



**Committee of Adjustment Minutes**  
**July 18, 2022 - 5:00 PM**  
**Electronic Meeting**

---

The Committee of Adjustment Meeting of the Corporation of the Town of Saugeen Shores was held on July 18, 2022 at 5:00 PM at Electronic Meeting.

**PRESENT:** Chair Pat O'Connor  
Members: Elizabeth Kuntz, Olivia Barwell, Mike Myatt, Don Matheson, Matt Carr  
Staff: Barbara Mugabe, Coreena Smith, Gillian Smith, Mark Paoli

**REGRETS:** Member: Marcel Legault

1. Call to Order

The Meeting was called to order at 5:00 p.m.

2. Acknowledgement of any Pecuniary Interest

None declared.

3. Adoption of Minutes

3.1 June 20, 2022

Moved by Mike Myatt

Seconded by Don Matheson

That the minutes of June 20, 2022 meeting be adopted, as circulated.

Carried

Minutes

4. Additional Business

5. Public Hearings

5.1 Minor Variance Application A-2022-018

Barry's Construction

Bricker Street

The Minor Variance Application proposes to reduce the lot area, rear yard depth, and lot

coverage requirements for the Residential First Density (R1) zone to facilitate the creation

of two residential lots. The application is seeking a reduced lot area of 434m<sup>2</sup> from the

450m<sup>2</sup> requirement, a reduced rear yard depth of 6.0m from the 7.5m requirement, and an

increased lot coverage of 50% rather than the 45% requirement.

Gillian Smith presented her report which recommended approval of the application.

The applicant, Stu Doyle, was present.

Public Comments:

None

Committee Discussion:

Don Matheson asked about requiring a drainage and grading plan. Ms. Smith answered that the grading is to be submitted at building permit stage. Mr. Doyle confirmed this.

Mr. Matheson asked about the driveway from the previous owner. Mr. Doyle responded that the old driveway is to be removed.

Moved by Don Matheson

Seconded by Elizabeth Kuntz

The application for Minor Variance from Comprehensive Zoning By-law 75-2006 is hereby granted subject to the following conditions:

1. That any future development on the property conforms to the provisions of the Zoning By-law;
2. That the minimum lot area shall be 434m<sup>2</sup>;
3. That the minimum rear yard setback shall be 6m;
4. That the maximum lot coverage shall be 50%;
5. That the decision applies only to the proposed development as indicated on Schedule 'A' attached to and forming part of this decision.

Carried

Presentation

Staff Report

Draft Decision Sheet

## 5.2 Minor Variance Application A-2022-028

David & Susan Glass

534 Izzard Road

This shoreline property has dual zoning, Residential First Density (R1) in the front area and Environmental Protection (EP) on most of the site. The existing seasonal cottage is located within the EP zone and extends beyond the property limits into the Shore Road Allowance. A smaller, year-round replacement dwelling is proposed also within this zone but within the property limits. Relief is required to reduce the rear yard setback from 7.5 m to 0.5 m and the side yard setback (south side) from 1.5 to 0.6 m. No change is proposed to the existing detached garage in the front of the site.

The applicants had submitted a Zoning By-law Amendment Application to permit the rebuild as the EP zone does not permit new or replacement residential buildings/ structures. According to Section 34(9) of the Planning Act a by-law cannot prevent the use of any land, building or structure for any purpose prohibited by the by-law if such land, building or structure was lawfully used for such purpose on the day of passing of the by-law, so long as it continues to be used for that purpose. Staff have determined that the subject lands have been lawfully used for a purpose prohibited by the by-law. The seasonal cottage predates the Zoning By-law that is currently in force and effect and has continued uninterrupted to this day. The residential use is considered a Legal Non-Conforming Use within the EP zone. The rebuild proposal modifies or increases intensity by changing the residential use from seasonal to year-round occupancy. Planning staff are of the opinion an Application for Alteration / Extension of a Legal Non-Conforming

Use as provided for under Section 45 (2) (a) (i) of the Planning Act is appropriate.

Barbara Mugabe presented her report which recommended approval of the application.

The applicant, David Glass, was present.

Public comments:  
None

Committee Discussion:  
Mike Myatt asked about removing an existing encroachment. Ms. Mugabe indicated that all encroachments would be removed.

Moved by Matt Carr  
Seconded by Elizabeth Kuntz

The application for Alteration / Extension of Legal Non-Conforming Use is hereby approved subject to the following conditions:

1. That any future development on the property conforms to the provisions of the Zoning By-law;
2. That the decision applies only to the proposed development as indicated on Schedule 'A' attached to and forming part of this decision;
3. The replacement dwelling will have a rear yard setback of no less than 0.5 m; and,
4. The minimum side yard (south side) setback shall be no less than 0.6 m.

Carried

Presentation

Staff Report

Draft Decision Sheet

### 5.3 Sign Variance Application

4845 Bruce Road 3

Owners of the property located at 4845 Bruce Road (Burgoyne) have requested a sign variance to permit signage that would otherwise not comply with the following provisions:

- Location of a third party sign. The proposed sign would be located on land that is not the location of the business.

Mark Paoli presented the report which recommended approval of the application.

Committee Discussion:

Matt Carr asked about lighting and size of the sign. Mr Paoli answered that the sign is not proposed to be lit. He also added that he was not aware of the proposed dimensions of the sign. He added that the

Moved by Elizabeth Kuntz  
Seconded by Olivia Barwell

That the Town of Saugeen Shores Committee of Adjustment approve the sign variance request for 4845 Bruce Road 3, subject to the following conditions:

- County of Bruce Environmental Services has no objection

Carried

Staff Report

## 6. Next Meeting Date

6.1 August 2, 2022

7. Adjournment

The Meeting adjourned at 5:30 p.m.