

## COMMITTEE OF ADJUSTMENT

Council Chambers  
Thursday, May 28, 2009  
7:00 P.M.

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

Staff: Davidson, Pomponi and Beacock

Absent: N/A

Art Lefebvre in the Chair.

### MINUTES

Moved by – Willem Bouma  
Seconded by – Joe Kloepfer

That the Committee of Adjustment minutes of April 23, 2009, be approved as circulated.

.Carried

Declaration of Pecuniary Interests – M. J. Brown – Item e. Cochrane B18/09/SS

### PUBLIC HEARINGS

#### 1. A4/09/CB 20 CEDAR STREET, PARIS

IN THE MATTER OF AN Application to the Committee of Adjustment for a minor variance from Ivan Dickinson, Dickinson & Hicks Architects Inc., agent for Pentecostal Assemblies of Canada, Cedarview Evangelistic Centre, for lands described as Part of Part 1, RP 2R-793, Part of Lot 10, Concession 1, County of Brant, in the geographic Town of Paris, and located at 20 Cedar Street. The applicant is requesting a reduction of the side yard setback and the front yard parking lot for a proposed addition to the existing building. The applicant is proposing a side yard of 7.9 metres, where Section 32(3)(d) of the bylaw requires 10.0 metres, and relief from Section 3(19)(g) for a 0.1 encroachment into the landscape buffer, where 3.0 metres is required.

Marcus Davidson, 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, Building Division and the Ministry of Transportation. Letter of Submission received from Agent.

Bob Phillips, J. H. Cohoon Engineering Ltd., acting for Dickinson & Hicks Architects Inc., for Cedarview Evangelistic Centre, briefly outlined the application for Committee. Mr. Phillips handed out a plan to Committee and explained their request to amend the application by deleting the variance for relief of a 0.1 metre encroachment into the buffer.

The Agent referred to the plan and stated that the deficient buffer strip along Cedar Street will be dealt with through site plan.

**Public Questions – None**

Moved by – Joe Kloepfer  
Seconded by – Walt Steed

THAT Minor Variance A4/09/CB, from Dickinson & Hicks Architects Inc., agent for Pentecostal Assemblies of Canada, Cedarview Evangelistic Centre, owner of Part of Part 1, RP 2R-793, Part of Lot 10, Concession 1 (geographic Town of Paris), located at 20 Cedar Street, to provide relief from the required side yard setback from 10.0 metres to 7.9 metres, BE APPROVED. The application is minor in nature and meets the intent of the Official Plan and Zoning Bylaw.

.Carried

2. A5/09/MD 148 COCKSHUTT ROAD, BRANTFORD

IN THE MATTER OF AN Application to the Committee of Adjustment for a minor variance from Snodgrass Consulting, agent for Doris MacNeil, owner of lands described as Part of Lefferty Tract, County of Brant, in the geographic Township of Brantford, and located at 148 Cockshutt Road. The applicant is requesting a variance to recognize the location and size of an accessory structure on a recently approved Estate Residential lot (Submission No. B20/08). The applicant is proposing an area of 187 square metres for all accessory structures, where Section 3(1)(b) of the by-law permits a maximum area of 93.0 square metres.

Marcus Davidson, 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 and Zoning Administrator. Letter of Concern received from Carl Charlton for Mrs. V. Baillie. Letter of Submission received from Agent.

Howard Snodgrass, Agent, had no further comments to add.

**Public Questions - None**

Moved by – M.J. Brown  
Seconded by – Willem Bouma

THAT Application File No. A5/09/MD from Snodgrass Consulting Services, for Doris MacNeil, owner of Part of the Lefferty Tract, 148 Cockshutt Road, geographic Township of Brantford, to recognize an existing accessory structure that is 187 m<sup>2</sup> in size whereas Section 3(1)(b) permits a maximum size of 93 m<sup>2</sup>, BE APPROVED. The application is minor in nature and meets the intent of the Official Plan and Zoning Bylaw.

.Carried

3. B12/09-B15/09/MD 385 ROBINSON ROAD, BRANTFORD

IN THE MATTER OF Applications to the Committee of Adjustment for severance from Snodgrass Consulting, agent for Anna Lehmann for lands described as Part 1, RP 2R-6731, Part Lot 6, Concession 3, County of Brant, in the geographic Township of Brantford, and located at 385 Robinson Road. The applicant is proposing to create four new estate residential building lots. Lots 1, 2 & 3 will have frontages on the west side of Cleaver Road. Lot 1 (B12/09) will have a frontage of 54.5 metres and an area of 0.56 hectares. The existing accessory building will remain. Lot 2 (B13/09) will have a frontage of 46 metres and an area of 0.5 hectares. Lot 3 (B14/09) contains an existing residence and will have a frontage of 62 metres and an area of 0.53 hectares. Lot 4 (B15/09) will have a frontage of 60.9 metres on the north side of Robinson Road, and contain an area of 0.6 hectares. The 2.7-hectare retained lands are vacant.

