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## **NOTICE OF DECISION**

### **MINOR VARIANCE**

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. Zoning: **Remote Residential (R1) - Lake Temagami**
7. Designation: **Special Management Area (Lake Temagami Neighbourhood)**
8. Location and Legal Description of Subject Lands: **16 Lake Temagami Island 1002; PCL14932 BY NIP; SUMMER RESORT LOCATION ISLAND 1002 IN LAKE TEMAGAMI JOAN IN THE TEMAGAMI PROVINCIAL FOREST**

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### **9. Decision**

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

- a) the expansion of a non-complying sleep cabin. The sleep cabin has a current size of 30.5 square metres and is proposed to be expanded to 44.5 square metres; an increase of 14.03 square metres. A covered deck is also proposed to be attached to the sleep cabin and is 17.5 square metres in size (Section 6.28);
- b) an increase in the max. area of structures with the Shoreline Activity Area of 183m<sup>2</sup> where 100 m<sup>2</sup> is permitted (Section 6.40);
- c) an addition to an existing sleep cabin that is located 8 metres 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 from the shore and the existing sleep cabin is located 9 metres from the shore on the west side of the subject property and 11 metres 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 from the shore on the north side of the subject property (Section 7.4.2(a)); and
- d) 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)).

**IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT THE REQUEST BE:**

- Approved subject to no conditions
- Refused
- Deferred

Adjourned

Approved subject to the following conditions:

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

**10. 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.

**11. Comments received in writing and verbally at the meeting related to:**

Comments received by: Timiskaming Health Unit – No objections

**12. 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:

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Cathy Dwyer, Chair

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Barry Graham, Member

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Bruce Rice, Member

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Gary Cline, Member

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Ken Ballentine, Member

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Nicole Brooker, Member

**13. 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:**

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