

MINUTES OF THE MEETING OF THE COMMITTEE OF ADJUSTMENT HELD IN THE ADMINISTRATION OFFICE, 1024 HURLWOOD LANE, TUESDAY, AUGUST 18TH, 2015 AT 7:00 P.M.

Present: Chair Emily Silk
 Members Douglas Hamilton
 Mark Vandergeest
 Bill Hill
 Allen Vivian

Staff: Secretary-Treasurer, Planner Katie Mandeville
 Director of Planning & Development Andrew Fyfe

A. CALL TO ORDER

The Chair called the meeting to order at 7:00 p.m. and explained the meeting process and the time frame for appeals to those persons present.

B. DISCLOSURE OF PECUNIARY INTEREST

Chair Silk declared a conflict with Application A-35-15 (Oliver) as she is employed by the company retained to do work on this project.

C. ADOPTION OF MINUTES

The following motion was adopted:

Motion # 15-23

MOVED by Bill Hill and SECONDED by Mark Vandergeest

THAT the Minutes of the Committee of Adjustment meeting held in the Council Chambers on July 21st, 2015 be adopted as printed and distributed.

CARRIED

D. ADJOURNED APPLICATIONS

1. Minor Variance Application No.: **A-22-15**
Owner: **Pam and Paul Allen**
Roll Number: **4351 010 004 01700 0000**
Municipal Address: **1932 Marchmont Road**

The Director of Planning and Development advised that a public meeting on the application was previously held and outlined the application, as follows:

Proposal:

- É The approximately 0.63 acre property is located within the Marchmont settlement area and is occupied by a detached dwelling, attached garage, septic system and

- three accessory structures.
- É The existing non-complying dwelling is over 150 years old and is setback approximately 7 feet from the road allowance and 1 foot for the attached garage.
 - É The owners wish to redevelop the property by replacing the existing home and attached garage.
 - É The following variance is requested in order to permit the construction of the new dwelling and attached garage:
 - É A variance to permit a front yard setback of 1.22 metres (4 feet) on the east corner and 2.13 metres (7 feet) on the west corner of the proposed dwelling with attached garage, whereas Zoning By-law 2010-65 states that the minimum front yard setback in the Residential One (R1) Zone is 7.5 metres (24.61 feet).
 - É At the May meeting, Committee deferred the front yard setback part of the application pending the receipt of a plan from a surveyor confirming the exact distance of the proposed front yard setback and further comments from the Public Works Department.
 - É The proposed setbacks were confirmed as 1.3 metres (4.26 ft.) on the east corner and 3.05 metres (10 ft.) on the west corner by a survey. These are slightly greater than what was originally proposed.
 - É The application was deferred at the July meeting pending confirmation of the ability to register something on title pertaining to Township liability.
 - É Due to Committee's concerns, staff discussed the application with the Township's solicitor.
 - É The solicitor has recommended that the Township obtain a road widening to bring the road allowance up to municipal standards in front of the property and provide adequate space for snow storage. This would require the dedication of a 2.5metre (8.2 feet) widening across the front of the property.
 - É The applicants took Committee's comments and have suggested a new total setback of 10.26 feet (3.13m).
 - É With the conveyance of the road widening, the setback from the front lot line would be 0.5 metres (1.6 ft.). As the net effect of the conveyance of a road widening and the associated variance is that the building will be further from the existing front lot line, recirculation of the application and a further public hearing is not necessary.

Staff Report D15-045:

The Director of Planning and Development provided a brief summary of the staff report and letter from the applicant that is included as an appendix to the report.

The Secretary-Treasurer advised that the public meeting was already held in accordance with the Planning Act.

The Chair asked if the applicant was present and had anything to add to this application. The applicant was present and had nothing to add.

