



PLANNING & DEVELOPMENT ADVISORY COMMITTEE
VIRTUAL MEETING BY ELECTRONIC PARTICIPATION
NOVEMBER 8, 2022
7:00 p.m.

Register in advance:

https://us02web.zoom.us/webinar/register/WN_2qcvsf2VQFOTu56D68egcA

Or join by phone:

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

Canada: +1 613 209 3054

or +1 647 374 4685

or +1 647 558 0588

or +1 778 907 2071

or +1 438 809 7799

or +1 587 328 1099

Webinar ID: 846 0499 4282

Passcode: 124414

International numbers available: <https://us02web.zoom.us/j/84604994282>

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**
 - October 11, 2022
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-BAN – Faisal Bangash – 6614 Gore Road, Gore Front Part Lot 5, Township of Puslinch.**

Requesting Relief of New Comprehensive Zoning By-Law #23-2018, as amended, from Sections 4.2 a. i. and 4.2. a. ii., Additional Residential Units.

The purpose and effect is to provide relief from:

1. Section 4.2 a. i., Additional Residential Units, Floor Area to permit an accessory apartment over a detached garage to be 57% (67.27 m²) of the floor area of the principal dwelling (116.59 m²) rather than the 45% of the floor area of the principle area as required.



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2. Section 4.2. a. ii. Additional Residential Units, Height to permit an additional residential unit to be higher than the height of the principal dwelling in which the principal dwelling is a height of 4.3m to the midpoint of the roof and the proposed additional dwelling unit is 5.5m in height as measured to the midpoint of the roof.

6(b) Minor Variance Application D13-MAR – Nicole and Mario Martinez – 60 Heritage Lake Drive, WVLCF 172 Level 1 Unit 39, Township of Puslinch.

Requesting Relief of New Comprehensive Zoning By-Law #23-2018, as amended, from Section 4.27.1 c., Outdoor Swimming Pools.

The purpose and effect is to provide relief from:

1. Section 4.27.1 c., Outdoor Swimming Pools, to permit existing pool equipment to be 1.37 m from the rear lot line (4.5 feet) and 0.91 m from the interior side lot line (3 feet).o permit existing pool equipment to be 1.37m from the rear lot rather than 2m from any lot line as required.

7. OTHER MATTERS

- None

8. ADJOURNMENT OF COMMITTEE OF ADJUSTMENT



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- 1. CALL THE MEETING TO ORDER**
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- 4. DISCLOSURE OF PECUNIARY INTEREST**
- 5. APPROVAL OF MINUTES**
 - October 11, 2022
- 6. APPLICATION FOR SITE PLAN URBAN DESIGN REVIEW**
 - None
- 7. ZONING BY-LAW AMENDMENT**
- 7(a) Zoning By-Law Application D14/ONT – Conestoga Badger Inc. – Concession 3, Front Part Lot 8, municipally known as 6676-6678 Wellington Road 34, Township of Puslinch.**

The purpose and effect of the proposed Zoning By-law Amendment is to amend the Township of Puslinch New Comprehensive Zoning By-law 23-2018 to rezone the lands from EX1 with special provision 63 (EX1 sp63) to EX1 special provision XX (EX1 spXX) to:

1. Permit the use of a Vacuum Truck operation to transfer, store and process soil and aggregate materials, with the disposal of soil, aggregate or waste material prohibited on the land zoned EX1 (spXX).

2. The proposed changes to the by-law also include amending the definition of an Aggregate Processing Facility to include the wording highlighted in yellow: “any premises used to process, crush, screen, wash, store/stockpile, and/or sort aggregate, soil and top soil materials and includes an asphalt plant, a concrete batching plant, cement manufacturing plant, a brick and tile manufacturing plant, an aggregate transfer station, the stockpiling/blending of recycled aggregate, and a vacuum truck operation to transfer, store, and process materials from other sites, and the storage of vehicles involved in the vacuum truck operation.”



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8. LAND DIVISION

- None

9. OTHER MATTERS

- None

10. CLOSED MEETING

- None

11. NEXT MEETING Tuesday, December 13, 2022 @ 7:00 p.m.

12. ADJOURNMENT



MINUTES

1. CALL THE MEETING TO ORDER

The October 11, 2022 Committee of Adjustment Meeting was held on the above date and called to order at 7:00 p.m. via electronic participation.

2. ROLL CALL

MEMBERS IN ATTENDANCE

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

MEMBERS ABSENT

None

STAFF IN ATTENDANCE

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

3. OPENING REMARKS

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

4. DISCLOSURE OF PECUNIARY INTEREST

None

5. APPROVAL OF MINUTES

Moved by: Dennis O'Connor

Seconded by: Dan Kennedy

That the Minutes of the Committee of Adjustment meeting held Tuesday, September 13, 2022, be adopted.

CARRIED

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

None

8. ADJOURNMENT

Moved by: Deep Basi

Seconded by: Paul Sadhra

The Committee of Adjustment meeting adjourned at 7:02 p.m.

CARRIED

Hillary Miller

From: Township of Puslinch <services@puslinch.ca>
Sent: Friday, September 30, 2022 11:22 AM
To: Hillary Miller
Subject: New Entry: Minor Variance or Permission Application

How many registered owners are on title?

1

Registered Owner's Name (Person one)

Faisal Bangash

Registered Owner's Email Address (Person one)

[REDACTED]

Registered Owner's Phone Number (Person one)

[REDACTED]

Property Subject of the Minor Variance

6614 Gore Rd, Puslinch, ON N0B 2J0
6614 Gore RD
Puslinch, ON
Puslinch

Applicant (Agent) Name

Faisal Bangash

Applicant (Agent) Address

[REDACTED]

6614 Gore Rd

Puslinch, ON

N0B 2J0

Applicant (Agent) Email

[REDACTED]

Applicant (Agent) Phone Number

[REDACTED]

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

Faisal Bangash

6614 Gore Rd

Puslinch, ON

N0B 2J0

Send correspondence to

Owner(s)

Municipal Address

6614 Gore Rd
Puslinch, ON
N0B 2J0

Concession

6614 Gore Rd, Puslinch, On N0B 2J0

Lot

5

Registered Plan Number

PIN 71206-0031 (LT)

Area in Hectares

0512

Area in Acres

1.26

Depth in Meters

75.39

Depth in Feet

226.19

Frontage in Meters

83.26

Frontage in Feet

249.78

Please indicate the Section of the Planning Act under which this application is being made

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

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

Please see my request below:

Aim is to construct the 2 car garage with 2 bedroom/Coach House first and move in there. After completion of 2 car garage with 2 bedroom/Coach House/, renovation/addition work will commence on the Bungalow. 2 car garage with 2 bedroom/Coach House will be utilized by family members.

- i. The building is located within 15 meters of the single detached dwelling on the lot.
- ii. The building does not exceed 8 meters in height
- iii. The floor area exceeds 45% of the existing 1970's built house.

Please see attached Sketch Site Drawing-6614 Site Plan Metric C.

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

 [6614-Site-Plan-Metric-C1.pdf](#)

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

The reason, it exceeds over 45% probably of 1970's existing house.

Please see attached Detached Garage Design.

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

 [6614-Gore-Rd-Detached-Garage-July-5-2022-1.pdf](#)

Official Plan Designation

Secondary Agriculture land, Paris, Galt, Moreine Policy area

Zoning Designation

Agriculture and Natural environment

What is the access to the subject property?

Continually maintained municipal road

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

Gore Rd

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

Municipal Water

Proposed

Private Well

Existing

Private Septic

Existing

How is storm drainage provided?

Ditches

What is the existing use of the subject property?

Residential

What is the existing use of the abutting properties?

Residential

Main Building Height in Meters

6

Main Building Height in Feet

18

Percentage Lot Coverage in Meters

3.2

Percentage Lot Coverage in Feet

3.2

Number of Parking Spaces

2

Number of Loading Spaces

0

Number of Floors

1

Total Floor Area in Square Meters

46.5

Total Floor Area in Square Feet

500

Ground Floor Area (Exclude Basement) in Square Meters

46.5

Ground Floor Area (Exclude Basement) in Square Feet

500

Front Yard in Meters

10

Front Yard in Feet

30

Rear Yard in Meters

38

Rear Yard in Feet

114

Side Yard (1) in Meters

27.5

Side Yard (1) in Feet

82.5

Side Yard (2) in Meters

12

Side Yard (2) in Feet

36

Date of acquisition of subject property

February 14, 2022

Date of construction of buildings property

January 30, 1970

How long have the existing uses continued on the subject property?

None

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

No

Planning Application: Official Plan Amendment

No

Planning Application: Zoning By-Law Amendment

No

Planning Application: Plan of Subdivision

No

Planning Application: Consent (Severance)

No

Planning Application: Site Plan

No

Planning Application: Minor Variance

No

The Agent/Solicitor is different than the owner

No

Please select your Minor Variance Type

Minor Variance Type 1 - \$ 748.00

Convenience Fee (1.75%)

\$ 13.09

Total

\$ 761.09

Credit Card



Name

Faisal Bangash

Minor Variance Application must be commissioned

I understand that prior to the Minor Variance Application being deemed complete it must be commissioned by all registered owners or the agent responsible for the application.

Sent from [Township of Puslinch](#)

Authorization for Agent/Solicitor to act for Owner:

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

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

Signature of Owner(s)

Date

Affidavit:

I (we) FAISAL BANGASH of the
TOWNSHIP of PUSLINCH County/Region of
WELLINGTON solemnly declare that all the statements
contained in this application are true, and I, (we), make this solemn declaration
conscientiously believing it to be true, and knowing that it is of the same force and effect
as if made under oath and by virtue of the CANADA EVIDENCE ACT. DECLARED
before me at the TOWNSHIP of PUSLINCH in the
County/Region of WELLINGTON this 4TH day of
OCTOBER, 2022.

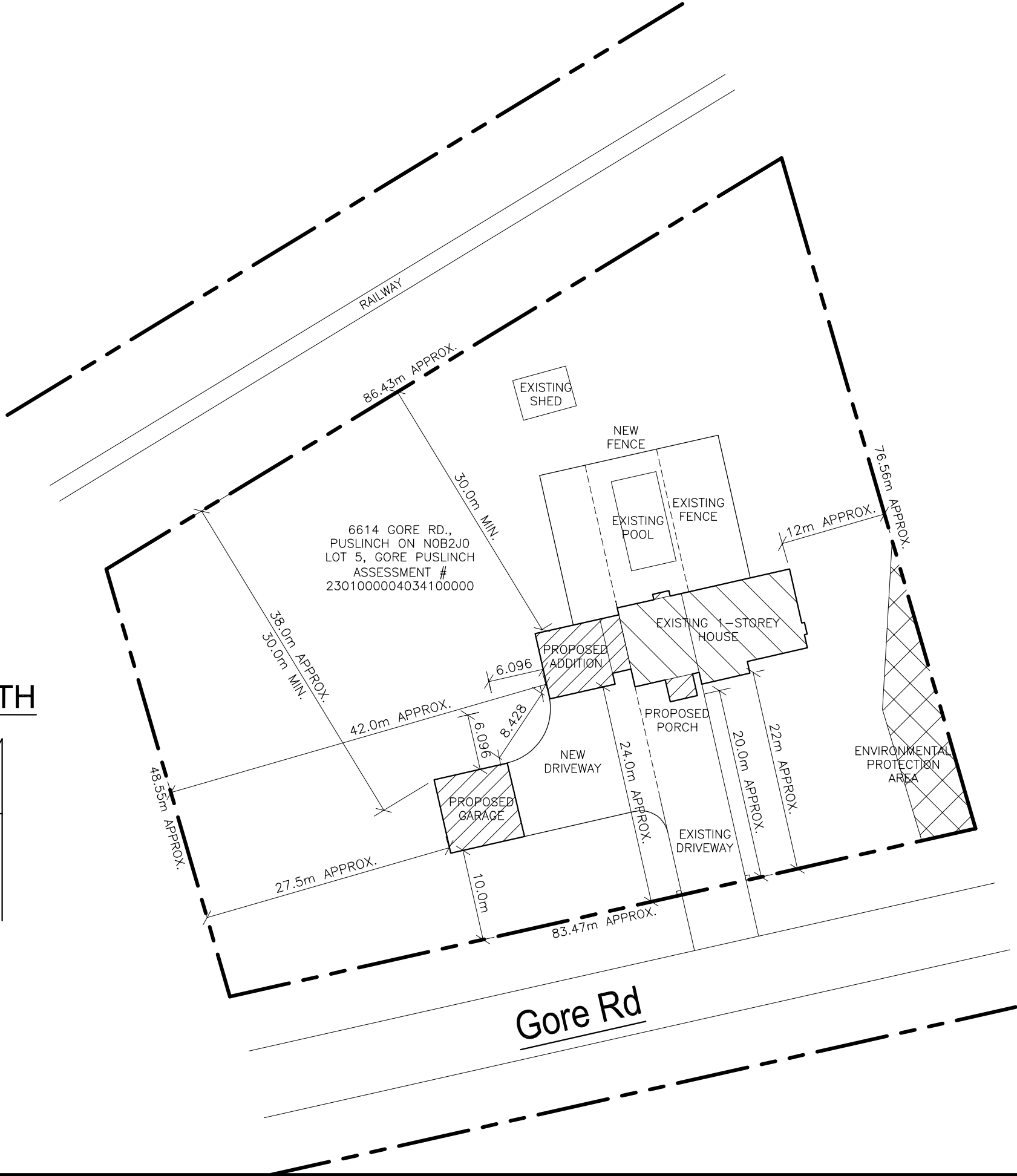
Signature of Owner or authorized
solicitor or agent

Signature of Commissioner

Date

Date

NORTH



I Ron Rogan have reviewed and taken responsibility for the design activities. I am qualified, and the firm is registered, in the appropriate classes/ categories.

Ron Rogan
BCIN 21606

ROGAN HOME DESIGN
BCIN 31434

**Rogan
Home
Design**

Ron Rogan, MAATO
530 South River Rd.
Elora, Ontario
(519) 572-8740

**Proposed Residential Addition &
Renovation
6614 Gore Rd., Puslinch ON**

PROPOSED CONCEPTUAL SITE PLAN

DATE:
JUN/2022

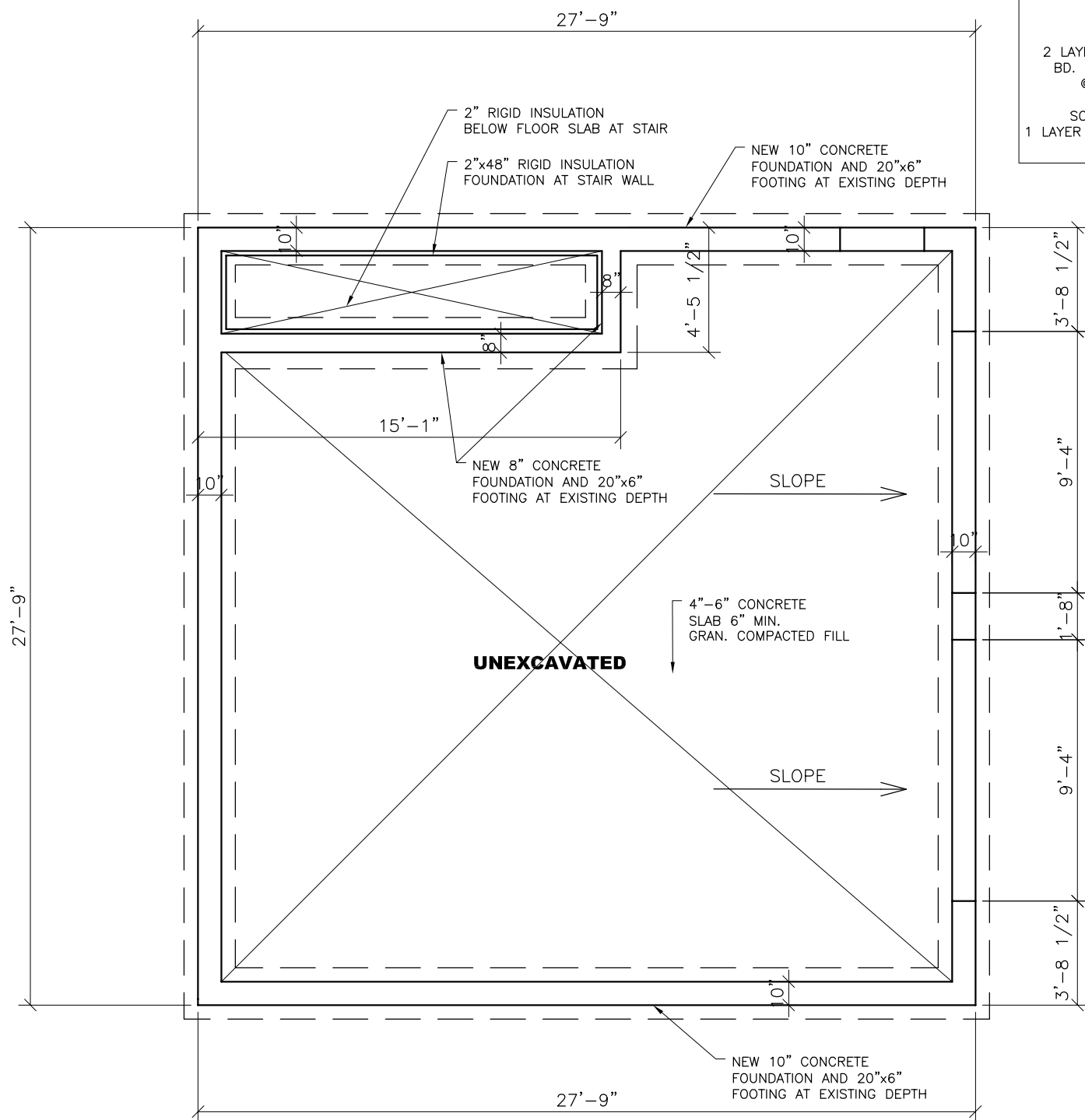
SCALE:
METRIC 1:500

PROJ. No.
FAISAL

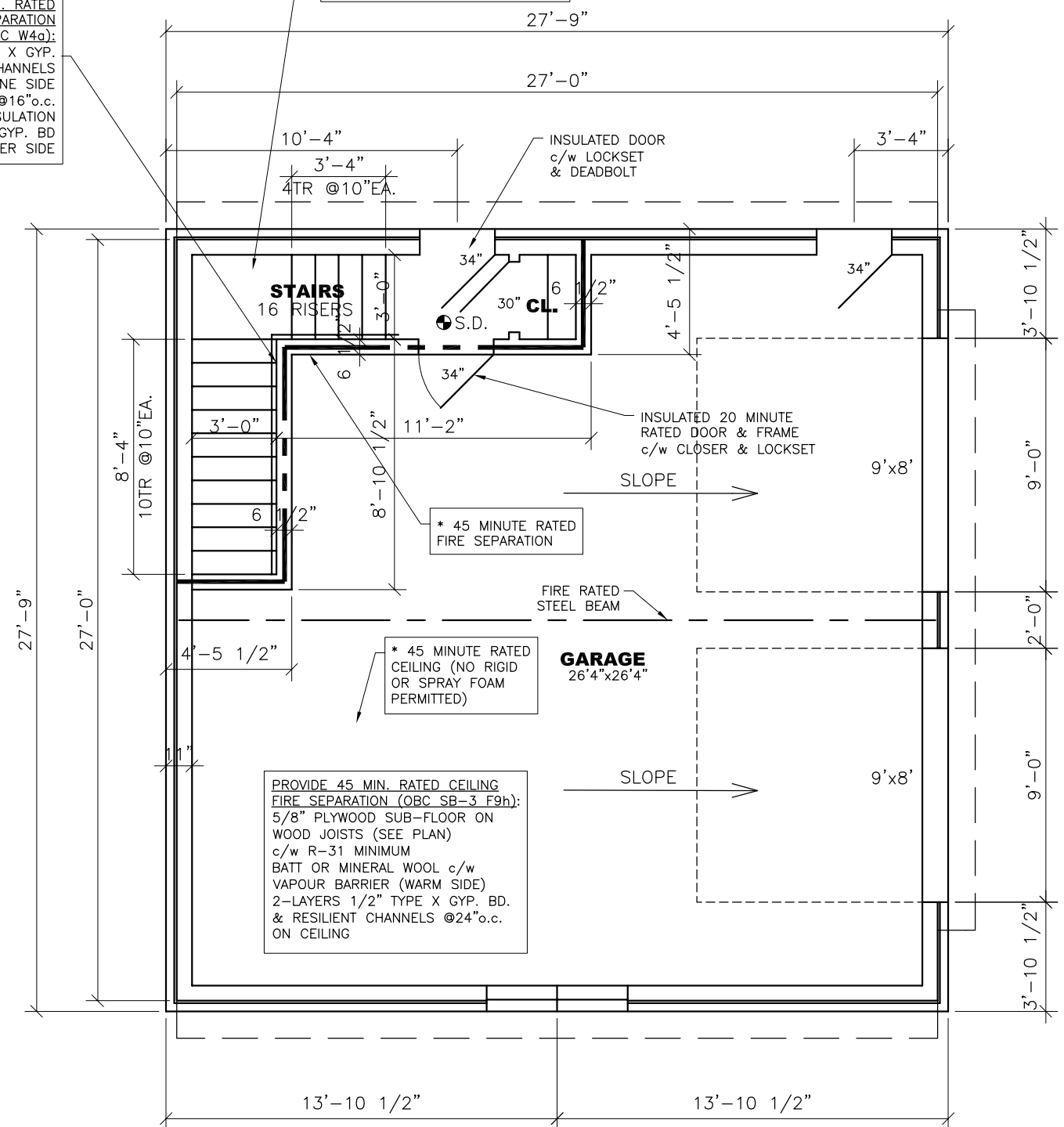
DWG.
C1

**PROPOSED
DETACHED GARAGE
6614 Gore Rd., Puslinch**

<div>I Ron Rogan have reviewed and taken responsibility for the design activities. I am qualified, and the firm is registered, in the appropriate classes/categories.</div> <div>Ron Rogan BCIN 21606 ROGAN HOME DESIGN BCIN 31434</div> <div></div>	<div>Rogan Home Design</div> <div>Ron Rogan, MAATO 530 South River Rd Elora, ON N0B 1S0 (519) 572-8740</div>	6614 Gore Rd., Puslinch DETACHED GARAGE			
		COVER			
		DATE: JUN/22	SCALE: 3/16"=1'-0"	PROJ. No. FAISAL	DWG No. A0



PROVIDE 45min. RATED
WALL FIRE SEPARATION
(OBC W4a):
2 LAYERS 5/8" TYPE X GYP.
BD. & RESILIENT CHANNELS
@24"o/c. ON ONE SIDE
2x4 STUDS @16"o.c.
SOUND BATTS INSULATION
1 LAYER 5/8" TYPE X GYP. BD
OTHER SIDE

