



## MINUTES

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

The May 10, 2022 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  
Deep Basi  
Paul Sadhra  
Dan Kennedy  
Dennis O'Connor

#### **MEMBERS ABSENT**

None

#### **STAFF IN ATTENDANCE**

Lynne Banks, Development and Legislative Coordinator  
Courtenay Hoytfox, Municipal Clerk  
Meagan Ferris, Manager of Planning and Environment, 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: Paul Sadhra

That the Minutes of the Committee of Adjustment meeting held Tuesday, April 12, 2022 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-BAR – Paul and Rochelle Barber – 7036 Concession 1, Concession 1 Front Part Lot 21, Township of Puslinch.**

Requesting relief of New Comprehensive Zoning By-Law #23-2018, as amended from Section 11.4, Reduced Agricultural Lot Requirements, Table 11.3.

The purpose and effect of this application is to provide relief from:

1. Section 11.4, Table 11.3 to permit a reduced lot frontage of 12.19m (40 feet) for the proposed severed parcel instead of 25m as required.

2. To permit a reduced lot area of 0.79 acres (34,625 sq. ft.) for the proposed retained parcel instead of 0.4 ha (1 acre) as required.

- Paul Barber, applicant provided an overview of the application.
- John Sepulis noted that the County of Wellington Planning Report and the Township Building Department has requested that the application be deferred until the owner has and OLS survey completed and provided to the Township.
- Mr. Barber advised that his surveyor won't be able to work on the survey until the end of July and stated that he is agreeable to defer the application until he has the survey.

**That Application D13-BAR requesting relief from provisions of Zoning By-Law #23-2018, as amended, from Section 11.4, Reduced Agricultural Lot Requirements, Table 11.3 to permit:**

1. **A reduced lot frontage of 12.19m (40 feet) for the proposed severed parcel instead of 25m as required.**
2. **A reduced lot area of 0.79 acres (34,625 sq. ft.) for the proposed retained parcel instead of 0.4 ha (1 acre) as required.**

**Is deferred until such time as the owner provides a survey prepared by an Ontario Land Surveyor (OLS) to the satisfaction of the Township and the County of Wellington.**

**CARRIED**

**6(b). Minor Variance Application D13-GRA – Michele and George Gray – 6655 Concession 2, Concession 1 Rear Part Lot 7, Township of Puslinch.**

Requesting relief of New Comprehensive Zoning By-Law #23-2018, as amended from Section 11.3, Agricultural Zone Requirements, Table 11.2 and from Section 4.16.1 MDS I New Non-Farm Uses.

The purpose and effect of this application is to permit:

1. A reduced lot frontage of the retained parcel to be 20m instead of 120m as required.
  2. A reduced MDS I setback from the barns at 6657 Concession 2 to the severed parcel to be 33m instead of 196m as required.
- Jeff Buisman from Van Harten Surveying, agent for the applicant, provided an overview of the application.
  - Lynne Banks read out the following comment received from Township resident, Kevin Johnson that states:

“Thank you for the opportunity to comment on this application.  
I feel a 20m frontage is too small for a retained parcel on Concession 2. A minimum frontage of 30 meters would be a more appropriate size. I believe that historically this is the minimum frontage that would be allowed for a property in this area and I would ask that this minimum be maintained and a new precedent of small lots not be set.  
Smaller lots with closer driveways will become a driving hazard on a road that is already dangerous. With its many blind hills and blind turns a precedent of smaller lots will surely make driving and especially cycling on this road very dangerous for residents and children. People have already resorted to posting mirrors on the opposite side of the road to their driveways so they are able to see above and around corners and hills.”
  - Andrew Good, adjacent property owner located at 6649 Concession 2 addressed the Committee and stated that he is a proponent of the application as it appears to meet safety requirements that are appropriate for the road.
  - There were no further questions or comments from the public.
  - Deep Basi asked if there are any other animals other than the small animals noted in Jeff Buisman's presentation.
  - Jeff Buisman advised that there are mostly ducks, 100 chickens and a donkey.
  - Deep Basi asked if the owner has any plans to relocate the animals.

- Dan Kennedy asked if there is safe entrance to the property.
- Jeff Buisman advised that there is safe entrance.
- Lynne Banks advised that she spoke with the Township's Public Works Department and it advised that the entrance will only be permitted along the eastern lot line as that is the only location that will allow for proper sight lines.
- Dan Kennedy asked that Dennis O'Connor speak to the number of chickens on the property.
- Dennis O'Connor advised that the MDS calculation is correct for the numbers of chickens on the property but he thinks there are too many animals for where the barns are located and the barns should be removed or relocated on the property.
- John Sepulis noted that asked Meagan Ferris that the planning report states that the property located at 6663 to the east is affected also by the livestock and that the MDS calculations do not meet the requirements.
- Meagan Ferris advised that they are flagging that there are existing houses that are also close to the structures as well and that they noted that 6663 is closer in comparison to where the new lot would be and the new house.
- Paul Sadhra asked if there is an option to move or limit the number of chickens on the property.
- Jeff Buisman advised that he would have to speak to the owner, and that the plan was to relocate some of the chickens to the other structure.
- Dennis O'Connor stated that if the animals of one of the structures are relocated to the other structure could be moved away from the neighbours property, he would be satisfied.
- John Sepulis asked Meagan Ferris if a condition can be added to the Decision that the animal be moved back from the property line on the neighbouring property.
- Meagan Ferris advised that it would be out of the scope of the Committee to impose a condition on an abutting property that is not subject to the application.
- Andrew Good noted that the chickens are free range and spend most of the time outdoors and the odour is negligible.

**That Application D13-GRA requesting relief from provisions of Zoning By-Law #23-2018, as amended, to permit:**

- 1. A reduced lot frontage of the retained parcel to be 20m instead of 120m as required.**
- 2. A reduced MDS I setback from the barns at 6657 Concession 2 to the severed parcel to be 33m instead of 196m as required.**

**Is approved with three Committee members voting in favour of the application and two Committee members opposed and with the following condition:**

That the proposed relief be based on the closest structure and that the variance be based on a proposed setback of 19 m with a relief of 177 m.

**CARRIED**

## **7. OTHER MATTERS**

None

## **8. ADJOURNMENT**

Moved by: Dan Kennedy

Seconded by: Dennis O'Connor

The Committee of Adjustment meeting adjourned at 7:36 p.m.

**CARRIED**