



MINUTES

1. CALL THE MEETING TO ORDER

The December 13, 2022 Planning & Development Advisory Committee Meeting was held on the above date and called to order at 7:03 p.m. via electronic participation.

2. OPENING REMARKS

The Chair advised that the following portion of the Committee meeting will be for the Committee to review and provide comments on development planning applications.

3. 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, Municipal Clerk
Joanna Salsberg, Planner, County of Wellington

4. DISCLOSURE OF CONFLICT OF INTEREST

None

5. APPROVAL OF MINUTES

Moved by: Paul Sadhra

Seconded by: Deep Basi

That the Minutes of the Planning & Development Advisory Committee Meeting held Tuesday, November 8, 2022, be adopted.

CARRIED

6. APPLICATION FOR SITE PLAN URBAN DESIGN REVIEW

None

7. ZONING BY-LAW AMENDMENT

None

8. LAND DIVISION

8(a) Severance application B138-22 (D10-HOL) – Kenneth and Janine Holman – Part Lot 16, Concession 10, municipally known as 4524 Concession 11, Township of Puslinch.

Proposed severance is 0.42 hectares with 58m frontage, existing vacant land for proposed rural residential use with single detached dwelling.

Retained parcel is 1.9 hectares with 20m frontage, existing 2 sheds for proposed single detached dwelling.

- Hailey Keast, agent for the applicant, provided an overview of the application.
- Paul Sadhra advised that he has concerns if a new dwelling isn't built but the accessory structures remain on the property in contravention of the Township Zoning By-law
- Lynne Banks advised that one of the conditions for approval would be that the owner enter into an agreement with the Township to permit the accessory structures to remain on the property until the new house is built. She also advised that there are specified time frames in the agreement that states how long the owner has to obtain building permits and occupancy permits and also noted that the owner is required to provide a security deposit to the Township which would be used in the event that a main dwelling isn't built and allows the Township to enter the property and use the security deposit to remove the accessory structures.
- Dennis O'Connor asked that the MDS be completed for the barn that is capable of holding livestock southeast of the proposed severed lot.
- Deep Basi asked if safe entrance is possible for both lots.
- Hailey Keast advised that there is safe entrance from both lots and noted that one of the entrances is a little wider at the entrance to the property in order to ensure that sight lines are met.
- Hailey also noted that with respect to the MDS, the calculations were completed and included in the submission package to the County.
- John Sepulis asked Joanna Salsberg if a Tree Preservation Plan will be required.
- Joanna Salsberg advised that that the County may impose a condition that a Tree Preservation Plan be provided at the County level to the satisfaction of the County.
- John Sepulis asked that Joanna Salsberg provide clarity on the distinction between the Township and County regarding the requirements for a Tree Preservation Plan.
- Joanna Salsberg advised that when the Township has a property within a zone with an EP (Environmental Protection) overlay, then there will be a significant woodlot within the official plan designation and that zoning overlay is reflected within the zoning by-law. She further noted that in this particular case the portion of the property that is proposed to be severed doesn't have that official plan designation in terms of a significant woodland and it doesn't have the zoning bylaw level as well for that overlay on top of it, and because the property is not designated, then the County still is obligated to ensure that the trees are protected and so it may still be a condition to the satisfaction of the County to satisfy the policies of the office plan.
- There were no further questions or comments from the Committee.

The Committee supports the application with the **following conditions** imposed:

1. That the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (including taxes paid in full and Consent Review/Condition Clearance fee) which the Township may deem to be necessary at the time of issuance of the Certificate of Consent for the property and orderly development of the subject lands. Any fees incurred by the Township for the review of this application will be the responsibility of the applicant; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
2. That safe access to the proposed severed lands can be accommodated to the satisfaction of the Township; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
3. That the Owner apply for, and receive, a minor variance for the lands to be retained for the reduced lot frontage; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
4. That the owner enter into an agreement with the Township to permit the two accessory structures

to remain on the property until the new residence is completed and the owner has occupancy. A term of the agreement is that the owner will be required to provide a security to the Township which will be returned to the owner once the accessory structure has been demolished.

5. That the owner obtain zoning conformity for the barn located on the southeast portion of the lot for MDS1 setbacks to the satisfaction of the Township; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

8(b) Lot line adjustment B139-22 (D10-MAR) – Gina and Gino Martinello – Part Lot 10, Concession 4, municipally known as 4670 Sideroad 10, Township of Puslinch.

