



PLANNING & DEVELOPMENT ADVISORY COMMITTEE  
JANUARY 12, 2021  
7:00 p.m.

Register at:

[https://us02web.zoom.us/webinar/register/WN\\_xrrE28niSVm4VnuKgCCBGw](https://us02web.zoom.us/webinar/register/WN_xrrE28niSVm4VnuKgCCBGw)

Or join by phone:

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

Canada: +1 438 809 7799

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or +1 647 558 0588

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Webinar ID: 853 2583 0872

Passcode: 540681

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

## **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**
  - December 8, 2020
- 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-GRI– Andrew Grinyer – 4477 Victoria Road South, Lot 20, Concession 9, Township of Puslinch.**

Requesting relief of New Comprehensive Zoning By-law # 23-2018, as amended, from Section 4.12 to permit a maximum floor area of 144 square meters instead of 100 square meters, as required.



**6(b) Minor Variance Application D13-OTH – Hazaar Othman – 7272 Gore Road, Part Lot 30, Concession Gore, Township of Puslinch.**

Requesting relief of from the Special Provisions Section of the Agricultural (A) zone of By-law #19/85, specifically Section 5 (4) (ppp) (iii) which establishes a maximum kennel floor area of 169m<sup>2</sup> and (vii) which prohibits a training area to be within a building or structure. The subject application is proposing relief from these sections to permit a total maximum kennel floor area of 838 square metres to facilitate the construction of an indoor training facility that is 669 square metre in size and to permit a training area to be located within a building or structure.

**7. OTHER MATTERS**

- None

**8. ADJOURNMENT OF COMMITTEE OF ADJUSTMENT**

**PLANNING & DEVELOPMENT ADVISORY COMMITTEE**

**1. OPENING REMARKS**

**2. DISCLOSURE OF PECUNIARY INTEREST**

**3. APPROVAL OF MINUTES**

- December 8, 2020

**4. APPLICATION FOR SITE PLAN URBAN DESIGN REVIEW**

- None

**5. ZONING BY-LAW AMENDMENT**

- None

**6. LAND DIVISION**

**6(a) Lot Line Adjustment Application B108-20 (D10/SIN) – Pauline Sinclair – Part Lot 12, Concession 3, municipally known as 6769 and 6771 Concession 4, Township of Puslinch.**



PLANNING & DEVELOPMENT ADVISORY COMMITTEE  
JANUARY 12, 2021  
7:00 p.m.

Proposed lot line adjustment is 2.6 hectares with 49 meters frontage, existing rural residential use with existing shop and shed to be added to abutting rural residential lot – Jeffrey and Pauline Sinclair.

Retained parcel is 52 meter frontage x 78 meters = 0.4 hectares, vacant land for proposed rural residential use.

**6(b) Severance Application B111-20 (D10/STU) – John Stubbs and Mary Lake–**  
Part Lot 16, Concession 2, known municipally as 4363 Wellington Road 35,  
Cambridge.

Proposed severance is 1.5 hectares with 128 meters frontage, existing and proposed rural residential use with existing dwelling and shed.

Retained parcel is 33.2 hectares with 727 meters frontage, proposed agricultural use with existing drive shed, shed and barn.

**7. OTHER MATTERS.**

None.

**8. CLOSED MEETING**

- None

**9. NEXT MEETING** Tuesday, February 9, 2021 @ 7:00 p.m.

**10. ADJOURNMENT**



## MINUTES

The December 8, 2020 Committee of Adjustment Meeting was held on the above date and called to order at 7:00 p.m. via electronic participation.

### **1. CALL THE MEETING TO ORDER**

### **2. ROLL CALL**

#### **MEMBERS IN ATTENDANCE**

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

#### **MEMBERS ABSENT**

None

#### **STAFF IN ATTENDANCE**

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

### **3. OPENING REMARKS**

The Chair welcomed those attending the meeting to the Committee of Adjustment and informed the attendees that Township Staff would present the application, then the applicant would have the opportunity to present the purpose and details of the application and provide any further relevant information. Following this, the public can obtain clarification, ask questions and express their views on the proposal. The members of the Committee can then obtain clarification, ask questions and express their views on the proposal. All application decisions are subject to a 20 day appeal period.

### **4. DISCLOSURE OF PECUNIARY INTEREST**

None

### **5. APPROVAL OF MINUTES**

Moved by: Dennis O'Connor

Seconded by: Deep Basi

That the Minutes of the Committee of Adjustment meeting held Tuesday, November 10, 2020 be adopted.

**CARRIED**

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

**Minor Variance Application D13-TRI – Dhiren Kumar and Kirtiben Trivedi - 11 Fox Run Drive, Lot 52, Registered Plan 795, Township of Puslinch.**

Requesting relief of New Comprehensive Zoning By-law # 23-2018, as amended, to permit a maximum height of an accessory structure to be 8.02 metres to the peak of the roof instead of 5 metres, as required.



- The owner's son, Mann Trivedi, provided an overview of the application and noted that they have changed the drawings to move the structure further away from the side yard setback. He also noted that the abutting landowner does not object to the location of the structure.
- There were no questions or comments from the public.
- Dennis O'Connor noted that the height seems excessive.
- Mr. Trivedi stated that they are keeping the option open for a boat or RV in the future to be stored in the structure.
- Deep Basi asked if the Township has received anything in writing from the neighbor stating that they have no objection to the size or the height of the structure.
- Mr. Trivedi advised that they do not have anything in writing, only a verbal agreement and that the abutting landowner stated that he will be satisfied as long as the owner put some trees along the shared fence line to block the view of the structure, and will obtain a written consent from the neighbor.
- Deep Basi further inquired if the drawings submitted to the committee shows the 6 foot setback.
- Mr. Trivedi advised that the drawings have been submitted.
- Dan Kennedy asked if it will be 6 feet from the wall or from the overhang of the roof.
- Mr. Trivedi advised that it is from the wall.
- Dan Kennedy ask if there will there be an access to the building from the side.
- Mr. Trivedi advised that there will not be access, only trees along the side of the wall.
- Dan Kennedy also inquired if the structure is only for storage.
- Mr. Trivedi advised that it will only be for storing vehicles.
- Dan Kennedy further asked if there will be a second floor.
- Mr. Trivedi advised that there will not be a second floor.
- John Sepulis noted that the Township's zoning by-law requires a 2 meter setback and that the setback will have to be from the overhang of the building and not the wall.
- Mr. Trivedi advised that they will ensure to have the 2 meter setback from the overhang and not the wall.
- John Sepulis further noted that Mr. Trivedi stated that there will be no second floor storage but the drawings show a staircase, and if there is not going to be a second floor, than the height could be reduced.
- Mr. Trivedi advised that they want to keep the height as shown in the drawings as they would like to have the option to add an attic in the future.
- John Sepulis stated that if they reduce the height, it will be less of a massive structure.
- Mr. Trivedi noted that it is more visually appealing to have it the same height as the house.
- Dan Kennedy asked if there will be plumbing in the structure.
- Mr. Trivedi advised that there will not be any plumbing as it will only be used for storage and noted that the second floor is only for an attic and not a usable floor.
- John Sepulis asked Zachary Prince to comment on the County Report that speaks to the massing issue.
- Zachary prince advised that the massing in the report relates to the size of the structure compared to the size of the house, however the main building is quite tall and has some high peaks also.
- Paul Sadhra asked if it complies with lot coverage.
- Zachary Prince advised that it does comply with the by-law for lot coverage.
- Paul Sadhra asked if 5 meters height is enough for an RV, and how much height is needed for an RV.
- John Sepulis reminded the Committee that they are dealing with a specific application and is not sure what the height is for an RV. He further advised that they should only comment on the height requested.
- John Sepulis also noted that there should be 2 conditions added to the Decision if the application is approved, which are:
  1. Proposed garage be setback 2 metres from property line. Moved by Dan Kennedy;  
Seconded by Dennis O'Connor. Carried



2. That the owner provide a letter from the abutting neighbour to the west stating that he is in approval of the location and height of the structure. Moved by Dan Kennedy; Seconded by Deep Basi.

Carried.

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

Permit a maximum height of an accessory structure to be 8.02 metres to the peak of the roof instead of 5 metres, as required.

**Is approved with the following conditions:**

1. That the proposed garage maintain a 2 meter setback from the interior side yard property line.
2. That the applicant provides a letter of support from the abutting neighbour that supports the location and size of the proposed garage.

**6(b) Minor Variance Application D13-BEN – Howard Bennion and Maureen Anderson - 17 Trillium Beach Drive, Plan 61M-203 Lot 163, Township of Puslinch.**

Requesting relief of New Comprehensive Zoning By-law # 23-2018, as amended, to permit a minimum front yard setback of 1.96 metres instead of 3 metres, as required.

- Shawn Sawatzky, agent for the applicant, provided an overview of the application.
- There were no questions or comments from the public.
- Deep Basi asked if there if GRCA approval is needed
- Shawn Sawatzky noted that they have not inquired of the GRCA.
- John Sepulis asked Lynne Banks if there any comments were received from the GRCA.
- Lynne Banks advised that the GRCA was circulated and they have not submitted any comments.
- John Sepulis stated that a condition can be added to the Decision that it will be subject to GRCA approval. Moved by Paul Sadhra; Seconded by Deep Basi. Carried
- There were no further questions or comments from the Committee.

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

Permit a minimum front yard setback of 1.96 metres instead of 3 metres, as required.

**Is approved with the following condition:**

Subject to GRCA approval.

**6. OTHER MATTERS**

None

**7. ADJOURNMENT**

Moved by: Dan Kennedy

Seconded by: Dennis O'Connor

The Committee of Adjustment meeting adjourned at 7:31 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):** Andrew Grinyer

**Address:** 4477 Victoria Road South

**City:** Puslinch, ON

**Postal Code:** N0B 2J0

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

**Telephone Number:** [REDACTED]

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

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

**Address:** \_\_\_\_\_

**City:** \_\_\_\_\_

**Postal Code:** \_\_\_\_\_

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

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

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

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

CIBC  
59 Wyndham St N  
Guelph, ON  
N1H 6K9  
519-766-6400

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

**2. Provide a description of the “entire” property:**

Municipal address: 4477 Victoria Road South

Concession: 9 Lot: 20

Registered Plan Number: 61R20407

Area: 2.845 ha      Depth: 250 m      Frontage: 90 m  
7.03 ac      820 ft      295 ft

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

**Reason for Application:**

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

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

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

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

To increase the allowable total floor space dedicated to a home industry from one hundred (100) square meters (1076 square feet) to 144 square meters(1560 square feet)

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

The building is existing and attempting to reduce the portion of the floor space being used for the home industry would be difficult to control.

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

Official Plan Designation: Secondary Agricultural

Zoning Designation: Agricultural and Natural Environment

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

Provincial Highway:

Continually maintained municipal road:

Seasonally maintained municipal road:

Other:  (please specify below)

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

Victoria Road South

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

N/A

## Existing and Proposed Service:

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

| Water Supply/Sewage Disposal: | Existing:                           | Proposed:                |
|-------------------------------|-------------------------------------|--------------------------|
| Municipal Water:              | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Communal Water:               | <input type="checkbox"/>            | <input type="checkbox"/> |
| Private Well:                 | <input 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? Residence

The abutting properties? Residences

**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         |                     |                      |                                |
| Main Building height                    | 7.32 m              | 26 ft.               | m ft.                          |
| *Percentage lot coverage                | 519 m               | 5586 ft.             | m ft.                          |
| *Number of parking spaces               | 12                  |                      |                                |
| *Number of loading spaces               | 0                   |                      |                                |
| Number of floors                        | 2                   |                      |                                |
| Total floor area                        | 418 m <sup>2</sup>  | 4500 ft <sup>2</sup> | m <sup>2</sup> ft <sup>2</sup> |
| Ground floor area<br>(exclude basement) | 3336 m <sup>2</sup> | 309 ft <sup>2</sup>  | m <sup>2</sup> ft <sup>2</sup> |

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

|            |       |         |      |         |
|------------|-------|---------|------|---------|
| Front Yard | 75 m  | 245 ft. | m    | ft.     |
| Rear Yard  | 120 m | 393 ft. | m    | ft.     |
| Side Yards | 30 m  | 85 ft.  | 35 m | 115 ft. |

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

Date of acquisition of subject property: November 4, 2016

Date of construction of buildings property: October 2, 1989

**16. How long have the existing uses continued on the subject property?** <sup>4 years</sup>     

**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 checked="" type="checkbox"/> |              |                     |               |          |         |
| Zoning By-Law Amendment | <input type="checkbox"/> | <input checked="" type="checkbox"/> |              |                     |               |          |         |
| Plan of Subdivision     | <input type="checkbox"/> | <input checked="" type="checkbox"/> |              |                     |               |          |         |
| Consent (Severance)     |                          | <input checked="" type="checkbox"/> |              |                     |               |          |         |
| Site Plan               | <input type="checkbox"/> | <input checked="" type="checkbox"/> |              |                     |               |          |         |
| Minor Variance          | <input type="checkbox"/> | <input checked="" type="checkbox"/> |              |                     |               |          |         |



DocuSigned by:

Sworn (or Affirmed or Declared) remotely by [redacted]  
of (City, Town, etc.) of Puslinch [redacted]  
in the (County, Regional Municipality, etc.) of wellington  
before me at the (City, Town, etc.) of Cambridge  
in the (County, Regional Municipality, etc.) of waterloo  
on 12/23/2020 (date) in accordance with O.Reg. 431/20, Administering Oath or Declaration Remotely

[redacted] tfox  
[redacted] avits  
Township of Puslinch  
County of Wellington



Sealed by: The Corporation of the Township of Puslinch  
Sealed Time: 12/23/2020

Sworn (or Affirmed or Declared) remotely by [redacted]  
of (City, Town, etc.) of Puslinch [redacted]  
in the (County, Regional Municipality, etc.) of wellington  
before me at the (City, Town, etc.) of Cambridge  
in the (County, Regional Municipality, etc.) of waterloo  
on 12/23/2020 (date) in accordance with O.Reg. 431/20, Administering Oath or Declaration Remotely

[redacted] tfox  
[redacted] avits  
Township of Puslinch  
County of Wellington



Sealed by: The Corporation of the Township of Puslinch  
Sealed Time: 12/23/2020

Sworn (or Affirmed or Declared) remotely by [redacted]  
of (City, Town, etc.) of Puslinch  
in the (County, Regional Municipality, etc.) of wellington  
before me at the (City, Town, etc.) of Cambridge  
in the (County, Regional Municipality, etc.) of waterloo  
on 12/23/2020 (date) in accordance with O.Reg. 431/20, Administering Oath or Declaration Remotely

[redacted] tfox  
[redacted] avits  
Township of Puslinch  
County of Wellington



Sealed by: The Corporation of the Township of Puslinch  
Sealed Time: 12/23/2020

Sworn (or Affirmed or Declared) remotely by [redacted]  
of (City, Town, etc.) of Campbellville  
in the (County, Regional Municipality, etc.) of Halton  
before me at the (City, Town, etc.) of Cambridge  
in the (County, Regional Municipality, etc.) of waterloo  
on 12/23/2020 (date) in accordance with O.Reg. 431/20, Administering Oath or Declaration Remotely

