

MINUTES OF THE MEETING OF THE COMMITTEE OF ADJUSTMENT HELD IN THE ADMINISTRATION OFFICE, 1024 HURLWOOD LANE, TUESDAY, JUNE 17, 2014 AT 7:00 P.M.

Present: Chair Douglas Hamilton

*Members Mark Vandergeest
John Ferguson
Emily Silk
Ron Peters*

*Staff: Director of Planning Andrew Fyfe
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 # 14-14

MOVED by John Ferguson and SECONDED by Mark Vandergeest

THAT the Minutes of the Committee of Adjustment meeting held in the Council Chambers on May 20, 2014 be adopted as printed and distributed.

CARRIED

D. ADJOURNED APPLICATIONS

- 1. Minor Variance Application No.: A-11-14**
Applicant: Heather Metcalfe
Roll Number: 4351 040 007 08200 0000
Municipal Address: 2961 Fesserton Sideroad

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

Proposal:

É The property is approximately 13.05 ha (32.25 acres) in size with 30 metres (100

ft.) of frontage on Fesserton Sideroad. The property contains a dwelling with numerous accessory structures.

- É The owner has been granted provisional approval for consent application B-05-14 to sever a portion of the property with frontage of approximately 15 metres on Fesserton Sideroad and area of approximately 0.79 hectares (1.95 acres) to be added to the adjacent property at 2963 Fesserton Sideroad. The retained lands under B-05-14 would have a frontage of approximately 15 metres on Fesserton Sideroad and area of approximately 12.22 hectares (30.2 acres).
- É A condition of the provisionally approved application is to obtain a minor variance to reflect the decrease in lot frontage of the retained lands, from 30 metres to 15 metres.
- É The following variance is requested in order to fulfill a condition of provisionally approved consent application B-05-14:
 1. A variance to permit a minimum lot frontage of 15 metres whereas Zoning By-law 2010-65 states that the minimum lot frontage required under the Rural (RU) Zone is 60 metres.

The Director of Planning & Development stated that a staff report had not been prepared as the application was deferred at the May 20, 2014 Committee of Adjustment pending further information from the applicant as to the ownership of the property. The Township received a letter from the applicant's solicitor indicated that she is the sole owner of the property.

The Chair advised that a public meeting was already held on this application.

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

The Chair then called for a vote on the application.

DECISION – APPROVE
Variance Application A-11-14 (Metcalf)

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 minimum lot frontage of 15 metres whereas Zoning By-law 2010-65 states that the minimum lot frontage required under the Rural (RU) Zone is 60 metres.

This variance is needed to fulfil a condition of provisionally approved consent application B-05-14.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 17th day of June, 2014:

DECISION: APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Municipal Taxes to be paid to date.
2. That the existing vegetation on the property shall be preserved and enhanced as much as possible.

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

E. NEW APPLICATIONS

1. **Minor Variance Application No.:** A-12-14
Applicant: Will Cox
Roll Number: 4351 010 011 08210 0000
Municipal Address: 1211 Division Road

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

Proposal:

- É The 23 acre property is located at 1211 Division Road and currently contains a detached dwelling and an accessory structure.
- É The applicant would like to build an addition which would contain an accessory apartment.
- É The following variance is requested in order to permit the construction of the new accessory apartment:
 1. A variance to permit an 80 square metre (864 sq. ft.) accessory apartment whereas Zoning By-law 2010-65 states that an accessory apartment shall not exceed the lesser of 35% of the floor area of the principle dwelling unit or 60.0 square metres (645.8 sq. ft.).

Agency Comments:

None

Public Correspondence:

None

Staff Report D14-019:

The Planner provided a brief summary of the staff report.

