



MINUTES
Wasaga Beach Committee of Adjustment
Meeting

Wednesday, May 15, 2024, 1:00 p.m.
Council Chambers

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

Members Absent: Andy Ferguson
Leo Cusumano

1. CALL TO ORDER

1.1 Land Acknowledgement

2. DISCLOSURE OF PECUNIARY INTEREST

There was no pecuniary interest declared.

3. ADOPTION OF MINUTES

3.1 Committee of Adjustment Meeting Minutes - April 17, 2024

Resolution No: COA-2024-21

Moved by: Dave Morrison

Seconded by: Daniel Paul

Resolved that the Committee of Adjustment minutes of April 17, 2024 be accepted as presented.

CARRIED

4. APPLICATIONS

4.1 Application #1 - B00724 - 88 & 176 Lyons Court - DAS Developments - Consent

LANDS SUBJECT TO THE APPLICATION:

Municipally addressed as 88 & 176 Lyons Court, Town of Wasaga Beach.

PURPOSE AND EFFECT:

The application requests 'Lands to be Severed 1', has frontages on Berton Avenue and a currently un-named street and an area of approximately 12,312.7 square metres.

The portion of the property proposed to be retained would consist of three privately maintained streets (Joseph Street, Berton Avenue and a currently un-named street) and comprise an area of approximately 40,043.6 square metres.

Separating the overall land holdings into smaller separately conveyable lots with mutual access roads (the access rights for which would be secured through Consent application B01424, if granted) would not affect the form and function of the currently proposed and future uses within the subject lands.

AGENCY COMMENTS:

Enbridge:

Enbridge has no objections to this application indicated in their letter dated May 2nd.

Hydro One Networks Inc.:

Hydro One Networks Inc. has no objections to this application indicated in their letter dated May 13th.

Ministry of Transportation (MTO):

The MTO has no objections to this application indicated in their letter dated April 9th.

Nottawasaga Valley Conservation Authority (NVCA):

The NVCA has no objections to this application indicated in their letter dated May 6th.

Public Works:

Public Works has no objections to this application indicated in their letter dated May 14th.

Engineering:

Engineering has no objections to this application indicated in their letter dated May 6th.

Wasaga Distribution (WDI):

WDI has no objections to this application indicated in their letter dated April 29th.

PUBLIC COMMENTS:

There were no comments from the public.

RECOMMENDATION:

In consideration of the foregoing, based on the above, the Planning Department supports applications **B00724**, subject to the following conditions being applied individually, each of which is subject to the following:

1. THAT the applicant provides a deposited reference plan, said reference plan to show all of the parcels to be severed.
2. 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.
3. THAT an Overall Lot Grading Plan is to be provided showing the severed lots in accordance with current Town of Wasaga Beach Engineering Standards and Policies.
4. THAT Consent application B01424 for the proposed easements benefitting the severed parcels be approved and the conditions of that Consent be completed.
5. THAT Minor Variance applications A01424 through A01724 and A01924 through A02124 as they relate to Section 3.18 (Street Requirement) of Town of Wasaga Beach Comprehensive Zoning Bylaw 2003-60, be approved.
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.

DISCUSSION:

There were no comments from members of the public either online or in-person.

There were no comments from committee members.

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

Resolution No: COA-2024-22

Moved by: Harold Van Gool

Seconded by: Daniel Paul

THAT the Committee of Adjustment hereby approves the application from DAS Developments

4.2 Application #2 - B00824 - 88 & 176 Lyons Court - DAS Developments - Consent

LANDS SUBJECT TO THE APPLICATION:

Municipally addressed as 88 & 176 Lyons Court, Town of Wasaga Beach.

PURPOSE AND EFFECT:

The application requests 'Lands to be Severed 2', has frontages on Berton Avenue and a currently un-named street and an area of approximately 8,080.2 square metres.

The portion of the property proposed to be retained would consist of three privately maintained streets (Joseph Street, Berton Avenue and a currently un-named street) and comprise an area of approximately 40,043.6 square metres.

Separating the overall land holdings into smaller separately conveyable lots with mutual access roads (the access rights for which would be secured through Consent application B01424, if granted) would not affect the form and function of the currently proposed and future uses within the subject lands.

AGENCY COMMENTS:

Enbridge:

Enbridge has no objections to this application indicated in their letter dated May 2nd.

Hydro One Networks Inc.:

Hydro One Networks Inc. has no objections to this application indicated in their letter dated May 13th.

Ministry of Transportation (MTO):

The MTO has no objections to this application indicated in their letter dated April 9th.

Nottawasaga Valley Conservation Authority (NVCA):

The NVCA has no objections to this application indicated in their letter dated May 6th.

Public Works:

Public Works has no objections to this application indicated in their letter dated May 14th.

Engineering:

Engineering has no objections to this application indicated in their letter dated May 6th.

Wasaga Distribution (WDI):

WDI has no objections to this application indicated in their letter dated April 29th.

PUBLIC COMMENTS:

There were no comments from the public.

RECOMMENDATION:

In consideration of the foregoing, based on the above, the Planning Department supports applications **B00824**, subject to the following conditions being applied individually, each of which is subject to the following:

1. THAT the applicant provides a deposited reference plan, said reference plan to show all of the parcels to be severed.
2. 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.
3. THAT an Overall Lot Grading Plan is to be provided showing the severed lots in accordance with current Town of Wasaga Beach Engineering Standards and Policies.
4. THAT Consent application B01424 for the proposed easements benefitting the severed parcels be approved and the conditions of that Consent be completed.
5. THAT Minor Variance applications A01424 through A01724 and A01924 through A02124 as they relate to Section 3.18 (Street Requirement) of Town of Wasaga Beach Comprehensive Zoning Bylaw 2003-60, be approved.
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.

DISCUSSION:

There were no comments from members of the public either online or in-person.

There were no comments from committee members.

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

Resolution No: COA-2024-23

Moved by: Harold Van Gool

Seconded by: Dave Morrison

THAT the Committee of Adjustment hereby approves the application from DAS Developments

CARRIED

4.3 Application #3 - B00924 - 88 & 176 Lyons Court - DAS Developments - Consent

LANDS SUBJECT TO THE APPLICATION:

Municipally addressed as 88 & 176 Lyons Court, Town of Wasaga Beach.

PURPOSE AND EFFECT:

The application requests Lands to be Severed 3', has a frontage of 191.29 metres on Mosley Street as well as frontages on Joseph Drive and an un-named street and an area of approximately 14,557.5 square metres.

The portion of the property proposed to be retained would consist of three privately maintained streets (Joseph Street, Berton Avenue and a currently un-named street) and comprise an area of approximately 40,043.6 square metres.

Separating the overall land holdings into smaller separately conveyable lots with mutual access roads (the access rights for which would be secured through Consent application B01424, if granted) would not affect the form and function of the currently proposed and future uses within the subject lands.

AGENCY COMMENTS:

Enbridge:

Enbridge has no objections to this application indicated in their letter dated May 2nd.

Hydro One Networks Inc.:

Hydro One Networks Inc. has no objections to this application indicated in their letter dated May 13th.

Ministry of Transportation (MTO):

The MTO has no objections to this application indicated in their letter dated April 9th.

Nottawasaga Valley Conservation Authority (NVCA):

The NVCA has no objections to this application indicated in their letter dated May 6th.

Public Works:

Public Works has no objections to this application indicated in their letter dated May 14th.

Engineering:

Engineering has no objections to this application indicated in their letter dated May 6th.

Wasaga Distribution (WDI):

WDI has no objections to this application indicated in their letter dated April 29th.

PUBLIC COMMENTS:

There were no comments from the public.

