



Corporation of the  
**Township of Tay**

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**COMMITTEE OF ADJUSTMENT  
MINUTES OF MEETING  
Wednesday, April 19, 2017 – 7:00 PM  
Township of Tay Municipal Office – Council Chambers**

Members Present:      A. Ott, Chair  
                                 C. Constantin-Barron  
                                 M. Van Halem  
                                 D. Strachan  
                                 F. Ruf

Staff Present:            S. Farquharson, Planning and Development Director  
                                 & Secretary-Treasurer  
                                 A. Thomas, Clerk

**1.0 OPENING ADDRESS FROM THE CHAIR**

Chair A. Ott called the meeting to order at 7:00 p.m.

**2.0 APPOINTMENT OF SECRETARY TREASURER**

**MOTION:** Moved by:            F. Ruf  
                                 Seconded by:            C. Constantin-Barron

**THAT** as per the Planning Act, R.S.O. 1990, c.P.13, s.44(8) that Steve Farquharson be appointed as secretary-treasurer for the Committee of Adjustment.

**CARRIED.**

**3.0 DECLARATION OF CONFLICT OF INTEREST**

None were presented.

**4.0 MINUTES**

None were presented.

## **5.0 MEETING**

### **5.1 Minor Variance Application 2017-A-08 – Adam and Melissa Baguley**

**Location:** 117 Maskinonge Road

**Attending**

**Applicant/Agent:** Applicant – Adam and Melissa Baguley

**Written Comments Received at the Hearing:**

None.

The Planning and Development Director gave a PowerPoint presentation, through which he reviewed the application and planning report.

**Proponent:**

Adam Baguley (Applicant):

- Agreed with Director's comments and planning report.
- Spoke to measures that will be undertaken to mitigate the water on the property, particularly as it affects the foundation.
- Applicant submitted letters of support from the neighbours.

**Public Audience:**

None.

**Committee Members:**

Andy Ott, Chair:

- Questioned whether or not the application is precedent setting.

Planning and Development Director, response:

- No, the committee has considered similar applications in the past.

### **5.2 Minor Variance Application 2017-A-09 – Gino and Gloria Tittarelli**

**Location:** 3 Bayside Avenue

**Attending**

**Applicant/Agent:** Applicant – Gino Tittarelli

### **Written Comments Received at the Hearing:**

None.

The Planning and Development Director gave a PowerPoint presentation, through which he reviewed the application and planning report.

### **Proponent:**

Gino Tittarelli (Applicant):

- Agree with Director's planning report recommendations.

### **Public Audience:**

None.

### **Committee Members:**

Murray Van Halem:

- Questioned that the application is required due to a difference in a surveyed contour line

Planning and Development Director, response:

- Advised that the application was triggered by the proximity of the corner of the house as it relates to the setback of the house from the 178.0 contour line.

Claire Constantin-Barron:

- Questioned why there was no septic or well clause proposed like the last application

Planning and Development Director, response:

- Advised that the Chief Building Official had no concerns with the application so the clause is not required. In addition, he noted that wells are regulated through the Ministry.

Andy Ott, Chair:

- Questioned whether or not any concerns were received from the neighbours.

Planning and Development Director, response:

- No concerns were received on the application.

### **5.3 Consent Applications 2017-B-09 – Stephanie Dallimore (James Dick)**

**Location:** 505 Camilla Street

**Attending**

**Applicant/Agent:** Applicant – Stephanie Dallimore  
Agent – James Dick

**Written Comments Received at the Hearing:**

None.

The Planning and Development Director gave a PowerPoint presentation, through which he reviewed the application and planning report.

**Proponent:**

James Dick (Agent):

- Agree with Director's planning report recommendations.
- Expressed concerns regarding minimum lot frontage restricting development.
- Advised that they have made accommodation for the fire hydrant.

**Public Audience:**

None.

**Committee Members:**

Andy Ott, Chair:

- Questioned the ownership of the abutting lands.

Planning and Development Director, response:

- Advised that upon review the lands are owned by another party.

Claire Constatin-Barron:

- Questioned whether or not any concerns were received from the neighbours.

Planning and Development Director, response:

- No concerns were received on the application.

