



MINUTES

1. CALL THE MEETING TO ORDER

The August 10, 2021 Planning & Development Advisory Committee Meeting was held on the above date and called to order at 7:26 p.m. via electronic participation.

2. OPENING REMARKS

The Chair advised that the following portion of the Committee meeting will be for the Committee to review and provide comments on development planning applications.

3. ROLL CALL

MEMBERS IN ATTENDANCE

Councilor John Sepulis, Chair
Dan Kennedy
Dennis O'Connor
Deep Basi

MEMBERS ABSENT

Paul Sadhra

STAFF IN ATTENDANCE

Lynne Banks, Development and Legislative Coordinator
Courtenay Hoytfox, Clerk
Jeff Bunn, Deputy Clerk
Zachary Prince, Senior Planner, County of Wellington
Joanna Salsberg, Planner, County of Wellington

4. DISCLOSURE OF PECUNIARY INTEREST

None

5. APPROVAL OF MINUTES

- July 13, 2021

Moved by: Dennis O'Connor

Seconded by: Dan Kennedy

That the Minutes of the Planning & Development Advisory Committee Meeting held Tuesday, July 13, 2021, be adopted.

CARRIED

6. APPLICATION FOR SITE PLAN URBAN DESIGN REVIEW

None

7. ZONING BY-LAW AMENDMENT

None

8. LAND DIVISION

8(a) Severance Application B39-21 (D10-CUL) – Stuart & Karen Cullen – Part Lot 18, Concession 1, municipally known as 6944 Concession 1, Township of Puslinch.

Proposed severance is 0.4 hectares with 61.69 metre frontage, vacant land proposed rural residential use.

Retained parcel is 37.69 hectares with 147.78 metre frontage, existing and proposed rural residential hobby farm with existing dwelling and barn.

- Nancy Shoemaker, agent for the applicant provided an overview of the application.
- There were no comments or questions from the public.
- There were no comments or questions from the Committee.

The committee supports the application with the **following conditions** imposed:

1. That the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (including taxes paid in full and Consent Review/Condition Clearance fee) which the Township may deem to be necessary at the time of issuance of the Certificate of Consent for the property and orderly development of the subject lands; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
2. That safe access to the severed lands can be accommodated to the satisfaction of the Township; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

CARRIED

Moved by: Deep Basi

Seconded by: Dan Kennedy

8(b) Severance application B50-21 (D10-SLA) – Abigail & Lise Slater – Part Lots 7, 8 & 9, Concession 10, municipally known as 711 Arkell Road, Township of Puslinch.

Proposed severance is 60 metre frontage x135 metre = 0.8 hectares, vacant land for proposed rural residential use.

Retained parcel 41.8 hectares with 280 metre frontage, existing and proposed rural residential use with existing 3 dwellings, storage building and shed.

- Rod Finnie, agent for the applicant, provided an overview of the application.
- There were questions or comments from the public.
- Dennis O'Connor asked if the barn has been modified to remove the holding structures inside the barn.
- Rod Finnie advised that they were removed and there are no holding structures inside the barn.
- Deep Basi asked if safe entrance is possible.
- Rod Finnie advised that safe entrance is possible.
- Dan Kennedy advised that he had the same question as Deep Basi.
- John Sepulis noted that the agent advised that the barn is pristine but recommended that MDS calculations be done.
- John Sepulis asked if all three dwellings on the property are inhabited.
- Rod Finnie advised that they are inhabited but not all the time and that they date back to the 1860's-1870's.
- John Sepulis asked Joanna Salsberg if the Township's zoning by-law allows for 3 dwellings on the property.
- Joanna Salsberg advised that they are limited to one dwelling in the Agricultural Zone, but a condition can be made to ensure that either the three dwellings are in compliance or that they can demonstrate that they are in compliance with the zoning by-law.
- John Sepulis recommended that conditions be added to the Township's comment form that if the barn is ever used to house animals then MDS1 will be required, and if MDS1 cannot be met

then a minor variance will be required, and that the owner demonstrate compliance with the Township zoning by-law with respect to the 3 dwellings located on the property.

