



PLANNING & DEVELOPMENT ADVISORY COMMITTEE  
VIRTUAL MEETING BY ELECTRONIC PARTICIPATION &  
IN-PERSON AT THE PUSLINCH COMMUNITY CENTRE –  
23 BROCK RD S, PUSLINCH  
MAY 9, 2023  
7:00 p.m.

Register in advance:

[https://us02web.zoom.us/webinar/register/WN\\_Cwvapl7qT\\_WU3fYdqvXfng](https://us02web.zoom.us/webinar/register/WN_Cwvapl7qT_WU3fYdqvXfng)

Or join by phone:

Dial (for higher quality, dial a number based on your current location):

Canada: +1 613 209 3054

or +1 647 374 4685

or +1 647 558 0588

or +1 778 907 2071

or +1 438 809 7799

or +1 587 328 1099

Webinar ID: 891 5093 9689

Passcode: 002459

International numbers available: <https://us02web.zoom.us/j/89150939689>

## AGENDA

### COMMITTEE OF ADJUSTMENT:

≠ Denotes resolution prepared

1. **Call the Meeting to Order (Opening Remarks)**
2. **Roll Call**
3. **Moment of Reflection**
4. **Confirmation of Agenda ≠**
5. **Disclosure of Conflict of Interest**
6. **Approval of Minutes ≠**
  - 6.1 April 11, 2023
7. **Application for Minor Variance or Permission** under section 45 of the Planning Act to be heard by the Committee this date:
  - 7.1 **Minor Variance Application D13-TON – Louis Tonin c/o P. Willis and Lynn Brombal** – 900 Watson Rd S, Concession 10, Front Part Lots 8 and 9, Township of Puslinch. ≠



PLANNING & DEVELOPMENT ADVISORY COMMITTEE  
VIRTUAL MEETING BY ELECTRONIC PARTICIPATION &  
IN-PERSON AT THE PUSLINCH COMMUNITY CENTRE –  
23 BROCK RD S, PUSLINCH  
MAY 9, 2023  
7:00 p.m.

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

The purpose and effect is to provide relief from:

1. Section 4.16.1 a. to permit a reduced MDS I setback from a barn at 935 Watson Road to the Severed Parcel to be 105 m instead of 305 m as required.
2. Section 4.16.1 a. to permit a reduced MDS I setback from a barn at 930 Watson Road to the Severed Parcel to be 115 m instead of 176 m as required.
3. Section 4.16.1 a. to permit a reduced MDS I setback from a barn at 900 Watson Road to the Severed Parcel to be 85 m instead of 173 m as required

**7.2 Minor Variance Application D13-PAY – Jim Payne and Grace Stigter – 28 Badenoch St E, Plan 135, Lot 24 to 25, Part Lot 26, Township of Puslinch. #**

Requesting relief of New Comprehensive Zoning By-Law #23-2018, as amended, from Section 4.4.2 Accessory Buildings and Structures, Table 4.1.

The purpose and effect is to provide relief from:

1. Section 4.4.2, Table 4.1, to permit a garage to be 1m from the interior side yard rather than 2m as required.

**8. New Business**

**9. Adjournment of Committee of Adjustment #**



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.**



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

**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



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

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.



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

**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.



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

- 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



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

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.





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

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.**



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

**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.**



**RECEIVED**

**MAR 13 2023**  
**Township of Puslinch**

**Township of Puslinch**  
7404 Wellington Road 34  
Puslinch, ON, N0B 2J0  
T: (519) 763 – 1226  
F: (519) 763 – 5846  
www.puslinch.ca

**Minor Variance or Permission Application**

**General Information:**

**1. Applicant Information:**

**Registered Owner's Name(s):** Louis Tonin - c/o P. Willis & Lynn Brombal

**Address:** 900 Watson Road S.

**City:** Puslinch

**Postal Code:** N0B 2C0

**E-mail Address:** [REDACTED]

**Telephone Number:** [REDACTED]

**Fax:** N/A

**Applicant (Agent) Name(s):** Rob Stovel (Stovel and Associates Inc.)

**Address:** 651 Orangeville Road

**City:** Fergus

**Postal Code:** N1M 1T9

**E-mail Address:** stovel.associates@outlook.com

**Telephone Number:** 519-766-8042

**Fax:**

Name, address, and phone number of all persons having any mortgages, charges, or encumbrances on the property.

N/A.

Send correspondence to: Owner:  Agent  Other: \_\_\_\_\_

**2. Provide a description of the "entire" property:**

Municipal address: 900 Watson Road S.

Concession: 10 Lot: Part Lots 8 & 9

Registered Plan Number: N/A

Area: +/- 2.9 ha      Depth: +/- 225 m      Frontage: +/- 252 m  
+/- 7.17 ac      +/- 738.19 ft      +/- 826.77 ft

Width of road allowance (if known): n/a

**Reason for Application:**

**3. Please indicate the Section of the Planning Act under which this application is being made. Select one:**

Section 45(1) relates to a change to a by-law standard (e.g. setbacks, frontage, height, etc.); or

Section 45(2) relates to a change to or expansion of an existing legal non-conforming use.

**4. What is the nature and extent of the relief that is being applied for? (please specifically indicate on sketch).**

The following variance is being requested:

A) To permit a reduced MDS 1 setback for the establishment of a building envelope on the proposed severed parcel. Notwithstanding any other provision of the Township of Puslinch Comprehensive Zoning Bylaw No. 023-2018, the MDS I setback will not exceed 105m measured from the adjacent structure to the property line.

**5. Why is it not possible to comply with the provisions of the by-law?  
(please specifically indicate on sketch).**

A minor variance request is being made for the severed parcel of Severance Application B1-23 (D10-TON). This application has been approved subject to conditions including the requirement of Minimum Distance Separation under Formula 1 are met.

**6. What is the current Official Plan and zoning status?**

Official Plan Designation: Prime Agricultural and Secondary Agricultural

Zoning Designation: Agricultural

**7. What is the access to the subject property?**

Provincial Highway:

Continually maintained municipal road:

Seasonally maintained municipal road:

Other:  (please specify below)

**8. What is the name of the road or street that provides access to the subject property?**

Watson Road

**9. If access is by water only, please describe the parking and docking facilities used or to be used and the approximate distance of these facilities from the subject land to the nearest public road.**

N/A.

