

COMMITTEE OF ADJUSTMENT

Council Chambers  
Thursday, April 23, 2009  
7:00 P.M.

Present: Chair Lefebvre, Vice-Chair Steed, and Members Bouma, and Kloepfer

Staff: Davidson, Baycetch, Pomponi and Beacock

Absent: M. J. Brown, Member

Art Lefebvre in the Chair.

MINUTES

Moved by – Willem Bouma  
Seconded by – Walt Steed

That the Committee of Adjustment minutes of March 26, 2009, be approved as circulated.

.Carried

Declaration of Pecuniary Interests - None

PUBLIC HEARINGS

1. B9&10/09/MD ROBINSON ROAD, BRANTFORD

IN THE MATTER OF AN Application to the Committee of Adjustment for severance from Snodgrass Consulting, agent for Young Bros. Farms Ltd. for lands described as Part 1, RP 2R-6878, Part Lot 7, Concession 3, County of Brant, in the geographic Township of Brantford, and located on Robinson Road. The applicant is proposing to create two estate residential lots. Lot 1 (B9/09) has a frontage of 52 metres and an area of 0.8 hectares. Lot 2 (B10/09) has a frontage of 49 metres on the north side of Robinson Road, and an area of 0.9 hectares. The retained lands will contain an area of 22.3 hectares.

Marcus Davidson, Planner described the application and declared that it had been circulated to concerned agencies and by first class mail to all assessed owners within 60 metres of the site, and posting of notice on site. Comments received from Public Works Department, Zoning Administrator, Grand River Conservation Authority and Building Department.

Howard Snodgrass, Agent, briefly outlined the application for Committee. The Agent agreed with the list of standard conditions and had no comments.

**Public Questions – None**

Moved by – Joe Kloepfer

Seconded by – Willem Bouma

THAT File No.s B9/09/MD and B10/09/MD, from Snodgrass Consulting, agent for Young Bros. Farms, owners of Part of Lot 7, Concession 3, located on the north side of Robinson Road, County of Brant (geographic Township of Brantford), to create two lots for single detached dwellings, BE APPROVED, subject to conditions. The application meets the intent of the Official Plan.

.Carried

2. B11/09/CB & A3/09/CB 64 BEVERLY STREET WEST, SOUTH DUMFRIES

IN THE MATTER OF Applications to the Committee of Adjustment for severance and minor variance from Ron Dagg, agent for Debco (Flamborough) Ltd. for lands described as Lot 3, Block H, Plan 81, County of Brant, in the geographic Township of South Dumfries, and located at 64 Beverly Street West. (B11/09) The applicant is proposing to create a new residential building lot. The lot to be severed will have a frontage of 15.0 metres along Beverly Street West, and an area of 1210 square metres. The existing garage on the proposed severed lot will be demolished. The retained lot contains an existing residence, and an area of 1143 square metres. (A3/09) The applicant is requesting a variance of the lot frontage on the retained lands of 14.169 metres, where Section 16 of the By-law requires 15.0 metres.

Cynthia Baycetch, Planner, described the application and declared that it had been circulated to concerned agencies and by first class mail to all assessed owners within 60 metres of the site, and posting of notice on site. Comments received from Public Works Department and Building Department.

Ron Dagg, Applicant, briefly outlined the application for Committee. The Applicant stated his agreement with the list of conditions.

**Public Questions**

Dave Thomson, St. George Citizens Group, had concerns with water issues, sanitary sewer and water connections, and trees.

Robert Rosebrugh, 56 Beverly Street West, had concerns with artesian wells in the area, stating that if a well is dug, there will be water problems.

Shannon Bowery, 58 Beverly Street West, also had concerns with water problems because of artesian wells in the area.

Moved by – Walt Steed  
Seconded by – Willem Bouma

That Consent B11/09 (Debco) from Ron Dagg, agent for Debco (Flamborough) Ltd., owner of Lot 3, Block H, Plan 81, County of Brant, in the geographic Township of South Dumfries, and located at 64 Beverly Street West, BE APPROVED, subject to conditions. The application is consistent with the Provincial Policy Statement, and conforms to the Official Plan and Zoning By-law.

-and-

That Minor Variance A3/09 from Ron Dagg, agent for Debco (Flamborough) Ltd., owner of Lot 3, Block H, Plan 81, County of Brant, in the geographic Township of South Dumfries, and located at 64 Beverly Street West, BE APPROVED, based on the following reasons:

1. Approval of this application is both minor and reasonable in nature.
2. Approval of this application is desirable for the appropriate development or use of the land, building or structure.
3. The general intent of the Zoning By-law is maintained.
4. The general intent of the Official Plan is maintained.

.Carried

3. B103/05/SS 166 KING EDWARD STREET & DUNDAS ST W, PARIS

IN THE MATTER OF AN Application to the Committee of Adjustment for severance from J. H. Cohoon Engineering Limited for Zavarella Construction Ltd., for lands described as Part Lot 9, Concession 1, north side of Highway No. 2, and Block 63, Plan 2M-1875, County of Brant, in the geographic Town of Paris, located at 166 King Edward Street, and Dundas Street West. Application B103/05, which was tabled at the Committee meeting held on January 22<sup>nd</sup>, 2009, is for severance of a parcel of land having an area of 622 square metres to be added to the lands to the east, and will form part of proposed condominium development via Planning Application CDM3/05. Related planning applications ZBA40/05, OPA-C05, SP16/05, and B100/05.

Cynthia Baycetch, Senior Planner, described the application and declared that it had been circulated to concerned agencies and by first class mail to all assessed owners within 60 metres of the site, and posting of notice on site. Comments received from Public Works Department. Letter of submission received from Agent.

The Planner noted the land area on the notices for the two applications should be reversed, and will be rectified at the time of stamping of deeds; no further notification is requested at this time.

Rob VanPoorten, Agent, briefly outlined the application for Committee, and agreed with conditions and the revision of land areas.

**Public Questions - None**

Moved by – Willem Bouma

Seconded by – Joe Kloepfer

That Consent B103/05/SS for severance from J. H. Cohoon Engineering Limited for Zavarella Construction Ltd. for lands described as Part Lot 9, Concession 1, north side of Highway No. 2, and Block 63, Plan 2M-1875, County of Brant, in the geographic Town of Paris, and located at 166 King Edward Street and Dundas Street West, BE APPROVED, subject to conditions. The applications meet the intent of the Provincial Policy Statement and conforms to the intent of the Official Plan.

OTHER BUSINESS:

a. Establishment of a Licensing Tribunal

Committee had an opportunity to review Staff Report CD-09-46 recommending that the Corporate Development Committee approve the establishment of a five member Appeal Tribunal to hear licensing appeals pursuant to the County of Brant Business Licensing By-law and the County of Brant Taxi Licensing By-law; and further, that Committee approve the appointment of the Committee of Adjustment members, to the County of Brant Appeal Tribunal, subject to agreement by the members of the Committee of Adjustment.

Lynn Dale, Co-ordinator Legal and Enforcement Services, explained the process of an Appeal Tribunal Hearing and asked Committee if they would be able to provide this type of assistance.

Committee discussed the matter and decided to review all the information provided, and meet again when all the members are in attendance.

NEXT MEETING

The meeting adjourned at 8:00 p.m., to meet again on Thursday, May 28, 2009, at 7:00 p.m. in the County Council Chambers.

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Chair

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Secretary-Treasurer