

**TOWNSHIP OF GALWAY-CAVENDISH AND HARVEY**

**Tuesday, August 10, 2010  
Council Chambers 1:00 P.M.**

**AGENDA**

**SECTION 45 – COMMITTEE OF ADJUSTMENT**

1. **Approval of Agenda**
2. **Disclosure of Interest**
3. **Adoption of Minutes of Previous Meeting** – June 8, 2010 and July 13, 2010  
**(June - Pages 1-6)**  
**(July – Pages 7-11)**
4. **Applications**

**4.1 DEFERRED FROM JULY 13, 2010 PLANNING MEETING.**

Application A-10-21 – **MURRAY AND PATRICIA HORST**, being located in **Part Lot 9, Concession 5, Parts 1, 2 and 5, Reference Plan 45R-4818, Harvey** and having **Property No. 1542-010-301-02400 (2557 FR 12)**, comprising a total area of approximately 0.27 ha (0.67 ac.).

**Section 4.20.1 – Special Provisions for Accessory Structures**

Minor Variance to allow for a reduction in the side lot line for a boathouse from 15 m (50 ft.) to a side lot line for a boathouse of 4.57 m (15 ft.) to allow for the construction of a dry boathouse.

**Section 5.2 – Regulations of Uses Permitted in Section 5.1**

Minor Variance to allow for a reduction in the minimum exterior side yard setback from 6.09 m (20 ft.) to a minimum exterior side yard setback of 0.76 m (2.5 ft.) to allow for the construction of two small additions to the existing cottage.  
**(Pages 12-16)**

**4.1.1 Letter of support dated August 1, 2010 from Ken Dwight, neighbor.  
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**4.1.2** Planning Opinion Report dated August 4, 2010, 2010 prepared by Kevin Duguay, Planning Consultant for Murray and Pat Horst.  
**(Pages 18-26)**

**4.2** Application A-10-31 – **RON AND KAREN STEWART**, (Agent: **Todd Burke**), located in **Part of Lot 1, Concession 14, Harvey** and having Property No. **1542-010-001-36900 (197 Woodland Trail)**, comprising a total area of approximately 0.194 ha (0.48 ac.).

**Section 5.2 – Regulations of Uses Permitted in Section 5.1**

Minor Variance to allow for a reduction in the minimum water yard setback from 21.5 m (70 ft.) to a minimum water yard setback of 12.19 m (40 ft.) to allow for the replacement and expansion of the deck and stairs attached to the existing cottage.  
**(Pages 27-31)**

**4.3** Application A-10-32 – **MARY PENELOPE (PENNY) MCKEAN**, located in **Part of Lot 29, Concession 4 and Part 1, Reference Plan 45R-10631, Cavendish** and having Property No. **1542-020-301-32300 (48 FR 253A)**, comprising a total area of approximately 0.204 ha (0.67 ac.).

**Section 5.2 – Regulations of Uses Permitted in Section 5.1**

Minor Variance to allow for a reduction in the minimum interior side yard setback from 4.57 m (15 ft.) to a minimum interior side yard setback of 3.05 m (10 ft.) to allow for the construction of an addition with deck onto the existing cottage.

**Section 5.2 – Regulations of Uses Permitted in Section 5.1**

Minor Variance to allow for a reduction in the minimum water yard setback from 21.5 m (70 ft.) to a minimum water yard setback of 7.62 m (25 ft.) to allow for the construction of an addition with deck onto the existing cottage.

**(Pages 32-36)**

**4.3.1** E-mail dated August 4, 2010 from Kathy David, neighbour, with concerns regarding the proposed deck expansion.

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- 4.4** Application A-10-33 – **EDWARD AND DAWN GRASS**, located in **Part of Lot 19, Concession, Part 1, Reference Plan 45R-8679, Harvey** and having Property No. **1542-010-004-07401 (Moon Line North)**.

**Section 4.19 – Accessory Buildings, Structures and Uses**

- 4.19.1** Minor Variance to allow for the construction of an accessory building containing a general office with washroom prior to the construction of the principal single detached dwelling.

**Section 4.19 – Accessory Buildings, Structures and Uses**

- 4.19.4** Minor Variance to allow for an increase in the maximum height of an accessory building in the Rural-1 (RU-1) Zone from 4.9 metres (16 ft.) to a maximum height of an accessory building of 6.71 metres (22 ft.) to allow for the construction of an accessory building with a general office and washroom.  
**(Pages 38-44)**

- 4.5** Application A-10-34 - **TARA ELLIOTT & BOB SALVISBURG (Agent: Randy Edwards)**, located in **Part of Lot 3, Concession 11, Harvey**, and having Property No. **1542-010-001-03900 (1525 FR 37)**, comprising a total area of approximately 0.214 ha (0.53 ac.).

