

Minutes of the meeting of the Town of Lincoln Committee of Adjustment held in the Council Chambers on Tuesday, October 23, 2012 at 7:00 p.m. Committee members present: Councillor D. Rintjema (Chair), Councillor J. Kralt, Councillor D. Thompson, Councillor R. Foster, Margaret Andrewes and John Fisher. Staff present: M. Cocchiara (Secretary-Treasurer Committee of Adjustment).

DECLARATION OF PECUNIARY INTEREST

Chair Rintjema asked if there were any Declarations of Pecuniary Interest with respect to the applications being heard this evening. There were none declared.

Chair Rintjema explained how the meeting would be conducted and the procedure under the Planning Act.

PUBLIC MEETINGS

**(A) CN: 3-5-02-08, Application: A10/12 LINCOLN
OWNER: Michael Culp
ROLL NO: 2622-040-005-17800-0000**

The Secretary-Treasurer provided a description of the purpose of the application.

Michael Culp was in attendance in support of the application.

Mr. Culp stated that the Region's comments regarding washrooms in the proposed building are not applicable. Mr. Culp questioned whether the recommended condition from Town Staff regarding a site grading and drainage plan is open to discussion. Mr. Culp explained that all run off is directed to tile drains or catch basins and that he has never had a drainage issue in this area.

In response to a question from John Fisher, Mr. Culp stated that he requires more loading docks and that it would be difficult to get the trailers onto the other side of the building. This proposal would not require a new driveway. Mr. Culp also stated that the barn addition would be mainly for a cooler.

In response to a question from Councillor Foster regarding the neighbour on the east side of the property, Mr. Culp stated that this neighbour is in favor of his proposal.

In response to a question from Councillor Kralt, Mr. Culp stated that the current loading docks are located in another building. Mr. Culp stated that a truck would not be able to get around to the west side of the building.

Margaret Andrewes stated that a discussion with Public Works regarding the recommended grading plan may be a good idea. Mr. Culp stated that he is not opposed to including this condition, but would rather not have to include it.

There was a discussion on whether the grading & drainage plan should be included in this decision.

Motion

Moved by John Fisher

Seconded by Councillor Foster

LOCATION OF SUBJECT LAND: The subject lands are located at 3426 Greenlane road, being Part of Lots 1 & 2, Concession 2, Clinton, in the Town of Lincoln.

PURPOSE OF APPLICATION: To permit a 3.3 metre (11 ft) side yard setback for a proposed barn addition, whereas 6 metres (19.6 ft) is required in the Agricultural (A) Zone.

That Application A10/12 in the name of Michael Culp:

BE APPROVED for the reasons that the variance is minor in nature, desirable for the appropriate development of the lands and maintains the purpose and intent of the Town's Official Plan and Zoning By-law.

CARRIED

**(B) CN: 3-5-02-07, Application: B13/12 LINCOLN
OWNERS: Jane Langdon & Joe Will
ROLL NO: 2622-040-011-31900-0000**

The Secretary Treasurer provided a description of the purpose of the application.

Jane Langdon and Lisa Shepherd were in attendance in support of the application.

In response to a question from Councillor Foster, Ms. Langdon stated that the previous owners of her property had an agreement to share the existing driveway with the Shepherds.

Jane Langdon described the purpose of the application in detail.

In response to a question from Margaret Andrewes, Ms. Langdon stated that her driveway will come off of Thirteenth Street.

John Fisher questioned whether re-locating the existing driveway would be easier and less expensive. Ms. Langdon stated that this is the process they wish to take.

Motion

Moved by Margaret Andrewes

Seconded by Councillor Kralt

LOCATION OF THE LAND AND PURPOSE OF THIS APPLICATION:

Application is made for consent to sever 109 square metres (1,174 sq ft) of land, Part 2 on the drawing, being Part of Lot 12, Concession 4, Louth, in the Town of Lincoln.

