

CORPORATION OF THE TOWNSHIP OF PRINCE
Committee of Adjustments Agenda
February 14, 2012
6:30 p.m. - Council Chambers

1. Call to order

2. Approval of Agenda

Motion

Moved by: I. Chambers Seconded By: D. Gianni

Be it resolved that the COA hereby approves the Agenda of February 14, 2012 Committee of Adjustments meeting as submitted.

3. Approval of Minutes

Motion

Moved by: R. Amadio Seconded By: A. Zuccato

Be it resolved that the COA hereby approves the minutes of the December 13, 2011 Committee of Adjustments meeting, as presented.

4. Consents

- a) A1-2012 – Minor Variance – permission to construct 2 accessory buildings forward of the proposed front building line and permission to increase the maximum height of garage
- b) B1-2012 – Consent to Sever – Sever approximately 0.98 Ha. (2.42 Acres) and convey to abutting property. This is a lot accretion and the severed lot will be adjoined and become one with the abutting property.
- c) City of Sault Ste. Marie – A-8-12-OP 1 lot severed in 2009 – applicant requesting to sever 3 additional lots. (for comment)

Motion

Moved by: R. Amadio Seconded By: I. Chambers

Be it resolved that the COA hereby approves minor variance application A1-2012, with the following conditions:

1. That the proposed structures are for personal storage only and are not to be used for commercial use or converted to living quarters.

Motion

Moved by: I. Chambers Seconded By: A. Zuccato

Be it resolved that the COA hereby approves minor variance application B1-2012, with the following conditions:

1. That the applicant will require a permit from the conservation authority prior to any site grading, excavation, filling, development or construction.
2. Payment of 5% of the market value of the severed lot in lieu of parks must be paid to the Township of Prince.

Motion

Moved by: D. Gianni Seconded By: A. Zuccato

Be it resolved that the COA hereby notifies the City of Sault Ste. Marie that they have no comments on application A-8-12-OP, as submitted.

4. Adjournment

Motion

Moved by: A. Zuccato Seconded by: R. Amadio

Be it resolved the COA hereby adjourns at p.m.

**CORPORATION OF THE TOWNSHIP OF PRINCE
COMMITTEE OF ADJUSTMENT
Minutes
December 13th, 2011
6:30 p.m. - Council Chambers**

AGENDA
Item: <u>COA 3</u>
Date: <u>MAR 14 2012</u>

Present: Reeve: Ken Lamming
Council: Ron Amadio, Ian Chambers, Amy Zuccato
Staff: CAO: Peggy Greco

1. **Call to Order 6:40 p.m.**

2. **Approve Agenda
Resolution COA 2011-24**

Moved By: R. Amadio

Seconded By: I. Chambers

Be it resolved that this council approves the COA agenda as presented. (cd)

3. **Disclosure of Interest**

4. **Minutes of Previous Meeting**

Resolution COA 2011-25

Moved By: A. Zuccato

Seconded By: R. Amadio

Be it resolved that this council adopts the Committee of Adjustment minutes as presented. (cd)

5. **Applications**

i) A11/2011 – Minor variance for two accessory buildings forward of proposed front building line.

Resolution COA 2011-26

Moved By: I. Chambers

Seconded By: A. Zuccato

Be it resolved that this Committee of Adjustments hereby approves the minor variance application #A 11/2011, as presented.(cd)

6. **Adjourn**

Resolution COA 2011-27

Moved By: R. Amadio

Seconded By: I. Chambers

Be it resolved that the committee of adjustments adjourn at 6:47 pm. (cd)

Reeve, Ken Lamming

CAO/Administrator, Peggy Greco

AGENDA

Item: COA 4A
Date: FEB 14 2012

**DECISION OF COMMITTEE OF ADJUSTMENT
WITH REASONS RE: APPLICATION
FOR MINOR VARIANCE**

NOTICE - The last day for appealing this decision is **5 March 2012**

REGARDING AN APPLICATION FILED BY: **Gail Mary Robertson**

LOCATION OF PROPERTY

Plan M164 Lot 10 PCL 9646 AWS
33 Hill Road
Prince Township
Roll # 57 66 000 000 11700 0000
(Summer Cottage)

PURPOSE OF APPLICATION – The applicants applying for a Minor Variance from the provisions of Zoning By-law 77-7 of the Township of Prince as follows:

- o Permission to construct two accessory buildings (shed and garage) forward of the proposed front building line.
- o Permission to increase the maximum height of the garage from 5.25 m (17.2 ft.) to 7 m (23 ft).

