



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
JULY 8, 2025 PLANNING AND DEVELOPMENT ADVISORY COMMITTEE MEETING
VIRTUAL MEETING BY ELECTRONIC PARTICIPATION &
IN-PERSON AT THE MUNICIPAL OFFICE –
7404 WELLINGTON RD 34, PUSLINCH

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A G E N D A

DATE: July 8, 2025

MEETING: Directly following Committee of Adjustment

≠ Denotes resolution prepared

1. Call the Meeting to Order

2. Roll Call

3. Moment of Reflection

4. Confirmation of the Agenda ≠

5. Disclosure of Conflict of Interest

6. Consent Agenda ≠

6.1 June 10, 2025, Planning and Development Committee Meeting Minutes

7. Delegations

7.1. Specific Interest (Items Listed on the Meeting Agenda)

7.1.1. None

7.2. General Interest (Items Not Listed on the Meeting Agenda)



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7.2.1. None

8. Notice of Public Meetings/Hearings

8.1. None

9. Reports

9.1. Land Division (Consents)

9.1.1. None

9.2. Zoning By-law Amendment Applications

9.2.1 None

9.3. Staff Reports

**9.3.1. Report PDAC-2025-004 – Proposed 2026 Planning and Development
Advisory Committee Meeting Schedule**

RECOMMENDATION:

That report PDAC-2025-003 Proposed 2026 Planning and Development Advisory Committee

*Meeting Schedule be received for information; and further, That the 2026 Planning and
Development Advisory Committee Meeting Schedule be approved as presented.*

**9.3.2 Report PDAC-2025-003 – Ontario Association of Committees of
Adjustment & Consent Authorities 2025 Conference, Collingwood Ontario**

RECOMMENDATION:

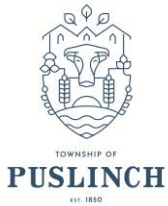
*That Committee Memo PDAC-2025-003 entitled Ontario Association of Committees of
Adjustment & Consent Authorities 2025 Conference, Collingwood Ontario be received for
information.*

10. Correspondence

10.1. None

11. New Business

12. Adjournment ≠



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MINUTES

DATE: June 10, 2025
MEETING: Following Committee of Adjustment

The June 10, 2025 Planning and Development Advisory Committee Meeting was held on the above date and called to order at 7:46 p.m. via electronic participation and in-person at 7404 Wellington Road 34, Puslinch.

1. CALL THE MEETING TO ORDER

2. ROLL CALL

ATTENDANCE:

PRESENT:

Councilor John Sepulis, Chair
Paul Sadhra
Kim McCarthy
Chris Pickard

ABSENT:

Amanda Knight

STAFF IN ATTENDANCE:

Lynne Banks, Secretary/Treasurer
Mehul Safiwala, Jr. Planner

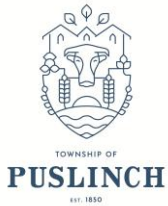
3. MOMENT OF REFLECTION

4. CONFIRMATION OF THE AGENDA

Resolution No. 2025-020:

Moved by Committee Member Kim McCarthy and
Seconded by Committee Member Paul Sadhra

1. That the Committee approves the June 10, 2025 PDAC Agenda as circulated.



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2. That the Committee approves the addition to the agenda as follows:

Consent Item 7.2 Questions received from the Committee Members seeking additional information and the corresponding responses provided by staff regarding the June 10, 2025 Planning and Development Advisory Committee Agenda.

CARRIED

5. DISCLOSURE OF CONFLICT OF INTEREST:

None

6. DELEGATIONS

None

7. CONSENT AGENDA

**7.1 Approval of the Minutes
May 13, 2025**

Resolution No. 2025-021:

Moved by Committee Member Chris Pickard and
Seconded by Committee Member Kim McCarthy

That the Planning and Development Advisory Committee approves the Minutes from the meeting held May 13, 2025.

CARRIED

8. NOTICE OF PUBLIC MEETINGS/HEARINGS

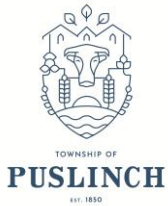
None

9. REPORTS

None

9.1. LAND DIVISION (Consents)

**9.1.1 B16-25 (SCR) – Scrivener, Rosemary & Wythe – 4438 Watson Rd S., Part Lots
21 and 22 Concession Gore, Township of Puslinch #**



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Proposed severance is 38.1 hectares with 599.26m frontage, existing agriculture and natural habitat with barn for proposed conservation.

Retained parcel is 8.32 hectares with 378.5m frontage, existing and proposed rural residential use with existing dwelling, garage/workshop.

Resolution No. 2025-022:

Moved by Committee Member Paul Sadhra and
Seconded by Committee Member Kim McCarthy

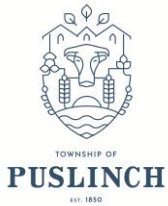
That the Committee supports Severance Application B16-25 subject to the following condition(s):

1. That the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (included but not limited to Taxes paid in full and Consent Review/Condition Clearance Fee and Safe Access Clearance Fee) which the Township of Puslinch may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject land; and further, that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee, a letter of clearance of this condition.
2. That the Owner obtain zoning compliance for the proposed severed parcel and proposed retained parcel be demonstrated to the satisfaction of the Township of Puslinch; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
3. That any fees incurred by the Township of Puslinch for the review of this application will be the responsibility of the applicant; and further, that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee, a letter of clearance of this condition.

CARRIED.

9.1.2. B17-25 (CUM) – Cummings, Ethel (Estate of) – 4800 Pioneer Trail, Part Lots 12 and 13 Concession 5, Township of Puslinch ≠

Proposed severance is 0.809 hectares with 60.6m frontage, existing vacant land for proposed rural residential use.



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Retained parcel is 23.4 hectares with 108.26m frontage, existing vacant land for proposed rural residential use.

Resolution No. 2025-023:

Moved by Committee Member Chris Pickard and
Seconded by Committee Member Kim McCarthy

That the Township of Puslinch Planning and Development Advisory Committee recommends approval of the application subject to the following conditions:

1. That the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (included but not limited to Taxes paid in full and Consent Review/Condition Clearance Fee and Safe Access Clearance Fee) which the Township of Puslinch may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject land; and further, that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee, a letter of clearance of this condition.
2. That the Owner obtain zoning compliance for the proposed severed parcel and proposed retained parcel including and not limited to item 2.1 to be demonstrated to the satisfaction of the Township of Puslinch; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
 - 2.1 Apply for, and receive approval of, a minor variance for the retained parcel for the reduced lot frontage.
3. That any fees incurred by the Township of Puslinch for the review of this application will be the responsibility of the applicant; and further, that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee, a letter of clearance of this condition.
4. That the Township's Consultants be satisfied that the severance will not impact the dry watercourse, including, but not limited to, additional studies such as an Environmental Impact Assessment to the satisfaction of the Township of Puslinch; and further, that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee, a letter of clearance of this condition.



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5. That the applicant provides a predevelopment site plan to the satisfaction of the Township of Puslinch, denoting the existing (if applicable) and proposed driveway, buildings, well and on-site septic field locations to ensure the site will accommodate development of a single dwelling residence. Provide dimensions to illustrate compliance with setback requirements.
6. That any concerns from the GRCA are addressed; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

CARRIED.

9.1.3. B19-25 (WHI) – White Wolf Property Management Inc – 85/95/101 Brock Rd S, Township of Puslinch ≠

Proposed severance is 4.6 hectares with 196m frontage, existing and proposed residential use with existing dwelling.

Retained parcel is 41.6 hectares with 45m frontage, existing and proposed industrial uses with existing industrial building.

Resolution No. 2025-024:

Moved by Committee Member Paul Sadhra and
Seconded by Committee Member Kim McCarthy

That the Committee supports Severance Application B19-25 subject to the following condition(s):

1. That the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (included but not limited to Taxes paid in full and Consent Review/Condition Clearance Fee and Safe Access Clearance Fee) which the Township of Puslinch may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject land; and further, that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee, a letter of clearance of this condition.
2. That the Owner obtain zoning compliance for the proposed severed parcel and proposed retained parcel be demonstrated to the satisfaction of the Township of



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

3. That any fees incurred by the Township of Puslinch for the review of this application will be the responsibility of the applicant; and further, that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee, a letter of clearance of this condition.
4. That the applicant provides a predevelopment site plan to the satisfaction of the Township of Puslinch, denoting the existing (if applicable) and proposed driveway, buildings, well and on-site septic field locations to ensure the site will accommodate development of a single dwelling residence. Provide dimensions to illustrate compliance with setback requirements.
5. That the owner provide documentation that the four existing monitoring wells on the severed property have been included in a monitoring program or provide documentation that they have been decommissioned according to O.Reg 903 standards, to the satisfaction of the Township Risk Management Official.

CARRIED.