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

- É Member Ferguson inquired as to why the road widening requested by public works was not included in the recommended conditions.*
- É The Director of Planning stated that the Director of Public Works is free to request anything, however planning staff did not feel this added expense for the applicant was warranted.*
- É Member Peters asked if a road widening would be taken if this application was for the creation of a new lot.*
- É The Director of Planning stated that yes, creation of a new lot typically asks for a road widening or lot additions may also yield this request as well. The Director further stated that asking for these types of things as a condition on a minor variance has not been permitted historically by the OMB.*
- É Member Ferguson expressed his concern that this was going to cost the municipality a lot of money down the road to acquire this in the future.*
- É Member Vandergeest expressed his support for a road widening to be added as a condition of the variance.*
- É Member Silk stated that she was in favour of the widening as well.*
- É The Chair asked the applicant if he was agreeable to the road widening.*
- É The applicant advised that he was not sure he would want to proceed with the variance as he could shrink the apartment. The applicant stated that he applied for the variance under the direction of the building department as it would allow for easier fire separation and would make the addition match the house better.*
- É Member Peters asked the applicant how far away the home was situated from the road.*
- É The applicant advised that the existing setback will be the shortest point from the road and that he really did not want to pay for extra legal fees and survey fees for extra square footage on the apartment.*
- É Member Vandergeest stated that he feels the road widening is appropriate and will be voting against the application if the widening is not included as a condition.*
- É The applicant asked to speak further on the issue.*
- É The Chair permitted the applicant to address the Committee.*
- É The applicant stated that the accessory apartment was for his aging parents.*

As there was no further discussion, the Chair asked for an informal showing of who was in favour of the added conditions, the majority of Committee were not in favour.

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 were in agreement with them. The applicant confirmed this. The Chair then called for a vote on the application.

DECISION – APPROVE
Variance Application A-12-14 (Cox)

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 an 80 square metre (864 sq. ft.) accessory apartment whereas Zoning By-law 2010-65 states that an accessory apartment shall not exceed the lesser of 35% of the floor area of the principle dwelling unit or 60.0 square metres (645.8 sq. ft.).

The variance is needed in order to permit the construction of the new accessory apartment.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 17th day of June, 2014:

DECISION: APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Municipal Taxes to be paid to date.
2. That the existing vegetation on the property shall be preserved and enhanced as much as possible.
3. That the construction is in substantial compliance with the plans 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

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| 2. Minor Variance Application No.: | A-13-14 |
| Applicant: | Christian & May Schaper |
| Agent: | Fell Construction |
| Roll Number: | 4351 050 003 77900 0000 |
| Municipal Address: | 3065 Daniels Lane |

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

Proposal:

- É The approximately 0.48 acre property is occupied by a dwelling with an attached deck.
- É The applicant would like to reconstruct the dwelling and build a garage on the subject property.
- É The following variance is requested in order to permit the construction of the new dwelling:
 1. A variance to permit a front yard setback of 15 metres (49 feet), whereas Zoning By-law 2010-65, states that all buildings and structures shall be setback a minimum of 20.0 metres from any navigable watercourse.

Agency Comments:

None

Public Correspondence:

None

Staff Report D14-020:

The Planner provided a brief summary of the staff report.

The Chair asked if the applicant or agent were present and had anything to add to what was presented - the agent was present to answer questions. The agent advised that the purpose of the application is to keep the existing septic location.

The Chair asked if anyone in the audience had any comments on this application. Public comments were as follows:

- É *John Mercier, 3067 Daniels Lane stated that he has a problem with the garage location and that it would block the access to his property if the driveway is relocated.*
- É *The Director of Planning stated that this application does not involve the garage and that the applicants intend to build a garage in the area of the driveway but that the applicant has a legal responsibility to ensure access to the neighbouring property is maintained. The Director further stated that the neighbouring property owners should discuss this to work out a solution on their own.*
- É *The applicants advised the neighbouring property owner that they would never cut off access to his property.*

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 *Member Vandergeest stated he is in support of the application as the proposal is in the right location and will be improving the property.*
- É *Member Silk also stated her support as the proposal is maintaining the existing footprint and pushed back from the water.*

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 applicant confirmed this. The Chair then called for a vote on the application.

DECISION – APPROVE
Variance Application A-14-14 (Schaper)

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 front yard setback of 15 metres (49 feet), whereas Zoning By-law 2010-65, states that all buildings and structures shall be setback a minimum of 20.0 metres from any navigable watercourse.

