

**COMMITTEE OF ADJUSTMENT REGULAR MEETING MINUTES**  
**Wednesday, February 22, 2017**

The Township of Rideau Lakes Committee of Adjustment held a Regular Meeting on Wednesday, February 22, 2017 at the Municipal Office in Chantry, Ontario.

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

The following resolution was duly moved and seconded:

**ADOPTION OF THE AGENDA:**

**RESOLUTION #1**

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 and none was declared.

**ADOPTION OF MINUTES:**

Minutes of the Committee of Adjustment Regular Meeting held February 8, 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: Ron Holman  
Seconded By: Cathy Livingston

That this Committee approve the Committee of Adjustment Regular Meeting Minutes of February 8, 2017, as submitted.

Carried:

**BUSINESS ARISING FROM MINUTES:**

**A-1-2017 – MARC FORTIER & WENDY FORTIER (AGENT: JAMESVIEW BUILDERS) – WARD OF SOUTH ELMSLEY**  
**Concession 1, Part Lot 30, Civic Address: 30 O8B**

Agents Fred James and Janet James from Jamesview Builders attended this meeting to discuss the Minor Variance Application.

Tom Fehr, Associate Planner, reviewed the application that was deferred at the February 8, 2017 meeting to allow for the review of the revised site plan drawing by the Rideau Valley Conservation Authority.

The Associate Planner stated that the amended site plan increases the water setback from the originally proposed 9.75m to 11.27m. Staff recommended that the application be denied as there appeared to be an opportunity to further maximize the water setback. The RVCA objected to the proposed amendment based on the same notion.

The agents stated that increasing the water setback is limited due to the landscape of the property and the risk of redirecting the drainage directly to the proposed building.

The Committee asked if the applicants would be willing to alter the size of the dwelling in order to increase the setback. The agents stated that the dwelling has been designed to maximize the water setback and to conform to the narrow property.

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

**RESOLUTION #3**

Moved By: Ron Holman  
Seconded By: Cathy Monck

That Minor Variance A-1-2017, by Marc & Wendy Fortier (Agent: Jamesview Builders), of the Ward of South Elmsley is approved as amended for the following reasons provided that attached conditions are complied with:

**AMENDMENT:**

1. That the proposed 1600sqft dwelling is to be built a minimum of 12.79m from the high water mark.

**REASONS:**

1. No negative impacts are anticipated as the proposal reduces the overall lot coverage and increases the current water setback;
2. The reduced side yard will not impede functionality of the site and there are no land use compatibility concerns;
3. The proposal meets the purpose and intent of the Waterfront Development Policies

**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. That the 700sqft dwelling, 100sqft accessory structure (shed), 64sqft accessory structure (shed), and 61.6sqft unattached deck are removed prior or concurrently with the issuance of a building permit for the proposed dwelling;
3. That the existing buffer of natural vegetation between the proposed dwelling and the side lot line be maintained and enhanced;

4. That the existing large quantity of lumber and other construction items unrelated to the proposed construction, as well as the appliances, are removed from the subject property or properly stored in accordance with Zoning By-law 2005-6 and Safety of Properties By-law 2006-85 prior to the issuance of a building permit for the proposed dwelling;
5. Existing vegetation within the 30m setback shall be maintained and enhanced, except for that disturbed by the proposed development. The applicants 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;
6. That storm water runoff be captured and directed away from the lake to an area of infiltration;
7. That all outdoor lighting be downward cast, and as minimal as required to meet the required objectives;
8. That all materials used on the exterior of the structure be of a natural material or a colour reflective of the surrounding environment;
9. That the applicants maintain all on site drainage patterns;
10. 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);
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;
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; and
13. That a revised site plan drawing illustrating a minimum 12.79m water setback for the proposed dwelling is to be submitted.

Carried:

## **ADJOURNMENT**

The Chair declared the Committee of Adjustment Meeting adjourned at 1:55 p.m., until the next Regular Meeting.

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Ron Pollard  
Chairperson

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Brittany Mulhern  
Secretary