

- É approximately 7 feet from the road allowance and 1 foot for the attached garage.
- É The owners wish to redevelop the property by replacing the existing home and attached garage.
- É The following variance is requested in order to permit the construction of the new dwelling and attached garage:
- É A variance to permit a front yard setback of 1.22 metres (4 feet) on the east corner and 2.13 metres (7 feet) on the west corner of the proposed dwelling with attached garage, whereas Zoning By-law 2010-65 states that the minimum front yard setback in the Residential One (R1) Zone is 7.5 metres (24.61 feet).
- É At the May meeting, Committee deferred the front yard setback part of the application pending the receipt of a plan from a surveyor confirming the exact distance of the proposed front yard setback and further comments from the Public Works Department.
- É The proposed setbacks have now been confirmed as 1.3 metres (4.26 ft.) on the east corner and 3.05 metres (10 ft.) on the west corner.
- É These are slightly greater than what was originally proposed.

Staff Report D15-034:

The Planner provided a brief summary of the staff report.

The Secretary/Treasurer advised that the public meeting was already held in accordance with the Planning Act.

The Chair asked if applicant was present and had anything to add to this application. The applicant was present and had nothing to add.

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

- É *Member Vandergeest raised concerns regarding the setback from the road allowance and the need for this setback in order to protect the location of an existing aged septic. He further stated that he drives this road every day the proposal is too close in his opinion.*
- É *Member Hill stated that he also believes it is too close and inquired if something could be registered on title rather than just a letter as suggested in the staff report.*
- É *The Chair directed Member Hill's inquiry to staff for a response.*
- É *The Planner advised that the Committee has a legal budget and that staff would consult with the Township's solicitor should the Director of Planning be unclear on if something could be registered on title with the property.*
- É *Member Vandergeest stated that vehicle sizes are increasing as are the frequency of historic storms and natural disasters which would result in damage to their property and he would prefer if the Township was not liable due to this close proximity to the road allowance.*
- É *Member Hamilton asked the applicant as to why the dwelling could not be moved further from the road allowance.*
- É *The applicant stated that the septic location is behind the existing dwelling.*
- É *Member Hamilton inquired with the applicant as to the age of the septic.*
- É *The applicant stated approximately 30 years.*
- É *The Chair stated she was not in favour of this application due to the close setback and she did not feel this was minor in nature.*

- É *Member Vandergeest inquired with staff if the application could be deferred a second time so that the applicant could consider a revision and Township staff could verify if an agreement could be registered on title of the property.*
- É *The Secretary/Treasurer advised Committee that the application could be adjourned to a future meeting date if more information was required.*
- É *The Chair asked if the Committee was in favour of drafting a motion to adjourn the application.*
- É *Member Hill stated his support for a deferral as he could not support the application as it stands.*
- É *Due to the appetite for deferral expressed by Committee, the Chair called for a vote.*

The following motion was adopted:

Motion # 15-19

MOVED by Mark Vandergeest and SECONDED by Bill Hill

THAT Application No. A-22-15 (Allen) be adjourned to a future Committee of Adjustment meeting pending further information from the applicant pertaining to the Committee's comments made at the public meeting and further information from the Township or the Township's solicitor to see if something could be registered on title regarding the proximity to the municipal road allowance and potential liability concerns to the Township.

CARRIED

- | | |
|--|---|
| <p>2. Variance Application No.:
 Owner:
 Agent:
 Roll Number:
 Municipal Address:</p> | <p>A-26-15
 Tuula Jalasjaa
 Tim Gentles, Linx Contracting
 4351 050 003 81300
 1853 Ellis Road</p> |
|--|---|

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

Proposal:

- É *The approximately 0.18 hectare (0.45 acre) property located at 1853 Ellis Road is occupied by a single detached dwelling with an attached deck and two accessory buildings as evident on the site plan.*
- É *The existing deck attached to the existing home is located 18.2 metres at the closest point to Maclean Lake and 3.3 metres from the existing home to the side lot line.*
- É *The owners are proposing to add an addition to the front of the home.*
- É *The following variance is requested in order to permit the construction of the new addition to the existing home:*
 - É *1. A variance to permit a front yard setback of 13.4 metres (44 feet) to the front wall of an addition and a front yard setback of 12.2 m (40 feet) for an attached deck whereas Zoning By-law 2010-65 states the minimum front yard setback is 20 metres (66 feet) and the minimum interior yard is 3 metres (9.8 feet) for the Shoreline Residential Three (SR3) Zone.*

Staff Report D15-035:

The Planner provided a brief summary of the staff report.

