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Collingwood Zoning By-law No. 83-40, as amended, and that the required front yard setback is 7.5 metres and the required rear yard setback is 9.0 metres.

The land affected by this application is described as Part of Lot 161, Plan 529.

Secretary/Treasurer stated that the Public Hearing Notice was circulated in accordance with the *Planning Act*. The Notice was provided to the Owners Agent and was posted on the subject property.

Comments were received from the following:

*Grey County Planning and Development Dept.* – they have received comments from the Transportation Services who have no objections; the County have no concerns; *Grey Sauble Conservation Authority* – a permit for stormwater management has been issued; the proposed development is outside the hazard area; natural heritage features were addressed through the plan of subdivision process; no other permits are required and they have no objections;

*Ontario Hydro* – no comments or concerns;

*Catherine Elton, neighbouring property owner at 128 Lakeshore Road East* — had concerns with lot sizes back in 2009 when the plan of subdivision was first proposed; still feels that the lot sizes do not accommodate the proposed homes; object to the variance and would ask that the homes be built to meet the current setback requirements of the zoning by-law;

*TOTBM Engineering Dept.* – final subdivision drawings must reflect the proposed building envelopes and demonstrate grading is to Town Engineering standards;

*TOTBM Planning Dept.* – recommends approval.

Andrew Pascuzzo, D.C. Slade Consultants Inc, being the Agent for the Owner, was in attendance. He stated that the plan of subdivision was first initiated in 2008. He noted that there are additional lands to be dedicated to the Town for trail purposes as well as a 30 metre buffer from the watercourse. The Nipissing Ridge is protected and no other buildings are allowed to be built along that area. As well, northwest of the site is a 6.0 metre servicing corridor and drainage area to be dedicated to the Town.

Through discussions, it was noted that the proposed dwelling, being on Lot 4, is not for the purpose of a model home. It was noted that in 2013 permission was granted to allow for one model home on the plan of subdivision. At some point, a model home could be built on a lot within the plan of subdivision.

Mr. Pascuzzo further stated that there is adequate buffering up to the Nipissing Ridge and that they have broadened the open space around the existing schoolhouse.

Catherine Elton, 128 Lakeshore Road East, was in attendance. She stated that the plan of subdivision already depicts dwelling units on each of the nine lots, so it is her assumption that the size of the homes have already been decided upon. She questioned what would happen should someone purchase a lot and not want the already shown dwelling plan, perhaps wanting something larger. She noted that the

dwellings shown on each lot are already very tight leaving very little room for any expansion. Would they then be back to the Committee of Adjustment for a minor variance and is this not setting a precedence.

Chairman Waind replied stating that each minor variance application that comes before the Committee is dealt with individually and reviewed on its own merits. No precedence is to be set by any application received as they are reviewed and a decision made strictly on the information provided in each application. The information provided is what the Town and the Committee review in order to make any comments and/or decision on.

Mr. Finbow, Director of Planning and Building Services, was in attendance and stated that the Town endeavours to be comprehensive in its planning approach and that when this plan of subdivision was first received was quite different than what we have before us now. The lots within this plan of subdivision can now be considered viable building lots. Further, the design of the dwellings shown on each of the lots does not mean that is what will be built. Through the Town's planning and engineering, the developer had to indicate that dwellings could be built within each building envelope on the plan, thereby the reason why each dwelling shown has a different design, so that it can fit the building envelope on the lot.

Catherine Elton noted that around Lots 1, 2 & 3 a swale has been built that is quite large and high. She feels that this swale has assisted in downsizing the lots size even more. Also, she notes that the amenities they have always enjoyed will not be the same and thinks that this will decrease their own property values.

No other members of the public were in attendance to speak either in favour of or in opposition to the application. Chairman Waind then closed the Public Hearing portion of the Meeting.

Moved by: David Morgan  
TO adopt Planning Staff Report #PL.14.30".

Seconded by: Robert B. Waind  
Carried.

Moved by: David Morgan  
DECISION:

Seconded by: Robert B. Waind

"THAT the Committee of Adjustment GRANT Minor Variance Application No. A03-2014 in order to permit the construction of a maximum 256 square metre (2,756 square foot) foot print area one-storey single detached residential dwelling on Draft Lot 4, Draft Plan of Subdivision 42T-2008-07, with such dwelling located a minimum distance of 6.0 metres from the front lot line (Schoolhouse Court) and, a minimum distance of 6.0 metres from the rear lot line, for Lot 4, Draft Plan of Subdivision 42T-2008-07, as approved, on the subject property.

CONDITION(S):

1. That the proposed single detached residential dwelling be constructed substantially in accordance with the drawings date stamped received by the Town on February 19, 2014, as further attached to Planning Staff Report PL.14.30;
2. That this decision apply to Lot 4, Draft Plan of Subdivision 42T-2008-07; and,
3. That Draft Plan of Subdivision 42T-2008-07 shall be registered in accordance with the *Planning and Registry Acts*.

