THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI
COMMITTEE OF ADJUSTMENT

AGENDA

Thursday, April 25, 2019, 1:00 P.M.
Main Level Chambers

An audio recording of the Open Session of this meeting is being made and will be available through the Municipal Website as a public service to further enhance access to municipal government services and to continue to promote openness and transparency. As a visitor, your presence along with your name and address, may be recorded revealed during certain parts of the meeting. Any comments made at a meeting will become part of the public record.

Pages

1. CALL TO ORDER

1.1 **Appointment of Chair**

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

2. ADOPTION OF THE AGENDA

2.1 **Adoption of the Agenda dated April 25, 2019**

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

3. ADOPTION OF THE MINUTES

3.1 **Adoption of the Minutes from the November 22, 2018 meeting.** 1

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

4. DECLARATION OF CONFLICT OF INTEREST

5. DEFERRED APPLICATIONS
None

6. ADJOURNED APPLICATIONS
None

7. NEW APPLICATIONS

7.1 **Application No. MV-19-01** 5
Applicant: John. O. Shepard & Mary S. Shepard

Property Location: 2 Lake Temagami Island 1176

THE PURPOSE of the application is: to permit the construction of a new cottage that does not meet the minimum required setback from the shore. The proposed new cottage is

replacing an existing cottage in approximately the same location.

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

8. ITEMS FOR INFORMATION

None

9. NEXT MEETING DATE

10. ADJOURNMENT

Draft Motion:
BE IT RESOLVED THAT The April 25, 2019 Committee of Adjustment meeting be adjourned at p.m.

The Corporation of the Municipality of Temagami
COMMITTEE OF ADJUSTMENT
The Municipality of Temagami Theatre
November 22, 2018 at 1:00 pm
DRAFT MINUTES

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

Committee of Adjustment Members: Jim Hasler, Cathy Dwyer, Claire Rannie, and Barry Graham.
Staff: Secretary-Treasurer: Tammy Lepage; Planner: Jamie Robinson (by phone);
Absent: Nicole Brooker (With Notice) Ron Prefasi (With Notice), Barret Leudke (With Notice), Bruce Rice (With Notice) & Gary Cline (With Notice),
Members of the Public: 2

Call to Order
The Secretary Treasurer called the meeting to order at 1:00 pm.

In the absence of the Chair, the consensus of the Committee passed the following motion:
18-23
MOVED BY: C. Dwyer
SECONDED BY: J. Hasler
BE IT RESOLVED THAT the Committee of Adjustment appoint Barry Graham as Chair for this meeting.
CARRIED

The Chair introduced the Committee members.

The Secretary-Treasurer read out the meeting procedures.

Adoption of Agenda
18-24
MOVED BY: C. Rannie
SECONDED BY: C. Dwyer
BE IT RESOLVED THAT the agenda dated November 22, 2018 be adopted as presented.
CARRIED

Approval of Minutes
18-25
MOVED BY: C. Dwyer
SECONDED BY: C. Rannie
BE IT RESOLVED THAT the minutes of the Committee of Adjustment meeting held October 25, 2018 be adopted presented.
CARRIED

Declarations of Conflict of Interest
Cathy Dwyer declared as she is the contractor for the applicant.

Deferred Application
None.

P. Townes joined the meeting by phone at 1:08 p.m.

New Applications

1) Application No. MV-18-06

Applicant: Duff Ryan on behalf of Tarik Muzaffar and Annette Niebuhr

Property Location: 20 Lake Temagami Island 1119

THE PURPOSE of the Application is: to permit the construction of multiple additions to an existing cottage that is located within the Shoreline Activity Area and to permit additions that do not meet the minimum required setback from the shore. The proposed additions are located to the side and to the rear of the existing cottage.

THE EFFECT of the Application is: to vary the following sections of the Zoning By-law: **Section 6.28** – To permit an expansion of a legal non-complying dwelling that is located partially within the Shoreline Activity Area. The existing cottage is 103.5 square metres (1,114 square feet) in size and the proposed additions total 110.5 square metres (1,189 square feet) in size; **Section 6.40** – To permit an increase in the maximum area of structures within the Shoreline Activity Area of 135 square metres where 100 square metres is permitted; **Section 7.4.2** Any dwelling unit a) – To permit an addition to the existing cottage that is located 6.0 metres from the shore; and to permit a covered deck that is located 4.0 metres from the shore, where 15.0 metres is required; **Section 7.4.2** The lot g) – To permit a maximum lot coverage 10.5% where a maximum lot coverage of 8% is permitted.

Presentation of the Applications

The Committee had received a copy of the application and the Planning Report from MHBC Planning dated November 13, 2018, with the meeting package. Patrick Townes of MHBC attended by telephone and summarized the application with a power point presentation for the Committee. He explained the four test of the minor variance as per s. 45 of the *Planning Act*, and that the intent of the Official Plan and zoning by-law has not been met with the proposed addition to the north side of the cottage. The proposed development did not meet the minimum distance of 15 metres from the shore, the 100 square metres of maximum area of structures permitted within the Shoreline Activity Area (SAA) and the expansion of an existing legal non-complying dwelling would require a variance to the above noted sections of the zoning by-law. He further explained that based on the updated materials provided by the Agent, which was submitted after the planning report was compiled. His review of the application, the application does not satisfy the four tests for the proposed development on the north side of the cottage and recommends the variance be deferred.

