

**The Corporation of the City of Kawartha Lakes**  
**Minutes**  
**Committee of Adjustment Meeting**

**COA2021-009**  
**Thursday, September 16, 2021**  
**1:00 P.M.**  
**Council Chambers**  
**City Hall**  
**26 Francis Street, Lindsay, Ontario K9V 5R8**

**Members:**  
**Councillor Emmett Yeo**  
**Betty Archer**  
**David Marsh**  
**Sandra Richardson**  
**Lloyd Robertson**  
**Stephen Strangway**

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## 1. **Call to Order**

Chair Robertson called the meeting to order at 1:02pm.

Chair Robertson, Councillor E. Yeo and Members D. Marsh, S. Richardson and B. Archer were in attendance in person. The Chair noted that Member Strangway would be attending at 1:30pm.

M. LaHay, Acting Secretary-Treasurer, L. Barrie, Acting Manager of Planning and C Crockford, Recording Secretary were in attendance in person.

Staff: K. Stainton, Planner II, D. Harding, Planner II and S. Murchison, Chief Building Official were in attendance via electronic participation.

The Chair welcomed the Committee back into Council Chambers.

Member Strangway joined the meeting in person at 1:06pm.

## 2. **Administrative Business**

### 2.1 Adoption of Agenda

September 16, 2021

Committee of Adjustment Agenda

**CA2021-083**

**Moved By** D. Marsh

**Seconded By** S. Richardson

**That** the agenda for September 16, 2021 meeting be approved.

**Carried**

### 2.2 Declaration of Pecuniary Interest

There were no declarations of pecuniary interest disclosed.

### 2.3 Adoption of Minutes

August 19, 2021

Committee of Adjustment Minutes

**CA2021-084****Moved By** D. Marsh**Seconded By** B. Archer

**That** the minutes of the previous meeting held August 19, 2021 be adopted as printed.

**Carried****3. New Applications****3.1 Minor Variances****3.1.1 COA2021-058**

David Harding, Planner II, RPP, MCIP

File Number: D20-2021-047

Location: 140 Angeline Street South

Part of Lot 18, Concession 5

Former Town of Lindsay, Ward 7

Owner: DDB Investment Group Limited, c/o Don Brown

Applicant: Kevin Duguay - Kevin M. Duguay Community Planning and Consulting Inc.

Mr. Harding summarized Report COA2021-058, to request relief to increase the height from 18.0 metres to 20.0 metres in order to permit a roof top mechanical room and elevator infrastructure. The property is currently going through a site plan review process to construct a five-storey hotel and through the process a variance was required.

Mr. Harding recommended an amendment to Condition 2, where it reads "That the site plan agreement shall be..." to now read "That the site plan agreement associated with the proposed development shall be....".

Staff respectfully recommends that the application be granted approval subject to the conditions identified in the report as amended by staff.

The Committee asked staff to clarify on Appendix C the building in the northeast corner of the lot. Staff confirmed it to be a garbage enclosure.

The applicant, Mr. Duguay of Kevin .M. Duguay Community Planning and Consulting Inc. was present via electronic participation spoke to the Committee

on behalf of Don Brown the owner. Mr. Duguay noted to the Committee that he was affiliated with the rezoning and re-designation of the property to permit the proposed hotel use pending site plan approval. During the process of the Official Plan Amendment and the Zoning By-law Amendment, the mechanical penthouse was inadvertently not included in the requested zoning by-law amendment. Mr. Duguay secured a municipal council resolution to file for a minor variance as a procedural matter. It is necessary to the functionality of the building and does not take away from the adjacent land uses and will be regulated through the site plan application. Mr. Duguay finished by confirming that the building in the north east corner of the lot in Appendix C is a garbage enclosure.

There were no further questions from the Committee or other persons.

**CA2021-085**

**Moved By** S. Richardson

**Seconded By** B. Archer

**That** minor variance application D20-2021-047 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

**Conditions:**

1. **That** the building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C and elevations in Appendix D submitted as part of Report COA2021-058, which shall be attached to and form part of the Committee's Decision; and
2. **That** the site plan agreement associated with the proposed development shall be registered within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused.

