



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
APRIL 13, 2022 PUBLIC INFORMATION MEETING
VIRTUAL MEETING BY ELECTRONIC PARTICIPATION

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AGENDA

DATE: Wednesday, April 13, 2022

PUBLIC INFORMATION MEETING: 7:00 P.M.

Order of Business:

- 1. Zoning By-Law Application D14/SLA – Lisa and Abigail Slater – Rear Part Lots 7 to 9, Concession 10, municipally known as 711 Arkell Road.**

THE PURPOSE AND EFFECT is to amend the Township of Puslinch Comprehensive Zoning By-Law 23-2018 from Agricultural (A) zone to:

1. Site Specific Agricultural (A-) to permit three existing residential dwellings.

Public Notice and County of Wellington Report Attached

- 2. Zoning By-Law Amendment D14/ARU – Township of Puslinch Initiated Zoning Amendment Relating to Additional Residential Units**

THE PURPOSE AND EFFECT – The Township has undertaken a review of the existing zoning provisions related to Accessory Apartments. The proposed amendment is to update the provisions for Accessory Apartments to bring the Township Zoning By-laws into conformity with the Planning Act, the County of Wellington Official Plan, and best



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practices for Additional Residential Units [ARUs]. This is a Township initiated amendment that affects all lands in the Township of Puslinch

Public Notice and County of Wellington Report Attached

3. Zoning By-Law Amendment D14/CBM (County of Wellington Official Plan File No. OP 2020-04) – Lanci Pit Expansion – Rear Part Lot 25, Concession 1 and Part 1 on Reference Plan 61R-21652, municipally known as 4222, 4228 and 4248 Sideroad 25 S.

THE PURPOSE AND EFFECT of the proposed Official Plan Amendment is to amend the County of Wellington Official Plan to add the subject property to the Mineral Aggregate Resources Overlay to facilitate the expansion of an existing gravel pit (CMB Lanci Pit). A portion of the lands is proposed to be redesignated from Greenlands to Secondary Agricultural and from Secondary Agricultural to Greenlands on Schedule A of the County of Wellington Official Plan. The Zoning By-law Amendment proposes to:

1. Amend the Township of Puslinch New Comprehensive Zoning By-law 23-2018 to rezone a portion of the lands from the Agricultural (A) (sp1) Zone to Extractive (EXI) Zone to facilitate the expansion of an existing pit (CBM Lanci Pit).

Public Notice and County of Wellington Report Attached



THE TOWNSHIP OF PUSLINCH NOTICE OF THE COMPLETE APPLICATION AND NOTICE OF THE PUBLIC MEETING

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Webinar ID: 869 8566 1513

Passcode: **236478**

International numbers available: <https://us02web.zoom.us/j/86985661513>

TAKE NOTICE that pursuant to the requirements of the Planning Act, R.S.O., 1990, as amended, the Township of Puslinch has received a complete application to amend the New Comprehensive Zoning By-law 023-2018. The file number assigned to this application is **D14/SLA**.

AND TAKE NOTICE that pursuant to the Planning Act, R.S.O. 1990, as amended, the Council of the Township of Puslinch will hold a public meeting to present the received public input regarding proposed amendments to the Township of Puslinch Zoning By-law # 2019-023 (File No. D14/SLA) on **Wednesday, April 13th, 2022 at 7:00 p.m.**

Meeting Place:

Please note that the Township Offices are closed to the public in response to COVID-19 and as such, Public Meetings are being conducted electronically.

How to Participate:

Public Meetings are being conducted via Zoom Webinars. The public is invited to participate by registering for this webinar at the link shown above.

Please note the meeting is video and audio recorded and all electronic meetings are uploaded to the municipality's YouTube page. By requesting to participate in the meeting by electronic means, you are consenting to have your likeness and comments recorded and posted on YouTube.

MAKING A WRITTEN SUBMISSION

The public is invited to participate by submitting written comments to the application in support or opposition of the application. Your full name and address must be on the submission. You can submit written comments via email to the **Township Clerk's office at the address below** no later than **Monday, April 11, 2022 by 4:30 p.m.** to ensure that your comments are included in the Committee Agenda. Any written comments or objections submitted are made public as part of the application process and the public record and will be considered by the Committee.

You can also mail written comments to:

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

Or place them in the Township Office mail slot no later than **Monday, April 11, 2022 at 4:30 p.m.** to ensure that your comments are included in the Public Meeting Agenda.

The Township will NOT be responsible for Canada Post delays. Please mail your comments with sufficient time, as they must be received in the Municipal Office by the date and time noted above to be included in the Committee Agenda.

MAKING AN ORAL SUBMISSION

The public is invited to participate by speaking to the applications in support or opposition of the application. If you wish to participate in the meeting to provide verbal comments to speak in support or opposition, please contact the Township Clerk’s office at the address below by **Monday, April 11, 2022 at 4:30 p.m.** and you will be provided with instructions on how to participate in the meeting. Instructions will also be provided during the meeting to ensure that those watching the public hearing will be given the opportunity to speak.

THE LAND SUBJECT to the application is described as Part Lots 7, 8 and 9, Concession 10, Township of Puslinch, municipally known as 711 Arkell Rd. The subject lands are shown on the Key Map.

THE PURPOSE AND EFFECT of the application is to amend the Township of Puslinch Comprehensive Zoning By-law 23-2018 from Agricultural (A) Zone and Natural Environment (NE) Zone to a site specific Agricultural (A-) Zone to recognize three existing dwelling units on the property.

ORAL OR WRITTEN SUBMISSIONS may be made by the public either in support or in opposition to the proposed Zoning By-law Amendment. Any person may attend the public meeting and make an oral submission or direct a written submission to the Township Clerk at the address below. All those present at the public meeting will be given the opportunity to make an oral submission, however; it is requested that those who wish to address Council notify the Township Clerk in advance of the public meeting.

TAKE NOTICE that if a person or public body would otherwise have an ability to appeal the decision of the Council of the Township of Puslinch to the Ontario Land Tribunal (OLT) but the person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Puslinch before the by-law is passed, the person or public body is not entitled to appeal the decision.

AND TAKE NOTICE that if a person or public body does not make oral submissions at a public meeting, or make written submissions to the Township of Puslinch before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal (OLT) unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

REQUEST FOR NOTICE OF DECISION regarding the Zoning By-law amendment must be made in written format to the Township Clerk at the address shown below.

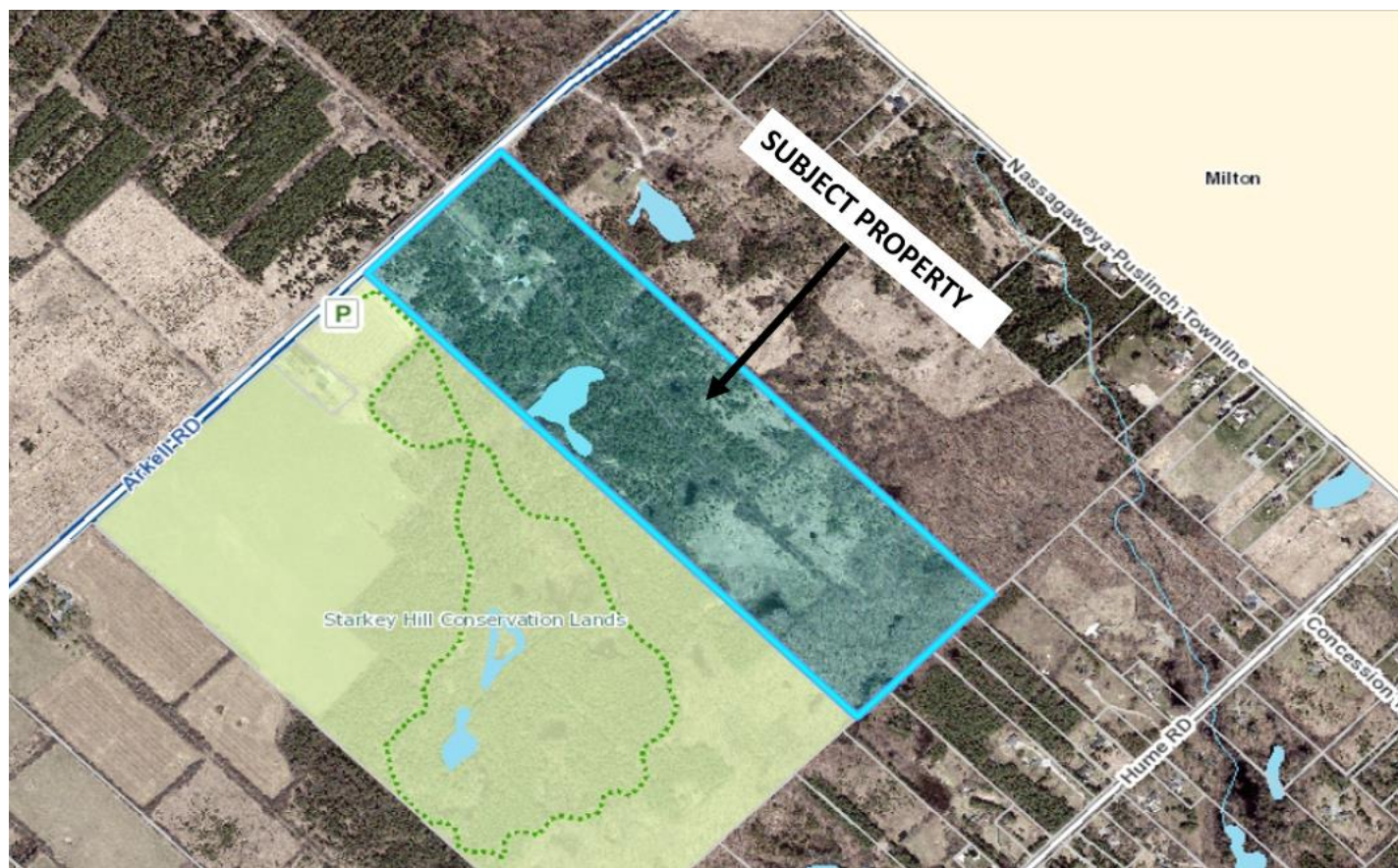
ADDITIONAL INFORMATION regarding the proposed amendment, including information about appeal rights, is available by emailing between 9:00 a.m. and 4:30 p.m. at the Township of Puslinch Municipal Office. If you require the information in an alternative format, please contact the Clerk’s office at the email address below and arrangements can be made.

Dated at the Township of Puslinch on this
10th day of March 2022.

Courtenay Hoytfox
Municipal Clerk
Township of Puslinch

For more information or to register an oral or written submission please contact planning@puslinch.ca

KEY MAP





PLANNING REPORT for the TOWNSHIP OF PUSLINCH

Prepared by the County of Wellington Planning and Development Department

MEETING DATE: April 13th, 2022
TO: Glenn Schwendinger, CAO
Township of Puslinch
FROM: Zach Prince, Senior Planner
County of Wellington
SUBJECT: **PUBLIC MEETING – Lisa and Abigail Slater**
Zoning By-law Amendment Application D14/SLA
Concession 10 Rear Part Lots 7 to 9
711 Arkell Road
ATTACHMENTS: **1 – Aerial of Subject Lands**
2 – Sketch Provided by Applicant

SUMMARY

The purpose of this application is to amend the Township of Puslinch Zoning By-Law 23-2018 to recognize two (2) existing residential dwelling units in the Agriculture Zone.

A public meeting is scheduled for April 13th, 2022. This report provides a preliminary overview of the proposal, highlights key planning policies to be considered, details comments received to date and explains the next steps in the planning review process.

It is recommended that this Public Meeting Report regarding the proposed Zoning By-law Amendment D14/SLA be received for information.

INTRODUCTION

The subject property is legally described as Concession 10 Rear Part Lots 7 to 9 and municipally known as 711 Arkell Road within the Township of Puslinch. The lands are approximately 40 ha (98.84 ac) and contains an existing primary detached dwelling, an additional two detached residential units and an accessory structure (stone storage building). The surrounding land uses are primarily agricultural in nature. A subject property map is identified in **Attachment 1**.

PROPOSAL

The purpose of the Zoning By-law amendment is to rezone the subject property from Agricultural (A) to Agriculture Site Specific to legalize the two existing accessory residential dwellings (secondary dwelling and former stone coach house). The existing secondary dwelling is 98.10 m² (1,056 ft²) and the former coach house is 310 m² (3,341 ft²) in size and are located approximately 47 m (131.23 ft) and 52 m (164.04 ft) from the primary dwelling. A copy of the applicant's sketch has been included within this report as **Attachment 2**.

The subject property is related to the consent application B50/21. The application proposed to sever a 0.8 ha (2 ac) vacant rural residential parcel in the Secondary Agricultural area. A parcel of 38 ha (98 ac) would be retained for the existing residential use with an three dwellings, a storage building and a shed. This rezoning is intended to address a condition of the severance application, that was granted provisional consent by the Wellington County Land Division Committee.

The primary dwelling is 425 m² (4,577 ft²), owner occupied and was built approximately in 1867. The secondary dwelling is 98.10 m² (1, 056 ft²), built around 1980 and the applicant has indicated the building is occupied by long term tenants. The stone coach house is approximately 310m² (3,341 ft²) and the applicant has indicated the building is occupied by long term tenants. The stone coach house was originally built as a stable, but was later renovated in 1982 to be used as a farm management office and a residential unit. It is to be noted that the primary dwelling, the stone coach house and the barn (storage) are registered as Heritage properties in December 2021 within the Township of Puslinch.

SUPPORTING STUDIES AND REPORTS

- Planning justification report from JL Cox Planning Consultants, dated: January, 2022
- Survey Sketch Provided by Applicant

PROVINCIAL POLICY - PROVINCIAL POLICY STATEMENT (PPS 2020)

The PPS provides a policy framework on matters of provincial interest and guides land use planning and development within the Province of Ontario. As the subject lands are located outside of a settlement area and in the County's Secondary Agricultural Area, the Rural Area and Land use policies apply. All land use decisions must be consistent with Provincial Policy, included below are several key policies set out within the PPS that Council will need to consider.

Housing

Section 1.4.3.b 2) states that, "Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area" by "permitting and facilitating, all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3."

