

COMMITTEE OF ADJUSTMENT REGULAR MEETING MINUTES
Wednesday, December 13, 2017

The Township of Rideau Lakes Committee of Adjustment held a Regular Meeting on Wednesday, December 13, 2017 at the Municipal Office in Chantry, Ontario.

The following Committee members were in attendance: Councillors Ron Pollard, Arie Hoogenboom, Cathy Livingston, and Cathy Monck and Mayor Ron Holman. Councillor Linda Carr was absent with prior notice. Malcolm Norwood, Associate Planner was also in attendance.

The following resolution was duly moved and seconded:

NOMINATION OF CHAIRPERSON:

Malcolm Norwood, Secretary of the Committee of Adjustment, asked for nominations for Chairperson of the Committee of Adjustment. Councillor Arie Hoogenboom nominated Councillor Ron Pollard and Councillor Cathy Livingston seconded this nomination. Mr. Norwood asked for further nominations a 2nd and 3rd time. No other nominations were provided. Ron Pollard accepted the nomination and the resolution was carried.

RESOLUTION #1

Moved By: Arie Hoogenboom
Seconded By: Cathy Livingston

That Ron Pollard be declared as Chairperson of the Committee of Adjustment for 2018.
Carried:

ADOPTION OF THE AGENDA:

RESOLUTION #2

Moved By: Cathy Monck
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.

Councillor Livingston declared pecuniary interest in regards to Minor Variance application A-22-2017.

ADOPTION OF MINUTES:

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

The following resolution was duly moved and seconded:

RESOLUTION #3

Moved By: Arie Hoogenboom
Seconded By: Cathy Livingston

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

Carried:

NEW BUSINESS:

A-22-2017 – ROBERT COULTER & JOAN COULTER (Agents: CLEMENS KOLBE & GUY KELLY) – WARD OF SOUTH CROSBY

Plan 143, Island 6, Belleview

Civic Address: 1 Newboro-Belleview Island

Agents Clemens Kolbe and Guy Kelly attended this meeting to discuss the Minor Variance Application.

Malcolm Norwood, Associate Planner, reviewed the application to demolish an existing 2 storey 1442sqft dwelling and construct a 1 storey 1127sqft dwelling with a 291sqft attached, uncovered deck, a sleeping cabin, and new septic system. Mr. Norwood stated that the property is an island which prevented the development from meeting the water setbacks.

The RWDRT had no objections regarding the proposed dwelling, deck, and septic system. The RWDRT objected to the sleeping cabin portion of the application because of its proposed size and location on the island.

Mr. Norwood recommended a condition be added stating the maximize size of the sleeping cabin and for a new site plan drawing with the proposed sleeping cabin in a more suitable location be added.

Agents Clemens Kolbe and Guy Kelly were supportive of the recommendation made by Mr. Norwood.

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

RESOLUTION #4

Moved By: Cathy Monck

Seconded By: Ron Holman

That Minor Variance A-22-2017, by Robert Coulter & Joan Coulter (Agents: Clemens Kolbe & Guy Kelly), of the Ward of South Crosby, is approved as amended for the following reasons provided the attached conditions are complied with:

AMENDMENT(S):

1. That a revised site plan drawing be submitted indicating the sleeping cabin does not exceed 20m² in a location approved by the Township of Rideau Lakes and the Cataraqui Region Conversation Authority.

REASONS:

1. The potential water setbacks for the development have been maximized given the lot configuration;
2. There are no known land use compatibility concerns;
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 development shall be consistent with the information noted in the site plan application (and updated information) and/or minor variance and the approved site plan drawing;
 - b. All setbacks and development parameters shall be consistent with the details noted in the approved site plan and compliant with Zoning By-law 2005-6 where no variance has been granted;

2. Existing vegetation within the 30m setback from the water shall be maintained and enhanced, 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;
3. That storm water runoff be captured and directed away from the lake to an area of infiltration;
4. That all outdoor lighting be downward cast, and as minimal as required to meet the required objectives;
5. That all materials used on the exterior of the structure be of a natural material or a colour reflective of the surrounding environment;
6. That the applicant maintain all on site drainage patterns;
7. 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);
8. 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
9. 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-23-2017 – JAMES ROBINSON & CAROL ANN ROBINSON (Agent: ZANDERPLAN INC.) – WARD OF SOUTH ELMSLEY

**Island Bacchus 305, Plan 222, Lot 2
Civic Address: 4 R1**

Agent Chris Clarke attended this meeting to discuss the Minor Variance Application.

