



THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI
COMMITTEE OF ADJUSTMENT

AGENDA

Thursday, July 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
2. ADOPTION OF THE AGENDA
 - 2.1 **Adoption of the Agenda dated July 25, 2019**
Draft Motion:
BE IT RESOLVED THAT the agenda dated July 25, 2019 be adopted as presented.
3. ADOPTION OF THE MINUTES
 - 3.1 **Adoption of the Minutes from the April 25, 2019** 1
Draft Motion:
BE IT RESOLVED THAT the minutes of the Committee of Adjustment meeting held April 25, 2019 be adopted presented.
4. DECLARATION OF CONFLICT OF INTEREST
5. DEFERRED APPLICATIONS
6. ADJOURNED APPLICATIONS
7. NEW APPLICATIONS
 - 7.1 **Application No. C-19-02** 5
Applicant: Nicole Poirier

Property Location: 852 Tonomo Lake Road

THE PURPOSE of the application is: to sever a new lot on the subject lands. The retained and severed lots are proposed to be used for tourist commercial uses. The subject lands are currently 1.6 hectares (3.95 acres) in lot area and each of the proposed lots will be 0.8 hectares (1.98 acres). The proposed retained lot will contain three cabins and the proposed severed lot will contain a dwelling and accessory buildings. The subject lands are located within the Tourist Commercial (TC) Zone. The proposed lot layout is shown on the attached key maps.

Draft Motion:
BE IT RESOLVED THAT

The Committee of Adjustment: Grants Refuses Deferrers

Consent Application: C-19-02

Applicant: Nicole Poirier

Subject to the attached Notice of Decision

7.2

Application No. MV-19-02

Applicant: John & Ronda Pecaric

Property Location: 16 Lake Temagami Island 1002

THE PURPOSE of the application is: to permit the construction of an addition to one of the existing sleep cabins on the subject property. The existing sleep cabin is located within the Shoreline Activity Area and is considered legal non-complying building, due to not meeting the minimum required setback from the shore. The subject property is located within the R1 Lake Temagami Zone.

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 non-complying sleep cabin that is located within the Shoreline Activity Area. The sleep cabin has a current size of 30.5 square metres (328.3 square feet) and is proposed to be expanded to 44.53 square metres (479.3 square feet) which is an increase of 14.03 square metres (151.0 square feet). A deck is also proposed to be attached to the sleep cabin and is 17.52 square metres (188.6 square feet) in size.

Section 6.40: To permit an increase in the maximum area of structures within the Shoreline Activity Area of 183 square metres (1,970 square feet) where 100 square metres (1076.4 square feet) is permitted.

Section 7.4.2 Any Sleeping Cabin without both bathroom and kitchen facilities a): To permit an addition to an existing sleep cabin that is located 8 metres (26.2 feet) from the shore on the north side of the subject property, and 8 metres from the shore on the west side of the subject property. The minimum setback is 15 metres (49.2 feet) from the shore and the existing sleep cabin is located 9 metres (29.5 feet) from the shore on the west side of the subject property and 11 metres (36.1 feet) from the shore on the north side of the subject property.

To permit a new deck attached to a sleeping cabin that is located 7 metres (23 feet) from the shore on the north side of the subject property.

Section 7.4.2 The Lot g): To permit a total lot coverage of 11% where a maximum of 8% is permitted. The existing total lot coverage on the subject property is 9.2%. The total lot coverage is proposed to be increased by 1.8% and exceed the maximum by 3%.

Draft Motion:

BE IT RESOLVED THAT

The Committee of Adjustment: Grants Refuses Deferrers

Minor Variance Application: MV-19-02

Applicant: John & Ronda Pecaric

Subject to the attached Notice of Decision

35

8. ITEMS FOR INFORMATION

9. NEXT MEETING DATE

10. ADJOURNMENT

Draft Motion:

BE IT RESOLVED THAT the July 25, 2019 Committee of Adjustment meeting be adjourned
at p.m.



**THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI
COMMITTEE OF ADJUSTMENT
DRAFT MINUTES**

April 25, 2019, 1:00 P.M.

Boardroom

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

PRESENT: (Chair) C. Dwyer, N. Brooker, B. Graham
ABSENT: D. Paradis (With Notice), G. Cline (With Notice), B. Rice (With Notice)
STAFF: Secretary-Treasurer: T. Lepage; Planner: J. Robinson (By Phone)
GUESTS: B. Lowery, S. Fournier

CALL TO ORDER

The Secretary-Treasurer called the meeting to order at 1:00 p.m. The meeting took a brief recess at 1:02 and resumed at 1:06p.m. in the Boardroom.

Appointment of Chair

19-01

MOVED BY: B. Graham

SECONDED BY: N. Brooker

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 Cathy Dwyer as Chair.

CARRIED

The Secretary-Treasurer introduced the Committee members.

The Secretary-Treasurer read out the meeting procedures.

ADOPTION OF THE AGENDA

Adoption of the Agenda dated April 25, 2019

19-02

MOVED BY: N. Brooker

SECONDED BY: B. Graham

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

CARRIED

ADOPTION OF THE MINUTES

Adoption of the Minutes from the November 22, 2018 meeting.

19-03

MOVED BY: B. Graham

SECONDED BY: C. Dwyer

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

DRAFT – COA Minutes April 25, 2019

CARRIED

DECLARATION OF CONFLICT OF INTEREST

None.

DEFERRED APPLICATIONS

None

ADJOURNED APPLICATIONS

None

J. Robinson joined the meeting by phone at: 1:12p.m.

NEW APPLICATIONS

Application No. MV-19-01

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.

Presentation of the Application:

The Committee had received a copy of the application and the Planning Report from MHBC Planning dated April 16, 2019, with the meeting package. Jamie Robinson 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*, He explained that the Island is very unique in size and the property is currently developed with a one story cottage of approx. 48 square metres, the proposed development slightly larger cottage overall approx.. gross floor area is estimated at 88 square metres and the height does comply with the current zoning by-law. He explained that on the Eastern side of the cottage has a setback of 14 metres from the shore that setback is to be maintained and not exceeded. The proposed structure is seeking on the Western side of the structure a 1 metre reduction in the 15 metre set back requirement in the zoning by-law. He further explained that the based on his review of the application, the application does satisfy the four tests of a minor variance and recommends the variance be approved.

Presentation of the Application by the Applicant/Agent:

The applicant or agent was not present at the hearing.

Questions/Comments by other Property Owners:

- Question from B. Lowery regarding section 2.17 - 6th bullet point of the Official Plan was reviewed as the height of the building should not accede the canopy; however, in favour of the application.

DRAFT – COA Minutes April 25, 2019

- J. Robinson informed the Committee that the proposed development is not seeking a variance from the maximum height requirement of 9 metres in the Zoning By and that the 6th bullet point under s.2.17 wasn't considered.

Questions/Comments by Committee of Adjustment Members:

- Comment regarding photographs being provided with all applications. The Secretary-Treasurer informed the Committee that the intake of the application was performed during her absence and upon her return she requested for photographs and informed the property owners that moving forward any future applications will require photographs.
- Comments regarding the application being incomplete.
- Comment regarding deferring the application until photographs are provided.
- J. Robinson informed the Committee that photographs are not required as part of a complete application for minor variance according to the Planning Act.

Correspondence Included in the Packages

- Correspondence from Timiskaming Health Unit dated April 12, 2019 - no objections.
- Correspondence from Temagami First Nation dated April 16, 2019 - no objections or concerns.

Correspondence Received After Packages were Compiled

The Secretary-Treasurer read out the correspondence below:

- Correspondence from Paul Tamburro dated April 18, 2019 - no issues with the proposed development.

Discussion/Decision by Committee Members:

The Committee members discussed the application and the following resolution was passed:
19-04

MOVED BY: N. Brooker

SECONDED BY: B. Graham

BE IT RESOLVED THAT

The Committee of Adjustment: Grants

Minor Variance Application: MV-19-01

Applicant: John O. Shepard & Mary S. Shepard

Subject to the attached Notice of Decision

CARRIED

J. Robinson was excused from the meeting at 1:45 p.m.

ITEMS FOR INFORMATION

None

NEXT MEETING DATE

The Committee discussed that the next meeting will be based upon receiving a planning application.

ADJOURNMENT

19-05

MOVED BY: N. Brooker

SECONDED BY: B. Graham

BE IT RESOLVED THAT the April 25, 2019 Committee of Adjustment meeting be adjourned at 1:50 p.m.

CARRIED

Prepared by: Tammy Lepage Secretary-Treasurer Committee of Adjustment

**The Corporation of the Municipality of
Temagami**



Application for Consent

PLEASE READ BEFORE COMPLETING THIS APPLICATION

In addition to this form, the Applicant will be required to submit the appropriate fee, site plan, and any additional information required to assess the proposal. Failure to submit all of the required information may prevent or delay the consideration of the Application. If more space is required please use additional sheets.

