



Committee of Adjustment Meeting
November 3, 2015
7:00 pm
Council Chambers, Aberfoyle

MINUTES

MEMBERS PRESENT:

John Sepulis, Chair
Councilor Ken Roth
Dennis O'Connor
Robin Wayne

MEMBERS ABSENT:

Dianne Paron

OTHERS IN ATTENDANCE:

Kelly Patzer – Development Coordinator
Sarah Wilhelm – County of Wellington
Kevin Johnson
Jeff Buisman
Cam Koebel
Sharon Richard
Councilor Wayne Stokley

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 speak to present the purpose and details of the application and any 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 Robin Wayne, Seconded by Dennis O'Connor.

- That the minutes of the Committee of Adjustment meeting held Tuesday October 13th, 2015 be adopted.

CARRIED

4. COMMITTEE OF ADJUSTMENT – Applications for Minor Variance

4(a) Minor Variance Application D13/KOE – Cameron & Trudy Koebel – Property described as Part Lot 6, Concession 1, 2 Lake Ave, Township of Puslinch

Requesting relief from provisions of Zoning By-Law #19/85, as amended, to allow an accessory building (shed) to be set back 0.9 metres from the property line (side yard).

- Kelly Patzer summarized the application for minor variance as submitted. No objections were received from circulated agencies or the public. The Township Chief Building Official has noted that the accessory building requires a 45 minute fire resistance wall with no unprotected windows or openings facing the side lot line and the reduced side yard setback should apply only to the existing accessory building.

- Jeff Buisman indicated that the severance application is a result of an approved irregular-shaped lot line adjustment. The GRCA required the lot line be in its location due to the proximity of natural features.
- Jeff Buisman addressed the proposed condition for the accessory building to have a 45 minute fire rating wall and noted there would never be another structure on the other side of the lot line because of the swampy lands in that location. He questioned how other municipalities permit 0.6 metre setbacks from the side and rear lot lines for accessory buildings, some of which are under a certain size and do not require building permits, and requested to strike the condition.
- Jeff Buisman noted that Mr. Koebel is willing to put in the drywall if it is required under Ontario Building Code.
- Robin Wayne asked if the shed is old, the purpose of the severance and noted the land on the other side of the property line is “true Puslinch swamp”.
- Jeff Buisman stated that the Koebel’s were using the land and the lot line adjustment was to remedy the situation.
- Cam Koebel stated the shed is 20 years old.
- Councillor Roth indicated that he is hesitant to remove a condition without discussing it with the Chief Building Official, but the requirement for a fire wall beside a swamp is puzzling.
- Dennis O’Connor stated there is a shed 1 foot away from the property line on a neighbouring property and was curious if other accessory buildings had fire walls.
- John Sepulis stated he was comfortable striking the condition of the minor variance noting that a fire would not spread to another building due to the adjacent swamp lands.
- Kelly Patzer noted that the Chief Building Official could enforce the fire wall requirement without the condition of variance
- There were no further questions or comments.

Moved by Ken Roth and Seconded by Robin Wayne,

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 allow:

An existing accessory building to be setback 0.9 metres from the side lot line, whereas Section 3.1(d(i)) of the by-law, General Provisions, Accessory Uses, Yard Requirements, permits a building or structure accessory to a single dwelling anywhere in an interior side yard or a rear yard, provided that such accessory building or structure is not located closer than 2 metres to any lot line.

The request is hereby Approved with the Following Condition:

1. That the 0.9 metre side yard setback for accessory buildings or structures applies only to the existing accessory building (shed) as shown on the submitted Minor Variance Sketch.

CARRIED

5. ADJOURNMENT

- The Committee of Adjustment meeting adjourned at 7:19 p.m.