



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH  
APRIL 11, 2023 COMMITTEE OF ADJUSTMENT MEETING  
IN-PERSON AND VIRTUAL MEETING BY ELECTRONIC PARTICIPATION

**MINUTES**

**DATE:** April 11, 2023

**MEETING:** 7:00 p.m.

The April 11, 2023 Committee of Adjustment Meeting was held on the above date and called to order at 7:00 p.m. via electronic participation and in-person at 23 Brock Rd S, Puslinch.

**1. CALL THE MEETING TO ORDER**

**2. ROLL CALL**

**ATTENDANCE:**

**PRESENT:**

Councillor John Sepulis, Chair  
Chris Pickard  
Dennis O'Connor  
Jeffrey Born

**ABSENT:**

Paul Sadhra

**STAFF IN ATTENDANCE:**

Lynne Banks, Secretary/Treasurer  
Courtenay Hoytfox, Municipal Clerk  
Joanna Salsberg, Planner, County of Wellington

**3. MOMENT OF REFLECTION**

**4. CONFIRMATION OF THE AGENDA**

**Resolution No. 2023-022:**

Moved by Committee Member Chris Pickard and  
Seconded by Committee Member Jeffrey Born

**That the Committee approves the April 11, 2023 Agenda as circulated.**



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**CARRIED.**

**5. DISCLOSURE OF CONFLICT OF INTEREST:**

None

**6. CONSENT AGENDA**

**6.1 Approval of the Minutes**

6.1.1 March 14, 2023

**Resolution No. 2023-023:**

Moved by Committee Member Jeffrey Born and  
Seconded by Committee Member Chris Pickard

**That the Committee of Adjustment approves the Minutes from the meeting held March 14, 2023.**

**CARRIED.**

**7. APPLICATIONS FOR MINOR VARIANCE OR PERMISSION**

**7.1 Minor Variance Application D13-REI – Lilian Reinfels and Alexander Engelbert Reinfels – Gore, Rear Lot 19**

Requesting relief of New Comprehensive Zoning By-law # 23-2018, as amended, from Section 4.16.1 a. to permit:

1. A reduced MDSI setback from the barn at #6955 Concession 1 to the severed parcel to be 153m instead of 226m as required.
  2. A reduced MDSI setback from the barn at #6978 Concession 1 to the Severed Parcel to be 203m instead of 221m as required.
- Jeff Buisman, agent for the applicant provided an overview of the application and noted that there is a barn located on the property known municipally as 6955 Concession 1 as well as a house located next to the proposed severed parcel at 6959 Concession 1. He further noted that if the owner of 6955 Concession 1 decides to enlarge the barn in the future, the house at 6959 Concession 1 is closer



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to the barn and would impact the expansion more than the house that would be erected on the proposed severed parcel.

- Dennis O'Connor asked Joanna Salsberg that if the farm wants to expand their operation in the future, would having 2 houses close to the barn limit the expansion.
- Joanna Salsberg advised that the owner of the property would both affect how much the barn could be expanded.
- Dennis O'Connor asked if the barn is expanded and the owner applies for a building permit, would it the MDS have to be upgraded.
- Joanna Salsberg advised that all of the existing dwellings including the proposed new dwelling would affect the MDS and the farm would be required to meet the current MDS requirements.
- John Sepulis asked if the owner of a proposed barn expansion could they apply for a minor variance to permit the expansion.
- Joanna Salsberg advised that if the owner meets the requirements of the zoning by-law requirements, they would be able to apply for a minor variance for MDS II.

**Resolution No. 2023-024:**

Moved by Committee Member Dennis O'Connor and  
Seconded by Committee Member Chris Pickard

**That the Committee approve Minor Variance Application D13-REI with no conditions.**

**CARRIED.**

**7.2 Minor Variance Application D13-BUR – James and Melissa Burmaster – Concession 2, Front Part Lot 5 - 4390 Wellington Rd. 32**

Requesting relief of New Comprehensive Zoning By-law # 23-2018, as amended, from Section 12.4 and Section 4.17.1 to permit an addition of a deck with a roof on the existing home.

