



AGENDA

Corporation of the Township of Tay Committee of Adjustment

Wednesday, June 17, 2026 - 6:00 PM
Virtual Meeting

A meeting of the Committee of Adjustment will be held Wednesday, June 17, 2026 virtually commencing at **6:00 PM**. To view the meeting online, visit <https://us02web.zoom.us/j/88425479998> and enter Meeting ID: **884 2547 9998** or to join the meeting by telephone, call 1-647-558-0588 and enter Meeting ID: **884 2547 9998**

Page

1. Call to Order
2. Approval of the Agenda
3. Disclosure of Interest
4. Public Meeting
 - 4.1. **2026-A-12, 550 Second Avenue - Minor Variance Application** 2 - 9
Report from Planning Staff, Protective and Development Services
[COA-2026-017 Minor Variance Application 2026-A-12](#)
 - 4.2. **2026-A-13, 1930 Gratrix Road - Minor Variance Application** 10 - 24
Report from Planning Staff, Protective and Development Services
[COA-2026-018 Minor Variance Application 2026-A-13](#)
 - 4.3. **2026-B-10, 105 Grandview Road - Consent Application** 25 - 32
Report from Planning Staff, Protective and Development Services
[COA-2026-019 Consent Application 2026-B-10](#)
5. Other Business
6. Next Meeting: July 15th, 2026
7. Adjournment



Staff Report

To: Committee of Adjustment

Department: Planning and Development Services

File Number: 2026-A-12

Report Number: **COA – 2026-017**

Meeting Date: June 17th, 2026

Applicant: Helge Himmeroder

Address: 550 Second Avenue, Port McNicoll

Recommendation

That Item COA-2026-017, dated June 17th, 2026, regarding Minor Variance Application be received; and

The Planning and Development Services Department recommends that Minor Variance Application 2026-A-12 be granted approval for construction of a deck with a rear yard setback of 2.0 metres, subject to the following conditions being imposed on the Committee's decision:

1. That the appropriate Building Permit is obtained from the Township, which may include Engineered Lot Grading approval only after the Committee's decision becomes final and binding, as provided by the Planning Act R.S.O. 1990, c.P. 13.
2. That an Ontario Land Surveyor provide verification to the Township in compliance with the Committee's decision by:

Submitting certification to the Township by way of survey/real property report that the approved rear yard setback to the deck is 2.0 m. (6.56 ft.), or greater than approved;

3. That upon applying for a Building Permit application, the owner shall provide a deposit in the amount of \$1,000.00, which will be refunded back to the Owner once confirmation of Condition 2 has been provided to the satisfaction of the Secretary-Treasurer. Should the applicant not provide

this verification within twenty-four (24) months of the date this decision becomes final and binding, the Township may draw upon the said deposit to cover any outside services to verify that the Committee's decision has been met. The owner will incur any additional costs of outside services incurred by the Township to secure verification; and

4. The sketches submitted and approved as part of the minor variance application follow the application for building permit.

For the Following Reasons:

The proposed minor variance for the construction of a deck with a rear yard setback is in keeping with the general purpose and intent of the Official Plan and Zoning By-law. It is not anticipated that the request creates any adverse impacts for the adjoining residential properties, and the minor variance can be considered minor in nature and desirable for the lot.

Executive Summary

The Planning and Development Services Department recommends that Minor Variance Application 2026-A-12 be granted approval for the construction of a deck with a rear yard setback of 2.0 metres (6.56 feet).

Background/Analysis/Options

Introduction/Background:

The applicant is requesting relief from Section 4.20 of the Township of Tay's General Zoning By-law 2000-57, as amended, for a deck resulting in a rear yard setback of 2.0 metres (6.56 feet).

The subject property is located at 550 Second Avenue, at the corner of Alberta Street and Second Avenue in the Settlement Area of Port McNicoll.

The applicant had constructed an attached deck on the north and south side of dwelling, during the construction of the single detached dwelling. The applicant then constructed a floating deck which met the required setbacks for a detached accessory structure as per the zoning by-law. The applicant intends to connect the existing attached decks with the floating deck. The result is that the floating deck would become an attached deck and no longer complies with the minimum required rear yard setback.

The below chart summarizes the required and proposed relief:

Section 4.20	Required	Proposed
Decks are permitted to encroach in the rear yard setback by 1.83 metres (6.0 feet) including eaves and cornices.	5.67 metres (18.60 feet)	2.0 metres (6.56 feet)

Analysis:

Planning staff have reviewed the application against the four tests of the *Planning Act* as it relates to a minor variance application and offer the following comments.

Does the Proposed Minor Variance Meet the General Intent of the Official Plan?

The property is designated Village Residential on Schedule “C” of the Township’s Official Plan. In accordance with Section 4.1.1.2.1 of the Official Plan, low density single detached, semi-detached, and duplex dwellings are permitted uses within the designation. The submitted application seeks to add onto the existing deck at the rear of an existing single detached dwelling, which is a permitted use within the designation.

In consideration of the above, the application meets the general intent and purpose of the Township’s Official Plan.

Does the Proposed Minor Variance Meet the General Intent of the Zoning By-Law?

The property is zoned Residential Two Exception Thirty-Four “R2-34” on Schedule “H” to Township Zoning By-law No. 2000-57, as amended. The exception permits the construction of single detached dwelling with a private septic system.

The minimum required rear yard setback of the “R2” zone is 7.5 metres (24.60 feet) however, decks are permitted to encroach 1.83 metres (6.0 feet) in the rear yard resulting in a minimum rear yard setback of 5.67 metres (18.60 feet). The primary purpose of the rear yard setback is to ensure that there is an appropriate separation to neighbouring lots.

Per Section 4.1.8 (c) and 4.1.9 (b), a minimum rear yard setback of 2.0 metres (6.56 feet) is required for a detached accessory structure larger than 15.0 square metres (160.0 square feet) in the residential zones, and a minimum rear yard setback of 1.0 metres (3.28 feet) is required for an accessory structure 15.0 square metres (160.0 square feet). The original floating deck was constructed with the required minimum rear yard setback of 2.0 metres (6.56 feet). The reduced setback allows for adequate separation between the subject property and the adjacent

property to the rear. The property owners of the subject property are able to move about and maintain the property without trespassing on the adjacent property.