[redacted] tfox  
[redacted] avits  
Township of Puslinch  
County of Wellington



Sealed by: The Corporation of the Township of Puslinch  
Sealed Time: 12/23/2020

CONCESSION 8

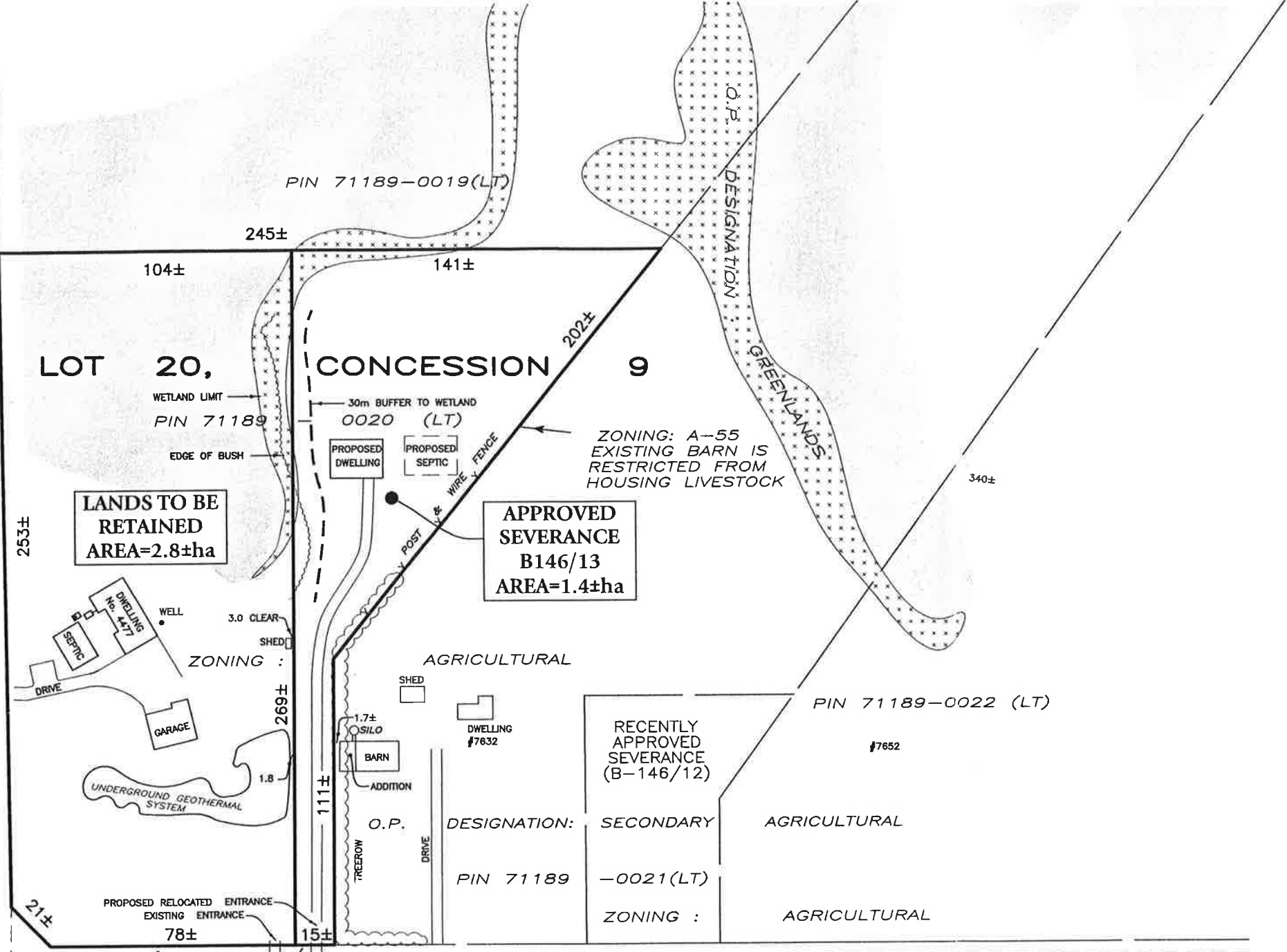
LOT 20,

PIN 71197-0124(LT)

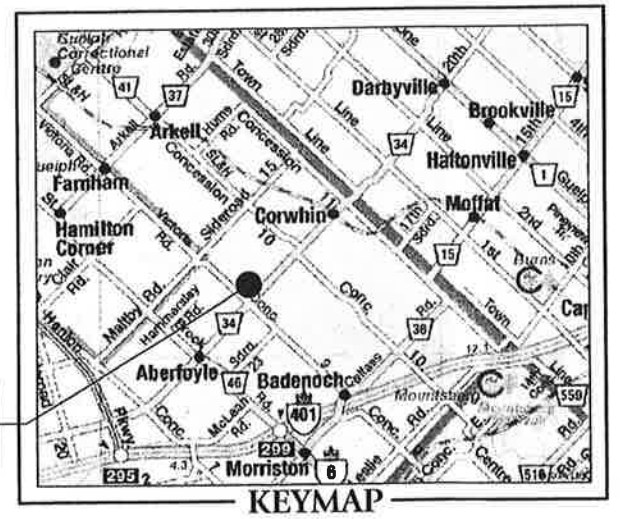
PIN 71197-0125(LT)

ROAD ALLOWANCE BETWEEN CONCESSIONS 8 & 9  
PIN 71189-0001 20.1m WIDE

VICTORIA ROAD SOUTH



SUBJECT PROPERTY



MINOR VARIANCE SKETCH  
PART OF LOT 20, CONCESSION 9  
TOWNSHIP OF PUSLINCH  
COUNTY OF WELLINGTON

SCALE: 1 - 2000

0 20 40 80 120 metres

VAN HARTEN SURVEYING INC.


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 (NE).
3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF SECONDARY AGRICULTURE, GREENLANDS & CORE GREENLANDS.
4. DISTANCES TO BARNS ARE TAKEN FROM GRCA WEBSITE.
5. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
6. N.T.S. DENOTES NOT TO SCALE
7. WETLAND LIMIT MARKED BY GRCA

1) THIS SKETCH WAS PREPARED ON THE 6th DAY OF DECEMBER, 2013



JEFFREY E. BUISMAN  
ONTARIO LAND SURVEYOR



# Van Harten

SURVEYING INC.

LAND SURVEYORS and ENGINEERS

|   |   |                      |
|---|---|----------------------|
| 423 WOOLWICH STREET<br>GUELPH - ONTARIO, N1H 3X3<br>PHONE: (519) 821 - 2763<br>FAX: 821 - 2770<br>www.vanharten.com | 660 RIDDELL ROAD, UNIT 1<br>ORANGEVILLE - ONTARIO, L9W 5G5<br>PHONE: (519) 940 - 4110<br>FAX: 519 - 940 - 4113<br>www.vanharten.com |                      |
| DRAWN BY: JAM   | CHECKED BY: JEB   | PROJECT No. 17482-07 |

Mar 05,2014-9:43am  
G:\PUSLINCH\CON9\ACAD\MV PT20(COWAN) UTM 2010.dwg

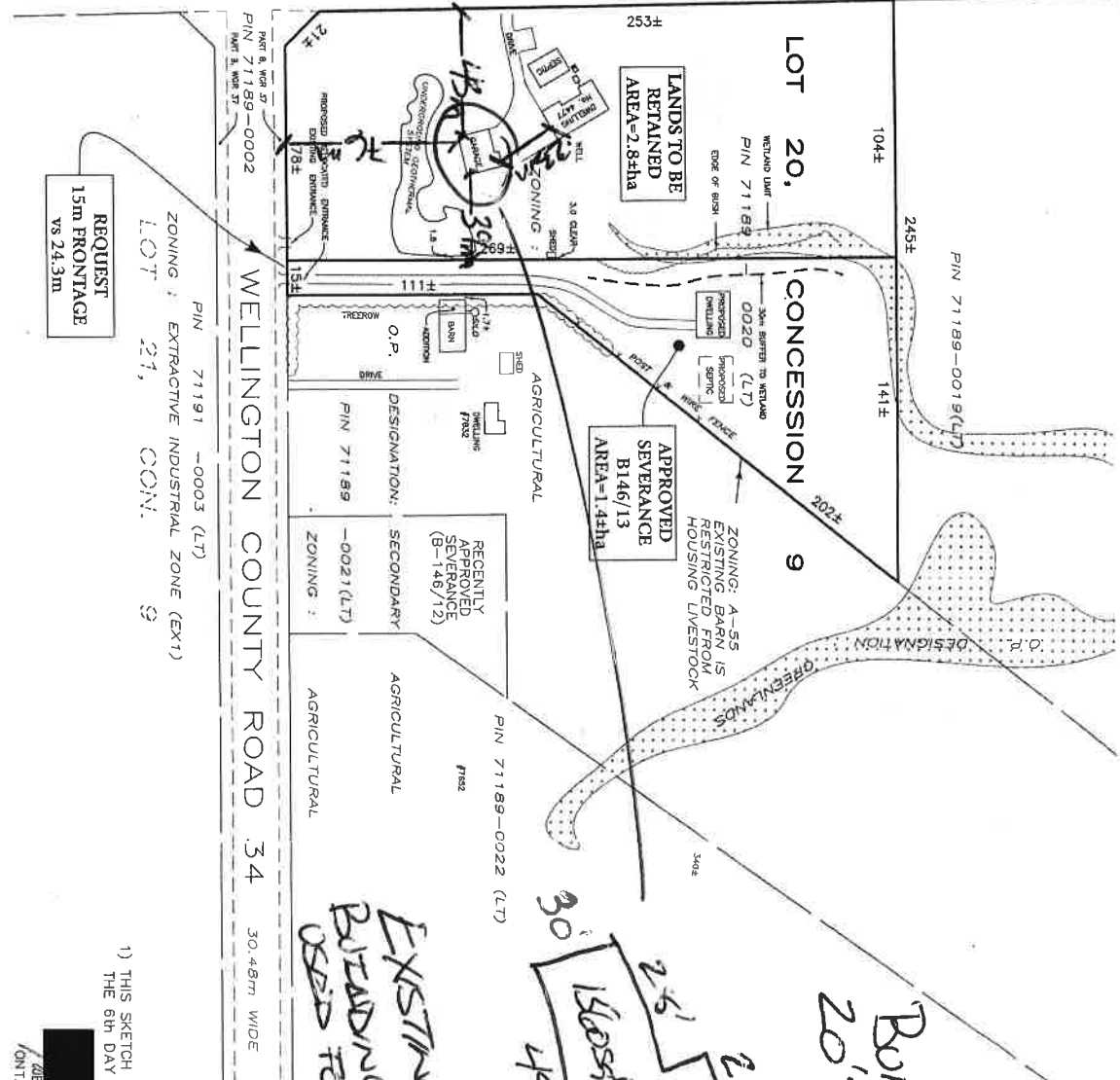
LOT 20,

CONCESSION 8

PIN 71197-0125(LT)

PIN 71197-0124(LT)

VICTORIA ROAD SOUTH ROAD ALLOWANCE BETWEEN CONCESSIONS 8 & 9  
PIN 71189-0001 20.1m WIDE



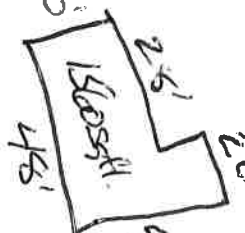
REQUEST  
15m FRONTAGE  
VS 24.3m

ZONING : EXTRACTIVE INDUSTRIAL ZONE (EXT1)  
LOT 21, CON. 9

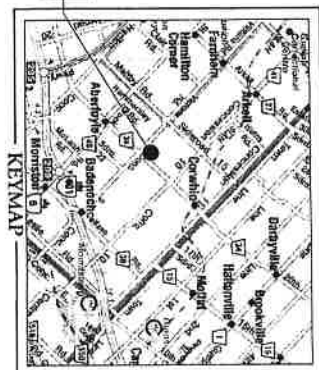
PIN 71191 -0003 (LT)

WELLINGTON COUNTY ROAD 34 30.48m WIDE

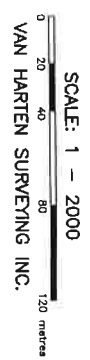
EXISTING BUILDING BEING BUILT FOR HOME USED FOR INDUSTRY



BUILDING IS 20' TALL  
SUBJECT PROPERTY



MINOR VARIANCE SKETCH  
PART OF LOT 20, CONCESSION 9  
TOWNSHIP OF PUSLINCH  
COUNTY OF WELLINGTON



- 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 (NE).
  3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF SECONDARY AGRICULTURE, GREENLANDS & CORE GREENLANDS.
  4. DISTANCES TO BARN ARE TAKEN FROM GRCA WEBSITE.
  5. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
  6. N.T.S. DENOTES NOT TO SCALE
  7. WETLAND LIMIT MARKED BY GRCA

THIS SKETCH WAS PREPARED ON THE 6th DAY OF DECEMBER, 2013  
JEFFREY E. BUISMAN  
ONTARIO LAND SURVEYOR

**Van Harten**  
SURVEYING INC.  
LAND SURVEYORS and ENGINEERS

423 WOODLICH STREET  
GUELPH - ONTARIO, N1H 3X3  
PHONE: (519) 821 - 2763  
FAX: 821 - 2770  
WWW.VANHARTEN.COM

660 RIDDELL ROAD, UNIT 1  
ORANGESVILLE - ONTARIO, L9W 5G5  
PHONE: (519) 940 - 4110  
FAX: 519 - 940 - 4113  
WWW.VANHARTEN.COM

DRAWN BY: JAM CHECKED BY: JEB PROJECT NO. 17482-07  
Mo: 05.2014-9:43am  
G:\PUSLINCH\CON9.ACAD\WV\_P120(COWAN) UTM 2010.04w



## PLANNING REPORT for the TOWNSHIP OF PUSLINCH

Prepared by the County of Wellington Planning and Development Department

**DATE:** January 5<sup>th</sup>, 2020  
**TO:** Lynne Banks, Secretary-Treasurer  
 Township of Puslinch  
**FROM:** Meagan Ferris, Senior Planner  
 County of Wellington  
**SUBJECT:** **MINOR VARIANCE APPLICATION D13/GRI (Andrew Grinyer)**  
**4477 Victoria Road South**  
**Concession 9, Part Lot 20**

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 utilize an existing accessory structure/garage for a home industry (i.e. closet organizer business) on the subject property; however, the existing structure size exceeds the permitted, maximum total floor area allowed for a home industry. As such, the subject minor variance is requesting relief from the Township of Puslinch Zoning By-law #023/18 (specifically certain Sections of 4.12 *Home Industries*) to permit a larger floor area for a home industry.

Planning staff generally have no concerns with this proposal provided the Township of Puslinch Building Department have no concerns with the application. It is our opinion that this variance is minor in nature and maintains the intent of the Zoning Bylaw and County Official Plan.