RECOMMENDATION:

In consideration of the foregoing, based on the above, the Planning Department supports applications **B00924**, subject to the following conditions being applied individually, each of which is subject to the following:

1. THAT the applicant provides a deposited reference plan, said reference plan to show all of the parcels to be severed.
2. 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.
3. THAT an Overall Lot Grading Plan is to be provided showing the severed lots in accordance with current Town of Wasaga Beach Engineering Standards and Policies.
4. THAT Consent application B01424 for the proposed easements benefitting the severed parcels be approved and the conditions of that Consent be completed.
5. THAT Minor Variance applications A01424 through A01724 and A01924 through A02124 as they relate to Section 3.18 (Street Requirement) of Town of Wasaga Beach Comprehensive Zoning Bylaw 2003-60, be approved.
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.

DISCUSSION:

There were no comments from members of the public either online or in-person.

There were no comments from committee members.

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

Resolution No: COA-2024-24

Moved by: Dave Morrison

Seconded by: Harold Van Gool

THAT the Committee of Adjustment hereby approves the application from DAS Developments

CARRIED

4.4 Application #4 - B01024 - 88 & 176 Lyons Court - DAS Developments - Consent

LANDS SUBJECT TO THE APPLICATION:

Municipally addressed as 88 & 176 Lyons Court, Town of Wasaga Beach.

PURPOSE AND EFFECT:

The application requests 'Lands to be Severed 4' has frontages on Joseph Drive and a currently un-named street and an area of approximately 7,165.9 square metres.

The portion of the property proposed to be retained would consist of three privately maintained streets (Joseph Street, Berton Avenue and a currently un-named street) and comprise an area of approximately 40,043.6 square metres.

Separating the overall land holdings into smaller separately conveyable lots with mutual access roads (the access rights for which would be secured through Consent application B01424, if granted) would not affect the form and function of the currently proposed and future uses within the subject lands.

AGENCY COMMENTS:

Enbridge:

Enbridge has no objections to this application indicated in their letter dated May 2nd.

Hydro One Networks Inc.:

Hydro One Networks Inc. has no objections to this application indicated in their letter dated May 13th.

Ministry of Transportation (MTO):

The MTO has no objections to this application indicated in their letter dated May 9th.

Nottawasaga Valley Conservation Authority (NVCA):

The NVCA has no objections to this application indicated in their letter dated May 6th.

Public Works:

Public Works has no objections to this application indicated in their letter dated May 14th.

Engineering:

Engineering has no objections to this application indicated in their letter dated May 6th.

Wasaga Distribution (WDI):

WDI has no objections to this application indicated in their letter dated April 29th.

PUBLIC COMMENTS:

There were no comments from the public.

RECOMMENDATION:

In consideration of the foregoing, based on the above, the Planning Department supports applications **B01024**, subject to the following conditions being applied individually, each of which is subject to the following:

1. THAT the applicant provides a deposited reference plan, said reference plan to show all of the parcels to be severed.
2. 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.
3. THAT an Overall Lot Grading Plan is to be provided showing the severed lots in accordance with current Town of Wasaga Beach Engineering Standards and Policies.

4. THAT Consent application B01424 for the proposed easements benefitting the severed parcels be approved and the conditions of that Consent be completed.
5. THAT Minor Variance applications A01424 through A01724 and A01924 through A02124 as they relate to Section 3.18 (Street Requirement) of Town of Wasaga Beach Comprehensive Zoning Bylaw 2003-60, be approved.
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.

DISCUSSION:

There were no comments from members of the public either online or in-person.

There were no comments from committee members.

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

Resolution No: COA-2024-25

Moved by: Harold Van Gool

Seconded by: Daniel Paul

THAT the Committee of Adjustment hereby approves the application from DAS Developments

CARRIED

4.5 Application #5 - B01124 - 88 & 176 Lyons Court - DAS Developments - Consent

LANDS SUBJECT TO THE APPLICATION:

Municipally addressed as 88 & 176 Lyons Court, Town of Wasaga Beach.

PURPOSE AND EFFECT:

The application requests 'Lands to be Severed 5' has frontage on Berton Avenue and an area of 2 approximately 21,581.5 square metres.

The portion of the property proposed to be retained would consist of three privately maintained streets (Joseph Street, Berton Avenue and a currently un-named street) and comprise an area of approximately 40,043.6 square metres.

Separating the overall land holdings into smaller separately conveyable lots with mutual access roads (the access rights for which would be

secured through Consent application B01424, if granted) would not affect the form and function of the currently proposed and future uses within the subject lands.

AGENCY COMMENTS:

Enbridge:

Enbridge has no objections to this application indicated in their letter dated May 2nd.

Hydro One Networks Inc.:

Hydro One Networks Inc. has no objections to this application indicated in their letter dated May 13th.

Ministry of Transportation (MTO):

The MTO has no objections to this application indicated in their letter dated May 9th.

Nottawasaga Valley Conservation Authority (NVCA):

The NVCA has no objections to this application indicated in their letter dated May 6th.

Public Works:

Public Works has no objections to this application indicated in their letter dated May 14th.

Engineering:

Engineering has no objections to this application indicated in their letter dated May 6th.

Wasaga Distribution (WDI):

WDI has no objections to this application indicated in their letter dated April 29th.

PUBLIC COMMENTS:

There were no comments from the public.

RECOMMENDATION:

In consideration of the foregoing, based on the above, the Planning Department supports applications **B01124**, subject to the following conditions being applied individually, each of which is subject to the following:

1. THAT the applicant provides a deposited reference plan, said reference plan to show all of the parcels to be severed.

2. 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.
3. THAT an Overall Lot Grading Plan is to be provided showing the severed lots in accordance with current Town of Wasaga Beach Engineering Standards and Policies.
4. THAT Consent application B01424 for the proposed easements benefitting the severed parcels be approved and the conditions of that Consent be completed.
5. THAT Minor Variance applications A01424 through A01724 and A01924 through A02124 as they relate to Section 3.18 (Street Requirement) of Town of Wasaga Beach Comprehensive Zoning Bylaw 2003-60, be approved.
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.

DISCUSSION:

There were no comments from members of the public either online or in-person.

There were no comments from committee members.

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

Resolution No: COA-2024-26

Moved by: Harold Van Gool

Seconded by: Dave Morrison

THAT the Committee of Adjustment hereby approves the application from DAS Developments

CARRIED

4.6 Application #6 - B01224 - 88 & 176 Lyons Court - DAS Developments - Consent

LANDS SUBJECT TO THE APPLICATION:

Municipally addressed as 88 & 176 Lyons Court, Town of Wasaga Beach.

PURPOSE AND EFFECT:

The application requests 'Lands to be Severed 6' has frontage on Berton Avenue and currently un-named street and an area of approximately 11,524.7 square metres.

The portion of the property proposed to be retained would consist of three privately maintained streets (Joseph Street, Berton Avenue and a currently un-named street) and comprise an area of approximately 40,043.6 square metres.

Separating the overall land holdings into smaller separately conveyable lots with mutual access roads (the access rights for which would be secured through Consent application B01424, if granted) would not affect the form and function of the currently proposed and future uses within the subject lands.

AGENCY COMMENTS:

Enbridge:

Enbridge has no objections to this application indicated in their letter dated May 2nd.

Hydro One Networks Inc.:

Hydro One Networks Inc. has no objections to this application indicated in their letter dated May 13th.

Ministry of Transportation (MTO):

The MTO has no objections to this application indicated in their letter dated May 9th.

Nottawasaga Valley Conservation Authority (NVCA):

The NVCA has no objections to this application indicated in their letter dated May 6th.

Public Works:

Public Works has no objections to this application indicated in their letter dated May 14th.

Engineering:

Engineering has no objections to this application indicated in their letter dated May 6th.

Wasaga Distribution (WDI):

WDI has no objections to this application indicated in their letter dated April 29th.

PUBLIC COMMENTS:

There were no comments from the public.

