



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.