Correspondence Included in the Packages

- Correspondence from Timiskaming Health Unit dated November 8, 2018 – no objections subject to no increase of bedrooms as the Class 4 sewage system was installed in 2015 can service a maximum of four bedrooms.

Correspondence Received After Packages Were Compiled

The Secretary-Treasurer read out the correspondence below:

- Temagami Lakes Association received November 15, 2018 – objections subject to the request for further encroaching into the SAA. Request a condition be imposed to restrict the removal of vegetation and enter into a site plan agreement with the Municipality.
- Joe Wood received November 20, 2018 – no objections
- David Grannary dated November 22, 2018 – no objections

Presentation of the Application by the Applicant/Agent:

B. Graham moved away from the table at 1:33p.m to view the presentation from the applicant.

The Agent Duff Ryan and owner Tarik Muzaffar presented a PPT presentation including videos of the proposed development to the Committee. He spoke to the application and informed the Committee the reason for the proposed development in the location. Duff Ryan further explained that the viewscape will not change with the proposed development. He addressed the Timiskaming

DRAFT

Health Unit concerns regarding the maximum number of bedrooms that the Septic system could sustain. He confirmed that the cottage only has two bedrooms at this time. He advised the committee that in order to meet conformity with the by-law, the naturel trees surrounding the cottage would need to be cut down and the main importance of the applicant and agent is to preserve the trees and natural viewscapes. The owner Tarik Muzaffar spoke to the application, and informed the Committee that the proposed development is to meet the needs of the expanding family.

Barry Graham returned to the table at 1:44p.m.

Questions/Comments by other Property Owners:

- None.

Questions/Comments by Committee of Adjustment Members:

The Committee of Adjustment Members had the following questions/comments:

- Concerns that the corridor is to be widen as demonstrated in the model it appears to be expanded. The applicant addressed the concerns and the corridor will not be widened.
- Concerns with the colours of the chimney and the applicant informed the committee that the colours are to match the natural setting of the surroundings.
- Comment regarding that the cottage is legal non-conforming, and they are requiring is 1 metre closer than the existing cottage. P. Townes would like an opportunity to review all of the information that was provided at the meeting and would like to defer the applications.
- Concerns with continuation of the non-compliance.
- Comment majority of boat traffic is to the east of Rabbit Nose.
- Comment that the application be deferred until the larger scale maps are provided and the planner had an opportunity to review the materials provided by the applicants.

The Secretary-Treasurer went to seek guidance from the Treasurer/Administrator on procedure matter when quorum began with four members & one declaration of conflict was declared. (2:15 and returned at 2:20) The Secretary-Treasurer read from the Committee of Adjustment By-law that no decision of the Committee is valid unless the majority of the members that heard the application whether it being to grant, refuse or defer. .

A brief recess took place 2:20 and reconvened at 2:25 p.m.

Craig Davidson joined the meeting to provide advice to the Committee on the procedures for the Chair voting on a decision. Craig Davidson informed the Committee that the Chair can vacate his seat and as the Committee has not chosen a Vice Chair they can appoint another.

18-26
MOVEDBY: C. Rannie
SECONDED BY: B. Graham
BE IT RESOLVED THAT the Committee appoint Jim Hasler while Barry Graham vacates his Seat as Chair

CARRRIED

Discussion/Decision by Committee Members

J. Hasler did not concur with the decision of granting the application.

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

Application: MV-18-06

18-27
MOVED BY: B. Graham

DRAFT

SECONDED BY: C. Rannie
BE IT RESOLVED THAT
The Committee of Adjustment: Grants
Minor Variance Application: MV-18-06
Applicant: Duff Ryan on behalf of Tarik Muzaffar and Annette Niebuhr

Subject to the attached Notice of Decision.

CARRIED

B. Graham resumed his seat as Chair.

The notice of decision shall reflect that the variance shall be granted subject to: the variance only apply to the proposed addition as shown in the application sketch and that the applicant enter a site plan agreement amendment with the Municipality of Temagami.

The reason cited for this decision was that the application did not satisfy the four test for a minor variance established in Section 45 of the Planning Act. The committee considered the comments made in coming to their decision.

P.Townes was excused from the meeting at 2:29 p.m.

Adjourned Applications
None.

New Business
None.

Adjournment
18-28
MOVED BY: J. Hasler
SECONDED BY: C. Rannie
BE IT RESOLVED THAT the November 22, 2018 Committee of Adjustment meeting be adjourned at 2:35 p.m.

