a permanent, tight-fitting cover | | |

Animal Type of Material	Description	Housing Capacity (maximum)	Manure Storage Type (select from list)
Beef Cattle	Cows, including calves to weaning (all breeds)	50	V3
	Feeders (7 – 16 months)		
	Backgrounders (7 – 12.5 months)		
	Shortkeepers (12.5 – 17.5 months)		
Dairy Cattle	Milking-age cows (dry or milking)		
	Large-framed; 545 – 658 kg (e.g. Holsteins)		
	Medium-framed; 455 – 545 kg (e.g. Guernseys)		
	Small-framed; 364 – 455 kg (e.g. Jerseys)		
	Hifers (5 months to freshening)		
	Large-framed; 182 – 545 kg (e.g. Holsteins)		
	Medium-framed; 148 – 455 kg (e.g. Guernseys)		
	Small-framed; 125 – 364 kg (e.g. Jerseys)		
	Calves (0 – 5 months)		
	Large-framed; 45 – 182 kg (e.g. Holsteins)		
	Medium-framed; 39 – 148 kg (e.g. Guernseys)		
	Small-framed; 30 – 125 kg (e.g. Jerseys)		
Horses	Large-framed, mature; >681 kg (e.g. draft or draft cross breeds including unweaned offspring)		
	Medium-framed, mature; 227 – 680 kg (e.g. saddle, riding and racing breeds including unweaned offspring)		
	Small-framed, mature; <227 kg (e.g. ponies and miniatures including unweaned offspring)		

FARM DATA SHEET (continued)
Minimum Distance Separation I (MDSI)

County of Wellington

Animal Type of Material	Description	Housing Capacity (maximum)	Manure Storage Type (select from list)
Swine	Sows with litter, dry sows or boars		
	Breeder gilts (entire barn designed specifically for this purpose)		
	Weaners (7 – 27 kg)		
	Feeders (27 – 136 kg)		
Sheep	Ewes & rams (for meat lambs; includes unweaned offspring & replacements)		
	Ewes & rams (dairy operation; includes unweaned offspring & replacements)		
	Lambs (dairy or feeder lambs)		
Goats	Does & bucks (for meat kids; includes unweaned offspring and replacements)		
	Does & bucks (for dairy; includes unweaned offspring & replacements)		
	Kids (dairy or feeder kids)		
Chickens	Layer hens (for eating eggs; after transfer from pullet barn)		
	Layer pullets (day-olds until transferred into layer barn)		
	Broiler breeder growers (males/females transferred out to layer barn)		
	Broiler breeder layers (males/females transferred in from grower barn)		
	Broilers on any length of cycle		
Turkeys	Turkey poults (day-old until transferred to grow out turkey barn)		
	Turkey breeder layers (males/females transferred in from grower barn)		
	Breeder toms		
	Broilers (day-olds to 6.2 kg)		
	Hens (day-olds up to 6.2 to 10.8 kg; 7.5 kg is typical)		
	Toms (day-olds to over 10.8 to 20 kg; 14.5 kg is typical)		
	Turkeys at any other weights, or if unknown (by floor area)		
Veal	Milk-fed		
	Grain-fed		
Other	Please refer to Factor Table 1 of The Minimum Distance Separation (MDS) Document for complete list of animal types		
Imported manure	Use the volume of the manure storages		
Unoccupied livestock barns	A livestock barn that does not currently house any livestock, but that housed livestock in the past and continues to be structurally sound and reasonably capable of housing livestock.*		

*NOTE: This should only be used where obtaining information from the farm operator(s) and/or owner(s) was not possible (see Implementation Guideline 20 for more information).

QUESTIONS?
PLEASE CONTACT

County of Wellington
 Planning and Development Department
 74 Woolwich Street, Guelph
 ON N1H 3T9
 F 519.923.1694

Linda Redmond, Senior Planner
 E lindar@wellington.ca
 T 519.837.2600 x2380
 1.800.663.0750 x2380

Sarah Wilhelm, Senior Planner
 E sarahw@wellington.ca
 T 519.837.2600 x2130
 1.800.663.0750 x2130



Minimum Distance Separation I
Worksheet 1
Prepared By: Jeff Buisman, Van Harten Surveying Inc.

Description: Soot Severance - 985 Watson
Application Date: Tuesday, November 05, 2019
Municipal File Number:
Proposed Application: Lot creation for four, or more, residential lots outside of a settlement area
Type B Land Use

Applicant Contact Information
John Soot
599 Arkell Road
Arkell, ON, Canada N0B 1C0

Location of Subject Lands
County of Wellington, Township of Puslinch
PUSLINCH, Concession: 9, Lot: 10

Roll Number: 2301

Calculation Name: **Farm 1**
Description: Soot Barn - 4726 Watson

Farm Contact Information
John Soot
599 Arkell Road
Arkell, ON, Canada N0B 1C0

Location of existing livestock facility or anaerobic digester
County of Wellington, Township of Puslinch
PUSLINCH, Concession: 9, Lot: 11

Roll Number: 2301

Total Lot Size: 40 ha

The barn area is an estimate only and is intended to provide users with an indication of whether the number of livestock entered is reasonable.

