



PLANNING & DEVELOPMENT ADVISORY COMMITTEE
AUGUST 10, 2021
7:00 p.m.

Register in advance:

https://us02web.zoom.us/webinar/register/WN_VfH97IPWQj-w_gTsmSX1Rw

Or join by phone:

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

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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**
 - July 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 – Sharon and James Hutton – 6547 Wellington Road, 34 Rear Part Lots 2 and 3, Concession 2, Township of Puslinch.**

Requesting relief of New Comprehensive Zoning By-law #23-2018, as amended, from Section 4.2(b)(i) Accessory Apartments.

The purpose and effect of the application is to provide relief from:

1. Section 4.2(b)(i) to permit an accessory apartment to be located 74 metres from the single detached dwelling on the lot instead of a maximum of 15 metres, as required.



PLANNING & DEVELOPMENT ADVISORY COMMITTEE

JULY 13, 2021

7:00 p.m.

6(b) Minor Variance Application D13-CON – Kelly Contini – 4660 Nassagaweya-Puslinch Townline, Part Lot 13, Concession 11, Township of Puslinch.

Requesting relief of New Comprehensive Zoning By-law # 23-2018, as amended, from Section 4.16.1 MDS I – New Non-Farm Uses and Section 11.3 Zone Requirements, Table 11.2 Agricultural Zone Standards.

The purpose and effect of the application is to provide relief from:

1. Section 4.16.1 to permit a reduced Minimum Distance Separation Type 1 of 87 metres instead of 137 metres as required.
2. Section 11.3 Zone Requirements, Table 11.2 Agricultural Zone Standards to permit a reduced frontage of 115 metres instead of 120 metres as required.

6(c) Minor Variance Application D13-LAN – Malcom Lander – 2 Hemlock Crescent PV, Lot 53, Plan 61M-203, Township of Puslinch.

Requesting relief of New Comprehensive Zoning By-law # 23-2018, as amended, from Section 14.0 Site-Specific Special Provision No. sp86.

The purpose and effect of the application is to provide relief from:

1. Section 14.0 Site-Specific Special Provision No. sp86 to permit a reduced side yard set-back of 0.44 metres instead of 1.2 metres as required.

7. OTHER MATTERS

- None

8. ADJOURNMENT OF COMMITTEE OF ADJUSTMENT



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7:00 p.m.

AGENDA

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1. CALL THE MEETING TO ORDER

2. OPENING REMARKS

3. ROLL CALL

4. DISCLOSURE OF PECUNIARY INTEREST

5. APPROVAL OF MINUTES

- July 13, 2021

6. APPLICATION FOR SITE PLAN URBAN DESIGN REVIEW

- None

7. ZONING BY-LAW AMENDMENT

- None

8. LAND DIVISION

8(a) Severance application B39-21 (D10-CUL) – Stuart & Karen Cullen – Part Lot 18, Concession 1, municipally known as 6944 Concession 1, Township of Puslinch.

Proposed severance is 0.4 hectares with 61.69 metre frontage, vacant land proposed rural residential use.

Retained parcel is 37.69 hectares with 147.78 metre frontage, existing and proposed rural residential hobby farm with existing dwelling and barn.

8(b) Severance application B50-21 (D10-SLA) – Abigail & Lise Slater – Part Lots 7, 8 & 9, Concession 10, municipally known as 711 Arkell Road, Township of Puslinch.

Proposed severance is 60 metre frontage x135 metre = 0.8 hectares, vacant land for proposed rural residential use.

Retained parcel 41.8 hectares with 280 metre frontage, existing and proposed rural residential use with existing 3 dwellings, storage building and shed.



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7:00 p.m.

- 8(c) Severance application B51-21 (D10-DAG) – Dawn & Donald Dagget** – Part Lot 21, Concession 1, municipally known as 4189 Sideroad 20 South, Township of Puslinch.

Proposed severance is 0.4 hectares with 65 metre frontage, vacant land for proposed rural residential use.

Retained parcel is 4.2 hectares with 57 metre frontage, existing and proposed rural residential use with existing dwelling, garage and pool.

- 8(d) Severance application B52-21 (D10-GRA) – Michele & George Gray** – Part Lot 7, Concession 1, municipally known as 6655 Concession 2, Township of Puslinch.

Proposed severance is 1.0 hectares with 62 metre frontage, existing and proposed agricultural with existing shed and barn for proposed rural residential use. Shed and barn to be removed.

Retained parcel is 9.9 hectares with 15 metre frontage, existing and proposed agricultural use with dwelling and pool.

- 8(e) Severance application B53-21(D10-GRE) – Divinder & Sukhbir Grewal** – Part lot 16, Concession 7, municipally known as 130 Maltby Road West, Township of Puslinch.

Proposed severance is 60 metre frontage x 122 metre = 0.73 hectares, existing and proposed rural residential use with a dwelling under construction.

Retained parcel is 8.89 hectares with 94 metre frontage, existing and proposed bush/reforested trees.

- 8(f) Severance application B54-21 (D10-GOD) – Krista & Paul Godinho** – Part lot 15, Concession 3, municipally known as 6862 Wellington County Road 34, Township of Puslinch.

Proposed severance is 50 metre frontage x 110 metre = 0.56 hectares, vacant land for proposed rural residential use.

Retained parcel is 3.4 hectares with 72 metre frontage, existing and proposed rural residential use with existing dwelling, garage, shed and barn. Barn to be removed.

- 8(g) Severance application B55-21 (D10-HAM) – Peggy Hambly** – Part lot 20, Concession 2, municipally known as 4428 Sideroad 20 North, Township of Puslinch.

Proposed severance is 0.41 hectares with 25.1 metre frontage, existing and proposed rural residential use. Existing shed to be removed.



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Retained parcel is 0.5 hectares with 30.5 metre frontage, existing and proposed rural residential use with existing dwelling and barn. Barn to be removed.

- 8(h) Severance application B56-21 (D10-QBF) – QB Farms Inc. c/o Patrick Quirk & Chas Birkett** – Part Lot 17, Concession 9, municipally known as 4555 Victoria Road South, Township of Puslinch.

Proposed severance is 50 metre frontage x 150 metre = 0.75 hectares, existing agricultural for proposed rural residential use.

Retained parcel is 40.2 hectares with 357 metre frontage, existing and proposed agricultural use with existing dwelling, sheds and cell tower.

- 8(i) Severance application B59-21 (D10-GER) – Mario & Elisa Geremia** – Part Lot 20, Concession 4, municipally known as 4620 Sideroad 20 North, Township of Puslinch.

Proposed severance is 50 metre frontage x 90 metre = 0.45 hectares, vacant land for proposed rural residential use.

Retained parcel is 3.02 hectares with 106 metre frontage, existing and proposed rural residential use with existing dwelling.

9. OTHER MATTERS

- 9(a)** Property Standards Appeal – 171 Townline Road

10. CLOSED MEETING

- None

- 11. NEXT MEETING** Tuesday, September 14, 2021 @ 7:00 p.m.

12. ADJOURNMENT



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
COMMITTEE OF ADJUSTMENT

July 13, 2021

7:00 PM

VIRTUAL MEETING BY ELECTRONIC PARTICIPATION

MINUTES

1. CALL THE MEETING TO ORDER

The June 8, 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
Dan Kennedy
Dennis O'Connor
Deep Basi

MEMBERS ABSENT

Paul Sadhra

STAFF IN ATTENDANCE

Lynne Banks, Development and Legislative Coordinator
Courtenay Hoytfox, Clerk
Jeff Bunn, Deputy Clerk
Meagan Ferris, Manager of Planning and Environment, County of Wellington
Joanna Salsberg, 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, June 8, 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-CUL – Stuart and Karen Cullen – 6944 Concession 1, Front Part Lot 18, Concession 1, Township of Puslinch.

Requesting relief of Zoning By-law #23-2018, as amended, from Section 4.16. – General Provisions MDSI New Non-Farm Uses, to provide relief from the Minimum Distance Separation I (MDS I) setback requirement to permit approximately a reduced Minimum Distance Separation Type I of 223 meters (a difference of 53 meters) instead of 276 meters.

- Nancy Shoemaker, agent for the applicant, provided an overview of the application and noted changes to the minor variance request due to Cue to Classy Lane Stables location and advised that there are only 3 barns within the 500 meter separation. She further noted that County planning staff have redone the calculations based on 5 barns and noted that in the photo attached to the County Report shows what the manure storage is over 500 metres away and advised that the manure is removed from the property every 14 days.
- There were no questions or comments from the public.
- Dan Kennedy asked if the structure could be moved further to the east and what happens if the manure is moved every month or longer instead of every 14 days.
- Nancy Shoemaker advised that it could be moved closer to the driveway and is working with the GRCA to keep the required distance from the Natural Environment features. She further noted that Classy Land Stables have a signed agreement that the manure is removed every 14 days.
- Dennis O'Connor asked if there is a nutrient management strategy attached to the property.
- Nancy Shoemaker advised that there is.
- Deep Basi asked if the GRCA is involved.
- Nancy Shoemaker advised that they are involved due to the Natural Environment zone on a portion of the property.
- John Sepulis asked the County planners to confirm that there is a nutrient management strategy.
- Meagan Ferris advised that there is and it has been provided to the Township.
- John Sepulis asked about moving the building closer to the driveway.
- Nancy Shoemaker advised that if it is moved it will be closer to the barn at 6955 Concession 1 than it currently is.
- Dennis O'Connor asked what the MDS is for 6955 Concession 1.
- Nancy Shoemaker noted that there is some room to move but it could only shift it 8 metres due to maintaining the 30 metre setback from the wetlands.
- There were no further questions or comments from the committee.

That Application D13/CUL requesting relief from provisions of Zoning By-Law #023/2018, as amended, from Section 4.16. – General Provisions MDSI New Non-Farm Uses, to provide relief from the Minimum Distance Separation I (MDS I) setback requirement to permit:

An approximate reduced Minimum Distance Separation Type I of 223 meters (a difference of 53 meters) instead of 276 meters, as required.

CARRIED

6(b) Minor Variance Application D13-FEL – Jaqueline Fell and Brent Wilson – 4030 Highway 6, Rear Part Lot 37, Concession Gore Township of Puslinch.

Requesting relief of Zoning By-law #23-2018, as amended, from Section 4.17.1 (a) and (b) Buildings and Structures, Section 4.17.4 Non-Conforming Uses, Section 4.33 Temporary Residence During Construction and Section 5.2.13 Parking of Recreational Vehicles and Boats, to provide relief from:

1. Section 4.17.1 (a) Buildings and Structures to have a reduced side yard setback from the existing 3.23 meters to 1.68 m;
2. Section 4.17.1 (b) to increase the height from the existing 5.18 meters to 8.23 meters;
3. Section 4.17.4 Non-Conforming uses to have legal non-conforming status;
4. Section 4.33 Temporary Residence During Construction - to permit the use of a temporary residence during the construction of the primary residential home in the commercial zone on a lot that is not vacant.; and
4. Section 5.2.13 Parking of Recreational Vehicles and Boats to permit the parking of a recreational vehicle in a commercial zone for a period of one year from the occupancy of the principal building.

- There were no questions or comments from the public.
- James and Carolyn Anthony, agents for the applicants, read a letter from the owners outlining an overview of the application.
- Dan Kennedy asked where the mobile home will be located on the property.
- James Anthony advised that it will be located closer to the rear of the property.
- Dan Kennedy asked what the timeline for the project is.
- James Anthony advised that it will be approximately 3-4 months.
- Deep Basi asked if there will be cosmetic changes to the current dwelling.
- John Anthony advised that there will be and that it will be more in keeping with current styles.
- There were no further questions or comments from the committee.

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

1. Section 4.17.1 (a) Buildings and Structures to have a reduced side yard setback from the existing 3.23 meters to 1.68 m;
2. Section 4.17.1 (b) to increase the height from the existing 5.18 meters to 8.23 meters;
3. Section 4.17.4 Non-Conforming uses to have legal non-conforming status;
4. Section 4.33 Temporary Residence During Construction - to permit the use of a temporary residence during the construction of the primary residential home in the commercial zone on a lot that is not vacant.; and
5. Section 5.2.13 Parking of Recreational Vehicles and Boats to permit the parking of a recreational vehicle in a commercial zone for a period of one year from the occupancy of the principal building.

Is approved with the following condition(s).

1. That the Township's Chief Building Official be satisfied that the proposed uses can be adequately serviced;
2. That any concerns of the Ministry of Transportation are addressed;
3. That the applicant enters into an agreement with the Township to address the temporary residence and temporary parking of a recreational vehicle at the cost of the owner and to the satisfaction of the Township;
4. That the applicant satisfies any and all of the requirements of the Township's Chief Building Official in regards to the temporary residence; and
5. That securities are provided by the applicant to address the removal of the recreational vehicle to the satisfaction of the Township.

CARRIED

6(c) Minor Variance Application D13-ROB – Will Roberts and Vanessa Forster – 24 Gilmour Road, Front Part Lot 23, Concession 8, Township of Puslinch.

Requesting relief of New Comprehensive Zoning By-law # 23-2018, as amended, from Section 4.24.1 (a) and (b) Shipping Containers in Residential Zones, to provide relief from Section 4.24.1 (a) and (b) to allow for shipping containers on the property for a time period not to exceed 1 year.

- Will Rootham-Roberts, applicant, provided an overview of the application and advised that due to the Covid pandemic, their shipments of jars for their product was greatly reduced so he needed to source jars closer to home in order to keep production going and providing product to their

clients, and he has purchased whatever was available but needs the storage containers right now to store the jars until his shipment schedule returns to normal.

- Cathy Smith, resident, provided comments to the Committee in support of the application.
- Dennis O'Connor asked if another storage solution will be needed.
- Will Rootham-Roberts advised that the company is starting to receive more shipments and is optimistic that the containers will only be required for approximately 8 months and he will then remove them from the property.
- John Sepulis asked if it was possible to put the containers on the abutting property at 30 Gilmour Road.
- Will Rootham-Roberts advised that due to the geography of the property, he would need to infill the property. He further noted that the storage containers are only temporary and is planning on removing all but one container and it will be relocated to another place.
- There were no further questions or comments.

That Application D13/ROB requesting relief from provisions of Zoning By-Law #023/2018, as amended, to provide relief from Section 4.24.1 (a) and (b) to permit shipping containers on the property for a time period not to exceed 1 year.

Is approved with the following conditions.

1. That the minor variance approval be applied for a maximum period of 1 year;
2. That a maximum of 3 shipping containers be permitted on-site and in the location as shown in Attachment 1 to the County of Wellington planning report received by the Committee of Adjustment;
3. That the owner enter in to an agreement with the Township regarding the removal and rehabilitation of the site once the use ceases; and
4. That securities are provided by the owner to address the removal of the shipping containers to the satisfaction of the Township.

CARRIED

7. OTHER MATTERS

None

8. ADJOURNMENT

Moved by: Deep Basi

Seconded by: Dennis O'Connor

The Committee of Adjustment meeting adjourned at 7:51 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: [REDACTED]
Telephone Number: [REDACTED]
Fax: _____

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

TD Wealth , Lester Decany [REDACTED] & Laura Scanling [REDACTED]
381 King St. West 3rd Floor Kitchener, ON N2G 1B8

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.


Signature of Owner(s)

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


Signature of Commissioner

Craig Robson

April 14, 2021

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.



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

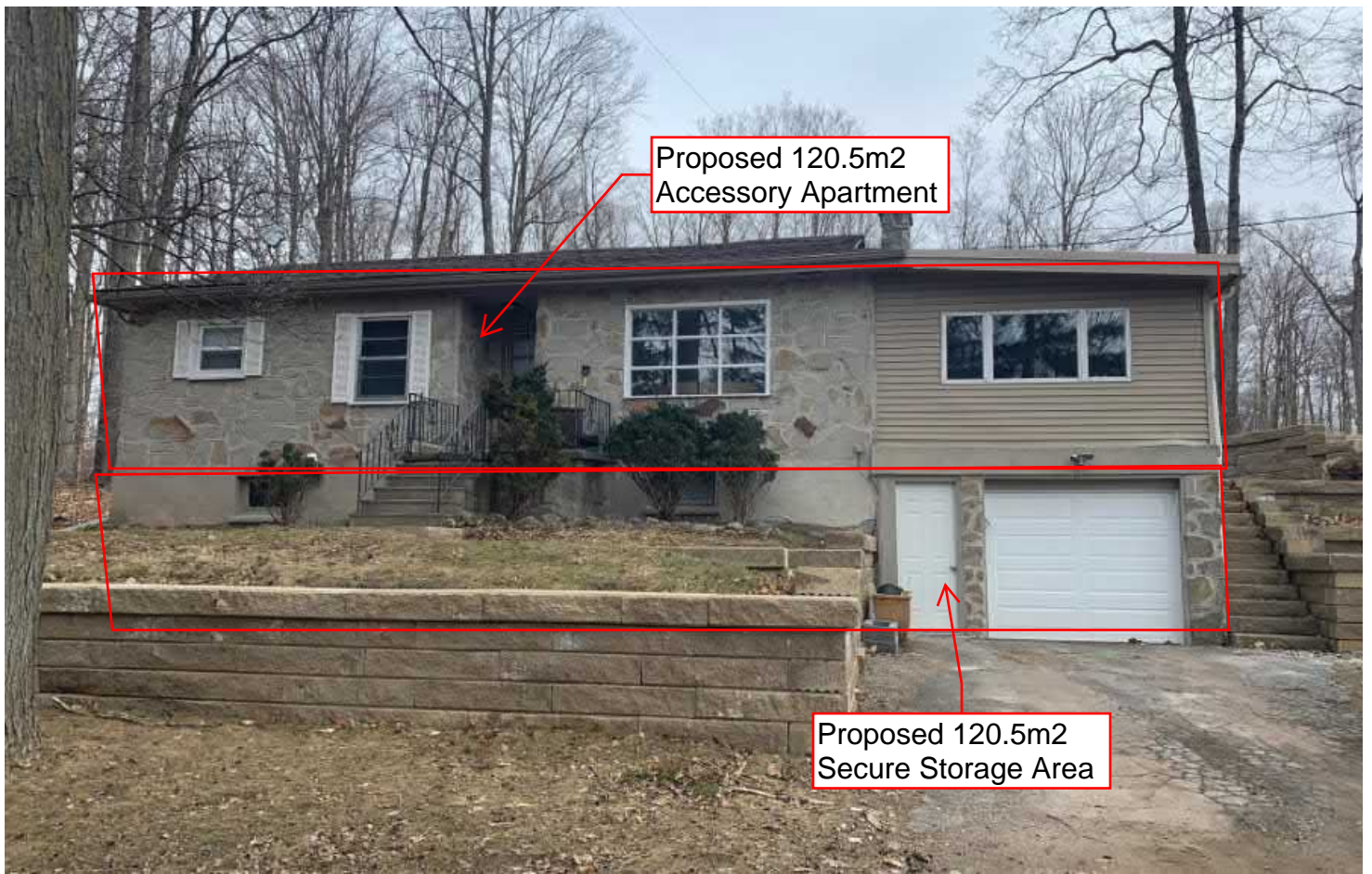
[REDACTED]
[REDACTED]

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

6547 Wellington Road #34 - Minor Variance Sketch & Images



*distance verified by laser rangefinder.



From: [Source Water](#)
To: [Lynne Banks](#)
Cc: [Source Water](#)
Subject: RE: Notice of Public Hearing - Minor Variance - 6547 Wellington Rd 34 - Hutton
Date: Wednesday, May 05, 2021 8:07:49 AM
Attachments: [image001.png](#)
[WHPA_Map_Wellington34_6574.pdf](#)
Sensitivity: Confidential

Hi Lynne,

Thank you for providing the above referenced application for review. Since this property is located in a vulnerable area (wellhead protection area, issues contributing area, intake protection zone etc.), but the activity(ies), as indicated, would not create a significant drinking water threat, the application can be screened out and it does not require a Section 59 notice under the *Clean Water Act*.

I have attached a map showing the property and Wellhead Protection Areas for your reference.

If you have any further questions regarding this application, or in the event of any technical problem with the email or attachments, please contact me.

Emily Vandermeulen | Risk Management Inspector / Source Protection Coordinator

Wellington Source Water Protection | 7444 Wellington Road 21, Elora, ON, N0B 1S0
519.846.9691 x365 | evandermeulen@centrewellington.ca | www.wellingtonwater.ca
Toll free: 1.844.383.9800

Wellington Source Water Protection's offices are located in the Township of Centre Wellington offices. Centre Wellington has moved to a province wide shutdown. All Township facilities are closed for public use however many departments are offering most services electronically and scheduling appointments for services that cannot be delivered remotely. With the proper protocols in place, we are working to deliver services in a timely manner, however, you may still experience some delays or disruptions.

Phones will continue to be answered between the hours of 8:30 a.m. and 4:30 p.m., Monday-Friday at 519-846-9691, general email inquiries can be sent to clerks@centrewellington.ca and service requests such as purchasing of dog tags and burn permits are available online at www.centrewellington.ca/permits.

This is a rapidly evolving situation; discussions and decisions are ongoing. Any changes in operations will be communicated and posted to the Townships website at www.centrewellington.ca/emergencyplanning and our social media platforms, www.facebook.com/CentreWellington and Twitter www.twitter.com/CentrWellington

From: Lynne Banks [mailto:lbanks@puslinch.ca]

Sent: April 20, 2021 10:26 AM

To: Brent Smith <bsmith@puslinch.ca>; Mike Fowler <mfowler@puslinch.ca>; Heritage Committee <Heritage@puslinch.ca>; Services <services@puslinch.ca>; Source Water <sourcewater@centrewellington.ca>; Andrew Hartholt <ahartholt@puslinch.ca>

Subject: Notice of Public Hearing - Minor Variance - 6547 Wellington Rd 34 - Hutton

Sensitivity: Confidential

Attached please find a Notice of Public Hearing regarding a minor variance application for the above property. Please review and provide any comments by May 4, 2021.

Regards –

Lynne

cid:image001.png@01D4BC6D.1CF8C6B0



Township of Puslinch
7404 Wellington Rd 34, Puslinch, ON N0B 2J0
P 519 763-1226 F 519-763-5846
www.puslinch.ca

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From: [Andrew Hartholt](#)
To: [Justine Brotherston](#)
Subject: RE: D13-HUT Minor Variance - Notice of Public Hearing - 6547 Wellington Rd 34 - Hutton
Date: Tuesday, August 03, 2021 9:04:30 AM
Attachments: [image001.jpg](#)
[image002.jpg](#)

Hey Justine,

The Building Department does not support the proposed increase setback from main dwelling from a maximum of 15m to 73.08m, as this is a major increase in distance for a permitted accessory apartment, and doesn't appear to be "minor" in nature.

Should the committee approve this application, building permits will be required for the conversion of existing space within the dwelling to storage. This will be to maintain the 130m² maximum total floor area permitted for accessory dwelling unit. Any plumbing that varies from the original plans and records will also need permit. If plumbing fixture are increased over and above the original approved permits, a full septic review will be required. Further review and more technical comments will be made once building permit applications are received.

Any questions or clarifications needed, please let me know.

Andrew Email Signature



From: Justine Brotherston <jbrotherston@puslinch.ca>
Sent: Wednesday, July 21, 2021 10:20 AM
To: executivevp.lawanddevelopment@opg.com; landuseplanning@hydroone.com; LPUConsents@mpac.ca; ONTLands@enbridge.com; proximity@cn.ca; Tyler.Shantz@Ontario.ca; Deborah Turchet <debt@wellington.ca>; donnab@wellington.ca; Hurania Melgar <huraniam@wellington.ca>; Jenn Simons <jsimons@grandriver.ca>; regionalclerk@regionofwaterloo.ca; PlanningApplications@regionofwaterloo.ca; ammendolia@watsonecon.ca; valenti@watsonecon.ca; tracy.mclennan@wellingtoncdsb.ca; planification@csmiamonde.ca; Planning.Info@ugdsb.on.ca; mantond@cambridge.ca; Source Water <sourcewater@centrewellington.ca>; kstroud@growmark.com; rowcentre@bell.ca; chominiecl@cambridge.ca; Allan.Hodgins@ontario.ca; Engineering.Admin@ontario.ca; Operations.Admin@ontario.ca; Corridor Admin (MTO) <Corridor.Admin@ontario.ca>; Brent Smith <bsmith@puslinch.ca>; Andrew Hartholt <ahartholt@puslinch.ca>; Mike Fowler <mfowler@puslinch.ca>
Cc: Jeff Bunn <jbunn@puslinch.ca>; Lynne Banks <lbanks@puslinch.ca>
Subject: D13-HUT Minor Variance - Notice of Public Hearing - 6547 Wellington Rd 34 - Hutton

Attached please find a Notice of Public Hearing with respect to the above matter. Please review and provide any comments by August 3rd, 2021.



From: [Brent Smith](#)
To: [Justine Brotherston](#)
Subject: RE: D13-HUT Minor Variance - Notice of Public Hearing - 6547 Wellington Rd 34 - Hutton
Date: Friday, July 23, 2021 9:20:37 AM
Attachments: [image001.jpg](#)

Hi Justine,

Puslinch Fire and Rescue services reviewed the minor variance application for the accessory apartment at 6547 Wellington Rd 34. The department has no concerns provided that adequate access for emergency vehicles is provided to both buildings to ensure a quick response in an emergency.

Brent Smith

CFPO

Puslinch Fire and Rescue Services

From: Justine Brotherston <jbrotherston@puslinch.ca>
Sent: Wednesday, July 21, 2021 10:20 AM
To: executivevp.lawanddevelopment@opg.com; landuseplanning@hydroone.com; LPUConsents@mpac.ca; ONTLands@enbridge.com; proximity@cn.ca; Tyler.Shantz@Ontario.ca; Deborah Turchet <debt@wellington.ca>; donnab@wellington.ca; Hurania Melgar <huraniam@wellington.ca>; Jenn Simons <jsimons@grandriver.ca>; regionalclerk@regionofwaterloo.ca; PlanningApplications@regionofwaterloo.ca; ammendolia@watsoncon.ca; valenti@watsoncon.ca; tracy.mclennan@wellingtoncdsb.ca; planification@csmiamonde.ca; Planning.Info@ugdsb.on.ca; mantond@cambridge.ca; Source Water <sourcewater@centrewellington.ca>; kstroud@growmark.com; rowcentre@bell.ca; chominiecl@cambridge.ca; Allan.Hodgins@ontario.ca; Engineering.Admin@ontario.ca; Operations.Admin@ontario.ca; Corridor Admin (MTO) <Corridor.Admin@ontario.ca>; Brent Smith <bsmith@puslinch.ca>; Andrew Hartholt <ahartholt@puslinch.ca>; Mike Fowler <mfowler@puslinch.ca>
Cc: Jeff Bunn <jbunn@puslinch.ca>; Lynne Banks <lbanks@puslinch.ca>
Subject: D13-HUT Minor Variance - Notice of Public Hearing - 6547 Wellington Rd 34 - Hutton

Attached please find a Notice of Public Hearing with respect to the above matter. Please review and provide any comments by August 3rd, 2021.





**PLAN REVIEW REPORT: Township of Puslinch,
Lynne Banks, Secretary-Treasurer**

DATE: June 7, 2021

YOUR FILE: D13/HUT

**RE: Minor Variance Application #D13/HUT
6547 Wellington Road 34, Township of Puslinch
James and Sharon Hutton**

GRCA COMMENT: *

The Grand River Conservation Authority (GRCA) has no objections to the proposed minor variance application.

BACKGROUND:

1. Resource Issues:

Information currently available at this office indicates that the subject property contains Irish Creek, floodplain, erosion hazard, the Puslinch Lake Irish Creek Wetland Complex, an additional wetland and the regulated allowance adjacent to these features.

2. Legislative/Policy Requirements and Implications:

The proposed minor variance application is requesting permission to allow an accessory apartment to be located 74 metres from the main dwelling whereas the Zoning By-law permits a maximum separation of 15 metres. The accessory apartment/additional residential unit is existing and alterations to the unit or servicing are not proposed at this time. Although the main driveway on the property is partially within the floodplain associated with Irish Creek, current information indicates that safe access is available to the additional residential unit and the main dwelling. Based on the above, GRCA staff do not anticipate any negative impacts to the adjacent natural hazard or natural heritage features as a result of this application.

Due to the features noted above, a majority of the subject property is regulated by the GRCA under Ontario Regulation 150/06 – Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation.

Any future development within the regulated area on the subject lands will require the prior issuance of a permit pursuant to Ontario Regulation 150/06. The permit process involves the submission of a permit application to this office, the review of

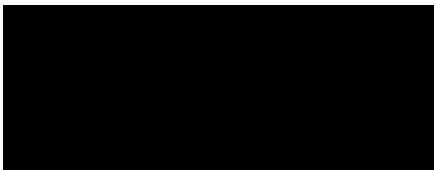
the application by Authority staff and the subsequent approval/refusal of the permit application by the GRCA.

3. Plan Review Fees:

As per the GRCA's 2021 Plan Review Fee Schedule, the 'minor' minor variance review fee of \$280.00 is required for our review of this application. The applicant will be invoiced in the amount of \$280.00 under separate cover.

Should you have any further questions or require additional information, please contact me at 519-621-2763 ext. 2230.

Yours truly,



Jenn Simons
Intermediate Planner
Grand River Conservation Authority
JS/ah

**** These comments are respectfully submitted to the Committee and reflect the resource concerns within the scope and mandate of the Grand River Conservation Authority.***

c.c. James and Sharon Hutton (via email)



Grand River Conservation Authority

Date: Apr 23, 2021

Author: CF

6547 Wellington Road 34



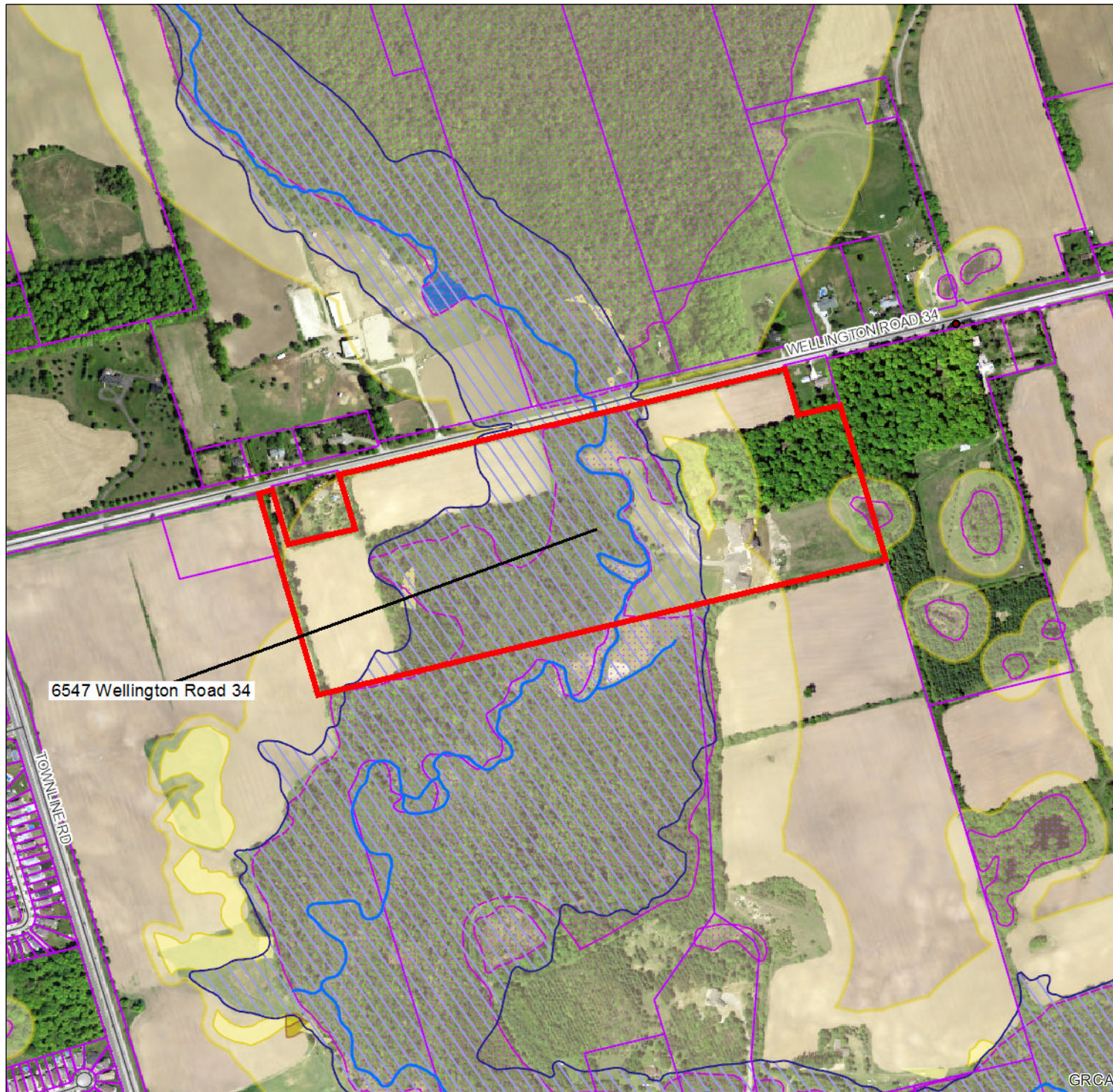
Legend

- Regulation Limit (GRCA)
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Floodplain (GRCA)
 - Engineered
 - Estimated
 - Approximate
 - Special Policy Area
- Slope Valley (GRCA)
 - Steep
 - Oversteep
 - Steep
- Slope Erosion (GRCA)
 - Oversteep
 - Toe
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNRF)

This legend is static and may not fully reflect the layers shown on the map. The text of Ontario Regulation 150/06 supercedes the mapping as represented by these layers.

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The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to: <https://maps.grandriver.ca/Sources-and-Citations.pdf>

0 45 90 180 270 Metres
NAD 1983 UTM Zone 17N Scale: 7,891



Map Centre (UTM NAD83 z17): 558,258.37 4,809,800.68

This map is not to be used for navigation | 2015 Ortho (ON)



PLANNING REPORT for the TOWNSHIP OF PUSLINCH

Prepared by the County of Wellington Planning and Development Department

MEETING DATE: August 10th, 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) within an existing building 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 an 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 personal storage. 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 for the main dwelling. 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 it is understood that 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.

A housekeeping amendment was approved by Township Council in January 2021 which modified the accessory apartment provisions to allow an accessory apartment within *and* above a detached structure in the Agricultural zone. The County adopted OPA 112 in 2020 which brought the Official Plan in to conformity with Bill 108 regarding additional dwelling units. The changes to the Official Plan included the number of units permitted on a lot and the requirement for units to be ancillary to the main dwelling on the lot. The Township will need to further amend the zoning by-law to align with OPA 112 and this review is underway.

Planning Comments

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 and is not permitted in the NE zone. Further, a setback of 73 m from the primary dwelling is substantial when the maximum setback permitted is 15 m, however the new dwelling was constructed without the intent to keep the existing dwelling. 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. The GRCA has provided comments regarding the application and has no concerns because the building is existing within the hazard area. Further, County planning staff would not support a severance of the existing building due to the location within the Greenlands system and conformity with the Official Plan.

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 devoted 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.

Since the initial deferral, staff have met with the applicant and received comments from the GRCA regarding the application. Planning staff still have concerns with this subject application based on the timing and appropriateness of the application. 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 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, premature.

Due to the concerns above, planning staff recommend that and a Zoning by-law amendment application would be a more appropriate application to permit the accessory apartment in the existing dwelling and address the other non-compliances with the Zoning By-law.

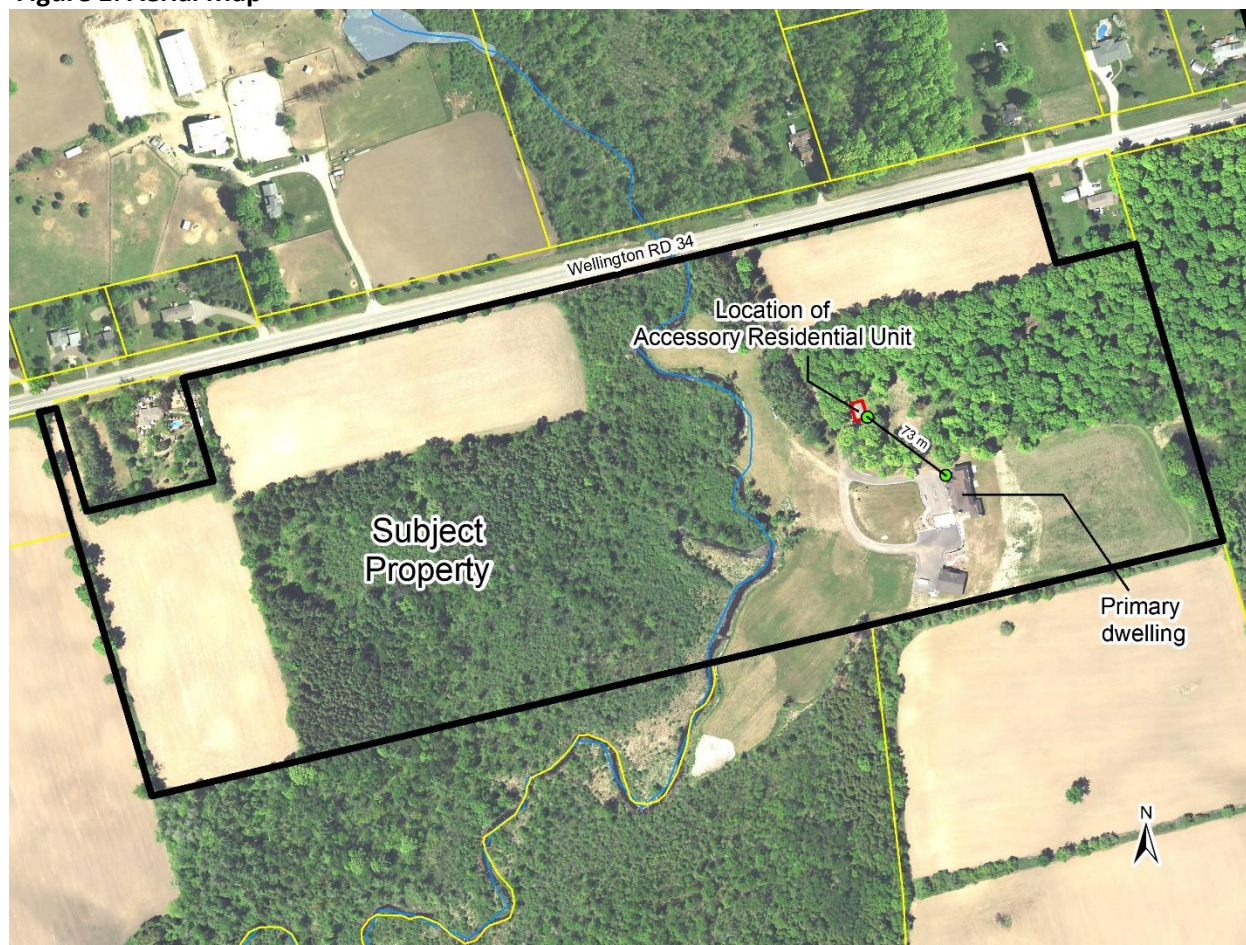
If the committee is satisfied with the application, we suggest the following condition be applied:

1. That the owner obtains a building permit, securities and/or enter in to an agreement with the Township to convert the lower portion of the existing dwelling to a separate use from the dwelling unit.

