

**COMMITTEE OF ADJUSTMENT
MINUTES
MAY 14th, 2009**

Present: Roy Perry, Chair
Joan Truax, Member
Lee Redmayne, Member

Also Present: Bev Mansbridge, Planning Technician
Colleen Healey, Manager of Planning and Development

Roy Perry, Chair called the meeting to order at 10:02 a.m. and explained the meeting process and the time frame for appeals to those persons present. He advised that all statements and evidence given before the Committee are of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

MINUTES:

The Minutes of March 26, 2009 were accepted by the Committee.

DISCLOSURE OF INTEREST:

There were no disclosures of interest.

APPLICATIONS:

**A4/09 DUPONT
 29 Tree Top Street**

Mr. and Mrs. Dupont introduced themselves as the applicants. Colleen Healey read the Planning Report for the application requesting relief of side yard setback. The applicants were asked if there was anything to add and they inquired about inspections. Colleen explained that she did not inspect the property, however, Committee members did. Colleen explained a review of an air photo was viewed for the property. Lee Redmayne confirmed that the Committee did inspect the property. Mr. Dupont had made the architect plan available for viewing and the Committee viewed the document of the proposed garage. He explained the neighbour's back yard abuts the end of their property. It was noted that no letter was received in support from the neighbours, as indicated by the landowner. Mr. Dupont asked about starting the permit process and it was explained that 20 days is the standard window of opportunity for appeals, thus after the 20 days, he may begin the application process. The applicant confirmed that the neighbours to the west will be provided with privacy. Colleen noted that if the neighbours do not attend the meeting, the OMB may dismiss any appeals it may receive. No questions were heard from the audience.

were moved further north or further south where this may have less of an impact to any areas of concern. Confirmation that the applicant was required to transfer a road widening along the entire frontage of the subject property was noted. Mr. Jacoby asked whether that only applied to the severed parcel or entire lot and Colleen commented this road widening would include the whole property as a single lot. Mr. Jacoby indicated he assumes the Committee is in favour. Lee noted one cannot make any assumptions.

Mr. Jacoby then asked whether he can address any questions or concerns of Committee or whether there were any other issues with the application? Lee said she prefers to wait for further comments from the NVCA. The lawyer was asked if his clients were the original owners of the property. Lee offered perhaps the property was bought on speculation. Discussion was held regarding the purchase of the property and the original severance. Mr. Jacoby noted he was not the solicitor representing at the time of sale. Colleen Healey noted she did not have that information available on the history of the original severance and will have to research the files. Ms. Redmayne indicated she would like this information. Mr. Jacoby had offered this along with the Application. Lee noted she would like a list of comparable situations, and a history of past severances with similar circumstances. Mr. Jacoby had made the instrument #'s available for Committee. It was noted the Committee is interested in the policies in effect at time of the original severance.

The Committee then discussed a deferral and Chair Roy Perry announced a deferral of the application. It was explained that Mr. Jacoby can attain an EIS for submission to the NVCA, who will provide comment to the Committee, and then Mr. Jacoby can request attendance at the Committee's next scheduled meeting.

B4/09 DYKSTRA
11th Line

Mr. Leo Dykstra and Mrs. Francine Dykstra attended the meeting. Colleen then read the planning report. Roy Perry then asked if the applicants had anything to add. Roy asked whether a 30 m setback was required by the NVCA and Colleen confirmed this comes from the Township's Zoning By-law which requires a 30 m setback from any watercourse. The applicants had nothing further to add. Committee Member Lee Redmayne then asked what types of repairs were needed on the farmhouse. Mrs. Dykstra informed of some repairs in and outside. Repairs were noted as being a new roof, chimney, septic, furnace, beam downstairs is sagging, and hardly any insulation. Lee inquired whether the owners intend to sell the property. They responded no they do not want to sell as they are actively farming, noting their son farms the land. Lee asked once the farmhouse is severed off where will the new house be exactly and Mr. Dykstra informed of the new lot off the 11th Line, indicating the farmhouse will be demolished.

The size of the new lot was discussed and it was confirmed the proposed severed lot will be approx. 2 ac. The owners want to ensure their tractor can get around the new lot. Discussion on the barns and existing sheds was held and it was confirmed that these

would be left with the acreage. The farmhouse and its demolition was discussed. The owners commented that currently the house is being rented out and they desire a smaller house on one floor. Discussion on whether the landowners desired to leave the house in tact on site, perhaps as a historical building, was held, and whether they would consider leaving the building? Discussion continued on whether there is a practical way of preserving the farmhouse (as historical building). Mrs. Dykstra outlined the remnant buildings on site. Mr. Dykstra inquired as to whose expense these repairs would be as he would not want to expend any further on the farmhouse. The Committee discussed a possible legal agreement. It was noted that if the building was found to be unsafe, then it must be taken down.

Roy Perry, then asked the audience for any questions and none were heard.

Lee Redmayne then noted she does not want to put additional expenses on the shoulders of the applicants, but hopes that historical groups do have an interest in the property, and that they would not alter the original features of the farmhouse. Lee noted this was her opinion only. Mr. Dykstra noted the repairs expected to the remaining barn buildings, steel cladding, etc. Discussion on the preparation of a survey was held, as well, Colleen Healey will initiate an agreement by the Township lawyer, in preparation of next month's meeting. Colleen outlined the requirement for a legal deposit in amount of \$1,000, to be used by the Township. The Committee then agreed to defer the application.

OTHER BUSINESS:

Ms. Healey noted that Council is preparing to update it's Official Plan and in this regard, asked for Committee's input to the policies of granting severances. Some discussion was held. Some issues included concern for severances off from Commercial lands for Residential lots; Discussion on Rural zoned lots having over 50 ac which permit a single new lot if no severances since 1985 – questioned whether this is against the County policies; Lee does not want to allow strip development; the idea of rentals units on a single property – i.e.: for farm help in the past this had been permitted; granny flats, provincial policy to care for elderly parents; agree with more affordable housing; Colleen is to host an Official Plan public meeting in the fall to discuss these issues. Colleen invited the Committee to any Public Meetings. Discussion on historical listings for those properties of significance, and red flagging any properties of concern. As well, a list of vacant lots may be prepared on GIS, and Committee agreed this list may be helpful.

Mr. Albert Colossimo then attended the meeting concerning the variance applications.

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| A5/09 | ZANCOR HOMES |
| | Lot 65, Riverview Subdivision |
| A6/09 | Lot 66, Riverview Subdivision |

Colleen read the planning report. The developer had no further comments. Committee members asked about reducing the size of the proposed 3300 ft² home. Mr. Colossimo noted they had investigated this and rotating the footprint, however, the home has been pre-sold, based on this model and size. He noted further, he would like to save the deal and encourage families to move into the community. Discussion on the pie shaped lot and lot coverage factors, was held. The Chair then asked if there were any audience questions, and none were heard.

The Committee Members then voted on the application and all were in favour of granting the variance subject to the standard conditions.

Roy Perry announced the passing of both minor variance applications.

ADJOURNMENT:

The meeting adjourned at 11:20 a.m.

Roy Perry, Chair

Bev Mansbridge, Secretary-Treasurer