OFFICE USE ONLY	
Date Received: <u>June 24/19</u>	Complete Application: <u>Intake June 24/19</u>
Application Number: <u>C-19-02</u>	One copy of original sketch: <u>Yes</u>
Fee \$ <u>1200</u>	Fee Received on: <u>June 24/19</u>

Please Print and Complete or (✓) Appropriate Box (es)

SECTION 1 – APPLICANT INFORMATION	
1.1 Owner Information	
Name of Owner(s) <u>Nicole Poirier</u>	
Home Telephone Number <u>705 753-3305</u>	Business Telephone Number <u>Same</u>
Fax Number	Email Address <u>Nicolepoirier@eastlink.ca</u>
Mailing Address <u>11905 Hwy 17 West Sturgeon Falls</u>	Postal Code <u>P2B 3K9</u>
If the owner is a corporation, please provide the name of the person who has the authority to bind the corporation and who will sign the legal agreement on behalf of the Corporation	
Name(s): _____	
Position(s): _____	
1.2 Agent Information (Who is making the application on behalf of the owner)	
Name of Agent / Contact Person: _____	

Home Telephone Number	Business Telephone Number	
Fax Number	Email Address	
Mailing Address		Postal Code
1.3 Please specify to whom all communications should be sent <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Agent <input type="checkbox"/> Both Owner and Agent		
1.4 Names and addresses of any mortgages, holders of charges or other encumbrances <i>Caisse Populaire of Sturgeon Falls</i>		
SECTION 2 – AUTHORIZATION		
2.1 If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner that the applicant is authorized to make the application must be included with this form or the authorization set out below must be completed.		
AUTHORIZATION OF OWNER(S) FOR AGENT TO MAKE THE APPLICATION & DISCLOSE OF PERSONAL INFORMATION		
I/WE, _____, owner(s) of the land that is subject to this application hereby authorize _____ to act on my/our behalf regarding this application and for the purposes of the <i>Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56</i> , I/We authorize _____ to make this application on my/our behalf.		
Signature of Owner(s)		Date
Signature of Owner(s)		Date

LOCATION OF THE SUBJECT LAND				
Municipal Address 852 Tonomo Lake Road Temagami				
Legal Description Law Location HS2193 Loc RF 36, Pel 27808 28972 Nip. Dug Lake Township of Law Municipality of Temagami				
SECTION 3 – PURPOSE OF APPLICATION				
3.1 Proposal Description and Details				
Type and purpose of proposed transaction (circle the appropriate transaction)				
Transfers:	<u>New lot creation</u>	Addition to a lot	An easement	Other
Other:	A charge	A lease	A correction of title	
Nature and extent of proposal Divide my 4.12 Acre in two and make 2 acre lot. I put the proposed in for dividing the land, my husband passed away and plan change by dividing it in two I would sell 2 acre lot with three cabin that I don't used.				
Number of new lots to be created 1 dividing in two 4.12 ac -> 1 new lot & 1 retained				
Name or person(s), if known, whom land or interest in land is to be transferred, leased or charged				
If a lot addition, identify the lands to which the parcel will be added				
SECTION 4 – DESCRIPTION OF SUBJECT LAND AND PROPOSAL				
4.1 Are there any easements or restrictive covenants affecting the subject land?				
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, describe the easement or covenant and its effect _____				
4.2 Date the subject land was acquired by the current owner Approx. June 1st, 2008				
4.3 Property Information - Existing Site				
Lot Area: 4.13 Acres				
Road Frontage: _____				
Water Frontage: See Sketch				
Lot Depth: _____				
Lot Width: _____				
4.4 Description of lots	Lot 1	Lot 2	Lot 3	Retained
Area (ha)	0.8	E		0.8
Frontage (m)	/			/
Depth (m)				

2.2 Consent of Owner – Complete the consent of the owner concerning personal information set out below.

CONSENT OF THE OWNER TO THE USE AND DISCLOSURE OF PERSONAL INFORMATION

I/WE, Nicole Poirier, owner(s) of the land that is the subject of this application and for the purposes of the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56*, I/we authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application and authorize the distribution of this application in electronic form.

Nicole Poirier
Signature of Owner(s)

June 16/2019
Date

Signature of Owner(s)

Date

2.2 Consent of Owner – Site Visit

CONSENT OF THE OWNER FOR SITE VISIT

I/WE Nicole Poirier, owner(s) of the land that is the subject of this application and I /We authorize municipal staff and committee of adjustment members to enter onto the property to gather information necessary for assessing this application.

Nicole Poirier
Signature of Owner(s)

June 16/2019
Date

Signature of Owner(s)

Date

APPLICANT(S) ACKNOWLEDGEMENT

I/we acknowledge submission of this application does not necessarily mean that it is a **complete application**. I/we acknowledge that **photographic images** of the property and proposed development location are required as part of the application. The Municipality of Temagami may return the application to the applicant for failure to complete any part of the application form, failure to provide the required supporting documentation or failure to pay the application fee. I/we acknowledge that it is my/our responsibility to provide a complete and accurate application and that the Municipality of Temagami Staff is not permitted to complete the application on my/our behalf.

I/we acknowledge that this application, including all supporting documentation, shall be available to the general public upon request and shall be provided to the Committee of Adjustment members in its entirety.

I/we agree and acknowledge that I/we am/are responsible for all costs associated with third party Local Planning Appeal Tribunal (LPAT) appeals and municipal peer review of background reports, and shall submit the required deposits upon the Municipality's request for peer review in accordance with the Municipality's planning fees.

Nicole Poirier
Signature of Applicant (s)

June 16/2019
Date

NICOLE POIRIER
Print Name

5.2 If access to the subject land is by 'water access' describe the parking and docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road

5.3 If access to the subject land is by 'private road', 'other public road', or 'right of way', indicate who owns the land or road, who is responsible for its maintenance, and whether it is maintained seasonally or all year

Tonomo Road 3 Season maintenance.

5.4 Water Supply (check the appropriate space)	Lot 1	Lot 2	Lot 3	Retained
Publicly owned and operated piped water system	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A
Privately owned and operated individual well	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A
Privately owned and operated communal well	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A
Lake or other water body	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A
Other	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A

5.5 Sewage Disposal (check the appropriate space)	Lot 1	Lot 2	Lot 3	Retained
Publicly owned and operated sanitary sewage system	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> N/A	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A
Privately owned and operated individual septic tank	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> N/A	<input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A
Privately owned and operated communal septic system	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> N/A	<input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A
Privy	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> N/A	<input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A
Other upto new owners.	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A

NOTE: A certificate of approval, or comments, from the local Health Unit or Ministry of the Environment and energy (MOEE) submitted with this application will facilitate the review.

Copies of septic certificate for sewerage system class 4.

5.6 Other Services (check the appropriate space)	Lot 1	Lot 2	Lot 3	Retained
Electricity - Solar panel & generator backup	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A
School Bussing	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A
Garbage Collection	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A

5.7 Storm Water Drainage

Specify: N/A.

SECTION 6 – LAND USE

6.1 Official Plan Designation

Integrated Management Area.

6.2 Zoning

Tourist Commercial - TC

4.5 Property Information - Existing Use						
Existing use(s) of the subject land: <u>Appexy. 50</u>						
Length of time the existing uses of the subject land have continued: <u>Appexy. 50</u>						
4.6 Use of lots		Lot 1	Lot 2	Lot 3	Retained	
Existing		TC.			TCommercial	
Proposed						
4.7 Existing uses of abutting properties						
Crown land.						
4.8 Particulars of all buildings and structures on or proposed for the subject land						
Existing	Date of Construction	Ground and Gross Floor Area	No. of Stories	Width	Length	Height
Tool Shed				14	10	
Main House		1248	1	24	50	
Wash Shed				13	12	
Gen. Shed	See Sketch			8	12	
Shower House				8	11	
Proposed	Date of Construction	Gross Floor Area	No. of Stories	Width	Length	Height
log Cabin #1				30	16	
log Cabin #2	See Sketch			30	16	
log Cabin #3				22	30	
4.9 Location of all buildings and structures on or proposed for the subject land (specify distance)						
Existing	Side Lot Lines		Rear Lot Lines		Front Lot Lines	
log Cabin #3						
log Cabin #1			See Sketch			
log Cabin #2						
Proposed	Side Lot Lines		Rear Lot Lines		Front Lot Lines	
	See Sketch					
SECTION 5 – SERVICING INFORMATION						
5.1 Access (check the appropriate space)	Lot 1	Lot 2	Lot 3	Retained		
Provincial Highway	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> N/A		
Municipal road - maintained all year	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> N/A		
Municipal road - seasonally maintained	<input type="checkbox"/> No <u>Yes</u>	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A		
Other public road (e.g. LRB)	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> N/A		
Right of way	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> N/A	<input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A		
Water access	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> N/A	<input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A		
Other (e.g. private road)	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> N/A	<input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A		

SECTION 10 – AFFIDAVIT OR SWORN DECLARATION (to be completed by each owner)

I/We,

Chicole Parier
(full name)
of the Sturgeon Falls
(city, town)
in the Nipissing
(region, county, district)

make oath and say (or solemnly declare) that the information contained in this application is true and that the information contained in the documents that accompany this application is true.

Sworn (or declared) before me

at the Municipality of Temagami
(city, town)

in the District of Nipissing
(region, county, district)

this 24th day of June, 20 19.


(Commissioner, etc.)

Chicole Parier
Signature of Applicant *

Tammy-Melissa Mary Lepage, a Commissioner, etc.,
Province of Ontario, for the Corporation
of the Municipality of Temagami
Expires August 9, 2020

*Must be signed in the presence of the Commissioner.

Please provide a separate affidavit if more than one applicant.

6.3 Are any of the following uses/features on the subject land, or within 500 meters to 1 kilometer, of the subject land: An agricultural operation including livestock facility or stockyard, a landfill, a sewage treatment plant or waste stabilisation plant, a provincially significant wetland (class 1,2, or 3 wetland), a flood plain, a rehabilitated mine site, a non-operating mine site within 1 kilometer of the subject land, an active railway line, a municipal/federal airport, a utility corridor, or a heritage building/structure/site?

☒ No ☐ Yes If Yes, describe _____

SECTION 7 – PREVIOUS/CURRENT APPLICATIONS

7.1 Has the subject land ever been the subject of an application under the Planning Act?

☒ No ☐ Yes ☐ Unknown If Yes, describe _____

7.2 Aside from this application, is the subject land currently the subject of an application under the Planning Act?

☒ No ☐ Yes ☐ Unknown If Yes, describe _____

7.3 Is there any other information that you think may be useful to the Municipality in reviewing this application? If so, explain below or attach on a separate page

NIA.

SECTION 9 – CHECK LIST

Have you remembered to attach the following

- ☐ 1 copy of the completed application form
- ☒ 1 copy of the required sketch
- ☐ 1 copy of any required technical or justification study
- ☐ The required fee (cheque payable to the Municipality of Temagami)

Certificate No.: 08-406172



CERTIFICATE OF APPROVAL

for

*Construction, Installation, Establishment, Enlargement
Extension or Alteration of a Sewage System*

Under The Building Code Act, 1997 and the Regulations and subject to the limitations thereof, this Certificate is issued to:

Daniel Boissonneault for the Construction of a Class 4 Sewage System
(name of Applicant) (construction/installation/establishment/enlargement/extension/alteration)

on the property of Daniel Boissonneault described as follows:
(name of owner/registered lease holder)

District Nipissing Township/Municipality Temagami-Law Twp Lot #
Twp Con # Plan # HS 2193 Sublot # Parcel # 27808 & 28972 Other: 852 Tonomo Lake Road is
related to the Site Inspection Report dated August 26, 2009.