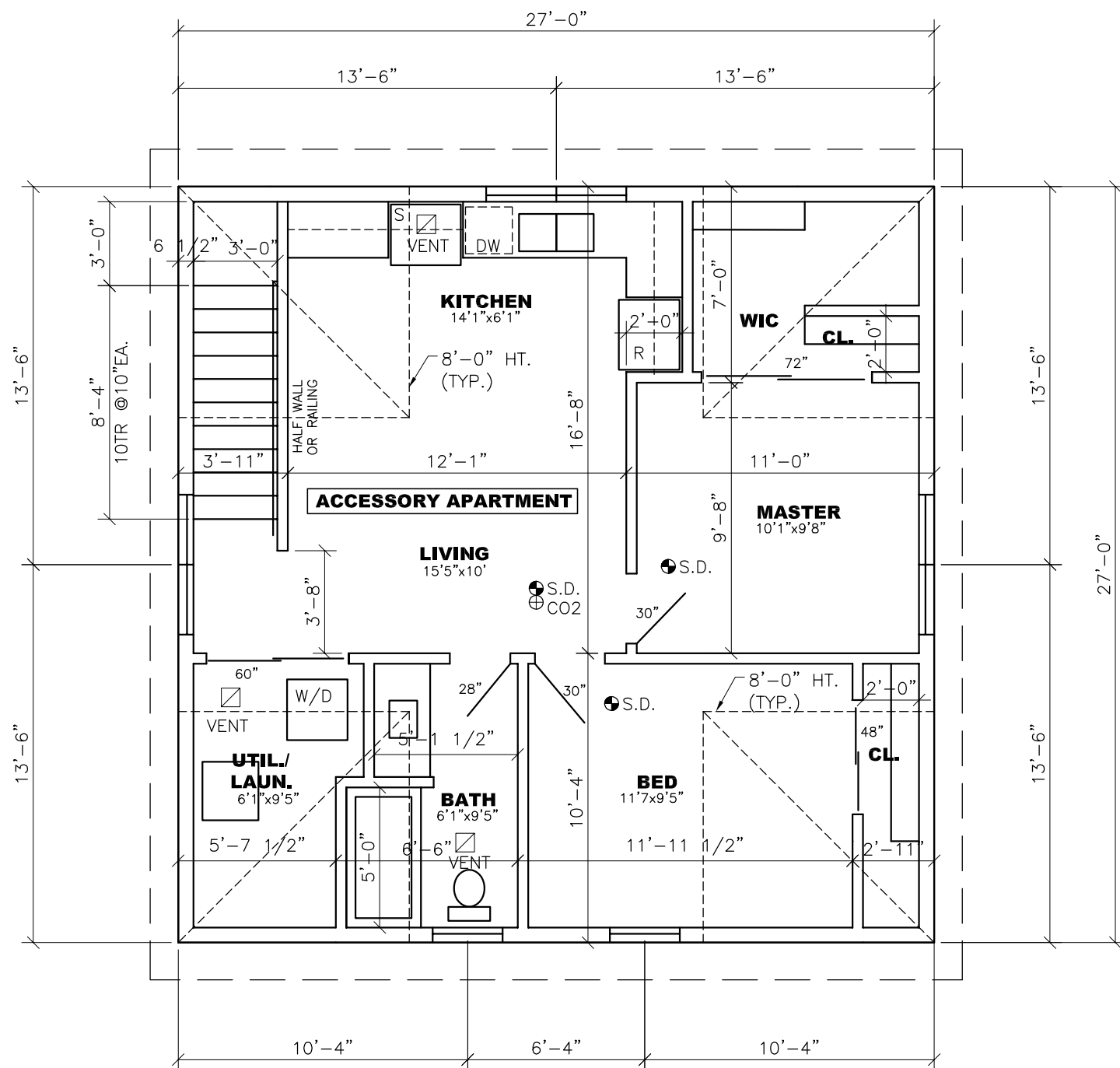


PROVIDE 45 MIN. RATED FIRE
SEPARATION AT U/S OF STAIR:
2-LAYER 5/8" TYPE X RESILIENT
CHANNELS @24"o/c.
2x4 STRAPPING @16"o.c.
SOUND BATT INSULATION c/w
VAPOUR BARRIER (WARM SIDE)

PROVIDE 45 MIN. RATED CEILING
FIRE SEPARATION (OBC SB-3 F9h):
5/8" PLYWOOD SUB-FLOOR ON
WOOD JOISTS (SEE PLAN)
c/w R-31 MINIMUM
BATT OR MINERAL WOOL c/w
VAPOUR BARRIER (WARM SIDE)
2-LAYERS 1/2" TYPE X GYP. BD.
& RESILIENT CHANNELS @24"o.c.
ON CEILING

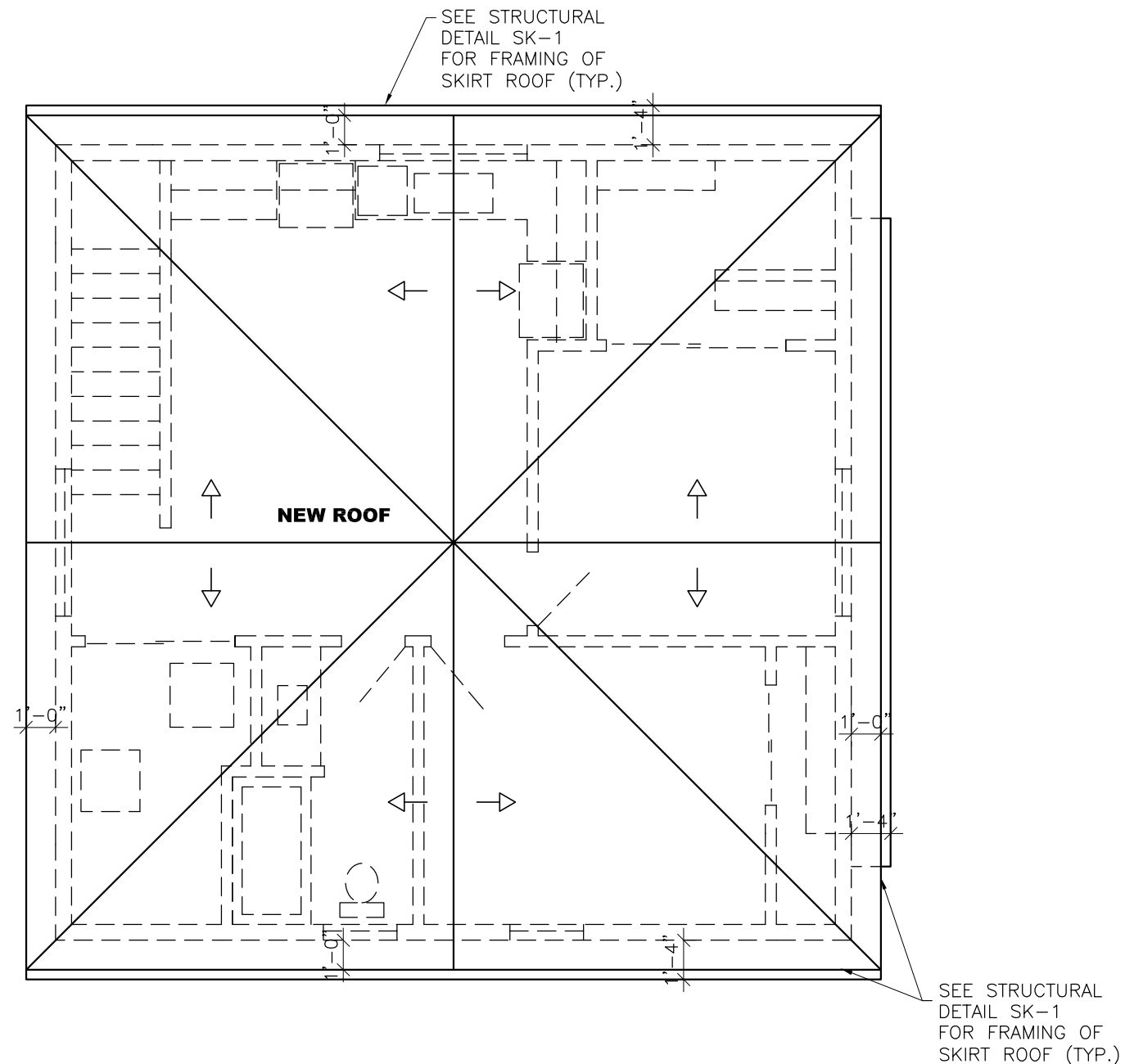
NOTE:
SEE FLOOR AND ROOF
FRAMING PLANS.

I Ron Rogan have reviewed and taken responsibility for the design activities. I am qualified, and the firm is registered, in the appropriate classes/categories. Ron Rogan BCIN 21606 ROGAN HOME DESIGN BCIN 31434		Rogan Home Design Ron Rogan, MAATO 530 South River Rd Elora, ON N0B 1S0 (519) 572-8740		6614 Gore Rd., Puslinch PROPOSED DETACHED GARAGE FOUNDATION & MAIN FLOOR PLANS	
		DATE: JUN/22	SCALE: 3/16"=1'-0"	PROJ. No. FAISAL	DWG No. A1



MECHANICAL NOTE:
ACCESSORY APARTMENT TO HAVE
ITS OWN HVAC SYSTEM. PROVIDE
BULKHEADS WITHIN UNIT AS
REQUIRED. NO DUCTWORK WITHIN
RATED GARAGE FLOOR ASSEMBLY.
ANY PENETRATIONS IN REQUIRED
SEPARATIONS REQUIRE FIRE
DAMPERS AND FIRE STOPPING.

NOTE:
SEE FLOOR AND ROOF
FRAMING PLANS.

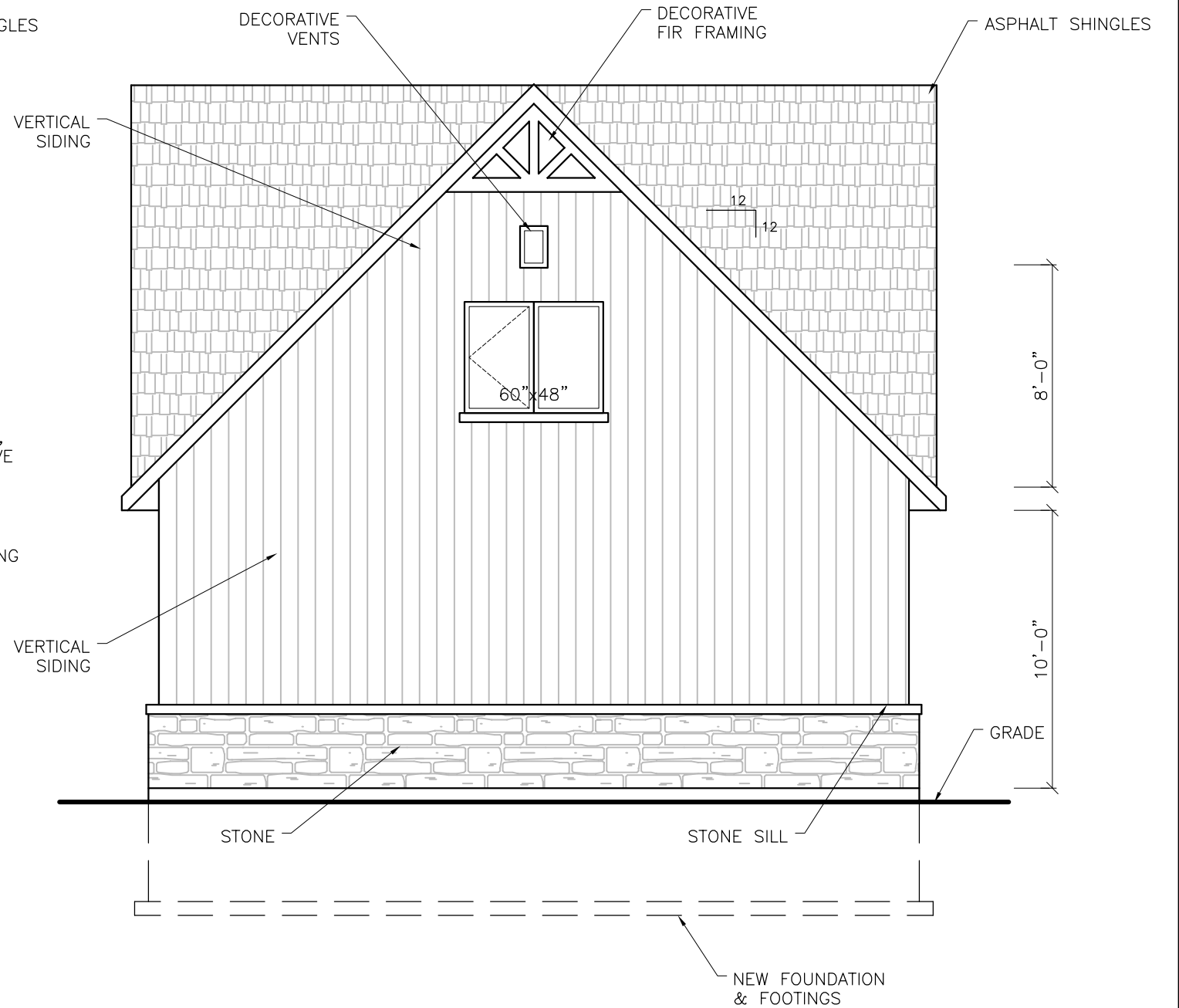
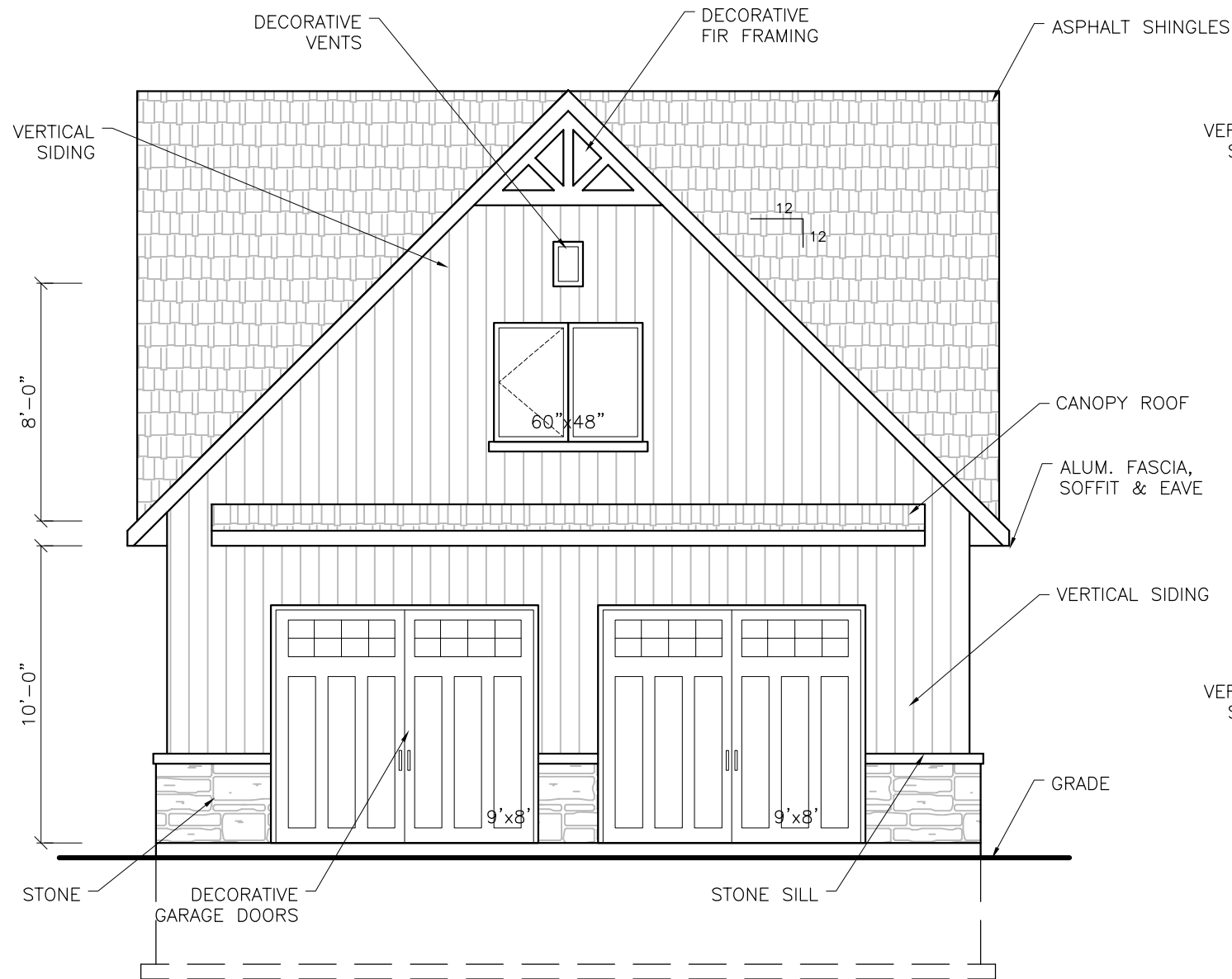


<div>I Ron Rogan have reviewed and taken responsibility for the design activities. I am qualified, and the firm is registered, in the appropriate classes/categories.</div> <div>Ron Rogan BCIN 21606 ROGAN HOME DESIGN BCIN 31434</div>	<div>Rogan Home Design</div> <div>Ron Rogan, MAATO 530 South River Rd Elora, ON N0B 1S0 (519) 572-8740</div>	6614 Gore Rd., Puslinch			
		PROPOSED DETACHED GARAGE			
		LOFT & ROOF PLANS			
DATE: JUN/22		SCALE: 3/16"=1'-0"	PROJ. No. FAISAL	DWG No. A2	

MAX. U.P.O. % (PER O.B.C.):
LIMITING DIST. = 154'~ MIN. (47m)
EBF AREA = 500 SF (46.5sm)
PERMITTED % = 100% @8.0m
PROPOSED % = 16.0 SF (3.2%)

EEDS
TOTAL EBF AREA = 1,400 SF
TOTAL GLAZING = 64 SF
PERCENTAGE = 4.6%

MAX. U.P.O. % (PER O.B.C.):
LIMITING DIST. = 88'~ MIN. (27m)
EBF AREA = 500 SF (46.5sm)
PERMITTED % = 100% @8.0m
PROPOSED % = 16.0 SF (3.2%)



I Ron Rogan have reviewed and taken responsibility for the design activities. I am qualified, and the firm is registered, in the appropriate classes/categories.

Ron Rogan BCIN 21606
ROGAN HOME DESIGN BCIN 31434

Rogan Home Design

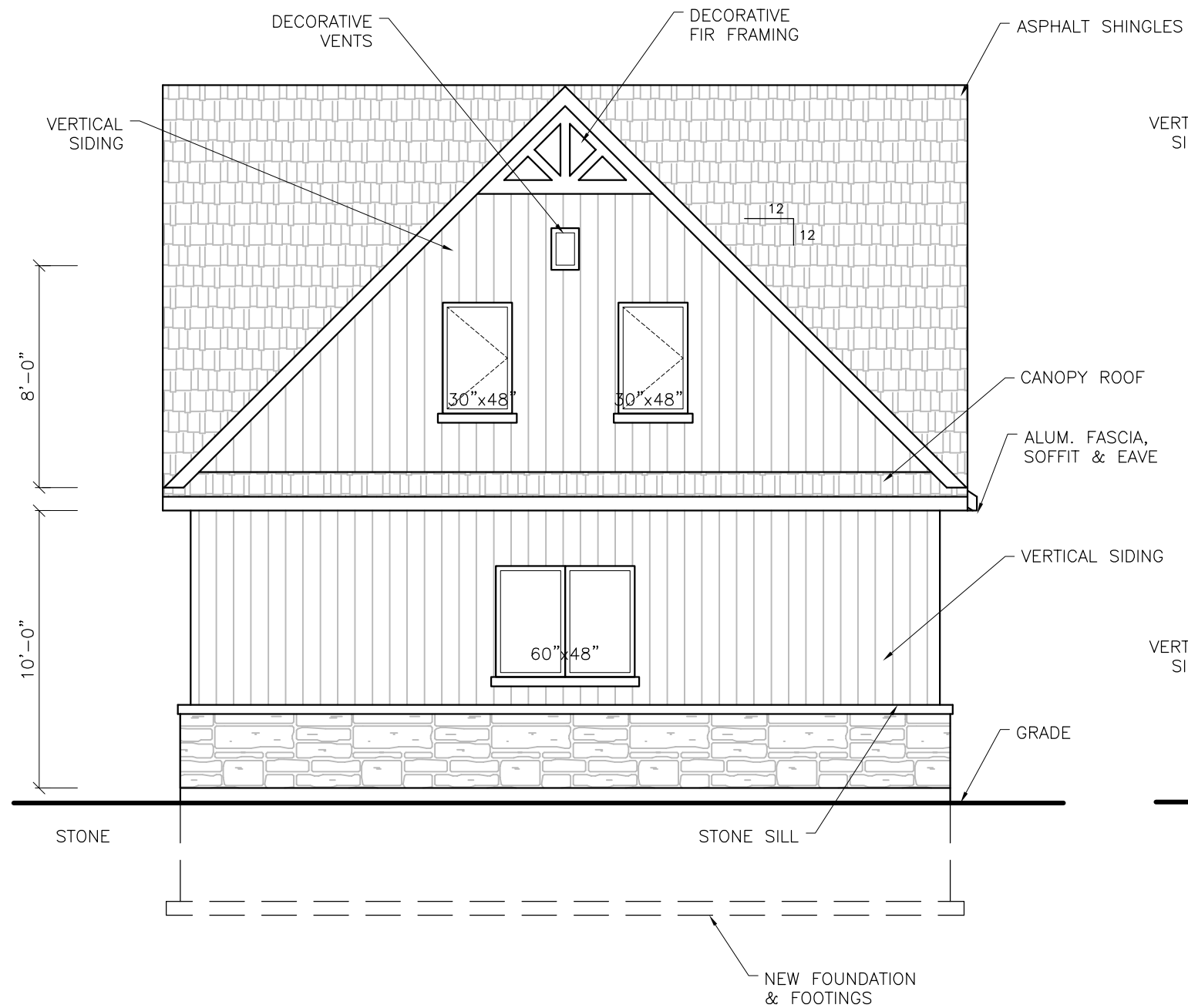
Ron Rogan, MAATO
530 South River Rd
Elora, ON N0B 1S0
(519) 572-8740

**6614 Gore Rd., Puslinch
PROPOSED DETACHED GARAGE**

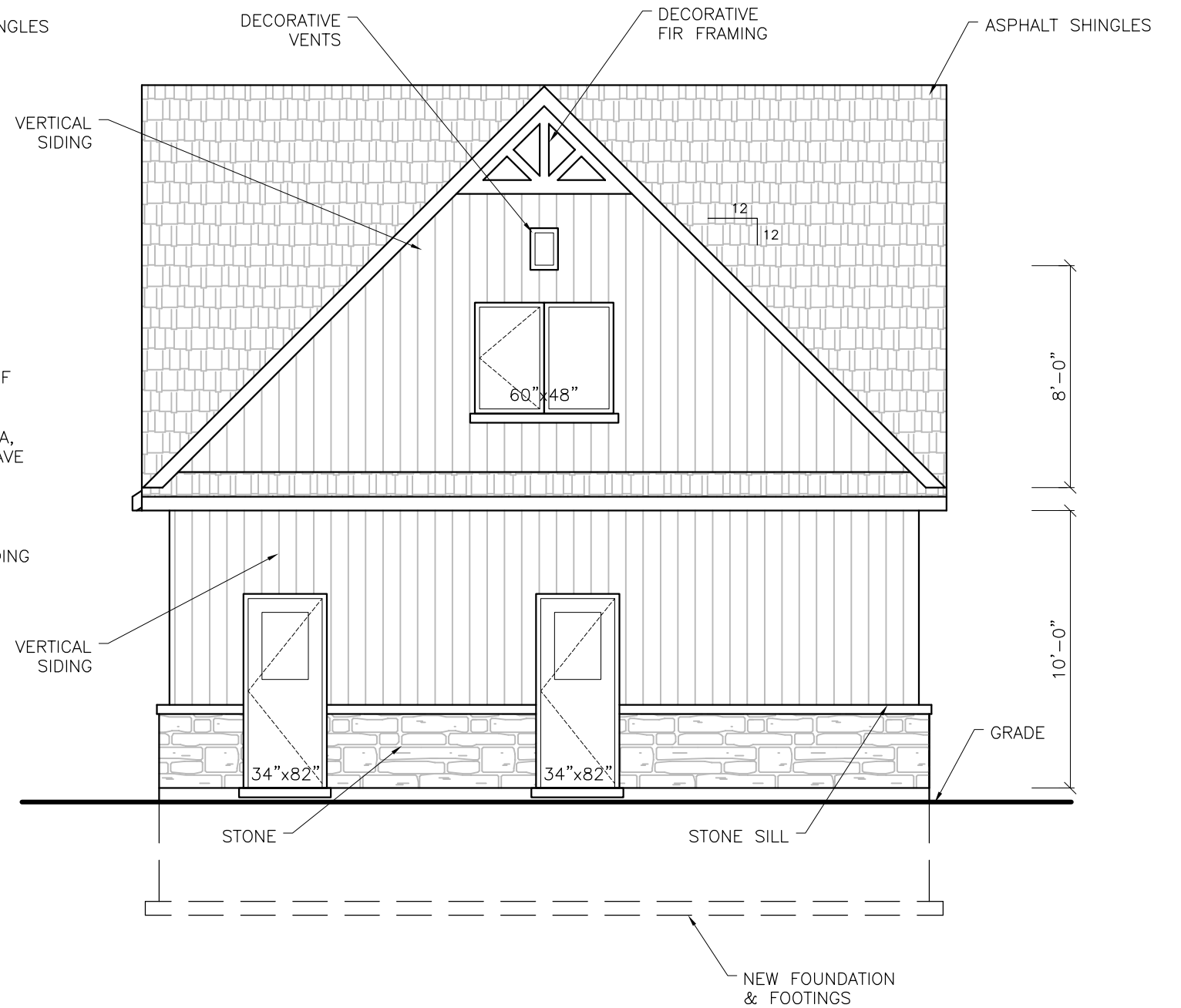
ELEVATIONS

DATE:	SCALE:	PROJ. No.	DWG No.
JUN/22	3/16"=1'-0"	FAISAL	A4

MAX. U.P.O. % (PER O.B.C.):
LIMITING DIST. = 32'~ MIN. (10m)
EBF AREA = 500 SF (46.5sm)
PERMITTED % = 100% @8.0m
PROPOSED % = 16.0 SF (3.2%)



