



Rideau Lakes

Planning Advisory and Committee of Adjustment Minutes

**August 14, 2024, 1:00 p.m.
Municipal Office, Chantry**

Members Present: Councillor Joan Delaney, Mayor Arie Hoogenboom, Councillor Sue Dunfield, Councillor Ron Pollard, Councillor Deborah Anne Hutchings, George Bracken, Public Member

Members Absent: Councillor Jeff Banks, Councillor Paula Banks

Staff Present: Malcolm Norwood, Manager of Development Services, Foster Elliott, Associate Planner, Amy Schur, Development Services Analyst

Call to Order

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

Roll Call

Amy Schur, Development Services Analyst noted that Councillors Jeff & Paula Banks were absent.

Also in attendance was Miranda Brintnell, Development Services Student.

Adoption of Agenda

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

RESOLUTION 87-2024

Moved by George Bracken
Seconded by Sue Dunfield

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: July 24, 2024

Minutes of the Planning Advisory and Committee of Adjustment Meeting held July 24, 2024 were reviewed by the Committee. Chair Delaney asked for any errors or omissions, Councillor Dunfield mentioned that summer student Miranda Brintnell was missing from the staff list and should be added.

RESOLUTION 88-2024

Moved by Arie Hoogenboom
Seconded by Deborah Anne Hutchings

That this Committee approve the Planning Advisory and Committee of Adjustment Minutes of Wednesday, July 24, 2024 as amended. The amendment adds "Miranda Brintnell, Development Services Student" to the list of staff present.

Carried

New Business

Zoning By-Law Amendment Applications

ZBA-11-2024 CAMPBELL

Agent - David Nanton was present over Teams to hear the presentation from planning staff.

Foster Elliott, Associate Planner, verbally reviewed the request to change the zoning classification on the subject property from Rural (RU) to Rural Special Exception (RU-X) to permit two single dwellings on the subject property whereas only 1 is currently permitted, and to permit a maximum height of a dwelling to 13m in the RU zone where a maximum height of 10m is permitted. The property also contains Environmental Protection A (EP-A) zoning, which is proposed to remain unchanged. The area proposed to be rezoned currently contains five agricultural buildings with solar collectors on top, two of which are proposed to be converted into dwellings. The rezoning is related to the provisionally approved severance application B-170-22, which has the effect of creating a new 8.9 acre parcel from the larger 350.9 acre retained lands. Mr. Elliott mentioned that the CRCA had no objections, the CBO had no concerns provided all Part 8 septic setbacks, sizing and separations can be maintained, the Fire Chief had no concerns and that no public comments had been received.

Chair Delaney asked if the agent had anything to add. Mr. Nanton had nothing to add to the presentation just wanted to note that they agree with the staff recommendation.

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

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

Audience Member Steve Meulmeester at 1424 County Rd 8 asked about the intent of application if it was for housing, he supports the proposal. Would he be able do the same with his property in the future and if the entrance off County Rd 8 has been reviewed by the County for concerns regarding traffic/safety.

Mr. Nanton noted the residential rental units for employees and as part of the provisional consent an MDS was completed to take into account agricultural activity in the area and converting the buildings will not impede any future activity.

Mr. Norwood noted the requirements in the zoning by-law and each application being reviewed separately. Applicants have requested only 2 units and the Conservation Authority has reviewed because of Cooligan Creek that traverses the property.

Chair Delaney opened the Committee discussion. Committee members asked questions and made comments regarding shared driveway being wide enough for both units and perhaps issues down the road with being shared, example of another municipality under solar panel and confirmation of how many dwellings per unit.

RESOLUTION 89-2024

Moved by Sue Dunfield

Seconded by Deborah Anne Hutchings

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-11-2024, by Jocelyne Campbell of the Ward of Bastard and South Burgess, be approved as amended that will rezone a portion of the subject property from Rural (RU) to Rural Special Exception (RU-X) to permit 2 single dwellings in existing agricultural buildings with solar collectors on top, and to permit a maximum 13m height for those single dwellings, and remove the permitted additional residential unit use.

Carried

Section 45 Applications

A-15-2024 GIBSON

Owner – Deborah Gibson & her husband Drew Hickey were present in Council Chambers to hear the presentation from planning staff.

Miranda Brintnell, Development Services Student, verbally reviewed the request to expand the existing non-conforming dwelling by 40.5sqm (436sqft) through two

proposed additions. A 19.3sqm (208sqft) 1-storey addition proposed at a setback of 15.8m (52ft) to the water, and a 21.2sqm (228sqft) 1-storey enclosed porch proposed at a setback of 12.1m (40ft) to the water. This property is also subject to a Site Plan Control Application (SP-29-2024). Ms. Brintnell mentioned that RVCA had no objections, however a permit will be required, no comments had been received from Parks Canada/RWDRT, the CBO, Fire Chief and Roads Manager had no concerns and that no public comments had been received.

Chair Delaney asked if the owner had anything to add. Ms. Gibson thanked staff for their time and help.

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

Chair Delaney opened the Committee discussion. Committee members asked questions and made comments regarding the boat house residence, washrooms in the boathouse and how they are serviced and maintained for Winter to prevent freezing and Cordwood Island properties are well taken care of.

Ms. Gibson noted that it's a summer property and it's just bunkbeds for the kids in the boat house, the septic is in the middle of the property and the boathouse has a pump that goes to it and pipes are drained in the Fall as part of closeup.

