



**Planning Advisory and Committee of Adjustment
Minutes**

**August 27, 2025, 1:00 p.m.
Municipal Office, Chantry**

Members Present: Mayor Arie Hoogenboom, Dustin Bulloch, Councillor Sue Dunfield, Councillor Ron Pollard, George Bracken, Public Member

Members Absent: Councillor Jeff Banks, Councillor Paula Banks, Councillor Deborah Anne Hutchings

Staff Present: Tom Fehr, Manager of Development Services, Foster Elliott, Associate Planner, Amy Schur, Development Services Analyst

Call to Order

Chair Dunfield called the meeting to order at 1:00pm.

Roll Call

Amy Schur, Development Services Analyst noted that Councillor Jeff Banks, Councillor Paula Banks and Deputy Mayor Debbie Hutchings were absent with prior notice.

Adoption of Agenda

Chair Dunfield asked if there were any changes to the Agenda and none were noted.

RESOLUTION 104-2025

Moved by Ron Pollard
Seconded by Arie Hoogenboom

That the Planning Advisory and Committee of Adjustment adopt the Agenda as submitted.

Carried

Declaration of Pecuniary Interest and the General Nature Thereof

The Chair asked if any Committee Member had a Pecuniary Interest in any Item on the Agenda and if so, the Nature of that Interest and none were received.

Adoption of Minutes: August 13, 2025

Minutes of the Planning Advisory and Committee of Adjustment Meeting held August 13, 2025 were reviewed by the Committee. Chair Dunfield asked for any errors or omissions and none were heard.

RESOLUTION 105-2025

Moved by Dustin Bulloch
Seconded by George Bracken

That this Committee approve the Planning Advisory and Committee of Adjustment Minutes of Wednesday, August 13, 2025 as submitted.

Carried

New Business

Zoning By-Law Amendment Applications

ZBA-12-2025 COVELL

Owner - George Covell was present in Council Chambers to hear the presentation from planning staff.

Foster Elliott, Associate Planner, verbally reviewed the request is to change the zoning classification on the subject property from Waterfront Residential (RW) to Waterfront Residential Special Exemption (RW-X) to permit the conversion of a second storey of an existing 2-storey structure (existing detached garage) into a sleeping cabin. The proposed Special Exception is to permit a sleeping cabin within a 2 storey building, and to permit an increased size of the sleeping cabin. This property is also subject to Site Plan Control application SP-34-2025 for this conversion.

Mr. Elliott mentioned that the RVCA & Parks Canada had not submitted comments, Enbridge Gas had no concerns, the CBO & Fire Chief had no concerns and that no public comments had been received.

Chair Dunfield asked if the owner had anything to add. Mr. Covell thanked Staff and Committee for their dedication to the Township.

Mr. Elliott noted that no online comments had been received.

Chair Dunfield asked the public in attendance if anyone would like to speak to this application, no comments were heard.

Chair Dunfield opened the Committee discussion. Committee members asked questions and made comments regarding why Enbridge Gas commented on this application, years ago Committee saw a similar application and it was denied, okay with this type of zoning amendment perhaps other application was a minor variance, applications are reviewed on their own merits, will additional unit be on the same septic system or be updated and only approved for one sleeping cabin on the property.

RESOLUTION 106-2025

Moved by Arie Hoogenboom
Seconded by George Bracken

That the Planning Advisory & Committee of Adjustment recommend to the Council of the Corporation of the Township of Rideau Lakes that Zoning By-Law Amendment application ZBA-12-2025, by George & Charlotte Covell of the Ward of South Elmsley, be approved which will rezone the subject property from Waterfront Residential (RW) to Waterfront Residential Special Exception (RW-X) to:

1. Permit a sleeping cabin within a 2 storey building;
2. Permit a maximum size of 67.6sqm (728sqft) for a sleeping cabin;
3. Permit a sleeping cabin to be 6.5m (21.3ft) from the rear lot line;

Carried

Section 45 Applications - NONE

Consent Applications

B-131-24 MCELROY

Owner – Glen McElroy was present in Council Chambers to hear the presentation from planning staff.

Foster Elliott, Associate Planner, verbally reviewed the consent application, being for 1 new lot creation for residential use. The severed Lot is to be 3.09 acres, have 165m of frontage on Dennison Drive and is currently developed with dwelling and accessory buildings. The retained lot is to be 57.7 acres, have 165m frontage on Dennison Drive & 597m frontage on Smith Road, is currently vacant and the current & proposed use is Agricultural.

Mr. Elliott mentioned that during staff's review, it was determined that the existing dwelling & septic was constructed within the 30m water setback. Permits were obtained and issued by the Township, and that CRCA was not circulated during the building permit review.

