

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: 07/22/2021 EXPEDITED

File Number: B24-21

Applicant: Jeffrey Born & Vicki Dickson

Subject Lands: Township of Puslinch - Part Lot 15, Concession 10

Proposal is a request for consent to convey fee simple for a proposed rural residential lot - 0.4 ha, 67.37m fr. (Part 1 on sketch) T/W an existing 10.5m wide Hydro easement; retained being 22.07 ha

SUMMARY of FILED REPORTS and COMMENTS:

Planning Review Notice cards were posted at time of site visit; application is consistent with Provincial Policy -

MDS relief for the barn located on the retained has been met through minor variance; and generally conforms to Official Plan - Secondary Agricultural - no new lots have been created since March 1, 2005 and have been owned by applicant over 5 years; proposed severed lands

are located outside of any environmental features; no concerns

Miscellaneous Nancy Shoemaker, agent - cover letter

Source Water activities as indicated would not create a significant drinking water threat - application can be

screened out and does not require notice under the Clean Water Act.

Grand River CA no objections to consent application - staff do not anticipate any negative impacts to natural

hazard and natural heritage features as a result of proposed severance

Township of in support of application; conforms with zoning; municipal building official satisfied there is

Puslinch sufficient site on severed for individual well and septic services; conditions to apply

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".
- THAT the Solicitor for the Owner give an 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 B24-21.
- 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.
- THAT the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (included but not limited to Taxes paid in full and Consent Review/Condition Clearance Fee) which the Township of Puslinch may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands. Any fees incurred by the Township for thereview 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.
- THAT the Owner obtain an approved Entrance Permit verifying safe access and sie lines on the severed parcel from the Township of Puslinch; and further that the Township of Puslinch file a letter of clearance of this condition with the Secretary-Treasurer of the Planning and Land Division Committee as written proof of fulfillment of this condition.
- 7) **THAT** servicing can be accommodated on the severed lands to the satisfaction of the local municipality; 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.
- THAT an adequate drainage plan be provided that details a suitable building envelope and driveway that does not negatively impact the natural drainage flow from the area across the property, including any required culvert crossing the natural drainage course; and that the owner be responsible for any Township costs associated with the review of the drainage plan; 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.

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

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

July 5, 2021

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 B24-21

APPLICANT

Jeffrey Born & Vicki Dickson 4614 Concession 14 Puslinch N0B 2J0

LOCATION OF SUBJECT LANDS

Township of Puslinch Part Lot 15 Concession 10

Proposed severance is 4039.3 square metres with 46.37m frontage (Part 1 on sketch), existing paddock area for proposed rural residential use

Retained parcel is 22.07 hectares with 109.85m frontage, existing and proposed residential and agricultural use with existing dwelling and storage building with 5 animal stalls.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY**, **JULY 22**, **2021** for the purpose of considering this **EXPEDITED APPLICATION**.

CONSIDERATION: County of Wellington Administration Centre

NOTICE is being sent to you for your information. THE OWNER, APPLICANT OR AUTHORIZED AGENT, OR AUTHORIZED SOLICITOR IS NOT REQUIRED TO ATTEND. MAKE SURE THAT THE AGREEMENT LETTER IS SIGNED AND RETURNED TO THE PLANNING AND LAND DIVISION COMMITTEE OFFICE.

<u>Please also be advised</u> 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.

<u>Additional Information</u> 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: Jeffrey Born & Vicki Dickson

BSR&D Limited - c/o Nancy Shoemaker



Application

B24/21

Location

Part Lot 15, Concession 10 TOWNSHIP OF PUSLINCH

Applicant/Owner

Jeffery Born and Vicki Dickson

PLANNING OPINION: This application would sever a vacant 0.4 ha (1 ac) parcel as a rural residential lot. A 22.1 ha (54.6 ac) parcel would be retained with an existing dwelling, garage and barn. The severed and retained lots are subject to an existing 10.5 m wide Hydro easement.

