



## MINUTES

The January 12, 2021 Committee of Adjustment Meeting was held on the above date and called to order at 7:00 p.m. via electronic participation.

### **1. CALL THE MEETING TO ORDER**

### **2. ROLL CALL**

#### **MEMBERS IN ATTENDANCE**

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

#### **MEMBERS ABSENT**

None

#### **STAFF IN ATTENDANCE**

Lynne Banks, Development and Legislative Coordinator  
Courtenay Hoytfox, Deputy Clerk  
Meagan Ferris, Planner, County of Wellington  
Asavari Jadhav, Jr. Planner, County of Wellington

### **3. OPENING REMARKS**

The Chair welcomed those attending the meeting to the Committee of Adjustment and informed the attendees that Township Staff would present the application, then the applicant would have the opportunity to present the purpose and details of the application and 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.

### **4. DISCLOSURE OF PECUNIARY INTEREST**

None

### **5. APPROVAL OF MINUTES**

Moved by: Deep Basi

Seconded by: Dennis 'Connor

That the Minutes of the Committee of Adjustment meeting held Tuesday, December 8, 2021 be adopted.

**CARRIED**

### **6. APPLICATIONS FOR MINOR VARIANCE OR PERMISSION under section 45 of the Planning Act to be heard by the Committee this date:**

#### **6(a) Minor Variance Application D13-GRI– Andrew Grinyer – 4477 Victoria Road South, Lot 20, Concession 9, Township of Puslinch.**

Requesting relief of New Comprehensive Zoning By-law # 23-2018, as amended, from Section 4.12 to permit a maximum floor area of 144 square meters instead of 100 square meters, as required.

- The owner, Andrew Grinyer, provided an overview of the application.
- There were no questions or comments from the public.

- There were no questions or comments from the Committee members.

**That Application D13/GRI requesting relief from provisions of Zoning By-Law #023/2018, as amended, to:**

Permit a maximum floor area of 144 square meters instead of 100 square meters, as required.

**Is approved with no conditions.**

**CARRIED**

**6(b) Minor Variance Application D13-OTH – Hazaar Othman – 7272 Gore Road, Part Lot 30, Concession Gore, Township of Puslinch.**

Requesting relief of from the Special Provisions Section of the Agricultural (A) zone of By-law #19/85, specifically Section 5 (4) (ppp) (iii) which establishes a maximum kennel floor area of 169m<sup>2</sup> and (vii) which prohibits a training area to be within a building or structure. The subject application is proposing relief from these sections to permit a total maximum kennel floor area of 838 square metres to facilitate the construction of an indoor training facility that is 669 square metre in size and to permit a training area to be located within a building or structure.

- Trevor Hawkins, agent for the applicant, provided an overview of the application.
- Lynne Banks read a letter submitted to the Committee by Tong Wu stating their objection to the minor variance application (attached to these minutes).
- Rose Jerica read a letter to the Committee stating their objection to the minor variance application.
- Meagan Ferris explained the process for minor variance applications and advised that once an application is submitted and deemed complete, that the Township cannot refuse it and that it must be presented to the Committee of Adjustment.
- Jamie Holmes addressed the Committee and stated their objection to the minor variance application, noting that he is concerned with how the waste from the dogs is being handled and how it will be handled in the future if the minor variance application is approved, due to the wells on the surrounding properties. He further noted that the owner had advised him that he has a waste removal arrangement with a company to take the waste off of the property.
- Lucy White read a letter to the Committee stating their objection to the minor variance application.
- Dave Cummins noted that waste is being stored in green bins and removed from the property by truck. He further stated that he is in favour of the minor variance as the dogs will be trained inside the building and not outside and that the property is shielded by trees from the surrounding properties.
- Hazaar Othman, owner of the property, stated that the problem with the neighbors stems from the wording of the public notice and notes that he is not expanding the kennel operation, but is expanding the training area and bringing it indoors. He further noted that waste is hauled off of the property twice a week. He further stated that he will not be increasing the parking area and that the issues stated earlier in the meeting were addressed a few years ago
- Luci White stated that breeding is not being done in compliance and asked if all training will be done indoors and will there be sound proofing in the building.
- Hazaar Othman advised that all breeding is in the main kennel building and that there will be “baffles” put in the expansion to attenuate any noise. He further noted that some training is done outside.
- Rose Jiricka noted that the property is long and narrow with neighbors on both sides of the narrow portion of the lands.
- Deep Basi asked if the building could be moved more to the middle of the lot away from the Emerald Lake property.
- Meagan Ferris noted that there is green space on the site so relocation might be difficult to achieve.

