

**Corporation of the Township of Selwyn**

**Committee of Adjustment  
Tuesday, November 8, 2022  
Committee Meeting**

Present:  
(In-Person) Sherry Senis (Chair)  
Andy Mitchell (Vice-Chair)  
Gerry Herron  
Donna Ballantyne

Present:  
(Virtually) Anita Locke

Staff Present:  
(In-Person) Janice Lavalley, C.A.O.  
Angela Chittick, Clerk / Manager of Community and Corporate Services  
Tania Goncalves, Deputy Clerk  
Robert Kelly, Manager of Building and Planning  
Per Lundberg, Planner  
Brandie Mocha, Development Approvals Technician

**Call To Order**

The meeting was called to order by Committee Chair Sherry Senis at 5:15 p.m.

**Declaration of Pecuniary Interest**

None.

**Deputations and/or Invited Persons and/or Public Meeting**

None.

**Minor Variance Applications and Staff Reports**

Ms. Mocha announced that the Committee of Adjustment is holding a public hearing in accordance with Section 45 of The Planning Act, R.S.O. 1990 as amended, to consider applications for relief from By-law 2009-021, being the Comprehensive Zoning By-law for the Township of Selwyn.

The Committee was advised that the prescribed notices of the public meetings were provided by prepaid first-class mail to all residents within a 60-metre radius of the subject properties. Ministries and agencies were circulated via email. The subject properties were posted with a sign advertising the public hearings. The notices were also available on the Township's website. The notice circulation complies with the requirements of the Planning Act.

**a) File No.:** A-46-22  
Owner: Mat Bedard  
Agent: Adam Leggett  
Address: 2959 Forest Hill Road

Mr. Bedard made an application to the Committee for the following:

The application seeks relief from the provisions of Zoning By-law No. 2009-021, as amended, in order to permit the construction of a 439 ft<sup>2</sup> (40.8 m<sup>2</sup>) open deck, as follows:

1. With reference to Section 3.15 – High Water Mark Setback Provisions - to reduce the minimum high-water setback from 30 metres to 25.6 metres (84'1") to an open deck.

Ms. Mocha provided a summary of the planning report as it related to the proposed variance. The agent, Adam Leggett, was present virtually in support of the application. Ms. Mocha advised that an archeological assessment is warranted for this application should there be any soil disturbance or excavation. Otonabee Region Conservation Authority (ORCA) submitted comments of no concern and advised that ORCA permits will not be required. Curve Lake First Nation submitted comments that an archeological assessment will be required. No further comments were received in support or in opposition of the application.

### **Decision**

That the report of the Planner regarding Minor Variance Application No. A-46-22 related to lands described as being Part Lot 43, Con. 16 (2959 Forest Hill Road) in the Smith Ward be received for information; and

That Minor Variance Application No. A-46-22 related to lands described as being Part Lot 43 Con. 16 (2959 Forest Hill Road) in the Smith Ward be approved as follows:

1. With reference to Section 3.15 – High Water Mark Setback Provisions - to reduce the minimum high-water setback from 30 metres to 25.6 metres (84'1") to an open deck.

### **Conditions**

1. That the applicant(s) obtain the necessary building permit, for the proposed construction.
2. That the development be substantially in accordance with the sketch submitted with the application (any future development must comply with the applicable provisions of the by-law).
3. That the applicant provide the Township with a survey / surveyors report completed by an Ontario Licensed Land Surveyor at the foundation stage of construction.
4. That the applicant(s) be required to obtain approval from Peterborough Public Health.
5. That the applicant(s) be required to obtain approval from the Otonabee Region Conservation Authority (ORCA). Further, that the applicant be required to submit a planting plan designed to establish, or increase the extent and width of, a vegetation protection zone along the shoreline to a minimum of 30 metres in order to be consistent with Section 2.1 of the Provincial Policy Statement and Section 4.2.4.5 b) and c) of the Growth Plan for the Greater Golden Horseshoe.
6. That if there is to be any soil disturbance or excavation, that the applicant be required to complete an archaeological assessment of the project area prior to excavation, which is to be provided to the Township and forwarded to Curve Lake First Nation for comment; and that the applicant be required to have a Curve Lake First Nation Liaison on-site for the archaeological assessment.

### **Reason for Decision**

It is the Committee's opinion that the requested variance is desirable for the appropriate development or use of land, building or structure, maintains the general intent and purpose of the Official Plan and Zoning By-law and that the variance is minor in nature.

