



COMMITTEE OF ADJUSTMENT AGENDA

Monday, September 29th, 2025 – 5:00 p.m.
Municipal Office – Council Chambers – 217 Harper Road

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 – June 23rd, 2025 - *attached, page 6.***

*Suggested Motion by Larry Sparks/Richard Schooley:
“THAT, the minutes of the Committee of Adjustment meeting held June 23rd,
2025, be approved as circulated.”*

5. INTRODUCTION

- The purpose of this meeting is to hear application for Minor Variance:
 - **Matheson**
 - **Wilcox**
 - **Tremblay**
- 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
- The Secretary/Treasurer must provide notice of the Committee's decision to all those who request a copy.

6. APPLICATIONS

- i) **FILE #:** **MV25-06 - Matheson – attached, page 13.**
1501 Blue Arrow Drive
Part Lot 5, Concession 5
Geographic Township of North Burgess

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

*Recommended Decision by Richard Schooley/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 MV25-06 is approved, to allow a variance from the requirements of Sections 3.29 (Water Setbacks) of Zoning By-Law 2002-121, for the lands described as 1501 Blue Arrow Drive, Part Lot 5, Concession 5, in the geographic Township of North Burgess, now known as Tay Valley Township in the County of Lanark – Roll Number 0911-911-025-12100:*

- *To permit a vertical addition of a single room at a water setback of 16m instead of the 30m required.*

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

- ii) **FILE #:** **MV25-10 – Wilcox – attached, page 30.**
658 MacKay Line Road
Part Lot 22, Concession 11
Geographic Township of Bathurst

- (a) PLANNER FILE REVIEW
- (b) APPLICANT COMMENTS
- (c) ORAL & WRITTEN SUBMISSIONS

(d) DECISION OF COMMITTEE

Recommended Decision by Peter Siemons/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 MV25-10 is approved, to allow a variance from the requirements of Section 10.2 (East Lot Line) of Zoning By-Law 2002-121, for the lands described as 658 MacKay Line Road, Part Lot 22, Concession 11, in the geographic Township of Bathurst, now known as Tay Valley Township in the County of Lanark – Roll Number 0911-916-030-37603:

- To permit a detached garage at a setback of 3m from the east lot line rather than the 6m required.

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

THAT, the property be rezoned to Residential Limited Services (RLS), which will occur as part of the Comprehensive Zoning By-Law review underway;

THAT, the owners enter into a Limited Services Agreement;

THAT, a Mississippi Valley Conservation Authority Permit be obtained for the garage;

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

iii) **FILE #:** **MV25-11 - Tremblay – attached, page 47.**
160 Farren Lake Lane 41
Part Lot 6, Concession 2
Geographic Township of South Sherbrooke

- (a) PLANNER FILE REVIEW
- (b) APPLICANT COMMENTS
- (c) ORAL & WRITTEN SUBMISSIONS

(d) DECISION OF COMMITTEE

Recommended Decision by Richard Schooley/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 MV25-11 is approved, to allow a variance from the requirements of Section 3.29 (Water Setback) of Zoning By-Law 2002-121, for the lands described as 160 Farren Lake Lane 41, Part Lot 6 Concession 2, in the geographic Township of South Sherbrooke, now known as Tay Valley Township in the County of Lanark – Roll Number 0911-914-015-14200;

- To permit a cottage to be located at a water setback of 16.8m rather than the 30m required.

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

AND THAT, the owners ensure they park any vehicles attending the property on the property, and not on the property that provides the legal access (Part 14 on 27R8026).”

7. NEW/OTHER BUSINESS

None.

8. ADJOURNMENT

MINUTES

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

7. **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

8. 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

9. 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

10. NEW/OTHER BUSINESS

None.

11. ADJOURNMENT

The meeting adjourned at 5:21 p.m.

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APPLICATION

Committee of Adjustment

September 29, 2025

Noelle Reeve, Planner

APPLICATION MV25-06

Matheson

1501 Blue Arrow Lane, Concession 5, Part Lot 5

Geographic Township of North Burgess

SUMMARY OF PROPOSAL

Purpose and Effect: To seek relief from Section 3.29 (Water Setbacks) of Zoning By-Law 2002-121, as amended, as follows:

- To permit a vertical addition at a water setback of 16m instead of the 30m required.

The effect of the variance is to permit an enlargement in the height of the middle section of the roof to replace a cupola with a small room to address rotting wood in a cottage on Big Rideau Lake.

REVIEW COMMENTS

The property is located at 1501 Blue Arrow Drive. The lot is 0.48ha (1.20 acres) with 210.3m water frontage. The lot currently has a 121m² (1302 sq. ft) cottage, a 9m² shed, 12m² shed and, an existing boathouse. The owner proposes to enlarge a cupola to address wood rotting that will increase the living space from 121m² to 138m².

Provincial Planning Statement, 2024 (PPS 2024)

No concerns. Section 2 Building Homes, Sustaining Strong and Competitive Communities recognizes residential uses. Chapter 4: Wise Use and Management of Resources Section and Section 4.1 Natural Heritage and 4.2. Water will be met through a Site Plan Control Agreement which will provide protection of the shoreline and can be used to obtain additional naturalization of the property if required.

