

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

**Wednesday, May 23, 2018, at 5:30 P.M.**

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

**PRESENT:** Patricia McCann-MacMillan (Chair)  
Stacey Blair  
Christa Lowry

**ABSENT:** None

**APPLICANTS/PUBLIC:** A-04-18: Marcus Abramenko  
Heather Abramenko  
Bryant Cogle  
Susan Hodges  
Lorne Heslop  
A-05-18: John Unrau  
A-06-18: Stephanie Morris  
A-07-18: Stephanie Morris  
A-08-18: Stephanie Morris

**STAFF:** Andrew Scanlan Dickie, Junior Planner, Recording Secretary

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Planner called the meeting to order at 5:34 p.m.

**A. APPROVAL OF AGENDA**

**Moved by Stacey Blair**

**Seconded by Christa Lowry**

**THAT the Agenda be amended to hear A-04-18 last.**

**CARRIED**

**B. DISCLOSURE OF PECUNIARY INTEREST**

None

**C. APPROVAL OF MINUTES**

**1. APRIL 11<sup>th</sup>, 2018 PUBLIC MEETING**

**Moved by Christa Lowry**

**Seconded by Stacey Blair**

**THAT the Minutes be accepted.**

**CARRIED**

**D. NEW BUSINESS**

None.

**E. HEARINGS:**

**1. Application A-05-18**

**Owner/Applicant:** John & Kathleen Unrau  
**Address:** 297 Spring Street  
**Legal Description:** Con 10, Pt Lot 14, Plan 27M-68, Lt 34  
**Ward:** Almonte  
**Zoning:** Residential First Density Exception 20 (R1-20)

The applicant requested relief from the rear yard setback within the Residential First Density Exception 20 (R1-20) Zone from 7.5m to 5.98m to legally permit the conversion of an existing projecting deck to an enclosed structure at the northern corner of the single-detached dwelling.

The Chair asked the applicant and the Planner whether there was any additional information to convey. No additional comments were provided. Without additional further discussion, the Committee took to a vote and passed the following motion:

**THAT the Municipality of Mississippi Mills Committee of Adjustment approves the Minor Variance for the land legally described as Concession 10, Part Lot 14, Plan 27M-68, Lot 34, Almonte Ward, Municipality of Mississippi Mills, municipally known as 297 Spring Street, to reduce the minimum required rear yard setback from 7.5m (24.6ft) to 5.98m (19.6ft) in order to legally recognize the conversion of an existing deck to an enclosed structure, 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-06-18**

**Owner:** 2476342 Ontario Inc (Doyle Homes)  
**Applicant:** Fotenn Planning + Design  
**Legal Description:** Con 10, Pt Lot 14, Plan 27M-78, Lt 11  
**Ward:** Almonte  
**Zoning:** Residential First Density Subzone I (R1I)

The applicant requested relief from the bungalow lot coverage maximum within the Residential First Density Subzone I (R1I) Zone from 45% to 46% to legally permit the construction of a single-detached bungalow within the Riverfront Estates Subdivision (Phase 4). They explained the history behind the application, noting that it was in response to an error that occurred during the original Zoning By-law Amendment in 2016. The Zoning of the subject lands was intended to be permitted to have 50% lot coverage for two-storey dwellings and 55% for bungalows, but the zoning category was mislabeled and the coverage requirements reverted back to

those of the parent R11 Zone. Without further discussion, the Committee took to a vote and passed the following motion:

**THAT the Municipality of Mississippi Mills Committee of Adjustment approves the Minor Variance for the land legally described as Concession 10, Part Lot 14, Plan 27M-78, Lot 11, Almonte Ward, Municipality of Mississippi Mills, municipally known as 865 Jack Dalgity Street, to increase the maximum bungalow lot coverage from 45% to 46% to legally recognize the construction of a single-detached dwelling, subject to the following conditions:**

1. That the Minor Variance is approved based on the plans submitted;
2. That the Council of the Municipality of Mississippi Mills approves the lifting of the two-year moratorium for minor variance applications; and
3. That the owners obtain all required building permits.