RESOLUTION 90-2024

Moved by Ron Pollard
Seconded by George Bracken

That Section 45 application A-15-2024 by Deborah Gibson, of the Ward of Bastard and South Burgess, is approved as submitted for the following reasons provided the attached conditions are complied with:

REASONS:

1. There are no anticipated negative impacts to Cultural Heritage Landscapes considering the Shoreline Buffer Planting Plan;
2. The water setback is considered maximized, and;
3. There are no anticipated impacts to the surrounding properties and neighbourhood.

CONDITIONS:

1. That this approval is based on the following specifications and that any deviation from these specifications will require subsequent review and approval by the Township:
 - a. The dimensions and location of the proposed structure(s) shall be consistent with the approval;
 - b. All setbacks and development parameters shall be consistent with the details noted in the site plan and compliant with Zoning By-law 2023-50 where no approval has been granted;
2. That the owners adhere to the submitted Shoreline Buffer Planting Plan. The owners shall encourage the development of a shoreline naturalization buffer (no disturbance area) extending up to 15m back from the high water mark. A shoreline access path

through this area is permitted;

3. That the owners maintain all existing on-site drainage patterns with the exception of directing any stormwater runoff and snowmelt resulting from the new development into infiltration pits to facilitate stormwater infiltration; and

4. Future development not included in this approval will be subject to review and approval by the Township, Conservation Authority and/or Parks Canada and any other governing agency or regulations where applicable.

Carried

Road Closure and Encroachment Applications

RC-3-2024 HEALEY and MACKEY

Owner: Gregory Healey was present over the phone to hear the presentation from planning staff.

Foster Elliott, Associate Planner, verbally reviewed the consideration of a road allowance closure and conveyance adjacent to their property with the civic address of 281 Sundance Lane. The road allowance piece in question is the original road allowance between Concession 4 and 5 in the Ward of South Burgess. The road allowance that is requested to be closed and conveyed is approximately 0.95 acres in size, is 215.47ft in length (irregular due to shoreline), and 66ft wide. The applicant's property is currently zoned Waterfront Residential (RW) and is residentially developed with a dwelling and associated accessory buildings. The subject property contains an accessory building (shed) that is partially located on the Road Allowance for 40+ years. The purpose of the road closure and conveyance request is to obtain the land where the existing accessory building is located, to have this building wholly within the property owners land. This property does lead to water, however there is a double wide unopened road allowance just to the east which also leads to water with comparable water access and is the preferred access.

Mr. Elliott pointed out condition #1 to survey the entire 66ft wide road allowance from the water to the double-wide road allowance into 4 parts as identified in Figure 2 of this report.

Chair Delaney asked if the owner had anything to add. Mr. Healey had nothing to add at this time, he'd read through the report and conditions and all seemed reasonable.

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

Chair Delaney opened the Committee discussion. Committee members asked questions, made comment and expressed concerns regarding clarification of the location of the double wide road allowance, carry the cost of surveying 4 parts, applicant has agreed to the price of purchase, properties at the back are not on water not worth the same, following the set formula in our by-law, have surrounding property owners been contacted for opportunity of purchasing, perhaps the adjoining Conservation Authority would pay for 25% of surveying costs, applicant should only pay for 50% of

surveying costs, clarification of what the applicant would like to close and purchase, cost of survey taken out of the cost of the road allowance, reviewing the current road allowance by-law, will property left become land-locked, stop up and close notice process, perhaps giving a section to the Conservation Authority, remaining area needs to be surveyed leading up to the double wide road allowance, survey might not be an easy add on could be a waste of resources, wait for adjacent owners to approach us to purchase in the future, thousands of kms of unopened road allowances in the Township, remaining piece might never be used or sold should wait, length of remaining road allowance, and applicants should only pay for dotted area and not the other portion.

Mr. Norwood added that the applicant does not object to the staff recommendations and the primary issue is whether the committee wishes to close the entirety of the road allowance or only just the portion that was requested. Staff recommended the entirety since the primary connection to the water would be severed off to the applicant as a result of the application.

RESOLUTION 91-2024

Moved by George Bracken
Seconded by Arie Hoogenboom

That the Planning Advisory Committee recommend to Council that the request for the road allowance closure by Gregory Healey and Tegan Mackey proceed in principle to Step #9 of the Policy and Procedure for Closure and Sale of a Municipal Highway approved through By-law 2019-71, as submitted, for a proposed road closure of the 215.74ft (65.76m) length by the full width, subject to the following conditions:

1. That the applicant agrees to survey the entire 66ft wide road allowance from the water to the double-wide road allowance into 4 parts as identified in Figure 2 of this report;
2. That all costs pertaining to the closure of the Unopened Road Allowance shall be borne by the applicant as per By-law 2019-71 Closure and Sale of Highway Road Policy;
3. That the sale of the land be in accordance with the Waterfront Residential price as per By-law 2019-72 Disposal of Real Property which results in a sale price of approximately \$99,730.62 for the 0.95acre portion. The total price is to be confirmed upon completion of the survey when the total area is known.
4. The Township agrees to pay for 50% of the cost of the survey which is to be deducted from the overall purchase price of the road allowance lands in question.

Carried

Manager's Report

Malcolm Norwood, Manager of Development Services, gave a brief overview of the report.

Chair Delaney opened the Committee discussion. Committee members had no questions or comments.

RESOLUTION 92-2024

Moved by Deborah Anne Hutchings
Seconded by Ron Pollard

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

Carried

Adjournment

Chair Delaney declared the Planning Advisory and Committee of Adjustment Meeting adjourned at 2:40 p.m.

Joan Delaney, Chair

Malcolm Norwood,
Secretary/Treasurer