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

| Regulation      | By-law Section | Required  | Proposed                                      | Relief  |
|-----------------|----------------|---|---|---|
| Home Industries | 4.12 (a) (vii) | Maximum total floor area of<br>100 m <sup>2</sup><br>(1076.4 ft <sup>2</sup> ). | 145 m <sup>2</sup><br>(1560 ft <sup>2</sup> ) | 45 m <sup>2</sup><br>(484.4 ft <sup>2</sup> ) |

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

| Four Tests  | Discussion  |
|---|---|
| That the requested variance is <b>minor</b> in nature | <ul style="list-style-type: none"> <li>The subject property is approximately 2.81 ha (6.9 ac) in size, is a corner lot, and surrounded primarily by larger, rural residential lots.</li> <li>The home industry is proposed to operate out of an existing accessory structure/garage that is approximately 145 m<sup>2</sup> (1560 ft<sup>2</sup>) in size. The applicant has indicated that it would be challenging to only utilize a portion of the building.</li> <li>Based on information from the Municipal Property Assessment Corporation (MPAC), the existing accessory structure/garage was constructed in 2001.</li> </ul> |

|   |  |
|---|--|
|   | <ul style="list-style-type: none"> <li>• The existing accessory structure/garage meets the Zoning By-law provisions for an accessory building to a residential use (as per Section 4.4); however, home industries are subject to Section 4.12 of the Zoning By-law and have specific provisions related to scale/size of the business.</li> <li>• The zoning provisions for a home industry establishes a maximum total floor area of 100 m<sup>2</sup> (1076.4 ft<sup>2</sup>); however, the intent is to utilize the entirety of the existing accessory structure/garage, which is approximately 145 m<sup>2</sup> (1560 ft<sup>2</sup>).</li> <li>• It is noted that the existing single family dwelling has an attached garage, so the use of the existing accessory structure/garage for a home industry does not adversely impact parking on-site.</li> <li>• It is further noted that the existing accessory structure/garage is setback substantially from all property lines and that the subject property is a larger, rural residential lot.</li> </ul>   |
| <p>That the intent and purpose of the <b>Zoning By-law</b> is maintained</p>  | <ul style="list-style-type: none"> <li>• The subject property is zoned Agricultural (A), Natural Environment (NE) Zone, and is also subject to the Environmental Protection Zone Overlay.</li> <li>• The existing accessory structure/garage is located entirely within the 'A' Zone.</li> <li>• Home industries are a permitted use within the 'A' zone, in accordance with Section 4.12 of the Zoning By-law. These provisions also establish that: only one home industry is permitted; only two on-site employees are permitted; lists certain types of uses that are not permitted etc. Relief is requested only for the size of the floor area.</li> <li>• The Zoning By-law identifies that a <i>home industry</i> is defined as “small-scale use providing a service that is accessory to a dwelling unit or an agricultural operation...may be conducted in whole or in part in an accessory building...”</li> <li>• It is noted that the primary dwelling is approximately 353 m<sup>2</sup> (3800 ft<sup>2</sup>) in size, that the intent is to utilize an existing structure, and that the home industry remains to be secondary to the principle residence and does not generally change the residential character of the dwelling.</li> </ul> |
| <p>That the general intent and purpose of the <b>Official Plan</b> is maintained</p>                                    | <ul style="list-style-type: none"> <li>• The property is designated Secondary Agricultural, Core Greenlands and Greenlands System within the County Official Plan.</li> <li>• The existing accessory structure/garage is located entirely within the Secondary Agricultural designation and setback from any existing, natural features on-site.</li> <li>• A home industry is permitted within the Secondary Agricultural designation as a secondary/accessory use to a single family dwelling.</li> </ul>  |
| <p>That the variance is <b>desirable</b> for the appropriate development and use of the land, building or structure</p> | <ul style="list-style-type: none"> <li>• The intent of the maximum floor area is to ensure the accessory uses remain secondary to the main use/dwelling;</li> <li>• The subject lands are larger than typical, are located within a rural area, and the accessory structure/garage proposed to be utilized is existing and setback substantially from all property lines;</li> <li>• A home industry is a permitted use; however, the intent is to convert an existing structure that meets the accessory building size but exceeds the maximum floor area for a home industry.</li> <li>• As the intent is to utilize an existing structure, the general character of the dwelling is maintained.</li> </ul>  |



Figure 1 – Aerial Map



In conclusion, planning staff is of the opinion that the requested variance application **meets all 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



Meagan Ferris, RPP MICP  
Senior Planner



**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):** Hazaar Othman

**Address:** 7272 Gore Road

**City:** Puslinch, Ontario

**Postal Code:** N0B 2J0

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

**Telephone Number:** [REDACTED]

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

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

**Address:** 200-540 Bingemans Centre Drive

**City:** Kitchener, ON

**Postal Code:** N2B 3X9

**E-mail Address:** thawkins@mhbcplan.com

**Telephone Number:** 519-576-3650

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



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

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

**2. Provide a description of the “entire” property:**

Municipal address: 7272 Gore Road

Concession: Gore Lot: Part of Lot 30

Registered Plan Number: N/A

Area: 6.5 ha      Depth: 500 m      Frontage: 104 m  
16 ac                      1640 ft                      341 ft

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

**Reason for Application:**

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

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

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

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

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

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

See enclosed Planning Letter

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

Official Plan Designation: Secondary Agriculture

Zoning Designation: Agriculture with site specific provision that permits a kennel

**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?**

Gore Road

**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? Kennel and single detached dwelling (owner of kennel)

The abutting properties? Vacant and hydro corridor (to east). Commercial recreational trailer park (to west). Railway track to north and agriculture to south

**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      | *Does not include SFD |                      |                           |                             |
|--------------------------------------|-----------------------|----------------------|---------------------------|-----------------------------|
| Main Building height                 | 2.51 m                | 8.23 ft.             | m                         | ft.                         |
| *Percentage lot coverage             | 1.3%* m               | 1.3% ft.             | m                         | ft.                         |
| *Number of parking spaces            | 10                    |                      |                           |                             |
| *Number of loading spaces            | 0                     |                      |                           |                             |
| Number of floors                     | 1                     |                      |                           |                             |
| Total floor area                     | 169 m <sup>2</sup>    | 1820 ft <sup>2</sup> | 669 propos m <sup>2</sup> | 7200 propos ft <sup>2</sup> |
| Ground floor area (exclude basement) | 169 m <sup>2</sup>    | 1820 ft <sup>2</sup> | 669 propos m <sup>2</sup> | 7200 propos ft <sup>2</sup> |

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

|            |         |         |      |         |
|------------|---------|---------|------|---------|
| Front Yard | 181.5 m | 595 ft. | m    | ft.     |
| Rear Yard  | 224 m   | 735 ft. | m    | ft.     |
| Side Yards | 27.1 m  | 89 ft.  | 92 m | 302 ft. |

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

Date of acquisition of subject property: December 1, 2015

Date of construction of buildings property: July 5, 2006

**16. How long have the existing uses continued on the subject property?** <sup>2 years</sup>     

**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 checked="" type="checkbox"/> |              |                     |               |                        |                  |
| Zoning By-Law Amendment | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | D14/FRE      | Township            | 7272 Gore Rd  | To permit a kennel use | Approved in 2018 |
| Plan of Subdivision     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |              |                     |               |                        |                  |
| Consent (Severance)     |                                     | <input checked="" type="checkbox"/> |              |                     |               |                        |                  |
| Site Plan               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |              |                     |               |                        |                  |
| Minor Variance          | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |              |                     |               |                        |                  |

Sworn (or Affirmed or Declared) remotely by [REDACTED]  
of (City, Town, etc.) of Waterloo  
in the (County, Regional Municipality, etc.) of Waterloo  
before me at the (City, Town, etc.) of Cambridge  
in the (County, Regional Municipality, etc.) of Waterloo  
on 12/15/2020 (date) in accordance with O.Reg. 431/20, Administering Oath or Declaration Remotely

[REDACTED] avits

Township of Puslinch  
County of Wellington



Sealed by: The Corporation of the Township of Puslinch  
Sealed Time: 12/15/2020

Sworn (or Affirmed or Declared) remotely by [REDACTED]  
of (City, Town, etc.) of N/A  
in the (County, Regional Municipality, etc.) of N/A  
before me at the (City, Town, etc.) of N/A  
in the (County, Regional Municipality, etc.) of N/A  
on N/A (date) in accordance with O.Reg. 431/20, Administering Oath or Declaration Remotely

[REDACTED] avits

Township of Puslinch  
County of Wellington



Sealed by: The Corporation of the Township of Puslinch  
Sealed Time: N/A

## 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.

December 4, 2020

Committee of Adjustment – Secretary Treasurer  
Township of Puslinch  
7404 Wellington Rd 34  
Puslinch, Ontario NoB 2Jo

**RE: Shield Kg Kennel – Minor Variance**  
**7272 Gore Road**  
**OUR FILE 2022A**

---

We are pleased to submit an application for a minor variance on behalf of Shield Kg Kennel (the 'owner') with respect to the property, municipally known as 7272 Gore Road in the Township of Puslinch, hereinafter referred to as the "subject property."

As you may recall, Council approved a Zoning By-law amendment application for 7272 Gore Rd (By-law 33/2018) which permitted a kennel use on the property, in addition to the other uses already permitted in the Agriculture 'A' Zone.

The property contains both a single detached dwelling, and a separate kennel use, which consists of a building with a small indoor training area as well as boarding space for dogs that remain overnight. Both uses are permitted in the Zoning By-law. The single detached dwelling is regulated under the 'A' zone, as well as other performance standards in the Zoning By-law, while the kennel use has specific performance standards that were approved through By-law 33/2018 (site specific regulation A-68).

The owner would like to incorporate an indoor training area into the kennel use, as the current small space is insufficient to meet the needs of the business and its clients. The site specific by-law (19/85) includes restrictions on the amount of "kennel floor area" – effectively limiting the amount of building floor area to that which currently exists. The same site specific by-law also permits two outdoor training areas, one specifically referred to as "Training Area" and the second as "Common Play Area." As such, although the by-law allows two large outdoor training/play areas, to create additional indoor training area, a minor variance is required. We have enclosed a Concept Plan that shows the proposed location and size of the indoor training building. The building would simply be used for indoor training classes to protect the clients from the outdoor elements and would not contain any other components (e.g. no washrooms or other boarding related components). The building is proposed to be 36.6 m long (120



feet) and 18.3 m wide (60 feet) to provide sufficient space for the dog classes and training (e.g. walking the dogs around).

### **Planning Analysis**

In our opinion, the requested variance meets the requirements of Subsection 45(1) of the *Planning Act*. Our analysis of the requested variance with respect to each of the “four tests” is discussed below.

**1. Does the variance maintain the general intent and purpose of the Official Plan?**

The portion of the land where the kennel use is located is designated Secondary Agricultural on Schedule A7 – Puslinch, of the County of Wellington Official Plan. Secondary Agricultural areas are part of the County’s ‘Rural System.’

Section 6.5.3 of the Official Plan lists the permitted uses under the Secondary Agricultural designation, which include:

- a) all uses allowed in the Prime Agricultural Area;
- b) small scale commercial, industrial and institutional uses;
- c) public service facilities.

Permitted uses within the Prime Agricultural Area designation include kennels on existing lots of record. Accordingly, kennels are permitted within the Secondary Agricultural Area designation, per Section 6.5.3 a) of the Official Plan. The proposed indoor training building is located outside of the area identified “Greenlands” and “Core Greenlands” in the Official Plan. The facility would be located in the open field previously used for agriculture and currently used for outdoor training. The Greenlands and Core Greenlands features are located to the east of the open field.

The subject lands are an existing lot of record and already contain an operating kennel. The minor variance application would permit the enclosure of a portion of the already permitted outdoor training area outside of the area identified as “Greenlands” or “Core Greenlands.” Indoor training is a normal component of a kennel operation, and such, the request to create an indoor training area maintains the general intent and purpose of the Official Plan.

**2. Does the variance maintain the general intent and purpose of the Zoning By-law?**

As noted earlier, the lands are subject to a site specific by-law that permits the kennel use, together with specific regulations. The site specific regulations include:

- A maximum kennel floor area – 169 square metres
- A maximum Outdoor Common Play Area – 2,877 square metres
- Permission for an additional “Training Area” separate from the Outdoor Common Play Area.

“Training Area” is defined in the by-law, as follows:

*An area used for the training of dogs with their owners (or equivalent), where each dog is accompanied by a person. The training of dogs shall not involve the discharge of firearms or the*

*blowing of whistles as part of the training program and shall not require the construction of any buildings or structures, save for a fence.*

The kennel use has been operating on the property since the By-law was approved and provides boarding and training services for dog owners throughout the County. Currently, Shield K9 employs 9 people in addition to the two owners. The indoor facility is limited in its size, and given the often inclement weather, is often the preferred location for conducting training with pet owners. As noted above, there are outdoor locations on the site where the training of dogs is permitted, however during much of the year, these areas are less desirable, particularly for the pet owners who bring their dogs and participate in the training (e.g. in the winter when it is cold and snow covered, or the spring and fall when it is often wet and muddy).

For these reasons, the development of an indoor training component is preferred. The By-law already permits an outdoor training area. The inclusion of an indoor training area when an outdoor training area is already specifically permitted is consistent with the use of a kennel and the general intent of the By-law. Moving some of the kennel operation inside will assist in managing any perceived impacts. The boarding component of the kennel operation will remain within the existing building – the new building will remain exclusively for training purposes and is not intended to expand the boarding component.

The identified outdoor training area is located outside of the portion of the lands zoned Natural Environment (NE) in the Township's Zoning By-law. The proposed indoor training building would be entirely located within the portion of the site zoned Agriculture and within the area already identified as a permitted outdoor training area in the site specific By-law.

Section 4.13 of the Township's new Comprehensive Zoning By-law includes regulations for kennels, including:

- a. The minimum required lot area shall be 3 ha
- b. The kennel shall be located no closer than 125 m from any existing residential dwelling, or commercial or institutional building on any other lot;
- c. A secure chain link fence enclosure shall be installed and maintained around any outdoor run or outdoor common play area;
- d. Any pen area for the housing of dogs shall be construction with solid walls and roofing;
- e. Dog activity is not permitted in any outdoor run or outdoor common play area between the hours of 8pm and 7am.

The subject lands are more than 3 ha in size and a kennel is already permitted. The proposed indoor training building would be located in the area already identified as an outdoor training area. The lands to the west contain trailers, as part of the Emerald Lake Trailer Park. The trailers can be moved and would be considered a "Recreational Vehicle" as per the Township's Zoning By-law. A "Recreational Vehicle" is defined as:

"A motor vehicle that is primarily designed to provide temporary living quarters for recreational camping, travel or seasonal use, whether it has its own motor power or is mounted on or towed by another vehicle, and includes travel trailers, fifth wheel travel trailers, tent trailers and campers whether the camper is or is not attached to a motor vehicles and does not include a mobile home or a manufactured home."

As such, the required 125 metre setback would not apply to a Recreational Vehicle, as it is neither a residential dwelling, nor a commercial or institutional building – it is a vehicle.

Furthermore, the movement of outdoor training inside a building would be an improvement over the existing permitted situation, if there were any perceived impacts on the adjacent seasonal trailer park. Outdoor training is already permitted – moving the dogs inside the new training building would improve the compatibility between the adjacent commercial recreational park and the kennel operation.

The new training building would be located more than 125 metres from any existing residential dwelling and more than 125 metres from the commercial buildings on the commercial recreational park to the west.

The conversion of a portion of the permitted outdoor training area to an indoor training building meets the general intent and purpose of the Zoning By-law.

**3. Is the variance desirable for the appropriate use of the land, building or structure?**

The subject lands comprise 6.5 hectares (16 acres), of which the kennel operation occupies a very small portion, generally towards the middle of the property, to the rear of the dwelling and outside of the lands zoned Natural Environment (NE). The regulations governing the kennel operation specify building size, the size and location of a common play area and a separate outdoor training area. These uses of the lands are directly related to the operation of the kennel and the dogs that are boarded and/or trained as part of the kennel business. The remainder of the property, outside of the specified kennel area is subject to the Agriculture 'A' and Natural Environment 'NE' zones.

The inclusion of a new building within the defined outdoor training area to permit the indoor training of dogs as part of the operation is desirable for the appropriate use of the land. Providing additional indoor training – not boarding – is an important component of the operation of the kennel. There is currently insufficient space within the existing building to offer indoor training to all of the business' clients. The unpredictability of the weather and the challenges associated with the winter results in the need for additional indoor space to accommodate the training classes. Moving the training inside will also benefit the adjacent properties by including more of the kennel/training operation inside a building, rather than outside where noise may carry further.

In summary, the addition of an indoor training building within an area already permitted for outdoor training, outside of the lands zoned NE, is desirable and appropriate for the use of the lands.

**4. Is the variance minor?**

As discussed previously, outdoor training is already permitted in a defined area on the west side of the lands, outside of the portion of the site zoned NE. The variance application seeks permission to permit a portion of this area to include an indoor training building – the use will not change and the boundary of the area will also not change. The only change requested

through the application is to permit indoor training where outdoor training is already permitted.

As such, in our opinion, the variance is minor.

For the reasons set out above, it is our opinion that the variance satisfies Subsection 45(1) of the Planning Act.

