

**THE CORPORATION OF THE TOWNSHIP OF SEGUIN
COMMITTEE OF ADJUSTMENT
MINUTES OF MEETING
Wednesday, July 8, 2009 - 4:00 PM
Council Chambers**

Members Present: Alvar Smith (Chair)
Susan Adams
Brian Bannerman
Doug Sainsbury
Todd Hrycyna
Paul Taylor

Members Absent: Bernard Robbins

Staff Present: Adam Kozlowski, Secretary Treasurer/Intermediate Planner
Debbie Swim, Chief Building Official
Laverne Gleeson, Planning Assistant

1.0 MINUTES

MOTION: 2009-027

Moved by: Susan Adams
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 June 10, 2009.

CARRIED.

2.0 DISCLOSURE OF PECUNIARY INTEREST

None.

3.0 CORRESPONDENCE

None.

4.0 APPLICATIONS

4.1 Minor Variance Application A-2009-0010-F (DION)

Location: 6 Rosecliff Point
Purpose: To recognize two existing non-complying upper level decks and to permit the construction of a lower level deck.

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

MOTION: 2009-028

Moved by: Doug Sainsbury
Seconded by: Paul Taylor

That the Committee of Adjustment for The Corporation of the Township of Seguin (the "Committee") hereby APPROVES Application A-2009-0010-F (DION) in accordance with Section 45(1) and (2) of the Planning Act, the Township of Seguin Official Plan, and hereby grants variance from the following section(s) of the Zoning By-law:

- **Section 6.3 Table 6.2 (Zone Requirements) Minimum Front Yard Setback = 20 m**, where the existing non-complying upper level decks are setback approximately 14.02 metres and 15.8 metres from the shoreline (requiring setback variances of 5.98 metres and 4.2 metres); and the proposed 89.6 square metre lower level deck would be setback 12.8, 13.7, 14.3, and 14.6 metres from the shoreline (requiring setback variances of 7.2, 6.3, 5.7 and 5.4 metres)
- **Section 6.3 Table 6.3 (Zone Requirements) Maximum Lot Coverage = 8% (259.6 square metres)**, where the existing dwelling (8.6% coverage), existing upper decks (1.7% coverage) and proposed new lower deck (1.2% additional coverage) would result in a total lot coverage of 11.4% (399.2 square metres), requiring variance of 3.4% (139.6 square metres)

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.
- 2) That an Ontario Land Surveyor provides verification of Committee's decision, in writing, that the existing upper level decks and proposed lower level deck are setback in accordance with dimensions provided on sketch "Dion Site Plan (Revision 2)" prepared by Baywise Design, dated June 30, 2009 and attached as Appendix 1 to Staff Report CS-PL-2009-046.

CARRIED.

4.2 Minor Variance Application A-2009-0013-H (BROMLEY)

Location: 3 Maureen Drive
Purpose: To recognize a 48.5 square metre dock that extends 8.62 metres across the projection of the easterly lot line.

Agencies: None
Others: Correspondence received from Ron Ritchie, 32 Maureen Drive, objecting to zero lot line.
Presenter: None
Audience: Fred and Carole Pilz, Neighbours

MOTION: 2009-029

Moved by: Susan Adams
Seconded by: Brian Bannerman

That the Committee of Adjustment for The Corporation of the Township of Seguin (the "Committee") hereby APPROVES Application A-2009-0013-H (BROMLEY) in accordance with Section 45(1) and (2) of the Planning Act, the Township of Seguin Official Plan, and hereby grants variance from the following section(s) of the Zoning By-law:

- Section 4.28 c) Table 4.3 Shoreline Structures and Facilities (*Minimum set back from the side lot line projection = 9 metres*) where the Applicant has proposed a setback of 0 metres, requiring a variance of 9 metres;
- Section 4.28.2 d) Docks and Boat Lifts (*Maximum dock length permitted = 15 metres*) where the Applicant has proposed a total dock length of 16.3 metres, requiring a variance of 1.3 metres).

CARRIED.

4.3 Minor Variance Application A-2009-0014-F (CRIBBIE)

Location: 9 Cottage Lane
Purpose: To construct a new 114.5 square metre cottage having a setback of 20 metres from the CP Rail right-of-way.

Agencies: None
Others: E-mail from CP Rail, No objection to application.
Presenter: None
Audience: None

MOTION: 2009-030

Moved by: Doug Sainsbury
Seconded by: Todd Hrycyna

That the Committee of Adjustment for The Corporation of the Township of Seguin (the "Committee") hereby APPROVES Application A-2009-0014-F (CRIBBIE) in accordance with Section 45(1) and (2) of the Planning Act, the Township of Seguin Official Plan, and hereby grants variance from the following section(s) of the Zoning By-law:

- **Section 4.27 Setback from Railways - *Minimum Setback= 30 metres***; where the Applicant proposes to construct a new cottage to be setback 20 metres from the Canadian-Pacific Rail right-of-way, requiring a variance of 10 metres.

SUBJECT TO THE FOLLOWING CONDITIONS:

- 1) That the owner/applicant completes the purchase of the Concession Road Allowance by providing the registered transfer to the Township, prior to the issuance of a building permit.
- 2) That the owner/applicant 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-2009-0015-F (PRUNER/WHITMORE)

Location: 25 Liane Road
Purpose: To construct a 21.6 square metre dock addition.

