



Committee of Adjustment
Tuesday, June 11, 2013
9:30 am
Council Chambers, Aberfoyle

MINUTES

MEMBERS PRESENT

Barb McKay, Chair
Matthew Bulmer
Beverley Nykamp

MEMBERS ABSENT

None.

OTHERS IN ATTENDANCE

Sarah Wilhelm, Planner, County of Wellington
Don Mackie
Johann Kyser
Glenn Leachman
Joseph Gallo
Jeff Buisman
Jeff Sinclair

1. CALL TO ORDER

The meeting was called to order at 9:30 am.

2. DISCLOSURE OF PECUNIARY INTEREST

Matthew Bulmer disclosed a conflict of interest with respect to Item 5(1) as Bruce Donaldson of BSRD is representing him on another matter.

The Committee reminds applicants to post the orange Minor Variance sign so it is visible throughout the process.

3. APPROVAL OF MINUTES

Moved by Matthew Bulmer and Seconded by Barb McKay

That the he Minutes of the Third Regular 2013 Committee of Adjustment meeting dated March 12th, 2013 be and are hereby adopted as presented.

CARRIED.

4. APPLICATIONS

1. Jose Melo & Natalia Castro Melo – 7272 Gore Road - #A5/2013
***refer to Item 2 regarding Conflict of Interest-Matthew Bulmer**

The purpose of the application is to seek relief from provisions of Zoning By-law #19/85 to permit a reduced lot frontage of 103.97 metres as per the draft reference plan attached prepared by BSR&D, dated May 2, 2013. The proposal is a condition of severance application #B40/12.

The committee had no concerns with regard to this application.

A Letter from the County of Wellington dated June 6, 2013 advises there are no concerns with the application.

Moved by Barb McKay and Seconded by Beverley Nykamp;
That the Committee of Adjustment after considering the criteria when deciding a Minor Variance Application does hereby give Application #A5/2013, Jose Melo & Natalia Castro Melo, 7272 Gore Road, relief from provisions of Zoning By-law #19/85 as follows:

Section 5(3)(b), Agricultural Zone, Zone Requirements, Lot Frontage. The by-law requires a lot frontage of (minimum) of 121.9 metres. Requesting permission to allow for a lot frontage of 103.97 metres. Proposal is a condition of severance application #B140/12. Total relief being requested is 17.93 metres.

CARRIED.

2. Pauline Sinclair & Laura Anthony – 39 Brock Rd S - #A6/2013

The purpose of the application is to seek relief from provisions of Zoning By-law #19/85 to permit the sale of new furniture as indicated in the application by Jeff Sinclair, agent for the applicants.

Pauline Sinclair advised she would like to add the sale of furniture to the uses permitted.

The committee had no concerns with regard to this application.

A letter from the County of Wellington dated June 6, 2013 advises there are no concerns with the application.

Moved by Beverley Nykamp and Seconded by Matthew Bulmer;
That the Committee of Adjustment after considering the criteria when deciding a Minor Variance Application does hereby give Application #A6/2013, Pauline Sinclair & Anthony, 39 Brock Rd S, relief from provisions of Zoning By-law #19/85 as follows:

Hamlet Commercial, C1-5 Zone, Section 11(4)(e)(i) uses permitted are restricted to the sales of antiques, arts & crafts. Requesting relief in the definition of this by-law to allow for the sale of new furniture. Total relief being requested is to add the sale of new furniture.

CARRIED.

3. Gallo Contracting Ltd. – 4010 Concession 7 - #A7/2013

The purpose of the application is to seek relief from provisions of Zoning By-law #19/85 to build an accessory building for storage prior to house construction as indicated in the application by Joseph Gallo, owner of Gallo Contraction Ltd.

Joseph Gallo advises the accessory building is needed for storage before commencing construction on a new home to be built.

The Committee questioned the justification of the need to build the accessory building before the house. The Committee was not in support of the application.

A letter from the County of Wellington dated June 7, 2013 advises there is no justification as to why the by-law requirements cannot be met.