- James Burmaster, owner, provided an overview of the application.
- John Sepulis asked Joanna Salsberg why the minor variance is required.
- Joanna Salsberg advised that because the property is within an Natural Environment zone and the owner is proposing to expand a non conforming use, the Township's zoning by-law requires a minor variance to permit the expansion.



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**Resolution No. 2023-025:**

Moved by Committee Member Chris Pickard and  
Seconded by Committee Member Dennis O'Connor

**That the Committee approve Minor Variance Application D13-BUR with no conditions.**

**CARRIED.**

**7.3 Minor Variance Application D13-HOL – Janine and Kenneth Holman – Concession 10, Lot 16, RP 61R-9311; Pt. 1 – municipal address not assigned.**

Requesting relief of New Comprehensive Zoning By-Law #23-2018, as amended, from Section 11.4, Table 11.3 – Reduced Agricultural Lot Requirements and Section 4.4.2 a. Accessory Buildings and Structures

The purpose and effect is to provide relief from:

1. Section 11.4, Table 11.3 to permit a reduced lot frontage of the Retained Parcel to be 20.0m instead of 25m as required in Table 11.3 of the Zoning By-law.

2. Section 4.4.2 a. to permit the continued existence of two accessory structures on the Retained Parcel prior to the erection of the principal building for a limited time.

- Jeff Buisman, agent for the applicant, provided an overview of the application.
- Dennis O'Connor asked if the owner would be using the accessory structures for gardening while building the dwelling.
- Jeff Buisman advised that the owner most likely will be using them.
- Chris Pickard advised he would be agreeable the owner entering into an agreement with the Township to keep the shipping container until prior to the owner applying for occupancy.
- Chris Pickard asked is there is a timeline to build the house.
- Jeff Buisman advised that the owner is hoping to start this summer.
- Chris Pickard asked if he will keep the shed after the house is built.
- Jeff Buisman advised that he would like to keep the shed.
- Chris Pickard asked if the Township would require the owner to post securities for the shed and the storage container.
- John Sepulis noted that the security requirement is addressed in condition #2.
- John Sepulis asked that the owner's timeline is to construct the house.
- Jeff Buisman advised that it will probably take approximately one year to build.



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- John Sepulis noted that a timeline for the shipping container to remain on the property of one and a half years or once occupancy is approved, and the that owner shall be required to provide a security to the Township should be put as terms in the agreement.

**Resolution No. 2023-026:**

Moved by Committee Member Jeffrey Born and  
Seconded by Committee Member Dennis O'Connor

**That the Committee approve Minor Variance Application D13-HOL with the following conditions:**

1. That the owner will enter into an agreement with the Township that will allow the existing accessory structure (shed) to remain on the property until the new dwelling is completed and the owner has occupancy.
2. Terms in the agreement (shed) will include the requirement that the owner shall provide a security to the Township which will be returned to the owner once occupancy is approved for the new dwelling.
3. That the owner will enter into an agreement with the Township that will allow the existing accessory structure (container) located on the retained lands to remain for a period of one and one-half (1 ½) years or until occupancy has been approved for the new dwelling and it will then be removed to the satisfaction of the Township.
4. Terms in the agreement (container) will include the requirement that the owner shall provide a security to the Township which will be returned to the owner after one and one-half (1 ½) years or once occupancy is approved for the new dwelling and that the container is to be removed from the property.
5. That the Township's Public Works Department provide confirmation that safe access to the lands to be retained is possible.

**CARRIED.**

**7.4 Minor Variance Application D13-MUL – Andrew Mulder and Marcella Veenman-Mulder – 4541 Concession 11, Concession 11, Part Lot 18, Township of Puslinch.**

Requesting relief of New Comprehensive Zoning By-Law #23-2018, as amended, from Section 4.4.2 a. Accessory Buildings and Structures.