Manure Type	Type of Livestock/Manure	Existing Maximum Number	Existing Maximum Number (NU)	Estimated Livestock Barn Area
Solid	Beef, Cows, including calves to weaning (all breeds), Yard/Barn	50	50.0	232 m ²

Existing Manure Storage: V3. Solid, outside, no cover, >= 30% DM

Design Capacity (NU): 50.0

Potential Design Capacity (NU): 150.0

Factor A (Odour Potential)	Factor B (Size)	Factor D (Manure Type)	Factor E (Encroaching Land Use)	Building Base Distance 'F' (minimum distance from livestock barn)	(actual distance from livestock barn)
0.7	X 363.89	X 0.7	X 2.2	= 392 m (1287 ft)	TBD

Storage Base Distance 'S' (minimum distance from manure storage)	(actual distance from manure storage)
392 m (1287 ft)	TBD

Preparer Information

Jeff Buisman
Van Harten Surveying Inc.
423 Woolwich Street
Guelph, ON, Canada N1H 3X3
Phone #1: 519-821-2763 ext 225
Email: jeff.buisman@vanharten.com

Signature of Preparer: _____ Date: _____
Jeff Buisman

NOTE TO THE USER:
The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.

April 1, 2021
26276-18

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 & Sketch
985 Watson Road South
Part of Lot 10, Concession 9
PIN 71187-0072
Township of Puslinch**

RECEIVED

APR 01 2021

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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, PIN report and map, the required deeds, Source Water Protection Form, addresses of neighbouring properties, MDS Farm Data Sheet, Site Plan a cheque to the GRCA for \$430.00 and a cheque to Wellington County for \$4,630.00.

Please note that an Environmental Impact Study (EIS) has been completed by Aboud & Associates and it is currently being finalized. The final copy will be submitted in the next couple of days.

Proposal:

The proposal is to create a new rural residential parcel along Watson Road South with a frontage of 81±m, depth of 150±m for an area of 1.05±ha where a dwelling is proposed to be built. The retained parcel (#985 Watson Road South) will have frontage of 37±m, depth of 508±m, for an area of 6.7±ha where the existing dwelling and accessory buildings will remain.

The severed parcel is slightly larger than a typical rural residential severance due to the wetland feature in the north corner. The parcel has been configured to include a 0.48ha building envelope at the south end of the parcel that is at least 30m from the wetland feature. The south-western boundary of the severed parcel was cut diagonally in order to be at least 30m from the significant woodland dripline and 46m from the wetland on the retained parcel.

572 Weber Street North, Unit 7
Waterloo ON N2L 5C6
519-742-8371

Elmira, ON:
519-669-5070

423 Woolwich Street
Guelph, ON N1H 3X3
519-821-2763

660 Riddell Road, Unit 1
Orangeville, ON L9W 5G5
519-940-4110

Collingwood, ON
249-499-8359

www.vanharten.com

R.P. Magahay, B.A. J.E. Buisman, B.E.S., B.Sc., O.L.S. R.M. Mak, B.Sc., O.L.S. J.M. Laws, B.Sc., O.L.S. J.M. Duffy, P.Eng.

Environmental Impact Study (EIS):

The Provincial Growth Plan requires that development not have a negative impact on Key Natural Features. Section 4.2.1 of this Plan requires that development within 120m of a Key Natural Feature requires or considers a Natural Heritage evaluation like an Environmental Impact Study (EIS) and that development be no less than 30m from the Key Natural Feature. This severance has been configured so that the lot lines and building envelope are at least 30m from the Wetland features.

Aboud & Associates completed an EIS that provided the opinion that the proposed severance and rural residential development are minimal and that there are mitigation measures that can be put in place to address the minimal impacts. With regards to legislation and Policy compliance, the report provides the opinion that there will be no negative impact to the environmental features and therefore the requirements of the *Provincial Policy Statement (2020)*, the GRCA's policies for the *Administration of the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* and the Province's *Growth Plan for the Greater Golden Horseshoe* can all be met.

Zoning Requirements:

The subject property is zoned Agricultural and the Reduced Lot Requirements listed in Table 11.3 of the Zoning By-law will be met for the severed parcel.

All the zoning requirements are met for the retained parcel except for the frontage and a minor variance will be sought to permit a frontage of 37±m instead of 120m as required in the Zoning By-law for parcels over 4.0ha. The parcel has been evaluated and a safe entrance is available, while also being at least 30m clear of the wetland on the adjacent property.

The existing entrance for #985 will be used to access the severed parcel, and the driveway will be extended to the buildable area. A new entrance is proposed to access the retained parcel (#985). The proposed entrance will meet with the existing portion of driveway to access the dwelling on the retained parcel that is located to the rear.