9.1.4. B20-25 (BRI), Bridgeman, Tyler – 6848 Wellington Rd 34, Part Lot 14, Concession 3 Township of Puslinch #

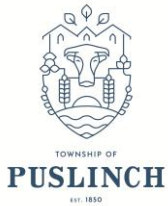
Proposed severance is 0.4 hectares with 46m frontage, existing vacant land for proposed rural residential use.

Retained parcel is 9.8 hectares with 25m frontage, existing and proposed agricultural use with existing dwelling.

Resolution No. 2025-025:

Moved by Committee Member Paul Sadhra and
Seconded by Committee Member Chris Pickard

That the Committee supports Severance Application B19-25 subject to the following condition(s):



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1. That the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (included but not limited to Taxes paid in full and Consent Review/Condition Clearance Fee and Safe Access Clearance Fee) which the Township of Puslinch may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject land; and further, that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee, a letter of clearance of this condition.

2. That the Owner obtain zoning compliance for the proposed severed parcel and proposed retained parcel including and not limited to item 2.1 to be demonstrated to the satisfaction of the Township of Puslinch; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

2.1 Apply for, and receive approval of, a minor variance for the retained parcel for the reduced lot frontage.

3. That any fees incurred by the Township of Puslinch for the review of this application will be the responsibility of the applicant; and further, that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee, a letter of clearance of this condition.

4. That the Township Fire Department is satisfied with the final proposed slope of the driveway; and further, that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee, a letter of clearance of this condition.

5. That the applicant provides a predevelopment site plan to the satisfaction of the Township of Puslinch, denoting the existing (if applicable) and proposed driveway, buildings, well and on-site septic field locations to ensure the site will accommodate development of a single dwelling residence. Provide dimensions to illustrate compliance with setback requirements.

CARRIED

9.2 ZONING BY-LAW AMENDMENT APPLICATIONS

None



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9.3. STAFF REPORTS

9.3.1 PDAC Memo-2025-002 OACOA Conference

Resolution No. 2025-026

Moved by Committee Member Paul Sadhra and
Seconded by Committee Member Kim McCarthy

That Memo PDAC-2025-002 – OACOA Conference be received for information and that the following recommendations be provided to Council:

- That the Committee direct staff to request a quote from the Township's Planning Consultant to provide annual training on amendments to the Planning Act and related policies for the Committee's consideration for the 2026 Budget process; and,
- That the Committee recommend that a future training session include information regarding the requirements of O. Reg. 200/96 Minor Variance Applications and the impacts of the recent changes by the Province to planning legislation or policy; and,
- That Council continues to support member and/or staff attendance at OACOA conferences as this provides significant education opportunities.

CARRIED.

10. CORRESPONDENCE

None

11. NEW BUSINESS

None

12. ADJOURNMENT

Resolution No. 2025-027

Moved by Committee Member Paul Sadhra and
Seconded by Committee Member Kim McCarthy

That the Planning and Development Advisory Committee hereby adjourned at 8:23 p.m.

CARRIED.



REPORT PDAC-2025-004

TO: Planning and Development Advisory Committee Chair and Members of Committee

PREPARED BY: Lynne Banks, Development and Legislative Coordinator

PRESENTED BY: Lynne Banks, Development and Legislative Coordinator

MEETING DATE: July 8, 2025

SUBJECT: Proposed 2026 Planning and Development Advisory Committee Meeting Schedule

RECOMMENDATION

That report PDAC-2025-003 Proposed 2026 Planning and Development Advisory Committee Meeting Schedule be received for information; and further,

That the 2026 Planning and Development Advisory Committee Meeting Schedule be approved as presented.

Purpose

The purpose of this report is to provide the Planning and Development Advisory Committee with the proposed 2026 Committee Meeting Date Schedule.

Background

The Planning and Development Advisory Committee Terms of Reference state that the Committees meet monthly on the second Tuesday of each month at 7:00 p.m., or another time mutually agreed upon by the Committees, and as many additional times as the Committees deem necessary.

Comments

Below are the proposed dates for the 2026 Planning and Development Advisory Committee Meetings:

Tuesday, January 13, 2026 @7:00 p.m.
Tuesday, February 10, 2026 @7:00 p.m.
Tuesday, March 10, 2026 @7:00 p.m.

Tuesday, April 14, 2026 @7:00 p.m.
Tuesday, May 12, 2026 @7:00 p.m.
Tuesday, June 9, 2026 @7:00 p.m.
Tuesday, July 14, 2026 @7:00 p.m.
Tuesday, August 11, 2026 @7:00 p.m.
Tuesday, September 8, 2026 @7:00 p.m.
Tuesday, October 13, 2026 @7:00 p.m.
Tuesday, November 10, 2026 @7:00 p.m.
Tuesday, December 8, 2026 @7:00 p.m.

Financial Implications

None

Attachments

None

COMMITTEE MEMO PDAC 2025-003

TO: Planning and Development Advisory Committee Chair and Members

FROM: Paul Sadhra
Member, Planning and Development Advisory Committee

MEETING DATE: July 8, 2025

SUBJECT: Ontario Association of Committees of Adjustment & Consent Authorities
2025 Conference, Collingwood Ontario

RECOMMENDATIONS

That Committee Memo PDAC-2025-003 entitled Ontario Association of Committees of Adjustment & Consent Authorities 2025 Conference, Collingwood Ontario be received for information.

Purpose

The purpose of this memo is to provide the Committee with a report on the *Ontario Association of Committees of Adjustment & Consent Authorities* Annual Conference workshop sessions I attended on behalf of the Committee on Monday May 12, 2025; this was day 1 of the conference.

This report consists of a summary of my day along with the digital slide decks provided by presenters. Although I made detailed notes through each session, I find the main points have all been captured within the slide decks.

Report

The conference was fully booked, and attendance was from across Ontario, and included planning staff as well as Committee members. Presenters included lawyers, planners and Committee members. There were two blocks of presentations through the day plus a networking opportunity, with each block having three concurrent workshops; attendees could attend any one of the 45 minute long workshops. The day began with a motivational speaker at the start and the AGM was held during lunch hour.

Presenters noted the Province had just announced changes to legislation or planning policy and recognized that those changes may affect the Committees' work, but did not have enough

information or time to reference those impacts in the presented material. The majority of the attendees were attending the full 2 day conference.

I attended 3 sessions after the Keynote Motivational Speaker:

1. Granting a Consent;
2. Understanding Role, Responsibilities and Expectations: Tips and Guide for Chairs and Panel Members;
3. Wasaga Beachfront and Downtown Redevelopment/Networking

Keynote: The Secret Sauce: Thriving in times of Change ; Meg Soper

The key takeaway and message from this was to embrace diversity within our boards/ecosystem and lean on each other's strengths. There has never been more of an age difference within the workforce, along with different ethnicities and backgrounds.

All walks of life can bring a perspective ultimately benefiting the collective community.

Granting a Consent

I encourage all committee members to review the slide deck as it provides detailed pertinent information.

Understanding Role, Responsibilities and Expectations: Tips and Guide for Chairs and Panel Members

I encourage all committee members to review the slide deck as it provides detailed pertinent information.

Wasaga Beach Redevelopment

I briefly sat in this session and then made my way to networking as it was during that same timeframe. Overall, interesting content but not entirely relevant to our rural community. Nonetheless the slide deck is attached for review.

