

Present: Chair Emily Silk

 Members Duane Goerke
 John Ferguson
 Ron Peters
 Mark Vandergeest

Staff: Secretary/Treasurer, Planner Katie Mandeville

A. CALL TO ORDER

The Chair called the meeting to order at 7:00 p.m. and explained the meeting process and the time frame for appeals to those persons present.

B. DISCLOSURE OF PECUNIARY INTEREST
NONE

C. ADOPTION OF MINUTES

The following motion was adopted:

Motion # 13-04

MOVED by Mark Vandergeest and SECONDED by John Ferguson

THAT the Minutes of the Committee of Adjustment meeting held in the Council Chambers on February 19, 2013 be adopted as printed and distributed.

CARRIED

D. NEW APPLICATIONS

1. Minor Variance Application No.: A-02-13
 Applicant: Jed Bartlett
 Roll Number: 4351 050 003 32800
 Municipal Address: 3952 East Shore Road

The Secretary/Treasurer of the Committee of Adjustment outlined the application(s) and outlined the correspondence received, as follows:

Proposal:

- The property currently supports a single family dwelling and a garage and a shed.
- The owner wishes to construct a 480 sq. ft. addition onto the side of the existing dwelling on the property. The existing dwelling is located approximately 8.88 m (29.15 feet) from the side (interior) lot line at the closest point and has a floor area of approximately 1,440 sq. ft.
- The owners have requested the following variance in order to permit the construction of the addition:
 1. A variance to permit a Minimum Interior Yard setback of 2.6 m (8.5 ft), whereas Zoning By-law 2010-65, Section 6, Table 6.1 states the Minimum Interior Yard to be 3 m (9.8 ft) for the SR3 Zone.

Agency Comments:

Trent Severn Waterway: No concerns with the application, reminder to applicant that any in water work requires a permit.

Public Correspondence:

None

Staff Report P13-028:

The Secretary/Treasurer provided a brief summary of the following staff report:

Background:

County Official Plan: Rural
Township Official Plan: Shoreline Residential
Township Zoning: Shoreline Residential Three (SR3)

The subject property is located at 3952 East Shore Road in the geographic Township of Matchedash (**Appendix 1**). The 0.95 acre property currently contains a dwelling unit, garage and a small shed as seen on the site plan attached as **Appendix 2**.

The owner wishes to construct a 480 sq. ft. addition onto the side of the existing dwelling on the property. The existing dwelling is located approximately 8.88 m (29.15 feet) from the side (interior) lot line at the closest point and has a floor area of approximately 1,440 sq. ft. The owners have requested the following variance in order to permit the construction of the addition:

- 1. A variance to permit a Minimum Interior Yard setback of 2.6 m (8.5 ft), whereas Zoning By-law 2010-65, Section 6, Table 6.1 states the Minimum Interior Yard to be 3 m (9.8 ft) for the SR3 Zone.

The proposed elevation drawings and plans for the proposed addition are attached as **Appendix 3**.

The property was site inspected by planning & development staff prior to the writing of this report.

Discussion:

A discussion of the four tests for a Minor Variance as set out in Section 45(1) of the *Planning Act* follows.

Is the general intent and purpose of the Official Plan maintained?

The subject property is designated Shoreline Residential under the Township of Severn Official Plan. The objectives of the Shoreline Residential Area as stated in Section C7.1 of the Township's Official Plan are as follows:

C7.1 OBJECTIVES

- a) To maintain the existing character of this predominantly low density residential area.
- b) To protect the natural features and ecological functions of the shoreline area and the immediate shoreline.
- c) To ensure that existing development is appropriately serviced with water and sanitary services."

The construction of an addition to this dwelling will not significantly impact the character or density of the area as there are similar dwellings within the immediate area due to the steep incline from the water. The natural features and ecological functions of the shoreline area will continue to be protected as the existing dwelling and proposed addition are set well back from the water at approximately 32 metres (105 feet). The shoreline area has numerous mature trees in place which will act to shade the proposed development therefore the visual impacts of the proposed addition will not have a negative impact on the natural and ecological functions of the shoreline or existing character of the area.

Is the general intent and purpose of the Zoning By-law maintained?

The proposal appears to comply with all Zoning By-law requirements with the exception of the Minimum Interior Yard. The following table illustrates the requirements of the Shoreline Residential Three (SR3) Zone relating to this proposal and how the proposal compares with the requirements:

By-law Provision	By-law	This Proposal
Maximum Lot Coverage	15%	Less than 7%
Minimum Required Yards		
Interior (side)	3 m	2.6 m (South) / 9.5 m (North)
Front (water)	20 m	32 m
Rear (road)	7.5 m	82.6 m
Max Building Height	9 m	Less than 9 m

The intent of setback requirements from lot lines in the Zoning By-law is to ensure proper clearances between properties and access to rear/front yards. In this case the reduction of the setback still allows for access to rear/front yards and a buffer between the dwelling and lot line, thus maintaining the intent of the Zoning By-law.

Is it minor?

In the opinion of the Planning Department the requested variances are minor in nature because:

- a) The proposal will not significantly impact the sightlines from the neighbouring properties or boating traffic due to the existing dwelling and mature tree coverage;
- b) The proposed addition would encroach by 0.4 metres (1.3 feet) which is a small distance.

Is it desirable for the appropriate development or use of the land?

The existing cottage was built approximately 32 metres from the shoreline, significantly further away than the current Zoning By-law which states a minimum front yard setback of 20 metres. Due to the terrain of the lot an addition towards the rear or front of the existing dwelling is not logistically as possible as a side expansion. Similar cottages are located neighbouring the subject property in that they are level with the terrain or below grade at the rear of the dwelling with room for a walk-out basement at the front of the dwelling. The reduced side yard setback will not be something that is noticeable from the water and due to the heavily treed lot will not have a negative impact on neighbouring properties or boating traffic.

Other Considerations:

Township Building/Septic Staff have reviewed this proposal and have no objections as the existing sewage system is suitable for the addition as proposed and leaves adequate space for a replacement septic system should one be needed.

Recommendation:

The Planning Department has no objections to the approval of this application, subject to the recommended conditions set out in **Appendix 5**, because the variance is minor in nature, is keeping with the general intent of the Official Plan and Zoning By-law and is desirable for the appropriate development and use of the land.

Respectfully submitted,

Katie Mandeville, BA, BURPI
Planner

With the concurrence of,

Gregory Corbett, M. PL, MCIP, RPP
Acting Director of Planning & Development

The Chair asked if the applicant or agent were present - the applicant was present to answer questions.