Staff are recommending a condition of Severance approval, that a Minor Variance be applied for and obtained for the dwelling and septic system to reflect the reduced water setback.

Mr. Elliott noted that CRCA comments outlined initially that within the 30m water setback

area, a hydrology and hydraulic assessment be completed to support the existing location of the dwelling and septic. However, after a CRCA site visit, this assessment is no longer required and that the CRCA can support the consent and Minor Variance.

Chair Dunfield asked for Staff to identify on the map where the noted watercourse was located.

Mr. Elliott confirmed that no public comments had been received.

Chair Dunfield asked if the owner had anything to add. Mr. McElroy made a comment regarding the watercourse, runs only a couple of months the rest of the year is dry, should not be an issue, didn't know the setback was supposed to be 30m, he paid the Township to come and do inspections and was not told about this setback so where does the responsibility lie. Mr. McElroy asked if he has to pay for the minor variance, when it was the Township who approved the dwelling. He has farmed that property for many years and doesn't believe it should be classified as a watercourse. Paid CRCA fees and he didn't think they had done a site visit until just recently. If he would have known about the 30m he would have changed the layout and placement when building.

Mr. Fehr, mentioned that Staff do not have the ability to waive fees, informed Mr. McElroy that he would have to submit a request to Council.

Mr. Fehr, provided some background information regarding the building permit that was applied for back in 2019. The minor variance is needed retroactively bring the property into compliance.

Mr. Elliott noted that no online comments had been received.

Chair Dunfield asked the public in attendance if anyone would like to speak to this application, no comments were heard.

Chair Dunfield opened the Committee discussion. Committee members expressed concerns, asked questions and made comments regarding is updating surveys to be done prior to consent approval, it's a condition of consent, shared responsibility as the owner wasn't aware of the creek, identified as a creek by the CRCA and staff, still needs to go through the process to make it legal and the creek is pretty small.

RESOLUTION 107-2025

Moved by Dustin Bulloch
Seconded by Ron Pollard

That the Planning Advisory & Committee of Adjustment recommend to the Council of the Corporation of the Township of Rideau Lakes that the Township comments to the Land Division Office for B-131-24 are to approve the proposed consent subject to the following conditions:

- 1) That the owners confirm by way of a survey or surveyors' letter that the existing buildings and structures including the dwelling and septic system on the severed lot

comply with the minimum setback requirements as outlined in the Township's Zoning By-law, including the 30m setback from the watercourse. Further, if the survey or surveyors' letter identifies a deficiency from the minimum required setbacks that the owner is required to apply for and obtain relief for the deficiency;

2) That the applicants confirm by way of survey that the abutting Township Road (Dennison Drive) is 10m (33ft) from centerline to the front lot line of the severed lands. If 10m (33ft) is not established, conveyance to the Township of an amount equal to the deficiency shall be required. The lands to be transferred for road widening purposes shall be free and clear of any and all encumbrances;

3) That an electronic copy of the registered survey/plan for the new lot be submitted to the Township;

4) That a development agreement be entered into with the Township and registered on title for the retained lands that implements:

a. A development envelope that is outside of the woodland and organic soil areas;

b. That all existing vegetation be maintained by selective and limited tree removal;

c. That there shall be no use of herbicides in clearing of vegetation;

d. To protect breeding birds, no tree or shrub removal should occur between May 1st and July 31st unless a breeding bird survey is completed by a qualified biologist within five days of the woody vegetation removal identifies no nesting activity;

e. To discourage wildlife from entering the work areas during construction, the site should be kept free and clear of food waste and other garbage; and;

5) That the applicant supplies the Township with a 5% cash in lieu of parkland fee for the newly created lot. Contact the Township for a guide to completing this condition.

Carried

Business Arising

Road Closure and Encroachment Application: RC-3-2023 KAPSA

Foster Elliott, Associate Planner, verbally re-viewed the application which had previously went to a PACA meeting on March 27, 2024 for request for closure and conveyance. at that time, it was determined that one section of Unopened Road Allowance is used for informal access to multiple agriculture properties and therefore closure and conveyance of this section would either:

Create a private road or restrict access to a parcel of land

PACA deferred the application for the applicant to further review options for obtaining access to their property such as a lot addition through a nearby parcel.

Mr. Elliott noted that since the March 2024 meeting the applicant has continued to work with a neighbouring landowner regarding a proposal for a lot addition, but no formal application has been submitted at this time. The owner wishes to proceed with the closure request for Segment 2 only, this segment is approximately 670ft in length and a total area of approximately 1.02 acres.