2025 Update on Consents

GARROD ♦ PICKFIELD
ENVIRONMENTAL, MUNICIPAL AND PLANNING LAW

Alex Ciccone





Agenda

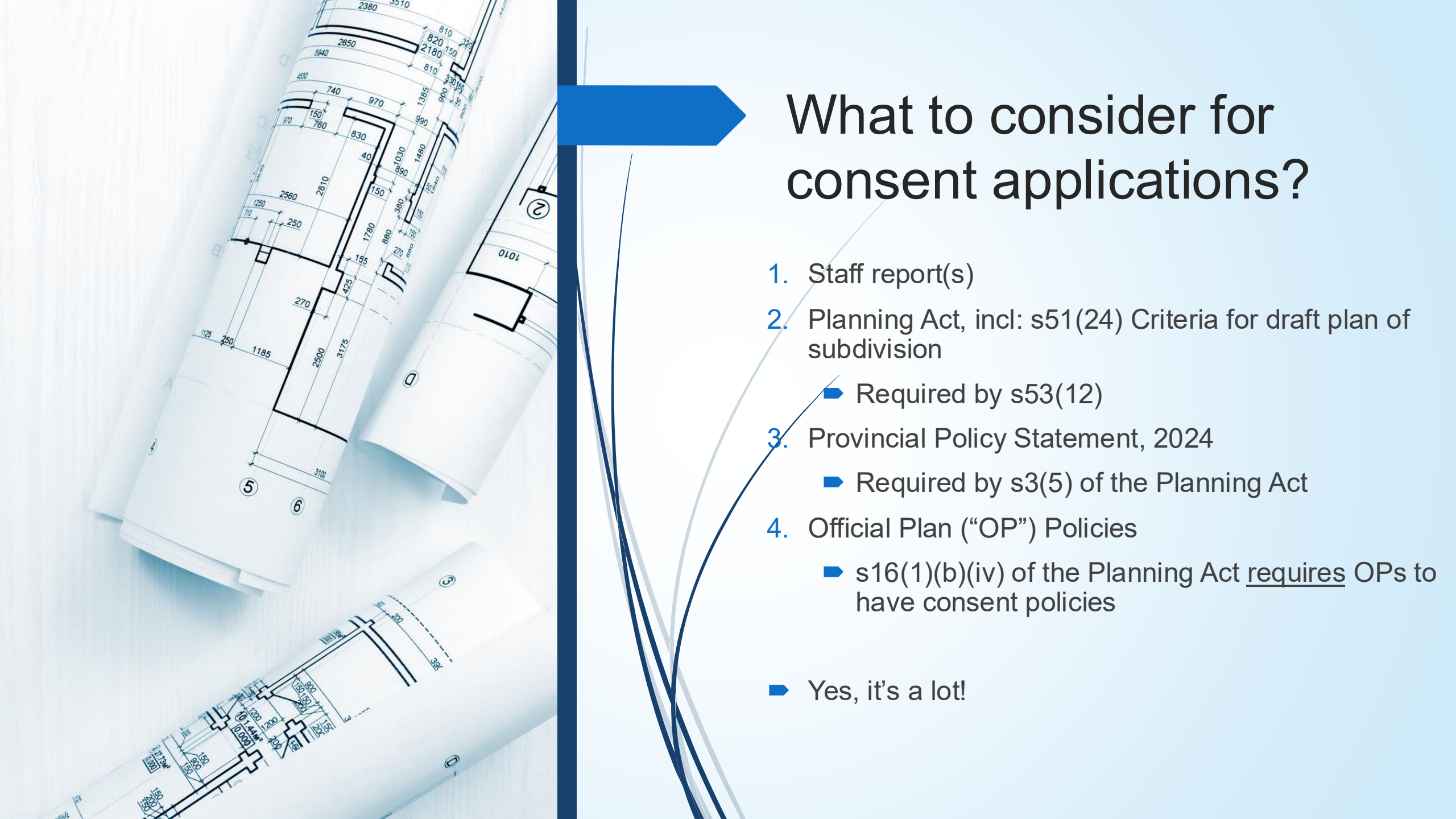
- Review of CoA Consent Authority
- New PPS 2024
- Consent to Sever Prime Ag
 - Case study: ARUs
- Odds and Ends
 - Staff recommendation
 - Third party appeals
 - Conditions of Approval
- Rapid-fire Case Law
- CanLII (time permitting)



Brief Review of CoA Consent Authority

Planning Act, RSO 1990 c P13

- ▶ s4 Allows the Minister (MMAH) to delegate powers to municipal council
- ▶ s54(1): Allows upper-tier Council to delegate to lower-tier
- ▶ s54(2): Allows Council to delegate to Committees of Adjustment
- ▶ s53: Authorizes municipalities to issue consent approval
- ▶ s50(5): Similar provisions for single-tier municipalities



What to consider for consent applications?

1. Staff report(s)
 2. Planning Act, incl: s51(24) Criteria for draft plan of subdivision
 - ▶ Required by s53(12)
 3. Provincial Policy Statement, 2024
 - ▶ Required by s3(5) of the Planning Act
 4. Official Plan (“OP”) Policies
 - ▶ s16(1)(b)(iv) of the Planning Act requires OPs to have consent policies
- ▶ Yes, it's a lot!



Provincial **Planning** Statement, 2024

- Came into force: October 20, 2024
- No transition provisions
- Population and employment growth forecasts based on Ministry of Finance numbers
- Settlement area boundary expansion outside of MCR
- Growth Plan folded in to PPS 2024
- Manage changes to severance in Prime Ag (discussed later)

Consent to Sever Prime Ag

1. PPS 2024 Definitions and requirements

- One lot
- Farm consolidation
- Must be a residence
- Must be surplus

2. Additional Residential Units

3. But what about...?

- A sliver of Prime Ag?
- Severing a portion that is not tillable?



Consent to Sever Prime Ag

1. PPS 2024

4.3.3 Lot Creation and Lot Adjustments

1. Lot creation in prime agricultural areas is discouraged and may **only** be permitted in accordance with provincial guidance for:
 - a) **agricultural uses**, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
 - b) **agriculture-related uses**, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;
 - c) **one new residential lot per farm consolidation** for a residence surplus to an agricultural operation, provided that:
 1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and
 2. the planning authority ensures that new dwellings and additional residential units are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new dwellings or additional residential units are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches that achieve the same objective; and
 - d) **infrastructure**, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.

Consent to Sever Prime Ag

1. PPS 2024

4.3.3.1 Lot Creation and Lot Adjustments

c) **one** new residential lot **per farm consolidation** for a **residence surplus to an agricultural operation**, provided that:

1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and
2. the planning authority ensures that new dwellings and **additional residential units are prohibited on any remnant parcel** of farmland created by the severance. The approach used to ensure that no new dwellings or additional residential units are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches that achieve the same objective; and

Consent to Sever Prime Ag

1. PPS 2024

4.3.3.1 Lot Creation and Lot Adjustments

c) one new residential lot per farm consolidation for a residence surplus to an agricultural operation, provided that...

➡ Only one lot

- ➡ This may change in the future, as previous drafts of the PPS offered more

2023 Draft PPS

Residential lot creation in prime agricultural areas is only permitted in accordance with provincial guidance for:

a) New residential lots created from a lot or parcel of land that existed on January 1, 2023, provided that:

...

*2. The total number of lots created from a lot or parcel of land as it existed on January 1, 2023 **does not exceed three***

Consent to Sever Prime Ag

1. PPS 2024

4.3.3.1 Lot Creation and Lot Adjustments

c) one new residential lot per farm consolidation for a residence surplus to an agricultural operation, provided that...

- Requires farm consolidation

- Not other reasons (*Zehr v Oxford (County)*, [2020 CanLII 21728](#))

- Some areas allow non-adjacent farm consolidation

- In *Zehr v Oxford (County)* applicants attempted to sever in prime ag for a farm consolidation that happened in the 1960s

- OLT did not permit this, in part because the farm consolidation happened decades ago

Consent to Sever Prime Ag

1. PPS 2024

4.3.3.1 Lot Creation and Lot Adjustments

c) one new residential lot per farm consolidation for a residence surplus to an agricultural operation, provided that...

- Requires a “residence”

- What if the residence has been demolished?
- Must it be habitable?

Residence surplus to an agricultural operation: means one **existing habitable** detached dwelling, including any associated additional residential units, that are rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

Consent to Sever Prime Ag

1. PPS 2024

4.3.3.1 Lot Creation and Lot Adjustments

c) **one** new residential lot **per farm consolidation** for a **residence surplus to an agricultural operation**, provided that...

- ▶ **Must be surplus to an agricultural operation**
 - ▶ E.g. not for estate planning purposes (*Zehr v Oxford (County)*, [2020 CanLII 21728](#))
- ▶ In *Zehr v Oxford (County)* applicants attempted to sever in prime ag for a farm consolidation that happened in the 1960s. The reason for the severance was for estate planning purposes (para 10)
 - ▶ OLT did not permit this, in part because the residence was only surplus because of the estate/tax benefits of the severance. The residents of both buildings would continue to farm the lot.

Consent to Sever Prime Ag

2. Additional Residential Units

4.3.2.5: Where a residential dwelling is permitted on a lot in a prime agricultural area, **up to two additional residential units shall be permitted** in accordance with provincial guidance, provided that, where two additional residential units are proposed, at least one of these additional residential units is located within or attached to the principal dwelling, **and any additional residential units:**

- a) comply with the minimum distance separation formulae;
- b) are compatible with, and would not hinder, surrounding agricultural operations;
- c) have appropriate sewage and water services;
- d) address any public health and safety concerns;
- e) are of limited scale and are located within, attached, or in close proximity to the principal dwelling or farm building cluster; and
- f) minimize land taken out of agricultural production.

Consent to Sever Prime Ag

2. Additional Residential Units

e) are of limited scale and are located within, attached, or in close proximity to the principal dwelling or farm building cluster

- Subjectivity built-in
- What is “close proximity”?
- What is a “farm building cluster”?