CARRIED

_____
Prepared by Tammy Lepage
Secretary-Treasurer Committee of Adjustment

DRAFT

MV-19-01

Applicants: Mary S. Shepard & John O. Shepard, 2 Lake Temagami Island 1176

Date: April 16, 2019

Subject Property

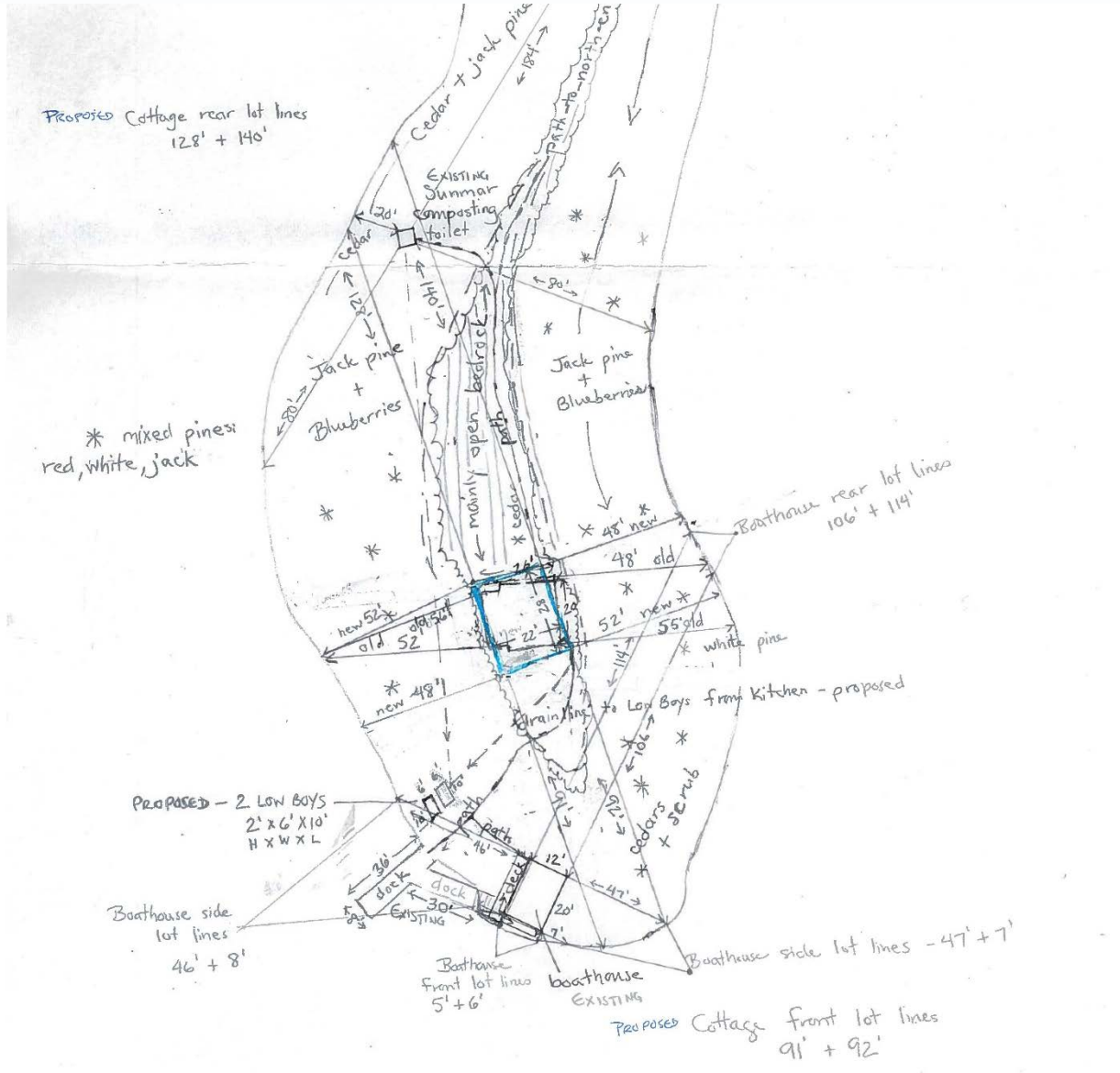
2 Lake Temagami Island 1176

Purpose and Effect of the Application

- **The purpose of the Application is:**
  - To permit the construction of a new cottage. A portion of the cottage is located within the Shoreline Activity Area (SAA) and within the minimum required distance from the shore required by the Zoning By-law.

- **The effect of the Application is:**
  - To permit a new cottage that is located14 metres from the shore on the west and east side of the island, where a setback of 15 metres from the shore is required. (Section 7.4.2 Any Dwelling Unit a)). The existing cottage is located 24 metres from the shore on the east side of the island.

Existing Development



The Four Test of a Minor Variance

Keep with the intent of the Official Plan

- Conforms with Section 2.17 – Development and retention of vegetative buffers to screen development from the shoreline.
- Conforms with Section 5.2.1- Provides direction to the land use within Lake Temagami Neighbourhood.
- Conforms with 5.3.2 – A broad range of permitted uses, including residential uses within the Lake Temagami Neighbourhood.

Keep with the intent of the Zoning By-Law

Section 7.4.2 Any Dwelling Unit a)

- The intent of the above provisions is to limit the amount of buildings/structures within proximity to the shoreline.
- The intent of the above provisions is also to implement the goals of the Official Plan, which protect the wilderness & semi-wilderness values.
- The proposed cottage meets the other standards of the R1 Lake Temagami Zone.

Will the variance provide for the desirable development of the land?

- The proposed variances would not change the existing land use;
- The existing building is screened by vegetation and the existing vegetation would appear to screen the new proposed cottage from the lake; and
- The proposed variance will provide for the desirable development of the land.

Is the variance minor?

- Based on the review of the three previous tests of a minor variance, the proposed variances could be considered minor.

