

**COMMITTEE OF ADJUSTMENT
MINUTES
October 23, 2020**

Present: Don Davis, Chair
Scott Fisher, Member
Kim Ogilvie, Member
Joan Truax, Member
Dan Tucker, Member

Also Present:

Shannon Holness, Planner
Aimee Powell, Manager of Planning and Development
Elizabeth Davis, Building and Planning Coordinator
Colleen Healey-Dowdall, CAO

The Chair, Don Davis, called the meeting to order at 10:00 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 July 24, 2020 were accepted by the Committee.

DISCLOSURE OF INTEREST:

There was no disclosure of interest.

APPLICATIONS:

A6/20
5572 Scotch Line

Yanni
Relief of Exterior Side Yard Setbacks

Owner/applicant did not attend the meeting.

The Staff Planning Report was presented by Shannon Holness. 21.2 m requested to accommodate for design. Agricultural Zoning permits the proposed residential use. Intent of ZBL met and variance is minor since the design allows for ease of access, especially with the narrow drive.

Committee Members asked:

Mike Jerry, neighbour from across Scotch Line, unclear where house is being moved to. Is it going west and south? Second, is it remaining Ag? Third, a driveway now allowed so if the second is grassed over?

Shannon, house to be on west side where the new driveway is proposed. Agricultural zoning not to

be changed, not requested. New driveway to be used and permission has been granted for this from Public Works.

Don Davis instructed Mr Jerry to speak to the new Mgr of Public Works about his driveway situation/request and Mr Jerry confirmed that he would do so.

No other comments.

The Committee considered all comments received and weighed all evidence available, and voted and APPROVED the minor variance application for relief of exterior side yard setbacks from 18.0 m to 12.2 m.

A7/20, A8/20, A9/20, B5/20, B6/20
197 Centre Street

AGOSTINO
Relief of Lot Frontage/Creation of 2 residential lots

Applicant Mr Agostino attended the meeting along with his Professional Planner, Mr Sellers.

The Staff Planning Report was presented by the Mgr of Planning and Development.

Applicant's planner spoke, Cameron Sellers of IPS Planning Consultants. Showed the subject lands. 1 sfd at present. Neighbourhood contains low density residential, some semi-detached home with towns not far. Full services and school and parks nearby. Maintains intent of OP and ZBL. 550,000 pop in County for 2051 with growth to continue. The SCOP sets out that Essa should grow by 20%.

The Manager of Public Works has concerns which should be addressed by conditions such as a lot grading and drainage plan to be prepared and submitted by a professional engineer, to be reviewed and accepted by Township staff. Other concerns are listed in correspondence, including parking and servicing concerns.

Joe Hicks asked about the second floor balconies. Concern for privacy. Mr Sellers responded 2 storey traditional towns planned at this point, balconies may not happen and will review to take Mr Hicks' concerns into consideration.

Mr Fisher and Mr Ogilvie suggested that they would like the Mgr of PW's comments to be addressed.

The Committee considered all comments received and weighed all evidence available, and voted and APPROVED the minor variance application for relief of side yard setbacks for property frontages from 7.5m to 7.2m for both end lots and from 6.0m to 5.6m for the internal lot, so long as the comments of Public Works are addressed to the satisfaction of the Manager.

A10/20
6732 9th Line

BLAY
Relief of Front Yard Setback

The Staff Planning Report was presented by Shannon Holness. The application can be granted but the NVCA has advised that a CA permit should be issued.

No questions from the committee. No audience questions were heard.

The Committee considered all comments received and weighed all evidence available, and voted and APPROVED the minor variance application for relief of side yard setbacks for property frontages from 18.44 m to 16.49 m along with the NVCA request for a permit.

B15/17, B16/17,
B17/17, B18/17
62 Brykman Road

Zoldos
Severances

Applicant Mr Stan Zoldos attended the meeting. The Staff Planning Report was presented by Ms Holness. Township Engineer is satisfied. The Town of Innisfil has no objection to the new driveways. Landowner will be required to cover all/full legal costs associated with the application. A deposit should be received to cover legal fees. The NVCA would like mature trees preserved as much as possible. Sidewalk connection should be provided. The Township Engineer has stated that there is a charge to be collected to contribute to the Thornton Water System.

Rick Newlove, neighbour, problems with septics previously. Developer will be mad that he didn't keep and develop. Water issues, sidewalk may get flooded, additional drainage will be a problem. Can't be designed.

Kerri-anne Painter. Lives right beside. Will be impacted. Purchased 13 years ago. Purchased 1.5 ac, an estate lot. Neighbours later purchased additional land behind to protect from further development. We did this to stop further development. Not in favour.

