



THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN
COMMITTEE OF ADJUSTMENT MINUTES

March 31, 2021, 7:00 p.m.

Present: Peter Forsberg
Kim Willis
Dick Van Dyke

Staff: Gerrit Boerema
Madyson Etzl
Meghan Birbeck

1. CHAIR

The Chair will call to Order the evening's proceedings.

The meeting was called into Order at 7pm.

2. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST

There were none.

3. REQUEST FOR WITHDRAWAL AND/OR ADJOURNMENT

There were two requests for adjournments:

- B01/2021WL - Kszan

- A07/2021WL – Rocco and Kimberley Palumbo

4. APPLICATIONS

a. A03/2021WL – Alan and Margaret Davis

A minor variance application has been applied for that requests two variances for a private garage to be located in front of the main dwelling. The first variance that is required is to permit a garage to be built ± 15.55 meters (± 51 feet) in front of the property's main dwelling whereas Table 1-2 of the Township Zoning Bylaw 2017-70, as amended, identifies that an accessory building cannot be located closer to the front lot line than the main building. The second variance that is required is to permit a garage to be built with a minimum setback of ± 5.08 meters (± 16.67 feet) from the front lot line whereas Table 14 of the Township Zoning Bylaw 2017-70, as amended, identifies that a garage is required to have a minimum setback of 7.5 meters from the property's front lot line. Both the main dwelling orientation on the property along with the Environmental Conservation features that are found on the property restrict the applicant in building the proposed garage in the rear or side lot of their property.

The Township planning report recommended approving the variance with a condition.

Ms. Etzl gave a presentation of the application to Committee members. Ms. Birbeck followed up the presentation by providing the Niagara Region's comments, which were submitted after the release of the report. The applicant, Mr. Davies, spoke briefly to say that he agreed with everything that had been previously discussed by Ms. Etzl.

Member Willis mentioned that there appears to be quite a slop to the property and inquired how the back end of the garage would look compared to the front. Further asking how the applicant would make it look like it is in place in front of the house. Mr. Davies responded by saying that the contractor would be grading out the land and would be planting trees and other foliage to make it aesthetically pleasing. Member Willis followed up the response to say that the applicants house is beautiful, which indicates that the applicant takes great care of the property.

Ms. Birbeck reiterated the Niagara Regions comments to say that if the applicant is grading below the level of fill that is currently on the property that the Region would like an Archeological Assessment done, but grading is not taking place they do not require an Archeological Assessment. Chair Forsberg further stated from his understanding of the Regions comments and from visiting the site it appeared as though the land has previously already been disturbed that any landscaping will be an improvement. The applicant indicated that they agreed with Chair Forsberg statement.

Member Van Dyke offered the applicant another chance to discuss the condition that was on the report. Ms. Birbeck indicated that the Director of Planning's interest in having the condition is not for any thing extravagant and just to make sure that the garage is not an eyesore from the streetscapes line of vision. Chair Forsberg summarized this to say that the condition would be to compliment the existing dwelling on the property. The applicant said that the drawings have been created for the garage and it is to match the house from the stone work on the bottom to the shingles on the roof.

No one from the public was in attendance for this application.

Member Van Dyke motioned to approve the application with the condition as listed in the planning staff report.

Member Willis seconded the motion.

-All in favour

-Carried

b. A06/2021WL - Bill Kerr and Sandra Williams

A minor variance application has been applied for to permit an existing garage to remain located ± 91.44 centimeters (± 36 inches) in front of the property's main dwelling whereas Table 1-1 of the Township Zoning Bylaw 2017-70, as amended, identifies that an accessory building cannot be located closer to the front lot line than the main building. The applicant ended up building the garage ± 91.44 centimeters (± 36 inches) in front of the main dwelling to be able to access the property's septic tank for required maintenance and cleaning.

The Township planning report recommended approving the variance with a condition.