MAX. U.P.O. % (PER O.B.C.):
LIMITING DIST. = 98'~ MIN. (30m)
EBF AREA = 500 SF (46.5sm)
PERMITTED % = 100% @8.0m
PROPOSED % = 16.0 SF (3.2%)



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Ron Rogan BCIN 21606
ROGAN HOME DESIGN BCIN 31434

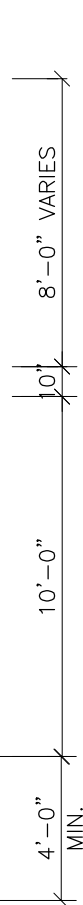
**Rogan
Home
Design**

Ron Rogan, MAATO
530 South River Rd
Elora, ON N0B 1S0
(519) 572-8740

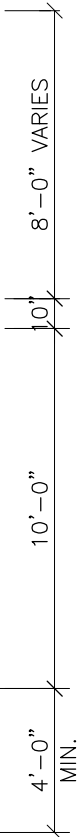
**6614 Gore Rd., Puslinch
PROPOSED DETACHED GARAGE**

ELEVATIONS

DATE: JUN/22	SCALE: 3/16"=1'-0"	PROJ. No. FAISAL	DWG No. A5
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PROVIDE 45 MIN. RATED FIRE
SEPARATION AT U/S OF STAIR:
2-LAYER 5/8" TYPE X RESILIENT
CHANNELS @24"o/c.
2x4 STRAPPING @16"o.c.
SOUND BATT INSULATION c/w
VAPOUR BARRIER (WARM SIDE)



PROVIDE 45min. RATED
WALL FIRE SEPARATION
OBC W4a):
2 LAYERS 5/8" TYPE X GYP.
BD. & RESILIENT CHANNELS
@24"o/c. ON ONE SIDE
2x4 STUDS @16"o.c.
SOUND BATTS INSULATION
1 LAYER 5/8" TYPE X GYP. BD
OTHER SIDE

A6



October 27, 2022

via email

GRCA File: D13-BAN – 6614 Gore Road

Lynne Banks
Township of Puslinch
7404 Wellington Road 34
Puslinch, ON N0B 2J0

Dear Ms. Banks,

Re: Minor Variance Application D13/BAN
6614 Gore Road, Township of Puslinch
Faisal Bangash

Grand River Conservation Authority (GRCA) staff has reviewed the above-noted minor variance application requesting an increased floor area and height for a proposed additional residential unit.

Recommendation

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

GRCA Comments

GRCA has reviewed this application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 150/06. GRCA has also provided comments as per our Memorandum of Understanding (MOU) with the County of Wellington and as a public body under the Planning Act as per our CA Board approved policies.

Information currently available at this office indicates that the subject property contains the regulated allowance adjacent to the provincially significant Mill Creek Puslinch Wetland Complex. A copy of our resource mapping is attached.

Due to the presence of the above-noted features, the subject property is regulated by the GRCA under Ontario Regulation 150/06 - Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation. Any future development or other alteration within the regulated area will require prior written approval from GRCA in the form of a permit pursuant to Ontario Regulation 150/06.


The GRCA has issued Permit 694/22 for the proposed additional residential unit and the plans circulated with this application are consistent with the plans approved under the GRCA permit noted above. GRCA staff do not anticipate negative impacts to the adjacent wetland as a result of this application or the proposed development. As such, we have no objection to the approval of the application by the Township of Puslinch.

We wish to note that this application may be subject to Growth Plan policies for key hydrologic features and suggest that the Township/County consider the applicable policies in their review of this application.

Consistent with GRCA's 2022 approved fee schedule, this application is considered a 'minor' minor variance and the applicant will be invoiced in the amount of \$290.00 for the GRCA's review of this application.

Should you have any questions, please contact me at 519-621-2763 ext. 2228 or aherreman@grandriver.ca.

Sincerely,



Andrew Herreman, CPT
Resource Planning Technician
Grand River Conservation Authority

Enclosed: GRCA Mapping

Copy: Faisal Bangash (via email)



D13-BAN - 6614 Gore Road

Legend

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

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

Copyright Grand River Conservation Authority, 2022.
Disclaimer: This map is for illustrative purposes only. Information contained herein is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.
The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to: <https://maps.grandriver.ca/Sources-and-Citations.pdf>



Hillary Miller

From: Brent Smith
Sent: Friday, October 21, 2022 8:42 AM
To: Hillary Miller
Cc: Tom Mulvey
Subject: RE: Minor Variance Notice of Public Hearing - D13/BAN - 6614 Gore Rd

Hi Hillary,
Puslinch Fire and Rescue Service reviewed the above referenced minor variance application on Oct 21, 2022. The department has no concerns with this application. A building permit will be required for the construction of the accessory apartment.

Thanks

Brent smith

CFPO

Puslinch Fire and Rescue Services

From: Hillary Miller <hmiller@puslinch.ca>
Sent: Thursday, October 20, 2022 3:34 PM
To: Brent Smith <bsmith@puslinch.ca>; Mike Fowler <mfowler@puslinch.ca>; Andrew Hartholt <ahartholt@puslinch.ca>; Building <building@puslinch.ca>; Services <services@puslinch.ca>; Jeff Bunn <jbunn@puslinch.ca>; Lynne Banks <lbanks@puslinch.ca>; Jacob Normore <jnormore@puslinch.ca>
Subject: Minor Variance Notice of Public Hearing - D13/BAN - 6614 Gore Rd

Good afternoon,

Attached please find the Notice of Public Hearing with respect to the above property for your review and comment. Please provide any comments you might have by noon on October, 27th.

Kind regards,



Hillary Miller
Legislative Assistant
Township of Puslinch
7404 Wellington Rd. 34, Puslinch, ON N0B 2J0
P: 519-763-1226 x207/Fax: 519-763-5846 www.puslinch.ca



Hillary Miller

From: Brent Smith
Sent: Thursday, October 27, 2022 9:07 AM
To: Hillary Miller
Cc: Tom Mulvey
Subject: RE: Amended Minor Variance Notice of Public Hearing - D13/BAN - 6614 Gore Rd

Hi Hillary,
Puslinch Fire and Rescue Services reviewed the amended minor variance application for 6614 Gore Road regarding the height of the additional residential unit. The department has no concerns with the amendment.
Thanks
Brent Smith
CFPO
Puslinch Fire and Rescue Services

From: Hillary Miller <hmiller@puslinch.ca>
Sent: Wednesday, October 26, 2022 4:13 PM
To: Brent Smith <bsmith@puslinch.ca>; Jeff Bunn <jbunn@puslinch.ca>; Lynne Banks <lbanks@puslinch.ca>; Andrew Hartholt <ahartholt@puslinch.ca>; Services <services@puslinch.ca>; Mike Fowler <mfowler@puslinch.ca>; Jacob Normore <jnormore@puslinch.ca>; Building <building@puslinch.ca>
Subject: Amended Minor Variance Notice of Public Hearing - D13/BAN - 6614 Gore Rd

Good afternoon,

Attached please find the Amended Notice of Public Hearing with respect to the above property, for your review.

Kind regards,



Hillary Miller
Legislative Assistant
Township of Puslinch
7404 Wellington Rd. 34, Puslinch, ON N0B 2J0
P: 519-763-1226 x207/Fax: 519-763-5846 www.puslinch.ca

Hillary Miller

From: Source Water <sourcewater@centrewellington.ca>
Sent: Tuesday, October 25, 2022 10:49 AM
To: Hillary Miller
Cc: Source Water
Subject: RE: Minor Variance Notice of Public Hearing - D13/BAN - 6614 Gore Rd
Attachments: WHPA_Map_Gore_6614.pdf

Hello Hillary,

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

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

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

Kind regards,
Danielle

Danielle Walker (she/ her) | Source Protection Coordinator

Wellington Source Water Protection | 7444 Wellington Road 21, Elora, ON, N0B 1S0
519.846.9691 x236 | DWalker@centrewellington.ca | www.wellingtonwater.ca
Toll free: 1-844-383-9800

Wellington Source Water Protection is a municipal partnership between the Townships of Centre Wellington, Guelph / Eramosa, Mapleton, Puslinch, Wellington North, the Towns of Erin and Minto and the County of Wellington created to protect existing and future sources of drinking water.

From: Hillary Miller <hmiller@puslinch.ca>
Sent: October 20, 2022 3:32 PM
To: Source Water <sourcewater@centrewellington.ca>
Subject: Minor Variance Notice of Public Hearing - D13/BAN - 6614 Gore Rd

Good afternoon,

Attached please find the Notice of Public Hearing with respect to the above property for your review and comment. Please provide any comments you might have by noon on October, 27th.

Kind regards,



Legend

- Parcels
- Roads
 - Local Road
 - County Road
 - Highway
- Waterbodies
- Watercourses
- Municipalities
- Well Locations
- Issue Contributing Area
 - Chloride
 - Nitrate
 - Sodium
 - TCE
- Wellhead Protection Area
 - A
 - B
 - C
 - D
- Vulnerability Score
 - 10
 - 8, D; 8; 8, C
 - 2, 4, 6 (A, B or C)
 - 2,4,6, D; 2,4, D; 2, 4, 6 (D); 4, D; 6,
- HVA
- Roadlookup

0.1 0 0.05 0.1 Kilometers

Notes



PLANNING REPORT for the TOWNSHIP OF PUSLINCH

Prepared by the County of Wellington Planning and Development Department

DATE: November 8th, 2022
TO: Lynne Banks, Secretary-Treasurer
Township of Puslinch
FROM: Joanna Salsberg, Planner
County of Wellington
SUBJECT: **MINOR VARIANCE APPLICATION D13/BAN (Bangash)**
6614 Gore Road
GORE FRONT PT LOT 5
ATTACHMENTS: 1. Site Plan
2. Architectural Plans
3. Site Visit Image of property facing North on Gore Rd

We have reviewed the application for minor variance and provide the following comments. These comments are offered with the benefit of a site visit on October 24th, 2022.

Planning Opinion

The variance requested would provide relief from Section 4.2.a.i of the Zoning By-law to facilitate construction of an Accessory Residential Unit (ARU) above a detached garage. The ARU is proposed to have a floor area of 57% of the total floor area of the principal unit, whereas a maximum floor area of 45% is permitted by the By-law. Upon review of the application, it was also determined that the proposal requires relief from section 4.2.a. ii. which requires that the height of the ARU shall not exceed the height of the principal dwelling unit. The proposed height of the ARU is 5.5 m and the height of the existing detached dwelling is 4.3 m.

The Township went through a housekeeping amendment to expand the permissions for ARU's to conform with the County Official Plan and to consider local context. The final amendments were approved in the summer of this year. Planning staff would prefer that the percentage area cap and the height of the ARU to not exceed the height of the principal dwelling as a detailed review was undertaken to include these specific provisions. However, it is noted that the applicant has a smaller dwelling due to the age of construction (i.e. 1970's) and that the proposed ARU is well under the 130 m² size threshold. It is further noted that the ARU is in front of the dwelling and has limited screening from existing trees from the road/view.

It is also understood that the applicant's intent is to demolish the existing principal home and replace and extend the dwelling. If these changes were already completed, the relief being requested would be reduced. As these are future plans and the ARU is proposed to be constructed while the existing dwelling is on-site, the requirements of an ARU are reviewed for zoning compliance with the existing dwelling.

The Committee should be satisfied that the application would maintain the general intent and purpose of the Official Plan and Zoning By-law, is minor in nature and is desirable and appropriate for the

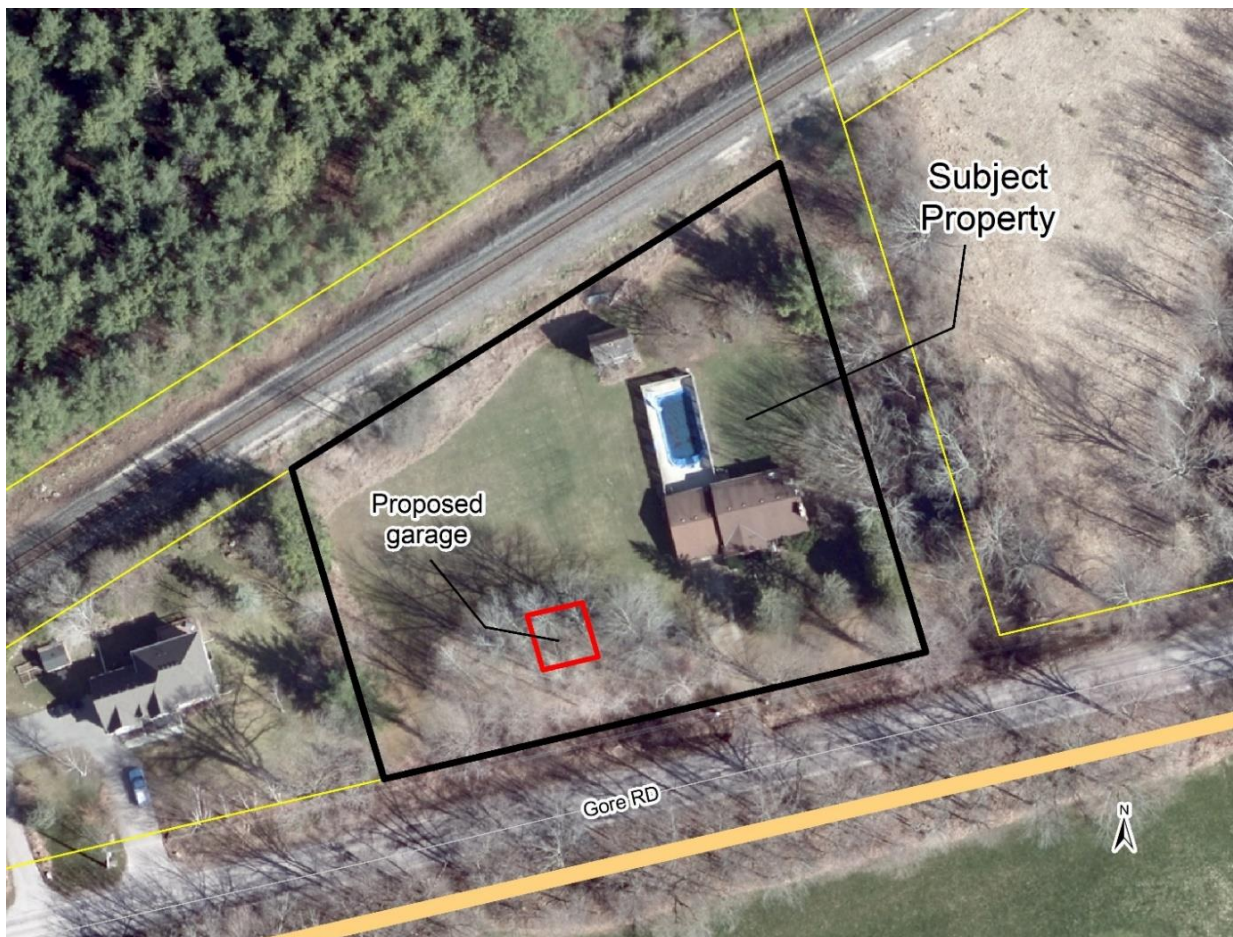
development of the subject property. If the Committee is in support of this application, the following should also be considered:

- i) That a permit from the GRCA be obtained;
- ii) That any requirements of the Canadian Pacific Railway are addressed; and
- iii) That the ARU shall be buffered/screened from the road to the satisfaction of the Township.

Proposal:

Regulation	By-law Section	Required	Proposed	Relief Requested
Additional Residential Unit – Maximum Total Floor Area	4.2.a.i	Maximum total floor area of an Additional Residential Unit shall not exceed 45 percent of the total floor area of the principal unit up to a maximum of 130 m ² .	Total floor area of 57 percent	12 percent
Additional Residential Unit – Height of ARU	4.2.a.ii	The height of the additional residential unit(s) shall not exceed the height of the principal dwelling unit. The existing principal unit is 4.3 m.	5.5 m	1.2 m

Figure 1 - Subject property



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

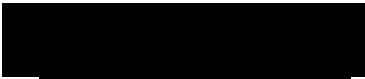
Four Tests	Discussion
That the requested variance is minor in nature	<ul style="list-style-type: none"> • The subject property is approximately 0.54 ha (1.33 ac) in size and contains an existing single detached dwelling and shed. • The applicant has proposed to construct a detached ancillary building with a two-bay garage occupying the first floor, and the second floor dedicated entirely to an Additional Residential Unit (ARU). • The proposed ARU is 57 % of the floor area of the existing principal dwelling, whereas a maximum floor area of 45% of the principal dwelling is permitted by the By-law. It is understood the existing dwelling is smaller in size due to the date of construction (i.e. 1970's). It is noted that the ARU is only 67.27 m² in size, which is less than the 130 m² cap. • The by-law requires that the height of an ARU shall not exceed the height of a principal dwelling on the property. The applicant has provided that the proposed ancillary building with the ARU has a height of 5.5 m and the existing primary dwelling has a height of 4.3 m. The height provisions are in place to ensure a consistency with design and to ensure that the ARU is clearly subordinate to the primary dwelling.
That the intent and purpose of the Zoning By-law is maintained	<ul style="list-style-type: none"> • The subject property is zoned Agricultural (A), Natural Environmental (NE) and is located within Environmental Protection Overlay. • The proposed accessory building to accommodate the two-bay garage and the ARU is located fully within the A Zone. • The NE Zone reflects an environmental feature on the subject property – specifically a portion of a Provincially Significant Wetland and Wetlands located on the eastern portion of the property. A permit from the GRCA will be required and any comments from the Grand River Conservation Authority should be considered by the Committee. • The proposed variance is for a maximum increased floor area of 57% of the floor area of the principal dwelling. The intent of providing a maximum percentage floor area cap for an ARU is to ensure that the unit remains subordinate in use, scale, and function to the main dwelling. • Although the proposed ARU exceeds the maximum percentage cap, it meets the maximum area cap for ARUs of 130 m² where the proposed ARU is to have an area of 67.27 m². • The proposed ARU has a height of 5.5 m whereas the principal dwelling has a height of 4.3 m. The intent of having a maximum height is to ensure the ARU is visually and functionally subordinate to the principal dwelling. • The proposed ARU meets the other setback requirements for an ARU within the A Zone. • Table 5.2 requires one parking space for the ARU and two parking

	<p>spaces are required for the existing detached dwelling for a total of three required parking spaces. The proposed garage and existing parking area provide adequate space to accommodate the required parking spaces.</p> <ul style="list-style-type: none"> • MDS has been reviewed and Planning Staff are satisfied. • The ARU is located within the building cluster and is located approximately 16 m from the existing principal dwelling. • The ancillary building with the ARU would have some visual screening from Gore Road due to existing foliage (Attachment 3). The applicant has advised that there has been some tree removal on the property and it is their intent in the future to plant trees and to have a fence lining the property along Gore Rd. The Committee may wish to ensure that the proposed ARU is appropriately screened from the road. • The driveway access to the ARU is shared with the main dwelling. • All other provisions of the By-law are met.
That the general intent and purpose of the Official Plan is maintained	<ul style="list-style-type: none"> • The subject property is designated as Secondary Agricultural and Core Greenlands in the County Official Plan. • The ARU is located within the Secondary Agricultural Area and an Additional Residential Unit is a permitted use within this designation. • Section 4.4.6.2 of the Official Plan directs that an Additional Residential Unit may be permitted as a separate standalone ancillary building or as part of an ancillary building. The proposed ARU is part of an ancillary building. • It is also noted that the proposed ARU is within the main building cluster on the property, is within approximately 16 m from the principal dwelling where a maximum of 40 m is required. • The Official Plan requires ARUs within an ancillary building to be clearly secondary to the principal residence.
That the variance is desirable for the appropriate development and use of the land, building or structure	<ul style="list-style-type: none"> • The subject lands are bounded by rural residential uses to the west, agricultural uses to the east, a golf course to the south, and is bounded by the Canadian Pacific Railway to the North. • As the property is abutting the Canadian Pacific Railway, any comments received from the railway should be considered. • There are some existing trees on the property along Gore Road which provides some limited visual buffering the proposed location of the ancillary building. Additional screening may also be considered by the Committee. • The property is serviced by existing private septic and water services. The adequacy of the services will be reviewed as part of the Building Permit application. Any comments from the Township Building Department should be considered. • The intent of the subject application is to facilitate the construction of 67.27 m² Accessory Residential Unit above a detached two-car garage which exceeds the required percentage