In consideration of above, it is the opinion of planning staff that the application meets the general intent and purpose of the Zoning By-law.

Is the Proposed Minor Variance Desirable and Appropriate for the Lot?

The proposed new deck would appear to be appropriate as it would not alter the character of the surrounding area as the area consists of residential dwellings with rear decks.

There is a fence separating the subject lands and the adjacent property which adds privacy and defines the lots. There is adequate open space around the decks on the subject land for property maintenance and use. The deck has a low profile to the ground, which combined with the fence separating the subject property and adjacent property provides additional privacy.

As such, Planning Staff is of the opinion that the proposed minor variance application is desirable and appropriate for the lot.

Is the Proposed Variance Minor in Nature?

The reduction in the rear yard setback will still maintain adequate spatial separation between adjacent neighbours and the deck to allow for movement and maintenance on the subject lands without compromising privacy or trespassing. The existing fence and the low profile of the deck will also assist with privacy between the properties. The deck would comply with all other zone regulations of the Township Zoning By-law No. 2000-57, as amended

As such, Planning Staff are of the opinion that the proposed application is considered minor in nature.

Outside Agency, Internal Department and Public Comments:

NT Power – no concerns

Severn Sound Environmental Association (SSEA) – no concerns

Operational Services Department – Schedule 4

Financial and Resource Implications

There are no budgetary impacts because of the recommendation of this report. Should the application be appealed to the Ontario Land Tribunal, there could be additional cost for staff representation if required.

Conclusion

In consideration of all the above, it is Planning Staff's opinion that the submitted minor variance application meets the prescribed tests of a minor variance in accordance with the *Planning Act* and recommends the approval of the application subject to the conditions outlined in the Recommendation Section of this Report.

Relationship to Strategic Plan

Not Strategic Plan Specific - Other

Reference Documents

There is no reference documents associated with this Item.

Attachments

Schedule 1 – Key Map
Schedule 2 – Site Plan
Schedule 3 – Operational Services Department

Prepared By

Kathryn Beemer, Planning Technician

Approved By

Todd Weatherell, RPP, CPT
Manager of Planning and Development Services

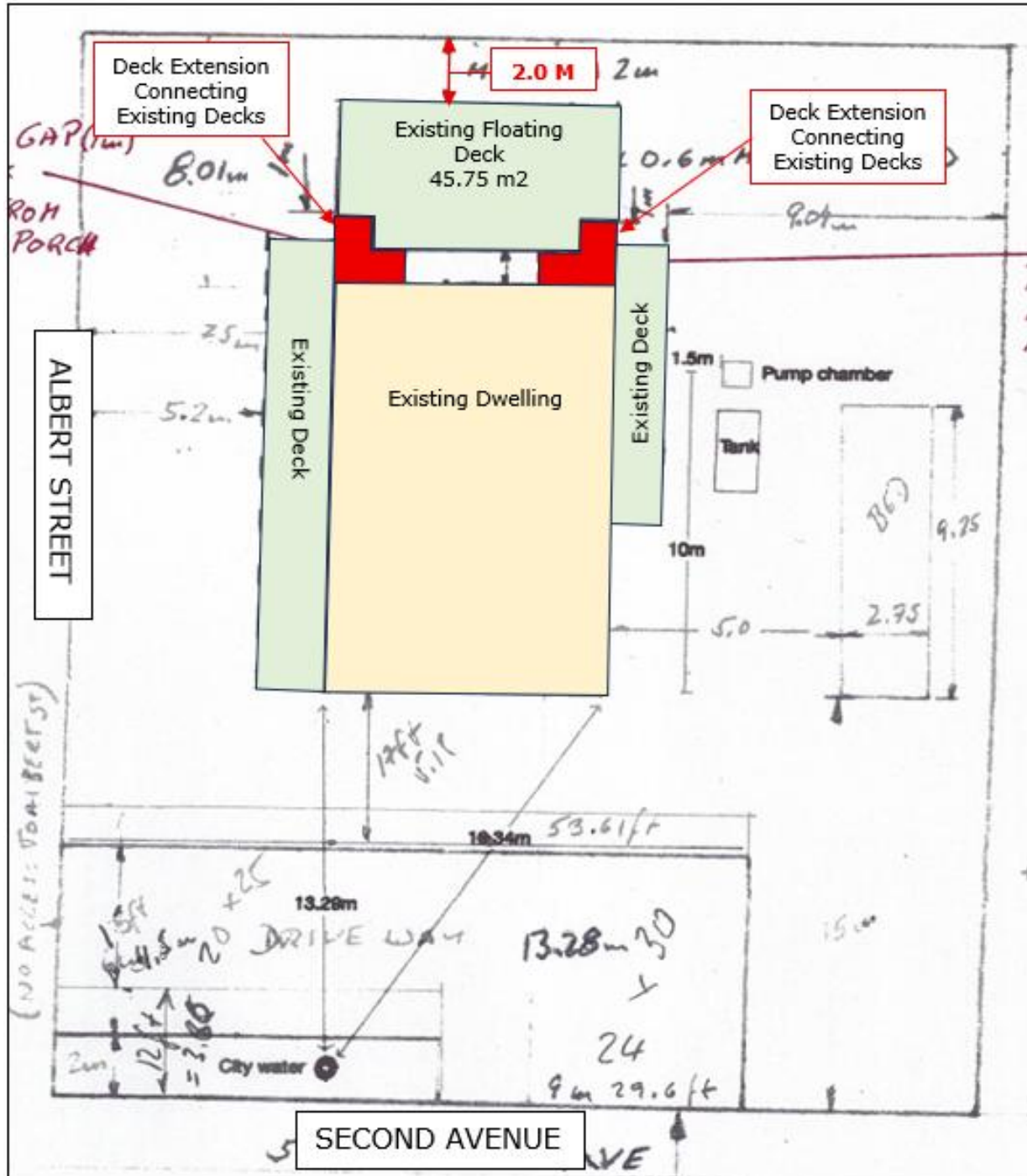
Date

June 12, 2026

Schedule 1 – Key Map



Schedule 2 – Site Plan



Kathryn Beemer

From: Taylor Craig
Sent: Thursday, June 11, 2026 3:44 PM
To: Kathryn Beemer
Cc: Shawn Berriault; Todd Weatherell
Subject: Re: Committee of Adjustment - Notice of Meeting - June 17th, 2026

Hi Kathryn,

Please see the June 17th Committee of Adjustment comments provided below, on behalf of the Operational Services department:

2026-A-12 - 550 Second Avenue

- Ensure the proposed deck does not interfere with the drainage swale identified on the approved LGP.