In support of this application for minor variance, please find enclosed the following:

- A completed Application Form; and
- A Plan indicating the location of the proposed Indoor Training Building

The required fee of \$1,221 will follow under separate cover.

Yours truly,

A solid black rectangular redaction box covering the signature of Trevor Hawkins.

Trevor Hawkins, M.PL, MCIP, RPP  
Partner

cc. *Shield Kg*

January 4, 2020

Meagan Ferris, RPP MCIP  
Senior Planner  
County of Wellington Planning & Development  
74 Woolwich Street  
Guelph ON N1H 3T9

**RE: Shield Kg Kennel – Minor Variance**  
**7272 Gore Road**  
**OUR FILE 2022A**

---

Further to our virtual meeting on December 22, 2020, we provide the following additional information for your consideration.

1. The proposed new building would be entirely used for training. There is no intention to include kennel components, such as boarding or breeding. The intent of the building is to provide shelter for the pet training classes the owner conducts. The area proposed for the new building already permits outdoor training, as close as 10 metres from the abutting trailer park lot line. The new building would be further from that lot line and would contain the training within an enclosed space, which would be an improvement over the existing situation.
2. Because the nature of the application is to permit indoor training in an area that already permits outdoor training (defined as "Training Area" in the Site Specific By-law), we did not view the application as permitting an increase in the maximum floor area for the kennel - the traditional components of a kennel (boarding, breeding) are not proposed within the new building and no expansion to that component of the kennel is contemplated. If the County/Township proposes language/condition that clarifies this matter, we would have no objection.
3. As discussed, if the County/Township proposes a condition that the applicant not conduct outdoor training within the remainder of the identified Training Area (if the indoor training building is approved), the owner is agreeable with this approach. We understand this would not impact the permitted (separate) Outdoor Common Play Area.

4. The owner determined the size of the building based on the needs for conducting the classes, with further consideration that physical separation due to COVID is likely to remain a requirement for some time.

Yours truly,



Trevor Hawkins, M.PL, MCIP, RPP  
Partner





cc. *Shield Kg*





## Indoor Training Building Option 2

### LEGEND

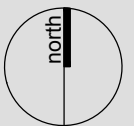
-  Subject Lands
-  Proposed Location (669m<sup>2</sup>)
-  125m Separation Setback
-  Training Area

DATE: June 8, 2020

SCALE: 1:3,000

FILE: 2022A

DRAWN: CAC



K:\2022AIRPT\Option2.dwg

**7272 Gore Road**  
Township of Puslinch  
County of Wellington



RE: MINOR VARIANCE APPLICATION #D13/OTH

We are writing you in regards to the above application by Hazaar Othman. We are opposed to this application.

We attended the meetings with Council back in 2018 when Mr. Othman was applying to change the zoning for this property from Agricultural to Kennel. We were not in support of this property changing to Kennel at that time, however Mr. Othman assured council and residents at that time that the Kennel would not expand or add any new buildings or dogs to the existing. Based on his promises at that rezoning meeting and the minute documentation of D14/FRE – (The kennel is to be operated out of existing outbuilding(s) on the property. Interior improvements are proposed to support business operation, however no expansion to building envelop or new structures are proposed. Further, no additional parking areas are proposed). We agreed to not oppose the zoning change. Now, not even 3 years later, Mr. Othman is requesting to build an 838 square metre building for indoor training.

We have not seen any planning for this property or locations of buildings, kennel, parking lot, noise studies, etc. on this property. We feel that these issues need to be addressed before Mr. Othman can apply for this variance. We would have appreciated being advised of where exactly Mr. Othman is constructing this building on the property. As well as the plans for the existing 169 square meter kennel building? Will it be knocked down and relocated into the new 838 square metre structure? We have too many questions and at present no answers as to how it will affect us next door to the kennel. This is why we do not support this Minor Variance #D13/OTH.

Thanks

Jeff and Rose Jiricka

██████████

Puslinch, On.



Dear Committee of Adjustment,

We have been residents of [REDACTED] Puslinch, Ontario, since November 19, 1981. As immediate neighbours to the west of 7272 Gore Rd. where Mr. Othman moved in 3 years ago, and opened his business, Shield K9, which is a dog training, boarding and breeding operation, we are writing in strong opposition to "Minor Variance Application #D13/OTH".

Is it appropriate to entertain a zoning by-law variance when the applicant has a significant history of non-compliance and there is currently an open file of non-compliance being investigated by the township? We are aware that Mr. Othman is in active non-compliance of the following Puslinch Township Kennel by-laws.

1. Mr. Othman is in current violation of the Puslinch Township Kennel By-law by operating a kennel within 300 ft. of our home. This is occurring in the gray building which is not a part of his official kennel. According to the minutes of the February 15, 2018 public meeting, Mr. Othman's advocate, Trevor Hawkins, stated that they were storage buildings. We complained to Mr. Lance who was the by-law officer at the time that a breeding operation was taking place in that building because in the Spring of 2019, the noise from puppies was extremely loud and constant. Spending time out in the garden was extremely stressful which is counterproductive to the activity. Mr. Lance responded that there was an open active complaint regarding Mr. Othman's business and since it was an ongoing investigation, he couldn't get into details. Mr. Othman has yet to comply with this by-law and we've heard nothing from by-law enforcement. Our complaint about barking emanating from inside that gray building was met with denial.
2. Mr. Othman was in violation of the Puslinch Township Kennel By-law by conducting a perpetual slow burn of dog waste that continued for days at a time. The stench was repulsive and the pollution of the environment unconscionable. After being ordered to stop by the Puslinch Fire Department, Mr. Othman found another easy alternative to the disposing of his waste that is yet again in violation of the by-laws, by disposing of it on leased land under the hydro lines beside Mr. Othman's property. We have witnessed him dog training on this property and it only recently came to our attention that he was using this land without the permission of the land owner. It was also later that we learned that Mr. Othman was using it as a dumping ground for dog kennel waste as well. If Mr. Othman cannot afford to properly dispose of his current kennel waste load, he certainly cannot afford to dispose the waste of an expanded business. He is in defiance of the Code of Practice for Canadian Kennel Operations which is a document composed by veterinary professionals in the safe operation and maintenance of a dog kennel business. <https://www.canadianveterinarians.net/documents/code-of-practice-for-canadian-kennel-operations>

We also have the following concerns:

- a) Mr. Othman is in violation of our original agreement which was declared in the Puslinch Township Council meeting on February 15, 2018, by applying for an expansion of his business. Those in opposition to the original by-law amendment (#19/85) only agreed to allow Mr. Othman the zoning by-law amendment on the condition that he not apply for any further expansion. According to the minutes of the Zoning by-law amendment #19/85 on February 15, 2018, Mr. Othman's advocate, Trevor Hawkins, stated that "there are no plans for expansion". The construction of an 838 metre arena is definitely an expansion of the business since Mr. Othman will be able to enhance his current clientele considerably, thus exacerbating the issues with neighbours. If we knew that we could not take Mr. Othman at his word, we would never have agreed.
- b) The application is very vague. Nowhere on the map illustrated on the variance application, does it indicate the location of the proposed arena on this 16 acre property.
- c) Feeding time is a very noisy time at Shield K9. We hear the dogs barking as it echoes inside the kennel building regardless of the fact that they are inside the kennel facility. This is evidence that any canine activities taking place indoors by no means guarantees peace and tranquility for outdoor neighbours.

- d) What this application fails to declare is that accompanying the arena will be a parking lot, glaring night time lights, and evening training sessions, all which will compound the current issues for neighbours. At present, the play area beside the kennel is lit up with glaring lights similar to that of a car dealership.
- e) An increase in the current amount of traffic entering and exiting Shield K9 on Gore Rd. when training sessions are scheduled would be unacceptable and would further impede our ability to access our home.
- f) As seniors, much of our enjoyment is limited to our backyard. When Mr. Othman first moved in, there was a constant drone of construction equipment as he amended the property and his home to suit his business. Enjoying the outdoors was almost impossible. We complained to the people (I think they were relatives) who were living in the home at the time and they agreed about the noise. We tolerated it in the hopes that it was temporary. However, the construction is ongoing, be it fencing, buildings, shelters, etc. We may as well live beside a gravel pit. When is it going to stop?
- g) Last but definitely not least, permission of a variance to current zoning will negatively impact us financially as the resale value of our home will be significantly decreased for all the reasons stated above.

We are aware that the township is presently compiling performance-based Dog Kennel Licensing Regulations and Penalties. We trust that the regulations will be based on the Code of Practice for Canadian Kennel Operations and include the requirement to limit the number of dogs in the building as well as waste disposal regulations and a limit in the amount of decibels. It is especially imperative that noise dampening standards be incorporated into the construction of any kennel as well as the planting of evergreen trees as a sound and visual barrier. Should this application be successful, despite the opposition of several constituents, we respectfully request that all training be limited to INDOORS ONLY inside a building insulated for noise reduction and we would like to be included in the review of rules and penalties to ensure that our concerns are addressed since we would be directly affected.

Mr. Othman very recently spoke to my husband, Mr. White, in person but withheld informing him of his intentions to expand his business. Why the opacity with a direct neighbour? We aren't unreasonable people. The violations that we've listed above aren't minor infractions that don't affect anyone else.

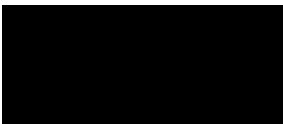
We wish to request that anyone in support of this application should declare any possible conflict of interest, be it business or personal.

Shield K9 is not operating far away from neighbouring homes. Mr. Othman's business would be better suited to an industrialized area amongst other businesses where the enjoyment of personal home properties is not negatively affected.

We have invested 40 years of our lives in Puslinch Township and after dealing with Mr. Othman's zoning by-law amendment only two short years ago and his violation of by-laws since, we feel that we should not be put in the position of having to defending our quality of life yet again. We oppose this application due to Mr. Othman's repeated abuse of his neighbour's trust as well as the trust of the township. Does the township need another business that is in non-compliance of its by-laws?

Sincerely,

Mike and Luci White



## Lynne Banks

---

**From:** Jamie Holmes [REDACTED]  
**Sent:** Thursday, January 7, 2021 7:48 PM  
**To:** Lynne Banks  
**Subject:** Minor variance #D13/OTH

Dear Lynn,

We live at 3994 Concession 7, Puslinch and although outside the radius of those contacted in regard to this minor variance application, we feel we must reply.

We are quite opposed to the approval of this application. My wife and I are already disturbed by the number of dogs that can be heard barking from this property. I am also concerned as to how the waste created by the present animal residents is being remediated. As we all share the same aquifer I am very concerned about the impact of animal waste on our shared groundwater.

My other concern is that the bylaw permits a maximum kennel floor space of 169 sq/m, "How many sq/m of kennel space does the property have now"? How will the Township of Puslinch police and ensure that the applicant will not exceed these numbers?

We moved to Puslinch to retire in a peaceful environment, we have some grave concerns as to how peaceful this will be moving forward if this facility is allowed to be built.

Jamie and Linda Holmes



## PLANNING REPORT for the TOWNSHIP OF PUSLINCH

Prepared by the County of Wellington Planning and Development Department

**DATE:** January 7<sup>th</sup>, 2020  
**TO:** Lynne Banks, Secretary-Treasurer  
Township of Puslinch  
**FROM:** Meagan Ferris, Senior Planner  
County of Wellington  
**SUBJECT:** **MINOR VARIANCE APPLICATION D13/OTH (Hazaar Othman)**  
**7272 Gore Road**  
**Part Lot 30, Concession Gore**

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 requesting relief from an existing, site specific zoning provision (A-68) for a kennel, which was approved by Township Council in 2018 through By-law #033/2018. The relief is being requested to facilitate the construction of a 669m<sup>2</sup> (7201 ft<sup>2</sup>) indoor training area for dogs. It is understood that the current training area, which is located within the existing 169 m<sup>2</sup> (1819.1 ft<sup>2</sup>) structure on site, is no longer sufficient for the applicant's business and there is an interest in building a structure to shield training classes and its participants from the elements. The proposed building is understood to be utilized for training purposes only and would not include other components such as washroom, office space, boarding or breeding related components. The relief requested is specific to the site specific regulations and the relief required seeks to:

- (i) increase the size cap put in place for a kennel (which is a defined term and includes training); and
- (ii) clarify that the definition of a "Training Area" shall permit a building and/or structure.

A copy of the concept plan submitted by the applicant can be seen in **Attachment 1**. This plan shows an approximate location of the proposed training facility. A copy of the approved site specific by-law (#033/2018) can be found within **Attachment 2**. It is noted that this property is also subject to the Township's old zoning by-law (#19/85).

### Kennel History:

In 2018 Township Council passed by-law #033/2018 which established a site specific zoning on the subject property to permit a kennel to operate out of an existing structure on site. In addition to this, the by-law also:

- Included an updated definition of a kennel, which includes training;
- Established a maximum kennel floor area of 169 m<sup>2</sup> to limit the kennel use to the existing structure;
- Allowed a small addition for washroom facilities to the existing structure to be utilized as a kennel;
- Established provisions for a training area, including a definition of a training area, that clarifies the use is not permitted within a building; and
- Included provisions for fencing and hours of operation.

### Dog & Kennel Licensing By-law:

The Township currently has a licensing by-law in place that controls the licensing for dogs and kennels within the Township. For the purpose of this licensing by-law a *kennel* is defined as "...a place for the housing, or breeding, and/or boarding of dogs". Part V of the licensing by-law further establishes the following minimum requirements and no person shall locate a kennel:

- a) Within 300 feet of any residence or habitation, except that of their own;
- b) That is not in distinct separation from their own residence or habitation; and
- c) On an area less than 3 acres.

Based on planning staff's review of the Dog & Kennel Licensing By-law, the subject proposal will meet items b) and c); however, there is a concern with item a). Planning staff are concerned that the proposal may not meet the Township's current licensing by-law requirements. This is due to the definition of a *kennel* within the licensing by-law, which includes the "housing" of dogs, and the proximity of the proposed building to the closest residence or habitation. The licensing by-law requires a 91.4 m (300 ft) from a residence or habitation and the licensing by-law does not distinguish between a year round or seasonal dwelling. This concern has been communicated to the applicant's planning consultant and will need to be considered by the Township when a kennel license renewal has been submitted.

***Recommendation & Conditions:***

It was planning staff's initial opinion that the subject relief would be more effectively addressed through an additional zoning by-law amendment to the site. Further, it is also noted that Emerald Lake is a seasonal community and that the residents are likely not present to be aware of this subject application.

In planning staff's opinion, it would not be appropriate to support an expansion of this scale for the boarding or breeding of dogs through a minor variance; however, this is not the purpose of the subject application as the proposed structure is intended to be used for training only. As part of the submitted minor variance application planning staff notes that the applicant's planning consultant has provided an opinion letter that concludes that the subject relief is appropriate to be addressed through Section 45 (1) of the *Planning Act*. In reviewing the application, planning staff have identified that relief from the overall kennel maximum size cap is required and this was reflected in the public notice.

Although it has been identified by planning staff that an increase in the floor area is required (and is substantial at an addition 669 m<sup>2</sup> in size), the intent is to provide indoor training space (only) within the area that is currently only utilized for outdoor "training area". The proposed building is not intended to be utilized for any use other than training. A condition is proposed by staff to clarify that, if this subject minor variance is approved, that it is clear the permissions is for a training building only.

Planning staff are aware that there have been complaints from neighbours regarding (primarily) noise. The existing outdoor training area is approximately 10 m (32.8 ft) from the Emerald Lake Trailer Park property line and the proposed building is intended to be approximately 27 metres (88.5 ft) from this property line. The inclusion of an indoor training area could provide additional noise attenuation to assist with concerns from the neighbouring residents. Planning staff also suggest that if approved, that a condition be added to prohibit the use of the outdoor training area to ensure training occurs only within the proposed building to further assist with land use compatibility and noise attenuation. The applicant has confirmed they do not object to this approach.