Consent to Sever Prime Ag

2. Additional Residential Units

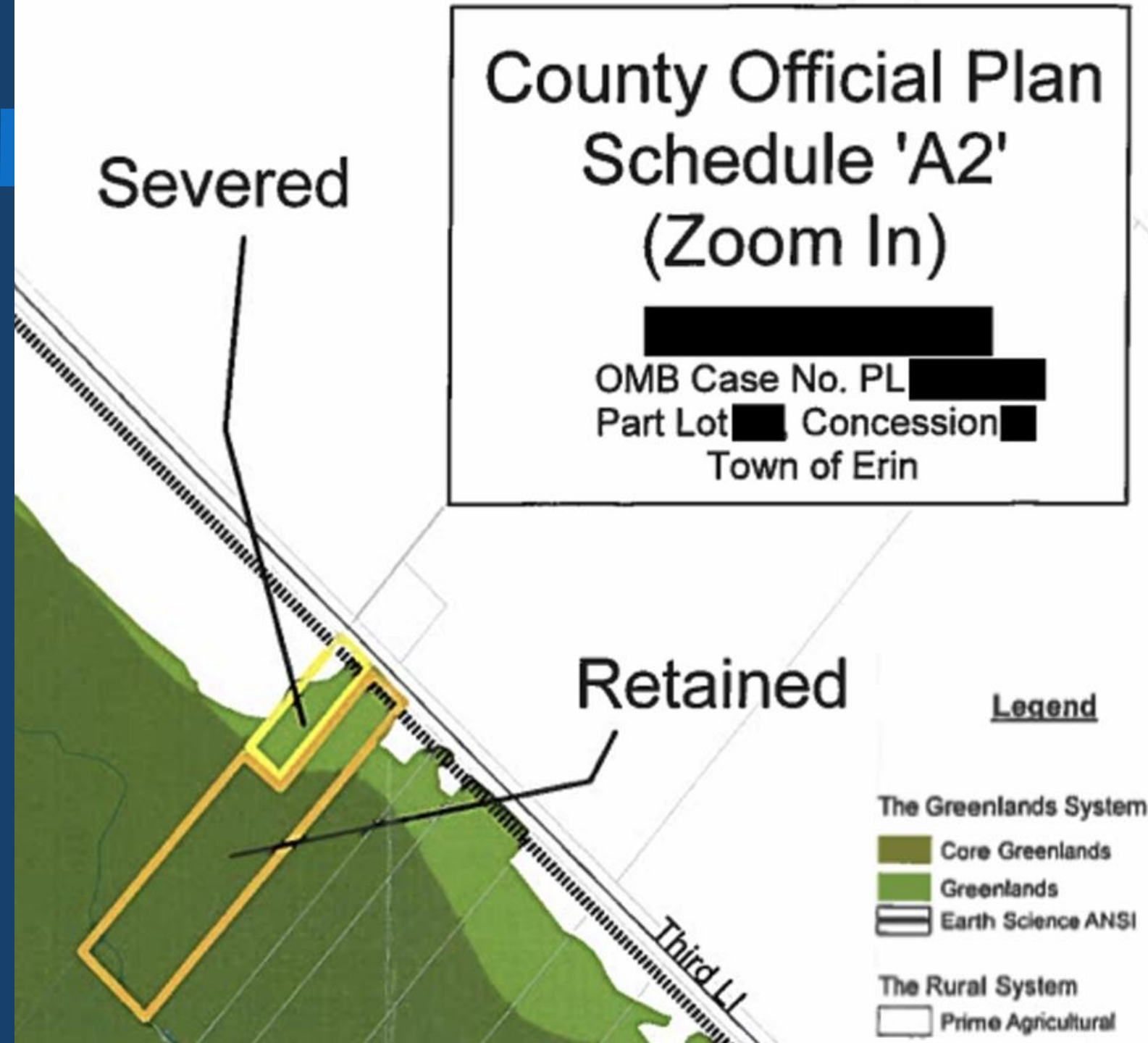
e) are of limited scale and are located within, attached, or in close proximity to the principal dwelling or farm building cluster

➡ Is 130m close proximity?

➡ Wait and see!

[OLT-24-000644](#)





Consent to Sever Prime Ag

2. But what about...?

➡ A sliver of Prime Ag?

*Homes in the Hills Inc v
Wellington (County),
[2019 CanLII 29220](#)*

Consent to Sever Prime Ag

2. But what about...?

- ➡ Land that is not tillable?
- ➡ No provision in PPS to allow for this type of exception
- ➡ CoAs frequently erroneously approve these
- ➡ What if it is approved and not appealed?





Odds and Ends

- Going against staff recommendation
- Third party appeals (and their implication on the CoA)
- Conditions of approval



Going Against Staff Recommendation

- Occasionally, a CoA will want to make a decision that runs contrary to staff recommendation, but the CoA is not sure how to approach this.
- Why?
 - Disagree with planning analysis
 - See an issue that the planning analysis missed
 - For non-planning reasons

Going Against Staff Recommendation



Appeal risks



The decision could be incorrect



Reputation among ratepayers



Reputation among staff



Going Against Staff Recommendation

Appeal Risks

- When appealed, municipality decides whether to attend the OLT
- Very difficult to succeed at the OLT without planning evidence
- Typically: municipality hires external planner to conduct independent review. Generally:
 - If planner supports CoA -> municipality attends OLT hearing
 - If planner agrees with staff planner:
 - Attend a hearing without planning evidence (unlikely);
 - Seek another planning opinion; or
 - Do not attend the hearing
- Hearings are *de novo*: staff recommendation is not necessarily relevant in itself



Decisions Against Staff Recommendation

Best Practices

1. CoA must make decisions based on planning grounds
2. CoA should ask questions of applicants and staff
3. If the staff report is sound, but the CoA or municipality does not like the conclusion, the policies may need to change
 - Could be outdated or do not reflect the community's interests
 - ICBL
4. Committee member education
 - Closed CoA meeting to have education about changes in law, or how to deal with conflict with staff opinions



Third Party Appeals

- Bill 23 removed the ability of third parties to appeal a CoA Decision
- If a CoA approval is not appealed, once the approval period expires it is in force
 - Even if it is inconsistent with the PPS 2024
- Implications:
 - Community can only be involved in an OLT appeal if CoA refuses and applicant appeals
 - We are seeing more refusals so the community can get involved in the appeal
 - OLT cases are proceeding more quickly



Conditions of Approval

- Removal of site plan control for <11 units
- Many alternative solutions of varying strength/risk
- Power remains with CoA for MV/Consent
 - Development Agreement
 - Conditions of approval
- Great topic for CoA education and new default conditions of approval to address stormwater management, for example



Rapid Fire Case Law

- When to use Consent versus Subdivision
 - Generally the Official Plan will have a threshold for number of lots
 - Usually 4+ requires subdivision
 - Not always: Sudbury makes it a political decision (*Chartrand v Sudbury (City)*, [2021 CanLII 49329](#))
- One application/fee per consent, or one application/fee for multiple
 - However: fees must be clear and justified in a study (*Clyde v Centre Wellington (Township)*, [2020 CanLII 23574](#))
- In theory you can allow a MV for an accessory building larger than principal dwelling (*Pillon v Lakeshore (Township)*, [2020 CanLII 66012](#))
- Minor variance of a holding provision?
 - Likely yes! (*Cryne v Kitchener (City)*, [2021 CanLII 660011](#))

GARROD ♦ PICKFIELD

ENVIRONMENTAL, MUNICIPAL AND PLANNING LAW

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Garrod Pickfield LLP

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Guelph, ON

519.837.0500

CanLII tutorial
And/or
Questions

Understanding Roles, Responsibilities, and Expectations: Tips and Guide for Chairs and Panel Members

Hena Kabir, MCIP RPP

Workshop 1:45pm – 3:00pm | May 12, 2025
2025 OACA CONFERENCE



Objective

- Practical tips for Chairing and members participation
- Roles and responsibilities of the "Chair and Panel as a team"
- Importance of clear communication and effective collaboration
- Understand the expectations of the public, for transparency and fairness in decision-making

