PLANNING & DEVELOPMENT ADVISORY COMMITTEE
August 11, 2020
7:00 p.m.

Register in advance for this webinar:
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After registering, you will receive a confirmation email containing information about joining the webinar.

A G E N D A

COMMITTEE OF ADJUSTMENT:

1. OPENING REMARKS

2. DISCLOSURE OF PECUNIARY INTEREST

3. APPROVAL OF MINUTES

- July 14, 2020

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

4(a) Minor Variance Application D13SCH – Brad Schmuck/Christine Mckay - Property described as Front Part Lot 31, Concession 7, municipally known as 7297 Calfass Road, Township of Puslinch.

Requesting relief of New Comprehensive Zoning By-law #023-2018, as amended, to permit a maximum height of an accessory structure to be 7.28 metres to the peak of the roof instead of 5 metres, as required.

5. OTHER MATTERS

- None

6. ADJOURNMENT OF COMMITTEE OF ADJUSTMENT

PLANNING & DEVELOPMENT ADVISORY COMMITTEE

7. OPENING REMARKS

8. DISCLOSURE OF PECUNIARY INTEREST

9. APPROVAL OF MINUTES

- July 14, 2020

10. APPLICATION FOR SITE PLAN URBAN DESIGN REVIEW

- None

11. ZONING BY-LAW AMENDMENT

Zoning By-law Application D14-COU – Paul and Susan Course, Front Part Lot 31, Concession 9, 7677 Wellington Road 36, Puslinch.

The purpose and effect of the application is to amend the Township of Puslinch New Comprehensive Zoning By-law 23/2018 to rezone the lands to permit a Garden Suite.

12. LAND DIVISION

12(a) Severance Application B40-20 (D10/SIS) – Daniel & Elizaabeth Sisolak, Part Lot 31, Concession 8, 7539 Wellington Road 36, Puslinch.

Proposed severance is 0.4 hectares with 33.78 metres frontage, existing and proposed rural residential use.

Retained parcel is 0.47 hectares with 39.15 metres frontage, existing and proposed rural residential use with existing dwelling.

12(b) Severance Application B41-20 (D10MAM) – Mammoet Crane (Assets) Inc., Part Lot 25, Concession 8, 7504 McLean Road East, Puslinch.

Proposed severance is 207.465 metres frontage x 134.7 metres = 2.876 hectares, existing vacant land for proposed industrial use.

Retained parcel is 27.401 hectares with 557 metres frontage, existing and proposed industrial use with existing industrial building.

12(c) Severance Application B52-20 (D10MAM) – Mammoet Crane (Assets) Inc., Part Lot 25, Concession 8, 7504 McLean Road East, Puslinch.

Proposed easement is 3 metres x 38.6 metres = 0.012 hectares, in favour of retained parcel for storm sewer lateral and catchbasin. See severance application B 41-20.

13. OTHER MATTERS

- MDS Presentation by Zachary Prince, Planner, County of Wellington.
- Coerrespondence from Ontario Barn Preservation – For Information Purposes Only

14. CLOSED MEETING

- None

15. NEXT MEETING Tuesday, September 8, 2020 @ 7:00 p.m.

16. ADJOURNMENT

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
COMMITTEE OF ADJUSTMENT
JULY 14, 2020
7:00 PM
ELECTRONIC PARTICIPATION

MINUTES

ROLL CALL:

MEMBERS PRESENT
Councillor John Sepulis, Chair
Dan Kennedy
Dennis O'Connor
Deep Basi
Paul Sadhra

MEMBERS ABSENT
None

OTHERS IN ATTENDANCE
Lynne Banks, Development and Legislative Coordinator
Courtenay Hoytfox, Deputy Clerk
Zachary Prince, Planner, County of Wellington
Nancy Shoemaker, BSR& D
Jeff Buisman, Van Harten Surveying Inc.
Trevor Douglas
Roman Walizad

1. OPENING REMARKS

The meeting was called to order at 7:00 pm via electronic participation. The Chair welcomed those attending the meeting to the Committee of Adjustment and informed the attendees that Township Staff would present the application, then the applicant would have the opportunity to present the purpose and details of the application and provide any further relevant information. Following this, the public can obtain clarification, ask questions and express their views on the proposal. The members of the Committee can then obtain clarification, ask questions and express their views on the proposal. All application decisions are subject to a 20 day appeal period.

2. DISCLOSURE OF PECUNIARY INTEREST

- None

3. APPROVAL OF MINUTES

Moved by: Dennis O'Connor Seconded by: Dan Kennedy

That the Minutes of the Committee of Adjustment meetings held Tuesday, March 10, 2020 be adopted.

CARRIED

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

4(a) Minor Variance Application D13DOU – Trevor Douglas - Property described as Rear Part Lot 7, Concession 4, municipally known as 6644 Forestell Road, Township of Puslinch.

1. Requesting relief of New Comprehensive Zoning By-law #023-2018, as amended, to permit a maximum height of an accessory structure to be 9.02 metres to the peak of the roof instead of 5 metres, as required.
2. Requesting relief of New Comprehensive Zoning By-law #023-2018, as amended, to permit a maximum lot coverage of an accessory structure to be 5.1 percent instead of 5 percent, as required.

- The owner, Trevor Douglas provided an overview of the application.
- There were on comments from the public.
- Dennis O'Connor asked why did the owner want the height to be 9.02 meters
- The owner advised that he will be purchasing a larger recreational vehicle than he currently has in the future.
- Deep Basi asked what was the purpose of the canopy attached to the garage and inquired if it would be attached to the well or the septic system.
- The owner advised that there will be water but only for the hand wash sink.
- Deep Basi asked if any of the trees will be removed near the proposed access to the garage?
- The owner advised that none will be removed.
- Paul Sadhra asked the owner if the accessory dwelling could be designed to minimize the height.
- The owner advised that a new purchase will be close to 15 feet in height, and provided the footprint to his engineer who provided the design based on what is required under the building code.
- John Sepulis stated that he has concerns that the structure might be used for a commercial or industrial use and advised that he would be requesting a condition for approval that the owner provide a letter to the Township stating that the building would only be used for storage.
- The owner agreed that it would only be used for storage.

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

1. Permit a maximum height of an accessory structure to be 9.02 metres to the peak of the rood instead of 5 metres, as required; and

2. Permit a maximum lot coverage of an accessory structure to be 5.1 percent instead of 5 percent as required.

   Is approved with the following condition:.
   That the Owner provide a letter confirming that there will be no commercial or industrial use of the accessory structure that is the subject of this Decision.

The Committee voted on the motion **with all in favour**.

4(b) **Minor Variance Application D13/WAL – Roman Walizad -** Property described as Part Lot 6, Concession 5, municipally known as 4781 Wellington Road 32, Township of Puslinch.

Requesting relief of New Comprehensive Zoning By-law #023-2018, as amended, to permit a maximum floor area of 52 percent instead of a maximum of 40 percent, as required.

- The owner, Roman Walizad provided an overview of the application.
- There were no questions from the public.
- Dan Kennedy asked if this will be a legal duplex?
- The owner advised that it will be an in-law suite and it has been designed to all fire regulations and will comply with the building code.
- Dan further asked if there will be fire separation between floors?
- The owner advised that yes there will be.
- John Sepulis asked if the lower floor has been constructed yet?
- The owner advised that it has not been and further advised that he was waiting for approval of the minor variance before he starts construction.
- John Sepulis asked if the drawings have been approved yet?

- The owner advised that he tried to get them approved but was advised to wait for approval of the minor variance.
- John Sepulis advised that he would request a condition of approval for the minor variance would be that it be subject to the owner obtaining a building permit for the construction of the basement.

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

3. Permit a maximum floor area of 52 percent instead of a maximum of 40 percent, as required, as required.

Is approved with the following condition:

That the minor variance is subject to the owner obtaining a building permit; and

The Committee voted on the motion **with all in favour**.

5. OTHER MATTERS

None

6. ADJOURNMENT

Moved by: Deep Basi Seconded by: Dan Kennedy

The Committee of Adjustment meeting adjourned at 7:23 p.m.

CARRIED

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
PLANNING & DEVELOPMENT ADVISORY COMMITTEE
JULY 14, 2020
7:00 PM
ELECTRONIC PARTICIPATION

MINUTES

AMENDED

ROLL CALL:

MEMBERS PRESENT
Councillor John Sepulis, Chair
Deep Basi
Dan Kennedy
Paul Sadhra
Dennis O'Connor

MEMBERS ABSENT
None

OTHERS IN ATTENDANCE
Lynne Banks, Development and Legislative Coordinator
Courtenay Hoytfox, Deputy Clerk
Zachary Prince, Planner, County of Wellington
Nancy Shoemaker, BSR& D
Jeff Buisman, Van Harten Surveying Inc.

1 - 6. COMMITTEE OF ADJUSTMENT

- See July 14, 2020 Committee of Adjustment minutes.

7. OPENING REMARKS

The meeting was called to order via electronic participation at 7:25 p.m. The Chair advised that the following portion of the Committee meeting will be reviewing and commenting on development planning applications.

8. DISCLOSURE OF PECUNIARY INTEREST

- None

9. APPROVAL OF MINUTES

Moved by: Dennis O'Connor Seconded by: Deep Basi

That the Minutes of the Planning & Development Advisory Committee Meeting held Tuesday, July 14, 2020, be adopted.

CARRIED

10. APPLICATION FOR SITE PLAN URBAN DESIGN REVIEW

- None

11. ZONING BY-LAW AMENDMENT

- None

12. LAND DIVISION

12(a) Severance Application B24-20 (D10/ADD) – Joseph Addeo, Part Lot 27, Concession 10, 4331 Watson Road South, Puslinch.

Proposed severance is 0.68 hectares with 27.57 metres frontage, existing and proposed rural residential use with existing house, well and septic system.

Retained parcel is 1.95 hectares with 111.21 metres frontage, existing and proposed rural residential use with existing store building.

- Nancy Shoemaker, agent for the applicant, provided an overview of the application and advised that owner is working with the GRCA and the County of Wellington to provide an environmental report due to the heritage features on the property across the road and have provided the report to the conservation authority and they are satisfied with the report. She further advised that there is one barn in the MDS area and that County is satisfied that the MDS has been met.
- Dennis O'Connor asked if the MDS lists the animal units that will be in the barn.
- Nancy Shoemaker advised that the data was provided to the County, and they prepared the MDS calculations and that the MDS 1 requirements were met.
- Zachary Prince confirmed that the MDS was completed.
- Deep Basi is the location shown on the sketch the only location for the entrance.
- Nancy Shoemaker advised that that is the only available location for the entrance and that the GRCA has reviewed and approved the location.
- Paul Sadhra asked if there is a safe distance for the entrance, considering the location of the pond.
- Nancy Shoemaker advised that yes, and that the driveway is in place and there is just a small area where it meets the road allowance that is not yet complete.
- John Sepulis asked if Nancy Shoemaker is aware that the Township will require a minor variance for the retained parcel.
- Nancy Shoemaker advised that she is aware that will be a condition of approval.
- John Sepulis also advised that there will be an agreement required as a condition of the future minor variance and asked Lynne Banks to explain the process to Nancy Shoemaker.
- Lynne Banks advised that one condition for the future minor variance is that the owner will enter into an agreement with the Township that will allow the owner to keep the accessory structure on the property until the dwelling is completed and the owner has occupancy. She further advised that as part of the agreement the owner will be required to provide a $5,000.00 security to the Township which will be returned to the owner once the accessory structure has been demolished.
- Nancy Shoemaker asked why the building will have to be demolished as the owner wants to keep the accessory structure after the house is built.
- John Sepulis advised that the Township does not want any derelict buildings on the property.
- There were no further questions or comments from the Committee.

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

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

3. That the Owner apply for, and receive, a minor variance for the lands to be retained to permit an accessory structure to remain on the property until the residential dwelling is built.

4. Confirmation that the MDS calculations provided are correct.

5. Confirmation that any requirements of the appropriate conservation authority are met.

CARRIED

Moved by: Dan Kennedy Seconded by: Dennis O'Connor

12(b) Severance Application B27-20 (D10/HAR) – George and Dorothy Harris, Part Lot 27, Concession 1, 7182 Concession 1, Puslinch.

Proposed severance if 45.27 meters frontage x 148 metres = 0.66 hectares, existing and proposed rural residential use with existing house, detached garage, Quonset hut, swimming pool and storage building.

Retained parcel is 12.3 hectares with 19.5 metres frontage, existing vacant land with tile field, for proposed rural residential use.

Nancy Shoemaker, agent for the applicant, provided an overview of the application and noted that both Hamilton Conservation and the GRCA were consulted and that they have no concerns with the application. She also noted that the tile fields located over the proposed severed and retained lands will be removed and relocated because the driveway will be located where the tile field currently is located. She also noted that MDS requirements have been met.

- Dennis O'Connor noted that the MDS sheet will need to properly filled out.
- Deep Basi asked where will be the house be situated?
- Nancy Shoemaker advised that it will be near the Quonset hut on the property and that both conservation authorities noted that they don't have any jurisdiction over the location of the house.
- John Sepulis advised that the owner will need a minor variance for the decreased frontage on the retained lands.

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

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

2. That the Township's roads department are satisfied that there is a safe entrance to the property and that the Owner obtain an approved Entrance Permit verifying safe access and site lines on the severed parcel from the Township of Puslinch; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

3. That the Owner apply for, and receive, a minor variance for the lands to be retained for the reduced lot frontage, prior to approval of the severance.

4. Confirmation that the MDS calculations as provided are correct.

5. Confirmation that any requirements of the appropriate conservation authority are met.

CARRIED

Moved by: Deep Basi Seconded by: Dennis O'Connor

12(c) Severance Application B72-19 (D10/ING) – Gari Ingertsa and Stacey Kall, Part Lots 29 and 30, Concession 1, 7258 Concession 1, Puslinch.

Proposed severance is 2.357 hectares with 144.5 metres frontage, vacant land for proposed rural residential use. (See additional lot line adjustment B30-20),

Retained parcel is 20.3 hectares with 192 metres frontage on Concession 7 Road and 304 metres frontage on Concession 1 Road, existing and proposed agricultural use with existing dwelling and shed.

- Jeff Busiman, agent for the applicant, provided an overview of the application.
- There were no questions from the Committee.

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

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

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

CARRIED

Moved by: Deep Basi Seconded by: Dan Kennedy

12(d) Lot Line Adjustment Application B30-20 (D10/ING) – Gari Ingertsa and Stacey Kall, Parts Lots 29 and 30, Concession 1, 7258 Concession 1, Puslinch.

Proposed lot line adjustment is 1.387 hectares with 136.1 metres frontage, vacant land to be added to abutting agricultural parcel – William & Margaret Sims.

Retained parcel is 20.3 hectares with 192 metres frontage on Concession 7 Road and 304 metres frontage on Concession 1 Road, existing and proposed agricultural use with existing dwelling and shed.

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

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

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

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

CARRIED

Moved by: Dan Kennedy Seconded by: Dennis O'Connor

12(e) Severance Application B33-20 (D10/HOF) – Janet Hofstra, Part Lot 128, Concession 4, 6931 Forestell Road, Puslinch.

Proposed severance is 47 metres frontage x 90 metres = 0.42 hectares, vacant land for proposed rural residential use.

Retained parcel is 7.7 hectares with 120m frontage, existing and proposed rural residential use with existing dwelling, pool and tennis court.

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

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

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

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

CARRIED

Moved: Deep Basi Seconded: Dan Kennedy

12(f) Lot Line Adjustment Application B37-20 (D10/DET) - Rolf & Jennifer Deter, Part Lots 1, 2 & 3, Concession Gore, 4604 Sideroad 12 North, Puslinch.

Proposed lot line adjustment is 14 metres frontage x 76 metres = 0.1 hectares, vacant land to be added to abutting parcel for rural residential use – Brandon, Rebecca, Hugh & Janice MacDonald

Retained parcel is 72.6 hectares with 520m frontage, existing and proposed agricultural and residential use with easing dwelling, barn, drive shed & shed.

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

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

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

CARRIED

Moved by: Dennis O'Connor Seconded by: Dan Kennedy

13. OTHER MATTERS

- None

14. CLOSED MEETING

- None

15. NEXT MEETING

- Next Regular Meeting Tuesday, August 11, 2020 @ 7:00 p.m.

16. ADJOURNMENT

Moved by: Dennis O'Connor Seconded by: Dan Kennedy

That the Planning & Development Advisory Committee is adjourned at 8:17 p.m.

CARRIED

Township of Puslinch
7404 Wellington Road 34
Puslinch, ON, N0B 2J0
T: (519) 763 – 1226
F: (519) 763 – 5846
www.puslinch.ca

Minor Variance or Permission Application

General Information:

1. Applicant Information:

Registered Owner's Name(s): Brad Schmuck / Christine Mackay

Address: 7297 Calfass Rd

City: Puslinch

Postal Code: N0B 2J0

E-mail Address: [redacted]

Telephone Number:

Fax: _____

Applicant (Agent) Name(s): _____

Address: _____

City: _____

Postal Code: _____

E-mail Address: _____

Telephone Number: _____

Fax: _____

Existing and Proposed Service:

10. Indicate the applicable water supply and sewage disposal:

Water Supply/Sewage Disposal:	Existing:	Proposed:
Municipal Water:	☐	☐
Communal Water:	☐	☐
Private Well:	☑	☐
Other Water Supply:	☐	☐
Municipal Sewers:	☐	☐
Communal Sewers:	☐	☐
Private Septic:	☑	☐
Other Sewage Disposal:	☐	☐

11. How is storm drainage provided?

Storm Sewers: ☐

Ditches: ☑

Swales: ☐

Other means: ☐ (explain below)

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

↳ the vehicle (farm truck) is 14 feet door height so need interior ceiling height of 16 feet.

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

Official Plan Designation: _____

Zoning Designation: Agricultural

7. What is the access to the subject property?

Provincial Highway: ☐

Continually maintained municipal road: ☑

Seasonally maintained municipal road: ☐

Other: ☐ (please specify below)

_____

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

Calfass Rd.

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

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

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

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

Municipal address: 7297 Calfass Rd.

Concession: 4 Lot: Fr. Pt. Lt. 31

Registered Plan Number: _____

Area: _____ ha Depth: _____ m Frontage: _____ m

0.9 ac _____ ft _____ ft

Width of road allowance (if known): _____

Reason for Application:

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

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

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

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

- asking for additional height of building to allow for vehicle to park inside
- need 16ft interior ceiling height

Relief of 2.28m to a max height of 7.28m to the peak.