The committee supports the application with the **following conditions** imposed:

1. That the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (including taxes paid in full and Consent Review/Condition Clearance fee) which the Township may deem to be necessary at the time of issuance of the Certificate of Consent for the property and orderly development of the subject lands; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
2. That safe access to the severed lands can be accommodated to the satisfaction of the Township; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
3. That the owner achieve zoning compliance for the three dwellings located on the retained parcel to the satisfaction of the Township; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
4. If the barn located on the property is usable for keeping animals, then the owner must provide the MDS calculations to confirm that MDS separation can be met and if separation cannot be met, then the owner will be required to apply for, and obtain approval of, a minor variance; and that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

CARRIED

Moved by: Dennis O'Connor

Seconded by: Deep Basi

8(c) Severance application B51-21 (D10-DAG) – Dawn & Donald Dagget – Part Lot 21, Concession 1, municipally known as 4189 Sideroad 20 South, Township of Puslinch.

Proposed severance is 0.4 hectares with 65 metre frontage, vacant land for proposed rural residential use.

Retained parcel is 4.2 hectares with 57 metre frontage, existing and proposed rural residential use with existing dwelling, garage and pool.

- Jeff Buisman, agent for the applicant, provided an overview of the application.
- There were no questions or comments from the public.
- Dennis O'Connor asked if the lands to be severed can be squared off to make a square lot.
- Jeff Buisman advised that they did consider it but there is some concern that it's closeness to the driveway on the retained lands.
- John Sepulis asked the Committee if they think that the property could be squared off.
- The Chair polled the committee members and they reached a consensus that all committee members were satisfied with the current configuration.
- John Sepulis asked if the hydro line can be relocated.
- Jeff Buisman advised that if they can do it prior to the severance.

The committee supports the application with the **following conditions** imposed:

1. That the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (including taxes paid in full and Consent Review/Condition Clearance fee) which the Township may deem to be necessary at the time of issuance of the Certificate of Consent for the property and orderly development of the subject lands; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
2. That safe access to the severed lands can be accommodated to the satisfaction of the Township; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
3. That the Owner achieve zoning conformity for the retained parcel to permit a reduced lot frontage to the satisfaction of the Township; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
4. That the hydro line be removed to the retained lands to the satisfaction of the Township; and Further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

CARRIED

Moved by: Dan Kennedy

Seconded by: Deep Basi

8(d) Severance application B52-21 (D10-GRA) – Michele & George Gray – Part Lot 7, Concession 1, municipally known as 6655 Concession 2, Township of Puslinch.

Proposed severance is 1.0 hectares with 62 metre frontage, existing and proposed agricultural with existing shed and barn for proposed rural residential use. Shed and barn to be removed.

Retained parcel is 9.9 hectares with 15 metre frontage, existing and proposed agricultural use with dwelling and pool.

- Jeff Buisman, agent for the applicant, provided an overview of the application.
- There were no questions or comments from the public.
- Dennis O'Connor asked if a condition can be made that the barns on the property be removed.
- Dan Kennedy agreed with the barns being removed and asked if the barn located at 6667 Concession 2 is a far enough distance away.
- Joanna Salsberg advised that the County will review the MDS when the application goes to Land Division for approval. She further noted that they have not received any farm data sheets yet.
- John Sepulis asked if the hydro line to the barn is an active line.
- Jeff Buisman advised that he isn't sure if it is an active line.
-

The committee supports the application with the **following conditions** imposed:

1. That the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (including taxes paid in full and Consent Review/Condition Clearance fee) which the Township may deem to be necessary at the time of issuance of the Certificate of Consent for the property and orderly development of the subject lands; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
2. That safe access to the severed lands can be accommodated to the satisfaction of the

Township; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

3. That the Owner achieve zoning conformity for the retained parcel to permit a reduced lot frontage to the satisfaction of the Township; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
4. That the barn be removed from the severed lands to the satisfaction of the Township; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

CARRIED

Moved by: Dennis O'Connor

Seconded by: Deep Basi

8(e) Severance application B53-21(D10-GRE) – Divinder & Sukhbir Grewal – Part lot 16, Concession 7, municipally known as 130 Maltby Road West, Township of Puslinch.

Proposed severance is 60 metre frontage x 122 metre = 0.73 hectares, existing and proposed rural residential use with a dwelling under construction.

