



### C. Public Meeting – 4:00 p.m.

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C.1 Application No: A07-2018  
Owner: Sonja Fabbri  
Agent: Kristine Loft – Loft Planning Inc.  
Legal Description: Lots 17 & 18, Plan 1070  
Civic Address: 131 Liisa's Lane

Chairman Waind read aloud the Public Meeting Notice, including the purpose and effect of the application, wherein the property owner wishes to construct a 94.0m<sup>2</sup> detached accessory structure on the subject lands. The property is subject to the provisions of the Residential Second Density (R2) zone, which permits single detached dwellings and accessory structures on the lands.

The proposal requests relief from Section 5.2(v) of Zoning By-law 83-40 in order to permit a maximum height of 5.2m for the proposed accessory structure, whereas a maximum height of 4.5m is permitted for detached accessory structures.

The proposal also requests relief from Section 5.14.3.4(f) and 5.14.3.7(a) of Zoning By-law 83-40 to permit the continued use of two existing driveway entrances and to recognize the existing distance apart of 11.69m, where a minimum of 15m is required at the street line. The Secretary/Treasurer stated that the Public Hearing Notice was circulated in accordance with the *Planning Act* by pre-paid first class mail. The Notice Placard was provided to the Owner(s) Agent to be posted on the subject lands.

The legal description of the property is Plan 1070, Lots 17 and 18, (formerly Township of Collingwood), Town of The Blue Mountains.

The Secretary/Treasurer stated that the Public Hearing Notice was circulated in accordance with the *Planning Act* by pre-paid first class mail. The Notice Placard was provided to the Owners Agent to be posted on the subject lands.

Comments were received from the following:

Grey County Planning Department – the Official Plan identifies the property within the Significant Woodlands area where no development or site alteration may occur without being demonstrated through an Environmental Impact Study (EIS) to show there would be no negative impacts on the natural features; provided positive comments are received from the Grey Sauble Conservation Authority there is no further concern;

Grey Sauble Conservation Authority (GSCA) – a permit was issued on April 06, 2018;

Historic Saugeen Metis – no objection;

Town Infrastructure and Public Works – supports an entrance for a single family residence; need to enable road drainage and ongoing ditch maintenance; an entrance permit may be required due to change of use or hard surface and/or headwalls;

Town Planning Department – meets the four tests of the Planning Act and would support the approval of the application subject to the condition(s) as stated in Planning Staff Report #PDS.18.55.

Chairman Waind stated that, in the past, in order to perfect the severance there was usually a lot configuration through a deeming by-law limiting the lot coverage as the two lots would merge with a new lot coverage of 30% and wondered how the Town dealt with this particular application. Town Planner Travis Sandberg replied stating that Council passed a Deeming By-law a year ago, but did not apply any restrictions at that time.

Kristine Loft – Agent for the applicant was in attendance

Ms. Loft confirmed that Council did grant a Deeming By-law a year ago. The reason for the minor variance is that the applicant wishes to build a detached garage rather than having it attached to the residence, wherein a minor variance would not have been required. As well, the applicant wishes to be consistent in the roof line height for both the residence and garage. The entrances were not dealt with at the time of the Deeming By-law and preference is to leave it as two entrances, and noted that the Grey Sauble Conservation Authority (GSCA) were in favour of having the two. Further, the GSCA permit speaks to the same drawings as were attached to the minor variance application. As well, prior to submitting the variance application, the Town identified a few concerns at they have worked with the Town to satisfy those issues.

As there were no other persons in attendance to speak in favour of or in opposition to the variance, Chairman Waind closed the public meeting.

Motion to adopt the Planning Staff Report #PDS.18.55

Moved by: David Morgan      Seconded by: Bill Remus      Carried

Motion:

Moved by: David Morgan      Seconded by: Bill Remus

“THAT the Committee of Adjustment GRANT Minor Variance Application No. A07-2018 to permit the development of the lands in accordance with the submitted site sketch.

