



The Corporation of the Town of Bruce Mines

PO Box 220
9126 Hwy. 17 East
Bruce Mines ON P0R 1C0

MAYOR: LORY PATERI
MUNICIPAL ADMINISTRATOR: JUDY DAVIS

Phone: (705)785-3493
Fax: (705)785-3170
Email: info@brucemines.ca
www.brucemines.ca

**MINUTES
COMMITTEE OF ADJUSTMENT
FEBRUARY 8TH, 2024 AT 6:00 P.M.
PUBLIC HEARING IN THE BRUCE MINES COUNCIL CHAMBERS
AND ELECTRONICALLY BY ZOOM
FOR THE PURPOSE OF
REVIEWING THE MINOR VARIANCE
APPLICATION 2024-01**

PRESENT:

COMMITTEE CHAIR, MAYOR LORY PATERI

COUNCILLORS - SHANE ROCK AND JAMIE STOPE AND MARIOLA MORIN

ABSENT WITH REGRETS - JODY ORTO

SECRETARY TREASURER, MUNICIPAL ADMINISTRATOR JUDY DAVIS

VIA ZOOM, TOWN PLANNER, JAMIE BATCHELOR OF JL RICHARDS &

ASSOCIATES

MEMBERS OF THE PUBLIC:

RANDY MORIN, 7 MITCHELL STREET

LOIS HART, 11 MITCHELL STREET

JIM MCCULLOCH, 11 MITCHELL STREET

MASON WATSON, 1 MITCHELL STREET

RON SMITH, 9227 HWY 17

ANGELO MAIONE, 9 MITCHELL STREET

ED KARHI, 6949 HWY 17, DESBARATS

1. Call to order at 6:00 p.m. in the Bruce Mines council chambers.
2. Approval of Agenda

MOTION NUMBER: 2024- 43

MOVED BY: COUNCILLOR ROCK

SECONDED BY: COUNCILLOR STOPE

BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF BRUCE MINES COMMITTEE OF ADJUSTMENT APPROVES THE AGENDA FOR THE COMMITTEE OF ADJUSTMENT HEARING FEBRUARY 8, 2024. CARRIED.

3. Declaration of Interest COUNCILLOR MARIOLA MORIN
Mr. A Maione being a direct neighbour and Randy Morin (spouse) having an objection regarding the Minor Variance request;

COUNCILLOR MORIN, THROUGH THE CHAIR, ASKED TO LEAVE THE MEETING AND NOT RETURN. COUNCILLOR MORIN LEFT THE HEARING AT 6:02 PM.

4. Approval of Minutes

Minutes of the Committee of Adjustment hearing January 22, 2024

MOTION NUMBER: 2024-44

MOVED BY: COUNCILLOR STOPES

SECONDED BY: COUNCILLOR ROCK

BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF BRUCE MINES COMMITTEE OF ADJUSTMENT ACCEPTS THE MINUTES OF THE COMMITTEE OF ADJUSTMENT HEARING JANUARY 22, 2024, AS PRESENTED.

CARRIED.

5. New Business:

A) Minor Variance Application 2024-01:

- i) Opening statement, Committee Chair, Mayor Lory Patteri
 - The public hearing shall be governed by the *Statutory Powers and Procedure Act*, the *Municipal Act* and the *Planning Act*.
 - The Chair read the protocol and rules of conduct for the hearing.
 - The Chair called upon the Town Planner to provide a review and recommendation on the application.
- ii) Planning report from Town Planner, Jamie Batchelor (JL Richards)
 - Mr. Batchelor read the application specifics for the Minor Variance Application # 2024-01, being an application to seek relief from the provisions of the Zoning Bylaw 2015-17. Said specifics as per the Planners Report dated February 8, 2024 (herein the “Planners Report”).
 - The background to the application was given and summarized as per the Planner’s Report.
 - Several noted comments from the public have been reviewed and responded to including:
 - Heritage Policies - none noted by the Town
 - Zoning Bylaw 4.19.4 not germane to Application No. 2024-01 as soon as the applicant went beyond the footprint (the provision did not apply).
 - Relief not required from lot size / frontage
 - Mr. Batchelor opined that in his professional opinion the proposed single detached dwelling unit and attached accessory structure meets the intent of Provision 4.8.3(1) and 4.18.5 (1) of the Zoning Bylaw.
- iii) Questions from Committee to Town Planner
 - None at this time.
- iv) Applicant, or applicant’s representative, invited to speak
 - The Chair recognized Mr. Maione (9 Mitchell Street) as the applicant and invited him to speak to the Committee.
 - Mr. Maione recalled that the property, when he purchased it, was dilapidated and strewn with garbage and debris.