Conclusion

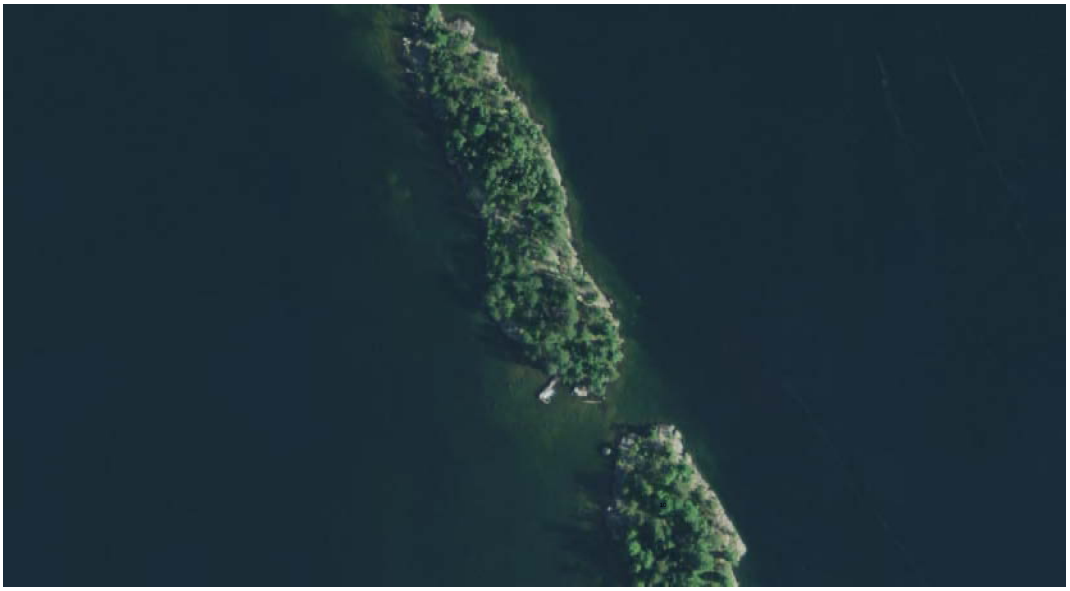
- Based on the Planning Consultant's review, the application meets the intent of the Official Plan, the intent of the Zoning By-law and is desirable. The Committee of Adjustment should be satisfied from their local knowledge, or a site visit that the variances are minor.

- Comments (**Will input if any are received.)**

Conditions

- The variances only apply as demonstrated in the application sketch.
- The Site Plan Agreement No. SPC-18-23 be amended.

Thank you



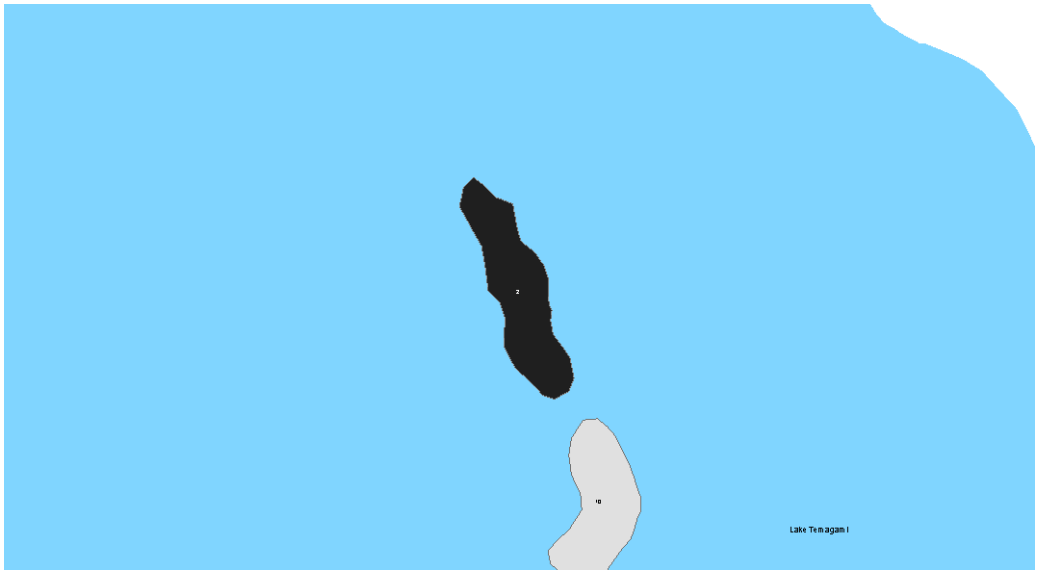
REPORT PREPARED FOR:	Committee of Adjustment	APPLICATION NUMBER:	MV-19-01
REPORT PREPARED BY:	Tammy Lepage	APPLICANT/OWNERS NAME:	John O. Shepard & Mary. S. Shephard
REPORT REVIEWED BY:	Jamie Robinson, BES, MCIP, RPP		
LOCATION:	2 Lake Temagami, Island 1176		
REPORT DATE:	April 16, 2019	APPLICATION TYPE:	Minor Variance

1. PROPOSAL BACKGROUND

John O. Shepard and Mary S. Shephard have submitted an application for a Minor Variance to permit the construction of a new cottage. The electronic application was received March 26, 2019, and the hard copy was received April 3, 2019. The subject property is locally known as 2 Lake Temagami, Island 1176, within the Municipality of Temagami. The subject property is shown in black on Figure 1 and Figure 2.

The Island has a length of 175 metres and a width of 45 metres with bedrock on the east and west side, limiting the potential cottage location. The applicants have altered the footprint of the proposed cottage compared to a previously prepared Site Plan Sketch that was provided to the Municipality.

FIGURE 1: SUBJECT PROPERTY



The purpose of the application is to permit the construction of a new cottage that is located partially within the Shoreline Activity Area (SAA), and that does not meet the minimum required setback from the shore.

