



MUNICIPALITY OF ARRAN-ELDERSLIE

Committee of Adjustment Meeting

MINUTES

Meeting No. 1-2023
Tuesday, April 11, 2023, 9:00 a.m.
Council Chambers
1925 Bruce Road 10, Chesley, ON

Council Present: Mayor Steve Hammell
Deputy Mayor Jennifer Shaw
Councillor Darryl Hampton
Councillor Moiken Penner
Councillor Peter Steinacker

Council Absent: Councillor Ryan Nickason
Councillor Brian Dudgeon

Staff Present: Sylvia Kirkwood - CAO
Christine Fraser-McDonald - Clerk
Julie Hamilton - Deputy Clerk
Scott McLeod - Public Works Manager
Carly Steinhoff - Recreation Manager
Pat Johnston - Chief Building Official - Present Electronically
Steve Tiernan - Fire Chief

1. Call to Order

Chair Hammell called the meeting to order at 9:00 a.m. A quorum was present.

2. Adoption of Agenda

Subsequent to further discussion, the Committee passed the following motion:

01-01-2023

Moved by: Councillor Hampton

Seconded by: Deputy Mayor Shaw

Be It Resolved that the agenda for the Committee of Adjustment Meeting of April 11, 2023 be received and adopted, as distributed by the Clerk.

Carried

3. Disclosures of Pecuniary Interest and General Nature Thereof

None.

4. Adoption of Minutes of Previous Meeting(s)

The Committee passed the following resolution:

02-01-2023

Moved by: Councillor Hampton

Seconded by: Councillor Penner

Be It Resolved that the Council of the Municipality of Arran-Elderslie adopt the minutes of the Committee of Adjustment meeting held November 28, 2022.

Carried

5. New Business

5.1 Public Hearing - Minor Variance A-2022-089 - Martin - 125 Concession 4 (Arran) - County Planner Julie Steeper

Chair Hammell advised that this was a Public Meeting under the Planning Act to consider a Minor Variance application made by Benjamin and Roselyn Martin.

The application proposes to seek relief from the side yard setback and from the Minimum Distance Separation II from the proposed dairy barn to the side property boundary. The proposed side yard setback is 13.7 m whereas the required in the bylaw is 20 m. The proposed Minimum Distance Separation II from the proposed dairy barn is 13.7m whereas the required setback is 19m. If approved, the application would facilitate the new construction of a 30 m by 68 m dairy barn.

The property is located at 125 Concession 4 in the geographic Township of Arran. The site is surrounded by agricultural uses.

Julie Steeper, Planner for Bruce County, presented the planning report.

The Chair said if attendees wished to be notified of the adoption of the proposed Minor Variance or of further proceedings regarding the variance a written request could be made by email to publicmeetingcomments@brucecounty.on.ca.

Member Darryl Hampton asked what agencies were circulated for comments.

Deputy Mayor asked what is the purpose of an interior sideyard setback and if there is anything related to the manure tank?

Member Moiken Penner asked what the reason was for an interior sideyard setback.

Chair Hammell asked if there were any comments from the public either in support or opposition to the application.

Walter Fenton asked what the reason was to move closer to the fence line and the adjoining property.

Hearing no further comments from the public, Chair Hammell declared the public meeting closed at 9:17 a.m.

The Committee passed the following resolution:

03-01-2023

Moved by: Councillor Penner

Seconded by: Councillor Hampton

The application for Minor Variance A-2022-089 for Benjamin and Roselyn Martin, from Comprehensive Zoning By-law 36-09 is hereby granted subject to the following conditions:

1. That the decision applies only to the proposed development as indicated on Schedule 'A' attached to and forming part of this decision.
2. That the interior side yard setback be no less than 13 m.
3. The MDS II setback from barn located at CON 4 LOT 34 W PT LOT 35 to the side property boundary shall be no less than 13 m.

Reasons:

1. The variance maintains the intent and purpose of the Official Plan.
2. The variance maintains the intent and purpose of the Zoning By-law.
3. The variance requested is desirable for the appropriate and orderly development and use of the lands and buildings.
4. The variance is minor in nature.

Carried

5.2 Public Hearing - Minor Variance A-2022-090 - Wark -414 Bruce Road 40 (Elderslie) - County Planner Robyn McIntyre

Chair Hammell advised that this was a Public Meeting under the Planning Act to consider a Minor Variance application made by Dan Wark.

The purpose of this minor variance is to allow for the construction of an accessory structure with a height of 6.21 metres whereas Section 3.6.4.2 of the Zoning Bylaw requires accessory structures to have a maximum height of 5.0 metres. Also, this minor variance would provide relief from Section 3.23.4 of the Zoning Bylaw which requires the accessory building to be inline with the existing dwelling to meet the required setback from the centre line of the County Road (Bruce Road 40) whereas the garage will be located partially in front of the dwelling due to site topography.

If approved, the proposed amendment would facilitate the construction of a detached two-bay garage

The subject lands are located at 414 Bruce Road 40.

Robyn McIntyre, Planner for Bruce County, presented the planning report.

The Chair said if attendees wished to be notified of the adoption of the proposed Minor Variance or of further proceedings regarding the variance a written request could be made by email to publicmeetingcomments@brucecounty.on.ca.

Deputy Mayor Shaw asked about the height restriction and if it is applied across the municipality.

The Chair advised if anyone present wished to make oral or written submission either in favour or opposed to the proposed for the property owners were present and available to answer questions from Council and the public.

Hearing no further comments from the public, Chair Hammell declared the public meeting closed at 9:28 a.m.

The Committee passed the following resolution:

04-01-2023

Moved by: Deputy Mayor Shaw

Seconded by: Councillor Penner

The application for Minor Variance A-2022-090 for Dan Wark, from Comprehensive Zoning By-law 36-09 is hereby **granted** subject to the following conditions:

1. That any future development on the property conforms to the provisions of the Zoning By-law; and
2. That the decision applies only to the proposed development as indicated on Schedule 'A' attached to and forming part of this decision; and
3. That the development be completed within 2 years of this decision; and
4. That a maximum accessory structure height of 6.36 metres be permitted; and
5. That a minimum setback to the centreline of the County Road (Bruce Road 40) be 25 metres.

Reasons:

1. The variance maintains the intent and purpose of the Official Plan.

2. The variance maintains the intent and purpose of the Zoning By-law.
3. The variance requested is desirable for the appropriate and orderly development and use of the lands and buildings.
4. The variance is minor in nature.

Carried

6. Adjournment

The meeting was adjourned at 9: a.m.

05-01-2023

Moved by: Councillor Hampton

Seconded by: Councillor Steinacker

Be It Resolved that the meeting be adjourned to the call of the Chair at 9:30 a.m.

Carried

Steve Hammell, Mayor

Christine Fraser-McDonald, Clerk