



Minutes

Committee of Adjustment

Meeting Date: February 15, 2017
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 Town Planner Denise Whaley and Secretary/Treasurer Lori Carscadden who read aloud the Fire Evacuation Notice.

Approval of Agenda: Moved by: David Morgan Seconded by: Bill Remus
"THAT the Agenda of February 15, 2017 be approved". Carried

A.3 – Election of new 2017 Chairperson, if deemed desirable

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

"THAT David Morgan be appointed Chairperson of the Committee of Adjustment for the year 2017". Carried.

The Committee then moved to **Item "D" – New & Unfinished Business**, wherein the Committee members discussed the upcoming OACA Conference in Ottawa, June 4-7th. All three members have interest in attending the Conference and requested that the Secretary make arrangements for their accommodation. As well, the Secretary will enquiry into the "Companion Program" and advise the Committee members.

B. Adoption of Previous Minutes

Moved by: David Morgan Seconded by: Bill Remus
"THAT the Minutes of December 21, 2016 be adopted". Carried

A.5 – Declaration of Pecuniary Interest

At this time Committee member Robert B. Waind declared a Pecuniary Interest in Minor Variance A01-2017 for Grazyna & Jacek Stepniak, 106 Tyrol Avenue, Swiss Meadows, as he is an adjacent neighbor to the applicants, and vacated the Public Meeting.

C. Public Meeting – 4:00 p.m.

C.1 Application No: A01-2017
Owners: Grazyna & Jacek Stepniak
Location: Part Block A, Plan 807
Civic Address: 106 Tyrol Avenue – Swiss Meadows

Chairman Morgan read aloud the applications purpose and effect of the variance which is to construct a new detached garage on the property, but the proposed location does not meet the provisions of the zoning by-law.

This application is seeking relief from Sections 5.2 (ii), (iii) and Schedule “AA” of the by-law, to allow a garage to be located in the required “front yard” and setback 6.7 metres (22 feet) from the front lot line, where the zoning by-law requires the garage be setback at least the same distance as the main building.

The legal description of the lands is Plan 807, Part of Block A, RP16R1767, Part 13 (formerly the Township of Collingwood), Town of 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 Owner/Applicant to be posted on the subject lands.

Comments were received from the following:

Grey County Planning Department – the property is within their Special Policy Area wherein karst may be prevalent; suggests that test holes be dug to ensure no karst is evident, otherwise they have no concerns;

Grey Sauble Conservation Authority – noted that the property is within the Special Policy Area of the County’s Official Plan and therefore there is a potential for karst; no other concerns;

Niagara Escarpment Commission – no objection;

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

TOTBM Community Services – no concerns;

TOTBM Infrastructure and Public Works – an entrance permit will be required to relocate the entrance to align with the new garage, if necessary;

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

Mr. Stepniak, the owner and applicant, was in attendance. He explained that the location of the proposed garage would not be suitable anywhere else on the lot due to a large row of existing trees that he does not wish to remove. Also, by moving the garage closer to the front yard, it will allow them to access their back yard.

With regard to the Town’s Infrastructure and Public Works comments pertaining to a new entrance being required in order to realign the entrance with the new garage, Mr. Stepniak stated that he does not think it necessary to widen the entrance as he feels they can work with what’s existing.

Town Planner Denise Whaley spoke to the County of Grey’s comments regarding possible karst on the subject lands and noted that if the property were a vacant lot then

it may be necessary for test holes but since it is already an established residence it would, in all likelihood, be unnecessary. Also, if the property had water and sewer services then it would be exempt of any test holes.

Ms. Whaley also made note to the Committee and the owner/applicant that minor variances now have two years from the date of granting to have the proposal constructed or the variance will expire.

As there were no other persons 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.17.17

Moved by: Bill Remus

Seconded by: David Morgan Carried.

Motion:

Moved by: Bill Remus

Seconded by: David Morgan

“THAT the Committee of Adjustment GRANT Minor Variance Application No. A01-2017 to allow a detached garage to be constructed in a required front yard, setback a minimum setback of 6.7 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 February 15, 2019)

REASONS 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.17.17”.

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.

D. Correspondence – none

E. New and Unfinished Business - see above

F. Next Meeting Date – March 15, 2017

G. Adjournment

Moved by: Bill Remus

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