Rural Areas

Section 1.1.4 states that Rural Areas are a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas. In accordance with Section 1.1.4.1 d) "Healthy, integrated and viable rural areas should be supported by encouraging the conservation and redevelopment of existing rural housing stock on rural lands."

Rural Lands

Permitted uses in areas located on Rural Lands include, 1.1.5.2 c) "residential development, including lot creation, that is locally appropriate." And Section 1.1.5.8 "New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae."

Cultural Heritage and Archaeology

Section 2.61 states that “Significant built heritage resources and significant cultural heritage landscapes shall be conserved.”

PROVINCIAL POLICY – A PLACE TO GROW, PROVINCIAL GROWTH PLAN (2020)

Similar to the PPS, the Growth Plan directs growth to settlement areas, unless where otherwise permitted. Section 2.2.9 establishes policies for Rural Areas. Within Rural Areas, there are Rural Lands, which are defined as “lands which are located outside of settlement areas and which are outside prime agricultural areas”. Further, Section 2.2.9 permits development outside of settlement areas provided they are compatible with the rural landscape and surrounding land uses, sustained by rural service levels and not adversely affect agricultural uses or resource-based uses. Development of the subject lands are to comply with these policies.

PROVINCIAL POLICY - GREENBELT PLAN

The subject lands are not located within the Greenbelt Plan Area.

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated as Secondary Agricultural, Core Greenlands and Greenlands within the County of Wellington Official Plan. Identified features include Significant Wooded Areas, Wetlands and Provincially Significant Wetlands regulated by Grand River Conservation Authority (GRCA), the existing structures are located outside of the identified features on the site. The subject lands are also located within the Paris Galt Moraine Policy Area.

The Official Plan provides policies regarding non-conforming uses in Section 13.8 including 13.8.4 “A zoning by-law may contain separate provisions with respect to uses which are permitted but do not comply with various regulations such as setbacks, yard requirements and parking standards.”

As per Section 4.4.6.2 of the Official Plan, allows an Additional Residential Unit (ARU) as a separate standalone ancillary building or as part of an Ancillary Building. An ARU is prohibited from being severed from the property and is subject to the following criteria being met:

- Located within the main building cluster and outside of hazard lands;
- Secondary to the primary dwelling;
- Adequate services are available; and
- Minimum Distance Separation can be met.

Further, Section 4.1.5 provides policy direction to conserve heritage resources and significant cultural heritage landscapes. It states that “Wellington will encourage the conservation of significant built heritage resources through heritage designations and planning policies which protect these resources.” and “The re-use of heritage buildings is often a valid means of ensuring their restoration, enhancement or future maintenance. Projects to re-use heritage buildings may be given favourable consideration if the overall results are to ensure the long term protection of

a heritage resource and the project is compatible with surrounding land uses and represents an appropriate use of land.”

ZONING BY-LAW

According to Schedule ‘A’ of Zoning By-law No. 023-18 the subject property is zoned Agricultural (A), Natural Environment (NE), and contains the Environmental Protection Overlay. The existing structures are located in the A zone.

A Zoning By-law amendment is required to recognize the two existing dwellings in addition to the primary dwelling. Section 4.2 of the Township’s By-law allows an accessory apartment within a detached building that is located within the Agriculture (A) Zone subject to criteria. An amendment could consider these uses as a way to recognize a long standing situation and/or under the existing ARU provisions.

The County adopted OPA 112 in 2020 which brought the Official Plan in to conformity with Bill 108 regarding additional residential units. The Township has initiated a review of the Zoning By-law to align with OPA 112.

As per Section 4.2.2 i) an accessory apartment permitted in a detached dwelling is to be located within 15 m of the primary single detached dwelling on the lot. Where as the existing secondary dwelling and the stone coach house has an approximate setback of 47 m (131.23 ft) and 52 m (164.04 ft) respectively. According to Section 4.2.b v) the accessory unit shall not exceed 40 percent of the floor area of the principal unit to a maximum of 130 m². The primary dwelling is of size 425 m² (4,577 ft²) and existing secondary dwelling is 98.10 m² (1,056 ft²). The stone coach house is 310 m² (3,341 ft²) which is 180 m² (1,937.50 ft²) more than the maximum floor area. Further, as per Section 4.6.2 maximum of one (1) dwelling unit per lot is permitted, unless specifically permitted in a zone.

A housekeeping amendment was approved by Township Council in January 2021 which modified the accessory apartment provisions to allow an accessory apartment above or within a detached structure in the Agricultural (A) zone. Previous to the amendment an accessory apartment was only permitted within the main dwelling or above a detached structure (ie. garage).

Consideration should be given to the conformity of the proposal with Provincial Policy and the County of Wellington Official Plan, including the scale and compatibility of the proposal and the timing of this proposal relative to the Township’s review of Accessory Apartments.

AGENCY AND PUBLIC COMMENTS

This application was circulated to statutory agencies by the Township of Puslinch on January 25th, 2022. The following comments have been provided at the time of preparation of this report:

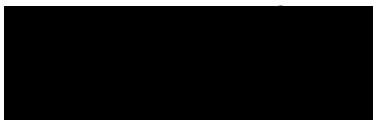
- **Township Fire & Rescue Services:** The department has no concerns other than ensuring adequate access for emergency vehicles to all structures. Please ensure tree plantings and tree limbs don’t obstruct access to structures that are set off of the roadway.

- **Planning Development and Advisory Committee (PDAC):** The application was discussed at the PDAC meeting held on March 8th, 2022. Formal minutes have not been adopted by council at this but comments include:
That the Committee supports the application given that the building permits were issued with no conditions imposed at the time of issuance and that the two heritage buildings on the property that the Committee would like to have recognized as heritage buildings.
- **Township Ecologist (Azimuth Environmental Consulting Inc.):** Based on our review of the documents provided, the proposed Zoning Amendment for 711 Arkell Road would not constitute any changes in use of the subject property, and therefore would not be expected to result in environmental impacts or be considered a candidate for further natural heritage review.
- **Township Engineer (GM BluePlan):** No concerns.
- **Township Hydrologist (Stan Denhoed):** No concerns.
- **Grand River Conservation Authority (GRCA):** No objection.
- **Wellington Source Water Protection:** 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*.
- **Wellington County Roads Department:** No concerns.

NEXT STEPS

The public meeting for this application is scheduled for April 13th, 2022. We will be in attendance at the public meeting to hear the applicant's presentation and any public comments. Our planning recommendations will be provided following the public meeting and resolution of any outstanding issues.

Respectfully submitted,
County of Wellington Planning and Development Department

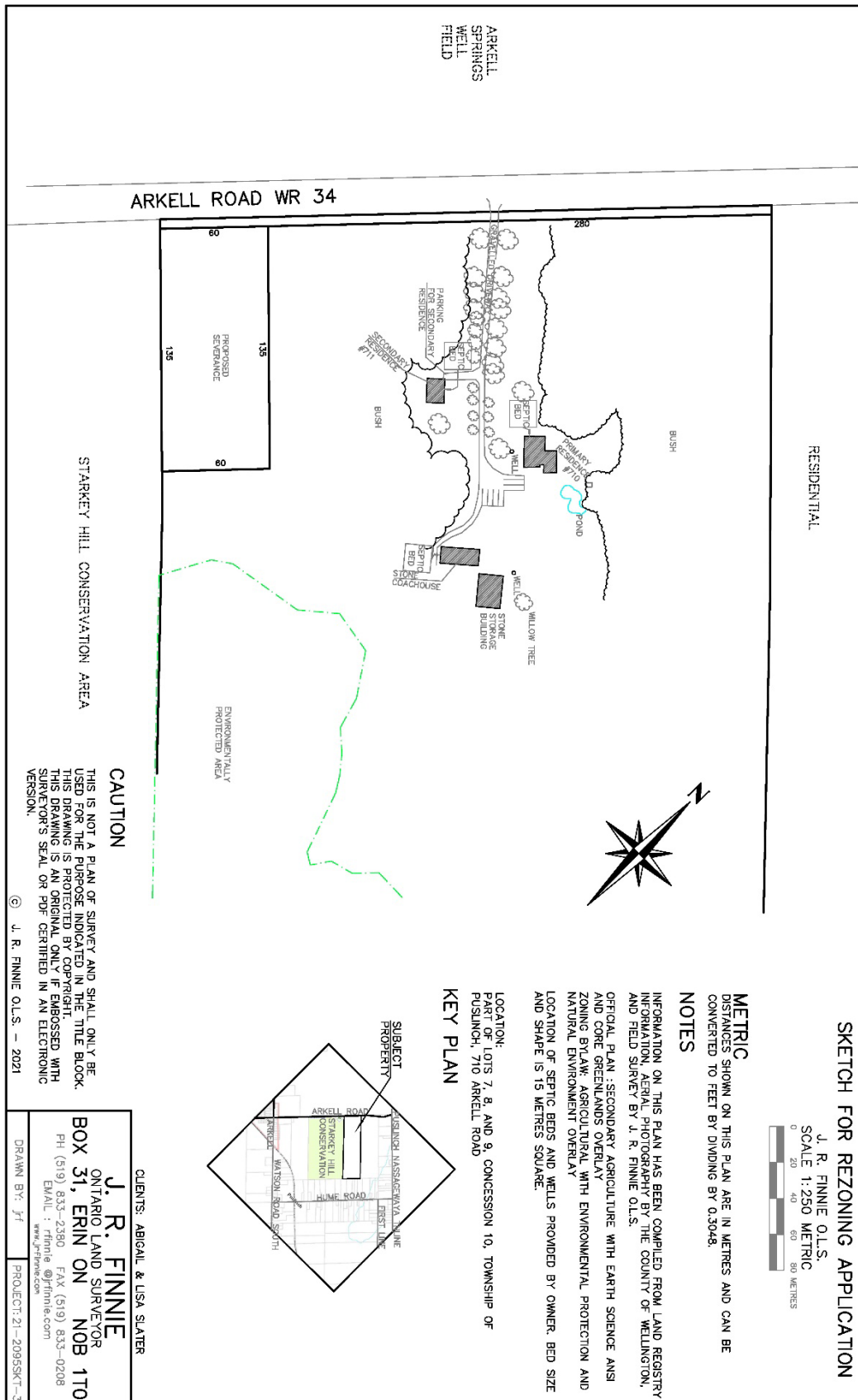


Senior Planner

ATTACHMENT 1 – Aerial of Subject Lands



ATTACHMENT 2 - Sketch provided by Applicant





THE TOWNSHIP OF PUSLINCH

NOTICE OF TOWNSHIP INITIATED ZONING AMENDMENT COMPLETE APPLICATION & PUBLIC MEETING

TAKE NOTICE that the Township has initiated a Zoning By-law Amendment to By-law 023/18 and the Council of the Township of Puslinch will hold a public meeting on **Wednesday, April 13, 2022 at 7:00 pm** to consider a Zoning Amendment to Zoning By-law 023/18 (File D14-ADU), pursuant to the requirements of Section 34 of the Planning Act, R.S.O., 1990, as amended. **Please note that the Township Offices are closed to the public in response to COVID-19 and as such, all Public Information Meetings are being conducted electronically.**

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Passcode: **236478**

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THE PURPOSE AND EFFECT – The Township has undertaken a review of the existing zoning provisions related to Accessory Apartments. The proposed amendment is to update the provisions for Accessory Apartments to bring the Township Zoning By-laws into conformity with the Planning Act, the County of Wellington Official Plan, and best practices for Additional Residential Units [ARUs]. This is a Township initiated amendment that **affects all lands** in the Township of Puslinch and as such a key map has not been provided.

ORAL OR WRITTEN SUBMISSIONS

Oral or written submission may be made by the public either in support or in opposition to the proposed Zoning Amendment. Any person may attend the public meeting and make an oral submission or direct a written submission to the Township Clerk at the email address planning@puslinch.ca by **Monday, April 11, 2022 at 4:30pm**. You will be provided with instructions on how to participate in the meeting. All those present at the public meeting will be given the opportunity to make an oral submission, however; it is requested that those who wish to address Council notify the Township Clerk in advance of the public meeting. Instructions will also be provided during the meeting to ensure that those watching the public meeting will be given the opportunity to speak.

TAKE NOTICE that if a person or public body does not make an oral submission at a public meeting or make a written submission to the Township of Puslinch before the Zoning By-law Amendment is passed, the person or public body is not entitled to appeal the decision of the Council of the Township of Puslinch to the Ontario Land Tribunal (OLT).

AND TAKE NOTICE that if a person or public body does not make an oral submission at a public meeting or make a written submission to the Township of Puslinch before the Zoning By-law Amendment is passed, the person or public body may not be added as a party to the hearing of an appeal before the OLT unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

REQUEST FOR NOTICE OF DECISION regarding the Zoning By-law Amendment must be made in written format to the Township Clerk at the address shown below.

ADDITIONAL INFORMATION regarding the proposed amendment is available for review online at www.puslinch.ca. If you need an accessible format, please email planning@puslinch.ca or call (519) 763- 1226 ext. 5.

Dated at the Township of Puslinch
on this 10th March, 2022.

Courtenay Hoytfox
Municipal Clerk
Township of Puslinch
Phone (519) 763-1226
planning@puslinch.ca



PLANNING REPORT for the TOWNSHIP OF PUSLINCH

Prepared by the County of Wellington Planning and Development Department

MEETING DATE: April 13th, 2022
TO: Glenn Schwendinger, CAO
Township of Puslinch
FROM: Joanna Salsberg, Planner
Meagan Ferris, Manager of Planning and Environment
County of Wellington
SUBJECT: PUBLIC MEETING REPORT
D14/ADU - Internal Zoning By-law Amendment – Additional Residential Units (ARU)
ATTACHMENTS: 1 – Chart with existing provisions and proposed changes
2 - Proposed Changes to Section 4.2 (excerpt from Attachment 1)
3 – Policy Review

SUMMARY

The purpose of the proposed Township initiated amendment is to bring the Township's Zoning By-law #023-18 into conformity with the County of Wellington Official Plan policies regarding Additional Residential Units (ARUs).

This report presents draft proposed revisions to the Zoning By-law which seek to address the requirements of the County Official Plan, while also considering the context of the community, and best practices applied in other communities. The intent of this report is to provide Council and the public with a summary of information regarding this use; an update on public engagement and to present and seek feedback on draft proposed adjustments to the Zoning By-law.