- Mr. Maione opined that he had made a substantial amount of improvements to the property to the benefit of the neighbourhood.
- Mr. Maione commented on the five months it has been since he handed in the application for a Building Permit.
- Mr. Maione offered the property for sale to the neighbours if they were so disagreeable with his proposed dwelling.

v) Questions from Committee to applicant

- None at this time.

vi) Oral or written submissions from interested parties to support

- None.

vii) Oral or written submissions from interested parties who oppose

Randy Morin (7 Mitchell Street) opposed the application.

-Concern was expressed over the following issues:

- The shed will be improperly moved back
- Variance is not minor.
- The impact of the size of the proposed dwelling is major and will negatively impact privacy and value.
- Elevation concerns and drainage and retaining wall issues.
- The lot does not meet the requirements for the size of dwelling being proposed.
- Parking space is an issue.
- Zoning Bylaw 4.19.4 not being adhered to.
- Trees are an issue now.

Ron Smith (9227 Hwy 17) opposed the application

- Referenced letter sent to the Committee, this is not a minor variance.
- Opined that the fire department's ability to protect the surrounding structures was being impeded and created a situation for fire to spread.

Mason Watson (1 Mitchell Street) opposed the application

- Has been living on Mitchell Street for over 4 years
- Quiet street, very low traffic, how much more traffic with a 5 bedroom house on the street.
- Will this house end up being a rental unit?
- What is the cost to the town for the water/sewer needs of such a large house?

Mr. Batchelor responded to the above commenting that the Building Code and Building Permit were to address the fire separation issue and the drainage as well.

viii) Further questions from Committee

- S Rock questioned Mr. Batchelor on the issue of the shed.
- Mr. Batchelor opined that the shed was not part of the application before the Committee that night.

B) Call for a recorded vote

Jamie Stopes did not feel that the request was minor.

Mr. Stopes said that no necessity was heard throughout the application.

Shane Rock, upon hearing clarification from Mr. Batchelor, was in agreement with the Planner's report.

Lory Patteri was comfortable that the application met the four tests of a minor variance.

MOTION NUMBER: 2024-45

MOVED BY: COUNCILLOR ROCK

SECONDED BY: COUNCILLOR STOPES

BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF BRUCE MINES COMMITTEE OF ADJUSTMENT ACCEPTS THE PLANNERS REPORT FOR THE MINOR VARIANCE FOR ANGELO MAIONE, FOR 9 MITCHELL STREET AND APPROVES THE MINOR VARIANCE APPLICATION FILE 2024-01.

CARRIED.

RESOLUTION RESULT	RECORDED VOTE		
<input checked="" type="checkbox"/> CARRIED	MAYOR & COUNCIL	YES	NO
<input type="checkbox"/> DEFEATED	Lory Patteri	X	
<input type="checkbox"/> DEFERRED	Mariola Morin		
<input type="checkbox"/> REFERRED	Jody Orto		
<input type="checkbox"/> RECORDED VOTE (See right)	Shane Rock	X	
<input type="checkbox"/> PECUNIARY INTEREST DECLARED	Jamie Stopes		X
<input type="checkbox"/> WITHDRAWN			
<input type="checkbox"/> PHONE POLL			

C) Closing statement, Committee Chair, Mayor Lory Patteri

APPROVED

In making this decision, the Committee of Adjustment had regard for all input received through written and verbal submissions. The members had regard for comments submitted by staff.

The Committee, after carefully reviewing the evidence, illustrations presented, and the submissions made by opposing parties, finds that:

the proposal meets the four (4) conditions described under Section 45 (1) of the Planning Act for the evaluation of minor variance proposals. In this regard, the requested relief from the bylaw, as proposed, is considered minor in nature, is appropriate for the development of the land, maintains the intent and purpose of the Zoning Bylaw and maintains the intent and purpose of the Official Plan.

6. Adjourn

MOTION NUMBER: 2024- 46

MOVED BY: COUNCILLOR ROCK

SECONDED BY: COUNCILLOR STOPES

BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF BRUCE MINES COMMITTEE OF ADJUSTMENT DOES NOW ADJOURN AT 6:49 P.M., TO MEET AGAIN AS REQUIRED. CARRIED.

CHAIR / MAYOR - Lory Patteri

SECRETARY TREASURER - Judy Davis