

MINUTES OF THE MEETING OF THE COMMITTEE OF ADJUSTMENT HELD IN THE ADMINISTRATION OFFICE, 1024 HURLWOOD LANE, TUESDAY, JUNE 21st, 2016 AT 7:00 P.M.

<p><i>Present: Chair</i></p> <p><i> Members</i></p>	<p><i>Douglas Hamilton</i></p> <p><i>Emily Silk</i></p> <p><i>Mark Vandergeest</i></p> <p><i>Bill Hill</i></p> <p><i>Allen Vivian</i></p>
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<p><i>Staff: Secretary-Treasurer, Planner</i></p> <p><i> Director of Planning & Development</i></p>	<p><i>Katie Mandeville</i></p> <p><i>Andrew Fyfe</i></p>
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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

NONE

C. ADOPTION OF MINUTES

The following motion was adopted:

Motion # 16-13

MOVED by Mark Vandergeest and SECONDED by Bill Hill

THAT the Minutes of the Committee of Adjustment meeting held in the Council Chambers on May 17th, 2016 be adopted as printed and distributed, with the following amendments:

That wording identified on Page #6 (of the agenda package) which reads: "The Director of Planning & Development stated that if the applicant wanted a new entrance he would need to apply and the Township would do the work to install one" be changed to: "The Director of Planning & Development stated that when the property is issued a roll number, it would trigger the Township to require a new entrance permit to the property".

CARRIED

D. ADJOURNED APPLICATIONS

NONE

E. NEW APPLICATIONS

1. Variance Application No.: A-12-16
Owner: Eric Berge
Applicant: Cathrine Berge
Roll Number: 4351 050 004 05300 0000
Municipal Address: 1114 Frankland Lane

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

Proposal:

- " The approximately 0.32 hectare (0.81 acre) property supports an existing single detached dwelling with an attached deck and two small accessory structures.
- " The existing dwelling is located approximately 6.4 metres from the water.
- " The owners wish to demolish the existing cottage and outbuildings in order to move the dwelling and accessory structure from the neighbouring property at 1130 Frankland Lane onto the subject property.
- " The following variances are requested:
 1. A variance to permit a front yard setback of 16.7 metres (55 feet) for the dwelling whereas Zoning By-law 2010-65 states the minimum front yard setback is 20 metres (65.62 ft.) in the Shoreline Residential Three (SR3) Zone.
 2. A variance to permit a dry land boathouse with a maximum height of 6.07 metres (19.9 feet) whereas Zoning By-law 2010-65 stated the maximum height of a boathouse is 4.5 metres.

Agency Comments:

None

Public Correspondence:

None

Staff Report D16-024:

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 made a comment regarding the height variance, that the topography changes at the proposed location would make the structure look lower despite the increase.

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 applicant was asked if she 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-12-16 (Berge)

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 front yard setback of 16.7 metres (55 feet) for the dwelling whereas Zoning By-law 2010-65 states the minimum front yard setback is 20 metres (65.62 ft.) in the Shoreline Residential Three (SR3) Zone.
2. A variance to permit a dry land boathouse with a maximum height of 6.07 metres (19.9 feet) whereas Zoning By-law 2010-65 stated the maximum height of a boathouse is 4.5 metres.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 21st day of June, 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.
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

2. Variance Application No.:	A-13-16
Owner:	Russell & Debbie Polden
Roll Number:	4351 010 009 15700 0000
Municipal Address:	3342 Muskoka Street

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

Proposal:

- É The approximately 1,134.36 square metres (12,210 sq. ft.) property is located on the southwest corner of the intersection of Muskoka and Albany Streets and contains a dwelling and small accessory structure.
- É The property is connected to municipal services.

É The variance requested is to allow for the construction of a new garage and breezeway to connect to the existing single family dwelling.

