



Minutes

Committee of Adjustment

Meeting Date: December 20, 2017
Meeting Time: 4:00 pm
Location: Town Hall Council Chambers
32 Mill Street, Thornbury ON
Prepared by Lori Carscadden – COA Secretary/Treasurer

A. Call to Order

Chairman Morgan called the meeting to Order with the following members in attendance, being David Morgan, Robert Waind and Bill Remus. Also attending was Town Planner Travis Sandberg as well as Secretary/Treasurer Lori Carscadden who read aloud the Fire Evacuation Notice.

A.1 - Approval of Agenda: Moved by: Robert B. Waind Seconded by: Bill Remus
"THAT the Agenda of December 20, 2017 be approved". Carried

A.2 – Declaration of Pecuniary Interest: none

A.3 - Adoption of Previous Minutes

Moved by: Robert B. Waind Seconded by: Bill Remus
"THAT the Minutes of November 14, 2017 be adopted". Carried

A.4 – Business Arising from Previous Minutes – none

B. – Deputations/Presentations – none

C. Public Meeting – 4:00 p.m.

C.1 Application No: A17-2017
Owners: Lucie Dejardins & Kirby Philp
Location: Lot 47, Plan 515
Civic Address: 136 Sunset Boulevard

Chairman Morgan read aloud the applications purpose and effect wherein the applicants seek a reduction in the rear yard setback requirement of the Residential Third Density (R3) zone of the Township of Collingwood Zoning By-law 83-40.

The purpose and effect of the proposed variance is to allow a 6.0m reduction to the required 9.0m rear yard setback to permit the construction of a 49.8m² addition to the existing single detached dwelling on the property.

Two additional variances are included as housekeeping items to recognize existing zoning deficiencies on the property with respect to lot frontage (19.34m, where 24m is required) and setback to the centreline of the road allowance (17.0m, whereas 17.5m is required).

The property is legally described as Plan 515, Lot 47, The Blue Mountains.

The Secretary/Treasurer stated that the Public Hearing Notice was circulated in accordance with the *Planning Act* by pre-paid first class mail. The Notice was provided to the Owners to be posted on the subject lands.

Comments were received from the following:

Grey Sauble Conservation Authority (NVCA) – no concerns;

Lands & Resources Historic Saugeen Metis – no objection;

Infrastructure & Public Works – no comments;

Planning Department – meets the four test of the Planning Act and would recommend approval.

As the property is considered to be a corner lot, discussion was had regarding the frontage as the house has been built on the longest portion of the frontage. The definition of a “corner lot” is the shorter of the two sides abutting the right-of-way. The lot is privy to significant blind spots on Sunset Boulevard and the building is now the only portion of significant overlay. Further, it was noted that the relief from the zoning by-law is for the storage shed as the garden shed was constructed through the building permit process and therefore it is in compliance. When the storage shed was built, it did not require a building permit due to its size.

As well, the minor variance will also identify two “housekeeping” issues.

Owners Lucie Dejardins and Kirby Philp were in attendance. Ms. Dejardins noted that there is no basement and the addition will give them more living space. As well the addition will be constructed on a non-bearing wall. It is also their intention to preserve the existing woodlot. As there were no other person(s) in attendance to speak in favour of or in opposition to the variance, Chairman Morgan closed the Public Hearing portion of the meeting.

Motion to adopt the Planning Staff Report #PDS.17.112

Moved by: Robert B. Waind Seconded by: Bill Remus Carried.

Motion:

Moved by: Robert B.Waind Seconded by: Bill Remus

REASON FOR DECISION:

“THAT the Committee of Adjustment GRANT Minor Variance Application No. A17-2017 to permit the construction of a 49.8m² addition to the existing dwelling at a rear yard setback of 3.0m and to recognize existing site deficiencies, in accordance with the submitted site sketch.

CONDITIONS:

1. That the development be constructed in a manner substantially in accordance with the survey attached as Attachment #1;
2. That positive written comments are received from the Grey Sauble Conservation Authority, rather than an Environmental Impact Statement, to confirm that the proposed addition will not impact the significant woodland areas of the property. Any recommendations of the Conservation Authority shall be satisfied prior to the issuance of a building permit; and
3. That this variance to the zoning by-law is for the purpose of obtaining a building permit and is only valid for a period of two years from the date of this decision. If a building permit has not been issued by the Town within two years, the variance shall expire on December 20, 2019.

REASON FOR DECISION:

The Committee is satisfied that the application meets the four tests for minor variance of s.45. (1) of the Planning Act, as noted in the Planning and Development Services Staff Report PDS.17.112.

The Committee received written and/or oral submissions before and/or during the hearing and have taken these submissions into consideration when making the decision". Carried

C.2 Application No: A18-2017
Owners: Randall and Jane Litchfield
Legal Description: Part Lot 38, Concession 11
Civic Address: 389 Sunset Boulevard

It was brought to the Committee members attention that the Notice of Public Hearing had not been picked up and posted on the subject lands. Section 3 of Ontario Regulation 200/96 requires that:

"S.3 (1) *At least 10 days before the day of a hearing on an application for a minor variance... notice shall be given in compliance with subsection (2) or (4) but need not be given in compliance with more than one of those subsections"*

(2) *"Notice under subsection (1) may be given **by doing both of the following:***
(emphasis added)

1. *Giving notice by personal service or ordinary mail to every owner of land within 60 metres of the area to which the application applies.*
2. *Posting a notice, clearly visible and legible from a public highway or other place to which the public has access, at every separately assessed property in the area to which the application applies or, where posting on the property is impractical, at a nearby location chosen by the secretary-treasurer."*

Discussion was had as to whether or not the minor variance is really necessary with Town Planner Travis Sandberg stating that because the applicants are proposing a twenty foot breezeway without closing it fully off, a variance is required. A fully enclosed structure relies on the same structural wall, however this is not the desire of the applicants.

The Committee members requested that the applicants be notified that the application was postponed to the next scheduled Committee meeting, being January 17, 2018, and should the applicants wish to bring the same application before the Committee at that time, they would give consideration to the variance.

As there were no other persons in attendance to speak in favour of or in opposition to the variance, Chairman Morgan closed the meeting.

D. New and Unfinished Business - none

E. Next Meeting Date – January 17, 2018

F. Adjournment

Moved by: Robert B. Waind

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