

**THE CORPORATION OF THE TOWNSHIP OF SEGUIN
COMMITTEE OF ADJUSTMENT
MINUTES OF MEETING
Wednesday, February 10, 2010 - 4:00 PM
Council Chambers**

Members Present: Susan Adams
Todd Hrycyna
Bernard Robbins
Doug Sainsbury
Brian Bannerman
Paul Taylor

Staff Present: Adam Kozlowski, Secretary-Treasurer/Intermediate Planner
Lori West, Planning Assistant

Absent: Alvar Smith

1.0 MINUTES

MOTION: 2010-005

Moved by: Doug Sainsbury
Seconded by: Paul Taylor

THAT the Committee of Adjustment for The Corporation of the Township of Seguin (The "Committee") hereby accepts as read and circulated the Minutes of its last hearing that took place January 13, 2010.

CARRIED.

2.0 DISCLOSURE OF PECUNIARY INTEREST

None.

3.0 CORRESPONDENCE

None.

4.0 APPLICATIONS

4.1 Minor Variance Application A-2010-0001-M (KOSARCZYN)

Location: CON B PT LOT 22 & 23; RP42R7197 PART 1 (Former Township of Monteith)

Purpose: The applicant proposes to construct a 2 storey, 72 square metre accessory garage having a height of 6.5 metres, and seeks relief from the following section of the Zoning By-law:

1) Section 4.1.3 Lot Coverage and Height (Maximum accessory building height = 4.5 metres) where the proposed garage height = 6.5 metres, requiring variance of 2.0 metres

Agencies: None
Others: None
Presenter: Gerald Porter, Agent for Applicant
Audience: None

MOTION: 2010-006

Moved by: Bernard Robbins
Seconded by: Brian Bannerman

That the Committee hereby approves Application A-2010-0001-M (KOSARCZYN) in accordance with Section 45 of the Planning Act, SUBJECT TO THE FOLLOWING CONDITIONS:

- 1) That the garage be constructed in compliance with the plans and drawings submitted with the application.
- 2) That the owner apply for and obtain a building permit from the Township's Chief Building Official within 1 year of the date of Notice of Decision from the Committee of Adjustment.

CARRIED.

4.2 Minor Variance Application A-2010-0004-H (STAVROPOULOS)

Location: Con 8 PT Lot 27 RP 42R8397;Parts 13 16 & 19 (Former Township of Humphrey)
Purpose: The applicant proposes to construct a 2 storey, 273 square metre detached garage, having a height of 6.52 metres, and seeks relief from the following section of the Zoning By-law:

1) Section 4.1.3 Lot Coverage and Height (Maximum accessory building height = 4.5 metres) where the proposed garage height = 6.52 metres, requiring variance of 2.02 metres

Agencies: None
Others: None
Presenter: Mark Vandermeer, Agent for Applicant
Audience: None

MOTION: 2010-007

Moved by: Todd Hrycyna
Seconded by: Paul Taylor

That the Committee hereby **approves** Application A-2010-0004-H (STAVROPOULOS) in accordance with Section 45 of the Planning Act, **SUBJECT TO THE FOLLOWING CONDITIONS:**

- 1) That the garage be built in conformity to the drawings and dimensions submitted with this application.
- 2) That the owner apply for and obtain a building permit from the Township's Chief Building Official within 1 year of the date of Notice of Decision from the Committee of Adjustment.

CARRIED.

4.3 Minor Variance Application A-2010-0002-F (BEZDIKIAN)

Location: Plan 216, Lot 16 (Former Township of Foley)

Purpose: The applicant proposes to construct an addition onto the front and side of the existing dwelling, bringing the cottage footprint from 55 square metres to 132 square metres, where the deck area would decrease from 51 square metres to 30.2 square metres. The additions require variance to the following sections of the Zoning By-law:

- 1) *Section 6.3, Table 6.2 -Minimum front yard setback = 20 metres*, where the front addition would be located 18.3 metres and 14.8 metres from the shoreline, requiring variances of *1.7 metres and 5.2 metres*
- 2) *Section 6.3, Table 6.2 - Minimum front yard setback = 20 metres*, where the side addition would be located 13.6 metres from the shoreline, requiring variance of *6.4 metres*
- 3) *Section 6.3, Table 6.2 - Minimum side yard setback = 5 metres*, where the side addition would be located 4 metres from the side lot line, requiring variance of *1 metre*

Agencies: None
Others: Letter from Horst Mrowka - no objection
Presenter: Michael Kelly, Agent for Applicant
Audience: None

MOTION: 2010-008

Moved by: Bernard Robbins
Seconded by: Brian Bannerman

That the Committee hereby **approves** Application A-2010-0002-F (BEZDIKIAN) in accordance with Section 45 of the Planning Act, **SUBJECT TO THE FOLLOWING CONDITIONS:**

- 1) That the owner apply for and obtain a building permit from the Township's Chief Building Official within 1 year of the date of Notice of Decision from the Committee of Adjustment.

