

Corporation of the Township of Selwyn

**Committee of Adjustment
Tuesday, June 25, 2024
Committee Meeting
Council Chambers, 1310 Centre Line**

Present: Ron Black (Chair)
John Boyko
Mary Coulas
Brian Henry

Regrets: Sherry Senis

Staff Present: Angela Chittick, Clerk / Manager of Community and Corporate Services
Tania Goncalves, Deputy Clerk
Robert Kelly, Manager of Building and Planning
Per Lundberg, Planner
Janice Lavalley, Chief Administrative Officer

Call To Order

The meeting was called to order by Committee Chair Ron Black at 12:50 p.m.

Declaration of Pecuniary Interest

None.

Deputations and/or Invited Persons and/or Public Meeting

None.

Minor Variance Applications and Staff Reports

Mr. Lundberg 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 an application 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 notice of the public meeting was provided by prepaid first-class mail to all residents within a 60-metre radius of the subject property. Ministries and agencies were circulated via email. The subject property was posted with a sign advertising the public hearing. The notice was also available on the Township's website. The notice circulation complies with the requirements of the Planning Act.

a) File No.: A-12-24
Owner: Gregg Patterson
Agent: n/a
Address: 3089 Cottage Lane – Smith Ward

Gregg Patterson 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 to permit a 12.94 m² (140 ft²) deck extension, as follows:

1. With reference to Section 3.15 – Highwater Mark Setback Provisions – to reduce the minimum highwater mark setback from 30 metres to ± 19 metres to an open deck.

Mr. Lundberg provided a summary of the planning report as it related to the proposed variance. The County of Peterborough Public Works Department has submitted comments of no concern. Hiawatha First Nation has submitted comments regarding archaeological concerns during any post hole excavation. Otonabee Region Conservation Authority (ORCA) has submitted comments of no concern and noted that a permit may be required. Applicants Gregg Patterson & Gayle Patterson were present virtually in support of the 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-12-24 related to lands described as being Part Lot 1, Concession 13 (3089 Cottage Lane) in the Smith Ward be received for information; and

That Minor Variance Application No. A-12-24 related to lands described as Part Lot 1, Concession 13 (3089 Cottage Lane) in the Smith Ward be approved as follows:

1. With reference to Section 3.15 – Highwater Mark Setback Provisions – to reduce the minimum highwater mark setback from 30 metres to ± 19 metres to an open deck.

Conditions

1. That the applicant(s) obtain the necessary building permit and septic system review or approval 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 or certificate completed by an Ontario Licensed Land Surveyor to verify compliance with the granted variance.
4. That the applicant(s) be required to obtain approval from the Otonabee Region Conservation Authority (ORCA).
5. Sedimentation and erosion control is to be implemented, where appropriate, prior to, during and after construction until all unstable soil is vegetated.
6. The applicant is advised to establish or increase a vegetation protection zone along the shoreline to a minimum of 30 metres using native non-invasive species. The Healthy Shorelines Planting Guide is available for further information.

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, maintain the general intent and purpose of the Official Plan and Zoning By-law and that the variance is minor in nature.

Deferred Matters & New Business

None.

Information

None.

Minutes

Resolution No. CA-10-24 – Minutes

Committee Member John Boyko – Committee Member Mary Coulas –
That the minutes of the May 28, 2024 meeting No.04-24 be adopted.

Carried.

Resolution No. CA-11-24

Committee Member Brian Henry – Committee Member Mary Coulas –
That Minor Variance A-12-24 be approved in accordance with all of the conditions noted
therein.

Carried.

Adjournment

Resolution No. A-12-24 - Adjournment

Committee Member Brian Henry – Committee Member Mary Coulas –
That the meeting be adjourned at 12:57 p.m.

Carried.

The next Committee of Adjustment meeting will be scheduled for July 16, 2024.

Per Lundberg, M.Pl., MCIP, RPP
Planner