

PLANNING ADVISORY COMMITTEE REGULAR MEETING MINUTES

Wednesday, July 25, 2018

The Township of Rideau Lakes Planning Advisory Committee 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 Holman, Councillors Linda Carr, Arie Hoogenboom, 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:

RECOMMENDATION #1

Moved By: Cathy Monck

Seconded By: Ron Holman

That this Committee adopt the Agenda as amended:

Add SP-22-2018 to item 5.2.1

Add SP-21-2018 to item 7.1.1

Carried.

DECLARATION OF PECUNIARY INTEREST & GENERAL NATURE THEREOF:

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

ADOPTION OF MINUTES:

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

RECOMMENDATION #2

Moved By: Arie Hoogenboom

Seconded By: Cathy Monck

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

Carried.

NEW BUSINESS:

SP-22-2018 – LEONARD AND KAREN HANDLEY – WARD OF BASTARD & SOUTH BURGESS

Concession 10 Part Lot 25, Civic Address: 11 LB7A

The applicants Leonard and Karen Handley were in attendance to discuss the Site Plan Application.

Malcolm Norwood, Senior Planner, verbally reviewed the application to demolish a 675 sqft section of an existing 1385 sqft one-storey non-complying dwelling and construct a 1055 sqft addition on the exact same 675 sqft footprint as what is being demolished. 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 Committee thanked Mr. Norwood for his presentation and had no questions about the proposal. After discussion, the following Resolution was duly moved and seconded.

RECOMMENDATION #3

Moved By: Cathy Livingston

Seconded By: Cathy Monck

That the Planning Advisory Committee recommends to the Council of the Corporation of the Township of Rideau Lakes that SP-22-2018 – Leonard & Karen Handley, of the Ward of Bastard & South Burgess, be approved subject to the subsequent conditions:

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 demolition permit for the existing 522sqft accessory structure be applied for prior to, or in conjunction with a building permit for the proposed 3433sqft dwelling;
3. 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;
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.

Mayor Holman stepped out of the meeting at 1:28 pm and was not present when the vote was taken.

Carried.

Mayor Holman rejoined the meeting at 1:29 pm.

SP-21-2018 – 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 their Site Plan 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 recommendation was duly moved and seconded:

RECOMMENDATION #4

Moved By: Cathy Livingston

Seconded By: Linda Carr

That the Planning Advisory Committee recommends to the Council of the Corporation of the Township of Rideau Lakes that SP-21-2018 – Tara Cox and Colin Gschwind, of the Ward of Bastard & South Burgess, be approved, subject to the subsequent 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.

B-18-18 – MAITLAND MEADOW FARMS LTD (agent: TERRENCE TRIST) – WARD OF SOUTH ELMSLEY
Concession 1 Part Lot 1 County Road 17

The applicant's agent, Terrence Trist, was in attendance to discuss the severance application. Malcolm Norwood, Senior Planner, verbally reviewed the application to create a 2.47 acre property with approximately 163m (535ft) of frontage on McCaw Road and 60.96m (200ft) of frontage on County Road 17 (Jasper Road). The proposed severed lands are to be used for residential purposes, and the retained lands for agricultural purposes. The retained lands are to be approximately 85.2 acres in size with approximately 707.1m (2320ft) of frontage on Jasper Road (County Road 17). Mr. Norwood noted that the subject application was originally deferred at the March 28th Planning Advisory Committee meeting in order to allow more time for the applicant to revise his proposed lot creation of a residence surplus to a farming operation on prime agriculturally designated lands so that they meet the applicable policies in the Provincial Policy Statement, United Counties of Leeds and Grenville Official Plan, and the Township of Rideau Lakes' Official Plan. The applicant met with staff and went over the applicable policies for the proposal and submitted a revised drawing. The revised

application was heard again at the June 27, 2018 Planning Advisory Committee meeting where the application was again deferred for the purpose of further consulting with the United Counties of Leeds and Grenville to get their interpretation of whether this application meets the policies of UCLG Official Plan as revised by the applicant. Staff have verbally consulted with the UCLG Planning Staff and Consent Granting Authority staff and there is not a willingness by UCLG staff to provide comments to the Township of Rideau Lakes which may impact Council's decision on an application. In short, the normal consent granting process in which the Township of Rideau Lakes provides comments to the UCLG who makes the final adjudication on a consent application applies for all consent applications in the Township.