It is recommended that this Public Meeting report regarding the proposed Zoning By-law Amendment D14/ADU be received for information.

INTRODUCTION

The Township Zoning By-law #023/18 currently contains permissions for 'Accessory Apartments'; however, these provisions need to be updated to be in conformity with updates to the *Planning Act* and County of Wellington Official Plan.

The intent of this report is to provide Council and the public with a summary of information regarding Additional Residential Units (ARUs), an update on public engagement, and proposed draft changes to the Township Zoning By-law #023/18. Planning staff are seeking feedback from the public and Council regarding the suggested changes.

A chart containing a detailed summary of the draft proposed changes to the By-law can be see in **Attachment 1**. It is noted that **Attachment 2** contains an excerpt from the aforementioned chart specific to the proposed replacement of Section 4.2.

BACKGROUND

The Township's current Zoning By-law was adopted in 2018 and was approved by the Local Planning Appeal Tribunal in January 2020. The approved Zoning By-law included provisions for 'Accessory Apartments'. Since that time, a Township led housekeeping amendment was approved on January 13, 2021, which amongst other things, improved the provisions for 'Accessory Apartments'.

This report is to be considered in addition to a previous information report regarding ARUs that was presented to Council on November 3rd, 2021. This previous report provided Council with an overview of the legislative and policy changes for Additional Residential Units (ARUs), outlined the current Township Zoning By-law permission for an accessory apartment, provided a summary of the approaches applied in other municipalities, and provided some preliminary ways to amend the Township By-law. At that time, Council provided some initial feedback regarding ARUs which has been considered as part of staff's detailed review.

POLICY REVIEW

A policy review was provided in a previous information report presented to Council on November 3rd, 2021. This information has been included within **Attachment 3** for review.

In summary, the *Planning Act* requires municipalities to authorize ARUs within Official Plans to permit one (1) ARU within the principal dwelling, and one (1) within an ancillary building. The Province has also provided direction on the implementation of these units through *Ontario Regulation 299/19* addressing items such as parking and that any person can occupy an ARU.

The County of Wellington Official Plan was amended through Official Plan Amendment #112 to implement the *Planning Act* changes. The Official Plan policies provide local municipalities with direction when creating or amending zoning provisions to govern ARUs.

The Township of Puslinch Zoning By-law currently contains provisions regarding 'Accessory Apartments' which are permitted as-of-right within a number of zones. The existing provisions are included within **Attachment 3** and the proposed modifications to the by-law can be reviewed within **Attachment 1** and **2**.

TOWNSHIP ZONING BY-LAW:

Currently, the Township's By-law allows one "accessory apartment" per property and only allows this unit to be within a detached structure in the Agriculture (A) Zone. Due to the changes to the *Planning Act* and the Official Plan, the Zoning By-law needs to be updated to, amongst other things, allow two (2) ARU's per property.

Based on a review of the current provisions, the County Official Plan, best practices in other communities and the context of Puslinch, planning staff have drafted proposed changes to the Township's Zoning By-law which are identified in detail within **Attachment 1** and an excerpt of the proposed changes specifically proposed just to Section 4.2 can be seen in **Attachment 2**. Planning staff are proposing to replace the existing section in its entirety and a summary of the proposed changes to the by-law are as follows:

- *Remove and add new definitions for an ARU*
 - The definition has been divided into two separate definitions – an attached ARU and a detached ARU
 - Clarify that an ancillary building includes a shed, private garage, carriage house or barn.

- *Provide general provisions that apply to all ARUs*
 - Limit of two ARUs per property
 - A maximum net gross floor area of 40% of the primary building up to 130 m² per ARU
 - Restriction on height to ensure the ARU is not taller than the primary dwelling;
 - Requirement to share access;
 - Minimum servicing requirements; and
 - Other provisions related to the Ontario Building Code, Minimum Distance Separation (MDS), hazardous lands, and not allowing this use in a bed and breakfast establishment.
- *Provisions specific to an attached ARU*
 - Clarify the unit can be within or an addition
 - If an addition, can only be located to the side or behind the primary dwelling and subject to the Zone setbacks
 - Need for private entrances
 - If the unit is within a basement, that the basement can form the entirety of the unit
- *Provisions specific to an ARU within a detached ancillary building*
 - Clarity shall be on the same lot as the principle dwelling and cannot be severed;
 - Shall comply with setbacks set out in the Zone the use is located
 - Requiring the unit to be within an existing building cluster and within 40 m of the principle dwelling;
 - A tiny home shall not exceed 5 m in height and if the unit is in the upper storey of an ancillary building, the height may be up to 8 m.
 - Clarification that except for the proposed changes related to setback and height standards, all other provisions applicable to an accessory structure is applicable.
 - Prohibit a garden suite on the same lot
- *Other changes*
 - Updated definition used throughout the By-law
 - Parking provisions

ADDITIONAL INFORMATION

Conversions of Existing Dwellings

Within the proposed provisions, planning staff are not proposing to include provisions regarding the conversion of an existing primary dwelling to an ARU upon the construction of a new, larger dwelling. However, the proposed amendments to the Zoning By-law do not seek to limit this option for the Township and property owners to consider. If these scenarios are considered by the Township, it is strongly recommended that there is a method to track these conversions.

Development Charges

Under the *Development Charges Act*, 1997, the Act exempts additional residential units from municipal development charges.

Parkland Dedication

Under the Township's current Parkland Dedication By-law #006-2018, there are specific definitions of "development" and "redevelopment". It appears that a cash-in-lieu fee could be collected at the time of building permit for an ARU within or wholly part of an ancillary building; however, it is noted that there are exemptions in place, including for the enlargement of existing residential building or structures.

PUBLIC ENGAGEMENT & AGENCY COMMENTS

Agency Comments

As required under the *Planning Act*, notice was circulated to agencies and Township staff for review. At the time of this report, no comments were received to date.

Puslinch Development Advisory Committee (PDAC)

The proposal will be considered for comments by PDAC on April 12th, 2022. Staff will provide a summary of the results within a future planning recommendation report.

Resident Survey (Engage Puslinch)

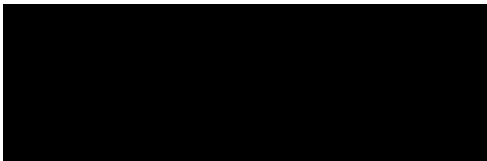
The Township will be launching a survey through Bang the Table relative to ARUs. Planning staff will provide a summary of the results within a future planning recommendation report.

CONCLUSION

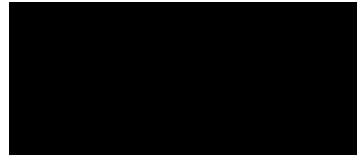
The public meeting for this application has been scheduled for April 13th, 2022. Planning staff will be in attendance at the public meeting to present the draft proposed changes and to hear any public input, and Council comments.

We trust that these initial comments are of assistance to the Township. Our final planning recommendations, including a final draft by-law and an update on public comments, will be provided to Council following the public meeting and resolution of any outstanding items.

Respectfully submitted,
County of Wellington Planning and Development Department



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



Meagan Ferris, RPP MCIP
Manager of Planning and Environment

Attachment 1: Chart with existing provisions and proposed changes

Township of Puslinch
2022 Proposed Additional Residential Units

#	Zoning By-law Section		Existing Provision/Section	Proposed Provision/Section	Recommendation
1.	N/A	Table of Contents	4.2 ACCESSORY APARTMENTS	4.2 ADDITIONAL RESIDENTIAL UNITS	Replace the words 'Accessory Apartment' with 'Additional Residential Unit' within the Table of Contents
2.	3.0	Definitions	<p>Accessory Apartment: a self-contained dwelling unit with a private kitchen, bathroom facilities and sleeping areas, which is within or subordinate to a detached, a semi-detached, or townhouse dwelling.</p>	<p>Additional Residential Unit (Attached): a self-contained <i>dwelling unit</i> with a private kitchen, bathroom facilities and sleeping areas, which is within a <i>single detached, semi-detached, or townhouse dwelling</i> and is clearly secondary and subordinate to the principal dwelling.</p> <p>Additional Residential Unit (Detached): a self-contained <i>dwelling unit</i> with a private kitchen, bathroom facilities and sleeping areas, which is within part of or whole of a <i>building</i> ancillary to a <i>single detached, semi-detached, or townhouse dwelling</i> and is clearly secondary and subordinate to the principal dwelling.</p> <p>For the purpose of this use, ancillary means a shed, <i>private garage</i>, carriage house or barn.</p>	Delete and replace the definition of 'Accessory Apartment' with definitions for 'Additional Residential Unit (Attached) and Additional Residential Unit (Detached)'
3.	4.2	Accessory Apartments	<p>4.2 ACCESSORY APARTMENTS</p> <p>a. Where permitted by this By-law, a maximum of one accessory apartment shall be permitted per single detached, semi-detached, or townhouse dwelling, provided that:</p> <ol style="list-style-type: none"> the maximum floor area shall not exceed 40 percent of the floor area of the principal dwelling unit to a maximum of 130 m²; and individual on-site sewage and water services are approved for the lot and have adequate capacity for the accessory 	<p>4.2 ADDITIONAL RESIDENTIAL UNITS</p> <p>A maximum of two <i>additional residential units</i> shall be permitted per <i>lot</i> in any <i>Zone</i> where a <i>single detached, semi-detached or townhouse dwelling</i> is permitted, subject to the following provisions:</p> <ol style="list-style-type: none"> General Provisions for Attached and Detached Additional Residential Units: <ol style="list-style-type: none"> The maximum <i>floor area</i> of an <i>additional</i> 	That section 4.2 is amended by deleting the section in it's entirety and replacing it with provisions for Additional Residential Units (Attached) and Additional Residential Units (Detached). A section is also proposed to be included regarding general prohibitions for ARUs.

#	Zoning By-law Section		Existing Provision/Section	Proposed Provision/Section	Recommendation
			<p>apartment and any other uses on the lot</p> <p>b. In the Agricultural Zone, an accessory apartment may be permitted in a detached dwelling or within a detached building, subject to the following provisions:</p> <ul style="list-style-type: none"> i. The building is located within 15 metres of the single detached dwelling on the lot; ii. The building does not exceed eight (8) metres in height; iii. The building complies with the minimum interior side, exterior side, and rear yard requirements for a single detached dwelling in the Agricultural (A) Zone; and iv. A maximum of one accessory apartment is provided on the lot. v. The maximum floor area shall not exceed 40 percent of the floor area of the principal dwelling unit to a maximum of 130 m²; and vi. Individual on-site sewage and water services are approved for the lot and have adequate capacity for the accessory apartment and any other uses on the lot 	<p><i>residential unit</i> shall not exceed 40 percent of the <i>net floor area</i> of the principal <i>dwelling unit</i> up to a maximum of 130 m²;</p> <ul style="list-style-type: none"> ii. The <i>height</i> of the <i>additional residential unit(s)</i> shall not exceed the <i>height</i> of the principal <i>dwelling unit</i>; iii. <i>Driveway</i> access to both the principal <i>dwelling unit</i> and the <i>additional residential unit</i> shall be shared and limited to one so that no new entrance from the street shall be created; iv. That appropriate, <i>individual on-site sewage and water services</i> are approved for the <i>lot</i> and there is adequate capacity for the <i>additional residential unit(s)</i> and any other uses on the <i>lot</i>; v. Shall be required to conform to all Ontario Building Code and Ontario Fire Code regulations; vi. Shall be required to conform to Minimum Distance Requirements (4.16.1), where applicable; vii. Shall not be permitted within hazardous lands as identified by the applicable Conservation Authority; and viii. An <i>additional residential unit</i> shall not be permitted within a <i>bed and breakfast establishment</i>. 	

#	Zoning By-law Section		Existing Provision/Section	Proposed Provision/Section	Recommendation
				<p>b. Additional Residential Unit (Attached)</p> <p>Where permitted by this By-law, notwithstanding any other provision of this by-law to the contrary, one additional dwelling unit (attached) shall be permitted, subject to 4.2 a) and the following:</p> <p>i. Shall be permitted within the principal dwelling unit or attached to the principal detached dwelling;</p> <p>ii. When exterior alterations to the principal detached dwelling are proposed for an attached additional residential unit, the following applies:</p> <p>1. the siting of said unit shall only be to the rear or side of the principal detached dwelling; and</p> <p>2. shall comply with the minimum required yard standards of the Zone in which such buildings is situated.</p> <p>iii. Each dwelling unit shall have a separate, private entrance;</p> <p>iv. Notwithstanding Section 4.2.a) i), if located in a basement, the additional residential unit may occupy the whole of the basement.</p> <p>c. Additional Residential Unit (Detached)</p> <p>Where permitted by this By-law, notwithstanding any other provision of this by-law to the contrary, one additional dwelling unit (detached) shall be permitted in an ancillary building subject to 4.2 a)</p>	

#	Zoning By-law Section		Existing Provision/Section	Proposed Provision/Section	Recommendation
				<p>and the following:</p> <ul style="list-style-type: none"> i. Shall be located on the same <i>lot</i> as the principal <i>detached dwelling, semi-detached dwelling unit, or townhouse dwelling</i> and shall not be severed from the principal <i>dwelling unit</i>. ii. Shall comply with the minimum required <i>yard</i> standards in which the unit is situated; iii. The <i>additional residential unit</i> shall be within the existing building cluster and located within 40 metres of the principal <i>dwelling unit</i> on the <i>lot</i>. iv. In addition to item 4.2 a) ii), the maximum <i>building height</i> for an <i>ancillary building</i> shall be subject to the following: <ul style="list-style-type: none"> a. No more than 5 m if the <i>additional residential unit</i> occupies the entirety of an <i>ancillary building</i> and; b. Up to 8 m if the <i>additional residential unit</i> occupies the second <i>storey</i> of an <i>ancillary building</i> v. All provisions within Section 4.4 are applicable, except for provisions that conflict with Sections 4.2 c) ii) and c) iv). vi. A <i>garden suite</i> must not be located on the same lot. 	

