

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

**Wednesday, October 16, 2019, at 5:30 P.M.**

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

**A. CALL TO ORDER**

**B. APPROVAL OF AGENDA**

**C. DISCLOSURE OF PECUNIARY INTEREST**

**D. APPROVAL OF MINUTES**

1. Committee of Adjustment – **Pages 1 to 4**  
Committee motion to approve the Committee of Adjustment Minutes from the meeting held on September 18, 2019.

**E. NEW BUSINESS**

None.

**F. HEARINGS**

**1. Application A-23-19 – Pages 5 to 18**

**Owner(s)/Applicant:** Stephen Zumbach  
**Legal Description:** East Half Lot 7, Concession 6, Being Part 1 on Reference Plan 26R-1979  
**Address:** 787 Ramsay Concession 7A  
**Zoning:** Rural (RU)

The owner/applicant is requesting relief from the minimum side yard setback for an accessory structure from 6m (19.7ft) to 1.52m (5.0ft) to permit a detached garage and shipping container within the Rural (RU) Zone. The shipping container will be used for storage.

**2. Application A-24-19 – Pages 19 to 27**

**Owner(s):** 2476342 Ontario Inc.  
**Applicant:** Tausha Hellyer  
**Legal Description:** Part Lot 14, Concession 10, Being Lot 61 on Registered Plan 27M-88  
**Zoning:** Residential First Density Exception 20 (R1-20)

The applicant is requesting relief from the minimum front yard setback for an attached garage from 6.0m (19.7ft) from the front lot line to 4.95m (16.2ft) to legally permit the construction of a single detached dwelling with an attached garage within the Residential First Density Exception 20 (R1-20) Zone.

**G. OTHER BUSINESS**

None.

**H. ANNOUNCEMENTS**

None.

**I. ADJOURNMENT**

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

**Wednesday, August 14, 2019, at 5:30 P.M.**

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

**PRESENT:** Patricia McCann-MacMillan  
Stacey Blair  
Connie Bielby

**APPLICANTS/PUBLIC:** A-21-19 K. Bliss Buchanen  
Steve Maynard  
Denny O'Connell  
Rod Ayotte  
Shawn Gourgon  
A-22-19 Rod Ayotte  
A-09-19 Jill McCubbin

**STAFF:** Maggie Yet, Planner 1, Recording Secretary

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Chair of the Committee called the meeting to order at 5:30 p.m.

**A. CALL TO ORDER**

**B. APPROVAL OF AGENDA**

Moved by Patricia McCann-MacMillan  
Seconded by Stacey Blair

**CARRIED**

Moved by Stacey Blair

Seconded by Patricia McCann-MacMillan

THAT the agenda for the September 18<sup>th</sup>, 2019 meeting of the Committee of Adjustments be approved.

**CARRIED**

**C. DISCLOSURE OF PECUNIARY INTEREST**

None.

**D. APPROVAL OF MINUTES**

1. August 14<sup>th</sup>, 2019 – Public Meeting

Moved by Patricia McCann-MacMillan

Seconded by Connie Bielby

THAT the Committee of Adjustment approve the minutes of August 14<sup>th</sup>, 2019 meeting as presented.

**CARRIED**

**E. NEW BUSINESS**

None.

## F. HEARINGS

1. **Application** **A-21-19**  
**Owner(s):** Kazia Homes Inc.  
**Applicant:** Kazem Ziai  
**Legal Description:** Plan 6262, Lot 11  
**Address:** 33 Harold Street  
**Zoning:** Residential Second Density (R2)

The applicant is requesting relief from the minimum lot frontage for a semi-detached dwelling from 10m (32.81ft) to 8.98m (29.46ft) and 9.10m (29.86ft) within the Residential Second Density (R2) Zone to legally the construction of one semi-detached dwelling (two units).

The Chair opened the floor to comments. Mr. Steve Maynard spoke and stated that he did not believe the proposed development on the subject property is in conformity with policies 3.6.1.5, 3.6.7, and 4.2.3.6 of the Community Official Plan and that the proposed building height is not appropriate in context of the adjacent properties. The Chair responded to Mr. Maynard's concerns and stated that in her opinion, the proposed development would likely not significantly impact the quality of life of adjacent property owners and that the requested relief does conform to the policies of the Official Plan. S Blair added that the Zoning By-law is in conformance with the Official Plan and that the size and massing of the building was contemplated and deemed appropriate given the zoning provisions of the R2 Zone.

