

The Minutes of the Public Hearing for The Town of Wasaga Beach Committee of Adjustment held Monday, March 19, 2018 at 4:00 p.m. in The Classroom.

PRESENT:	R. Groh	Member
	M. Ruttan	Member
	D. Vitali	Member/Acting Chair
	T. Jarratt	Zoning Administrator/Secretary Treasurer
	D. de Rijke	Recording Secretary
REGRETS:	A. Sestokas	Member
	A. Sigouin	Chairman

MOVED BY: R. Groh **RESOLUTION NO. 2018-03-01**
SECONDED BY: M. Ruttan

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

CARRIED

MOVED BY: R. Groh **RESOLUTION NO. 2018-03-02**
SECONDED BY: M. Ruttan

RESOLVED THAT Doug Vitali is hereby appointed as Acting-Chairman for the Town of Wasaga Beach, COMMITTEE OF ADJUSTMENT AND COMMITTEE OF CONSENT.

CARRIED

MOVED BY: R. Groh **RESOLUTION NO. 2018-03-03**
SECONDED BY: M. Ruttan

RESOLVED THAT this Committee of Adjustment/Consent does hereby adopt the minutes of the meeting held February 12, 2018.

CARRIED

A06/18 **837 Eastdale Drive/Fiore**

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

Mr. Fiore was welcomed to the table.

The Recording Secretary read the application.

LANDS SUBJECT TO THE APPLICATION: An application submitted by Joe Fiore, owner of the property described as Lot 95 Plan 708, municipally addressed as 837 Eastdale Drive, 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 15.25 metres (50 feet), a depth of approximately 46 metres (151 feet) and an area of approximately 581 square metres (6,254 square feet).

VARIANCE REQUESTED

The applicant requests relief from Section 3.3 Yard Encroachments of Zoning By-law 2003-60 as amended from the minimum required side yard setback of 1.8m to 0.87m to permit a deck and stairs above 0.6 metres in height to protrude into a required interior side yard.

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. Fiore was asked to explain the application. He explained that the issue with the setback was completely unforeseen. He noted that he did his due diligence and was under impression it was within the zoning regulations. When the tie in survey was submitted it showed that the deck and stairs are too high and therefore a variance is required.

Mr. Groh inquired about the height of the deck. Mr. Fiore explained that the height is 40”, but because of the grading, there was an additional 9” added.

Mr. Ruttan asked if the building department is favourable to the design. Mr. Fiore noted that some details were missing because he did drawings himself and noted that he will submit everything to code.

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 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 a 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 the variance for interior side yard setback only applies to the deck and steps as shown on the site plan provided with the application for minor variance;
2. That all other provisions of the zoning by-law be complied with.

Mr. Fiore was thanked for his presentation.

B03/18-B04/18-B05/18 372 Golf Course Road Huntington Investment Holdings

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

Mr. Mancuso was welcomed to the table.

The Recording Secretary read the applications.

LANDS SUBJECT TO THE APPLICATION: Part of Lot 26, Concession 8, municipally addressed as 372 Golf Course 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 Huntington Investment Holdings, owner of the subject land. The combined applications propose to create 3 residential building lots for a total of 4 residential lots.

The portion of the property proposed to be severed as shown on the surveyors sketch provided (Part 4) has a frontage of approximately 14.1 metres (46 feet), a depth of approximately 60.8 metres (199 feet) and an area of approximately 858 square metres (7,695 square feet).

The portion of the property to be retained as shown on the surveyors sketch provided (Part 3, 2, 1) has a frontage of 46.8 metres (154 feet), a depth of approximately 60.8 metres (199 feet) and an area of approximately 2,850 square metres (30,677 square feet).

File B04/18

LANDS SUBJECT TO THE APPLICATION: Part of Lot 26, Concession 8, municipally addressed as 372 Golf Course 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 Huntington Investment Holdings, owner of the subject land. The combined applications propose to create 3 residential building lots for a total of 4 residential lots.

The portion of the property proposed to be severed as shown on the surveyors sketch provided (Part 3) has a frontage of approximately 14.1 metres (46 feet), a depth of approximately 60.8 metres (199 feet) and an area of approximately 859 square metres (9,246 square feet).

The portion of the property to be retained as shown on the surveyors sketch provided (Part 2, 1) has a frontage of 32.7 metres (107 feet), a depth of approximately 60.8 metres (199 feet) and an area of approximately 1,991 square metres (21,431 square feet).

File B05/18

LANDS SUBJECT TO THE APPLICATION: Part of Lot 26, Concession 8, municipally addressed as 372 Golf Course 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 Huntington Investment Holdings, owner of the subject land. The combined applications propose to create 3 residential building lots for a total of 4 lots.

The portion of the property proposed to be severed as shown on the surveyors sketch provided (Part 2) has a frontage of approximately 14.1 metres (46 feet), a depth of approximately 60.8 metres (199 feet) and an area of approximately 858 square metres (9,235 square feet).

The portion of the property to be retained as shown on the surveyors sketch provided (Part 1) has a frontage of 18.6 metres (61 feet), a depth of approximately 60.8 metres (199 feet) and an area of approximately 1,133 square metres (12,196 square feet).

The Chair asked Mr. Mancuso to explain the application. Mr. Mancuso explained that this application had already been approved previously but lapsed. In the meantime the property has new owners, and they are now re-applying for the same application.

He further noted that some conditions of the severance have been completed, but the water sewer was not done in time.

Mr. Groh inquired if the concrete showing on the survey has been removed. Mr. Mancuso confirmed this was removed.

Mr. Ruttan asked if all services are in. Ms. Jarratt confirmed that the laterals had yet to be installed and there may be a servicing encroachment to be cleared.