Existing Subject and Abutting Property Land Uses, Buildings and their Locations:

12. What is the existing use of:

The subject property? residential

The abutting properties? hydro / agricultural / residential.

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

Type of Building(s)/ structures	main house/ dwelling			
Main Building height	m	ft.	m	ft.
*Percentage lot coverage	m	ft.	m	ft.
*Number of parking spaces				
*Number of loading spaces				
Number of floors				
Total floor area	m^2	ft^2	m^2	ft^2
Ground floor area (exclude basement)	m^2	ft^2	m^2	ft^2

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

Front Yard	m	35 ft.	m	ft.
Rear Yard	m	7100 ft.	m	ft.
Side Yards	m	10 ft.	m	ft.

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

Date of acquisition of subject property: _____

Date of construction of buildings property:_____

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

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

Yes ☐ No ☑

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

Other Related Planning Applications:

18. Has an application for any of the following on the subject lands?

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

Authorization for Agent/Solicitor to act for Owner:

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

I (we)_____of the

_____of_____County/Region of

_____do hereby authorize

_____to act as my agent in this application.

_____ _____

Signature of Owner(s) Date

Affidavit:

I (we) Christine Mackay of the

Township of Puslinch County/Region of

Wellington solemnly declare that all the statements

contained in this application are true, and I, (we), make this solemn declaration

conscientiously believing it to be true, and knowing that it is of the same force and effect

as if made under oath and by virtue of the CANADA EVIDENCE ACT. DECLARED

before me at the Township of Puslinch in the

County/Region of Wellington this 10 day of

March, 20 20.

[redacted]

March 10 / 2020.

Date

Signature of Commissioner Date

Agreement to Post Sign and Permit Site Visits:

A form is included in the Zoning By-law Amendment application to agree to erect a sign on the subject lands and to permit Township employees/representatives to enter the lands for site visits.

The applicant is required to erect and maintain a sign on the proposed lands within one week of the application being deemed complete by staff and to remove the sign when the application has been given final approval. The sign shall be a minimum of 1.2 x 1.2 metres on posts 0.5 metres above grade and include the following wording to be approved by Township staff:

A PROPOSAL HAS BEEN MADE
ON THIS SITE FOR: (50 mm text height)
A ZONING BY-LAW AMENDMENT TO xxx (100 mm text height)
FOR FURTHER INFORMATION
PLEASE CONTACT THE TOWNSHIP OF PUSLINCH 7404 WELLINGTON ROAD 34
(519) 763 - 1226 (30-50 mm text height)

For Administrative Purposes Only:

Application fee of $_____received by the municipality

Date Fee Received: _____

Date Application Filed: _____

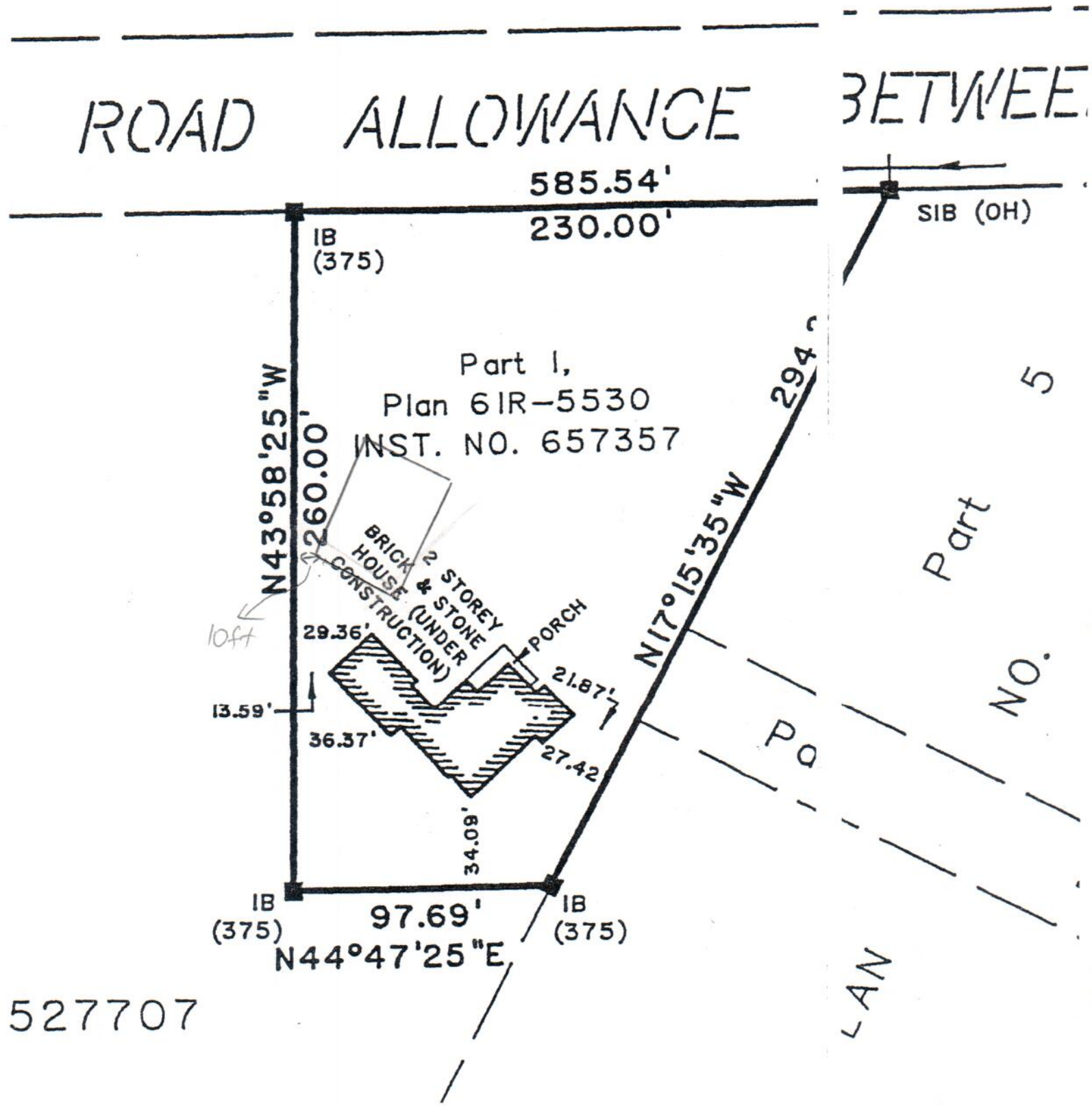
File Number: _____

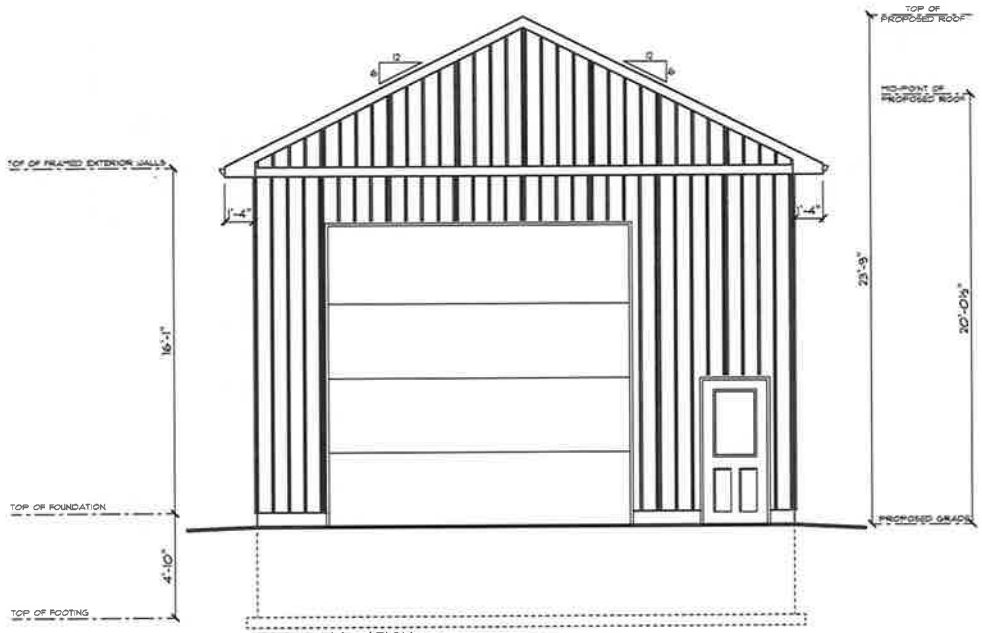
Application deemed complete:

_____ _____
Signature of Municipal Employee Date

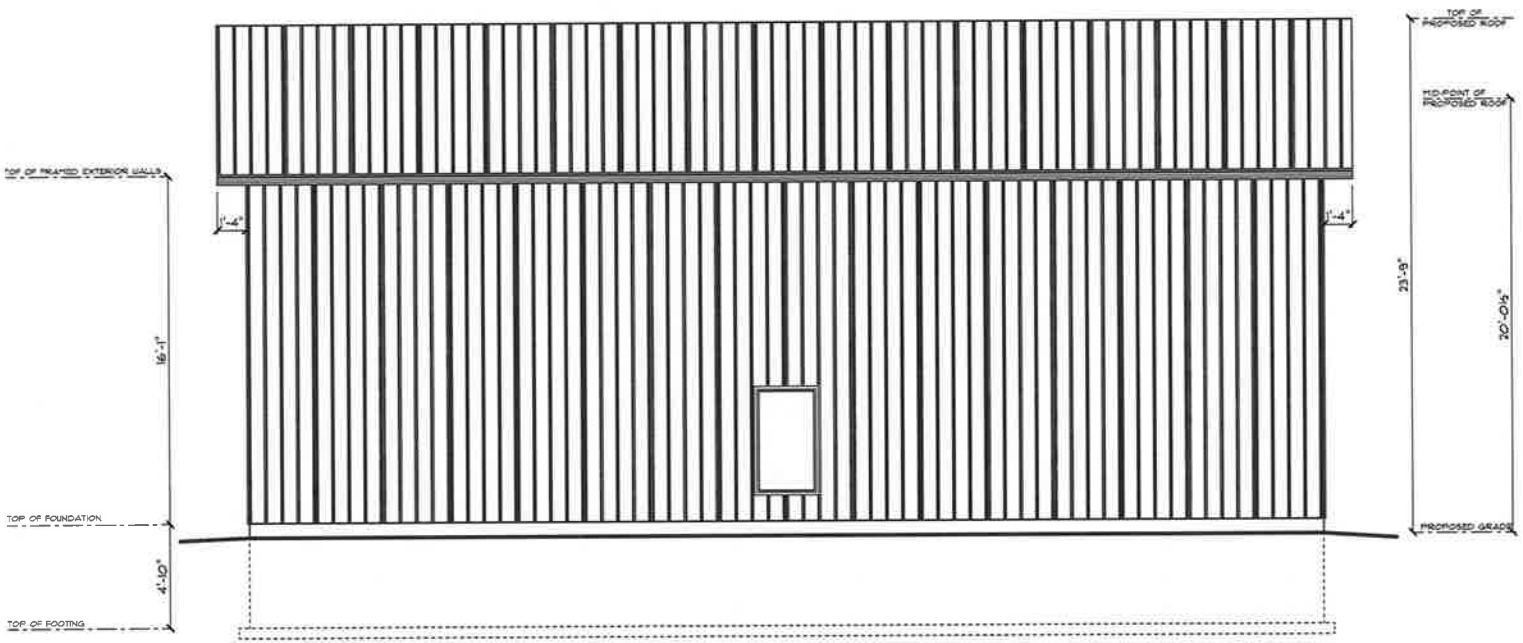
Personal information on this form is collected under the authority of the Planning Act. The information is used for the purpose of processing this application and administering the legislation and is maintained in accordance with the Municipal Freedom of Information and Protection of Privacy Act. Questions regarding the collection of this information may be directed to the Township Clerk's office.

The Township of Puslinch is committed to providing accessible formats and communication supports for people with a disability. If another format would work better for you, please contact the Township Clerk's office for assistance.


ROAD ALLOWANCE
BETWEE
585.54'
230.00'
IB
(375)
SIB (OH)
Part 1,
Plan 61R-5530
INST. NO. 657357
N43°58'25"W
260.00'
294
N17°15'35"W
BRICK & STONE HOUSE (UNDER CONSTRUCTION)
2 STOREY
PORCH
10ft
29.36'
21.87'
13.59'
36.37'
27.42
34.09'
IB
(375)
97.69'
IB
(375)
N44°47'25"E
Part
5
NO.
Pa
LAN
527707



FRONT ELEVATION



LEFT ELEVATION

CONCRETE NOTES

ALL FOUNDATION WALLS TO BE 8" POURED CONCRETE C/W 6" THICK x 20" WIDE CONCRETE STRIP FOOTINGS.

FRAMING NOTES

USE (3) 2"x8" HEADERS UNLESS OTHERWISE NOTED.
TRUSSED ROOF AS PER MANUFACTURERS' SPECIFICATIONS.
ROOF OVER FRAME RAFTERS TO BE 2"x6" @ 16" O.C. C/W 2"x4" COLLAR TIES AS REQUIRED UNLESS OTHERWISE NOTED.
RIDGE, HIP AND VALLEY RAFTERS TO BE 2"x10" WITH SUPPORT AS REQUIRED UNLESS OTHERWISE NOTED.
ALL CEILING JOISTS TO BE 2"x8" @ 16" O.C.

GENERAL NOTES

ALL STEEL BEAMS & HSS COLUMNS TO BE GRADE 350W
ALL LUMBER TO BE SPF NO. 1/2 OR BETTER MINIMUM SOIL BEARING CAPACITY TO BE 100KPa (2000psf)
PROVIDE SOLID BLOCKING @ WALLS ADJACENT TO WATER CLOSETS TO FACILITATE FUTURE WATER CLOSET GRAB BARS

C. FREDE DESIGN INC.
(519) 669-4780
ELMIRA, ONTARIO
CRAIG.FREDE@SYMPATICO.CA

CONTRACTORS NOTE

CONTRACTOR SHALL CHECK ALL DIMENSIONS ON THE DRAWINGS AND REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING

DRAWINGS ARE NOT TO BE SCALED

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

CRAIG FREDE	BCIN # 20343
C. FREDE DESIGN INC	BCIN # 41306

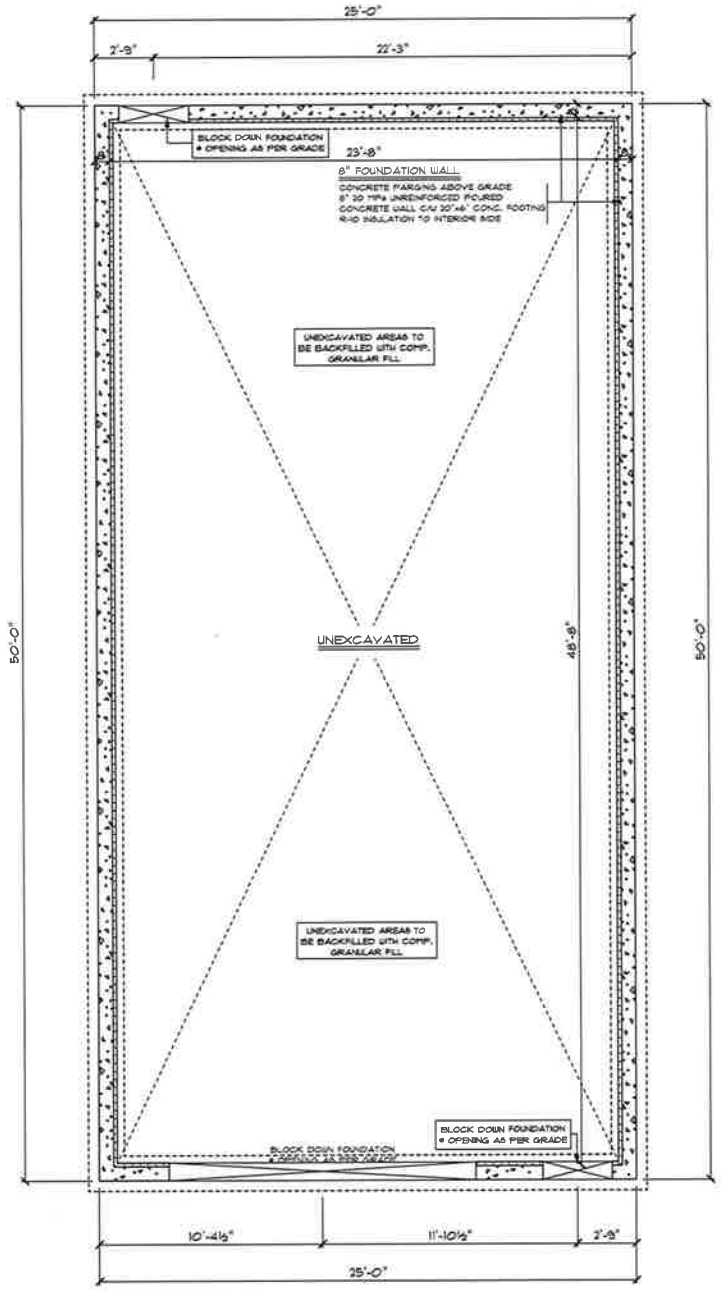
SCHMUCK DETACHED BUILDING

PUSLINCH TOWNSHIP ONTARIO

DRAWING TITLE

FRONT & LEFT ELEVATIONS

DRAWN	SCALE	DRAWING NO.
C.F.	1/4"=1'-0"	A-1
DATE	FILE NO.	
MAR. 9, 2020	900-2300-20	



FOUNDATION PLAN

CONCRETE NOTES

ALL FOUNDATION WALLS TO BE 8" POURED CONCRETE C/W 6" THICK x 20" WIDE CONCRETE STRIP FOOTINGS.

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PROVIDE SOLID BLOCKING @ WALLS ADJACENT TO WATER CLOSETS TO FACILITATE FUTURE WATER CLOSET GRAB BARS

C. FREDE
DESIGN INC.
(519) 669-4780

ELMIRA, ONTARIO
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CRAIG FREDE — BCIN # 20343

C. FREDE DESIGN INC. — BCIN # 41306

SCHMUCK DETACHED BUILDING

PUSLINCH TOWNSHIP — ONTARIO

DRAWING TITLE

FOUNDATION PLAN

DRAWN	SCALE	DRAWING NO.
C.F.	1/4"=1'-0"	A-2
DATE: MAR. 9, 2020	FILE NO: 900-2300-20	

PLANNING REPORT
for the TOWNSHIP OF PUSLINCH

Prepared by the County of Wellington Planning and Development Department

DATE:	August 11, 2020
TO:	Lynne Banks, Secretary-Treasurer Township of Puslinch
FROM:	Zach Prince, Planner County of Wellington
SUBJECT:	**MINOR VARIANCE APPLICATION D13/SCH (Brad Schmuck & Christine Mackay)** **7297 Calfass Road** **Front Part Lot 31, Concession 7**
ATTACHMENTS:	**Attachment 1: Proposed location of structure**

We have reviewed the application for minor variance and provide the following comments. These comments are offered without the benefit of a site visit.