**This approval pertains to the application as described in report COA2021-058. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.**

**Carried**

3.1.2 COA2021-059

Kent Stainton, Planner II

File Number: D20-2021-050

Location: 126 Maritime Road

Lot 11, Registered Compiled Plan 561, Part Lot 8, Concession 6  
Geographic Township of Bexley  
Owner: Dragan Mumovic

Mr. Stainton summarized Report COA2021-059, to request relief to reduce the minimum front yard setback in order to permit the construction of a new single detached dwelling. The application being a result of a Building and Septic Division enforcement matter.

Agency comments were received from Engineering and Corporate Assets and from the Chief Building Official stating no concerns with the proposal and that a building permit is required for the proposed dwelling. The Supervisor of Part 8 Sewage Systems advised that the applicant has submitted a sewage system application, which is designed to accommodate the new single detached proposed dwelling.

Public comments were received September 9, 2021 from Sharon Benoit and Bernard Robia of Ferguson Road to the east, in support of the proposed dwelling. Comments provided to the Committee following the writing of the report.

Staff acknowledges the application meets the four tests of the minor variance. Staff respectfully recommends that the application be approved subject to the conditions identified in the report.

The Committee asked staff if the significant wetlands and wood lot are in the Official Plan and where does it appear on Appendix C. Staff replied yes, Significant Woodlands are identified in the Official Plan and that the significant woodlands and Significant Wildlife Habitat follow the existing treeline on the property and that a 30 metre setback is recommended in accordance with the Ontario Ministry of Natural Resources and Forestry's Natural Heritage Reference Manual, which is why further relocation of the dwelling towards the features was not recommended.

The Committee assumed that the picnic shelter and the mobile home was used as a dwelling which resulted in the enforcement and asked staff to clarify. Staff replied correct it was used more as a recreational dwelling and not a primary residence; however, staff defer to the applicant for clarification.

Mr. Georgousis, son-in-law to the owner, and Mr. Mumovic were both present via

electronic participation. Mr. Georgousis, spoke to the Committee and confirmed the picnic shelter and mobile home was used for recreational purposes.

No further questions from the Committee or other persons.

**CA2021-086**

**Moved By** Councillor Yeo

**Seconded By** S. Strangway

**That** minor variance application D20-2021-050 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

**Conditions:**

1. **That** the building construction related to this approval shall proceed substantially in accordance with the sketches in Appendices C-D submitted as part of Report COA2021-059, which shall be attached to and form part of the Committee's Decision;
2. **That** prior to the issuance of a building permit the owner shall submit to the Secretary-Treasurer written approval from the Building and Septic Division – Part 8 Sewage Systems that the sheds impacting the future septic system have been sufficiently relocated to comply with both the Septic System Permit and the development standards of the Zoning By-law;
3. **That** the building construction related to the minor variances shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

**This approval pertains to the application as described in report COA2021-059. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

**Carried**

3.1.3 COA2021-060

Kent Stainton, Planner II

File Number: D20-2021-051

Location: 584 1/2 Birch Point Road

Lot 11 and Part of Lot 12, Plan 291, Part 1, 57R-10683

Geographic Township of Fenelon, Ward 3

Owner: Grant Mills

Applicant: Leo Anagnostakos

Mr. Stainton made the Committee aware that both this application and the following application are associated with each other. The relief requested for the detached garage is identical to the following application with this application requesting a reduced lot frontage at 20.62 metres and the next application requesting a reduced lot frontage at 25.11 metres. The purpose and effect of this application is to request relief to reduce the minimum lot frontage requirement in order to fulfill a condition of provisional consent associated with a lot line adjustment as part of Consent D03-2021-002. A relief is also being requested to increase the maximum allowable height of an accessory building (detached garage) in a residential zone. Staff noted the loft area of the detached garage is not be used for habitable space.

Public comments were received from a total of seven (7) neighbouring properties in support of the application as per Appendix F.

Staff acknowledges that the application meets the four tests of the minor variance. Staff respectfully recommends approval of the application subject to the conditions identified in the report.

