



COMMITTEE OF ADJUSTMENT MINUTES

Date: October 29, 2024, 1:00 p.m.
Location: Lansdowne Council Chambers

Members Present: Jim Kehoe
Bruce Craig
Katherine Graham
Todd Robertson

Members Absent: Paul Veenstra

Staff Present: Planner, Kyle Peel
Senior Planner, Lindsay Lambert
Secretary-Treasurer, Amanda Wener-Mackeler

1. CALL TO ORDER

The meeting was called to order at 1 pm.

2. ADOPTION OF AGENDA

Resolution Number: COA-2024-076

Moved by: Katherine Graham

Seconded by: Bruce Craig

THAT the Agenda be adopted as circulated.

Carried

3. ADOPTION OF MINUTES

3.1 September 24, 2024

Resolution Number: COA-2024-077

Moved by: Katherine Graham

Seconded by: Todd Robertson

THAT the minutes of the September 24, 2024 hearing of the Committee of Adjustment be adopted as circulated.

Carried

4. DECLARATION OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

No pecuniary or other interested was declared.

5. OUTSTANDING APPLICATIONS

None.

6. NEW APPLICATIONS

6.1 D13-2024-046 - 1107 Eden Grove Road

The application was introduced to permit the expansion of a covered porch. The following permission from Zoning By-Law 07-079 are required:

	Provision	Existing Dwelling	Proposed Addition	Permission Requested
-	Increase in floor area of a legal non-complying structure	Dwelling: 75.1 square metres (808.4 square feet)	Addition: 4.4 square metres (47.4 square feet)	Total floor area of non-complying structure: 79.5 square metres (855.7 square feet)

Written Agency Comments:

Cataraqui Region Conservation Authority - No objections.

Written Public Comments:

Tarek Mansour and Colleen Evans, neighbours - no objections.

Written Staff Comments:

Planner, Kyle Peel - Recommended approval, subject to conditions.

Verbal Correspondence:

Todd and Kathy Grier appeared before the Committee.

Planner, Kyle Peel reviewed the proposal advising that it was to expand a legal non-complying dwelling and noted that the setback to the center of the road and the front yard setback are non-complying. The dwelling has been gutted and through a renovation permit, the covered porch is proposed to be rebuilt and expanded to include additional area. The distance to the front yard and center of the road is not proposing to be any closer than the existing. The CRCA has reviewed the application for natural hazards and had no objections. The

application has been found to be consistent with the applicable policies and regulations of the Land Use planning documents of the Township. Planning Staff recommend approval of this application per the details and conditions enclosed within the staff report.

Chair Kehoe asked for comments from the in person and virtual audience and no comments were received.

The Committee discussed the application and had no concerns as the property was being rehabilitated with good improvements.

Resolution Number: COA-2024-078

Moved by: Bruce Craig

Seconded by: Katherine Graham

That application D13-2024-046 be approved subject to the conditions as included in the Planner's Report and the decision of the Committee.

Carried

6.2 D13-2024-047 - 755 Marble Rock Road

The application was introduced to permit a covered porch. The following permission and variance from Zoning By-Law 07-079 are required:

Permission

	Provision	Existing Dwelling	Proposed Attached Covered Deck	Permission Requested
-	Increase in floor area of a legal non-complying structure	Ground Floor Area: 134.85 square metres (1,451.5 square feet)Gross Floor Area: 269.7 square metres (2,903 square feet)	50.4 square metres (542.5 square feet)	Total size of attached covered decking: 50.4 square metres (542.5 square feet)

Minor Variance:

Section	Provision	Proposed	Requested Relief
3.32(c)	Notwithstanding other provisions of this by-law, no building or structure shall be erected or altered within 5 metres of a flood plain or 30 metres from the high water mark, whichever is greater.	1.1 (3.6 feet)	3.9 metres (12.8 feet)

Written Agency Comments:

Cataraqui Region Conservation Authority - No objections.

Written Public Comments:

None.

Written Staff Comments:

Senior Planner, Lindsay Lambert - Recommended approval, subject to conditions.

