

The Minutes of the Public Hearing for The Town of Wasaga Beach Committee of Adjustment held Monday, June 12, 2017 at 4:00 p.m. in The Classroom.

PRESENT:

A. Sigouin	Chairman
K. Bondarchuk	Member
R. Groh	Member
A. Sestokas	Member/Acting Chair
D. Vitali	Member
T. Jarratt	Zoning Administrator/Secretary Treasurer
D. de Rijke	Recording Secretary

REGRETS: None

MOVED BY- A. Sestokas
SECONDED BY- D. Vitali

RESOLUTION NO. 2017-06-01

RESOLVED THAT this Committee of Adjustment/Consent does now come to order at 4:00 p.m.

CARRIED

Minutes of the April meeting will be adopted at the July meeting.

A05/17 1203 River Road E Fairclough

The chair asked if there are any declarations of conflict or pecuniary interest. There were none.

Mr. Fairclough was welcomed to the table.

The Recording Secretary read the application.

LANDS SUBJECT TO THE APPLICATION: An application submitted by Nancy Wood, agent acting on behalf of Nigel Fairclough, owner of the property described as Lot 81 and Part Lot 80 Plan 780 and municipally addressed as 1203 River Road East, Town of Wasaga Beach, County of Simcoe. Municipal water and sewer are available for the subject lands.

The subject lands have a frontage of approximately 22.82 metres (75 feet), a depth of approximately 38.13 metres (125 feet) and an area of approximately 870 square metres (9,375 square feet).

VARIANCE REQUESTED The applicant requests relief from Section 4, Residential Type 1 (R1) Zone of Zoning By-law 2003-60, as amended, from

- The minimum required rear yard setback of 7.6 metres to 6.23 metres, to recognize the rear yard setback of the existing dwelling;
- The minimum required rear yard setback of 7.6 metres to 5.92 metres, to facilitate the construction of an addition to the existing dwelling.

OTHER APPLICATIONS: The land subject to this application for minor variance is not currently the subject of an Official Plan Amendment, Zoning By-Law Amendment, Minister's Zoning Order Amendment, or Severance.

Mr. Fairclough was asked to explain the application. He noted that the property has been in the family for 50 years. The existing foundation is original and the rest of the cottage was pieced

together over time. The latest addition was done in 2003. He explained that for design purposes it made more sense to square off the cottage.

The Chair asked if there were any questions from the committee.

Mr. Sestokas inquired regarding the covered veranda in the front. Mr. Fairclough confirmed that the veranda would stay the same as well as the deck off the back will only be for the bbq off the kitchen.

The Chair asked if there was anyone in the audience that would like to comment on the application. There were none.

As there were no questions or comments from the audience, the Chair closed the portion of the meeting to make a decision.

Following discussion, the Committee granted the application

FOR THE FOR THE FOLLOWING REASONS:

1. That approval of this application will maintain the policies of the Official Plan;
2. That approval of this application will maintain the general intent of Zoning By-law 2003-60;
3. That the request for minor variance is minor;
4. That the application for a minor variance is desirable for the appropriate development and use of the subject property;
5. That the comments and concerns of the public, both written and verbal, were considered in this decision of the Committee.

WITH THE FOLLOWING CONDITIONS:

1. That all other provisions of the zoning by-law be complied with.
2. That the rear yard setback reductions only apply to the existing dwelling and the proposed construction as indicated on the site concept submitted with the application for minor variance dated March 31, 2017.

Mr. Fairclough was thanked for his presentation.

B11/17 Robinson Road Urbanczyk

The chair asked if there are any declarations of conflict or pecuniary interest. There were none.

Ms. Urbanczyk. was welcomed to the table.

The Recording Secretary read the application.

LANDS SUBJECT TO THE APPLICATION: Lot 25, Plan 1696, located at Robinson Road, Town of Wasaga Beach, County of Simcoe. Municipal water and sewer is available for the subject lands.

PURPOSE AND EFFECT: An application submitted Lucyna and Rafal Urbanczyk, owners of the subject lands. This application will create one lot for a total of two lots.

The portion of the property proposed to be severed as shown on the surveyors sketch provided (Part A) has a frontage of approximately 15.24 metres (50 feet), a depth of approximately 45.7 metres (150 feet) and an area of approximately 696 square metres (7,500 square feet).

