



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
JUNE 10, 2025
COMMITTEE OF ADJUSTMENT MEETING
VIRTUAL MEETING BY ELECTRONIC PARTICIPATION &
IN-PERSON AT THE MUNICIPAL OFFICE –
7404 WELLINGTON RD 34, PUSLINCH
7:00 p.m.

Register in advance for webinar:

https://us02web.zoom.us/webinar/register/WN_kiWKMGIERaa91Z1PuYsTag

Join from PC, Mac, iPad, or Android:

<https://us02web.zoom.us/j/87545055965?pwd=gyFNJp9CxabOIFyzv63R1viO2hhOYO.1>

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AGENDA

DATE: June 10, 2025

MEETING: 7:00 PM

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. Consent Agenda ≠**



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7:00 p.m.

6.1 May 13, 2025 Committee of Adjustment Meeting Minutes

7. Application for Minor Variance or Permission under section 45 of the Planning Act to be heard by the Committee this date:

7.1 D13-BRE – 603 Arkell Rd (Retained)

Requesting relief of New Comprehensive Zoning By-law # 23-2018, as amended, from Section 11.4, Table 11.3 to allow a reduced frontage of 20.4 m for a Reduced Agricultural Lot, instead of 25 m as required.

Requesting relief of New Comprehensive Zoning By-law # 23-2018, as amended, from Section 11.4, Table 11.3 to allow a reduced lot area of 0.36 ha for a Reduced Agricultural Lot, instead of 0.4 ha as required.

RECOMMENDATION:

That Report D13-2024-010 entitled Minor Variance Application D13/BRE be received; and

Whereas the variance requested would provide relief from Section 11.4 (Table 11.3) of Township Comprehensive Zoning By-law 2018-023, as amended (Zoning By-law), requesting permission for a reduction in minimum lot frontage of 20.4 m, instead of the required minimum lot frontage of 25 m; and

Whereas the variance requested would provide relief from Section 11.4 (Table 11.3) of the Zoning By-law, requesting permission for a reduction in minimum lot area of 0.3 ha, instead of the required minimum lot frontage of 0.4 ha; and

Whereas this application is required as a condition of consent application B97-24 that was approved in December 2024 at the Land Division Committee Meeting; the consent application would sever a 0.19 ha (0.47 ac) of land with an existing garage for rural residential use within the Residential Area; resulting in a frontage of the retained parcel being 20.4 m and lot area being 0.36 ha (0.89 ac); and

Whereas, the 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;

Therefore, that planning staff consider the request to be minor and have no concerns with the application.



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7.2 D13-BRE- 603 Arkell Rd (Severed)

Requesting relief of New Comprehensive Zoning By-law # 23-2018, as amended, from Section 11.4, Table 11.3 to allow a reduced lot area of 0.19 ha for a Reduced Agricultural Lot, instead of 0.4 ha as required.

RECOMMENDATION:

That Report D13-2024-011 entitled Minor Variance Application D13/BRE be received; and

Whereas the variance requested would provide relief from Section 11.4 (Table 11.3) of Township Comprehensive Zoning By-law 2018-023, as amended (Zoning By-law), requesting permission for a reduction in minimum lot area of 0.19 ha, instead of the required minimum lot area of 0.4 ha; and

Whereas this application is required as condition of consent application B97-24 that was approved in December 2024 at the Land Division Committee Meeting; the consent application would sever a 0.19 ha (0.47 ac) land with existing garage for rural residential use within the Residential Area; and

Whereas, the 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;

Therefore, that planning staff consider the request to be minor and have no concerns with the application.

7.3 D13-GEI – 4851 Townline Rd (Retained)

Requesting relief of New Comprehensive Zoning By-law # 23-2018, as amended, from Section 11.4, Table 11.3 to allow a reduced lot area of 0.26 ha for retained parcel, instead of 0.4 ha as required.

Requesting relief of New Comprehensive Zoning By-law #23-2018, as amended, from Section 4.24.2. a) to allow shipping containers on a lot with a minimum area of 0.26 ha instead of 0.4 ha as required.

Requesting relief of New Comprehensive Zoning By-law #23-2018, as amended, from Section 4.24.2. b) to allow two (2) shipping containers on the retained parcel instead of none as required for a lot with an area less than 0.4 hectares.



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Requesting relief of New Comprehensive Zoning By-law #23-2018, as amended, from Section 4.24.2. d) to permit storage of shipping containers on the retained parcel for residential use whereas outdoor storage is prohibited.

Requesting relief of New Comprehensive Zoning By-law #23-2018, as amended, from Section 4.24.2. b) to permit a setback of 8.2 metres from residential use for shipping containers instead of 10 metres as required.

RECOMMENDATION:

That Report D13-2024-012 entitled Minor Variance Application D13/GEI be received; and,

Whereas the variance requested would provide relief from Section 11.4 (Table 11.3) of Township Comprehensive Zoning By-law 2018-023, as amended (Zoning By-law), requesting permission for a reduction in minimum lot area of 0.26 hectares, instead of the required minimum lot area of 0.4 hectares (Variance #1); and

Whereas the variance requested would provide relief from Section 4.24.2.a), of the Zoning By-law, requesting permission to allow shipping containers on a lot with a minimum area of 0.26 hectares instead of 0.4 hectares as required (Variance #2); and

Whereas the variance requested would provide relief from Section 4.24.2.b), of the Zoning By-law, requesting permission to allow a maximum of two (2) shipping containers on the retained parcel with a lot area of 0.26 hectares instead of a maximum one shipping container per 0.4 hectares of lot area (Variance #3); and

Whereas the variance requested would provide relief from Section 4.24.2.d), of the Zoning By-law, requesting permission to allow shipping containers on the retained parcel, notwithstanding that outdoor storage area and outdoor storage use are not permitted on the retained parcel (Variance #4); and

Whereas the variance requested would provide relief from Section 4.24.2.f), of the Zoning By-law, requesting permission to permit a distance of 8.2 metres between shipping containers and the neighbouring residential lot to the north, instead of 10 metres as required (Variance #5); and

Whereas this application is required as condition of consent application B143-22 that was approved in February 2025 at the Land Division Committee Meeting; the consent



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application would sever a 0.76 hectares (1.88 acres) parcel with an existing garage for rural residential use;

Therefore be it resolved that the Committee approves the requested variance from Section 11.4 (Table 11.3) of the Township's Comprehensive Zoning By-law 2018-023, as amended, for the reduced lot area as presented in the report as staff are of the opinion that the variance is minor in nature, is desirable for the appropriate development or use of the land, building or structure, and maintains the general intent and purpose of the County of Wellington Official Plan and the Township Zoning By-law; and,

That the Committee denies the requested relief from Section 4.24.4(a), (b), (d) and (f) of the Township's Comprehensive Zoning By-law 2018-023, as amended, as presented in the report as staff are of the opinion that the requested variances are not minor, are not desirable or the appropriate development or use of the land, building or structure, and do not maintain the general intent and purpose of the County of Wellington Official Plan and the Township Zoning By-law; and

That in the event the Committee's decision is to approve requested variances #2, #3, #4 and #5, planning staff recommends the following conditions:

- 1. That Variance #3 should be worded as follows:
"To permit a maximum of two (2) shipping containers on lot with a minimum area of hectares to a maximum floor area of 14.4 m whereas the Township Comprehensive Zoning By-law 2018-023, as amended, Section 4.24.2.b) states a maximum of one shipping container shall be permitted per 0.4 hectares of lot area to a maximum floor area of 255 m²"*
- 2. That the Applicant applies for and receives building permit for the existing shipping containers, if attached to the accessory building.*
- 3. That additional screening measures, such as wood fencing, is implemented to the satisfaction of the Township to enclose the shipping containers.*

7.4 D13-GEI – 4851 Townline Rd (Severed)

Requesting relief of New Comprehensive Zoning By-law #23-2018, as amended, from Section 4.16.1. a) to permit a reduced MDS I setback for the Severed Parcel to be 126 meters from the barn located at the property municipally known as 6501 Roszell Road, instead of 264 meters as required



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Requesting relief of New Comprehensive Zoning By-law #23-2018, as amended, from Section 4.16.1. a) to permit a reduced MDS I setback for the Severed Parcel to be 211 meters from the barn located south at Part Lot 1 of Concession 3, fronting on Townline Road, instead of 390 meters as required.

RECOMMENDATION:

That Report D13-2025-013 entitled Minor Variance Application D13/GEI be received; and

Whereas the variance requested would provide relief from Section 4.16.1.a), of Township Comprehensive Zoning By-law 2018-023, as amended (Zoning By-law), to propose a new residential parcel along Wellington Road 35 to permit a reduced MDS I setback of 211 meters instead of 390 meters as required from the unoccupied barn located south at Part Lot 1 of Concession 3, fronting on Townline Road; and

Whereas the variance requested would provide relief from Section 4.16.1.a), of the Zoning By-law, requesting permission to permit a reduced MDS I setback for the Severed Parcel to be 126 meters instead of 264 metres as required from the barn located at the property municipally known as 6501 Roszell Road; and

Whereas this application is required as condition of consent application B143-22 that was approved in February 2025 at the Land Division Committee Meeting; the consent application would sever a 0.76 ha (1.88 ac) vacant land; and

Whereas, the 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;

Therefore, that planning staff consider the request to be minor and have no concerns with the application.

8. New Business

8.1 None

9. Adjournment of Committee of Adjustment #



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
MAY 13, 2025 COMMITTEE OF ADJUSTMENT MEETING
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AT 7404 WELLINGTON RD. 34

MINUTES

DATE: May 13, 2025

MEETING: 7:00 p.m.

The May 13, 2025 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 7404 Wellington Road 34, Puslinch.

1. CALL THE MEETING TO ORDER

2. ROLL CALL

ATTENDANCE:

PRESENT:

Councilor John Sepulis, Chair
Chris Pickard
Paul Sadhra
Kim McCarthy
Amanda Knight

ABSENT:

None

STAFF IN ATTENDANCE:

Lynne Banks, Secretary/Treasurer
Mehul Safiwala, Jr. Planner

3. MOMENT OF REFLECTION

4. CONFIRMATION OF THE AGENDA

Resolution No. 2025-015:

Moved by Committee Member Paul Sadhra and
Seconded by Committee Member Kim McCarthy



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1. That the Committee approves the May 13, 2025 Agenda as circulated; and
2. That the Committee approves the addition to the agenda as follows:
Consent Item 6.2 Questions received from the Committee Members seeking additional information and the corresponding responses provided by staff regarding the May 13, 2025 Committee of Adjustment Agenda.
3. That item 8.1 – CofA-2025-002-Finance Budget Training by moved to the Planning and Development Advisory Committee Agenda.

CARRIED.

5. DISCLOSURE OF CONFLICT OF INTEREST:

None

6. CONSENT AGENDA

6.1 Approval of the Minutes

- 6.1. April 8, 2025 Committee of Adjustment Meeting Minutes.

Resolution No. 2025-016:

Moved by Committee Member Paul Sadhra and
Seconded by Committee Member Kim McCarthy

That the Committee of Adjustment approves the Minutes from the meeting held on April 8, 2025.

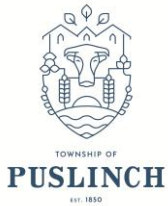
CARRIED.

7. APPLICATIONS 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-GIL – Manny Gill – 101 Heritage Lake Dr. PV., Township of Puslinch. ≠

Requesting relief of New Comprehensive Zoning By-law # 23-2018, as amended, to permit the following:

1. A reduced interior side yard setback of 2.05 meters instead of 5 metres, as required.
2. A reduced rear yard setback of 2.05 metres instead of 7.5 meters, as required.



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3. A total lot coverage of 26.64% instead of 25%, as required.
4. An additional residential unit to be partially constructed in the Natural Environment (NE) Zone.

Resolution No. 2025-017:

Moved by Committee Member Amanda Knight and
Seconded by Committee Member Paul Sadhra

That the Committee defers the application to a later date at the request of the Applicant.

CARRIED.

7.2 Minor Variance Application D13-CAM – Seymore Campbell – 4424 Victoria Rd. S., Township of Puslinch. ≠

Requesting relief of New Comprehensive Zoning By-law # 23-2018, as amended, to permit a detached garage of 684 m² instead of 500 m² as required.

Resolution No. 2025-018:

Moved by Committee Member Chris Pickard and
Seconded by Committee Member Amanda Knight

*That Report D13-2025-009 entitled Minor Variance Application D13/CAM be received;
and;*

Whereas the variance requested would provide relief from Section 4.4.2, Table 4.1 of Township Comprehensive Zoning By-law 2018-023, as amended (Zoning By-law), requesting permission to allow a 0.76 metre setback of interior side yard for the existing shed instead of a 2 metre interior side year setback as required; and

Whereas the minor variance application would maintain the general intent and purpose of the Official Plan and Zoning By-law, is considered minor in nature, and is desirable and appropriate for the development of the subject property; and

Therefore, that the Committee approves the application with the following conditions:

1. That the Sea Container be removed from the property once the garage is constructed/completed.
2. Confirmation of total lot coverage to include all buildings located on the property.



