



**Township of East Garafraxa
Committee of Adjustment Minutes**

**May 13, 2025, 2:00 p.m.
In-Person and Virtual (Hybrid)
065371 Dufferin County Road 3, Unit 2, East Garafraxa ON L9W 7J8**

Committee Members Chair Guy Gardhouse
Present:

Committee Member John Stirk
Committee Member Lenora Banfield
Committee Member Dave Halls
Committee Member Jeremy Zukowski

Staff/Consultants: Jessica Kennedy, Secretary-Treasurer
Peter Avgoustis, CAO
Jennifer Maestre, Township Planning Consultant, Fotenn
Consultants Inc.

1. Meeting Notice

Meeting was held as a hybrid meeting, with in-person and remote participation.

Chair Gardhouse, and Committee Members Stirk, Banfield, Halls and Zukowski were in attendance in-person.

2. Opening of Meeting

Chair Gardhouse called the meeting to order.

3. Approval of Agenda

Moved by: Banfield

Seconded by: Stirk

BE IT RESOLVED THAT: The agenda be approved as amended pursuant to the addendum.

CARRIED

4. Disclosure of Pecuniary Interest and General Nature Thereof

Nothing at this time.

5. Approval of Minutes

Moved by: Halls
Seconded by: Zukowski

BE IT RESOLVED THAT: the Committee do hereby adopt the minutes of the April 8, 2025, meeting, as circulated.

CARRIED

6. Unfinished Matter(s)

6.1 Minor Variance Application File A2-25; East Part Lot 10, Concession 14 (10 Sideroad)

6.1.1 Committee Resolution - Deferral of Application from March 25, 2025

6.1.2 Supplementary Planning Report dated May 7, 2025

Jennifer Maestre, Fotenn Consultants, Township Planning Consultant was in attendance remotely.

Discussion ensued regarding the supplemental report and the revised site plan submission. The revised site plan proposes a reduced rear yard setback of 12.5 metres; the original submission proposed a minimum rear yard setback of 7.5 metres. The size of the proposed dwelling has been reduced to decrease the variance required for the rear yard setback.

The Minimum Distance Separation (MDS) to the existing barn on the adjacent lot is currently constrained due to existing dwellings located closer to the barn than the subject property and proposed dwelling. The proposal does not further constrain the MDS.

Septic design will be determined through the building permit process. The applicant has demonstrated that a septic system can be accommodated on the property, as shown on the site plan.

The recommendation, consistent with the previous Planning Report, is to approve the application with conditions.

Additional written comments have been received in addition to those contained in the addendum package.

The following comments were received during the meeting:

Doug Murphy (103123 10 Sideroad): Raised questions regarding the MDS calculation and its previous application to the subject lands.

Janet Mackenzie (10398 10 Sideroad): Objected to the application, citing concerns about visual impacts, enjoyment of her property, potential impacts to trees and root systems along the proposed driveway, land drainage, and impacts on foal breeding on her property.

Tyler Bradford and Cathy Desrosiers (103118 10 Sideroad): Noted that the revised orientation of the dwelling moves it closer to the west property line (adjacent to Janet Mackenzie's property). Raised concerns about the absence of septic design details, potential weeping bed failure, required variances to accommodate the dwelling, and possible wetland impacts.

Michelle Connell (103046 10 Sideroad, attending remotely): Expressed concerns regarding wetland and stream impacts, and potential flooding.

Discussion followed regarding the wetlands, streams, and watercourses in the area. The Grand River Conservation Authority (GRCA) has reviewed the proposal and has no objection. Any development within the regulated area will require a permit from the GRCA.

The property is an existing lot of record. Development on existing lots of record is permitted as-of-right, subject to zoning requirements. The applicant has worked with the GRCA to identify a suitable building envelope.

Applicant John Cox was in attendance and addressed the Committee. Mr. Cox outlined the steps taken to address comments from the previous Committee meeting. He advised that the size and orientation of the dwelling have been revised to increase the rear yard setback to 12.5 metres. He noted that the proposed location is the only suitable building envelope due to site constraints and that development will remain outside the 30-metre setback area as identified by the GRCA. He also reiterated that MDS constraints are pre-existing due to the location of other dwellings in the area.

Moved by: Halls

Seconded by: Zukowski

BE IT RESOLVED THAT: The Consultant Planning Report dated March 19, 2025 and Supplementary Report dated May 7, 2025, be received;

AND THAT the Committee of Adjustment is satisfied that the proposed variance for property location Part Lot 10, Concession 14, application A2-25 as revised, meets Township objectives and the Committee has considered any appropriate comments from agencies and the public;

AND THAT the Committee of Adjustment deems the proposal minor in nature and appropriate for the lands, as well as maintaining the general intent and purpose of the Official Plan and Zoning By-law, and approves the application with the following conditions:

1. The proposed single-detached residential dwelling under the approval of Application A2-25 shall be in conformity with the design and location of the revised plans submitted with the application.
2. The owner/applicant shall obtain a building permit application within one year of the final date of appeal of A2-25.
3. The owner/applicant shall strictly maintain the 30-metre buffer from the nearby wetland for all building materials and vehicles during the construction of the single-detached residential dwelling.
4. That the owner/applicant shall obtain a permit from GRCA for any works occurring in their regulated area.
5. The owner/applicant shall satisfy all conditions of the variance no later than one year from the end of the appeal period established under the Planning Act.

CARRIED

6.2 Additional Comments Received

6.2.1 Grand River Conservation Authority (GRCA) Correspondence - May 12, 2025

6.2.1.1 Grand River Conservation Authority (GRCA) Comments - March 18, 2025

6.2.2 Carol Rasonicich - May 12, 2025

6.2.3 Bruno Kerkhof - May 12, 2025

6.2.4 Chris McKeown - April 23, 2025

6.2.5 Reg and Kathy Decoteau - April 10, 2025

6.2.6 Janet Mackenzie and June O'Neil - April 7, 2025

6.2.7 Tyler Bradford and Cathy Desrosiers - March 25, 2025

7. Adjournment

Moved by: Zukowski

Seconded by: Banfield

BE IT RESOLVED THAT: The Committee do now adjourn to meet again at the call of the Chair.

CARRIED

Chair

Secretary-Treasurer

DRAFT