MDS Review:

The livestock facility at #4726 Watson Road South was evaluated with respect to Minimum Distance Separation (MDS) requirements. Due to being within a group of at least 4 dwellings, the MDS guidelines requires that a Type B classification be used for this MDS evaluation. The required Type B MDS distance between the barn and the proposed severance is 392m, whereas the actual distance is 280±m.

If there were less than 4 lots in the immediate proximity, the Type A scenario would apply, in which case the minimum requirement would be 196m. The actual setback to the barn is 280±m, which is about ¾ of the requirement under the Type B scenario but 1.5 times the minimum requirement if Type A applied.

An MDS minimum requirement of 280m will be sought via a Minor Variance Application.

Official Plan Review:

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.
- Adequate space for new dwelling and septic.
- An EIS that shows none or minimal impacts on environmentally sensitive lands or woodlot
- MDS requirements will be met with a minor variance to the reduced MDS setback.
- Zoning requirements are met for the severed parcel – A minor variance is required to permit the reduced frontage of the retained parcel.

In summary, this severance is a very practical and follows the relevant criteria for severances.

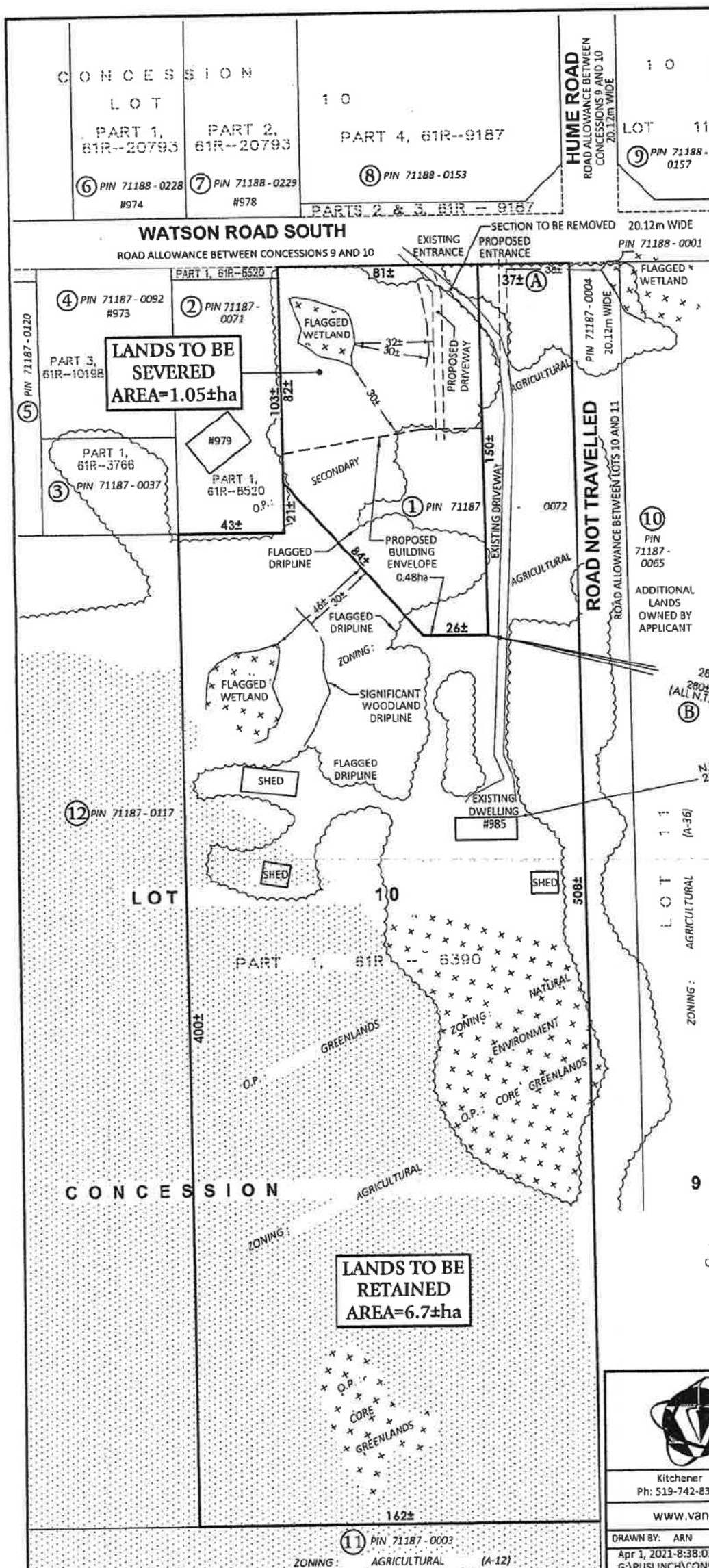
Please call me if you or the Planning Staff have any questions.

Very truly yours,
Van Harten Surveying Inc.