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CARRIED.

8. NEW BUSINESS

8.1 Report CofA-2025-002 – Finance and Budget Training – Moved to Planning and Development Advisory Committee Agenda.

9. ADJOURNMENT

Resolution No. 2025-019:

Moved by Committee Member Kim McCarthy and
Seconded by Committee Member Paul Sadhra

That the Committee of Adjustment hereby adjourns at 7:18 p.m.

CARRIED.



REPORT D13-2025-010

TO: Committee of Adjustment Chair and Members of Committee

PREPARED BY: Mehul Safiwala, Junior Planner

PRESENTED BY: Mehul Safiwala, Junior Planner

MEETING DATE: June 10th, 2025

SUBJECT: Minor Variance Application D13/BRE (Brenchley) – Retained Parcel
603 Arkell Road
Part Lot 7, Concession 10.

RECOMMENDATION

That Report D13-2024-010 entitled Minor Variance Application D13/BRE be received; and

Whereas the variance requested would provide relief from Section 11.4 (Table 11.3) of Township Comprehensive Zoning By-law 2018-023, as amended (Zoning By-law), requesting permission for a reduction in minimum lot frontage of 20.4 m, instead of the required minimum lot frontage of 25 m; and

Whereas the variance requested would provide relief from Section 11.4 (Table 11.3) of the Zoning By-law, requesting permission for a reduction in minimum lot area of 0.36 ha, instead of the required minimum lot frontage of 0.4 ha; and

Whereas this application is required as a condition of consent application B97-24 that was approved in December 2024 at the Land Division Committee Meeting; the consent application would sever a 0.19 ha (0.47 ac) of land with an existing garage for rural residential use within the Residential Area; resulting in a frontage of the retained parcel being 20.4 m and lot area being 0.36 ha (0.89 ac); and

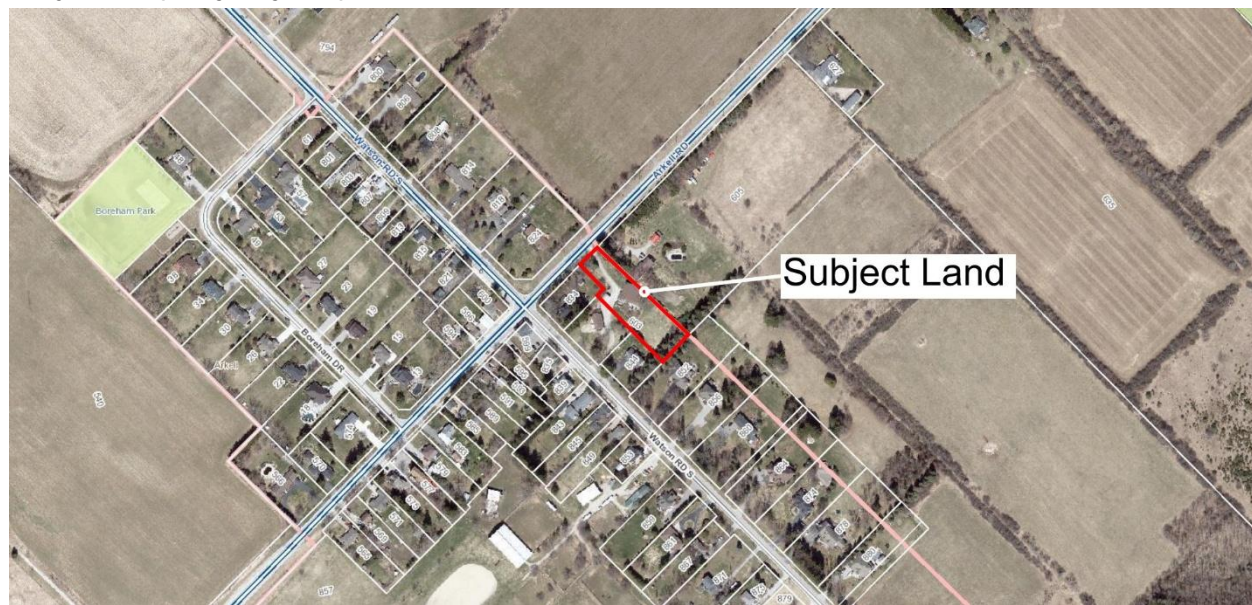
Whereas, the minor variance application would maintain the general intent and purpose of the Official Plan and Zoning By-law, and is desirable and appropriate for the development of the subject property;

Therefore, that planning staff consider the request to be minor and have no concerns with the application.

Purpose

Regulation	By-law Section	Required	Proposed	Relief Requested
Comprehensive Zoning By-law # 23-2018, as amended	Section 11.4 Table 11.3	The by-law requires a minimum lot frontage of 25 meters for Reduced Agricultural Lot	20.4 m	4.6 m
Comprehensive Zoning By-law # 23-2018, as amended	Section 11.4 Table 11.3	The by-law requires a minimum lot area of 0.4 hectares for Reduced Agricultural Lot	0.36 ha	0.04 ha (400 m ²)

Subject Property Key Map



Discussion

Four Tests	Discussion
That the requested variance is minor in nature	<ul style="list-style-type: none"> The proposed application is requesting relief from the minimum required lot frontage of 25 m and the minimum required lot area of 0.4 ha for the retained parcel.

	<ul style="list-style-type: none"> The proposed application is required as a condition of consent application B97-24, approved in December 2024 at the Land Division Committee meeting.
That the intent and purpose of the Zoning By-law is maintained	<ul style="list-style-type: none"> The subjected lands are zoned Agricultural (A). A lot frontage of 20.4 meters and lot area of 0.36 ha is proposed for the retained parcel, as opposed to minimum required lot frontage of 25 meters and lot area of 0.4 ha for a Reduced Agricultural lot. A single detached dwelling is a permitted use within the Agricultural Zone (A). The other zoning compliance such as setbacks and lot coverage are met for the retained parcel. The intent of the minimum lot frontage is to ensure that a safe entrance is available and to ensure the viability of present and future use of the property. The reduced frontage and lot area for the retained parcel was created as a result of consent application along Arkell Road.
That the general intent and purpose of the Official Plan is maintained	<ul style="list-style-type: none"> The property is designated Residential in County Official Plan. A single detached dwelling is a permitted use within the Residential designation. Consent Application B97-24 has been conditionally approved by the county of Wellington Land Division Committee and was deemed to be consistent with the Official Plan.
That the variance is desirable for the appropriate development and use of the land, building or structure	<ul style="list-style-type: none"> This application is required as a condition of consent application B97-24 which was conditionally approved in December 2024 at the Land Division Committee meeting. This application would sever a 0.19 ha (0.47 ac) land with existing garage for rural residential use within the Residential Area. A 0.36 ha (0.89 ac) parcel would be retained. There is an existing driveway to be used for new proposed entrance of the retained parcel. Planning staff are satisfied that the minor variance is desirable, and appropriate for the development and use of the land.

Conclusion

In conclusion, planning staff is of the opinion that the requested variance application meets the four tests of the *Planning Act*. Staff trust that this report will be of assistance to the Committee in their consideration of this matter.

Engagement Opportunities

Township Active Planning Application Website;
Public Notice of Hearing and Committee Decision (Statutory);
Notice of Public Hearing Resident Guide.

Attachments

Schedule "A" Application
Schedule "B" Sketch
Schedule "C" Staff/Public/Agency Comments

Respectfully submitted,

Reviewed by:

Mehul Safiwala
Junior Planner

Justine Brotherston
Municipal Clerk

Cloudpermit application number
CA-3523001-P-2025-19**Applicant**

Last name Keast	First name Hailey	Corporation or partnership
Street address 2106 Gordon Street	Unit number	Lot / Con.
Municipality Guelph	Province Ontario	Postal code N1L 1G6
Other phone	Mobile phone +1 519-821-2763	
Fax	Email hailey.keast@vanharten.com	


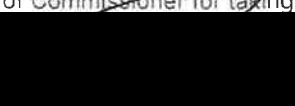
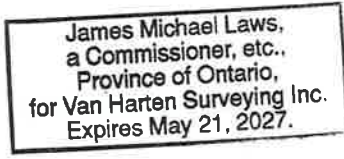
Agent


Last name Buisman	First name Jeff	Corporation or partnership Van Harten Surveying Inc.
Street address 2106 Gordon Street	Unit number	Lot / Con.
Municipality Guelph	Province Ontario	Postal code N1L 1G6
Other phone +1 5198212763	Mobile phone +1 519-821-2763	
Fax	Email jeff.buisman@vanharten.com	

Property owner, Payer

Last name Brenchley	First name Elizabeth	Corporation or partnership
Street address 603 Arkell Road	Unit number	Lot / Con.
Municipality Arkell	Province Ontario	Postal code N0B 1C0
Other phone	Mobile phone [REDACTED]	
Fax	Email [REDACTED]	

Subject Land Information		
Address	Legal description	Roll number
603 ARKELL RD (Primary)	CON 10 PT LOT 7 RP 61R5608;PART 1	2301000008034500000

Sworn Declaration of Applicant		
<p>Complete in the presence of a Commissioner for taking affidavits</p> <p>I, Hailey Keast, 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.</p>		
<p>Signature  (presence of a Commissioner for taking affidavits)</p>		
<p>Signature of Commissioner for taking affidavits </p>	<p>Municipality <i>City of Guelph</i></p>	<p>Day, month, year <i>11/03/2025</i></p>
<p>Place an imprint of your stamp below</p> <div style="text-align: center;">  </div>		

Affidavit and signatures
<p>Applicant</p> <p>The Hailey Keast, 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.</p> <p>Notice with respect to collection of personal information</p> <p>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.</p> <p>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.</p> <p> Digitally signed on 2025-03-11, 12:56:23 p.m. EDT by Hailey Keast.</p>

Send correspondence to	
Send correspondence to <input 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 10		Lot 7	Registered Plan Number Part 1, 61R-5608 & S/T Easement over Part 1, 61R-9973
Area in Hectares 0.36		Area in Acres 0.88	Depth in Meters 125.8
Depth in Feet 412.7	Frontage in Meters 20.4	Frontage in Feet 66.9	Width of road allowance (if known) 25.29

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? A) To permit a reduced lot area of the Retained Parcel to be 0.36ha instead of 0.4ha as required in Table 11.3 of the Zoning By-law. B) To permit a reduced lot frontage of the Retained Parcel to be 20.4m instead of 25.0m as required in Table 11.3 of the Zoning By-law.	Why is it not possible to comply with the provisions of the by-law? Minor Variance Requests are being made for the Severed and Retained Parcels for Severance Application B97-24 that has been approved subject to conditions at the December 2024 Land Division Committee Meeting. The variances are required to satisfy Condition 6 of the approved application. Please see the Covering Letter for more details on the justification of the variances.

What is the current Official Plan and zoning status?	
Official Plan Designation Hamlet Area	Zoning Designation Agricultural
What is the access to the subject property? <input type="checkbox"/> Provincial Highway <input type="checkbox"/> Continually maintained municipal road <input type="checkbox"/> Seasonally maintained municipal road <input type="checkbox"/> Other <input checked="" type="checkbox"/> Continually maintained county road	
What is the name of the road or street that provides access to the subject property? Retained Parcel - Arkell Road (Wellington Road 37)	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		
Indicate the applicable water supply and sewage disposal:		
Private Well	<input checked="" 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 checked="" 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? Residential	What is the existing use of the abutting properties? Residential

Provide the following details for all existing buildings on the subject land		
Main Building Height in Meters 1-2 storey	Main Building Height in Feet 1-2 storey	Percentage Lot Coverage in Meters 10%
Percentage Lot Coverage in Feet 10%	Number of Parking Spaces 2	Number of Loading Spaces 0
Number of Floors 1-2	Total Floor Area in Square Meters 302	Total Floor Area in Square Feet 3250
Ground Floor Area (Exclude Basement) in Square Meters 302	Ground Floor Area (Exclude Basement) in Square Feet 3250	

