



Minutes

Committee of Adjustment

Meeting Date: December 21, 2016
Meeting Time: 4:00 pm
Location: Town Hall Council Chambers
32 Mill Street, Thornbury
Prepared by Lori Carscadden – COA Secretary/Treasurer

A. Call to Order

Chairman Waind called the meeting to Order with the following members in attendance, being David Morgan and Bill Remus, as was Secretary/Treasurer Lori Carscadden who read aloud the Fire Evacuation Notice. Town Planner Denise Whaley was absent.

Approval of Agenda: Moved by: David Morgan Seconded by: Bill Remus
"THAT the Agenda of December 21, 2016 be approved". Carried

Declaration of Pecuniary Interest: none

B. Adoption of Previous Minutes

Moved by: Bill Remus Seconded by: David Morgan
"THAT the Minutes of October 19, 2016, be adopted". Carried

C. Public Meeting – 4:00 p.m.

C.1 Application No: A23-2016
 Owners: Keith & Helen Andersen
 Location: East Part Lot 14, Concession 11
 Civic Address: #415906 10th Line - Redwing

Chairman Waind read aloud the applications purpose and effect of the variance which is to construct a new detached garage on their property. Their preferred location for the garage does not conform to the required side yard of the Zoning By-law. A "required yard" is an area on the lot that must be open to the sky with no buildings or structures. This area is also known as a "side yard setback".

If this Variance Application is approved, it will permit a detached garage to be constructed with a 1.0 metre side yard, where Schedule "AA" of the Zoning By-law requires 7.5 metres.

This application applies to the property known legally as Concession 11, East part of Lot 14, RP16R4552 Part 2, being #415906 10th Line, Redwing.

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 County Planning Department – no concerns

Grey Sauble Conservation Authority – no objection and no permit is required;

Lands and Resources (Historic Saugeen Metis) – no objection;

TOTBM Community Services – no concerns;

TOTBM Infrastructure and Public Works – no comments

TOTBM Planning Department – this proposal meets the four tests of the Planning Act and Town staff would recommend support of the application.

It was noted that the legal description provided in the Public Notice indicated that the property is part of a reference plan. The Owner/Applicant, Mr. Andersen, was in attendance and he noted that the parcel of land next to him would be approximately 20 feet from his house and his neighbour's house would be on a parcel of land of approximately 20 acres, so he did not see how there could be any impact of any type to himself or his neighbor.

It was questioned why he chose to build the proposed garage so close to the side yard setback with Mr. Andersen replying that there is an existing two car family garage and should he construct the second garage beside the other, there would be an extremely small distance between them which would not enable them to function easily with vehicles, lawn equipment etc.

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

Motion to adopt the Planning Staff Report #PDS.16.159

Moved by: David Morgan

Seconded by: Bill Remus Carried.

Motion:

Moved by: Bill Remus

Seconded by: David Morgan

“THAT the Committee of Adjustment GRANT Minor Variance Application No. A23-2016 to allow a detached garage to be constructed with a minimum side yard setback of 1.0 metre, where Zoning By-law 83-40, Section 5.2 (ii), (iv) and Schedule “AA” requires 7.5 metres.

CONDITIONS:

1. That the development is constructed substantially in accordance with the attached site plan.
2. This variance to the zoning by-law is for the purpose of obtaining a building permit and is valid for a period of two years from the date of the decision only. If a building permit has not been issued by the Town within two years, the variance shall expire. (*Expires December 21, 2018*)

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.16.159". Carried

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.

D. Correspondence – none

E. New and Unfinished Business - none

F. Next Meeting Date – January 18, 2017

G. Adjournment

Moved by: David Morgan

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