



Agenda

**Municipality of West Grey
Committee of Adjustment Committee Meeting
Monday, February 13th, 2017, 1:00 p.m.,
West Grey Municipal Office**

Items of Business:

1. Disclosure of Pecuniary Interest
2. Approval of Minutes – January 16, 2017 (attachment)
3. Public Meetings
 - 1:05 p.m. – Minor Variance Application A01/17 – Part Lot 24, Concession 11, former Township of Normanby (Duncan & Sandra Denman – owner; Greg Grandy - applicant) (attachment)
4. Other - None
5. Next Meeting – March 13, 2017, 1:00 p.m.
6. Adjournment



Municipality of West Grey Committee
Of Adjustment
Notice of Application for Minor Variance
The Planning Act, RSO 1990, as amended

Take Notice that the Municipality of West Grey Committee of Adjustment has appointed February 13th, 2017, at 1:05 p.m., for the purpose of a public hearing into this matter. The Hearing will be held at the Council Chambers in the West Grey Municipal Office, 402813 Grey Rd. 4, R.R. #2, Durham, Ontario.

Minor Variance – s. 45 (1) Permission – s. 45 (2)

Application for Minor Variance – File No.: A01/17

Name of Owner: DENMAN, Duncan & Sandra

Name of Applicant: GRANDY, Greg

Address of Applicant: Box 2078, 317 Gibson St., Walkerton ON., N0G 2V0

Purpose and Effect of the Application: To seek relief from subsection 6.1.2 a) of West Grey Comprehensive Zoning Bylaw Number 37-2006, as amended, to permit an accessory structure (garage) in the front yard with a minimum front yard setback of 6' (1.82 m.).

Municipality: Municipality of West Grey (former Township of Normanby)

Legal Description: Part Lot 24, Concession 11, Property Roll No. 4205 010 002 14300
0000

Property owners within 60 metres of the subject land are hereby notified of the above application for minor variance.

If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed minor variance does not make written submissions to: Committee of Adjustment, before it grants or refuses the minor variance, the Ontario Municipal Board may dismiss the appeal.

A certified copy of the decision, with a notice of the last day for appealing to the Ontario Municipal Board will be sent no later than ten days from the decision being made, to the applicant, and any individual who appeared in person at the public hearing and who requested the secretary-treasurer a written request for notification of the decision.

Additional information regarding the application is available for public inspection from Monday to Friday 8:30 A.M. to 4:30 P.M. at the Municipality of West Grey Municipal Office.

When requesting information please quote File No. **A01/17**

Dated this 1st day of February, 2017.

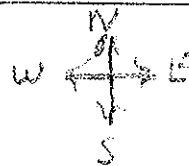
Mark Turner, ACST, Secretary-Treasurer
Committee of Adjustment

Municipality of West Grey
402813 Grey Road #4, R.R. #2,
Durham, Ontario, N0G 1R0
PHONE: 519-369-2200
1-800-538-9647
FAX: 519-369-5962
EMAIL: mturner@westgrey.com

