



AGENDA
Wasaga Beach
Committee of Adjustment
Meeting

Wednesday, November 20, 2024, 2:00 p.m.
Council Chambers

Pages

1. CALL TO ORDER

1.1 Land Acknowledgement

We begin our meeting by recognizing the First Nations, Metis, and Inuit peoples of Canada as traditional stewards and caretakers of the land. We acknowledge that the Town of Wasaga Beach is located within the boundaries of Treaty 18, the traditional lands of the Anishinaabeg, Haudenosaunee, Tionontati, Wendat, and is the home of many First Nations, Metis, and Inuit peoples as part of an intricate nationhood that reaches across Turtle Island. At this time of truth and reconciliation, we welcome the opportunity to work together towards new understandings and new relationships and ask for guidance in all we do.

2. DISCLOSURE OF PECUNIARY INTEREST

3. ADOPTION OF MINUTES

3.1 Committee of Adjustment Meeting Minutes - October 16, 2024

3

Recommended Motion:
Resolved that the Committee of Adjustment minutes of October 16, 2024 be accepted as presented.

4. APPLICATIONS

4.1 Application #1 - B02524 - Mapleside Drive - Consent

8

Recommended Motion:
THAT the Committee of Adjustment hereby approves the application from B02524 with the recommended conditions.

4.2 Application #2 - B02724 - Lot 94, Robinson Road - Consent/Validation Certificate

30

Recommended Motion:

THAT the Committee of Adjustment hereby approves the application from B02724 with the recommended conditions.

4.3 Application #3 - A03824 - 92 35th Street North - Minor Variance

36

Recommended Motion:

THAT the Committee of Adjustment hereby approves the application from A03824 with the recommended conditions.

4.4 Application #4 - A04024 - 72 31st Street North - Minor Variance

55

Recommended Motion:

THAT the Committee of Adjustment hereby approves the application from A04024 with the recommended conditions.

5. DATE OF NEXT MEETING

The next meeting is scheduled for December 18th, 2024.

6. ADJOURNMENT



MINUTES

Wasaga Beach Committee of Adjustment Meeting

Wednesday, October 16, 2024, 2:00 p.m.
Council Chambers

Members Present: Adam Harrod
Daniel Paul
Dave Morrison
Harold Van Gool
Leo Cusumano

Members Absent: Andy Ferguson

1. **CALL TO ORDER**

1.1 Land Acknowledgement

2. **DISCLOSURE OF PECUNIARY INTEREST**

There was no pecuniary interest declared.

3. **2025 Committee of Adjustment Schedule**

The 2025 Committee of Adjustment schedule was presented for information purposes.

4. **ADOPTION OF MINUTES**

4.1 Committee of Adjustment Meeting Minutes - September 18, 2024

Resolution No: COA-2024-77

Moved by: Dave Morrison

Seconded by: Leo Cusumano

RESOLVED that the Committee of Adjustment minutes of September 18, 2024 be accepted as presented.

CARRIED

5. **APPLICATIONS**

5.1 Application #1 - A03824 - 92 35th Street North - Minor Variance

LANDS SUBJECT TO THE APPLICATION:

Municipally addressed as 92 35th Street North, Town of Wasaga Beach.

PURPOSE AND EFFECT:

The applicant requests relief from Section 3.23 “Non-Complying Lots, Buildings or Structures”, of Zoning By-law 2003-60 as amended, specifically:

Section 3.23.3 ii) – To recognize the location of the existing single-detached dwelling with an existing non-complying interior side yard setback of 1.02 metres along the southern property boundary, whereas 1.8 metres is required. Further, the variance would permit the construction of a 2-storey addition (inclusive of the reconstruction of the existing attached garage with a new 2nd storey) along the southern portion of the dwelling, with an interior side yard setback of 1.02 metres and 1.2 metres.

Additionally, the applicant requests relief from Section 4 “Residential Type 1 (R1) Zone” of the Zoning By-law, specifically:

Section 4.3.5 Interior Side Yard Width (Min.) – To permit a reduced interior side yard setback of 1.02 metres and 1.2 metres along the southern property boundary to permit the construction of a 2-storey addition (inclusive of the reconstruction of the existing attached garage with a new 2nd storey), whereas a minimum interior side yard setback of 1.8 metres is required.

The variances requested would recognize the location of the existing 124.72 square metre single-detached dwelling with an existing non-complying interior side yard setback along the southern property boundary; further, the variances would facilitate the construction of a new 2-storey 51 square metre addition to the southern portion of the existing dwelling and the reconstruction of the existing 24.2 square metre attached garage with a new 2nd floor addition, with a reduced interior side yard setback.

AGENCY COMMENTS:

Public Works:

Public Works has no objections to this application indicated in their letter dated October 7th.

Nottawasaga Valley Conservation Authority (NVCA):

The subject lands are not located within the NVCA regulation area.

PUBLIC COMMENTS:

A letter of opposition was received by Dennis Pizzale dated October 15th.

RECOMMENDATION:

In consideration of the foregoing, the Planning Department supports application **A03824** subject to the following conditions being applied:

1. THAT the development will be substantially consistent with the site plan and drawings provided with the application, contained within "Appendix 1" of this report.

DISCUSSION:

A neighbour sought clarity on the proposed minor variance application and what relief was being requested.

The Chair, A. Harrod provided a response on the inquiry.

To better understand the application, the agent, R. Fler spoke with the neighbour on the proposal and provided details pertaining to the proposed variances.

Planner, C. Watt provided additional information regarding the relief requested for the existing garage, and the relief being requested for the second addition.

The Chair, A. Harrod asked the agent to provide the neighbour a high-level overview of the application.

The agent, R. Fler indicated that there have been slight revisions to the proposed application, and will stay within the 1.8 meters for the second addition.

Member, D. Morrison inquired if a deferral is required based off the newly changed proposal.

Planner, C. Watt provided the options to defer the application until next month with the revision to the staff report with amendments, or they will modify the application immediately and amend the current conditions.

Planner, C. Watt indicated that it would be best to amend the staff report and bring it back to next month's meeting to ensure that the application accurately captures the required relief.

That upon deliberation of the written comments received, the committee rendered the following decision:

Resolution No: COA-2024-79

Moved by: Adam Harrod

Seconded by: Leo Cusumano

THAT the Committee of Adjustment hereby grants the deferral of application A03824 to the November Committee of Adjustment meeting.

CARRIED

5.2 Application #2 - A03924 - 346 Shore Lane - Incidental Minor Variance

LANDS SUBJECT TO THE APPLICATION:

Municipally addressed as 346 Shore Lane, Town of Wasaga Beach.

PURPOSE AND EFFECT:

The applicant requests relief from Section 3.1 “Accessory Uses, Buildings and Structures”, of Zoning By-law 2003-60 as amended, specifically:

Section 3.1.5.5 – To permit a 34.22 square metre detached accessory structure (covered patio) to a residential use with a total height of 2.69 metres located in a rear yard with a proposed interior side yard setback of 0.4 metres on the north-east side and 0.56 metres on the south-east side of the structure, whereas a detached accessory structure to a residential use equal to or less than 3.7 metres in height may be located in an interior side or rear yard but shall be no closer than 0.9 metres to the lot line.

AGENCY COMMENTS:

Public Works:

Public Works has no objections to this application indicated in their letter dated October 7th.

Nottawasaga Valley Conservation Authority (NVCA):

The NVCA has no objections to this application indicated in their letter dated October 16th, however, the following conditions were requested:

- a. That the structure shall not be enclosed or used as habitable space; and
- b. That the structure shall remain removable.

PUBLIC COMMENTS:

A letter of support was provided to the Town on October 16th.

A letter of opposition was received and read.

RECOMMENDATION:

In consideration of the above, the Planning Department supports application **A03924** for the lands known municipally as 346 Shore Lane, and legally described as PLAN 837 LOT 24

Should the Committee choose to approve application A03924, Planning Staff recommend this approval also be subject to the noted conditions.

1. THAT the development will be substantially consistent with the site plan and drawings provided with the application, at the time of the building permit review.

2. THAT the structure shall not be enclosed or used as habitable space; and
3. That the structure shall remain removable.

DISCUSSION:

The agent, C. Chan of the Planning Agency Inc. spoke to the proposed application and spoke to the concerns outlined in the letter received.

A neighbour, E. Latina was seeking clarity on the materials being used for the proposed application.

A neighbour, B. Latina spoke to her concerns that the location of the beam will cause.

Member, D. Morrison sought clarity on the building permit process in relation to this application. Planner, C. Watt spoke to his inquiry.

Member, D. Morrison sought clarity from the agent on the proposed building permit application in relation to the zoning bylaw provisions.

The agent, C. Chan provided a response to his inquiries.

Member D. Morrison and Planner, C. Watt discussed the stages in this application approval process from the planning and building side.

Member, L. Cusumano inquired on the most recent NVCA comments received, and the building application process. Planner, C. Watt spoke to these inquiries.

That upon deliberation of the written comments received, the committee rendered the following decision:

Resolution No: COA-2024-80

Moved by: Dave Morrison

Seconded by: Daniel Paul

THAT the Committee of Adjustment hereby approves application A03924 with the recommended conditions.

CARRIED

6. DATE OF NEXT MEETING

The next meeting is scheduled for November 20, 2024.

7. ADJOURNMENT

The meeting adjourned at 3:04 p.m.

B025/24

Date of this Notice: November 4, 2024

Owner: Kevin Ferguson

Tax Roll #: 436401001441600



Notice of Public Meeting

Committee of Adjustment

Application for Consent (Severance) has been submitted by Kevin Ferguson owner of the subject lands.

Property Location: REG COMP PLAN 1695 LOT 67

Public Meeting Date: Wednesday, November 20, 2024 at 2:00 p.m.

Virtual Hearing via ZOOM & In-person at Town Hall (30 Lewis St.) in the Council Chambers

What is being proposed?

A consent (severance) application has been submitted by Kevin Ferguson, owner of the subject lands. The application proposes to create one (1) new lot for a total of two (2) lots.

The subject lands have a frontage of approximately 25.91 metres (85 feet), a depth of approximately 54.35 metres (178.31 feet) and an area of approximately 1,408.20 square metres (15,157.74 square feet).

The portion of the lands proposed to be severed, as shown on the severance sketch provided as ('Part 2'), has a frontage of approximately 12.95 metres (42.49 feet) along Mapleside Drive, a depth of approximately 54.35 metres (178.31 feet) and a lot area of approximately 703.83 square metres (7,575.96 square feet).

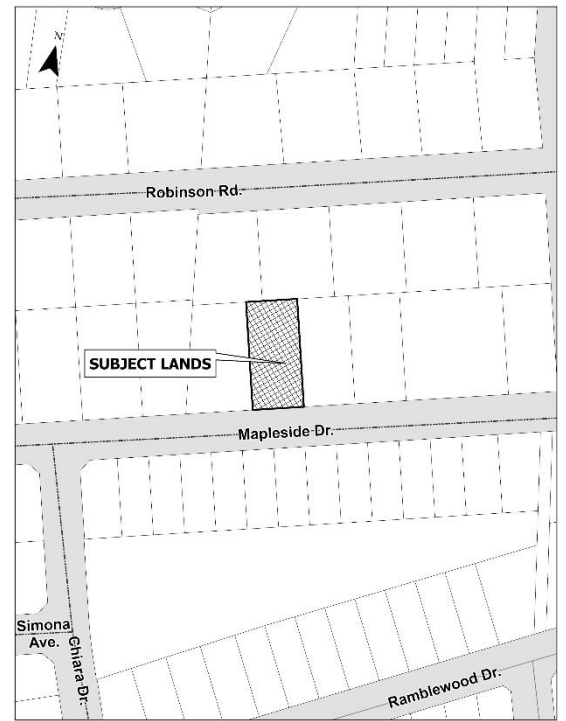
The portion of the lands proposed to be retained as shown on the severance sketch provided as ('Part 1'), has a frontage of approximately 12.96 metres (42.52 feet) along Mapleside Drive, a depth of approximately 54.35 metres (178.31 feet), and a lot area of approximately 704.37 square metres (7,581.77 square feet).

OTHER APPLICATIONS: The lands subject to the application for Consent are not currently the subject of other application(s) under the *Planning Act*.

To participate in the hearing and/or provide comments, you must register by scanning the below QR code



Register



The legal description of the subject lands is: REG COMP PLAN 1695 LOT 67

What happens at the Public Hearing?

The public hearing is your chance to make your views about the proposal known. Information from the public will help the Committee in their decision-making process, so make sure to have your say!

Written Comments: You are encouraged to provide your comments or questions in writing using email or regular letter mail to the Secretary Treasurer. Written comments received before the meeting will be read by the Secretary Treasurer at the Public Meeting for the benefit of everyone in attendance and will be included in the record of the Public Meeting.

Comments can be emailed to: pmnotices@wasagabeach.com

Verbal Comments: This Public Meeting is a hybrid meeting, allowing the public to attend the meeting in person or virtually. Those that wish to make verbal comments virtually are required to pre-register with the Secretary-Treasurer, no later than 12:00 p.m. (Noon), by **Tuesday, November 19th, 2024.**

Note: Alternative formats available upon request.

Notice of Decision:

If you wish to be notified of the decision for this application, you must make a written request by email or regular mail to the Secretary-Treasurer noted below. The written request must be received before or on the meeting date.

Where Can I Find More Information?

Additional information is available during regular office hours in the Planning Division of the Planning & Development Services Department at Town Hall. You may also request a copy of this notice by contacting:

Secretary-Treasurer,
Committee of Adjustment
30 Lewis Street
Wasaga Beach, ON

Hours of operation:
Monday-Friday 8:30am-4:30pm

Phone: (705) 429-3847 ext. 2282

Email: pmnotices@wasagabeach.com

Questions? Ask the Planner!

Phone: 705.429.3847 x2250

Email: c.watt@wasagabeach.com

Why Am I Receiving This Notice?

You are receiving this notice because the applicant noted above has submitted a Consent application to the Town of Wasaga Beach. As stipulated by the *Planning Act*, notice must be provided to property owners within 60 metres (200 ft.) of the area to which the application applies.

A note about information you may submit to the Town:

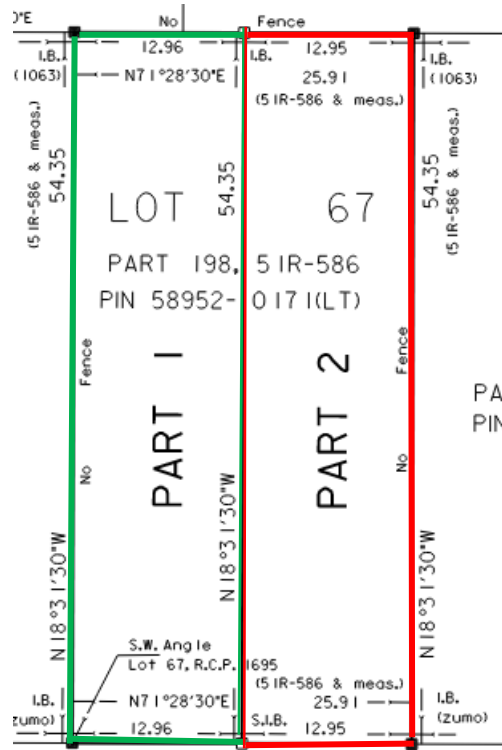
Under the authority of the Municipal Act, 2001 and in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), all information provided for, or at a Public Meeting, Public Consultation, or other Public Process are considered part of the public record, including resident deputations. All public meetings are recorded, and the information may be posted on the Town's website, and/or made available to the public upon request.

Appeals:

If an applicant, a specified person or public body that files an appeal of a decision of Town of Wasaga Beach Committee of Adjustment in respect of the proposed Consent does not make written submission to Town of Wasaga Beach Committee of Adjustment before it gives or refuses to give provisional consent, the Ontario Land Tribunal may dismiss the appeal.

Note: Alternative formats available upon request.

Proposed Severance Sketch (B02524)



MAPLESIDE

- Proposed Severed
- Proposed Retained



STAFF REPORT

TO: Committee of Adjustment

FROM: Cameron Watt, Planner I

SUBJECT: **B02524**
Applicant: Kevin Ferguson
REG COMP PLAN 1695 LOT 67
Municipal Address (not yet assigned)
Consent (Severance) to Create One (1) Lot

DATE: November 13, 2024

A. LANDS SUBJECT TO THE APPLICATION:

The subject lands are located on the north side of Mapleside Drive, east of the intersection of Mapleside Drive and Chiara Drive, and are legally described as REG COMP PLAN 1695 LOT 67, Town of Wasaga Beach, County of Simcoe.

The subject lands have a frontage of approximately 25.91 metres (85 feet) along Mapleside Drive, a depth of approximately 54.35 metres (178.31 feet) and an area of approximately 1,408.20 square metres (15,157.74 square feet).

The Applicant and future prospective owners are advised that these lands will be subject to a Municipal Local Improvement charge. Inquiries related to Municipal Local Improvement charges can be forwarded to Shannon Stewart, Deputy Treasurer.