**b) File No.: A-47-22**  
Owner: Ryan Watts  
Agent:  
Address: 242 Lorne Court

Ryan Watts made application to the Committee for the following:

The application seeks relief from the provisions of Zoning By-law No. 2009-021, as amended, in order to permit the construction of a 215 ft<sup>2</sup> (19.97 m<sup>2</sup>) open deck, as follows:

1. With Reference to Schedule B – Residential Type One Exception 362 (R1-362) Zone subsection e) Minimum Side Yard – to reduce the minimum side yard setback from 1.2 metres to 0.99 metres to a deck.

Ms. Mocha provided a summary of the planning report as it related to the proposed variance. No one was present in support or in opposition of the application. Ms. Mocha advised that an archeological assessment is not warranted for this application. Otonabee Region Conservation Authority (ORCA) submitted comments that an ORCA permit will be required, as well as recommending that sedimentation and erosion control be implemented, where appropriate, prior to, during, and after construction until all unstable soil is vegetated. Curve Lake First Nation submitted comments that an archeological assessment will not be required. No further comments were received in support or in opposition of the application.

### **Decision**

That the report of the Planner regarding Minor Variance Application No. A-47-22 related to lands described as being Plan 89, Lot 109 (242 Lorne Court) in the Smith Ward be received for information; and

That Minor Variance Application No. A-47-22 related to lands described as being Plan 89, Lot 109 (242 Lorne Court) in the Smith Ward be approved as follows:

1. With Reference to Schedule B – Residential Type One Exception 362 (R1-362) Zone subsection e) Minimum Side Yard – to reduce the minimum side yard setback from 1.2 metres to 0.99 metres to a deck.

### **Conditions**

1. That the applicant(s) obtain the necessary building permit, for the proposed construction.
2. That the development be substantially in accordance with the sketch submitted with the application (any future development must comply with the applicable provisions of the by-law).
3. That the applicant provide the Township with a survey / surveyors report completed by an Ontario Licensed Land Surveyor at the foundation stage of construction.
4. That the applicant(s) be required to obtain approval from Peterborough Public Health.
5. That the applicant(s) be required to obtain approval from the Otonabee Region Conservation Authority (ORCA). Further, that sedimentation and erosion control be implemented, where appropriate, prior to, during and after construction until all unstable soil is vegetated.

### **Reasons for Decision**

It is the Committee's opinion that the requested variance is desirable for the appropriate development or use of land, building or structure, maintains the general intent and purpose of the Official Plan and Zoning By-law and that the variance is minor in nature.

**c) File No.: A-48-22**  
Owner: Brian & Deanna Tuinhof  
Agent:  
Address: 594 Rabbit Run Road

Brian & Deanna Tuinhof made application to the Committee for the following:

The application seeks relief from the provisions of Zoning By-law No. 2009-021, as amended, in order to permit the construction of a new 1328 ft<sup>2</sup> (123.4 m<sup>2</sup>) cottage addition which includes a 472 ft<sup>2</sup> (43.9 m<sup>2</sup>) covered porch., as follows:

1. With reference to Section 3.15 – High Water Mark Setback Provisions - to reduce the minimum high-water setback from 30 metres to 16.62 metres to a dwelling.
2. With reference to Section 4.13.3(xi) – Lakeshore Residential Zone Regulations – to increase the maximum total lot coverage from 20% to 20.1%.
3. With reference to Section 4.13.3(vii) – Lakeshore Residential Zone Regulations – to decrease the minimum required side yard setback from 3 metres to 1.43 metres.

Ms. Mocha provided a summary of the planning report as it related to the proposed variance. The owners, Brian & Deanna Tuinhof, were present virtually in support of the application. Ms. Mocha advised that an archeological assessment is warranted should there be any soil disturbance or excavation. Otonabee Region Conservation Authority (ORCA) a submitted comments recommending a planting plan, as well as indicating that an ORCA permit will not be required for this project. Curve Lake First Nation submitted comments that an archeological assessment will be required. Mr. & Mrs. Tuinhof advised that an archeological assessment has already been completed, with no artifacts found, and are waiting on the report from the archeologist. Raymond and Freda Woloszczak, neighbours at 592 Rabbit Run Road, submitted two (2) letters in opposition of the application, as well, they were in attendance virtually. Mr. & Mrs. Woloszczak's letters cited in summary, a concern for impact to trees, change to the present conditions, the future desirability of their cottage property, impact on lake view sightlines, and emergency accessibility. Alla Ollen-Bittle, the neighbour from across the road, was in attendance virtually and had nothing to add. No further comments were received in support or in opposition of the application.