É The following variances are requested:

1. A variance to permit an exterior yard setback of 1.06 metres (3.5 feet) whereas Zoning By-law 2010-65, provides for a minimum exterior yard setback of 7.5 metres for the Residential One (R1) Zone.
2. A variance to permit a maximum lot coverage of 35% whereas Zoning By-law 2010-65, provides for a maximum lot coverage of 30% for the Residential One (R1) Zone.
3. A variance to permit a maximum accessory structure lot coverage of 10% whereas Zoning By-law 2010-65, provides for a maximum accessory structure lot coverage of 5%.

Agency Comments:

None

Public Correspondence:

None

Staff Report D16-025:

The Director of Planning & Development 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 applicants were 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 Vandergeest stated that he felt the setback variance was very close to the Township road and did not leave a lot of room for snow clearing.*
- " Member Vandergeest inquired if the Township would permit an additional entrance to the property off of Muskoka Street to permit additional parking once the structure was completed.*
- " The Director of Planning & Development stated that a second entrance would be permitted as long as it was 9 metres from the corner, given the property's frontage on Muskoka Street he believed that could be accommodated.*
- " Member Vandergeest inquired as to where the municipal servicing for the property was located.*
- " The property owners identified the location of the water main in one of the photographs projected on the screen.*

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

DECISION – APPROVE
Variance Application A-13-16 (Polden)

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 exterior yard setback of 1.06 metres (3.5 feet) whereas Zoning By-law 2010-65, provides for a minimum exterior yard setback of 7.5 metres for the Residential One (R1) Zone.
2. A variance to permit a maximum lot coverage of 35% whereas Zoning By-law 2010-65, provides for a maximum lot coverage of 30% for the Residential One (R1) Zone.
3. A variance to permit a maximum accessory structure lot coverage of 10% whereas Zoning By-law 2010-65, provides for a maximum accessory structure lot coverage of 5%.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 21st day of June, 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.
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

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| 3. Minor Variance Application No.: | A-14-16 |
| Owner: | Linda & Rob Zavarella |
| Roll Number: | 4351 050 002 50000 0000 |
| Municipal Address: | 4221 Delta Road |

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

Proposal:

- É The approximate 0.72 hectare (1.79 acre) property is currently occupied by a dwelling and three accessory structures.

- É The applicant would like to construct a new deck at the front of the cottage where there is currently a door without a landing or stairs.
- É The following variance is requested in order to permit the construction of the new deck:
1. A variance for a front yard setback of 14.9 metres (49 feet) at the closest point to the shore for an attached deck whereas Zoning By-law 2010-65, as amended, states that the minimum front yard setback for the Shoreline Residential Three (SR3) Zone is 20 metres (66 feet).

Agency Comments:

None

Public Correspondence:

None

Staff Report D16-026:

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 applicants were 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: None.

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

**DECISION – APPROVE
Variance Application A-14-16 (Zavarella)**

THE PURPOSE and EFFECT of the application is:

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

1. A minor variance for a front yard setback of 14.9 metres (49 feet) at the closest point to the shore for an attached deck whereas Zoning By-law 2010-65, as amended, states that the minimum front yard setback for the Shoreline Residential Three (SR3) Zone is 20 metres (66 feet).

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 21st day of June, 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.
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

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| 4. Minor Variance Application No.: | A-15-16 |
| Owner: | Harold Gamble &
Debbie Withehouse |
| Roll Number: | 4351 010 007 48800 0000 |
| Municipal Address: | 3404 Highview Avenue |

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

Proposal:

- É The lot area is approximately 1,334.56 square metres (14,365 sq. ft.) and contains an existing single detached dwelling.
- É The property owners wish to construct a new garage within the exterior yard adjacent to Cumberland Road.
- É The following variance is requested in order to permit the construction of a new detached garage:
 1. A minor variance for a new detached garage with an exterior yard setback of 3.05 metres (10 feet), whereas Zoning By-law 2010-65, as amended states that for the Residential One (R1) Zone the minimum exterior yard setback is 7.5 metres (24.6 feet).

Agency Comments:

None

Public Correspondence:

None

Staff Report D16-027:

The Director of Planning & Development 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 applicants were 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: None.