The Chair asked if the Committee had any comments on this application. Committee comments were as follows:

- É *Member Vandergeest inquired if the original recommended condition of an agreement was still needed given the road widening condition.*

- É *The Secretary-Treasurer advised that the condition being included in the staff report was an oversight and it is not included in the decision for Committee to sign, should they approve the application.*
- É *Member Vandergeest directed a comment towards the applicant and thanked them for the revision and working with the Township staff on finding a solution.*
- É *Member Hill inquired as to if the Township had previously taken road widenings on this street.*
- É *The Director of Planning and Development stated that the Township had.*

The Chair asked the Secretary-Treasurer to review the proposed conditions of the decision. The applicant was asked if he was aware of the proposed conditions and was in agreement with them. The applicant confirmed this. The Secretary-Treasurer reminded the Committee again that the variance application was originally submitted for an accessory structure variance and the main dwelling variance, the accessory structure portion of the application was approved at the original meeting and this vote is only for the main dwelling portion. The Chair then called for a vote on the application.

DECISION – APPROVE
Variance Application A-22-15 (Allen)

THE PURPOSE and EFFECT of the application is:

To request the following variance to the provisions of Zoning By-law 2010-65:

1. A variance to permit a front yard setback of 0.5 metres (1.6 feet) for the proposed dwelling with attached garage, whereas Zoning By-law 2010-65 states that the minimum front yard setback in the Residential One (R1) Zone is 7.5 metres (24.61 feet).

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 18th day of August, 2015:

DECISION: APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Municipal Taxes to be paid to date.
2. That a 2.5 metre road widening be conveyed to the Municipality at no expense to the Township. All associated legal and surveying costs shall be the responsibility of the applicant.
3. An entrance permit is obtained for a new driveway. The garage is to be accessed from the side within their property, not directly from the road.
4. That the existing vegetation on the property shall be preserved and enhanced as much as possible.
5. That the construction is in substantial compliance with the plans and drawings submitted with the Application, including the removal of the existing driveway and its rehabilitation to a grassed or naturalized state.

THE REASONS for the Committee's Decision are that the request is minor in nature,

conforms to the general intent and purpose of the Zoning By-law and Official Plan and is desirable for the appropriate development or use of the land.

AND the Secretary-Treasurer is hereby authorized to sign any documents required to give effect to this Decision.

CARRIED

2. Variance Application No.:	A-29-15
Applicant:	Walter & Lydia Berg and Doris Kamienik
Agent:	Robert Kamienik
Roll Number:	4351 040 009 47102 0000
Municipal Address:	3294 Russell Drive

The Secretary-Treasurer of the Committee of Adjustment stated that this was an additional public meeting therefore any correspondence made at the previous public meeting are still under consideration as well as any new correspondence. The Secretary-Treasurer than outlined the application and the new correspondence received, as follows:

Proposal:

- É The approximately 2,415 square metre (0.6 acre) property is occupied by a detached dwelling, outhouse, woodshed, marine storage shed and a newly constructed sleeping cabin.
- É The property owners wish to legalize the existing cabin while maintaining the non-complying setback of 8.88 metres (29 feet) whereas Zoning By-law 2010-65 states that the minimum front yard setback for the SR2 zone is 20 metres (66 feet).

Agency Comments:

None

Public Correspondence:

A letter of opposition dated August 17, 2015 was submitted by Christine Colin, owner of 3330 Russell Drive, and distributed to the Committee members and applicant prior to the meeting. This letter was very briefly summarized at the public meeting and the Secretary-Treasurer advised the Committee that it was a public document and any member of the public was free to view or request a copy of the letter.

A letter in favour of the application dated August 15, 2015 was submitted by: John Innala (owner 3288 Russell Drive), Anne Innala (owner 3288 Russell Drive), Michael Innala, Emily Innala, Bob McAdam, Scott Alexander, Amanda Dickson and Justin Czepiel.

Staff Report D15-046:

The Director of Planning and Development provided a summary of the staff report.

The Director of Planning and Development also commented on several points raised in the letters of correspondence from Ms. Colin regarding human habitation, additional approval authorities, surveys, plan of subdivisions and massing calculations.

The Chair asked if the applicant or agent were present and had anything to add to what

was presented - the agent was present and stated he had nothing to add.