### **Decision**

That the report of the Planner regarding Minor Variance Application No. A-48-22 related to lands described as being Part Lot 8, Concession 10 (594 Rabbit Run Road) in the Ennismore Ward be received for information; and

That Minor Variance Application No. A-48-22 related to lands described as being Part Lot 8, Concession 10 (594 Rabbit Run Road) in the Ennismore Ward be approved as follows:

1. With reference to Section 3.15 – High Water Mark Setback Provisions - to reduce the minimum high-water setback from 30 metres to 16.62 metres to a dwelling.
2. With reference to Section 4.13.3(xi) – Lakeshore Residential Zone Regulations – to increase the maximum total lot coverage from 20% to 20.1%.
3. With reference to Section 4.13.3(vii) – Lakeshore Residential Zone Regulations – to decrease the minimum required side yard setback from 3 metres to 1.43 metres.

### **Conditions**

1. That the applicant(s) obtain the necessary building permit, for the proposed construction.

2. That the development be substantially in accordance with the sketch submitted with the application (any future development must comply with the applicable provisions of the by-law).
3. That the applicant provide the Township with a survey / surveyors report completed by an Ontario Licensed Land Surveyor at the foundation stage of construction.
4. That the applicant(s) be required to obtain approval from Peterborough Public Health.
5. In accordance with recommendation from the Otonabee Region Conservation Authority (ORCA), that the applicant be required to submit a planting plan designed to establish, or increase the extent and width of, a vegetation protection zone along the shoreline to a minimum of 30 metres in order to be consistent with Section 2.1 of the Provincial Policy Statement and Section 4.2.4.5 b) and c) of the Growth Plan for the Greater Golden Horseshoe.
6. That if there is to be any soil disturbance or excavation, that the applicant be required to complete an archaeological assessment of the project area prior to excavation, which is to be provided to the Township and forwarded to Curve Lake First Nation for comment; and that the applicant be required to have a Curve Lake First Nation Liaison on-site for the archaeological assessment.

### Reasons for Decision

It is the Committee's opinion that the requested variances are desirable for the appropriate development or use of land, building or structure, maintain the general intent and purpose of the Official Plan and Zoning By-law and that the variances are minor in nature.

**d)      File No.:      A-49-22**  
Owner:      George Vassiliadis  
Agent:      Ian Nichols  
Address:      487 Causeway View Rd. S.

George Vassiliadis made application to the Committee for the following:

The application seeks relief from the provisions of Zoning By-law No. 2009-021, as amended, in order to permit the construction of a new 768 ft<sup>2</sup> (71.3 m<sup>2</sup>) detached garage, as follows:

1. With reference to Section 3.15 – High Water Mark Setback Provisions - to reduce the minimum high-water setback from 30 metres to ±14 metres (46 feet) to an accessory structure (i.e. a detached garage).
2. With reference to Section 3.1.4 – Lot Coverage and Height– to increase the maximum height of an accessory structure from 4 m to 4.96 m (16'-2 ½") to midpoint.
3. With reference to Section 3.1.4 – Lot Coverage and Height– to increase the maximum total lot coverage of all accessory structures from 5% to 7%.

Ms. Mocha provided a summary of the planning report as it related to the proposed variance. No one was present in support or in opposition of the application. Ms. Mocha advised that an archeological assessment is warranted for this application should there be any soil disturbance or excavation. Otonabee Region Conservation Authority (ORCA) provided comments recommending a planting plan, as well as indicating that an ORCA permit will be required. Curve Lake First Nation submitted comments that an archeological assessment will be required. No further comments were received in support or in opposition of the application.

Decision

That the report of the Planner regarding Minor Variance Application No. A-49-22 related to lands described as being Part Lot 9, Concession 4 (487 Causeway View Road S.) in the Ennismore Ward be received for information; and

That Minor Variance Application No. A-49-22 related to lands described as being Part Lot 9, Concession 4 (487 Causeway View Road S.) in the Ennismore Ward be approved as follows:

1. With reference to Section 3.15 – High Water Mark Setback Provisions - to reduce the minimum high-water setback from 30 metres to ±14 metres (46 feet) to an accessory structure (i.e. a detached garage).
2. With reference to Section 3.1.4 – Lot Coverage and Height– to increase the maximum height of an accessory structure from 4 m to 4.96 m (16’-2 ½”) to midpoint.
3. With reference to Section 3.1.4 – Lot Coverage and Height– to increase the maximum total lot coverage of all accessory structures from 5% to 7%.