Planning staff recommends that, if approved, the following conditions of approval be applied to ensure that prior to a building permit being issued that certain approvals are obtained and to ensure that the relief is appropriate, minor in nature, compatible and does not allow the expansion of breeding and boarding on-site:

1. That the subject relief is solely for the purposes of facilitating the construction of an indoor training facility which is to be used for training purposes only and does include washrooms or office space and does not permit the boarding, breeding, grooming or keeping of dogs for sale;
2. That the subject relief is solely for the purposes of permitting a single-storey, indoor training facility that shall not exceed a total gross floor area of 669 m<sup>2</sup>;
3. That the permissions for the outdoor “Training Area” be removed to the satisfaction of the Township; and
4. That site plan approval be obtained from the Township to address issues such as but not limited to building location, setbacks from existing dwellings and the Natural Environment (NE) Zone, fencing, noise etc.

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

| Regulation   | By-law Section   | Required  | Proposed  | Relief   |
|--|--|---|---|--|
| Special Provisions Section of the Agriculture (A) Zone of By-law #19/85, specifically Section 5 (4) (ppp) (iii) and (vii) of Site Specific A-68 (Kennel – Othman and Freure) | Section 5 (4) (ppp) (iii) Maximum Kennel Floor Area – 169 metres square;<br><br>Section 5 (4) (ppp) (vii) For the purposes of clarity, a | A maximum floor area for a kennel is 169 m <sup>2</sup> ; and<br><br>A “Training Area” is defined as:<br>“An area used for the training of dogs with their owners (or equivalent), where each dog is accompanied by a person. The training of dogs shall not involve the discharge of firearms or the blowing of whistles as part of the training program and shall not require the construction of any buildings or structures, save for a fence.” | To permit a total maximum kennel floor area of 838 square metres; and to permit a training area to be located within a building or structure. | <i>Increase maximum floor area of a kennel by 669 m<sup>2</sup>; and</i><br><br><i>Clarify that a “Training Area” can be included within a building or structure</i> |

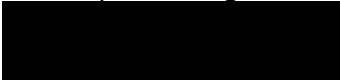
Our discussion of this application relative to the four tests under the *Planning Act* is as follows:

|                   |                   |
|-------------------|-------------------|
| <b>Four Tests</b> | <b>Discussion</b> |
|-------------------|-------------------|

|  |   |
|--|---|
| <p>That the requested variance is <b>minor</b> in nature</p>                 | <ul style="list-style-type: none"> <li>• The subject property is 6.37 ha (15.7 ac) in size and surrounded by rural residential lots, Emerald Lake Trailer Park, and some agricultural operations.</li> <li>• It is noted that Emerald Lake is a seasonal trailer park so it is unlikely that the residents will be notified regarding the subject minor variance.</li> <li>• The subject relief seeks to facilitate the construction of an indoor training facility that is 669 m<sup>2</sup> in size. It is understood that the proposed building is to be utilized for training purposes only but does not reflect an expansion to the breeding or boarding of dogs.</li> <li>• Although the building proposed is substantial in size, it is significantly smaller than the area currently identified in the site specific by-law for the outdoor training area.</li> <li>• This existing training area is in close proximity to the Emerald Lake Trailer Park (i.e. within 10 metres of the abutting lot line). The location of the indoor training facility is proposed to be in the current location of the (defined) training area which is only permitted to be outdoors. The proposed building is proposed to maintain a 27 m setback from the Emerald Lake Trailer Park property line.</li> <li>• There is the potential that placing training space within a building will assist with noise attenuation as there have been neighbour complaints regarding noise since the approval of the kennel use for this site.</li> </ul>   |
| <p>That the intent and purpose of the <b>Zoning By-law</b> is maintained</p> | <ul style="list-style-type: none"> <li>• The subject property is subject to Township Zoning By-law #19/85 and is zoned as Agricultural (A), Natural Environment (NE) Zone, and a portion of the site is identified as being subject to site specific zoning provision A-68.</li> <li>• The applicable zoning by-law does not allow a Kennel as of right. A site specific zoning provision (A-68) was required to permit the use. The amending by-law was approved by Township Council in July 2018.</li> <li>• The site specific by-law identifies two specific outdoor components of the kennel – an outdoor common play area (which is adjacent to the existing kennel building) and an outdoor training area. The definition of a training area specifically states that training cannot occur within a building or structure. This is in part to control the scale of the Kennel (including the housing and breeding of dogs) and also due to the Township’s licensing by-law which requires a setback for the “housing” of dogs from any residence or habitation. The licensing by-law does not differentiate between a seasonal or year round dwelling.</li> <li>• It is noted that the Township has received noise complaints since permitting a kennel on-site. The applicant’s planning consultant has indicated that this outdoor training area is currently 10 metres from the Emerald Lake property line and that the subject building will be set further away and may assist with managing any potential impacts and improve the current situation/land use compatibility.</li> <li>• The overall intent of the application is to replace existing, outdoor training space with indoor training space. The subject proposal does not include a request (and the subject relief is not granting permissions) to expand the breeding and/or boarding of dogs on-site. A condition has been proposed to provide this specific distinction.</li> <li>• Although the subject site is governed under the Township’s old zoning by-law, it is noted that the new comprehensive zoning by-law #023/18 includes general provisions for Kennels. These provisions are not explicitly applicable.</li> </ul> |

|   |  |
|---|--|
|   | <ul style="list-style-type: none"> <li>The proposed indoor training facility is located outside of the NE Zone; however, it is noted that Section 3(25) requires a minimum 30 metre setback from the NE Zone on-site. This setback will be required to be demonstrated to be met or confirmation will be required from the Conservation Authority (or the Township) that this setback can be reduced. This will be addressed through the proposed site plan approval condition.</li> </ul>   |
| <p>That the general intent and purpose of the <b>Official Plan</b> is maintained</p>                                    | <ul style="list-style-type: none"> <li>The property is designated Secondary Agricultural, Core Greenlands and Greenlands System within the County Official Plan.</li> <li>The proposed training facility is intended to be located outside of any natural features on-site, wholly within the Secondary Agricultural designation, and in the location of the existing outdoor training area.</li> <li>A kennel is permitted (on an existing lot of record) within the Secondary Agricultural designation and Section 6.4.12 establishes that the local municipal by-laws may establish criteria for these uses.</li> </ul>   |
| <p>That the variance is <b>desirable</b> for the appropriate development and use of the land, building or structure</p> | <ul style="list-style-type: none"> <li>The intent of the maximum floor area was to control the scale of the kennel and to limit the number of dogs being housed/boarded on-site. As the building proposed is solely for training, this will not increase the capability for the boarding (i.e. overnight accommodations) and/or breeding of dogs.</li> <li>The intent of this application is to move some of the outdoor training area/activities in doors so that there is a larger (sheltered) space for training/dog classes and training can occur year round regardless of the elements. There is currently training taking place within the existing 169 m<sup>2</sup> kennel on-site.</li> <li>The current location of the outdoor training is in close proximity to the Emerald Lake Trailer Park (i.e. 10 m to property line). The construction of a building would be located further away from the abutting property line and would help to improve concerns regarding noise on site. Planning staff have also proposed a condition that the outdoor training area be removed in its entirety so that training only occurs within the proposed structure to further assist with noise attenuation on-site.</li> <li>Planning staff have proposed multiple conditions that will clarify and limit the use of the proposed building and will assist with land use compatibility and noise concerns. One key condition is the application of site plan control. Through this process the building location (and setbacks from features, property lines and existing dwellings) can be confirmed, the need for any parking expansion and/or additional lighting on-site will be evaluated, the requirement for a noise impact assessment can be requested etc.</li> </ul> |

Respectfully submitted  
County of Wellington Planning and Development Department

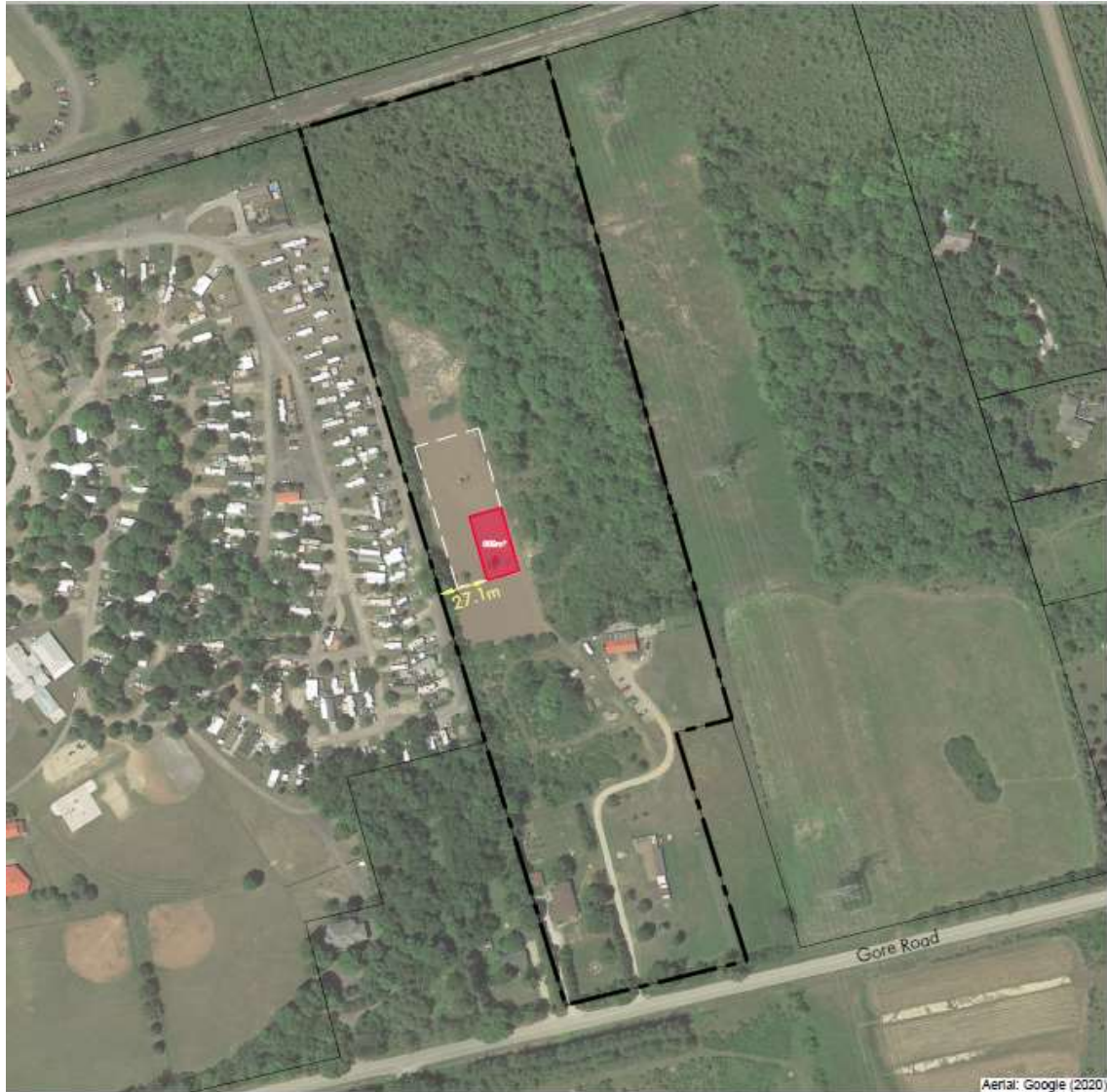



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Meagan Ferris, RPP MICP  
Senior Planner







**ATTACHMENT 1**  
**Concept Plan**



Aerial: Google (2020)

**Indoor Training Building**  
**Option 2**

**LEGEND**

-  Subject Lands
-  Proposed Location (669m<sup>2</sup>)
-  125m Separation Setback
-  Training Area

DATE: June 8, 2020

SCALE: 1:3,000

FILE: 2022A

DRAWN: CAC



**7272 Gore Road**  
 Township of Puslinch  
 County of Wellington

**MHBC** PLANNING  
 URBAN DESIGN  
 & LANDSCAPE  
 ARCHITECTURE  
300-540 KINGMAN'S CENTRE DR. KITCHENER, ON, N2B 3V9  
 P: 519.576.3450 F: 519.576.0121 | WWW.MHBCPLAN.COM

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER 033-2018

A BY-LAW TO AMEND BY-LAW NUMBER 19/85, AS  
AMENDED, BEING THE ZONING BY-LAW OF THE  
TOWNSHIP OF PUSLINCH

WHEREAS, the Council of the Corporation of the Township of Puslinch deems it appropriate and in the public interest to amend By-Law Number 19/85, pursuant to Section 34 of the Planning Act, R.S.O. 1990 as amended;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP  
OF PUSLINCH ENACTS AS FOLLOWS:

1. That Schedule 'A' of Zoning By-law 19/85 is hereby amended by rezoning Part of Lot 30, Concession Gore, from Agricultural (A) Zone to the AGRICULTURAL SPECIAL PROVISION (A-68).
2. That subsection 5(4) SPECIAL PROVISIONS is amended by adding the following new exception:

**"(ppp) A-68 (Kennel – Othman and  
Freure) Part of Lot 30,  
Concession Gore**

Notwithstanding the uses permitted under Section 5(2) and the definition under Section 2(108) and any provision in this By-law to the contrary, the land zoned A-68 may be used for the training of dogs, a kennel and accessory uses thereto, subject to the applicable provisions of this By-law and the following special provisions:

- (i) A "Kennel" is defined as: any premises where a minimum of three dogs or four cats/other domestic animals are housed, boarded, bred, trained, sold or kept, but does not include an animal clinic;
- (ii) An "Animal Clinic" is defined as: any premises where cats, dogs, and other domesticated animals (excluding livestock) are given medical or surgical treatment for a limited time, within which there may be shelter facilities provided for overnight medical treatment but shall not include a kennel;
- (iii) Maximum Kennel Floor Area – 169 metres square;
- (iv) Notwithstanding Section 2(iii) of this By-law, an addition to the kennel building to permit a washroom may be permitted, provided the washroom does not exceed 23.22 square metres (250 square feet);
- (v) Maximum Outdoor Common Play Area – 2,877 metres square
- (vi) Notwithstanding Section 2(v) of this By-law, a "Training Area" may be permitted outside of the Outdoor Common Play Area, on the portion of the lands identified as "Training Area" on Schedule 'A' attached to this By-law;
- (vii) For the purposes of clarity, a "Training Area" shall be defined as follows:

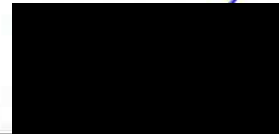
*An area used for the training of dogs with their owners (or equivalent), where each dog is accompanied by a person. The training of dogs shall not involve the discharge of firearms or the blowing of whistles as part of the training program and shall not require the construction of any buildings or structures, save for a fence.*

- (viii) All outdoor play areas, training areas and pens shall be enclosed by a chain link fence;
- (ix) Dogs shall not be permitted within outdoor play or training areas or pens between the hours of 8:00 pm and 7:00 am;

(x) All other applicable regulations of By-law 19/85 shall apply.”