The portion of the property to be retained as shown on the surveyors sketch provided (Part B) has a frontage of 15.24 metres (50 feet), a depth of approximately 45.7 metres (150 feet) and an area of approximately 696 square metres (7,500 square feet).

OTHER APPLICATIONS: The land subject to this application for Consent is **not** currently the subject of an Official Plan Amendment, Zoning By-law Amendment, Minister's Zoning Order Amendment, or Minor Variance.

The Chair asked Ms. Urbanczyk to explain the application. She explained that they would like to sever the property into 2 lots, and build on one of them for themselves and save the other lot for one of the children.

The Chair asked if there were any comments from the committee.

Mr. Groh asked if the applicant received the response from the NVCA. Ms. Urbanczyk confirmed. There were no further comments from the committee.

The Chair asked if there was anyone in the audience that would like to comment on the application. There were none.

As there were no more questions or comments from the audience, the Chair closed the portion of the meeting to make a decision.

Following discussion of the application, the Committee granted the application.

FOR THE FOLLOWING REASONS:

1. THAT approval of this application will maintain the policies of the Official Plan;
2. THAT approval of this application will maintain the general intent of Zoning By-law 2003-60;
3. THAT the application is desirable for the appropriate development and use of the subject property.

WITH THE FOLLOWING CONDITIONS:

1. That the applicant provide the following monies to the Municipality:
 - a) That all outstanding municipal fees, taxes and charges, including local improvement charges, be paid out in full or that alternate arrangements be made with the Treasury Department to the satisfaction of the Municipal Treasurer to address payment of any outstanding municipal fees, taxes, and charges including local improvement charges; and;
 - b) 5% Parkland Contribution as required by the Planning Act be paid as a requirement of the approval of the severance.
2. That the applicant provide a registered reference plan, said reference plan to show all of the parcel to be severed, and all of the parcel to be retained.
3. That municipal water and sewer be provided to the lands to be severed and the lands to be retained to the satisfaction of the Town of Wasaga Beach.
4. That all conditions of this decision be fulfilled and the documents presented to the Planning Department for issuance of the Certificate of Consent within a period not to exceed 12 months from the date of decision.

Ms. Urbanczyk was thanked for her presentation.

B09/17 Robinson Road Nisiewicz

The chair asked if there are any declarations of conflict or pecuniary interest. There were none.

Mr. Reynolds was welcomed to the table.

The Recording Secretary read the application.

LANDS SUBJECT TO THE APPLICATION: Lot 26, Plan 1696, located at Robinson Road, Town of Wasaga Beach, County of Simcoe. Municipal water and sewer is available for the subject lands.

PURPOSE AND EFFECT: An application submitted by Rodney Reynolds, on behalf of Jan Nisiewicz, owner of the subject lands. This application will create one lot for a total of two lots.

The portion of the property proposed to be severed as shown on the surveyors sketch provided (Part A) has a frontage of approximately 15.24 metres (50 feet), a depth of approximately 45.7 metres (150 feet) and an area of approximately 696 square metres (7,500 square feet).

The portion of the property to be retained as shown on the surveyors sketch provided (Part B) has a frontage of 15.24 metres (50 feet), a depth of approximately 45.7 metres (150 feet) and an area of approximately 696 square metres (7,500 square feet).

OTHER APPLICATIONS: The land subject to this application for Consent is **not** currently the subject of an Official Plan Amendment, Zoning By-law Amendment, Minister's Zoning Order Amendment, or Minor Variance.

The Chair asked Mr. Reynolds to explain the application. Mr. Reynolds explained that the owners want to divide the property into two lots, to build on one and sell the other.

The Chair asked if there were any questions or comments from the committee. There were none.

The Chair asked if there was anyone in the audience that would like to comment on the application. There were none.

As there were no more questions or comments from the audience, the Chair closed the portion of the meeting to make a decision.

Following discussion of the application, the Committee granted the application.

FOR THE FOLLOWING REASONS:

1. THAT approval of this application will maintain the policies of the Official Plan;
2. THAT approval of this application will maintain the general intent of Zoning By-law 2003-60;
3. THAT the application is desirable for the appropriate development and use of the subject property.