B. PURPOSE AND EFFECT:

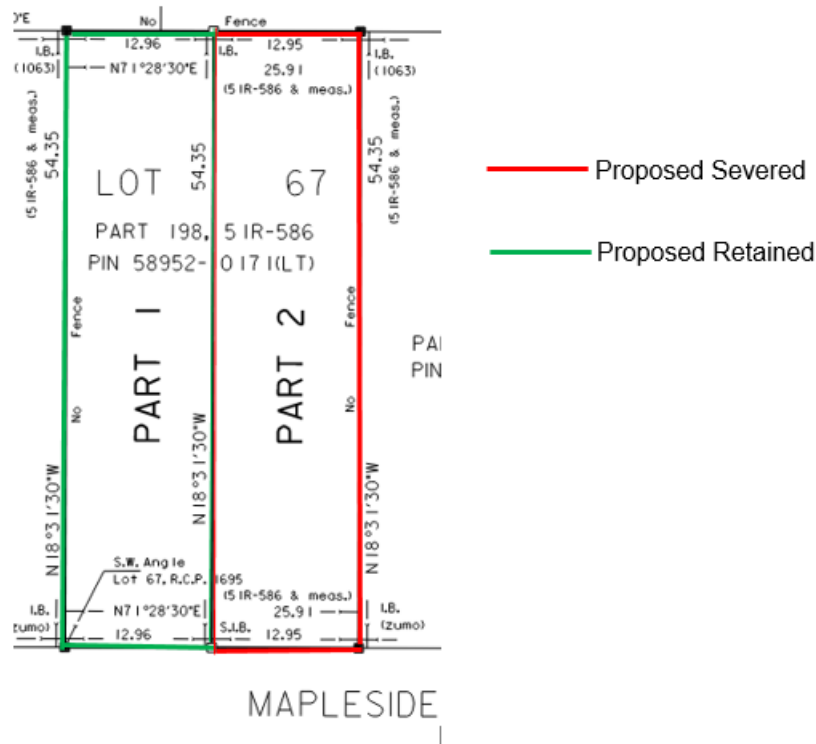
Application for Consent B025/24 has been submitted by Kevin Ferguson, owner of the subject lands. The Application proposes to create one new lot, for a total of two lot(s).

The portion of the lands proposed to be severed, as shown on the severance sketch provided as ('Part 2'), has a frontage of approximately 12.95 metres (42.49 feet)

along Mapleside Drive, a depth of approximately 54.35 metres (178.31 feet) and a lot area of approximately 703.83 square metres (7,575.96 square feet).

The portion of the lands proposed to be retained as shown on the severance sketch provided as ('Part 1'), has a frontage of approximately 12.96 metres (42.52 feet) along Mapleside Drive, a depth of approximately 54.35 metres (178.31 feet), and a lot area of approximately 704.37 square metres (7,581.77 square feet).

Figure 1 – Proposed Severance Sketch



C. COMMENTS:

At the time of writing this report, the following comments had been received. Should additional comments be received prior to the Committee making their decision on the matter, Committee shall have regard for the comments.

<u>Submitted From:</u>	<u>Comments:</u>
Town of Wasaga Beach Public Works/Engineering Department	The Town's Public Works/Engineering department does not oppose the application, subject to formal comments and conditions outlined in 'Appendix 1'.

Nottawasaga Valley Conservation Authority (NVCA)	The Nottawasaga Valley Conservation Authority (NVCA) does not oppose the application. Please see 'Appendix 2' for a copy of the NVCA's formal comments.
Town of Wasaga Beach Building Department	No comments received.

No other comments were received at the time of writing this staff report.

D. RECOMMENDATION:

In consideration of the foregoing, based on the above, the Planning Department supports application **B025/24**, subject to the following conditions being applied:

1. THAT 5% Parkland Contribution as required by the *Planning Act* be paid as a requirement of the approval of the severance (the parcel severed). The determination of the value of the parkland contribution will be based upon an appraisal prepared by an individual who is a member of the Appraisal Institute of Canada (AIC); and pursuant to section 51.1(4) of the *Planning Act*.
2. THAT the applicant provides a deposited reference plan, said reference plan to show all of the parcel to be severed.
3. THAT an Overall Lot Grading Plan is to be provided showing the two lots in accordance with current Town of Wasaga Beach Engineering Standards and Policies, specifically the Infill Lot Grading and Drainage Policy and in accordance with the attached plan. The overall lot grading plan is to show the existing services.
4. THAT a Road Occupation Permit (ROP) is to be obtained prior to any works within the Town's Right-of-Way (ROW).
5. THAT the applicant shall pay to the Town of Wasaga Beach any additional costs and expenses incurred as a result of the review and approval of this application.
6. THAT all conditions of this decision be fulfilled and the documents presented to the Planning Department for issuance of the Certificate of Consent within a period not to exceed 24 months from the date of decision.

E. SUBJECT SITE:

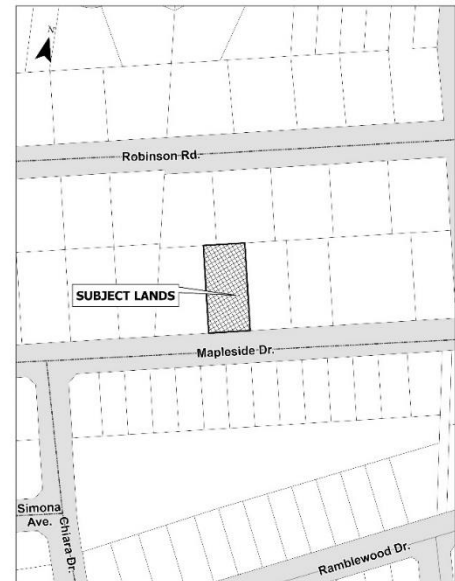
The subject lands are zoned “Residential Type 1” (R1) in the Town of Wasaga Beach Zoning By-law 2003-60 as amended, and are designated ‘Residential’ within the Town of Wasaga Beach Official Plan.

The subject lands are currently vacant.

The lands are situated in an existing residential neighbourhood area. The surrounding uses primarily consist of single-detached dwellings and vacant parcels of land that are zoned Residential Type (R1) and Residential Type 2 Exception 17 (R2-17) in the Town’s Zoning By-Law.

The subject lands are located in an area that is regulated by the Nottawasaga Valley Conservation Authority (NVCA).

Figure 1 – Location Map



F. ANALYSIS:

This section provides a summary of Planning staff’s review of the relevant planning legislation and policies.

Planning Act, R.S.O. 1990, c. P.13

The *Planning Act* provides a framework for municipalities within Ontario to develop Official Plans and Zoning By-laws, and also prescribes a framework and criteria through which land division such as by consent must be considered. Section 53(12) provides that in determining whether consent is to be given, there shall be regard to Section 51(24) of the *Planning Act* which provides a list of 13 criteria that planning authorities shall have regard for when considering the subdivision of land. The specific criteria under Section 51(24) of the *Planning Act* has been evaluated below:

- (a) *the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;*

Staff Comment: No identified constraints, natural or cultural heritage, or hazard areas were identified on the subject lands by Town Planning staff. The proposed lot(s) are located within a Settlement Area, as defined in the Provincial Planning Statement (PPS), 2024 and have access to full municipal services.

Planning Staff have no concerns with respect to Provincial interests outlined under Section 2 of the Act.

(b) whether the proposed subdivision is premature or in the public interest;

Staff Comment: The proposed consent (severance) is considered in the public interest. The new proposed lots demonstrate overall conformity with the Residential policies in the Town's Official Plan and will further contribute to achieving the residential intensification targets established by the County of Simcoe.

The proposed lot creation will contribute to the use of existing and future municipal services. There is no evidence to suggest that the proposed severance is premature.

(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

Staff Comment: A review of applicable policies from the Town's Official Plan is provided in this staff report, which indicates general conformity to these policies. The proposed severed and retained lots demonstrate compatibility with the existing lots of record in the surrounding residential area.

(d) the suitability of the land for the purposes for which it is to be subdivided;

Staff Comment: Pending the approval of this application for consent, the new proposed lots are to be used for residential purposes, which is a suitable use for the land.

The subject lands are zoned Residential Type One (R1) in the Town's Zoning By-Law and are designated 'Residential' in the Town's Official Plan, which permit low-density residential uses.

Full municipal services are available to service both the proposed severed and retained lots.

(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

Staff Comment: Not applicable; the application is not proposing to construct any new affordable housing units.

(e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;

Staff Comment: No new highways are proposed by way of the consent (severance) application. Staff have no concern with respect to the adequacy of

existing public roads/highways currently providing access to each respective parcel. Mapleside Drive is classified as a 'Local Municipal Road', as per the Town of Wasaga Beach Official Plan Schedule 'B' – Transportation System. The need for road widening has not been identified by the Town's Public Works and Engineering Department.

(f) the dimensions and shapes of the proposed lots;

Staff Comment: Pending the approval of this application for consent, the dimensions of the proposed severed and retained lots will comply with the minimum lot area and lot frontage requirements of the Residential Type One (R1) zone, for a lot serviced with municipal water and sanitary sewer services, as outlined in the Town's Zoning By-law 2003-60.

The new proposed lots appear to demonstrate the ability to accommodate functional building envelopes, for future residential development.

(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;

Staff Comment: No additional restrictions are proposed to be imposed on the subject lands through the severance process.

(h) conservation of natural resources and flood control;

Staff Comment: The subject lands are not identified within the Town of Wasaga Beach Official Plan as being located within a Natural Heritage System or Natural Hazard designation area.

The subject lands are regulated by the Nottawasaga Valley Conservation Authority (NVCA). The NVCA have reviewed the proposed consent application and have no objections to the approval of the application.

(i) the adequacy of utilities and municipal services;

Staff Comment: Municipal services are available to service the proposed severed and retained lots. No concerns have been indicated by any utility providers, regarding the proposal.

(j) the adequacy of school sites;

Staff Comment: No school board comments have been received, within the context of the application.

(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;

Staff Comment: Cash-in-lieu of parkland dedication will be required as a condition of approval for the consent application. The Town's cash-in-lieu is set as 5% (residential) of the appraised value of the severed lands.

(l) *the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy;*

Staff Comment: The proposed severed and retained lots are located within a Settlement Area as defined in the Provincial Planning Statement, with access to municipal water and sanitary sewer services. No concerns have been received from any utility providers regarding the proposal's efficient use and conservation of energy.

(m) *the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).*

Staff Comment: Site Plan Control does not apply to this application for consent.

Staff have no concerns with respect to the application's consistency with the above noted sections of the Ontario *Planning Act*.

Provincial Planning Statement, 2024

The *Provincial Planning Statement 2024* (PPS, 2024) is a streamlined Provincial land-use planning document that came into effect on October 20th, 2024. The PPS 2024 replaces what was formerly known as the *Provincial Policy Statement, 2020* and *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019*.

The *Planning Act* requires that municipal decisions on land-use planning matters be consistent with the policies of the PPS. The PPS, 2024 provides detailed policy direction on matters of provincial interest related to land use planning and development throughout the Province of Ontario. The PPS, 2024 is divided into four major policy categories: *Building Homes, Sustaining Strong and Competitive Communities, Infrastructure and Facilities, Wise Use and Management of Resources, Protecting Public Health and Safety*.

Chapter 2: Building Homes, Sustaining Strong and Competitive Communities

2.2 Housing

2.2.1 1 b) 2. Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by permitting and facilitating all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3

Staff Comment: The proposed application for consent (severance) represents a form of residential intensification, and will introduce housing options within a residential area.

2.3 Settlement Areas and Settlement Area Boundary Expansions

2.3.1 General Policies for Settlement Areas

3. Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.

Staff Comment: The proposed application for consent (severance) represents a form of intensification in an existing residential area with access to full municipal services.

Chapter 4: Wise Use and Management of Resources

4.1 Natural Heritage

1. Natural features and areas shall be protected for the long term.

2. The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

Staff Comment: No natural heritage features were identified on the subject lands. Planning staff are satisfied that the proposal maintains consistency with policy objectives outlined under Section 4.1 of the PPS.

Chapter 5: Protecting Public Health and Safety

5.1 General Policies for Natural and Human-Made Hazards

1. Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.

5.2 Natural Hazards

1. Planning authorities shall, in collaboration with conservation authorities where they exist, identify hazardous lands and hazardous sites and manage development in these areas, in accordance with provincial guidance.

Staff Comment: The subject lands have not been identified as being located in an area that contains natural or human-made hazards. The Nottawasaga Valley Conservation Authority (NVCA) staff reviewed the application as per their delegated responsibility from the Province to represent provincial interests regarding natural hazards as outlined in the PPS and do not oppose the approval of the application.

The proposed development demonstrates consistency with the overall vision and policy objectives of the PPS, 2024.

Simcoe County Official Plan

The subject lands are designated as “Settlement” in the Official Plan for the County of Simcoe. One of the objectives of the Settlement designation is to develop a compact urban form that promotes the efficient use of land and provision of water, sewer, transportation and other services.

Staff Comment: Planning staff recommend that the application for Consent (Severance) conforms to the Simcoe County Official Plan.

Town of Wasaga Beach Official Plan

The subject site is designated “Residential” within the Town of Wasaga Beach Official Plan. The proposed future use of the lands will be for residential purposes. It is

recommended that the application for consent demonstrates general conformity with the “Residential” designation policies of the Town’s Official Plan.

Applications for consent must also conform to Section 19.4 of the Town’s Official Plan. Planning Staff have reviewed the policies as follows:

19.4.2 *Consents shall only be permitted where it can be shown that a registered plan of subdivision is not necessary for the proper and orderly development of the Municipality.*

Staff Comment: A registered plan of subdivision is not necessary for this proposal. The subject lands consist of an existing lot of record. The proposed severed and retained lots are located on an existing municipal roadway, with access to municipal water and sewer services.

19.4.3 *a) Consents should be granted only in areas where undue extensions of Municipal services would not be required;*

Staff Comment: The proposal will not lead to the undue extension of municipal services, as existing municipal water and sewer services are available to service the proposed severed and retained lot(s).

b) Consents should only be granted when the land fronts on an existing public road, maintained to Municipal standards of construction;

Staff Comment: The proposed severed and retained lot(s) have frontage onto an existing public road that is maintained to municipal standards of construction. The new proposed lots will continue to front onto Mapleside Drive, which is classified as a ‘Local Municipal Road’ in Schedule ‘B’ Transportation System of the Town’s Official Plan.

c) Consents should have the effect of infilling existing developed areas, rather than unduly extending such areas;

Staff Comment: The application for consent (severance) will have the effect of infilling an existing residential area. The proposed severance will not unduly extend this area.

d) Consents should recognize and have regard for the character of established residential neighborhoods and should take into consideration

the impact and compatibility of the proposed development with the existing built form and fabric of an area;

Staff Comment: The future permitted uses on the proposed severed and retained lots are regulated by the Residential designation of the Town's Official Plan and Residential Type One (R1) Zone in the Town's Zoning By-Law. These permitted uses are consistent with the built form and fabric in the existing residential neighbourhood in the surrounding area.

e) The size of any parcel of land created by such a consent should be appropriate for the use proposed considering the public services available, soil conditions, surrounding development, and neighbourhood character, and in no case shall any parcel be created which does not conform to the provisions of the comprehensive Zoning By-law;

Staff Comment: Both the proposed severed and retained lots will comply with the minimum lot frontage and lot area requirements of the "Residential Type 1" (R1) Zone, for a lot serviced with municipal water and sewer. The new proposed lots demonstrate overall compatibility with the existing neighbourhood character and residential uses in the surrounding area.

Soil conditions may be assessed through the submission of an Overall Lot Grading Plan, pending the approval of this application for consent.

f) Direct access to and from arterial and collector roads should be controlled and properly designed and residential lots should, where possible, have access only from local roads;

Staff Comment: The proposed severed and retained lots have frontage along Mapleside Drive, a 'Local Municipal Roadway', as defined in the Town's Official Plan.

Driveway access to the proposed severed and retained lots will be required to demonstrate compliance with Section 3.38 "Off Street Parking Requirements" in the Town's Zoning By-law, as well as any applicable Engineering Standards when the applicant applies for Road Occupation Permit(s) (ROP) to establish new driveway entrances on the proposed lot(s). This process will ensure that access to the residential lots are controlled and properly designed.

g) Consents should not be granted for land adjacent to a road from which

access is to be obtained, where a traffic hazard would be created because of limited sight lines on curves or grades;

Staff Comment: It is not anticipated that there would be a traffic hazard created by the approval of the consent application. The Town's Public Works and Engineering Department has not advised of any safety concerns with regard to limited sight lines on curves or grades.

h) Consents should not be granted if the effect of granting the severance would prejudice the future development of an area. In particular, consents should not be granted if the effect is to exploit the frontage of the lands with little regard for the remainder of the property. In addition, consents in commercial and tourism designations may not be granted if the division of the property will prevent the efficient and appropriate present or future development of the property.

Staff Comment: The application for consent would not prejudice the future development of the lands. The subject lands are not located in a commercial or tourism designation.

i) Consents for new uses wholly within Natural Heritage System Category 1 Lands shall not be granted. Prior to consideration of a consent application within Natural Heritage System Category 2 Lands, an Environmental Impact Study is required to the satisfaction of the Town.

Staff Comment: The subject lands are not located within the Natural Heritage System Category 1 or 2 land use designation in the Town's Official Plan.

Planning Staff are satisfied that the proposed consent application maintains general conformity with Section 19.4 of the Town's Official Plan.

Town of Wasaga Beach Comprehensive Zoning By-law

The subject lands are zoned "Residential Type 1" (R1) Zone, in the Town's Zoning By-law 2003-60. Within the R1 Zone, for lots serviced with municipal water and sewer the minimum lot frontage requirement is 12 metres (39 feet), and the minimum lot area requirement is 464.5 square metres (5,000 square feet).

