

**THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS
COMMITTEE OF ADJUSTMENT
MINUTES**

Wednesday, May 15, 2019, at 5:30 P.M.

Council Chambers, Municipal Office, 3131 Old Perth Rd., Almonte

PRESENT: Patricia McCann-MacMillan
Stacey Blair
Connie Beilby

REGRETS:

APPLICANTS/PUBLIC: A-01-19 Charles and Deborah Hand
A-02-19 Anita (Nikki) Diack
A-20-18: Julie Odin
Gary Lamers
Allison Ball
Peter Hicks
C. Cynthia Guerard
C. Bev Holmes

STAFF: Niki Dwyer, Director of Planning; Maggie Yet, Planner I

Director of Planning called the meeting to order at 5:38 p.m.

A. CALL TO ORDER

B. APPROVAL OF AGENDA

Moved by Stacey Blair
Seconded by Connie Beilby

CARRIED

C. DISCLOSURE OF PECUNIARY INTEREST

None

D. APPROVAL OF MINUTES

1. April 17, 2019 – Public Meeting
Moved by Patricia McCann-MacMillan

Seconded by Connie Beilby

THAT the Committee of Adjustment approve the minutes of the April 17th, 2019 meeting as presented.

CARRIED

E. NEW BUSINESS

None

F. HEARINGS:

- 1. **Application** **A-01-19**
 Owner(s): Charles and Deborah Hand
 Legal Description: Concession 9, West Half Lot 14, Plan 27R
 8486, Part 1, Almonte Ward
 Address: 112 Vaughan Street
 Zoning: Residential First Density (R1)
 The applicant is requesting relief from the minimum rear yard setback within the Residential First Density (R1) Zone from 7.5m (25ft) to 4.6m (15ft) to legally permit the construction of a deck and enclosed porch on the back of an existing single-detached dwelling. The proposed structures will exist and maintain the footprint of an existing deck in the same location.

The chair opened the floor to comments by the applicant. Mr Hand provided an overview of the proposal indicating that the existing deck would be demolished and replaced with the new structure.

The chair asked Ms. Yet, Planner I if she had any further comments to add. She clarified, since the date of publication of the report she had received a phone call from a neighbouring property owner expressing support for the application.

The Committee passed the following motion:

Moved by Patricia McCann-MacMillan

Seconded by Stacey Blair

THAT the Municipality of Mississippi Mills Committee of Adjustment approves the Minor Variance for the land legally described as Concession 9, West Half Lot 14, being on Part 1 on Plan 27R-8486, Almonte Ward, Municipality of Mississippi Mills, municipally known as 112 Vaughan Street, to reduce the minimum required rear yard setback from 7.5m (25ft) to 4.6m (15ft) in order to permit the construction of a deck and enclosed porch, subject to the following conditions:

- 1. That the Minor Variance is approved based on the plans submitted; and
- 2. That the owners obtain all required building permits.

CARRIED

- 2. Application** **A-02-19**
Owner(s): Anita N. Diack
Legal Description: Plan 6262, Lot 17 and Part Lot 16, Plan 27R6105, Part 2, Almonte Ward
Address: Union Street
Zoning: Residential First Density (R1)
 The applicant is requesting relief from the minimum rear yard setback requirement within the Residential First Density (R1) Zone from 7.5m to 3.37m, to legally permit the construction of a deck on the back of proposed single-detached dwelling.

The chair opened the floor to comment by the Director and the applicant. Ms Dwyer noted that the applicant had been immensely cooperative in the pre-consultation process to ensure an appropriate and reasonable design of the site was developed and that no comments or objections have resulted from the public circulation of the application.

The Committee passed the following motion:

Moved by Connie Beiby
Seconded by Stacey Blair

THAT the Municipality of Mississippi Mills Committee of Adjustment approves the Minor Variance for the land legally described as Pt Lt 16 Lt 17 Plan 6262, Being Part 2 on 27R-6105, Almonte Ward, Municipality of Mississippi Mills, municipally known as 0931-010-010-1250-10000, to reduce the minimum required rear yard setback from 7.5m (24.6ft) to 3.03m (9.9ft) in order to legally recognize the construction of an unenclosed deck as part of the construction of the new single detached dwelling, subject to the following conditions:

1. That the owner obtain Site Plan approval for the proposed plans as submitted;
2. That the owners obtain all required building permits.

