

**THE CORPORATION OF THE TOWNSHIP OF SEGUIN
COMMITTEE OF ADJUSTMENT
MINUTES OF MEETING
Wednesday, July 14, 2010 - 4:00 PM
Council Chambers**

Members Present: Susan Adams
Brian Bannerman
Todd Hrycyna
Bernard Robbins
Doug Sainsbury
Alvar Smith

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

Absent: Paul Taylor

1.0 MINUTES

MOTION: 2010-037

Moved by: Brian Bannerman
Seconded by: Bernard Robbins

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, June 9, 2010.

CARRIED.

2.0 DISCLOSURE OF PECUNIARY INTEREST

Doug Sainsbury declared a pecuniary interest in regard to item 3.6, application A-2010-0026-H (HERBERT).

3.0 APPLICATIONS

3.1 **Minor Variance A-2010-0015-H (TABUCHI)**

Location: CON 10 PT LOT 31 PT RDAL RP 42R15641 PARTS 1 2 (Former Township of Humphrey)
Address: 29 Henrys Trail

Purpose: The applicant proposes to construct a new 1.5 storey, 193 square metre cottage, and seeks relief from the following section of the Zoning By-law;

1) Section 4.17, Table 4.1, Column 2 - Maximum Floor Area Increase for Non-complying structures = 32.5 square metres (or 140.26 gross square metres for a rebuilt dwelling). The total gross floor area of the proposed new cottage would be 193.89 square metres, requiring variance of 54 square metres.

Agencies: None
Others: Michael Ribout, Agent
Presenter: David Tabuchi, Owner
Audience: None

MOTION: 2010-038

Moved by: Brian Bannerman
Seconded by: Bernard Robbins

That the Committee hereby **approve** Application A-2010-0015-H (TABUCHI), in accordance with Section 45 of the Planning Act, **SUBJECT TO THE FOLLOWING CONDITIONS:**

- 1) That the existing Bunkie located on the neighbouring property (97B Clear Lake Road) be brought into compliance with the Zoning By-law. The owner shall receive written permission from the assessed owner(s) of 97B Clear Lake Road prior to entering onto the lands and prior to performing any work required to fulfill this condition. A copy of the permission shall be provided to the Secretary-Treasurer and the Chief Building Official. This condition shall be fulfilled prior to the issuance of a building permit for the proposed new dwelling.
- 2) 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.

3.2 Minor Variance Application A-2010-00017-F (DUSHANT)

Location: Con B PT LOT 111 RP42R3008;PT 1 RP42R6422 PT 3 (Former Township of Foley)
Address: 44 B Reptile Museum Road

Purpose: The applicant proposes to renovate the basement and second storey of an existing non-complying dwelling, and seeks relief from the following sections of the Zoning By-law:

- 1) Section 4.17, Table 4.1 Maximum floor area expansion - non-complying structure = 32.5 square metres. The proposed second storey addition would add 79.6 square metres of new floor area, requiring variance of 47.1 square metres.
- 2) Section 6.3, Table 6.3 Maximum lot coverage = 8% (existing non-complying coverage = 16.08%). The proposed 5 square metre covered porch would result in lot coverage of 16.31%, requiring variance of 8.31% above Zoning By-law provision (or 0.23% above “existing” lot coverage).

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

MOTION: 2010-039

Moved by: Bernard Robbins
Seconded by: Brian Bannerman

That the Committee hereby **approve** Application A-2010-0017-F (DUSHANT), in accordance with Section 45 of the Planning Act, **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.
- 2) That installation of the new septic system shall not require enlargement of the mantle area, and that any new system components shall comply with the Zoning By-law.

CARRIED.

3.3 Minor Variance Application A-2010-0023-H (3045851 Nova Scotia Company)

Location: Con 1 PT Lot 17 PCL 19572 S/S RP 42R5458 Part 4 TO Part 7
Address: 277B Jean Marie Rd.

Purpose: The applicant proposes to construct a boat port, and seeks relief from the following section of the Zoning By-law:

1) Section 6.3, Table 6.3 Maximum Lot Coverage = 8% (234.4 square metres). The proposed boat port would result in total lot coverage of 9.4% (276.9 square metres), requiring variance of 1.4% (42.5 square metres).

Agencies: None
Others: None
Presenter: Everett Anstey, Agent
Audience: None
Correspondence: None

MOTION: 2010-040

Moved by: Bernard Robbins
Seconded by: Brian Bannerman

That the Committee hereby **approve** Application A-2010-0023-H (3045851 Nova Scotia Company), in accordance with Section 45 of the Planning Act, **SUBJECT TO THE FOLLOWING CONDITION:**

- 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.

