

**COMMITTEE OF ADJUSTMENT  
MINUTES  
JANUARY 28<sup>th</sup>, 2010**

**Present:** Roy Perry, Chair  
Bob O'Brien, Member  
Lee Redmayne, Member  
Joan Truax, Member

**Also Present:** Colleen Healey, Manager of Planning and Development  
Bev Mansbridge, Secretary-Treasurer, 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 November 26, 2009 were accepted by the Committee.

**DISCLOSURE OF INTEREST:**

There were no disclosures of interest.

**APPLICATIONS:**

**B17/09                      TURNBULL  
                                         305 Mill Street**

The above application was deferred, at request of the applicant.

**A14/09                      WILLARD  
                                         49 Truax Cres.**

Jason Willard, owner of the above property, attended the meeting. The Planning Report was presented by Colleen Healey, Manager of Planning and Development. No comments were added or heard from the audience. The Committee then voted on the application and all were in favour.

**The Committee Members then approved the minor variance application.**

**A11/09                      MELCHIOR  
                                         70 Margaret Street**

Mr. Nic Gallo, agent for the owner as well as Mr. Dino Melchior attended the meeting. Colleen then pointed out the maps provided for the development at the front. Colleen then read the Planning Report and highlighted comments received from the Manager of Public Works. Colleen noted that the application for a merger consent may be expected next month. Nic Gallo then advised Committee on the development of affordable housing for seniors and viewed the sketch of the building. He commented that the purchase and sale of the lands was dependant on the variance today to permit additional residential use above the commercial component. Discussion was held on the demographics, location of the development to adjacent commercial and institutional development and parking for the site. It was noted that the building lies such that 50% of the homes will view the stream and 50% will view the parking lot. Mr. Gallo indicated that no town water has been hooked up and they will provide a pipe and loop connection to run past the mall to offer water to the remaining mall tenants (to be cost shared). It was noted that the Province made an announcement on January 19th, with regard to an affordable housing building in Angus for Seniors being approved.

Committee member Lee Redmayne asked why the application for a variance and not a rezoning. Discussion confirmed the project as affordable housing geared to seniors and will house an elevator. It was explained that a rezoning could delay the project another 6 months, but this funding and project is time-sensitive, dependant on the granting of the variance. Colleen indicated the Township's recent funding being granted for an arena expansion, as part of the economic stimulus package, however, the project requires to be built immediately.

Bob O'Brien asked about the looped waterline and whether this line will fall in behind or in front of the existing mall, and it was determined that meetings are still ongoing, however, it appears the line will be located in the back of the mall. It was asked what the bottom floor would be used and Mr. Gallo indicated they would want residential on the bottom floor. Some discussion followed relating to commercial portion of the lands. It was then determined that the addition of 3 apartments may be minor. Mr. Melchior then confirmed although they are requesting additional residential use through minor variance, that a rezoning application may follow for residential zone, as this would appear to be best long term use of the lands.

It was also noted that additional concerns of the Manager of Public Works will be addressed through the site plan process. Colleen indicated that there is potential of no cost of hookups with the 3 mall tenants (benefitting).

Audience member Mr. Anderson of 27 Berwick Cres, agreed that 4 or 5 restaurants already in the area was enough, and Mr. Melchior agreed.

The members voted and Bob confirmed he would want the waterline in rear of buildings and it was noted that the Township is currently awaiting comment from the Township Engineer. Some discussion on size of pipe being used (8") and rear hookups as being less disruption to mall tenants was noted. Mr. Melchior noted that the mall is in favour of hooking up to water. Nic Gallo pointed out must address fire hydrants.

**The Committee Members then approved the application for minor variance.**

**A15/09**

**ZANCOR HOMES  
102 Mount Cres.**

Mr. Albert Colosimo attended as acting agent for Zancor Homes. The Planning Report was presented by Colleen Healey. It was noted that the bungalow being 2300 ft<sup>2</sup> in size is an average size bungalow, which offers a walk out basement and backs onto Open Space behind the property, as the grade drops off to the rear. Mr. Colosimo indicated that the owners will come in to the Township in the future to apply to build a larger deck, if the Committee grants lot coverage of 45%.

No audience questions were heard.

**The Committee Members then approved the minor variance application.**

**B19/09**

**2223408 ONTARIO INC.  
8104 8<sup>th</sup> Line**

Owner, Brent Frith attended as President of a small development company. He noted he has recently purchased the school and a large estate home. He has applied to sever the estate from the Commercial portion. It was asked what the school is now named and the owner offered it is now known as Renaissance School, and that this school would be the fourth campus for his tenant, for students with excelled and learning difficulties.