CONDITIONS:

1. That the development be constructed in a manner substantially in accordance with the Survey attached as Attachment #1; and
2. This variance to the zoning by-law is for the purpose of obtaining a building permit and is only valid for a period of two years from the date of decision. If a building permit has not been issued by the Town within two years, the variance shall expire on May 16, 2020.

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.18.55.

The Committee received written and/or oral submissions before and/or during the hearing and have taken these submissions into consideration when making the decision”. Carried

C.2      Application No:            A13-2018  
            Owner(s):                    Josee Rivard and Kevin Woolham  
            Legal Description:        Lot 10, Plan 824  
            Civic Address:             209 Arlberg Crescent

Chairman Waind read aloud the Public Meeting Notice, including the purpose and effect of the application, wherein the application requests permission of the Committee of Adjustment for enlargement or extension of a legal non-conforming building under S.45 (2)(a)(i) of the Planning Act.

The subject lands are developed with a single detached dwelling, constructed circa 1980, used for short term accommodation (STA) purposes. The existing Residential Fifth Density (R5) zoning applied to the lands does not include single detached dwellings as a permitted building type.

The property owners wish to add two additional bedrooms to the existing STA license approval to increase the total number of bedrooms to eight. Approval of the Committee of Adjustment is required in order to permit a minor intensification of the short term accommodation use in a legal non-conforming building type. The existing building footprint will not change as a result of this application.

The legal description of the subject lands is Lot 10, Plan 824.

The Secretary/Treasurer stated that the Public Hearing Notice was circulated in accordance with the *Planning Act* by pre-paid first class mail. The Notice Placard was provided to the Owners to be posted on the subject lands.

Comments were received from the following:

Grey County Planning Department – the County Official Plan does not currently regulate short term accommodation and generally defers it to the Town’s detailed standards for such development; the County Plan contains policies for non-conforming uses however, the use does conform to the Plan but does not conform to the existing R5 zone on the property; the property contains Significant Woodlands but because the existing footprint is not anticipated to change the County does not perceive it to create new conflicts; provided the Town is satisfied that the development meets the Town’s standards for short term accommodation, the County would have no further concerns;

Historic Saugeen Metis – no objection;

Town Infrastructure and Public Works – no comment;

Town Planning Department – application meets the four tests of the Planning Act and would support the approval of the application subject to the condition(s) as stated in Planning Staff Report #PDS.18.56.

Town Planner Travis Sandberg stated that the property is unique having two layers, i.e. to enlarge or extend a non-complying short term accommodation use within a non-conforming building. The short term accommodation use was previously considered to be grandfathered however the use was non-compliant to short term accommodation zoning requirements,

including obtaining site plan approval, being connected to full municipal services and the provision of an on-site garbage enclosure. It is the applicants desire to add two additional bedrooms to the use, however at this time, connection to municipal services is unavailable and therefore must continue to run off of private services.

Chairman Waind questioned whether or not the two additional bedrooms would be under the short term accommodation provisions prior to the property being connected to municipal services, should the minor variance be granted, with Town Planner Travis Sandberg stating that perhaps it would be beneficial to add a third condition to the decision, should the minor variance be granted, to ensure that the private services are able to handle the additional two bedrooms. Should confirmation not be received, it would be agreed by the applicants to abstain from using the two additional bedrooms until such time as the property is connected to full municipal services.

Chairman Waind stated further that this would give the Town some protection should there be any concerns in this regard in the future.

The applicants, Kevin Woolham and Josee Rivard were both in attendance and were in agreement with adding a third condition to the variance, should the application be granted.

The applicants provided a brief history of the property stating that they purchased it two years ago. Although they have been renovating the residence, the two proposed bedrooms are currently being used for storage. The current license is for six bedrooms, allowing for sixteen persons, however without the two additional bedrooms the full use of the license could not be made use of until Town Fire and By-law Enforcement were signed off on. They stated that they are interested in having the property connected to full municipal services as are other residents in the area. Further, they have no problem with leaving the two additional bedrooms as storage until such time as the full connections are made.

As there were no other persons in attendance to speak in favour of or in opposition to the variance, Chairman Waind closed the public meeting.