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

cc John Slood, Slood Construction
cc Shannon Davison, Aboud & Associates (email: sdavison@aboudtng.com)



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

April 9, 2021

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: April 01, 2021

FILE NO. B22-21

APPLICANT

Dorothy Briggs - c/o David Briggs

LOCATION OF SUBJECT LANDS

Township of Puslinch
Part Lot 20
Concession 4

Proposed severance is 35m fr x 115m = 0.4 hectares, vacant land for proposed rural residential use.

Retained parcel is 3.6 hectares with 91m frontage, existing and proposed rural residential use with existing dwelling, shed & pool. Pool to be removed.

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

May 19, 2021

Comments can be provided by mail at address above or by email janap@wellington.ca

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 Local Planning Appeal Tribunal 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 and provide your email address 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 Local Planning Appeal Tribunal. 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 Local Planning Appeal Tribunal 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 (email) 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: \$ 4630Fee Received: Apr 1/21File No. B22-21Accepted as Complete on: Apr 1/21

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

2. (a) Name of Registered Owner(s) Dorothy Evangeline BRIGGS c/o David BriggsAddress [REDACTED]Phone [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 Van Harten Surveying Inc.

423 Woolwich Street, Guelph, ON, N1H 3X3

Phone 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 & provide short explanation)

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

To create a new parcel for rural residential purposes.

OR

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 4

Lot No. Part of Lot 20

Registered Plan No. _____

Lot No. _____

Reference Plan No. _____

Part No. _____

Civic Address 7004 Concession Road 4

(b) When was property acquired: September 1974

Registered Instrument No. ROS149795

5. Description of Land intended to be SEVERED:

Metric []

Imperial []

Frontage/Width 35 ±

AREA

0.4 ha ±

Depth 115 ±

Existing Use(s)

Rural Residential

Existing Buildings or structures: None

Proposed Uses (s): Residential

Type of access (Check appropriate space)

Existing []

Proposed [X]

[] Provincial Highway

[] Right-of-way

[] County Road

[] Private road

[X] Municipal road, maintained year round

[] Crown access road

[] Municipal road, seasonally maintained

[] Water access

[] Easement

[] Other

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

[] Municipally owned and operated piped water system

[X] Well [X] individual [] communal

[] Lake

[] Other

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

[] Municipally owned and operated sanitary sewers

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

[] Pit Privy

[] Other (Specify):

6. Description of <u>Land</u> intended to be RETAINED:	Metric [X]	Imperial []
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Frontage/Width	<u>91 / 126 ±</u>	AREA	<u>3.6 ha ±</u>
Depth	<u>320 ±</u>	Existing Use(s)	<u>Rural Residential</u>

Existing Buildings or structures: **Dwelling, Shed and Pool (to be removed)**

Proposed Uses (s): **No Change**

Type of access (Check appropriate space)	Existing [X]	Proposed []
--	--------------	--------------

<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

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):

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 ☒ NO ☐

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

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. Provide explanation of how the application is consistent with the Provincial Policy Statement.

This application is consistent with the PPS as per Section 2.3.3.3 where it states that new land uses, including the creation of lots shall comply with the minimum distance separation formula. A minor variance will be submitted for the reduced MDS.

25. In addition to Places to Grow (Provincial Growth Plan), is the subject land within an area of land designated under the Greenbelt Plan? Provide explanation of how the application conforms or does not conflict with the Provincial plan or plans.

The Natural Heritage System mapping indicates that there are features on the subject property, however the lot line is to be outside of this feature.

26. a) Indicate the existing **County Official Plan** designation(s) of the subject land, and provide explanation of how the application conforms with the Official Plan (severed and retained).

The subject property is designated as Secondary Agricultural and Greenlands in the Official Plan. Section 10.4.4 of the Official Plan states that lot creation for residential uses is permitted in lands designated as Secondary Agricultural provided the criteria is met.

- b) Indicate the existing **Local Official Plan** (if any) designation(s) of the subject land, and provide explanation of how the application conforms with the Official Plan (severed and retained).

N/A

- 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. 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.

28. What is the zoning of the subject lands? **Agricultural and Environmental Protection Overlay**

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

A minor variance will be applied for pending severance approval

- 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: **None**

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

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

<u>Retained</u>	Width	<u>6±m</u>	Length	<u>6±m</u>	Area	<u>36±m²</u>	Use	<u>Shed</u>
	Width		Length		Area		Use	
<u>Severed</u>	Width		Length		Area		Use	
	Width		Length		Area		Use	

33. **Manure Storage Facilities** on these lands: **None**

DRY	SEMI-SOLID	LIQUID
Open Pile <input type="checkbox"/>	Open Pile <input type="checkbox"/>	Covered Tank <input type="checkbox"/>
Covered Pile <input type="checkbox"/>	Storage with Buck Walls <input type="checkbox"/>	Aboveground Uncovered Tank <input type="checkbox"/>
		Belowground Uncovered Tank <input type="checkbox"/>
		Open Earth-sided Pit <input type="checkbox"/>

34. Are there any drainage systems on the retained and severed lands? YES ☐ NO ☒

Type	Drain Name & Area	Outlet Location
Municipal Drain <input type="checkbox"/>		Owner's Lands <input type="checkbox"/>
Field Drain <input type="checkbox"/>		Neighbours Lands <input type="checkbox"/>
		River/Stream <input type="checkbox"/>

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 ☐

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 ☐ NO ☒

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

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.

