



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

**COMMITTEE OF ADJUSTMENT
DECISION RE: FILE NO. B22/19**

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

LANDS SUBJECT TO THE APPLICATION: Lot 78, Plan 1391, municipally addressed as 10 George 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 Giuseppe Fusco, owner of the subject lands. The application proposes to create one residential building lot for a total of two lots.

The portion of the property proposed to be severed as shown on the survey provided (Part B) has a frontage of approximately 46.98 metres (154 feet), a depth of approximately 14.31 metres (47 feet) and an area of approximately 730 square metres (7,857 square feet).

The portion of the property to be retained as shown on the survey provided (Part A) has a frontage of 44.56 metres (146 feet), a depth of approximately 16.6 metres (54 feet) and an area of approximately 778 square metres (8,374 square feet).

OTHER APPLICATIONS: The land subject to this application for Consent is currently the subject of a minor variance application under file A31/19.

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;
 - b) That 5% Parkland Contribution as required by the Planning Act be paid as a requirement of the approval of the severance.
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 adheres to current Town of Wasaga Beach Standards and Policies, specifically the Infill Lot Grading and Drainage Policy, and that the certification of Lot Grading be finalized.
4. THAT the applicant provide municipal water and sewer services to both the severed and retained parcels to the specification and location satisfactory to the Town of Wasaga Beach, and that the new sanitary clean out also be installed on the existing sanitary service to establish proximity to the new property lines.
5. THAT the applicant provide hydro service to the lands to be severed to the satisfaction of the Town of Wasaga Beach and Wasaga Distribution Inc.

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

6. THAT the applicant dedicate a 4x4 metres daylight triangle to the Town as a condition of consent within the southeast corner of the proposed severed lot.
7. THAT a Road Occupation Permit shall be taken out for any works within the right of way
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.

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 24th day of August, 2020



Dagmar de Rijke
Secretary-Treasurer
Committee of Adjustment