



H03/2024

**THE CORPORATION OF THE TOWNSHIP OF WAINFLEET
MINUTES OF THE HEARING OF THE COMMITTEE OF ADJUSTMENT**

APRIL 17, 2024 at 4:00 P.M.

TOWNSHIP OF WAINFLEET COUNCIL CHAMBERS

PRESENT: D. Chase Chair
 S. McMillan Member
 R. Leone Member
 M. Feduck Member
 G. Balicki Member

REGRETS: None.

STAFF PRESENT: S. Ivins Planner
 D.Scott Secretary – Treasurer
 L. Earl Manager, Community and Development Services
 C. Guttin Short-term Rental By-law Enforcement Officer
 M. Tardif Senior By-law Enforcement Officer

1. Call to Order

The hearing was called to order by the Chair at 4:00 p.m.

2. Disclosure of Pecuniary Interest and the General Nature Thereof

None.

3. Requests for Adjournment

None.

4. Adoption of Minutes

a) Minutes of the Committee of Adjustment Hearing held March 20, 2024

Motion COA-012-2024

Moved by Member McMillan

Seconded by Member Feduck

“**THAT** the minutes of the Committee of Adjustment Hearing scheduled March 20, 2024 be adopted as circulated.”

CARRIED

5. Applications for Minor Variance

- a) A05/2024W – Darren Draaistra on behalf of Wayne & Jane Oosterhoff and Eric & Kendra Pennings

The subject property is located on the west side of Marshagan Road, north of the Wainfleet-Dunnville Townline Road. The subject property is zoned Agricultural – A2 and contains a single detached dwelling and several agricultural buildings.

An application for a minor variance has been submitted to request relief from the following provisions of zoning bylaw 034-2014 to permit the construction of an addition on the south side of the existing single detached dwelling:

Section of By-law	By-law Requirement	Application Request	Difference
Section 6.2 Table 6 Minimum interior Side Yard	15 m	3.5 m	11.5 m

Representation

Darren Draaistra, agent and Jane Oosterhoff, applicant were present to represent the application.

Correspondence

Correspondence was received from the following agencies, departments and members of the public:

1. Region Planning Department
2. Township By-Law Department
3. Township Drainage Department
4. Township Building Department
5. Township Planning Department

Comments

The Secretary – Treasurer provided an overview of the application and the Planner provided the Committee with a summary of the planning report along with a recommendation.

The applicant gave an overview of the reasoning for the addition of the dwelling; that the addition would be a secondary dwelling for their use while their children move into the main dwelling.

Member McMillan asked whether there are animals in the vicinity of the property. The planner stated that there were some on surrounding properties. Member Leone wanted verification that the addition was for a secondary suite, which was confirmed by the applicant. It was also verified that the

driveway will remain where it is, and that the design submitted may have provided an inaccurate idea of where the driveway will be. Member McMillan asked why any conditions were not added to the potential decision. The planner stated that this would be addressed through the building permit process, and to add conditions to the approval would prove to be redundant. Member Leone asked if the proposed setback may affect the property in the future. The planner said that if the property was zoned Residential, the required setback would be 3.5 metres. The only reason for the original setback is because it is an agricultural property, and staff was comfortable with the proposed setback given the existing situation on the property, and in the area.

Decision

Motion COA-013-2024

Moved by Member Balicki

Seconded by Member McMillan

“**THAT** the application for Minor Variance A05/2024W made by Darren Draaistra on behalf of Wayne & Jane Oosterhoff and Eric & Kendra Pennings be approved:

CARRIED

6. Other Business

a) Training for the Short-Term Rental Committee

Officer Tardif and Officer Guttin attended to provide the committee with an overview of the new responsibility that the committee will have hearing appeals to the Short-term Rental By-law. Various discussions were held regarding the responsibilities entailed, and the committee's role in the process. The Manager explained the rationale of the new by-law, and how the process to arrive at the current by-law came to be. She added that Council is very serious about this process, as well as the enforcement of the by-law. Discussion continued regarding when and how the committee would deal with appeals, as well as the operation of the short-term rental process.

b) Open House for Housekeeping By-law

Through a question from Member McMillan, the planner reviewed what the housekeeping by-law will entail, and how it may impact the work of the committee in the future. It was suggested that members of the committee could attend the open house as citizens, but the main purpose was for staff to solicit comments from the community regarding their views of the proposed housekeeping by-law, and how it is hoped to have one complete by-law to include all areas of the Township, including the hamlet that are currently overseen by the 1978 by-law.

7. Adjournment

Motion COA-014-2024

Moved by Member McMillan
Seconded by Member Feduck

“**THAT** the Committee of Adjustment for the Township of Wainfleet be adjourned.”

Committee adjourned at 5:15 p.m.

CARRIED



D. Chase, CHAIR



D. Scott, SECRETARY-TREASURER