



## COMMITTEE OF ADJUSTMENT MINUTES

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Monday, April 22<sup>nd</sup>, 2024

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

**Members Absent:** None

**Staff Present:** Noelle Reeve, Planner  
Aaron Watt, Deputy Clerk

**Staff Absent:** Garry Welsh, Secretary/Treasurer

**Applicants/Agents Present:** Darwin Code

**Public Present:** Rick Fisher  
Susan Fisher

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### 1. CALL TO ORDER

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

### 2. AMENDMENTS/APPROVAL OF AGENDA

The Agenda was adopted as presented.

**3. APPOINTMENT OF SECRETARY TREASURER**

**RESOLUTION #COA-2024-06**

**MOVED BY:** Peter Siemons

**SECONDED BY:** Richard Schooley

“**THAT**, Aaron Watt be appointed as Secretary/Treasurer of the Committee of Adjustment for the Committee of Adjustment Meeting on April 22<sup>nd</sup>, 2024.”

**ADOPTED**

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

None at this time.

**5. APPROVAL OF MINUTES**

i) **Committee of Adjustment Meeting – March 18th, 2024.**

The minutes of the Committee of Adjustment meeting held on March 18<sup>th</sup>, 2024, were approved as circulated.

**6. INTRODUCTION**

The Chair welcomed the attendees. The Chair 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:

**7. APPLICATIONS**

i) **FILE #: MV24-05 – Robertson and Patti**

a) **PLANNER FILE REVIEW**

The Planner reviewed the file and PowerPoint in the agenda package. The Planner noted that the expansion of the deck in this application is being offset by the removal of a sleeping cabin, marginally decreasing overall lot coverage.

b) **APPLICANT COMMENTS**

None.

c) **ORAL & WRITTEN SUBMISSIONS**

Rick Fisher, a neighbouring property owner, attended to share for Committee consideration the challenges faced when trying to achieve their own previous applications for a minor variance.

The neighbouring property owner indicated that the intention was not to stop this minor variance, but to point out that they were forced into an OMB hearing at the time to achieve their desired results.

It was noted that notice was not received by mail, and the only notification received was the posted sign at the nearest public road as required.

The Planner apologized for the absence of notice and will check the mailing list for omission or errors in their mailing address.

d) **DECISION OF COMMITTEE**

**RESOLUTION #COA-2024-07**

**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 MV24-05 is approved, to allow a variance from the requirements of Section 3.30 (Yard and Water Setback Encroachments) of Zoning By-Law 2002-121, for the lands legally described as 520 MacGowan Lane, Concession 8, Part Lot 2, in the geographic Township of North Burgess, now known as Tay Valley Township in the County of Lanark – Roll Number 0911-911-010-22400;

- To permit the construction of screened-in and open and unroofed porch additions to a cottage, at a minimum water setback of 9.06m (29.7 ft) rather than the 30m required;
- To permit the construction of open and unroofed porch additions to a cottage with a combined horizontal surface area of 36.3m<sup>2</sup> (390.7 sq ft) rather than the 14m<sup>2</sup> permitted;

**AND THAT**, the owners enter into a Site Plan Control Agreement prepared by the Township.”

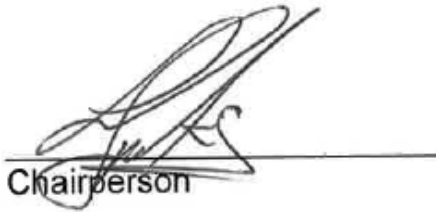
**ADOPTED**

**8. NEW/OTHER BUSINESS**

None.

**9. ADJOURNMENT**

The meeting adjourned at 5:25 p.m.

  
Chairperson

  
Secretary/Treasurer