



30 Lewis Street, Wasaga Beach, Ontario, Canada L9Z 1A1  
**COMMITTEE OF ADJUSTMENT**  
**DECISION RE: FILE NO. B11/20**

**IN THE MATTER OF** Section 53 of the *Planning Act*, R.S.O. 1990, as amended.

**LANDS SUBJECT TO THE APPLICATION:** CON 16 PT LOT 5 PLAN 1705 PT; LOTS 83,85 & 86 RP 51R20496; PARTS 3,5 & 7, municipally addressed as 9 Norman Avenue, 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 Fred and Jody Booth, owners of the subject land. The severed parcel is proposed to be added to the abutting lands described as PLAN 1705 PT LOTS 82,83 & 85 RP 51R20496 PARTS 1,2 & 4 (15 Norman Avenue), shown as Part C on the surveyor's sketch provided.

The portion of the property proposed to be severed as shown on the survey provided (Part D) has no frontage, a depth of approximately 38 metres (125 feet) and an area of approximately 104 square metres (1,119 square feet).

The portion of the property to be retained as shown on the survey provided (Part E) has a frontage of 19.78 metres (65 feet), a depth of approximately 44.75 metres (100 feet) and an area of approximately 672 square metres (7,233 square feet).

**OTHER APPLICATIONS:** The land subject to this application for consent is currently the subject of a consent application under file B12/20.

**HAVING** been assured that notice had been given in accordance with the requirements of The Planning Act and upon hearing the representations made at the Public Hearing at which time consideration was given to all matters which had to be considered in accordance with The Planning Act, R.S.O., 1990, as amended, the members of the Town of Wasaga Beach Committee of Adjustment reached the following decision:

**DECISION:**

**GRANTED**

**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;
2. That the applicant provides 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 provides draft transfers, "in preparation", with the proposed descriptions of the lands being conveyed and enhanced.
4. That the applicant's solicitor provides a written undertaking that the lands being severed will merge on title with the lands being enhanced.
5. 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.
6. THAT any future development on the individual lots will be in accordance with the current Town of Wasaga Beach Infill Lot Grading and Drainage Policy.
7. THAT a Road Occupation Permit be taken out for any works within the 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

DATE OF DECISION:

August 17, 2020

LAST DATE FOR APPEALING THIS  
DECISION OR ANY OF THE CONDITIONS:

September 14, 2020

PROVISIONAL CONSENT IS HEREBY GIVEN  
TO GRANT THE APPLICATION SUBJECT TO  
ALL OF THE AFOREMENTIONED CONDITIONS  
BEING MET BY:

August 17, 2021

ARV SESTOKAS

CHAIR




JOSEPH EMMONS

MEMBER



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 September 14, 2020 and shall set out reasons for the appeal of the consent. 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/>).

You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have either made a written request to be notified of the decision to give or refuse to give provisional consent or make a written request to be notified of changes to the conditions of the provisional consent.

I, Dagmar de Rijke, Secretary-Treasurer of the Town of Wasaga Beach, Committee of Adjustment, certify that the above is a true copy of the decision of the Committee of Adjustment with respect to the application recorded therein.

DATED this 24<sup>th</sup> day of August, 2020



Dagmar de Rijke  
Secretary-Treasurer  
Committee of Adjustment