



Staff Report

Planning & Development Services – Planning Division

Report To: Committee of Adjustment
Meeting Date: October 16, 2024
Report Number: PDS.24.129
Title: Recommendation Report – Minor Variance A33-2024 – 495972 Grey Road 2 (NW Property Corp.) ADDENDUM
Prepared by: Manuel Rivera, Planner I

A. Recommendations

THAT the Committee of Adjustment receive Staff Report PDS.24.129, entitled “Recommendation Report – Minor Variance A33-2024 – 495972 Grey Road 2 (NW Property Corp.) ADDENDUM”;

AND THAT the Committee of Adjustment GRANT a minor variance for A33-2024 subject to the following conditions:

1. The owner enter into a legal agreement with the County to recognize the encroachment onto a County Road, the terms of which must be to the satisfaction of the County of Grey;
2. A letter of exemption to the County Road Setback By-law be obtained from the County of Grey for the proposed addition;
3. That the site development be constructed in a manner substantially in accordance with the submitted site plan;
4. That this variance to the Zoning By-law is for the purpose of obtaining a building permit and is only valid for a period of two (2) years from the date of decision. Should a building permit not be issued within two years, the variance shall expire on October 16, 2026.

B. Background

The following report is an addendum to PDS.24.120 that was presented before Committee of Adjustment on September 18, 2024. Information regarding the subject lands, existing buildings and/or structures, adjacent properties and services was provided. Please refer to PDS.24.120 for those details.

The objective of the September's Committee of Adjustment was to request the following variance.

- 1) A front yard setback reduction from 7.5 metres to 0 metres with an encroachment on the County right-of-way (ROW) for the addition.
- 2) An exterior side yard setback reduction from 6 metres to 5.15 metres for the addition.
- 3) A reduction to the required parking from four (4) additional parking spaces to zero (0) parking spaces.

This was to permit the construction of 66 square metres addition on the northeast corner to expand their level of retail service to the immediate and surrounding community of Ravenna.

During the time when PDS.24.120 was being written, no comments had been received from Grey County. Upon receiving the initial comments from the County of Grey, the Town had questions and clarification on the comments, which resulted meeting between Town Planning Staff and County Planning Staff prior to Community of Adjustment. The objective of the meeting was to discuss and confirm the encroachment, sight lines and the use of the on-street parking. The outcome of the meeting was for County Transportation Staff to provide a follow up and revised comments were received however Town Staff still did not have all of the information required to provide a recommendation to the Committee, and therefore in cooperation with the application, Town Staff recommended deferral until these issues have been resolved.

As of result, Town Staff report recommended deferral until these items are addressed and brought forward to the next Committee of Adjustment. Since then, a revised Site Plan has been provided by the applicant and a subsequent meeting was held with the Applicant, County and Town Staff.

As a result, the proposed addition has been reduced to 60 square metres which has reduced the minimum parking space requirements from 4 parking spaces to 3 parking spaces. The three required parking spaces for the building addition can be accommodated on the site using a Tandem Parking arrangement. The arrangement is preferred over not providing parking, and the tandem spaces will be directed for the use of the residential component and staff parking freeing up the existing spaces for customer parking.

A revised variance has been brought forward seeking the following reliefs:

1. A reduction from the front yard setback from 7.5 metres to 0.91 metres from Table 7.2 of the Zoning By-law.
2. A reduction from the exterior side yard setback from 6 metres to 5.15 metres from Table 7.2 of the Zoning By-law.
3. A variation to section 5.1.3 To add an additional provision, "tandem parking shall be permitted" as a "parking space".

C. Analysis

Pursuant to Section 45(1) of the Planning Act, the Committee of Adjustment is authorized to grant minor variances to by-laws enacted by the Town which are established to implement the Official Plan. Staff have reviewed the proposal against the relevant planning documents, including the four tests of a minor variance, as outlined in the following section.

Does the proposal maintain the general intent and purpose of the Official Plan?