The subject property has a lot area of 0.91 hectares and has a lot frontage of approximately 175 metres. The surrounding land uses include residential island uses. The subject property is currently developed with a 48.3 square metre cottage, a 22.3square metre boathouse, a 1.2 square outhouse, and a dock. The subject property is approximately 18.6 km away from the Lake Temagami Access Road as shown in Figure 2.

An excerpt from a sketch submitted with the application shows the existing development on the subject property, as detailed in Figure 3. The proposed cottage, at its closest point, is 14 metres from the shore (on the eastern side of the island), and located partially within the SAA. The SAA is the area of land within 15 metres of the shore.

FIGURE 2: DISTANCE TO THE LAKE TEMAGAMI

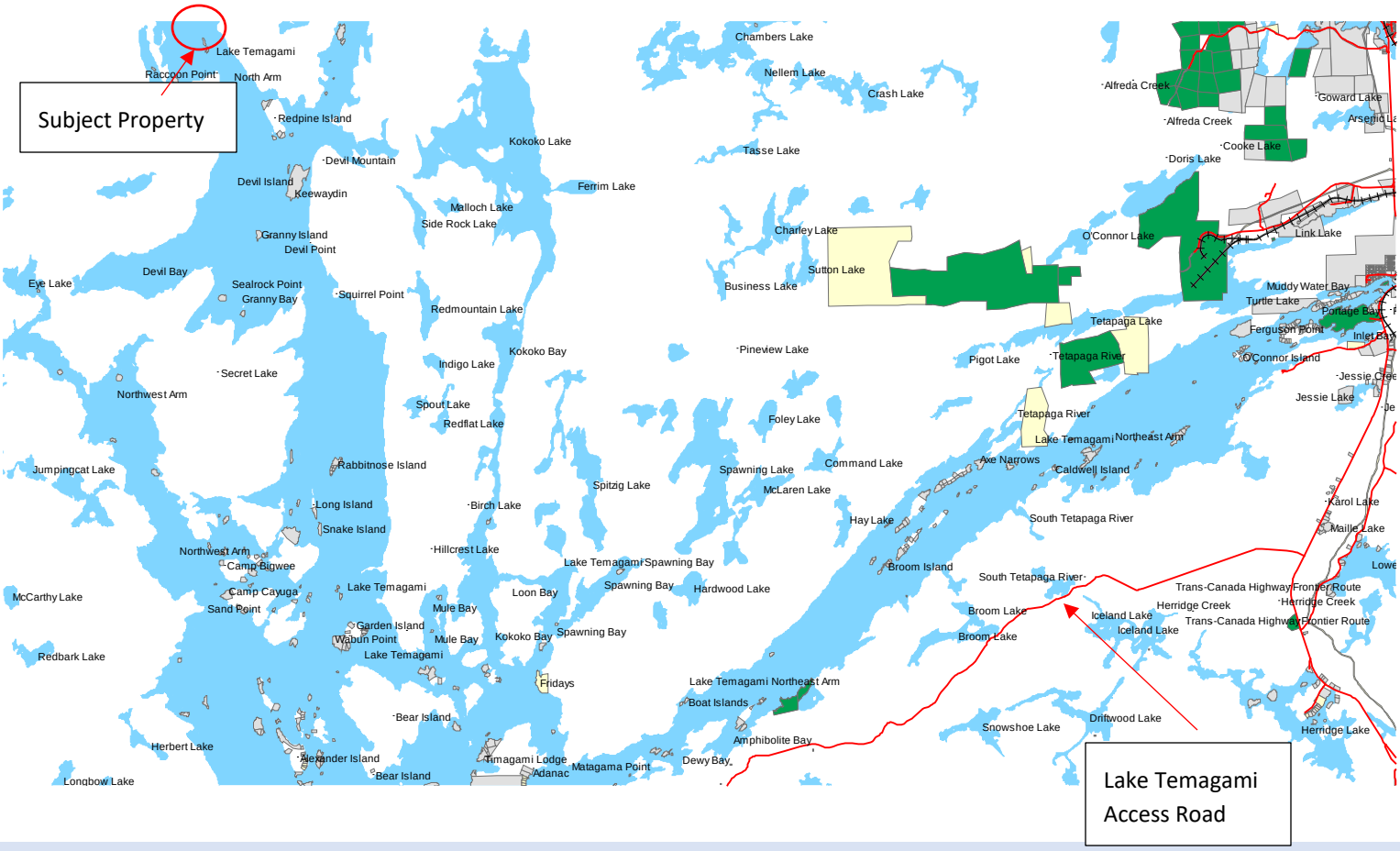
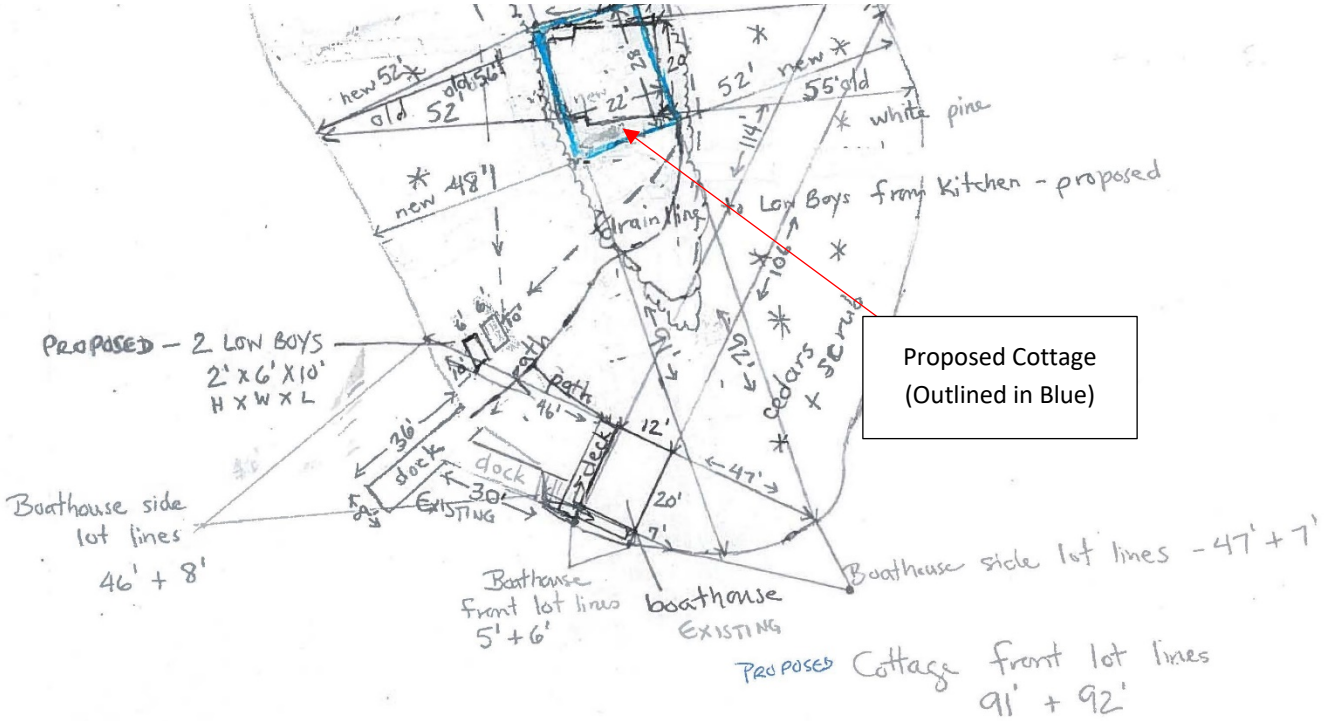