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.14.30". Carried.

C.2	Application No:	A04-2014
	Owner:	Bill Bannerman
	Agent:	Andrew Pascuzzo, D.C. Slade Consultants Inc.
	Location:	Part Lot 161, Plan 529 being Lot 9, Draft Plan of Subdivision 42T-2008-07

Chairman Waind called the meeting to Order. He read aloud the applications' purpose and effect of the variance which is to consider a request by the Owner to construct a single detached residential dwelling that would be located within the minimum rear yard setback on Lot 9 within Draft Plan of Subdivision 42T-2008-07. Construction will not commence until all conditions of draft plan approval have been cleared with the County of Grey and the plan of subdivision registered in accordance with the provisions of the *Planning and Registry Acts*.

The effect of this variance is to permit the construction of a maximum 256 square metre (2,756 square foot) foot print area one-storey single detached residential dwelling on Draft Lot 9, Draft Plan of Subdivision 42T-2008-07, with such dwelling located a minimum distance of 7.4 metres from the rear lot line. It is noted that the lands are zoned Residential Third Density Holding (R3-h) pursuant to the (former) Township of Collingwood Zoning By-law No. 83-40, as amended, and that the required rear yard setback is 9.0 metres.

The land affected by this application is described as Part of Lot 161, Plan 529.

Secretary/Treasurer stated that the Public Hearing Notice was circulated in accordance with the *Planning Act*. The Notice was provided to the Owners Agent and was posted on the subject property.

Comments were received from the following:

*Grey County Planning and Development Dept* - they have received comments from the Transportation Services who have no objections; the County have no concerns;

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*Grey Sauble Conservation Authority* – a permit for stormwater management has been issued; the proposed development is outside the hazard area; natural heritage features were address through the plan of subdivision process; no other permits are required and they have no objections;

*Catherine Elton - neighbouring property owner, Lot 128 Lakeshore Road East* — had concerns with lot sizes back in 2009 when the plan of subdivision was first proposed; still feel that the lot sizes do not accommodate the proposed homes; object to the variance and would ask that the home be built to meet the current setback requirements of the zoning by-law;

*TOTBM Engineering and Public Works* – final subdivision drawings must reflect the proposed building envelopes and demonstrate grading is to Town Engineering standards;

*TOTBM Planning Department* – recommends approval.

Andrew Pascuzzo, D.C. Slade Consultants Inc, Agent for the Owner, was in attendance. He spoke to the lot sizes noting that the design of the homes have changed from what was first proposed. He feels they now better fit the building envelopes of each lot.

He further stated that the R3 zone designation within the Municipal Zoning By-law permits lots a minimum of 550 square metres wherein Lot 9 is 890 square metres, quite larger than what is permitted. However, both Lots 4 and 9 are irregular shaped lots and make it more challenging to design a dwelling to fit within the required setbacks. He does realize that a small adjustment to the dwelling on Lot 9 could have alleviated having to apply for a minor variance, but it is the owner’s desire for this house design and size.

Through discussion it was noted that the Town and the developer must have regard to streetscape.

Catherine Elton, 128 Lakeshore Road East, was in attendance. She stated that her concerns for Lot 9 are the same as the ones she had for Lot 4.

No other members of the public were in attendance to speak either in favour of or in opposition to the application. Chairman Waind then closed the Public Hearing portion of the Meeting.

Moved by: David Morgan  
TO adopt Planning Staff Report #PL.14.31”.

Seconded by: Robert B. Waind  
Carried.

MOVED BY: David Morgan  
DECISION:

Seconded by: Robert B. Waind

“THAT the Committee of Adjustment GRANT Minor Variance Application No. A04-2014 in order to permit the construction of a maximum 256 square metre (2,756 square foot) foot print area one-storey and loft single detached residential dwelling on Draft Lot 9, Draft Plan of Subdivision 42T-2008-07, with such dwelling located a minimum distance of 7.4 metres from the rear lot line, for Lot 9, Draft Plan of Subdivision 42T-2008-07, as

approved, on the subject property.

CONDITION(S):

1. That the proposed single detached residential dwelling be constructed substantially in accordance with the drawings date stamped received by the Town on February 19, 2014, as further attached to Planning Staff Report PL.14.31;
2. That this decision apply to Lot 9, Draft Plan of Subdivision 42T-2008-07; and,
3. That Draft Plan of Subdivision 42T-2008-07 shall be registered in accordance with the *Planning and Registry Acts*.

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.14.31". Carried.