RECOMMENDATION:

In consideration of the foregoing, based on the above, the Planning Department supports applications **B01224**, subject to the following conditions being applied individually, each of which is subject to the following:

1. THAT the applicant provides a deposited reference plan, said reference plan to show all of the parcels to be severed.
2. 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.
3. THAT an Overall Lot Grading Plan is to be provided showing the severed lots in accordance with current Town of Wasaga Beach Engineering Standards and Policies.
4. THAT Consent application B01424 for the proposed easements benefitting the severed parcels be approved and the conditions of that Consent be completed.
5. THAT Minor Variance applications A01424 through A01724 and A01924 through A02124 as they relate to Section 3.18 (Street Requirement) of Town of Wasaga Beach Comprehensive Zoning Bylaw 2003-60, be approved.
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.

DISCUSSION:

There were no comments from members of the public either online or in-person.

There were no comments from committee members.

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

Resolution No: COA-2024-27

Moved by: Harold Van Gool

Seconded by: Dave Morrison

THAT the Committee of Adjustment hereby approves the application from DAS Developments

4.7 Application #7 - B01324 - 88 & 176 Lyons Court - DAS Developments - Consent

LANDS SUBJECT TO THE APPLICATION:

Municipally addressed as 88 & 176 Lyons Court, Town of Wasaga Beach.

PURPOSE AND EFFECT:

The application requests 'Lands to be Severed 7' has frontage on Berton Avenue and currently un-named street and an area of approximately 14,363.0 square metres.

The portion of the property proposed to be retained would consist of three privately maintained streets (Joseph Street, Berton Avenue and a currently un-named street) and comprise an area of approximately 40,043.6 square metres.

Separating the overall land holdings into smaller separately conveyable lots with mutual access roads (the access rights for which would be secured through Consent application B01424, if granted) would not affect the form and function of the currently proposed and future uses within the subject lands.

AGENCY COMMENTS:

Enbridge:

Enbridge has no objections to this application indicated in their letter dated May 2nd.

Hydro One Networks Inc.:

Hydro One Networks Inc. has no objections to this application indicated in their letter dated May 13th.

Ministry of Transportation (MTO):

The MTO has no objections to this application indicated in their letter dated May 9th.

Nottawasaga Valley Conservation Authority (NVCA):

The NVCA has no objections to this application indicated in their letter dated May 6th.

Public Works:

Public Works has no objections to this application indicated in their letter dated May 14th.

Engineering:

Engineering has no objections to this application indicated in their letter dated May 6th.

Wasaga Distribution (WDI):

WDI has no objections to this application indicated in their letter dated April 29th.

PUBLIC COMMENTS:

There were no comments from the public.

RECOMMENDATION:

In consideration of the foregoing, based on the above, the Planning Department supports applications **B01324**, subject to the following conditions being applied individually, each of which is subject to the following:

1. THAT the applicant provides a deposited reference plan, said reference plan to show all of the parcels to be severed.
2. 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.
3. THAT an Overall Lot Grading Plan is to be provided showing the severed lots in accordance with current Town of Wasaga Beach Engineering Standards and Policies.
4. THAT Consent application B01424 for the proposed easements benefitting the severed parcels be approved and the conditions of that Consent be completed.
5. THAT Minor Variance applications A01424 through A01724 and A01924 through A02124 as they relate to Section 3.18 (Street Requirement) of Town of Wasaga Beach Comprehensive Zoning Bylaw 2003-60, be approved.
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.

DISCUSSION:

There were no comments from members of the public either online or in-person.

There were no comments from committee members.

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

Resolution No: COA-2024-28

Moved by: Harold Van Gool

Seconded by: Dave Morrison

THAT the Committee of Adjustment hereby approves the application from DAS Developments

CARRIED

4.8 Application #8 - B01424 - 88 & 176 Lyons Court - DAS Developments - Consent

LANDS SUBJECT TO THE APPLICATION:

Municipally addressed as 88 & 176 Lyons Court, Town of Wasaga Beach.

PURPOSE AND EFFECT:

The application requests to create a total of 41 easements to accommodate servicing and access including, but not limited to stormwater pipes, driveway access, sewers, watermains, gas, hydro and telecommunications. Planning staff notes the sole purpose of this Consent application is to secure the rights to the private infrastructure works that would be required if the overall land holdings were severed into smaller separately conveyable lots in Consent applications B00724 through B01424.

The proposed easements in this application (the severed lands) are within the retained lot as well as some parts of the severed lots in Consent applications B00724 through B01324. The retained lands this application are the severed lots in Consent applications B00724 through B01324.

Planning staff also notes the lands subject to this Consent application (B01424) are also subject to the following previous or currently proposed applications:

- Consent application B/18/23 to create the lot which accommodates the existing Gateway Playtime Casino (as the severed lot of that application), conditionally approved by the Committee of Adjustment on September 20, 2023.

AGENCY COMMENTS:

Enbridge:

Enbridge has no objections to this application indicated in their letter dated May 2nd.

Hydro One Networks Inc.:

Hydro One Networks Inc. has no objections to this application indicated in their letter dated May 13th.

Ministry of Transportation (MTO):

The MTO has no objections to this application indicated in their letter dated May 9th.

Nottawasaga Valley Conservation Authority (NVCA):

The NVCA has no objections to this application indicated in their letter dated May 6th.

Public Works:

Public Works has no objections to this application indicated in their letter dated May 14th.

Engineering:

Engineering has no objections to this application indicated in their letter dated May 6th.

Wasaga Distribution (WDI):

WDI has no objections to this application indicated in their letter dated April 29th.

PUBLIC COMMENTS:

There were no comments from the public.

RECOMMENDATION:

In consideration of the foregoing, based on the above, the Planning Department supports application **B014/24**, subject to the following conditions being applied:

1. THAT the applicant provides a deposited reference plan, said reference plan to show all of the parcel to be severed.
2. 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.
3. THAT Consent applications B00724 through B01324 be approved and the conditions of those Consent be completed.
4. 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.

DISCUSSION:

There were no comments from members of the public either online or in-person.

There were no comments from committee members.

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

Resolution No: COA-2024-29

Moved by: Dave Morrison

Seconded by: Daniel Paul

THAT the Committee of Adjustment hereby approves the application from DAS Developments

CARRIED

4.9 Application #9 - A01424 - 88 & 176 Lyons Court - DAS Developments - Minor Variance

LANDS SUBJECT TO THE APPLICATION:

Municipally addressed as 88 & 176 Lyons Court, Town of Wasaga Beach.

PURPOSE AND EFFECT:

The application requests the following:

Section 3.18 –Section 3.18 – to permit development on a lot where direct access for vehicular traffic is being provided by a street which does not meet the definition of public or private street as defined in the Zoning By-law.

Section 3.38.2.7 – to permit a driveway/access with a 0.0 metre setback from an intersection of street lines, whereas the required minimum distance between a driveway and an intersection of street lines is 15.0 metres in all Commercial Zones.

Section 3.38.2.10- to permit a driveway/access with a 0.0 metre setback from a side lot line where a minimum setback from a driveway/access and side lot line of 1.0 metres is required.

Section 3.38.9 – to permit a total of 130 parking stalls for a Tourist Establishment (Hotel), where a minimum of 166 parking stalls are required.

Section 10.3.8- to permit a building in the Commercial District (CD) zone with a height of 18.1 m (59.38 ft.) where a maximum height of 12 metres is permitted.

AGENCY COMMENTS:

Enbridge:

Enbridge has no objections to this application indicated in their letter dated May 2nd.

Hydro One Networks Inc.:

Hydro One Networks Inc. has no objections to this application indicated in their letter dated May 13th.

Ministry of Transportation (MTO):

The MTO has no objections to this application indicated in their letter dated May 9th.

Nottawasaga Valley Conservation Authority (NVCA):

The NVCA has no objections to this application indicated in their letter dated May 6th.

Public Works:

Public Works has no objections to this application indicated in their letter dated May 14th.