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

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 and Core Greenlands System, identified features include Slope Hazard and Significant Wooded Area. The Township Zoning By-law permits only one dwelling on a lot with the exception of accessory apartments. The Township Zoning By-law does not have provisions specific to converting existing dwellings to accessory apartments. The original dwelling/accessory apartment is located within an area

	<p>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.</p> <ul style="list-style-type: none"> • 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. • New 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 original intended 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

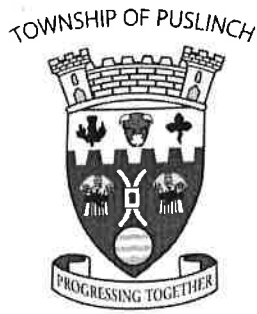


Zach Prince, RPP MCIP, Senior Planner

ATTACHMENT 1

Images submitted by the applicant - Accessory Apartment





Township of Puslinch
7404 Wellington Road #34
Guelph, ON, N1H 6H9
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): Kelly Helena CONTINI

Address: 97 Forest Street

City: Guelph, ON

Postal Code: N1G 1J3

E-mail Address: [REDACTED]

Telephone Number: [REDACTED]

Fax:

Applicant (Agent) Name(s): Jeff Buisman of Van Harten Surveying Inc.

Address: 423 Woolwich Street

City: Guelph

Postal Code: N1H 3X3

E-mail Address: [REDACTED]

Telephone Number: [REDACTED]

Fax: [REDACTED]

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

- Mortgage as in Instrument No. WC449275 & WC601883 with CIBC located at 33 Yonge Street, Box 115, Commerce Court Postal Station, Toronto, ON, M5L 1E5
- Mortgage as in Instrument No. WC602963 with 1138623 Ontario Limited c/o The Roberts Group DLC located at 151 Main Street, 2nd Floor, Unionville, ON, L3R 2G8

Send correspondence to: Owner: ☐ Agent ☒ Other: _____

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

Municipal address: 4660 Nassagaweya-Puslinch Townline

Concession: 11 Lot: 13

Registered Plan Number: _____

Retained Parcel	Area: <u>4.4ha</u> ha	Depth: <u>275m</u> m	Frontage: <u>117m</u> m
	Severed Parcel	<u>0.4ha</u> ac	<u>60m</u> ft

Width of road allowance (if known): 20.12m

Reason for Application:

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

- ☒ Section 45(1) relates to a change to a by-law standard (e.g. setbacks, frontage, height, etc.); or
- ☐ Section 45(2) relates to a change to or expansion of an existing legal non-conforming use.

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

The Minor Variance requests are as follows:

A) To permit a reduced lot frontage of the retained parcel to be 115m instead of 120m as required in Section 11.3, Table 11.2 of the Zoning By-law.

B) To permit a reduced MDSI setback from the severed parcel to the barn on the retained parcel to be 87m instead of 137m as required.

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

Two minor variance requests are being made for the severed and retained parcels of Severance Application B92-20. This application has been approved subject to conditions including the requirement of MDS compliance (Condition 5).

Please see covering letter for more information.

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

Official Plan Designation: Secondary Agricultural, Core Greenlands & Greenlands

Zoning Designation: Agricultural, 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)

Nassagaweya-Puslinch Townline

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

The property is a through lot with frontage along Nassagaweya-Puslinch Townline & Concession Road 11, however the access is from Nass-Puslinch Townline.

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:	Retained Parcel	Severed Parcel
	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 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 checked="" 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? Rural Residential

The abutting properties? Rural Residential / Agricultural

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

See sketch for details

Building Details:	Existing:		Proposed:	
Type of Building(s)/ structures				
Main Building height	m	ft.	m	ft.
*Percentage lot coverage	m	ft.	m	ft.
*Number of parking spaces				
*Number of loading spaces				
Number of floors				
Total floor area	m ²	ft ²	m ²	ft ²
Ground floor area (exclude basement)	m ²	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)

See sketch for details

Building Details:	Existing:		Proposed:	
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: October 2015

Date of construction of buildings property: Many years ago

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

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

Yes ☐ No ☒

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

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 type="checkbox"/>					
Zoning By-Law Amendment	<input type="checkbox"/>	<input type="checkbox"/>					
Plan of Subdivision	<input type="checkbox"/>	<input type="checkbox"/>					
Consent (Severance)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	B92-20	County of Wellington	Lot 13, Con 11	Severance	Approved Subject to Conditions
Site Plan	<input type="checkbox"/>	<input type="checkbox"/>					
Minor Variance	<input type="checkbox"/>	<input 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) Kelly Helena CONTINI (Postma) of the
Township of Puslinch County/Region of
Wellington do hereby authorize

Jeff Buisman of Van Harten Surveying Inc. to act as my agent in this application.

 21/6/2021 | 09:58:11 PDT
 Signature of Owner(s) Date

 Signature of Owner(s) Date

Affidavit:

I (we) Jeff Buisman of Van Harten Surveying Inc. of the
City of Guelph County/Region of
Wellington 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 City of Guelph in the
 County/Region of Wellington this 30 day of
June, 20 21.

 21/6/2021 | 09:58:11 PDT
 Signature of Owner or authorized solicitor or agent Date

Signature of Commissioner

James Michael Laws,
 a Commissioner, etc.,
 Province of Ontario,
 for Van Harten Surveying Inc.
 Expires May 11, 2024

Signature of Commissioner

June 30, 2021
 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.

June 30, 2021

28853-20

Jeff.Buisman@vanharten.com

Township of Puslinch
7404 Wellington Road 34
R.R. #3
Guelph, Ontario
N1H 6H9

Attention: Lynne Banks

Dear Ms. Banks:

**Re: Minor Variance Application & Sketch for Severance Application B92-20
4660 Nassagaweya-Puslinch Townline
Part of Lot 13, Concession 11
PIN 71188-0092
Township of Puslinch**

Please find enclosed an application for a minor variance on the above-mentioned property. Included with this submission are copies of the minor variance sketch, completed application form, required deed, PIN report and map, Source Water Protection Form, MDS Farm Data Sheet, Site Plan, and a cheque in the amount of \$1,241.00 to the Township of Puslinch.

Proposal

Two minor variance requests are being made for the severed and retained parcels of Severance Application B92-20 which has been approved subject to conditions by the County of Wellington Land Division Committee Meeting. The Minor Variance is required to satisfy condition 5 of the approved decision. The Minor Variance requests are as follows:

- A. To permit a reduced lot frontage of the retained parcel to be 115m instead of 120m as required in Section 11.3, Table 11.2 of the Zoning By-law.**
- B. To permit a reduced MDS1 setback from the severed parcel to the barn on the retained parcel to be 87m instead of 137m as calculated.**

The severance creates a rural residential parcel along Nassagaweya-Puslinch Townline with a frontage of 60m, depth of 67m, for an area of 0.4ha where a dwelling is proposed. The retained parcel will have a frontage of 115m, depth 275±m, for an area of 4.4±ha where the existing dwelling and old barn will remain.

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 severed parcel consists of scrub and reforested trees. The severance was originally configured to ensure that the minimum 120m lot frontage zoning requirement of the retained parcel could be met. However, as part of the Environmental Impact Study (EIS) being completed as another condition, we found a small arm of the wetland to protrude closer to the severance than expected. The rear limit of the severance has been moved forward to ensure a minimum 30m setback from the flagged wetland limit. In order to keep the minimum requirement of 0.40 ha, the severance was widened to 60m and the retained parcel was reduced to 115m – slightly less than the 120m requirement in the Zoning By-law. The remaining zoning requirements are met for the retained parcel.

The second variance request is for a reduced MDS 1 for the barn on the retained parcel to the severed parcel. The actual distance is 87m and the calculated distance is 137m. Please note that this calculated distance is based on an empty barn of 269m² and not necessarily a specific type or number of animals.

The upper floor of the bank barn is currently used for storage and a skateboard facility. The lower area was once used for goats but has not been used as such for many years. About ½ of the lower floor has the old stalls and ¼ is used for storage and the remaining ¼ is a workshop. The owners have been considering the possibility of horses for this barn. They provide an opinion that the most that this farm and barn could support is about 8 horses. The MDS requirement would be 86m if the calculation was based on 8 horses rather than the MDS calculation as an empty barn (Guideline #20).

We provide the opinion that the minor variance requests meets the four tests for a minor variance.

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

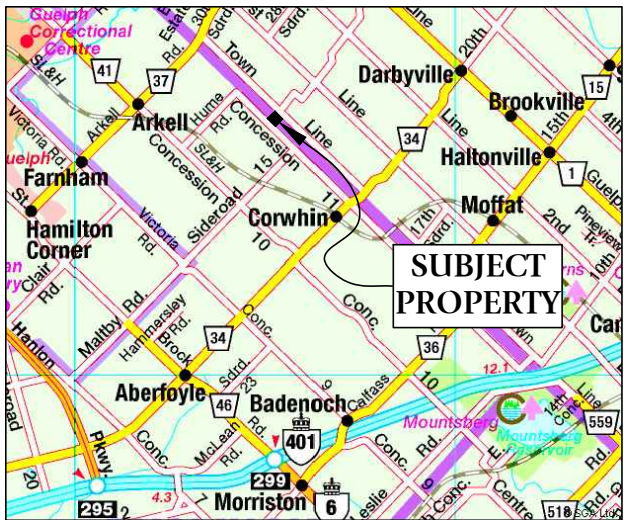
Very truly yours,
Van Harten Surveying Inc.



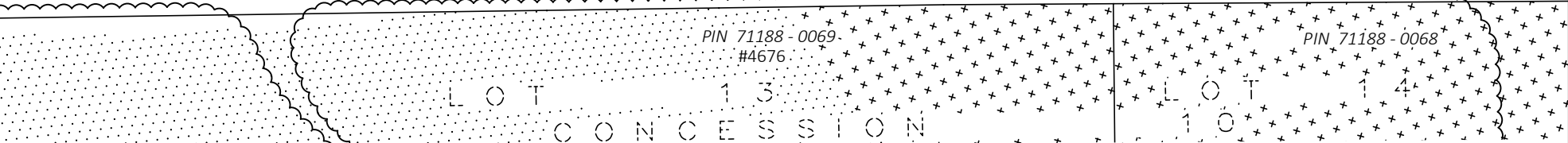
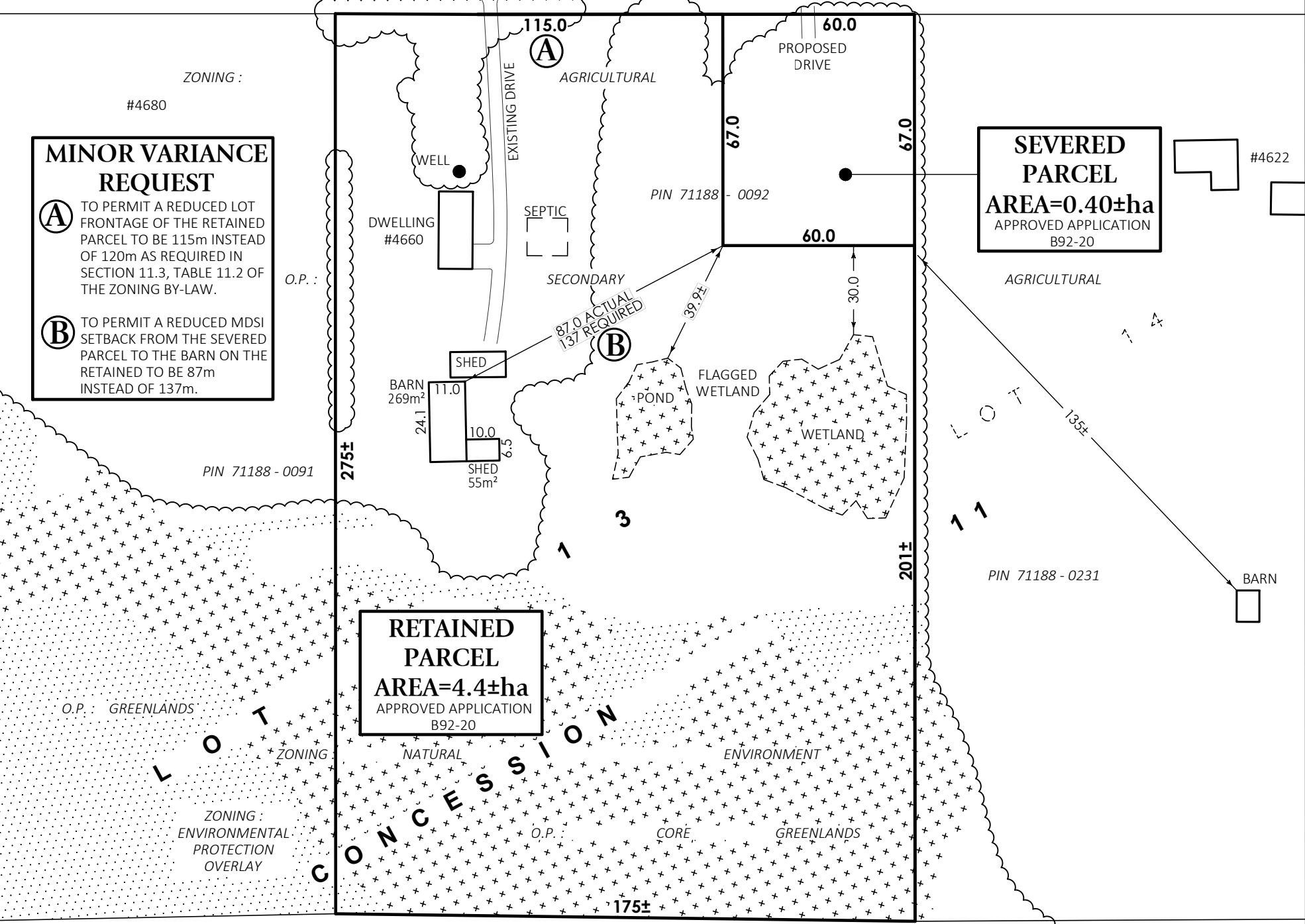
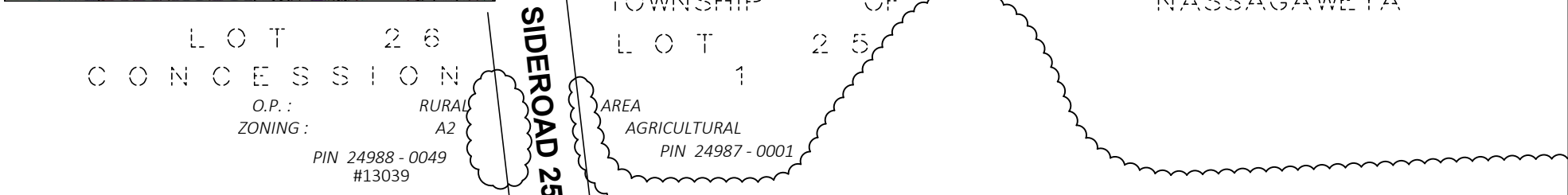
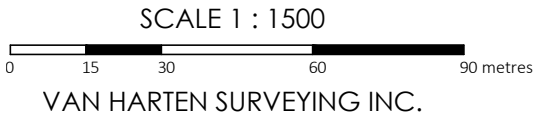
Jeffrey E. Buisman B.E.S, B.Sc.
Ontario Land Surveyor

cc Kelly Postma

KEYMAP



MINOR VAIRANCE SKETCH
PART OF LOT 13, CONCESSION 11
TOWNSHIP OF PUSLINCH
COUNTY OF WELLINGTON



O.P. : GREENLANDS
ZONING: ENVIRONMENTAL PROTECTION OVERLAY

O.P. : CORE GREENLANDS
ZONING : NATURAL ENVIRONMENT

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 AND ENVIRONMENTAL PROTECTION OVERLAY.
3. SUBJECT LANDS HAVE A COUNTY OFFICIAL PLAN DESIGNATION OF SECONDARY AGRICULTURAL, CORE GREENLANDS 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. PROPERTY OWNER: KELLY CONTINI.

JEFFREY E. BUISMAN
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. 28853-20

Jun 29, 2021-12:16:28 PM

G:\PUSLINCH\Con11\ACAD\MV LOT 13 (POSTMA) UTM.dwg

LEGEND:

—□— DENOTES SURVEY MONUMENT SET
—■— DENOTES SURVEY MONUMENT FOUND
SIB DENOTES .025 x .025 x 1.20 STANDARD IRON BAR
IB DENOTES .015 x .015 x 0.60 IRON BAR
375 DENOTES BLACK, SHOEMAKER et. al., O.L.S.'s
VH DENOTES VAN HARTEN SURVEYING INC., O.L.S.'s
P1 DENOTES SURVEY BY (375), PROJ. No. 72-2920, JULY 14, 1972

OVERHEAD HYDRO — OH — OH — OH —
SANITARY SEWER — SW — SW — SW —
WATERMAIN — WM — WM — WM —
STORM SEWER — SS — SS — SS —
FENCELINE — X — X — X —
CENTRELINE OF ROAD — — — —
TOP OF SLOPE — — — —

DIRECTION OF FLOW — — — —
SILT FENCE — — — —
TREE PROTECTION FENCE — TPF — TPF —

DECK GRAVEL CONCRETE ASPHALT BUILDING

EXISTING ELEVATION x 330.96
PROPOSED ELEVATION x (330.96)
HYDRO POLE — HP —
GUY WIRE — GW —
LIGHT STANDARD — LS —
GATE — — — —
DECIDUOUS TREE — — — —
CONIFEROUS TREE — — — —

HYDRO METER — HM —
GAS METER — GM —
CATCHBASIN — CB —
MANHOLE — MH —
SIGN — — — —

BEARING AND COORDINATE NOTE:

1. BEARINGS ARE GRID BEARINGS AND ARE DERIVED FROM GPS OBSERVATIONS AND ARE REFERRED TO THE UTM PROJECTION, ZONE 17, NAD 83 (CSRS-2010) ADJUSTMENT.

2. DISTANCES SHOWN ON THIS PLAN ARE ADJUSTED GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY AN AVERAGED COMBINED SCALE FACTOR OF 0.99963297.

3. COORDINATES ON THIS PLAN ARE UTM, ZONE 17, NAD83 (CSRS-2010) ADJUSTMENT AND ARE BASED ON GPS OBSERVATIONS FROM A NETWORK OF PERMANENT GPS REFERENCE STATIONS.

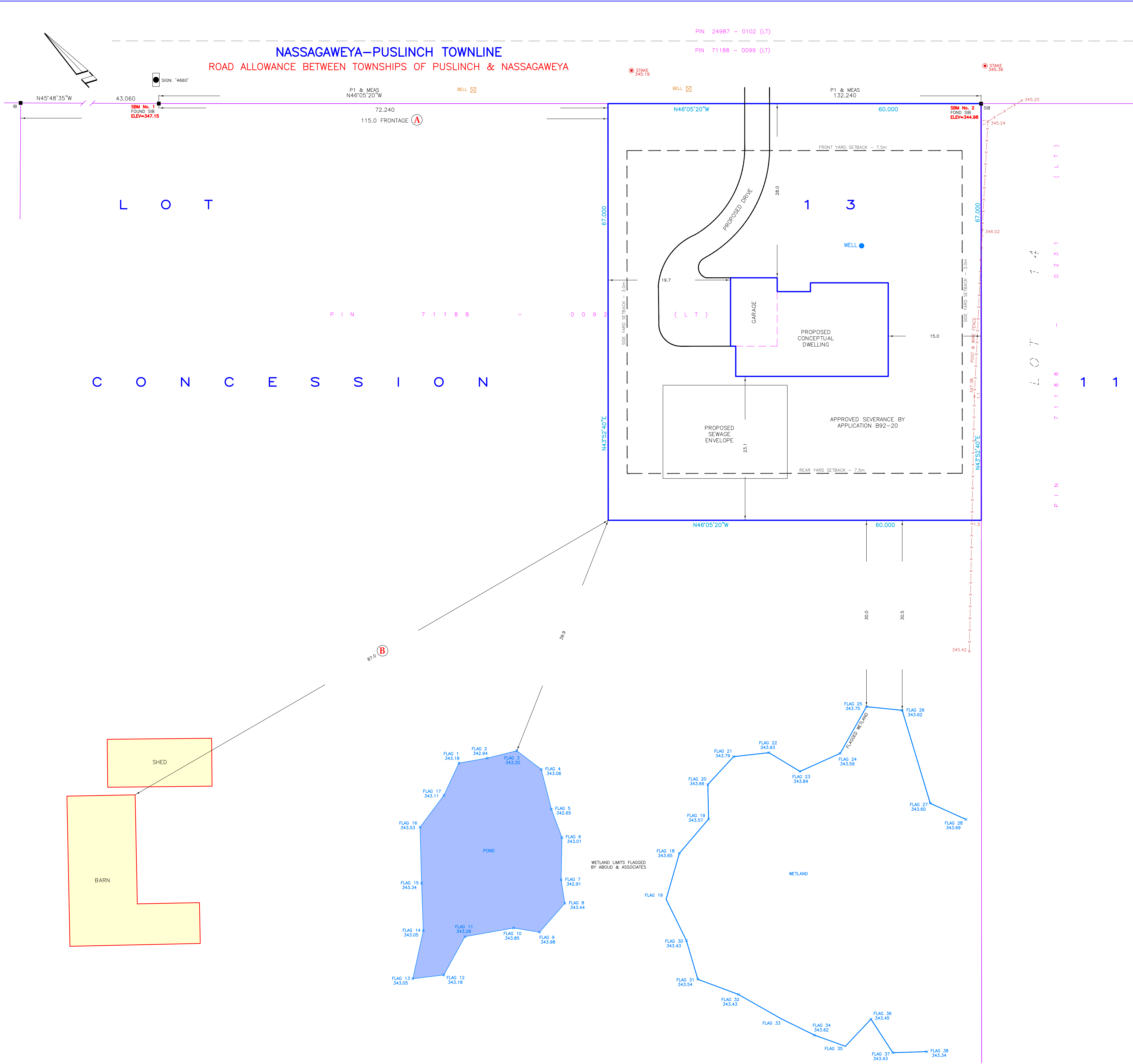
BEARING COMPARISONS:

FOR THE PURPOSES OF BEARING COMPARISONS, PREVIOUS SURVEYS HAVE BEEN ROTATED TO UTM BEARINGS BY THE ANGLES SHOWN BELOW.

PLANS	ROTATION FOR NORTHEAST BEARINGS
P1	-1°05'20"

CALL BEFORE YOU DIG

THE LOCATION OF SERVICES ON THIS DRAWING ARE ONLY APPROXIMATE AND BASED ON SURFACE FEATURES LOCATED AT THE TIME OF THE TOPOGRAPHIC SURVEY. PRIOR TO ANY CONSTRUCTION IT IS THE RESPONSIBILITY OF THE CONTRACTOR/BUILDER TO ENSURE THE EXACT LOCATION OF ALL UTILITIES.



KEYMAP:



SUBJECT PROPERTY

PROPERTY DESCRIPTION:

- PART OF PIN 71188-0092 (LT)
- PART OF LOT 13, CONCESSION 11; AS IN INSTRUMENT ROS171962
- TOWNSHIP OF PUSLINCH

ZONING: AGRICULTURAL (A) REQUIRED

- | REQUIRED | PROPOSED |
|-----------------------------------|--------------|
| • MINIMUM LOT AREA = 0.4 ha | • (0.406 ha) |
| • MINIMUM LOT FRONTAGE = 25m | • (m) |
| • MINIMUM FRONT YARD = 7.5m | • (m) |
| • MINIMUM INTERIOR SIDE YARD = 3m | • (m) |
| • MINIMUM REAR YARD = 7.5m | • (m) |
| • MAXIMUM LOT COVERAGE = 30% | • (%) |

PROPOSED DWELLING:

- | | |
|----------------------|-------|
| TOP OF FOUNDATION | = () |
| UNDERSIDE OF FOOTING | = () |
| BASEMENT FLOOR | = () |
| FINISHED FLOOR | = () |
| GARAGE CUT | = () |

- NOTES:
- GARAGE SLAB SLOPE REQUIRED.
 - FOUNDATION WALLS.

MINOR VARIANCE REQUESTS

- (A) REDUCED LOT FRONTAGE OF 115.0m VS. 120m (SECTION 11.3, TABLE 11.2, ROW 2)
- (B) MDS TO BARN TO BE 87m VS. 137m (SECTION 4.16)

SURVEY INFORMATION:

BENCHMARK REFERENCE:
ELEVATIONS ARE BASED ON GPS OBSERVATIONS FROM PERMANENT REFERENCE STATIONS IN THE NAD83 (CSRS-2010) COORDINATE SYSTEM, WITH HEIGHTS CONVERTED TO ORTHOMETRIC ELEVATIONS ON THE CGVD28 DATUM (1978 ADJUSTMENT) WITH GEOID MODEL HTV2.0, AS SUPPLIED BY NATURAL RESOURCES CANADA.

- SITE BENCHMARK:**
- FOUND SIB WEST OF NORTHWEST CORNER OF SUBJECT PROPERTY HAVING AN ELEVATION OF 347.15 METRES.
 - FOUND SIB ON NORTHEAST CORNER OF SUBJECT PROPERTY HAVING AN ELEVATION OF 344.98 METRES.

TOPOGRAPHIC SURVEY DATE:
THIS TOPOGRAPHIC SURVEY WAS COMPLETED ON THE 26th DAY OF APRIL, 2021.

CAUTION: - THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES.
- THIS SKETCH IS PROTECTED BY COPYRIGHT. ©

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

SITE PLAN FOR:
PART OF LOT 13, CONCESSION 11
TOWNSHIP OF PUSLINCH
COUNTY OF WELLINGTON

DRAWING REVISION SCHEDULE

NO.	REVISION	DATE
0	INITIAL SUBMISSION FOR EIS & MINOR VARIANCE	JUNE 22, 2021

PREPARED FOR: KELLY POSTMA

PROJECT No. 28853-20

DRAWING SCALE 1 : 300

0 5 10 15 meters



Kitchener/Waterloo Ph: 519-742-8371 Guelph Ph: 519-821-2763 Orangeville Ph: 519-940-4110

www.vanharten.com info@vanharten.com

DRAWN BY: S.A.P. DESIGNED BY: W.V. CHECKED BY: J.E.B.

Jun 29, 2021-10:42am G:\PUSLINCH\Con11\ACAD\SITE\PTLOT 13 (POSTMA) UTM2010.dwg



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

Kelly Postma

Contact Information

Email

Civic Address

4660 Nass-Paslinch 1/2

Telephone

Municipality

Lot

13

Concession

11

Division

Lot Size (where livestock facility is located)

4.4

hectares

acres

Signature of Livestock Facility Owner

Date

Oct. 8, 2020

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

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)		

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)	200 *	V3
Chickens	Layer hens (for eating eggs; after transfer from pulletbarn)		
	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

* consideration is being made to use barn for horses — to a maximum of 8.

* Barn is not suitable for animals; old stalls exist, but 1/2 the main basement was converted to a work shop. The amount of 200 goats was based on a goat farmer's expectation of capacity. Barn would need significant renovations to resume animals in the barn.

Drinking Water Source Protection Screening Form

Office Use Only

Roll Number: _____

File Number: _____

Submission Date: _____

WHPA, IPZ, ICA: _____

Vulnerability Score: _____

For assistance in completing this form, please refer to the “Explanatory Guide” beginning on page 5.

1. Property Information

Municipal Address of Subject Property: **4660 Nass-Puslinch Townline, Puslinch**

Property Owner: **Kelly Contini/Postma**

2. Proposal (Please check all that apply to this application):

	Building
	New Structure
	Expansion or Conversion of an Existing Structure
	New or Replacement Septic System
	New Well (Transport Pathway)
	Geothermal System (Transport Pathway)
	Change of Use

	Planning
	Minor Variance
	Official Plan Amendment
X	Consent Application
	Zoning By-law Amendment Application
	Subdivision/Condominium Application
	Site Plan Application

Brief Description of the Proposed Use of Land, Proposed Buildings or Structures

Two minor variance requests are being made for the severed and retained parcels of the Severance Application B92-20 that has been approved subject to conditions. This is to satisfy Condition 5 of the approved application. The Minor Variance requests are as follows:

A) To permit a reduced lot frontage of the retained parcel to be 115m instead of 120m as required in Section 11.3, Table 11.2 of the Zoning By-law.

B) To permit a reduced MDSI setback from the severed parcel to the barn on the retained parcel to be 87m instead of 137m as required.

A new dwelling is proposed for the severed parcel.

3. Potential Threat Activities Associated with the Application

Please check all applicable activities that may be associated with the development proposal:

3.1 Fuel Handling and Storage greater than 250 litres

- ☐ Liquid fuel (i.e. gasoline or diesel)
- ☐ Fuel oil (home heating)
- ☐ Waste oil (heating)

3.2 Chemical Handling and Storage

- ☐ Paints and other coatings (including stains, enamels, lacquers, rust paint)
- ☐ Dry cleaning chemicals
- ☐ Automotive repair/maintenance and/or industrial manufacturing and processing (e.g. degreasers, automotive fluids, oils, furniture stripping products, chemical solvents, adhesives)
- ☐ Solvent based degreasers or liquids for washing metal parts

If yes to any of the above, please indicate the type(s) of chemicals if known:

- ☐ 3.2.1 Dense Non-Aqueous Phase Liquids (DNAPLs), including chlorinated solvents
- ☐ 3.2.2 Organic Solvents

3.3 Road Salt Application and/or Outdoor Storage

- ☐ Road salt storage, outside > 5,000 tonnes
- ☐ Road salt application in a parking lot

☐ 3.4 Snow Storage (see guide)

3.5 Waste Storage or Disposal (see guide)

- ☐ 3.5.1 Storage of raw, untreated liquids and solids that are pumped out of septic systems and holding tanks (not including septic tanks)
- ☐ 3.5.2 Storage and/or disposal of oils; hazardous waste; liquid industrial waste; industrial and commercial waste; or PCB waste (does not include restaurant oil or grease)

3.6 Storm Water Management/Industrial Sewage

- ☐ Stormwater management facility (treatment, retention, infiltration or control of stormwater)

- ☐ Car or truck washing facility
- ☐ Oil and Water Separator
- ☐ Sediment control (ie Stormceptor)

3.7 Septic Systems

- ☒ Septic system for residential or small-scale commercial/industrial/institutional use **EXISTING**
- ☐ Septic system (Greater than 10,000 litres per day) for commercial/industrial/institutional use (note an Environmental Compliance Approval would be required)

3.8 Agricultural / Commercial

- ☐ 3.8.1 Application, handling and storage of fertilizers and / or pesticides
- ☐ 3.8.2 Application, handling and storage of agricultural source material (i.e. manure)
- ☐ 3.8.3 Application, handling and storage of non-agricultural source material (e.g. biosolids, commercial food wastes, etc.)
- ☐ 3.8.4 Grazing and pasturing of livestock
- ☐ 3.8.5 Nutrient Management Plan or Strategy applies to property

3.9 Water Taking

- ☒ 3.9.1 Private well (existing or new) **EXISTING**
- ☐ 3.9.2 Greater than 50,000 litres per day of water being used (note a Permit to Take Water would be required)
- ☐ **3.10 Recharge Reduction – creation of impervious surfaces (including large roofed areas, pavement) – only applies within Town of Erin**
- ☒ **3.11 Transport Pathway (see guidance includes wells, aggregate pits, geothermal systems)**
- ☐ **None of the above are applicable**

4. Declaration (Owner or Applicant) or Person Engaged in Activity

Owner

I, _____, declare that the information contained in this application and all attached documentation is true to the best of my knowledge.

Date

Signature

Applicant or Authorized Agent

I, Jeff Buisman of Van Harten Surveying Inc., declare that the information contained in this application and all attached documentation is true to the best of my knowledge.

June 30, 2021
Date


Signature

Information is collected pursuant to the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56 and the *Clean Water Act*, 2006, S.O. 2006, c. 22 for the administration and enforcement of the *Clean Water Act*. Please note that business identity information is not considered personal information pursuant to the *Municipal Freedom of Information and Protection of Privacy Act*.

For any inquiries about the collection of this information, please contact the Risk Management Official, Wellington Source Water Protection, 7444 Wellington Road 21, Elora, ON, N0B 1S0, 519-846-9691 ext. 362.

Explanatory Guide for Completing the Drinking Water Source Protection Screening Form

Your property is located within a municipal well head protection area or intake protection zone and therefore may be subject to the *Clean Water Act*, 2006. The Wellhead Protection Area (WHPA) is the area around a municipal well where land use activities have the potential to affect the quality and quantity of water that flows into the wellhead. For more information, refer to www.wellingtonwater.ca or contact 1-844-383-9800.

To assist staff in determining whether your property and/or application is subject to the Act, the Drinking Water Source Protection Screening Form is completed to inventory the activities that are proposed on your property. The following sections explain the form.

Section 1 – Property Information:

Please fill out the municipal address and property owner for the subject property.

Section 2 – Proposal:

Please check all that apply to the application and provide a brief explanation of the proposed development

Section 3 – Potential Threat Activities Associated with Proposed Application:

Within this section please check all that apply to your application.

3.1 Liquid Fuel Handling and Storage:

Check the box if on the property there is liquid fuel storage or handling greater than 250 litres (1 gal = 3.785 L). This can be located in land uses for residential, agricultural, gas, commercial, industrial or institutional purposes and includes gasoline, diesel or home heating oil. It does not include propane or natural gas.

3.2 Chemical Handling and Storage:

Check box if the application is regarding one of the listed chemical handling or storage activities on the form.

3.2.1 Known DNAPLs:

Check box only if applicant is aware of a Dense Non-Aqueous Phase Liquid (DNAPLs) on the property. DNAPLs are chemicals that are denser than water and therefore have the ability to contaminate the groundwater easily. The specific DNAPLs that pose a potential threat are poly-aromatic hydrocarbons (PAHs), 1, 4-dioxane, trichloroethylene, tetrachloroethylene or perchloroethylene (PCE or PERC) and Vinyl Chloride.

- **Vinyl Chloride:** Used to make polyvinyl chloride (PVC) pipes, wire coatings, vehicle upholstery and plastic kitchen ware
- **PAHs:** Used in wood preservatives, pharmaceuticals, dyes and asphalt products.
- **1,4-dioxane:** Used as a degreasing solvent or solvent stabilizer in various manufacturing processes.
- **Tetrachloroethylene** (PCE or PERC): Used in dry cleaning, metal cleaning and as an intermediate in manufacturing processes.

- **Trichloroethylene (TCE):** Mainly used for degreasing of metal parts in the automotive and metal industries and also found in some household products such as adhesives, paint removers, paints, rug cleaning fluids, and metal cleaners.

3.2.2 Known Organic Solvents:

Check box if the applicant is aware of Organic Solvents on the property. Organic Solvents are liquid organic compounds with the ability to dissolve solid, gases or liquids and therefore have the ability to contaminate drinking water sources. Organic Solvents that are of potential concern include Carbon Tetrachloride, Chloroform, Dichloromethane and Pentachlorophenol (PCP).

- **Carbon Tetrachloride:** Once used widely in fire extinguishers, as a cleaning agent, in the manufacture of refrigerants as well as an industrial solvent and metal degreasing agent is a banned substance in Ontario since 1999. The only permitted uses of the chemical are in research laboratories or in the manufacturing process where the product is converted to an alternative product which does not contain a class of ozone-depleting substances.
- **Chloroform:** commonly used in a laboratory setting, and in the production of pharmaceuticals, dyes and pesticides.
- **Dichloromethane** (also known as methylene chloride): used as a solvent in paint strippers and removers. It is used as a process solvent in the manufacture of drugs, pharmaceuticals and film coatings. It is also used as a metal cleaning and finishing solvent in electronics manufacturing, aerosol propellant and as an agent in urethane foam blowing.
- **Pentachlorophenol (PCP):** used as an herbicide, insecticide, fungicide, algicide and disinfectant, and as an ingredient in antifouling paint. Its use has significantly declined due to its high toxicity. Today it is used industrially as a wood preservative and is not manufactured in Canada.

3.3 Road Salt Application, Handling and Storage:

Check the appropriate box if there will be outdoor, road salt storage greater than 5,000 tonnes or road salt application in a parking lot. Please note it is extremely unlikely that any application will have outside road salt storage greater than 5,000 tonnes.

Please check the appropriate box if salt will be applied to a parking lot.

3.4 Snow Storage:

Check box if there will be below grade (buried) snow storage on the property greater than 0.01 hectare (0.03 acre or 10 metres by 10 metres) or above grade snow storage of greater than 1 hectare (2.5 acres or 100 metres by 100 metres). For reference, 0.01 hectare is roughly a double driveway and 1 hectare is roughly two soccer fields.

3.5.1 Waste Storage or Disposal - Septic Tank Pump outs

Check box only if application is involved in the pumping out or disposal/treatment of raw sewage or septage, porta potties or holding tanks.

3.5.2 Waste Storage or Disposal - Storage and/or Disposal of Hazardous Waste:

Check box if there is hazardous waste or liquid industrial waste stored on the property including waste oil, solvents, and automotive fluids. Please note storage or disposal of oil does not include restaurant oil or grease. Storage of hazardous waste or liquid industrial waste includes wastes requiring registration with the Ontario Hazardous Waste Information Network (HWIN), if applicable. Disposal of

waste on site includes landfilling and incineration. Typically, this will only be at commercial or industrial properties.

3.6 Storm Water Management/Industrial Sewage:

Check box if one of the listed storm water management or industrial sewage activities is planned or present. For reference, a storm water management facility may include a retention or detention pond (wet or dry), catch basins, sediment control, swales and ditches.

3.7 Septic Systems:

Check box if the property will be serviced by a septic system.

3.8.1 Agricultural - Application, handling and storage of fertilizers and pesticides:

Check box if there is storage or use of fertilizer or pesticides for agricultural or commercial use. Do not check the box if used only for personal use.

3.8.2 Agricultural - Application, handling and storage of agricultural (i.e. manure) and/or 3.8.3 non-agricultural source material (bio solids):

Check corresponding box if there is application, handling or storage of Agricultural Source Material (ASM) (manure) or Non-Agricultural Source Material (NASM) on the property. ASM and NASMs include; manure (ASM) and biosolids, commercial food waste, etc. For more information on NASMs and ASMs please look at fact sheet number 4, available on our website, www.wellingtonwater.ca

3.8.4 Agricultural - Grazing and pasturing of livestock:

Check box if there is any grazing, pasturing or housing of one or more livestock on the property excluding household pets. Livestock can include cows, horses, sheep, goats and other animals. If unsure, please contact Wellington Source Water Protection for clarification.

3.9.1 Water Taking - Private well installed:

Check box if there is a well present or being installed on the property. This includes private drinking water wells, environmental test wells, geotechnical wells, irrigation wells etc.

3.9.2 Water Taking - Greater than 50,000 litres per day

Check box if more than 50,000 litres per day is being withdrawn from a well or a water body(1 gal = 3.785 gal).

3.10 Recharge Reduction:

Check box if there is going to be an increase in impervious surfaces on the property. For example, asphalt (driveways and parking areas) and covered areas (roofs, decks and structures). If building within current building envelope then it is not an increase. Please note this box only applies within the Town of Erin.

3.11 Transport Pathway

Transport pathways are human constructed pathways through soil and bedrock that may increase the vulnerability of groundwater to certain contaminants. Please check this box if your application will be installing a vertical geothermal system, installation of caissons or building piers for a non-residential application, aggregate project, installation of utilities or excavation within fractured bedrock or involves a drilling project (i.e. installation of private wells (dug or drilled), environmental or geotechnical test wells and/or boreholes). If the Water Taking – Private Well box was checked, please check the Transport Pathway box as well.

3.12 None Applicable:

Check if none of the above sections in Part 3 are applicable to the application.

Section 4 - Declaration:

Either the owner or the applicant must sign and date the form.

From: [Brent Smith](#)
To: [Justine Brotherston](#)
Subject: RE: D13-CON Minor Variance - Notice of Public Hearing - 4660 Nassagaweya-Puslinch TL - Contini
Date: Friday, July 23, 2021 9:30:12 AM
Attachments: [image001.jpg](#)

Hi Justine,

Puslinch Fire and Rescue Services reviewed the minor variance application for 4660 Nassagaweya on July 23, 2021. Please be advised that the department has no concerns with the proposal.