The Secretary/Treasurer advised that the public meeting was already held in accordance with the Planning Act. However, a letter of correspondence was received from the property owner appointing Tim Gentles of Linx Contracting to act on her behalf for the application.

The Chair asked if applicant was present and had anything to add to this application. The agent was present and stated that the property owners are more than willing to upgrade their septic and will also be adding more vegetation to the property.

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

- É *Member Vandergeest stated that the applicants had addressed the previous concerns; therefore he will be voting in support of the application.*

DECISION – APPROVE
Variance Application A-26-15 (Jalaszjaa)

THE PURPOSE and EFFECT of the 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 13.4 metres (44 feet) to the front wall of an addition and a front yard setback of 12.2 m (40 feet) for an attached deck whereas Zoning By-law 2010-65 states the minimum front yard setback is 20 metres (66 feet) for the Shoreline Residential Three (SR3) Zone.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 21st day of July, 2015:

DECISION: APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Municipal Taxes to be paid to date.
2. That the existing vegetation is 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.

AND the Secretary-Treasurer is hereby authorized to sign any documents required to give effect to this Decision.

CARRIED

E. NEW APPLICATIONS

- 1. Minor Variance Application No.:** **A-28-15**
Applicant: **Trevor Lee**
Roll Number: **4351 050 002 48400 0000**
Municipal Address: **4512 Riverview Drive**

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

Proposal:

- É The approximately 0.59 hectare (1.47 acres) property is located at 4512 Riverview Drive is occupied by an existing single detached dwelling, septic and two accessory structures.
- É The owner wishes to demolish the existing cottage and sleeping cabin in order to use that area to construct a new dwelling and sleeping cabin or storage shed.
- É The existing dwelling is located approximately 10.7 metres at the closest point from the water and the owner is proposing to match that existing setback with the new dwelling.
- É The following variances are requested in order to permit the construction of the new dwelling and accessory structure:
 1. A variance to permit a front yard setback of 10.7 metres (35.1 feet) to the front wall for the new dwelling and a front yard setback of 7.7 meters (25.3 feet) for the attached deck, whereas Zoning By-law 2010-65 states the minimum front yard setback is 20 metres (66 ft.) for the Shoreline Residential Three (SR3) Zone.
 2. A variance to permit a front yard setback of 10.7 metres (35.1 feet) for one accessory structure, being a future sleeping cabin or storage shed whereas Zoning By-law 2010-65 states the minimum front yard setback is 20 metres (66 ft.) for the Shoreline Residential Three (SR3) Zone

Agency Comments:

None

Public Correspondence:

None

Staff Report D15-036:

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 and stated that he would be retaining all of the vegetation on the water side with the exception of one tree.

The Chair asked if anyone in the audience had any comments on this application. 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.

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

DECISION – APPROVE
Variance Application A-28-15 (Lee)

THE PURPOSE and EFFECT of the application is:

The following variances to the provisions of Zoning By-law 2010-65, as amended:

1. A variance to permit a front yard setback of 10.7 metres (35.1 feet) to the front wall for the new dwelling and a front yard setback of 7.7 meters (25.3 feet) for the attached deck, whereas Zoning By-law 2010-65 states the minimum front yard setback is 20 metres (66 ft.) for the Shoreline Residential Three (SR3) Zone.
2. A variance to permit a front yard setback of 10.7 metres (35.1 feet) for one accessory structure, being a future sleeping cabin or storage shed whereas Zoning By-law 2010-65 states the minimum front yard setback is 20 metres (66 ft.) for the Shoreline Residential Three (SR3) Zone.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 21st day of July, 2015:

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, particularly within the first 60 m from the shore.
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.

AND the Secretary-Treasurer is hereby authorized to sign any documents required to give effect to this Decision.