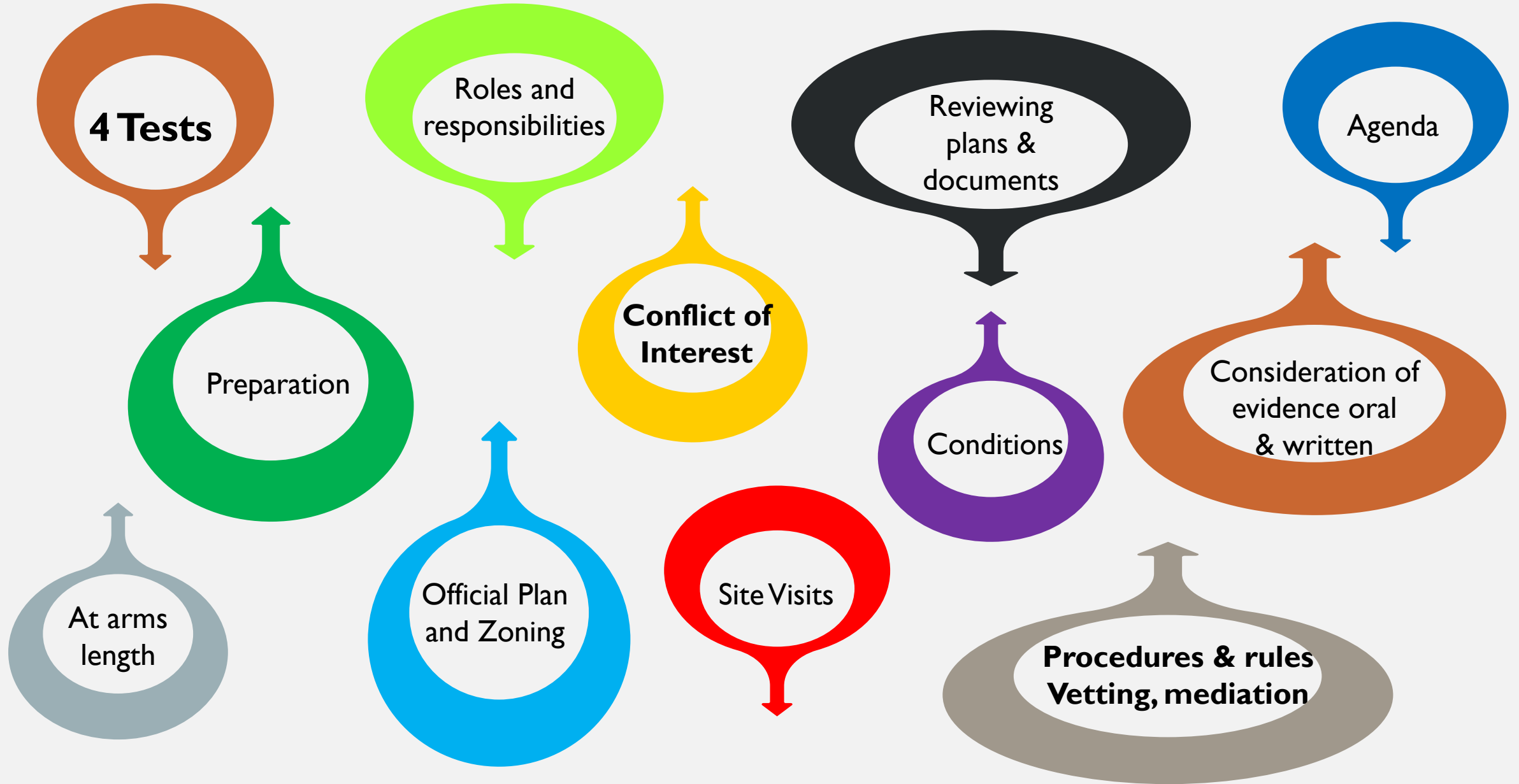
Through engagement and interaction!

Anyone recently appointed or serving on any Committee of Adjustment?

Why did you choose to be a Committee of Adjustment member?

What do you think your role would be serving as a panel member or Chair?

What do you think your municipal Council wants you to do?



Practical Tips and Experience

To

Help you navigate through your role and responsibilities as a Chair and member

To

Help you work as a Panel

To

Run a successful and fair hearing

To

Manage Expectations

IMPORTANT ROLE



**Leading
hearing**

**Resident and
Applicant**



Controlling



Respect

 **Responsibility!**

**Facilitate
Guide
Post Decision**



**Communication
Guide the
decision-making
process**



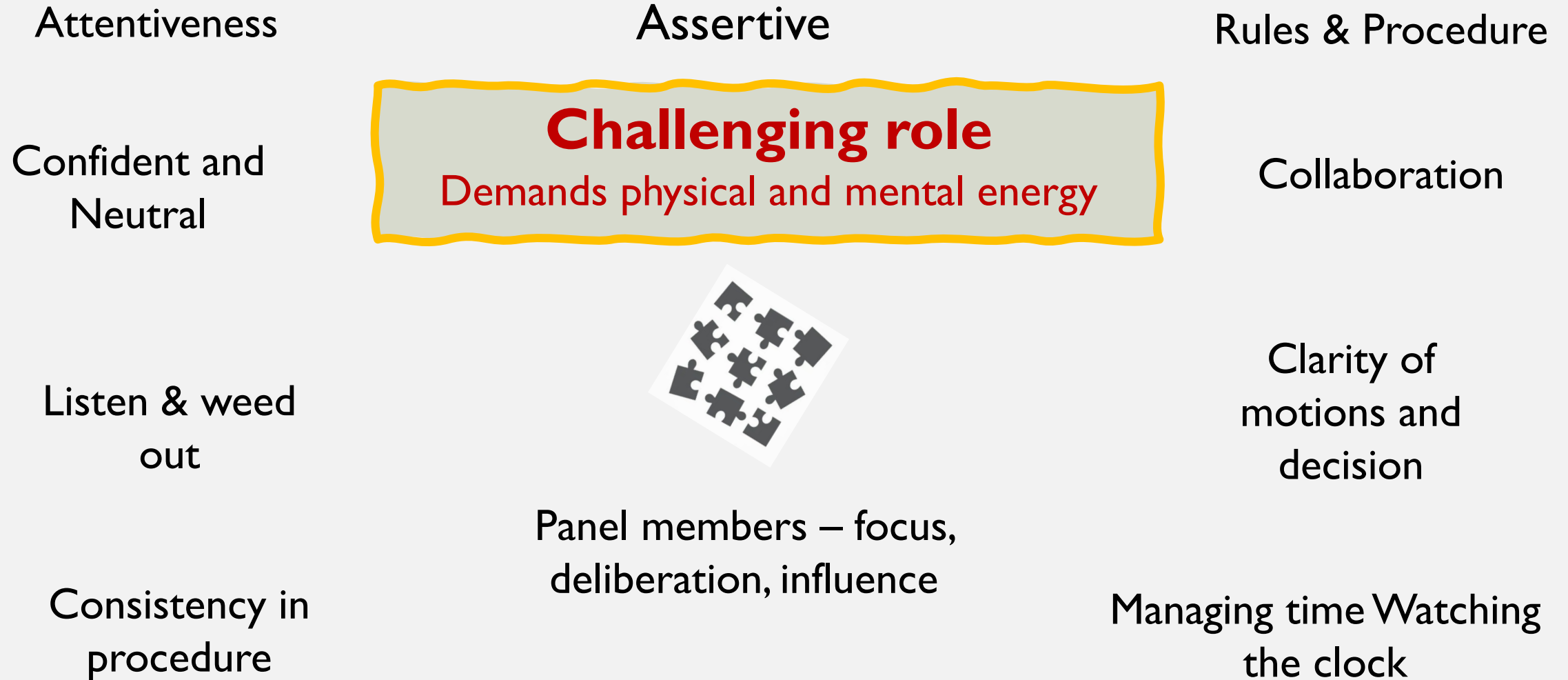
Rules & Procedure



Chairing requires professionalism at all times

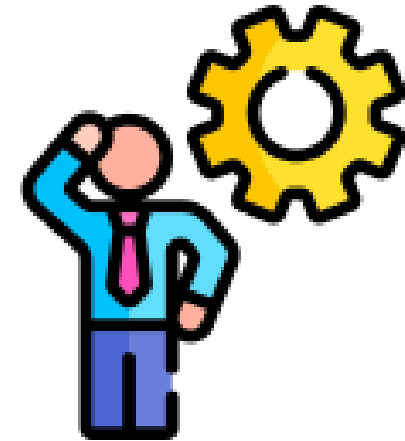
Patience & Tolerance

Demonstrating that you are here to help



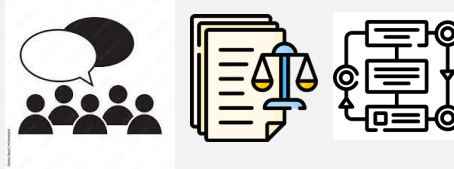
OTHER CHALLENGING FACTORS

- Appear to work as a TEAM
- Differences of opinions and comments
- Unhappy and concerned residents
- Residents with lack of understanding of the process
- Passionate applicants
- Hybrid meetings
- Technology issues
- Managing mistakes, errors, changes to the application on the floor, chaos (sometimes)
- Distractions
- No third party appeal rights



Justice

Needs to done and be seen
Fair chance to **ALL**



Procedural
fairness

STATE the
Jurisdiction

Considering
evidence

Voting
Rebuttals
Deferral

Personal opinion &
biases

STOP - Name calling,
personal attacks & racism

Councilors and famous
personalities

Different expectations
& understanding

Minds not made up
before hearing evidence

Not a Popularity
contest

Staff

Planning

Secretary Treasurer

Others

Seek help

Good relationship

Ask technical questions

Clarify procedural matters

Let's chat!

