

TOWNSHIP OF PUSLINCH
COMMITTEE OF ADJUSTMENT

MINUTES

Date: Tuesday, January 19, 2010

Time: 10:00 a.m.

The First Regular 2010 Committee of Adjustment Meeting was held on the above noted date and called to order at 10:00 a.m. in the Municipal Office, Aberfoyle.

ATTENDANCE: All members of the Committee as well as the Secretary were present.

APPOINTMENT OF CHAIRMAN:

Motion #1: MOVED by Barb McKay and SECONDED by Beverley Nykamp;
THAT: *Robert Gordon* is hereby appointed as Chairman for the
Committee for Adjustment.
CARRIED.

OTHERS IN ATTENDANCE:

1. Lillian Scott
2. David DeCorso
3. Marc Jowett
4. Hans Groh

ADOPTION OF THE MINUTES:

Motion #2: MOVED by Barb McKay and SECONDED by Beverley Nykamp;
THAT: The Minutes of the Ninth Regular 2009 Committee of Adjustment
meeting dated December 15, 2009 and the reconvened Ninth Meeting
dated December 23, 2009 be and are hereby adopted as presented.
CARRIED.

BUSINESS ARISING OUT OF THE MINUTES:

Nil.

**DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE
THEREOF:**

Nil.

BUSINESS:

1. A1/2010: 2081900 ONTARIO INC. (DeCORSO)
7660 Maltby Road East
Part Lots 14 & 15, Concession 9
Purpose: Relief from provisions of Zoning By-law #19/85, Resort Commercial
Zone, Section (14)(4)(1). The special provisions section uses allow for “an
existing single-detached dwelling”. Applicants are requesting permission
to demolish the existing dwelling and replace it with a new dwelling in
approximately the same footprint. Relief being requested is to replace a
deteriorating dwelling with a new dwelling.

The Secretary provided the following correspondence to the Committee with regard to this application:

- i) County of Wellington letter dated November 16, 2009 wherein Sarah Wilhelm advises that they have no concerns with this request provided that the following condition is applied: ‘*That the variance applies only to permit a replacement dwelling substantially in conformity with the building footprint reflected on the site plan prepared by Covell Design dated November 19, 2009.*’

Mr. David DeCorso attended the meeting and explained that the Golf Course is going through the site plan approval stage at this time. The existing house is approximately 50 years old and is in need of some major repairs. Mr. DeCorso would like to replace the house due to the deteriorating condition rather than repair it. This proposal is more wording than a major zoning issue.

Motion #3: MOVED by Barb McKay and SECONDED by Beverley Nykamp;
 THAT: The Committee of Adjustment after considering the criteria when deciding a Minor Variance Application does give Application #A1/2010 (2081900 ONTARIO INC. – DECORSO), relief from provisions of Zoning By-law #19/85, Resort Commercial Zone, Section (14)(4)(1). The special provisions section uses allow for 'an existing single-detached dwelling'. Applicants are requesting permission to demolish the existing dwelling and replace it with a new dwelling in approximately the same footprint. Relief being requested is to replace a deteriorating dwelling with a new dwelling. Relief is granted subject to the following condition:
 1. That the variance applies only to permit a replacement dwelling substantially in conformity with the building footprint reflected on the site plan prepared by Covell Design dated November 19, 2009 (as attached).
 CARRIED.

2. A2/2010: Richard McKILLOP & Tina Marie MACKEY
 30 Seifert Court
 Lot 15, Vacant Land Condominium 110
Purpose: Relief from provisions of Zoning By-law #19/85, Resort Residential Zone, Section (7)(3)(d). The by-law requires interior side yard width (minimum) of 2 metres and the applicant only has 1.6 metre on the one side. Applicants are requesting relief from the side yard minimum provision to allow the one side yard to have only 1.6 metres. Total relief being requested is .4 metres side yard.

The Secretary provided the following correspondence to the Committee with regard to this application:

- i) County of Wellington letter dated January 13, 2010 wherein Sarah Wilhelm advises the County has no concerns with this application.
- ii) Grand River Conservation Authority plan review report dated January 19, 2010 wherein Liz Yerex advises that GRCA has no objection to this proposal.

Unfortunately, no one was in attendance for this application. The Secretary advised that the Township Building Department requested as built drawings be provided and the need to relief was discovered then.

Motion #4: MOVED by Beverley Nykamp and SECONDED by Barb McKay;
 THAT : The Committee of Adjustment after considering the criteria when deciding a Minor Variance Application does hereby give Application #A2/10 (McKILLOP/MACKEY), relief from provisions of Zoning By-law #19/85, Resort Residential Zone, Section (&)(3)(d). The by-law requires interior side yard width (minimum) of 2 metres and the applicant only has 1.6 metres on the one side. Applicants are requesting relief from the side yard minimum provision to allow the one side yard to have only 1.6 metres. Total relief being requested is .4 metres side yard.
 CARRIED.