OWNER'S AUTHORIZATION:

The Owner must complete the following to authorize applicant, agent or solicitor to act on their behalf.

NOTE: If more than one owner is listed in item #2 of this application, then all owners must sign this authorization section of the application form or by a letter of authorization duly signed.

If the Owner is a corporation, the authorization must be by an officer of the corporation who has authority to bind the corporation.

I, (we), Dorothy Evangeline BRIGGS the Registered Owners of

Part of Lot 20, Concession 4, as in Inst. ROS149795 Of the Township of Puslinch in the

County/-Region of Wellington severally and jointly, solemnly declare that

Jeffrey E. Buisman, OLS, of Van Harten Surveying Inc.

Is authorized to submit an application for consent on my (our) behalf

Signature(s) of Registered Owner(s) or Corporation's Officer

APPLICANT'S DECLARATION

This must be completed by the Applicant for the proposed consent

I, (we) Jeffrey E. Buisman, OLS, of Van Harten Surveying Inc. of the

City of Guelph

In the County/-Region of

Wellington

Solemnly declare that all

the statements contained in this application for consent for (property description)

Part of Lot 20, Concession 4, as in Inst. ROS149795 Of the Township of Puslinch

And all the supporting documents are true, and I, (we), make this solemn declaration conscientiously believing it to be true and complete, and knowing that it is of the same force and effect as if made under oath, and virtue of the CANADA EVIDENCE ACT.

DECLARED before me at the

City

Of

Guelph

In the

County/-Region of Wellington

This 31 day of March 20 21

Commissioner of Oaths

James Michael Laws, (Owner or Applicant)
a Commissioner, etc.,
Province of Ontario,
for Van Harten Surveying Inc.
Expires May 11, 2021.

Printed Commissioner's, etc. Name

APPLICANT'S CONSENT (FREEDOM OF INFORMATION):

In accordance with the provisions of the Planning Act, it is the policy of the County Planning and Development Department to provide public access to all development applications and supporting documentation. In submitting this development application and supporting documentation, I, Jeff Buisman of Van Harten Surveying Inc., the applicant, hereby acknowledge the above-noted and provide my consent in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act that the information on this application and any supporting documentation provided by myself, my agents, solicitors, and consultants will be part of the public record and will also be available to the general public.

Signature of Owner



Date

March 31, 2021

THIS APPLICATION PACKAGE IS TO BE SUBMITTED TO:

**Secretary-Treasurer
Planning and Development Department
County of Wellington
74 Woolwich Street
Guelph, Ontario
N1H 3T9**

Phone (519) 837-2600 Ext. 2160



FARM DATA SHEET
Minimum Distance Separation I (MDSI)
County of Wellington

NOTE TO FARM OWNER(S)

By filling out this form you will help to ensure that new land uses will be located a suitable distance from your livestock operation. Feel free to contact the County Planning office with any questions.

Owner(s) of Livestock Facility L E L Farms Limited c/o Elaine WEBER

Contact Information

Email [REDACTED]

Civic Address 4638 Sideroad 20 North Municipality Puslinch

Lot 20 Concession 4 Division

Lot Size (where livestock facility is located) hectares 16.5 acres

Signature of Livestock Facility Owner [REDACTED]

Date Aug 7/18

BARN(S) SIZE Please provide the size of the barns located on the property. This information is used to verify maximum livestock capacity. 2,285 m² or 24,304 ft² ft²/m² ft²/m²

Manure Storage Types Solid manure: 18% dry matter, or more

Liquid manure: <18% dry matter

V1 Solid, inside, bedded pack

V2 Solid, outside, covered

V3 Solid, outside, no cover, ≥30% dry matter

V4 Solid, outside, no cover, 18% - <30% dry matter, with covered liquid runoff storage

V5 Liquid, inside, underneath slatted floor

V6 Liquid, outside, with a permanent, tight-fitting cover

L1 Solid, outside, no cover, 18% - <30% dry matter, with uncovered liquid runoff storage