CARRIED.

4.4 Minor Variance Application A-2010-0003-H (SEMBAY)

Location: Lot 101, Concession B Plan M-274; Lot 8 Parcel 11884 SS; Geographic Township of Humphrey

Purpose: The applicant proposes to redevelop the subject lands through merger of two adjacent properties, and construction of a new residential dwelling. The applicant seeks relief from the following sections of the Zoning By-law:

- 1) **Section 6.3 Table 6.3 Maximum Lot Coverage of merged lot = 7% (350 square metres).** As a result of the lot merger and redevelopment, the *proposed lot coverage for the new dwelling and existing boathouse would be 9.6% (481.8 square metres), requiring a variance of 2.6% (131.8 square metres)*
- 2) **Section 4.6 Dwelling units per lot = 1 dwelling per lot.** The applicant has requested permission to reside in the existing dwelling on Lot 7 while the new dwelling is constructed on Lot 8, and *requires variance to permit 2 residential dwellings on one lot on a temporary basis.*

Agencies: None
Others: None
Presenter: John Jackson, Agent for Applicant
Audience: Walter & Oksana Sembay

MOTION: 2010-009

Moved by: Paul Taylor
Seconded by: Doug Sainsbury

That the Committee hereby **approves** Application A-2010-0003-H (SEMBAY) in accordance with Section 45 of the Planning Act, **SUBJECT TO THE FOLLOWING CONDITIONS:**

- 1) That Lot 7 and Lot 8, Plan M-274 merge in title to form a single parcel, and that the owner provides legal confirmation of the lot merger to the Township.
- 2) That the existing dwelling and shed on Lot 7 be removed within 1 year of the merger of Lot 7 and Lot 8, Plan M-274.
- 3) That the owner apply for and obtain a building permit for the proposed dwelling within 1 year of the merger of Lot 7 and Lot 8, Plan M-274.
- 4) Notwithstanding the proposed lot coverage increase, that the proposed dwelling shall comply with all other provisions of the Zoning By-law.

CARRIED.

4.5 Minor Variance Application A-2009-0043-H (PHILLIPS)

Location: Con.4 Pt Lot 10, RP 42R-4778 Part 9, RP 42R-11978 Part 7. (Former Township of Humphrey)

Purpose: The applicant proposes to reconfigure an existing dock and enclose and existing boat slip, where the total dock area would decrease by 13.47 square metres. The proposed reconfigured slip would accommodate 2 boats. The Applicant seeks relief from the following Section of the Zoning By-law:

- 1) **Section 13 Definitions; *Boat slip*** means the space adjacent to a dock assigned for the parking of *one* boat, where the applicant proposes to park two boats within a single slip. Variance is required from the definition of a boat slip to park an additional boat.
- 2) **Section 4.18 b) to alter a non-conforming use (2 storey boathouse)**, by enclosing the boat port and increasing the ground floor area of the non-conforming boathouse from 77.24 square metres to 152.84 square metres.

Agencies: None
Others: None
Presenter: Phillip Spoerndli, Agent for Applicant
Audience: None

MOTION: 2010-010

Moved by: Bernard Robbins
Seconded by: Brian Bannerman

That the Committee of Adjustment for The Corporation of the Township of Seguin (the "Committee") hereby approves Application A-2009-0043-H (PHILLIPS) in accordance with Section 45 of the Planning Act, SUBJECT TO THE FOLLOWING CONDITIONS:

- 1) That the owner removes the boathouse kitchen prior to issuance of a building permit for the proposed expansion of the first storey floor area of the boathouse, and that the Building or Planning Department verify removal of the kitchen.
- 2) That the owner apply for and obtain a building permit from the Township's Chief Building Official within 1 year of the date of Notice of Decision from the Committee of Adjustment.

CARRIED.

5.0 OTHER BUSINESS

Discussion of resolutions - Susan Adams asked that resolutions be distributed prior to meeting.

6.0 ADJOURNMENT

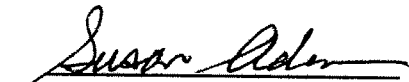
MOTION: 2010-011


Moved by: Doug Sainsbury
Seconded by: Todd Hrycyna

That the Committee does hereby adjourn this hearing at 4:40 p.m. on Wednesday February 10, 2010. The Committee will hold its next hearing at 4:00 p.m. on Wednesday, March 10, 2010, unless the Secretary-Treasurer has not received complete applications for the Committee's consideration.

CARRIED.

Respectfully Submitted:


Susan Adams, Deputy Chair


Adam Kozlowski, Secretary-Treasurer