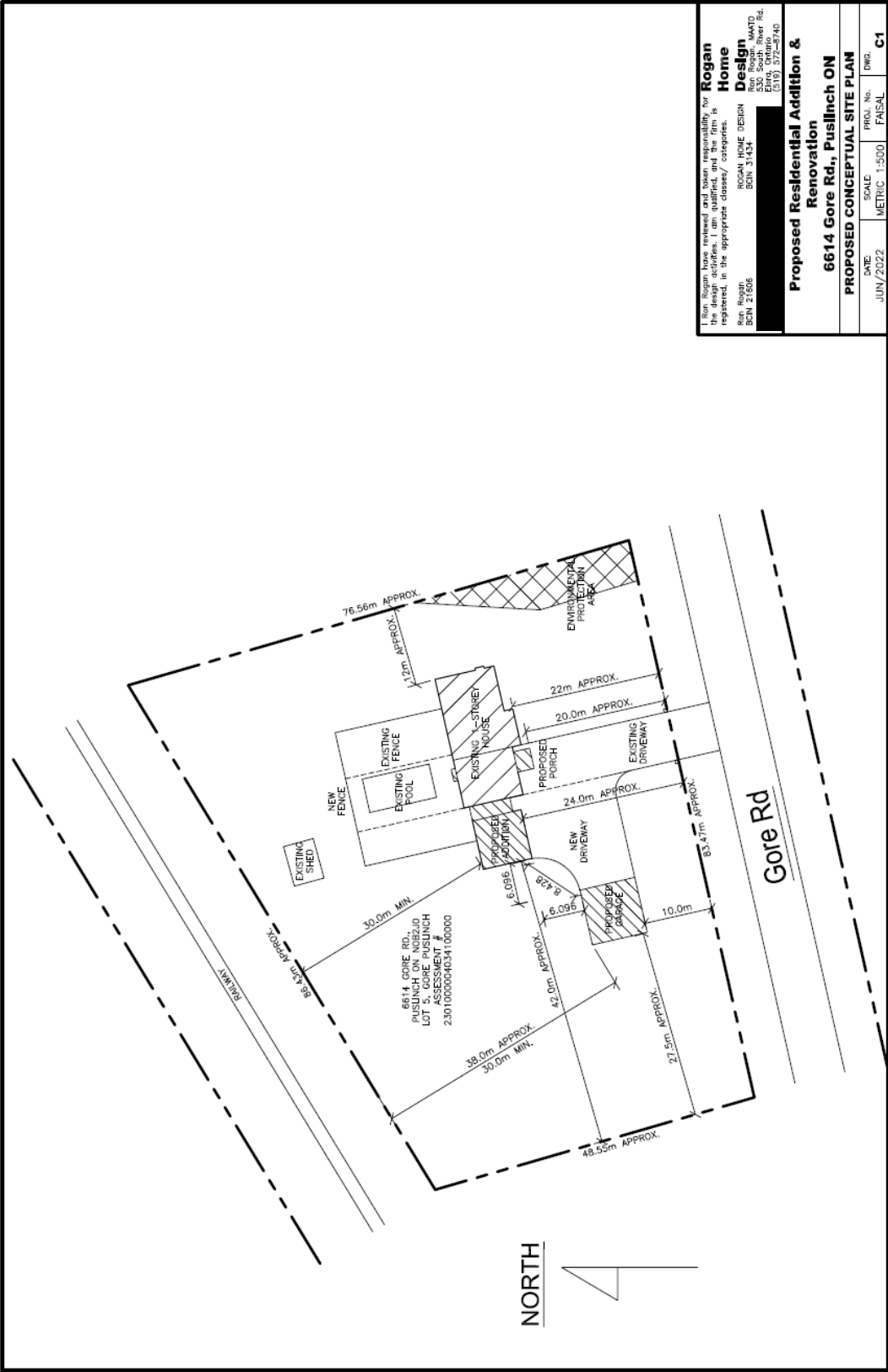
	<p>cap area by 12 percent and exceeds the height of the principal dwelling by 1.2 m.</p> <ul style="list-style-type: none"> • Although the proposed ARU exceeds the percentage cap it meets the maximum floor area cap of 130 m². This is due to the existing dwelling being relatively modest in size. • Although the ARU exceeds the height of the principal dwelling it meets the maximum building height for an ancillary building with an ARU above the first storey of the ancillary building of 8 m (5.5 m is proposed). • It is noted that the Township recently undertook a detailed review and update of the ARU provisions and through this review increased the percentage area cap from 40 percent to 45% and to continue using two criteria for size (% and an area cap). This process also involved adding provisions to ensure the proposed ARU on the property cannot exceed the height of the principal dwelling to ensure the use is visually subordinate. This amendment to the By-law was approved this year. • It is understood it is the applicant's intent in the future to demolish the existing dwelling to the foundation and then reconstruct and extend the dwelling. The ARU proposal is reviewed against the existing principal dwelling on the property and cannot take into account potential future changes on the property. Compliance with the by-law would be reviewed at that time for the ARU with the new dwelling. It is noted that if the new building was constructed with a floor area of 192.5 m², the percentage area cap for an ARU would be met. The applicant has provided the proposed reconstructed dwelling would have a height of 6.1 m, which would exceed the height of the ancillary building with the ARU (5.5 m proposed). • Parking for the ARU and the main dwelling can be accommodated on the lot, the unit is within the building cluster, the ancillary building would have some limited screening from Gore Road, and shares access with the main dwelling.
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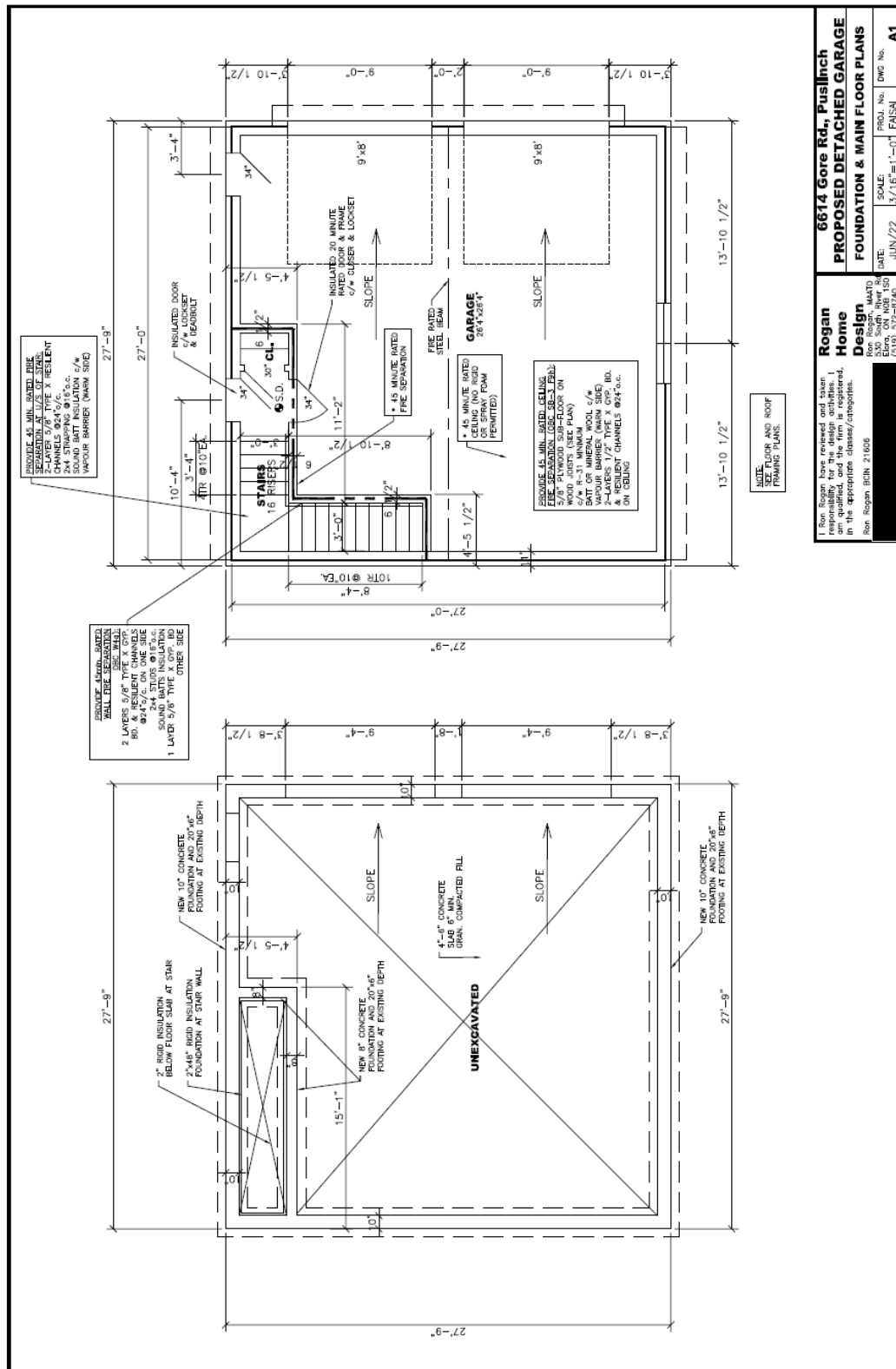
The Committee should be satisfied that the requested variance application **meets the four tests** of the *Planning Act*. We trust that these comments will be of assistance to the Committee in their consideration of this matter. We would appreciate a copy of the Committee's decision with respect to this application.

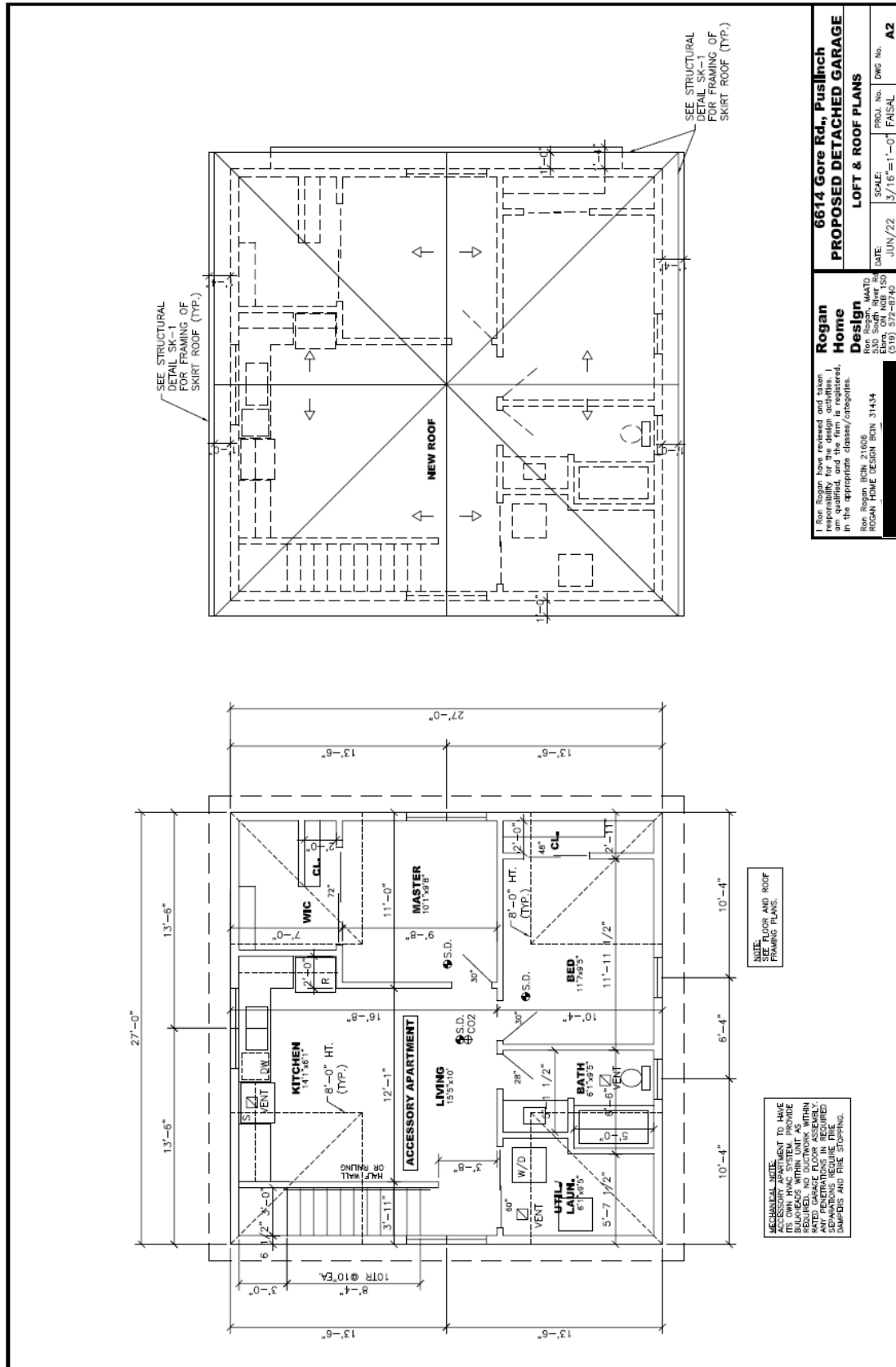
Respectfully submitted
County of Wellington Planning and Development Department

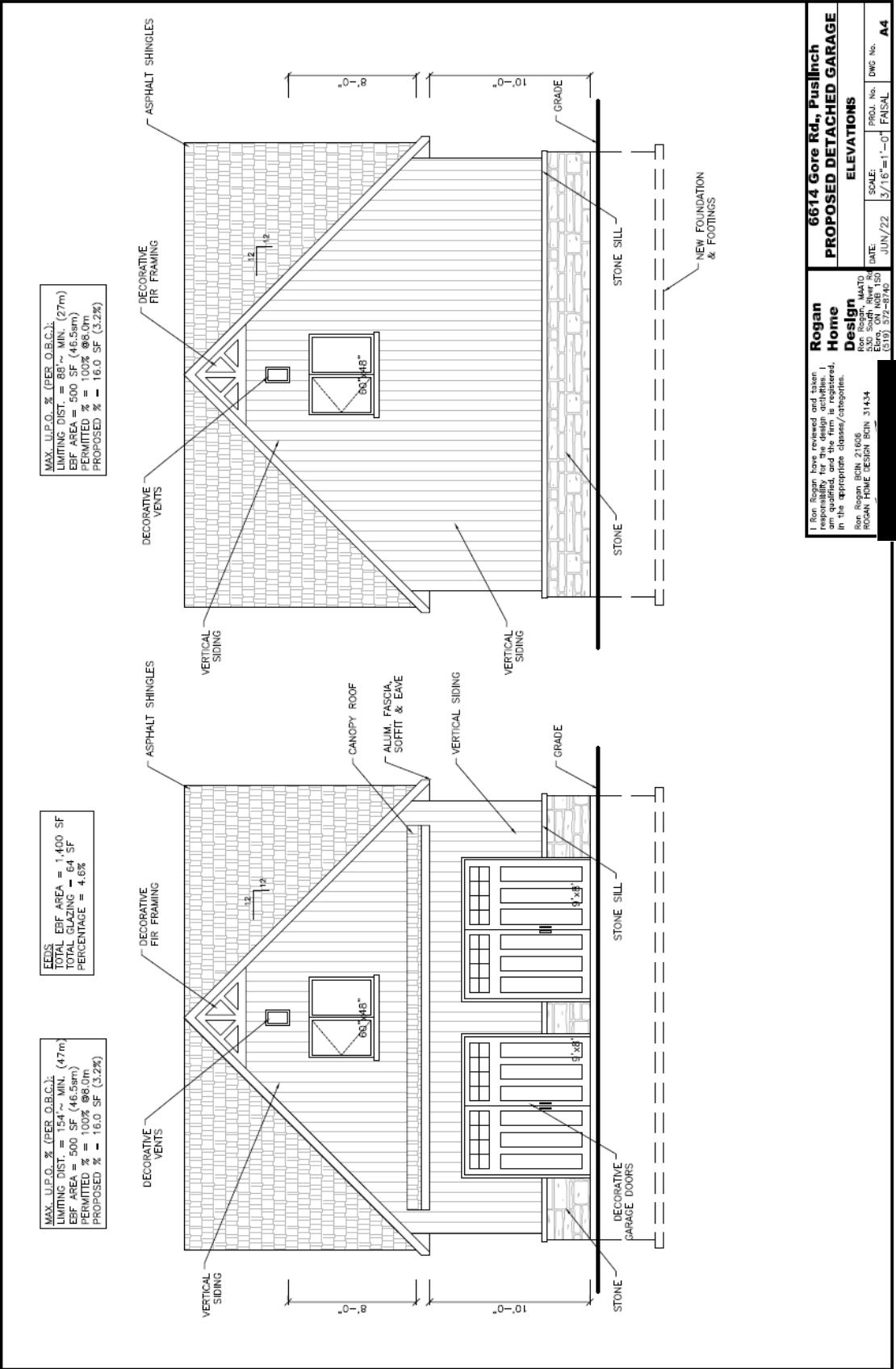

Joanna Salsberg
Planner, B.A., M.PL.

ATTACHMENT 1
Site Plan

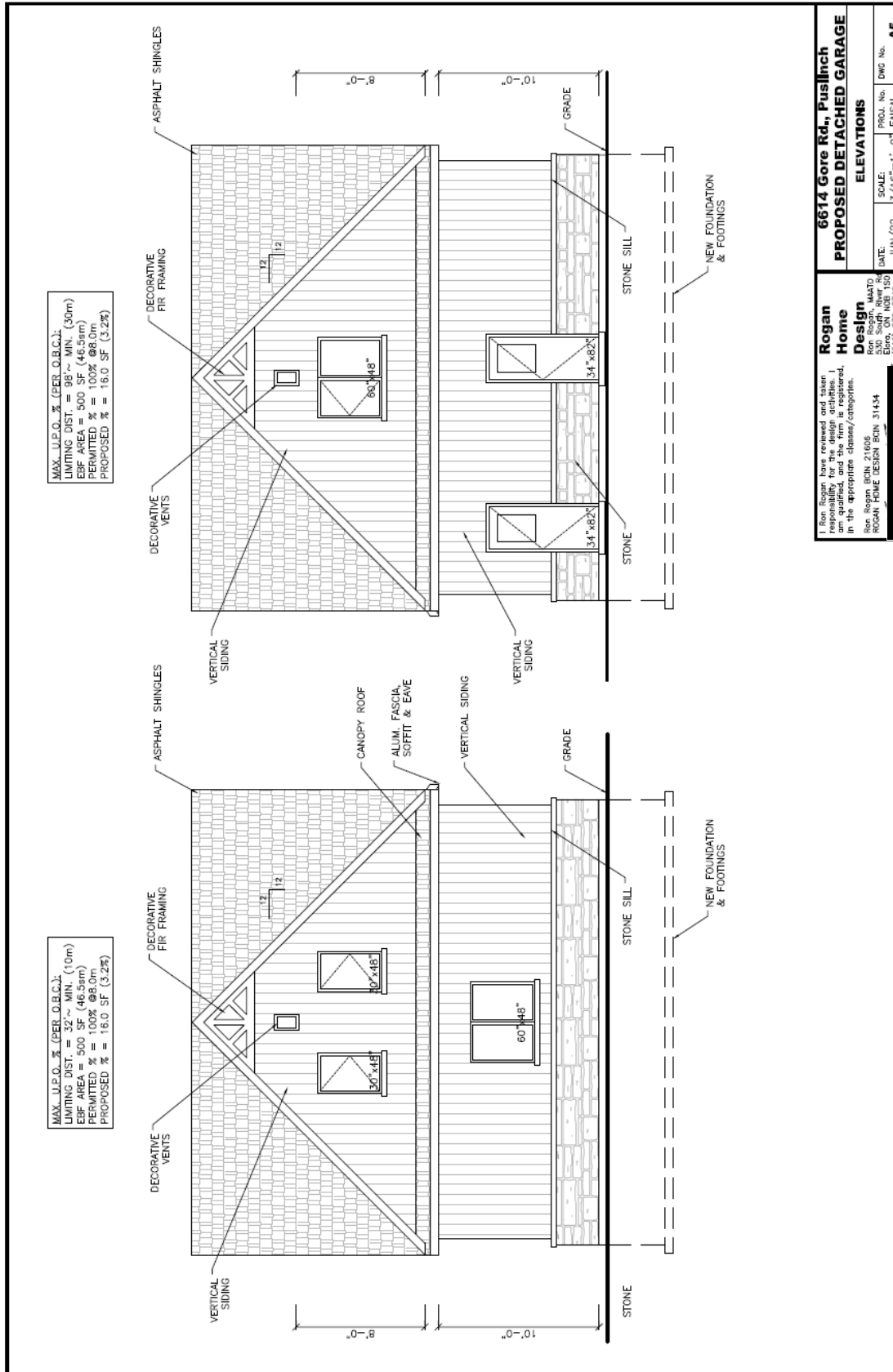








Rogan Home Design Rogan Home Design, LLC 1000 N. 150th Ave., Suite 100 Aurora, CO 80015 (319) 572-8740		6614 Gore Rd., Puslinch PROPOSED DETACHED GARAGE ELEVATIONS	
DATE:	JUN/22	SCALE:	3/16" = 1'-0"
PROJ. No.	FAISAL	DWG No.	A4



ATTACHMENTS 3 Site Visit Image of property facing North on Gore Rd



Hillary Miller

From: Township of Puslinch <services@puslinch.ca>
Sent: Wednesday, October 05, 2022 2:29 PM
To: Hillary Miller
Subject: New Entry: Minor Variance or Permission Application

How many registered owners are on title?

2

Registered Owner's Name (Person one)

Nicole Martinez

Registered Owner's Email Address (Person one)

[REDACTED]

Registered Owner's Phone Number (Person one)

[REDACTED]

Registered Owner's Name (Person two)

Omario Martinez

Registered Owner's Email Address (Person two)

[REDACTED]

Registered Owner's Phone Number (Person two)

[REDACTED]

Property Subject of the Minor Variance

60 Heritage Lake
Puslinch, ON
N0B-2J0

Applicant (Agent) Name

Nicole Martinez

Applicant (Agent) Address

60 Heritage Lake
Puslinch, ON
N0B-2J0

Applicant (Agent) Email

[REDACTED]

Applicant (Agent) Phone Number

[REDACTED]

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

Nicole Martinez & Omario Martinez

Send correspondence to

Owner(s)

Municipal Address

60 Heritage Lake
Puslinch, ON
N0B-2J0

Concession

Wellington

Lot

39

Registered Plan Number

WVLCP172Level139

Area in Hectares

0.2

Area in Acres

0.51

Depth in Meters

NA

Depth in Feet

NA

Frontage in Meters

NA

Frontage in Feet

NA

Width of road allowance (if known)

NA

Please indicate the Section of the Planning Act under which this application is being made

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

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

A Minor Variance is related to the setback of the pool equipment.
Our 6week project is now 5 months in and we are on our second contractor.
It has been advised by Angie our Inspector that it was supposed to be 2 Meters, Our pool equipment is 4.5 feet away from the fence.
Relief from section 4.27.1 section C

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

 [Pages-from-TOP-2022-103_permit.pdf](#)

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

The Pool equipment is already installed and in place on the pad with all electrical and gas connections made. A proper wood barrier protects the pool equipment by 2 wood walls and provides safety It is also aesthetically pleasing for our neighbours. There is no obstruction anywhere close to the wood wall and equipment.

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

 [IMG_9003.JPG](#)

Official Plan Designation

Secondary Agricultural/Policy Area PA7-3

Zoning Designation

Rural Urban residential Site Specific Provision 31

What is the access to the subject property?

Other

Other Access

Gated Community

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

Heritage Lake Dr

Private Well

Existing

Private Septic

Existing

How is storm drainage provided?

Storm Sewers

What is the existing use of the subject property?

residential

What is the existing use of the abutting properties?

residential

Main Building Height in Meters

15.24

Main Building Height in Feet

50

Percentage Lot Coverage in Meters

18.288

Percentage Lot Coverage in Feet

60

Number of Parking Spaces

0

Number of Loading Spaces

4

Number of Floors

4

Total Floor Area in Square Meters

1828.8

Total Floor Area in Square Feet

6000

Ground Floor Area (Exclude Basement) in Square Meters

914.4

Ground Floor Area (Exclude Basement) in Square Feet

3000

Front Yard in Meters

NA

Front Yard in Feet

NA

Rear Yard in Meters

NA

Rear Yard in Feet

NA

Side Yard (1) in Meters

NA

Side Yard (1) in Feet

NA

Side Yard (2) in Meters

NA

Side Yard (2) in Feet

NA

Date of acquisition of subject property

December 1, 2020

Date of construction of buildings property

December 1, 2019

How long have the existing uses continued on the subject property?

2019

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

No

Planning Application: Official Plan Amendment

No

Planning Application: Zoning By-Law Amendment

No

Planning Application: Plan of Subdivision

No

Planning Application: Consent (Severance)

No

Planning Application: Site Plan

No

Planning Application: Minor Variance

No

The Agent/Solicitor is different than the owner

No

Please select your Minor Variance Type

Minor Variance Type 1 - \$ 748.00

Convenience Fee (1.75%)

\$ 13.09

Total

\$ 761.09

Credit Card



Name

Nicole Martinez

Minor Variance Application must be commissioned

I understand that prior to the Minor Variance Application being deemed complete it must be commissioned by all registered owners or the agent responsible for the application.

Sent from [Township of Puslinch]



PLANS REVIEW

THESE PLANS HAVE BEEN REVIEWED FOR GENERAL COMPLIANCE WITH THE ONTARIO BUILDING CODE AND ARE:

☐ APPROVED

☒ APPROVED AS NOTED

AS NOTED APPROVED COPY OF THESE DRAWINGS AND INTERPRETATIONS SHALL BE AVAILABLE ON SITE AT ALL TIMES.

