



PLANNING & DEVELOPMENT ADVISORY COMMITTEE

October 13, 2020

7:00 p.m.

Register at:

https://us02web.zoom.us/webinar/register/WN_a6zEL_aHRRmJRk69uE-5rw

Or join by phone:

Canada: +1 647 558 0588 or +1 778 907 2071 or +1 438 809 7799 or +1 587 328 1099 or +1 613 209 3054 or +1 647 374 4685

Webinar ID: 875 8697 2976

Passcode: 470814

International numbers available: <https://us02web.zoom.us/j/kbTKHG5Q4y>

A G E N D A ADDENDUM

Addendum:

4(a) D13-CHA (Charleston Homes Ltd.) County of Wellington Planning Report - Revised

4(e) D13-TIM (Unit 71) Comments from landowner

4(f) D13-HOH – Comments from GRCA

COMMITTEE OF ADJUSTMENT:

1. OPENING REMARKS

2. DISCLOSURE OF PECUNIARY INTEREST

3. APPROVAL OF MINUTES

- September 8, 2020

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-CHA – Charleston Homes Ltd. - Property described as Part Lot 17, Concession 10, municipally known as 4568 Concession 11, Township of Puslinch.

Requesting relief of New Comprehensive Zoning By-law # 23-2018, as amended, to permit a height of 10.728 metres instead of 10 metres, as required.

4(b) Minor Variance Application D13-LYN – Meribeth Lynch – Property described as Lot 56, Registered Plan 61M-203, municipally known as 39 Hemlock Crescent PV, Township of Puslinch.



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Requesting relief of New Comprehensive Zoning By-law # 23-2018, as amended, to permit an accessory structure to be 1.50 metres from the front lot line instead of 2.0 meters, as required.

- 4(c) Minor Variance Application D13-DET – Martin and Paula Deter** – Property described as as Rear Part Lots 7 & 8, Concession 4, Laird Road West, Township of Puslinch.

Requesting relief of New Comprehensive Zoning By-law # 23-2018, as amended, to permit an accessory building to be permitted prior to the erection of the principal building on the lot, as required.

- 4(d) Minor Variance Application D13-TIM – Timberworx Custom Homes Ltd.** – Property described as Wellington Vacant Land Condominium No.172 (Unit 71), municipally known as 109 Heritage Drive PV, Township of Puslinch.

Requesting relief of New Comprehensive Zoning By-law # 23-2018, as amended, to permit a maximum lot coverage of the dwelling (Unit 71) to be 23.7% instead of 20% as required.

- 4(e) Minor Variance Application D13-TIM – Timberworx Custom Homes Ltd.** – Property described as Wellington Vacant Land Condominium No.172 (Unit 56), municipally known as 149 Heritage Drive PV, Township of Puslinch.

Requesting relief of New Comprehensive Zoning By-law # 23-2018, as amended, to permit a maximum lot coverage of the dwelling (Unit 71) to be 24% instead of 20% as required.

- 4(f) Minor Variance Application D13-HOH – Paul and Mary Hohenadel** – Property described as Part Lot 21, Concession 8, municipally known as 4458 Victoria Road South, Township of Puslinch.

Requesting relief of New Comprehensive Zoning By-law # 23-2018, as amended, to permit a reduced lot frontage of the retained parcel to be 13.99 meters instead of 120 meters, as required.

5. OTHER MATTERS

- None

6. ADJOURNMENT OF COMMITTEE OF ADJUSTMENT



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7. OPENING REMARKS

8. DISCLOSURE OF PECUNIARY INTEREST

9. APPROVAL OF MINUTES

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10. APPLICATION FOR SITE PLAN URBAN DESIGN REVIEW

- None

11. ZONING BY-LAW AMENDMENT

Zoning By-law Application D14-CBM – CBM Aggregates, a Division of St. Marys Cement Inc. (Canada), Part of Lot 25, Concession 1, municipally known as 4222, 4228, and 4248 Sideroad 25 South, Township of Puslinch.

The purpose and effect of the application is to amend the Township of Puslinch New Comprehensive Zoning By-law 23/2018 to permit a below water pit on lands located immediately south of the existing CBM Lanci Pit and will operate as an expansion to this pit.

12. LAND DIVISION

12(a) Severance Application B40-20 (D10/DAG) – Donald Dagley – c/o Andrew Sare, Part Lot 18, Concession 9, 4539 Victoria Road South, Puslinch.

Proposed severance is 60 metres frontage x 133 meters = 0.8 hectares, vacant land for proposed rural residential use.