3. A3/2010: Marc & Helen JOWETT
 16 Seifert Court
 Lot 19, Vacant Land Condominium 110

Purpose: Relief from provisions of Zoning By-law #19/85, General Provisions, Section 3(1)(d). The by-law requires minimum set-back of 2 metres to any lot line for an accessory building. Applicants are requesting relief from the minimum set-back to allow a 1.43 meter set-back for the frame pool house. Total relief being requesting is .57 metres set-back.

The Secretary provided the following correspondence to the Committee with regard to this application:

- i) County of Wellington letter dated January 1, 2010 wherein Sarah Wilhelm advises that the County has no concerns with this request.
- ii) Grand River Conservation Authority plan review report dated January 18, 2010 wherein Liz Yerex advises that GRCA has no objection to this request.

Mr. Jowett attended the meeting and advised the Committee that when the landscaping work was done, the stakes were removed and re-installed in the wrong spot. The pool house was placed too close to the property line by mistake. The closest neighbour has a porch approximately 20' from the property line.

Motion #5: MOVED by Barb McKay and SECONDED by Beverley Nykamp; THAT : The Committee of Adjustment after considering the criteria when deciding a Minor Variance Application does hereby give Application #A3/10 (JOWETT), relief from provisions of Zoning By-law #19/85, General Provisions, Section 3(1)(d). The by-law requires minimum set-back of 2 metres to any lot line for an accessory building. Applicants are requesting relief from the minimum set-back to allow a 1.43 metre set-back for the frame pool house. Total relief being requested is .57 metres set-back.
CARRIED.

4. A4/2010: CORPORATION OF THE TOWNSHIP OF PUSLINCH
23 Brock Road South
Part Lot 21, Concession 7

Purpose: Relief from provisions of Zoning By-law #19/85, General Provisions, Section 3(18)(a). The by-law requires a minimum 27 metre set-back from the centreline of any road. Applicant cannot meet this set-back for a new recreational facility from Maple Leaf Lane (only has 14.5 metre set-back). Total relief being requested is 12.5 metre set-back from Maple Leaf Lane.

The Secretary provided the following correspondence to the Committee with regard to this application:

- i) County of Wellington letter dated January 13, 2010 wherein Sarah Wilhelm advises that the County has no concerns with this request.
- ii) Grand River Conservation Authority plan review report wherein Liz Yerex advises that GRCA has no objection to the minor variance request.
- iii) Rick & Lori Schnurr letter dated January 18, 2010 wherein as neighbours of the proposed new building they provide their concerns.

Mr. Hans Groh, Gamsby & Mannerow, attended the meeting on behalf of the Township. He explained that the MURF is replacing Shed #1 at the Puslinch Community Centre. This relief is required because there are two street lines. The new building will meet the set-back from Brock Road but does not meet set-back from Maple Leaf Lane. MURF Committee feels the positioning of the building is appropriate. Shed #1 was demolished and it was only 2 metres to the property line. The new building will take up some of the area of the volleyball court. It was hard to stay out of the floodplain. The site plan shows where the new proposed library will be; it will share a septic system; will require a minor variance as well.

Grand River Conservation Authority letter shows the old work she and shows the homes on Maple Leaf Lane. How much more activity will the MURF generate? MURF will be used year round whereas the grounds now were used predominantly only in the summer months. Vehicle traffic will be via Puslinch Community Centre parking lot only.

One of the neighbours has requested some additional landscaping along the fence line. The existing trees will remain. MURF landscaping will be done in the future (possibly thru fund-raising efforts). The light is also a concern due to the closeness of the houses and

directional lighting would be preferred. Two garage doors will face Maple Leaf Lane and no other man doors facing Maple Leaf Lane. The lighting there will be minimal. The ice rink lighting will be for the ice pad area only (suspended from ceiling). Plans and final design is still under discussion and the MURF Committee will continue to address concerns of the neighbours. Mr. & Mrs. Schurr’s letter will be forwarded to the MURF Committee.

Motion #6: MOVED by Beverley Nykamp and SECONDED by Barb McKay;
THAT: The Committee of Adjustment after considering the criteria when deciding a Minor Variance Application does hereby give Application #A4/10(TOWNSHIP OF PUSLINCH), relief from provisions of Zoning By-law #19/85, General Provisions, Section 3(18)(a). The by-law requires minimum 27metre set-back from the centerline of any road. Applicant cannot meet this set-back for a new recreational facility from Maple Leaf Lane (Only has 14.5 metre set-cack). Total relief being requested is 12.5 metres set-back from Maple Leaf Lane.
CARRIED.

OTHER BUSINESS:

Nil.

UNFINISHED BUSINESS:

Nil.

NEW BUSINESS:

Nil.

ADJOURNMENT:

Motion #7: MOVED by Barb McKay and SECONDED by Beverley Nykamp;
THAT : The Committee of Adjustment does hereby adjourn at 11:02 a.m.
CARRIED.

Chairman

Secretary