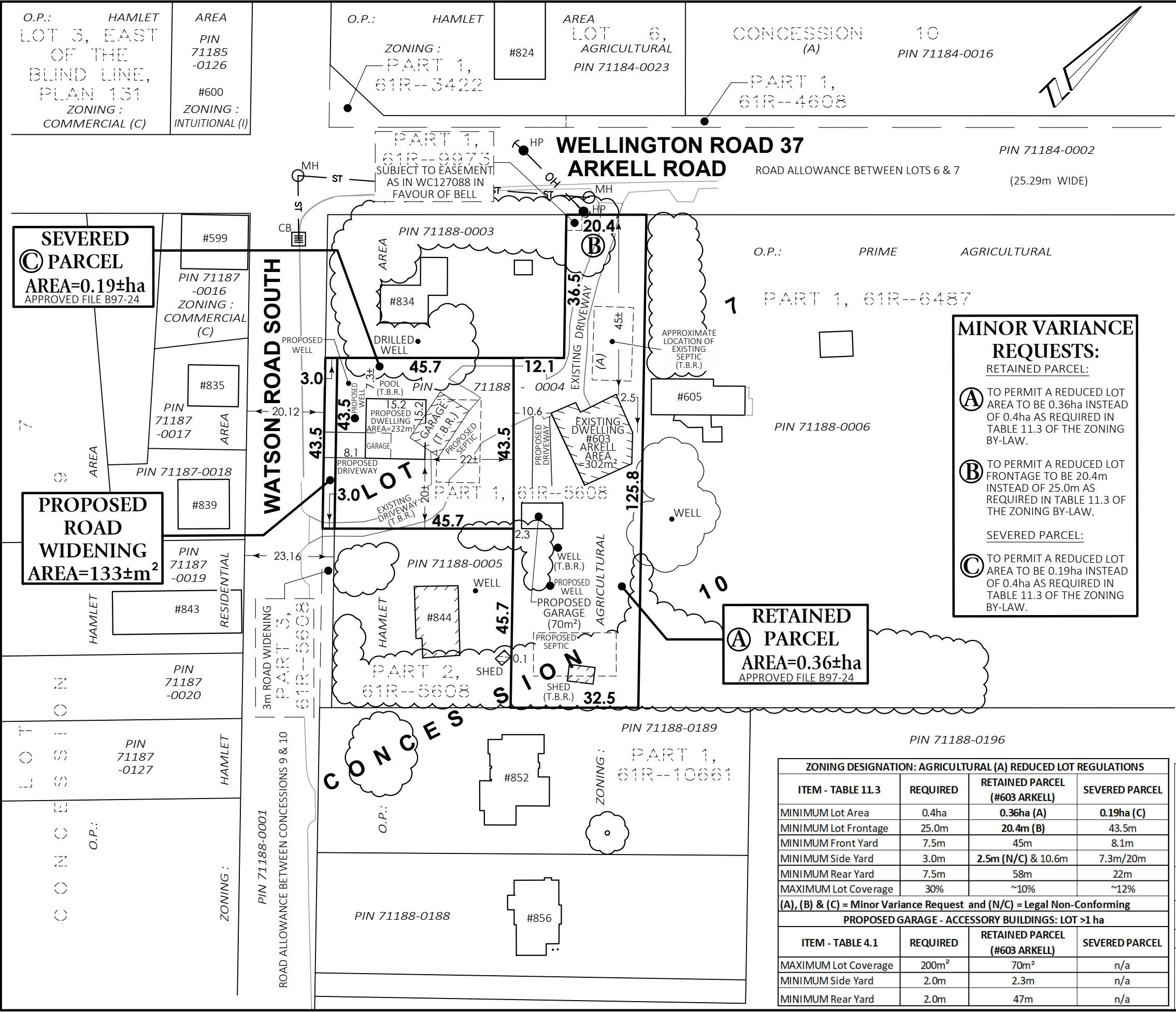
Provide the following details for all buildings proposed for the subject land		
Main Building Height in Meters N/A	Main Building Height in Feet N/A	Percentage Lot Coverage in Meters N/A
Percentage Lot Coverage in Feet N/A	Number of Parking Spaces N/A	Number of Loading Spaces N/A
Number of Floors N/A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

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 45	Front Yard in Feet 147	Rear Yard in Meters 58
Rear Yard in Feet 190	Side Yard (interior) in Meters 10.6	Side Yard (interior) in Feet 34.7
Side Yard (Exterior) in Meters 2.5	Side Yard (Exterior) in Feet 8.2	

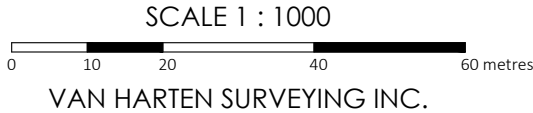
What are the dates of acquisition and construction of subject property and building property		
Date of acquisition of subject property May 25, 2018	Date of construction of buildings property Pending minor variance approval and when consent gets finalized	How long have the existing uses continued on the subject property? Decades
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 for severed parcel being submitted simultaneously

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 B97-24	Consent (Severance): Approval Authority County of Wellington	Consent (Severance): Subject Lands Part of Lot 7, Concession 10
Consent (Severance): Purpose Rural Residential Severance		Consent (Severance): Status Approved subject to conditions

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.



MINOR VARIANCE SKETCH
PART OF LOT 7, CONCESSION 10
TOWNSHIP OF PUSLINCH
COUNTY OF WELLINGTON



KEYMAP:



NOTES:

1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
2. SUBJECT LANDS ARE ZONED AGRICULTURAL (A).
3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF HAMLET AREA.
4. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
5. DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.
6. T.B.R. DENOTES TO BE REMOVED.

SURVEYOR'S CERTIFICATE:

THIS SKETCH WAS PREPARED ON
THE 4th DAY OF MARCH, 2025

JEFFREY E. BUISMAN
ONTARIO LAND SURVEYOR



Van Harten
LAND SURVEYORS - ENGINEERS

Kitchener/Waterloo
Ph: 519-742-8371

Guelph
Ph: 519-821-2763

Orangeville
Ph: 519-940-4110

www.vanharten.com

info@vanharten.com

DRAWN BY: AN

CHECKED BY: BM/JB

PROJECT No. 32928-23

Mar 4, 2025-10:58:06 AM
G:\PUSLINCH\Con10\Lot 7\ACAD\MV PTLT 7 (32928-23 MEZCON) UTM 2010.dwg

© 2025 THIS SKETCH IS PROTECTED BY COPYRIGHT

Comments received to date

PW/Fire/GRCA/By-law – No comments

Sourcewater - Since this property is located in a vulnerable area (wellhead protection area, issues contributing area, intake protection zone etc.), but the activity(ies), as indicated, would not create a significant drinking water threat, the application can be screened out and it does not require a Section 59 notice under the Clean Water Act. Please note that we may provide comments on any future applications subject to this property, given the vulnerable areas.

Building - There are no concerns from a building code perspective for the proposed variances. Please note that a detailed grading plan will be required for the severed or retained parcel at the time of the building permit application(s).



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
Aldo Salis, BES, M.Sc. MCIP, RPP., DIRECTOR
TEL: (519) 837-2600
FAX: (519) 823-1694
1-800-663-0750

ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH, ONTARIO
N1H 3T9

May 30, 2025

BY E-MAIL

Lynne Banks, Secretary-Treasurer
Committee of Adjustment
Township of Puslinch
7404 Wellington Rd 34
Puslinch, ON N0B 2J0

Dear Ms. Banks:

Re: Proposed Minor Variance – D13/BRE (Retained parcel)
Elizabeth Brenchley
603 Arkell
Township of Puslinch

Thank you for circulating the above noted application to our office. These comments are offered without the benefit of a site visit and the circulate Notice from the Township. It is our understanding that relief is being requested from Zoning By-law No. 023-18:

- Section 11.4 (Table 11.3) – To permit a reduced lot frontage of 20.4 m whereas the minimum required lot frontage is 25m.
- Section 11.4 (Table 11.3) – To permit a reduced lot area of 0.36 ha whereas the minimum required lot area is 0.4 ha.

The subject lands are designated as Residential in the County Official Plan. Planning staff note that the proposed variance is to satisfy a condition of severance (B97/24) that was conditionally approved at the December 2024 Land division Committee meeting. Planning staff had no objections to the related consent. Planning staff have no objection to the proposed minor variance application.

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

Yours truly,

A black rectangular box redacting the signature of Jamie Barnes.

Jamie Barnes
Junior Planner

A black rectangular box redacting the signature of Thomas Freeman.

Thomas Freeman, RPP MCIP
Planner



REPORT D13-2025-011

TO: Committee of Adjustment Chair and Members of Committee

PREPARED BY: Mehul Safiwala, Junior Planner

PRESENTED BY: Mehul Safiwala, Junior Planner

MEETING DATE: June 10th, 2025

SUBJECT: Minor Variance Application D13/BRE (Brenchley) – Severed Parcel
603 Arkell Road
Part Lot 7, Concession 10.

RECOMMENDATION

That Report D13-2024-011 entitled Minor Variance Application D13/BRE be received; and

Whereas the variance requested would provide relief from Section 11.4 (Table 11.3) of Township Comprehensive Zoning By-law 2018-023, as amended (Zoning By-law), requesting permission for a reduction in minimum lot area of 0.19 ha, instead of the required minimum lot area of 0.4 ha; and

Whereas this application is required as condition of consent application B97-24 that was approved in December 2024 at the Land Division Committee Meeting; the consent application would sever a 0.19 ha (0.47 ac) land with existing garage for rural residential use within the Residential Area; and

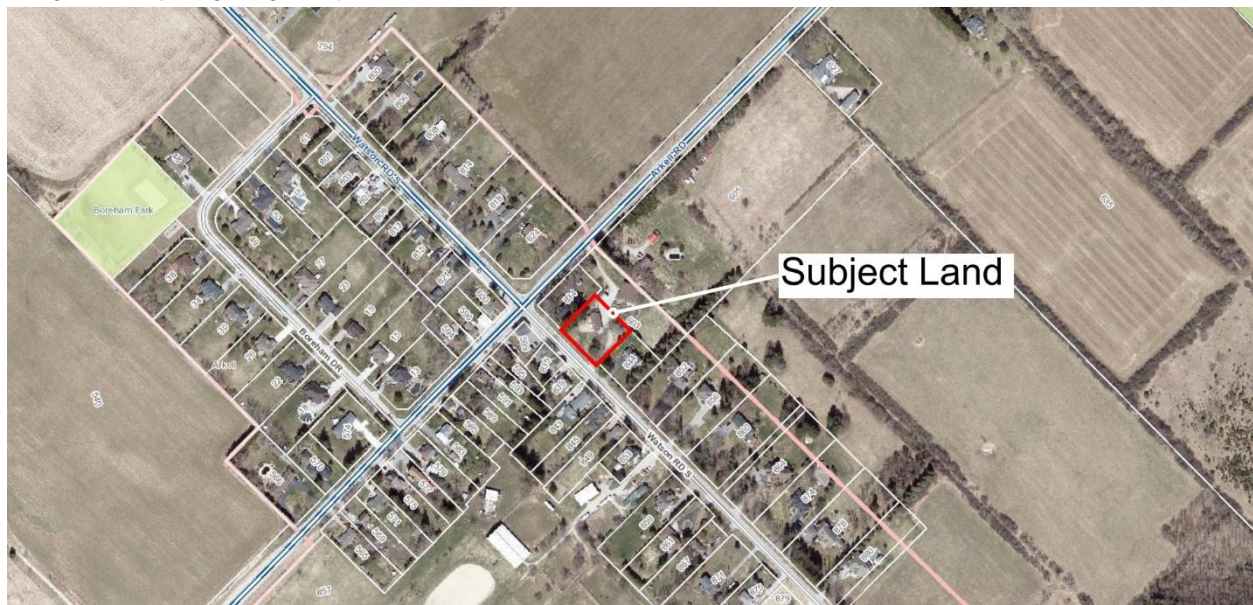
Whereas, the minor variance application would maintain the general intent and purpose of the Official Plan and Zoning By-law, and is desirable and appropriate for the development of the subject property;

Therefore, that planning staff consider the request to be minor and have no concerns with the application.

Purpose

Regulation	By-law Section	Required	Proposed	Relief Requested
Comprehensive Zoning By-law # 23-2018, as amended	Section 11.4 Table 11.3	The by-law requires a minimum lot area of 0.4 hectares for Reduced Agricultural Lot	0.19 ha	0.21 ha

Subject Property Key Map



Discussion

Four Tests	Discussion
That the requested variance is minor in nature	<ul style="list-style-type: none"> The proposed application is requesting relief from the minimum required lot area to permit a lot area of 0.19 ha for the severed parcel. The proposed application is required as a condition of consent application B97-24, approved in December 2024 at the Land Division Committee meeting.
That the intent and purpose of the Zoning By-law is maintained	<ul style="list-style-type: none"> The subjected lands are zoned Agricultural (A). A lot area of 0.19 ha is proposed for the severed parcel, as opposed to minimum required lot area of 0.4 ha for a Reduced Agricultural lot.

	<ul style="list-style-type: none"> • A single detached dwelling is a permitted use within the Agricultural Zone (A). • The other zoning compliances, such as minimum lot frontage is met for severed parcel. • The applicant noted that existing garage is to be removed on severed parcel. • The reduced lot area for severed parcel was created as a result of a consent application along Watson Road south.
That the general intent and purpose of the Official Plan is maintained	<ul style="list-style-type: none"> • The property is designated Residential in County Official Plan. • A single detached dwelling is a permitted use within the Residential designation. • Consent Application B97-24 has been conditionally approved by the county of Wellington Land Division Committee and was deemed to be consistent with the Official Plan.
That the variance is desirable for the appropriate development and use of the land, building or structure	<ul style="list-style-type: none"> • This application is required as a condition of consent application B97-24 which was conditionally approved in December 2024 at the Land Division Committee meeting. This application would sever a 0.19 ha (0.47 ac) vacant parcel for rural residential use within the Residential Area. • The applicant has demonstrated that sufficient space and location is available to service the severed parcel with proposed well and septic bed location while not affecting operation of existing wells located on adjacent properties. • Planning staff are satisfied that the minor variance is desirable, and appropriate for the development and use of the land.