#	Zoning By-law Section		Existing Provision/Section	Proposed Provision/Section	Recommendation
4.	4.25.b.iii	Short Term Accommodation	iii. a short-term accommodation use shall not occur on the same lot as a home business, in an accessory apartment, or accessory building or structure.	iii. a short-term accommodation use shall not occur on the same lot as a home business, in an accessory apartment Additional Residential Unit (Attached) or an Additional Residential Unit (Detached) , or accessory building or structure.	Replace the words ‘accessory apartment’ with ‘additional residential unit (attached or detached)’
5.	5	Table 5.2 Residential Parking Space Requirements	Accessory Apartment: 1 per dwelling unit, in addition to the requirement for the principal dwelling unit	Accessory Apartment: Additional Residential Unit (Attached and Detached): 1 per dwelling unit, in addition to the requirement for the principal dwelling unit. A parking space that is provided and maintained for the sole use of the occupant of the Additional Dwelling Unit may be a tandem parking space.	Delete the row for Accessory Apartment in its entirety and replacing it with parking requirements for Additional Residential Units (Attached and Detached)
6.	6.2	Table 6.1 Residential Zone Permitted Uses	Accessory Apartment	Additional Residential Unit (Attached) and Additional Residential Unit (Detached)	Replace the term ‘Accessory Apartment’ with ‘Additional Residential Unit (Attached) and Additional Residential Unit Detached’.
7.	7.2	Table 7.1 Agricultural Zone Permitted Uses	Accessory Apartment	Additional Residential Unit (Attached) and Additional Residential Unit (Detached)	Replace the term ‘Accessory Apartment’ with ‘Additional Residential Unit (Attached) and Additional Residential Unit Detached’.
8.	11.2	Table 11.1 Mixed Use Zone Permitted Uses	Accessory Apartment	Additional Residential Unit (Attached) and Additional Residential Unit (Detached)	Replace the term ‘Accessory Apartment’ with ‘Additional Residential Unit (Attached) and Additional Residential Unit Detached’.
9.	12.2	Table 12.2 Permitted Uses Other Zones	Accessory Apartment	Additional Residential Unit (Attached) and Additional Residential Unit (Detached)	Additional Residential Unit (Attached)’ and ‘Additional Residential Unit (Detached)’ permitted within the FD2 Zone.
10.	13.4.d.i	Aberfoyle Flood Plain Zone Overlay	Accessory Apartment	Additional Residential Unit (Attached) and Additional Residential Unit (Detached)	Replace the term ‘Accessory Apartment’ with ‘Additional Residential Unit (Attached) and Additional Residential Unit Detached’.

ATTACHMENT 2: Proposed Changes to Section 4.2 (excerpt from Attachment 1)

4.2 ADDITIONAL RESIDENTIAL UNITS

A maximum of two **additional residential units** shall be permitted per **lot** in any **Zone** where a **single detached, semi-detached** or **townhouse dwelling** is permitted, subject to the following provisions:

- a. General Provisions for Attached and Detached Additional Residential Units:
 - i. The maximum **floor area** of an **additional residential unit** shall not exceed 40 percent of the **net floor area** of the principal **dwelling unit** up to a maximum of 130 m²;
 - ii. The **height** of the **additional residential unit(s)** shall not exceed the **height** of the principal **dwelling unit**;
 - iii. **Driveway** access to both the principal **dwelling unit** and the **additional residential unit** shall be shared and limited to one so that no new entrance from the street shall be created;
 - iv. That appropriate, **individual on-site sewage and water services** are approved for the **lot** and there is adequate capacity for the **additional residential unit(s)** and any other uses on the **lot**;
 - v. Shall be required to conform to all Ontario Building Code and Ontario Fire Code regulations;
 - vi. Shall be required to conform to Minimum Distance Requirements (4.16.1), where applicable;
 - vii. Shall not be permitted within hazardous lands as identified by the applicable Conservation Authority; and
 - viii. An **additional residential unit** shall not be permitted within a **bed and breakfast establishment**.
- b. Additional Residential Unit (Attached)

Where permitted by this By-law, notwithstanding any other provision of this by-law to the contrary, one **additional dwelling unit (attached)** shall be permitted, subject to 4.2 a) and the following:

- i. Shall be permitted within the principal **dwelling unit** or attached to the principal **detached dwelling**;
- ii. When exterior alterations to the principal **detached dwelling** are proposed for an attached **additional residential unit**, the following applies:
 1. the siting of said unit shall only be to the rear or side of the principal **detached dwelling**; and
 2. shall comply with the minimum required **yard** standards of the **Zone** in which such **buildings** is situated.

- iii. Each **dwelling unit** shall have a separate, private entrance;
- iv. Notwithstanding Section 4.2.a) i), if located in a **basement**, the **additional residential unit** may occupy the whole of the **basement**.

c. Additional Residential Unit (Detached)

Where permitted by this By-law, notwithstanding any other provision of this by-law to the contrary, one **additional dwelling unit (detached)** shall be permitted in an **ancillary building** subject to 4.2 a) and the following:

- i. Shall be located on the same **lot** as the principal **detached dwelling, semi-detached dwelling unit, or townhouse dwelling** and shall not be severed from the principal **dwelling unit**.
- ii. Shall comply with the minimum required **yard** standards in which the unit is situated;
- iii. The **additional residential unit** shall be within the existing building cluster and located within 40 metres of the principal **dwelling unit** on the **lot**.
- iv. In addition to item 4.2 a) ii), the maximum **building height** for an **ancillary building** shall be subject to the following:
 - a. No more than 5 m if the **additional residential unit** occupies the entirety of an **ancillary building** and;
 - b. Up to 8 m if the **additional residential unit** occupies the second **storey** of an **ancillary building**
- v. All provisions within Section 4.4 are applicable, except for provisions that conflict with Sections 4.2 c) ii) and c) iv).
- vi. A **garden suite** must not be located on the same lot.

ATTACHMENT 3: Policy Review

Planning Act

Through *Bill 108, More Homes, More Choice Act, 2019* the *Planning Act* was amended to alter the policies requiring municipalities to authorize the use of additional residential units within their Official Plans. This change to the *Planning Act* is largely driven to support alternative housing and rental opportunities within the Province.

The changes to the Planning Act (including Ontario Regulation 299/19) included an update to terminology (i.e. “Second Residential Unit” to “Additional Residential Unit”), established parking requirements and directs municipalities to authorize ARUs within their Official Plans by permitting two (2) ARU’s on a property. More specifically, the Act permits one (1) unit in the primary detached house, semi-detached house or rowhouse, and authorizes permissions for one (1) unit within a detached ancillary building. The Act now permits a property to contain three (3) dwelling units – a primary dwelling and two (2) ARU’s.

County Official Plan Amendment

In late 2020 the County of Wellington adopted Official Plan Amendment #112 to implement the *Planning Act* changes to additional residential units. The updated policies provide direction for local municipalities when updating their Zoning By-laws for ARUs within a main residence and within an ancillary building or structure.

The Official Plan policies identify matters that the local zoning by-law must be in conformity with:

1. Permitting one ARU within a single detached dwelling, semi-detached dwelling or rowhouse;
2. Permitting one ARU within a building or structure that is ancillary to a single detached dwelling, semi-detached dwelling or rowhouse;
3. Prohibiting ARUs within hazardous lands as defined and regulated by the local Conservation Authority;
4. Requiring appropriate water and wastewater servicing;
5. Requiring the ARU to be located within the main building cluster;
6. The ARU to be clearly secondary to the main residence on the property; and
7. Outside of Settlement Areas, the Minimum Distance Separation Formula is complied with.

The Official Plan policies identifies matters that should be addressed when creating and/or amending zoning provisions, including:

1. Safe road access and the sharing of driveways;
2. Adequate parking;
3. Minimization of exterior alterations;
4. Adequate amenity space;
5. Need to meet Building Code, Fire Code and property regulations; and
6. If a garden suite should also be permitted on the same lot.

It is also important to note that the County Official Plan does allow an ARU to occupy the entirety of an ancillary building (i.e. a small dwelling).

Township Zoning By-Law

Within the Township of Puslinch Zoning By-law an “Accessory Apartment” is defined as “*a self-contained*

dwelling unit with a private kitchen, bathroom facilities and sleeping areas, which is within or subordinate to a detached, a semi-detached, or townhouse dwelling". An accessory apartment is permitted as of right within the following Zones: Urban Residential (UR), Hamlet Residential (HR), Rural Residential (RUR), Resort Residential (RR), Core Mixed Use Zone (CMU), and the Agricultural Zone (A). However, only within the A Zone is an ARU permitted within a detached structure.

The Zoning By-law also provides general provisions regarding Accessory Apartments in Section 4.2, which are seen below.

4.2 ACCESSORY APARTMENTS

- a) *Where permitted by this By-law, a maximum of one accessory apartment shall be permitted per single detached, semi-detached, or townhouse dwelling, provided that:*
 - i. *the maximum floor area shall not exceed 40 percent of the floor area of the principal dwelling unit to a maximum of 130 m²; and*
 - ii. *individual on-site sewage and water services are approved for the lot and have adequate capacity for the accessory apartment and any other uses on the lot.*

- b) *In the Agricultural Zone, an accessory apartment may be permitted in a detached dwelling or within a detached building, subject to the following provisions:*
 - i. *The building is located within 15 metres of the single detached dwelling on the lot;*
 - ii. *The building does not exceed eight (8) metres in height;*
 - iii. *The building complies with the minimum interior side, exterior side, and rear yard requirements for a single detached dwelling in the Agricultural (A) Zone; and*
 - iv. *A maximum of one accessory apartment is provided on the lot.*
 - v. *The maximum floor area shall not exceed 40 percent of the floor area of the principal dwelling unit to a maximum of 130 m²; and*
 - vi. *Individual on-site sewage and water services are approved for the lot and have adequate capacity for the accessory apartment and any other uses on the lot*

Township-wide Zoning Bylaw Amendment: Additional Residential Units

PLANNING PRESENTATION for the TOWNSHIP OF PUSLINCH

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

April 13th 2022



Intent of this Public Meeting:

- Overview some changes being proposed & obtain feedback from the public and Council
- Overview background information & current zoning provisions
- Detail on how the public can get involved and next steps

Background:

- Bill 108, More Homes, More Choice Act, 2019, altered the *Planning Act* requiring municipalities to authorize the use of Additional Residential Units within their Official Plans
- County Official Plan Amendment #112 was adopted in 2020 to implement the *Planning Act* changes
- The Official Plan provides direction for local municipalities when updating their Zoning By-laws and provides items that must be updated and other items the municipality should consider
- The Official Plan directs that one (1) ARU is permitted within the primary dwelling and one (1) ARU is permitted within a detached structure

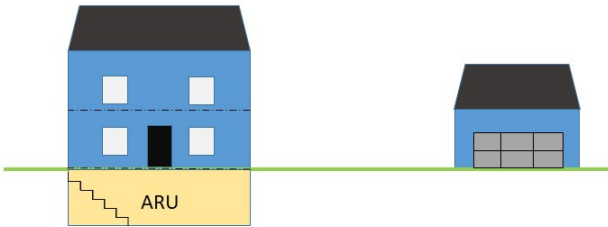
Public Engagement:

- Township will be launching a resident survey
- Public Meeting – April 13th 2022

What is an Additional Residential Unit?

Additional Residential Unit (ARU) Within a Principal Building

Example 1. Additional Residential Unit within a Basement



Example 2. Additional Residential Unit within an Addition



Example 3. Additional Residential Unit in Second Level



Additional Residential Unit (ARU) Within an Ancillary Building

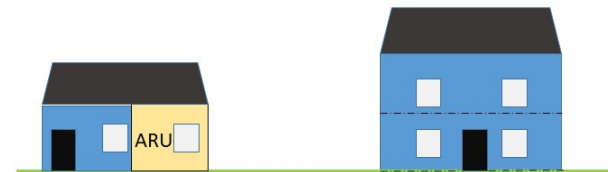
Example 1. Additional Residential Unit occupying entire ancillary building



Example 2a) Additional Residential Unit within an ancillary building



Example 2b) Additional Residential Unit within an ancillary building



- Self-contained residential unit with a separate kitchen, bathroom and sleeping facilities
- Subordinate in scale and function from the main residence
- The County Official Plan allows:
 - One ARU in a single detached dwelling, semi-detached dwelling or rowhouse; and
 - One ARU in a building or structure ancillary to a single detached dwelling, semi-detached dwelling or rowhouse.

Current Zoning Regulations:

4.2 ACCESSORY APARTMENTS

- a. Where permitted by this By-law, a maximum of one accessory apartment shall be permitted per single detached, semi-detached, or townhouse dwelling, provided that:
 - i. the maximum floor area shall not exceed 40 percent of the floor area of the principal dwelling unit to a maximum of 130 m²; and
 - ii. individual on-site sewage and water services are approved for the lot and have adequate capacity for the accessory apartment and any other uses on the lot.
- b. In the Agricultural Zone, an accessory apartment may be permitted in a detached dwelling or within a detached building, subject to the following provisions:
 - i. The building is located within 15 metres of the single detached dwelling on the lot;
 - ii. The building does not exceed eight (8) metres in height;
 - iii. The building complies with the minimum interior side, exterior side, and rear yard requirements for a single detached dwelling in the Agricultural (A) Zone; and
 - iv. A maximum of one accessory apartment is provided on the lot.
 - v. The maximum floor area shall not exceed 40 percent of the floor area of the principal dwelling unit to a maximum of 130 m²; and
 - vi. Individual on-site sewage and water services are approved for the lot and have adequate capacity for the accessory apartment and any other uses on the lot.

Changes Being Proposed:

- Replace the definition of ‘Accessory Apartment’ with ‘Additional Residential Unit (Attached)’ and ‘Additional Residential Unit (Detached)’
 - **Additional Residential Unit (Attached):** a self-contained **dwelling unit** with a private kitchen, bathroom facilities and sleeping areas, which is within a **single detached, semi-detached, or townhouse dwelling** and is clearly secondary and subordinate to the principal dwelling.
 - **Additional Residential Unit (Detached):** a self-contained **dwelling unit** with a private kitchen, bathroom facilities and sleeping areas, which is within part of or whole of a building **ancillary** to a **single detached, semi-detached, or townhouse dwelling** and is clearly secondary and subordinate to the principal dwelling.

For the purpose of this use, ancillary means a shed, ***private garage***, carriage house or barn.

