



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

**COMMITTEE OF ADJUSTMENT
DECISION RE: FILE NO. A04/22**

LANDS SUBJECT TO THE APPLICATION: PLAN 51M795 LOT 13, municipally addressed as 85 40th Street South, Town of Wasaga Beach, County of Simcoe.

The subject lands have a frontage of approximately 15.26 metres (50.07 feet), a depth of approximately 64.2 metres (210.63 feet) and an area of approximately 941.59 square metres (10,135.19 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 the following relief from Section 4 “Residential Type 1” Zoning provisions of Comprehensive Zoning By-law 2003-60, as amended. Specifically, the applicant requests relief from:

- Section 4.3.5 – to permit an interior side yard setback of 1.73 metres (5.68 feet) whereas 1.8 metres (5.91 feet) is required.

The variance would recognize the existing newly constructed dwelling with an interior side yard setback of 1.73 metres (5.68 feet) for the rear corner located on the south-east side of the property.

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 the zoning by-law be complied with.
2. THAT the variance for interior side yard setback only applies to the existing dwelling and that any future additions to the home comply with the provisions of the Zoning By-law.
3. THAT any future development on the subject lands will adhere to current Town of Wasaga Beach Standards and Policies, specifically the Infill Lot Grading and Drainage Policy.
4. THAT a Road Occupation Permit shall be taken out for any works within the Town’s right of way.

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	
ADAM HARROD	MEMBER	ABSENT
SUZANNE REU	MEMBER	
JOHN SMEH	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 February 6, 2022 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/>).

DATE OF HEARING: January 17, 2022

DATE OF DECISION: January 17, 2022

LAST DATE OF APPEAL: February 6, 2022

Douglas Herron, the 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.

DATED this 17th day of January, 2022



Douglas Herron
Secretary-Treasurer
Committee of Adjustment
30 Lewis Street
WASAGA BEACH, ON
L9Z 1A1