The Committee noted slide 25 of the presentation showing two dwellings and asked staff if both dwellings will be demolished. And asked if the relationship between the two lot owners were familial. Staff replied yes both dwellings will be demolished and redeveloped each with a 2-storey dwelling and detached garage. The relationship of the two owners are good friends.

The Committee asked staff for clarification as to the Provincial Legislation as well as the recent municipal by-law as Committee were discouraged from prohibiting habitable space in loft space because of the need for alternative housing. The reports indicate that the loft is not to be considered habitable space and has this changed. If so should a condition be added? Staff responded by saying that neither of these lots would qualify in terms of criteria for an additional residential unit. The owners want to use the loft for storage. The second storey for human habitation within an accessory building in the Township of Fenelon Zoning by-law is prohibited. The provisions of the zoning by-law do a sufficient job of regulating that. We cannot impose a condition through the building permit process.

The applicant, Mr. Anagnostakos was present and thanked staff and the Committee.

No further questions from the Committee or other persons.

Councillor Yeo left the meeting at 1:44pm. Councillor Yeo joined the meeting at 1:46pm.

**CA2021-087**

**Moved By** D. Marsh

**Seconded By** Councillor Yeo

**That** minor variance application D20-2021-051 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

**Conditions:**

1. **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendices C-D submitted as part of Report COA2021-060, which shall be attached to and form part of the Committee's Decision;
2. **That** the building construction related to the minor variances shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection, and;
3. **That** this minor variance shall be deemed to be refused if the related Application for Consent, D03-2021-002, lapses.

**This approval pertains to the application as described in report COA2021-060. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

**Carried**

3.1.4 COA2021-061

Kent Stainton, Planner II

File Number: D20-2021-052

Location: 584 Birch Point Road

Part of Lot 12 and 13, Plan 291



Geographic Township of Fenelon, Ward 3  
Owner: Leo Anagnostakos

Mr. Stainton summarized Report COA2021-061, to request relief to reduce the minimum lot frontage requirement in order to fulfill a condition of provisional consent associated with a lot line adjustment as part of consent D03-2021-002. Also, a relief requested to increase the maximum allowable height of an accessory building (detached garage) in a residential zone.

Staff acknowledges the application meets the four tests of the minor variance. Staff respectfully recommends approval of the application subject to the conditions identified within the report.

The applicant, Mr. Anagnostakos was present and thanked staff and the Committee.

There were no questions from the Committee or other persons.

**CA2021-088**

**Moved By** S. Richardson

**Seconded By** D. Marsh

**That** minor variance application D20-2021-052 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

**Conditions:**

1. **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendices C-D submitted as part of Report COA2021-061, which shall be attached to and form part of the Committee's Decision;
2. **That** the building construction related to the minor variances shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection, and;
3. **That** this minor variance shall be deemed to be refused if the related Application for Consent, D03-2021-002, lapses.

**This approval pertains to the application as described in report COA2021-061. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

**Carried**

### 3.1.5 COA2021-062

Kent Stainton, Planner II  
 File Number: D20-2021-053  
 Location: 7 Bayside Street  
 Lot 5, Plan 384, Part lot 17, Concession 7  
 Geographic Township of Emily, Ward 8  
 Owners: Michael and Linda Bosiljevac

Mr. Stainton summarized Report COA2021-062, to request relief to reduce the minimum interior side yard setback in order to permit the construction of a detached garage.

It was important to note that through the pre-screening process it was identified that the eave projection of the detached garage will need to be reduced in order to prevent abutting the interior side lot line. The applicant revised the dimensions of the eaves to project 0.6 meters in order to be compliant with the development standards.

On September 12, 2021 public comments were received from Karen Simpson on behalf of Doreen Downes, owner of 9 Bayside Street, whom expressed concerns with damage to the private road with heavy machinery traveling to and from the work site and requested that the road be repaired if any damages occur. The planning staff spoke to the owner of 7 Bayside Street and due to the nature of the construction it does not involve heavy machinery.

Staff acknowledges the application meets all four tests of the minor variance. Staff respectfully recommends approval of the application subject to the conditions identified within the report.

The owner, Ms. Bosiljevac was present via electronic participation and thanked staff and the Committee.