Brent Smith

CFPO

Puslinch Fire and Rescue Services

From: Justine Brotherston <jbrotherston@puslinch.ca>

Sent: Wednesday, July 21, 2021 11:58 AM

To: executivevp.lawanddevelopment@opg.com; landuseplanning@hydroone.com; LPUConsents@mpac.ca; ONTLands@enbridge.com; proximity@cn.ca; Tyler.Shantz@Ontario.ca; Deborah Turchet <debt@wellington.ca>; donnab@wellington.ca; Hurania Melgar <huraniam@wellington.ca>; Jenn Simons <jsimons@grandriver.ca>; ammendolia@watsonecon.ca; valenti@watsonecon.ca; tracy.mclennan@wellingtoncdsb.ca; planification@csvgamonde.ca; Planning.Info@ugdsb.on.ca; Source Water <sourcewater@centrewellington.ca>; Access Halton <accesshalton@halton.ca>; kstroud@growmark.com; Allan.Hodgins@ontario.ca; Engineering.Admin@ontario.ca; Operations.Admin@ontario.ca; Corridor Admin (MTO) <Corridor.Admin@ontario.ca>; rowcentre@bell.ca; Heritage Committee <Heritage@puslinch.ca>; townclerk@milton.ca; planning@milton.ca; catherine.susidko@milton.ca; regionalclerk@halton.ca; Andrew Hartholt <ahartholt@puslinch.ca>; Brent Smith <bsmith@puslinch.ca>; Mike Fowler <mfowler@puslinch.ca>; Building <building@puslinch.ca>

Cc: Jeff Bunn <jbunn@puslinch.ca>; Lynne Banks <lbanks@puslinch.ca>

Subject: D13-CON Minor Variance - Notice of Public Hearing - 4660 Nassagaweya-Puslinch TL - Contini

Attached please find a Notice of Public Hearing with respect to the above matter. Please review and provide any comments by August 3rd, 2021.



From: [Andrew Hartholt](#)
To: [Justine Brotherston](#)
Subject: RE: D13-CON Minor Variance - Notice of Public Hearing - 4660 Nassagaweya-Puslinch TL - Contini
Date: Tuesday, August 03, 2021 8:29:15 AM
Attachments: [image002.jpg](#)
[image003.jpg](#)

No comments from a Building Code perspective.

Andrew Email Signature



From: Justine Brotherston <jbrotherston@puslinch.ca>
Sent: Wednesday, July 21, 2021 11:58 AM
To: executivevp.lawanddevelopment@opg.com; landuseplanning@hydroone.com; LPUConsents@mpac.ca; ONTLands@enbridge.com; proximity@cn.ca; Tyler.Shantz@Ontario.ca; Deborah Turchet <debt@wellington.ca>; donnab@wellington.ca; Hurania Melgar <huraniam@wellington.ca>; Jenn Simons <jsimons@grandriver.ca>; ammendolia@watsonecon.ca; valenti@watsonecon.ca; tracy.mclennan@wellingtoncdsb.ca; planification@csmiamonde.ca; Planning.Info@ugdsb.on.ca; Source Water <sourcewater@centrewellington.ca>; Access Halton <accesshalton@halton.ca>; kstroud@growmark.com; Allan.Hodgins@ontario.ca; Engineering.Admin@ontario.ca; Operations.Admin@ontario.ca; Corridor Admin (MTO) <Corridor.Admin@ontario.ca>; rowcentre@bell.ca; Heritage Committee <Heritage@puslinch.ca>; townclerk@milton.ca; planning@milton.ca; catherine.susidko@milton.ca; regionalclerk@halton.ca; Andrew Hartholt <ahartholt@puslinch.ca>; Brent Smith <bsmith@puslinch.ca>; Mike Fowler <mfowler@puslinch.ca>; Building <building@puslinch.ca>
Cc: Jeff Bunn <jbunn@puslinch.ca>; Lynne Banks <lbanks@puslinch.ca>
Subject: D13-CON Minor Variance - Notice of Public Hearing - 4660 Nassagaweya-Puslinch TL - Contini

Attached please find a Notice of Public Hearing with respect to the above matter. Please review and provide any comments by August 3rd, 2021.



From: [Source Water](#)
To: [Justine Brotherston](#)
Cc: [Source Water](#)
Subject: RE: D13-CON Minor Variance - Notice of Public Hearing - 4660 Nassagaweya-Puslinch TL - Contini
Date: Thursday, July 22, 2021 10:47:55 AM
Attachments: [image001.jpg](#)
[WHPA_Map_Nassagaweya_4660.pdf](#)

Hi Justine,

Thank you for providing the above referenced application for review. Since this property is located in a vulnerable area (wellhead protection area, issues contributing area, intake protection zone etc.), but the activity(ies), as indicated, would not create a significant drinking water threat, the application can be screened out and it does not require a Section 59 notice under the *Clean Water Act*.

I have attached a map showing the property and Wellhead Protection Areas for your reference.

If you have any further questions regarding this application, or in the event of any technical problem with the email or attachments, please contact me.

Emily Vandermeulen | Risk Management Inspector

Wellington Source Water Protection | 7444 Wellington Road 21, Elora, ON, N0B 1S0
519.846.9691 x365 | evandermeulen@centrewellington.ca | www.wellingtonwater.ca
Toll free: 1.844.383.9800

Wellington Source Water Protection's offices are located in the Township of Centre Wellington offices. Centre Wellington is now in Step Three of the Province's [roadmap to reopening](#), a three-step plan to safely and cautiously reopen the province and gradually lift public health restrictions.

Although some Township facilities remain closed to the public, many departments are offering most services electronically and scheduling appointments for services that cannot be delivered remotely. With the proper protocols in place, we are working to deliver services in a timely manner, however, you may still experience some delays or disruptions.

For a complete update on facility hours and operations and programs and services available by pre-registration or appointment only, visit the Township's website at www.centrewellington.ca/emergencyplanning and our social media platforms, www.facebook.com/CentreWellington and Twitter www.twitter.com/CentrWellington

From: Justine Brotherston [<mailto:jbrotherston@puslinch.ca>]

Sent: July 21, 2021 11:58 AM

To: executivevp.lawanddevelopment@opg.com; landuseplanning@hydroone.com; LPUConsents@mpac.ca; ONTLands@enbridge.com; proximity@cn.ca; Tyler.Shantz@Ontario.ca; Deborah Turchet <debt@wellington.ca>; donnab@wellington.ca; Hurania Melgar <huraniam@wellington.ca>; Jenn Simons <jsimons@grandriver.ca>; ammendolia@watsoncon.ca; valenti@watsoncon.ca; tracy.mclennan@wellingtoncdsb.ca; planification@csviamonde.ca; Planning.Info@ugdsb.on.ca; Source Water <sourcewater@centrewellington.ca>; Access Halton <accesshalton@halton.ca>; kstroud@growmark.com; Allan.Hodgins@ontario.ca; Engineering.Admin@ontario.ca; Operations.Admin@ontario.ca; Corridor Admin (MTO) <Corridor.Admin@ontario.ca>; rowcentre@bell.ca; Heritage Committee <Heritage@puslinch.ca>; townclerk@milton.ca; planning@milton.ca; catherine.susidko@milton.ca; regionalclerk@halton.ca; Andrew Hartholt <ahartholt@puslinch.ca>; Brent Smith <bsmith@puslinch.ca>; Mike Fowler <mfowler@puslinch.ca>; Building <building@puslinch.ca>

Cc: Jeff Bunn <jbunn@puslinch.ca>; Lynne Banks <lbanks@puslinch.ca>

Subject: D13-CON Minor Variance - Notice of Public Hearing - 4660 Nassagaweya-Puslinch TL - Contini

Attached please find a Notice of Public Hearing with respect to the above matter. Please review and provide any comments by August 3rd, 2021.



Township of Puslinch
7404 Wellington Rd 34, Puslinch, ON N0B 2J0
P 519 763-1226 F 519-763-5846
www.puslinch.ca

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PLANNING REPORT for the TOWNSHIP OF PUSLINCH

Prepared by the County of Wellington Planning and Development Department in our capacity as planning consultants for the Township

MEETING DATE: August 10, 2021
TO: Lynne Banks, Development and Legislative Coordinator
Township of Puslinch
FROM: Joanna Salsberg, Planner
County of Wellington
SUBJECT: **MINOR VARIANCE APPLICATION D13/CON (Kelly Helena Contini)**
4660 Nassagaweya-Puslinch Townline
Part Lot 13 Concession 11
ATTACHMENTS: **1 – Aerial with MDS setbacks and Frontage**
2 – Applicant Review Letter

We have reviewed the application for minor variance and provide the following comments. These comments are offered with the benefit of a site visit on July 28th 2021.

Planning Opinion

The purpose of this application is to seek relief from the Township Zoning By-law for the Minimum Distance Separation I (MDS I) requirements and the minimum required lot frontage within the Agricultural (A) Zone to fulfill a condition of consent (County Consent Application B92/20). This consent application was conditionally approved in January 2021. The consent application would sever a vacant 0.4 ha (1 ac) parcel and a 4.4 ha (10.9 ac) parcel containing a dwelling, associated servicing, a barn, and shed would be retained.

Minimum Distance Separation I (MDS I)

The applicant requires a setback reduction to the livestock structure located on the retained lands. The subject minor variance application would seek relief from Section 4.16.1 of the Zoning By-law and the MDS I setback requirement of 137 m (449.5 ft) to allow a reduced setback of 87 m (285.4 ft). As part of the related consent application, MDS was reviewed by the County Planner. As the barn on the retained lands is currently unoccupied, MDS I calculations were completed using Guideline #20 within the MDS Guideline Document (Publication 853). Although the barn is currently empty and used for personal storage, the applicant has expressed an interest in potentially introducing up to eight (8) horses within the barn.

Minimum Required Lot Frontage

The applicant requires relief from section 11.3 (Table 11.2) of the Zoning By-law to permit a reduction in the minimum required lot frontage for the retained lands. A lot frontage of 115 m (377.3 ft) is proposed, whereas a lot frontage of 120 m (393.7 ft) is required for properties greater than 4 ha (9.9 ac) in size. The proposed vacant lot meets the minimum lot frontage and area requirements of the By-law. Based on the proposed reduction, planning staff have no concerns with the relief from the required minimum lot frontage requirements for the retained lands.

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

Section of the By-law	Required	Proposed	Relief Requested
1. 4.16.1 - Minimum Distance Separation – New Non-Farm Uses	4.16.1 MDI I - New Non-Farm Uses a. Notwithstanding any other yard or setback provisions of this By-law to the contrary, no residential, institutional, commercial, industrial or recreational use, located on a separate lot and permitted within the Agricultural (A) Zone or any other zone in which agricultural uses are permitted, shall be erected or altered unless it complies with the Minimum Distance Separation I (MDS I) setback from a livestock facility, calculated using the Formulas published by the Province of Ontario, as may be amended from time to time.	87 m (285.4 ft) instead of the required 137 m (449.5 ft)	50 m (164.0 ft)
2. 11.3 Zone Requirements Table 11.2 Agricultural Zone Standards	11.3 Zone Requirements, Table 11.2 Agricultural Zone Standards Minimum Required Lot Frontage 120 m	115 m (377.3 ft)	5 m (16.4 ft)

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"> • Consent application B92-20 has been conditionally approved and this application is to satisfy Condition 5 for MDS I regulation setback relief. • Planning staff are satisfied the proposed severed lot meets MDS I setback requirements from neighbouring properties, but does not meet the setback requirements for the (unoccupied) barn on the retained lands. • MDS I setbacks are measured as the shortest distance between the proposed lot line and either the surrounding livestock occupied portions of the livestock barns and manure storages. • The barn on the subject property is currently used for storage purposes. • Guideline #20 provides the requirements for calculating MDS I setbacks for unoccupied livestock barns. An unoccupied livestock barn does not currently house any livestock, but did house livestock in the past and continues to be structurally sound and reasonably capable of housing livestock. The intent of Guideline #20 is to take into account future livestock facility capacity while also considering uncertain odour potential when the type of livestock to be housed is unknown. • The applicant has indicated that they are considering using the livestock facility for 8 horses. For a barn containing 8 medium-framed horses with solid outside manure storage with no cover, the MDS I setback is 86 m (283 ft) from the livestock barn and manure storage. The estimated livestock barn area for 8 medium-framed horses is 186m². The existing barn was reviewed as per Guideline #20 of the MDS document and determined to be approximately 269 m². For a barn of approximately 269m², the MDS I calculations provide a maximum capacity of 12 medium-framed horses and

	<p>a minimum MDS I setback of 93 m (307 ft) from the livestock barn and manure storage.</p> <ul style="list-style-type: none"> • Section 8.2 of the MDS Document states that MDS I setbacks should not be reduced except in limited site specific circumstances that meet the intent of the document. • The intent of MDS I setbacks is to reduce odour conflicts by separating incompatible land uses and to avoid and/or limit negative impacts on future modifications to agricultural operations including their ability to expand. Guideline #43 of the MDS document provides for the consideration of MDS I relief. • Suitable alternative locations for the proposed lot on the subject property that could meet MDS I setbacks are limited. The proposed location on the south-eastern portion of the property is the furthest location from the barn on the retained lands. The subject property also contains environmental features including Provincially Significant Wetlands, wetlands, and significant woodlands which constrain lot location. • In regards to the deficiency of lot frontage for the retained lot, both the retained and severed lot meet the minimum lot area requirements within the Township Zoning By-law. We find the requested variance for the frontage of the retained lot is minor in nature.
That the intent and purpose of the Zoning By-law is maintained	<ul style="list-style-type: none"> • The subject lands are zoned as Agricultural (A) and Natural Environment (NE) and contains the Environmental Protection Zone Overlay. The proposed severed lot is located fully within the A Zone. • A single detached dwelling is a permitted use within the A Zone. • Section 4.16.1(a) requires that no residential use located on a separate lot and permitted within the Agricultural (A) Zone or any other zone in which agricultural uses are permitted, shall be erected or altered unless it complies with the MDS I setback from a livestock facility, calculated using the Formulas published by the Province of Ontario, as may be amended from time to time. • The intent of minimum lot frontage requirements is to ensure that a safe entrance is available on a lot, to ensure the future viability of the property, and also maintain the consistency of the area's lot fabric.
That the general intent and purpose of the Official Plan is maintained	<ul style="list-style-type: none"> • The subject lands are designated as Secondary Agricultural, Greenlands and Core Greenlands. The features on the property include significant wooded areas, Provincially Significant Wetlands, and wetlands. • The severed lands are located within the Secondary Agricultural designation and is outside of the Greenlands System. • Consent application B92/20 was supported by planning staff and generally conforms to the policies of the Official Plan subject to MDS compliance.
That the variance is desirable and appropriate development and use of the land, building or structure	<ul style="list-style-type: none"> • The subject property is immediately surrounded primarily by existing agricultural parcels with farm dwellings. There are existing rural residential lots to the east and north of the subject lands. • The severed lands could impact future expansions of the livestock facility on the retained lands, as well as other agricultural operations within surrounding area. Although the proposed severed lot would be the closest neighbouring dwelling to the barn on the retained lands, it is noted that there are other surrounding dwellings that would also impact future expansions to the livestock facility on the retained lands such as 4680

	<p>Nassagaweya-Puslinch Townline.</p> <ul style="list-style-type: none"> • The reduced lot frontage requirement for the retained parcel is the result of a reconfiguration of the conditionally approved parcels as a result of a scoped Environmental Impact Study, which was completed to satisfy a condition of B92-20. This reconfiguration was completed to meet the policy requirements of the Growth Plan for the Greater Golden Horseshoe. Planning staff are satisfied the reduced lot frontage is sufficient, desirable, and appropriate for the development and use of the land.
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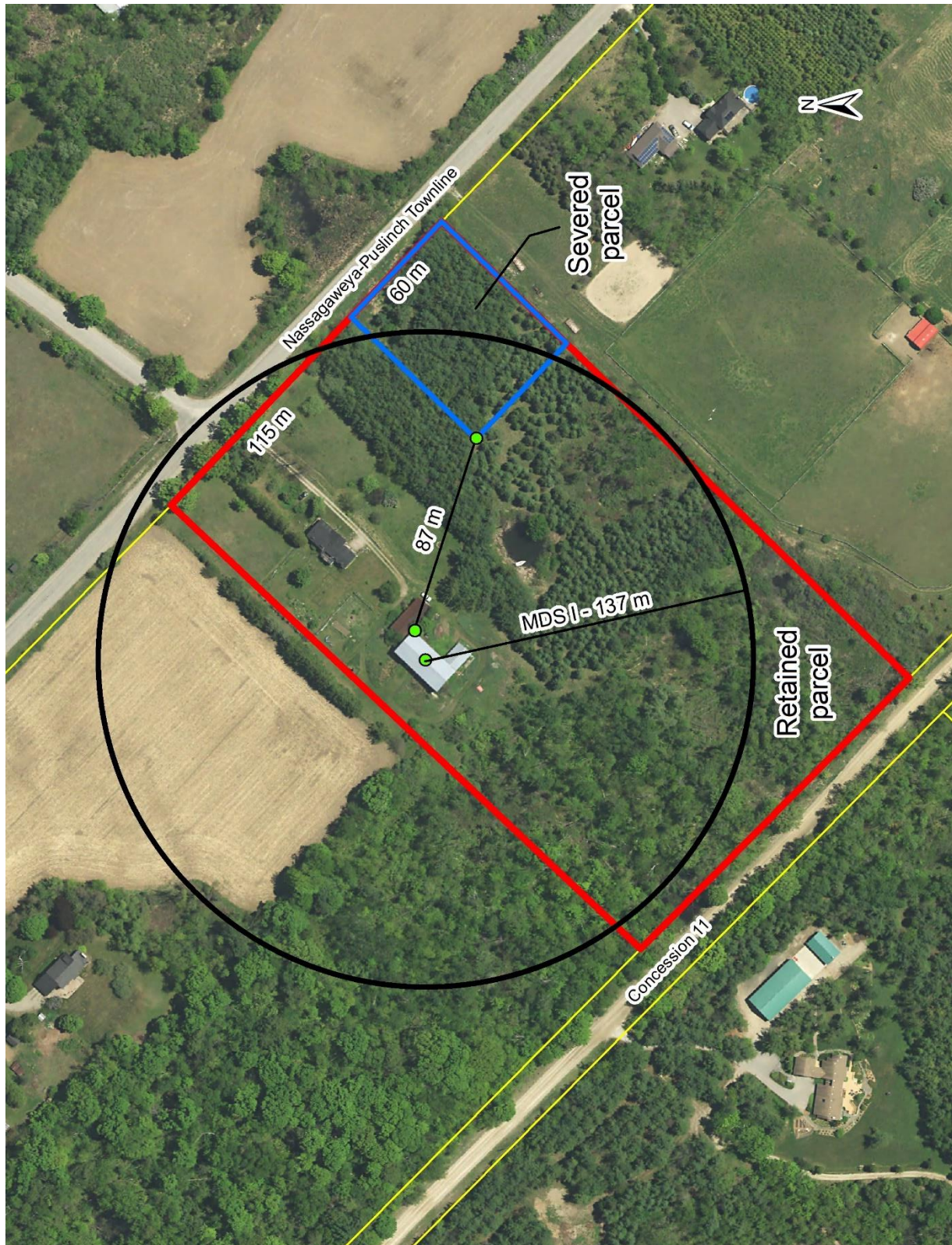
In conclusion, planning staff is of the opinion that the requested variance application **meets the four tests** of the *Planning Act*. I trust that these comments will be of assistance to the Committee in their consideration of this matter. We would appreciate a copy of the Committee's decision with respect to this application

Respectfully submitted
County of Wellington Planning and Development Department



Joanna Salsberg, B.A., M.PL.
Planner

ATTACHMENT 1: Aerial with MDS setbacks



ATTACHMENT 2: Applicant Review Letter



June 30, 2021
28853-20

Re: Jeff.Buisman@vanharten.com

Township of Puslinch
7404 Wellington Road 34
R.R. #3
Guelph, Ontario
N1H 6H9

Attention: Lynne Banks

Dear Ms. Banks:

Re: Minor Variance Application & Sketch for Severance Application B92-20
4660 Nassagaweya-Puslinch Townline
Part of Lot 13, Concession 11
PIN 71188-0092
Township of Puslinch

Please find enclosed an application for a minor variance on the above-mentioned property. Included with this submission are copies of the minor variance sketch, completed application form, required deed, PIN report and map, Source Water Protection Form, MDS Farm Data Sheet, Site Plan, and a cheque in the amount of \$1,241.00 to the Township of Puslinch.

Proposal

Two minor variance requests are being made for the severed and retained parcels of Severance Application B92-20 which has been approved subject to conditions by the County of Wellington Land Division Committee Meeting. The Minor Variance is required to satisfy condition 5 of the approved decision. The Minor Variance requests are as follows:

- A. To permit a reduced lot frontage of the retained parcel to be 115m instead of 120m as required in Section 11.3, Table 11.2 of the Zoning By-law.
- B. To permit a reduced MDS1 setback from the severed parcel to the barn on the retained parcel to be 87m instead of 137m as calculated.

The severance creates a rural residential parcel along Nassagaweya-Puslinch Townline with a frontage of 60m, depth of 67m, for an area of 0.4ha where a dwelling is proposed. The retained parcel will have a frontage of 115m, depth 275±m, for an area of 4.4±ha where the existing dwelling and old barn will remain.

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 severed parcel consists of scrub and reforested trees. The severance was originally configured to ensure that the minimum 120m lot frontage zoning requirement of the retained parcel could be met. However, as part of the Environmental Impact Study (EIS) being completed as another condition, we found a small arm of the wetland to protrude closer to the severance than expected. The rear limit of the severance has been moved forward to ensure a minimum 30m setback from the flagged wetland limit. In order to keep the minimum requirement of 0.40 ha, the severance was widened to 60m and the retained parcel was reduced to 115m – slightly less than the 120m requirement in the Zoning By-law. The remaining zoning requirements are met for the retained parcel.

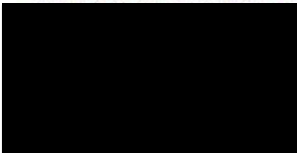
The second variance request is for a reduced MDS 1 for the barn on the retained parcel to the severed parcel. The actual distance is 87m and the calculated distance is 137m. Please note that this calculated distance is based on an empty barn of 269m² and not necessarily a specific type or number of animals.

The upper floor of the bank barn is currently used for storage and a skateboard facility. The lower area was once used for goats but has not been used as such for many years. About ½ of the lower floor has the old stalls and ¼ is used for storage and the remaining ¼ is a workshop. The owners have been considering the possibility of horses for this barn. They provide an opinion that the most that this farm and barn could support is about 8 horses. The MDS requirement would be 86m if the calculation was based on 8 horses rather than the MDS calculation as an empty barn (Guideline #20).

We provide the opinion that the minor variance requests meets the four tests for a minor variance.

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 Kelly Postma

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.

Minor Variance Application - Entry #2300

Registered Owner’s Name
Malcolm Lander
Registered Owner’s Address
2 Hemlock Cres. Morriston , ON N0B2J0
Registered Owner’s Email Address
[REDACTED]
Registered Owner’s Phone Number
[REDACTED]
Registered Owner’s Fax
[REDACTED]
Applicant (Agent) Name
Shawn Sawatzky
Applicant (Agent) Address
1486 Victoria St. N Kitchener, ON N2B3E2
Applicant (Agent) Email
[REDACTED]
Applicant (Agent) Phone Number
[REDACTED]
Applicant (Agent) Fax
[REDACTED]
Name, address, and phone number of all persons having any mortgages, charges, or encumbrances on the property
Malcolm and Nancy Lander
Send correspondence to

Agent
Other
Empty
Municipal Address
2 Hemlock Cres. Puslinch, ON N0B2J0
Concession
N/A
Lot
61
Registered Plan Number
n/a
Area in Hectares
.041212
Area in Acres
.101837
Depth in Meters
26.4
Depth in Feet
86.9
Frontage in Meters
33.2
Frontage in Feet
109.2'
Width of road allowance (if known)
n/a
Please indicate the Section of the Planning Act under which this application is being made
Section 45(1) relates to a change to a by-law standard (e.g. setbacks, frontage, height, etc.)

What is the nature and extent of the relief that is being applied for?

We are proposing to install an unheated sunroom addition to the rear of the existing house. We will be building on an existing deck and not expanding the footprint. This property is zoned as Rural Urban Residential with a site specific provision number 86. We are requesting relief from the by law requiring a side yard setback of 1.2m and reduce it to 0.44m to all for the sunroom.

Sketch of the nature and extent of the relief that is being applied for

 [Permit 2-Hemlock-Cres-LOT.pdf](#)

Why is it not possible to comply with the provisions of the by-law?

The existing house was built to maximum setbacks. The existing deck is where we are placing the sunroom and the sunroom would be far too small to be practical if it were to comply.

Sketch for why is it not possible to comply with the provisions of the by-law

 [Permit 2-Hemlock-Cres-LOT.pdf](#)

Official Plan Designation

n/a

Zoning Designation

Rural Urban Residential with a site specific provision number 86

What is the access to the subject property?

Continually maintained municipal road

Other Access

Empty

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

Wellington County Rd. 34

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.

Empty

Municipal Water

Existing

Communal Water

Empty

Private Well

Empty

Other Water Supply
Empty
Municipal Sewers
Existing
Communal Sewers
Empty
Private Septic
Empty
Other Sewage Disposal
Empty
How is storm drainage provided?
Storm Sewers
Other Means of Storm Drainage
Empty
What is the existing use of the subject property?
Residential
What is the existing use of the abutting properties?
Residential
Main Building Height in Meters
4.78
Main Building Height in Feet
15.6
Percentage Lot Coverage in Meters
31.75%
Percentage Lot Coverage in Feet
31.75%
Number of Parking Spaces
2
Number of Loading Spaces

Empty
Number of Floors
1
Total Floor Area in Square Meters
91.9
Total Floor Area in Square Feet
990
Ground Floor Area (Exclude Basement) in Square Meters
91.9
Ground Floor Area (Exclude Basement) in Square Feet
990
Front Yard in Meters
7
Front Yard in Feet
23.4
Rear Yard in Meters
6.34
Rear Yard in Feet
20.83
Side Yard (1) in Meters
1.5
Side Yard (1) in Feet
5
Side Yard (2) in Meters
1.5
Side Yard (2) in Feet
5
Date of acquisition of subject property
September 9, 2004

Date of construction of buildings property
June 1, 2000
How long have the existing uses continued on the subject property?
Since Construction
Has the owner previously applied for relief in respect of the subject property?
No
Please indicate the file number and describe briefly
Empty
Planning Application: Official Plan Amendment
No
Official Plan Amendment: File Number
Empty
Official Plan Amendment: Approval Authority
Empty
Official Plan Amendment: Subject Lands
Empty
Official Plan Amendment: Purpose
Empty
Official Plan Amendment: Status
Empty
Planning Application: Zoning By-Law Amendment
No
Zoning By-Law Amendment: File Number
Empty
Zoning By-Law Amendment: Approval Authority
Empty
Zoning By-Law Amendment: Subject Lands
Empty
Zoning By-Law Amendment: Purpose

Empty
Zoning By-Law Amendment: Status
Empty
Planning Application: Plan of Subdivision
No
Plan of Subdivision: File Number
Empty
Plan of Subdivision: Approval Authority
Empty
Plan of Subdivision: Subject Lands
Empty
Plan of Subdivision: Purpose
Empty
Plan of Subdivision: Status
Empty
Planning Application: Consent (Severance)
No
Consent (Severance): File Number
Empty
Consent (Severance): Approval Authority
Empty
Consent (Severance): Subject Lands
Empty
Consent (Severance): Purpose
Empty
Consent (Severance): Status
Empty
Planning Application: Site Plan
No

Site Plan: File Number

Empty

Site Plan: Approval Authority

Empty

Site Plan: Subject Lands

Empty

Site Plan: Purpose

Empty

Site Plan: Status

Empty

Planning Application: Minor Variance

No

Minor Variance: File Number

Empty

Minor Variance: Approval Authority

Empty

Minor Variance: Subject Lands

Empty

Minor Variance: Purpose

Empty

Minor Variance: Status

Empty

The agent is different than the owner

The Agent/Solicitor is different than the owner

Owner's Name

Malcolm Lander

Owner's Address

2 Hemlock Cres.
Morrison, ON
N0B2J0

I authorize this person to act as my agent in this application

Shawn Sawatzky

Signature of Owner

[Redacted Signature]

Name

Shawn Sawatzky

Address

[Redacted Address]

Affidavit

I 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.

Signature of Owner or authorized solicitor or agent

[Redacted Signature]

Signature of Commissioner

Empty

Please select your Minor Variance Type

Minor Variance Type 1 - \$ 733.00

Convenience Fee (1.75%)

\$ 12.83

Convenience Fee (1.75%)

Empty

Total

\$ 745.83

Credit Card

[Redacted]
[Redacted]
[Redacted]

[Township of Puslinch](#)

DocuSigned by:

Sworn (or Affirmed or Declared) remotely by [REDACTED]
of (City, Town, etc.) of Shawn Sawatzky
in the (County, Regional Municipality, etc.) of Region of Waterloo
before me at the (City, Town, etc.) of Township of Puslinch
in the (County, Regional Municipality, etc.) of County of Wellington

on June 28, 2021 (date) in accordance with O.Reg. 431/20, Administering Oath or Declaration Remotely

DocuSigned by:

[REDACTED]
C6E6E167EC474C4...
Jeffrey Bunn

Commissioner for Taking Affidavits
Township of Puslinch
County of Wellington



Sealed by: The Corporation of the Township of Puslinch

Sealed Time: 1:38 p.m.

Sworn (or Affirmed or Declared) remotely by [REDACTED]
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

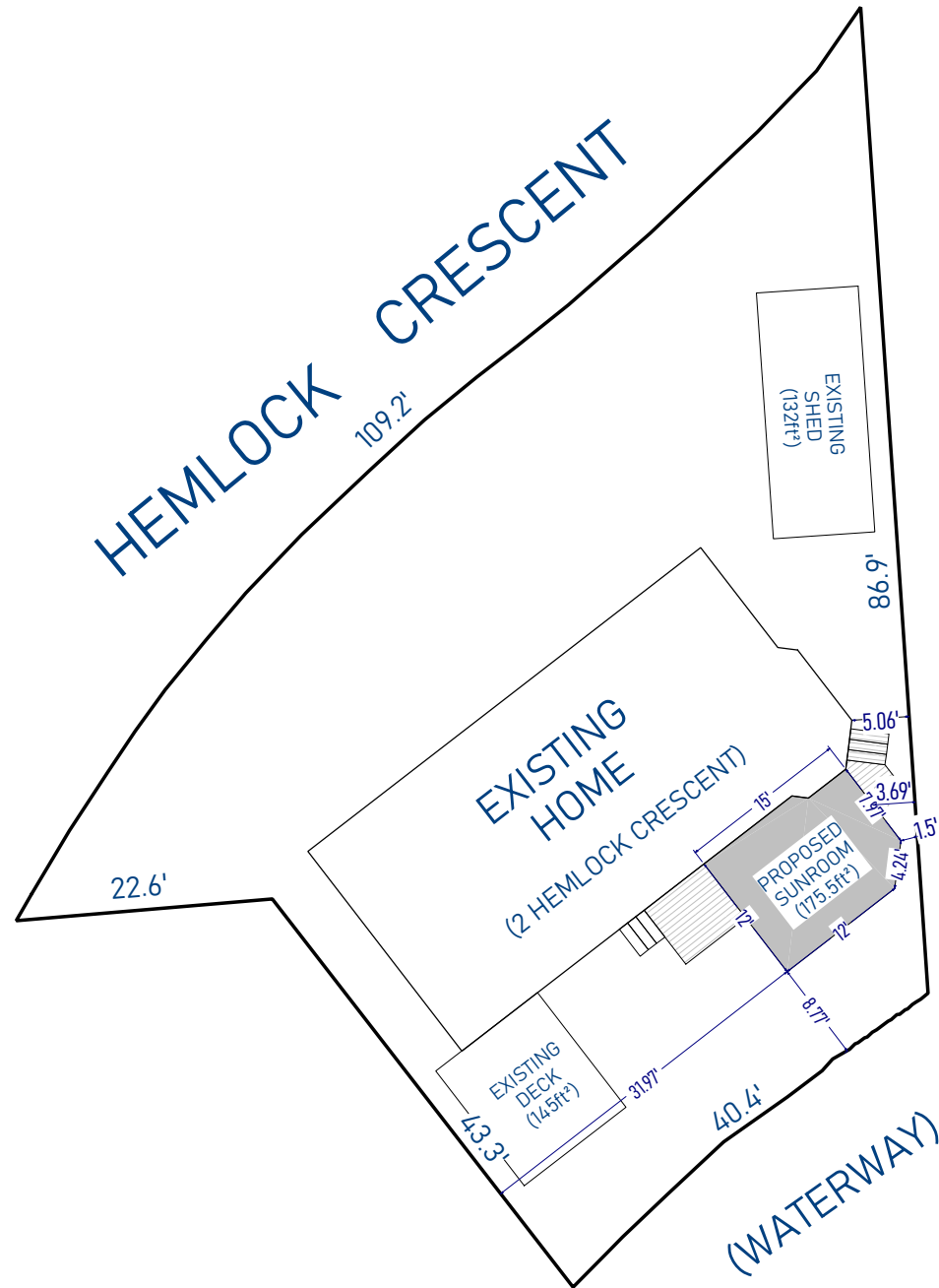
[REDACTED]

Commissioner for Taking Affidavits
Township of Puslinch
County of Wellington



Sealed by: The Corporation of the Township of Puslinch

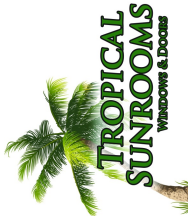
Sealed Time:



SCALE: 1=200

SITE PLAN DATA

LOT AREA.....	4436ft²
GFA.....	EXISTING..... 990ft²
	EXISTING SHED..... 190ft²
PROPOSED SUNROOM.....	175.5ft²
PROPOSED DECK	53ft²
TOTAL.....	1408.5ft²
GFA/LOT AREA RATIO.....	31.75%



CONTRACTOR:
TROPICAL SUNROOMS, INC.
1486 VICTORIA ST. N
KITCHENER, ONT. N2B 3E2

OWNER:
MALCOLM LANDER
2 HEMLOCK CRESCENT
PUSLINCH, ONT.

1

I CERTIFY THAT I, SHAWN SAWATZKY, HAVE REVIEWED AND TAKE RESPONSIBILITY FOR THIS DESIGN AND I HAVE MET REQUIREMENTS AND QUALIFICATION SET OUT IN THE ONTARIO BUILDING ACT.
BCIN: 28441

DRAWN BY: [Redacted]

From: [Brent Smith](#)
To: [Justine Brotherston](#)
Subject: RE: D13-LAN Minor Variance - Notice of Public Hearing - 2 Hemlock Cres - Lander
Date: Tuesday, July 27, 2021 1:55:52 PM
Attachments: [image001.jpg](#)

Hi Justine,
Puslinch Fire and Rescue Services reviewed the minor variance application and the department has no concerns.
Thanks very much
Brent Smith
CFPO
Puslinch Fire and Rescue Services

From: Justine Brotherston <jbrotherston@puslinch.ca>
Sent: Wednesday, July 21, 2021 11:18 AM
To: executivevp.lawanddevelopment@opg.com; landuseplanning@hydroone.com; LPUConsents@mpac.ca; ONTLands@enbridge.com; proximity@cn.ca; Tyler.Shantz@Ontario.ca; Deborah Turchet <debt@wellington.ca>; donnab@wellington.ca; Hurania Melgar <huraniam@wellington.ca>; Jenn Simons <jsimons@grandriver.ca>; rowcentre@bell.ca; ammendolia@watsonecon.ca; valenti@watsonecon.ca; tracy.mclennan@wellingtoncdsb.ca; planification@csviamonde.ca; Planning.Info@ugdsb.on.ca; Source Water <sourcewater@centrewellington.ca>; kstroud@growmark.com; Allan.Hodgins@ontario.ca; Engineering.Admin@ontario.ca; Operations.Admin@ontario.ca; Corridor Admin (MTO) <Corridor.Admin@ontario.ca>; Heritage Committee <Heritage@puslinch.ca>; Brent Smith <bsmith@puslinch.ca>; Andrew Hartholt <ahartholt@puslinch.ca>; Mike Fowler <mfowler@puslinch.ca>
Cc: Jeff Bunn <jbunn@puslinch.ca>; Lynne Banks <lbanks@puslinch.ca>
Subject: D13-LAN Minor Variance - Notice of Public Hearing - 2 Hemlock Cres - Lander

Attached please find a Notice of Public Hearing with respect to the above matter. Please review and provide any comments by August 3rd, 2021.



From: [Andrew Hartholt](#)
To: [Justine Brotherston](#)
Subject: RE: D13-LAN Minor Variance - Notice of Public Hearing - 2 Hemlock Cres - Lander
Date: Tuesday, August 03, 2021 9:27:02 AM

Justine,

The building department does not support the reduction in setback to 0.44m, as the construction restraints under Ontario Building Code 9.10.15 will severely reduce the available wall types available for construction. Non-fire rated wall types become available for use once a building is 1.2m or greater from the property line.

Should this variance be approved, a building permit will be required and the applicant will need to provide a 45 minute rated wall with non-combustible cladding. Full Limiting distance calculations will be required as part of the permit submission.



Andrew Hartholt, CBCO/CRBO
Chief Building Official
Township of Puslinch
7404 Wellington Rd. 34, Puslinch, ON N0B 2J0
P: 519-763-1226 ext. 229/Fax: 519-763-5846 www.puslinch.ca

From: Justine Brotherston <jbrotherston@puslinch.ca>
Sent: Tuesday, August 3, 2021 8:50 AM
To: Andrew Hartholt <ahartholt@puslinch.ca>
Subject: RE: D13-LAN Minor Variance - Notice of Public Hearing - 2 Hemlock Cres - Lander

Good morning Andrew,

This is being deferred but Lynne would still like the comment.

Kind regards,



Justine Brotherston
Legislative Assistant
Township of Puslinch
7404 Wellington Rd. 34, Puslinch, ON N0B 2J0
P: 519-763-1226 ext. 208 Fax: 519-763-5846 www.puslinch.ca

From: [Source Water](#)
To: [Justine Brotherston](#)
Cc: [Source Water](#)
Subject: RE: D13-LAN Minor Variance - Notice of Public Hearing - 2 Hemlock Cres - Lander
Date: Thursday, July 22, 2021 10:48:56 AM
Attachments: [image001.jpg](#)
[WHPA_Map_HemlockCrescentPV_2.pdf](#)

Hi Justine,

Thank you for providing the above referenced application for review. Since this property is **not** located in a vulnerable area (wellhead protection area, issues contributing area, intake protection zone etc.), the application can be screened out and it does not require a Section 59 notice under the *Clean Water Act*.

I have attached a map showing the property and Wellhead Protection Areas for your reference.

If you have any further questions regarding this application, or in the event of any technical problem with the email or attachments, please contact me.

Emily Vandermeulen | Risk Management Inspector
Wellington Source Water Protection | 7444 Wellington Road 21, Elora, ON, N0B 1S0
519.846.9691 x365 | evandermeulen@centrewellington.ca | www.wellingtonwater.ca
Toll free: 1.844.383.9800

Wellington Source Water Protection's offices are located in the Township of Centre Wellington offices. Centre Wellington is now in Step Three of the Province's [roadmap to reopening](#), a three-step plan to safely and cautiously reopen the province and gradually lift public health restrictions.

Although some Township facilities remain closed to the public, many departments are offering most services electronically and scheduling appointments for services that cannot be delivered remotely. With the proper protocols in place, we are working to deliver services in a timely manner, however, you may still experience some delays or disruptions.