2026-A-13 - 1930 Gratrix Road

- Township Design Standards minimum requirements must be followed for the proposed industrial entrance, parking requirements, and building.
- An entrance permit application is required with proposed sketch.
- An engineered lot grading plan is required at time of Building Permit application.

2026-B-10 - 105 Grandview Road

- No issues noted for the severance at this time.

Thank you,



Taylor Craig, C.Tech, rcji
Engineering Technologist
Tay Township
705-534-7248 x278
450 Park Street, PO Box 100
Victoria Harbour, Ontario L0K 2A0



The information contained in this message is directed in confidence solely to the person(s) named above and may not be otherwise distributed, copied or disclosed. Please be advised that all correspondence with the Township of Tay may be subject to disclosure in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*. If you have received this message in error, please notify the sender of the error so that we can update our distribution list and then delete the message without making a copy.

From: Kathryn Beemer <KBeemer@tay.ca>
Sent: Wednesday, June 3, 2026 10:10 AM



Staff Report

To: Committee of Adjustment
Department: Planning and Development Services
File Number: 2026-A-13
Report Number: **COA – 2026-018**
Meeting Date: June 17th, 2026
Applicant: Doug Follows
Address: 1930 Gratrix Road, Rural Tay

Recommendation

That Item COA-2026-018, dated June 17th, 2026, regarding Minor Variance Application be received; and

The Planning and Development Services Department recommends that Minor Variance Application 2026-A-13 be granted approval to permit a home industry occupying 377.19 m² (4020.0 ft²) in a detached accessory building, subject to the following conditions being imposed on the Committee's decision:

1. That the appropriate Building Permit is obtained from the Township, which may include Engineered Lot Grading approval only after the Committee's decision becomes final and binding, as provided by the Planning Act R.S.O. 1990, c.P. 13.
2. That the property owner enters into a site plan agreement with the Township to control the number of structures on the property as well as the general objectives identified in Section 7.6.2 of the Official Plan.
3. That the setbacks be in conformity with the dimensions as set out on the application and sketches submitted and approved by the Committee;

For the Following Reasons:

The proposed minor variance to permit a home industry in a detached accessory building with an increase in gross floor area is in keeping with the general

purpose and intent of the Official Plan and Zoning By-law. It is not anticipated that the request creates any adverse impacts for the adjoining residential properties, and the minor variance can be considered minor in nature and desirable for the lot.

Executive Summary

The Planning and Development Services Department recommends that Minor Variance Application 2026-A-13 to permit a home industry in a detached accessory building with an increase in gross floor area.

Background/Analysis/Options

Introduction/Background:

The applicant requests relief from Section 4.8.2 of Township of Tay’s General Zoning By-law 2000-57, as amended, to permit a home industry in a detached accessory building with an increase in gross floor area.

The subject property is in the rural Tay. The property contains one (1) single detached dwelling, one (1) detached garage, and seven (7) accessory structures less than 15.0 m² (160.0 ft²) in area. The applicant is proposing the construction of a detached accessory building with a gross floor area of 377.19 m² (4020.0 ft²) to be used as a showroom, workshop, and office for the applicant’s stone works business.

The below chart summarizes the required and proposed relief:

Section 4.8.2	Permitted	Proposed
(e) A home industry may occupy one hundred percent (100%) of the gross floor area to a maximum of 100 square metres of one (1) detached accessory building, if the home industry is contained within a detached accessory building	100.0 m ² (1076.39 ft ²)	377.19 m ² (4020.0 ft ²) Difference of: 277.19 m ² (2943.61 ft ²)

Analysis:

Planning staff have reviewed the application against the four tests of the *Planning Act* as it relates to a minor variance application and offer the following comments.

Does the Proposed Minor Variance Meet the General Intent of the Official Plan?

The subject lands are designated Rural on Schedule "A" of the Township of Tay Official Plan.

In accordance with Section 4.5.2.5 of the Official Plan, the permitted uses within the Rural designation include home occupations as per policies outlined in Section 3.

3.4.1. Home occupations may be permitted in the Agricultural, Rural, Village Residential and Shoreline Residential designations subject to the policies of this Plan and the provisions of the Zoning By-law.

3.4.3 Home occupations in the Agricultural and Rural designation may be permitted in either a dwelling or an accessory building or structure, the size of which will be regulated by the Zoning By-law to ensure that the agricultural and rural residential character is maintained. The property as stated above is located in the Rural designation and does not contain any agricultural uses. The rural character will be maintained as the business will be contained in one large building versus being located in multiple structures. Having one larger building helps control the density of buildings on a property.

3.4.4 The implementing zoning by-law may include more detailed regulations with regard to home occupations.

4.5.3.3 In addition to any other policies found herein, the general criteria for permitting non-agricultural or agriculturally related uses shall be:

- (a) The use of poorer quality lands wherever possible;
- (b) No interference with agricultural uses;
- (c) Location on good roads where heavy traffic is likely to be generated by the use;
- (d) and Adequate distance and buffering from incompatible uses.

The proposed structure will be located in an area that has not been disturbed which is of poorer quality and it will not interfere with any agricultural uses on the property or in the area. The location will also provide buffering from adjacent uses.

Township staff is recommending site plan approval as a condition of approval. Section 7.6.2 of the Official Plan sets out the general objectives which are:

- (a) To protect existing adjacent uses from new development where it is likely that the new use would have a detrimental impact either visually or physically on the existing use or uses;

-
- (b) To ensure adherence to proper development standards and to encourage aesthetic design and proper landscaping;
- (c) To ensure the safe and efficient movement of both vehicular and pedestrian traffic as it relates to the development and surrounding area;
- (d) To ensure the granting of any required easements to the Municipality for maintenance or improvement of drainage works, watercourses, public utilities, roadways and similar undertakings;
- (e) To ensure proper grading, storm drainage and maintenance in regard to surface water and public utilities; and
- (f) To control the placement of buildings and related site facilities.

Per Section 4.5.2.5 and Section 3.4 home occupations and home industries are a permitted use for properties within the Rural designations. In consideration of the above, the application meets the general intent and purpose of the Township's Official Plan.