Thank you & all the best

REBUILDING THE MAIN END



OACA Presentation



MAIN END OF WASAGA BEACH



FOUR DECADES OF SPRAWL



RAPID GROWTH

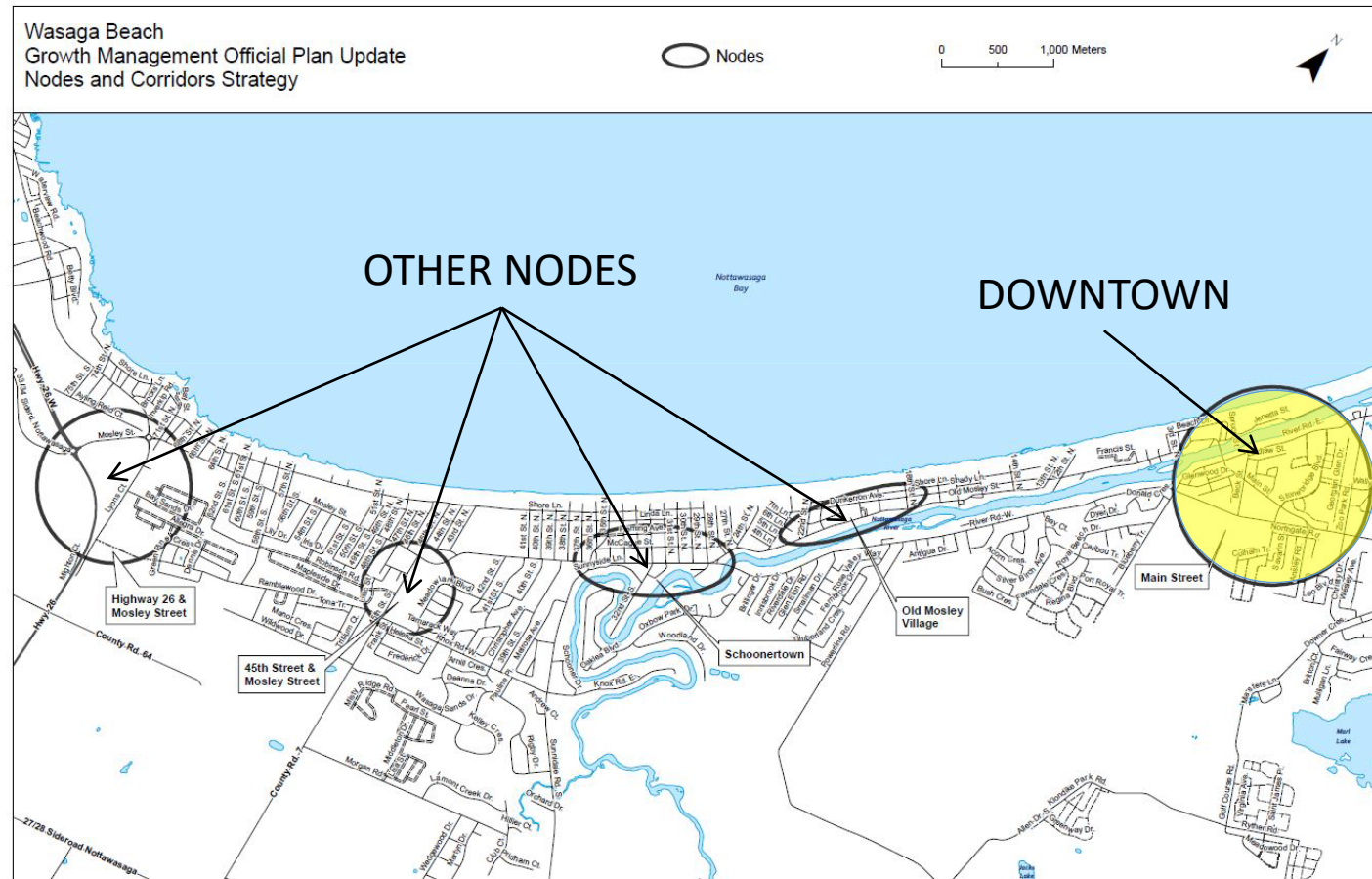
- Population of 24,862
- Projected population of 45,000 by 2051
- 20.3% growth rate between 2016 and 2021
- Ontario 5.9% growth rate
- One of the fastest growing communities in Canada
- 0-19 increased by 550 to 3,890



Statistics
Canada

Statistique
Canada

DIRECTING GROWTH



We also must be intentional about where we do not want growth + the need for hard/soft infrastructure to support

