



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

**November 26, 2024, 3:30 p.m.
In-Person and Virtual (Hybrid)
065371 Dufferin County Road 3, Unit 2, East Garafraxa ON L9W 7J8**

Committee Members Present: Guy Gardhouse, Chair

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

Staff/Consultants: Jessica Kennedy, Secretary-Treasurer
Peter Avgoustis, CAO

1. Meeting Notice

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

Chair Gardhouse, and Committee Members Stirk, Banfield (arrived at approximately 3:40 p.m.), and Zukowski were in attendance in-person. Committee Member Halls was in attendance remotely.

2. Opening of Meeting

Chair Gardhouse open the meeting.

3. Approval of Agenda

Moved by: Zukowski
Seconded by: Stirk

BE IT RESOLVED THAT: the agenda be approved as circulated.

CARRIED

4. Disclosure of Pecuniary Interest and General Nature Thereof

Nothing at this time.

5. Adoption of Minutes

5.1 Committee Meeting Minutes - August 27, 2024

Moved by: Stirk

Seconded by: Zukowski

BE IT RESOLVED THAT: The Committee do hereby adopt the minutes of the August 27, 2024 meeting, as circulated.

CARRIED

6. Statutory Public Hearing(s)

6.1 Minor Variance Application A2-24; 152457 County Road 5

Sayana Sherif, Fotenn Consultants, Township Planning Consultant firm was in attendance and went through the powerpoint presentation for property location 152457 County Road 5. The purpose of the application is a minor variance to Township Zoning By-Law 60-2004, as amended, to recognize a gross floor area (GFA) of 101.92 m² for the existing accessory detached dwelling unit (ADU) on the property whereas the previously approved site-specific Zoning Amendment By-Law Number 42-2021 permits a maximum GFA of 95 m². During the building permit review process, it was determined that the existing ADU was larger than what was previously applied for and approved through By-Law 42-2021, and as a result, a minor variance to the site-specific zoning is required.

The subject property is designated Agricultural in the Township Official Plan and zoned General Commercial Exception Three - Holding (CG-3-H) in Township Zoning By-Law 60-2004, as amended. The property will continue to be subject to the Holding symbol and will require a Site Plan Control application with respect to the agricultural related transportation depot.

An overview of the background of the property and the previous Planning Applications were provided.

No objections or concerns were raised with respect to this minor variance application during the circulation.

A subsequent review of the subject property will occur at a later date once a future Site Plan Control application is submitted by the owners.

Fotenn Planning + Design, on behalf of the Township, are of the opinion that the requested variance meets the four tests of the Planning Act and recommends approval subject to the conditions contained in the Planning Report, presentation and recommended motion.

Applicant Christian Chan, the Planning Agency Inc., was in attendance and provided remarks to the Committee. Mr. Chan advised that they are working on a Site Plan Application submission which is required to remove the Holding provision from the zoning. The existing dwelling unit was

existing when the owners purchase the property. During the preparation of the architectural drawings for the building permit application, it was determined that the area of the accessory dwelling unit was larger than what was approved in the site-specific zoning by-law, which is why a minor variance application is required.

There were no public questions or comments.

6.1.1 Notice of Complete Application and Public Hearing

6.1.2 Planning Consultant Presentation

6.1.3 Planning Report (with Recommendation) dated November 15, 2024

Moved by: Zukowski

Seconded by: Stirk

BE IT RESOLVED THAT: The Consultant Planning Report be received for information;

AND THAT the Committee of Adjustment is satisfied that the proposed variance for property location 152457 County Road 5, West Part Lot 18, RP 7R1579 Part 1, RP 7R4339 Part 1, Concession 13, application A2-24, meets Township objectives and the Committee has considered any appropriate comments from agencies and the public, if any;

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 conversion under the approval of Application A2-24 shall be in conformity with the design and location of the 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 A2-24.
3. The approval of the variance shall apply only to the conversion of the existing accessory structure to an accessory detached dwelling.
4. No additional variances shall be processed until a Site Plan Control application has been submitted and reviewed pursuant to the provisions of site-specific By-law Number 42-2021.
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

7. Adjournment

Moved by: Stirk
Seconded by: Banfield

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

CARRIED

Chair

Secretary-Treasurer

DRAFT