



Corporation of the County of Wellington

Land Division Committee

Minutes

November 9, 2023

9:00 am

County Administration Centre

Keith Room

Present: Warden Andy Lennox
Councillor James Seeley (Chair)
Councillor Michael Dehn
Councillor Mary Lloyd

Regrets: Councillor Shawn Watters

Staff: Zachary Prince, Senior Development Planner
Jessica Rahim, Senior Planner
Deborah Turchet, Coordinator, Secretary-Treasurer, Land Division

1. Call to Order

At 9:00 a.m., the Chair called the meeting to order.

2. Declaration of Pecuniary Interest

There were no declarations of pecuniary interest.

3. Approval of Minutes of Land Division Proceedings

Moved by: Councillor Dehn

Seconded by: Councillor Lloyd

THAT the minutes of October 12, 2023 be approved as circulated.

Carried

4. Considerations of Applications

4.1 Applications Recommended to be Expedited

Moved by: Councillor Lloyd

Seconded by: Warden Lennox

THAT the applications recommended to be Expedited are approved as circulated.

Carried

4.1.1 B67-23 - E and J Real Estate Holdings Inc.

4.2 Applications for Consideration

4.2.1 B64-23 - Kyle and Penelope Swenor - Erin

Appearing Before the Committee: Kyle Swenor – owner; Jeff Buisman – agent; Jessica Rahim – P&D Staff No neighbour representation

Public Hearing Notes: Land Division Committee considered aerial views and pictures of the site and written reports;

Jessica Rahim – application before the Committee regarding neighbour concerns that severed lot not set back enough; this application does meet policy setbacks; barns on sideroad 27 – preliminary measurements done and determined with municipality accurate setbacks achieved; concern with expansion but this lot would not be considered. J. Buisman – driveway – safe entrance; 30m from wetland feature; hydro line goes to back of property; attempts for MDS forms completed – condition to apply; fits with policies; Warden Lennox – MDS – Condition #5.

(4-0)

4.2.2 B66-23 - Eric Van Grootheest and Wayne Van Veen - Centre Wellington

In Attendance: Eric Van Grootheest & Wayne Van Veen – owners; Jeff Buisman, agent; Jessica Rahim – P&D Staff; no neighbour representation.

Jessica Rahim – application before the Committee for neighbour concerns with proposed development on the retained parcel; technically applicant could request a building now; proposed is zoned agricultural – one dwelling permitted; J. Buisman – two flagged shaped lots; merge the agricultural – one larger parcel; enough room for the driveway entrance; GRCA currently reviewing a study; slope stability study being done – good solid earth – is stable; site plan done; shown to Committee – driveway; room for house for Wayne; zoned agricultural – not a multi use; on septic and well; M. Dehn – existing access across drainage? E. Van Grootheest –

used to be municipal ditch; neighbours had culvert flattened out; raise three inches; M. Dehn – says channel on sketch; E. Van Grootheest – existed since 60's; M. Lloyd – two driveways? – will entrance be large enough to accommodate; V. Grootheest – 21' is more than adequate; chances are to continue to use as one; M. Lloyd – is a neighbour concern – traffic; J. Buisman – technically could do this now; this just makes sense for the properties; J. Seeley – current use to share – if one opts to sell and if driveway not amicable – co-responsibility for the use; question need for easement agreement; J. Rahim – wide enough now for two separate entrances; could do a double wide drive; Warden Lennox – what is current entrance? J. Buisman – currently there is a jog; Warden Lennox – will it be uniform from the street? J. Buisman – taking the jog out – will be straight line; 12m all the way through to back; J. Seeley – comments – GRCA – Slope stability study? J. Buisman – is a condition of the severance; confident study is positive; M. Lloyd – good to explain this is one residence; J. Seeley – if it was a multi unit, it's a development; E. Van Grootheest – one dwelling; Warden Lennox – use makes sense – straddles the urban boundary; don't expect expansion in this area – tidies it up; J. Seeley – good fit in urban boundary

(4-0)

4.2.3 B28-23 - Susan and Jerry Auger - Puslinch

In Attendance: Susan & Jerry Auger – owners; Hugh Handy, agent; Shannon Davison, Aboud & Associates; Zachary Prince – P&D Staff; Neighbours – Brigitte & Mercedes Strachan; Gary & Pauline Helsby; Lisa Laird

Zachary Prince – application before the Committee regarding neighbour concerns; application previously deferred; EIS was peer reviewed; sketch was amended to meet setbacks; with updates – proposal meets policies; staff have no concerns; in the EIS recommendations made for replanting; GRCA – could be addressed through their permitting process; need permit to build a home and then incorporate in the permit; H. Handy – reason for deferral – reviewed Environmental concerns; Starky Hill and Shed (neighbours) for horses; amended the size of lot to accommodate the 30m setback; Shannon Davison from Aboud & Associates have done EIS – has been peer reviewed; location chosen for amenity area; woodlands, pond, driveway – safe access point given approval by municipality; preliminary verbal approval; is a condition of consent; GRCA concerns with access to Starky Hill – there is a post wire fence existing – no access; J. Seeley – GRCA – private landowners; H. Handy – minor variances to meet frontage; MDS of animal units – Helsby's is an existing shed to turn into more of an agricultural use; feel this meets policies of authorities; J. Auger – presentation of proposal; minimize tree removal;