Verbal Correspondence:

No one appeared before the Committee.

Senior Planner, Lindsay Lambert reviewed the proposal advising that it is for a combined permission and variance and that the development is for the construction of an attached covered deck. No comments have been received to date from the public and the CRCA has no concerns with the proposal based on their review of natural hazard policies. The proposal is consistent with the four tests of the Planning Act. The application has been found to be consistent with the applicable policies and regulations of the Land Use planning documents of the Township. Planning Staff recommend approval of this application per the details and conditions enclosed within the staff report.

Chair Kehoe asked for comments from the in person and virtual audience and no comments were received.

The Committee discussed the application and had no concerns with the proposal.

Resolution Number: COA-2024-079

Moved by: Todd Robertson

Seconded by: Katherine Graham

That application D13-2024-047 be approved subject to the conditions as included in the Planner's Report and the decision of the Committee.

Carried

6.3 D13-2024-048 - 963 Narrows Lane

The application was introduced to permit the construction of a sleeping cabin with an attached uncovered deck. The following variances from Zoning By-Law 07-079 are required:

Section	Provision	Proposed	Requested Zoning Relief
3.32(a)(v)	The minimum setback shall be 10.0 metres (32.8 ft.) from the edge of a private right-of-way	1.8 metres (5.9 feet)	8.17 metres (26.9 feet)
3.32(b)	The minimum setback shall be 30.0 metres (98.43 ft.) from the highwater mark	23.7 metres (77.8 feet)	6.3 metres (20.7 feet)
5.6(b)	Minimum front yard setback 30 metres (98.43 feet)	23.7 metres (77.8 feet)	6.3 metres (20.7 feet)
5.5(b)	Rear Yard (minimum): 7.5 m (24.61 ft.)	1.2 metres (3.94 feet)	6.3 metres (20.67 feet)

Written Agency Comments:

Cataraqui Region Conservation Authority - No objections.

Written Public Comments:

None.

Written Staff Comments:

Planner, Kyle Peel - Recommended approval, subject to conditions.

Verbal Correspondence:

Nancy Harrington, owner, appeared before the Committee.

Planner Kyle Peel reviewed the proposal advising of the setbacks which require variances and noted that the property is limited in size, so any development will require planning approval. The sleep cabin is maximizing the setback from the high water mark and is keeping in line with the development on neighbouring properties. The CRCA has reviewed and noted no concerns. The application has been found to be consistent with the applicable policies and regulations of the Land Use planning documents of the Township. Planning Staff recommend approval of this application per the details and conditions enclosed within the staff report.

Chair Kehoe asked for comments from the in person and virtual audience and no comments were received.

The Committee discussed the application and questioned the plumbing and waste disposal for the proposed sleep cabin. Nancy Harrington advised that there is an outdoor bathroom with a flush toilet that goes into a holding tank. The bathroom services the cottage and the sleep cabin. Mr. Peel advised that the holding tank will be reviewed through the building permit stage to ensure that it is appropriately sized. The Committee had no other concerns with the proposal.

Resolution Number: COA-2024-080

Moved by: Katherine Graham

Seconded by: Bruce Craig

That application D13-2024-048 be approved subject to the conditions as included in the Planner's Report and the decision of the Committee.

Carried

6.4 D13-2024-049 - 823 Iggy Lane

The application was introduced to permit the construction of an accessory structure (detached garage). The following variance from Zoning By-Law 07-079 are required:

Section	Provision	Proposed	Requested Zoning Relief
3.32(a)(v)	The minimum setback shall be 10.0 metres (32.8 ft.) from the edge of a right-of-way	4.6 metres (15.1 feet)	5.4 metres (17.7 feet)

Written Agency Comments:

Cataraqui Region Conservation Authority and Rideau Waterway Development Review Team - No objections.

Parks Canada - No concerns.

Written Public Comments:

Paul Ruttan, neighbour, no objections.

Written Staff Comments:

Senior Planner, Lindsay Lambert - Recommended approval, subject to conditions.