CARRIED

2. Variance Application No.:	A-29-15
Applicant:	Walter & Lydia Berg and Doris Kamienik
Agent:	Robert Kamienik
Roll Number:	4351 050 009 47102 0000
Municipal Address:	3294 Russell Drive

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

Proposal:

- É The approximately 2,415 square metre (0.6 acre) property is occupied by a detached dwelling, outhouse, woodshed, marine storage shed and a newly constructed sleeping cabin.
- É The property owners wish to legalize the existing cabin while maintaining the non-complying setback of 8.88 metres (29 feet) whereas Zoning By-law 2010-65 states that the minimum front yard setback for the SR2 zone is 20 metres (66 feet).

Agency Comments:

None

Public Correspondence:

A letter of opposition dated July 19, 2015 was submitted by Christine Colin, owner of 3330 Russell Drive, and distributed to the Committee members and applicant prior to the meeting. This letter was very briefly summarized at the public meeting and the Secretary/Treasurer advised to the Committee that it was a public document and any member of the public was free to view or request a copy of the letter.

A letter of opposition dated July 19, 2015 was submitted by Chris Newman, resident of 3330 Russell Drive, and distributed to the Committee members and applicant prior to the meeting. This letter was briefly summarized at the public meeting and the Secretary/Treasurer advised the Committee that it was a public document and any member of the public was free to view or request a copy of the letter.

A letter in favour of the application dated July 15, 2015 was submitted by John and Anne Innala, owners of 3288 Russell Drive, was read aloud at the meeting.

Staff Report D15-037:

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 and he commented that the alleged outdoor shower referenced in one of the letters of correspondence was originally constructed for this use but had never been used as one, after a neighbour expressed concern.

The Chair asked if anyone in the audience had any comments on this application, in addition to those written comment submitted. Public comments were as follows:

- É *Chris Newman, resident at 3330 Russell Drive, stated that he believed the applicant was asking for forgiveness, if asked for permission would have been told no.*
- É *Mr. Newman commented that he believes there is ample room to move the structure to another location on the property. He further stated that he believes a survey should be done as he does not believe the neighbours own to the water's edge.*
- É *Mr. Newman further identified issues with the drawings submitted missing numerous structures on the property and that it didn't reflect the true nature of the property.*
- É *Member Hamilton asked Mr. Newman to clarify for the Committee where his residence was located in relation to the applicant's.*

- É *Mr. Newman identified his location.*
- É *Frank Colin, 38 Orchard View Boulevard, Toronto, commented that a by-law inspector has been on the property and stated his concerns regarding the completeness of the site plan in addition to trees being cut down, the construction of the cabin and shower without permission.*
- É *Mr. Colin further stated that he believed this sleeping cabin was setting a precedent in front of the cottage and could be moved to the back of the property where a trailer use to sit.*
- É *Mr. Colin concluded by stating that he is handicapped and will feel confined due to the location of the sleeping cabin. He also stated that the notice had incorrect information and he would like a copy of the decision.*
- É *Christine Colin, 3330 Russell Drive, stated her family had owned the property since 1970 and she is very opposed to the variance. She stated that she was told by the applicant that they had the correct permits in place and that she had tried to express her concerns to the neighbours but was told there was nothing she could do about the sleeping cabin.*
- É *Ms. Colin commented that her views were now changed by this sleeping cabin and also the views from the publicly owned land adjacent to her property were impacted as well.*
- É *Ms. Colin summarized comments she had received from Mr. Fyfe regarding the by-law infractions on the property regarding too many structures.*
- É *Ms. Colin stated that she had a survey done as there was a conflict between the neighbours and only a land survey would confirm the setback.*
- É *Member Vandergeest stopped Ms. Colin to state that everything she had so far commented at this meeting was contained in her letter and the Committee would appreciate only hearing new comments and concerns.*
- É *The agent for the application stated that he did not need a building permit for the sleeping cabin as it is under the minimum required size of 107 or 108 square feet. He further stated that the sleeping cabin is 10 feet 4 inches square and therefore he believed he did not need a permit, he was not trying to get around this policy.*
- É *Ms. Colin further stated that she was told by Mr. Fyfe that a permit was required.*