3.4 Minor Variance Application A-2010-0024-F (ARMSTRONG)

Location: Con B PT Lot 135
Address: 222 James Bay Junction Rd.

Purpose: The applicant proposes to construct a 49.1 square metre detached garage, and requires variance from the following sections of the Zoning By-law:

- 1) Section 10.3, Table 10.2 Maximum lot coverage = 5%. Existing dwelling and sheds + proposed garage lot coverage = 5.7%, requiring variance of 0.7%.
- 2) Section 10.3, Table 10.2 Minimum interior side yard setback = 10 metres. Proposed garage setback 4.87 metres from west side lot line, requiring variance of 5.13 metres.

Agencies: None
Others: None
Presenter: Steve Armstrong, Owner
Audience: None

MOTION: 2010-041

Moved by: Bernard Robbins
Seconded by: Brian Bannerman

That the Committee hereby **approve** Application A-2010-0024-F (ARMSTRONG), in accordance with Section 45 of the Planning Act, **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.

3.5 Minor Variance Application A-2010-0025-C (STEELE)

Location: Con 8 & 9 PT Lot 21 RP 42R6631 Part 1
Address: 1062 HWY 518

Purpose: The applicant proposes to construct a 139.4 square metre detached storage garage, and seeks relief from the following section of the Zoning By-law:

- 1) Section 10.3, Table 10.2 Maximum lot coverage = 5%. Existing dwelling and shed + proposed garage lot coverage = 5.3%, requiring variance of 0.3%.

Agencies: None
Others: None
Presenter: Ronald Steele, Owner
Audience: None

MOTION: 2010-042

Moved by: Bernard Robbins
Seconded by: Brian Bannerman

That the Committee hereby **approve** Application A-2010-0025-C (STEELE), in accordance with Section 45 of the Planning Act, 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.

3.6 Minor Variance Application A-2010-0026-H (HERBERT)

Location: Con 4 Lot 35
Address: 1766 HWY 69

Purpose: The applicant wishes to re-construct a 57.3 square metre accessory building that collapsed over the winter, and restore in the original location and in the original style, and seeks relief from the following section of the Zoning By-law:

1) Section 6.3, Table 6.2 Minimum Front yard setback = 20 metres. The storage building would be reconstructed at the shoreline (zero setback), requiring variance of 20 metres.

Doug Sainsbury declared a pecuniary interest and stood down from Committee for this application.

Agencies: None
Others: Written objections were received by neighbours Perry & Maria Eisenschmid, and Douglas Jaffray.
Presenter: Frank & Rosemary Herbert, Owners
Audience: None

MOTION: 2010-043

Moved by: Susan Adams
Seconded by: Todd Hrycyna

That the Committee hereby **approve** Application A-2010-0026-H (HERBERT), in accordance with Section 45 of the Planning Act, SUBJECT TO THE FOLLOWING CONDITIONS:

- 1) That no part of the reconstructed accessory structure, including foundation/footings, shall be located below the average high water mark for Lake Joseph. The average high water mark shall be determined by an Ontario Land Surveyor.
- 2) That an Ontario Land Surveyor provide verification to the Township of compliance with the Committee's decision by 1) pinning the footing and 2) verifying in writing prior to pouring of the foundation that no portion of the reconstructed building shall be located below the average high water mark of Lake Joseph.
- 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.

4.0 OTHER BUSINESS

Resignation of Committee Member Paul Taylor.

5.0 ADJOURNMENT

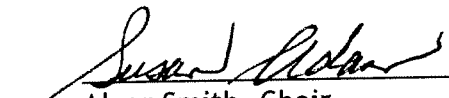
MOTION: 2010-044

Moved by: Suzan Adams
Seconded by: Bernard Robbins

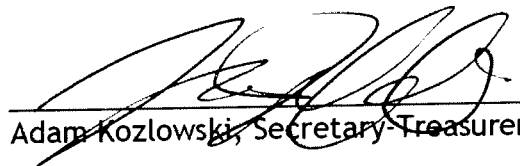
That the Committee does hereby **adjourn** this hearing at 4:38 p.m. on Wednesday July 14, 2010. The Committee will hold its next hearing at 4:00 p.m. on Wednesday, August 11, 2010, at the Humphrey Fire Hall, unless the Secretary-Treasurer has not received complete applications for the Committee's consideration.

CARRIED.

Respectfully Submitted:



FOR Alvar Smith, Chair



Adam Kozlowski, Secretary-Treasurer