FIGURE 3: EXISTING/PROPOSED DEVELOPMENT



The subject property is located within the Lake Temagami Neighbourhood and is designated Special Management Area in the Municipality of Temagami Official Plan. The subject property is located within the Remote Residential (R1) Zone (Lake Temagami) in the Municipality's Zoning By-Law 06-650.

In order to accommodate the proposed development, variances to the following Sections of the Zoning By-law are required:

- Section 7.4.2 Any dwelling unit a) – To permit an addition to an existing cottage that is located 14 metres from the shore where a minimum setback of 15 metres is required.

2. THE FOUR TEST OF A MINOR VARIANCE

The Committee needs to be satisfied that the proposal is in-keeping with the "Four Tests" of a minor variance set out in the *Planning Act*. As part of the Minor Variance application Site Plan Application No. SPC-18-23 was completed the 17th day of December, 2018. A site visit was completed on November 9, 2018 by the Chief Building Official. All measurements on the submitted sketch have been confirmed accurate.

Based on the information provided in the application, we can provide the Committee, with planning information to assist the Committee in coming to their decision.

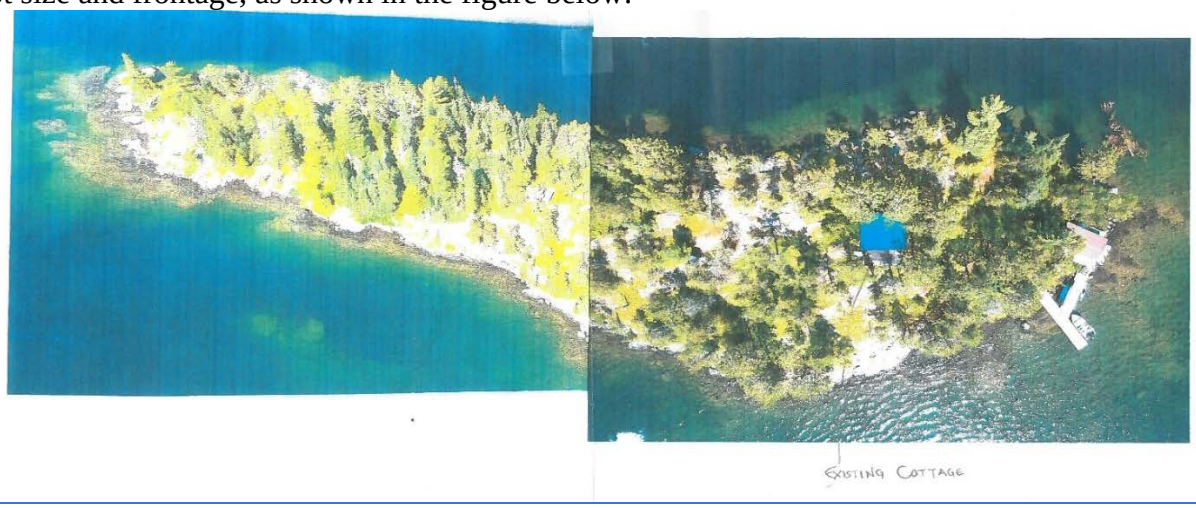
1. **Is the variance in-keeping with the intent of the Official Plan?**
The subject property is designated as Special Management Area in the Municipality of Temagami's Official Plan. Section 2.17 provides general policies, which guides development on waterfront properties. These policies promote development and preservation of vegetative buffers and screening from shorelines. Building coverage should be limited in relation to the lot size and frontage in an effort to maintain natural vegetation along the shoreline.

