

THE CORPORATION OF THE  
**MUNICIPALITY OF TEMAGAMI**  
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## **NOTICE OF DECISION**

### **MINOR VARIANCE**

1. Application No.: **MV-19-03**
2. Applicant/ Owners: **K.J. Allen Investment Inc.**
3. Date of Hearing: **September 26, 2019**
4. Date of Decision: **September 26, 2019**
5. Date of Notice of Application: **September 12, 2019**
6. Zoning: **Remote Residential (R1) - Lake Temagami**
7. Designation: **Special Management Area (Lake Temagami Neighbourhood)**
8. Location and Legal Description of Subject Lands: **20 Lake Temagami Island 337;  
PCL14842 SEC NIP SUMMER RESORT LOCATION ISLAND 337 IN LAKE  
TEMAGAMI UNSURVEYED TERRITORY IN THE TEMAGAMI PROVINCIAL  
FOREST; TEMAGAMI; DISTRICT OF NIPISSING**

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#### **9. Decision**

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

- a) The expansion of a non-complying cottage. The cottage has a current size of 45.5 square metres and is proposed to be expanded to 95.5 square metres; an increase of 50 square metres. (Section 6.28);
- b) An increase in the maximum area of buildings and structures with the Shoreline Activity Area of 117 m<sup>2</sup> where 100 m<sup>2</sup> is permitted (Section 6.40);
- c) Additions to the existing cottage that are located 5 metres from the north shoreline of the subject property, 6.5 metres from the east shoreline of the subject property, and 11 metres from the south shoreline of the subject property. (Section 7.4.2 Any Dwelling Unit a));
- d) A sleeping cabin located 6 metres from the southern shoreline of the subject property (Section 7.4.2 Any Sleeping Cabin without both bathroom and kitchen facilities a)).

**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 agreement with the Municipality of Temagami; and
- ii. That the variances apply to the location of development proposed in the application sketch.

**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 September 17, 2019.

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

Comments received by: Wayne O'Shea - no objections

Comments received by: Timiskaming Health Unit – no objections as long as the minimum setbacks in part 8.2.1.6c. of the Building Code are maintained.

**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:

\_\_\_\_\_  
Cathy Dwyer, Chair

\_\_\_\_\_  
Barry Graham, Member

\_\_\_\_\_  
Bruce Rice, Member

\_\_\_\_\_  
\_Absent\_  
Gary Cline, Member

\_\_\_\_\_  
Ken Ballentine, Member

\_\_\_\_\_  
Nicole Brooker, Member

**13. Notice for Last Day of Appeal**

The last day for appealing this decision to the Local Planning Appeal Tribunal is **October 17, 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