

**THE CORPORATION OF THE TOWNSHIP OF SEGUIN
COMMITTEE OF ADJUSTMENT
MINUTES OF MEETING
Wednesday, September 9, 2009 - 4:00 PM
Council Chambers**

Members Present: Susan Adams (Acting Chair)
Brian Bannerman
Todd Hrycyna
Bernard Robbins
Doug Sainsbury
Paul Taylor

Staff Present: Adam Kozlowski, Secretary Treasurer/Intermediate Planner
Chris Madej, Director of Planning
Debbie Swim, Chief Building Official
Linda Wuerfel, Planning Assistant

Absent: Alvar Smith (Chair)

1.0 APPOINTMENT OF CHAIR

MOTION: 2009-046

Moved by: Bernard Robbins
Seconded by: Brian Bannerman

THAT the Committee of Adjustment for The Corporation of the Township of Seguin hereby appoints Susan Adams as Acting Chair for the Hearing of September 9, 2009.

CARRIED.

2.0 MINUTES

MOTION: 2009-047

Moved by: Doug Sainsbury
Seconded by: Todd Hrycyna

THAT the Committee of Adjustment for The Corporation of the Township of Seguin hereby accepts as read and circulated the Minutes of its last hearing that took place August 12, 2009.

CARRIED.

3.0 DISCLOSURE OF PECUNIARY INTEREST

None.

4.0 CORRESPONDENCE

None.

5.0 APPLICATIONS

5.1 Minor Variance Application A-2009-0021-C (PIGAT)

Location: 21 Alex Lane
Purpose: To permit the construction of a new single detached dwelling on a vacant parcel, *requiring variance of 2.68% above the maximum 8% lot coverage, and requiring variance of 24.6 square metres above the maximum 162.7 square metre dwelling gross floor area*

Agencies: None
Others: None
Presenter: None
Audience: Noel Hutchinson, Agent

MOTION: 2009-048

Moved by: Brian Bannerman
Seconded by: Bernard Robbins

That the Committee of Adjustment for The Corporation of the Township of Seguin (the "Committee") hereby **APPROVES** Minor Variance Application A-2009-0021-C (PIGAT) in accordance with Section 45(1) and (2) of the Planning Act, for the *construction of a 1.5 storey (back split style) dwelling on a vacant lot, where the footprint has been reduced to 173.84 square metres (from 188.9 sq. m), and the gross floor area increased to 187.37 square metres (from 186.07 sq. m)*, and hereby grants variance from the following section(s) of the Zoning By-law:

- Section 6.3 Zone Requirements, Table 6.3 - Maximum Lot Coverage = 10.68% (173.84 square metres)
- Section 6.3 Zone Requirements, Table 6.3 - Maximum Dwelling Gross Floor Area = 187.37 square metres
- Section 4.15 b) Garages or Other Accessory Buildings or Structures - Minimum Rear Yard Setback = 7.5 metres

SUBJECT TO THE FOLLOWING CONDITION:

- 1) That the owner apply for and obtain all required building permit(s) from the Township's Chief Building Official within 1 year of the date of Notice of Decision from the Committee of Adjustment.

CARRIED.

5.2 Minor Variance Application A-2009-0026-H (BALOGH)

Location: 56 10TH Concession
Purpose: To permit the construction of a 15 metre-long, 51.28 square metre dock.

Agencies: None
Others: None
Presenter: Arnold Balogh, Applicant
Audience: Wayne Seager, Taylor Docks (Agent)

MOTION: 2009-049

Moved by: Todd Hrycyna
Seconded by: Doug Sainsbury

That the Committee of Adjustment for The Corporation of the Township of Seguin (the "Committee") hereby **APPROVES** Application A-2009-0026-H (BALOGH) in accordance with Section 45(1) and (2) of the Planning Act to *construct a new 51.28 square metre dock, having a width of 8.53 metres and a length of 15 metres, in approximately the middle of the shoreline frontage* and hereby grants variance from the following section(s) of the Zoning By-law:

- **Section 4.28 c) Minimum required side lot line projection setback = 6 metres.**

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.

