



Committee of adjustment report

Meeting date:	June 14, 2021
Title:	A11.2021 – McEACHERN, Greg and Sherri
Prepared by:	Lorelie Spencer, Manager of Planning and Development
Reviewed by:	Laura Johnston, CAO

Recommendation

That committee receives report A11.2021 – McEACHERN, Greg and Sherri and the recommendation that application A11.2021 be approved.

Executive summary

The purpose and effect of the application is to vary the provisions of sections 6.1.3 and 6.1.4(ii) of the municipality's comprehensive zoning by-law no. 37-2006 to permit a maximum height of ± 7.62 m (25 ft) and a total floor area for an accessory structure of ± 146.3 m² (1574.8 ft²) whereas a maximum height of 5.0 m (16.4 ft) is required and a total floor area of 92.9 m² (1000 ft²) is permitted. The effect of which will permit the construction of an accessory structure for storage purposes.

Background and discussion

The subject lands are municipally identified as 313040 Highway 6. The lands are legally identified as north half of lot 5 and lot 6, plan 155 in the geographic township of Normanby. The parcel is approximately 971.21 m² (0.09 ha.) in size and contain a single detached dwelling unit. The property is located on the southwest corner of Varney Road and Highway 6.

The lands are designated 'secondary settlement area' under the county official plan and zoned R1A (unserved residential).

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 (4) tests.

1. Does the request maintain the general intent and purpose of the County of Grey Official Plan?



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The policies related to secondary settlement areas are referenced under policy 3.6 of the county of grey official plan. Secondary settlement areas are settlements that have lower density targets, have a limited range of uses and amenities compared to primary settlement areas and have partial or private services. These areas accommodate limited residential growth as well as new community facilities and employment uses. Policy 3.6(2) states that permitted uses within secondary settlement areas are residential uses, bed and breakfast establishments, home/rural occupations, commercial and dry industrial uses, public, recreational, and institutional uses intended to support the surrounding agricultural community.

Planning staff are satisfied that the addition of an accessory structure on the subject lands maintains the general intent and purpose of the official plan as it is clearly a permitted use within a secondary settlement area.

2. Does the minor variance maintain the intent and purpose of the zoning by-law?

The applicant has requested relief from sections 6.1.3 and 6.1.4(ii) of the comprehensive zoning by-law 37-2006 to permit a building height of ± 7.62 m (25 ft) and a maximum floor area for an accessory structure of ± 146.3 m² (1574.8 ft²), whereas a maximum height of 5.0 m (16.4 ft) and maximum floor area of 92.9 m² (1000 ft²) is permitted.

The intent of the maximum floor area, specifically as it relates to accessory structures is to ensure that the main use of the property is the principal use and not accessory structures. In this case, the main use is the single detached dwelling unit.

Planning staff consider the request for the increase in height and total floor area to be minor in nature as it does not contravene the intent of the provisions of the zoning by-law and will remain a secondary use on the property to the principal dwelling unit.

3. Is the request desirable for the appropriate use of the land?

The R1A (unserviced residential zone) permits single detached dwelling units, accessory bed and breakfast establishments (class 2), home occupations, accessory apartment dwelling units and accessory uses. The proposed accessory structure is a permitted use. Section 6.1.3 is intended to ensure that the height of the accessory structure does not dominate the streetscape and become the principal use of the land. Planning staff note that there are temporary storage containers (two shipping containers and a trailer) located on the property. Staff acknowledge that although the height of the structure will be taller than the principal use of the property, the structure is intended to replace the temporary containers which will significantly improve the property's streetscape and provide for sufficient indoor storage. Planning staff are also satisfied that the increased total floor area is also appropriate for this purpose as it will not interfere with sight lines and will not intrude on the required exterior side yard setback on the subject lands.



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Planning staff are satisfied that the proposed requests are desirable and appropriate for the use of the lands.

4. 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. Planning staff note that the use of the lands and the surrounding area is consistently within the R1A (unserved residential) zone which includes dwelling units and accessory structures. The use of the lands is consistent with the permitted uses of the area.

In addition, the proposed accessory structure is located in a manner that meets the required rear yard setback and maintains an exterior side yard setback in excess of what is required. Although, the increase in height and total floor area are outside of what is permitted by the zoning by-law, the request is considered minor in nature as it will provide an improvement to the streetscape on the subject lands and minimize the need for outdoor storage.

Planning staff are satisfied that the request is minor in nature as the accessory structure will remain secondary to the principal dwelling unit and improve the streetscape of the property with the removal of the temporary storage containers on the subject lands.

Legal and legislated requirements

None

Financial and resource implications

None.

Staffing implications

None.

Consultation

- 1.) County of Grey Planning and Development Department
- 2.) 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



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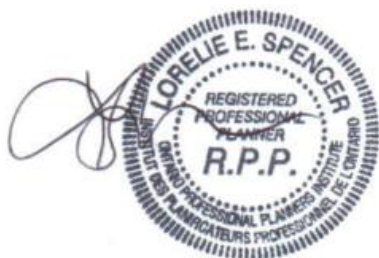
Attachments

- Application form
- Submission sketch
- Official plan and aerial photography
- Zoning and aerial photography

Next steps

On approval of application A11.2021, planning staff will notify of the committee decision. Provided no appeals are received, staff will advise the applicant's agent that they can proceed to obtain a building permit.

Respectfully submitted:



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Manager of Planning and Development