Committee of Adjustment

Chair: Deborah Young
Committee: Gerry Murphy (Vice-Chair)
          H. Edward Ormsby
          Linda van Aalst
          Lynn Whitbeck

Agenda

Date: Thursday, August 23, 2018     Time: 4:00 PM
Location: Council Chambers

1. Call to Order

2. Disclosure of Pecuniary Interest and General Nature Thereof

3. Adoption of Previous Minutes

   3.1 Accept the minutes of the July 26, 2018 meeting.
       Committee of Adjustment - 26 Jul 2018 - Draft Minutes

4. Business Arising From Previous Minutes

5. Public Meetings

   5.1 Consider Minor Variance Application A08-18
       Staff Report: DES2018-52
       Applicant: 2200397 Ontario Inc
       Legal: Plan 309 Lot 1042, known municipally as 46 Trowbridge Street West, in the former Town of Meaford, now in the Municipality of Meaford.
       Notice of Application A08-2018
5.2 Consider Minor Variance Application A09-18
Staff Report: DES2018-53
Applicant: Rogers
Legal: Concession 9, East Part of Lot 16, known municipally as 138052 Grey Rd 112, in the former Township of St. Vincent, now in the Municipality of Meaford.
Notice of Application A08-2018
DES2018-53 Minor Variance A09-19 Rogers
Agency Comments A09-18

5.3 Consider Consent Application B08-18
Staff Report: DES2018-51
Applicant: Loft/Henry
Legal: Concession C Part Lot 27, known municipally as 439281 Sydenham-Lakeshore Drive, in the former Township of Sydenham, now in the Municipality of Meaford.
Notice of Application B08-2018
DES2018-51 Consent B08-2018 (Loft-Henry)
Agency Comments B08-18

6. Other

7. Next Meeting

7.1 Tentatively, Thursday, September 27, 2018 at 4PM.

8. Adjournment
Minutes

A Committee of Adjustment meeting of the Municipality of Meaford was held at 4:00 PM at the Council Chambers on July 26, 2018.

Present:
Deborah Young (Chair)
Gerry Murphy (Vice-Chair)
H. Edward Ormsby
Linda van Aalst
Lynn Whitbeck

Staff:
Kara Rogers, Planner/GIS Coordinator
Liz Buckton, Senior Planner
Rob Armstrong, Director of Development and Environmental Services

1. Call to Order

2. Disclosure of Pecuniary Interest and General Nature Thereof

3. Adoption of Previous Minutes

3.1 Accept the minutes of the June 28, 2018 meeting.

Moved by: Linda van Aalst
Seconded by: Lynn Whitbeck

That the Committee of Adjustment of the Municipality of Meaford accepts the minutes of the meeting on the 28th of June, 2018.

Carried

4. Business Arising From Previous Minutes

5. Public Meetings

5.1 Consider Minor Variance Application A07-18
Staff Report: DES2018-46
Applicant: Abbott/Mason
Legal: Plan 457 Part Block D, known municipally as 217 Fraser Street, in the former Township of St. Vincent, now in the Municipality of Meaford.

The proposed application (A07-2018) requests a variance to facilitate construction of a new dwelling. The application requests relief from Table 6.2.1 of Zoning By-law 60-2009, which permits dwellings to be constructed at a setback of 9.0m from the front lot line (setback measured to the private road or right-of-way as per the definitions) with a setback of 10.0m to the rear lot line. Provision 4.23.6 of the By-law also requires that the structure be located 15.0m from the 177.9m GSC elevation adjacent to Georgian Bay and Provision 4.19.2 requires buildings to be located no closer than the average between the two existing main buildings to the 177.9m GSC elevation on immediately abutting lots. Application A07-2018 requests a reduced front yard setback of 12.5m measured to the South property line with the dwelling being not nearer than 1.6m to the edge of the gravel road, as well as a reduced rear lot line setback of 4.4m. Additionally, a variance is requested to reduce the setback to the 177.9m GSC elevation to 9.9m and to exempt the building from the average of the main building setback to the 177.9m GSC elevation.

The Chair opened the Public Meeting.

The Secretary-Treasurer advised the Committee of the comments received from the Municipality’s Development Services (Planning Report DES2018-46), Municipal Transportation Services, County of Grey Development Services, Grey Sauble Conservation Authority, and the Historic Saugeen Metis.

The Committee discussed the general nature of the application.

Vice-Chair Member Gerry Murphy inquired about legal access to the property and if all of the structures were being removed on the property. Additionally he inquired how many other properties in the area were at a similar lot coverage.
Senior Planner Liz Buckton explained the different lot coverages seen along the shoreline. She explained the maximum lot coverage is to provide for servicing on the lot (well, septic, access to rear yard) and that it is applicable to the main dwelling, but that in this case they are including those typical accessory structures within the main dwelling (boat house, garage, etc).
She noted that it is a higher lot coverage, but as there is adequate servicing there are no further staff concerns.

Having considered the content of all submissions, the Staff Report and oral submissions, the Committee voted on Minor Variance application A07-2018, the application was APPROVED, the decision reading as follows:
Moved by: Linda van Aalst
Seconded by: Lynn Whitbeck
DECISION – A07-2018
Being that the four tests have been satisfied, the Committee hereby approves a variance to Zoning By-law 60-2009, as amended, to provide relief from the provisions of Table 6.2.1 and Sections 4.4.2, 4.23.6 and 4.19.2 to allow for the construction of a new dwelling on the lands:
   a. At a setback of not less than 12.5m from the south lot line and being not nearer than 1.6m to the edge of the existing gravel road;
   b. At a setback of not less than 4.4m from the north lot line and being not nearer than 9.9m to the 177.9m GSC elevation abutting Georgian Bay;
   c. Having frame decks on the north side, extending to a point not nearer than 2.5m to the north lot line, and falling within 15m of the 177.9m GSC elevation abutting Georgian Bay; and,
   d. Having a lot coverage not to exceed 45%.
Conditions:
1. That the construction facilitated by these variances occur substantially as illustrated on the drawings accompanying the application; and,
2. That the comments be received from the Grey Sauble Conservation Authority supporting the placement of the dwelling and frame decks within 15m of the 177.9m GSC elevation.
Reasons for Decision: The Committee is satisfied that the application meets the four tests of a minor variance, as noted in Development Services Staff Report DES2018-46.

Carried

5.2 Consider Consent Application B07-18
Staff Report: DES2018-47
Applicant: Exner
Legal: Plan 309 Part Lot 1663, known municipally as 184 Pearson Street, in the former Town of Meaford, now in the Municipality of Meaford.

Application B07/18 requests municipal consent to sever a vacant parcel of land of approximately 747 m² (0.18 acres) in size with approximately 30.5m (100 ft) of frontage on Ironwood Drive for the purpose of lot creation. The retained parcel would maintain an area of approximately 1867 m² (0.46 acres) with approximately 24.5m (80.3 ft) of frontage on Pearson Street.

The Chair opened the Public Meeting.

The Secretary-Treasurer advised the Committee of the comments received from the Municipality’s Development Services (Planning Report DES2018-047), Municipal Transportation Services, County of Grey Development Services, Grey Sauble Conservation Authority, Hydro One, Union Gas, and the Historic Saugeen Metis.

The Committee discussed the general nature of the application.

Gerry Murphy inquired if is there a one foot reserve preventing access to the proposed lot along the Ironwood Drive frontage. Liz Buckton explained that she was not aware of any reserve.

Liz commented that she had a discussion with Conservation Authority about the existing culvert. Grey Sauble Conservation Authority had commented that the culvert was sufficient and had no concerns for ingress and egress to the properties.

Brian Adamson, (30 Ironwood Drive) commented that he was not concerned with severance. He was concerned about current and future services to the property, and the elevation from road...
way to existing grading of the lot. He noted that the existing grading of the lot, would make it difficult to put a driveway in, as it would have to be very steep. He commented that where the services run, gas right in front of the property, concerned of the depth as they service the rest of the property. The hydro servicing should be boared under the road and not dig up driveways or yards. Liz Buckton explained that she had talked with Environmental Services noting the services generally in middle of the paved road. She explained how the servicing process happens; Noting that Transportation Services do not like the road torn up so they would likely encourage boreing. She explained that the Building Code is a Provincial Standard that is applied equally to all lots. She explained that with regards to access and storm water, that all lots in urban area is subject to grading and drainage plan by a qualified engineer and topographic survey. She believes that there are a number of municipal processes in place to deal with the concerns raised by Mr. Adamson.