Planning Opinion

The applicant is proposing to construct an accessory building on the subject property. The variance requested would provide relief from Section 4.4.2 to exceed the height permitted in the by-law to facilitate an increased door opening height.

Planning Staff have no concerns subject to the Committee being satisfied that the application would maintain the general intent and purpose of the Official Plan and Zoning By-law, is desirable and appropriate for the development of the subject property and is minor. In addition, the Committee should be satisfied that the proposed accessory building is intended for personal use and not for commercial purposes. Planning Staff recommend that the Committee apply the following condition if the application is approved:

1. That the accessory structure cannot be used for commercial/industrial business purposes or habitation.

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

Regulation	By-law Section	Required	Proposed	Relief Requested
Accessory Buildings and Structures	4.4.2	5m	7.28m	2.8m

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

Four Tests	Discussion
That the requested variance is **minor** in nature	• The subject property is approximately 0.39 ha (1 ac) in size and surrounded by farmland and rural residential lots. We consider the variance minor in terms of impact on neighbouring properties.

That the intent and purpose of the **Zoning By-law** is maintained	• The subject property is zoned Agricultural (A). • Accessory dwelling units are permitted within the A zone in accordance with Section 4.2 of the Zoning By-law. • The proposed building height is measured to the peak of the roof which will be the tallest point of the structure.
That the general intent and purpose of the **Official Plan** is maintained	• The property is designated Secondary Agricultural within the County Official Plan. • Accessory building are permitted in the Secondary Agricultural Designation.
That the variance is **desirable** for the appropriate development and use of the land, building or structure	• The intent of the accessory structures regulations is to remain secondary and compatible to the main dwelling. • The building is setback well from the road and located in close proximity to the main dwelling. • The structure appears to meet all other requirements within the zoning and therefore is desirable and appropriate.

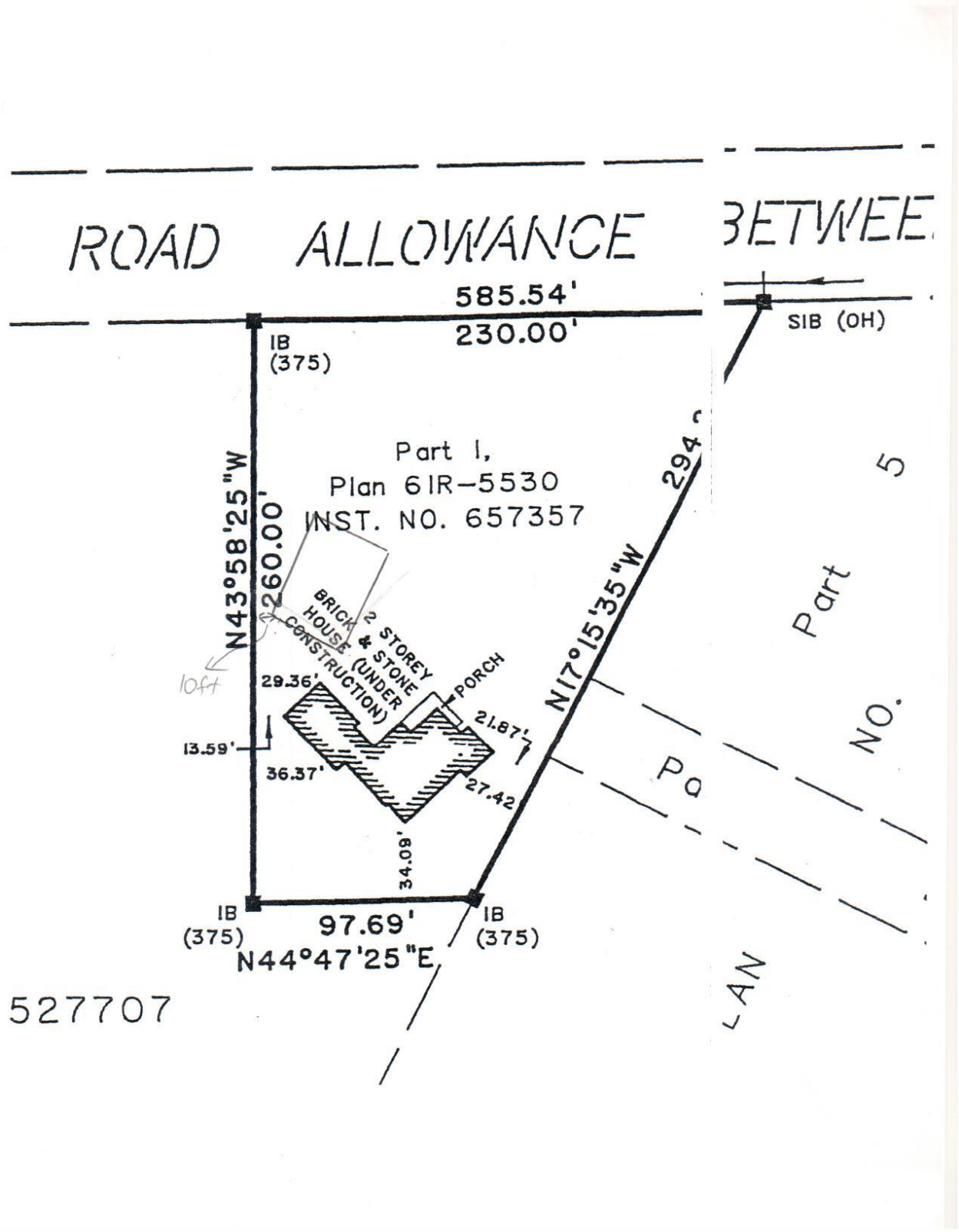
In conclusion, planning staff is of the opinion that the requested variance application **does meet the four tests** of the *Planning Act*. I trust that these comments will be of assistance to the Committee in their consideration of this matter. We would appreciate a copy of the Committee's decision with respect to this application.

Respectfully submitted
County of Wellington Planning and Development Department

[redacted]

Zach Prince, MCIP RPP
Planner

ATTACHMENT 1
Proposed location of structure



RECEIVED
MAR 12 2020
Township of Puslinch

Township of Puslinch
7404 Wellington Road 34,
Guelph, ON, N1H 6H9
T: (519) 763 – 1226
F: (519) 763 – 5846
www.puslinch.ca

Zoning By-law Amendment Application

Date submitted: March 12, 2020

The Amendment:

Type of amendment:

Site specific: ☑

Other (specify): ☐

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

Installation of temporary Garden suite.

General Information:

1. Applicant Information:

Registered Owner's Name(s): Course, Paul Richard
Course, Susan Isobel

Address: 7677 Wellington Road 36

City: Puslinch

Postal Code: N0B 2J0

Email Address: [redacted]

Telephone Number: [redacted]

Fax: -

Applicant (Agent) Name(s): _____

Address: _____

City: _____

Postal Code: _____

Email Address: _____

Telephone Number: _____

Fax: _____

Other Name(s): Charles Course

Address: 7677 Wellington Road 36

City: Puslinch

Postal Code: N0B-2J0

Email Address: [redacted]

Telephone Number:

Fax: –

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

not applicable

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

When did the current owner acquire the subject land? Date: October 26, 2001.

4. What does the amendment cover?

The "entire" property: ☐

A "portion" of the property: ☑

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

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

Municipal address: 7677 Wellington Road 36

Concession: 9 Lot: Front Pt Lot 31

Registered Plan Number: 61R824 Part 1

Area: .8094 ha Depth: 132.82 m Frontage: 60.96 m

2.00 ac 435.75 ft. 200.0 ft.

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

Area: – ha Depth: 21.95 m Frontage: 8.23 m

.022 ac 72.0 ft. 27.0 ft.

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

Yes: ☑ No: ☐

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

Greenbelt Plan: ☑ Places to Grow: ☐ Other: (specify): _____

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

Yes: ☑ No: ☐

9. County Official Plan

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

Prime Agricultural in the Greenbelt Protected Countryside.

List land uses permitted by the current Official Plan designation:

Section 6.4.3(g)
Garden suites

How does the application conform to the Official Plan?

Application is only for the Installation of a temporary Garden suite.

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

not applicable

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

not applicable

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

not applicable

10. Zoning:

What is the current zoning of the property? A- Agriculture

What uses are permitted? Installation of temporary Garden suite.

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

As per Township of Puslinch zoning bylaw, Installation of temporary Garden Suite,

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

not applicable.

Existing and Proposed Land Uses and Buildings:

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

Residential.

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

Since 1975 - 45 years to date.

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

Residential - Installation of a temporary Garden Suite.

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

Building Details	Existing		Proposed	
Type of Building(s) or structures	House		Garden Suite	
Date of construction	1975			
Building height	7.62 m	25 ft	3.048 m	10.0 ft
Number of floors	2.0		1.0	
* Total floor area	278.71 m²	3,000 ft²	94.32 m²	1015.30 ft²
Ground floor area (exclude basement)	139.35 m²	1,500 ft²	94.32 m²	1015.30 ft²
Distance from building structure to the:				
Front lot line	50.8 m	166.67 ft	98.06 m	321.95 ft
Side lot line	8.24 m	27.05 ft	4.57 m	15.0 ft
Other side lot line	37.55 m	123.2 ft	51.72 m	169.7 ft
Rear lot line	74.75 m	245.21 ft	12.8 m	42.0 ft

See rear of sheet for Garage Details.

Building Details	Existing		Proposed	
*Percentage lot coverage	3.4%		1.3%	
*Number of parking spaces	4		0	
*Number of loading spaces	not applicable		N/A	

Existing and Proposed Services:

15. What is the access to the subject property?

Provincial Highway: ☐

Continually maintained municipal road: ☑

Right-of-way: ☐

Seasonally maintained municipal road: ☐

Water access: ☐

Other (please specify): ☐

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

Wellington Road 36

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

not applicable

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

18. Indicate the applicable water supply and sewage disposal:

Water Supply	Existing	Proposed
Municipal water	☐	☐

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

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

Yes: ☐ No: ☑

If yes, the following reports are required:

Servicing options report

A hydrogeological report

20. How is storm drainage provided?

Storm Sewers: ☐

Ditches: ☑

Swales: ☐

Other: ☐ (explain below)

Other Related Planning Applications:

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

Planning Application	Yes	No	*File Number	Approval Authority	Subject Lands	Purpose	*Status
Official Plan Amendment	☐	☑					
Zoning By-Law Amendment	☐	☑					
Minor Variance	☐	☑					
Plan of Subdivision	☐	☑					
Consent (Severance)	☐	☑					
Site Plan Control	☐	☑					

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

Yes: ☐ No: ☑

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

Other Supporting Information

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

not applicable

Application Drawing

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

- Owner/applicant's names;
- Legal description of the property;
- Boundaries and dimensions of the subject and its current land use;
- Dimensions of area of amendment (if not, the entire property);
- The size and use of all abutting land;
- All existing and proposed parking and loading areas, driveways, and lanes;
- The location and nature of any easements or restrictive covenants on the property;
- The location of any existing drains or award drains;
- Woodlots, forested areas, ANSIs, ESAs, wetlands, floodplain, and all natural watercourses (rivers, stream banks, etc.);
- The location, size , and type of all existing and proposed buildings and structures on the subject land , indicating their distance from the front lot line, rear lot line, and side lot lines;
- The name, location, and width of each abutting public or private road, unopened road allowance or right-of-way;
- If access to the subject land is by water only, provide the location of the parking and docking facilities to be used;
- Other features both on site or nearby that in the opinion of the applicant will have an effect on the application (such as bridges, railways, airports, roads, drainage ditches, wells, septic systems, springs, slopes, gravel pits); and
- The drawing should also include the scale, north arrow, and date when the drawing was prepared.

Authorization for Agent/Solicitor to act for Owner

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

I (we) _____ of the

_____ of _____ County/Region of

_____ do hereby authorize

_____ to act as my agent in this application.

_____ _____

Signature of Owner(s) Date

Affidavit

I (we) _____ of the

_____ of _____ County/Region of

_____ solemnly declare that all the statements

contained in this application are true, and I, (we), make this solemn declaration

conscientiously believing it to be true, and knowing that it is of the same force and effect

as if made under oath and by virtue of the CANADA EVIDENCE ACT. DECLARED

before me at the _____ of _____ in the

County/Region of _____ this SC ~~7th~~ _____ day of

SC ~~March~~ _____, 20 ~~20~~ _____.

SC [redacted]

Signature of Owner or authorized solicitor or agent

SC ~~March 7th, 2020~~

Date

_____

Signature of Commissioner

_____

Date

Agreement to Post Sign and Permit Site Visits

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

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

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

[redacted]

Signature

March 7th, 2020

Date

For Administrative Purposes Only:

Application fee of $_____ received by the municipality

Date Fee Received: _____

Date Application Filed: _____

File Number: _____

Application deemed complete: ☐

_____ _____

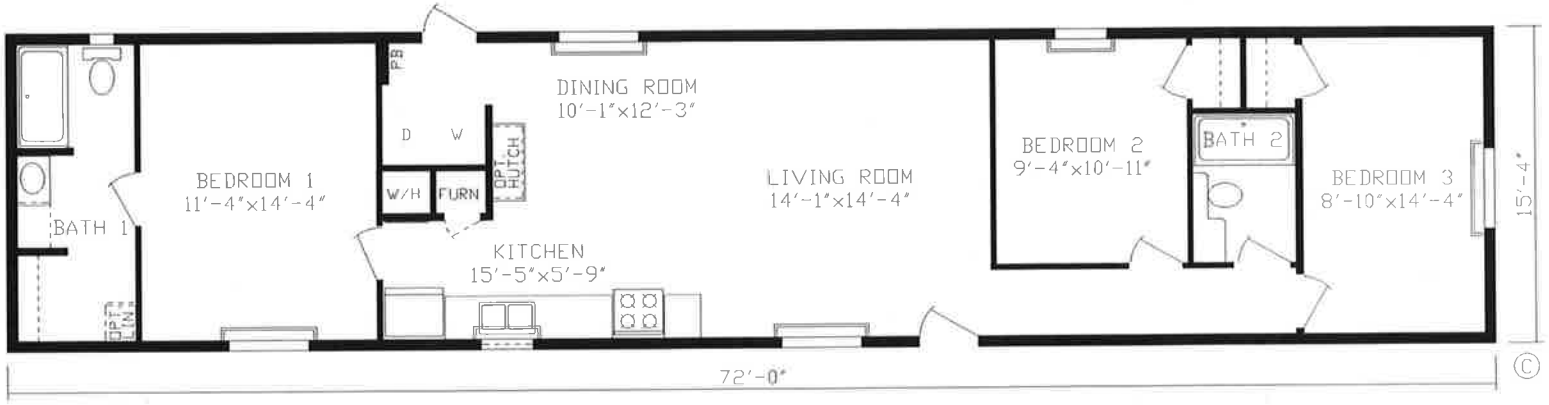
Signature of Municipal Employee Date

Personal information on this form is collected under the authority of the Planning Act. The information is used for the purpose of processing this application and administering the legislation and is maintained in accordance with the Municipal Freedom of Information and Protection of Privacy Act. Questions regarding the collection of this information may be directed to the Township Clerk's office.

The Township of Puslinch is committed to providing accessible formats and communication supports for people with a disability. If another format would work better for you, please contact the Township Clerkâ€™s office for assistance.

Garden Suite

188500ESD



NOTE: FOR MODEL DIMENSIONS, OUR STANDARDS AND STANDARDS OF THE INDUSTRY GENERALLY INCLUDE A NOMINAL 4-FOOT ALLOWANCE FOR HITCH LENGTH PLUS ALLOWANCE FOR OTHER APPURTENANCES FOR WIDTH AND FOR LENGTH NORMALLY INCLUDED IN MEASUREMENTS FOR HIGHWAY MOVEMENT. REAR BEDROOM DIMENSIONS INCLUDE BAY, UNLESS BAY IS OPTIONAL ON A PARTICULAR UNIT OR IS OMITTED BY SPECIAL ORDER. ROOM SIZES ARE NOMINAL AND SOMETIMES THE DIMENSION INCLUDES WALL THICKNESS. DESIGNS, SPECIFICATIONS AND PRICES ARE SUBJECT TO CHANGE WITHOUT NOTICE. SOME OPTIONAL ITEMS ARE SHOWN. SOME TIRES, WHEELS, BRAKES AND AXLES ARE REUSED AFTER CAREFUL INSPECTION.

DATE OF LAST ISSUE		MODEL 7616 3B 2BA VELOCITY		
8/26/16		SCALE: NTS	DATE: 8/26/16	DRAWN BY: JMD
01/26/17				
		WIND ZONE I ONLY		DRAWING NUMBER 188500ESD

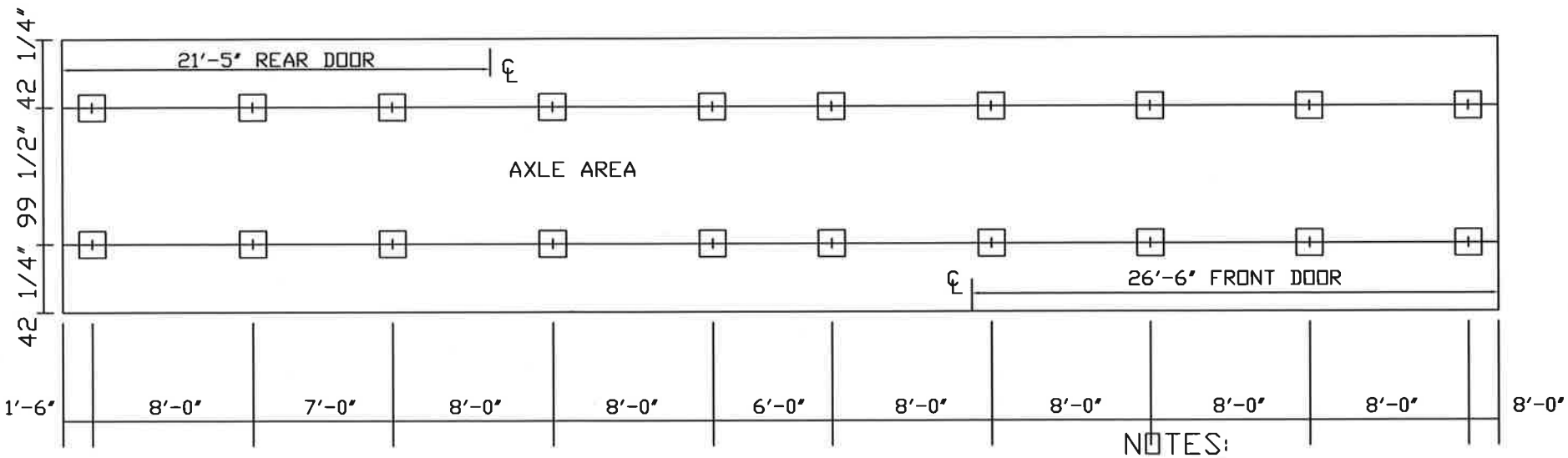
Garden suite

THE INTENT OF THIS DRAWING IS TO ASSIST THE INSTALLER IN INTERPRETATION OF THE INSTALLATION MANUAL DURING THE INSTALLATION PROCESS.
THE INSTALLATION MANUAL IS THE INSTALLING DOCUMENT, SHOULD THERE BE A CONFLICT BETWEEN THIS AND THE MANUAL, THE STAMPED/CERTIFIED MANUAL CONTROLS.