The Chair asked if anyone in the audience had any comments on this application, in addition to those verbal comments and written correspondence submitted for tonight's meeting or the previous public meeting. Public comments were as follows:

- É Frank Colin, 38 Orchard View Boulevard, Toronto, stated he had specific questions regarding the prohibited use of a sleeping cabin within the front yard as the by-law states what structures are allowed in the front yard.*
- É Andrew Fyfe, the Director of Planning & Development stated that past practice is informative only but that the Township has permitted them in the front yard with the variance.*
- É Mr. Colin stated that specific structures are listed as permitted in the shoreline area and if it's not on the list then it is not permitted.*
- É Mr. Fyfe stated that is his interpretation.*
- É Mr. Colin inquired as to where the survey was that the Committee had previously ordered.*
- É Mr. Fyfe referred back to the Subdivision Plan that was part of the visuals to go with the planning report summary.*
- É Mr. Colin and Mr. Fyfe discussed the registered plan, survey markers on the property and the regulated elevation of the Trent Severn Waterway.*
- É Mr. Colin inquired as to where people sleeping in the cabin would go to the washroom in the middle of the night.*
- É The Chair allowed the applicant to answer that they would go up to the cottage.*
- É Mr. Colin stated that he did not believe people would go up to the outhouse and he is quite concerned about water quality on the lake.*
- É Mr. Colin further stated that in his opinion any structure between the main residence and the water is a shoreline structure and believes these should be setback to preserve the beauty and natural shore.*
- É Mr. Colin spoke to the Trent Severn Waterway funding from the federal government.*
- É Mr. Colin stated his opposition to the minor variance regarding the cabin's proximity to the water as well as an issue with the trees that were cut down.*
- É The Chair allowed the applicant to respond, stating that there were no trees removed from this area and the only ones removed from the property were done so because they were rotten.*
- É Mr. Colin expressed his concern regarding snow melt and the cabin sliding into the lake due to the construction.*
- É Mr. Fyfe stated that the Chief Building Official confirmed that the cabin did not require a building permit.*
- É Christine Colin, 3330 Russell Drive, stated that she had submitted two lengthy written submissions.*
- É Ms. Colin expressed her concerns relating to the inadequate survey and Township's interpretation of that plan.*
- É Ms. Colin stated that she is a litigation lawyer and has reviewed the by-law and believes that this application is a violation of that by-law as a sleeping cabin is prohibited in the shoreline.*
- É Ms. Colin stated that she believes the sleeping cabin does not need to be there and that the Committee can look at things other than the four tests.*
- É Ms. Colin stated that she did not know if the Committee had time to review her submissions and began to summarize many of her concerns outlined in the*

submission.

- É *The Chair clarified that the Committee members had all reviewed her submission and asked that she provide new information only.*
- É *Ms. Colin continued to express concerns outlined in the submission and inquired as to who paid for the municipal solicitor to advise staff on this matter.*
- É *Ms. Colin finished her remarks by stating that a stronger interpretation of the by-law is needed, that the sleeping cabin could be moved to the rear of the property and that she is in awe of the procedure occurring at the Township.*
- É *John Innala, 425 Livingstone Road, Scarborough and 3288 Russell Drive stated that he purchased his property on the other side of the applicant eleven years ago and is satisfied with the survey but that he is not a lawyer.*
- É *Mr. Innala further commented that the sleeping cabin location is perfectly okay with him and is setback from the water unlike Ms. Colin's two storey boathouse that blocks her view.*
- É *Mr. Innala commented that he has experience with tree management and knows that the applicants consulted an arborist and removed only those trees which were dangerous to the property and damaged.*
- É *Mr. Innala stated that he wants the Committee to grant the variance.*
- É *Chris Newman, resident at 3330 Russell Drive, stated that the entire cabin is within the 66 foot setback and was built 2-3 years ago, certainly after the current zoning by-law came into effect.*
- É *Mr. Newman further stated that he believes the deck in front of the cabin should be counted in the square footage as well as the cabin should be measured by the roof area as it would then be more than 108 square feet.*
- É *Mr. Newman further commented that the wood storage is also within the required setback and the applicant has a lot of property where these buildings could be relocated.*
- É *The applicant stated that the deck in front of the cabin is not a porch; it is not attached to the cabin but rather is a skid that washed up onto their shore.*
- É *The applicant further stated that healthy trees would need to be removed in order to relocate the sleeping cabin.*

The Chair asked if anyone in the audience had any other comments on this application, since none were forthcoming, the Chair declared the public portion of the meeting closed.