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 Plan 6262, Lot 11, Almonte Ward, Municipality of Mississippi Mills, municipally known as 33 Harold Street, to reduce the minimum lot frontage for a semi-detached dwelling within the Residential Second Density (R2) Zone to legally allow the construction of one semi-detached dwelling (two units), 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-22-19**  
**Owner(s):** Emmanuel Neilz & Brigitte Reid  
**Legal Description:** Plan 6262, Henderson Section, Block D, Lots 1 & 2  
**Address:** 41 Martin Street N  
**Zoning:** Residential Second Density (R2)

The owners/applicants are requesting relief from the minimum rear yard setback from 7.5m (24.61ft) to 0.61m (2.0ft) and maximum permitted projection from 0.3m (0.98ft) to a lot line, to 0.2m (0.67ft) to a lot line within the Residential Second Density (R2) Zone to legally permit the replacement and expansion of a non-conforming attached garage, where the existing setback is 0.37m (1.21ft).

The Chair opened the floor to comments. Mr. Rod Ayotte, contractor for the proposed development, was in attendance on behalf of the owners but did not provide comments. The Chair clarified the proposed increase in size of the addition with Ms. Yet.

The Committee passed the following motion:

**Moved by Patricia McCann-MacMillan**

**Seconded by Connie Bielby**

**THAT** the Municipality of Mississippi Mills Committee of Adjustment approves the Minor Variance for the land legally described as Lots 1 & 2, Block D, Henderson Section, Plan 6262, Almonte Ward, Municipality of Mississippi Mills, municipally known as 41 Martin Street N, to reduce the minimum rear yard setback from 7.5m (24.61ft) to 0.61m (2.0ft) and maximum permitted projection from 0.3m (0.98ft) to a lot line, to 0.2m (0.367ft) to a lot line within the Residential Second Density (R2) Zone to legally permit the replacement and expansion of a non-conforming attached garage, where the existing setback is 0.347m (1.21ft), subject to the following conditions:

1. That the Minor Variances are approved based on the plans submitted;
2. That the owners obtain a location survey identifying the location of the existing building in proximity to the property lines;
3. That the owners obtain Site Plan approval for the proposed plans as submitted; and
4. That the owners obtain all required building permits.

**CARRIED**

- |                           |  |
|---------------------------|--|
| <b>3. Application</b>     | <b>A-09-19</b>                           |
| <b>Owner(s):</b>          | Jill McCubbin                            |
| <b>Legal Description:</b> | Plan 6262, Anderson Section, Part Lot 14 |
| <b>Address:</b>           | 172 Elgin Street                         |
| <b>Zoning:</b>            | Residential Second Density (R2)          |

The applicant is requesting relief from the minimum dwelling unit area within the Residential Second Density (R2) Zone from 46m<sup>2</sup> (495ft<sup>2</sup>) to 31.9m<sup>2</sup> (344ft<sup>2</sup>) to legally permit the renovation and addition to a portion of a former single detached dwelling to construct an accessory apartment.

The Chair opened the floor to comments by the owner. Ms. McCubbin was present at the meeting but did not provide comments. S Blair clarified the details of the existing structure and the proposal with Ms. Yet. S Blair clarified with the applicant the details of the entrance permit and Ms. McCubbin stated that the entrance permit has been approved.

The Committee passed the following motion:

**Moved by Patricia McCann-MacMillan**

**Seconded by Stacey Blair**

**THAT** the Municipality of Mississippi Mills Committee of Adjustment conditionally approve the Minor Variance for the land legally described as Plan 6262, Anderson Section, Part Lot 14, Almonte Ward, Municipality of Mississippi Mills, municipally known as 172 Elgin Street, to reduce the minimum dwelling unit area from 45m<sup>2</sup> (495ft<sup>2</sup>) to 31.9m<sup>2</sup> (344ft<sup>2</sup>) to permit the renovation and addition of an existing

building to construct an accessory apartment dwelling unit, subject to the following conditions:

1. That the Minor Variance is approved based on the plans submitted; and
2. That the applicant receive Building Department approval for the works proposed.

**CARRIED**

**G. ANNOUNCEMENTS**

Ms. Yet announced that the Municipality has received an appeal on Minor Variance application A-05-19.