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

DECISION – APPROVE
Variance Application A-15-16 (Gamble / Whitehouse)

THE PURPOSE and EFFECT of the application is:

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

1. A minor variance for a new detached garage with an exterior yard setback of 3.05 metres (10 feet), whereas Zoning By-law 2010-65, as amended states that for the Residential One (R1) Zone the minimum exterior yard setback is 7.5 metres (24.6 feet).

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 21st day of June, 2016:

DECISION: APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Municipal Taxes to be paid to date.
2. Except for trimming of the hedge adjacent to the municipal road allowances in accordance with the requirements of the Department of Public Works requirements, 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

5. Minor Variance Application No.:
Owner:
Applicant:

A-16-16
Brett Bandula
Linx Contracting

Roll Number:
Municipal Address:

4351 050 004 06600 0000
1250 Frankland Lane

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

Proposal:

- É The approximately 0.66 hectares (1.63 acres) property currently supports a dwelling, boathouse and two other accessory structures.
- É The existing dwelling has a front yard setback of 13.8 metres, measured at the closest point from the shore.
- É The owners are looking to redevelop the property by constructing a new dwelling with an attached garage and removing the existing garage and shed.
- 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 16.7 metres for an attached deck and three season room 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 of correspondence was received from Elizabeth McGill & Jim Turpel, 1230 Frankland Lane, stating that they did not have any objections to this proposal.

Staff Report D16-028:

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: None.

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-16-16 (Bandula)

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 16.7 metres for an attached deck and three season room 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 21st day of June, 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, particularly within the front yard between the new dwelling and water's edge.
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

6. Minor Variance Application No.:	A-17-16
Owner:	Francesco Lomonaco & 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 outlined the application(s) and the correspondence received, as follows:

Proposal:

- É The approximately 1,092 square metres (0.27 acre) property is occupied by a single detached dwelling and a detached garage which is currently under construction.
- É The variance requested is to allow for the replacement of the existing dwelling which dwelling is located 4.4 metres to the nearest wall-face and 2.7 metres to the attached deck from the shore and 1.08 metres to the interior lot line.
- É The property owners would like to replace the existing cottage with a new dwelling utilizing the majority of the existing footprint, shifting the dwelling slightly away from the interior lot line and the attached deck will be pushed further back to maintain the same setback as the dwelling.

É The following variances are requested in order to permit the reconstruction of the dwelling:

1. A variance to permit a front yard setback of 4.4 metres to the main dwelling wall and an attached deck whereas Zoning By-law 2010-65 states the minimum front yard setback is 20 metres and the interior yard setback is 2 m in the SR2 Zone.
2. A variance to permit an interior yard setback of 1.5 metres for the dwelling whereas Zoning By-law 2010-65 states the minimum interior yard setback is 2 metres in the SR2 Zone.

Agency Comments:

None

Public Correspondence:

None

Staff Report D16-029:

The Director of Planning & Development 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 applicants were 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: None.

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

DECISION – APPROVE
Variance Application A-17-16 (Lomonaco / Labelle)

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 front yard setback of 4.4 metres to the main dwelling wall and an attached deck whereas Zoning By-law 2010-65 states the minimum front yard setback is 20 metres and the interior yard setback is 2 m in the SR2 Zone.
2. A variance to permit an interior yard setback of 1.5 metres for the dwelling whereas Zoning By-law 2010-65 states the minimum interior yard setback is 2 metres in the SR2 Zone.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 21st day of June, 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.
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

7. Minor Variance Application No.: A-18-16
Owner: Olive Gottschalk and Patricia Kubilis
Applicant: Lauren & William Kubilis
Roll Number: 4351 050 003 70100 0000
Municipal Address: 2800 Maclean Lake North Shore Road

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

Proposal:

- É The approximately 0.53 hectare (1.33 acre) property supports an existing single detached dwelling with attached decking and two small accessory structures.
- É The owners wish to demolish the existing cottage and construct a new dwelling utilizing a large portion of the existing dwelling footprint.
- É The existing dwelling has a setback of 7.2 metres to the attached deck and 10.0 metres to the main dwelling from the shore.
- É The following variance is requested in order to permit the construction of the new dwelling:
 1. A variance to permit a front yard setback of 8.0 metres for an attached deck and 10.0 metres to the dwelling wall 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:

None

Staff Report D16-030:

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 – an applicant, Lauren Kubilis, 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: None.