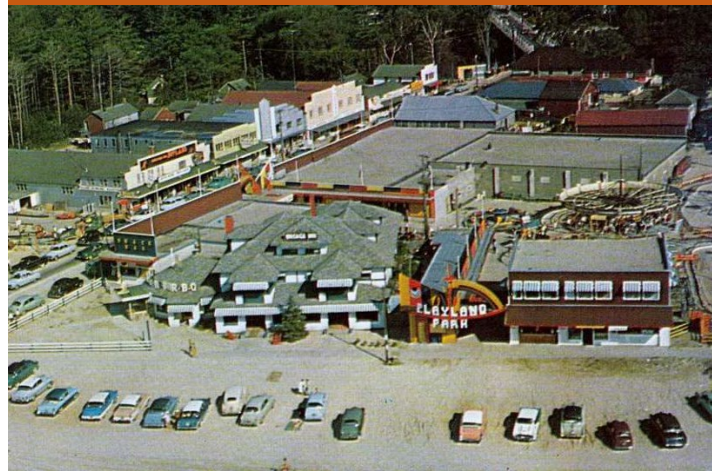
A DEPENDABLE DESTINATION



Lots to Do in Wasaga Beach



Village at Blue / DDMP

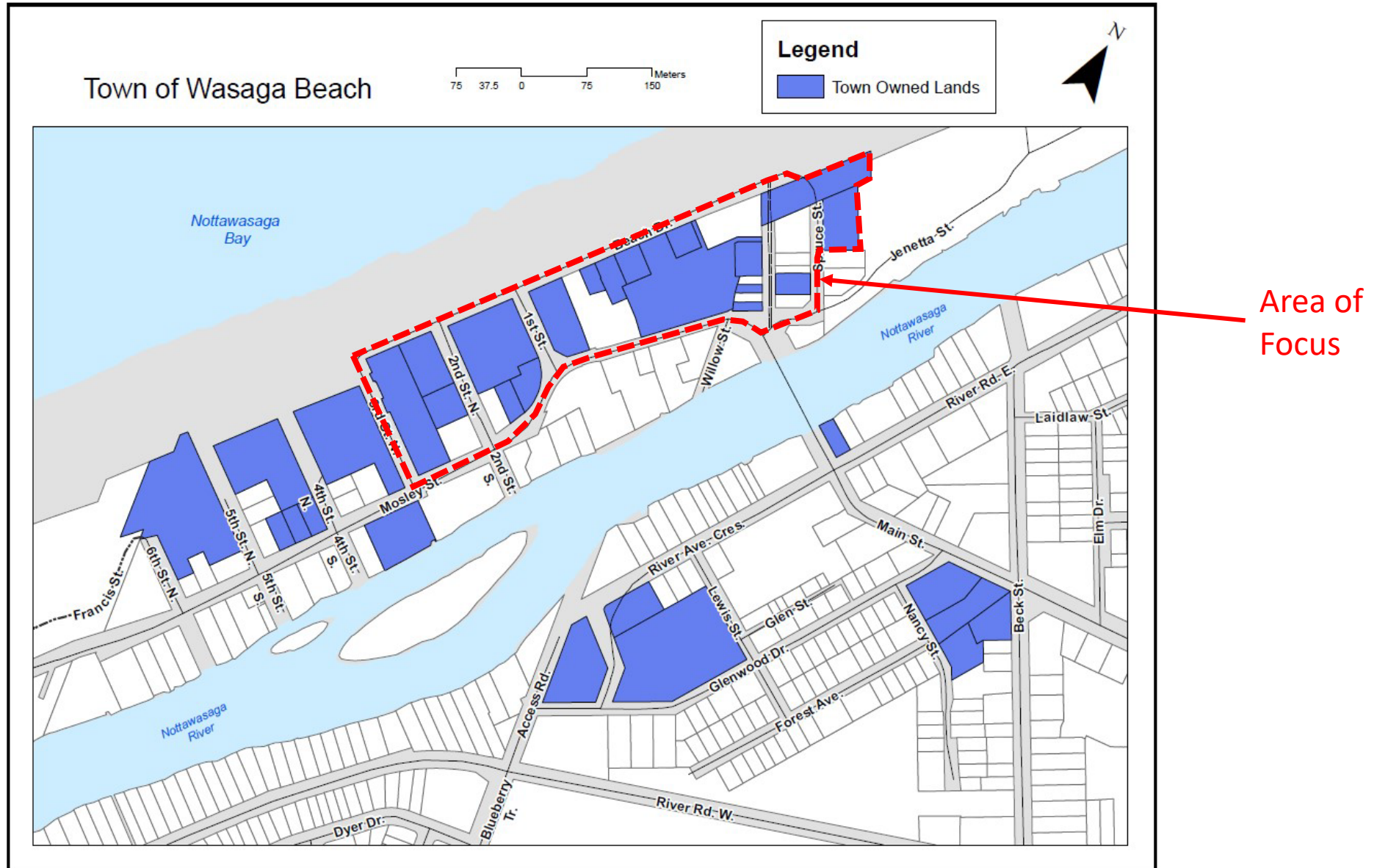


Wasaga Beach must be more competitive again

LOCALS FIRST APPROACH TO TOURISM – DEPENDABLE DESTINATION



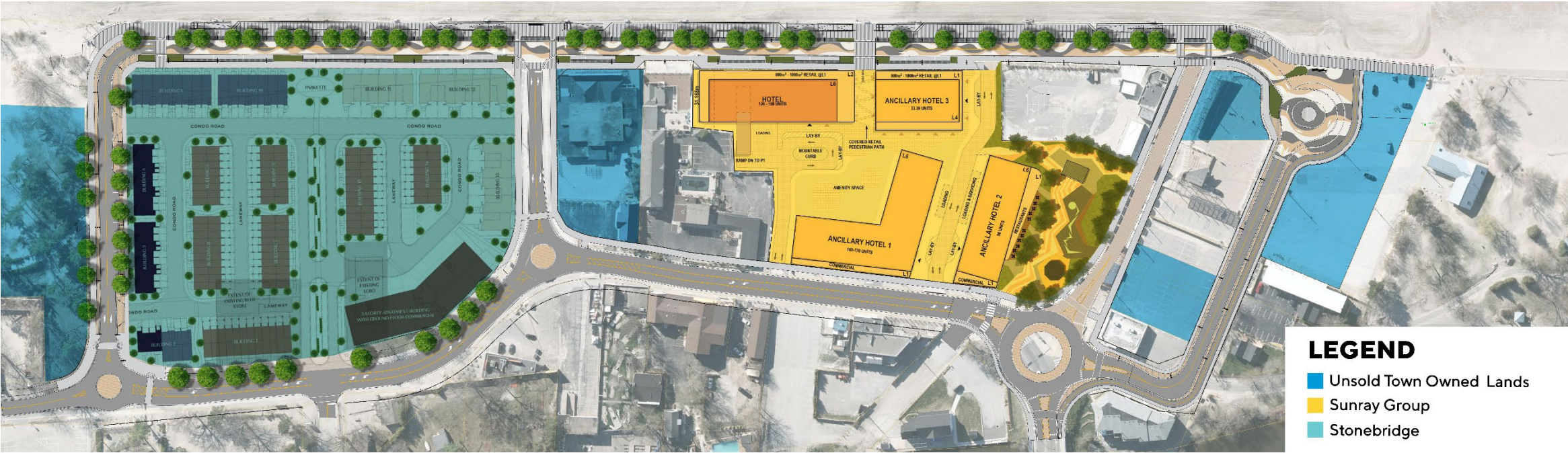
REDEVELOPMENT OF TOWN-OWNED LANDS



FROM VISION TO REALITY



MASTER DEVELOPMENT PLAN



REBUILT BEACH DRIVE



REBUILT BEACH DRIVE



STONEBRIDGE



ONE OF CANADA'S FASTEST GROWING HOSPITALITY AND DEVELOPMENT COMPANIES



*2024 Marriott Developer
of the Year.*

*2023 Hotelier
National Company*

*2022 Marriott International
Partnership Circle Award*

Founded in 2006, Sunray Group is a family-owned, multifaceted corporation specializing in Hotel, Retirement Living and Real Estate Development. Sunray believes in the strength of brand equity. The group continues to successfully build an ever-increasing portfolio of award-winning brands, which include Marriott, Hilton, Best Western, IHG, Wyndham, and Choice Hotels. Sunray also holds a portfolio of prominent franchises such as Boston Pizza, Starbucks, Fionn MacCool's, Ultramar, Pioneer and Esso. Sunray Group currently owns and operates 70+ hotels, 8 Retirement homes, 25+ Real Estate developments, and employs over 3,000+ talented individuals across Ontario, Quebec, Alberta, Saskatchewan, Manitoba, and Newfoundland Labrador with many new developments on the horizon.



