

**THE CORPORATION OF THE TOWNSHIP OF SEGUIN
COMMITTEE OF ADJUSTMENT
MINUTES OF MEETING
Wednesday, October 13, 2010 - 4:00 PM
Council Chambers**

Members Present: Alvar Smith - Chair
Susan Adams - Deputy Chair
Brian Bannerman
Bernard Robbins
Doug Sainsbury

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

Absent: Todd Hrycyna

1.0 CALL MEETING TO ORDER

MOTION: 2010-057

Moved by: Bernard Robbins
Seconded by: Brian Bannerman

THAT we hereby convene as a Committee of Adjustment for The Corporation of the Township of Seguin at 4:00 p.m. on Wednesday, October 13, 2010.

CARRIED.

2.0 MINUTES

MOTION: 2010-058

Moved by: Bernard Robbins
Seconded by: Brian Bannerman

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 on Wednesday, September 8, 2010.

CARRIED.

3.0 DISCLOSURE OF PECUNIARY INTEREST

None.

4.0 APPLICATIONS

4.1 Minor Variance Application A-2010-0034-F (BOT)

Location: Plan M220 Lot 48 & RP;42R4495 Part 2 PCLS 10572 & 18559
S/S
Address: 6 Black Bear Path

Purpose: The applicant proposes to demolish an existing single storey 154.9 square metre cottage, and replace with a new 2 storey, 221 square metre dwelling (includes 59 sq. metres of decks & porch), having a Gross Floor Area of 258 square metres. The new structure requires the following variances to the Zoning By-Law:

1) Section 6.3 Table 6.3 Maximum lot coverage = 8% (160 square metres). The proposed dwelling and other existing structures on the property would result in total lot coverage of 11.9% (239.5 square metres), requiring variance of 3.9% (80 square metres).

2) Section 6.3 Table 6.3 Maximum dwelling Gross Floor Area (GFA) = 1.25 x maximum lot coverage (199.8 square metres). The proposed GFA of the new dwelling would be 1.6 x maximum lot coverage (257.8 square metres), requiring variance of 0.35 x maximum coverage (57.9 square metres).

Agencies: None
Others: None
Presenter: Mrs. Kelly
Audience: None

MOTION: 2010-059

Moved by: Bernard Robbins
Seconded by: Brian Bannerman

That the Committee of Adjustment hereby **approves** Variance Application A-2010-0034-F (BOT) to permit the construction of a new 2 storey, 221 square metre cottage, subject to the following conditions:

1) 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 for the proposed new dwelling.

CARRIED.

4.2 Minor Variance Application A-2010-0035-H (KORGANOWSKI)

Location: CONGER CON 10 PT LOT 1 PT; LOT 2 RP PSR1762 PART 1
PART; 1A PCL 14455 S/S PT
Address: 48 Roberts Lake Road East

Purpose: The applicant intends to construct a 38.8 square metre deck on the front (lakeside) of the cottage, and seeks variance from the following section of the Zoning By-law:

1) Section 6.3 Table 6.2 Maximum lot coverage within 60 metres of shoreline = 8%. The proposed deck addition would result in lot coverage of 8.9%, requiring variance of 0.9%.

2) Section 6.3, Table 6.2 Minimum front yard setback = 20 metres. The proposed deck would be setback 19 metres from the shoreline of Roberts Lake, requiring variance of 1 metre.

Agencies: None
Others: None
Presenter: None
Audience: None

MOTION: 2010-060

Moved by: Bernard Robbins
Seconded by: Brian Bannerman

That the Committee of Adjustment hereby **approves** Variance Application **A-2010-0035-H (KORGANOWSKI)** to permit the construction of a 38.8 square metre deck, subject to the following conditions:

1) 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-2010-0036-F (WILSON)

Location: PLAN M316 LOT 87 PCL 15299;S/S
Address: 20 Point Road

Purpose: The applicant intends to build a 99.5 square metre extension and a new 24.5 square metre deck onto an existing non-complying (encroaches into front yard) cottage, and seeks variance from the following section of the Zoning By-law:

1) Section 6.3 Table 6.2 Minimum front yard setback = 20 metres. The cottage extension would be setback 16 metres from the shoreline, and the deck would be setback 12 metres from the shoreline, requiring variances of 4 and 8 metres respectively.

