



COMMITTEE OF ADJUSTMENT MINUTES

Monday, June 23rd, 2025

5:00 p.m.

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

ATTENDANCE:

Members Present: Chair, Larry Sparks
Richard Schooley

Member Absent: Peter Siemons

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

Applicants/Agents Present: None

Public Present: Greg Taylor, Owner

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 – May 26th, 2025.**

The minutes of the Committee of Adjustment meeting held on May 26th, 2025, were approved as circulated.

5. 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:

MV24-13 – Pearson, Part Lot 19, Concession 5, geographic Township of North Burgess

MV25-05 – Taylor, Part Lot 6, Concession 7, geographic Township of North Burgess.

MV25-08 – Schmidt, Part Lot 1, Concession 1, geographic Township of North Burgess

6. APPLICATIONS

i) **FILE #: MV24-13 – Pearson**

a) **PLANNER FILE REVIEW**

Planner reviewed the file and Power Point in the agenda package. The Planner noted that the relief was to permit a second dwelling to have its

own water supply and septic system. The relief is also for the location of a secondary dwelling that is more than 12m from the primary unit.

A Site Plan Control Agreement is not required for the application as there is no water on the property and the Conservation Authority was not circulated. The applicant is applying for a new septic system.

This is considered minor in nature and the recommendation of the Planner is for it to be approved.

The Planner noted that this variance will allow a second dwelling on the property but does not have any effect on the ability of the trailer on site to be the second dwelling.

b) APPLICANT COMMENTS

None.

c) ORAL & WRITTEN SUBMISSIONS

None.

d) DECISION OF COMMITTEE

RESOLUTION #COA-2025-07

**MOVED BY: Larry Sparks
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 MV24-13 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 described as 2847 Narrows Locks Road, Part Lot 19, Concession 5, in the geographic Township of North Burgess, now known as Tay Valley Township in the County of Lanark – Roll Number 0911-911-020-31200:

- 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 78m (255 ft) from the principal dwelling rather than the maximum 12m permitted.”

ADOPTED

ii) **FILE #: MV25-05 – Taylor**

a) **PLANNER FILE REVIEW**

The Planner reviewed the file and Power Point in the agenda package with the Committee. The application is to seek relief from the Water Setback and Yard and Water Setback Encroachment. The cottage will be 18m from Otty Lake on the east side and 23m on the west. It is also to allow a deck encroachment of 4m on the west side and 3m on the east side instead of 2m and to allow a larger deck.

The Planner noted that this lot contains a peninsula and that is why it is difficult to achieve a 30m setback all around the cottage. She clarified with a site sketch in the Power Point the location of the cottage addition, the new septic location, and advised the Committee the sea container on site will be pushed back.

The larger deck is requested to be used as a roof on the carport.

The applicant will be working with the Rideau Valley Conservation Authority (RVCA) to help with the rehabilitation of the shoreline and retain the naturalization of the property.

The Planner advised the Committee that the applicant will be going through with a rezoning in August for the property to allow a permanent residence, but he wanted the Minor Variance to allow construction to begin this summer rather than the fall.

A Stie Plan Control Agreement will be required with the recommendation for roof run off to be away from the lake and vegetation along the shore.

The Planner informed the Committee that phone calls with questions were received from neighbours but once they received clarification of the side yard setback they had no concerns.

b) **APPLICANT COMMENTS**

None.

c) **ORAL & WRITTEN SUBMISSIONS**

None.

d) DECISION OF COMMITTEE

RESOLUTION #COA-2025-08

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 MV25-05 is approved, to allow a variance from the requirements of Section 3.29 (Water Setback) and Section 3.30 (Yard and Water Setback Encroachments) of Zoning By-Law 2002-121, for the lands described as 528 Otty Lake SW Shore Road, Part Lot 6, Concession 7, in the geographic Township of North Burgess, now known as Tay Valley Township in the County of Lanark – Roll Number 0911-911-010-10400:

- To permit a water setback for a cottage of 18.9m on its east side and 23m on its west side instead of the required 30m.
- To permit a deck encroachment on the east side of 3m instead of the 2m permitted and a deck encroachment of 4m on the west side instead of the 2m permitted.
- To permit a deck to be 59m² rather than 28m².

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

ADOPTED

iii) **FILE #: MV25-08 – Schmidt**

a) **PLANNER FILE REVIEW**

The Planner reviewed the file and Power Point in the agenda package. The application is to provide relief for a nonconforming sewage system disposal system.

The Planner noted that the applicant is replacing the current system with a Class 4 system at a 20m water setback instead of the required 30m.

The application is minor in impact as the lot coverage is met, and the replacement septic system will not be any closer to Bob’s Lake then the previous location.

A Site Plan Control Agreement will be required as it is less then 30m from the water and they are not installing a tertiary system.

b) APPLICANT COMMENTS

None.

c) ORAL & WRITTEN SUBMISSIONS

None.

d) DECISION OF COMMITTEE

RESOLUTION #COA-2025-09

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 MV25-08 is approved, to allow a variance from the requirements of Section 3.12.4 (Non-Conforming Uses and Non-Complying Uses, Building and Structures) of Zoning By-Law 2002-121, for the lands described as 2304 Crozier Road A, Part Lot 1 Concession 1, in the geographic Township of North Burgess, now known as Tay Valley Township in the County of Lanark – Roll Number 0911-911-015-02800;

- To permit replacement of a legally non-conforming sewage disposal system at a 20m water setback rather than the 30m required.

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

ADOPTED

7. NEW/OTHER BUSINESS

None.

8. ADJOURNMENT

The meeting adjourned at 5:21 p.m.

Chairperson

Secretary/Treasurer