



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

MINUTES

MEMBERS PRESENT

Dennis Lever, Mayor
Barb McKay, Chair
Matthew Bulmer

MEMBERS ABSENT

Beverley Nykamp

OTHERS IN ATTENDANCE

Karen Landry, CAO/Clerk
Sarah Wilhelm, Planner, County of Wellington
Councillor Roth
Jeff Buisman, VanHarten Surveying Inc.

1. CALL TO ORDER

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

2. DISCLOSURE OF PECUNIARY INTEREST

None.

3. APPROVAL OF MINUTES

Moved by Matthew Bulmer and Seconded by Barb McKay
That the Minutes of the Fourth Regular 2013 Committee of Adjustment meeting dated June 11th, 2013 be and are hereby adopted as presented.

CARRIED.

4. APPLICATIONS

1. Linda Hayden – 4399 Victoria Road South – Concession 9, Lot 24 - #A-10/2013

The purpose of the application is to seek relief from provisions of Zoning By-law #19/85. General Provisions, Section 3(1)(a) states that an accessory building cannot be located on a lot that does not have a single family dwelling. The applicant is requesting permission to allow two sheds to exist on the property without a dwelling to satisfy a condition of Severance Application B41/12. Agricultural Zone, Section 5(3)(a) allows for a lot area (minimum) of 0.4 hectares. The applicant is requesting relief of the by-law to allow an area of 0.338 hectares to satisfy a condition of Severance Application B41/12. Total relief being requested is 0.062 hectares.

A Letter from the County of Wellington dated June 21, 2013 advises there are no concerns with the request provided that the Committee applies conditions to address matters related to the two existing sheds: that the variance applies for a period of up to and not exceeding 6 months from the date of approval of the minor variance application; and that a \$20,000 security deposit is provided to the Township to ensure demolition of the accessory buildings, in the event that a permit for a new single

detached dwelling is not issued within 6 months from the date of approval of the minor variance application.

Staff advised the Grand River Conservation letter dated June 27th, 2013 was not relevant to this minor variance application and was submitted in error.

Planning staff advised that the severance application was approved prior to the zoning amendment being changed to 0.4 hectares in January 2013.

M. Bulmer advised he supported the application and would like to see a condition with a deadline to obtain a permit.

J. Buisman inquired about recourse if the 6 months were to lapse.

M. Bulmer suggested a new deadline and advised 6 months is unreasonable.

S. Wilhelm agreed that 6 months is not enough and recommended that an occupancy permit be obtained within 18 months or the shed to be removed.

The Committee was in support of the application. The Committee advised that Enforcement Staff can re-visit the matter in 18 months to confirm if an occupancy permit has been issued.

Moved by D. Lever and Seconded by M. Bulmer;
That the Committee of Adjustment after considering the criteria when deciding a Minor Variance Application does hereby give Application #A-10/2013, Linda Hayden, 4399 Victoria Road South – Part Lot 24, Concession 9, relief from provisions of Zoning By-law #19/85 as follows:

- i) Agricultural Zone, Section 5(3)(a) to allow an area of 0.338 hectares.
- ii) General Provisions, Section 3(1)(a) to allow two sheds to exist on the property without a dwelling subject to:
 - an occupancy permit being issued by January 9, 2015 for a new single detached dwelling; and
 - submit a \$20,000 security deposit in a form satisfactory by Friday September 30, 2013 to the Township to ensure demolition of the accessory buildings; and
 - to enter into an agreement with the Township by September 20, 2013 regarding the terms of the security deposit and the demolition of the accessory buildings; and
 - that the applicant be responsible for all costs incurred by the Township related to the agreement preparation and registration.

CARRIED.

5. NEXT MEETING

Tuesday, August 13th, 2013 at 9:30am.

6. AJOURNMENT

The meeting adjourned at 10:30 am.