



30 Lewis Street, Wasaga Beach, Ontario, Canada L9Z 1A1

**COMMITTEE OF ADJUSTMENT
DECISION RE: FILE NO. A04/18**

**NOTICE OF PUBLIC HEARING UNDER SECTION 45 OF THE PLANNING ACT R.S.O. 1990,
AS AMENDED.**

LANDS SUBJECT TO THE APPLICATION: An application submitted by Peter & Betty Martens, owners of the property described as Lot 11, Plan 654, municipally addressed as 2078 Shore Lane, 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 15.22 metres (50 feet), a depth of approximately 112.84 metres (370 feet) and an area of approximately 1,693 square metres (18,221 square feet).

OTHER APPLICATIONS: The property subject to this application for minor variance is not currently the subject of other application(s) under the Planning Act.

DECISION:

GRANTED

The Committee grants relief from Zoning By-law 2003-60 as amended to permit the expansion of a non-conforming use. The subject land is zoned Residential Type 1 (R1) and supports two single detached dwellings whereas the R1 Zone permits one single detached dwelling. The request pertains to one of the dwelling units. The dwelling unit is permitted to be re-constructed with an increase in height from approximately 4.72 metres (15.42 feet) to 6.1 metres (20 feet) and an expansion of the footprint by 16 m².

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 all other provisions of Zoning by-law 2003-60 be complied with.
2. THAT a Road Occupation Permit shall be taken out for any works within the right of way.
3. THAT a minimum 1.5 metre setback be maintained from the edge of the culvert to any proposed structure.
4. THAT the second dwelling unit that is subject of this application for expansion not exceed 6.1 metres (20 ft.) measured from grade to peak, and a maximum area of 80 square metres (860 sq. ft.).
5. THAT a Lot Grading and Drainage Plan prepared by a qualified individual and reviewed in compliance with Towns standards and policies, be required to accompany the application for building permit.
6. THAT any future development on the lot will adhere to current Town of Wasaga Beach Standards and policies.

Administration

ph (705) 429-3844
fx (705) 429-6732

By-Law/Business Licensing
(705) 429-2511

Parks & Facilities
(705) 429-0412

Planning/Building/C.D.O.
(705) 429-3847

Recreation
(705) 429-3321

Fire Department
(705) 429-5281

Public Works
(705) 429-2540

ARV SESTOKAS	CHAIR	
LES NEWTON	MEMBER	
MARK RUTTAN	MEMBER	
ED STANYK	MEMBER	ABSENT
DOUG VITALI	MEMBER	

Only individuals, corporations and public bodies may appeal decisions in respect of applications for minor variance to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group. In order to appeal the minor variance decision, notice of the appeal must be filed with the Secretary Treasurer of the Committee of Adjustment no later than October 13, 2020 and shall set out reasons for the appeal of the minor variance. The appeal must be accompanied by the fee required by the Local Planning Appeal Tribunal in the form of a certified check and a completed Appellant Form. **Appellant Form (A1)**. Appellant forms may be obtained from the Municipal Office or by visiting the Local Appeal Tribunal website at (<http://elto.gov.on.ca/tribunals/lpat/about-lpat/>).

I, Dagmar de Rijke, Secretary-Treasurer of the Town of Wasaga Beach, Committee of Adjustment, do hereby certify this to be a true copy of the decision of the Committee of Adjustment, and that this decision was concurred in by a majority of members who heard the application and whose names appear above.

DATE OF HEARING: September 21, 2020
DATE OF DECISION: September 21, 2020
LAST DATE OF APPEAL: October 13, 2020



Dagmar de Rijke
Secretary-Treasurer
Committee of Adjustment
30 Lewis Street
WASAGA BEACH, ON
L9Z 1A1