



**Corporation of the Town of Shelburne  
Committee of Adjustment - Minutes**

January 24, 2022  
6:30 pm  
Electronic Participation  
203 Main St. E, Shelburne

Members in attendance: Mayor Wade Mills  
Deputy Mayor Steve Anderson  
Councillor Walter Benotto  
Councillor Lynda Buffett  
Councillor Kyle Fegan  
Councillor Shane Hall  
Councillor Lindsay Wegener

Staff attending: Denyse Morrissey, CAO  
Carey Holmes, Director of Financial  
Services/Treasurer  
Jennifer Willoughby, Director of Legislative  
Services/Clerk  
Jim Moss, Director of Development and Operations  
Steve Wever, Town Planner

Others Present: Public members in attendance:  
Jeff Hamilton, Beverly Ford-Arnold and Harold  
Arnold, Michael Williams, Jane and Dean Belrose.

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**1. Call to Order**

Meeting called to order at 6:30pm by Mayor Mills.

Mayor Mills declared a Pecuniary Interest with the applications being considered, passed the chair to Deputy Mayor Anderson and signed out of the meeting.

Tonight, we have a public meeting being held under Section 53 of the Planning Act to consider 2 consent applications.

Consent application B21/05 and B21/06 is for property located at 220 Owen Sound Street in the Town of Shelburne.

The purpose and effect of application B21/05 is to sever a portion of the property to have a land area of 301 square metres and 19.81 metres of frontage on Second Avenue West to create a new residential lot for a future semi-detached dwelling.

The applicant has submitted a related application – B21/06 - to further sever the proposed lot (B21/05) so that each unit of the proposed semi-detached dwelling will be on a separate lot. The proposed severed land and retained land would be equal in size, each having an area of 150.5 square metres and 9.9 metres of frontage on Second Avenue West, and each is proposed to be used for one of the semi-detached units

I will ask the Clerk for the method of notice for tonight's public meeting.

The Clerk indicated that notice of tonight's public meeting was advertised in local media sources, notice is posted on the Town of Shelburne website and property owners with a 60-metre radius have received notification.

We will have a presentation by the Town Planner with a summary of written comments received, following which there will be an opportunity for Committee members and members of the public to ask questions or provide comments.

- a. Report P2022-01 from the Town Planner regarding consent applications B21/05 and B21/06 - 220 Owen Sound Street, Shelburne.

The Town Planner reviewed his report with Committee of Adjustment members and also reviewed public comments that have been submitted by way of letter or email to the Town.

Committee members discussed the need for further information through the zoning process relating to comments and concerns that have been raised by members of the public, tonight's

applications are seeking conditional approval to create 2 lots, the sighting of houses on the lots, the zoning standards that apply setbacks, sufficient parking and snow storage, areas for waste, yard areas and amenities for the residents, fencing, privacy screening are all details that can be addressed through zoning which is the next step in the process.

Further discussion continued regarding the required minimum lot area for a semi-detached versus the proposed minimum lot area brought forward by the applicant, Provincial legislation requiring municipalities to provide for affordable housing, multi-unit or secondary dwelling units, possible deferral of the decision until additional information has been received, concerns were noted regarding future purchasers of the subject property potentially installing basement apartments thus creating 4 residential units as opposed to 2, the Town Planner noted this can be addressed through the zoning amendment as conversion into 4 units would not meet the zoning or parking requirements.

Members of the Public:

Beverly Ford Arnold & Harold Arnold - 125 Second Avenue West  
- noted concerns relating to:

- flooding and drainage
- snow storage and removal
- safety for children playing in the area
- having the units converted to 4 units
- parking
- garbage pickup

Jane and Dean Belrose - 129 Second Avenue West - noted that their concerns are similar to those discussed by Committee Members and Mr. & Mrs. Arnold.

Jeff Hamilton - owner/applicant of 220 Owen Sound Street noted:

- long-time resident of the Town
- significant renovations completed to the original house; it was originally 6 residential units but now reduced to 3 residential units with 2 units proposed within the consent application
- by-law enforcement to patrol parking concerns and issues
- available designs to address privacy concerns
- retired couples wanting the least amount of maintenance
- paying cash in lieu of parkland for kids to go and play at local parks
- most driveways and access to residences on Owen Sound Street and Second Avenue are from the back lanes

Committee members further discussed approval, deferral or refusal of the applications and appeal mechanisms related to Provincial legislation.

Application B21/05:

**Moved By** Councillor Benotto

**Seconded By** Deputy Mayor Anderson

After considering the application and having regard to those matters under subsection 51(24) of the Planning Act R.S.O. 1990, c.P.13., as amended, the Committee resolves to defer provisional consent.

Application DEFERRED.

REASONS:

The Committee requires additional information as outlined in Report P2022-01, including:

- Justification for the proposed reduced lot area for a semi-detached dwelling;
- Details of the proposed yards and setbacks and justification for any yards and setbacks that will be less than the minimum required by the Zoning By-law;

- Details of the proposed dimensions, floor area and height of the proposed building on the severed lot;
- Planning Justification and Heritage Impact Assessment to address the heritage and design policies of the Town's Official Plan, and comments from the Heritage Committee on the proposal.

**CARRIED, S. Anderson**

Application B21/06:

**Moved By** Councillor Benotto

**Seconded By** Deputy Mayor Anderson

After considering the application and having regard to those matters under subsection 51(24) of the Planning Act R.S.O. 1990, c.P.13., as amended, the Committee resolves to defer provisional consent.

Application DEFERRED.

REASONS:

The Committee requires additional information as outlined in Report P2022-01, including:

- Justification for the proposed reduced lot area for a semi-detached dwelling;
- Details of the proposed yards and setbacks and justification for any yards and setbacks that will be less than the minimum required by the Zoning By-law;
- Details of the proposed dimensions, floor area and height of the proposed building on the severed lot;
- Planning Justification and Heritage Impact Assessment to address the heritage and design policies of the Town's Official Plan, and comments from the Heritage Committee on the proposal.

**CARRIED, S. Anderson**

**2. Motion to Adjourn**

**Moved By** Councillor Benotto

**Seconded By** Councillor Buffett

THAT the Committee of Adjustment now adjourns.

**CARRIED, S. Anderson**

Committee of Adjustment adjourned at 8:01 pm.

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Mayor

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Clerk