Chapter 5 Protecting Public Health and Safety Section 5.2. Natural Hazards – 5.2.1 is satisfied as the proposed work will be no closer to the water as it is to lift the middle section of the roof for a room to replace the cupola. A Site Plan Control Agreement will be completed for the protection of the shoreline and water quality of Big Rideau Lake.

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; to maintain the distinct character of rural, waterfront and settlement areas; and to ensure that development is compatible with natural heritage.

Official Plan

The subject land is designated Rural in the Township Official Plan, and residential uses are permitted.

The updated Official Plan contains new provisions related to water quality protection. In this proposal, no encroachment toward the water is proposed as only the middle of the roof is increasing in height to replace a cupola with a single room.

The requirements of Sections 3.2.5 Waterfront Development, 3.2.7 Preservation of Vegetation, 3.2.11 Subwatershed Plans for the protection of water quality will be met through Site Plan Control.

Section 5.4.3 Rideau Canal World Heritage Site applies only to properties along Big Rideau Lake. The Rideau Canal is designated a UNESCO World Heritage Site. The Township Official Plan requires, "Existing lots of record will retain, as a minimum, all-natural vegetation 15 meters from the shoreline in its natural state and only allow access to the waterfront by way of modest, pedestrian access/stairs with minimal disturbance to the natural features". A recent Ontario Land Tribunal decision in favour of Tay Valley Township prevents construction within the 15m setback.

Zoning By-Law

The property is zoned Seasonal Residential (RS) and a cottage dwelling is a permitted use. The current lot coverage is 2.9%. With the proposed work the living space will increase slightly remaining well under the maximum 10% permitted in the zone. The water setback is proposed at the same 16m at the closest point of the cottage, instead of the 30m required.

Section 3.12.6 Enlargements of Non-Complying Uses, Buildings or Structures which only permits vertical enlargements at a water setback of 15m or greater is met.

The application can be considered minor in impact as the existing setback is being recognized. The additional development is proposed to be located in the middle of the roof at a setback greater than the 15m required on Big Rideau Lake to replace the cupola with a single room.

The proposal is also desirable and appropriate development of the lands in question as it is a permitted use.

CIRCULATION COMMENTS

Rideau Valley Conservation Authority (RVCA) – RVCA has no objections to the proposed development. A Site Plan Control Agreement will include the following standard recommendations:

- vegetation along the shoreline and leading to the shoreline be retained and augmented with the exception of a 6m path to the shore.
- sediment control measures shall be implemented throughout the construction process (mainly the placement of a sediment barrier such as staked straw bales between

exposed soil and the lake). The sediment barrier should remain in place until all disturbed areas have been stabilized and re-vegetated.

- excavated material shall be disposed of well away from the water.
- natural drainage patterns on the site shall not be substantially altered, such that additional run-off is directed into the lake. In order to help achieve this, eaves troughing shall be installed and outlet to a leach pit or well-vegetated area away from the lake to allow for maximum infiltration.

The owner should contact RVCA prior to proceeding with any other future development activity along the shoreline to confirm if a permit is required.

Parks Canada - Comments not available at the time of the report. The owner should contact Parks Canada prior to proceeding with any other future development activity along the shoreline or in the water to confirm if a permit is required.

Mississippi Rideau Septic System Office (MRSSO) – A Part 10/11 Renovation/Change of Use Septic Permit was not required for the proposed permit or application. The construction was not increasing the living space more than 15% or adding fixtures.

Public – None at the time of the report.

SITE PLAN CONTROL AGREEMENT

A Site Plan Control Agreement containing the recommendations of the RVCA is proposed to enhance protection of the water quality and shoreline of Big Rideau Lake.

RECOMMENDATION

That the Minor Variance be granted for relief from the requirements of Section 3.29 (Water Setbacks) of Zoning By-Law 2002-121, as amended, as follows:

- To permit a vertical addition of a single room to replace a cupola at a water setback of 16m instead of the 30m 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*.

That a Site Plan Control Agreement will be completed.

Matheson 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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Matheson Minor Variance

Ontario Land Tribunal

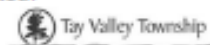
Only the applicant, the Minister or a specified person or public body that has an interest in the matter may appeal the decision to the Ontario Land Tribunal. A "specified person" does not include an individual or a community association.

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.

