



Township of Clearview Committee of Adjustment Minutes

Meeting held via Zoom and broadcast on YouTube on December 8, 2021 commencing at 7:00 p.m.

Members Present:

Shawn Davidson, Chairman
Dave Rowell
Daniel Fantin
Chuck Arrand
Barry Burton
Christine Taggart, Secretary-Treasurer

Staff Present:

Rossalyn Workman
Nick Ainley

1. Call to Order

The Chairman called the meeting to order at 7:00 p.m.

2. Minutes

2.1 Minutes of the Committee of Adjustment meeting held on November 10, 2021.

Moved by C. Arrand

That the minutes of the Committee of Adjustment meeting held November 10, 2021 be approved as circulated.

Carried.

3. Disclosure of Pecuniary Interest

There was no disclosure of pecuniary interest.

4. Applications

Minor Variance 21-A22

8402 Poplar Sideroad- Broll

PROPOSED MINOR VARIANCE: To request the approval of the Committee of Adjustment for relief from the Residential Estate Exception 3 (RE-3) zone minimum interior side yard setback requirement of 5 metres to 3.2 metres.

The effect of the application is to allow for the construction of an addition to the existing dwelling on the subject lands.

The Chairman welcomed the owner, Glenn Broll, to the meeting.

The Secretary read the notice of application and advised that circulation of the application was mailed on November 23, 2021 to the applicant, appropriate agencies and property owners within 60 metres. The Secretary advised that comments were received from the Chief Building Official, having no concerns or objection to the application.

The Chairman asked Mr. Broll if he had any questions or comments. Mr. Broll advised that he agrees with the finding of the report and explained that he and his wife visited the neighbours to show them the plans and get their concurrence.

The Chairman asked the Committee members if they had any comments or questions, there were none.

It was then;

Moved by C. Arrand

That minor variance 21-A22 be granted as applied for.

Reasons:

1. The proposal conforms to the Official Plan;
2. The proposal conforms to the general intent and purpose of the Zoning By-law;
3. The variance is minor in nature; and
4. The variance is desirable for the appropriate development of the lands.

Committee concurred in a decision to grant the minor variance as requested in the application known as File No. 21-A22.

Carried.

Consent File 20-B11

10581 County Road 10 – Patton

The purpose and effect of the application is to sever one surplus farm dwelling lot from the subject lands.

PROPOSED SEVERED LOT: 80 metres of frontage on County Rd 10 overall, 0.41 hectares (1 acre) with dwelling.

RETAINED LOT: 246 metres of frontage on County Road 10 overall, 36.93 hectares (91 acres) vacant land.

The Chairman welcomed the agents, Jonathan Pauk and Jamie Robinson, and the owner Martha Patton to the meeting.

The Secretary read the notice of application and advised that circulation of the applications was mailed on November 23, 2021 to the applicant, appropriate agencies and property owners within 60 metres. The Secretary then summarized the comments received from the Chief Building Official, County of Simcoe, Nottawasaga Valley Conservation Authority, and Edwin Rogers.

The Chairman asked the agents and the applicant if they had any questions or comments. Mr. Pauk provided a presentation outlining the proposal. Mr. Pauk explained that they did not feel the required condition from the County of Simcoe relating to the road widening would be necessary as there is a watercourse that runs along the eastern side of County Road 10. Mr. Pauk requested that the condition be removed.

The Chairman asked Ms. Workman to provide comment on the County of Simcoe road widening requirement. Ms. Workman advised that the practice of the Township is to add the County's letter requirements as a condition. She then recommended that the condition remain and that the applicant's agents can contact the County to discuss the requirement for the road widening, and if the County decides not to require the road widening, they can provide clearance to the Township which would satisfy the condition.

The Chairman asked Committee if they had any questions or comments.

Member Burton commented that he would not support removing the condition for the road widening.

It was then;

Moved by: B. Burton

That consent application 20-B11 be granted subject to the following conditions:

1. That the applicant meet all the requirements, financial and otherwise of the Municipality including payment of the fee of \$150.00 for each Certificate of Consent to be issued;
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 the retained parcel (vacant farmland) is conveyed into the same name as the current farmer/farming corporation and that the solicitor provide an undertaking in writing that this condition will be fulfilled;
4. That any mortgage on the severed land (parcel with existing house) be discharged and that the solicitor provide an undertaking in writing that this condition will be fulfilled.
5. That the subject lands are successfully zoned with By-law 20-B11, and
6. That the applicant meet all of the requirements of the County of Simcoe Transportation and Engineering Department as required in their letter dated December 1, 2021.

REASON FOR DECISION

The Committee believes that the request is desirable for the appropriate development and use of the lands.

Carried.

Consent File 21-B13

828653 Mulmur-Nottawasaga Townline – Goodfellow

The purpose and effect of the application is to sever one agricultural lot.

PROPOSED SEVERED LOT: 675 metres of frontage on Mulmur-Nottawasaga Townline overall, 41.85 hectares (103.4 acres) with dwelling and shed.

RETAINED LOT: 675 metres of frontage on Mulmur-Nottawasaga Townline overall, 41.85 hectares (103.4 acres) vacant land.