The Chair asked if the Committee had any comments on this application. Committee comments were as follows:

- " Member Vandergeest inquired if staff had measured the building and if the size of the building had been altered.*
- " The Planner stated that staff have not measured the building as the Township's procedure is that with any planning or building permit application the applicant is asked to sign stating that the information provided is accurate and the municipality then takes that as the truth. There is simply not enough staff time or resources to measure every structure.*
- " Member Vandergeest stated that he had reviewed the survey provided and it was signed off by an OLS (Ontario Land Surveyor) in 1967 although it may not be registered on title it is a registered plan.*
- " Chair Silk stated that as the high water mark is set, not variable; she believes the survey is accurate.*

- " *Member Hill stated that his position on the application has not changed from the last meeting.*
- " *Member Vandergeest stated that the applicant did not identify all structures on the site plan or in the application and that the applicant did not do their proper due diligence prior to construction of the cabin.*

As there was no further discussion the Chair asked the Secretary-Treasurer to review the proposed conditions of the decision. The applicant was asked if he was aware of the proposed conditions and was in agreement with them. The applicant confirmed this. The Chair then called for a vote on the application.

DECISION – APPROVE
Variance Application A-29-15 (Berg / Kamienik)

THE PURPOSE and EFFECT of the application is:

To request the following variance to the provisions of Zoning By-law 2010-65:

1. A variance to permit a front yard setback of 8.88 metres (29 feet) for one accessory structure, being a sleeping cabin whereas Zoning By-law 2010-65 states the minimum front yard setback is 20 metres (66 ft.) for the Shoreline Residential Two (SR2) Zone.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 18th day of August, 2015:

DECISION: APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Municipal Taxes to be paid to date.
2. That the existing vegetation on the property shall be preserved and enhanced, particularly between the sleeping cabin and the interior lot line.
3. That the accessory structure contains no cooking facilities as per the regulations within Zoning By-law 2010-65, as amended.
4. That the construction is in substantial compliance with the plans and drawings submitted with the Application.

THE REASONS for the Committee's Decision are that the request is minor in nature, conforms to the general intent and purpose of the Zoning By-law and Official Plan and is desirable for the appropriate development or use of the land.

AND the Secretary-Treasurer is hereby authorized to sign any documents required to give effect to this Decision.

CARRIED

3. **Variance Application No.:** **A-33-15**
Applicant: **Francesco Lomonaco and Brenda LaBelle-Dishart**
Roll Number: **4351 010 008 52201 0000**
Municipal Address: **3059 South Sparrow Lake Road**

The Secretary-Treasurer of the Committee of Adjustment stated that this was an additional public meeting as the application changed and a notice was circulated to reflect the difference from the previous meeting. The Secretary-Treasurer then outlined the application and the new correspondence received, as follows:

Proposal:

- É The approximately 0.14 hectare (0.35 acre) property located at 3059 South Sparrow Lake Road is occupied by an existing single detached dwelling and two accessory buildings.
- É The owner wishes to demolish one of the existing accessory structures which is located 2 metres (6.6 feet) from the road allowance at the closest point and build a new larger accessory structure.
- É The Committee deferred this application at the July meeting due to setback issues with the existing septic system. The applicant's septic installer has confirmed the required setback and the variance request has been modified and a new notice was circulated.
- É The following variances are now requested in order to permit the construction of the new accessory structure:
 1. A variance to permit accessory structure lot coverage of 6% (85.5 square metres) whereas Zoning By-law 2010-65 states the maximum permitted lot coverage for accessory structures within a residential zone is 5% (71.29 square metres).
 2. A variance to permit a rear yard setback of 2 metres for an accessory structure (garage) whereas Zoning By-law 2010 states the minimum rear yard setback of an accessory structure to be 7.5 metres (24.6 feet).
 3. A variance to permit a front yard setback of 16.5 metres (54 feet) for one accessory structure (garage) whereas Zoning By-law 2010 states the minimum front yard setback in the Shoreline Residential Two (SR2) Zone is 20 metres (66 feet).

