



Committee of Adjustment Meeting Minutes

The Committee of Adjustment met in person in the Council Chambers on October 9, 2024 at 3:00 p.m.

Those in attendance were:

Chair: Chuck Arrand

Member: Marc Royal

Member: Ken Walker

Councillor: Robert McArthur

Regrets: Gord Zeggil

Staff: Community Planner, Nick Ainley
Deputy Secretary Treasurer, Lori Kennedy
Manager of Planning, Rossalyn Workman

1. Call to Order

The Chairman called the meeting to order at 3:00 pm.

2. Minutes

3.1 Minutes of the Committee of Adjustment meeting held on August 14, 2024.

Resolution:

Moved by Robert McArthur, Seconded by Marc Royal, Be It Resolved That the Committee of Adjustment hereby approve the minutes dated August 14, 2024, as presented. Motion Carried.

3. Disclosure of Disqualifying Interest and General Nature Thereof

None.

4. Applications

4.1 **Consent File 24-B07 – 1665 and 1583 Concession 10 (Carter)**

The purpose of the application is to sever a portion of land from 1665 Concession 10 South Nottawasaga to be added to 1583 Concession 10 South Nottawasaga.

Proposed Severed Parcel: Approximately 65 metres of frontage, approximately 3 hectares (7.4 acres) with a decommissioned barn.

Retained Lot: Approximately 235 metres of frontage, approximately 37 hectares (91.4 acres) vacant land.

The effect of the application is to facilitate a boundary adjustment which will result in 1583 Concession 10 South Nottawasaga having a new lot frontage of approximately 365 metres and lot area of approximately 22 hectares (54.4 acres).

The Deputy Secretary read the notice of application and advised that circulation of the application was mailed on September 24, 2024, to the applicant, appropriate agencies, and property owners within 60 metres. The Secretary advised that comments with no objection were received from the Township of Clearview Public Works Department and Nottawasaga Valley Conservation Authority.

The Chairman asked Manager Workman to provide any additional information. Manager Workman noted that the application was previously heard at the last Committee of Adjustment hearing and was deferred due to NEC approvals not being granted at that time. Manager Workman explained that the NEC recently issued their development permit.

The Chairman welcomed Miriam Vasni of Plan Wells Associate, agent. Ms. Vasni provided an overview of the application and stated she was there to answer any questions the Committee may have.

The Chairman asked the Committee if they had any questions or comments. They did not.

Resolution:

Moved by Ken Walker, Seconded by Robert McArthur, Be It Resolved That Consent Application 24-B07 be approved as applied for, subject to the following conditions:

1. That the owner meet all the requirements, financial and otherwise of the Municipality.

2. That the applicant provides a description of the land which may be registered under the requirements of the Registry Act or Land Titles Act as applicable.
3. That any mortgage on the property be discharged from any lands being severed from 1665 Concession 10 South and that the solicitor provide an undertaking in writing that this condition will be fulfilled.
4. That the property to be severed (frontage of 65 m and total area of 3 ha) from 1665 Concession 10 South is conveyed into the same name as the owner of abutting land and legally merged with the lands to the north, known as 1583 Concession 10 South and being assessed as Roll No. 432901000820000 to the satisfaction of the Township.

4.2 Minor Variance File 24-A16 – 1069 County Road 124 (Singhampton Community Centre)

The purpose of the application is to request the approval of the Committee of Adjustment for relief from the Recreation Lands (REC) Zone minimum interior side yard requirement of 15 metres to 6.1 metres on the southern interior side yard and to 12.2 metres on the western interior side yard. The total variance being requested is 8.9 metres and 2.8 metres.

The effect of the application is to allow construction of a detached recreation facility to be used for the recreational activities on site.

The Deputy Secretary read the notice of application and advised that circulation of the application was mailed on September 24, 2024, to the applicant, appropriate agencies, and property owners within 60 metres. The Deputy Secretary advised that comments were received from the Township of Clearview Public Works Department, as outlined in the Planning Recommendation Report.

The Chairman asked Manager Workman to provide any additional information. Manager Workman had no additional information to add.

The Chairman welcomed Judy Jameson. Ms. Jameson asked for clarification regarding the term used to describe the proposed structure. Manager Workman explained how the proposal falls under the permitted use of “recreation facility” in the Zoning By-law.

The Chairman asked the Committee if they had any questions or comments. Member McArthur asked if the application fees could be waived being that it is a community venture. Member Workman said she would inquire with the Treasurer.

Resolution:

Moved by Robert McArthur Seconded by Ken Walker, Be It Resolved That Minor Variance Application 24-A16 be approved as applied for.

4.3 Consent Variance File 24-B08 – 102 Batteaux Road and 7385 36/37 Sideroad Nottawasaga (Edwards)

The purpose of the application is to sever a portion of land from 102 Batteaux Road to be added to the abutting property at 7385 36/37 Sideroad Nottawasaga.

Proposed Severed Parcel: Approximately 0.19 hectares.

Retained Lot: Approximately 167.8 metres of frontage and approximately 3.8 hectares.