The Chair asked if anyone in the audience had any other comments on this application, since 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 Hill stated that he had visited the site and was surprised to see the existence of the sleeping cabin already therefore he is not going to support the application.*
- É *Member Vandergeest asked the agent if he had confirmed with the Township Building Department that a permit was not needed.*
- É *The agent stated that he had assumed due to the size.*
- É *Member Vandergeest stated he was in support of a deferral to correct the misinformation on the notice. He further stated that he took time this afternoon to read the written submissions and went to view the property as a result of the letter.*
- É *Member Vandergeest inquired as to what the posted building permit on the property was for.*
- É *The agent stated that the permit was for repairs to the existing deck.*

- É *Member Hamilton stated that he would like confirmation from the Building Department on if a permit is needed.*
- É *The Chair asked if any other factors should be expressed in a deferral other than the new notice and confirmation on the size of the building; there was an appetite to ask for a survey.*

Due to the appetite for deferral expressed by Committee, the Chair called for a vote.

The following motion was adopted:

Motion # 15-20

MOVED by Mark Vandergeest and SECONDED by Douglas Hamilton

THAT Application No. A-29-15 (Berg / Kamienik) be adjourned to a future Committee of Adjustment meeting pending further information to clarify the size of the building, a survey showing the setback and to circulate a new notice of public meeting.

CARRIED

Recess 8:09 p.m.
Reassembled 8:14 p.m.

3. Variance Application No.:	A-30-15
Owner:	Heather Bird
Roll Number:	4351 050 004 09000 0000
Municipal Address:	1038 The Spur

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

Proposal:

- É *The 0.35 hectare (0.85 acre) property is located at 1038 The Spur, is currently occupied by a dwelling and two accessory structures.*
- É *The applicant would like to construct an addition consisting of a sunroom.*
- É *The dwelling is located 6.7 metres (21.98 feet) from the water at the closest point.*
- É *The following variance is requested in order to permit the construction of the new addition:*
 1. *A variance for a front yard setback of 6.25 metres (20.5 feet) for an addition to an existing non-complying dwelling whereas Zoning By-law 2010-65 states the minimum front yard setback is 20 metres (66 feet) for the Shoreline Residential Three (SR3) Zone.*

Agency Comments:

None

Public Correspondence:

None

Staff Report D15-038:

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 and had nothing to add.

The Chair asked if anyone in the audience had any comments on this application, since 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.

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-30-15 (Bird)**

THE PURPOSE and EFFECT of the application is:

The following variances to the provisions of Zoning By-law 2010-65, as amended:

1. A variance for a front yard setback of 6.25 metres (20.5 feet) for an addition to an existing non-complying dwelling whereas Zoning By-law 2010-65 states the minimum front yard setback is 20 metres (66 feet) for the Shoreline Residential Three (SR3) Zone.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 21st day of July, 2015:

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.

AND the Secretary-Treasurer is hereby authorized to sign any documents required to give effect to this Decision.

CARRIED

4. **Variance Application No.:** A-31-15
Applicant: Camastra Family Trust,
c/o Grace Camastra
Agent: Tim Gentles, Linx Contracting
Roll Number: 4351 050 003 94810 0000
Municipal Address: 4090 East Shore Road

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

Proposal:

- É The approximately 0.6 hectare (1.5 acres) property is located at 4090 East Shore Road and is occupied by a single detached dwelling and three accessory structures.
- É The existing home is located just within the required 20 metre setback, approximately 19 metres from the dwelling and 17 metres from the upper deck at the closest point to the water.
- É The owners are proposing to build two new additions including a deck onto the sides of the house.
- É The following variances are requested in order to permit the construction of the new additions and deck:
 1. A variance to permit a front yard setback of 17.8 metres (58.4 feet) for the dwelling addition at the closest point and a front yard setback of 17.1 metres (56.1 feet) for new attached deck whereas Zoning By-law 2010-65 states the minimum front yard setback is 20 metres (66 feet) for the Shoreline Residential Three (SR3) Zone

Agency Comments:

None

Public Correspondence:

None

Staff Report D15-039:

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 and stated that the septic is to be replaced, the property owner has already consulted with a septic contractor.

The Chair asked if anyone in the audience had any comments on this application, since 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.

The Chair then called for a vote on the application.

