



Planning Review and Adjustment Committee

Date of Meeting: January 12, 2016

Location: Board Room, 650 Main Street, Woodstock

Attendance: Andy Leech, Chair
Brent Pearson, Vice Chair
Alan McLaughlin
Elaine English
Kenneth Clark
Mark Atwater

Regrets: Trevor Welch

Staff: Katelyn Hayden
Bev Gullison

Meeting was called to order by Andy Leech at 6:35 pm.

Approval of Minutes

A motion was made by Elaine English and seconded by Ken Clark to approve the Minutes of the November 25, 2015 meeting.

MOTION CARRIED

Conflict of Interest

None

Zoning Applications

None

Subdivision Applications

1. Dale MacFarlane Surveying Ltd. – Mean Lane, Route 104, Windsor – S-1-2016
Katelyn Hayden reviewed Planning Report #1/16 with the committee members for an application made by Dale MacFarlane on behalf of Jeremy and Alexander Mean for approval of



a tentative plan of subdivision to create two lots serviced by a private right-of-way on Mean Lane, off of Route 104 in Windsor. Given there is no intensification of existing uses as a result of the proposed subdivision, rather this subdivision is intended to allow separate ownership of existing structures, staff are prepared to support the application.

Katelyn Hayden reviewed the subject property maps with the committee members, which highlighted current ownership and the proposed subdivision lot changes.

Dale MacFarlane was present and advised that Jeremy Mean plans to purchase the remainder of the Alexander Mean property.

Andy Leech inquired if the Alexander Mean lot could stand alone as it already is an existing lot. Dale MacFarlane stated the Alexander Mean lot was part of the original lot and after the subdivision there will be approximately 1 ½ acres around his lot and confirmed all lots are now on the private access.

Brent Pearson inquired if the right-of-way was currently deeded for all lots. Katelyn Hayden advised there is a right-of-way that is missing and will need to be rectified as a mistake was made when the deed was originally prepared. Dale MacFarlane confirmed the correct right-of-way was on the original plan and the lawyer's office simply forgot to include it in the description. Dale MacFarlane confirmed this will be corrected when the new deeds are prepared.

Andy Leech stated the bottom line is they cannot subdivide further without PRAC approval and they are currently all using the private access road. Andy Leech asked if only one motion is required to approve this application and Katelyn Hayden confirmed this was correct as it is all shown on one tentative plan.

It was moved by Alan McLaughlin and seconded by Mark Atwater to approve the application as recommended by Katelyn Hayden.

MOTION CARRIED



Variance Applications

1. Dale MacFarlane Surveying Ltd., - 4 Watson Lane, Maxwell – V-1-2016

Katelyn Hayden presented Planning Staff Report #2/16 to the committee members for a variance application submitted by Dale MacFarlane on behalf of Lewis and Alma Wright to create 3 lot frontage variances and 3 lot area variances to permit the subdivision of a camp lot located on Mill Road, Maxwell on First Eel River Lake.

Katelyn Hayden noted that the Dale MacFarlane, the applicant did not believe this subdivision would be approved by staff due to the small lot sizes. However, Katelyn Hayden stated staff reviewed the surrounding development pattern they feel that the subdivision will not have a negative impact on the character of the area. This subdivision is simply to provide ownership of existing cottages.

Alan McLaughlin asked if Mill Road was a public or private road. Katelyn Hayden advised Mill Road is split between private and public. Dale MacFarlane used the maps to demonstrate to the committee members where the road changed from private to public.

Ken Clark asked if the owners could block access to the road and Andy Leech advised this would not be allowed, and Dale MacFarlane confirmed. Dale MacFarlane advised this road has been in existence for over 50 years. Brent Pearson inquired if this should be written as a term and condition and Dale MacFarlane advised you would then be required to give a right-of-way to all area lots.

Andy Leech questioned when the cottages were built. Katelyn Hayden stated Lewis Wright purchased the property in the early 1990s and later 2 daughters each built a camp on the same property. Andy Leech advised the subdivision regulation took effect in 1984 and the owners would have known at that time the lots could not be subdivided.

