

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

PUBLIC MEETING VIA ZOOM – November 23, 2021 –9:00 a.m.

There was a public meeting of the Committee of Adjustment via ZOOM to hear two Consent Applications No. SEV.2021-03 and No. SEV.2021-04 and Minor Variance Application (Permission) M.V. 2021-03. Present were Committee Members: Committee Chair Councillor Shalla, Councillor Bongo, Councillor Collins, Councillor Florent, Councillor Harper.

Staff: Bryan Martin, CAO/Clerk Treasurer
Tracy Cannon, Secretary/Treasurer of the Committee of Adjustment

Guests: Kimberly Gorman, applicant- SEV.2021-03
Andrew Boldt, applicant - SEV.2021-04
Laura Stone, Planner at Community Planning and Consulting Inc and Applicant Agent - MV.2021-02

Councillor Shalla called the public meeting to order at 9:00 a.m.

1. ADDITIONS/AMENDMENTS TO THE AGENDA: None

2. ADOPTION OF THE AGENDA

Moved by: Councillor Harper

Seconded by: Councillor Florent

To adopt the agenda as prepared for the Committee of Adjustment meeting of Tuesday, November 23, 2021 as circulated.

-Carried-

3. DECLARATION OF PECUNIARY INTEREST: None

4. ADOPTION OF MINUTES

Moved by: Councillor Florent

Seconded by: Councillor Harper

To adopt the minutes of September 15, 2021 Committee of Adjustment meeting as circulated.

-Carried-

5. PUBLIC HEARING

5.1 CONSIDER CONSENT APPLICATION – SEV. 2021-03

This portion of the meeting is to consider consent application for a severance for lands legally described as Part of Lot 20, Concession 8, Sabine Ward. The application proposes to create two new residential lots from the subject property which results in 2 severed and 1 retained. The retained lot will have approximately 2.83 ha and approximately 188 m frontage on Highway 127.

Severed Lot 1 will have approximately 2.83 ha and approximately 100 m frontage on Highway 127

Severed Lot 2 will have approximately 2.43 ha and approximately 100 m frontage on Highway 127.

All three parcels of land are currently vacant and are heavily wooded with a hilly topography.

The property owner pre-consulted with The Ministry of Transportation, and MTO has confirmed that each lot will have its own individual entrance.

REQUIREMENTS FOR NOTICE

T. Cannon reported, as required by Section 53 of the Planning Act all property owners within 60 metres and appropriate agencies were mailed the Notice for the Public Meeting on October 29th, 2021. The notice signs were posted on the subject property on October 26th.

PUBLIC/AGENCY COMMENT ON APPLICATION: None

COMMENTS FROM THE PLANNER:

All comments from the Planners are outlined in the Planner Report.

SITE INSPECTION REPORT & COMMITTEE DISCUSSION OF APPLICATION:

Councillor Florent visited the site; no concern with the entrances or the proposed application. Councillor Shalla visited the site; spoke to the adjacent property owner; no concerns. Councillor Shalla requested confirmation on access.

APPLICANT COMMENT ON APPLICATION: Ms. Gorman, Applicant confirmed The Ministry of Transportation has pre-approved that all three lots will have individual entrances.

FINAL QUESTIONS OR COMMENTS

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

SUGGESTED DECISION AND CONDITIONS OF CONSENT APPLICATION

T. Cannon, Secretary Treasurer read the recommended decision to provide provisional approval for the Consent application and the recommended conditions. T. Cannon further recommended to add a standard condition that didn't get included in the Planner Report; If applicable, that the applicant meet all financial requirements of the Township, including the payment of the balance of any outstanding taxes, including penalties and interest be paid.

DECISION

Moved by: Councillor Florent **Seconded by: Councillor Harper**
That the Committee of Adjustment accepts Application SEV.2021-03 and the conditions as read by the Secretary-Treasurer.
-Carried-

5.2 CONSIDER CONSENT APPLICATION – SEV. 2021-04

This hearing is to consider consent application for a severance for lands locally known as 145 & 161 Algonquin Street. The application proposes to legally divide the existing development. The two existing dwellings have separate street addresses and appear they were to be separated many years ago but were never legally separated on title.

The Severed lands will have approximately 0.3 ha with 79 m of frontage on Algonquin Street – occupied by house and sheds.

The Retained lands will have approximately 0.28 ha with 55 m of frontage on Algonquin Street – occupied by dwelling and garage.

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 Oct. 29th. The notice signs were provided to the applicant on Oct. 29th and posted on the property.

COMMENTS FROM THE PLANNER:

All comments from the Planner are outlined in the Planner Report.

PUBLIC/AGENCY COMMENT ON THE APPLICATION

No public comments were received.

