



The effect of this variance is to permit the retained parcel of Consent Application No. B09-2010 to be a minimum lot area of 5,284 square metres. It should be noted that the lands are zoned Rural Estate Residential (RERa) in the former Township of Collingwood Zoning By-law No. 83-40; and that Schedule 'AA' of the By-law requires a minimum lot area of 6,070 square metres, based on amending by-law 87-31 as part of a condition of consent filed in 1986 affecting the lands.

The land affected by this application is described as Part Lot 26, Concession 6; Part 2, RP 16R-3319; (133 Old Lakeshore Road);

Secretary/Treasurer stated that the Public Notice was circulated in accordance with the Planning Act. The Notice was provided to the applicants agent and was posted on the subject property.

Comments were received from the following:

*Grey County Planning Dept.* – an Environmental Impact Study (EIS) was determined not to be required through the consent process (B09-2010); they would have no concerns provided positive comments were received from the Ministry of Transportation (MTO);

*Ministry of Transportation (MTO)* – no comments were received pertaining to minor variance A09-2010, however the MTO's comments from consent B09-2010 dated August 6, 2010 were read aloud at which time the Ministry had no concerns or objections; it was assumed then that there would be no concerns with regard to the minor variance;

*Grey Sauble Conservation Authority* – no objection;

*Niagara Escarpment Commission* – no objection;

*TOTBM Planning Dept.* – no objection.

Kristine Loft, agent for the owner and applicants, was in attendance. She indicated that the Site Specific By-law had a very shallow lot area being a long and narrow lot. As well, no new lot is being created. Her client(s) the Tipples' knew the property was going up for sale and approached Ms. Liddiard to acquire a portion of the property prior to the sale taking place. The portion being purchased is only to enhance the size of the Tipples' property.

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

Moved by: Shiela Metras

Seconded by: Bill Remus

“THAT the Committee of Adjustment GRANT Minor Variance Application No. A09-2010 in order to permit the retained parcel of Consent Application B09-2010 to be a minimum lot area of 5,284 square 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.10.103. Carried.

Chairman Waind then closed public meeting for A09-2010.

**A10-2010 – Harbour Vista Inc, Lots 98, 99 & 100, Plan 1023, 11 Bay Street -**  
Chairman Waind called the meeting to Order and read aloud the applications purpose and effect of the variance which is to consider a request by the applicant to vary the definition of 'lot' so as to allow for the phased registration of the development on the subject property.

The effect of this variance is to continue to recognize the lands as one 'lot' within the meaning of the Zoning By-law, notwithstanding that portions of the condominium development will be registered in phases.

It should be noted that the lands are zoned Residential Multiple RM1 within the Town of Thornbury Zoning By-Law 10-77 and the definition of 'lot' means a parcel of land having frontage on a public street described in a registrable deed or other registrable document legally conveying an interest in land other than a leasehold interest, easement or right-of-way; or which is a whole lot as shown on a Registered Plan of Subdivision, but a Registered Plan of Subdivision for the purpose of this paragraph does not include a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under the *Planning Act*.

The land affected by this application is described as Lots 98, 99 and 100, Registered Compiled Plan 1032; save and except Part 9, RP 16R-9579; (11 Bay Street).

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

Comments were received from the following:

*Grey County Planning Dept.* – no objection

*TOTBM Engineering & Public Works Dept.* – all terms & conditions of the development agreement must remain intact other than that necessary to permit phased development;

*TOTBM Planning Dept.* – no objection.

Discussion was had regarding the definition of 'lot' within the former Town of Thornbury Zoning By-law No. 10-77 and whether or not it should recognize

phasing of condos. Planner Bryan Pearce stated that this condominium process is not captured under the existing 1977 zoning by-law, as it predates the new Condominium Act, 2006. At present, the municipality is undergoing a new Comprehensive Zoning By-law which will capture these types of things.

Colin Travis, agent for the applicant was in attendance.

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

Moved by: Shiela Metras

Seconded by: Bill Remus

“THAT the Committee of Adjustment GRANT Minor Variance Application No. A10-2010 in order to continue to recognize the lands as one ‘lot’ within the meaning of the Zoning By-law, notwithstanding that portions of the condominium development will be registered in phases 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.10.104”. Carried.

Chairman Waind then closed the public meeting for A10-2010.

**D. Correspondence:** none

**E. New & Unfinished Business:**

1. Committee members Bill Remus and Robert Waind, as well as Town Planner Bryan Pearce, all thought that the recent OACA Seminar held in Leamington on September 24<sup>th</sup> was very well organized with excellent speakers and workshops.

**F. Next Meeting Date** – November 18, 2010

**G. Adjournment:**

Moved by: Bill Remus

Seconded by: Shiela Metras

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