

MINUTES OF THE MEETING OF THE COMMITTEE OF ADJUSTMENT HELD IN THE ADMINISTRATION OFFICE, 1024 HURLWOOD LANE, TUESDAY, FEBRUARY 18, 2014 AT 7:00 P.M.

Present: Chair Douglas Hamilton

*Members John Ferguson
Emily Silk
Mark Vandergeest
Ron Peters*

*Staff: Secretary/Treasurer, Planner Katie Mandeville
Director of Planning Andrew Fyfe*

A. CALL TO ORDER

The Chair called the meeting to order at 7:00 p.m. and explained the meeting process and the time frame for appeals to those persons present.

B. DISCLOSURE OF PECUNIARY INTEREST
NONE

C. ADOPTION OF MINUTES

The following motion was adopted:

Motion # 14-01

MOVED by Mark Vandergeest and SECONDED by Emily Silk

THAT the Minutes of the Committee of Adjustment meeting held in the Council Chambers on December 17, 2013 be adopted as printed and distributed.

CARRIED

D. ADJOURNED APPLICATIONS
NONE

E. NEW APPLICATIONS

1. Minor Variance Application No.: *A-01-14*
Applicant: *Rob & Mary Jeffries*
Roll Number: *4351 040 009 47110 0000*
Municipal Address: *3348 Russell Drive*

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

Proposal:

- É The 1.8 acre property currently contains a single detached dwelling and a detached garage.
- É The owners wish to construct an addition onto the existing dwelling. The addition will consist of building a second storey onto the existing dwelling, a rear two storey addition and a carport.
- É The following variance is requested in order to permit the construction of the addition and carport:
 1. A variance to permit a setback of 5.2 m (17.06 ft.) to the unenclosed carport and to recognize the existing 6.36 m (20.87 ft.) setback to the north-east side of the main dwelling, whereas Zoning By-law 2010-65, Section 6, Table 6.2 states that the minimum front yard setback shall be 20.0 metres.

Agency Comments:

None

Public Correspondence:

None

Staff Report D14-001:

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 and had nothing to add.

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:

- É *Member Vandergeest inquired as to if the applicants were going to build this year.*
- É *The applicants advised they were going to build this spring.*

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

**DECISION – APPROVE
Variance Application A-01-14 (Jeffries)**

THE PURPOSE and EFFECT of the variance application is:

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

1. A variance to permit a setback of 5.2 m (17.06 ft.) to the unenclosed carport and to recognize the existing 6.36 m (20.87 ft.) setback to the north-east side of the main dwelling, whereas Zoning By-law 2010-65, Section 6, Table 6.2 states that the minimum front yard setback shall be 20.0 metres for the SR2 Zone.

The owners wish to construct an addition and carport onto the side of existing dwelling on the property.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 18th day of February, 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 applicants receive a building permit for a septic system that will service the proposed additions and existing dwelling.
4. That the construction is in substantial compliance with the plans and drawings 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.

The Secretary/Treasurer is hereby authorized to sign documents on behalf of the Committee giving effect to this Decision.

CARRIED

2. Minor Variance Application No.: A-02-14
Applicant: David & Kerry Heckendorn
Agent: James Langman
Roll Number: 4351 010 009 50104 0000
Municipal Address: 4766 Severn Street

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

Proposal:

- É The approximately 0.395 acre property is occupied by an existing single detached dwelling with an attached garage and deck.
- É The owners wish to construct a 38.8 sq. m. (418 sq. ft.) addition and front /side of

the existing dwelling.

- É The property currently has a lot coverage of approximately 15% (232.9 sq. m. / 2,507 sq. ft.) and will need to increase the lot coverage allowable to 17.4% (271.7 sq. m. / 2,925 sq. ft.) to allow for the addition.
- É The owners have requested the following variances in order to permit the construction of a new deck and addition:
 1. A variance to permit a lot coverage of 17.4% whereas Zoning By-law 2010-65 permits a maximum lot coverage of 15%.

Agency Comments:

None

Public Correspondence:

None

Staff Report D14-002:

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 was present to answer questions and had nothing to add.

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:

- É *Member Peters inquired as to if any comments were received on the application.*
- É *The Secretary/Treasurer advised that no letters of correspondence were received.*
- É *Member Silk commented that she was in favour of the application as it is minor in nature.*

As there was no further discussion, the Chair asked the Secretary/Treasurer to review the proposed conditions of the decision. The agent was 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 A-02-14 (Heckendorn)

THE PURPOSE and EFFECT of the variance application is:

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

1. A variance to permit a lot coverage of 17.4% whereas Zoning By-law 2010-65 permits a maximum lot coverage of 15% for the SR2 Zone.

The owners wish to construct an addition onto the rear/side of existing dwelling on the property.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 18th day of February, 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 and drawings 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.

The Secretary/Treasurer is hereby authorized to sign documents on behalf of the Committee giving effect to this Decision.

