

COMMITTEE OF ADJUSTMENT REGULAR MEETING MINUTES
Wednesday, March 22, 2017

The Township of Rideau Lakes Committee of Adjustment held a Regular Meeting on Wednesday, March 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, and Linda Carr. Mayor Ron Holman 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: Cathy Livingston
Seconded By: Arie Hoogenboom

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 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: Cathy Monck
Seconded By: Linda Carr

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

Carried:

NEW BUSINESS:

A-2-2017 – STIRLING LODGE (Agent: GREG HILL) – WARD OF NEWBORO
Plan 72, Lot 2, Civic Address: 10 Drummond Street

Agent Greg Hill attended this meeting to discuss the Minor Variance Application.

Brittany Mulhern, Manager of Development Services, reviewed the application to construct a 8,000sqft two storey warehouse addition and an expansion to the height of a portion of the existing structure, both of which go no closer to the side lot line than the existing structure.

The Chair asked if any member of the public present had any comments regarding the application. Neighbouring property owners Stella Mai and Francis MacDonald stated their concerns and Agent Greg Hill addressed them.

The Committee discussed the minor variance request for reduced parking spaces.

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

RESOLUTION #3

Moved By: Cathy Monck
Seconded By: Arie Hoogenboom

That Minor Variance A-2-2017, by Stirling Lodge (Agent: Greg Hill), of the Ward of Newboro is approved as submitted for the following reasons provided the attached conditions are complied with:

REASONS:

1. The proposed side yard variances go no closer to the side lot line than the existing structure;
2. With the attached conditions, no land use compatibility concerns are anticipated;
3. The reduction in parking/loading areas is not anticipated to worsen existing parking demands.

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 shipping containers and associated structure(s) be removed prior to final inspection of the proposed addition(s);
3. That the existing number of parking and loading spaces be maintained;
4. That the parking spaces indicated on the plan comply with sections 3.15.3 of the Zoning By-law. Accordingly the standard spaces shall be 2.75m by 6m. As per section 3.15.4 the one required parking space for the physically disabled shall be 3.7m by 6m. The parking for the physically disabled shall be marked appropriately including signage;
5. That the required loading space comply with the required dimensions outlined in Section 3.8.2 of the Zoning By-law;
6. That the driveway and parking access approach shall comply with Section 3.15.5. Accordingly the driveway shall be a minimum of 6m and the parking access approach shall be a minimum of 6m;
7. That the lighting used be downcast in nature and as minimal as required to meet safety and functional needs for the site;

8. Commercial signage on the building, if applicable, shall be completed in accordance with Section 4.10 of the Township's Commercial Design Guidelines;
9. That a buffer of natural vegetation be implemented between the structure and the side lot line where relief is being requested;
10. That all exterior entrances to and exits from the proposed expansion areas be away from the side lot line where relief is being requested, and instead be directed to either the rear or other side of the addition;
11. The existing lot drainage be maintained. If alteration is required for the proposed development and services, before work commences a lot grading and draining plan shall be required. This plan shall include surface water management practices which will ensure no negative impacts on adjacent properties. If there is a proposal to outlet to a municipal drain or ditch approval of this request through the Township Drainage Superintendent will be required; and
12. That to assist in the management of storm water run-off eavestroughs shall be installed along the proposed structure and tied into an appropriate swale or infiltration area located in the rear.

Carried:

A-4-2017 – LORRAINE GUILÉ (Agent: RIC STONESS) – WARD OF NORTH CROSBY
Concession 4, Part Lot 24, Plan 355, Part Lot 13, Civic Address: Unit 125, 631 Big Crosby Lake Road

Agent Ric Stoness attended this meeting to discuss the Minor Variance Application.

Brittany Mulhern, Manager of Development Services, reviewed the application to construct a 252sqft side addition to an existing 1140sqft non-complying dwelling and a 356.5sqft uncovered deck. Ms. Mulhern stated that the deck was constructed without a building permit or planning approvals.

Ms. Mulhern stated that staff have no concerns with the addition but do not support the approval of the deck.

The RVCA supported the proposed addition and objected to the deck.

The Committee discussed the uncovered deck and decided that the deck would not have been permitted if the owner applied for proper approvals prior to construction.

Agent Ric Stoness proposed an alternative site plan which would allow the deck to be reconfigured to comply with the Zoning By-law.

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

RESOLUTION #4

Moved By: Linda Carr
Seconded By: Cathy Monck

That Minor Variance A-4-2017, by Lorraine Guile (Agent: Ric Stoness), of the Ward of North Crosby is approved in part for the following reasons provided the attached conditions are complied with:

VARIANCE DENIED:

- Section 3.27- Relief of 1.33m from the maximum permitted 4m deck encroachment to allow for the 33.1sqm (356.5sqft) uncovered attached waterfront deck to project from the main building 5.33m into the water setback.

VARIANCE APPROVED:

- Section 3.26.2 – Relief of 11.72 from the required 30m water setback to allow for a 18.28m water setback for the proposed 23.4sqm (252sqft) side addition.

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. There are no land use compatibility concerns anticipated;
3. The application is consistent with the Waterfront Development Policies of the Official Plan.

CONDITIONS:

1. That a revised site plan drawing is submitting illustrating a complying deck proposal;
2. That a building permit is obtained for the reconfigured existing decking that was built without prior approvals;
3. 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;
4. That all proposed development is to be a minimum of 10m from any slopes of 30% or greater. Alternatively, a geotechnical study demonstrating slope stability of the proposed building site is required prior to the issuance of a building permit as per Section 2.19.3.2 of the Official Plan;
5. That any structures proposed to be removed are removed with the proper approvals prior to, or concurrently with the issuance of a building permit for the proposed addition;
6. 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;
7. That storm water runoff be captured and directed away from the lake to an area of infiltration;
8. That all outdoor lighting be downward cast, and as minimal as required to meet the required objectives;
9. That all materials used on the exterior of the structure be of a natural material or a colour reflective of the surrounding environment;
10. That the applicant maintain all on site drainage patterns;

11. 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);
12. 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
13. 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 1:56 p.m., until the next Regular Meeting.

Ron Pollard
Chairperson

Brittany Mulhern
Secretary