Pending the approval of this application for consent, the proposed severed and retained lots would comply with the minimum lot frontage and lot area requirements in the R1 zone.

H CONCLUSION

In consideration of the above, the Town's Planning Department supports application **B025/24** for the lands legally described as REG COMP PLAN 1695 LOT 67. Should the Committee choose to approve application **B025/24**, Planning Staff recommend this approval also be subject to the above noted conditions.

Respectfully Submitted,



Cameron Watt
Planner I

Appendix 1 – Town of Wasaga Beach Public Works/Engineering Department Comments
Appendix 2 – Nottawasaga Valley Conservation Authority (NVCA) Comments

MEMORANDUM



TO: Cristy Wilson, Planning Application Navigator

CC: Mike Pincivero, Manager of Engineering Services
Andrea Taylor, Planning Administrator

FROM: Amy Mejia, Engineering Technologist

SUBJECT: Committee of Adjustment – B02524
Mapleside Drive, REG COMP PLAN 1695 LOT 67

DATE: November 7th, 2024

As requested, Public Works has reviewed the above noted consent application.

SUMMARY OF REQUEST:

A consent (severance) application has been submitted by Kevin Ferguson, owner of the subject lands. The application proposes to create one (1) new lot for a total of two (2) lots.

The subject lands have a frontage of approximately 25.91 metres (85 feet), a depth of approximately 54.35 metres (178.31 feet) and an area of approximately 1,408.20 square metres (15,157.74 square feet).

The portion of the lands proposed to be severed, as shown on the severance sketch provided as ('Part 2'), has a frontage of approximately 12.95 metres (42.49 feet) along Mapleside Drive, a depth of approximately 54.35 metres (178.3 feet) and a lot area of approximately 703.83 square metres (7,575.9 square feet).

The portion of the lands proposed to be retained as shown on the severance sketch provided as ('Part 1'), has a frontage of approximately 12.96 metres (42.52 feet) along Mapleside Drive, a depth of approximately 54.35 metres (178.3 feet), and a lot area of approximately 704.37 square metres (7,581.7 square feet).

PUBLIC WORKS / ENGINEERING COMMENTS

- It should be noted that a portion of the property is within the jurisdiction of the NVCA.
- The retained and proposed lots both have water and sanitary servicing connections available.
- Any future development on the subject lot(s) will be required to adhere with current Town of Wasaga Beach Engineering Standards and Policies, specifically the Infill Lot Grading and Drainage Policy.
- The overall lot grading of the lots shall be consistent with the "Overall Grading Plan" design as per the attached plans previously prepared by the Ainley Group 111115-Oplan-GR2.

- Public Works does not oppose the applicant's requests.

PUBLIC WORKS / ENGINEERING CONDITIONS

1. An Overall Lot Grading Plan is to be provided showing the two lots in accordance with current Town of Wasaga Beach Engineering Standards and Policies, specifically the Infill Lot Grading and Drainage Policy and in accordance with the attached plan. The overall lot grading plan is to show the existing services.
2. A Road Occupation Permit (ROP) is to be obtained prior to any works within the Town's Right-of-Way (ROW).

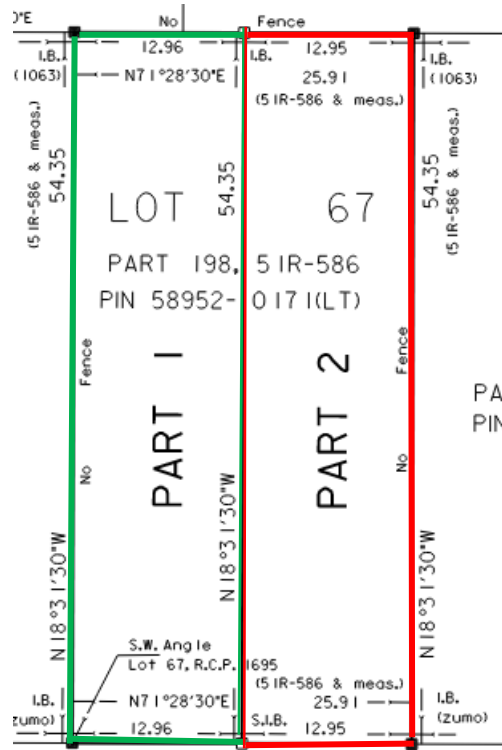
Regards,

A. Mejia

Amy Mejia
Engineering Technologist

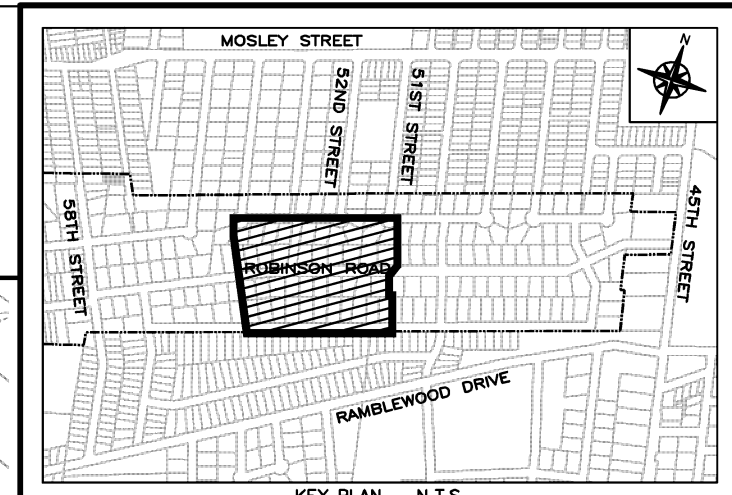
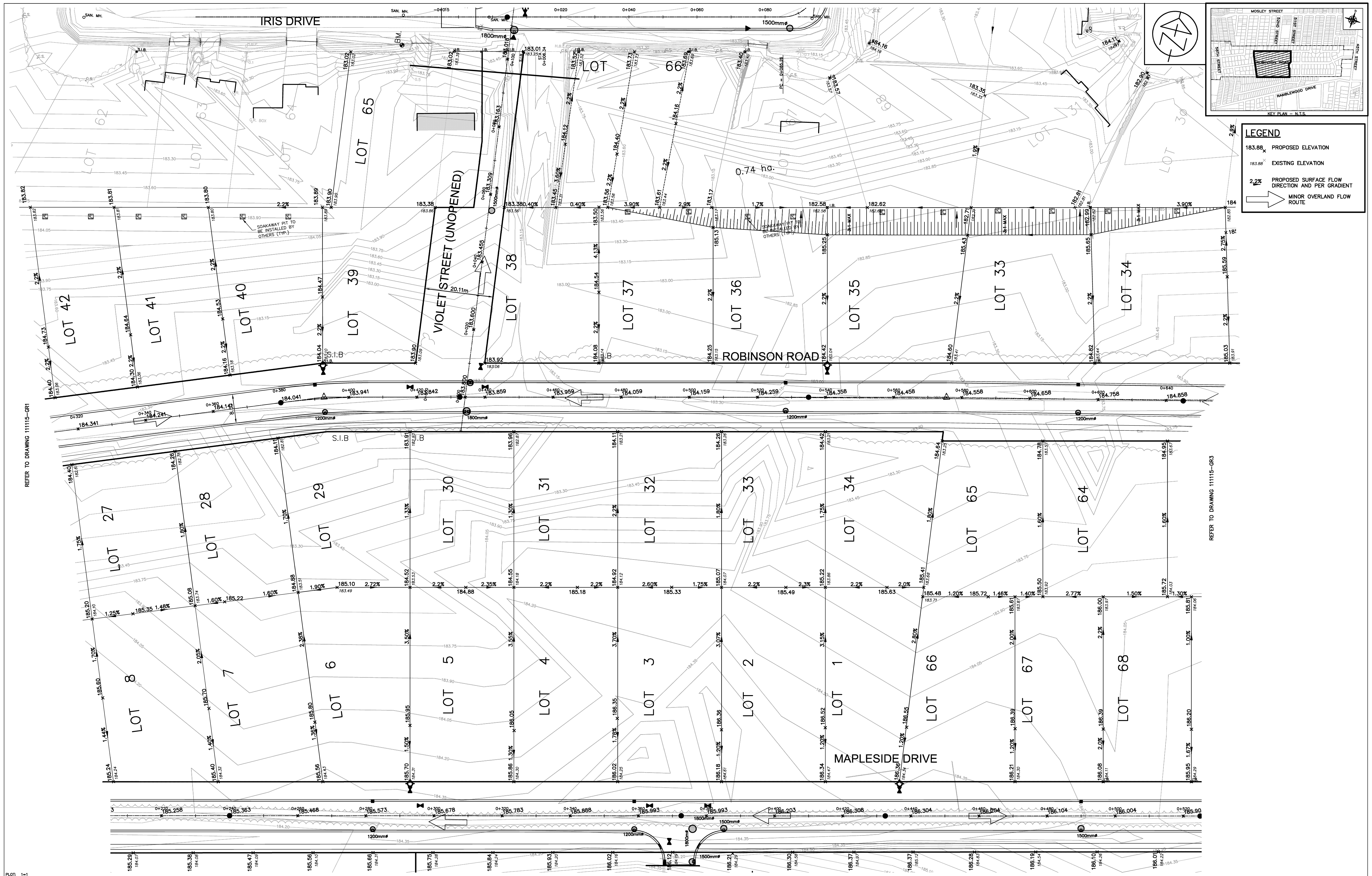
Encl.

Proposed Severance Sketch (B02524)



MAPLESIDE

- Proposed Severed
- Proposed Retained



LEGEND

- 183.88 x PROPOSED ELEVATION
- 183.88 x EXISTING ELEVATION
- 2.2% PROPOSED SURFACE FLOW DIRECTION AND PER GRADE
- MINOR OVERLAND FLOW ROUTE

REFER TO DRAWING 111115-GR1

REFER TO DRAWING 111115-GR3

NOTES

CONTRACT DRAWINGS:
Contractor must verify all dimensions and be responsible for same. Any discrepancies must be reported to the Engineer before commencing work. Drawings are not to be copied. Anley & Associates Limited claims copyright to this document which may not be used for any purpose other than that stipulated in the contract between the owner/client and the Engineer without the express written consent of Anley & Associates Limited.

NO.	REVISIONS	DATE	INITIAL
1	ISSUED FOR TENDER	FEB. 2013	MAP

Not Valid Unless Signed And Dated



SCALE: 1:500
DESIGN: T.N./M.A.P.
DRAWN: M.E.M./K.K.
CHECKED: T.N.
DATE: JUNE 2004

TOWN OF WASAGA BEACH
ROBINSON ROAD AREA SERVICING

LOT GRADING PLAN
2 OF 4

CONTRACT No. DWG. 111115-GR2

Plotted by: MMCDONALD on June 12, 2013 at 3:52pm
File: V:\111115\DWG\Submission\Issued for tender May 2013\111115-Oplan - Standard\111115-Oplan.dwg Layout: GR2



Nottawasaga Valley
Conservation Authority

November 12th, 2024

SENT BY EMAIL

Town of Wasaga Beach
30 Lewis Street,
Wasaga Beach, ON
L9Z 1A1

Attn: Cristy Wilson
Secretary Treasurer
c.wilson@wasagabeach.com

RE: Application for Consent
Town File No. B02524
ARN: 43640100144160000000, Mapleside Dr
NVCA ID #58493

Dear Ms. Wilson,

Nottawasaga Valley Conservation Authority [NVCA] staff are in receipt of a formal application for a consent. The application proposes the creation of one new lot and one retained. The proposed development is on the lands located without a municipal address ARN: 43640100144160000000, Mapleside Dr, Town of Wasaga Beach.

Staff has reviewed this application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 5.2 of the Provincial Planning Statement (PPS, 2024) and as a regulatory authority under Ontario Regulation 41/24. The application has also been reviewed through our role as a public body under the Planning Act as per our CA Board approved policies. Finally, NVCA has provided comments as per our Municipal Partnership and Service Agreement with the Town of Wasaga Beach and with advisory comments related to policy applicability.

Ontario Regulation 41/24

1. The NVCA mapping for the property illustrates a wetland interference hazard on the property. Due to the presence of this hazards, the subject property is regulated pursuant to Ontario Regulation 41/24 the Prohibited Activities, Exemptions and Permits Regulation.
2. Permits would be required from the NVCA prior to any construction or grading associated with development within the hazard on the property.
3. Should the applicant intend to make further changes to the property, staff recommend that the applicant(s) pre-consult with our Permits and Regulations Department to determine permit requirements.

Provincial Planning Statement PPS (2024)

4. The PPS defines **development** to be the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the Planning Act.
5. The subject application does constitute as 'development' as it relates to determining consistency with PPS policy.

Natural Hazards – Regulatory

6. There are no concerns with further intensification of this area from a natural hazard perspective.
7. For future consideration, lots in this area will be required to submit geotechnical studies with permit applications due to the possible presence of unstable soils.

Conclusion

The Nottawasaga Valley Conservation Authority (NVCA) has reviewed the consent application based upon our mandate and policies under the *Conservation Authorities Act*. Given the comments above, the NVCA has no objections to the approval of the application as presented. Please feel free to contact the undersigned at extension 233 or tboswell@nvca.on.ca should you require any further information or clarification on any matters contained herein.

Sincerely,



Tyler Boswell
Planner



STAFF REPORT

TO: Committee of Adjustment

FROM: Joel Vines, Planner I

SUBJECT: **B02724**, Joe Santo & Peter Santo
 Lot 93 Registered Compile Plan 1697; and
 Lot 94 Registered Compile Plan 1697
 Roll: 436401001530700 (Lot 93)
 436401001530600 (Lot 94)
 Validation Certificate

DATE: November 6, 2024

A. LANDS SUBJECT TO THE APPLICATION:

The subject lands are located on Robinson Road, and are legally described as REG COMP PLAN 1697 LOT 94 and REG COMP PLAN 1697 LOT 93, Town of Wasaga Beach, County of Simcoe.

B. RECOMMENDATION:

In consideration of the foregoing, based on the below, the Planning Department supports application B02724, and recommend that the Committee of Adjustment approve the issuance of a Certificate of Validation for lands described as Lot 93 Registered Compile Plan 1697 and Lot 94 Registered Compile Plan 1697, being PINS 58946-0139 and 58946-0140.

C. BACKGROUND:

A written request was received from Peter James of Wilson Vukelich LLP Law Office, on behalf of the land owner(s), requesting the issuance of Validation Certificates for:

- PIN 58946-0139, being Lot 93 Registered Compile Plan 1697
- PIN 58946-0140, being Lot 94 Registered Compile Plan 1697

In his request, Mr. James notes that the subject parcels were created by Registrars Compiled Plan, and not a Plan of Subdivision. It is further noted that in June 2022, documents were registered on Lot 94 to transfer ownership to Joe Santo as beneficiary of his mother's estate, and subsequently in May 2023, documents were registered on Lot 93 to transfer ownership to Peter Santo as beneficiary to his mother's estate.

Mr. James notes the problem is that there is a potential buyer of Lot 94 and a vesting of Lot 93 has resulted in the ownership of the Lots merging in the deceased mother's name, breaching provisions

of Section 50 of the *Planning Act*. Mr. James further notes that in his opinion, the granting of a certificate would serve to restore what had been originally intended and would not offend any of the considerations that would be taken into account if a severance application for the Lots was now submitted.

The subject application requests issuance of a Certificate of Validation, as provided for in Section 57 of the *Planning Act*. The intent of this request is to correct title. The location of the subject lands and the Registered Compile Plan 1697 are attached as “Appendix 1” and “Appendix 2” of this report.

D. ANALYSIS:

Section 57 of the *Planning Act* sets out a procedure to address a contravention of the *Act*. It allows the Committee of Adjustment to grant a Validation Certificate to recognize the contravention as not having had the effect of preventing the creation of the interest in the lands. A Validation Certificate retroactively cures any prior contraventions involving the specified lands.

Accordingly, Section 57(6) of the *Planning Act* provides criteria to consider prior to issuing a validation certificate; the Act specifies:

(6) No certificate shall be issued under subsection (1) unless the land described in the certificate of validation conforms with the same criteria that apply to the granting of consents under section 53.

The *Planning Act* requires that certain criteria be taken into consideration before any new parcel of land is created, such as suitability of the lands for development, lot size, road access, adequacy of utilities and municipal services etc. In considering this application, the lots were registered in 1975, have separate PIN numbers, separate assessment roll numbers and are currently vacant. They are located along Robinson Road and are zoned “Residential Type 1” (R1) in the Towns Zoning By-law 2003-60 and would individually comply with the R1 Zone provisions for lot frontage and area.

The subject application, dealing with a conveyance of title contravention, would not have any effect on the status of the lots and thus no change with respect to the Official Plan or Zoning By-law is proposed. Considering the above information, Staff are of the opinion that the issuance of the Validation Certificate as requested is in compliance with Section 57, and therefore should be granted by the Committee of Adjustment.

E. CONCLUSION:

In consideration of the above, the Planning Department supports application B02724 for lands legally described as Lot 93 Registered Compile Plan 1697 and Lot 94 Registered Compile Plan 1697, attached as “Appendix 3” of this report. Staff are of the opinion that the issuance of a Certificate of Validation under Section 57 of the *Planning Act* is appropriate and in general compliance with the criteria for issuing validation certificates.