Having considered the content of all submissions, the Staff Report ad oral submissions, the Committee voted on Consent Application B07-2018, the application was APPROVED, the decision reading as follows:

Moved by: Gerry Murphy
Seconded by: Lynn Whitbeck

DECISION – B07-2018

The Committee, in reviewing the subject application, determined it to be compatible with the area, consistent with the policies of the Provincial Policy Statement, and the Meaford Official Plan. Thus, the application is APPROVED, subject to the following conditions:

1. Payment of cash-in-lieu of parkland dedication for the severed lands;
2. That the structures on the severed lot, being a pool and detached accessory shed/garage, be removed such that the lands are vacant at the time of stamping of the associated deeds.

Carried

5.3 Consider Validation Application V01-18

Staff Report: DES2018-50
Applicant: Beyer
Legal: North Half Lot 7, 9th Concession, formerly in the

Committee of Adjustment Minutes - July 26, 2018
Page 5 of 7
Township of St. Vincent, now in the Municipality of Meaford.

The Chair opened the Public Meeting.

Senior Planner Liz Buckton introduced the application, the history of the lands, and explained the process for validation certificates.

The committee discussed the general nature of the application.

Committee Member Gerry Murphy inquired if this is a process that could or should be delegated to Staff in the future. Senior Planner Liz Buckton commented that Staff would look into the possibility.

The Committee voted on Validation Certificate V01-2018 and the decision was approved, the decision reading as follows:

Moved by: Linda van Aalst
Seconded by: Gerry Murphy
A CERTIFICATE OF VALIDATION BE ISSUED SUBJECT TO THE FOLLOWING CONDITIONS:

1. The applicant provides the Secretary-Treasurer with a legal description for the certificate of validation.
2. That Part 8, 16R-275 be dedicated to the County of Grey for road widening purposes.

For the following reasons:
1. The application conforms to the prescribed criteria for the consent to validation of title as set out in Ontario Regulation 144/95.
2. The application complies with the requirements of the Zoning By-law and conforms to the policies of the Official Plan.

This decision is rendered having had regard to the provisions for subsection 51(24) of the Planning Act, R.S.O. as amended.

Carried
7. Next Meeting
Tentatively, Thursday, August 23, 2018 at 4PM.

7.1 Tentatively, Thursday, August 23, 2018 at 4PM.

8. Adjournment

__________________________
Chair

__________________________
Secretary-Treasurer
Notice of Public Meeting – Committee of Adjustment

Purpose and Effect: The proposed application (A08-2018) requests a variance to facilitate construction of a new commercial building. The application requests relief from Provision 5.5(a) of Zoning By-law 60-2009, which requires parking areas and driveways to be located no closer than 1 metre from any lot line. Application A08-2018 requests a reduced east interior yard setback for the driveway and parking from 1.0m to 0.4m.

Related Applications: None.

Location: Plan 309 Lot 1042, known municipally as 46 Trowbridge Street West, in the former Town of Meaford, now in the Municipality of Meaford.

Meeting Date and Time: Thursday, August 23rd, 2018 at 4:00 p.m.

Meeting Location: 157859 7th Line, Meaford, Ontario (Council Chambers)

You are entitled to attend the meeting in person or to be represented by an agent to express your views on the merits of this application or you may forward correspondence indicating your views. Please note that if you or your agent do not attend the hearing, the Committee may proceed in your absence, and you are not entitled to any further notice of proceedings except as provided by the Planning Act.

If you wish to be notified of the decision of the Municipality of Meaford Committee of Adjustment in respect of the proposed variance, you must make a written request to the Municipality of Meaford Committee of Adjustment.

Additional information and material regarding this application are available at the Municipal Administration Office during regular business hours.

Municipality of Meaford Administration Office
21 Trowbridge Street West
Meaford, Ontario N4L 1A1

Kara Rogers
Planner/GIS Coordinator
krogers@meaford.ca
519-538-1060 ext. 1119

Liz Buckton
Senior Planner
lbuckton@meaford.ca
519-538-1060 ext. 1120

If your property contains 7 or more residential units, please post in a location that is visible to all residents.
Proposal Sketch

**How can I contribute my opinion?**
Any person or agency may attend the Public Meeting and/or make verbal or written comments regarding the proposal.

**How do I submit my comments?**
Submit written comments prior to the meeting or sign-up to be notified of a decision by contacting or mailing the Secretary-Treasurer:

**Kara Rogers**  
**Secretary-Treasurer, Committee of Adjustment**  
21 Trowbridge Street West  
Meaford, Ontario N4L 1A1  
[krogers@meaford.ca](mailto:krogers@meaford.ca)  
519-538-1060 ext. 1119

Under the authority of the Municipal Act, 2001 and in accordance with Ontario’s Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), all information provided for, or at a Public Meeting, Public Consultation, or other Public Process are considered part of the public record, including resident deputations. This information may be posted on the Municipality’s website, and/or made available to the public upon request.

This document can be made available in other accessible formats as soon as practicable upon request.
Date | Thursday, August 23, 2018
---|---
From | Liz Buckton, Senior Planner

Subject | Minor Variance Application A08-2018 – 48 Trowbridge St W.
Report No. DES2018-52 | Roll No. 421049200109100

**Recommendation**

That Committee of Adjustment of the Municipality of Meaford APPROVE Minor Variance A08-2018 to provide relief from Provision 5.5 (a) to permit driveway and parking spaces/area to be located not nearer than 0.4m to the west lot line.

**Background**

The subject lands are located at 27 Trowbridge Street West and are within the Downtown Core Commercial designation of the Municipality of Meaford Official Plan and within the Downtown Core Commercial (C1) zone of Meaford’s Comprehensive Zoning By-law 60-2009, as amended. The lot currently is vacant.

Surrounding land uses include commercially zoned parcels with legal non-conforming residential uses on the lots to the east/west, and a commercial use (related parking area) on the lot to the North.

The subject property has recently been acquired by the applicant who intends to construct a two-storey building on the lands comprised of a commercial space on the ground-floor and two residential apartment units on the second floor. Based on the provisions of the Zoning By-law, no on-site commercial parking is required, however three parking spaces must be provided on the lot to service the residential units. These spaces are proposed to be sited in the rear yard and will be accessed via a laneway on the west side of the proposed building.

Site Plan Control applies to the lands and detail relating to drainage, landscaping, servicing and any off-site works (e.g. service/stormwater...
connections) will be secured through a related agreement. The lands are also within the Heritage Conservation District and a Heritage Permit will be required prior to issuance of a building permit on the lands.

In carrying out preliminary site planning works, the applicant and their builder, designer and engineer, have together determined that in order to accommodate the proposed building and on-site parking and drainage works, a variance is required to reduce the requirement for setback between the proposed driveway/west lot line from 1m down to 0.4m. This application has been submitted after careful consideration and discussion of the following:

- Further reducing the building size would impact the desirability and functionality of the upper storey residential units;
- While the C1 zone permits buildings at a 0m lot line setback, placement of the building nearer than 1.2m to the lot line (east) would require it be constructed to the non-combustible standards of the Ontario Building Code which would limit windows or openings on that side of the building;
- The minimum permitted driveway width required by the Zoning is 3m, and it would not be permitted, nor practical to reduce the laneway width any further.

**Analysis**

An application for a variance to the Zoning By-law must be consistent with the Provincial Policy Statement, County and Local Official Plans and must satisfy Section 45(1) of the Planning Act.

Section 45(1) of the Planning Act authorizes the granting of a minor variance "in respect of the land, building or structure or use thereof". For a successful variance, the following tests of Section 45(1) of the Planning Act must all be satisfied:

- The variance must be minor;
- The variance must be desirable for the appropriate development or use of the land, building or structure;
- The variance must maintain the general intent and purpose of the Official Plan; and,
- The variance must maintain the general intent and purpose of the Zoning By-law.