CARRIED

- 3. Application** **A-20-18**
Owner(s): Julie Odin & Gary Lamers
Legal Description: Concession 10, Part Lot 4, including Plan 26R-2678, Part 31, Ramsay Ward
Address: 104 Old Mill Lane
Zoning: Residential First Density (R1)
 The applicant is requesting relief from certain provisions associated with the conditional use of "Country Inn" under Section 45(1) of the Planning Act, RSO 1990. The applicant wishes to obtain relief from the minimum

floor area for guest rooms and the maximum distance from an arterial road. The relief of the provisions would permit the recognition of a 6-bedroom Country Inn in the historic Old Mill Manor in Appleton. All other provisions of the conditional Country Inn use are satisfied by the property and Country Inn is a permitted use in the Residential First Density (R1) zone.

The Chair requested comment from Ms Dwyer regarding the staff analysis respecting the “minor nature” of the application. Ms Dwyer clarified that in her professional opinion the issue of a proposal being “minor” should be assessed on qualitative impacts rather than strictly on quantitative variables. The impact of the proposed development can be found to be qualitatively less impactful over the 2.6km distance than it can over the immediate 77m of private road as evaluated in the original staff report, and thus staff can conclude that the application has minor impact of the neighbourhood and community.

Ms Alison Ball requested permission to present an addendum report to her original submission for Committee’s consideration. Ms Ball restated that she is of the opinion that the absence of frontage of the Country Inn on an arterial ground should be grounds for an Official Plan Amendment to permit the application. She attests that her evaluation of the proposed use was based on its capacity as a “complete” Country Inn with additional rooms and a dining room or restaurant component. She concluded by noting that she did not believe the proposal satisfied any of the four tests of a minor variance.

The Committee passed the following motion:

Moved by Patricia McCann-MacMillan

Seconded by Stacey Blair

THAT the Municipality of Mississippi Mills Committee of Adjustment approves the Minor Variance for the land legally described as Concession 10, Part Lot 4, including Plan 26R-2678, Part 31, Ramsay Ward, Municipality of Mississippi Mills, municipally known as 104 Old Mil Lane, to reduce the minimum required guest room floor area from 25m² to a minimum of 8.46m² and the increase the maximum setback from an arterial road from 50m to 2.6km to recognize a 6 bedroom Country Inn in Appleton, subject to the following conditions:

1. THAT the Minor Variance is approved based on the plans submitted;
and
2. THAT the Owner enter into a Site Plan Control Agreement as required by the Municipality of Mississippi Mills’ By-law #15-60; and
3. THAT the Owner enter into an Operating agreement with the Municipality of Mississippi Mills include the following special conditions:
 - a. THAT designated smoking areas be identified;

- b. THAT no-trespass signs shall be erected at the limits of the property;
- c. THAT a maximum of eight vehicles shall be permitted on the site;
- d. THAT no parking shall occur on the private road or landscaped areas;
- e. THAT noise restrictions shall be in accordance with the Municipal Noise Bylaw;
- f. THAT the owner's shall work collaboratively with the owner and users of the private road to ensure the road is regularly maintained;
- g. THAT the owner's shall ensure appropriate permitting is obtained from the Health Unit for food preparation if the use includes the preparation and service of meals within the accommodation;
- h. THAT the Country Inn be rented as an entirety to a single tenant. If the Country Inn is rented as individual rooms, then the provisions of the Ontario Building Code shall be met prior to occupancy.

CARRIED

G. ANNOUNCEMENTS

1. Ms Dwyer invited the Committee to extend a warm welcome to Maggie Yet, Planner 1. Ms Yet will be assuming the responsibilities as Recording Secretary of the Committee of Adjustment.
2. Mrs McCann-MacMillan shared that her team at the National Capital Commission has been recognized for the Canadian Institute of Planners College of Fellows award for their redevelopment project of the John A McDonald Parkway in the City of Ottawa. The Committee commended Mrs McCann-MacMillan on this tremendous honour and wished her well at the Induction Ceremony in July.

H. ADJOURNMENT

Moved by Patricia McCann-MacMillan

Seconded by Stacey Blair

THAT the meeting be adjourned at 6:21 p.m. as there is no further business before the Committee.

CARRIED



Niki Dwyer, MCIP RPP, Recording Secretary