This application is consistent with Provincial Policy and would generally conform to the Official Plan. We have no concerns provided the following matters are addressed as conditions of approval:

- a) That driveway access can be provided to the severed lands to the satisfaction of the of the appropriate road authority; and
- b) That servicing can be accommodated on the severed lands to the satisfaction of the local municipality.

A PLACE TO GROW: No concerns.

PROVINCIAL POLICY STATEMENT (PPS): 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 minimum distance separation formulae. Farm data sheets have been provided, the applicant has obtained MDS relief for the barn located on the retained lands through minor variance (D13/BOR). Due to the approved minor variance, MDS is considered to be met.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated as SECONDARY AGRICULTURAL, GREENLANDS AND CORE GREENLANDS. Identified features include wetlands and provincially significant wetlands. The proposed severed lands are located outside of any environmental features.

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
- 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;
- The residential use is compatible with surrounding development;
- 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. The matter in Section 10.1.3 were also considered, including item h).

WELL HEAD PROTECTION AREA: The subject property is located within a Wellhead Protection Area B with Vulnerability Score 8, and Wellhead Protection Area D with a Vulnerability Score of 2.

LOCAL ZONING BY-LAW: The subject property is currently zoned Agriculture (A), Natural Environment (NE) Zone and subject to the Environmental Protection Overlay. The lands proposed to be severed are entirely zoned as A Zone and meets the minimum lot area and lot frontage requirements of the zoning By-law. However, relief for the minimum lot area of the retained lands was required and has since been addressed through approval of a minor variance application (D13/BOR).

SITE VISIT INFORMATION: The subject property was visited and photographed on June 11th, 2021. Notice Cards were posted and the survey sketch appears to meet the application requirements.

Zach Prince, RPP MCIP, Senior Planner

June 30th, 2021

AMENDED

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.

FILE NO. B24-21

APPLICANT

LOCATION OF SUBJECT LANDS

Jeffrey Born & Vicki Dickson 4614 Concession 11 Township of Puslinch Part Lot 15, Concession 10 Puslinch

Proposed severance is 4039.3 square meters with 46.37 meters frontage (Part 1 on sketch), existing paddock area for proposed rural residential use.

Retained parcel is 22.07 hectares with 109.85 meters frontage, existing and proposed residential land agricultural use with existing dwelling and storage building with 5 animal stalls.

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 23-01-000-008-06700-0000
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) Owner has already received minor variance approval for the reduced MDS
Will the Retained Parcel comply with all requirements of the Zoning By-law? YES (x) NO (x)
(Please Specify) Owner has already received minor variance approval for the reduced lot frontage
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?

Page Two:

MUNICIPALITY COMMENTING FORM

FILE NO.: B24-21

	lity's Building Official satisfied that there is a sufficient site on the severed parcel for individual
well and septic	YES (x) NO ()
Is there any fur	ther information that may assist the Planning and Land Division Committee? (A letter may be attached if there is insufficient space to explain)
The Committee	e supports the application.
Is the Municipa	lity in support of this application? YES (x) NO ()
What Condition	is, if any, are requested by the Municipality if the Consent is Granted?
(includi deem t orderly applica	e Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise ing taxes paid in full and Consent Review/Condition Clearance fee) which the Township may o be necessary at the time of issuance of the Certificate of Consent for the property and development of the subject lands. Any fees incurred by the Township for the review of this tion will be the responsibility of the applicant; and further that the Township of Puslinch file a Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of Indition.
2. That th	e Owner obtain an approved Entrance Permit verifying safe access and site lines on the
severe	d parcel from the Township of Puslinch; and further that the Township file with the Secretary- rer of the Planning and Land Division Committee a letter of clearance of this condition.
that do any red	n adequate drainage plan be provided that details a suitable building envelope and driveway es not negatively impact the natural drainage flow from the area across the property, including quired culvert crossing the natural drainage course; and that the owner be responsible for any hip costs associated with the review of the drainage plan.
Does the Munic	cipality request a Notice of the Decision? YES (x) NO ()
	Lypere Banks
SIGNATURE	
TITLE	Development & Legislative Coordinator
ADDRESS	7404 Wellington Road 34, Puslinch N0B 2J0
DATE	July 13, 2021