The Committee noted public comments from Ms. Simpson and asked staff if this

will be addressed at the building permit stage and if a retainer will be required. Staff responded by saying planning cannot impose a condition related to the road and would defer to the Chief Building Official but also noted it is a municipal owned road, however unassumed and unmaintained. Ms. Murchison, Chief Building Official commented that the building permit process is not able to address this issue and that you would have to go through the Roads Division.

The Committee asked staff how many dwellings are along this road. Staff confirmed 7 dwellings and also noted that staff reached out to Realty Services and the Road Division and as yet to receive commentary back from them.

The Committee proposed adding a condition suggesting that the Land Management Division be advised of this application and concerns raised. Staff replied by suggesting that if Committee wishes to impose a condition it would be advisable to reach out to Public Works or Roads Division to see if there are any requirements for occupancy or maintenance issues.

Councillor Yeo suggested that if it causes a concern it should be brought before the Council and stressed this is not something the Committee needs to be concerned with. He went on to say that Public Works require a permit to work at the stage of putting an entrance into the lot. When an entrance is put in anybody can obtain a building permit as long as an entrance is off that road, and work without getting a permit to travel on that road. Unassumed or not this is beyond this Committee's concerns.

The Chair felt that if we approve this application knowing what we have discussed, this might be seen as enabling or encouraging liability issues, which is a concern. Member Marsh responded that he understood what Councillor Yeo is saying and summarized by saying the application was circulated to Public Works and they chose not to comment. As far as liability issues, it is a municipal road, it is insured. Member Strangway also pointed out that the issue is beyond the scope of the Committee. Staff and the Committee agreed with Councillor Yeo.

Mr. Erik Bosiljevac, son of Linda and Mike Bosiljevac was present via electronic participation and stated that his parents had lost connection in the meeting and mentioned on their behalf that they have maintained the road for the past 30 years and will continue to do so.

No further questions from the Committee or other persons.

**CA2021-089****Moved By** S. Strangway**Seconded By** S. Richardson

**That** minor variance application D20-2021-053 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

**Conditions:**

1. **That** the building construction related to this approval shall proceed substantially in accordance with the sketches in Appendices C-D submitted as part of Report COA2021-062, which shall be attached to and form part of the Committee's Decision;
2. **That** the building construction related to the minor variances shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

**This approval pertains to the application as described in report COA2021-062. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

**Carried**

## 3.1.6 COA2021-063

Kent Stainton, Planner II

File Number: D20-2021-054

Location: 872 The Glen Road

Part Lot 15, Concession 13, Part 1, 57R-6298

Geographic Township of Mariposa, Ward 4

Owners: George Butterworth and Molly Cooper

Mr. Stainton summarized Report COA2021-063, to request relief in order to permit the construction of a new detached garage.

Mr. Stainton brought to the Committees' attention an error on page 2 of the report under background, line 6, which should read "with the applicant agreeing..." not "with the applicant agreed..."

Staff acknowledges the application meets all four tests of the minor variance.

The Committee acknowledged agency comments received from the Building and Septic Division, Part 8 Sewage System on page 5 of 6 of the report stating this system has been designed to accommodate a new single detached dwelling on the property and asked staff if the owners are building a new dwelling on the property also. Staff confirmed no and that the word new was inadvertently included. The upgraded septic system was created to accommodate the current dwelling. No other structures in addition to the garage proposed.

The applicant, Mr. Butterworth was present via electronic participation thanking staff and the Committee and was available for any questions.

No further questions from the Committee or other persons.

**CA2021-090**

**Moved By** B. Archer

**Seconded By** D. Marsh

**That** minor variance application D20-2021-054 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

**Conditions:**

1. **That** the building construction related to this approval shall proceed substantially in accordance with the sketches in Appendices C-D submitted as part of Report COA2021-063, which shall be attached to and form part of the Committee's Decision;
2. **That** the applicant enters into a Development Agreement addressing the landscaping components and planting plan associated with the application within twelve (12) months after the date of Notice of Decision, failing which this application shall be deemed to be refused;
3. **That** the building construction related to the minor variances shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

**This approval pertains to the application as described in report COA2021-063. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

**Carried**

### 3.1.7 COA2021-064

David Harding, Planner II, RPP, MCIP

File Number: D20-2021-055

Location: 50 Greenfield Road

Part Lot 20, Concession 4 (Formerly Ops), Part 1, 57R-7536

Former Town of Lindsay, Ward 7

Owner: Brian Allen

Applicant: Tom deBoer - TD Consulting Inc.

