



Township of Clearview Committee of Adjustment Minutes

Meeting held via Zoom and broadcast on YouTube on February 9, 2022, 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 January 19, 2022.

Moved by C. Arrand

That the minutes of the Committee of Adjustment meeting held January 19, 2022, be approved as circulated.

Carried.

3. Disclosure of Pecuniary Interest

There was no disclosure of pecuniary interest.

4. Applications

Minor Variance File 21-A23

1 Buckingham Boulevard – Scharlach

PROPOSED MINOR VARIANCE: To request the approval of the Committee of Adjustment for relief from the following:

- 1) Maximum height of accessory buildings requirement of 6 metres to 6.75 metres; and

- 2) Maximum gross floor area of all accessory building combined requirement of 64 square metres to 90.7 square metres.

The effect of the application is to permit the enlargement of a detached garage on the subject lands.

The Chairman welcomed the owner, Jan Scharlach, to the meeting.

The Secretary read the notice of application and advised that circulation of the applications was mailed on January 25, 2022, to the applicant, appropriate agencies and property owners within 60 metres. The Secretary advised that no comments were received.

The Chairman asked Mr. Scharlach if he had any questions or comments. He had none.

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

It was then;

Moved by: C. Arrand

That minor variance application 21-A23 be granted as applied for.

REASON FOR DECISION

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.

Carried.

Consent File 22-B01

23 Nelson Street – Sperandeo

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

PROPOSED SEVERED LOT: 15 metres of frontage overall, 763.20 square metres vacant land.

RETAINED LOT: 25.34 metres of frontage overall, 1289 square metres with dwelling and detached garage.

The Chairman welcomed the owner, Marcello Sperandeo, to the meeting.

The Secretary read the notice of application and advised that circulation of the applications was mailed on January 25, 2022, to the applicant, appropriate agencies

and property owners within 60 metres. The Secretary then summarized the comments received from the Hydro One having no concerns or objection to the application. The Secretary advised that comments of concern and objection were received from Nadia Denelzen Cooper and Andrew Cooper of 219 Library Street, and Ian Hogan and Alexandra Kelly of 221 Library Street. Their comments included concern with the size of the proposed lot, privacy, loss of trees, lot grading and drainage, allocation for sewage, devaluing of property, conformity with the Township Official Plan and maintaining the character of the area.

The Chairman asked Mr. Sperandeo if he had any questions or comments. Mr. Sperandeo commented that Ms. Workman provided a great response to the citizens that were concerned which seemed to clear up most of the issues they had. He advised that he does not intend to build on the new lot.

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

Member Rowell asked Ms. Workman if the comments within page 5 of the report regarding limited sewage allocation, in the future should they be including this as part of a condition or added as a note under the conditions. Discussion ensued. Ms. Workman advised that she would bring back Member Rowell's question to staff for discussion.

Member Burton advised that he spoke with Planning Staff regarding this application and the allocation, it was confirmed that allocation is available. He commented that he appreciates the comments that were received however, to deny the application they would need to find something that contradicts the Planning Act and there is nothing that does. He then spoke to appeal situations. Member Burton advised that he supports the recommendation and is prepared to motion to approve it.

Member Arrand asked Ms. Workman, if the water and sewer allotments are given and the severance is completed, the lot is sold and a new owner doesn't build for another five years, is the allocation still there for the future owner. Ms. Workman explained that the allocation is there once it is paid and installed and that is the condition of the severance. She advised that the Secretary-Treasurer cannot provide the paperwork to convey that lot until the services are installed and paid for. Ms. Workman explained that services cannot begin to be installed until May.

It was then;

Moved by: B. Burton

That consent application 22-B01 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;
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 applicant shall remove the accessory structure, described as metal shed on the survey, that is located on severed parcel.
6. 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. All work to be coordinated with the Township of Clearview Public Works Water/Sewer Foreman.

REASON FOR DECISION

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

Carried.

Consent File 22-B02

3367 Lavender Hill Road – Alexander

The purpose of the application is to sever a portion of lands from 3367 Lavender Hill Road to be added to the abutting lands to the east identified as Roll No. 4329 010 011 07300.

PROPOSED SEVERED PARCEL: has no frontage overall, 360,000 square metres (89 acres) vacant land.

RETAINED LOT: approximately 300 metres of frontage on Lavender Hill Road overall, 630,000 square metres (155.7 acres) with dwelling and detached.

The effect of the application is to facilitate a lot addition which will result in 432901001107300 having a frontage of approximately 520 metres overall, 224 acres vacant land.

The Chairman welcomed the agent, Keith Boulter, to the meeting.

The Secretary read the notice of application and advised that circulation of the applications was mailed on January 25, 2022, to the applicant, appropriate agencies and property owners within 60 metres. The Secretary then summarized the comments received from the Nottawasaga Valley Conservation Authority and Hydro One having no concerns or objection to the application.

The Chairman asked Mr. Boulter if he had any questions or comments. Mr. Boulter advised that they have read the Planning Department's report and are content with all of the conditions noted.

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

It was then;

Moved by: C. Arrand

That consent application 22-B02 be granted subject to the following conditions:

1. That the applicant meet all requirements, financial and otherwise of the Municipality including payment of the fee of \$150.00 for each Certificate of Consent or Cancellation Certificate 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 any mortgage on the property be discharged from any lands being severed and that the solicitor provide an undertaking in writing that this condition will be fulfilled.
4. That the property to be severed is conveyed into the same name as the owner of the abutting land to the South being assessed as Roll No. 432901001107300 and that the solicitor provide an undertaking in writing that this condition will be fulfilled as well merging the pin numbers to have only one pin number for the new parcel.
5. That the Township require the applicant's solicitor to provide a "cancellation certificate" as described in Bill 276, to ensure that the severed and receiving parcel merge as one parcel.

REASON FOR DECISION

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

Carried.

5. New Business

None.

7. Next Meeting

Tentatively scheduled for Wednesday, March 9, 2022.

8. Adjournment

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



[Shawn Davidson \(Mar 9, 2022 20:15 EST\)](#)

Shawn Davidson, Chair



[Christine Taggart \(Mar 9, 2022 19:19 EST\)](#)

Christine Taggart, Secretary-Treasurer