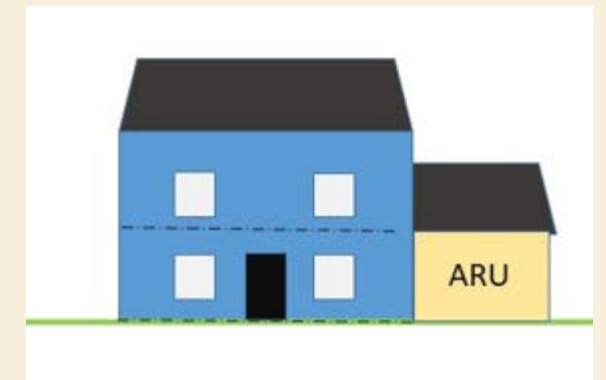
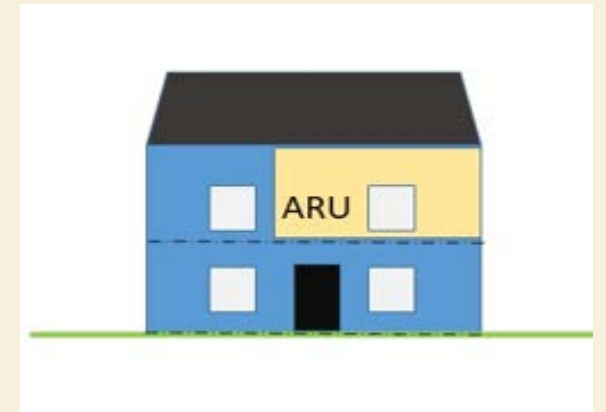
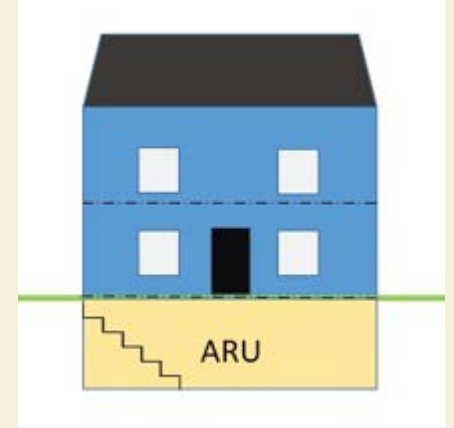
- **Adjust other sections of the By-law that use the term “accessory apartment”**
 - Short term accommodations section
 - All the zones where the use is a listed permitted use
 - Parking Section

Changes Being Proposed (Continued):

- Deleting Section 4.2 Accessory Apartments in its entirety and replacing it with the following:
 - General Provisions
 - That two ARU's are permitted per lot which is allowed to have a single, semi and townhouse dwelling;
 - Size cap per ARU is 40% of the principal dwelling, up to 130 m2
 - Height shall not exceed that of the principal dwelling
 - Limits on driveway access so it is shared
 - Servicing requirement
 - Provisions related to meeting the Ontario Building Code & Ontario Fire Code regulations; Minimum Distance Separation (MDS); and prohibition on hazardous lands and within a bed and breakfast.

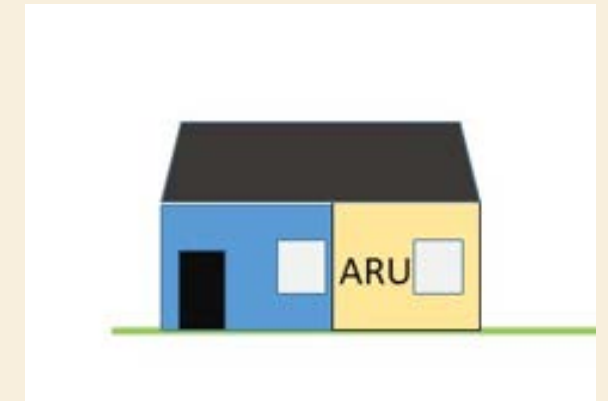
Changes Being Proposed (Continued):

- Provisions specific to an Additional Residential Unit that is “Attached”
 - This includes: (i) within the principal single detached, semi-detached or townhouse dwelling or (ii) attached to a single detached dwelling;
 - If proposing an addition – the addition can be to the side or behind the principal dwelling and will need to meet the setbacks applicable in the Zone the use is located;
 - Requirement for separate, private entrances; and
 - Allow an ARU to form the entirety of a basement if it is within a principal dwelling



Changes Being Proposed (Continued):

- **Provisions specific to an Additional Residential Unit that is “Detached”**
 - This includes a unit within an ancillary building or is the entirety of an ancillary building (i.e. tiny home);
 - The unit has to be on the same lot as the principal dwelling;
 - The unit cannot be severed from the principal dwelling;
 - Setbacks required are identified in the Zone the use is located;
 - Requirement to be in the building cluster and within 40 metres of the principal dwelling;
 - Additional height restrictions:
 - Tiny homes can only be 5 metres in height
 - A unit on the second storey of an ancillary building shall be up to 8 m
 - All other provisions applicable to accessory buildings and structures apply; and
 - Prohibit a garden suite on the same lot



Next Steps:

- Obtain public and Council feedback on proposed changes
- Close public survey at the end of the month
- Review all comments received
- Address any outstanding items and adjust provisions where appropriate
- Provide a planning recommendation report and draft amending by-law for consideration



THE TOWNSHIP OF PUSLINCH NOTICE OF COMPLETE APPLICATION & NOTICE OF THE PUBLIC MEETING

Public Meetings are being conducted via Zoom Webinars.
The public is invited to participate by registering for this webinar at the link below:

https://us02web.zoom.us/webinar/register/WN_nP8SrUUQHGsMJTTNhQ8vg

After registering, you will receive a confirmation email containing information about joining the webinar.

Or join by phone:

+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: 869 8566 1513

Passcode: **236478**

International numbers available: <https://us02web.zoom.us/j/kb2bws5MVT>

TAKE NOTICE that pursuant to the Planning Act, R.S.O. 1990, as amended, the Council of the Township of Puslinch will hold a public meeting to present the received public input regarding proposed amendments to the County of Wellington Official Plan (File No. OP 2020-04) and the Township of Puslinch Zoning By-law (File No. D14/CBM) on **Wednesday, April 13, 2022 at 7:00 p.m.**

Meeting Place:

Please note that the Township Offices are closed to the public in response to COVID-19 and as such, Public Meetings are being conducted electronically.

How to Participate:

Public Meetings are being conducted via Zoom Webinars. The public is invited to participate by registering for this webinar at the link shown above.

Please note the meeting is video and audio recorded and all electronic meetings are uploaded to the municipality's YouTube page. By requesting to participate in the meeting by electronic means, you are consenting to have your likeness and comments recorded and posted on YouTube.

MAKING A WRITTEN SUBMISSION

The public is invited to participate by submitting written comments to the application in support or opposition of the application. Your full name and address must be on the submission. You can submit written comments via email to the **Township Clerk's office at the address below** no later than **April 11, 2022 by 4:30 p.m.** to ensure that your comments are included in the Committee Agenda. Any written comments or objections submitted are made public as part of the application process and the public record and will be considered by the Committee.

You can also mail written comments to:

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

Or place them in the Township Office mail slot no later than **April 11, 2022 at 4:30 p.m.** to ensure that your comments are included in the Committee Agenda.

The Township will NOT be responsible for Canada Post delays. Please mail your comments with sufficient time, as they must be received in the Municipal Office by the date and time noted above to be included in the Committee Agenda.

MAKING AN ORAL SUBMISSION

The public is invited to participate by speaking to the applications in support or opposition of the applications. If you wish to participate in the meeting to provide verbal comments to speak in support or opposition, please contact the Township Clerk's office at the address below by **April 11, 2022 at 4:30 p.m.** and you will be provided with instructions on how to participate in the meeting. Instructions will also be provided during the meeting to ensure that those watching the public hearing will be given the opportunity to speak.

THE LAND SUBJECT to the application is described as Rear Part Lot 25, Concession 1 and Part 1 on Reference Plan 61R-21652, municipally known as 4222, 4228 and 4248 Sideroad 25 S., Township of Puslinch. The subject lands are shown on the inset map.

THE PURPOSE AND EFFECT of the proposed Official Plan Amendment is to amend the County of Wellington Official Plan to add the subject property to the Mineral Aggregate Resources Overlay to facilitate the expansion of an existing gravel pit (CMB Lanci Pit). A portion of the lands is proposed to be redesignated from Greenlands to Secondary Agricultural and from Secondary Agricultural to Greenlands on Schedule A of the County of Wellington Official Plan.

The Zoning By-law Amendment proposes to amend the Township of Puslinch New Comprehensive Zoning By-law 23-2018 to rezone a portion of the lands from the Agricultural (A) (sp1) Zone to Extractive (EXI) Zone to facilitate the expansion of an existing pit (CBM Lanci Pit).

ORAL OR WRITTEN SUBMISSIONS may be made by the public either in support or in opposition to the proposed Official Plan Amendment and/or Zoning By-law Amendment. Any person may attend the public meeting and make an oral submission. Written submissions should be copied to both the County of Wellington and to the Township Clerk at the address below. All those present at the public meeting will be given the opportunity to make an oral submission, however; it is requested that those who wish to address Council notify the Township Clerk in advance of the public meeting.

TAKE NOTICE that if a person or public body would otherwise have an ability to appeal the decision of the Council of the Township of Puslinch to the Ontario Land Tribunal (OLT) but the person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Puslinch before the by-law is passed, the person or public body is not entitled to appeal the decision.

AND TAKE NOTICE that if a person or public body does not make oral submissions at a public meeting, or make written submissions to the Township of Puslinch before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal (OLT) unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

REQUEST FOR NOTICE OF DECISION regarding the adoption of the Official Plan Amendment (OP 2020-04) or the refusal of a request to amend the Official Plan, you must make a written request to the Director, Planning and Development Department, County of Wellington, 74 Woolwich Street, Guelph, Ontario, N1H 3T9. If you wish to be notified of the decision regarding the proposed Zoning By-law amendment (D14/CBM), you must make a written request to the Township Clerk at the address shown below.

ADDITIONAL INFORMATION regarding the proposed Official Plan Amendment, including information about appeal rights, is available by emailing the County office at the address as shown above, and information for the Zoning By-law Amendment, including information about appeal rights is available by contacting the Township of Puslinch Clerk's office at the address below. If you require the information in an alternative format, please contact the Clerk's office at the address below and arrangements can be made.

Dated at the Township of Puslinch on this
11th day of March 2022.

Courtenay Hoytfox
Municipal Clerk

For more information or to register an oral or written submission please contact planning@puslinch.ca.

An aerial photograph of a residential area. A yellow line runs diagonally across the image, labeled 'Subject Property'. Several black arrows point from this line to specific lots. The lots are numbered: 7129, 4296, 4284, 4245, 4226, 4222, 4207, 4195, 4219, 4225, 4212, 7084, 7070, 7071, 7072, 7073, 7074, 7075, 7076, 7077, 7078, 7079, 7080, 7081, 7082, 7083, 7084, 7085, 7086, 7087, 7088, 7089, 7090, 7091, 7092, 7093, 7094, 7095, 7096, 7097, 7098, 7099, 7100, 7101, 7102, 7103, 7104, 7105, 7106, 7107, 7108, 7109, 7110, 7111, 7112, 7113, 7114, 7115, 7116, 7117, 7118, 7119, 7120, 7121, 7122, 7123, 7124, 7125, 7126, 7127, 7128, 7129, 7130, 7131, 7132, 7133, 7134, 7135, 7136, 7137, 7138, 7139, 7140, 7141, 7142, 7143, 7144, 7145, 7146, 7147, 7148, 7149, 7150, 7151, 7152, 7153, 7154, 7155, 7156, 7157, 7158, 7159, 7160, 7161, 7162, 7163, 7164, 7165, 7166, 7167, 7168, 7169, 7170, 7171, 7172, 7173, 7174, 7175, 7176, 7177, 7178, 7179, 7180, 7181, 7182, 7183, 7184, 7185, 7186, 7187, 7188, 7189, 7190, 7191, 7192, 7193, 7194, 7195, 7196, 7197, 7198, 7199, 7200, 7201, 7202, 7203, 7204, 7205, 7206, 7207, 7208, 7209, 7210, 7211, 7212, 7213, 7214, 7215, 7216, 7217, 7218, 7219, 7220, 7221, 7222, 7223, 7224, 7225, 7226, 7227, 7228, 7229, 7230, 7231, 7232, 7233, 7234, 7235, 7236, 7237, 7238, 7239, 7240, 7241, 7242, 7243, 7244, 7245, 7246, 7247, 7248, 7249, 7250, 7251, 7252, 7253, 7254, 7255, 7256, 7257, 7258, 7259, 7260, 7261, 7262, 7263, 7264, 7265, 7266, 7267, 7268, 7269, 7270, 7271, 7272, 7273, 7274, 7275, 7276, 7277, 7278, 7279, 7280, 7281, 7282, 7283, 7284, 7285, 7286, 7287, 7288, 7289, 7290, 7291, 7292, 7293, 7294, 7295, 7296, 7297, 7298, 7299, 7300, 7301, 7302, 7303, 7304, 7305, 7306, 7307, 7308, 7309, 7310, 7311, 7312, 7313, 7314, 7315, 7316, 7317, 7318, 7319, 7320, 7321, 7322, 7323, 7324, 7325, 7326, 7327, 7328, 7329, 7330, 7331, 7332, 7333, 7334, 7335, 7336, 7337, 7338, 7339, 7340, 7341, 7342, 7343, 7344, 7345, 7346, 7347, 7348, 7349, 7350, 7351, 7352, 7353, 7354, 7355, 7356, 7357, 7358, 7359, 7360, 7361, 7362, 7363, 7364, 7365, 7366, 7367, 7368, 7369, 7370, 7371, 7372, 7373, 7374, 7375, 7376, 7377, 7378, 7379, 7380, 7381, 7382, 7383, 7384, 7385, 7386, 7387, 7388, 7389, 7390, 7391, 7392, 7393, 7394, 7395, 7396, 7397, 7398, 7399, 7400, 7401, 7402, 7403, 7404, 7405, 7406, 7407, 7408, 7409, 7410, 7411, 7412, 7413, 7414, 7415, 7416, 7417, 7418, 7419, 7420, 7421, 7422, 7423, 7424, 7425, 7426, 7427, 7428, 7429, 7430, 7431, 7432, 7433, 7434, 7435, 7436, 7437, 7438, 7439, 7440, 7441, 7442, 7443, 7444, 7445, 7446, 7447, 7448, 7449, 7450, 7451, 7452, 7453, 7454, 7455, 7456, 7457, 7458, 7459, 7460, 7461, 7462, 7463, 7464, 7465, 7466, 7467, 7468, 7469, 7470, 7471, 7472, 7473, 7474, 7475, 7476, 7477, 7478, 7479, 7480, 7481, 7482, 7483, 7484, 7485, 7486, 7487, 7488, 7489, 7490, 7491, 7492, 7493, 7494, 7495, 7496, 7497, 7498, 7499, 7500, 7501, 7502, 7503, 7504, 7505, 7506, 7507, 7508, 7509, 7510, 7511, 7512, 7513, 7514, 7515, 7516, 7517, 7518, 7519, 7520, 7521, 7522, 7523, 7524, 7525, 7526, 7527, 7528, 7529, 7530, 7531, 7532, 7533, 7534, 7535, 7536, 7537, 7538, 7539, 7540, 7541, 7542, 7543, 7544, 7545, 7546, 7547, 7548, 7549, 7550, 7551, 7552, 7553, 7554, 7555, 7556, 7557, 7558, 7559, 7560, 7561, 7562, 7563, 7564, 7565, 7566, 7567, 7568, 7569, 7570, 7571, 7572, 7573, 7574, 7575, 7576, 7577, 7578, 7579, 7580, 7581, 7582, 7583, 7584, 7585, 7586, 7587, 7588, 7589, 7590, 7591, 7592, 7593, 7594, 7595, 7596, 7597, 7598, 7599, 7600, 7601, 7602, 7603, 7604, 7605, 7606, 7607, 7608, 7609, 7610, 7611, 7612, 7613, 7614, 7615, 7616, 7617, 7618, 7619, 7620, 7621, 7622, 7623, 7624, 7625, 7626, 7627, 7628, 7629, 7630, 7631, 7632, 7633, 7634, 7635, 7636, 7637, 7638, 7639, 7640, 7641, 7642, 7643, 7644, 7645, 7646, 7647, 7648, 7649, 7650, 7651, 7652, 7653, 7654, 7655, 7656, 7657, 7658, 7659, 7660, 7661, 7662, 7663, 7664, 7665, 7666, 7667, 7668, 7669, 7670, 7671, 7672, 7673, 7674, 7675, 7676, 7677, 7678, 7679, 7680, 7681, 7682, 7683, 7684, 7685, 7686, 7687, 7688, 7689, 7690, 7691, 7692, 7693, 7694, 7695, 7696, 7697, 7698, 7699, 7700, 7701, 7702, 7703, 7704, 7705, 7706, 7707, 7708, 7709, 7710, 7711, 7712, 7713, 7714, 7715, 7716, 7717, 7718, 7719, 7720, 7721, 7722, 7723, 7724, 7725, 7726, 7727, 7728,