Respectfully Submitted,



Joel Vines
Planner I

Appendix 1 – Location of Subject Lands: Lot 93 Registered Compile Plan

Appendix 2 – Location of Subject Lands: Lot 94 Registered Compile Plan

Appendix 3 – Registered Compile Plan 1697

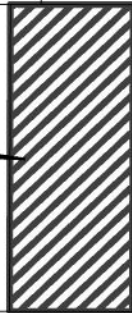


61st St. S.

60th St. S.

Lily Dr.

SUBJECT LANDS



Robinson Rd.

Allegra Dr.

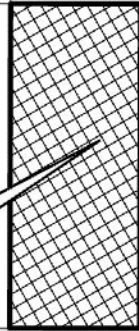


61st St. S.

60th St. S.

Lily Dr.

SUBJECT LANDS



Robinson Rd.

Allegra Dr.

1677

REGISTRY DIVISION

Plan No 1697
 APPROVED FOR REGISTRATION JUNE 2, 1975
 [Signature]
 ASSISTANT REGISTRAR

CERTIFICATE OF REGISTRATION OF PLAN
 I CERTIFY THAT THE PLAN IS DULY REGISTERED IN THE
 LAND REGISTRY OFFICE OF THE REGISTRY DIVISION
 AT 10.13.11.0000 ON THE
 3 DAY OF JUNE 1975
 AS IN 1697

[Signature]
 REGISTRAR

FILE 75-408



SCHEDULE

LOT	INSTRUMENT	LOT	INSTRUMENT	LOT	INSTRUMENT	LOT	INSTRUMENT	LOT	INSTRUMENT	LOT	INSTRUMENT	LOT	INSTRUMENT	LOT	INSTRUMENT	LOT	INSTRUMENT	LOT	INSTRUMENT	LOT	INSTRUMENT	LOT	INSTRUMENT	LOT	INSTRUMENT	LOT	INSTRUMENT																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
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A03824

Arian Turdiu

Date of this Notice: October 4, 2024

Tax Roll #: 436401000143200



Notice of Public Meeting Committee of Adjustment

Application for a Minor Variance has been submitted by Ron Fler on behalf of Arian Turdiu, owner of the subject land.

Property Location: The subject lands are located at 92 35th Street North

Public Meeting Date: Wednesday October 16, 2024 at 2:00 p.m.

Virtual Hearing via Zoom & In-person at Town Hall (30 Lewis St.) in the Council Chambers

What is being proposed?

The applicant requests relief from Section 3.23 “Non-Complying Lots, Buildings or Structures”, of Zoning By-law 2003-60 as amended, specifically:

Section 3.23.3 ii) – To recognize the location of the existing single-detached dwelling with an existing non-complying interior side yard setback of 1.02 metres (3.34 feet) along the southern property boundary, whereas 1.8 metres (5.90 feet) is required. Further, the variance would permit the construction of a 2-storey addition (inclusive of the reconstruction of the existing attached garage with a new 2nd storey) along the southern portion of the dwelling, with an interior side yard setback of 1.02 metres (3.34 feet) and 1.2 metres (3.93 feet).

Additionally, the applicant requests relief from Section 4 “Residential Type 1 (R1) Zone” of the Zoning By-law, specifically:

Section 4.3.5 – To permit a reduced interior side yard setback of 1.02 metres (3.34 feet) and 1.2 metres (3.93 feet) along the southern property boundary to permit the construction of a new two-storey 51 square metre (548.9 square feet) addition to the existing single-detached dwelling and the reconstruction of the existing 24.2 square metre (260.48 square feet) attached garage with a new 2nd floor addition, whereas a minimum interior side yard setback of 1.8 metres (5.90 feet) is required.

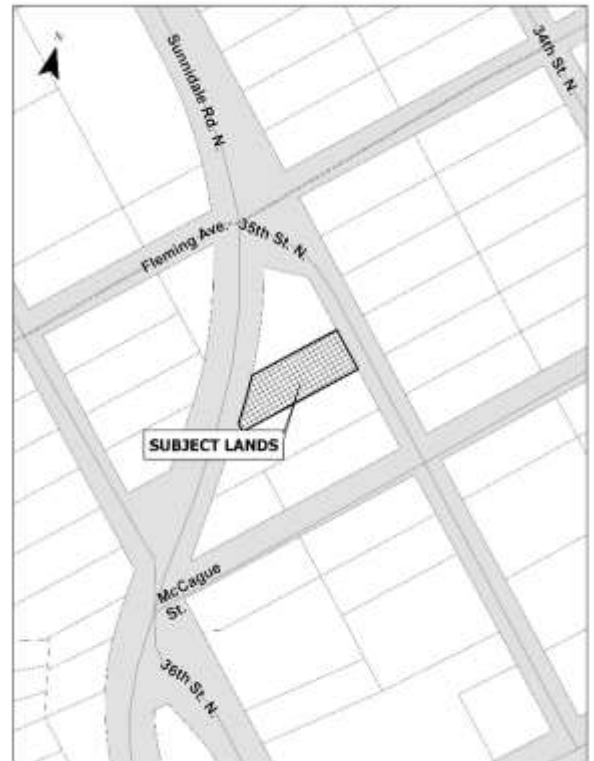
The variances requested would recognize the location of the existing 124.72 square metre (1,342.47 square foot) single-detached dwelling with an existing non-complying interior side yard setback along the southern property boundary; further, the variances would facilitate the construction of a new 2-storey 51 square metre (548.9 square feet) addition to the southern portion of the existing dwelling and the reconstruction of the existing 24.2 square metre (260.48 square feet) attached garage with a new 2nd floor addition, with a reduced interior side yard setback.

OTHER APPLICATIONS: The property subject to this application for minor variance is not currently the subject of other application(s) under the *Planning Act*.

The legal description of the subject lands is PLAN 705 PART LOT 254 RP;51R7866 PART 21.

What happens at the Public Hearing?

Note: Alternative formats available upon request.



The public hearing is your chance to make your views about the proposal known. Information from the public will help the Committee in their decision-making process, so make sure to have your say!

Written Comments: You are encouraged to provide your comments or questions in writing using email or regular letter mail to the Secretary Treasurer. Written comments received before the meeting will be read by the Secretary Treasurer at the Public Meeting for the benefit of everyone in attendance and will be included in the record of the Public Meeting.

Comments can be emailed to: pmnotices@wasagabeach.com

Verbal Comments: This Public Meeting is a hybrid meeting, allowing the public to attend the meeting in person or virtually. Those that wish to make verbal comments virtually are required to pre-register with the Secretary-Treasurer, no later than 12:00 p.m. (Noon) on the Tuesday before the Public Meeting, by **Tuesday, October 15, 2024.**

To participate in the hearing and/or provide comments, you must register by scanning the below QR code



Register

Notice of Decision:

If you wish to be notified of the decision for this application, you must make a written request by email or regular mail to the Secretary-Treasurer noted below. The written request must be received before or on the meeting date.

Where Can I Find More Information?

Additional information is available during regular office hours in the Planning Division of the Planning & Development Services Department at Town Hall. You may also request a copy of this notice by contacting:

Secretary-Treasurer, Committee of Adjustment
Town of Wasaga Beach
30 Lewis Street
Wasaga Beach, ON

Hours of operation:
Monday-Friday 8:30am-4:30pm

Phone: (705) 429-3847 ext. 2282
Email: pmnotices@wasagabeach.com

Questions? Ask the Planner!

Phone: 705.429.3847 x2250
Email: c.watt@wasagabeach.com

Why Am I Receiving This Notice?

You are receiving this notice because the applicant noted above has submitted a Minor Variance application to the Town of Wasaga Beach. As stipulated by the *Planning Act*, notice must be provided to property owners within 60 metres (200 ft.) of the area to which the application applies.

A note about information you may submit to the Town:

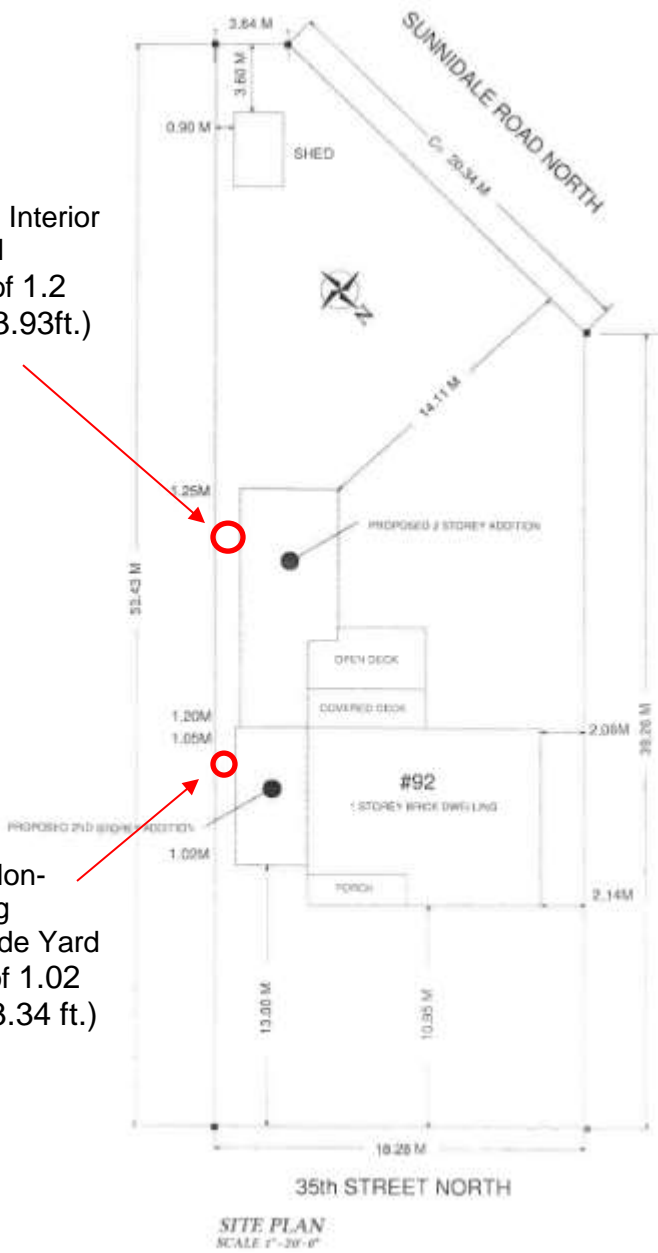
Under the authority of the Municipal Act, 2001 and in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), all information provided for, or at a Public Meeting, Public Consultation, or other Public Process are considered part of the public record, including resident deputations. All public meetings are recorded, and the information may be posted on the Town's website, and/or made available to the public upon request.

Note: Alternative formats available upon request.

Applicant's Site Plan Sketch

Proposed Interior Side Yard Setback of 1.2 Metres (3.93ft.)

Existing Non-Complying Interior Side Yard Setback of 1.02 Metres (3.34 ft.)



STAFF REPORT

TO: Committee of Adjustment

FROM: Cameron Watt, Planner I

SUBJECT: **A03824**, Ron Fler on behalf of Arian Turdiu
 92 35th Street North
 PLAN 705 PART LOT 254 RP;51R7866 PART 21
 Minor Variance – Expansion to a Non-Complying Building, Reduced Interior Side Yard Setback

DATE: November 13, 2024

LANDS SUBJECT TO THE APPLICATION:

The subject lands are municipally addressed as 92 35th Street North, Town of Wasaga Beach, County of Simcoe, and legally described as PLAN 705 PART LOT 254 RP;51R7866 PART 21 .

PURPOSE AND EFFECT:

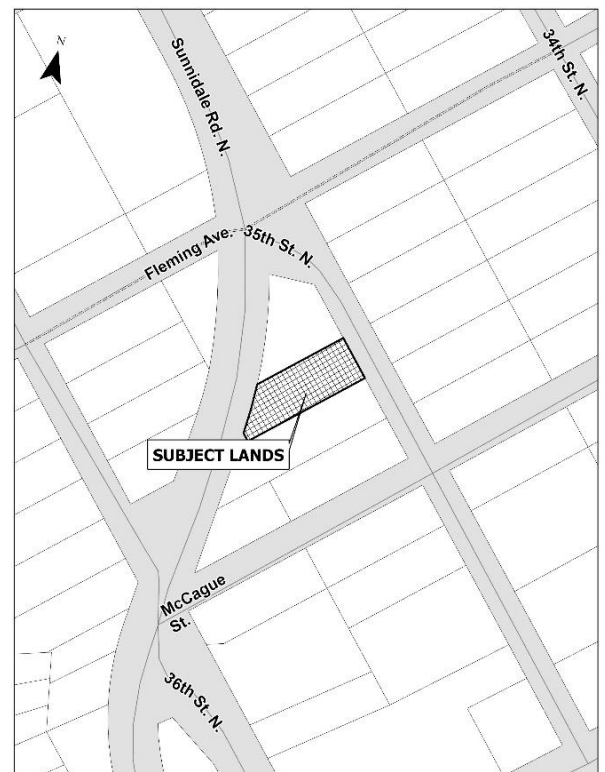
An application for Minor Variance has been submitted by Ron Fler on behalf of Arian Turdiu, owner of the subject lands.

The applicant requests relief from Section 3.23 “Non-Complying Lots, Buildings or Structures”, of Zoning By-law 2003-60 as amended, specifically:

Section 3.23.3 ii) – To recognize the location of the existing single-detached dwelling with an existing non-complying interior side yard setback of 1.02 metres (3.34 feet) along the southern property boundary, whereas 1.8 metres (5.90 feet) is required. Further, the variance would permit the reconstruction of the existing attached garage with a new 2nd storey addition with an interior side yard setback of 1.02 metres (3.34 feet) along the southern portion of the dwelling, and the construction of a 2-storey addition at the rear of the existing dwelling.

Additionally, the applicant requests relief from Section 4 “Residential Type 1 (R1) Zone” of the Zoning By-law, specifically:

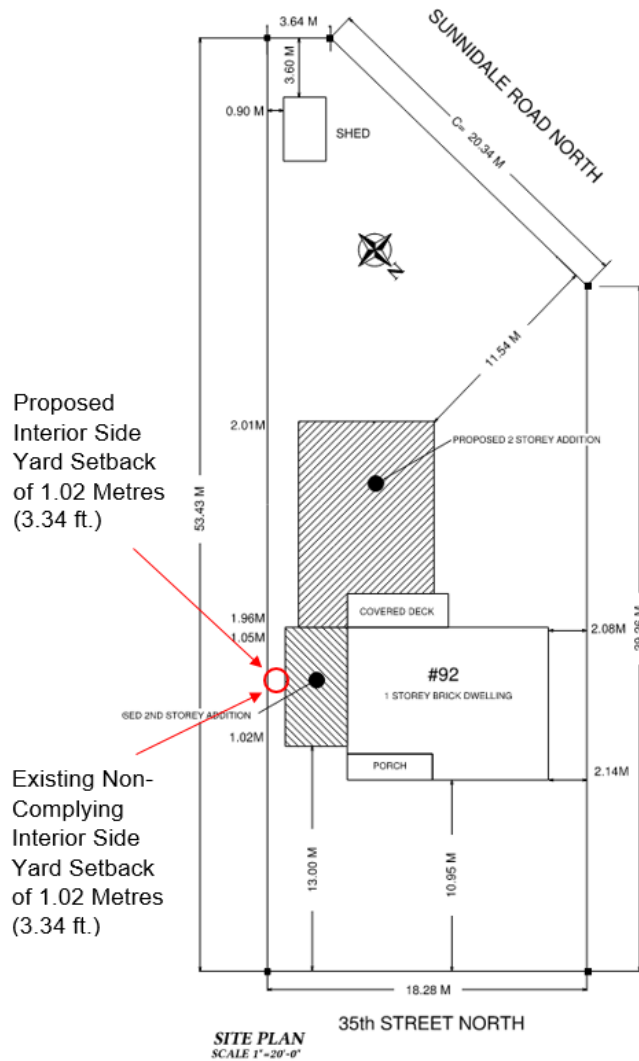
Figure 1: Site Location



Section 4.3.5 Interior Side Yard Width (Min.) – To permit a reduced interior side yard setback of 1.02 metres (3.34 feet) along the southern property boundary to permit the reconstruction of the existing attached garage with a new 2nd storey addition, whereas a minimum interior side yard setback of 1.8 metres (5.90 feet) is required.

The variances requested would recognize the location of the existing 124.72 square metre (1,342.47 square foot) single-detached dwelling with an existing non-complying interior side yard setback along the southern property boundary; further, the variance would facilitate the reconstruction of the existing 24.2 square metre (260.48 square feet) attached garage with a new 2nd floor addition with a reduced interior side yard setback, and the construction of a 2-storey addition at the rear of the existing dwelling.

Figure 1: Proposed Site Plan Submission



RECOMMENDATION:

In consideration of the foregoing, the Town Planning Department supports application **A03824** subject to the following conditions being applied:

1. THAT the development will be substantially consistent with the site plan and drawings provided with the application, contained within “Appendix 1” of this report.

COMMENTS:

Submitted From	Comments
Town of Wasaga Beach Public Works/Engineering Department	The Town’s Public Works/Engineering department does not oppose the application. Please see ‘Appendix 2’ for a copy of the formal comments.
Nottawasaga Valley Conservation Authority (NVCA)	The subject lands are not located within the NVCA regulation area.

SUBJECT SITE:

The subject lands are located on the east side of 35th Street North, north of Mccague Street. The subject lands have a frontage of approximately 18.28 metres (59.97 ft.), a depth of approximately 46.34 metres (152 ft.) and an area of approximately 872.8 square metres (9,394.74 sq. ft.).