WITH THE FOLLOWING CONDITIONS:

1. That the applicant provide the following monies to the Municipality:
 - a) That all outstanding municipal fees, taxes and charges, including local improvement charges, be paid out in full or that alternate arrangements be made with the Treasury Department to the satisfaction of the Municipal Treasurer to address payment of any outstanding municipal fees, taxes, and charges including local improvement charges; and;

- b) 5% Parkland Contribution as required by the Planning Act be paid as a requirement of the approval of the severance.
2. That the applicant provide a registered reference plan, said reference plan to show all of the parcel to be severed, and all of the parcel to be retained.
3. That municipal water and sewer be provided to the lands to be severed and the lands to be retained to the satisfaction of the Town of Wasaga Beach.
4. That all conditions of this decision be fulfilled and the documents presented to the Planning Department for issuance of the Certificate of Consent within a period not to exceed 12 months from the date of decision.

Mr. Reynolds was thanked for his presentation.

B10/17 Robinson Road Nisiewicz

The chair asked if there are any declarations of conflict or pecuniary interest. There were none.

Mr. Reynolds was welcomed to the table.

The Recording Secretary read the application.

LANDS SUBJECT TO THE APPLICATION: Lot 28, Plan 1696, located at Robinson Road, Town of Wasaga Beach, County of Simcoe. Municipal water and sewer is available for the subject lands.

PURPOSE AND EFFECT: An application submitted by Rodney Reynolds, on behalf of Jan Nisiewicz, owner of the subject lands. This application will create one lot for a total of two lots.

The portion of the property proposed to be severed as shown on the surveyors sketch provided (Part A) has a frontage of approximately 15.24 metres (50 feet), a depth of approximately 45.7 metres (150 feet) and an area of approximately 696 square metres (7,500 square feet).

The portion of the property to be retained as shown on the surveyors sketch provided (Part B) has a frontage of 15.24 metres (50 feet), a depth of approximately 45.7 metres (150 feet) and an area of approximately 696 square metres (7,500 square feet).

OTHER APPLICATIONS: The land subject to this application for Consent is **not** currently the subject of an Official Plan Amendment, Zoning By-law Amendment, Minister's Zoning Order Amendment, or Minor Variance.

The Chair asked Mr. Reynolds to explain the application. Mr. Reynolds explained that the owners want to divide the property into to lots, to build on the one lot and sell the second lot.

The Chair asked if there were any questions or concerns from the committee. There were none.

The Chair asked if there was anyone in the audience that would like to comment on the application. There were none.

As there were no more questions or comments from the audience, the Chair closed the portion of the meeting to make a decision.

Following discussion of the application, the Committee granted the application.

FOR THE FOLLOWING REASONS:

1. THAT approval of this application will maintain the policies of the Official Plan;

2. THAT approval of this application will maintain the general intent of Zoning By-law 2003-60;
3. THAT the application is desirable for the appropriate development and use of the subject property.

WITH THE FOLLOWING CONDITIONS:

1. That the applicant provide the following monies to the Municipality:
 - a) That all outstanding municipal fees, taxes and charges, including local improvement charges, be paid out in full or that alternate arrangements be made with the Treasury Department to the satisfaction of the Municipal Treasurer to address payment of any outstanding municipal fees, taxes, and charges including local improvement charges; and;
 - b) 5% Parkland Contribution as required by the Planning Act be paid as a requirement of the approval of the severance.
2. That the applicant provide a registered reference plan, said reference plan to show all of the parcel to be severed, and all of the parcel to be retained.
3. That municipal water and sewer be provided to the lands to be severed and the lands to be retained to the satisfaction of the Town of Wasaga Beach.
4. That all conditions of this decision be fulfilled and the documents presented to the Planning Department for issuance of the Certificate of Consent within a period not to exceed 12 months from the date of decision.

Mr. Reynolds was thanked for his presentation.

B12/17 461 Oxbow Park Drive Villari

The chair asked if there are any declarations of conflict or pecuniary interest. There were none.

Mr. Reynolds was welcomed to the table.

The Recording Secretary read the application.

LANDS SUBJECT TO THE APPLICATION: Lot 81, Plan 829, municipally addressed as 461 Oxbow Park Drive, Town of Wasaga Beach, County of Simcoe. Municipal water and sewer is available for the subject lands.

PURPOSE AND EFFECT: An application submitted by Rodney Reynolds, on behalf of Salvatore Villari, owner of the subject lands. This application will create one lot for a total of two lots.

The portion of the property proposed to be severed as shown on the surveyors sketch provided (Part B) has a frontage of approximately 15.24 metres (50 feet), a depth of approximately 32.21 metres (106 feet) and an area of approximately 490 square metres (5,300 square feet).