PLANNING REPORT for the TOWNSHIP OF PUSLINCH

Prepared by the County of Wellington Planning and Development Department

MEETING DATE: April 13th, 2022
TO: Glenn Schwendinger, CAO
Township of Puslinch
FROM: Meagan Ferris, Manager of Planning and Environment
County of Wellington
SUBJECT: **PUBLIC MEETING –Lanci Pit Expansion (CBM, a Division of St. Mary’s)**
County Official Plan Amendment File OP-2020-04 and
Township Zoning By-law Amendment File #D14/CBM
4222, 4228 & 4248 Sideroad 25 South, Puslinch
ATTACHMENTS: 1 – Subject lands, Existing Operation and Surrounding Uses
2 – Applicant’s Proposed Amendments (Maps)

SUMMARY

The existing Lanci Pit is nearing the end of its extractive lifespan and site specific amendments to the County Official Plan and Township Zoning By-law #023/18 are proposed for lands south of and abutting the existing pit to facilitate an expansion. The expansion area, referred to as the subject lands, are proposed to include three lots – 4248, 4228 and 4222 Sideroad 25 S – which totals 14.8 ha (36.5 ac) of additional lands.

The purpose of the subject Official Plan and Zoning By-law amendment applications is to redesignate portions of the subject lands to reflect the location of the significant woodlands on-site; to extend the Mineral Aggregate Area Overlay to a portion of the subject lands; and to rezone the subject lands to an Extractive (EXI) Zone to facilitate the expansion.

A public meeting is scheduled for April 13th, 2022. This report provides a preliminary overview of the proposal, highlights some of the applicable planning policies to be considered, comments received to date and explains the next steps in the planning review process.

It is recommended that this Public Meeting report regarding the proposed County Official Plan Amendment OP-2020-04 and Zoning By-law Amendment D14/CBM be received for information.

INTRODUCTION

The lands subject to the proposed amendments are known municipally as 4248, 4228 and 4222 Sideroad 25 S and combined are 14.8 ha (36.6 ac) in area. These lands are abutting and immediately south of an existing pit (Lanci Pit). The existing Lanci Pit operation obtained a license for extraction in 2009 and since that time extraction has primarily been completed. The subject applications seek to facilitate a below the water table expansion. The existing operation has frontage on Concession 2 and Sideroad 25 S and access via Concession 2. The subject



lands and the existing operation can be seen in **Attachment 1**. The lands subject to the proposed applications can be seen in **Figure 1**.

Surrounding land uses consists of existing aggregate operations to the north, east and west, the Crieff community to the south, a lot vacant of any structures, and rural residential dwellings to the south east.

OPERATION DETAILS

Within the area subject to the proposed amendments, approximately 10.2 ha (25.1 ac) of the 14.8 ha (36.6 ac) area is proposed to be extracted. Extraction is intended to occur in one phase, moving from north to south with below the water extraction occurring in a south to north direction.

The hours of operations including extraction and shipping are proposed to occur between 7 am and 7 pm daily. Processing will occur off-site and across the road at the Aberfoyle South Pit. No aggregate processing is proposed to occur on site. The intent is to utilize the existing internal haul route and access onto Concession 2. No access is proposed onto Sideroad 25 S.

It is further understood that the intent is to protect the significant woodlands along the south boundary of 4222 Sideroad 25 S and establish a 5 m buffer from the dripline. A 30 m buffer is proposed from Sideroad 25 S and a 0 m setback from the existing pit to the north (Lanci Pit) and the abutting pit existing to the west (Mill Creek Pit). A 15 m setback from the southerly lot line of the vacant lot (north of #4248) is also proposed.

PROPOSED AMENDMENTS

The purpose of the subject applications is to amend both the County Official Plan and the Puslinch Zoning By-law as follows:

- Amend Schedule A7 (Puslinch) of the County Official Plan by redesignation approximately 0.1 ha (0.24 ac) of land from Greenland System to Secondary Agricultural and redesignation approximately 0.23 ha (0.56 ac) of land from Secondary Agricultural to Greenlands System;
- Amend Schedule C (Mineral Aggregate Resource Overlay) of the County Official Plan by extending the Sand and Gravel Resources of Primary and Secondary Significant overlay to include an additional 2.14 ha (5.2 ac) area of land; and
- Amend Schedule A of the Township Zoning By-law #023/18 by rezoning the subject lands from a site specific Agriculture (A)(sp1) Zone to Extractive (EXI) Zone.

The above amendments are reflected in the applicant's proposed schedule excerpts included within **Attachment 2**.

REPORTS AND STUDIES SUBMITTED

In support of the subject applications, the following studies were submitted:

- Planning Justification Report prepared by MHBC (dated April, 2020)
- Archaeological Assessment prepared by Golder Associates Ltd. (dated November 2nd 2018)
- Hydrogeological Assessment prepared by Golder Associates Ltd. (dated April, 2020)
- Natural Environment Assessment prepared by Golder and Associates Ltd (dated April, 2020)
- Noise Impact Assessment prepared by Golder and Associates Ltd (dated April, 2020)
- Proposed Dust Management letter prepared by MHBC (dated July 13, 2020)
- Site Plans, including Rehabilitation Plans prepared by MHBC (dated May 2020)

AGGREGATE RESOURCE ACT (ARA) PROCESS

The applicant has indicated that the subject lands contain approximately 3-4 million tonnes of high quality sand and gravel resources and that the license type applied for through the Ministry of Northern Development, Mines, Natural Resources and Forestry (MNDMNRF) is a Class 'A' License (Category 1 – Pit Below Water) with a maximum annual tonnage of 1 000 000.

As part of the municipal planning applications, the applicant has submitted the Site Plans submitted to the MNDMNRF, which includes a Rehabilitation Plan. The Rehabilitation Plans propose to create a lake approximately 6.1 ha (15 ac) in size which will be connected to the existing pond on the original Lanci Pit site.

Under this Provincial approval process, notice of the ARA application was posted on the Environmental Registry of Ontario with a commenting period of March 15th 2021 – April 29th 2021. The applicant also hosted the required Public Information Session in March 2021. The applicant has confirmed that no objections from the public were received through this process; however, objections were issued by the County, Grand River Conservation Authority and the Ministry due to the related municipal planning applications being under review.

PROVINCIAL POLICY - PROVINCIAL POLICY STATEMENT (2020)

The Provincial Policy Statement (2020) provides policy direction for all development within the Province of Ontario in part by building strong and healthy communities and managing and directing land uses and land uses patterns.

Within the PPS, Section 2.5 *Mineral Aggregate Resources* establishes policies that: protects these resources for the long-term, including from development or activities that may preclude or hinder extraction; the need for extraction to be undertaken in a way that minimizes social, economic and environmental impacts; and the need for progressive and final rehabilitation to "...accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible."

Due to the site location, Section 1.1.4 *Rural Areas* and Section 1.1.5 *Rural Lands* are also applicable. Rural Areas are identified as a system of lands that include a variety of uses including natural resource areas and the healthy and viability needs to in part build upon the "...rural character, and leveraging rural amenities and assets..." On Rural Lands, permitted uses include the management or use of resources.

In addition to the above, consideration will also need to be given as to how policies, such as in Section 1.2.6 *Land Use Compatibility*, Section 2.1 *Natural Heritage* with respects to natural features on site or on adjacent lands, and Section 2.2 *Water*, including protecting the hydrological function of sensitive water features like groundwater recharge areas are being met.

PROVINCIAL POLICY - PROVINCIAL GROWTH PLAN (2019)

The Growth Plan provides a policy framework that builds onto the Provincial Policy Statement (2020). Consideration will need to be given to Section 4.2 regarding key natural heritage features such as the on-site significant woodlands, species at risk etc.; Section 4.2.6 *Agricultural System*; and Section 4.2.8 *Mineral Aggregate Resources*. With respects to Section 4.2.8, it is noted that item 4.2.8.2 c) allows the expansion of an existing mineral aggregate operation within the Growth Plan's Natural Heritage System if the approvals are consistent with the PPS and satisfy the rehabilitation policies in Section 4.2.8.4 and Section 4.2.8.5. The latter policy requires that below the water table extraction is required to rehabilitate no less than 35% of the non-aquatic portion of the lands to forest cover.

GREENBELT PLAN

The subject lands are not located within the Greenbelt Plan.

COUNTY OFFICIAL PLAN

Within the County Official Plan the subject lands are designated as 'Secondary Agricultural' with a portion of the site being within the 'Greenland Systems'. The site is also partially within the Paris Galt Moraine. The feature identified within the Greenlands System designation is significant woodlands.

It is also noted that a majority of the subject lands are identified to contain sand and gravel resources of primary and secondary significance, as identified within the County's Mineral Aggregate Resource Areas Schedule.

Rural System

The County's Rural System includes various uses such as prime agricultural and secondary agricultural areas, rural housing, rural employment areas and also includes mineral aggregate areas. Significant mineral aggregate deposits will be identified and policies established to protect the resource and provide for appropriate extraction activities.

Within the Secondary Agricultural Area, permitted uses include all uses allowed in the Prime Agricultural Area, which includes licensed aggregate operations.

Mineral Aggregate Areas

Section 6.6 address mineral aggregate areas with Section 6.6.5 establishing policies for new mineral aggregate operations. As the subject proposal reflects an expansion to an existing pit, Section 6.6.5 is applicable, and the following will need to be considered:

- a) the impact on adjacent land uses and residents and public health and safety;
- b) the impact on the physical (including natural) environment;
- c) the capabilities for agriculture and other land uses;
- d) the impact on the transportation system;
- e) existing and potential municipal water supply resources are protected in accordance with Sections 4.9.5 and 4.9.5.9 of this Plan and the applicable Source Protection Plan.
- f) the possible effect on the water table or surface drainage patterns;
- g) the manner in which the operation will be carried out;
- h) the nature of rehabilitation work that is proposed; and
- i) the effect on cultural heritage resources and other matters deemed relevant by Council

Greenland System

The Official Plan recognizes that the features identified in the Plan function as a system and that this system will be maintained or enhanced. Development impacts will need to be assessed and demonstrate that there are no negative impacts on the features or their function.

Water Resources, Paris and Galt Moraine Policy Area, & Watershed Plans

The County Official Plan includes a series of policies that seek to protect and where possible enhance water resources. Policies that will need to be considered include Section 4.9 *Water Resources*, including the detailed policy direction in Section 4.9.4, such as item p) requiring mineral aggregate operations to use best management practices to protect groundwater resources; Section 4.9.7 and Section 4.10. These policies include direction that large scale development, including mineral aggregate operations will need to demonstrate that groundwater and surface water functions will be maintained and, where possible, restored and enhanced and the protection of the Mill Creek Watershed.

TOWNSHIP ZONING BY-LAW #023/18

The subject lands are currently zoned as a site specific Agriculture (A)(sp1) Zone and a portion of the subject lands, specifically 4222 Sideroad 25 is subject to the Township's Environmental Protection Overlay. The site specific zoning allows for a kennel as an additional use.

The applicant is proposing to rezone the subject lands to Extractive (EXI) Zone. Within this Zone, the following uses are permitted: aggregate processing facility; an agricultural use; asphalt plant; business or professional office; conservation use; pit; quarry; warehouse; and a wayside pit or quarry. It is understood that the use of this site will be limited and not include any building or structures or aggregate processing.