Conditions

1. That the applicant(s) obtain the necessary building permit, for the proposed construction.
2. That the development be substantially in accordance with the sketch submitted with the application (any future development must comply with the applicable provisions of the by-law).
3. That the applicant provide the Township with a survey / surveyors report completed by an Ontario Licensed Land Surveyor at the foundation stage of construction.
4. That the applicant(s) be required to obtain approval from Peterborough Public Health.
5. That the applicant(s) be required to obtain approval from the Otonabee Region Conservation Authority (ORCA). Further, that the applicant be required to submit a planting plan designed to establish, or increase the extent and width of, a vegetation protection zone along the shoreline to a minimum of 30 metres in order to be consistent with Section 2.1 of the Provincial Policy Statement and Section 4.2.4.5 b) and c) of the Growth Plan for the Greater Golden Horseshoe.
6. That if there is to be any soil disturbance or excavation, that the applicant be required to complete an archaeological assessment of the project area prior to excavation, which is to be provided to the Township and forwarded to Curve Lake First Nation for comment; and that the applicant be required to have a Curve Lake First Nation Liaison on-site for the archaeological assessment.

Reasons for Decision

It is the Committee’s opinion that the requested variances are desirable for the appropriate development or use of land, building or structure, maintain the general intent and purpose of the Official Plan and Zoning By-law and that the variances are minor in nature.

e)

File No.:

Owner:

Agent:

Address:

A-50-22

Megan Galbraith

Molly Conlin

2528 Buckhorn Road

Megan Galbraith made application to the Committee for the following:

The application seeks relief from the provisions of Zoning By-law No. 2009-021, as amended, in order to permit the construction of a new 1,604 ft<sup>2</sup> (149 m<sup>2</sup>) dwelling addition and a 267 ft<sup>2</sup> (24.8 m<sup>2</sup>) open deck. These variances were previously approved through Township File No. A-54-21, however, an updated survey obtained since the previous approval, has revealed that the setback distances and reliefs previously granted were slightly incorrect, as follows:

1. With reference to Section 3.15 – High Water Mark – Setback Provisions of the Township of Selwyn Zoning By-law No. 2009-021, as amended, to decrease the minimum setback from the high-water mark from 30 metres to 14.9 metres to a dwelling and from 30 metres to 13.3 metres to an open deck.
2. With reference to Section 4.13.3(vii) – Lakeshore Residential (LR) Zone Regulations of the Township of Selwyn Zoning By-law No. 2009-021, as amended, to reduce the minimum required interior side yard setback from 3 metres to 2.5 metres.

Ms. Mocha provided a summary of the planning report as it related to the proposed variance. The agent's representative, Arnie Borland, was present virtually in support of the application. Ms. Mocha advised that an archeological assessment is warranted for this application should there be any soil disturbance or excavation. Otonabee Region Conservation Authority (ORCA) provided comments recommending a planting plan, as well as recommended that sedimentation and erosion control be implemented, where appropriate, prior to, during, and after construction until all unstable soil is vegetated, as well indicating that an ORCA permit will be required. Curve Lake First Nation submitted comments that an archeological assessment will be required. Mr. Borland spoke in favour of the application and explained that there was a discrepancy in their initial minor variance application due to inaccurate setback data provided in the application. No further comments were received in support or in opposition of the application.

### **Decision**

That the report of the Secretary-Treasurer regarding Minor Variance Application No. A-50-22 related to lands described as being Part Lot 26, Concession 14 (2528 Buckhorn Road) in the Smith Ward be received for information; and

That Minor Variance Application No. A-50-22 related to lands described as being Part Lot 26, Concession 14 (2528 Buckhorn Road) in the Smith Ward be approved as follows:

1. With reference to Section 3.15 – High Water Mark – Setback Provisions of the Township of Selwyn Zoning By-law No. 2009-021, as amended, to decrease the minimum setback from the high-water mark from 30 metres to 14.9 metres to a dwelling and from 30 metres to 13.3 metres to an open deck.
2. With reference to Section 4.13.3(vii) – Lakeshore Residential (LR) Zone Regulations of the Township of Selwyn Zoning By-law No. 2009-021, as amended, to reduce the minimum required interior side yard setback from 3 metres to 2.5 metres.