WE, the undersigned, in making the decision upon this application, have considered whether or not the consent requested was desirable for the appropriate development and use of the land and that the general intent and purpose of the zoning by-law and the official plan will be maintained, or in the case of a change in a used of property which is lawfully non-conforming under the by-law, as to whether or not this application has met the requirements of subsection 45(C) of the *Planning Act*, CONCUR in the following decision and reasons for decision made on 14 February 2012:

DECISION

That Application A1/2012 of Gail Mary Robertson be approved for that the consent will not significantly impact the character of the land use aspect of by-law 77-7 and will not be detrimental to the environment and aesthetics of the area.

CONDITIONS - This decision has been made subject to the following condition:

1. That the proposed structures are for personal storage only and are not to be used for commercial use or converted to living quarters.

REASONS FOR DECISION

Granting of the consent will not significantly impact the character of the land use aspect of by-law 77-7 and will not be detrimental to the residential environment and aesthetics of the area.

Signature of member of Committee

Signature of member of Committee

Signature of member of Committee

Signature of member of Committee

Signature of member of Committee

**NOTICE OF APPEAL MUST BE GIVEN WITHIN THE TIME SPECIFIED BY SERVING PERSONALLY ON OR SENDING BY REGISTERED MAIL TO THE SECRETARY TREASURER OF THE COMMITTEE.
NOTICE OF APPEAL MUST BE ACCOMPANIED BY A CHEQUE PAYABLE TO THE MINISTER OF FINANCE IN THE AMOUNT OF \$125.00**

"Person" - appeal limitation - *The Planning Act* provides for appeals to be filed by "persons" As groups or associations such as residents or ratepayers groups which do not have incorporated status may not be considered persons for purposes of the Act, groups wishing to appeal this decision should do so in the name or names of individual group members, and not in the name of the group.

CERTIFICATION
Planning Act, R.S.O. 1990, c.P.13,s.45(10)

I, **Peggy Greco**, Secretary-Treasurer of the Committee of Adjustment of the Township of Prince, certify that the above is a true copy of the decision of the committee with respect to the application recorded therein.
DATED: 14 February 2012 _____ Peggy Greco

Personal information contained on this form, collected pursuant to the *Planning Act*, will be used for the purpose of the Act. Questions should be directed to the Freedom of Information and Privacy Coordinator at the institution conducting the procedures under the Act.



AGP
Item: COR 43
Date: Feb 14 2012

**DECISION OF COMMITTEE OF ADJUSTMENT
WITH REASONS RE: APPLICATION
FOR CONSENT TO SEVER**

NOTICE - The last day for appealing this decision is **5 March 2012**

REGARDING AN APPLICATION FILED BY: Katharine Anne Berdux

LOCATION OF PROPERTY

Algoma PT Sec 33 RP 1R8189
Part 2 PCL 197
565 Walls Road
Prince Township
Roll # 57 66 000 000 53100 0000
(Rural Residential)

PURPOSE OF APPLICATION - For consent to sever approximately a 0.98 Ha. (2.42 acres) from the subject property to be conveyed to the abutting property (Roll #57 66 000 000 53101 0000).

WE, the undersigned, in making the decision upon this application, have considered whether or not the consent requested was desirable for the appropriate development and use of the land and that the general intent and purpose of the zoning by-law and the official plan will be maintained, or in the case of a change in a used of property which is lawfully non-conforming under the by-law, as to whether or not this application has met the requirements of subsection 45(C) of the *Planning Act*, CONCUR in the following decision and reasons for decision made on 14 February 2012:

DECISION

That Application B1/2012 of Katharine Anne Berdux be approved for that the consent will not significantly impact the character of the land use aspect of by-law 77-7 and will not be detrimental to the environment and aesthetics of the area.