L2 Liquid, outside, with a permanent floating cover

M1 Liquid, outside, no cover, straight-walled storage

M2 Liquid, outside, roof, but with open sides

H1 Liquid, outside, no cover, sloped-sided storage

Animal Type of Material	Description	Housing Capacity (maximum)	Manure Storage Type (select from list)
Beef Cattle	Cows, including calves to weaning (all breeds)		
	Feeders (7 – 16 months)		
	Backgrounders (7 – 12.5 months)		
	Shortkeepers (12.5 – 17.5 months)		
Dairy Cattle	Milking-age cows (dry or milking)		
	Large-framed; 545 – 658 kg (e.g. Holsteins)		
	Medium-framed; 455 – 545 kg (e.g. Guernseys)		
	Small-framed; 364 – 455 kg (e.g. Jerseys)		
	Hifers (5 months to freshening)		
	Large-framed; 182 – 545 kg (e.g. Holsteins)		
	Medium-framed; 148 – 455 kg (e.g. Guernseys)		
	Small-framed; 125 – 364 kg (e.g. Jerseys)		
	Calves (0 – 5 months)		
	Large-framed; 45 – 182 kg (e.g. Holsteins)		
	Medium-framed; 39 – 148 kg (e.g. Guernseys)		
	Small-framed; 30 – 125 kg (e.g. Jerseys)		
Horses	Large-framed, mature; >681 kg (e.g. draft or draft cross breeds including unweaned offspring)		
	Medium-framed, mature; 227 – 680 kg (e.g. saddle, riding and racing breeds including unweaned offspring)		
	Small-framed, mature; <227 kg (e.g. ponies and miniatures including unweaned offspring)		

Animal Type of Material	Description	Housing Capacity (maximum)	Manure Storage Type (select)
Swine	Sows with litter, dry sows or boars		
	Breeder gilts (entire barn designed specifically for this purpose)		
	Weaners (7 – 27 kg)		
	Feeders (27 – 136 kg)		
Sheep	Ewes & rams (for meat lambs; includes unweaned offspring & replacements)		
	Ewes & rams (dairy operation; includes unweaned offspring & replacements)		
	Lambs (dairy or feeder lambs)		
Goats	Does & bucks (for meat kids; includes unweaned offspring and replacements)		
	Does & bucks (for dairy; includes unweaned offspring & replacements)		
	Kids (dairy or feeder kids)		
Chickens	Layer hens (for eating eggs; after transfer from pullet barn)		
	Layer pullets (day-olds until transferred into layer barn)		
	Broiler breeder growers (males/females transferred out to layer barn)		
	Broiler breeder layers (males/females transferred in from grower barn)		
	Broilers on any length of cycle	32,000 Chickens in a 2,258m² barn	V3
Turkeys	Turkey poults (day-old until transferred to grow out turkeybarn)		
	Turkey breeder layers (males/females transferred in from grower barn)		
	Breeder toms		
	Broilers (day-olds to 6.2 kg)		
	Hens (day-olds up to 6.2 to 10.8 kg; 7.5 kg is typical)		
	Toms (day-olds to over 10.8 to 20 kg; 14.5 kg is typical)		
	Turkeys at any other weights, or if unknown (by floorarea)		
Veal	Milk-fed		
	Grain-fed		
Other	Please refer to Factor Table 1 of The Minimum Distance Separation (MDS) Document for complete list of animal types		
Imported manure	Use the volume of the manure storages		
Unoccupied livestock barns	A livestock barn that does not currently house any livestock, but that housed livestock in the past and continues to be structurally sound and reasonably capable of housing livestock.*		

*NOTE: This should only be used where obtaining information from the farm operator(s) and/or owner(s) was not possible (see Implementation Guideline 20 for more information).

QUESTIONS?

PLEASE CONTACT

County of Wellington
Planning and Development Department
74 Woolwich Street, Guelph
ON N1H 3T9
F 519.923.1694

Linda Redmond, Senior Planner
E lindar@wellington.ca
T 519.837.2600 x2380
1.800.663.0750 x2380

Sarah Wilhelm, Senior Planner
E sarahw@wellington.ca
T 519.837.2600 x2130
1.800.663.0750 x2130

Description:
Application Date: Tuesday, March 30, 2021


Municipal File Number:
Proposed Application: Lot creation that results in a cluster of four, or more, non-agricultural use lots in immediate proximity to one another
 Type B Land Use

Applicant Contact Information

 Dorothy Briggs
 7004 Concession 4
 Puslinch, ON, Canada

Location of Subject Lands

 County of Wellington, Township of Puslinch
 PUSLINCH, Concession: 4, Lot: 20


 Roll Number: 2301 
Calculation Name: *Farm 1*
Description: Weber Barn

Farm Contact Information

 Elaine Weber
 2705070 Ont. Limited
 4646 Sideroad 20 N
 Puslinch, ON, Canada

Location of existing livestock facility or anaerobic digester

 County of Wellington, Township of Puslinch
 PUSLINCH, Concession: 4, Lot: 20

 Roll Number: 2301 

Total Lot Size: 6.6 ha

The barn area is an estimate only and is intended to provide users with an indication of whether the number of livestock entered is reasonable.