2



2

Matheson 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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Matheson 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

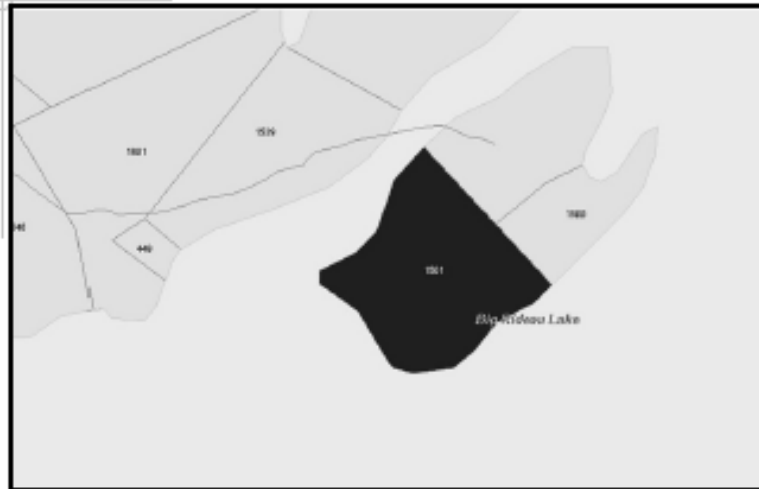
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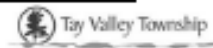
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Matheson

1501 Blue Arrow Drive, Part Lots 5, Concession 5
Geographic Township of North Burgess



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Matheson - Proposal

The Minor Variance application seeks relief from Sections 3.29 (Water Setbacks) of Zoning By-Law 2002-121, as amended, as follows:

- To permit a vertical addition at a water setback of 16m instead of the 30m required.

The effect of the variance is to permit an enlargement of a cupola to address rotting wood in a cottage located on Big Rideau Lake.

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Matheson - Proposal

- The property is located at 1147 Big Rideau North Shore Road on Big Rideau Lake. The lot is 2.6 ha (6.45 acres) with 79.44m water frontage and contains a cottage with attached garage.
- The current Site Plan Control Agreement will be replaced with a new one.

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Matheson Photos



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Matheson Photos



9



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Matheson Comments

Rideau Valley Conservation Authority (RVCA)

RVCA has no objections. A Site Plan Control Agreement will include the following standard recommendations:

- vegetation along the shoreline and leading to the shoreline be retained and augmented with the exception of a 6m path to the shore.
- sediment control measures shall be implemented throughout the construction process (mainly the placement of a sediment barrier such as staked straw bales between exposed soil and the lake). The sediment barrier should remain in place until all disturbed areas have been stabilized and re-vegetated.
- excavated material shall be disposed of well away from the water.

10



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Matheson Comments

Rideau Valley Conservation Authority (RVCA)

- natural drainage patterns on the site shall not be substantially altered, such that additional run-off is directed into the lake. In order to help achieve this, eaves troughing shall be installed and outlet to a leach pit or well-vegetated area away from the lake to allow for maximum infiltration.

The owner should contact RVCA prior to proceeding with any other future development activity along the shoreline to confirm if a permit is required.

11



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Matheson Comments

Parks Canada Comments

- Parks Canada noted that this property is located on Big Rideau Lake, part of the Rideau Canal National Historic Site and UNESCO World Heritage site. The Rideau Canal National Historic Site is valued in part for its historic, ecological and visual associations with shore lands and communities along the waterway which contribute to the unique historical environment of the canal. Development along a 30 metre buffer zone surrounding the lake is recommended to be unobtrusive, visually screened and integrated within the vegetation and topography.

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Matheson Comments

Parks Canada Comments Continued

- Parks Canada encourages developing the property in a manner that complements the visual character of the landscape and minimizes visual impact on the protected heritage property. The use of building materials and colours that blend in with the surrounding landscape are encouraged. Earth tones and neutral colours are recommended for the finished exteriors. Reflective materials, such as galvanized and bare metals, particularly for roof coverings and support structures, are discouraged. A minimum buffer of 30 metres can provide a buffer of undisturbed soil and vegetation along the shoreline, which will help to filter runoff, prevent soil erosion, and provide wildlife habitat.
- Parks Canada recommends long term protection, preservation, and where possible, enhancement of the vegetative buffer between the dwelling and the water. Permits are required from Parks Canada if works along the shoreline are proposed.

13



13

Matheson Comments

Mississippi Rideau Septic System Office (MRSSO)

- The MRSSO was not circulated as a Part 10/11 Renovation/Change of Use Septic Permit was not required for the proposed permit or application. The construction was not increasing the living space more than 15% or adding fixtures.

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Matheson Provincial Planning Statement

- No concerns.
- Section 2 Building Homes, Sustaining Strong and Competitive Communities recognizes residential uses. Chapter 4: Wise Use and Management of Resources Section and Section 4.1 Natural Heritage and 4.2. Water will be met through a Site Plan Control Agreement which will provide protection of the shoreline and can be used to obtain additional naturalization of the property if required.

15



15

Matheson Provincial Planning Statement

- Chapter 5 Protecting Public Health and Safety Section 5.2. Natural Hazards – 5.2.1 is satisfied as the proposed work will be no closer to the water as it is to lift the middle section of the roof for a room to replace the cupola. A Site Plan Control Agreement will be completed for the protection of the shoreline and water quality of Big Rideau Lake.

16



16

Matheson

County Sustainable Communities 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; to maintain the distinct character of rural, waterfront and settlement areas; and to ensure that development is compatible with natural heritage.

