

Cloudpermit application number
CA-3523001-P-2025-40

Applicant, Property owner, Payer

Last name Geier	First name Audrey	Corporation or partnership
Street address 4851 Townline Rd.	Unit number	Lot / Con.
Municipality Puslinch	Province Ontario	Postal code N3C2V3
Other phone +1 5196542000	Mobile phone [REDACTED]	
Fax	Email [REDACTED]	

Agent

Last name Voss	First name Jennifer	Corporation or partnership
Street address [REDACTED]	Unit number	Lot / Con.
Municipality [REDACTED]	Province [REDACTED]	Postal code [REDACTED]
Other phone	Mobile phone [REDACTED]	
Fax	Email [REDACTED]	

Subject Land Information

Address	Legal description	Roll number
4851 TOWNLINE RD (Primary)	CON 3 PT LOT 1	2301000002161000000

Sworn Declaration of Applicant

Complete in the presence of a Commissioner for taking affidavits

I, Audrey Geier, solemnly declare that the information required under Schedule 1 to Ontario Regulation 545/06 and provided by the Applicant is accurate and that the information contained in the documents that accompany this application is accurate, and I 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.

Signature of Applicant (sign in the presence of a Commissioner for taking affidavits)

Signature of Commissioner for taking affidavits

Municipality

Township of
Puslinch

Day, month, year

May 26, 2025

Place an imprint of your stamp below

Laura Elizabeth Emery, a Commissioner, etc.,
Province of Ontario, for the Corporation of the
Township of Puslinch.
Expires August 31, 2026.

Affidavit and signatures


Applicant

The Audrey Geier, Applicant is required to agree to erect and maintain a sign on the subject lands and to permit Township employees/representatives to enter the lands for site visits. The sign will be provided to the applicant for posting on the property by Township planning staff along with instructions on how and where to post the sign. The sign must be posted at least 10 days prior to the Committee of Adjustment meeting date for the application and must remain on the property until the 20 day appeal period is expired.

Notice with respect to collection of personal information

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.

 Digitally signed on 2025-05-26, 1:36:34 p.m. EDT by Audrey Geier.

Send correspondence to	
Send correspondence to <input checked="" type="checkbox"/> Owner(s) <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Others	
Who to send the Invoice to <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Agent <input type="checkbox"/> Other	

Provide a description of the "entire" property			
Concession 3		Lot 1	Registered Plan Number
Area in Hectares 1.01		Area in Acres 2.5	Depth in Meters 79.6 & 168.4
Depth in Feet 1261 & 552	Frontage in Meters 71.2	Frontage in Feet 233	Width of road allowance (if known) 20.12m

Reason for Application	
Please indicate the Section of the Planning Act under which this application is being made <input checked="" type="checkbox"/> Section 45(1) relates to a change to a by-law standard (e.g. setbacks, frontage, height, etc.) <input type="checkbox"/> Section 45(2) relates to a change to or expansion of an existing legal non- conforming use	
What is the nature and extent of the relief that is being applied for? Section 4.16.1(a) - to permit a future residential use on the approved 0.76 ha severed parcel that does not comply with the MDS 1 setbacks to two existing barns	Why is it not possible to comply with the provisions of the by-law? Severed parcel does not meet the MDS 1 setback requirement from two adjacent non-livestock barns.