← Grey Rd #3

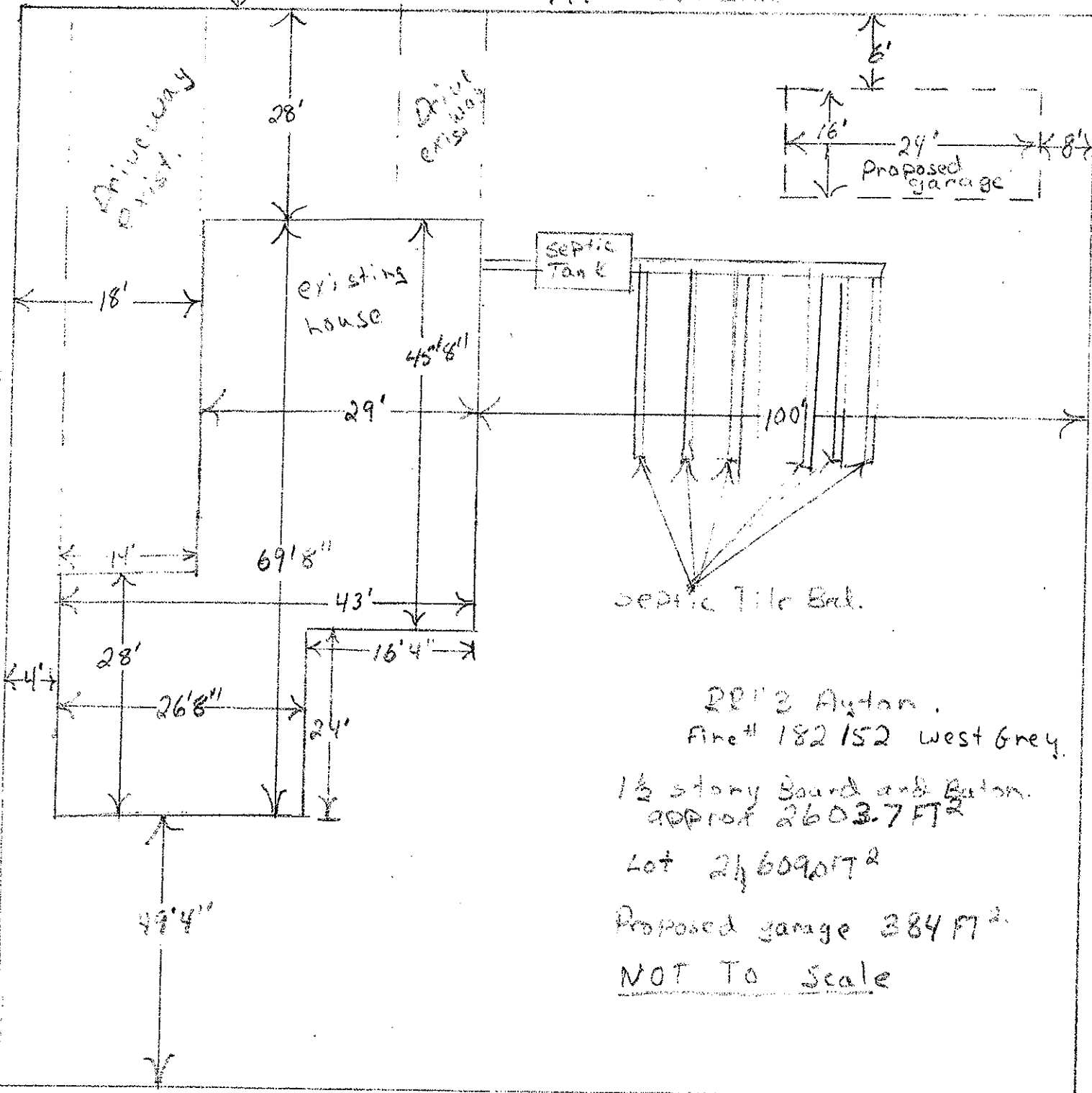
Concession
Rd 12

Highway #6 →



33' approx
centre Rd to front Property Line

147' Lot Line



RR #3 Ayrton.

Acres # 182 152 West Grey.

1 1/2 story Board and Batten.
approx 2603.7 FT²

Lot 246090 FT²

Proposed garage 384 FT².

NOT TO SCALE

147' Lot Line.



Planning Report
for the Municipality of West Grey
Committee of Adjustment

Date: February 13, 2017

File No: A01/2017

Owner: Duncan and Sandra Denman'
Applicant: Greg Grandy

Legal Description: Part Lot 24, Concession 11, Geographic Township of Normanby, Municipality of West Grey (182152 Concession 12)

Purpose of Application:

The purpose of this Minor Variance application is to provide relief from Section 6.1.2 a) of the Zoning By-law to permit a detached garage in the front yard, with a front yard of 1.82 metres.