The Chair asked if there was anyone in the audience that would like to comment on the application.

Mr. Jeff Glover
358 Golf Course Road

Mr. Jeff noticed that all trees disappeared from property and the stumps were left behind. Mr. Mancuso explained that the trees were cut just before the snow hit and as soon as the weather changes, the site will be cleaned up.

Ms. Jarratt noted that a letter of concern was received from Mr. Parent (430 Golf Course Road). Ms. Jarratt summarized Mr. Parent's concerns regarding lot frontage and density. She noted that the Official Plan provides that low density residential are within 8 homes per acre. This proposal would have a density of 4.3 homes per acre and would be considered low density.

Mr. Vitali inquired if the site plan conditions include the re-planting of trees. Ms. Jarratt noted that the site development agreement will implement drainage, but it doesn't include tree-planting. Mr. Mancuso noted that one tree per property in the front yard is proposed.

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 application B03/18

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) 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 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.
5. That the owner enter into a site development agreement with the municipality to implement the approved lot grading and drainage plan including the posting of any necessary securities.
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.

Following discussion of the application, the Committee granted application B04/18

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) 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 application for severance under file B03/18 be granted and completed.
5. 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.
6. That the owner enter into a site development agreement with the municipality to implement the approved lot grading and drainage plan including the posting of any necessary securities.
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.

Following discussion of the application, the Committee granted application B05/18

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) 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 applications for severance under file B03/18 and B04/18 be granted and completed
5. 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.
6. That the owner enter into a site development agreement with the municipality to implement the approved lot grading and drainage plan including the posting of any necessary securities.
7. That the applicant demonstrate that the underground servicing works which connects the existing dwelling to municipal water and sewer services is located totally on the proposed retained Part 1 of this application
8. 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. Mancuso was thanked for his presentation.

B06/18 845 Oxbow Park Drive Kirby

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

Mr. Fisher was welcomed to the table.

The Recording Secretary read the application.

LANDS SUBJECT TO THE APPLICATION: Lot 123, Plan 829, municipally addressed as 845 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 Reynolds Surveying, on behalf of Derek Kirby, owner of the subject land. 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 1) has a frontage of approximately 13.22 metres (43.3 feet), a depth of approximately 38.15 metres (125 feet) and an area of approximately 483 square metres (5,199 square feet). The portion of the property to be retained as shown on the surveyors sketch provided (Part 2) has a frontage of 17.26 metres (57 feet), a depth of approximately 34.85 metres (114 feet) and an area of approximately 564 square metres (6,071 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 Committee asked Mr. Fisher to explain the application. Mr. Fisher explained that the owner is looking to sever to create a newly built home on the severed parcel.

Mr. Groh noted that one lot is narrower than the other. Mr. Fisher explained that the owner wanted a larger lot for himself to build on.

Ms. Jarratt noted that there was a letter of objection received.

Mr. & Mrs. Cloutier (833 Oxbow Park Drive)

Ms. Jarratt summarized the letter. The Cloutiers spoke to their concerns are mainly concerned with the change in character of the area and the effect on property values.

Mr. & Mrs. Cloutier also included a letter from Mr. Robert Trigiani, who agreed with the objection letter and had the same concerns. His main concerns are with the possible built form on the smaller lots, impacting the neighbour's property.

Mr. Vitali inquired regarding the type of home that will be built. Mr. Fisher noted that he had not seen any house plans.

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;
4. 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 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) 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 the piping that currently connects the existing dwelling on the severed parcel to municipal water and sewer services be relocated/removed from the retained parcel to the satisfaction of the town of Wasaga beach.
5. That the applicant install a driveway to serve the severed parcel and that any necessary permits be obtained from the municipality to do so.
6. That the existing driveway located on the retained parcel be relocated in compliance with the minimum 1.0 setback requirement for driveways as per Zoning By-law 2003-60.
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. Fisher was thanked for his presentation.

B07/18 62nd Street South Beacon Ridge Homes Ltd.

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

Ms. Clement and the owner were welcomed to the table.

The Recording Secretary read the application.

LANDS SUBJECT TO THE APPLICATION: Lot 100, Plan 1697, located on 62nd Street South, Town of Wasaga Beach, County of Simcoe. Municipal water and sewer is available for the subject lands.

PURPOSE AND EFFECT: An application submitted by The Jones Consulting Group Ltd., on behalf of Beacon Ridge Homes Ltd., owners of the subject land. 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 2) has a frontage of approximately 15.25 metres (50 feet), a depth of approximately 47.24 metres (155 feet) and an area of approximately 720 square metres (7,750 square feet).

The portion of the property to be retained as shown on the surveyors sketch provided (Part 1) has a frontage of 15.25 metres (50 feet), a depth of approximately 48.77 metres (160 feet) and an area of approximately 740 square metres (7,965 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. Clement to explain the application. Ms. Clement showed the subject lands on a map and noted that the proposed severance is to sever the lot into 2 parts. It is located in a built up area and water/sewer are already available to each lot. The proposed lots are designated and zoned Residential and both are in excess of 5,000 square feet.

She further noted that the homes that will be built are in keeping with style currently in area, which are raised bungalows.

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;
4. 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 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) 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. Clement was thanked for her presentation.

The next Committee of Adjustment/Consent meeting will be held on **Monday, April 16, 2018** at 4:00 p.m. in the Classroom.

MOVED BY: M. Ruttan
SECONDED BY: R. Groh

RESOLUTION NO. 2018-03-04

RESOLVED THAT this Committee of Adjustment / Committee of Consent meeting does now adjourn at 4:52 p.m.

CARRIED