**Existing and Proposed Service:**

**10. Indicate the applicable water supply and sewage disposal:**

Water Supply/Sewage Disposal:	Existing:	Proposed:
Municipal Water:	<input type="checkbox"/>	<input type="checkbox"/>
Communal Water:	<input type="checkbox"/>	<input type="checkbox"/>
Private Well:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Other Water Supply:	<input type="checkbox"/>	<input type="checkbox"/>
Municipal Sewers:	<input type="checkbox"/>	<input type="checkbox"/>
Communal Sewers:	<input type="checkbox"/>	<input type="checkbox"/>
Private Septic:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Other Sewage Disposal:	<input type="checkbox"/>	<input type="checkbox"/>

**11. How is storm drainage provided?**

Storm Sewers:

Ditches:

Swales:

Other means:  (explain below)

**Existing Subject and Abutting Property Land Uses, Buildings and their Locations:**

**12. What is the existing use of:**

The subject property? Residential

The abutting properties? Rural Residential/Agricultural

**13. Provide the following details for all buildings on or proposed for the subject land: (please use a separate page if necessary)**

Type of Building(s)/ structures	House		Garage	
Main Building height	+/-6.1 m	+/-20ft ft.	m	+/-15 ft.
*Percentage lot coverage	m	less than 1 ft.	0.28% m	less than 1% ft.
*Number of parking spaces	N/A		N/A	
*Number of loading spaces	N/A		N/A	
Number of floors	1		1	
Total floor area	+/- 278.71 m <sup>2</sup>	+/-3000 ft <sup>2</sup>	+/-56 m <sup>2</sup>	+/-602.77 ft <sup>2</sup>
Ground floor area (exclude basement)	N/A m <sup>2</sup>	n/a ft <sup>2</sup>	n/a m <sup>2</sup>	N/A ft <sup>2</sup>

13 - Continued)

Type of Building(s)/ structures	Building*			
Main Building height	+/- 7.62 m	+/- 25 ft.	m	ft.
*Percentage lot coverage	+/- 0.76% m	ft.	m	ft.
*Number of parking spaces	N/A			
*Number of loading spaces	N/A			
Number of floors	1			
Total floor area	+/- 150 m <sup>2</sup>	+/-1614.6 ft <sup>2</sup>	m <sup>2</sup>	ft <sup>2</sup>
Ground floor area (exclude basement)	n/a m <sup>2</sup>	n/a ft <sup>2</sup>	m <sup>2</sup>	ft <sup>2</sup>

\* denotes: Building to be removed. Demolition permit to be submitted.

**14. What is the location of all buildings existing and proposed for the subject property? (specify distances from front, rear and side lot lines)**

	House		Garage			
Front Yard	+/-14	m	ft.	+/-20	m	ft.
Rear Yard	+/-15	m	ft.	+/- 57	m	ft.
Side Yards	+26.5	m	ft.	+/-57	m	ft.

	Building*		
Front Yard	+/-18m	m	ft.
Rear Yard	+/-76	m	ft.
Side Yards	+/-76	m	ft.

\*\* Location of building(s) for proposed severed lot have not been determined yet. Building locations will comply with provisions of the Zoning by-law.



**15. What are the dates of acquisition and construction of subject property and building property?**

Date of acquisition of subject property: unknown

Date of construction of buildings property: Many years ago

**16. How long have the existing uses continued on the subject property? Many Years**

**17. Has the owner previously applied for relief in respect of the subject property?**

Yes  No

If the answer is yes, please indicate the file number and describe briefly:

N/A.

**Other Related Planning Applications:**


**18. Has an application for any of the following on the subject lands?**

Planning Application:	Yes:	No:	File Number:	Approval Authority:	Subject Lands	Purpose:	Status:
Official Plan Amendment	<input type="checkbox"/>	<input type="checkbox"/>					
Zoning By-Law Amendment	<input type="checkbox"/>	<input type="checkbox"/>					
Plan of Subdivision	<input type="checkbox"/>	<input type="checkbox"/>					
Consent (Severance)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	B1-23	County of Wellington	Part Lots 8 & 9, Con 10	Severance	Approved Subject to Conditions
Site Plan	<input type="checkbox"/>	<input type="checkbox"/>					
Minor Variance	<input type="checkbox"/>	<input type="checkbox"/>					

**Authorization for Agent/Solicitor to act for Owner:**

(If affidavit is signed by an Agent/Solicitor on Owner's behalf, the Owner's written authorization below shall be completed)

I (we) Pam Willis and Lynn Brombal of the  
Township of Posloneh County/Region of  
Wellington do hereby authorize  
**Robert Stovel** to act as my agent in this application.


  
Signature of Owner(s)

MARCH 11<sup>TH</sup> 2023  
Date

**Affidavit:**

I (we) **Robert Stovel** of the  
Township of Centre Wellington County/Region of  
County of Wellington solemnly declare that all the statements

contained in this application are true, and I, (we), make this solemn declaration  
conscientiously believing it to be true, and knowing that it is of the same force and effect  
as if made under oath and by virtue of the CANADA EVIDENCE ACT. DECLARED  
before me at the Township of Centre Wellington in the  
County/Region of Wellington this 13<sup>th</sup> day of  
March, 2023.

  
Signature of Owner or authorized  
solicitor or agent

March 13/2023  
Date

  
Signature of Commissioner

March 13, 2023  
Date



---

**From:** Brent Smith  
**Sent:** Thursday, April 20, 2023 8:40 AM  
**To:** Hillary Miller  
**Cc:** Tom Mulvey  
**Subject:** RE: Minor Variance Notice of Public Hearing - D13/TON - 900 Watson Rd S

Hi Hillary,  
Puslinch Fire and Rescue Services reviewed the minor variance application for 900 Watson Road South on April 20, 2023 and the department has no concerns with the proposal.

Thanks

Brent Smith

CFPO

Puslinch Fire and Rescue Services

---

Good afternoon,

Attached please find the Notice of Public Hearing with respect to the above property for your review and comment. This application was deferred at the April 11, 2023 meeting and is scheduled to be heard at the May 9, 2023 Committee of Adjustment Meeting.

Please provide any comments you might have by April 28, 2023.

Kind regards,



Hillary Miller  
Legislative Assistant  
Township of Puslinch  
7404 Wellington Rd. 34, Puslinch, ON N0B 2J0  
P: 519-763-1226 x207/Fax: 519-763-5846 [www.puslinch.ca](http://www.puslinch.ca)



## **PLANNING REPORT for the TOWNSHIP OF PUSLINCH**

Prepared by the County of Wellington Planning and Development  
Department

**MEETING DATE:** May 9<sup>th</sup>, 2023  
**TO:** Lynne Banks, Development and Legislative Coordinator  
Township of Puslinch  
**FROM:** Zach Prince, Senior Planner  
County of Wellington  
**SUBJECT:** **MINOR VARIANCE APPLICATION D13/TON (Tonin)**  
**Louis Tonin**  
**900 Watson Rd S**  
**Part Lots 8 and 9, Concession 10**  
**SCHEDULES:** **1 – Applicant’s Sketch**

We have reviewed the application for minor variance and provide the following comments. These comments are offered without the benefit of a site visit.

