



MINUTES

1. CALL THE MEETING TO ORDER

The June 8, 2021 Committee of Adjustment Meeting was held on the above date and called to order at 7:00 p.m. via electronic participation.

2. ROLL CALL

MEMBERS IN ATTENDANCE

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

MEMBERS ABSENT

None

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

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: Dennis O'Connor

Seconded by: Deep Basi

That the Minutes of the Committee of Adjustment meeting held Tuesday, May 11, 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-HUT – James and Sharon Hutton – 6547 Wellington Road 34, Rear Part Lots 2 and 3, Concession 2, Township of Puslinch.

Requesting relief of Zoning By-law #23-2018, as amended, from Section 4.2(b)(i) - Accessory Apartments, to permit an accessory apartment to be located 74 meters from the single detached dwelling on the lot instead of a maximum of 15 meters, as required.

- Lynne Banks advised the Committee that staff was requesting that the application be deferred to allow for staff to located and review old building permits and drawings relating to the accessory structure as well as to allow the applicant's agent to address mapping concerns with the GRCA. She further noted that the agent and the applicant were in agreement with the deferral.
- The Committee voted unanimously to defer the application until the July 13, 2021 Committee of Adjustment meeting.

That Application D13/HUT requesting relief from provisions of Zoning By-Law #023/2018, as amended, from Section 4.2(b)(i) - Accessory Apartments, to permit:

An accessory apartment to be located 74 meters from the single detached dwelling on the lot instead of a maximum of 15 meters, as required.

Is deferred until both the applicant's agent and Township and County staff have more time to locate and review old building permits and drawings relating to the accessory structure as well as for the agent to discuss concerns with the GRCA regarding the Natural Environment area of the property on the GRCA mapping.

CARRIED

6(b) Minor Variance Application D13-JON – Andrew, Paul & Wendy Jones – 4553 Watson Road South, Part Lot 17, Concession 10, Township of Puslinch.

Requesting relief of Zoning By-law #23-2018, as amended, from Section 4.16.2 General Provisions MDS II New or Expanding Livestock Facilities and Manure Storage facilities.

The purpose and effect of the application is to provide relief from the Minimum Distance Separation II (MDS II) setback requirement to permit a reduced Minimum Distance Separation Type II of approximately 65 meters instead of 93 meters (Type A) (a difference of 28 meters).

- Pierre Chauvin, agent for the applicant, provided an overview of the application.
- Lynne Banks advised the Committee that there were attendees at the meeting that would like to address the committee on the application.
- Darryl Boucard expressed concerns regarding the location of the new structure and if any more barns are planned for the future.
- Pierre Chauvin advised that the structure being built is a "run-in" shelter for the horses to have shelter during inclement weather and MDS does not apply to the shelter. He also noted that the property is zoned agricultural and is approved to have farm structures on it.
- Bobby Hayes asked if there is any way to prevent additional livestock from being added and added that he has concerns regarding manure runoff contaminating the aquifer in the area.
- Zachary Prince advised if livestock was added to the barn, the owner would be required to apply for either a minor variance or a zoning by-law amendment and advised the a zoning by-law amendment would require approval from Township Council.
- Paul Sadhra asked how much livestock the existing barn can handle and what is the maximum capacity for livestock.
- Zachary Prince advised that the currently the square footage allows for 2 horses and 100 chickens which is amount of the livestock currently in the barn.
- Dan Kennedy asked if the owner can change the combination of animals housed in the barn.
- Zachary Prince advised that the MDS is based on nutrient units and can have different combinations of animals to reach the maximum amount permitted by the MDS calculations.
- Dennis O'Connor asked if it is high due to poultry manure.
- Zachary Prince advised that it is due to the number of chickens and location of storage.
- Dennis O'Connor asked if the manure is being stored outdoors.

- Zachary Prince advised that it is currently stored outdoors and if it is moved inside the barn, the MDS calculations will change. He also noted that the Committee can place a condition in the Decision as that the manure is to be stored inside.
- Dennis O'Connor provided a brief overview of manure storage requirements and noted that a condition should be put in the Decision for indoor storage of manure only.
- Pierre Chauvin advised that indoor storage would be costly to the owner and asked if a container with a lid would be allowed to permit the outdoor storage of manure in a metal container with a lid on top.
- Deep Basi asked if the owner has any future plans to expand the barn or move it.
- Pierre Chauvin advised that there are no future plans.
- John Sepulis asked if the owner obtained a building permit to build the barn.
- Pierre Chauvin advised that he doesn't know if one was obtained.
- John Sepulis asked how large the manure pile was.
- Pierre Chauvin advised that he wasn't aware that the manure was being stored at outside the barn and that the owner would agree to have the manure stored in a container with a lid.
- Dennis O'Connor made a motion to require the manure be stored enclosed in a metal container with a lid.
- Four members voted in favour of the motion and one member voted to decline.
- There were no further questions or comments.

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

Requesting relief of Zoning By-law #23-2018, as amended, from Section 4.16.2 General Provisions MDS II New or Expanding Livestock Facilities and Manure Storage facilities.

The purpose and effect of the application is to provide relief from the Minimum Distance Separation II (MDS II) setback requirement to permit a reduced Minimum Distance Separation Type II of approximately 65 meters instead of 93 meters (Type A) (a difference of 28 meters).

Is approved with the following condition(s).

That the owner provide covered storage for the manure to protect it from the elements.

CARRIED

6(c) Minor Variance Application D13-SLA – Mark & Karen Slade - 17 Calfass Road, Lot 30, Concession 7, Township of Puslinch.

Requesting relief of New Comprehensive Zoning By-law # 23-2018, as amended, from Section 4.17.1(b) and Section 12.4 to increase the size of an existing garage.

- Mark Slade, owner of the property, provided an overview of the application and advised that there were two issues regarding the property. The first is that he is required to consolidate both side-by-side parcels into one parcel. The second is that there is a Natural Environment Zone on his property and the addition is located within this zone.
- Lynne Banks advised the Committee the two parcels have been consolidated into one parcel and that the owner has provided the Township with a copy of the registered documents. She also noted that Conservation Halton has advised that they have been working with the owner and are in support of the minor variance request.
- There were no comments from the public.
- Deep Basi asked if the owner has GRCA approval.
- Lynne Banks advised that it is not in their jurisdiction, but with Conservation Hamilton and the owner has its approval.



- There were no further questions or comments.

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

In the matter of Section 45 of the *Planning Act*, as amended, and New Comprehensive Zoning By-law #023-2018, as amended, and an application for a minor variance requesting relief to increase the size of an existing garage.

Is approved with no condition(s).

CARRIED

6(d) Minor Variance Application D13-SAV – James Savoie – 596 Arkell Road, Part Lot 3, Plan 131, Part 1 on Reference Plan 61R-9995, Township of Puslinch.

Requesting relief of New Comprehensive Zoning By-law # 23-2018, as amended, from Section 4.17.1(b) to increase the size of an existing residential dwelling.

- James Savoie provided an overview of the application.
- Dan Slout, attendee, advised that he had no comment.
- There were no further questions or comments from the public.
- There were no questions or comments from the Committee.

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

Requesting relief of New Comprehensive Zoning By-law # 23-2018, as amended, from Section 4.17.1(b) to increase the size of an existing residential dwelling.

Is approved with no condition(s).

CARRIED

7. OTHER MATTERS

None

8. ADJOURNMENT

Moved by: Deep Basi

Seconded by: Dennis O'Connor

The Committee of Adjustment meeting adjourned at 8:06 p.m.

CARRIED