Phone: 519.621.2761 Toll free: 866.900.4722 Fax: 519.621.4844 Online: www.grandriver.ca

PLAN REVIEW REPORT: County of Wellington, Planning & Land Division Committee
Deborah Turchet, Secretary-Treasurer

DATE: June 21, 2021 **YOUR FILE:** B24-21

RE: Application for Consent B24-21

4614 Concession 11, Township of Puslinch

Jeffrey Born & Vicki Dickson

GRCA COMMENT:*

The Grand River Conservation Authority (GRCA) has no objection to the above-noted consent application.

BACKGROUND:

1. Resource Issues:

Information currently available at this office indicates that the retained parcel contains watercourses, floodplain, wetlands and the regulated allowance adjacent to these features. The lands to be severed do not contain any features of interest to the GRCA.

2. Legislative/Policy Requirements and Implications:

Portions of the retained parcel contain natural heritage features and natural hazards that are identified by the Provincial Policy Statement (PPS, 2020). A portion of the retained parcel is also identified as Core Greenlands in the County of Wellington Official Plan.

GRCA staff do not anticipate any negative impacts to the natural hazard and natural heritage features as a result of the proposed severance. As such, the GRCA has no objection to the proposed consent application.

Due to the presence of the above-noted features, portions of the subject lands are regulated by the GRCA under Ontario Regulation 150/06 - Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation. Any future development or other alteration within the regulated area will require prior written approval from the GRCA in the form of a permit pursuant to Ontario Regulation 150/06.

3. Additional Information/Suggestions provided in an advisory capacity:

We wish to acknowledge receipt of the applicable plan review fee in the amount of \$430.00 for the processing of this application.

JUN 3 0 2021

\\grfs\files\Resource Management Division\Resource Planning\\Wellington\Puslinch\2021\Severance\B24-21 - 4614 Page 1 of 2
Concession 11\B24-21 - 4614 Concession 11 - GRCA Comments.docx SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

We trust the above information is of assistance. Should you have any further questions, please contact me at 519-621-2763 ext. 2228.

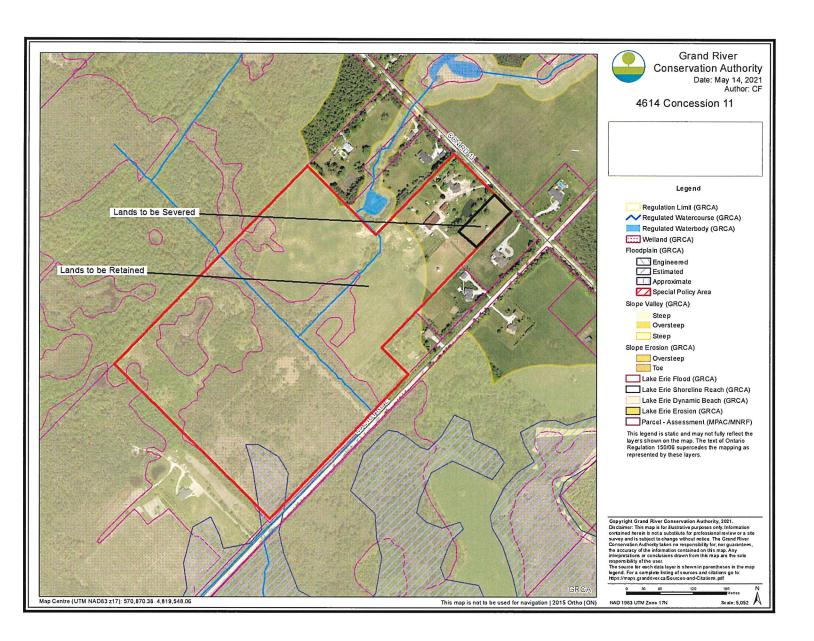
Yours truly,

Andrew Herreman, CPT Resource Planning Technician Grand River Conservation Authority

Encl (1)

c.c. Jeffrey Born & Vicki Dickson (via email only)
Nancy Shoemaker, BSR&D (via email only)
Township of Puslinch (via email only)

* These comments are respectfully submitted to the Committee and reflect the resource concerns within the scope and mandate of the Grand River Conservation Authority.