Engineering:

Engineering has no objections to this application indicated in their letter dated May 6th.

Wasaga Distribution (WDI):

WDI has no objections to this application indicated in their letter dated April 29th.

PUBLIC COMMENTS:

There were no comments from the public.

RECOMMENDATION:

In consideration of the foregoing, the Planning Department supports application **A01424**, 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.
2. THAT the Owner enter into a Site Plan Agreement(s) to the satisfaction of the Town and registered on title pertaining to the proposed land uses and development of the subject lands.

3. THAT Consent application B01424 regarding the requested easements pertaining to access be approved and registered on the title of the subject lands.

DISCUSSION:

The agent, K. Chisholm spoke to the applications.

There were no comments from members of the public either online or in-person.

There was discussion pertaining to the number of rooms in each proposed hotel.

There was discussion regarding the parking lot.

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

Resolution No: COA-2024-30

Moved by: Dave Morrison

Seconded by: Daniel Paul

THAT the Committee of Adjustment hereby approves the application from DAS Developments

CARRIED

4.10 Application #10 - A01524 - 88 & 176 Lyons Court - DAS Developments - Minor Variance

LANDS SUBJECT TO THE APPLICATION:

Municipally addressed as 88 & 176 Lyons Court, Town of Wasaga Beach.

PURPOSE AND EFFECT:

The application requests the following:

Section 3.18 –Section 3.18 – to permit development on a lot where direct access for vehicular traffic is being provided by a street which does not meet the definition of public or private street as defined in the Zoning By-law.

Section 3.38.2.10- to permit a driveway/access with a 0.0 metre setback from a side lot line where a minimum setback from a driveway/access and side lot line of 1.0 metres is required.

Section 3.38.9 – to permit a total of 120 parking stalls for a Tourist Establishment (Hotel), where a minimum of 159 parking stalls are required.

Section 10.3.4-To permit a building on the proposed lot in the Commercial District (CD) zone with an exterior side yard setback of 5 metres where a minimum exterior side yard setback of 6 metres is required.

Section 10.3.8- to permit a building in the Commercial District (CD) zone with a height of 19.1 m where a maximum height of 12 metres is permitted.

AGENCY COMMENTS:

Enbridge:

Enbridge has no objections to this application indicated in their letter dated May 2nd.

Hydro One Networks Inc.:

Hydro One Networks Inc. has no objections to this application indicated in their letter dated May 13th.

Ministry of Transportation (MTO):

The MTO has no objections to this application indicated in their letter dated May 9th.

Nottawasaga Valley Conservation Authority (NVCA):

The NVCA has no objections to this application indicated in their letter dated May 6th.

Public Works:

Public Works has no objections to this application indicated in their letter dated May 14th.

Engineering:

Engineering has no objections to this application indicated in their letter dated May 6th.

Wasaga Distribution (WDI):

WDI has no objections to this application indicated in their letter dated April 29th.

PUBLIC COMMENTS:

There were no comments from the public.

RECOMMENDATION:

In consideration of the foregoing, the Planning Department supports application **A01524**, 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.
2. THAT the Owner enter into a Site Plan Agreement(s) to the satisfaction of the Town and registered on title pertaining to the proposed land uses and development of the subject lands.
3. THAT Consent application B01424 regarding the requested easements pertaining to access be approved and registered on the title of the subject lands.

DISCUSSION:

The agent, K. Chisholm spoke to the applications.

There were no comments from members of the public either online or in-person.

There was discussion pertaining to the number of rooms in each proposed hotel.

There was discussion regarding the parking lot.

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

Resolution No: COA-2024-31

Moved by: Daniel Paul

Seconded by: Dave Morrison

THAT the Committee of Adjustment hereby approves the application from DAS Developments

CARRIED

4.11 Application #11 - A01624 - 88 & 176 Lyons Court - DAS Developments - Minor Variance

LANDS SUBJECT TO THE APPLICATION:

Municipally addressed as 88 & 176 Lyons Court, Town of Wasaga Beach.

PURPOSE AND EFFECT:

The application requests the following:

Section 3.18 –Section 3.18 – to permit development on a lot where direct access for vehicular traffic is being provided by a street which does not meet the definition of public or private street as defined in the Zoning By-law.

Section 3.38.2.10- to permit a driveway/access with a 0.0 metre setback from a side lot line where a minimum setback from a driveway/access and side lot line of 1.0 metres is required.

AGENCY COMMENTS:

Enbridge:

Enbridge has no objections to this application indicated in their letter dated May 2nd.

Hydro One Networks Inc.:

Hydro One Networks Inc. has no objections to this application indicated in their letter dated May 13th.

Ministry of Transportation (MTO):

The MTO has no objections to this application indicated in their letter dated May 9th.

Nottawasaga Valley Conservation Authority (NVCA):

The NVCA has no objections to this application indicated in their letter dated May 6th.

Public Works:

Public Works has no objections to this application indicated in their letter dated May 14th.

Engineering:

Engineering has no objections to this application indicated in their letter dated May 6th.

Wasaga Distribution (WDI):

WDI has no objections to this application indicated in their letter dated April 29th.

PUBLIC COMMENTS:

There were no comments from the public.

RECOMMENDATION:

In consideration of the foregoing, the Planning Department supports application **A01624**, 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.

2. THAT the Owner enter into a Site Plan Agreement(s) to the satisfaction of the Town and registered on title pertaining to the proposed land uses and development of the subject lands.
3. THAT Consent application B01424 regarding the requested easements pertaining to access be approved and registered on the title of the subject lands.

DISCUSSION:

The agent, K. Chisholm spoke to the applications.

There were no comments from members of the public either online or in-person.

There was discussion pertaining to the number of rooms in each proposed hotel.

There was discussion regarding the parking lot.

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

Resolution No: COA-2024-32

Moved by: Daniel Paul

Seconded by: Dave Morrison

THAT the Committee of Adjustment hereby approves the application from DAS Developments

CARRIED

4.12 Application #12 - A01724 - 88 & 176 Lyons Court - DAS Developments - Minor Variance

LANDS SUBJECT TO THE APPLICATION:

Municipally addressed as 88 & 176 Lyons Court, Town of Wasaga Beach.

PURPOSE AND EFFECT:

The application requests the following:

Section 3.18 –Section 3.18 – to permit development on a lot where direct access for vehicular traffic is being provided by a street which does not meet the definition of public or private street as defined in the Zoning By-law.

Section 3.38.2.10- to permit a driveway/access with a 0.0 metre setback from a side lot line where a minimum setback from a driveway/access and side lot line of 1.0 metres is required.

Sections 3.38.8.3 and 3.38.9 – to permit a total of 74 parking stalls for the proposed buildings on this lot that include a restaurant/restaurant, take-out and a multi-tenant commercial building (which may accommodate professional offices, financial services, restaurant, restaurant- take-out, retail store or personal service shop) where a minimum of 78 parking stalls are required.

Section 3.39.1- to permit a combined total of two loading spaces on a lot that contains a building exceeding 100 square metres but less than 1,000 square metres and a building exceeding 1,000 square metres, where a combined total of three loading spaces are required.

Section 10.3.3- to permit a building in the Commercial District (CD) zone with a front yard setback of 4.5m where a minimum front yard setback of 6 metres is required.

AGENCY COMMENTS:

Enbridge:

Enbridge has no objections to this application indicated in their letter dated May 2nd.

Hydro One Networks Inc.:

Hydro One Networks Inc. has no objections to this application indicated in their letter dated May 13th.

Ministry of Transportation (MTO):

The MTO has no objections to this application indicated in their letter dated May 9th.

Nottawasaga Valley Conservation Authority (NVCA):

The NVCA has no objections to this application indicated in their letter dated May 6th.

Public Works:

Public Works has no objections to this application indicated in their letter dated May 14th.