Mr Zoldos: high water table, some people took down trees hasn't helped. New storm drain proposed. Fully engineered. Complete reconfiguration of ditch. Over years, there have been problems and some negligence but will remediate. Mr Brykman developed 20 years ago, was never guaranteed imperpetuity. MOE has recognized change and new possibility. This is No one likes change. This is growth. If Mr Bykman did not develop, we wouldn't be here now. Will enter into development agreement. Discussed NVCA, TransCanada, Innisfil. Have addressed all concerns. Addressed everything. Only 3 homes, not to have impact on neighbours Well within plans, conformity. Infilling. With all due respect to neighbours, no reason to object.

Newlove, some trees have died because of high water table.

Zoldos, sympathetic with neighbours. Love trees, children played in area. Township can request something specific.

The CAO spoke to the engineering work that has been completed and accepted. The Township can impose a condition of a tree preservation plan. Otherwise supports the comments of the applicant.

Shannon added conditions suggested from the TransCanada Pipeline authority. Mr Zoldos spoke to relay that these conditions were addressed but will continue to comply with the conditions as applicable.

Ms Painter spoke to water problems and relayed that she paid extra to live here, raise families. Her children play outside and have expressed anxiety. Not practical, bought here to be protected.

Colleen explained that the water upgrades are in progress. Aware of water pressure concerns but these are to be addressed.

Scott Fisher concerned about the water issues. Zoldos pointed out that he is to pay his share.

Colleen discussed timing of water pressure, the water improvements are ready to go.

Rick Newlove, still concerned about water pressure and children's safety, would like a sidewalk along the 7th Line. Concerned about pedestrian safety.

Kim Ogilvie know there is high water in Thornton and concerned about safety.

Scott very concerned with water and timing. Joan would like deferral to get more answers, Kim agreed.

The Committee considered all comments received and weighed all evidence available, and voted and decided to defer the severance application.

B7/20
5066 Highway 89

Garofalo & Hiltz
Severances

The Staff Planning Report was presented by the Manager. Designated Ag by the OP. Separate two 100 acre parcels.

Laurie Hadwen, neighbour since 1969. Previous application was denied. Objects to Planner's comments on the history. Previously denied. Curious about discrepancy. Aimee reviewed records and going with what she found on file but acknowledged the landowner's comments.

Paul King, agent for owner. 2 separate tax bills so 2 properties according to the municipality.

No other questions from the Committee.

The Committee considered all comments received and weighed all evidence available, and voted and APPROVED the severance application.

B8/20
103 Denny Dr.

Brookfield Properties
Severance

Applicant Rayna Thompson of Brookfield attended the meeting.

The Staff Planning Report was presented by the Mgr of Planning and Development.

The Committee considered all comments received and weighed all evidence available, and voted and APPROVED the severance application subject to conditions.

B9/20
5427 8th Line

Vanderpost
Severance

Applicant Peter Vanderpost and daughter Janet attended the meeting.

The Staff Planning Report was presented by Ms Holness, Planner. Designated as Agricultural by the Township and County OPs. Hydro One acknowledged their abutting corridor. The NVCA acknowledged no concerns.

The Chair confirmed that Mr Vanderpost has agreed to expand the size of the lot. Ms Holness confirmed yes.

The Committee considered all comments received and weighed all evidence available, and voted and APPROVED the severance application provided footprint is increased to the min lot size.

B10/20
5751 6th Line

Krolewski
Severance

Applicant Mr Krolewski attended the meeting.

The Staff Planning Report was presented by Ms Holness, Planner. The planning recommendation is denial.

Applicant added: size of retained parcel is wrong, metric conversion issue. Had lot in family since 1969, father passed away this year. My oversight that this is agricultural. My mom is 79 and wants to remain in house for sentimental value. She does not want to farm 89 ac herself. Has a septic and well and she wants to live there. The 89 ac could still be farmed by someone else. We don't want to develop. So it would stay as agricultural. So mom could still stay here. Want to retain as agricultural land. Family will visit mom.

Aimee, intent is not to impact the agricultural lands. The severance would allow for a new residence. The request is to carve off a new lot and the policy is about the creation of a new piece. The request creates the new lot although not the intent of the applicant, this is what happens.

Applicant: how to keep my mom on land? Aimee, possible to rent to a farmer, to farm.

Applicant: borders on forest and greenbelt, would never be farmed. Aimee, the land designation is created by upper tiers, not necessarily tied to what's there. Mr K sees other properties side by side, how could they sever? Aimee described the process, the planning policies and intent of the Province.

Parents were hobby farmers, could this be a retirement lot?

Don Davis: no more retirement lots and have to follow Provincial policy.

The Committee considered all comments received and weighed all evidence available, and voted and denied the severance application.

OTHER BUSINESS:

No other business.

ADJOURNMENT:

The meeting adjourned at 12 noon.

Don Davis, Chair



Shannon Holness, Planning & Development
Secretary-Treasurer