

COMMITTEE OF ADJUSTMENT REGULAR MEETING MINUTES
Wednesday, April 12, 2017

The Township of Rideau Lakes Committee of Adjustment held a Regular Meeting on Wednesday, April 12, 2017 at the Municipal Office in Chantry, Ontario.

The following Committee members were in attendance: Councillors Cathy Livingston, Ron Pollard, Arie Hoogenboom, Linda Carr and Mayor Ron Holman. Councillor Cathy Monck was absent. Brittany Mulhern, Manager of Development Services was also in attendance.

The following resolution was duly moved and seconded:

ADOPTION OF THE AGENDA:

RESOLUTION #1

Moved By: Ron Holman
Seconded By: Cathy Livingston

That this Committee adopt the Agenda, as submitted.

Carried:

DECLARATION OF PECUNIARY INTEREST & GENERAL NATURE THEREOF:

Chairperson Pollard asked if anyone had a pecuniary interest and the general nature thereof regarding any of the applications and none was declared.

ADOPTION OF MINUTES:

Minutes of the Committee of Adjustment Regular Meeting held March 22, 2017 were distributed to the Committee. Chairperson Pollard asked for any errors, omissions or questions and none were heard.

The following resolution was duly moved and seconded:

RESOLUTION #2

Moved By: Arie Hoogenboom
Seconded By: Linda Carr

That this Committee approve the Committee of Adjustment Regular Meeting Minutes of March 22, 2017, as submitted.

Carried:

NEW BUSINESS:

A-6-2017 – TIMOTHY BOLGER & KIM BOLGER (Agent: SEAN McADOO) – WARD OF SOUTH ELMSLEY
Concession 5, Part Lot 15, Civic Address: 52 R2

Agent Sean McAdoo attended this meeting to discuss the Minor Variance Application.

Brittany Mulhern, Manager of Development Services, reviewed the application to construct a 88sqft rear addition to be attached to an existing 823sqft non-complying dwelling.

The RWDRT had no objections.

After discussion, the following Resolution was duly moved and seconded:

RESOLUTION #3

Moved By: Arie Hoogenboom

Seconded By: Linda Carr

That Minor Variance A-6-2017, by Timothy Bolger & Kim Bolger (Agent: Sean McAdoo), of the Ward of South Elmsley is approved as submitted for the following reasons provided the attached conditions are complied with:

REASONS:

1. The development within the 30m water setback does not significantly change the form, scope or intensity of the existing non-complying dwelling;
2. All lot intensity provisions are being adhered to;
3. The application is consistent with the Waterfront Development Policies of the Official Plan.

CONDITIONS:

1. That this approval is based on the following specifications and that any deviation from these specifications will require subsequent review and approval by the Township:
 - a. The dimensions and location of the proposed structure(s) shall be consistent with the information noted in the application (and updated information) and/or minor variance and the approved drawing;
 - b. All setbacks and development parameters shall be consistent with the details noted in the application and compliant with Zoning By-law 2005-6 where no variance has been granted;
2. That the applicants acknowledge that a condition of approval is that the accessory structure cannot be used for habitation. Similar wording shall be placed on the required building permit;
3. That the 2 accessory structures (215sqft garage and 126sqft wood shed) be removed concurrently with, or prior to, the issuance of a building permit for the proposed 672sqft accessory structure (garage);
4. Existing vegetation within the 30m setback shall be generally maintained, except for that disturbed by the proposed development. The applicant shall encourage the development of a shoreline naturalization buffer (no disturbance area) extending 15m back from the high water mark. A moderate shoreline access path through this area is permitted;
5. That storm water runoff be captured and directed away from the lake to an area of infiltration;
6. That all outdoor lighting be downward cast, and as minimal as required to meet the required objectives;
7. That all materials used on the exterior of the structure be of a natural material or a colour reflective of the surrounding environment;
8. That the applicant maintain all on site drainage patterns;
9. That sediment and erosion control measures be implemented during all stages of construction. This must include some form of silt fencing between the areas of development and the lake. This fencing must remain in place until all areas that were disrupted are fully stabilized (i.e. no bare soils remain);

10. All excavated material is to be disposed of away from the lake, and all construction material shall be stored in a location well away from the lake; and
11. Future development not included in this application will be subject to review and approval by the Township, Conservation Authority and/or Parks Canada and any other governing agency or regulations where applicable.