The Chair asked if anyone in the audience had any comments on this application. Public comments were as follows: None.

The Chair asked if there were any other public comments. As none were forthcoming, the Chair declared the public portion of the meeting closed.

The Chair asked if the Committee had any comments on this application. Committee comments were as follows:

- *Member Peters asked for clarification on the Interior (Side) Yard Setback and how they came to that measurement.*
- *The Secretary/Treasurer clarified that a survey was provided indicating the current setback.*
- *The applicant added that the reduced setback is only for the rear corner of the proposed addition due to the angle at which the dwelling sits to the lot line.*

As there was no further discussion, the Chair asked the Secretary/Treasurer to review the proposed conditions of the decision. The applicant was asked if he was aware of the proposed conditions and was in agreement with them. The agent confirmed this. The Chair then called for a vote on the application.

**DECISION – APPROVE
Variance Application A-02-13 (Bartlett)**

THE PURPOSE and EFFECT of the minor variance application is:

To request the following variance to the provisions of Zoning By-law 2010-65:

1. A variance to permit a Minimum Interior Yard setback of 2.6 m (8.5 ft), whereas Zoning By-law 2010-65, Section 6, Table 6.1 states the Minimum Interior Yard to be 3 m (9.8 ft) for the SR3 Zone.

In order to permit the construction of an addition having area of approximately 44.6 sq. m. (480 sq. ft.).

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 16th day of April, 2013:

DECISION: APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Municipal Taxes to be paid to date.
2. That the construction is in substantial compliance with the plans and drawings submitted with the Application

THE REASONS for the Committee's Decision are that the request is minor in nature, conforms to the general intent and purpose of the Zoning By-law and Official Plan and is desirable for the appropriate development or use of the land.

The Secretary/Treasurer is hereby authorized to sign documents on behalf of the Committee giving effect to this Decision.

CARRIED

2. **Minor Variance Application No.:** A-03-13
Applicant: Caren Pummell
Roll Number: 4351 010 009 69800
Municipal Address: 5294 Claresbridge Lane

The Secretary/Treasurer of the Committee of Adjustment outlined the application and the correspondence received, as follows:

Proposal:

- É The 0.47 acre property currently contains a dwelling unit with an attached deck and a garage.
- É The owner wishes to construct two accessory structures with a total 48.2 sq. m. (518.93 sq. ft.) addition onto the front of the existing dwelling on the property. The existing dwelling has a front yard setback of approximately 17.22 m (46.5 feet) from the Severn River at the closest point.
- É The owners have requested the following variances in order to reconstruct the deck and add a porch:
 1. A variance to permit a Minimum Front Yard setback of 13.36 m (43.83 ft.), whereas Zoning By-law 2010-65, Section 6, Table 6.1 states the Minimum Front Yard to be 20 m (66 ft) for the SR3 Zone.
 2. A variance to permit the construction of two accessory structures with a total of 48.2 sq. m. (518.93 sq. ft.) within the Floodway whereas Zoning By-law 2010-65 Section 3.6.1 b) restricts development to an accessory structure with a gross floor area of 15 sq. m.

Public Correspondence:

None

Agency Comments:

Trent Severn Waterway: No concerns with the application.

Staff Report P13-029:

The Secretary-Treasurer provided a brief summary of the following staff report:

Background:

County Official Plan: Rural
Township Official Plan: Shoreline Residential

Township Zoning: Shoreline Residential Three (SR3) Zone and Floodplain (FP), Floodway (FW) and Flood Fringe (FF) Lands

The subject property is located at 5294 Claesbridge Lane in the geographic Township of North Orillia (**Appendix 1**). The 0.47 acre property currently contains a dwelling unit with an attached deck and a garage as seen on the site plan attached as **Appendix 2**.

The owner wishes to construct two accessory structures with a total 48.2 sq. m. (518.93 sq. ft.) addition onto the front of the existing dwelling on the property. The existing dwelling has a front yard setback of approximately 17.22 m (46.5 feet) from the Severn River at the closest point. The owners have requested the following variance in order to reconstruct the deck and add a porch:

2. A variance to permit a Minimum Front Yard setback of 13.36 m (43.83 ft.), whereas Zoning By-law 2010-65, Section 6, Table 6.1 states the Minimum Front Yard to be 20 m (66 ft) for the SR3 Zone.
3. A variance to permit the construction of two accessory structures with a total of 48.2 sq. m. (518.93 sq. ft.) within the floodway whereas Zoning By-law 2010-65 Section 3.6.1 b) restricts development to an accessory structure with a gross floor area of 15 sq. m.

According to the available mapping within Zoning By-law 2010-65 the majority of the subject property is located within the Floodway, a small portion of the property is located within the Flood Fringe and another small section of the property is located outside of the Flood Plain. Township Staff are aware that this mapping was not done for each property with a detailed survey and the property owner may wish to undertake a new survey to identify the Floodway and Flood Fringe on their property as different provisions of the by-law and applicable policies apply to each of these designations.

The proposed elevation drawings and plans for the proposed addition are attached as **Appendix 3**.

The property was site inspected by planning & development staff prior to the writing of this report.

Discussion:

A discussion of the four tests for a Minor Variance as set out in Section 45(1) of the *Planning Act* follows.

Is the general intent and purpose of the Official Plan maintained?

The subject property according to available mapping is located within the Flood Plain Overly Designation, Section D of the Township's Official Plan. This section describes the floodline as the level of the 100-year flood or the County flood, whichever is greater. The policy states that development and site alteration may be permitted within the flood fringe, subject to appropriate floodproofing. Furthermore, within the floodway development may be permitted providing new hazards are not created and existing hazards are not aggravated; and no adverse environmental impacts will result.

The subject property is also designated Shoreline Residential under the Township of Severn Official Plan. The objectives of the Shoreline Residential Area as stated in Section C7.1 of the Township's Official Plan are as follows:

C7.1 OBJECTIVES

- a) *To maintain the existing character of this predominantly low density residential area.*
- b) *To protect the natural features and ecological functions of the shoreline area and the immediate shoreline.*
- c) *To ensure that existing development is appropriately serviced with water and sanitary services."*

The construction of an addition to this dwelling will not significantly impact the character or density of the area as there are similar dwellings within the immediate area placed closer to the river than the proposed accessory structures. The natural features and ecological functions of the shoreline area will continue to be protected as the existing dwelling and proposed addition still allow for an over a 13 m buffer between development and the river. However the Flood Plain Overly Designation states that new hazards shall not be created within the floodway.

