



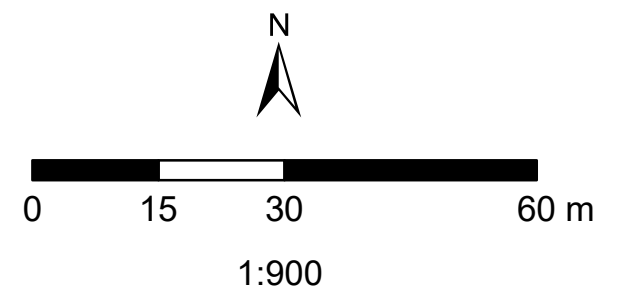
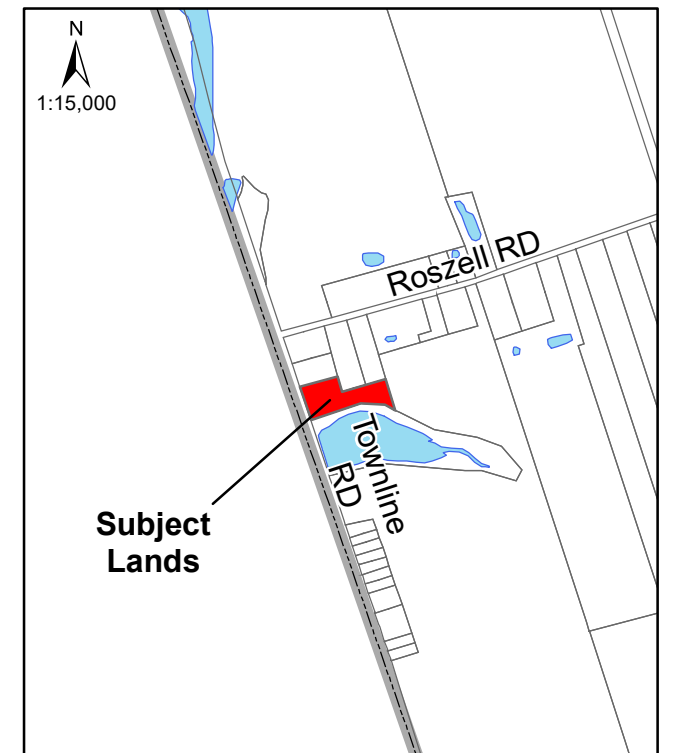
COUNTY OF WELLINGTON LAND DIVISION

B143-22

Applicant:
Audrey Geier

Township of Puslinch

4851 Townline Road



Date: January 2023

Produced by: County of Wellington Planning & Development Department

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Sources:
County of Wellington
Ministry of Natural Resources,
Grand River Conservation Authority.
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REPORT SUMMARY

OWNER, APPLICANT or AGENT SHOULD ATTEND THE CONSIDERATION OF THIS APPLICATION
NOTE: IF EXPEDITED ATTENDANCE NOT REQUIRED BEFORE THE LAND DIVISION COMMITTEE.
SIGN AND RETURN 'AGREEMENT TO CONDITIONS' LETTER IMMEDIATELY.

Date of Consideration: 02/09/2023 ITEM #1
File Number: B143-22
Applicant: Audrey Geier
Subject Lands: Township of Puslinch- Part Lot 1, Concession 3
Proposal is a request for consent to convey fee simple for a proposed rural residential lot 0.64 ha; retained lot being 0.4 ha, existing dwelling and garage

ISSUES: Planning Staff not in support; application not consistent with policies

SUMMARY of FILED REPORTS and COMMENTS:

Planning Review	notice cards were posted at time of site visit; planning staff not in support; application not consistent with Provincial Policy - does not permit lot creation within a provincially significant wetlands and requires a minimum 30m vegetative buffer; and does not conform to Official Plan - Secondary Agricultural, Core Greenlands and Greenlands; proposal would create new vacant lot within provincially and locally significant wetland. lot does not maintain required minimum 30m buffer from key hydrological features as required by Growth Plan. An environmental impact study has not been submitted in support of this application; however, the applicant has identified a buildable area. Comment from GRCA should also be considered. No new lots have been created on the parcel since March 1, 2005 and have been owned by applicant over 5 years.
Township of Puslinch	Puslinch Committee in support of application with conditions; complies with zoning
Grand River CA	a portion of Puslinch Lake Irish Creek Provincially Significant Wetland (PSW) Complex. From review, we believe that the proposed severance would not impact on the natural hazards and would not provide opportunity for additional build development in or adjacent the hazards; if future development cannot maintain a 3 metre buffer from wetland limit, GRCA may require further assessment of potential impacts to wetland that may result from development; - no objection to proposal;
Source Water	activity as indicated would not crate a significant drinking water threat; application can be screened out and does not require a Section 59 notice under the Clean Water Act.
Neighbouring Municipality	City of Cambridge - no road widening condition; access condition required
Miscellaneous	Agent - Jennifer Voss Planning & Development Consulting - cover letter attached

PROPOSED CONDITIONS of APPROVAL

- 1) THAT the Owner's solicitor, in preparation for the issuance of the Certificate of Consent, provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee a printed copy of the "completed electronic transfer document in preparation".
- 2) THAT the Solicitor for the Owner give a signed undertaking in writing to provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee within 30 days of the date of registration in the Land Registry/Land Titles Office for Wellington (No. 61) a copy of the receipted and registered electronic transfer document including the Form 2 Certificate for Consent
- 3) THAT the Owner, as provided for under Section 69 of the Planning Act, R.S.O. 1990, shall pay to the Treasurer of the County of Wellington the administrative fee which is in effect at the time of the payment of the fee for the review and issuance of the Certificate of Consent for the severed parcel.
- 4) THAT the transfer for registration with respect to description complies with Ontario Regulation 43-96; and if that description contains a reference to a Reference Plan(s), the Owner's solicitor shall provide a full print of that deposited reference plan(s) as well as a digital PDF copy to the secretary-treasurer of the Planning and Land Division Committee.
- 5) THAT the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (including taxes paid in full and Consent Review/Condition Clearance fee) which the Township may deem to be necessary at the time of issuance of the Certificate of Consent for the property and orderly development of the subject lands. Any fees incurred by the Township for the review of this application will be the responsibility of the applicant; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 6) THAT if the County of Wellington Land Division Committee requires the lot line between the severed and retained lands to be regularized, the Owner will need to obtain zoning compliance for the reduced lot area of the retained parcel; 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.
- 7) THAT if the County of Wellington Land Division Committee requires the lot line between the severed and retained lands to be regularized, the Owner will be required to provide a Hydrogeological Study, at the Owner's expense, to the Township of Puslinch for the purpose of a peer review by the Township's