Engineering:

Engineering has no objections to this application indicated in their letter dated May 6th.

Wasaga Distribution (WDI):

WDI has no objections to this application indicated in their letter dated April 29th.

PUBLIC COMMENTS:

There were no comments from the public.

RECOMMENDATION:

In consideration of the foregoing, the Planning Department supports application **A01724**, 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.
2. THAT the Owner enter into a Site Plan Agreement(s) to the satisfaction of the Town and registered on title pertaining to the proposed land uses and development of the subject lands.
3. THAT Consent application B01424 regarding the requested easements pertaining to access be approved and registered on the title of the subject lands.

DISCUSSION:

The agent, K. Chisholm spoke to the applications.

There were no comments from members of the public either online or in-person.

There was discussion pertaining to the number of rooms in each proposed hotel.

There was discussion regarding the parking lot.

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

Resolution No: COA-2024-33

Moved by: Daniel Paul

Seconded by: Dave Morrison

THAT the Committee of Adjustment hereby approves the application from DAS Developments

CARRIED

4.13 Application #13 - A01924 - Highway 26 & Mosley - DAS Developments - Minor Variance

LANDS SUBJECT TO THE APPLICATION:

Municipally addressed as 88 & 176 Lyons Court, Town of Wasaga Beach.

PURPOSE AND EFFECT:

The application requests the following:

Section 3.18 –Section 3.18 – to permit development on a lot where direct access for vehicular traffic is being provided by a street which does not meet the definition of public or Private Street as defined in the Zoning By-law.

AGENCY COMMENTS:

Enbridge:

Enbridge has no objections to this application indicated in their letter dated May 2nd.

Hydro One Networks Inc.:

Hydro One Networks Inc. has no objections to this application indicated in their letter dated May 13th.

Ministry of Transportation (MTO):

The MTO has no objections to this application indicated in their letter dated May 9th.

Nottawasaga Valley Conservation Authority (NVCA):

The NVCA has no objections to this application indicated in their letter dated May 6th.

Public Works:

Public Works has no objections to this application indicated in their letter dated May 14th.

Engineering:

Engineering has no objections to this application indicated in their letter dated May 6th.

Wasaga Distribution (WDI):

WDI has no objections to this application indicated in their letter dated April 29th.

PUBLIC COMMENTS:

There were no comments from the public.

RECOMMENDATION:

In consideration of the foregoing, the Planning Department supports application **A01924**, 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.

2. THAT the Owner enter into a Site Plan Agreement(s) to the satisfaction of the Town and registered on title pertaining to the proposed land uses and development of the subject lands.
3. THAT Consent application B01424 regarding the requested easements pertaining to access be approved and registered on the title of the subject lands.

DISCUSSION:

The agent, K. Chisholm spoke to the applications.

There were no comments from members of the public either online or in-person.

There was discussion pertaining to the number of rooms in each proposed hotel.

There was discussion regarding the parking lot.

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

Resolution No: COA-2024-34

Moved by: Dave Morrison

Seconded by: Daniel Paul

THAT the Committee of Adjustment hereby approves the application from DAS Developments

CARRIED

4.14 Application #14 - A02024 - Highway 26 & Mosley - DAS Developments - Minor Variance

LANDS SUBJECT TO THE APPLICATION:

Municipally addressed as 88 & 176 Lyons Court, Town of Wasaga Beach.

PURPOSE AND EFFECT:

The application requests the following:

Section 3.18 –Section 3.18 – to permit development on a lot where direct access for vehicular traffic is being provided by a street which does not meet the definition of public or Private Street as defined in the Zoning By-law.

AGENCY COMMENTS:

Enbridge:

Enbridge has no objections to this application indicated in their letter dated May 2nd.

Hydro One Networks Inc.:

Hydro One Networks Inc. has no objections to this application indicated in their letter dated May 13th.

Ministry of Transportation (MTO):

The MTO has no objections to this application indicated in their letter dated May 9th.

Nottawasaga Valley Conservation Authority (NVCA):

The NVCA has no objections to this application indicated in their letter dated May 6th.

Public Works:

Public Works has no objections to this application indicated in their letter dated May 14th.

Engineering:

Engineering has no objections to this application indicated in their letter dated May 6th.

Wasaga Distribution (WDI):

WDI has no objections to this application indicated in their letter dated April 29th.

PUBLIC COMMENTS:

There were no comments from the public.

RECOMMENDATION:

In consideration of the foregoing, the Planning Department supports application **A02024**, 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.
2. THAT the Owner enter into a Site Plan Agreement(s) to the satisfaction of the Town and registered on title pertaining to the proposed land uses and development of the subject lands.
3. THAT Consent application B01424 regarding the requested easements pertaining to access be approved and registered on the title of the subject lands.

DISCUSSION:

The agent, K. Chisholm spoke to the applications.

There were no comments from members of the public either online or in-person.

There was discussion pertaining to the number of rooms in each proposed hotel.

There was discussion regarding the parking lot.

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

Resolution No: COA-2024-35

Moved by: Daniel Paul

Seconded by: Dave Morrison

THAT the Committee of Adjustment hereby approves the application from DAS Developments

CARRIED

4.15 Application #15 - A02124 - Highway 26 & Mosley - DAS Developments - Minor Variance

LANDS SUBJECT TO THE APPLICATION:

Municipally addressed as 88 & 176 Lyons Court, Town of Wasaga Beach.

PURPOSE AND EFFECT:

The application requests the following:

Section 3.18 –Section 3.18 – to permit development on a lot where direct access for vehicular traffic is being provided by a street which does not meet the definition of public or Private Street as defined in the Zoning By-law.

AGENCY COMMENTS:

Enbridge:

Enbridge has no objections to this application indicated in their letter dated May 2nd.

Hydro One Networks Inc.:

Hydro One Networks Inc. has no objections to this application indicated in their letter dated May 13th.

Ministry of Transportation (MTO):

The MTO has no objections to this application indicated in their letter dated May 9th.

Nottawasaga Valley Conservation Authority (NVCA):

The NVCA has no objections to this application indicated in their letter dated May 6th.

Public Works:

Public Works has no objections to this application indicated in their letter dated May 14th.

Engineering:

Engineering has no objections to this application indicated in their letter dated May 6th.

Wasaga Distribution (WDI):

WDI has no objections to this application indicated in their letter dated April 29th.

PUBLIC COMMENTS:

There were no comments from the public.

RECOMMENDATION:

In consideration of the foregoing, the Planning Department supports application **A02124**, 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.
2. THAT the Owner enter into a Site Plan Agreement(s) to the satisfaction of the Town and registered on title pertaining to the proposed land uses and development of the subject lands.
3. THAT Consent application B01424 regarding the requested easements pertaining to access be approved and registered on the title of the subject lands.

DISCUSSION:

The agent, K. Chisholm spoke to the applications.

There were no comments from members of the public either online or in-person.

There was discussion pertaining to the number of rooms in each proposed hotel.

There was discussion regarding the parking lot.

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

Resolution No: COA-2024-36

Moved by: Daniel Paul

Seconded by: Dave Morrison

THAT the Committee of Adjustment hereby approves the application from DAS Developments

CARRIED

4.16 Application #16 - A00924 - 53 48th Street North - Mighton Construction Limited - Minor Variance

LANDS SUBJECT TO THE APPLICATION:

Municipally addressed as 53 48th Street North, Town of Wasaga Beach.

PURPOSE AND EFFECT:

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 increased lot coverage of 45.1%, whereas the maximum lot coverage is 35% for all buildings and structures.

The variance requested would recognize the existing 18.6 square metre shed in the rear yard, and permit the construction of a new 193.2 sq. m. (2079.58 sq. ft.) single-detached dwelling with a 39.9 sq. m. covered deck located in the rear yard.