Is the general intent and purpose of the Zoning By-law maintained?

The proposal appears to comply with all Zoning By-law requirements with the exception of the Minimum Front Yard and the Flood Hazard Overlay Section 3.6.1 Floodplain (FP) and Floodway (FW) Lands.

The Flood Hazard Overlay provisions take precedence over the provisions of the underlying zone, which is the SR3 zone. According to Section 3.6 development is restricted within the Flood Hazard Overlay in an effort to minimize the threat of injury or loss of life.

The intent of front yard setbacks within the shoreline residential areas in the Zoning By-law is to ensure adequate buffering between development and the shoreline in an effort to protect the natural environment. In this case the reduction of the setback still allows for this buffer thus maintaining the intent of the Zoning By-law. However, the Flood Hazard Overlay zone takes precedent and therefore the general intent and purpose of the Zoning By-law are not maintained.

Is it minor?

In the opinion of the Planning Department the requested variances are not minor in nature because:

- c) According to available mapping the portion of the property where the proposed accessory structures will be constructed lies within the Floodway (FW). Although an accessory structure is permitted within the Floodway, it is restricted to 15 sq. m. in size and is not intended for human habitation. The proposed deck and screened porch would be more than three times greater than the permitted size with the screened porch representing habitable space.

Is it desirable for the appropriate development or use of the land?

The existing dwelling and neighbouring dwellings are located within the Floodway (FW) however further development of habitable space within the Floodway is not appropriate due to the potential risk of property damage and injury or loss of life.

Other Considerations:

The Chief Building Official (CBO) stated that he has concerns regarding the issuance of a building permit within the floodway area.

Recommendation:

The Planning Department has objections to the approval of this application as is currently submitted. Staff recommends that the application be deferred to allow the applicant to undertake a survey of the property to precisely identify the floodway and flood fringe on the property in relation to where the proposed accessory structures are to be constructed. If committee chooses to approve the application a list of recommended conditions are given in **Appendix 5**.

Respectfully submitted,

Katie Mandeville, BA, BURPI
Planner

With the concurrence of,

Gregory Corbett, M. PL, MCIP, RPP
Acting Director of Planning & Development

The Chair asked if the applicant or agent were present, none were present. The Secretary/Treasurer advised that the applicant was aware of the planning department's recommendation for a deferral.

The Chair asked if anyone in the audience had any comments on this application. Public comments were as follows: None.

The Chair asked if there were any other public comments. As none were forthcoming, the Chair declared the public portion of the meeting closed.

The Chair asked if the Committee had any comments on this application. Committee comments were as follows:

- *Member Ferguson asked for clarification on Floodway vs. Flood Fringe and if the applicant is agreeing to a survey.*
- *The Secretary/Treasurer stated that discussions with the applicant had taken place and the applicant is prepared to work with a surveyor.*
- *Member Vandergeest indicated support for the recommendation of the Planning Department and inquired if the CBO would be reviewing the plan once a survey was submitted.*
- *The Secretary/Treasurer indicated that the CBO would be asked to comment once the survey was submitted.*

As there was no further discussion, the Chair called for a vote on the motion.

The following motion was adopted:

Motion # 13-05

MOVED by Ron Peters and SECONDED by Mark Vandergeest

THAT a Decision with respect to Application No. A-03-13 (Pummell) be deferred to a future Committee of Adjustment meeting.

CARRIED

3. Minor Variance Application No.: A-04-13
Applicant: Chrystal O'Keefe
Roll Number: 4351 010 008 00800
Municipal Address: 3224 Cox Drive

The Secretary/Treasurer of the Committee of Adjustment outlined the application and the correspondence received, as follows:

Proposal:

- The 0.17 acre property currently contains a dwelling unit and two sheds.
- The owner wishes to construct a new dwelling on the property. The existing dwelling is located approximately 2.3 m (7.66 feet) and 4.57 m (15.5 ft.) from the side (interior) lot lines at the closest points and the property currently has lot coverage of 16.1%.
- The owners have requested the following variance in order to permit the construction of the new dwelling:
 1. A variance to permit a Minimum Interior Yard setback of 1.5m (5 ft.) on the south side and 0.9 m (3 ft.) on the north side m (8.5 ft), whereas Zoning By-law 2010-65, Section 6, Table 6.2 states the Minimum Interior Yard to be 3 m (9.8 ft) for the SR2 Zone.
 2. A variance to permit a Maximum Lot Coverage of 20.7%, whereas Zoning By-law 2010-65, Section 6, Table 6.2 states the Maximum Lot Coverage to be 15% for the SR2 Zone.

Public Correspondence:

None

Agency Comments:

None

Staff Report P13-030:

Background:

County Official Plan: Rural
Township Official Plan: Shoreline Residential
Township Zoning: Shoreline Residential Two (SR2)

The subject property is located at 3224 Cox Drive in the geographic Township of North Orillia (**Appendix 1**). The 0.17 acre property currently contains a dwelling unit and two sheds as seen on the site plan attached as **Appendix 2**.

The owner wishes to construct a new dwelling on the property. The existing dwelling is located approximately 2.3 m (7.66 feet) and 4.57 m (15.5 ft.) from the side (interior) lot lines at the closest points and the property has a lot coverage of 16.1% lot coverage.

The following variances are requested in order to permit the construction of the new dwelling:

4. A variance to permit a Minimum Interior Yard setback of 1.5m (5 ft.) on the south side and 0.9 m (3 ft.) on the north side m (8.5 ft), whereas Zoning By-law 2010-65, Section 6, Table 6.2 states the Minimum Interior Yard to be 3 m (9.8 ft) for the SR2 Zone.
5. A variance to permit a Maximum Lot Coverage of 20.7%, whereas Zoning By-law 2010-65, Section 6, Table 6.2 states the Maximum Lot Coverage to be 15% for the SR2 Zone.

The proposed elevation drawings and plans for the proposed addition are attached as **Appendix 3**.

The property was site inspected by planning & development staff prior to the writing of this report.

Discussion:

A discussion of the four tests for a Minor Variance as set out in Section 45(1) of the *Planning Act* follows.

Is the general intent and purpose of the Official Plan maintained?

The subject property is designated Shoreline Residential under the Township of Severn Official Plan. The objectives of the Shoreline Residential Area as stated in Section C7.1 of the Township's Official Plan are as follows:

7.1 OBJECTIVES

- a) To maintain the existing character of this predominantly low density residential area.
- b) To protect the natural features and ecological functions of the shoreline area and the immediate shoreline.
- c) To ensure that existing development is appropriately serviced with water and sanitary services."