Conclusion

In conclusion, planning staff is of the opinion that the requested variance application meets the four tests of the *Planning Act*. Staff trust that this report will be of assistance to the Committee in their consideration of this matter.

Engagement Opportunities

Township Active Planning Application Website;
Public Notice of Hearing and Committee Decision (Statutory);
Notice of Public Hearing Resident Guide.

Attachments

Schedule "A" Application

Schedule "B" Sketch

Schedule "C" Staff/Public/Agency Comments

Respectfully submitted,

Reviewed by:

Mehul Safiwala
Junior Planner

Justine Brotherston
Municipal Clerk

**Affidavit**

Severed

Township of Puslinch
7404 Wellington County Rd 34, Puslinch, ON N0B 2J0
(519) 763-1226

Cloudpermit application number
CA-3523001-P-2025-15

Applicant

Last name Keast	First name Hailey	Corporation or partnership
Street address 2106 Gordon Street	Unit number	Lot / Con.
Municipality Guelph	Province Ontario	Postal code N1L 1G6
Other phone	Mobile phone +1 519-821-2763	
Fax	Email hailey.keast@vanharten.com	

Property owner, Payer

Last name Brenchley	First name Elizabeth	Corporation or partnership
Street address 603 Arkell Road	Unit number	Lot / Con.
Municipality Arkell	Province Ontario	Postal code N0B 1C0
Other phone	Mobile phone [REDACTED]	
Fax	Email [REDACTED]	

Subject Land Information

Address	Legal description	Roll number
603 ARKELL RD (Primary)	CON 10 PT LOT 7 RP 61R5608;PART 1	2301000008034500000

Sworn Declaration of Applicant

Complete in the presence of a Commissioner for taking affidavits

I, Hailey Keast, 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

Day, month, year

City of Guelph

06/03/2025

Place an imprint of your stamp below

James Michael Laws,
a Commissioner, etc.,
Province of Ontario,
for Van Harten Surveying Inc.
Expires May 21, 2027.

Affidavit and signatures

Applicant

The Hailey Keast, 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.

Signature

Date

Hailey Keast

March 9, 2025

Send correspondence to	
Send correspondence to <input 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 10		Lot 7	Registered Plan Number Part 1, 61R-5608 & S/T Easement over Part 1, 61R-9973
Area in Hectares 0.19ha		Area in Acres 0.46 ac	Depth in Meters 45.7
Depth in Feet 149.9	Frontage in Meters 43.5	Frontage in Feet 142.7	Width of road allowance (if known) 20.12

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? To permit a reduced lot area of the Severed Parcel to be 0.19ha instead of 0.4ha as required in Table 11.3 of the Zoning By-law.	Why is it not possible to comply with the provisions of the by-law? Minor Variance requests are being made for the Severed and Retained Parcels for Severance Application B97-24 that has been approved subject to conditions at the December 2024 Land Division Committee Meeting. The variances are required to satisfy Condition 6 of the approved application. Please see the Covering Letter for more details on the justification of the variances.

What is the current Official Plan and zoning status?	
Official Plan Designation Hamlet Area	Zoning Designation Agricultural
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? Severed Parcel has access from Watson Road South	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		
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? Residential	What is the existing use of the abutting properties? Residential

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

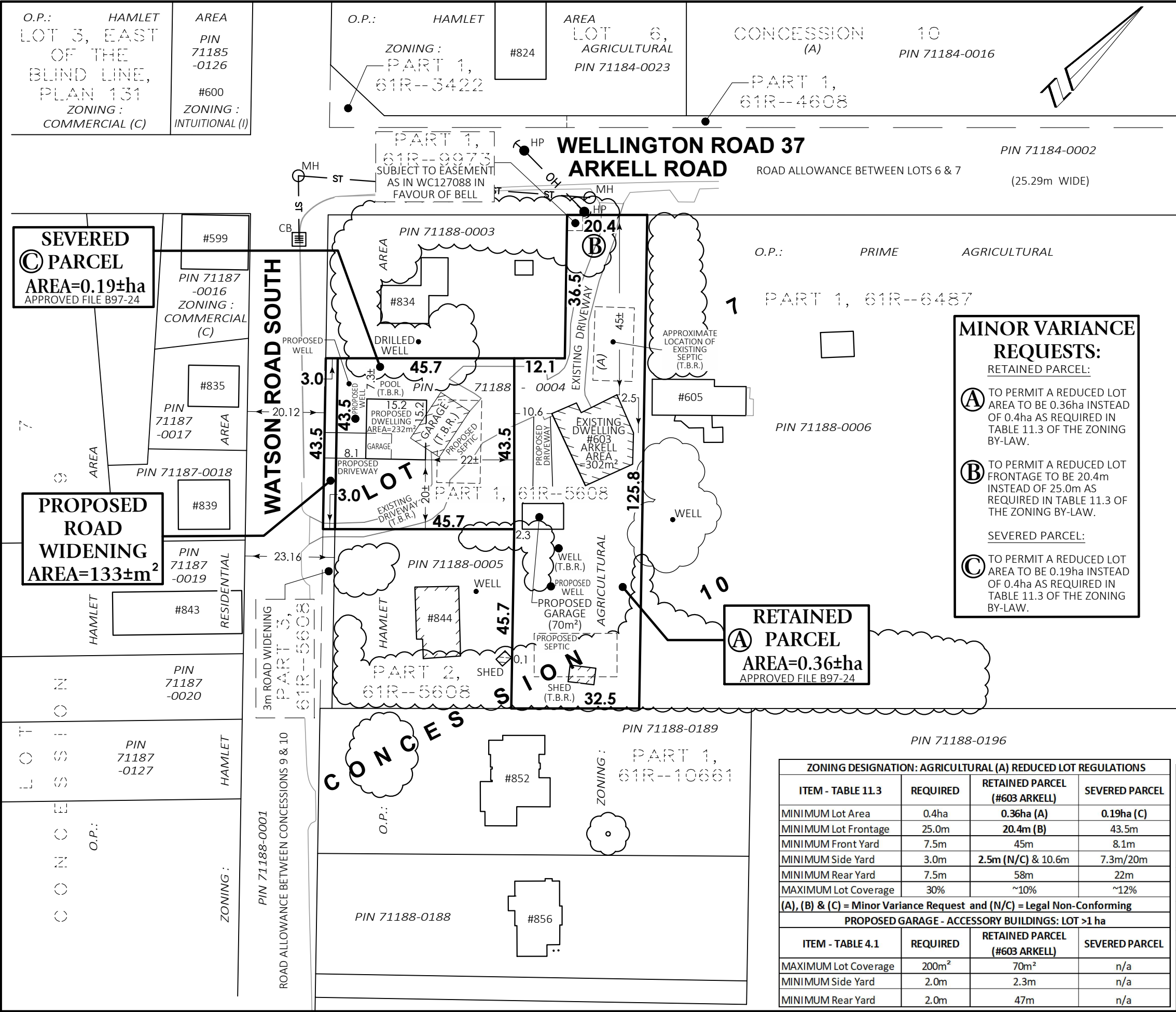
Provide the following details for all buildings proposed for the subject land		
Main Building Height in Meters 1 or 2 storey	Main Building Height in Feet 1 or 2 storey	Percentage Lot Coverage in Meters 12%
Percentage Lot Coverage in Feet 12%	Number of Parking Spaces 2	Number of Loading Spaces 0
Number of Floors 1 or 2	Total Floor Area in Square Meters 232	Total Floor Area in Square Feet 2497
Ground Floor Area (Exclude Basement) in Square Meters 232	Ground Floor Area (Exclude Basement) in Square Feet 2497	

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 8.1	Front Yard in Feet 26.5	Rear Yard in Meters 22
Rear Yard in Feet 72.1	Side Yard (interior) in Meters 7.3	Side Yard (interior) in Feet 23.9
Side Yard (Exterior) in Meters 20		Side Yard (Exterior) in Feet 65.6

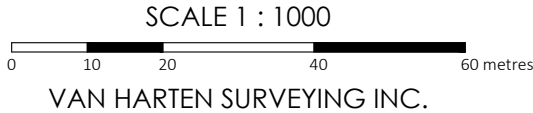
What are the dates of acquisition and construction of subject property and building property		
Date of acquisition of subject property May 25, 2018	Date of construction of buildings property Pending minor variance approval and completion of severance conditions	How long have the existing uses continued on the subject property? Decades
Has the owner previously applied for relief in respect of the subject property? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

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 B97-24	Consent (Severance): Approval Authority County of Wellington	Consent (Severance): Subject Lands Part of Lot 7, Concession 10, Puslinch
Consent (Severance): Purpose Rural Residential Severance		Consent (Severance): Status Approved subject to conditions

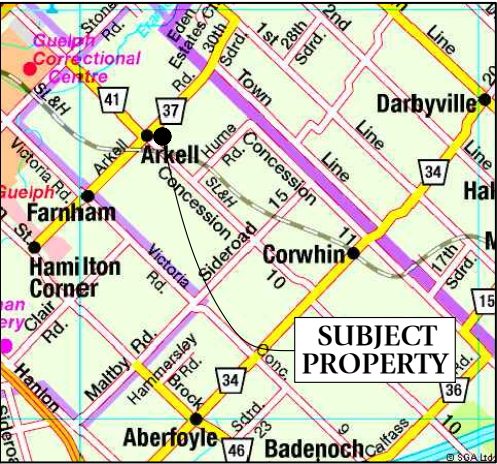
Minor Variance Application must be commissioned
Please confirm the following <input checked="" type="checkbox"/> I understand that prior to the Minor Variance Application being deemed complete it must be commissioned by all registered owners or the agent responsible for the application.



MINOR VARIANCE SKETCH
PART OF LOT 7, CONCESSION 10
TOWNSHIP OF PUSLINCH
COUNTY OF WELLINGTON



KEYMAP:



- NOTES:
- THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
 - SUBJECT LANDS ARE ZONED AGRICULTURAL (A).
 - SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF HAMLET AREA.
 - DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
 - DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.
 - T.B.R. DENOTES TO BE REMOVED.

SURVEYOR'S CERTIFICATE:
THIS SKETCH WAS PREPARED ON
THE 4th DAY OF MARCH, 2025

JEFFREY E. BUISMAN
ONTARIO LAND SURVEYOR



Kitchener/Waterloo
Ph: 519-742-8371

Guelph
Ph: 519-821-2763

Orangeville
Ph: 519-940-4110

www.vanharten.com info@vanharten.com

DRAWN BY: AN CHECKED BY: BM/JB PROJECT No. 32928-23

Mar 4, 2025-10:58:06 AM
G:\PUSLINCH\Con10\Lot 7\ACAD\MV PTLT 7 (32928-23 MEZCON) UTM 2010.dwg

© 2025 THIS SKETCH IS PROTECTED BY COPYRIGHT

ZONING DESIGNATION: AGRICULTURAL (A) REDUCED LOT REGULATIONS			
ITEM - TABLE 11.3	REQUIRED	RETAINED PARCEL (#603 ARKELL)	SEVERED PARCEL
MINIMUM Lot Area	0.4ha	0.36ha (A)	0.19ha (C)
MINIMUM Lot Frontage	25.0m	20.4m (B)	43.5m
MINIMUM Front Yard	7.5m	45m	8.1m
MINIMUM Side Yard	3.0m	2.5m (N/C) & 10.6m	7.3m/20m
MINIMUM Rear Yard	7.5m	58m	22m
MAXIMUM Lot Coverage	30%	~10%	~12%
(A), (B) & (C) = Minor Variance Request and (N/C) = Legal Non-Conforming			
PROPOSED GARAGE - ACCESSORY BUILDINGS: LOT >1 ha			
ITEM - TABLE 4.1	REQUIRED	RETAINED PARCEL (#603 ARKELL)	SEVERED PARCEL
MAXIMUM Lot Coverage	200m ²	70m ²	n/a
MINIMUM Side Yard	2.0m	2.3m	n/a
MINIMUM Rear Yard	2.0m	47m	n/a

Comments received to date

PW/Fire/By-law/GRCA – No comments

Sourcewater - Since this property is located in a vulnerable area (wellhead protection area, issues contributing area, intake protection zone etc.), but the activity(ies), as indicated, would not create a significant drinking water threat, the application can be screened out and it does not require a Section 59 notice under the Clean Water Act. Please note that we may provide comments on any future applications subject to this property, given the vulnerable areas.

Building – There are no concerns from a building code perspective for the proposed variances. Please note that a detailed grading plan will be required for the severed or retained parcel at the time of the building permit application(s).