**H. ADJOURNMENT**

**Moved by Stacey Blair**

**Seconded by Connie Bielby**

**THAT** the meeting be adjourned at 6:00 p.m. as there is no further business before the committee.

**CARRIED**



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Maggie Yet, Recording Secretary

**THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS**

**PLANNING REPORT**

**MEETING DATE:** Wednesday, October 16, 2019  
**TO:** Committee of Adjustment  
**FROM:** Maggie Yet – Planner 1  
**SUBJECT:** **MINOR VARIANCE APPLICATION A-23-19**  
**East Half Lot 7, Concession 6, Being Part 1 on Reference Plan**  
**26R-1979**  
**Ramsay Ward, Municipality of Mississippi Mills**  
**787 Ramsay Concession 7A**

**OWNER/APPLICANT:** Stephen Zumbach

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**RECOMMENDATION:**

**THAT the Municipality of Mississippi Mills Committee of Adjustment approves the Minor Variance for the land legally described as East Half Lot 7, Concession 6, Being Part 1 on Reference Plan 26R-1979, Ramsay Ward, Municipality of Mississippi Mills, to reduce the minimum side yard setback for detached garage and shipping container from 6m (19.7ft) to 1.52m (5.0ft), subject to the following conditions:**

1. That the Minor Variance is approved based on the plans submitted; and
2. That the Owner obtains all required building permits;
3. That the shipping container be screened in by the treeline on the western lot line and painted to match the existing treeline; and
4. That the eavestroughing be installed on the detached garage.

**PURPOSE AND EFFECT**

The owner/applicant is requesting relief from the minimum side yard setback for an accessory structure from 6m (19.7ft) to 1.52m (5.0ft) to permit a detached garage and shipping container within the Rural (RU) Zone. The applicant has stated that the shipping container will be used for storage. The Minor Variance request is outlined below:

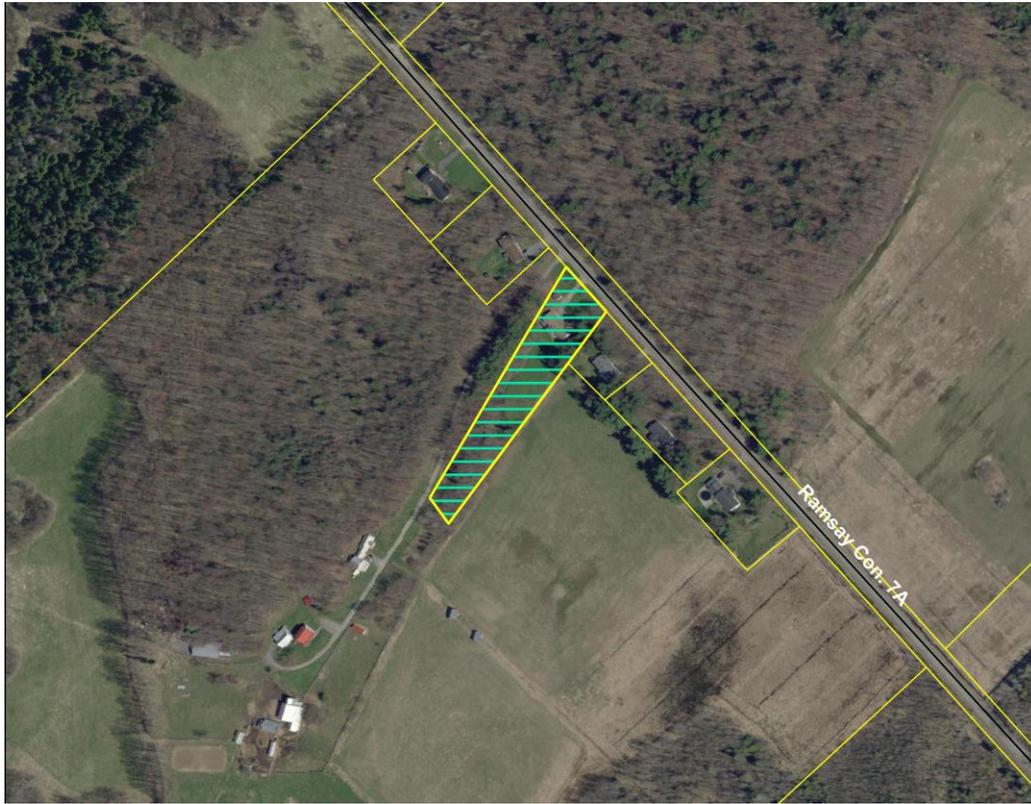
**Table 1. – Requested Relief from Zoning By-law #11-83**

