

**TOWNSHIP OF PUSLINCH**  
**COMMITTEE OF ADJUSTMENT**

MINUTES

Date: Tuesday, June 12<sup>th</sup>, 2012

Time: 1:30 p.m.

The Second Regular 2012 Committee of Adjustment Meeting was held on the above noted date and called to order at 1:30 p.m. in the Municipal Office, Aberfoyle.

**ATTENDANCE:** All members of the Committee (except Joyce Sharpe) as well as the Secretary were present. Mayor Lever joined the Committee in the absence of Joyce Sharpe.

**OTHERS IN ATTENDANCE:**

1. Robert Blunt
2. Logan Juffermans
3. Sarah Wilhelm

**ADOPTION OF THE MINUTES:**

Motion #1: MOVED by Dennis Lever and SECONDED by Matthew Bulmer;  
THAT: The Minutes of the First Regular 2012 Committee of Adjustment meeting dated May 15<sup>th</sup>, 2012 be and are hereby adopted as presented.  
CARRIED.

**BUSINESS ARISING OUT OF THE MINUTES:**

Nil.

**DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF:**

Nil.

**BUSINESS:**

1. A4/2012: E S FOX ENTERPRISES  
14 Kerr Crescent  
Lots 8, 9 & 10, Plan 677  
Purpose: Industrial zone, Section 15(3)(d). The by-law requires an Interior Side yard Depth (minimum) of 5 metres. The metal clad building at the rear of the property only has 4.79 metres. Application is requesting relief in the interior side yard setback requirement to allow for the building to remain with a 4.79 metres side yard. Total relief being requested is .21 metres side yard for the metal clad building in question.

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

- i) County of Wellington letter dated June 4, 2012 wherein Sarah Wilhelm advises that the County has no concerns with this request.

Mr. Blunt advised the Committee that the building in question was built many years ago and until the most recent survey was done they were unaware that it was built too close to the property line.

Lots 9 and 10 are owned by the same people. This is basically just a housekeeping issue that was required to be cleared up.

Motion #2: MOVED by Dennis Lever and SECONDED by Matthew Bulmer;  
 THAT : THE Committee of Adjustment after considering the criteria when deciding a Minor Variance Application does hereby Application #A4/2012, E S FOX ENTERPRISES INC, Lots 8,9&10, Plan 677, 14 Kerr Crescent, relief from provisions of Zoning By-law #19/85 as follows: Industrial Zone, Section 15(3)(d), the by-law requires an interior side yard depth (minimum) of 5 metres. The metal clad building at the rear of the property only has 4.79 metres. Application is requesting relief in the interior side yard setback requirement to allow for the building to remain with a 4.79 metres side yard. Total relief being requested is .21 metres side yard for the metal clad building in question.  
 CARRIED.

**OTHER BUSINESS:**

1. Policy Recommendation passed by Council in March 2012.
  - This policy is a guideline for staff
  - Committee of Adjustment interprets the intent of the by-law
  - This policy is in direct response to the OMB Hearing from the spring. Committee of Adjustment has to deal with each application on it's own merits and has the right to deny any application
  - Is this policy allowing the Committee of Adjustment to approve uses that are not allowed within the zoning?
  - Council clearly wants to have only 1 house on a property
  - The wording needs to be stronger. Maybe we need a legally binding document - \$20,000.00 security to be used to demolish the house and the applicant is charged for any additional expenses involved with this demolition
  - We need to tighten up the section on the accessory building also. The way it reads, the applicant only has to apply for and receive a building permit.
  - The policy recommendations need to be reworded to cover some of the issues discussed
  - Sarah Wilhelm will report back to Council on the Committee of Adjustment discussion regarding the policy and suggest some up-dates
  - More emphasis needs to be made regarding applicants putting have their signs.

**UNFINISHED BUSINESS:**

Nil.

**NEW BUSINESS:**

Nil.

**ADJOURNMENT:**

Motion #3: MOVED by Matthew Bulmer and SECONDED by Mayor Lever;  
 THAT : The Committee of Adjustment does hereby adjourn at 2:07 p.m.  
 CARRIED.

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Chairman

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Secretary