



Corporation of the
Township of Tay

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**COMMITTEE OF ADJUSTMENT
MINUTES OF MEETING
Wednesday May 26, 2010 – 7:00 PM
Township of Tay Municipal Office – Council Chambers**

Members Present: D. Strachan, Chair
J. Handley
H. Naumann
C. Whiteside

Staff Present: T. Huguenin, Secretary-Treasurer

Chair D. Strachan called the meeting to order at 7:00 p.m.

1.0 MINUTES

MOTION: Moved by: H. Naumann
Seconded by: D. Strachan

THAT the minutes of the Public Hearing held March 24, 2010 be adopted as circulated.

CARRIED.

2.0 OPENING ADDRESS FROM THE CHAIR

3.0 DISCLOSURE OF INTEREST

None of the Committee Members had an interest to disclose.

4.0 MEETING

4.1 Consent Application 2010B06 – Gay Richards

Location: 25 Sallows Drive

Written comments received and read into the public record (see file for details):

Township: CAO, Clerk, Public Works, Building, Fire, Planning
 Agencies: None
 Others: None

Presenter: Bob Richards, Agent

- The property was purchased through the tax sale process 2 years ago and now Gay Richards holds the deed to the property.

Public Audience:

Jim Ball

- Believes that the property should not have been sold in the first place through the tax sale process.
- His grandmother, Violet Sallows, owned the property 50 years ago and he believes her estate is the current owner of 25 Sallows Drive.

David Reid

- Asked what the affect would be on an approval of this consent application if Richards was not the owner.
- The Secretary-Treasurer was directed by the Chair to respond. The Secretary-Treasurer advised the Committee that the Township has gone through the formal tax sale process as required by Provincial statute for the subject lot and that the Committee of Adjustment has authority to hear the matter and render a decision on the subject application for consent. The Secretary-Treasurer also suggested that it would be prudent for interested members of the public audience to seek independent legal advice from their lawyers since neither staff nor the Committee are in a position to comment on legal issues involving the property's title.

4.2 Permission Application 2010A01 – Bob Hanna & Brenda McEwan

Location: 45 Coldwater Road

Written comments received and read into the public record (see file for details):

Township: CAO, Clerk, Public Works, Building, Fire, Planning
 Agencies: None
 Others: None

Presenter: Brenda McEwan, Applicant

- Nothing further to add.

Public Audience: None.

5.0 DECISIONS

5.1 Consent Application 2010B06 – Gay Richards

Location: 25 Sallows Drive

MOTION: Moved by: C. Whiteside
 Seconded by: J. Handley

THAT,

Regarding **Consent Application No. 2010B06 (Gay Richards)**, consent be granted to sever a long, slim triangular parcel of land, measuring 10.272 m (33.7 ft), by 52.395 m (171.9 ft), by 62.575 m (205.3 ft), with an area of 36.417 m² (392 ft²), to be added to and merged on title with 23 Sallows Drive owned by David Bruce Reid and Ann Joan Reid.

SUBJECT TO THE FOLLOWING CONDITIONS,

1. That a reference plan survey of the severed parcel be prepared and submitted to the Township in duplicate.
2. That all taxes, penalties and interest levied on the subject property at the time of the certification of the transfer/deed for the severed parcel be paid in full.

3. As the intent of this decision is that Section 50(3) or 50(5) of the Planning Act apply to this consent, such that the severed parcel and the abutting property located at 23 Sallows Drive (David Bruce Reid and Ann Joan Reid) merge on title, a solicitor's letter of undertaking, in the form of the Township's standard "Solicitor's Undertaking – Re: Lot Addition Title Merger", be required to be submitted to ensure the merger of title will occur.
4. That the applicant submit a preliminary Lot Grading and Drainage Plan prepared by a Professional Engineer, or a Landscape Architect or an Ontario Land Surveyor detailing the proposed drainage scheme between the existing dwelling at 23 Sallows Drive and the proposed development of a new dwelling and septic system at 25 Sallows Drive and certifying that the drainage scheme depicted by the plan will be compatible with the existing drainage pattern in the area.

FOR THE FOLLOWING REASONS,

The subject application is consistent with the Provincial Policy Statement and is generally supported by the Township's Official Plan and General Zoning By-law.

CARRIED.

5.2 Permission Application 2010A01 – Bob Hanna & Brenda McEwan

Location: 45 Coldwater Road

THAT,

Regarding **Permission Application 2010A01 (Bob Hanna and Brenda McEwan)**, permission be granted to construct a 3.66 m x 5.49 m (12 ft x 18 ft) three season sunroom addition at the front of the dwelling to replace a deck.

SUBJECT TO THE FOLLOWING CONDITIONS,

1. That a building permit for the proposed construction be obtained within 1 year of the approval of this application.

FOR THE FOLLOWING REASONS,

The proposal satisfies the applicable criteria under Section 7.7 of the Official Plan of the Township of Tay regarding Extensions or Enlargements of Non-Conforming Uses.

CARRIED.

6.0 OTHER BUSINESS

There was no other business before the Committee.

7.0 ADJOURNMENT

The Committee adjourned at 7:35 p.m.

Respectfully Submitted:

D. Strachan, Chair

T. Huguenin, Secretary-Treasurer