This certificate expires on the 15th day of September, 2010.

Dated this 15th day of September, 2009.

Director

Appointment

Form N-3-LC (01.00), rev. (03.09)

Certificate No.: 09-154134



CERTIFICATE OF APPROVAL
for

*Construction, Installation, Establishment, Enlargement
Extension or Alteration of a Sewage System*

Under The Building Code Act, 1997 and the Regulations and subject to the limitations thereof, this Certificate is issued to:

Daniel Boissonneault for the Construction of a Class 2 Sewage System
(name of Applicant) (construction/installation/establishment/enlargement/extension/alteration)

on the property of Daniel Boissonneault described as follows:
(name of owner/registered lease holder)

District Nipissing Township/Municipality Temagami-Law Twp Lot #
Twp Con # Plan # HS 2193 Sublot # Parcel # 27808 & 28972 Other: 852 Tonomo Lake Road is
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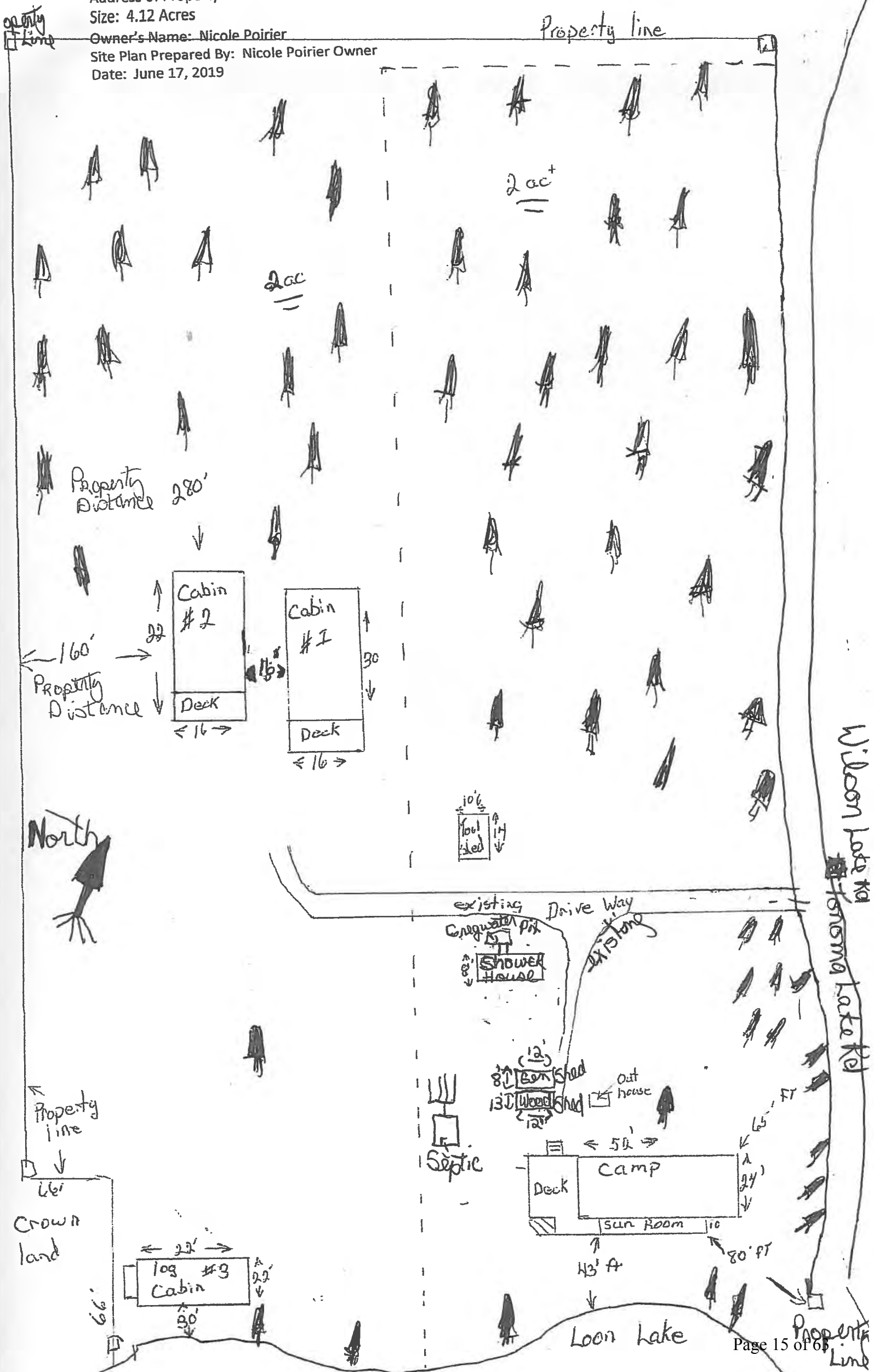


Director
Appointment

Form N-3-LC (01.00), rev. (03.09)

Address of Property: 852 Tonomo Lake Road
Size: 4.12 Acres
Owner's Name: Nicole Poirier
Site Plan Prepared By: Nicole Poirier Owner
Date: June 17, 2019

11 Trees
Trees 4























Municipality of Temagami

CONSENT APPLICATION PLANNING CLERK REPORT

Report Date: | July 11, 2019

REPORT PREPARED FOR:	COMMITTEE OF ADJUSTMENT
REPORT PREPARED BY:	T. LEPAGE, PLANNING CLERK
REPORT REVIEWED BY:	J. ROBINSON, MCIP, RPP, MHBC, PLANNING CONSULTANT
APPLICATION NO.:	C-19-02
DATE OF NOTICE OF HEARING:	JULY 11, 2019
DATE OF HEARING:	JULY 25, 2019
SUBJECT LAND:	852 TONOMO LAKE ROAD
APPLICANT:	NICOLE POIRIER



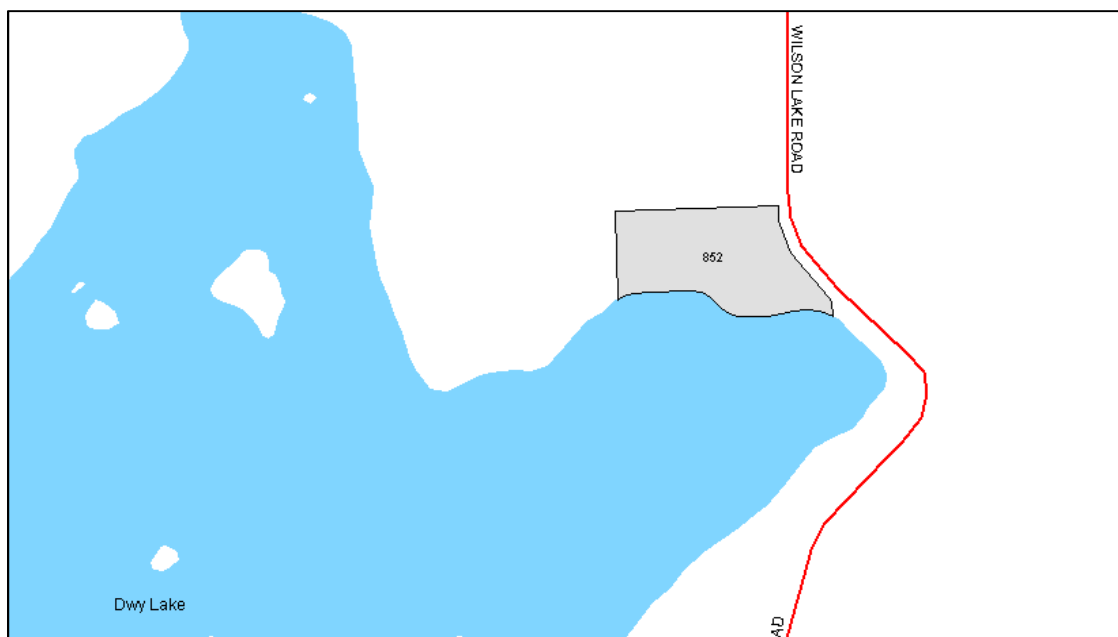
APPLICATION REVIEW

The intake review of the application was deemed complete on June 24, 2019. Notice of the Public Hearing was given by circulating prescribed persons and agencies, posting on the subject property, and postings on the Municipality's website & Welcome Centre notice board on July 11, 2019.

BACKGROUND

Nicole Poirier has submitted an application for Consent. The subject property fronts Wilson Lake Road/Tonomo Lake Road, off of Highway 11 North. The subject property is locally known as 852 Tonomo Lake Road, within the Municipality of Temagami. The subject property is shown in grey in Figure 1. The subject property has a lot area of 1.6 hectares (4 acres) and a lot frontage of 170 metres on Loon/DWY Lake.

Figure 1: Subject Property



PROPOSAL

The purpose of the application is to sever the western portion of the subject property, and to create one new lot. The effect of the proposed consent will result in the existing development being separated on the subject property. The applicant is requesting a severance to facilitate the sale of the existing three cabins, independent of the existing accessory residential dwelling. The proposed lot containing the three cabins (severed lands) is proposed to be 0.8 hectares (2 acres) in lot area, and the proposed lot containing

[illegible]

PAGE 2
Page 27 of 63

SITE ANALYSIS

The retained lands are proposed to contain one dwelling and accessory buildings/structures and the severed lands are proposed to contain the three cabins. The cabins are proposed to be used as rental cabins. The existing development on the retained lands are serviced by a class 4 septic system (attached Certificate of approval) and water is drawn from Loon/DWY Lake. The application does not include details regarding the servicing (water and septic system); however, a condition of consent will be included that services be provided to the satisfaction of the Municipality.