5.3 Minor Variance Application A-2009-0027-H (3045851 Nova Scotia Company)

Location: 277B Jean Marie Road
Purpose: To allow the construction of a 68.7 square metre, 1 slip boat port

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

MOTION: 2009-050

Moved by: Bernard Robbins.
Seconded by: Brian Bannerman

That the Committee of Adjustment for The Corporation of the Township of Seguin (the "Committee") hereby **APPROVES** Application A-2009-0027-H (3045851 NOVA SCOTIA CO.) in accordance with Section 45(1) of the Planning Act, being for the *construction of a 68.7 square metre, 1 slip boat port on an existing 110.5 square metre dock*, and hereby grants variance from the following section(s) of the Zoning By-law:

- **Section 4.28.1 j) ii) Table 4.4 - minimum frontage required for boat storage structure = 59 metres.**

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.

5.4 Minor Variance Application A-2009-0028-H (2136730 Ontario Inc. - Tajoe Limited)

Location: 78A Scully Road
Purpose: Is to permit the construction of a 23.9 square metre sauna structure containing a 12 square metre attached, covered deck.

Agencies: None
Others: None
Presenter: None
Audience: John Robert Carley (Agent)

MOTION: 2009-051

Moved by: Bernard Robbins
Seconded by: Brian Bannerman

That the Committee of Adjustment for The Corporation of the Township of Seguin (the "Committee") hereby **APPROVES** Application A-2009-0028-H (TAJOE) in accordance with Section 45(1) and (2) of the Planning Act and hereby grants variance from the following section(s) of the Zoning By-law:

- **Section 4.1.8 Waterfront Accessory Structures, Maximum Sauna floor area = 35.9 square metres (sauna = 23.9 sq m, covered deck = 12 sq m)**

SUBJECT TO THE FOLLOWING CONDITIONS:

- 1) That the applicant apply for and obtain a building permit from the Township's Chief Building Official, within 1 year of the date of Committee's decision.

CARRIED.

5.5 Minor Variance Application A-2009-0029-H (RYAN/BEAUDRY)

Location: 79 Silver Point Road

Purpose: Is to permit the construction of a retaining wall having a reduced side yard setback and to recognize the following:

- an existing deck having a reduced side yard setback
- an existing staircase and landing having a reduced front yard setback
- an existing dock having a reduced side lot line projection setback
- an existing garage having a reduced rear yard setback

Agencies: None

Others: Correspondence received from Dale Robinson, opposed to portions of the variance.

Presenter: Rob Ryan & Suzanna Beaudry, Applicants. Submitted photo documentation.

Audience: Michael Dye (77 Silver Point Road), objection to application.

MOTION: 2009-052

Moved by: Bernard Robbins

Seconded by: Brian Bannerman

That the Committee of Adjustment for The Corporation of the Township of Seguin (the "Committee") hereby **APPROVES** Application A-2009-0029-H (RYAN & BEAUDRY) in accordance with Section 45(1) of the Planning Act to recognize an existing garage, deck, staircase with landing and dock, and to permit the construction of a 1.4 metre-high retaining wall, and hereby grants variance from the following section(s) of the Zoning By-law:

- 1) **Section 6.3 Table 6.2 Minimum interior side yard setback = 5 metres** (1.4 metre high retaining wall setback proposed 0.3 metres, requiring variance of 4.7 metres)
- 2) **Section 6.3 Table 6.2 Minimum interior side yard setback = 5 metres** (existing deck on front of cottage is setback 4.88 metres, requiring variance of 0.12 metres)
- 3) **Section 6.3 Table 6.2 Minimum rear yard setback = 10 metres** (existing garage is setback 5.74 metres, requiring variance of 4.26 metres)
- 4) **Section 4.28 c) Table 4.3 Minimum shoreline side lot line projection setback = 15 metres** (existing dock is setback 10.42 metres from side lot line projection, requiring variance of 4.58 metres)
- a) **Section 4.1.5 c) Accessory structure minimum front yard setback = 20 metres** (existing staircase to dock is setback 2.05 metres to shoreline, requiring variance of 17.95 metres)

SUBJECT TO THE FOLLOWING CONDITIONS:

- 1) That an Ontario Land Surveyor provide verification to the Township of compliance with Committee's decision by a) pinning the footing of the retaining wall and b) verifying in writing prior to construction that the retaining wall is setback no closer than 0.3 metres to the north interior side lot line.
- 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.
- 3) That the owner make application for Site Plan Control, pursuant to Section 41 of the Planning Act. Site Plan Approval shall be required prior to the issuance of any building permit(s). The purpose of Site Plan Control is to ensure that the lands are developed in accordance with plans submitted by the owner, and that site and vegetative rehabilitation is undertaken to the satisfaction of the Township.
- 4) That the storage shed located in the northeast corner of the property be relocated in compliance with the zoning by-law.

