



- A reduction in the front yard setback to 0.4m, whereas a minimum of 7.5m is required in the R2 zone; and
- An increase in lot coverage to 35.9%, whereas a maximum of 35% is required in the R2 zone.

The property is legally described as Plan 533, Lot 21, Part Lot 20 and 22, Registered Plan 16R-6066, Part 2.

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 Placard was provided to the Applicants to be posted on the subject lands.

Comments were received from the following:

- County of Grey Planning Dept – no concerns provided positive comments are received from the Grey Sauble Conservation Authority
- Grey Sauble Conservation Authority – no objection; sufficient coastal information has been provided for review; a permit is required from the GSCA prior to any development of the site;
- Historic Saugeen Metis – no objection
- David Small – neighbor – the setback from 7.5 m to 0.4 m is huge; could be setting a precedent to other property owners; feels this is more than a minor variance;
- Infrastructure & Public Works – no comment
- Town of The Blue Mountains Planning Services Department –meets the four test of the Planning Act and recommends approval subject to the conditions as outlined in Planning Staff Report #PDS.18.15.

Travis Sandberg, Town Planner, noted that all of the property owners setbacks along Lakeshore Drive are significantly close to the shoreline. The applicants chose to submit a minor variance as it was a simpler process than having to acquire an Ontario Land Survey (OLS) as the measuring required would be quite onerous.

William and Isabel Thornhill, being the applicants, were in attendance. Mr. Thornhill stated that the variance would allow them to have enough room to install steps. The existing garage currently extends out into the setback and through this variance it would be moved back and improving the parking as well.

Mr. Sandberg provided an overview of Planning Staff Report #PDS.18.15. He noted that the variance would permit a minimum lot area of 523.3 sq.m. wherein the By-law currently requires a minimum lot area of 555 sq.m. Through this variance, an encroachment on the left side of the property will be corrected as well as the front south exterior side yard setback on the East side. He further indicated that the applicant had had a preliminary discussion with Town staff in the Infrastructure and Public Works Dept (IPW) regarding moving the existing garage back, thus maintaining the status quo. The proposed 8 m. wide, two car garage will rectify parking on the street and maintain the existing landscape.

With regard to Mr. Small's comments, Travis indicated that he replied to Mr. Small stating that the variance would maintain the status quo of the street and that the variance would, in some regard, improve the existing front yard setback encroachment of the existing dwelling.

Chairman Waind spoke as well to Mr. Small's concern as to whether or not this application could set a precedence to other property owners along Lakeshore Drive. He noted that each

application is reviewed solely on its own individual merits. The Committee does not set a precedence, as it is a privilege not a right. This proposed variance would, in many instances, improve the existing situation.

Mr. Sandberg brought to the Committee's attention that there was an error in the Public Notice, in that the required minimum front yard setback of 7.5 m. should have read 9 m. The Committee members did not feel that the difference in the setback would have any impact on the variance as the setback would be in the same location of the existing travelled road. As there were no other persons in attendance to speak in favour of or in opposition to the variance, Chairman Waind closed the public meeting.

Motion to adopt the Planning Staff Report #PDS.18.15

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. A02-2018 to permit the construction of a 187.5m<sup>2</sup> single detached dwelling with a front yard setback of 0.4m and a maximum lot coverage of 35.9%, 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; and
2. 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 February 20, 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.18.15.

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:              A03-2018  
            Owner/Applicant:              David and Lisa Sands  
            Legal Description:              Lot 17, Plan 16M-20  
            Civic Address:                  133 Barton Boulevard (Camperdown Area)

Chairman Waind read aloud the Public Meeting Notice, including the purpose and effect of the application, wherein the property owner wishes to construct a 198.2m<sup>2</sup> single detached dwelling on the subject lands. The property is subject to the provisions of the Residential Third Density Exception (R3-169) zone, which permits development on the lot within a pre-determined site specific building envelope. It has been discovered that the pre-determined building envelope encroaches into the required 15m setback from the top of a bank associated with a watercourse.

The proposal requests relief from the site specific building envelope of the property to develop the site in accordance with the standard setback provisions of the Residential Third Density (R3) zone. A minimum setback of 15m to the top of bank along the rear lot line will be maintained.

The legal description of this property is Plan 16M20, Lot 17 (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 Placard was provided to the Owners to be posted on the subject lands.

Comments were received from the following:

County of Grey Planning Department – a small portion of the property is within the Significant Woodlands and recommends comments be received from the Grey Sauble Conservation Authority; the property is within the special policy area wherein an Environmental Impact Study could be required, however when areas where full municipal water and sewer are already installed this requirement shall not apply; no concerns.

Grey Sauble Conservation Authority – no objection; was previously identified as being acceptable;

Historic Saugeen Metis – no objection

Infrastructure and Public Works – no comments

Town Planning Department – meets the four tests of the Planning Act and staff would support the variance subject to any conditions identified in the Planning Staff Report #PDS.18.16.

Travis Sandberg, Town Planner, noted that some of the properties along Barton Boulevard have hazard lands associated with the lands. The building envelopes are created to ensure that these hazard lands are protected and that no building encroaches into them. The proposed variance is not moving the building envelope but rather adjusting it, otherwise the application would be a zoning by-law amendment. In this case, however, the adjustment is only minor. As was shown on the overhead screen, a small stream runs along the edge of the property and into the hazard lands. Also depicted was that the top of the bank also encroaches into the property, giving more reason to adjust the building envelope. Any regard to flooding would be addressed through the Grey Sauble Conservation Authority.

David Sands and his Contractor were in attendance.

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

Motion to adopt the Planning Staff Report #PDS.18.16

Moved by: David Morgan      Seconded by: Bill Remus      Carried

Motion:

Moved by: David Morgan      Seconded by: Bill Remus

“THAT the Committee of Adjustment GRANT Minor Variance Application No. A03-2018 to permit the construction of a 187.5m<sup>2</sup> single detached dwelling within an adjusted site specific building envelope, 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 a minimum 18.6m rear yard setback be maintained, as per the survey below; and
3. 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 decision. If a building permit has not been issued by the Town within two years, the variance shall expire on February 20, 2020.

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.18.16.

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. New and Unfinished Business:** none

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**E. Next Meeting Date:** March 28, 2018

**F. Adjournment**

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Moved by: David Morgan

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