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BY EMAIL ONLY

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Municipality of West Grey
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Subject: Proposed Minor Variance Application
Roll Number: 420526000415400
Durham, Municipality of West Grey

Dear Mr. Rapke:

Please accept this letter to accompany an application for a Minor Variance for the parcel with Roll Number 420526000415400 located on the southwestern side of Durham.

The application requests variances to the R3-513 zone to permit a reduced end-to-end setback for the stacked townhouses and to permit parking in the front yard. Additionally, the application requests relief from the accessory structure provisions to construct an 8.6 m by 47.6 m covered parking structure, this structure is larger than the maximum permitted size for an accessory structure. No changes are proposed to the Flood Fringe Overlay (FF).

These requests are discussed in more detail below.

Background:

The subject lands were previously subject to a Local Official Plan Amendment (LOPA 14) and two Consent to Sever applications (file numbers B03.2023 and B15.2023).

During the preparation of the subject lands for development, it was noted that the lots approved under file numbers B03.2023 and B15.2023 exceeded the area needed for the proposed townhouses, resulting in a backyard setback of 12.41 m instead of the 7.6 m required by the By-law. The proponent proposed that the surplus land be added to the lands to the rear. Through consent applications B11.2024 - B.19.2024 for the lands to the immediate north of the subject lands, two rear strips were retained and have since been legally merged with the subject lands.

In 2024, a site-specific Zoning By-law Amendment was requested and subsequently approved to address several matters and facilitate the development concept. Through this amendment, the proponent requested an end-to-end setback of 7.3 m between the proposed stacked townhouse buildings. It appears that a typographical error occurred during the preparation of the amending By-law, as the approved version permits an end-to-end setback of 8 m. This setback is insufficient to meet the client's needs and does not align with the site plan, materials or application previously provided. The development team contacted the Municipality of West Grey regarding the error following the by-law approval, and a portion of this application will solve that previously identified issue.

Also missed in the initial zoning was permitting parking in the front yard, which this amendment will also address.

Finally, a parking structure has been added to the development concept. The parking structure requires additional zoning relief that is discussed below.

Zoning Bylaw Matrix

Zoning Matrix based on new concept plan and applied against site specific By-law No. 2024-084, **required amendments shown in red**

Provisions- Cluster Townhouses	Required	Provided
Minimum Lot Area	8209.18 m ²	8209.18 m ²
Minimum Lot Frontage	20 m	20 m
Minimum Front Yard	7.5 m	36 m
Rear Yard, Minimum	7.5 m	7.65 m
Interior Side Yard, Minimum	6 m	6 m
Maximum Height	12 m	10.5 m
Floor Area Minimum, 2 bedrooms	60.4 m ²	62.2 m ²
A minimum distance between any face of a townhouse block and any face of the same or another block	7.5 m	7.5 m
A minimum distance between any face of a townhouse block and any face and any other side of the same or another principal building	12.2 m	N/A
A minimum distance between any side of a residential townhouse block and any side of the same or another block	8 m	7.3 m

Zoning Matrix- Accessory Uses and Structures, Section 6.1, **required amendments shown in red**

Regulations	Required	Provided
6.1.2 b) On any lot zoned R3, all accessory buildings and structures shall be located in a rear yard or interior side yard provided it is not closer than 1 meter (m) (3.3 feet (ft)) to the interior lot line or the rear lot line and not closer than 7.6 m (25 ft) to the exterior side lot line.	Interior or Rear Yard	Rear Yard
6.1.4 i) Overall Lot Coverage	N/A	N/A
6.1.4 ii) The maximum floor area for an accessory building or structure shall not exceed 92.9 square metres	92.9 sq. m.	413 sq. m.
6.1.4 iii) The total lot coverage of all accessory buildings and structures combined on a lot shall not exceed 10% of the lot area.	10%	5%

Zoning Matrix- Parking, Section 6.27, **required amendments shown in red**

Regulations	Required	Provided
6.27.3 Unless otherwise provided, no off-street parking space shall be located in any required side yard or any required front yard.	Side or Rear Yard	Front Yard
6.27.8 Required Spaces	1.5/ unit = 60	60

Requested Relief

Parking Structure

Parking structure has been added on the south side of the lot to support the development concept. The addition of an enclosed parking garage positively contributes to the livability and long-term functionality of the development as it will support residents across a broad range of ages and mobility needs. By providing sheltered, conveniently located parking, the garage improves safety, comfort, and accessibility for seniors, families with young children, and individuals with mobility limitations, particularly during inclement weather and winter conditions. Overall, the proposed parking garage aligns with contemporary planning objectives that emphasize accessibility, efficient land use, and complete, age-friendly developments.