Manure Type	Type of Livestock/Manure	Existing Maximum Number	Existing Maximum Number (NU)	Estimated Livestock Barn Area
Solid	Chickens, Broilers	2,285 m ²	92.1	2,285 m ²

Existing Manure Storage: V3. Solid, outside, no cover, >= 30% DM

Design Capacity (NU): 92.1

Potential Design Capacity (NU): 184.3

Factor A (Odour Potential)	Factor B (Size)	Factor D (Manure Type)	Factor E (Encroaching Land Use)	Building Base Distance 'F' (minimum distance from livestock barn)	(actual distance from livestock barn)
0.7	X	391.07	X	0.7	X
		2.2			
				=	
				422 m (1383 ft)	TBD

Storage Base Distance 'S'	
(minimum distance from manure storage)	(actual distance from manure storage)
422 m (1383 ft)	TBD

Preparer Information

 Jeff Buisman
 Van Harten Surveying Inc.
 423 Woolwich Street
 Guelph, ON, Canada N1H 3X3
 Phone #1: 519-821-2763 ext 225
 Email: jeff.buisman@vanharten.com

Signature of Preparer: _____ **Date:** _____
 Jeff Buisman

NOTE TO THE USER:
 The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.

March 31, 2021

29382-21

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
7004 Concession Road 4
Part of Lot 20, Concession 4
PIN 71200-0039
Township of Puslinch**

RECEIVED

APR 01 2021

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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, PIN Report and Map, the required deed, addresses of neighbouring properties, Source Water Protection Form, MDS Farm Data Sheet, a cheque to the GRCA for \$430.00 and a cheque to Wellington County for \$4,630.00.

Proposal:

The proposal is to create a new rural residential parcel along Concession Road 4 with a frontage of 35±m, depth of 115±m, for an area of 0.4±ha where a dwelling is proposed to be built. The Retained Parcel (#7004 Concession Road 4) will have a width of 91±m, depth of 320±m, for an area of 3.6±ha where the existing dwelling and shed will remain. The existing swimming pool will be removed.

The severed parcel is currently vacant and contains some trees/bush. The parcel has been evaluated and a safe entrance is available.

The subject property is zoned Agricultural and the Reduced Lot Requirements listed in Table 11.3 of the Zoning By-law will be met for the severed and retained parcel.

MDS Evaluation:

We have evaluated the livestock facility at #4638 Sideroad 20 North with respect to Minimum Distance Separation (MDS) requirements. Due to being within a group of at least 4 dwellings, the MDS guidelines requires that a Type B classification be used. The required Type B MDS distance between the barn and the proposed severance is 422m, whereas the actual distance is 320±m.

572 Weber Street North, Unit 7
Waterloo ON N2L 5C6
519-742-8371

Elmira, ON:
519-669-5070

423 Woolwich Street
Guelph, ON N1H 3X3
519-821-2763

660 Riddell Road, Unit 1
Orangeville, ON L9W 5G5
519-940-4110

Collingwood, ON:
249-499-8359

www.vanharten.com

There are guidelines for the implementation of MDS and Guideline #12 indicates that the minimum requirement will be the greatest of 4 other non-agricultural uses in the area. In this case we found two houses to have a separation of less than 320m, but not four houses.

A similar situation existed for the property shown as 2 or PIN 71200-0280 (Part 1, 61R-21559). This parcel was created via Severance Application B73-18 and Minor Variance (D13/PRI) was approved for a reduced MDS of 345m.

A Minor Variance for this severance would be reasonable and an application will be submitted for a reduction of MDS in the near future.

Policy Review:

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
- Adequate space for new dwelling and septic
- No impacts on environmentally sensitive lands or woodlot.
- A minor variance will be applied for pending severance approval for the reduced MDS setback.
- Zoning requirements are met.

In summary, this severance is a very practical and efficient use of an open space.