Agency Comments:

None

Public Correspondence:

None

Staff Report D15-047:

The Planner provided a summary of the staff report.

The Chair asked if the applicant or agent were present and had anything to add to what was presented - the applicant was present and stated that one tree may need to be trimmed for construction of the new garage.

The Chair asked if anyone in the audience had any comments on this application, since none were forthcoming, the Chair declared the public portion of the meeting closed.

The Chair asked if the Committee had any comments on this application. Committee comments were as follows: None.

As there was no further discussion the Chair asked the Secretary-Treasurer to review the proposed conditions of the decision. The applicant was asked if he was aware of the proposed conditions and was in agreement with them. The applicant confirmed this. The Chair then called for a vote on the application.

DECISION – APPROVE

Variance Application A-33-15 (Lomonaco / LaBelle-Dishart)

THE PURPOSE and EFFECT of the application is:

To request the following variance to the provisions of Zoning By-law 2010-65:

1. A variance to permit accessory structure lot coverage of 6% (85.5 square metres) whereas Zoning By-law 2010-65 states the maximum permitted lot coverage for accessory structures within a residential zone is 5% (71.29 square metres).
2. A variance to permit a rear yard setback of 2 metres for an accessory structure (garage) whereas Zoning By-law 2010 states the minimum rear yard setback of an accessory structure to be 7.5 metres (24.6 feet).
3. A variance to permit a front yard setback of 16.5 metres (54 feet) for one accessory structure (garage) whereas Zoning By-law 2010 states the minimum front yard setback in the Shoreline Residential Two (SR2) Zone is 20 metres (66 feet).

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 18th day of August, 2015:

DECISION: APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Municipal Taxes to be paid to date.
2. That the existing vegetation on the property shall be preserved and enhanced as much as possible.
3. That the construction is in substantial compliance with the plans submitted with the Application.

THE REASONS for the Committee's Decision are that the request is minor in nature, conforms to the general intent and purpose of the Zoning By-law and Official Plan and is desirable for the appropriate development or use of the land.

AND the Secretary-Treasurer is hereby authorized to sign any documents required to give effect to this Decision.

CARRIED

E. NEW APPLICATIONS

1. **Minor Variance Application No.:** A-34-15
Applicant: Scott Cowden and Jane Auclair
Roll Number: 4351 010 004 01700 0000
Municipal Address: 3735 Hume Street

The Secretary-Treasurer of the Committee of Adjustment outlined the application and outlined the correspondence received, as follows:

Proposal:

- “ The 1.1 acre property is currently occupied by a single detached dwelling and a garage.
- “ The applicant would like to construct a new 108 square metres (1170 square feet) accessory structure for the storage of an recreational vehicle (RV).
- “ The following variances are requested in order to permit the construction of the new accessory structure:
 1. A variance to permit an accessory structure height of 5.74 metres (18.8 feet) whereas Zoning By-law 2010-65 states the maximum permitted height for an accessory structure is 5 metres (16.4 feet)
 2. A variance to permit an accessory structure size of 110 square metres whereas Zoning By-law 2010-65 states the maximum accessory structure size is the lesser of 110 square metres or 75% of the gross floor area of the principle dwelling.

Agency Comments:

None

Public Correspondence:

None

Staff Report D15-048:

The Planner provided a brief summary of the staff report.

The Chair asked if the applicant or agent were present and had anything to add to what was presented - the applicant was present and stated he needs to relocate the garage approximately 30 feet from the current proposed location due to the uneven soft ground.