The four tests, and policy conformity/consistency considerations are examined in the table and text below.
<table>
<thead>
<tr>
<th>Consideration</th>
<th>Addressed</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provincial Policy Statement - Consistency</td>
<td>Yes</td>
<td>Specific policies relating to lot line setbacks are not included within the PPS. Generally, the broad directions of the PPS for lands within Settlement Areas are carried forward in greater detail in local planning documents. Intensification and efficient use of land is encouraged. Staff are of the opinion that the intent and direction of the Provincial Policy Statement is maintained and upheld.</td>
</tr>
<tr>
<td>The variance maintains the general intent &amp; purpose of Official Plan.</td>
<td>Yes</td>
<td>It is the intent of the Official Plan that the Downtown continue to function as the focal point for commerce and hospitality in the Municipality, accommodating a diverse mix of commercial, residential, cultural and social uses and opportunities. It is a policy of the Plan that the scale and location of new development in the Downtown maintain and/or enhance the existing character of the Downtown, to be accomplished in part through the development of diverse, compatible land uses in close proximity to each other; and, through encouraging the maximum use of existing buildings in the Downtown to accommodate a wide range of uses, with an emphasis on using upper level space for offices, residential and accommodation uses. Staff would suggest that new construction should similarly work towards these same objectives. The proposal facilitated by this variance would support the redevelopment of this</td>
</tr>
</tbody>
</table>
| The variance maintains the general intent & purpose of the Zoning By-law. | Yes | Section 5.5 (a) of Zoning By-law 60-2009, as amended, states that: “No parking space or driveway shall be permitted on a lot closer to any lot line than 1.0 metres. Such a setback shall be the location of landscaped open space. This shall not apply to prevent the establishment of abutting driveways along a common lot line.”

The intent of this provision – which applies to lands in all zones under the by-law – is generally to leave a minor setback adjacent to parking/driveways in order to accommodate any necessary curbing, retaining features or fencing, and on lots where storm water capture/controls are not in place (e.g. single residential lots, for example) to provide space for a ditch or swale along lot lines for surface water drainage purposes. In a residential context, this space is often used for interim snow storage, between abutting driveways.

On the subject lands, surface grading and catch basins will be utilized for surface water capture/conveyance purposes and no side lot swale is required. Interim snow storage is to be provided elsewhere on the lot and under a typical Site Plan Agreement any excess snow would be required to be removed from the site. The 0.4m (1.3ft) setback proposed would provide for minor curbing and would not prevent installation of a fence on the lot line (though neither are presently proposed).

Staff are of the opinion that the intent of the by-law is maintained. |

Staff are of the opinion that the intent of the Official Plan is maintained.
The variance is desirable for appropriate development of the lands.

| The variance is 'minor'. | Yes | The subject lands are intended to be used for commercial and accessory residential purposes, as are permitted as-of-right within the implementing Zoning By-law. The building/site layout facilitated by this application would provide an appropriately sized commercial unit on the main floor and two rental apartments above. Anecdotally and as supported by recent Housing Study work completed by the County of Grey, Meaford has a limited supply of available residential rental units, in good condition.

Matters such as site layout and drainage will be addressed via the related Site Plan Control review process and secured via Agreement. A Heritage Permit will address building design, and is required prior to issuance of a building permit on the lands.

Staff are of the opinion that the proposed variance is desirable and an appropriate use of the lands.

| The variance is 'minor'. | Yes | As discussed above, in relation to the intent of the Zoning By-law, Staff are of the opinion that the 0.4m setback to be provided will be satisfactory for the intended function of the setback and thus believe that the proposed variance is minor in terms of impact.

No incompatibility of use is expected to arise as a result of the proposed construction.

### Implications

Approval of the subject variance will facilitate the siting of a new commercial and residential building on-site. By allowing a reduced setback between the west lot line and driveway, the building can be placed far enough away from the east lot line to facilitate typical construction techniques which would not limit the windows/openings. The 0.4m setback to be provided would fulfill all intended functions of the setback and satisfy the intent of the Zoning Bylaw.
Strategic Priorities

This report supports the mission, vision and values of the Municipality of Meaford, as well as the goals and objectives set out in Council’s Strategic Priorities 2015-2018.

Consultation and Communications

Notice has been circulated in the manner prescribed by the Planning Act to the following:
- Grey Sauble Conservation Authority
- Grey County Planning, Transportation and Clerk’s Department
- Ontario Power Generation
- The City of Owen Sound
- Union Gas
- Municipal Property Assessment Corporation
- Metis Nation of Ontario
- Saugeen Ojibway Nation
- Historic Saugeen Metis Nation
- Ontario Ministry of Transportation
- Municipality of Meaford – Transportation, Legislative & Protective Services, Meaford & District Fire Chief, and Development & Environmental Services.

Twenty-five (25) property owners within 60 meters of the subject lands were circulated notice of the application.

Conclusion

It is the opinion of Planning Staff that the subject application is consistent with the Provincial Policy Statement; meets the four tests of a minor variance, and generally represents good planning. In this regard, Staff recommends that the Committee of Adjustment approve the requested minor variance application.

Supporting Documentation

Appendix 1 - Sketch

Respectfully Submitted:

Liz Buckton, RPP
Senior Planner

Report DES2018-52
Kara Rogers

From: Chris Hachey <hsmasstlrcc@bmts.com>
Sent: Thursday, August 16, 2018 11:28 AM
To: Kara Rogers
Subject: Request for Comments - Meaford (2200397 Ontario Inc.) - Updated Notice - Proposed Minor Variance

Your File: A08/18
Our File: Meaford Municipality

Ms. Rogers,

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, zoning, land severance, Official plan and/or Zoning By-law Amendments.

Thank you for the opportunity to review this matter.

Regards,

Chris Hachey

Assistant Coordinator, Lands, Resources and Consultation

Historic Saugeen Métis
204 High Street
Southampton, Ontario, N0H 2L0
Telephone: (519) 483-4000
Fax: (519) 483-4002
Email: hsmasstlrcc@bmts.com

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Kara Rogers

From: Phillip Taylor
Sent: Tuesday, August 14, 2018 8:43 AM
To: Kara Rogers; Matt Smith; Margaret Wilton-Siegel; Jeff Fries; Jenna Davison; Liz Buckton; Rob Armstrong; Tammy Dobie; Kirsten Harvey; Rick Carefoot; Scott Granahan
Cc: Darcy Chapman; Jeff Fries
Subject: RE: Notice of Application and Public Meeting A08/18

TFS Preliminary Comments:

1.) The entrance is 3.0m wide along the building: Typical pick truck width including mirrors 2.5m, Snow accumulation (windrow) would restrict this even more, Ensure full width of entrance is clear. The proposed sketch indicates that shrubs may be planted within the 0.4m side yard, this could further reduce the width of the drive aisle.

2.) The proposed sketch indicates parking spaces to be 5.8m deep and 2.7m width with a 6.5m drive or aisle: However the snow storage reduces the depth of the parking space as well as the drive aisle; with an aisle width of less than 6.0 m, whether it is a one-way or two-way drive aisle, the minimum parking space width should be 2.9m to allow for maneuvering;

3.) Is there a requirement for onsite Accessible Parking Space if so the proposed sketch is non-compliant. The municipality should not entertain an application and/or request for on street accessible parking as we cannot guaranty its use will be for the sole purpose of this building. Also it has the potential of setting a precedence for other applications/requests resulting effect is potentially reducing the standard on street parking capacity;

4.) Surface water mitigation upon the entrance and parking lot areas appear to be contained within the development and does not appear to affect adjacent lands. However the existing drainage patterns from adjacent properties cross/enter the proposed site has this been taken into consideration of the sizing of the storm system (not indicated). Roof Leader appears to be directly connected to the storm sewer... this is not to be approved.

5.) The snow storage location indicated on the proposed sketch takes up approximately 1.0m of the side yard as well as 1.0m of the parking areas. Caution should be afforded as the 1.0m side yard portion could become unstable from the excessive water saturation during thaw periods. Slope stabilization may be required to ensure neighboring property integrity.

