



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

**COMMITTEE OF ADJUSTMENT
DECISION RE: FILE NO. B37/21**

LANDS SUBJECT TO THE APPLICATION: PLAN 740 LOT 26 & 27, municipally addressed as 26 Homewood Avenue, and PLAN 740 PT LOT 28 RP; 51R21095 PART 1, no municipal address assigned, Town of Wasaga Beach, County of Simcoe.

OTHER APPLICATIONS: The land subject to this application for consent is not currently the subject of an Official Plan Amendment, Zoning By-Law Amendment, Minister's Zoning Order Amendment, or Minor Variance.

DECISION: GRANTED

PURPOSE AND EFFECT: Applications submitted by Argentino Sisca, on behalf of Corrente Homes Inc., owner of the subject lands. The applicants cumulatively propose two (2) boundary adjustments and one (1) severance, to enable the existing three (3) residential building lots to be reconfigured, to achieve a total of four (4) residential buildings lots.

A portion of the property shown as "Part 2" is proposed to be severed and merged with Lot 28. The portion of the property proposed to be severed shown as "Part 2" in Severance Sketch 2 would have a frontage of approximately 8.54 metres (28.02 feet), a depth of approximately 45.7 metres (149.93 feet) and an area of approximately 390.4 square metres (4,202.23 square feet) is proposed to be severed and merged with Lot 28.

The retained portion of the property shown as "Part 1", would have a frontage of approximately 12.8 metres (42 feet), a depth of approximately 45.72 metres (150 feet) and an area of approximately 585 square metres (6,296.89 square feet) as can be seen in Severance Sketch 2.

Lot 28 as enhanced with "Part 2" severed from Lot 27, would have a frontage of approximately 25.61 metres (84.02 feet), a depth of approximately 42.52 metres (139.5 feet) and an area of approximately 1,109.2 square metres (11,939.33 square feet) as can be seen in Severance Sketch 2.

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 provided by the Planning Act be paid as a requirement of the approval of the severance.
2. THAT the applicant provide a registered reference plan, said reference plan to show all of the parcel to be severed, and all of the parcel to be retained.

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

3. THAT the application for consent B36/21 be approved by the Committee of Adjustment, and all conditions approved.
4. THAT confirmation of the location of existing municipal services in relation to the new property lines is provided to the Town of Wasaga Beach, and that the applicant provide municipal water and sewer to both the severed and retained parcels to the specification and location satisfactory to the Town of Wasaga Beach.
5. THAT all sanitary services have a sanitary service clean out (inspection port) installed at street property line, as per Town Engineering Standards drawing #12A.
6. THAT existing and proposed municipal services are shown on an Overall Lot Grading Plan and on individual Infill Lot Grading and Drainage plans, as per Town of Wasaga Beach policies. An Overall Lot Grading Plan shall be submitted to the Town for approval, when developing the lots.
7. THAT any future development on the individual lots will be in will be in accordance with the current Town of Wasaga Beach Standards, as well as the Infill Lot Grading and Drainage Policy.
8. THAT a Road Occupation Permit shall be taken out for any works within the right of way.
9. THAT any existing Wasaga Distribution Inc (WDI) plant in conflict with the proposed driveway locations or if clearances to the existing overhead or underground distribution system cannot be maintained, the WDI plant be relocated by WDI at the applicant's cost, and confirmation from WDI be provided to the Town of Wasaga Beach.
10. THAT electrical servicing be provided to both the severed and retained lots to the satisfaction of Wasaga Distribution Inc.
11. THAT all existing structures on the subject lands be removed.
12. 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.

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 January 2, 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: December 13, 2021

DATE OF DECISION: December 13, 2021

LAST DATE OF APPEALING THIS DECISION
OR ANY CONDITIONS WITHIN: January 2, 2022

PROVISIONAL CONSENT IS HEREBY GIVEN
TO GRANT THE APPLICATION SUBJECT TO
ALL OF THE AFOREMENTIONED CONDITIONS
BEING MET BY: December 13, 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 13th day of December, 2021



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