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

- 8) **THAT** the Owner shall be required to enter into an agreement with the Township for the purpose of having the Hydrogeological Study peer reviewed to the satisfaction of the Township of Puslinch and that the owner shall be responsible for any Township costs associated with the review of the Hydrogeological Study; 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.
- 9) **THAT** the Owner obtain zoning compliance for the garage located on the retained parcel to ensure that it meets the maximum permitted lot coverage for accessory buildings to the satisfaction of the Township; 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.
- 10) **THAT** the owner obtain zoning compliance for the shipping containers located on the retained lands to the satisfaction of the Township; 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.
- 11) **THAT** the owner confirm the well type (drilled/dug) on the lands to be retained to the satisfaction of the Township; 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.
- 12) **THAT** the owner confirm that Hydro One or the owner of the hydro lines has no concerns with the overhead hydro lines on the severed lands, and/or if there is an existing easement to the satisfaction of the Township; 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.
- 13) **THAT** the owner confirm the soil permeability in the area of the future septic bed to ensure it can be serviced by septic within the envelope proposed to the satisfaction of the Township; 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.
- 14) **THAT** an access permit be obtained from the City of Cambridge prior to the removal of, alteration to or construction of any new accesses to the satisfaction of the City of Cambridge; and further that the City of Cambridge file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

*****Conditions may be deleted, added to, or changed at meeting*****

January 26, 2023

NOTICE OF CONSIDERATION IN PUBLIC FORUM

Pursuant to SECTION 53 of the ONTARIO PLANNING ACT and applicable Regulations

with respect to Application for consent,

File B143-22

APPLICANT

Audrey Geier
4851 Townline Road
Cambridge N3C 2V3

LOCATION OF SUBJECT LANDS

Township of Puslinch
Part Lot 1
Concession 3

Proposed severance is 0.64 hectares with 37.5m frontage, vacant land for proposed rural residential use.

Retained parcel is 0.4 hectares with 33.7m frontage, existing and proposed rural residential use with existing dwelling and garage.

ITEM #1 ON AGENDA

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, FEBRUARY 09, 2023 AT 09:00 AM** for the purpose of considering this matter.

CONSIDERATION WILL BE HELD IN THE:

3A (Keith Room)
County of Wellington Administration Centre
74 Woolwich Street
Guelph, Ontario N1H 3T9

PLEASE NOTE: To avoid application deferral, any **new** information addressing comments presented in the attached Report Summary are to be submitted to the Secretary Treasurer of Land Division **no later than THURSDAY, FEBRUARY 2, 2023 by 1:00 pm.**

NOTICE is being sent to you for your information. **THE OWNER, APPLICANT OR AUTHORIZED AGENT, OR AUTHORIZED SOLICITOR SHOULD ATTEND THIS CONSIDERATION.** Any person may be represented by counsel who has been duly authorized for that purpose.

Even if the owner/applicant does not attend, the Committee will consider the application as scheduled, and the applicant, except as otherwise provided in the Planning Act, will not be entitled to any further notice in the Proceedings.

Please also be advised that if a person or public body that filed 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 Ontario Land Tribunal may dismiss the appeal.

A Copy of the **DECISION** of the Committee will be sent **to the applicant, and to each person or agency who filed with the Secretary-Treasurer a written request for Notice of Decision.**

Additional 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

To view comments for this application on our website www.wellington.ca follow these steps:

- ⇒ **Government**
- ⇒ **Council and Standing Committees**
- ⇒ **Agenda & Minutes**
- ⇒ **Select Land Division Committee**
- ⇒ **choose month & year in drop down menus**
- ⇒ **open appropriate agenda**

To: Audrey Geier
Jennifer Voss



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JAN 17 2023

Application B143/22
Location Part Lot 1 Concession 3
TOWNSHIP OF PUSLINCH
Applicant/Owner Audrey Geier

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

PLANNING OPINION: The application would sever a vacant 0.64 ha (1.6 ac) rural residential parcel within the Secondary Agricultural Area. A 0.4 ha (1 ac) parcel, irregular in shape, would be retained with an existing dwelling, garage and shipping containers.

The subject proposal would create a new, vacant lot within a provincially and locally significant wetland. Further, the new lot does not maintain the required minimum 30 m buffer from a key hydrological features, as required by the Growth Plan. As provincial policy does not permit lot creation within a provincially significant wetlands and requires a minimum 30 m vegetative buffer, planning staff are of the opinion that this proposal is not consistent with Provincial policy.

Planning Staff do not support this application as this application is not consistent with the Provincial Policy and does not conform to the County Official Plan.

PLACES TO GROW (2020): The Growth Plan for the Greater Golden Horseshoe, 2019, came into effect on May 16, 2019. The result of changes to the Growth Plan means the natural heritage system policies and the agricultural system mapping will not apply until fully incorporated into the County's Official Plan. All planning decisions are required to conform with the Growth Plan.

The proposed severed lot is located within a Key Hydrologic Feature, which is identified as a wetland. Section 4.2.4 requires that the proposed severed parcel to maintain a minimum 30 m vegetation protection zone from this feature; whereas both the proposed severed and retained parcels are located within the vegetation protection zone.

PROVINCIAL POLICY STATEMENT (PPS): Section 2.1.4 of the PPS directs that development and site alteration shall not be permitted within significant wetlands. Development and site alteration shall not be permitted adjacent to these features unless no negative impacts to the features are identified. Section 2.1.5 further directs that development is not permitted within significant woodlands unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. Section 3.1 of the PPS generally directs development to areas outside of hazardous lands. If this application is approved, a condition that any concerns of the conservation authority are addressed is recommended.

Section 2.3.3.3 of the PPS states new land uses, including the creation of lots and new or expanding livestock facilities, shall comply with the Minimum Distance Separation (MDS) Formulae. MDS calculations were completed using a Type B land use. For the barn at Concession 3 Part Lot 1, the calculation requires a setback of 390 m, whereas as setback of approximately 211 m is proposed. Regarding the barn located at 6501 Roszell Rd, the calculation requires a setback of 264 m, whereas a setback of approximately 126 m is proposed. If this application is approved, it is recommended that MDS compliance be addressed through a condition.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated as SECONDARY AGRICULTURAL, CORE GREENLANDS and GREENLANDS within the County of Wellington Official Plan. Identified features include significant woodlands, wetlands, and Provincially Significant Wetlands, flood plain, and GRCA hazard lands. The proposed severed parcel is located within the SECONDARY AGRICULTURAL designation and the CORE GREENLANDS and GREENLANDS Designation. The lot is proposed within all of the aforementioned features.