Respectfully

Phillip Taylor
Manager, Transportation & Fleet Services

From: Kara Rogers
Sent: Monday, August 13, 2018 11:36 AM
To: Matt Smith <msmith@meaford.ca>; Margaret Wilton-Siegel <mwiltonsiegel@meaford.ca>; Jeff Fries <jfries@meaford.ca>; Phillip Taylor <ptaylor@meaford.ca>; Jenna Davison <jdavison@meaford.ca>; Liz Buckton <lbuckton@meaford.ca>; Rob Armstrong <rarmstrong@meaford.ca>
Notice of Public Meeting – Committee of Adjustment

Purpose and Effect: The proposed application (A08-2018) requests a variance to facilitate construction of a new commercial building. The application requests relief from Provision 5.5(a) of Zoning By-law 60-2009, which requires parking areas and driveways to be located no closer than 1 metre from any lot line. Application A08-2018 requests a reduced east interior yard setback for the driveway and parking from 1.0m to 0.4m.

Related Applications: None.

Location: Plan 309 Lot 1042, known municipally as 46 Trowbridge Street West, in the former Town of Meaford, now in the Municipality of Meaford.

Meeting Date and Time: Thursday, August 23rd, 2018 at 4:00 p.m.

Meeting Location: 157859 7th Line, Meaford, Ontario (Council Chambers)

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Additional information and material regarding this application are available at the Municipal Administration Office during regular business hours.

Municipality of Meaford Administration Office
21 Trowbridge Street West
Meaford, Ontario N4L 1A1

Kara Rogers
Planner/GIS Coordinator
krogers@meaford.ca
519-538-1060 ext. 1119

Liz Buckton
Senior Planner
lbuckton@meaford.ca
519-538-1060 ext. 1120

If your property contains 7 or more residential units, please post in a location that is visible to all residents.
How can I contribute my opinion?

Any person or agency may attend the Public Meeting and/or make verbal or written comments regarding the proposal.

How do I submit my comments?

Submit written comments prior to the meeting or sign-up to be notified of a decision by contacting or mailing the Secretary-Treasurer:

Kara Rogers
Secretary-Treasurer, Committee of Adjustment
21 Trowbridge Street West
Meaford, Ontario N4L 1A1
krogers@meaford.ca
519-538-1060 ext. 1119

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This document can be made available in other accessible formats as soon as practicable upon request.
Recommendation

That Committee of Adjustment of the Municipality of Meaford APPROVE Minor Variance A09-2018 to provide relief from Provisions of 4.2.1 which, by definition, exclude below-grade floor area of the main dwelling from being counted in the calculation of the 50% maximum floor area permitted for the detached unit.

Notwithstanding 4.2.1.2 b) to the contrary, the maximum floor area of the accessory apartment dwelling unit (excluding floor area where the distance between finished ceiling and finished floor is 1.2 meters or less) shall not be greater than 50% of the floor area of the main dwelling unit, said calculation of main unit floor area to include its finished basement floor area. Staff recommend that a condition be applied to the variance, requiring that the above-grade floor area of the detached accessory apartment dwelling unit be limited to a maximum of 83m² (893ft²).

Background

The subject lands are located at 138052 Grey Rd 112 and are within the Agricultural and Environmental Protection designations of the Municipality of Meaford Official Plan. The lands are zoned Agricultural (A) and Environmental Protection (EP) within the Downtown Core Commercial (C1) zone of Meaford’s Comprehensive Zoning By-law 60-2009, as amended. The lot is occupied by an existing single detached dwelling and accessory garage.

The subject property has recently been acquired by the applicant who intends to construct a detached accessory apartment unit on the lands. Such a unit is permitted on an as-of-right basis by the Zoning By-law, subject to the applicable provisions of Section 4.2.1 of the by-law.
Surrounding land uses include Agricultural and Rural Residential parcels.

Minimum Distance Separation (MDS) Calculations have been completed for livestock facilities within 750m of the lands, and a suitable envelope is available outside of the MDS setbacks and within 50m of the main dwelling (as is required by 4.2.1.3 of the Zoning By-Law).

Site Plan Control applies to the lands and detail relating to siting of the unit and compliance with the setback, height, sizing and parking provisions of the by-law will be confirmed via this review, prior to issuance of a building permit on the lands.

Section 4.2.1.2 b) of the by-law requires that ‘the maximum floor area of the accessory apartment dwelling unit (excluding floor area where the distance between finished ceiling and finished floor is 1.2 meters or less) is not greater than 50% of the gross floor area of the main dwelling unit’.

Gross Floor Area is defined as “the aggregate of the floor area measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, and in the case of a dwelling unit, excluding any porches, verandas or sunrooms (unless habitable in all seasons of the year), any floor below the first storey, cellar or private garage.”

Based upon the above definition, the sizing of the accessory unit is calculated based upon the above-grade floor area of the main unit, to a maximum of 50%. In the current circumstance, the existing main dwelling is a raised bungalow with fully finished living area in the basement. The applicants – who have ordered and paid for the proposed (modular) accessory dwelling, set for delivery this fall – did not initially realize the nuance and implication of ‘gross floor area’ vs. ‘floor area’ and sized the unit, foundation and septic installations based on 50% of the total living area of the main dwelling. They have requested the subject variance such that they may proceed with the unit as planned, based on the total living area of the main unit. Staff note this hardship scenario for context, however have evaluated the application against the applicable policy and tests of a minor variance independent of this circumstance.

Analysis

An application for a variance to the Zoning By-law must be consistent with the Provincial Policy Statement, County and Local Official Plans and must satisfy Section 45(1) of the Planning Act.
Section 45(1) of the Planning Act authorizes the granting of a minor variance “in respect of the land, building or structure or use thereof”. For a successful variance, the following tests of Section 45(1) of the Planning Act must all be satisfied:

- The variance must be minor;
- The variance must be desirable for the appropriate development or use of the land, building or structure;
- The variance must maintain the general intent and purpose of the Official Plan; and,
- The variance must maintain the general intent and purpose of the Zoning By-law.

The four tests, and policy conformity/consistency considerations are examined in the table and text below.

<table>
<thead>
<tr>
<th>Analysis Table</th>
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<tbody>
<tr>
<td>Consideration</td>
</tr>
<tr>
<td>Provincial Policy Statement – Consistency</td>
</tr>
<tr>
<td>The variance maintains the general intent &amp; purpose of Official Plan.</td>
</tr>
</tbody>
</table>
detached dwelling or detached building in the Agricultural, Rural or Specialty Agricultural designations where:

a) the accessory apartment meets the relevant requirements of the Ontario Building Code and Fire Code;

b) there is sufficient space on the lot to provide one additional parking space for the use;

c) The existing residential nature of the dwelling is maintained;

d) The minimum area of the accessory unit does not reduce the area of the primary living area below that required by the Zoning By-law;

e) In no case shall the floor area of an accessory unit exceed 50% of the total floor area of the detached dwelling; and,

f) In no case shall the accessory apartment have more than two bedrooms;

g) Where an accessory apartment is proposed in a detached building, site plan control shall apply. The structure shall be located within the existing building cluster and be serviced by a shared septic system, where feasible; and,

i) An accessory unit in a detached building shall only be permitted where the lot is of sufficient size to accommodate a full septic failure bed for both units.”

The proposed variance would note result in a detached unit that would exceed 50% of the total floor area of the main dwelling on-site. All other considerations will be
The variance maintains the general intent & purpose of the Zoning By-law.  

<table>
<thead>
<tr>
<th>The variance maintains the general intent &amp; purpose of the Zoning By-law.</th>
<th>Yes</th>
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</thead>
</table>
| Section 4.2.1 of the Zoning By-law restricts the sizing of a detached accessory unit to a maximum of 50% of the Gross Floor Area of the main unit (which would exclude any floors below the first storey, cellars etc...).

The intention of this provision is two-fold:

1) The accessory unit is meant to be secondary/subordinate in relation to the living area of the main unit. Below grade living areas are often fully or partially unfinished, or may not constitute a ‘storey’ based on the Ontario Building Code. By excluding such floor area from the as-of-right calculation, we prevent circumstances where the living area of the accessory unit would be based upon such non-habitable space.

2) From a visual/character perspective, typically accessory buildings are intended to be visually subordinate to the main unit on-site. By excluding below-grade area from the calculation of floor area of the main unit, we prevent a circumstance where that area could be used to justify a fully above-grade unit equal in size to the above-grade portion of the main unit.