- Deep Basi inquired if the kennel complies with the Township's by-laws.
- Courtenay Hoytfox advised that she can confirm that there is an open investigation but the Municipal Freedom of Information Act prevents staff from providing any details with respect to the investigation.
- Deep Basi asked if the owner needs a building of that size.
- Hazaar Othman advised that he does and that it will be a size similar size of a small horse arena and has plans to possibly store an RV in it in the future.
- Deep Basi asked if the owner would be willing to soundproof the building.
- Hazaar Othman advised that he can put up foam panels and that would be better than the current status of the existing building, but that it will not be completely soundproof.
- Paul Sadhra asked if the requirement of a noise study could be a condition in the Decision.
- Meagan Ferris advised that there is a draft condition that site plan approval be obtained and a noise study could also be part of that condition and also that the Committee can make a specific condition for noise assessment.
- Paul Sadhra asked if there were any plans to add additional employees.
- Hazaar Othman advised that there are no current plans for more employees.
- Paul Sadhra asked if the expansion will drive more clients to the business
- Hazaar Othman stated that it is possible but that the application is not about adding more clients but about providing an indoor training facility.
- Dan Kennedy asked if the windows can be located away from the abutting landowners.
- Hazaar Othman advised that it is possible however the windows would face towards the train tracks.
- Trevor Hawkins noted that the Township will be able to evaluate the building through the site plan process and he will work with the township over any concerns. He also noted that the final drawings have not been completed yet.
- Dennis O'Connor asked if there is a written waste management plan.
- Hazaar Othman advised that there is no plan and that waste is stored in green bins and has an agreement with a waste removal company to have the waste removed from the property.
- Dennis O'Connor asked if there will be nutrient management conditions.
- Meagan Ferris noted that it can be a condition of the minor variance decision or make it a requirement of site plan approval.
- John Sepulis asked that if the owner is removing outside training, then why is the owner stating that there will be some training on the property.
- Meagan Ferris noted that the site specific by-law for the property allows for a training area may be permitted outside of the outdoor common play area.
- Trevor Hawkins advised that the area as shown in the white box on the aerial map will not have outdoor training, but will be at another area on the property.
- John Sepulis asked if the play area will be used as a play area and will not be used for training dogs outside.
- Hazaar Othman advised that he can't say that no training will be outside and that it won't be removed completely, but it will be reduced.
- Meagan Ferris noted that the current zoning by-law amendment for the property has a site specific provision that identified an outdoor play area, but no absolute definition.
- John Sepulis asked how much reduction of utilization for outside training in the summer, and wanted to know if it will be mostly outside.  
Hazaar Othman advised that he will use the indoor space most of the time for training.
- John Sepulis asked if waste management could be listed as a condition of minor variance or site plan approval.
- Meagan Ferris advised that it can be addressed through the site plan approval process.

Moved by Paul Sadhra

Seconded by Deep Basi.

Carried

- There were no further questions or comments from the Committee.

**That Application D13/OTH requesting relief from provisions of Zoning By-Law #023/2018, as amended, to:**

Provide relief of from the Special Provisions Section of the Agricultural (A) zone of By-law #19/85, specifically Section 5 (4) (ppp) (iii) which establishes a maximum kennel floor area of 169m<sup>2</sup> and (vii) which prohibits a training area to be within a building or structure. The subject application is proposing relief from these sections to permit a total maximum kennel floor area of 838 square metres to facilitate the construction of an indoor training facility that is 669 square metre in size and to permit a training area to be located within a building or structure.

**Is approved with the following conditions:**

1. That the subject relief is solely for the purposes of facilitating the construction of an indoor training facility which is to be used for training purposes only and does not include washrooms or office space and does not permit the boarding, breeding, grooming or keeping of dogs for sale;
2. That the subject relief is solely for the purposes of permitting a single-storey, indoor training facility that shall not exceed a total gross floor area of 669 m<sup>2</sup>;
3. That the permissions for the outdoor "Training Area" be removed to the satisfaction of the Township;
4. That site plan approval be obtained from the Township to address issues such as but not limited to building location, setbacks from existing dwellings and the Natural Environment (NE) Zone, fencing, noise assessment study and waste management plan.
5. As per Township of Puslinch Site Plan Control By-law 2019-029, that final approval of a future site plan application shall be given by Township Council and that part of the approval process shall be that Council shall give consideration to public comments and concerns.

**7. OTHER MATTERS**

None

**8. ADJOURNMENT**

Moved by: Paul Sahra

Seconded by: Dan Kennedy

The Committee of Adjustment meeting adjourned at 8:33 p.m.

**CARRIED**

## Lynne Banks

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**From:** Tong Wu [REDACTED]  
**Sent:** Friday, January 8, 2021 11:25 AM  
**To:** Lynne Banks  
**Subject:** Opposition regarding application on 7272 Gore Road, Puslinch

Good morning Committee Members,

My name is Tong Wu, my family and I reside on [REDACTED] and is a neighbour of 7272 Gore Road, the expansion proposition applicant. On the behalf of all family members and along with several other residents on Gore, I'm writing this email to explain our opposition toward the dog kennel building expansion.

### **Reason 1: Un-consulted and unauthorized dog training taking place on private property**

The land next to the dog kennel property is leased to us from Hydro One. It is a private non-trespassing property. The land is used by us and another local farmer to grow crops and vegetables, but to our knowledge (and witnessed by other neighbours), un-consulted and unauthorized dog training has been taking place on the land. The kennel owner is taking advantage of the vacant land (which is not the case because a lot of crops are planted the previous year for next year growth) and making business profit off it. The current damage/loss of crops and vegetables due to dog training is hard to measure because on-site surveillance is not feasible, but if the kennel expansion application is approved, the damage will only increase.

### **Reason 2: Unauthorized and illegal kennel waste dumping on private property**

In addition to dog training, the dog kennel business has been dumping kennel waste, consists mainly dog feces, onto the Hydro land leased to us. Witnessed by other neighbours, they have been using farm utility vehicles to take buckets filled with kennel waste, drive to our property, and dump there. There has been ZERO inquiry and ZERO consultation with us. Again, trespassing and illegal dumping on private land for their own business profit is not acceptable.

### **Reason 3: Daily barking noise**

We lease the land from Hydro One next to the kennel, but we actually live diagonally across them on the other side of Gore. Still, hearing barking from dog training is a daily constant. Although the barking noise has not created a big problem for us yet compare to the immediate neighbours, I can imagine it will be after the expansion.

Due to the three main reasons mentioned above, my family opposes the building expansion application proposed by 7272 Gore Road. Thank you for your time and hopefully our opinions will be considered.

Yours truly,

Tong Wu  
Xuhui Wu  
Rong Zheng  
[REDACTED], Puslinch, N0B2J0