DECISION – APPROVE
Variance Application A-31-15 (Camastra)

THE PURPOSE and EFFECT of the application is:

The following variance to the provisions of Zoning By-law 2010-65, as amended:

1. A variance to permit a front yard setback of 17.8 metres (58.4 feet) for the dwelling addition at the closest point and a front yard setback of 17.1 metres (56.1 feet) for new attached deck whereas Zoning By-law 2010-65 states the minimum front yard setback is 20 metres (66 feet) for the Shoreline Residential Three (SR3) Zone.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 21st day of July, 2015:

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 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.

AND the Secretary-Treasurer is hereby authorized to sign any documents required to give effect to this Decision.

CARRIED

5. Variance Application No.:	A-32-15 (Bowman)
Applicant:	Jane Bowman
Agent:	Shafiq Williams
Roll Number:	4351 050 009 47102 0000
Municipal Address:	3586 Sparrow Lake

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

Proposal:

- É The approximately 1.431 hectares (3.5 acres) property located at 3586 Sparrow Lake supports an existing single detached dwelling and four accessory structures.
- É The owners wish to demolish the existing cottage and construct a new dwelling utilizing the current setback.
- É The existing cottage is located approximately 13.06 metres from the water at the closest point.

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 13.06 metres (42.8 feet) to a covered porch, 15.46 metres (50.7 feet) to the attached deck and 18.22 metres (59.8 feet) to the main dwelling wall whereas Zoning By-law 2010-65 states the minimum front yard setback is 20 metres (66 feet) for the Shoreline Residential Three (SR3) Zone

Agency Comments:

None

Public Correspondence:

None

Staff Report D15-040:

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 and stated that some trees will need to be removed but less than if it was proposed in a different location. Additional trees removal is also needed for the new septic system.

The Chair asked if anyone in the audience had any comments on this application, since 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.

The Chair then called for a vote on the application.

**DECISION – APPROVE
Variance Application A-32-15 (Bowman)**

THE PURPOSE and EFFECT of the application is:

The following variance to the provisions of Zoning By-law 2010-65, as amended:

1. A variance to permit a front yard setback of 13.06 metres (42.8 feet) to a covered porch, 15.46 metres (50.7 feet) to the attached deck and 18.22 metres (59.8 feet) to the main dwelling wall whereas Zoning By-law 2010-65 states the minimum front yard setback is 20 metres (66 feet) for the Shoreline Residential Three (SR3) Zone.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 21st day of July, 2015:

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 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.

AND the Secretary-Treasurer is hereby authorized to sign any documents required to give effect to this Decision.

CARRIED

<p>6. Variance Application No.: Applicant: Roll Number: Municipal Address:</p>	<p>A-33-15 Francesco Lomonaco Brenda LaBelle-Dishart 4351 010 008 52201 0000 3059 South Sparrow Lake Road</p>
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The Secretary/Treasurer outlined the application and the correspondence received, as follows:

Proposal:

- É The approximately 0.14 hectare (0.35 acre) property located at 3059 South Sparrow Lake Road is occupied by an existing single detached dwelling and two accessory buildings.
- É The owner wishes to demolish one of the existing accessory structures which is located 2 metres (6.6 feet) from the road allowance at the closest point and build a new larger accessory structure.
- É The following variances are requested in order to permit the construction of the new accessory structure:
 1. A variance to permit accessory structure lot coverage of 6% (85.5 square metres) whereas Zoning By-law 2010-65 states the maximum permitted lot coverage for accessory structures within a residential zone is 5% (71.29 square metres).
 2. A variance to permit a rear yard setback of 2 metres for an accessory structure (garage) whereas Zoning By-law 2010 states the minimum rear yard setback of an accessory structure to be 7.5 metres (24.6 feet).
 3. A variance to permit a front yard setback of 18 metres (59 feet) for an accessory structure (garage) whereas Zoning By-law 2010 states the minimum front yard setback in the Shoreline Residential Two (SR2) Zone is 20 metres (66 feet).

Agency Comments:

None

Public Correspondence:

None

Staff Report D15-041:

The Planner provided a brief summary of the staff report and advised the Committee that the applicant had called to state that they dug up their septic bed to confirm the setback in accordance with the recommendation in the staff report and they would need to re-locate their garage to meet the minimum septic setback.