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

**READ THREE TIMES AND FINALLY PASSED IN OPEN COUNCIL THIS 6<sup>th</sup> DAY OF JUNE, 2018.**



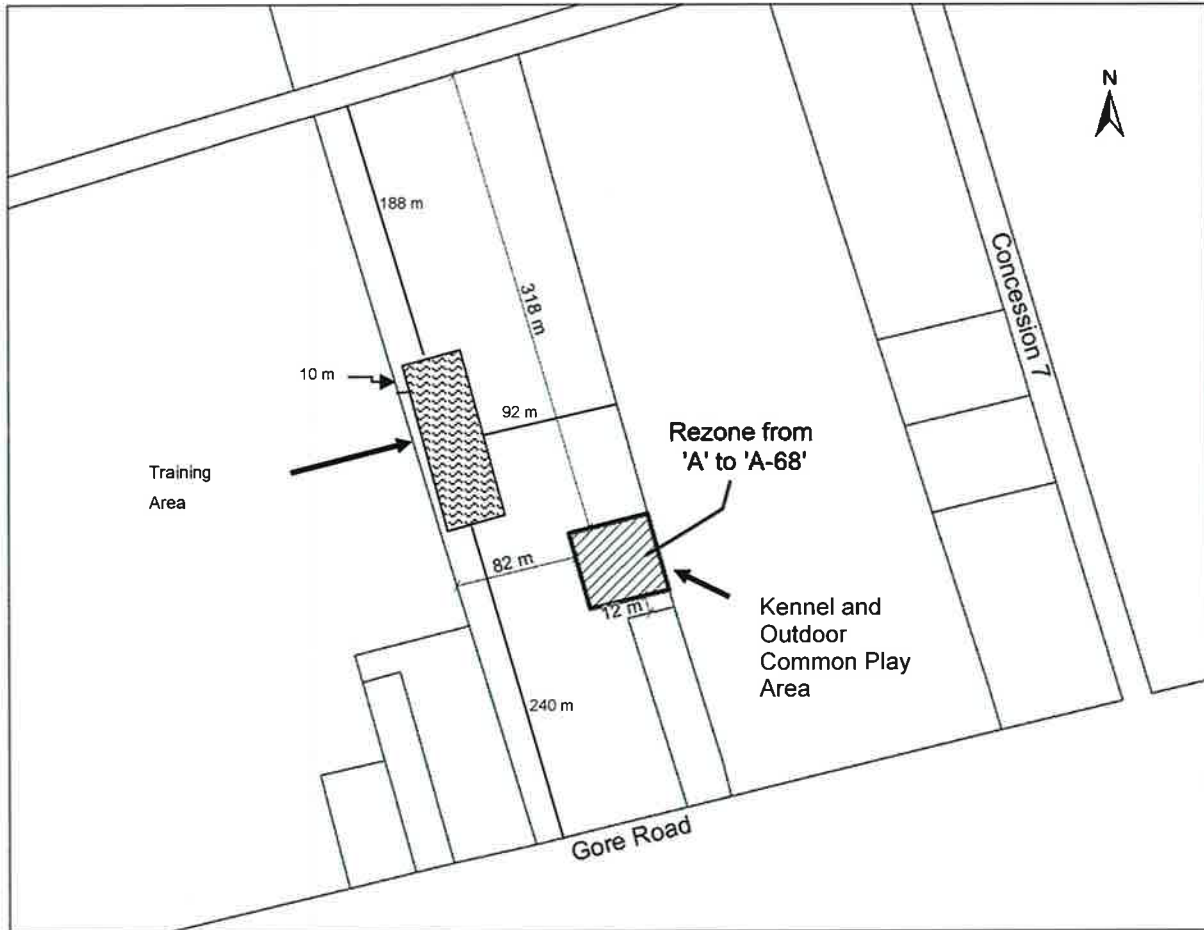
Dennis Lever, Mayor



Karen Landry, Clerk

BY-LAW NO. 033-2018

SCHEDULE "A"



This is Schedule "A" to By-law No.033-2018

Passed this 6<sup>th</sup> day of June, 2018.

[Redacted Signature]

[Redacted Name]

Karen Landry, Clerk



## MINUTES

The December 8, 2020 Planning & Development Advisory Committee Meeting was held on the above date and called to order at 7:31 p.m. via electronic participation.

### **1. CALL THE MEETING TO ORDER/OPENING REMARKS**

The meeting was called to order at 7:31 p.m. The Chair advised that the following portion of the Committee meeting will be reviewing and commenting on development planning applications.

### **ROLL CALL**

#### **MEMBERS IN ATTENDANCE**

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

#### **MEMBERS ABSENT**

None

#### **STAFF IN ATTENDANCE**

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

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

None

### **3. APPROVAL OF MINUTES**

- November 10, 2020

Moved by: Dan Kennedy

Seconded by: Deep Basi

That the Minutes of the Planning & Development Advisory Committee Meeting held Tuesday, November 10, 2020, be adopted.

CARRIED

### **4. APPLICATION FOR SITE PLAN URBAN DESIGN REVIEW**

None

### **5. ZONING BY-LAW AMENDMENT - KENNEL BY-LAW – Zachary Prince, County of Wellington Planner, will provide an overview of the properties affected by the proposed changes.**

The purpose and effect of the application is to amend Township of Puslinch Zoning By-law 023/18 to rezone the lands from Agricultural to an Agricultural (A-\_\_\_) Site Specific Zone to permit a dog kennel. These are Township initiated “housekeeping” amendments that affect the following lands in the Township of Puslinch:

1. Concession 11 Part Lot 32 RP 61R-1083 Part 1, municipally know as 4194 Darkwood Rd.
2. Concession Gore Part Lot 24 RP 61R11650 Part of Part 1 and RP 61R-20192 Part 1, municipally know as 7111 Concession 1.

3. Concession 7 Rear Part Lot 36 Concession 8 Rear Part Lot 36 Part Road Allowance, municipally know as 4078 Highway 6.
4. Concession 4 Rear Part Lot 5 RP61R-9075 Part 1, municipally know as 4712 Wellington Rd 32.
5. Concession 10 Rear Part Lots 21 & 22 inclusive RP 61R-1753 Part 1, municipally know as 7813 Wellington Rd 34.
6. Concession 1 Part Lot 10, municipally know as 4284 Sideroad 10 S.
7. Concession 8 Part Lot 23, municipally known as 56 Gilmour Rd.

Zachary Prince, County of Wellington Planner, provided an overview of the application and advised that an information session was held with the kennel owners on November 12, 2020 and 6 of the 7 landowners affected by the proposal are satisfied with the changes.

- Dan Kennedy asked how long the kennels have been operating in the Township.
- Zachary Prince advised that some has been operating for approximately 30 years and some for a bit less, but he noted that all of them are licensed.
- Dan Kennedy further asked if there have been any outstanding complaints.
- Zachary Prince advised that there have been no complaints for these licensed kennels.

**The Committee's has the following comments for the scheduled public meeting:**

The Committee supports the initiative to recognize the long-term existing kennels that are operating in the Township.

Moved by: Deep Basi

Seconded by: Dennis O'Connor

**6. LAND DIVISION**

**6(a) Severance Application B92-20 (D10/CON) – Kelly Contini – Part Lot 13, Concession 11, municipally known as 4660 Nassagaweya-Puslinch Townline Rd., Puslinch.**

Proposed severance is 55 meters frontage x 73 meters = 0.40 hectares, vacant land for proposed rural residential use.

Retained parcel is 4.4 hectares with 120 meters frontage, existing and proposed rural residential use with existing dwelling, barn and shed.

- Jeff Buisman, agent for the applicant provided an overview of the application.
- There were no questions or comments from the public.
- Dennis O'Connor asked if the owner will be using the barn for horses.
- Jeff Buisman advised that if it is ever to be used for animals, then it would be for horses with a maximum of 4 horses.
- Deep Basi asked if Mr. Buisman confirmed that there is a safe entrance onto the property.
- Jeff Buisman confirmed that there is safe entrance.

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

1. That the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (including taxes paid in full and Consent Review/Condition Clearance fee) which the Township may deem to be necessary at the time of issuance of the Certificate of Consent for the property and orderly development of the subject lands; and further



that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

2. That the Owner obtain an approved Entrance Permit verifying safe access and site lines from the Township of Puslinch; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

**CARRIED**

Moved by: Dan Kennedy

Seconded by: Dennis O'Connor

**6(b) Severance Application B93-20 (D10/MCK) – James & Sherry McKenzie** - Part Lot 4, Concession 3, known municipally as 6574 Wellington Rd. 34, Puslinch.

Proposed severance is 54 meters frontage x 268 meters = 1.5 hectares, existing and proposed rural residential use with existing dwelling, garage & shed.

Retained parcel is 2.9 hectares with 18.5 meters frontage, proposed rural residential use.

- Jeff Buisman, agent for the applicant, provided an overview of the application.
- There were no questions or comments from the public.
- There were no questions or comments from the Committee.

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

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

**CARRIED**

Moved by: Paul Sadhra

Seconded by: Dennis O'Connor

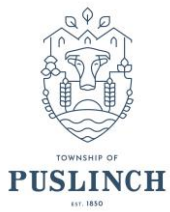
**6(c) Severance Application B88-20 (D10/ONT) – 2079597 Ontario Inc.** c/o Glenn Morgan – Part Lots 36 & 37, Concession Gore and Part Lot 38, Concession 8, known municipally as 4063 Highway 6, Puslinch.

Proposed lot line adjustment is 303 square metres with no frontage (Part 2 on sketch), to add existing septic bed to abutting residential parcel – Mohammed Ibrahim & Karim Maryam (Part 3 on sketch).

Retained parcel is 5.8063 hectares with 182.12 meters frontage (Part 1 on sketch) existing and proposed agricultural use with existing with existing dwelling and sheds.

- Robert O'Connell, agent for the applicant, provided an overview of the application.
- There were no questions or comments from the public.
- There were no questions or comments from the Committee.

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



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

DECEMBER 8, 2020

7:00 PM

VIRTUAL MEETING BY ELECTRONIC PARTICIPATION

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

**CARRIED**

Moved by: Deep Basi

Seconded by: Dennis O'Connor

**7. OTHER MATTERS**

- None

**8. CLOSED MEETING**

- None

**9. NEXT MEETING**

- Next Regular Meeting is Tuesday, January 12, 2021 @ 7:00 p.m.

**10. ADJOURNMENT**

Moved by: Dennis O'Connor

Seconded by: Dan Kennedy

That the Planning & Development Advisory Committee is adjourned at 7:55 p.m.

**CARRIED**



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

December 11, 2020

## 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: December 02, 2020*

**FILE NO. B108-20**

**APPLICANT**

Pauline Sinclair  
6771 Concession Rd 4  
RR#6  
Guelph N1H 6J3

**LOCATION OF SUBJECT LANDS**

Township of Puslinch  
Part Lot 12  
Concession 3

Proposed lot line adjustment is 2.6 hectares with 49m frontage, existing rural residential use with existing shop & shed to be added to abutting rural residential lot – Jeffrey & Pauline Sinclair.

Retained parcel is 52m fr x 78m = 0.4 hectares, vacant land for proposed rural residential use.

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

**January 20, 2021**

**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** to the Planning and Land Division Committee before the "Comments Return Date" noted above.

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

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

**MAILED TO:**

Local Municipality – Puslinch

County Planning

Conservation Authority - GRCA

Source Water Protection

Bell Canada (email) County Clerk

Roads/Solid Waste

Civic Addressing

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

APPLICATION FOR CONSENT

Ontario Planning Act

1. Approval Authority:

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

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

SECTION B

Required Fee: \$ 4430  
Fee Received: Dec 2/20

File No. B108-20

Accepted as Complete on: Dec 2/20

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

SECTION B: Parcel from which land is being transferred

2(a) Name of Registered Owner(s) Pauline Dawn SINCLAIR

Address 6771 Concession Road 4, 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. 519-821-2763 x225

Email: Jeff.Buisman@vanharten.com

(d) All Communication to be directed to:

REGISTERED OWNER [ ]      APPLICANT [ ]      AGENT [X]

(e) Notice Cards Posted by:

REGISTERED OWNER [ ]      APPLICANT [ ]      AGENT [X]

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

[X] Conveyance to effect an addition to a lot

[ ] Other (Specify – e.g. mortgage, lease, easement, Right-of-way, correction of title):

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

Part of Lot 12, Concession 3, Part 2, 61R-10782 (PIN 71209-0161)

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

Local Municipality: Township of Puslinch

Concession 3

Lot No. Part of Lot 12

Registered Plan No.

Lot No.

Reference Plan No. 61R-10782

Part No. 1 & 3

Civic Address 6769 Concession Road 4

(b) When was property acquired: July 2001

Registered Instrument No. LT59030

5. Description of Land intended to be SEVERED:

Metric [X]

Imperial [ ]

Frontage/Width 19 & 30 / 196 ±

AREA

2.6 ha ±

Depth 217 ±

Existing Use(s)

Rural Residential

Existing Buildings or structures: Shop & Shed

Proposed Uses (s): To be added to Part 2, 61R-10782 (PIN 71209-0161) for continued rural residential use

Type of access (Check appropriate space)

Existing [X]

Proposed [ ]

[ ] Provincial Highway

[ ] Right-of-way

[ ] County Road

[ ] Private road

[ ] Municipal road, maintained year round

[ ] Crown access road

[X] Municipal road, seasonally maintained

[ ] Water access

[ ] Easement

[ ] Other

Entrance on Lands to be Added to

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

[ ] Municipally owned and operated piped water system

[ ] Well [ ] individual [ ] communal

[ ] Lake

[X] Other (specify): Well on lands to be added to

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

[ ] Municipally owned and operated sanitary sewers

[ ] Septic Tank [ ] individual [ ] communal

[ ] Pit Privy

[X] Other (specify): Septic on lands to be added to

6. Description of Land intended to be RETAINED:

Metric [X]

Imperial [ ]

Frontage/Width 52 ±

AREA

0.4 ha ±

Depth 78 ±

Existing Use(s)

Vacant

Existing Buildings or structures: None - Driveway

Proposed Uses (s): Residential Dwelling

**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 (specify) \_\_\_\_\_

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

- Municipally owned and operated piped water system
- Well  individual [ ] communal
- Lake
- Other (specify): \_\_\_\_\_

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

- Municipally owned and operated sanitary sewers
- Septic Tank  individual [ ] communal
- Pit Privy
- Other (specify): \_\_\_\_\_

7. Is there an agricultural operation, (either a barn, manure storage, abattoir, livestock area or stockyard) within 500 metres of the Subject lands (severed and retained parcels)? YES [X] NO [ ]  
 \*If yes, see sketch requirements and the application must be accompanied by a: MINIMUM DISTANCE SEPARATION FORM.
8. Is there a landfill within 500 metres [1640 feet]? YES [ ] NO [X]
9. Is there a sewage treatment plant or waste stabilization plant within 500 metres [1640']? YES [ ] NO [X]
10. Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the lands to be retained or to be severed or within 120 metres [394 feet]? YES [X] NO [ ]
11. Is there any portion of the land to be severed or to be retained located within a floodplain? YES [ ] NO [X]
12. Is there a provincial park or are there Crown Lands within 500 metres [1640']? YES [ ] NO [X]
13. Is any portion of the land to be severed or retained within a rehabilitated mine/pit site? YES [ ] NO [X]
14. Is there an active or abandoned mine, quarry or gravel pit within 500 metres [1640']? YES [X] NO [ ]
15. Is there a noxious industrial use within 500 meters [1640']? YES [ ] NO [X]
16. Is there an active or abandoned principal or secondary railway within 500 metres [1640']? YES [ ] NO [X]  
 Name of Rail Line Company: \_\_\_\_\_
17. Is there an airport or aircraft landing strip nearby? YES [ ] NO [X]
18. Is there a propane retail outlet, propane filling tank, cardlock/keylock or private propane outlet/container refill centre within 750 metres of the proposed subject lands? YES [ ] NO [X]

**19. PREVIOUS USE INFORMATION:**

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

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

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

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

- c) Has fill been brought to and used on the site (other than fill to accommodate septic systems or residential landscaping?) YES [ ] NO [X] UNKNOWN [ ]
- d) Has there been commercial petroleum or other fuel storage on the site, underground fuel storage, or has the site been used for a gas station at any time, or railway siding? YES [ ] NO [X] UNKNOWN [ ]

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

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

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

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

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

- PIN 71209-0162 was created by a lot line adjustment application. June 2008 by INST No. WC21389 (Application B97-07). Transferred from Jeff and Pauline Sinclair to Pauline Sinclair.
- Part 1, 61R-8768 Created by Consent July 2001 by INST No. LT59030 (Application B27/00). Transferred from Jeff and Pauline Sinclair to Pauline Sinclair.

