



Committee of Adjustment Meeting  
June 9, 2015  
7:00 pm  
Council Chambers, Aberfoyle

## MINUTES

### MEMBERS PRESENT:

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

### OTHERS IN ATTENDANCE:

Kelly Patzer – Development Coordinator  
Aldo Salis – County of Wellington  
Blair Caldwell  
Silvia Biro  
Vilmos Kadvans  
Laurie Arnott  
Doug Scott  
George Vicker  
Anne Secord  
Meghan Secord  
Helen Ribble  
Steve Ribble  
Kathy White

### 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

- None

### 4. COMMITTEE OF ADJUSTMENT – Applications for Minor Variance

- 4(a) **Minor Variance Application D13/SCO – Douglas Scott & Laurie Arnott –**  
Property described as Concession 10, Rear Part Lot 10, 290 Hume Road, Township of Puslinch

Requesting relief from provisions of Zoning By-Law #19/85, as amended, to allow a minimum side yard setback of 1 metre to permit a garage which allows wheelchair access.

- Kelly Patzer summarized the application for minor variance as submitted and noted that no objections were received from circulated agencies or the Public, the application meets the four tests of a minor variance and Township Staff has no objection to the approval of the application subject to the condition that

the 1 metre side yard setback shall apply only to the east side lot line to accommodate the proposed addition.

- Doug Scott of 290 Hume Road explained when the property was purchased and the vendors were unsure of the side lot line, but it was believed to have a greater setback than what there actually is.
- Doug Scot stated he and Laurie Arnott purchased the property then had it surveyed, which verified the location of the side lot line.
- Doug Scott noted a new attached garage is required to be built to accommodate a wheelchair lift, and it is being designed to provide the most accessible access possible.
- Doug Scott stated the lot to the east, abutting the proposed reduced setback is a vacant lot. He has had discussions with the owner of the vacant lot who has future plans to build a house closer to the road, a distance away from the proposed garage.
- Dianne Paron questioned Kelly Patzer of the Building Department comments noted on the staff report
- Kelly Patzer stated that was a note solely for the applicant's information for the time of Building Permit
- There were no other comments.

Moved by Ken Roth and Seconded by Dianne Paron,

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:

A minimum side yard setback of 1 metre to permit a garage which allows wheelchair access, whereas Section 5(3e(v)), Agricultural (A) Zone, of the by-law requires a minimum side yard of 2.4 metres when the residence is 1.5 or 2 storeys and has an attached garage;

That the application is Approved with the Following Conditions:

1. The 1 metre side yard setback shall only apply to the east side lot line to accommodate the proposed garage addition.

CARRIED

**4(b) Minor Variance Application D13/HAG** – Eric & Barbara Hagens – Property described as Part Lot 16, Concession 9, 7667 Maltby Road, Township of Puslinch.

Requesting relief from provisions of Zoning By-Law #19/85, as amended, to allow a minimum lot frontage of 84.1 metres to accommodate a proposed severance (County of Wellington file B20/15).

- Kelly Patzer summarized the application, stating that the minor variance is being applied for as a result of Approved with Conditions Wellington County Severance Application B20/15. The By-law requires a lot frontage of 121.9 metres for Agricultural zoned parcels over 4 hecatres. The proposed severance will leave the retained lot with a 84.1 metre frontage.
- Kelly Patzer noted that no objections were received from circulated agencies. An objection letter was received from public noting the reduced frontage is not minor and it does not conform with the rural character of Maltby Road.
- Kelly Patzer stated Township Staff have no objection to the approval of the application.
- The agent/applicant was not there to speak to the application.
- The Chair asked if anyone in the gallery wished to speak to the application.

- Anne Secord of 7672 Maltby Road E stated she was speaking on behalf of her husband and two others.
- Anne Secord stated that the reduction of frontage to 84 metres does not reflect the interest of neighbours or maintain the rural character of the neighbourhood. Neighbouring property values will be negatively impacted with small parcels of land and the close proximity of homes. Multiple driveways on Maltby Rd will create safety issues with more traffic on the road.
- Anne Secord noted the minor variance for reduced frontage should have become before the severance application.
- The Chair inquired if the Committee had any questions or comments.
- Dennis O'Connor stated the reduced frontage is not suitable
- Ken Roth questioned Aldo Salis if the frontage reduction is minor considering it is a 30% reduction is minor in nature
- Aldo Salis noted applications are not evaluated on percentages, and when looking at the creation of new lots it is more of a question if it meets the intent of policies.
- Dianne Paron asked if the application is denied, does the consent fail?
- Also Salis stated yes it would, and it would be possible for both applications to go to the Ontario Municipal Board.
- Kelly Patzer informed the Planning & Development Advisory Committee reviewed and commented on the severance application at a recent Committee meeting.
- Robin Wayne noted that the reduced frontage is not minor.

Moved by Ken Roth and Seconded by Dianne Paron

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:

A minimum lot frontage of 84.1 metres to accommodate a proposed severance (County of Wellington file B20/15), whereas Section 5(3b), Agricultural (A) Zone, of the by-law requires a minimum lot frontage of 121.9 metres for lots over 4 hectares in area.

All those in favour of the motion: John Sepulis and Ken Roth

All those opposed to the motion: Dennis O'Connor, Dianne Paron and Robin Wayne

That the application is Denied for the following reasons:

1. The requested permission for minor variance is not minor in nature
2. The requested permission for minor variance is not desirable for the appropriate development or use of the property.

CARRIED

## 5. ADJOURNMENT

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