17



17

Matheson

Official Plan

- The subject land is designated Rural in the Township Official Plan, and residential uses are permitted.
- The updated Official Plan contains new provisions related to water quality protection. In this proposal, no encroachment toward the water is proposed as only the middle of the roof is increasing in height to replace a cupola with a single room.
- The requirements of Sections 3.2.5 Waterfront Development, 3.2.7 Preservation of Vegetation, 3.2.11 Subwatershed Plans for the protection of water quality will be met through Site Plan Control.

18



18

Matheson Official Plan

- Section 5.4.3 Rideau Canal World Heritage Site applies only to properties along Big Rideau Lake. The Rideau Canal is designated a UNESCO World Heritage Site. The Township Official Plan requires, "Existing lots of record will retain, as a minimum, all-natural vegetation 15 meters from the shoreline in its natural state and only allow access to the waterfront by way of modest, pedestrian access/stairs with minimal disturbance to the natural features". A recent Ontario Land Tribunal decision in favour of Tay Valley Township prevents construction within the 15m setback.

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Matheson Zoning By-law

- The property is zoned Seasonal Residential (RS) and a cottage dwelling is a permitted use.

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Matheson Official Plan & Zoning Test

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

- The current lot coverage is 2.9%. With the proposed work the living space will increase slightly remaining well under the maximum 10% permitted in the zone. The water setback is proposed at the same 16m at the closest point of the cottage, instead of the 30m required.
- Section 3.12.6 Enlargements of Non-Complying Uses, Buildings or Structures which only permits vertical enlargements at a water setback of 15m or greater is met.

21



21

Matheson 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.

22



22

Matheson "Minor" Test

Is it minor in nature and scope?

- The application can be considered minor in impact as the existing setback is being recognized. The additional development is proposed to be located in the middle of the roof at a setback greater than the 15m required on Big Rideau Lake to replace the cupola with a single room.

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Matheson Site Plan Control Agreement

- A Site Plan Control Agreement containing the recommendations of the RVCA is proposed to enhance protection of the water quality and shoreline of Big Rideau Lake.

24



24

Matheson 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.

25



25

Matheson Recommendation

That the Minor Variance be granted for relief from the requirements of Section 3.29 (Water Setbacks) of Zoning By-Law 2002-121, as amended, as follows:

- To permit a vertical addition of a room to replace a cupola at a water setback of 16m instead of the 30m 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.

That, a Site Plan Control Agreement will be completed.

26



26

Matheson 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 MV25-06 is approved, to allow a variance from the requirements of Sections 3.29(Water Setbacks) of Zoning By-Law 2002-121, for the lands described as 1501 Blue Arrow Drive, Part Lot 5, Concession 5, in the geographic Township of North Burgess, now known as Tay Valley Township in the County of Lanark – Roll Number 0911-911-025-12100:

- *To permit a vertical addition of a single room at a water setback of 16m instead of the 30m required.*

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

Committee of Adjustment
September 29, 2025

Noelle Reeve, Planner

APPLICATION MV25-10

Wilcox

658 Mackay Line, Concession 11, Part Lot 22 Geographic Township of Bathurst

SUMMARY OF PROPOSAL

Purpose and Effect: To seek relief from Section 10.2 (Rural Interior Lot Line) of Zoning By-Law 2002-121, as amended, as follows:

- To permit a detached garage at a setback of 3m from the east lot line rather than the 6m required in the Rural zone.

The effect of the variance is to allow a garage closer to the east side lot line than permitted. The garage will exceed the 30m water setback at a 45m setback from the Mississippi River on a flat area to the rear of the house.

REVIEW COMMENTS

The property is located at 658 Mackay Line. The lot is 0.44ha (1.11 acres) with 42.6m water frontage. The lot currently has a 150m² (1,618 sq. ft) dwelling and a 29m² shed. The owner proposes to construct a detached garage that is 66.4m² (714 sq. ft) at a setback of 45m from the Mississippi River.

Provincial Planning Statement, 2024 (PPS 2024)

No concerns. Section 2 Building Homes, Sustaining Strong and Competitive Communities recognizes dwellings as a use. Chapter 4: Wise Use and Management of Resources Section and Section 4.1 Natural Heritage states that, "Natural features and areas shall be protected for the long term", and Section 4.1.2 states that, "The diversity and connectivity of natural features in an area, and the long term ecological function and biodiversity be natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and surface water features and ground water features".

There is a Mississippi Valley Conservation Authority (MVCA) regulated Provincially Significant Wetland buffer on the subject property. Therefore, a permit will be required from MVCA for construction of the garage to ensure the function of the wetland is maintained.

Section 4.2.1 Water states, "Planning authorities shall protect, improve or restore the quality and quantity of water by: e) implementing necessary restrictions on development and site alterations". A Site Plan Control Agreement will be executed for this property that will require revegetation of the shoreline and 15m back from the river which will protect water quality. A 6m path to the shore is permitted.

Chapter 5 Protecting Public Health and Safety Section 5.2. Natural Hazards – 5.2.1 is satisfied as the proposed work will be farther from the slope than the existing dwelling.

County Sustainable Community Official Plan

No concerns. Section 3 Rural land designation permits a variety of uses including residential uses.