CARRIED.

6.0 OTHER BUSINESS

6.1 Minor Variance Application A-2008-0037-H (PATEL)

Location: 33 Rossmoyne Road
Purpose: To construct a single-storey 2 slip boathouse on a waterfront lot having 75 metres of by-law frontage.

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

MOTION: 2009-053

Moved by: Bernard Robbins
Seconded by: Brian Bannerman

That the Committee of Adjustment for The Corporation of the Township of Seguin (the “Committee”) hereby **APPROVES** Application A-2008-037-H (PATEL) in accordance with Section 45(1) of the Planning Act for the construction of a 2 slip boathouse and dock (in accordance with Schedules 1, 2, and 3) and hereby grants variance from the following section(s) of the Zoning By-law:

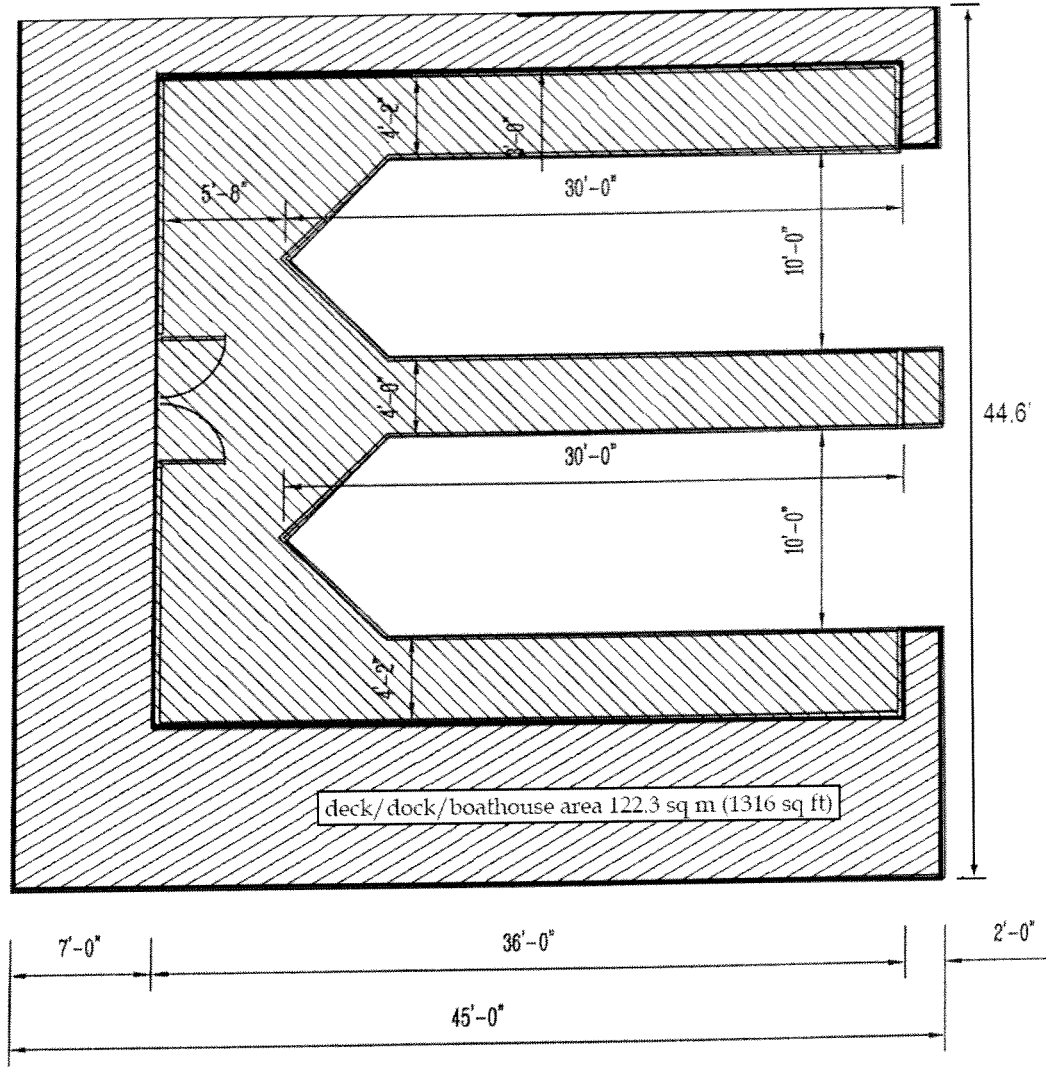
Zoning By-law Section	Zoning By-law Requirement	Proposed	<i>Variance Requested</i>
4.28.1 j) ii) Table 4.4 Maximum number of slips	Lots with 60 to 90 metres frontage: 1 storey, 1 slip boathouse + 1 slip port	1 storey, 2 slip boathouse	<i>+1 slip in boathouse</i>

