



COMMITTEE OF ADJUSTMENT MINUTES

Monday, November 25th, 2024

5:00 p.m.

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

ATTENDANCE:

Members Present: Chair, Larry Sparks
Richard Schooley
Peter Siemons

Members Absent: None

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

Applicants/Agents Present: Malcolm Wildeboer, Applicant/Agent

Public Present: None

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. 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 21st, 2024.**

The minutes of the Committee of Adjustment meeting held on October 21st, 2024, were approved as circulated.

5. 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:

MV24-14 – van Haastreht, Concession 1, Part Lot 1, geographic Township of South Sherbrooke

6. APPLICATIONS

i) **FILE #: MV24-14 – van Haastreht**

a) **PLANNER FILE REVIEW**

The Planner reviewed the file and PowerPoint in the agenda package. The Planner also reviewed an additional PowerPoint with further details about actions taken by the owner of the property, to ensure a net environmental gain – *attached, page 5.*

The Planner noted that the correct zoning for the subject property is Residential Limited Services (RLS) rather than Residential (R), as the lot fronts on the private road portion of Bygrove Lane. A previous Zone mapping error has now been corrected.

The Planner also explained that the applicant is working with the Township to try and consolidate and reduce the entrances to the water along the shoreline and remove the artificial turf which was installed by a previous owner. One dock has already been removed.

The Planner reported that the Rideau Valley Conservation Authority (RVCA) has no objections to the proposed development and that they are satisfied with the provided Slope Stability Assessment. The Mississippi Rideau Septic System Office (MRSSO) has waived the requirement for a Part 10/11 septic system review as the recently installed septic system was built with enough capacity to accommodate the proposed development.

The Planner noted that the new *Provincial Planning Statement, 2024* now has a greater consideration for biodiversity and low impact development. The owner of the subject property has already taken steps to support this policy direction such as using permeable material to join hardened surfaces and has implemented reforestation, removal of non-native plant species, and planting native species.

The Planner had not requested an archaeological study prior to development on the property as previous owners had already disturbed the landscape. However, the current owner is requested to report any archaeological artifacts that may be found during construction.

b) APPLICANT COMMENTS

None.

c) ORAL & WRITTEN SUBMISSIONS

None.

d) DECISION OF COMMITTEE

RESOLUTION #COA-2024-14

MOVED BY: Richard Schooley

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 MV24-14 is approved, to allow a variance from the requirements of Sections 3.29 (Water Setbacks) and 5.2.2 (Zone Provisions) of Zoning By-Law 2002-121, for the lands legally described as 1209 Bygrove Lane, Part Lot 1, Concession 1, in the geographic Township of South Sherbrooke, now known as Tay Valley Township in the County of Lanark – Roll Number 0911-914-015-01114;

- To recognize a reduced water setback of 21.2m (69.6 ft) from Bobs Lake, instead of the required 30m, for a dwelling, to be built on the same footprint.
- To allow a proposed dwelling addition to be built at a reduced water setback of 26.7m (87.6 ft) rather than the minimum 30m required.
- To allow a dwelling height of 11m instead of the 9m permitted.

THAT, the owner enters into a new Site Plan Control Agreement prepared by the Township, to ensure maintenance of vegetation on the property and vegetative enhancement of the shoreline;

AND THAT, the private portion of Bygrove Lane be recognized as a private road in the Lanark County Road Name Inventory.”

ADOPTED

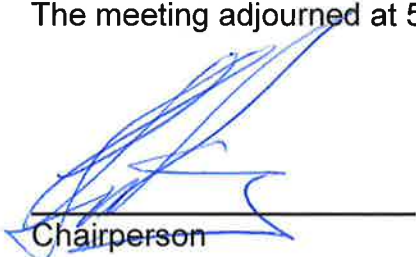
7. NEW/OTHER BUSINESS

None.

8. ADJOURNMENT

The Committee thanked Secretary/Treasurer, Garry Welsh for his service to the Township and wished him well on his upcoming retirement.

The meeting adjourned at 5:25 p.m.