### **Conditions**

1. That the applicant(s) obtain the necessary building permit, for the proposed construction.
2. That the development be substantially in accordance with the sketch submitted with the application (any future development must comply with the applicable provisions of the by-law).
3. That the applicant provide the Township with a survey / surveyors report completed by an Ontario Licensed Land Surveyor at the foundation stage of construction.

4. That the applicant(s) be required to obtain approval from Peterborough Public Health.
5. That the applicant(s) be required to obtain approval from the Otonabee Region Conservation Authority (ORCA). Further, that the applicant be required to submit a planting plan designed to establish, or increase the extent and width of, a vegetation protection zone along the shoreline to a minimum of 30 metres in order to be consistent with Section 2.1 of the Provincial Policy Statement and Section 4.2.4.5 b) and c) of the Growth Plan for the Greater Golden Horseshoe. Lastly, that sedimentation and erosion control be implemented, where appropriate, prior to, during and after construction until all unstable soil is vegetated.
6. That if there is to be any soil disturbance or excavation, that the applicant be required to complete an archaeological assessment of the project area prior to excavation, which is to be provided to the Township and forwarded to Curve Lake First Nation for comment; and that the applicant be required to have a Curve Lake First Nation Liaison on-site for the archaeological assessment.

### Reasons for Decision

It is the Committee's opinion that the requested variances are desirable for the appropriate development or use of land, building or structure, maintain the general intent and purpose of the Official Plan and Zoning By-law and that the variances are minor in nature.

**f)      File No.:      A-51-22**  
Owner:            Randy Smith  
Agent:  
Address:        41 George Street

Randy Smith made application to the Committee for the following:

The application seeks relief from the provisions of Zoning By-law No. 2009-021, as amended, in order to permit the construction of a new 128 ft<sup>2</sup> (11.9 m<sup>2</sup>) covered front porch and to enclose an existing 183 ft<sup>2</sup> (±17 m<sup>2</sup>) open deck as a sunroom, as follows:

1. With reference to Section 4.9.3 (viii) – Residential Type One (R1) Zone Regulations - to increase the maximum lot coverage from 30% to 32.3% for all buildings and structures.
2. With reference to Section 4.9.4(vi) – Residential Type One (R1) Zone Regulations – to reduce the minimum required rear yard setback from 7.5 metres to 6.46 metres.

Ms. Mocha provided a summary of the planning report as it related to the proposed variance. No one was present in support or in opposition of the application. Ms. Mocha advised that an archeological assessment is not warranted. Otonabee Region Conservation Authority (ORCA) submitted comments of no concern and advising that an ORCA permit is not required for this project. Curve Lake First Nation submitted comments that an archeological assessment will not be required. Letters were received from Craig Niziolek (43 George Street) and Mark Wilford (49 Clementi Street) with comments in opposition to this application. No further comments were received in support or in opposition of the application.

### Decision

That the report of the Planner regarding Minor Variance Application No. A-51-22 related to lands described as being Part Lot 27, Concession 8 (41 George Street) in the Lakefield Ward be received for information; and

That Minor Variance Application No. A-51-22 related to lands described as being Part Lot 27, Concession 8 (41 George Street) in the Lakefield Ward be approved as follows:

1. With reference to Section 4.9.3 (viii) – Residential Type One (R1) Zone Regulations - to increase the maximum lot coverage from 30% to 32.3% for all buildings and structures.
2. With reference to Section 4.9.4(vi) – Residential Type One (R1) Zone Regulations – to reduce the minimum required rear yard setback from 7.5 metres to 6.46 metres.

### Conditions

1. That the applicant(s) obtain the necessary building permit, for the proposed construction.
2. That the development be substantially in accordance with the sketch submitted with the application (any future development must comply with the applicable provisions of the by-law).
3. That the applicant provide the Township with a survey / surveyors report completed by an Ontario Licensed Land Surveyor at the foundation stage of construction.
4. That the applicant(s) be required to obtain approval from Peterborough Public Health.

### Reasons for Decision

It is the Committee's opinion that the requested variances are desirable for the appropriate development or use of land, building or structure, maintain the general intent and purpose of the Official Plan and Zoning By-law and that the variances are minor in nature.