The site is currently developed with an existing 124.72 sq. m. (1,342.47 sq. ft.) single-detached dwelling and an 8.9 square metre (95.79 sq. ft.) detached accessory building (shed).

The surrounding neighbourhood is predominantly zoned “Residential Type 1” (R1), along with some commercially-zoned properties along Mosley Street.

The subject lands are zoned “Residential Type 1” (R1) within the Town’s Comprehensive Zoning By-law 2003-60 as amended, and are designated ‘Residential’ within the Town of Wasaga Beach Official Plan.

APPLICATION:

The applicant is requesting relief from Section 3 of the Town’s Zoning By-law, as summarized in the table below:

3.23.3 “Non-Complying Lots, Buildings and Structures”:

Section 3.23.3 Provision/Requirement:	Proposed Development:
<p>Section 3.23.3 - No person shall replace or make an addition to any existing building or structure which does not comply with the required yards of the Zone in which it is located.</p> <p>However, the said building or structure may be replaced, repaired and/or renovated provided that:</p> <p>i) the deterioration or damage was beyond the control of the owner;</p> <p>ii) Such replacement repair or renovation does not increase the height, area or volume of the original building or structure. Foundations are permitted provided that same does not allow for human habitation and that same foundation does not exceed 1.8 metres in total height, and;</p> <p>iii) all other applicable Zone and general provisions are complied with.</p>	<p>-The existing single-detached dwelling does not comply with the minimum required interior side yard setback requirement in the Residential Type One (R1) zone. The existing single-detached dwelling has an existing non-complying interior side yard setback of 1.02 metres (3.34 feet), whereas 1.8 metres (5.90 feet) is required.</p> <p>-The variance would recognize the existing non-complying interior side yard setback of the original building (including the location of the existing attached garage) to permit the reconstruction of the 24.2 square metre (260.48 square foot) attached garage with a new 2nd floor addition, and to permit a 2-storey addition at the rear of the existing dwelling .</p>

The applicant is requesting relief from Section 4 of the Town’s Zoning By-law, as summarized in the table below:

Section 4.3.5 Interior Side Yard Width/Setback (Min.)

Permitted	Proposed	Difference
1.8 metres (5.90 feet)	1.02 metres (3.93 feet)	0.6 metres (1.96 feet)

ANALYSIS:

Planning Act, R.S.O. 1990, c. P.13

The Ontario *Planning Act* requires that in making planning decisions, the Committee must have regard for matters of Provincial Interest, as outlined by Section 2 of the Act, and the *Provincial Planning Statement*, as outlined by Section 3 of the Act. Based on review of the pertinent policies, Staff have no concerns with respect to the provisions of Section 2 and 3 of the Ontario *Planning Act*.

Provincial Planning Statement (2024)

Section 3(5) of the *Planning Act, R.S.O. 1990, c. P.13*, as amended, provides that the Council of a municipality, or a Committee of Adjustment, in exercising any authority that affects a planning matter, shall be consistent with the policy statements and conform with the provincial plans issued by the Province. Upon review of the policies outlined in the Provincial Planning Statement (2024), it is the

opinion of Planning staff that the Minor Variance, if granted, will be consistent with this subsection of the *Planning Act*.

County of Simcoe Official Plan

The subject lands are designated “Settlement” in the Official Plan for the County of Simcoe. The County of Simcoe Official Plan contains policies relating to the orderly development of those areas that are designated as Settlement. The County of Simcoe has provided no comments with respect to this application. However, it is the opinion of Planning Services staff that the Minor Variance, if granted, will conform to the County of Simcoe Official Plan.

Maintains the General Intent of the Official Plan

The subject property is designated ‘Residential’ within the Town of Wasaga Beach Official Plan. The existing single-detached dwelling is a permitted use within the ‘Residential’ designation. The proposal maintains the general intent of the Official Plan.

Maintains the General Intent of the Zoning By-law

The subject lands are zoned “Residential Type 1” (R1) within the Town’s Zoning By-law 2003-60, as amended. The existing single-detached dwelling is a permitted use within this zone category.

The applicant has requested relief from Section 3.23.3 of the Town’s Zoning By-Law, to permit an expansion to the existing 124.72 square metre (1,342.47 square foot) non-complying single-detached dwelling. The existing single-detached dwelling has a non-complying interior side yard setback of 1.02 metres (3.34 feet) along the southern property boundary, whereas 1.8 metres (5.90 feet) is required. The variance would permit the reconstruction of the existing 24.2 square metre (260.48 square feet) attached garage with a new 2nd floor addition, as well as permit the construction of a new 2-storey addition at the rear of the existing dwelling.

The intent of Section 3.23.3 of the Town’s Zoning By-Law is to limit additions and expansions to non-complying buildings, to ensure that the existing non-complying situation is not worsened, and to ensure that the proposed addition/extension will comply with all other provisions of the Zoning By-law.

The proposed expansion of the single-detached dwelling will not worsen the existing non-complying situation. The existing deficient 1.02 metre (3.34 feet) interior side yard setback (south side) will remain unchanged as a result of the proposed reconstruction of the attached garage with the new 2nd floor addition. Additionally, the proposed rear yard addition to the dwelling will comply with applicable setback requirements.

The applicant has requested further relief from Section 4.3.5 of the Zoning By-Law to permit a reduced interior side yard setback of 1.02 metres (3.34 feet) along the southern property boundary to permit the reconstruction of the existing 24.2 square metre (260.48 square feet) attached garage with a new 2nd floor addition, whereas a minimum interior side yard setback of 1.8 metres (5.90 feet) is required.

The intent of the minimum required interior side yard setback requirement is to ensure adequate separation between properties, and to allow enough space for drainage, maintenance, and access purposes.

The Town's Public Works/Engineering department does not oppose the applicant's request to decrease the minimum required interior side yard setback requirement from 1.8 metres (5.9 ft.) to 1.02 metres (3.34 feet) along the southern property boundary, to permit the reconstruction of the attached garage with a new 2nd floor addition. Additionally, the reduced interior side yard setback demonstrates the ability to accommodate adequate space for property maintenance and access to the rear yard, and maintains a sufficient separation distance from the neighboring property.

Pending the approval of the requested relief, the reconstructed attached garage will comply with all other provisions of the Town's Zoning By-law.

Planning staff submit that the requested relief generally meets the intent of the Town's Zoning By-law.

Desirable for the Appropriate Development of the Land

Planning staff recommend that the variance(s) requested to permit an expansion to a non-complying building and to permit a reduced interior side yard setback are not anticipated to impact the proper use of the land, the neighbourhood, nor the municipality. Planning staff suggest that the variances are considered desirable and appropriate for the development of the land.

Considered Minor in Nature

Planning staff recommend that the variances applied for are considered minor in nature, and would result in minimal impact relative to a form of development that would comply with existing provisions of the Zoning By-law.

CONCLUSION:

In consideration of the above, the Planning Department supports application **A03824** for the lands municipally addressed as 92 35th Street North. Should the Committee choose to approve application **A03824**, Planning staff recommend this approval also be subject to the above noted conditions.

Respectfully Submitted,



Cameron Watt
Planner I

Appendix 1: Applicant's Site Plan Submission and Drawings

Appendix 2: Town of Wasaga Beach Public Works/Engineering Department Comments

Site Photo 1 – Existing Attached Garage

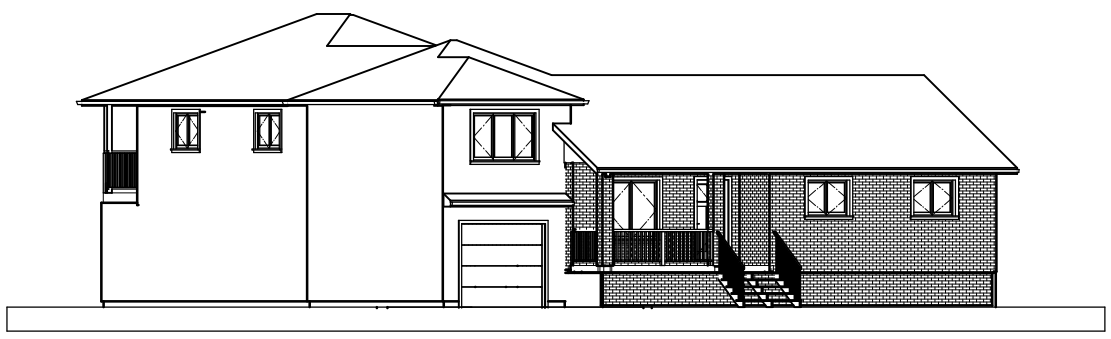
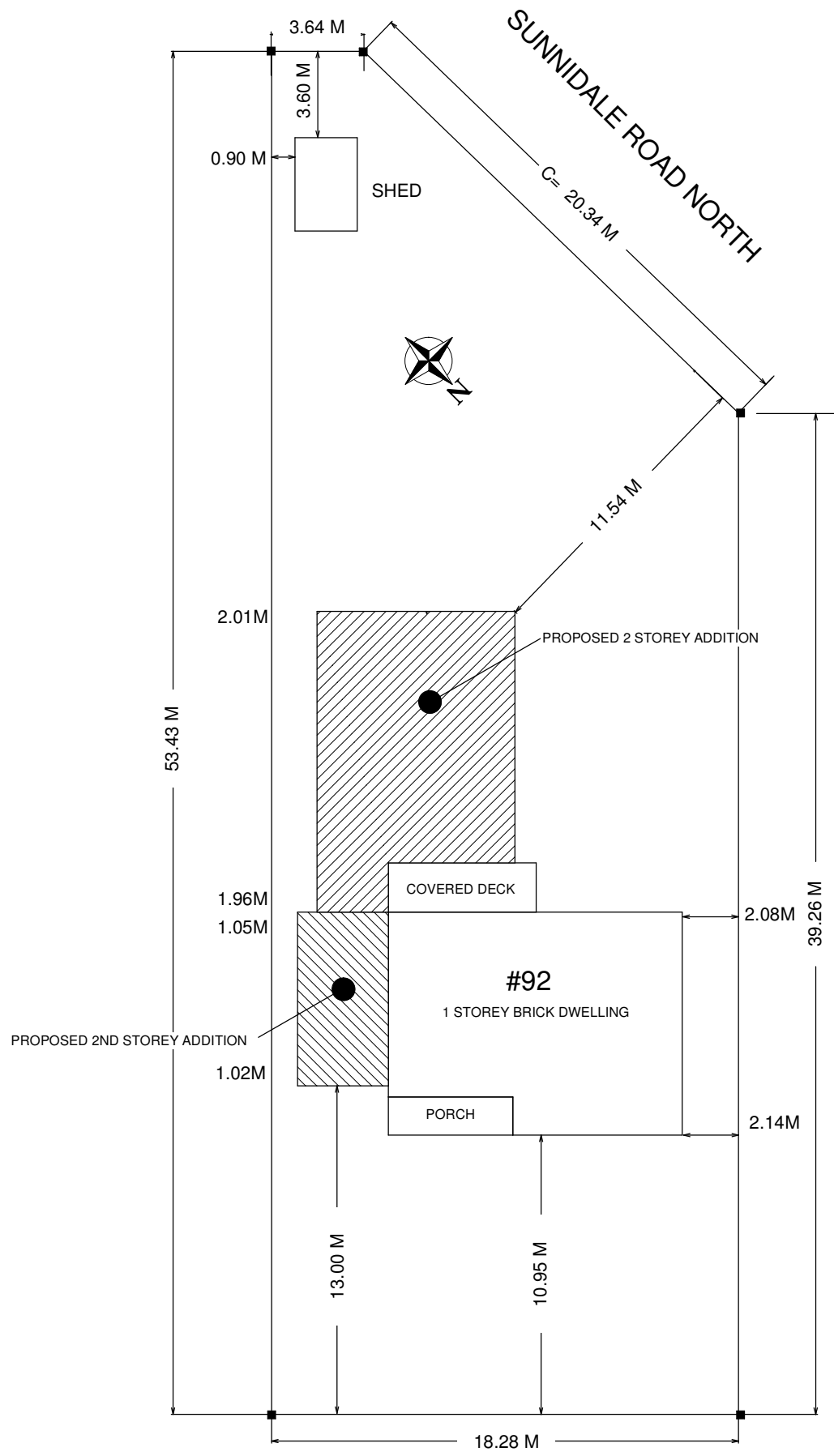


Site Photo 2 – Existing Non-Complying Interior Side Yard Setback (South Side)

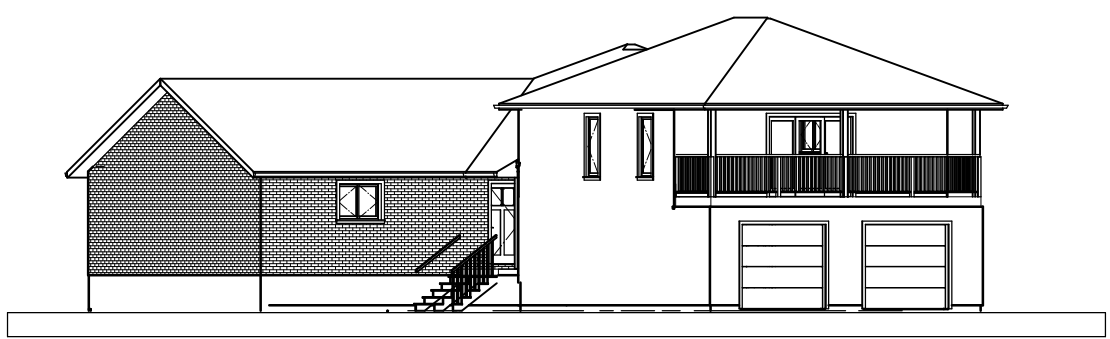


Site Photo 3 – Proposed Building Envelope





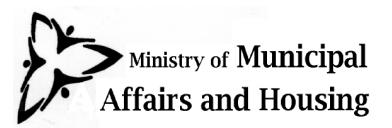
STREET VIEW



REAR VIEW

AREAS OF WORK

LOT AREA	872.8 SQ.M
EXISTING DWELLING	100.52
EXISTING GARAGE	24.2
EXISTING COVERED DECK	11.7
EXISTING SHED	8.9
PROPOSED 2nd STOREY ADDITION	24.2
PROPOSED 2 STOREY ADDITION	83
LOT COVERAGE	228.32 26.2%



QUALIFICATION INFORMATION:

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

SIGNATURE

RONALD FLEER BCIN #36378
RF DESIGN BCIN #36992

NO.	DATE:	ISSUE/REVISION
2	2024 10 17	COA APPLICATION
1	2024 08 22	COA APPLICATION



ARCHITECTURAL DESIGN & DRAFTING

rfdesign@rogers.com
Ronald Fleer Wasaga Beach
705 429 1274 Ontario

PROJECT:

TRUDIU ADDITION

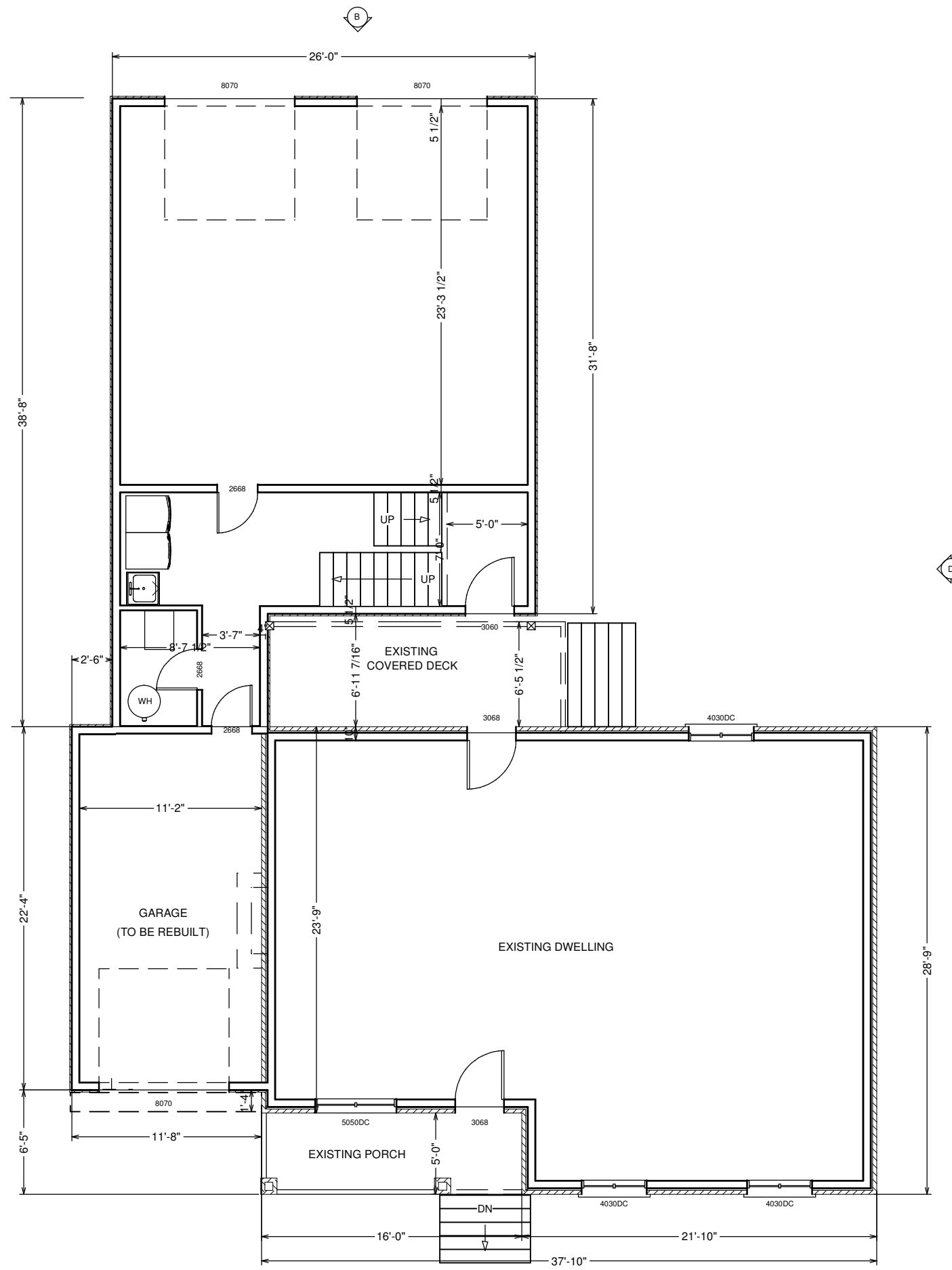
LOCATION:

#92 35th STREET NORTH
WASAGA BEACH, ONTARIO

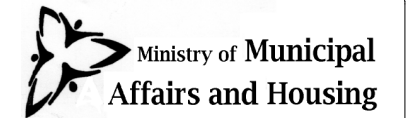
SHEET TITLE:

SITE PLAN

DATE: 2024 08 23	SHEET NO: 1
SCALE: AS SHOWN	
JOB NO: 24-024	



MAIN FLOOR PLAN
SCALE 1/8" = 1'-0"



QUALIFICATION INFORMATION:

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

SIGNATURE

RONALD FLEER BCIN #36378
RF DESIGN BCIN #36992

NO.	DATE:	ISSUE/REVISION
2	2024 10 17	COA APPLICATION
1	2024 08 22	COA APPLICATION



**ARCHITECTURAL
DESIGN & DRAFTING**
rfdesign@rogers.com
Ronald Fleer Wasaga Beach
705 429 1274 Ontario

PROJECT:

TRUDIU ADDITION

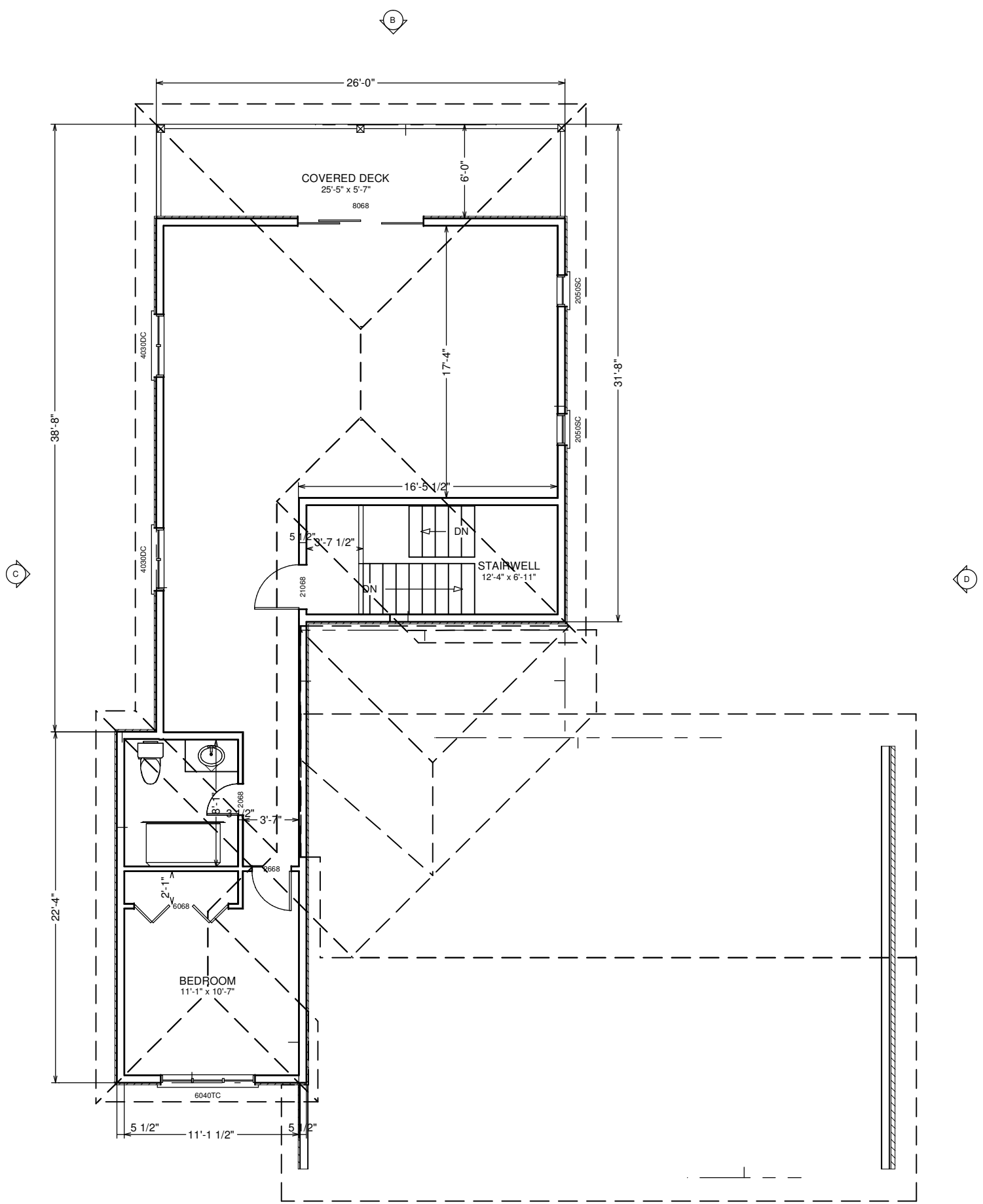
LOCATION:

#92 35th STREET NORTH
WASAGA BEACH, ONTARIO

SHEET TITLE:

MAIN FLOOR PLAN

DATE: 2024 08 23	SHEET NO: 2
SCALE: AS SHOWN	
JOB NO: 24-024	



SECOND FLOOR PLAN
 SCALE 1/8" = 1'-0"



QUALIFICATION INFORMATION:

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

SIGNATURE
 RONALD FLEER BCIN #36378
 RF DESIGN BCIN #36992

NO.	DATE:	ISSUE/REVISION
2	2024 10 17	COA APPLICATION
1	2024 08 22	COA APPLICATION

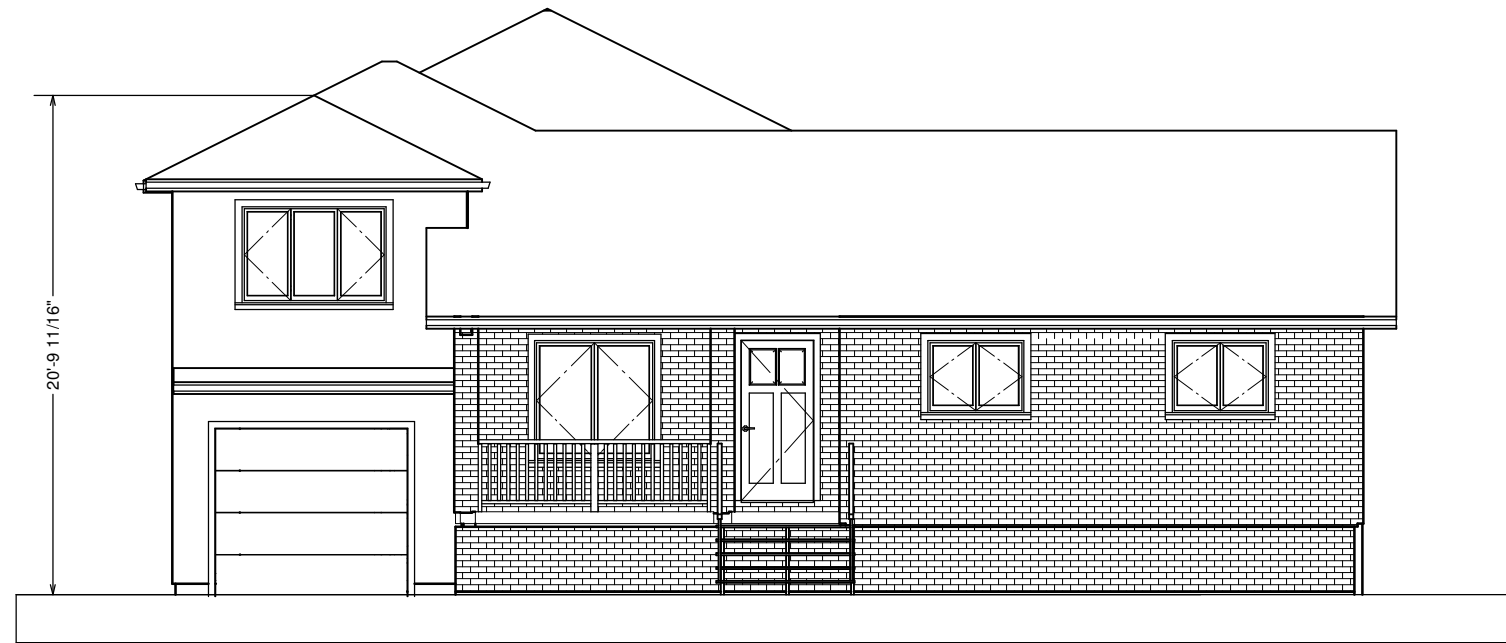
RF
ARCHITECTURAL DESIGN & DRAFTING
 rfdesign@rogers.com
 Ronald Fler Wasaga Beach
 705 429 1274 Ontario

PROJECT:
 TRUDIU ADDITION

LOCATION:
 #92 35th STREET NORTH
 WASAGA BEACH, ONTARIO

SHEET TITLE:
 SECOND FLOOR PLAN

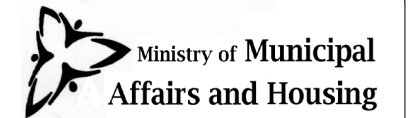
DATE: 2024 08 23	SHEET NO: 3
SCALE: AS SHOWN	
JOB NO: 24-024	



ELEVATION A
SCALE 1/8"=1'-0"



ELEVATION B
SCALE 1/8"=1'-0"



QUALIFICATION INFORMATION:

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

SIGNATURE

RONALD FLEER BCIN #36378
RF DESIGN BCIN #36992

NO.	DATE:	ISSUE/REVISION
2	2024 10 17	COA APPLICATION
1	2024 08 22	COA APPLICATION



**ARCHITECTURAL
DESIGN & DRAFTING**

rfdesign@rogers.com
Ronald Fler Wasaga Beach
705 429 1274 Ontario

PROJECT:

TRUDIU ADDITION

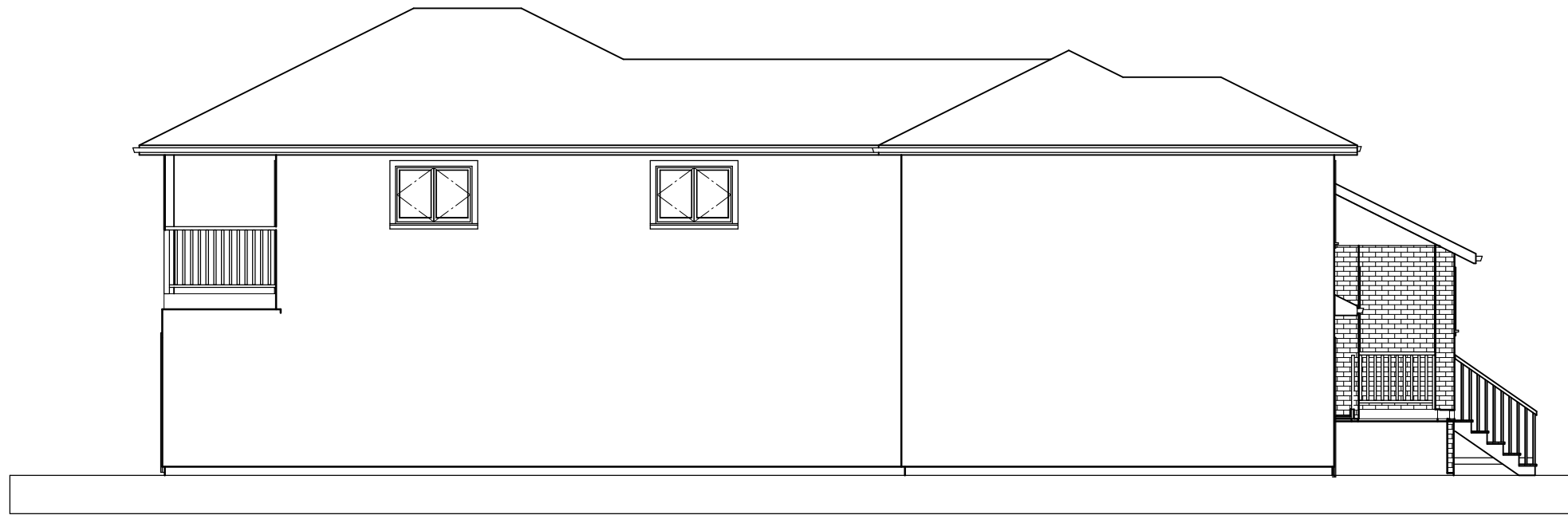
LOCATION:

#92 35th STREET NORTH
WASAGA BEACH, ONTARIO

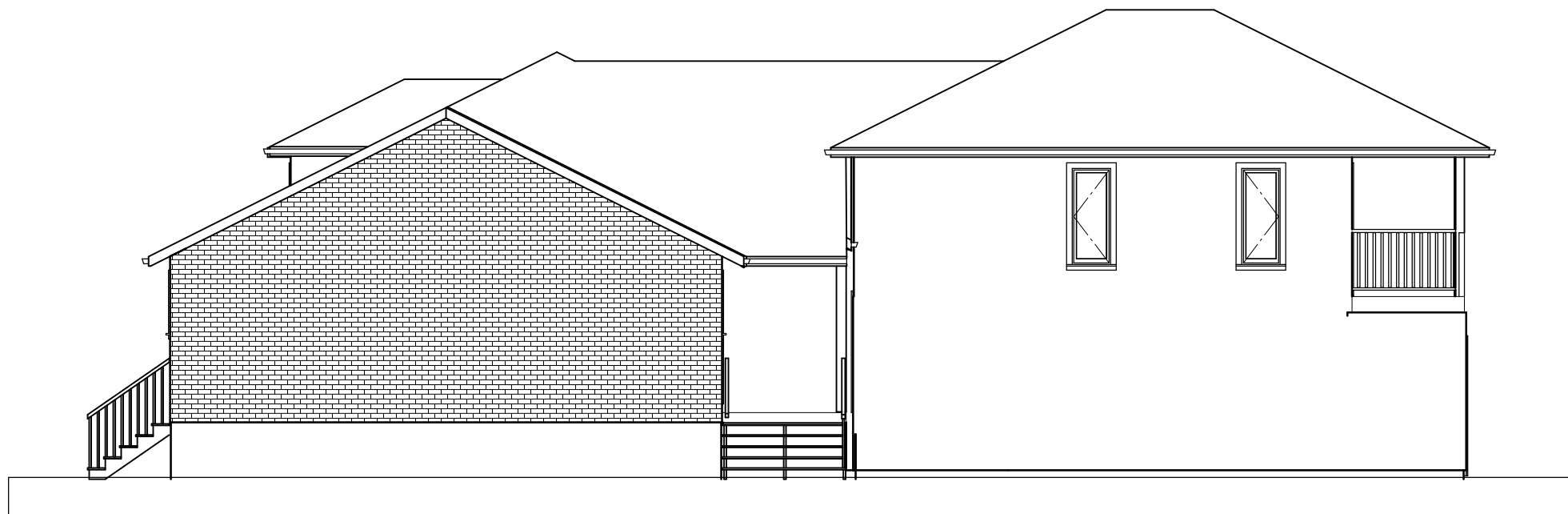
SHEET TITLE:

ELEVATIONS

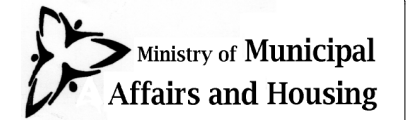
DATE: 2024 08 23	SHEET NO: 4
SCALE: AS SHOWN	
JOB NO: 24-024	



ELEVATION A
SCALE 1/8"=1'-0"



ELEVATION B
SCALE 1/8"=1'-0"



QUALIFICATION INFORMATION:

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

SIGNATURE

RONALD FLEER BCIN #36378
RF DESIGN BCIN #36992

NO.	DATE:	ISSUE/REVISION
2	2024 10 17	COA APPLICATION
1	2024 08 22	COA APPLICATION



**ARCHITECTURAL
DESIGN & DRAFTING**

rfdesign@rogers.com
Ronald Fleer Wasaga Beach
705 429 1274 Ontario

PROJECT:

TRUDIU ADDITION

LOCATION:

#92 35th STREET NORTH
WASAGA BEACH, ONTARIO

SHEET TITLE:

ELEVATIONS

DATE: 2024 08 23	SHEET NO: 5
SCALE: AS SHOWN	
JOB NO: 24-024	

MEMORANDUM



TO: Cristy Wilson, Planning Application Navigator

CC: Mike Pincivero, Manager of Engineering Services
Andrea Taylor, Planning Administrator

FROM: Amy Mejia, Engineering Technologist

SUBJECT: Committee of Adjustment – A03824
92 35th Street North, PLAN 705 PART LOT 254 RP;51R7866 PART 21

DATE: October 7, 2024

As requested, Public Works has reviewed the above noted variance application.