Retained parcel is 39.7 hectares with 350 metres frontage, existing and proposed rural residential use with existing dwelling & shed.

13. OTHER MATTERS

- **Review and Approval of 2021 PDAC Meeting Dates:**
 - Tuesday, January 12, 2021
 - Tuesday, February 9, 2021



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7:00 p.m.

- Tuesday, March 9, 2021
- Tuesday, April 13, 2021
- Tuesday, May 11, 2021
- Tuesday, June 8, 2021
- Tuesday, July 13, 2021
- Tuesday, August 10, 2021
- Tuesday, September 14, 2021
- Tuesday, October 12, 2021
- Tuesday, November 9, 2021
- Tuesday, December 14, 2021

14. **CLOSED MEETING**

- None

15. **NEXT MEETING** Tuesday, November 10, 2020 @ 7:00 p.m.

16. **ADJOURNMENT**



PLANNING REPORT for the TOWNSHIP OF PUSLINCH

Prepared by the County of Wellington Planning and Development Department

DATE: October 13th, 2020
TO: Lynne Banks, Secretary-Treasurer
Township of Puslinch
FROM: Zach Prince, Planner
County of Wellington
SUBJECT: **MINOR VARIANCE APPLICATION D13 CHA (Charleston Homes)**
4568 Concession 11
Part Lot 14, Concession 3
SCHEDULES: **Schedule 1: Site plan provided by applicant**
Schedule 2: Building Elevations provided by applicant

We have reviewed the application for minor variance and provide the following comments. These comments are offered without the benefit of a site visit.

Planning Opinion

The applicant is proposing to construct a single family dwelling on the subject lands that is taller than permitted within the Zoning By-law. The proposed dwelling height is 10.728m (35.2 ft) where the Zoning By-law permits a maximum height of 10m (32.8 ft). The variance requested would provide relief from Section 4.10 to allow an increase in the building height of a dwelling by 0.728m (2.4 ft).

Planning staff have no concerns considering the site location, which is a 2ha residential lot within an agricultural area, the intent is to situate the dwelling substantially far from the road, and existing vegetative buffering on site.

Planning staff are satisfied that the subject application is minor in nature, maintains the intent and purpose of the County Official Plan and the Township's Zoning By-law, and represents desirable and appropriate development.

The details of the minor variance application are included in the table below.

Section of By-law	Required	Proposed	Relief
Section 4.10 Height Restrictions	The maximum height of any building or structure shall not exceed 10 metres in height.	To permit a new dwelling with a max height of 10.728m to the peak of the roof.	0.728m (2.4ft)

Our discussion of this application relative to the four tests under the *Planning Act* is as follows:

Four Tests	Discussion
That the requested variance is minor in nature	<ul style="list-style-type: none">• The height relief requested is to allow for the construction of a dwelling with a modern architectural design.• Staff considers the variance minor in terms of impact due to the context of the area and the existence of natural and spatial buffers.• The dwelling is proposed to be setback substantially from the road (93.26m (306 ft)).
That the intent and purpose of the Zoning By-law is maintained	<ul style="list-style-type: none">• The subject lands are zoned as Agricultural (A) Zone.• A single family dwelling is a permitted use within the Agricultural (A) Zone.• The intent of the subject application is to construct a dwelling that is taller than the maximum height of 10 metres.

That the general intent and purpose of the Official Plan is maintained	<ul style="list-style-type: none"> • The subject lands are designated as Secondary Agricultural in the County Official Plan. • Single detached homes are permitted within the Secondary Agricultural area. • The subject lands were created by consent application B128/16 as a rural residential lot. Any requirements for access would have been addressed at the consent stage.
That the variance is desirable and appropriate for the development and use of the land, building or structure	<ul style="list-style-type: none"> • The subject lands are approximately 2 ha (5 ac) in size and the immediate, adjacent land uses are a mixture of rural residential and agricultural uses. • It is understood the dwelling is proposed to be setback substantially from the road and front lot line. • The variance is considered to be appropriate within the context of this area.



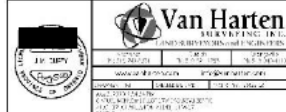
In conclusion, planning staff is of the opinion that the requested variance application meets the four tests of the *Planning Act*. I trust that these comments will be of assistance to the Committee in their consideration of this matter. We would appreciate a copy of the Committee's decision with respect to this application.