AGENCY COMMENTS:

Nottawasaga Valley Conservation Authority (NVCA):

The NVCA has no objections to this application as it not within their regulated area indicated in their letter dated May 6th.

Public Works:

Public Works has no objections to this application indicated in their letter dated May 6th. .

Wasaga Distribution (WDI):

WDI has no objections to this application indicated in their letter dated April 26th.

PUBLIC COMMENTS:

There were no comments from the public.

RECOMMENDATION:

In consideration of the foregoing, the Planning Department supports application **A00924** subject to the following conditions being applied:

1. THAT the development will be substantially consistent with the site plan provided with the application, contained within “Appendix 1” of this report at the time of the building permit review.

DISCUSSION:

There were no comments from members of the public either online or in-person.

Member D. Paul and C. Watt discussed the intent of the application and the proposed lot coverage percentage.

Member H. Van Gool proposed that the current lot coverage increase request be reduced.

The agent, D. Donato spoke further to the application and the intent to remove the shed once the project is complete.

There was discussion regarding the covered porch and how it affects the overall lot coverage.

Member H. Van Gool proposed that if the applicant was to remove either the deck or the shed this application, a motion would be put forward to approve the application.

The applicant indicated that they would eliminate the covered deck, alongside the existing shed.

The applicant indicated that the removal of the covered deck would reduce the overall variance requested to 37.9 percent lot coverage which would include the existing shed.

There were no other questions from committee members.

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

Resolution No: COA-2024-37

Moved by: Dave Morrison

Seconded by: Harold Van Gool

THAT the Committee of Adjustment hereby approves the application from Mighton Construction Limited. With the condition that the applicant provide a revised site plan drawing indicating a total lot coverage (maximum) of 37.9% to the satisfaction of the Planning Department

4.17 Application #17 - A01024 - 63 Forest Avenue - Minor Variance

LANDS SUBJECT TO THE APPLICATION:

Municipally addressed as 63 Forest Avenue, Town of Wasaga Beach.

PURPOSE AND EFFECT:

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%.

AGENCY COMMENTS:

Public Works:

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

PUBLIC COMMENTS:

A resident of 65 Forest Avenue spoke to the proposed application and their opposition to the application.

The applicant spoke to the residents concerns regarding the proposed application.

RECOMMENDATION:

In consideration of the foregoing, the Planning Department supports application **A01024** 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:

The applicant had no further comments to add to the application.

There was a discussion with Members H. Van Gool, D. Morrison and Planner, J. Vines regarding the current lot coverage of the application.

Planner, J. Vines spoke to the comments from members regarding overall lot coverage of the application.

There were no further comments from committee members.

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

Resolution No: COA-2024-38

Moved by: Adam Harrod

Seconded by: Dave Morrison

THAT the Committee of Adjustment hereby approves the application from 63 Forest Avenue.

CARRIED

4.18 Application #18 - A01124 - 820 River Road East - Wuxly Realty Inc. - Minor Variance

LANDS SUBJECT TO THE APPLICATION:

Municipally addressed as 820 River Road East, Town of Wasaga Beach.

PURPOSE AND EFFECT:

The applicant is seeking relief from the Town's Zoning By-Law 2003-60 as amended to facilitate the replacement and enlargement of three Tourist Establishment – Cabins, known as “Cabin 18”, “Cabin 2” and “Cabin 1” on the site plan submission.

The applicant requests relief from Section 27 “Definitions”, of Zoning By-law 2003-60 as amended, specifically:

Section 27.195.4 – To vary the definition of *Tourist Establishment - Rental Cabins* for “Cabin 18”, “Cabin 2” and “Cabin 1” as shown on the applicant’s site sketch submission to mean a tourist establishment containing one rental unit in a detached building or two rental units in a building that has a common wall and/or floor between the units (i.e. horizontal and/or vertical division) which may have individual culinary and sanitary facilities together with an office serving the patrons of the tourist establishment and having a minimum of two (2) rental cabins on a lot, whereas the existing definition only allows for two rental units in a building that has a common wall between the units.

To facilitate the replacement and enlargement of “Cabin 18”, as shown on the applicant’s site sketch submission, the applicant requests the following zoning relief:

The applicant requests relief from Section 3.22 “Non-Conforming Uses”, of Zoning By-law 2003-60 as amended, specifically:

Section 3.22.3 - To allow for the replacement and enlargement of the existing tourist establishment - cabin and its continued use as such, whereas the Zoning By-Law provision would necessitate compliance with the use permission and performance standards of the applicable Zoning requirements.

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

Section 3.23.3 - To replace and enlarge the existing tourist establishment-rental cabin with a new tourist establishment - rental cabin in the same location, that will retain an existing non-complying rear yard setback of 5.1 metres, whereas a minimum rear yard setback of 7.6 metres is required in the Environmental Protection (EP) zone.

The applicant requests additional relief from Section 23 Environmental Protection (EP) Zone of Zoning By-law 2003-60 as amended, specifically:

Section 23.3.5 – To permit a maximum building height of 10 metres for the new proposed tourist establishment rental cabin, whereas a maximum building height of 6 metres is required in the Environmental Protection (EP) zone.

Section 23.3.4 – To permit a reduced rear yard setback of 5.1 metres for the new proposed tourist establishment rental cabin, whereas a minimum rear yard setback of 7.6 metres is required in the Environmental Protection (EP) zone.

To facilitate the replacement and enlargement of “Cabin 2”, as shown on the applicant’s site sketch submission, the applicant requests the following zoning relief:

The applicant requests relief from Section 15 – Accommodation Commercial (CA), of Zoning By-law 2003-60 as amended, specifically:

Section 15.3.4 b) – To permit a reduced exterior side yard setback of 0.5 metres, whereas a minimum exterior side yard setback of 6 metres is required.

To facilitate the replacement and enlargement of “Cabin 1”, as shown on the applicant’s site sketch submission, the applicant requests the following zoning relief:

The applicant requests relief from Section 15 – Accommodation Commercial (CA), of Zoning By-law 2003-60 as amended, specifically:

Section 15.3.6 c) – To permit a reduced rear yard setback of 2.6m, whereas a minimum rear yard setback of 3m is required.

AGENCY COMMENTS:

Nottawasaga Valley Conservation Authority (NVCA):

The NVCA has no objections to this application indicated in their letter dated May 6th.

Public Works:

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

Wasaga Distribution (WDI):

WDI has no objections to this application indicated in their letter dated April 26th.

PUBLIC COMMENTS:

There were comments received from neighboring properties. The comments regarding the opposition of the application were read.

RECOMMENDATION:

In consideration of the foregoing, the Planning Department supports application **A01124** subject to the following conditions being applied:

1. THAT the development will be substantially consistent with the site plan provided with the application, contained within "Appendix 1" of this report at the time of the building permit review.
2. THAT the existing private water / sewer servicing internal to the site is requested to be confirmed with a schematic plan / map to confirm how the internal servicing is configured.

DISCUSSION:

The Agent provided a presentation on the proposed application.

The owner, J. Yurichuk spoke to the application.

Neighbouring property provided their support of the application.

Jeff Richardson had questions regarding to the proposed application.

Planner, C. Watt provided comments to the neighbours' questions.

The applicant provided the neighbour with information regarding their current height increase.

There were no comments from committee members.

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

Resolution No: COA-2024-39

Moved by: Harold Van Gool
Seconded by: Daniel Paul

THAT the Committee of Adjustment hereby approves the application from Wuxly Realty Inc.

CARRIED

4.19 Application #19 - A01224 - 339 River Road East - Weather Guard Construction - Minor Variance

LANDS SUBJECT TO THE APPLICATION:

Municipally addressed as 339 River Road East, Town of Wasaga Beach.

