



Corporation of the  
**Township of Tay**

450 PARK ST.  
P.O. BOX 100  
VICTORIA HARBOUR  
ONTARIO L0K 2A0

(705) 534-7248  
FAX (705)534-4493

**COMMITTEE OF ADJUSTMENT -AGENDA**

Wednesday, February 20<sup>th</sup>, 2019 – 5:30 p.m.

Township of Tay Municipal Building – Council Chamber

450 Park Street, Victoria Harbour

1. Call To Order
2. Appointment Of Chair
3. Appointment Of Secretary Treasurer And Deputy Secretary Treasurer
4. Adoption Of Agenda
5. Declaration Of Pecuniary Interest
6. Adoption Of Minutes From November 21<sup>st</sup> 2018
7. Public Meeting
  - 7.1 2019-A-01, 326 Robins Point Road
8. Decisions
9. Other Business
10. Next Meeting – March 20<sup>th</sup> 2019
11. Adjournment



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**COMMITTEE OF ADJUSTMENT**

**MINUTES OF MEETING Wednesday, November 21<sup>st</sup>, 2018 – 5:30 PM**

**Township of Tay Municipal Office – Council Chambers**

Members Present: Chair: A. Ott

Member: M. Van Halem

Member: C. Constantin-Barron

Member: M. Heffer

Member: F. Ruf

Staff Present: L. O'Toole, Planner, Secretary-Treasurer

S. Farquharson, Planning and Development Director

**1.0 CALL TO ORDER**

Chair A. Ott called the meeting to order at 5:30 p.m.

**2.0 OPENING ADDRESS FROM THE CHAIR**

**3.0 ADOPTION OF THE AGENDA**

**MOTION:** Moved by: Member Ruf

Seconded by: Member Constantin-Barron

**THAT** Committee adopted the agenda as prepared.

**CARRIED.**

**4.0 Declaration of Conflict Of Interest**

None were presented

**5.0 Adoption of Minutes**

**MOTION:** Moved by: Member Van Halem  
Seconded by: Member Heffer

**THAT** the minutes of Public Hearing held July 18<sup>th</sup>, 2018 be adopted as circulated.

**CARRIED.**

## **6.0 Public Hearing**

### **6.1 Minor Variance Application 2018-A-06- Applicant Bruce Brown**

#### **Attending**

**Applicant/Agent:** Bruce Brown

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

None.

#### **Proponent:**

The applicant was present at the meeting and had nothing further to add to the Planners presentation.

#### **Public Audience:**

None.

#### **Committee Members:**

S. Farquharson provided an overview of the application and recommended deferral of the application, as proper notice was not given under the Planning Act, R.S.O 1990, c.P.13.

### **6.2 Minor Variance Application 2018 A 06 – Applicant John Richards**

#### **Attending**

**Agent:** Bob Richards

**Written Comments Received at the Hearing:** None.

**Proponent:** The applicant's agent Bob Richards attended the hearing.

**Public Audience:** none

**Committee Members:**

S. Farquharson outlined the variance to the Committee, recommending approval.

B. Richards provided additional information about the application on behalf of the applicant.

The Committee asked Staff for clarification on comments from the Public Works Director, and the nature of the agreement, and how it came to be entered into. S. Farquharson provided an overview of the comments from the Public Works Department and the reasons for them not supporting the requested Variance. The Director of Planning and Development also provided the reasoning and background for the agreement that was entered into in order to allow for construction of the new detached accessory structure to proceed prior to the Committee considering the variance.

**6.3 Minor Variance Application 2018 B 01– Applicant Danielle Ledlie**

**Attending**

**Applicant/Agent:** Danielle Ledlie / Josh Dorion

**Written Comments Received at the Hearing:** None.

**Public Audience:** None.

**Committee Members:**

L. O'Toole provided an overview on the proposed boundary adjustment.

No questions or concerns from Committee Members.

J. Dorion provided additional information.





1. That a copy of a registered reference plan for the subject land indicating the severed parcel to be prepared by an Ontario Land Surveyor and submitted to the Secretary-Treasurer.
2. That the applicant's solicitor prepare and submit a copy of the proposed conveyance for the parcel severed, for review by the Township.
3. That all municipal taxes be paid in full to the Township of Tay;
4. That Subsection 50 (3) and/or (5) of the Planning Act applies to any subsequent conveyance of or transaction involving the parcel of land that is the subject of this consent.
5. That if the property is to change ownership prior to the conditions of consent imposed by the Committee are fulfilled, an authorization from the new owners must be received by the Township acknowledging the request to proceed with the applications as approved by the Committee;
6. That the applicant's solicitor prepares a letter of undertaking that the severed lands from 2110 Reeves Road and the lands to be enhanced municipally known as 2070 Reeves Road will merge on title.
7. That the lands to be conveyed not exceed 1858m<sup>2</sup>.
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, 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.