Section 10.2.1 does not allow new lots within the Greenland System unless certain items are met, including item a) "the lot has sufficient area outside the Core Greenland System for all its intended functions including suitable buffering and includes core greenland areas only to provide for logical boundaries" and item d) "there will be no negative impacts on natural features or their ecological functions". An environmental impact study has not been submitted in support of this application; however, the applicant has identified a buildable area. Comments from the Grand River Conservation Authority should also be considered.

According to Section 10.4.4, one new residential lot may be allowed from a parcel of land within the Secondary Agricultural designation, which existed on March 1, 2005, subject to the following criteria:



- a) The lot generally meets a 0.4 ha minimum lot size and is not larger than needed to accommodate the intended residential use, consisting of the dwelling, accessory buildings and uses, and individual sewage and water services, while taking into account site constraints such as grading, sightlines, natural heritage features, hazardous lands, and Minimum Distance Separation requirements;
- b) The accessory buildings referred to in a) above may include a hobby barn, subject to local regulations;
- c) The lot has access to an open public road;
- d) The residential use will not hinder or preclude the present use or future potential for agricultural or mineral aggregate operations;
- e) The residential use is compatible with surrounding development;
- f) The use is well removed from any settlement boundary;
- g) The lands have been owned by the applicant for at least five years.

No new lots have been created on the parcel since March 1, 2005 and the lands have been owned by the applicant for over 5 years.

In regards to item f), we note the proposed lot is adjacent to the City of Cambridge boundary. Section 4.7 contains policies regarding maintaining a distinct urban-rural boundary. Generally, the County of Wellington views consent applications to create one new lot adjacent to an urban centre or hamlet to be minor development for the purposes of the Official Plan policy, provided urban area expansion is not impeded.

The matters under section 10.1.3 were also considered including item k) 'that the size and shape of proposed lots is suitable, including frontage, area and the proportion of frontage to depth'; item m) 'that all new lots shall have logical lot lines given existing lot patterns in the area, natural and human-made features and other appropriate considerations', item h) 'that natural heritage features are not affected negatively', and item p) "that provincial legislation and policies are met...".

In regards to items k and m, the current lot configuration does not represent logical lot lines, does not represent the lot fabric established in the area, and the shape of the retained lot is irregular. In regards to item m) there is concern with the proposed development within the Greenlands System.

WELL HEAD PROTECTION AREA: The subject property is located in Wellhead Protection Area D with a vulnerability score of 4 and is located within an Issue Contributing Area.

LOCAL ZONING BY-LAW: The subject property is zoned Agriculture (A) Zone, Natural Environment (NE) Zone, and contains the Environmental Protection Zone Overlay. The proposed severed parcel is located within the A Zone, NE Zone, and the EP Overlay. The proposed severed and retained lots meet the minimum lot frontage and area requirements of the A Zone.

It is noted that there is an existing garage on the proposed retained parcel as well as two shipping containers. The applicant has provided the size of the garage as 139.4 m², however further information is required to confirm that zoning compliance can be achieved for all accessory buildings. If this application is approved, a zoning compliance condition is proposed by staff.

SITE VISIT INFORMATION: The subject property was visited and photographed on January 6th, 2023. Notice Cards were posted and the survey sketch appears to meet the application requirements.

Joanna Salsberg, B.A., M.PL.
Planner
January 17th, 2023

MUNICIPALITY COMMENTING FORM

The Planning and Land Division Committee, in considering the following application, respectfully requests input from the municipality. The application and sketch are enclosed for your information.

APPLICANT	FILE NO. 143-22	LOCATION OF SUBJECT LANDS
Audrey Geier 4851 Townline Road Cambridge N3C 2V3		Township of Puslinch Part Lot 1 Concession 3

Proposed severance is 0.64 hectares with 37.5 meters frontage vacant land for proposed rural residential use.

Retained parcel is 0.4 hectares with 33.7 meters frontage, existing and proposed rural residential use with existing dwelling and garage.

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 23-01-000-002-16100-0000

Does this description reasonably describe the parcel holdings? YES (x) NO ()
If answer is NO, please provide new information:

Do you consider this proposal to conform to your Official Plan? YES () NO ()

What Section(s) does it conform to or contravene? (Please specify)

Will the Severed Parcel comply with all requirements of the Zoning By-law? YES (x) NO ()

(Please Specify)

Will the Retained Parcel comply with all requirements of the Zoning By-law? YES (x) NO ()

(Please Specify)

If Necessary, would the Municipality be prepared to consider an Amendment to the Zoning By-law to permit the proposal to conform? YES () NO () N/A (x) or Minor Variance YES () NO () N/A (x)

Is proposal on an opened maintained year-round public road? YES (x) NO ()

If answer is NO, is municipality willing enter into an agreement regarding use of the seasonal road, or opening up the road?
(Please Specify)

Is the Proposed Lot (s) serviced now by Municipal Water YES () NO (x)

Is the Retained Lot serviced now by Municipal Water YES () NO (x)

Is the Proposed Lot(s) serviced now by Municipal Sewers YES () NO (x)

Is the Retained Lot serviced now by Municipal Sewers YES () NO (x)

Is there a Capital Works Project underway to service these lots in the near future? YES () NO (x)

Approximate Time of Servicing Availability:

Are there any other servicing arrangements, Municipal Easements OR Municipal Drains on the subject lands?

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JAN 11 2023
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

MUNICIPALITY COMMENTING FORM

FILE NO.: B143-22

Is the Municipality's Building Official satisfied that there is a sufficient site on the severed parcel for individual well and septic services?

YES (X) NO ()

Is there any further information that may assist the Planning and Land Division Committee?
(A letter may be attached if there is insufficient space to explain)

The Committee supports the application, subject to the condition(s) listed below.

Is the Municipality in support of this application? YES (x) NO ()

What Conditions, if any, are requested by the Municipality if the Consent is Granted?

