

MINUTES
LAND DIVISION COMMITTEE

February 13, 2007

A meeting was held at the County Building at 9:00 a.m. on the above date.

Present

Chair B. MacDougall, Warden Jim Burns. Members: J. Foubister and G. Minielly. Also present were Deputy-Secretary-Treasurer M. Pauschenwein and Planner W. Nywening.

Absent

None.

Application A-001/07

Garry & Heather Straatman
Concession 15, Part Lot 8
6941 Churchill Line
Township of Brooke-Alvinston

The applicants received consent to sever a 2 acre parcel (surplus dwelling) with 285' frontage and containing an existing house (B-009/07). A condition of approval was that a minor variance be obtained from the Zoning By-law's Minimum Distance Separation (MDS) requirements.

With this application relief is requested from Section 5.2 a) of the Township of Brooke-Alvinston's Zoning By-law, which requires the new non-agricultural lot to meet a setback of 300m (984') from the livestock facility across Churchill Line to the north. In this case the applicants are seeking permission to reduce the requirement to 58 metres which is the approximate distance between the livestock facility and the nearest point of the proposed residential lot.

The property is designated "Rural Area" in the Brooke-Alvinston Official Plan with a "Significant Woodlot" located at rear, unaffected portions of the lot. The corresponding zoning in the Township's Zoning By-law is "Agriculture (A1) Zone" and "Environmental Protection – Woodlot (EP-WD Zone)".

Attending the meeting were Garry and Heather Straatman who explained that they had received approval for their consent from the Land Division Committee and were now trying to fulfill a condition of that severance that a minor variance for the Minimum Distance Separation (MDS) be required. A zoning by-law amendment will also be required from the Township of Brooke-Alvinston to ensure that a dwelling cannot be built on the remnant agricultural parcel.

They explained that the tenants have lived in this “surplus dwelling” for six years and wanted to purchase the property. The applicants had lived there for 13 years before renting the property.

The livestock barn across (for which the MDS variance is required) the road is an older bank barn with a few cattle. The owner will be retiring in approximately 10 years. The hog barn on the remnant agricultural parcel hasn't been used for quite some time. The manure pit has been filled in and the barn is used for a drive shed.

The applicants also stated that there were several residential lots in the area including a severed lot on the farm that contains the barn which is the subject of the Minimum Distance Separation.

The Planner read his report which was against the variance.

Minielly/Foubister: That Application A-001/07 be approved.

Carried.

- Reasons: In the opinion of the Committee:
1. The Variance is minor in nature;
 2. The intent of the official plan is maintained;
 3. The intent of the zoning by-law is maintained;
 4. The variance is desirable for the appropriate development or use of the land, building or structure.

Adjournment

The Chair declared the meeting adjourned.

Time: 9:45 a.m.

Bev MacDougall
Chair

Madeline Pauschenwein
Deputy-Secretary-Treasurer