Jana Poechman

From:

Source Water <sourcewater@centrewellington.ca>

Sent:

Tuesday, May 4, 2021 9:31 AM

To:

Jana Poechman

Cc:

Source Water

Subject:

RE: B24-21 - Screening Form

Attachments:

WHPA_Map_Concession 11_4614.pdf

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

Hi 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.

Emily Vandermeulen | Risk Management Inspector / Source Protection Coordinator

Wellington Source Water Protection | 7444 Wellington Road 21, Elora, ON, NOB 1S0 519.846.9691 x365 | evandermeulen@centrewellington.ca | www.wellingtonwater.ca Toll free: 1.844.383.9800

Wellington Source Water Protection's offices are located in the Township of Centre Wellington offices. Centre Wellington has moved to a province wide shutdown. All Township facilities are closed for public use however many departments are offering most services electronically and scheduling appointments for services that cannot be delivered remotely. With the proper protocols in place, we are working to deliver services in a timely manner, however, you may still experience some delays or disruptions.

Phones will continue to be answered between the hours of 8:30 a.m. and 4:30 p.m., Monday-Friday at 519-846-9691, general email inquiries can be sent to clerks@centrewellington.ca and service requests such as purchasing of dog tags and burn permits are available online at www.centrewellington.ca/permits.

This is a rapidly evolving situation; discussions and decisions are ongoing. Any changes in operations will be communicated and posted to the Townships website at www.centrewellington.ca/emergencyplanning and our social media platforms, www.facebook.com/CentreWellington and Twitter www.facebook.com/CentreWellington

From: Jana Poechman [mailto:janap@wellington.ca]

Sent: April 29, 2021 10:52 AM

To: Emily Vandermeulen <EVandermeulen@centrewellington.ca>; Kyle Davis <KDavis@centrewellington.ca>

Cc: Source Water < sourcewater@centrewellington.ca>

Subject: B24-21 - Screening Form

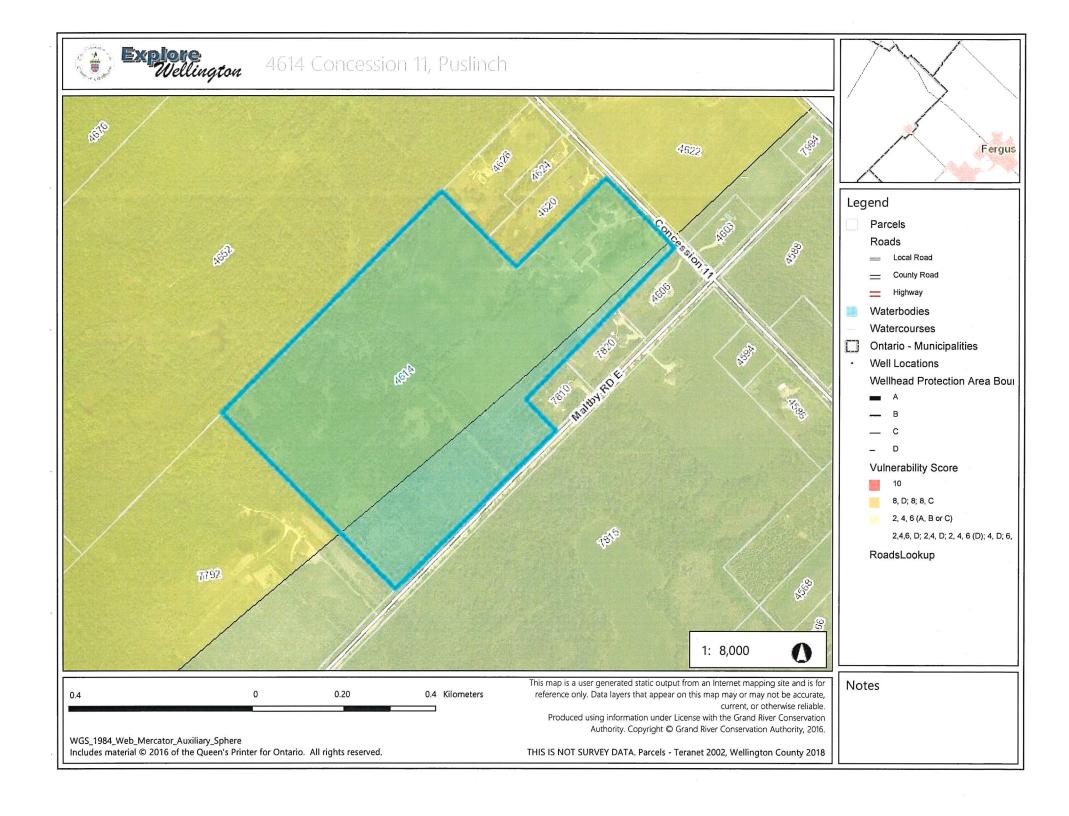
Good Morning.