Respectfully submitted

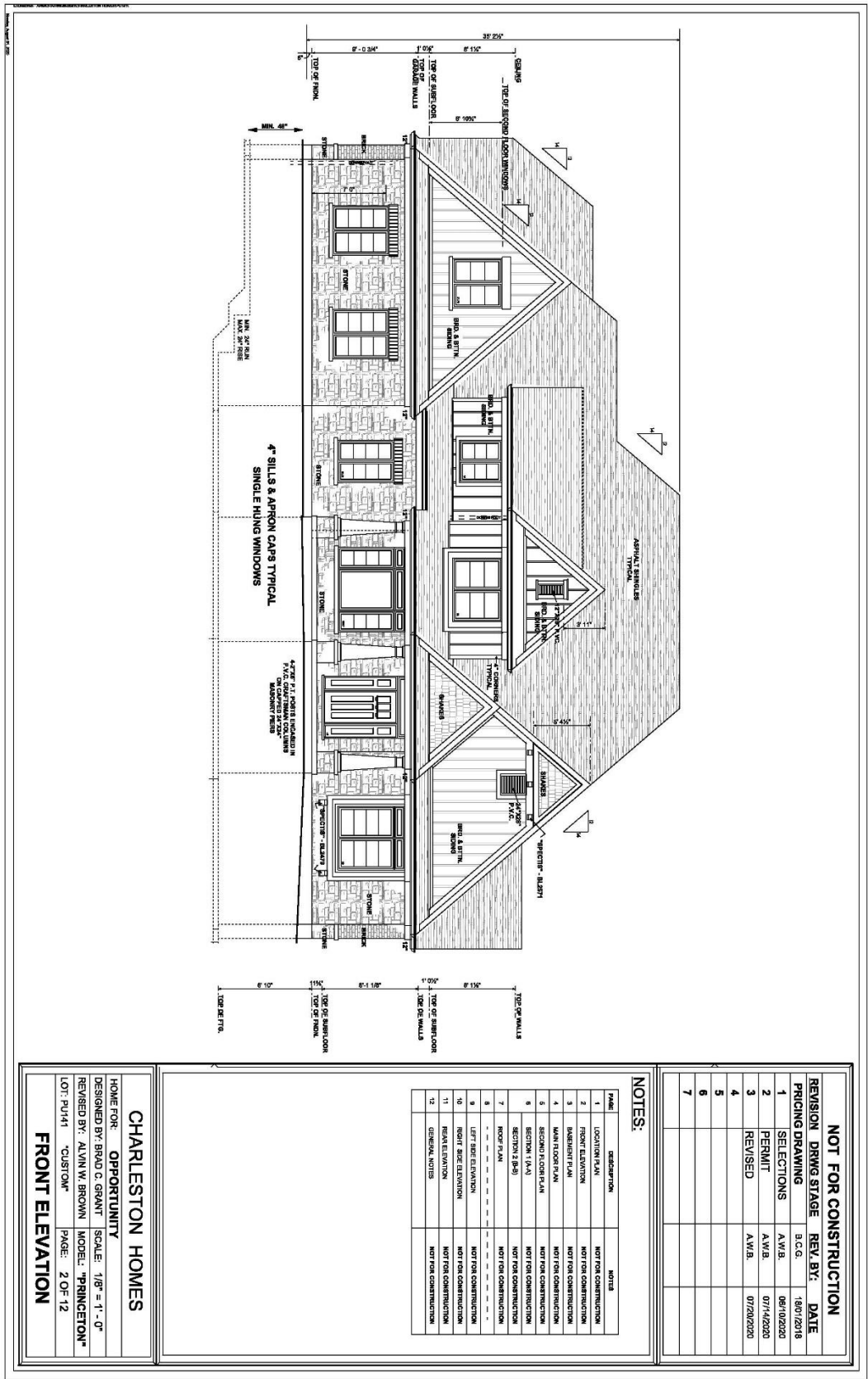
g and Development Department

Zach Prince MCIP RPP, Planner

PLANNING REPORT for the TOWNSHIP OF PUSLINCH
D13/CHA (Charleston Homes)
October 13th, 2020 | page 3



SCHEDULE 2
Building Elevations provided by applicant



Lynne Banks

From: Alex Serwaczek [REDACTED]
Sent: Wednesday, October 7, 2020 12:39 PM
To: Lynne Banks
Cc: 'susan serwaczek'
Subject: MOnir Variance Application D13-TIM
Attachments: Timberworx Minor Variance-Application No. D13-TIM.pdf

Lynne Banks
Secretary-Treasurer
Township of Puslinch

Hello Lynne.

