



The Corporation of the Township of Seguin

Addendum

Council Meeting Monday, November 7th, 2022 in the Township of Seguin Council Chambers and Electronic Participation

05. Public Meeting:

- Addition to item e) Zoning By-law Amendment Application No. R-2022-0007-H (Kuntz) of correspondence from Eric & Andrea Notkin, Bruce & Carolyn Pollock, Judith & Thomas Rallis, Trish & Michael Kuhne, Herb Apps & Mary Varcoe, David Stewart, P. & Fred Kolb, Jay Kettle.

06. Shore/Concession Road Allowances:

- Addition to item a) Shore Road Allowance Application Nos. RAS-2020-0014-H and RAS-2020-0015-H (Wadden) of correspondence from Lynda Wadden.

13. Closed Session:

- Addition of item b) Discussion re: Structure 27 Rose Point Recreational Trail Bridge.

Craig Jeffery

From: Bell <421@sympatico.ca>
Sent: Wednesday, November 2, 2022 8:12 PM
To: Craig Jeffery; info
Subject: Zoning By-Law Application:R-2022-0007-H

November 2, 2022

Subject: Re: Submissions in respect of ZBA R-2022-0007-H

Attention: Seguin Township Council c/o Craig Jeffery, Clerk
5 Humphrey Drive
Seguin, ON P2A 2W8
Submissions in respect of ZBA Application R-2022-0007-H
Via Email (info@seguin.ca)

We are writing in reference to the rezoning of #35 Maureen Drive. We wanted to address the fact that we have no issues or concerns regarding the proposed amendment to the zoning By-Law, as we didn't with the recent build at #34 Maureen Drive.

The replacement of the detached garage is similar to the original footprint in keeping with the good look of our street and neighborhood.

The owner of #35 is a long time contractor that has helped to build and renovate many year round homes/ cottages on Maureen Drive as well other cottages on streets in Seguin Twp. He has always maintained the charm of our street and neighborhood, protecting conservation of the environment, lakefront appeal, drainage and high quality workmanship.

Bruce & Carolyn Pollock
#43 Maureen Dr.

Sent from my iPad

Craig Jeffery

From: Dave Stewart <davestewart88@hotmail.com>
Sent: Sunday, November 6, 2022 12:27 PM
To: Craig Jeffery
Subject: ref 34 maureen dr seguin building permit application

R 2022 0007 H application Number

thank you for your letter advising of the permit application at 34 Maureen Drive
As a FULL time resident and property owner of the township (for over a decade)

I see no reason to object to the application presented , the position of the building and the type of construction involved in no way causes any neighbour any visual issues of their appreciation of our beautiful neighbourhood

In my belief this will increase the property value of the area and thus increase the taxation base and cause no harm to others in the process

Should you have any questions , please feel free to contact the writer
David P Stewart ,
12 Judys Lane Seguin ON

November 1, 2022

Via Email (info@seguin.ca)

Attention: Seguin Township Council
c/o Craig Jeffery, Clerk
5 Humphrey Drive
Seguin, ON P2A 2W8

Submissions in respect of ZBA Application R-2022-0007-H

We are the concerned residents of 34 Maureen Drive located directly across the road from the subject property (35 Maureen Drive) and the associated construction proposal. We object to the extensive proposed amendments and the proposal to construct a more than 35 foot tall detached garage with workshop and guest cabin on several grounds as set out herein, including, without limitation, that it will adversely affect (i) the value, use and enjoyment of our property; and (ii) the streetscape – both in ways that the Seguin Township Official Plan aims to specifically prevent and discourage.

The proposed construction would, due to its extensive and unprecedented height (>8.8 metres or double the allowable height), large floorplan, proposed use, proposed location and proximity and proposed encroachment on front, rear and side yard setbacks: (i) reduce the availability of natural light; (ii) impose significant drainage concerns; (iii) create significant privacy concerns; (iv) raise issues of air and noise pollution; and (v) significantly compromise spacing and openness and erode the aesthetics of the streetscape and waterfront – all in a manner that is unprecedented in the neighbourhood, unnecessarily invasive and contrary to planning guidelines and objectives. The proposal is so non-complaint that no fewer than seven (7) amendments are being sought.

