

Proposal:

- The approximate 2 hectare (5 acre) property is currently occupied by a dwelling and an accessory structure sleeping cabin.
- The owner would like to construct a new accessory structure being a new garage.
- The following variance is requested in order to permit the construction of the new accessory structure:
 1. A variance to permit a maximum accessory structure size of 104 metres squared (1,120 sq. ft.) whereas Zoning By-law 2010-65 states an accessory structure shall not exceed the lesser of 75% (775 sq. ft.) of the gross floor area of the principle dwelling or 110 square metres.

Agency Comments:

None

Public Correspondence:

Letters written in support of the application were received and read in full for the Committee from:

É Ms. L. Jane McDonald, 2725 Rapids Run

Staff Report D14-045:

The Planner provided a brief summary of the staff report.

The Chair asked if the applicant or agent were present and had anything to add to what was presented - the applicant was present to answer questions. The applicant added that he needed the garage for extra storage and submitted a recent survey of his property.

The Chair asked if anyone in the audience had any comments on this application. Public comments were as follows: None.

The Chair asked if there were any other public comments. As none were forthcoming, the Chair declared the public portion of the meeting closed.

The Chair asked if the Committee had any comments on this application. Committee comments were as follows: None.

The Chair asked the Secretary/Treasurer to review the proposed conditions of the decision. The applicant was asked if he was aware of the proposed conditions and was in agreement with them. The applicant confirmed this. The Chair then called for a vote on the application.

<p>DECISION – APPROVE Variance Application A-27-14 (Vokes)</p>

THE PURPOSE and EFFECT of the application is:

To request the following variances to the provisions of Zoning By-law 2010-65:

1. A variance to permit a maximum accessory structure size of 104 metres squared

(1,120 sq. ft.) whereas Zoning By-law 2010-65 states an accessory structure shall not exceed the lesser of 75% (775 sq. ft.) of the gross floor area of the principle dwelling or 110 square metres.

The following variance is needed in order to permit the construction of a new accessory structure

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 21st day of October, 2014:

DECISION: APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Municipal Taxes to be paid to date.
2. That the existing vegetation on the property shall be preserved and enhanced as much as possible.
3. That the construction is in substantial compliance with the plans submitted with the Application.

THE REASONS for the Committee's Decision are that the request is minor in nature, conforms to the general intent and purpose of the Zoning By-law and Official Plan and is desirable for the appropriate development or use of the land.

AND the Secretary-Treasurer is hereby authorized to sign any documents required to give effect to this Decision.

CARRIED

2. Consent Application No.:	B-10-14 & B-11-14
Applicant:	7174462 Canada Inc. / Novanni
Agent:	Jamie Robinson and Carly
	Marshall, MHBC Planning
Roll Number:	4351 030 001 79500 0000
Municipal Address:	2956 Southorn Road

The Secretary/Treasurer of the Committee of Adjustment outlined the application(s) and the correspondence received, as follows:

Proposal:

- É Applications to create one new commercial lot, one new industrial lot, one lot addition and multiple easements for servicing and the cooling pond were submitted in June 2014.
- É In accordance with the Township's Official Plan regarding the creation of multiple lots Council has endorsed the applications to be considered by the Committee of Adjustment.

Agency Comments:

None

Public Correspondence:

Two written letters of correspondence concerning the noise and associated factory nuisances were received and distributed to the Committee and the agents for the applicant from:

É Mr. Keith Numlan, 2 Leisure Court

Staff Report D14-046:

The Planner provided a brief summary of the staff report.

The Chair asked if the applicant or agent were present and had anything to add to what was presented - the agent, Ms. Marshall made a presentation to Committee summarizing the planning report submitted by MHBC in support of the application. The presentation outlined the process thus far, site context and applications currently before the Committee. The environmental work and monitoring done on the site and adjacent factory property was also discussed in the presentation as well as a request to wave the cash in lieu of parkland condition recommended by staff.

The Chair asked if anyone in the audience had any comments on this application. Public comments were as follows: None.

As none were forthcoming, the Chair declared the public portion of the meeting closed.

The Chair asked if the Committee had any comments on this application. Committee comments were as follows:

- *Member Ferguson asked if the easement on the north side of the lot was for servicing and where the existing servicing is located.*
- *The agent, Mr. Robinson responded that the plan provides flexibility to service the retained lands through the proposed lot addition and newly created parcel.*
- *The planner advised where the current services on Coldwater Road were located.*
- *Member Ferguson asked how deep and how many wells were drilled on the properties.*
- *Mr. Robinson responded that the drilled test wells were based on MOE environmental requirements.*
- *Member Ferguson inquired as to if the chemical contaminants could wash into the ground and if they were water transportable.*
- *Mr. Robinson stated that the contaminants had not been used in quite some time and that according to recent MOE testing the site was 97% clean.*
- *Member Ferguson inquired as to how long the wells would be in place?*
- *Mr. Robinson responded that the wells are capped and are for monitoring purposes, and will stay as long as monitoring is required.*
- *Member Ferguson asked if any properties adjacent to the Novanni properties were at a risk for contamination from run off.*
- *Mr. Robinson stated that the plume of contaminants is the area of highest concentration and it follows the area where water naturally flows, potassium*

permaganate was injected as a fence around the contaminated plume to oxidize the chemicals, preventing further run off and diluting the chemicals.