We are direct adjacent and affected neighbours located on the west side of the above-mentioned application (attached and showing our location marked by a red "X" on page 3). We have not been made aware of any application to be made in advance by the applicant, whether by email or verbally.

We received the notification of the minor variance application in the mail on October 1st, 2020 and appreciate very much this notice from the Township provided, otherwise we would not have known.

In the absence of receiving any supporting information, such as a site plan showing the extended coverage area requested, along with all dimensions and proportions of the intended dwelling, we will not be supporting the application and wish to voice our strong disapproval to any such application being approved by the Committee of Adjustment for the Township of Puslinch at this time.

We would appreciate receiving at the earliest convenience, all relevant materials and documentation, and upon which, we shall retain the services of our planner, Mr. Paul Britton of MHBC planning in Kitchener, to provide to us his written professional opinion of any potential concerns that may affect us as direct and abutting landowners in Wellington Vacant Land Condominium No. 172 unit 72.

We will be attending the Zoom Webinar scheduled for October 13th and would appreciate to be invited to participate by speaking to the Committee and answer any questions that members of may have.

We would also appreciate being notified of the Decision of the Township of Puslinch. A copy of this email and request will be hand delivered to your offices by October 8, 2020.

If you could assist by providing instructions or direct link via reply email, that would be appreciated.

Thanking you in advance

Sincerely

Alex & Susan Serwaczek
[REDACTED]



PLAN REVIEW REPORT:	County of Wellington, Planning & Land Division Committee Deborah Turchet, Secretary-Treasurer
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DATE:	October 2 nd 2020	YOUR FILE:	B70-19
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RE:	Application for Consent B70-19 Paul & Mary Hohenadel 4458 Victoria Road South, Township of Puslinch
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GRCA COMMENT:*

The Grand River Conservation Authority (GRCA) had provided comments on the proposed severance, October 22, 2019. We have now received a satisfactory EIS and have no objection to the proposed severance. This clears Condition 10 of the severance conditions.

BACKGROUND:

1. Resource Issues:

The proposed severed parcel is completely within the lands adjacent to the Provincially Significant Mill Creek Puslinch Wetland Complex. The retained parcel contains a portion of the Provincially Significant Mill Creek Puslinch Wetland Complex and the lands adjacent to these features.

2. Legislative/Policy Requirements and Implications:

The wetland noted above is a natural heritage features as identified in the Provincial Policy Statement (PPS, 2014) and falls within the Core Greenland and Greenland Systems in accordance with the County of Wellingtons Official Plan (2019). As such an EIS is required to demonstrate no negative impacts to the wetland. We have received and reviewed t the September 2020 Hohenadel Property, 4458 Victoria Rd. S. Puslinch, Scoped Environmental Impact Study completed by NRSI. We find the EIS to be acceptable and its recommendations and mitigation measures should be fully implemented. Section 4.1 Wetlands in the report has identified a 15m setback buffer which is acceptable for this type of development and the specific site.

We did note that in the EIS Section 5.3.2 Water Quantity and Quality, a hydrological assessment for the site development has not been investigated. If the proposed house and septic system do not have adequate separation from the water table it could require grading which could impact the lot development and setback and buffer treatments as well as the required lot configuration to support the residence.

3. Additional Information/Suggestions provided in an advisory capacity:

- The report states "The development footprint is the lands occupied by the proposed buildings and driveway, located within the proposed severed lot." If the severance is approved a separate GRCA permit will be required to build the proposed new access to 4458 Victoria Rd. S. as well as decommission the identified existing laneways
- EIS Section 3.2.1 Vegetation Communities, the report identifies Trembling Aspen as part of the tree canopy but misidentifies the Latin name as *Populus grandidentata* when it should

be *Populus tremuloides* and misidentifies Large Toothed Aspen as *Populus balsamifera* when it should be *Populus grandidentata*.

- We had received a plan review fee in the amount of (\$410.00) for the processing of this application. In our response we noted further review of an EIS would increase the category of the severance to "major" and the difference of \$650 will be invoiced to the applicant.

Yours truly,



A handwritten signature in cursive script, appearing to be 'J' or 'Fred'.

Fred Natolochny, MCIP, RPP
Supervisor of Resource Planning
FN

cc: Township of Puslinch
Paul and Mary Hohenadel, 4458 Victoria Road South, Puslinch ON N0B 2J0
Jeff Buisman, Van Harten Surveying Inc., 423 Woolwich Street, Guelph, ON N1H 3X3

- ***These comments are respectfully submitted to the Committee and reflect the resource concerns within the scope and mandate of the Grand River Conservation Authority.***