

Staff Report

Report To: Committee of Adjustment
Report From: Mary Hall, Planning Consultant
Meeting Date: October 3, 2023
Subject: A08.2023 – Thompson, Douglas and Jane

Recommendations:

That in consideration of staff report A08.2023 - Thompson, Douglas and Jane, the committee of adjustment approves the minor variance as it maintains the general purpose of the official plan and zoning bylaw, is considered a desirable use of the property and is minor in nature.

Highlights:

- The property owners proposed to construct an accessory building with a gross floor area of 143.7 square metres; and
- Requesting a variance to section 9.2.4(d) of the Municipality of West Grey's Comprehensive Zoning Bylaw to reduce the side yard setback from 15.2 metres to 9.1 metres.

Previous Report/Authority:

None.

Analysis:

The subject property is municipally known as, 553745 GLENELG Road 23, being Part Lots 31 and 32, Concession 3 NDR, former township of Glenelg, Municipality of West Grey.

The purpose and effect of the minor variance application is to vary provision 9.2.4(d) of the Municipality of West Grey's Comprehensive Zoning Bylaw 37-2006:

to reduce the interior side yard setback from 15.2 metres to 9.1 metres in order to construct a garage with an accessory building in the side yard.

Section 45 of the Planning Act gives the committee of adjustment the authority to grant relief from provision(s) of the Comprehensive Zoning Bylaw and provided it meets the (4) test:

1. Does the Minor Variance meet the General Intent and Purpose of the Official Plan?

The subject land is designated Rural in the County of Grey Official Plan. The subject property is an existing lot and the structure proposed for construction is considered an accessory building which is in keeping with the County of Grey Official Plan.

It is the opinion of staff the minor variance meets the general intent and purpose of the Official Plan for the County of Grey.

2. Does the minor variance maintain the general intent and purpose of the zoning bylaw 37-2006?

The Municipality of West Grey zones the subject property Rural (A2). The property owners intend to submit an application to the Municipality of West Grey to construct an accessory building and cannot meet the side yard setback due to the location of the Geothermal system loops located in the ground. In order to construct the accessory building (garage and workshop) outside the area of the geothermal system the accessory building will encroach into the required side yard setback under the municipalities zoning bylaw.

As the varied side yard setback will be from 15.2 metres to 9.1 metres from the interior side lot line planning staff is of the opinion the reduction in the setback meets to general intent and purpose of the municipalities zoning bylaw.

3. Is the variance minor in nature?

Planning staff is of the opinion the minor variance is minor in nature and desirable to the area. The proposed accessory building meets all other setbacks and requirements for the zoning bylaw.

4. Does the variance represent an appropriate or desirable use of land or buildings?

As the use of the building proposed for construction is a garage and workshop it is considered an accessory use. The proposed building will be 9.1 metres from the lot line and staff considers the variance appropriate as the building is constrained by the location of the existing Geothermal system.

Financial Implications:

None.

Communication Plan:

The minor variance application was mailed to all agencies and landowners as required by the Planning Act.

Consultation:

Karl Schipprack, CBCO, Director of Infrastructure and Development

Attachments

- Notice of Hearing
- Aerial and Official Plan mapping
- Aerial and Zoning mapping
- West Grey Building Department comments
- West Grey Public Works Department comments
- Hydro One comments

Recommended by:

Mary Hall, Planning Consultant, BES, RPP (ret)

Submission reviewed by:

Laura Johnston, Chief Administrative Officer

For more information on this report, please contact Britney Becker at bbecker@westgrey.com or 519-369-2200.