Mr. Harding identified an error on Page 2 for the Proposal section. It was noted it was from a previous report and should be replaced with "To expand a mini storage warehouse use and to establish new landscaping requirements."

Mr. Harding identified an error on Page 3, second paragraph, the year within that date is incorrect and should read "A site plan agreement was registered March 27, 1997" not "2997".

Mr. Harding summarized Report COA2021-064, the purpose and effect is to permit the expansion of the legal non-conforming mini storage use and to provide a continuous hedgerow of evergreens and shrubs, not less than 1.2 metres high at the time of planting situated immediately adjacent to the front, rear and side lot lines, instead allowing for more variation in the vegetation, placement and length/location of the required landscape strips.

Mr. Harding brought to the Committees attention the following amendments to Conditions 2 and 3:

Condition 2 to now read: "**That** a landscaping plan in the form sought by requesting variances from Sections 5.14(c), (e) and (f) shall be submitted to the satisfaction of the Planning Division as part of the amending site plan application; and"

Condition 3 to now read: "**That** the amended site plan agreement associated with the proposed development shall be registered within a period of thirty-six (36) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused".

Staff acknowledges the application meets all four tests of the minor variance. Staff respectfully recommends approval of the application subject to the conditions identified within the report as amended by staff.

The applicant, Mr. deBoer of TD Consulting Inc. was present via electronic participation and requested a further amendment to Condition 2 to read "...as part of the amending site plan agreement..." not ".. as part of the site plan application...". Staff agreed to the amendment.

There were no questions from the Committee or other persons.

**CA2021-091**

**Moved By** D. Marsh

**Seconded By** Councillor Yeo

**That** minor variance application D20-2021-055 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

**Conditions:**

1. **That** the building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2021-064, which shall be attached to and form part of the Committee's Decision,
2. **That** a landscaping plan in the form sought by requesting variances from Sections 5.14(c), (e) and (f) shall be submitted to the satisfaction of the Planning Division as part of the amending site plan agreement; and
3. **That** the amended site plan agreement associated with the proposed development shall be registered within a period of thirty-six (36) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused.

**This approval pertains to the application as described in report COA2021-064. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

**Carried**

David Harding, Planner II, RPP, MCIP

File Number: D20-2021-056

Location: 11 Second Street

Lot 57 and Part of Lot 58, Plan 73, Part Lot 10, Concession 10, Parts 1 and 4,  
57R-8221

Former Village of Sturgeon Point, Ward 3

Owners: Mark and Jo-Anne Renfer

Applicant: Mark Renfer

Mr. Harding summarized Report COA2021-065, to request relief to reduce the minimum front yard setback in order to permit an increase in height to the building to add a basement.

Mr. Harding noted a minor error on Page 1 of the report within Condition 1. The report number should read "COA2021-065" not "COA2021-056".

Staff acknowledges the application meets all four tests of the minor variance. Staff respectfully recommends approval of the application subject to the conditions identified within the report.

The Committee asked whether there was any new horizontal built form that would occur as part of the raising of the dwelling. Mr. Harding clarified that aside from new stairs to the building's two entrances, there was no new horizontal built form.

The applicant, Mr. Renfer, was present via electronic participation and thanked staff and the Committee.

There were no further questions from the Committee or other persons.

### **CA2021-092**

**Moved By** S. Strangway

**Seconded By** D. Marsh

**That** minor variance application D20-2021-056 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

### **Conditions:**

1. **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix C and elevations in



Appendix D submitted as part of Report COA2021-065, which shall be attached to and form part of the Committee's Decision; and

2. **That** the building construction related to the minor variance shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

**This approval pertains to the application as described in report COA2021-065. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.**

**Carried**

### 3.1.9 COA2021-066

David Harding, Planner II, RPP, MCIP  
 File Number: D20-2021-057  
 Location: 57 Sugar Bush Trail  
 Part Lot 26, Concession 10, Parts 12 and 13, 57R-175  
 Geographic Township of Fenelon, Ward 3  
 Owners: Nancy and Robert Alexander  
 Applicant: B. Armstrong Contracting

Mr. Harding summarized Report COA2021-066, to request relief to permit the re-construction and expansion of an existing dwelling, permit modification to the existing deck and permit the construction of deck stairs. Relief is requested from the water and EP Zone setbacks, and the interior side yard setback to facilitate the construction.