**g) File No.: A-52-22**  
Owner: Ronald & Kimberly Yonemitsu  
Agent:  
Address: 523 Causeway View Road N.

Ronald & Kimberly Yonemitsu made application to the Committee for the following:

The application seeks relief from the provisions of Zoning By-law No. 2009-021, as amended, in order to permit the conversion of a 1,820 ft<sup>2</sup> (169.1 m<sup>2</sup>) existing one-storey residential dwelling into a raised bungalow residential dwelling as well as the construction of a new 211 ft<sup>2</sup> (19.6 m<sup>2</sup>) covered front porch and a new 1,344 ft<sup>2</sup> (124.9 m<sup>2</sup>) attached garage, as follows:

1. With reference to Section 3.15 – High Water Mark Setback Provisions - to reduce the minimum high-water setback from 30 metres to 16.9 metres to a dwelling.
2. With reference to Section 4.13.3(v) – Lakeshore Residential (LR) Zone Regulations – to reduce the minimum required front yard setback from 7.5 metres to 5.72 metres to a dwelling.
3. With reference to Section 4.13.3(xi) – Lakeshore Residential (LR) Zone Regulations – to increase the maximum total lot coverage from 20% to 22.4%.

Ms. Mocha provided a summary of the planning report as it related to the proposed variance. The owners, Ronald & Kimberly Yonemitsu, were present virtually in support of the application. Ms. Mocha advised that an archeological assessment is warranted for this application should there be any soil disturbance or excavation. Otonabee Region Conservation Authority (ORCA) provided comments recommending a planting plan, as

well as recommended that sedimentation and erosion control be implemented, where appropriate, prior to, during, and after construction until all unstable soil is vegetated, as well indicating that an ORCA permit will be required. Curve Lake First Nation submitted comments that an archeological assessment will be required. Mr. Yonemitsu had nothing further to add. No further comments were received in support or in opposition of the application.

### **Decision**

That the report of the Planner regarding Minor Variance Application No. A-52-22 related to lands described as being Part Lot 9, Concession 4 (523 Causeway View Road N.) in the Ennismore Ward be received for information; and

That Minor Variance Application No. A-52-22 related to lands described as being Part Lot 9, Concession 4 (523 Causeway View Road N.) in the Ennismore Ward be approved as follows:

1. With reference to Section 3.15 – High Water Mark Setback Provisions - to reduce the minimum high-water setback from 30 metres to 16.9 metres to a dwelling.
2. With reference to Section 4.13.3(v) – Lakeshore Residential (LR) Zone Regulations – to reduce the minimum required front yard setback from 7.5 metres to 5.72 metres to a dwelling.
3. With reference to Section 4.13.3(xi) – Lakeshore Residential (LR) Zone Regulations – to increase the maximum total lot coverage from 20% to 22.4%.

### **Conditions**

1. That the applicant(s) obtain the necessary building permit, for the proposed construction.
2. That the development be substantially in accordance with the sketch submitted with the application (any future development must comply with the applicable provisions of the by-law).
3. That the applicant provide the Township with a survey / surveyors report completed by an Ontario Licensed Land Surveyor at the foundation stage of construction.
4. That the applicant(s) be required to obtain approval from Peterborough Public Health.
5. That the applicant(s) be required to obtain approval from the Otonabee Region Conservation Authority (ORCA). Further, that the applicant be required to submit a planting plan designed to establish, or increase the extent and width of, a vegetation protection zone along the shoreline to a minimum of 30 metres in order to be consistent with Section 2.1 of the Provincial Policy Statement and Section 4.2.4.5 b) and c) of the Growth Plan for the Greater Golden Horseshoe. Lastly, that sedimentation and erosion control be implemented, where appropriate, prior to, during and after construction until all unstable soil is vegetated.
6. That if there is to be any soil disturbance or excavation, that the applicant be required to complete an archaeological assessment of the project area prior to excavation, which is to be provided to the Township and forwarded to Curve Lake First Nation for comment; and that the applicant be required to have a Curve Lake First Nation Liaison on-site for the archaeological assessment.

### **Reasons for Decision**

It is the Committee's opinion that the requested variances are desirable for the appropriate development or use of land, building or structure, maintain the general

intent and purpose of the Official Plan and Zoning By-law and that the variances are minor in nature.