The construction of a new dwelling on this property will not significantly impact the character or density of the area as there are similar sized lots within the immediate area, meaning reduced setbacks are common within this area due to the lot area. The natural features and ecological functions of the shoreline area will continue to be protected as the proposed dwelling is set well back from the water at approximately 20 metres (66 feet) creating a buffer between the building envelope and shoreline. The proposal includes the installation of a new septic system which is good for the environment, which is of particular importance within the shoreline development area. The proposed dwelling will not have a negative impact on the natural and ecological functions of the shoreline or existing character of the area.

Is the general intent and purpose of the Zoning By-law maintained?

The proposal appears to comply with all Zoning By-law requirements with the exception of the Minimum Interior Yard and Lot Coverage. The following table illustrates the requirements of the Shoreline Residential Two (SR2) Zone relating to this proposal and how the proposal compares with the requirements:

By-law Provision	By-law	This Proposal
Maximum Lot Coverage	15%	<u>20.7%</u>
Minimum Required Yards		
Interior (side)	3 m	<u>1.5 m</u> (South) / <u>0.9 m</u> (North)
Front (water)	20 m	20 m
Rear (road)	7.5 m	12.27 m
Max Building Height	9 m	7.16 m

The intent of setback requirements from lot lines in the Zoning By-law is to ensure proper clearances between properties and access to rear/front yards. In this case the reduction of the setback will still allow for access to rear/front yards. The reduced setbacks will be buffered by the existing trees and shrubs between the dwelling and lot lines, thus maintaining the intent of the Zoning By-law. Furthermore, the Zoning By-law setbacks are designed for a standard sized lot, within the Shoreline Residential Area a lot on private services such as the subject property typically has a greater lot area and width than the subject property allowing for the setbacks to be easily maintained.

Is it minor?

In the opinion of the Planning Department the requested variances are minor in nature because:

- d) The proposed interior setbacks are already encroached on one side of the property and the current lot coverage is already over the permitted 15%;
- e) The proposed dwelling, although larger than the existing dwelling, is maintaining a similar footprint;
- f) The proposal includes the removal of two sheds on the property, one of which does not adhere to the required setbacks and both of which encroach into the area which contains the existing dated sewage treatment system.

Is it desirable for the appropriate development or use of the land?

The existing cottage was built almost 60 years ago at which time it was common practice to place dwellings close to the water and without regard to setbacks for side lot lines. Similar to other cottages located within this area the current dwelling encroaches on the interior setbacks and is over the permitted lot coverage due to the limited area of the subject property. Reduced interior yard setbacks are more favourable than a reduced front yard setback as it keeps the density away from the natural features of the shoreline. Given the property is only 0.17 acres in size, the reduced setbacks from the interior yards and increased lot coverage is appropriate development for the existing undersized lot.

Other Considerations:

The Chief Building Official (CBO) provided the following comments:

- 1. The sewage system that is required to serve the proposed dwelling will be a tertiary treatment system as prescribed in Part 8 of the Ontario Building code.

2. The Professional Engineer that designs the lot grading must include the sewage system in their design.
3. The Owner will enter into a service and maintenance agreement for the sewage system as required by the Ontario Building code.
4. The neighboring dug wells within 100 feet of the proposed sewage system are required to be decommissioned to M.O.E. standards prior to issuance of a building permit.
5. The Qualified Design Professional will address all Building Code requirements for spatial separations on the building plans.

These five things will need to be addressed as part of the building permit issuance process, if followed the CBO does not have an objection to the application.

Recommendation:

The Planning Department has no objections to the approval of this application, subject to the recommended conditions set out in **Appendix 5**, because the variance is minor in nature, is keeping with the general intent of the Official Plan and Zoning By-law and is desirable for the appropriate development and use of the land.

Respectfully submitted,

Katie Mandeville, BA, BURPI
Planner

With the concurrence of,

Gregory Corbett, M. PL, MCIP, RPP
Acting Director of Planning & Development

The Chair asked if the applicant or agent were present and had anything to add to the application - the applicants, the agent, George from Renovate by Design, and Randy Straeten from Muddy Men Construction Corp. were all present to answer questions.

The agent, George stated that his client wants to live on the property full time and he tried to design for less impact and to allow for adequate septic room. Further George indicated that they would like to preserve the existing trees and there will be an arborist report to ensure the tree protection.

Randy Straeten, Muddy Men Construction Corp. stated that the CBO's comments contained in the planning report were not a concern and all would be followed.

The Chair asked if anyone in the audience had any comments on this application. Public comments were as follows: None.

The Chair asked if there were any other public comments. As none were forthcoming, the Chair declared the public portion of the meeting closed.

The Chair asked if the Committee had any comments on this application. Committee comments were as follows:

- É *The Chair asked if the designer had measured the setback from the eaves or from the side of the house.*
- É *The agent confirmed that the setbacks were to the side of the house.*
- É *Member Peters asked if the owners would be installing a steel roof as he is concerned about snow falling off the roof onto other properties due to the reduced setbacks.*
- É *The owners confirmed that they did not want a steel roof.*
- É *Member Vandergeest inquired about the roof overhang and maintenance issues due to the reduced setback.*
- É *Agent clarified that due to the design of the roof having enough space to do maintenance should not be an issue.*
- É *Member Vandergeest raised concerns regarding the drainage.*
- É *Agent stated that they are prepared to create a swale to resolve any possible issues.*
- É *The Secretary/Treasurer confirmed that a lot drainage plan is required for new home builds.*
- É *Member Ferguson inquired as to the design and if it could be altered to increase setbacks.*
- É *Agent spoke to possible designs stating that numerous approaches had been looked at and that the only alternative which they had been wrestling with would be to switch the North and South setbacks.*
- É *Member Ferguson inquired about the need to decommission a well and asked*

- about the type of septic system proposed.
- É Randy Straeten clarified the type of septic system and specifications of the system.

As there was no further discussion, the Chair asked the Secretary/Treasurer to review the proposed conditions of the decision. The agent and applicants were asked if they were aware of the proposed conditions and were in agreement with them. The agent confirmed this. The Chair then called for a vote on the application.

