

Committee Deliberations:

- There were no questions or comments from committee members and Chairperson Peake read the following resolution aloud:

MOTION

MOVED BY: Margaret Casey
SECONDED BY: Ruth Ross

That applications B 03/04/05/08 LOB (Betula Forests Limited) be DEFERRED until the June 23rd, 2009 meeting of Committee in order to provide the applicant with sufficient time to submit the following to the satisfaction of the Township:

- 1) A wetland impact assessment in accordance with Section D.44 of the Official Plan;
- 2) A fish habitat impact assessment in accordance with D.96 of the Official Plan;
- 3) Confirmation from the District of Muskoka's Engineering and Public Works Department that applicable entrance permits from Muskoka Road No. 8 are available for the proposed lots;
- 4) Confirmation that suitable building envelopes exist for each of the proposed lots in relation to the identified constraints; and
- 5) Preparation of a preliminary archaeological assessment.

CARRIED.

- ii) **B 33 & 34/08 LOB, Applicant: Edward Sorbara, Trustee**
Part Lot 21, Con. 7, Franklin Ward, 1060 Richards Island Road, on Lake of Bays
Roll No: 010-014-08605
Agent: Lanny Dennis of Wayne Simpson & Associates
- *Carried forward from meeting of January 27, 2009*

Present: Mr. Savas Varadas, agent, was present to represent the application

No Persons in Attendance in Favour of Requested Consent
No Persons in Attendance Opposed to Requested Consent

There were no recent objections received from circulated agencies or circulated surrounding property owners.

Planning Department Submission – Stefan Szczerbak, Township Planner

- He presented the staff report and advised that staff recommended a further deferral of the applications

Committee Deliberations:

- Councillor Tapley noted that a site visit was to be done soon and wondered why this matter was deferred to the July meeting instead of June. Mr. Szczerbak advised that if a further study is required based on the inspection, it will take that long for the study to be completed
- Chairperson Peake read the following resolution aloud:

MOTION

MOVED BY: Philip Cote
SECONDED BY: Virginia (Ginny) Burgess

That applications B 33/08 and B 34/08 LOB be DEFERRED until the July 21st, 2009 meeting of the Committee in order to allow sufficient time for the applicant to submit a site evaluation report in accordance with Section E.4 of the Township Official Plan, completed to the satisfaction of the Township.

CARRIED.

- iii) **B 06/09 LOB, Applicants: Erwin & Heather Reidl**
B 07/09 LOB, Applicants: Jack & Natalie Stein
Part Lot 23, Con. 9, Franklin Ward, 1096-1 & 1096-2 Pine Ridge Road, on Lake of Bays
Roll Nos: 010-005-07900 & 07901
Agent: Marie Poirier

Present: Ms. Marie Poirier, agent, was present to represent the application

No Persons in Attendance in Favour of Requested Consent
No Persons in Attendance Opposed to Requested Consent

There were no objections received from circulated agencies or circulated surrounding property owners.

Planning Department Submission – Stefan Szczerbak, Township Planner

- He presented the staff report and advised that staff recommended the applications be approved.

Committee Deliberations:

- There were no questions or comments from committee members and Chairperson Peake read the following resolution aloud:

MOTION

MOVED BY: Philip Cote
SECONDED BY: Virginia (Ginny) Burgess

THAT application B 06/09 LOB be APPROVED, subject to the following conditions:

- (1) That a registrable description of the severed lands be submitted to the Secretary-Treasurer, along with two copies of the registered reference plan.
- (2) That there be a written undertaking from the acting solicitor that the severed lot be joined in title to the abutting property to the north, under property roll no. 010-005-07901 (Lot 2 on Plan M-568. Subsection 50(3) of the Planning Act applies to any subsequent conveyance of a transaction involving the parcel of land that is the subject of this consent.
- (3) That a deeming by-law be applied for and registered at the appropriate Land

Registry Office in order to declare Lot 2 on Plan M-568 not to be a lot on a plan of subdivision in order to facilitate the merging of the severed lands with the benefiting lands.

REASONS:

1. This application generally conforms to the intent of the District and Township Official Plans, and will serve to provide a lot addition to the abutting property to the north owned by Jack & Natalie Stein (being Lot 2 on Plan M-568, Roll No. 010-005-07901) in order to accommodate an existing gravel parking area.

Pursuant to Subsection 41 of Section 53 of the Planning Act, all conditions imposed must be fulfilled within *one year* from the date of the sending of the Notice of Decision or the application is deemed to be refused.

It is a requirement that all conditions imposed be fulfilled prior to the granting of this consent and the giving by the Secretary-Treasurer of the certificate provided for in Subsection 42 of Section 53 of the Planning Act.

CARRIED.

MOTION

MOVED BY: Ruth Ross
SECONDED BY: Margaret Casey

THAT application B 07/09 LOB be APPROVED, subject to the following conditions:

- (1) That a registrable description of the severed lands be submitted to the Secretary-Treasurer, along with two copies of the registered reference plan.

REASONS:

1. This application generally conforms to the intent of the District and Township Official Plans, and will serve to provide a right-of-way to a property to the south owned by Erwin & Heather Reidl (being Lot 1 on Plan M-568, Roll No. 010-005-07900).

Pursuant to Subsection 41 of Section 53 of the Planning Act, all conditions imposed must be fulfilled within *one year* from the date of the sending of the Notice of Decision or the application is deemed to be refused.

It is a requirement that all conditions imposed be fulfilled prior to the granting of this consent and the giving by the Secretary-Treasurer of the certificate provided for in Subsection 42 of Section 53 of the Planning Act.

CARRIED.

9. DEFERRED MATTERS

Minor Variances:

NIL

Consents:

NIL

10. CLOSED SESSION

NIL

11. BUSINESS ARISING FROM CLOSED SESSION

NIL

12. OTHER MATTERS

MOTION

MOVED BY: Ruth Ross
SECONDED BY: Margaret Casey

That the Committee of Adjustment hereby constitutes itself for the purpose of hearing other matters.

CARRIED.

- i) **B 26/08 LOB, Applicant: Ruth Linda Ross**
Part Lot 16, Con. 9, Franklin Ward, 1059-2 Crosswinds Cove Road East, on Lake of Bays
Roll Nos: 010-009-02100, 02200, 02400 & 03201
Agent: Lanny Dennis of Wayne Simpson & Associates
- proposed re-configuration of severance sketch of Provisional Decision of October 21st, 2008

Present: Mr. Savas Varadas, agent, was present to represent the application

No Persons in Attendance in Favour of Requested Amendment to Sketch
No Persons in Attendance Opposed to Requested Amendment to Sketch

Planning Department Submission – Stefan Szczerbak, Township Planner

- He presented the staff report and advised that the applicant's agent, Lanny Dennis, staff had no concerns with the amendment to the conditions

Mr. Savas Varadas, agent

- He advised that he was there on behalf of Mr. Dennis, who had not been able to attend. He stated that they were formulating a response to the staff report, and were requesting a deferral to allow them time to prepare this. Defer to June 23, 2009

Committee Deliberations:

- Committee agreed to defer the matter to the meeting of June 23rd, 2009

13. ADJOURNMENT

The meeting was adjourned at 9:37 a.m.

MOTION

MOVED BY: Ruth Ross
SECONDED BY: Margaret Casey

The Committee of Adjustment hereby adjourns the meeting of May 26th, 2009.

CARRIED.

CHAIRPERSON

SECRETARY-TREASURER

DRAFT