ADJACENT LAND USES

North – Crown Land

East – Crown Land

South – Loon Lake/DWY Lake

West – Wilson Lake Road & Tonomo Lake Road

PLANNING ANALYSIS

Provincial Policy Statement (PPS)

The Provincial Policy Statement, 2014 was approved on April 30, 2014 by the Ministry of Municipal Affairs and Housing and is applicable to the subject property. The subject property and surrounding area is considered Rural Lands in accordance with the PPS. Section 1.1.5.2 recognizes resource-based recreational uses (including recreational dwellings) as a permitted use within Rural Lands. The proposed application would create one new lot for a recreational dwelling and one for an existing tourist commercial use, and therefore is consistent with the PPS.

Municipality of Temagami Official Plan

The subject property is designated Integrated Management Area in the Marten River Neighbourhood of the Official Plan. The Marten River Neighbourhood is a dispersed community of rural residential properties, tourist uses, and highway commercial uses, linked by communities of interests.

Tourist commercial development and rural and remote residential development is permitted within the Marten River Neighbourhood in appropriate locations (6.3.2, 6.4.1). The proposed severed lands are being created to facilitate the sale of the three cabins, independent of the building used as a residential dwelling.

Section 6.3.3 of the Official Plan provides that the development impact by existing, and new lots should be mitigated to the extent possible in order to conserve wilderness, and semi wilderness values. The consent application proposes to separate the existing

development on the subject property. No additional development is proposed at present time.

Section 6.3.3.1 provides that new rural residential lots shall be located on a municipal road, open and maintained on a year round basis. Both the retained lands and severed lands are located on the municipal road, as shown in Figure 2.

Section 6.3.7.1 of the Official Plan limits lot creation to five lots per calendar year. The intent of this policy is to limit the amount of new lot creation. The application is to create one new lot. At this time no further lot creation is proposed in the Marten River neighbourhood this year.

Section 6.3.12 of the Official Plan states that new lots within the Marten River Neighbourhood shall not be created unless an approved sewage disposal system can be accommodated on the lot. The applicant provided certificates of approval from Timiskaming Health Unit in their application for the existing dwelling.

Section 9.7.1 of the Official Plan contains policies for consent applications. Table 1 provides a summary of how the application conforms to these policies.

TABLE 1: 9.7.1 OF THE OFFICIAL PLAN

Policy 9.7.1 Consent to Sever Patented Land	Does the application conform?
<i>The intended use of the severed and retained parcels conform with the intent and policies of this plan;</i>	Yes – rural residential uses and tourist commercial uses are permitted within the Integrated Management Area designation and within the Marten River Neighbourhood.
<i>Generally the number of lots created does not exceed three;</i>	Yes – the application proposes to create one new lot.
<i>A registered plan of subdivision is not required;</i>	Yes - A Plan of Subdivision is not required.
<i>The size and dimensions of the severed and retained parcels conform to the provisions of the Zoning By-Law;</i>	No – the proposed lot frontage of the severed lands will not meet the lot minimum lot frontage in the Zoning By-law.
<i>The application represents an orderly and efficient use of land and the severance would not hinder development of the retained lands;</i>	Yes – the proposed lots represent orderly, and efficient use of the land, including existing development. It is recommended that the severed lands

	maintain a 10 metre frontage on the municipal road to accommodate and driveway and access.
<i>The size and dimensions of the severed parcel and the retained parcel, are adequate to accommodate the proposed use or uses;</i>	Yes - the lots as proposed are adequate to accommodate the existing uses, and to accommodate future septic systems if required on the severed lands.
<i>Demonstrated ability that the dock locations are suitable by study and/or approval by the appropriate authority;</i>	Not applicable, however adequate lot frontage is provided for each lot to accommodate a future dock.
<i>Adequate access to the severed and retained parcel can be provided;</i>	Yes – The severed lands provide access to the municipal road due to the proposed L shape lot. It is recommended that the severed lands maintain a 10 metre frontage on the municipal road to accommodate and driveway and access.
<i>The severed parcel is not within 500 metres of a known sanitary landfill site;</i>	Yes - The subject property not located within 500 metres of a known sanitary landfill site.
<i>Where central sewage and water facilities are not available, it has been established that the soil draining conditions on the severed and retained parcels are suitable or can be made suitable to permit the proper siting of buildings and the installation of an approved water supply and Class IV or VI sewage disposal systems;</i>	Yes - The proposed lots are adequate in size to accommodate a sewage disposal system. See attached approval correspondence from Timiskaming Health Unit.
<i>Where a water well is proposed, the well shall be established and quality and quantity standards proven prior to final consent is granted;</i>	Yes - A water supply currently exists.
<i>The applicant, when required, has provided a study or studies acceptable to the Municipality that include an inventory of all existing natural and cultural heritage features both on the site, and in the water adjacent to the site including the shoreline characteristics</i>	Yes - A review of known Archaeological features within the Municipality of Temagami was completed and no known sites were within 300 metres of the property.

such as: type of littoral community, physical characteristics, the anticipated impact of the development, and any measures proposed to mitigate the anticipated impacts of the development on the features

The financial impacts on the Municipality has been considered. Yes - There are no anticipated financial impacts on the Municipality.

Zoning By-Law 06-650 (as Amended)

The subject property is currently located within the Tourist Commercial (TC) Zone in the Municipality's Comprehensive Zoning By-law. The TC Zone permits dwelling units within the zone which are accessory to the main commercial use within the site. The retained lands are proposed to only contain a residential dwelling, and therefore would not be considered as a permitted use within the TC Zone. A rezoning of the retained lands would be required, to the Rural Residential (R₃) Zone to permit the residential dwelling as the principal use.

The minimum lot frontage required for the TC Zone and R₃ Zone is 200 metres and 50 metres respectively. Table 2 provides a summary of the proposed zone standards and the proposed lot standards.

TABLE 2: TOURIST COMMERCIAL ZONE STANDARDS

Zone Provisions	TC Standard	Severed (Proposed)	R₃ Standard	Retained (Proposed)
Frontage (min.)	200 m	+/- 70 m	50 m	+/- 70 m
Lot Area (min.)	0.6 ha	0.8 ha	0.8 ha	0.8 ha
Lot Area (max.)	6.0 ha	0.8 ha	1.5 ha	0.8 ha

The lot area for both the TC Zone and the required R₃ Zone are achieved, and the lot frontage for the required R₃ Zone; however, the proposed lot frontage for the severed lands does not meet the minimum lot frontage required for the TC Zone. A rezoning of the severed lands is also required to recognize the deficient lot frontage.

RECOMMENDATIONS

It is recommended that the Committee of Adjustment provisionally approve Consent Application No. C-19-01, subject to the following conditions:

1. Preparation of an updated Reference Plan, in substantial compliance with the application, to the satisfaction of the Municipality;
2. The completion of a Zoning By-law Amendment to address the intended use of the retained lands and the severed lands, and to ensure the retained lands and severed lands comply with the Zoning By-law.
3. Confirmation that the severed lands have a strip of lands with a minimum width of 10 metres, and a minimum of 10 metres frontage on Wilson Lake Road/Tonomo Lake Road to accommodate a new driveway and access.
4. That the new driveway entrance be approved by the Public Works department of the Municipality.
5. That the Timiskaming Health Unit provide confirmation that the existing development on the severed lands (three cabins) is appropriately serviced (water supply and septic system).
6. The Site Plan Agreement No. SPC-o8-17 be amended to reference the two lots with the Municipality of Temagami; and,
7. The standard conditions of the Municipality.

COMMENTS RECEIVED FROM AGENCY CIRCULATION AND PUBLIC NOTIFICATION:

Municipal Departments:

Public Works:

Building:

Tax:

Fire:

Ambulance:

Ministry & Agencies:

Ministry of Natural Resources and Forestry:

Ministry of Transportation:

TransCanada Pipelines:

Timiskaming Health Unit:

First Nation Community:

Interest Groups & Neighbours:

**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

WEB SITE: www.temagami.ca



**Committee of Adjustment
Notice of Decision**

- 1. Application No.: C-19-02**
 - 2. Applicant/ Owners: Nicole Poirier**
 - 3. Date of Hearing: July 25, 2019**
 - 4. Date of Decision: July 25, 2019**
 - 5. Date of Notice of Application: July 11, 2019**
 - 6. Location and Legal Description of Property: 852 Tonomo Lake Road; PCL 17808 SEC NIP; SUMMER RESORT LOCATION HS2193 LAW AS IN NP9554; AND PCL 18972 SEC NIP; SUMMER RESORT LOCATION RF 36 LAW AS IN NP9970; TEMAGAMI DISTRICT OF NIPISSING.**
-

7. Decision

This is an application made under section 53(5)(a) of the Planning Act RSO 1990, to sever a new lot on the subject lands. The retained and severed lots are proposed to be used for tourist commercial uses. The subject lands are currently 1.6 hectares (3.95 acres) in lot area and each of the proposed lots will be 0.8 hectares (1.98 acres). The proposed retained lot will contain three cabins and the proposed severed lot will contain a dwelling and accessory buildings. The subject lands are located within the Tourist Commercial (TC) Zone.

The request is:

☐ Granted subject to no conditions

☐ Refused

☐ Deferred

☐ Adjourned

☐ Granted subject to the following conditions:

- 1) Preparation of an updated Reference Plan, in substantial compliance with the application;
- 2) A Zoning By-law Amendment to address the intended use of the retained lands and the severed lands, and to ensure the retained lands and severed lands comply with the Zoning By-law;
- 3) Confirmation that the severed lands have a strip of lands with a minimum width of 10 metres, and a minimum of 10 metres frontage on Wilson Lake Road/Tonomo Lake Road to accommodate a new driveway and access;
- 4) That the new driveway entrance be approved by the Public Works department of the Municipality.
- 5) That the Timiskaming Health Unit provide confirmation that the existing development on the severed lands (three cabins) is appropriately serviced (water supply and septic system).
- 6) The Site Plan Agreement No. SPC-08-17 be amended to reference the two lots with the Municipality of Temagami; and

7) The standard conditions of the Municipality.