The Chair asked if the applicant or agent were present and had anything to add to what was presented - the applicant was not present.

The Chair asked if anyone in the audience had any comments on this application, since 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 Vandergeest expressed his support of the deferral to allow the applicants to revise their garage location.*

É *Due to the appetite for deferral expressed by Committee, the Chair called for a vote.*

The following motion was adopted:

Motion # 15-21

MOVED by Mark Vandergeest and SECONDED by Bill Hill

THAT Application No. A-33-15 (Lomonaco / LaBelle) be adjourned to a future Committee of Adjustment meeting pending an alteration to proposed variance setbacks.

CARRIED

7.	Consent Application No.:	B-03-15
	Applicant:	William Rinehart
	Roll Number:	4351 050 003 50801 0000
	Municipal Address:	1861 Island Road

The Planner outlined the application and the correspondence received, as follows:

Proposal:

- “ *The subject lands have frontage of approximately 151m (495.4 ft.) on Maclean Lake and area of approximately 1.78 ha (4.4 acres).*
- “ *The applicant is requesting consent to sever a portion of the property having frontage of approximately 60 m (196.8 ft.) on Maclean Lake and area of approximately 0.61 ha (1.5 acres).*
- “ *The retained lands would have a frontage of approximately 91 m (298.6 ft.) on the Maclean Lake and area of approximately 1.17 ha (2.9 acres).*

Agency Comments:

None

Public Correspondence:

None

Staff Report D15-042:

The Planner provided a brief summary of the staff report.

The Chair asked if the applicant was present and had anything to add to what was presented - the applicant was present and stated that he was his own neighbour on both sides so this would not impact anyone.

The Chair asked if anyone in the audience had any comments on this application. 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.

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

**DECISION – APPROVE
Consent Application B-03-15 (Rinehart)**

THE PURPOSE and EFFECT of the application is:

Consent to sever a portion of the property having frontage of approximately 60 m (196.8 ft.) on Maclean Lake and area of approximately 0.61 ha (1.5 acres).

The retained lands would have a frontage of approximately 91 m (298.6 ft.) on the Maclean Lake and area of approximately 1.17 ha (2.9 acres).

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 21st day of July, 2015:

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 owner~~s~~ solicitor shall ensure that the right-of-way is legally added and appurtenant to the severed property, if needed.

4. A payment in lieu of a parkland dedication shall be paid in accordance with Section 51.1 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 Section 51.1(4) of the Planning Act if the value of the land cannot otherwise be agreed on.
5. The Owner shall enter into a Consent Agreement, such Agreement to include provisions regarding the location of a tertiary sewage disposal system for any new dwelling on the subject lands, a setback from the high water mark of a minimum of 30 metres for the tile field and the retention of the existing shoreline vegetation for a minimum of 75% of both the severed and retained lots.
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. Municipal taxes shall be paid in full up to the date of request of issuance of the consent certificate.

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 2014 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 any documents required to give effect to this Decision

CARRIED

8. Consent Application No.:	B-04-15
Applicant:	Jamie Tofflemire
Roll Numbers:	4351 010 002 03500 0000 4351 010 002 05500 0000
Municipal Addresses:	1108 Maple Valley Line 2002 Carlyon Line

The Planner outlined the application and the correspondence received, as follows:

Proposal:

- " The subject lands include two separately addressed and assessed municipal parcels which have merged on title and are not separately conveyable.
- " The subject lands together have frontage of approximately 572 metres on Burnside Line, 531 metres on Maple Valley Road and 259 metres on Carlyon Line and an area of approximately 66.4 ha (164 acres).
- " The applicant is requesting consent to sever a surplus farm dwelling and accessory structures with a portion of the property having frontage of approximately 115 metres (377 ft.) on Maple Valley Road and an area of approximately 2.63 ha (6.5 acres).
- " The retained lands would have a frontage of approximately 416 metres on Maple Valley Road and an area of approximately 63.77 ha (157.5 acres).
- " The retained parcel will be part of a farm consolidation.

Agency Comments:

A letter was received from the County of Simcoe Planning Department stating they would

not object to the approval of the application and encouraged the Township and applicant to consider a reduced lot area.