SUMMARY OF REQUEST:

The applicant requests relief from Section 3.23 “Non-Complying Lots, Buildings or Structures”, of Zoning By-law 2003-60 as amended, specifically:

Section 3.23.3 ii) – To recognize the location of the existing single-detached dwelling with an existing non-complying interior side yard setback of 1.02 metres (3.34 feet) along the southern property boundary, whereas 1.8 metres (5.90 feet) is required. Further, the variance would permit the construction of a 2-storey addition (inclusive of the reconstruction of the existing attached garage with a new 2nd storey) along the southern portion of the dwelling, with an interior side yard setback of 1.02 metres (3.34 feet) and 1.2 metres (3.93 feet).

Additionally, the applicant requests relief from Section 4 “Residential Type 1 (R1) Zone” of the Zoning By-law, specifically:

Section 4.3.5 – To permit a reduced interior side yard setback of 1.02 metres (3.34 feet) and 1.2 metres (3.93 feet) along the southern property boundary to permit the construction of a new two-storey 51 square metre (548.9 square feet) addition to the existing single-detached dwelling and the reconstruction of the existing 24.2 square metre (260.48 square feet) attached garage with a new 2nd floor addition, whereas a minimum interior side yard setback of 1.8 metres (5.90 feet) is required.

The variances requested would recognize the location of the existing 124.72 square metre (1,342.47 square foot) single-detached dwelling with an existing non-complying interior side yard setback along the southern property boundary; further, the variances would facilitate the construction of a new 2-storey 51 square metre (548.9 square feet) addition to the southern portion of the existing dwelling and the reconstruction of the existing 24.2 square metre (260.48 square feet) attached garage with a new 2nd floor addition, with a reduced interior side yard setback.

PUBLIC WORKS / ENGINEERING COMMENTS

- 1) The subject lot must manage all storm water within the property and not impact adjacent lands.
- 2) A Lot Grading and Drainage plan is recommended and may be required at the discretion of the Chief Building Official (CBO), in accordance with the Town's Infill Lot Grading and Drainage Policy.
- 3) A Road Occupation Permit (ROP) will be required for any works within the Town's Right-of-Way (ROW).
- 4) Public Works / Engineering staff are not opposed to the requested variances.

PUBLIC WORKS / ENGINEERING CONDITIONS

- Public Works / Engineering do not have any conditions.

Regards,

A. Mejia
Amy Mejia,
Engineering Technologist

A04024

Alcides Santos

Date of this Notice: November 1, 2024

Tax Roll #: 436401000159700



Notice of Public Meeting Committee of Adjustment

Application for a Minor Variance has been submitted by Ron Fler on behalf of Alcides Santos, owner of the subject land.

Property Location: 72 31st Street North

Public Meeting Date: Wednesday November 20, 2024
at 2:00 p.m.

Virtual Hearing via Zoom & In-person at Town Hall
(30 Lewis St.) in the Council Chambers

What is being proposed?

The applicant requests relief from Section 3.23 “Non-Complying Lots, Buildings or Structures”, of Zoning By-law 2003-60 as amended, specifically:

Section 3.23.3 ii) – to recognize the location of the existing 18.39 square metre (197.95 sq. ft.) shed along the south-west property boundary abutting Fleming Avenue, with an exterior side yard setback of 0.9 metres (2.95 ft.) whereas an exterior side yard setback of 4.5 metres (14.76 feet) is required, and to permit an expansion of 8.5 square metres (91.49 sq. ft.) on the north-western portion of the existing shed.

The variance requested would recognize the location of the existing shed with a reduced exterior side yard setback along Fleming Avenue, and would facilitate the construction of a proposed 8.5 square metre (91.49 square foot) addition to the north-west side of the shed.

OTHER APPLICATIONS: The property subject to this application for Minor Variance is not currently the subject of other application(s) under the *Planning Act*.

The legal description of the subject lands is PLAN 705 E PT LOT 77.

What happens at the Public Hearing?

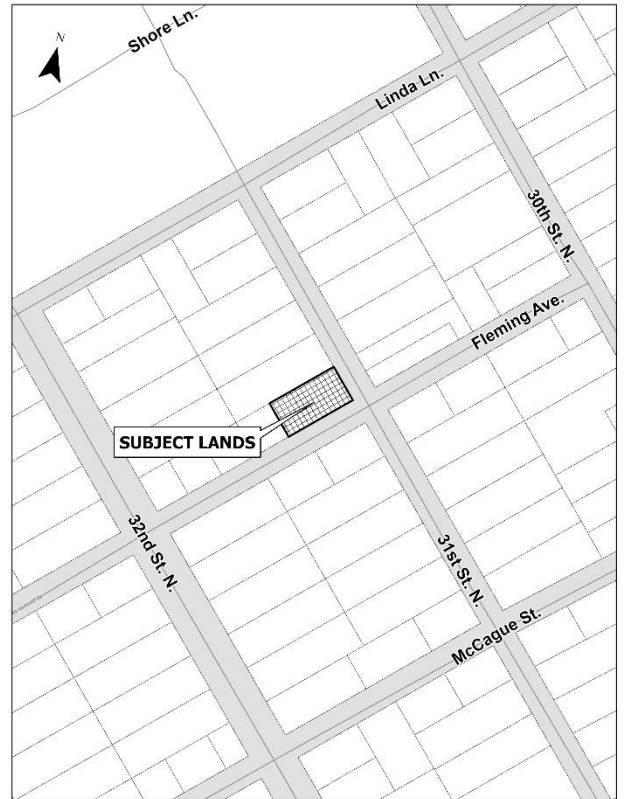
The public hearing is your chance to make your views about the proposal known. Information from the public will help the Committee in their decision-making process, so make sure to have your say!

Written Comments: You are encouraged to provide your comments or questions in writing using email or regular letter mail to the Secretary Treasurer. Written comments received before the meeting will be read by the Secretary Treasurer at the Public Meeting for the benefit of everyone in attendance and will be included in the record of the Public Meeting.

Comments can be emailed to: pmnotices@wasagabeach.com

Verbal Comments: This Public Meeting is a hybrid meeting, allowing the public to attend the meeting in person or virtually. Those that wish to make verbal comments virtually are required to pre-register with the Secretary-Treasurer, no later than 12:00 p.m. (Noon) on the Tuesday before the Public Meeting, by **November 19, 2024**.

Note: Alternative formats available upon request.



To participate in the hearing and/or provide comments, you must register by scanning the below QR code



Register

Notice of Decision:

If you wish to be notified of the decision for this application, you must make a written request by email or regular mail to the Secretary-Treasurer noted below. The written request must be received before or on the meeting date.

Where Can I Find More Information?

Additional information is available during regular office hours in the Planning Division of the Planning & Development Services Department at Town Hall. You may also request a copy of this notice by contacting:

Secretary-Treasurer, Committee of Adjustment
Town of Wasaga Beach
30 Lewis Street
Wasaga Beach, ON

Hours of operation:
Monday-Friday 8:30am-4:30pm

Phone: (705) 429-3847 ext. 2282
Email: pmnotices@wasagabeach.com

Questions? Ask the Planner!

Phone: (705) 429-3844 x 2270
Email: samantha.hannah@wasagabeach.com

Why Am I Receiving This Notice?

You are receiving this notice because the applicant noted above has submitted a Minor Variance application to the Town of Wasaga Beach. As stipulated by the *Planning Act*, notice must be provided to property owners within 60 metres (200 ft.) of the area to which the application applies.

A note about information you may submit to the Town:

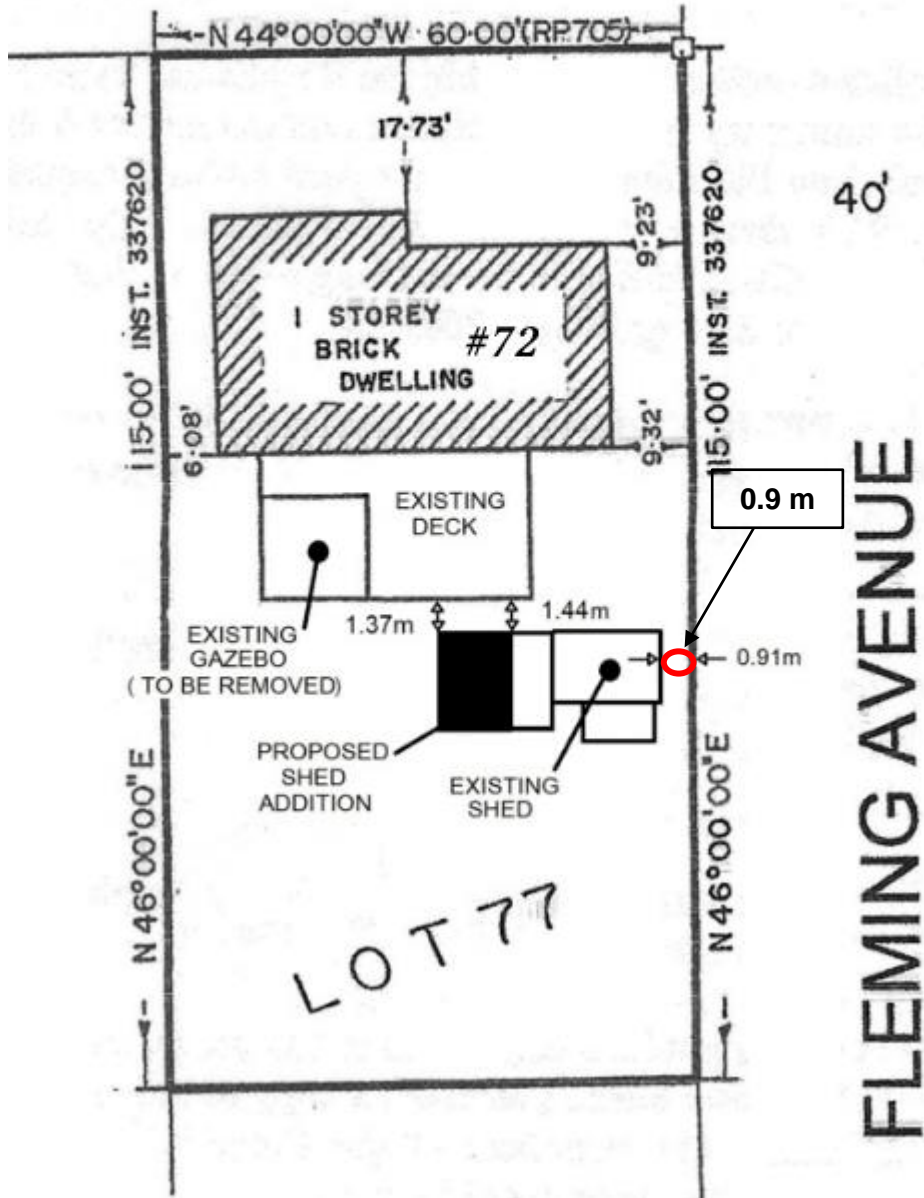
Under the authority of the Municipal Act, 2001 and in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), all information provided for, or at a Public Meeting, Public Consultation, or other Public Process are considered part of the public record, including resident deputations. All public meetings are recorded, and the information may be posted on the Town's website, and/or made available to the public upon request.

Note: Alternative formats available upon request.

Applicant's Site Plan Sketch

31st STREET NORTH

40'



Note: Alternative formats available upon request.



Incidental Minor Variance Report
The Corporation of the Town of Wasaga Beach

Date of Meeting: November 20, 2024

DATE: November 13, 2024
TO: Committee of Adjustment
FROM: Samantha Hannah, Planner I

APPLICATION INFORMATION:	
Minor Variance Application No.:	A04024
Owners/Applicants:	Alcides Santos
Legal Description:	PLAN 705 E PT LOT 77
Municipal Address:	72 31 st Street North

PROPOSAL:
<p>The applicant requests relief from Section 3.23 “Non-Complying Lots, Buildings or Structures”, of Zoning By-law 2003-60 as amended, specifically:</p> <ul style="list-style-type: none"> Section 3.23.3 ii) – to recognize the location of the existing 18.39 square metre (197.95 sq. ft.) shed along the south-west property boundary abutting Fleming Avenue, with an exterior side yard setback of 0.9 metres (2.95 ft.) whereas an exterior side yard setback of 4.5 metres (14.76 feet) is required, and to permit an expansion of 8.5 square metres (91.49 sq. ft.) on the north-western portion of the existing shed. <p>The variance requested would recognize the location of the existing shed with a reduced exterior side yard setback along Fleming Avenue, and would facilitate the construction of a proposed 8.5 square metre (91.49 square foot) addition to the north-west side of the shed.</p>

MATTERS OF PROVINCIAL INTEREST:
<p>Has had proper regard <input checked="" type="checkbox"/></p> <p>Has not had proper regard <input type="checkbox"/></p>

PROVINCIAL PLANNING STATEMENT:	
Is consistent with Provincial Planning Statement	<input checked="" type="checkbox"/>
Is not consistent with Provincial Planning Statement	<input type="checkbox"/>

COUNTY OF SIMCOE OFFICIAL PLAN DESIGNATION: Settlement		
CONFORMITY:	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>

TOWN OF WASAGA BEACH OFFICIAL PLAN DESIGNATION: Residential		
CONFORMITY:	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>

ZONING BY-LAW CLASSIFICATION(S): Residential Type 1 (R1) Zone		
CONFORMITY:	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>

PLANNING ACT SECTION 45 - FOUR (4) TESTS:		
1. Meets general intent and purpose of the Official Plan?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
2. Meets general intent and purpose of the Zoning By-law?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Is appropriate and desirable?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Is minor in nature?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

INTERNAL DEPARTMENT COMMENTS:	
Town of Wasaga Beach Planning Department	The proposed shed addition will not worsen the existing deficient exterior side yard setback of 0.9 metres (2.95 feet). Through measurements obtained utilizing County of Simcoe aerial imagery, it appears that there is a buffer of approximately 4.5 metres (14.76 feet) that separates the subject lands from the Fleming Avenue roadway. Additionally, based on County of Simcoe aerial imagery it appears that there are a number of buildings with reduced setbacks along Fleming Avenue; in this regard, it is not anticipated that the shed addition will have a negative impact on the surrounding streetscape.

	<p>Upon attending the site for an inspection, the Building Department identified an extension being constructed on an existing shed, as well as an enclosed structure with plumbing on the deck that would also require a building permit. The Building Department issued an Order to Comply on September 17th for the owner to obtain a permit for construction or return structures to their original state to no less than 15 square metres and remove plumbing.</p> <p>As a result of the above, the applicants have applied for a minor variance application to address the extension to the existing shed. Further, within the application form submitted the applicant has identified that the structure located on the deck being a gazebo is to be removed.</p>
Town of Wasaga Beach Public Works Department	<p>1) The subject lot must manage all storm water within the property and not impact adjacent lands.</p> <p>2) A Lot Grading and Drainage plan may be required at the discretion of the Chief Building Official (CBO), in accordance with the Town's Infill Lot Grading and Drainage Policy.</p> <p>3) A Road Occupation Permit (ROP) will be required for any works within the Town's Right-of-Way (ROW).</p> <p>4) Public Works / Engineering staff are not opposed to the requested variances.</p>

EXTERNAL AGENCY COMMENTS:	
Nottawasaga Valley Conservation Authority (NVCA)	NVCA staff has reviewed the minor variance application A04024 (72 31st Street N) and based upon our mandate and policies under the Conservation Authorities Act, we have no objection to the approval of this application.

RECOMMENDATION:	
DEFER	<input type="checkbox"/>
APPROVE	<input type="checkbox"/>
APPROVE WITH CONDITIONS	<input checked="" type="checkbox"/>

DENY

CONDITIONS:

1. THAT the development will be substantially consistent with the site plan and drawings provided with the application, contained within "Appendix 1" of this report.

