

**THE CORPORATION OF THE TOWNSHIP OF SOUTH ALGONQUIN
COMMITTEE OF ADJUSTMENT**

PUBLIC MEETING VIA ZOOM – July 29th, 2020 –9:00 a.m.

There was a public meeting of the Committee of Adjustment via ZOOM to hear a minor variance application No. MV.2020-02 and consent application No. SEV.2020-01 on Wednesday, July 29, 2020. Present were Committee Members: Committee Chair Councillor Shalla, Councillor Bongo, Councillor Collins, Councillor Florent and Councillor Harper.

Staff: Holly Hayes, CAO/Clerk Treasurer
Tracy Cannon, Secretary/Treasurer of the Committee of Adjustment

Councillor Shalla called the public meeting to order at 9:04 a.m.

1. **ADDITIONS/AMENDMENTS TO THE AGENDA:** None

2. **ADOPTION OF THE AGENDA**

Moved by: **J. Florent**

Seconded by: **D. Harper**

To adopt the agenda as prepared for the Committee of Adjustment meeting of Wednesday, July 29, 2020 as circulated.

3. **DECLARATION OF PECUNIARY INTEREST:** None noted

4. **PUBLIC HEARING**

4.1 **CONSIDER MINOR VARIANCE APPLICATION – MV. 2020-02**

The meeting was to consider one minor variance application under Section 45 of the Planning Act regarding AIRY LOC GT112 PCL 19180 NIP, locally known as 689 McCauley Lake Road.

REQUIREMENTS FOR NOTICE

T. Cannon reported, as required by the Planning Act all property owners within 60 metres and appropriate agencies were mailed the notice of the Public Meeting on July 3, 2020. The notice sign was provided to the applicant and posted on the subject property. Confirmation the sign was posted was received on July 9, 2020.

APPLICATION

The purpose of the application is to request relief of the Zoning By-Law to permit the construction of a detached garage to the south of McCauley Lake Road, approximately 3.75 metres from the lot line that abuts McCauley Lake Road allowance. In a SR zone where an accessory building is located within a rear yard, and the rear lot line abuts a public or private road, the rear yard setback from a public or private road is required to have a minimum of 10 metres.

To provide some flexibility to the applicant's proposal of a 3.75 metres setback, it is proposed to provide the applicant some flexibility for the 3.5 metre allowance from the rear lot line abutting the road, therefore a variance of 6.5 metres is sought.

The consensus of the Committee was the proposal would maintain the four tests of;

- 1) minor in nature.
- 2) maintaining the intent of the Municipal Comprehensive Zoning By-Law
- 3) maintaining the intent of the Official Plan and Provincial Policy Statement

- 4) representing appropriate development

COMMENTS FROM THE PLANNER:

T. Cannon informed the Committee all comments from the Planner are outlined in the Planner Report. Patrick Townes, Planner at MHBC Planning provided additional information after the report to clarify setbacks requested by committee member.

SITE INSPECTION REPORT & COMMITTEE DISCUSSION OF APPLICATION

Site inspections were conducted by some Committee members, Michael Anderson, Chief Building Official and T. Cannon, Planning & Building Administrator. The shoreline road allowance was purchased from Crown. T. Cannon will confirm if the current legal description includes the shoreline road allowance.

APPLICANT COMMENT ON APPLICATION

The applicant, Piotr Frasunkiewicz thanked the members of the committee who attended the site.

PUBLIC COMMENT ON APPLICATION: None

FINAL QUESTIONS OR COMMENTS

Applicant or Agent: **None**
Members of the Public: **None**
Committee Members: **None**

SUGGESTED DECISION AND CONDITIONS OF THE MINOR VARIANCE

T. Cannon, Secretary Treasurer read the suggested decision to approve the application with conditions listed below;

- 1) The development be in accordance with the drawings submitted with the application.
- 2) Payment of all municipal legal and planning fees associated with the processing of the application.

DECISION

Moved by: J. Florent

Seconded by: D. Harper

In making the decision upon the application, the committee has considered whether or not the variance requested was minor and desirable for the appropriate development and that the general intent of and purpose of the Zoning By-Law and the Official Plan will be maintained.

THEREFORE the Committee of Adjustment grant the minor variances subject to all planning fees associated with the processing of the application and that the development be in accordance with the drawings submitted with the application.

-Carried-

4.2 CONSIDER CONSENT APPLICATION – SEV. 2020-01

This portion of meeting is to consider a Consent for a severance under Section 53 of the Planning Act. Application number SEV.2020-01 proposes to legally divide the existing development on the subject lands and create one new lot. Following the proposed severance, the Retained Lands will have a lot area of approximately 1.29 hectares (3.2 acres). The Severed Lands will have a lot area of approximately 1.20 hectares (3 acres).

The purpose of the easement is to provide for legal access over the severed lot to access the retained lot. The width of the easement is 10 metres.

REQUIREMENTS FOR NOTICE

T. Cannon reported, as required by the Planning Act all property owners within 60 metres were mailed the notice of the Public Meeting on July 3, 2020. It was confirmed the notice signs were posted on the subject property on July 13, 2020.

COMMENTS FROM THE PLANNER:

T. Cannon informed the Committee all comments from the Planner are outlined in the Planner’s Report, no additional comments were received from the Planner.

SITE INSPECTION REPORT & COMMITTEE DISCUSSION OF APPLICATION

All members of the Committee were familiar with the property. Councillor Collins inquired about adequate road frontage.

APPLICANT COMMENT ON APPLICATION

Present at for the public hearing were applicants, Philip Morlock and Erin Morlock. Also present was their agent Mr. Robert Howe.

Mr. Howe spoke to Councillor Collins comment pertaining to the road frontage.

Mr. Howe referenced the Planner’s Report and the conditions within the report.

PUBLIC COMMENT ON APPLICATION

An email inquiry dated July 24th regarding the zoning and use of the property. These questions were addressed and the member of the public was advised they could attend this meeting if they wished. No further comments were received.

FINAL QUESTIONS OR COMMENTS

Mr. Howe inquired for the need for Condition No. 7; that in a manner acceptable to the Township, that an agreement be entered into for the access easement to be registered on the title of the proposed severed and retained lots. After discussion it was decided that No. 7 condition will remain.

Members of the Public: None

Committee Members: None

SUGGESTED DECISION AND CONDITIONS OF SEVERANCE

T. Cannon, Secretary Treasurer read the suggested decision to approve the application with the conditions as outlined in the Decision of Committee of Adjustment.

DECISION

Motion to **approve** the application and conditions as read by the Secretary-Treasurer.

Moved by: S. Collins

Seconded by: J. Florent

-Carried-

5. **OTHER:** None

6. **NEXT MEETING**

Next meeting will be scheduled as required

ADJOURNMENT

Moved by: J. Florent

Seconded by: R. Shalla

The Committee adjourned the Committee of Adjustment meeting at 9:41 a.m.

-Carried-

Committee Chair, Richard Shalla

Secretary/Treasurer, Tracy Cannon