

July 9th, 2015

SC/A-15:187

David Derbyshire & Maryann Ingram
29 Lakeview Drive, Stoney Creek

Appearances were:

D. Derbyshire & M. Ingram, owners. Interested parties were:
Councillor M. Pearson, Councillor's Office 2nd Floor City Hall

Those members present for the hearing of this application were: M. Dudzic (Chairman), V. Abraham, W. Pearce, M. Smith, D. Smith, P. Mallard, N. Mieczko, I. Dunlop, L. Gaddy

A summary comment from the Planning and Economic Development Division together with comments from other departments and agencies were entered into the record.

Letters were entered into the record from: nil

Councillor M. Pearson

- concerned by the setback; too close to the road
- looks great Mr. Derbyshire did a beautiful job, but is concerned this will set a precedent in the neighbourhood

D. Derbyshire

- previous shed was located at this location and built a new one in the same spot
- many cedar trees are located around the vicinity of the shed and the acidity of the soil prevents him from growing grass in that area

P. Mallard
(Committee member)

- plenty of front yard could have setback the shed and met the by-law requirement

I. Dunlop
(Committee member)

- everything the Committee looks at is judged on a case by case basis
- no precedent should be set

In response to questions from the Committee members:

D. Derbyshire

- would have to setback the shed an additional 5.9m to meet the by-law requirement
- the shed is not movable it is on a concrete pad
- the shed will be used for storage purpose only (garden furniture, lawnmower etc.)

Following discussion it was moved by Mr. Smith and seconded by Ms. Smith that the relief requested be **DENIED** for the following reasons:

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1. The Committee having regard to the evidence is of the opinion that the relief requested is beyond that of a minor nature.
2. The relief requested is undesirable for the appropriate development of the land and building and is inconsistent with the general intent and purpose of the By-law and of the Official Plan as referred to in Section 45 of The Planning Act, 1990.
3. The Committee having regard to the intensity of use of the subject parcel of land is of the opinion that such development would not be appropriate for the lands.

I. Dunlop, N. Mieczko & M. Smith were opposed to the motion for denial.

CARRIED.