PURPOSE AND EFFECT:

The application 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 – Non-Complying Lots, Buildings and Structures:

- Section 3.23.3 - to recognize the location and permit the expansion of the existing single detached dwelling with an existing non-complying interior side yard setback of 1.5m along the south-west property boundary and existing non-complying exterior side yard setback of 2.1m along the north-east property boundary, whereas a minimum interior side yard setback of 1.8m is required and a minimum exterior side yard setback of 4.5m is required in the R1 zone.

The application requests additional 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 4.3.5 - to permit an interior side yard setback of 1.5m, whereas a minimum interior side yard setback of 1.8m is required.
- Section 4.3.4 - to permit an exterior side yard setback of 0.9m, whereas a minimum exterior side yard setback of 4.5m is required.

The variance(s) requested would permit the expansion of the existing single-detached dwelling in the form of a 52.83 square metre two-storey addition, and a 2.97 sq. m. porch and 9.53 sq. m. deck located in the exterior side yard.

AGENCY COMMENTS:

Nottawasaga Valley Conservation Authority (NVCA):

The NVCA has no objections to this application, however stated that they would request a deferral of the application indicated in their letter dated May 6th.

Public Works:

Public Works has no objections to this application indicated in their letter dated May 6th.

Wasaga Distribution (WDI):

WDI has no objections to this application indicated in their letter dated April 26th.

PUBLIC COMMENTS:

There were no comments from the public.

RECOMMENDATION:

In consideration of the foregoing, the Planning Department supports application A01224 for the lands known municipally as 339 River Road East, and legally described as: PLAN 752 N PT LOT 16 S PT; LOT 17

Should the Committee choose to approve application A01224, 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, contained within "Appendix 1" of this report.
2. THAT the Owner enter into a Site Plan Agreement(s) to the satisfaction of the Town and registered on title pertaining to the proposed land uses and development of the subject lands.
3. THAT Consent application B01424 regarding the requested easements pertaining to access be approved and registered on the title of the subject lands.
4. DAS has sufficiently completed construction of the Lyons Ct. access and Mosley St. pedestrian ditch crossing to the satisfaction of MTO, such that they can both be approved for opening to the public.

DISCUSSION:

The applicant had no further information to add.

There were no comments from members of the public either online or in-person.

There were no comments from committee members.

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

Resolution No: COA-2024-40

Moved by: Harold Van Gool

Seconded by: Daniel Paul

THAT the Committee of Adjustment hereby approves the application from Weather Guard Construction.

CARRIED

4.20 Application #20 - A01324 - 12 Old Hickory Lane - LJV Architectural Design - Minor Variance

LANDS SUBJECT TO THE APPLICATION:

Municipally addressed as 12 Old Hickory Lane, Town of Wasaga Beach.

PURPOSE AND EFFECT:

The application requests relief from Section 3.1, "Accessory Uses, Buildings and Structures", of Comprehensive Zoning By-law 2003-60, as amended. Specifically, the applicant requests relief from:

- Section 3.3.4 – to permit a porch with a height of 1.58 metres to project 3.4 metres into the required front yard, whereas porches are permitted to project 1.2 metres into the required front yard provided that they are not more than 1.2 metres above finished grade.
- Section 3.3.4 - to permit a porch with an encroachment area of 8.75 square metres to project into the required front yard, whereas porches projecting into the required front yard shall not exceed an area of 1.5 square metres.
- Section 3.3.6 – to permit steps with a height of 1.38 metres to project 5.43 metres into the required front yard, whereas steps with a maximum height of 0.6 metres are permitted to project into a required front yard a maximum distance of 1.2 metres.

In addition to the above, the application further requests relief from Section 4, "Residential Type 1 (R1) Zone", of Comprehensive Zoning By-law 2003-60, as amended, specifically:

- Section 4.3.3 – to permit a reduced front yard setback of 5.17 metres to the easterly corner of the proposed attached garage, whereas a front yard setback of 6 metres is required.

The variance(s) requested would facilitate the construction of a porch with steps within the required front yard with an increased area, projection distance and height. The variance(s) would further permit the construction

of an attached garage with a reduced front yard setback of 5.17 metres to the easterly corner.

AGENCY COMMENTS:

Nottawasaga Valley Conservation Authority (NVCA):

The NVCA has no objections to this application indicated in their letter dated May 6th.

Public Works:

Public Works has no objections to this application indicated in their letter dated May 6th. .

Wasaga Distribution (WDI):

WDI has no objections to this application indicated in their letter dated April 26th.

PUBLIC COMMENTS:

R. Mould wrote a letter in opposition of the application based on the submitted drawing and proposed application in their letter dated May 6th.

S. Everton wrote a letter in opposition of the application based on the submitted drawing and proposed application in their letter dated May 7th.

There was a signed petition of 9 neighbours in opposition of the application dated in their letter on May 14th.

RECOMMENDATION:

In consideration of the foregoing, the following is recommended:

1. THAT application A01324 be deferred to provide the ability for the Town to work with the applicant to refine their proposal to be more in keeping with the community context.

DISCUSSION:

A. McNeill spoke to the proposed application, and has requested that this application be deferred as to work with the applicant to revise their proposed application.

J. Lucas spoke to the proposed application and stated his opposition to the application.

A local resident spoke to their opposition to the application.

The Agent, L. Hilger spoke to the concerns of the residents as well as the recommendation to defer the application.

There were no comments from committee members.

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

Resolution No: COA-2024-41

Moved by: Dave Morrison

Seconded by: Daniel Paul

THAT the Committee of Adjustment hereby requests a deferral of the application from LJH Architectural Design.

CARRIED

4.21 Application #21 - A01824 - 1736 Shore Lane - Minor Variance

LANDS SUBJECT TO THE APPLICATION:

Municipally addressed as 1736 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 3.1.5.7 – To permit a new detached accessory building to be located between the front lot line and the main building on the lot with a reduced front yard setback of 8 metres, whereas a minimum front yard setback of 12 metres is permitted for accessory buildings that conform with all other provisions of the Zoning By-Law.

The application requests further relief from Section 4, Residential Type One (R1), of Zoning By-law 2003-60 as amended, specifically:

Section 4.3.5 Interior Side Yard Width (Min.) – To decrease the minimum required interior side yard width/setback from 1.8 metres to 0.9 metres along the west property boundary to permit a new detached accessory building with a height of 3.6 metres.

The variance(s) requested would permit the construction/placement of an 11 sq. m. detached accessory building with a reduced front yard setback and interior side yard setback.

AGENCY COMMENTS:

Nottawasaga Valley Conservation Authority (NVCA):

The NVCA has no objections to this application indicated in their letter dated May 6th.

Public Works:

Public Works has no objections to this application indicated in their letter dated May 6th. .

Wasaga Distribution (WDI):

WDI has no objections to this application indicated in their letter dated April 26th.

PUBLIC COMMENTS:

There were no comments from the public.

RECOMMENDATION:

In consideration of the foregoing, the Town's Planning Department supports application A01824 for the lands known municipally as 1736 Shore Lane, and legally described as PLAN 810 LOT 25.

Should the Committee choose to approve application A01824, 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.

DISCUSSION:

There were no comments from members of the public either online or in-person.

There were no comments from committee members.

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

Resolution No: COA-2024-42

Moved by: Harold Van Gool

Seconded by: Dave Morrison

THAT the Committee of Adjustment hereby approves the application from 1736 Shore Lane.

CARRIED

4.22 Application #22 - B00224 - 39 Christopher Avenue - Consent

LANDS SUBJECT TO THE APPLICATION:

Municipally addressed as 39 Christopher Avenue, Town of Wasaga Beach.

PURPOSE AND EFFECT:

The application(s) cumulatively propose two (2) severances, to enable the existing residential building lot to be reconfigured to achieve a total of three (3) residential building lots.

The portion of the property proposed to be severed, as shown on the severance sketch provided ('Part 1'), has a frontage of approximately 15.90 metres, a depth of approximately 42.96 metres, and a lot area of approximately 683.22 square metres.