In this circumstance, the applicant has certified that the basement is in fact finished living space. Additionally, the accessory unit is intended to include its own basement, such that the unit will remain visually secondary to the main unit on-site. A condition is recommended in this regard, to restrict the...
above-grade floor area of the detached accessory unit. Based upon the building plans provided for the unit to be constructed, a maximum of 83m2 (893m²) of above-grade floor area is proposed.

Staff are of the opinion that the intent of the by-law is maintained.

<table>
<thead>
<tr>
<th>The variance is desirable for appropriate development of the lands.</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>The subject lands are intended to be used for Agricultural and related residential purposes. Detached accessory apartment dwelling units are permitted as-of-right within the implementing Zoning By-law and all other applicable provisions for such a unit will be satisfied. Matters such as site layout and confirmation of zoning compliance via the related Site Plan Control review process. MDS1 will be met from adjacent livestock facilities. Staff are of the opinion that the proposed variance is desirable and an appropriate use of the lands.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>The variance is ‘minor’.</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>As discussed above, in relation to the intent of the Official Plan and Zoning By-law, Staff are of the opinion that the proposed variance is minor in terms of impact.</td>
<td></td>
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</tbody>
</table>

**Implications**

Approval of the subject variance will facilitate the siting of a detached accessory apartment unit on the lands, utilizing the total habitable floor area of the main unit, in calculation of its sizing. A condition has been recommended to limit the above-grade floor area of accessory unit, to ensure that it remains visually secondary to the main unit. The subject variance would facilitate the planned accessory unit to be constructed with a basement, and would alleviate hardship for the property owner, who has already ordered and paid for the unit, and arranged for related foundation and septic works proposed.
Strategic Priorities

This report supports the mission, vision and values of the Municipality of Meaford, as well as the goals and objectives set out in Council’s Strategic Priorities 2015-2018.

Consultation and Communications

Notice has been circulated in the manner prescribed by the Planning Act to the following:
Grey Sauble Conservation Authority
Grey County Planning, Transportation and Clerk’s Department
Ontario Power Generation
The City of Owen Sound
Union Gas
Municipal Property Assessment Corporation
Metis Nation of Ontario
Saugeen Ojibway Nation
Historic Saugeen Metis Nation
Municipality of Meaford – Transportation, Legislative & Protective Services, Meaford & District Fire Chief, and Development & Environmental Services.

Eleven (11) property owners within 60 meters of the subject lands were circulated notice of the application.

Conclusion

It is the opinion of Planning Staff that the subject application is consistent with the Provincial Policy Statement; meets the four tests of a minor variance, and generally represents good planning. In this regard, Staff recommends that the Committee of Adjustment approve the requested minor variance application, subject to the condition identified herein.

Respectfully Submitted:

Liz Buckton, RPP
Senior Planner
TFS has no comments regarding the application on the Municipality of Meaford criteria.

Phillip Taylor
Manager, Transportation & Fleet Services

Good Afternoon,

Please see the attached notice of application & public meeting for minor variance A09-18. Questions and comments can be directed to me (info below) or to Kara Rogers (krogers@meaford.ca).

Thank you,

Liz Buckton, BSc. (Hons), MCIP, RPP
Senior Planner
Municipality of Meaford

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Notice of Public Meeting – Committee of Adjustment

Purpose and Effect: Application 808/18 requests municipal consent to sever a parcel of land, with existing dwelling and accessory structures, with an area of approximately 2.391 hectares (5.9 acres) and with approximately 57m (187 ft) of frontage on Sydenham-Lakeshore Drive for the purpose of lot creation. The retained parcel would maintain an area of approximately 37.109 hectares (91.7 acres) with approximately 356m (1167.98 ft) of frontage on Sydenham-Lakeshore Drive.

Related Applications: None.

Location: Concession C Part Lot 27, known municipally as 439281 Sydenham-Lakeshore Drive, in the former Township of Sydenham, now in the Municipality of Meaford.

Meeting Date and Time: Thursday, August 23rd, 2018 at 4:00 p.m.

Meeting Location: 157859 7th Line, Meaford, Ontario (Council Chambers)

If a person or public body that files an appeal of a decision of the Municipality of Meaford Committee of Adjustment in respect of the proposed consent does not make written submissions to the Municipality of Meaford Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal may dismiss the appeal.

If you wish to be notified of the decision of the Municipality of Meaford Committee of Adjustment in respect of the proposed consent, you must make a written request to the Municipality of Meaford Committee of Adjustment.

Additional information and material regarding this application are available at the Municipal Administration Office during regular business hours.

Kara Rogers
Planner/GIS Coordinator
krogers@meaford.ca
519-538-1060 ext. 1119

Liz Buckton
Senior Planner
lbuckton@meaford.ca
519-538-1060 ext. 1120

If your property contains 7 or more residential units, please post in a location that is visible to all residents.
How can I contribute my opinion?
Any person or agency may attend the Public Meeting and/or make verbal or written comments regarding the proposal.

How do I submit my comments?
Submit written comments prior to the meeting or sign-up to be notified of a decision by contacting or mailing the Secretary-Treasurer:

Kara Rogers
Secretary-Treasurer, Committee of Adjustment
21 Trowbridge Street West
Meaford, Ontario N4L 1A1
krogers@meaford.ca
519-538-1060 ext. 1119

Under the authority of the Municipal Act, 2001 and in accordance with Ontario’s Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), all information provided for, or at a Public Meeting, Public Consultation, or other Public Process are considered part of the public record, including resident deputations. This information may be posted on the Municipality’s website, and/or made available to the public upon request.

This document can be made available in other accessible formats as soon as practicable upon request.
Recommendation

That Committee of Adjustment of the Municipality of Meaford APPROVE Consent B08-2018, subject to the following conditions:

1) Payment of cash-in-lieu of parkland dedication for the severed lands;
2) That a survey be provided confirming the location of the existing well & septic system on the lands and demonstrating that the minimum required setbacks under the Ontario Building Code are provided to the new lot lines for the septic system; and,
3) That the applicant:
   a. Demonstrate, to the satisfaction of the Municipality, that the accessory buildings and structures on the severed parcel will meet the applicable provisions and standards of the Zoning By-law, or
   b. Obtain a Minor Variance or Zoning Amendment to address/remedy any non-compliance with the applicable Zoning.

Background

Application B08/18 requests municipal consent to sever a parcel of land, with existing dwelling and accessory structures, having an area of approximately 2.391 hectares (5.9 acres) and with approximately 57m (187 ft) of frontage on Sydenham-Lakeshore Drive for the purpose of lot creation. The retained parcel would maintain an area of approximately 37.109 hectares (91.7 acres) with approximately 356m (1167.98 ft) of frontage on Sydenham-Lakeshore Drive.

The subject lands are designated Rural by both the County of Grey and Municipality of Meaford’s Official Plans and are zoned Rural (RU) and RU(H2)
by Meaford’s Comprehensive Zoning By-law, 60-2009, as amended. The H2 holding provision relates to the proximity of the lands to a closed landfill site, located opposite the property on Sydenham-Lakeshore Drive, and restricts development on a portion of the lands until appropriate study has been undertaken to demonstrate no risks for development (e.g. arising from methane migration). This provision is not anticipated to affect the subject application as the structures on the proposed severed lot exist. A suitable building envelope would be available outside of the H2 on the retained parcel, should such development be pursued in the future.

The lands have recently been acquired by a bona fide farmer who intends to retain the agricultural lands for active farming in conjunction with other agricultural land holdings in the area. The proposed severed lot includes structures surplus to the landowner’s agricultural needs and thus the proposed severed lot has been sized/arranged to include only the lands necessary to service the residence and outbuildings for rural residential use. Being that the proposed severed lot is in excess of 2ha (4.94 acres), generally the Rural zone of the municipal comprehensive Zoning By-law would continue to apply to the lands, permitting residential, agricultural and accessory uses on the lands.

**Analysis**

In considering the application for consent, the Committee of Adjustment must be satisfied that it is consistent with the Provincial Policy, conforms to the intent and direction of the County and Local Official Plans and Zoning By-law, and represents good planning.