The Chair asked the Secretary-Treasurer to review the proposed conditions of the decision. The applicant was asked if they she 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-18-16 (Gottschalk / Kubilis)

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 front yard setback of 8.0 metres for an attached deck and 10.0 metres to the dwelling wall 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 21st day of June, 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, particularly within the first 20 metres of the shoreline.
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

8. **Minor Variance Application No.:** A-19-16
Owner: P. Alex Muiser
Roll Number: 4351 050 006 23500 000
Municipal Address: 1318 Laughlin Falls Road

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

Proposal:

- É The approximately 0.3 hectare (0.76 acre) property supports an existing single detached dwelling and one accessory structure.
- É The property is bordered by the North River and a small tributary, the waterways and banks are zoned Environmental Protection (EP) with the remainder of the property zoned Rural (RU).
- É The following variance is requested in order to permit the construction of the addition:
 1. A variance to permit a front yard setback of 0.0 metres for an addition to the main dwelling whereas Zoning By-law 2010-65 states that the minimum front yard setback for the Rural (RU) Zone is 7.5metres (24.6 ft.).

Agency Comments:

None

Public Correspondence:

None

Staff Report D16-031:

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: 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-19-16 (Muiser)**

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 front yard setback of 0.0 metres for an addition to the main dwelling wall whereas Zoning By-law 2010-65 states the minimum front yard setback for the Rural (RU) Zone is 7.5 metres (24.6 ft.).

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 21st day of June, 2016:

DECISION: APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Municipal Taxes to be paid to date.
2. That the property owner undertakes to have the front lot line confirmed by an Ontario Land Surveyor to ensure the building is built fully on the applicant's property without an encroachment onto the municipal road allowance.
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

9. Minor Variance Application No.:	A-20-16
Owner:	Kerry Armstrong & Jim Marshall
Agent:	Rick McCann
Roll Number:	4351 010 009 05075 0000
Municipal Address:	4087 Cambrian Road

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

Proposal:

- É The approximately 1.8 hectare (4.45 acre) property is currently vacant.
- É The property owners would like to build a new dwelling with a garage attached by an unenclosed breezeway.
- É The following variance is requested in order to permit the construction of the new garage:
 1. A variance to permit a maximum accessory structure (garage) size of 119 square metres (1,280 sq. ft.) whereas Zoning By-law 2010-65 states an accessory structure shall not exceed the lesser of 75% of the gross floor area of the principle dwelling or 110 square metres.

Agency Comments:

None

Public Correspondence:

None

Staff Report D16-032:

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 – one of the property owners, Kerry Armstrong, was present and had nothing to add.

The Chair asked if anyone else in the audience had any comments on this application, the comments were as follows:

- É Bobby Hawkins, 3939 Canal Road commented that he and his wife had come in support of the application for their new neighbours.

The Chair asked if anyone else 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 property owner was asked if she 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-20-16**

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 maximum accessory structure (garage) size of 119 square metres (1,280 sq. ft.) whereas Zoning By-law 2010-65 states an accessory structure shall not exceed the lesser of 75% of the gross floor area of the principle dwelling or 110 square metres.

The Committee has considered the Application and, based upon the evidence provided, issues the following Decision on the 21st day of June, 2016:

DECISION: APPROVED

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Municipal Taxes to be paid to date.

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

NONE

F. CORRESPONDENCE

NONE

G. OTHER BUSINESS

NONE

H. ADJOURNMENT

The following motion was adopted:

Motion # 16-14

MOVED by Bill Hill and SECONDED by Emily Silk

THAT the Committee of Adjustment meeting be adjourned at 7:59 p.m. on June 21st, 2016. The Committee will reconvene at 7:00 p.m. on July 19th, 2016 unless the Secretary-Treasurer has not received a complete application for the Committee's consideration.

CARRIED

Katie Mandeville, Secretary-Treasurer