The Ministry of Transportation provided comments; they have no concerns with severance, however no new access will be granted to either the severed or retained lot from Highway 60 and all access is to be maintained from Algonquin St. Also, should there be any changes and or buildings proposed, MTO will need to be notified prior to the commencement of any work.

APPLICANT COMMENT ON APPLICATION:

Andrew Boldt, applicant thanked the committee and expressed he hoped it went smoothly as the family has been working on it for a long time.

SITE INSPECTION REPORT & COMMITTEE DISCUSSION OF APPLICATION

Councillor Shalla; familiar with the property and feels it will be a good feeling for all parties if it was resolved.

Councillor Florent; inquired about the mutual use of the well for the retained lands and an adjacent property. T. Cannon stated that after further consultation, it was determined that a condition regarding the well wasn't necessary for this application.

FINAL QUESTIONS OR COMMENTS:

Applicant: None

Members of the Public: None

Committee Members: None

SUGGESTED DECISION AND CONDITIONS OF SEVERANCE

T. Cannon, Secretary Treasurer read the recommended decision to provide provisional approval for the Consent application and the recommended conditions.

DECISION

Moved by: Councillor Collins

Seconded by: Councillor Florent

That the Committee of Adjustment accepts application SEV.2021-04 and the conditions as read by the Secretary-Treasurer.

-Carried-

5.3 CONSIDER MINOR VARIANCE APPLICATION (PERMISSION) – MV. 2021-03

Ms. Stone introduced herself to the committee. She has been working closely with the municipality for a rebuild on a boathouse.

T. Cannon stated this portion of the meeting is to consider Minor Variance Application (Permission) for lands locally known as 256 Hay Creek Road along Galeairy Lake. The subject property has approximately 93.6 m of frontage on Galeairy Lake and an area of 1.24 ac. The property is occupied by a single detached dwelling and an existing in-water boathouse. The property owner owns the abutting shore road allowance.

During the application review, it was determined the property is zoned “Crownland” (CL) which was incorrectly placed on the property during the implementation of the zoning by-law. A more appropriate zone for the property would be the “Settlement Area Shoreline Residential (R2)”. The property can be corrected during a future municipal update to the zoning by-law.

The existing boathouse has a legal non-conforming status. Which results in any change, alteration or replacement of the existing in-water boat house requires approval for an expansion of a legal non-conforming use.

The application is requesting permission under 45(2) of the Planning Act to replace the existing in-water boathouse with a 44.63 m² land boathouse that will be approximately 18.5m² larger than the existing in-water boathouse.

The proposed development has the appearance of a net environmental gain over the current situation with the removal of the in-water.

REQUIREMENT FOR NOTICE

The requirement to hold this meeting is that there must be at least 10 days’ notice as prescribed by Section 45 (5) of the Planning Act. The notices were mailed to property owners within the required 60 metres of the subject property on November 1st and the notice sign was posted on the property by the applicant’s agent on November 1st.

PUBLIC/AGENCY COMMENT ON THE APPLICATION: None

SITE INSPECTION REPORT & COMMITTEE DISCUSSION OF APPLICATION

Councillor Florent; visited the site and observed it was a nice well-kept property. No concerns with the application.

Councillor Shalla; very familiar with the property and felt the proposal will enhance the area and has no concerns with the application.

COMMENTS FROM THE PLANNER

All comments from the Planners are outlined in the Planner Report.

APPLICANT COMMENT ON APPLICATION:

Ms. Stone, Planner had no comments at this time.

FINAL QUESTIONS OR COMMENTS:

Applicant: None

Members of the Public: None

Committee Members: None

SUGGESTED DECISION ON THE MINOR VARIANCE APPLICATION

T. Cannon, Secretary Treasurer read the recommended decision to approve the application with conditions;

- 1) That the approved development is for Drawing P-1, submitted with the application and dated 22-06-2021, including a maximum height of 4 m.
- 2) That the boathouse is not used for human habitation including sleeping, cooking, or living area, and shall not contain a sauna and/or washroom.
- 3) Payment of all municipal legal and planning fees associated with the processing of the application.

DECISION

Moved by: Councillor Bongo

Seconded by: Councillor Florent

In making the decision upon the application, the committee has considered whether or not the application meets the requirements of subsection 45(2) of the Planning Act.

THEREFORE the Committee of Adjustment grant the Permission to Enlarge subject to the conditions as read by the Secretary Treasurer.

-Carried-

M. Anderson, CBO confirmed the property owner will be required to obtain a Demolition Permit for the removal of the existing boathouse and a Building Permit for the new boathouse.

6 NEXT MEETING

Next meeting will be scheduled as required.

ADJOURNMENT

Moved by: Councillor Florent

Seconded by: Councillor Bongo

The Committee adjourned the Committee of Adjustment meeting at 9:27 a.m.

-Carried-

Committee Chair, Richard Shalla

Secretary/Treasurer, Tracy Cannon