MODEL 7616

ORDER NO. 188500ESD

FLOOR LENGTH 72'-0"



APPROXIMATE UTILITY CONNECTION LOCATIONS

WATER

FROM REAR 19'-3"
FROM DS 91"

ELECTRIC

FROM REAR 18'-8'
FROM ODS 18"

DRAIN

REAR BATH
FROM REAR 56"
FROM ODS 19"

SECOND BATH
FROM FRONT 13'-6 1/2"
FROM DS 86 1/2"

NOTES:

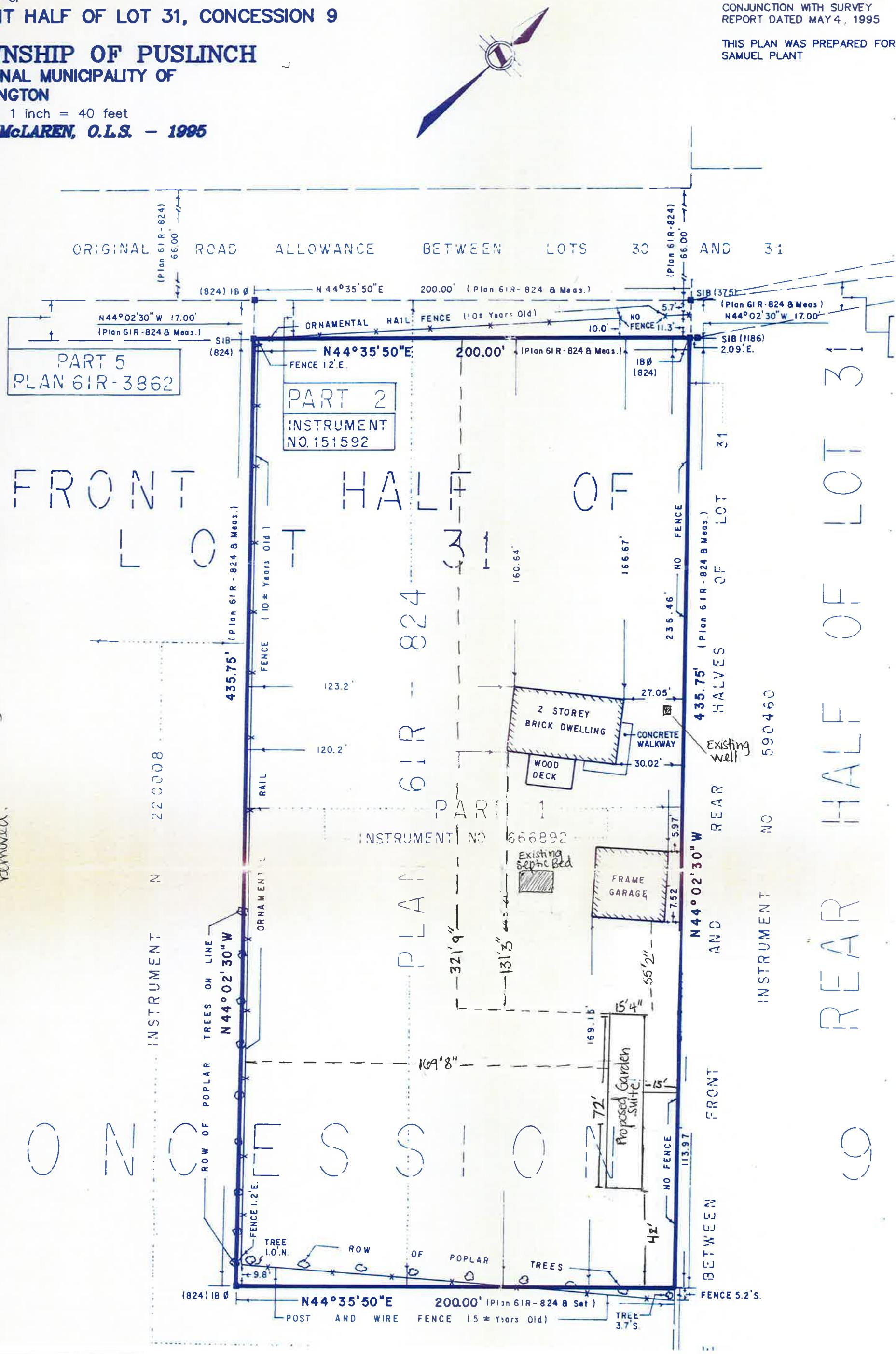
1. READ THE INSTALLATION MANUAL PROVIDED WITH THE HOME BEFORE YOU BEGIN.
2. FOOTING SIZE AND THE CONSTRUCTION OF THE PIER MUST CONFORM WITH THE REQUIREMENTS SET FORTH IN THE SINGLE UNIT MANUFACTURED HOME INSTALLATION MANUAL. FOOTINGS MUST BE SIZED BASED ON UNIT WIDTH, SOIL BEARING CAPACITY, AND DESIGN ROOF LOAD AND EXTEND BELOW THE LOCAL FROST PENETRATION DEPTH.
3. PIER/FOOTING LOCATIONS SHOWN ARE TYPICAL AND MAY BE PLACED TO MEET YOUR NEEDS OR SITE CONDITIONS PROVIDING PIER/FOOTING SPACING DOES NOT EXCEED 8'-0" ON CENTERS. A PIER/FOOTING MUST BE WITHIN 18 INCHES OF EACH END OF THE UNIT.
4. CARE SHOULD BE TAKEN TO ENSURE THAT YOU DO NOT PLACE A PIER/FOOTING UNDER AN AXLE ATTACHMENT POINT TO THE FRAME I-BEAM.
5. UNIT DIMENSIONS ARE SUBJECT TO CHANGE WITHOUT NOTICE OR OBLIGATION.

#24- Application Drawing
Owners: Susan Course, Paul Course,

SURVEYOR'S REAL PROPERTY REPORT
OF PART OF
FRONT HALF OF LOT 31, CONCESSION 9
IN THE
TOWNSHIP OF PUSLINCH
REGIONAL MUNICIPALITY OF WELLINGTON
SCALE: 1 inch = 40 feet
S.D. McLAREN, O.L.S. – 1995

PART 2
THIS PLAN MUST BE READ IN CONJUNCTION WITH SURVEY REPORT DATED MAY 4, 1995

THIS PLAN WAS PREPARED FOR SAMUEL PLANT



* Please note-tree sheds on original moveable shed are being copy attached removed.

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

July 10, 2020

NOTICE OF AN APPLICATION FOR CONSENT

Ontario Planning Act, Section 53(4)

The County of Wellington Planning and Land Division Committee requests your written comments on this application for consent.

APPLICATION SUBMITTED ON: June 25, 2020

FILE NO. B40-20

APPLICANT
Daniel & Elizabeth Sisolak
7539 Wellington Road 36
Puslinch N0B 2J0

LOCATION OF SUBJECT LANDS
Township of Puslinch (Morriston)
Part Lot 31
Concession 8

Proposed severance is 0.4 hectares with 33.78m frontage, vacant land for proposed rural residential use.

Retained parcel is 0.47 hectares with 39.15m frontage, existing and proposed rural residential use with existing dwelling and septic system.

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

August 19, 2020

Please note that if the Comments are not received by the requested date, the Planning and Land Division Committee may proceed to consider the application, and may assume that you have no objection to this APPLICATION for CONSENT.

Please also be advised that if a person or public body that files an appeal of a decision of the County of Wellington Planning and Land Division Committee in respect of the proposed consent has not made written submission to the County of Wellington Planning and Land Division Committee before it gives or refuses to give a provisional consent, then the Local Planning Appeal Tribunal may dismiss the appeal.

If you wish to be **NOTIFIED OF THE DATE AND TIME OF THE CONSIDERATION** of this application - **please make your request in writing** to the Planning and Land Division Committee before the "Comments Return Date" noted above.

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

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

MAILED TO:

Local Municipality - Puslinch County Planning Conservation Authority – Conservation Halton

County Engineering

Bell Canada (email) County Clerk Roads/Solid Waste Civic Addressing

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

APPLICATION FOR CONSENT Ontario Planning Act

1. **Approval Authority:**

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

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

Required Fee: $ 4430
Fee Received: June 19/20
File No. B40-20
Accepted as Complete on: June 19/20

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

2. **(a) Name of Registered Owner(s)** Daniel Sisolak and Elizabeth Sisolak

Address 7539 Wellington Road 36, Puslinch, Ontario N0B 2J0

Phone No. [redacted] **Email:** [redacted]

(b) Name and Address of Applicant (as authorized by Owner) Black, Shoemaker, Robinson & Donaldson Ltd.
257 Woodlawn Road, Unit 101, Guelph, Ontario N1H 8J1

Phone No. 519-822-4031 **Email:** nancy@bsrd.com

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

Phone No. **Email:**

(d) All Communication to be directed to:

REGISTERED OWNER [x] **APPLICANT** [x] **AGENT** [ ]

(e) Notice Cards Posted by:

REGISTERED OWNER [ ] **APPLICANT** [x] **AGENT** [ ]

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

RURAL RESIDENTIAL[ ] **AGRICULTURAL**[ ] **URBAN RESIDENTIAL**[x] **COMMERCIAL/INDUSTRIAL**[ ]

OR

EASEMENT [ ] **RIGHT OF WAY** [ ] **CORRECTION OF TITLE** [ ] **LEASE** [ ]

(a) If known, the name of person to whom the land or an interest in the land is to be transferred, charged or leased.
Unknown

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

Local Municipality: Township of Puslinch

Concession 8 Lot No. Part Lot 31

Registered Plan No. _____ Lot No. _____

Reference Plan No. 61R-6708 Part No. Part 1

Civic Address 7539 Wellington Road 36

(b) **When was property acquired:** October 1, 1999 **Registered Instrument No.** LT21821

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

Frontage/Width 33.78 m AREA 0.4 Ha

Depth 97.83 m Existing Use(s) Part of residential lot

Existing Buildings or structures: Well

Proposed Uses (s): Single Detached residential lot

Type of access (Check appropriate space) **Existing [ ]** **Proposed [x]**

[ ] Provincial Highway
[x] County Road
[ ] Municipal road, maintained year round
[ ] Municipal road, seasonally maintained
[ ] Easement
[ ] Right-of-way
[ ] Private road
[ ] Crown access road
[ ] Water access
[ ] Other

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

[ ] Municipally owned and operated piped water system
[x] Well [x] individual [ ] communal
[ ] Lake
[ ] Other _____

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

[ ] Municipally owned and operated sanitary sewers
[x] Septic Tank (specify whether individual or communal): Individual
[ ] Pit Privy
[ ] Other (Specify): _____

6. Description of **Land** intended to be **RETAINED**: **Metric [X]** **Imperial [ ]**

Frontage/Width 39.15 m AREA 0.47 Ha

Depth 97.26 m Existing Use(s) Residential

Existing Buildings or structures: single detached residential dwelling and septic system

Proposed Uses (s): Same as above

Type of access (Check appropriate space) **Existing [X]** **Proposed [ ]**

[ ] Provincial Highway
[X] County Road
[ ] Municipal road, maintained year round
[ ] Municipal road, seasonally maintained
[ ] Easement

[ ] Right-of-way
[ ] Private road
[ ] Crown access road
[ ] Water access
[ ] Other

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

[ ] Municipally owned and operated piped water system
[X] Well [X] individual [ ] communal
[ ] Lake
[ ] Other

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

[ ] Municipally owned and operated sanitary sewers
[X] Septic Tank (specify whether individual or communal): Individual
[ ] Pit Privy
[ ] Other (Specify):

7. Is there an agricultural operation, (either a barn, manure storage, abattoir, livestock area or stockyard) within 500 metres of the Subject lands (severed and retained parcels)? **YES [ ] NO [X]**
*If yes, see sketch requirements and the application must be accompanied by a MINIMUM DISTANCE SEPARATION FORM.

8. Is there a landfill within 500 metres [1640 feet]? **YES [ ] NO [X]**

9. a) Is there a sewage treatment plant or waste stabilization plant within 500 metres [1640']? **YES [ ] NO [X]**

10. Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the lands to be retained or to be severed or within 120 metres [394 feet]? **YES [ ] NO [X]**

11. Is there any portion of the land to be severed or to be retained located within a floodplain? **YES [ ] NO [X]**

12. Is there a provincial park or are there Crown Lands within 500 metres [1640']? **YES [ ] NO [X]**

13. Is any portion of the land to be severed or retained within a rehabilitated mine/pit site? **YES [ ] NO [X]**

14. Is there an active or abandoned mine, quarry or gravel pit within 500 metres [1640']? **YES [ ] NO [X]**

15. Is there a noxious industrial use within 500 meteres [1640']? **YES [ ] NO [X]**

16. Is there an active or abandoned principal or secondary railway within 500 metres [1640']? **YES [ ] NO [X]**

Name of Rail Line Company:

17. Is there an airport or aircraft landing strip nearby? YES [ ] NO [X]

18. Is there a propane retail outlet, propane filling tank, cardlock/keylock or private propane outlet/container refill centre within 750 metres of the proposed subject lands? YES [ ] NO [X]

19. **PREVIOUS USE INFORMATION:**

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

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

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

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

c) Has fill been brought to and used on the site (other than fill to accommodate septic systems or residential landscaping?) YES [ ] NO [X] UNKNOWN [ ]

d) Has there been commercial petroleum or other fuel storage on the site, underground fuel storage, or has the site been used for a gas station at any time, or railway siding? YES [ ] NO [X] UNKNOWN [ ]

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

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

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

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

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

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

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

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

Property is located within Morriston Urban Centre

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

Proterty is located within an urban settlement area

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

Lands are designated for residential use within an urban center where growth is to be focused

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

Under County Official Plan

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

Amendment Number(s): _____ File Number(s): _____

27. Is the subject land a proposed surplus farm dwelling?* **YES [ ] NO [X]**

*If yes, an application to sever a surplus farm dwelling must be accompanied by a FARM INFORMATION FORM.

28. What is the zoning of the subject lands? Future Development (FD2)

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

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

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

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

If the answer is YES, please provide a copy of the relevant instrument.
For mortgages just provide complete name and address of Mortgagee.
The Bank of Nova Scotia, 10 Wright Drive, Stratford, Ontario N5A 7X9

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

31. **Type of Farm Operation** conducted on these subject lands:

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

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

Severed Width _____ Length _____ Area _____ Use _____

Width _____ Length _____ Area _____ Use _____

Retained Width _____ Length _____ Area _____ Use _____

Width _____ Length _____ Area _____ Use _____

33. **Manure Storage Facilities** on these lands:

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

BSR&D ONTARIO LAND SURVEYORS URBAN & RURAL PLANNERS
A wholly owned subsidiary of J.D. Barnes Ltd.

June 18, 2020

Project: 20-14-143

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

RECEIVED
JUN 18 2020
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Dear Ms. Turchet:

Re: Proposed Consent– 7539 Wellington Road 36
Part of Lot 31, Concession 8, Township of Puslinch

Please find enclosed a completed "Application for Consent" for the above-noted property. Also enclosed is a cheque in the amount of $4,430.00 payable to the County of Wellington to cover the County's application fee. Danial and Elizabeth Sisolak are the current owners of the subject lands. A copy of their deed is attached (LT21821).

The parcel to be severed from this property will have a frontage of 33.78 metres along the south side of Wellington Road 36 (Badenoch Street) and an overall lot area of 0.4 hectares. This parcel is currently vacant except for a well serving the existing house at 7536 Wellington Road 36.

The retained parcel contains a single detached dwelling and includes a frontage of 39.15 metres and an overall lot area of 0.47 hectares. As part of the finalization of the consent, the owners will create a new well for the existing house.

This property is located within Morriston Urban Centre and is zoned Future Development (FD2. Both the severed and retained parcels will meet the requirements set out in the Township of Puslinch Zoning By-law. The subject lands are Residential in the County's Official Plan.

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

Finally I have attached 8 copies of the sketch, plus a reduction to 11 x 17 of same.

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

Yours very truly

BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED

[redacted]

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

Attachments

Copy: Daniel and Elizabeth Sisolak

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

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

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

35. Source Water Protection Plan

Is the subject land within a Wellhead Protection Area, Issue Contributing Area, or Intake Protection Zone of a Source Protection Plan in effect? (www.wellingtonwater.ca) **YES [ ] NO [ ]**

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

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

YES [x] NO [ ]

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

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

NOTES:

1. **One original completed application and two original sketches must be filed with the County of Wellington Planning and Land Division office.** If original sketch is larger than 11" x 17", 8 additional copies are required plus one sketch reduced to a size of 11" x 17" (or smaller) for office photocopying and circulation to neighbours. Facsimile documents are not acceptable for reasons of the necessity of good photocopying.

2. The location of the lands (severed & retained) which are the subject of the application must also be shown on the Surveyor's sketch or on an attached "Key Map" and included with the application.

3. Since the filing fee for applications for consent change from time to time, please contact the Planning and Land Division office for current fee information. This fee may be paid in cash or by cheque payable to the County of Wellington.