This is a residential recreational cottage neighbourhood. The proposed three story garage/ workshop/ living space is unprecedented and incongruous with the neighbourhood character such that it will significantly and irrevocably adversely impact property values given the extensive amendments and concerns noted herein.

The proposal offers no mitigations for the adverse impacts.

We submit that the applicant's objectives may be reasonably satisfied via alternate proposals that would have substantially less adverse impact on the neighbours and neighbourhood. Factors for consideration include: (i) the applicant has ample development space at the western end of the property; (ii) there is also an existing garage, unused boat storage building and shed (not shown on plan) each of which could be repurposed for suitable uses; (iii) alternatively, a new more modest garage structure could be accessed via the expansive secondary driveway (also not shown in site plan) located at the far west side of the lot and the existing garage and other structures could be demolished (if required for lot coverage purposes). There may be other alternatives that would be more consistent with the Seguin Land Use Vision to manage development by directing it to appropriate locations, and protecting rural lands from incompatible development while protecting and enhancing the natural character of the area.

It is particularly important to protect the character of lake areas from inappropriate development and to limit the density and intensity of development on the lakes in the Township to protect the visual qualities (see Section A.2.2 of the Official Plan). Similarly, Section A.2.4 of the Official Plan stipulates that development should be “appropriate”, have a “positive contribution” and ensure that it is “compatible with the character of adjacent buildings, landscape features and the scale and density of existing development.” High quality site design is key as is the need to integrate new development into the fabric of the community. The proposal does not satisfy these requirements.

Section B.1.4 expressly requires that prior to any Amendment to a Zoning by-law being made, it shall be established that “the potential impact of the proposed use on adjacent lands has been considered and an adequate mitigation, including the appropriate location and ... buffer distances is provided ... in accordance with the policies of the Plan.” The proposed construction is incompatible with the Plan objectives and policies (see also, for example, Sections B.4.1 and B.4.2). Specifically, new development must harmonize with its context having regard for scale, proportion and the relationship of spaces to buildings and to the street. The scale of buildings should be appropriate to their surroundings and conform to the natural landscape. As above, the current proposal fails to satisfy these requirements.

For secondary dwelling units, Section B.10 sets out a number of requirements including that the secondary dwelling unit shall not cause an encroachment into any required yard or height restriction. Moreover, a non-complying structure (i.e. the existing garage) may be enlarged provided that it does *not* further increase a situation of non-compliance (F.4) and does *not* increase the floor area in a required setback area – see also the specific provisions regarding the non-complying structures in shoreline areas.

In regard to lot coverage calculations, not all existing structures appear to have been considered and it is not clear that the lot area below the high water mark has been excluded for calculation purposes.

The proposed structure also raises issues of mass, bulk and height. Drainage problems created by any proposed new development must be addressed so as to avoid any incremental drainage to the road.

This area of Maureen Drive is the narrowest part of a peninsula and is already more congested than any other part of the street or anywhere else in the broader neighbourhood. The proposed structure would not be well spaced on the lot or in proximity to neighbouring properties – particularly given that alternate options are available as described above. Instead of creating a burden for neighbours and being inconsistent with the Official Plan, we submit that Seguin Township should explore a more modest construction proposal that adheres to the Official Plan and causes as little adverse impact as possible on neighbours and the general streetscape. The current proposal is not desirable from a planning or public interest perspective. Zoning by-laws speak to matters such as spacing, noise, privacy, density, and light and give the neighbourhood its form and character. The proposed structure would create an obstruction of such magnitude as to cause an unacceptable adverse impact upon the neighbourhood and adjacent properties. In short, the fundamental intent and purpose of the zoning by-laws, the Provincial Policy Statement and the Official Plan is not maintained.

No Zoning By-Laws shall be approved or modified which do not conform with the Official Plan.