DECISION – APPROVE
Variance Application A-04-13 (O’Keefe)

THE PURPOSE and EFFECT of the minor variance application is:

To request the following variances to the provisions of Zoning By-law 2010-65:

1. A variance to permit a Minimum Interior Yard setback of 1.5m (5 ft.) on the south side and 0.9 m (3 ft.) on the north side m (8.5 ft), whereas Zoning By-law 2010-65, Section 6, Table 6.2 states the Minimum Interior Yard to be 3 m (9.8 ft) for the SR2 Zone.
2. A variance to permit a Maximum Lot Coverage of 20.7%, whereas Zoning By-law 2010-65, Section 6, Table 6.2 states the Maximum Lot Coverage to be 15% for the SR2 Zone.

In order to permit the construction of a new dwelling on the property.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 16th day of April, 2013:

DECISION: APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Municipal Taxes to be paid to date.
2. That the two existing sheds are removed from the property and not relocated on the property.
3. That the construction is in substantial compliance with the plans and drawings submitted with the Application.

THE REASONS for the Committee’s Decision are that the request is minor in nature, conforms to the general intent and purpose of the Zoning By-law and Official Plan and is desirable for the appropriate development or use of the land.

The Secretary/Treasurer is hereby authorized to sign documents on behalf of the Committee giving effect to this Decision.

CARRIED

- | | |
|---|-------------------------------|
| 4. Minor Variance Application No.: | A-05-13 |
| Applicant: | Leslie Forrester |
| Roll Number: | 4351 010 009 45300 |
| Municipal Address: | 3345 Green River Drive |

The Secretary/Treasurer of the Committee of Adjustment outlined the application(s) and outlined the correspondence received, as follows:

Proposal:

- É The 0.45 acre property currently contains a dwelling unit and two sheds.
- É The owner wishes to construct a new garage, replacing one of the existing sheds. The existing accessory structure that is to be removed is located partially on a municipal road allowance. The applicants originally wished to build the new garage in the same place as the existing shed but due to the placement on the road

allowance this is not an ideal option.

- É The owners have requested the following variances in order to permit the construction of the new garage:
1. A variance to permit a Rear Yard setback of 1 m (3.3 ft.) whereas Zoning By-law 2010-65, Section 3.2.11 states that a garage may be located within a rear yard provided it is no closer than 7.5 m to a municipal road allowance.
 2. A variance to permit a height of 5.5 m (18 ft.) whereas Zoning By-law 2010-65, Section 3.2.6 limits the height of an accessory structure to 5 m (16.4 ft.).

Agency Comments:

Trent Severn Waterway: No concerns with the application, reminder to applicant that any in water work requires a permit.

Public Correspondence:

None

Staff Report P13-31:

The Secretary/Treasurer provided a brief summary of the following staff report:

Background:

County Official Plan: Rural
Township Official Plan: Shoreline Residential
Township Zoning: Shoreline Residential Two (SR2)

The subject property is located at 3345 Green River Drive in the geographic Township of North Orillia (**Appendix 1**). The 0.45 acre property currently contains a dwelling unit and two sheds as seen on the site plan attached as **Appendix 2**.

The owner wishes to construct a new garage on the property and remove one of the existing accessory structures. The existing accessory structure that is to be removed is located partially on a municipal road allowance at the rear of the subject property. The applicants originally wished to build the new garage in the same place as the existing shed but due to the placement on road allowance this is not ideal.

The following variances are requested in order to permit the construction of the new accessory structure:

1. A variance to permit a Rear Yard setback of 1 m (3.3 ft.) whereas Zoning By-law 2010-65, Section 3.2.11 states that a garage may be located within a rear yard provided it is no closer than 7.5 m to a municipal road allowance.
2. A variance to permit a height of 5.5 m (18 ft.) whereas Zoning By-law 2010-65, Section 3.2.6 limits the height of an accessory structure to 5 m (16.4 ft.).

The proposed elevation drawings and plans for the proposed garage are attached as **Appendix 3**.

The property was site inspected by planning & development staff prior to the writing of this report.

Discussion:

A discussion of the four tests for a Minor Variance as set out in Section 45(1) of the *Planning Act* follows.

Is the general intent and purpose of the Official Plan maintained?

The subject property is designated Shoreline Residential under the Township of Severn Official Plan. The objectives of the Shoreline Residential Area as stated in Section C7.1 of the Township's Official Plan are as follows:

7.1 OBJECTIVES

- a) *To maintain the existing character of this predominantly low density residential area.*
- b) *To protect the natural features and ecological functions of the shoreline area and the immediate shoreline.*
- c) *To ensure that existing development is appropriately serviced with water and sanitary services."*

The construction of a new garage on this property will not significantly impact the character or density of the area as there are similar sized accessory structures within the immediate area and the subject property is located at the end of a dead end road. The natural features and ecological functions of the shoreline area will continue to be protected as the existing dwelling is located over 20 m (66 ft.) from the water and the proposed garage is located as far away from the water as

possible at greater than 36 m. The proposed garage will not have a negative impact on the natural and ecological functions of the shoreline or existing character of the area.

Is the general intent and purpose of the Zoning By-law maintained?

The proposal appears to comply with all Zoning By-law requirements with the exception of the Rear Yard Setback and Accessory Structure Height. The following table illustrates the requirements of the Shoreline Residential Two (SR2) Zone and Accessory Structure provisions relating to this proposal and how the proposal compares with the requirements:

By-law Provision	By-law	This Proposal
Maximum Lot Coverage (SR2)	15%	Less than 12%
Accessory Structure Provisions:		
Maximum Lot Coverage	5%	Less than 5%
Minimum Required Yards		
Interior (side)	1.5 m	Greater than 1.5m
Front (water)	20 m	Greater than 36 m
Rear (road)	7.5 m	<u>1 m</u>
Max Building Height	5 m	<u>5.5 m</u>

The intent of setback requirements from municipal road allowances in the Zoning By-law is to ensure that private structures on private lands do not interfere with the maintenance of municipal roads and road allowances. In this case the existing accessory structure is located on a township road allowance and due to the existing design of the turnaround at the end of Green River Drive it is setback from the existing travelled portion of the roadway. The proposed reduced setback is preferable to the current situation and will still allow for maintenance of the township road and road allowance, thus maintaining the intent of the Zoning By-law. Furthermore, the Zoning By-law height restrictions for accessory structures are designed to limit the structures to one storey and reduce the visual appearance of the structure so they remain secondary to the principal structure. The requested 0.5 m is minor and still maintains the intent and purpose of the Zoning By-law.

Is it minor?

