

## TOWNSHIP OF SEGUIN COMMITTEE OF ADJUSTMENT

### Minutes of January 12<sup>th</sup>, 2005 Hearing @ 4 p.m.

The regular Committee of Adjustment Meeting for the Township of Seguin was held in the Seguin Township Council Chambers.

**Members Present:** Alvar Smith (Chairman), Councillor Bill Jameson, Councillor Doug Sainsbury, Susan Adams, Brian Bannerman, Bernard Robbins

**Members Absent:** Howard Hood

**Staff Present:** Ross Cotton (Director of Planning), & Jeff Kratky (Secretary-Treasurer)

Approximately 4:10 p.m., the meeting was called to order and the Chairman asked for the approval of the Agenda.

The Chairman requested any disclosures of pecuniary interest be declared for the record. None were declared.

#### **Resolutions Considered By Committee:**

**2005-01 Adams/Bannerman:** **Carried**

That the minutes of the December 8<sup>th</sup>, 2004 meeting be accepted as read and circulated.

**2005-02 Adams/Bannerman:** **Carried**

That the Township of Seguin Committee of Adjustment **approve** the Request for a Minor Variance of the Zoning By-Law No. Z200-97 as amended regarding File Number A01/2005-H (Casola) subject to the conditions as set out by the Decision of the Committee in this matter.

**2005-03 Sainsbury/Jameson:** **Carried**

That the Township of Seguin Committee of Adjustment **approve** the Request for a Minor Variance of the Zoning By-Law No. CT100-83 regarding File Number A03/2005-M (Radno) subject to the conditions as set out by the Decision of the Committee in this matter.

**2005-04 Adams/Bannerman:** **Recorded Vote Defeated**

That the Township of Seguin Committee of Adjustment **approve** the Request for a Minor Variance of the Zoning By-Law No. Z200-97 as amended regarding File Number A04/2005-H (Rosenfeld) subject to the conditions as set out by the Decision of the Committee in this matter.

#### **Division List**

Adams - Yea

Bannerman - Yea

Jameson - Nay

Robbins - Nay

Sainsbury - Yea

Smith - Nay

**2005-05 Robbins/Jameson:** **Carried**

That the Township of Seguin Committee of Adjustment **defer** the Request for a Minor Variance of the Zoning By-Law No. Z200-97 as amended regarding File Number A04/2005-H (Rosenfeld).

**2005-06 Sainsbury/Robbins:** **Carried**

That the Township of Seguin Committee of Adjustment **approve** the Request for a Minor Variance of the Zoning By-Law No. Z200-97 as amended regarding File Number A02/2005-H (Cryer) subject to the conditions as set out by the Decision of the Committee in this matter.

**2005-07 Adams/Bannerman:** **Carried**

That the Township of Seguin Committee of Adjustment **receive** as information the letter of the Chairman on behalf of the Committee offering support requested by Council for its assignment of priority to road and bridge improvements for the Township's COMRIF application.

**2005-08 Robbins/Jameson:** **Carried**

That we do now adjourn at **6:30** p.m. to meet again on February 9<sup>th</sup>, 2005, at 4:00 p.m. at the Seguin Municipal Building, or at the call of the Chair upon receipt of application(s).

## **Deputations Heard & Discussion By Committee:**

### **A01/2005-H (Casola)**

No members of the public were in attendance regarding this Application. Mr. Emanuele Casola addressed the Committee to clarify what is meant by the Condition in the Planning Report regarding a Tree Preservation Plan. In reply to his inquiry, the Chairman and Councillor Sainsbury advised that the Condition is intended to preserve the natural aesthetics of Seguin's lakes when viewed from the water. In reply to questions from Mr. Bannerman, Mr. Casola stated that he is seeking this variance to preserve three (3) oak trees located in the proposed Rear Yard adjacent to the proposed Cottage. Councillor Jameson reminded Mr. Casola that the public will be using the adjacent Concession Road allowance to access Little Whitefish Lake.

