

The Committee of Adjustment met in person in the Council Chambers on February 12, 2025 at 3:00 p.m.

Those in attendance were:

Chair: Chuck Arrand
Member: Marc Royal
Member: Ken Walker
Member: Gord Zeggil

Councillor: Robert McArthur

Regrets: None

Staff: Secretary Treasurer, Colin Ens Funk
Deputy Secretary Treasurer, Lori Kennedy
Community Planner, Danielle Waters
Community Planner, Nick Ainley
Manager of Planning, Rossalyn Workman

1. Call to Order

The Chairman called the meeting to order at 2:59 pm.

2. Minutes

3.1 Minutes of the Committee of Adjustment meeting held on December 11, 2024.

Resolution:

Moved by Gord Zeggil, Seconded by Ken Walker, Be It Resolved That the Committee of Adjustment hereby approve the minutes dated December 11, 2024, as presented. Motion Carried.

3. Disclosure of Disqualifying Interest and General Nature Thereof

None.

4. Applications

4.1 Minor Variance File 24-A20 – 2353 County Road 124 (Morrissette)

The Secretary described the purpose of the application. The Secretary advised that the staff recommendation is that the application is approved, with a condition.

Community Planner Nick Ainley gave a presentation on the file.

Bill Plewes, representative for the file, clarified that the purpose of the building is not for income, only to provide accommodation for the applicant's relatives. Mr. Plewes said that the septic system is appropriately sized for this change.

Member Zeggil asked Mr. Plewes about the original building application in 2010. Mr. Plewes answered that it was originally built as an accessory building, intending to apply for a variance at a later date if needed. Member Zeggil asked Planner Ainley whether a upgrades to the septic system would be required. Planner Ainley said that a building permit would be required, and the building department would advise whether upgrades to the septic system would be required. Member Zeggil asked Ainley whether any restrictions were imposed on the accessory building. Planner Ainley said that planning staff were not aware of any prior restrictions. Mr. Plewes clarified that they are aware of the need for a building permit.

Councillor McArthur asked whether the minor variance is only for the portion of the building which is to be converted to the accessory dwelling unit, which Planner Ainley confirmed.

Resolution:

Moved by Gord Zeggil, Seconded by Marc Royal, Be It Resolved That Minor Variance Application 24-A20 be accepted as applied for, with conditions.
Motion Carried.

4.2 Consent File 25-B01 – 5538 & 5546 Concession 6 (Allan)

This file was discussed concurrently with the next item, Minor Variance File 25-A01.

The Secretary described the purpose of the applications. The Secretary advised that the staff recommendation for both Consent 25-B01 and Minor Variance 25-A01 is that each application is approved, with conditions.

Manager of Planning Rossalyn Workman gave a presentation on the file.

Ray Budiwarman, representative for the applicant, gave a presentation on the files.

Member Zeggil asked Manager Workman about the condition requiring an MDS calculation for future livestock operations on 5538 Concession 6, and whether the lot could satisfy the separation distance. Manager Workman clarified that hopefully a future use could comply, but the calculation was not required at this time because the parcel is currently vacant.

Member Zeggil asked about the setback from the railway, and Manager Workman clarified that the County of Simcoe manages the setback, and that there is room on the site for a new use.

Councillor McArthur wondered whether the retained parcel should be reduced in size, and Manager Workman stated that the 2.5 ha applied for is still considered agricultural, and an area smaller than 2 ha would not be permitted. Mr. Budiwarman added that the smaller parcel's area was chosen to maintain the minimum frontage for an agricultural lot.

Resolution:

Moved by Gord Zeggil, Seconded by Ken Walker, Be It Resolved That Minor Variance Application 25-B01 be accepted as applied for, with conditions.
Motion Carried.

4.3 Minor Variance File 25-A01 – 5546 Concession 6 (Allan)

This file was discussed concurrently with the previous item, Consent File 25-B01.

Resolution:

Moved by Marc Royal, Seconded by Gord Zeggil, Be It Resolved That Minor Variance Application 25-A01 be accepted as applied for, with conditions.
Motion Carried.

4.4 Minor Variance File 25-A02 – 3399 County Road 42 (Bhullar)

The Secretary described the purpose of the application. The Secretary advised that the staff recommendation is that the application is approved, with conditions.

Community Planner Danielle Waters gave a presentation on the file.

Chairman Arrand asked about how this variance fit in with Consents 23-B01 and 23-B02. Planner Waters clarified that this variance was one of the conditions of the consents.

Amrit Bhullar, the applicant, stated her thanks to staff with this file, and that today, the minor variance is part of going ahead with the lot severance.

The Chairman confirmed that no other members had questions.

