

The Corporation of the Township of Plummer Additional

RR # 2, 38 Railway Crescent

Bruce Mines ON POR ICO

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Minutes December 6, 2017

Committee of Adjustment

Council Chambers

Call to Order

6:00 pm

Committee Present: Beth West, Mike Jones, Boris Koehler, Carl MacKenzie, Tasha Strum – late arrival
6:10

Staff: Recording Secretary: Vicky Goertzen-Cooke; Deputy Clerk/Treasurer: Gina Marie Wilson

Presenters: Lennie Smith, Neil Pennock

Planner: Glenn Tunnock, Planning Consultant (Tunnock Consulting Ltd) via phone

Committee of Adjustment Meeting:

COA 1. Grasley – Consent Application, Tunnock Consulting Planning Report reviewed;

B. West read speaker's notes for Grasley, Peter Consent application:

Good evening ladies and gentlemen.

Tonight's meeting is a public meeting held under the authority of section 53 of the planning act. This meeting was also advertised in accordance with the requirements of the planning act.

The purpose of this public meeting is to consider an application for consent. The purpose of the application is to sever a 30.8 ha parcel from a 70.6 ha parcel for an agricultural use. The effect is to permit the creation of a lot for agricultural activities. No new development is proposed. The property affected by this consent is located at 23 McPhail road.

The format of the meeting will be as follows.

Anyone who wishes to speak for or against the application will be given the opportunity to do so. Before you make a presentation, I would ask that you provide your name and address to the clerk.

I will now ask whether anyone wishes to make a presentation for or against the proposed application.

No presentations.

Resln 2017-277

Carl MacKenzie

Mike Jones

WHEREAS Tunnock Consulting Ltd. has reviewed the application from Peter Grasley Consent application B-02/2017 to create one rural agricultural lot (30.8 ha) and has provided recommendations to Council;

BE IT RESOLVED THAT this Council approves the Peter Grasley Consent Application B-02/2017 to create one rural agricultural lot (30.8 ha) subject to such standard conditions and other application specific conditions as identified in the Notice of Decision regarding the property described as West part of Lot 3, Concession 6, in the geographic Township of Plummer Additional, District of Algoma (McPhail Road).

CARRIED

COA 2. Idiens -Minor Variance Application, Tunnock Consulting Planning Report reviewed;

- Glenn Tunnock of Tunnock Consulting was called and put on speaker for all present to hear comments/ask questions.
- Mayor B. West read the speaker's notes for Idiens, Travis Minor Variance application
Good evening ladies and gentlemen.

Tonight's meeting is a public meeting held under the authority of section 45 of the planning act. This meeting was also advertised in accordance with the requirements of the Planning Act.

The purpose of the meeting is to consider an application for a minor variance to reduce the required front yard setback from 7.5 m to 3.35 m. The reduced setback would recognize an existing garage built at 17 main street in Bruce Station.

The format of the meeting will be as follows. The clerk will provide a summary of the application and planning report and comments received by any agencies.

Following these remarks, anyone who wishes to speak in favour of, or contrary to the application will be given the opportunity to do so. Before you make a presentation, I would ask that you provide your name and address to the clerk.

I will now ask the clerk to make her presentation; the Clerk invited Glenn Tunnock of Tunnock Consulting to make the presentation.

- G. Tunnock gave a recap of the application & Planning Report as prepared by Tunnock Consulting Ltd. (attached); it included comments on the 4 tests under Section 45 (2) of the Planning Act;
 - 2 of the tests are not met the by application, Tunnock Consulting Ltd.'s recommendation is that the application should be refused.

Tasha Strum arrived at the meeting at 6:10 pm

Verbal presentation/discussion:

N. Pennock:

- The location of the garage is where the customer wanted it.
- If it is moved to the required distance it would be encroaching on the septic bed.
- It will cost \$15,000 to move it back
- I made a mistake; I was not stopped from building this (garage); the Building Inspector said to carry on
- Applied for permit in on May 25, 2016, the day after the concrete was poured.

G. Tunnock:

- There is not sufficient distance from the garage and street line; the building encroaches on a reasonable set back.
- The garage stands out as different from the setbacks of the other buildings in the area.
- Specific measurements were requested from the builder; was told by the builder, N. Pennock that the garage wouldn't interfere with the septic if moved.
- N. Pennock indicated earlier that he would move the garage if the Minor Variance wasn't approved.
- There is no reason why the setback couldn't be met.
- Construction was started before a building permit was taken out.

It was noted that other buildings on the street may have been existing when the by-law was put in place; legal-non-conforming.

Call ended with Glenn Tunnock.

Recording Secretary/Clerk: noted that Tunnock Consulting Ltd. had provided two options for resolutions; if the Committee is going to choose to go against Tunnock Consulting Ltd.'s recommendations the Committee must state the reason(s) why.

Recorded voted requested.

Resln 2017-278 Carl MacKenzie Mike Jones

WHEREAS Tunnock Consulting Ltd. has reviewed the application from Travis Idiens for a Minor Variance Application A-01-2017 to reduce the required front yard setback from 7.5 m to 3.35 m for a garage. and has provided recommendations to Council;

BE IT RESOLVED THAT this Council does not approve the application for the following reasons;

- the application does not meet the test of general conformity to the zoning by-law;
- the variance is not minor, and the development is not appropriate; more specifically the front yard setback could have been met since there is no demonstrated hardship in meeting the setback;
- the front yard is deficient in not providing adequate space for a parked motor vehicle on the street side of the garage;
- the garage inappropriately encroaches into the street profile intended by the zoning by-law, and;
- the development lacks consistency with the character of the built form of the surrounding residential neighbourhood.” Recorded Vote: Mike Jones-Yes, Boris Koehler-Yes, Carl MacKenzie-Yes, Tasha Strum-Yes, Beth West-Yes. CARRIED

Glenn Tunnock was called again:

L. Smith:

- Can a new entrance be put on Knight Avenue, would that satisfy the setbacks?

G. Tunnock:

- The front yard is the front yard; the entrance doesn't matter; the thought I had when (the) conversation ended (it would) make more sense to rotate the entrance to the street side and it would have less of (an impact on the) (septic) tile field; (but it) still doesn't meet the front yard (requirements).

G. Tunnock call ended at 6:47 pm

COA 3. Adjourn Committee of Adjustment

Resln 2017-279 Carl MacKenzie Tasha Strum

BE IT RESOLVED THAT this Council adjourns the Committee of Adjustment Meeting at 6:50 pm to meet again as required. CARRIED

Chair: Beth West

Recording Secretary/Clerk: Vicky Goertzen-Cooke

Note: these are Draft Minutes, they are referred to the next meeting on January 17th, 2018 for review/approval.