Agencies: None
Others: None
Presenter: None
Audience: None

MOTION: 2010-061

Moved by: Brian Bannerman
Seconded by: Bernard Robbins

That the Committee of Adjustment hereby **approves** Variance Application **A-2010-0036-F (WILSON)** to permit the construction of a 99.5 square metre cottage addition and deck be approved subject to the following condition:

1) 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-2010-0037-H (PENRICE)

Location: Con 3 PT Lot 11 Plan;42R-3918 Part B
Address: 59B Burgess Rd

Purpose: The applicant proposes to demolish the existing seasonal dwelling and replace with a 274 square metre dwelling (including attached garage and deck). The proposed dwelling would exceed the maximum permitted lot coverage, and requires variance from the following section of the Zoning By-law:

1) Section 6.3, Table 6.2 Maximum lot coverage = 7.5%. The proposed lot coverage for the new dwelling plus existing structures on the property = 10%, requiring variance of 2.5%.

Agencies: None
Others: None
Presenter: James and Beata Penrice
Audience: None

MOTION: 2010-062

Moved by: Bernard Robbins
Seconded by: Brian Bannerman

That the Committee of Adjustment hereby **approves** Variance Application A-2010-0037-H (PENRICE) to permit the construction of a new 274 square metre cottage, subject to the following conditions:

- 1) The Owner submit a Landscape Plan, to be prepared by a qualified professional and to the satisfaction of the Township, depicting tree planting and vegetative enhancement of the subject lands, and in particular the area within the first 20 metres from the shoreline of Lake Rosseau.
- 2) The recommendations of the Landscape Plan shall be implemented on the subject lands prior to the granting of occupancy of the proposed dwelling.
- 3) 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.

4.5 Minor Variance Application A-2010-0039-C (STEVENS)

Location: PT Dominion Island Isabella; Lake RP PSR361 Part 2 PCL;10326
S/S Isabella Lake
Address: 270 Dominion Island

Purpose: The applicant proposes to construct a 37.2 square metre addition onto the west side of the dwelling, and requires variances from the following Sections of the Zoning By-law:

1) Section 4.17, Table 4.1 - Non-complying structures: maximum structure width % increase for dwellings 0 to 5 metres from shoreline = 0%. The width of the proposed addition is equal to 64% of the width of the existing dwelling, requiring variance of 64%.

2) Section 6.3, Table 6.3 - Maximum lot coverage = 8%. The cottage addition would result in total lot coverage of 9.25%, requiring variance of 1.25%.

Agencies: None
Others: None
Presenter: Jim Stevens
Audience: None

MOTION: 2010-063

Moved by: Bernard Robbins
Seconded by: Brian Bannerman

That the Committee of Adjustment hereby **approves** Variance Application A-2010-0039-C (STEVENS) to permit the construction of a 37.2 square metre cottage addition, subject to the following conditions:

1) 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.

4.6 Minor Variance Application A-2010-0038-F (DEFOREST)

Location: Plan M296 BLK A PCL 13616;S/S
Address: 331 Salmon Lake Road

Purpose: The applicant proposes to construct a new 78 square metre, 2 storey dwelling (gross floor area = 118 square metres), requiring the following variance to the Zoning By-law:

1) Section 6.3, Table 6.3 front yard setback = 20 metres. Proposed dwelling setback = 14.5 metres, 17.1 metres, and 18 metres from the shoreline, *requiring variances of 5.5 metres, 2.9 metres, and 1 metre.*

Agencies: None
Others: Written objection received from Cornelius VanGeest
Written request for notice of decision from Joyce Gilmour
Presenter: None
Audience: None

MOTION: 2010-064

Moved by: Brian Bannerman
Seconded by: Bernard Robbins

That the Committee of Adjustment hereby **DENIES** Variance Application **A-2010-0038-F** (Deforest) to permit the construction of a new 78 square metre, 2 storey dwelling requiring the following variance to the Zoning By-law:

1) Section 6.3, Table 6.3 front yard setback = 20 metres. Proposed dwelling setback = 14.5 metres, 17.1 metres, and 18 metres from the shoreline, *requiring variances of 5.5 metres, 2.9 metres, and 1 metre.*

CARRIED.

5.0 OTHER BUSINESS

Discussion of the upcoming election, and how it affects the December Committee of Adjustment hearing. Clarification is required from the clerks department.

6.0 ADJOURNMENT

MOTION: 2010-065

Moved by: Doug Sainsbury
Seconded by: Bernard Robbins

That the Committee does hereby adjourn this hearing at 4:50 p.m. on Wednesday October 13, 2010. The Committee will hold its next hearing at 4:00 p.m. on Wednesday, November 10, 2010, unless the Secretary-Treasurer has not received complete applications for the Committee's consideration.

CARRIED.

Respectfully Submitted:



Alvar Smith, Chair



Adam Kozlowski,
Secretary-Treasurer