CONDITIONS - This decision has been made subject to the following condition:

1. That the applicant will require a permit from the conservation authority prior to any site grading, excavation, filling, development or construction.
2. Payment of 5% of the market value of the severed lot in lieu of parks must be paid to the Township of Prince.

REASONS FOR DECISION

Granting of the consent will not significantly impact the character of the land use aspect of by-law 77-7 and will not be detrimental to the residential environment and aesthetics of the area.

Signature of member of Committee Signature of member of Committee Signature of member of Committee

Signature of member of Committee Signature of member of Committee

**NOTICE OF APPEAL MUST BE GIVEN WITHIN THE TIME SPECIFIED BY SERVING PERSONALLY ON OR SENDING BY REGISTERED MAIL TO THE SECRETARY TREASURER OF THE COMMITTEE.
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CERTIFICATION
Planning Act, R.S.O. 1990, c.P.13, s.45(10)
I, **Peggy Greco**, Secretary-Treasurer of the Committee of Adjustment of the Township of Prince, certify that the above is a true copy of the decision of the committee with respect to the application recorded therein.
DATED: 14 February 2012 _____ **Peggy Greco**

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Jerry D. Dolcetti, RPP
Commissioner
Donald B. McConnell, MCIP, RPP
Planning Director



ENGINEERING & PLANNING DEPARTMENT

Planning Division

Tel: (705) 759-5368
Fax: (705) 541-7165

AGT
From: (20A 4C)
Date: MAR 1 11 2012

2012 02 02

TO: Brianna Coughlin
CAO/Administrator
Township of Prince
3042 Second Line West, RR#6
Sault Ste. Marie, ON P6A 6K4

SUBJECT: Application No. A-8-12-OP
Request for an amendment to the Official Plan

APPLICANT: Peggy & Frank Naccarato

SUBJECT PROPERTY: 790 Town Line Road

Please find enclosed a copy of the above-mentioned rezoning application for your review and comments.

We would appreciate receiving your comments on or before February 17, 2012.

Yours truly,

Handwritten signature of Donald B. McConnell in black ink.

Donald B. McConnell, MCIP, RPP
PLANNING DIRECTOR

DBM/pms

Enclosure

RECEIVED
FEB - 6 2012

\$750.00



Planning Division
City of Sault Ste. Marie
Civic Centre, P.O. Box 580
Sault Ste. Marie, Ontario
P6A 5N1
Telephone (705)759-5368
Fax (705)541-7165

Official Plan Amendment Rezoning/Holding/Interim Control Application Form

OFFICE USE ONLY
Application No...A-8-12-OP..... Date Received...January..31,..2012.....

1. **Applicant's**
Name Peggy & Frank Naccarato
Address 790 Townline Road
Telephone 705-542-5521 Fax.....

2. **Registered Owner's**
Name Peggy Naccarato
Address 790 Townline Road
Telephone 705-542-5521 Fax.....
Registered owner's signature indicating concurrence with the application... X Peggy Naccarato

3. **Agent or Solicitor**
Name Frank Naccarato
Address 705-542-5521
Telephone Fax.....

4. **All mail should be directed to (choose one only)**
Owner
Applicant X
Agent/Solicitor

5. If known, when the land was acquired by the current owner..... 2009.....

6. If known, the name and address of the holder(s) of mortgages, charges or other encumbrances in respect to the subject property.
Name
Address
Telephone Fax.....

7. **Legal Description of Subject Property**
..... Sec 31 NW 1/4 PT RP 1R9729 Part 2
Lot width, depth and area.....

8. **Civic Address of Subject Property** 790 Townline Road

9. Previous and Other Ongoing Application Information

(See Additional Information Requirements for Official Plan Amendments)

Was the land subject to a **previous Application** for Subdivision (Section 51 of the Planning Act), Consent (Section 53 of the Planning Act) or Rezoning (Section 34 of the Planning Act)?

