



**Proposal:**

- “ The approximately 2, 468 square metres (0.61 acre) property supports an existing single detached dwelling with an attached deck, a garage under construction and an outhouse.
- “ The property owners previously received a minor variance to permit an expansion to the existing dwelling with a front yard setback of 9.75 metres for an attached deck. Furthermore, they were also permitted lesser setbacks for a sleeping cabin and garage under application A-50-15.
- “ The existing non-complying dwelling is located 14.7 metres (48 feet) from the water at the closest point to the dwelling and 10.1 metres (33.1 feet) to the attached deck and 1.05 metres (3.4 feet) to the rear lot line as evident by the existing survey.
- “ The following minor variances are now requested:
  1. A variance to permit a front yard setback of 9.1 metres (30 feet) to the attached deck and 12.8 metres (42 feet) to the main dwelling wall whereas Zoning By-law 2010-65, as amended, establishes a minimum front yard setback of 20 metres (66 ft.) and a rear yard setback of 7.5 metres (24.6 ft.) in the Shoreline Residential Three (SR3) Zone.
  2. A variance to permit a rear yard setback of 1.2 metre (4 feet) whereas Zoning By-law 2010-65 establishes a minimum rear yard setback of 7.5 metres (24.6 ft.) in the Shoreline Residential Three (SR3) Zone.

**Agency Comments:**

None

**Public Correspondence:**

None

**Staff Report D16-033:**

*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 state that they have contacted a septic installer for a waterloo aquafilter system. The applicants further stated that they had brought all the drawings and lot grading plan for demolition, building and septic permits.*

*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:*

- “ *The Chair commented that the Township had not had a chance to review the plans.*
- “ *Member Vandergeest stated his support for a deferral for staff to review the plans.*
- “ *Member Vivian commented that waterloo systems fit in a small area but that a lot grading plan was needed.*
- “ *The Chair inquired with the members if there was an appetite to defer the application.*

*The following motion was adopted:*

Motion # 16-16

MOVED by Mark Vandergeest and SECONDED by Douglas Hamilton

THAT Application No. A-21-16 be adjourned to a future Committee of Adjustment meeting pending review of septic and lot grading plans pertaining to staff comments.

CARRIED

2. **Variance Application No.:** A-22-16  
**Owner:** Ron Fitchett  
**Roll Number:** 4351 010 005 01210 0000  
**Municipal Address:** 3311 Fairgrounds Road

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

**Proposal:**

- " The approximately 8,090 square metres (2 acre) property is occupied by a dwelling and approximately four accessory buildings. The applicant would like to build an addition to one of the existing accessory structures.
- " The following variances are requested in order to permit the construction of the addition:
  1. A variance to permit an accessory structure size of 140.8 square metres (1,516 square feet) whereas Zoning By-law 2010-65, as amended, establishes a maximum accessory structure size of the lesser of 110 square metres (1,184 square feet) or 75% of the gross floor area of the principle building, for residential properties.

**Agency Comments:**

None

**Public Correspondence:**

None

**Staff Report D16-034:**

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 that he was going to clean up the outside of the garage and that he can move on of the accessory structures are they are portable.

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 Vandergeest asked staff if the applicant should identify which accessory structure was to be removed from the property.
- " The Planner stated that she did not think it was necessary to pick one at this time.

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-22-16 (Fitchett)**

**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 an accessory structure size of 140.8 square metres (1,516 square feet) whereas Zoning By-law 2010-65, as amended, establishes a maximum accessory structure size of the lesser of 110 square metres (1,184 square feet) or 75% of the gross floor area of the principle building, for residential properties.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 19<sup>th</sup> day of July, 2016:

**DECISION: APPROVED**

**SUBJECT TO THE FOLLOWING CONDITIONS:**

1. Municipal Taxes to be paid to date.
2. That the existing on the property shall be preserved and enhanced as much as possible.
3. That the property be brought up to an acceptable standard under the Township's Clean and Clear By-law prior to closing the Building Permit or within 2 years from the date of this decision, whichever comes first.
4. That the property contains a maximum number of three accessory structures prior to closing the Building Permit or within 2 years from the date of this decision, whichever comes first.
5. That the construction is in substantial compliance with the plans submitted with the Application.

**EFFECT** of written and oral submissions on the decision: None.

**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.

**3. Minor Variance Application No.:** **A-23-16**  
**Owner:** **Brad Warren**  
**Agent:** **Couper Construction**  
**Roll Number:** **4351 050 003 84700 0000**  
**Municipal Address:** **2024 Beman Point Lane**

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

***Proposal:***

- É The approximately 3,720 square metres (0.92 acres) property currently supports a dwelling, boathouse and two other accessory structures.
- É The existing dwelling has a front yard setback of 14.5 metres, measured at the closest point from the shore. The owners are looking to redevelop the property by constructing a new dwelling.
- É The following variance is requested in order to permit the construction of the new dwelling:
  1. A variance to permit the construction of a dwelling with a front yard setback of 15.5 metres whereas Zoning By-law 2010-65, as amended, states the minimum permitted front yard setback for the Shoreline Residential Three (SR3) Zone is 20 metres.

**Agency Comments:**

None

**Public Correspondence:**

A letter was received from Malcolm and Michele Sexsmith, 2044 Beman Point Lane submitted a letter in support of the minor variance and stating: "The terrain on our properties often makes it very difficult to comply with the 20 metre setback. Furthermore his proposed 15.5 metre setback is in line with other residents in the vicinity."

