

COMMITTEE OF ADJUSTMENT REGULAR MEETING MINUTES

Wednesday, July 25, 2018

The Township of Rideau Lakes Committee of Adjustment held a Regular Meeting on Wednesday, July 25, 2018 at the Municipal Office in Chantry, Ontario.

The following Committee members were in attendance: Chair Ron Pollard, Mayor Ron Holman, Councillors Arie Hoogenboom, Linda Carr, Cathy Livingston and Cathy Monck. Brittany Mulhern, Manager of Development Services, Malcolm Norwood, Senior Planner, and Meg McCallum, Development and Emergency Management Coordinator were also in attendance.

ADOPTION OF THE AGENDA:

RESOLUTION #1

Moved By: Linda Carr

Seconded By: Ron Holman

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 were heard.

ADOPTION OF MINUTES:

Minutes of the Committee of Adjustment Regular Meeting held July 11, 2018 were distributed to the Committee. Chairperson Pollard asked for any errors or omissions and none were heard.

RESOLUTION #2

Moved By: Linda Carr

Seconded By: Cathy Livingston

That this Committee approve the Committee of Adjustment Regular Meeting Minutes of July 11, 2018, as submitted.

Carried.

NEW BUSINESS:

MINOR VARIANCE APPLICATIONS:

A-15-2018 – LEONARD HANDLEY AND KAREN HANDLEY – WARD OF BASTARD AND SOUTH BURGESS

Concession 10, Part Lot 25; Civic Address: 114 LB7A

The applicants Leonard and Karen Handley were in attendance to discuss the Minor Variance application.

Malcolm Norwood, Senior Planner, verbally reviewed the application to reconstruct 675sqft of an existing 1-storey 1385sqft non-complying dwelling and replace that 675sqft portion of the dwelling with a 1066sqft 1.5 storey addition with a crawlspace (less than 1.8m in height from floor to ceiling) that is to be built on top of the same 675sqft footprint and will result in a 1776sqft 1.5 storey dwelling. Mr. Norwood explained that only 391sqft of additional floor area to the existing dwelling is proposed, all of which is to be located on the upper half-storey of the new addition.

The Chair asked the Public present if anyone had any comments and none were heard. The Committee had no questions about the proposal.

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

RESOLUTION #3

Moved By: Cathy Livingston
Seconded By: Arie Hoogenboom

That Minor Variance A-15-2018 by Leonard and Karen Handley of the Ward of Bastard and South Burgess, is approved as submitted for the following reasons provided the attached conditions are complied with:

REASONS:

1. The proposed development does not significantly change the form, scope or intensity of the existing non-complying dwelling;
2. The application is consistent with the Waterfront Development Policies of the Official Plan;
3. The water setback has been maximized given the pattern of development on the lot.

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 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.

Mayor Holman stepped out of the meeting at 1:28 pm and was not present for the vote. He rejoined the meeting at 1:29 pm.

Carried.

A-14-2018 – TARA COX & COLIN GSCHWIND - WARD OF BASTARD & SOUTH BURGESS

Concession 2 Part Lot 20 Registered Plan 28R602 Part 1 Rideau Lake, Civic Address: 3730 R37

The applicants Tara Cox and Colin Gschwind were in attendance to discuss the Minor Variance Application.

Malcolm Norwood, Senior Planner, verbally reviewed the application to develop a 655sqft 1.5 storey side addition to an existing 1 storey 821sqft non-complying dwelling, and to construct a 126sqft attached, uncovered deck.

The applicant questioned the intent of the wording in condition 4, which encourages the applicant to develop a shoreline naturalization buffer. The applicant stated that there is already a naturalized buffer at the shoreline and that their preference would be not to extend it since this is the only area of open play space for their children. With the prevalence of ticks in long grass, naturalizing a larger area would reduce their play area. Staff clarified that the wording is written as a suggestion, not a requirement.

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

RESOLUTION #4

Moved By: Cathy Livingston

Seconded By: Linda Carr

That Minor Variance A-14-2018 by Tara Cox and Colin Gschwind, of the Ward of Bastard & South Burgess is approved as submitted for the following reasons provided the attached conditions are complied with:

REASONS:

1. There are no known land use compatibility concerns anticipated by the proposed side addition;
2. The proposed development does not significantly change the form, scope or intensity of the existing non-complying dwelling;
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. That a buffer of natural vegetation between the proposed side addition and the side lot line to which the variance is requested from be developed and maintained in order to mitigate any future land use compatibility concerns;
3. That the applicants acknowledge through the completion of the minor variance that the Township has no control over the future upkeep and maintenance of any private right of way in the Township. The approval of the minor variance is not an endorsement on the part of the Township as to the current or future adequacy of the right-of-way. The Private Road related policies outlined in Sections 2.16 and 4.5 of the Official Plan apply.
4. 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;
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 1:46 p.m.

Ron Pollard
Chairperson

Brittany Mulhern
Secretary