preserve landscape; no change to drainage ditch; frontage has been cleaned up; there has been no degradation of drainage; removal of trees 9 years ago – removal of buckthorn; have restored and enhanced lands; obtained permission to remove butternut; next to Helsby's was dead tree removal; have replanted to deter the buckthorn; respect setbacks and top of bank; setback – privacy red pine plantations; proactive steps; white pines will thrive on soil; proposed building lot replant; area will need to be rehabilitated with the build; minimal impact on Heritage; no adverse effects; prioritize environmental long term stability; (attached presentation #1); M. Strachan – concern is run off from Starky Hill – goes on Strachan property; were told not to allow alteration – concern is driveway across – will it flood our area? B. Strachan – was a ditch dug but if water – will it effect septic? H. Handy – not a municipal drain; J. Auger – when cleared the right side – natural driveway flat area and that's why we chose that area; J. Seeley – EIS – just trees? S. Davison – not a hydrogeological study – recommend trees and shrubs planting to stop water before the drainage ditch; G. Helsby – like the neighbours – here three years; wanted a hobby farm with family; neighbours have spectacular land; here today because of farm proposal; past issues with farms and residential uses of our family members; concern with related uses; MDS created to address to allow neighbours to live together; don't want Country Estate beside our barn – not a shed – farm part of original settlement; have removed all the old fence line and will replace the fence; refer to 6 conditions (attached presentation #2); concerns when peer review done; tree removal; golden horseshoe growth plan – key features all exist on this land; site alteration not permitted on Heritage System and key hydrologic features require natural heritage evaluation vegetative zone is area between ditch/stream/channel; within 16m part of this runs through zone; need further study; communication with MNR – lack of information in this area doesn't mean there are no Natural Heritage Features; Environmental sensitive area – driveway along wetland does not have 30m setback; did application to expand our home for additional family space and GRCA would not allow us to go further back because of area water source protection across ours and neighbouring property; this still exists on ours and neighbour property; MDS concerns – is it most critical environment and ecology most important; believe the Marsh bird study inadequate; additional review and study needed; as a resident – see more than 10 hours of study time; MDS – minor variance to location of existing barn 565' calculation; OMAFRA made aware and don't encourage minor variances to allow anything beyond; all efforts to not set precedent; J. Seeley – MDS minor variance are applied for; G. Helsby – don't believe a driveway of length and estate should be proposed and environmental; J. Seeley – Heritage Plan, Greenlands, vegetative zone looked at; Z. Prince – yes, 30m setback;

Growth Plan – wetland highest protection; area for home has tree removal and not wetland; J. Seeley – source water? Has been reviewed as not significant; MDS farm? – history prior to 2022? Z. Prince – not totally clear; originally built as a barn in the 1980's – small building and fencing; J. Seeley – MDS applicable with what there now? 170m; Z. Prince – Type 1 land use; intention is various – cow, sheep and chickens – area based on – not unreasonable; Type B use because of residential in area; J. Seeley – currently not livestock there now – would this be on Helsby to meet with hobby farm? Z. Prince – if animals in there tomorrow – ok – building exists; if expansion in future need to meet requirements; barn as existing reasonable to house livestock; J. Seeley – apply for MDS minor variance; Z. Prince – flexibility – if over 1 ha of land can identify building envelope; could meet at 19m; variety of factors – size of barn; J. Seeley – process – approved based on driveway – goes to municipality and if denied gets appealed – this could cost money; current configuration MDS 171m; existing homes at 100m; you and your applicant aware? H. Handy – building envelope further set back; no intention to be next to barn; J. Seeley – if granted – does not impact as other homes in area; Warden Lennox – MDS1 – new lot creation – propose homes far enough away to minimize conflict; MDS2 – make sure existing farm operation does not impact residential; granting variance for new lot and stops expansion of barn; properties change hands and land use conflict arise; this situation difficult – chicken/egg – if don't grant or do grant – variance; not comfortable ; not the decision authority – if granted; J. Seeley – need faith in Committee to make this; M. Dehn – GRCA – building lot? Z. Prince – permit process covers; M. Lloyd – housing crisis vs agricultural; OMAFRA trying to protect farming industry; difficult as a hobby farm – not same level of manure protection – farms have better protection; are we setting this up as a future conflict? Warden Lennox – EIS – has been peer reviewed by Township and GRACA; they are ok? S. Davison – yes; comments were received; more detailed submission given and was ok'd; Warden Lennox – any other building location available? S. Davison – there is no other location for this; Warden Lennox – why extended? J. Auger – escarpment at the back – felt top of bank be included in piece of land; H. Handy – EIS was peer reviewed before Committee considered; scale of EIS – protect all areas; Secondary Agricultural; scales of operation in this case to be considered; in past – neighbour application for consent - the previous severance on Helsby's indicated this building as a shed. J. Seeley – previous owners identified this as a shed? Got consent; Agricultural is important – Hume Road has a lot of development; hobby farm – need to prove to Municipal Committee that MDS can be met to proposed use; housing crisis; Warden Lennox – what was building lot size? Z. Prince – 1.8 ha;

(2-2) - DEFEATED

5. Adjournment

At 10:30 a.m., the Chair adjourned the meeting until Thursday, December 7, 2023

James Seeley - Chair

Deborah Turchet - Secretary Treasurer