1. That the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (including taxes paid in full and Consent Review/Condition Clearance fee) which the Township may deem to be necessary at the time of issuance of the Certificate of Consent for the property and orderly development of the subject lands. Any fees incurred by the Township for the review of this application will be the responsibility of the applicant; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
2. If the County of Wellington Land Division Committee requires the lot line between the severed and retained lands to be regularized, the Owner will need to obtain zoning compliance for the reduced lot area of the retained parcel; 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. If the County of Wellington Land Division Committee requires the lot line between the severed and retained lands to be regularized, the Owner will be required to provide a Hydrogeological Study, at the Owner's expense, to the Township of Puslinch for the purpose of a peer review by the Township's Hydrogeologist; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee, a letter of clearance of this condition.
4. That the Owner shall be required to enter into an agreement with the Township for the purpose of having the Hydrogeological Study peer reviewed to the satisfaction of the Township of Puslinch and that the owner shall be responsible for any Township costs associated with the review of the Hydrogeological Study; and further that Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
5. That the Owner obtain zoning compliance for the garage located on the retained parcel to ensure that it meets the maximum permitted lot coverage for accessory buildings to the satisfaction of the Township; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
6. That the owner obtain zoning compliance for the shipping containers located on the retained lands to the satisfaction of the Township; 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.
7. That the owner confirm the well type (drilled/dug) on the lands to be retained to the satisfaction of the Township; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
8. That the owner confirm that Hydro One or the owner of the hydro lines has no concerns with the overhead hydro lines on the severed lands, and/or if there is an existing easement to the satisfaction of the Township; 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.
- 9.. That the owner confirm the soil permeability in the area of the future septic bed to ensure it can be serviced by septic within the envelope proposed to the satisfaction of the Township; 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.

Does the Municipality request a Notice of the Decision? YES (x) NO ()

SIGNATURE _____

Lynne Banks

TITLE	<u>Development & Legislative Coordinator</u>
ADDRESS	<u>7404 Wellington Road 34, Puslinch N0B 2J0</u>
DATE	<u>January 10, 2023</u>



Administration Centre: 400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6

Phone: 519-621-2761 Toll free: 1-866-900-4722 Fax: 519-621-4844 www.grandriver.ca

January 5, 2022
Via email

Deborah Turchet, Secretary Treasurer
County of Wellington Land Division Committee
74 Woolwich Street
Guelph, ON, N1H 3T9

Dear Ms. Turchet,

Re: Application File No. B143-22
4851 Townline Road, Township of Puslinch
Applicant: Audrey Geier

RECEIVED

JAN 06 2023

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Grand River Conservation Authority (GRCA) staff has reviewed the above-noted Application for Consent for a proposed 0.64 hectare severance for rural residential use at 4851 Townline Road in the Township of Puslinch.

Recommendation

The GRCA has no objection to the proposed Consent Application.

GRCA Comments

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

Information currently available at this office suggests that the lands to be severed include a portion of the Puslinch Lake Irish Creek Provincially Significant Wetland (PSW) Complex, the regulated floodplain of Irish Creek as well as the lands adjacent to these features. Any future development on the severed or retained lands within the regulated area will require prior written approval from the GRCA in the form of a permit pursuant to Ontario Regulation 150/06. From our review, we believe that the proposed severance would not impact on the natural hazards and would not provide opportunity for additional build development in or adjacent the hazards. As such, we have no objection to the proposal.

GRCA offers the following comments for consent application B143-22:

1. The consent application states that the land to be severed is not within a floodplain. GRCA mapping (attached) shows a portion of the Irish Creek floodplain within the lands to be severed. The floodplain at this location has a Regulatory Flood Elevation (RFE) of **297.22m CGVD28**. Information available at this office suggests that the proposed development envelope will not impact on the floodplain at this elevation, however, GRCA recommends including this RFE on severance drawings.

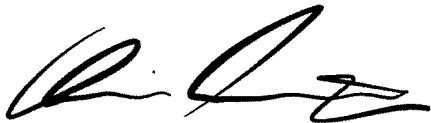
2. If future development proposals cannot maintain a 30 metre buffer from the wetland limit, GRCA may require further assessment of potential impacts to the wetland that may result from development.

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

We wish to acknowledge receipt of the applicable plan review fee in the amount of \$445.

Should you have any questions, please contact me at 519-621-2763 ext. 2236 or at clorenz@grandriver.ca.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chris Lorenz', with a stylized flourish at the end.

Chris Lorenz, M.Sc.
Resource Planner
Grand River Conservation Authority

Enclosed: GRCA Resource Mapping

Copy: Audrey Geier (via email)
JV Planning & Development c/o Jennifer Voss (via email)
Township of Puslinch (via email)



