



Committee of Adjustment Meeting
October 13, 2015
7:00 pm
Council Chambers, Aberfoyle

MINUTES

MEMBERS PRESENT:

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

OTHERS IN ATTENDANCE:

Kelly Patzer – Development Coordinator
Sarah Wilhelm – County of Wellington
Andrea Clarke
Lorelie Ratz
Greg Karges
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 September 8th, 2015 be adopted.

CARRIED

4. COMMITTEE OF ADJUSTMENT – Applications for Minor Variance

4(a) Minor Variance Application D13/RAT – Lorelie Ratz – Property described as Concession 7, Front Part Lot 30, 7370 Calfass Road, Township of Puslinch. Requesting relief from provisions of Zoning By-Law #19/85, as amended, to allow an accessory building in the front yard setback.

- Kelly Patzer summarized the application for minor variance as submitted, and noted that a letter of support was submitted from closest neighbor to the east, no objections were received from circulated agencies or the public and Township Staff has no objection to the approval of the application subject to the condition that the relief apply to the existing accessory building only
- Lorelie Ratz stated that the shed was built to have proper separation form the septic system in behind, and that resulted in the placement of the shed a few inches in front of the house.
- There were no further questions or 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:

1. An accessory building within the front yard setback., 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 Conditions:

1. The relief requested applies only to the existing accessory building located 6 inches in the front yard setback as identified on Sheet A8 (dated June 2015) of the application materials.

CARRIED

4(b) Minor Variance Application D13/CLA - Andrea Clarke – Property described as Concession 9, Part Lot 20, 7632 Wellington Rd 34, Township of Puslinch.

Requesting relief from provisions of Zoning By-Law #19/85, as amended, to allow:

1. To permit the use of a travel trailer; and
2. To permit the accessory building (wood shed) to remain without a main use.
 - Kelly Patzer summarized the application, noting Council Resolution No. 8 became effective in March 2012, permitting the temporary use of a trailer on a property and the items require specific conditions such as the owner entering into an agreement with the Township and posting securities. No objections were received from circulated agencies or the public and Township Staff has no objection to the approval of the application subject to the conditions listed on the Staff report
 - Andrea Clarke indicated that Jeff Buisman of Van Harten Surveying severed the lot and rezoned the property to not permit the housing of animals in the barn. The barn does not have water or hydro, or windows.
 - Andrea Clarke noted that the travel trailer permits her son to stay on the property and take the bus to school, and will not cause disruption to their daily lives. The trailer can be towed away and does not understand the requirement of the \$20,000 security deposit. The trailer can be towed away and the condition to demolish the trailer is unreasonable
 - John Sepulis stated the Committee is to enforce the policy that Council approved, regardless of circumstances
 - Ken Roth indicated the \$20,000 security deposit is there to ensure that a unit is removed and not become a second residence on the property and the security deposit is returned when the conditions of the agreement are finalized and the second unit removed.
 - Robin Wayne noted the existing dwelling has been demolished
 - Kelly Patzer confirmed that the demolition permit had been issued and the structure demolished, so the prosed condition #5 can be removed
 - Kelly Patzer noted that the wording of the condition for the “trailer to be demolished” can be changed to “trailer to be removed” since the trailer is travel trailer that hooks up to a vehicle for towing and not a permanent structure.
 - There were no further questions or comments.

Moved by Dennis O'Connor 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:

1. The use of a travel trailer as a dwelling until the new home is constructed, whereas Section 5.2 of the by-law, Agricultural Zone, Uses Permitted, permits the use of a single detached dwelling;
2. The existing accessory building to remain on the property without a main use (after the existing dwelling is demolished while the future dwelling is being constructed), whereas Section 3.1(a) General Provisions, Accessory Uses Permitted in all Zones, permits an accessory structure only if there is a main permitted use on the property.

The request is hereby Approved with the Following Conditions:

1. An Occupancy Permit shall be issued by November 3, 2016 for the new single detached dwelling.
2. The temporary trailer shall be removed no later than 60 days following the issuance of an occupancy permit for the new dwelling.
3. The existing accessory structure (labeled "Shed") and the temporary trailer shall be removed no later than January 4, 2017 in the event that an occupancy permit for a new single detached dwelling is not obtained on, or before November 3, 2016.
4. Submit a \$20,000 security deposit in a form satisfactory to the Township by December 16th, 2015 to permit the temporary trailer and the accessory structures without a main use and to ensure demolition if the new dwelling is not built.
5. Enter into an agreement with the Township by December 16th, 2015 regarding the terms of the temporary trailer and accessory building.

CARRIED

5. ADJOURNMENT

- The Committee of Adjustment meeting adjourned at 7:38 p.m.