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 July 16, 2019.

9. Comments received in writing and verbally at the meeting related to: comments received by:

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:

Cathy Dwyer, Chair

Barry Graham, Member

Bruce Rice, Member

Gary Cline, Member

Ken Ballentine, 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 **August 14, 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 53 (21) 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:

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

**The Corporation of the Municipality of
Temagami**

Application for Minor Variance



PLEASE READ BEFORE COMPLETING THIS APPLICATION

In addition to this form, the Applicant will be required to submit the appropriate fee, site plan, and any additional information required to assess the proposal. Failure to submit all of the required information may prevent or delay the consideration of the Application. If more space is required please use additional sheets.

OFFICE USE ONLY	
Date Received: _____	Intake: Complete Application: <u>June 25/19.</u>
*Electronic Copy: June 18/19	
Application Number: <u>MV-19-02</u>	One copy of original sketch: <u>June 18, 2019</u>
Fee \$ <u>600</u>	Fee Received on: <u>June 25/19</u>

Please Print and Complete or (✓) Appropriate Box (es)

SECTION 1 – APPLICANT INFORMATION	
1.1 Owner Information	
Name of Owner(s) <u>John & Ronda Pecaric</u>	
Home Telephone Number <u>917-319-6927</u>	Business Telephone Number <u>johnpecaric@aol.com</u>
Fax Number <u>rondapecaric@mac.com</u>	Email Address <u>louis1976@hotmail.com</u>
Mailing Address <u>371 WALNUT AVE SW</u> <u>ROANOKE, VIRGINIA USA</u>	Postal Code <u>24016</u>
If the owner is a corporation, please provide the name of the person who has the authority to bind the corporation and who will sign the legal agreement on behalf of the Corporation	
Name(s): _____	
Position(s): _____	
1.2 Agent Information (Who is making the application on behalf of the owner)	
Name of Agent / Contact Person: <u>Louis LeFrancois</u>	
Home Telephone Number	Business Telephone Number <u>705-237-8619</u>

Fax Number	Email Address
Mailing Address <u>General Delivery</u> <u>Bear Island, Ontario</u>	Postal Code <u>P0H 1C0</u>
1.3 Please specify to whom all communications should be sent <input type="checkbox"/> Owner <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Both Owner and Agent	
SECTION 2 – AUTHORIZATION	
2.1 If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner that the applicant is authorized to make the application must be included with this form or the authorization set out below must be completed.	
<p style="text-align: center;">AUTHORIZATION OF OWNER(S) FOR AGENT TO MAKE THE APPLICATION & DISCLOSE OF PERSONAL INFORMATION</p> <p>I/WE, <u>John Pecaric</u>, owner(s) of the land that is subject to this application hereby authorize <u>Louis Lefrancois</u> to act on my/our behalf regarding this application and for the purposes of the <i>Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56</i>, I/we authorize <u>John Pecaric</u> <u>Louis Lefrancois</u> to make this application on my/our behalf.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Signature of Owner(s) <u>John Pecaric</u></p> <p>Signature of Owner(s) <u>Gynda Pecaric</u></p> </div> <div style="width: 45%; text-align: right;"> <p>Date <u>June 14, 2019</u></p> <p>Date <u>June 14, 2019</u></p> </div> </div>	
2.2 Consent of Owner – Complete the consent of the owner concerning personal information set out below	
<p style="text-align: center;">CONSENT OF THE OWNER TO THE USE AND DISCLOSURE OF PERSONAL INFORMATION</p> <p>I/WE, <u>John Pecaric</u>, owner(s) of the land that is the subject of this application and for the purposes of the <i>Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56</i>, I/we authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application and authorize the distribution of this application in electronic form.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Signature of Owner(s) <u>John Pecaric</u></p> <p>Signature of Owner(s) <u>Gynda Pecaric</u></p> </div> <div style="width: 45%; text-align: right;"> <p>Date <u>June 14, 2019</u></p> <p>Date <u>Jun 14, 2019</u></p> </div> </div>	

2.3 Consent of Owner – Site Visit

I/WE John Pecaric, owner(s) of the land that is the subject of this application and I/We authorize municipal staff and committee of adjustment members to enter onto the property to gather information necessary for assessing this application.

Signature of Owner(s)

Date

June 14, 2019

Signature of Owner(s)

Date

June 14, 2019

APPLICANT(S) ACKNOWLEDGEMENT

I/we acknowledge submission of this application does not necessarily mean that it is a complete application. I/we acknowledge that photographic images of the property and proposed development location are required as part of the application. The Municipality of Temagami may return the application to the applicant for failure to complete any part of the application form, failure to provide the required supporting documentation or failure to pay the application fee. I/we acknowledge that it is my/our responsibility to provide a complete and accurate application and that the Municipality of Temagami Staff is not permitted to complete the application on my/our behalf.

I/we acknowledge that this application, including all supporting documentation, shall be available to the general public upon request and shall be provided to the Committee of Adjustment members in its entirety.

I/we agree and acknowledge that I/we am/are responsible for all costs associated with third party Local Planning Appeal Tribunal (LPAT) appeals and municipal peer review of background reports, and shall submit the required deposits upon the Municipality's request for peer review in accordance with the Municipality's planning fees.

Signature of Applicant (s)

Date

June 14, 2019

Print Name

John Pecaric

SECTION 3 – LAND USE

3.1 Official Plan Designation

Special Management Area

3.2 Zoning

R1 Lake Temagami

SECTION 4 – DESCRIPTION OF THE PROJECT

4.1 Project Description

Provide details of the project.

Expansion of the sleep cabin.

SECTION 5 – ZONING CONFORMITY

5.1 Explain which section of the Zoning By-law you are requesting relief from and why the project can't conform to the by-law.

Shore line activity area

SECTION 6 – LOCATION OF THE SUBJECT LAND

6.1 Location of Land

Municipal Address

Island 1002

Legal Description

PCL 14932 SEC NIP: Summer Resort
Location Island 1002 in Lake Temagami, Joan in the

6.2 Date the subject land was acquired by the current owner.

September 30, 2011

SECTION 7 – DESCRIPTION OF SUBJECT LAND AND PROJECT

7.1 Description of any proposed buildings/structures

20 foot by 24 foot guest sleep cabin
with a covered porch (8 feet wide)

7.2 Property Information - Site

Lot Area: .75 acre
Road Frontage: N/A
Water Frontage: See attached
Lot Depth: See attached
Lot Width: See attached

7.3 Are there any easements or restrictive covenants affecting the subject land?

☒ No ☐ Yes If Yes, describe the easement or covenant and its effect

SECTION 8 – SERVICING INFORMATION

8.1 Check the appropria te Box	Provincial Highway	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
	Municipal road - maintained all year	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
	Municipal road - seasonally maintained	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
	Other public road (e.g. LRB)	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
	Right of way	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
	Water access	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> N/A
	Other (e.g. private road)	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A

SECTION 9- ACCESS TO SUBJECT LANDS

9.2 If checked YES that access to the property is by "water access", please provide which public access is used and how far from the docking and parking facilities is the property.

15 minutes from Access Road Landing

9.3 If checked YES that access to the property is by "private road", "other public road", or "right of way", indicate who owns the land or road, who is responsible for maintenance and if it is seasonal or maintained year round.

NA

SECTION 10 – EXISTING USE I.E. VACANT, RESIDENTIAL LOTS

10.1 Existing use(s) of the subject land:

Seasonal Residential

10.2 How long has the existing use continued?

approx 70 years

10.3 Existing use(s) of abutting (neighbouring) properties:

Seasonal Residential

SECTION 11 – EXISTING PARTICULARS OF ALL BUILDINGS AND STRUCTURES

11.1	Ground Floor Area	Gross Floor Area	No. of Stories	Width	Length	Height
Collage		see attached				
Cabin 1						
Tool Shed						
Wood Shed						

11.2 Location of all buildings and structures (specify distance)

	Side Lot Lines	Rear Lot Lines	Front Lot Lines
See attached			

SECTION 12 – PROPOSED USE & PROPOSED PARTICULARS OF ALL BUILDINGS AND STRUCTURES

12.1 Description of proposed use of subject land.

See attached

12.2	Ground Floor Area	Gross Floor Area	No. of Stories	Width	Length	Height

12.3 Location of all proposed buildings and structures (Specify Distance)						
	Side Lot Lines	Rear Lot Lines	Front Lot Lines			
See attached						
SECTION 13 – SERVICING INFORMATION						
13.1 Check All appropriate boxes.	Publicly owned and operated piped water system	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A		
	Privately owned and operated individual well	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A		
	Privately owned and operated communal well	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A		
	Lake or other water body	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> N/A		
	Other	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> N/A		
13.2 Check All appropriate boxes.	Publicly owned and operated sanitary sewage system	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A		
	Privately owned and operated individual septic tank	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A		
	Privately owned and operated communal septic system	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A		
	Privy	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> N/A		
	If Other please explain: Dry well for Cottage sink & shower					
A certificate of approval, or comments, from the local Health Unit or Ministry of the Environment and energy (MOEE) submitted with this application will facilitate the review.						
13.3 Storm Water Drainage		<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A		
If YES Please explain i.e. culvert, ditches or other:						
13.4 Are any of the following uses or features on the subject land or within 500 meters of the subject land:						
Agriculture operation i.e. livestock facility or stockyard		<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A		
Landfill		<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A		
Sewage treatment plant or waste stabilisation plant provincial significant wetland (class 1,2,3)		<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A		
Flood Plain		<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A		

Rehabilitated mine site	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
Non-Operating mine site within 1 km of the subject land	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
Active Railway line	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
Municipal/Federal Airport	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
Utility Corridors	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
Heritage building/structure/site?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A

If Yes to any of the above, describe Water extracted from Lake with submersible pump

SECTION 14 – PREVIOUS/CURRENT APPLICATIONS

14.1 Has the subject land ever been the subject of an application under the Planning Act?

☒ No ☐ Yes If Yes, describe _____

14.2 Aside from this application, is the subject land currently the subject of an application under the Planning Act?

☒ No ☐ Yes If Yes, describe _____

14.3 Is there any other information that you think may be useful to the Municipality in reviewing this application? If so, explain below or attach on a separate page

see attached

SECTION 15 – CHECK LIST

Have you remembered to attach the following

- ☐ 1 copy of the completed application form
- ☐ 1 copy of the required sketch
- ☐ 1 copy of any required technical or justification study
- ☐ The required fee (cheque payable to the Municipality of Temagami)

SECTION 16 – AFFIDAVIT OR SWORN DECLARATION (to be completed by each owner)

I/WE, John & Ronda Pecarić
(full name)

of the Roanoke, Virginia USA
(city, town)

in the Virginia
(region, county, district)

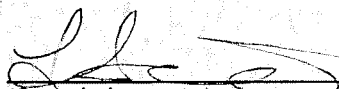
make oath and say (or solemnly declare) that the information contained in this application is true and that the information contained in the documents that accompany this application is true.