The following variance is needed in order to permit the construction of the new dwelling.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 17th day of June, 2014:

DECISION: APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Municipal Taxes to be paid to date.
2. That the existing vegetation on the property shall be preserved and enhanced as much as possible.
3. That the construction is in substantial compliance with the plans 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

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| 3. Minor Variance Application No.: | A-14-14 |
| Applicant: | Dwight Hewitt |
| Agent: | Al Langman Construction |
| Roll Number: | 4351 010 011 29200 0000 |
| Municipal Address: | 1873 Big Chief Road |

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

Proposal:

- É The approximately 0.25 acre property is occupied by a dwelling and three accessory structures.
- É The owners are proposing to demolish the three accessory structures currently on the property in order to build an attached garage.
- É The following variances are requested in order to permit the construction of the new addition of an attached garage:
 1. A variance to permit a front yard setback of 11.4 metres (37.5 feet), whereas Zoning By-law 2010-65, states the front yard setback for the SR2 zone is 20 metres (66 feet).
 2. A variance to permit a maximum lot coverage of 18%, whereas Zoning By-law 2010-65 states the maximum lot coverage for the SR2 zone is 15%.

Agency Comments:

None

Public Correspondence:

None

Staff Report D14-021:

The Planner provided a brief summary of the staff report.

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

The Chair asked if anyone in the audience had any comments on this application. Public comments were as follows:

- É *Ken Eaton, Big Chief Road stated that the notice for the variance did not include living space.*
- É *The Director of Planning stated that walkout basements are not included in the gross floor area definition and that the variance is for the footprint of the addition.*

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 *Member Peters inquired as to if a condition related to the demolition of the existing accessory structures should be added as a condition of the variance.*
- É *The Secretary/Treasurer advised that the condition related to the plans already covers this as the plan they submitted indicated the structures would be demolished.*
- É *Member Vandergeest inquired as to what the process would be if the owners wanted to put in bedrooms or bathrooms in the future.*
- É *The Director of Planning stated they would need a building permit which would include a review of the septic capacity.*
- É *Member Vandergeest stated that they are only here for a garage and that Committee would require septic comments if they were here for living space.*

- É *The agent for the applicant stated that the basement would be for storage purposes only.*
- É *The Chair stated that Committee could not predict if bedrooms would be put in however the owners would require a permit at that time.*
- É *Member Silk inquired to if a condition could be added to cover this.*
- É *The Director of Planning stated that staff had recommended a condition.*

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 were in agreement with them. The agent confirmed this. The Chair then called for a vote on the application.

DECISION – APPROVE
Variance Application A-14-14 (Hewitt)

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 front yard setback of 11.4 metres (37.5 feet), whereas Zoning By-law 2010-65, states the front yard setback for the SR2 zone is 20 metres (66 feet).
2. A variance to permit a maximum lot coverage of 18%, whereas Zoning By-law 2010-65 states the maximum lot coverage for the SR2 zone is 15%.

The following variance is needed in order to permit the construction of a new addition with an attached garage.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 17th day of June, 2014:

DECISION: APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Municipal Taxes to be paid to date.
2. The owner must ensure no additional plumbing or bedrooms will be created/installed as a result of the addition.
3. That the existing vegetation on the property shall be preserved and enhanced as much as possible.
4. That the construction is in substantial compliance with the plans 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-15-14
Applicant: Jason & Tara George
Agent: Wayne Turner
Roll Number: 4351 050 004 06000 0000
Municipal Address: 1178 Frankland Lane

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

Proposal:

- É The approximately 1.4 acre property is occupied by a dwelling with attached decking, dock and two accessory structures.
- É The applicant would like to construct a new access ramp in order to achieve adequate water depth for a new boatport in addition to expanding and replacing the existing front deck on the cottage.
- É The following variances are requested in order to permit the construction of the new access ramp for the new boatport and for the new deck:
 1. A front yard setback of 0 metres to an uncovered deck whereas under Zoning By-law 2010-65, Shoreline Residential Three (SR3) requires a minimum front yard setback of 20 metres. This is to replace an existing slightly smaller deck with the same setback.
 2. A 5.5 metre (18 feet) access ramp perpendicular to the shore to a boatport whereas Zoning By-law 2010-65 states that a boatport must be adjacent to the shore.
 3. The building envelope for the proposed docking and boatport facilities will extend beyond the permitted 8 metre by 10 metre envelope permitted under Zoning By-law 2010-65 as per the plan submitted and shown on the reverse side of this notice.