**Staff Report D16-035:**

*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 property owner was present stated that he looked at moving forward or sending back the cottage but due to the topography of the land another location did not work.*

*The Chair asked if anyone in the audience had any comments on this application:*

- " Chefurka, Tannis Anne, 2010 Beman Point Lane, stated her approval of the proposal.

*The Chair asked if there were any other comments from anyone in the audience, 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 property owner was asked if he was aware of the proposed conditions and was in agreement with them. The property owner confirmed this. The Chair then called for a vote on the application.

**DECISION – APPROVE**  
**Variance Application A-23-16 (Warren)**

**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 construction of a dwelling with a front yard setback of 15.5 metres whereas Zoning By-law 2010-65, as amended, states the minimum permitted front yard setback for the Shoreline Residential Three (SR3) Zone is 20 metres.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 19<sup>th</sup> day of July, 2016:

**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 following the redevelopment of the property, with particular attention paid to the existing mature vegetation within the front yard setback.
3. That the construction is in substantial compliance with the plans and drawings submitted with the Application.

**EFFECT** of written and oral submissions on the decision: None.

**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**

<b>4. Consent Application No.:</b>	<b>B-07-16</b>
<b>Owner:</b>	<b>William Kent</b>
<b>Applicant/Agent:</b>	<b>Vern Pedersen</b>
<b>Roll Number:</b>	<b>4351 010 008 52200 0000</b>
<b>Municipal Address:</b>	<b>3251 Lake St. George Boulevard</b>

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

**Proposal:**

- É The property is approximately 5,261 square metres (1.3 acre) in size with 43 metres (142 feet) of frontage on Lake St. George.
- É The property contains a dwelling and associated accessory structures. Additionally, the property contains an existing park land right of way for water access benefitting some of the back lots along Lake St. George Boulevard.
- É The applicant is requesting consent to create a legal right of way over a portion of the property for vehicular access measuring approximately 4 metres (13 feet) in width and 90 metres (295 feet) long over the existing shared driveway access for both 3259 and 3251 Lake St. George Boulevard which would benefit 3259 Lake St. George Boulevard, legally described as Lot 27, Plan 916.

**Agency Comments:**

None

**Public Correspondence:**

None

**Staff Report D16-036:**

*The Planner provided a brief summary of the staff report and provided some commentary on the water and sewer capacity in Coldwater and that minor infilling was permitted.*

*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 had nothing to add.*

*The Chair asked if there were any comments from anyone in the audience, 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:*

- É *Member Vandergeest commented that a Right of Way cannot be reneged.*

*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**  
**Consent Application B-07-16 (Kent)**

**THE PURPOSE and EFFECT** of the application is:

Consent to create a right of way for vehicular access measuring approximately 4 metres (13 feet) in width and 90 metres (295 feet) long over the existing shared driveway access to benefit the property municipally known as 3259 Lake St. George Boulevard.

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

issues the following Decision on the 19<sup>th</sup> day of July, 2016:

**DECISION: PROVISIONALLY APPROVED**

**SUBJECT TO THE FOLLOWING CONDITIONS:**

1. A reference plan of the right-of-way shall be prepared and duly registered by an Ontario Land Surveyor and one copy filed with the Secretary-Treasurer of the Committee. The draft reference plan shall be provided to the Secretary-Treasurer for approval prior to registration.
2. A copy of the electronic registration ~~to~~ preparation+draft deed for the granting of right-of-way shall be provided to the Secretary-Treasurer of the Committee together with a signed Acknowledgement and Direction so that the consent certificate may be issued.
3. That the owner~~s~~ solicitor shall ensure that the right-of-way is legally added and appurtenant to the property known municipally as 3259 Lake St. George Blvd., Lot 27, Plan 916.
4. Section 50 of the Planning Act, R.S.O. 1990, shall apply to any subsequent conveyance of or transaction involving the parcel of land that is subject of this consent.
5. Municipal taxes shall be paid in full up to the date of request of issuance of the consent certificate.
6. That all fees and disbursements (legal, engineering, planning), if any, incurred by the Township with respect to this application shall be paid for by the owner.
7. The Conditions set out herein shall be completed within one year of the date of this Decision.

EFFECT of written and oral submissions on the decision: None.

THE REASONS for the Committee's Decision are that the proposed consent is in keeping with the Township's Official Plan and Zoning By-law, is consistent with the 2014 Provincial Policy Statement, will provide for the orderly development of the Township and does not fall under the exclusive consideration of Section 51 of the Act.

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

**CARRIED**

**E. REPORTS FROM OFFICIALS**

*NONE*

**F. CORRESPONDENCE**

*NONE*

**G. OTHER BUSINESS**

**1. Implementation of Changes to the Planning Act – Bill 73**



The planner gave a brief overview of Report D16-037 regarding the recent changes to the *Planning Act*.

*The following motion was adopted:*

*Motion # 16-17*

*MOVED by Allen Vivian and SECONDED by Emily Silk*

*THAT Development Report D16-037 dated July 14, 2016 with respect to Implementation of Changes to the Planning Act – Bill 73 be received as information.*

**CARRIED**

#### H. ADJOURNMENT

*The following motion was adopted:*

*Motion # 16-14*

*MOVED by Bill Hill and SECONDED by Mark Vandergeest*

*THAT the Committee of Adjustment meeting be adjourned at 7:45 p.m. on July 19<sup>th</sup>, 2016. The Committee will reconvene at 7:00 p.m. on August 16<sup>th</sup>, 2016 unless the Secretary-Treasurer has not received a complete application for the Committee's consideration.*

**CARRIED**

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*Katie Mandeville, Secretary-Treasurer*