Please see the attached consent application for your review. We plan to circulate May 13th if possible.

Thanks.

lana

Jana Poechman
Planning Administrative Clerk
Planning and Development Department
County of Wellington
74 Woolwich Street





April 21, 2021

Re:

Project: 21-14-365

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

Attention: Ms. Turchet

Proposed Consent- 4614 Concession 11

Part of Lot 15, Concession 10, Township of Puslinch



APR 2 8 2021

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMENTER

Please find enclosed a completed "Application for Consent" for the above-noted property. Also enclosed is a cheque in the amount of \$4,630.00 payable to the County of Wellington and a cheque payable to the Grand River Conservation Authority in the amount of \$430.00 to cover processing fees. Jeffrey Gordon Born and Vicki Marguerite Dickson purchased the property in 2014. A copy of their deed is attached (WC407328). Also included is a sketch illustrating the proposed severance and a Source Water Protection Screening Form.

The parcel to be severed from this property will have a frontage of 46.37 metres along the west side of Concession 11 and an overall lot area of 0.4039.3 hectares. This parcel is currently vacant. The retained parcel contains a single detached dwelling, a barn that includes 5 animal stals and storage, a septic system and well. It will have a frontage of 109.85 metres and an overall lot area of 22.07 hectares.

This property is designated Secondary Agricultural in the County's Official Plan and is zoned Agricultural. Both the severed and retained parcels will meet the requirements set out in the Township of Puslinch Zoning By-law, save for the following:

- 1) A minor variance was approved by Puslinch Committee of Adjustment to allow a reduced lot frontage (109 m) for the retained parcel;
- A reduced MDS of 54.8 m for the new lot. A copy of the decision is attached. The County provided the MDS calculation as part of the review of the minor variances.

The proposed severance meets the policies of the County Official Plan. One new lot for residential purposes may be allowed from a parcel of land existing on March 1, 2005, and this application satisfies the following criteria:

- the lot meets a 0.4 ha minimum lot size
- the lot has access to an open public road;
- the residential use is compatible with surrounding development;
- the use is well removed from any settlement area boundary; and
- the lands have been owned by the applicant for at least 5 years.

I have asked the Township to prepare the list of property owners within 60 metres of the application. Should you have any questions, please do not hesitate to call me.

Yours very truly

BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED

Attachments

Copy: Jeffrey Gordon Born and Vicki Marguerite Dickson

Surveying | Mapping | GIS

Unit 101- 257 Woodlawn Road West | Guelph | Ontario | N1H 8J1 T: [519] 822-4031 | F: [519] 822-1220

www.jdbarnes.com