The Chairman welcomed the owner, Wayne Goodfellow, to the meeting.

The Secretary read the notice of application and advised that circulation of the applications was mailed on November 23, 2021 to the applicant, appropriate agencies and property owners within 60 metres. The Secretary then summarized the comments received from the Chief Building Official, County of Simcoe, Nottawasaga Valley Conservation Authority, John & Kim Taylor and Patricia Cleary Clark.

The Chairman asked Mr. Goodfellow if he had any questions or comments. Mr. Goodfellow advised that there are no longer and sheds or barns, only a house on the subject lands.

The Chairman asked Committee if they had any questions or comments.

Member Burton asked Ms. Workman if a building permit can be obtained for a dwelling on the retained lands. Ms. Workman advised that a rezoning was not required as part

of the application and the agricultural zoning remains in place which allows for a single-detached dwelling and agricultural uses.

It was then;

Moved by: B. Burton

That consent application 21-B13 be granted subject to the following conditions:

1. That the applicant meet all the requirements, financial and otherwise of the Municipality including payment of the fee of \$150.00 for each Certificate of Consent to be issued;
2. That the applicant provides a description of the severed and the retained lands which may be registered under the requirements of the Registry Act or Land Titles Act as applicable, and
3. That the applicant meet all of the requirements of the County of Simcoe Transportation and Engineering Department as required in their letter dated December 7, 2021.

REASON FOR DECISION

The Committee believes that the request is desirable for the appropriate development and use of the lands.

Carried.

Consent File 21-B14 & 21-B15

38 Edward Street East – Talbot

The of the application is to sever two portions of land from two existing residential lots.

PROPOSED SEVERED PARCEL 1: 16.7 m frontage on Mary Street, overall area 337.2 m² vacant land.

PROPOSED SEVERED PARCEL 2: no frontage, overall area 337.2 m² vacant land.

RETAINED LOTS 1 & 2: each having 20.1 m frontage on Edward Street East, and each overall area 674.5 m², one with dwelling and one vacant.

The effect of the application will create one new residential lot by merging the proposed severed parcel 1 and 2 that will have a resulting 16.7 m frontage on Mary Street, overall area 674.5 m².

The Chairman welcomed the owner, Richard Talbot, to the meeting.

The Secretary read the notice of application and advised that circulation of the applications was mailed on November 23, 2021 to the applicant, appropriate agencies

and property owners within 60 metres. The Secretary then summarized the comments received from the Chief Building Official.

The Chairman asked Mr. Talbot if he had any questions or comments. Mr. Talbot asked for clarification on condition 8 of the approval and where the services are currently. Ms. Workman advised that comments were not received from the Public Works Department and that if the service lines do not extend to the property, Mr. Talbot would be responsible to have them extended to the property. Discussion ensued regarding further investigation to confirm the location of current services.

The Chairman asked Committee if they had any questions or comments, there were none.

It was then;

Moved by: C. Arrand

That consent applications 21-B14 and 21-B15 be granted subject to the following conditions:

1. That the applicant meet all the requirements, financial and otherwise of the Municipality including payment of the fee of \$150.00 for each Certificate of Consent to be issued, in this case there will be three certificates issued;
2. That the applicant provides a description of the severed and the retained lands which may be registered under the requirements of the Registry Act or Land Titles Act as applicable;
3. That the applicant pay a minimum of \$6,698.23 per newly created lot to the municipality or an amount equal to the 5% Parkland Contribution as required by the Planning Act as a requirement of the approval. Please note that the flat rate number is a minimum as it is adjusted annually in accordance with the Statistics Canada Quarterly, Construction Price Statistics, based on the twelve-month period ending September 30th.
4. That the solicitor provide an undertaking in writing that this condition will be fulfilled: any mortgage on the properties be discharged from any lands being severed;
5. That the solicitor provide an undertaking in writing that his condition will be fulfilled: properties to be severed (i.e., Part 1 and Part 2 on the sketch submitted) are conveyed into the same name to facilitate the merger of the lands on title.
6. That the solicitor provide an undertaking in writing that this condition will be fulfilled: the properties described as the retained lands, Part of Lot 31 and Part of Lot 32, be issued separate pin numbers, separate addresses,

separate roll numbers and ensure that these lots do not merge as a result of the severance applications.

7. That the applicant will ensure that all of the accessory structures located on Lot 32 of Plan 315 will be removed.
8. That the applicant be required to bring full municipal services (i.e., sewer & sanitary water) to the frontage of the proposed residential lot, connect to said municipal services as well as be responsible for all associated costs.

REASON FOR DECISION

The Committee believes that the request is desirable for the appropriate development and use of the lands.

Carried.

5. New Business

No new business.

7. Next Meeting

Tentatively scheduled for Wednesday, January 19, 2022.

8. Adjournment

There being no further business, the Chairman adjourned the meeting at 7:35 pm.

Shawn Davidson

[Shawn Davidson \(Jan 19, 2022 21:34 EST\)](#)

Shawn Davidson, Chair

Christine Taggart

[Christine Taggart \(Jan 19, 2022 19:49 EST\)](#)

Christine Taggart, Secretary-Treasurer