



## COMMITTEE OF ADJUSTMENT MINUTES

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Monday, November 15<sup>th</sup>, 2021

5:00 p.m.

Conference Call

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### ATTENDANCE:

**Members Present:** Chair, Larry Sparks  
Peter Siemons  
Ron Running

**Members Absent:** None

**Staff Present:** Noelle Reeve, Planner  
Garry Welsh, Secretary/Treasurer

**Applicant/Agents Present:** Catherine Code, Owner

**Public Present:** None

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### 1. CALL TO ORDER

The Chair called the meeting to order at 5:00 p.m.  
The Chair conducted Roll Call.  
A quorum was present.

The Chair provided an overview of the Teleconference Participation Etiquette that was outlined in the Agenda.

### 2. AMENDMENTS/APPROVAL OF AGENDA

The Agenda was adopted as presented.

### **3. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST AND GENERAL NATURE THEREOF**

None at this time.

### **4. APPROVAL OF MINUTES**

#### **i) Committee of Adjustment Meeting – October 18<sup>th</sup>, 2021.**

The minutes of the Committee of Adjustment meeting held on October 18<sup>th</sup>, 2021 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. The Planner 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 Land Tribunal (OLT).
- any person wanting a copy of the decision regarding this/these application(s) should leave their name and mailing address with the Secretary/Treasurer.

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 included the following application(s) for Minor Variance:

**MV21-26 – CODE – 737 Beaver Dam Lane**, Concession 8, Part Lot 3, geographic Township of North Burgess

## 6. APPLICATIONS

### i) **FILE #: MV21-26 – CODE**

#### a) **PLANNER FILE REVIEW**

The Planner reviewed the file and PowerPoint in the agenda package. The Planner noted that building an addition towards the rear of the existing structure is preferable as there are no steep slope considerations and the structure would not be able to support an addition to the side. The Planner also confirmed that the rear setback was from the private road.

#### b) **APPLICANT COMMENTS**

The owner explained that they revised their proposal from the previous year and redesigned the addition to be at the rear of the building, as they did not wish to disrupt stability of the land.

#### c) **ORAL & WRITTEN SUBMISSIONS**

None.

#### d) **DECISION OF COMMITTEE**

### **RESOLUTION #COA-2021-30**

**MOVED BY:** Ron running  
**SECONDED BY:** Peter Siemons

**“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 MV21-26 is approved, to allow a variance from the requirements of Section 5.2.2 (Rear Yard Setback) of Zoning By-Law 2002-121, for the lands legally described 737 Beaver Dam Lane, Part Lot 3, Concession 8 in the geographic Township of North Burgess, now known as Tay Valley Township in the County of Lanark – Roll Number 0911-911-010-25101 to reduce the rear setback of a proposed 49m<sup>2</sup> footprint, two-storey cottage addition from 7.5 m to 3.8m;

**AND THAT**, a Site Plan Control Agreement, including the conditions from the Rideau Valley Conservation Authority, be executed.”


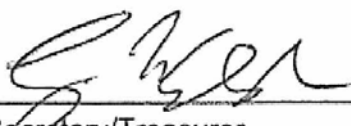
**ADOPTED**

**7. NEW/OTHER BUSINESS**

None.

**8. ADJOURNMENT**

The meeting adjourned at 5:12 p.m.

  
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Chairperson  
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Secretary/Treasurer