



COMMITTEE OF ADJUSTMENT

Minutes of the Meeting of the Committee of Adjustment held on Thursday, October 18, 2018
in the Council Chambers of the Municipal Building.

Present: C. Tremblay, Chair
F. Baldwin, Member
G. Barber, Member

Also Present: W. Crown, Director of Planning and Building Services, Secretary-Treasurer
A. Zhao, Planner
Amanpreet Sidhu, Director of Corporate Services/Town Solicitor
N. Murdock, Executive Assistant

Regrets: J. Reid, Member
R. White, Member

1. OPEN MEETING

The Secretary-Treasurer opened the meeting at 4:30 p.m. and read the introductory remarks respecting safety matters and respectful communication policies.

2. PECUNIARY INTEREST

The Chair asked if there were any Members that had a pecuniary interest in the Applications to which there were none declared.

3. MINUTES

The Minutes of the Committee of Adjustment meeting held on Thursday, September 13, 2018 were reviewed and it was,

MOVED BY: Member Baldwin
SECONDED BY: Member Barber

That the Minutes of the Committee of Adjustment meeting held on Thursday, September 13, 2018, be adopted as printed and circulated.

CARRIED

4. APPLICATIONS

A) **Application A.21/2018**
Greg Dorion and Kim-Eden English, Owners
728 Dominion Avenue

At the request of the Chair, the Secretary-Treasurer described the lands and provided a description of the subject Application. The Application was circulated to ratepayers within 30

metres of the subject lands and a Notice Sign was posted on the subject property in compliance with the *Planning Act*. The Notice of Public Hearing was also posted on the Town's website and Notice Monitor. The Secretary-Treasurer confirmed that the notice requirements of the *Planning Act* had been satisfied.

No correspondence was received from ratepayers.

The following comments and/or reports were received:

- Director of Engineering, Water and Wastewater advised on September 24, 2018, that he had no concerns.
- Director of Operations, Parks and Facilities advised on September 24, 2018, that he had no comments or concerns.
- Staff Planning Report PL-2018-73 dated October 10, 2018.

Attendance

Greg Dorion, Owner, confirmed there will not be an extended driveway leading to the garage and that the only purpose of the garage is for storage and to be used as a workshop.

Decision A.21/2018

The Committee then made the following Motion:

MOVED BY: Member Baldwin
SECONDED BY: Member Barber

That the Committee of Adjustment hereby approves Minor Variance Application A.21/2018 respecting the property known as 728 Dominion Avenue for the following Variances:

- **To increase the Lot Coverage for an Accessory Building from 5% to 7.7%**

To permit a Rear Yard detached garage subject to the following conditions:

1. **That a Building Permit be obtained within one (1) year of the date of Committee decision.**

CARRIED

Reasons:

The Application satisfies the four tests for Minor Variances as set out in Section 45 of the *Planning Act*.

Concurring in this Decision:

C. Tremblay, Chair
F. Baldwin, Member
G. Barber, Member

B) Application A.22/2018
Steve and Katherine Hayward, Owners
244 Frank Street

At the request of the Chair, the Secretary-Treasurer described the lands and provided a description of the subject Application. The Application was circulated to ratepayers within 30 metres of the subject lands and a Notice Sign was posted on the subject property in compliance with the *Planning Act*. The Notice of Public Hearing was also posted on the Town's website and Notice Monitor. The Secretary-Treasurer confirmed that the notice requirements of the *Planning Act* had been satisfied.

The following comments from ratepayers were received:

- On October 12, 2018, the Planning Department received a letter from Ferguson, Deacon Taws LLP on behalf of Patrick Murray, opposing the application and requesting the matter be deferred.

The following comments and/or reports were received:

- Director of Engineering, Water and Wastewater advised on October 5, 2018 that he had no comments.
- Director of Operations, Parks and Facilities advised on October 9 and 11, 2018 that there was the existence of a waste facility and that he is concerned with the sightlines for vehicle traffic from Frank Street.
- Staff Planning Report PL-2018-72 dated October 10, 2018.

Attendance

Steve Hayward, Owner, described his experience with acquiring the land and provided clarification for the drawings that were provided to Committee.

Patrick Murray, Owner of 163 Lindsay Street, discussed the reasons he opposed the application including the historic use land as a dumping ground, the incomplete drawing for the proposed development, the potential need for a further D4 study, the sightline and traffic concerns for turning onto William Street.

Decision A.20/2018

Prior to the Decision, there was discussion regarding the historic use of the land, the previous environmental reports, sightline and traffic concerns, as well as the addition of a third condition to address the environmental concerns in cooperation with the County of Simcoe.

The Committee then made the following Motion:

MOVED BY: Member Baldwin
SECONDED BY: Member Barber

That the Committee of Adjustment hereby approves Minor Variance Application A.22/2018 respecting 244 Frank Street for the following Variances:

- **A reduction in the minimum Front Yard setback from 6.0 metres to 5.64 metres, a Variance of 0.36 metres.**
- **A reduction in the minimum Rear Yard setback from 7.6 metres to 3.048 metres, a Variance of 4.552 metres**

To permit the construction of a new 1-storey residential dwelling, subject to the following condition:

- 1. That the Applicants obtain a Building Permit within one (1) year of the date of Committee decision.**
- 2. That the Applicants convey a 0.3 metre (1 ft.) reserve on the northern limit of the property to the Town. The Applicants will be responsible for any and all costs associated with the conveyance.**
- 3. That the Town ensure, through consultation with the County of Simcoe, that sufficient site investigations have occurred to permit the residential use of the subject property.**

CARRIED

Reasons:

The Application satisfies the four tests for Minor Variances as set out in Section 45 of the *Planning Act*.

Concurring in this Decision:

C. Tremblay, Chair
F. Baldwin, Member
G. Barber, Member

5. OTHER BUSINESS


Discussion on LPAT decision of 399 Midland Point Road will be deferred to a future meeting.

6. ADJOURNMENT

On a Motion by Member Barber the Committee Meeting was adjourned at 5.37 p.m.



Cindy Tremblay, Chair



Wesley Crown, MCIP, RPP
Secretary-Treasurer