In support of the application, a brief Planning Justification letter has been submitted by Kristine Loft of Loft Planning Inc. *(Appendix 1)*. This letter includes a discussion around the applicable policies of the Provincial Policy Statement and the Municipality of Meaford Official Plan (which is based upon and conforms to the policies of the County of Grey’s Official Plan). The letter also includes a discussion around the applicable standards of the Municipality of Meaford’s Zoning By-law, demonstrating compliance of the lot and residential dwelling with the standards of the applicable Rural Zone.

Staff generally concur with the evaluation and conclusions provided by Ms. Loft in her Planning Letter, however wish to elaborate on the following matters:

1) **Minimum Distance Separation** – Staff note that the Municipality of Meaford circulated the owners of all livestock facilities within 750m of the subject lands in order to obtain data regarding their operations,
allowing for completion of detailed MDS1 calculations for each facility. Based upon this information, Staff note that MDS1 is met (to the lot lines of the retained parcel) for all barns in the area with the exception of the facility on the lot to the immediate north of the subject lands. The MDS1 setback for this operation extends into the proposed severed lot by approximately 22m. Based on the fact that the proposed severed lot exceeds 2ha in size; includes an existing dwelling, and will retain general Rural Zoning (agricultural permissions included), Staff are of the opinion that it is appropriate to apply MDS Guideline 8 which would not require MDS1 to be met for the proposed severed lot. Regarding the retained parcel, Staff note that the encroaching MDS1 setback would not restrict an adequately sized building envelope elsewhere on the 37ha retained parcel should future construction be pursued on the lands.

2) **Justification to exceed the 1:3 Frontage to Depth Ratio** – Staff note that justification is required in order to exceed the 1:3 Frontage to Depth ratio required by the Official Plan. Ms. Loft has highlighted that the proposed lot has been sized/configured in order to retain the greatest amount of land for Agricultural use. Staff accept this rationale and would note that it is a specific objective of the Plan that a severed lot should not remove good agricultural land from production and that development is to be located where it would have the least impact on existing and future agricultural operations.

3) **Compliance of existing structures with the Zoning By-law** – The letter provided by Ms. Loft included an evaluation of the lot and residential structure against the standards of the Zoning By-law. Staff note that the proposed severed lot also includes an existing drive-shed, bank barn, shed and grain bin, however details regarding the height and the siting of these structures relative to the new proposed lot lines have not been provided. Staff recommend that a condition be applied to the consent requiring confirmation that these setbacks are met and if not, that a Zoning Amendment or Variance be approved to permit any deficiencies. Similarly, a condition is recommended requiring confirmation that the existing septic on-site is appropriately setback from the new lot lines, per the requirements of the Ontario Building Code.

4) **Parkland Dedication** – Section D4.4.2.3 of the Official Plan and related By-law 50-2011, require parkland dedication of 5% of the land for the creation of a new lot. Staff recommend that a condition be
applied requiring that cash-in-lieu of parkland be provided for the severed parcel.

Subject to the conditions identified herein Staff are generally satisfied that the application is consistent with the Provincial Policy, conforms to the intent and direction of the County and Local Official Plans and Zoning By-law, and represents good planning.

**Strategic Priorities**

This report supports the mission, vision and values of the Municipality of Meaford, as well as the goals and objectives set out in Council’s Strategic Priorities 2015-2018.

**Consultation and Communications**

Notice has been circulated in the manner prescribed by the Planning Act to the following:

Grey Sauble Conservation Authority
Grey County Planning, Transportation and Clerk’s Department
Hydro One Networks Inc.
Ontario Power Generation
The City of Owen Sound
Union Gas
Municipal Property Assessment Corporation
Metis Nation of Ontario
Saugeen Ojibway Nation
Historic Saugeen Metis Nation
Rogers – Simcoe Communications
Military Training Facility
Municipality of Meaford – Transportation Services, Legislative & Protective Services, Meaford & District Fire Chief, and Development & Environmental Services.
Intertownship Fire Department

Ten (10) property owners within 120 meters of the subject lands were circulated notice of the application.

**Conclusion**

Based on the foregoing evaluation, Staff recommend the Committee APPROVE Application B08-18, subject to the conditions identified herein.
Supporting Documentation

Appendix 1 – Planning Letter, Loft Planning Inc.

Respectfully Submitted:

[Signature]

Liz Buckton, RPP
Senior Planner
July 17, 2018

Ms. Liz Buckton
Planner
Municipality of Meaford
21 Trowbridge St W
Meaford, ON
N4L 1N2

Dear Ms. Buckton:

RE: Proposed Consent
Lt 27, Con C Sydenham except Pt 1, Municipality of Meaford
439281 Sydenham-Lakeshore Drive
Our File No. HEN.27518

We act as planners on behalf of Mitchell Henry to provide planning services in connection with an application for a consent with respect to the aforementioned property. Please find enclosed the application for consent.

The subject land is known as 439281 Sydenham-Lakeshore Drive and legally known as Lot 27 Concession C (former Township of Sydenham), except Part 1, Municipality of Meaford, County of Grey. The subject lands have a lot area of 39.5 ha (97.6 acres) and a lot frontage of 415 metres onto Sydenham-Lakeshore Drive.

There is an existing residence and two accessory structures, including a drive-shed, bank barn and shed. A 5000 bushel grain bin is located on site as well. The characteristics of the landscape is rural agricultural. The land fronts onto two roads being Sydenham-Lakeshore and 6th Concession North, with the entrance fronting Sydenham Lakeshore Drive to the west.

The proposal is to sever a rural residential parcel including the existing residence and outbuildings. The following outlines the details of the consent proposal:
Provincial Policy Statement

The lands would be considered to be within the Rural Lands within the Provincial Policy Statement. The PPS provides for the following related to the proposed consents.

1.1.5 Rural Lands in Municipalities

1.1.5.2 On rural lands located in municipalities, permitted uses are:

- a. the management or use of resources;
- b. resource-based recreational uses (including recreational dwellings);
- c. limited residential development;
- d. home occupations and home industries;
- e. cemeteries; and
- f. other rural land uses.

1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.

1.1.5.5 Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.

1.1.5.6 Opportunities should be retained to locate new or expanding land uses that require separation from other uses.

1.1.5.7 Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.

1.1.5.9 New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.

The lands are designated Rural within the Official Plan and are not considered Prime Agricultural lands. The subject lands have a lot area of 39.5 hectares. The proposal is to sever one rural residential lot from the subject lands. The consent would sever the existing residence and accessory structures, leaving the remaining rural lands. MDS has been calculated and is included as Appendix A.
The proposed lot is of a suitable size including only lands required for a residence, accessory building and private services. The owner is a bona fide farmer and the intent is to retain the agricultural lands for active farming in conjunction with other agricultural land holdings in the area. The severed parcel is approximately 2.391 ha in lot area due to the located of the structures on site, and the extent of the laneway to reach the buildings and structures. The severed parcel is irregular in shape to avoid where possible including agricultural lands.

There does not appear to be any constraints anticipated due to the proposed lot. As such, it is our opinion that the proposal is consistent with the Provincial Policy Statement.

**Official Plan**

The lands are designated Rural within the Municipality of Meaford Official Plan. There are two small areas of Environmental Protection identified within the Local Plan which do not appear to be affected by the proposal. The land is also within 500 metres of a closed waste disposal site.

Section B2.3.5.1 entitled Minimum Distance Separation Formulae provides that MDS1 would apply. A site visit was completed to identify all barns in the immediate area (within 1000 metres). The MDS calculations are included as part of Appendix A. There are four potential livestock structures in the area that were included as part of the MDS analysis. It is our opinion that MDS1 is met.

