



## COMMITTEE OF ADJUSTMENT AGENDA

Monday, May 26<sup>th</sup>, 2025 – 5:00 p.m.  
Municipal Office – Council Chambers – 217 Harper Road

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***Chair, Larry Sparks***

**1. CALL TO ORDER**

**2. AMENDMENTS/APPROVAL OF AGENDA**

*Suggested Motion by Richard Schooley/Larry Sparks:  
“THAT, the agenda be adopted as presented.”*

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

**4. APPROVAL OF MINUTES**

- i) **Committee of Adjustment Meeting – March 31<sup>st</sup>, 2025 - attached, page 4.**

*Suggested Motion by Larry Sparks/Richard Schooley:  
“THAT, the minutes of the Committee of Adjustment meeting held March 31<sup>st</sup>,  
2025, be approved as circulated.”*

**5. INTRODUCTION**

- The purpose of this meeting is to hear application for Minor Variance:
  - **Lanark County**
- The Committee is charged with making a decision on the applications on the agenda. The decision will be based on both oral and written input received and understandings gained.
- The Planner will provide a brief overview of the details of the file. The applicant will then be given an opportunity to explain the need for the variance. Then, any person or public body, in opposition and then in favour, to the application will be heard.
- If you wish to be notified of the decision of the Committee of Adjustment in respect to the below listed application(s), you must submit a written request to the Secretary-Treasurer of the Committee of Adjustment at [planningassistant@tayvalleytwp.ca](mailto:planningassistant@tayvalleytwp.ca)

- The Secretary/Treasurer must provide notice of the Committee's decision to all those who request a copy.

## 6. APPLICATIONS

i) **FILE #:** **MV25-04 – Lanark County – *attached, page 14.***  
**99/115 Christie Lake Road**  
**Part ParkLots 2,3&4, Concession 2&3**  
**Geographic Township of Bathurst**

- (a) PLANNER FILE REVIEW
- (b) APPLICANT COMMENTS
- (c) ORAL & WRITTEN SUBMISSIONS
- (d) DECISION OF COMMITTEE

*Recommended Decision by Richard Schooley/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 MV25-04 is approved, to allow a variance from the requirements of Section 3.1.2 (General Provisions) of Zoning By-Law 2002-121, for the lands legally described as 99/115 Christie Lake Road, Part ParkLots 2,3&4, Concession 2&3, in the geographic Township of South Sherbrooke, now known as Tay Valley Township in the County of Lanark – Roll Number 0911-916-015-18900:*

- *To permit a west side yard setback of 2.5m for an accessory structure instead of the 6m required;*

**AND THAT,** *the Site Plan Control Agreement be updated to reflect the new location of the generator.”*

## 7. NEW/OTHER BUSINESS

None.

## 8. ADJOURNMENT

# MINUTES

## COMMITTEE OF ADJUSTMENT MINUTES

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Monday, March 31<sup>st</sup>, 2025

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  
Richard Schooley  
Peter Siemons

**Members Absent:** None

**Staff Present:** Noelle Reeve, Planner  
Allison Playfair, Secretary/Treasurer

**Applicants/Agents Present:** Alison O’Leary, Owner  
Michelle McKenzie, Owner  
Iain Hutchinson, Owner  
Michael Barkhouse, Applicant/Agent

**Public Present:** Kayla Stamp  
Robert Garland  
Harry Nasmith  
Marjory Nasmith

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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

i) Addition: Appointment of Secretary/Treasurer.

The Agenda was adopted as amended.

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

None at this time.

#### 4. APPOINTMENT OF SECRETARY/TREASURER

##### **RESOLUTION #COA-2025-01**

**MOVED BY:** Richard Schooley  
**SECONDED BY:** Peter Siemons

**“WHEREAS**, Garry Welsh has retired and is no longer employed by the Township;

**NOW THEREFORE BE IT RESOLVED THAT**, Allison Playfair be appointed as Secretary/Treasurer of the Committee of Adjustment.”

**ADOPTED**

#### 5. APPROVAL OF MINUTES

i) **Committee of Adjustment Meeting – November 25<sup>th</sup>, 2024.**

The minutes of the Committee of Adjustment meeting held on November 25<sup>th</sup>, 2024, were approved as circulated.

