



## MINUTES

### MEMBERS PRESENT:

Councillor John Sepulis, Chair  
Dan Kennedy  
Dennis O'Connor  
Dianne Paron

### MEMBERS ABSENT:

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### OTHERS IN ATTENDANCE:

Lynne Banks, Development and Legislative Coordinator  
Jessica Rahim, County Planning  
Jeff Buisman, Van Harten Surveying  
Lori Alfieri  
Kathy White  
Leslie Prier  
Peter Prier  
John Slood  
Dave Slood  
Ken Van Leeuwen

### 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

- John Sepulis declared a conflict of interest with respect to Item 4(a) Minor Variance Application D13/ALF – Lorri Alfieri – Property described as Part of Lot 21, Concession 2, 4467 Sideroad 20 North (Part 1, 61R-446), Township of Puslinch because he is within the circulation area.

### 3. APPROVAL OF MINUTES

Moved by: Dennis O'Connor

Seconded by: Dan Kennedy

That the Minutes of the Committee of Adjustment meetings held Tuesday, December 4, 2018 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/ALF – Lorri Alfieri** – Property described as Part of Lot 21, Concession 2, 4467 Sideroad 20 North (Part 1, 61R-446), Township of Puslinch .

Requesting relief from provisions of Zoning By-Law #19/85, as amended, requesting a reduced lot area to be 0.35 hectares instead of 0.40 hectares as required.

- John turned the Chair over to Dianne Paron and refrained from discussions on the matter.
- Lynne Banks outlined the application advised the notice requirements for the application had been met and that no objections were received from the circulated agencies or public. The County of Wellington Planning opinion stated that it considers the application minor and further stated that they will impose 3 conditions for the reduced lot site.
- Jeff Buisman of Van Harten Surveyors, consultant, provided an overview of the application and advised that the location of the entrances were reviewed with Don Creed, Township Director of Public works, that both properties will have new septic systems and that there is a severance application pending with the County.
- Dan Kennedy confirmed with Jeff Buisman that both properties will have new septic systems.
- Dennis O'Connor inquired where the locations would be for the driveways.
- Jeff Buisman provided an explanation of where the new driveways would be located.
- Dianne Paron inquired why the severance application states the reduced lot area to be 0.36 hectares and the minor variance application states the reduced lot area to be .035 hectares.
- Jeff Buisman indicated that it was rounded it down.
- Dianne Paron inquired what happens with the results of the reports required as a result of the conditions that the County will require.
- Jessica Rahim advised that they will be forwarded to Township staff for review with its consultant and provide comments.
- There were no further questions or comments.

Moved by: Dan Kennedy

Seconded by: Dennis O'Connor

That Application D13/ALF, providing relief from provisions of Zoning By-Law #19/85, as amended, requesting a reduced lot area to be 0.35 hectares instead of 0.40 hectares, is hereby **approved** with the following conditions:

- That a hydrogeological assessment and soil assessment be completed by a qualified professional, which demonstrates that the proposed reduced lot area will meet the technical recommendations of these studies, to the satisfaction of the Township.
- That a concept plan be submitted demonstrating that a building envelope, well and septic can be accommodated on the reduced lot area to the satisfaction of the Township.
- That the owner shall be responsible for any costs associated with the review of the hydrogeological assessment and soil assessment to the satisfaction of the Township.

Moved by: Dan Kennedy

Seconded by: Dennis O'Connor

CARRIED

**4(b) Minor Variance Application D13/VAN – Ken and Lynda VanLeeuwen –**  
Property described as Part of Lot 7, Concession 3, 6644 Wellington Road 34 (Part 1, 61R-4594, Township of Puslinch .

Requesting relief from provisions of Zoning By-Law #19/85, as amended, requesting a reduced lot area to be 0.35 hectares instead of 0.40 hectares as required.

- Lynne Banks outlined the application, advised the notice requirements for the application had been met and outlined the comments that were received from the circulated public. The County of Wellington Planning opinion stated that it considers the application minor and further stated that they will impose 3 conditions for the reduced lot site.
- Jeff Buisman of Van Harten Surveyors, consultant, provided an overview of the application.

- John Slout asked for clarification as to whether or not a minimum threshold is ever set for the setback reduction limit.
- Dianne Paron stated that if there are extenuating circumstances and there is no negative impact then it will be dealt with under the consent application.

Moved by: Dianne Paron

Seconded by: Dan Kennedy

That Application D13/VAN, providing relief from provisions of Zoning By-Law #19/85, as amended, requesting a reduced lot area to be 0.35 hectares instead of 0.40 hectares, is hereby **approved** with the following conditions:

- That a hydrogeological assessment and soil assessment be completed by a qualified professional, which demonstrates that the proposed reduced lot area will meet the technical recommendations of these studies, to the satisfaction of the Township.
- That a concept plan be submitted demonstrating that a building envelope, well and septic can be accommodated on the reduced lot area to the satisfaction of the Township.
- That the owner shall be responsible for any costs associated with the review of the hydrogeological assessment and soil assessment to the satisfaction of the Township.

CARRIED

**4(c) Minor Variance Application D13/PRI – Leslie Prier** – Property described as Part of Lot 20, Concession 4, 7000 Concession 4 (Part 1, 61R-8241, Township of Puslinch.