The Chair asked if anyone in the audience had any comments on this application. As none were forthcoming, the Chair declared the public portion of the meeting closed.

The Chair asked if the Committee had any comments on this application. Committee comments were as follows:

- “ *Member Vandergeest commended the applicant for the work he has done on the home over the last couple of years and stated he would be supporting the application as it will have no impact on the neighbours.*

The Chair asked the Secretary-Treasurer to review the proposed conditions of the decision. The applicant was asked if he was aware of the proposed conditions and was in agreement with them. The applicant confirmed this. The Chair then called for a vote on the application.

DECISION – APPROVE
Variance Application A-34-15 (Cowden / Auclair)

THE PURPOSE and EFFECT of the application is:

The following variances to the provisions of Zoning By-law 2010-65, as amended:

1. A variance to permit an accessory structure height of 5.74 metres (18.8 feet) whereas Zoning By-law 2010-65 states the maximum permitted height for an accessory structure is 5 metres (16.4 feet).
2. A variance to permit an accessory structure size of 110 square metres whereas Zoning By-law 2010-65 states the maximum accessory structure size is the lesser of 110 square metres or 75% of the gross floor area of the principle dwelling.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 18th day of August, 2015:

DECISION: APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Municipal Taxes to be paid to date.
2. That the existing vegetation on the property shall be preserved and enhanced as much as possible.
3. That the construction is in substantial compliance with the plans submitted with the Application.

THE REASONS for the Committee's Decision are that the request is minor in nature, conforms to the general intent and purpose of the Zoning By-law and Official Plan and is desirable for the appropriate development or use of the land.

AND the Secretary-Treasurer is hereby authorized to sign any documents required to give effect to this Decision.

CARRIED

Chair Silk left the meeting as per her disclosure of pecuniary interest. Member Hamilton, as Vice Chair assumed the position of Chair for the application.

2. Variance Application No.:	A-35-15
Applicant:	Scott Oliver
Roll Number:	4351 010 011 20000 0000
Municipal Address:	4313 Huronia Road

The Secretary-Treasurer of the Committee of Adjustment outlined the application and outlined the correspondence received, as follows:

Proposal:

- É The approximately 0.19 hectare (0.5 acre) property, located at 4313 Huronia Road, Lot 12, Plan 1027, geographic Township of North Orillia, has 30 metres (100 ft.) of frontage and is located in a strip of existing homes along the eastern side of Huronia Road.
- É Variance application A-01-15 was previously granted by the Committee of Adjustment to permit the multi-unit residential building containing no more than five dwelling units, consisting of one two-bedroom unit, two one-bedroom units and two bachelor or studio units.
- É The following variance is now requested:
 1. A variance to permit the existing dwelling located at 4319 Huronia Road to be used as a multi-unit residential building containing no more than five dwelling units, consisting of one two-bedroom unit and four one-bedroom units.

Agency Comments:

None

Public Correspondence:

None

Staff Report D15-049:

The Planner provided a brief summary of the staff report.

The Chair asked if the applicant or agent were present and had anything to add to what was presented - the applicant was not present.

The Chair asked if anyone in the audience had any comments on this application, since none were forthcoming, the Chair declared the public portion of the meeting closed.

The Chair asked if the Committee had any comments on this application. Committee comments were as follows: None.

The Chair asked the Secretary-Treasurer to review the proposed conditions of the decision. The Chair then called for a vote on the application.

DECISION – APPROVE
Variance Application A-35-15 (Cowden / Auclair)

THE PURPOSE and EFFECT of the application is:

The following variances to the provisions of Zoning By-law 2010-65, as amended:

1. A variance to permit the existing dwelling located at 4313 Huronia Road to be used as a multi-unit residential building containing no more than five dwelling units, consisting of one two-bedroom unit and four one-bedroom units.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 18th day of August, 2015:

DECISION: APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Municipal Taxes to be paid to date.
2. That the construction is in substantial compliance with the plans submitted with the Application.
3. That the property owner work with the fire department to conduct a fire safety inspection of all five units and bring the units up to the satisfaction of the fire prevention officer.