For a complete update on facility hours and operations and programs and services available by pre-registration or appointment only, visit the Township's website at www.centrewellington.ca/emergencyplanning and our social media platforms, www.facebook.com/CentreWellington and Twitter www.twitter.com/CentrWellington

From: Justine Brotherston [<mailto:jbrotherston@puslinch.ca>]
Sent: July 21, 2021 11:18 AM
To: executivevp.lawanddevelopment@opg.com; landuseplanning@hydroone.com;

LPUConsents@mpac.ca; ONTLands@enbridge.com; proximity@cn.ca; Tyler.Shantz@Ontario.ca; Deborah Turchet <debt@wellington.ca>; donnab@wellington.ca; Hurania Melgar <huraniam@wellington.ca>; Jenn Simons <jsimons@grandriver.ca>; rowcentre@bell.ca; ammendolia@watsoncon.ca; valenti@watsoncon.ca; tracy.mclennan@wellingtoncdsb.ca; planification@csviamonde.ca; Planning.Info@ugdsb.on.ca; Source Water <sourcewater@centrewellington.ca>; kstroud@growmark.com; Allan.Hodgins@ontario.ca; Engineering.Admin@ontario.ca; Operations.Admin@ontario.ca; Corridor Admin (MTO) <Corridor.Admin@ontario.ca>; Heritage Committee <Heritage@puslinch.ca>; Brent Smith <bsmith@puslinch.ca>; Andrew Hartholt <ahartholt@puslinch.ca>; Mike Fowler <mfowler@puslinch.ca>

Cc: Jeff Bunn <jbunn@puslinch.ca>; Lynne Banks <lbanks@puslinch.ca>

Subject: D13-LAN Minor Variance - Notice of Public Hearing - 2 Hemlock Cres - Lander

Attached please find a Notice of Public Hearing with respect to the above matter. Please review and provide any comments by August 3rd, 2021.



Township of Puslinch
7404 Wellington Rd 34, Puslinch, ON N0B 2J0
P 519 763-1226 F 519-763-5846
www.puslinch.ca

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PLANNING REPORT for the TOWNSHIP OF PUSLINCH

Prepared by the County of Wellington Planning and Development Department in our capacity as planning consultants for the Township

MEETING DATE: August 10, 2021
TO: Lynne Banks, Development and Legislative Coordinator
Township of Puslinch
FROM: Joanna Salsberg, Planner
County of Wellington
SUBJECT: **MINOR VARIANCE APPLICATION D13/LAN (Malcolm Lander)**
2 Hemlock Crescent PV
PLAN 61M203 LOT 53
ATTACHMENTS: 1 – Aerial

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 applicant is proposing to construct an addition that contains a deck and an unheated sunroom to an existing dwelling. The deck and sunroom are proposed to be 21.2 m² (228.5 ft²) in size. The sunroom addition is proposed to be closer to the side yard setback (left) than permitted in the by-law. The variance requested would provide relief from section 14.0 Site-Specific Special Provision No. sp86 to permit a reduced side yard setback of 0.44 m where the by-law requires a minimum of 1.2 m side yard setback.

Planning staff have identified through the review that the site plan submitted shows a side yard setback of 0.46 m, however the request for variance has been made for 0.44 m. This report and the chart reflects the 0.44 m variance as this represents the closest setback requested through the application.

The applicant has notified municipal staff of their intent to submit a revision to the plans, and that they will be requesting to defer the application. Planning staff recommends deferral of the application until the modified design is submitted.

Section of the By-law	Required	Proposed	Relief Requested
1. Section 14.0 Site-Specific Provision No. sp86	14.0 Site-Specific Provision No. sp86 Each dwelling unit shall have a minimum side yard of 1.2 metres.	0.44 m (1.4 ft)	0.76 m (2.5 ft)

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

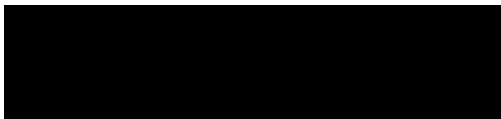
Four Tests	Discussion
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<p>That the requested variance is minor in nature</p>	<ul style="list-style-type: none"> • The applicant is requesting to extend the existing single detached dwelling to construct an unheated sunroom and deck. • The sunroom is proposed to be 16.3 m² (175.5 ft²) and the deck is proposed to be 4.9 m² (53ft²) in size. • The sunroom extension would result in a setback of 0.44 m from the side yard setback (left). The applicant has identified the other side yard setback (right) to be 1.5 m and is to remain. • The applicant has indicated that they will be modifying the plan design, therefore planning staff will review the changes to the proposal once submitted.
<p>That the intent and purpose of the Zoning By-law is maintained</p>	<ul style="list-style-type: none"> • The subject lands are zoned RUR (sp86) and are within the Environmental Protection Overlay. The site is situated in the Mini Lakes community. • One dwelling unit per site is a permitted use within the RUR (sp86) subject to the site specific regulations in Section 14. • The minimum side yard setback required is 1.2 m from the side yard. This application proposes a 0.44 m side yard setback on the left side yard, and retains a 1.5 m setback on the right side yard. • It is noted that the by-law includes general provisions that does allow encroachment for decks, stairs, and porches which allow a setback of 0.6 m to the lot line. However, the site specific zoning on the site establishes specific provisions for development in Mini Lakes. • The intent of a minimum side yard setback is to allow for unencumbered movement between the front and rear yards of a property to allow for access and maintenance of the entire parcel. Other purposes of a minimum side yard setback ensure drainage can be addressed on the subject property and to create a sense of consistency within the surrounding neighbourhood. • The Environmental Protection Overlay requires that development will not be allowed unless it has been demonstrated to the satisfaction of the Township that there will be no negative impact on the pond, lake or reservoir or its ecological functions. The Township will need to be satisfied that this is addressed; however, it is noted that the subject lands are regulated almost entirely by the Grand River Conservation Authority (GRCA) and the proposed development will require a development permit from the GRCA prior to the issuance of a building permit. • The applicant has indicated that they will be revising the application, therefore planning staff will review the changes to the proposal once submitted.
<p>That the general intent and purpose of the Official Plan is maintained</p>	<ul style="list-style-type: none"> • The subject lands are within Special Policy Area PA7-6 Mini Lakes and as an Environmentally Sensitive Area (ESA) within the County of Wellington Official Plan. • The land designated as PA7-6 may be used for an adult lifestyle community including dwelling units. • Section 5.5.5 requires that ESAs will be protected from development or site alterations which would negatively impact them or their ecological functions. The comments and requirements of the Grand River Conservation Authority should be considered by the Committee.

<p>That the variance is desirable and appropriate development and use of the land, building or structure</p>	<ul style="list-style-type: none"> • The property is bounded by residential uses to the north and east, water to the south, and a common elements parcel to the west. • Surrounding properties appear to have varying side yard setbacks, although they generally appear to maintain the 1.2 m minimum setback on at least one side yard lot line. • The proposed side yard setback is less than half of the required minimum setback within the Township Zoning By-law. This may limit movement and access from the front yard to the rear yard on the parcel on the east side. • The applicant has indicated the side yard setback on the west side is 1.5 m which provides access to the rear lot. • Mini Lakes is serviced by private communal water and sewer systems. Therefore, access to the rear yard from the property frontage would not be required for the maintenance of a septic or well system. • It is also noted that the parcel has access from the lake to the rear of the property. • The Township may wish to consider the submission of a survey for the subject development proposal to ensure the accuracy of the dimensions for the proposed development. • The subject property is almost entirely within the regulated area of Grand River Conservation Authority. Any concerns or permit requirements of the Conservation Authority should be adequately addressed. • The applicant has indicated that they will be revising the application, therefore planning staff will review the changes to the proposal once submitted.
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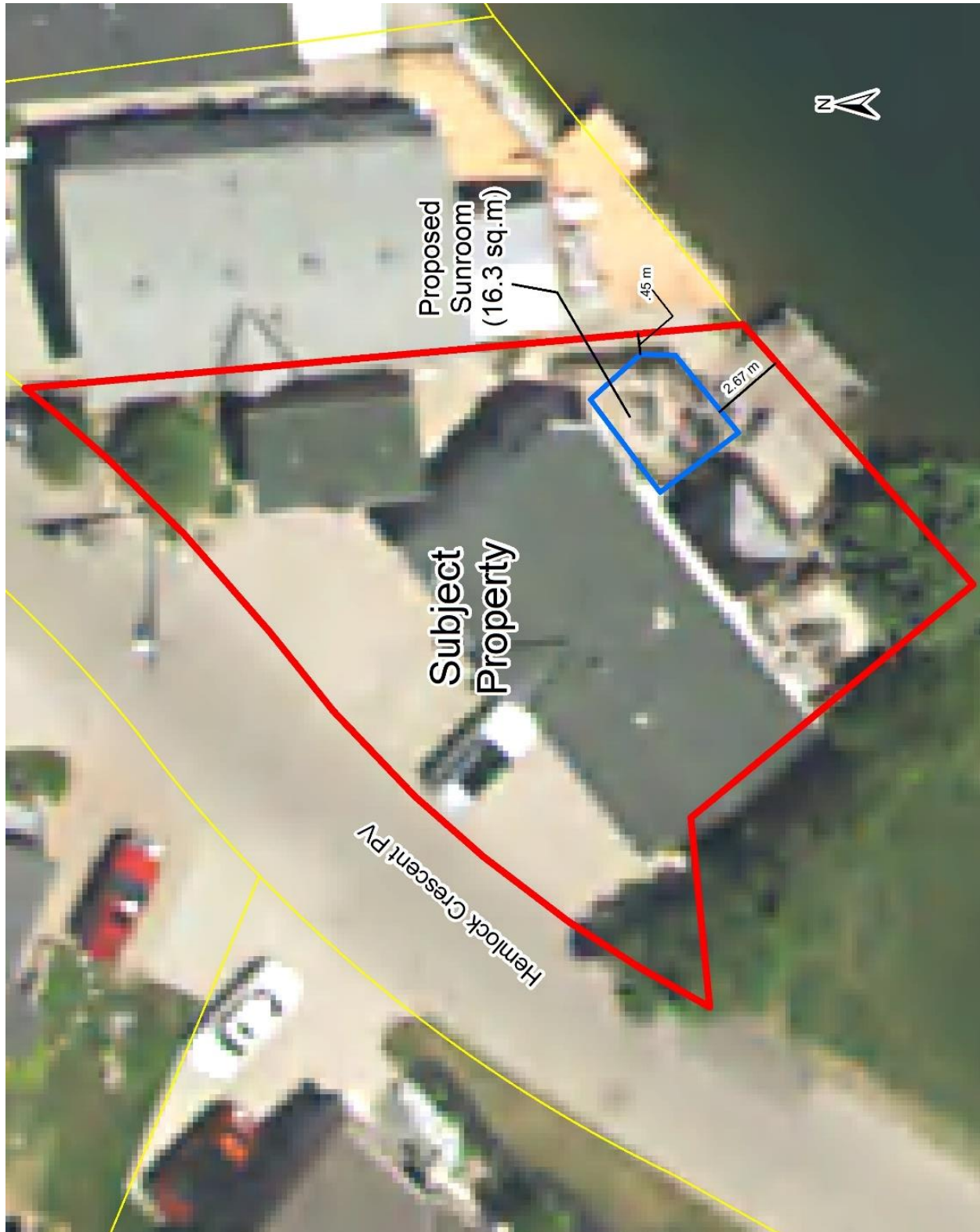
In conclusion, planning staff is recommending deferral of this application until the applicants submit their revised plans. I trust that these comments will be of assistance to the Committee in their consideration of this matter. We would appreciate a copy of the Committee's decision with respect to this application

Respectfully submitted
County of Wellington Planning and Development Department



Joanna Salsberg, B.A., M.PL.
Planner

ATTACHMENT 1: Aerial Image





MINUTES

1. CALL THE MEETING TO ORDER

The July 13, 2021 Planning & Development Advisory Committee Meeting was held on the above date and called to order at 7:52 p.m. via electronic participation.

2. OPENING REMARKS

The Chair advised that the following portion of the Committee meeting will be for the Committee to review and provide comments on development planning applications.

3. ROLL CALL

MEMBERS IN ATTENDANCE

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

MEMBERS ABSENT

Paul Sadhra

STAFF IN ATTENDANCE

Lynne Banks, Development and Legislative Coordinator
Courtenay Hoytfox, Clerk
Jeff Bunn, Deputy Clerk
Meagan Ferris, Manager of Planning and Environment, County of Wellington
Joanna Salsberg, Planner, County of Wellington

4. DISCLOSURE OF PECUNIARY INTEREST

- Dan Kennedy advised that he has a pecuniary interest in item 6(a) on the agenda as he lives within close proximity to the property and refrained from discussion for item 6(a).

5. APPROVAL OF MINUTES

- June 8, 2021 – John Sepulis requested that the June 8, 2021 Minutes be reopened, and advised the other members of the Committee that Consent Application D10/BOR would require an additional comment to be added to the Municipal Comment Form that is forwarded to Land Division at the County of Wellington, in order to address a concern from the Township's Public Works Department that a possible drainage problem that might occur once the severance is completed and the severed lands are developed. The following comment is to be added to the Municipal Comment Form and forwarded to the Land Division Committee at the County of Wellington:

That an adequate drainage plan be provided that details a suitable building envelope and driveway that does not negatively impact the natural drainage flow from the area across the property, including any required culvert crossing the natural drainage course; and that the owner be responsible for any Township costs associated with the review of the drainage plan.

Moved by: Deep Basi

Seconded by: Dennis O'Connor

That the Minutes of the Planning & Development Advisory Committee Meeting held Tuesday, May 11, 2021, as revised, be adopted.

CARRIED

6. APPLICATION FOR SITE PLAN URBAN DESIGN REVIEW

6(a) Site Plan Application D11-KAU – Manu and Pooja Kaushik – 10-32 Telfer Glen Street, Plan 802 Part Block 42, Township of Puslinch.

The purpose and effect of this application is to review the site plan application with respect to the Township's Urban Design Guidelines for the proposed medical office and pharmacy on a vacant lot zoned as Core Mixed Use.

- Michael Trussell, agent for the applicant, provided an overview of the application as it pertains to the Township's Urban Design Guidelines.
- John Sepulis asked if a sidewalk could be considered on the side of the property along Telfer Glen Road.
- Michael Trussell advised that it is possible.
- John Sepulis asked if they have considered the use of permeable pavement.
- Michael Trussell advised that regular asphalt will be used and there are no concerns with water management control.
- John Sepulis asked if the hydro vault is raised and is it a transformer.
- Michael Trussell advised that it is a transformer
- John Sepulis asked if the transformer would be shielded from view.
- Michael Trussell advised that it can be done with landscaping and that they are currently in contact with Hydro One to determine the final location of the transformer.
- John Sepulis asked if the sign for the building is going to be orientated to Queen Street so that it can be seen from Queen Street.
- Michael Trussell advised that yes, it will be for better visibility from the intersection, as will the signs that will be attached to the building that will face onto Telfer Glen.
- John Sepulis asked what the finishes will be for the building.
- Michael Trussell advised that it will be glass on the front elevation as well as a mix of finishes for the other sides of the building.
- John Sepulis asked if the panels on the side will be painted.
- Michael Trussell advised that they are an exterior insulated finish system and will be an off-white or light gray colour.
- John Sepulis asked in regards to the lighting if the berm will be high enough to shield the neighbouring properties.
- Michael Trussell advised that they are full cut-off fixtures for all pole lights and further noted that for each façade the lights will only be located at the doors for security purposes and they are all cut-off style lighting.
- John Sepulis noted that the Traffic Analysis to show that the increase in traffic won't impact the intersection of Telfer Glen and Queen Street.
- Michael Trussell advised that it was reviewed and the transportation study shows that the increase in traffic is minimal.
- John Sepulis asked if the snow storage area located in the front of the building can be located.
- Michael Trussell advised that it can be relocated.
- There were no further questions or comments from the Committee.

The Committee has the following comments for the information of Council when the site plan application goes to Council for approval:

1. Consider space for a sidewalk for foot traffic.
2. Relocate snow storage from the front of the property.
3. Ensure that the lighting does not spill over to the neighbouring properties.

Moved by: Deep Basi

Seconded: Dennis O'Connor

7. ZONING BY-LAW AMENDMENT

7(a) Zoning By-Law Application D14/STU- John Stubbs and Mary Lake – 4363 Wellington Road 35, Concession 2 Front Part Lot 16 INC RP;61R1736 Parts 1 & 2 INC RP;61R3284 Part 1 Part South of Highway 401, Township of Puslinch.

The proposed Zoning By-law Amendment is to rezone the Retained Parcel from Agricultural to a Specialized Agricultural to prohibit a residential dwelling and to prohibit livestock in the barn. A surplus farm residence severance was applied for with the County and this is required to satisfy Conditions 5 & 8 of Approved Application B111-20.

- Jeff Buisman, agent for the applicant, provided an overview of the application and noted that the zone change is a requirement for approval of a severance application.
- There were no questions or comments from the Committee.

The Committee has the following comment for Council when the zoning by-law amendment application goes to Council for approval:

The Committee supports the application.

Moved by: Dan Kennedy

Seconded by: Dennis O'Connor

7(b) Zoning By-Law Application D14/XUE- James and Wanda Xuereb – 4290 Victoria Road South, Concession 8 Rear Part Lot 28, Township of Puslinch.

The proposed Zoning By-Law Amendment is to rezone the current Agricultural (A) and Natural Environment (NE) to Agricultural (A) with special use provisions to permit a total of 10 storage containers with a maximum area of 51 m² each whereby 4 of the containers are rented out for profit/gain and an accessory building whereby 50% of the space is used to store and maintain motorized personal vehicles. No change to the NE portion of the lands is proposed.

- Nicolette Van Oyen, agent for the applicant, provided a PowerPoint presentation to the Committee to provide an overview of the application.
- Dan Kennedy asked if there were any limitations as to what can be stored on site such as flammable materials.
- Dennis O'Connor asked for a condition of no storage for flammable materials.
- John Sepulis noted that he is concerned with the garage and asked if all 4 cars to be stored are owned by one person.
- Nicolette Van Oyen advised that the cars are individually owned and that they are race cars and that the owner also stores his car in the garage.
- John Sepulis asked if any mechanical works will be done on site.
- Nicolette Van Oyen advised that only polishing of the cars and tire changes will be done, and that there will not be any mechanical work being done on site.
- There were no questions or comments from the Committee.

The Committee has the following comments for Council when the zoning by-law amendment application goes to Council for approval:

1. There is to be no storage of hazardous materials in the containers.
2. Staff must satisfy itself that the garage is storing vehicles of named individuals and they named individuals are the owners of the cars and the named individuals cannot switch out the cars

Moved by: Dennis O'Connor

Seconded by: Dan Kennedy

8. LAND DIVISION

- None

7. OTHER MATTERS

7(a) Property Standards Enforcement Appeal

- Jeff Bunn, Deputy Clerk, advised the Committee that it is required to hear appeals for Property Standards Orders and provided a PowerPoint presentation to the Committee on the hearing process outlining general information as well as the Committee's duties with respect to hearing appeals of enforcement matters. He further advised the Committee that additional materials as well as the presentation will be sent to Committee members following the meeting.
- John Sepulis asked if the hearing can be held on the property.
- Jeff Bunn advised that the Municipal Act sets out the requirements for conducting meetings.

Additional Matter

Manu Kaushik requested to address the Committee regarding item 6(a) on the agenda and wanted to know why the application would be going to Council for approval if all approvals have been obtained.

- John Sepulis advised that it isn't a decision that he makes and that the Committee is only reviewing Urban Design Guidelines and he believes it should be taken to Council.
- Manu Kaushik asked if it can be expedited.
- John Sepulis noted that it will be requested of staff to expedite the agreement.

8. CLOSED MEETING

- None

9. NEXT MEETING

- Next Regular Meeting will be held on Tuesday, August 10, 2021 @ 7:00 p.m.

10. ADJOURNMENT

Moved by: Dennis O' Connor

Seconded by: Deep Basi

That the Planning & Development Advisory Committee is adjourned at 8:5 p.m.

CARRIED

July 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: June 01, 2021

FILE NO. B39-21

APPLICANT

Stuart & Karen Cullen
6944 Concession Road 1
Puslinch N0B 2J0

LOCATION OF SUBJECT LANDS

Township of Puslinch
Part Lot 18
Concession 1

Proposed severance is 0.4 hectares with 61.69m frontage, vacant land for proposed rural residential use.

Retained parcel is 37.69 hectares with 147.78m frontage, existing and proposed rural residential hobby farm with existing dwelling & barn.

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

August 18, 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

Required Fee: \$ 4630
Fee Received: June 1/21
File No. B39-21
Accepted as Complete on: June 1/21

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

2. (a) Name of Registered Owner(s) Stuart Michael Cullen & Karen Lynn Cullen

Address 6944 Concession Road 1, Puslinch, Ontario N0B 2J0

Phone No. [REDACTED] Email: [REDACTED]

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

Phone No. _____ Email: _____

(c) Name and Address of Owner's Authorized Agent: Black, Shoemaker, Robinson & Donaldson Limited

257 Woodlawn Road West, Unit 101, Guelph, Ontario N1H 8J1

Phone No. [REDACTED] Email: [REDACTED]

(d) All Communication to be directed to:

REGISTERED OWNER ☒ APPLICANT ☐ AGENT ☒

(e) Notice Cards Posted by:

REGISTERED OWNER ☒ APPLICANT ☐ AGENT ☐

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

RURAL RESIDENTIAL☒ AGRICULTURAL☐ URBAN RESIDENTIAL☐ COMMERCIAL/INDUSTRIAL☐

Rural residential lot

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.

Unknown

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

Local Municipality: Township of Puslinch

Concession 1 Lot No. Part Lot 18

Registered Plan No. _____ Lot No. _____

Reference Plan No. 61R-5689 Part No. Part 1

Civic Address 6944 Concession Road 1

(b) When was property acquired: September 4, 2009 Registered Instrument No. WC256048

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

Frontage/Width 61.69 m AREA 0.4 ha

Depth 63 m Existing Use(s) Vacant land

Existing Buildings or structures: None

Proposed Uses (s): single detached residential dwelling

Type of access (Check appropriate space)	Existing <input type="checkbox"/>	Proposed <input checked="" type="checkbox"/>
<input type="checkbox"/> Provincial Highway	<input type="checkbox"/> Right-of-way	
<input 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): _____

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

Frontage/Width 147.78 m AREA 37.69 ha

Depth 1033 m Existing Use(s) rural residential hobby farm

Existing Buildings or structures: detached residential dwelling & barn with 2 horses

Proposed Uses (s): Same

Type of access (Check appropriate space)	Existing <input checked="" type="checkbox"/>	Proposed <input type="checkbox"/>
<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: _____

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.

PPS allows for severances in rural areas

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 Growth Plan also for severances in rural areas

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).

County Official Plan designates the property Secondary Agricultural and rural severances are allowed within this designation

- Township of Puslinch relies on County Official Plan.

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).

27. Is the subject land a proposed surplus farm dwelling?*

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 ☐

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 ☐

For mortgages just provide complete name and address of Mortgagee.

Mortgagee - The Bank of Nova Scotia - 101 Frederick Street, 10th Floor, Kitchener N2H 6R2 (519-743-3387)
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:

Type: Dairy ☐ Beef Cattle ☐ Swine ☐ Poultry ☐ Other ☒ 2 horses

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

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

Retained Width 9 m Length 26 m Area 234 m² Use storage & 2 horse stalls

Width _____ Length _____ Area _____ Use _____

33. Manure Storage Facilities on these lands:

DRY	SEMI-SOLID	LIQUID
Open Pile <input checked="" 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 [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? (www.wellingtonwater.ca) YES [] NO [x]

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

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

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

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.

NOTES:

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

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), Stuart Michael Cullen & Karen Lynn Cullen the Registered Owners of
6944 Concession Road 1 Of the Township of Puslinch in the
County/~~Region~~ of Wellington severally and jointly, solemnly declare that
Black, Shoemaker, Robinson & Donaldson Limited

Is authorized to sign on my (our) behalf

Registered Owner(s) or Corporation's Officer

APPLICANT'S DECLARATION

This must be completed by the Applicant for the proposed consent

I, (we) Nancy Shoemaker 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) 6944 Concession Road 1

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 31st day of May 2021

Commissioner of Oaths

(Owner or Applicant)

(Owner or Applicant)

Kerry Francis Hillis, a Commissioner, etc.,
Province of Ontario, for Black, Shoemaker,
Robinson & Donaldson Limited
Expires March 28, 2022

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, Nancy Shoemaker, 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.

S

t(s)

May 31, 2021

Date

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

May 31, 2021

Project: 21-14-442

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

RECEIVED

JUN 01 2021

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Dear Ms. Turchet:

Re: Proposed Consent– 6944 Concession 1
Part of Lot 18, Concession 1, Township of Puslinch

Please find enclosed a completed "Application for Consent" for the above-noted property. Also enclosed is a cheque in the amount of \$4,630.00 payable to the County of Wellington and a cheque payable to the Grand River Conservation Authority in the amount of \$430.00 to cover processing fees.

Stuart Michel Cullen and Karen Lynn Cullen purchased the property in 2009. A copy of their deed is attached (WC256048). Also included is a sketch illustrating the proposed severance. The property is not located with the Source Water Protection area.

The parcel to be severed from this property will have a frontage of 61.69 metres along the north side of Concession Road 1 and an overall lot area of 0.4 hectares. This parcel is currently vacant. The retained parcel contains a single detached dwelling, a barn that includes 2 horses, a septic system and well. It will have a frontage of 147.78 metres and an overall lot area of 37.69 hectares.

This property is designated Secondary Agricultural in the County's Official Plan and is zoned Agricultural. Both the severed and retained parcels will meet the requirements set out in the Township of Puslinch Zoning By-law, save for the following:

- 1) A minor variance for a reduced MDS of 223 metres in lieu of the required 276 metre set back from barns located at Classy Lane Stables on the south side of Concession Road 1.

Along with this application for consent, the owner has applied to the Township of Puslinch for the above-noted minor variance. Farm Data sheets and MDS calculations for four properties have been included with this submission.

The proposed severance meets the policies of the County Official Plan. One new lot for residential purposes may be allowed from a parcel of land existing on March 1, 2005, and this application satisfies the following criteria:

- the lot meets a 0.4 ha minimum lot size
- the lot has access to an open public road;
- the residential use is compatible with surrounding development;
- the use is well removed from any settlement area boundary; and
- the lands have been owned by the applicant for at least 5 years.

Surveying | Mapping | GIS
Unit 101- 257 Woodlawn Road West | Guelph | Ontario | N1H 8J1
T: [519] 822-4031 | F: [519] 822-1220
www.jdbarnes.com

I have asked the Township to prepare the list of property owners within 60 metres of the application.

Should you have any questions, please do not hesitate to call me.

Yours very truly

BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED



Nancy Shoemaker, B.A.A., R.P.P.

Attachments

Copy: Stuart & Karen Cullen

Surveying | Mapping | GIS
Unit 101- 257 Woodlawn Road West | Guelph | Ontario | N1H 8J1
T: [519] 822-4031 | F: [519] 822-1220
www.jdbarnes.com

Description: 6920 Concession Road 1, Puslinch
Application Date: Tuesday, May 11, 2021
Municipal File Number:
Proposed Application: Lot creation for a maximum of three non-agricultural use lots
Type A Land Use

Applicant Contact Information

Nancy Shoemaker
Black, Shoemaker, Robinson & Donaldson
Limited
257 Woodlawn Road West, Unit 101
Guelph, ON, Canada N1H 8J1
Phone #1: [REDACTED]
Email: [REDACTED]

Location of Subject Lands

County of Wellington, Township of Puslinch
PUSLINCH, Concession: 1, Lot: 17
Roll Number: 2301000004097000000

Calculation Name: **Farm 1**

Description: 6920 Concession Road 1, Puslinch

Farm Contact Information

Lynne
Sunrise Therapeutic
6920 Concession Road 1
Puslinch, ON, Canada
Phone #1: [REDACTED]

Location of existing livestock facility or anaerobic digester

County of Wellington, Township of Puslinch
PUSLINCH, Concession: 1, Lot: 17
Roll Number: 2301000004097000000
Total Lot Size: 42 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	Horses, Large-framed, mature; > 680 kg (including unweaned offspring)	2	2.9	60 m ²
Solid	Horses, Medium-framed, mature; 227 - 680 kg (including unweaned offspring)	7	7.0	163 m ²
Solid	Horses, Small-framed, mature; < 227 kg (including unweaned offspring)	2	1.0	33 m ²

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

Design Capacity (NU): 10.9

Potential Design Capacity (NU): 21.7

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	203.43	X	0.7	X
				1.1	
				=	
				110 m (360 ft)	306 m (1004 ft)
Storage Base Distance 'S'					
				(minimum distance from manure storage)	(actual distance from manure storage)
				110 m (360 ft)	306 m (1004 ft)

Preparer Information

Nancy Shoemaker
Planner
Black, Shoemaker, Robinson & Donaldson
257 Speedvale Avenue West, Unit 101
Guelph, ON, Canada N1H 8J1
Phone #1: 519-822-4031
Email: nancy@bsrd.com

Signature of Preparer: [REDACTED]

Nancy Shoemaker, Planner

Date: May 11, 2021

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.

Description: 6923 Concession Road 1, Puslinch

Application Date: Monday, May 17, 2021

Municipal File Number:

Proposed Application: Lot creation for a maximum of three non-agricultural use lots
Type A Land Use

Applicant Contact Information
Nancy Shoemaker
Black, Shoemaker, Robinson & Donaldson
Limited
257 Woodlawn Road West, Unit 101
Guelph, ON, Canada N1H 8J1
Phone #1: [REDACTED]
Email: [REDACTED]

Location of Subject Lands
County of Wellington, Township of Puslinch
PUSLINCH, Concession: GORE, Lot: 17
Roll Number: 2301000004054000000

Calculation Name: **Farm 1**

Description: 6923 Concession Road 1, Puslinch

Farm Contact Information
Ross Buurma
6923 Concession Road 1
Puslinch, ON, Canada
[REDACTED]

Location of existing livestock facility or anaerobic digester
County of Wellington, Township of Puslinch
PUSLINCH, Concession: GORE, Lot: 17
Roll Number: 2301000004054000000
Total Lot Size: 43 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	Horses, Medium-framed, mature; 227 - 680 kg (including unweaned offspring)	44	44.0	1,022 m²
Solid	Horses, Medium-framed, mature; 227 - 680 kg (including unweaned offspring)	44	44.0	1,022 m²
Solid	Horses, Medium-framed, mature; 227 - 680 kg (including unweaned offspring)	44	44.0	1,022 m²

Existing Manure Storage: No storage required (manure is stored for less than 14 days)

Design Capacity (NU): 132.0

Potential Design Capacity (NU): 396.0

Factor A (Odour Potential) 0.7 X Factor B (Size) 511.13 X Factor D (Manure Type) 0.7 X Factor E (Encroaching Land Use) 1.1 = Building Base Distance 'F' (minimum distance from livestock barn) 276 m (904 ft) Storage Base Distance 'S' (minimum distance from manure storage) 223 m (732 ft) 

Storage Base Distance 'S'
(minimum distance from manure storage)
No storage present



Preparer Information
Nancy Shoemaker
Planner
Black, Shoemaker, Robinson & Donaldson
257 Speedvale Avenue West, Unit 101
Guelph, ON, Canada N1H 8J1
Phone #1: 519-822-4031
Email: nancy@bsrd.com

Signature of Preparer: _____ Date: _____
Nancy Shoemaker, Planner

NOTE TO THE USER:
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Description: 6944 Concession Road1, Puslinch
Application Date: Tuesday, May 11, 2021
Municipal File Number:
Proposed Application: Lot creation for a maximum of three non-agricultural use lots
Type A Land Use

Applicant Contact Information

Nancy Shoemaker
Black, Shoemaker, Robinson & Donaldson
Limited
257 Woodlawn Road West, Suite 101
Guelph, ON, Canada N1H 8J1
Phone #1: [REDACTED]
Email: [REDACTED]

Location of Subject Lands

County of Wellington, Township of Puslinch
PUSLINCH, Concession: 1, Lot: 18
Roll Number: 2301000004095750000

Calculation Name: **Farm 1**

Description: 6944 Concession Road 1, Puslinch

Farm Contact Information

Stuart & Karen Cullen
6944 Concession Road 1
Puslinch, ON, Canada
Phone #1: [REDACTED]

Location of existing livestock facility or anaerobic digester

County of Wellington, Township of Puslinch
PUSLINCH, Concession: 1, Lot: 18
Roll Number: 2301000004095750000
Total Lot Size: 38 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	Horses, Large-framed, mature; > 680 kg (including unweaned offspring)	2	2.9	60 m ²

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

Design Capacity (NU): 2.9

Potential Design Capacity (NU): 2.9

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)	
0.7	X 150	X 0.7	X 1.1	= 81 m (265 ft)	415 m (1362 ft)

Storage Base Distance 'S' (minimum distance from manure storage)	(actual distance from manure storage)
81 m (265 ft)	415 m (1362 ft)

Preparer Information

Nancy Shoemaker
Planner
Black, Shoemaker, Robinson & Donaldson
257 Speedvale Avenue West, Unit 101
Guelph, ON, Canada N1H 8J1
Phone #1: 519-822-4031
Email: nancy@bsrd.com

Signature of Preparer: [REDACTED]
Nancy Shoemaker, Planner

Date: May 11, 2021

NOTE TO THE USER:

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Minimum Distance Separation I

Worksheet 1

Prepared By: Nancy Shoemaker, Planner, Black, Shoemaker, Robinson & Donaldson

Description: 6955 Concession Road 1

Application Date: Tuesday, May 11, 2021

Municipal File Number:

Proposed Application: Lot creation for a maximum of three non-agricultural use lots
Type A Land Use

Applicant Contact Information

Nancy Shoemaker
Black, Shoemaker, Robinson & Donaldson Limited
257 Woodlawn Road West, Suite 101
Guelph, ON, Canada N1H 8J1
Phone #1 [REDACTED]
Email [REDACTED]

Location of Subject Lands

County of Wellington, Township of Puslinch
PUSLINCH, Concession: 1, Lot: 18
Roll Number: 2301000004055000000

Calculation Name: **Farm 1**

Description: 6955 Concession Road 1, Puslinch

Farm Contact Information

Richard & Debbie Paddock
6955 Concession Road 1
Puslinch, ON, Canada
Phone #1 [REDACTED]

Location of existing livestock facility or anaerobic digester

County of Wellington, Township of Puslinch
PUSLINCH, Concession: 1, Lot: 18
Roll Number: 2301000004055000000

Total Lot Size: 38 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), Confinement [Livestock barn is currently unoccupied]	50	50.0	465 m ²
Solid	Horses, Large-framed, mature; > 680 kg (including unweaned offspring) [Livestock barn is currently unoccupied]	10	14.3	302 m ²

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

Design Capacity (NU): 64.3

Potential Design Capacity (NU): 192.9

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	397.35	X	0.7	X
				1.1	=
				214 m (703 ft)	251 m (823 ft)
Storage Base Distance 'S'					
				(minimum distance from manure storage)	(actual distance from manure storage)
				214 m (703 ft)	251 m (823 ft)

Preparer Information

Nancy Shoemaker
Planner
Black, Shoemaker, Robinson & Donaldson
257 Speedvale Avenue West, Unit 101
Guelph, ON, Canada N1H 8J1
Phone #1: 519-822-4031
Email: nancy@bsrd.com

Signature of Preparer: [REDACTED]

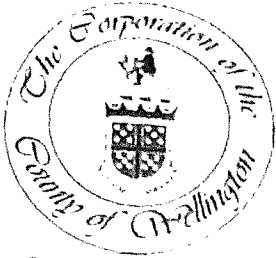
Nancy Shoemaker, Planner

Date:

May 11, 2021

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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

Friends of Sunrise Limited (FOSL) - PROPERTY
Sunrise Therapeutic Riding & Learning Centre - LIVESTOCK

Contact Information

Email [REDACTED] Telephone [REDACTED]
Civic Address 6920 Conc 1 Municipality Township of Puntland
Lot Part Lot 17 Concession Conc 1 Division
Lot Size (where livestock facility is located) hectares 102 acres

Signature of Livestock Facility Owner

Date Apr 5/21

BARN(S) SIZE Please provide the size of the barns located on the property. This information is used to verify maximum livestock capacity. Barn 4500 ft²/m² Area 11,856 ft²/m²

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

- V1 Solid, inside, bedded pack Transported off-site weekly.
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)		
	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)	2	V2
	Medium-framed, mature; 227 – 680 kg (e.g. saddle, riding and racing breeds including unweaned offspring)	7	V2
	Small-framed, mature; <227 kg (e.g. ponies and miniatures including unweaned offspring)	2	V2

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 N/A	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 N/A	Ewes & rams (for meat lambs; includes unweaned offspring & replacements)		
	Ewes & rams (dairy operation; includes unweaned offspring & replacements)		
	Lambs (dairy or feeder lambs)		
Goats N/A	Does & bucks (for meat kids; includes unweaned offspring and replacements)		
	Does & bucks (for dairy; includes unweaned offspring & replacements)		
	Kids (dairy or feeder kids)		
Chickens N/A	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 N/A	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)		
Veal N/A	Turkeys at any other weights, or if unknown (by floor area)		
Other N/A	Milk-fed		
	Grain-fed		
Imported manure	Please refer to Factor Table 1 of The Minimum Distance Separation (MDS) Document for complete list of animal types		
Unoccupied livestock barns	Use the volume of the manure storages		
	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

P 519.837.2600 x2170
F 519.923.1694



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 Ross Buurma

Contact Information
Email [redacted] Telephone [redacted]
Civic Address 6923 Municipality Pustinch
Lot 1 Concession 1 Division 1
Lot Size (where livestock facility is located) 130 hectares 130 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. 10,800 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 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)		
	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)	44 ft ² barn	V3
	Small-framed, mature; <227 kg (e.g. ponies and miniatures including unweaned offspring)		

* transported off site weekly

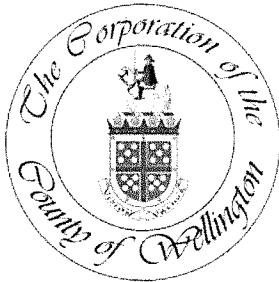
Animal Type of Material	Description	Housing Capacity (maximum)	Manure Storage Type (select from list)
Swine	Sows with litter, dry sows or boars		
	Breeder gilts (entire barn designed specifically for this purpose)		
	Weaners (7 – 27 kg)		
	Feeders (27 – 136 kg)		
Sheep	Ewes & rams (for meat lambs; includes 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?
EASE CONTACT

County of Wellington
Planning and Development Department
Woolwich Street, Guelph
N1H 3T9

1-800-387-2600 x2170
1-800-387-1694



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 Stuart and Karen Cullen

Contact Information

Email [redacted] Telephone [redacted]
Civic Address 6944 Concession 1 Municipality Puslinch
Lot Front PT Lot 18 RP Concession 1 Division
Lot Size (where livestock facility is located) hectares 94 acres

Signature of Livestock Facility Owner [redacted] Date 10th May

BARN(S) SIZE Please provide the size of the barns located on the property. This information is used to verify maximum livestock capacity. 3240 ft 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)		
	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)	2	v3
	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)		

Barn is a drive shed for machinery, with 2 hospital stalls that are very rarely used in it.

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

P 519.837.2600 x2170
F 519.923.1694

Farm Data Sheet MDSI

Additional Information

Owner: Richard & Debbie Paddock

Lot 18, Concession 1, Puslinch ON N0B-2J0

The barn on this property is 75' wide x 50' deep and has an upper level for hay / straw / grain and implement storage and a lower level to house cattle or horses. The barn is empty at the moment but the form has been completed with estimates for planning purposes.

