



Committee of adjustment report

Meeting date:	May 17, 2021
Title:	A10.2021 – BRAEKER, Travis and Laura
Prepared by:	Lorelie Spencer, Manager of Planning and Development
Reviewed by:	Laura Johnston, CAO

Recommendation

That Committee of Adjustment receives the report from Planner Spencer, A10.2021 – BRAEKER, Travis and Laura and wherein the planner recommends approval of application A10.2021 as the application is considered to maintain the general intent and purpose of the Official Plan, the general intent and purpose of the municipality's zoning by-law, is minor in nature, and a desirable use of the land and buildings.

Executive summary

The subject lands are located at 393778 Concession 2. The lands are legally described as Concession 2, Glenelg EGR; Part Lot 48; R. Plan 17R2227, Part 2, Geographic Township of Glenelg

The intent of the application is to vary the provisions of sections 6.1.3 and 6.1.4(ii) to permit a maximum height of 8.0 metres and a maximum floor area of $\pm 185.8^2$ in size whereas a maximum height of 5.0 metres and floor area of 92.9m² is required. The effect of which will permit the construction of an accessory structure on the subject lands for storage purposes.

Background and discussion

The property is located on an open and maintained municipal road. A single detached dwelling unit with private services exists on the subject lands at this time. There is no livestock facility on the subject lands. The property is zoned A1 (Agricultural) within the Municipality's Comprehensive Zoning By-law.

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

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

The subject lands are identified as Agricultural under the County of Grey Official Plan. Policy 5.2.1 outlines the policies surrounding the permitted uses within the agricultural land use designation. The predominant land uses within this designation include agricultural uses and normal farm practices, agricultural uses, and on-farm diversified uses. The use of the lands for residential purposes and associated accessory uses is also permitted on existing lots of record.

The development of an accessory structure on the subject lands is completely within the



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agricultural land use designation which maintains the general intent and purpose of the official plan.

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

The intent of provisions 6.1.3 and 6.1.4(ii) is to ensure the appropriate placement of accessory to ensure that they do not dominate the principal land use of the property. The selected location of the proposed accessory structure will minimize site alteration and planning staff find this acceptable.

The intent of provision 6.1.3 is to ensure that accessory structures remain accessory to the principle use of the subject lands. The maximum height permitted for an accessory structure is 5.0m. The applicant has requested relief from this requirement to permit a height of ± 8.0 m. The additional height of the proposed structure will permit the sufficient use of the structure for storage purposes and minimize outdoor storage on the subject lands. Planning staff are satisfied that this request maintains the intent of provision 6.1.3.

Provision 6.14(ii) is to limit the maximum floor area for a structure to 92.9m². In this circumstance, the applicant has requested a floor area of ± 185.8 m². The request is to ensure that there is an appropriate area within the structure to store vehicles and recreational vehicles. This will provide the applicant the ability to store items inside the structure as needed and further curb appeal by limiting outside storage as much as possible. Planning staff are satisfied that this request for relief maintains the intent of provision 6.1.4(ii).

The requests for relief, in the opinion of planning staff maintain the intent of the municipality's comprehensive zoning by-law.

3. Is the variance minor in nature?

The ability to determine if a variance is minor in nature is relative to the impact the variance would have on adjacent lands. The size of the property in this circumstance does permit the ability for the development to be permitted without creating a streetscape that is not dominated by the principal use. Planning staff are satisfied that the requested variance is minor in this circumstance as it does not impede sight lines for ingress and egress to the property and is not anticipated to dominate the landscape of the subject lands.

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

The property is presently zoned A1 (Agricultural). The A1 zone permits detached dwelling units and accessory structures.

Based on the proposed location and the minimal site alterations required to accommodate the structure, the request for the increase in height is considered appropriate. The request for the increase in floor area is further considered appropriate as it will limit outside storage associated with the site. The requests are considered appropriate in this circumstance and a desirable use of the land and buildings.

Legal and legislated requirements

None



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Financial and resource implications

None.

Staffing implications

None.

Consultation

- County of Grey Planning and Development Department
- Saugeen Valley Conservation Authority

Alignment to strategic vision plan

Pillar: Build a better future

Goal: Invest in business

Strategy: Take a co-operative approach to development

Attachments

- Aerial and Official Plan Mapping
- Aerial and Zoning mapping
- Commissioned application form
- School Board comments

Next steps

Should committee approve the application and no appeals are filed during the appeal period, staff will advise the applicant and they will be eligible for a building permit.

Respectfully submitted:



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Manager of Planning and Development