In the opinion of the Planning Department the requested variances are minor in nature because:

- g) The existing accessory structure is located partially on the road allowance, permitting a rear yard setback of 1 m from the road allowance will still allow for adequate spacing from the travelled portion of the roadway and road allowance while maintaining a similar footprint to the existing structure.
- h) The height of the proposed structure will be 0.5 m greater than what is permitted while maintaining a single storey.

Is it desirable for the appropriate development or use of the land?

The proposed garage will not be unlike numerous other garages within the area and the township. The reduced setback will not seem significant due to the position of the travelled portion of the road, however will still allow for the maintenance of the road allowance and will still permit the property owners to maintain the side of the building while staying on their own property. Accessory structures are common within the waterfront area and placing them further from the water is the most desirable placement. The proposed placement also allows the property owners to maintain some of their existing mature trees and yard. The height variance is appropriate as it will allow for a simple construction type and still restrict the building to a single storey as per the zoning by-law. The new proposed accessory structure will be shielded from neighbouring property owners by a well treed lot and the property is located at the end of the road having minimal impact on road traffic.

Other Considerations:

The Director of Public Works commented on the application, please be advised that this application removes an infringement that exists now where the old garage is significantly on the road allowance. The new building will be off road property and will not interfere with future road operations.+

The Chief Building Official has reviewed the proposal and stated that when the plans the Owner submits for a building permit must have sufficient detail to ensure water will not accumulate at or near the building and will not adversely affect adjacent properties.

This will be addressed as part of the building permit issuance process, and if followed I have no objection to the application.+

Recommendation:

The Planning Department has no objections to the approval of this application, subject to the recommended conditions set out in **Appendix 5**, because the variances are minor in nature, are keeping with the general intent of the Official Plan and Zoning By-law and are desirable for the

appropriate development and use of the land.

Respectfully submitted,

Katie Mandeville, BA, BURPI
Planner

With the concurrence of,

Gregory Corbett, M. PL, MCIP, RPP
Acting Director of Planning & Development

The Chair asked if the applicant or agent were present and had anything to add to what was presented - The applicants were present to answer questions and had nothing to add.

The Chair asked if anyone in the audience had any comments on this application. Public comments were as follows: None.

The Chair asked if there were any other public comments. As none were forthcoming, the Chair declared the public portion of the meeting closed.

The Chair asked if the Committee had any comments on this application. Committee comments were as follows:

- *Member Goerke stated a concern about the increased height and advised that there had been past issues with anything over 5m.*
- *Member Peters asked if the garage opening was towards the road.*
- *The applicants advised that the garage would be opening towards the existing driveway.*
- *Member Peters echoed concerns over the height.*
- *The applicants advised that they could change the slope of the roof; they had designed it originally so the snow would easily fall off to extend the life of the roof.*
- *Member Vandergeest stated that he had originally had a concern with the setback to the road allowance but is more comfortable due to the Director of Public Works comments within the Planning Report.*
- *Member Ferguson asked where the snow from the roadway goes in the winter.*
- *The applicants advised as to the location using the images provided.*
- *Member Peters asked if Committee could consider the setback variance only*
- *The Secretary/Treasurer advised that Committee could grant one and remove the other from the decision.*

As there was no further discussion, the Chair asked the Secretary/Treasurer to review the proposed conditions of the decision. The agent was asked if he was aware of the proposed conditions and was in agreement with them. The agent confirmed this. The Chair then called for a vote on the application.

DECISION – APPROVE
Variance Application A-05-13 (Forrester)

THE PURPOSE and EFFECT of the variance application is:

To request the following variance to the provisions of Zoning By-law 2010-65:

1. A variance to permit a Rear Yard setback of 1 m (3.3 ft.) whereas Zoning By-law 2010-65, Section 3.2.11 states that a garage may be located within a rear yard provided it is no closer than 7.5 m to a municipal road allowance.

In order to permit the construction of a new accessory structure with a maximum height of 5m as per Zoning By-law 2010-65.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 16th day of April, 2013:

DECISION: APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Municipal Taxes to be paid to date.
2. That the construction is in substantial compliance with the plans and drawings submitted with the Application

THE REASONS for the Committee's Decision are that the request is minor in nature, conforms to the general intent and purpose of the Zoning By-law and Official Plan and is desirable for the appropriate development or use of the land.

The Secretary/Treasurer is hereby authorized to sign documents on behalf of the Committee giving effect to this Decision.

CARRIED

5. **Consent Application No.:** B-02-13
Applicant: Seydel Holdings Ltd. / Leo Seydel
Roll Number: 4351 050 003 86400
Municipal Address: 3290 Seydel Lane

The Secretary/Treasurer of the Committee of Adjustment outlined the application(s) and outlined the correspondence received, as follows:

Proposal:

- É The subject property is Part 2, Plan 51R-5755 in the geographic Township of Matchadash, now in the Township of Severn, municipally known as 3290 Seydel Lane.
- É The property is approximately 1.62 ha (4 acres) in size with 216 m (708.66 ft.) on Gloucester Pool and currently supports a dwelling, sleeping cabin, boathouse and shed.
- É The owner is requesting consent to sever a portion of the property having frontage of approximately 26.23 m (86 ft) on Gloucester Pool and area of approximately 0.45 ha (1.11 acres), with the proposed severed portion to be added as a lot addition to the abutting residential property at 3298 Seydel Lane, which is legally described as Part 1, Plan 51R-5755 and which is also owned by the applicant.
- É The retained lands would have a frontage of approximately 189.77 m (655.66 ft) on Gloucester Pool and area of approximately 1.17 ha (2.98 acres).

Agency Comments:

Trent Severn Waterway: No concerns with the application, reminder to applicant that any in water work requires a permit.

Public Correspondence:

None

Staff Report P12-032:

The Secretary-Treasurer provided a brief summary of the following Staff Report:

Background:

County Official Plan: Rural
Township Official Plan: Shoreline Residential
Township Zoning: Shoreline Residential Three (SR3) and Environmental Protection (EP) Zones

The subject property is located at 3290 Seydel Lane in the geographic Township of Matchadash (**Appendix 1**). The property is approximately 1.62 ha (4 acres) in size with 216 m (708.66 ft.) on Gloucester Pool and currently supports a dwelling, sleeping cabin, boathouse and shed.

The owner is requesting consent to sever a portion of the property having frontage of approximately 26.23 m (86 ft) on Gloucester Pool and area of approximately 0.45 ha (1.11 acres), with the proposed severed portion to be added as a lot addition to the abutting residential property at 3298 Seydel Lane, which is legally described as Part 1, Plan 51R-5755 and which is also owned by the applicant. The retained lands would have a frontage of approximately 189.77 m (655.66 ft) on Gloucester Pool and area of approximately 1.17 ha (2.98 acres).