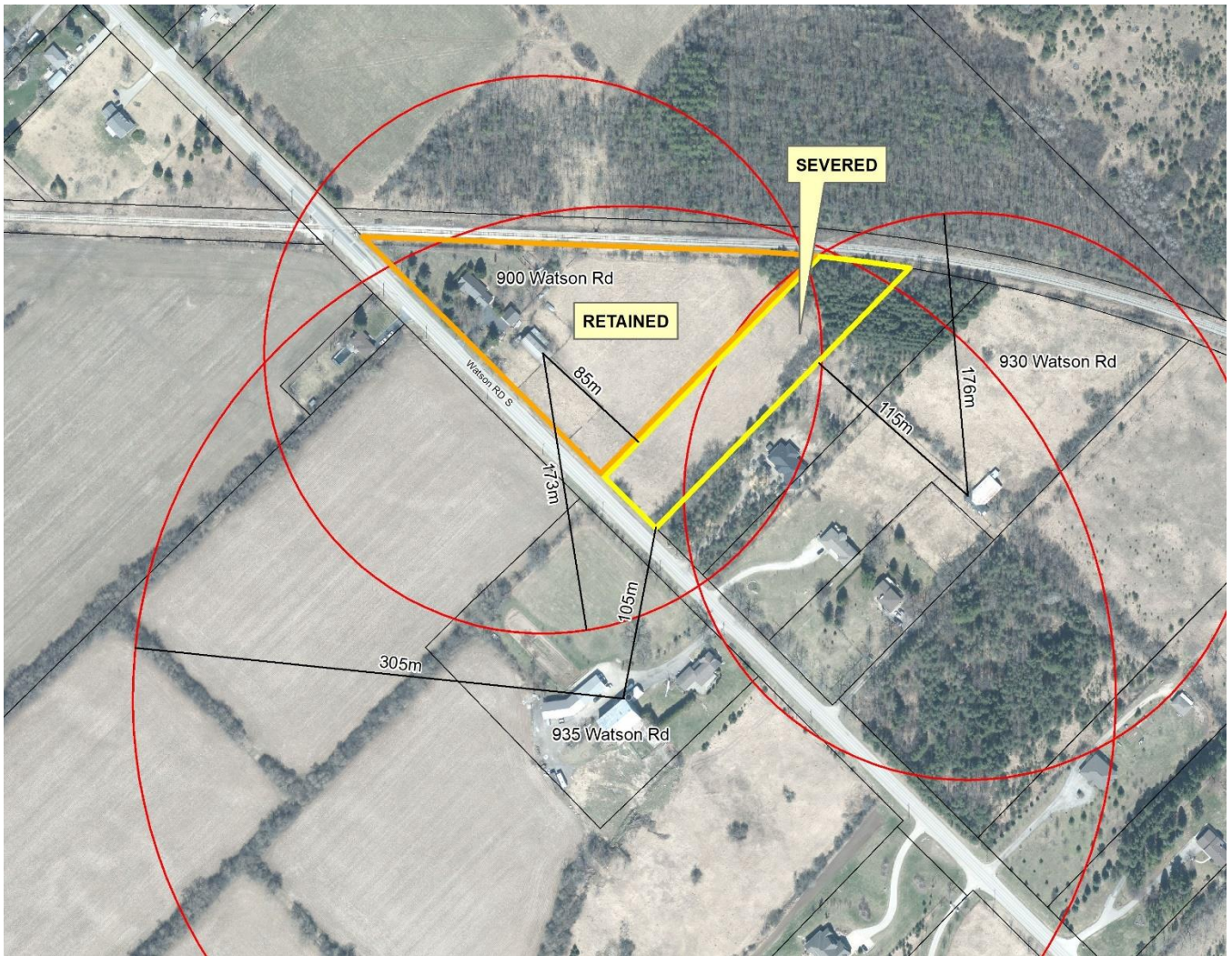
### **Planning Opinion**

The purpose of this application is for relief from Minimum Distance Separation Formula (MDS I) requirements to meet a condition of consent application B01/03 which was conditionally granted by the County of Wellington Land Division Committee in March 2023. The consent application would sever a 0.93 ha (2.29 ac) vacant parcel and a 1.97 ha (4.87 ac) lot with an existing dwelling and barn would be retained. As part of the related consent application, MDS I was reviewed by Planning staff and it was determined that relief would be required to the existing barns in the area. Due to the number of lots within the area, the proposal has been calculated as a Type B land use under Guideline #34.

With respects to the MDS relief, planning staff notes that the setback from the barn located on the retained lands is based on the farm data sheet provided on a neighbouring severance application indicating the capacity for 8 medium sized horses. The barn located at 935 Watson Rd S is based on the unoccupied barn requirements and similarly is being used in a recent consent application (B48/22). The barn located at 930 Watson Rd S is based on information provided by the owner that indicates there are 9 horse stalls in the building and is currently unoccupied. The surrounding area includes the adjacent Guelph Junction Rail Line, existing agricultural parcels and rural residential lots as seen in **Figure 1**.

This minor variance application would maintain the general intent and purpose of the Official Plan and Zoning By-law, and is desirable and appropriate for the development of the subject property. We consider the request minor and have no concerns with the application.

