

**COMMITTEE OF ADJUSTMENT
MINUTES
February 28, 2020**

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

Also Present:
Bev Mansbridge, Planner
Sheila Perri, Engineering/Development Review Technician

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 January 24, 2020 were accepted by the Committee.

DISCLOSURE OF INTEREST:

There was no disclosure of interest.

APPLICATIONS:

A1/20
32 Brian Avenue

WARREN
Relief of Side Yard Setback to permit attached Garage

Owner/applicant Derek Warren, landowner attended the meeting.

The Staff Planning Report was presented by B. Mansbridge. D. Warren noted that the measurement requested was to the roof overhang, and corrected that there was a setback of 2 foot 4 inches, from furthest point of the building.

The comments of the Public Works office were presented. S. Perri, Public Works staff member, then noted concern for the existing shed at the front, and another shed closest to the property line, which with the addition and attached garage would have an increased permeable area. She suggested that this may not have been taken into account by the resident as this would increase runoff on the property. S. Perri also noted that there is to be no drainage allowed to be directed to neighbours adding that usually a swale is created between properties to direct runoff. It appears not to have been taken into consideration.

Mr. Warren noted that this is a new process to him stating that he is aware that no water is to be

directed to neighbours. He then noted that no plans have been set in stone at this point, he was attempting to layout the addition and garage to best fit the lot layout, as the house had been angled on the lot. Mr. Warren also noted that the layout is not yet established, nor has a final drawing been submitted. He then indicated that his driveway may be enlarged, to better manage placement. Discussion ensued on relocation and where the garage is most feasible for placement on the lot. Mr. Warren noted he can move the garage possibly by another foot and a half so it could be located 3 or almost 4 feet from his property line. The Chair, Don Davis, asked to consider rearranging the plans to adjust the placement for the garage/addition. Committee Member Dan Tucker discussed reducing size of garage to satisfy the concerns. D. Davis, Chair, suggested to possibly change the location of the garage on the lot. Mr. Warren explained he was trying to avoid being so close to the lot line, and agreed he will take another look at this to re-configure placement of the garage.

No Audience questions were heard.

A deferral was recommended and Committee members were in agreement to a deferral and expect the applicant to bring back a different plan forward for next month.

B2/20

305 Mill Street

B3/20

A2/20

MILL STREET VENTURES

Creation of a new Commercial lot (Lot 1)

Creation of a new Commercial lot (Lot 2)

Relief of Rear Yard Setback for Lot 1

Agent, Gary Bell attended the meeting introducing himself as the representative for Mill Street Ventures (MSV). B. Mansbridge, presented the staff planning reports.

Don Davis - Chair, asked what building is being proposed beside the driveway adjacent the new lot. G. Bell, noted that currently the site has received site plan approval and is currently under construction being a KFC immediately next to the proposed Lot 1, and another building permit has been issued for other commercial development to the east. He indicated that the lot line is at the rear edge of the sidewalk as immediately east of the gas bar is a fast food chain and this proposed lot line would separate the parking, as the parking is related to the food location.

The Chair noted his concern for the massive line ups with gas stations, at certain times of the day, and asked whether the shared access with the lot to the east had factored this concern? G. Bell noted that per the approved Site Plan, the driveway and access had been accepted and that the traffic pattern will not change as per the Site Plan Agreement. Mr. Bell had indicated a new proposal however, will be formally submitted for a new proposal for mixed condominium use. G. Bell had confirmed that what was being considered for access, would either require a new application for easement or to address the shared access agreement which would be preferred.

Discussion was held regarding the access and the new common element. He noted that a Condominium Corporation will manage the property while a complete driveway (common element) will be located down the middle of the four other businesses, who have common interest in the driveway. Mr. Bell further explained approximately 5 years ago he appeared before Committee for a 5 ac parcel. He further added the C2 Zoning is the correct zoning and that the current site plan is as laid out in the drawing before Committee, which agrees with the Township's Official Plan. He indicated his client wants to continue to develop a larger portion of the lands to the rear and that the

financial details are under discussion, hence the application for the corner lot. He also noted that staff observed the need for a minor variance and thus he was encouraged to apply for a minor variance for relief of rear yard setback. G. Bell continued that he agrees with staff, that this is an appropriate development of the lands, and meets with Site Plan approval.

No questions were heard by the audience.

Mr. Bell asked for clarification of conditions with regard to a shared access (entrance) agreement over lot 2 to benefit lot 1, would be appropriate, and this would be a preferred method of dealing with access. He indicated this would allow the developer to move forward with access/egress. A brief discussion by the Committee, was held. B. Mansbridge indicated the suggested conditions as outlined in the decision. Mr. Bell indicated that current conditions of Site Plan had already been approved. The Chair announced that the agent is to work with Township staff to work through all conditions.

Committee voted and the Chair then announced that all 3 applications were approved.

The Committee considered all comments received and weighed all evidence available, and voted and approved the severance application (B2/20) for a new Commercial Lot (Lot 1), with the standard conditions as well as additional conditions listed.

The Committee considered all comments received and weighed all evidence available, and voted and approved the severance application (B3/20) for a new Commercial Lot (Lot 2), with the standard conditions as well as additional conditions listed.

The Committee considered all comments received and weighed all evidence available, and voted and APPROVED a minor variance application (A2/20) for the relief of the rear yard setback from 6 m to 3 m for the proposed Lot 1 (gas station property), with standard conditions applied to the decision.

A brief discussion was held regarding future plans for the rear remnant lot.

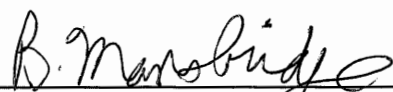
OTHER BUSINESS:

None discussed. It was reported that there were no current applications for a potential March meeting.

ADJOURNMENT:

The meeting adjourned at 10: 40 a.m.


Don Davis, Chair


B. Mansbridge, Planner
Secretary-Treasurer

