

THE CORPORATION OF THE TOWNSHIP OF HORTON

COMMITTEE OF ADJUSTMENT - PUBLIC MEETING

**Aaron & Nathalie Carswell - Application A02-11**

September 19, 2011 – 4:30 p.m.

There was a public meeting held in the Municipal Council Chambers on Monday, September 19, 2011 regarding Minor Variance Application A02-11 for Aaron and Nathalie Carswell.

1. Call to Order

Chair Kingsbury called the meeting to order at 4:30 p.m.

2. Declaration of Pecuniary Interest

There was no declaration of pecuniary interest.

3. Purpose of Public Meeting

Chair Kingsbury informed the Committee that 399 Leavoy Lane is zoned Limited Service Residential (LSR) under Comprehensive Zoning By-law 2010-14. The LSR zone permits a Limited Service Dwelling. An existing seasonal dwelling (cottage) is located on the property with a water setback of 11.5 metres (38 feet) from the high-water mark. The dwelling enjoys non-conforming rights to the water setback requirements of 20 metres (66 feet) as set out in Section 3.28 (d) of the zoning by-law. The applicants propose to replace the dwelling with a 40' x 30' Limited Service Dwelling. The new dwelling will be 3 metre (10 feet) wider which will infringe on the water setback on the side of the property. The applicants also propose to reduce the water setback by 2.13 metres (7 feet) to construct a deck.

Section 45 (2) of the Planning Act, R.S.O. 1990 c.P.13 as amended, authorizes the Committee of Adjustment to consider applications to enlarge an existing non-conforming use.

This application for Minor Variance is to permit the reduction of the non conforming water setback from 11.5 metres to 9.5 metres for the 12 metre width of the new dwelling.

4. Method of Notice

The CAO/Clerk reported that as required by the Planning Act all property owners within 200 feet (60 metres) were mailed notice of this Public Meeting. This resulted in nine property owners receiving notice and in addition two agencies were also sent notice for their comments.

5. Persons Requesting Notice of Decision

The CAO/Clerk informed the Committee and the public that anyone wishing to receive Notice of the Decision should make a request to him.

6. Public Participation: a) Questions

There were no questions from the public.

b) Comments in Support

There were no comments in support.

c) Comments in Opposition

There were no comments in opposition.

7. Questions by Committee Members

Councillor Whyte asked if we had received any comments from the neighbours and/or the agencies. Mackie McLaren, CAO/Clerk replied that we had not received any comments.

Mayor Eady asked if the lot will be raised. He noted that we have had many drainage issues throughout the Township due to existing lots being developed. He suggested that installing drainage ditches on each side would collect the water before it goes into the neighbor property. The Committee agreed with this suggestion.

8. Decision

Moved by Jim Ferguson, Seconded by Jamey Larone

That application A02-11 be approved to permit the reduction of the non conforming water setback from 11.5 metres to 9.5 metres for the 12 metre width of the new dwelling with the condition that the applicants construct drainage swales/ditches on each side of the lot.

Carried.

The meeting for this minor variance application was closed at 4:43 p.m.

---

CHAIR

---

SECRETARY