Grand River
Conservation Authority
Date: Dec 09, 2022
Author: ah

B143-22 - 4851 Townline Road

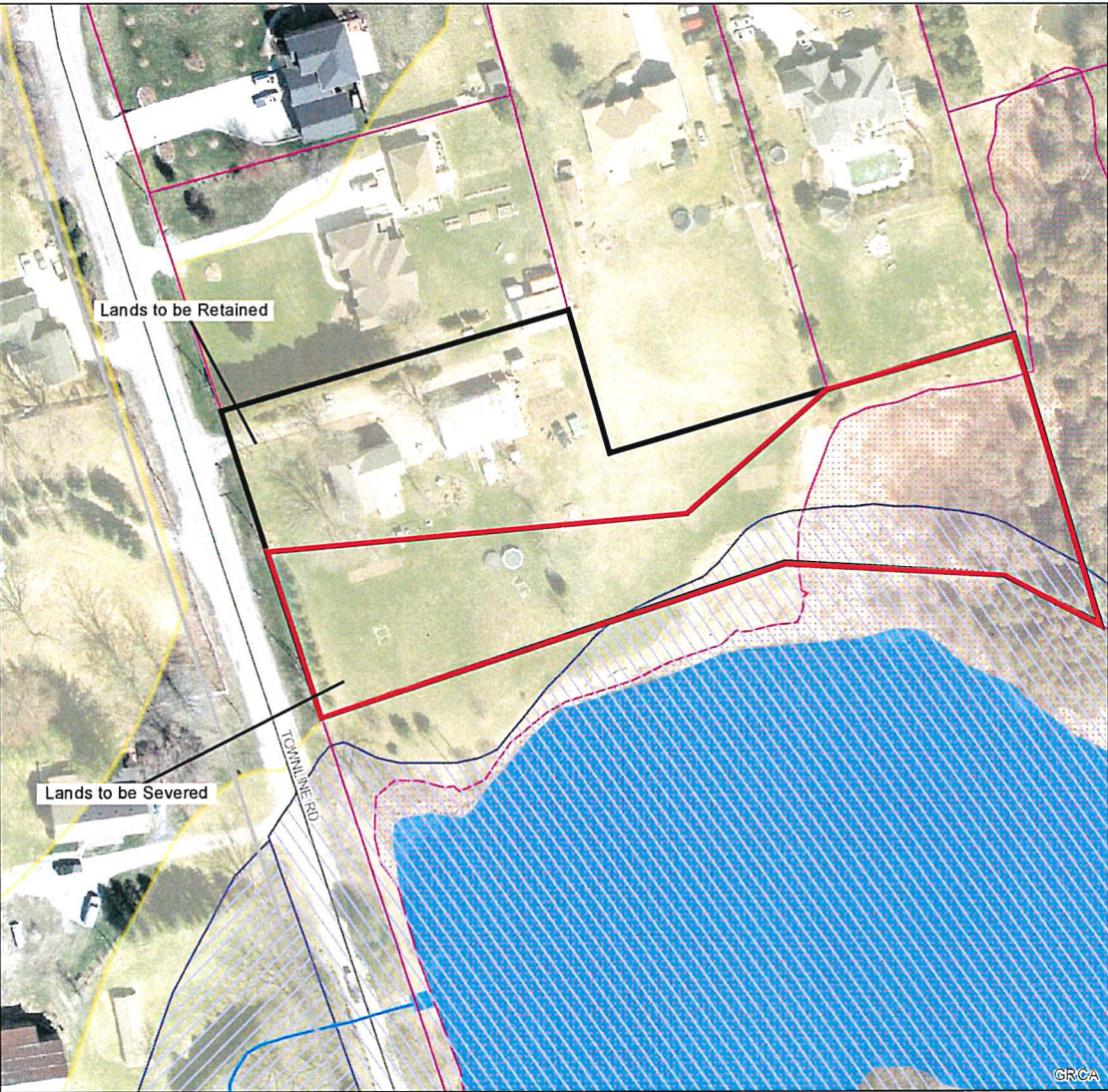


Legend

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

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

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



Map Centre (UTM NAD83 z17): 557,096.15 4,811,050.01

This map is not to be used for navigation | 2020 Ortho (ON)

GRCA

Jana Poechman

From: Source Water <sourcewater@centrewellington.ca>
Sent: Monday, November 7, 2022 12:00 PM
To: Jana Poechman
Cc: Source Water
Subject: RE: B143-22 - Screening Form
Attachments: WHPA_Map_Townline_4851.pdf

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you know the contents to be safe.

Hello Jana,

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

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

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

Kind regards,
Danielle

Danielle Walker (she/ her) | Source Protection Coordinator

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

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

From: Jana Poechman <janap@wellington.ca>
Sent: October 31, 2022 3:28 PM
To: Source Water <sourcewater@centrewellington.ca>
Subject: B143-22 - Screening Form

Hi Danielle.

This is an application for the February LDC. So, the circulation date will be December 8th.

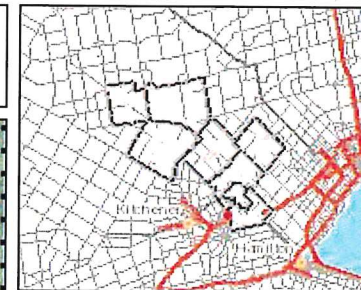
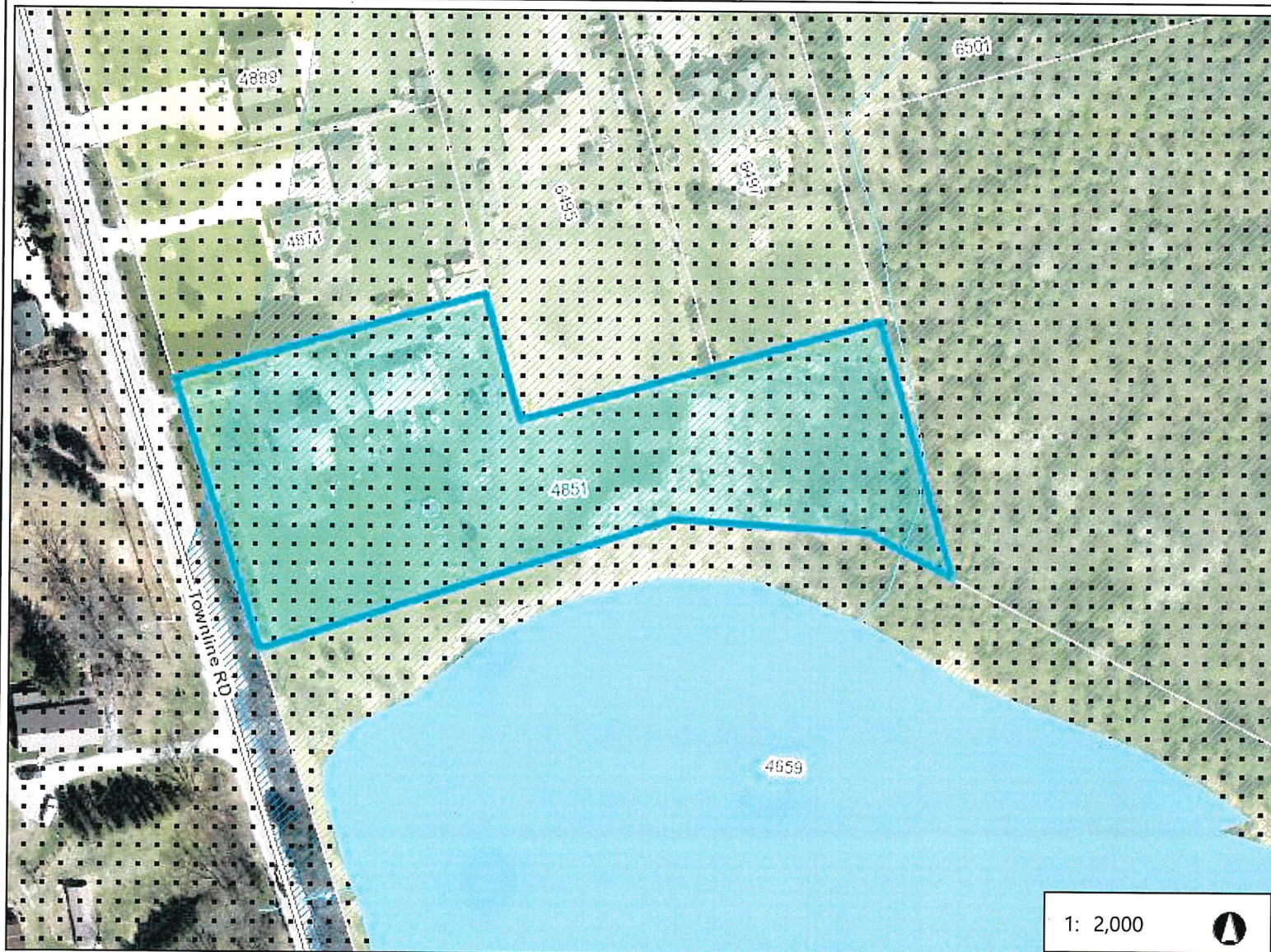
Thanks.
Jana

