

MINUTES OF THE MEETING OF THE COMMITTEE OF ADJUSTMENT HELD IN THE ADMINISTRATION OFFICE, 1024 HURLWOOD LANE, TUESDAY, MAY 17, 2016 AT 7:00 P.M.

Present: *Chair* *Douglas Hamilton*
 Members *Emily Silk*
 Mark Vandergeest
 Bill Hill
 Allen Vivian

Staff: *Secretary-Treasurer, Planner* *Katie Mandeville*
 Director of Planning & Development *Andrew Fyfe*

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 # 16-11

MOVED by Bill Hill and SECONDED by Emily Silk

THAT the Minutes of the Committee of Adjustment meeting held in the Council Chambers on April 19th, 2016 be adopted as printed and distributed.

CARRIED

D. ADJOURNED APPLICATIONS

1. Variance Application No.: **A-07-16**
Owner: **1522417 Ontario Limited**
Applicant: **Gerry Van Amelsvoort**
Roll Number: **4351 010 007 18400 0000**
Municipal Address: **2627 Grand Tamarack Crescent**
Future address: **3568 Shadow Creek Road**

The Secretary-Treasurer of the Committee of Adjustment outlined the correspondence received, as follows:

Agency Comments:

None

Public Correspondence:

None

The Director of Planning & Development provided a brief overview of the proposed minor variance and reminded the Committee that part of the application was granted at the last meeting, the other part of the application as it pertains to 3568 Shadow Creek Road is before the Committee now.

Staff Report D16-016:

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 applicant was present and stated that he had nothing further 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 pertaining to 3568 Shadow Creek Road. 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-07-16 (1522417 Ontario Limited)

Pertaining to the Future Address of 3568 Shadow Creek Only

THE PURPOSE and EFFECT of the application is:

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

1. A minor variance to permit a front yard setback of 2.98 metres for the garage attached to the main dwelling whereas Zoning By-law 2010-65, as amended, states the minimum front yard setback for the R1-29 Zone is 7.5 metres.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 17th day of May, 2016:

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

2. Consent Application No.:	B-02-16
Owner:	Jeff Ayers
Roll Number:	4351 010 005 03502 0000
Municipal Address:	3658 Uthoff Line

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

Proposal:

- É The applicant is requesting consent to sever a portion of the property consisting of a surplus farm dwelling and accessory structure, having frontage of approximately 61 metres (200 feet) on Uthoff Line and area of approximately 0.465 hectares (1.15 acres).
- É The retained lands would have a frontage of approximately 579 metres on Uthoff Line and area of approximately 40 ha (98.85 acres).
- É The retained parcel will be part of a farm consolidation.

Agency Comments:

None

Public Correspondence:

None

Staff Report D16-017:

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 the tenant has horses which are in the field not the barn, but they would be leaving with the tenant.

The Chair stated that this application was adjourned from the previous Committee of Adjustment meeting and was not subject to a public meeting.

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

- É *The Chair asked staff to clarify Minimum Distance Separation (MDS) legislation.*
- É *The Director Planning & Development provided some clarification.*
- É *Member Hill asked the applicant if he was okay with proposed condition number seven.*
- É *The applicant stated that he was okay with the condition as the barn is already cleaned out.*
- É *Member Vandergeest expressed his concerns regarding the application and requested clarification on what barn decommissioning entailed from the Chief Building Official.*
- É *The Director of Planning & Development stated that the wording of the decommissioning condition is what staff have required in the past.*
- É *Member Vandergeest stated he would not support this application in terms of the barn/livestock issue.*
- É *Member Vandergeest further inquired if an entrance permit should be a required condition.*
- É *The Director of Planning & Development stated that when the property is issued a roll number, it would trigger the Township to require a new entrance permit to the property.*

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-02-16 (Ayers)

THE PURPOSE and EFFECT of the application is:

Consent to sever a portion of the property consisting of a surplus farm dwelling and accessory structure, having frontage of approximately 61 metres (200 feet) on Uthhoff Line and area of approximately 0.465 hectares (1.15 acres).

The retained lands would have a frontage of approximately 579 metres on Uthhoff Line and area of approximately 40 ha (98.85 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 17th day of May, 2016:

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 intended use of the lands. The retained or farm lands shall also be rezoned, to a site specific Agricultural (AG) Zone to prohibit residential development of the cultivated lands and deficient lot area. The owner shall make an Application for Zoning By-law Amendment and pay the

- applicable fee and deposit, if required.
2. 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.
 3. 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.
 4. Municipal taxes shall be paid in full up to the date of request of issuance of the consent certificate.
 5. 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.
 6. The Conditions set out herein shall be completed within one year of the date of this Decision.
 7. That all livestock feeding, watering and manure removal equipment and internal stalls and pens be removed and such removed confirmed by Municipal staff and that the Owner provide an acknowledgement that the use of the existing barn for the raising of livestock is not permitted under the provisions of Zoning By-law 2010-65.