<b>Section</b>	<b>Zoning Provision</b>	<b>By-law Requirement</b>	<b>Requested</b>
Table 12.2	Side Yard, Minimum – Non-farm Residential	6m (19.7ft)	1.52m (5.0ft)

**DESCRIPTION OF SUBJECT LANDS**

The subject property is located along Ramsay Concession 7A, south of Drummond Side Road. The property is  $\pm 6,785.25\text{m}^2$  (1.67ac) in size with a frontage of  $\pm 45.72\text{m}$  (150ft). The property has an irregular depth between  $\pm 200.9\text{m}$  (659.24ft) to  $206.6\text{m}$  (677.88ft). The west lot line abuts a private driveway located on the adjacent property. The property is generally be surrounded by rural and low density residential uses. The location of the subject property is depicted in the following aerial photo:

**Figure 1. – Aerial Photo of Property (2014)**



### **SERVICING & INFRASTRUCTURE**

The subject property is serviced by private well and septic and has driveway access from Ramsay Concession 7A, a municipally owned road. The municipal servicing and infrastructure demands would not change as a result of the application.

### **COMMENTS FROM CIRCULATION OF THE APPLICATION**

#### **COMMENTS FROM INTERNAL CIRCULATION**

Comments received based on the circulation of this application have been summarized below:

**CAO:** No comments received.

**CBO:** No comments received.

**Fire Chief:** No comments received.

**Director of Roads and Public Works:** No concerns.

**Recreation Coordinator:** No concerns.

## **COMMENTS FROM EXTERNAL AGENCIES**

**Mississippi Valley Conservation Authority:** A cursory review of the above noted application revealed no issues with regard to Mississippi Valley Conservation Authority's plan input and review program. We have therefore screened this application out of our formal review process.

## **COMMENTS FROM THE PUBLIC**

Staff spoke with an adjacent neighbour regarding concerns of the visual impact of the shipping container and the placement of the detached garage in relation to runoff onto the adjacent property.

## **EVALUATION**

### **FOUR TESTS**

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to grant relief from the requirements of a municipal zoning by-law. In properly evaluating such requests, the Committee needs to be satisfied that the proposal meets the four (4) tests set out in the *Planning Act*. Staff comments concerning the application of the four (4) tests to this Minor Variance request are as follows:

#### **1. Does the proposal maintain the intent of the Official Plan?**

The subject property is designated "Rural" in the Municipality's Community Official Plan (COP). The intent of the Rural designation is to protect inherently rural uses such as Agriculture and resource development while permit appropriate residential development. The Rural policies acknowledge that residential development in the rural landscape can be beneficial to the municipality provided that it is limited and does not encroach on rural based operations and resources. Specifically, Policy 3.3.5 permits Residential development in accordance with the following provisions:

1. One single detached dwelling and accessory structures shall be permitted on a lot having frontage on an open and maintained road and subject to other provisions of this Plan and the Zoning By-law.
6. When placing a residential dwelling and associated accessory structures on a rural property, special consideration should be given to the visual impact the development may have on the surrounding rural character.

Generally, a residential use and supporting accessory structures such as a detached garage and storage structures can be deemed to be appropriate rural uses in the Official Plan where they are implemented in accordance with the provisions of the Zoning By-law. As such, the requested variance conforms to the general intent and purpose of the COP.

#### **2. Does the proposal maintain the intent of the Zoning By-law?**

The subject property is zoned “Rural (RU)” by the Municipality’s Comprehensive Zoning By-law #11-83. The RU Zone permits a detached dwelling and accessory structures with specific provisions pertaining to front, rear and side yard setbacks following the RU Zone. The applicant is applying to reduce the minimum required side yard setback for accessory structures to legally permit a detached garage and a shipping container used for storage on the subject property.

### **Minimum Interior Side Yard Setback Requirement**

The intent of the minimum interior side yard setback requirement is to ensure that there is sufficient separation between the building and side lot line in order to allow for maintenance around the building, prevent runoff onto neighbouring properties, mitigate any potential visual and privacy impacts between neighbouring properties, and maintain appropriate amenity space for the owners.

*Maintenance & Rear Yard Access:* The accessory structures would maintain a minimum distance of 1.52m from the side lot line and 1.2m from all other structures. As such, there remains sufficient space to navigate between the rear and front yards and to maintain the property and buildings.