Marcus Davidson, Senior Planner, described the application and declared that it had been circulated to concerned agencies and by first class mail to all addressed owners within 60 metres of the site, and posting of notice on site. Comments received from Public Works Department, Zoning Administrator and Building Division. Letter of submission received from Agent. The Planner referred to the revised conditions included in the Addendum to remove the requirement for a public works permit prior to stamping of deeds; remove the requirement of a 0.3 metre reserve on Lot 2, and remove requirement of grading and drainage agreement on Lot 3, which contains the existing residence.

Howard Snodgrass, Agent, outlined the history of the property, and stated that he has had discussions with the County to ensure that requirements have been satisfied with respect to speed and sighting distance on Cleaver and Robinson Roads. The Agent confirmed that he is in agreement with the list of conditions, as revised.

**Public Questions**

Allan Thompson, 394 Robinson Road, expressed concerns with the use of the retained lands.

Robert Hughes, acting on behalf of his mother who lives at 390 Robinson Road, expressed concerns with loss of privacy, loss of farmland, pheasants in the area, the setting of a precedent for future development, the speed limit reduction, and the petition of ratepayers.

Karen Thomson, 394 Robinson Road, also disagreed with the applications for the same reasons as stated above, and questioned the size of an Estate Residential lot.

The Agent responded to public questions noting that two or three more lots could be created on the retained lands; the applications are in compliance with the Official Plan designation of an Estate Residential use; and acknowledged the presence of pheasants in a grassed area that has not been farmed for many years.

Staff explained that a standard Estate Residential lot with a frontage of 40 metres and an area of 0.04 hectares complies with the minimum lot frontage and area requirements of the Zoning Bylaw.

Moved by – Walt Steed  
Seconded by – Willem Bouma

That File No's B12/09/MD to B15/09/MD, from Snodgrass Consulting, agent for Anna Lehmann, owner of Part 1, Plan 2R-6731, Part of Lot 6, Concession 3, located on the north side of Robinson Road, County of Brant, in the geographic Township of Brantford, BE APPROVED, subject to conditions, as revised. The applications comply with the policies of the Official Plan and are consistent with the Provincial Policy Statement.

Mr. Kloepfer commented that the petition to change the speed limit seemed a bit fishy.

.Carried

4. B16/09 & B17/09/MD 44 SIXTH CONCESSION ROAD, BURFORD

IN THE MATTER OF Applications to the Committee of Adjustment for severance from Snodgrass Consulting, agent for Marina Bowman for lands described as Part Lot 3, Concession 5, County of Brant, in the geographic Township of Burford, and located at 44 Sixth Concession Road. The applicant is proposing to create two new residential building lots. The new lots will each have a frontage of 35 metres on the north side of Sixth Concession Road, and an area of 0.43 hectares. The retained lands contain an existing residence and shop building and will have an area of 0.69 hectares.

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

Howard Snodgrass, Agent, explained that the Village Residential lots are in compliance with the Provincial Policy Statement and the local planning documents.

**Public Questions - None**

Moved by – M. J. Brown  
Seconded by – Willem Bouma

That File No's B16/09/MD & B17/09/MD, from Snodgrass Consulting, agent for Marina Bowman, owner of Concession 5, Part Lot 13, 44 Sixth Concession Road, geographic township of Burford, to sever two Village Residential lots within the Burford Settlement Area, BE APPROVED, subject to conditions. The applications comply with the policies of the Official Plan and are consistent with the Provincial Policy Statement.

.Carried

5. B18/09/SS 197 PINEHURST ROAD, SOUTH DUMFRIES

IN THE MATTER OF AN Application to the Committee of Adjustment for severance from Bob Stewart, agent for Bruce & Velda Cochrane for lands described as Part Lot 30, Concession 2, County of Brant, in the geographic Township of South Dumfries, and located at 197 Pinehurst Road. The applicant is proposing to sever approximately 18.6 hectares of existing farm land for future development, based on ongoing area studies. The retained lands, 0.4 hectares in size, contain the existing residence and a garage.

The application was deferred at the request of the agent.

6. B19/09/SS 357 EAST RIVER ROAD, SOUTH DUMFRIES

IN THE MATTER OF AN Application to the Committee of Adjustment for severance from Brian Smith, Plansmith Planning, agent for Steve Charest, Applicant; and Darryl Chicoine, owner of lands described as Part of Sub Lot 3, Concession 4, East of Grand River, County of Brant, in the geographic Township of South Dumfries, and located at 357 East River Road. The Applicant is proposing to sever a 3.2-hectare parcel of land from the farm property that contains an existing residence and outbuildings. The remainder of the lands, 32.2 hectares, will be amalgamated with the home farm operation owned by Steve Charest at 452 West River Road. Both the home farm operation and the amalgamated farm lands will continue to be actively farmed for cash crops.

The application was deferred at the request of the agent.

OTHER BUSINESS:

NEXT MEETING

The meeting adjourned at 8:00 p.m., to meet again on Thursday, June 25, 2009, at 7:00 p.m. in the County Council Chambers.

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Chair

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Secretary-Treasurer