A letter from Hamilton Conservation Authority dated June 7, 2013 advises the application is not clear as to what will be stored in the shed.

Moved by Beverley Nykamp and SECONDED by Matthew Bulmer;
THAT: The Committee of Adjustment after considering the criteria when deciding a Minor Variance Application does not hereby give Application #A7/2013, Gallo

Contracting Ltd., 4010 Concession 7, relief from provisions of Zoning By-law #19/85 as follows:

General Provisions, Accessory Uses, Section 3(1)(a) states that an accessory building cannot be located on a lot that does not have a single family dwelling. Requesting permission to build an accessory building before commencing the construction of a single detached dwelling. Total relief is to build an accessory building for storage prior to house construction.

CARRIED.

4 Alicia Rose Cowan & Jacob Copson – 6669 Wellington Rd. #34 - #A8/2013

The purpose of the application is to seek relief from provisions of Zoning By-law #19/85 to permit a fully enclosed shelter for use by children while waiting for a school bus.

Jeff Buisman requests the by-law to allow for a fully enclosed shelter as the by-law allows a partially closed shelter.

The Committee had no comments.

A letter from the County of Wellington dated June 6, 2013 advises the county has no concerns with the application. It recommends a condition if the approval is granted that the variance applies only to permit a fully enclosed structure substantially in conformity with the building footprint and location reflected on the Minor Variance sketch dated May 21, 2013.

Moved by Matthew Bulmer and Seconded by Beverley Nykamp
That the Committee of Adjustment after considering the criteria when deciding a Minor Variance Application does hereby give Application #A8/2013, Alicia Rose Cowan & Jacob Copson, 6669 Wellington Rd. 34, relief from provisions of Zoning By-law #19/85 as follows:

General Provisions, Accessory Uses, Yard Requirements, Section 3(1)(d)(iii). The by-law allows a partially enclosed shelter for use by children while waiting for a school bus, anywhere in a front yard or exterior side yard in an Agricultural Zone. Requesting permission to allow a fully enclosed shelter for use by children. Total relief is to allow a fully enclosed shelter for use by children while waiting for a school bus.

5. Meadows of Aberfoyle – 86 Brock Rd S - #A9/2013

The purpose of the application is to seek relief from provisions of Zoning By-law #19/85 to permit an existing barn to have a height of 6.4 metres and also allow for an existing minimum frontage of 6 metres to satisfy a condition of severance application #B31/13 as per draft plan attached prepared by Van Harten Surveying Inc. dated February 26, 2013.

Johann Kyser, agent for Meadows of Aberfoyle Inc., advises that the 6 metre frontage is for an existing driveway. The Land Division Committee approved severance application, #B31/13, subject to 8 conditions which included the Minor Variance for the reduced frontage.

The Committee had no concerns with regard to this application.

A letter from the County of Wellington dated June 6, 2013 advises there are no concerns with the application and it would satisfy a condition of severance application #B31/13.

Moved by Beverley Nykamp and Seconded by Matthew Bulmer
That the Committee of Adjustment after considering the criteria when deciding a Minor Variance Application does hereby give Application #A9/2013, Meadows of

Aberfoyle Inc., 86 Brock Rd. South, relief from provisions of Zoning By-law #19/85 as follows:

Section 1(c) General Provisions, Height Restrictions. The by-law states no accessory building or structure in any zone shall exceed five metres in height. Requesting permission to allow for an existing barn to have a height of 6.4 metres. Total relief is 1.4 metres.

Section 5(3)(e)(iv) Agricultural Zone, Zone Requirements, Reduced Lot Frontage. The by-law allows a lot frontage minimum of 24.3 metres. Requesting permission to allow for an existing minimum frontage of 6 metres to satisfy a condition of severance application #B31/13. Total relief being requested is 18.3 metres.

CARRIED.

5. NEXT MEETING

Tuesday, July 9, 2013 at 9:30am.

6. AJOURNMENT

The meeting adjourned at 10:22am.