Agency Comments:

None

Public Correspondence:

None

Staff Report D14-022:

The Director of Planning & Development provided a brief summary of the staff report.

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

- É Member Vandergeest inquired as to if a demolition permit would be required for the boathouse as it is indicated on the plan but was not on the site during his site visit.*
- É The agent advised that the property owner had torn down the boathouse two years ago but that he will be happy to include the boathouse demolition in with the demolition permit for the front deck.*

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 were in agreement with them. The agent confirmed this. The Chair then called for a vote on the application.

DECISION – APPROVE
Variance Application A-15-14 (George)

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 front yard setback of 0 metres to an uncovered deck whereas under Zoning By-law 2010-65, Shoreline Residential Three (SR3) requires a minimum front yard setback of 20 metres. This is to replace an existing slightly smaller deck with the same setback.
2. A 5.5 metre (18 feet) access ramp perpendicular to the shore to a boatport whereas Zoning By-law 2010-65 states that a boatport must be adjacent to the shore.
3. The building envelope for the proposed docking and boatport facilities will extend beyond the permitted 8 metre by 10 metre envelope permitted under Zoning By-law 2010-65 as per the plan submitted and shown on the reverse side of this notice.

The following variance is needed in order to permit the construction of the new access ramp for the new boatport and for the new deck.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 17th day of June, 2014:

DECISION: APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Municipal Taxes to be paid to date.
2. That the existing vegetation on the property shall be preserved and enhanced as much as possible.
3. That the construction is in substantial compliance with the plans 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-08-14*
Applicant: *Dan & Pauline Walker*
Roll Number: *4351 010 001 06700 0000*
Municipal Address: *1601 Mount Stephen Road*

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

Proposal:

- É The subject property is legally described as Part of Lot 24, Concession 2, geographic Township of North Orillia.
- É The subject lands have frontage of approximately 729.7 metres (2,394 feet) on Mount Stephen road and 561.6 metres (1,842.5 ft.) on Balkwill Line and area of approximately 41.64 hectares (102.9 acres).
- É The applicant is requesting consent to sever a portion of the property having frontage of approximately 73.2 metres (240 feet) on Mount Stephen Road and area of approximately 0.65 hectares (1.6 acres).
- É The retained lands containing the existing dwelling and accessory structures would have a frontage of approximately 656.6 metres (2,152.5 ft.) on Mount Stephen Road and 561.6 metres (1,842.5 ft.) on Balkwill Line and area of approximately 41 hectares (101.3 acres).

Agency Comments:

None

Public Correspondence:

None

Staff Report D14-023:

The Planner provided a brief summary of the staff report.

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.

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 decisions. The applicants were asked if they were aware of the proposed conditions and were in agreement with them. The applicant confirmed this. The Chair then called for a vote on the application.

DECISION – APPROVE
Consent Application B-08-14 (Walker)

THE PURPOSE and EFFECT of the application is:

Consent to sever a portion of the property having frontage of approximately 73.2 metres (240 feet) on Mount Stephen Road and area of approximately 0.65 hectares (1.6 acres).

The retained lands containing the existing dwelling and accessory structures would have a frontage of approximately 656.6 metres (2,152.5 ft.) on Mount Stephen Road and 561.6 metres (1,842.5 ft.) on Balkwill Line and area of approximately 41 hectares (101.3 acres).