Public Correspondence:

None

Staff Report D15-043:

The Planner provided a brief summary of the staff report and stated that staff was able to work with the applicant and has proposed a lot area of 2 hectares / 5 acres and 70 meters / 229.6 feet of frontage on Maple Valley, this represents a reduction in the lot area and frontage.

The Chair asked if the applicant was present and had anything to add to what was presented - the applicant was present and stated that he was okay with the revised proposal for a 5 acre parcel.

The Chair asked if anyone in the audience had any comments on this application. 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.

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

**DECISION – APPROVE
Variance Application B-04-15 (Tofflemire)**

THE PURPOSE and EFFECT of the application is:

Consent to sever a surplus farm dwelling and accessory structures with a portion of the property having frontage of approximately 70 metres (229 ft.) on Maple Valley Road and an area of approximately 2 ha (5 acres).

The retained lands would have a frontage of approximately 461 metres on Maple Valley Road and area of approximately 64.4 ha (159 acres). The retained parcel will be part of a farm consolidation.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 21st day of July, 2015:

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. That the retained lands shall be rezoned by way of a Zoning By-law Amendment, at the applicant's expense so as to place the retained lot in an Agriculture Exception zone which does not allow residential use.
6. The Conditions set out herein shall be completed within one year of the date of this Decision.
7. That the property owner shall obtain a demolition permit for any structures to be removed.

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 2014 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 any documents required to give effect to this Decision

CARRIED

9. Consent Application No.:	B-05-15
Applicant:	Ellen King
Agent:	David King
Roll Number:	4351 010 008 17200 0000
Municipal Address:	3226 Goldstein Road

The Planner outlined the application and the correspondence received, as follows:

Proposal:

- " The subject lands have frontage of approximately 30.4 metres (99.8 ft.) on Goldstein Road and area of approximately 1,393.5 square metres (0.34 acres).
- " The applicant is requesting consent to sever a portion of the property having 12.17 metres (40 ft.) of frontage on Goldstein Road and an area of approximately 555.5 square metres (0.137 acres) to be added to 3220 Goldstein Road as a lot addition.
- " The retained lands would have 18.263 metres (59.9 feet) of frontage and an area of approximately 838 square metres (0.203 acres).

Agency Comments:

None

Public Correspondence:

None

Staff Report D15-044:

The Planner provided a brief summary of the staff report.

The Chair asked if the applicant was present and had anything to add to what was presented - the agent was present and had nothing to add.

The Chair asked if anyone in the audience had any comments on this application. 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 Vandergeest stated that the property owner has a responsibility under MOE Regulation 903 to decommission any unused wells.*

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

**DECISION – APPROVE
Variance Application B-05-15 (King)**

THE PURPOSE and EFFECT of the application is:

Consent to sever a portion of the property having approximately 12.17 metres (40 ft.) of frontage on Goldstein Road and an area of approximately 555.5 square metres (0.137 acres) to be added to 3220 Goldstein Road as a lot addition.

The retained lands would have 18.263 metres (59.9 feet) of frontage and an area of approximately 838 square metres (0.203 acres).

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 21st day of July, 2015:

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.
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 severed lands shall merge with the property municipally known as 3220 Goldstein Road. The owners/solicitor shall take all necessary steps to ensure that

- the parcels merge under the Planning Act.
4. 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.
 5. That the applicants apply for and obtain a deeming by-law, if necessary.
 6. 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 2014 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 any documents required to give effect to this Decision

CARRIED

E. REPORTS FROM OFFICIALS

1. Consent Application – 1861 Island Road

The Planner spoke to the report prepared by the Clerk for the Committee's information.

F. CORRESPONDENCE
NONE

G. OTHER BUSINESS
NONE

H. ADJOURNMENT

The following motion was adopted:

Motion # 15-22

MOVED by Bill Hill and SECONDED by Douglas Hamilton

THAT the Committee of Adjustment meeting be adjourned at 9:00 p.m. on July 21st, 2015. The Committee will reconvene at 7:00 p.m. on August 18th, 2015 unless the Secretary/Treasurer has not received a complete application for the Committee's consideration.

CARRIED

Katie Mandeville, Secretary/Treasurer