CARRIED

- | | |
|------------------------------------|--------------------------------|
| 3. Consent Application No.: | B-01-14 |
| Applicant: | Curt & Kara Boyd |
| Roll Number: | 4351 010 002 08900 0000 |
| Municipal Address: | 1436 Jeremy Road |

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

Proposal:

- É The property currently supports a two residences and associated outbuildings.
- É The subject lands have a total frontage of approximately 500 m on Jeremy Road and area of approximately 20.23 ha (50 acres).
- É The owner is requesting consent to sever the larger property into two parcels, each containing one existing residence and associate buildings.
- É The severed lands would have a frontage of more than 100 m (328 ft.) on Jeremy Road and area of approximately 4.9 ha (12 acres).
- É The retained lands would have a frontage of approximately 20 m (66 ft.) on the Jeremy Road turn- around and area of approximately 15 ha (37 acres).

Agency Comments:

None

Public Correspondence:

None

Staff Report D14-003:

The Director of Planning 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 applicants were present to answer questions and stated that they were not sure the measurements were exact that they would need to be confirmed by a survey.

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:

- É *Member Peters inquired as to if the frontage was on the turn around and if we needed something in the conditions to reflect this.*
- É *The Director of Planning confirmed that the frontage would be on the 'to be acquired' turn around and would be less than the minimum required. Staff has recommended a minor variance as a condition.*

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

**DECISION – APPROVE
Consent Application B-01-14 (Boyd)**

THE PURPOSE and EFFECT of the application is:

To request consent to sever a portion of the property having frontage of more than 100 m (328 ft.) on Jeremy Road and area of approximately 4.9 ha (12 acres).

The retained lands would have a frontage of approximately 20 m (66 ft.) on the Jeremy Road turn- around and area of approximately 15 ha (37 acres).

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 18th day of February, 2014:

DECISION: PROVISIONALLY 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. The applicants shall obtain a minor variance for lot frontage for the retained parcel and for lot area for the severed lands.
4. The applicants shall transfer the lands associated with the existing travelled portion of Jeremy Road where it is not congruent with the surveyed Lot and Concession to the Municipality, at the applicant's expense, free and clear of all encumbrances. The transfer shall also include the adjacent lands held by the applicant to the south of the travelled portion of Jeremy Road and such lands as are required to provide for a turn-around for municipal snow removal equipment at the current terminus of winter maintenance of Jeremy Road. The limit of such lands shall be determined by the Director of Public Works, in consultant with the applicants and their surveyor.
5. Municipal taxes shall be paid in full up to the date of request of issuance of the consent certificate.

THE REASONS for the Committee's Decision are that the proposed consent is in keeping with the Township's Official Plan and Zoning By-law, is consistent with the 2005 Provincial Policy Statement, will provide for the orderly development of the Township and does not fall under the exclusive consideration of Section 51 of the Act.

The Secretary/Treasurer is hereby authorized to sign documents on behalf of the Committee giving effect to this Decision.

CARRIED

4. Consent Application No.:	B-02-14
Applicant:	Aldor Developments, Alan Abernethy
Agent:	Peter Abernethy
Roll Number:	4351 010 008 18702 0000
Municipal Address:	3126 Goldstein Road

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

Proposal:

- É The property is approximately 0.14 hectares (0.34 acres) in area with 30.48 metres (100 feet) of frontage on Goldstein Road.
- É The property is currently vacant and is serviced by full municipal services.
- É Both of the severed and retained parcels will have frontage of approximately 15.24 m (50 ft.) on Goldstein Road and area of approximately 0.069 ha (0.17 acres).

Agency Comments:

None

Public Correspondence:

None

Staff Report D14-004:

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 was present. The agent advised that he had spoken to the neighbours and no one seemed concerned.

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:

- É Member Vandergeest inquired as to if there was one servicing connection already in place for one lot.*
- É The agent stated that he believes there is one present and is aware he would need a second one.*
- É Member Peters inquired as to the location of the lot lines.*
- É The Planner assisted Member Peters with the aid of an air image of the property.*

As there was no further discussion, the Chair asked the Secretary/Treasurer to review the proposed conditions of the decision. The agent was 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
Consent Application B-02-14 (Aldor Developments)

THE PURPOSE and EFFECT of the application is:

To request consent to sever a portion of the property having frontage of approximately 15.24 m (50 ft.) on Goldstein Road and area of approximately 0.069 ha (0.17 acres).

The retained lands would have a frontage of approximately 15.24 m (50 ft.) on Goldstein Road and area of approximately 0.069 ha (0.17 acres).

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 18th day of February, 2014:

DECISION: PROVISIONALLY 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. Municipal taxes shall be paid in full up to the date of request of issuance of the consent certificate.
4. A payment of 5% 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.
5. The Owner shall enter into a Service Connection Agreement with the Township of Severn with respect to the severed lot and shall pay the required security deposit.

THE REASONS for the Committee's Decision are that the proposed consent is in keeping with the Township's Official Plan and Zoning By-law, is consistent with the 2005 Provincial Policy Statement, will provide for the orderly development of the Township and does not fall under the exclusive consideration of Section 51 of the Act.

The Secretary/Treasurer is hereby authorized to sign documents on behalf of the Committee giving 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 # 14-02

MOVED by Mark Vandergeest and SECONDED by Ron Peters

THAT the Committee of Adjustment meeting be adjourned at 7:32 p.m. on February 18, 2014. The Committee will reconvene at 7:00 p.m. on March 18, 2014 unless the Secretary/Treasurer has not received a complete application for the Committee's consideration.

CARRIED

Katie Mandeville, Secretary/Treasurer