Mr. Harding noted an addition proposed on the southern portion of the dwelling does comply with the zoning by-law requirements and is not part of the request for Committee to consider today.

Staff respectfully recommends approval of the application subject to the conditions identified within the report.

The Committee noted Rationale 2, Page 4 of 6, line 3. "A walkout basement exists and continues to be proposed, the building is considered a 2-storey dwelling....", and asked staff if this approach was a by-law definition. Staff replied

that the Fenelon Zoning By-law, defines a walkout basement as a storey.

Committee also noted agency comments received from Building and Septic Division, stating development charges apply to this development. They asked for clarification on whether the charges applied considering the lot was already developed. Ms. Murchison, Chief Building Official spoke to the Committee and stated it was a typo and that no development charges apply to this development.

One of the owners, Robert Alexander, was present via electronic participation along with Brian Armstrong (builder).

No further questions from the Committee or other persons.

### **CA2021-093**

**Moved By** B. Archer

**Seconded By** Councillor Yeo

**That** minor variance application D20-2021-057 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

### **Conditions:**

1. **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix C and elevations in Appendix D submitted as part of Report COA2021-066, which shall be attached to and form part of the Committee's Decision; and
2. **That** the building construction related to the minor variances shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

**This approval pertains to the application as described in report COA2021-066. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

**Carried**

3.2 Consents

## **4. Deferred Applications**

4.1 Minor Variances

#### 4.1.1 Memorandum (To Follow Separately)

Kent Stainton, Planner II

File Number: D20-2021-029

Location: Vacant Land on an Unassumed Road Allowance

Part Lots 16 and 17, Concession 10

Geographic Township of Somerville

Owner: Steven Harjula

Mr. Stainton read the memorandum to further defer the application (attached to the minutes).

The Committee stated that they have never seen the application and noted that they have no background apart from the deferral back on June 17, 2021. Staff added that that is correct, and that in a case where there is a deferral, a report would not have been prepared.

The Committee requested that the application be made available to the Committee in its current state for review. Staff agreed that they would circulate the application to the members.

A motion was made to defer the application no later than November 25, 2021.

Ms. Barrie, Acting Manager of Planning noted that as soon as an application is deemed complete by the Planning Department it becomes public record and we can provide that application to any interested party.

No further questions from the Committee or other persons.

#### **CA2021-094**

**Moved By** Councillor Yeo

**Seconded By** D. Marsh

**That** Minor Variance Application D20-2021-029 be further deferred for a period of not more than 2 months, returning at the latest to the November 25, 2021 meeting.

City staff have recently undertaken a coordinated review of the process surrounding the construction of a road within a municipal right-of-way (ROW) undertaken by a private individual in response to an increased number of inquiries and development proposals in this regard. The process is being

reviewed comprehensively and requires input from several Divisions of the City (Realty Services, Roads, Engineering EMS, Planning, etc.).

The deferral is until such time to ensure the Committee of Adjustment has the benefit of the outcome of the review in its decision-making as it pertains to this application. Should a resolution to the process arise before that time, the application may be brought back to the Committee ahead of that time.

**Carried**

4.2 Consents

5. **Other Business**

6. **Correspondence**

7. **Next Meeting**

The next meeting will be Thursday, October 21 at 1:00pm in Council Chambers, City Hall.

8. **Adjournment**

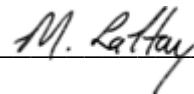
**CA2021-095**

**Moved By** D. Marsh

**Seconded By** S. Richardson

**That** the meeting be adjourned at 3:04pm.

**Carried**



Mark LaHay, Acting Secretary-Treasurer