Does the Proposed Minor Variance Meet the General Intent of the Zoning By-Law?

The subject lands are zoned Rural "RU" on Schedule "L" of Zoning By-law No. 2000-57, as amended.

Section 4.1.6 governs the maximum ground floor area states "on lots in the Agricultural and Rural Zones which are less than 2 hectares in lot area, no accessory building or structure shall occupy more than 130 square metres of ground floor area, nor shall the height exceed 11.0 metres." The property is approximately 9.3 ha (22.98 ac) in size. As the property is larger than 2.0 hectares the size of the structure is controlled through lot coverage. The maximum permitted lot coverage is 10% (100,107.0 sq. ft.), the proposed structure is 0.41% (4020.0 sq. ft.), and all accessory structures on the property combined is 0.48%. The property would be able to handle more structures if they wanted to max out the 10% lot coverage provision.

Per Section 4.8.2, home industries are intended to accommodate a single professional or tradesperson, uses that may be considered a home industry are limited to a trade business or a more intensive home occupation requiring the use of an accessory building.

In Section 3.2.113 home industry is defined as a small-scale dry industrial use, such as a carpentry shop, a metal working shop, a welding shop or an electrical shop that provides services or wares to the rural community and which is accessory to a rural

or agricultural use or a single detached dwelling. For the purposes of this By-law, the repairing of motor vehicles, mobile homes and/or trailers is not a home industry.

The applicant owns and operates a stone works company which manufactures and installs stone countertops, backsplashes, and fireplace surrounds. The company meets the definition of home industry and is accessory to a single detached dwelling existing on the property.

The purpose of Section 4.8.2 (e) is to ensure the home industry will remain accessory and subordinate to the residential and/or agricultural use of the property. The property currently contains a 171.87 m² (1850.0 ft²) dwelling and a detached garage on the east side of the property. The proposed detached accessory structure would be located on the northern portion of the property at the corner of Beckett's Sideroad and Gratrix Road, facing Beckett's Sideroad. The proposed detached accessory structure would be one storey. The applicant intends for the proposed detached accessory structure to be accessed off of Beckett's Sideroad. The proposed detached accessory structure would exceed the required exterior side yard setback and front yard setback by over 20.0 m (65.62 ft). The proposed detached accessory structure would be located over 100.0 m (328.08 feet) from the existing dwelling on the opposite side of the hydro corridor. Based on the proposed placement of the detached accessory structure, planning staff conclude that the structure can still be considered as an accessory use on the property.

Zoning By-law 2000-57 also states a home industry "shall not include accessory outdoor storage, display or sales". Therefore, if approved the building will contain all aspect of the business inside it.

In consideration of above, it is the opinion of planning staff that the application meets the general intent and purpose of the Zoning By-law.

Is the Proposed Minor Variance Desirable and Appropriate for the Lot?

The proposed detached accessory structure would be desirable and appropriate for the subject lands as a majority of the lands will remain treed opened space maintaining the rural character of the area. Only 0.48% of the total lot coverage will be used for accessory structures. Planning staff also recommends that as a condition of approval the applicant enter into a site plan agreement with the township to ensure that the property is not over developed with structures and continues to maintain the rural characteristics of the property. The site plan agreement will cap the number of structures on the property, will regulate buffering requirements, as well as other site features such as driveways, and fences.

The proposed detached accessory structure will be one storey in height which will reduce the impact on the adjacent neighbours in the area. The proposed detached

accessory structure would also be located at the corner of Beckett's Sideroad and Gratrix Road, facing Beckett's Sideroad. Hydro One facilities are located on Beckett's Sideroad as well as a hydro corridor located on the subject lands.

The proposed detached accessory structure meets the zoning by-law requirements; the minor variance application is to permit the use of a home industry in a structure larger than 100.0 m² (1076.39 ft²). The proposed home industry meets the definitions of the zoning by-law and will remain accessory to the main use of the property. The proposed structure would be appropriate on the property as it reduces the number of structures that could be constructed on the property and site plan approval will control the overall development on the property.

As such, Planning Staff is of the opinion that the proposed minor variance application is desirable and appropriate for the lot.

Is the Proposed Variance Minor in Nature?

The increased gross floor area for a home industry will not create any adverse impacts on the abutting properties, while maintaining an abundance of treed open space to maintain the rural characteristics of the area. The proposed detached accessory structure will occupy less than 1% of lot coverage of the 9.3 ha (22.98 ac) of the property. The proposed detached accessory structure will be located on the northern portion of the property as to not dominate the dwelling on the property which will continue to maintain rural aesthetic of the eastern portion of the property. The proposed detached accessory structure will be accessory to the main use of the property. The proposed detached accessory structure will be one storey in height which will reduce the impact on the adjacent neighbours in the area.

The proposed detached accessory structure will be appropriately setback from Beckett's Sideroad and Gratrix Road exceeding the minimum setback requirements. The proposed detached accessory structure will meet all other home industry requirements under Section 4.8.2. Planning staff have also recommended that as a condition of approval the applicant enter into a site plan agreement with the township to ensure that the property is not over developed with structures and continues to maintain the rural characteristics of the property.

As such, Planning Staff are of the opinion that the proposed application is considered minor in nature.

Outside Agency, Internal Department and Public Comments:

Rick Forster, 1967 Gratrix Road – Schedule 4
Operational Services Department – Schedule 5
NT Power – no concerns

Severn Sound Environmental Association (SSEA) – Source Water Protection – no concerns

Financial and Resource Implications

There are no budgetary impacts because of the recommendation of this report. Should the application be appealed to the Ontario Land Tribunal, there could be additional cost for staff representation if required.

Conclusion

In consideration of all the above, it is Planning Staff's opinion that the submitted minor variance application meets the prescribed tests of a minor variance in accordance with the *Planning Act* and recommends the approval of the application subject to the conditions outlined in the Recommendation Section of this Report.

Relationship to Strategic Plan

Not Strategic Plan Specific - Other

Reference Documents

There is no reference documents associated with this Item.