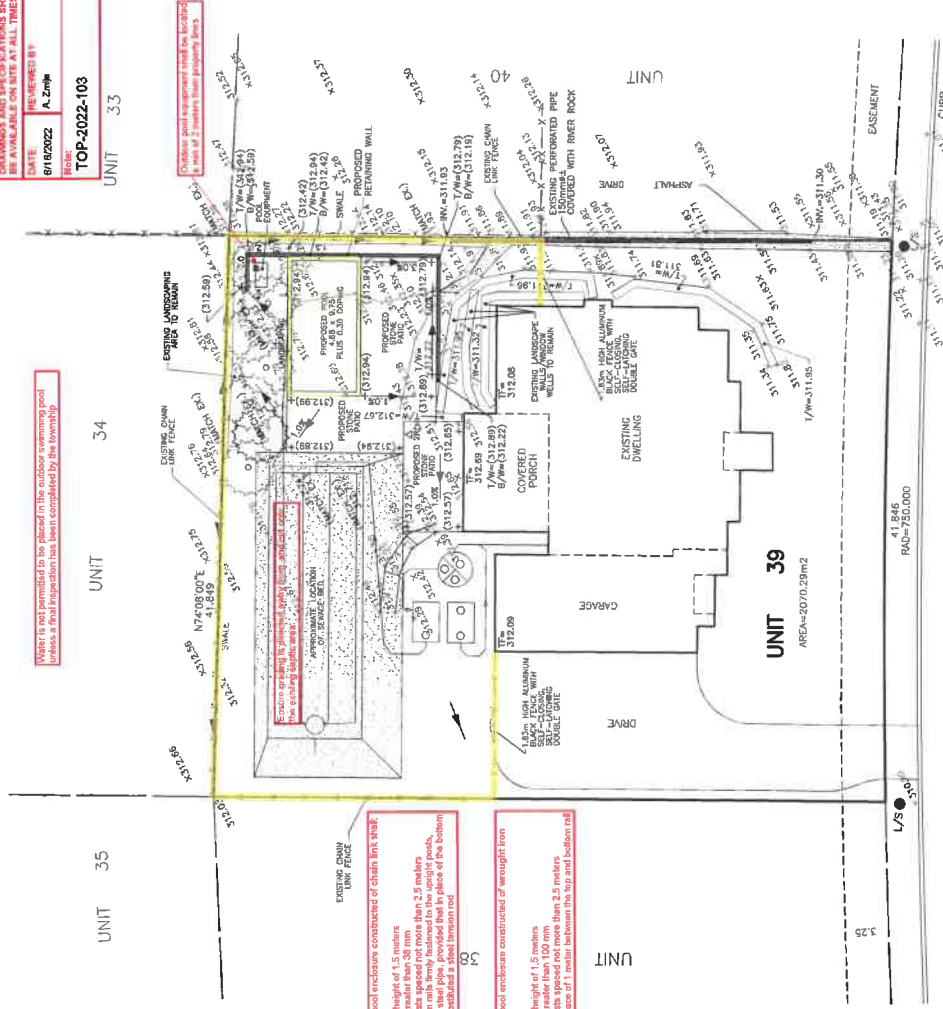
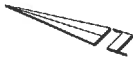
DATE: 8/18/2022

DESIGNED BY: A. Zmha

TOP-2022-103

UNIT 33

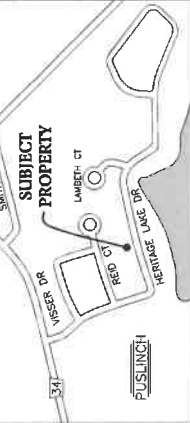
Final grading certificate prepared by a Professional Engineer or Land Surveyor required for final



HERITAGE LAKE DRIVE
(13.5 METRES WIDE)

KEY PLAN

N.T.S.



SKETCH ILLUSTRATING PROPOSED POOL UNIT 39, WELLINGTON VACANT LAND CONDOMINIUM No. 172 TOWNSHIP OF PUSLINCH COUNTY OF WELLINGTON

SCALE 1 : 250
0 5 10 15 metres
VAN HARTEN SURVEYING INC.

ZONING: POOL AND POOL ACCESSORIES

- 1.50m MINIMUM TO POOL
- 2.00m TO POOL PUMP, ETC.

- (329.34)
- VAN HARTEN SURVEYING PROPOSED ELEVATION
 - VAN HARTEN SURVEYING EXISTING ELEVATION
 - SLOPE
 - DIRECTION OF FLOW
 - DISTRIBUTION PIPE
 - WELL LOCATION
 - RIVER ROCK
 - FILTER BED/CONTACT AREA
 - TEST PIT LOCATION (VAN HARTEN SURVEYING)

NOTES:

- INFORMATION SHOWN IS BASED ON POOL DESIGN PROVIDED BY CLIENT.
- EXISTING ELEVATIONS RECORDED ON MAY 24, 2022 BY VAN HARTEN SURVEYING INC.

CAUTION:

- THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES.
- IT IS THE BUILDER'S RESPONSIBILITY TO ENSURE PROPOSED FOOTING ELEVATION AND PLUMBING ALLOWS GRAVITY CONNECTION TO SEWAGE SYSTEM.
- ALLOW FOR OPERATIONAL STRUCTURAL FILL OR NON-STRUCTURAL FILL PLACED DURING SUBSIDENCE.
- SOIL BEARING CAPACITY SHOULD BE VERIFIED BY A CONSULTING GEOTECHNICAL ENGINEER AT THE TIME OF CONSTRUCTION.
- FOUNDATIONS SHALL BE MINIMUM OF 1.20m OF EARTH COVER OR EQUIVALENT OVER FOOTINGS FOR FIRST PROTECTION.
- THIS SKETCH IS PROTECTED BY COPYRIGHT.

REVISION SCHEDULE:

No.	DATE	COMMENTS

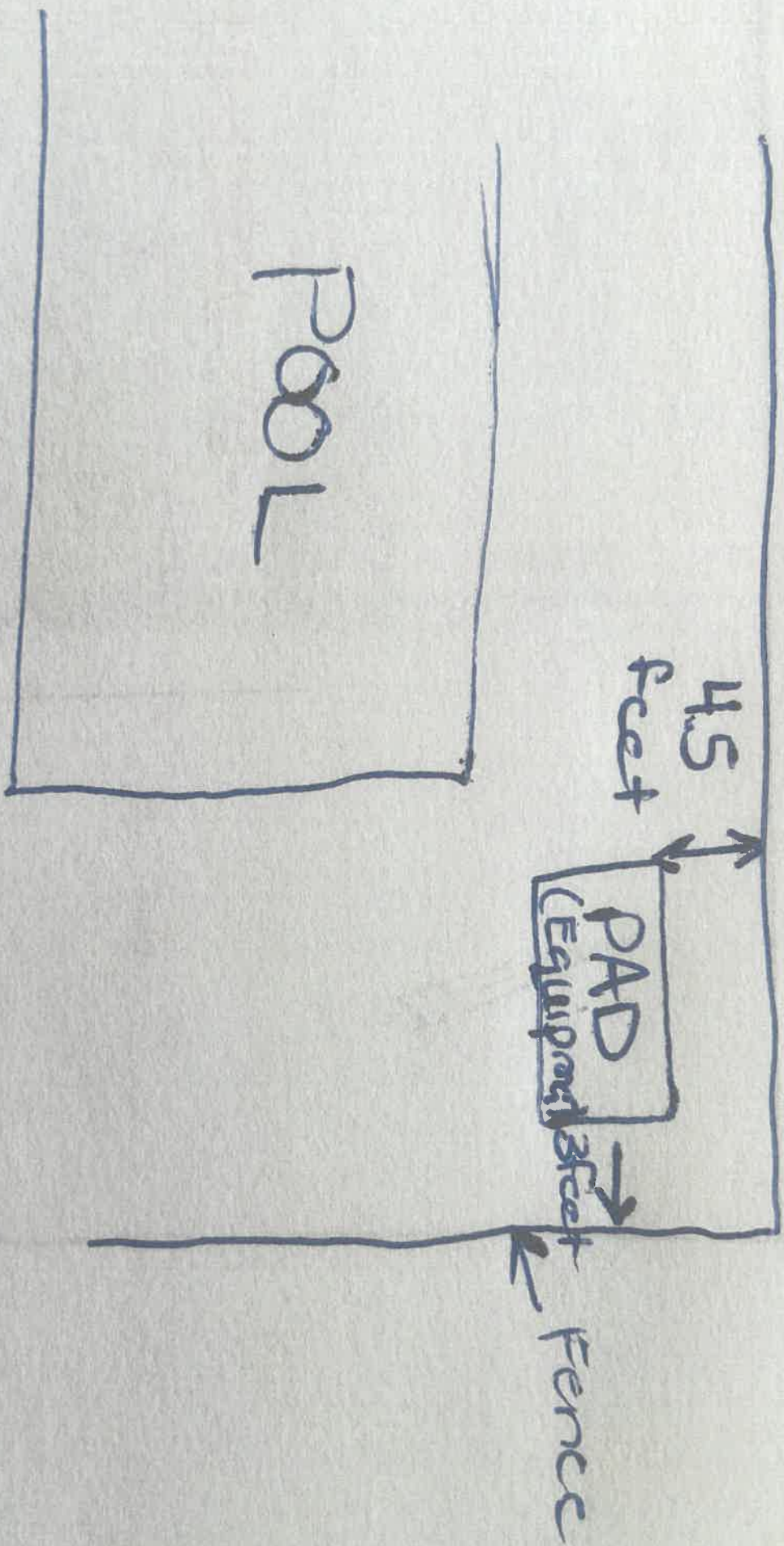


Van Harten
SURVEYING INC.
LAND SURVEYORS AND ENGINEERS

423 WOODBINE STREET
GUELPH, ONTARIO
N1H 3X3
PHONE: (519) 837-2763
FAX: (519) 837-4110
WWW.VANHARTEN.COM

PROJECT NO. 31358-22 FOR: NICOLE MARTINEZ
DRAWN BY: MML DESIGNED BY: NV
DATE: JUNE 6, 2022

Jun 08 2022 - 1:15pm
G:\PUSLINCH\WVLCF 172\ACAD\UNIT 39 - pool sketch.dwg



Authorization for Agent/Solicitor to act for Owner:

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

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

Signature of Owner(s)

Date

Affidavit:

I (we) Nicole, Omario Martinez of the
Township of Puslinch County/Region of
Wellington solemnly declare that all the statements
contained in this application are true, and I, (we), make this solemn declaration
conscientiously believing it to be true, and knowing that it is of the same force and effect
as if made under oath and by virtue of the CANADA EVIDENCE ACT. DECLARED
before me at the Township of Puslinch in the
County/Region of Wellington this 7 day of
October, 20 22.

Oct 7/22

Date

Oct 7/22

Date

Hillary Miller

From: Brent Smith
Sent: Friday, October 21, 2022 8:48 AM
To: Hillary Miller
Cc: Tom Mulvey
Subject: RE: Minor Variance Notice of Public Hearing - D13/MAR - 60 Heritage Lake Drive

Hi Hillary,
Puslinch Fire and Rescue Services reviewed the above referenced minor variance application on October 21, 2022 and have no concerns.
Thanks
Brent Smith
CFPO
Puslinch Fire and Rescue Services

From: Hillary Miller <hmiller@puslinch.ca>
Sent: Thursday, October 20, 2022 3:46 PM
To: Services <services@puslinch.ca>; Jacob Normore <jnormore@puslinch.ca>; Andrew Hartholt <ahartholt@puslinch.ca>; Mike Fowler <mfowler@puslinch.ca>; Brent Smith <bsmith@puslinch.ca>; Building <building@puslinch.ca>; Brent Smith <bsmith@puslinch.ca>; Jeff Bunn <jbunn@puslinch.ca>; Lynne Banks <lbanks@puslinch.ca>
Subject: Minor Variance Notice of Public Hearing - D13/MAR - 60 Heritage Lake Drive

Good afternoon,

Attached please find the Notice of Public Hearing with respect to the above property for your review and comment. Please provide any comments you might have by noon on October, 27th.

Kind regards,



Hillary Miller
Legislative Assistant
Township of Puslinch
7404 Wellington Rd. 34, Puslinch, ON N0B 2J0
P: 519-763-1226 x207/Fax: 519-763-5846 www.puslinch.ca



Hillary Miller

From: Source Water <sourcewater@centrewellington.ca>
Sent: Tuesday, October 25, 2022 10:48 AM
To: Hillary Miller
Cc: Source Water
Subject: RE: Minor Variance Notice of Public Hearing - D13/MAR - 60 Heritage Lake Drive
Attachments: WHPA_Map_HeritageLakeDr_60.pdf

Hello Hillary,

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

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

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

Kind regards,
Danielle

Danielle Walker (she/ her) | Source Protection Coordinator

Wellington Source Water Protection | 7444 Wellington Road 21, Elora, ON, N0B 1S0
519.846.9691 x236 | DWalker@centrewellington.ca | www.wellingtonwater.ca
Toll free: 1-844-383-9800

Wellington Source Water Protection is a municipal partnership between the Townships of Centre Wellington, Guelph / Eramosa, Mapleton, Puslinch, Wellington North, the Towns of Erin and Minto and the County of Wellington created to protect existing and future sources of drinking water.

From: Hillary Miller <hmiller@puslinch.ca>
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To: Source Water <sourcewater@centrewellington.ca>
Subject: Minor Variance Notice of Public Hearing - D13/MAR - 60 Heritage Lake Drive

Good afternoon,

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Kind regards,



Legend

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- Waterbodies
- Watercourses
- Urban Centres and Hamlets
- Municipalities
- Well Locations
- Issue Contributing Area
 - Chloride
 - Nitrate
 - Sodium
 - TCE
- Wellhead Protection Area
 - A
 - B
 - C
 - D
- Vulnerability Score
 - 10
 - 8, D; 8, C
 - 2, 4, 6 (A, B or C)
 - 2, 4, 6, D; 2, 4, D; 2, 4, 6 (D); 4, D; 6,
- HVA

1: 16,000



0.8 0 0.41 0.8 Kilometers

Notes

Lynne Banks

From: Planning
Sent: Friday, October 28, 2022 9:13 AM
To: Lynne Banks
Subject: FW: 60 Heritage Lake Drive minor variance application

From: [REDACTED]
Sent: Thursday, October 27, 2022 8:39 PM
To: Planning <planning@puslinch.ca>
Subject: 60 Heritage Lake Drive minor variance application

Hello,

We are the owners of 23 Reid Court, the property that abuts 60 Heritage Lake Drive at its northeast corner.

We are writing to convey our support for this application and encourage the Township to approve it.

Kind regards,
[REDACTED]



PLANNING REPORT for the TOWNSHIP OF PUSLINCH

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

MEETING DATE: November 8th, 2022
TO: Lynne Banks, Development and Legislative Coordinator
Township of Puslinch
FROM: Asavari Jadhav, Junior Planner
Joanna Salsberg, Planner
County of Wellington
SUBJECT: **MINOR VARIANCE APPLICATION D13/MAR (Nicole and Omario Martinez)**
60 Heritage Lake Drive PV
WVLCP 172 Level 1 Unit 39
ATTACHMENTS: 1 – Submitted Site Plan

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

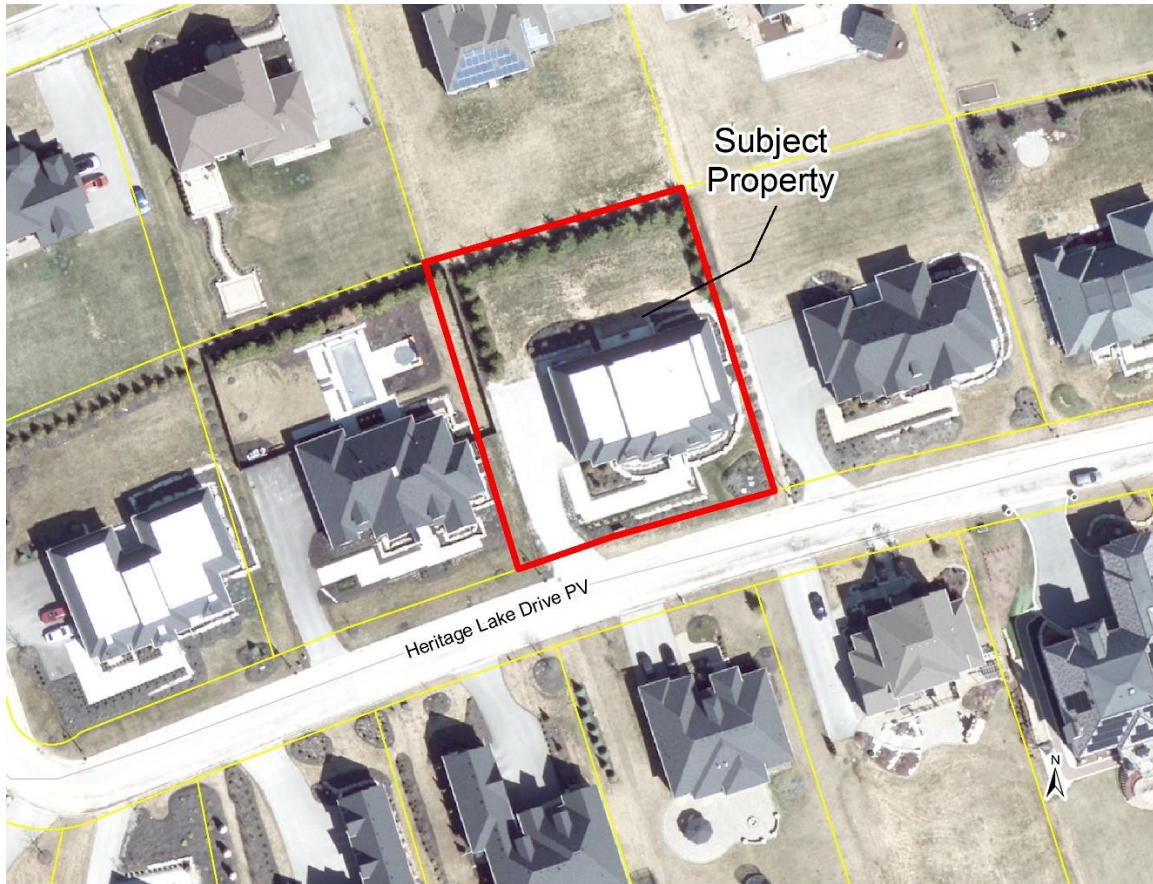
The proposed variance would provide relief from Section 4.27.1 (c) of the Zoning By-law to permit existing pool equipment to be 1.37 m from the rear lot line and 0.91 m from the interior side lot line as opposed to minimum required 2m from the lot line.

The applicant has advised that the pool equipment has been installed and placed on a concrete pad with all electrical and gas connections completed. The current location of the concrete pad is located within the required setback from the rear and interior side yard where a minimum of 2 m is required. It is further understood that the pool equipment is visually screened with wooden barriers that also protects the equipment on the subject property.

The minor variance application is minor in nature, would maintain the general intent and purpose of the Official Plan and Zoning By-law, and is desirable and appropriate for the development of the subject property provided any concerns of the Building and Public Works Departments are addressed including grading and drainage and adequate servicing. We consider the request minor and have no concerns with the application.

Section of the By-law	Required	Proposed	Relief Requested
1. Section 4.27.1 (c), Outdoor Swimming Pools	The by-law requires an outdoor swimming pool pumps, filters and heaters, or any accessory building or structure containing such equipment must be set back a minimum of 2m (6.6 ft) from any lot line.	Rear Lot Line: 1.37 m (4.5 ft) Interior Side Lot Line: 0.91 m (3 ft)	Rear Lot Line: 0.63 m (2.1 ft) Interior Side Lot Line: 1.09 m (3.58 ft)

Figure 1: Subject Property



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


Four Tests	Discussion
That the requested variance is minor in nature	<ul style="list-style-type: none"> The relief is requested to permit existing pool equipment to be 1.37 m from the rear lot line and 0.91 m from the interior side yard lot line. The parcel includes an existing dwelling, in-ground pool and pool equipment. The relief is required from the concrete pad that was poured and does not meet the By-law requirements.
That the intent and purpose of the Zoning By-law is maintained	<ul style="list-style-type: none"> The subject property is Zoned Site Specific Rural Residential (RUR (sp31)). A single detached dwelling is a permitted use within Rural Residential (RUR) Zone. Section 4.27.1 (c) of the Zoning By-law requires an outdoor swimming pool pumps, filters and heaters, or any accessory building or structure containing such equipment must be set back a minimum of 2m from any lot line. The applicant is proposing an rear yard setback of 1.37 m and an interior side lot line setback of 0.91 m to permit existing pool equipment. The intent of requiring a minimum setback for pool equipment is to provide adequate space for maintenance and access between yards on the subject property, to provide privacy and separation between abutting properties, and to ensure grading and drainage can be


	<p>adequately addressed on the subject property.</p> <ul style="list-style-type: none"> The applicant has indicated that the lot coverage is 18.288% for the property, which does not exceed the maximum lot coverage of 20% for the RUR (sp31) Zone. All other provisions of the By-law are met.
That the general intent and purpose of the Official Plan is maintained	<ul style="list-style-type: none"> The subject property is designated as Secondary Agriculture. The property is also located in Special Policy Area PA7-3. Special Policy Area PA7-3 contains policies that acknowledges that the subject lands may be used for country residential development and provides development guidelines for the subject lands. Single detached homes are permitted within the Secondary Agricultural Designation.
That the variance is desirable and appropriate development and use of the land, building or structure	<ul style="list-style-type: none"> The subject lands are immediately surrounded by rural residential uses. The proposal includes the reduction of two setbacks from the existing pool equipment location to the rear and interior side yard lot (east) lines. The proposed reduction in these setbacks still provides space for access and maintenance around the pool equipment and does not impede access to other portions of the subject lands. Setback requirements for all the other sides of the pool equipment have been met. The applicant has provided that the existing pool equipment is visually screened with wooden barriers and that these barriers protect the equipment on the subject property. The Committee should consider comments received from the Public Works Department and Building Department regarding any concerns regarding site grading or drainage or servicing.

In conclusion, planning staff is of the opinion that the requested variance application **meets the four tests** of the *Planning Act* provided that the Building and Public Works Departments have no concerns regarding grading and drainage.

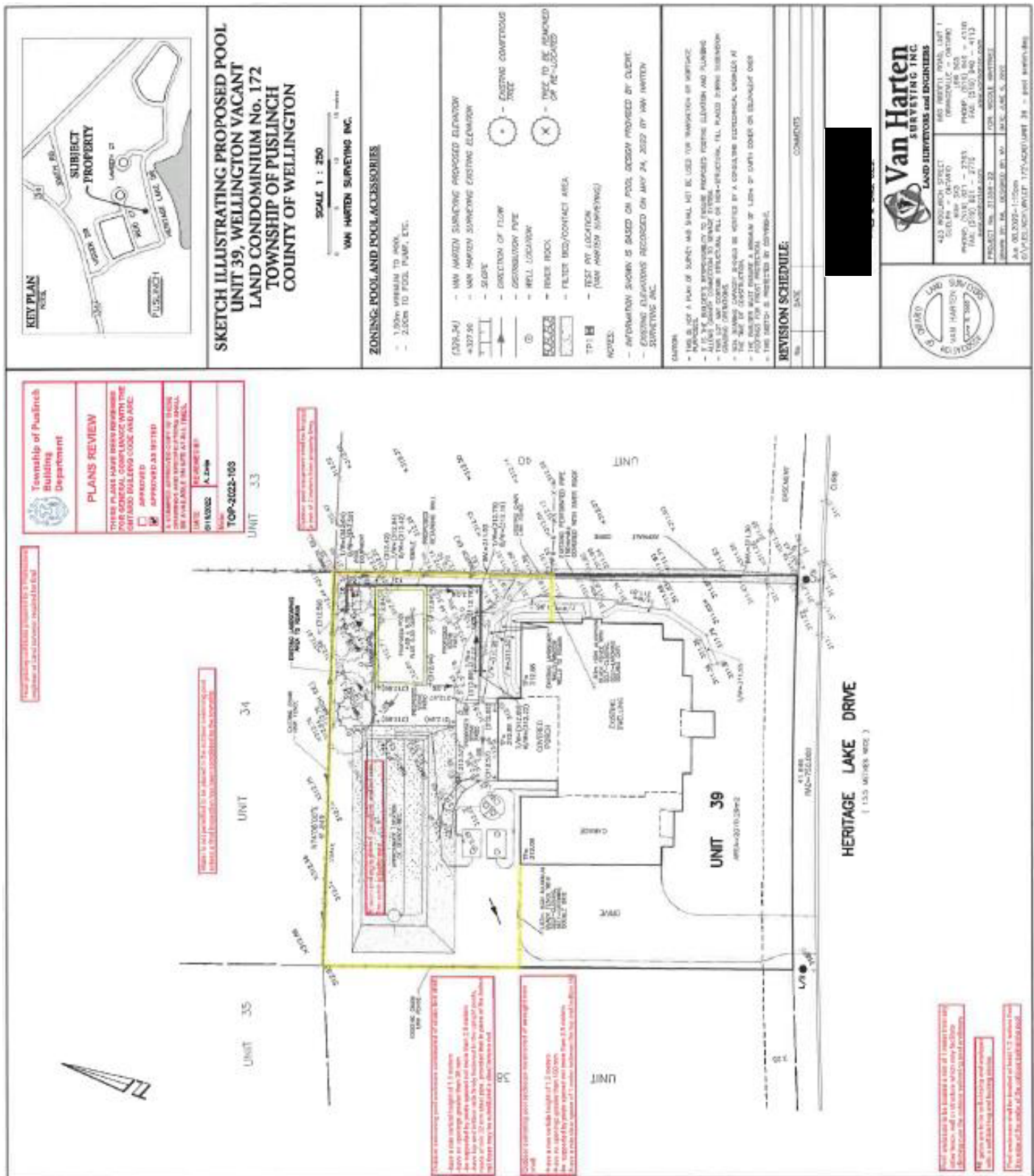
We trust that these comments will be of assistance to the Committee in their consideration of this matter. We would appreciate a copy of the Committee's decision with respect to this application.