Some items to be considered when reviewing the site specific zoning include: the permitted uses within the EXI Zone based on the intended use; expanding the Environmental Protection Zone Overlay to include the lands proposed to be added to the Greenland System designation; rezoning the woodlands to Natural Environment (NE) Zone to include added protection; establish provisions related to the setbacks from the woodlands and abutting property lines; consideration of after uses.

AGENCY COMMENTS

A review of the previously mentioned supporting studies was conducted by applicable public agencies and the Township's consultants. The applicant has worked with the Township consultants and commenting agencies to address comments and concerns as they arose. Staff have prepared a summary of the most recent comments:

- **Township Hydrogeologist (Harden Environmental Services Inc.):** No objections. Satisfied that this proposal will not result in water quality or quantity issues for water well supplies or significant changes in groundwater discharge to the Mill Creek Subwatershed.
- **Township Ecologist (GWS Ecological & Forestry Services Inc.):** No objections. It is acknowledged that the extraction area will occur within an immature coniferous plantation dominated by Scots Pine. Satisfied that revisions to the Rehabilitation Plan have been completed. CBM will need to satisfy the Ministry of Environment, Conservation and Parks regarding Species at Risk.
- **Township Engineer (GM Blue Plan):** No objections. The Erosion and Sediment Control measures are not illustrated on the provided site plan. The plans are to be updated.
- **Township Noise Specialist (Valcoustics Canada Ltd.):** Additional clarification items required prior to lending support to this proposal. However, the following additional noise mitigation measures were recommended including: exploring alternative technology to the standard back up beeper on equipment; that construction activities only take place during the daytime (7 am to 7 pm, Monday to Friday); sound measurement for equipment operation should occur prior to operating to confirm not exceeding noise emissions; and an acoustic audit should be completed within 6 months of extraction.
 - **Planning Comment** – The applicant's consultant (Golder) has provided a response letter which is under review. Golder has also provided confirmation that the additional noise mitigation measures will be implemented.
- **Source Water Protection:** The subject lands are located within a significant groundwater recharge area (SGRA); however, there are no applicable Source Protection Plan policies in the Grand River Source Protection Plan. A small portion of 4248 Sideroad 25 South is located within the future Wellhead Protection Area for quantity (WHPA-Q) for the Guelph wellfield. The impacts, as per the Provincial Policy Statement and County Official Plan, are recommended to be considered.

- **Grand River Conservation Authority (GRCA):** No objections. There are no features of interest on or adjacent to the site. Some of the legislative/policy comments include the following: the current groundwater monitoring program (including for temperature) is recommended to continue throughout the duration of the site's operation; and that there is support for the 5 m extraction buffer from the woodlands and that this buffer zone be clearly marked with heavy-duty sediment fencing that is maintained throughout the extraction period.

ADDITIONAL COMMENTS

In addition to the comments above, the following comments have also been received:

- **Planning Development Advisory Committee (PDAC)**– The Committee met on October 13th, 2020 and the following comments were provided: That the Committee has received the presentation and will forward concerns with respect to managing cross-traffic and road cleaning.
- **Public** – No public comments.
- **Comments under the ARA Process** – No public comments.

NEXT STEPS

The public meeting for these applications is scheduled for April 13th, 2022. Planning staff will be in attendance at the public meeting to hear the applicant's presentation, input from the public, and Council comments. We trust that these initial comments are of assistance to the Township.

Respectfully submitted,
County of Wellington Planning and Development Department



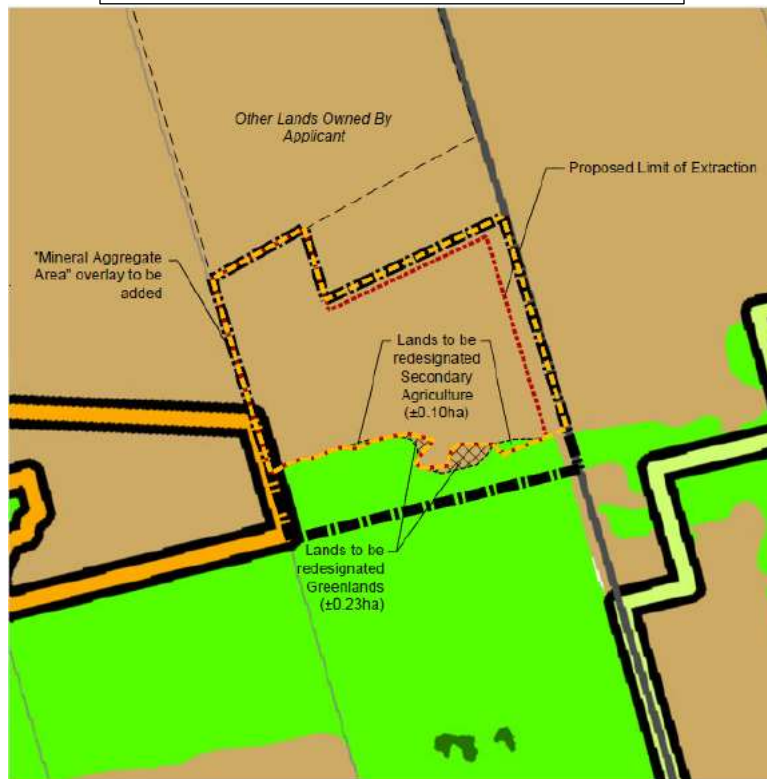
Meagan Ferris, RPP MCIP
Manager of Planning and Environment

ATTACHMENT 1: Subject lands, Existing Operation and Surrounding Uses

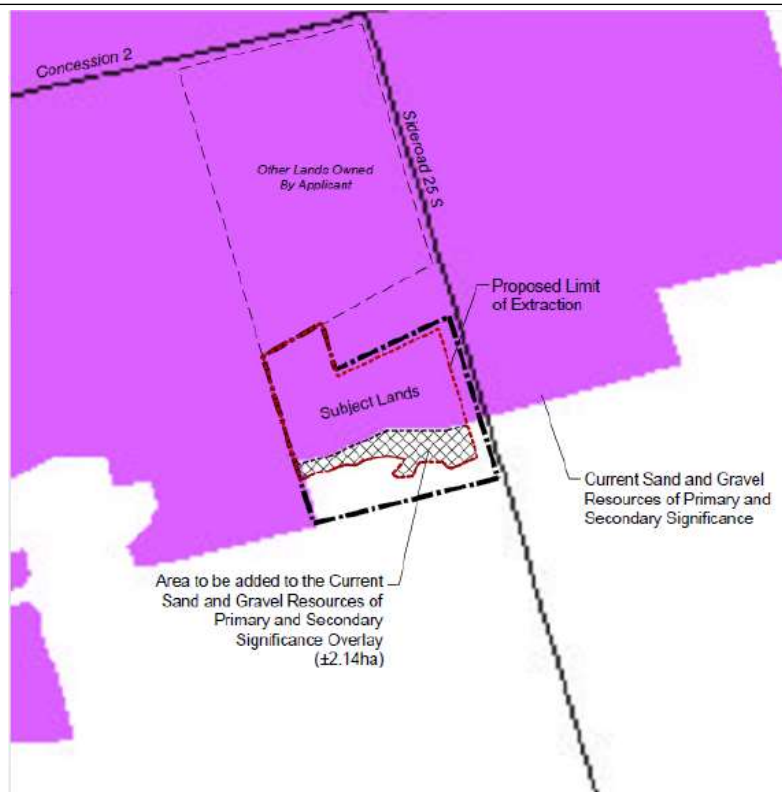


ATTACHMENT 2 - Applicant's Proposed Amendments (Maps)

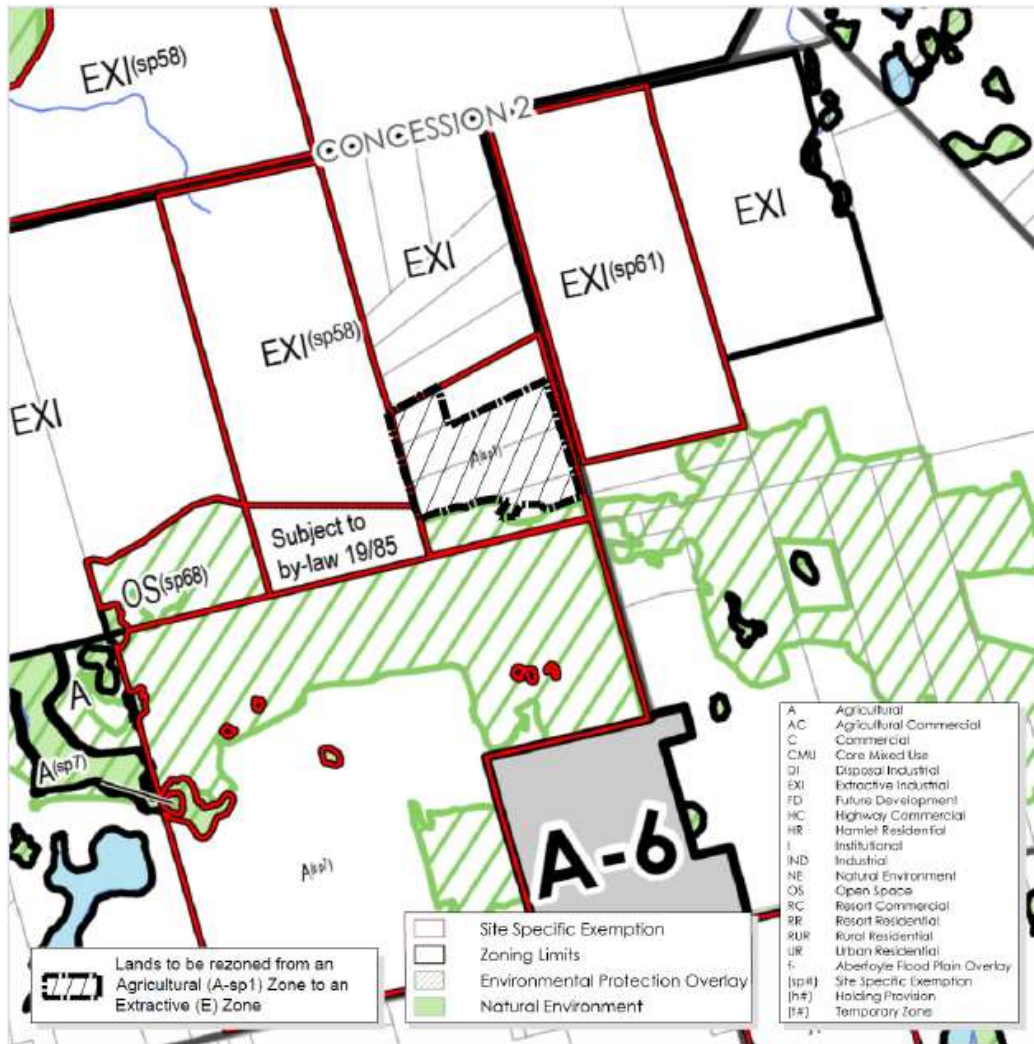
County Official Plan – Schedule A7 (Puslinch)



County Official Plan – Schedule C (Mineral Aggregate Resource Overlay)



Proposed Amendment to Township Zoning By-law #023/18 – Schedule A



Sideroad 25 S



CBM Aggregates Proposed Lanci Pit Expansion

4222, 4228, and 4248 Sideroad 25 South, Puslinch

Official Plan Amendment OP 2020-04
Zoning By-law Amendment D14/CBM
April 13, 2022 Public Meeting

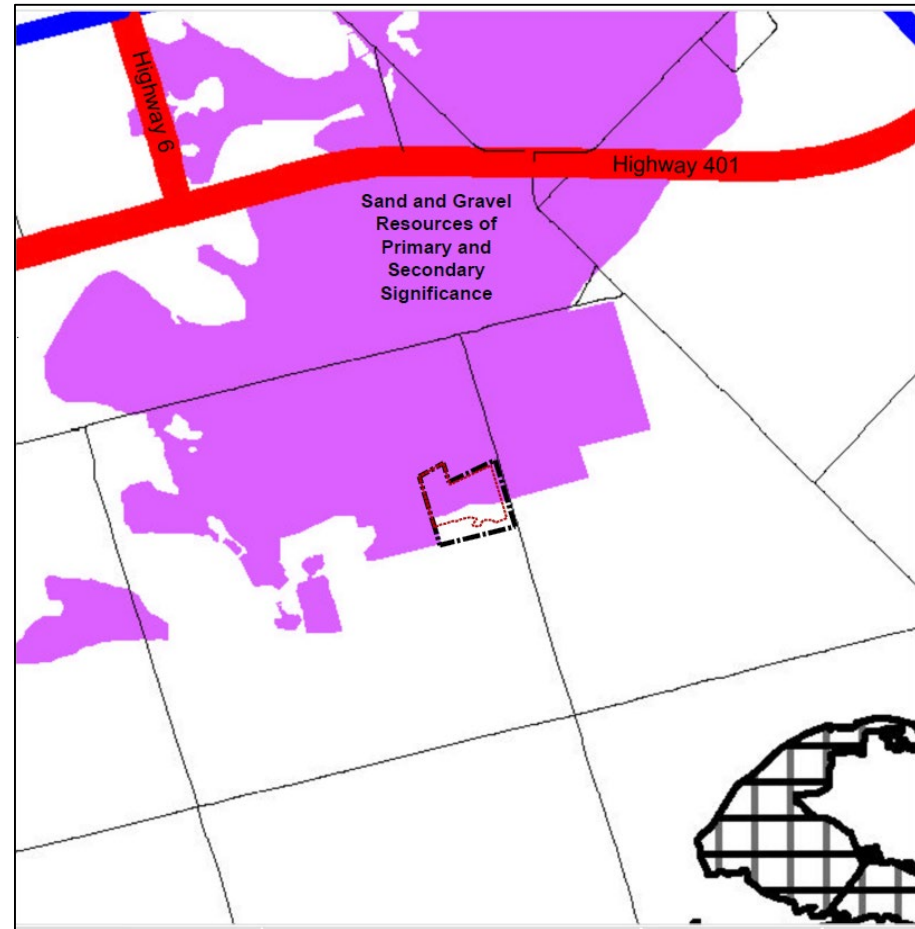
Overview

- CBM has applied for applications to permit an expansion of their Lanci Pit:
 - ARA Licence Application
 - Zoning By-law Amendment
 - County Official Plan Amendment
- Below water pit
- Licensed area: 14.8 ha
- Extraction area: 10.2 ha



Why this location?