Carried:

A-7-2017 – CANDACE QUINN – WARD OF SOUTH CROSBY
Concession 8, Part Lot 18, Plan 213, Lot 4, Civic Address: 119 Indian Lake Road

Applicant Candace Quinn attended this meeting to discuss the Minor Variance Application.

Brittany Mulhern, Manager of Development Services, reviewed the application to construct a 144sqft rear addition to be attached to an existing 1130sqft non-complying dwelling.

Ms. Mulhern stated that a shed was also constructed without a permit or planning approvals and would need to be relocated or removed.

The RWDRT had no objections.

Applicant Candace Quinn stated her concerns regarding relocating or removing the existing shed. Ms. Quinn also discussed her experience in obtaining approval for the proposed addition.

Councillor Hoogenboom asked what the minimum size is before a building permit is needed. Ms. Mulhern advised the size but stated that planning requirements are still required to be met.

The Committee discussed the issue of the shed constructed without a permit or approvals and stated their decision must be consistent with past discussions.

After discussion, the following Resolution was duly moved and seconded:

RESOLUTION #4

Moved By: Linda Carr
Seconded By: Cathy Livingston

That Minor Variance A-7-2017, by Candace Quinn, of the Ward of South Crosby is approved as submitted for the following reasons provided the attached conditions are complied with:

REASONS:

1. The development within the 30m water setback does not significantly change the form, scope or intensity of the existing non-complying dwelling;
2. All lot intensity provisions are being adhered to;
3. The application is consistent with the Waterfront Development Policies of the Official Plan.

CONDITIONS:

1. That this approval is based on the following specifications and that any deviation from these specifications will require subsequent review and approval by the Township:
 - a. The dimensions and location of the proposed structure(s) shall be consistent with the information noted in the application (and updated information) and/or minor variance and the approved drawing;
 - b. All setbacks and development parameters shall be consistent with the details noted in the application and compliant with Zoning By-law 2005-6 where no variance has been granted;
2. That the existing non-complying 116sqft accessory structure (shed) that was constructed in 2013 without the required approvals either be removed from the property, or re-located to a complying location on the property with the appropriate approvals, such as a building permit. This shall occur prior to final inspection of the building permit for the proposed addition. Further, that the applicants acknowledge that a condition of approval is that the accessory structure cannot be used for habitation. Similar wording shall be placed on the required building permit;
3. Existing vegetation within the 30m setback shall be generally maintained, except for that disturbed by the proposed development. The applicant shall encourage the development of a shoreline naturalization buffer (no disturbance area) extending 15m back from the high water mark. A moderate shoreline access path through this area is permitted;
4. That storm water runoff be captured and directed away from the lake to an area of infiltration;
5. That all outdoor lighting be downward cast, and as minimal as required to meet the required objectives;
6. That all materials used on the exterior of the structure be of a natural material or a colour reflective of the surrounding environment;
7. That the applicant maintain all on site drainage patterns;
8. That sediment and erosion control measures be implemented during all stages of construction. This must include some form of silt fencing between the areas of development and the lake. This fencing must remain in place until all areas that were disrupted are fully stabilized (i.e. no bare soils remain);
9. All excavated material is to be disposed of away from the lake, and all construction material shall be stored in a location well away from the lake; and
10. Future development not included in this application will be subject to review and approval by the Township, Conservation Authority and/or Parks Canada and any other governing agency or regulations where applicable.

Carried:

OTHER BUSINESS

MEETING RELOCATION **JULY 12, 2017 MEETING**

Brittany Mulhern, Manager of Development Services, stated that the Council Chamber will not be available for the July 12, 2017 meeting and therefore would need to be relocated. It was recommended that it be relocated to the South Elmsley Municipal Complex.

The following Recommendation was duly moved and seconded:

RECOMMENDATION #5

Moved By: Arie Hoogenboom
Seconded By: Cathy Livingston

That the Planning Advisory Committee recommends to the Council of the Corporation of the Township of Rideau Lakes that the July 12, 2017 Committee of Adjustment Meeting be relocated to the South Elmsley Municipal Complex.

And further that appropriate notice to the public be provided.

And further that this meeting begin at 1:30 p.m.

Carried:

ADJOURNMENT

The Chair declared the Committee of Adjustment Meeting adjourned at 2:33 p.m., until the next Regular Meeting.

Ron Pollard
Chairperson

Brittany Mulhern
Secretary