

The effect of this variance is to permit a maximum 37.2 square metre attached garage to be located a minimum distance of 6.0 metres from the front lot line. It should be noted that the lands are zoned Residential R2 in the former Town of Thornbury Zoning By-law No. 10-77 and that Section 9.2(d) requires a minimum front yard setback of 9.0 metres.

The land affected by this application is described as Part Lot 4 and 5, Plan 395; Poplar E/S; (30 Cottage Avenue).

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:

Grey County Planning Dept. – no concerns;

Grey Sauble Conservation Authority – no objection;

Reg Russwurm, TOTBM Director of Engineering & Public Works – no comments

TOTBM Planning Dept. – recommends approval.

Joanne Kennedy, applicant, gave clarification to the water rush mark stating that the line was established by the Grey Sauble Conservation Authority based on a 100 year high watermark. She noted that the 'bay shore walk' is presently there and people are using it. It has been known in the past when the water table was higher that it actually covered the walk but it has been visible and usable for quite a few years now. Joanne Kennedy also noted that they do not own to the water's edge. There are also gabian walls at the front (water side) of the cottage but no 'groins' going out into the water.

Bryan Pearce, Town Planner, indicated that Plan 395 created the high water mark along the water's edge, along the north side. Therefore, the Plan identifies it as a public walkway. Mr. Pearce gave clarification that this property is not considered to be a water front lot but rather 'water view'.

Joanne Kennedy noted that as there is no room on the easterly interior side lot line for a two car garage and due to the wave uprush restriction on the water side, this left the only place to construct the garage to be on the Cottage Avenue side.

Bryan Pearce further noted that a detached structure is not permitted and that this proposal is for a side yard attachment.

Chair Metras then opened the meeting up to the public.

Fred Staffa, neighbouring property owner was in attendance and asked for clarification as to the position of the proposal on the lot.

No other members of the public were in attendance to speak either in favour or in opposition to the application. Chair Metras then closed the public portion of the meeting.

Moved by: Robert Waind

Seconded by: Bill Remus

THAT the Committee of Adjustment GRANT Minor Variance Application No. A08-2009 in order to permit a maximum 37.2 square metre attached garage to be located a minimum distance of 6.0 metres from the front lot line and a minimum 7.6 metres from the eastern interior lot line 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.09.56. Carried.

D. Correspondence: nil

E. New & Unfinished Business:

- Sec/Treasurer made note of the upcoming OACA Conference in Waterloo May 31 – June 3rd, 2009. Committee members Robert Waind and Shiela Metras will be attending.
- Good luck was given to Robert Waind as he endeavours to become one of the new OACA Board members. This will take place at the Conference.

F. Next Meeting Date – June 18, 2009

G. Adjournment:

Moved by: Robert Waind

Seconded by: Bill Remus

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