Chair Roy Perry asked what is presently going on and the owner indicated the ongoing use is a school with new staff and is being operated by some good folk. Mr. Frith indicated he has spent money tidying, cleaning and improving the property and buildings.

Colleen then asked how many students and teachers and Mr. Frith noted he believed approximately 9 students at last count with 4 to 5 rotating teachers. The school is used as both a day and boarding school and they have a cafeteria with a cook on staff as well.

Committee Member Lee Redmayne noted the parcel as 28 ac and the severed residential portion will request a 5.5 ac parcel and the remainder of the lands will be retained with the school and the applicant confirmed "yes". The applicant then noted the house has all amenities, and that cleaning and renovating is ongoing ie. new roof, new tiling, etc. Colleen then indicated that a building permit is required for such renovations.

Colleen then offered to read the Staff Report. She further noted that the County and NVCA would not object to this application. She then highlighted comments from the Manager of Public works including a day lighting triangle, easement, road widening, etc. It was noted that the comments from the Manager of Public Works should be attached to the decision. The applicant indicated due diligence was taken prior to purchase and well info and septic was confirmed as acceptable by Township standards. He also indicated that water samples are taken every two weeks and they are satisfied that water and wells are sufficient for both parcels. Colleen noted she was unsure if a condition can be added with regard to limiting future

expansion on the lot. The owner indicated that an arena had been proposed by previous owner through site plan process, however, since he purchased, he has sold all pre-engineered material and buildings on site and 400 yards along with it. He plans to develop and tidy up the site with a 50 year lease in place and noted he will keep the school in place as a long term use, outlining that 22+ ac will be retained for the school and 5.5 ac for the estate home and property.

Zoning of the property was discussed. The Township is presently awaiting County approval of their OP before the Township's OP can be approved. Colleen indicated that any changes would be fair to neighbours, as she understands their concerns.

Discussion took place on provisions of the OP and creating an agreement in restricting future expansion of other possible planning applications at this location. Lee noted she was not concerned with the applicant's present use. It was noted the NVCA has no concerns. Chair Roy Perry asked about tree cutting and it was confirmed that the owners have no intention of cutting trees in this area.

Audience member Doug Corbyn, neighbour, indicated he lives down the road and in the past, has had several break-ins. He is concerned with students breaking in and is aware that in the past, students have been arrested. Mr. Frith indicated he doesn't know of the past, but that his tenants have changed, and that these are "new" tenants who are of a different schooling. The owner indicated that a business plan was in place and school owners facilitate a different focus, not the same as past focus (past owners) and he responded to Lee's question that this was not a reform school.

The owner again confirmed of ongoing works to improve the site, grass cutting, light fixtures working order, facilities being planned, with intentions to upgrade and improve the facility.

Roy asked about septic standards and the owner indicated these were more than adequate. Colleen noted she can double check the Township records pertaining to septic and report back. Neighbour, Janet Lord-Genyk introduced herself as living next door and has seen the past school evolve and has suffered problems. It was noted the proviso for future use would remove concerns with any future tenants. Janet had no objections.

Committee Member Bob O'Brien noted he was in favour of changing the house from Institutional as a condition, and would grant only if an OPA was made now. Colleen requested the application can apply for rezoning now. Colleen says can add this condition to the condition of severance. The agreement to purchase and sale was to sell the house now. Bob explained that as a condition or proviso, this would be an open ended provision – fulfilled prior to consent. Bob wants site redesignated as Rural and an acknowledgement as present owner and for any future owners to be made aware.

No further audience questions or comments were heard.

**The Committee Members then agreed to approve the severance application with conditions.**

Chair Roy Perry announced the approval of the application.

**B1/10                      LORD-GENYK  
8118<sup>th</sup> Line**

Mrs. Lord-Genyk was in attendance and noted she lives on the property to the north of the school (home). She is setback approximately 150-200 feet from the road, she noted. Colleen indicated on the map provided where this parcel was in relation to the school. Janet noted she and her husband had created a second lot in planning for retirement in 1988. At that time, the required frontage was 150' – so they changed the lot configuration and showed the changes to the lot line requested. Some discussion on trees and lot line was held.

Colleen read the Planning Report recommending approval.

No audience questions were heard.

**The Committee Members then agreed to the severance application with conditions.**

**OTHER BUSINESS:**

Schedule of Meetings for 2010 – the Committee agreed to the Schedule date of meetings to be held in 2010.

**ADJOURNMENT:**

The meeting adjourned at 11:31 a.m.

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Roy Perry, Chair

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Bev Mansbridge, Secretary-Treasurer