The purpose and effect is to provide relief from Section 4.4.2 a. to permit the continued existence of an accessory building on the Severed Parcel prior to the erection of the



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principal building for a limited time.

- Jeff Buisman, agent for the applicant, provided an overview of the application.
- Chris Pickard asked what the owner's timeline is to build the house.
- Jeff Buisman advised that they are hoping to start winter of 2023-24.
- Chris Pickard asked when the shed that encroaches onto both proposed property lines will be removed from the property.
- Jeff Buisman advised that the owner will be removing it soon.
- Chris Pickard asked John Sepulis that if the workshop is too large, is there anything the Committee can do to make it legal non conforming.
- Joanna Salsberg advised that it is considered legal nonconforming and can exist as it currently stands.

**Resolution No. 2023-027:**

Moved by Committee Member Chris Pickard and  
Seconded by Committee Member Jeffrey Born

**That the Committee approve Minor Variance Application D13-MUL with the following conditions.**

1. That the property owner(s) enter into an agreement with the Township regarding the retention of the accessory structure;
2. That the property owner(s) post securities, as required by the Township;
3. That the shed labeled 'T.B.R' on the severed parcel that is located across the proposed consent boundary limits is to be removed to the satisfaction of the Township; and
4. That the applicant demonstrate that setbacks and lot coverage are met for the shed attached to the garage on the retained parcel once the parcel boundaries are adjusted to the satisfaction of the Township.

**CARRIED.**

**7.5 Minor Variance Application D13-TON – Louis Tonin – c/o P. Willis and Lynn Brombal – 900 Watson Rd S, Concession 10, Front Par Lots 8 and 9, Township of Puslinch.**

Requesting relief of New Comprehensive Zoning By-Law #23-2018, as amended, from Section 4.16.1 a. MDS I – New Non-Farm Uses.



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The purpose and effect is to provide relief from Section 4.16.1 a. to permit a reduced MDSI setback for the establishment of a building envelope on the proposed severed parcel. The MDS I setback will not exceed 105m measured from the adjacent structure to the property line.

- Rob Stovel, agent for the applicant, provided an overview of the application.
- John Sepulis asked what the exact relief is that is being sought by the owner.
- Rob Sovel advised that the number they came up with for MDS is in the low 100's based on if the barn was actually a livestock barn, which they don't agree it is, and the County noted in their report that they believe it is around 305 based on variations in the MDS and he also noted that it wasn't reflective of livestock facility in the area.
- John Sepulis asked Joanna Salsberg for comment.
- Joanna advised that planning staff reviewed and prepared calculation based on MDS for this facility and further noted that they added a 3<sup>rd</sup> barn at 930 Watson Road South for another MDS calculation.
- John Sepulis asked Joanna Salsberg for clarity on what was being proposed based on the 3<sup>rd</sup> additional property.
- Joanna Salsberg confirmed what was being proposed.
- John Sepulis advised the Committee that they can approve, defer or deny the application.
- Dennis O'Connor stated that he would like to see see the application deferred until the Committee has the actual MDS calculations to review.
- Chris Born stated that he agrees and would like to see the calculations.
- The Committee voted to defer the application to the next Committee of Adjustment meeting on May 9<sup>th</sup> so that they can see all of the MDS calculations.

**Resolution No. 2023-028:**

Moved by Committee Member Dennis o'Connor and  
Seconded by Committee Member Chris Pickard

**That the Committee defer Minor Variance Application D13-TON the the May 9, 2023 Committee of Adjustment meeting in order for the owner to provide all MDS 1 calculations.**

**CARRIED.**



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**8. NEW BUSINESS**

None

**8. ADJOURNMENT**

**Resolution No. 2023-030:**

Moved by Committee Member Jeffrey Born and  
Seconded by Committee Member Dennis O'Connor

**That the Committee of Adjustment hereby adjourns at 7:59 p.m.**

**CARRIED.**