Section of the By-law	Requirements	Proposed	Relief Requested
Section 4.16.2 - General Provisions MDS II New or Expanding Livestock Facilities and Manure Storage facilities. <b>935 Watson Road S</b>	305 m (1,000 ft)	105 m (344 ft)	200 m (656 ft)
Section 4.16.2 - General Provisions MDS II New or Expanding Livestock Facilities and Manure Storage facilities. <b>930 Watson Road S</b>	176 m (577 ft)	115 m (377 ft)	61 m (200 ft)
Section 4.16.2 - General Provisions MDS II New or Expanding Livestock Facilities and Manure Storage facilities. <b>900 Watson Road S</b>	173 m (567 ft)	85 m (279 ft)	88 m (288 ft)



**Figure 1 - Subject Property**

Our discussion of this application relative to the four tests under the Planning Act is as follows:

Four Tests	Discussion
That the requested variance is <b>minor</b> in nature	<ul style="list-style-type: none"> <li>• Consent application B01/23 was conditionally approved by the County of Wellington in March 2023 and this application is to satisfy a condition for MDS I relief.</li> <li>• There is a conditionally approved vacant lot located across the road from the proposed lot which requires the same MDS I relief, farm data sheets were provided for this application (B47/22).</li> <li>• The applicant has indicated the existing barn located on the retained lands (900 Watson) is vacant and have received a demolition permit to remove the structure. The owners of the neighbouring barns at 930 and 935 Watson Rd S have indicated the barn on their lands are vacant as well.</li> <li>• Due to the number of residential lots in the immediate area the proposed lot has been considered a Type B land use.</li> </ul>
That the intent and purpose of the <b>Zoning By-law</b> is maintained	<ul style="list-style-type: none"> <li>• The subject property is zoned Agricultural (A). The agricultural zone allows for residential uses.</li> <li>• The intent of the MDS I setback is to provide a minimum distance between livestock facilities and sensitive lands uses (i.e. dwellings). MDS setbacks are intended to promote and protect agricultural uses while also reducing odour complaints and land use incompatibility.</li> <li>• There are existing rural residential uses in the area which would impact the potential for future expansions to existing livestock buildings and new livestock buildings.</li> </ul>
That the general intent and purpose of the <b>Official Plan</b> is maintained	<ul style="list-style-type: none"> <li>• The property is designated Prime Agricultural, and Secondary Agricultural.</li> <li>• The Guelph Junction Rail line is an active rail line to the North of the property.</li> <li>• Rural residential uses and agricultural uses are permitted in the Official Plan.</li> <li>• The retained lands are adjacent to the Arkell Hamlet area</li> <li>• Local zoning by-laws implement MDS I requirements</li> </ul>
That the variance is <b>desirable</b> and <b>appropriate</b> development and use of the land, building or structure	<ul style="list-style-type: none"> <li>• The subject property is adjacent to existing rural residential uses and in close proximity to the Arkell Hamlet Area.</li> <li>• We do not anticipate that a new residential use in this location would hinder or preclude the present use or future potential for the agricultural operations in question given that a number of existing rural residential uses are existing in the immediate area.</li> </ul>

### Additional Comments

All 3 of the above noted barns are currently not housing livestock. Since the initial application the owner of 900 Watson Road S has applied for and received a demolition permit for the barn located on the retained lands. The owners of 935 Watson Road S have a conditionally approved severance on their lands in which MDS will also need to be addressed, through discussions with

the owner this barn may be demolished or rezoned to no longer house livestock. The owner of the barn at 930 Watson Road South indicating they do not intend to have livestock in the future.

I trust that these comments will be of assistance to the Committee in their consideration of this matter. We would appreciate a copy of the Committee's decision with respect to this application.

Respectfully submitted

Planning and Development Department



Zach Prince, RPP MCIP, Senior Planner







**Township of Puslinch**  
7404 Wellington Road 34  
Puslinch, ON, N0B 2J0  
T: (519) 763 – 1226  
F: (519) 763 – 5846  
www.puslinch.ca

## Minor Variance or Permission Application

### General Information:

#### 1. Applicant Information:

Registered Owner's Name(s): Jim Payne & Grace Stigter

Address: 28 Badenoch St. E.

City: Morrison

Postal Code: N0B 2C0

E-mail Address: [REDACTED]

Telephone Number: [REDACTED]

Fax: \_\_\_\_\_

Applicant (Agent) Name(s): \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

Postal Code: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Fax: \_\_\_\_\_



**5. Why is it not possible to comply with the provisions of the by-law?  
(please specifically indicate on sketch).**

To keep proposed garage panel to the house and away from septic bed.

**6. What is the current Official Plan and zoning status?**

Official Plan Designation: \_\_\_\_\_

Zoning Designation: Residential

**7. What is the access to the subject property?**

Provincial Highway:

Continually maintained municipal road:

Seasonally maintained municipal road:

Other:  (please specify below)

**8. What is the name of the road or street that provides access to the subject property?**

Badenoch St. E

**9. If access is by water only, please describe the parking and docking facilities used or to be used and the approximate distance of these facilities from the subject land to the nearest public road.**

**Existing and Proposed Service:**

**10. Indicate the applicable water supply and sewage disposal:**

Water Supply/Sewage Disposal:	Existing:	Proposed:
Municipal Water:	<input type="checkbox"/>	<input type="checkbox"/>
Communal Water:	<input type="checkbox"/>	<input type="checkbox"/>
Private Well:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other Water Supply:	<input type="checkbox"/>	<input type="checkbox"/>
Municipal Sewers:	<input type="checkbox"/>	<input type="checkbox"/>
Communal Sewers:	<input type="checkbox"/>	<input type="checkbox"/>
Private Septic:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other Sewage Disposal:	<input type="checkbox"/>	<input type="checkbox"/>

**11. How is storm drainage provided?**

Storm Sewers:

Ditches:

Swales:

Other means:  (explain below)

natural drainage

**Existing Subject and Abutting Property Land Uses, Buildings and their Locations:**

**12. What is the existing use of:**

The subject property? Residential

The abutting properties? Residential

**13. Provide the following details for all buildings on or proposed for the subject land: (please use a separate page if necessary)**

Type of Building(s)/ structures	house		proposed garage	
Main Building height	m	25 ft.	m	15 ft.
*Percentage lot coverage	m	ft.	m	ft.
*Number of parking spaces	4			
*Number of loading spaces				
Number of floors	2		1	
Total floor area	m <sup>2</sup>	2300 ft <sup>2</sup>	m <sup>2</sup>	830 ft <sup>2</sup>
Ground floor area (exclude basement)	m <sup>2</sup>	1900 ft <sup>2</sup>	m <sup>2</sup>	830 ft <sup>2</sup>

**14. What is the location of all buildings existing and proposed for the subject property? (specify distances from front, rear and side lot lines)**

	house		proposed garage	
Front Yard	8 m	ft.	29 m	ft.
Rear Yard	31 m	ft.	18 m	ft.
Side Yards	14 m   14 m east   west	ft.	1 metre   30 m east   west	ft.