Motion to adopt the Planning Staff Report #PDS.18.56

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 No. A13-2018 to permit the development of the lands in accordance with the submitted site sketch.

CONDITIONS:

1. That the applicant obtain site plan approval for the subject lands; and
2. That the property is connected to full municipal services within one (1) year from the date of this decision.

3. That the applicant provide documentation confirming that the existing septic system has capacity for the additional occupant load for the interim servicing of the STA use prior to connecting to municipal services, to the satisfaction of Planning Services.

REASON FOR DECISION:

The Committee is satisfied that the application meets the requirements of Section 45(2) of the *Planning Act*, as noted in the Planning and Development Services Staff Report PDS.18.56.

The Committee received written and/or oral submissions before and/or during the hearing and have taken these submissions into consideration when making the decision". Carried

C.3     Application No:        A14-2018  
          Owner:                Kenneth Lackner  
          Legal Description:    Lot 14, Plan 824  
          Civic Address:        167 Arlberg Crescent

Chairman Waind read aloud the Public Meeting Notice, including the purpose and effect of the application, wherein the proposed variance seeks relief from the setback provisions of the *Residential Second Density (R2)* zone of the Former Township of Collingwood Zoning By-law 83-40.

The purpose and effect of the proposed variance is to recognize the location and setbacks of the existing single detached dwelling on the lands to ensure compliance following the completion of a proposed severance (municipal file no. B05-2018). As a result of the new lot creation, the frontage of the subject lands will change from Birch View Trail to Arlberg Crescent, rendering the existing interior side yard setback to the northern property line non-compliant to the required 9.0m rear yard setback.

As such, the owner has applied to the Committee of Adjustment to request relief from the By-law to permit a minimum rear yard setback of 4.0m, whereas 9.0m is required in the R2 zone.

The legal description of the property is Lot 14, Plan 824.

The Secretary/Treasurer stated that the Public Hearing Notice was circulated in accordance with the *Planning Act* by pre-paid first class mail. The Notice Placard was provided to the Owner to be posted on the subject lands.

Comments were received from the following:

Grey County Planning Department – the Official Plan identifies the property within the Significant Woodlands area where no development or site alteration may occur without being demonstrated through an Environmental Impact Study (EIS) to show there would be no negative impacts on the natural features; provided positive comments are received from the Grey Sauble Conservation Authority there is no further concern;

Grey Sauble Conservation Authority – the entire property is regulated under Ontario Regulation 151/06 wherein a permit is required from their office prior to any construction, erecting of buildings or structures or any change of use on the subject property; no natural heritage

features were identified; some significant woodlands are mapped in the vicinity but no specifically on the subject lands; no further concerns;  
Historic Saugeen Metis – no objection;  
Town Infrastructure and Public Works – the new lot should front off of Birchview; an entrance permit is required;  
Town Planning Department – application meets the four tests of the Planning Act and would support the approval of the application subject to the condition(s) as stated in Planning Staff Report #PDS.18.57.

Town Planner Travis Sandberg noted that currently both lots are serviced from Arlberg Crescent, however the new lot will be required to connect as a separate lot. Further, the recent severance is known as “infill” with no adverse effects and is general in nature. Mr. Sandberg confirmed that the new entrance for the newly severed lot would be off of Birchview Trail.

Mr. Lackner, the applicant was in attendance and had no further comments to make.

As there were no other persons in attendance to speak in favour of or in opposition to the variance, Chairman Waind closed the public meeting.

Motion to adopt the Planning Staff Report #PDS.18.57

Moved by: David Morgan                      Seconded by: Bill Remus                      Carried

Motion:

Moved by: David Morgan                      Seconded by: Bill Remus

“THAT the Committee of Adjustment GRANT Minor Variance Application No. A14-2018 to permit the development of the lands in accordance with the submitted site sketch.

CONDITIONS:

1. The variance to the zoning by-law is for the purpose of completing a severance to create a new lot and is only valid for a period of two years from the date of decision. If the consent is not registered on title of the lands within two years, the variance shall expire on May 16, 2020.