#### 6. INTRODUCTION

The Chair welcomed the attendees. 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 Planner 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:

**MV24-11 – O’Leary**, Part Lot 8, Concession 8, geographic Township of South Sherbrooke

**MV25-01 – Hutchinson**, Part Lot 3, Concession 8, geographic Township of North Burgess.

**MV25-02 – McKenzie**, Part Lot 26, Concession 2, geographic Township of North Burgess.

**MV25-03 – Vaughan**, Part Lot 23&24, Concession 2&3, geographic Township of North Burgess

## **7. APPLICATIONS**

### **i) FILE #: MV24-11 – O’Leary**

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

The Planner reviewed the file and PowerPoint in the agenda package. The Planner noted that a road naming would be required for Emergency Services to locate the property accurately. This will be a condition of the Minor Variance.

The Planner noted that all development within 100m of water bodies requires a Site Plan Control Agreement that includes a detailed drawing of all vegetation and existing and proposed structures on a sketch.

The Planner described the size and location of the addition and proposed deck for the Committee Members

Mississippi Valley Conservation Authority (MVCA) comments raised concerns about the erosion hazard of the slope. A Steep Slope Analysis would be required to provide assurance that the development could occur safely. MVCA standard conditions will be included in the Site Plan Control Agreement as well as any recommendations from the Steep Slope Analysis.

The Planner stated the applicant would require a Part 10/11 from the Mississippi Rideau Septic System Office for their project to be sure that the septic system can handle the additional fixtures.

The Planner noted that the decision as drafted contains a condition that a Slope Stability Study be undertaken. However, the MVCA noted that if the proposed new construction was reduced, a Slope Stability Study may not be required.

The Planner advised the Committee that the applicant would like to work with their designer to see if they can reduce the size of the project to satisfy the MVCA's approval without a Slope Stability Study.

The Planner stated that if a Slope Stability is not required after revised drawings have been received, the Township will clear that condition.

b) APPLICANT COMMENTS

None.

c) ORAL & WRITTEN SUBMISSIONS

None.

d) DECISION OF COMMITTEE

The Committee reviewed the wording of the decision and approved the minor variance with the conditions of: a road naming, Site Plan Control Agreement and slope stability study.

**RESOLUTION #COA-2025-02**

**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 MV24-10 is approved, to allow a variance from the requirements of Section 3.29 (Water Setbacks) and 3.30 (Yard and Water Setback Encroachments) of Zoning By-Law 2002-121, for the lands legally described as 363 Clear Lake Lane 11, Part Lot 8, Concession 8, in the geographic Township of South Sherbrooke, now known as Tay Valley Township in the County of Lanark – Roll Number 0911-914-010-18705:

- To permit a 9.3m<sup>2</sup> (100 sq ft) addition to a cottage, at a setback of 22.3m (73.2ft) from Clear Lake, rather than the 30m required.
- To permit a total of 39m<sup>2</sup> (424 sq ft) combination of deck and screened porch rather than the 28m<sup>2</sup> permitted.

**THAT**, the owners enter into a Site Plan Control Agreement prepared by the Township;

**THAT**, the owners provide a Slope Stability letter of opinion from an engineer;

**AND THAT**, the right of way be named to comply with requirements of the Road Naming Policy and incorporated in the Road Naming By-Law".  
**ADOPTED**

Item 7 iii) was dealt with next.

ii) **FILE #: MV25-01 – Hutchinson**

a) **PLANNER FILE REVIEW**

The Planner reviewed the file and PowerPoint in the agenda package. The Planner explained to the Committee and members of the public that a previous Minor Variance was approved in 2000 to allow a water setback for the dwelling of 21m. Therefore, this is now the setback for this application (equivalent to the 30m setback as far as encroachment is concerned).

The Planner clarified that the proposed deck is encroaching beyond the 3m permitted. Therefore, it requires a variance. The Planner noted that the steep slope on the property was addressed at the time of the previous minor variance.

The Rideau Valley Conservation Authority (RVCA) had no concerns. The Planner noted that if any construction were to be completed within 15m of the shoreline a permit from RVCA would be required.