Section 5.4.4 of the County of Lanark's Sustainable Communities Official Plan indicates that municipalities have an obligation to consider the impact of development and land use on waterbodies in order to ensure their long-term viability. A Site Plan Control Agreement will be executed for this property that will require revegetation of the shoreline and the 15m between it and the dwelling which will protect water quality.

Official Plan

The subject land is designated Rural in the *Official Plan*, and Provincially Significant Wetlands. Section 2.3.3 Rural designation permits residential uses.

The updated Official Plan contains new provisions related to water quality protection.

The requirements of Sections 3.2.5 Waterfront Development, 3.2.7 Preservation of Vegetation, 3.2.11 Subwatershed Plans for the protection of water quality will be met through Site Plan Control.

Section 3.4.1 Frontage on an Improved Street requires development to occur on a Township or County owned road. Development on a private road is permitted if the property is rezoned to Residential Limited Services. In this case, a separate road naming process is occurring to name this existing private road.

Zoning By-Law

The property is zoned Rural (Ru) and a garage is permitted use. The water setback is exceeded at 45m. Lot coverage is met.

The application can be considered minor in impact as there are trees on the east lot line between the proposed garage and the neighbouring dwelling. Also residential setbacks are more appropriate for this lot as it is under-sized for a Rural lot. The Township will be correcting the zoning to Residential Limited Services in the Zoning Update and the owners will complete a Limited Services Agreement.

The proposal is also desirable and appropriate development of the lands in question as it is a permitted use.

CIRCULATION COMMENTS

Mississippi Valley Conservation Authority (MVCA) – MVCA has no objections to the proposed development. Site Plan Control Agreement will include the following standard recommendations:

- Natural drainage patterns on the site shall not be substantially altered such that additional drainage is directed towards the slopes, river or PSW.
- In accordance with the provisions of the relevant Municipal Zoning By-law, the existing vegetation along the shoreline of the river shall be retained to a minimum depth of 15 m. This effort will help to mitigate the effects of erosion.
- If organic soils are encountered during construction, they shall be sufficiently mitigated with acceptable engineering techniques.

The owner is to contact MVCA prior to proceeding to apply for a permit for the proposed garage.

Mississippi Rideau Septic System Office (MRSSO) – A Part 10/11 Renovation/Change of Use Septic Permit was not required for the proposed application. The construction is not increasing living space or adding fixtures.

Public – None at the time of the report.

SITE PLAN CONTROL AGREEMENT

A Site Plan Control Agreement containing the recommendations of the MVCA is proposed to enhance protection of the water quality and shoreline of the Mississippi River.

RECOMMENDATION

That the Minor Variance be granted for relief from the requirements of Section 10.2 (Rural Interior Lot Line) of Zoning By-Law 2002-121, as amended, as follows:

- To permit a detached garage at a setback of 3m from the east lot line rather than the 6m required in the Rural zone.

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*.

That a Site Plan Control Agreement will be completed.

And That, a Limited Services Agreement will be required for access over the private road.

And That, a Mississippi Valley Conservation Authority Permit is required.

And That, the right of way is named to comply with requirements of the Road Naming Policy and be incorporated into the Road Naming By-Law.

Wilcox 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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Wilcox 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.

2



2

Wilcox 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

3



3

Wilcox 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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Wilcox

658 Mackay Line, Part Lots 22, Concession 11
Geographic Township of Bathurst



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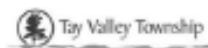


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Wilcox Site Sketch



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Wilcox - Proposal

The Minor Variance application seeks relief from Section 10.2 (Rural Interior Lot Line) of Zoning By-Law 2002-121, as amended, as follows:

- To permit a detached garage at a setback of 3m from the east lot line rather than the 6m required in the Rural zone.

The effect of the variance is to allow a garage closer to the east side lot line than permitted. The garage will exceed the 30m water setback at a 45m setback from the Mississippi River on a flat area to the rear of the house.

7



Wilcox - Proposal

- The property is located at 658 Mackay Line. The lot is 0.44ha (1.11 acres) with 42.6m water frontage. The lot currently has a 150m² (1,618 sq. ft) dwelling and a 29m² shed. The owner proposes to construct a detached garage that is 66.4m² (714 sq. ft) at a setback of 45m from the Mississippi River.
- The Site Plan Control Agreement will be completed for this property.

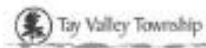
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Wilcox Photos



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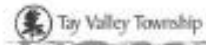


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Wilcox Photos



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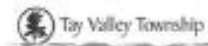


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Wilcox Photos



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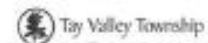
Wilcox Comments

Mississippi Valley Conservation Authority (MVCA)

MVCA has no objections to the proposed development. Site Plan Control Agreement will include the following standard recommendations:

- Natural drainage patterns on the site shall not be substantially altered such that additional drainage is directed towards the slopes, river or PSW.
- In accordance with the provisions of the relevant Municipal Zoning By-law, the existing vegetation along the shoreline of the river shall be retained to a minimum depth of 15 m. This effort will help to mitigate the effects of erosion.
-

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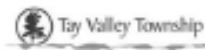
Wilcox Comments

Mississippi Valley Conservation Authority (MVCA)

- If organic soils are encountered during construction, they shall be sufficiently mitigated with acceptable engineering techniques.