Sworn (or declared) before me

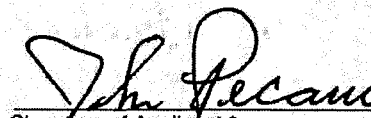
at the Municipality of Temagami
(town)

in the District of Nipissing
(region, county, district)

this 14 day of June, 20 19


(Commissioner, etc.)

Tammy-Melissa Mary Lepage, a Commissioner, etc.,
Province of Ontario, for the Corporation
of the Municipality of Temagami
Expires August 9, 2020


Signature of Applicant *

*Must be signed in the presence of the Commissioner.

Please provide a separate affidavit if more than one applicant.

Acknowledgment by Individual

State of Virginia County of Roanoke
 On this 18 day of June, 20 19, before me, Sofia L Martinez
Name of Notary Public

the undersigned Notary Public, personally appeared
Ronda Rachelle Pecaric

Name of Signer(s)

- ☐ Proved to me on the oath of _____
☐ Personally known to me
☒ Proved to me on the basis of satisfactory evidence VA DL DMV ISS 02/14/12 Exp 01/19/2020
(Description of ID)

to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged that he/she/they executed it.

WITNESS my hand and official seal.



Notary Seal

Sofia L Martinez
(Signature of Notary Public)

My commission expires 05/31/2022
7801303

Optional: A thumbprint is only needed if state statutes require a thumbprint.

Right Thumbprint of Signer
Top of thumb here

For Bank Purposes Only

Description of Attached Document

Type or Title of Document

Section 16- Affidavit or Sworn Declaration

Document Date

Number of Pages

June 18, 2019 page 8

Signer(s) Other Than Named Above

None



FO01-00000DSG5350-01

Section 11

11.1	Ground Floor Area	Gross Floor Area	No. of Stories	Width	Length	Height
Cottage	800 sq ft		1	20 ft	40 ft	
Cabin 1	320 sq ft		1	16 ft	20 ft	
Wood Shed	40 sq ft		1	5 ft	8 ft	
Tool Shed	140 sq ft		1	10 ft	14 ft	
Boat House	350 sq ft		1-1/2	14 ft	25 ft	
Water Shed	60 sq ft		1	6 ft	10 ft	

Location per site plan provided

Section 12

11.1	Ground Floor Area	Gross Floor Area	No. of Stories	Width	Length	Height
Cabin 1	480 sq ft	Loft storage space 8ft x 16ft 128 sq ft	1-1/2	20 ft	24 ft	

Location per site plan provided

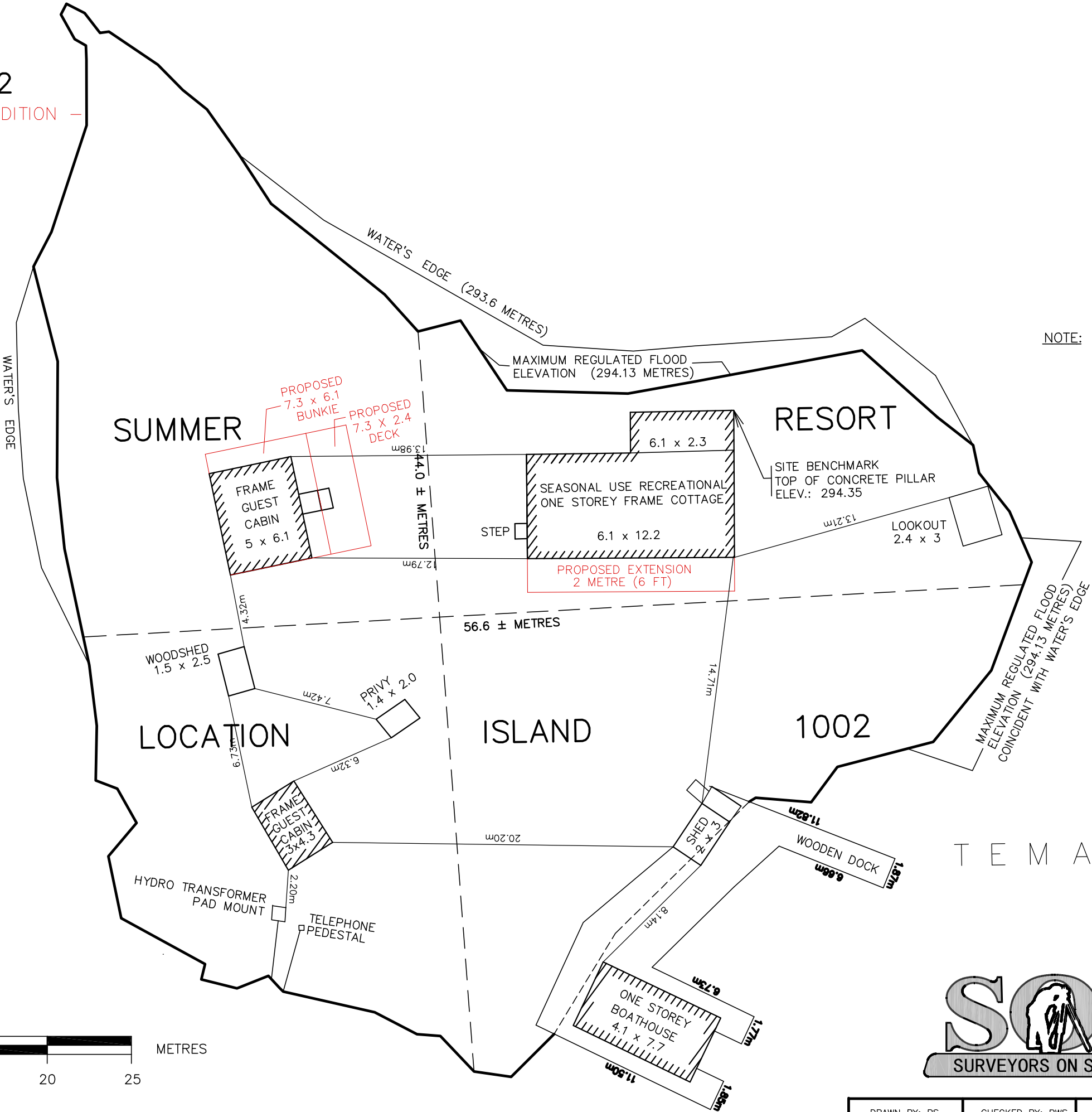
SITE PLAN SKETCH SHOWING
SUMMER RESORT
LOCATION ISLAND 1002

PROPOSED BUNKIE & BUILDING ADDITION –
John & Ronda Pecaric
LAKE TEMAGAMI
MUNICIPALITY OF TEMAGAMI
DISTRICT OF NIPISSING

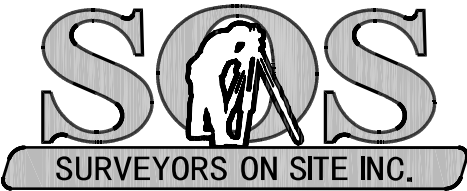
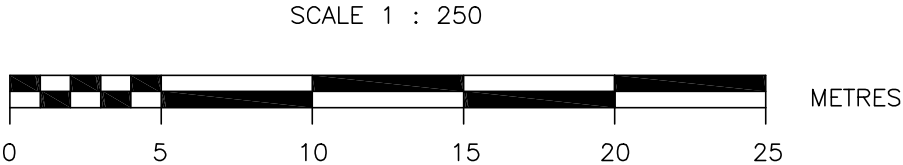
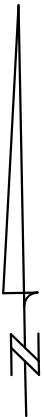
RYAN W. SEGUIN, ONTARIO LAND SURVEYOR
SURVEYORS ON SITE INC. © 2018

SHORELINE LENGTH :205.5 Metres
ISLAND AREA: 1992.5 Square Metres

L A K E



NOTE: DISTANCES AND ELEVATIONS ARE IN METRES.



17 WELLINGTON STREET
NEW LISKEARD, ONTARIO
P.O. BOX 1599, POJ 1P0
705-622-0872
www.surveyorsonsite.com

John & Ronda Pecaric Island #1002

Bunky Project

Section 14

We are asking for approval of this “Minor Variance” for the building of a new Guest Sleep Cabin. The current “Bunky” was built before current building materials and techniques, it is our intent to build a slightly bigger structure being sensitive to protecting the aesthetics of the island, but making it possible to have a structure for our Family and maybe one day our grandkids to enjoy.

We have tried to be good stewards of the environment and keep the simplicity of the cottage experience of Lake Temagami. We think the partial Log Cabin Kit with insulated wall panels and high efficiency windows will support of our efforts to keep a small carbon foot print in everything we do and improve.

The attached pictures provide you some perspective on our little island:













Municipality of Temagami

MINOR VARIANCE APPLICATION PLANNING CLERK REPORT

Report Date: | July 11, 2019

REPORT PREPARED FOR:	COMMITTEE OF ADJUSTMENT
REPORT PREPARED BY:	T. LEPAGE, PLANNING CLERK
REPORT REVIEWED BY:	J. ROBINSON, MCIP, RPP MHBC, PLANNING CONSULTANT
APPLICATION NO.:	MV-19-02
DATE OF NOTICE OF HEARING:	JULY 11, 2019
DATE OF HEARING:	JULY 25, 2019
SUBJECT LAND:	16 LAKE TEMAGAMI ISLAND 1002
APPLICANT:	JOHN AND RONDA PECARIC



Application Review

The intake review of the application was deemed complete on June 25, 2019. Notice of the Public Hearing was given by circulating prescribed persons and agencies, posting at the Lake Temagami Access Point landing, and postings on the Municipality's website & Welcome Centre notice board on July 11, 2019.