**B2.3.3 Permitted Uses**

a) agricultural uses;

b) single detached dwellings;

c) bed and breakfast establishments subject to the policies of Section B2.1.4.5 of this Plan;

d) home occupations, and custom workshops subject to the provisions of Section B2.1.4.6 of this Plan;

e) accessory residential uses on farm properties subject to Section B2.1.4.4 of this Plan;
Within the Rural designation farm lots shall generally be 20 hectares or greater. Lots less than 20 hectares in size may be created and used for agricultural purposes however lots less than 2 hectares in size will generally be considered non-farm residential parcels and will be zoned accordingly in the implementing Zoning By-law. The proposed severed lot has an area of 2 ha and the retained parcel has a lot area of 2.391 ha. (B2.3.4 Development Policies)

In accordance with the intent of this Plan to maintain the rural character of the Municipality, the majority of the new residential development is directed to settlement areas and vacant building lots. However, a limited number of new lots for residential purposes may be created in the Rural designation. (B2.3.4.1. Creation of New Lots)

In considering the creation of a new lot, it shall be ensured that:

a) the severed lot will not remove good agricultural land from production and is located where it would have the least impact on existing and future agricultural operations;

   *The subject lands are identified as Rural lands, are not considered prime agricultural. The proposed lot is irregular in shape to avoid severed viable agricultural lands.*

b) the proposed lot is generally no smaller than 0.8 hectares (1.97 acres);

   *The proposed parcel is 2.3 ha.*

c) the lot will conform to the minimum distance required by the Minimum Separation Distance Formula;

   *MDS has been calculated and is met.*

d) the proposed lot complies with the applicable criteria set out in Section D4.2.1 (New Lots by Consent General Criteria);

   *The proposed consent meets the general criteria. See section D4.2.1 General Criteria below for conformity.*

e) Non-farm lot creation within 500 meters of the Urban Area of Meaford shall not be considered.

   *Not applicable.*

f) no ribbon development along roadways will result from the development. Ribbon development shall mean a strip of four (4) or more contiguous non-farm lots, less than 20 hectares in area, along an existing road.
g) In order to avoid narrow linear parcels of land, the frontage-to-depth ratio for non-farm lots shall be a maximum of 1:3. Justification to go beyond the 1:3 frontage-to-depth ratio shall be provided via any development application.

In order to preserve the most amount of agricultural land on the retained parcel, the 1:3 ratio cannot be met. The severed parcel has a lot frontage of 57m and a lot area of 2.3 ha.

Prior to considering an application to create a new lot for any purpose, the Committee of Adjustments shall be satisfied that the proposed lot:

a) fronts on and will be directly accessed by a public road that is maintained on a year-round basis;

   The property fronts on an open and maintained municipal road allowance.

b) will not cause a traffic hazard as a result of its location on a curve or a hill;

   Met.

c) can be serviced with an appropriate water supply and means of sewage disposal. Where municipal services are not available, evidence shall be provided indicating the site’s suitability to provide adequate quality and quantity of water supply and confirming that the site can accommodate an approved sanitary sewage disposal system with adequate area to accommodate a 100% contingency envelope on the lot;

   The subject property is appropriately serviced by an existing water supply and sewage disposal.

d) will not have a negative impact on the drainage patterns in the area;

   The proposed consent will not impact the drainage patterns in the area. Grading will remain the same.

e) will not affect the development ability of the remainder of the lands, if they are designated for development by this plan; and

   Not applicable.

f) will not have a negative impact on the features and functions of any environmentally sensitive feature in the area.

   The proposed lot will not impact any environmentally sensitive features in the area.
Based on our review of the above noted policies, it is our opinion that the proposal conforms to Municipality of Meaford Official Plan.

**Zoning By-law**
The subject lands are zoned Rural (RU) and Environmental Protection (EP) and generally meet the requirements for the Rural designation. The residential dwelling and accessory structures meet the required zone standards.

<table>
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<tr>
<th>Requirement</th>
<th>Required</th>
<th>Severed</th>
<th>Retained</th>
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<tbody>
<tr>
<td>Minimum lot area</td>
<td>2 ha</td>
<td>2.391 ha</td>
<td>37.109</td>
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<tr>
<td>Minimum required front yard</td>
<td>7.5 m</td>
<td>57 m</td>
<td>320 m</td>
</tr>
<tr>
<td>Minimum required exterior side yard</td>
<td>7.5 m</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Minimum required interior side yard</td>
<td>3.0 m</td>
<td>20 m</td>
<td>MET</td>
</tr>
<tr>
<td>Minimum required rear yard</td>
<td>7.5 m</td>
<td>31.5 m</td>
<td>MET</td>
</tr>
<tr>
<td>Maximum height</td>
<td>11 m</td>
<td>2 stories</td>
<td>MET</td>
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</table>
**Conclusions**

In conclusion and based upon the above reporting, it is our opinion that the proposed consent application conforms to both Official Plans and are consistent with the Provincial Policy Statement, and complies with the Comprehensive Zoning By-law No. 60-2009.

It is our opinion that the proposal for consent has merit and represents good planning.

Respectfully,

**LOFT Planning Inc.**

Kristine A. Loft, MCIP RPP
Principal

Figure 1: Site Location
Figure 2: Site Aerial
Figure 3: Consent Sketch
Figure 4: County of Grey Official Plan Schedule A
Figure 5: Municipality of Meaford Official Plan Schedule A
Figure 6: Municipality of Meaford Zoning By-law
Appendix A - MDS
Figure 2: Site Aerial

Subject Lands

439281 Sydenham-Lakeshore Drive
Lot 27, Concession C, Sydenham Except Part 1, 16R2957, Meaford
Geographic Township of Sydenham
Municipality of Meaford

SCALE 1:7500
Figure 3: Consent Sketch

Subject Lands

TO BE SEVERED
2.4 ha
23910.5 m²

TO BE RETAINED
36.9 ha
368966.3 m²

439281 Sydenham-Lakeshore Drive
Lot 27, Concession C, Sydenham Except Part 1, 16R2957, Meaford
Geographic Township of Sydenham
Municipality of Meaford
Figure 4: Grey County Official Plan Schedule A

Subject Lands  Agricultural
Rural  Hazard Lands

439281 Sydenham-Lakeshore Drive
Lot 27, Concession C, Sydenham Except Part 1, 16R2957, Meaford
Geographic Township of Sydenham
Municipality of Meaford

SCALE 1:7500
Figure 5: Municipality of Meaford Official Plan Schedule A

- Subject Lands
- Agricultural
- Rural
- Environmental Protection

439281 Sydenham-Lakeshore Drive
Lot 27, Concession C, Sydenham Except Part 1, 16R2957, Meaford
Geographic Township of Sydenham
Municipality of Meaford
Figure 6: Municipality of Meaford Zoning By-law Schedule A

Subject Lands

439281 Sydenham-Lakeshore Drive
Lot 27, Concession C, Sydenham Except Part 1, 16R2957, Meaford
Geographic Township of Sydenham
Municipality of Meaford

SCALE 1:7500
Minimum Distance Separation

Farm 1:
- 262 m (distance from livestock barn)
- 189 m (distance from manure storage)

Farm 2:
- Not capable of livestock

Farm 3:
- 431 m (distance from livestock barn)
- 431 m (distance from manure storage)

Farm 4:
- 387 m (distance from livestock barn)
- 387 m (distance from manure storage)

Legend
- Parcels
- Large Scale Roads
  - Provincial Highway
  - County Road
  - Township Road
  - Seasonal Road

This map is a user-generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

WGS_1984_World_Mercator_AUXiliary_Sphere
© County of Grey

Printed: July 17, 2018

THIS MAP IS NOT TO BE USED FOR NAVIGATION
August 15th, 2018

Liz Buckton, Senior Planner
Municipality of Meaford
21 Trowbridge Street West
Meaford, Ontario N4L 1A1

*Sent via E-mail

RE: Consent Application B08/2018
439281 Sydenham-Lakeshore Drive, Concession C Part Lot 27
Municipality of Meaford (former Township of Sydenham)
Owner: Mitchell James Henry
Applicant/Agent: Kristine Loft

Dear Ms. Buckton,

This correspondence is in response to the above noted application. We have had an opportunity to review the application in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP). We offer the following comments.

The purpose and effect of the subject application is to sever a parcel of land, with existing dwelling and accessory structures, with an area of approximately 2.391 hectares (5.9 acres) and with approximately 57m (187 ft) of frontage on Sydenham-Lakeshore Drive for the purpose of lot creation. The retained parcel would maintain an area of approximately 37.109 hectares (91.7 acres) with approximately 356m (1167.98 ft) of frontage on Sydenham-Lakeshore Drive.

Schedule A of the OP designates the subject property as ‘Rural’. Policy 2.3.4(1)(i) states,

The owner of the lands to be severed is a ‘bona fide farmer’. For the purposes of this policy, the ‘bona fide farmer’ must have a Farm Business Registration number. A ‘bona fide farmer’ shall be defined as to include a limited company, sole proprietorship, incorporated company, numbered company, partnership and other similar ownership forms.

