

**COMMITTEE OF ADJUSTMENT
MINUTES
AUGUST 27th, 2009**

Present: Roy Perry, Chair
Joan Truax, Member
Lee Redmayne, Member

Also Present: Bev Mansbridge, Planning Technician

Roy Perry, Chair called the meeting to order at 10:00 a.m. and explained the meeting process and the time frame for appeals to those persons present. He advised that all statements and evidence given before the Committee are of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

MINUTES:

The Minutes of June 27, 2009 were accepted by the Committee.

DISCLOSURE OF INTEREST:

There were no disclosures of interest.

APPLICATIONS:

B6/09 **RJM FARMS**
5488 6th Line, E Pt. Lot 4, Conc. 5

Mr. MacKenzie introduced himself and his daughter Rebecca MacKenzie. He informed Committee members of his crops presently on site and his wishes for a retirement lot. Mr. MacKenzie will be meeting the NVCA on his property later today to determine whether they would require an EIS Report for the proposed lot. He indicated that there are different slopes/levels on his property, and that the NVCA indicated they may not require an EIS. Committee then agreed to defer the application pending comments further from the NVCA office. It was suggested that Committee will meet again on the 24th of September.

No questions were heard from the audience.

The Committee Members then deferred the application.

A9/09 **HARRINGTON**
B7/09 **E Pt. Lot 30, Conc. 6**
B8/09 **8696 6th Line**

Mr. Brad Harrington attended the meeting, and told Committee that he lives in the larger home of the two homes on site. Committee asked whether a deferral was recommended by the Manager of Planning and Development, and it was confirmed yes. Mr. Harrington inquired about the County comments and NVCA. Lee Redmayne then explained that the NVCA are circulated and may have comments on new or any development within their watershed. The landowner asked how long will these comments take, and it was noted that comments are usually received efficiently. Discussion on the grading of his lot and whether this was a concern to the Committee. It was noted that lot grading will be dealt with at time of Building Permit issue. It was noted that the development behind was being built by Hedburn Homes. Lee then asked how long the applicant had owned the property and Mr. Harrington noted 2 years, on September 1st.

Roy Perry, Chair, then inquired whether the audience had any questions.

Maryann McCann then spoke of her concern with water runoff in this area. She resides at 8709 6th Line, just south of the property. Her issues with runoff have been documented with the Township, and she wanted her concerns to be known, as she's been flooded in the past. She noted there has been scraping done in the back of the property and she has a big concern for digging a drain and does not want to have this directed onto her lot. Ms. McCann would like assurance that lot grading will not affect her property. Roy Perry explained that the Township will seek approvals for lot grading. Ms. McCann noted that flooding has happened once but since the subdivision has been developed, there seems to be better drainage in the area. In the past she has seen the drainage re-routed and had immediate flooding. She is also concerned for wells and septic in the area and wants her voice on record. Mr. Harrington noted he was doing some excavating in back, where ploughed field, to level it out in order to cut the grass. Committee asked where this drainage runs into, it was suggested the Nottawasaga River.

Stephanie McCann at 8717 6th Line then introduced herself. She said the area has no policing. She has concern for dump trucks speeding in the area, as she has kids, concern for safety. There are adults driving ATV's, motor cycles, along the railway tracks, has concern for animals and children, and bonfires which seem to be out of control in the area. A discussion on the above issues was held and it was suggested these are concerns addressed by the Township's By-law Dept and the local 911 Fire Department. Committee members noted that a burn permit is required from the Township offices.

Mr. Harrington currently lives in the community and wants to build in the neighbourhood. He is willing to work with his neighbours and address any of their concerns. The committee noted that compatibility with neighbours is important. This pending deferral (if agreed) would be an opportunity to discuss any concerns amongst the neighbours and the landowner.

A resident at 8751 6th Line, Floy Catt then introduced herself. Her concern is for smaller sized lots, health issues for septic and wells, was noted. She wanted to clarify whether 1 or 2 new lots were being requested and the applicant confirmed 3 in total. Mrs. Catt also noted that 70' frontage was not very wide. She is also concerned with adding two more homes in this stretch, which affects wells and septic. Mrs. Catt also asked about the honey building. The applicant confirmed that this building will be taken down and confirmed this was there when he purchased the parcel and that a new well and septic will be provided separately on each lot.

Lee Redmayne noted that according to the Township's policies, that development is encouraged in settlement areas. However, she noted further that in some urban areas, smaller frontages have been allowed in certain subdivisions. This growth is seen in areas that offer more services that allow expansion to those communities. Ms. Redmayne further noted that the Township, the County and the Provincial Policy Statement are all policies affecting where growth may occur. Although the Township does not allow strip subdivisions, it does try to encourage growth in small communities, but not too much growth can occur. The minor variance in this case seems to be asking for small reduction. Committee members noted that this month allows time to receive comments from other agencies.

Laura Smith then introduced herself as a neighbour across the road at 8682 6th Line. She had a list of questions – how many homes, and it was confirmed 3 were proposed for 3 lots. She asked who was circulated, and it was noted that landowners within 400' were circulated, but anyone is welcome to attend a public meeting. She inquired about the use of the old honey building and it was noted that it would be removed. She asked about the zoning, which was residential, not agricultural. Committee members confirmed this is a residential area. The landowner confirmed that this building is not used as an agricultural building, but used as a storage shed. She wanted to know how many other homes have been allowed variances in Utopia. Ms. Smith asked how many homes in Utopia have 75' frontage? Committee members stated that rather than create estate residential subdivisions, the policies try to encourage more dense development in existing residential areas. Ms. Smith stated that growth, she believed was to be developed in areas like Thornton and Angus. It was confirmed that infill lots can be created in residential areas including Baxter, and Utopia as well.

Committee Member Lee Redmayne noted that the Township is currently updating its Official Plan and is hosting public meetings. She welcomed the attending residents to these Public Open Houses, for discussion on growth areas. Staff noted that she could visit the Township's website or leave her name with Liz Linton of the Planning Department, who will add her name to mail-out of the upcoming notices. Another concern was for speeding in this area, sometimes in excess of 125 mph, and confirmed she has had to call the police up to 3 times to get a response. Committee members suggested that neighbours contact the police suggesting this area to be a good area for a speed trap.

Mr. Harrington added he wants to build a new house. He asked whether he could resolve any matters until the next meeting. It was suggested he could contact the NVCA for any required permits and/or comments regarding the severances.

Audience member Floy Catt inquired whether the variance would lead to more requests for a reduction of 60 to 65' lots in the future? Ms. Redmayne noted that this is not automatic, and that Committee assures that no precedent is set, but each application is reviewed on an individual basis and merit. This is something the Committee does not want to be taken advantage of. Ms. Smith then inquired on the number of minor variances in Utopia. An explanation was given that most are within subdivisions, however, there are only 9 applications in total this year.

The Committee Members then agreed to defer the application.

OTHER BUSINESS:

No other business was heard.

ADJOURNMENT:

The meeting adjourned at 10:40 a.m.

Roy Perry, Chair

Bev Mansbridge, Secretary-Treasurer