

Minutes: Committee of Adjustment



MEETING DATE: March 16, 2016
MEETING TIME: 4:00 p.m.
LOCATION: Council Chambers
PREPARED BY: Lori Carscadden – Secretary/Treasurer

Committee members Chairman Robert B. Waind, David Morgan and Bill Remus were in attendance as were Town Planner Denise Whaley and Secretary/Treasurer Lori Carscadden.

A. Call to Order

Secretary/Treasurer Lori Carscadden read aloud the Fire Evacuation Notice.

- Approval of Agenda

Moved by: Bill Remus

Seconded by: David Morgan

THAT the Agenda of March 16, 2016 be approved. Carried.

- Declaration of Pecuniary Interest - none

B. Minutes – Adopt

Moved by: David Morgan

Seconded by: Bill Remus

“That the Minutes of February 18, 2016, be adopted, as amended”. Carried.

C. Public Meeting – 4:00 pm

C.1 Application No:

A02-2016

Owners:

Stan & Jill Willington

Location:

Part Lot 9, Plan 113

Civic Address:

114 Russell Street West

Chairman Waind called the meeting to Order. He read aloud the applications purpose and effect of the variance which is to construct a 2.76 x 4.15 metre vestibule on the front of their house. The vestibule would encroach into the required front yard on the property in the Village Residential (VR) zone.

In the zoning by-law, a “required yard” is an area that must be open to the sky with no buildings or structures. The required front yard in the Village Residential (VR) zone is 7.5 metres, measured from the nearest part of the main building to the front lot line and

extending across the front of the property. This area is also sometimes referred to as a “front yard setback”.

Approval of this variance would give relief to Schedule “AA” of Zoning By-law 83-40, to allow the applicant to construct a vestibule on their house with reduced front yard of 6 metres.

The legal description of the property is: Plan 113, Part of Lot 9, Russell Street.

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. – County Official Plan designates the property as Primary Settlement Area; no further comments

Grey Sauble Conservation Authority – a permit is required; no natural hazard features were identified on-site and the development will be located outside of the 30 metre setback from the watercourse to the south;

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

Grey/Bruce Health Unit – no comments;

TOTBM Community Services – no concerns;

TOTBM Infrastructure & Public Works (IPW) – no comments;

TOTBM Planning Dept. – recommends approval as noted in Planning Staff Report #PDS.16.32.

Stan & Jill Willington, Owners/Applicants, were both in attendance.

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

Motion to accept Planning Staff Report #PDS.16.32.

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. A02-2016 to permit a reduced front yard of 6 metres to allow the construction of a vestibule on the dwelling.

CONDITIONS:

1. That the development be constructed substantially in accordance with the site plan attached as Appendix “A” to Staff Report PDS.16.32.

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.16.32". Carried.

C.2 Application No: A03-2016
 Owner: David Glick
 Agent: Gordon Stone
 Location: Lot 33, Plan 1127
 Civic Address: 189 Alta Road (Craigleith)

Chairman Waind called the meeting to Order. He read aloud the applications purpose and effect of the variance which is to allow for a second driveway on the property. The property is already developed as a residential lot on the corner of Alta Road and Escarpment View Court, and the house and driveways were previously installed. No changes to the property are proposed. If this variance is approved, it will give relief to Section 5.14.3.7 of the Zoning By-law, to allow a second driveway.

The property is legally described as Plan 1127, Lot 33, Town of The Blue Mountains.

Comments were received from the following:

Grey County Planning and Development Dept. – subject application conforms to the Recreational Resort designation in the County Official Plan; no concerns provided the location and access of the driveway is hazard-free;

Grey Sauble Conservation Authority – it is not anticipated that the proposal will result in any new negative impacts to the adjacent ANSI feature; no objection;

Niagara Escarpment Commission – no objection;

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

Grey/Bruce Health Unit – no comments;

TOTBM Community Services – no concerns;

TOTBM Infrastructure & Public Works (IPW) – an entrance permit is required;

TOTBM Planning Dept. – recommends approval as noted in Planning Staff Report #PDS.16.33.