**15. What are the dates of acquisition and construction of subject property and building property?**

Date of acquisition of subject property: 2 Sept 25 2020

Date of construction of buildings property: \_\_\_\_\_

**16. How long have the existing uses continued on the subject property? \_\_\_\_**

**17. Has the owner previously applied for relief in respect of the subject property?**

Yes  No

If the answer is yes, please indicate the file number and describe briefly:

**Other Related Planning Applications:**

**18. Has an application for any of the following on the subject lands?**

Planning Application:	Yes:	No:	File Number:	Approval Authority:	Subject Lands	Purpose:	Status:
Official Plan Amendment	<input type="checkbox"/>	<input type="checkbox"/>					
Zoning By-Law Amendment	<input type="checkbox"/>	<input type="checkbox"/>					
Plan of Subdivision	<input type="checkbox"/>	<input type="checkbox"/>					
Consent (Severance)							
Site Plan	<input type="checkbox"/>	<input type="checkbox"/>					
Minor Variance	<input type="checkbox"/>	<input type="checkbox"/>					

**Authorization for Agent/Solicitor to act for Owner:**

(If affidavit is signed by an Agent/Solicitor on Owner's behalf, the Owner's written authorization below shall be completed)

I (we) \_\_\_\_\_ of the  
\_\_\_\_\_ of \_\_\_\_\_ County/Region of  
\_\_\_\_\_ do hereby authorize  
\_\_\_\_\_ to act as my agent in this application.

\_\_\_\_\_  
Signature of Owner(s) Date

**Affidavit:**

I (we) Grace Stigter of the  
Township of Puslinch County/Region of  
County of Wellington solemnly declare that all the statements

contained in this application are true, and I, (we), make this solemn declaration  
conscientiously believing it to be true, and knowing that it is of the same force and effect  
as if made under oath and by virtue of the CANADA EVIDENCE ACT. DECLARED

before me at the Township of Puslinch in the  
County/Region of WELLINGTON this 6th day of  
April, 2023.

\_\_\_\_\_  
Signature of Owner or authorized  
solicitor or agent

April 6 2023  
Date

\_\_\_\_\_  
Signature of Commissioner

Heather Lynne Banks, a Commissioner, etc.,  
Province of Ontario, for the Corporation of the  
Township of Puslinch.  
Expires March 10, 2025.

April 6/2023.  
Date



**Agreement to Post Sign and Permit Site Visits:**

A form is included in the Zoning By-law Amendment application to agree to erect a sign on the subject lands and to permit Township employees/representatives to enter the lands for site visits.

The applicant is required to erect and maintain a sign on the proposed lands within one week of the application being deemed complete by staff and to remove the sign when the application has been given final approval. The sign shall be a minimum of 1.2 x 1.2 metres on posts 0.5 metres above grade and include the following wording to be approved by Township staff:

A PROPOSAL HAS BEEN MADE  
ON THIS SITE FOR: (50 mm text height)  
A ZONING BY-LAW AMENDMENT TO xxx (100 mm text height)  
FOR FURTHER INFORMATION  
PLEASE CONTACT THE TOWNSHIP OF PUSLINCH 7404 WELLINGTON ROAD 34  
(519) 763 - 1226 (30-50 mm text height)

**For Administrative Purposes Only:**

Application fee of \$ \_\_\_\_\_ received by the municipality

Date Fee Received: \_\_\_\_\_

Date Application Filed: \_\_\_\_\_

File Number: \_\_\_\_\_

Application deemed complete:

\_\_\_\_\_  
Signature of Municipal Employee

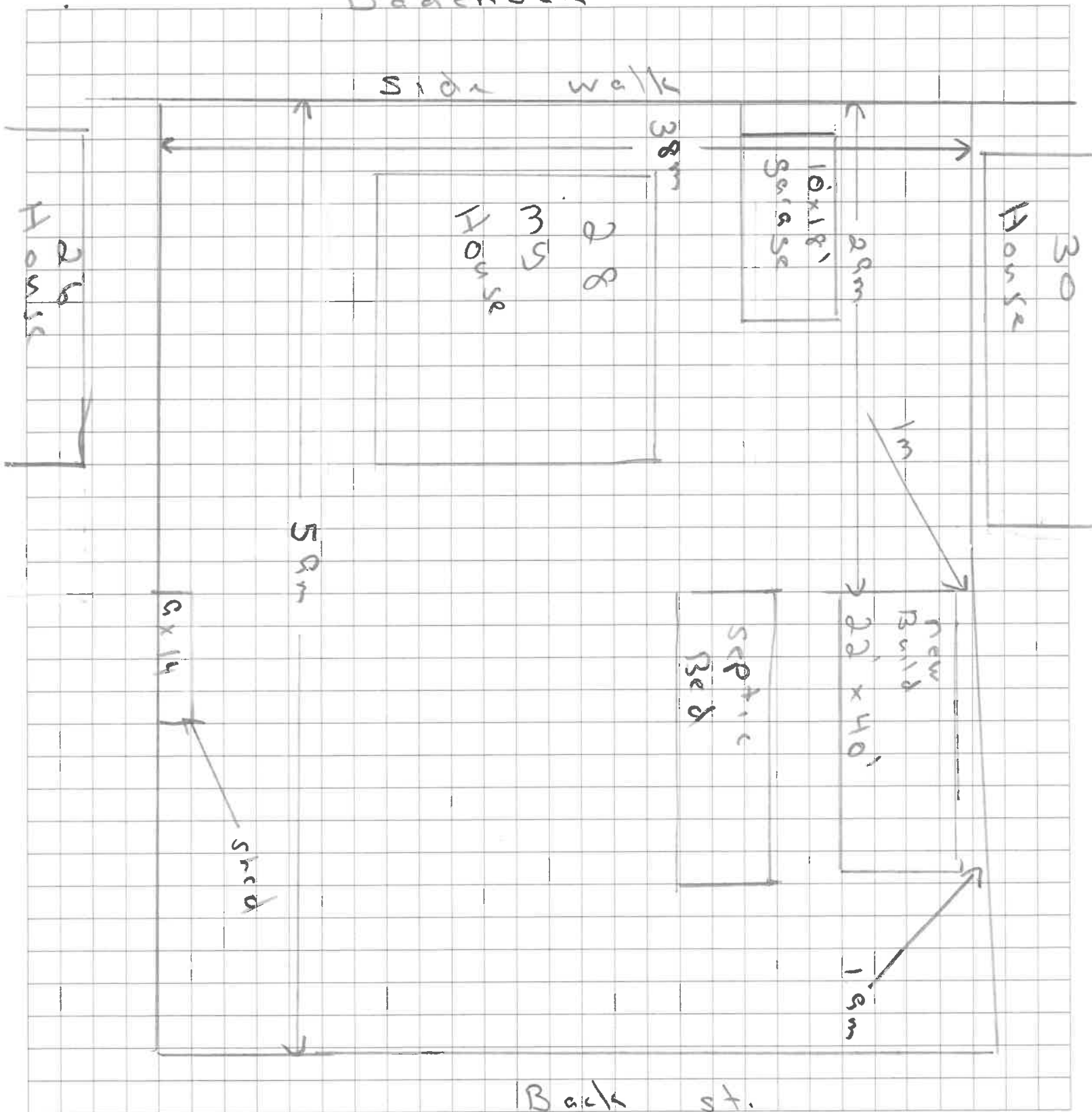
\_\_\_\_\_  
Date

**Personal information on this form is collected under the authority of the Planning Act. The information is used for the purpose of processing this application and administering the legislation and is maintained in accordance with the Municipal Freedom of Information and Protection of Privacy Act. Questions regarding the collection of this information may be directed to the Township Clerk's office.**

**The Township of Puslinch is committed to providing accessible formats and communication supports for people with a disability. If another format would work better for you, please contact the Township Clerk's office for assistance.**

# Custom Metal Fabrication

Badenoch



## • Laser Cutting

- Shearing
- Forming
- Mig/Tig/Stick Welding
- CNC Plasma

**LAJY  
WELDING**

52 Steeles Ave. E., Unit 11, Milton, ON L9T 4X1 Tel: 905.875.2617

lajywelding@gmail.com • Fax: 905.875.0864

**From:** [Source Water](#)  
**To:** [Hillary Miller](#)  
**Cc:** [Source Water](#)  
**Subject:** RE: Minor Variance Notice of Public Hearing - D13/PAY - 28 Badenoch St E  
**Date:** Tuesday, April 25, 2023 8:46:59 AM  
**Attachments:** [image001.png](#)  
[WHPA\\_Map\\_BadenochE\\_28.pdf](#)

---

Good morning Hillary,

Thank you for providing the above referenced application for review. Since this property is **not** located in a vulnerable area (wellhead protection area, issues contributing area, intake protection zone etc.), the application can be screened out and it does not require a Section 59 notice under the *Clean Water Act*.

I have attached a map showing the property and Wellhead Protection Areas for your reference.

If you have any further questions regarding this application, or in the event of any technical problem with the email or attachments, please contact me.

Kind regards,  
Danielle

Danielle Walker (she/ her) | Source Protection Coordinator

Wellington Source Water Protection | 1 MacDonald Square, Elora, ON, N0B 1S0  
519.846.9691 x236 | [DWalker@centrewellington.ca](mailto:DWalker@centrewellington.ca) | [www.wellingtonwater.ca](http://www.wellingtonwater.ca)  
Toll free: 1-844-383-9800

Wellington Source Water Protection is a municipal partnership between the Townships of Centre Wellington, Guelph / Eramosa, Mapleton, Puslinch, Wellington North, the Towns of Erin and Minto and the County of Wellington created to protect existing and future sources of drinking water.

---

**From:** Hillary Miller <[hmillier@puslinch.ca](mailto:hmillier@puslinch.ca)>  
**Sent:** April 13, 2023 2:15 PM  
**To:** Source Water <[sourcewater@centrewellington.ca](mailto:sourcewater@centrewellington.ca)>  
**Subject:** Minor Variance Notice of Public Hearing - D13/PAY - 28 Badenoch St E

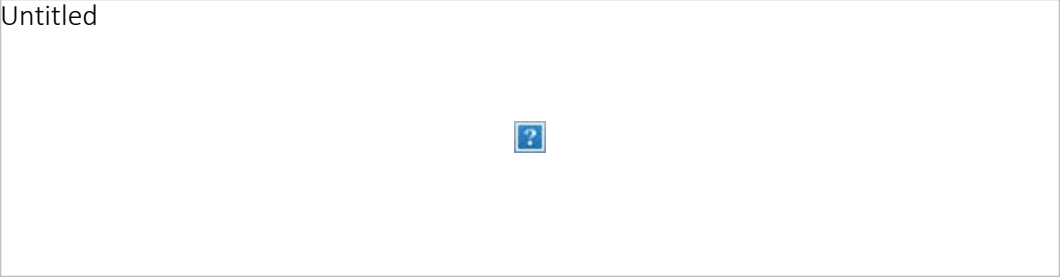
**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

Attached please find the Notice of Public Hearing with respect to the above property for your review and comment. Please provide any comments you might have by April 28, 2023.

Kind regards,

Untitled



**From:** [Andrew Hartholt](#)  
**To:** [Hillary Miller](#)  
**Subject:** RE: Minor Variance Notice of Public Hearing - D13/PAY - 28 Badenoch St E  
**Date:** Friday, April 14, 2023 11:46:46 AM  
**Attachments:** [image002.jpg](#)  
[image003.png](#)

---

Hillary,

The building department would support the reduction in setback from 2m to 1m if the applicant can meet the following criteria:

1. The accessory building is to be located a minimum of 5m from any septic system (adjacent properties included)
2. The wall of the accessory building located closest to the property line cannot have any openings (windows/doors).
3. The new drainage patterns will not adversely affect neighboring properties.

Andrew Email Signature



*My work hours may not match yours, and I do not expect you to respond outside your working hours*

---

**From:** Hillary Miller <hmiller@puslinch.ca>  
**Sent:** Thursday, April 13, 2023 2:17 PM  
**To:** Jacob Normore <jnormore@puslinch.ca>; Brent Smith <bsmith@puslinch.ca>; Mike Fowler <mfowler@puslinch.ca>; Andrew Hartholt <ahartholt@puslinch.ca>; Services <services@puslinch.ca>; Lynne Banks <lbanks@puslinch.ca>; Justine Brotherston <jbrotherston@puslinch.ca>  
**Subject:** Minor Variance Notice of Public Hearing - D13/PAY - 28 Badenoch St E

Good afternoon,

Attached please find the Notice of Public Hearing with respect to the above property for your review and comment. Please provide any comments you might have by April 28, 2023.