Attachments

Schedule 1 – Key Map

Schedule 2 – Site Plan

Schedule 3 – Proposed Elevation Plans

Schedule 4 – Comments from Rick Forster – 1967 Gratrix Road

Schedule 5 – Comments from Operational Services Department

Prepared By

Kathryn Beemer, Planning Technician

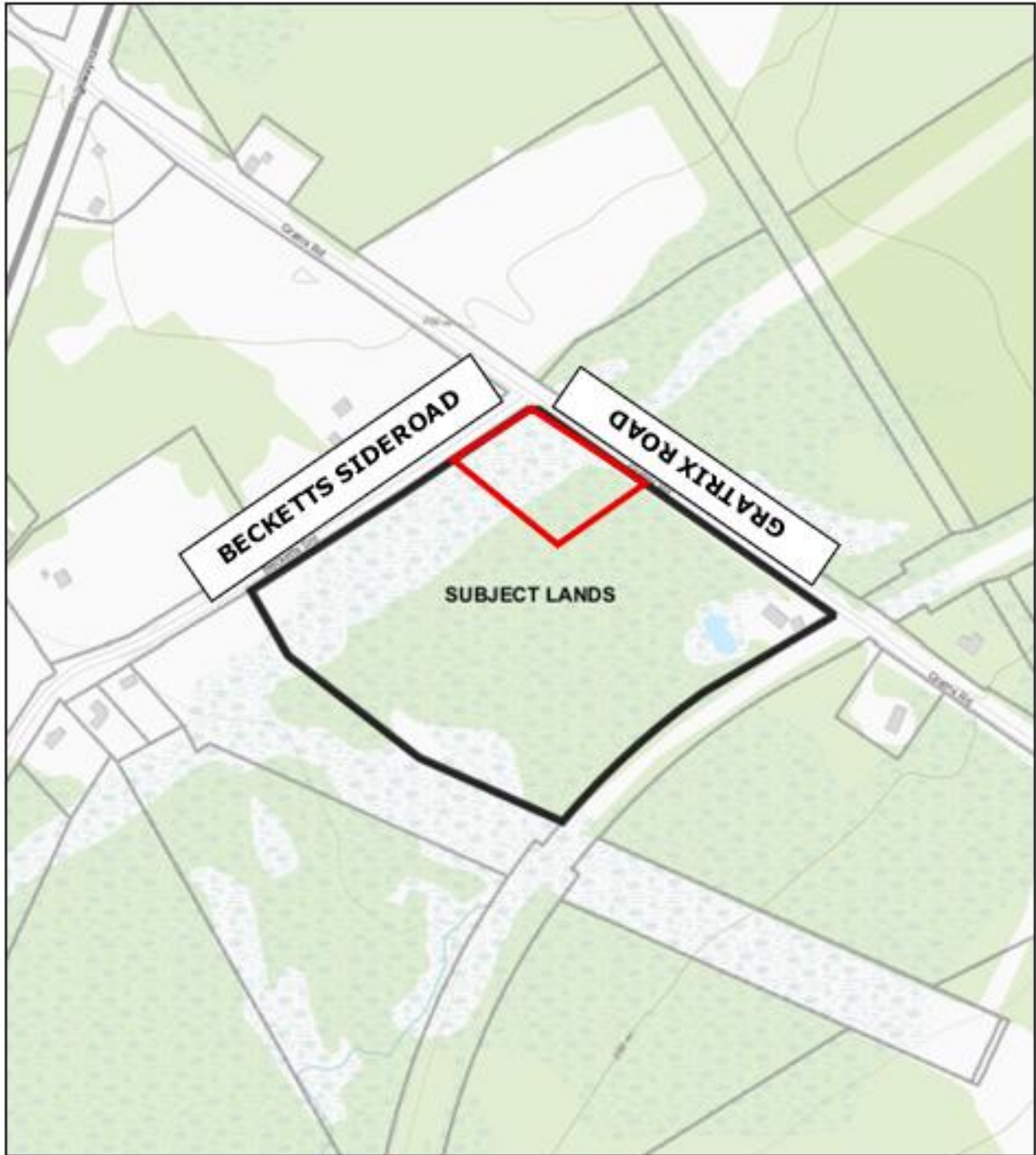
Approved By

Todd Weatherell, RPP, CPT
Manager of Planning and Development Services

Date

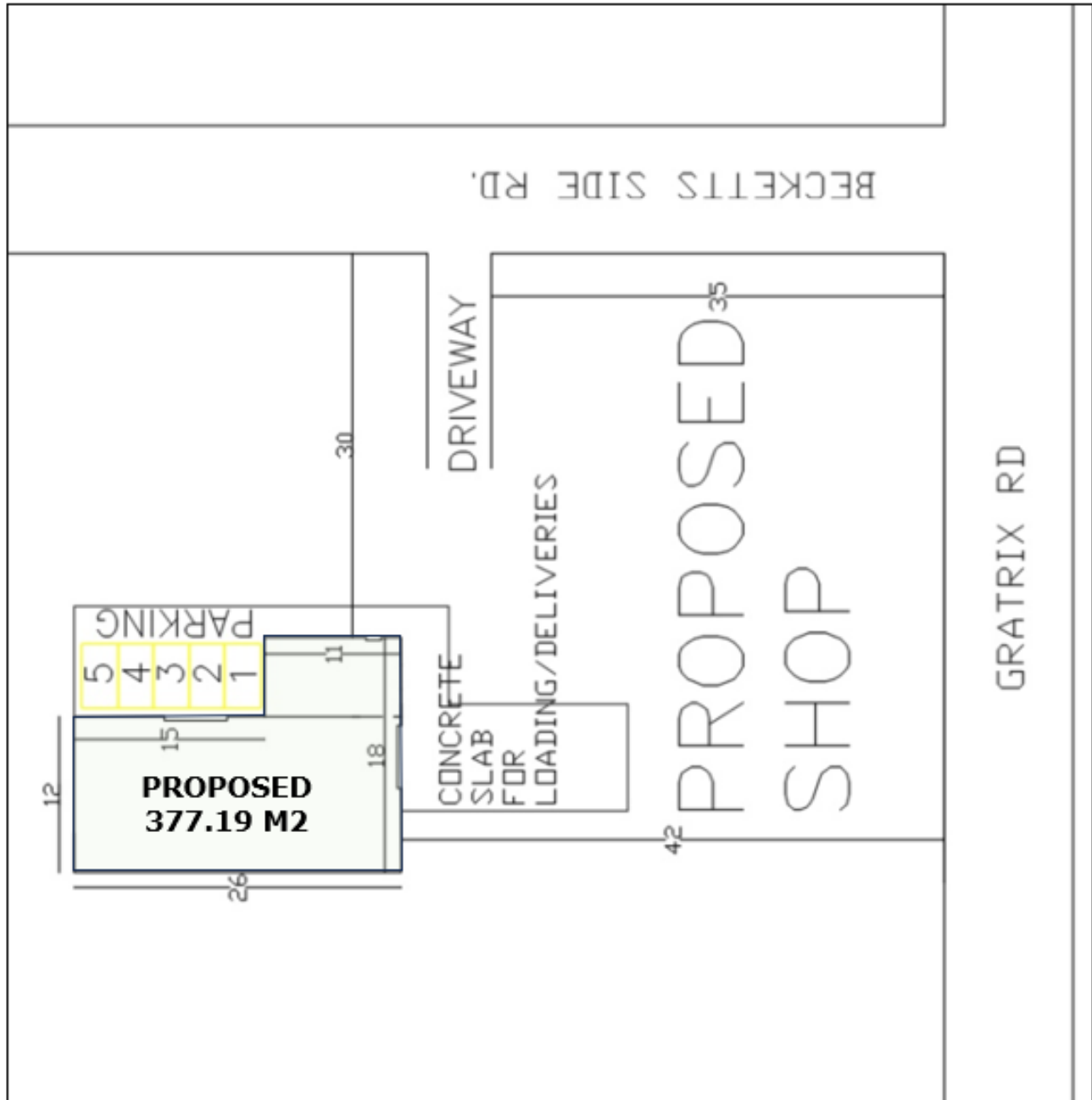
June 12, 2026

Schedule 1 – Key Map

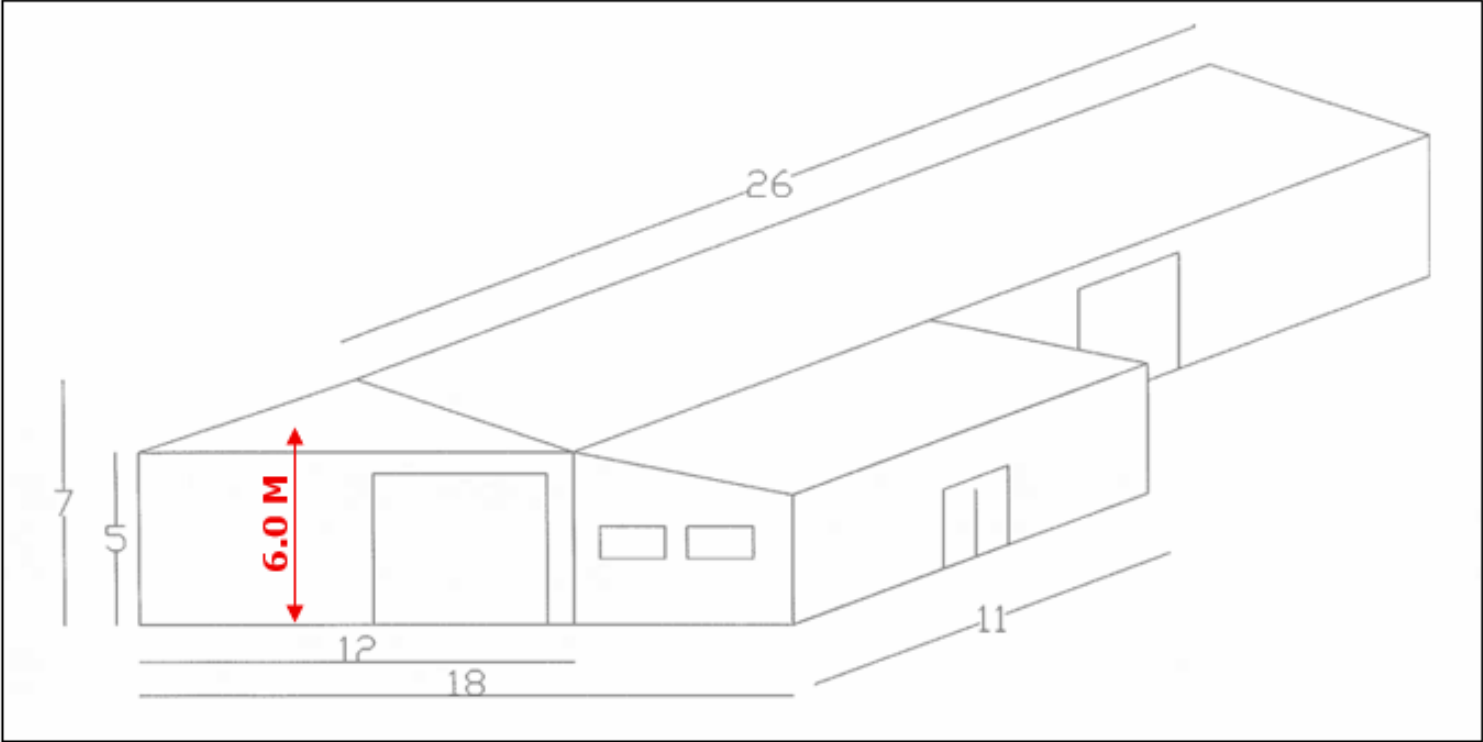


Area of Application

Schedule 2 – Site Plan



Schedule 3 – Proposed Elevation Plans



Kathryn Beemer

From: Janice&Rick Forster [REDACTED]
Sent: Tuesday, June 9, 2026 3:57 PM
To: Planning
Subject: COA File # 2026-A-13

You don't often get email from [REDACTED]. [Learn why this is important](#)

I wish, as a neighbour, to express my strong objection to the application submitted to the Committee of Adjustment regarding the subject file.

Presently, with the exception of commercial aggregate activities, Gratrix Road is a rural/residential area, and I wish it to remain so. A structure such as the one shown on the application does not fit into the present local home inventory either in size or aesthetics. In fact, the structure is a full four times the size allowed by Section 4.8.2. This is too much, not a minor variance, but a major one. Further, the notice of application lacks any stated use for the building which raises questions of unwanted activities associated with the new shop, or storage, or fabrication, or whatever usage.

I could have a less negative stance should the structure be moved to the north west corner of the property, opposite the sub station and next to the hydro right of way. Entry/exit conditions would be better onto Beckett's Sideroad, rather than the corner condition presently proposed, and the industrial nature of the hydro structures would be more in keeping with commercial activity.