Jana Poechman
Planning Administrative Clerk
Planning and Development Department
County of Wellington
74 Woolwich Street
Guelph ON N1H 3T9
T 519.837.2600 x 2170
E janap@wellington.ca



Explore
Wellington

4851 Townline Road, Puslinch



Legend

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

0.1 0 0.05 0.1 Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
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This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
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THIS IS NOT SURVEY DATA. Parcels - Teranet 2002, Wellington County 2022

Notes

Jana Poechman

From: Joanna Salsberg
Sent: Friday, December 23, 2022 10:03 AM
To: Jana Poechman
Subject: FW: Consent Application B143-22 for 4851 Townline Road

Hi Jana,

Please see comments from Cambridge regarding an access for consent application B143-22 for the CityView file.

Thanks,

Joanna

Joanna Salsberg, B.A., M.PL.
She/Her/Hers
Planner
Planning and Development Department
County of Wellington
74 Woolwich Street
Guelph ON N1H 3T9
T 519.837.2600 x 2380
E joannasal@wellington.ca
W www.wellington.ca

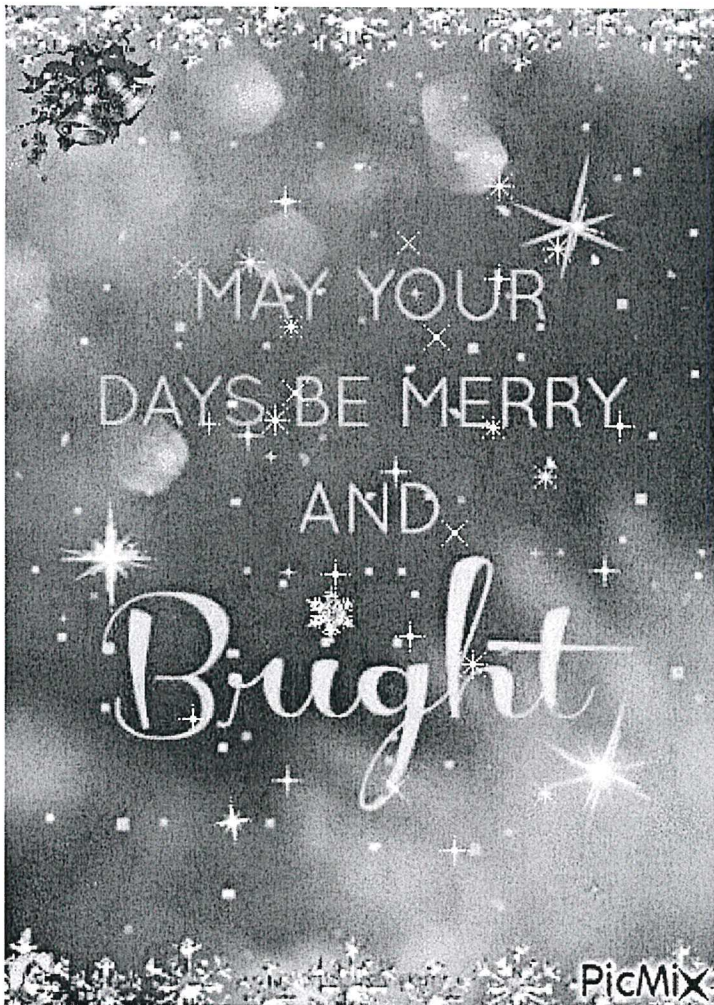
From: Erica Calder <caldern@cambridge.ca>
Sent: Friday, December 23, 2022 9:30 AM
To: Joanna Salsberg <joannasal@wellington.ca>
Subject: RE: Consent Application B143-22 for 4851 Townline Road

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you know the contents to be safe.

Good morning Joanna,

I've reached out to our Transportation Engineering section and they have confirmed that no road widening conditions exist, only that an access permit is needed where an access on this section of road is proposed to be removed, altered or constructed. You can contact Jason Leach (correspondence below) if additional information is needed. Hope this is helpful and let me know if you have any questions!

Merry Christmas! Felicitations! All the Best in 2023!



Erica Calder | Planner 1
Community Development
E: Caldern@cambridge.ca
P: 519-623-1340, 4661



City Hall • 50 Dickson St • Cambridge ON • N1R 5W8 • PO Box 669

From: Jason Leach <LeachJ@cambridge.ca>
Sent: Thursday, December 22, 2022 4:18 PM
To: Erica Calder <caldern@cambridge.ca>
Subject: RE: Consent Application B143-22 for 4851 Townline Road

Hi Erica,

Please advise the Township of the following **condition regarding access** to Townline Rd in this section. There are no road widening conditions.

That an access permit be obtained from the City of Cambridge prior to the removal of, alteration to or construction of any new accesses. The application for an access permit can be found on the City's website at www.cambridge.ca.