A sketch of the proposal is attached as **Appendix 2**.

Discussion:

A discussion of the various planning documents that have bearing on this application follows.

Provincial Policy Statement (PPS), 2005

Section 1.1.4 Rural Areas in Municipalities states that, permitted uses and activities shall relate to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses. As a new lot or use is not being created this application is consistent with the PPS.

Growth Plan for the Greater Golden Horseshoe, as amended

The Growth Plan is silent on the issue of boundary adjustments.

County of Simcoe 2006 Official Plan (in effect)

Section 3.3.3 of the County of Simcoe Official Plan states that consents for the purpose of boundary adjustments and consolidation of land holdings are permitted but shall not be for the purpose of creating new lots except as otherwise permitted in this Plan.

This proposal is a boundary adjustment and satisfies the intent of this policy.

County of Simcoe 2008 Official Plan (under appeal)

The applicable policy in the 2008 County of Simcoe Official Plan is as follows:

“3.3.4 Consents for the purpose of boundary adjustments and consolidation of land holdings are permitted but shall not be for the purpose of creating new lots except as otherwise permitted in this Plan. All lots created shall conform to this Plan, all applicable municipal policies and bylaws.”

The subject proposal is a boundary adjustment and therefore satisfies the intent of this policy.

Township of Severn Official Plan

Section B8.2.2 of the Township Official Plan states as follows:

B8.2.2 Boundary Adjustments

In reviewing an application for such a boundary adjustment, the Committee of Adjustment shall be satisfied that the boundary adjustment will not affect the viability of the use of the properties affected as intended by this Plan.”

In this proposal the retained lot and the adjoining lot that is receiving the lot addition have historically been used as seasonal/cottage residential properties and both lots are developed with cottages, septic systems and accessory structures. This proposal will not alter the use of the properties and is therefore consistent with the policies of the Township Official Plan.

Township of Severn Zoning By-law 2010-65

The subject property and the adjacent property are in the Shoreline Residential Three Zone (SR3) with a portion of the property at the shoreline zoned Environmental Protection (EP).

Section 6.4 of the Zoning By-law requires a Minimum Lot Frontage of 60 m (196.8 ft.) and Minimum Lot Area of 4000 sq. m. (0.99 acres) for lots in the SR3 Zone. The retained lot will be approximately 2.89 acres in size, with approximately 189.77 m frontage on Gloucester Pool.

The Environmental Protection (EP) Zone on the property is roughly 5-10 metres (**Appendix 3**) wide along parts of the shoreline on both the proposed severed and retained parcels. Zoning By-law 2010-65 Section 3.33.2 b) states:

“No building or structure, other than those permitted within the EP Zone, shall be erected within 10.0 metres of an Environmental Protection (EP) Zone within any area outside of the Settlement Areas.”

The existing development within and adjacent to this EP area is non-conforming, pre-dating the existing by-law and as no new development is proposed at this time for the severed or retained parcels the property will continue with the current established uses.

The overall purpose of the proposal is to create additional buffering between the properties and this is desirable for the appropriate use and development of the property.

Other Considerations

The Township building/septic department have indicated that there is no objection to the application as there is adequate area to construct a replacement septic system on the retained lot.

An associated application B-04-13 for a right-of-way over the abutting lands to the east in favour of the severed and retained lands of this application for access purposes has also been submitted. In order to ensure that the intended right-of-way will apply to both the severed and retained lands, application B-04-13 must be completed first. In addition, to ensure road access is maintained for the retained lands, a right-of-way should be included in the deed for the severed lands in favour of the retained.

Recommendation:

The Planning Department has no major objection to the approval of this application, subject to the recommended conditions set out in **Appendix 4**.

Respectfully submitted,

Katie Mandeville, BA, BURPI
Planner

With the concurrence of,

Gregory Corbett, M. PL, MCIP, RPP
Acting Director of Planning & Development

The Chair asked if the applicant or agent were present and had anything to add - the applicant was present and stated that he wanted this lot adjustment to give his family more room.

The Chair asked if anyone in the audience had any comments on this application. Public Comments were as follows: None.

The Chair asked if there were any other public comments. As none were forthcoming, the Chair declared the public portion of the meeting closed.

The Chair asked if the Committee had any comments on this application. Committee comments were as follows: None.

As there was no further discussion, the Chair asked the Secretary/Treasurer to review the proposed conditions of the decision. The agent was asked if the property owner was aware of the proposed conditions and was in agreement with them. The agent confirmed this. The Chair then called for a vote on the application.

**DECISION – APPROVE
Consent Application B-02-13 (Seydel)**

THE PURPOSE and EFFECT of the consent application is:

TO SEVER a portion of the property having frontage of approximately 26.23 m (86 ft) on Gloucester Pool and area of approximately 0.45 ha (1.11 acres) to add to an adjacent property at 3298 Seydel Lane.

The retained lands would have a frontage of approximately 189.77 m (655.66 ft) on Gloucester Pool and area of approximately 1.17 ha (2.89 acres).

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 16th day of April, 2013:

DECISION: PROVISIONALLY APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. A reference plan of the severed parcel shall be prepared and duly registered by an Ontario Land Surveyor and one copy filed with the Secretary/Treasurer of the Committee. A draft copy of the reference plan shall be provided to the Secretary-Treasurer for review and approval prior to registration on title.
2. A copy of the electronic registration ~~to~~ preparation+draft deed for the severed lot shall be provided to the Secretary/Treasurer of the Committee together with a signed Acknowledgement and Direction so that the consent certificate may be issued.
3. That the deed for the severed lands include the provision of a right-of-way over a portion of the severed lands in favour of the retained lands for vehicular and pedestrian access
4. That consent application B-04-13 be finalized.

5. Municipal taxes shall be paid in full up to the date of request of issuance of the consent certificate.
6. That the severed lands shall merge with the property municipally known as 3298 Seydel Lane, legally described as Part 1 Plan 51R-5755. The owners solicitor shall take all necessary steps to ensure that the parcels merge under the Planning Act
7. That the owners solicitor shall provide an undertaking to register an Application to Consolidate Parcels in order to merge the severed lands with the adjoining lands and to provide the Township with a copy of the registered Application within three months of the date of registration of the Transfer of the severed lot.
8. The Conditions set out herein shall be completed within one year of the date of this Decision.

