

TOWNSHIP OF PUSLINCH
COMMITTEE OF ADJUSTMENT

MINUTES

Date: Tuesday, March 12th, 2013

Time: 9:30 a.m.

The Third Regular 2013 Committee of Adjustment Meeting was held on the above noted date and called to order at 9:30 a.m. in the Municipal Office, Aberfoyle.

ATTENDANCE: Barb McKay and Matthew Bulmer were in attendance as well as the Secretary, Colleen Sutton. Beverley Nykamp was not in attendance.

OTHERS IN ATTENDANCE:

1. Allen Remley
2. Ron Harper
3. Yvonne Harper
4. Jeff Buisman

DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF:

Nil.

ADOPTION OF THE MINUTES:

Motion #1: MOVED by Matthew Bulmer and SECONDED by Barb McKay;
THAT: The Minutes of the Second Regular 2013 Committee of Adjustment meeting dated February 12th, 2013 be and are hereby adopted as presented.
CARRIED.

BUSINESS ARISING OUT OF THE MINUTES:

Nil.

BUSINESS:

1. A3/2013 Ron & Yvonne Harper 9:35 a.m.
Lot 42, Plan 373
9 Lake Ave

Purpose: Relief from provisions of Zoning By-law #19/85 as follows:
Section 7, Resort Residential Zone, Exterior Side Yard Width (minimum).
The by-law requires that the minimum exterior side yard width is 3.5 m.
Requesting permission to build a carport on the side yard abutting the road allowance between Lots 5 and 6 with an exterior side yard width of .72 m.
Total Relief being request is 2.78 m exterior side yard.

The Secretary provided the following correspondence to the Committee with regard to this application:

- i) County of Wellington letter dated March 4, 2013 wherein Jameson Pickard advises that the County would have no concerns with this request.
- ii) Grand River Conservation plan review report dated March 5th, 2013 wherein Fred Natolochny advises that there are no concerns with this request.

Matthew Bulmer stated that the road allowance belongs to McClintocks and with the carport there will be no access on either side of the house to the Lake. Ron Harper, the applicant, advises the Road Access Act allows for access to neighbouring properties and that trees have been removed to allow for emergency vehicles. Barb McKay is looking to maintain access to the lake front.

Motion #2: MOVED by Barb McKay and SECONDED by Matthew Bulmer;
 THAT : The Committee of Adjustment after considering the criteria when deciding a Minor Variance Application does hereby give Application #3/13, Ron & Yvonne HARPER, 9 Lake Avenue, relief from provisions of Zoning By-law #19/85 as follows:
 Section 7, Resort Residential Zone, Exterior Side Yard Width (minimum). The by-law requires that the minimum exterior side yard width is 3.5 m. Requesting permission to build a carport on the side yard abutting the road allowance between Lots 5 and 6 with an exterior side yard width of .72 m and maintains access to lake frontage. Total Relief beings requested is 2.89 m exterior side yard.
 CARRIED.

2. A4/2013 2055590 ONTARIO LTD. (Remley)
 Part Lot 5, Gore Concession
 6610 Gore Road
- Purpose: Relief from provisions of Zoning By-law#19/85 as follows:
- i) Section 3(1)(d)(i), General Provisions, Accessory Building, Yard Requirements. The by-law requires that any accessory building or structure is not located closer than two metres to any lot line. Requesting permission to recognize the existing shed with a set-back of .70 m from the railway right-of-way. Total relief being requested is 1.3 m from the right-of-way.
 - ii) Section 3(5)(d), General Provisions, Railway Buffer. The by-law requires that where a dwelling is located on a lot adjacent to a railway right-of-way, such dwelling shall be located not closer than 30 metres and shall be separated therefrom by a planting strip. Requesting permission to recognize the existing 11.96 m setback of the existing dwelling to the railway right-of-way. Total relief being requested is 18.04 m from the right-of-way.
 - iii) Section 3(18)(a), General Provisions, Required Setbacks. The by-law requires that no building, structure, etc. can be closer than 27 metres to the centerline of a roadway. Requesting permission to allow a 26.5 m set-back from the centerline of Gore Concession. Total relief being requested is .5 m set-back from the centerline of the line.

The Secretary provided the following correspondence to the Committee with regard to this application:

- i) County of Wellington letter dated March 4, 2013 wherein Jameson Pickard advises that the County would have no concerns with this request. The letter advises that the committee may wish to apply the following condition with respect to the shed: That the variance to the setback for an accessory building from the railway right-of-way applies only to the existing shed reflected on the minor variance sketch dated February 6, 2013 and does not apply to new construction.
- ii) Grand River Conservation plan review report dated March 5th, 2013 wherein Fred Natolochny advises that there are no concerns with this request.

Jeff Buisman comments that there is a 2 storey workshop to be removed, also a 2 storey log dwelling to be demolished and replaced, and a row of cedar trees along the railway and therefore cannot really see the railway.

Motion #3 MOVED by Barb McKay and SECONDED by Matthew Bulmer;
 THAT: The Committee of Adjustment after considering the criteria when deciding a Minor Variance Application does hereby give Application #4/13, 2055590 ONTARIO LTD. (Remley), 6610 Gore Road, relief from provisions of Zoning By-law #19/85 as follows:

- i) Section 3(1)(d)(i), General Provisions, Accessory Building, Yard Requirements. The by-law requires that any accessory building or structure is not located closer than two metres to any lot line. Requesting permission to recognize the existing shed with a set-

- back of .79 m from the railway right-of-way. Total relief being requested is 1.3 m from the right-of-way.
- ii) Section 3(5)(d), General Provisions, Railway Buffer. The by-law requires that where a dwelling is located on a lot adjacent to a railway right-of-way, such dwelling shall be located not closer than 30 metres and shall be separated therefrom by a planting strip. Requesting permission to recognize the existing 11.96 m set-back of the existing dwelling to the railway right-of-way. Total relief being requested is 18.04 m from the right-of-way.
 - iii) Section 2(18)(a), General Provisions, Required Setbacks. The by-law requires that no building, structure, etc. can be closer than 27 metres to the centerline of a roadway. Requesting permission to allow a 26.5 m set-back from the centerline of Gore Concession. Total relief being requested is .5 m set-back from the centerline of the road.
- CARRIED.

OTHER BUSINESS:

Key maps should be included with applications.

UNFINISHED BUSINESS:

Nil.

NEW BUSINESS:

Nil.

ADJOURNMENT:

Motion #4: MOVED by Matthew Bulmer and SECONDED by Barb McKay
THAT : The Committee of Adjustment does hereby adjourn at 10:15 a.m.
CARRIED.

Chairman

Secretary