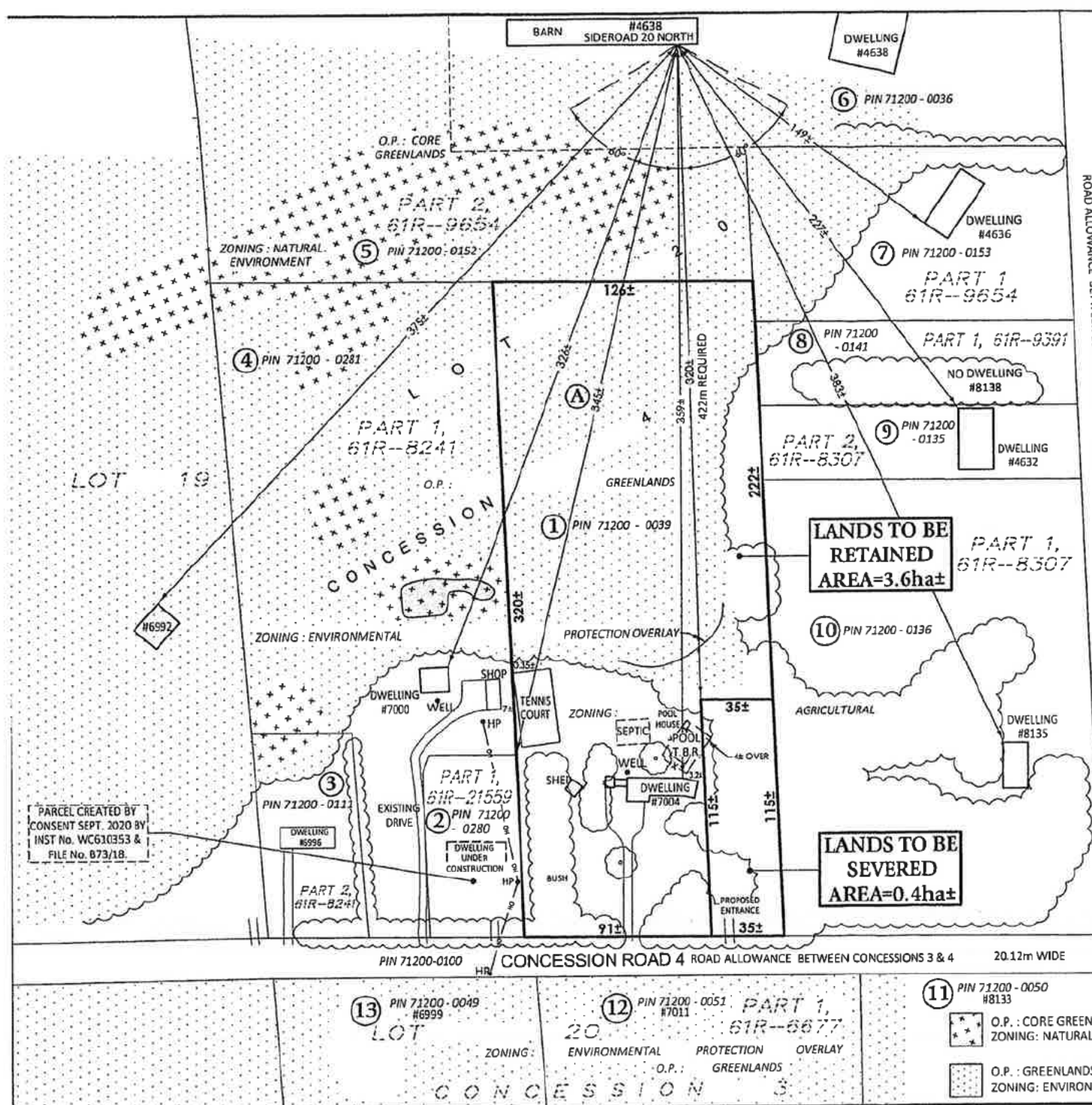
Please call me if you or the Planning Staff have any questions.

Very truly yours,
Van Harten Surveying Inc.



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

cc Dorothy Briggs c/o David Briggs
cc Kamal Hira, Hira Custom Homes

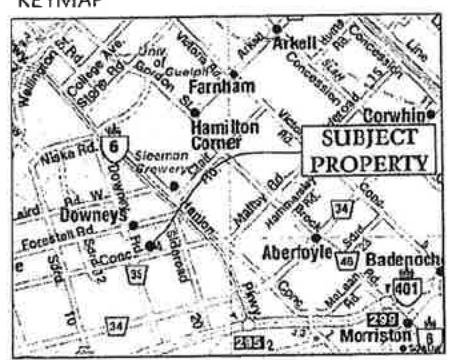


SEVERANCE SKETCH PART OF LOT 20, CONCESSION 4 TOWNSHIP OF PUSLINCH COUNTY OF WELLINGTON

SCALE 1 : 2000
0 20 40 60 80 100 120 meters

VAN HARTEN SURVEYING INC.

KEYMAP



NOTES:

1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
2. SUBJECT LANDS ARE ZONED AGRICULTURAL AND ENVIRONMENTAL PROTECTION OVERLAY.
3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF SECONDARY AGRICULTURAL AND GREENLANDS.
4. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
5. DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.
6. DISTANCES FROM THE BARN TAKEN FROM GRCA MAPPING WEBSITE.
7. SEE ATTACHED LIST OF NAMES AND ADDRESSES OF OWNERS.
8. T.B.R. DENOTES TO BE REMOVED.

A MINOR VARIANCE APPROVAL FOR 345m. FILE No. D13/PRI

THIS SKETCH WAS PREPARED ON THE 30th DAY OF MARCH, 2021

[Redacted Signature]
ONTARIO LAND SURVEYOR

Van Harten

SURVEYING INC.
LAND SURVEYORS and ENGINEERS

Elmira Ph: 519-669-5070	Guelph Ph: 519-821-2763	Orangeville Ph: 519-940-4110
www.vanharten.com		info@vanharten.com

DRAWN BY: ARN	CHECKED BY: JEB	PROJECT No. 29382-21
Mar 31, 2021-2:37pm		
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