

closer to the street than the existing dwelling on the subject property.

The effect of this variance is to permit the inground pool to be located a minimum distance of 8.0 metres from the exterior side lot line. It should be noted that the lands are zoned Residential (R3-178) in the former Township of Collingwood Zoning By-law No. 83-40; and that Section 5.2(iii) of the By-Law requires accessory uses, buildings and structures to be located no closer to the street than the main building. The proposal indicates that the inground pool (accessory use) would be located a distance of 8.15 metres from the exterior side lot line, whereas the existing dwelling (main building) is located a distance of 8.72 metres from the exterior side lot line.

Secretary/Treasurer stated that the Public Notice was circulated in accordance with the Planning Act. The Notice was provided to the applicant's agent to post on the subject property.

Comments were received from the following:

David Finbow, TOTBM Director, Building & By-law/CBO – a swimming pool enclosure permit is required in accordance with the provisions of By-law No. 2002-08;

Grey County Planning Dept. –no objection;

Grey Sauble Conservation Authority – no objection;

Jim McCannell, TOTBM Manager of Roads and Drainage – no concerns;

TOTBM Planning Dept. – recommends approval.

Paul Fisher, applicant, was in attendance. He noted that the lot is unusual in shape leaving no back yard for the pool. His neighbour to the west of him is Lora Bay. It is the intent of Mr. Fisher to provide screening by way of fencing and the planting of some large trees.

No other members of the public were in attendance to speak either in favour or in opposition to the application. At this point Chair Metras closed the Hearing to the public.

Chair Metras read aloud the Decision and Reasons thereof.

Moved by: R.B. Waind

Seconded by: Shiela Metras

THAT the Committee of Adjustment GRANT Minor Variance Application No. A02-2009 in order to permit the inground pool to be located a minimum distance of 8.0 metres from the exterior side lot line on the subject property.

CONDITIONS:

1. That the owner applies for and obtains a swimming pool enclosure permit is required in accordance with the provisions of By-law No. 2002-08 to the satisfaction and approval of the Town prior to permit issuance.

REASON FOR DECISION:

The Committee is satisfied that the application meets the four tests for minor variance, as noted in the Planning Staff Report PL.09.13. Carried.

2. A03-2009 - Hewgill Orchards Inc., Lots 23 & 24, Concession 10, 24th Sideroad

Chair Metras called the meeting to Order and read aloud the Application No., legal description and the applicant's name.

The Secretary/Treasurer read aloud the purpose and effect of the variance which is to consider a request by the applicant to establish a new minimum lot frontage for the existing lot, as the existing frontage was created through Consent Application No. B201-1986 and the legal survey does not meet the minimum lot area requirement of the current zoning by-law.

The effect of this variance is to establish a new minimum lot frontage of 6.0 metres. It should be noted that the lands are zoned General Rural (A1) in the former Township of Collingwood Zoning By-law No. 83-40 and that amending By-law No. 86-50 requires a minimum lot frontage of 10.0 metres.

Secretary/Treasurer stated that the Public Notice was circulated in accordance with the Planning Act. The Notice was provided to the applicant to post on the subject property.

Comments were received from the following:

- David Finbow, TOTBM Director, Building & By-law/CBO* – no comments;
- County Planning Dept.* – under the County Official Plan the lands are designated "Special Agriculture"; if this proposal were brought before the County today it could not be supported, however, as the lot already exists and the by-law is to recognize the existing frontage, the County have no objection;
- Grey Sauble Conservation Authority* – no objection;
- TOTBM Planning Staff* – recommends approval.

John Hewgill, the applicant, was in attendance. Mr. Hewgill stated that when the house was originally severed off in 1986 the agreement was that another house could not be built on the remaining property. The small frontage arises in the Fall when the farmers are moving trucks and apple equipment in and out of the orchards.

No other members of the public were in attendance to speak either in favour or in opposition to the application. At this point Chair Metras closed the Hearing to the public.

Moved by: R.B. Waind

Seconded by: Shiela Metras

“THAT the Committee of Adjustment GRANT Minor Variance Application No. A03-2009 in order to establish a new minimum lot frontage of 6.0 metres on the subject property”.

CONDITIONS: NIL

REASON FOR DECISION:

The Committee is satisfied that the application meets the four tests for minor variance, as noted in the Planning Staff Report PL.09.14. Carried.

