

**TOWNSHIP OF ADJALA-TOSORONTIO
COMMITTEE OF ADJUSTMENT**

DECISION OF COMMITTEE WITH REASONS

Re: APPLICATION FOR MINOR VARIANCE

FILE NO. A/09/16

IN THE MATTER OF section 45 of the Planning Act;

AND IN THE MATTER OF **Part of Lot 20, Concession 3, 7191 Concession Road 3**, in the Township of Adjala-Tosorontio (former Township of **Tosorontio**) in the County of Simcoe;

AND IN THE MATTER OF the application of John Joe Kulczycki and Ruth Elizabeth Kulczycki, as owners of the aforesaid land for a minor variance or a permission pursuant to section 45 of the Planning Act;

AND WHEREAS the Township of Adjala-Tosorontio's Committee of Adjustment, having considered whether or not the variance requested was minor and desirable for the appropriate development and use of the land, buildings and structures involved and whether the general intent and purpose of the applicable by-law and of the applicable official plan will be maintained, has decided that:

DECISION:

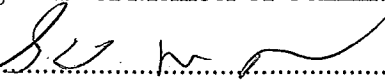
The requested Minor Variance to recognize an existing detached accessory storage structure having an approximate gross floor area of 200m² located in the front yard a minimum of 28.36m; and to recognize the existing south side yard setback of 5.33m for the existing dwelling be

GRANTED.

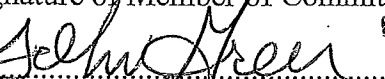
REASONS FOR DECISION: The Committee, having taken into consideration all written and oral submissions, finds that the proposal meets the intent of the Official Plan, complies with the Zoning By-law, is minor in nature, is appropriate for the development of the subject lands, and is consistent with the Provincial Policy Statement.


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Signature of Member of Committee

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Signature of Member of Committee


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Signature of Member of Committee


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Signature of Member of Committee


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Signature of Member of Committee

CERTIFICATION

I, Geri Cale, Secretary-Treasurer of the Township of Adjala-Tosorontio Committee of Adjustment certify that the above is a true copy of the decision of the Committee with respect to the application recorded therein.

DATED this 11th day of January, 2017


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Secretary-Treasurer of the Township of
Adjala-Tosorontio Committee of Adjustment

NOTICE

Additional information regarding this application is available for perusal at the Municipal Office during normal business hours.

If you wish to be notified of the decision of the Committee of Adjustment for the Corporation of the Township of Adjala-Tosorontio in respect of this application, you must submit a written request to the Secretary/Treasurer of the Committee of Adjustment. This will also entitle you to be advised of a possible Ontario Municipal Board Hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Ontario Municipal Board by the applicant or another member of the public.

Any person or public body who has made an oral submission at the public meeting or made written submission to the public meeting may, within twenty (20) days of the making of the decision under section 45(8), appeal to the Municipal Board against the decision by filing with the Secretary-Treasurer for the Committee of Adjustment an Appellant Form setting out written reasons in support of the appeal and accompanied by payment in the form of a certified cheque or money order to the Ontario Minister of Finance of the fee prescribed by the Board under the Ontario Municipal Board Act. Only individuals, corporations and public bodies may appeal decisions in respect of applications for minor variances to the Ontario Municipal Board. An Appellant Form may not be filed by an unincorporated association or group. However, an Appellant Form may be filed in the name of an individual who is a member of the association or group. The Ontario Municipal Board may dismiss the appeal if the appellant did not make oral submissions at the public meeting or did not made written submissions to the Committee before the minor variance was granted or denied and if in the opinion of the Board the appellant does not provide a reasonable explanation for having failed to make a submission.

The date of the notice of decision is Friday, January 13, 2017.

The last day for appealing this decision is Tuesday, January 31, 2017.

The Ontario Municipal Board's fee currently is \$300.00 for the appeal of this application, payable by certified cheque or money order to the Ontario Minister of Finance.