In particular, with respect to the issues of privacy and noise, proposed overbuilding allowing an overview of neighbouring properties is specifically discouraged. The proposed construction's visual intrusion includes direct overviews of our house, gardens, and other outside private family areas including our front yard, rear yard and dock. Similarly, the proximity of a workshop in the proposed location raises issues of noise, dust and air pollution.

Council should consider whether the increase in density and impact on neighbours can be justified where no hardship or compelling reason or need can be demonstrated for overbuilding. Can the applicant's objectives be met with a structure or the renovation of existing structures that is consistent with the Official Plan?

While we value our relationship with the applicant as neighbours, we respectfully submit that Seguin Township has a duty to reject this unduly prejudicial application for the reasons stated.

We are, however, open to meeting with the applicant and Township planning staff to explore alternative proposals that would satisfactorily reduce or eliminate the adverse impacts described above while respecting the spirit and intent of the Official Plan.

Thank you for your consideration.

Respectfully,

Eric and Andrea Notkin

Craig Jeffery

From: mary varcoe <grettaheidimacey@yahoo.ca>
Sent: Friday, November 4, 2022 4:27 PM
To: Craig Jeffery
Subject: November 4, 2022

November 4, 2022

Attention: Seguin Township Council
c/o Craig Jeffery, Clerk
5 Humphrey Drive
Seguin, ON P2A 2W8

Submissions in respect of ZBA Application R-2022-0007-H

We are concerned residents of 8 Judy's Lane located 1 property away from the subject property (35 Maureen Drive) and the associated construction proposal.

We approve the proposed amendments and the proposal to construct a workshop and guest cabin to replace the pre-existing garage. The positive affect of the construction will enhance the value of the property and possibly adjacent properties. By no means will this build cause any limitations of use of adjacent properties. The new built garage, will aesthetically complement the Kuntz' home.

In response to our neighbours, Eric & Andrea Notkin's submission, dated November 1, to Seguin Township Council, we find inconsistencies in their accusations.

Firstly, the value of adjacent properties will not be lessened by the building of a replacement garage on Kuntz' property. Jim & Marlene Kuntz take great pride with the maintenance & aesthetic appearance of their property. A new build will most definitely reflect on an improved streetscape appeal for their property & other properties on Maureen Drive. As it stands, the Kuntz' property is already the most attractive on Maureen Drive and there isn't any suggestion that this high level of property & building maintenance will be lessened.

Secondly, a concern of a neighbour's natural light being obstructed by the new garage is preposterous. The sun is in the sky at various positions during the day and there is plenty of sunlight to cast light on our properties without blaming a structure on the other side of the road for shading. Are we going to start cutting down trees because they are preventing natural light to shine on our property?

Thirdly, it's been suggested that drainage will be ill-effected with the new build. Wrong...a new build will follow updated building guidelines the township has set out for proper drainage around the new builds, a drastic improvement from years ago. As a concern for their ditches, Kuntz' have added river rock to their ditch that fronts their property after the township dredged the ditches. This was done to enhance drainage of rain water by eliminating debris clogging the culverts & to prevent erosion of ditch sidewalls. Our concern as lakefront property owners is and always will be, a healthy lake.

The fourth mention concerns neighbours' privacy. When homeowners purchase small properties, sparse of trees and then expect property privacy, this is a questionable demand. If you want privacy, you don't buy a lakefront property that can be fully seen from the waterfront to the street view! The Kuntz' property is abundant with trees casting some privacy for them & adjacent properties, as well they have newly planted evergreens along the street. We own a heavily treed property & we cannot go to our dock without our neighbours seeing us. I wave & they wave back, because that's what we do in a friendly neighbourhood!

The fifth point I want to make is in regards to air & noise pollution. There is no evidence that the new build will cause additional air pollution, if anything it will improve the air quality by following building code for air circulation and more modern ventilation. There is no proof the noise pollution will be a concern, as this new build will be well insulated. Homeowners, especially retired, need hobbies to occupy their time and is this worthy of a complaint by neighbours that a workshop be a source of noise pollution? Or is the accusation that a new build will bring even more neighbours out to chat with the Kuntz' & enjoy day or evening socializing!