	No	Yes	Application/file Number	Status of Application
Official Plan	<input checked="" type="checkbox"/>
Zoning Bylaw	<input checked="" type="checkbox"/>
Minor Variance	<input checked="" type="checkbox"/>
Consent to Sever	<input checked="" type="checkbox"/>
Subdivision	<input checked="" type="checkbox"/>

10. Existing Use(s)..... Rural Residential.....

If there are any existing structures on the subject property please attach a site plan illustrating the type of each building or structure and their setback from the lot lines, building height, size and floor area. If known, list the date the existing buildings or structures were constructed. The site plan to be drawn to scale and submitted on a legal size sheet of paper.

If known, list the length of time the existing use(s) have continued on the subject property.
 Years starting in 19.....

Are there **rental units** that will be removed or their character altered as a result of this application?
 Yes..... No..... If yes list the number of units.....

11. Proposed Use(s)..... 3 additional lots.....

12. Designations & Zoning

Official Plan	No Impact	Impacted By
Schedule A	✓	
Schedule B	✓	

Schedule C
Existing <u>Rural Area</u>
Proposed <u>Rural Area, with a special exception to permit 3 additional Rural lots.</u>

Zoning By-law
Existing <u>Rural Area</u>
Proposed <u>No Change</u>

13. Access to the Subject Property is provided by:			14. Services to be supplied via:		
	Open Year Round	Seasonal Maintenance	Municipal	Water	Sewer
Provincial Highway	..... ✓	.....	Private ✓ ✓
Municipal Road	..... ✓	.....	
Private Road	.....	.....	
Other	.....	.....	

15. If private systems are proposed will they be:

	Well	Sewer
Individual ✓ ✓
Commercial	.....	.....

16. Storm water drainage will be provided by:

Sewers	.....
Ditches ✓
Swales	.....
Other	.....

17. The applicant's reasons why the amendment is being requested. (If necessary attach a separate sheet)

The Official Plan only permits the severance of one rural residential lot. One lot has been severed in 2009, and the applicant is seeking 3 additional severances.

- 18. Site Plan (Required Information)** in addition to information requested under the headings Existing and Proposed Uses (Information on existing and proposed use should be shown on separate site plans.)
- i) The boundaries and dimensions of the subject property.
 - ii) The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land, in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
 - iii) The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or right of way.
 - iv) If access is by water the location of the parking and docking facilities to be used.
 - v) The location and nature of any easement affecting the subject land.

19. Access to Information

"It is the policy of the City of Sault Ste. Marie, Planning Division to provide public access to all zoning and development applications as well as supporting documentation. In submitting this zoning and development application as well as supporting documentation, I hereby acknowledge that information contained in this file may be released to any person or public body regardless of whether that information is personal information as defined in the Municipal Freedom of Information and Protection of Privacy Act."

ADDITIONAL INFORMATION REQUIRED FOR AN OFFICIAL PLAN AMENDMENT TO THE SAULT STE. MARIE OFFICIAL PLAN (1996)

1. Is the subject property within 120m (400') of the land subject to an application made under the provisions of the Planning Act? If so complete the following:

	No	Yes	Application/file Number	Status of Application
Official Plan
Zoning Bylaw
Minor Variance
Consent to Sever

2. Official Plan Policy Changes

If this is an application to change, delete or add a specific Official Plan Policy please complete out the following:

a) List the existing policy number..... page number

b) Describe the proposed changes in general terms (if necessary use a separate sheet)