Mr. Elliott mentioned that the closure of only Segment 2 would lead to the following concerns:

- Access to waterfront parcel of land
- Future access to Coons Road through the explored options

Staff recommend that Segments 2 through 5 be closed and conveyed to ensure future access options to Coons Road remain viable, and the access between the rear and waterfront lot is not through a Township road allowance. This proposal does not restrict access to any parcels, nor does it create a private road. Staff also recommend that the owner acknowledge that Segment 1 is a Township unopened road allowance and that no alteration or maintenance can occur unless prior written approval from the Township is obtained.

Mr. Elliott broke down the purchase price costs totaling \$120,961.59 and noted that the applicant wishes to pay .10 cents per sqft totaling approximately \$36,857.90.

Mr. Elliott noted that several public comments were received before and during the March 27, 2024 meeting indicating concerns from the residents who use the informal access for the agricultural operation however no comments have been received on this matter since the previous PACA meeting.

Audience member Joan Delaney noted that the owner Jan Kapsa gave her permission to speak on their behalf. Ms. Delaney noted that the owners are very discouraged as they have been trying to move this application forward for several years now. The owners agree with closing sections 2 through 5 but do not agree with the purchase price. This land is beautiful, not agricultural and has been vacant for many years. Mr. Kapsa simply wants to gain access to their property by land as it's a water access only property. Win-win for the Township, gaining a new development and we are selling off a unopened road allowance. This unopened road allowance is not needed as Coons Rd go right to the water.

Mr. Elliott noted that no online comments had been received.

Chair Dunfield asked the public in attendance if anyone would like to speak to this application.

Audience member Councillor Maxwell noted how surprised she was that this application was still not resolved. Asked if the owners do pay the \$120,000 will he have access to his property.

Mr. Elliott noted that if this application is approved and finalized Mr. Kapsa would still not have formal access to the property. He would still have to go through an unopened road allowance identified as segment 1.

Chair Dunfield opened the Committee discussion. Committee members asked questions, made comment and expressed concerns regarding understanding the applicants concerns with costs, the possibility that the Township opens the road allowance and have the applicants pay to improve and maintain the road as a condition, land locked piece of property, if applicants proceed can they build on rear or front lot,

can build 100m from the waterfront as a water access only property, still would not have road frontage, have surrounding neighbours been notified as they have the opportunity to purchase as well, does a survey need to be done, what are the boundaries of the agricultural lands, where are the watercourse features, what is the purpose of closing the green section (segment #2), could applicants request permission from the Township to improve and not have to purchase the segment, ensure lots are in the same name to make sure they are properly merged, consider more options too many unanswered questions, land locking the other section of road allowance, road would need to be brought up to Township/MTO standards, not realistic to think this is ever going to be a public road, would like to see the price reduced as this property is not worth \$120,000, neighbours would have to agree, applicants have already spent a significant amount of money on the application, have already approached neighbours for a severance, not really waterfront property, is there currently a building on either property and the adjacent property is significant wetland.

Mr. Elliott noted the bush rate in the By-law is .21 cent which works out to roughly \$77,500.

RESOLUTION 108-2025

Moved by Arie Hoogenboom
Seconded by Ron Pollard

That the Planning Advisory & Committee of Adjustment recommend to the Council of the Corporation of the Township of Rideau Lakes that Road Closure Request RC-3-2023 to close and convey Segments 2 through 5 on the submitted drawing be approved subject to:

1. The applicants understanding and acknowledgement that Segment 1 remains as an unopened Township road allowance in the public domain, and that no alterations or maintenance are permitted without prior written approval from the Township. This includes but is not limited to: snow plowing, fill placement/removal, tree cutting, etc.
2. That the purchase price be \$0.21 per square foot.

Carried

Manager's Report

Tom Fehr, Manager of Development Services, gave a brief overview of the report noting the proposal of cancelling the October 22, 2025 PACA meeting. There will be regular scheduled PACA meetings on October 8th and November 12th.

Chair Dunfield opened the Committee discussion. No comments or questions were heard.

RESOLUTION 109-2025

Moved by George Bracken
Seconded by Ron Pollard

That the Planning Advisory and Committee of Adjustment acknowledges the written and verbal report of Tom Fehr, Manager of Development Services, regarding matters provided for information purposes.

Carried

RESOLUTION 110-2025

Moved by Ron Pollard
Seconded by Dustin Bulloch

That the October 22, 2025 Planning Advisory & Committee of Adjustment meeting shall be cancelled.

Carried

Adjournment

Chair Dunfield declared the Planning Advisory and Committee of Adjustment Meeting adjourned at 2:03p.m.

Sue Dunfield, Chair

Tom Fehr, Secretary/Treasurer