Malcolm Norwood, Associate Planner, reviewed the application to demolish an existing 1 storey 1000sqft dwelling and construct a 2 storey 2280sqft dwelling with an attached, uncovered deck and new septic system.

Mr. Norwood stated that an Environmental Impact Study was submitted with a recommendation to maintain a 20m setback from the lake. Other setbacks have been maximized in order to follow the EIS recommendation.

The RWDRT had no objections.

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

RESOLUTION #5

Moved By: Arie Hoogenboom
Seconded By: Ron Holman

That Minor Variance A-23-2017, by James Robinson & Carol Ann Robinson (Agent: ZanderPlan Inc.), of the Ward of South Elmsley is approved as submitted for the following reasons provided the attached conditions are complied with:

REASONS:

1. A supportive EIS was submitted demonstrating no negative impacts that would result from the proposed development;

2. There are no known land use compatibility concerns anticipated;
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 development shall be consistent with the information noted in the site plan application (and updated information) and/or minor variance and the approved site plan drawing;
 - b. All setbacks and development parameters shall be consistent with the details noted in the approved site plan and compliant with Zoning By-law 2005-6 where no variance has been granted;
2. That all mitigation measures and recommendations in the “Scoped Environmental Impact Statement Part of Lot 10, Concession 5, Rideau Lakes Township, in the United Counties of Leeds and Grenville”, prepared by Geofirma Engineering Ltd. and dated October 20, 2017, be adhered to;
3. That confirmation be received from Hydro One that the applicant will relocate the existing hydro infrastructure to an area that places overhanging wires a minimum 4.8m setback from the proposed dwelling prior to the issuance of a building permit;
4. Existing vegetation within the 30m setback from the water shall be maintained and enhanced, 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;
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. That the Ministry of Natural Resources and Forestry (MNRF) be contacted immediately if any species at risk are observed;
11. 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
12. 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-25-2017 – LYNN HALL – WARD OF NORTH CROSBY

Concession 1, Part Lot 2, RP 28R4874, Parts 2, 4 and 6, RP 28R5092 Parts 5 to 7

Civic Address: 198-763 Narrows Lock Road

Owner Lynn Hall attended this meeting to discuss the Minor Variance Application.

Malcolm Norwood, Associate Planner, reviewed the application to construct 3 side/rear additions to an existing non-complying dwelling, and to rebuild an existing deck. The height of the existing dwelling is also proposed to increase in height to allow the structure to change from seasonal to year round.

Mr. Norwood stated that the application is considered to involve additions and was not deemed new construction as some exterior walls will remain in place. The Committee discussed the importance of the applicants keeping certain original exterior walls for the proposal to be considered additions.

The RWDRT had no objections.

One comment was received objecting the proposed development.

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

RESOLUTION #6

Moved By: Cathy Monck

Seconded By: Arie Hoogenboom

That Minor Variance A-25-2017, by Lynn Hall, of the Ward of North Crosby is approved as submitted for the following reasons provided the attached conditions are complied with:

REASONS:

1. The setbacks for the proposed development have been maximized given the pattern of development of the lot;
2. There are no known land use compatibility concerns;
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 site plan application (and updated information) and/or minor variance and the approved site plan drawing;
 - b. All setbacks and development parameters shall be consistent with the details noted in the approved site plan and compliant with Zoning By-law 2005-6 where no variance has been granted;
2. Existing vegetation within the 30m setback shall be maintained and enhanced, 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;
3. That the existing buffer of natural vegetation between the proposed addition and the south-west side lot line be maintained and enhanced;
4. 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;
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:

ADJOURNMENT

The Chair declared the Committee of Adjustment Meeting adjourned at 2:12 p.m.

Ron Pollard
Chairperson

Malcolm Norwood
Secretary