Approved boathouse design attached as Schedule 1 - Boathouse Floor Plan, Schedule 2 - Boathouse Elevation, Schedule 3 - Boathouse Site Plan

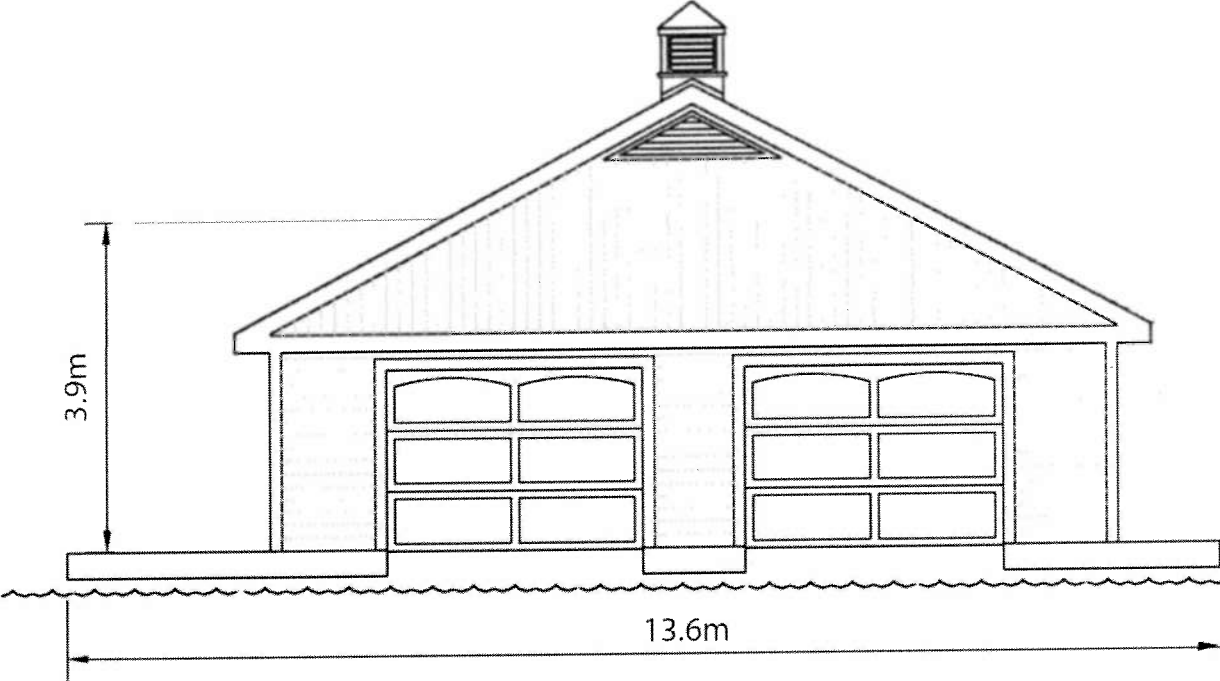
SUBJECT TO THE FOLLOWING CONDITIONS:

- 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.