Denise Whaley, Town Planner, noted that she was able to acquire, through the County of Grey, an updated aerial view from 2015. This enabled the Committee and public to see the actual residence and existing driveways located on the subject lands.

Neither the Agent or the Owner were in attendance.

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

Motion to accept Planning Staff Report #PDS.16.33.

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 A03-2016 to permit a second driveway on the lands, subject to no conditions.

CONDITIONS:

1. NIL

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.16.33”. Carried.

C.3	Application No:	A04-2016
	Owner:	Sterling Homes (Blue Mountain) Inc.
	Agent:	Krystin Rennie – Georgian Planning Solutions
	Location:	Part Lots 9 & 11, Block 17, Plan 1065 Part Rolling Green Court, RP 16R8321, Parts 11 to 18 (draft Unit 5 of Condominium Plan 2003-5)
	Civic Address:	277 Jozo Weider Blvd.

Chairman Waind called the meeting to Order. He read aloud the applications purpose and effect of the variance which is to construct a residential dwelling on the property that would encroach into the required side and rear yards, as well as the Hazard (H) Zone at the rear of the property.

In the zoning by-law, a “required yard” is an area that must be open to the sky with no buildings or structures. The required side yard in the Residential Third Density Exception (R3-215) zone is 2 m and the rear yard is 9 m. This area is also sometimes referred to as a side or rear “yard setback”.

Approval of this variance would give relief to Schedule “AA” and Sections 28.1 and 28.2 of the zoning by-law, to allow the applicant to construct a dwelling with one side yard of 1.25 metres and the other side 1.24 metres. The rear yard would be 8.47m. The relief would also permit a minor encroachment of the dwelling into the Hazard (H) zone.

The property is legally described as Plan 1065, Part Lots 9 & 11, Block 17 Part Rolling Green Court, RP 16R8321, Parts 11 to 18 (draft unit 5 of Condominium Plan 2003-5).

Comments were received from the following:

Grey County Planning and Development Dept. – application conforms to the Recreational Resort Area designation; Transportation Services have no objections; no concerns;

Grey Sauble Conservation Authority – a permit is required; the minor encroachment into the hazard zone should not pose any risk to the new dwelling; provided appropriate

sediment controls are utilized it is not anticipated that any new negative impacts to fish habitat will result from the proposal; no objection
Niagara Escarpment Commission – no objection;
Lands and Resources (Historic Saugeen Metis) – no objection or opposition;
Grey/Bruce Health Unit – no comments;
TOTBM Community Services – no concerns;
TOTBM Infrastructure & Public Works (IPW) – no comments;
TOTBM Planning Dept. – recommends approval as noted in Planning Staff Report #PDS.16.34.

Krystin Rennie, Agent for the Owner, was in attendance. Ms. Rennie provided clarification as to where the legal frontage of the property was and noted that the access point is at 227 Jozo Weider Boulevard West being via off of the cul-de-sac. Further, it was noted that there is a one foot reserve all along County Road 19 and that the road within the development will be private.

Ms. Rennie gave a brief overview of the proposal through a power point presentation. She noted that the application is to identify three small variances, i.e. a reduction of 25 and 26 cm on each side yard and 53 cm for the hazard encroachment. The hazard is actually a small stream that runs along the back of the subject property.

There is no desire to construct any fencing as the overall intent of the development is to have an open landscape feel to the area.

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

Motion to accept Planning Staff Report #PDS.16.34.

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. A04-2016 permit the construction of a dwelling with reduced side and rear yard setbacks, and permit minor encroachment into the Hazard zone.

CONDITIONS:

1. That the development be constructed in a manner substantially in accordance with the attached drawings shown as Appendix “A” to Planning and Development Services Staff Report PDS.16.34.

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.16.34”.
Carried.

This document can be made available in other accessible formats as soon as practicable and upon request

- D. Correspondence: none
- E. New and Unfinished Business: none
- F. Next Meeting Date: April 20, 2016
- G. Adjournment

Moved by: David Morgan

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