The Planner also advised the Committee that a right of way crosses the applicant's parcel (to provide neighbouring properties with access) will need to be named as a condition of the Minor Variance.

b) **APPLICANT COMMENTS**

None.

c) **ORAL & WRITTEN SUBMISSIONS**

None.

d) **DECISION OF COMMITTEE**

**RESOLUTION #COA-2025-05**

**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 MV25-01 is approved, to allow a variance from the requirements of Section 3.30 (Yard and Water Setback Encroachment) of Zoning By-Law 2002-121, for the lands legally described as 683



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 0911-911-010-24000:

- To allow a deck encroachment 1.2m greater than the permitted encroachment (4.2m instead of 3m);

**THAT**, the owners enter into a Site Plan Control Agreement prepared by the Township;

**AND THAT**, the right of way be named to comply with the requirements for the Road Naming Policy and incorporated into the Road Naming By-Law.”

**ADOPTED**

iii) **FILE #: MV25-02 – McKenzie**

(a) **PLANNER FILE REVIEW**

The Planner reviewed the file and PowerPoint in the agenda package.

The Planner clarified for the Committee that previous owners built the deck without a permit and the applicants have agreed to reduce the size of the replacement deck to meet the permitted size.

The Planner noted that this application is on the Big Rideau and Parks Canada as well as the Rideau Valley Conservation Authority provide comments and neither had concerns.

The Planner stated that there are Provincially Significant Wetlands on the north of the property but not in the proposed area of work and they do not impact this application.

The Planner noted that the Township Official Plan, in accordance with direction from Parks Canada, does not permit any development within 15m of the Big Rideau Lake. The proposed work will occur at 17m from the shoreline.

A Site Plan Control Agreement will be required.

(b) **APPLICANT COMMENTS**

None

(c) **ORAL & WRITTEN SUBMISSIONS**

None

(d) DECISION OF COMMITTEE

**RESOLUTION #COA-2025-03**

**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 MV25-01 is approved, to allow a variance from the requirements of Section 3.30 (Yard and Water Setback Encroachment) of Zoning By-Law 2002-121, for the lands legally described as 527 Tracy’s Point, Part Lot 26 Concession 2, in the geographic Township of North Burgess, now known as Tay Valley Township in the County of Lanark – Roll Number 0911-911-020-07000;

- To permit the construction of a deck to be built with a 3m encroachment rather than the 2m permitted.
- The deck will be located 17m from Big Rideau Lake.

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

**ADOPTED**

iv) **FILE #: MV25-03 – Vaughan**

(a) **PLANNER FILE REVIEW**

The Planner reviewed the file. The Planner noted that requests for relief from these sections are very common and the sections will be amended in the new Zoning By-Law.

The Planner noted that the relief for the west side yard setback is sought to permit a 5m setback instead of the required 6m.

The Planner noted during the presentation that the contractor would need to redirect the pipe that is draining into the ravine beside the primary dwelling to instead drain into a soak away pit.

The primary dwelling was setback 40m from water to meet the steep slope on the property and the Planner noted the secondary dwelling is well back from the steep slope.

Neither Rideau Valley Conservation Authority (RVCA) nor Parks Canada had any concerns.

The Planner explained that a Member of the Committee had some questions about the floor space index size of the second dwelling and that it may have exceeded the 80m<sup>2</sup> permitted in a residential zone.

However, the calculations were confirmed that the interior walls measured 77m<sup>2</sup> which is under the permitted size.

The Planner also clarified that the submitted drawings indicate the maximum height of the second dwelling is 5m from the grade to the middle of the roof, therefore also meeting the height requirement. The Planner had mistakenly measured to the top of the roof. The Planner advised the Committee the height requirement for secondary units will also be addressed in the up coming Zoning By-Law as most municipalities allow for a 6m height.

(b) APPLICANT COMMENTS

The applicant stated he felt his application was represented well by the Planner and had no additional comments.

The Planner answered a Committee Member's question that in the current Zoning By-Law a secondary unit can either be 50% of the floor area of the Primary dwelling or a maximum of 80m<sup>2</sup> which ever is less.

The Committee approved the variance with the condition for a new Site Plan Control Agreement.

(c) ORAL & WRITTEN SUBMISSIONS

(d) DECISION OF COMMITTEE

**RESOLUTION #COA-2025-04**

**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 MV25-03 is approved, to allow a variance from the requirements of Sections 3.19.1 and 3.19.3 (Second Dwelling Unit and Second Dwelling) of Zoning By-Law 2002-121, for the lands legally described as 1147 Big Rideau North Shore Road, Part Lot 23&24 Concession 2&3, in the geographic Township of North Burgess, now known as Tay Valley Township in the County of Lanark – Roll Number 0911-911-020-03000:

- To permit a second dwelling to be constructed that is connected to a separate water supply and septic from the principal dwelling.
- To permit a second dwelling to be separated 26m (85 ft) from the principal dwelling rather than the maximum 12m permitted.
- To permit an east side yard setback reduction of 1m to 5m rather than the 6m required for a dwelling.