4. Additional information about the process, about any particular application or obtaining application forms may be obtained by attending at the County of Wellington Administration Centre, 74 Woolwich Street, Guelph Ontario N1H 3T9, by telephone at 519-837-2600, ext. 2160 or 2170; or by facsimile (fax) at 519-837-3875.

5. Generally, regular severance application forms are also available at the local municipal office.

6. Some municipalities also require the applicant to attend at a Planning Advisory Committee or Council meeting to discuss the application prior to the Municipality's submitting comments to the County of Wellington Planning and Land Division Committee. Please check with your local municipality.

7. If the applicant is a Corporation, then the applicant's Declaration or if applicable, the Owner's authorization too, must be signed by an officer of the corporation who has authority to bind the corporation; or the corporation's seal must be affixed.

OWNER'S AUTHORIZATION:

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

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

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

I, (we), Daniel Sisolak and Elizabeth Sisolak the Registered Owners of

7539 Wellington Road 36 Of the Township of Puslinch in the

County/~~Region~~ of Wellington severally and jointly, solemnly declare that

Black, Shoemaker, Robinson & Donaldson Limited

Is a [redacted]

[redacted] **Corporation's Officer**

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

I, (we) Nancy Shoemaker (Black, Shoemaker, Robinson & Donaldson Ltd.) of the

City of Guelph In the County/~~Region~~ of

Wellington **Solemnly declare that all**

the statements contained in this application for consent for (property description) 7539 Wellington Road 36

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

DECLARED before me at the

City Of

Guelph In the

County/~~Region~~ of Wellington

This 15th day of June 20 20

[redacted]

Commissioner of Oaths

[redacted]

(Owner or Applicant)

(Owner or Applicant)

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

Printed Commissioner's, etc. Name

APPLICANT'S CONSENT (FREEDOM OF INFORMATION):

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

[redacted]

Signature of Owner/Applicant/Agent(s)

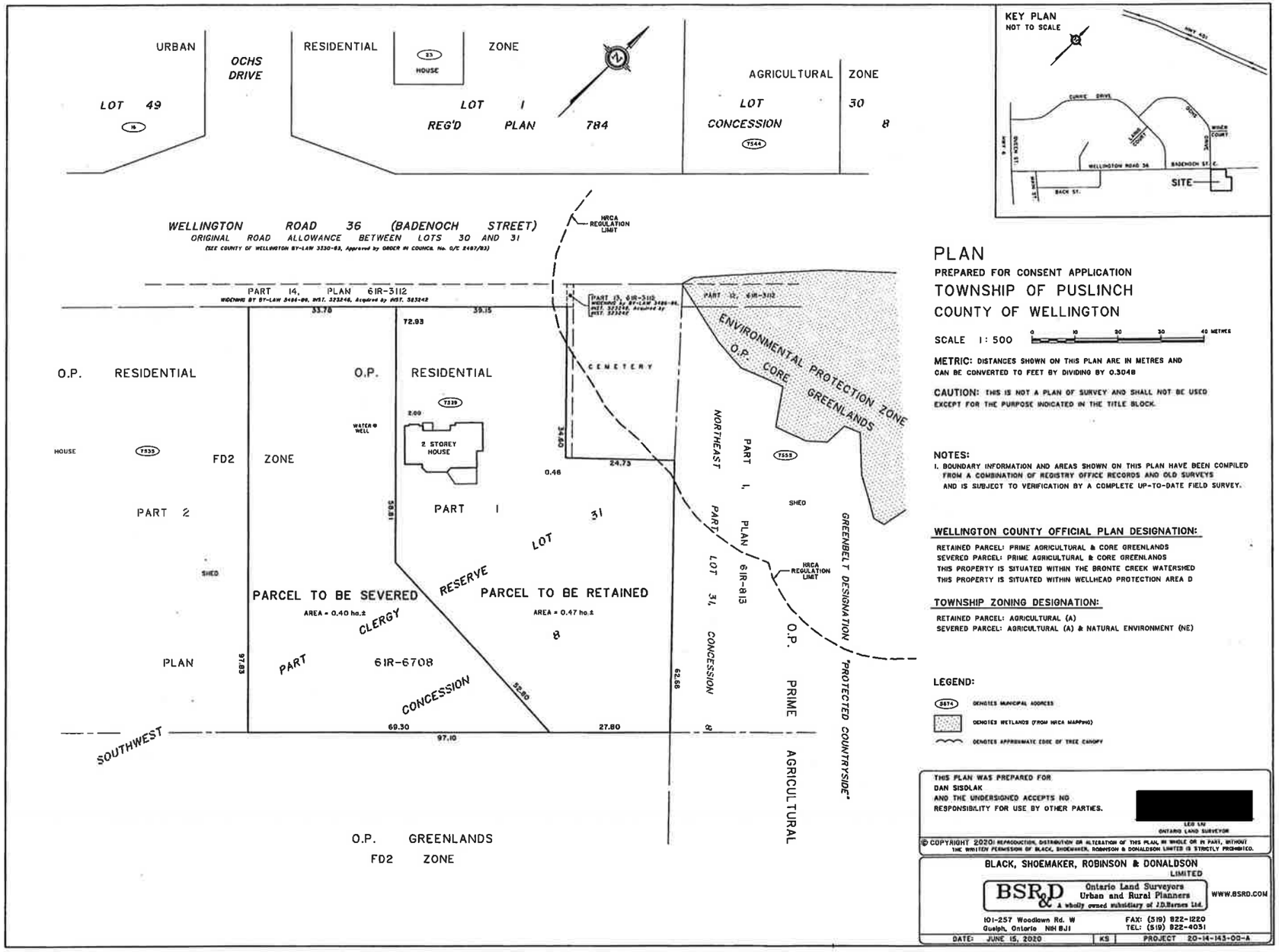
June 15, 2020

Date

THIS APPLICATION PACKAGE IS TO BE SUBMITTED TO:

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

Phone (519) 837-2600 Ext. 2160



PLAN

PREPARED FOR CONSENT APPLICATION

TOWNSHIP OF PUSLINCH

COUNTY OF WELLINGTON

SCALE 1 : 500 (0 10 20 30 40 METRES)

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

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

NOTES:

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

WELLINGTON COUNTY OFFICIAL PLAN DESIGNATION:

RETAINED PARCEL: PRIME AGRICULTURAL & CORE GREENLANDS
SEVERED PARCEL: PRIME AGRICULTURAL & CORE GREENLANDS
THIS PROPERTY IS SITUATED WITHIN THE BRONTE CREEK WATERSHED
THIS PROPERTY IS SITUATED WITHIN WELLHEAD PROTECTION AREA D

TOWNSHIP ZONING DESIGNATION:

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

LEGEND:

- (5674) DENOTES MUNICIPAL ADDRESS
- DENOTES WETLANDS (FROM HRCA MAPPING)
- DENOTES APPROXIMATE EDGE OF TREE CANOPY

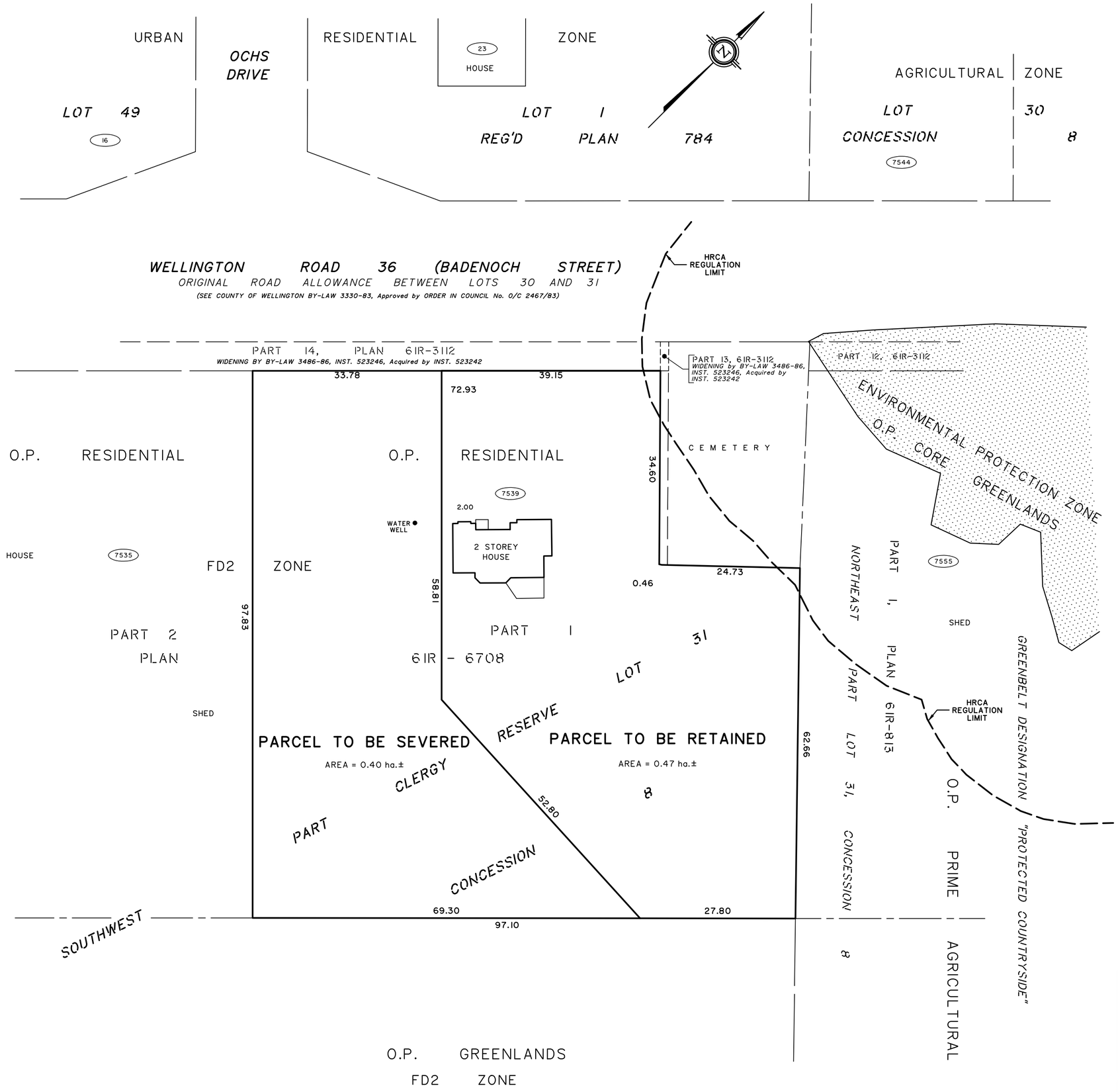
THIS PLAN WAS PREPARED FOR
DAN SISOLAK
AND THE UNDERSIGNED ACCEPTS NO
RESPONSIBILITY FOR USE BY OTHER PARTIES.

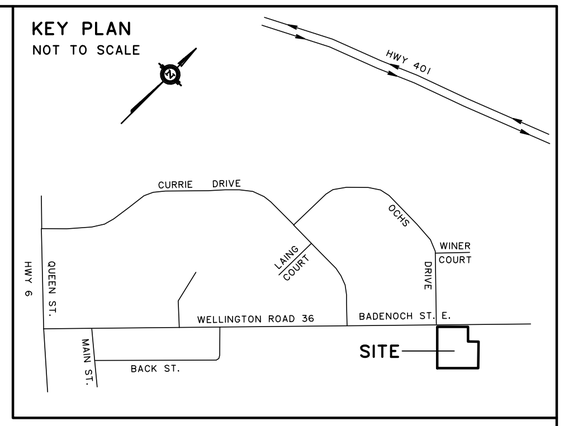
[redacted]
LEO LIU
ONTARIO LAND SURVEYOR

BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED
BSR&D Ontario Land Surveyors Urban and Rural Planners
A wholly owned subsidiary of J.D.Barnes Ltd.
WWW.BSRD.COM
101-257 Woodlawn Rd. W
Guelph, Ontario N1H 8J1
FAX: (519) 822-1220
TEL: (519) 822-4031

DATE: JUNE 15, 2020 | KS | PROJECT 20-14-143-00-A

3UR-20





PLAN

PREPARED FOR CONSENT APPLICATION

TOWNSHIP OF PUSLINCH

COUNTY OF WELLINGTON

SCALE 1 : 500 (0 10 20 30 40 METRES)

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

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WELLINGTON COUNTY OFFICIAL PLAN DESIGNATION:

RETAINED PARCEL: RESIDENTIAL
SEVERED PARCEL: RESIDENTIAL
THIS PROPERTY IS SITUATED WITHIN THE BRONTE CREEK WATERSHED

TOWNSHIP ZONING DESIGNATION:

RETAINED PARCEL: FD2 ZONE
SEVERED PARCEL: FD2 ZONE

LEGEND:

- (5674) DENOTES MUNICIPAL ADDRESS
- DENOTES WETLANDS (FROM HRCA MAPPING)
- DENOTES APPROXIMATE EDGE OF TREE CANOPY

THIS PLAN WAS PREPARED FOR
DAN SISOLAK
AND THE UNDERSIGNED ACCEPTS NO
RESPONSIBILITY FOR USE BY OTHER PARTIES.

[redacted]

LEO LIU
ONTARIO LAND SURVEYOR

BLACK, SHOEMAKER, ROBINSON & DONALDSON
LIMITED

BSR&D Ontario Land Surveyors
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A wholly owned subsidiary of J.D.Barnes Ltd.
WWW.BSRD.COM

101-257 Woodlawn Rd. W
Guelph, Ontario N1H 8J1
FAX: (519) 822-1220
TEL: (519) 822-4031

DATE: JUNE 15, 2020	KS	PROJECT 20-14-143-00-A

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

July 10, 2020

NOTICE OF AN APPLICATION FOR CONSENT

Ontario Planning Act, Section 53(4)

The County of Wellington Planning and Land Division Committee requests your written comments on this application for consent.

APPLICATION SUBMITTED ON: June 26, 2020

FILE NO. B41-20

APPLICANT
Mammoet Crane (Assets) Inc.
7504 McLean Road East
Puslinch N1H 6H9

LOCATION OF SUBJECT LANDS
Township of Puslinch
Part Lot 25
Concession 8

Proposed severance is 207.465m fr x 134.7m = 2.876 hectares, existing vacant land for proposed industrial use.

Retained parcel is 27.401 hectares with 557m frontage, existing and proposed industrial use with existing industrial building.

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

August 19, 2020

Please note that if the Comments are not received by the requested date, the Planning and Land Division Committee may proceed to consider the application, and may assume that you have no objection to this APPLICATION for CONSENT.

Please also be advised that if a person or public body that files an appeal of a decision of the County of Wellington Planning and Land Division Committee in respect of the proposed consent has not made written submission to the County of Wellington Planning and Land Division Committee before it gives or refuses to give a provisional consent, then the Local Planning Appeal Tribunal may dismiss the appeal.

If you wish to be **NOTIFIED OF THE DATE AND TIME OF THE CONSIDERATION** of this application - **please make your request in writing** to the Planning and Land Division Committee before the "Comments Return Date" noted above.

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

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

MAILED TO:

Local Municipality - Puslinch County Planning Conservation Authority - GRCA

Bell Canada (email) County Clerk Roads/Solid Waste Civic Addressing

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

APPLICATION FOR CONSENT Ontario Planning Act

1. **Approval Authority:**

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

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

Required Fee: $ 4430
Fee Received: June 26/20
File No. B41-20
Accepted as Complete on: June 26/20

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

2. **(a) Name of Registered Owner(s)** Mammoet Crane (Assets) Inc.

Address 7504 McLean Road East, Puslinch Ontario N1H 6H9

Phone No. _____ **Email:** _____

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

Phone No. _____ **Email:** _____

(c) Name and Address of Owner's Authorized Agent: Black, Shoemaker, Robinson & Donaldson Limited
257 Woodlawn Road West, Unit 101, Guelph, Ontario N1H 8J1

Phone No. 519-822-4031 **Email:** nancy@bsrd.com

(d) All Communication to be directed to:

REGISTERED OWNER [ ] **APPLICANT [ ]** **AGENT [X]**

(e) Notice Cards Posted by:

REGISTERED OWNER [ ] **APPLICANT [ ]** **AGENT [X]**

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

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

OR

EASEMENT [ ] RIGHT OF WAY [ ] CORRECTION OF TITLE [ ] LEASE [ ]

(a) If known, the name of person to whom the land or an interest in the land is to be transferred, charged or leased.

unkown

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

Local Municipality: Township of Puslinch

Concession 8 Lot No. Part of Lot 25

Registered Plan No. _____ Lot No. _____

Reference Plan No. 61R-11888 Part No. 1

Civic Address 7504 McLean Road East

(b) When was property acquired: January 21, 2013 **Registered Instrument No.** WC364666
Name Change WC564090

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

Frontage/Width 207.465 m AREA 2.876 ha

Depth 134.7 m Existing Use(s) vacant land

Existing Buildings or structures: None

Proposed Uses (s): Industrial

Type of access (Check appropriate space) **Existing [ ]** **Proposed [X]**

[ ] Provincial Highway
[ ] County Road
[X] Municipal road, maintained year round
[ ] Municipal road, seasonally maintained
[ ] Easement

[ ] Right-of-way
[ ] Private road
[ ] Crown access road
[ ] Water access
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Type of water supply - Existing [ ] Proposed [X] (check appropriate space)

[ ] Municipally owned and operated piped water system
[X] Well [X] individual [ ] communal
[ ] Lake
[ ] Other _____

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

[ ] Municipally owned and operated sanitary sewers
[X] Septic Tank (specify whether individual or communal): Individual
[ ] Pit Privy
[ ] Other (Specify): _____

6. Description of **Land** intended to be **RETAINED**: **Metric [X]** **Imperial [ ]**

Frontage/Width 290.86 m AREA 7.042 ha

Depth 388.068 m Existing Use(s) Transportation company specializing in heavy equipment & lifting machinery

Existing Buildings or structures: 1 to 2 storey industrial building

Proposed Uses (s): Same

Type of access (Check appropriate space) **Existing [X]** **Proposed [ ]**

[ ] Provincial Highway
[ ] County Road
[X] Municipal road, maintained year round
[ ] Municipal road, seasonally maintained
[ ] Easement
[ ] Right-of-way
[ ] Private road
[ ] Crown access road
[ ] Water access
[ ] Other

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

[ ] Municipally owned and operated piped water system
[X] Well [X] individual [ ] communal
[ ] Lake
[ ] Other

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

[ ] Municipally owned and operated sanitary sewers
[X] Septic Tank (specify whether individual or communal): Individual
[ ] Pit Privy
[ ] Other (Specify):

7. Is there an agricultural operation, (either a barn, manure storage, abattoir, livestock area or stockyard) within 500 metres of the Subject lands (severed and retained parcels)? **YES [ ] NO [X]**
*If yes, see sketch requirements and the application must be accompanied by a MINIMUM DISTANCE SEPARATION FORM.