1 of 3



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 Richard & Debbie Paddock

Contact Information
Email [redacted] Telephone [redacted]
Civic Address 6455 Concession 1 Municipality Puslinch
Lot 18 Concession 1 Division
Lot Size (where livestock facility is located) hectares 94 acres
Signature of Livestock Facility Owner [redacted] Date April 11/2021

BARN(S) SIZE Please provide the size of the barns located on the property. This information is used to verify maximum livestock capacity. 75' x 50' 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)	10	V3
	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)		
Horses	Large-framed, mature; >681 kg (e.g. draft or draft cross breeds including unweaned offspring)	10	V3
	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)
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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

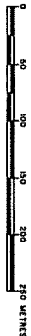
County of Wellington
Planning and Development Department
74 Woolwich Street, Guelph
ON N1H 3T9

P 519.837.2600 x2170
F 519.923.1694

343

PLAN
PREPARED FOR CONSENT APPLICATION
TOWNSHIP OF PUSLINCH
COUNTY OF WELLINGTON

SCALE 1 : 3000

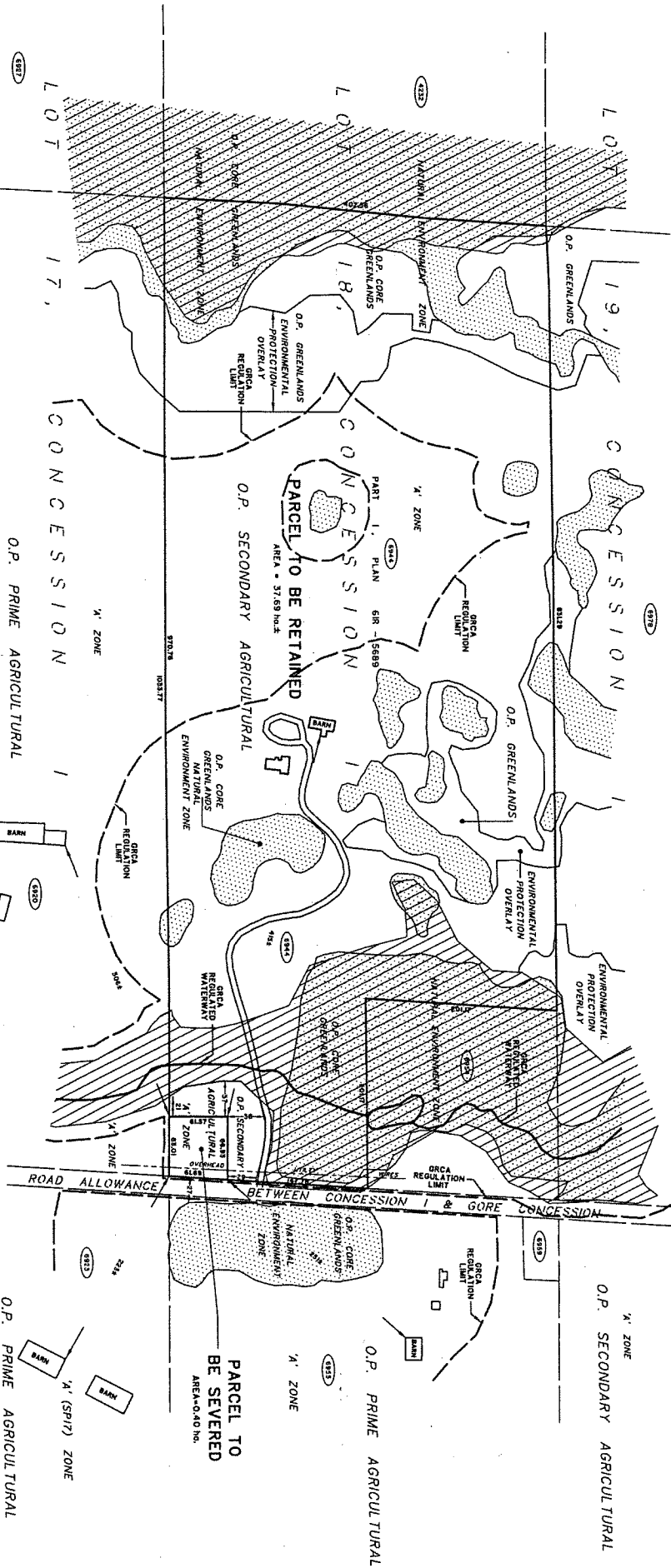
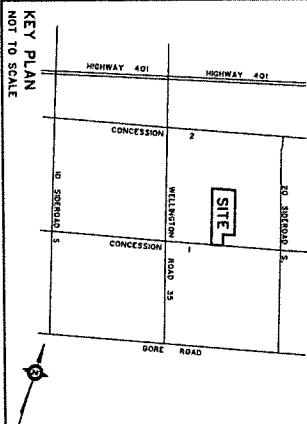
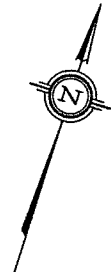


METRIC: DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

CAUTION: THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.

NOTES:
1. PRIMARY INFORMATION AND AREAS SHOWN ON THE PLAN HAVE BEEN COMPILED FROM A COMBINATION OF REGISTRY OFFICE RECORDS AND OLD SURVEYS AND IS SUBJECT TO VERIFICATION BY A COMPLETE UP-TO-DATE FIELD SURVEY.

O.P. SECONDARY AGRICULTURAL



WELLINGTON COUNTY OFFICIAL PLAN DESIGNATION:

RETAINED PARCEL: SECONDARY AGRICULTURAL, CORE GREENLANDS & GREENLANDS SEVERED PARCEL: SECONDARY AGRICULTURAL
THIS PROPERTY IS SITUATED WITHIN THE PAIRS GRAY MORINE POLICY AREA
THIS PROPERTY IS SITUATED WITHIN A WELLSHEAD PROTECTION AREA
THIS PROPERTY IS SITUATED WITHIN THE GRAND RIVER SOURCE PROTECTION PLAN

TOWNSHIP ZONING DESIGNATION:

RETAINED PARCEL: AGRICULTURAL (A)
SEVERED PARCEL: AGRICULTURAL (A) & NATURAL ENVIRONMENT (NE)

LEGEND:

- S212 DENOTES MUNICIPAL ADDRESS
- ▨ DENOTES WETLANDS (FROM GRCA MAPS)
- ▨ DENOTES FLOODPLAIN (APPROXIMATE - FROM GRCA MAPS)
- ~ DENOTES APPROXIMATE EDGE OF TREE CANOPY
- DENOTES GRCA REGULATED WATERCOURSE



ONTARIO LAND SURVEYING
LAND SURVEYING
267 WOODLAWN ROAD WEST #101, GUELPH, ON N1H 6H1
T: (519) 832-4031 F: (519) 832-2250
www.bsr.com

DRAWN BY: NS
CHECKED BY: LL
REFERENCE NO.: 21-14-415-00-A
DATED: MARCH 17, 2021

THIS PLAN WAS PREPARED FOR
STUART & KAREN CULLEN
AND THE UNDERSIGNED ACCEPTS NO
RESPONSIBILITY FOR USE BY OTHER PARTIES.

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July 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: June 29, 2021

FILE NO. B50-21

APPLICANT

Abigail & Lisa Slater
711 Arkell Road
Arkell N0B 1C0

LOCATION OF SUBJECT LANDS

Township of Puslinch
Part Lots 7, 8 & 9
Concession 10

Proposed severance is 60m fr x 135m = 0.8 hectares, vacant land for proposed rural residential use.

Retained parcel is 41.8 hectares with 280m frontage, existing and proposed rural residential use with existing 3 dwellings, storage building and shed.

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

August 18, 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 Ontario Land 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 Ontario Land 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 Ontario Land 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: \$

Fee Received:

File No.

Accepted as Complete on:

4630
 June 29/21
 B50-20
 June 29/21

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

2. (a) Name of Registered Owner(s) ABIGAIL SLATER & LISA SLATER

Address 711 ARKELL ROAD, ARKELL ON N0B 1C0

Phone No.

Email:

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

Phone No.

Email:

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

ROD FINNIEP. O. BOX 31, ERIN ON N0B 1T0

Phone No.

Email:

(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[]

SEVER A SINGLE LOT FOR 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.

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

Local Municipality: TOWNSHIP OF PUSLINCH

Concession 10 Lot No. PART OF LOTS 7,8,9

Registered Plan No. _____ Lot No. _____

Reference Plan No. _____ Part No. _____

Civic Address 711 ARKELL ROAD, PUSLINCH

(b) When was property acquired: 21/07/1988 Registered Instrument No. ROS577995

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

Frontage/Width 60 AREA 0.8 Ha.

Depth 135 Existing Use(s) RESIDENTIAL

Existing Buildings or structures: NONE

Proposed Uses (s): RESIDENTIAL

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

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

☐ Municipally owned and operated piped water system

☒ Well ☒ individual ☐ communal

☐ Lake

☐ Other _____

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

☐ Municipally owned and operated sanitary sewers

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

☐ Pit Privy

☐ Other (Specify): _____

6. Description of Land intended to be RETAINED:

Metric [X]

Imperial []

Frontage/Width 280

AREA 41.8 Ha.

Depth 1230

Existing Use(s) RESIDENTIAL

Existing Buildings or structures: 3 DWELLINGS, STORAGE BUILDING, SHED

Proposed Uses (s): RESIDENTIAL

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 [X] 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 [X]

*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 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 [] 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.

SEE ATTACHED

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.

SEE ATTACHED

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).

SECONDARY AGRICULTURE WITH CORE GREENLANDS OVERLAY

COUNTY PERMITS SINGLE SEVERANCE IN SECONDARY AGRICULTURE, SUBJECT TO 10.4

County of Wellington

LAND DIVISION FORM – SEVERANCE

Revised December 2019

- S. 10.4 OF THE COUNTY OFFICIAL PLAN PERMITS A SINGLE SEVERANCE OF A LOT SUBJECT TO

CONDITIONS (LENGTH OF OWNERSHIP, MDS, ENVIRONMENTAL PROTECTION).

- 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?*

*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 WITH ENVIRONMENTAL PROTECTION OVERL

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

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

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

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

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

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

31. Type of Farm Operation conducted on these subject lands: NOT APPLICABLE

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

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

	Width	Length	Area	Use
<u>Severed</u>				
<u>Retained</u>	12.2	16	195 SQ.M.	STORAGE, RECREATION

- 33. Manure Storage Facilities** on these lands: N/A

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 [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? (www.wellingtonwater.ca) 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: ZACH PRINCE

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.

NOTES:

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

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), ABIGAIL SLATER & LISA SLATER the Registered Owners of
PART OF LOTS 7, 8, 9, CONCESSION 10 Of the TOWNSHIP OF RUSLINCW in the
County/Region of WELLINGTON severally and jointly, solemnly declare that
ROD FINNIE

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) ROD FINNIE of the
TOWN OF ERIN In the County/Region of
WELLINGTON Solemnly declare that all
the statements contained in this application for consent for (property description) PART OF LOTS 7, 8, 9
CONCESSION 10, TOWNSHIP OF RUSLINCW.

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

Town Of
Erin In the
County/Region of Wellington

This 25 day of June 20 21


Commissioner of Oaths


(Owner or Applicant)

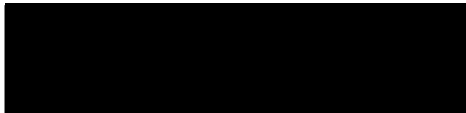
(Owner or Applicant)

ROBERT H. ROUTLIFFE
Barrister & Solicitor
55 Main Street, P.O. Box 295
Erin, Ontario N0B 1T0
Telephone: (519) 833-9626

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, Rob Finnie, 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/Applicant/Agent(s)

JUNE 16 / 21

Date

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

J. R. Finnie O.L.S.~~~~~

Box 31,
Erin, ON N0B 1T0
Ph. [REDACTED]
Fax [REDACTED]
Email [REDACTED]

14 June 2021

Secretary/Treasurer Land Division Committee & Committee Members
County of Wellington

Re: Application for Severance on Part of Lots 7, 8, and 9, Concession 10, Township of Puslinch

Ladies and Gentlemen;

This is a proposal to sever a 0.8-hectare lot from a 42.6-hectare parcel. The lands have been owned by the same family since 1988 and are used for residential and recreational purposes. An existing stone dwelling and an existing stone barn have been preserved and updated, but the barn is only used for storage, and is no longer suited for housing livestock. The lands are across the road from the Arkell well field that supplies the City of Guelph with drinking water. A residential use on this property presents no threat to the well field. It is adjacent to the Starkey Hill Conservation area, and although some of those lands are used for agricultural purposes, it is only for cash-cropping and no livestock is on site. Lands to the rear of the retained parcel are all used for large residential properties, and the lands to the east are also residential, so this proposal is compatible with existing uses in the area.

The lands are designated as secondary agricultural within the County official plan and agricultural within the Town's Zoning Bylaw. The creation of a new lot for residential purposes is consistent with the Official Plan and Zoning Bylaw, subject to the MDS requirements.

If you have any questions, please contact us.

Yours truly,

[REDACTED]
Rod Finnie O.L.S.

RECEIVED

JUN 29 2021

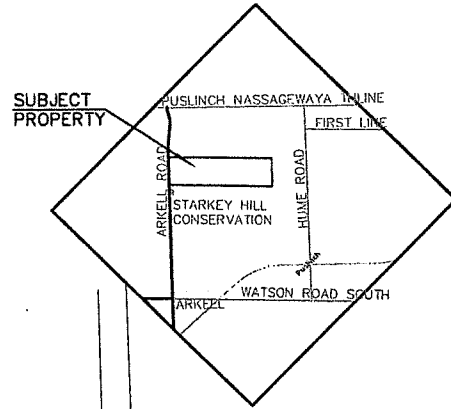
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

SUPPLEMENTARY RESPONSES

24. Section 1.1.5.2 of the Provincial Policy Statements permits residential development including lot creation, that is locally appropriate. The lands to the west of this are a conservation area, the lands to the north are a wellfield for the City of Guelph and the lands to the south and east are residential properties. This proposed severance is consistent with the uses in the vicinity.

25. These lands are not currently within the Greenbelt. A Place to Grow (2019) mapping will come into effect when the changes to the natural heritage system and the agricultural system are incorporated into the County's Official Plan. S. 2.2.9.6 allows for the creation of new multiple lots for residential development subject to the lands being appropriately zoned and designated in the Official Plan as of June 16, 2006. Use of a lot for a single-family dwelling in the agricultural zone is permitted by Table 11.1 of the Town's Zoning Bylaw. Lot creation is permitted in secondary agricultural areas subject to the requirements in s. 10.4 of the County's Official Plan.

KEY MAP



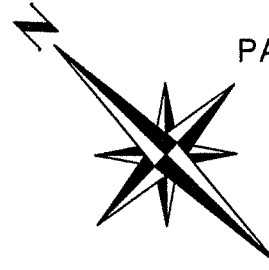
NOTES

INFORMATION ON THIS PLAN HAS BEEN COMPILED FROM WELLINGTON COUNTY AERIAL PHOTOGRAPHY AND LAND REGISTRY OFFICE INFORMATION.
NTS DENOTES NOT TO SCALE

OFFICIAL PLAN:
SECONDARY AGRICULTURE
WITH EARTH SCIENCE ANSI
AND CORE GREENLANDS OVERLAY

ZONING: AGRICULTURAL WITH ENVIRONMENTAL
PROTECTION AND NATURAL ENVIRONMENT
OVERLAY

EPA DENOTES ENVIRONMENTAL PROTECTION AREA
LANDS ARE WITHIN SOURCE WATER PROTECTION AREA.



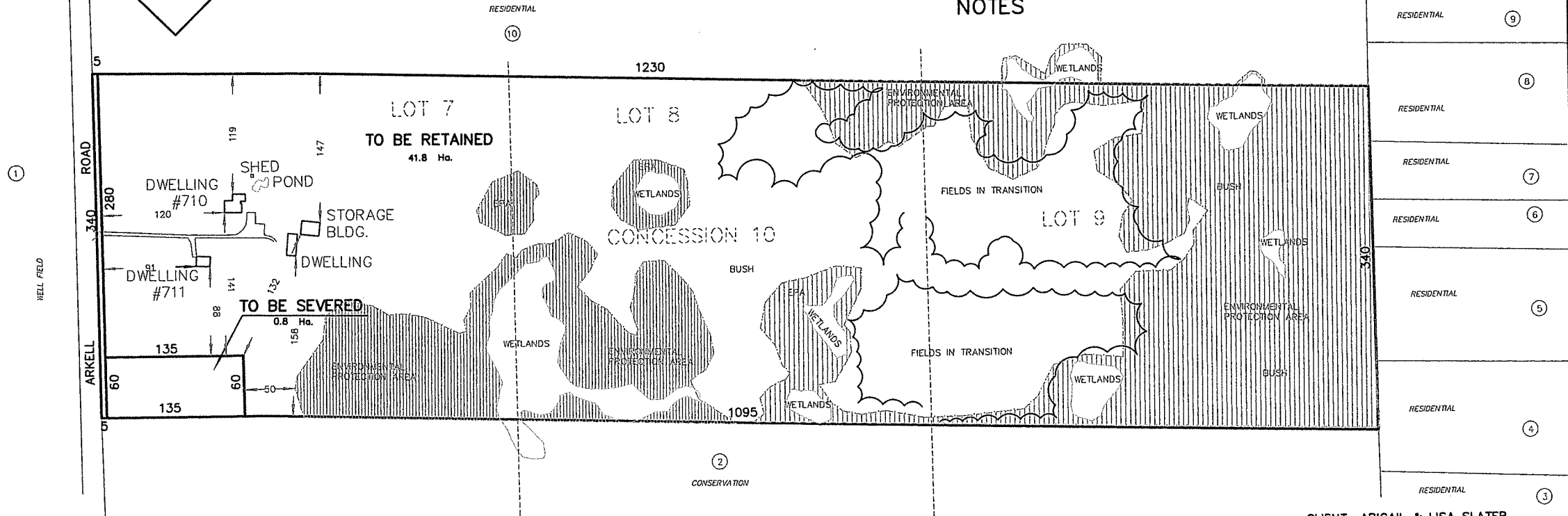
SKETCH FOR SEVERANCE APPLICATION PART OF LOTS 7, 8, AND 9, CONCESSION 10 TOWNSHIP OF PUSLINCH COUNTY OF WELLINGTON

J. R. FINNIE O.L.S.
SCALE 1:4000 METRIC
0 4 8 12 16 METRES

METRIC

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

NOTES



CAUTION

THIS IS NOT A PLAN OF SURVEY AND SHALL
ONLY BE USED FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.

© J. R. FINNIE O.L.S. - 2021

CLIENT: ABIGAIL & LISA SLATER

J. R. FINNIE
ONTARIO LAND SURVEYOR
BOX 31, ERIN ON N0B 1T0

PH (519) 833-2380 FAX (519) 833-0208
EMAIL : rfinnie@jrfinnie.com
www.jrfinnie.com

DRAWN BY: jrf

PROJECT: 21-2095SKT

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

July 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: June 28, 2021

FILE NO. B51-21

APPLICANT

Dawn & Donald Dagget
4189 Sideroad 20 S
Puslinch N0B 2J0

LOCATION OF SUBJECT LANDS

Township of Puslinch
Part Lot 21
Concession 1

Proposed severance is 0.4 hectares with 65m frontage, vacant land for proposed rural residential use

Retained parcel is 4.2 hectares with 57m frontage, existing and proposed rural residential use with existing dwelling, garage & pool.

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

August 18, 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 Ontario Land 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 Ontario Land 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 Ontario Land 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

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: \$ 4680
 Fee Received: June 28/21

File No. B51-21
 Accepted as Complete on: June 28/21

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

2. (a) Name of Registered Owner(s) Dawn Ellen DAGGET & Donald Allen DAGGET

Address 4189 Sideroad 20 South, Puslinch, ON, N0B 2J0

Phone No. [REDACTED]

Email: [REDACTED]

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

Phone No. _____

Email: _____

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

Jeff Buisman of Van Harten Surveying Inc.

423 Woolwich Street, Guelph, ON, N1H 3X3

Phone No. [REDACTED]

Email: [REDACTED]

(d) All Communication to be directed to:

REGISTERED OWNER []

APPLICANT []

AGENT [X]

(e) Notice Cards Posted by:

REGISTERED OWNER []

APPLICANT []

AGENT [X]

3. 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 1 Lot No. Part of Lot 21

Registered Plan No. _____ Lot No. _____

Reference Plan No. _____ Part No. _____

Civic Address 4189 Sideroad 20 South

(b) When was property acquired: August 2016 Registered Instrument No. WC478165

5. Description of Land intended to be SEVERED: Metric [] Imperial []

Frontage/Width 65 / 47 ± AREA 0.4 ha ±

Depth 74 ± Existing Use(s) Vacant Land

Existing Buildings or structures: None

Proposed Uses (s): Rural Residential – proposed dwelling

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 [] 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/Width57 / 102 ±AREA4.2 ha ±

Depth411 ±Existing Use(s)Rural Residential

Existing Buildings or structures: Dwelling, Garage & Pool

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 [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): 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 [X]

*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 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 [] 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 areas of Natural Heritage System features located on the property but they are outside of the severance area.

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. 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, Natural Environmental 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 [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. WC478166 with CIBC located at 100 University Avenue, 3rd Floor, Toronto, ON, M5J 2X4**

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>8±m</u>	Length	<u>12±m</u>	Area	<u>96±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.

29210-21

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), Dawn Ellen DAGGETT & Donald Allen DAGGETT the Registered Owners of Part of Lot 21, Concession 1, as in INST No. RO684206 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. X X ed Owner(s) o

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 21, Concession 1, as in INST No. RO684206 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 25 day of June 20 21 (Owner or Applicant) applicant)

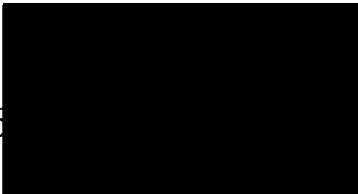
James Michael Laws,
a Commissioner, etc.,
Province of Ontario,
for Van Harten Surveying Inc.
Expires May 11, 2024.

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 C



Date

June 25/2021

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



LAND SURVEYORS and ENGINEERS

June 30, 2021

29210-21

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
4189 Sideroad 20 South
Part of Lot 21, Concession 1
PIN 71203-0019
Township of Puslinch**

RECEIVED

JUN 29 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, 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 is to create a new rural residential parcel along Sideroad 20 South with a frontage of 65±m, depth of 74±m, for an area of 0.4±ha where a dwelling is proposed. The right rear corner (when facing the property from the road) of the severed parcel was configured to exclude a pocket of bush/trees on a hill. These trees will provide for a buffer and a positive aesthetic feature. The parcel has been evaluated and safe entrance is possible.

There is an existing hydro line that runs through the severed parcel to the existing dwelling on the retained parcel. This hydro line will be used for the severed parcel and a new hydro line is proposed to service the dwelling on the retained parcel.

The Retained Parcel (known as #4189 Sideroad 20 South) has a frontage of 57±m, depth of 411±m for an area of 4.2±ha where the existing dwelling, garage and pool will remain. The retained parcel has a frontage of 57±m which is under the minimum frontage Zoning requirement of 120m; however, a minor variance will be applied for to address this deficiency. The entrance exists and the safe access will continue to be maintained.

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.



LAND SURVEYORS and ENGINEERS

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. The Zoning requirements are met for the Retained Parcel other than the frontage.

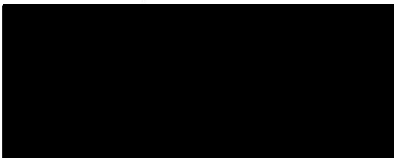
The parcel has a designation of Secondary Agricultural in the County of Wellington Official Plan which allows for a severance, provided that certain criteria (Section 10.4.4) are met. We reviewed this section, and we provide the opinion that the relevant criteria are met including the following:

- 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
- Zoning requirements are met for the severed parcel.
- MDS requirements are met.

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

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 Donald Daggett

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.

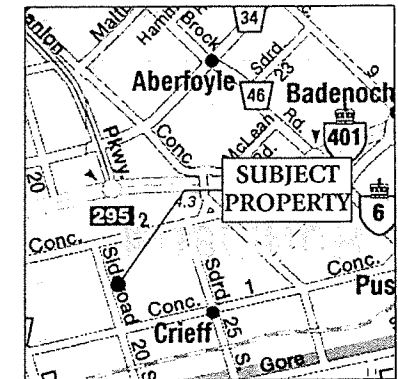
SEVERANCE SKETCH
PART OF LOT 21, CONCESSION 1
TOWNSHIP OF PUSLINCH
COUNTY OF WELLINGTON

SCALE 1 : 2000

0 20 40 80 120 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, ENVIRONMENTAL PROTECTION OVERLAY & NATURAL ENVIRONMENT.
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.

THIS SKETCH WAS PREPARED
ON THE 25th DAY OF JUNE 2021



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

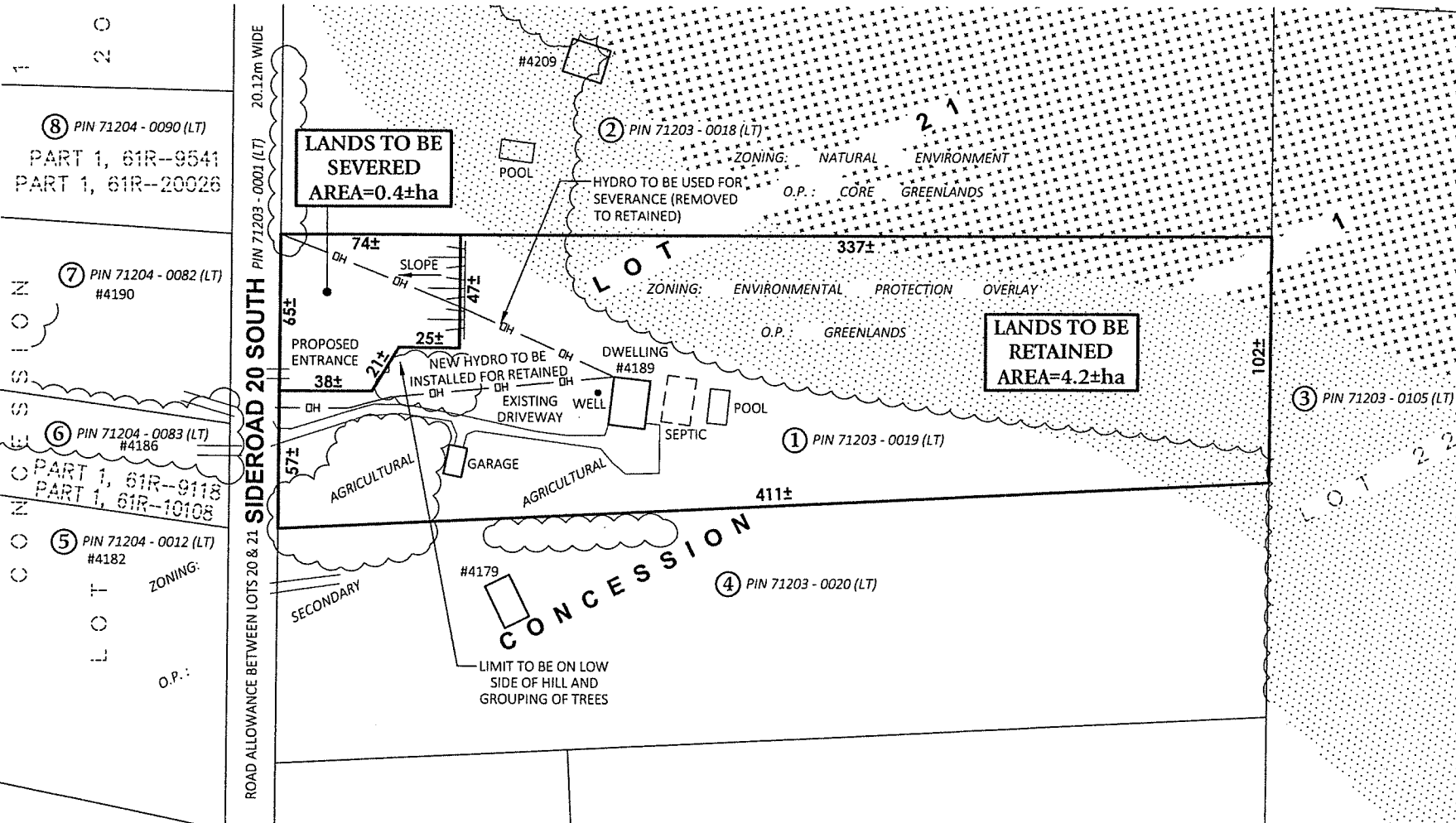
PROJECT No. 29210-21

Jun 25, 2021-10:20:55 AM

G:\PUSLINCH\Con1\ACAD\SEV LOT 21 (DAGGETT) UTM.dwg

O.P. : GREENLANDS
ZONING: AGRICULTURAL

O.P. : CORE GREENLANDS
ZONING: NATURAL ENVIRONMENT



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

July 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: June 28, 2021

FILE NO. B52-21

<u>APPLICANT</u>	<u>LOCATION OF SUBJECT LANDS</u>
Michele & George Gray	Township of Puslinch
6655 Concession 2	Part Lot 7
Cambridge N3C 2V4	Concession 1

Proposed severance is 1.0 hectares with 62m frontage, existing and proposed agricultural with existing shed & barn for proposed rural residential use. Shed & barn to be removed.

Retained parcel is 9.9 hectares with 15m frontage, existing and proposed agricultural use with dwelling & pool.

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

August 18, 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 Ontario Land 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 Ontario Land 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 Ontario Land 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: \$

Fee Received:

File No.

Accepted as Complete on:

4630
June 28/21
B2-21
June 28/21

A COPY OF YOUR CURRENT DEED MUST BE SUBMITTED WITH THIS APPLICATION2. (a) Name of Registered Owner(s) Michele Sandra GRAY & George Richard GRAYAddress 6655 Concession 2, Cambridge, ON, N3C 2V4

Phone No.

Email:

(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.

Email:

(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 1 Lot No. Part of Lot 7

Registered Plan No. _____ Lot No. _____

Reference Plan No. 61R-4224 Part No. 1

Civic Address 6655 Concession 2

(b) When was property acquired: December 2000 Registered Instrument No. LT44347

5. Description of Land intended to be SEVERED: Metric [] Imperial []

Frontage/Width 62 / 51 ± AREA 1.0 ha ±

Depth 177 ± Existing Use(s) Agricultural

Existing Buildings or structures: Shed & Barn (Both to be removed)

Proposed Uses (s): Proposed Dwelling

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 [] 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

15 / 119 ±

AREA

9.9 ha ±

Depth

1028 ±

Existing Use(s)

Agricultural

Existing Buildings or structures:

Dwelling and Pool

Proposed Uses (s):

No Change

Type of access (Check appropriate space)

Existing [X]

Proposed []

☐ 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 [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): 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 [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 [X]

NO []

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:

County of Wellington

LAND DIVISION FORM – SEVERANCE

Revised April 2018

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 and Greenlands 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 & Environmental Protection Overlay**

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. WC365113 with Royal Bank of Canada, located at 10 York Mills Road, 3rd Floor, Toronto, ON, M2P 0A2**

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>Buildings on Severed 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 <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.

OWNER'S AUTHORIZATION:


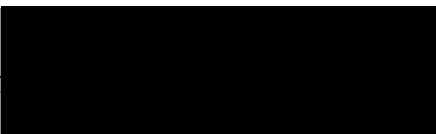
The Owner must complete the following to authorize applicant, agent or solicitor to act on their behalf.

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), George Richard GRAY & Michele Sandra GRAY the Registered Owners of Part of Lot 7, Concession 1, Part 1, 61R-4224 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.

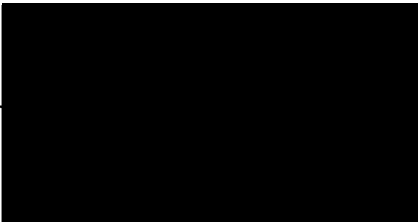
Is authorized to submit an application for consent on my (our) behalf.

X  X 
e(s) of Registered Owner

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 7, Concession 1, Part 1, 61R-4224 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  Applicant)
City Of
Guelph In the
County/-Region of Wellington

This 15 day of June 2021



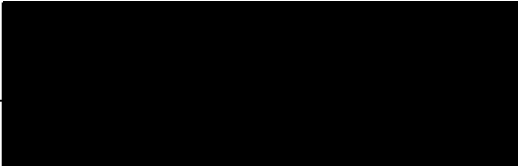
(Owner or Applicant)

James Michael Laws,
a Commissioner, etc.,
Province of Ontario,
for Van Harten Surveying Inc.
Expires May 11, 2024

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 

Date June 25/2021

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



LAND SURVEYORS and ENGINEERS

June 30, 2021

29835-21

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
6655 Concession 2
Part of Lot 7, Concession 1
PIN 71207-0158
Township of Puslinch**

RECEIVED

JUN 29 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 Concession 2 in Puslinch. The Severed Parcel will have a frontage of 62±m, depth of 177±m, for an area of 1.0±ha where a dwelling is proposed. The parcel was configured so that the rear limit will be in line with the parcels to the west. There are an existing old shed and barn on the parcel that will be removed. The parcel has been evaluated and a safe entrance is possible.

The Retained Parcel (known as #6655 Concession 2) has a frontage of 15±m, depth of 1028±m for an area of 9.9±ha where the existing dwelling and pool will remain. The retained parcel is a "Flag-shaped" lot and will become more so due to the severance. However, the retained parcel functions well with the existing driveway in the 15m wide strip and the loss of frontage for this parcel will not negatively impact this property.

A minor variance will be applied for 15m of frontage versus the existing frontage of 77m or the 120m requirement 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

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.



LAND SURVEYORS and ENGINEERS

The subject property is zoned Agricultural & Environment Protection Overlay and the Reduced Lot Requirements listed in Table 11.3 of the Zoning By-law will be met for the Severed Parcel.

There is a barn to the east of the subject property at #6667 Concession 2. We have not been able to contact the property owner yet; however, we completed a preliminary MDS calculation using Type B to get an estimate for the required distance to the severed parcel. We calculated the barn to be approximately 325m² and we used Horses as the animal type – this gave a required MDS of 233m. We are showing an approximate distance of 235m, and therefore we are reasonably confident that MDS can be met. Further attempts will be made to obtain the MDS information from the property owner.

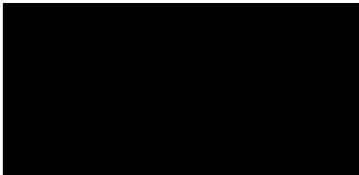
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- The severed lands are designated Secondary Agricultural.
- Ownership is longer than 5 years.
- No severance since March 2005.
- Safe entrance is available – sight lines have been evaluated.
- Adequate space for new dwelling and septic.
- No impacts on environmentally sensitive lands or woodlot
- Zoning requirements are met for the Severed Parcel.
- MDS requirements are met.

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

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 George Gray

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.

July 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: June 28, 2021

FILE NO. B53-21

APPLICANT

Divinder & Sukhbir Grewal
16 Paulstown Crescent
Guelph N1G 5H7

LOCATION OF SUBJECT LANDS

Township of Puslinch
Part Lot 16
Concession 7

Proposed severance is 60m fr x 122m = 0.73 hectares, existing and proposed rural residential use with a dwelling under construction.

Retained parcel is 8.89 hectares with 94m frontage, existing and proposed bush/reforested trees.

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

August 18, 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 Ontario Land 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.

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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
- 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: June 28/21
File No. BS3-21
Accepted as Complete on: June 28/21

A COPY OF YOUR CURRENT DEED MUST BE SUBMITTED WITH THIS APPLICATION2. (a) Name of Registered Owner(s) Divinder Singh GREWAL & Sukhbir Kaur GREWALAddress 16 Paulstown Crescent, Guelph, ON, N1G 5H7

Phone No. [REDACTED]

Email: [REDACTED]

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

Phone No. _____

Email: _____

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

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

Phone No. [REDACTED]

Email: [REDACTED]

(d) All Communication to be directed to:

REGISTERED OWNER []

APPLICANT []

AGENT [X]

(e) Notice Cards Posted by:

REGISTERED OWNER []

APPLICANT []

AGENT [X]

3. 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 7

Lot No. Part of Lot 16

Registered Plan No. _____

Lot No. _____

Reference Plan No. 61R-9125

Part No. Part 3

Civic Address 130 Maltby Road West

(b) When was property acquired: June 2012

Registered Instrument No. WC347140

5. Description of Land intended to be SEVERED:

Metric []

Imperial []

Frontage/Width 60 ±

AREA

0.73 ha ±

Depth 122 ±

Existing Use(s)

Rural Residential

Existing Buildings or structures: Dwelling – under construction

Proposed Uses (s): Rural Residential (no change)

Type of access (Check appropriate space)

Existing [X]

Proposed []

- ☐ 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 [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): Individual
- ☐ Pit Privy
- ☐ Other (Specify):

6.

Description of Land intended to be RETAINED:

Metric [X]

Imperial []

Frontage/Width

94 / 289 ±

AREA

8.89 ha ±

Depth

739 ±

Existing Use(s)

Bush/Reforested Trees

Existing Buildings or structures:

None

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 [] 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):

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 [X]

*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 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 [] 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 is a Natural Heritage System feature located at the rear of the retained parcel however it is well outside of the proposed severance boundaries and is not a conflict.

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 Core Greenlands 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. (The severed parcel is within Secondary Ag).

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 for the reduced frontage of the retained.

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. WC626035 with the Toronto-Dominion Bank located at 4720 Tahoe Blvd, 5th Floor, Mississauga, ON, L4W 5P2**

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** **None**

<u>Retained</u>	Width	Length	Area	Use
	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 [] NO [X]

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

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

- 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.
- 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.
- 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.
- 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.
- 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), Divinder Singh GREWAL & Sukhbir Kaur GREWAL the Registered Owners of
Part of Lot 16, Concession 7, Part 3, 61R-9125 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.

Sig 

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 16, Concession 7, Part 3, 61R-9125 Of the Township of Puslinch

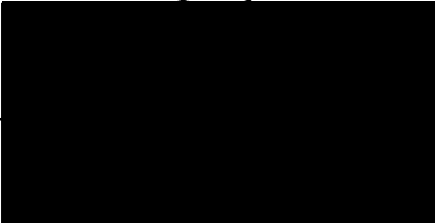
And all the supporting documents are true, and I, (we), make this solemn declaration conscientiously believing it to be true and complete, and knowing that it is of the same force and effect as if made under oath, and virtue of the CANADA EVIDENCE ACT.

DECLARED before me at the

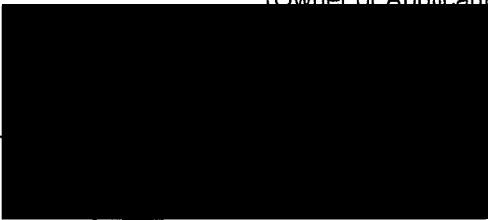
City _____ Of _____

Guelph _____ In the
County/-Region of Wellington

This 28 day of June 20 21



County of Wellington

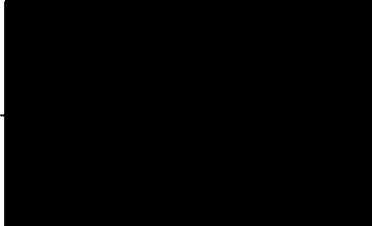
(Owner or Applicant)


James Michael Laws,
a Commissioner, etc.,
Province of Ontario,
for Van Harten Surveying Inc.
May 11, 2024
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(s)



Date

June 28, 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



LAND SURVEYORS and ENGINEERS

June 30, 2021

25349-17

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
130 Maltby Road West
Part of Lot 16, Concession 7
Part 3, Deposited Plan 61R-9125
PIN 71197-0275
Township of Puslinch**

RECEIVED

JUN 29 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, 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 Maltby Road West with a frontage of 60±m, depth of 122±m for an area of 0.73±ha where a dwelling – that is currently under construction – will remain (known as #130 Maltby Road West). The Severed Parcel was configured around the dwelling, septic and natural features and is the same depth as the adjacent parcels to the northeast. The entrance exists and the safe access will continue to be maintained.

The Retained Parcel is vacant and has a frontage of 94±m, depth of 396±m, for an area of 8.9±ha. The retained parcel has a frontage of 94±m which is under the minimum frontage Zoning requirement of 120m, and a Minor Variance will be applied for to address this slight deficiency. A safe entrance for the retained parcel is proposed near the west end of the property.

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. The Zoning requirements are met for the Retained Parcel other than the frontage and a minor variance will be submitted to address this deficiency.

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.