In regards to suggestions...I'd like to make a few, but really, who is building this garage! Is it up to the neighbour across the street to choose the style, type or location of a structure not on their property? Do they really know what might work best for Kuntz' needs & preferences for their garage.

"Compatible with the character of adjacent buildings, landscape features and the scale and density of existing development." This statement has been adhered to, with the planning of the style, scale and character of this garage.

We take offence to Notkin's accusation that this newly built garage will be "a burden to the neighbours". They are speaking for themselves not a voice for all of Maureen Drive.

Kuntz' new garage will simply be used for carpentry projects, for occasional guests sleeping over, for socializing, workbench projects and for storage, not as a business that is inferred. As year round retired residents, are we not entitled to play in our garage!

Hopefully, Council will consider our rebuttal.

Herb Apps & Mary Varcoe
8 Judy's Lane, Seguin

Craig Jeffery

From: Jay Kettle <jkettle@gmail.com>
Sent: Monday, November 7, 2022 1:13 PM
To: info
Subject: Ref#R-2022-007-H

Attn: Craig Jeffrey

In regards to the application for zone change under Ref#R-2022-007-H, I have no complaints with respect to the application.

Jay Kettle
15 Maureen Drive
Seguin, ON

Sent from my iPhone

Craig Jeffery

From: Judith Rallis <judith.rallis@sympatico.ca>
Sent: Thursday, November 3, 2022 10:37 PM
To: info
Cc: Tom Rallis; Ashley Blow
Subject: ZBA Application R-2022-0007-H

Hello, My husband and I are residents at 29 Maureen Dr. We had sent an email, previously, advising that we have no issue with the above ZBA application. It has since come to our attention that a submission was made by Eric and Andrea Notkin of 34 Maureen Dr. The tone of this submission reflects in an ambiguous way, that the road, the community, the neighbours are in opposition to this application. This is not an accurate representation.

The ZBA application presents a proposal for a new garage that will provide increased usable space and that care is being taken to ensure that the new build will fit in with the current character and aesthetic of the area.

My husband and I would like to reiterate that we have no concerns with this ZBA application. Thank you for your attention.

Judith and Thomas Rallis

Nov. 7/22

Township of Seguin:-
attention: Craig Jeffrey



Even though we are not within the 120 metres of property owned by Jim & Marlene Kuntz at 35 Maureen Dr we have absolutely no objection to the proposed building they are wanting to construct on their property.

P. Kolb
Fred Kolb
46 A Maureen Dr.

Craig Jeffery

From: trishk@rogers.com
Sent: Friday, November 4, 2022 12:12 PM
To: info
Subject: Kuntz project proposal support

Hi there,

I would like to voice our support for the build expansion proposal on Jim Kuntz's property. His designs and property maintenance does much to beautify our neighbourhood. Having viewed the site plans posted, we wholeheartedly approve.

Thank you for the opportunity to share our opinion,

Trish and Michael Kuhne

28 Maureen Dr.

November 1, 2022

Mr. Craig Jeffery
Township of Seguin
5 Humphrey Drive
Seguin, ON P2A 2W8
c/o lirvine@seguin.ca

Dear Mr. Jeffery:

**Re: Shore Road Allowance Application
RAS-2020-0014-H**

I reviewed the forwarded letter concerning our application to purchase the SRA which makes reference to a particular 100-foot section of the shore road allowance and asks it remain public access. I have been a property owner on the lake for 45 years and am not aware of any traditional custom or convention concerning public use of this frontage.

I have spoken with other residents and cottagers who have also not observed any continuous or traditional use of this area by others on the lake. This section of the shore road allowance is just below and in front of our cottage and is the only route of easy access to the lake to reach our dock, to go swimming, and to access my water pump. It does not seem logical to purchase the inaccessible cliffs frontage and not be allowed to purchase the part of our waterfront that we constantly use.

We ask that our application be approved in full and thank you for your consideration.

Respectfully submitted,

Lynda Wadden