*Runoff:* The proposed detached garage and shipping container would result in an increase in hardsurface in the interior side yard of the subject property. The site plan and drawings submitted by the applicant indicates that the slope of the roof of the garage will direct runoff towards the sides of the structure into the interior side yard of the subject property. As such, Staff recommends that the applicant be required to install eavestroughing on the detached garage to redirect runoff into the front yard and away from the side lot line.

*Privacy Impacts:* Although the minor variance would reduce the minimum setback from 6m to 1.52m, the proposed accessory structures would not result in an expansion of habitable area and thus would not impose further privacy concerns on adjacent properties. Additionally, the westerly lot line abuts a private driveway on the adjacent property which extends the length of the lot line. At the time this report was submitted, no complaints had been received from adjacent owners about potential impacts.

*Amenity Space:* The proposed detached garage and shipping container are 118.92m<sup>2</sup> and 29.72m<sup>2</sup> in size respectively, which represents 2.19% of the total lot area. As such, there is sufficient remaining amenity space located within the front and rear yards of the subject property.

*Visual Impacts:* The proposed accessory structures would be located within the interior side yard, visible from Ramsay Concession 7A, a local road. The detached garage would be located towards the front lot line and would minimize the visual impact of the shipping container. To further reduce the visual impact of the accessory structures on the rural landscape of the area, Staff is of the opinion the shipping container be painted green to match the treeline located on the western lot line.

Given the above, Staff is of the opinion that the Minor Variance in question maintains the intent of the Zoning By-law #11-83.

### **3. Is the proposal desirable for the appropriate development of the lands in question?**

The proposed variance would permit the owner to legally construct a detached garage and locate a shipping container on the subject property. The shipping container would provide permanent storage on the subject property while the detached garage would constitute a permanent accessory structure on the site. Both accessory structures would support the long term residential functionality of the subject property for secure parking and storage space for the owner that are neither unreasonable nor inappropriate for the context of the site.

The proposal is desirable within the context of the neighbourhood and the Municipality as a whole as there are no foreseeable negative impacts as a result of the proposed variance. As noted, the variance would have limited impacts on maintenance, access, runoff, and amenity space. Provided that the shipping container is painted to match the existing treeline and located behind the proposed detached garage, there would be limited visual impacts from the two accessory structures. Due to the site-specific characteristics of property (i.e. the location of the existing and proposed structure, its size, and the negligible impacts), the proposal would not set a precedent for future applications where these features are not present. Therefore, Staff is of the opinion that the proposal is a desirable and appropriate development of the subject lands. Therefore, Staff is of the opinion that the proposal is a desirable and appropriate development of the subject lands.

#### **4. Is the proposal minor?**

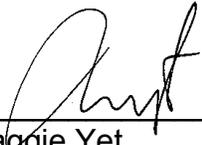
The proposed variance to the minimum front yard setback for a detached dwelling would reduce the requirement from 6m (19.7ft) to 1.52m (5.0ft), resulting in a requested relief of 4.48m (14.7ft). Staff do not consider the request significant from a qualitative standpoint. The proposal demonstrates no foreseeable maintenance, access, runoff, amenity space and visual impacts to the property in question or those neighbouring. Staff is therefore of the opinion that the requested variance is considered to be minor in nature.

#### **CONCLUSION**

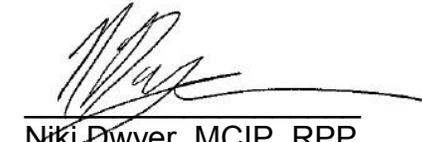
Overall, Staff supports the Minor Variance application. The variances would allow the owners to maximize the use and enjoyment of their property with no foreseeable impacts to any other stakeholders. Staff believes that Minor Variance Application A-12-19 meets the four (4) tests for evaluating a Minor Variance as established under the *Planning Act*. Planning Staff therefore recommends that the Minor Variances be granted, provided the Committee is satisfied that any issues raised at the public hearing do not require additional Staff evaluation and comment, the submission of additional information, or the application of conditions other than as follows:

- 1. That the Minor Variance is approved based on the plans submitted; and**
- 2. That the Owner obtains all required building permits;**
- 3. That the shipping container be screened in by the treeline on the western lot line and painted to match the existing treeline; and**
- 4. That the eavestroughing be installed on the detached garage.**