Retained parcel is 8.89 hectares with 94 metre frontage, existing and proposed bush/reforested trees.

- Jeff Buisman, agent for the applicant, provided an overview of the application.
- There were no questions or comments from the public.
- John Sepulis asked why there is a house under construction occurring on the property prior to severance.
- Jeff Buisman advised that it is all vacant land at the moment and this is the first house being built on the property.

The committee supports the application with the **following conditions** imposed:

1. That the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (including taxes paid in full and Consent Review/Condition Clearance fee) which the Township may deem to be necessary at the time of issuance of the Certificate of Consent for the property and orderly development of the subject lands; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
2. That safe access to the severed lands can be accommodated to the satisfaction of the Township; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
3. That the Owner achieve zoning conformity for the retained parcel to permit a reduced lot frontage.

CARRIED

Moved by: Dennis O'Connor

Seconded by: Dan Kennedy

8(f) Severance application B54-21 (D10-GOD) – Krista & Paul Godinho – Part lot 15, Concession 3, municipally known as 6862 Wellington County Road 34, Township of Puslinch.

Proposed severance is 50 metre frontage x 110 metre = 0.56 hectares, vacant land for proposed rural residential use.

Retained parcel is 3.4 hectares with 72 metre frontage, existing and proposed rural residential use with existing dwelling, garage, shed and barn. Barn to be removed.

- Jeff Buisman, agent for the applicant, provided an overview of the application.
- There were no questions or comments from the public.
- Dennis O'Connor requested that a condition be added that the barns be removed from the property.
- Deep Basi advised that he agreed with Dennis O'Connor.
- Dan Kennedy advised that he also agreed with Dennis O'Connor.

The committee supports the application with the **following conditions** imposed:

1. That the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (including taxes paid in full and Consent Review/Condition Clearance fee) which the Township may deem to be necessary at the time of issuance of the Certificate of Consent for the property and orderly development of the subject lands; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
2. That safe access to the severed lands can be accommodated to the satisfaction of the Township; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
3. That the barn located on the retained parcel be removed to the satisfaction of the Township; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

CARRIED

Moved by: Deep Basi

Seconded by: Dennis O'Connor

8(g) Severance application B55-21 (D10-HAM) – Peggy Hambly – Part lot 20, Concession 2, municipally known as 4428 Sideroad 20 North, Township of Puslinch.

Proposed severance is 0.41 hectares with 25.1 metre frontage, existing and proposed rural residential use. Existing shed to be removed.

Retained parcel is 0.5 hectares with 30.5 metre frontage, existing and proposed rural residential use with existing dwelling and barn. Barn to be removed.

- Jeff Buisman, agent for the applicant provided an overview of the application.
- There were no questions or comments from the public.
- Dennis O'Connor requested that a condition be added that the barn and shed be removed.
- Deep Basi asked if a condition can be added that the driveway that is serving the retained parcel be relocated off of the severed parcel.
- Dan Kennedy advised that he agrees with both comments.

The committee supports the application with the **following conditions** imposed:

1. That the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (including taxes paid in full and Consent Review/Condition Clearance fee) which the Township may deem to be necessary at the time of issuance of the Certificate of Consent for the property and orderly development of the subject lands; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

2. That safe access to the severed lands can be accommodated to the satisfaction of the Township; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
3. That the shed located on the severed parcel, and the small horse barn located on the retained parcel both be removed to the satisfaction of the Township; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
4. That the driveway serving the retained land be relocated to the satisfaction of the Township; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

CARRIED

Moved by: Dennis O'Connor

Seconded by: Deep Basi

8(h) Severance application B56-21 (D10-QBF) – QB Farms Inc. c/o Patrick Quirk & Chas Birkett – Part Lot 17, Concession 9, municipally known as 4555 Victoria Road South, Township of Puslinch.

Proposed severance is 50 metre frontage x 150 metre = 0.75 hectares, existing agricultural for proposed rural residential use.

Retained parcel is 40.2 hectares with 357 metre frontage, existing and proposed agricultural use with existing dwelling, sheds and cell tower.

- Jeff Buisman, agent for the applicant provided an overview of the application.
- There were no questions or comments from the public.
- Dan Kennedy asked if there is safe access to the property.
- Jeff Buisman advised that he checked and tested and noted that there is safe access.

