



Committee of Adjustment
July 8, 2014
9:30 am
Council Chambers, Aberfoyle

MINUTES

MEMBERS PRESENT:

Barb McKay, Chair
Matthew Bulmer
Mayor Dennis Lever

MEMBERS ABSENT:

Beverley Nykamp

OTHERS IN ATTENDANCE:

Brooke McPhail
Leanne McPhail
William Foote
Sam Simon
Rod Greer
Councillor Ken Roth

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 M. Bulmer and Seconded by B. McKay

That the Minutes of the Committee of Adjustment meeting dated April 8, 2014 are hereby adopted as presented.

CARRIED

4. APPLICATIONS

A. File D13/MCP – Leanne McPhail – 81 Brock Road S

The purpose of the application is to seek relief from provisions of Zoning By-law #19/85:

- i. General Provisions, Home Occupations, Section 3(9) - That a road side barbeque food stand be permitted, whereas the zoning by-law does not consider this type of use as a home occupation;
- ii. As Amended, General Provisions, Section 3(9)(d) - That a home occupation be permitted to be located in an accessory structure within a Hamlet Residential (HR) zone, whereas a home occupation is only permitted within the dwelling; and,
- iii. As Amended, General Provisions, Section 3(1)(d)(i) - That an accessory structure be permitted in the required front yard with a 0 m setback from the property line, whereas the by-law requires accessory structures to be located in the rear and/or interior side yards, with a minimum 2 m setback from any lot line.

Leanne McPhail stated all insurance and health permits had been issued from appropriate agencies and in 2013 there was no assistance from the Township when inquiring about business approvals.

D. Lever indicated a Mobile Food Stand By-law is being put before Council.

M. Bulmer was uncertain of the County Planning position, felt it was a lot for the proponent to go through for one season and stated the committee can grant a sunset clause approval.

Leanne McPhail stated she wished the food stand to be open for more than one season.

The location of the food stand was discussed and remained unclear.

M. Bulmer recommended the application be deferred to clarify proper setbacks of the stand.

All in favour of deferral.

B. File D13/GRE – Rodney Greer – 0 Watson Road, Concession 9, Part Lot 21

The purpose of the application is to seek relief from provisions of Zoning By-law #19/85, General Provisions, Setbacks from the Natural Environment Zone, Section 3(25):

- i. That a 15.5 m setback from the Natural Environment Zone be permitted for a proposed single family dwelling whereas the by-law requires a 30 m setback. The total relief requested is 14.5 m (47.5 ft.); and,
- ii. That a 23.5 m setback from the Natural Environment Zone be permitted for a proposed private sewage system whereas the by-law requires a 30 m setback. The total relief requested is 6.5 m (21.3 ft.).

Rod Greer stated relief was requested due to the existing topography on the property that dictates the location and position of the proposed dwelling. There is a flat area in the rear yard for a future pool. There needs to be a large septic system due to poor soil conditions and the proposed septic is located strategically on the low point of the lot. The relief from the NE Zone from the actual habitable living space of the proposed dwelling is 2.632 m.

M. Bulmer asked if there was room outside of the NE Zone for the proposed dwelling.

B. McKay stated the GRCA has approved the application therefore she has no concerns; inquired if an EIS was required and suggested a tertiary septic system be installed.

R. Greer stated there is room inside the building envelope but it is constrained; an EIS was not required.

Moved by D. Lever and Seconded by M. Bulmer

That the application by Rodney Greer, D13/GRE to:

Reduce the setback from the Natural Zone from the required 30 m to permit:

- a 23.5 m setback to the private sewage system
- a 15.5 m setback to the dwelling;

To accommodate a proposed single dwelling with private sewage treatment system on an existing lot,

Be approved with the following condition:

1. The proposed septic system to be installed be a tertiary system.

CARRIED

C. File D13/FOO – William Foote, 20 Clergy Lane , Plan 452, Lot 4

The purpose of the application is to seek relief from provisions of Zoning By-law #19/85, General Provisions, Setbacks from Watercourse, Section 3(26):

- i. That a setback of 12m (40ft) from the edge of a warm watercourse be permitted whereas the by-law requires a 15.0 metre (49.2 ft) setback, to accommodate a proposed swimming pool.

William Foote stated that the proposed location of the fence and pool will not obstruct any views from neighbouring properties. If the 15m setback were to be maintained the location of the fence would be on top of a hill and obstruct views.

B. McKay confirmed nothing would be placed between the pool and the lake, and the area would remain grassed.

Moved by M. Bulmer and Seconded by D. Lever

That the application by Sam Simons, D13/FOO to:

Reduce the setback from a warm watercourse from the required 15.0 metres (49.2 ft) to permit a 12.0 metre (40 ft) setback for a proposed pool,

Be approved.

CARRIED

5. NEXT MEETING

Tuesday August 12, 2014

6. AJOURNMENT

The meeting adjourned at 10:20 am.