

COMMITTEE OF ADJUSTMENT

MINUTES

County Council Chambers
7 Broadway Street West, Paris
Thursday, August 27, 2009
7:00 P.M.

Present: Members Lefebvre, Steed, Brown, Kloefer and Bouma

Staff: Baycetich, Davidson, Johnston and Beacock

Regrets:

Member Lefebvre in the Chair.

MINUTES

Moved by – Member Bouma
Seconded by – Member Kloefer

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

.Carried

DECLARATION OF PECUNIARY INTERESTS

Member Bouma – Item 4. d. A6/09 Philip Andree

PUBLIC HEARINGS

1. A8/09/CB 4 BARNES FARM ROAD, BRANTFORD

IN THE MATTER OF AN Application to the Committee of Adjustment for a minor variance from James D. McIntosh for lands described as Lot 21, Plan 2M-1844, County of Brant, in the geographic Township of Brantford, and located at 4 Barnes Farm Road. The application is for a variance to the height requirement of a proposed accessory structure. The applicant is requesting a height of 6.1 metres, where Section 3(1)(c) of the By-law permits a maximum height of 4.5 metres for accessory structures.

Cynthia Baycetich, 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, Zoning, and Building Department.

James McIntosh, Applicant, briefly outlined the application for Committee, explaining that the variance to the height requirement of a proposed accessory structure is for the purpose of storage.

Public Questions - None

Moved by – Member Bouma
Seconded by – Member Steed

That minor variance application A8/09/CB, from James McIntosh, owner of Lot 21, Plan 2M-1844, County of Brant, (geographic Township of Brantford), located at 4 Barnes Farm Road, to permit a height of 6.1 metres for a proposed accessory structure, whereas 4.5 metres is permitted, **be approved**.

The application is minor in nature and meets the intent of the Official Plan and Zoning By-law.

.Carried

2. A9/09/CB 45 CATHERINE STREET, PARIS

IN THE MATTER OF AN Application to the Committee of Adjustment for a minor variance from Gerald Dinsmore for lands described as Part Lot 1, Plan 68, East of Amelia Street, County of Brant, in the geographic Town of Paris, and located at 45 Catherine Street. The applicant is requesting a variance to allow for construction of an accessory structure that will exceed the maximum lot coverage. The applicant is proposing total lot coverage of 39 per cent whereas Section 16(3) (g) permits maximum lot coverage of 35 per cent.

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, Zoning, and Building Department.

Gerald Dinsmore, Applicant, briefly outlined the application for Committee, explaining that he is going to replace the previous garage.

Public Questions - None

Moved by – Member Steed
Seconded by – Member Kloepfer

That minor variance application A9/09/CB, from Gerald Dinsmore, owner of Part Lot 1, Plan 68, East of Amelia Street, County of Brant, (geographic Town of Paris), located at 45 Catherine Street, **be approved**.

The application is minor in nature and meets the intent of the Official Plan and Zoning By-law.

.Carried

3. SIGNVAR1/09/DJ 59-63 GRAND RIVER STREET NORTH, PARIS

IN THE MATTER OF AN Application to the Committee of Adjustment for a sign minor variance from Bill Kennedy, East River Holdings Inc., agent for Jenver Leasing and Realty Ltd., for lands described as Part Lots 6 and 7, East of Grand River Street North, County of Brant, in the geographic Town of Paris, and located at 59, 61 & 63 Grand River Street North. The applicant is requesting a variance to the overhead sign distance from the building, and an increase in the number of signs to match occupancy. The nature of the occupational building requires a site specific approach.

David Johnston, Director, 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. Correspondence received from Ann Geary and Roy Skuce o/a Green Heron Books, and the Paris Business Improvement Area.

Staff gave a history of the County as to signs and noted that the County now has an overall sign bylaw to control signage. There will be six (6) premises in this soon to be completed renovation, with three (3) entrances to the building.

Staff explained that the issue is with respect to signage going on the exterior of the building on the frontage where four (4) signs overhang into the road allowance. Signs are permitted on a commercial building but limited to 30 centimetres overhang, hence the need for the application.

