

**COMMITTEE OF ADJUSTMENT
DECISION RE: FILE NO. A20/22**

LANDS SUBJECT TO THE APPLICATION: PLAN 695 LOT 60, municipally addressed as 129 Shore Lane, Town of Wasaga Beach, County of Simcoe.

The subject lands have a frontage of approximately 15.24 metres (50 ft.), a depth of approximately 45.79 metres (150 ft.) and an area of approximately 696.96 square metres (7502.02 sq. ft.).

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

DECISION: GRANTED

The committee granted the following relief from Section 3.23 “Non-Complying Lots, Buildings or Structures”, of Comprehensive Zoning By-Law 2003-60 as amended. Specifically, the applicant requests relief from:

Section 3.23.3 - to recognize the location of the existing dwelling with interior side yard setbacks of 1.18 metres (3.87 ft.) along the south-west property boundary and 1.1 metres (3.6 ft.) along the north-west property boundary, whereas 1.8 metres (5.9 ft.) is required.

Further, the variance would permit the construction of a 37.2 square metre (400 sq. ft.) addition, which is to be added to the front of the dwelling on the eastern portion of the property boundary.

The variance requested would recognize the location of the existing 77.66 square metre (836 sq. ft.) dwelling with reduced interior side yard setbacks on the western property boundary, and permit the construction of a 37.2 square metre (400 sq. ft.) addition to the front of the existing dwelling on the eastern portion of the property.

FOR THE FOLLOWING REASONS:

1. THAT approval of this application will maintain the policies of the Official Plan;
2. THAT approval of this application will maintain the general intent of Zoning By-law 2003-60;
3. THAT the request for a minor variance is minor;
4. THAT the application for a minor variance is desirable for the appropriate development and use of the subject property;
5. THAT the comments and concerns of the public, both written and verbal, were considered in this decision of the Committee.

WITH THE FOLLOWING CONDITIONS:

1. THAT all other provisions of Zoning By-law 2003-60 be complied with.
2. THAT the development will be consistent with the site plan and drawings provided with the application, contained within “Appendix 1” of this report.
3. THAT If the lot grading around the existing dwelling apron will change, that an Infill Lot Grading and Drainage plan be required, if required by the Building Department.
4. THAT a Road Occupation Permit shall be taken out for any works within the right of way.

5. THAT the minimum 1.10 metre interior side yard setback and 1.18 metre interior side yard setback only apply to the western side of the existing dwelling.
6. THAT the owner confirm that the area(s) and setback(s) of the existing accessory structures shown in Figure 2 conform with the Zoning By-law, or are otherwise brought into compliance with the Zoning By-law, and provide that confirmation to Planning Staff.

ANDY FERGUSON	MEMBER
HAROLD VAN GOOL	MEMBER
KENT WOOTTON	MEMBER
ADAM HARROD	MEMBER
DANIEL PAUL	MEMBER

Only individuals, corporations and public bodies may appeal decisions in respect of applications for minor variance to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group. In order to appeal the minor variance decision, notice of the appeal must be filed with the Secretary Treasurer of the Committee of Adjustment no later than **September 4, 2022** and shall set out reasons for the appeal of the minor variance. The appeal must be accompanied by the fee required by the Local Planning Appeal Tribunal in the form of a certified check and a completed Appellant Form. **Appellant Form (A1)**. Appellant forms may be obtained from the Municipal Office or by visiting the Local Appeal Tribunal website at (<http://elto.gov.on.ca/tribunals/lpat/about-lpat/>).

DATE OF HEARING: August 15, 2022

DATE OF DECISION: August 15, 2022

LAST DATE OF APPEAL: September 4, 2022

Cristy Wilson, the Secretary-Treasurer of the Town of Wasaga Beach, Committee of Adjustment, do hereby certify this to be a true copy of the decision of the Committee of Adjustment, and that this decision was concurred in by a majority of members who heard the application and whose names appear above.

DATED this 15h day of August, 2022

Cristy Wilson
 Secretary-Treasurer
 Committee of Adjustment
 30 Lewis Street
 WASAGA BEACH, ON
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