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT

Aldo Salis, BES, M.Sc. MCIP, RPP., DIRECTOR

TEL: (519) 837-2600

FAX: (519) 823-1694

1-800-663-0750

ADMINISTRATION CENTRE

74 WOOLWICH STREET

GUELPH, ONTARIO

N1H 3T9

May 30, 2025

BY E-MAIL

Lynne Banks, Secretary-Treasurer
Committee of Adjustment
Township of Puslinch
7404 Wellington Rd 34
Puslinch, ON N0B 2J0

Dear Ms. Banks:

**Re: Proposed Minor Variance – D13/BRE (Severed parcel)
Elizabeth Brenchley
603 Arkell
Township of Puslinch**

Thank you for circulating the above noted application to our office. These comments are offered without the benefit of a site visit and the circulate Notice from the Township. It is our understanding that relief is being requested from Zoning By-law No. 023-18:

- Section 11.4 (Table 11.3) – To permit a reduced lot area of 0.19 ha whereas the minimum required lot area is 0.40 ha.

The subject lands are designated as Residential in the County Official Plan. Planning staff note that the proposed variance is to satisfy a condition of severance (B97/24) that was conditionally approved at the December 2024 Land division Committee meeting. Planning staff had no objections to the related consent. Planning staff have no objection to the proposed minor variance application.

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

Yours truly,

Jamie Barnes
Junior Planner

Thomas Freeman, RPP, MCIP
Planner

From: [Planning](#)
Sent on: June 2, 2025 9:14:11 AM
To: [Lynne Banks](#)
Subject: FW: Minor VarianceApplication#13BRE

FYI

Mehul Safiwala
Junior Planner
Township of Puslinch
7404 Wellington Rd 34, Puslinch ON N0B 2J0
519-763-1226 ext. 233 Fax 519-736-5846 www.puslinch.ca

My hours may not match your working hours. If you received this email outside of regular business hours, I do not expect an immediate response.

-----Original Message-----

From: Helmuth Slisarenko <[REDACTED]>
Sent: May 30, 2025 5:58 PM
To: Planning <planning@puslinch.ca>
Subject: Minor VarianceApplication#13BRE

Caution! This message was sent from outside your organization.

To whom it may concern

The aerial:603 Arkell Rd. Severed Parcel The aerial view indicates a lot that appears to be in the shape of a "T". The application appears not to indicate what the new lot alignment will look like. Unfortunately the aerial view photograph does not clearly identify where the residence is on the property. Baring the location of said residence, it would make sense to create 2 new parcels, 1 with access off Arkell Rd and 1 with access off Watson Rd.to keep with congruity of the neighbourhood. If it is split down the middle of the lot width on Watson Rd, this maintains access for "North" lot off both Watson and Arkell Rd. (Although the larger parcel already has this accessibility, the variance document would enshrine what was once an "oddball" parcel) Will this precedent now allow lots in Puslinch with borders on 2 roads to have 2 access points?

Best Regards, Helmuth Slisarenko, [REDACTED]



REPORT D13-2025-012

TO: Committee of Adjustment Chair and Members of Committee

PREPARED BY: Mehul Safiwala, Junior Planner

PRESENTED BY: Mehul Safiwala, Junior Planner

MEETING DATE: June 10th, 2025

SUBJECT: Minor Variance Application D13/GEI (Audrey Geier) – Retained Parcel
4851 Townline Road
Part Lot 1, Concession 3.

RECOMMENDATION

That Report D13-2024-012 entitled Minor Variance Application D13/GEI be received; and

Whereas the variance requested would provide relief from Section 11.4 (Table 11.3) of Township Comprehensive Zoning By-law 2018-023, as amended (Zoning By-law), requesting permission for a reduction in minimum lot area of 0.26 hectares, instead of the required minimum lot area of 0.4 hectares (Variance #1); and

Whereas the variance requested would provide relief from Section 4.24.2.a), of the Zoning By-law, requesting permission to allow shipping containers on a lot with a minimum area of 0.26 hectares instead of 0.4 hectares as required (Variance #2); and

Whereas the variance requested would provide relief from Section 4.24.2.b), of the Zoning By-law, requesting permission to allow a maximum of two (2) shipping containers on the retained parcel with a lot area of 0.26 hectares instead of a maximum one shipping container per 0.4 hectares of lot area (Variance #3); and

Whereas the variance requested would provide relief from Section 4.24.2.d), of the Zoning By-law, requesting permission to allow shipping containers on the retained parcel, notwithstanding that outdoor storage area and outdoor storage use are not permitted on the retained parcel (Variance #4); and

Whereas the variance requested would provide relief from Section 4.24.2.f), of the Zoning By-law, requesting permission to permit a distance of 8.2 metres between shipping containers and the neighbouring residential lot to the north, instead of 10 metres as required (Variance #5); and

Whereas this application is required as condition of consent application B143-22 that was approved in February 2025 at the Land Division Committee Meeting; the consent application would sever a 0.76 hectares (1.88 acres) parcel with an existing garage for rural residential use;

Therefore be it resolved that the Committee approves the requested variance from Section 11.4 (Table 11.3) of the Township's Comprehensive Zoning By-law 2018-023, as amended, for the reduced lot area as presented in the report as staff are of the opinion that the variance is minor in nature, is desirable for the appropriate development or use of the land, building or structure, and maintains the general intent and purpose of the County of Wellington Official Plan and the Township Zoning By-law; and,

That the Committee denies the requested relief from Section 4.24.4(a), (b), (d) and (f) of the Township's Comprehensive Zoning By-law 2018-023, as amended, as presented in the report as staff are of the opinion that the requested variances are not minor, are not desirable or the appropriate development or use of the land, building or structure, and do not maintain the general intent and purpose of the County of Wellington Official Plan and the Township Zoning By-law; and

That in the event the Committee's decision is to approve requested variances #2, #3, #4 and #5, planning staff recommends the following conditions:

1. That Variance #3 should be worded as follows:

"To permit a maximum of two (2) shipping containers on lot with a minimum area of 0.26 hectares to a maximum floor area of 14.4 m² whereas the Township Comprehensive Zoning By-law 2018-023, as amended, Section 4.24.2.b) states a maximum of one shipping container shall be permitted per 0.4 hectares of lot area to a maximum floor area of 255 m²"

2. That the Applicant applies for and receives building permit for the existing shipping containers, if attached to the accessory building.
3. That additional screening measures, such as wood fencing, is implemented to the satisfaction of the Township to enclose the shipping containers.

Requested Relief

The Minor Variance application, under Section 45(1) of the *Planning Act*, requests the following variances:

1. To permit a minimum lot area of 0.26 hectares whereas the Township Comprehensive Zoning By-law 2018-023, as amended, Section 11.4 (Table 11.3) requires a minimum lot area of 0.4 hectares;
2. To permit shipping containers on a lot with a minimum area of 0.26 hectares whereas the Township Comprehensive Zoning By-law 2018-023, as amended, Section 4.24.2.a) states shipping containers shall only be permitted on a lot with a minimum area of 0.4 hectares;
3. To permit a maximum of two (2) shipping containers on lot with a minimum area of 0.26 hectares whereas the Township Comprehensive Zoning By-law 2018-023, as amended, Section 4.24.2.b) states a maximum of one shipping container shall be permitted per 0.4 hectares of lot area;
4. To permit shipping containers on a lot where neither outdoor storage area nor outdoor storage use is permitted whereas the Township Comprehensive Zoning By-law 2018-023, as amended, Section 4.24.2.d) states shipping containers shall only be permitted where an outdoor storage area or outdoor storage use is also permitted; and
5. To permit a minimum distance of 8.2 metres between shipping containers and the neighbouring residential lot to the north whereas the Township Comprehensive Zoning By-law 2018-023, as amended, Section 4.24.2.f) requires a minimum distance of 10 metres.

A summary of the above variances is shown in the below table:

Variance	Township Zoning By-law's Section	Required	Proposed	Relief Requested
1	Section 11.4 Table 11.3	A minimum lot area of 0.4 hectares is required for Reduced Agricultural Lots.	0.26 hectares	0.14 hectares
2	Section 4.24.2.a)	Shipping containers shall only be permitted on a lot with a minimum area of 0.4 hectares.	Shipping containers to be permitted on a lot with a lot area of 0.26 hectares	0.14 hectares
3	Section 4.24.2.b)	A maximum of one shipping container shall be permitted per 0.4 hectares of lot area to a	Two (2) shipping containers on a 0.26-hectare lot	0.54 hectares

Variance	Township Zoning By-law's Section	Required	Proposed	Relief Requested
		maximum floor area of 255 m ² of all shipping containers on any one lot.		
4	Section 4.24.2.d)	Shipping containers shall only be permitted where an outdoor storage area or outdoor storage use is also permitted.	Shipping containers to be permitted on a lot where neither outdoor storage area nor outdoor storage is permitted	To permit shipping containers on the retained parcel where neither outdoor storage area nor outdoor storage is permitted
5	Section 4.24.2.f)	Shipping containers shall not be permitted any closer than 10 metres to a lot containing residential uses or zoned for residential use.	8.2 m	1.8 m

Background

The proposed application is to address the zoning compliance condition of consent application **B143-22**, approved in February 2025 at the County of Wellington Land Division Committee meeting.

Through the consent application, lands municipally known as 4851 Townline Road (Subject Lands) were severed to create two (2) parcels. For clarity, this report pertains only to the Minor Variance application for the retained parcel of consent application B143-22. The proposed Minor Variance application is requesting relief from the Township's Comprehensive Zoning By-law No. 23-2018, as amended (Township Zoning By-law) to permit a smaller lot area of 0.26 ha for the retained parcel and to allow the use of two (2) existing shipping containers for residential storage purposes on the retained parcel. A description of the requested relief is provided in the next section.



The retained parcel, approximately 0.76 hectares in area, is not with the Grand River Conservation Authority's regulation limit. The retained parcel is zoned Agricultural (A) and a single detached dwelling is a permitted use within the Agricultural Zone (A). The minimum lot frontage requirement is met for retained parcel. There is a garage building in the rear yard in addition to two (2) shipping containers that are currently on the Subject Lands. Shipping containers are not permitted in the Agricultural Zone (A) where outdoor storage is not permitted.

The applicant indicated that the two (2) shipping containers, which are used for storage purpose ancillary to the dwelling, have a total floor area of 14.4 m². The applicant also noted that existing garage and shipping containers have a combined area of 168 m², complying with Section 4.4, table 4.1 of the Zoning By-law which permits a maximum lot coverage by accessory buildings and structures of 200 m² for the lot.

Discussion

This section provides an evaluation of the requested variances under the four (4) tests of Minor Variance under Section 45(1) of the *Planning Act*. 1.

- Variance #1

Four Tests	Evaluation
That the requested variance is minor in nature	<ul style="list-style-type: none"> • Planning staff considers the requested relief for the minimum lot area from 0.4 hectares to 0.26 hectares minor in nature. Minor is determined by potential impacts on the surrounding uses.

	<ul style="list-style-type: none"> • The variance is required in order to satisfy the zoning compliance condition of the consent application B143-22. • The dwelling on the retained parcel is existing and the new lot line that results in the smaller lot area is further away from the adjacent residential use. The requested relief is not anticipated to create any adverse impact on the adjacent uses.
That the intent and purpose of the Zoning By-law is maintained	<ul style="list-style-type: none"> • The retained lot meets the minimum required lot frontage as well as other zone standards under section 11.3 of the Township Zoning By-law for the Agricultural (A) Zone. • The existing dwelling and garage building on the retained lot are permitted in Agricultural (A) Zone and are proposed to continue. • The Zoning By-law's general intent and purpose for the minimum lot area requirement is to ensure sufficient area to accommodate private on-site servicing and to provide adequate buffers from agricultural operations and natural features. A Scoped Hydrogeological assessment concluded that private servicing is feasible for the reduced lot area and that the servicing on the retained parcel will not impact the existing wells located on adjacent properties and the future well on the severed parcel. The retained parcel is not adjacent to any natural features or active agricultural lands. As such the reduced lot area does not impact the retained parcel's ability to accommodate private servicing and to provide any necessary buffers. • In conclusion, the requested variance maintains the general intent and purpose of the Zoning By-law.
That the general intent and purpose of the Official Plan is maintained	<ul style="list-style-type: none"> • The property is designated as Secondary Agriculture in County of Wellington Official Plan. • A single detached dwelling and their accessory uses are contemplated within the Secondary Agriculture designation. • Consent Application B143-22 has been conditionally approved by the county of Wellington Land Division Committee and was deemed to be consistent with the County Official Plan. • The County Official Plan's general intent and purpose is for growth to be directed to appropriate location and for development to be compatible with the surrounding uses and in keeping with the rural character of the area. The requested variance facilitates the creation of an additional rural residential lot in the Secondary Agricultural lands which is contemplated in the County Official Plan. As elaborated above, the requested lot area does not cause compatibility issues with the surrounding uses. Although the proposed lot area is reduced, the retained parcel's lot frontage of

	<p>33.7 metres is still adequate at maintaining the rural character of the vicinity.</p> <ul style="list-style-type: none"> Thus, the planning staff is in the opinion that the application maintains the general intent and purpose of the County Official Plan.
That the variance is desirable for the appropriate development and use of the land, building or structure	<ul style="list-style-type: none"> Planning staff is in the opinion that the requested variance is desirable for the appropriate development and use of the retained parcel. As mentioned, the requested variance is a result of the consent application B143-22 which was conditionally approved in February of 2025 at the Land Division Committee meeting. As discussed, the requested reduced lot area does not generate any land use compatibility issues with the surrounding uses not impact the retained parcel's ability to accommodate adequate private servicing. In addition, the retained parcel's reduced size is due to the need to ensure a sufficient developable area for the severed parcel. A significant portion of the severed parcel's southern and eastern areas fall within the GRCA's regulated limits related to wetlands and floodplain constraints. The requested relief for smaller lot area for the retained parcel will also allow the proposed dwelling on the severed parcel to be adequately serviced with private well and sewage system.