**CARRIED**

**3. Application A-07-18**

**Owner:** 2476342 Ontario Inc (Doyle Homes)  
**Applicant:** Fotenn Planning + Design  
**Legal Description:** Con 10, Pt Lot 14, Plan 27M-78, Lt 17  
**Ward:** Almonte  
**Zoning:** Residential First Density Subzone I (R1I)

The applicant requested relief from the bungalow lot coverage maximum within the Residential First Density Subzone I (R1I) Zone from 45% to 46.83% to legally permit the construction of a single-detached bungalow within the Riverfront Estates Subdivision (Phase 4). They explained the history behind the application, noting that it was in response to an error that occurred during the original Zoning By-law Amendment in 2016. The Zoning of the subject lands was intended to be permitted to have 50% lot coverage for two-storey dwellings and 55% for bungalows, but the zoning category was mislabeled and the coverage requirements reverted back to those of the parent R1I Zone. Without further discussion, the Committee took to a vote and passed the following motion:

**THAT the Municipality of Mississippi Mills Committee of Adjustment approves the Minor Variance for the land legally described as Concession 10, Part Lot 14, Plan 27M-78, Lot 17, Almonte Ward, Municipality of Mississippi Mills, municipally known as 864 Jack Dalgity Street, to increase the maximum bungalow lot coverage from 45% to 46.83% to legally recognize the construction of a single-detached dwelling, subject to the following conditions:**

1. That the Minor Variance is approved based on the plans submitted;
2. That the Council of the Municipality of Mississippi Mills approves the lifting of the two-year moratorium for minor variance applications; and
3. That the owners obtain all required building permits.

**CARRIED**

**4. Application A-08-18**

**Owner:** 2476342 Ontario Inc (Doyle Homes)  
**Applicant:** Fotenn Planning + Design  
**Legal Description:** Con 10, Pt Lot 14, Plan 27M-78, Lt 23  
**Ward:** Almonte  
**Zoning:** Residential First Density Subzone I (R1I)

The applicant requested relief from the bungalow lot coverage maximum within the Residential First Density Subzone I (R1I) Zone from 45% to 46.83% to legally permit the construction of a single-detached bungalow within the Riverfront Estates Subdivision (Phase 4). They explained the history behind the application, noting that it was in response to an error that occurred during the original Zoning By-law Amendment in 2016. The Zoning of the subject lands was intended to be permitted to have 50% lot coverage for two-storey dwellings and 55% for bungalows, but the zoning category was mislabeled and the coverage requirements reverted back to those of the parent R1I Zone. Without further discussion, the Committee took to a vote and passed the following motion:

**THAT the Municipality of Mississippi Mills Committee of Adjustment approves the Minor Variance for the land legally described as Concession 10, Part Lot 14, Plan 27M-78, Lot 23, Almonte Ward, Municipality of Mississippi Mills, municipally known as 852 Jack Dalgity Street, to increase the maximum bungalow lot coverage from 45% to 46.83% to legally recognize the construction of a single-detached dwelling, subject to the following conditions:**

- 1. That the Minor Variance is approved based on the plans submitted;**
- 2. That the Council of the Municipality of Mississippi Mills approves the lifting of the two-year moratorium for minor variance applications; and**
- 3. That the owners obtain all required building permits.**

**CARRIED**

**4. Application A-08-18**

**Owner:** 2476342 Ontario Inc (Doyle Homes)  
**Applicant:** Fotenn Planning + Design  
**Legal Description:** Con 10, Pt Lot 14, Plan 27M-78, Lt 23  
**Ward:** Almonte  
**Zoning:** Residential First Density Subzone I (R1I)

The applicant requested relief from the bungalow lot coverage maximum within the Residential First Density Subzone I (R1I) Zone from 45% to 46.83% to legally permit the construction of a single-detached bungalow within the Riverfront Estates Subdivision (Phase 4). They explained the history behind the application, noting that it was in response to an error that occurred during the original Zoning By-law Amendment in 2016. The Zoning of the subject lands was intended to be permitted to have 50% lot coverage for two-storey dwellings and 55% for bungalows, but the

zoning category was mislabeled and the coverage requirements reverted back to those of the parent R1I Zone. Without further discussion, the Committee took to a vote and passed the following motion:

**THAT the Municipality of Mississippi Mills Committee of Adjustment approves the Minor Variance for the land legally described as Concession 10, Part Lot 14, Plan 27M-78, Lot 23, Almonte Ward, Municipality of Mississippi Mills, municipally known as 852 Jack Dalgity Street, to increase the maximum bungalow lot coverage from 45% to 46.83% to legally recognize the construction of a single-detached dwelling, subject to the following conditions:**

- 1. That the Minor Variance is approved based on the plans submitted;**
- 2. That the Council of the Municipality of Mississippi Mills approves the lifting of the two-year moratorium for minor variance applications; and**
- 3. That the owners obtain all required building permits.**

**CARRIED**

**5. Application A-04-18**

**Owner/Applicant:** Marcus & Katherine Abramenko  
**Legal Description:** Ramsay Con 8, NE Pt Lot 17, Plan 26R-1224, Pt 1  
Almonte Con 8, NE Pt Lot 16, Plan 26R-1224, Pt 1  
**Ward:** Ramsay & Almonte  
**Zoning:** Rural (RU) & Development (D)

The applicant requested relief from the Minimum Distance Separation (MDS I) setback from 191m (626ft) to 126m (413ft), as determined by the OMAFRA MDS calculations. The property was eligible for relief because it is a lot record. The Planner highlighted the unique characteristics of the property that required the relief, including: that the property sits at the border of the rural Ramsay Ward and the urban Almonte Ward, it is bordered by Industrial land, is limited by the presence of a creek and a subsequent wetland, and is similar in size to adjacent non-farm rural residential properties nearby.

The Committee spoke to a number of concerns and comments about the application, primarily being whether: (1) the request truly maintained the intent of the MDS Guideline Document, and subsequently whether it meets Guideline #43; (2) requiring the landowner to receive permission to build within the watercourse setback or to build towards the livestock facility is the lesser evil; and (3) the application can serve as precedent for future landowners to request relief.

Further, the members of the public provided concerns, primarily being whether: (1) the application serves as a precedent; and (2) how the subject lands and proposed home relate to setbacks from Industrial land, and whether the application is in contravention to said setbacks (i.e. D-6-3 Separation Distance).

After receiving the comments and discussing with the applicant, the Committee chose to proceed with amending the location of the dwelling to be closer to the side lot line, which is both farther from the livestock facility, remains outside of the

wetland, and is an adequate distance from the watercourse. Without further discussion, the Committee took to a vote and passed the following motion:

**THAT the Municipality of Mississippi Mills Committee of Adjustment APPROVES the Minor Variance for the land legally described as Ramsay Concession 8, Northeast Part Lot 17, Plan 26R-1224, Part 1, Ramsay Ward, and Almonte Concession 8, Northeast Part Lot 16, Plan 26R-1224, Part 1, Almonte Ward, Municipality of Mississippi Mills to reduce the calculated 191m (626ft) MDS I setback between a new dwelling and a livestock facility, subject to the following conditions:**

- 1. that the Owner register a covenant on the title of the property stating that the lot is adjacent to an agricultural property and/or livestock facility and may therefore be subject to noise, dust, odours, and other nuisances associated with related activities;**
- 2. that the Owner not disturb land within 30m of a watercourse or wetland, except for minor disturbances resulting from construction, without consulting with the Mississippi Valley Conservation Authority (MVCA);**
- 3. that the Owner contact the MOECC to confirm, to the satisfaction of the Municipality, that there is no land conflict between the subject property and the adjacent Industrial designated property;**
- 4. that the owners obtain all required building permits; and**
- 5. that the proposed development cannot encroach into the 146m setback from the livestock facility north of Gleeson Road (5443 County Rd 29 S)**

**CARRIED**

**F. OTHER BUSINESS**

None.

**G. ANNOUNCEMENTS**

None.

**H. ADJOURNMENT**

**Moved by Stacey Blair**

**Seconded by Christa Lowry**

**THAT the meeting be adjourned at 6:48 p.m. as there is no further business before the Committee.**

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Andrew Scanlan Dickie, Recording Secretary