GRANTED

The above decision is subject to the following conditions and reasons:

1. That final approval for all necessary minor variance applications be received from the Town's Committee of Adjustment.
2. Pursuant to Section 50(12) of the Planning Act, R.S.O. 1990, it is hereby stipulated that Section 50(3) or 50(5) shall apply to any subsequent conveyance of, or other transaction involving, the identical subject parcel of land. Therefore, once the subject parcel of land (**Part 2**) has been conveyed to the owner of the parcel abutting to the **north and east**, the subject parcel and the said abutting parcel shall merge in title and become one parcel of land. A solicitor's written undertaking shall be provided to the Secretary-Treasurer indicating that the necessary steps to implement the conveyance will be taken.
3. That the applicant provide the Secretary-Treasurer with the deeds in triplicate for conveyance of the subject parcel, or a registrable legal description, of the subject parcel, together with a copy of the deposited reference plan, if applicable, for use in the issuance of the Certificate of Consent.
4. That a final certification fee of \$300 payable to the Town of Lincoln, be submitted to the Secretary-Treasurer.
5. That all conditions of consent be fulfilled by October 24, 2013.

REASONS

1. Consent permits a boundary adjustment and no new lots will be created.
2. The application conforms to the policies of the Official Plan and with conditions fulfilled, it will also comply with the zoning by-law.

3. This decision is rendered having regard to the provisions of section 51(24) of the Planning Act, R.S.O. 1990 as amended.

CARRIED

**(C) CN: 3-5-02-07, Application: B14/12 LINCOLN
OWNERS: Rob & Lisa Shepherd
ROLL NO: 2622-040-011-31800-0000**

Motion

Moved by Margaret Andrewes
Seconded by Councillor Kralt

LOCATION OF THE LAND AND PURPOSE OF THIS APPLICATION:

Application is made for consent to sever 729 square metres (7,847 sq ft) of land, Part 4 on the drawing, being Part of Lot 12, Concession 4, Louth, in the Town of Lincoln.

GRANTED

The above decision is subject to the following conditions and reasons:

1. Pursuant to Section 50(12) of the Planning Act, R.S.O. 1990, it is hereby stipulated that Section 50(3) or 50(5) shall apply to any subsequent conveyance of, or other transaction involving, the identical subject parcel of land. Therefore, once the subject parcel of land (**Part 4**) has been conveyed to the owner of the parcel abutting to the **south**, the subject parcel and the said abutting parcel shall merge in title and become one parcel of land. A solicitor's written undertaking shall be provided to the Secretary-Treasurer indicating that the necessary steps to implement the conveyance will be taken.
2. That the applicant provide the Secretary-Treasurer with the deeds in triplicate for conveyance of the subject parcel, or a registrable legal description, of the subject parcel, together with a copy of the deposited reference plan, if applicable, for use in the issuance of the Certificate of Consent.
3. That a final certification fee of \$300 payable to the Town of Lincoln, be submitted to the Secretary-Treasurer.
4. That all conditions of consent be fulfilled by October 24, 2013.

REASONS

1. The application complies with the requirements of the zoning by-law and conforms to the policies of the Official Plan.
2. Consent permits a boundary adjustment and no new lots will be created.
3. This decision is rendered having regard to the provisions of section 51(24) of the Planning Act, R.S.O. 1990 as amended.

CARRIED

**(D) CN: 3-5-02-07, Application: B15/12 LINCOLN
OWNER: Court Holdings Limited
ROLL NO: 2622-010-002-13532-0000**

Motion

Moved by John Fisher
Seconded by Rob Foster

LOCATION OF THE LAND AND PURPOSE OF THIS APPLICATION:

Application is made for consent to sever 8,161 square metres (2 acres) of land, Part 1 on the drawing, being Part of Lot 16, Concession 1, Clinton, in the Town of Lincoln.

DEFERRED

The above decision is subject to the following conditions and reasons:

That the hearing of application B15/12 on behalf of Court Holdings Limited, be adjourned at the request of the applicant. This application may be returned to the Committee for further consideration upon the written request of the applicant and receipt of the appropriate rescheduling fee.

CARRIED

REVIEW OF MINUTES

None. Minutes from the previous meeting is to be revised and re-circulated.

OTHER CORRESPONDENCE

None.

OTHER BUSINESS

None.

ADJOURNMENT

Motion

Moved by Councillor Kralt
Seconded by Margaret Andrewes

That the Committee of Adjustment meet again on November 27th, 2012.

CARRIED

M. Cocchiara.
SECRETARY-TREASURER

Quinn B. Venturina
CHAIR

Prepared by: Monika Cocchiara
Prepared on: 2012 11 20

Copies to: -Committee Members
 -CAO (E-mail)

MC:jt