- Variance #2, #3, #4 and #5

Four Tests	Evaluation
That the requested variance is minor in nature	<ul style="list-style-type: none"> The retained parcel contains two (2) existing shipping containers. Four (4) variances, being Variances #2, #3, #4 and #5, are requested to permit shipping containers on the retained parcel, to permit two (2) shipping containers to be on a lot of 0.26 hectares, to permit shipping containers where neither the outdoor storage use nor outdoor storage area is permitted and to permit shipping containers to be 8.2 metres away from the nearest residential-zoned lot. Staff consider the requested variances not minor in terms of impact and context within the surrounding neighbourhood. The retained parcel is surrounded by residential use to the north, west and south. The requested variances to permit two (2) shipping containers on the retained parcel impacts the rural

Four Tests	Evaluation
	<p>character of the area and create visual compatibility issues with the surrounding residential uses. Allowing the reliefs will disrupt the characteristics and aesthetic of the neighbourhood.</p> <ul style="list-style-type: none"> Specifically, Variance #3 would permit two (2) shipping containers on the undersized retained parcel of 0.26 hectares whereas the Zoning By-law only permit two (2) shipping containers on lot with a minimum area of 0.8 hectares. The significant difference in lot area reduces the retained parcel's ability to mitigate impacts of shipping containers on surrounding residential uses. Furthermore, the requested reduction in minimum distance from residential uses (Variance #5) exacerbates compatibility issues with these sensitive land uses. Thus, planning staff considers the cumulative effect of the requested variances not minor.
That the intent and purpose of the Zoning By-law is maintained	<ul style="list-style-type: none"> The Zoning By-law's general intent and purpose includes land use compatibility and mitigate any potential incompatibility issues. The intent of the Zoning By-law is to limit shipping containers to Agricultural lands where outdoor storage use is permitted. Further, it is not the Zoning By-law's intent to permit outdoor storage area and outdoor storage use in all lands zoned Agricultural as this use presents potential incompatibility issues with surrounding uses. The Zoning By-law further regulates shipping containers through the size of the lot containing them. The intent and purpose of this regulation is to ensure lots containing shipping containers are large enough to mitigate their impacts on the surrounding sensitive uses and the rural character of the area. As such, Planning Staff is of the opinion that Variances #2, #3, #4 and #5 do not maintain the general intent and purpose of the Zoning by-law.
That the general intent and purpose of the Official Plan is maintained	<ul style="list-style-type: none"> The property is designated as Secondary Agriculture in County Official Plan. A single detached dwelling and their accessory uses are contemplated within the Secondary Agriculture designation. Section 6.3 of the County Official Plan directs a broader range of residential, employment and community uses will be allowed within the Secondary Agriculture designation as long as the use does not adversely impact existing surrounding agricultural operations and is in keeping with the rural character of the area.

Four Tests	Evaluation
	<ul style="list-style-type: none"> As elaborated, the requested Variances are not in keeping with the rural character of the area. The requested Variances do not meet the general intent and purpose of the County Official Plan.
That the variance is desirable for the appropriate development and use of the land, building or structure	<ul style="list-style-type: none"> As mentioned, the requested Variances, cumulatively, present land use compatibility issues with the surrounding residential uses and are not in keeping with the rural character of the area. As such, Variances #2, #3, #4 and #5 are not desirable for the appropriate development and use of the land, building or structure. If approved, Variances #2, #3, #4 and #5 would permit a maximum two (2) shipping containers of up to 102 m² in floor area, subject to compliance with the maximum lot coverage provision for accessory buildings and structures. Staff recommends that if the Committee chooses to approve these Variance, the wording of Variance #3 is modified to restrict the maximum floor area of shipping containers to the current floor area of 14.4m².

Conclusion

In conclusion, planning staff is of the opinion that:

- Variance #1 is minor in nature, is desirable for the appropriate development or use of the land, building or structure, and maintains the general intent and purpose of the County of Wellington Official Plan and the Township Zoning By-law.
- Variance #2, #3, #4 and #5 are not minor in nature, are not desirable for the appropriate development or use of the land, building or structure, and do not maintain the general intent and purpose of the County of Wellington Official Plan and the Township Zoning By-law.

Staff trust that this report will be of assistance to the Committee in their consideration of this matter.

Engagement Opportunities

Township Active Planning Application Website;
Public Notice of Hearing and Committee Decision (Statutory);
Notice of Public Hearing Resident Guide.

Attachments

Schedule "A" Application

Schedule "B" Sketch

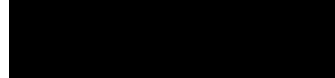
Schedule "C" Staff/Public/Agency Comments

Respectfully submitted,



Mehul Safiwala
Junior Planner

Reviewed by:



Jeremy Tran, MCIP, RPP
NPG planning Solutions

Cloudpermit application number
CA-3523001-P-2025-22**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 [REDACTED]	Mobile phone [REDACTED]	
Fax	Email [REDACTED]	

Agent

Last name Voss	First name Jennifer	Corporation or partnership JV Planning & Development Consulting
Street address [REDACTED]	Unit number	Lot / Con.
Municipality [REDACTED]	Province Ontario	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

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 17.9	Front Yard in Feet 58.7	Rear Yard in Meters 135.1m (house) 18m(garage)
Rear Yard in Feet 443 (house) 59' (garage)	Side Yard (interior) in Meters 8.2 (left interior)	Side Yard (interior) in Feet 27 (left interior)
Side Yard (Exterior) in Meters 7.9 (right interior)	Side Yard (Exterior) in Feet 25.9 (right interior)	

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 1860	How long have the existing uses continued on the subject property? Over 100 + years
Has the owner previously applied for relief in respect of the subject property? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

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 County of Wellington	Consent (Severance): Subject Lands 4851 Townline Road (subject lands)
Consent (Severance): Purpose rural residential lot	Consent (Severance): Status Provisional Consent granted on February 13, 2025. No appeals	

Minor Variance Application must be commissioned

Please confirm the following

- ☒ 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.

Existing and Proposed Service

Indicate the applicable water supply and sewage disposal:

Private Well	<input checked="" type="checkbox"/> Existing	<input 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 checked="" type="checkbox"/> Existing	<input 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? *

☐ Storm Sewers ☒ Ditches ☐ Swales

☐ 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 7.62	Main Building Height in Feet 25	Percentage Lot Coverage in Meters 124sq m (house) 168sq m (garage & shipping containers) = 292m
Percentage Lot Coverage in Feet 3143	Number of Parking Spaces +4	Number of Loading Spaces
Number of Floors 11/2	Total Floor Area in Square Meters 167	Total Floor Area in Square Feet 1800
Ground Floor Area (Exclude Basement) in Square Meters 124	Ground Floor Area (Exclude Basement) in Square Feet 1335	

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	

Send correspondence to

Send correspondence to

☒ Owner(s) ☒ Agent ☐ Others

Who to send the Invoice to

☒ Owner ☐ Agent ☐ 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

79.6m & 168.4m

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

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

Reduced minimum lot area of 0.26 ha for retained parcel;
Section 4.16.1(a) to permit future residential use on the
approved 0.76 ha severed parcel that does not comply with
MDS 1 setback; Section 4.24.4(a), (b) and (f) to permit two
existing shipping containers on the retained lands

Why is it not possible to comply with the provisions of the by-law?

Reduced lot size as a result of a consent application and
location of existing barns relative to the severed parcel

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?

☐ Provincial Highway ☒ Continually maintained municipal road ☐ Seasonally maintained municipal road

☐ Other ☐ 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.

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)

X

Signature of Commissioner for taking affidavits

Municipality
Township of
Puslinch

Day, month, year

09/05/2025

Place an imprint of your stamp below

Monika Alyse Famcombe, a Commissioner, etc.,
Province of Ontario, for the Corporation of the
Township of Puslinch.
Expires February 14, 2027.

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.

Signature

Date

X

Audrey Geier

X

May 9, 2025



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.

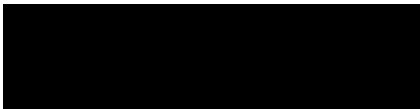
4. **The general intent and purpose of the Zoning By-law is maintained:**

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

BLACKBRIDGE ROAD

(16.8m WIDE)

ROSZELL ROAD

PIN 71212-0002

ROAD WIDENING

BLOCK 5, 61M--75

PIN 71211-0156

LOT 3

PIN 71211-0154

PIN 71211-0153

PIN 71211-0152

#6501

PIN 71211-0025

LOT 2

LOT 1

#64

AGRICULTURAL

67M-75

**LANDS TO BE
RETAINED
AREA=0.26±ha**

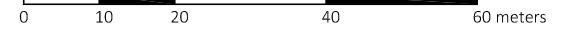
**LANDS TO BE
SEVERED
AREA=0.76±ha**

PART 1,
61R-7412

SEVERANCE SKETCH

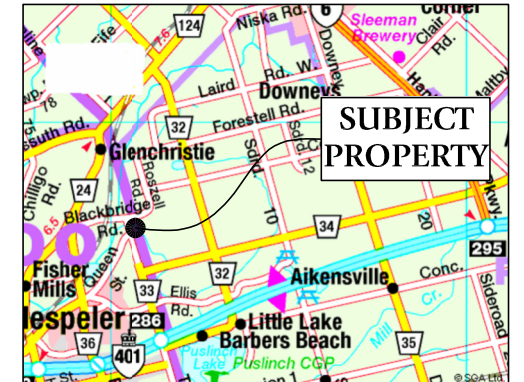
**PART OF LOT 1, CONCESSION 3
TOWNSHIP OF PUSLINCH
COUNTY OF WELLINGTON**

SCALE 1 : 1000



VAN HARTEN SURVEYING INC.

KEYMAP



NOTES:

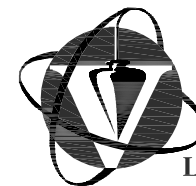
1. **THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.**
2. SUBJECT LANDS ARE ZONED AGRICULTURAL & NATURAL ENVIRONMENT & ENVIRONMENTAL PROTECTION OVERLAY.
3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF SECONDARY AGRICULTURAL & CORE GREENLANDS.
4. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
5. N.T.S. DENOTES NOT TO SCALE.
6. SUBJECT LANDS ARE SUBJECT TO EASEMENT IN FAVOUR OF LOTS 1 & 2, 61M-75 FOR DRAINAGE OF RAIN WATER.



O.P. : CORE GREENLANDS
ZONING: NATURAL ENVIRONMENT

THIS SKETCH WAS PREPARED ON THE
13th DAY OF NOVEMBER, 2024

COLIN VANDERWOERD
ONTARIO LAND SURVEYOR



Van Harten
SURVEYING INC.
LAND SURVEYORS and ENGINEERS

ZONING DESIGNATION: AGRICULTURAL ZONE (A) Reduced Lot Requirements			
ITEM	REQUIRED	SEVERED PARCEL (PROPOSED)	RETAINED PARCEL (EXISTING #4851)
MINIMUM Lot Area	4.0ha	0.76ha	0.25ha
MINIMUM Lot Frontage	25m	37.5m	33.7m
MINIMUM Front Yard	7.5m	10.0m	17.9m
MINIMUM Interior Side Yard	3m	7.0m	7.9m
MINIMUM Rear Yard	7.5m	18.0m	135.1m
MAXIMUM Lot Coverage	30%	4%	11%

Kitchener/Waterloo
Ph: 519-742-8371

Guelph
Ph: 519-821-2763

Orangeville
Ph: 519-940-4110

www.vanharten.com

info@vanharten.com

DRAWN BY: ARN

CHECKED BY: CJV

PROJECT No. 31440-22

Nov 13, 2024-9:46:44 AM

G:\PUSLINCH\Con3\ACAD\SEV LOT 1 (GEIER) UTM.dwg

Comments received to date

PW/Fire /By-law – No comments or concerns

Building Department – 1. Can the applicant provide pictures of the shipping containers in question?

2. If the shipping containers are attached to an existing structure, a building permit will be required for the shipping containers.

Other than the above, the building department doesn't have any concerns with the minor variance application.

Sourcewater - Since this property is located in a vulnerable area (wellhead protection area, issues contributing area, intake protection zone etc.), but the activity(ies), as indicated, would not create a significant drinking water threat, the application can be screened out and it does not require a Section 59 notice under the Clean Water Act.

Please note that we may provide comments on any future applications subject to this property, given the vulnerable areas. If the property is used for any activity other than rural residential, a **Risk Management Plan may be required.**

MTO - The Ministry of Transportation (MTO) has no objection to the Minor Variance application. The subject property is located beyond MTO limits of permit control and as such No MTO permit, approval or review is required.