THE REASONS for the Committee's Decision are that the proposed consent is in keeping with the Township's Official Plan and Zoning By-law, is consistent with the 2005 Provincial Policy Statement, will provide for the orderly development of the Township and does not fall under the exclusive consideration of Section 51 of the Act.

The Secretary/Treasurer is hereby authorized to sign documents on behalf of the Committee giving effect to this Decision.

CARRIED

6. **Consent Application No.:** B-04-13
Applicant: Leo Seydel
Roll Number: 4351 050 003 86600
Municipal Address: 3291 Seydel Lane

The Secretary/Treasurer of the Committee of Adjustment outlined the application(s) and outlined the correspondence received, as follows:

Proposal:

- É The property is located at 3291 Seydel Lane
- É Legally described as: Part 1, Plan 51R-10424
- É The application is to request consent to grant a right-of-way having width of approximately 6.82 m (22.4 feet) for legal access to Part 2, Plan 51R-5755, municipally known as 3290 Seydel lane.
- É The approximate path of the proposed right-of-way is over Seydel Lane.
- É The Seydel family own the properties municipally known as 3290, 3291 and 3298 Seydel Lane. They are planning on selling 3290 Seydel Lane and want to ensure the new owners have legal access over Seydel Lane.

Agency Comments:

Trent Severn Waterway: No concerns with the application, reminder to applicant that any in water work requires a permit.

Public Correspondence:

None

Staff Report P12-033:

The Secretary/Treasurer provided a brief summary of the following Staff Report:

Background:

County Official Plan: Rural
Township Official Plan: Shoreline Residential
Township Zoning: Shoreline Residential Three (SR3) and Rural (RU) Zones

The subject property is located at 3291 Seydel Lane (off of Towner Line Road) on Gloucester Pool in the former Township of Matchadash (**Appendix 1**).

The purpose of the application is to request consent to grant a right-of-way having width of approximately 6.82 m (22.4 feet) for legal access to Part 2 Plan 51R-5755, municipally known as 3290 Seydel Lane. The approximate path of the proposed right-of-way over Seydel Lane is shown on the sketch attached as **Appendix 2** and is located on Part 1 Plan 51R-10424, municipally known

as 3291 Seydel Lane owned by Leo Seydel.

The Seydel family own the properties municipally known as 3290, 3291 and 3298 Seydel Lane. They are considering selling the property municipally known as 3290 Seydel Lane and want to ensure the new owners will have legal access over Seydel Lane.

Discussion:

There is no planning policy bearing on this application, it would appear to be simply a technical and legal matter that will both serve to enhance the use of the properties at 3290 Seydel Lane and to avoid any potential future issues arising due to potential trespass across 3291 Seydel Lane. There will be no impact on the natural and ecological function of the shoreline area since the property gaining the benefit of the legal right-of-way is already developed.

The Planning & Development Department have site inspected the property and the Chief Building Official (CBO) has advised that they have no issue with the proposed right-of-way.

Recommendation:

The Planning Department has no major objection to the approval of this application, subject to the recommended conditions set out in **Appendix 4**.

Respectfully submitted,

Katie Mandeville, BA, BURPI
Planner

With the concurrence of,

Gregory Corbett, M. PL, MCIP, RPP
Acting Director of Planning & Development

The Chair asked if the applicant or agent were present and had anything to add - the applicant was present.

The Chair asked if anyone in the audience had any comments on this application. Public Comments were as follows: None.

The Chair asked if there were any other public comments. As none were forthcoming, the Chair declared the public portion of the meeting closed.

The Chair asked if the Committee had any comments on this application. Committee comments were as follows: None.

As there was no further discussion, the Chair asked the Secretary/Treasurer to review the proposed conditions of the decision. The applicants were asked if they were aware of the proposed conditions and were in agreement with them. The applicants confirmed this. The Chair then called for a vote on the application.

**DECISION – APPROVE
Consent Application B-04-13 (Seydel)**

THE PURPOSE and EFFECT of the consent application is:

To grant a RIGHT-OF-WAY over a portion of the subject property (known as Seydel Lane) having width of approximately 6.82 m (22.4 ft.) for purposes of granting legal access to lands designated as 51R-5755 Part 2, municipally known as 3290 Seydel Lane

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 16th day of April, 2013:

DECISION: PROVISIONALLY APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. A reference plan of the severed parcel shall be prepared and duly registered by an Ontario Land Surveyor and one copy filed with the Secretary-Treasurer of the Committee. A draft copy of the reference plan shall be provided to the Secretary-Treasurer for review and approval prior to registration.
2. A copy of the electronic registration ~~to~~ preparation+draft deed for the severed lot shall be provided to the Secretary/Treasurer of the Committee together with a signed

- Acknowledgement and Direction so that the consent certificate may be issued.
3. That the owner's solicitor shall ensure that the right-of-way is legally added and appurtenant to the property designated as Part 2, Plan 51R-5755.
 4. Section 50 of the *Planning Act*, R.S.O. 1990, shall apply to any subsequent conveyance of or transaction involving the parcel of land that is subject of this consent.
 5. Municipal taxes shall be paid in full up to the date of request of issuance of the consent certificate
 6. That all fees and disbursements (legal, engineering, planning), if any, incurred by the Township with respect to this application shall be paid for by the owner.
 7. The Conditions set out herein shall be completed within one year of the date of this Decision.

THE REASONS for the Committee's Decision are that the proposed consent is in keeping with the Township's Official Plan and Zoning By-law, is consistent with the 2005 Provincial Policy Statement, will provide for the orderly development of the Township and does not fall under the exclusive consideration of Section 51 of the Act.

The Secretary/Treasurer is hereby authorized to sign documents on behalf of the Committee giving effect to this Decision.

CARRIED

F. CORRESPONDENCE
NONE

G. OTHER BUSINESS

- É Member Vandergeest requested receiving the original application in the future, to be provided to all members prior to the meeting with the notice.
- É Secretary/Treasurer confirmed that the original application could be provided at the same time as the notices, typically 10 days prior to the meeting.

H. ADJOURNMENT

The following motion was adopted:

Motion # 13-06

MOVED by Mark Vandergeest and SECONDED by John Ferguson

THAT the Committee of Adjustment meeting be adjourned at 8:20 p.m. on April 16, 2013. The Committee will reconvene at 7:00 p.m. on May 21, 2013 unless the Secretary/Treasurer has not received a complete application for the Committee's consideration.

CARRIED

Katie Mandeville, Secretary/Treasurer