What is the current Official Plan and zoning status?	
Official Plan Designation Secondary Agricultural & Core Greenlands	Zoning Designation Agricultural & Natural Environment
What is the access to the subject property? <input type="checkbox"/> Provincial Highway <input checked="" type="checkbox"/> Continually maintained municipal road <input type="checkbox"/> Seasonally maintained municipal road <input type="checkbox"/> Other <input type="checkbox"/> Continually maintained county road	
What is the name of the road or street that provides access to the subject property? Townline Road	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		
Indicate the applicable water supply and sewage disposal:		
Private Well	<input type="checkbox"/> Existing	<input checked="" type="checkbox"/> Proposed
Communal Water	<input type="checkbox"/> Existing	<input type="checkbox"/> Proposed
Provincial Water Taking Permit	<input type="checkbox"/> Existing	<input type="checkbox"/> Proposed
Private Septic	<input type="checkbox"/> Existing	<input checked="" type="checkbox"/> Proposed
Communal Septic	<input type="checkbox"/> Existing	<input type="checkbox"/> Proposed
Other Provincial Waste Water System	<input type="checkbox"/> Existing	<input type="checkbox"/> Proposed
How is storm drainage provided? *		
<input type="checkbox"/> Storm Sewers <input checked="" type="checkbox"/> Ditches <input type="checkbox"/> Swales <input type="checkbox"/> Other means		

Existing Subject and Abutting Property Land Uses, Buildings and their Locations	
What is the existing use of the subject property? Rural Residential	What is the existing use of the abutting properties? Rural residential and natural heritage features

Provide the following details for all existing buildings on the subject land		
Main Building Height in Meters 0	Main Building Height in Feet 0	Percentage Lot Coverage in Meters 0
Percentage Lot Coverage in Feet 0	Number of Parking Spaces 0	Number of Loading Spaces 0
Number of Floors 0	Total Floor Area in Square Meters 0	Total Floor Area in Square Feet 0
Ground Floor Area (Exclude Basement) in Square Meters 0	Ground Floor Area (Exclude Basement) in Square Feet 0	

Provide the following details for all buildings proposed for the subject land		
Main Building Height in Meters 0	Main Building Height in Feet 0	Percentage Lot Coverage in Meters 0
Percentage Lot Coverage in Feet 0	Number of Parking Spaces 0	Number of Loading Spaces 0
Number of Floors 0	Total Floor Area in Square Meters 0	Total Floor Area in Square Feet 0
Ground Floor Area (Exclude Basement) in Square Meters 0	Ground Floor Area (Exclude Basement) in Square Feet 0	

What is the location of all buildings existing and proposed for the subject property? (specify distances from front, rear and side lot lines)		
Front Yard in Meters 0	Front Yard in Feet 0	Rear Yard in Meters 0
Rear Yard in Feet 0	Side Yard (interior) in Meters 0	Side Yard (interior) in Feet 0
Side Yard (Exterior) in Meters 0	Side Yard (Exterior) in Feet 0	

What are the dates of acquisition and construction of subject property and building property		
Date of acquisition of subject property July 29, 2005	Date of construction of buildings property 0	How long have the existing uses continued on the subject property? 0
Has the owner previously applied for relief in respect of the subject property? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Please indicate the file number and describe briefly Minor variance application recently submitted for the retained parcel

Other Related Planning Applications		
Planning Application: Official Plan Amendment <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Planning Application: Zoning By-Law Amendment <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Planning Application: Plan of Subdivision <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Planning Application: Consent (Severance) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Planning Application: Site Plan <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Planning Application: Minor Variance <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Consent (Severance): File Number B-143-22	Consent (Severance): Approval Authority Wellington County	Consent (Severance): Subject Lands Provisional consent granted on Feb 13, 2025. No appeals.
Consent (Severance): Purpose Rural residential lot		Consent (Severance): Status Approved

Minor Variance Application must be commissioned
Please confirm the following <input checked="" type="checkbox"/> I understand that prior to the Minor Variance Application being deemed complete it must be commissioned by all registered owners or the agent responsible for the application.