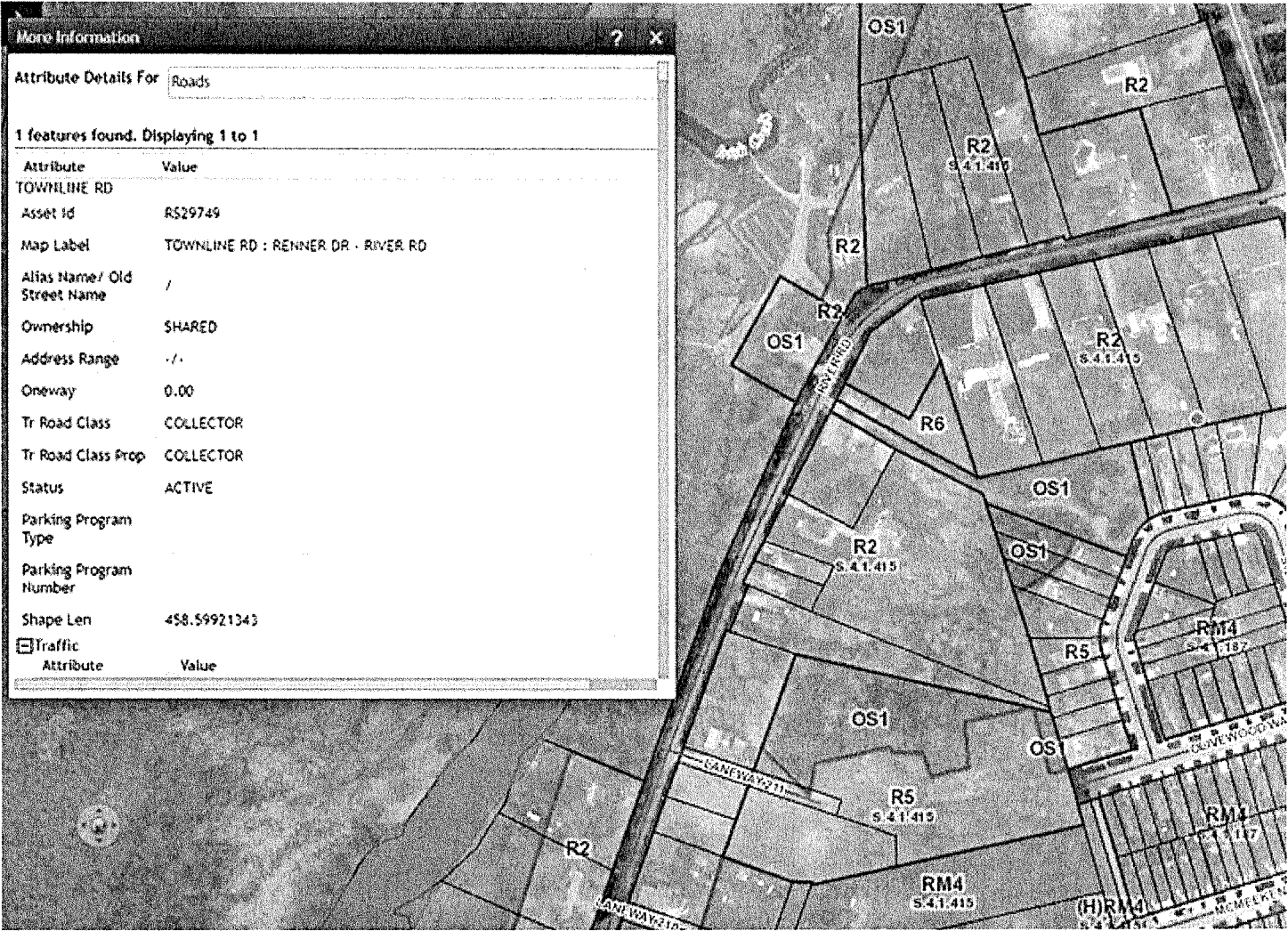
Jason Leach, C.E.T.
Senior Transportation Engineering Technologist
Engineering & Transportation Services

From: Erica Calder <caldern@cambridge.ca>
Sent: December 21, 2022 6:23 PM
To: Jason Leach <LeachJ@cambridge.ca>
Subject: FW: Consent Application B143-22 for 4851 Townline Road

Hi Jason!

Wondering if your team has information on this? See screenshot. Thank you!

Erica



From: Joanna Salsberg <joannasal@wellington.ca>
Sent: Wednesday, December 21, 2022 2:46 PM
To: Planning <Planning@cambridge.ca>
Subject: [External] Consent Application B143-22 for 4851 Townline Road

Hello,

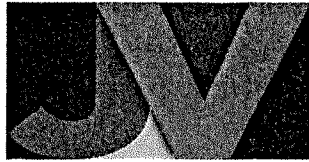
I am hoping to touch base with a Planner from Cambridge regarding a severance application we have received in Wellington County at 4851 Townline Road (Application No. 143-22) in the Township of Puslinch. It is my understanding that the City of Cambridge maintains this portion of Townline Road and I wanted to see if the City is contemplating any conditions at this time regarding access and regarding items like required road widenings? It would be helpful to know if any road widenings are required as the proposed retained lot is only just meeting the minimum lot area requirements of the Township of Puslinch’s zoning by-law currently.

I can follow up with further application details including the sketch/submitted application form.

Thanks,

Joanna

Joanna Salsberg, B.A., M.PL.
She/Her/Hers
Planner
Planning and Development Department
County of Wellington
74 Woolwich Street
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PLANNING
& DEVELOPMENT
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October 28, 2022

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

Dear Turchet:

RE: Proposed Application for Consent – New Lot Severance – 4851 Townline Road, Part of Lot 1, Concession 3, Township of Puslinch, County of Wellington, Audrey Geier

Please find enclosed a completed Application for Consent for the above noted property. Also enclosed are the following to form a complete application submission:

- One (1) cheque in the amount of \$4,720 payable to the Treasurer of Wellington County for the Consent Application fee.
- One (1) cheque in the amount of \$445.00 payable to the Grand River Conservation Authority (GRCA) for the Conservation Authority's review fee.
- Two (2) original sketches illustrating the proposed severance completed by Van Harten Surveying Inc..
- A copy of the current property owner's deed.
- A completed Drinking Water Source Protection Screening form.

The subject lands are located on the east side of Townline Road, just south of Roszell Road in the Township of Puslinch. The area of the subject lands are approximately 1.04 hectares (2.6 acres) with approximately 71 metres (233 feet) of frontage. The applicant is proposing to sever a 0.64 hectare (1.6 acre) vacant parcel with 37.5 metres of frontage for the construction of a future single detached dwelling. The retained lands are 0.4 hectares with 33.7 metres of frontage and contain a single detached dwelling, detached garage, septic system and well.

The subject property is designated Secondary Agricultural, Greenlands and Core Greenlands within the County of Wellington Official Plan and are zoned Agricultural and Natural Environment. Both the proposed retained and severed parcels meet the minimum lot area and frontage requirements of the Agricultural zone.

Based on the analysis provided below, it is my opinion that the application is consistent with the Provincial Policy Statement (PPS), conforms with 'A Place to Grow': Growth Plan for the Greater Golden Horseshoe, conforms with the policy direction set out in the Wellington County Official Plan regarding the creation of a lot within a secondary agricultural area and meets the intent of the Zoning By-law.