THE REASONS for the Committee's Decision are that the request is minor in nature, conforms to the general intent and purpose of the Zoning By-law and Official Plan and is desirable for the appropriate development or use of the land.

AND the Secretary-Treasurer is hereby authorized to sign any documents required to give effect to this Decision.

CARRIED

Member Silk returned to the meeting and resumed her role as Chair.

- | | |
|-------------------------------------|--------------------------------------|
| 3. Variance Application No.: | A-36-15 |
| Owner: | Pamela Casknette and John Lay |
| Roll Number: | 4351 010 007 40400 0000 |
| Municipal Address: | 2807 The Lane |

The Secretary-Treasurer of the Committee of Adjustment outlined the application(s) and the correspondence received, as follows:

Proposal:

- É The approximately 0.16 acre property supports an existing single detached dwelling with an attached deck.
- É As the property is located within the settlement of Westshore, the existing dwelling is connected to full municipal services, sewer and water.
- É The owners wish to construct an addition onto the side of the existing non-complying dwelling and construct an accessory structure. The home is located 3.6 metres (12 ft.) from the rear lot line (with frontage on Lakeside Drive) at the closest point.
- É The following variances are requested in order to permit the construction of the new addition and accessory structure (garage):
 1. A variance to permit a rear yard setback of 4.4 metres (14.5 feet) and interior yard setback of 1.2 metres (4 feet) for an addition onto the main dwelling whereas Zoning By-law 2010-65 states that the minimum rear yard setback for the Residential One (R1) Zone is 7.5metres (24.6 ft.) and interior yard setback is 1.5 metres (5 feet).
 2. A variance to permit a front yard setback of 4.2 metres (14 feet) and an interior yard setback of 1.2 metres (4 feet) for an accessory structure (garage) whereas Zoning By-law 2010-65 states that the minimum front yard setback for the Residential One (R1) Zone is 7.5metres (24.6 ft.) and interior yard setback is 1.5 metres (5 feet).
 3. A variance to permit an accessory structure lot coverage of 8% (52 square metres)

whereas Zoning By-law 2010-65 states the maximum permitted lot coverage for accessory structures within a residential zone is 5% (32.5 square metres).

Agency Comments:

None

Public Correspondence:

None

Staff Report D15-050:

The Planner provided a brief summary of the staff report.

The Chair asked if the applicant or agent were present and had anything to add to what was presented - the applicant was present and had nothing to add.

The Chair asked if anyone in the audience had any comments on this application, since none were forthcoming, the Chair declared the public portion of the meeting closed.

The Chair asked if the Committee had any comments on this application. Committee comments were as follows:

- " Member Hill asked the applicant for clarification on the location of the addition and garage using the visuals provided by staff.*
- " The applicant and staff confirmed the proposed locations.*

The Chair asked the Secretary-Treasurer to review the proposed conditions of the decision. The applicant was asked if he was aware of the proposed conditions and was in agreement with them. The applicant confirmed this. The Chair then called for a vote on the application.

DECISION – APPROVE
Variance Application A-36-15 (Casknette / Lay)

THE PURPOSE and EFFECT of the application is:

The following variances to the provisions of Zoning By-law 2010-65, as amended:

1. A variance to permit a rear yard setback of 4.4 metres (14.5 feet) and interior yard setback of 1.2 metres (4 feet) for an addition onto the main dwelling whereas Zoning By-law 2010-65 states that the minimum rear yard setback for the Residential One (R1) Zone is 7.5metres (24.6 ft.) and interior yard setback is 1.5 metres (5 feet).
2. A variance to permit a front yard setback of 4.2 metres (14 feet) and an interior yard setback of 1.2 metres (4 feet) for an accessory structure (garage) whereas Zoning By-law 2010-65 states that the minimum front yard setback for the Residential One (R1) Zone is 7.5metres (24.6 ft.) and interior yard setback is 1.5 metres (5 feet).
3. A variance to permit an accessory structure lot coverage of 8% (52 square metres) whereas Zoning By-law 2010-65 states the maximum permitted lot coverage for accessory structures within a residential zone is 5% (32.5 square metres).