Proposed lot line adjustment is 0.14 hectares with 15.24m frontage (Part 1 on sketch), vacant land to be added to abutting rural residential lot – John, Giovanni and Nancy Martinello (Part 2 on sketch).

Retained parcel is 14.88 hectares with 168.59m frontage, existing and proposed rural residential use with existing dwelling (Part 3 on sketch).

- Nancy Shoemaker, agent for the applicant, provided an overview of the application.
- Paul Sadhra asked Courtenay Hoytfox for confirmation that the outstanding building permits would be addressed at the zoning compliance review stage.
- Courtenay Hoytfox advised that if the Township receives an amended building permit, Township staff will review it to ensure that it meets the Townships new ARU policies and specifically the size requirements in the zoning by-law.
- John Sepulis asked Courtenay Hoytfox to review any other issues that are associated with zoning compliance with both the severed and retained lands.
- Courtenay Hoytfox advised that the Township's first condition regarding zoning compliance will ensure that the ARU meets the provisions of the zoning by-law. She further advised that the second condition relating to the Record of Site Condition is required since the owner has brought fill into the property without the appropriate approvals in place and it will address the current environmental conditions of the property including soil testing and other requirements that would have been done under a proper permit and approval for the fill. She further noted that the potential to sever off lands that may have fill that is contaminated exacerbates the issues with the Township and instead of having one property with the potential for contaminated soil brought on to the property, the lot line adjustment will result in 2 properties with the potential for contaminated soil. She noted that the Record of Site Condition would satisfy any concerns the Township might have with respect to the fill that has been brought on to the property.
- There were no further questions or comments from the Committee.

The Committee supports the application with the **following conditions** imposed:

1. That the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (including taxes paid in full and Consent Review/Condition Clearance fee) which the Township may deem to be necessary at the time of issuance of the Certificate of Consent for the property and orderly development of the subject lands. Any fees incurred by the Township for the review of this application will be the responsibility of the applicant; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
2. That the Owner obtain and provide a Record of Site Condition in accordance with Ontario Regulation 153/04, to the satisfaction of the Township of Puslinch, in relation to the severed parcel, that shows no contamination being present on the severed parcel; and further that the



Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

3. That the owner obtain zoning compliance for both the severed and retained lands to the satisfaction of the Township; and further that the Township file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

9. OTHER MATTERS

- John Sepulis asked Courtenay Hoytfox to provide an update on how the Committee meetings will be held in the new year.
- Courtenay Hoytfox advised that Council meetings and public information meetings are now being held as hybrid meetings, both in person and virtual, and that Council members and senior staff are now required to attend the meetings in person. She further noted that all Township committee meetings will also be conducted in the same manner and that committee members will be required to attend in person as well as Township staff. However she advised that the applicants, their agents, County planning staff and the public can either attend in person or virtually. She advised that this will apply to the first PDAC meeting scheduled in 2023 for January 10, 2023.
- John Sepulis also asked Courtenay Hoytfox to clarify the change on the agenda from “Disclosure of Pecuniary interest” to “Disclosure of Conflict of Interest”.
- Courtenay Hoytfox advised that Council adopted a new Procedural By-law and that the wording not only reflects conflicts of interest related to pecuniary interest but also conflicts related to the Township’s Code of Conduct. She also advised that training will be provided to the Committee in the new year to review what is covered under the by-law.
- John Sepulis asked Courtenay Hoytfox to provide an update on applications for the members and residents that wish to apply to be on the Committee.
- Courtenay Hoytfox advised that the deadline for applications is January 13, 2023 and that the applications will be reviewed by Council on January 18th and appointments made and that the Committee with the new members will begin at the PDAC meeting in February.
- Dan Kennedy asked if a member is travelling would they be permitted to attend the meeting virtually.
- Courtenay Hoytfox advised that they must attend in person and wouldn’t be permitted to attend virtually.
- There were no further questions or concerns from the Committee.

10. CLOSED MEETING

None

11. NEXT MEETING

Next Regular Meeting will be held on Tuesday, January 10, 2023 @ 7:00 p.m.

12. ADJOURNMENT

Moved by: Paul Sadhra

Seconded by: Deep Basi

That the Planning & Development Advisory Committee is adjourned at 7:35 p.m.

CARRIED