Katelyn Hayden noted there was no requirement at that time for a building permit and today you would not be issued a building permit unless you met the subdivision regulations. Katelyn Hayden advised for estate planning purposes they are simply wishing to ensure proper ownership.

Alan McLaughlin inquired if subdivision approval is given could problems arise in the future and questioned if the committee could be setting a precedent for future applications. Katelyn Hayden stated there is a strongly worded paragraph in the Planning Report that clearly states the only reason these lots are being approved is due to the development pattern that exists in the surrounding area.



Andy Leech questioned if under the Department of Health regulations can the lot with an area of less than 1 acre lot have a septic system installed. Dale MacFarlane advised according to the Department of Health a septic system can be designed on any size lot.

Brent Pearson inquired what would happen if the middle lot was sold. Katelyn Hayden advised there will be an agreement for shared well and that the septic system will continue to be shared between Lot 02 and 03. Dale MacFarlane confirmed the agreement remains with the lots and not the individual.

Alan McLaughlin questioned the shared driveway between Lot 01 and 02. Andy Leech noted Lot 01 owns the driveway but Lot 02 has a right-of-way. Dale MacFarlane stated it does not matter who owns the lot that right-of-way access is attached to the lot, not the individual owner.

A motion was made by Ken Clark and seconded by Elaine English to approve the variance application as recommended by Planning Staff Report #2/16.

MOTION CARRIED

2. BWS Manufacturing Ltd. – 10 Montana Street, Centreville – V-2-2016

Katelyn Hayden reviewed Planning Staff Report #3/16 for an application submitted by BWS Manufacturing for a one year temporary use variance to permit the construction of a 120' x 180' paint shop building on property located at 10 Montana Street, Centreville. This building is proposed to replace a former paint shop which was destroyed by fire in 2015.

Typically, this application would be considered a standard building permit; however, Staff have noted the property was not assigned the proper industrial zone designation when the current zoning map was prepared by a consulting firm in 2000. Therefore, BWS Manufacturing requires a one year temporary use variance giving the Village Council and Staff an opportunity to work towards the completion and adoption of the Village of Centreville Rural Plan.

Katelyn Hayden stated the 2.94 metres setback noted on the site plan is incorrect, that this is a setback to the rock outcrop and not to the BWS property line and noted Hatchard Engineering is aware of the error and advised this will be revised on the final engineering plan.

Andy Leech requested clarification if this proposed building is simply replacing the building which was lost by fire. Katelyn Hayden confirmed this was accurate but noted the building will be positioned on the property differently than the previous building.



Katelyn Hayden stated a temporary use variance is permitted under the Community Planning Act and is typically used as bridging mechanism when someone has requested a rezoning application. Katelyn Hayden stated she did not request BWS make a rezoning application as this zoning issue has been noted by the Rural Plan steering committee and will be rectified by the New Village of Centreville Rural Plan.

Alan McLaughlin asked if there was a possibility that this could remain greenbelt and Katelyn Hayden advised from discussions she had conducted in 2015 with members of Council, and their steering committee the consensus after reviewing the current zoning map was that the consultants who the plan was prepared the zoning map in 2000 made several zoning mistakes, and that this was one of them. It is the intention on the steering committee to rectify these zoning errors through the development of a new Village of Centreville Rural Plan.

Brent Pearson requested confirmation this rezoning is definitely on the table to be resolved. Katelyn Hayden confirmed this is on the table and has been discussed in steering committee meetings with council members and the village clerk.

Andy Leech inquired if BWS understood that if the rezoning did not occur within the one year that they would be required to reapply. Katelyn Hayden confirmed if for any reason the Rural Plan was not adopted by January 2017 a rezoning application would be submitted by the Village of Centreville to rectify the zoning errors prior to the expiration date.

A motion was made by Brent Pearson and seconded by Mark Atwater to approve the temporary use variance application as recommended by Planning Report #3/16.

MOTION CARRIED

Old Business

None

New Business

None



Adjournment:

A motion was made by Andy Leech to adjourn meeting at 7:20 pm.

X 
Andy Leech, Chair