Please let me know the outcome of the application.

Rick Forster

Kathryn Beemer

From: Janice&Rick Forster [REDACTED]
Sent: Wednesday, June 10, 2026 9:28 AM
To: Planning
Subject: Re: COA File # 2026-A-13

You don't often get email from [REDACTED]. [Learn why this is important](#)

My home address is [REDACTED], I own 1967 Gratrix.

On Tue, Jun 9, 2026 at 4:19 PM Planning <planning@tay.ca> wrote:

Good Afternoon Mr. Forster,

Can you please provide your address for the record?

Thank you,

Sincerely,



Kathryn Beemer

Planning Technician

Tay Township

705-534-7248 x238

450 Park Street, PO Box 100

Victoria Harbour, Ontario L0K 2A0



The information contained in this message is directed in confidence solely to the person(s) named above and may not be otherwise distributed, copied or disclosed.

Please be advised that all correspondence with the Township of Tay may be subject to disclosure in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*. If you have received this message in error, please notify the sender of the error so that we can update our distribution list and then delete the message without making a copy.

From: Janice&Rick Forster <jpf6511@gmail.com>

Sent: Tuesday, June 9, 2026 3:57 PM

To: Planning <planning@tay.ca>

Subject: COA File # 2026-A-13

You don't often get email from jpf6511@gmail.com. [Learn why this is important](#)

I wish, as a neighbour, to express my strong objection to the application submitted to the Committee of Adjustment regarding the subject file.

Presently, with the exception of commercial aggregate activities, Gratrix Road is a rural/residential area, and I wish it to remain so. A structure such as the one shown on the application does not fit into the present local home inventory either in size or aesthetics. In fact, the structure is a full four times the size allowed by Section 4.8.2. This is too much, not a minor variance, but a major one. Further, the notice of application lacks any stated use for the building which raises questions of unwanted activities associated with the new shop, or storage, or fabrication, or whatever usage.

I could have a less negative stance should the structure be moved to the north west corner of the property, opposite the sub station and next to the hydro right of way. Entry/exit conditions would be better onto Beckett's Sideroad, rather than the corner condition presently proposed, and the industrial nature of the hydro structures would be more in keeping with commercial activity.

Please let me know the outcome of the application.

Rick Forster

Kathryn Beemer

From: Taylor Craig
Sent: Thursday, June 11, 2026 3:44 PM
To: Kathryn Beemer
Cc: Shawn Berriault; Todd Weatherell
Subject: Re: Committee of Adjustment - Notice of Meeting - June 17th, 2026

Hi Kathryn,

Please see the June 17th Committee of Adjustment comments provided below, on behalf of the Operational Services department:

2026-A-12 - 550 Second Avenue

- Ensure the proposed deck does not interfere with the drainage swale identified on the approved LGP.

2026-A-13 - 1930 Gratrix Road

- Township Design Standards minimum requirements must be followed for the proposed industrial entrance, parking requirements, and building.
- An entrance permit application is required with proposed sketch.
- An engineered lot grading plan is required at time of Building Permit application.

2026-B-10 - 105 Grandview Road

- No issues noted for the severance at this time.

Thank you,



Taylor Craig, C.Tech, rcji
Engineering Technologist
Tay Township
705-534-7248 x278
450 Park Street, PO Box 100
Victoria Harbour, Ontario L0K 2A0



The information contained in this message is directed in confidence solely to the person(s) named above and may not be otherwise distributed, copied or disclosed. Please be advised that all correspondence with the Township of Tay may be subject to disclosure in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*. If you have received this message in error, please notify the sender of the error so that we can update our distribution list and then delete the message without making a copy.

From: Kathryn Beemer <KBeemer@tay.ca>
Sent: Wednesday, June 3, 2026 10:10 AM



Staff Report

To: Committee of Adjustment
Department: Planning and Development Services
File Number: 2026-B-10
Report Number: **COA – 2026- 019**
Meeting Date: June 17th, 2026
Applicant: Roger and Melanie Davis
Address: 105 Grandview Road, Rural Tay

Recommendation

That Item COA-2026-019, dated June 17th, 2026, regarding Consent Application be received; and

The Planning and Development Services Department recommends that Consent Application 2026-B-10 be provisionally granted for the boundary adjustment for a portion of **105 Grandview Road** which is to be consolidated with **103 Grandview Road**, subject to the following conditions being imposed on the Committee's decision:

1. That a copy of a registered reference plan for the subject lands indicating the severed parcel be prepared by an Ontario Land Surveyor and submitted to the Secretary-Treasurer for approval;
2. That the applicant's solicitor prepares and submit a copy of the proposed conveyances for the severed parcels, for review by the Township;
3. That the Certificate of Consent be issued utilizing Form 2, Section 53(42) of the Planning Act, R.S.O. 1990, without qualification;
4. That the conditions of consent Committee be fulfilled within two (2) years from the date of the giving of the notice of decision (Approval shall lapse where the conditions have not been fulfilled within two (2) years of being imposed. **WARNING: Failing to fulfil the conditions within the above-**

noted statutory periods (Sections 53(41) & 53(43), the Planning Act R.S.O. 1990) shall cause the application to lapse and render this Decision null and void.

Executive Summary

The Planning and Development Department recommends that Consent Application 2026-B-10 be provisionally granted approval for the boundary adjustment for a portion of **105 Grandview Road** which is to be consolidated with **103 Grandview Road**

Background/Analysis/Options

Introduction/Background:

The subject property is located just outside the Port McNicoll settlement boundaries, west of the Grandview Beach and Paradise Point Area. The retained lot currently contains one (1) single detached dwelling, one (1) detached accessory structure, and two (2) sheds less than 15.0 m² (160.0 ft²).

A lot boundary adjustment was approved by the Committee of Adjustment was approved on October 15th, 2025, to allow for a portion of land approximately 7009.0 m² (1.73 ac.) from 3323 Triple Bay Road be consolidated with 105 Grandview Road. The applicant seeks to have a portion of that gained land to be consolidated with 103 Grandview Road.