All of which is respectfully submitted,



Maggie Yet  
Planner 1

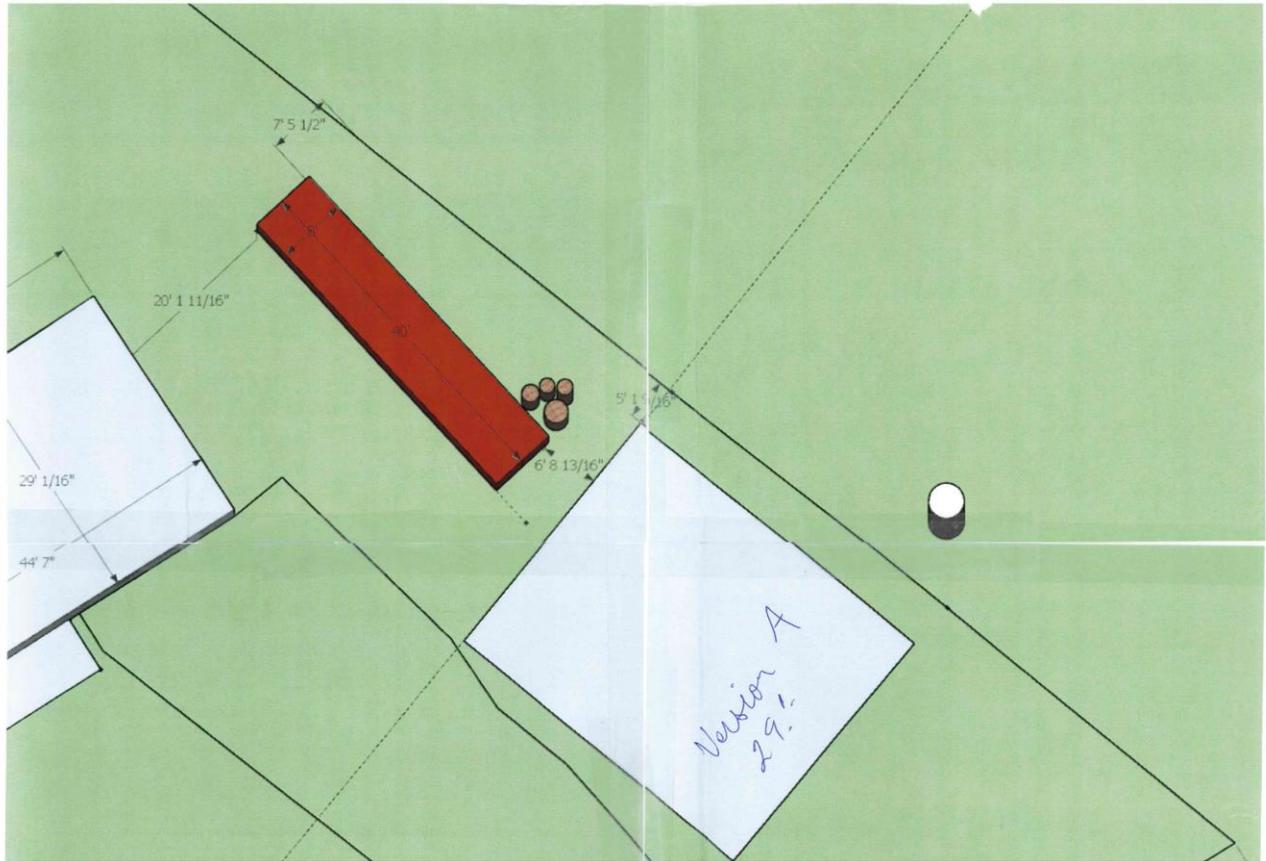


Niki Dwyer, MCIP, RPP  
Reviewed by Director of Planning

**ATTACHMENTS:**

- SCHEDULE A – Site Plan
- SCHEDULE B – Garage Plans
- SCHEDULE C – Survey
- SCHEDULE D – Site Photo

**SCHEDULE A** Site Plan



**SCHEDULE B** Garage Plans

**POST FRAME BUILDING**  
32' X 40' X 10'

**DESIGN LOADS**

ROOF LOADS  
 LIVE LOAD = 18 PSF  
 DEAD LOAD = 8 PSF  
 ICE LIVE LOAD = 10 PSF  
 TOTAL ROOF LOAD = 36 PSF

WIND LOADS  
 10% WIND RESISTANCE = 4 PSF  
 WIND PRESSURE

SOIL BEARING CAPACITY  
 MAXIMUM ALLOWABLE SOIL BEARING CAPACITY TO BE 30 KPA (1.75 TSI)

**IMPORTANT NOTE**

THIS DRAWING IS A CONTRACT DOCUMENT AND IS THE PROPERTY OF THE DRAWING ENGINEER. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE DRAWING ENGINEER.

