

The Corporation of the Town of Tillsonburg

Council Planning Meeting

MINUTES



Monday, October 19, 2020
4:30 PM
Electronic Meeting

ATTENDANCE: Mayor Molnar
Deputy Mayor Beres
Councillor Esseltine
Councillor Gilvesy
Councillor Luciani
Councillor Parker
Councillor Rosehart

Staff: Kyle Pratt, Chief Administrative Officer
Michelle Smibert, Town Clerk
Carlos Reyes, Director of Operations
Amelia Jaggard, Deputy Clerk

-
1. **Call to Order**
 2. **Adoption of Agenda**

The Clerk received a request from Abe and Deborah Klassen, applicants of application B 20-46-7, to speak as a delegation to agenda item 6.1.

Resolution # 2020-461

Moved By: Councillor Gilvesy

Seconded By: Councillor Rosehart

THAT the Agenda as prepared for the Council meeting of Monday, October 19, 2020, with the addition of a delegation from the Applicant of application B20-46-7, being considered during item 6.1, be adopted.

Carried

3. Disclosures of Pecuniary Interest and the General Nature Thereof

No disclosures of pecuniary interest were declared.

4. Adoption of Council Planning Minutes of Previous Meeting

5. Public Meetings

Resolution # 2020-462

Moved By: Councillor Gilvesy

Seconded By: Councillor Rosehart

THAT Council move into the Committee of Adjustment to hear applications for Minor Variance at 4:32 p.m.

5.1 Application for Minor Variance A 10-20 (Pickersgill)

The Senior Planner provided a review of the application. The applicant proposes to construct a sun room on top of the deck. Variances were previously granted for the construction of the dwelling. Planning staff have reviewed the application and are supportive of approval.

Resolution # 2020-463

Moved By: Councillor Parker

Seconded By: Councillor Esseltine

THAT the Committee of Adjustment approve Application File A10-20, submitted by Mike & Dianne Pickersgill, for lands described as Lot 1, Part Lot 2, Plan M147, Part 1 of 41R-6720, in the Town of Tillsonburg, as it relates to:

1. Relief from Section 6.2 - R1 Zone Provisions, to reduce the minimum required rear yard depth from 12 m (39.3 ft) to 11.40 m (37.4 ft).
2. Relief from Section 6.2 - R1 Zone Provisions, to reduce the minimum required exterior side yard width from 6.7 m (22 ft) to 6.5 m (21.4 ft) to facilitate the construction of a sunroom addition on the subject lands.

Subject to the Owners obtaining a building permit for the proposed sunroom addition within one year of the date of the Committee's Decision.

Carried

5.2 Application for Minor Variance A 11-20 (Saude)

The Senior Planner provided an overview of the application. The owners would like to erect a pergola over an existing deck. There isn't an expected impact on the lot and/or grading.

Councillor Esseltine asked about the aerial map as it did not have the house on the lot. The Senior Planner noted that the aerial photography was done in 2015 before the house was constructed.

Resolution # 2020-464

Moved By: Councillor Esseltine

Seconded By: Councillor Parker

THAT the Committee of Adjustment approve Application File A11-20, submitted by Catarina Saude, for lands described as Lot 70, Plan 41M-143, in the Town of Tillsonburg, as it relates to:

1. Relief from Section 5.37.1, Table 5.37.1 - Permitted Projections into Required Yards, to increase the permitted projection for a covered deck / pergola into the required rear yard from 1.5 m (4.92 ft) to 3.66 m (12 ft).

Subject to the Owner obtaining a building permit for the proposed pergola within one year of the date of the Committee's Decision.

Carried

Resolution # 2020-465

Moved By: Councillor Luciani

Seconded By: Deputy Mayor Beres

THAT Council move out of the Committee of Adjustment and move back into regular Council session at 4:43 p.m.

Carried

5.3 Application for Zone Change ZN 7-20-09 (E & E McLaughlin Ltd.)

The Senior Planner provided an overview of the application. Staff feels that the relief being sought is appropriate for the lands and buildings.

Mr. Gilvesy, consultant for the indicated his support for the application.

Resolution # 2020-466

Moved By: Deputy Mayor Beres

Seconded By: Councillor Luciani

THAT Council approve the zone change application, File No. ZN 7-20-09, as submitted by E & E McLaughlin Limited, for lands described as Lot 2, Plan 41M-205 & Parts 3 & 6 of 41R-7549, in the Town of Tillsonburg, to rezone the subject lands to provide for a reduced front yard depth and reduced rear yard depth for proposed single detached dwellings.

Carried

5.4 Application for Zone Change ZN 7-20-11 (Singh)

The Senior Planner provided an overview of the application to permit 7 dwelling units. The Senior Planner noted the policies that support a range and density of housing types. The proposal will be subject to site plan control. There has been some correspondence received regarding concerns about the building type, traffic and access to this development. Staff recommends approval of this application.

