



MINUTES

MEMBERS PRESENT:

Councillor John Sepulis, Chair
Dan Kennedy
Deep Basi
Dianne Paron

MEMBERS ABSENT:

Dennis O'Connor

OTHERS IN ATTENDANCE:

Kelly Patzer – Development Coordinator
Michelle Innocente – County of Wellington
Andrew Morgan
Isabelle Aubert

1. OPENING REMARKS

- The meeting was called to order at 7:00 pm. The Chair welcomed the gallery to the Committee of Adjustment meeting and informed the gallery 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 Deep Basi and Seconded by Dan Kennedy,

That the minutes of the Committee of Adjustment meeting held Tuesday July 11, 2017 be adopted.

CARRIED

4(a) **Minor Variance Application D13/MOR – Andrew Morgan** – Property described as CON 5 FRONT PT LOT 6, 4751 Wellington Road 32, Township of Puslinch.

Requesting relief from provisions of Zoning By-Law #19/85, as amended, to permit the construction of a detached garage with a maximum height of 9.4 metres (31 feet) on a property less than 1 hectare.

- Kelly Patzer outlined the application and that no objections were received from the circulated agencies or public. The County of Wellington Planning opinion stated that it did not consider the application minor and recommended two conditions of approval including that the accessory structure is only used for personal storage and cannot be used for business purposes or habitation.
- Kelly Patzer indicated there are regulations in the Zoning By-law that address the conditions but it is to the discretion of the committee to impose the conditions.
- Andrew Morgan, owner, shared a letter of support from neighbouring residents with the Committee. He indicated the future plan for the property is to plant large 10 foot trees along the north side of the property and 20 foot tall trees in the front and side yard.

- Andrew Morgan remarked he has a number of classic cars he has always worked on for his personal enjoyment. He works in automation and is away from his home approximately 70 hours a week and will not be using the garage for the purpose of a home occupation. He will not be using the loft for an accessory apartment and it will be used to store all of his spare car parts that were previously kept at a shop he rented.
- There were no comments or questions from the public.
- Dianne Paron stated the accessory building is 2½ times the size of the house which would not be considered accessory to the main house use.
- Andrew Morgan indicated that he plans to add a second story to his house in a year and currently has a building permit submitted for some minor modification to the house.
- Dianne Paron asked if the accessory building will have plumbing.
- Andrew Morgan indicated there is a rough-in for plumbing on the plans but they may be removed if there are septic capacity issues.
- Deep Basi noted concerns for the environment with the automotive use of the garage.
- Andrew Morgan remarked that there will be a trough built to a sump pit and the foundation walls will be 6" up from the floor so there will not be any contaminants leaking out of the building.
- Kelly Patzer stated the application was circulated to Source Water Protection for comments but none were received. Source Water Protection is again notified at Building Permit for any concerns to be addressed.
- John Sepulis asked Michelle Innocente for a review of County Planning's position.
- Michelle Innocente, Senior Planner County of Wellington noted the request is for a height 85% greater than the permitted height which is significant. The Agricultural zoning permits detached accessory buildings, but when you look at the definition of accessory in the zoning by-law it is described as incidental, subordinate and exclusively devoted to the main use on the property. Conditions of the variance were included to ensure the "accessory building" use stays accessory.
- Michelle Innocente addressed the desirability of the accessory building, remarking that it is challenging to assess if a building of the proposed scale is desirable for the property.
- John Sepulis questioned if the application for a significant change in height is not minor, would a rezoning be more appropriate.
- Michelle Innocente indicated that a rezoning application could be more appropriate for a substantial height increase of the accessory building.
- There were no further questions.

In the matter of Section 45 (1) of the Planning Act, as amended, and Comprehensive Zoning By-law 19/85 as amended, and an application for a minor variance requesting permission to:

1. Construct a detached garage with a maximum height of 9.4 metres (31 feet) on a property less than 1 hectare; whereas, Zoning By-law 19-85, Section 3.1(c) states no accessory building or structure in any zone shall exceed 5 metres in height.

The Committee all voted in opposition to the motion and the request is hereby **Denied**.

CARRIED

5. ADJOURNMENT

Moved by Deep Basi and Seconded by Dianne Paron,

The Committee of Adjustment meeting adjourned at 7:26 p.m.

CARRIED