The portion of the property to be retained as shown on the surveyors sketch provided (Part A) has a frontage of 15.24 metres (50 feet), a depth of approximately 32.21 metres (106 feet) and an area of approximately 490 square metres (5,300 square feet).

OTHER APPLICATIONS: The land subject to this application for Consent is **not** currently the subject of an Official Plan Amendment, Zoning By-law Amendment, Minister's Zoning Order Amendment, or Minor Variance.

The Chair asked Mr. Reynolds to explain the application. Mr. Reynolds explained that the owners are not looking to build on either one of the lots, but just want to take advantage of the possibility to sever the property.

The Chair asked if there were any comments or concerns from the committee.

Mr. Groh noted that most lots in the neighbourhood are larger. It was noted that 50 feet frontage is still a good size property.

Both Mr. Vitali and Sestokas commented regarding the trees on the property.

The Chair asked if there was anyone in the audience that would like to comment on the application. There were none.

As there were no questions or comments from the audience, the Chair closed the portion of the meeting to make a decision.

Following discussion of the application, the Committee granted the application.

FOR THE FOLLOWING REASONS:

1. THAT approval of this application will maintain the policies of the Official Plan;
2. THAT approval of this application will maintain the general intent of Zoning By-law 2003-60;
3. THAT the application is desirable for the appropriate development and use of the subject property.

WITH THE FOLLOWING CONDITIONS:

1. That the applicant provide the following monies to the Municipality:
 - a) That all outstanding municipal fees, taxes and charges, including local improvement charges, be paid out in full
 - b) That the 5% Parkland Contribution as required by the Planning Act be paid as a requirement of the approval of the severance.
2. That the applicant provide a registered reference plan, said reference plan to show all of the parcel to be severed, and all of the parcel to be retained.
3. That the shed located on the severed parcel be demolished and removed.
4. That all conditions of this decision be fulfilled and the documents presented to the Planning Department for issuance of the Certificate of Consent within a period not to exceed 12 months from the date of decision.

Mr. Reynolds was thanked for his presentation.

B07/17 and B08/17

Ramblewood Drive

J. Donato Construction Ltd.

The chair asked if there are any declarations of conflict or pecuniary interest. There were none.

Mr. Reynolds was welcomed to the table.

The Recording Secretary read the application for B07/17.

LANDS SUBJECT TO THE APPLICATION: Lot 55 and 58, Plan 1700, located on Ramblewood Drive, Town of Wasaga Beach, County of Simcoe. Municipal water and sewer are available for the subject lands.

PURPOSE AND EFFECT: An application submitted by Reynolds Surveying, agent acting on behalf of J. Donato Construction Ltd., owner of the subject lands. This application will create one lot for a total of two lots.

The portion of the property proposed to be severed as shown on the surveyors sketch provided (Part A) has a frontage of approximately 20 metres (66 feet), a depth of approximately 46.92 metres (154 feet) and an area of approximately 943 square metres (10,164 square feet).

The portion of the property to be retained as shown on the surveyors sketch provided (Part B and C) has a frontage of 37.96 metres (125 feet), a depth of approximately 45.66 metres (150 feet) and an area of approximately 1800 square metres (18,750 square feet).

OTHER APPLICATIONS: The land subject to this application for Consent is currently the subject of Consent file B08/17.

And application B08/17:

LANDS SUBJECT TO THE APPLICATION: Lot 55 and 58, Plan 1700, located on Ramblewood Drive, Town of Wasaga Beach, County of Simcoe. Municipal water and sewer are available for the subject lands.

PURPOSE AND EFFECT: An application submitted by Reynolds Surveying, agent acting on behalf of J. Donato Construction Ltd., owner of the subject lands. This application will create one lot for a total of two lots.

The portion of the property proposed to be severed as shown on the surveyors sketch provided (Part B) has a frontage of approximately 17.96 metres (66 feet), a depth of approximately 46.32 metres (154 feet) and an area of approximately 828 square metres (10,164 square feet).

The portion of the property to be retained as shown on the surveyors sketch provided (Part C) has a frontage of 20 metres (66 feet), a depth of approximately 45.66 metres (150 feet) and an area of approximately 992 square metres (9,900 square feet).

OTHER APPLICATIONS: The land subject to this application for Consent is currently the subject of Consent file B07/17.