LAND SURVEYORS and ENGINEERS

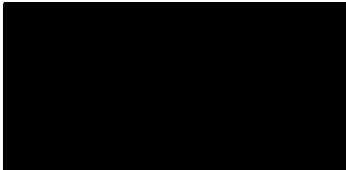
The parcel has a designation of Secondary Agricultural in the County of Wellington Official Plan which allows for a severance, provided that certain criteria (Section 10.4.4) are met. We reviewed this section, and we provide the opinion that the relevant criteria are met including the following:

- 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
- MDS requirements are met.
- Zoning is met for the Severed Parcel.

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

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 Divinder Grewal

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.

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

July 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: June 29, 2021

FILE NO. B54-21

<u>APPLICANT</u>	<u>LOCATION OF SUBJECT LANDS</u>
Krista & Paul Godinho 6911 Wellington Rd 34 Cambridge N3C 2V4	Township of Puslinch Part Lot 15 Concession 3

Proposed severance is 50m fr x 110 = 0.56 hectares, vacant land for proposed rural residential use.

Retained parcel is 3.4 hectares with 72m frontage, existing and proposed rural residential use with existing dwelling, garage, shed & barn. Barn to be removed.

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

August 18, 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 Ontario Land 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 Ontario Land 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 Ontario Land 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		

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: June 28/21
 File No. BS4-21
 Accepted as Complete on: June 28/21

A COPY OF YOUR CURRENT DEED MUST BE SUBMITTED WITH THIS APPLICATION2. (a) Name of Registered Owner(s) Krista Lily-Ann GODINHO & Paul Alexandre Viera GODINHO

Address 6911 Wellington Road No. 34, Cambridge, ON, N3C 2V4

Phone No. [REDACTED]

Email: [REDACTED]

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

Phone No. _____

Email: _____

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

Jeff Buisman of Van Harten Surveying Inc.

423 Woolwich Street, Guelph, ON, N1H 3X3

Phone No. [REDACTED]

Email: [REDACTED]

(d) All Communication to be directed to:

REGISTERED OWNER []

APPLICANT []

AGENT [X]

(e) Notice Cards Posted by:

REGISTERED OWNER []

APPLICANT []

AGENT [X]

3. 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 3Lot No. Part of Lot 15

Registered Plan No. _____Lot No. _____

Reference Plan No. _____Part No. _____

Civic Address 6862 Wellington County Road 34

(b) When was property acquired: December 2015

Registered Instrument No. WC456169

5. Description of Land intended to be SEVERED:Metric []Imperial []

Frontage/Width 50 ±AREA 0.56 ha ±

Depth 110 / 113 ±Existing Use(s) Rural Residential

Existing Buildings or structures: None

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

72 / 121 ±

AREA

3.4 ha ±

Depth

326 ±

Existing Use(s)

Rural Residential

Existing Buildings or structures:

Dwelling, Garage, Shed & Barn (barn to be removed)

Proposed Uses (s):

No Change

Type of access (Check appropriate space)

Existing [X]

Proposed []

☐ 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 [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): 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 [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 []

NO [X]

Name of Rail Line Company: _____

County of Wellington

LAND DIVISION FORM – SEVERANCE

Revised April 2018

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 Natural Heritage Features on property, however they are on the Retained Parcel and far removed from the severance.

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 Core Greenlands 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 and Natural Environment**

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

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

30. Are the lands subject to any mortgages, easements, right-of-ways or other charges? YES [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. WC500550 with the Home Trust Company, located at 145 King Street West, Suite 2300, Toronto, ON, M5H 1J8**

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	<u>115±m²</u>	Use	<u>Barn (to be removed)</u>
	Width <u>11±m</u>	Length <u>8±m</u>	Area	<u>88±m²</u>	Use	<u>Garage</u>
	Width <u>3±m</u>	Length <u>8±m</u>	Area	<u>24±m²</u>	Use	<u>Shed</u>
<u>Severed</u>	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.

OWNER'S AUTHORIZATION:

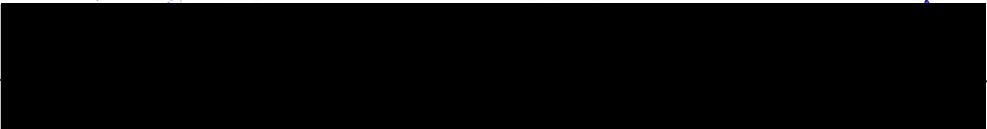
The Owner must complete the following to authorize applicant, agent or solicitor to act on their behalf.

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), Krista Lily-Ann GODINHO & Paul Alexandre Viera GODINHO the Registered Owners of Part of Lot 15, Concession 3, as in INST MS75851 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.

X 

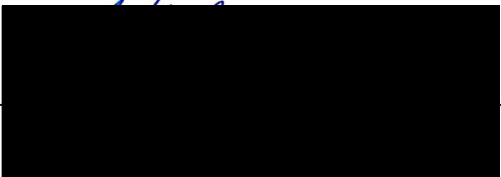
APPLICANT'S DECLARATION
This must be completed by the Applicant for the proposed consent

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 15, Concession 3, as in INST MS75851 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 _____ (Owner or Applicant)
_____ Guelph _____ In the _____
County/-Region of Wellington
This 25 day of June 20 21





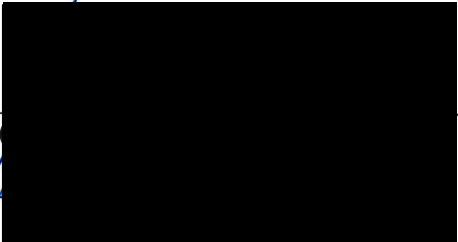
James Michael Laws,
a Commissioner, etc.,
Province of Ontario,
for Van Harten Surveying Inc.
Expire May 11, 2024

Printed Commissioner 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

June 25/2021

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



LAND SURVEYORS and ENGINEERS

June 30, 2021

29299-21

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
6862 Wellington Road No 34
Part of Lot 15, Concession 3
PIN 71209-0071
Township of Puslinch**

RECEIVED

JUN 29 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, 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 Wellington County Road 34 with a frontage of 50±m, depth of 113±m for an area of 0.56±ha where a dwelling is proposed. The parcel consists of vacant field with some trees/bush around the boundary -- which creates a suitable parcel for residence. The parcel has been evaluated and safe entrance is possible near the west end of the frontage.

The Retained Parcel (known as #6862 Wellington Road 34) has a frontage of 72±m, depth of 326±m for an area of 3.4±ha where the existing dwelling, garage, barn and sheds will remain. The entrance exists and the safe access will continue to be maintained.

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.



LAND SURVEYORS and ENGINEERS

MDS Evaluation:

There is currently a barn on the Retained Parcel that is being used for a small hobby farm with four horses and a few ducks, geese, miniature pigs and chickens. Ideally the owners would like to retain the barn; however, after completing the MDS calculations – under a Type B scenario – the required distance to the severed parcel is 166m and the actual distance is approximately 35±m. Therefore, MDS cannot be met. The plan is to construct a new hobby barn further back on the retained parcel. We completed preliminary MDS 2 calculations and found that the barn on the retained needs to be 173m to the rear of the severance. We would appreciate the County and/or the Township's confirmation that the new location of the proposed barn will meet MDS 2.

Policy Review:

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 Parcels.

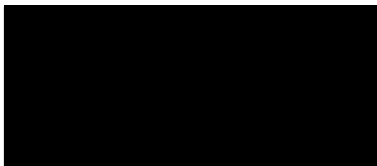
The parcel has a designation of Secondary Agricultural in the County of Wellington Official Plan which allows for a severance, provided that certain criteria (Section 10.4.4) are met. We reviewed this section, and we provide the opinion that the relevant criteria are met including the following:

- 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
- Zoning requirements are met.
- MDS requirements will be met once the barn is removed.

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

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

Very truly yours,
Van Harten Surveying Inc.

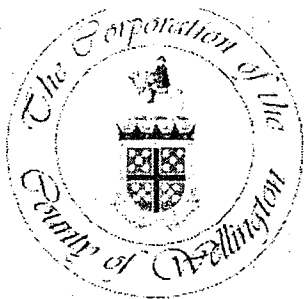


Jeffrey E. Buisman B.E.S, B.Sc.
Ontario Land Surveyor

cc Krista Godinho

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.



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 Krista Godinho

Contact Information
Email [redacted] Telephone [redacted]
Civic Address Wellington Road 34 Municipality Puslinch
Lot 15 Concession 3 Division _____
Lot Size (where livestock facility is located) 0.4 / 1 hectares _____ acres
Signature of Livestock Facility Owner [redacted] Date Jan 6/18

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 approx. 1284 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)		
	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)		
	Hieifers (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)	4	V3
	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 pulletbarn)		
	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 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		
	HOBBY FARM INCLUDING MINIATURE PIGS, <i>goats, ducks,</i>	4	V3
	<i>chickens</i>		
Imported manure	Use the volume of the manurestorages		
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

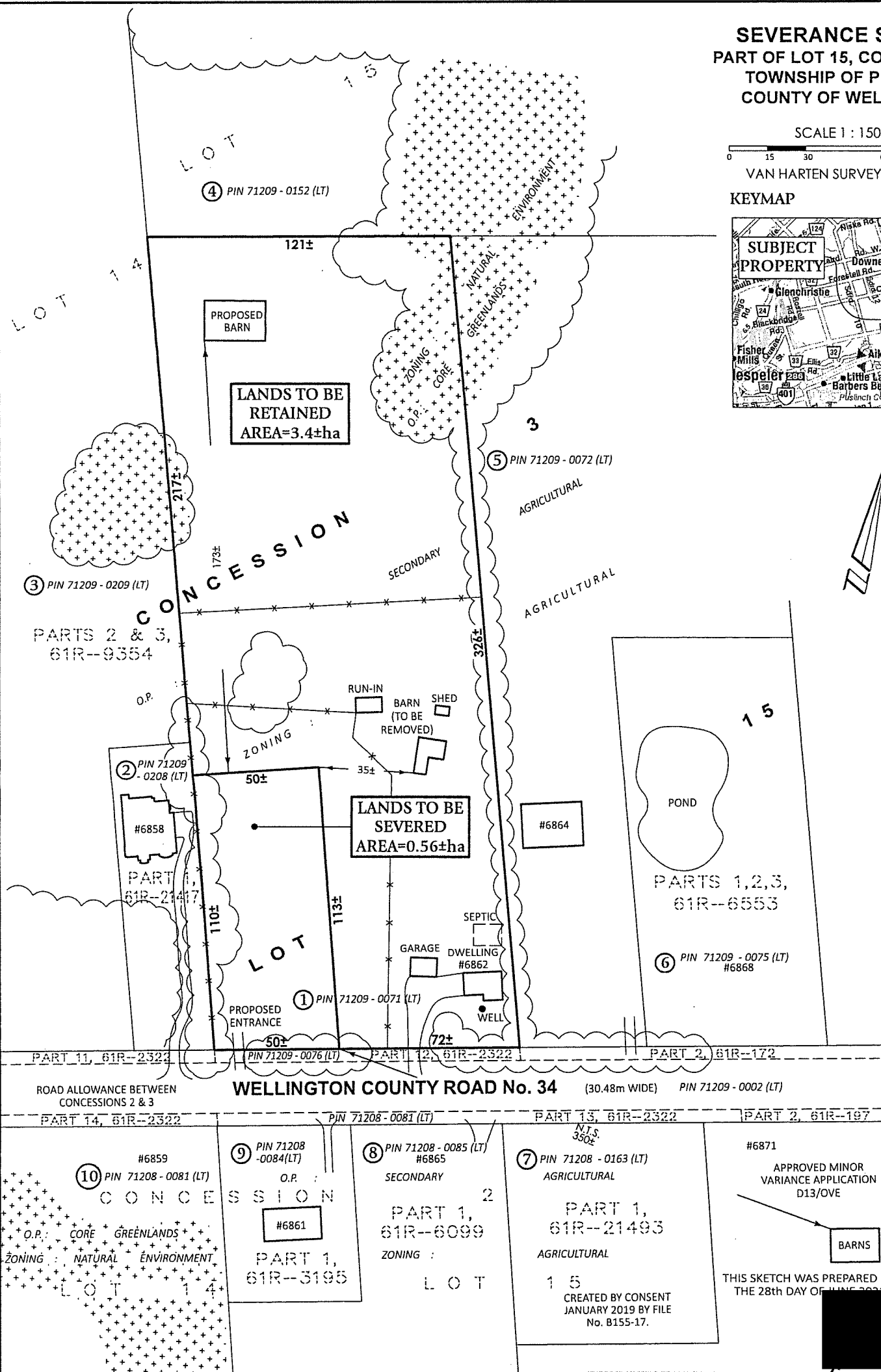
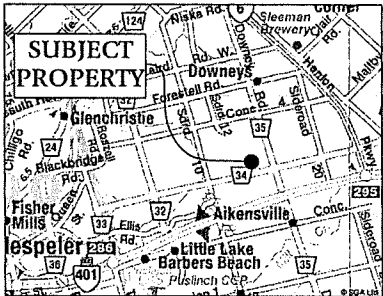
SEVERANCE SKETCH
PART OF LOT 15, CONCESSION 3
TOWNSHIP OF PUSLINCH
COUNTY OF WELLINGTON

SCALE 1 : 1500

0 15 30 60 90 metres

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.
 3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF SECONDARY AGRICULTURAL & 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. : CORE GREENLANDS
ZONING : NATURAL ENVIRONMENT



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. 29299-21

Jun 28, 2021-7:55:20 AM

22421

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

July 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: June 28, 2021

FILE NO. B55-21

APPLICANT

Peggy Hambly
4428 Sideroad 20 N
RR#6
Guelph N1H 6J3

LOCATION OF SUBJECT LANDS

Township of Puslinch
Part Lot 20
Concession 2

Proposed severance is 0.41 hectares with 25.1m frontage, existing and proposed rural residential use. Existing shed to be removed.

Retained parcel is 0.5 hectares with 30.5m frontage, existing and proposed rural residential use with existing dwelling & barn. Barn to be removed.

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

August 18, 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 Ontario Land 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 Ontario Land 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 Ontario Land 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

Required Fee: \$ 4630
Fee Received: June 28/21
File No. BSS-21
Accepted as Complete on: June 28/21

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

A COPY OF YOUR CURRENT DEED MUST BE SUBMITTED WITH THIS APPLICATION2. (a) Name of Registered Owner(s) Peggy Lorine HAMBLYAddress 4428 Sideroad 20 North, RR#6, Guelph, ON, N1H 6J3

Phone No. [REDACTED]

Email: [REDACTED]

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

Phone No. _____

Email: _____

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

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

Phone No. [REDACTED]

Email: [REDACTED]

(d) All Communication to be directed to:

REGISTERED OWNER []

APPLICANT []

AGENT [X]

(e) Notice Cards Posted by:

REGISTERED OWNER []

APPLICANT []

AGENT [X]

3. 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 2Lot No. Part of Lot 20

Registered Plan No. _____Lot No. _____

Reference Plan No. _____Part No. _____

Civic Address 4428 Sideroad 20 North

(b) When was property acquired: January 2016Registered Instrument No. WC459085

5. Description of Land intended to be SEVERED:Metric []Imperial []

Frontage/Width 25.1 ±AREA 0.41 ha ±

Depth 135 ±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]
<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 [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

30.5 / 40 ±

AREA

0.50 ha ±

Depth

136 ±

Existing Use(s)

Rural Residential

Existing Buildings or structures: Dwelling (to remain) & Barn (to be removed)

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): 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 [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 [X] NO []
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 [] 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 [X] NO []**

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

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

30. Are the lands subject to any mortgages, easements, right-of-ways or other charges? **YES [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. WC585275 with Victor Demedeiros located at 512 Conservation Drive, Brampton, ON, L6Z 0B8**

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** **None**

<u>Retained</u>	Width	Length	Area	Use
	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), Peggy Lorine HAMBLY the Registered Owners of
Part of Lot 20, Concession 2, as in INST ROS244609 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.

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 20, Concession 2, as in INST ROS244609 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 15 day of June 2021

(Owner or Applicant)

(Owner or Applicant)

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

A large black rectangular box redacting the signature of the applicant.

Date

June 25, 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



LAND SURVEYORS and ENGINEERS

June 30, 2021

29662-21

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
4428 Sideroad 20
Part of Lot 20, Concession 2
PIN 71201-0044
Township of Puslinch**

RECEIVED

JUN 29 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 Sheet, 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 #4428 Sideroad 20 North (PIN 71201-0044) roughly in half to create a new rural residential parcel. The Severed Parcel will have a frontage of 25.1m, depth of 135±m, for an area of 0.41±ha where a dwelling is proposed. There is a small shed on this parcel, however it will be removed.

The severed parcel was a bit of an odd configuration because of existing property lines and existing features. Survey work was completed to confirm the location of the existing house and well so as to ensure that the new limit has adequate clearance to the well and existing house. The new limit between the severed and retained parcels was configured to have some symmetry with the existing property lines and the existing features. The driveway for the existing house will be relocated further north so that the severed parcel will have a frontage of 25.1m. The entrance for the severed parcel will be at the north end of the severed lot.

The Retained Parcel will have a frontage of 30.5m, depth of 136±m, for an area of 0.50±ha where the existing dwelling will remain. There is an existing small horse barn that will be removed as part of the severance.

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.



LAND SURVEYORS and ENGINEERS

MDS Evaluation

The Minimum Distance Separation (MDS) guidelines have been evaluated for the barn across the road at #4453 Sideroad 20 North. The required distance using Type B calculations is 187m to the severed parcel and the actual distance is approximately 275m and therefore MDS can be met.

There is an existing small barn on the retained parcel (#4428) that previously housed a couple horses; however, this barn will be removed to ensure that MDS can be met for the severance.

Overall Review

The subject property is zoned Agricultural & Natural Environment and the Reduced Lot Requirements listed in Table 11.3 of the Zoning By-law will be met for the Severed Parcel. The Zoning requirements are met for the Retained Parcel.

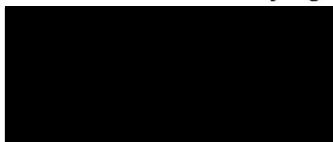
The parcel has a designation of Secondary Agricultural in the County of Wellington Official Plan which allows for a severance, provided that certain criteria (Section 10.4.4) are met. We reviewed this section, and we provide the opinion that the relevant criteria are met including the following:

- 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.
- Zoning requirements are met.
- MDS requirements are met.

In summary, the severed land consists of cut grass and planted trees. The land is relatively open and 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 James Nagy
cc Peggy Hambly

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.



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 Csilla Farkas

Contact Information

Email [REDACTED] Telephone [REDACTED]

Civic Address 4453 Sideroad 20 N Municipality [REDACTED]

Lot 21 Concession 2 Division

Lot Size (where livestock facility is located) hectares acres

Signature of Livestock Facility Owner [REDACTED] Date Aug 20/19

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)		V
	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)		
	Hieifers (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)		6 V3
	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		
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?

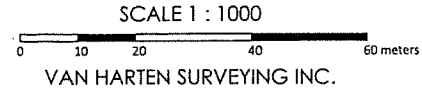
PLEASE CONTACT

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

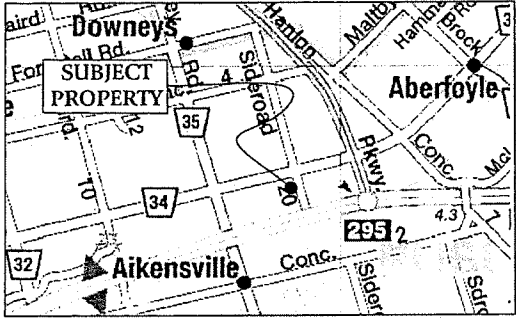
Linda Redmond, Senior Planner
 E lindar@wellington.ca
 T 519.837.2600 x2380
 1.800.663.0750 x2380

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

SEVERANCE SKETCH
PART OF LOT 20, CONCESSION 2
TOWNSHIP OF PUSLINCH
COUNTY OF WELLINGTON



KEYMAP



NOTES:

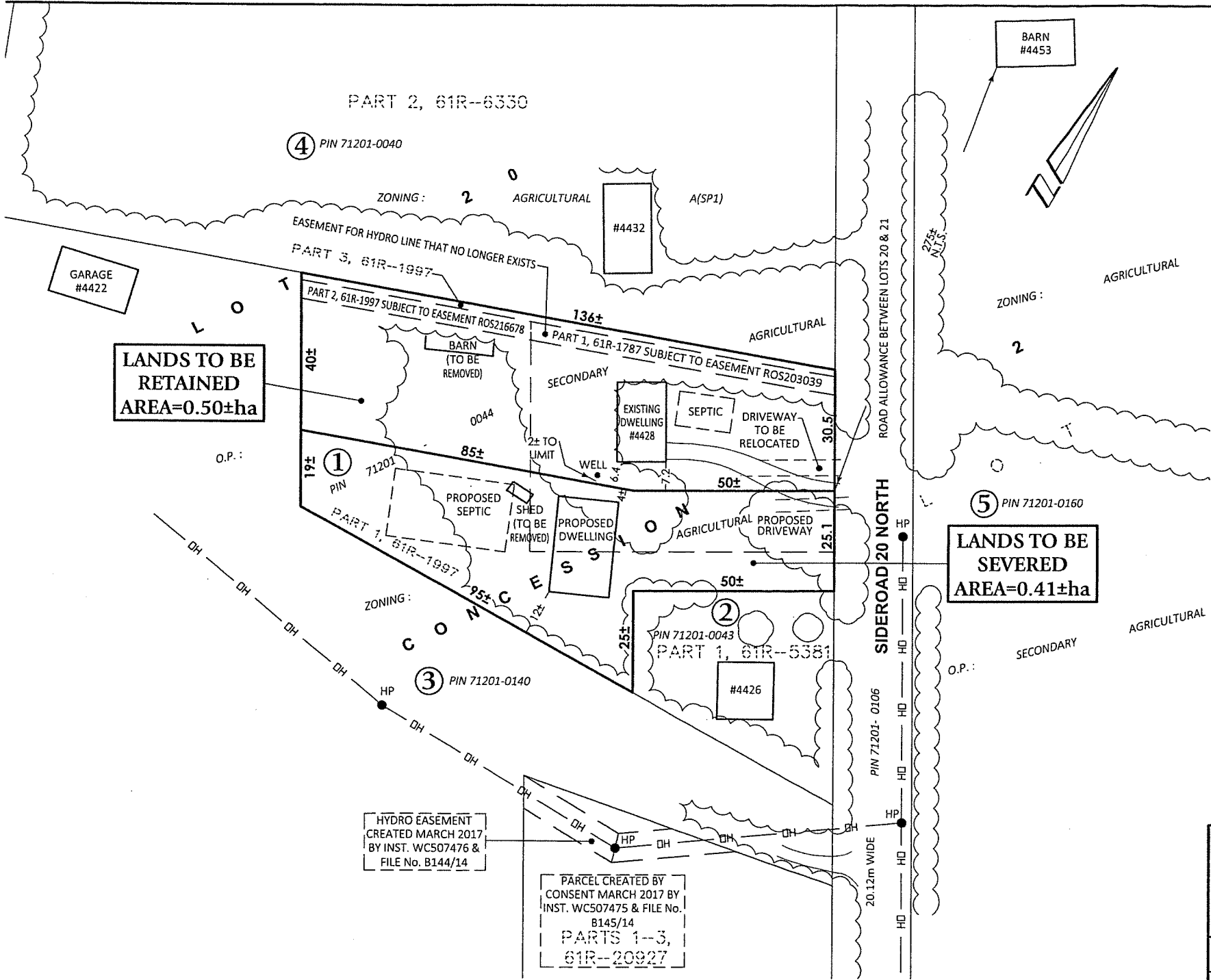
1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
2. SUBJECT LANDS ARE ZONED AGRICULTURAL.
3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF SECONDARY AGRICULTURAL.
4. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING 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. N.T.S. DENOTES NOT TO SCALE.

THIS SKETCH WAS PREPARED ON
THE 25th DAY OF JUNE 2021



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. 29662-21
Jun 25, 2021-1:14:40 PM G:\PUSLINCH\Con2\Acad\SEV LOT 20 (NAGY) UTM.dwg		



July 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: June 28, 2021

FILE NO. B56-21

APPLICANT

QB Farms Inc.
c/o Patrick Quirk & Chas Birkett
159 Dawn Avenue
Guelph N1G 4X2

LOCATION OF SUBJECT LANDS

Township of Puslinch
Part Lot 17
Concession 9

Proposed severance is 50m fr x 150m = 0.75 hectares, existing agricultural for proposed rural residential use.

Retained parcel is 40.2 hectares with 357m frontage, existing and proposed agricultural use with existing dwelling, sheds & cell tower.

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

August 18, 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 Ontario Land 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 Ontario Land 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 Ontario Land 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

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

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: June 28/21

File No. B56-21
 Accepted as Complete on: June 28/21

A COPY OF YOUR CURRENT DEED MUST BE SUBMITTED WITH THIS APPLICATION2. (a) Name of Registered Owner(s) QB Farms Inc. c/o Patrick Quirk & Chas Birkett

Address 159 Dawn Avenue, Guelph, ON, N1G 4X2

Phone No. [REDACTED]

Email: [REDACTED]

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

Phone No. _____

Email: _____

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

Jeff Buisman of Van Harten Surveying Inc.

423 Woolwich Street, Guelph, ON, N1H 3X3

Phone No. [REDACTED]

Email: [REDACTED]

(d) All Communication to be directed to:

REGISTERED OWNER []

APPLICANT []

AGENT [X]

(e) Notice Cards Posted by:

REGISTERED OWNER []

APPLICANT []

AGENT [X]

3. 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 9Lot No. Part of Lot 17

Registered Plan No. _____Lot No. _____

Reference Plan No. _____Part No. _____

Civic Address 4555 Victoria Road South

(b) When was property acquired: January 2015Registered Instrument No. WC424705

5. Description of Land intended to be SEVERED:Metric [X]Imperial []

Frontage/Width 50 ±AREA 0.75 ha ±

Depth 150 ±Existing Use(s) Field

Existing Buildings or structures: None

Proposed Uses (s): Proposed Dwelling

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 [] 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

357 / 408 ±

AREA

40.2 ha ±

Depth

1005 ±

Existing Use(s)

Agricultural

Existing Buildings or structures:

Dwelling, Sheds and Cell Tower

Proposed Uses (s):

No Change

Type of access (Check appropriate space)

Existing [X]

Proposed []

[] Provincial Highway

[] County Road

[X] 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 [X] Proposed [] (check appropriate space)

[] Municipally owned and operated piped water system

[X] Well [X] individual [] communal

[] Lake

[] Other

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

[] Municipally owned and operated sanitary sewers

[X] 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 [X]

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

8.

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

YES [] NO [X]

9.

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

YES [] NO [X]

10.

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

YES [X] NO []

11.

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

YES [X] NO []

12.

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

YES [] NO [X]

13.

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

YES [] NO [X]

14.

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

YES [] NO [X]

15.

Is there a noxious industrial use within 500 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:

County of Wellington

LAND DIVISION FORM – SEVERANCE

Revised April 2018

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 Natural Heritage Features on property, however they are far from the severed parcel.

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 Core Greenlands 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 & Natural Environment**

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

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

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

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

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

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

31. **Type of Farm Operation** conducted on these subject lands: **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>18±m</u>	Length	<u>38±m</u>	Area	<u>697±m²</u>	Use	<u>Shed 1</u>
	Width	<u>4±m</u>	Length	<u>7±m</u>	Area	<u>28±m²</u>	Use	<u>Shed 2</u>
	Width	<u>7±m</u>	Length	<u>15±m</u>	Area	<u>105±m²</u>	Use	<u>Shed 3</u>
<u>Severed</u>	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), QB Farms Inc. c/o Patrick Quirk and Chas Birkett the Registered Owners of Part of Lot 17, Concession 9, as in INST ROS392992 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.

[Redacted Signature] [Redacted Signature]
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 17, Concession 9, as in INST ROS392992 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.

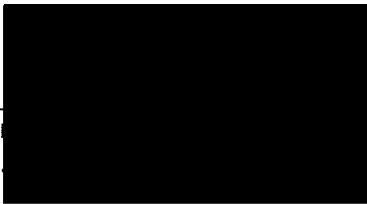
DECLARED before me at the _____
City _____ Of _____ (Owner or Applicant)
Guelph _____ In the _____
County/-Region of Wellington
This 25 day of June 20 21 _____ (Signature)
[Redacted Signature]

James Michael Laws,
a Commissioner, etc.,
Province of Ontario,
for Van Harten Surveying Inc.
Expires May 11, 2024
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

June 25/2021

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



LAND SURVEYORS and ENGINEERS

June 30, 2021

29762-21

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
4555 Victoria Road South
Part of Lot 17, Concession 9
PIN 71189-0007
Township of Puslinch**

RECEIVED

JUN 29 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, 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 Victoria Road South. The Severed Parcel will have a frontage of 50±m, depth of 150±m, for an area of 0.75±ha where a dwelling is proposed. The parcel has been evaluated and a safe entrance is possible.

The Retained Parcel (known as #4555 Victoria Road South) has a frontage of 357±m, depth of 1005±m for an area of 40.2±ha where the existing dwelling, sheds and cell tower will remain. The entrance exists and the safe access will continue to be maintained.

The subject property is zoned Agricultural & Natural Environment and the Reduced Lot Requirements listed in Table 11.3 of the Zoning By-law will be met for the Severed Parcel. The Zoning requirements are met for 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.



LAND SURVEYORS and ENGINEERS

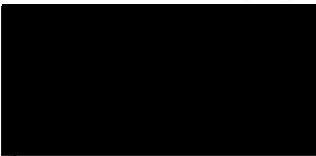
The parcel has a designation of Secondary Agricultural in the County of Wellington Official Plan which allows for a severance, provided that certain criteria (Section 10.4.4) are met. We reviewed this section, and we provide the opinion that the relevant criteria are met including the following:

- 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
- Zoning requirements are met.
- MDS requirements are met.

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

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

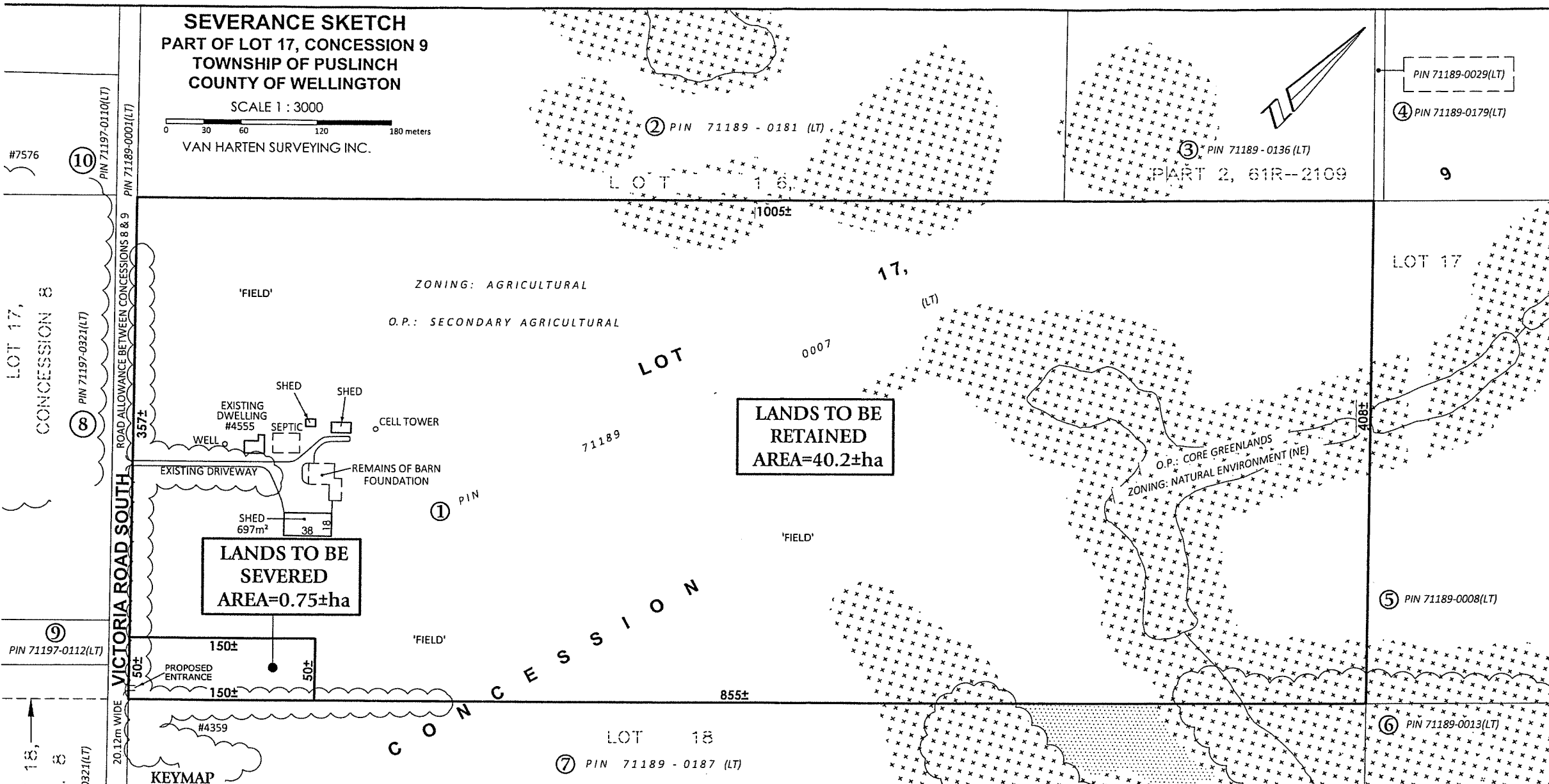
cc Patrick Quirk

www.vanharten.com

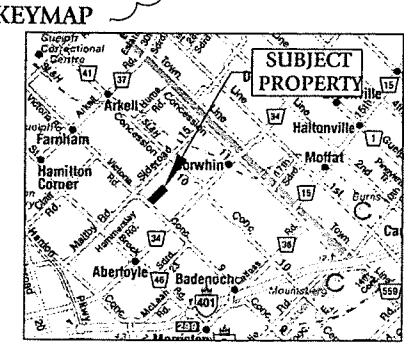
R.P. Magahay, B.A. J.E. Buisman, B.E.S., B.Sc., O.L.S. R.M. Mak, B.Sc., O.L.S. J.M. Laws, B.Sc., O.L.S. J.M. Duffy, P.Eng.

SEVERANCE SKETCH
PART OF LOT 17, CONCESSION 9
TOWNSHIP OF PUSLINCH
COUNTY OF WELLINGTON

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



LOT 17, CONCESSION 8
PIN 71197-0321(LT)
ROAD ALLOWANCE BETWEEN CONCESSIONS 8 & 9
VICTORIA ROAD SOUTH
20.12m WIDE
LOT 18, CON. 8
PIN 71197-0321(LT)
PIN 71197-0112(LT)
PIN 71197-0321(LT)
PIN 71197-0110(LT)
PIN 71189-0001(LT)



- 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.
 3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF SECONDARY AGRICULTURAL & 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.

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

THIS SKETCH WAS PREPARED
ON THE 15th DAY OF JUNE 2021

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. 29762-21
Jun 15, 2021-11:58 AM		
G:\PUSLINCH\CON9\ACAD\SEV LOT 17 (QUIRK) UTM.dwg		

July 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: June 30, 2021

FILE NO. B59-21

APPLICANT

Mario & Elisa Geremia
4620 Sideroad 20 N
Guelph N1H 6J3

LOCATION OF SUBJECT LANDS

Township of Puslinch
Part Lot 20
Concession 4

Proposed severance is 50m fr x 90m = 0.45 hectares, vacant land for proposed rural residential use.

Retained parcel is 3.02 hectares with 106m frontage, existing and proposed rural residential use with existing dwelling.

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

August 18, 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 Ontario Land 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 Ontario Land 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 Ontario Land 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: June 30/1File No. B5921
Accepted as Complete on: June 30/1**A COPY OF YOUR CURRENT DEED MUST BE SUBMITTED WITH THIS APPLICATION**2. (a) Name of Registered Owner(s) Mario Geremia & Elisa Maria Geremia – with Mario Geremia having Power of AttorneyAddress 4620 Sideroad 20 North, Guelph, N1 H 6J3

Phone No. [REDACTED]

Email: [REDACTED]

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

Phone No. _____

Email: _____

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

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

Phone No [REDACTED]

Email: [REDACTED]

(d) All Communication to be directed to:

REGISTERED OWNER []

APPLICANT []

AGENT [X]

(e) Notice Cards Posted by:

REGISTERED OWNER []

APPLICANT []

AGENT [X]

3. 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 4620 Sideroad 20 North

(b) When was property acquired: June 1968 Registered Instrument No. MS74853

5. Description of Land intended to be SEVERED: Metric [] Imperial []

Frontage/Width 50 ± AREA 0.45 ha ±

Depth 90 ± Existing Use(s) Rural Residential

Existing Buildings or structures: None

Proposed Uses (s): Residential Dwelling

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 [] 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 106 / 156 ± AREA 3.02 ha ±
Depth 222 ± Existing Use(s) Rural Residential
Existing Buildings or structures: Dwelling
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 [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): 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 [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 [] 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 not natural heritage features on the subject 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 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** **None**

<u>Retained</u>	Width	Length	Area	Use
	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), Mario GEREMIA the Registered Owners of

Part of Lot 20, Concession 4 N 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.

[Redacted Signature]
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, 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 19 day of June 2021

[Redacted Signature]
(Owner or Applicant)

[Redacted Signature]
(Applicant)

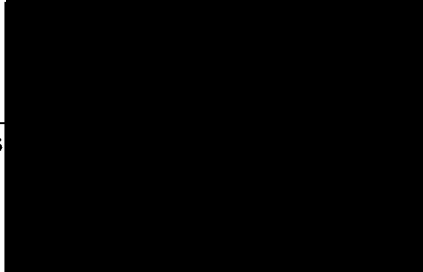
James Michael Laws,
a Commissioner, etc.,
Province of Ontario,
for Van Harten Surveying Inc.
Expires May 11, 2024

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(s)



Date

June 29, 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



LAND SURVEYORS and ENGINEERS

June 30, 2021

30000-21

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
4620 Sideroad 20 North
Part of Lot 20, Concession 4
PIN 71200-0136
Township of Puslinch

RECEIVED

JUN 30 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 50±m, depth of 90±m, for an area of 0.45±ha where a dwelling is proposed to be built. The Retained Parcel known as #4620 Sideroad 20 North, is a corner lot with a frontage of 106±m on Concession Road 4, depth of 222±m along Sideroad 20 North, for an area of 3.02±ha where the existing dwelling will remain.

The severed parcel is currently vacant and consists of open space and trees. 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 minimum distance requirement based on the animals in the barn at 4638 Sideroad 20 North is 420m. However, the application of Guideline No. 12, where there are four or more closer non-agricultural units implies that the MDS would be 384m. The actual distance is 348m and a Minor Variance will be sought for this barn.

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.



LAND SURVEYORS and ENGINEERS

A similar situation exists for a parcel to the west. The parcel shown as PART 1, 61R-21559 on the sketch was approved as a severance in the last few years along with a Minor Variance to allow for 345m to the same barn.

There is another barn at 4599 Sideroad 20. Farm Data was obtained for this farm and we determined that the MDS requirements can be met.

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.

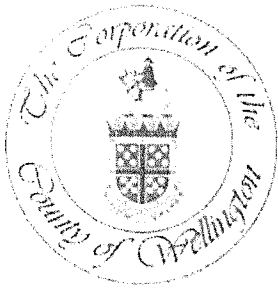


Jeffrey E. Buisman B.E.S, B.Sc.
Ontario Land Surveyor

cc Mario Geremia
cc. Joe Geremia

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.