The Committee has considered the Application and, based upon the evidence provided,

issues the following Decision on the 18th day of August, 2015:

DECISION: APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Municipal Taxes to be paid to date.
2. That the existing vegetation on the property shall be preserved and enhanced as much as possible.
3. That the construction is in substantial compliance with the plans submitted with the Application.

THE REASONS for the Committee's Decision are that the request is minor in nature, conforms to the general intent and purpose of the Zoning By-law and Official Plan and is desirable for the appropriate development or use of the land.

AND the Secretary-Treasurer is hereby authorized to sign any documents required to give effect to this Decision.

CARRIED

4. Variance Application No.:	A-37-15
Applicant:	1369504 Ontario Limited
Agent:	Scott and Elizabeth Pilkey
Roll Number:	4351 010 008 89100 0000
Municipal Address:	1230 Grandview Lodge Road "Driftwood"

The Secretary-Treasurer outlined the application and the correspondence received, as follows:

Proposal:

- É The property currently supports a cottage resort with leasehold seasonal residential units.
- É The agent wishes to enclose an existing small deck on the front of the "Driftwood" Building and build an addition to the rear of the building and two utility sheds, as well as construct a screened porch and open deck on the easterly side of the building.
- É The following variances is requested:
 1. A variance to permit a setback of 10.35 metres (34 feet) from the water's edge to the nearest face of the building and 11 metres (36.1 feet) to the new deck to accommodate the proposal; whereas Zoning By-law 2010-65 states the minimum setback from a navigable waterway is 20 metres (66 feet).

Agency Comments:

None

Public Correspondence:

None

Staff Report D15-051:

The Planner provided a brief summary of the staff report.

The Chair asked if the applicant or agent were present and had anything to add to what was presented - the agent was present and stated that he had nothing to add.

The Chair asked if anyone in the audience had any comments on this application, since none were forthcoming, the Chair declared the public portion of the meeting closed.

The Chair asked if the Committee had any comments on this application. Committee comments were as follows: None.

The Chair then called for a vote on the application.

**DECISION – APPROVE
Variance Application A-37-15 (1369504 Ontario Limited)**

THE PURPOSE and EFFECT of the application is:

The following variance to the provisions of Zoning By-law 2010-65, as amended:

1. A variance to permit a setback of 10.35 metres (34 feet) from the water's edge to the proposed deck and 11 metres (36.1 feet) to a second new partially covered deck and to recognize the existing setback of 12.8 metres from the water to the dwelling wall; whereas Zoning By-law 2010-65 states the minimum setback from a navigable waterway is 20 metres (66 feet).

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 18th day of August, 2015:

DECISION: APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Municipal Taxes to be paid to date.
2. That the existing vegetation on the property shall be preserved and enhanced as much as possible.
3. That the construction is in substantial compliance with the plans and drawings submitted with the Application.

THE REASONS for the Committee's Decision are that the request is minor in nature, conforms to the general intent and purpose of the Zoning By-law and Official Plan and is desirable for the appropriate development or use of the land.

AND the Secretary-Treasurer is hereby authorized to sign any documents required to give effect to this Decision.

CARRIED

E. REPORTS FROM OFFICIALS

The Secretary-Treasurer verbally advised the Committee that she would be away for the September meeting. The Director of Planning and Development is the Deputy Secretary-Treasurer and would assist the Committee.

F. CORRESPONDENCE

NONE

G. OTHER BUSINESS

NONE

H. ADJOURNMENT

The following motion was adopted:

Motion # 15-24

MOVED by Bill Hill and SECONDED by Douglas Hamilton

THAT the Committee of Adjustment meeting be adjourned at 8:43 p.m. on August 18th, 2015. The Committee will reconvene at 7:00 p.m. on September 15th, 2015 unless the Secretary/Treasurer has not received a complete application for the Committee's consideration.

CARRIED

Katie Mandeville, Secretary-Treasurer