County Roads – no comments



May 27, 2025

via email

GRCA File: D13-GEI – 4851 Townline Road

Lynne Banks
Township of Puslinch
7404 Wellington Road 34
Puslinch, ON N0B 2J0

Dear Ms. Banks,

Re: Application for Minor Variance D13/GEI
4851 Townline Road, Township of Puslinch
Audrey Geier

Grand River Conservation Authority (GRCA) staff has reviewed the above-noted minor variance application.

Recommendation

The GRCA has no objection to the proposed minor variance application.

GRCA Comments

GRCA has reviewed this application under the Mandatory Programs and Services Regulation (Ontario Regulation 686/21), including acting on behalf of the Province regarding natural hazards identified in Section 5.2 of the Provincial Planning Statement (PPS, 2024), as a regulatory authority under Ontario Regulation 41/24, and as a public body under the *Planning Act* as per our CA Board approved policies.

Information currently available at this office indicates that the subject property contains floodplain, wetland, and the regulated allowance adjacent to these features. A copy of GRCA's resource mapping is attached.


Due to the presence of the features noted above, a portion of the property is regulated by the GRCA under Ontario Regulation 41/24 – Prohibited Activities, Exemptions and Permits Regulation. Any future development or other alteration within the regulated area will require prior written approval from GRCA in the form of a permit pursuant to Ontario Regulation 41/24.

It is understood that the minor variance application requests relief from a number of provisions in the Zoning By-law to facilitate a conditionally approved severance. GRCA staff previously reviewed Application for Consent B143-22 for the proposed severance and we do not have any concerns with the minor variance application.

We wish to acknowledge receipt of the applicable plan review fee for GRCA's review of the related application B143-22. As such, a plan review fee for this application is not required.

Should you have any questions, please contact me at 519-621-2763 ext. 2228 or aherreman@grandriver.ca.

Sincerely,



Andrew Herreman, CPT
Resource Planning Technician
Grand River Conservation Authority

Enclosed: GRCA Mapping

Copy: Audrey Geier (via email)
Jennifer Voss, JV Planning & Development Consulting (via email)



D13-GEI - 4851 Townline Road

Legend

- Regulation Limit (GRCA)
- Floodplain (GRCA)
 - Engineered
 - Estimated
 - Approximate
- Floodplain - Special Policy Area (GRCA)
- Slope Erosion (GRCA)
 - Steep
 - Oversteep
 - Toe
- Slope Valley (GRCA)
 - Steep
 - Oversteep
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNRF)
- Conservation Area Boundary (GRCA)



Copyright Grand River Conservation Authority, 2025.

Disclaimer: This map is for illustrative purposes only. Information contained herein is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.

The source for each data layer is shown in parentheses in the map legend. See [Sources and Citations](#) for details.



From: [Nembhard, O'Neil \(MTO\)](#)
Sent on: May 30, 2025 11:26:27 AM
To: [Lynne Banks](#)
CC: [Planning](#)
Subject: RE: Notice of Public Hearing - Minor Variance - 4851 Townline Rd

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Good Lynne,

The Ministry of Transportation (MTO) has no objection to the Minor Variance (**#D13/GEI**) application. The subject property (4851 Townline Rd. Puslinch, Cambridge ON) is located beyond MTO limits of permit control and as such No MTO permit, approval or review is required.

Thank you for the opportunity to review and comment.

O'Neil Nembhard

Corridor Management Planner | Operation West | Operations Division
Ministry of Transportation Ontario | Ontario Public Service
548-388-2571 | o'neil.nembhard@ontario.ca



Taking pride in strengthening Ontario, its places and its people

Please note the Ministry no longer accepts Land Development review requests through its email system. All Land Development Review requests to the Ministry must be submitted to the Ministry of Transportation through the Highway Corridor Management Online portal at: <https://www.hcms.mto.gov.on.ca/>

The Land Development Review module is designed to better serve stakeholders through streamlining all land development planning approvals by the Ministry.

From: Lynne Banks <lbanks@puslinch.ca>
Sent: Tuesday, May 27, 2025 12:40 PM
To: Lynne Banks <lbanks@puslinch.ca>
Cc: Planning <planning@puslinch.ca>
Subject: Notice of Public Hearing - Minor Variance - 4851 Townline Rd

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

Attached please find a Notice of Public Hearing for the above property, for your review and comment. Please provide comments by Monday, June 2, 2025.

Thanks –

Lynne

Lynne Banks
Development and Legislative Coordinator
Township of Puslinch
7404 Wellington Rd 34, Puslinch ON N0B 2J0
519-763-1226 ext. 226 Fax 519-736-5846 www.puslinch.ca

From: [Planning](#)
Sent on: June 2, 2025 3:54:48 PM
To: [Lynne Banks](#)
Subject: FW: Minor Variance Application #D13/GEI

fyi



Mehul Safiwala
Junior Planner
Township of Puslinch
7404 Wellington Rd 34, Puslinch ON N0B 2J0
519-763-1226 ext. 233 Fax 519-736-5846 www.puslinch.ca
My hours may not match your working hours. If you received this email outside of regular business hours, I do not expect an immediate response.

From: orfisher orfisher <[REDACTED]>
Sent: June 2, 2025 12:24 PM
To: Planning <planning@puslinch.ca>
Subject: Minor Variance Application #D13/GEI

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This is to advise that we have no objections to the Minor Variance Application for Audrey Geier at 4851 Townline Road.

Yours truly,

Marilyn L. Fisher

4871 Townline Road

From: [Andrew Hartholt](#)
Sent on: June 3, 2025 2:48:10 PM
To: [Mehul Safiwala](#)
CC: [Lynne Banks](#)
Subject: RE: 4851 Townline Road Minor Variance Applications

Hey Mehul,

In reviewing the pictures, a building permit is required. The shipping containers are attached to both the existing building and share a roof, making them act as one building. The containers have also been modified to have a man door added where there wouldn't usually be one.

If the property owner or applicant would like to discuss further, they are welcome to reach out to me.



Andrew Hartholt
Chief Building Official
Township of Puslinch
7404 Wellington Rd 34, Puslinch ON N0B 2J0
519-763-1226 ext. 229 www.puslinch.ca



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

From: Mehul Safiwala <msafiwala@puslinch.ca>
Sent: June 3, 2025 11:19 AM
To: Andrew Hartholt <ahartholt@puslinch.ca>
Cc: Lynne Banks <lbanks@puslinch.ca>
Subject: FW: 4851 Townline Road Minor Variance Applications

Hello Andrew,

Please see the below in response to your comments made for the minor variance application.

Let me know if you have any other comments in response to this.

Thanks.



Mehul Safiwala
Junior Planner
Township of Puslinch
7404 Wellington Rd 34, Puslinch ON N0B 2J0
519-763-1226 ext. 233 Fax 519-736-5846 www.puslinch.ca



My hours may not match your working hours. If you received this email outside of regular business hours, I do not expect an immediate response.

From: Audrey Geier <audrey.geier@shimco.com>
Sent: June 3, 2025 11:13 AM
To: Mehul Safiwala <msafiwala@puslinch.ca>
Cc: Jennifer Voss <jvoss@shimco.com>
Subject: Re: 4851 Townline Road Minor Variance Applications

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Hi this is Audrey replying as Jennifer is away.
The shipping containers are each 8' x 20' and been in place for 19 years.

They are not attached to the garage as shown in the pictures below. The overhang covering the sea cans is attached to the garage.











COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
Aldo Salis, BES, M.Sc. MCIP, RPP., DIRECTOR
TEL: (519) 837-2600
FAX: (519) 823-1694
1-800-663-0750

ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH, ONTARIO
N1H 3T9

May 30, 2025

BY E-MAIL

Lynne Banks, Secretary-Treasurer
Committee of Adjustment
Township of Puslinch
7404 Wellington Rd 34
Puslinch, ON N0B 2J0

Dear Ms. Banks:

Re: Proposed Minor Variance – D13/GEI (Retained parcel)
Audrey Geier
4851 Townline Rd
Township of Puslinch

Thank you for circulating the above noted application to our office. These comments are offered without the benefit of a site visit. It is our understanding that the following relief is being requested from Zoning By-law No. 023-18:

- Section 11.4 (Table 11.3): To permit a reduced lot area of 0.26 ha (0.64 ac) whereas the required minimum lot area is 0.4 ha (0.98 ac).
- Section 4.24.2 (a) – To permit a shipping container on a lot with a minimum area of 0.26 ha whereas the bylaw requires a minimum lot area of 0.4 ha.
- Section 4.24.2 (b) – To permit two (2) shipping containers on a lot instead of none as required for a lot with an area less than 0.4 ha.
- Section 4.24.2 (d) – To permit the storage of shipping containers on a lot for residential use whereas outdoor storage is prohibited.
- Section 4.24.2 (f) – To permit a setback of 8.2 metres from a residential use for a shipping container whereas a minimum setback of 10 metres is required.

The subject lands are designated as Secondary Agriculture and Core Greenlands in the County Official Plan. Identifying features include significant woodlands, provincially significant wetlands, as well as Grand River Conservation Authority regulated wetlands, floodplain, and slope valley.

Planning staff note that the proposed variance is to satisfy a condition of severance (B143/22) that was conditionally approved at the February 2025 Land Division Committee meeting. It is noted that the proposed permit the two existing shipping containers that are already located on the retained lands.

Overall, staff do not have any concerns with the proposed minor variance application provided that any concerns identified by the GRCA are addressed.



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT

Aldo Salis, BES, M.Sc. MCIP, RPP., DIRECTOR

TEL: (519) 837-2600

FAX: (519) 823-1694

1-800-663-0750

ADMINISTRATION CENTRE

74 WOOLWICH STREET

GUELPH, ONTARIO

N1H 3T9

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

Yours truly,

Jamie Barnes
Junior Planner

Thomas Freeman, RPP MCIP
Planner



REPORT D13-2025-013

TO: Committee of Adjustment Chair and Members of Committee

PREPARED BY: Mehul Safiwala, Junior Planner

PRESENTED BY: Mehul Safiwala, Junior Planner

MEETING DATE: June 10th, 2025

SUBJECT: Minor Variance Application D13/GEI (Audrey Geier) – Severed Parcel
4851 Townline Road
Part Lot 1, Concession 3

RECOMMENDATION

That Report D13-2025-013 entitled Minor Variance Application D13/GEI be received; and

Whereas the variance requested would provide relief from Section 4.16.1.a), of Township Comprehensive Zoning By-law 2018-023, as amended (Zoning By-law), to propose a new residential parcel along Wellington Road 35 to permit a reduced MDS I setback of 211 meters instead of 390 meters as required from the unoccupied barn located south at Part Lot 1 of Concession 3, fronting on Townline Road; and

Whereas the variance requested would provide relief from Section 4.16.1.a), of the Zoning By-law, requesting permission to permit a reduced MDS I setback for the Severed Parcel to be 126 meters instead of 264 metres as required from the barn located at the property municipally known as 6501 Roszell Road; and

Whereas this application is required as condition of consent application B143-22 that was approved in February 2025 at the Land Division Committee Meeting; the consent application would sever a 0.76 ha (1.88 ac) vacant land; and

Whereas, the 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;

Therefore, that planning staff consider the request to be minor and have no concerns with the application.

Purpose

Regulation	By-law Section	Required	Proposed	Relief Requested
Comprehensive Zoning By-law # 23-2018, as amended	4.16.1 a)	Notwithstanding any other yard or setback provisions of this By-law to the contrary, no residential, institutional, commercial, industrial or recreational use, located on a separate lot and permitted within the Agricultural (A) Zone or any other zone in which agricultural uses are permitted, shall be erected or altered unless it complies with the Minimum Distance Separation I (MDS I) setback from a livestock facility. <u>(Part Lot 1 of Concession 3 – 387 m is required)</u>	211 m	179 m
Comprehensive Zoning By-law # 23-2018, as amended	4.16.1 a)	Notwithstanding any other yard or setback provisions of this By-law to the contrary, no residential, institutional, commercial, industrial or recreational use, located on a separate lot and permitted within the Agricultural (A) Zone or any other zone in which agricultural uses are permitted, shall be erected or altered unless it complies with the Minimum Distance Separation I (MDS I) setback from a livestock facility <u>(6501 Roszell Road – 264 m is required)</u>	126 m	138 m

Four Tests	Discussion
That the requested variance is minor in nature	<ul style="list-style-type: none"> • The purpose of the application is to request relief from the required MDS I setback to facilitate creation of a new rural residential parcel. • MDS I setbacks are measured at the shortest distance between the proposed lot line and either the surrounding livestock occupied portions of the livestock barns or manure storages. • The purpose of MDS I setbacks is to minimize odor conflicts by dividing incompatible land uses and to prevent or minimize adverse effects on livestock operations, including the potential for future expansion. The MDS document's Guideline 43) allows for the evaluation of MDS I relief. • Consent application B143/22 has been conditionally approved, and this minor variance application is to satisfy Conditions for the MDS I regulation setback relief. • The MDS I calculation for the barn located at Part Lot 1 of Concession 3 and 6501 Roszell Road are 387 meters and 226 meters respectively, and these calculations are based on a Type B land use. Relief requested is for reduced minimum required setbacks of 211 meters and 126 meters.