C.3	Application No:	A05-2014
	Owner/Applicant:	Karin Rovinelli
	Agent:	Brad Abbott, Abbott Design
	Location:	Part Lot 3 & Part Lot 4, Plan 822
	Civic Address:	115 Sleepy Hollow Road

Chairman Waind called the meeting to Order. He read aloud the applications' purpose and effect of the variance which is to construct two additions onto the existing single detached residential dwelling and construct a garage canopy that would be located within the minimum rear yard setback. It is noted that a portion of the existing balconies would be removed for the construction of the second floor addition and ground floor addition with balcony above; and that the two additions to the existing single detached residential dwelling would be no closer to the rear lot line than the existing balconies to be removed.

The effect of this variance is to permit the construction of a maximum 16.25 square metre (175 square foot) second floor addition to the existing two-storey single detached residential dwelling to be located a minimum distance of 2.6 metres from the rear lot line; permit the construction of a maximum ground floor addition of 30.84 square metre (332 square foot) ground floor addition with balcony above to be 4.3 metres from the rear lot line; and permit the construction of a maximum 11.7 square metre (126 square foot) garage canopy to be located a minimum distance of 3.9 metres from the rear lot line. It is noted that the lands are zoned Residential Third Density (R3) pursuant to the (former) Township of Collingwood Zoning By-law No. 83-40, as amended. It is further noted that Schedule 'AA' of the By-law requires a minimum rear yard setback of 9.0 metres within the Residential Third Density (R3) Zone; and that Section 5.23(a) permits yard encroachments for canopies (eaves) up to a maximum distance of 1.0 metre into any required yard setback.

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The land affected by this application is described as Part Lot 3 and Part Lot 4, Plan 822; Parts 1 and 5, RP 16R-1610 (115 Sleep Hollow Road).

Secretary/Treasurer stated that the Public Hearing Notice was circulated in accordance with the *Planning Act*. The Notice was provided to the Owners Agent and was posted on the subject property.

Comments were received from the following:

*Grey County Planning and Development Dept* - no concerns;  
*Grey Sauble Conservation Authority* – the property is located within an older existing plan of subdivision; Ontario Regulation 151/06 is associated with an adjacent watercourse and the glacial Lake Nipissing shoreline or ridge and a permit is required from their office prior to construction; the setback is acceptable from a hazard land perspective based on a recent site inspection; no objection;  
*Niagara Escarpment Commission* - no objection;  
*TOTBM Engineering and Public Works* – no comments  
*TOTBM Planning Department* – recommends approval.

Brad Abbotts, Abbott Design, Agent for the Owner was in attendance. He also introduced the Owner Karin Rovinelli as well as Eugene and Christopher Rovinelli. Mr. Abbotts stated that the purpose of the minor variance is to allow expansion of the existing kitchen. At the same time it is proposed to square off an existing deck to allow for better space and use of the area. A canopy over the garage is also planned to better protect against the elements of the weather, i.e. rain & snow. Mr. Abbotts noted that the closest neighbour is quite a distance away on Kitzbuhl Crescent.

No other members of the public were in attendance to speak either in favour of or in opposition to the application. Chairman Waind then closed the Public Hearing portion of the Meeting.

Moved by: David Morgan  
TO adopt Planning Staff Report #PL.14.32”.

Seconded by: Robert B. Waind  
Carried.

MOVED BY: David Morgan  
DECISION:

Seconded by: Robert B. Waind

“THAT the Committee of Adjustment GRANT Minor Variance Application No. A05-2014 in order to permit the construction of a maximum 16.25 square metre (175 square foot) second floor addition to the existing two-storey single detached residential dwelling to be located a minimum distance of 2.6 metres from the rear lot line; permit the construction of a maximum 30.84 square metre (332 square foot) ground floor addition with balcony above to be 4.3 metres from the rear lot line; and, permit the construction of a maximum 11.7 square metre (126 square foot) garage canopy to be located a minimum distance of 3.9 metres from the rear lot line on the subject property.

CONDITIONS:

1. That the two proposed additions to the existing single detached residential

dwelling and the proposed garage canopy be constructed substantially in accordance with the drawings date stamped received by the Town on March 04, 2014, as further attached to Planning Staff Report PL.14.32.

**REASONS FOR DECISION:**

The Committee is satisfied that the application meets the four tests for minor variance, as noted in the Planning Staff Report PL.14.32". Carried.

D. Correspondence: none

E. New and Unfinished Business:

Chairman Waind gave a brief update as to the upcoming 2014 OACA Conference. He stated that all the Workshops have been confirmed, the companion program has been selected, the evening events have been organized and the registration forms circulated out as a package. Other than a few minor items everything seems to be coming together well. The OACA Directors are scheduled to meet within the next week.

F. Next Meeting Date: May 15, 2014

G. Adjournment

Moved by: David Morgan                      Seconded by: Robert B. Waind  
THAT this Committee of Adjustment meeting now be adjourned.      Carried.