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. NEW APPLICATIONS

- | | |
|-------------------------------------|--------------------------------|
| 1. Variance Application No.: | A-09-16 |
| Owner: | David Love |
| Roll Number: | 4351 010 010 31764 0000 |
| Municipal Address: | 1585 Osprey Lane |

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

Proposal:

- " The approximately 2.38 acre property supports an existing single detached dwelling with an attached deck, septic system.
- " The property owners would like to construct an accessory structure in a similar style to their new home. In order to facilitate a similar roof design and pitch the property owners have applied for a minor variance.
- " The following variance is requested:
 1. The variance requested is to allow for the construction of a detached garage with a height of 5.68 metres (18.63 feet) whereas Zoning By-law 2010-65, as amended, states that the maximum height of an accessory structure is 5.0 metres (16.4 feet).

Agency Comments:

None

Public Correspondence:

None

Staff Report D16-018:

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 he 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 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-09-16 (Love)**

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 the construction of a detached garage with a height of 5.68 metres (18.63 feet) whereas Zoning By-law 2010-65, as amended, states that the maximum height of an accessory structure is 5.0 metres (16.4 feet).

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 17th day of May, 2016:

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 to buffer the front and interior property lines close to the proposed structure.
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-09-16
Owner:	Alan & Nancy Croft
Agent:	Ed Masnica
Roll Number:	4351 010 008 00300 0000
Municipal Address:	2997 Lakeside Drive

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

Proposal:

- É The approximately 0.18 acre property supports an existing single detached dwelling with an attached deck and detached garage. The property is connected to municipal services.
- É The following variance is requested in order to permit the construction of a new deck:
 1. The variance requested is to allow for the construction of an unenclosed deck 1.7 metres (5.6 feet) above the ground at the front/water side and even with the grade at the rear side whereas Zoning By-law 2010-65, as amended, states regarding an unenclosed deck within the required yard abutting a shoreline that the deck floor is no more than 1.0 metres (3.28 feet) from the grade below it.

Agency Comments:

None

Public Correspondence:

None

Staff Report D16-019:

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 agent and property owners were present and stated they 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 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
Variance Application A-10-16 (Croft)

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 the the construction of an unenclosed deck 1.7 metres (5.6 feet) above the ground at the front/water side and even with the grade at the rear side whereas Zoning By-law 2010-65, as amended, states regarding an unenclosed deck within the required yard abutting a shoreline that the deck floor is no more than 1.0 metres (3.28 feet) from the grade below it.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 17th day of May, 2016:

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 with particular attention paid to stabilizing the stope down to the water.
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

3. Minor Variance Application No.:	A-11-16
Owner:	Jason Bell
Roll Number:	4351 030 001 31800 0000
Municipal Address:	16 Sunset Crescent

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

Proposal:

- É The approximately 0.84 acre property supports an existing single detached dwelling with an attached deck, small shed, pool and pond. The property is connected to municipal services.
- É The following variance is requested in order to permit the construction of an addition to the existing dwelling containing an attached garage and living space:
 1. An interior yard setback of 0.91 metre (3 feet) at the closest point for the addition whereas Zoning By-law 2010-65, as amended, requires an interior yard setback of 1.5 metres (4.9 feet) for the Residential One (R1) Zone.

Agency Comments:

None

Public Correspondence:

None

Staff Report D16-020:

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 applicant was present and stated that he had located survey pins and the existing fence is pretty much on the lot line.

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:

- É *Member Hill inquired if there would be living space above the garage.*
- É *Applicant stated that the garage would be connected to the house with the living space above connected to the existing home's living space.*

The Chair asked the Secretary-Treasurer to review the proposed conditions of the decision. The property owner was asked if he was aware of the proposed conditions and was in agreement with them. The property owner confirmed this. The Chair then called for a vote on the application.

