

detached garage would exceed maximum height requirements and be located closer to the street than the main dwelling on the subject property. The proposed breezeway would connect the dwelling to a carport which then connects to the detached garage on the subject property.

The effect of this variance is to permit a maximum 65 square metre detached garage including carport with a maximum height of 5.4 metres to be located a minimum distance of 21.0 metres from the front lot line and to be connected with a breezeway to the proposed single detached dwelling. It should be noted that the lands are zoned Residential (R3-211) in the former Township of Collingwood Zoning By-law No. 83-40; and that:

- a) Section 5.2(iii) of the By-Law requires accessory buildings and structures to be located no closer to the street than the main building;
- b) Section 5.2(v) requires accessory buildings and structures to have a maximum height of 4.5 metres in residential zones;
- c) Section 5.2(vii) requires accessory buildings and structures to have a 2.0 metre separation from the main building; and
- d) Section 5.2(viii) requires accessory buildings or structures not to be attached to the main building in any way.

Secretary/Treasurer stated that the Public Notice was circulated and posted in accordance with the Planning Act. Comments were received from the following: *Grey County Planning Dept.* – referred to Sections 5.2(iii), 5.2(v) and 5.2(vii) of Zoning By-law 83-40 and although they have no concern with allowing a breezeway, they felt the application should have been accomplished through the zoning by-law process.

TOTBM Director of Building & By-law – no objection/concern

TOTBM Engineering & Public Works – no concerns

TOTBM Planning Staff – no objection.

Shawn Postma spoke on behalf of the Town Planning Dept stating that, although the Town is in the midst of preparing a consolidated municipal zoning bylaw, comments given are still based on the current Zoning By-law No. 83-40. The by-law states that if the garage is to be attached to the main building it is to be continuous living space. The design of the home with the breezeway tends to be leaning towards newer architectural styles and trends which will be reviewed during the new by-law process.

Janet Findlay, applicant, and Brian Harkness were in attendance. Ms. Findlay has allergies to car fumes and does not want the car to be in an enclosed area dispersing car fumes. She would like to be able to walk from the car to the house without being engulfed in fumes. She stated that there would be limited storage area above the breezeway.

Judy Betts @ 287 Sunset Boulevard was in attendance and asked how old the Zoning By-law is that staff are referring to. In answer, the By-law is No.83-40. Ms. Betts then asked for an explanation of the Comprehensive Zoning By-law and its function. Shawn Postma provided an explanation to her also noting that the Lora Bay development has a specific by-law which came into effect in 2007, being Phase 3 of the development.

The applicant stated that there would be a concrete walkway from the house to the garage and that no change to the design of the building permit other than the walls being removed from the breezeway.

Ms. Betts questioned the height of the structure in relation to the residents on Sunset Blvd. The applicant stated that they have actually lowered the pitch of the house so that it would not be too intrusive to surrounding residents.

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

Chairman Remus read aloud the Decision and Reasons thereof.

Moved by: Bob Waind

Seconded by: Shiela Metras

THAT the Committee of Adjustment GRANT Minor Variance Application No. A17-2008 in order to permit a maximum 65 square metre detached garage including carport with a maximum height of 5.4 metres to be located a minimum distance of 21.0 metres from the front lot line and to be connected with a 4 metre long by 4 metre wide breezeway to the proposed single detached dwelling 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.08.126. Carried.

D. Correspondence: nil

E. New & Unfinished Business: nil

F. **Next Meeting Date** – January 15, 2009

G. **Adjournment:**

Moved by: Bob Waind

Seconded by: Shiela Metras

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