The owner is to contact MVCA prior to proceeding to apply for a permit for the proposed garage.

13



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Wilcox Comments

Mississippi Rideau Septic System Office (MRSSO)

- The MRSSO was not circulated as a A Part 10/11 Renovation/Change of Use Septic Permit was not required for the proposed application. The construction is not increasing living space or adding fixtures.

14



14

Wilcox Provincial Planning Statement

- No concerns.
- Section 2 Building Homes, Sustaining Strong and Competitive Communities recognizes dwellings as a use. Chapter 4: Wise Use and Management of Resources Section and Section 4.1 Natural Heritage states that, "Natural features and areas shall be protected for the long term", and Section 4.1.2 states that, "The diversity and connectivity of natural features in an area, and the long term ecological function and biodiversity be natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and surface water features and ground water features".

15



15

Wilcox Provincial Planning Statement

- There is a Mississippi Valley Conservation Authority (MVCA) regulated Provincially Significant Wetland buffer on the subject property. Therefore, a permit will be required from MVCA for construction of the garage to ensure the function of the wetland is maintained.
- Section 4.2.1 Water states, "Planning authorities shall protect, improve or restore the quality and quantity of water by: e) implementing necessary restrictions on development and site alterations". A Site Plan Control Agreement will be executed for this property that will require revegetation of the shoreline and 15m back from the river which will protect water quality. A 6m path to the shore is permitted.

16



16

Wilcox Provincial Planning Statement

- Chapter 5 Protecting Public Health and Safety Section 5.2. Natural Hazards – 5.2.1 is satisfied as the proposed work will be farther from the slope than the existing dwelling.

17

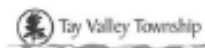


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Wilcox County Sustainable Communities Official Plan

- No Concerns.
- Section 3 Rural land designation permits a variety of uses including residential uses.
- Section 5.4.4 of the County of Lanark's Sustainable Communities Official Plan indicates that municipalities have an obligation to consider the impact of development and land use on waterbodies in order to ensure their long-term viability. A Site Plan Control Agreement will be executed for this property that will require revegetation of the shoreline and the 15m between it and the dwelling which will protect water quality.

18



18

Wilcox Official Plan

- The subject land is designated Rural in the Official Plan, and Provincially Significant Wetlands. Section 2.3.3 Rural designation permits residential uses.
- The updated Official Plan contains new provisions related to water quality protection.
- The requirements of Sections 3.2.5 Waterfront Development, 3.2.7 Preservation of Vegetation, 3.2.11 Subwatershed Plans for the protection of water quality will be met through Site Plan Control.

19



19

Wilcox Official Plan

- Section 3.4.1 Frontage on an Improved Street requires development to occur on a Township or County owned road. Development on a private road is permitted if the property is rezoned to Residential Limited Services. In this case, a separate road naming process is occurring to name this existing private road.

20



20

Wilcox Zoning By-law

- The property is zoned Rural (Ru) and a garage is permitted use. The water setback is exceeded at 45m. Lot coverage is met.

21



21

Wilcox Official Plan & Zoning Test

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

- The current lot coverage is 3.8%. With the proposed garage the lot cover will increase to 5.4% which is well under the maximum 20% permitted in the zone and will still be under 10% lot coverage when the zoning changes to Residential Limited Services with the new Zoning Update.

22



22

Wilcox 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.

23



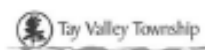
23

Wilcox "Minor" Test

Is it minor in nature and scope?

- The application can be considered minor in impact as there are trees on the east lot line between the proposed garage and the neighbouring dwelling. Also residential setbacks are more appropriate for this lot as it is under-sized for a Rural lot. The Township will be correcting the zoning to Residential Limited Services in the Zoning Update and the owners will complete a Limited Services Agreement.

24



24

Wilcox Site Plan Control Agreement

- A Site Plan Control Agreement containing the recommendations of the MVCA is proposed to enhance protection of the water quality and shoreline of the Mississippi River.

25



25

Wilcox 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.

26



26

Wilcox Recommendation

That the Minor Variance be granted for relief from the requirements of Section 10.2 (Rural Interior Lot Line) of Zoning By-Law 2002-121, as amended, as follows:

- To permit a detached garage at a setback of 3m from the east lot line rather than the 6m required in the Rural zone.

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.

That a Site Plan Control Agreement will be completed.

And That, a Limited Services Agreement will be required for access over the private road.

And That, a Mississippi Valley Conservation Authority Permit is required.

And That, the right of way is named to comply with requirements of the Road Naming Policy and be incorporated into the Road Naming By-Law.

