



# Committee of adjustment report

<b>Meeting date:</b>	September 13, 2021
<b>Title:</b>	A21.2021 – EVANS, Marlene
<b>Prepared by:</b>	Lorelie Spencer, Manager of Planning and Development
<b>Reviewed by:</b>	Laura Johnston, CAO

## Recommendation

That Committee receives Planning Spencer's report and the recommendation that application A21.2021 be approved as the application maintains the general intent and purpose of the County Official Plan, the Municipality's Comprehensive Zoning By-law, is considered appropriate for the use of the land and structure and is considered minor in nature.

## Executive summary

The subject lands are municipally identified as 500098 Grey Road 12 and legally identified as part of lot 101 and part of lot 102, concession 3 SWTSR within the geographic township of Glenelg. The property is designated as rural and hazard under the County Official Plan and zoned as A2 (rural) and NE (natural environment) within the Municipality's comprehensive zoning by-law. The purpose of the application is to vary the provisions of section 6.1.2(a), 6.1.2(b) and 10.3.3 to permit the construction of an accessory building within the defined front yard with a reduced front yard setback. The effect of which will permit the placement of an accessory structure on the subject lands.

## Background and discussion

The property is located in proximity to the southeast corner of Grey Road 12 and West Back Line within the geographic township of Glenelg. The property is approximately 1.34 ha. (3.3 acres) in size. A single detached dwelling unit and accessory structure currently exist on the subject lands. Mature vegetation and a pond exist on the subject lands.

Section 45 of the Planning Act gives the Committee of Adjustment the authority to grant relief from the provision(s) of the comprehensive zoning by-law provided such relief passes four (4) tests.

1. Does the minor variance maintain the general intent and purpose of the Official Plan?

The subject lands are designated as 'rural' and 'hazard' under the County official plan. Section 5.4.1(2) outlines the permitted uses within the rural land use designation.



September 13, 2021 (2)

Residential dwelling units and accessory structures are permitted within this designation.

The proposed development on the subject lands is proposed on an existing lot of record. In this capacity, the proposal generally conforms to the policies of the official plan.

2. Does the minor variance maintain the general intent and purpose of the municipality's comprehensive zoning by-law?

The intent of provisions 6.1.2(a) and 6.1.2(b) are to limit any accessory structure or building to be located in the front yard to the overall streetscape of the surrounding neighbourhood maintains the residential dwelling unit as the predominant view of the property. A single detached dwelling unit and accessory structure currently exist on the subject lands. A site plan has been provided by the applicant noting the location of the proposed accessory structure within the defined front yard. The area proposed has previously been cleared which will minimize alterations to the mature vegetation on the subject lands. On the basis of the preservation of the vegetation, planning staff are satisfied that the intent and purpose of these two provisions are being maintained with this application.

The intent of provision 10.3.3 is to ensure that sufficient distance from the front lot line to ensure that sufficient ingress and egress can be provided to the property from a sight line perspective. The applicant has indicated that a front yard setback of approximately 12.2 metres whereas 18.3 metres is required. Planning staff are satisfied that the proposed setback continues to maintain the intent and purpose of the provision as sufficient ingress and egress is provided.

Planning staff are satisfied that the general intent and purpose of the zoning by-law is maintained.

3. Is the variance minor in nature?

The ability to determine if a variance is minor in nature is relative to the impact the request would have on adjacent lands. The subject lands are on an existing lot of record surrounded by residential dwelling units and farming operations in the rural area. The location of the proposed accessory structure within the defined front yard with the reduced front yard setback is not anticipated to impact adjacent lands by impeding sight lines or reducing setbacks relative to privacy with adjacent properties. The proposed location and the preservation of mature vegetation on the subject lands will continue to provide a sufficient buffer between lands.

Planning staff are satisfied that the variance is minor in nature.

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

The property is zoned as A2 (rural) and NE (natural environment) within the municipality's comprehensive zoning by-law. As previously noted, accessory structures are permitted within the A2 zone. The request to locate the proposed accessory structure within the scale and nature proposed maintains the intent of the A2 zone. Utilizing a previously



September 13, 2021 (3)

cleared area of the subject lands is considered a desirable use of the land while maintain a consistent streetscape based on the information provided.

Planning staff have no concerns in this regard.

## 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: Clear communication

Goal: Review the official plan and zoning by-law

Strategy: Take a cooperative approach to development

## Attachments

- 1.) Aerial and official plan mapping
- 2.) Aerial and zoning mapping
- 3.) Commissioned application form
- 4.) Application sketch
- 5.) County of Grey Planning and Development Department comments

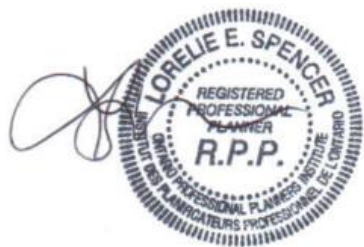
## Next steps

If approved, planning staff will provide notice of decision. Provided no appeals are received during the twenty (20) day appeal period, planning staff will advise the applicant that they can pursue their building permit.



September 13, 2021 (4)

Respectfully submitted:



Lorelie Spencer, Ba.U.R.PI, MCIP, RPP  
Manager of Planning and Development