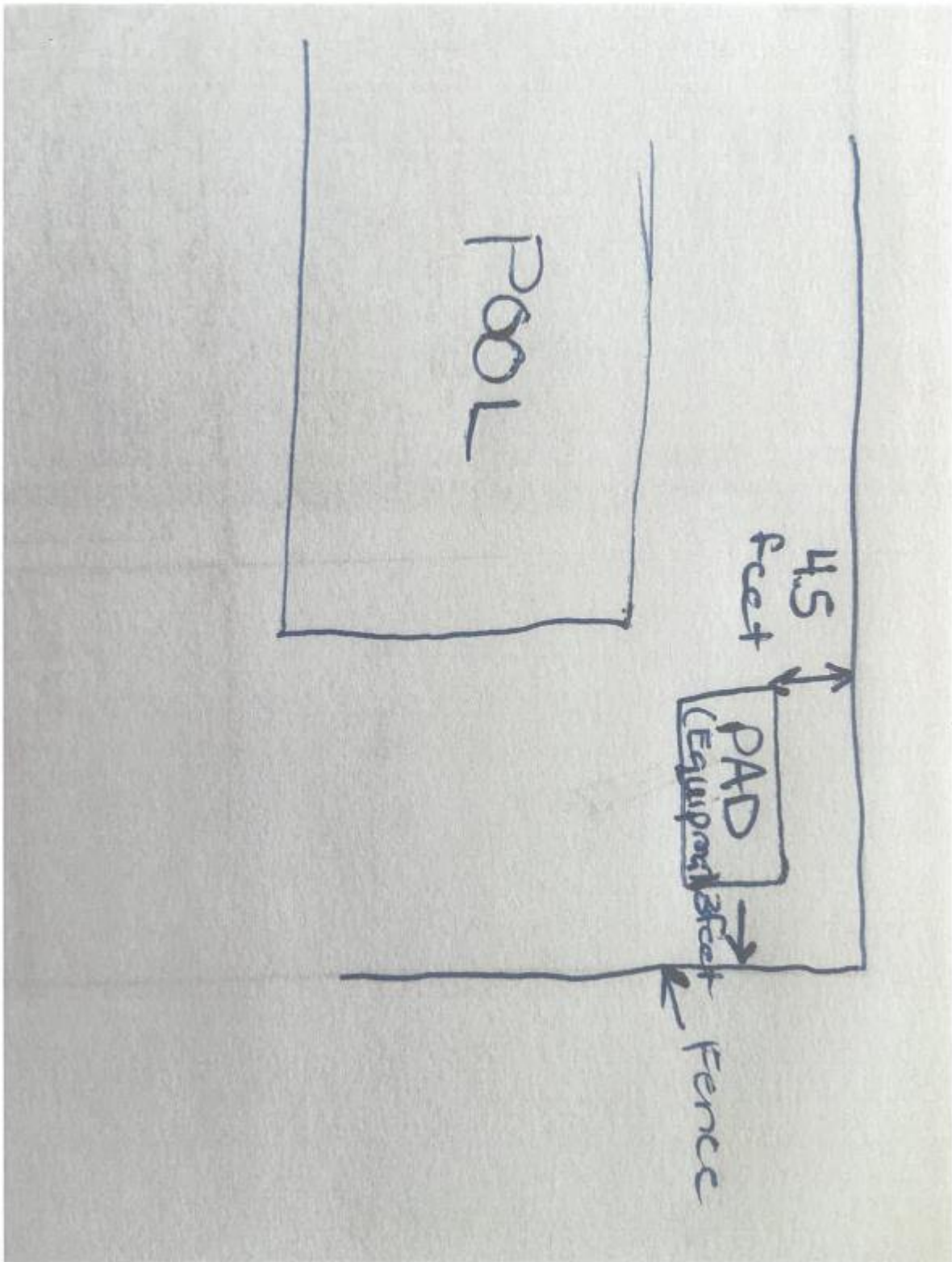
Respectfully submitted
County of Wellington Planning and Development Department


Asavari Jadhav
Junior Planner


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

PLANNING REPORT for the TOWNSHIP OF PUSLINCH
D13/MAR (Nicole and Omario Martinez)
November 8th, 2022 | page 4







MINUTES

1. CALL THE MEETING TO ORDER

The October 11, 2022 Planning & Development Advisory Committee Meeting was held on the above date and called to order at 7:02 p.m. via electronic participation.

2. OPENING REMARKS

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

3. ROLL CALL

MEMBERS IN ATTENDANCE

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

MEMBERS ABSENT

None

STAFF IN ATTENDANCE

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

4. DISCLOSURE OF PECUNIARY INTEREST

None

5. APPROVAL OF MINUTES

Moved by: Paul Sadhra

Seconded by: Dan Kennedy

That the Minutes of the Planning & Development Advisory Committee Meeting held Tuesday, September 13, 2022, be adopted.

CARRIED

6. APPLICATION FOR SITE PLAN URBAN DESIGN REVIEW

None

7. ZONING BY-LAW AMENDMENT

None

8. LAND DIVISION

8(a) Lot Line Adjustment Application B123-22 (D10-AUD) – Audrey Meadows – Part Lot 23,
Registered Plan 61M-153, Township of Puslinch.

Proposed lot line adjustment is 8m fr 65m = 526 square metres, vacant land to be added to abutting parcel for access to a monitoring well related to development of Audrey Meadows Subdivision – c/o George Good.

Retained parcel is 0.43 hectares with 71.4m frontage, existing and proposed rural residential lot.

- Jeff Buisman, agent for the applicant, provided an overview of the application.
- 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. Any fees incurred by the Township for the review of this application will be the responsibility of the applicant; 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.

8(b) Severance Application B124-22 (D10-MAC) – Brandon MacDonald and Rebecca McNabb – Part Lot 3, Concession Gore, municipally known as 6529 Concession 1, Township of Puslinch.

Proposed severance is 53m fr x 76m = 0.4 hectares, vacant land for proposed rural residential use.

Retained parcel is 55m fr x 76m = 0.41 hectares, existing and proposed rural residential use with existing dwelling, shed and shop.

- Jeff Buisman, agent for the applicant, provided an overview of the application.
- Zachary Prince provided an explanation of how the County Official Plan looks at secondary agricultural lands and allows one severance, subject to the criteria and noted that previously a similar severance was denied by the County. He further advised that the applicant appealed the decision to the OLT and that the OLT was in agreement with the County and upheld the County's decision and denied the appeal. He also noted that the County's last review of the Official Plan was in 2013 and is under review but advised that he can't confirm a date for the completion of the review.
- Hailey Keast noted that Jeff Buisman was required to attend another meeting and that she would be addressing any questions or concerns for the remainder of the meeting.
- Dennis O'Connor asked if the land was workable.
- Hailey Keast advised that there were 3 previous severances on similar properties in the area of the land subject to the application and none of those properties had workable land and were located in secondary agricultural lands.
- Dennis O'Connor asked if the subject lands were currently being farmed.
- Hailey Keast advised that they are not being farmed.
- Dennis O'Connor noted that he drove by the property and the land appears to currently being worked.
- Deep Basi noted that permitting the severance will set a dangerous precedent and that he is not in favour of the application.
- Paul Sadhra noted that he believes approval of the application will open "floodgates" for more severance applications in the future.
- Dan Kennedy noted that he agrees with the other Committee members' comments.
- There were no further questions or comments from the Committee.

The Committee supports the application in principle but is requesting deferral until the County's policy is updated or other circumstances arise to permit this application and subject to the **condition(s)** listed below.

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. Any fees incurred by the Township for the review of this application will be the responsibility of the applicant; 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 safe access to the proposed severed lands can be accommodated to the satisfaction of the Township; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

8(c) Severance Application B127-22 (D10-MUL) – Andrew Mulder and Marcella Veenman-Mulder –
Part Lot 18, Concession 11, municipally known as 4541 Concession 11, Township of Puslinch.

Proposed severance is 47m fr x 135m = 0.63 hectares, existing and proposed rural residential use with existing shed and workshop.

Retained parcel is 88m fr x 135m = 1.19 hectares, existing and proposed rural residential use with existing dwelling, sheds, garage and pool.

- Hailey Keast, agent for the applicant, provided an overview of the application.
- Dennis O'Connor noted that according to the sketch, the lot line to the garage looks tight and asked if it will be far enough away so that an adjustment won't need to be made.
- Hailey Keast advised that they sent their field crews out to the property to tie in the other buildings and noted that the shed shown on the sketch will be removed and then the garage will meet the setback requirements.
- Deep Basi asked if there is any plumbing or electrical power to the workshop at this time.
- Hailey Keast advised that there is 200 amp electrical and there is no plumbing or heating
- Deep Basi asked if the severance is approved will a separate meter will be required.
- John Sepulis noted that the new owner will need to have a meter installed.
- Paul Sadhra asked what the square footage is for the workshop.
- Hailey Keast advised that it is 220 square meters and that the owner will need a minor variance since the zoning by-law has a maximum of 200 square meters.
- Deep Basi noted that there will be a timeline to build the new house.
- Hailey Keast advised that there is and that the Township requirements include a security deposit, a time period to build the house and get occupancy and further noted that the owner will enter into an agreement with the Township addressing the security, time period and occupancy requirements and that will be included in the minor variance request.
- John Sepulis asked Lynne Banks to confirm the requirements in the minor variance regarding the above.
- Lynne Banks confirmed the requirements and outlined the time line that will need to be adhered to in order to move forward.
- John Sepulis asked Lynne Banks to confirm that a minor variance will be required.
- Lynne Banks noted that the owner will be required to apply for, and have approved, a minor variance as a condition of severance.
- John Sepulis asked Lynne Banks to state the conditions that the Committee will be requesting.
- Lynne Banks advised the Committee of the 6 conditions for severance approval as noted below.
- John Sepulis suggested that the Committee support the application subject to the conditions.
- Paul Sadhra asked if a minor variance will be needed for the additional square meters for the workshop.
- Zachary Prince noted that there is a requirement for zoning compliance and that as the building

is already existing and that when the owner received the building permit when it was first built, it would be considered to be legal non-conforming.

- John Sepulis asked that a condition be included for the size of the accessory structure remaining on the property including any zoning compliance for the building size.
- Zachary Prince noted that it will clarify the zoning compliance condition.
- There were no further 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. Any fees incurred by the Township for the review of this application will be the responsibility of the applicant; 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 safe access to the proposed severed lands can be accommodated to the satisfaction of the Township; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
3. That the Owner apply for, and receive, a minor variance for the lands to be severed to permit an accessory structure to remain on the property until the residential dwelling is built and including any zoning compliance requirements for the accessory structure building size; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
4. That the Owner remove the small shed attached to the existing garage on the retained parcel to the satisfaction of the Township; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 5.. That the owner provide a Tree Preservation and Compensation Plan to the Township of Puslinch for the purpose of a peer review; 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.
6. That the owner enter into an agreement with the Township for the purpose of having the Tree Preservation and Compensation Plan peer reviewed to the satisfaction of the Township of Puslinch and the County of Wellington and that the owner shall be responsible for any Township costs associated with the review of the Tree Preservation and Compensation Plan; and further that Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

CARRIED

9. OTHER MATTERS

- None

10. CLOSED MEETING

- None

11. NEXT MEETING

- Next Regular Meeting will be held on Tuesday, November 8, 2022 @ 7:00 p.m.

12. ADJOURNMENT



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
PLANNING & DEVELOPMENT ADVISORY COMMITTEE
OCTOBER 11, 2022
7:00 PM
VIRTUAL MEETING BY ELECTRONIC PARTICIPATION

Moved by: Dan Kennedy

Seconded by: Deep Basi

That the Planning & Development Advisory Committee is adjourned at 7:40 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

Zoning By-law Amendment Application

RECEIVED

JAN 11 2022

Township of Puslinch

Date submitted: _

The Amendment:

Type of amendment:

Site specific: ☒

Other (specify): ☐

Purpose of and reasons for the proposed amendment(s):

To permit a Vacuum Truck operation for soil materials on the site.

General Information:

1. Applicant Information:

Registered Owner's Name(s): 2374868 Ontario Inc. c/o Frank Ertl

Address: 6678 Wellington Road 34

City: Cambridge

Postal Code: N3C 2V4

Email Address: [REDACTED]

Telephone Number: [REDACTED]

Fax: _____

Applicant (Agent) Name(s): Fred Taylor and Steve Edwards
Address: 455 Phillip Street
City: Waterloo
Postal Code: N2L 3X2
Email Address: [REDACTED]
Telephone Number: [REDACTED]
Fax: _____

Other Name(s): _____
Address: _____
City: _____
Postal Code: _____
Email Address: _____
Telephone Number: _____
Fax: _____

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

N/A

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

When did the current owner acquire the subject land? Date: October 2017

4. What does the amendment cover?

The "entire" property: ☐

A "portion" of the property: ☒

(This information should be illustrated on the required drawing under item 24 of this application)

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

Municipal address: 6678 Wellington Road 34

Concession: 3 Lot: 8
Registered Plan Number: N/A
Area: 39.4 ha Depth: 1016 m Frontage: 240 m
97.4 ac 3333 ft. 787 ft.

6. Provide a description of the area to be amended if only a "portion" of the property:

Area: 0.29 ha Depth: 210 m Frontage: N/A m
0.72 ac 689 ft. ft.

7. Is the application to amend the zoning by-law consistent with the Provincial Policy Statement?

Yes: ☒ No: ☐

8. Is the subject land within an area of land designated under any provincial plan or plans?

Greenbelt Plan: ☐ Places to Grow: ☒ Other: (specify):

If yes, does the application conform to and not conflict with the application provincial plan or plans?

Yes: ☒ No: ☐

9. County Official Plan

What is the current County Official Plan designation of the subject property?

Secondary Agricultural, Greenlands

List land uses permitted by the current Official Plan designation:

Secondary Agricultural - all uses allowed in the Prime Agricultural Area, small scale commercial, industrial and institutional uses, and public service facilities

How does the application conform to the Official Plan?

The use is a small scale industrial use and is very similar in nature to an aggregate operations which is already permitted in the Zoning and Official Plan.

If the application is to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement, provide details of the Official Plan or Official Plan amendment that deals with the matter.

N/A

If the application is to remove land from an area of employment, provide details of the Official Plan or Official Plan amendment that deals with the matter.

N/A

If the subject land is within an area where zoning with conditions may apply, provide an explanation of how the application conforms to the Official Plan policies relating to zoning with conditions.

N/A

10. Zoning:

What is the current zoning of the property? Extractive sp63, Agricultural sp13

What uses are permitted? EXI = uses listed in table 9.1 in the Puslinch Zoning By-law, A = Agricultural Uses

*Please note that the lands zone Agricultural are not a part of this application

If the subject land is within an area where zoning with conditions may apply, provide an explanation of how the application conforms to the Official Plan policies relating to zoning with conditions.

N/A

If the subject land is within an area where the municipality has pre-determined minimum and maximum density requirements or the minimum and maximum height requirements provide a statement of these requirements.

N/A

Existing and Proposed Land Uses and Buildings:

11. What is the "existing" use(s) of the subject land?

The current use is the proposed vacuum truck operations. The intent of the application is to have the use now conform to zoning and continue its current operations.

12. How long has the "existing" use(s) continued on the subject land?

Approximately 10 years

13. What is the "proposed" use(s) of the subject land?

Same as the current.

14. Provide the following details for all buildings or structures on the subject land:

Building Details	Existing		Proposed	
Type of Building(s) or structures	Office			
Date of construction	N/A			
Building height	m	ft	m	ft
Number of floors	1			
* Total floor area	650 m ²	6996.56996.544 ft ²	m ²	ft ²
Ground floor area (exclude basement)	650 m ²	6996.56996.544 ft ²	m ²	ft ²
Distance from building structure to the:				
Front lot line	480 m	1574.8 ft	m	ft
Side lot line	100 m	328 ft	m	ft
Other side lot line	244 m	800 ft	m	ft
Rear lot line	550 m	1804 ft	m	ft

Building Details		Existing		Proposed	
*Percentage lot coverage	Less than 1%				
*Number of parking spaces	N/A				
*Number of loading spaces	N/A				

Existing and Proposed Services:

15. What is the access to the subject property?

Provincial Highway:

☐

Continually maintained municipal road:

☐

Right-of-way:

☐

Seasonally maintained municipal road:

☐

Water access:

☐

Other (please specify):

☒

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

County Road 34 (Wellington Road 34)

17. 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 subject land to the nearest public road.

N/A

(This information should be illustrated on the required drawing under item 24 of this application)

18. Indicate the applicable water supply and sewage disposal:

Water Supply		Existing		Proposed	
Municipal water					

Water Supply	Existing	Proposed
Communal water		
Private well	x	
Other water supply		
Water sewers		
Municipal sewers		
Communal sewers		
Private septic	x	
Other sewage disposal		

19. If the application would permit development on privately owned and operated individual or communal septic systems, would more than 4500 litres of effluent be produced per day as a result of the development being completed?

Yes: ☐ No: ☒

If yes, the following reports are required:

Servicing options report

A hydrogeological report

20. How is storm drainage provided?

Storm Sewers: ☐

Ditches: ☐

Swales: ☐

Other: ☒ (explain below)

Please see submitted SWM Report

Other Related Planning Applications:

21. Has the current owner (or any previous owner) made application for any of the following, either on the subject property or within 120 metres of the subject lands?

Planning Application	Yes	No	*File Number	Approval Authority	Subject Lands	Purpose	*Status
Official Plan Amendment							
Zoning By-Law Amendment	X			Township of Puslinch		To include a Vacuum Truck operation on the site	Subject Application
Minor Variance							
Plan of Subdivision							
Consent (Severance)							
Site Plan Control							

22. Has the subject land ever been the subject of a Minister's Zoning Order?

Yes: ☐ No: ☒

If yes, provide the Ontario Regulation number of that order, if known: _____

Other Supporting Information

23. Please list the titles of any supporting documents: (e.g. Environmental Impacts Study, Hydrogeological Report, Servicing Options Report, Traffic Study, Market Area Study, Aggregate Licence Report, Stormwater Management Report, etc.)

Please refer to the covering letter.

Application Drawing

24. Please provide an accurate drawing of the proposal, preferably prepared by a qualified professional. In some cases, it may be more appropriate to submit additional drawings at varying scales a lot better illustrate the proposal. The drawing must include the following information (see on following page):

- Owner/applicant's names;
- Legal description of the property;
- Boundaries and dimensions of the subject and its current land use;
- Dimensions of area of amendment (if not, the entire property);
- The size and use of all abutting land;
- All existing and proposed parking and loading areas, driveways, and lanes;
- The location and nature of any easements or restrictive covenants on the property;
- The location of any existing drains or award drains;
- Woodlots, forested areas, ANSIs, ESAs, wetlands, floodplain, and all natural watercourses (rivers, stream banks, etc.);

The location, size, and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line, and side lot lines;

The name, location, and width of each abutting public or private road, unopened road allowance or right-of-way;

- If access to the subject land is by water only, provide the location of the parking and docking facilities to be used;
- Other features both on site or nearby that in the opinion of the applicant will have an effect on the application (such as bridges, railways, airports, roads, drainage ditches, wells, septic systems, springs, slopes, gravel pits); and
- The drawing should also include the scale, north arrow, and date when the drawing was prepared.

Authorization for Agent/Solicitor to act for Owner

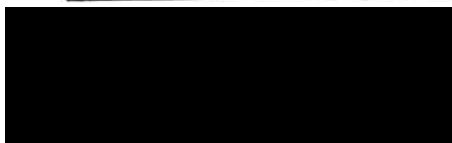
(If affidavit is signed by an Agent/Solicitor on Owner's behalf, the Owner's written authorization below shall be completed)

I (we) 2374868 Ontario Inc. c/o Frank Ertl of the

Township of Puslinch County/Region of

Wellington do hereby authorize

Fred Taylor and Steve Edwards to act as my agent in this application.



Signature of Owner(s)

Date

Affidavit

I (we) Steve Edwards of the
Town Whitby County/Region of
Durham solemnly declare that all the statements
contained in this application are true, and I, (we), make this solemn declaration
conscientiously believing it to be true, and knowing that it is of the same force and effect
as if made under oath and by virtue of the CANADA EVIDENCE ACT. DECLARED
before me at the Town of Whitby in the
County/Region of Durham this 21 day of
December, 2021.

Signature of Owner or authorized
solicitor or agent

Date

Signature of Commissioner

Date

Agreement to Post Sign and Permit Site Visits

For the purpose of public notification and staff identification, I agree to erect a sign in accordance with the Township of Puslinch's sign requirements within one week of the date Township staff has deemed that the application is complete, and remove the sign when the application has been given final approval.

Furthermore, for the purposes of processing this application, I permit staff/representatives of the Township of Puslinch to enter onto my lands and inspect my property at the following times (please check one of the following boxes):

Any and all times:

☐

Certain days as specified:

☐

By appointment only:

☒


Signature

Date


Affidavit

I (we) Steve Edwards of the
Town Whitby of Durham County/Region of
Durham solemnly declare that all the statements
contained in this application are true, and I, (we), make this solemn declaration
conscientiously believing it to be true, and knowing that it is of the same force and effect
as if made under oath and by virtue of the CANADA EVIDENCE ACT. DECLARED
before me at the Town of Whitby in the
County/Region of Durham this 21 day of
December, 2021.


~~Signature of Owner or authorized
solicitor or agent~~

December 21, 2021

Date


Signature of Commissioner
Jeanne Patricia Dynes, a Commissioner, etc.,
Province of Ontario, for GHD Limited
Expires 20th day of June, 2022

December 21, 2021

Date

Agreement to Post Sign and Permit Site Visits

For the purpose of public notification and staff identification, I agree to erect a sign in accordance with the Township of Puslinch's sign requirements within one week of the date Township staff has deemed that the application is complete, and remove the sign when the application has been given final approval.

Furthermore, for the purposes of processing this application, I permit staff/representatives of the Township of Puslinch to enter onto my lands and inspect my property at the following times (please check one of the following boxes):

Any and all times: ☐ Certain days as specified: ☐ By appointment only: ☒


Signature

December 21, 2021
Date



Planning Rationale Report

**6678 Wellington Road 34, Township of
Puslinch ON**

2374868 Ontario Inc.

December 2021

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1. Introduction

This Planning Report is prepared by GHD on behalf of 2374868 Ontario Inc.. The Planning Report is submitted in support of application for Zoning By-law Amendment on the lands located at the municipal address of 6678 Wellington Road 34 in the Township of Puslinch, Ontario. The property is located on the north side of Wellington Road 34 and east of Wellington Road 32. The Zoning By-law Amendment application is being submitted to recognize the existing vacuum truck operations. The site is currently operating without all of the correct zoning provisions in place. The proposed use is an approximately 2,900 m² vacuum truck materials handling and sorting facility located in the middle of the property.