SCHEDULE 1 - BOATHOUSE FLOOR PLAN

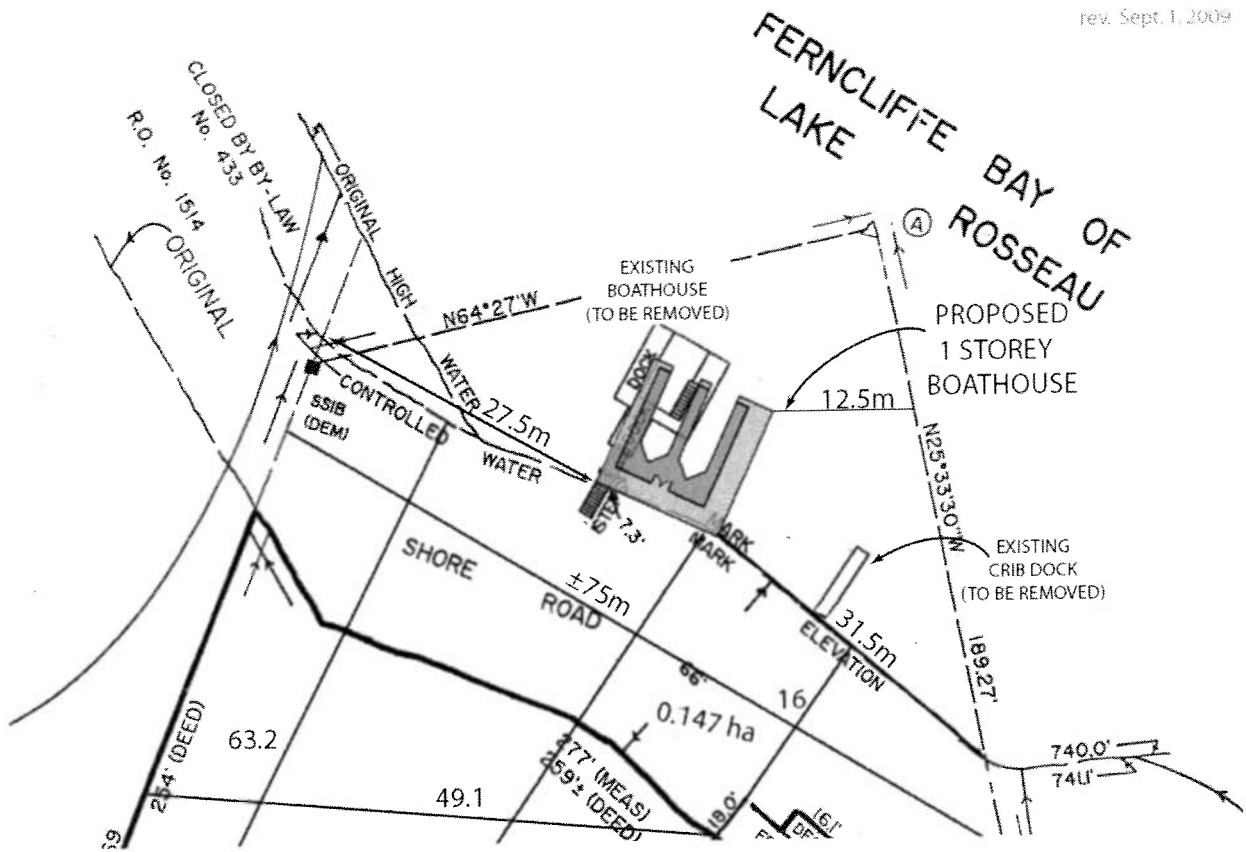


SCHEDULE 2 - BOATHOUSE ELEVATION



SCHEDULE 3 - BOATHOUSE SITE PLAN

SHIRAZ PATEL
rev. Sept. 1, 2009



CARRIED.

7.0 ADJOURNMENT


MOTION: 2009-054

Moved by: Bernard Robbins
Seconded by: Todd Hrycyna


That the Committee does hereby **adjourn** this hearing at 5:30 p.m. on September, 2009. The Committee will hold its next hearing at 4:00 p.m. on Wednesday, October 14th, 2009, unless the Secretary-Treasurer has not received complete applications for the Committee's consideration.

CARRIED.

Respectfully Submitted:



Susan Adams, Chair (A)



Adam Kozlowski, Secretary-Treasurer