Authored by:

*Samantha
Hannah.*

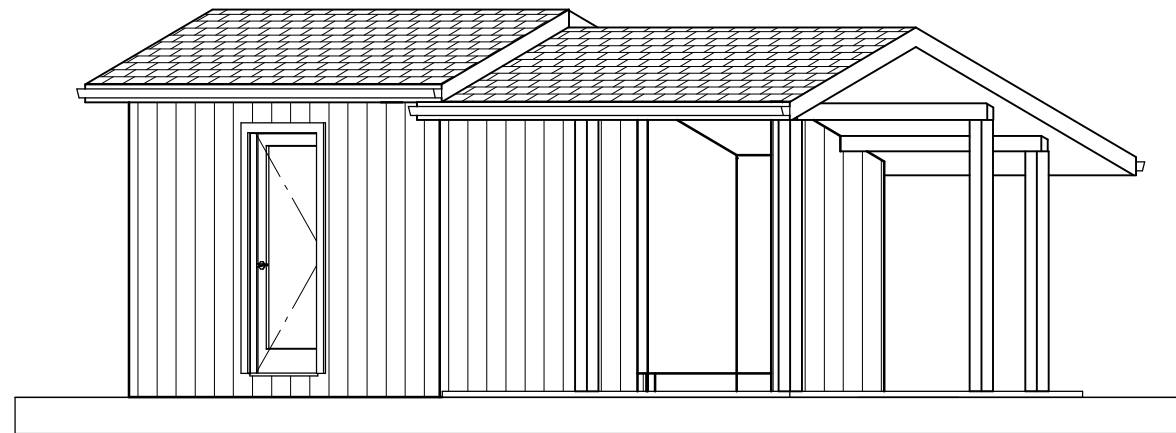
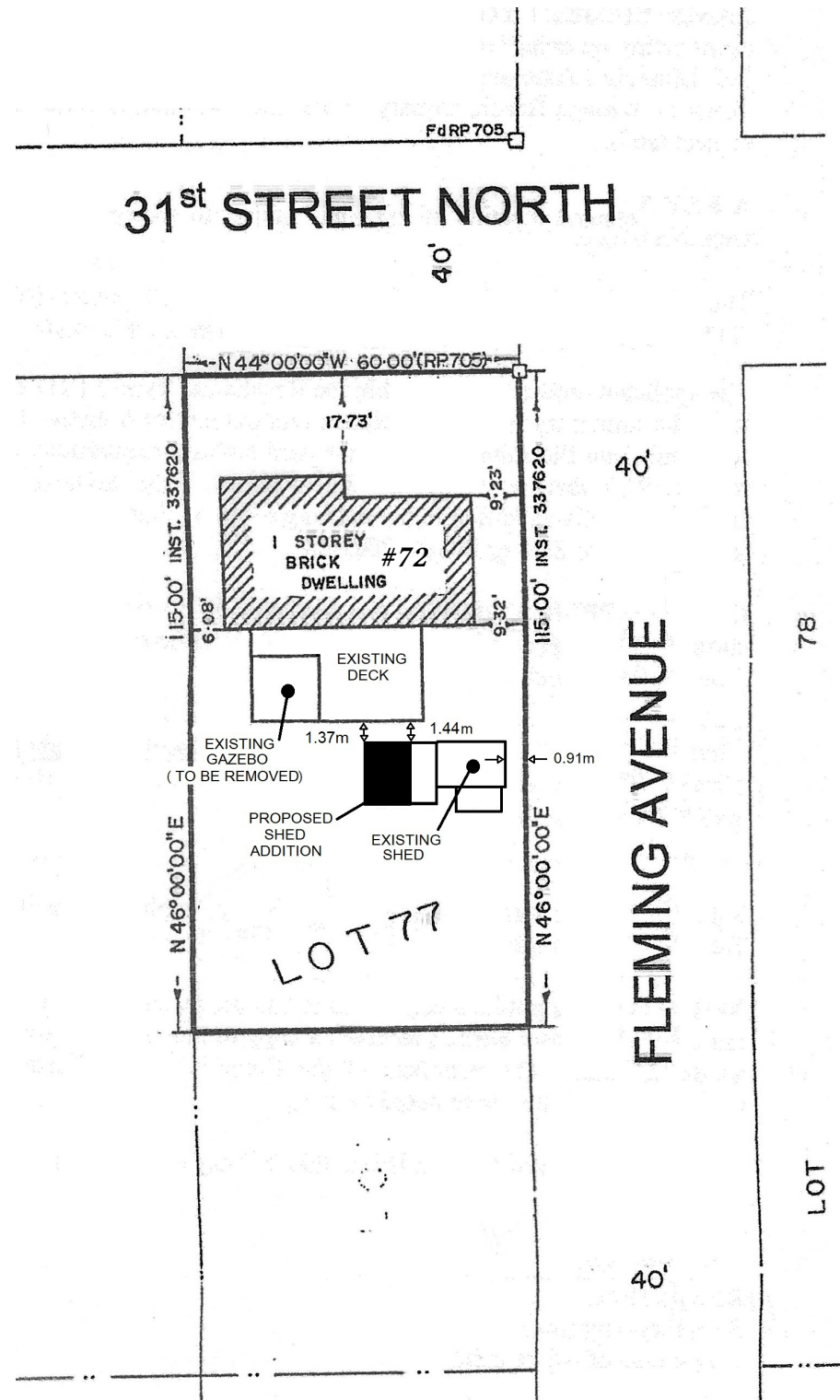
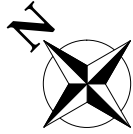
Samantha Hannah, Planner I

November 13, 2024

Date

Appendix 1: Site Plan and Elevation Drawings

Appendix 2: Public Works Comments



SANTOS SHED ADDITION

LOT STATISTICS

LOT AREA	641.1 SQ.M
EXISTING DWELLING	101.4
EXISTING DECK	46.9
EXISTING SHED	18.4
SHED ADDITION	8.5
LOT COVERAGE	175.2 27.3%

SITE PLAN
NOT TO SCALE

TAKEN FROM REGISTERED PLAN 705 LOT 77
TOWN OF WASAGA BEACH



QUALIFICATION INFORMATION:

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

SIGNATURE

RONALD FLEER BCIN #36378
RF DESIGN BCIN #36992

NO.	DATE:	ISSUE/REVISION
2	2024 10 23	SITE PLAN REVISION
1	2024 09 30	MINOR VARIANCE APP.



**ARCHITECTURAL
DESIGN & DRAFTING**

rfdesign@rogers.com
Ronald Fleer Wasaga Beach
705 429 1274 Ontario

PROJECT:

SANTOS
SHED ADDITION

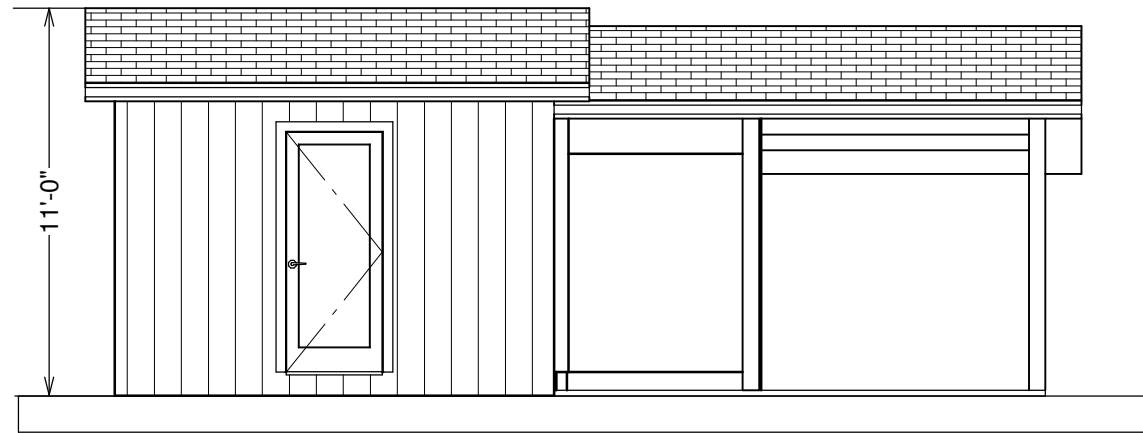
LOCATION:

#72 31st STREET NORTH
WASAGA BEACH, ONTARIO

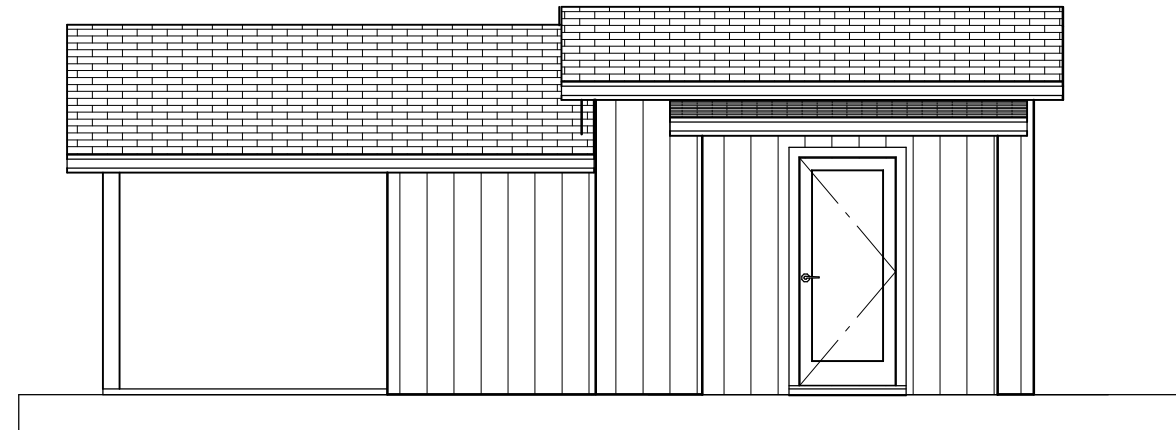
SHEET TITLE:

SITE PLAN

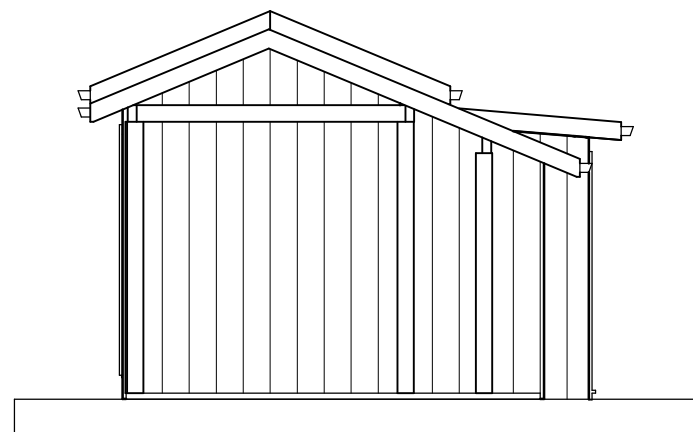
DATE: 2024 09 30	SHEET NO: 1
SCALE: AS SHOWN	
JOB NO: 24-028	



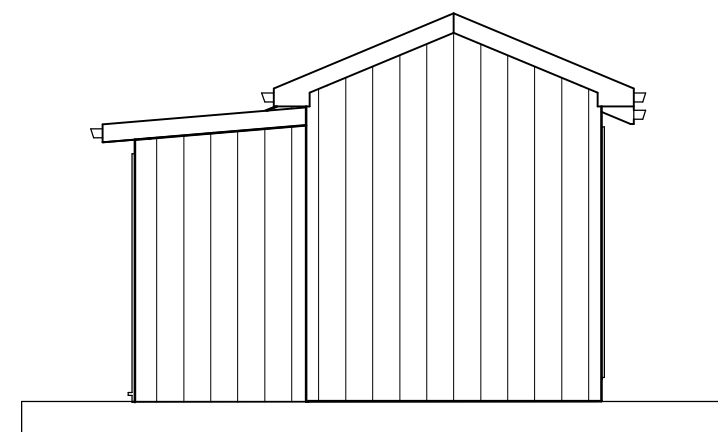
ELEVATION A
SCALE 3/16"=1'-0"



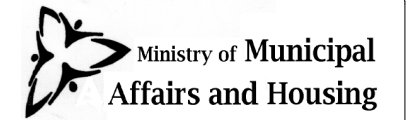
ELEVATION B
SCALE 3/16"=1'-0"



ELEVATION C
SCALE 3/16"=1'-0"



ELEVATION D
SCALE 3/16"=1'-0"



QUALIFICATION INFORMATION:

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SIGNATURE

RONALD FLEER BCIN #36378
RF DESIGN BCIN #36992

NO.	DATE:	ISSUE/REVISION
2	2024 10 23	SITE PLAN REVISION
1	2024 09 30	MINOR VARIANCE APP.



**ARCHITECTURAL
DESIGN & DRAFTING**

rfdesign@rogers.com
Ronald Fleer Wasaga Beach
705 429 1274 Ontario

PROJECT:

SANTOS
SHED ADDITION

LOCATION:

#72 31st STREET NORTH
WASAGA BEACH, ONTARIO

SHEET TITLE:

ELEVATIONS

DATE: 2024 09 30

SHEET NO:

SCALE: AS SHOWN

3

JOB NO: 24-028

MEMORANDUM



TO: Cristy Wilson, Planning Application Navigator

CC: Mike Pincivero, Manager of Engineering Services
Andrea Taylor, Planning Administrator

FROM: Amy Mejia, Engineering Technologist

SUBJECT: Committee of Adjustment – A04024
72 31st Street North, PLAN 705 E PT LOT 77

DATE: November 7th, 2024

As requested, Public Works has reviewed the above noted variance application.

SUMMARY OF REQUEST:

The applicant requests relief from Section 3.23 “Non-Complying Lots, Buildings or Structures”, of Zoning By-law 2003-60 as amended, specifically:

- Section 3.23.3 ii) – to recognize the location of the existing 18.39 square metre (197.95 sq. ft.) shed along the south-west property boundary abutting Fleming Avenue, with an exterior side yard setback of 0.9 metres (2.95 ft.) whereas an exterior side yard setback of 4.5 metres (14.76 feet) is required, and to permit an expansion of 8.5 square metres (91.49 sq. ft.) on the north-western portion of the existing shed.

The variance requested would recognize the location of the existing shed with a reduced exterior side yard setback along Fleming Avenue, and would facilitate the construction of a proposed 8.5 square metre (91.49 square foot) addition to the north-west side of the shed.

PUBLIC WORKS / ENGINEERING COMMENTS

- 1) The subject lot must manage all storm water within the property and not impact adjacent lands.
- 2) A Lot Grading and Drainage plan may be required at the discretion of the Chief Building Official (CBO), in accordance with the Town’s Infill Lot Grading and Drainage Policy.
- 3) A Road Occupation Permit (ROP) will be required for any works within the Town’s Right-of-Way (ROW).
- 4) Public Works / Engineering staff are not opposed to the requested variances.

PUBLIC WORKS / ENGINEERING CONDITIONS

- Public Works / Engineering do not have any conditions.

Regards,

A. Mejia

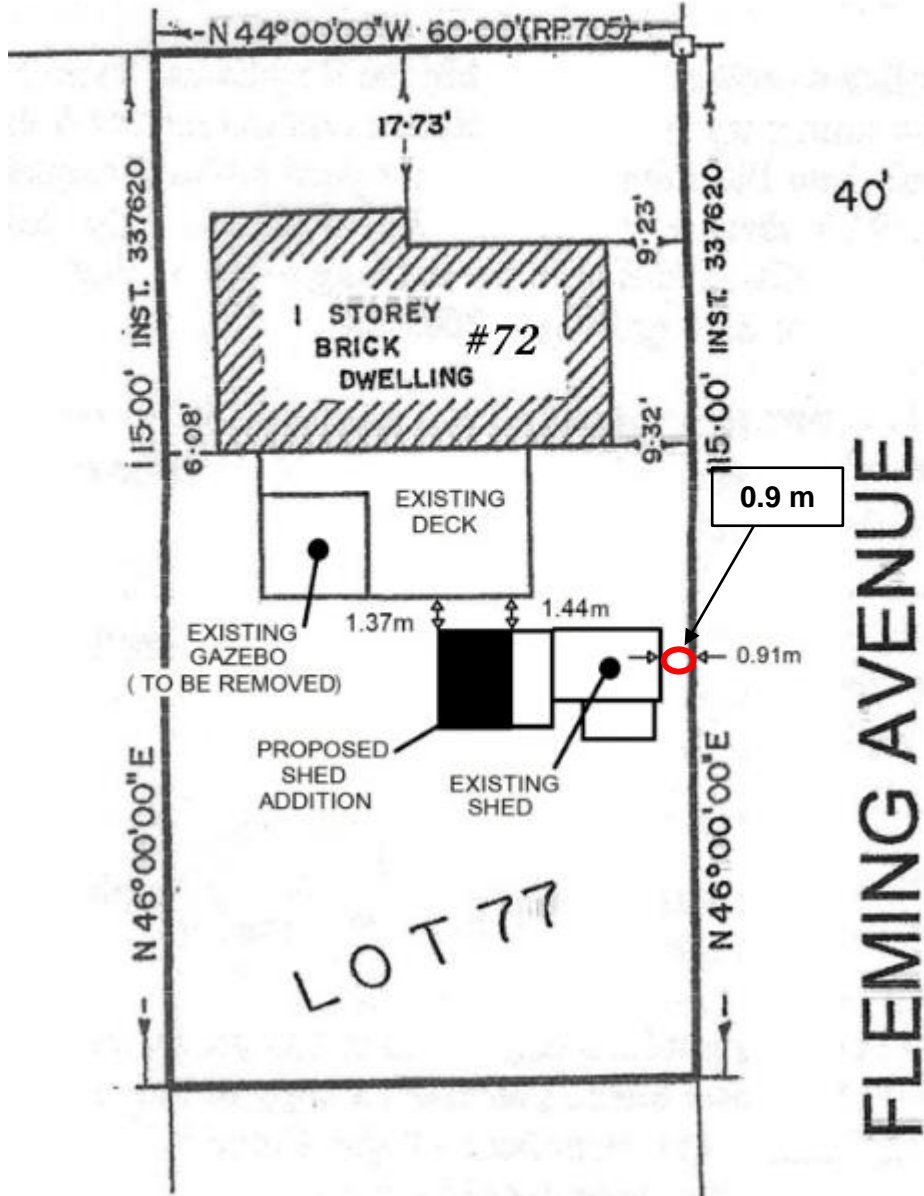
Amy Mejia,
Engineering Technologist

Encl.

Applicant's Site Plan Sketch

31st STREET NORTH

40'



Note: Alternative formats available upon request.