



Planning Review and Adjustment Committee

Date of Meeting: July 8, 2015
Location: 650 Main Street, Woodstock

Attendance: Andy Leech, Chair
Alan McLaughlin
Elaine English
Kenneth Clark
Mark Atwater
Trevor Welch

Regrets: Brent Pearson, Vice Chair

Staff: Katelyn Hayden
Bev Gullison

Meeting was called to order by Andy Leech at 7:00 pm.

Approval of Minutes

A motion was made by Alan McLaughlin and seconded by Ken Clark to approve the Minutes of the May 13, 2015 meeting.

MOTION CARRIED

Conflict of Interest

Trevor Welch declared a conflict of interest relating to the Berkshire Estates (Heidi Cook Subdivision) and Bradford & Richard Bell Subdivision applications, as these plans were prepared by Welch Survey Ltd. Trevor Welch advised he would be present to answer any questions relating to these survey plans.

Zoning Applications

None

Subdivision Applications



1. Route 560, Jacksontown – Roy Burpee – S-3-2015

Dale M. MacFarlane Land Surveying Ltd. has made application for approval of a tentative plan of subdivision to create one lot on a private access on property identified as PID# 10051258, located on Route 560 in Jacksontown.

Katelyn Hayden, Planning Director provided an overview and reviewed the Planning Staff report S-3-2015 with the committee.

Katelyn Hayden advised the property is located on the east side of Route 560, south of the intersection of the Estey Road, and is surrounded by agricultural and forested lands, as well as farm operations and single family homes. The property is currently owned by Roy Burpee who wishes to transfer the forested rear portion of the property to his brother Richard Burpee in order to make ownership consistent with the rights to harvest the timber on the property.

Katelyn Hayden advised that given the proposed lot meets and exceeds the lot area requirements and adequate private access has been proposed, staff are prepared to support this application subject to the terms and conditions.

Andy Leech inquired if the right-a-way currently exists and Katelyn Hayden confirmed this was correct.

Katelyn Hayden read one letter received from Murray and Roy Culberson who owns property bordering the subject property. They wanted to ensure if the requested subdivision should become a housing development in the future that all normal agricultural practices that currently exists would continue to be permitted in the future, such as fertilizing, planting and spraying.

Katelyn Hayden advised they have the right to continue their farming operation regardless of where a house is built in the future. Andy Leech stated, under the rural zoning agricultural regulations there would be no reason why farming would not be permitted and Katelyn Hayden confirmed this was correct.

Alan McLaughlin inquired if we were approving this application based on resource industrial only. Katelyn Hayden advised that her recommendation was based on the creation of a woodlot without private access. She further advised the applicant has expressed no intentions of building a house on this property.



Trevor Welch reviewed the survey map with the committee members and addressed all questions.

Andy Leech advised if there were no further questions he would open questions to the public. A member of the public inquired if this subdivision was intended as a housing development plan and Andy Leech and Katelyn Hayden confirmed this subdivision was a woodlot.

It was moved by Elaine English and seconded by Trevor Welch to accept the application as recommended by Katelyn Hayden subject to the following terms and conditions:

- a) The site be developed substantially in accordance with Map II attached to PR 8/15 to the satisfaction of the Development Officer;
- b) Legal access from Route 560 across the remnant of PID 10051258 be granted to the owners of Lot 15-01 and subsequent owners, assigns, heirs and successors.

MOTION CARRIED

2. Cook Street, Grafton – Heidi Jean Cook – S-4-2015

Katelyn Hayden, Planning Director provided an overview and read the Planning Staff report S-4-2015 with the committee.

Katelyn Hayden advised Welch Surveys Ltd. has made application for approval of a tentative plan of subdivision to create 1 lot serviced by a private right-of-way on property identified as PID# 10262095, located on Cook Street, Grafton.

Katelyn Hayden advised the subject property is located at the terminus of Cook Street in Grafton and is surrounded by single family residential development and vacant forested lands. The property owners currently occupy a mini home located on the subject property. It is their intent to create lot 15-1, a flag pole lot with a 20 metre wide right-of-way extending from the front property line to the terminus of Cook Street. The access currently begins at the terminus of Cook Street; however should Cook Street be extended in the future, the lot would then have frontage on a public street.

Katelyn Hayden advised typically this type of application could have been approved by staff under the flag lot guidelines; however, in order to ensure the convenient future subdivision of the adjoining land, staff feel the proposal is a better option in this particular circumstance. Staff prefers this configuration, as opposed to consolidating the entire access with lot 15-1, as it maintains the potential for the future extension of Cook Street.



Katelyn Hayden reviewed the survey plan with the committee members and stated the concern is the area at the terminus of Cook Street should be maintained by the remnant rather than be given to Lot 15-01 as this will ensure if the owner of the remnant wished to continue with Cook Street they would own the property and would own the land allowing them to do so.

Andy Leech questioned the recommendation b) relating to the 9 meter access to a public street as Lot 15-3 shows 45 meter access on the map. Katelyn Hayden reviewed b) terms and conditions and noted an error was made on the original Planning staff report for condition b). Condition b) should state, "Lot 15-1 shall have a minimum of 9 metres of frontage on the public".

Andy Leech questioned if the other lots were wide enough for future street development and Katelyn Hayden confirmed that was correct.

