



Chairman Waind read aloud the Public Meeting Notice, including the purpose and effect of the application, wherein the proposed variance seeks relief from the detached accessory structure provisions of the former Township of Collingwood Zoning By-law 83-40.

The purpose and effect of the proposed variance is to permit the construction of a detached accessory structure in the front yard of the subject lands, whereas Section 5.2(iii) of the By-law does not permit detached accessory structures to be closer to the street than the main building. The legal description of the subject lands is Lot 79, Plan 482.

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:

County of Grey – no concerns provided positive comments are received from the Grey Sauble Conservation Authority;

Grey Sauble Conservation Authority – no objection; a permit is required from their office for the proposed development;

Grey/Bruce Health Unit – no comments;

Historic Saugeen Metis – no objection or opposition;

Andrea Ramacieri – 186 Timmons Street – in agreeance with the proposal;

James and Bonnie Fox – 187 Timmons Street - supports the proposed garage;

Town Infrastructure & Public Works – side yard setback to be kept at 2.0 metres and the front yard setback to be kept at 7.0 metres;

Town Planning Department – the application meets all four tests of the Planning Act and would support the application subject to any conditions noted in Staff Report #PDS.18.107.

Committee member Bill Remus asked if the new draft zoning by-law would allow for garages in the front yard with Planner Travis Sandberg replying that it is the intent of the new draft zoning by-law to not allow garages in the front yard but would allow them in the side and rear yards. Chairman Waind asked if that is intended for the Residential R1, R2 and R3 zones only with Mr. Sandberg stating that it would also include commercial, industrial and residential zones. Mr. Remus further questioned if the garage is attached to house would it be allowed with Mr. Sandberg replying that being correct.

Committee Secretary reminded the members and the public that this application, and those following, have been reviewed and are being heard under the provisions of the current Zoning By-laws, either #83-40 or #10-77, whichever the application falls under. Provisions of the new draft comprehensive zoning by-law has not come into force and effect and does not pertain to any of these applications at this time.

Mr. Poole, Owner/Applicant was in attendance. He stated that the house is situated on the lot on an angle, with a wrap-around deck and well and septic on either side. There are also a lot of aging trees on the property so it took a lot of manipulating to configure the proposal as it is.

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.18.107

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. A22-2018 to permit the development of the lands in accordance with the submitted site sketch.

CONDITIONS:

1. That the proposed detached structure provide a minimum front yard setback of 7.0m from the front property line;
2. That the development be otherwise constructed in a manner substantially in accordance with the site sketch attached as Attachment #1; and
3. That 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 September 19, 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.18.107.

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:	A23-2018
	Owners/Applicants:	Greg Keaney and Kimberley Schiefer
	Legal Description:	Lots 7, 8 and 9, Plan 108
	Civic Address:	174 Clark Street (Clarksburg)

Chairman Waind read aloud the Public Meeting Notice, including the purpose and effect of the application, wherein the proposed variance seeks relief from the rear yard setback provisions of the *Village Residential (VR)* zone of the former Township of Collingwood Zoning By-law 83-40. The purpose and effect of the proposed variance is to permit the construction of an 85m<sup>2</sup> addition to an existing single detached structure at a minimum rear yard setback of 3.0m, whereas a minimum of 9.0m is required in the *Village Residential (VR)* zone. The legal description of the subject lands is Lot 7, 8, 9, Plan 108.

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:

County of Grey – no objection;

County of Grey Transportation Services – no objection;

Grey Sauble Conservation Authority – no objection;

Grey/Bruce Health Unit – no comments;

Historic Saugeen Metis – no objection or opposition;

Town Infrastructure and Public Works – no comments;

Town Planning Department - the application meets all four tests of the Planning Act and would support the application subject to any conditions noted in Staff Report #PDS.18.108.

Mr. Keaney, Owner was in attendance. He stated that the existing house is on septic with the front of the property sloping down towards Clark Street. The location for the proposal seemed like the only building area that was appropriate.

Town Planner Travis Sandberg provided a brief overview of Planning Staff Report #PDS.18.108. He stated that the slope at the front of the property was definitely a challenge for the Owner as well as having substantial and dense vegetative area on the property. The lot coverage requirements have been maintained and the proposal poses little impact in the low density residential area.