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

**ADOPTED**

Item 7 ii) was dealt with next.

**8. NEW/OTHER BUSINESS**

None.

**9. ADJOURNMENT**

The meeting adjourned at 5:49 p.m.

.

# APPLICATION

**Committee of Adjustment**

May 26<sup>th</sup>, 2025

**Noelle Reeve, Planner**

**APPLICATION MV25-04**

Lanark County

115 Christie Lake Road, Part ParkLots 2,3&4 Concession 2 Bathurst Parts 2&3  
Geographic Township of Bathurst

**SUMMARY OF PROPOSAL**

Purpose and Effect: To seek relief from Section 3.1.7 (General Provisions) of Zoning By-Law 2002-121, as amended, as follows:

- To permit a west side yard setback of 2.5m for an accessory structure instead of the required 6m.

The effect of the variance is to permit replacement of the emergency generator for Lanark Lodge to be located closer to the west lot line than permitted. The new structure will be farther from the west lot line than the current location.

**REVIEW COMMENTS**

The property is located at 115 Christie Lake Road. The lot is 14.5ha (35.89 acres) with 552m water frontage

Lanark County is proposing to replace the emergency generator at the Lanark Lodge Long-Term Care Facility farther to the south in the parking lot than it is now. The current generator building is 1m from the west lot line and the replacement will be 2.5m from the west side yard instead of the required 6m.

**Provincial Policy Statement**

No concerns. Chapter 2 Building Homes, Sustaining Strong and Competitive Communities, Chapter 4: Wise Use and Management of Resources – 4.1 Natural Heritage and Chapter 5 Protecting Public Health and Safety – 5.2 Natural Hazards – 5.2.1 are satisfied.

There is a possibility of housing being located on the property to the west. However, there should not be any negative impacts on future housing because the noise impacts identified in Technical Memo 1 (attached) are at the level of a car passing on the road.

The proposed emergency generator will be located in an existing parking lot. There are no Natural Heritage Features or any Natural Hazard features. The Floodplain is located south of the proposed location.

## **County Sustainable Community Official Plan**

No Concerns. Section 3.3.3.1 Rural Area Land Use Policies objectives are to: ensure development is consistent with rural service levels; maintain the distinct character of rural, waterfront and settlement areas; and to ensure that development is compatible with natural heritage.

An existing generator is located in the parking lot north of where the new generator is proposed (farther from Christie Lake Road).

### **Official Plan**

The subject land is designated Rural, Floodplain, Water Intake Protection Zone 9 and Fen in the Official Plan, and Institutional uses are permitted in the proposed location. The updated Official Plan contains new provisions relating to water quality protection.

The proposed generator building is located more than 440m from the Tay River and 66m from the Floodplain designation so there are not Natural Heritage or Natural Hazard concerns.

The requirements of Section 2 Community Development Sections 2.3.1 Public and Institutional Uses are met as a generator building is a permitted accessory use to the permitted Long Term Care facility.

### **Zoning By-Law**

The property is zoned Institutional – Special Exception 1 and Floodplain. The Floodplain is to the south of the proposed generator building location. A Residential Care Home is a permitted use. Current lot coverage is 0.2% and with the replacement generator is 0.2%, well under the 20% permitted in the Institute. There is no Floor Space Index requirement.

The application can be considered minor in impact as the location of the proposed emergency generator approximately 100m to the south of the existing location will have no material impact on the property. The generator will be located 1.5m farther from the lot line than the current generator.

The proposal is also desirable and appropriate development of the lands in question as it is a permitted use. According to Technical Memo 1, the emergency generator noise volume will be the same as a car passing. Noise will only be activated during monthly testing and in an emergency, not on a regular basis.

### **CIRCULATION COMMENTS**

**Rideau Valley Conservation Authority (RVCA)** – The RVCA was not circulated as the closest water body is over 400m away.

**Mississippi Rideau Septic System Office (MRSSO)** – The application was not circulated to the MRSSO as the project does not affect septic.

**Public** – None at the time of the report.

## **SITE PLAN CONTROL AGREEMENT**

An Inked Amendment to the current registered Site Plan Control Agreement is recommended to reflect the new location of the generator.