The committee supports the application with the **following conditions** imposed:

1. That the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (including taxes paid in full and Consent Review/Condition Clearance fee) which the Township may deem to be necessary at the time of issuance of the Certificate of Consent for the property and orderly development of the subject lands; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
2. That safe access to the severed lands can be accommodated to the satisfaction of the Township; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

CARRIED

Moved by: Dan Kennedy

Seconded by: Deep Basi

8(i) Severance application B59-21 (D10-GER) – Mario & Elisa Geremia – Part Lot 20, Concession 4, municipally known as 4620 Sideroad 20 North, Township of Puslinch.

Proposed severance is 50 metre frontage x 90 metre = 0.45 hectares, vacant land for proposed rural residential use.

Retained parcel is 3.02 hectares with 106 metre frontage, existing and proposed rural residential use with existing dwelling.

- Jeff Buisman, agent for the applicant provided an overview of the application.
- There were no questions or comments from the public.
- Dennis O'Connor advised that he is satisfied as long as a condition regarding MDS is added.
- Deep Basi asked if safe access is possible.
- Jeff Buisman advised that yes it is.
- Dan Keened advised that he had the same question as Deep Basi.

The committee supports the application with the **following conditions** imposed:

1. That the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (including taxes paid in full and Consent Review/Condition Clearance fee) which the Township may deem to be necessary at the time of issuance of the Certificate of Consent for the property and orderly development of the subject lands; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
2. That safe access to the severed lands can be accommodated to the satisfaction of the Township; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
3. That the owner achieve zoning conformity for the reduced MDS setbacks for the severed parcel.

CARRIED

Moved by: Dennis O'Connor

Seconded by: Dan Kennedy

9. OTHER MATTERS

9(a) Property Standards Appeal – 171 Townline Road

- John Sepulis, Chair, advised that the Committee will be hearing the appeal to a By-law Enforcement Order to Comply and introduced the following committee members that are present:
Deep Basi
Dan Kennedy
Dennis O'Connor
- The Chair also recognized the following people present:
Ivan Lunevski – Township of Puslinch By-law Enforcement Officer
Lynne Banks, Development & Legislative Coordinator
Jeff Bunn, Deputy Clerk
Courtenay Hoytfox, Municipal Clerk
- The Chair asked the appellant, Brian Pearson to introduce himself and then provided a brief explanation of the procedure for the hearing of the appeal and that the Committee will decide on one of the following decisions regarding the appeal: confirm the Order to Comply, rescind the Order to Comply, modify the Order to Comply or grant an extension of the Order to Comply.
- Lynne Banks swore in Ivan Lunevski to present his testimony
- Ivan Lunevski provided an overview of the complaint, his observations when he visited the property to investigate the complaint, and the issuance of the Property Standards Order, the nature of the appeal, his concerns regarding the appeal and noted that the appellant was requesting that only Item #1 of the Order be modified to allow for a fence instead of a structure. Upon the conclusion of Mr. Lunevski's testimony, the Chair advised that Brian Pearson would now be able to ask questions of Mr. Lunevski.
- Brian Pearson asked Mr. Lunevski if it would be acceptable if a fence is constructed and the materials are stored in a neat and tidy condition within the fence and can't be seen by the

neighbouring properties.