3000+
EMPLOYEES

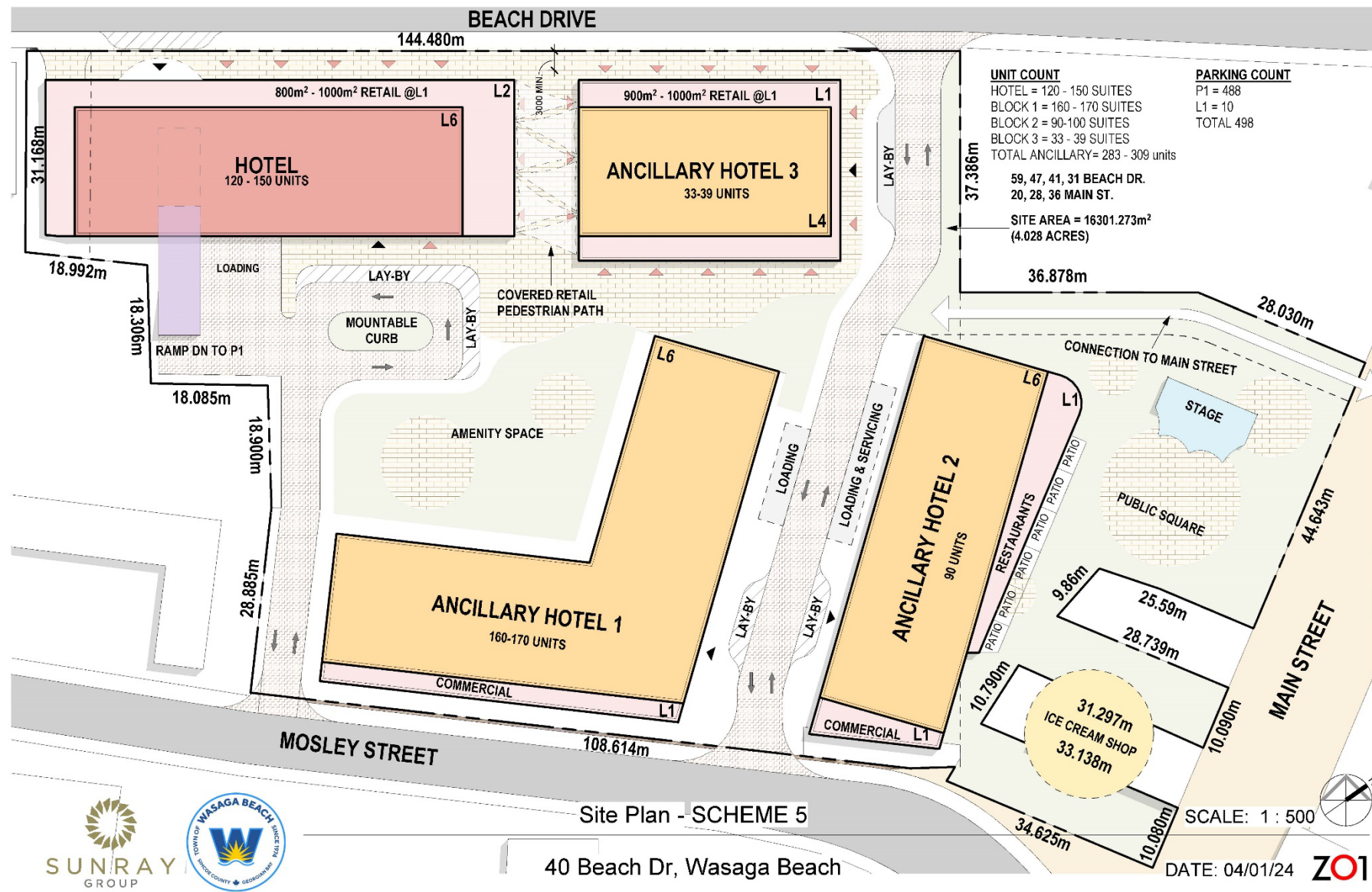
70
HOTELS

8
RETIREMENTS

25+
DEVELOPMENTS

9000+
ROOMS

SUNRAY GROUP – SITE PLAN



40 BEACH DRIVE – OVERALL AERIAL VIEW



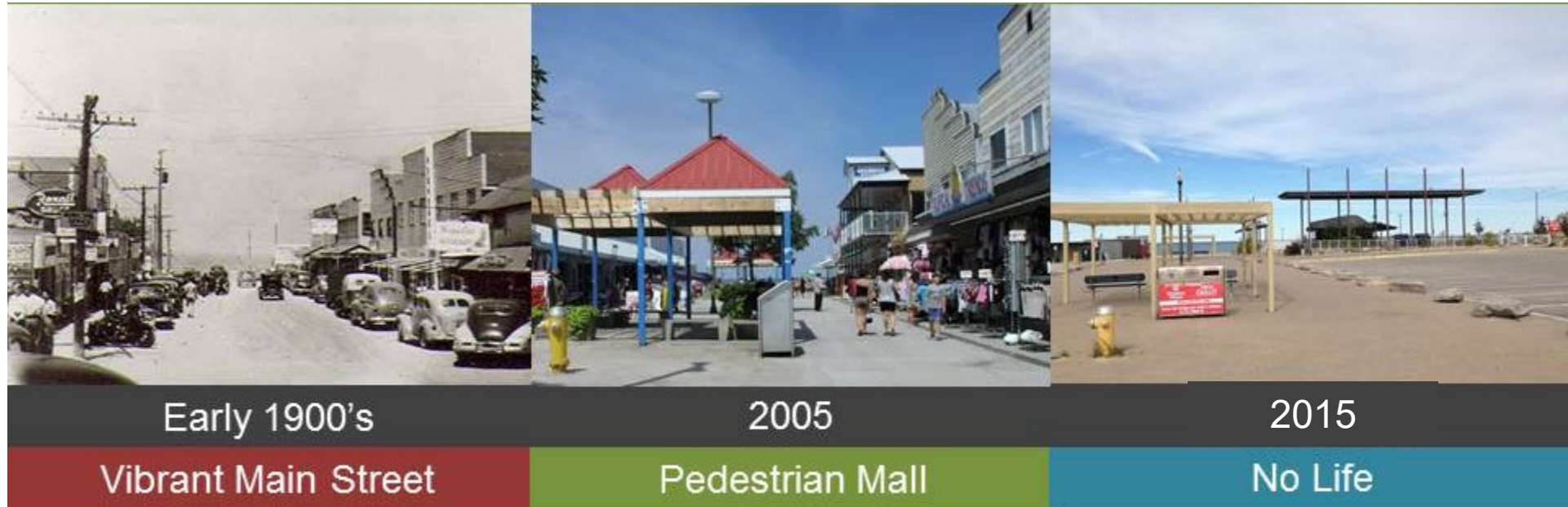
40 BEACH DRIVE – CLOSE UP HOTEL VIEW



40 BEACH DRIVE – COVERED WALKWAY VIEW



RE-OPEN HISTORIC MAIN STREET



Closing Main Street to vehicles was a mistake and contributed to the demise of businesses

RE-OPEN HISTORIC MAIN STREET AS A FESTIVAL STREET



Restores historic lot fabric – enables small scale shops to be built

FESTIVAL SQUARE/MAIN STREET – THE CENTRE OF FUN



CONCEPTUAL DESIGN

PARKING APPROACH



A variety of Town public parking options + Ontario Parks (Park Area 1 and 2)

BEACHFRONT ROUNDABOUTS – PUBLIC ART



Opportunity to express local arts culture

TOURISM BY THE NUMBERS

Overnight tourists spend more than day-trippers



Same day visitor = \$72
Overnight visitor = \$173

80% Day trippers
20% Overnight

2022 = 1,189,338 Visitors
2023 = 1,962,843 Visitors

Change of +773,505 visitors

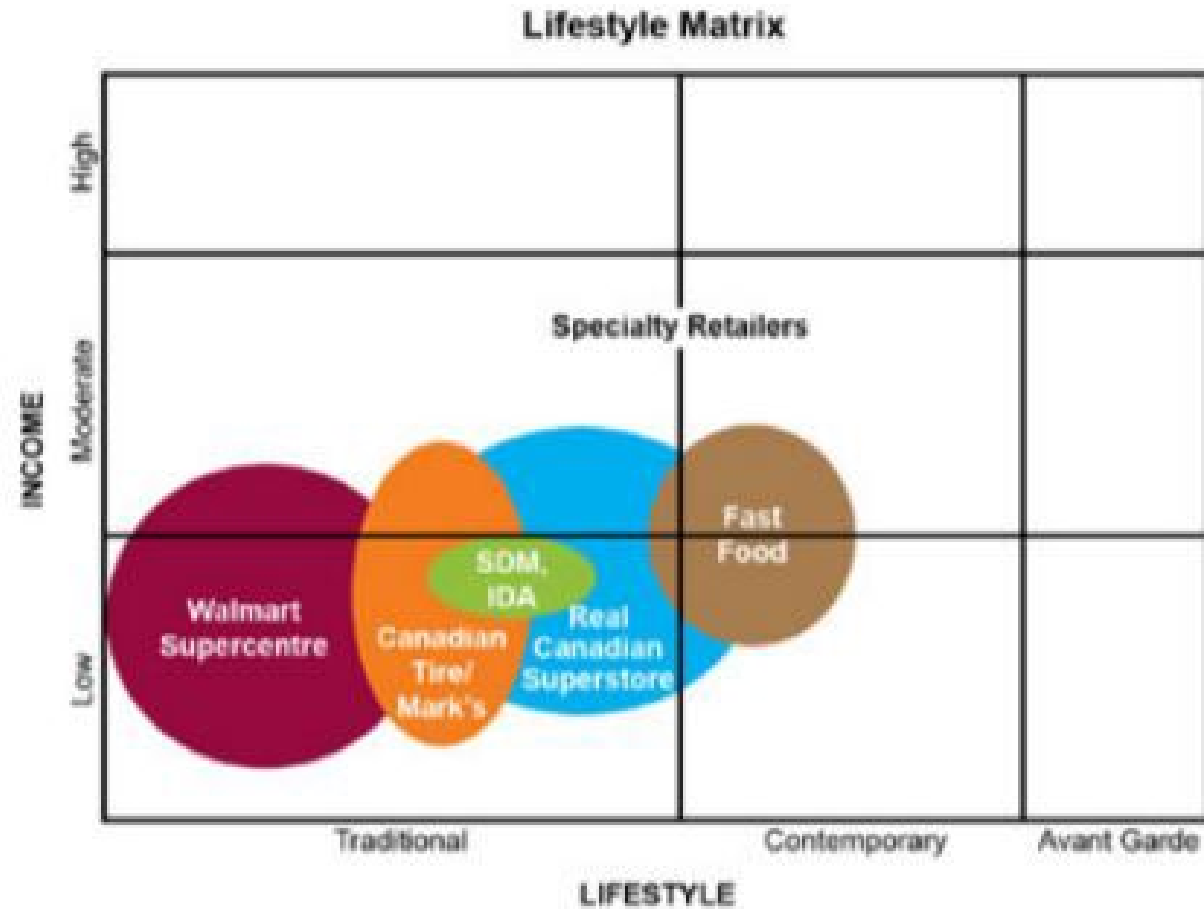
$618,804 \times \$72 \text{ (80\%)} = \$44,553,888$
 $154,701 \times \$173 \text{ (20\%)} = \$26,763,273$

\$71,317,161 dollars spent in Wasaga/year (2023 VS 2022)

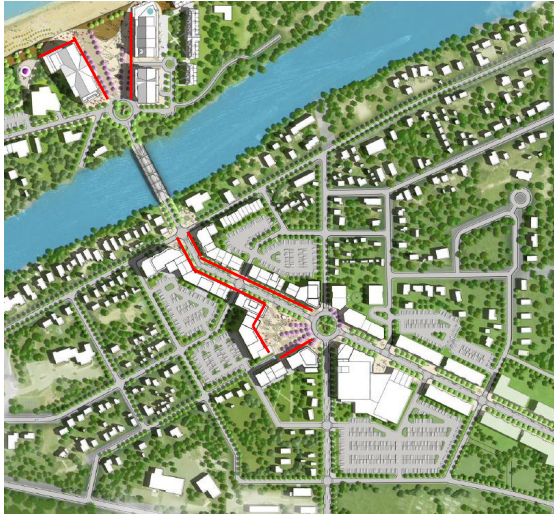
TARGET TOURIST – LONGER STAY HIGH-VALUE GUESTS



RETAIL COVERAGE OF WASAGA BEACH



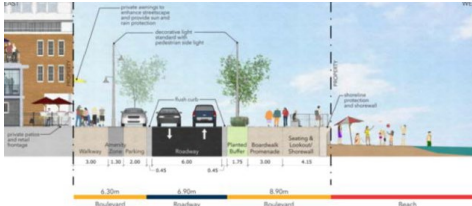
EXPERIENTIAL MOM'N POPS



NEXT STEPS – PROJECT TIMELINES



BUILDING DEMOLITION – Complete May



**BEACH DRIVE, 3RD STREET, SPRUCE STREET + MOSLEY/MAIN
ROUNDBOUT CONSTRUCTION** – Summer 2025 construction starts



PROJECT CONSTRUCTION – Commences Spring/Summer 2025

Stonebridge – Phase 1

Sunray Phase 1 – Hotel (Prior to Sept 2026)



PROJECT SALES – Summer 2025

REBUILDING THE MAIN END



THANK YOU