Verbal Correspondence:

Paul Thrasher, owner, appeared before the Committee.

Senior Planner, Lindsay Lambert reviewed the proposal advising that it is proposed to be too close to right of way which provides access to the neighbouring property. The CRCA has reviewed the proposal from a natural hazards perspective and noted no concerns. Staff are satisfied that it meets the four tests. The application has been found to be consistent with the applicable policies and regulations of the Land Use planning documents of the Township. Planning Staff recommend approval of this application per the details and conditions enclosed within the staff report.

Chair Kehoe asked for comments from the in person and virtual audience and no comments were received.

The Committee discussed the application and had no concerns with the proposal.

Resolution Number: COA-2024-081

Moved by: Katherine Graham

Seconded by: Todd Robertson

That application D13-2024-049 be approved subject to the conditions as included in the Planner's Report and the decision of the Committee.

Carried

6.5 D13-2024-050 - 18 Club Island - CANCELLED

The hearing for this application was cancelled.

6.6 D13-2024-051 - 104 Yardarm Lane

The application was introduced to permit the construction of two additions on an existing legal non-complying dwelling. The following permission from Zoning By-Law 07-079 is required:

	Provision	Existing Dwelling	Proposed Additions	Permission Requested
-	Increase in floor area of a legal non-complying structure	Dwelling: 123.8 square metres (1,332.6 square feet)	Additions: 9.5 square metres (102.3 square feet)	Total floor area of non-complying dwelling: 133.3 square metres (1,434.8 square feet)

Written Agency Comments:

Cataraqui Region Conservation Authority - No objections.

Written Public Comments:

Charleston Lake Association - Charleston Lake Environmental Association noted concerns with the un-naturalization of the lot and recommended that effective measures to improve the natural condition of the shoreline area and mitigate the flow of nutrients, contaminants and stormwater be implemented.

Written Staff Comments:

Planner, Kyle Peel - Recommended approval, subject to conditions.

Verbal Correspondence:

Peter Roe, agent appeared before the Committee.

Planner Kyle Peel reviewed the proposal advising that the application is requesting a permission to expand the dwelling with two additions where the area was previously developed with decking. There will be no net increase, and the proposal will be no closer to the high water mark than existing development. The CRCA has no concerns with the application. The Charleston Lake Environmental Association requested an additional condition. Mr. Peel advised that conditions are required to be for the proposed development, and it would not be appropriate that it be included on the decision. The decision does have a condition which requests that the owner be encouraged to maintain and enhance the waterbody setback area with native species vegetation. The application has been found to be consistent with the applicable policies and regulations of the Land Use

planning documents of the Township. Planning Staff recommend approval of this application per the details and conditions enclosed within the staff report.

Chair Kehoe asked for comments from the in person and virtual audience and no comments were received.

The Committee discussed the application noting no concerns with the proposal as it is small and no closer to the high water mark than existing development. The Committee noted that the CLEA be reminded that the Committee can encourage but cannot enforce that type of condition.

Resolution Number: COA-2024-082

Moved by: Katherine Graham

Seconded by: Todd Robertson

That application D13-2024-051 be approved subject to the conditions as included in the Planner's Report and the decision of the Committee.

Carried

7. OTHER BUSINESS

7.1 Discussion on Boat Ride Potential Dates - 2025

The Committee and Staff discussed potential boat rides for 2025 and agreed that the date would be on the Tuesday which is two weeks before the hearing date. The Committee may need some flexibility with the dates, but this is a starting point for boat ride scheduling.

7.2 Discussion on December Committee of Adjustment Meeting

Secretary-Treasurer Amanda Werner-Mackeler reminded the Committee that the hearing for December will be December 10, 2024.

8. ADJOURNMENT

Resolution Number: COA-2024-083

Moved by: Katherine Graham

Seconded by: Todd Robertson

THAT the Committee of Adjustment will adjourn to meet again at the call of Secretary-Treasurer.

1:31 pm

Carried

Chair

Secretary-Treasurer

DRAFT