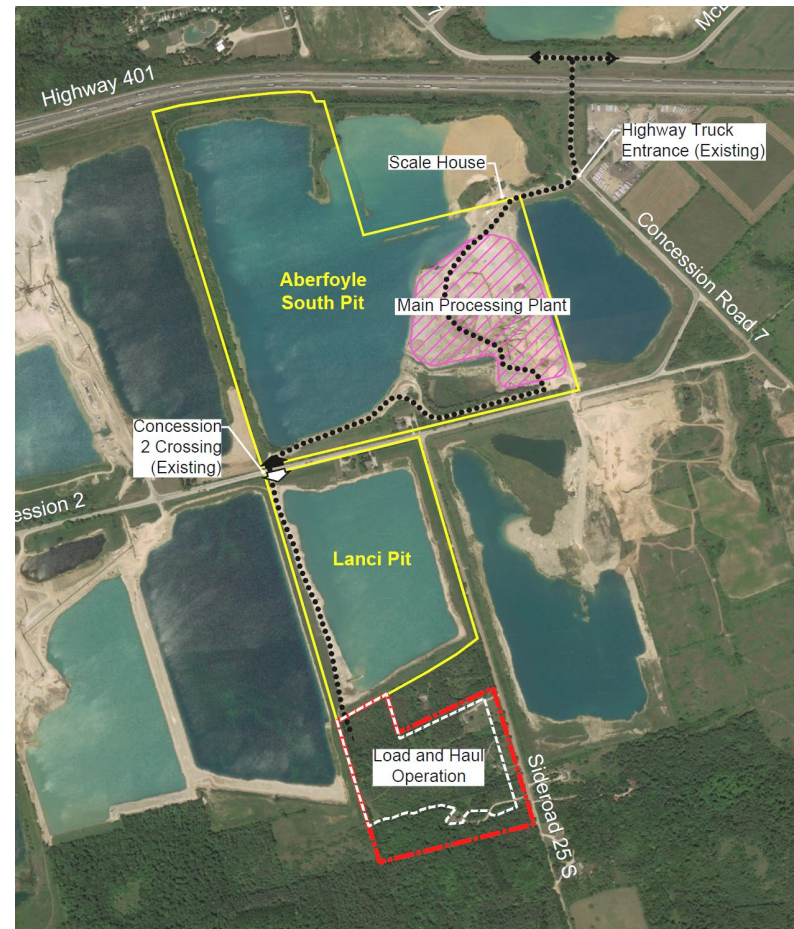
- Approximately 3 to 4 million tonnes of high quality sand and gravel resources
- Identified as a significant aggregate resource area in Provincial and County mapping
- Limited sensitive uses in close proximity to site



County Official Plan – Mineral Aggregate Resources Overlay

Proposed Operation

- “Feeder pit”
- Materials hauled to existing processing plant at Aberfoyle South Pit
- Utilize existing, permitted crossing on Concession 2
- No trucks on Sideroad 25
- No on-site processing, washing or crushing
- Same tonnage condition and hours of operation as Lanci Pit



Proposed Rehabilitation

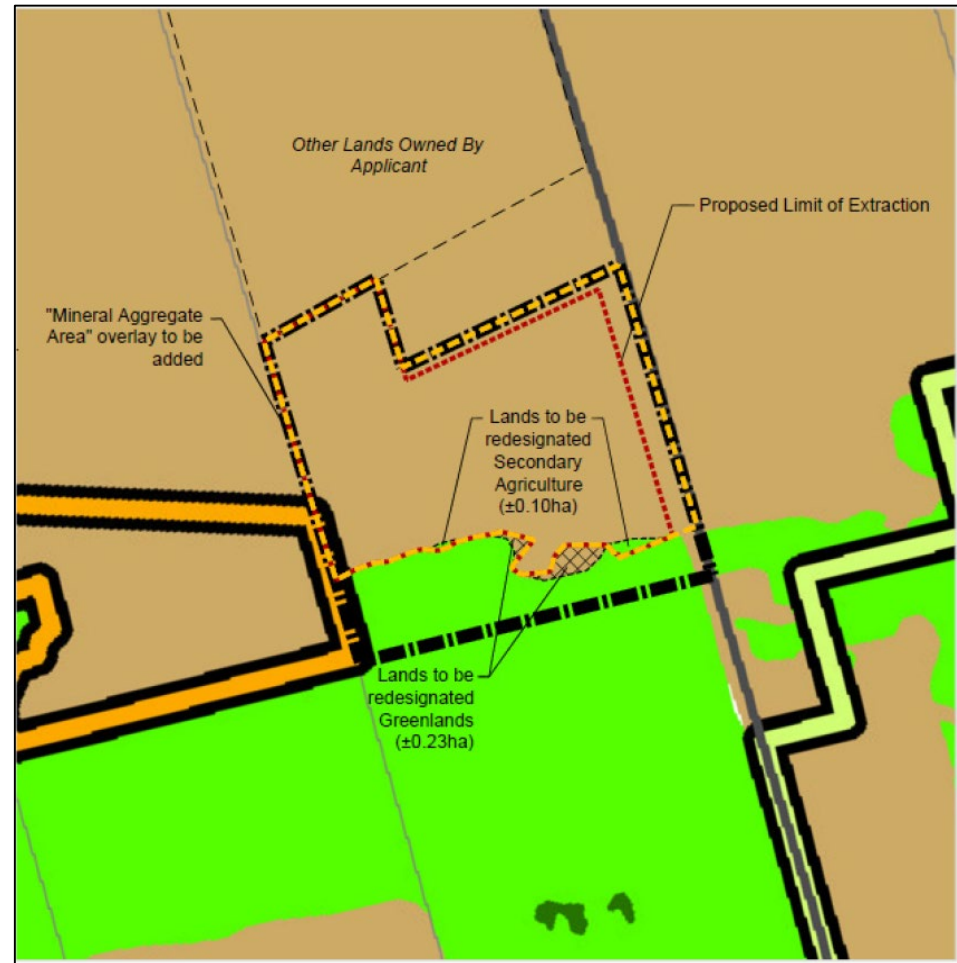
- 6 ha pond which includes shoreline wetlands (40% of total site)
- 1.3 ha of new deciduous and coniferous plantings
- Potential for 3 residences along Sideroad 25



Conceptual After-Use Plan (for discussion purposes)

Official Plan Amendment

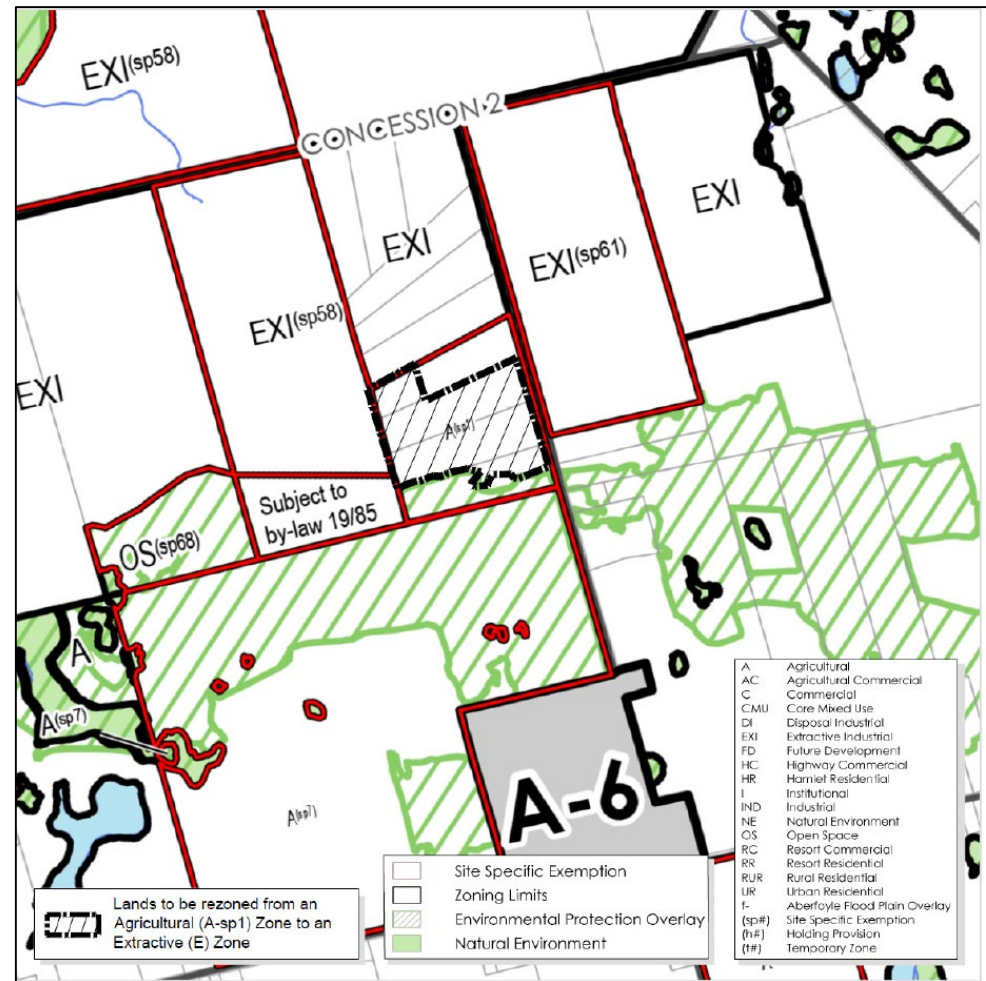
- Add “Mineral Aggregate Area” overlay to lands north of significant woodland
- Slight increase in Greenlands designation to reflect field-verified woodland boundary
- Extend Sand & Gravel Resource Overlay to southern limit
- Lands would remain designated Secondary Agriculture



Proposed County Official Plan Amendment

Zoning By-law Amendment

- Rezone from Agricultural (A-sp1) to Extractive (EXI)
- No changes to significant woodland (green overlay) which would remain zoned Agricultural and protected from extraction



Proposed Township Zoning By-law Amendment

Application Studies

- Studies submitted with application:
 - Planning Report / ARA Summary Statement
 - Natural Environment Report
 - Hydrogeological Assessment
 - Archaeological Assessment
 - Noise Study
 - ARA Site Plans
- Reviewed by NDMNRF, Ministry of Environment, Conservation and Parks, OMAFRA, Ministry of Culture, GRCA, Wellington Source Water Protection as well as the Township and County and their expert peer reviewers

Technical Reviews

- The following agencies and expert peer review comments have been addressed:
 - Ministry of Culture (Nov 20, 2018)
 - GRCA (Sept 8, 2020 & July 19, 2021)
 - GM BluePlan Engineering (Nov 27, 2020)
 - Wellington Source Water Protection (Feb 1, 2021)
 - GWS Ecological & Forestry Services (Mar 30, 2021)
 - Harden Environmental (Dec 22, 2021)
 - Valcoustics (April 5, 2022)

Consultation

- Presented application to Township Planning and Development Advisory Committee (Oct 2020)
- Project website, neighbourhood handouts, direct mailings, newspaper notices, notice signs, etc.
- **No public objections received during 45-day ARA consultation period**
- No comments received through Environmental Registry notice
- No outstanding concerns from Six Nations and MCFN (ongoing consultation since 2017)






Lanci Pit Expansion Public Information Session
February 2021




PROPOSED LANCI PIT EXPANSION

4222, 4228, AND 4248 SIDEROAD 25 SOUTH
TOWNSHIP OF PUSLINCH, ON

OVERVIEW:

CBM Aggregates, a Division of St. Marys Cement Inc. (Canada) ("CBM"), is a producer of high quality aggregate materials, servicing much of southern Ontario's infrastructure needs from a number of pit and quarry locations. CBM has an outstanding safety and rehabilitation record as a company, including almost 15 years without a Lost Time Accident and many high quality rehabilitated site examples in the Township of Puslinch.

CBM has applied, under the Aggregate Resources Act and Planning Act, to permit a 14.8 Hectare (1st) expansion of our Lanci Pit, which is located at Concession 2 and Sideroad 25, in the Township of Puslinch. The proposed expansion will be located immediately south of the existing pit and will have an extraction area of 10.2 ha. The pit would continue to operate below the water table, similar to our existing Lanci Pit operation.



Figure: Location Map

WHAT IS AGGREGATE?

Aggregate is stone, sand and gravel used in construction. It is in the buildings we live and work in. It's the roads and sidewalks we drive and walk on. It plays a vital role in the water purification process and can even be found in paper and pharmaceuticals.

Aggregate is quite literally the foundation of our economy – an impressive accomplishment for something as small as a grain of sand.

- Average brick home requires 250 tonnes of aggregate = 7 truckloads
- Average school needs 13,000 tonnes of aggregate = 342 truckloads
- One kilometre of a six-lane road uses 51,800 tonnes of aggregate = 1,364 truckloads

ON AVERAGE, APPROXIMATELY 164 MILLION TONNES OF AGGREGATE ARE USED IN ONTARIO EACH YEAR. THAT'S ABOUT 12 TONNES PER PERSON!

WHY THIS LOCATION?

This site contains approximately 3 to 4 million tonnes of high quality sand and gravel resources. The area is recognized in Provincial geological mapping as having some of the highest quality sand and gravel in the Wellington area, and provincial and county policies protect these significant resources.

Just like the existing Lanci Pit, processing will not take place on site but rather the aggregate will be extracted and processed at our Aberfoyle South Pit, located between Highway 401 and Concession 2. This plant produces high quality materials in a close to market location including sand and gravel meeting concrete and asphalt specifications, crushed stone, granular and sand products.

Concluding Remarks

- More than a 'pond'
- Final landform shaped to allow for after-use development on Sideroad 25 including potentially three new residences
- No extraction in significant natural features
- Substantial tree planting adjacent to significant woodland

Concluding Remarks

- No increase in amount of truck traffic (extending life of available high quality reserves)
- Not located within prime agricultural area
- No public objections received through ARA consultation process
- No outstanding technical concerns regarding water quantity/quality, source water protection, environmental and archaeology

Closing

- Thank you for the opportunity to present this application and participate in this evening's public meeting
- We are pleased to answer any questions from Council