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Minutes: Committee of Adjustment

MEETING DATE: October 21, 2015
MEETING TIME: 4:00 p.m.
LOCATION: Town Council Chambers
PREPARED BY: Lori Carscadden – Secretary/Treasurer

Committee members Chairman David Morgan, Bill Remus and Robert B. Waind, 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: Robert B. Waind Seconded by: Bill Remus

THAT the Agenda of October 21, 2015 be approved. Carried.

- Declaration of Pecuniary Interest - none

B. Minutes – Adopt

Moved by: Bill Remus Seconded by: Robert B. Waind
"That the Minutes of September 16, 2015 be adopted". Carried.

C. Public Meeting – 4:00 pm

C.1 Application No: A13-2015
Owners/Applicants: Karl & Terri Androvics
Location: Lot 21 & 1/37th of Blocks A&B, Plan 1029
Civic Address: 155 Summit View Court

Chairman Morgan called the meeting to Order. He read aloud the applications purpose and effect of the variance which is to request relief from the zoning by-law for the maximum height of an accessory building in order to accommodate a vehicle with a ladder. If this variance is approved, it would permit a detached garage to be constructed with a maximum height of 5.03 m, where section 5.2 v) of the by-law permits a maximum height of 4.5m for accessory buildings in a residential zone.

The land affected by this application is 155 Summit View Court, and described legally as Plan 1029, Lot 21 and 1/37th of Blocks A and B; 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. – the County air photo indicates that the proposed garage may be located in the Significant Woodland area where no development or site alteration is permitted without being demonstrated through an Environmental Impact Study (EIS) that no negative impacts are on the natural features or their ecological functions. The County recommends comments be received from the Grey Sauble Conservation Authority wherein it may be determined that no EIS is required;
Grey Sauble Conservation Authority – the subject property is not affected by "Ontario Regulation 151/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses" and therefore no permit(s) are required by the GSCA; based on the GSCA's site inspection it was determined that there is no significant woodland in the proposed garage location.
Lands and Resources (Historic Saugeen Metis) – no objection;
TOTBM Community Services – no issues;
TOTBM Infrastructure & Public Works (IPW) – no comments
TOTBM Planning Dept. – recommends approval subject to the recommended condition as noted in Planning Staff Report #PDS.15.96.

Discussion was had as to why the County's aerial photos of significant woodland and the Grey Sauble Conservation Authority's comments differ. It was thought that perhaps the aerial photos the County is depending on could be many years old and out-of-date. It was also noted that the Grey Sauble Conservation Authority was out on-site and having done an actual visual of the area/property, that their comments are more reliable and up-to-date with the surrounding area.

Mr. Androvics, Owner/Applicant, was in attendance. He stated that the existing trees on the property have only a 2-3 inch caliber. The only significant woodland is located to the extreme back portion of the property, a distance away from where the proposed garage would be located of which there would be no interference whatsoever to the woodland in that location.

He further noted that the existing Zoning By-law has a height restriction which would not allow for him to build a garage high enough to accommodate his large vehicle which carries a ladder on top.

He is endeavouring to keep the proposed garage within the aesthetics and streetscape of the surrounding area.

No other members of the public wished 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: Bill Remus Seconded by: Robert B. Waind
TO adopt Planning Staff Report #PDS.15.96". Carried.

Moved by: Bill Remus Seconded by: Robert B.Waind
DECISION:
"THAT the Committee of Adjustment GRANT Minor Variance Application No. A13-2015 to permit a detached garage to be constructed with a maximum height of 5.03 m, where Section 5.2 v) of the by-law permits a maximum height of 4.5m for accessory buildings in a residential 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.15.96.

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". Carried.

D. Correspondence:
Secretary/Treasurer read aloud an e-mail received from Kathy DeCoste on behalf of The Board of Directors for the Clarksburg Cat Shelter wherein they thanked the Committee and staff for making their minor variance process as easy as possible and supporting them in their time of need for a temporary home for their cat shelter.

E. New and Unfinished Business: n/a

F. Next Meeting Date: November 18, 2015

G. Adjournment

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