The Chair asked Mr. Reynolds to explain the applications. Mr. Reynolds explained that the owner could have divided the property into 4 lots but felt this was too small. Therefore he is requesting to sever the property into 3 lots for for 3 good size building lots.

The Chair asked if there were any comments or concerns from the committee.

Mr. Vitali asked when a drainage plan is required. Ms. Jarratt noted that this is required at building permit stage, but usually when you create more than one lot, you are required to provide a drainage plan. Owner might save trees in the back of the lots.

Ms. Bondarchuk noted that the conditions should request daylight triangles instead of sight triangles. It was noted that Part B is smaller because of the exterior side yard.

Mr. Groh commented regarding the comment from Public Works regarding the issuance of a building permit until berm or lot grading plan. Ms. Jarratt commented that another lot that was recently severed provided an acceptable grading plan satisfactory to the Public Works Engineering Department.

He further inquired regarding access off a collector road. Ms. Jarratt explained that the Official Plan states that, if possible, access to the lands should be from local roads.

The Chair asked if there was anyone in the audience that would like to comment on the application. There were none.

As there were no more questions or comments from the audience, the Chair closed the portion of the meeting to make a decision.

Following discussion of the application, the Committee granted the application for B07/17

FOR THE FOLLOWING REASONS:

1. THAT approval of this application will maintain the policies of the Official Plan;
2. THAT approval of this application will maintain the general intent of Zoning By-law 2003-60;
3. THAT the application is desirable for the appropriate development and use of the subject property.

WITH THE FOLLOWING CONDITIONS:

1. That the applicant provide the following monies to the Municipality:
 - a) That all outstanding municipal fees, taxes and charges, including local improvement charges, be paid out in full;
 - b) That 5% Parkland Contribution as required by the Planning Act be paid as a requirement of the approval of the severance.
2. That the applicant provide a registered reference plan, said reference plan to show all of the parcel to be severed, and all of the parcel to be retained.
3. That the applicant provide a lot grading and drainage plan prepared by a qualified professional for the severed and retained parcels to the satisfaction of the municipality and the Nottawasaga Valley Conservation Authority.
4. That municipal water and sewer be provided to the lands to be severed and the lands to be retained to the satisfaction of the Town of Wasaga Beach.
5. That the owner dedicate to the municipality two 4 metre x 4 metre daylight triangles at the corners of Joanne Crescent and Ramblewood Drive.
6. That all conditions of this decision be fulfilled and the documents presented to the Planning Department for issuance of the Certificate of Consent within a period not to exceed 12 months from the date of decision.

The Committee granted the application for B08/17

FOR THE FOLLOWING REASONS:

1. THAT approval of this application will maintain the policies of the Official Plan;
2. THAT approval of this application will maintain the general intent of Zoning By-law 2003-60;
3. THAT the application is desirable for the appropriate development and use of the subject property.

WITH THE FOLLOWING CONDITIONS:

1. That the applicant provide the following monies to the Municipality:
 - a) That all outstanding municipal fees, taxes and charges, including local improvement charges, be paid out in full;
 - b) That 5% Parkland Contribution as required by the Planning Act be paid as a requirement of the approval of the severance.
2. That the applicant provide a registered reference plan, said reference plan to show all of the parcel to be severed, and all of the parcel to be retained.

3. That the applicant provide a lot grading and drainage plan prepared by a qualified professional for the severed and retained parcels to the satisfaction of the municipality and the Nottawasaga Valley Conservation Authority.
4. That municipal water and sewer be provided to the lands to be severed and the lands to be retained to the satisfaction of the Town of Wasaga Beach.
5. That the owner dedicate to the municipality two 4 metre x 4 metre daylight triangles at the corners of Joanne Crescent and Ramblewood Drive.
6. That application for severance file B07/17 be granted and completed.
7. That all conditions of this decision be fulfilled and the documents presented to the Planning Department for issuance of the Certificate of Consent within a period not to exceed 12 months from the date of decision.

Mr. Reynolds was thanked for his presentation.

The next Committee of Adjustment/Consent meeting will be held on **Monday, July 10, 2017** at 4:00 p.m. in the Classroom.

MOVED BY- K. Bondarchuk
SECONDED BY – R. Groh

RESOLUTION NO. 2017-06-02

RESOLVED THAT this Committee of Adjustment / Committee of Consent meeting does now adjourn at 5:10 p.m.

CARRIED