

COMMITTEE OF ADJUSTMENT

MINUTES

County Council Chambers
7 Broadway Street West, Paris
Thursday, July 23, 2009
7:00 P.M.

Present: Members Lefebvre, Steed, Kloefer and Bouma

Staff: Davidson, Pomponi and Beacock

Regrets: Member Brown

Member Lefebvre in the Chair.

MINUTES

Moved by – Member Bouma
Seconded by – Member Steed

That the Committee of Adjustment minutes of June 25, 2009, be approved as circulated.

.Carried

DECLARATION OF PECUNIARY INTERESTS

Member Bouma – Item 5. a. Andree A6/09/MD

PUBLIC HEARINGS

1. A6/09/MD 3 SNOWBALL STREET, SOUTH DUMFRIES

IN THE MATTER OF AN Application to the Committee of Adjustment for a minor variance from Philip Andree, owner of lands described as Lot 44, Plan 250, County of Brant, in the geographic Township of South Dumfries, and located at 3 Snowball Street, St. George. The applicant is requesting a variance to the side yard setback of a newly constructed addition to the existing dwelling. The applicant is proposing a 0.9 metre side yard where Section 7(3)(d) of the By-law requires 1.2 metres, therefore requesting a variance of 0.3 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 and the Building Department. Correspondence received from Bob McLean (Foodland), and William Sager.

Phillip Andree, Applicant, outlined the application for Committee. The Applicant objected to conditions being added to the minor variance, stating these conditions should relate to the building permit. The Applicant gave Committee an opportunity to review pictures and explained the drainage and grading on the property.

During discussion the Applicant expressed concerns with securities being required upon entering into a Drainage and Grading Agreement with the owner of the Foodland Store property. Committee clarified for the Applicant that there was no requirement for securities listed as a condition of approval.

Public Questions

Mr. Bill Sager, 8 College Street, was present and expressed concerns with drainage and grading, fear of flooding on his property, and damage to a fence located near the property line.

Committee decided to table the application for one more month, and advised the Applicant to have a discussion with his neighbours so that they can come to an agreement on issues.

Moved by – Member Brown
Seconded by – Member Kloepfer

That minor variance application A6/09/MD, for Philip Andree, **be tabled** for one month.

.Carried

2. B24/09/MD SIXTH CONCESSION ROAD, BURFORD

IN THE MATTER OF AN Application to the Committee of Adjustment for severance from Richard Van Severen, Van Severen & Homeniuk, agent for Joseph Bosnjak & Sons Limited, for lands described as Part Lot 7 and Lot 8, Concession 5, County of Brant, in the geographic Township of Burford, and located on Sixth Concession Road. The applicant is proposing to sever a 40.47-hectare parcel of land that contains an existing residence and outbuildings, from the home farm property. The remainder of the lands, 60.71 hectares, also contains an existing residence and outbuildings related to a tobacco farm operation. This application proposes to separate the two (2) lots which inadvertently merged at the time of acquisition.

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 Grand River Conservation Authority, Public Works and the Building Department.

Joseph Bosnjak, Applicant, briefly outlined the application for Committee, and advised that he has reviewed and understands the list of conditions.

Public Questions - None

Moved by – Member Steed
Seconded by – Member Bouma

That File No. B24/09/MD, from Richard Van Severen agent for Joseph Bosnjak & Sons Limited, owner of Part of Lot 8, Concession 5, County of Brant, (geographic Township of Burford), located on Sixth Concession Road, to sever a lot with an existing residence that inadvertently merged in title with an adjacent parcel of land, **be approved** subject to conditions. The application conforms to the Official Plan and the Provincial Policy Statement.

.Carried

3. B27/06/SS 378 MCLEAN SCHOOL ROAD, SOUTH DUMFRIES

IN THE MATTER OF AN Application to the Committee of Adjustment for severance from J. H. Cohoon Engineering Limited, agent for William Sharp, owner of Part Lots 15 & 16, Concession 4, County of Brant, geographic Township of South Dumfries, and located at 378 McLean School Road. The applicant is proposing to create one new estate residential lot on the south side of McLean School Road. Lot 3 will have an area of 0.65 hectares. The retained lands will have an area of 58.16 hectares, and will become a vacant lot as a result of the consents. On June 28, 2007, Committee approved severance applications for Lots 1 and 2 (B25/06 & B26/06) and tabled the application for Lot 3 for reasons related to Minimum Distance Separation issues.

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 Grand River Conservation Authority, Public Works and the Building Department.

Rob van Poorten, Agent, and William Sharp, Applicant, were present and briefly outlined the application for Committee. The Agent advised Committee that the frontage is 51 metres, not 60 metres as shown on the notice, explaining that revisions have been made over the years since the original application was submitted. The Agent confirmed that he has read and is satisfied with the list of conditions.

Public Questions - None

Moved by – Member Steed
Seconded by – Member Bouma

That the frontage of the lot to be severed be amended to 51 metres.

.Carried

Moved by – Member Kloepper
Seconded by – Member Brown

That Consent B27/06/SS – Lot 3 (William Sharp), from J.H. Cohoon Engineering Limited, agent for William Sharp, owner of Part of Lots 15 & 16, Concession 4, County of Brant (geographic Township of South Dumfries), located on the south side of McLean School Road, **be approved** subject to conditions. The application complies with the intent of the Official Plan.

.Carried

4. B23/09/SS 7 MARR DRIVE, OAKLAND

IN THE MATTER OF AN Application to the Committee of Adjustment for severance from David Roe, agent for Western Solargenics Inc., for lands described as Part Lot 4 to Part Lot 6, Concession 4, County of Brant, geographic Township of Oakland, and located at 7 Marr Drive. The applicant proposes to create a new 40-hectare farm, which will be used as a solar farm. The retained 35-hectare parcel will continue to support a dwelling, garage, and outbuildings.

The application was deferred at the request of the Agent.

Moved by – Member Steed
Seconded by – Member Bouma

That consent application B23/09/SS for Western Solargenics Inc. **be deferred** and brought forward to Committee at another date.

.Carried

OTHER BUSINESS:

1. Change of Condition for Consent Applications B85&86/06/MP

The request for a change of condition was withdrawn by the Agent.

2. Property Standards Appeal – 2 Bobby West Street, Paris

Mr. Pope was present on behalf of Mr. & Mrs. Kalsi, 2 Bobby West Street, Paris, and advised Committee that his clients had objections to the Property Standards Order, relating to the windows and deadlocks. Mr. Pope would like an opportunity to speak to the Property Standards Officer about these issues, and requested an extension of time of 45 days.

Moved by - Member Bouma
Seconded by – Member Brown

That to enforce the Property Standards Order, Committee grants the appeal with an extension of time of 45 days from the date of the meeting, to give the Owner time to complete repairs.

.Carried

NEXT MEETING

The meeting adjourned at 8:00 p.m., to meet again on Thursday, August 27, 2009, at 7:00 p.m. in the County Council Chambers.

Secretary-Treasurer