**Section 5.2 – Regulations of Uses Permitted in Section 5.1**

Minor Variance to allow for a reduction in the minimum interior side yard setback (**north side**) from 4.57 m (15 ft.) to a minimum interior side yard setback of 2.44 m (8 ft.) to allow for the construction of a new cottage with deck.

**Section 5.2 – Regulations of Uses Permitted in Section 5.1**

Minor Variance to allow for a reduction in the minimum interior side yard setback (**south side**) from 4.57 m (15 ft.) to a minimum interior side yard setback of 3.96 m (13 ft.) to allow for the construction of a new cottage with deck.

**(Pages 45-49)**

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- 4.6** Application A-10-35 – **MARK AND SHARON CONWAY**, being located in **Part of Lot 21, Concession 2, Cavendish** and having Property No. **1542-020-300-18500 (101 Island 1 Catchacoma Narrows)**, comprising a total area of approximately 0.303 ha (0.75 ac.).

**Section 4.2.2 – Non-Complying Buildings or Structures**

Minor Variance to allow for a reduction in the minimum water yard setback from 21.5 m (70 ft.) to a minimum water yard setback (**east side**) of 7.01 m (23 ft.) to recognize the existing legally non-complying guest cabin.

**Section 4.2.2 – Non-Complying Buildings or Structures**

Minor Variance to allow for a reduction in the minimum water yard setback from 21.5 m (70 ft.) to a minimum water yard setback (**south side**) of 17.07 m (56 ft.) to recognize the existing legally non-complying guest cabin.

**Section 5.2 – Regulations of Uses Permitted in Section 5.1**

Minor Variance to allow for a reduction in the minimum water yard setback from 21.5 m (70 ft.) to a minimum water yard setback (**north side**) of 5.49 m (18 ft.) to allow for the construction of an addition onto the existing cottage.

**Section 5.2 – Regulations of Uses Permitted in Section 5.1**

Minor Variance to allow for a reduction in the minimum water yard setback from 21.5 m (70 ft.) to a minimum water yard setback (**west side**) of 15.24 m (50 ft.) to allow for the construction of an addition onto the existing cottage.

**(Pages 50-56)**

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**SECTION 17 – OFFICIAL PLAN AMENDMENT**

**1. Disclosure of Interest**

**2. Adoption of Minutes of Previous Meetings**

**Nil**

**3. Delegations**

**Nil**

**4. Applications**

**Nil**

**SECTION 34 – ZONING BY-LAW AMENDMENT**

**1. Disclosure of Interest**

**2. Adoption of Minutes of Previous Meetings – June 8, 2010 and July13, 2010  
(June – Page 57)  
(July – Pages 58-63)**

**3. Applications**

**3.1 Rezoning Application 05-10 – JOHN RUFA, (AGENT: EcoVue Consulting), being located in **Part of Lots 15 and 16, Concession 9, being Part of Part 1 and Parts 2 and 3, Reference Plan 45R-8265 (Harvey) and having Property No. 1542-010-302-22410 (2275 County Road 36)**, comprises a total area of approximately 9.437 hectares (23.32 acres).**

**THE PURPOSE AND EFFECT** of the proposed amendment is to amend the Special District 416 (S.D. 416) Zone to permit the following uses:

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- a) A single unit permanent dwelling;
- b) Winery;
- c) Microbrewery;
- d) Micro-distillery;
- e) Bakery;
- f) The sale of jams, jellies, mustards, sauces, vinegars and other food goods produced on and off-site;
- g) Retail store for the sale of wine, beer, spirits, baked goods, other food products and merchandise;
- h) Permanent structures for storage;
- i) Accessory greenhouse structures; and  
Accessory uses devoted to the permitted uses.

**(Pages 64-103)**

- 3.2** Rezoning Application 07-10 – **PAUL AND JOANNE CECILE**, being located in **Part of Lot 6, Concession 17, Part 6, Reference Plan 45R-232, Part 10, Plan 45R-6159 (Cavendish)** and having **Property No. 1542-020-104-16700 (21 FR 324A)** **AND** **Part of Lot 6, Concession 17, and Part Shore Road Allowance Parts 9 and 11, Reference Plan 45R-6159 (Cavendish)** and having **Property No. 1542-020-104-14904**, comprises a total area of approximately 0.574 hectares (1.42 acres).