DECISION – APPROVE
Variance Application A-11-16 (Bell)

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 the construction of an addition to the existing dwelling containing an attached garage and living space with an interior yard setback of 0.91 metre (3 feet) at the closest point whereas Zoning By-law 2010-65, as amended, requires an interior yard setback of 1.5 metres (4.9 feet) for the Residential One (R1) Zone.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 17th day of May, 2016:

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

4. Consent Application No.:	B-04-16
Owner:	Silver Spring View Estates Limited
Applicant:	Hawk Ridge Golf & Country Club
Agent for the Applicant:	Nicola Mitchinson, Mitchinson Planning
Roll Numbers:	4351 010 011 01500 0000
Municipal Addresses:	4162 Burnside Line

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

Proposal:

- É The applicant is requesting consent to sever 0.11 hectares (0.25 acres) from the property at 4162 Burnside Line to be added to the Hawk Ridge Golf Course property (1151 Hurlwood Lane).
- É The retained lands would have a frontage of approximately 610 metres on Burnside Line and area of approximately 37.6 ha (92.9 acres).

Agency Comments:

A letter of correspondence dated May 17, 2016, was received from the Township's Municipal Law Enforcement Officer stating: %4162 Burnside Line is in contravention of our Clean and Clear Bylaw, as well as our Property Standards Bylaw. A considerable amount of debris, and the storage of dilapidated trailers, etc., puts the property in contravention of both.+

Public Correspondence:

None

Staff Report D16-021:

The Director of Planning & Development provided a brief summary of the staff report. The Director also stated that the applicant is acting as an agent for the property owner and that the enforcement issues pertain to a tenant of the property and the issues are not directly related to the application before the Committee. The Director suggested a condition pertaining to the a letter being sent from the Hawk Ridge Golf & Country Club owner to Silver Spring View Estates Limited to request the property be brought into compliance and that failure to do so would result in enforcement actions.

The Chair asked if the applicant or agent were present and had anything to add to what was presented - the agent for the applicant was present and stated that this is a minor lot line adjustment. The agent further commented on the letter of correspondence received from the Municipal Law Enforcement Officer that she agreed with the Director's recommended condition pertaining to the letter.

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:

- É Member Vivian request clarification on the condition pertaining to the cleanup of the property.*
- É Member Vandergeest echoed Member Vivian's request and asked if the Director could restate the wording of the proposed condition.*
- É The Director of Planning further discussed the recommended condition and wording.*
- É Member Hill inquired as to the wording of the condition and suggested a change.*
- É The Chair asked if the Committee was in general agreement with the now proposed wording.*
- É The Committee showed general agreement.*
- É The Chair inquired as to the relationship between the property owners and if a letter would mean anything.*
- É The agent stated that there is a relationship and that she believed the letter would assist the Township.*

The Chair asked the Secretary-Treasurer to review the proposed conditions of the decision. The agent was asked if she 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-04-16 (Silver Spring view Estates Limited)

THE PURPOSE and EFFECT of the application is:

Consent to sever 0.11 hectares (0.25 acres) from the property at 4162 Burnside Line to be added to the Hawk Ridge Golf Course property (1151 Hurlwood Lane).

The retained lands would have a frontage of approximately 610 metres on Burnside Line and area of approximately 37.6 ha (92.9 acres).

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 17th day of May, 2016:

DECISION: PROVISIONALLY APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. A reference plan of the severed parcel shall be prepared, should one not already exist and approved by municipal staff prior to being duly registered by an Ontario Land Surveyor and one copy filed with the Secretary-Treasurer of the Committee.
2. Municipal taxes shall be paid in full up to the date of request of issuance of the consent certificate.
3. That the severed lands shall merge with the property municipally known as 1151 Hurlwood Lane. The owners solicitor shall provide an undertaking confirming the parcels will merge under the Planning Act.
4. A copy of the electronic registration ~~in~~ 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. The Conditions set out herein shall be completed within one year of the date of this Decision.
6. That the applicant, Hawk Ridge Golf & Country Club, undertake to request that the owner, Silver Spring View Estates Limited, endeavor to have the property brought into compliance with the Township's Property Standards & Clean and Clear By-laws. Failure to do so could result in the Township taking the appropriate enforcement actions.

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

5. Consent Application No.:	B-05-16
Owner:	James Betts
Roll Number:	4351 050 004 12200 0000
Municipal Address:	6884 Upper Big Chute Road

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

Proposal:

- É The subject lands have frontage of approximately 37.88 metres (124 feet) on Tea Lake and an area of approximately 7,041 square metres (1.74 acres).
- É The applicant is requesting consent to sever a portion of the property having no

frontage and an area of approximately 1320 square metres (0.33 acres) to be added to the adjacent property (6892 Upper Big Chute Road).

- É The retained lands would have an area of approximately 5721 square metres (1.41 acres).
- É The applicants are also requesting the creation of a right of way over the existing shared driveway in addition to a hydro easement.