The applicant is a bona fide farmer, as stated in the application and the associated planning justification report submitted by Loft Planning Inc.

Furthermore, policy 2.3.4(1)(ii) states,
The lot proposed for the residence and buildings surplus to the farming operation shall be limited in area and shall only be of sufficient size to accommodate the residence surplus to the farming operation, accessory buildings (where including accessory buildings does not render the lot excessively large), a well and sewage disposal system, while ensuring that as little land as possible is removed from the agricultural lands.

The proposed severed parcel seems to simply encompass the lands within the development cluster including only the residence, accessory building and private services. No agricultural lands will be removed from production as a result of this severance.

Policy 2.3.4(2) states,

All consents for new lot development shall be no smaller than 0.8 hectares.

The severed parcel is outlined as 2.391 hectares in size. County planning staff have no concerns.

Appendix B of the County OP identifies 'Significant Woodlands' in proximity to the subject property. According to policy 2.8.4(1),

no development or site alteration may occur within significant woodlands or their adjacent lands unless it has been demonstrated through an Environmental Impact Study that there will be no negative impacts on the natural features or their ecological functions.

In this regard, proposed development exceeds the adjacent lands. County planning staff have no concerns.

Appendix A identifies an abandoned landfill in proximity to the subject property. Policy 5.4.2(2) states,

no development or site alteration shall be permitted within 500 metres of an existing or known abandoned landfill site, unless a D-4 study has been prepared and submitted for review in accordance with the Ministry of the Environment Guideline D-4, indicating that the lands to be developed are secure from potential methane gas and/or leachate migration from the landfill site or what remedial measures or conditions are required prior to any development approval being granted.

The proposed lot is located beyond 500 metres from the known abandoned landfill site. County planning staff have no concerns.

Section 2.3.3(1)(b) of the OP states,
new land uses, including the creation of lots, or new or expanding livestock facilities shall comply with the Minimum Distance Separation (MDS) formulae.

MDS calculations were submitted as part of the planning justification report completed by Loft Planning Inc. MDS1 requirements seem to be met.

Provided MDS requirements can be achieved, County planning staff have no concerns.

The County requests notice of any decision rendered with respect to this file.

If you wish to discuss this matter further, please do not hesitate to contact me.

Yours truly,

Stephanie Lacey-Avon
Planner
(519) 372-0219 ext. 1296
stephanie.lacey-avon@grey.ca
www.grey.ca
Hi Sandeep and Rakesh,

In preparing notice for the minor variance application to reduce the 1m setback between WEST lot line and driveway down to 0.4m, Kara and I realized that the plan does not include dimensions to demonstrate that the 1m required setback between lot lines and driveway/parking spaces is indeed met for the EAST lot line (i.e. At the top of the parking spaces, where it is shown that interim snow storage will be placed).

Given our many prior discussions around the setbacks and parking standards, I had assumed that these requirements have been provided, however in scaling off the dimensions from the drawing, it is not possible to confirm.

For the notice that MUST be circulated by next Monday, it would be appreciated if you can please confirm:
1) that 1m is provided from the west lot line, to the top of these parking spaces;
2) that the parking spaces shown are 5.8m in length, and
3) that the aisle behind the parking spaces is 5.8m wide.

If these standards are not met, then the variance application should include a related request for their reduction.

I am out of office tomorrow but will periodically check email. Please also copy Kara (krogers@meaford.ca) on any reply.

Sincerely,

Liz Buckton

Sent from my BlackBerry 10 smartphone on the Bell network.
Hello,

We are in receipt of your Application for Consent, B08-18 dated August 9, 2018. We have reviewed the documents concerning the noted Application and have no comments or concerns at this time. Our preliminary review considers issues affecting Hydro One’s ‘High Voltage Facilities and Corridor Lands’ only.

For proposals affecting ‘Low Voltage Distribution Facilities’ please consult your local area Distribution Supplier.

To confirm if Hydro One is your local distributor please follow the following link: http://www.hydroone.com/StormCenter3/

Please select “Service Territory Overly” and locate address in question by entering the address or by zooming in and out of the map.

If Hydro One is your local area Distribution Supplier, please contact Customer Service at 1-888-664-9376 or e-mail CustomerCommunications@HydroOne.com to be connected to your Local Operations Centre
Please let me know if you have any questions or concerns.

Thank you,

Dennis De Rango  
Specialized Services Team Lead, Real Estate Department 
Hydro One Networks Inc.  
Tel: (905)946-6237

Email: Dennis.DeRango@HydroOne.com

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From: Kara Rogers [mailto:krogers@meaford.ca]  
Sent: Thursday, August 09, 2018 3:16 PM  
To: LANDUSEPLANNING; executivevp.lawanddevelopment@opg.com; Bloomfield, Briana; dvandijk@owensound.ca; ONTUGLandsINQ@uniongas.com; MR25Enquiry@mpac.ca; apportionments@mpac.ca; consultations@metisnation.org; d.ritchie@saugeenjojibwaynation.ca; saugeenmetisadmin@bmts.com; simcoecirculations@rci.rogers.com; christina.manley@forces.gc.ca  
Cc: Kristine Loft; Matt Smith; Margaret Wilton-Sieg; Marg Acres; Jeff Fries; Phillip Taylor; Jenna Davison; Rick Carefoot; Tammy Dobie; Kirsten Harvey; Liz Buckton; Rob Armstrong; Scott Granahan; Carl Linthorne  
Subject: Notice of Application and Public Meeting B08-18

*** Exercise caution. This is an EXTERNAL email. DO NOT open attachments or click links from unknown senders or unexpected email. ***

Good Afternoon,

Please find attached the Notice of Application and Public Meeting for Consent B08/18 – Loft/Henry.

Thank you,

Kara Rogers  
Planner/GIS Coordinator  
Municipality of Meaford  
519 538-1060 ext. 1119 | krogers@meaford.ca  
Twitter | Facebook | meaford.ca

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TFS Comments:

1.) To Be Severed Portion – Existing entrance acceptable to Municipal Standards;

2.) To Be Retained Portion – Will require an entrance permit application and entrance will be from Sydenham/Lakeshore Drive. Requirements of permit will be completed once application has been received.

Respectfully

Phillip Taylor
Manager, Transportation & Fleet Services

From: Phillip Taylor
Sent: Tuesday, August 14, 2018 8:58 AM
To: Kara Rogers
Cc: Jeff Fries
Subject: RE: Notice of Application and Public Meeting B08-18

From: Kara Rogers
Sent: Thursday, August 9, 2018 3:16 PM
To: landuseplanning@hydroone.com; executivevp.lawanddevelopment@opg.com; Bloomfield, Briana <bbloomfield@owensound.ca>; dvandijk@owensound.ca;
ONTUGLandsINQ@uniongas.com; MR25Enquiry@mpac.ca; apportionments@mpac.ca;
consultations@metisnation.org; d.ritchie@saugeenjibwaynation.ca;
saugeenmetisadmin@bmts.com; simcoecirculations@rci.rogers.com;
christina.manley@forces.gc.ca
Cc: Kristine Loft <kristine@loftplanning.com>; Matt Smith <msmith@meaford.ca>; Margaret Wilton-Siegel <mwiltonsiegel@meaford.ca>; Marg Acres <macies@meaford.ca>; Jeff Fries <jfries@meaford.ca>; Phillip Taylor <ptaylor@meaford.ca>; Jenna Davison <jdavision@meaford.ca>; Rick Carefoot <rcarefoot@meaford.ca>; Tammy Dobie <tdobie@meaford.ca>; Kirsten Harvey <kharvey@meaford.ca>; Liz Buckton <lbuckton@meaford.ca>; Rob Armstrong <rarmstrong@meaford.ca>; Scott Granahan <sgranahan@meaford.ca>; Carl Linthorne <carl.linthorne.itfd@bellnet.ca>
Subject: Notice of Application and Public Meeting B08-18

Good Afternoon,

Please find attached the Notice of Application and Public Meeting for Consent B08/18 – Loft/Henry.

Thank you,

Kara Rogers
Planner/GIS Coordinator
Municipality of Meaford
519 538-1060 ext. 1119 | krogers@meaford.ca
Twitter | Facebook | meaford.ca