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would expire and the driveway would no longer be permitted to cross the lot lines as proposed. Please see the drawing on the back of this notice.

The legal descriptions of the properties is Plan 1112, Lot 26 and Plan 1112, Lot 27, Town of The Blue Mountains.

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

Comments were received from the following:

*Grey County Planning and Development Dept.* – considering the existing development and due to the nature of the area an Environmental Impact Study (EIS) is not required; no further concerns;

*Grey Sauble Conservation Authority* – no permit is required for the installation of the proposed driveway and any additions to the existing dwelling; there are no significant natural heritage features however the existing tree cover on the property will provide habitat for wildlife; due to the sloping nature of the property it is recommended that any disturbed areas for the driveway be re-vegetated and stabilized immediately following the installation; a drainage plan is also recommended to ensure no negative impacts to neighbouring properties in conformity with the approved storm water plan of the subdivision;

*Grey/Bruce Public Health Unit* – no comments;

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

*TOTBM Community Services* – no issues;

*TOTBM Infrastructure & Public Works (IPW)* – a municipal land use permit will be required;

*TOTBM Planning Dept.* – recommends approval as noted in Planning Staff Report #PDS.16.75.

Question asked that the Committee is assuming that the driveway is not being considered a structure under the Planning Act and that should one of the properties be sold separately in the future that the variance would expire and the driveway would revert back as it was today? Town Planner Denise Whaley responded that both questions were correct.

Ms. Whaley noted that the Decision had been slightly modified to exclude having an expiry on the application should a building permit be issued on the vacant lot (Plan 1112, Lot 26). This modification had been discussed prior to the Public Hearing with the Owner/Applicant Mr. Augaitis.

Vidas Augaitis, Owner/Applicant was in attendance. He noted that he did discuss the modification with Ms. Whaley and was in agreement with the modification. He further stated that he did not think that they would ever sell one of the lots as both lots are required for the proposed driveway.

No other members of the public were in attendance to speak in favour of or in opposition to the variance so Chairman Waind then closed the Public Hearing portion of the meeting.

Motion to adopt Planning Staff Report #PDS.16.75.

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. A09-206 to permit a driveway in a front yard to be located with a setback of 0.0 metres from the side lot line on both properties, where Section 5.14.3.6 (a) (i) of By-law 83-40 requires a 2 metre setback from a side lot line.

CONDITIONS:

1. That the development is constructed substantially in accordance with the drawings attached as Appendix “A”.
2. That the variance shall expire should ownership of either lot be transferred to different persons or companies, and is valid so long as ownership remains in the name of the applicants Vidas Augaitis and/or Jone Panavas or either of their estates.

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.16.75”.  
Carried.

C.2	Application No:	A10-2016
	Owner/Applicant:	2335086 Ontario Inc (Dr. Michael Budrewicz)
	Location:	Part Lot 15, RP 16R-5051, Part 1
	Civic Address:	115 King Street East

Chairman Waind called the meeting to Order. He read aloud the applications purpose and effect of the variance which is to put a 69 sq m addition on the existing building (Thornbury Dental), and demolish a detached garage to allow for a larger parking area on the lot. The applicant would also like to install gravel to the parking area, rather than pavement or asphalt. The proposal requires relief from the zoning by-law for the side yard setback and the gravel parking area.

If this variance application is approved, the new addition would be permitted to be constructed with an interior side yard setback of 1.2 m, where the General Commercial Exception (C2-18) zone requires an interior side yard setback of 7.47 m, and a gravel parking area would be permitted, where Section 6.9.3.8 of the zoning by-law requires parking areas to be treated with asphalt, concrete or other pavement.

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The legal description of the property is: Town Plot, Part of Lot 15, King Street West Side, RP16R5051 Part 1, Town of The Blue Mountains.