8. Is there a landfill within 500 metres [1640 feet]? **YES [ ] NO [X]**

9. a) Is there a sewage treatment plant or waste stabilization plant within 500 metres [1640']? **YES [ ] NO [X]**

10. Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the lands to be retained or to be severed or within 120 metres [394 feet]? **YES [X] NO [ ]**

11. Is there any portion of the land to be severed or to be retained located within a floodplain? **YES [ ] NO [X]**

12. Is there a provincial park or are there Crown Lands within 500 metres [1640']? **YES [ ] NO [X]**

13. Is any portion of the land to be severed or retained within a rehabilitated mine/pit site? **YES [ ] NO [X]**

14. Is there an active or abandoned mine, quarry or gravel pit within 500 metres [1640']? **YES [ ] NO [X]**

15. Is there a noxious industrial use within 500 meteres [1640']? **YES [ ] NO [X]**

16. Is there an active or abandoned principal or secondary railway within 500 metres [1640']? **YES [ ] NO [X]**

Name of Rail Line Company:

17. Is there an airport or aircraft landing strip nearby? YES [ ] NO [X]

18. Is there a propane retail outlet, propane filling tank, cardlock/keylock or private propane outlet/container refill centre within 750 metres of the proposed subject lands? YES [ ] NO [X]

19. **PREVIOUS USE INFORMATION:**

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

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

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

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

c) Has fill been brought to and used on the site (other than fill to accommodate septic systems or residential landscaping?) YES [ ] NO [ ] UNKNOWN [ ]

d) Has there been commercial petroleum or other fuel storage on the site, underground fuel storage, or has the site been used for a gas station at any time, or railway siding? YES [ ] NO [X] UNKNOWN [ ]

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

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

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

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

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

Morguard Brock Mclean Limited, August 1, 2012, (B8/12), food distribution centre

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

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

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

Other land uses (employment opportunities) are permitted within rural area. Part of the property is included within the Puslinch Economic Development Area and is adjacent to lands specifically designated for Employment

25. In addition to Places to Grow (Provincial Growth Plan), is the subject land within an area of land designated under the Greenbelt Plan? Provide explanation of how the application conforms or does not conflict with the Provincial plan or plans. Other rural land uses that are not appropriate in settlement areas provided they are compatible with the rural landscape and surrounding local land uses; will be sustained by rural service levels; and will not adversely affect the protection of agricultural uses and other resource-based uses

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

Lands are designated Secondary Agricultural and industrial is permitted within this designation. The property is also partly within the Puslinch Economic Development Area being the predominant locatior for business and industry.

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

Township of Puslinch relies on County Official Plan

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

Amendment Number(s): _____ File Number(s): _____

27. Is the subject land a proposed surplus farm dwelling?* **YES [ ] NO [X]**

*If yes, an application to sever a surplus farm dwelling must be accompanied by a FARM INFORMATION FORM.

28. What is the zoning of the subject lands? Industrial (IND)

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

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

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

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

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

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

31. **Type of Farm Operation** conducted on these subject lands: None

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

32. **Dimensions of Barn(s)/Outbuildings/Sheds (*that are to remain*) Severed & Retained Lands** None

Severed Width _____ Length _____ Area _____ Use _____

Width _____ Length _____ Area _____ Use _____

Retained Width _____ Length _____ Area _____ Use _____

Width _____ Length _____ Area _____ Use _____

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

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

BSR&D ONTARIO LAND SURVEYORS URBAN & RURAL PLANNERS
A wholly owned subsidiary of J.D. Barnes Ltd.

June 25, 2020
Project: 19-14-012

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

Dear Ms. Turchet:

Re: Proposed Consent – 7504 McLean Road East
Part of Lot 25, Concession 8, Township of Puslinch

Please find enclosed a completed "Application for Consent" for the above-noted property. Also enclosed is a cheque in the amount of $4,430.00 payable to the County of Wellington to cover the County's application fee and a cheque in the amount of $420.00 to the Grand River Conservation Authority to cover their processing fees. Mammoet Crane (Assets) Inc. is the current owner of the subject lands. A copy of their deed is attached (WC364666 –name change deeds WC564090).

The parcel to be severed from this property will have a frontage on McLean Road of 207.465 metres and has an overall lot area of 2.792 hectares. There are no buildings on this parcel. A Fill Permit was received from the Grand River Conservation Authority in February of 2020 to permit the rear part of the property to be filled so that the parcel subject to the consent application would be located outside of the floodline and be considered available for future development. The retained parcel contains an industrial building and associated parking and loading areas along with a septic system and well. It includes 27.401 hectares of land.

These properties are currently zoned Industrial (IND) and will meet the requirements set out in the Township of Puslinch Zoning By-law. The NE overlay no longer applies to the area within the proposed consent due to the recent approved grading of the property. The subject lands are designated Secondary Agricultural in the County's Official Plan and partly located within the Puslinch Economic Development Area. The application satisfies Official Plan policies regarding consent as follows:

- The lot is large enough to support water and sewage systems.
- The lot is no larger than necessary to support the proposed use and is a logical conclusion of industrial development on the north side of McLean Road East.
- The lot has access to an open public road;
- The property is surrounded by natural heritage features or industrial development therefore the land is not suitable for agricultural or mineral aggregate operations.
- The use is compatible with surrounding industrial development;
- The use is well removed from any settlement area boundary.

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

Finally I have attached 8 full size copies of a plan showing the consent and a reduction of same.

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

Yours very truly

BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED

[redacted]

Nancy Shoemaker, B.A.A., M.C.I.P., R.P.P.

RECEIVED
JUN 26 2020
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Attachments
Copy: Mammoet Crane (Assets) Inc.

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

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

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

35. Source Water Protection Plan

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

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

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

YES [X] NO [ ]

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

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

NOTES:

1. **One original completed application and two original sketches must be filed with the County of Wellington Planning and Land Division office.** If original sketch is larger than 11" x 17", 8 additional copies are required plus one sketch reduced to a size of 11" x 17" (or smaller) for office photocopying and circulation to neighbours. Facsimile documents are not acceptable for reasons of the necessity of good photocopying.

2. The location of the lands (severed & retained) which are the subject of the application must also be shown on the Surveyor's sketch or on an attached "Key Map" and included with the application.

3. Since the filing fee for applications for consent change from time to time, please contact the Planning and Land Division office for current fee information. This fee may be paid in cash or by cheque payable to the County of Wellington.

4. Additional information about the process, about any particular application or obtaining application forms may be obtained by attending at the County of Wellington Administration Centre, 74 Woolwich Street, Guelph Ontario N1H 3T9, by telephone at 519-837-2600, ext. 2160 or 2170; or by facsimile (fax) at 519-837-3875.

5. Generally, regular severance application forms are also available at the local municipal office.

6. Some municipalities also require the applicant to attend at a Planning Advisory Committee or Council meeting to discuss the application prior to the Municipality's submitting comments to the County of Wellington Planning and Land Division Committee. Please check with your local municipality.

7. If the applicant is a Corporation, then the applicant's Declaration or if applicable, the Owner's authorization too, must be signed by an officer of the corporation who has authority to bind the corporation; or the corporation's seal must be affixed.

OWNER'S AUTHORIZATION:

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

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

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

I, (we), Mammoet Crane (Assets) Inc. the Registered Owners of

7504 McLean Road East Of the Township of Puslinch in the

County/~~Region~~ of Wellington severally and jointly, solemnly declare that

Black, Shoemaker, Robinson and Doanldson Ltd.

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

[redacted]

Signature(s) of Registered Owner(s) or Corporation's Officer

APPLICANT'S DECLARATION

This must be completed by the Applicant for the proposed consent

I, (we) Nancy Shoemaker of the

City of Guelph In the County/Region of

Wellington **Solemnly declare that all**

the statements contained in this application for consent for (property description)

Part Lot 25, Concession 8, Township of Puslinch being Part 1 according to Reference Plan 61R-11888.

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

DECLARED before me at the

City Of

Guelph In the

County/~~Region~~ of Wellington

This 15th day of June 20 20

[redacted]

Commissioner of Oaths

[redacted]

(Owner or Applicant)

(Owner or Applicant)

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

Printed Commissioner's, etc. Name

APPLICANT'S CONSENT (FREEDOM OF INFORMATION):

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

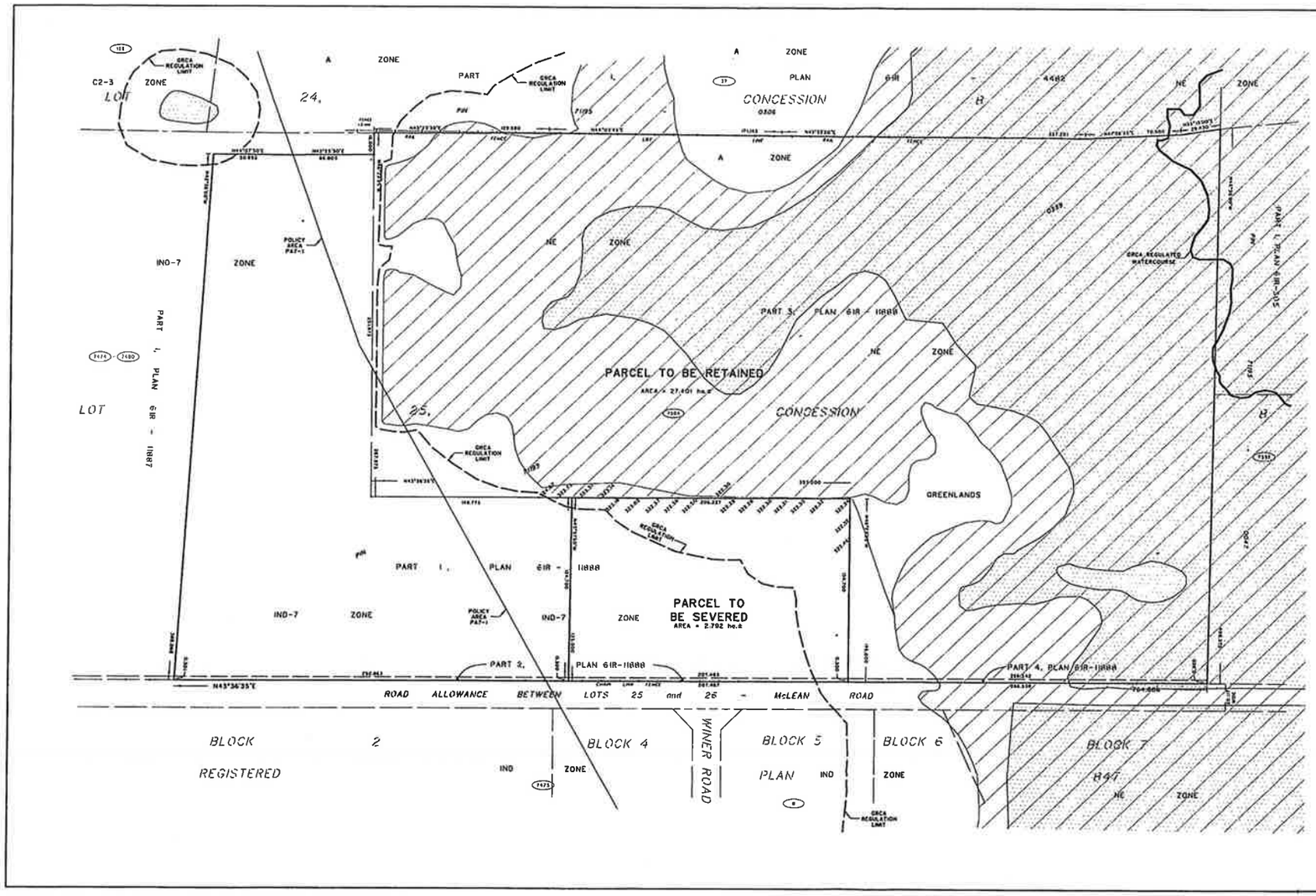
[redacted] June 15, 2020

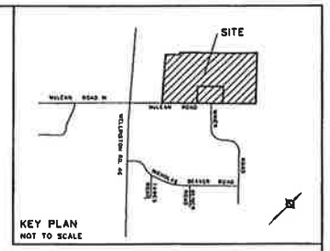
Signature of Owner/Applicant/Agent(s) Date

THIS APPLICATION PACKAGE IS TO BE SUBMITTED TO:

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

Phone (519) 837-2600 Ext. 2160





PLAN

PREPARED FOR CONSENT APPLICATION

TOWNSHIP OF PUSLINCH

COUNTY OF WELLINGTON

SCALE 1:1500 (0 30 60 90 120 METRES)

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

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

NOTES:

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

WELLINGTON COUNTY OFFICIAL PLAN DESIGNATION:

RETAINED PARCEL: SECONDARY AGRICULTURAL, CORE GREENLANDS & GREENLANDS
SEVERED PARCEL: SECONDARY AGRICULTURAL & CORE GREENLANDS
THIS PROPERTY IS SITUATED WITHIN THE PARIS GALT MORAINE POLICY AREA
THIS PROPERTY IS NOT SITUATED WITHIN WELLHEAD PROTECTION AREA
THIS PROPERTY IS SITUATED WITHIN THE GRAND RIVER SOURCE PROTECTION AREA

TOWNSHIP ZONING DESIGNATION:

RETAINED PARCEL: AGRICULTURAL (A), NATURAL ENVIRONMENT (NE) & INDUSTRIAL (IND-7)
SEVERED PARCEL: INDUSTRIAL (IND-7)

LEGEND:

- (5474) DENOTES MUNICIPAL ADDRESS
- DENOTES WETLANDS (FROM GRCA MAPPING)
- DENOTES FLOODPLAIN (APPROXIMATE - FROM GRCA MAPPING) & CORE GREENLANDS
- DENOTES APPROXIMATE EDGE OF TREE CANOPY
- DENOTES GRCA REGULATED WATERCOURSE

THIS PLAN WAS PREPARED FOR MANNOCT CANADA EASTERN LTD. AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

[redacted]

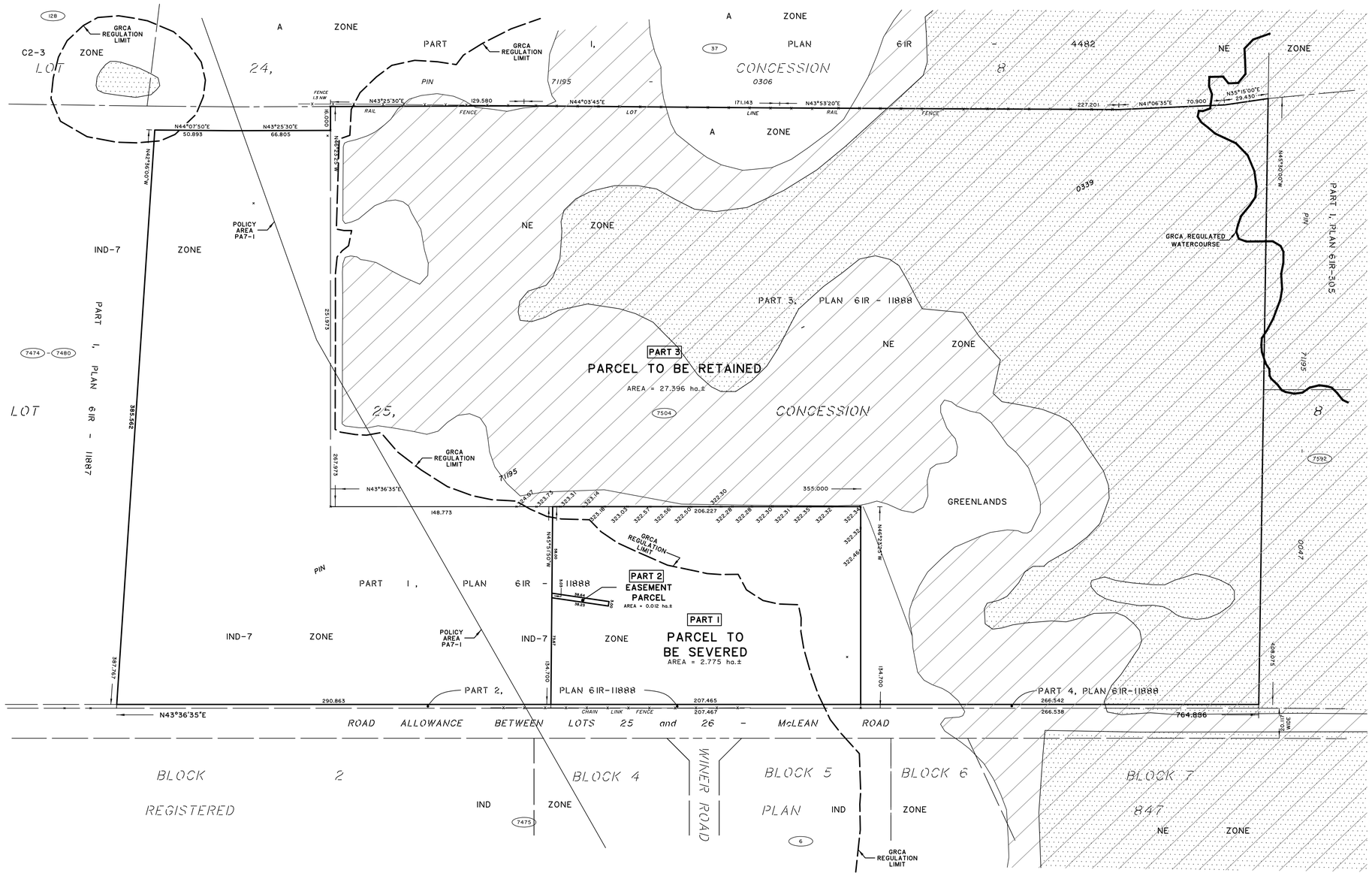
LEO LM
ONTARIO LAND SURVEYOR

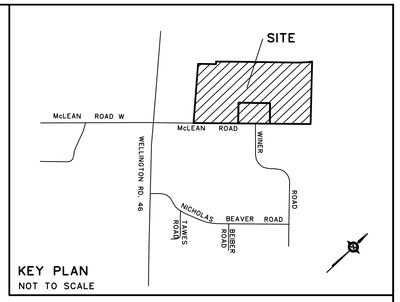
BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED

BSR&D Ontario Land Surveyors Urban and Rural Planners
A wholly owned subsidiary of J.D.Barnes Ltd.
WWW.BSRD.COM

101-237 Woodlawn Rd. W
Guelph, Ontario N1H 8J1
FAX: (519) 822-1220
TEL: (519) 822-4031

DATE: JUNE 15, 2020	KS	PROJECT 18-14-810-01-A





PLAN

PREPARED FOR CONSENT APPLICATION

TOWNSHIP OF PUSLINCH

COUNTY OF WELLINGTON

SCALE 1:1500 (0 30 60 90 120 METRES)

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

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THIS PROPERTY IS NOT SITUATED WITHIN WELLHEAD PROTECTION AREA
THIS PROPERTY IS SITUATED WITHIN THE GRAND RIVER SOURCE PROTECTION AREA

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- (5674) DENOTES MUNICIPAL ADDRESS
- DENOTES WETLANDS (FROM GRCA MAPPING)
- DENOTES FLOODPLAIN (APPROXIMATE - FROM GRCA MAPPING) & CORE GREENLANDS
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- DENOTES GRCA REGULATED WATERCOURSE

THIS PLAN WAS PREPARED FOR MAMMOET CANADA EASTERN LTD. AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

[redacted]

LEO LIU
ONTARIO LAND SURVEYOR

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BSR&D Ontario Land Surveyors Urban and Rural Planners
A wholly owned subsidiary of J.D.Barnes Ltd.
WWW.BSRD.COM
101-257 Woodlawn Rd. W
Guelph, Ontario N1H 8J1
FAX: (519) 822-1220
TEL: (519) 822-4031

DATE: JULY 21, 2020	KS	PROJECT 18-14-810-01-A

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

July 24, 2020

NOTICE OF AN APPLICATION FOR CONSENT

Ontario Planning Act, Section 53(4)

The County of Wellington Planning and Land Division Committee requests your written comments on this application for consent.

