



Incidental Minor Variance Report

The Corporation of the Town of Wasaga Beach

Date of Meeting: May 15, 2024

DATE: May 8, 2024
TO: Committee of Adjustment
FROM Joel Vines, Planner I

APPLICATION INFORMATION:

Minor Variance Application No.:	A01024
Owners/Applicants:	Giuseppina Stillitano
Legal Description:	CON 16 PT LOT 10 RP 51R29398 PART 2
Municipal Address:	63 Forest Avenue

PROPOSAL:

The application requests relief from Section 4 "Residential Type 1" (R1) Zone of Comprehensive Zoning By-law 2003-60, as amended.

Specifically, the applicant requests relief from:

- Section 4.3.9 – to permit an overall lot coverage of 43%, whereas the maximum lot coverage for all buildings and structures is 35%.

The variance requested would recognize the existing 38.55 square metre deck, shed, and dwelling, and permit an overall lot coverage of 43%, whereas the maximum lot coverage for all buildings and structures is 35%.

MATTERS OF PROVINCIAL INTEREST:

Has had proper regard ☒

Has not had proper regard ☐

PROVINCIAL POLICY STATEMENT:	
Is consistent with Provincial Policy Statement	<input checked="" type="checkbox"/>
Is not consistent with Provincial Policy 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: Neighbourhood		
CONFORMITY:	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>

ZONING BY-LAW CLASSIFICATION(S): Residential Type 1 (R1)		
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:
<p>Public Works does not oppose the applicant's requests. Public Works has no conditions at this time.</p> <p>1) The subject lot must manage all storm water within the property and not impact adjacent lands.</p> <p>2) A Road Occupation Permit (ROP) will be required for any works within the Town's Right-of-way (ROW).</p>

EXTERNAL AGENCY COMMENTS:
<p>Nottawasaga Valley Conservation Authority (NVCA): Based on the new Ontario Regulation 41/24, which took effect on April 1, 2024, 63 Forest Avenue is no longer regulated due to the wetland buffer being reduced from 120m to 30m. Therefore, NVCA staff have no concerns with this application at this time.</p>

RECOMMENDATION:

DEFER

☐

APPROVE

☐

APPROVE WITH CONDITIONS

☒

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:

Joel Vines, Planner I

May 8, 2024

Date

Appendix 1 – Site Plan