May 8, 2025

Committee of Adjustment
Township of Puslinch
7404 Wellington Road 34
Puslinch, Ontario
N0B 2J0

Dear Members of the Committee:

Re: Minor Variance Application – 4851 Townline Road, Part Lot 1, Concession 3, Township of Puslinch, County of Wellington, Audrey Geier

Please accept this letter in support of a Minor Variance Application submitted to the Township of Puslinch Committee of Adjustment to permit relief from the following zone regulations of Zoning By-law 23-2018:

1. **Section 11.4, Table 11.3** – to permit a reduced minimum lot area of 0.26 hectares for the retained parcel, whereas 0.4 hectares is required;
2. **Section 4.16.1(a)** – to permit a future residential use on the approved 0.76 ha severed parcel that does not comply with Minimum Distance Separation I (MDS I) setbacks to two existing barns;
3. **Section 4.24.4(a), (b), (d), and (f)** – to permit two existing shipping containers on the retained lot (0.26 ha) where shipping containers are only permitted on lots of 0.4 ha or greater, limited to one container per 0.4 ha, must be set back a minimum of 10 metres from a residential use, and are only permitted where outdoor storage is also permitted.

Background

An application to sever the subject lands at 4851 Townline Road was submitted on October 28, 2022 (“Consent Application”) to permit the creation of a new rural residential lot.¹ The application was first deferred on February 9, 2023 to allow time to address a Growth Plan policy

¹ Approved Severance Sketch, Van Harten Surveying Inc., November 13, 2024.

interpretation issue and secondly on June 13, 2024 to allow the applicant to address concerns raised by the Land Division Committee and Planning Staff regarding the irregular configuration of the proposed lot fabric. The Committee directed that the lot line between the severed and retained parcels be regularized to better conform with County lot fabric policies. This revision resulted in the retained parcel being reduced in area below the minimum requirement of the Zoning By-law. To support the reduced lot size, a Hydrogeological Study was completed.

On February 13, 2025, the Land Division Committee granted provisional consent for the severance, subject to a number of conditions. Conditions relevant to this minor variance application include the requirement that the applicant obtain zoning compliance for:

- the reduced lot area of the retained parcel (0.26 ha, whereas 0.4 ha is required);
- the existing shipping containers located on the retained parcel;
- the proposed residential use on the severed parcel in relation to Minimum Distance Separation (MDS I) requirements; and
- the existing garage on the retained parcel to confirm compliance with maximum lot coverage for accessory buildings.

With respect to the accessory structure condition, Section 4.4, Table 4.1 of the Township's Zoning By-law permits a maximum lot coverage of 200 square metres for accessory buildings on lots less than 1.0 hectare. The combined area of the garage and two shipping containers on the retained parcel is 168 square metres, and therefore complies with this regulation.

To address the zoning compliance conditions noted above, three minor variances are required:

1. A variance from Section 11.4, Table 11.3 of the Zoning By-law to permit a reduced lot area of 0.26 hectares for the retained parcel;
2. A variance from Section 4.16.1(a) to permit a future residential use on the severed parcel that does not meet MDS I setbacks to two existing barns; and
3. A variance from Section 4.24.4(a), (b), (d) and (f) to permit two shipping containers on the retained parcel with a lot area of less than 0.4 hectares, to allow more than one container per 0.4 ha, and to permit a setback of 8.2 metres from a residential lot, whereas a 10-metre setback is required.

The proposed severed parcel is approximately 0.76 hectares in area and complies with the minimum lot area requirement; however, it does not meet MDS I setback requirements from two adjacent barns. The barn to the south fronting Townline Road located at Concession 3, Part 1 (Barn A) requires a setback of 390 metres, whereas the proposed setback is approximately 211 metres. The barn located to the north at 6501 Roszell Road (Barn B) requires a setback of 264 metres, whereas the proposed setback is approximately 126 metres. Neither barn is currently used for the housing of livestock and both would require significant upgrades to be used for such purposes.

Two shipping containers are currently located on the retained parcel, which is 0.26 hectares in area. Relief is required to permit the containers on a parcel smaller than 0.4 hectares, to allow two containers where only one is permitted per 0.4 hectares, and to recognize a reduced setback

of 8.2 metres from the adjacent residential lot to the north, where a minimum setback of 10 metres is required.