APPLICATION SUBMITTED ON: July 23, 2020

FILE NO. B52-20

APPLICANT
Mammoet Crane (Assets) Inc.
7504 McLean Road East
Puslinch N1H 6H9

LOCATION OF SUBJECT LANDS
Township of Puslinch
Part Lot 25
Concession 8

Proposed easement is 3m x 38.6m = 0.012 hectares, in favour of retained parcel for storm sewer lateral and catchbasin. See severance application B41-20.

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

August 19, 2020

Please note that if the Comments are not received by the requested date, the Planning and Land Division Committee may proceed to consider the application, and may assume that you have no objection to this APPLICATION for CONSENT.

Please also be advised that if a person or public body that files an appeal of a decision of the County of Wellington Planning and Land Division Committee in respect of the proposed consent has not made written submission to the County of Wellington Planning and Land Division Committee before it gives or refuses to give a provisional consent, then the Local Planning Appeal Tribunal may dismiss the appeal.

If you wish to be **NOTIFIED OF THE DATE AND TIME OF THE CONSIDERATION** of this application - **please make your request in writing** to the Planning and Land Division Committee before the "Comments Return Date" noted above.

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

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

MAILED TO:

Local Municipality - Puslinch County Planning Conservation Authority - GRCA

Bell Canada (email) County Clerk Roads/Solid Waste Civic Addressing

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

APPLICATION FOR CONSENT Ontario Planning Act

1. **Approval Authority:**

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

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

Required Fee: $ 4430
Fee Received: July 24/20
File No. B52/20
Accepted as Complete on: July 24/20

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

2. **(a) Name of Registered Owner(s)** Mammoet Crane (Assets) Inc.

Address 7504 McLean Road East, Puslinch Ontario N1H 6H9

Phone No. _____ **Email:** _____

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

Phone No. _____ **Email:** _____

(c) Name and Address of Owner's Authorized Agent: Black, Shoemaker, Robinson & Donaldson Limited
257 Woodlawn Road West, Unit 101, Guelph, Ontario N1H 8J1

Phone No. 519-822-4031 **Email:** nancy@bsrd.com

(d) All Communication to be directed to:

REGISTERED OWNER [ ] **APPLICANT [ ]** **AGENT [X]**

(e) Notice Cards Posted by:

REGISTERED OWNER [ ] **APPLICANT [ ]** **AGENT [X]**

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

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

OR

EASEMENT [x] RIGHT OF WAY [ ] CORRECTION OF TITLE [ ] LEASE [ ]

easement for storm sewer lateral and catchbasin (Part 2)

(a) If known, the name of person to whom the land or an interest in the land is to be transferred, charged or leased.

Mammoet Crane (Assets) Inc.

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

Local Municipality: Township of Puslinch

Concession 8 Lot No. Part of Lot 25

Registered Plan No. _____ Lot No. _____

Reference Plan No. 61R-11888 Part No. 1

Civic Address 7504 McLean Road East

(b) When was property acquired: January 21, 2013 **Registered Instrument No.** WC364666
Name Change WC564090

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

Frontage/Width 38.6 m AREA 0.012 ha

Depth 3 m Existing Use(s) vacant land

Existing Buildings or structures: None

Proposed Uses (s): easement in favour of retained parcel for storm sewer lateral and catchbasin

Type of access (Check appropriate space) N/A **Existing [ ]** **Proposed [ ]**

[ ] Provincial Highway
[ ] County Road
[ ] Municipal road, maintained year round
[ ] Municipal road, seasonally maintained
[ ] Easement
[ ] Right-of-way
[ ] Private road
[ ] Crown access road
[ ] Water access
[ ] Other

_____

Type of water supply - Existing [ ] Proposed [ ] (check appropriate space) N/A

[ ] Municipally owned and operated piped water system
[ ] Well [ ] individual [ ] communal
[ ] Lake
[ ] Other _____

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

[ ] Municipally owned and operated sanitary sewers
[ ] Septic Tank (specify whether individual or communal): _____
[ ] Pit Privy
[ ] Other (Specify): _____

6. Description of **Land** intended to be **RETAINED**: **Metric [X]** **Imperial [ ]**

Frontage/Width 290.86 m AREA 7.042 ha

Depth 388.068 m Existing Use(s) Transportation company specializing in heavy equipment & lifting machinery

Existing Buildings or structures: 1 to 2 storey industrial building

Proposed Uses (s): Same

Type of access (Check appropriate space) **Existing [X]** **Proposed [ ]**

[ ] Provincial Highway
[ ] County Road
[X] Municipal road, maintained year round
[ ] Municipal road, seasonally maintained
[ ] Easement
[ ] Right-of-way
[ ] Private road
[ ] Crown access road
[ ] Water access
[ ] Other

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

[ ] Municipally owned and operated piped water system
[X] Well [X] individual [ ] communal
[ ] Lake
[ ] Other

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

[ ] Municipally owned and operated sanitary sewers
[X] Septic Tank (specify whether individual or communal): Individual
[ ] Pit Privy
[ ] Other (Specify):

7. Is there an agricultural operation, (either a barn, manure storage, abattoir, livestock area or stockyard) within 500 metres of the Subject lands (severed and retained parcels)? **YES [ ] NO [X]**
*If yes, see sketch requirements and the application must be accompanied by a MINIMUM DISTANCE SEPARATION FORM.

8. Is there a landfill within 500 metres [1640 feet]? **YES [ ] NO [X]**

9. a) Is there a sewage treatment plant or waste stabilization plant within 500 metres [1640']? **YES [ ] NO [X]**

10. Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the lands to be retained or to be severed or within 120 metres [394 feet]? **YES [X] NO [ ]**

11. Is there any portion of the land to be severed or to be retained located within a floodplain? **YES [ ] NO [X]**

12. Is there a provincial park or are there Crown Lands within 500 metres [1640']? **YES [ ] NO [X]**

13. Is any portion of the land to be severed or retained within a rehabilitated mine/pit site? **YES [ ] NO [X]**

14. Is there an active or abandoned mine, quarry or gravel pit within 500 metres [1640']? **YES [ ] NO [X]**

15. Is there a noxious industrial use within 500 meteres [1640']? **YES [ ] NO [X]**

16. Is there an active or abandoned principal or secondary railway within 500 metres [1640']? **YES [ ] NO [X]**

Name of Rail Line Company:

17. Is there an airport or aircraft landing strip nearby? **YES [ ] NO [X]**

18. Is there a propane retail outlet, propane filling tank, cardlock/keylock or private propane outlet/container refill centre within 750 metres of the proposed subject lands? **YES [ ] NO [X]**

19. PREVIOUS USE INFORMATION:

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

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

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

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

c) Has fill been brought to and used on the site (other than fill to accommodate septic systems or residential landscaping?) **YES [ ] NO [ ] UNKNOWN [ ]**

d) Has there been commercial petroleum or other fuel storage on the site, underground fuel storage, or has the site been used for a gas station at any time, or railway siding? **YES [ ] NO [X] UNKNOWN [ ]**

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

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

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

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

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

Morguard Brock Mclean Limited, August 1, 2012, (B8/12), food distribution centre

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

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

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

Provides continued stormwater management for existing industrial use

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

Provides continued stormwater management for existing industrial use

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

Provides continued stormwater management for existing industrial use

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

Township of Puslinch relies on County Official Plan

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

Amendment Number(s): _____ File Number(s): _____

27. Is the subject land a proposed surplus farm dwelling?* **YES [ ] NO [X]**

*If yes, an application to sever a surplus farm dwelling must be accompanied by a FARM INFORMATION FORM.

28. What is the zoning of the subject lands? Industrial (IND)

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

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

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

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

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

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

31. **Type of Farm Operation** conducted on these subject lands: None

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

32. **Dimensions of Barn(s)/Outbuildings/Sheds (*that are to remain*) Severed & Retained Lands** None

Severed Width _____ Length _____ Area _____ Use _____

Width _____ Length _____ Area _____ Use _____

Retained Width _____ Length _____ Area _____ Use _____

Width _____ Length _____ Area _____ Use _____

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

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

BSR&D ONTARIO LAND SURVEYORS URBAN & RURAL PLANNERS
A wholly owned subsidiary of J.D. Barnes Ltd.

June 25, 2020

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

Project: 18-14-810-01

Dear Ms. Turchet:

Re: Proposed Consent and Stormsewer lateral & catchbasin easement
7504 McLean Road East
Part of Lot 25, Concession 8, Township of Puslinch

Please find enclosed two completed "Application for Consent" for the above-noted property. One application is for a severance of Parts 1 and 2. The second application is for an easement in favour of the retained parcel to recognize an existing storm sewer lateral and catchbasin that is locatedon on the retained parcel and provides stormwater management for a portion of the retained parcel. It is identified as Part 2 on the attached plan. Also enclosed are two cheques in the amount of $4,430.00 payable to the County of Wellington to cover the County's application fee and a cheque in the amount of $420.00 to the Grand River Conservation Authority to cover their processing fees. Mammoet Crane (Assets) Inc. is the current owner of the subject lands. A copy of their deed is attached (WC364666 –name change deeds WC564090).

The parcel to be severed from this property will have a frontage on McLean Road of 207.465 metres. A Fill Permit was received from the Grand River Conservation Authority in February of 2020 to permit the rear part of the property to be filled so that the parcel subject to the consent application would be located outside of the floodline and be considered available for future development. The retained parcel contains an industrial building and associated parking and loading areas along with a septic system and well. It includes 27.401 hectares of land.

These properties are currently zoned Industrial (IND) and will meet the requirements set out in the Township of Puslinch Zoning By-law. The NE overlay no longer applies to the area within the proposed consent due to the recent approved grading of the property. The subject lands are designated Secondary Agricultural in the County's Official Plan and partly located within the Puslinch Economic Development Area. The application satisfies Official Plan policies regarding consent as follows:

- The lot is large enough to support water and sewage systems.
- The lot is no larger than necessary to support the proposed use and is a logical conclusion of industrial development on the north side of McLean Road East.
- The lot has access to an open public road;
- The property is surrounded by natural heritage features or industrial development therefore the land is not suitable for agricultural or mineral aggregate operations.
- The use is compatible with surrounding industrial development;
- The use is well removed from any settlement area boundary.

I have asked the Township to prepare the list of property owners within 60 metres of the application. Finally I have attached 8 full size copies of a plan showing the consent and a reduction of same. Should you have any questions, please do not hesitate to call me.

Yours very truly

[redacted]ONALDSON LIMITED

Nancy Shoemaker, B.A.A., M.C.I.P., R.P.P.

RECEIVED
JUL 24 2020
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Attachments
Copy: Mammoet Crane (Assets) Inc.

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

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

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

35. Source Water Protection Plan

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

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

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

YES [X] NO [ ]

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

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

_____

_____

NOTES:

1. **One original completed application and two original sketches must be filed with the County of Wellington Planning and Land Division office.** If original sketch is larger than 11" x 17", 8 additional copies are required plus one sketch reduced to a size of 11" x 17" (or smaller) for office photocopying and circulation to neighbours. Facsimile documents are not acceptable for reasons of the necessity of good photocopying.

2. The location of the lands (severed & retained) which are the subject of the application must also be shown on the Surveyor's sketch or on an attached "Key Map" and included with the application.

3. Since the filing fee for applications for consent change from time to time, please contact the Planning and Land Division office for current fee information. This fee may be paid in cash or by cheque payable to the County of Wellington.

4. Additional information about the process, about any particular application or obtaining application forms may be obtained by attending at the County of Wellington Administration Centre, 74 Woolwich Street, Guelph Ontario N1H 3T9, by telephone at 519-837-2600, ext. 2160 or 2170; or by facsimile (fax) at 519-837-3875.

5. Generally, regular severance application forms are also available at the local municipal office.

6. Some municipalities also require the applicant to attend at a Planning Advisory Committee or Council meeting to discuss the application prior to the Municipality's submitting comments to the County of Wellington Planning and Land Division Committee. Please check with your local municipality.

7. If the applicant is a Corporation, then the applicant's Declaration or if applicable, the Owner's authorization too, must be signed by an officer of the corporation who has authority to bind the corporation; or the corporation's seal must be affixed.

OWNER'S AUTHORIZATION:

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

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

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

I, (we), Mammoet Crane (Assets) Inc. the Registered Owners of

7504 McLean Road East Of the Township of Puslinch in the

County/~~Region~~ of Wellington severally and jointly, solemnly declare that

Black, Shoemaker, Robinson and Doanldson Ltd.

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

[redacted]

Signature(s) of Registered Owner(s) or Corporation's Officer

APPLICANT'S DECLARATION

This must be completed by the Applicant for the proposed consent

I, (we) Nancy Shoemaker of the

City of Guelph In the County/Region of

Wellington **Solemnly declare that all**

the statements contained in this application for consent for (property description)

Part Lot 25, Concession 8, Township of Puslinch being Part 1 according to Reference Plan 61R-11888.

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

DECLARED before me at the

City Of

Guelph In the

County/~~Region~~ of Wellington

This 15th day of June 20 20

[redacted]

(Owner or Applicant)

(Owner or Applicant)

[redacted]

Commissioner of Oaths

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

Printed Commissioner's, etc. Name

APPLICANT'S CONSENT (FREEDOM OF INFORMATION):

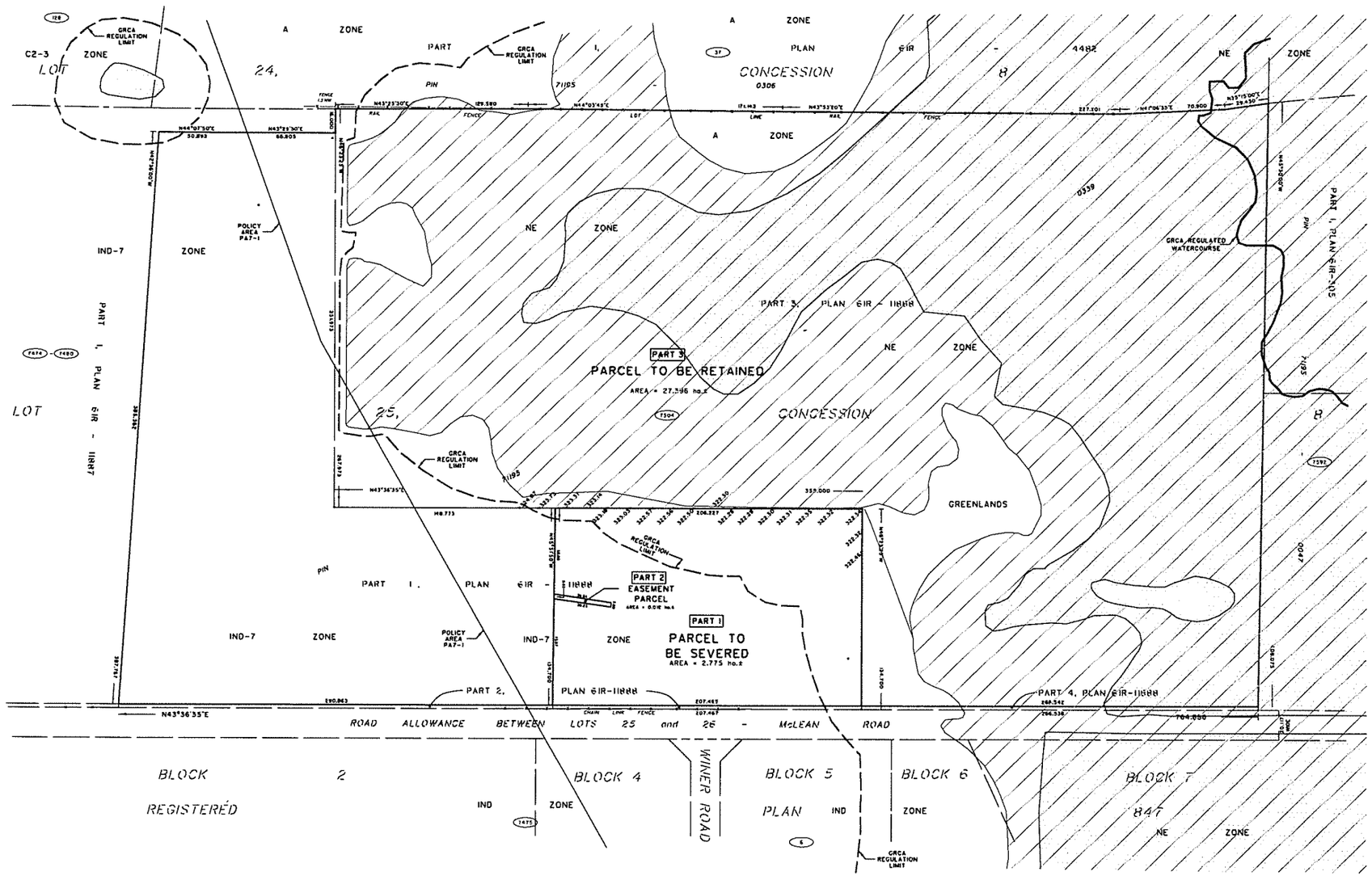
In accordance with the provisions of the Planning Act, it is the policy of the County Planning and Development Department to provide public access to all development applications and supporting documentation. In submitting this development application and supporting documentation, I, Nancy Shoemaker,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

