



MINUTES

MEMBERS PRESENT

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

MEMBERS ABSENT

None

OTHERS IN ATTENDANCE

Lynne Banks, Development and Legislative Coordinator
Meagan Ferris, Sr. Planner, County of Wellington
Jeff Buisman, Van Harten Surveying Inc.

1. OPENING REMARKS

The meeting was called to order at 7:00 pm. The Chair welcomed the gallery to the Committee of Adjustment and informed the gallery 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: Deep Basi

That the Minutes of the Committee of Adjustment meetings held Tuesday, October 8, 2019 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 D13/FER – Anthony and Barbara Ann Fera

Property described as Part Lot 15, Concession Gore, 3982 Wellington Road 35, Township of Puslinch.

Requesting relief from provisions of Zoning By-Law #19/85, as amended, to permit a reduced MDS1 setback from the barn on the proposed retained parcel to the proposed severed parcel to be 97 metres instead of 233 metres.

- Jeff Buisman, agent for the applicant, provided an overview of the application and reviewed the MDS guidelines, advised that the application involves a Type "B" MDS. He further noted that there is no conflict with the barn located across the road from the property since the barn is already existing. He also noted that the application is new so MDS comes into play and that the GRCA had no objections to the severance.
- There were no questions or comments from the public.
- Dennis O'Connor asked if both barns on the property are staying in operation.
- Jeff Buisman advised that they are.

- Dennis O'Connor asked if the land is sold would the barns need to be reconfigured for other animals
- Jeff Buisman advised that the barns are set up for horses and no modifications are planned or needed.
- Deep Basi asked if the proposed retained parcel is sold would there be odours from the barn.
- Jeff Buisman advised that it meets the MDS tests based on type and animal units
- Paul Sadhra asked if the 97 metres the least amount of distance or could the lot be made tighter to the yard, possibly be made 100 metres.
- Jeff Buisman advised that the land is already developed and the distinct is 128 metres to the house.
- John Sepulis asked Meagan Ferris if the GRCA is okay with the MDS and the County asks for deferral due to the growth plan, who has authority for the minor variance.
- Meagan Ferris advised that the County has overall authority but would rely heavily on comments from any of the commenting authorities
- John Sepulis asked if the County recommends deferral, then how can the lot be reconfigured to be 30 metres from the wetlands.
- Meagan Ferris advised that it might be possible to take the wetlands with the retained parcel and have a larger lot
- John Sepulis then discussed with the Committee and noted to the Committee that they are obligated to make a decision to approve or defer the application.
- Dennis O'Connor noted that any dispute will come to the Township based on its decision.
- Dan Kennedy stated that 97 metres is too much compaction.
- There were no further questions or comments.

The Committee voted on the motion with all opposed.

That Application D13/FER requesting relief from provisions of Zoning By-Law #19/85, as amended, to permit a reduced MDS1 setback from the barn on the proposed retained parcel to the proposed severed parcel to be 97 metres instead of 233 metres be denied.

The request is hereby **Denied** for the following reasons:

1. If the land is sold at a later date, the new owner(s) might have an issue with any odours from the barn.
2. If a new owner purchases the property, he could not expand the barn.

4(b) Minor Variance Application D13/KUP – Brenda Kupferschmidt

Property described as Lot 13, Concession 3, 4597 Sideroad 12, Township of Puslinch.

Requesting relief from provisions of Zoning By-Law #19/85, as amended, to permit a reduced MDS1 setback from the barn on the proposed retained parcel to the proposed severed parcel to be 256 metres instead of 346 metres.

- Jeff Buisman, agent for the applicant, provided an overview of the application and noted that future barn expansion is not an issue as any changes to the severed parcel won't affect the MDS.
- There were no questions or comments from the public.
- Dan Kennedy asked if the existing house located on the left of the retained lands have any effect on the property.
- Meagan Ferris advised that the MDS2 would be calculated from the closed dwelling and has already been taken into consideration.
- Joh Sepulis asked Meagan Ferris if the GRCA and the County are satisfied with the 30 metre buffer.
- Meagan Ferris advised that the County is not in support of the lot configuration as it is not consistent with provincial policies.
- John Sepulis asked if a buffer could be created

- Meagan Ferris advised that the County would like to have a 30 metre buffer, but not create a “swath” through the lot, and again stated that the county would like to see the lot cut off a bit to meet the 30 metre buffer and provincial policies.
- There were no further questions or comments.

That Application D13/KUP requesting relief from provisions of Zoning By-Law #19/85, as amended, to permit a reduced MDS1 setback from the barn on the proposed retained parcel to the proposed severed parcel to be 256 metres instead of 346 metres.

The Committee voted on the motion with all in favour.

The request is hereby **Approved with the following condition.**

1. That approval of the minor variance is subject to the County granting a severance application for the property.

4(c) Minor Variance Application D13/FRA – Diego Franco & Angie Alegre

Property described as Lot 8, Concession Gore, being Part 1 on 61R-21171, Gore Road, Puslinch.

Requesting relief from provisions of Zoning By-Law #19/85, as amended, to permit relief of 5.38 metres for a proposed setback of 21.62 metres from the centreline of the road instead of 27 metres, as required.

- The owner provided an overview of the application.
- There were no public comments or questions.
- John Sepulis asked if the severance has been approved.
- Meagan Ferris advised that it has been approved.
- There were no further comments or questions.

That Application D13/FRA requesting relief from provisions of Zoning By-Law #19/85, as amended, to permit relief of 5.38 metres for a proposed setback of 21.62 metres from the centreline of the road instead of 27 metres, as required.

The request is hereby Approved with no conditions.

The Committee voted on the motion with all in favour.

5. OTHER MATTERS

- None.

6. ADJOURNMENT

Moved by: Dennis O'Connor

Seconded by: Deep Basi

The Committee of Adjustment meeting adjourned at 7:47 p.m. CARRIED