### **A02/2005-H (Cryer)**

No members of the public were in attendance regarding this Application. Given that information requested from the MNR was still outstanding but its arrival was anticipated by facsimile during the meeting, Mr. Steven Cryer agreed to the Chairman's suggestion that his Application be heard last.

### **A03/2005-M (Radno)**

No members of the public were in attendance regarding this Application. Mr. Gabor Radno addressed the Committee stating that although he has a small lot necessitating this application, he has a long shoreline. So, he believes that the proposed increase in density will not have any negative impact. Through his questioning of Mr. Radno, Councillor Jameson established that Mr. Radno does not believe that flooding of the small creek located approximately 2m from the proposed boathouse will cause any threat to property or persons even during spring or storm flows should his Application be approved. Given the location of his residence, Mr. Robbins stated that he would abstain from this vote.

### **A04/2005-H (Rosenfeld)**

No members of the public were in attendance regarding this Application. Mr. Adam Rosenfeld addressed the Committee stating that he revised his original application to reduce the size of the proposed new Cottage given his understanding from Mr. Kratky that by doing so his Application could be approved. Also, Mr. Rosenfeld advised that all of his neighbour's properties were developed in a similar manner to his property given the creation of Highway 69. Councillor Sainsbury stated that the proposal would have no negative impact. Mr. Kratky reminded Mr. Rosenfeld that Mr. Rosenfeld had confirmed during their phone conversations that he understood Mr. Kratky's position regarding the initial application. That position was that without an in-depth evaluation that the scope of the initial application was not a Minor Variance. And, further that Mr. Kratky made no commitment as to the outcome of the Application given the need to study any amendment before making a Planning recommendation. Mr. Kratky reminded the Committee that the Application currently includes more density than Mr. Rosenfeld had requested, and as such the Notice of Hearing for this Application posted on the property and mailed per the Planning Act, R.S.O. 1990, c. P.13 and Ontario Regulation 200/96 did not adequately reflect the request. Mr. Rosenfeld agreed before the Committee to further amend his proposal to reduce the density to 13.05% by removing: a proposed Sundeck in front of the proposed Cottage, an outhouse Accessory Building, and revising the proposed Cottage. The Committee completed calculations at the hearing suggesting that such an amendment to the Application would conform to the Notice of Hearing for this Application. Therefore, Mr. Kratky was directed to forward a form to allow Mr. Rosenfeld to further amend his Application without any additional Fee.

### **A02/2005-H (Cryer)**

Mr. Cotton distributed to the Committee and the Mr. Steven Cryer's party a revised letter from the MNR. Given the receipt of this letter during the meeting and brief discussions with Mr. Cotton, Mr. Kratky advised all present that the Planning Department no longer has any concerns regarding this Application. Mr. Steven Cryer addressed the Committee introducing others with him being Mr. Scott Cryer, Mr. John Walsh (contractor), and Mr. Ian Maclaren (Hicks - Pettes Architects Inc.). Mr. Steven Cryer addressed the Committee stating that he and Mr. Scott Cryer want to preserve the trees on the property. Mr. Maclaren addressed the Committee stating that it would cause greater negative impact upon the natural view from Little Lake Joseph if the Cottage were developed in the building envelope set out by Zoning By-Law Z200-97 as amended than it would as proposed. He submitted new information to the Committee in the form of sketches entitled Proposed Site Plan and

Complying Site Plan (both undated), plus elevation drawings entitled Cryer Cottage Front Elevation and Cryer Cottage Right Side Elevation (both dated December 21, 2004).

**All new information considered by the Committee at this meeting is attached to the paper original copy of these Minutes. Those who wish to view such attachments should attend the Seguin Municipal Building between 8:30 a.m. and 4:30 p.m. on weekdays.**

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CHAIRMAN  
Alvar Smith

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SECRETARY-TREASURER  
Jeff Kratky