**h) File No.: A-53-22**  
Owner: Paul Hudder  
Agent:  
Address: 642 Rabbit Run Road

Paul Hudder made application to the Committee for the following:

The application seeks relief from the provisions of Zoning By-law No. 2009-021, as amended, in order to permit the construction of a 696 ft<sup>2</sup> (64.7 m<sup>2</sup>) boat house, as follows:

1. With reference to Section 3.1.6.1(a) – Boat Houses – to reduce the minimum required side yard lot line setback from 5 metres to 2.6 metres.
2. With reference to Section 3.1.4 – Lot Coverage and Height – to increase the maximum total lot coverage of accessory structures from 5% to 5.9%.
3. With reference to Section 4.13.3(xi) – Lakeshore Residential (LR) Zone Regulations – to increase the maximum total lot coverage from 20% to 25.4%.

Ms. Mocha provided a summary of the planning report as it related to the proposed variance. The owner, Paul Hudder, was present virtually in support of the application. Otonabee Region Conservation Authority (ORCA) provided comments recommending a planting plan, as well as recommended that sedimentation and erosion control be implemented, where appropriate, prior to, during, and after construction until all unstable soil is vegetated, as well indicating that an ORCA permit will be required. Curve Lake First Nation submitted comments that an archeological assessment will be required. Ms. Mocha advised that an archeological assessment is not recommended for this application as the wet slip will be located on an area where the soil has been pre-disturbed. No further comments were received in support or in opposition of the application.

### **Decision**

That the report of the Planner regarding Minor Variance Application No. A-53-22 related to lands described as being Part Lot 9, Concession 10 (642 Rabbit Run Road) in the Ennismore Ward be received for information; and

That Minor Variance Application No. A-53-22 related to lands described as being Part Lot 9, Concession 10 (642 Rabbit Run Road) in the Ennismore Ward be approved as follows:

1. With reference to Section 3.1.6.1(a) – Boat Houses – to reduce the minimum required side yard lot line setback from 5 metres to 2.6 metres.
2. With reference to Section 3.1.4 – Lot Coverage and Height – to increase the maximum total lot coverage of accessory structures from 5% to 5.9%.
3. With reference to Section 4.13.3(xi) – Lakeshore Residential (LR) Zone Regulations – to increase the maximum total lot coverage from 20% to 25.4%.

### **Conditions**

1. That the applicant(s) obtain the necessary building permit, for the proposed construction.
2. That the development be substantially in accordance with the sketch submitted with the application (any future development must comply with the applicable provisions of the by-law).

3. That the applicant provide the Township with a survey / surveyors report completed by an Ontario Licensed Land Surveyor at the foundation stage of construction.
4. That the applicant(s) be required to obtain approval from Peterborough Public Health.
5. That the applicant(s) be required to obtain approval from the Otonabee Region Conservation Authority (ORCA). Further, that the applicant be required to submit a planting plan designed to establish, or increase the extent and width of, a vegetation protection zone along the shoreline to a minimum of 30 metres in order to be consistent with Section 2.1 of the Provincial Policy Statement and Section 4.2.4.5 b) and c) of the Growth Plan for the Greater Golden Horseshoe. Lastly, that sedimentation and erosion control be implemented, where appropriate, prior to, during and after construction until all unstable soil is vegetated.

### **Reasons for Decision**

It is the Committee's opinion that the requested variances are desirable for the appropriate development or use of land, building or structure, maintain the general intent and purpose of the Official Plan and Zoning By-law and that the variances are minor in nature.

### **Resolution No. CA-29-22**

Committee Member Gerry Herron – Committee Member Donna Ballantyne –  
That Minor Variances A-46-22, A-47-22, A-48-22, A-49-22, A-50-22, A-51-22, A-52-22,  
and A-53-22 be approved in accordance with all of the conditions noted therein.

Carried.

### **Deferred Matters & New Business**

None.

### **Information**

None.

### **Minutes**

#### **Resolution No. CA-30-22 – Minutes**

Committee Member Anita Locke – Vice-Chair Andy Mitchell –  
That the minutes of the September 27, 2022 meeting No.09-22 be adopted.

Carried.

### **Adjournment**

#### **Resolution No. CA-31-22 - Adjournment**

Committee Member Gerry Herron – Committee Member Donna Ballantyne -  
That the meeting be adjourned at 5:50 p.m.

Carried.

The next Committee of Adjustment meeting will be scheduled for December 13, 2022.



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Brandie Mocha, Secretary-Treasurer