Please see PDS.24.120 for more information.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Please refer to PDS.24.120 for the zoning designation, the permitted uses and lot requirements. The first revised variance that is being requested a reduction from the front yard setback 7.5 metres to 0.91 metres. As mentioned in the PDS.24.120 the proposed addition will remain consistent with the main building façade. However, in the revised site plan has noted the existing vestibule entrance that encroaches on to the County r.o.w. will be removed to accommodate the proposed addition. Due to this change the proposed addition will no longer have a portion that will be extending on to the County r.o.w. The County of Grey communicated with Town Staff, the owner and agent that an encroachment permit from the County must be obtained as a condition of approval as part of a Site Plan Agreement for the existing building encroachment on the County's minimum setback requirements from a County r.o.w.

The second variance request to reduce the exterior side yard setback from 6 metres to 5.15 metres has not changed. One of the issues that raised by the County of Grey is that the site plan should incorporate a 5 metres by 5 metres daylighting triangle at the intersection of Grey Road 2 and Grey Road 119. The objective of the daylighting triangle to permit that area to maintain the lines of sight clear from any visible obstructions. The County Transportation staff have reviewed the revised site plan and accepts the daylight triangle. As mentioned previously by the County, the daylight triangle will be deeded to the County as a condition of Site Plan Approval.

The third variance request, to section 5.1.3 to add an additional provision, "tandem parking shall be permitted" as a "parking spaces". The previous report discusses the non-residential parking requirements in the zoning by-law for retail stores and the significance of why parking needs to be provided on-site for the needed use. The revised site plan reduced the previous 66 square metres addition to 60 square metres. This has changed from required additional parking spaces from 4 to 3 parking spaces. These additional spaces are located on subject lands but are laid out as tandem parking according to the revised site plan. The zoning by-law defines parking space as: means an unobstructed space for the exclusive *use* of parking of a *motor vehicle*. Tandem parking is defined as a means two *parking spaces* arranged such that one of the two *motor vehicles* that are parked does not have independent access to a private or *public street*. The objective tandem parking to accommodate the addition, provide additional parking and not rely on the existing on-street parking and not create any addition traffic congestions. These parking spaces are to be reserved for the owners and staff of the Ravenna General Store and not for the public. The purpose of this is to avoid any potential traffic concerns as owner and

staff vehicles are parked for longer periods of time compared to customers that frequent the store and park their vehicles for shorter periods of time.

Planning Staff is satisfied that the proposal maintains the general intent and purpose of the Zoning By-law.

Is the proposal Minor in nature?

A variance may be considered “minor” where the scale of the request is marginal and the proposed relief will not result in a greater than minor adverse impact on adjacent properties, uses, or area. In this case, both building addition plus the variance to permit tandem parking as a permitted parking space can be considered minor in nature. The proposed addition will remain in character with the Ravenna General Store and will provide additional services to the immediate and surrounding community. The tandem parking spaces are located on the subject lands and are to be used by the owner and staff of the Ravenna General Store only and not by the public.

Planning Staff is satisfied that this proposal is minor in nature.

Is the proposal desirable for the development and use of the lands?

The proposal of the development is maintaining the character of the surrounding and adjacent lands. Therefore, Planning Staff are satisfied that the proposal is desirable for the development and use of the lands.

D. Attached

1. PDS.24.120 Recommendation Report
2. Draft Decision

Respectfully submitted,

Manuel Rivera
Planner I

For more information, please contact:

Manuel Rivera, Planner I
planning@thebluemountains.ca
519-599-3131 extension 308

Report Approval Details

Document Title:	PDS.24.129 Recommendation Report - Minor Variance A33-2024 - 495972 Grey Road 2 (NW Property Corp.) ADDENDUM.docx
Attachments:	- PDS.24.120 Recommendation Report - Minor Variance A33-2024 - 495972 Grey Road 2 (NW Property Corp.).docx - Attachment 2 - A33-2024 Draft Decision.docx
Final Approval Date:	Oct 9, 2024

This report and all of its attachments were approved and signed as outlined below:

Shawn Postma - Oct 9, 2024 - 12:42 PM