Agencies: None
Others: None
Presenter: None
Audience: Greg Pruner, Applicant
Carol Kermath, Neighbour

MOTION: 2009-031

Moved by: Brian Bannerman
Seconded by: Susan Adams

That the Committee of Adjustment for The Corporation of the Township of Seguin (the "Committee") hereby APPROVES Application A-2009-0015-F (PRUNER/WHITMORE) in accordance with Section 45(1) and (2) of the Planning Act, the Township of Seguin Official Plan, and hereby grants variance from the following section(s) of the Zoning By-law:

- **Section 4.28.2 (d) - Docks and Boat Lifts - *Maximum length of a dock: 15 metres***, where the dock addition would be located 20.1 metres from the shoreline, requiring a variance of 5.1 metres.

SUBJECT TO THE FOLLOWING CONDITIONS:

- 1) That all outstanding property taxes be paid in full prior to the issuance of a building permit.
- 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.

4.4 Minor Variance Application A-2009-0017-H (DEANS)

Location: 8 Sprucehill Drive
 Purpose: To permit the construction of a 20 square metre dock addition onto an existing boathouse dock.

Agencies: None
 Others: Correspondence from Mark Wellings, Neighbour. No objection to the application.
 Presenter: None
 Audience: Mrs. Deans, Applicant
 Christine Hamilton, Muskoka Parry Sound Engineering & Design Services Inc., Agent

MOTION: 2009-032

Moved by: Susan Adams
 Seconded by: Brian Bannerman

That the Committee of Adjustment for The Corporation of the Township of Seguin (the "Committee") hereby APPROVES Application A-2009-0017-H (DEANS) in accordance with Section 45(1) and (2) of the Planning Act, the Township of Seguin Official Plan, and hereby grants variance from the following section(s) of the Zoning By-law:

4.28 SHORELINE STRUCTURES AND FACILITIES

- b) No more than 25% or a maximum of 23 metres of the shoreline frontage of a lot, whichever is less, of any one residentially zoned property shall be occupied by in-water or shoreline structures and facilities.
 21.2 metres (32.9%)

4.28.2 Docks and Boat Lifts

- e. The maximum combined surface area of all docks, including any attached fingers, and open decks above the water shall be 112 square metres. On those lakes listed in Section 4.28.1 j) i) of this By-law where a boathouse is a permitted structure, the maximum combined surface area of all docks, including any attached fingers and open decks above the water shall be 168 square metres.
 214 square metres

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.

4.5 Minor Variance Application A-2009-0018-F (NEWTON)

Location: 142 Elsasser Road
Purpose: To permit the construction of deck on a proposed cottage having a shoreline setback of 16 metres; and to recognize an existing sleeping cabin having a footprint of 86 square metres.

Agencies: None
Others: None
Presenter: None
Audience: Robert, Karen and Brian Newton, Applicants

MOTION: 2009-033

Moved by: Todd Hrycyna
Seconded by: Paul Taylor

That the Committee of Adjustment for The Corporation of the Township of Seguin (the "Committee") hereby APPROVES Application A-2009-0018-F (NEWTON) in accordance with Section 45(1) and (2) of the Planning Act, the Township of Seguin Official Plan, and hereby grants variance from the following section(s) of the Zoning By-law:

- **Section 4.1.9 c) Guest Cabins - Maximum Floor Area: 60 square metres**, where the applicant has made additions to the Bunkie now having a total floor area of 86 square metres and requests that the cabin be recognized, requiring a variance of 26 square metres. *(The existing sleeping cabin had an original footprint of approximately 54 square metres, where additions without permit were subsequently made, bringing the total footprint of the cabin to 86 square metres).*
- **Section 6.3 Table 6.2 Zone Requirements - Minimum Front Yard Setback: 20 metres**, where the deck on the proposed cottage would be setback 16 metres from the shoreline, requiring a variance of 4 metres.

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.
- 2) That an Ontario Land Surveyor provide verification of Committee's decision, in writing, that the proposed deck is setback no closer than 16 metres from the average high water mark of Horseshoe Lake.

CARRIED.

5.0 OTHER BUSINESS

None.

6.0 ADJOURNMENT

The Committee adjourned at 5:01 p.m.

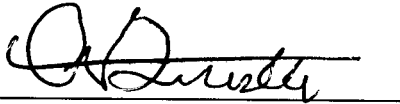
MOTION: 2009-034

Moved by: Doug Sainsbury
Seconded by: Paul Taylor

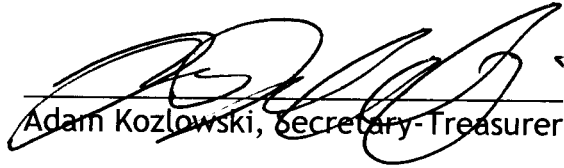
That the Committee does hereby **adjourn** this hearing at 5:01 p.m. on July 8th, 2009. The Committee will hold its next hearing at 4:00 p.m. on Wednesday, August 12th, 2009, unless the Secretary-Treasurer has not received complete applications for the Committee's consideration.

CARRIED.

Respectfully Submitted:



A. Smith, Chair



Adam Kozlowski, Secretary-Treasurer