The below chart summarises the resulting lot configuration and intended use for the proposed retained and severed lot:

Lot (Boundary Adjustment)	Existing Lot Area	Resulting Lot Area
Retained Land (105 Grandview Road)	Approx. 10,029.1 m ² (2.48 ac.)	Approx. 8,939.4 m ² (2.21 ac.)
Severed Land (105 Grandview Road)	Approx. 1,089.7 m ² (0.27 ac.)	-
Benefitting Land (103 Grandview Road)	Approx. 1,337.18 m ² (0.33 ac.)	Approx. 2,426.88 m ² (0.60 ac.)

Analysis:

The submitted consent application has been reviewed under the context of the applicable Provincial, County and Township planning policy framework.

Provincial Planning Statement

The Provincial Planning Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. As it relates to the submitted lot boundary adjustment, no new development will be occurring as the application does not seek the creation of a new lot.

Under definitions in Section 8.0 of the PPS 2024 a legal or technical reason is defined as: severances for purposes of such as easements, corrections of deeds, quit claims and minor boundary adjustments which do not result in the creation of a new lot.

Planning staff consider the lot boundary adjustment locally appropriate in the surrounding area and do not anticipate any adverse impacts. Under this basis, planning staff is of the opinion that the submitted application is generally consistent and conforms to the policies of the PPS.

County of Simcoe Official Plan

County of Simcoe designates the subject property as 'Greenlands' on Schedule 5.1 of the County Official Plan. Section 3.3.5 permits consents for the purpose of legal or technical reasons and consolidation of land holdings may be permitted but shall not be for the purpose of creating new lots.

Section 5.8 defines legal or technical reasons as: a means severance for purposes such as easements, corrections of deeds, quit claims, and other minor boundary adjustments, which do not result in the creation of a new lot.

A Scoped Environmental Impact Study (SEIS) was completed by Aster Environmental Services Ltd. dated September 17, 2025, for 3323 Triple Bay Road. As there are natural heritage features and functions within 120 m of the adjacent lands. Section 7 of the report concludes that; "Based upon the findings presented in this report and contingent upon the implementation of and adherence to the recommendations made herein, it is our conclusion that the consent application can be accomplished without negatively impacting the functions of significant natural heritage features or the associated natural heritage system." Should the property owner choose to develop the conveyed parcel of land in the future, recommendations from Section 5 of the study would be applicable. As the SEIS was less than one (1) year old planning staff were of the opinion that update was not required for the current application.

The County of Simcoe provided comments stating they have no concerns with the proposed boundary adjustment.

In consideration of the above, planning staff is of the opinion that the submitted application conforms to the general intent and purpose of the County of Simcoe Official Plan.

Township of Tay Official Plan

The subject lands are designated Shoreline Residential with the Environmental Protection 3 overlay on Schedule "A" of the Township of Tay Official Plan.

The portion of the property to be severed and consolidated with 103 Grandview Road is designated Shoreline Residential with the Environmental Protection 3 overlay.

4.1.2.1.1 The "Shoreline Residential" designation recognizes the existing shoreline residential areas and communities in the Township and is intended to protect the low-density shoreline residential character of these areas. Development in the shoreline communities shall be compatible with existing land uses in the adjacent areas.

Section 4.8.4.4.1 The scoped EIA required by this Section shall have as its primary objective the integration of the permitted development with the natural heritage system through sensitive design. The scoped EIA shall also protect, to the greatest extent possible, the important features, functions, and linkages of the natural heritage system while still permitting the proposed development in accordance with this Plan.

4.8.4.1.1 The "Environmental Protection Policy Area 3" overlay designation recognizes areas within the Township which form part of the natural heritage system but where some form of development rights and/or permissions have already been granted. Generally, these lands have received Official Plan approval but still require plan of subdivision, plan of condominium, Secondary Plan, or site plan approval.

A Scoped Environmental Impact Study was completed by Aster Environmental Services Ltd. Which provided an assessment of the parcel and provided recommendations for potential future development.

Section 3.11 of the Official Plan outlines the general consent policies for all land designations. Additionally, according to Section 3.11.2.7 consent may be permitted for technical or legal reasons such as boundary adjustments, easements, rights-of-way, or other similar purposes that do not result in the creation of a new lot. The submitted application seeks a lot boundary adjustment and will not result in the creation of a new lot.

In consideration of the above, planning staff are of the opinion that the submitted consent application conforms to the policies of the Township Official Plan.

Township of Tay Zoning By-law No. 2000-57

The subject lands (105 Grandview Road) and the benefitting lands (103 Grandview Road) are zoned Shoreline Residential Exception Four "SR-4" and the proposed parcel to be severed and merged to 103 Grandview Road is zoned Shoreline Residential "SR". Exception four (4) outlines the requirements for tertiary treatment sewage systems and well and water filtration systems requirements. There is an existing dwelling with a tertiary system on the property, therefore, exception four (4) has already been satisfied.

The minimum lot area for the "SR" zone is 2000.0 m², the proposed boundary adjustment will result in a lot area of 8,939.4 m² (2.21 ac.) for the subject lands and 2,426.88 m² (0.60 ac.) for the benefitting lands, exceeding the lot area requirements.

In consideration of the above, Planning staff is of the opinion that the application complies with the requirements of the Township Zoning By-law.

Outside Agency, Internal Department and Public Comments:

County of Simcoe – No Concerns

NT Power – No Concerns

Severn Sound Environmental (SSEA) Source Water Protection – No Concerns

Operational Services Department – No Concerns

Financial and Resource Implications

There are no budgetary impacts because of the recommendation of this report. Should the application be appealed to the Ontario Land Tribunal, there could be additional cost for staff representation if required.

Conclusion

In consideration of all the above, it is the opinion of Planning staff that the submitted Consent Application **2026-B-10** seeking approval for the boundary adjustment for a portion of **105 Grandview Road** to be consolidated with **103 Grandview Road** is generally consistent with the Provincial, County and Township policies and therefore recommend the consent application be **granted** subject to the conditions outlined in the recommendation section of this Report.

Relationship to Strategic Plan

Not Strategic Plan Specific - Other

Reference Documents

There are no reference documents associated with this Item.

Attachments

Schedule 1 – Key Map
Schedule 2 – Proposed Site Plan

Prepared By

Kathryn Beemer, Planning Technician

Approvals

Date

Todd Weatherell, RPP, CPT, Manager of Planning and Development Services	June 17, 2026
---	---------------

Schedule 1 – Key Map



Schedule 2 – Site Plan