This report will describe the existing operations and the Zoning By-law Amendment required to fully permit the operation. The report reviews the relevant Provincial, Regional and Municipal planning policies and how the proposed development is in conformity thereto.

2. Site Context and Site Features

The property has a total area of 39.4 hectares with frontage on Wellington Road 34. Wellington Road 34 is a County Road. Currently, a portion the site is used as a hydrovac truck soils processing facility. The Operation is located in the middle of the site. The specific operations of the site includes vacuum trucks bringing materials collected from utility, municipal and commercial sites and to the property to be checked and sorted. Once sorted and tested, the soils are transported to the northern portion of the property and used as a part of a Ministry of Natural Resources and Forestry (now the Ministry of Northern Development, Mines, Natural Resources and Forestry) (MNRF) approved Pit Rehabilitation Plan. The property is also used to store vehicles used in this operation.

The surrounding land uses are currently a mix of the active aggregate operations, rural residential dwellings, environmental lands, and agricultural uses. The lands to the west have a License for an Aggregate (Sand, Gravel, and Bedrock) Operation.

The property and the surrounding uses are shown on **Figure 1** and are described below:

North

- Farm lands designated Core Greenlands, Greenlands, and Secondary Agricultural
- Concession Road 4

East

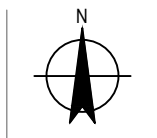
- Lands designated as Greenlands
- Little Tract Hiking Trail

South

- Wellington Road 34, a County Road
- Single-detached residential dwellings.
- Farm lands

West

- Lands owned by Capitol Paving Inc. and used for active aggregate extraction.
- Farm lands
- Wellington Road 32, a County Road



BADGER CONESTOGA INC.
6678 WELLINGTON ROAD 35
CAMBRIDGE ONTARIO
**SITE LOCATION
& CONTEXT**

Job Number | 11210005
Revision | A
Date | DEC 2021

Figure 01

11 Allstate Parkway, Suite 310, Markham Ontario L3R 9T8 T 1 905 752 4300 F 1 905 752 4301 E ytomail@ghd.com W www.ghd.com

3. Current Operations, Zoning and the Required Planning Approvals

Currently, a 2,900 square meter portion the site is used as a Hydrovac Truck Soil Operations facility. The generated soil is used for the rehabilitation of the former aggregate pit located to the north of the operation area that is licensed by MNRF. The operations include an office building that is approximately 650m². The office building is primarily used as an office space to support the soils operations and also as small equipment storage. The importing, sorting and distribution of the soil only occurs in the middle of the property. Once the soils are sorted, they are transported to the Pit Rehabilitation area located on the northern portion of the Property for final disposition. A conceptual site plan of the operations is shown on **Figure 2**

The subject lands are currently split with two zoning categories as shown on **Figure 3**. The south portion of the property is zone Agricultural with special provision 13 (Asp13). Agricultural lands are primarily used for agricultural uses, normal farm practices, and farm related businesses. Special provision 13 prohibits extraction uses on the lands zoned Agricultural. The north portion of the site is zoned Extractive with special provision 63 (EXIsp63). The Extractive Zone is primarily used for lands that are included within a license issued by the MNRF. Special Provision 63 permits all uses in the EXI zone and specifies *“the extraction of aggregate resources shall not occur below any point which is 1 m above the high water table with the exception of those areas identified on the approved Site Plans accompanying the Pit License. The total area which may be extracted below the water table shall not exceed 7.5 ha (18.5 acres) of the license area”*. The Site has not been used for active extraction for over 10 years and currently has a MNRF approved Rehabilitation Plan which provides for fill/soil importation to support rehabilitation of the former pit, ultimately with a vegetated cove and/or agricultural operations. The existing hydrovac operations are solely located on lands currently zoned EXIsp63. No sorting or handling of materials that are brought to the hydrovac operations are on lands zoned Asp13.

The current operations are not a use that is permitted in the existing Zoning By-law provisions. However, the existing zoning permits the existing haul road from Country Road 34 to the hydrovac operation area. A Zoning By-law Amendment application is required to amend the existing zoning to specifically include a hydrovac truck soils operations use, which includes the importing, sorting, distribution of soil for pit rehabilitation, and truck storage. It is proposed that the amendment will be a site specific exemption to the currently EXIsp63 zoning category to permit the aforementioned uses on the site.

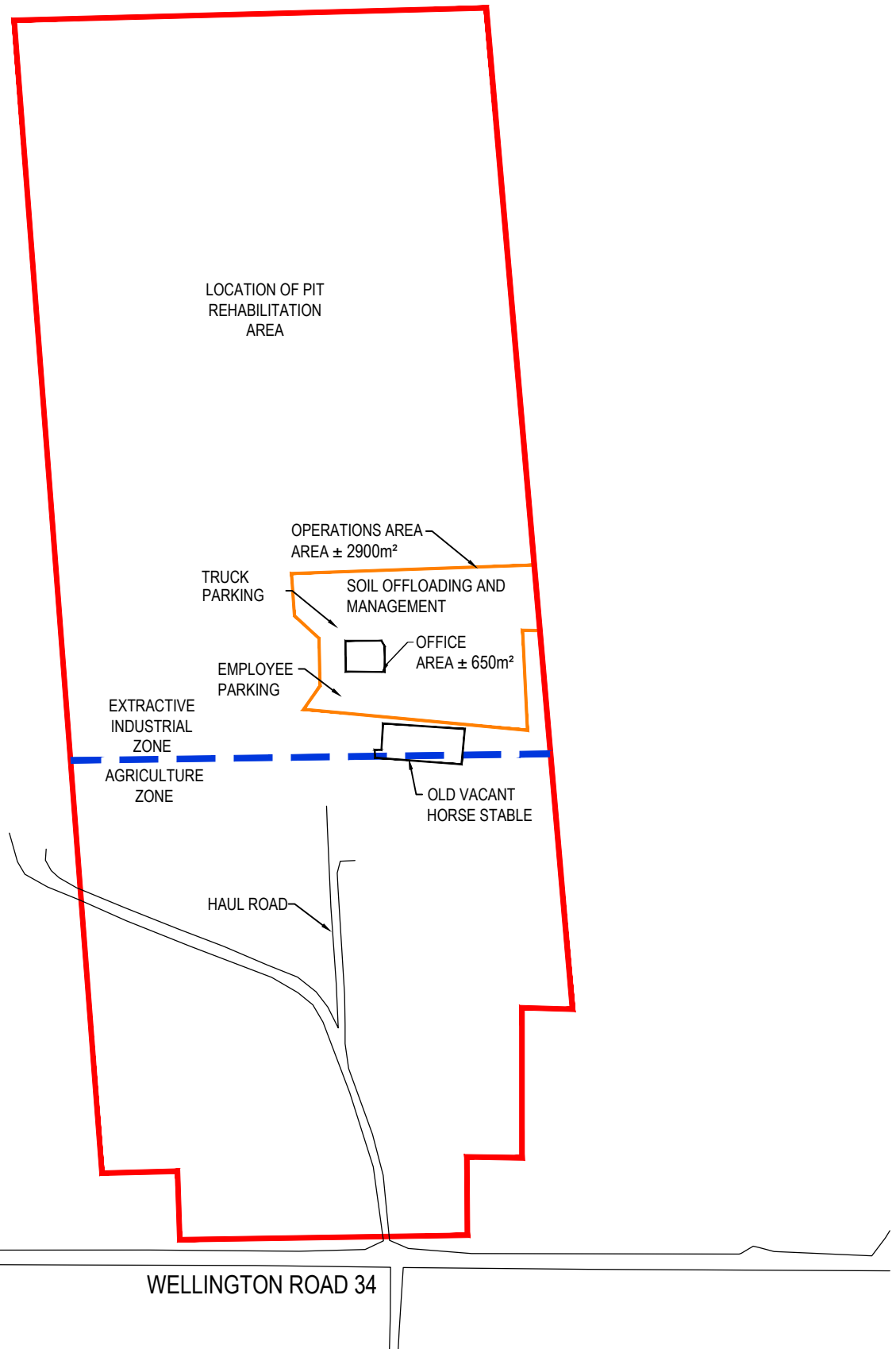
4. Planning Policy Context

4.1 Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) is a Provincial document issued under Section 3 of the Planning Act. The policy document details overarching policies to guide municipal decisions on matters pertaining to land use planning. The most recent update to the PPS came into effect on May 1, 2020.

Section 1.1.4 of the PPS provides policies to guide rural areas in municipalities. These areas include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas. The subject lands are a part of the Rural System but are not a part of the Prime Agricultural Area. Section 1.1.5.2 provides a list of permitted uses in Rural Lands in Municipalities. The Management or use of resources is a permitted use in Rural Lands. Section 1.1.5.7 encourages opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.

The subject lands are within the Township's Rural Lands. The Zoning By-law Amendment maintains a resource-related use on the property. The amendment proposes to include a hydrovac truck operation for soil and other earth materials on the lands. The new use is a resource-related use and diversifies the economic opportunity on the site. The proposed use is also a permitted use as per the County of Wellington Official Plan as discussed in Section 4.3. By virtue of its conformity to the Country of Wellington Official Plan, the proposed amendment is consistent with the PPS.



LEGEND

- SITE OPERATION BOUNDARY
- SITE



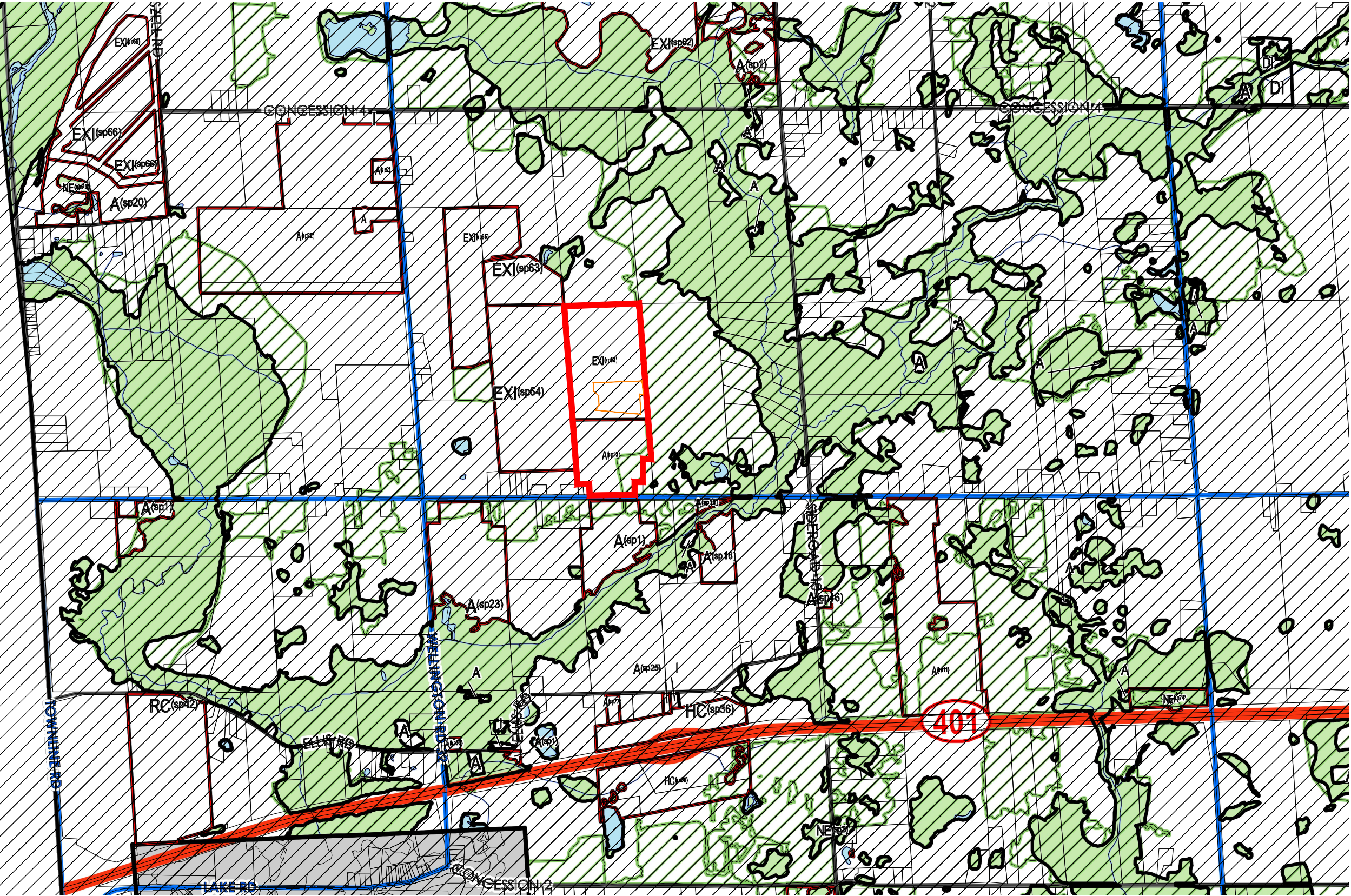
BADGER CONESTOGA INC.
6678 WELLINGTON ROAD 35
CAMBRIDGE ONTARIO

CONCEPTUAL PLAN OF EXISTING SOILS OPERATION

Job Number | 11210005
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Figure 02

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Township of Puslinch

Zoning By-Law No. 023-18
Schedule 'A'



Legend

- Site Specific Exemption
- Zoning Limits
- Environmental Protection Overlay
- Natural Environment

Zone Descriptions

- A Agricultural
- AC Agricultural Commercial
- C Commercial
- CMU Core Mixed Use
- DI Disposal Industrial
- EXI Extractive Industrial
- FD Future Development
- HC Highway Commercial
- HR Hamlet Residential
- I Institutional
- IND Industrial
- NE Natural Environment
- OS Open Space
- RC Resort Commercial
- RR Resort Residential
- RUR Rural Residential
- UR Urban Residential
- f- Aberfoyle Flood Plain Overlay
- (sp#) Site Specific Exemption
- (h#) Holding Provision
- (t#) Temporary Zone

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Updated: April 5, 2018
Date printed: May 3, 2021
Sources:
County of Wellington Planning Department, Ministry of Natural Resources
Grand River Conservation Authority, Hamilton Region Conservation
Authority, and Conservation Halton.



BADGER CONESTOGA INC.
6678 WELLINGTON ROAD 34
CAMBRIDGE, ONTARIO
EXISTING ZONING

Job Number 11210029
Revision A
Date DEC 2021

Figure 03

4.2 Places to Grow Act (2005) and A Place to Grow, the Growth Plan for the Greater Golden Horseshoe, (2020)

The Places to Grow Act was adopted in 2005 and through this legislation, the Growth Plan for the Greater Golden Horseshoe was adopted in 2006. The most recent amendment to the plan came in to effect in May 2019 and renamed the plan to “A Place to Grow”. The Growth Plan provides policies to encourage and control growth in the upper and lower tier municipalities of the Greater Toronto and Hamilton Area. It sets out a planning vision for growth throughout the Greater Golden Horseshoe through the horizon year of 2051.

Section 2.2.9 of A Place to Grow provides policies to address Rural Areas. Section 2.2.9.3.c) permits other rural lands uses that are not appropriate in settlement areas. As a hydrovac truck and soils operation, hydro-vacuum trucks leave and arrive at the site daily carrying liquid soils received from other sites. This use is not appropriate or desired in settlement areas which are lands intended for more concentrated development. Section 2.2.9.3.c) permits other rural uses provided they meet the following criteria:

- i. are compatible with the rural landscape and surrounding local land uses;*
- ii. will be sustained by rural service levels; and*
- iii. will not adversely affect the protection of agricultural uses and other resource-based uses such as mineral aggregate operations.*

The proposed use is compatible with the surrounding land uses. The operations support a MNRF approved pit rehabilitation site on the property that was previously used as a mineral aggregate operation. The hydrovac truck soils operation imports soils from various sites, sorts it at the subject lands, tests the soil and transports it to the pit rehabilitation area as a part of its rehabilitation plan. The proposed use is compatible with the surrounding aggregate, Greenlands and agricultural land uses. The office used in support of the operations is also designed in a barn-style to match the surrounding area. The existing operations are currently sustained using private services and no changes are proposed to the current functions of the site.

The existing operations does not impact the natural heritage and agriculture uses on the adjacent lands or the potential for agricultural uses on the subject lands. Further, the subject lands, once the existing operations are completed, can be used for agricultural or other purposes without requiring remediation or further rehabilitation of the lands. This is required by the MNRF permit. The use does not interfere with potential agricultural use for the balance of the site. The proposed use is also a permitted use as per the County of Wellington Official Plan as discussed in Section 4.3. By virtue of its conformity to the County of Wellington Official Plan, the proposed amendment conforms to A Place to Grow.

4.3 County of Wellington Official Plan

The County of Wellington Official Plan (CWOP) provides policies to guide development and growth for municipalities within the County of Wellington. As shown on **Figure 4**, the subject lands are designated as Secondary Agricultural and Greenlands on Schedule A7 – Puslinch in the CWOP. Section 5.5 of the CWOP provides policies for lands designated Greenlands and encourages the protection of Greenlands from development or site alterations that would have negative environmental impacts. There is a small section of designated Greenland Area that is a part of the amendment application. This Greenlands Area may be impacted by the existing operations and an Environmental Impact Assessment will be completed to provide mitigation and enhancement measures to ensure any significant natural heritage features will not be impacted and will continue to conform to the CWOP.

Section 6.5 of the CWOP provides policies to guide development in Secondary Agricultural Areas. Section 6.5.1 defines Secondary Agricultural Areas as “lands within the Rural System which are determined to be non-prime agricultural areas but which can sustain certain agricultural activities”. As per Section 6.5.3.b), small scale industrial uses, such as a hydrovac truck and soils operation, are permitted on the subject lands. Section 6.5.4 provides criteria for small scale industrial uses. The following are the policies and how they are satisfied:

Schedule A7 PUSLINCH



Legend

The Greenlands System

- Core Greenlands
- Greenlands
- Earth Science ANSI

The Rural System

- Prime Agricultural
- Secondary Agricultural
- Mineral Aggregate Area
- Recreational
- Rural Employment Area
- Country Residential
- PA Policy Area

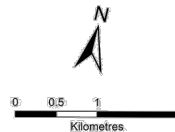
The Urban System

- H. Hamlet Area
- U.C. Urban Centre

Other

- Landfill Site
- Proposed Interchange
- Proposed Major Roadways
- County Roads
- Provincial Highways

Mineral Aggregate Resources are identified on Schedule C of the Official Plan. Licensed Aggregate Operations are identified on Appendix 2 of the Official Plan.

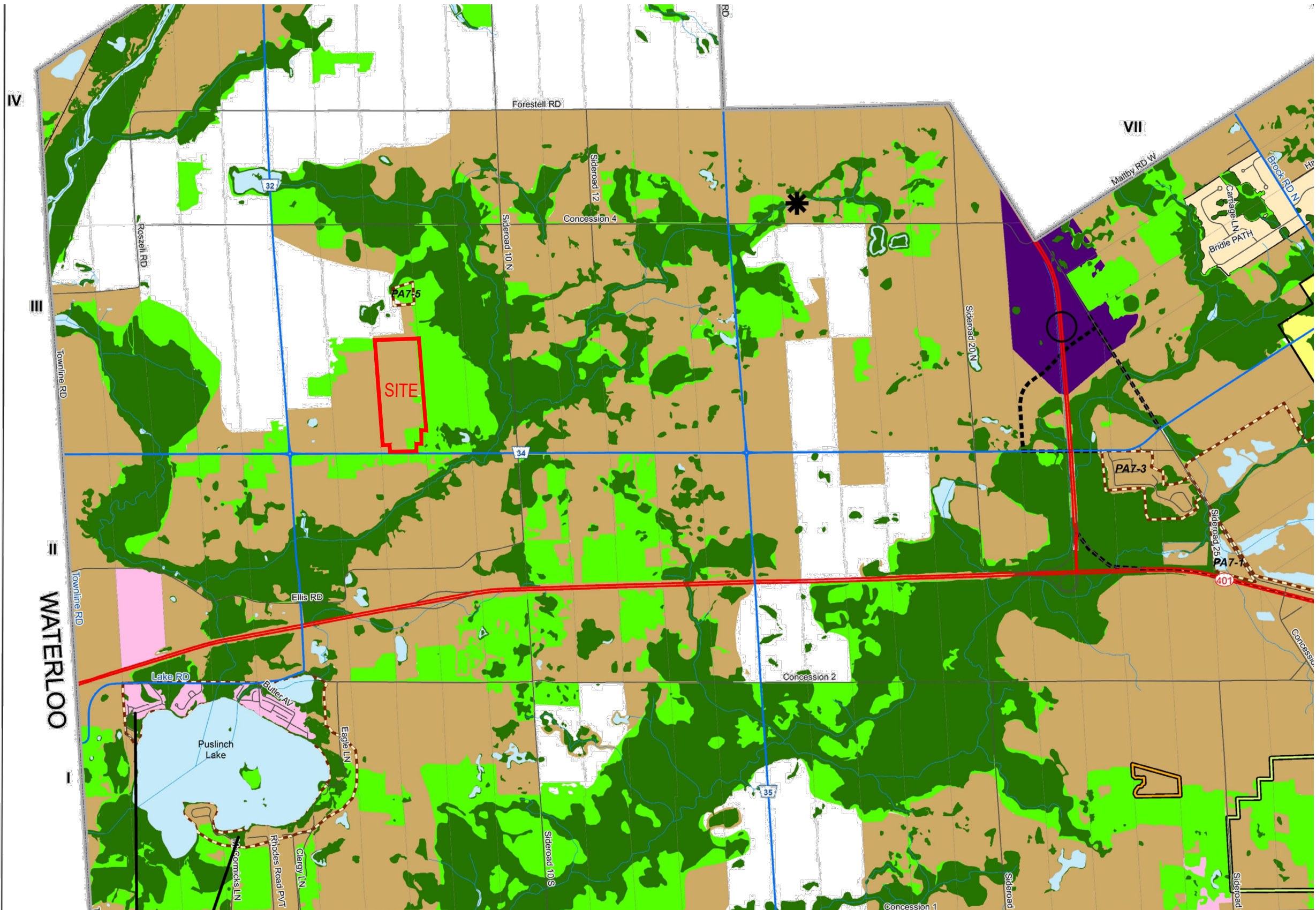


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Sources:
County of Wellington, Planning and Development Department, Ministry of Natural Resources, Grand River Conservation Authority, Hamilton Region Conservation Authority, and Conservation Halton.

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Updated: July 20, 2021.
Date Printed: January 8, 2021.



BADGER CONESTOGA INC.
6678 WELLINGTON ROAD 34
CAMBRIDGE, ONTARIO
OFFICIAL PLAN DESIGNATION

Job Number 11210029
Revision A
Date DEC 2021
Figure 04

a) *appropriate sewage and water systems can be established;*

The property is serviced by private services (well and septic). The operations does not require a large amount of water and private services are sufficient in servicing the site. The current facility is operating with private services with no issues.

b) *the proposed use is compatible with surrounding uses;*

The surrounding lands to the west are also designated as Secondary Agricultural Use and is currently an active aggregate operation/Pit Rehabilitation site that shares the existing haul road with the subject lands. The facility is also located on the centre portion of the site, setback from the existing residential dwellings on Wellington Road 34. The proposed use is compatible with the surrounding uses in the area.

c) *the use requires a non-urban location due to:*

- *market requirements;*
- *land requirements;*
- *compatibility issues.*

The proposed use is an industrial use that is more compatible in a rural area. It requires a larger parcel of lands to operate than in typical urban industrial businesses and requires industrial hydro vac trucks to enter the site daily.

d) *the use will not hinder or preclude the potential for agriculture or mineral aggregate operations;*

The proposed use does not hinder the potential for mineral aggregate operations as permitted in the current zoning. The amendment will only add a hydrovac truck operation on the subject lands. The use also does not preclude any agricultural uses. The lands north of the property and the south portion of the site are zoned agricultural and have been used for agricultural purposes.

e) *the use will be small scale and take place on one lot and large scale proposals or proposals involving more than one lot will require an official plan amendment.*

The proposed use is small in scale. The office is only 650m² in size and the operations only requires the centre portion of the site to operate and only operates within the subject lands that are zoned for Extractive uses.

