



## COMMITTEE OF ADJUSTMENT MINUTES

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Monday, March 27<sup>th</sup>, 2023

5:00 p.m.

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

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### ATTENDANCE:

**Members Present:** Chair, Larry Sparks  
Peter Siemons  
Richard Schooley (arrived at 5:16 pm)

**Members Absent:** None

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

**Applicants/Agents Present:** Sheila Howe, Owner  
Sven Baltare, Applicant/Agent

**Public Present:** None

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### 1. CALL TO ORDER

The Chair called the meeting to order at 5:03 p.m.  
A quorum was present.

### 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 – February 27<sup>th</sup>, 2023.**

The minutes of the Committee of Adjustment meeting held on February 27<sup>th</sup>, 2023, 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
- 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.

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:

**MV23-01– Howe – 867 Pike Lake Route 1E**, Concession 8, Part Lot 19, geographic Township of North Burgess

**MV23-02– Charbonneau – 100 Marsh Lane**, Concession 3, Part Lot 17, geographic Township of North Burgess

**MV23-03– Charbonneau – 107 Marsh Lane**, Concession 3, Part Lot 17, geographic Township of North Burgess

## 6. APPLICATIONS

### i) **FILE #: MV23-01- Howe**

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

The Planner reviewed the file and PowerPoint in the agenda package. The Planner summarized comments from the Rideau Valley Conservation Authority (RVCA) which were received after the Planner's Report was completed. The RVCA indicated that there were no issues with the proposal and that standard measures should be implemented to ensure maximum infiltration of stormwater runoff to prevent erosion. The RVCA had also recommended maintenance of and enhancement of vegetation along the slope, shoreline and within the 30m setback.

#### APPLICANT COMMENTS

The Applicant asked what the next steps were to proceed with building. The Planner clarified that a building permit application can now be submitted.

#### b) **ORAL & WRITTEN SUBMISSIONS**

None

#### c) **DECISION OF COMMITTEE**

#### **RESOLUTION #COA-2023-08**

**MOVED BY:** Peter Siemons

**SECONDED BY:** Larry 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 MV23-01 is approved, to allow a variance from the requirements of Section 3.30 (Yard and Water Setbacks) of Zoning By-Law 2002-121, for the lands legally described as 867 Pike Lake Route 1E, Concession 8, Part Lot 19, in the geographic Township of North Burgess, now known as Tay Valley Township in the County of Lanark – Roll Number 0911-911-015-17420;

- To permit a water setback encroachment of an additional 1.19 m beyond the 1.25m that is permitted, for a portion of a screened in porch.”

**ADOPTED**

ii) **FILE #: MV23-02– Charbonneau**

a) **PLANNER FILE REVIEW**

Richard Schooley arrived at 5:16 pm.

The Planner reviewed the file and PowerPoint in the agenda package. The Planner noted that the Mississippi Rideau Septic System Office had not reported any issues with this proposal. The Applicant confirmed that there were no new plumbing fixtures being proposed.

b) **APPLICANT COMMENTS**

The Applicant/Agent confirmed that there was no development taking place along the shoreline or in the water, and that the owners intend to work with the RVCA to comply with their recommendations.

c) **ORAL & WRITTEN SUBMISSIONS**

None.

d) **DECISION OF COMMITTEE**

**RESOLUTION #COA-2023-09**

**MOVED BY:** Peter Siemons

**SECONDED BY:** Richard Schooley

“**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 MV23-02 is approved, to allow a variance from the requirements of Section 3.29 (Water Setbacks) of Zoning By-Law 2002-121, for the lands legally described as 100 Marsh Lane, Concession 3, Part Lot 17, in the geographic Township of North Burgess, now known as Tay Valley Township in the County of Lanark – Roll Number 0911-911-020-15806;

- To permit a reduced water setback for a small addition for a dining room and laundry room to an existing cottage at a water setback of 17.47m at the closest point to Big Rideau Lake instead of the required 30m;

**AND THAT**, a Development Agreement be executed.”

**ADOPTED**

iii) **FILE #: MV23-03– Charbonneau**

a) **PLANNER FILE REVIEW**

The Planner reviewed the file and PowerPoint in the agenda package. The Planner noted that the RVCA has recommended shoreline planting to remediate erosion, and that an RVCA permit will be required for any work to rehabilitate the shoreline around the boathouse.

**APPLICANT COMMENTS**

The Applicant/Agent confirmed that the Part 10/11 Septic Review Permit has been refused but that a new septic system will be installed.

b) **ORAL & WRITTEN SUBMISSIONS**

None.

c) **DECISION OF COMMITTEE**

The Committee asked if the Development Agreement would prevent the proposed porch from being further developed into a bedroom. The Planner confirmed that the wording of the Agreement would prohibit any further Development, beyond this application.

**RESOLUTION #COA-2023-10**

**MOVED BY:** Richard Schooley

**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 MV23-03 is approved, to allow a variance from the requirements of Section 3.29 (Water Setbacks) of Zoning By-Law 2002-121, for the lands legally described as 100 Marsh Lane, Concession 3, Part Lot 17, in the geographic Township of North Burgess, now known as Tay Valley Township in the County of Lanark – Roll Number 0911-911-020-15800;

- To permit a reduced water setback for an addition and a screened porch to the rear of an existing cottage at a water setback of 25.3m at the closest point to Big Rideau Lake instead of the required 30m;

**AND THAT**, a Development Agreement be executed.”


**ADOPTED**

**7. NEW/OTHER BUSINESS**

None.

**8. ADJOURNMENT**

The meeting adjourned at 5:38 p.m.



Chairperson



Secretary/Treasurer