Ms. Etzl gave a presentation of the application to Committee members. The applicant, Ms. Bill Kerr, spoke briefly to say that he agreed with everything that had been previously discussed by Ms. Etzl.

Member Willis did not have any questions for the applicant.

Member Van Dyke indicated that he had a question for staff in regards to the condition and what the time line was that the applicant should have the shipping container removed. Ms. Birbeck indicated that the decision is

final after 20 days with regards to the appeal period and that through her understanding the director would be satisfied with 20 days as the time line to remove the shipping container. Member Van Dyke responded and asked if the condition could be tightened up to have a time line added to help insure that the shipping container would be removed. Chair Forsberg indicated that the 20 days should be added as the time line to the existing condition. Member Van Dyke indicated that the 20 days being added makes the condition more definite. Ms. Birbeck indicated that the 20 days could be added on.

No one from the public was in attendance for this application.

Member Willis motioned to approve the amended application with the condition and the 20 days to be added in.

Member Van Dyke seconded the motion.

-All in favour

-Carried

Following the motion being carried Mr. Kerr asked to speak and indicated that the sea shipping contain has all of his garage stuff in it and that the container is temporary. Further indicating that he was waiting to see the outcome of the meeting and what had to be done before putting the stuff from the shipping container into the garage. The applicant finished by saying that the container is just rented and he also would like to see it gone.

Member Willis mentioned indicated that the applicant had done a good job in the construction of the garage and that had tied it in nicely with the design of the house.

c. B02/2021WL - Greek Association of Niagara

A severance application for a lot addition to Marz Homes Land's current draft plan of subdivision application has been submitted by the Greek Association of Niagara who are located at 6659 Regional Road 20. The Greek Association is proposing to sever off ± 0.56 hectares (± 1.384 acres) and retain ± 1.399 hectares (± 3.456 acres). The land proposing to be severed is currently vacant and underutilized by the Greek Association. Marz Homes is proposing to develop the severed ± 0.56 hectares of land

with approximately 16 freehold single detached lots that front onto Street 'B' of their proposed mixed-use development.

The Township planning report recommended approving the severance with all eight conditions.

Mr. Boerema gave a presentation of the application to Committee members. The agent for the application, Mr. Jared Marcus, also provided a presentation to offer greater details about the project. The details shared in the presentation could also be found in the Township's recommendation report regarding the severance. At the end of Mr. Marcus's presentation, he indicated that he agreed with everything that had been previously discussed by Mr. Boerema and that was written within the Township's recommendation report.

There were no questions from the committee members.

Chair Forsberg asked the agent of the application if he saw the single residential dwelling on the edge of the Marz's property becoming a part of the proposed subdivision and if the committee would be seeing another application. Mr. Marcus asked for clarification on the property that the Chair was referring to. Chair Forsberg indicated that the property was east of the main subdivision. Mr. Boerema stepped in to mention that the property in question may be the neighboring property to the car wash property. However, with this clarification no further discussions were formed around the answer to the Chair's initial question.

Member Van Dyke motioned to approve the application with the eight conditions recommended in the Township's recommendation report.

Member Willis seconded the motion.

-All in favour

-Carried

5. MINUTES FOR APPROVAL

There are two minutes for approval. Ms. Birbeck indicated that both minutes had been sent out prior to the meeting this evening. Prior to the meeting Chair Forsberg caught a spelling error in the January report that Ms. Birbeck corrected before the meeting this evening.

- a. December 16, 2020

Member Van Dyke motioned to approve the minutes.

Member Willis seconded the motion.

-All in favour

-Carried

b. January 27, 2021

Member Willis motioned to approve the minutes.

Member Van Dyke seconded the motion.

-All in favour

-Carried

6. NEW BUSINESS

There were none.

7. ADJOURNMENT

That, this Committee does now adjourn at the hour of 7:41 pm

BONNIE BAARDA, CHAIR

MEGHAN BIRBECK,
SECRETARY-TREASURER