## **RECOMMENDATION**

That the Minor Variance be granted for relief from the requirements of Sections 3.1.2 (General Provisions) of Zoning By-Law 2002-121, as amended, as follows:

- To permit a west side yard setback of 2.5m for an accessory structure instead of the 6m required.

because the general intent and purpose of the *Official Plan* and *Zoning By-Law* are maintained; further, that the variance is desirable for the appropriate development of the lands and can be considered minor. As such, the application meets the tests of the *Planning Act*.



## Lanark County Minor Variance

### Public Notice

Pursuant to the Planning Act, Notice of Public Hearing is to be provided a minimum of 10 days for a Minor Variance to the Zoning By-law. Notice was duly given by posting at the nearest public road and delivering to adjacent property owners within 60 metres of the location. Notice was also given to public agencies as required.

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## Lanark County Minor Variance

### Ontario Land Tribunal

Only the applicant, the Minister or a specified person or public body that has an interest in the matter may appeal the decision to the Ontario Land Tribunal. A "specified person" does not include an individual or a community association.

Please be cautioned that the Ontario Land Tribunal may dismiss all or part of an appeal without holding a hearing if the reasons set out in the appeal do not refer to land use planning grounds offended by the decision, the appeal is not made in good faith or is frivolous or vexatious or made only for the purpose of delay.

The Tribunal may also dismiss the appeal if the appellant did not make oral submission at the public meeting or did not make written submission before the plan or amendment were adopted.

If you choose to appeal, you must submit written reasons, the prescribed fee and any other background material requested.

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## Lanark County Minor Variance

### Decision Process

- based on both the oral and written input received and understanding gained
- four key factors:
  - ✓ 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?
- 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

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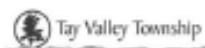
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## Lanark County Minor Variance

### Hearing Process

- The Planner will review the application and present her comments plus those of the Conservation Authority, Septic System Office, and any public comments received
- The Applicant may provide additional details or clarification
- Any members of the public may contribute comments or questions
- The Committee members will discuss and decide
- The Notice of Decision will be signed

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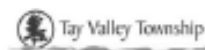
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## Lanark County

115 Christie Lake Road, Part ParkLots 2,3&4 Concession 2 Bathurst  
Parts 2&3 Geographic Township of Bathurst



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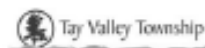
## Lanark County - Proposal

The Minor Variance application seek relief from Section 3.1.7 (General Provisions) of Zoning By-Law 2002-121, as amended, as follows:

- To permit a west side yard setback of 2.5m for an accessory structure instead of the required 6m.

The effect of the variance is to permit replacement of the emergency generator for Lanark Lodge to be located closer to the west lot line than permitted. The new structure will be farther from the west lot line than the current location.

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## Lanark County - Proposal

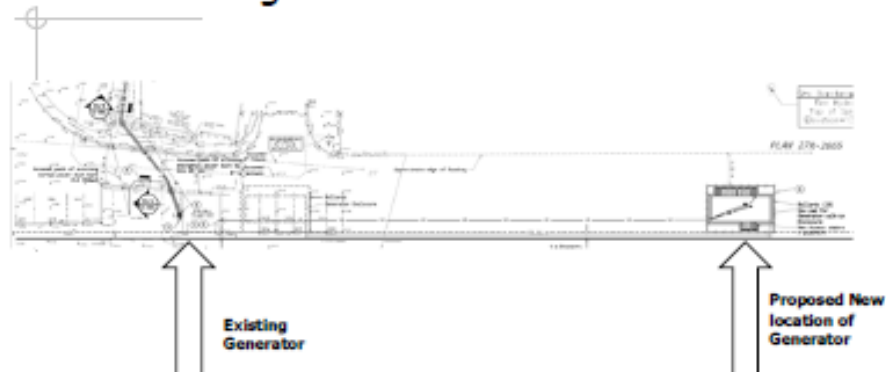
- The property is located at 115 Christie Lake Road. The lot is 14.5ha (35.89 acres) with 552m water frontage. The current Site Plan Control Agreement will be replaced with a new one.
- An Inked Amendment to the current registered Site Plan Control Agreement is recommended to reflect the new location of the generator.