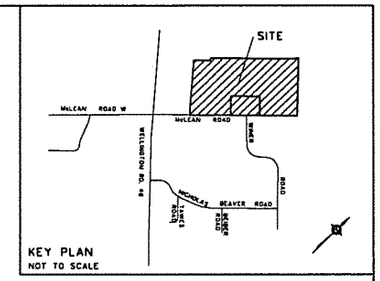
[redacted] June 15, 2020
Date

THIS APPLICATION PACKAGE IS TO BE SUBMITTED TO:

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

Phone (519) 837-2600 Ext. 2160





PLAN

PREPARED FOR CONSENT APPLICATION

TOWNSHIP OF PUSLINCH

COUNTY OF WELLINGTON

SCALE 1 : 1500 (0 30 60 90 120 METRES)

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

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

NOTES:

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

WELLINGTON COUNTY OFFICIAL PLAN DESIGNATION:

RETAINED PARCEL: SECONDARY AGRICULTURAL, CORE GREENLANDS & GREENLANDS
SEVERED PARCEL: SECONDARY AGRICULTURAL & CORE GREENLANDS
THIS PROPERTY IS SITUATED WITHIN THE PARIS GALT MORAINE POLICY AREA
THIS PROPERTY IS NOT SITUATED WITHIN WELLHEAD PROTECTION AREA
THIS PROPERTY IS SITUATED WITHIN THE GRAND RIVER SOURCE PROTECTION AREA

TOWNSHIP ZONING DESIGNATION:

RETAINED PARCEL: AGRICULTURAL (A), NATURAL ENVIRONMENT (NE) & INDUSTRIAL (IND-7)
SEVERED PARCEL: INDUSTRIAL (IND-7)

LEGEND:

- (5674) DENOTES MUNICIPAL ADDRESS
- DENOTES WETLANDS (FROM GRCA MAPPING)
- DENOTES FLOODPLAIN (APPROXIMATE - FROM GRCA MAPPING) & CORE GREENLANDS
- DENOTES APPROXIMATE EDGE OF TREE CANOPY
- DENOTES GRCA REGULATED WATERCOURSE

THIS PLAN WAS PREPARED FOR MAMMOET CANADA EASTERN LTD. AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

[redacted]

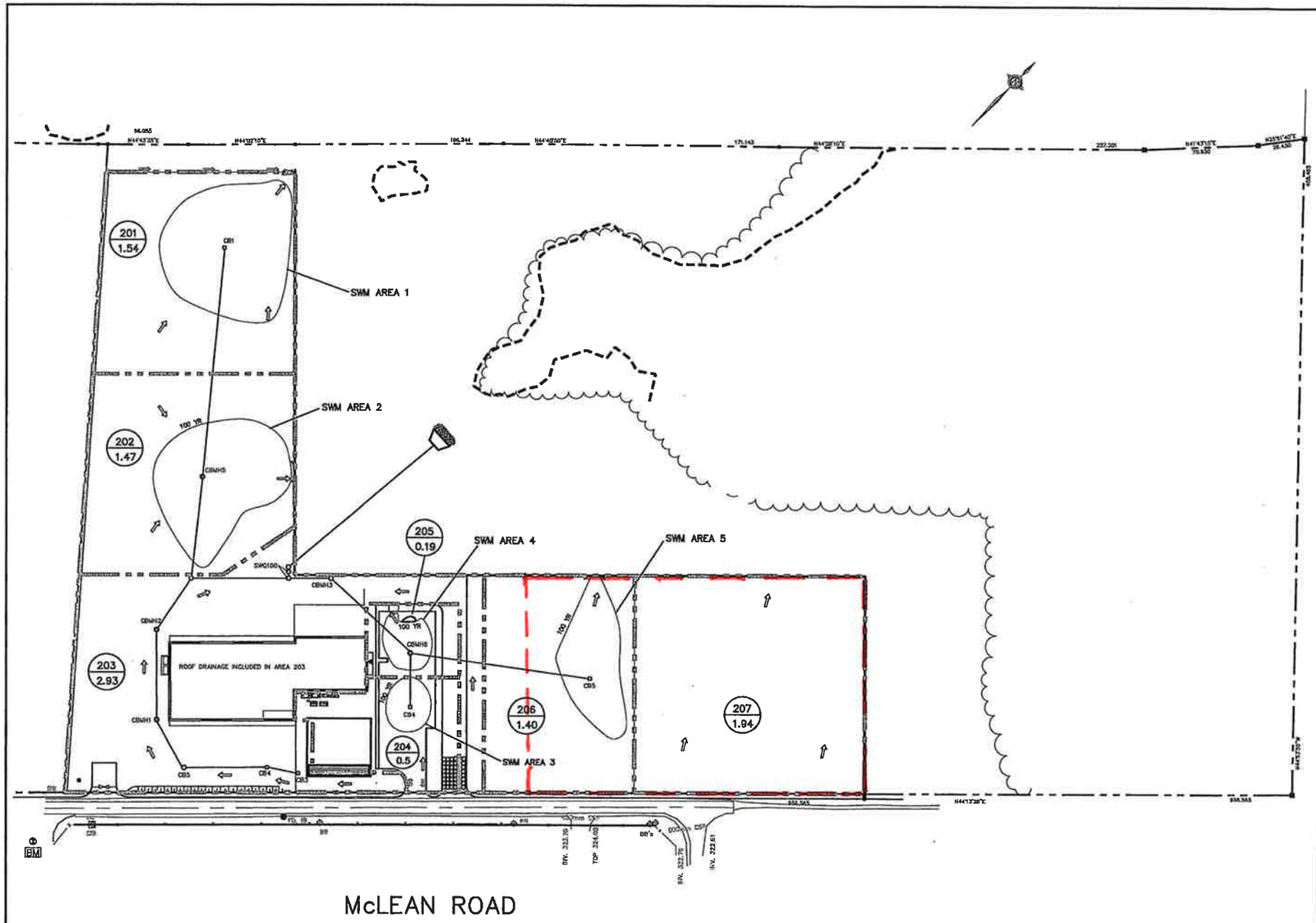
LEO LIU
ONTARIO LAND SURVEYOR

BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED

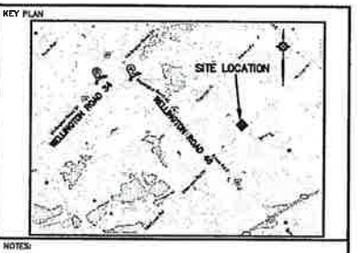
BSR&D Ontario Land Surveyors Urban and Rural Planners
A wholly owned subsidiary of J.D.Barnes Ltd.
WWW.BSRD.COM

101-237 Woodlawn Rd. W
Guelph, Ontario N1H 8J1
FAX: (519) 822-1220
TEL: (519) 822-4031

DATE: JULY 21, 2020	KS	PROJECT 18-14-810-01-A



KEY PLAN



NOTES:

LEGEND

⟹	PROPOSED SURFACE SWALE
——	STORM SEWER SERVICE
□	STORM SEWER STRUCTURE
▶	BUILDING ENTRANCE
⇨	MAJOR FLOW ROUTE
203	SUBCATCHMENT ID
2.93	SUBCATCHMENT AREA (HA)

No.	REVISIONS	BY	DATE
2.	REVISED AS PER MOE COMMENTS	NMB	MAY 14, 2013
1.	REVISED AS PER TOWNSHIP COMMENTS	NMB	FEB. 11, 2013
	CONSTRUCTION		
	TENDER		
	ISSUE FOR APPROVALS		
	ISSUE BLOCK		

MAMMOET CANADA EASTERN

McLEAN ROAD, PUSLINCH

POST DEVELOPMENT PLAN

K. SMART ASSOCIATES LIMITED
CONSULTING ENGINEERS AND PLANNERS
KITCHENER SUDBURY RAINY RIVER

LICENSED PROFESSIONAL ENGINEER DAVID A. HARSCH 100006103 PROVINCE OF ONTARIO

LICENSED PROFESSIONAL ENGINEER SANDRA SWANTON 100119707 PROVINCE OF ONTARIO

DESIGNED BY: S.S.	0 5 10	DATE: DEC. 12, 2012
CHECKED BY: D.A.H.	SCALE: 1:2500	SHEET
DRAWN BY: N.M.B.		FIGURE 2
CHECKED BY: D.A.H.	REVISION No.	
FILE No. 12-106		

C:\12-106\SITE PLAN 12-106_KAS.dwg POST DEVELOPMENT 15-May-13 10:24:08 AM

PRESERVING ONTARIO'S HISTORY, ONE BARN AT A TIME

info@ontariobarnpreservation.com

May 28, 2020

Addressed to: Planning Department

To whom it may concern

Our not-for-profit organization was formed in 2019 with the goal of conserving barns of cultural heritage significance in Ontario. In order to fulfill this goal, we have been conducting research and analysis on a variety of topics, including Planning Policy frameworks which either help or hinder the conservation of barns.

It has come to our attention that many municipalities are demolishing heritage barns during the process of severance of surplus farm dwellings. The purpose of this letter is to provide you with a brief summary of our findings regarding how existing Planning Policies at the Municipal and Provincial levels impact these cultural heritage resources. We hope that this will help to provide insight on how these policies may be managed in the future so that the conservation of significant cultural heritage resources can work in cooperation with planning for new development.

Barns have potential to be identified as significant cultural heritage resources and may be worthy of long-term conservation. According to PPS, significant cultural heritage resources shall be conserved:

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

Under *Ontario Regulation 9/06*, cultural heritage resources demonstrate significance related to legislated criteria including design/physical value, historical/associative value and contextual value

Although they may not have the same functionality they once did, we believe our heritage barns are an important part of Ontario's cultural history and rural landscape.

- They serve as landmarks in the countryside
- They have the potential to be reused and repurposed, sometimes into agriculture-related uses as municipalities search for value-added opportunities for farmers
- They have historic value for research of vernacular architecture and cultural history of areas and communities in Ontario
- They are a testament to the early farmers and pioneers in our province
- They convey an important sentiment and image to our urban counterparts about the hardworking farm community
- They contribute to agritourism in both a functional and an aesthetic way. Some European countries fund maintenance of rural landscape features such as buildings, hedge rows and fences for the very purpose of world-wide tourism and cultural heritage protection
- They are useful for small livestock or other small farm operations

We have recognized a growing trend in Ontario, where barns are seen as good candidates for conservation and adaptive re-use. Barns can be made new again and communicate their history while serving a new purposes. Barns can be made into single detached residences, Craft breweries, agro-tourism related destinations, and more.

In an effort to recognize the significance, historic and cultural value of these buildings, Ontario Barn Preservation was formed March 30, 2019. This not-for-profit organization is reaching out to barn owners, local and county historical societies, authorities, and the general public, to recognize the value of these amazing buildings. Often these barns are close to their original condition when they were built between the early 1800s and the early 1900s.

We understand the planning and building code regulations that municipalities enforce.There are often conflicting priorities, resources required for enforcement, and provincial goals and protection to uphold. The following provides a review of key policies of Provincial Policy Statement (PPS 2014), OMAFRA and Ontario Building Code regulations which creates difficulties in the conservation of barns. We hope these solutions from other municipalities have implemented might be considered in your municipality.

POLICY ITEM 1: "New land uses, including the creation of lots, and new or expanding livestock facilities shall comply with the minimum distance separation formulae." –Provincial Policy Statement (PPS) 2.3.3.3

POLICY ANALYSIS

Barns that remain with a dwelling on a smaller severed residential lot are already in compliance with MDS setbacks since there would be no new odour conflict. If this landowner wants to house animals a Nutrient Management Plan/Strategy is required for anything over 5 Nutrient Units (NU, this is equivalent to 15+ beef feeders, OR 5+ medium-framed horses, 40+ meat goats, or 5+ beef cows), and are required to have a plan for manure removal either on their own property or in agreement with another land owner as per the OMAFRA Nutrient Management Plan/Strategy Guidelines. Any livestock count under 5NU does not require a Nutrient Management Plan. Although the capacity of these heritage barns is generally above 5 NU, in practice it is unlikely an owner would exceed this number because heritage barns are not usually that large and owners of this type of property are likely to only have a hobby-size operation.

On the other hand, barns that do not remain with a dwelling on a smaller severed residential lot, but remain on the larger retained agriculture lot often immediately become a violation of the MDS setbacks should that barn house livestock, or potentially house livestock. However unlikely this may be due to the nature and condition of the barn for livestock housing, it is a possibility. Many barns could house up to 30 Nutrient Units, or more, depending on the size of the barn. This capacity would require a separation distance from the house on the new severed lot much larger than existing to allow the barn to remain standing. Thus barns on the larger retained agriculture lot have limited options to avoid demolition.

POSSIBLE RESOLUTION:

The MDS guidelines state that a building must be "reasonable capable of housing animals" in order for MDS to be triggered. Therefore, a barn that is in a decrepit state is automatically exempted from MDS as it cannot house livestock. Thus the barn can be severed off from the dwelling without MDS implications.

However, some barns are not in a decrepit state and are the ones that are worth saving. If the barn is to remain on the retained agriculture lot, it needs to be prevented from being used as a livestock facility to be exempt from MDS. This can be done by removing water, stalls, electricity to the barn and make it "incapable of housing animals".

Some municipalities have had the livestock restriction written into the special conditions of the zoning amendment exception. Two examples are

1. that the barn not be permitted to hold livestock. For example *"A livestock use shall be prohibited in any farm buildings existing on the date of passage of this by-law."*
2. The amendment can also be used to only restrict the quantity of livestock in the barn as such as 1.2NU (animal nutrient units) per hectare *"Notwithstanding their General Rural (RU1) or Restricted Rural (RU2) zoning, those lots 4.0 hectares (9.9 ac.) in size or less shall be limited to no more than 1.25 nutrient units per hectare (0.5 nutrient units per acre). Minimum Distance Separation Guidelines shall apply."*

The Ontario Building Code does not differentiate between agricultural buildings for livestock vs. implements storage, therefore a change of use of this type is not clearly defined as a possibility through the building code. A change of use permit could also be undertaken to change the occupancy of the building from agriculture to part 9. However, this solution is costly and prohibitive for most Owners.

We feel that the best case of survival for the barn is to include it with the severed residential lot If the barn is to be severed with the residential lot we feel that the barn best use is for animals within compliance with the MDS requirements. Some municipalities use a minimum lot size required for livestock (but you have to be willing to sever that lot size where appropriate). We recommend that these smaller lots be permitted to house animals. These lots are ideal for starting farmers, CSA's, and value-added farm operations. The owners of these smaller lots are often in a position to invest in restoration of our heritage barns.

POLICY ITEM 2: A residence surplus to a farming operation as a result of farm consolidation, provided that:

"1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;" - PPS 2.3.4.1c

POLICY ANALYSIS

Provincial policy has limited the lot creation size to only accommodate the water and sewage to maintain large lots and maximum land remaining for agriculture uses.

POSSIBLE RESOLUTION

Many municipalities use a minimum and maximum lot size rather than the above strict guideline to determine the lot line and review each severance on a case by case basis.

The Ministry of Environment provides "reasonable use guidelines" on lot size for sewages systems. These guidelines recommend that a lot should have a "Reasonable Use Assessment" be done to ensure that the lot is adequately sized for septic systems. A rule of thumb that has been used is clay soil lots should be a minimum of 2 acres, and a lot with sandy soil be 1 acre.

However, we would recommend that this statement be reviewed at a provincial level and we would encourage you to contact the provincial policy department to review this statement.

POLICY ITEM 3: Designation of severed lot to be zoned "non-farm" and permitted uses as "non-farm" dwelling

POLICY ANALYSIS

Provincial policy does not dictate the residential lot be "non-farm". In fact, the PPS states that

"Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations."

We would argue that the "non-farm" designation does create an incompatible use, encouraging non-farming residents, but it also limits the possible use of the small land for small scale farm operations within Prime Agriculture Zones.

POSSIBLE RESOLUTION:

Provide a zoning category for small lots that are sized to permit limited livestock, alternative and value-added agriculture operations. These can also be separate provisions within your existing rural or agricultural designations. For example Provisions for lots larger than 10 acres, and lots less than 10acres.

POLICY ITEM 4: Change of Use for the building to not permit livestock.

POLICY ANALYSIS

A change of use to non-livestock building is a challenging proposition. The building code does not differentiate between livestock agriculture building and implement agriculture building. This change of use permit is quite simple and would not require any investment or structural upgrade by the owner.

If a change of use to a non-agriculture building is required, it would fall into part 9 of the building code (unless other uses are proposed). This upgrade would often require significant structural reinforcement and investment by the owner. Most owners would not be willing or in a position to invest this type of capital on a building that does not have function in a farm operation, nor for a residential property owner, also without a major purpose for the building other than storage, garage, or workshop.

This Change of Use requirement will most likely end with the demolition of the barn when required.

POSSIBLE RESOLUTION:

Change of use is only required to limit the use of the barn for livestock. This can be achieved by removing water and stalls from the building. The barn remains an existing agriculture building but unable to "reasonably house animals" (see issue 1 above for further details or options).

CONCLUSION

We hope that you will consider our review of Provincial and Municipal Planning Policy as it relates to any future Reviews of Official Plans, Comprehensive Zoning By-laws, and approaches to the conservation of built heritage resources related to agricultural use.

Too often we see these community raised historic structures in poor condition with loose boards flapping in the wind, roofs caved in, or just a mass of timbers and roofing decaying into the ground. On behalf of Ontario Barn Preservation, we encourage you to help find ways to prevent the further unnecessary demolition of our heritage barns especially in relation to surplus farm dwelling severances. It is our hope that barns of significant cultural heritage value are conserved for future generations.

Please don't hesitate to contact us if you have any questions, and we hope to hear from you in the future.

Regards,

Krista Hulshof, Vice President, architect,

Questions can be directed to Krista at 519-301-8408 or krista@veldarchitect.com