**THE PURPOSE AND EFFECT** of the proposed amendment is to:

- 1.** Repeal By-Law 2010-33 dated March 9, 2010 to delete the Special District 628 (S.D. 628) Zone and the Special District Zone 629 (S.D. 629).
- 2.** To establish a new Special District 628 (S.D. 628) Zone to rezone a portion of Part of Lot 6, Concession 17, and Part Shore Road Allowance Parts 9 and 11, Reference Plan 45R-6159 (Cavendish) and having Property No. 1542-020-104-14904 to allow uses accessory only to the uses permitted in the Recreational Residential (RR) Zone for merged property described as Part of Lot 6, Concession 17, Part 16, Reference Plan 232, Part 4, Reference Plan 45R-6159 (Cavendish) (36 Fire Route 324A) and having Property No. 1542-020-104-15700.
- 3.** To establish a new Special District Zone 629 (S.D. 629) to rezone a portion of Part of Lot 6, Concession 17, Part 6, Reference Plan

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45R-232, Part 10, Plan 45R-6159 (Cavendish) and having Property No. 1542-020-104-16700 (21 FR 324A) to reduce the minimum setback from a private road to permit the construction of a guest cabin and to reduce the minimum water setback to permit the construction of an addition with deck to the existing cottage.

**(Pages 104-109)**

- 3.3** Application 08-10 – **JEFF AND SHEILA CHESHER, (Agent: Marion Webster)**, being **Part of Lot 8, Concession 15, being Part 1, Reference Plan 45R-14701 (Harvey) and having Property No. 1542-010-001-49600 (758 Flynn's Road) AND Part of Lot 8, Concession 15 (Harvey) and having Property No. 1542-010-001-49700**, comprises a total area of approximately 46.60 hectares (115.15 acres).

**THE PURPOSE AND EFFECT** of the proposed amendment is to amend the Special District 603 (S.D. 603) Zone to merge the Severed Parcel with property described as Part of Lot 8, Concession 15 (Harvey) and having Property No. 1542-010-001-49700 AND to amend the Special District 604 (S.D. 604) Zone by reducing the minimum lot area for the Retained Parcel having Property No. 1542-010-001-49600, to satisfy conditions of Consent B-21-10 (addition to lot).

**(Pages 110-115)**

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**AGENDA – AUGUST 10, 2010**

**1. Call to Order**

**2. Disclosure of Interest**

**3. Adoption of By-laws and Agreements**

**3.1 John Rufa Rezoning By-Law B2010-77**  
**(Pages 102-103)**

**3.2 Paul and Joanne Cecile Rezoning Law B2010-78**  
**(Pages 107-109)**

**3.3 Jeff and Sheila Chesher Rezoning Law B2010-79**  
**(Pages 113-115)**

**4. Delegation**

**2:00 p.m. 4.1 Ian Townsend**  
Regarding “Settlement Area” at Flynn’s Corner.

**2:15 p.m. 4.2 Marvin Geist, Solicitor for Boyd Island Development**  
Regarding letter of request dated July 7, 2010 to extend approval for draft plan conditions.  
**(Pages 116-118)**

**5. Severances**

**Nil**

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**6. New Business**

**7. Correspondence**

**7.1 For Information Purposes only**

Letter dated July 27, 2010 from Paul Cutmore, Ministry of Natural Resources, regarding new west boundary line for the Licenced Aggregate Property at Part of Lot 9, Concessions 11 and 12, Galway owned by Peter Franzen and operated by Dudman Construction Ltd.  
**(Page 119)**

**7.2 For Information Purposes only**

Letter dated July 29, 2010 from Christina Coulter, Planner for the County of Peterborough, advising that Stonescape II OPA No. 34 amendment package has been received by the County and deemed complete, the review is underway and the technical report is being completed.  
**(Page 120)**

**8. Reports Nil**

**9. Other Matters**

**9.1 Building Permit Comparison Summary – July 2010**

**(Pages 121-122)**

**9.2 By-Law Enforcement Report – July 2010**

**(Page 123)**

**9.3 Penalty request of Mosey Lo deferred from Council of August 3, 2010.**

**(Pages 124-125)**

**10. Closed Session**

**11. Adjournment**

**Next Planning Meeting TUESDAY, SEPTEMBER 14<sup>TH</sup>, 2010.**