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

Motion to adopt the Planning Staff Report #PDS.18.108

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. A23-2018 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 site sketch attached as Attachment #1; and

2. That 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 September 19, 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.18.108.

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:	A24-2018
	Owners:	Kevin and Gillian Marchant
	Agent:	Katie Patten – L.Patten and Sons
	Legal Description:	Lot 56, Plan 16M-46
	Civic Address:	142 Interlaken Court

Chairman Waind read aloud the Public Meeting Notice, including the purpose and effect of the application, wherein the proposed variance seeks relief from the detached accessory structure provisions of the former Township of Collingwood Zoning By-law 83-40.

The purpose and effect of the proposed variance is to recognize the existing location of a 10m<sup>2</sup> detached accessory structure located within the side yard of the property, within 2.0m of the main dwelling. Section 5.2(iv) and Section 5.2(vii) do not permit detached accessory structures to be located in the side yard or to be within 2.0m of the main building. The legal description of the subject lands is Lot 56, Plan 16M-46.

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:

County of Grey – no concerns provided positive comments are received from the Grey Sauble Conservation Authority;

Grey Sauble Conservation Authority – no objection;

Historic Saugeen Metis – no objection or opposition;

Town Infrastructure and Public Works – no comments;

Town Planning Department - the application meets all four tests of the Planning Act and would support the application as noted in Staff Report #PDS.18.109.

Katie Patten, Agent was in attendance. She apologized for this application having to come before the Committee as the building did not require a building permit as it was smaller than the minimum requirement. It was their understanding that since the building was behind the house there were no setbacks to adhere to. However, it was brought to their attention that because the deck is covered it became part of the house and therefore a setback of 2.0 metres is required. Further, a detached accessory structure cannot be located closer to the side lot line than the main dwelling unless it is located in the rear yard.

Town Planner Travis Sandberg noted that this variance would have little impact on the surrounding area and is a reasonable request.

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.18.109

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. A24-2018 to permit the development of the lands in accordance with the submitted site sketch.

CONDITIONS: NIL

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.18.109.

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:                      A25-2018  
            Owner:                                      Robert Watters  
            Legal Address:                      Part North ½ Lot 24, Concession 12  
            Civic Address:                      County Road 13

Chairman Waind read aloud the Public Meeting Notice, including the purpose and effect of the application, wherein the proposed variance seeks relief from the former Township of Collingwood Zoning By-law 83-40 in order to construct a detached accessory structure on the subject lands. The applicant has applied for the following variances:

- 1) Relief from S.5.2(iii) to permit an accessory structure to be located closer to the street than the main building;
- 2) Relief from S.5.2(iv) to permit an accessory structure to be located closer to the side lot line than the main building;
- 3) Relief from S.5.2(vi) to permit a maximum height of 7.3m for an accessory structure;
- 4) Relief from S.5.2 (xi) to permit an accessory structure to be constructed prior to the main building.

The legal description of the subject lands is Concession 12, Part North 1/2 Lot 24, Registered Plan 16R-2978 Parts 1, 3, and 6.

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:

County of Grey – provided positive comments are received from the Grey Sauble Conservation Authority regarding the hazard lands designation and the close proximity to the Beaver River, and all County Transportation Services requirements are met, the County would have no concerns;

Grey Sauble Conservation Authority – no objection; a permit is required from their office prior to any construction or site alterations;

Historic Saugeen Metis – no objection or opposition

Anne and Mike McKenna – neighbours to the east – concerns with the following: - building the barn prior to the main house structure and the possibility that it could be a stand-alone structure should the house not proceed; - the square footage of both proposed buildings as the barn is shown to be 12,500 square feet and the house to be 20,000 square feet; neither of these buildings are in-keeping with the surrounding area; - the presence of future livestock; the size of the proposed barn is quite large and could, in the future, house livestock of which there is concern with noise and smells from the operation.

Town Infrastructure and Public Works – no comments

Town Planning Department – the application meets all four tests of the Planning Act and would support this application subject to any conditions as noted in Staff Report #PDS.18.110.