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 17th day of June, 2014:

DECISION: PROVISIONALLY APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. That the severed lands shall be rezoned to the Rural Residential (RR) Zone, at the owners expense, in order to recognize the reduced lot area and intended use of the lands. The owner shall make an Application for Zoning By-law Amendment and pay the applicable fee and deposit, if required.
2. That the owner shall obtain and close a building permit to decommission the existing livestock barn on the retained lands in order to comply with MDS regulations.
3. 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.
4. 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.
5. A payment of 5% in lieu of a parkland dedication shall be paid in accordance with the provisions of the Planning Act, acceptable to the Township of Severn, in cash or certified cheque. The Township shall retain an appraiser, at the applicant's expense, to prepare the appraisal in accordance with the provisions of the Planning Act if the value of the land cannot otherwise be agreed on.
6. Municipal taxes shall be paid in full up to the date of request of issuance of the consent certificate.
7. 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.

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.

AND 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-09-14
Applicant:	Robert Scale
Agent:	Larry & Jennifer Verdonk
Roll Number:	4351 050 002 44300 0000
Municipal Address:	4020 Delta Road

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

Proposal:

- É The subject property is legally described as Part Lot 5, Concession 14, geographic Township of Matchedash.
- É The property is approximately 3,575 square metres (0.88 acres) in size with 30 metres (100 ft.) of frontage on the Severn River. The property contains a dwelling with associated accessory structures.
- É The applicant is requesting consent to sever a portion of the property having no frontage on the Severn River and an area of approximately 1,175 square metres (0.29 acres) to be added to the adjacent property at 8503 Severn River.
- É The retained lands containing the existing dwelling and accessory structures would have a frontage of approximately 30 metres on the Severn River and area of approximately 2,400 square metres (0.59 acres).
- É The applicant is also seeking to grant a right of way over a small portion of the property adjacent to the lot addition for a driveway.

Agency Comments:

None

Public Correspondence:

The Secretary/Treasurer summarized a letter received from the Chairman and Treasurer of the Severn Road Cottagers Association (SDRCA) that stated the road association would be granting access to the Verdonk's over their private road system should this application be approved.

Staff Report D14-024:

The Planner provided a brief summary of the staff report.

The Chair asked if the applicant or agent were present and had anything to add to what was presented - the agents were 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:

- É Member Silk inquired as to if the municipal address of the benefiting property would change.*
- É The Planner advised that once everything was finalized the property address would be changed to a Delta Road address, yes.*
- É Member Vandergeest inquired as to if the right of way could be granted as a condition.*
- É The Director of Planning stated that it could as the right of way is over the 'donor' property.*

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

DECISION – APPROVE
Consent Application B-09-14 (Scale / Verdonk)

THE PURPOSE and EFFECT of the application is:

Consent to sever a portion of the property having no frontage on the Severn River and an area of approximately 1,175 square metres (0.29 acres) to be added to the adjacent property at 8503 Severn River.

The retained lands containing the existing dwelling and accessory structures would have a frontage of approximately 30 metres on the Severn River and area of approximately 2,400 square metres (0.59 acres).

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 17th day of June, 2014:

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. Municipal taxes shall be paid in full up to the date of request of issuance of the consent certificate.
4. The owners shall apply for a minor variance to reflect the deficient lot area of the retained lands, 4020 Delta Road.
5. That a right of way over a portion of 4020 Delta Road be registered on title benefiting the lands municipally known as 8503 Severn River.
6. That the severed lands shall merge with the property municipally known as 8503 Severn River. The ownersqsolicitor shall take all necessary steps to ensure that the parcels merge under the Planning Act.
7. That the ownersqsolicitor 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. 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 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.

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

CARRIED

E. REPORTS FROM OFFICIALS

NONE

F. CORRESPONDENCE

NONE

G. OTHER BUSINESS

NONE

H. ADJOURNMENT

The following motion was adopted:

Motion # 14-15

MOVED by Mark Vandergeest and SECONDED by Emily Silk

THAT the Committee of Adjustment meeting be adjourned at 8:14 p.m. on June 17, 2014. The Committee will reconvene at 7:00 p.m. on July 15, 2014 unless the Secretary/Treasurer has not received a complete application for the Committee's consideration.

CARRIED

Katie Mandeville, Secretary/Treasurer