REASON FOR DECISION:

The Committee is satisfied that the application meets the four tests of a minor variance of Section 45(1) of the *Planning Act*, as noted in the Planning and Development Services Staff Report PDS.18.57.

The Committee received written and/or oral submissions before and/or during the hearing and have taken these submissions into consideration when making the decision”. Carried

C.4	Application No:	A15-2018
	Owner:	Windfall GP Inc.
	Agent:	Colin Travis – Travis and Associates
	Legal Description:	Part Block 40, Plan 16M-42, Lot 16, Concession 1
	Civic Address:	Crosswinds Boulevard

Chairman Waind read aloud the Public Meeting Notice, including the purpose and effect of the application, wherein the proposed variance seeks a reduction in the rear yard setback requirement of the Residential R1-232 zone of the Township of Collingwood Zoning By-law 83-40.

The purpose and effect of the proposed variance is to allow a 1.07m reduction to the required 9.0m rear yard setback to accommodate the construction of a semi-detached dwelling on the lot.

The subject lands are legally described as Part Block 40, Plan 16M-42, Lot 16, Concession 1, as applies to Lot 69, Draft Plan of Subdivision 42T-2010-03.

The Secretary/Treasurer stated that the Public Hearing Notice was circulated in accordance with the *Planning Act* by pre-paid first class mail. The Notice Placard was provided to the Owners Agent to be posted on the subject lands.

Comments were received from the following:

Grey County Planning Department – the County Official Plan designates the property as Recreational Resort Area and notes that the property is permitted with this policy; the property is also identified to be in the Significant Woodlands area where no development or site alteration may occur without being demonstrated through an Environmental Impact Study (EIS) to show there would be no negative impacts on the natural features however, as part of the draft plan of subdivision 42T-2010-03 comments were received from the Conservation Authority and provided no further concerns are received from the Conservation Authority, the County would have no further concerns;

Nottawasaga Valley Conservation Authority (NVCA) – no objection;

Historic Saugeen Metis – no objection'

Town Infrastructure and Public Works – servicing of a semi-detached dwelling are to be in accordance with Town requirements;

Town Planning Department - meets the four tests of the Planning Act and would support the approval of the application subject to the condition(s) as stated in Planning Staff Report #PDS.18.58.

Chairman Waind stated that, once again the Committee has before them an application for a minor variance that wouldn't be required if, in fact, when the subdivision was being laid out the lots were configured in appropriate lot sizes and building envelopes to allow for a reasonable sized residence without having to go through the minor variance process.

Town Planner Travis Sandberg noted that this concern was also communicated to the Applicants Agent at the time the application was submitted.

Colin Travis, Agent for the applicant was in attendance. He stated that in this particular circumstance, they are trying to fit a square building envelope into an irregular lot. This proposal was the smallest model available and yet it still requires a minor variance. Further, Windfall has just recently launched Phase 3 and are looking more closely at the model types

that will fit on the proposed lots. Mr. Travis stated that the Chairman's comments have been duly noted and will be communicated to Windfall as well.

As there were no other persons in attendance to speak in favour of or in opposition to the variance, Chairman Waind closed the public meeting.

Motion to adopt the Planning Staff Report #PDS.18.58

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 No. A15-2018 to permit the development of the lands in accordance with the submitted site sketch.

CONDITIONS:

1. That the development be constructed in a manner substantially in accordance with the sketch attached as Attachment #1; and
2. This variance to the zoning by-law is for the purpose of obtaining a building permit and is only valid for a period of two years from the date of decision. If a building permit has not been issued by the Town within two years, the variance shall expire on May 16, 2020.

REASON FOR DECISION:

The Committee is satisfied that the application meets the four tests of a minor variance of Section 45(1) of the *Planning Act*, as noted in the Planning and Development Services Staff Report PDS.18.58.

The Committee received written and/or oral submissions before and/or during the hearing and have taken these submissions into consideration when making the decision". Carried

**D. New and Unfinished Business:** none

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**E. Next Meeting Date:** June 20, 2018

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**F. Adjournment**

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Moved by: Bill Remus

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