



## COMMITTEE OF ADJUSTMENT MINUTES

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Monday, October 20<sup>th</sup>, 2014

7:00 p.m.

Tay Valley Municipal Office – 217 Harper Road, Perth, Ontario  
Council Chambers

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### ATTENDANCE:

**Members Present:** Chair, Hugh Burrows  
Ron Running  
Larry Sparks

**Staff Present:** Noelle Reeve, Planner

**Applicants Present:** Frederick and Julie Godard  
Mike Purdon

**Public Present:** None.

### 1. CALL TO ORDER

The Chair called the meeting to order at 7:02 p.m.  
A quorum was present.

### 2. AMENDMENTS/APPROVAL OF AGENDA

The agenda was adopted as presented.

### 3. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

None at this time.

### 4. APPROVAL OF MINUTES

The minutes of the Committee of Adjustment meeting held on August 18<sup>th</sup>, 2014 were approved as circulated.

## 5. INTRODUCTION

The Chair welcomed the attendees and introduced the Committee Members, the Planner and the Secretary/Treasurer and identified the applicants. He then provided an overview of the Minor Variance application review process to be followed, including:

- the mandate and responsibilities of the Committee
- a review of available documentation
- the rules of natural justice, the rights of persons to be heard and to receive related documentation on request and the preservation of persons' rights.
- the flow and timing of documentation and the process that follows this meeting
- all persons attending are encouraged to make comments in order to preserve their right to comment should this application be referred to the Ontario Municipal Board.
- any person wanting a copy of the decision regarding this/these application(s) should leave their name and mailing address on the sheet provided.

The Chair advised that this Committee of Adjustment is charged with making a decision on the applications tonight during this public meeting. The decision will be based on both the oral and written input received and understandings gained. The four key factors on which decisions are based include:

- Is the application generally in keeping with the intent of the Township's Official Plan?
- Is the application generally in keeping with the intent of the Township's Zoning By-laws?
- Is it desirable and appropriate development and use of the site?
- Is it minor in nature and scope?

Based on the above, the Committee has four decision options:

- Approve – with or without conditions
- Deny – with reasons
- Defer – pending further input
- Return to Township Staff – application deemed not to be minor

The agenda for this meeting includes the following applications for Minor Variance:

**MV14-02 – GODARD** – 442 Cherie Hill, Part Lot 3, Concession 6, North Burgess, Adam Lake.

**MV14-03 – OLIVER** – 121 Homestead Lane, Part Lot 4, Concession 6, North Burgess, Black Lake.

The Chairman asked if anyone had any questions regarding the meeting and the process to be followed. Given that there were no questions, the meeting proceeded to the following agenda item.

## 6. APPLICATIONS

### i) FILE #: MV14-02 – GODARD

#### a) PLANNER FILE REVIEW

The Planner reviewed the file.

#### b) APPLICANT COMMENTS

Mr. Godard has applied to Parks Canada to purchase the area bounded by the failing retaining structure. This will enable the shoreline to be naturalized in line with the buffer requirements of the Rideau Waterway Development Review Team (RWDRT). The RWDRT conditions will be used to finalize the size and location of the septic system, garage, and addition.

#### c) ORAL & WRITTEN SUBMISSIONS

None.

#### d) DECISION OF COMMITTEE

##### **RESOLUTION #COA-2014-03**

**MOVED BY:** R. Running

**SECONDED BY:** L. Sparks

**“THAT**, in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, that Minor Variance Application MV14-02 be approved, to allow a variance from the requirements of Section 3.26 of Zoning By-Law No. 02-121, for the lands legally described as 442 Cherie Hill in the geographic Township of North Burgess, now known as Tay Valley Township, in the County of Lanark in CON 6 PT LOT 3 (Adam Lake) – Roll Number 0911-911-025-24700, to reduce the water setback to 18.3 m from the By-law Requirement of 30m for an addition to the existing dwelling and 27m for relocation of the garage; and to impose a Site Plan Control Agreement with the conditions specified by the Rideau Waterway Development Review Team, with the addition that all structures are to include runoff control.”

**ADOPTED**

### ii) FILE #: MV14-03 – OLIVER

#### a) PLANNER FILE REVIEW

The Planner reviewed the file.

b) APPLICANT COMMENTS

The agent, Mr Purdon, commented that the owners will be implementing a shoreline protection plan because they are losing land already to erosion.

c) ORAL & WRITTEN SUBMISSIONS

None.

d) DECISION OF COMMITTEE

**RESOLUTION #COA-2014-04**

**MOVED BY:** L. Sparks

**SECONDED BY:** R. Running

**"THAT**, in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, that Minor Variance Application MV14-03 be approved, to allow a variance from the requirements of Section 3.26 of Zoning By-Law No. 02-121, for the lands legally described as 121 Homestead Lane in the geographic Township of North Burgess, now known as Tay Valley Township, in the County of Lanark in CON 6 PT LOT 4 (Black Lake) – Roll Number 0911-911-020-58004, to reduce the water setback of the dwelling to 18.5 m from the By-law Requirement of 30m to allow an addition at the rear of the dwelling."

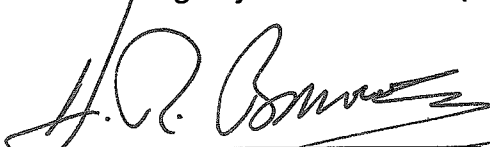
**ADOPTED**

7. **NEW/OTHER BUSINESS**

None.

8. **ADJOURNMENT**

The meeting adjourned at 8:20 p.m.

  
Chairperson

  
Secretary/Treasurer