

**The Corporation of the Municipality of Temagami  
COMMITTEE OF ADJUSTMENT  
The Municipality of Temagami Theatre  
October 25, 2018 at 1:00 pm  
DRAFT MINUTES**

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

**Committee of Adjustment Members:** Jim Hasler, Cathy Dwyer, Bruce Rice, Claire Rannie, Nicole Brooker

**Staff:** Secretary-Treasurer: Tammy Lepage; Planner: Patrick Townes (by phone);

**Absent:** Ron Prefasi (With Notice), Gary Cline (With Notice), Barret Leudke (Without Notice), and Barry Graham (Without Notice).

**Members of the Public: 2**

**Call to Order**

The Secretary Treasurer called the meeting to order at 1:00 pm.

In the absence of the Chair, the consensus of the Committee passed the following motion:

18-18

MOVED BY: C. Rannie

SECONDED BY: J. Hasler

BE IT RESOLVED THAT the Committee of Adjustment appoint Cathy Dwyer as Chair for this meeting.

CARRIED

The Chair introduced the Committee members.

The Secretary-Treasurer read out the meeting procedures.

**Adoption of Agenda**

18-19

MOVED BY: J. Hasler

SECONDED BY: N. Brooker

BE IT RESOLVED THAT the agenda dated October 25, 2018 be adopted as presented.

CARRIED

**Approval of Minutes**

18-20

MOVED BY: C. Rannie

SECONDED BY: N. Brooker

BE IT RESOLVED THAT the minutes of the Committee of Adjustment meeting held August 23, 2018 be adopted presented.

CARRIED

**Declarations of Conflict of Interest**

None.

**Deferred Application**

None.

*P. Townes joined the meeting by phone at 1:12 p.m.*

## **New Applications**

### **1) Application No. MV-18-05**

Applicant: Nancy Shepard Kovaleff & Theodore Kovaleff

Property Location: 10 Lake Temagami Island 1175

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**THE PURPOSE** of the Application is: to permit the construction of an addition to an existing cottage that is located within the Shoreline Activity Area and that does not meet the minimum required setback from the shore.

**THE EFFECT** of the Application is: Section 6.28 – To permit an expansion of a non-complying dwelling that is located partially within the Shoreline Activity Area. The dwelling has a current size of 84.6 square metres (910 square feet) and is proposed to be expanded to 96.8 square metres (1,042 square feet); Section 6.38 – To permit an increase in the maximum area of structures within the Shoreline Activity Area of 143 square metres where 100 square metres is permitted and section 7.4.2 Any Dwelling Unit a) – To permit an addition to an existing cottage that is located 9 metres from the shore.

### **Presentation of the Applications**

The Committee had received a copy of the application and the Planning Report from MHBC Planning dated October 17, 2018, with the meeting package. Patrick Townes 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*, and that the intent of the Official Plan and zoning by-law has been met. He explained that the proposed development is desirable for the area, and that the proposed development seems to be minor. He explained that the proposed development did not meet the minimum distance of 15 metres from the shore, the 100 square metres of maximum area of structures permitted within the Shoreline Activity Area (SAA) and the expansion of an existing non-complying dwelling as per the zoning by-law. He further explained that based on his review of the application, the application does satisfy the four tests of a minor variance and recommends the variance be approved subject to condition of site plan control application.

### **Correspondence Included in the Packages**

- Correspondence from the Temagami Lakes Association dated October 12, 2018 – no objections.

### **Correspondence Received After Packages Were Compiled**

The Secretary-Treasurer read out the correspondence below:

- Correspondence from Timiskaming Health Unit dated October 12, 2018 – no objections

### **Presentation of the Application by the Applicant/Agent:**

The Agent John O'Sullivan spoke to the application and informed the Committee that the property does not have a current septic system, only an outhouse.

### **Questions/Comments by other Property Owners:**

- None.

### **Questions/Comments by Committee of Adjustment Members:**

The Committee of Adjustment Members had the following questions/comments:

- Question posed regarding where the grey water is being disposed of. J. O' Sullivan informed the Committee that the owners have a leaching pit.
- Comment that if the property owners at a later date will be utilizing a composting toilet that it would require the approval of the Timiskaming Health Unit.

### **Discussion/Decision by Committee Members:**

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

**Application: MV-18-05**

18-21

MOVED BY: J. Hasler

SECONDED BY: C. Rannie

BE IT RESOLVED THAT

The Committee of Adjustment: Grant

Minor Variance Application: MV-18-05

Applicant: Nancy Shepard Kovaleff and Theodore Kovaleff

Subject to the attached Notice of Decision.

CARRIED

The notice of decision shall reflect that the variance shall be granted subject to: the variance only apply to the proposed addition as shown in the application sketch and that the applicant proceed with the Site Plan Control Agreement No. SPC-18-14.

The reason cited for this decision was that the application satisfies the four test for a minor variance established in Section 45 of the Planning Act. The committee considered the comment made in coming to their decision.

*P. Townes was excused from the meeting at 1:30 p.m.*

**Adjourned Applications**

None.

**New Business**

None.

**Adjournment**

18-22

MOVED BY: B. Rice

SECONDED BY: N. Brooker

BE IT RESOLVED THAT the October 25, 2018 Committee of Adjustment meeting be adjourned at 1:34 p.m.

CARRIED

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Prepared by Tammy Lepage  
Secretary-Treasurer Committee of Adjustment