Requesting relief from provisions of Zoning By-Law #19/85, as amended, requesting a reduced MDS 1 setback from the barn at 4638 Sideroad 20 North to the severed parcel to be 345 metres instead of 420 metres as required.

- Lynne Banks outlined the application, advised the notice requirements for the application had been met and outlined the comments that were received from the circulated public.
- Jeff Buisman of Van Harten Surveyors, consultant, provided an overview of the application and outlined the 2 scenarios to determine if the MDS calculation is Type "A" or Type "B".
- Dan Kennedy inquired if any water testing was done, or will be done, for the wells located in the area.
- Jeff Buisman advised that the MDS is only for odour.
- Dennis O'Connor raised a concern that the odour from the poultry barn located at 4638 Sideroad 20 North may cause complaints from the landowner of the severed parcel.
- John Sepulis inquired what is the requirement for Type "A" MDS to come into effect versus Type "B" MDS.
- Jeff Buisman summarized the requirements for Type "A" versus Type "B".
- Jessica Rahim noted that the application meets the 4 test for a minor variance.
- John Sepulis advised that he supports the application because there are 3 other homes closer to the poultry barn than the applicant's home.
- Dennis O'Connor noted that he opposes approval of the application.

Moved by: Dan Kennedy

Seconded by: Dianne Paron

That Application D13/PRI, providing relief from provisions of Zoning By-Law #19/85, as amended, requesting a reduced MDS 1 setback from the barn at 4638 Sideroad 20 North to the severed parcel to be 345 metres instead of 420 metres, is hereby **approved**.

CARRIED

**4(d) Minor Variance Application D13/SAI – Kamaljit Kaur Saini and Tarlochan Singh Saini c/o Gruinder Saini** – Property described as Part of Lot 11, Concession 10, 9 Hume Road (Part 3, 61R-9249, Township of Puslinch .

Requesting relief from provisions of Zoning By-Law #19/85, as amended, requesting a reduced MDS 1 setback from the livestock facility at 4726 Watson Road South to the severed parcel to be 260 metres instead of 392 meters, as required.

- Lynne Banks outlined the application, advised the notice requirements for the application had been met and outlined the comments that were received from the circulated public.
- Jeff Buisman of Van Harten Surveyors, consultant, provided an overview of the application.
- John Sepulis asked where does the consent application that was submitted to the County stand.
- Jessica Rahim advised that it is going to the County Land Division Committee on Thursday, January 10, 2019 and that the County will be requesting a deferral of the consent application.
- John Sepulis advised the interested parties in attendance that if they have any concerns then they should attend the meeting on Thursday.
- Jeff Buisman also advised that the owner will also asking for the minor variance application to be deferred as they are working with an abutting landowner who has concerns and will come up with a new configuration of the property but need more time to finalize the plan. He also advised that he spoke with Don Creed, Director of Public Works for the Township to change the driveway entrance and that options to move both entrances to Hume Road are being examined, and then they would bring the application back to the committee.
- John Sepulis asked what will be the decision of the County Land Division Committee.
- Jeff Buisman advised that they will be providing an Environmental Impact Study and deferral of the minor variance pending resolution of the severance application.
- John Sloot commented that there needs to be more clarification for the different types of MDS setbacks and is concerned that his concerns will be dismissed.
- John Sepulis asked how many homes in the area are close to this property.
- Jessica Rahim advised that 2 homes are closer to the property.
- Jeff Buisman provided a sketch showing the locations of the properties.

Moved by: Dianne Paron

Seconded by: Dan Kennedy

That Application D13/ALF, providing relief from provisions of Zoning By-Law #19/85, as amended, a reduced MDS 1 setback from the livestock facility at 4726 Watson Road South to the severed parcel to be 260 metres instead of 392 meters, as required, is hereby **deferred**.

CARRIED

There was a discussion following the meeting regarding what is the maximum lot size threshold the Township would be willing to accept.

- Dan Kennedy asked if, for example, 0.35 hectares is allowed, then would there be any later repercussions or would the committee be okay with it.
- Dennis O'Connor asked if it is logical to fit it in.
- Dianne Paron states that she is in agreement if the limit is based on the ability of the lot to accommodate the septic system, then a modest reduction would be acceptable.
- John Sepulis stated that 0.35 hectares is appropriate, anything less should be a Zoning By-law Amendment, but would the County approve it.
- Jessica Rahim stated that in 2013 the Township increased the minimum acreage to 0.40 hectares and the new By-law agrees that is appropriate for the zone.

- John Sepulis stated that until the new Zoning By-law is in effect, the committee will rely on the County to confirm that it is acceptable for the property.
- John Sepulis also stated that possibly it should be taken to Council for discussion as to whether or not a threshold should be established until the new Zoning By-law is in place.

Moved by: Dennis O'Connor

Seconded by: Dan Kennedy

That a request be made to Council confirming what the minimum acreage acceptable until the new Zoning By-law is in effect.

## **5. ADJOURNMENT**

Moved by: Dennis O'Connor

Seconded by: Dan Kennedy

The Committee of Adjustment meeting adjourned at 7:45 p.m.

**CARRIED**