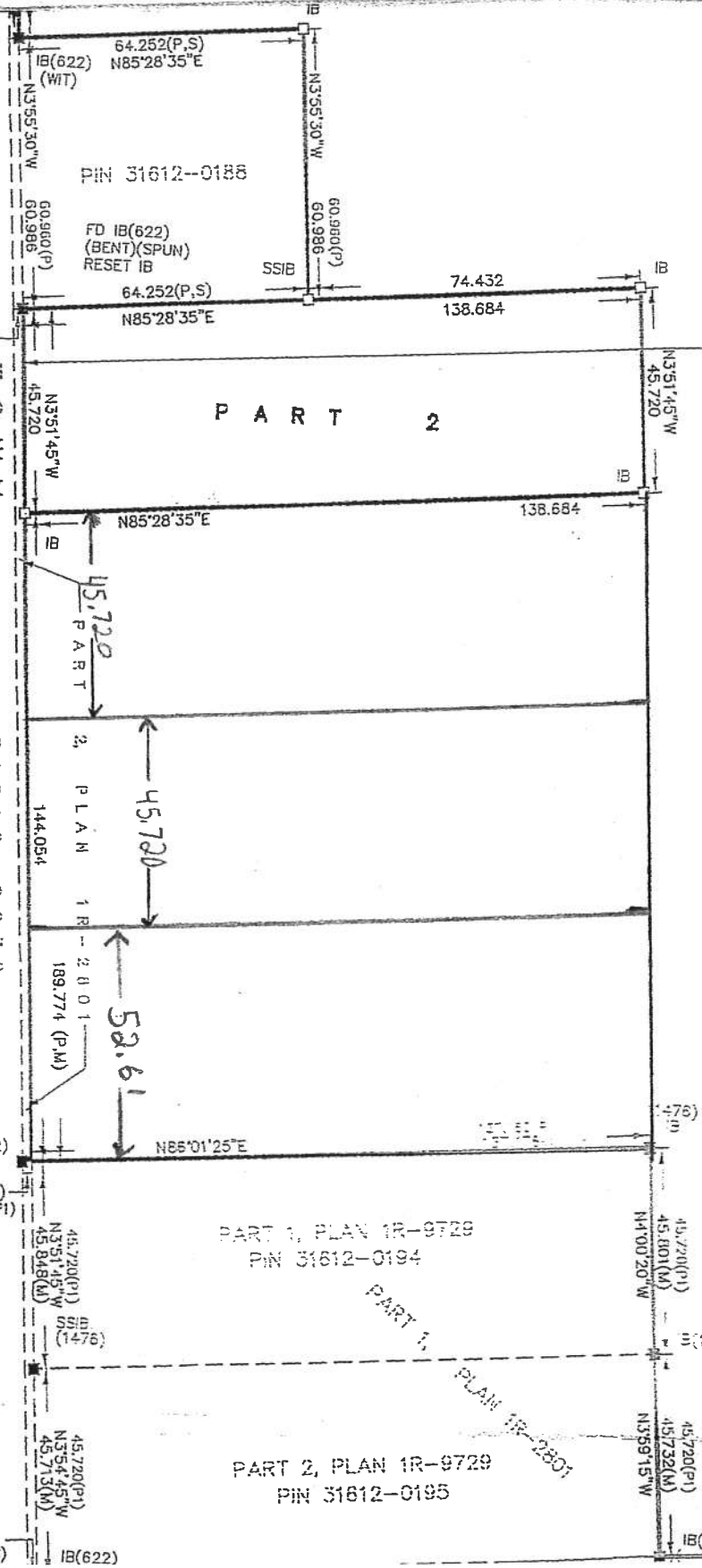
~~.....~~ Rural Area Policy 11 notes that the further development of lots in the Rural Area shall be limited to the creation of one new lot plus the remnant or retained parcel. The proposed change would seek the creation of 3 additional Rural Lots.

c) The text of the proposed amendment

The Rural Area policies of the Official Plan are hereby amended, permitting three (3) additional Rural Area lots.