Chairman Waind asked if anyone was able to locate the posting of the Public Hearing on the subject property as he was unable to during a site visit. None of the Committee members were able to find the posting or identify the property. However, Town Planner Travis Sandberg stated that the Owner provided staff with a photo of the Notice posted on a tree. As the property is vacant there is no fire number to identify the property. Mr. McKenna, a neighbor to the east, was in attendance and stated that he did see the Notice posted on the tree, although it was difficult to find.

Mr. Watters, Owner, was in attendance and confirmed that he had posted the Notice on a tree.

Bill Remus asked if there was an old barn on the site, as he was unsure of the correct property. Town Planner Travis Sandberg replied that the lands are vacant and even through an aerial photograph there was no indication of a barn, or remnants thereof.

David Morgan asked why an accessory building is being allowed prior to the main dwelling with Town Planner Travis Sandberg stating that the accessory building will allow for storage while the main building is being constructed as well as for the storage of implements.

Mr. Watters spoke to the Committee stating that he was unaware of any future zoning by-law or the implications of it. He is aware that the property is currently zoned Rural Residential and therefore has no ability for the housing of livestock, nor does he wish to do so.

Town Planner Travis Sandberg noted that the reason for moving the proposed barn further to the west is because the new draft zoning by-law will rezone the property into the general rural zone which would allow for the housing of livestock. It was thought that it is best practices now

to move the structure so that it will be in-keeping with the new zoning by-law, once it comes into force and effect.

Mr. Watters indicated that he has no problem with moving the proposed barn further to the west. He also stated that there seemed to be some misunderstanding with the size of the proposed buildings and noted that the main structure would be approximately 2,500 sq.ft. and the barn measuring approximately 36ft. x 60ft. As well, when the Grey Sauble Conservation Authority measures for area, it isn't just the area of the proposed structures but also includes a wide range around those structures, which is possibly where the misunderstanding of the size came from. In moving the proposed barn further to the west, it will require approval from the Grey Sauble Conservation Authority, of which Mr. Watters did not feel there would be any concern.

Town Planner Travis Sandberg then spoke to the Minimum Distance Standards (MDS) that is a calculation used to measure distances from barns and residences. Through the new draft zoning by-law this property could be rezoned to Rural Residential which opens it up to agricultural use. In moving the barn further west now ensures that the MDS standards are in place and there is no immediate impact on the surrounding properties. Further, if the actual footprint shown on the applicants sketch were built to capacity it would still be significantly below the required lot coverage.

Bill Remus questioned how the change in location of the barn, i.e. further to west, would be identified on the decision, should the variance be granted. Town Planner Travis Sandberg replied that through the building permit process consideration would be given to the Committee's decision as well as through the issuance of the Grey Sauble Conservation Authority's permit.

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.18.110

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. A25-2018 to permit the development of the lands in accordance with the submitted site sketch.

CONDITIONS:

1. That the proposed accessory structure be relocated further west on the subject lands, in order to provide additional setback distance from the existing residential dwelling on the adjacent property in accordance with the Provincial Minimum Distance Separation Formula (approximately 198m setback);
2. That comments be received from the Grey Sauble Conservation Authority confirming any revised location provides appropriate setback distances to the hazard zone, prior to



the issuance of a Building Permit;

3. That the development be otherwise constructed in a manner substantially in accordance with the site sketch attached as Attachment #1; and
4. That 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 (2) 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 September 19, 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.18.110.

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.5    Application No:        A26-2018  
       Owner/Applicant:     1965104 Ontario Limited – Susan Bradford  
       Legal Description:    Lot 33, Plan 529  
       Civic Address:        #209731 Highway 26

Chairman Waind read aloud the Public Meeting Notice, including the purpose and effect of the application, wherein the proposed variances seek relief from the 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 permit the construction of an attached garage, a covered deck, and a sunroom to the existing single detached dwelling. The following variances are included in the request:

- 1) Total Lot Coverage of 32.6%, whereas a maximum of 30% is permitted;
- 2) A Rear Yard Setback of 4.3m, where a minimum of 9.0m is required;
- 3) An Interior Side Yard Setback of 1.0m, where a minimum of 1.5 is required;
- 4) A setback of 1.0m for a second story addition, whereas a minimum of 1.5m is required per By-law 1997-60
- 5) A minimum 3.2m Wave Uprush setback, whereas a minimum of 15.0m is required;
- 6) A Centreline Setback of 27.4m, whereas a minimum of 30.0m is required.