The effect of the application is to facilitate a boundary adjustment which will result in 7385 36/37 Sideroad Nottawasaga having a new lot area of approximately 0.56 hectares.

The Deputy Secretary read the notice of application and advised that circulation of the application was mailed on September 24, 2024, to the applicant, appropriate agencies, and property owners within 60 metres. The Secretary advised that comments with no objection were received from the Township of Clearview Public Works Department and Hydro One.

The Chairman asked Planner Ainley to provide any additional information. Planner Ainley had no additional information to add.

The Chairman asked the Committee if they had any questions or comments. They had none.

Resolution:

Moved by Ken Walker, Seconded by Marc Royal, Be It Resolved That Consent Application 24-B07 be approved as applied for, subject to the following conditions:

1. That the owner meet all the requirements, financial and otherwise of the Municipality including servicing by-law charges.
2. That the applicant provides a description of the land which may be registered under the requirements of the Registry Act or Land Titles Act as applicable.

3. That any mortgage on the property be discharged from any lands being severed from 102 Batteaux Road and that the solicitor provide an undertaking in writing that this condition will be fulfilled.
4. That the parcel of land to be severed (0.19 ha) from 102 Batteaux Road is conveyed into the same name as the owner of abutting land to the North, 7385 36/37 Nottawasaga Sideroad and being assessed as Roll No. 432901000703210, to the satisfaction of the Township.
5. That the applicant successfully clear all conditions and receive a Certificate of Consent for Consent 24-B02 to the satisfaction of the municipality.

4.4 Minor Variance File 24-A17 – 100 Grand Trunk Road (The Estates of Clearview Inc.)

The purpose of the application is to request the approval of the Committee of Adjustment for relief from:

- 1) The Large Format Commercial Exception 3 (C4-3) Zone minimum exterior side yard requirement of 9 metres to 5 metres for the portion of Building 1 that has the Dollarama Store. The total variance being requested is 4 metres.
- 2) Section 2.15.5 which states that loading spaces must be located to the rear of the front wall of the main building. The variance is to allow the location of the loading space to be in the front yard for that portion of Building 1 that has the Dollarama.
- 3) The variance will recognize a maximum number of parking spaces to be 250 for the Phase 1 of the shopping centre.

The effect of the application is to allow development of a portion of Building 1 located in Phase 1 of the shopping centre on the subject property.

The Deputy Secretary read the notice of application and advised that circulation of the application was mailed on September 24, 2024, to the applicant, appropriate agencies, and property owners within 60 metres. The Deputy Secretary advised that comments were received from the Township of Clearview Public Works Department, as outlined in the Planning Recommendation Report.

The Chairman asked Manager Workman to provide any additional information. Manager Workman had no additional information to add.

The Chairman welcomed Nicholas Moore, Junior Planner at Mainline Planning Services Inc. Mr. Moore had no further information to add.

The Chairman asked the Committee if they had any questions or comments. A discussion was had amongst the Committee Members, Mr. Moore, and Manager Workman regarding the reason the Minor Variance was needed, as well as parking and loading for the development site.

Resolution:

Moved by Marc Royal, Seconded by Ken Walker, Be It Resolved That Minor Variance Application 24-A16 be approved as applied for, subject to the following condition:

1. That pursuant to s. 41 of the Planning Act and Township By-law 24-64, the Owner be required to obtain an amendment to the existing Site Plan Approval to facilitate the proposed development, including but limited to the following amendments:
 - a) That a revised site plan be submitted as part of the required Site Plan Amendment Application showing removal of the asphalt bump out adjacent to the east façade of Building 1 (Dollarama) and replaced with landscaping to the satisfaction of the Township of Clearview; and
 - b) That a revised landscaping plan be submitted as part of the required Site Plan Amendment Application showing adequate screening of the proposed loading space in order to demonstrate Zoning conformity (06-54, s. 2.13) to the satisfaction of the Township of Clearview.
1. That pursuant to s. 41 of the Planning Act and Township By-law 24-64, the Owner be required to obtain an amendment to the existing Site Plan Approval to facilitate the proposed development, including but limited to the following amendments:
 - a. That a revised site plan be submitted as part of the required Site Plan Amendment Application showing removal of the asphalt bump out adjacent to the east façade of Building 1 (Dollarama) and replaced with landscaping to the satisfaction of the Township of Clearview; and
 - b. That a revised landscaping plan be submitted as part of the required Site Plan Amendment Application showing adequate screening of the proposed loading space in order to demonstrate Zoning conformity (06-54, s. 2.13) to the satisfaction of the Township of Clearview.

5. New Business

No new business.

7. Next Meeting – December 11, 2024

8. Adjournment

Resolution:

Moved by Ken Walker, Seconded by Robert McArthur, Be It Resolved, that the Committee of Adjustment hereby be adjourned at 3:25p.m. Motion Carried.

Chuck Arrand, Chair

Lori Kennedy, Deputy Secretary-Treasurer

Board & Committee Meeting Minutes are not a Final Document of the Corporation until adopted by the Board/Committee.