3. A04/2009 – The Incorporated Synob of the Diocese of Huron (St.George’s Anglican Church), Lot 13, Plan 562, 168 Russell Street East

Chair Metras called the meeting to Order and read aloud the Application No., legal description and the applicant’s name.

The Secretary/Treasurer read aloud the purpose and effect of the variance which is to consider a request by the applicant to construct a proposed hall addition to the existing church to be located within the minimum setback requirements from the centreline of the County road, being Grey Road 13 (locally known as Marsh Street), on the subject property.

The effect of this variance is to permit a maximum 360 square metre hall addition to the existing church to be located a minimum distance of 11.5 metres from the front lot line. It should be noted that the lands are zoned Institutional (I) in the former Township of Collingwood Zoning By-law No. 83-40 and that Section 5.18(e) requires a minimum 35 metre setback from the centreline of the County road.

Secretary/Treasurer stated that the Public Notice was circulated in accordance with the Planning Act. The Notice was provided to the applicant’s agent to post

on the subject property.

Comments were received from the following:

David Finbow, TOTBM Director, Building & By-law/CBO – proposal must comply with the Building Code Act prior to issuance of a building permit; approval from Council is required prior to issuance of a building permit with regard to Section 41 of the Planning Act; Town development charges may apply.

Jim McCannell, TOTBM Manager of Roads and Drainage – no concerns;

County of Grey Transportation and Public Safety Dept. – no objection;

Grey Sauble Conservation Authority – no objection provided the proposed structure is outside of the hazard area;

Grey County Planning Dept. – provided that positive comments are received from the Grey County Transportation, they would have no concerns;

TOTBM Planning Dept. – recommend approval.

David Morgan, on behalf of St. George's Anglican Church, was in attendance. He stated that the Church does not presently have a Parrish Hall and they presently use the basement of the church for lunches and functions but it is not wheelchair accessible. The land to the north of the church that joins Russell and Marsh Streets are to be kept as open space and to the east the land is used for parking purposes. It is thought that perhaps in the future the lands to the east could be used for supportive housing purposes. Mr. Morgan further stated that the minor variance application is being heard before the site plan application to be sure that relief of the front yard setback is permissible. To the south is a drainage ditch limiting the area for expansion. The proposal will be a two storey structure with the floor of the Hall being the same level as the existing church. Soil tests have been completed. The entrance off of Marsh Street is only used to store boats in the old shed behind the church. This entrance is not appropriate for full time use.

Roy Spiegelberg, Marsh Street, was in attendance and indicated that his property abuts the drainage ditch. This ditch is a large and main ditch for the Village during flooding season. Mr. Morgan stated that they intend to clear the ditch out and improve its water passage during the construction of the Hall.

No other members of the public were in attendance to speak either in favour or in opposition to the application. At this point Chair Metras closed the Hearing to the public.

Moved by: R.B. Waind

Seconded by: Shiela Metras

“THAT the Committee of Adjustment GRANT Minor Variance Application No. A04-2009 in order to permit a maximum 360 square metre hall addition to the existing church to be located a minimum distance of 11.5 metres from the front lot line on the subject property”.

CONDITIONS:

1. That site plan approval be obtained from the Town of The Blue Mountains, as indicated in Planning Staff Report PL.09.15.

REASON FOR DECISION:

The Committee is satisfied that the application meets the four tests for minor variance, as noted in the Planning Staff Report PL.09.15. Carried.

D. Correspondence: nil

1. Secretary/Treasurer reminded the Committee members of the upcoming Seminar at the Waterloo Inn Conference Hotel in Waterloo, May 31, 2009 to June 03, 2009 and that the registration forms are to be completed and back to her in March.
2. Secretary/Treasurer noted that a "2008 Year End" Committee report was going to the March 2, 2009 Planning Committee. A draft copy will be e-mailed out to all Committee members for review and comment prior to that meeting. The Committee members requested that in the report it be expressed of all the work staff and Committee members put into the September, 2008 OACA Seminar held at Blue Mountain Resorts in making it the success that it was.

E. New & Unfinished Business:

F. Next Meeting Date – March 19, 2009

G. Adjournment:

Moved by: R.B. Waind

Seconded by: Shiela Metras

THAT this Committee of Adjustment meeting now be adjourned. Carried.