A letter of objection was received from a business owner regarding the two (2) signage positions on the river side of the building.

Staff had recommended that the proposed signs requested on the river side of the building not be approved, but that the Committee table this portion of the application for direct input from the B.I.A. Staff referred Committee to the B.I.A. letter included in the Addendum.

Jennifer Kennedy, on behalf of the Applicant, briefly outlined the application for Committee, and explained that aggressive marketing is necessary to attract large numbers of tourists to Paris. Ms. Kennedy noted the picture of the back of the building is to show the placement of signs, not the actual signs that will be erected.

During discussion it was noted that two (2) signs (Brown Dog and Waters Edge) are proposed for the glass wall on the river side of the building.

Public Questions – None

Moved by – Member Brown
Seconded by – Member Bouma

That Submission # SIGNVAR 1/09 by Bill Kennedy, East River Holdings Inc., agent for Jenver Leasing and Realty Ltd. for signage as detailed for the front of the building **be approved**, subject to conditions as suggested in the planning report. The application is consistent with the general intent and purpose of Sign By-law #121-08.

.Carried

Moved by – Member Brown
Seconded by – Member Bouma

That Committee table the decision on the rear signage pending more specific details as to the size and location of the proposed signs on the river side of the building, and subject to input from the B.I.A.

.Carried
(Opposed - Member Steed)

4. 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, explained that the application had been tabled at the Committee meeting in July. Comments have since been received from the Building Division and Public Works Department and are included in the Addendum, resulting in removal of conditions. Staff is now recommending approval for the minor variance with no conditions.

Phillip Andree, Applicant, was present and agreed with the recommendation.

Public Questions - None

Moved by – Member Steed
Seconded by – Member Brown

That minor variance application A6/09/MD, from Philip Andree, owner of Lot 44, Plan 250, 3 Snowball Street, geographic Township of South Dumfries, to permit a 0.9 metre side yard setback for a newly constructed addition, whereas Section 16(3)(d) requires a side yard setback of 1.2 metres, **be approved**.

The application complies with the intent of the Official Plan and Zoning By-law, and is minor in nature.

.Carried

5. B25-26/09/MD 351 & 343 HIGHWAY #2, BURFORD

IN THE MATTER OF Applications to the Committee of Adjustment for severance from Snodgrass Consulting, agent for Frank & Joanne Bucek, for lands described as Part Lot 17 and 18, Concession 1, County of Brant, in the geographic Township of Burford, and located on Highway #2. The applicant is proposing to sever two parcels of land as lot line adjustments. **(B25/09)** Parcel 1 will have an area of 0.1 hectares and will be added to lands owned by George and Anne Marie Bucek, 351 Highway # 2. **(B26/09)** Parcel 2 will have an area of 0.06 hectares and will be added to lands owned by Joseph and Pauline Bucek, 343 Highway # 2. The retained lands will contain an area of 33 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 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. Letter of Submission received from Snodgrass Consulting. Correspondence received from Ann Podetz.

Howard Snodgrass, Agent, and Frank Bucek, Applicant, were present and briefly outlined the application for Committee, stating they had no comments to make on the application or conditions.

During discussion it was noted that due to tree lines, personal space, and an outdoor furnace sitting on the abutting property, it made more sense to do a lot addition rather than move buildings.

Public Questions - None

Moved by – Member Kloepfer
Seconded by – Member Bouma

That Consent B25/09 and B26/09/MD from Snodgrass Consulting, agent for Frank and Joanne Bucek, owner of Part of Lots 17 and 18, Concession 1, located on Highway #2, geographic Township of Burford, for two separate lot line adjustments, **be approved** subject to conditions.

The applications comply with the intent of the Official Plan.

.Carried

OTHER BUSINESS:

NEXT MEETING

The meeting adjourned at 8:15 p.m., to meet again on Thursday, September 24, 2009, at 7:00 p.m. in the County Council Chambers.

Secretary-Treasurer