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 Telephone
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 Date Aug 9/18

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 | 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)		
	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 2,258m ² barn	V3
Turkeys	Turkey poult (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

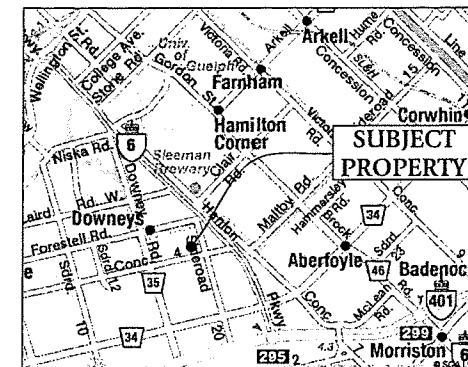
SEVERANCE SKETCH PART OF LOT 20, CONCESSION 4 TOWNSHIP OF PUSLINCH COUNTY OF WELLINGTON

SCALE 1 : 2000

0 20 40 80 120 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.
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. N.T.S. DENOTES NOT TO SCALE.

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

THIS SKETCH WAS PREPARED ON
THE 29th DAY OF JUNE, 2021

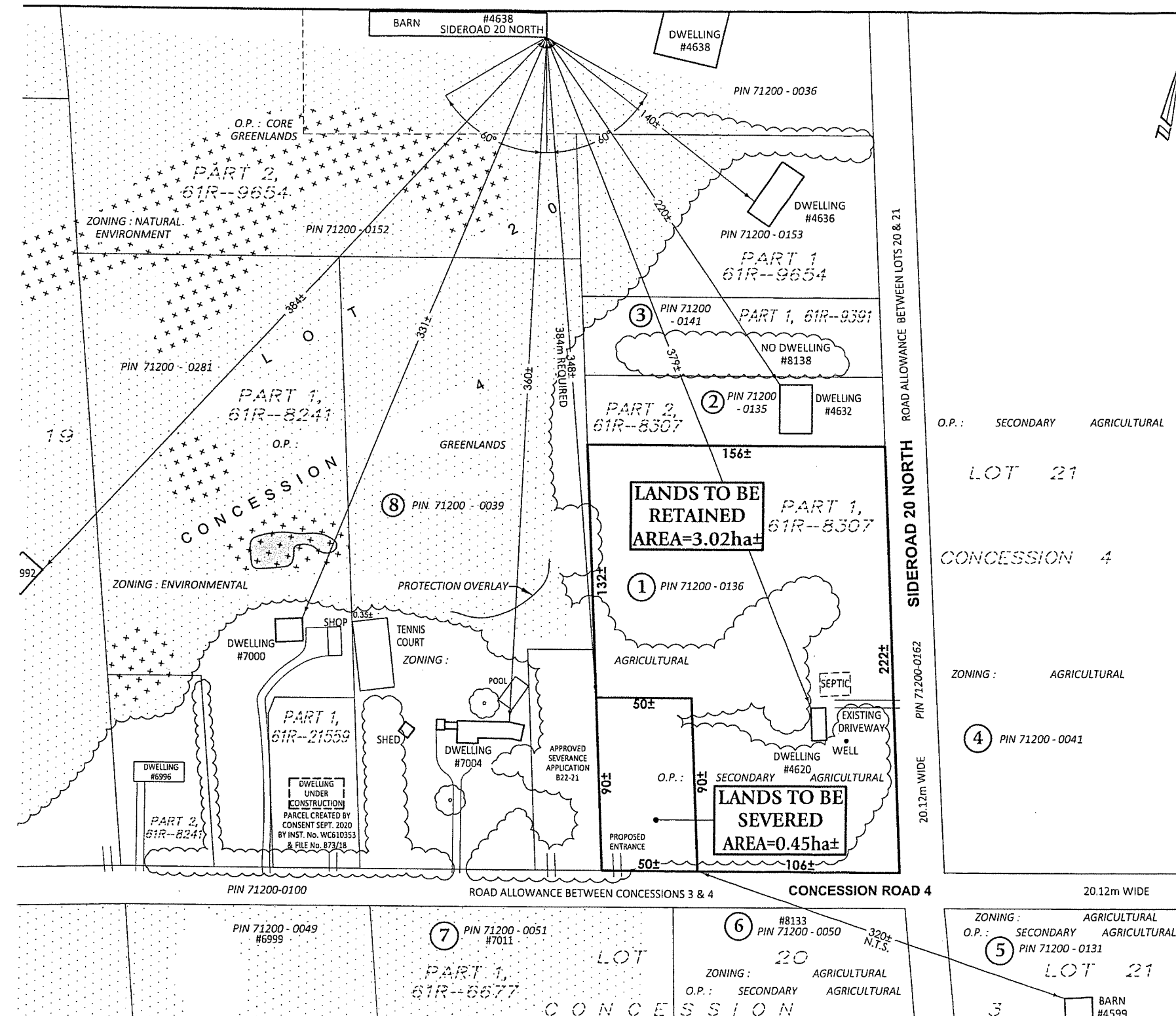


Van Harten
SURVEYING INC.
LAND SURVEYORS and ENGINEERS

Elmira Ph: 519-669-5070
 Guelph Ph: 519-821-2763
 Orangeville Ph: 519-940-4110

www.vanharten.com info@vanharten.com

DRAWN BY: ARN
 Jun 29, 2021-4:01pm
 CHECKED BY: JEB
 PROJECT No. 30000-21





MEMORANDUM

TO: Members of the Planning and Development Advisory Committee

FROM: Lynne Banks, Development and Legislative Coordinator

MEETING DATE: August 10, 2021

SUBJECT: Appeal of Property Standards Order
Brian Pearson
171 Townline Road

Purpose

The purpose of this Memorandum is to provide the Committee with background information and supporting documents for its information prior to the date of the August 10, 2021 PDAC meeting at which the appeal will be heard.

Committee's Powers

The Committee's powers with respect to rendering a decision are contained in section 15.3(3) of the Building Code Act and Township's Property Standards By-law. The Committee may:

1. Confirm the Order as issued, which would mean that the date for compliance would be the date of the Committee's decision;
2. Modify the Order, which would change some of the requirements in the Order (i.e. the extent of the repairs required or the number of units affected, etc.);
3. Rescind the Order in its entirety; and,
4. Extend the time for compliance with the Order. In contemplating this decision, the Committee must be of the opinion that the general intent of Property Standards By-law is being maintained.

Background

A Property Standards Order (the "Order") was issued for the property known municipally as 171 Townline Road (shown as Attachment "1") on June 23, 2021 in accordance with Section 25.0 of the Township of Puslinch Property Standards By-law 10/2020 (the "By-law") shown in Attachment "2". The Order was the result of a formal complaint received by the Township with

respect to industrial shipping containers and industrial material located on the property as well as noise from ingoing and outgoing vehicles to and from the property.

Section 26.0 of the By-law allows that the owner of the property may appeal the Order if they are not satisfied with the terms or conditions of the Order, which appeal was received by the Township on July 8, 2021 as shown on Attachment “3”. It should be noted that the owner is only appealing Item 1 listed in the Order.

Also attached is a copy of the By-law Officer’s written testimony, (Attachment “4”).

Applicable Legislation and Requirements

Township of Puslinch Property Standards By-law No. 10/2020

Building Code Act

Statutory Powers and Procedures Act

Attachments

Attachment “1” – Copy of Property Standards Order dated June 23, 2021

Attachment “2” – Copy of Township Property Standards By-law 10/2020.

Attachment “3” – Copy of Appeal dated July 8, 2021

Attachment “4” – By-law Officer’s written testimony



Township of Puslinch,
7404 Wellington Rd 34
Puslinch ON N0B 2J0
Tel: 519-763-1226
Fax: 519-763-5846
www.puslinch.ca

ORDER

Issued pursuant to Section 15.2(2) of The Building Code Act S.O. 1992, c.23, as amended
and
The Corporation of the Township of Puslinch
By-law 10/2020, as amended.

Date: June 23, 2021

LOCATION/ADDRESS

171 TOWNLINE RD
PUSLINCH CON GORE PT LOT 1 RP 61R4597 PART 1 RP
61R5236 PART 1 RP 61R11591 PART 1

in the Township of Puslinch
in the County of Wellington

ISSUED TO

Pearson, Jennifer Lynn,
Rivet, Daniel Anthony,
Pearson, Russell Victor,
Pearson, Patricia Kathleen,
Pearson, Brian William

171 TOWNLINE RD
PUSLINCH ON N0B 2J0

EMAILED TO/REGISTERED MAIL TO

VIA EMAIL TO: BRIAN PEARSON

REGISTER MAILED TO:
Pearson, Jennifer Lynn,
Rivet, Daniel Anthony,
Pearson, Russell Victor,
Pearson, Patricia Kathleen,
Pearson, Brian William

171 TOWNLINE RD
PUSLINCH ON N0B 2J0

The above-described property, which is owned by you or in which you have an interest has been inspected by a Property Standards Officer.

The inspection revealed that in some respect the property does not conform to the standards prescribed by the Township of Puslinch, Property Standards By-Law 10/2020 as amended.

IT IS ORDERED THAT the repairs necessary to correct the defects set out in Schedule "A" be carried out and the property brought to a condition of compliance with the prescribed standards on or before **September 30, 2021.**

APPEAL TO THE PLANNING DEVELOPMENT ADVISORY COMMITTEE

An owner or occupant who has been served with an order and who is not satisfied with the terms or conditions of the order may appeal to the Committee by sending a notice of appeal by registered mail to the secretary of the Committee within 14 days after being served with the order. All notices of appeal shall be accompanied by a non-refundable payment in the amount of \$264.00 for the processing of the appeal and are to be sent to the address below:

Secretary to the Planning Development Advisory Committee
Township of Puslinch
7404 Wellington Rd 34
Puslinch, ON N0B 2J0

Final date for appealing this Order is July 8, 2021.

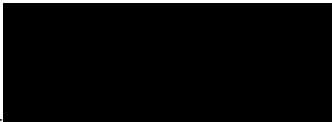
In the event that no appeal is taken, the Order shall be deemed to have been confirmed and shall be final and binding upon you, requiring you to comply with its terms within the time and in the manner specified in the Order.

FURTHER ACTION

Where it has been determined that the necessary repairs or demolition has not been completed in accordance with this Order as confirmed or modified, in addition to any possible court action, the Township of Puslinch may cause the property to be repaired or demolished and the costs of such action may be registered as lien on the land and shall be deemed to be municipal real property taxes and may be added by the Clerk of the Municipality to the tax collectors roll and be collected in the same manner and with the same priorities as municipal real property taxes as described in Section 1 of the Municipal Act 2001 (S.). 2001, c.25, as amended).

DATE : June 23, 2021

SIGNATURE :


Ivan Lunevski, C.P.S.O.
By-law Enforcement and Property Standards Officer
(519) 763-1226 Ext: 215
Email: ilunevski@puslinch.ca

SCHEDULE 'A'

Date: June 23, 2021

Re:

Legal Description

171 TOWNLINE RD**PUSLINCH CON GORE PT LOT 1 RP 61R4597 PART 1 RP 61R5236 PART 1 RP 61R11591 PART 1****Township of Puslinch**

The item(s) listed herein are in violation of the,
**Township of Puslinch, Property Standards
 By-Law No. 10/2020**

ITEM LOCATION		Side yard of property as shown on Schedule 'B'	BY-LAW SEC
1	DEFECT	Storage and accumulation of machinery materials and objects, or parts thereof including but not limited to: scaffolding, racks, forklift, metal racks etc causing an unsightly and unsafe condition on the property.	4.1 (g)
REMEDIAL ACTION		1. Remove all machinery, materials and objects from the exterior. <u>OR</u> 2. Ensure that all machinery, materials, or objects are stored within a structure, and all exterior property is maintained in a neat and tidy condition.	

ITEM LOCATION		Side yard of property as shown on Schedule 'B'	BY-LAW SEC
2	DEFECT	Accumulation of waste including but not limited to: wooden skids, discarded wood, plywood, and construction type of materials, barrels and other type of waste and debris.	4.1 (a)
REMEDIAL ACTION		Remove all waste and debris from the exterior, and ensure that the exterior property is maintained in a neat and tidy condition.	

ITEM LOCATION		Side yard of property as shown on Schedule 'B'	BY-LAW SEC
3	DEFECT	Dead/decayed trees discarded on the property creating an unsafe an unsightly condition.	4.1 (d)
REMEDIAL ACTION		Remove all dead/decayed trees, and the branches and limbs thereof.	

FOR YOUR INFORMATION

All repairs and maintenance of property required by the standards prescribed by the By-Law shall be carried out in a manner accepted as good workmanship in the trades concerned and with materials suitable and sufficient for the purpose.

Where a permit is required to undertake any repair required to conform with standards as prescribed in this Order, it is the responsibility of the Owner to obtain any such permit.

SCHEDULE 'B'

Date: June 23, 2021

Re:

Legal Description

171 TOWNLINE RD

**PUSLINCH CON GORE PT LOT 1 RP 61R4597 PART 1 RP 61R5236 PART 1 RP
61R11591 PART 1**

Township of Puslinch



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER 2020 - 010

A By-law Prescribing Standards for the Maintenance and Occupancy of Property

WHEREAS Section 15.1(3) of the *Building Code Act, 1992, S.O. 1992, c. 23*, as amended, authorizes the council of a municipality to pass a bylaw prescribing standards for the maintenance and occupancy of property within the municipality and for prohibiting the occupancy or use of such property that does not conform to the standards; and for requiring property that does not conform with the standards to be repaired and maintained to conform with the standards or requiring the property to be cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition;

AND WHEREAS the County of Wellington Official Plan for the Township of Puslinch includes provisions relating to property conditions;

AND WHEREAS Section 15.6(1) of the *Building Code Act, 1992, S.O. 1992, c. 23*, as amended requires that a By-law passed under Section 15.1(3) of the *Building Code Act, 1992, S.O. 1992, c. 23* shall provide for the establishment of a Property Standards Committee;

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

1.0 TITLE AND SCOPE

- 1.1 This By-Law may be referred to as "The Property Standards By-Law".
- 1.2 The standards for maintenance and occupancy of **property** set forth in this By-Law are hereby prescribed and adopted as the minimum standards for all **property** within the **Township**.

1.3 No **person** shall occupy a **property** if there is a condition which poses or constitutes an **unsafe condition**.

1.4 A **property** within the **Township** that does not conform with the standards contained in this By-law shall be:

(a) **repaired** and maintained to conform with such standards; or

(b) cleared of all **buildings, accessory buildings, structures** or **waste** and left in a graded and levelled condition.

1.5 This By-law does not apply so as to prevent an agricultural operation, meeting the definition of "agricultural operation" under the *Farming and Food Production Protection Act, 1998*, S.O. 1998, c.1, from carrying out a normal farm practice as provided for and defined under that Act.

1.6 This By-law does not apply so as to prevent an agricultural use, meeting the definition of "agricultural use" under this By-law.

2.0 APPLIED MEANING OF WORDS AND TERMS

2.1 Interchangeability: Words used in the present tense include the future, words in the masculine gender include the feminine and neuter; the singular number includes the plural, and the plural includes the singular.

3.0 DEFINITIONS

In this By-law:

"Accessory building" means a detached **building** or **structure**, not used for human habitation that is subordinate to the primary use on the same **property**.

"Basement" means that portion of a **building** between two floors, which is partly underground of the first floor joists above the average finished grade level adjacent to the exterior walls of the **building** and includes a crawl space and cellar.

"Boat" includes any vessel which floats or is designed to float on the surface of the water and is capable of carrying people or material whether motorized or not and includes but is not limited to pleasure craft, scows, personal water craft, canoes, row boats, pontoon boats and commercial boats, when on the water or on land.

"Building" means a building as defined in the ***Building Code Act***, or a **structure** used or intended to be used for supporting or sheltering any use or occupancy.

"Building Code Act" means the *Building Code Act*, 1992, S.O. 1992, c. 23, as amended and any prescribed regulations under the *Building Code Act*.

"Committee" means the **Township's** Planning and Development Advisory Committee or a Property Standards Committee established under this By-law.

"Compost" means a collection of humus material such as kitchen and table waste, grass clippings, plant trimmings, weeds or other leaves.

"Council" means the Council for the **Township**.

"Dwelling" means a **building** or part of a **building**, occupied or capable of being occupied, in whole or in part for the purpose of human habitation.

"Dwelling unit" means a room or a suite of rooms operated as a housekeeping unit, used or intended to be used as a

domicile by one or more persons and supporting general living conditions including cooking, eating, sleeping and sanitary facilities.

“Exterior property areas” means the **property** and **yard**, exclusive of a **building** and an **accessory building**.

“Fence” means a **structure**, wall or barrier, other than a **building**, erected at grade for the purpose of defining boundaries of **property**, separating open space, restricting ingress to or egress from **property**, providing security or protection to **property** or acting as a visual or acoustic screen.

“Firewood” means any lumber, timber, logs, poles, cut up trees or felled trees, any salvaged wood products included but not limited to wood skids, wood boxes, and used wood products that are not required for a **building**, **accessory building** or **structure** currently under construction on the **property** or for which there is a current or regular use.

“Ground cover” means organic or non-organic material applied to prevent the erosion of the soil, e.g., concrete, flagstone, gravel, asphalt, grass or other forms of landscaping.

“Guard” means a protective barrier installed around openings in floor area or on the open sides of a stairway, a landing, a balcony, a mezzanine, a gallery, a raised walkway, or other locations as required to prevent accidental falls from one level to another. Such barriers may or may not have openings through them.

“Habitable room” means a room or enclosed floor space used, or capable of being used for living, eating, sleeping or domestic food preparation purposes, but excludes a bathroom, water closet compartment, laundry, pantry, foyer, lobby, hall, passageway, corridor, closet, stairway,

storage room, furnace room or other accessory space used for service, maintenance or access within a **building**.

"Heritage attribute" means an attribute of a **heritage property** that contributes to its cultural heritage value or interest that is defined, described or inferred:

(a) in a By-law designating a **heritage property**;

(b) in a By-law designating a heritage conservation district;

(c) in a Minister's Order made under the *Ontario Heritage Act*;

(d) in any documentation considered as part of (a), (b) and (c) above;

and includes any elements, features or components that support or protect the heritage attribute.

"Heritage property" means a Property designated under Part IV or Part V or by a Minister's Order under the *Ontario Heritage Act*.

"Landlord" includes:

a) The owner of a rental unit or any other person who permits occupancy of a **rental unit**, other than a **tenant** who occupies a **rental unit** in a residential complex and who permits another person to also occupy the unit or any part of the unit; and, b) The heirs, assigns, personal representatives and successors in title of a person referred to in clause (a).

"Naturalized Area" means an area that has been implemented or naturally occurring areas to produce ground cover which consists of one or more species of wildflowers, annuals, perennials, shrubs and grasses or a combination thereof and includes natural areas such as wooded lots, managed commercial woodlots, forests and wetlands.

"Occupant" means any **person** or **persons** over the age of eighteen years in possession of the **property**.

"Openable area" means that part of a window or door which is available for unobstructed ventilation and which opens directly to the outdoors.

"Owner" includes,

- (a) the **person** for the time being managing or receiving the rent of the land or premises in connection with which the word is used, whether on the **person's** own account or as agent or trustee of any other **person**, or who would receive the rent if the land and premises were let; and
- (b) a lessee or **occupant** of the **property** who, under the terms of a lease, is required to **repair** and maintain the **property** in accordance with the standards for the maintenance and occupancy of **property**.

"Person" includes a corporation and its heirs, executors, administrators, or other representatives of a person to whom the context can apply according to law.

"Property" means a **building** or **accessory building**, or part of a **building** or **accessory building**, and includes all the lands and premises within the boundary lines of the property, all mobile structures, mobile buildings, mobile homes, outbuildings, **fences**, **retaining walls**, and erections thereon, whether heretofore or hereafter erected, and also includes **vacant property**.

"Property Standards Officer" shall mean a Property Standards Officer who has been appointed by by-law to administer and enforce this By-law.

"Rental Unit" means a dwelling unit used, or intended to be used, for a **residential tenancy**.

"Repair" includes the making of additions or alterations or the taking of such action as may be required so that the **property** shall conform to the standards established in this By-law.

"Residential rental property" includes a **rental unit** and the yards;

"Residential Tenancy" means the lease of residential premises for residential purposes.

"Retaining wall" means a **structure** that holds back soil or loose material to prevent it from assuming the natural angle of repose at locations where an abrupt change in ground elevation occurs.

"Safe condition" means a condition that does not pose or constitute an undue or unreasonable hazard or risk of life, limb or health of any **person** on or about the **property**, and includes a structurally sound condition.

"Sewage" means water-carried waste, together with such ground, surface and storm waters as may be present.

"Sewage system" means the **Township's** system of storm sewers, sanitary sewers and combined sewers, or a private sewage disposal system.

"Structure" means anything constructed either permanent or temporary, the use of which requires location on or an attachment to something having location on the ground.

"Tenant" means a person who pays rent or is required to pay rent in return for a right to occupy a **rental unit**.

"Township" means the Corporation of the Township of Puslinch or the land within the geographic limits of the Corporation of the Township of Puslinch as the context requires.

"Unsafe condition" means any condition that poses or constitutes an undue or unreasonable hazard or risk to life, limb or health of any **person** on or about the **property**.

"Vacant building" means any **building or accessory building** that is or appears to be vacant, partially vacant, or unoccupied, or that, by reason of its unfinished or dilapidated condition, is open to the elements and in a state that there is little to no control over unauthorized entry, but does not include:

- (a) a **dwelling unit** occupied by the **owner** on a seasonal basis but otherwise maintained throughout the year;
- (b) a **building or accessory building** on **property** used for farming purposes, except a **dwelling unit**.

"Vacant property" means a **property** that does not have a **building or accessory building**.

"Waste" includes any debris, rubbish, refuse, sewage, effluent, garbage, brush, ashes, litter, wrappings, salvage, vehicle parts, discarded material or things, broken or dismantled things, or materials or things exposed to the elements, deteriorating or decaying on a **property** due to exposure to the weather.

"Yard" means the land within the boundary lines of a **property** not occupied by a principal building in Residential Zones and means the Required Yard as defined in the Zoning Bylaw for all other zones.

4.0 EXTERIOR PROPERTY AREAS – GENERAL REQUIREMENTS

4.1 **Exterior Property Areas** shall be free from:

- (a) **waste**;
- (b) injurious insects, termites, rodents, vermin and other pests and any condition that may promote an infestation except in a **Naturalized Area** and areas meeting the definition of **Agricultural Use** in accordance with Section 1.5 and 1.6 of this By-law;
- (c) excessive growth of weeds and grass exceeding 12 inches in height, except in a **Naturalized Area** and areas meeting the definition of **Agricultural Use** in accordance with Section 1.5 and 1.6 of this By-law;
- (d) dead, decayed, or damaged trees, or other natural growth and the branches and limbs thereof which create an **unsafe condition** for abutting land owners;
- (e) wrecked, dismantled, derelict, inoperative, discarded, unused or an unlicensed vehicle or trailer, except in an establishment licensed or authorized to conduct and operate such a business in accordance with any other by-laws, and then only in an arrangement such as to prevent an **unsafe condition** or an unsightly condition and screened from view from an adjacent **property**;
- (f) wrecked, dismantled, derelict, inoperative, discarded or unused **boat** and any component parts thereof, except in an establishment licensed or authorized to conduct and operate such a business, and then only in an arrangement such as to prevent an **unsafe condition** or an unsightly condition and screened from view from an adjacent **property**;

- (g) machinery or any parts thereof, or other objects or parts thereof, or accumulations of material or conditions that create an **unsafe condition** or an unsightly condition out of character with the surrounding environment;
 - (h) dilapidated or collapsed **building** or **accessory building** and any unprotected well or other **unsafe condition** or unsightly condition out of character with the surrounding environment;
 - (i) stagnant water except in a **Naturalized Area**;
 - (j) accumulation of animal excrement, except in connection with a lawful agricultural use on a **property**.
- 4.2 Suitable **ground cover** shall be provided to prevent erosion of the soil.
- 4.3 Hedges, plantings, trees or other landscaping including lighting, required by the **Township** as a condition of site development or redevelopment, shall be maintained in a living condition or shall be replaced with equivalent landscaping or lighting, so as to carry out its intended function and maintain an attractive appearance.
- 4.4 An abandoned or unused well, septic tank or a hole on a **property** shall be filled or safely covered and protected.
- 5.0 DRAINAGE
- 5.1 All catch basins, swales and ditches shall be maintained so as to not impede the natural flow of water.
- 5.2 The storm water run-off from all downspouts of impervious surfaces shall be contained within the limits of the **property** from which it originates until absorbed by the soil or drained

to a storm sewer, or to a natural or artificially-created swale, ditch or watercourse.

- 5.3 No water shall be drained from a swimming pool, pond or other waterholding device on to abutting properties.

6.0 HEALTH

- 6.1 All **sewage** shall be discharged into an approved **sewage system**.

7.0 BUFFERING

- 7.1 **Property** which, because of its use or occupancy, or for other reasons is required to be buffered shall:

- (a) maintain an effective barrier to prevent lighting and vehicle headlights from shining directly into a **dwelling unit**;
- (b) maintain an effective barrier to prevent wind-blown **waste** from encroaching on an adjacent **property**;
- (c) maintain a visual screen, to minimize the visual impact of a nuisance to a **person** who owns or occupies an adjacent **property**.

8.0 RETAINING WALLS

- 8.1 A **retaining wall** shall be maintained in good **repair** and free from accident hazards.

- 8.2 Without restricting the generality of section 8.1 the maintenance of a **retaining wall** may include:

- (a) redesigning, **repairing** or replacing all deteriorated, damaged, misaligned or missing portions of the wall, or railings and **guards** appurtenant thereto;
- (b) installing subsoil drains where required to maintain the stability of the **retaining wall**;
- (c) grouting masonry cracks;
- (d) applying a coat of paint or equivalent preservative to all metal or wooden exposed components.
- (e) where a retaining wall in excess of 600 mm (24 inches) forms part or is adjacent to a means of egress, a guard shall be provided unless access is restricted to the retaining wall.

9.0 SUPPLEMENTARY STANDARDS FOR RESIDENTIAL RENTAL PROPERTIES

9.1 GENERAL

9.1.1 The following additional standards shall only apply to a residential rental property:

a) Subject to the tenant's responsibility for ordinary cleanliness of the residential rental property, the landlord shall provide such facilities and take such action to ensure that the residential rental property is:

- I. Safe
- II. Clean
- III. In a state of good repair
- IV. Fit for habitation; and,
- V. Free from accumulations of snow and ice;

b) The landlord shall maintain, in a state of good repair and in a clean, safe condition, any facilities supplied by the landlord and all common areas intended for the use of tenants.

9.1.2 All repairs and maintenance of property required by the standards prescribed in this part shall be carried out in a manner accepted as good craftsmanship in the trade concerned and with materials suitable and sufficient for the purpose.

9.1.3 Unless otherwise specified, the landlord, and not the tenant, shall be responsible for ensuring that all of the provisions of this part are being complied with.

9.2.0 RECREATIONAL FACILITIES, LAUNDRY FACILITIES ROOMS AND AREAS

9.2.1 A recreational facility, laundry facility, mail collection area including mailboxes, room or area and the equipment and appliances provided in connection therewith shall be:

- (a) maintained in an operable and usable condition;
- (b) maintained in a **safe condition**;
- (c) with the exception of an outdoor recreational facility, maintained in a clean condition.

9.3.0 HEATING, HEATING SYSTEMS, CHIMNEYS, VENTS AND FUEL BURNING APPLIANCES

9.3.1 Every **building** containing an occupied **dwelling unit** or **habitable room** shall be provided with suitable heating facilities capable of maintaining an indoor ambient temperature of 21 degrees Celsius between the 15th day of September to the 1st day of June the following year. A heating system shall be maintained in good working

condition so as to be capable of safely heating the **dwelling unit** or **habitable room** to the required standard.

- 9.3.2 No rental **dwelling unit** shall be equipped with portable heating equipment as a primary source of heat.
- 9.3.3 A fuel burning appliance shall:
- (a) have ample air supply to permit combustion to occur with optimum oxygen available;
 - (b) be located in such a manner as to prevent impediment to the free movement of a **person** and the overheating of adjacent materials and equipment;
 - (c) have **guards** where necessary to minimize the risk of an accident.
- 9.3.4 Where a heating system or part thereof requires solid or liquid fuel to operate, a place or receptacle for such fuel shall be provided and maintained in a **safe condition** and location so as to be free from fire or accident hazard.
- 9.3.5 A fuel burning appliance, equipment and accessories shall be properly vented to the outside air by means of a smoke pipe, vent pipe, chimney flue or other approved method and as may be required by the ***Building Code Act***.
- 9.3.6 Every chimney, smoke-pipe, flue and vent shall be maintained in a good state of **repair** so as to prevent the escape of smoke, fumes or gases from entering a **building**. Maintenance may include the removal of obstructions, sealing open joints, and the **repair** of loose or broken masonry units.
- 9.3.7 Every chimney, smoke-pipe, flue and vent shall be maintained in a good state of **repair** so as to prevent the

heating of adjacent combustible material or structural members to unsafe temperatures.

9.4.0 AIR CONDITIONING

9.4.1 An air conditioner shall be equipped with adequate devices for the prevention of condensation drainage on to entrance areas, sidewalks or pathways and shall be maintained in a safe mechanical and electrical condition.

9.4.2 Cooling water from water-cooled equipment shall not be discharged on a driveway, walkway or other areas used for pedestrian or vehicular traffic, or in such a manner that it may cause damage to a wall, foundation or part of a **building** or **accessory building**.

9.4.3 The discharge of cooling water from water-cooled equipment shall be made to a proper drainage system and shall be connected in accordance with all applicable government regulations.

9.5.0 INTERIOR LIGHTING

9.5.1 Interior lighting standards and fixtures shall comply with the requirements of section 10.

9.6.0 VENTILATION

9.6.1 Sufficient ventilation shall be provided to all areas of a **building** or an **accessory building** so as to prevent accumulations of heat, dust, vapours, odours, carbon monoxide and other gases likely to create a potential **unsafe condition** or to become a nuisance.

9.6.2 A kitchen, bathroom, shower room and toilet room shall be provided with adequate natural or artificial means of ventilation.

- 9.6.3 An enclosed area of a **building** or an **accessory building** including a **basement** and an attic shall be adequately ventilated.
- 9.6.4 A system of mechanical ventilation shall be maintained in good working order.
- 9.7.0 PLUMBING
- 9.7.1 A **dwelling unit** shall be provided with an adequate supply of potable running water from a source approved by the Medical Officer of Health and/or the Chief Building Official of the **Township**.
- 9.7.2 A washbasin, bathtub or shower, and one kitchen sink in a **dwelling unit** shall be equipped with an adequate supply of hot and cold running water. All hot water shall be supplied at a minimum of 43 degrees Celsius and a maximum of 49 degrees Celsius.
- 9.7.3 A fixture shall be of such materials, construction and design as will ensure that the exposed surface of all parts are hard, smooth, impervious to hot and cold water, readily accessible for cleansing and free from blemishes, cracks, stains or other defects that may harbor germs or impede thorough cleansing.
- 9.7.4 All plumbing, including drains, water supply pipes, water closets and other plumbing fixtures shall be maintained in good working order free of leaks and defects and all water pipes and appurtenances thereto shall be protected from freezing.
- 9.7.5 All plumbing fixtures in every **building** or **accessory building** shall discharge the water, liquids or sewage into drainage piping, which shall be connected to a **sewage system** approved by the authority having jurisdiction.

9.7.6 All toilet facilities, sanitary conveniences and washing facilities shall be maintained:

- (a) in good working order;
- (b) in a clean and sanitary condition;
- (c) and supplied with hot and cold running water, with cold water connection only to toilets and urinals;
- (d) and connected to the drainage system.

9.8.0 KITCHEN

9.8.1 A **dwelling unit** shall contain a kitchen area equipped with:

- (a) one sink surrounded by a surface that is impervious to grease and water;
- (b) a suitable storage area;
- (c) a counter or work area, exclusive of the sink and covered with a material that is impervious to moisture and grease and is easily cleanable;
- (d) a space provided for cooking and refrigeration appliances including suitable electrical or gas connections.

9.8.2 A cooking appliance and a refrigeration appliance shall be maintained in a good state of **repair** and operating condition.

9.9.0 BATHROOM

9.9.1 A **dwelling unit** shall contain a bathroom consisting of at least one fully operational toilet, washbasin, and a bathtub or suitable shower unit.

- 9.9.2 A bathroom and a toilet shall be located within and accessible from within the **dwelling unit**.
- 9.9.3 Where a toilet or bathroom facility is shared by occupants of a residential accommodation, other than a self contained **dwelling unit**, an appropriate entrance shall be provided from a common passageway, hallway, corridor or other common space to the room or rooms containing the said facility.
- 9.9.4 Every wall surrounding a shower shall be of impervious material and shall be maintained in a good state of **repair**.
- 9.9.5 A bathroom as required by section 9.9.1 shall be located in a room used for no other purpose and provided with a door capable of being locked from the inside and opened from the outside in an emergency.
- 9.10.0 FLOORS
- 9.10.1 A floor shall be smooth, level and maintained so as to be free of all loose, warped, protruding, broken or rotted boards that may create an **unsafe condition** or surface. A defective floor shall be **repaired** or replaced.
- 9.10.2 Where a floor covering has become worn or torn so that it retains dirt or may create an **unsafe condition**, the floor covering shall be **repaired** or replaced.
- 9.10.3 A bathroom, kitchen and shower room shall have a floor covering of water-resistant material and be capable of being cleaned.
- 9.11.0 ELECTRICAL SERVICE

- 9.11.1 A **dwelling** and **dwelling unit** shall be wired for electricity and shall be connected to an approved electrical supply system.
- 9.11.2 The capacity of the connection to a **building** or **accessory building** and the system of circuits distributing the electrical supply of the **building** or **accessory building** shall be adequate for the use and intended use.
- 9.11.3 Electrical wiring, cords, circuits, fuses, circuit breakers, electrical equipment and electrical heating systems shall be maintained in good working order, free from fire and accident hazards.
- 9.12.0 DISCONNECTED UTILITIES
- 9.12.1 An **owner** of a residential **building** or any **person** acting on behalf of such **owner** shall not disconnect or cause to be disconnected any service or utility supplying heat, electricity, gas, refrigeration or water to a **dwelling unit** and **habitable room** occupied by a tenant or lessee, except for such reasonable period of time as may be necessary for the purpose of **repairing**, replacing or otherwise altering said service or utility.
- 9.13.0 INTERIOR WINDOWS, DOORS, SURFACES, FLOORS AND STAIRS
- 9.13.1 Interior windows, doors, surfaces, floors and stairs shall be maintained:
- (a) in a clean, odour free and sanitary condition, reasonable for the normal use or occupancy of the room, passageway, enclosure or space;
 - (b) in good working order and good state of **repair**, free from holes, loose, broken, warped, torn, damaged or decayed boards or materials;

- (c) free from depressions, protrusions, deterioration or other defects which could create an **unsafe condition** or which are out of character with the normal use of the area in which such defect occurs;
- (d) so as to afford the fire resistive properties and other protection for which they shall be designed; and
- (e) free of any graffiti, markings, stains or other defacement.

9.13.2 Interior windows and doors shall also comply with the requirements of section 19.

9.14.0 INTERIOR STRUCTURE – COLUMNS AND BEAMS

9.14.1 A **building** and an **accessory building** and all structural components, including but not limited to all joists, beams, studding, and roof rafters, shall be maintained with material adequate for the load to which they are subjected to.

9.15.0 WALLS-CEILINGS

9.15.1 Every interior surface and finish of walls and ceilings shall be maintained:

- (a) in good state of **repair**, a surface which is reasonably smooth, clean, tight and easily cleaned;
- (b) free of holes, cracks, loose plaster or other material;
- (c) in a **safe condition**;
- (d) so as to possess the fire resistant properties required by the ***Building Code Act*** and the *Fire Protection and Prevention Act*, as amended.

9.16.0 ELEVATORS

- 9.16.1 An elevator, an elevating device, dumb-waiters, hoists, escalators, incline lifts including all parts, lighting fixtures, lamps, elevator buttons, floor indicators and ventilation fans shall be maintained in good state of **repair**, operable and in a **safe condition**.

10.0 LIGHTING STANDARDS AND FIXTURES

- 10.1 Lighting standards and fixtures shall be kept in a **safe condition**, in good working order and in good visual condition.

11.0 FENCES

- 11.1 A **fence** on a **property** separating adjoining **property** shall:

- (a) be in a structurally sound condition and plumb, unless specifically designed to be other than vertical;
- (b) be maintained in a good state of **repair** and free of accident hazards;
- (c) not present an unsightly appearance.

- 11.2 Without restricting the generality of section 11.1 the maintenance of a **fence** may include:

- (a) protecting by paint, treated with a preservative or other weather resistant material unless the aesthetic characteristics of the **fence** are enhanced by the lack of such treatment.

12.0 WALKWAYS, DRIVEWAYS, RAMPS, PARKING AREAS AND LANDINGS

12.1 A parking area, driveway, walkway and other similar public access areas of an **exterior property area** shall be kept clean and free from **waste**, objects or conditions that may create an **unsafe condition**, health, fire, accident hazard or unsightly condition.

12.2 An **owner** shall cause any snow disposal site or snow storage site on a **property** to be:

- (a) maintained so as not to cause a hazard on the **property**; and
- (b) maintained in such a manner and location on the **property** so as to prevent a hazard, flooding, erosion and other damage to a neighbouring **property**.

13.0 BUILDINGS AND ACCESSORY BUILDINGS
STRUCTURAL ADEQUACY - CAPACITY

13.1 All **repairs** and maintenance of **property** required by the standards prescribed in this By-law shall be carried out in a manner accepted as good workmanship in the trades concerned and with materials suitable and sufficient for that purpose.

13.2 Every part of a **building** or **accessory building** shall be maintained in good **repair** and in a structurally sound condition so as:

- (a) to be capable of sustaining safely its own weight, and any additional load to which it may normally be subjected to;
- (b) to be capable of safely accommodating all normal structural movements without damage, decay or deterioration;

- (c) to prevent the entry of moisture that would contribute to damage, fungus growth, decay or deterioration;
- (d) to be capable of safely and adequately performing its function subject to all reasonable serviceability requirements.

13.3 The abating of an **unsafe condition** may include:

- (a) the provision or **repair** of stairs, balustrades, railings, **guards** and screens so as to minimize the risk of accident;
- (b) the elimination of other conditions which, in themselves are a hazard to life or which risk serious injury to **persons** normally in or about the subject **building, accessory building**, room, suite of rooms or space;
- (c) the installation of a handrail in conjunction with every set of stairs containing three (3) or more risers and such handrail shall be adequately secured and maintained in a good state of **repair**.

14.0 HEALTH AND WASTE

14.1 A **building** and **accessory building** on a **property** shall be kept free of mould, **waste** and pests, such as rodents, vermin, termites and injurious insects and any condition that may promote an infestation.

14.2 In a **dwelling unit**, sufficient rooms, containers and receptacles shall be maintained to safely contain all **waste**, which shall not be allowed to accumulate but shall be removed or made available for removal in accordance with any applicable by-laws.

- 14.3 An external container and receptacle shall be screened from view and shall be provided with a cover so that the material contained therein is not exposed to injurious insects, termites, rodents, vermin or other pests.
- 14.4 Every **building** and **accessory building** shall be provided with sufficient proper receptacles to contain all **waste**, which accumulates on the **property**, and such **waste** shall be placed for collection in proper receptacles in compliance with applicable laws.
- 14.5 A receptacle for **waste** shall be:
- (a) provided with a tight fitting cover;
 - (b) maintained in good working condition and order without holes or spillage; and
 - (c) closed, or emptied, rinsed and cleaned when not in use, to prevent the escape of offensive odour or **waste**.
- 14.6 Garbage chutes, disposal and collection rooms shall be:
- (a) washed down and disinfected as necessary so as to maintain a clean and odour free condition; and
 - (b) maintained in good working order.
- 14.7 Injurious insects, termites, vermin, rodents and other pests shall be exterminated and appropriate measures shall be taken to prevent their re-entry to a **building** or **accessory building** on a **property**.
- 14.8 In a **dwelling**, openings in the exterior walls or roof shall be fitted and maintained to protect all habitable space from water and weather entry, and to make such space free from drafts.

