



**THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI
COMMITTEE OF ADJUSTMENT
MINUTES**

**April 25, 2019, 1:00 P.M.
Boardroom**

An audio recording of this meeting has been made and is available through the Municipal Website.

PRESENT: (Chair) C. Dwyer, N. Brooker, B. Graham
ABSENT: D. Paradis (With Notice), G. Cline (With Notice), B. Rice (With Notice)
STAFF: Secretary-Treasurer: T. Lepage; Planner: J. Robinson (By Phone)
GUESTS: B. Lowery, S. Fournier

CALL TO ORDER

The Secretary-Treasurer called the meeting to order at 1:00 p.m. The meeting took a brief recess at 1:02 and resumed at 1:06p.m. in the Boardroom.

Appointment of Chair

19-01

MOVED BY: B. Graham

SECONDED BY: N. Brooker

WHEREAS subsection 44(7) of the *Planning Act* states, the members of the Committee shall elect one of themselves as Chair; NOW THEREFORE BE IT RESOLVED THAT the Committee of Adjustment appoint Cathy Dwyer as Chair.

CARRIED

The Secretary-Treasurer introduced the Committee members.

The Secretary-Treasurer read out the meeting procedures.

ADOPTION OF THE AGENDA

Adoption of the Agenda dated April 25, 2019

19-02

MOVED BY: N. Brooker

SECONDED BY: B. Graham

BE IT RESOLVED THAT the agenda dated April 25, 2019 be adopted as presented.

CARRIED

ADOPTION OF THE MINUTES

Adoption of the Minutes from the November 22, 2018 meeting.

19-03

MOVED BY: B. Graham

SECONDED BY: C. Dwyer

BE IT RESOLVED THAT the minutes of the Committee of Adjustment meeting held November 22, 2018 be adopted presented.

CARRIED

DECLARATION OF CONFLICT OF INTEREST

None.

DEFERRED APPLICATIONS

None

ADJOURNED APPLICATIONS

None

J. Robinson joined the meeting by phone at: 1:12p.m.

NEW APPLICATIONS

Application No. MV-19-01

Applicant: John. O. Shepard & Mary S. Shepard

Property Location: 2 Lake Temagami Island 1176

THE PURPOSE of the application is: to permit the construction of a new cottage that does not meet the minimum required setback from the shore. The proposed new cottage is replacing an existing cottage in approximately the same location.

THE EFFECT of the Application is: to vary s. 7.4.2 Any Dwelling Unit a) to permit an addition to an existing cottage that is located 14 metres from the shore, where a minimum setback of 15 metres is required.

Presentation of the Application:

The Committee had received a copy of the application and the Planning Report from MHBC Planning dated April 16, 2019, with the meeting package. Jamie Robinson of MHBC attended by telephone and summarized the application with a power point presentation for the Committee. He explained the four test of the minor variance as per s. 45 of the *Planning Act*, He explained that the Island is very unique in size and the property is currently developed with a one story cottage of approx. 48 square metres, the proposed development slightly largely cottage overall approx.. gross floor area is estimated at 88 square metres and the height does comply with the current zoning by-law. He explained that on the Eastern side of the cottage has a setback of 14 metres from the shore that setback is to be maintained and not exceeded. The proposed structure is seeking on the Western side of the structure a 1 metre reduction in the 15 metre set back requirement in the zoning by-law. He further explained that the based on his review of the application, the application does satisfy the four tests of a minor variance and recommends the variance be approved.

Presentation of the Application by the Applicant/Agent:

The applicant or agent was not present at the hearing.

Questions/Comments by other Property Owners:

- Question from B. Lowery regarding section 2.17 - 6th bullet point of the Official Plan was reviewed as the height of the building should not accede the canopy; however, in favour of the application.

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- J. Robinson informed the Committee that the proposed development is not seeking a variance from the maximum height requirement of 9 metres in the Zoning By and that the 6th bullet point under s.2.17 wasn't considered.

Questions/Comments by Committee of Adjustment Members:

- Comment regarding photographs being provided with all applications. The Secretary-Treasurer informed the Committee that the intake of the application was performed during her absence and upon her return she requested for photographs and informed the property owners that moving forward any future applications will require photographs.
- Comments regarding the application being incomplete.
- Comment regarding deferring the application until photographs are provided.
- J. Robinson informed the Committee that photographs are not required as part of a complete application for minor variance according to the Planning Act.

Correspondence Included in the Packages

- Correspondence from Timiskaming Health Unit dated April 12, 2019 - no objections.
- Correspondence from Temagami First Nation dated April 16, 2019 - no objections or concerns.

Correspondence Received After Packages were Compiled

The Secretary-Treasurer read out the correspondence below:

- Correspondence from Paul Tamburro dated April 18, 2019 - no issues with the proposed development.

Discussion/Decision by Committee Members:

The Committee members discussed the application and the following resolution was passed:
19-04

MOVED BY: N. Brooker

SECONDED BY: B. Graham

BE IT RESOLVED THAT

The Committee of Adjustment: Grants

Minor Variance Application: MV-19-01

Applicant: John O. Shepard & Mary S. Shepard

Subject to the attached Notice of Decision

CARRIED

J. Robinson was excused from the meeting at 1:45 p.m.

ITEMS FOR INFORMATION

None

NEXT MEETING DATE

The Committee discussed that the next meeting will be based upon receiving a planning application.

ADJOURNMENT

19-05

MOVED BY: N. Brooker

SECONDED BY: B. Graham

BE IT RESOLVED THAT the April 25, 2019 Committee of Adjustment meeting be adjourned at 1:50 p.m.

CARRIED

Prepared by: Tammy Lepage Secretary-Treasurer Committee of Adjustment