The portion of the property to be retained, as shown on the severance sketch provided ('Part 2 & Part 3'), has a frontage of approximately 31.8 metres, a depth of approximately 42.96 metres and a lot area of approximately 1,366.44 square metres.

AGENCY COMMENTS:

Nottawasaga Valley Conservation Authority (NVCA):

The NVCA has no objections to this application indicated in their letter dated May 6th.

Public Works:

Public Works has no objections to this application indicated in their letter dated May 6th. .

Wasaga Distribution (WDI):

WDI has no objections to this application indicated in their letter dated April 26th.

PUBLIC COMMENTS:

Letters of opposition were read from various neighbours.

RECOMMENDATION:

In consideration of the foregoing, based on the below, the Planning Department supports application **B00224**, subject to the following conditions being applied:

1. THAT 5% (residential) 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 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.
4. THAT an Overall Lot Grading Plan is to be provided to the Public Works/ Engineering Department, showing both lots in accordance

with current Town of Wasaga Beach Engineering Standards and Policies, specifically the Infill Lot Grading and Drainage Policy. The overall lot grading plan is to show the existing and proposed services.

5. THAT a Road Occupation Permit (ROP) is to be obtained prior to any works within the Town's Right Of Way (ROW).
6. A new set of sanitary sewer and municipal water services are to be installed to the frontage of each of the lots.
7. 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.

DISCUSSION:

The Applicant spoke to the proposed applications.

A resident spoke to their concerns regarding the proposed application.

Resident, Mary Rattensberger spoke to their concerns regarding the proposed application.

The Applicant spoke to the concerns brought up by the neighbours.

Member D. Paul and D. Morrison provided comments on the proposed application.

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

Resolution No: COA-2024-43

Moved by: Harold Van Gool

Seconded by: Adam Harrod

THAT the Committee of Adjustment hereby denies the application from 39 Christopher Avenue. Based on Committee's review of the Official Plan criteria per section 19.4.3(d) the committee refused the application based on it not recognizing or having regard for the character of established residential neighborhoods and the consideration of the impact and compatibility of the proposed development with the existing built form and fabric of an area.

DEFEATED

4.23 Application #23 - B00324 - 39 Christopher Avenue - Consent

LANDS SUBJECT TO THE APPLICATION:

Municipally addressed as 39 Christopher Avenue, Town of Wasaga Beach.

PURPOSE AND EFFECT:

The application(s) cumulatively propose two (2) severances, to enable the existing residential building lot to be reconfigured to achieve a total of three (3) residential building lots.

The portion of the property proposed to be severed as shown on the severance sketch provided ('Part 2'), has a frontage of approximately 15.90 metres, a depth of approximately 42.96 metres, and a lot area of approximately 683.22 square metres.

The portion of the property to be retained as shown on the severance sketch provided ('Part 3'), has a frontage of approximately 15.90 metres , a depth of approximately 42.96 metres, and a lot area of approximately 683.22 square metres.

AGENCY COMMENTS:

Nottawasaga Valley Conservation Authority (NVCA):

The NVCA has no objections to this application indicated in their letter dated May 6th.

Public Works:

Public Works has no objections to this application indicated in their letter dated May 6th. .

Wasaga Distribution (WDI):

WDI has no objections to this application indicated in their letter dated April 26th.

PUBLIC COMMENTS:

There were no comments from the public.

RECOMMENDATION:

In consideration of the foregoing, based on the below, the Planning Department supports application **B00324**, subject to the following conditions being applied:

1. THAT 5% (residential) 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 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.
4. THAT an Overall Lot Grading Plan is to be provided to the Public Works/ Engineering Department, showing both lots in accordance with current Town of Wasaga Beach Engineering Standards and Policies, specifically the Infill Lot Grading and Drainage Policy. The overall lot grading plan is to show the existing and proposed services.
5. THAT a Road Occupation Permit (ROP) is to be obtained prior to any works within the Town's Right Of Way (ROW).
6. THAT a new set of sanitary sewer and municipal water services are to be installed to the frontage of each of the lots.
7. THAT the application for consent, file B00224 be approved by the Committee of Adjustment, and all conditions fulfilled.
8. 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.

DISCUSSION:

The Applicant spoke to the proposed applications.

A resident spoke to their concerns regarding the proposed application.

Resident, Mary Rattensberger spoke to their concerns regarding the proposed application.

The Applicant spoke to the concerns brought up by the neighbours.

Member D. Paul and D. Morrison provided comments on the proposed application.

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

Resolution No: COA-2024-44

Moved by: Adam Harrod

Seconded by: Harold Van Gool

THAT the Committee of Adjustment hereby denies the application from 39 Christopher Avenue. Based on Committee's review of the Official Plan criteria per section 19.4.3(d) the committee refused the application based

on it not recognizing or having regard for the character of established residential neighborhoods and the consideration of the impact and compatibility of the proposed development with the existing built form and fabric of an area.

DEFEATED

4.24 Application #24 - A00824 - 781 River Road East - Minor Variance

LANDS SUBJECT TO THE APPLICATION:

Municipally addressed as 781 River Road East, 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 recognize the location of an existing one-storey 2.4 metre tall detached accessory building (shed) with an interior side yard setback of 0.3 metres from the eastern property boundary, whereas a minimum interior side yard setback of 0.9 metres is required for accessory buildings with a height of 3.7 metres or less.

In addition to the above, the applicant requests relief from Section 3.28, “Accessory Dwelling Units in Residential Dwellings”, of Comprehensive Zoning By-law 2003-60, as amended, specifically:

- Section 3.28.2.6 - to permit a reduced landscaped open space of 33% within the front yard between the front lot line and the proposed single-detached dwelling, whereas a minimum of 45% of the front yard for a residential dwelling unit containing an accessory dwelling unit shall be landscaped open space.

Additionally, the applicant requests relief from Section 4, “Residential Type 1 (R1) Zone”, of Comprehensive Zoning By-law 2003-60, as amended, specifically:

- Section 4.3.6 – to recognize the location of the existing single-detached dwelling (proposed detached accessory dwelling unit) with a rear yard setback of 5.42 metres at the southeast corner of the dwelling and 2.36 metres at the southwest corner of the dwelling, whereas a minimum rear yard setback of 7.6 metres is required.

The variance(s) requested would recognize the location of the existing detached accessory building (shed) and the existing single-detached dwelling (proposed detached accessory dwelling unit).

Further, the variance(s) would permit the construction of a new single-detached dwelling, and the conversion of the existing single-detached dwelling to a detached accessory dwelling unit with a reduction to the required front yard landscaped open space area.

AGENCY COMMENTS:

Nottawasaga Valley Conservation Authority (NVCA):

The NVCA has no objections to this application indicated in their letter dated May 6th.

Public Works:

Public Works has no objections to this application indicated in their letter dated May 6th. .

Wasaga Distribution (WDI):

WDI has no objections to this application indicated in their letter dated April 26th.

PUBLIC COMMENTS:

Local neighbours comments opposing the application were read.

RECOMMENDATION:

In consideration of the foregoing, the Planning Department supports application **A00824**, 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 the report.

DISCUSSION:

Neighbour spoke to their concerns regarding the proposed application.

The Agent, R. Reynolds spoke to the application.

Member H. Van Gool inquired about the current location of the shed be moved or removed entirely. The agent indicated this will be addressed.

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

Resolution No: COA-2024-45

Moved by: Adam Harrod

Seconded by: Harold Van Gool

THAT the Committee of Adjustment hereby approves the application from 781 River Road East, with the condition that a revised site plan drawing be provided to the satisfaction of the Planning Department demonstrating

that the existing shed will be moved to a location that complies with the interior side requirements, or be removed in its entirety.

CARRIED

5. **DATE OF NEXT MEETING**

6. **ADJOURNMENT**

The meeting adjourned at 5:04 p.m.