Provincial Policy Statement, 2020

The PPS provides policy direction on matters of provincial interest related to land use planning and development. In conjunction with municipal official plans which are recognized as the most important vehicle for the implementation of the PPS, the PPS promotes healthy, livable and safe communities through efficient use of land throughout the province. The relevant PPS policies related to this proposal are reviewed below.

Section 1.0 – Building Strong Healthy Communities promotes the building of strong, healthy communities and includes policies that support efficient land use and development patterns that avoid environmental and public health and safety issues to facilitate economic growth. Policy 1.1.5.2 (c) indicates that permitted uses on rural lands include residential development, including lot creation, that is locally appropriate.

Section 2.1 outlines the policies pertaining to natural heritage, highlighting natural features and areas that shall be protected for the long term. Policy 2.1.5 states that development site alteration shall not be permitted in significant wetlands unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

The severed parcel contains a portion of a GRCA regulated provincially significant wetland. Prior to determining the proposed lot configuration, the applicant consulted the GRCA who advised that new lot lines through regulated features without technical studies will generally not be supported. Further, any future development within the regulated 30 metre setback from the wetland will be required to demonstrate no negative impacts on the natural feature.

Based on this input, the new lot line was designed such that it would not go through the portion of the wetland feature located at the rear of the subject lands and that the proposed severed lands can accommodate a suitability sized building envelope outside of the 30 metre setback. As demonstrated, the proposed lot maintains a 30 metre setback from the wetland such that it is feasible to construct a future rural residential use outside of the regulated setback.

Consistent with the PPS, the proposed consent application will facilitate the creation of a new rural residential lot which will maximize the efficiency of the subject lands. The configuration of the proposed new lot is intended to allow for a future rural residential use to be located outside of the regulated wetland setback to avoid any negative environmental impacts.

Growth Plan for the Greater Golden Horseshoe

The Growth Plan for the Greater Golden Horseshoe 2020 (“Growth Plan”) directs growth and development to specified areas throughout the Greater Golden Horseshoe (“GGH”). More broadly, the Growth Plan provides a range of policy directions based on the principle of requiring growth at a minimum density of persons and jobs per hectare, and to support development that results in improved utilization of existing infrastructure and land.

Although the Growth Plan directs municipalities to focus the majority of their growth within settlement areas where full municipal services are available, the Growth Plan recognizes that strong, healthy and prosperous rural communities are vital to the economic success of the GGH. Although growth is intended to be limited in rural settlements not serviced by existing or planned municipal water and wastewater systems, new lots for residential development may be permitted on rural lands where permitted in a local official Plan.

As indicated below, the proposed severance conforms with the policy direction set out in the Wellington County Official Plan regarding the creation of a lot within a secondary agricultural area. The proposed severance advances the policy objectives of the Growth Plan by optimizing the use of land in an area with existing public infrastructure.

Wellington County Official Plan

As previously indicated, the subject lands are designated Secondary Agricultural in addition to Greenlands and Core Greenlands within the County of Wellington Official Plan. The sections of the Official Plan that are most relevant to the proposed severance are reviewed below.

Part 10 – Creating New Lots states that the creation of new lots is the responsibility of the County of Wellington through sub-divisions, consents and part lot control. In approving new lots by any means, the County strives to ensure that the natural environment and resources are protected, public services are used efficiently, good community design is promoted, and health and safety issues are addressed.

Policy 10.1.3 outlines a number of general criteria when considering new lot creation by subdivision, consent or part lot control. This application satisfies the following relevant criteria:

- The new lot is consistent with official plan policies and zoning regulations.
- The lot can be adequately serviced by an individual well and septic system and is located on a year-round maintained municipal road.
- The lot will have safe driveway access to an all-season maintained public road.
- Natural resources such as agricultural lands and mineral aggregates would not be affected adversely.
- The size and shape of proposed lot is suitable, including frontage, area and the proportion of frontage to depth.
- The proposed lot and future rural residential use are compatible with the existing surrounding residential uses.
- The new lot line is logical given the location of the natural heritage feature and existing lot pattern. The existing southerly lot line is irregular following the limits of the adjacent wetland. Comparably, the new lot line was specifically designed to provide for sufficient area outside the Core Greenland System to accommodate an appropriately sized building envelope while maintaining a 30-metre setback from the GRCA regulated wetland. The retained lands contain adequate area to accommodate the existing buildings, septic system and well.
- Provincial legislation and policies are met, including the PPS and Places to Grow.

Policy 10.4.1 states that lot creation in secondary agricultural areas may be allowed for residential uses. Residential lots created under this section contribute to and are anticipated by the growth strategy of the Official Plan.

According to Policy 10.4.4, one new residential lot may be allowed from a parcel of land existing on March 1, 2005, subject to the following criteria:

- a) the lot generally meets a 0.4 ha minimum lot size and is not larger than needed to accommodate the intended residential use, consisting of the dwelling, accessory buildings and uses, and individual sewage and water services, while taking into account site constraints such as grading, sightlines, natural heritage features, hazardous lands, and Minimum Distance Separation requirements.
- b) the accessory buildings referred to in a) above may include a hobby barn, subject to local regulations.
- c) the lot has access to an open public road.
- d) the residential use will not hinder or preclude the present use or future potential for agricultural or mineral aggregate operations.
- e) the residential use is compatible with surrounding development.
- f) the use is well removed from any settlement area boundary.
- g) the lands have been owned by the applicant for at least 5 years.

The proposed severance satisfies the criteria of the County Official Plan as follows:

- No new lots have been created on the parcel since March 1, 2005.
- The subject lands have been owned by the applicant for over 5 years, being acquired on July 29, 2005.
- The lot meets the 0.4 hectare minimum lot size, is not larger than needed to accommodate the intended residential use and takes into account site constraints related to the protection of the adjacent natural heritage feature.
- The lot has access to an open public road.
- The residential use is compatible with the surrounding development.
- The use is well removed from any settlement boundary.

Township of Puslinch Zoning By-law

The subject property is zoned Agricultural (A) and Natural Environment (NE). The proposed severed and retained lands meet the minimum lot frontage and area requirements of the Agricultural zone.

We look forward to appearing before the County of Wellington Planning and Land Division Committee in the near future. Should you require additional information or require clarification on any of the above noted items, please do not hesitate to contact me via email at jvoss@shimco.com or 226-339-3304.

Regards,



Jennifer Voss, MCIP, RPP



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