1. Minimum Lot Area – Section 11.4 (Table 11.3)

Relief Requested: Permit a reduced lot area of 0.26 hectares for the retained parcel, whereas the Zoning By-law requires a minimum of 0.4 hectares.

Planning Analysis:

The reduced lot area results from revisions made to the lot configuration during the consent review process. In response to comments from Planning Staff and the County of Wellington Land Division Committee regarding the originally proposed irregular lot fabric, the applicant revised the configuration to establish a more regular lot line between the severed and retained parcels. While the original layout was intended to meet the 0.4 ha minimum lot area requirement for both the severed and retained parcels, the revised lot line resulted in the retained parcel having an area of 0.26 ha.

To support the reduced lot size, a Scoped Hydrogeological Study was completed by Hydrogeology Consulting Services Inc. in November 2024, with a revised version issued on March 27, 2025. Peer reviews were provided by the Township's consulting hydrogeologist, Wellington Hydrogeology Ltd., with review comments dated February 10, 2025, and April 15, 2025.

The Hydrogeological Study and peer review confirm the following:

- The retained parcel can be adequately serviced with a private well and sewage disposal system.
- A nitrate impact assessment was conducted using MECP Procedure D-5-4. The results confirmed that a Level IV (tertiary) treatment system with a maximum effluent concentration of 20 mg/L nitrate-N is required for the retained lot to maintain nitrate concentrations below the Ontario Drinking Water Quality Standard of 10 mg/L at the downgradient property boundary.
- It is understood and accepted that the retained lot will require an upgraded Level IV (tertiary) or enhanced tertiary sewage treatment system to ensure compliance.
- The proposed severed lot (0.76 ha) can be serviced with either a conventional or tertiary treatment system. Both servicing options were found to be technically supportable.
- The existing well on the retained parcel provides adequate supply to meet daily and peak residential water demand.
- No adverse impacts are anticipated on adjacent private wells or on nearby natural heritage features, including the Provincially Significant Wetland (Puslinch Lake Irish Creek Wetland Complex) or mapped floodplain areas.
- Site conditions are suitable for infiltration, and separation to the seasonally high groundwater table can be maintained for both the foundation and leaching bed.

The Township's peer reviewer concurred with the methodology and conclusions presented in the HCS Hydrogeological Study and raised no objections to the severance from a hydrogeological perspective.

In summary, the minor variance to permit a reduced lot area for the retained parcel is technically justified and satisfies the servicing-related and hydrogeological conditions of consent. The retained lot accommodates the existing dwelling and associated accessory structures and has been demonstrated to be functional and sustainable for continued residential use. The variance is considered minor, maintains the general intent and purpose of the Zoning By-law and Official Plan, and is desirable for the orderly use of the land.

2. MDS I Setback – Section 4.16.1(a)

Relief Requested: Permit a future residential use on the severed lot that does not comply with MDS I setbacks to two existing barns.

Planning Analysis:

The proposed severed lot is located in a rural area that is characterized more by rural residential uses than agricultural uses on the Township of Puslinch side of Townline Road. While small-scale agricultural uses are present in the broader area, the prevailing land use pattern along Roszell Road and in the immediate vicinity of the subject lands consists of residential lots. On the west side of Townline Road, the lands are within the City of Cambridge and are predominantly urban residential in nature.

The MDS I setbacks were calculated using Type B land use criteria. The required and proposed setbacks are as follows:

- **Barn A:** Located to the south, fronting Townline Road at Concession 3, Part 1, requires a setback of 390 metres, whereas the proposed setback is approximately 211 metres.
- **Barn B:** Located to the north at 6501 Roszell Road, requires a setback of 264 metres, whereas the proposed setback is approximately 126 metres.



Barn A – Townline Road



Barn B – 6501 Roszell Road

Neither barn is currently used for the housing of livestock and both are used for storage purposes only. Substantial modifications would be required to retrofit either structure to accommodate livestock, including physical upgrades, ventilation systems, and manure storage facilities.