Councillor Gilvesy asked about the lack of comments received from the Fire Department and asked about the Fire Code. The Senior Planner noted that all codes are required to met when the buildings are constructed. Councillor Gilvesy asked about the laneway and capacity for full services. The Planner noted that services are reviewed at site plan and if there isn't capacity then the developer would have to pay for any upgrades.

Councillor Esseltine asked about the exterior of the building and the planner noted that the applicants is hoping to keep the existing exterior.

Mayor Molnar asked if the circulation of the application extended to Allen Street and the Senior Planner noted that it did include persons on Allen Street.

Sarah Lang, architect for the applicant indicated the exterior of the building the same. They would like to have four units on the main floor entering from grade while the remaining units will be located in the basement. She noted that they want to be sensitive to the neighbours and the applicant has been involved in other successful projects like this one. Councillor Gilvesy asked about market rate and if these units will be long term and

the architect provided an affirmative response. She confirmed that all of the units have private facilities. Councillor Luciani noted the two accesses and asked if the adjoining property owners would still have access to their backyard and the architect noted that the applicant would work with the neighbours with this matter.

Dianne Clark, circulated neighbour, noted that the notices should be received by the neighbours before signs are erected on the subject property. When they purchased their home, the church authorities confirmed they had this access to their backyard. The church is a fairly quiet property. Dianne noted concern for lack of water with the construction of this development. She asked that the applicant look for alternative locations for this development.

Resolution # 2020-467

Moved By: Councillor Gilvesy

Seconded By: Councillor Rosehart

THAT Council approve the zone change application submitted by Amarjit Singh, whereby the lands described Part Lot 77, Plan 500, Lots 17 & 18, Plan 551, Part 1 of 41R-1273, in the Town of Tillsonburg known municipally as 14 Glendale Drive are to be rezoned from Minor Institutional Zone (IN1) to 'Special Low Density Residential Type 3 Zone (R3-sp)' to facilitate the development of a multiple unit dwelling consisting of 7 dwelling units.

Carried

6. Planning Reports

6.1 Application for Consent B20-46-7 (Klassen)

The Senior Planner provided an overview of the application. The severed lot fronts on a road that is not yet built. By-law allows the Town to obtain funds from the owner to pay the developer who will be constructing the roadway. Since there are currently no services and an improved street, the staff recommendation is that the application not be approved as it is premature. If Council would like to approve the application then it is suggested that a severance agreement be a condition of approval.

Councillor Esseltine asked the Planner who owns the lots that are not owned by the Subdivider and enquired if these people knew of the by-law/financial arrangement when they purchased their lot? The Senior

Planner noted that Town/County staff would have relayed this information upon any enquiries. Councillor Gilvesy asked what harm would there be by allowing the severance and the Planner noted that as the application stands, it does not meet the intent of the Official Plan and Zoning By-Law.

Deborah Klassen, applicant, feels that the application is a money grab as they paid the fees and they understand that they need to wait until the services are in place. The lot is just too big for the applicants and she indicated they didn't hear anything about policies/by-law until last week.

Resolution # 2020-468

Moved By: Councillor Rosehart

Seconded By: Councillor Gilvesy

THAT Council advise Oxford County Land Division Committee that it supports the proposal to sever the subject property subject to the condition of the applicant entering into a severance agreement with the Town.

Carried

7. New Business

8. Motions/Notice of Motions

9. By-Laws

9.1 By-Law 2020-100, to amend Zoning By-Law Number 3295, as amended (ZN 7-20-09)

9.2 By-Law 2020-101, to amend Zoning By-Law Number 3295, as amended (ZN 7-20-11)

Resolution # 2020-469

Moved By: Councillor Parker

Seconded By: Councillor Esseltine

THAT By-Law 2020-100 to amend Zoning By-Law Number 3295, as amended (ZN 7-20-09); and

By-Law 2020-101 to amend Zoning By-Law Number 3295, as amended (ZN 7-20-11), be read for a first, second, third and final reading and that the Mayor and the Clerk be and are hereby authorized to sign the same, and place the corporate seal thereunto.

Carried

10. Confirm Proceedings By-law

Resolution # 2020-470

Moved By: Councillor Luciani

Seconded By: Deputy Mayor Beres

THAT By-Law 2020-099, to Confirm the Proceedings of the Council Meeting held on October 19, 2020, be read for a first, second, third and final reading and that the Mayor and the Clerk be and are hereby authorized to sign the same, and place the corporate seal thereunto.

11. Adjournment

Resolution # 2020-471

Moved By: Deputy Mayor Beres

Seconded By: Councillor Luciani

THAT the Council Meeting of Monday, October 19, 2020 be adjourned at 6:00 p.m.