

parking and loading areas to be located as required in the zoning by-law, and the existing structure does not comply with the rear and front yard setbacks of the C2 zone.

If approved, the variance would permit the following:

- Loading space requirement reduced from (1) space to (0)
- Gravel parking surface, where paved parking is normally required
- Parking in the front yard, in a zone where parking is not permitted in a yard abutting King Street East

The variance would also recognize the existing conditions on the site which do not comply with the bylaw:

- Recognize the existing rear yard setback is 4.6 m
- Recognize the existing front yard setback is 20.3m

The land affected by this application is 75 King St., Thornbury and described legally as Plan 1023 Lot 125.

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

Comments were received from the following:

Grey County Planning and Development Dept. – subject lands abut Highway 26 and provided positive comments are received from the Ministry of Transportation they would have no concerns;

Lands and Resources (Historic Saugeen Metis) – no objection

TOTBM Community Services – no comments;

TOTBM Engineering Dept. – no comments

TOTBM Planning Dept. – recommends approval subject to any conditions noted in Planning Staff Report #PDS.15.22.

Lori Carscadden, Secretary/Treasurer to the Committee introduced the Town's new Planner, Denise Whaley to the Committee members.

Andrew Pascuzzo, Agent for the Applicant was in attendance, as was the Applicant Justin Levy.

Andrew welcomed Denise Whaley to the Town and indicated that he and his client were pleased to work with her through this minor variance application and Andrew looks forward to other applications in the future with her.

Andrew then spoke to the minor variance wherein he indicated that prior to this proposal the building had been used as a private school and then a home interior business. He stated that a Site Plan application has been submitted concurrent with this minor variance application. It is their request to reduce the rear yard from 10 metres to 4.6 metres. As well, his client Mr. Levy has spoken to his backyard neighbour and other than some cleanup of a few trees between the two properties, they had no objection to the proposal.

Andrew then spoke to the minor variance:

- requesting relief to allow parking in the front yard; although parking is typically in the rear of the building, in this instance and the location of the building on the lot, it would not be appropriate;
- they do not feel that a loading space is required in this instance as most of their deliveries will be small in quantity and size and would be “hands on” when people are coming and going with their pets, i.e. dog on a leash and cat in a cage;
- requesting relief from the front yard setback due to the location of the existing building on the lot;
- requesting relief from having to asphalt the parking lot as they know of other businesses currently within the Town that have gravel; they would endeavour to keep the dust from the gravel down and off the sidewalk;
- as well, they would prefer not to asphalt at this time because they don't know yet what the stormwater management on-site might be like and with having gravel it will at least be able to get away or soak in;
- they have applied for a building permit with the assistance of Burnside & Associates as well as Jasper Design to assist with the clinic's internal design.

Justin Levy, Applicant, spoke to the Committee and indicated that they would only be working with small animals and that there would be no outside kennels, just inside the clinic for the overnight small animals.

Committee member Waind, in speaking to the relief from having an asphalted parking lot, noted that in the past it was common practice to allow the exemption of the first change on a property but any subsequent changes thereafter, it would be more stringent to require it to be done. Although member Waind had no concerns with it not being asphalted at this time, he thought that at some point in the future it probably should be.

Town Planner Denise Whaley replied and noted that through review of the application and previous history on the subject lands, there wasn't anything on record in regard to exemptions in the past. However, under the current By-law, it does now state that asphalted parking lots are preferred but at this point and time of the minor variance application, it would cause a burden on the applicant as there are many other things that are required in order to get the veterinary clinic up and running. Also, the U shaped driveway in front of the existing building and along Highway 26 will be closed off to allow for only one entrance/exit. The current Sign will remain as is with the new business advertised on it.

Andrew Pascuzzo, Agent, then stated that having an asphalted parking lot is in his clients future plans, but for right now it is a huge cost to undertake.

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

Moved by: Robert B. Waind
TO adopt Planning Staff Report #PDS.15.22”.

Seconded by: Bill Remus
Carried.

Moved by: Bill Remus

Seconded by: Robert B. Waind

DECISION:

“THAT the Committee of Adjustment GRANT Minor Variance Application No. A04-2015 in order to permit the installation of parking in the front yard with a gravel surface treatment, no loading space requirement and recognize the existing rear and front yard setbacks on the subject property.

CONDITION(S):

1. That the proposed parking location be constructed substantially in accordance with the drawings received by the Town on May 1, 2015, as further attached as Appendix “A” to Planning and Development Services Staff Report PDS.15.12.
2. That the owner utilize dust control measures for the gravel surface of the parking areas in accordance with recommendations in Staff Report PDS.15.22.

REASON FOR DECISION:

The Committee is satisfied that the application meets the four tests for minor variance, as noted in the Planning and Development Services Staff Report PDS.15.22”. Carried.

D. Correspondence: none

E. New and Unfinished Business:

i) Committee members stated that they thought the OACA Training that was held on Wednesday, April 22, 2015 from 9:30 to 12:30 at the Meaford St.Vincent Community Centre was quite informative and a good refresher course for everyone.

ii) Reminder of the OACA Conference in Kingston ON from May 31st to June 3rd, 2015.

F. Next Meeting Date: June 17, 2015

G. Adjournment

Moved by: Robert B. Waind

Seconded by: Bill Remus

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

DRAFT