

**THE CORPORATION OF THE
MUNICIPALITY OF TEMAGAMI**

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**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.**
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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