- Mr. Robinson further stated that all of this information is available in the environmental reports submitted to the Township and the Severn Sound Environmental Association in support of these applications.
- Member Vandergeest commented that Novanni should be commended for their clean-up efforts as many companies would not do this on their own.
- Mr. Robinson stated that due to the remediation efforts the request was made to wave the parkland payment. Mr. Robinson further stated that he believes Novanni has put considerable time and funding into the clean up as well as a public Open House to educate the neighbouring residents on the environmental progress and applications. Additionally, Mr. Robinson stated that Coldwater has sufficient parkland to support the local residents.
- Member Vandergeest stated that he supports the 2% cash in lieu of parkland condition as it is the standard practice although he understands that a lot of money has gone into the remediation there is also an opportunity for financial gain from the new parcels.
- Member Ferguson asked if the parkland fee could be reduced.
- Mr. Robinson stated that the Planning Act stated the Committee can impose a maximum of 2%.
- Member Hamilton stated he thinks the 2% is necessary and unrelated to the strong clean-up efforts made.

As there was no further discussion, the Chair asked the Secretary/Treasurer to review the proposed conditions of the decision. The agents were asked if he was aware of the proposed conditions and was in agreement with them. The agent confirmed this. The Chair then called for a vote on the application.

DECISION – APPROVE
Variance Application B-10-14 & B-11-14 (Novanni)

THE PURPOSE and EFFECT of the application is:

To create two new lots and one lot addition in Part Lot 21, Concession 12, former Village of Coldwater, as follows (all measurements are approximate and to be confirmed by an Ontario Land Surveyor):

Severed Lot 1

Area: 3 hectares (7.4 acres)

Frontage: 127 metres (416 feet)

Severed Lot 2

Area: 1 hectare (2.5 acres)

Frontage: 93 metres (305 feet)

Lot Addition (to be added to 2978 Southorn Road)

Area: 2 hectares (5 acres)

Retained Lands

Area: 10 hectares (24.7 acres)

Frontage: 319 metres (1,047 feet)

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 21st day of October 2014:

DECISION: APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. A reference plan of the severed parcel shall be prepared and duly registered by an Ontario Land Surveyor and one copy filed with the Secretary/Treasurer of the Committee. A draft copy of the reference plan shall be provided to the Secretary-Treasurer for review and approval prior to registration on title.
2. A copy of the electronic registration ~~to~~ preparation+draft deed for the severed lot shall be provided to the Secretary/Treasurer of the Committee together with a signed Acknowledgement and Direction so that the consent certificate may be issued.
3. A payment of 2% in lieu of parkland dedication shall be paid in accordance with Section 51.1 of the Planning Act, acceptable to the Township of Severn, in cash or cheque. The Township shall retain an appraiser, at the applicant's expense, to prepare the appraisal in accordance with the provisions of the Planning Act if the value of the land cannot otherwise be agreed on.
4. Municipal taxes shall be paid in full up to the date of request of issuance of the consent certificate.
5. That the applicant's solicitor shall take all necessary steps to ensure the easements for the delivery of municipal services and the use of the cooling pond are legally added to each of the lots.
6. That all fees and disbursements (legal, engineering, planning, environmental services), if any, incurred by the Township with respect to this application shall be paid for by the owner

THE REASONS for the Committee's Decision are that the request is minor in nature, conforms to the general intent and purpose of the Zoning By-law and Official Plan and is desirable for the appropriate development or use of the land.

AND the Secretary-Treasurer is hereby authorized to sign any documents required to give effect to this Decision.

CARRIED

E. REPORTS FROM OFFICIALS

NONE

F. CORRESPONDENCE

NONE

G. OTHER BUSINESS

NONE

H. ADJOURNMENT

The following motion was adopted:

Motion # 14-29

MOVED by Emily Silk and SECONDED by Douglas Hamilton

THAT the Committee of Adjustment meeting be adjourned at 7:36 p.m. on October 21, 2014. The Committee will reconvene at 7:00 p.m. on November 18, 2014 unless the Secretary/Treasurer has not received a complete application for the Committee's consideration.

CARRIED

Katie Mandeville, Secretary/Treasurer