The proposed structure exceeds the maximum permitted size of 92.9 square metres, with a proposed gross floor area of 413 square metres. This increase in size is intended to maximize the number of available covered parking spaces and will provide 15 covered parking spaces for future residents. Despite its increased size, the use of the structure remains clearly accessory and subordinate to the primary residential use of the subject lands.

Parking in the Front Yard

The conceptual site plan shows 10 parking spaces located in front of the main building, identified on the site plan as 1 through 10. These parking spaces are proposed in front of the front wall of the main building and therefore require a variance from Section 6.27.3 of the Comprehensive Zoning By-law. The proposed front yard parking utilizes an already developed portion of the lot and was previously reflected on the site plan circulated as part of the initial applications. This portion of the proposed parking area is modest in scale and reflects a functional and efficient site layout that appropriately balances the operational requirements of the site. The parking area will be screened from adjacent uses through the installation of a board fence.

Four Tests of a Minor Variance

When a Committee of Adjustment is considering a Minor Variance application, four tests as prescribed in Section 45(1) of the *Planning Act* are evaluated.

1. Is the Variance in keeping with the general intent and purpose of the Official Plan?

The subject lands are designated Primary Settlement Area in the County of Grey Official Plan and Residential in the Municipality of West Grey Official Plan. These Official Plans direct that the settlement areas are to be the primary focus for growth and permit a variety of residential and accessory uses. This proposal keeps with the general intent and purpose of the Official Plans.

2. Is the Variance in keeping with the general intent and purpose of the Zoning By-Law?

The application requests variances to the site-specific R3-513 zone to permit a reduced end-to-end setback for the stacked townhouses, permit parking in the front yard as well as permit a parking structure that is over the maximum permitted size for an accessory building.

The reduction from the required end-to end setback was incorrectly applied during the initial re-zoning of the lands. This reduction from 8 m to 7.3 m can be considered consistent with the general intent of the Zoning By-law to promote liveable and functional developments and is consistent with the previously circulated development concept.

The requested permission to allow parking in front of the main wall of the building will ensure that the required number of parking spaces can be provided to adequately service the proposed development. The visual impact of the proposed parking on the streetscape, including its visibility from the public street, will remain limited, as the site is characterized by a narrow frontage and the parking is arranged linearly along one side of the lot. In addition, both sides of the entrance to the lot will be screened through the installation of privacy fencing, which will mitigate potential impacts related to lighting, noise, and general activity on adjacent properties. This request is also consistent with the previously circulated development concept.

The proposed increase in accessory structure size is intended to maximize the number of available covered parking spaces and will provide 15 covered parking spaces for future residents. Despite the structure's increased size, the use remains clearly accessory and subordinate to the primary residential use of the subject lands. This request is new from the previously circulated development concept.

3. Is the Variance desirable for the appropriate development or use of the land, building or structure?

The subject lands are designated and zoned to permit residential and accessory uses. The configuration of the lot, the location of the proposed stacked townhouse buildings, servicing constraints, and the parking lot layout collectively inform where the covered parking accessory structure can realistically be accommodated. The proposed location is logical and appropriate given the established orientation of the buildings and parking area.

In assessing the test of desirability, consideration of the public interest is required. In this regard, it is unlikely that the accessory structure will be substantially visible from Park Street due to the presence of existing townhouses and the development itself to the north. These intervening buildings assist with screening the proposed structure's size from public view. Accordingly, the requested variance is desirable for the appropriate development and use of the land, building, and structure.

4. Is the application minor in nature?

Minor should not be evaluated simply on numbers and increases or decreases, but rather should be evaluated on potential impacts the development may have. In the case of the proposed development, the amendments can be considered technical in nature with minimal impacts or changes to the previously circulated development concept. Therefore, the application is considered minor in nature.

Conclusions

It is my professional opinion that the application represents good land use planning for the following reasons:

1. The subject lands are designated and zoned for Residential development and the proposed amendments will facilitate the previously communicated development concept with the addition of a parking structure;
2. Despite its increased size, the use of the parking structure remains clearly accessory and subordinate to the primary residential use of the subject lands;
3. The addition of the accessory structure will maximize the use of the property for the future renters and provide a resource that aligns with contemporary planning objectives that emphasize accessibility and complete, age-friendly developments.

If you have any questions regarding the above, please contact the undersigned at 519-506-5959, extension 106.

Sincerely,

Cobide Engineering Inc.



Dana Kieffer, M.Sc. (Planning), MCIP, RPP
Senior Development Planner,
Cobide Engineering Inc.

Encl.

cc: Mr. Jason Tremble, 1993934 Ontario Inc.

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