BACKGROUND

John and Ronda Pecaric have submitted an application for a Minor Variance to permit an addition to an existing legal-non complying sleep cabin. The subject property is located at 16 Lake Temagami Island 1002, within the Municipality of Temagami. The subject property is located within the Lake Temagami Neighbourhood and is designated Special Management Area. The subject property is shown in black on Figure 1.

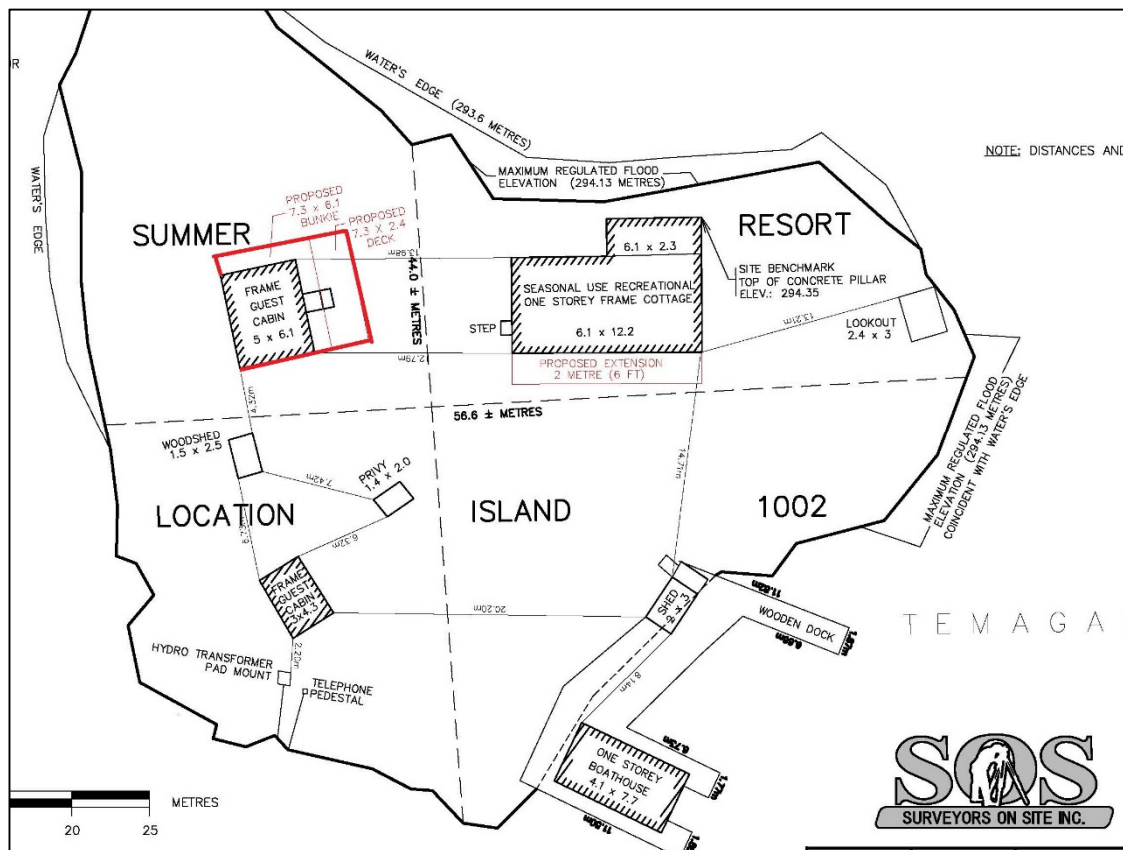
Figure 1: Subject Property



PROPOSAL

The purpose of the application is to construct an addition to a legal-non complying sleep cabin. The existing sleep cabin is 5 metres by 6.1 metres (30.5 square metres) and the proposed addition also includes an attached covered deck. The proposed addition is 14 square metres and the proposed covered deck is 17.5 square metres. The existing development on the subject property and the proposed addition (outlined in red) is shown on Figure 2. The applicants are not proposing the addition to the cottage at this time.

Figure 2: Sketch of Development



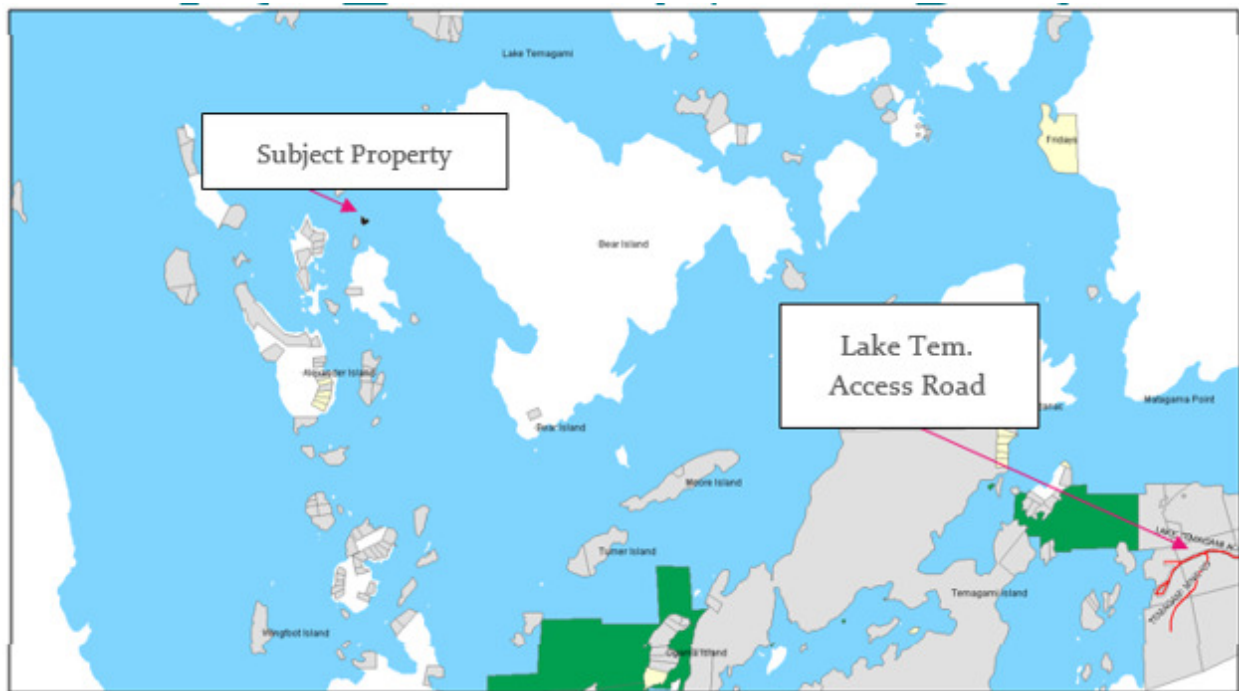
The subject property is designated Special Management Area in the Lake Temagami Neighbourhood of the Official Plan of the Corporation of the Municipality of Temagami and is zoned Remote Residential (R1) - Lake Temagami in the Municipality of Temagami Zoning By-law 06-650.

SITE ANALYSIS

The subject property is 1,992.5 square metres in lot area and is developed with a seasonal cottage, two sleep cabins, a one storey boathouse, and one privy. There are cottage properties located as shown in Figure 3 at the distances below.

- North – 275 metres
- East – 500 metres
- South – 140 metres
- West – 365 metres

Figure 3: Aerial View Distance from the Lake Temagami Access Road



The subject property currently includes the following buildings and structures:

- Sleep Cabin 1 – 30.5 square metres (Subject to this application);
- Sleep Cabin 2 – 12.9 square metres;
- Woodshed – 3.8 square metres;

- Privy – 2.8 square metres;
- Cottage (Dwelling) – 88.45 square metres;
- Shed – 6 square metres;
- Lookout – 7.2 square metres;
- Boathouse – 31.6 square metres; and,
- A dock.

PLANNING ANALYSIS

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

Table 1 provides a comparison of the applicable Zoning By-law performance standards for the development of the proposed addition.

Table 1: Applicable Zoning Standards Section 7.4.2 Remote Residential (R1) Zone.

<u>Zone Provisions</u>	<u>Required Standard</u>	<u>Proposed</u>
Minimum distance from the shore	15.0 m	8.0 m – Sleep Cabin (to the north and west shoreline) 7.0 m – Covered Deck (to the north shoreline)
Shoreline Activity Area	100 m ²	183 m ²
Lot Coverage (max.)	8%	11%

The Proposed Variance

To facilitate the proposed development, the applicant requires a variance to the following sections of the Zoning by-law as shown in Table 1.

1. Section 6.28:
 - To permit an expansion of a non-complying sleep cabin that is located within the SAA. The sleep cabin has a current size of 30.5 square metres (328.3 square feet) and is proposed to be expanded to 44.5 square metres (479.3 square feet) which is an increase of 14.03 square metres (151.0 square feet). A covered deck is also proposed to be attached to the sleep cabin and is 17.5 square metres (188.6 square feet) in size.
2. Section 6.40:
 - To permit an increase in the maximum area of structures within the Shoreline Activity Area of 183 square metres (1,970 square feet) where 100 square metres (1,076.4 square feet) is permitted.
3. Section 7.4.2 Any Sleeping Cabin without both bathroom and kitchen facilities a):
 - To permit an addition to an existing sleep cabin that is located 8 metres (26.2 feet) from the shore on the north side of the subject property, and 8 metres from the shore on the west side of the subject property. The minimum setback is 15 metres (49.2 feet) from the shore and the existing sleep cabin is located 9 metres (29.5 feet) from the shore on the west side of the subject property and 11 metres (36.1 feet) from the shore on the north side of the subject property.
 - To permit a new covered deck attached to a sleeping cabin that is located 7 metres (23 feet) from the shore on the north side of the subject property.
4. Section 7.4.2 The Lot g):
 - To permit a total lot coverage of 11% where a maximum of 8% is permitted. The existing total lot coverage on the subject property is 9.2%. The total lot coverage is proposed to be increased by 1.8% and exceeds the maximum by 3%.