## 6.0 **DECISIONS**

### 6.1 **Minor Variance Application 2017-A-08 – Adam and Melissa Baguley**

**Location:** 117 Maskinonge Road

**MOTION:** Moved by: D. Strachan  
 Seconded by: M. Van Halem

**THAT,**

Minor Variance Application **2017-A-08 (Adam and Melissa Baguley)** is granted approval subject to the following conditions being imposed on the Committee's decision:

1. That the setbacks be in conformity with the dimensions as set out on the application and site plan as prepared by Jones Consulting Group Limited dated March 20, 2017, Revision 1 titled "Grading Plan" Drawing Number SG-1 as approved by the Committee;
2. That the applicant apply for and obtain a septic permit from the Township to show a septic system can be accommodated on the property;
3. That the appropriate zoning certificate and building permit be obtained from the Township only after the Committee's decision becomes final and binding, as provided by the Planning Act, R.S.O. 1990, c. P.13.;
4. That prior to issuance of a building permit, the applicant submit to the satisfaction of the Township a report from the coastal engineering stating that the proposed development of the lot can occur within the 178.0 metre G.S.C. elevation of Georgian Bay.

#### **FOR THE FOLLOWING REASONS,**

The proposed variance maintains the intent of the Official Plan and Zoning By-law, and development is appropriate on the lot and is considered to be minor in nature.

#### **CARRIED.**

**Explanation** of the effect any written and/or oral submissions from the public had on the decision: N/A

## **6.2 Minor Variance Application 2017-A-09 – Gino and Gloria Tittarelli**

**Location:** 3 Bayside Avenue

**MOTION:** Moved by: C. Constantin-Barron  
Seconded by: F. Ruf

**THAT,**

Minor Variance Application **2017-A-09 (Gino and Gloria Tittarelli)** is granted approval subject to the following conditions being imposed on the Committee's decision:

1. That the setbacks be in conformity with the dimensions as set out on the application and survey as prepared by Eplett Worobec Raikes Surveying Limited dated March 21, 2017, as approved by the Committee;
2. That the appropriate zoning certificate and building permit be obtained from the Township only after the Committee's decision becomes final and binding, as provided by the Planning Act;
3. That prior to issuance of a building permit, the applicant submit to the satisfaction of the Township a report from the coastal engineering stating that the proposed development of the lot can occur within the 178.0 metre G.S.C. elevation of Georgian Bay.

**FOR THE FOLLOWING REASONS,**

The proposed variance maintains the intent of the Official Plan and Zoning By-law, and development is appropriate on the lot and is considered to be minor in nature.

**CARRIED.**

**Explanation** of the effect any written and/or oral submissions from the public had on the decision: N/A

## **6.3 Consent Applications 2017-B-09 – Stephanie Dallimore (James Dick)**

**Location:** 505 Camilla Street

**MOTION:** Moved by: D. Strachan  
 Seconded by: M. Van Halem

**THAT,**

Consent Application **2017-B-09 (James Dick on behalf of Stephanie Dallimore)** is granted provisional approval subject to the following conditions being imposed on the Committee's decision:

1. That the Township receive cash in lieu of parkland dedication of 5% of the appraised value of the area of the severed lands. The value of the land to be determined as of the day before the granting of provisional consent. The appraiser to be determined by the Township at the expense of the owner, with the appraisal fee paid in advance;
2. That a preliminary Lot Grading and Drainage Plan designed by a Professional Engineer, or a Landscape Architect, or an Ontario Land Surveyor, be prepared for the severed lot to the approval of the Township's Public Works Department, to demonstrate the viability of developing the lots with respect to lot grading and drainage;
3. That a copy of a registered reference plan for the subject land indicating the severed and retained parcels be prepared by an Ontario Land Surveyor and submitted to the Secretary-Treasurer;
4. That the applicant's solicitor prepare and submit a copy of the proposed conveyances for the severed parcels, for review by the Township;
5. That all municipal taxes be paid in full to the Township of Tay;
6. That the minimum lot area of the severed parcel be not lesser than approximately 663 square metres and a minimum lot frontage of approximately 20.0 metres;
7. That the minimum lot area of the retained parcel be not lesser than approximately 926.0 square metres and a minimum lot frontage of approximately 27.9 metres;
8. That the conditions of consent imposed by the Committee be fulfilled within one year from the date of giving of the notice.

**FOR THE FOLLOWING REASONS,**

The consent application is consistent with the Provincial Policy Statement (PPS), the Growth Plan for the Greater Golden Horseshoe and conforms to the policies stated in the County of Simcoe and Township's Official Plans. The application also complies with the Township's General Zoning By-law No. 2000-57 as amended.

**CARRIED.**

**Explanation** of the effect any written and/or oral submissions from the public had on the decision: N/A

**7.0 OTHER BUSINESS**

There was no other business before the Committee.

**8.0 NEXT MEETING**

The next meeting of the Committee of Adjustment is scheduled for May 17, 2017 at 7:00 p.m. in the Municipal Council Chambers.

**9.0 ADJOURNMENT**

The Committee adjourned at 7:53 p.m.

Respectfully Submitted:

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Murray Van Halem, Chair

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S. Farquharson, Secretary-Treasurer