

July 19<sup>th</sup>, 2018

GL/B-18:58

John & Eva Vuckovic  
2282 Westbrook Road, Glanbrook

Appearances were:

John Ariens, Agent on behalf of the applicants; John Vuckovic, Applicant. Interested parties were: nil

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

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

R. Ferrari  
(staff)

- staff are requesting that condition #2 be changed slightly to read as follows:
  - The applicant/proponent shall be required to enter into a consent agreement and post securities with the City to ensure that the appropriate structures are demolished to the satisfaction of the Manager, Development Planning Heritage and Design.

J. Ariens

- the original request was to remove two of the buildings and retain one of them
- the barn in the middle (building #2) is proposed to be demolished
- by entering into an agreement this will give them time to do it slowly to salvage materials and give them flexibility

P. Mallard  
(Committee Member)

- asked about the silo and the container

J. Ariens

- that wasn't included in the condition
- showed a site plan to the Committee
- they want to retain buildings 1 & 3

D. Smith  
(Committee Member)

- he is confused with the comments from the City
- they talked about the number of buildings but when he visited the site he counted six accessory structures

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- they are only allowed to have one accessory building
- he would like to see everything labelled and taken down
- any other application they have had one year and he doesn't see the reason for an extension over one year
- this is almost a 5 acre parcel which is excessive in his mind
- if buildings are taken down the lot line could move up to the back of the house
- he realizes that the front area is cut by a lawnmower now but it used to be a pasture for horses
- he thinks this could be a keyhole lot

J. Ariens

- there are many factors involved
- they are not removing agriculture which is important
- the paddock and pasture out front are now lawn
- the Quonset hut and building 3 are valuable which dictates the lot line
- the agricultural activity goes almost right up to the parcel
- this won't add or take away agricultural land
- the Consent Agreement will ensure that the buildings are torn down while giving them a little extra time to do it at their leisure
- they would like two years
- they will have to give a \$25,000 letter of credit
- this is a legal and binding agreement registered on title to make sure the barn gets torn down

D. Smith  
(Committee Member)

- he still has an issue with the buildings that stay
- all farm buildings are supposed to come down
- the covered building could be moved beside the house

J. Vuckovic

- there is a tile bed beside the house

D. Smith  
(Committee Member)

- the container is a structure and has to come out of there
- that's why he wants things labeled so there are no loopholes

J. Ariens

- they are permitted a percentage for accessory structures not just one structure

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- |                                  |   |  |
|----------------------------------|---|--|
| R. Ferrari<br>(staff)            | - | the rules have been changed to 5%  |
| P. Mallard<br>(Committee Member) | - | typically a lot is one acre not five acres                                     |
| D. Smith<br>(Committee Member)   | - | this is too large of a parcel with too many accessory buildings                |
| J. Ariens                        | - | they have a use and a value  |
|                                  | - | showed the site plan to the Committee and explained the uses of the structures |

In answer to questions from the Committee Mr. Vuckovic stated as follows:

- |                                 |   |   |
|---------------------------------|---|---|
| J. Vuckovic                     | - | he doesn't live at the site   |
|                                 | - | the property is owned between family members  |
|                                 | - | they are severing as a surplus dwelling and will sell them the lot and keep the farm parcel                                 |
|                                 | - | they purchased the land in 2011   |
| J. Ariens                       | - | they have about 14 other farm parcels   |
| J. Vuckovic                     | - | his brother and sister-in-law lives there   |
|                                 | - | they just want to sever and sell the house to them and keep the farm land   |
| J. Ariens                       | - | read the wording of the condition which states "structures" (plural) to the satisfaction of the City not just one structure |
|                                 | - | they have one year to enter into the agreement and the agreement will have a two year limit                                 |
| D. Smith<br>(Committee Member)  | - | the Committee can put on a condition about which structures have to come down   |
|                                 | - | you can't store agricultural equipment on a residential lot   |
| J. Vuckovic                     | - | currently there are no agricultural uses out of those buildings   |
| W. Pearce<br>(Committee Member) | - | one of the joint owners is going to end up having it  |

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- J. Ariens
- the title is in a farm corporation
  - if they want to sell it back to an individual family member that's up to them

Moved by Mr. Abraham and seconded by Mr. Serwatuk that the application be approved.

All the other members voted in opposition to the motion to approve the application.

Motion defeated.

Moved by Mr. Smith that the application be denied.

- J. Vuckovic
- if it's the time line constraint they could do it within the year.

- L. Gaddy  
(Committee Member)
- he is not opposed to the severance he's opposed to what's happening here
  - this is a large lot that they can build another building on
  - the majority of the buildings are being removed so he thinks the back lot line should be moved up to put land back into agricultural production

- J. Ariens
- the Committee has made some good points
  - he would request that the application be tabled so they can proceed to Planning Committee and work with staff
  - once the rezoning process is close they will bring it back

Following discussion it was moved by Mr. Gaddy and seconded by Mr. Pearce that the application be **TABLED** as requested.

**CARRIED.**