Resolution:

Moved by Gord Zeggil, Seconded by Robert McArthur, Be It Resolved That Minor Variance Application 25-A02 be accepted as applied for, with conditions. Motion Carried.

4.5 Minor Variance File 24-A18 – 221 Cherry Street (Phillips)

The Secretary described the purpose of the application. The Secretary advised that the staff recommendation is that the application is approved, with conditions.

Community Planner Danielle Waters gave a presentation on the file.

Charman Arrand asked whether there were any changes to the conditions from the report in December. Planner Waters clarified that the only change was the addition of the woodshed in the area calculation, rather than requiring the woodshed to be removed.

Stephen Phillips added that the woodshed was added to the application once it was brought up through discussion with Planner Waters, and that the purpose of the application is to store the boats in the garage and clean up the yard, and to be able to work on the boat in the winter.

Member Zeggil asked Mr. Phillips about the storage purposes of the garage. Mr. Phillips clarified that understands that the garage is not to be used for commercial purposes, as a mechanic he has another space used for his commercial uses.

Member Zeggil asked Mr. Phillips whether he was willing to compromise on the size. Mr. Phillips said ideally not, and that the size is quite reasonable, given the size of the lot. He also stated that if he connected the building to the house, the maximum size is an additional 40,000 sq ft, much larger than what he is requesting. He has requested the current size, because that keeps it on a concrete slab.

Mr. Phillips clarified that the size of the structure is based on being able to park his boat and trailer in the garage, the boat being about 30 feet long. He clarified that this length was the boat detached from his truck, as the truck and boat trailer together would be about 55 feet long.

Member Walker asked about the height of the door. Mr. Phillips clarified that the door is sized to fit the boat inside. He has also looked into scissor-type rafters to make the height shorter than with traditional rafters.

Member Royal asked about the cladding of the exterior. Mr. Phillips said that he would like to match the cladding of the structure to the house, a light gray aluminum siding. He also said that he intends to put a steel roof on, and that eventually when the shingles on the house need replacing, he will put on a steel roof, so the roofs will match.

Mr. Ayres, representing himself and the neighbours, stated their objections to the project, including the size of the structure, property values of adjacent buildings, the character of the neighbourhood, and their worries about future dynamics of the scale of the neighbourhood. He asked about the nature of a 'minor variance'. He showed some pictures of similar structures to demonstrate his arguments.

Councillor McArthur asked whether there was any room to site the building more than 5 feet (1.5 m) from the side lot line. Mr. Phillips clarified that the rear line, where the neighbours are concerned, he is proposing 10 feet (3 m), and that the reason he is asking for the height variance is to keep a traditional peaked roof, rather than the flat roof as shown in one of the neighbour's pictures.

Member Zeggil said to Mr. Ayres how the maximum size of building Mr. Phillips could build without a variance would have a similar impact on Mr. Ayres' property, and that building would be permitted under zoning. Member Zeggil asked Mr. Ayres whether there was a compromise in size or location that he would agree to. Mr. Ayres stated that the south side of the lot would be more amenable to him.

Chairman Arrand reminded the committee that there is no right to a view in Ontario, and that communities change over time, sometimes very quickly. Mr. Arrand reminded the committee that the decision before them is not the location, only the size and height of the building.

Planner Waters stated that she based her report on the site plan and proposed location of the building, and that there are some large trees in the south of the lot, which likely contributed to the proposed location. She also said that she does not see an issue with it being located closer to the laneway.

Motion to accept moved by Marc Royal. No seconder.

The Chair asked whether there was alternate motion proposed.

Member Zeggil stated that he was looking for a compromise solution that works for everybody.

Councillor McArthur moved a motion to defer to allow for discussion between the applicant and planners. Chairman Arrand added that this deferral was only for 30 days, until the next meeting.

Resolution:

Motion to Defer moved by Councillor McArthur. Seconded by Gord Zeggil, Be It Resolved That Minor Variance Application 24-A18 be deferred to the next meeting in March for discussion between the applicant and planners. Motion Carried. Member Marc Royal did not vote for the resolution.

Member Marc Royal confirmed with the Secretary Treasurer that he did not vote yes for the resolution.

The Secretary Treasurer clarified that the closed portion of the meeting is still recorded, and mics should remain on.

5. New Business

No new business.

7. Next Meeting – March 12, 2025

8. Adjournment

Resolution:

Moved by Gord Zeggil, Seconded by Marc Royal, Be It Resolved, that the Committee of Adjustment hereby be adjourned at 4:28 p.m. Motion Carried.

Chuck Arrand, Chair

Colin Ens Funk, Secretary-Treasurer

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