



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

**COMMITTEE OF ADJUSTMENT
DECISION RE: FILE NO. B14/20**

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

LANDS SUBJECT TO THE APPLICATION: Lots 1 through 4 in Plan 51M-1188, located on the west side of Berkely Street, Town of Wasaga Beach, County of Simcoe. Municipal water and sewer is available for the subject lands. The subject lands have a frontage of approximately 881.07 metres, a depth of approximately 33.5 metres and an area of approximately 143,400 square metres.

PURPOSE AND EFFECT: Applications submitted by The Jones Consulting Group Ltd., on behalf of Sterling Homes (Westbury Rd) Inc., owner of the subject lands. The applications cumulatively propose three (3) boundary adjustments and one (1) severance, to enable the existing four (4) residential building lots to be reconfigured, to achieve a total of five (5) residential building lots.

From Lot 1, a 3.5 metre wide and 33.5 metre deep portion of the property is proposed to be severed, and merged with Lot 2.

The retained portion of Lot 1 would have a frontage of approximately 14.9 metres, a depth of approximately 33.5 metres and an area of approximately 495 square metres. Lot 2, as enhanced with the portion severed from Lot 1, would have a frontage of approximately 21.8 metres, a depth of approximately 33.5 metres and an area of approximately 730 square metres.

OTHER APPLICATIONS: The land subject to this application for Consent is currently the subject of an application for Minor Variance under file A25/20, and were the subject of Plan of Subdivision File PS04/15.

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:

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

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's solicitor provide an undertaken that the severed lands will merge on title with the enhanced lands, and a signed copy of the Acknowledgement and Direction form from the applicant appended thereto.
4. THAT the applicant provides a lot grading and drainage plan prepared by a qualified professional for the severed and retained parcels to the satisfaction of the municipality and any future development on the individual lots will be in accordance with the current Town of Wasaga Beach Infill Lot Grading and Drainage Policy.
5. THAT a Road Occupation Permit shall be taken out for any works within the right of way.
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.

DATE OF DECISION: **November 16, 2020**
LAST DATE FOR APPEALING THIS DECISION OR ANY OF THE CONDITIONS: **December 7, 2020**

PROVISIONAL CONSENT IS HEREBY GIVEN TO GRANT THE APPLICATION SUBJECT TO ALL OF THE AFOREMENTIONED CONDITIONS BEING MET BY: **November 16, 2021**

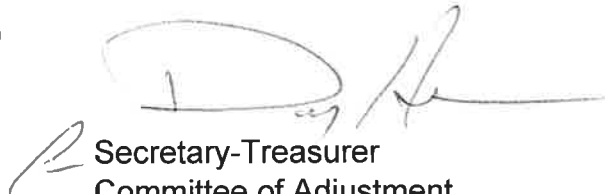
ARV SESTOKAS	CHAIR	 _____
LES NEWTON	MEMBER	 _____
MARK RUTTAN	MEMBER	 _____
ED STANYK	MEMBER	ABSENT _____
DOUG VITALI	MEMBER	ABSENT _____
JOSEPH EMMONS	MEMBER	 _____

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 December 7, 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, the 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 20th day of November, 2020



Secretary-Treasurer
Committee of Adjustment
30 Lewis Street
WASAGA BEACH, ON