Andy Leech asked who would be responsible to ensure the right-of-way access was maintained for the remnant and Katelyn Hayden advised it would remain the responsibility of the property owner.

Alan Mclaughlin inquired if the applicant currently owned the Lot 15-1 and Katelyn Hayden confirmed they own the entire subject property and noted the owners simply wished to separate their house lot from the larger lot.

Andy Leech asked if there were any further questions.

It was moved by Mark Atwater and seconded by Elaine English to approve the application subject to the following terms and conditions as recommended by the staffing report prepared by the Planning Director, Katelyn Hayden noting the b) amendment to read Lot 15-1 rather than 15-3:

- a) The site be developed substantially in accordance with Map II to PR 10/15 to the satisfaction of the Development Officer;
- b) At such time that Cook Street is extended, Lot 15-3 shall have a minimum of 9 metres of frontage on the public street.

MOTION CARRIED



3. Route 560, Jacksontown – Macquarrie Rd. – Richard & Bradford Bell – S-5-2015

Katelyn Hayden, Planning Director provided an overview and read the Planning Staff report S-5-2015 with the committee.

Katelyn Hayden advised Welch Surveys Ltd. has made application for approval of a tentative plan of subdivision to create lot 15-3 on a private access on property identified as PID# 10049195, located on MacQuarrie Road/Route 560 in Jacksontown.

Katelyn Hayden advised the subject property is located on the south west side of Route 560 and accessed off of the west side of MacQuarrie Road and is surrounded by agricultural and forested lands. The property is currently owned by Richard Bell & Bradford Bell, who are dividing their land holdings and are proposing to subdivide on an existing right-of way. The subject property is currently accessed via a private right-a-way.

Katelyn Hayden stated, given the proposed lot, having a total lot area of 5.88 hectares meets and exceeds the lot area requirements and adequate private access has been proposed, staff are prepared to support this application subject to the terms and conditions.

Andy Leech asked if the right-a-way access from the Alexander property currently exists and Trevor Welch advised the right-a-way goes beyond this property. Trevor Welch stated the lot was created in 1997 and noted right-a-way access to the back of the property follows the existing road and that a 20 foot access exists. Currently access goes from the MacQuarrie Road to the back of the property.

Trevor Welch reviewed the survey and aerial map with the committee members. Andy Leech inquired if the committee members had any further questions and asked the members of the public in attendance if they had any questions.

A member of the general public inquired if this proposed subdivision would add housing to the MacQuarrie Road area and Katelyn Hayden advised the purpose of the application is to subdivide vacant woodland.

It was moved by Ken Clark and seconded by Alan McLaughlin to approve the application as recommended by staff subject to the following terms and conditions:

- a) The site be developed substantially in accordance with Map II attached to PR 11/15 to the satisfaction of the Development Officer;
- b) Legal access from MacQuarrie Road be granted to the owners of Lot 15-3 and subsequent owners, assigns, heirs and successors.



MOTION CARRIED

Variance Applications

1. 358 Main St., Hartland – Kirsten Wellmann – V-3-2015

Kirsten Wellmann has made application to the for approval of a similar/compatible use variance to permit the creation of a tailor/clothing alterations business with a retail component within a single detached dwelling located at 358 Main Street, Hartland.

Katelyn Hayden, Planning Director provided an overview and reviewed the Planning Staff report V-3-2015 with the committee.

Katelyn Hayden advised the subject property is located to the north east side of Main Street and is surrounded by single detached dwellings. The applicant's proposed business, a tailor/clothing alterations shop falls within the definition of a "Personal Service Shop" as defined within By-Law B-46. No further construction is required as the residential dwelling unit is wholly contained on the second floor of the existing structure. The Central Commercial Zone does not list a "personal service shop" as a permitted use; however, a "retail store" is a permitted use in the zone.

With respect to traffic and parking, a "personal service shop" is explicitly permitted in Zoning By-Law B-46 as a home occupation, as typically clients schedule appointments ahead of time. Therefore, the traffic impacts and parking requirement are minimal, making the use compatible with a surrounding residential neighbourhood. The existing driveway can accommodate the parking of 3 vehicles.

Katelyn Hayden stated, given that the proposed "Personal Service Shop" is similar to and compatible with other permitted uses in the Central Commercial Zone, and satisfies the parking requirements, staff are prepared to approve this application for a similar/compatible use variance subject to the following term and condition:

- a) Any signage comply with Zoning By-Law B-46 and a sign permit be issued prior to the erection of any signage.

Andy Leech asked for clarification regarding parking requirements due to having a residential component. Katelyn Hayden advised that since the owner is the only employee, 3 parking spaces would be required.



Andy Leech also inquired if residential was permitted on an upper floor in a Central Commercial zone and Katelyn Hayden confirmed this was acceptable.

Andy Leech asked if there were any further comments by the committee members and then inquired with the members of the public. No further questions were asked.

It was moved by Elaine English and seconded by Mark Atwater to approve the variance as recommended by the staff subject to the term and condition.

MOTION CARRIED

Old Business

None

New Business

Andy Leech requested a moment of silence for committee member, Brent Pearson, who lost his daughter in a tragic accident.

None

Adjournment:

A motion was made by Mark Atwater to adjourn.

Meeting adjourned at 7:40 pm.

X 
Andy Leech, Chair