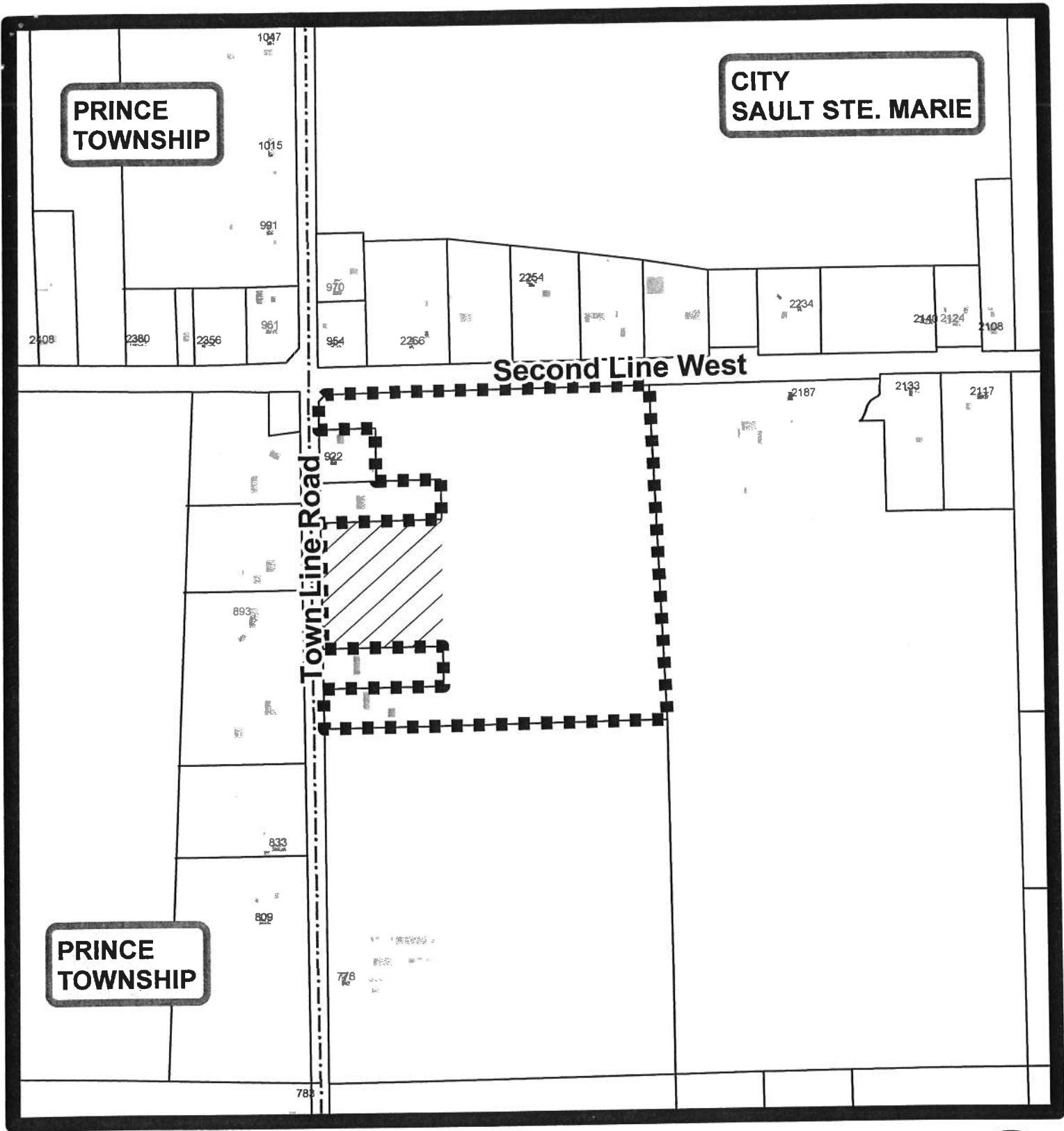
TOWNSHIP OF PRINCE RIVER LINE BETWEEN OF KORAH AND

TOWNSHIP LINE ROAD (P,S) (P,S) (P,S) (M) (P,P1) (P,P1,S)



PART 1

PART 1, PLAN 1R-9729 PIN 31612-0194
PART 2, PLAN 1R-9729 PIN 31612-0195



SUBJECT PROPERTY MAP

Planning Application A-8-12-OP


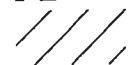
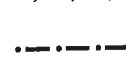
790 Town Line