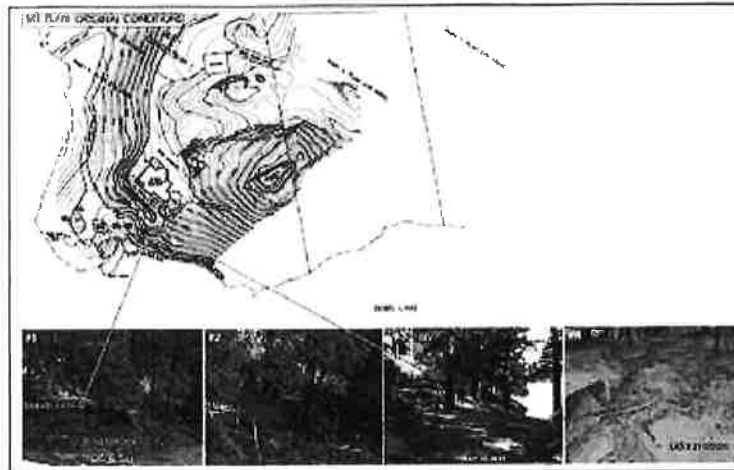
Chairperson



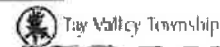
Secretary/Treasurer

van Haastrecht Actions Taken for Net Environmental Gain

Original Conditions (2018)



1



1

van Haastrecht Actions Taken for Net Environmental Gain

Stabilization of Erosion

- The areas of stabilization (turf and hardscape along the shore) were completed many years ago and are exclusively in areas that were disturbed prior to the current owner and were continually subject to erosion (photos 3 and 4).



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2

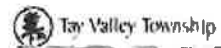
van Haastrecht Actions Taken for Net Environmental Gain

Stabilization of Erosion

- The original continually eroding sand area and shoreline have been rectified by the hardscape with permeable grout joints.



3



3

van Haastrecht Actions Taken for Net Environmental Gain

East Shoreline

- The east shorelines conditions are significantly different from the south shoreline with exposed bedrock and heavy erosion (photos 1 and 2). The stone bank along the shore is native stone placed on the bedrock outcropping, providing net habitat gain and preventing further erosion.



4



4

van Haastrecht Actions Taken for Net Environmental Gain

Tree and Grass Planting

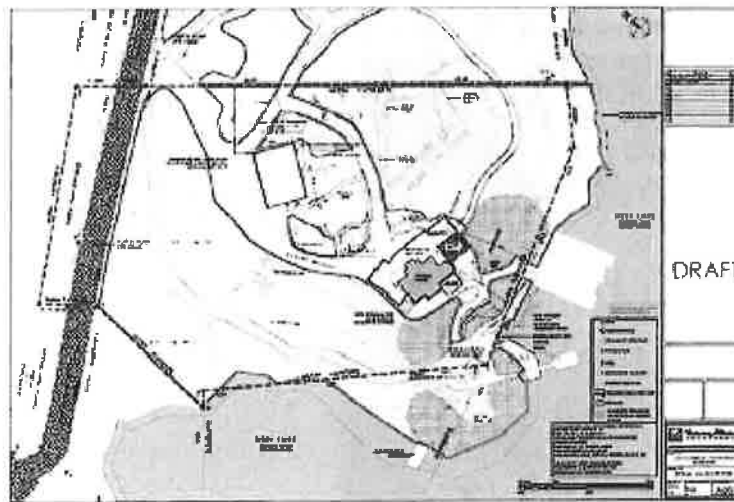
- The owner has planted over 600 trees and grasses (native species), at a cost of over \$300,000, to further naturalize the property providing enhanced riparian setback and stability.
- All the large trees are labeled/tagged, and the tree health is closely monitored by a contracted tree service - this forms part of the \$300,000 native species planting program.
- Preventative action is taken as necessary to maximize and enhance preservation of all vegetation.
- The owner has also focused on removing invasive species such as periwinkle and other ornamental plantings, introduced by previous owners.

5

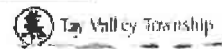


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van Haastrecht Actions Taken for Net Environmental Gain



6



6

van Haastrecht Actions Taken for Net Environmental Gain

Native Reforestation and Tree Stabilization



7



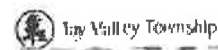
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van Haastrecht Actions Taken for Net Environmental Gain

Trees are Tagged and Monitored for Health



8



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