- Mr. Lunevski replied that over time, items that accumulate tend to become unsightly. He further noted that most properties in the agricultural zone are neat and tidy and do not look like a storage yard, which is not permitted under the Township's zoning by-law.
- Mr. Pearson asked if he would be permitted to put up a fence that does not have any materials stored within it.
- Mr. Lunevski responded that he would be permitted to put up a fence as long as it does not block sight line triangles and cause a safety issue.
- Mr. Pearson asked if he would be permitted to store materials within the fence as long as they are below the height of the fence and cannot be seen.
- Mr. Lunevski stated that the surrounding properties in the area are kept clean and clear of materials.
- Mr. Pearson asked how many complaints were received.
- Mr. Lunevski advised that there have been multiple complaints filed with the Township but he is not permitted to divulge how many were received.
- Deep Basi noted that there are shipping containers located on the property.
- Dan Kennedy asked what kind of a structure would be required to store the materials.
- Mr. Lunevski stated that as long as it has four walls and a roof and within the Township's standards, it would be permitted.
- John Sepulis asked what time of day the noise complaints were documented.
- Mr. Lunevski stated that there was one complaint and it wasn't specific as to the time and that the complainant was concerned about ongoing truck movements in and out of the property.
- John Sepulis asked if the fence will deteriorate over time.
- Mr. Lunevski noted that he was speaking to the materials stored inside the fence that would deteriorate over time.
- Mr. Pearson was sworn in by Lynne Banks to present his testimony and advised the Committee that there was a clear area on the property when it was purchased and he decided that it would be a good location to store materials. He also noted that the Township did confirm that storage of materials would be permitted. He stated that when Mr. Lunevski visited the property it was not in the condition that they had hoped it would be and that erecting a fence would follow the Township's by-law. He also noted that they were in the process of clearing and cleaning up the property at the time of Mr. Lunevski's visit to the property and further noted that the appeal was only for item #1 of the Property Standards Order and stated that the remedial action noted in the Order goes above and beyond what is required stating that the Order requires the materials stored in a structure and that he believes that a fence qualifies as a structure and will satisfy the by-law.
- Following Mr. Pearson's testimony, the Chair asked Mr. Lunevski if he had any questions of Mr. Pearson.
- Mr. Lunevski commented that a fence could be considered a structure as defined by the Township's zoning by-law, but the intention of the Order was to enclose the material within a building and that a fence could be considered a structure but it does not meet the intention of what the Order required.
- Dennis O'Connor asked with the value of the material, would it be better to keep it in a structure and out of the elements.
- Mr. Pearson advised that the materials are designed to be used and stored outside.
- Deep Basi asked if the owner would be willing to purchase a temporary storage building.
- Mr. Pearson advised that it would be a large expense but would most likely look at renting off-site storage.
- Dan Kennedy asked that with outside storage during winter, how would the owner deal with snow removal.
- Mr. Pearson advised that they would keep it neat and organized in order to not disturb the abutting owners.
- John Sepulis noted that the sketch submitted shows the proposed fence area and asked what the size of the area is.
- Mr. Pearson advised that it is roughly 40x80 and noted that if they lose the appeal, they would like to be able to store the overflow materials on site within a fenced enclosure.

- John Sepulis asked where the gate/door to the proposed facility would face.
- Mr. Pearson advised it would be facing Townline Road.
- John Sepulis asked if the height of the material would be higher than what is permitted.
- Mr. Pearson advised that it would be stored below the fence height.
- John Sepulis asked if the shipping crates would be removed.
- Mr. Pearson advised that they will be removed from the property.
- John Sepulis asked what the fence would be made out of.
- Mr. Pearson advised that it would be possibly chain link with mesh over it and it would be more opaque so that it can't be seen through.
- John Sepulis what would be stored within the proposed fence enclosure
- Mr. Pearson advised that it would be scaffold, racks and baskets related to scaffolding.

The Committee moved into closed session to discuss the testimony and to render a decision.

The Committee moved back into open session to announce its decision.

- John Sepulis advised Mr. Pearson that the Committee has make its decision, a copy will be sent to the owner and if the owner would like to appeal the decision, he can do so to the Superior Court.
- Lynne Banks read the following decision made by the Committee:

Modify the order to read

With respect to Item #1

1. Remove all machinery, materials and objects from the exterior by September 30, 2021.

OR

2. Ensure that all machinery, materials, or objects are stored within a building that conforms to the Township's zoning by-law and with the Township's building code requirements, and all exterior property is maintained in a neat and tidy condition.

AND in the event that that the appellant decides to construct a building, the appellant shall be required to obtain a building permit and complete the final inspection of the building on or before AUGUST 10, 2022.

Item numbers 2 and 3 of the Order must be complied with by September 30, 2021.

10. CLOSED MEETING

- None

11. NEXT MEETING

- Next Regular Meeting will be held on Tuesday, September 14, 2021 @ 7:00 p.m.

102. ADJOURNMENT

Moved by: Dennis O' Connor

Seconded by: Deep Basi

That the Planning & Development Advisory Committee is adjourned at 9:41 p.m.

CARRIED