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

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

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

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

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

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

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

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

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

N/A

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

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

27. What is the zoning of the subject lands? **Agricultural & Natural Environment**

28. 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 \_\_\_\_\_

29. 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, provide complete name and address of Mortgagee \_\_\_\_\_

**Lands to be Added to: Mortgage as in INST No. WC531334 with Manulife Bank of Canada located at 500 King Street North, Del Stn 500-M-A, Waterloo, ON, N2J 4C6**

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

30. **Type of Farm Operation** conducted on these subject lands: **None**  
Type: Dairy [ ] Beef Cattle [ ] Swine [ ] Poultry [ ] Other [ ]

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

|                        |                           |                           |                                      |                        |
|------------------------|---------------------------|---------------------------|--------------------------------------|------------------------|
| <b><u>Severed</u></b>  | Width <b><u>12±m</u></b>  | Length <b><u>37±m</u></b> | Area <b><u>430±m<sup>2</sup></u></b> | Use <b><u>Shop</u></b> |
|                        | Width <b><u>3.5±m</u></b> | Length <b><u>8±m</u></b>  | Area <b><u>28±m<sup>2</sup></u></b>  | Use <b><u>Shed</u></b> |
| <b><u>Retained</u></b> | Width                     | Length                    | Area                                 | Use                    |
|                        | Width                     | Length                    | Area                                 | Use                    |

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

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

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

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

**34. Source Water Protection Plan**

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

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

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

YES [ ] NO [X]

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

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

None

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

Please see covering letter.

**NOTES:**

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

**OWNER'S AUTHORIZATION:**

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

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

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

I, (we) Pauline Dawn SINCLAIR the Registered Owners of  
Part of Lot 12, Concession 3, Parts 1 & 3, 61R-10782 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 12, Concession 3, Parts 1 & 3, 61R-10782 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 \_\_\_\_\_ (Applicant)  
\_\_\_\_\_ Guelph \_\_\_\_\_ In the \_\_\_\_\_  
County/-Region of Wellington

This 3 day of December 20 20

  
Commissioner of Oaths

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

Printed Commissioner's, etc. Name



**APPLICANT'S CONSENT (FREEDOM OF INFORMATION):**

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

Signature of Owner



Date

*Dec. 3, 2020*

**THIS APPLICATION PACKAGE IS TO BE SUBMITTED TO:**

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

Phone (519) 837-2600 Ext. 2160

**APPLICATION FOR CONSENT**

Ontario Planning Act

**1. Approval Authority:**

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

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

**SECTION A**

Fee Received: Dec 2/20

File No. B108-20

Accepted as Complete on: Dec 2/20

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

**SECTION A: Parcel to which land is being added.**

**2. (a) Name of Registered Owner(s) Jeffrey Alexander SINCLAIR & Pauline Dawn SINCLAIR**

Address 6771 Concession Road 4, RR#6, Guelph, ON, N1H 6J3

Phone No. 519-884-8848

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. 519-821-2763 x225

Email: Jeff.Buisman@vanharten.com

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

REGISTERED OWNER [ ]      APPLICANT [ ]      AGENT [X]

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

REGISTERED OWNER [ ]      APPLICANT [ ]      AGENT [X]

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

Local Municipality: Township of Puslinch

Concession 3

Lot No. Part of Lot 12

Registered Plan No.

Lot No.

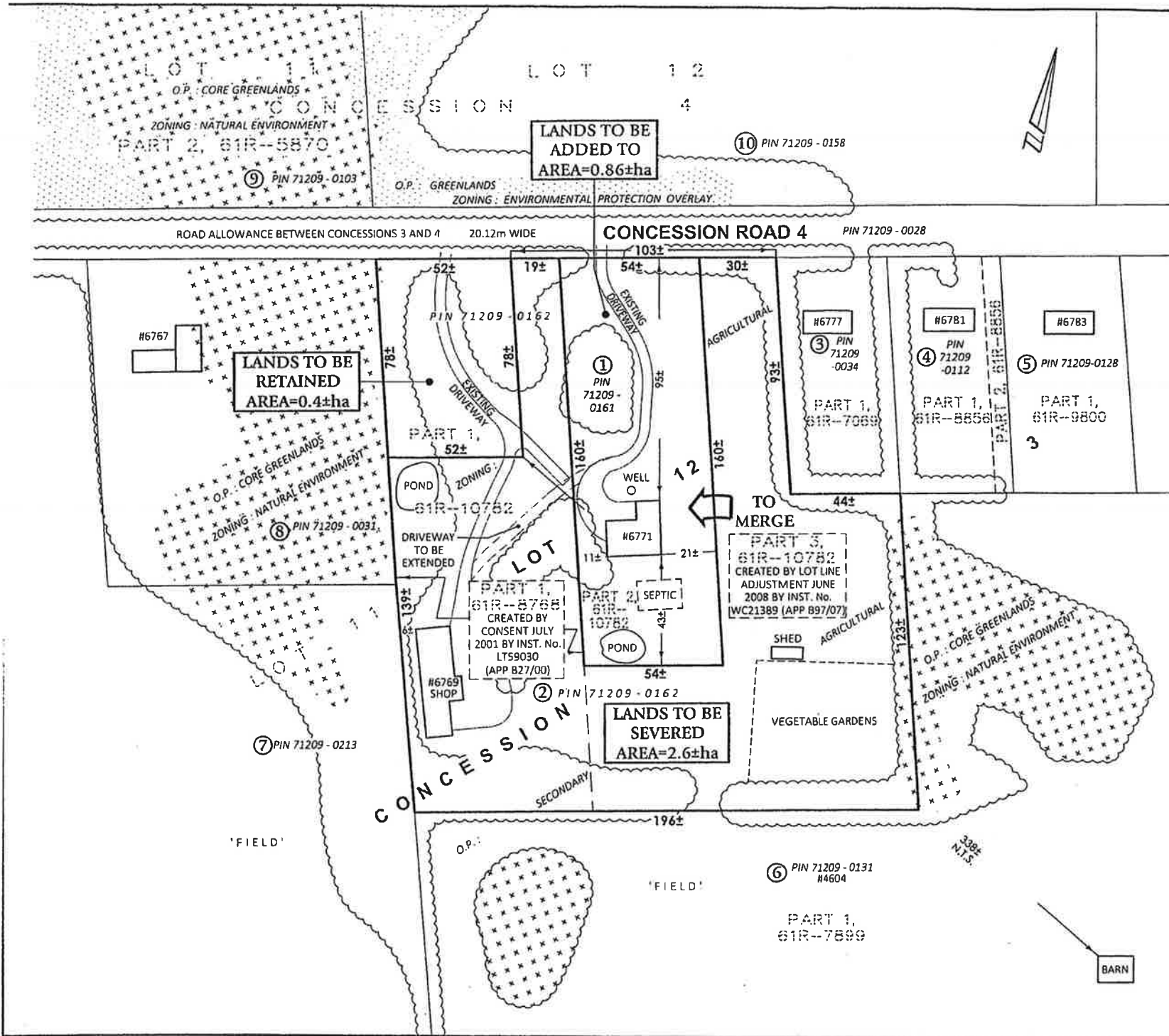
Reference Plan No. 61R-10782

Part No. 2

Civic Address 6771 Concession Road 4

**(b) When was property acquired: May 1987**

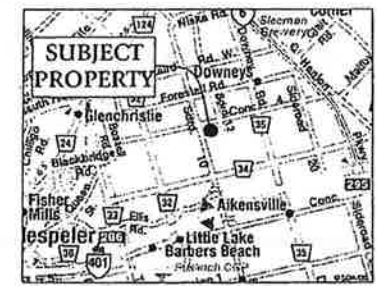
Registered Instrument No. ROS548717



**SEVERANCE SKETCH**  
**PART OF LOT 12, CONCESSION 3**  
**343 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
- O.P.: GREENLANDS  
ZONING: ENVIRONMENTAL PROTECTION OVERLAY

THIS SKETCH WAS PREPARED ON THE 2nd DAY OF DECEMBER 2020

MARGARET L. BOISMAN  
 ONTARIO LAND SURVEYOR

## Van Harten

SURVEYING INC.  
 LAND SURVEYORS and ENGINEERS

|  |                            |                                 |
|--|----------------------------|---------------------------------|
| Kitchener/Waterloo<br>Ph: 519-742-8371             | Guelph<br>Ph: 519-821-2763 | Orangeville<br>Ph: 519-940-4110 |
| www.vanharten.com                                  |                            | info@vanharten.com              |
| DRAWN BY: ARN                                      | CHECKED BY: JEB            | PROJECT No. 29056-20            |
| Dec 2, 2020-11:19:00 AM                            |                            |                                 |
| G:\PUSLINCH\Con3\ACAD\SEV LOT 12 (EMERALD) UTM.dwg |                            |                                 |

December 2, 2020  
29056-2

Jeff.Buisman@vanharten.com

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

Attention: Deborah Turchet

Dear Ms. Turchet:

**Re: Lot Line Adjustment Application and Sketch**  
**6769 Concession 4, Puslinch; Part 1 & 3, 61R-10782; PIN 71209-0162**  
**6771 Concession 4, Puslinch; Part 2, 61R-10782; PIN 71209-0161**  
**Part of Lot 12, Concession 3**  
**Township of Puslinch**

RECEIVED

DEC 03 2020

SECRETARY TREASURER  
WELLINGTON COUNTY  
LAND DIVISION COMMITTEE

Please find enclosed an application for a Lot Line Adjustment Severance and Sketch on the above mentioned property. Included with this submission are copies of the Severance Sketch, completed application form, the required deeds, PIN report and map, addresses of neighbouring properties, Sorcewater Protection Plan, a cheque to the GRCA for \$420 and a cheque to Wellington County for \$4,430.

**Proposal:**

The proposal of this lot line adjustment is to sever the majority of #6769 Concession 4 (PIN 71209-0162) including an existing shop and shed and merge it with #6771 Concession 4 (PIN 71209-0161) where an existing dwelling will remain for continued rural residential use. The retained parcel will have an area of 0.4±ha for future residential dwelling. The merged parcel will have an area of 3.4±ha.

There has been severance history on this property that is worth reviewing. The westerly 61m of the property was created by consent in 2000/2001 by Application B27/00. This was reconfigured in 2007/2008 with Application B97/07 so that there would be a "U"-shaped parcel around the house shown as #6771. The enclosed proposal simplifies the configuration so that there is typical rural residential parcel at the northwest corner and the remainder is a larger rural parcel of 3.4ha.

The Retained Parcel will be used for a future residence and has a width of 52±m, depth of 78±m for an area of 0.4±ha. This parcel contains a portion of the existing driveway to the shop and a portion of the driveway will be removed.

The Lands to be Added to contains an existing dwelling (#6771) on 0.86±ha of land. The merged parcel will have a combined area of 3.4±ha and the shop and shed will be merged with the existing dwelling.

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](http://www.vanharten.com)



The zoning for the subject property is Agricultural and the zoning requirements are met for the merged and retained parcels.

After reviewing the Minimum Distance Separation (MDS) Guidelines, it is our interpretation that MDS I setbacks are not applicable to this application as this proposal is for a boundary adjustment and not the creation of a new lot, which is outlined in Guideline #8. Also, the new configuration of the vacant lot ends up being further away from the barns to the southeast than the existing configuration of the vacant lot.

The proposed lot line adjustment follows the guidelines in Section 10.4.6 of the Wellington County Official Plan for lot line adjustments of lands that are designated Secondary Agricultural. This section states that lot line adjustments are permitted where no adverse effect on agriculture will occur and where an undersized lot is made useable.

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

Very truly yours,  
Van Harten Surveying Inc.



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

cc Jeff Sinclair

---

[www.vanharten.com](http://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

December 11, 2020

## 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: December 04, 2020*

FILE NO. B111-20

**APPLICANT**

John Stubbs & Mary Lake  
4363 Wellington Road 35  
Cambridge N3C 2V4

**LOCATION OF SUBJECT LANDS**

Township of Puslinch  
Part Lot 16  
Concession 2

**Surplus Farm Dwelling Application**

Proposed severance is 1.5 hectares with 128m frontage, existing and proposed rural residential use with existing dwelling & shed.

Retained parcel is 33.2 hectares with 727m frontage, existing and proposed agricultural use with existing drive shed, shed & barn.

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

**January 20, 2021**

**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** to the Planning and Land Division Committee before the "Comments Return Date" noted above.

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

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

**MAILED TO:**

Local Municipality – Puslinch

County Planning

Conservation Authority - GRCA

County Engineering

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: \$ 4430  
Fee Received: Dec 4/20

File No. B111-20  
Accepted as Complete on: Dec 4/20

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

2. (a) Name of Registered Owner(s) John STUBBS & Mary LAKE

Address 4363 Wellington Road 35, 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. 519-821-2763 x225

Email: Jeff.Buisman@vanharten.com

(d) All Communication to be directed to:

REGISTERED OWNER [ ]      APPLICANT [ ]      AGENT [X]

(e) Notice Cards Posted by:

REGISTERED OWNER [ ]      APPLICANT [ ]      AGENT [X]

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

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

Surplus farm dwelling severance for agricultural 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 2

Lot No. Part of Lot 16

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

Lot No. \_\_\_\_\_

Reference Plan No. \_\_\_\_\_

Part No. \_\_\_\_\_

Civic Address 4363 Wellington County Road No. 35

(b) When was property acquired: March 2004

Registered Instrument No. WC56559

5. Description of Land intended to be SEVERED:

Metric [ ]

Imperial [ ]

Frontage/Width 128 / 18 ±

AREA

1.5 ha ±

Depth 157 ±

Existing Use(s)

Rural Residential

Existing Buildings or structures: Dwelling and Shed

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 532 & 195 / 868 ± AREA 33.2 ha ±

Depth 404 ± Existing Use(s) Agricultural

Existing Buildings or structures: Drive Shed, Shed and Barn

Proposed Uses (s): Agricultural (No Change)

| 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 [ ] Proposed [ ] (check appropriate space)

Municipally owned and operated piped water system  
 Well  individual  communal  
 Lake  
 Other Not required for agricultural use

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

Municipally owned and operated sanitary sewers  
 Septic Tank (specify whether individual or communal):  
 Pit Privy  
 Other (Specify): Not required for agricultural use

7. Is there an agricultural operation, (either a barn, manure storage, abattoir, livestock area or stockyard) within 500 metres of the Subject lands (severed and retained parcels)? YES [X] NO [ ]  
 \*If yes, see sketch requirements and the application must be accompanied by a MINIMUM DISTANCE SEPARATION FORM.
8. Is there a landfill within 500 metres [1640 feet]? YES [ ] NO [X]
9. a) Is there a sewage treatment plant or waste stabilization plant within 500 metres [1640']? YES [ ] NO [X]
10. Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the lands to be retained or to be severed or within 120 metres [394 feet]? YES [X] NO [ ]
11. Is there any portion of the land to be severed or to be retained located within a floodplain? YES [ ] 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.