Kind regards,

Untitled

**From:** [Brent Smith](#)  
**To:** [Hillary Miller](#)  
**Cc:** [Tom Mulvey](#)  
**Subject:** RE: Minor Variance Notice of Public Hearing - D13/PAY - 28 Badenoch St E  
**Date:** Friday, April 14, 2023 10:03:57 AM  
**Attachments:** [image001.png](#)

---

Hi Hillary,  
Puslinch Fire and Rescue Services reviewed the minor variance proposal referenced above on April 14, 2023.  
The Department has no concerns with the proposal.  
Thanks  
Brent

---

**From:** Hillary Miller <hmillier@puslinch.ca>  
**Sent:** Thursday, April 13, 2023 2:17 PM  
**To:** Jacob Normore <jnormore@puslinch.ca>; Brent Smith <bsmith@puslinch.ca>; Mike Fowler <mfowler@puslinch.ca>; Andrew Hartholt <ahartholt@puslinch.ca>; Services <services@puslinch.ca>; Lynne Banks <lbanks@puslinch.ca>; Justine Brotherston <jbrotherston@puslinch.ca>  
**Subject:** Minor Variance Notice of Public Hearing - D13/PAY - 28 Badenoch St E

Good afternoon,

Attached please find the Notice of Public Hearing with respect to the above property for your review and comment. Please provide any comments you might have by April 28, 2023.

Kind regards,

Untitled



**From:** [REDACTED]  
**To:** [Planning](#)  
**Subject:** Minor variance application #D13/pay  
**Date:** Wednesday, April 19, 2023 8:23:25 PM

---

My name is Christina goncalves and I own 16 Back st Morriston and I am writing to submit my support for the application submitted by Jim Payne and Grace Stinger at 28 Badenoch st E

Regards  
Christina Goncalves

[Sent from Yahoo Mail for iPhone](#)





## PLANNING REPORT for the TOWNSHIP OF PUSLINCH

Prepared by the County of Wellington Planning and Development Department in our capacity as planning consultants for the Township

**MEETING DATE:** May 9<sup>th</sup>, 2023  
**TO:** Lynne Banks, Development and Legislative Coordinator  
Township of Puslinch  
**FROM:** Asavari Jadhav, Junior Planner  
Joanna Salsberg, Planner  
County of Wellington  
**SUBJECT:** **MINOR VARIANCE APPLICATION D13/PAY (Jim Payne and Grace Stigter)**  
**28 Badenoch Street E,**  
**PLAN 135 LOT 24 TO 25 PART LOT;26**  
**ATTACHMENTS:** 1 – Submitted Site Plan

We have reviewed the application for minor variance and provide the following comments. These comments are offered without the benefit of a site visit.

### Planning Opinion

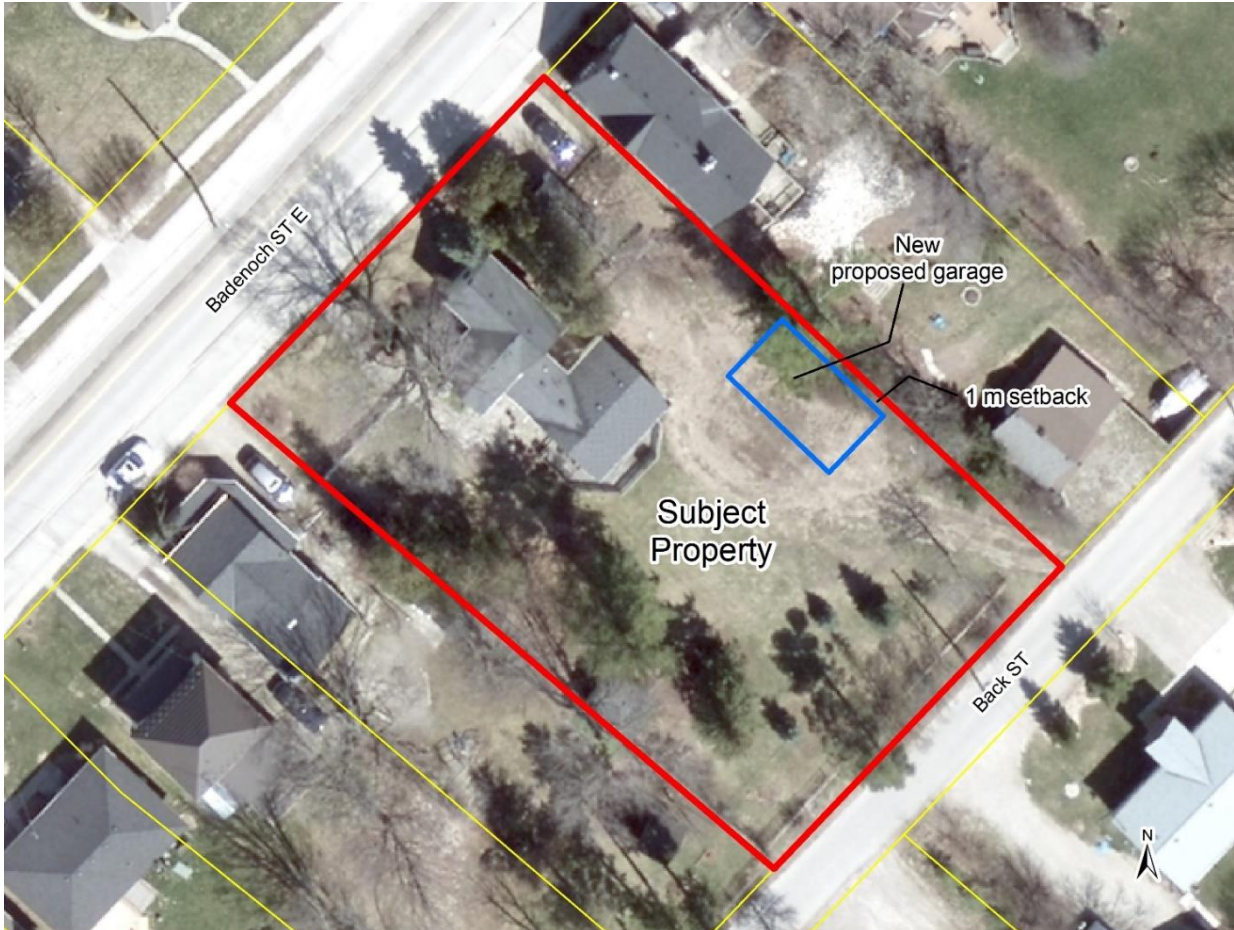
The proposed variance would provide relief from Section 4.4.2, Table 4.1. of the Zoning By-law requesting permission for a decrease in the interior side yard setback (left). The applicant is proposing to construct an accessory structure (garage) of 81.75 m<sup>2</sup> on the subject property with a reduced interior side yard setback of 1 m (3.3 ft), whereas the by-law requires a minimum interior side yard setback of 2 m (6.6 ft).