The hydrovac truck soils operation is a small scale industrial use that meets the criteria of Section 6.5.4 as set out above.

4.3.1 Other Policies for Consideration

Through the pre-consultation for the proposed amendment, the County of Wellington has requested multiple sections of the Official Plan be reviewed. The following are the sections of the Official Plan requested to be reviewed and how the proposed amendment conforms. Section 4.6.1 provides a list of impact assessments that may be required to assess the merits of a Zoning By-law Amendment application.

4.3.1.1 Impact Assessments

4.3.1.1.1 Planning Impact Assessment

A Planning Impact Assessment is included with Section 4.6.2 providing the list of evaluation criteria. The criteria and how they are addressed are as follows:

a) *the need for the proposed use other than for aggregate operations, taking into account other available lands or buildings in the area;*

The proposed use supports the Pit Rehabilitation on the northern portion of the Property.. The hydrovac truck soils operation provides the materials used to restore the adjacent lands to be used for other uses such as agriculture, open space, forestry, recreational uses, etc. The property and the proposed use is in

keeping with the surrounding land uses and is in an ideal location, adjacent to the Pit Rehabilitation, to reduce the transport of the soil materials.

- b) *the appropriateness of the proposed site for the use proposed taking into consideration the size and shape of the land and its ability to accommodate the intensity of use proposed;*

The subject lands shape, size and location are appropriate for the proposed hydrovac truck operation use. As previously mentioned, the facility and the proposed use are currently operating on the lands now and only require the centre portion of the property to function. The southern portion of the site is maintained as agricultural and provides a buffer from the surrounding residential dwellings and the County Road. As per Section 6.5.3.b) of the CWOP the use is currently permitted in the site's Secondary Agricultural designation and is therefore considered appropriate for the lands.

- c) *the adequacy of the proposed method of servicing the site;*

The property is serviced by private services (well and septic). The operations does not require a large amount of water and private services are sufficient in servicing the site. The current facility is operating with private services with no issues.

- d) *the compatibility of the proposed use with consideration given to the height, location, proximity and spacing of buildings; the separation between various land uses; impacts from noise, odour, dust or other emissions from the proposed use and from adjacent land uses; loss of privacy, shadowing or impact on cultural heritage resources and landscapes;*

The proposed use, with consideration to height, location, proximity and spacing of buildings; the separation between various land uses, is compatible with the surrounding area. The existing office building is located generally in the middle of the property, setback from other existing buildings minimizing any physical impacts to the surrounding properties.

The proposed use is also compatible with the surrounding area. The adjacent lands to the west is an active aggregate pit. The other uses surrounding the property include agricultural and environmental uses. The existing operations are small and generally setback from the property boundary minimizing any impacts on adjacent lands.

Regarding noise and emissions from the proposed use, Noise Assessment and Emissions Assessment reports were prepared in support of a MECP ECA and showed that the operations comply with all MECP requirements. These reports are also provided with the Zoning By-law Amendment Application. Please refer to the reports for details on impacts and mitigation methods for the proposed use.

- e) *the impact on natural resources such as agricultural land and mineral aggregate deposits;*

The area of the rezoning is currently disturbed and expansion is not required, therefore there will not be additional impact on agricultural lands or mineral aggregate deposits.

- f) *the impact on biodiversity and connectivity of natural features and areas;*

As the proposed use is existing, there is no new impact on adjacent natural features. As Environmental Impact Study is being completed to verify this and to recommend any mitigation requirements. The EIS Terms of Reference are submitted with this application.

- g) *the exterior design in terms of bulk, scale and layout of buildings and other design elements;*

The existing office building is a 1-storey barn style steel frame, wood and metal structure. The building is approximately 650m² and is set back approximately 480m from Wellington Road 34. This setback and the existing vegetation from Wellington Road 34 provide screening for the building and minimizes any impact the building may have on scale from the residential dwellings along the County Road. The adjacent properties include agricultural uses and the barn-style office building is in keeping with surrounding area.

- h) *the possibility that site contamination has occurred or the site may contain historic petroleum wells or associated works, and if so, demonstrate compliance with provincial regulations;*

There are no historic petroleum wells or other historic sources of environmental impacts on the Property. An application for an ECA to govern the hydrovac operations was submitted to the MECP. The MECP indicated approval of the application and the ECA issuance is only pending the zoning approval.

- i) *methods of reducing or eliminating negative impacts;*

A hydrogeological impact assessment (HIA) was completed to evaluate the hydrogeological conditions and potential impacts to groundwater at and in the area of the Site from Site operations. The report concludes that the operations have no negative impacts on the groundwater resources. Further, a monitoring and reporting program is included to ensure no negative impact is maintained. The report was reviewed by the MECP and they agreed with the findings. A copy of the HIA has also been submitted with the Zoning By-law Amendment application. The Township's consultant provide comments on the HIA and responses to these comments were submitted to the Township and are also included with the Application.

An Environmental Emergency Contingency Plan has also been created as part of the ECA Design and Operations Report to prevent environmental emergencies due to the operations. The Plan also includes information for preparedness, response to, and recovery from an environmental and other emergencies.

- j) *other planning matters considered important by Council.*

To be determined.

4.3.1.1.2 Environmental Impact Assessment

Section 4.6.3 discusses the potential requirement for an Environmental Impact Assessment be completed to evaluate a proposed development's impact on the natural environment and mitigation methods. A Terms of Reference for the Assessment has been submitted to the Township. The Terms of Reference includes descriptions of how the Assessment will be completed. This will include field inventory, evaluating the significance of natural heritage features and species, assessing potential impacts, and mitigation and enhancement recommendations. The work is proposed to begin in the spring and summer of 2022 as the field work must be completed in the proper seasons.

It is noted that the subject site is adjacent to the Little Tract County Forest which is a significant woodland. As such the site would be considered adjacent lands per policy 5.6.3 This will be addressed in the EIS.

4.3.1.1.3 Traffic Impact Assessment

Section 4.6.4 discusses requirements for a Traffic Impact Assessment to assess a development's impact on the existing road system and volumes of traffic. A Traffic Impact Study has been completed and submitted to the Township for review. The report analysed the estimated 25 trucks used during daily operations and their predicted departure and arrival times from the site in the context of the capacity of Wellington Road 3 and Wellington Road 34. The report indicates that, with the existing operations, the traffic is still at a good level of service and there has been minimal impact to traffic on County Road 34.

4.3.1.1.4 Agricultural Impact Assessment

Section 4.6.5 requires an Agricultural Impact Assessment and provides criteria that may be addressed. Our review of the criteria and the use indicates that the proposed use does not have negative impacts on existing or future agricultural uses. The highest and best use of the Pit Rehabilitation area is agricultural use. Agricultural uses currently exist on the site and are planned to continue in the future.

4.3.1.2 Water Resources

Section 4.9 provides policies to protect water resources in the County. Section 4.9.4 outlines policy direction related to water resources. Various policies encourage the protection of surface and groundwater quality and quantity, maintaining existing groundwater levels, and protecting wetlands and hydrogeological functions. A Hydrogeological Impact Assessment and Source Water Protection assessment has been completed. The reports evaluate the hydrogeological conditions and potential impacts to groundwater at and in the area of the Site from

site operations. The report findings advised that the operations have no negative impacts on the groundwater resources. An additional monitoring and reporting program was also recommended to ensure no negative impact to the groundwater surrounding the site operations.

4.3.1.3 Development Control

Development Control policies are included in Section 5.6 of the Official Plan. Section 5.6.1 lists a variety of uses that are permitted in Greenland areas, including aggregate extraction within Mineral Aggregate Areas subject to appropriate rezoning and licensing provided that the policies in Section 5.6.2 are met. The policies include no negative impacts on significant features and functions, meeting hazardous lands policies in Section 5.4.3 of the Official Plan, and conforming to policies of the applicable adjacent or underlying designation. As mentioned, to satisfy Section 4.6.3 of the Official Plan, an Environmental Impact Assessment is being completed and the work is proposed to begin in the spring and summer of 2022. The Environmental Impact Assessment will evaluate potential impacts the operations has on the environmental and recommend mitigation and enhancement strategies to reach zero negative impacts.

4.3.1.4 Mineral Aggregate Areas

The lands are identified as having Sand and Gravel resources of Primary and Secondary Significance on Schedule 'C' – Mineral Aggregate Resource Overlay. These are lands that the province has identified as being of Primary or Secondary Significance. Section 6.6.3 lists additional uses permitted **in addition** to the uses allowed in the underlying designation. As previously discussed, the underlying designation is Secondary Agricultural Areas. The proposed hydrovac truck soils operation is a permitted use in Secondary Agricultural Areas and is therefore a permitted use in Section 6.6.4.

4.3.1.5 Stormwater Management

Section 11.3 provides policies for Stormwater Management for new developments. Section 11.3.3 and Section 11.3.4 identify that the stormwater management reports and plans are required to be submitted to demonstrate how the proposed development would manage stormwater in accordance with the Watershed Plan (if applicable), the criteria listed in Section 11.3.4, and the conservation authority. A Stormwater Management Report has been completed with the MECP ECA and the Zoning By-law Amendment application and submitted to the Township.

4.3.1.6 Waste Management

Section 11.4 provides policies for Waste Management Facilities in in Wellington County. No new waste, recycling, or disposal facilities are being proposed. The hydrovac trucks that may contain impacted soils are sent directly to a permitted MECP treatment or disposal facility and only return to the Site after all of the contents have been removed. The hydrovac operations do not bring any wastes to the Site in accordance with the Township's definition of waste.

5. Proposed Zoning By-law

As outlined in Section 3, the site is currently split within two zoning categories. The south portion is zoned Agricultural with special provision 13 (A(sp13)). The north portion of the site is zoned Extractive with special provision 63 (EXI(sp63)). The proposed amendment is to add the use of a vacuum truck and soils operation to a portion of the northern property which is zoned EXI. The parent bylaw zoning of EXI will remain but a new special provision for the use would be added.

The reason the proposed use can be accommodated within the EXI zone with a new exception is due to the overall operation of the use. The vacuum trucks attend sites where ground material and excavation must be undertaken. Any visibly contaminated material is delivered to a waste disposal site. Clean loads are then brought to the subject lands where they are emptied onto the ground, sorted and piled to de-water. Water is directed to the storm water quality pond on site.

The loads are sorted and mixed with like materials. While on site, the materials are tested to ensure they are clean (meet Table 1 Background Standards as required by the MNRF approved Pit Rehabilitation permit) and are

suitable for the pit rehabilitation on the property. Any parts found to not meet environmental standards are removed to a waste disposal location. Materials, once tested and de-watered, are sent to the pit rehabilitation area to fill the excavated area there.

The proposed use is in keeping with the typical uses that occur at an extraction site or processing facility. The EXI zone permits an aggregate processing facility among other uses. An aggregate processing facility would undertake very similar processing to the vacuum truck operation. Soil and aggregate material would be excavated at or brought to the site. Materials would be sorted and checked and then combined with similar materials be used for the pit rehabilitation requirements. This is principally the process which occurs at the vacuum truck operation. For this reason adding the use, in a site specific manner, is logical given the nature of uses permitted in the EXI zone.

It is also noted that aggregate processing facility is a defined term in the bylaw:

“Aggregate processing facility: any premises used to process, crush, screen, wash, store/stockpile, and/or sort aggregate, and includes an asphalt plant, a concrete batching plant, cement manufacturing plant, a brick and tile manufacturing plant, an aggregate transfer station, and stockpiling/blending of recycled aggregate.”

The vacuum truck operation undertakes stockpiling and blending of recycled aggregate. However, the vacuum operation also includes the processing of clean soil and top soil to support improved pit rehabilitation operations (e.g., support revegetation).

A copy of the draft Zoning By-law Amendment with the proposed wording can be found at **Appendix A**.

6. Supporting Studies and Reports

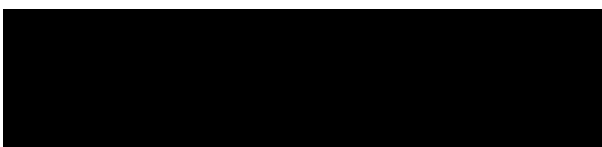
A list of submitted supporting studies and reports is provided in **Appendix B**.

7. Conclusion

The property designated as Greenlands and Secondary Agricultural in the County of Wellington Official Plan. The lands subject to the proposed Zoning By-law Amendment application are located on a portion of the property which is zoned Extractive (EXI). The Zoning By-law Amendment proposes to revise the special provision on the existing zoning to include the additional use of a hydrovac truck and soils operation on the site with truck storage. As previously mentioned, small scale industrial uses, such as a hydrovac truck and soils operation, are permitted in lands designated as Secondary Agricultural, provided it meets the criteria in Section 6.5.4 of the CWOP. As described in Section 4.3 of this report, the proposed use meets the criteria and conforms to the relevant policies in the CWOP. A similar soil importation and management operation with supporting infrastructure would be required for pit rehabilitation activities and this operation has the added benefit of being fully permitted and governed by not only the existing MNRF Rehabilitation Plan but also the MECP ECAs for Soil Handling and Air and Noise.

By virtue of the proposed Zoning By-law Amendment's conformity to the CWOP, the amendment conforms to A Place to Grow, and is consistent with the PPS. Based on the information discussed in this report, it is our opinion that the Zoning By-law Amendment Application represents good planning and can be recommended for approval.

All of which is respectfully submitted



Steve Edwards, RPP

Appendices

Appendix A

Draft Zoning By-law

TOWNSHIP OF PUSLINCH

BY-LAW # XX-XX

Zoning By-law Amendment

Being a By-law to amend By-law 023-18, as amended, being the Zoning By-law of the Township of Puslinch;

The Council of the Township of Puslinch hereby enacts as follows:

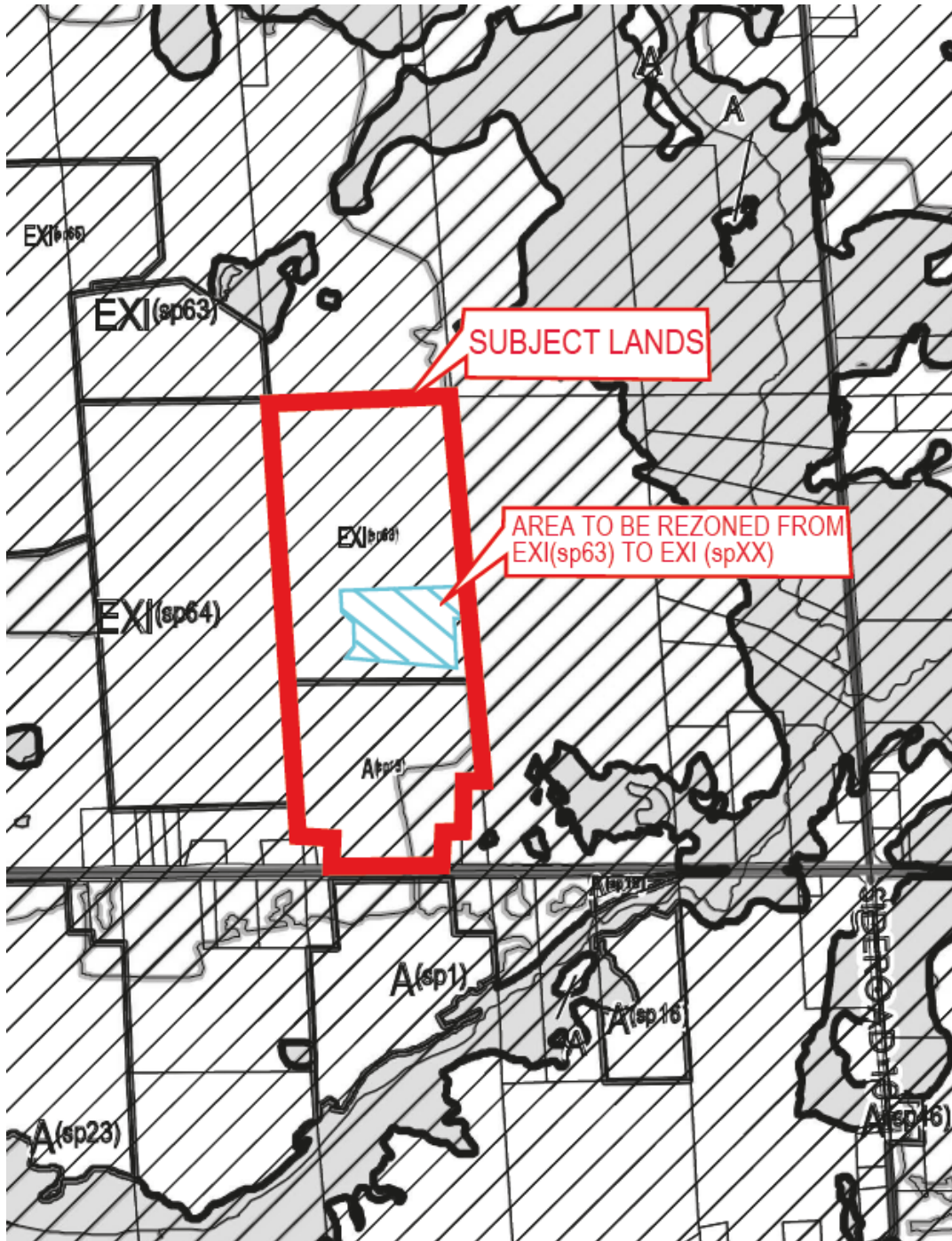
1. General

- 1.1. That Schedule "A" of By-Law 023-18 is hereby amended by changing the EXI zoning category with special provision 63 (EXI (sp63)) to EXI zoning category with special provision XX (EXI (spXX)) as shown on Schedule A attached to and forming part of this By-law.
- 1.2. That notwithstanding any provision of By-law 023-18 to the contrary, the following uses are permitted on lands the lands zoned EXI(spXX))
 - a) the use of a Vacuum Truck operation to transfer, store and process soil and aggregate materials.
- 1.3. That notwithstanding any provision of By-law 023-18 to the contrary, the following uses are prohibited on lands the lands zoned EXI(spXX))
 - a) the disposal of soil, aggregate or waste material
- 1.4. That notwithstanding any provisions of By-law 023-18 to the contrary, the definition of an Aggregate Processing Facility on the lands zone EXI(spXX)) shall be:
 - a) any premises used to process, crush, screen, wash, store/stockpile, and/or sort aggregate, soil and top soil materials and includes an asphalt plant, a concrete batching plant, cement manufacturing plant, a brick and tile manufacturing plant, an aggregate transfer station, the stockpiling/blending of recycled aggregate, and a vacuum truck operation to transfer, store, and process materials from other sites, and the storage of vehicles involved in the vacuum truck operation.

Schedule A

To By-law # XX-XX

This is Schedule A to the By-law # XX-XX passed by the Council of the Township of Puslinch this ____ day of _____, 202X



Appendix B

List of Supporting Report and Materials

Matrix of Supporting Documents and Corresponding Reference Document

Supporting Documents - Date: July 23 2021 Wellington County Email	Report or Document Where Information is Provided	Section of Report or Document
Planning Justification Report		
<i>Detailed concept plan/site plan showing existing structures, dimensions, setbacks, dedicated parking, area associated with uses, features etc. The zoning application and guidelines provides a more detailed outline of requirements. (Applicant Drawings from form outlined below)</i>		
Owner/applicant's names	Design & Operations Report	Appendix B (Legal Survey) & Figure 2 (Site Layout)
Legal description of the property	Design & Operations Report	Appendix B (Legal Survey)
Boundaries and dimensions of the subject and its current land use	Design & Operations Report	Appendix B (Legal Survey) & Figure 2 (Site Layout)
Dimensions of area of amendment (if not, the entire property)	Design & Operations Report	Appendix B (Legal Survey)
The size and use of all abutting land	MNRF Rehabilitation Plan Map	
All existing and proposed parking and loading areas, driveways, and lanes	Design & Operations Report	Figure 2 (Site Layout)
The location and nature of any easements or restrictive covenants on the property	Design & Operations Report	Appendix B (Legal Survey)
The location of any existing drains or award drains	N/A	
Woodlots, forested areas, ANSIs, ESAs, wetlands, floodplain, and all natural watercourses (rivers, stream banks, etc.)	Terms of Reference for Environmental Impact Assessment	Figure 1
The location, size , and type of all existing and proposed buildings and structures on the subject land , indicating their distance from the front lot line, rear lot line, and side lot lines	Design & Operations Report	Appendix B (Legal Survey)
The name, location, and width of each abutting public or private road, unopened road allowance or right-of-way	Design & Operations Report	Appendix B (Legal Survey)
Other features both on site or nearby that in the opinion of the applicant will have an effect on the application (such as bridges, railways, airports, roads, drainage ditches, wells, septic systems, springs, slopes, gravel pits)	Design & Operations Report	Appendix B (Legal Survey)
	Septic Systems Map	
Details regarding the operation as a whole, including hours of operations, number of employees, servicing, where the soil is being transported from, anticipated timelines with respects to the use and associated rehabilitation of the active pit etc.	Design & Operations Report	
Including confirmation is additional public engagement outside of the Planning Act requirements will be undertaken		
Assessment of Minimum Distance Setbacks (MDS) impacts	Planning Report	
Draft amending by-law	Planning Report	
Explanation of how this development proposal would be considered with the permissions in the Secondary Agricultural Area for “small-scale industrial” uses.		
Traffic Impact Assessment <i>that (at a minimum) addresses Section 4.6.4 of the Official Plan and any other requirements of the County Roads Division</i>	Traffic Operations Assessment	
Hydrogeological Assessment <i>that (at a minimum) addresses all County Official Plan policies specific to the Paris Galt Moraine, and any other requirements of the Township’s Hydrogeologist including a water quality impact assessment on groundwater resources and proposed monitoring plan.</i>	Design & Operations Report	Appendix C (HIA Report), Appendix D (MECP Comments on the HIA and Responses)
Environmental Impact Study <i>that (at a minimum) addresses Section 4.6.3 and Part 5 of the County Official Plan and any other requirements of the Township’s Consulting Ecologist</i>	Terms of Reference for Environmental Impact Assessment	
Stormwater Management Report <i>that (at a minimum) addresses Section 11.3 of the Official Plan and any other requirements of the Township’s Engineer and the Conservation Authority</i>	Stormwater Management Report	
Source Water Protection Screening Form	Drinking Water Source Protection Screening Form	
Drinking Water Threat Disclosure Report	Drinking Water Threat Disclosure Report	
Any other studies submitted to the MECP as part of the Waste ECA and the Noise & Air ECA	Acoustic Assessment Report	
	Emission Summary and Dispersion Modelling Report	
<i>GM Blue Plan Request:</i>		
Site Plan	Design & Operations Report	Appendix B (Legal Survey), Figure 2 (Site Layout) and Appendix A (Zoning)
Site Grading and Drainage	MNRF Rehabilitation Plan Map	
Site Service Plan	Design & Operations Report	Appendix B (Legal Survey) & Figure 2 (Site Layout)
Erosion and Sediment Control Plan	GHD Drawing WA002-C-02	GHD Drawing C-01
Landscape Plan	MNRF Rehabilitation Plan Map	
Photometric Plan	Covering Letter	
Spills Management Plan	Design & Operations Report	Appendix I (Environmental Emergency & Contingency Plan)
Response to Township’s Hydrogeologist (10/26/2021)	Letter- 1- Banks- Response to Comments	
Comments from the Township’s Hydrogeologist (10/26/2021)	Hydrogeological Comments on Hydro Vac Truck Area 6678 Wellington Road 33	
Response to March 16 2021 County of Wellington and Township of Puslinch Comments	Response to March 16 2021 County-Township Comments	
Comment Summary from Pre-Consultation on January 27 2021 by County of Wellington and Township of Puslinch (March 16 2021)	Comments Summary - March 2021	
Minutes from Pre-Consultation Meeting- January 27th 2021	Minutes from Pre-Consultation Meeting- January 27th 2022	