Agency Comments:

None

Public Correspondence:

None

Staff Report D16-022:

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 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 she 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-05-16**

THE PURPOSE and EFFECT of the application is:

Consent to sever a portion of the property having no frontage and an area of approximately 1320 square metres (0.33 acres) to be added to the adjacent property at 6892 Upper Big Chute Road.

The retained lands would have an area of approximately 5721 square metres (1.41 acres).

Additionally, consent to create a right of way over the existing shared driveway in addition to an easement for the purpose of hydro service.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 17th day of May, 2016:

DECISION: PROVISIONALLY APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. A reference plan of the severed parcel, right of way and easement 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, right of way and easement 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. That the severed lands shall merge with the property municipally known as 6892 Upper Big Chute Road. The ownersqsolicitor shall take all necessary steps to ensure that the parcels merge under the Planning Act.
5. 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.
6. That the ownerq solicitor shall provide an undertaking to register the applicable right of way(s) for vehicular access and easement for hydro purposes on title with the applicable property.

THE REASONS for the Committeeq Decision are that the proposed consent is in keeping with the Townshipq 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

6. Consent Application No.:	B-06-16
Owner:	Ross MacLeod
Roll Number:	4351 030 001 54900 0000
Municipal Address:	49 Gray Street

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

Proposal:

- É The subject lands have frontage of approximately 30.48 metres (100 feet) on Gray Street and an area of approximately 4,330 square metres (1.07 acres).
- É The applicant is requesting consent to sever a portion of the property containing a newly constructed dwelling having frontage of approximately 15.24 metres (50 feet) and an area of approximately 600 square metres (6,458 sq. ft.).
- É The retained lands would have frontage of approximately 15.24 metres (50 feet) and an area of approximately 3,730 square metres (0.922 acres).

Agency Comments:

None

Public Correspondence:

None

Staff Report D16-023:

The Director of Planning & Development provided a brief summary of the staff report and provided some commentary on the water and sewer capacity in Coldwater and that minor infilling was permitted.

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 he had nothing to add.

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

- É Ann Burdon, 44 Gray Street, inquired as to how the owner received permission to build a two storey house that is out of character with the area without notice being given.*
- É The Director of Planning & Development stated that no notice is given for a building permit application as long as the provisions of the zoning by-law are met.*
- É Mrs. Burdon continued and stated that she lives across the road and a two storey home is out of character and the neighbours are not happy, she specified that she was not objecting to a house being built there just that it should have been more in character with the area.*
- É The Chair stated that the Building Code and Zoning By-law were met and do not have provisions that prohibit two storey homes.*
- É Member Hill asked the applicant if he had any thoughts on what would be built on the other portion of the property fronting on Gray Street.*
- É The applicant stated that he had spoken with some of the neighbours already for input and would inquire with other neighbours prior to building the next home.*
- É The applicant further added that he was going to move into this home under construction with his family and hoped to stay there for years to come.*
- É Mrs. Burdon thanked the property owner for saying he would consider input on the next home.*

The Chair asked if there were any other comments from anyone in the audience, 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 Vandergeest inquired if a site servicing agreement should be a condition of approval.*
- É The Director of Planning & Development advised that there are access to services off of Donlands Court should the property owner wish to lift the one foot reserve, but that the owner would not be able to obtain a building permit without entering into an agreement.*

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-06-16 (MacLeod)

THE PURPOSE and EFFECT of the application is:

Consent to sever a portion of the property containing a newly constructed dwelling having frontage of approximately 15.24 metres (50 feet) and an area of approximately 600 square metres (6,458 sq. ft.).

The retained lands would have frontage of approximately 15.24 metres (50 feet) and an area of approximately 3,730 square metres (0.922 acres).

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 17th day of May, 2016:

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. A payment of 5% in lieu of parkland dedication shall be paid in accordance with Section 51.1 of the Planning Act, acceptable to the Township of Severn, in cash or 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.

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**

NONE

F. **CORRESPONDENCE**

NONE

G. **OTHER BUSINESS**

NONE

H. **ADJOURNMENT**

The following motion was adopted:

Motion # 16-12

MOVED by Bill Hill and SECONDED by Mark Vandergeest

THAT the Committee of Adjustment meeting be adjourned at 8:14 p.m. on May 17th, 2016. The Committee will reconvene at 7:00 p.m. on June 21st, 2016 unless the Secretary-Treasurer has not received a complete application for the Committee's consideration.

CARRIED

Katie Mandeville, Secretary-Treasurer