



Corporation of the Town of Shelburne
Committee of Adjustment - Minutes

October 4, 2021
6:30 pm
Electronic Participation
203 Main St. E, Shelburne

Members in attendance: Mayor Wade Mills
Deputy Mayor Steve Anderson
Councillor Walter Benotto
Councillor Lynda Buffett
Councillor Kyle Fegan
Councillor Shane Hall
Councillor Lindsay Wegener

Staff attending: Denyse Morrissey, CAO
Carey Holmes, Director of Financial
Services/Treasurer
Jennifer Willoughby, Director of Legislative
Services/Clerk
Jim Moss, Director of Development and Operations
Steve Wever, Town Planner

1. Call to Order

Committee of Adjustment called to order at 6:33pm by Mayor Mills.

This meeting will be held electronically in accordance with Section 238(3.1) of the Municipal Act which provides that a member of Council, of a local board or of a committee of either of them, can participate electronically.

In-person attendance at this meeting will not be permitted.

Members of the public may observe the proceedings by accessing the live webcast on the Town of Shelburne YouTube page:
<https://www.youtube.com/channel/UCsar-MwF8CXrgPbe2EVxh-w>

Tonight, we have a public meeting being held under Sections 45(5) and 53 of the Planning Act to consider a minor variance application and consent application.

- 1) Minor variance application A21/06 is for property located Part of Lot 1, Concession 3, Old Survey, Town of Shelburne.

The purpose and effect of the application is to request relief from Section 4.5.2 of Zoning By-law 38-2007 for lot coverage and rear yard requirements.

- 2) Consent application B21/04 is for property located at 5 John Street in the Town of Shelburne.

The purpose and effect of the easement application is to create a storm sewer easement.

I will ask the Clerk for the method of notice for tonight's public meeting.

The Clerk indicated that notice of tonight's public meeting was advertised in local media sources, notice is posted on the Town's website and property owners with a 60-metre radius have received notification.

We will have a presentation by the Town Planner with a summary of written comments received, following which there will be an opportunity for Committee members and members of the public to ask questions or provide comments.

- a. Report P2021-40 from the Town Planner regarding consent application B21/04 - Scone Developments - 5 John Street, Shelburne.

The Town Planner reviewed his report with the Committee.

A discussion ensued regarding the permitted installation of sheds based on the percentage of lot coverage, notification to purchasers of lot coverage requirements, providing notice within

the disclosure statements, planning act restrictions and requirements, no additional units are being added but rather lot sizes are being reduced as a result of the design plans, review of plans in relation to the provision for decks and walkout units.

Moved By Deputy Mayor Anderson

Seconded By Councillor Benotto

After considering the application the Committee is satisfied with allowing this consent for an easement for a storm sewer that will function as part of the outlet for the new storm water management pond located to the east of the former rail corridor in the Scone Developments ("Shelburne Towns") subdivision currently under construction, with an area of approximately 230 square metres, a width of 5 metres and a total length of 46 metres, as shown on the attached reference plan. The Committee, having regard to those matters under subsection 51(24) of the Planning Act R.S.O. 1990, c.P.13., as amended, resolves to grant provisional consent subject to the following conditions being fulfilled:

1. That the Secretary-Treasurer's Certificate under subsection 53(42) of the Planning Act R.S.O. 1990, c.P.13, as amended, shall be issued and the Secretary-Treasurer's fee be paid;
2. That the Owner shall obtain an easement across the County-owned former railway corridor located to the east, as required for the outlet of the stormwater management facility located in Block 9 of Draft Plan of Subdivision File No. DPS 17/02, and provide evidence of the County's approval of said easement to the satisfaction of the Town Planner;
3. That approval of the easement documents and the draft reference plan shall be obtained at the Committee of Adjustment office (Town of Shelburne) and the required number of prints (3) of the resultant deposited reference plan shall be received; and,
4. That the conditions are to be fulfilled and the consent is to be finalized on or before one year from the date of the issuance of the Committee's notice of decision.

CARRIED, W. Mills

- b. Planning Report P2021-41 regarding minor variance application A21/06 - Scone Developments.

The Town Planner reviewed his report with Committee members.

Moved By Councillor Hall

Seconded By Councillor Benotto

After considering the application the Committee is satisfied that the request is desirable for the appropriate and continued use of the subject property, maintains the general intent and purpose of the Zoning By-law and Official Plan, and is minor in nature.

Accordingly, the Committee resolves to grant the request. The minor variance is granted in accordance with the plan provided to the Committee and attached hereto, providing the following relief from Zoning By-law 38-2007:

1. Relief from Section 4.5.2 of the Zoning By-law to permit a minimum front yard of 5.3 metres for a street townhouse or townhouse dwelling provided that all driveways located in the front yard shall have a minimum length of 6 metres within the lot (Block 1, Lots 1 and 2 only);
2. Relief from Section 4.5.2 of the Zoning By-law to permit a minimum rear yard of 6.0 metres for a street townhouse or townhouse dwelling (Blocks 3 to 6 only); and
3. Relief from Section 4.5.2 of the Zoning By-law to permit a maximum lot coverage of 53% for street townhouse or townhouse dwellings (Blocks 3 to 6 only).

CARRIED, W. Mills

2. Motion to Adjourn

Moved By Councillor Hall

Seconded By Councillor Benotto

THAT the Committee of Adjustment now adjourns.

CARRIED, W. Mills

Committee of Adjustment adjourned at 7:20 pm.

Mayor

Clerk