The legal description of the subject lands is Lot 33, Plan 529.

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/Applicant to be posted on the subject lands.

Comments were received from the following:

County of Grey – subject property abuts onto Georgian Bay where no development shall be permitted within 30 metres of the Bay; provided positive comments are received from the Grey Sauble Conservation Authority there would be no further concerns;

Grey Sauble Conservation Authority – no objection; have reviewed and accepted a coastal analysis and protection work plan through a GSCA permit;

Historic Saugeen Metis – no objection or opposition;

Town Infrastructure and Public Works – no comments;

Town Planning Department - the application meets all four tests of the Planning Act and would support this application subject to any conditions as noted in Staff Report #PDS.18.111.

Town Planner Travis Sandberg stated that he has had a verbal conversation with the Town's Road Department and there were no concerns.

Susan Bradford, Owner/Applicant, as well as her Architect, were both in attendance. She provided a brief description of how the proposed variances were reduced to better facilitate the property. The garage was reduced in size as well as the five foot overhang to allow for a 32.6% lot coverage; the rear deck was eliminated; proposing a 1.0m setback for a second storey rather than the minimum 1.5m as per the original existing footprint from 1960; have received approval from the Grey Sauble Conservation Authority to allow for a minimum 3.2m wave uprush rather than the 15.0m requirement; have reduced the centerline setback of the road to the porch by 5 feet.

Town Planner Travis Sandberg indicated that the changes mentioned have been resolved through the review of the application with the Owner and hence reduced the amount of variances down considerably.

Elton Matthews, neighbor, was in attendance. He said he was not disagreeing with the application but would like some clarification on a few matters. First, over the last two weeks tonnes of large boulders have been added to the waters side. Travis Sandberg stated that a site visit indicated that additional stone had been placed on the waters edge, but it is his understanding that permission was issued by the Grey Sauble Conservation Authority prior to this variance application.

Mr. Matthews stated that these boulders have made a major change to the shoreline and a failure in the development process. Chairman Waind stated that, in the past, either the Ministry of Natural Resources would have acquired input from the immediate neighbours but perhaps the process has changed and the authority is strictly under the Grey Sauble Conservation Authority now. Mr. Matthews continued by stating that there is a significant amount of construction going on along the shoreline by other homeowners which is closer to the shoreline than this application, but they haven't required such boulders.

Further, Mr. Matthews was confused by the method of diagonal setbacks. Chairman Waind stated that it could be the actual lot line, identified by survey bars. Town Planner Travis Sandberg noted that confirmation of the rear property line was required and the property bars have been identified. The setbacks are measured perpendicular to the lot line.

Bill Remus stated that the water level is at least 2-3 feet higher than normal and wondered if the sketch actually shows the survey bars as the property is on a severe angle. Mr. Sandberg replied that it is so.

Mr. Matthews asked for clarification on the existing deck which is currently slightly lower than the existing finished floor elevation, however the sketch indicates it as being at the same elevation. Town Planner Travis Sandberg and the Owner's Architect confirmed that the deck would remain the same, save for a few minor repairs.

The Owners Architect noted that there will be no changes to the deck other than some minor repairs.

Town Planner Travis Sandberg gave a brief overview of Planning Staff Report #PDS.18.111.

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.18.111

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. A26-2018 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 site sketch attached as Attachment #1; and
2. That 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 (2) years from the date of decision. If a building permit has not been issued by the Town within two year, the variance shall expire on September 19, 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.18.111.

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:**

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1. Town Planner Travis Sandberg provided a Memo pertaining to the “Bill 73 – Changes and Impact on Minor Variances”.
2. Town Planner Travis Sandberg provided a Memo pertaining to the “Proposed Draft Zoning By-law – Changes and Impact on Minor Variances”.

**E. Next Meeting Date: October 17, 2018**

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**F. Adjournment**

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Moved by: David Morgan

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