Metric Scale
1 : 6000

Maps
512 & 2-27

Mail Label ID
A-8-12-OP

-  Subject Property = 790 Town Line
-  Proposed Lot Area
-  Municipal Boundary

PRINCE
TOWNSHIP

CITY
SAULT STE. MARIE

Second Line West

Town Line Road

PRINCE
TOWNSHIP

2008 ORTHO PHOTO

Planning Application A-8-12-OP

790 Town Line



Metric Scale
1 : 6000

Maps
512 & 2-27

Mail Label ID
A-8-12-OP



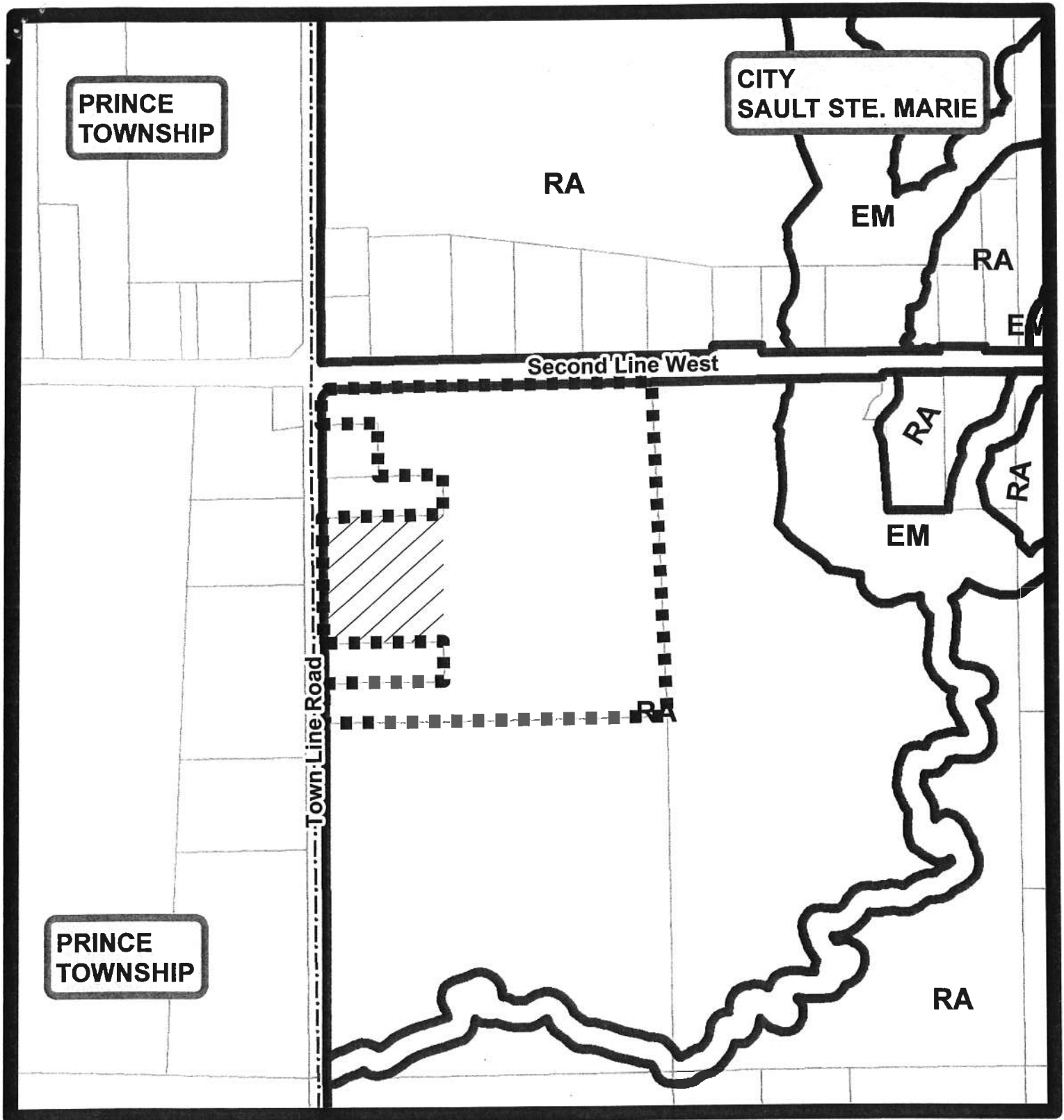
Subject Property = 790 Town Line



Proposed Lot Area



Municipal Boundary



EXISTING ZONING MAP

Planning Application A-8-12-OP