27



27

Wilcox - 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 MV25-10 is approved, to allow a variance from the requirements of Section 10.2 (Rear Lot Line) of Zoning By-Law 2002-121, for the lands described as 658 MacKay Line Road, Part Lot 22, Concession 11, in the geographic Township of Bathurst, now known as Tay Valley Township in the County of Lanark – Roll Number 0911-916-030-37603:

- *To permit a detached garage at a setback of 3m from the east lot line rather than the 6m required.*

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

AND THAT, a Limited Services Agreement will be required for access over the private road.

And That, a Mississippi Valley Conservation Authority Permit is required.

And That, the right of way is named to comply with requirements of the Road Naming Policy and be incorporated into the Road Naming By-Law."

28



28

Committee of Adjustment

September 29, 2025

Noelle Reeve, Planner

APPLICATION MV25-11

Kim and Joe Tremblay

160 Farren Lake Lane 41, Concession 2 Part Lot 6

Geographic Township of South Sherbrooke

SUMMARY OF PROPOSAL

Purpose and Effect: To seek relief from Section 3.29 (Water Setback) of Zoning By-Law 2002-121, as amended, as follows:

- To permit a cottage at a setback of 16.8m rather than the 30m required.

The effect of the variance is to allow a cottage to be rebuilt 20m²(215 sq ft) larger and 1m farther from Farren Lake than the previous cottage.

REVIEW COMMENTS

The property is located at 160 Farren Lake Lane 41. The lot is 3,156m² (0.78 acres) with approximately 45.7m (150ft) water frontage and contains a cottage and sheds. The owner is proposing to demo the existing cottage that was 15.8m from Farren Lake and rebuild the cottage 1m further at 16.8m at a water setback.

Provincial Planning Statement

No concerns. Chapter 2 Building Homes, Sustaining Strong and Competitive Communities recognizes cottages as a use. Chapter 4: Wise Use and Management of Resources – 4.1 Natural Heritage and 4.2 Water will be met through a Site Plan Control Agreement which will provide protection of the shoreline and can be used to obtain some additional naturalization of the property.

Chapter 5 Protecting Public Health and Safety – is met as there are no hazards.

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; to maintain the distinct character of rural, waterfront and settlement areas; and to ensure that development is compatible with natural heritage. A Site Plan Control Agreement will meet these requirements.

Official Plan

The subject land is designated Rural in the Official Plan, and residential uses are permitted.

The updated Official Plan contains new provisions relating to water quality protection.

The requirements of Sections 3.2.5 Waterfront Development, 3.2.7 Preservation of Vegetation, 3.2.11 Subwatershed Plans for the protection of water quality will be met through Site Plan Control. Additionally, it should be noted that permits are required from the RVCA for work within 15m of the shoreline.

Zoning By-Law

The property is zoned Seasonal Residential (RS) and a cottage is a permitted use. Current lot coverage is 5.8% and after the rebuild of the cottage lot coverage will increase to 7.7% which is still under the 10% lot coverage that is permitted. The current floor space index is 2.4% and after the rebuild it will be 3.4%, this is well under the permitted 12% Floor Space Index.

The application can be considered minor in impact as the lot coverage is met and rebuilding the cottage with a loft and slightly wider can be considered minor as it is being built farther from the water by 1m.

The proposal is also desirable and appropriate development of the lands in question as it is a permitted use. In addition, a Site Plan Control Agreement will be registered on the subject property to maintain and enhance vegetation.

CIRCULATION COMMENTS

Rideau Valley Conservation Authority (RVCA) – RVCA has no objections.

The owner should contact RVCA prior to proceeding with future development activity to confirm if a permit is required.

Mississippi Rideau Septic System Office (MRSSO) – The applicant submitted a Part 10/11 that was approved. No further action is required for the septic.

Public – None at the time of the report.

SITE PLAN CONTROL AGREEMENT

A Site Plan Control Agreement containing the recommendations of the RVCA is proposed to maintain vegetation to protect the water quality and shoreline of Farren Lake.

RECOMMENDATION

That the Minor Variance be granted for relief from the requirements of Section 3.29 (Water Setback) of Zoning By-Law 2002-121, as amended, as follows:

- To permit a cottage at a setback of 16.8m rather than the 30m 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*.

And That the owners enter into a Site Plan Control Agreement prepared by the Township.

And That, the owners will confirm and complete the legal access to the property before the issuance of a building permit.

Tremblay 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.

1



1

Tremblay 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.