**The application is consistent with Section 2.3.4.2 (c) of the PPS as the surplus residence severance is permitted as a result of farm consolidation. A zone change is required to prohibit a residence on the retained farm parcel.**

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 is a wetland area on the retained (farm) parcel however, the new boundary will be outside of this 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 Prime Agricultural and Core Greenlands in the Official Plan and this severance follows the guidelines set out in Section 10.3.4 for surplus farm residence severances.**

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 [X] NO [ ]

\*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 [ ] NO [X]

**A Zone Change is required to prohibit a dwelling on the retained (farm) parcel**

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 INST No. WC578750 with the Royal Bank of Canada located at 10 York Mills Road, 3<sup>rd</sup> 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: Cash Crop

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

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

|                 |       |               |        |               |      |                          |     |                   |
|-----------------|-------|---------------|--------|---------------|------|--------------------------|-----|-------------------|
| <u>Severed</u>  | Width | <u>6.1±m</u>  | Length | <u>8.7±m</u>  | Area | <u>53m<sup>2</sup>±</u>  | Use | <u>Shed</u>       |
| <u>Retained</u> | Width | <u>12.0±m</u> | Length | <u>10.5±m</u> | Area | <u>126m<sup>2</sup>±</u> | Use | <u>Drive Shed</u> |
|                 | Width | <u>19.8±m</u> | Length | <u>18.8±m</u> | Area | <u>372m<sup>2</sup>±</u> | Use | <u>Barn</u>       |
|                 | Width | <u>14.8±m</u> | Length | <u>10.0±m</u> | Area | <u>148m<sup>2</sup>±</u> | Use | <u>Shed</u>       |

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? Unknown 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), John STUBBS & Mary LAKE the Registered Owners of  
Part of Lot 16, Concession 2 as in INST MS26865 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.



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 16, Concession 2 as in INST MS26865 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

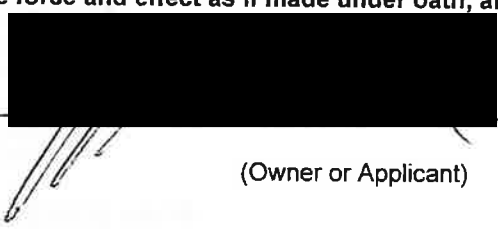
City Of \_\_\_\_\_  
Guelph In the

County/Region of Wellington

This 4 day of December 20 20



Commissioner of Oaths



(Owner or Applicant)

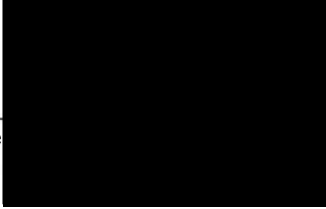
James Michael Laws,  
a Commissioner, etc., (Owner or Applicant)  
Province of Ontario,  
for Van Harten Surveying Inc.  
Expires May 11, 2021.

Printed Commissioner's, etc. Name

**APPLICANT'S CONSENT (FREEDOM OF INFORMATION):**

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

Signature



Date

*Dec 4, 2020*

**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



County of Wellington

# FARM INFORMATION FORM

## Surplus Farm Dwelling Severance Application

FOR OFFICE USE ONLY

Date \_\_\_\_\_

File # \_\_\_\_\_

### PART A: Background

This form is used to help determine whether an application to sever a surplus farm dwelling is consistent with the Provincial Policy Statement and conforms to the County Official Plan. The excerpts provided in this form are for convenience purposes only. Reference to the complete policy documents should also be made by applicants and their consultants. Preconsultation with County planning staff is encouraged prior to filing a severance application.

#### Provincial Policy Statement

The 2005 Provincial Policy Statement restricts residential lot creation in prime agricultural areas to severance of a surplus farm dwelling (referred to as a residence surplus to a farming operation as a result of farm consolidation):

Lot creation in prime agricultural areas is discouraged and may only be permitted for.....c) a residence surplus to a farming operation as a result of farm consolidation, provided that the planning authority ensures that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance...

The term 'residence surplus to a farming operation' is defined as "an existing farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation)".

#### County Official Plan

Section 10.3.4 of the County Official Plan provides the following policy direction concerning severance of a residence surplus to a farming operation:


A severance may be considered for an existing residence that is surplus to a farming operation as a result of farm consolidation, provided that:

- a) the remaining vacant farmland is large enough to function as a significant part of the overall farm unit; and
- b) the result of removing the surplus dwelling from the farm does not render the remaining farmlands difficult or inefficient to farm; and
- c) the amount of good farmland retained with the surplus house is kept to a minimum size needed for residential purposes, taking into consideration environmental and topographic features; and
- d) the surplus residence is habitable and is not expected to be demolished by a future owner; and
- e) the Minimum Distance Separation formula will be met; and
- f) the vacant parcel of farmland is rezoned to prohibit residential use.

The intention of this policy is to allow farmers to reduce their costs of acquiring additional farm parcels, where the impact on existing and future farm operations can be kept to a minimum.

**PART B: Farm Information**

Please provide the following information about your farm.

|   |                      |                 |   |
|---|----------------------|-----------------|---|
| <b>1. Name of Farm Operation</b>  |                      |                 | <b>2. Total Size of Overall Farm Operation</b>  |
| Rolf Deter  |                      |                 | 487 ac <u>or</u> ha   |
| <b>3. Please identify the farms which are part of the farm operation:</b> |                      |                 | <b>4. Will the remnant farm parcel be operated as part of the overall farm operation?</b>       |
| Municipality  | Lot & Concession     | Size (ac or ha) | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>                             |
| Puslinch  | Lot 12, Con 3        | 85              | <b>5. Is the surplus residence habitable?</b>   |
| Puslinch  | Lots 2 & 3, Con Gore | 180             | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>                             |
| Puslinch  | Lots 4 & 5, Conc 3   | 70              | <b>6. Additional information, if any:</b>   |
| Puslinch  | Lot 16, Con 2        | 82              |   |
| Guelph Township   | Lot 3, Con. 1        | 70              |   |
|   |                      |                 |   |
|   |                      |                 |   |
|   |                      |                 |   |
|   |                      |                 | <b>7. Farm Operator</b>   |
|   |                      |                 | Name: Rolf Deter  |
|   |                      |                 | Signature:  |
|   |                      |                 | Date signed: Dec. 31 2010   |



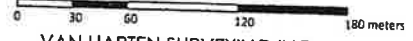
LOT 16, CONCESSION 2

PIN 71201-0013

O.P.: SECONDARY AGRICULTURAL  
ZONING: AGRICULTURAL

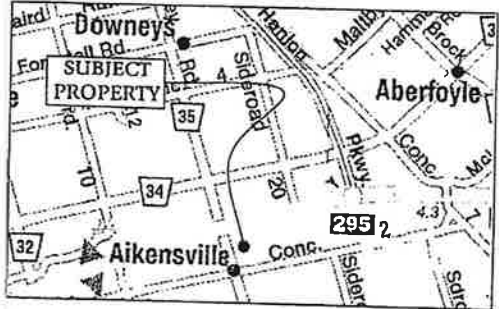
**SEVERANCE SKETCH**  
PART OF LOT 16, CONCESSION 2  
TOWNSHIP OF PUSLINCH  
COUNTY OF WELLINGTON

SCALE 1 : 3000

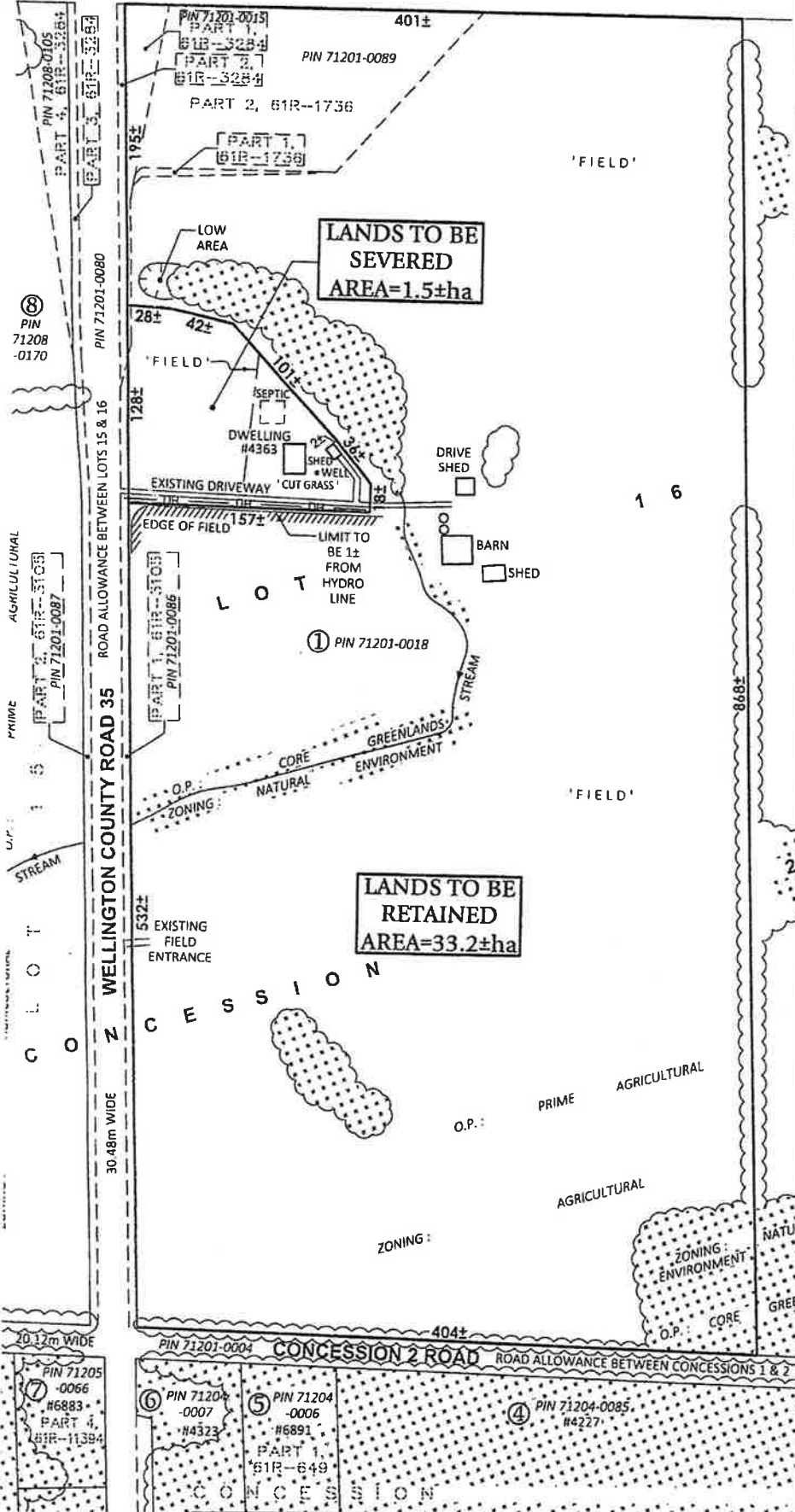


VAN HARTEN SURVEYING INC.

KEYMAP



91.44m WIDE HIGHWAY 401 PIN 71201-0001



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 PRIME 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.: CORE GREENLANDS  
ZONING: NATURAL ENVIRONMENT

THIS SKETCH WAS PREPARED ON THE 4th DAY OF DECEMBER 2020

**DAVID E. BUSMAN**  
ONTARIO LAND SURVEYOR



**Van Harten**  
SURVEYING INC.  
LAND SURVEYORS and ENGINEERS

Waterloo  
Ph: 519-742-8371

Guelph  
Ph: 519-821-2763

Orangeville  
Ph: 519-940-4110

www.vanharten.com

info@vanharten.com

DRAWN BY: ARN

CHECKED BY: JEB

PROJECT No. 28314-20

Dec 4, 2020-10:25:33 AM

G:\PUSLINCH\Con2\Acad\SEV LOT 16 (STUBBS) UTM.dwg

December 4, 2020

28314-20

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: Surplus Farm Residence Severance Application and Sketch**  
**4363 Wellington Road No. 35**  
**Part of Lot 16, Concession 2**  
**PIN 71201-0018**  
**Township of Puslinch**

Please find enclosed an application for a Surplus Farm Residence Severance on the above-mentioned property. Included with this submission are copies of the Severance Sketch, completed application form, required deeds, PIN report and map, addresses of neighbouring properties, Farm Information Form, a cheque to the GRCA for \$420.00, and a cheque to Wellington County for \$4,430.00.

**Proposal:**

The proposal is to sever a surplus farm dwelling from the rest of the agricultural farm parcel. The proposed severed parcel has a width of 128±m, depth of 157±m for an area of 1.5±ha where the existing dwelling and shed will remain. The retained parcel has an area of approximately 33.2±ha and will continue to be used for agricultural purposes.

The severed parcel was configured around the existing driveway, hydro line, buildings, septic and natural features. There is a small field at the front of the severed parcel; however, this area is "trapped" from the rest of the farm by the wetland feature. We also wanted to keep the whole of the wetlands on one parcel.

A lot of consideration has been made to the configuration of the parcel with respect to the wetland feature and Section 4.2.4.1 of the Growth Plan for the Greater Golden Horseshoe. This policy asks for an EIS and a buffer of at least 30m. A buffer of 30m is not possible to the existing septic system and house. Another option would be to have a 30m buffer on the outside of the wetland feature, but then the severance would be 3 to 4 ha and include farmland that should stay as part of the farm.

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

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The policies in the Growth Plan and the Provincial Policy Statements focus on development with the premise that development is the construction of new buildings, new grading, etc. The technical definitions of the policies indicate a new boundary is to be considered development and therefore the 30m buffer should apply to a severance which creates a new property line but no new construction. We feel that there is a disconnect of this interpretation and the objective of surplus farm residence severances to facilitate agricultural activity. The proposed severance will not change the existing usage of the land and therefore not negatively impact the wetland feature and thus the Policy goal and objective of protecting the wetland feature is also met.

County Planning staff and the Land Division Committee have supported Lot Line Adjustment severances where the adjusted limit is along the edge of the natural heritage feature (Example Application B71-19). Although not identical to a Surplus Farm Residence Severance, the end result is the same in that the agricultural field operates up to the existing natural heritage feature as it always has.

The retained parcel has an area of approximately 33.2±ha and is to be used as part of a large-scale agricultural operation by Rolf Deter, who is the intended purchaser. The parcel contains an existing barn, shed and driveshed. There is consideration to keep the barn as it is in good condition and a request would be included in the pending Zone Change Application to prohibit livestock, or the other option is to demolish the barn. The existing shed and driveshed will remain as the farmer can use this for additional storage space and the remainder of the land will continue to be used for agricultural purposes.

This type of severance meets the key requirements of Section 10.3.4 of the Wellington County Official Plan for surplus farm residence severances. The key requirements for a "Surplus Residence Severance" which have been met and are described below:

First, there must be a Bona Fide Farmer for the farm land. Rolf Deter is the intended purchaser of the retained (farm) parcel, and this will be added as part of his large-scale agricultural operation. The Farm Information Form shows that Rolf Deter has a number of farm properties in the area.

Second, the retained agricultural lands are to be rezoned to prohibit a residential use. A zone change application will be submitted after the severance is approved. The zone change may also include a provision to prohibit livestock in the barn on the retained parcel.

Third, the severed surplus parcel is to be no larger than the area of residence and not disrupt the farming operation. The proposed severed parcel has an area of 1.5±ha and has been configured around the existing dwelling, shed, septic, driveway, hydro line and natural features. The proposed lot configuration is logical to accommodate the existing buildings and takes into consideration environmental and topographic features.

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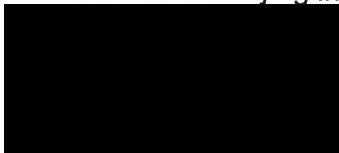
R.P. Magahay, B.A. J.E. Buisman, B.E.S., B.Sc., O.L.S. R.M. Mak, B.Sc., O.L.S. J.M. Laws, B.Sc., O.L.S. J.M. Duffy, P.Eng.



LAND SURVEYORS and ENGINEERS

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

Very truly yours,  
Van Harten Surveying Inc.



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

cc John Stubbs & Mary Lake  
cc Rolf Deter

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