Subject Lands:

The subject property is located along the south side of Concession 12.

The site comprises 2010.6 square metres of land and includes a detached dwelling.

The owner proposes to erect the new accessory building in the area shown on the drawing on the next page.

Aerial Photograph (2015)



Adjacent Lands:

The predominant land use within this general area is agriculture.

Planning Act Requirements

Section 45 of The Planning Act gives the Committee of Adjustment the authority to grant relief from a provision(s) of a Comprehensive Zoning By-law provided such relief passes four tests:

1. Does the Minor Variance maintain the intent and purpose of the Official Plan?

Comment: The subject property is designated 'Agricultural' on Schedule A to the County of Grey Official Plan. The 'Agricultural' land use policies generally allow for a detached dwelling and accessory building(s)

on an existing lot. The Official Plan does not provide provisions for building location, in terms of front yard, side yard or rear yard minimum standards. As such, the proposed variance would not undermine the intent of the Official Plan.

2. Does the Minor Variance maintain the intent and purpose of the Zoning By-law?

Comment: The intent of not allowing accessory buildings in the front yard (i.e. between the principal dwelling and the public road) is to ensure that the dwelling is the prominent feature on the property from the vantage point of the road; and, the purpose of requiring all buildings to be set back at least 18.3 metres is to ensure that the development on a property maintains the specious feel of the countryside and that the buildings do not crowd the adjacent properties.

The owner of the property has explained on the application form that the garage cannot be located further back from the road due to the location of the septic system. That notwithstanding, a setback from a public road of only 1.82 metres is very small and does not seem to maintain the intent of the Zoning By-law.

3. Is the Minor Variance minor in nature?

Comment: This question is generally re-phrased as "what impact will the variance have on the adjacent lands?" In this particular case, the building would seem to be too close to the Municipal Road, and therefore it's difficult to describe this as minor in nature.

4. Would the Minor Variance represent an appropriate or desirable use of the land and buildings?

Comment: Erecting any building 1.82 metres from a public road does not appear to represent an appropriate use of a property.

Based on the foregoing, the proposed variance does not appear to pass the four tests of a Minor Variance listed in the Planning Act.

Provincial Policy Statement Conformity:

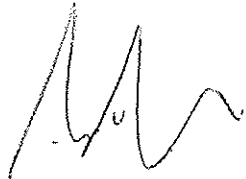
The Provincial Policy Statement (PPS) does not provide policies pertaining to building location.

Conclusion and Recommendation:

It is understood that the locating the garage in the location proposed is necessary due to the location of the septic system. Also, this location is ideal for accessibility reasons because one of the occupants of the house uses a wheelchair. That notwithstanding, a setback of 1.82 metres from a public road is very small and cannot be supported. Hopefully, an alternative this exact location is possible.

This Report was prepared before all of the agency comments had been received and prior to the Public Meeting. It is possible that comments received after the writing of this Planning Report could warrant a reconsideration of the aforementioned recommendation.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Ron Davidson', with a stylized, cursive script.

Ron Davidson, BES, RPP, MCIP

Mark Turner

From: Lands and Resources Consultation Coordinator <saugeenmetisadmin@bmts.com>
Sent: Wednesday, February 01, 2017 9:49 AM
To: Mark Turner
Subject: Request for Comments - West Grey (Duncan & Sandra Denman) Minor Variance

Your File: A01/17
Our File: West Grey Municipality

Good Morning Mr. Turner,

The Historic Saugeen Metis (HSM) Lands, Resources, and Consultation Department has reviewed the relevant documents and have no objection or opposition to the proposed development, land re-designation, rezoning, land severance, Official Plan and/or Zoning By-law Amendments.

I trust this may be helpful.

Regards,

George Govier

Co-ordinator Lands, Resources, and Consultation

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