The Four Tests of a Minor Variance

In considering this application, the Committee needs to be satisfied that the proposal is in-keeping with the “Four Tests” of a minor variance as set out in Section 45 (1) as set out in the *Planning Act*. As staff have not had the opportunity to visit the site, staff are unable to make conclusions with respect to the four tests of minor variances. However, based on the information provided in the application package, we can provide the Committee with planning information to assist the Committee with their decision.

Information pertaining to Section 45(1), the four tests of a minor variance, is as follows:

1) Is the variance in-keeping with the intent of the Official Plan?

The subject property is located within the Lake Temagami Neighbourhood and is designated Special Management Area by the Municipality of Temagami's Official Plan.

Section 2.14 "Cultural Heritage Features" and Section 9.24 "Complete Application" were reviewed in the pre-consultation phase as there are nine known archaeological features approximately 500 metres away at the closest point from the subject property. The proposed addition to the sleep cabin does not require ground disturbance, and otherwise contains existing development. Staff therefore do not recommend that an Archaeological Assessment be required in support of the proposed addition.

Section 2.17 of the Official Plan contains policies which guide development on waterfront properties. This policy promotes the retention of vegetative buffers to screen development from the shoreline. The proposed addition to the guest cabin would entail an encroachment toward the shoreline nominally greater than the legal non-complying shoreline setback existing within the property.

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

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

The shoreline of the subject property appears to be well vegetated as demonstrated in the photographs provided with the application. The development proposed would achieve the goals outlined in 5.2.1 by maintaining the aesthetic and natural features of the subject property given the proposal is not anticipated to negatively impact the vegetation along the shoreline.

Section 5.3.2 of the Official Plan provides that a broad range of uses, including residential uses, accessory uses such as boat houses, docks and storage sheds, sleep cabins, are permitted within the Lake Temagami Neighbourhood. The proposed addition to the existing sleep cabin would appear to represent a desirable form of development within the Lake Temagami Neighbourhood.

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 applications proposed within the Municipality of Temagami. The Temagami First Nation was circulated on this application.

Based on a review of the policies of the Official Plan, the proposed variances would meet the intent of the Official Plan.

2) Is the variance in keeping with the intent of the Zoning By-law?

The subject property is located within the Remote Residential (R1) Zone (Lake Temagami) of the Municipality's Zoning By-law 06-650. The proposed variance seeks permission to construct an addition to the sleep cabin including a deck.

Section 6.28 is proposed to be varied to permit the expansion of legal non-complying sleep cabin that is located within the SAA. The existing sleep cabin is 30.5 m² in size and the proposed addition to the sleep cabin is 14 square metres and the proposed deck is 17.5 square metres.

The proposed variances would permit a minimum distance from the shore of 8 metres from the western and northerly shorelines within the property for the sleep cabin, and 7 metres for the covered deck. The provisions for a minimum shoreline setback of 15 metres within the R1 Zone is intended to preserve the character of the Lake Temagami shoreline and to enable an area for vegetation between development and the shoreline. Existing vegetation will be maintained between the shoreline and the proposed additions. The proposed setbacks therefore would not impact the character of the area.

Section 6.40 of the Zoning By-law is proposed to be varied as the additions would increase the SAA coverage to 183 square metres where a maximum of 100 square metres is permitted. The purpose of this provision is to limit the built footprint within proximity to the shoreline in order to ensure that semi-wilderness values predominate. The proposed expansion to the sleep cabin is primarily interior to the site and will not change the view from the lake. The proposed expansion to the sleeping cabin is modest in size and maintains the intent of the maximum SAA coverage in the Zoning By-law. The privy and the boathouse are not considered in the SAA calculation.

Section 7.4.2 Any Sleeping Cabin without bathroom and kitchen a) is proposed to be varied to permit an addition to an existing sleep cabin that is located approximately 8 metres from the shore, and covered deck located 7 metres from the shore, where a setback of 15 metres is required (the current guest sleep cabin is approximately 9.0 from the shore).

The required minimum distance from the shore is to ensure adequate setbacks of buildings from the shoreline to avoid erosion hazards, to maintain the natural character of the area, and to ensure that there is an area for vegetation between development and the shoreline. The proposed addition to the guest cabin is 8 metres from the shore, and

the covered deck is 7 metres from the shore, which is a slight reduction of the existing setback.

Based on the information presented in the application package and our review, the proposed variances would meet the intent of the Zoning Bylaw.

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

The subject property is designated, zoned and presently used for residential purposes. The proposed variance would not change the existing land use and would facilitate the enlargement of an existing accessory structure. The proposed addition appears to be buffered from the lake by existing vegetation and will not impact views from surrounding properties. The height is not proposed to be increased. The proposed variance is desirable.

4) Is the variance minor?

Staff are unable to definitively confirm whether the proposed variances are minor without conducting a site visit. Given the considerable vegetation on the site as evident through the images provided in the application the varied minimum shoreline setbacks, maximum lot coverage, and maximum development within the SAA proposed would generally be considered to be minor in nature. Further, the proposed addition is limited and is proposed to an existing structure that is modest in size. Based on the information presented in the application package and our review, the proposed variances appear to be minor in nature.

RECOMMENDATIONS

Based on the review of Application No. MV-19-02, the proposed application meets the intent of the Official Plan, the intent of the Zoning By-law, are desirable, and appear to be minor. It is recommended that the variance be approved subject to the following conditions:

1. That the variance apply to the location of development proposed in the application sketch (excluding the addition to the cottage dwelling); and
2. That the applicant be required to enter into A Site Plan Control Agreement with the Municipality of Temagami, to be registered on title.

COMMENTS RECEIVED FROM AGENCY CIRCULATION AND PUBLIC NOTIFICATION:

Municipal Departments:

Public Works:

Building:

Tax:

Fire:

Ambulance:

Ministry & Agencies:

Ministry of Natural Resources and Forestry:

Timiskaming Health Unit:

First Nation Community:

Interest Groups & Neighbours:



Services de santé du

TIMISKAMING
Health Unit

Head Office:

247 Whitewood Avenue, Unit #43
New Liskeard, Ontario P0J1 P0
Tel.: 705-647-4305 Fax: 705-647-5779

Branch Offices:

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

www.timiskaminghu.com

July 15, 2019

Tammy Lepage, Planning Clerk/Deputy Clerk
The Corporation of the Municipality of Temagami
P.O.Box Box 220
Temagami, ON P0J 1H0
Email: planning@temagami.ca



Re: Minor Variance Application, MV-19-02, Owners John and Ronda Pecaric, sec NIP: 16 Lake Temagami Island 1002 in Lake Temagami, Joan in the Temagami Provincial Forest, District of Nipissing, pcl 14932, Roll 4869 760 001 07400 0000

Dear Tammy:

The Land Control Division of the Timiskaming Health Unit has reviewed the above minor variance application and have no objection to the same. This property has two Class 2 sewage systems which were installed under permit No. 94.23823 and 94-23824.

Should you require any additional information, please do not hesitate to contact me at the New Liskeard Timiskaming Health Unit office.

Sincerely,

John Dickinson

Chief Building Officer

JD/tr



**Municipality of Temagami
Committee of Adjustment
Notice of Decision**

1. Application No.: **MV-19-02**
 2. Applicant/ Owners: **John and Ronda Pecaric**
 3. Date of Hearing: **July 25, 2019**
 4. Date of Decision: **July 25, 2019**
 5. Date of Notice of Application: **July 11, 2019**
 6. Location and Legal Description of Property: **16 Lake Temagami Island 1002; PCL14932
SECONDED BY NIP; SUMMER RESORT LOCATION ISLAND 1002 IN LAKE
TEMAGAMI JOAN IN THE TEMAGAMI PROVINCIAL FOREST**
-

7. Decision

This is an application made under section 45(2) of the Planning Act RSO 1990, to permit:

- a) To permit an expansion of a non-complying sleep cabin. The sleep cabin has a current size of 30.5 square metres (328.3 square feet) and is proposed to be expanded to 44.5 square metres (479.3 square feet) which is an increase of 14.03 square metres (151.0 square feet). A covered deck is also proposed to be attached to the sleep cabin and is 17.5 square metres (188.6 square feet) in size (Section 6.28);
- b) To permit an increase in the max. area of structures with the SAA of 183m² where 100 m² is permitted (Section 6.40);
- c) To permit an addition to an existing sleep cabin that is located 8 metres (26.2 feet) from the shore on the north side of the subject property, and 8 metres from the shore on the west side of the subject property. The minimum setback is 15 metres (49.2 feet) from the shore and the existing sleep cabin is located 9 metres (29.5 feet) from the shore on the west side of the subject property and 11 metres (36.1 feet) from the shore on the north side of the subject property;
To permit a new covered deck attached to a sleeping cabin that is located 7 metres (23 feet) from the shore on the north side of the subject property (Section 7.4.2(a)); and
- d) To permit a total lot coverage of 11% where a maximum of 8% is permitted. The existing total lot coverage on the subject property is 9.2%. The total lot coverage is proposed to be increased by 1.8% and exceeds the maximum by 3% (Section 7.4.2 (g)).

The request is:

- ☐ Granted subject to no conditions
- ☐ Refused
- ☐ Deferred
- ☐ Adjourned

☐ Granted subject to the following conditions:

- That the applicant enter into a site plan amendment agreement with the Municipality of Temagami; and
- That the variance apply to the location of development proposed in the application sketch, excluding the addition to the cottage dwelling.

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

9. Comments received in writing and verbally at the meeting related to: comments received by:

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:

Cathy Dwyer, Chair

Barry Graham, Member

Bruce Rice, Member

Gary Cline, Member

Ken Ballentine, 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 **August 14, 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:

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