



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

**September 26, 2019, 1:00 P.M.
Main Level Chambers**

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

PRESENT: C. Dwyer Chair, B. Rice, B. Graham
ABSENT: N. Brooker (With Notice), G. Cline (With Notice), and K. Ballentine (With Notice)
STAFF: Secretary-Treasurer: T. Lepage; Planner: J. Robinson (By Phone)

CALL TO ORDER

The Chair called the meeting to order at 1:00 p.m. There were no members in the audience, and the Chair called the roll.

MEETING PROCEDURES

The Secretary-Treasurer read out the meeting procedures.

ADOPTION OF THE AGENDA

Adoption of the Agenda dated September 26, 2019
19-11

MOVED BY: B. Graham

SECONDED BY: B. Rice

BE IT RESOLVED THAT the agenda dated September 26, 2019 be adopted as presented.

CARRIED

ADOPTION OF THE MINUTES

Adoption of the Minutes from the July 25, 2019 meeting.
19-12

MOVED BY: B. Rice

SECONDED BY: B. Graham

BE IT RESOLVED THAT the minutes of the Committee of Adjustment meeting held July 25, 2019 be adopted presented.

CARRIED

DECLARATION OF CONFLICT OF INTEREST

None.

DEFERRED APPLICATIONS

C-19-01 – Krygsman; deferred application until an archaeological assessment is completed.

The Secretary-Treasurer provided an update regarding the deferred consent application no. C-19-01, and that a Stage 2 is being completed.

ADJOURNED APPLICATIONS

None.

NEW APPLICATIONS

Application No. MV-19-03

Applicant: K. J. Allen Investment Inc.

Property Location: 20 Lake Temagami Island 337

THE PURPOSE of the Application is:

To permit the construction of an addition to an existing cottage and an addition of a screened porch. The application is also to permit a sleep cabin on the subject property. The existing buildings are located within the Shoreline Activity Area (SAA) and are considered legal non-complying buildings, due to not meeting the minimum required setback of 15 metres from the shoreline. The subject property is located within the Remote Residential (R1) Zone (Lake Temagami).

THE EFFECT of the Application is:

- Section 6.28: To permit an expansion of a non-complying cottage that is located within the SAA. The cottage has a current size of 45.5 square metres (490 square feet) and is proposed to be expanded to 95.5 square metres (1,026 square feet) which is an increase of 50.0 square metres (536 square feet). The expansion includes the addition and the screened porch. To permit the additions to the existing cottage with minimum distances from the shoreline of 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 6.40: To permit an increase in the maximum area of structures within the Shoreline Activity Area to 117.0 square metres (1,259 square feet) where a maximum of 100 square metres (1,076 square feet) is permitted.
- Section 7.4.2 Any Sleeping Cabin without both bathroom and kitchen facilities a): To permit a sleep cabin that is located 6 metres (20 feet) from the shoreline on the south side of the subject property where a minimum setback of 15 metres (49 feet) is permitted.

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

Presentation of the Applications

The Committee had received a copy of the application and the Planning Report from MHBC Planning dated September 17, 2019, with the meeting package. J. Robinson of MHBC attended by telephone and summarized the application with a PowerPoint presentation for the Committee. Based on the comments provided, his recommendation would be to defer the application until further review of the comments submitted can be completed. J. Robinson reviewed for the Committee the proposed development being requested. J. Robinson would like to discuss with the Chief Building Official regarding the capping of the holding tanks requirements, under the Building Code. He informed the Committee that he would like to take the opportunity to review the comment submission from the Temagami First Nation. He informed the Committee that there is legislation that governs, and sets out procedures if an artifact or remains is found. He also informed the Committee that the size of the Island is small, and due to width of the Island potential for development will be taken into consideration.

Correspondence Included in the Packages

- Correspondence from Wayne O'Shea dated September 12, 2019 - no objections
- Correspondence from Timiskaming Health Unit dated September 17, 2019 - no objections as long as the minimum setbacks in part 8.2.1.6lc of the building code are maintained.

Correspondence Received after Packages were compiled

The Secretary-Treasurer read out the correspondence below:

- Correspondence from the Ministry of Natural Resources and Forestry dated September 23, 2019 - no concerns.
- Correspondence from Temagami First Nation dated September 24, 2019 – The Island in question has high archaeological potential; therefore, it should have an archaeological assessment.
- Correspondence from Paul Tamburro, Temagami Lakes Association dated September 24, 2019 - no objections to the variance.

Presentation of the Application by the Applicant/Agent:

Questions/Comments by other Property Owners: None.

Questions/Comments by Committee of Adjustment Members:

- Question regarding setting precedence, and J. Robinson informed the Committee that no precedence can be set as each application is evaluated based on its own merits.
- Comment for a maximum building regarding holding tanks. J. Robinson informed the Committee no requirements for agreements in place, a building cannot be occupied legally
- Question regarding sketch and proposed addition regarding the link: is the link included in the square footage, is the proposed deck included in the sketch.
- Questions regarding fixtures and facilities, and what is the proposed addition going to be used for, whether the Bunkie is serviced?
- Question regarding how the applicants plan to construct the proposed development?
- Question regarding environmental study triggers: J. Robinson, clarified that an environmental study is triggered when a significance of: wildlife habitat, wetlands, fish habitat, are provided in the Official Plan maps.
- Comment would like to have docking locations on consent applications. J. Robinson informed the Committee that site visits will be made moving forward.
- Question regarding information that is used to decipher if studies are required, and if a request into the MNRF for updated mapping required? J. Robinson informed the Committee that MHBC has access to all of the MNRF maps, and can have them printed.
- Comment to have in the report that a review of these studies has been completed.

Discussion/Decision by Committee Members:

J. Robinson was excused from the meeting at: 1:33 p.m.

The Committee members discussed the application and the following resolution was passed:
19-13

MOVED BY: B. Graham

SECONDED BY: B. Rice

BE IT RESOLVED THAT

COA September 26, 2019 – DRAFT Minutes

The Committee of Adjustment: Deferrers
Minor Variance Application: MV-19-03
Applicant: K.J. Allen Investments Inc.
Subject to the attached Notice of Decision
CARRIED

ITEMS FOR INFORMATION

The Secretary-Treasurer informed the Committee that a Member Ballentine, due to unforeseen circumstances may need to resign. She further informed the Committee that according to the Committee of Adjustment by-law, only 1 member of Council can sit on the Committee, and that a Memo can be prepared regarding attendance for the next Council meeting.

NEXT MEETING DATE

ADJOURNMENT

19-14

MOVED BY: B. Graham

SECONDED BY: B. Rice

BE IT RESOLVED THAT the September 26, 2019 Committee of Adjustment meeting be adjourned at 1:36 p.m.

CARRIED

Prepared by: Tammy Lepage Secretary-Treasurer Committee of Adjustment