- 14.9 No portion of a **dwelling** shall be used for human habitation unless:
- (a) the floors, walls and ceiling areas are watertight and free from dampness and mould at all times;
 - (b) the total window area, the total **openable area** for natural ventilation and the ceiling height are in accordance with the provisions of the **Building Code Act** or, alternatively, reventilation and/or mechanical ventilation is provided as prescribed by the **Building Code Act**;
 - (c) the required minimum window area of every **habitable room** is entirely above the grade of the ground adjoining such window area, or the top of the window well, whichever is the higher elevation.

15.0 COMPOST

- 15.1 **Compost** on a **property** shall be maintained in a composter or an open **compost** pile that is not larger than 2.0 square metres (21.5 square feet) in area and 1.0 metre (39 inches) in height.
- 15.2 A composter or an open **compost** pile shall be kept free of pests, such as rodents, vermin, termites and injurious insects and any condition that may promote an infestation.

16.0 HERITAGE PROPERTIES

- 16.1 In addition, to all other standards prescribed by this By-law, an owner of a **Heritage Property** shall:
- (a) protect, maintain and stabilize a **heritage attribute** so as to preserve the existing materials;

(b) in the conduct of a repair use only materials that match the form and detailing of the original elements of the **heritage attribute**; and

(c) be repaired using only recognized conservation methods.

17.0 **FOUNDATIONS**

17.1 A foundation of a **building** or an **accessory building** shall be maintained in good state of **repair** so as to prevent settlement detrimental to the appearance of the **building** or **accessory building**, or the entrance of moisture, vermin, termites, insects or rodents into the **building** or **accessory building**.

17.2 Without limiting the generality of section 17.1, the maintenance of a foundation may include:

- (a) the jacking-up, underpinning or shoring of the foundation where necessary;
- (b) the extension of footings and foundations below grade or regrading to provide adequate frost cover;
- (c) installing subsoil drains at the footing where such would be beneficial;
- (d) the grouting of masonry cracks;
- (e) waterproofing the wall and joints;
- (f) the carrying out of such other work as may be required to overcome any existing settlement detrimental to the appearance of the **building** or **accessory building**;

- (g) **repairing** or replacing decayed, damaged or weakened sills, piers, posts or other supports;
- (h) making sills, piers, posts or other supports insect-proof by the application of suitable materials; and
- (i) coating with a preservative.

18.0 EXTERIOR WALLS, COLUMNS AND BEAMS

18.1 The components of an exterior wall of a **building** or an **accessory building** shall be maintained:

- (a) in good state of **repair** and in a **safe condition**;
- (b) weather tight;
- (c) free from loose or unsecured objects or materials;
- (d) so as to prevent the entrance of insects, termites, vermin, rodents or other animals;
- (e) so as to prevent deterioration due to weather, insects, vermin, termites, rodents and other animals; and
- (f) so as to prevent deterioration detrimental to the appearance of the **building** or an **accessory building**.

18.2 Without restricting the generality of section 18.1, the maintenance of an exterior wall of a **building** or an **accessory building** may include:

- (a) the applying of materials to preserve all exterior wood and metal work or other materials not inherently resistant to weathering;

- (b) the applying of materials to improve or maintain a pleasant and satisfying appearance at least commensurate with that of the neighbourhood;
- (c) the restoring, **repairing** or replacing of:
 - i) the wall;
 - ii) the masonry units and mortar;
 - iii) the stucco, shingles or other cladding;
 - iv) the coping; and
 - v) the flashing and waterproofing of the wall and joint.

18.3 Exterior columns and beams and any decorative trim shall be maintained in a good state of **repair** and in a **safe condition**. Where necessary, such columns, beams and trim shall be restored, **repaired** or replaced and suitably protected or treated against weathering, so as to prevent or remedy deterioration detrimental to the appearance of the **building** or **accessory building**.

19.0 EXTERIOR DOORS, WINDOWS AND OTHER OPENINGS –
CANOPIES-MARQUEES-AWNINGS

19.1 Shutters, windows, doors, hatchways and other exterior openings in a **building** or an **accessory building** shall be kept weather tight, draft free, and in good state of **repair** and working order.

19.2 Without restricting the generality of section 19.1, the maintenance of a shutter, window, door, hatchway and other exterior opening may include:

- (a) painting or the applying of a similarly effective preservative;
- (b) the **repair**, replacement or renewing of damaged, decaying, missing or defective:

- i) doors;
- ii) door frames and casings;
- iii) windows and window sashes;
- iv) window frames and casings;
- v) shutters;
- vi) screens;

- (c) refitting doors, windows, shutters or screens;
- (d) reglazing or fitting with an translucent substitute;
- (e) rescreening;
- (f) using other approved means of weatherproofing where the opening is used or required for ventilation or illumination and is not protected by a window, door or similar closure:
 - i) screening with wire mesh, metal grills or other equivalent durable material; or
 - ii) other protection so as to effectively prevent the entry of insects, termites, rodents, vermin or other animals.

- 19.3 Glazed doors, windows and other transparent surfaces shall be kept clean so as to permit unimpeded visibility and unrestricted passage of light.
- 19.4 A window in a **dwelling unit** that can be or is required by the standards to be openable shall be provided with screening to effectively prevent the entry of insects.
- 19.5 Nothing in this section shall be construed as preventing doors, windows and other openings in an unoccupied **building** or **accessory building** from being protected from damage or to prevent entry, for such time as determined by section 23.

- 19.6 A canopy, marquee or awning shall be properly anchored so as to be kept in a **safe condition** and shall be protected from decay and rust by a periodic application of weathercoating material.
- 19.7 A **building** shall have a safe, continuous and unobstructed passage from the interior to an exit or the outside of the **building** at street or grade level.
- 19.8 A door that facilitates access to or egress from a **dwelling unit** shall be equipped with locks, and shall be maintained in a good state of **repair** and in an operating condition.
- 20.0 EXTERIOR STAIRS, VERANDAS, PORCHES, DECKS, LOADING DOCKS, BALCONIES AND FIRE ESCAPES
- 20.1 An exterior stair, veranda, porch, deck, loading dock, balcony, fire escapes and every appurtenance attached thereto shall be maintained, reconstructed or **repaired** so as to be safe to use and capable of supporting the loads to which it may be subjected, as specified in the **Building Code Act**, and shall be kept in **safe condition** and good state of **repair**, free of all accident hazards and other deterioration or objects detrimental to the appearance of the **building** or **accessory building**.
- 20.2 Without restricting the generality of section 20.1, the maintenance, reconstructing or **repairing** of an exterior stair, veranda, porch, deck, loading dock, balcony and fire escape may include:
- (a) **repairing** or replacing treads, risers or floors that show excessive wear or are broken, warped, loose or otherwise defective;

- (b) **repairing**, renewing or supporting structural members that are rotted, deteriorated or loose;
- (c) providing, **repairing** or renewing **guard** rails, railings and balustrades; and
- (d) painting or the applying of an equivalent preservative.

20.3 Exterior stairs and fire escapes shall be kept free from ice and snow.

21.0 ROOFS AND ROOF STRUCTURES

21.1 A roof, roof deck, roof structures including solar energy panels, wind generators and related **guards** of a **building** or **accessory building** shall be:

- (a) weather tight and free from leaks;
- (b) free from loose or unsecured or unsafe objects and materials;
- (c) free from accident hazards;
- (d) free from dangerous accumulation of ice and snow;
- (e) kept in a good state of **repair** and in a **safe condition**;
- (f) free from other unsightly objects and conditions detrimental to the appearance of the **building** or **accessory building**.

21.2 An eaves trough, roof gutter and downpipe shall be kept:

- (a) in good **repair**;

- (b) in good working order;
- (c) water tight and free from leaks;
- (d) free from accident hazards;
- (e) protected by painting or the applying of other equivalent preservative.

21.3 Chimneys, smoke or vent stacks and other roof structures shall be maintained plumb and in good state of **repair** and shall be:

- (a) free from loose bricks, mortar and loose or broken capping;
- (b) free from loose or rusted stanchions, guy wires, braces and attachments;
- (c) free from any accident hazard;
- (d) free from the entrance of smoke or gases into a **building** or **accessory building**;
- (e) free from the heating of adjacent combustible materials, walls and structural members to unsafe temperatures;
- (f) weather tight and free from leaks;
- (g) free from unsightly objects and conditions detrimental to the appearance of the **building** or **accessory building**.

22.0 EXTERIOR MAINTENANCE

- 22.1 All exterior surfaces that have been previously painted, stained, varnished or which have received other similar protective finishes shall be maintained without visible deterioration from the original finish, or shall be suitably refinished by application of an equivalent preservative.
- 22.2 Appropriate measures shall be taken to remove any graffiti, markings, stains or other defacement, occurring on the exposed finished exterior surfaces and, where necessary, to restore the exterior surface and adjacent areas to, as near as possible, to its appearance before the markings, stains or defacement occurred.
- 22.3 In the event of fire or other disaster, measures shall be taken as soon as possible to make the damaged **building** or **accessory building** compatible with its environment. Without restricting the generality of the foregoing, such measures include:
- (a) making the **building** or **accessory building** safe;
 - (b) **repairing** of damaged surfaces exposed to view;
 - (c) cleaning any damaged surfaces exposed to view;
 - (d) refinishing so as to be in harmony with adjoining undamaged surfaces.
- 22.4 In the event the **building** or **accessory building** is beyond **repair**, the **property** shall be cleared of all remains and left in a graded level and tidy condition.
- 23.0** VACANT PROPERTY AND VACANT BUILDINGS –
ADDITIONAL STANDARDS

- 23.1 **Vacant property** shall be kept clear of all **waste** and other materials and equipment not otherwise permitted by the zoning by-law.
- 23.2 A **vacant building** shall:
- (a) be secured against unauthorized entry;
 - (b) be protected against the risk of fire, accident, or other danger.
- 23.3 Where a **vacant building** has been vacant for at least sixty (60) consecutive days, a **Property Standards Officer** who reasonably believes that a **vacant building** poses a risk to safety may, in writing, require the **Owner** of a **vacant building** to do any one or more of the following, within the timeframe specified by the **Property Standards Officer**:
- (a) install security measures or devices to the satisfaction of the **Property Standards Officer**, and such measures may include boarding of doors, windows, or other openings; or
 - (b) do any work or **repairs** which, in the opinion of the **Property Standards Officer**, are necessary to secure a **vacant building** from unauthorized entry or protect a **vacant building** against the risk of fire, accident, or other danger.
- 23.4 Where a **vacant building** is boarded or required to be boarded:
- (a) boarding materials shall be installed and maintained in good order;
 - (b) boarding materials shall be installed to exclude precipitation and wind from entering the **vacant building**, and to secure the **vacant building** from

unauthorized entry, and shall be installed within the reveal of the opening frame or cladding, where feasible;

- (c) unless inherently resistant to deterioration, boarding materials shall be treated with a protective coating of paint or equivalent weather resistant material;
- (d) boarding materials shall be selected, coated, coloured, and installed to match surrounding door/window frames and exterior wall finishes.

23.5 Where a **vacant building** remains vacant for more than ninety (90) consecutive days, the **Owner** shall ensure that all utilities serving the **vacant building** are properly disconnected, terminated, or capped, unless such utilities are necessary for the safety or security of the **vacant building**, or unless such utilities are otherwise required by law to remain connected.

23.6 When openings in a **vacant building** previously boarded or secured become unsecured, such openings shall be secured again, and as determined by the **Property Standards Officer** may require the use of materials and fasteners of greater strength, installed in such a manner to deter their removal or destruction.

23.7 Where a **vacant building** has remained vacant or unoccupied for a period of two (2) years and continues in a state of disrepair and deterioration, a **Property Standards Officer** may issue an order to remove all previously installed boarding from windows and doors and to **repair** the **vacant building** in compliance with the standards set out in this By-law.

24.0 ADMINISTRATION AND ENFORCEMENT

- 24.1 A **Property Standards Officer** is responsible for the administration and enforcement of this By-law.
- 24.2 A **Property Standards Officer** may, upon producing proper identification, enter upon any **property** at any reasonable time without a warrant for the purpose of inspecting the **property** to determine,
- (a) whether the **property** conforms with the standards prescribed in this by-law;
 - (b) whether an order made under this by-law and the ***Building Code Act*** has been complied with.
- 24.3 Despite section 24.2, a **Property Standards Officer** shall not enter or remain in any room or place actually being used as a **dwelling** unless,
- (a) the consent of the **occupant** is obtained, the **occupant** first having been informed that the right of entry may be refused and entry made only under the authority of a warrant issued under the ***Building Code Act***;
 - (b) a warrant issued under the ***Building Code Act*** is obtained;
 - (c) the delay necessary to obtain a warrant or the consent of the **occupant** would result in an immediate danger to the health or safety of any **person**;
 - (d) the entry is necessary to terminate a danger under subsection 15.7 (3) or 15.10 (3) of the ***Building Code Act***; or
 - (e) the requirements of section 24.4 are met and the entry is necessary to remove an **unsafe condition** under clause 15.9 (6) (b) of the ***Building Code Act*** or

to **repair** or demolish under subsection 15.4(1) of the ***Building Code Act***.

24.4 Within a reasonable time before entering the room or place for a purpose described in section 24.3 (e), the **Officer** shall serve the **occupant** with notice of his or her intention to enter it.

24.5 A **Property Standards Officer** for the purposes of an inspection has all the powers as provided for in section 15.8(1) of the ***Building Code Act***.

25.0 ORDERS AND COMPLIANCE

25.1 An **owner** of **property** shall comply with the standards and requirements prescribed in this By-law.

25.2 Every **Property Standards Officer** who finds that a **property** does not conform with any of the standards of this By-law, may make an order pursuant to the provisions of Section 15.2 of the ***Building Code Act***:

- (a) requiring the **property** that does not conform with the standards to be **repaired** and maintained to conform with the standards; or
- (b) requiring that the site be cleared of all **buildings** or **accessory buildings, structures**, debris or refuse and left in a graded and leveled condition.

25.3 Every **owner** of **property** shall comply with an order made pursuant to this By-law and the ***Building Code Act*** requiring compliance as confirmed or modified. If an order of a **Property Standards Officer** is not complied with in accordance with the order as deemed confirmed or as confirmed or modified by the **Committee** or a judge, the **Township** may cause the **property** to be **repaired** or demolished accordingly.

25.4 Where any **person** fails to comply with an order issued, the **Township** may enter and cause the required work to be done at the cost of the **person**. The cost of such work may be recovered by action or by adding the costs to the tax roll and collecting the costs in the same manner as property taxes.

26.0 APPEAL OF ORDER

26.1 An **owner** who has been served with an order made under this By-law and **Building Code Act** and who is not satisfied with the terms or conditions of the order may appeal to the **Committee** by sending a notice of appeal by registered mail to the secretary of the **Committee** within 14 days after being served with the order.

26.2 An order that is not appealed within the time referred to in Section 26.1 shall be deemed to be confirmed.

26.3 The **Committee** shall hear the appeal.

26.4 On an appeal, the **Committee** has all the powers and functions of the **Property Standards Officer** who made the order and the **Committee** may do any of the following things if, in the **Committee's** opinion, doing so would maintain the general intent and purpose of the by-law and of the official plan or policy statement:

- (a) Confirm, modify or rescind the order to demolish or **repair**;
- (b) Extend the time for complying with the order.

26.5 The **Township** in which the **property** is situate or any **owner** or **person** affected by a decision under this section may appeal to the Superior Court of Justice by notifying the

Clerk of the **Township** in writing and by applying to the court within 14 days after a copy of the decision is sent.

26.6 The Superior Court of Justice shall appoint, in writing, a time and place for the hearing of the appeal and may direct in the appointment the matter in which and the **persons** upon whom the appointment is to be served.

26.7 On the appeal, the judge has the same powers and functions as the **Committee**.

26.8 An order that is deemed to be confirmed under section 26.2 or that is confirmed or modified by the **Committee** under section 26.3 or a judge under section 26.7, as the case may be, shall be final and binding upon the **owner** who shall carry out the **repair** or demolition within the time and in the manner specified in the order.

27.0 POWER OF TOWNSHIP TO REPAIR AND DEMOLISH

27.1 If an order is not complied with in accordance with the order as deemed confirmed or as confirmed or modified by the **Committee** or a judge, the **Township** in accordance with section 15.4 of the **Building Code Act** may cause the **property** to be **repaired** or demolished.

27.2 Where an order is not complied with and the **Township** has caused the property to be **repaired** or demolished, the **Township** has priority lien status in accordance with section 1 of the *Municipal Act, 2001, as amended*, on the **property** for the amount spent on the **repair** or demolition and the amount may be added to the tax roll by the Treasurer of the **Township** and may be collected in the same manner as taxes on the **property**.

28.0 EMERGENCY ORDERS

28.1 If upon inspection of a **property** an **Property Standards Officer** is satisfied that there is non-conformity with the standards prescribed in this by-law to such extent as to pose an immediate danger to the health or safety of any **person**, the **Property Standards Officer** may make an order in accordance with section 15.7 of the **Building Code Act** containing particulars of the non-conformity and requiring remedial **repairs** or other work to be carried out immediately to terminate the danger.

29.0 CERTIFICATE OF COMPLIANCE

29.1 After inspecting a **property**, a **Property Standards Officer** who is of the opinion that the **property** is in compliance with the standards established in this By-law, may issue a certificate of compliance to the **owner**.

29.2 The prescribed fee set out in the **Township's Fees and Charges By-law** shall be payable prior to the issuance of a certificate of compliance where it is issued at the request of the **owner**.

30.0 PENALTY

30.1 Every **owner** who fails to comply with an order, as confirmed, any other order, a direction or a requirement made under this By-law is guilty of an offence under Section 36.(1) of the **Building Code Act** and is liable to a penalty or penalties as set out in Section 36 of the **Building Code Act**.

31.0 PROPERTY STANDARDS COMMITTEE

31.1 A **Committee** is hereby established in accordance with the **Building Code Act**.

31.2 The **Committee** shall be composed of such persons, not fewer than three (3), as **Council** considers advisable.

31.3 The **Committee** shall hold office for the term of **Council** or until such time as successors are appointed.

32.0 EXEMPTIONS

32.1 This By-law does not apply to lands on which construction is actively proceeding in accordance with a permit issued pursuant to the *Building Code Act*.

32.2 This By-law does not apply so as to prevent a farm, meeting the definition of "agricultural operation" under the *Farming and Food Production Protection Act, 1998*, S.O. 1998 c.1, from carrying out a normal farm practice as provided for and defined under that Act.

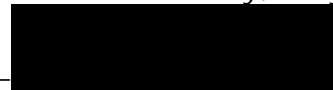
33.0 VALIDITY

33.1 If any section, subsection, paragraph, sentence, clause, or provision of this By-Law be declared by a Court of competent jurisdiction to be invalid, illegal or ultra vires for any reason, all other provisions of this By-Law shall remain and continue in full force and effect and shall remain valid and binding.

READ A THIRD TIME AND FINALLY PASSED THIS 12th DAY OF AUGUST, 2020.



James Seeley, Mayor



Glenn Schwendinger, CAO/Clerk

Property Standards Appeal Application - Entry #2568

Purpose of Application

Modify

As someone who is appealing to the hearing committee you are:

The owner of the subject property

The occupant of the subject property

Identify Other:

Empty

Name of Applicant

Brian Pearson

Applicant's Email**Applicant's Home Phone Number****Applicant's Business Phone Number****Applicant's Fax Number**

Empty

Applicant's Address

171 Townline Rd

Puslinch, ON

N0B 2J0

Name of Representative

Empty

Company Name

Empty

Position

Empty

Representative's Email

Empty

Representative's Phone Number

Empty

Representative's Fax Number

Empty

Provisions of the Order in Dispute (List those section of the By-law in dispute)

Item 1 in the Order references By-law section 4.1 (g).

Item 1 in the Order references the term "Structure". We refer to the definition of a "Structure" in the By-law.

Description of the portion of the order that is in dispute (List what specific recommendation, condition, or portion of the order you dispute)

We are appealing the Remedial Actions offered to remedy Item 1 of the Order. We are asking for an additional option to remedy the defect and/or clarification on the definition of "Structure".

All other items in the Order are not in dispute.

Concise statement by the Applicant regarding the nature of this dispute, including reasons for non-acceptance of the condition(s) given by the Officer (Describe what the nature of your dispute is)

The remedial actions offered in Item 1 of the Order are:

1 - Remove the material from the property.

OR

2 - Store the material within a Structure in a neat and tidy condition

We propose to remedy the defect by adding a 3rd remedial action: Store the materials within an opaque fenced enclosure.

We ask for clarification on whether a fenced enclosure is considered a "structure". The definition in the By-law for structure: "anything constructed either permanent or temporary, the use of which requires location on or an attachment to something having location on the ground.". In our opinion, a fenced enclosure satisfies this definition. If this is true, then we can comply with the Order with no changes required.

If a fenced enclosure is NOT considered a Structure, we then suggest that By-law section 4.1 (g) does not require materials to be stored in a Structure. This implies that the remedial action in the Order is more strict than the By-law. Section 4.1 (g) requires that materials in an Exterior Property Area be free from "conditions that create an unsafe condition or an unsightly condition out of character with the surrounding environment;". It does not mention a Structure.

We suggest that we can solve the safety and aesthetic concerns with an opaque fenced enclosure. By making the fence opaque, the materials will not be visible and will therefore not create an unsightly condition. By storing the materials inside a fenced enclosure, we believe this will eliminate safety concerns. Within the enclosure, we will

keep the scaffolding materials organized in a neat and tidy condition. If required, we will keep the enclosure locked after use.

What is the current condition of the property (Indicate any changes to the property since the date the order was issued)

We are working to comply to with parts of the Order not in dispute.

Supporting Documentation (Attach copies of drawings, site plans photographs, correspondence and other relevant documents and documentation that you are providing in support of this application)



[Example-storage-of-scaffolding-materials.png](#)

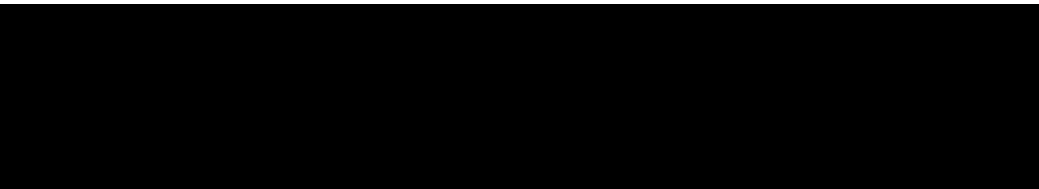


[property-overhead-wide.png](#)



[background-information.txt](#)

The undersigned affirms that the information provided in this application is accurate to the best of their knowledge



Name of Applicant or Representative

Brian Pearson

Date

07/08/2021

Property Standards Appeal Fee

\$ 264.00

Convenience Fee

\$ 4.62

Total

\$ 268.62

Stripe Credit Card





Property Standards Order
By-law Enforcement Officer & Property
Standards Officer
Written Testimony

TO: Planning Development and Advisory Committee

FROM: Ivan Lunevski, By-law Enforcement & Property Standards Officer

MEETING DATE: August 10, 2021

SUBJECT: Proposed Standards Appeal – 171 Townline Rd

BACKGROUND:

The Township of Puslinch received a formal complaint regarding the storage of industrial shipping containers, warehousing of industrial material and ongoing traffic in and out of 171 Townline rd creating a continuous nuisance in relation to noise. The complaints also concerned the exterior maintenance of the property stating that the property appears unsightly and out of character with the surrounding environment.

INSPECTION

Staff attended the property on June 10, 2021, to conduct an inspection of the reported complaint. Upon completion of the inspection, Staff observed an area in the northern portion of the property used for the storage of racks, metal piping and scaffolding as part of a business by the name of “Riverson Scaffolding” operated by Mr. Brian Pearson and his family members.

Staff further observed storage and accumulation of materials and objects, or parts thereof including but not limited to: scaffolding, racks, a forklift, causing an unsightly and unsafe condition on the property. Staff also observed accumulation of waste including but not limited to: wooden skids, discarded wood, plywood, and construction type of materials, barrels, dead trees and branches and limbs thereof, and other types of waste and debris also creating an unsightly appearance on the property.

On June 23, 2021, the Township issued a Property Standards Order (Attachment #1) requesting that the property is brought into standards with the Township of Puslinch Property Standards By-law 10/2020 as amended by September 30, 2021.

APPEAL OF ORDER

On July 8, 2021, the Township received an application to appeal the Property Standards order dated June 23, 2021, from Mr. Brian Pearson. In his appeal application (Attachment #3), Mr. Pearson is proposing a third remedial action: Store the materials within an opaque fenced enclosure, in order to comply with the order.

Mr. Pearson requested clarification in what is deemed and considered a “structure” as defined within the Property Standards By-law. Mr. Pearson’s further advised that Section 4.1(g) of the By-law does not require materials to be enclosed within a structure and therefore the remedial request is more strict than the By-law.

Mr. Pearson’s proposal is to construct an opaque fenced enclosure and ensure that the materials enclosed will not be visible and not create an unsightly condition.

REVIEW OF APPEAL APPLICATION

In reviewing Mr. Pearson’s request, the Township recognizes that an error was made when the Property Standards Order was issued and the remedial action noted on Item #1 required:

1. Removal of all machinery, materials and objects from the exterior; or
2. Ensure that all machinery, material, or objects are stored within a structure, and all exterior property is maintained in a neat and tidy condition.

The intent of the order was to ensure that the machinery, materials and objects thereof are not contained or stored within the exterior of the property.

While a fence may meet the definition of a structure, and enclosing the materials, machinery and objects within such fence may place the same out of view, the remedial work proposed does not satisfy the intent of the By-law, and the expectation’s for exterior property maintenance.

The fence constructed merely creates a visual barrier and masks the exterior conditions of the property that lies beyond the walls of such fence. This can often create an opportunity for the exterior conditions of the property enclosed within the fence walls to deteriorate further with time and create a further unsightly and unsafe condition on the property.

In the case of Rural Municipality of St. Clements v. Ewasko (2011 MBQB 98) Property Standards Appeal, Council acting as the Property Standards Committee for the Municipality ruled that: “ resolving that the structure being constructed by Mr. Ewasko, described by him as a fence, did not address the unsightly nature of the property and ordered it and the derelict material and debris to be removed.”

Furthermore, in the examination of other properties within the surrounding neighbourhood, as shown in Attachment "4", the Township noted that the properties were clean of any waste, debris, or exterior storage of materials, equipment, machinery or objects thereof. The Township concludes that the exterior conditions on the property, being the storage of materials, equipment, objects thereof, waste and debris together contribute to an unsightly and unsafe condition on the property.

The construction of a fence structure is not a sufficient removal method for the machinery, materials and objects described above, and the approval of such as a remedial action is not sufficient to ensure that the exterior property is maintained in accordance with the provisions of By-law 10/2020.

Therefore, the Officer requests that Item #1 of the Order is modified to state:

1. Remove all machinery, materials and objects from the exterior, and ensure that the exterior property does not appear unsightly and out of character with the surrounding environment.

Respectfully submitted,

Ivan Lunevski, B.A.S(Hons), C.P.S.O.
By-law Enforcement and Property Standards Officer



Township of Puslinch,
7404 Wellington Rd 34
Puslinch ON N0B 2J0
Tel: 519-763-1226
Fax: 519-763-5846
www.puslinch.ca

ORDER

Issued pursuant to Section 15.2(2) of The Building Code Act S.O. 1992, c.23, as amended
and
The Corporation of the Township of Puslinch
By-law 10/2020, as amended.

Date: June 23, 2021

LOCATION/ADDRESS

171 TOWNLINE RD
PUSLINCH CON GORE PT LOT 1 RP 61R4597 PART 1 RP
61R5236 PART 1 RP 61R11591 PART 1

in the Township of Puslinch
in the County of Wellington

ISSUED TO

Pearson, Jennifer Lynn,
Rivet, Daniel Anthony,
Pearson, Russell Victor,
Pearson, Patricia Kathleen,
Pearson, Brian William

171 TOWNLINE RD
PUSLINCH ON N0B 2J0

EMAILED TO/REGISTERED MAIL TO

VIA EMAIL TO: BRIAN PEARSON

REGISTER MAILED TO:
Pearson, Jennifer Lynn,
Rivet, Daniel Anthony,
Pearson, Russell Victor,
Pearson, Patricia Kathleen,
Pearson, Brian William

171 TOWNLINE RD
PUSLINCH ON N0B 2J0

The above-described property, which is owned by you or in which you have an interest has
been inspected by a Property Standards Officer.

The inspection revealed that in some respect the property does not conform to the standards prescribed by the Township of Puslinch, Property Standards By-Law 10/2020 as amended.

IT IS ORDERED THAT the repairs necessary to correct the defects set out in Schedule "A" be carried out and the property brought to a condition of compliance with the prescribed standards on or before **September 30, 2021.**

APPEAL TO THE PLANNING DEVELOPMENT ADVISORY COMMITTEE

An owner or occupant who has been served with an order and who is not satisfied with the terms or conditions of the order may appeal to the Committee by sending a notice of appeal by registered mail to the secretary of the Committee within 14 days after being served with the order. All notices of appeal shall be accompanied by a non-refundable payment in the amount of \$264.00 for the processing of the appeal and are to be sent to the address below:

Secretary to the Planning Development Advisory Committee
Township of Puslinch
7404 Wellington Rd 34
Puslinch, ON N0B 2J0

Final date for appealing this Order is July 8, 2021.

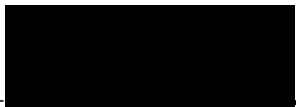
In the event that no appeal is taken, the Order shall be deemed to have been confirmed and shall be final and binding upon you, requiring you to comply with its terms within the time and in the manner specified in the Order.

FURTHER ACTION

Where it has been determined that the necessary repairs or demolition has not been completed in accordance with this Order as confirmed or modified, in addition to any possible court action, the Township of Puslinch may cause the property to be repaired or demolished and the costs of such action may be registered as lien on the land and shall be deemed to be municipal real property taxes and may be added by the Clerk of the Municipality to the tax collectors roll and be collected in the same manner and with the same priorities as municipal real property taxes as described in Section 1 of the Municipal Act 2001 (S.). 2001, c.25, as amended).

DATE : June 23, 2021

SIGNATURE :


Ivan Lunevski, C.P.S.O.
By-law Enforcement and Property Standards Officer
(519) 763-1226 Ext: 215
Email: ilunevski@puslinch.ca

SCHEDULE 'A'**Date: June 23, 2021****Re:**

Legal Description

171 TOWNLINE RD**PUSLINCH CON GORE PT LOT 1 RP 61R4597 PART 1 RP 61R5236 PART 1 RP 61R11591 PART 1****Township of Puslinch**

**The item(s) listed herein are in violation of the,
Township of Puslinch, Property Standards
By-Law No. 10/2020**

ITEM LOCATION		Side yard of property as shown on Schedule 'B'	BY-LAW SEC
1	DEFECT	Storage and accumulation of machinery materials and objects, or parts thereof including but not limited to: scaffolding, racks, forklift, metal racks etc causing an unsightly and unsafe condition on the property.	4.1 (g)
REMEDIAL ACTION		<p>1. Remove all machinery, materials and objects from the exterior.</p> <p><u>OR</u></p> <p>2. Ensure that all machinery, materials, or objects are stored within a structure, and all exterior property is maintained in a neat and tidy condition.</p>	

ITEM LOCATION		Side yard of property as shown on Schedule 'B'	BY-LAW SEC
2	DEFECT	Accumulation of waste including but not limited to: wooden skids, discarded wood, plywood, and construction type of materials, barrels and other type of waste and debris.	4.1 (a)
REMEDIAL ACTION		Remove all waste and debris from the exterior, and ensure that the exterior property is maintained in a neat and tidy condition.	

ITEM LOCATION		Side yard of property as shown on Schedule 'B'	BY-LAW SEC
3	DEFECT	Dead/decayed trees discarded on the property creating an unsafe an unsightly condition.	4.1 (d)
REMEDIAL ACTION		Remove all dead/decayed trees, and the branches and limbs thereof.	

FOR YOUR INFORMATION

All repairs and maintenance of property required by the standards prescribed by the By-Law shall be carried out in a manner accepted as good workmanship in the trades concerned and with materials suitable and sufficient for the purpose.

Where a permit is required to undertake any repair required to conform with standards as prescribed in this Order, it is the responsibility of the Owner to obtain any such permit.

SCHEDULE 'B'

Date: June 23, 2021

Re:

Legal Description

171 TOWNLINE RD

PUSLINCH CON GORE PT LOT 1 RP 61R4597 PART 1 RP 61R5236 PART 1 RP
61R11591 PART 1

Township of Puslinch



171 TOWNLINE RD - ATTACHMENT '2'

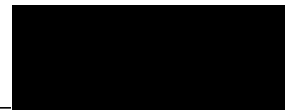


By-Law Enforcement

LOCATION
171 Townline Rd, Puslinch,
ON

DATE:
June 10, 2021

Photograph # 1



I. Lunevski

171 TOWNLINE RD - ATTACHMENT '2'



LOCATION
171 Townline Rd, Puslinch,
ON

DATE:
June 10, 2021

Photograph # 2



By-Law Enforcement

I. Lunevski

171 TOWNLINE RD - ATTACHMENT '2'

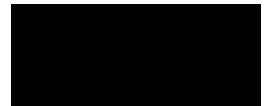


By-Law Enforcement

LOCATION
171 Townline Rd, Puslinch,
ON

DATE:
June 10, 2021

Photograph # 3



I. Lunevski

171 TOWNLINE RD - ATTACHMENT '2'



By-Law Enforcement

LOCATION
171 Townline Rd, Puslinch,
ON

DATE:
June 10, 2021

Photograph # 4



I. Lunevski

171 TOWNLINE RD - ATTACHMENT '2'

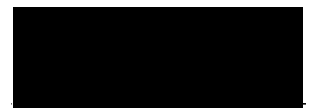


By-Law Enforcement

LOCATION
171 Townline Rd, Puslinch,
ON

DATE:
June 10, 2021

Photograph # 5



I. Lunevski

171 TOWNLINE RD - ATTACHMENT '2'

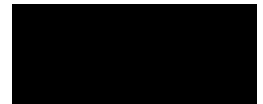


By-Law Enforcement

LOCATION
171 Townline Rd, Puslinch,
ON

DATE:
June 10, 2021

Photograph # 6



I. Lunevski

171 TOWNLINE RD - ATTACHMENT '2'

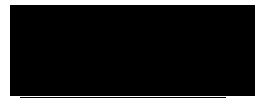


By-Law Enforcement

LOCATION
171 Townline Rd, Puslinch,
ON

DATE:
June 10, 2021

Photograph # 7



I. Lunevski

171 TOWNLINE RD - ATTACHMENT '2'



By-Law Enforcement

LOCATION
171 Townline Rd, Puslinch,
ON

DATE:
June 10, 2021

Photograph # 8



I. Lunevski

171 TOWNLINE RD - ATTACHMENT '2'

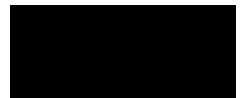


By-Law Enforcement

LOCATION
171 Townline Rd, Puslinch,
ON

DATE:
June 10, 2021

Photograph # 9



I. Lunevski

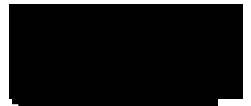
171 TOWNLINE RD - ATTACHMENT '2'



LOCATION
171 Townline Rd, Puslinch,
ON

DATE:
June 10, 2021

Photograph # 10



By-Law Enforcement

I. Lunevski

171 TOWNLINE RD - ATTACHMENT '2'



By-Law Enforcement

LOCATION
171 Townline Rd, Puslinch,
ON

DATE:
June 10, 2021

Photograph # 11



I. Lunevski

Property Standards Appeal Application - Entry #2568

Purpose of Application

Modify

As someone who is appealing to the hearing committee you are:

The owner of the subject property

The occupant of the subject property

Identify Other:

Empty

Name of Applicant

Brian Pearson

Applicant's Email**Applicant's Home Phone Number****Applicant's Business Phone Number****Applicant's Fax Number**

Empty

Applicant's Address

171 Townline Rd

Puslinch, ON

N0B 2J0

Name of Representative

Empty

Company Name

Empty

Position

Empty

Representative's Email

Empty

Representative's Phone Number

Empty

Representative's Fax Number

Empty

Provisions of the Order in Dispute (List those section of the By-law in dispute)

Item 1 in the Order references By-law section 4.1 (g).

Item 1 in the Order references the term "Structure". We refer to the definition of a "Structure" in the By-law.

Description of the portion of the order that is in dispute (List what specific recommendation, condition, or portion of the order you dispute)

We are appealing the Remedial Actions offered to remedy Item 1 of the Order. We are asking for an additional option to remedy the defect and/or clarification on the definition of "Structure".

All other items in the Order are not in dispute.

Concise statement by the Applicant regarding the nature of this dispute, including reasons for non-acceptance of the condition(s) given by the Officer (Describe what the nature of your dispute is)

The remedial actions offered in Item 1 of the Order are:

1 - Remove the material from the property.

OR

2 - Store the material within a Structure in a neat and tidy condition

We propose to remedy the defect by adding a 3rd remedial action: Store the materials within an opaque fenced enclosure.

We ask for clarification on whether a fenced enclosure is considered a "structure". The definition in the By-law for structure: "anything constructed either permanent or temporary, the use of which requires location on or an attachment to something having location on the ground.". In our opinion, a fenced enclosure satisfies this definition. If this is true, then we can comply with the Order with no changes required.

If a fenced enclosure is NOT considered a Structure, we then suggest that By-law section 4.1 (g) does not require materials to be stored in a Structure. This implies that the remedial action in the Order is more strict than the By-law. Section 4.1 (g) requires that materials in an Exterior Property Area be free from "conditions that create an unsafe condition or an unsightly condition out of character with the surrounding environment;". It does not mention a Structure.

We suggest that we can solve the safety and aesthetic concerns with an opaque fenced enclosure. By making the fence opaque, the materials will not be visible and will therefore not create an unsightly condition. By storing the materials inside a fenced enclosure, we believe this will eliminate safety concerns. Within the enclosure, we will

keep the scaffolding materials organized in a neat and tidy condition. If required, we will keep the enclosure locked after use.

What is the current condition of the property (Indicate any changes to the property since the date the order was issued)

We are working to comply to with parts of the Order not in dispute.

Supporting Documentation (Attach copies of drawings, site plans photographs, correspondence and other relevant documents and documentation that you are providing in support of this application)



[Example-storage-of-scaffolding-materials.png](#)



[property-overhead-wide.png](#)



[background-information.txt](#)

The undersigned affirms that the information provided in this application is accurate to the best of their knowledge



Name of Applicant or Representative

Brian Pearson

Date

07/08/2021

Property Standards Appeal Fee

\$ 264.00

Convenience Fee

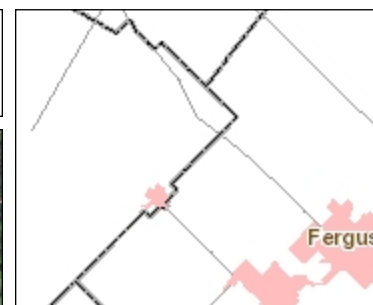
\$ 4.62

Total

\$ 268.62

Stripe Credit Card





Legend

- Site Specific Exemption
- Zoning Limits
- 3m Landscape Buffer
- Industrial Design Overlay
- Environmental Protection Overlay
- Natural Environment
- Municipal Offices
- OPP Stations
- Hospitals
- Fire Stations
- Information Centres
- Schools
- Post Offices
- Arenas
- Community Centres
- Curling Rinks
- Libraries
- Museums
- Park Parking Lots
- County Garages
- Parcels
- Roads
 - Local Road
 - County Road
 - Highway
- Railwave

0.3 0 0.15 0.3 Kilometers

Notes