Barn A is situated on a property that directly abuts 11 rural residential lots to the west fronting Townline Road. On the opposite side of Townline Road is bordered by the urban edge of the City of Cambridge. The surrounding development pattern is fragmented and no longer supports

large-scale or intensive livestock operations. The barn's location in close proximity to existing non-farm residential uses limits its suitability for livestock use.

Barn B is located at 6501 Roszell Road on a rural residential parcel. The property is not used for agricultural purposes and lacks the land base or context needed to support livestock operations. Similar to Barn A, the barn is surrounded by a number of rural residential lots on both sides of Roszell Road, all of which are in closer proximity than the proposed severed lot. The cumulative pattern of development makes future use of this structure for livestock highly unlikely.

Given the existing and planned land use context, the lack of livestock activity in either barn, the condition of the existing barns and the presence of numerous existing rural residential uses in closer proximity to both barns than the proposed lot, compliance with MDS I is not warranted in this case. The proposed variance will not impact the long-term viability of agriculture in the area and will not create new compatibility issues.

The variance is considered minor, maintains the general intent and purpose of the Zoning By-law and Official Plan, and is desirable for the appropriate development of the lands.

3. Shipping Containers – Section 4.24.4(a), (b), (d) and (f)

Relief Requested:

- Permit the continued use of two shipping containers on the retained parcel with an area of 0.26 hectares, whereas Section 4.24.4(a) permits shipping containers only on lots with a minimum area of 0.4 hectares;
- Permit more than one shipping container per 0.4 hectares, whereas only one is permitted under Section 4.24.4(b);
- Permit the use of shipping containers on lands zoned Agricultural (A) that are not currently used for an agricultural use, whereas Section 4.24.4(d) only permits shipping containers where outdoor storage is permitted, and outdoor storage is interpreted by the Township as being permitted only where the property is used for an agricultural use.
- Permit a setback of 8.2 metres to the adjacent residential lot, whereas Section 4.24.4(f) requires a minimum setback of 10 metres.

Planning Analysis:

There are two shipping containers located on the retained parcel, each measuring approximately 6.0 metres by 2.4 metres, for a total combined footprint of 14.4 square metres. The containers have been on the property for approximately 20 years and are used by the property owner for general storage purposes. They are situated in the rear yard, directly behind the existing garage, and are not visible from Townline Road or surrounding properties due to their location and screening. The two units are positioned closely together and are used as a single storage unit, though they are technically two separate containers.

The need for the variance has only arisen as a result of the consent application, which reduced the retained parcel below the 0.4 hectare minimum lot size identified in Section 4.24.4(a) of the

Zoning By-law. Prior to the severance, the retained parcel exceeded the minimum lot size, although technically, the number of containers exceeded the permitted maximum of one per 0.4 hectare.

Section 4.24.4(d) of the Township's Zoning By-law states that shipping containers shall only be permitted where an outdoor storage area or outdoor storage use is also permitted. Although the subject lands are zoned Agricultural (A), and an agricultural use is permitted within the zone, the lands are not currently used for such a purpose. The Township has advised that under this interpretation, outdoor storage is only permitted where the lands are actively used for agricultural purposes, and as such, the existing shipping containers require additional relief.

Although this interpretation is debated, relief is being sought for completeness. The shipping containers in question are accessory in nature, are modest in scale (each approximately 6.0 m x 2.4 m), and are located to the rear of the existing garage where they are screened from view and do not generate any visual or compatibility issues. The containers have been in place for approximately 20 years and have not given rise to any complaints or land use concerns. They serve a legitimate storage function for the current rural residential use and, based on their placement and scale, do not represent the type of outdoor storage typically associated with commercial or industrial operations.