Section 2.14 "Cultural Heritage Features" and Section 9.24 "Complete Application" Section 2.14 "Cultural heritage features" & Section 9.24 "Complete application" were reviewed upon my return, as there are two known archaeological features approximately 350 metres away from the property. The subject property contains existing development, and for this reason, Municipal Staff do not recommend that an Archaeological Assessment be required.

Section 5.2.1 provides direction for land use in the Lake Temagami Neighbourhood and provides the following goals:

- To preserve the natural environment;
- To protect the wilderness and semi-wilderness values; and,
- To ensure the protection of the visual aesthetics.

The subject property appears to be well vegetation from the aerial photography and could provide for screening to minimize visual impact from the shoreline; as such, the proposed development appears to maintain the character of the shoreline. Although the exiting cottage is being slightly lengthened, the width is not increasing. The proposed cottage would appear to be appropriate in relation to the character of the area, lot size and frontage, as shown in the figure below:



Section 5.3.2 of the Official Plan permits residential uses within the Lake Temagami Neighbourhood, including permanent or seasonal single detached dwelling units on islands in Lake Temagami and accessory uses such as boat houses, docks and storage sheds, among others.

As per section 9.6.5 of the Official Plan the Temagami First Nation are to be circulated and notified of all planning and pre-consultation application proposed within the Municipality of Temagami. The Temagami First Nation was circulated on this application.

Based on the review of the policies in the Official plan, the proposed variance would meet the intent of the Official Plan.

2. **Is the variance in-keeping with the intent of the Zoning By-Law?**
   - Section 7.4.2 Any dwelling unit a) – To permit the construction of a new cottage that is located 14 metres from the shore, where a minimum setback of 15 metres is required.

   The required minimum distance from the shore is to ensure adequate setbacks of buildings from the shoreline to avoid erosion hazards, and to maintain the character of the area. The existing cottage is currently setback approximately 14 metres from the shore on the east side of the subject property, however, the new proposed cottage is proposed to slightly encroach into the required setback on the west side of the subject property (also 14 metres). The location for development on the island is limited, and the proposed cottage is situated in the general location of the existing cottage, and the vegetation will be maintained along the shoreline.

   Furthermore, all other standards of the Zoning By-law are met – including SAA coverage, overall lot coverage and building height.

   Based on a review of the provisions in the Zoning By-law, the proposed variance does appear to meet the intent of the Zoning By-law.

3. **Will the variance provide for the desirable development of the land?**
   The current use of the subject property is residential. The proposed variance is not changing the existing land use. The applicant seeks to demolish the existing 48.3 square metres, one storey cottage and replace it, with a 88.4 square metres (gross floor area), two story cottage, which will be located 14 metres away from the shoreline where a minimum 15 metres setback is permitted. The footprint of the proposed cottage is approximately 57 square metres. The existing cottage is located 14 metres from the shore on the eastern side of the island. The proposed cottage is also to be located 14 metres from the shore on the western side of the island.

   Although the cottage is being constructed to two storeys, the proposed height is permitted in the Zoning By-law (maximum 9 metres). The overall footprint of the cottage is only slightly increasing from the existing, and the location of the new cottage is in the same general location as the existing. The location of the cottage appears to be screened from the lake, and the site appears to be well vegetated. Areas for development on the subject property are limited, and the proposed location is appropriate for the building. The proposed variance will provide for the desirable development of the land.

4. **Is the variance minor?**
   The proposed variance is to permit the construction of a new cottage that is 14 metres from the shore, on the western and eastern side of the island. The reduction to the required setback can be considered minor based on the review of the previous three tests.

AGENCY COMMENTS:

- A copy of the Timiskaming Health Unit Certificate of Approval has been included in the application. Comment submission dated April 12, 2019 no objection to the variance, please note no Use permit has yet been issues by the Timiskaming Health Unit.
- Comment received from April 16, 2019 from Temagami First Nation, no issues or concerns.

3. CONCLUSION

Based on the review of the application, the Minor Variance meets the intent of the Official Plan, the intent of the Zoning By-Law and can be considered desirable development for the property.

The Committee of Adjustment with their local knowledge of the area, should be appeased that the variance to permit a new cottage within 14 metres of the shore (on the west and east sides of the subject property) is minor.

Should the variance be approved, a condition should be included that the Site Plan Amendment to SPC-18-23 be completed.

Tammy Lepage

From: Kathy Lamb <lambk@timiskaminghu.com>
Sent: April 12, 2019 11:20 AM
To: Tammy Lepage
Subject: Letter regarding minor variance MV-19-01
Attachments: TemLtrApr12 signed.pdf

Good morning Tammy,
Attached please find letter from John Dickinson, Chief Building Officer regarding minor variance.

Should you have any questions or concerns regarding the attached, please contact John at dickinsonj@timiskaminghu.com

Thank you.