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## Lanark County Site Drawing



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## Lanark County Photos



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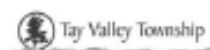
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## Lanark County Comments

### **Rideau Valley Conservation Authority (RVCA)**

The RVCA was not circulated as the closest water body is over 400m away.

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## Lanark County Comments

### Mississippi Rideau Septic System Office (MRSSO)

- The application was not circulated to the MRSSO as the project does not affect septic.

11



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## Lanark County Provincial Policy Statement

- No concerns. Chapter 2 Building Homes, Sustaining Strong and Competitive Communities, Chapter 4: Wise Use and Management of Resources – 4.1 Natural Heritage and Chapter 5 Protecting Public Health and Safety – 5.2 Natural Hazards – 5.2.1 are satisfied.
- There is a possibility of housing being located on the property to the west. However, there should not be any negative impacts on future housing because the noise impacts identified in Technical Memo 1 (attached) are at the level of a car passing on the road.
- The proposed emergency generator will be located in an existing parking lot. There are no Natural Heritage Features or any Natural Hazard features. The Floodplain is located south of the proposed location.

12



12

## Lanark County

### County Sustainable Communities Official Plan

- No Concerns.
- No Concerns. Section 3.3.3.1 Rural Area Land Use Policies objectives are to: ensure development is consistent with rural service levels; maintain the distinct character of rural, waterfront and settlement areas; and to ensure that development is compatible with natural heritage.
- An existing generator is located in the parking lot north of where the new generator is proposed (farther from Christie Lake Road).

13



13

## Lanark County

### Official Plan

- The subject land is designated Rural, Floodplain, Water Intake Protection Zone 9 and Fen in the Official Plan, and Institutional uses are permitted in the proposed location. The updated Official Plan contains new provisions relating to water quality protection.
- The proposed generator building is located more than 440m from the Tay River and 66m from the Floodplain designation so there are not Natural Heritage or Natural Hazard concerns.
- The requirements of Section 2 Community Development Sections 2.3.1 Public and Institutional Uses are met as a generator building is a permitted accessory use to the permitted Long Term Care facility.

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## Lanark County Zoning By-law

- The property is zoned Institutional – Special Exception 1 and Floodplain. The Floodplain is to the south of the proposed generator building location. A Residential Care Home is a permitted use.

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## Lanark County Official Plan & Zoning Test

*Is the application generally in keeping with the intent of the Township's Official Plan & Zoning By-Law?*

- Current lot coverage is 0.2% and with the replacement generator is 0.2%, well under the 20% permitted in the Institute. There is no Floor Space Index requirement.

16



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## Lanark County Development & Use Test

*Is it desirable and appropriate development for the use of the site?*

- The proposal is also desirable and appropriate development of the lands in question as it is a permitted use. According to Technical Memo 1, the emergency generator noise volume will be the same as a car passing. Noise will only be activated during monthly testing and in an emergency, not on a regular basis.

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## Lanark County "Minor" Test

*Is it minor in nature and scope?*

- The application can be considered minor in impact as the location of the proposed emergency generator approximately 100m to the south of the existing location will have no material impact on the property. The generator will be located 1.5m farther from the lot line than the current generator.

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## Lanark County Site Plan Control Agreement

- An Inked Amendment to the current registered Site Plan Control Agreement is recommended to reflect the new location of the generator

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## Vaughan Public Comments

- No comments were received at the time of the report.
- Members of the public are welcome to speak to the application at this meeting.

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## Lanark County Recommendation

That the Minor Variance be granted for relief from the requirements of Sections 3.1.2 (General Provisions) of Zoning By-Law 2002-121, as amended, as follows:

- To permit a west side yard setback of 2.5m for an accessory structure instead of the 6m required.

because the general intent and purpose of the Official Plan and Zoning By-Law are maintained; further, that the variance is desirable for the appropriate development of the lands and can be considered minor. As such, the application meets the tests of the Planning Act.

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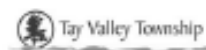
## Lanark County Resolution

### *Recommended Decision:*

*"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 MV25-04 is approved, to allow a variance from the requirements of Sections 3.1.2 (General Provisions) of Zoning By-Law 2002-121, for the lands legally described as 115 Christie Lake Road, Part ParkLot 2,3&4 Concession 2, in the geographic Township of Bathurst, now known as Tay Valley Township in the County of Lanark – Roll Number 0911-916-xx-xxxxxx;*

- *To a west side yard setback of 2.5m for an accessory structure instead of the required 6m."*

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