2



2

Tremblay 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

3



3

Tremblay 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

4



4

Tremblay

160 Farren Lake Lane 41, Concession 2 Part Lot 6
Geographic Township of South Sherbrooke

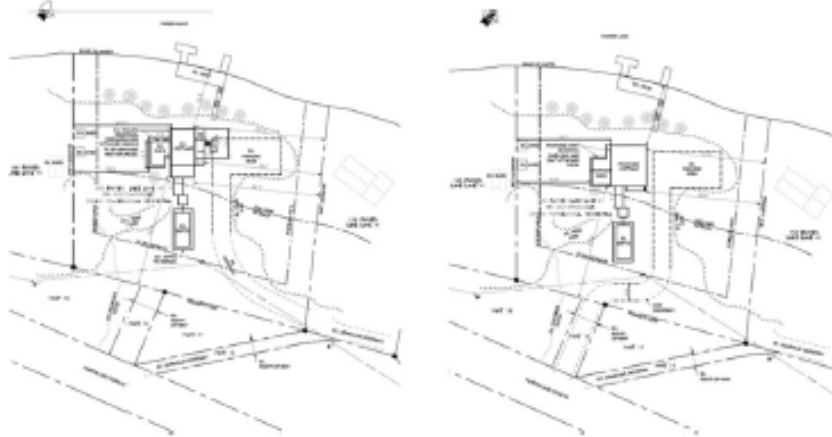


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Tremblay Site Sketch



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Tremblay - Proposal

The Minor Variance application seeks relief from Section 3.29 (Water Setback) of Zoning By-Law 2002-121, as amended, as follows:

- To permit a cottage at a setback of 16.8m rather than the 30m required.

The effect of the variance is to allow a cottage to be rebuilt 20m²(215 sq ft) larger and 1m farther from Farren Lake than the previous cottage.

7



7

Tremblay - Proposal

- The property is located at 160 Farren Lake Lane 41. The lot is 3,156m² (0.78 acres) with approximately 45.7m (150ft) water frontage and contains a cottage and sheds. The owner is proposing to demo the existing cottage that was 15.8m from Farren Lake and rebuild the cottage 1m further at 16.8m at a water setback.
- The Site Plan Control Agreement will be completed for this property.

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8

Tremblay Photos



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Tremblay Photos



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Tremblay Comments

Rideau Valley Conservation Authority (RVCA)

RVCA has no objections to the proposed development.

The owner should contact RVCA prior to proceeding with future development activity to confirm if a permit is required.

11



11

Tremblay Comments

Mississippi Rideau Septic System Office (MRSSO)

- The applicant submitted a Part 10/11 that was approved. No further action is required for the septic.

12



12

Tremblay Provincial Planning Statement

- No concerns.
- Chapter 2 Building Homes, Sustaining Strong and Competitive Communities recognizes cottages as a use. Chapter 4: Wise Use and Management of Resources – 4.1 Natural Heritage and 4.2 Water will be met through a Site Plan Control Agreement which will provide protection of the shoreline and can be used to obtain some additional naturalization of the property.
- Chapter 5 Protecting Public Health and Safety – is met as there are no hazards.

13



13

Tremblay County Sustainable Communities 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; to maintain the distinct character of rural, waterfront and settlement areas; and to ensure that development is compatible with natural heritage. A Site Plan Control Agreement will meet these requirements.

14



14

Tremblay Official Plan

- The subject land is designated Rural in the Official Plan, and residential uses are permitted.
- The updated Official Plan contains new provisions relating to water quality protection.
- The requirements of Sections 3.2.5 Waterfront Development, 3.2.7 Preservation of Vegetation, 3.2.11 Subwatershed Plans for the protection of water quality will be met through Site Plan Control. Additionally, it should be noted that permits are required from the RVCA for work within 15m of the shoreline.

15

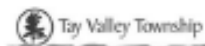


15

Tremblay Zoning By-law

- The property is zoned Seasonal Residential (RS) and a cottage is a permitted use

16



16

Tremblay Official Plan & Zoning Test

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

- The current lot coverage is 5.8% and after the rebuild of the cottage lot coverage will increase to 7.7% which is still under the 10% lot coverage that is permitted. The current floor space index is 2.4% and after the rebuild it will be 3.4%, this is well under the permitted 12% Floor Space Index.

17



17

Tremblay 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. In addition, a Site Plan Control Agreement will be registered on the subject property to maintain and enhance vegetation.

18



18

Tremblay "Minor" Test

Is it minor in nature and scope?

- The application can be considered minor in impact as the lot coverage is met and rebuilding the cottage with a loft and slightly wider can be considered minor as it is being built farther from the water by 1m.

19



19

Tremblay Site Plan Control Agreement

- A Site Plan Control Agreement containing the recommendations of the RVCA is proposed to maintain vegetation to protect the water quality and shoreline of Farren Lake.

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20

Tremblay 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.

21



21

Tremblay Recommendation

That, the Minor Variance be granted for relief from the requirements of Section 3.29 (Water Setback) of Zoning By-Law 2002-121, as amended, as follows:

- To permit a cottage at a setback of 16.8m rather than the 30m 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.

And That, the owners enter into a Site Plan Control Agreement prepared by the Township.

And That, the owners will confirm and complete the legal access to the property before the issuance of a building permit.

22



22

Tremblay - 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 MV25-11 is approved, to allow a variance from the requirements of Section 3.29 (Water Setback) of Zoning By-Law 2002-121, for the lands described as 160 Farren Lake Lane 41, Part Lot 6 Concession 2, in the geographic Township of South Sherbrooke, now known as Tay Valley Township in the County of Lanark – Roll Number 0911-914-015-14200;

- To permit a cottage to be located at a water setback of 16.8m rather than the 30m required.*

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

AND THAT, the owners will confirm and complete the legal access to the property before the issuance of a building permit."

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