Planning staff have identified that the existing driveway, which will be used to access the proposed detached garage, does not meet the minimum setback requirement for an interior side lot line. In residential zones, the Zoning By-law requires a driveway that crosses the front lot line to access a detached private garage to be no closer to the interior side lot line than the minimum setback required for accessory buildings or structures. The minimum required setback to an interior lot line for an accessory building or structure is 2 m (6.6 ft). A condition has been proposed to rectify the setback of the driveway. The applicant has confirmed that the driveway can be constructed 2 m from the property line.

Subject to the inclusion of the recommended conditions below, Planning staff have no concerns. This minor variance maintains the general intent and purpose of the Official Plan and Zoning By-law, is minor in nature, and appropriate for the development of the subject property. The following conditions should be considered:

1. That the setback of the driveway to the interior side yard is rectified for conformity with the Township Zoning By-law to the satisfaction of the Township;
2. That any concerns regarding servicing are addressed to the satisfaction of the Township Building Department; and
3. That the owner/applicant prepare and submit a grading and drainage plan to the satisfaction of the Township.

Section of the By-law	Required	Proposed	Relief Requested
Section 4.4.2 – Accessory Buildings and Structures, Table 4.1 – Additional Regulations – Accessory Buildings and Structures	Accessory buildings and structures must be located a minimum of 2m (6.6 ft) from the interior side yard.	1 m (3.3 ft)	1 m (3.3 ft)



**Figure 1: Subject Property**

Our discussion of this application relative to the four tests under the Planning Act is as follows:

Four Tests	Discussion
That the requested variance is <b>minor</b> in nature	<ul style="list-style-type: none"> <li>The subject lands contain an existing dwelling, garage and a shed. The applicant is proposing to construct an accessory structure (garage).</li> <li>The relief is requested to allow for the construction of the 81.75 m<sup>2</sup> (880 ft<sup>2</sup>) garage to be 1 meter (3.3 ft) from interior side yard lot line (left). The Township Zoning By-law requires a minimum interior side yard setback of 2 meter (6.6 ft) for accessory buildings.</li> <li>The proposed garage will be located to the rear of the existing residential dwelling. It appears that there is partial visual screening from the proposed garage location to adjacent properties due to the location of existing trees on the subject lands and the abutting lands.</li> </ul>

	<ul style="list-style-type: none"> <li>• It is noted that the location for a new garage is constrained as the applicant is proposing to use the existing driveway to access the garage, the presence of other accessory buildings, and the location of the existing septic system.</li> <li>• Provided the setback of the driveway to the interior side yard can be rectified, the Building Department and Public Works is satisfied regarding servicing, grading and drainage we would consider the variance minor in terms of impact and context with the surrounding neighbourhood.</li> </ul>
<p>That the intent and purpose of the <b>Zoning By-law</b> is maintained</p>	<ul style="list-style-type: none"> <li>• The subject property is located within Urban Residential (UR) Zone.</li> <li>• A single-detached dwelling is a permitted use within the UR Zone. Accessory uses are also permitted in accordance with the requirements of section 4.4 of the Zoning by-law.</li> <li>• Section 4.4.2, Table 4.1 of the Zoning By-law requires an interior side yard setback of 2 meter (6.6 ft) for an accessory structure, whereas the applicant has proposed a setback of 1 m (3.3 ft).</li> <li>• The intent of requiring a minimum interior side yard setback is to ensure that the drainage can be addressed adequately on the subject property, to allow for unencumbered movement between the front and rear yard of the property, to allow for access and maintenance of the entire parcel including private septic systems, and to create a sense of consistency within the surrounding neighbourhood.</li> <li>• The subject property will have total a lot coverage for all buildings of approximately 12.5% with the proposed garage. The UR Zone allows for a maximum of 45% lot coverage.</li> <li>• The proposed garage meets all the other applicable requirements for accessory buildings within Table 4.1 and the proposal appears to meet the requirements of the UR Zone.</li> <li>• The applicant has indicated the existing driveway is 7.8 m (25.5 ft) in width, and that this driveway will be used to access the proposed accessory building.</li> <li>• Section 5.2.6.d of the By-law requires ‘where a private garage is detached from the principal building and is accessed by a driveway crossing the front lot line, the driveway shall be located no closer to the interior side lot line than the minimum setback required for accessory buildings or structures’. The minimum interior side yard setback for accessory buildings/structures in Table 4.1 is 2 m (6.6 ft).</li> <li>• Upon further review, it was identified that the driveway width appears to have been expanded over time and encroaches into the minimum required interior side yard setback for driveways. The applicant has confirmed that they can ensure that the driveway is 2 m from the property boundary and a condition has been proposed to ensure the setback is rectified.</li> </ul>
<p>That the general intent and purpose of the <b>Official Plan</b> is maintained</p>	<ul style="list-style-type: none"> <li>• The subject property is designated as Residential within the County of Wellington Official Plan.</li> <li>• Single detached homes are permitted within the Residential Designation.</li> </ul>

<p>That the variance is <b>desirable</b> and <b>appropriate</b> development and use of the land, building or structure</p>	<ul style="list-style-type: none"> <li>• The subject lands are immediately surrounded by urban residential uses.</li> <li>• The abutting urban residential parcels are characterized by varied lots sizes and widths.</li> <li>• The surrounding neighbourhood contains a number of accessory buildings that appear to have varying interior side yard setbacks.</li> <li>• The potential locations for a garage are constrained due to the location of the septic, existing accessory buildings, and the existing driveway.</li> <li>• The proposed reduction in the interior side yard (left) will still maintain sufficient setback for access for the maintenance of the property, including around the proposed building.</li> <li>• The location of the garage is setback considerably from the Badenoch St E (Wellington Road 36).</li> <li>• The County Roads Department has indicated that they have no concerns with the current configuration of the driveway.</li> <li>• The Committee should consider comments received from the Public Works Department and Building Department regarding site grading, drainage, or servicing.</li> </ul>
--	--

In conclusion, planning staff is of the opinion that the requested variance application **meets the four tests** of the *Planning Act* subject to the inclusion of the recommended conditions including that any concerns of the Building Department and Public Works Department are addressed. We trust that these comments will be of assistance to the Committee in their consideration of this matter. We would appreciate a copy of the Committee’s decision with respect to this application.

Respectfully submitted  
County of Wellington Planning and Development Department




Asavari Jadhav  
Junior Planner



Joanna Salsberg, B.A., M.PL.  
Planner

**ATTACHMENT 1: Submitted Site Plan**