790 Town Line

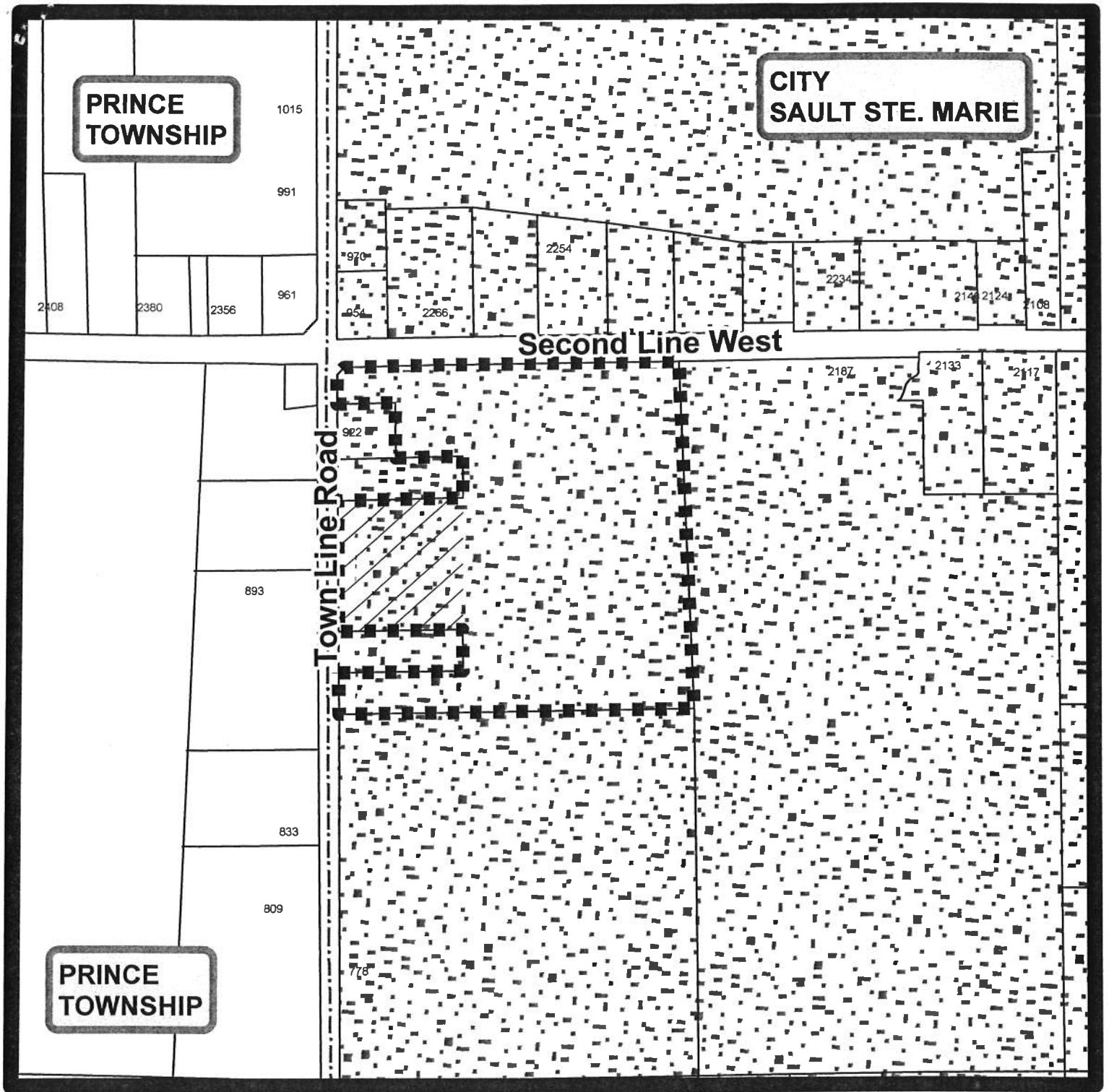


Metric Scale
1 : 6000

Maps
512 & 2-27

Mail Label ID
A-8-12-OP

-  Subject Property = 790 Town Line
-  Proposed Lot Area
-  Municipal Boundary
-  RA - Rural Area Zone; RAhp
-  EM - Environmental Management Zone



OFFICIAL PLAN MAP

Planning Application A-8-12-OP

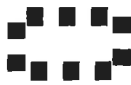
790 Town Line



Metric Scale
1 : 6000

Maps
512 & 2-27

Mail Label ID
A-8-12-OP



Subject Property = 790 Town Line **Land Use Designation**



Proposed Lot Area



Rural Area



Municipal Boundary