RECEIVED
APR 12 2019

Kathy Lamb
Support Services
Timiskaming Health Unit
63 5th Street Englehart
New Mailing Address: P.O. Box 1090
NEW LISKEARD, ON P0J 1P0
705-544-2221 ext 5221
lambk@timiskaminghu.com

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Englehart Tel.: 705-544-2221 Fax: 705-544-8698
Kirkland Lake Tel.: 705-567-9355 Fax: 705-567-5476

www.timiskaminghu.com

April 12, 2019

The Corporation of the Municipality of Temagami
P.O. Box 220
TEMAGAMI, ON P0H 2H0
Email: planning@temagami.ca

ATTENTION: TAMMY LEPAGE, PLANNING CLERK/DEPUTY CLERK
SECRETARY-TREASURER, COMMITTEE OF ADUSTMENT

Re: Minor Variance Application No. MV-19-01, SRL Island 1176, Pcl 16619 Sec Nip, Cynthia Twp, Municipality of Temagami, District of Nipissing, Roll #: 4869 660 001 13000 0000, THU File No.: 18-535279

Dear Ms. Lepage:

An inspection of the above property for Certificate of Approval for installation of Class 5 sewage system had been conducted August 13, 2018. A Certificate of Approval had been issued by this office for Class 5 sewage system due to the extensive bedrock located on this property. Please note, no Use Permit has yet been issued by this office.

The Land Control Division of the Timiskaming Health Unit has no objection to the above variance.

Should you require any further information, please do not hesitate to contact me.

Sincerely,

John Dickinson,
Chief Building Officer

JD/kr

Tammy Lepage

From: Carolyn Laronde <carolyn.laronde@temagamifirstnation.ca>
Sent: April 16, 2019 10:10 AM
To: Tammy Lepage; Robin Koistinen
Subject: RE: MV-19-01 - Notice of Public Hearing

RECEIVED
APR 16 2019

Hi Tammy,

Robin Koistinen advises there are no issues/concerns.

Thank you,
Carolyn

From: Tammy Lepage <planning@temagami.ca>
Sent: April 11, 2019 10:17 AM
To: Robin Koistinen <robin.koistinen@temagamifirstnation.ca>
Cc: Carolyn Laronde <carolyn.laronde@temagamifirstnation.ca>
Subject: MV-19-01 - Notice of Public Hearing

Good morning,

Please find the attached Notice of Public Hearing for Application MV-19-01.

Sincerely,

Tammy Lepage, Planning Clerk/Deputy Clerk
7 Lakeshore Drive
P.O. Box 220
Temagami, ON P0H 2H0
Phone: 705-569-3421 Ext. 210
Fax: 705-569-2834
Email: planning@temagami.ca

THE CORPORATION OF THE
MUNICIPALITY OF TEMAGAMI
P.O. BOX 220
TEMAGAMI, ONTARIO P0H 2H0
(705) 569-3421
FAX: (705) 569-2834
E-MAIL: visit@temagami.ca
WEBSITE: www.temagami.ca

Municipality of Temagami
Committee of Adjustment
Notice of Decision

1. Application No.**: MV-19-01**

2. Applicant/ Owners: **Mary S. Shepard & John O. Shepard**

3. Date of Hearing: **April 25, 2019**

4. Date of Decision: **April 25, 2019**

5. Date of Notice of Application: **April 11, 2019**

6. Location and Legal Description of Property: **2 Lake Temagami Island 1176; PCL 16619 SEC NIP; Summer Resort Location island 1176 Cynthia in Lake Temagami.**

7. Decision

This is an application made under section 45(1) of the Planning Act RSO 1990, to permit:

a) To permit an addition to an existing cottage that is located 14 metres from the shore, where a minimum setback of 15 metres is required. . (S. 7.4.2 Any Dwelling Unit a))

The request is:

☐Granted subject to no conditions

☐Refused

☐Deferred

☐Adjourned

☐Granted subject to the following conditions:

8. Reasons:

The Committee of Adjustment has reviewed this application in accordance with the *Planning Act* and has made its decisions for the following reasons:

The decision does satisfies the four test for a minor variance established in Section 45 of the *Planning Act* as outlined in the planning report dated April 16, 2019.

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9. Comments received in writing and verbally at the meeting related to: comments received by: The Timiskaming Health Unit – no objections to the variance & The Temagami First Nation – no objections or concerns.

10. The comments received had the following effect on the decision:

a) The committee considered the application in coming to their decision.

Concur in the decision:

_____ _____ _____

Chair Barry Graham, Member

_____ _____

Bruce Rice, Member Cathy Dwyer, Member

_____ _____

Gary Cline, Member Dan Paradis, Member

_____

Nicole Brooker, Member

12. Notice for Last Day of Appeal

The last day for appealing this decision to the Local Planning Appeal Tribunal is **May 15, 2019.** The notice of appeal should be sent to the Municipality of Temagami. It must, (1) set out the reasons for the appeal, and (2) be accompanied by the fee prescribed under the Local Planning Appeal Tribunal Act in the amount of **$300.00**, payable to the Minister of Finance, Province of Ontario.

Only individuals, corporations or public bodies may appeal decisions in respect of applications for Minor Variances to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group.

Section 45 (14) of the Planning Act states that, "[i]f within 20 days no notice of appeal is given, the decision of the committee is final and binding."

Certified by:

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Tammy Lepage, Planning Clerk
Secretary-Treasurer, Committee of Adjustment

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