	<ul style="list-style-type: none"> There are other dwellings on surrounding properties that are located closer to the existing barns than the severed parcel on the subject lands.
That the intent and purpose of the Zoning By-law is maintained	<ul style="list-style-type: none"> The subject lands are zoned Agriculture (A) and Natural Environment (NE) and are within the Environmental Protection Zone Overlay. The single detached dwelling is a permitted use within the Agricultural (A) Zone, in accordance with Section 11.2, Table 11.1. Section 4.16.1(a) requires that 'no residential use located on a separate lot and permitted within the Agricultural (A) Zone or any other zone in which agricultural uses are permitted, shall be erected or altered unless it complies with the MDS I setback from a livestock facility, calculated using the Formulas published by the Province of Ontario, as may be amended from time to time'. The intent of the Zoning By-law provision is to enforce the Provincial MDS Guidelines which aim to restrict land use conflicts. The proposed severed lot meets the required area and frontage requirements for a reduced agricultural lot.
That the general intent and purpose of the Official Plan is maintained	<ul style="list-style-type: none"> The subject property is designated as Secondary Agricultural, Core Greenlands and Greenlands within the County of Wellington Official Plan. Identified features include Significant Wooded Areas, GRCA Slope Valley, Provincial Wetlands, GRCA Floodplain and regulated Wetlands. A single detached dwelling is a permitted use within Secondary Agricultural area. Consent application B143/22 has been conditionally approved by the County of Wellington Land Division Committee and was deemed to be consistent with the Official Plan subject to MDS I compliance.
That the variance is desirable for the appropriate development and use of the land, building or structure	<ul style="list-style-type: none"> The subject property is surrounded by rural residential uses. Planning staff do not anticipate that a new residential use in this location would further hinder or preclude the present use or future potential for the agricultural operations in question given that a number of existing rural residential uses that are already located closer to both barns and length of time these uses have existed.

	<ul style="list-style-type: none"> Planning staff are satisfied that the minor variance is desirable, and appropriate for the development and use of the land.
--	---

Conclusion

In conclusion, planning staff is of the opinion that the requested variance application meets the four tests of the *Planning Act*, subject to the recommended conditions. Staff trust that this report will be of assistance to the Committee in their consideration of this matter.

Engagement Opportunities

Township Active Planning Application Website;
Public Notice of Hearing and Committee Decision (Statutory);
Notice of Public Hearing Resident Guide.

Attachments

Schedule "A" Application
Schedule "B" Sketch
Schedule "C" Staff/Public/Agency Comments

Respectfully submitted,

Reviewed by:

Mehul Safiwala
Junior Planner

Justine Brotherston
Municipal Clerk

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 [REDACTED]	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	
Area in Hectares 1.01		Area in Acres 2.5	
Depth in Feet 1261 & 552		Registered Plan Number 	
Frontage in Meters 71.2		Depth in Meters 79.6 & 168.4	
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.

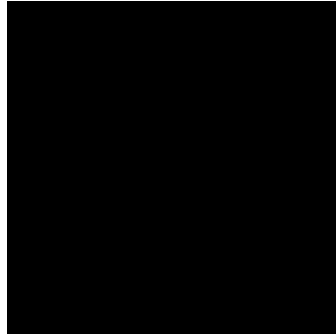
In conclusion, it is my professional opinion that the requested variances represent good planning, are consistent with the applicable planning policy framework, and are appropriate for approval by the Committee of Adjustment.

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

PIN 22739-0098
BLACKBRIDGE ROAD

(16.8m WIDE)

ROSZELL ROAD

PIN 71212-0002

BEASLEY'S LOWER BLOCK
TOWNSHIP OF WATERLOO

GEOGRAPHIC

CITY OF CAMBRIDGE

PIN 71211-0201

TOWNLINE ROAD

ROAD ALLOWANCE BETWEEN TOWNSHIPS
PUSLINCH AND WATERLOO

(20.12m WIDE)

ROAD WIDENING

BLOCK 5, 61M--75

PIN 71211-0156

PIN 71211-0154

LOT 3

PIN 71211-0153

LOT 2

PIN 71211-0152

LOT 1

PIN 71211-0025

PIN 71211-0155

LOT 4

ZONING :

#4871

GARAGE

LANDS TO BE
RETAINED
AREA=0.26±ha

SECONDARY

AGRICULTURAL

AGRICULTURAL

61M--75

LANDS TO BE
SEVERED
AREA=0.76±ha

1

45.6

GRCA WETLAND LIMIT

LIMIT OF POND

MILL POND

PART 1,
61R--9106

WITH

ENVIRONMENT

NATURAL

O.P. :

ZONING DESIGNATION: AGRICULTURAL ZONE (A) Reduced Lot Requirements

ITEM	REQUIRED	SEVERED PARCEL (PROPOSED)	RETAINED PARCEL (EXISTING #4851)
MINIMUM Lot Area	4.0ha	0.76ha	0.25ha
MINIMUM Lot Frontage	25m	37.5m	33.7m
MINIMUM Front Yard	7.5m	10.0m	17.9m
MINIMUM Interior Side Yard	3m	7.0m	7.9m
MINIMUM Rear Yard	7.5m	18.0m	135.1m
MAXIMUM Lot Coverage	30%	4%	11%

SEVERANCE SKETCH

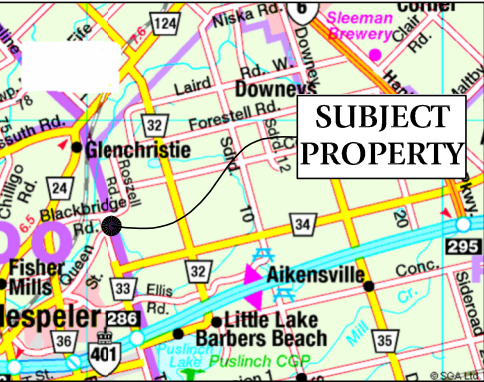
PART OF LOT 1, CONCESSION 3
TOWNSHIP OF PUSLINCH
COUNTY OF WELLINGTON

SCALE 1 : 1000

0 10 20 40 60 meters

VAN HARTEN SURVEYING INC.

KEYMAP



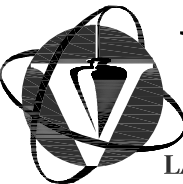
NOTES:

- THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
- SUBJECT LANDS ARE ZONED AGRICULTURAL & NATURAL ENVIRONMENT & ENVIRONMENTAL PROTECTION OVERLAY.
- SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF SECONDARY AGRICULTURAL & CORE GREENLANDS.
- DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
- N.T.S. DENOTES NOT TO SCALE.
- SUBJECT LANDS ARE SUBJECT TO EASEMENT IN FAVOUR OF LOTS 1 & 2, 61M-75 FOR DRAINAGE OF RAIN WATER.

O.P. : CORE GREENLANDS
ZONING: NATURAL ENVIRONMENT

THIS SKETCH WAS PREPARED ON THE
13th DAY OF NOVEMBER, 2024

COLIN VANDERWOERD
ONTARIO LAND SURVEYOR



Van Harten
SURVEYING INC.
LAND SURVEYORS and ENGINEERS

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DRAWN BY: ARN

CHECKED BY: CJV

PROJECT No. 31440-22

Nov 13, 2024-9:46:44 AM

G:\PUSLINCH\Con3\ACAD\SEV LOT 1 (GEIER) UTM.dwg

Comments received to date

Building - . Can the applicant provide pictures of the shipping containers in question?

2. If the shipping containers are attached to an existing structure, a building permit will be required for the shipping containers.

Other than the above, the building department doesn't have any concerns with the minor variance application.

MTO - The Ministry of Transportation (MTO) has no objection to the Minor Variance application. The subject property is located beyond MTO limits of permit control and as such No MTO permit, approval or review is required.

From: [Planning](#)
Sent on: June 2, 2025 3:54:48 PM
To: [Lynne Banks](#)
Subject: FW: Minor Variance Application #D13/GEI

fyi



Mehul Safiwala
Junior Planner
Township of Puslinch
7404 Wellington Rd 34, Puslinch ON N0B 2J0
519-763-1226 ext. 233 Fax 519-736-5846 www.puslinch.ca
My hours may not match your working hours. If you received this email outside of regular business hours, I do not expect an immediate response.

From: orfisher orfisher <[REDACTED]>
Sent: June 2, 2025 12:24 PM
To: Planning <planning@puslinch.ca>
Subject: Minor Variance Application #D13/GEI

Caution! This message was sent from outside your organization.

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This is to advise that we have no objections to the Minor Variance Application for Audrey Geier at 4851 Townline Road.

Yours truly,

Marilyn L. Fisher

4871 Townline Road

From: [Nembhard, O'Neil \(MTO\)](#)
Sent on: May 30, 2025 11:26:27 AM
To: [Lynne Banks](#)
CC: [Planning](#)
Subject: RE: Notice of Public Hearing - Minor Variance - 4851 Townline Rd

Caution! This message was sent from outside your organization.

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Good Lynne,

The Ministry of Transportation (MTO) has no objection to the Minor Variance (**#D13/GEI**) application. The subject property (4851 Townline Rd. Puslinch, Cambridge ON) is located beyond MTO limits of permit control and as such No MTO permit, approval or review is required.

Thank you for the opportunity to review and comment.

O'Neil Nembhard

Corridor Management Planner | Operation West | Operations Division
Ministry of Transportation Ontario | Ontario Public Service
548-388-2571 | o'neil.nembhard@ontario.ca



Taking pride in strengthening Ontario, its places and its people

Please note the Ministry no longer accepts Land Development review requests though its email system. All Land Development Review requests to the Ministry must be submitted to the Ministry of Transportation through the Highway Corridor Management Online portal at: <https://www.hcms.mto.gov.on.ca/>

The Land Development Review module is designed to better serve stakeholders through streamlining all land development planning approvals by the Ministry.

From: Lynne Banks <lbanks@puslinch.ca>
Sent: Tuesday, May 27, 2025 12:40 PM
To: Lynne Banks <lbanks@puslinch.ca>
Cc: Planning <planning@puslinch.ca>
Subject: Notice of Public Hearing - Minor Variance - 4851 Townline Rd

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

Attached please find a Notice of Public Hearing for the above property, for your review and comment. Please provide comments by Monday, June 2, 2025.

Thanks –

Lynne

Lynne Banks
Development and Legislative Coordinator
Township of Puslinch
7404 Wellington Rd 34, Puslinch ON N0B 2J0
519-763-1226 ext. 226 Fax 519-736-5846 www.puslinch.ca



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
Aldo Salis, BES, M.Sc. MCIP, RPP., DIRECTOR
TEL: (519) 837-2600
FAX: (519) 823-1694
1-800-663-0750

ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH, ONTARIO
N1H 3T9

May 30, 2025

BY E-MAIL

Lynne Banks, Secretary-Treasurer
Committee of Adjustment
Township of Puslinch
7404 Wellington Rd 34
Puslinch, ON N0B 2J0

Dear Ms. Banks:

Re: Proposed Minor Variance – D13/GEI (Severed parcel)
Audrey Geier
4851 Townline Rd
Township of Puslinch

Thank you for circulating the above noted application to our office. These comments are offered without the benefit of a site visit. It is our understanding that the following relief is being requested from Zoning By-law No. 023-18:

- Section 4.16.1. a) – To permit a reduced MDS I setback of 126 m from a barn located at the property municipality known as 6501 Roszell Road, whereas the required setback is 264 m.
- Section 4.16.1. a) – To permit a reduced MDS I setback of 211m from a barn located at the property legally described as Part of Lot 1, Concession 3, fronting on Townline Road, whereas the required setback is 390 m.

The subject lands are designated as Secondary Agriculture and Core Greenlands in the County Official Plan. Identifying features include significant woodlands, provincially significant wetlands, as well as Grand River Conservation Authority regulated wetlands, floodplain, and slope valley.

MDS guideline #43 states, “MDS I setbacks should not be reduced except in limited site-specific circumstances that meet the intent of the MDS document”.

Planning staff note that the proposed variance is to satisfy a condition of severance (B143/22) that was conditionally approved at the February 2025 Land Division Committee meeting. It is noted that the proposed variance is to facilitate the construction of a residential dwelling on the severed parcel.

Overall, planning staff have no concerns with the proposed minor variance, provided that the Township is satisfied that this application is minor in nature and in conformity with the



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N1H 3T9

direction of the provincial guidelines regarding MDS setbacks. I trust that these comments will be of assistance to the Committee. We would appreciate a copy of the Committee's decision with respect to this application

Yours truly,

A black rectangular box redacting the signature of Jamie Barnes.

Jamie Barnes
Junior Planner

A black rectangular box redacting the signature of Thomas Freeman.

Thomas Freeman, RPP, MCIP
Planner