The intent of the regulation is to ensure that shipping containers are not used in a manner that creates land use conflicts or visual impacts in inappropriate contexts. In this case, the long-standing presence of the containers, their screened location, small footprint, and lack of any nuisance or impact demonstrate that their continued use is compatible with the surrounding area and consistent with the objectives of the Zoning By-law.

The total floor area of the two containers (14.4 m²) is well below the maximum cumulative permitted area of 255 m² for shipping containers. The setback from the residential lot to the north is 8.2 metres, a minor reduction from the 10-metre minimum. Given the placement behind the garage and the existing vegetation, the reduced setback does not result in any visual or functional impact.

The containers have existed on the site for two decades without known complaint or issue. They are small in scale, unobtrusive, and continue to serve a valid storage function for the property owner.

In summary:

- The containers have been in place for approximately 20 years and function as a single storage unit;
- The need for relief has been triggered solely by the severance and resulting reduction in lot area;
- Relief is being sought to formally recognize their continued presence on the property given the Township's interpretation of Section 4.24.4(d).

- The total floor area is modest and the containers are screened and set back in a manner that avoids impacts on neighbouring properties.

The requested variance is minor, maintains the general intent and purpose of the Zoning By-law and Official Plan, and is appropriate for the continued use of the lands.

Conclusion

The requested variances are required to fulfill conditions of provisional consent associated with File B-143/22 and address technical non-compliance with the Zoning By-law related to minimum lot area, MDS I setbacks, and shipping container regulations. The proposed relief is appropriate in the context of the site and surrounding area and satisfies the four tests under Section 45(1) of the Planning Act, as outlined below:

1. The variances are minor in nature:

Each variance reflects site-specific conditions and does not result in negative impacts to adjacent properties or the rural character of the area. The reduced lot area is supported by a Hydrogeological Study and peer review demonstrating that both the severed and retained parcels can be appropriately serviced. The MDS variances reflect the current non-agricultural use of the barns and the surrounding rural residential context. The shipping containers are modest in size, screened from view, and have existed on the property for 20 years without issue.

2. The variances are desirable for the appropriate development or use of the land:

The retained and severed parcels will continue to function as rural residential lots, consistent with the existing development pattern in the area. The variances will facilitate zoning compliance following the consent approval and support the continued, orderly use of the property. The proposed use of the shipping containers as storage is longstanding, unobtrusive, and consistent with the permissions for accessory outdoor storage under the Agricultural zoning.

3. The general intent and purpose of the Official Plan is maintained:

The Wellington County Official Plan designates the lands as Secondary Agricultural, where limited residential development is permitted and anticipated. The proposed lot configuration and residential use are consistent with the character and policies of the Secondary Agricultural Area designation. The variances do not undermine the long-term viability of agriculture in the area and do not conflict with any environmental or resource protection policies.

4. The general intent and purpose of the Zoning By-law is maintained:

The intent of the relevant Zoning By-law provisions is to ensure appropriate lot sizes for servicing, protect agricultural operations through MDS, and regulate the use, size, and placement of shipping containers. The supporting technical studies confirm that the lots are functional from a servicing perspective, and that there are no compatibility concerns associated with MDS or the existing accessory storage use. The variances allow for continued compliance in a manner that respects the By-law's objectives.

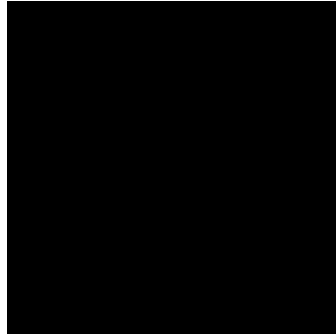
In conclusion, it is my professional opinion that the requested variances represent good planning, are consistent with the applicable planning policy framework, and are appropriate for approval by the Committee of Adjustment.

Thank you for your consideration, and I look forward to presenting this application at the upcoming meeting. Should you require additional information, please do not hesitate to contact me via email at jvoss@shimco.com or 226-339-3304.

Regards,



Jennifer Voss, MCIP, RPP



cc Audrey Geier