Comments were received from the following:

*Grey County Planning and Development Dept.* – it is unlikely that the proposed development would pose a significant drinking water threat beyond the existing use but suggest comments be received from the Drinking Water Source Protection staff; being that the lands abut King Street East (Highway 26) which is a Provincial Highway and if this stretch of road is not part of a Connecting Links agreement then comments should be received from the Ministry of Transportation; provided positive comments are received from the Drinking Water Source Protection staff the County would have no further concerns;

*Grey Sauble Conservation Authority* – generally have no objection; any changes in drainage patterns and grading should be completed to the Town's satisfaction;

*Grey/Bruce Public Health Unit* – no comments;

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

*TOTBM Community Services* – no issues;

*TOTBM Infrastructure & Public Works (IPW)* – require details of the entrance regarding changes to the width, removal of trees to ensure sight lines and the entrance should be 8 metres wide; removal of the perpendicular parking on Elgin Street parallel parking only to eliminate backing out into traveled portion of the road and no parking within 10 metres of the intersection as per 2008-117 item 4 section VII;

*TOTBM Planning Dept.* – recommends approval as noted in Planning Staff Report #PDS.16.76.

It was questioned why there was a five year expiry date on the proposed gravel parking lot with Town Planner Denise Whaley stating that the expiry date was included as a condition in the Planning Staff Report because this parking lot is much larger and currently un-gravelled than any other proposal the Committee has dealt with in the past. It is only a suggested time line and is something that is open for discussion. It was then asked if this would mean that at the end of the five years the parking lot would have to be paved, with Ms. Whaley replying that yes it would.

Discussion on this matter continued with it being noted that the reason for having parking lots paved/concrete/asphalt is for dust control. It is unlikely, being where the parking lot is proposed, that any significant amount of dust would be generated. Also, if there is it was thought that the neighbouring businesses/public would be contacting the Town. It is unlikely that this area would be a high traffic area in any regard.

With regard to the County's comments concerning Drinking Water Source Protection, Ms. Whaley clarified that the mapping in the Source Water Protection Plan is incorrect however the County must still rely on that Plan until a revised/new Plan is in place.

Dr. Budrewicz, Owner/Applicant was in attendance. He stated that the reason to demolish the small existing building and provide for a larger parking lot is for safety of the public and for environmental reasons. He noted the business is busy and there just

isn't enough parking spaces for his seven current staff members and the clients coming and going. The side yard parking is necessary for his staff members, wherein the proposed parking lot would be for his patients to park off and away from Elgin street. He noted that the Town has asked that he maintain the current entrance which he is in agreement with. The Town's Chief Building Officer will have to decide whether or not a site plan agreement is required, as the proposed addition is a little larger than first proposed. Mr. Budrewicz agreed that the removal of the trees alongside Elgin Street would benefit traffic sight lines and would be in agreement to have them removed.

No members of the public were in attendance to speak in favour of or in opposition to the variance so Chairman Waind then closed the Public Hearing portion of the meeting.

Motion to adopt the Planning Staff Report #PDS.16.76.

Moved by: Bill Remus                      Seconded by: David Morgan                      Carried.

Motion:

Moved by: David Morgan                      Seconded by: Bill Remus

"THAT the Committee of Adjustment **GRANT** Minor Variance Application No. A10-2016 to permit an addition to be constructed with a minimum required side yard of 1.2 m, where Section 26 (18.) requires a minimum 7.47 m side yard; and, gravel parking surface for the expanded parking area, where Section 6.9.3.8 of the zoning by-law requires parking areas to be treated with asphalt, concrete or other pavement.

**CONDITIONS:**

1. That the development is constructed substantially in accordance with the drawings attached as Appendix "A"
2. That the variance to the minimum interior side yard of 1.2 metres be for the proposed addition only.
3. That the variance to the paved parking requirements shall apply to the expanded parking area only and shall expire five (5) years from the date of approval of the variance (June 15, 2021).

**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.16.76".

Carried.

**D. Correspondence:**

D.1 The Secretary provided the Ontario Municipal Board's Decision regarding Minor Variance A12-2015 (Home Hardware) and noted that the Board ordered the appeal to be dismissed and the variance be authorized "subject to conditions imposed by the Committee of Adjustment in their decision dated November 18, 2015".

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D.2 The Secretary noted that in a Newsletter received from the Environment and Land Tribunals Ontario that as of July 1, 2016 the Ontario Municipal Board's appeal fee is changing from \$125.00 to \$300.00.

E. New and Unfinished Business:

E.1 – OACA Conference in London – May 30<sup>th</sup> to June 1<sup>st</sup> – members provided an update on the Conference that they all attended and generally agreed that it was informative and enjoyable.

F. Next Meeting Date: July 20, 2016

G. Adjournment

Moved by: David Morgan

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