**TOWNSHIP OF ADJALA-TOSORONTIO
COMMITTEE OF ADJUSTMENT**

DECISION OF COMMITTEE WITH REASONS

Re APPLICATION FOR CONSENT

FILE NO. B/10/16

IN THE MATTER OF subsection 53(1) of the Planning Act;

AND IN THE MATTER OF **Part Lot 20, Concession 3, 7191 Concession Road 3** in the Township of Adjala-Tosorontio (former Township of **Tosorontio**), County of Simcoe;

AND IN THE MATTER OF the application of **John Joe Kulczycki and Ruth Elizabeth Kulczycki** as owners of the aforesaid land, for a consent under the Planning Act;

AND WHEREAS the Township of Adjala-Tosorontio's Committee of Adjustment, having conferred with all applicable agencies and persons as prescribed by the Planning Act and having had regard to those matters prescribed in the Planning Act, has decided that **the request for severance be:**

GRANTED

This provisional consent decision has been made subject to the following conditions which must be, in the opinion of the Committee, substantially complied with or waived by the party requesting the condition prior to the issuing of the Certificate of Consent:

CONDITIONS:

1. That the applicant meet all financial requirements of the Municipality;
2. That a registrable description of the severed lands be submitted to the Municipality;
3. That **one(1) copy** of a registered Reference Plan be given as required by the Township or any other agency which shows the location of any structures which would be impacted by the creation of new property lines to ensure all existing structures are in compliance with Zoning By-law requirements;
4. That no portion of the property required for the operation of the golf course (including a 30m setback from the existing watercourse along the northern boundary) be included in the new lot;
5. That the applicant successfully apply to the Township, as necessary, to amend the Zoning By-law;
6. That the existing northern entrance be removed or an Entrance Permit applied for and granted;
7. That an agreement, pursuant to Section 51(26) of the Planning Act, be registered on title to restrict the use of the accessory storage structure to residential use only and equipment used for the operation of Silver Brooke Golf Course Inc. shall not be parked or housed on the residential property; and,
8. That the foregoing conditions be fulfilled within one year of the date of the notice of the decision of the Committee.

REASONS FOR DECISION: The proposal meets the intent of the Official Plan and Zoning By-law, is appropriate for the development of the subject lands, and is consistent with the Provincial Policy Statement.

A. Korman
Signature of Member of Committee

[Signature]
Signature of Member of Committee

John Greer
Signature of Member of Committee

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Signature of Member of Committee

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Signature of Member of Committee

CERTIFICATION

I, Geri Cale, Secretary-Treasurer of the Township of Adjala-Tosorontio Committee of Adjustment certify that the above is a true copy of the decision of the Committee with respect to the application recorded therein.

DATED this 11th day of January, 2017

Geri Cale
Secretary-Treasurer of the Township of
Adjala-Tosorontio Committee of Adjustment

NOTICE

If you wish to be notified of the decision of the Committee of Adjustment for the Corporation of the Township of Adjala-Tosorontio in respect of this application, you must submit a written request to the Secretary/Treasurer of the Committee of Adjustment. This will also entitle you to be advised of a possible Ontario Municipal Board Hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Ontario Municipal Board by the applicant or another member of the public.

You will be entitled to receive notice of any changes, if applicable, under section 6 of Ontario Regulation 197/96 to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of the provisional consent.

Any person or public body who has made an oral submission at the public meeting or made written submission to the public meeting may, within twenty (20) days of the giving of notice of the decision under section 53(17), appeal to the Municipal Board against the decision by filing with the Secretary-Treasurer for the Committee of Adjustment a notice of appeal setting out written reasons in support of the appeal and accompanied by payment to the Ontario Minister of Finance of the fee prescribed by the Board under the Ontario Municipal Board Act. Only individuals, corporations and public bodies may appeal decisions in respect of applications for consent to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group. The Ontario Municipal Board may dismiss the appeal if the appellant did not make oral submissions at the public meeting or did not made written submissions to the Committee before a provisional consent was given or refused and if in the opinion of the Board the appellant does not provide a reasonable explanation for having failed to make a submission.

The date of the notice of decision is Friday, January 13, 2017

The last day for appealing this decision is Thursday, February 2, 2017

The Ontario Municipal Board's fee currently is \$300.00 for the appeal of a single consent on a property, however, if you are also appealing a second or third lot granted on the same property then the fee is \$300.00 for the first lot and \$25.00 per each additional lot on that same property, payable to the Ontario Minister of Finance.