Mr. Norwood noted that the application does not meet the policies of the Provincial Policy Statement, the United Counties Official Plan, or the Township of Rideau Lakes' Official Plan for lot creations within the Agricultural Designation and that staff is recommending denial of the application. The applicant stated that it is his belief that the retained lot is not "prime agricultural land" and its use as residential would not have a significant impact. Councillor Hoogenboom agreed that his experience is that not all lands designated Agricultural are actually good for agriculture, and supported the applicant's request. Mayor Holman noted that provincial regulation generally supports minimum lot sizes of 2.47 acres, which is what the applicant is now proposing.

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

RECOMMENDATION #5

Moved By: Arie Hoogenboom
Seconded By: Cathy Monck

The Planning Advisory Committee recommend that it be recommended to Council that it be further recommended to the Consent Granting Authority that **B-18-18** be approved as submitted with the following conditions:

- 1) That a Zoning By-Law amendment for both the severed and retained lands be approved in accordance with policies in the Provincial Policy Statement and the United Counties of Leeds & Grenville's Official Plan. The Zoning By-Law amendment for the severed lands shall be from the A (Agricultural) zone to the RG (General Residential) zone, and the Zoning By-Law amendment for the retained lands shall be from the A (Agricultural) zone to the A-X (Agricultural-Special Exception) zone to restrict a future dwelling from being developed on the retained lands;
- 2) That a change of use permit be obtained to decommission the existing agricultural facilities on the subject property or a demolition permit be acquired for the existing agricultural facilities on the subject property if the agricultural facilities result in being located on the severed lands;
- 3) The existing shipping containers on the retained lands be removed from the property;
- 4) That a building permit be issued to renovate the existing dwelling on the property so that it is suitable for human habitation thereby fulfilling the requirements of meeting the requirement of severing a residence that is surplus to a farming operation;

- 5) That a copy of the registered plan for the newly severed lot be submitted to the Township which identifies the areas of both the severed and retained lands;
- 6) That an Ontario Land Surveyor confirm that all accessory structures on the severed lands are a minimum 6m setback from the proposed lot interior side lot line of the newly severed lot;
- 7) That the applicants confirm by way of survey that the abutting Township road (McCaw Road) is 33ft from centerline to the front lot line. If 33ft is not established, conveyance to the Township of an amount equal to the deficiency shall be required. The lands to be transferred for road widening purposes shall be free and clear of any and all encumbrances, and;
- 8) That the applicant supply the Township with a 5% cash in lieu of parkland fee for the newly created lot. Please contact the Township for a guide to completing this condition.

Carried.

MANAGER'S REPORTS:

1. Manager Approved Site Plans:

SP-17-2018 – 439 A Deans Island Road, Ward of South Crosby
SP-20-2018 – 5310 Salem Road, Ward of North Crosby

2. Manager Approved Consents:

None reported

3. Updates, Notices & Communications:

Township of Leeds & Thousand Islands – Notice of Official Plan Update

RECOMMENDATION #6

Moved By: Ron Holman

Seconded By: Cathy Livingston

That the Planning Advisory Committee acknowledges the written and verbal Manager's reports of Brittany Mulhern, Manager, Development Services, regarding matters provided for information purposes.

Carried.

ADJOURNMENT:

The Chairperson declared the Planning Advisory Committee Meeting adjourned at 2:35 p.m. until the next Regular Meeting.

Ron Pollard
Chairperson

Brittany Mulhern
Secretary