**8.0 OTHER BUSINESS**

8.1 LPAT Decision- 174 Bayview Avenue- Verbal update from the Director of Planning and Development.

The Director of Planning and Development provided a verbal update on the LAPT decision for 174 Bayview Avenue as it pertains to Minor Variance 2017-A-03.

**9.0 NEXT MEETING**

The next meeting of the Committee of Adjustment is to be determined.

## **9.0 ADJOURNMENT**

The Committee adjourned at 7:00 p.m.

**MOTION:** Moved by: Member Ruf  
Seconded by: Member Van Halem

Respectfully Submitted:

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A. Ott, Chair

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L. O'Toole, Secretary Treasurer





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**STAFF REPORT**

**Committee:** Committee of Adjustment  
**Chair:** Committee of Adjustment Chair  
**Meeting Date:** February 20<sup>th</sup>, 2019  
**Application No.:** **2019-A-01**  
**Subject:** Minor Variance Application for 326 Robins Point Road

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**RECOMMENDATION:**

That Variance Application 2019-A-01 be deferred, in order for the applicant to revised the application to identify additional variances required.

**INTRODUCTION/BACKGROUND:**

The applicant is requesting a Minor Variance from **Section 12.4.2** of the Township of Tay Zoning By-law 2000-57 as amended, which limits the front yard setback in the "SR-2" zone to 7.5 metres. The applicant requires the variance in order to construct an attached garage with a front yard setback of 4.39 metres.

	<b>Permitted</b>	<b>Proposed</b>
<b>Front Yard Setback</b>	7.5 metres (24.6 feet)	4.39 metres (14.4 feet)

## **ANALYSIS:**

The subject property is located on the shoreline of Sturgeon Bay, along Robins Point Road. Following a visit to the site and a detailed site plan review, two potential deficiencies have been discovered on the property. First, the detached accessory building located in the front yard appears to encroach on the minimum front yard setback of 6 metres, and the minimum side yard setback of 1 metre.

Second, the length of the driveway has been expanded along the frontage of the property, and does not conform to the standards outlined in the Zoning By-law. Section 5.2.1 (b) of the Zoning By-law limits the width of a driveway to 30% of the width of the lot, or 5 metres, whichever is greater. In this case, 30% of the lot is greater than 5 metres, and would allow for a driveway with a width of 5.7 metres. The existing driveway looks to be 13 metres wide. Section 5.2.4 (c) states that a strip of land 2.5 metres in width must be maintained abutting the entire length of a parking area which abuts a street, except for areas that are to be used for ingress and egress to the street. Currently, the entire 13 metres of driveway is abutting the front lot line.

### Outside Agency, Internal Department and Public Comments:

**County of Simcoe** – No comments received to date

**Newmarket-Tay Power Distribution Ltd.** - No comments received

**Bell Canada Right of Way** - No comments received

**Simcoe County District School Board**- No comments received.

**Chief Administrative Officer** – No issues or concerns.

**Clerk**- No concerns

**Director of Finance** – No issues or concerns.

**Director of Public Works** – Should not be less than 6.5 m from front of garage to property line since need to park on own property. Correct driveway to comply to zoning by-law.

**Water/ Sanitary Wastewater Superintendent** – No issues or concerns.

**Manager of Roads and Fleet** – Where will parking be? There will not be adequate space between the garage and roadway for parking. Owner should take into account snowback size due to road snow clearing. Roads is not in favour.

**Chief Building Official-** No concerns at this time.

**Fire Chief –** No comments received.

**FINANCIAL BUDGET IMPACT:**

There are no budgetary impacts to this report.

**CONCLUSION:**

Planning Staff recommend deferral until the outstanding Zoning deficiencies have been addressed or included as part of the application

**Prepared and Recommended by;**

Liam O'Toole, B.URPI, B.A  
Planner

Date: February 15, 2019

**Reviewed by:**

Date: February 15, 2019

Steven Farquharson, B.URPL, MCIP, RPP  
Director of Planning and Development