REVISED	DATE	A DETAIL NUMBER B BASE NUMBER C WHERE DETAIL REQUIRED D WHERE DETAILED NOTES 1. SEE COMMENTS ON SHEET 101. 2. SEE COMMENTS ON SHEET 102. 3. SEE COMMENTS ON SHEET 103. 4. SEE COMMENTS ON SHEET 104. 5. SEE COMMENTS ON SHEET 105.	PROJECT POST FRAME BUILDING 32' X 40' X 10'	DRAWING ELEVATIONS	SCALE 1/4" = 1'-0"	CHECKED BY JUNE 30/18	PROJECT NUMBER 2655953
			CUSTOMER STEPHEN ZUMBACH	DATE JUNE 30/18	DATE		SHEET NUMBER 1 9
			FIRM LEVI H-BC	DRAWN BY ARCHITECTURAL SOLUTIONS			

2655953

**POST FRAME BUILDING**  
32' X 40' X 10'

**DESIGN LOADS**

ROOF LOADS  
 LIVE LOAD = 18 PSF  
 DEAD LOAD = 8 PSF  
 ICE LIVE LOAD = 10 PSF  
 TOTAL ROOF LOAD = 36 PSF

WIND LOADS  
 10% WIND RESISTANCE = 4 PSF  
 WIND PRESSURE

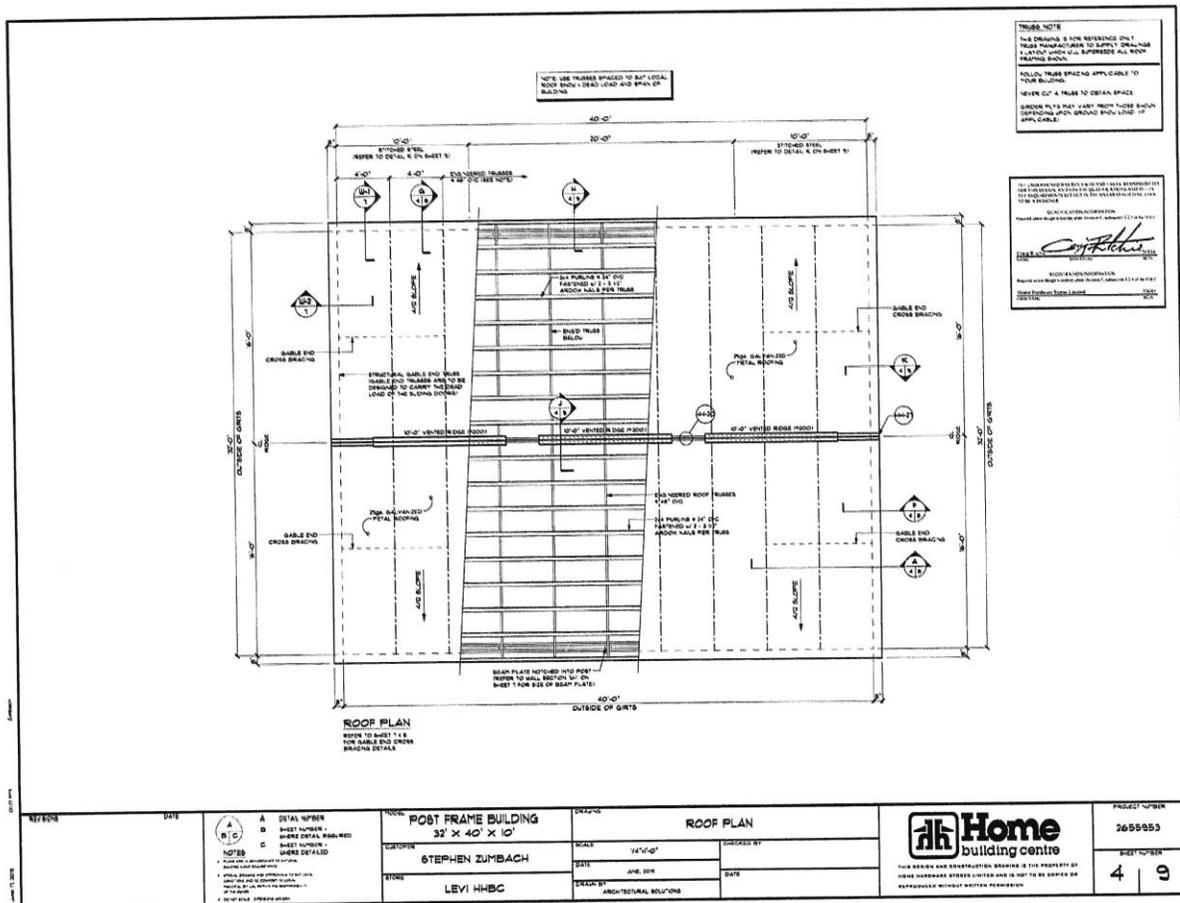
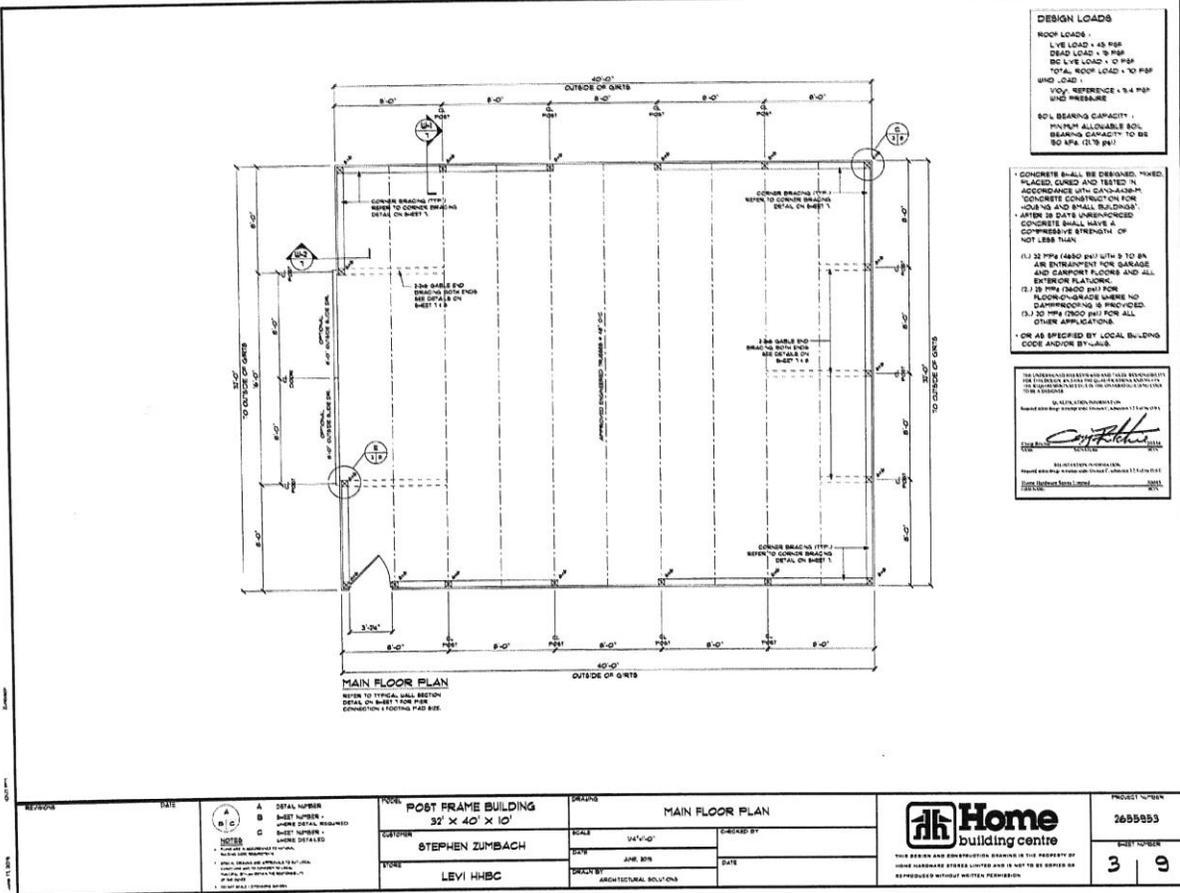
SOIL BEARING CAPACITY  
 MAXIMUM ALLOWABLE SOIL BEARING CAPACITY TO BE 30 KPA (1.75 TSI)

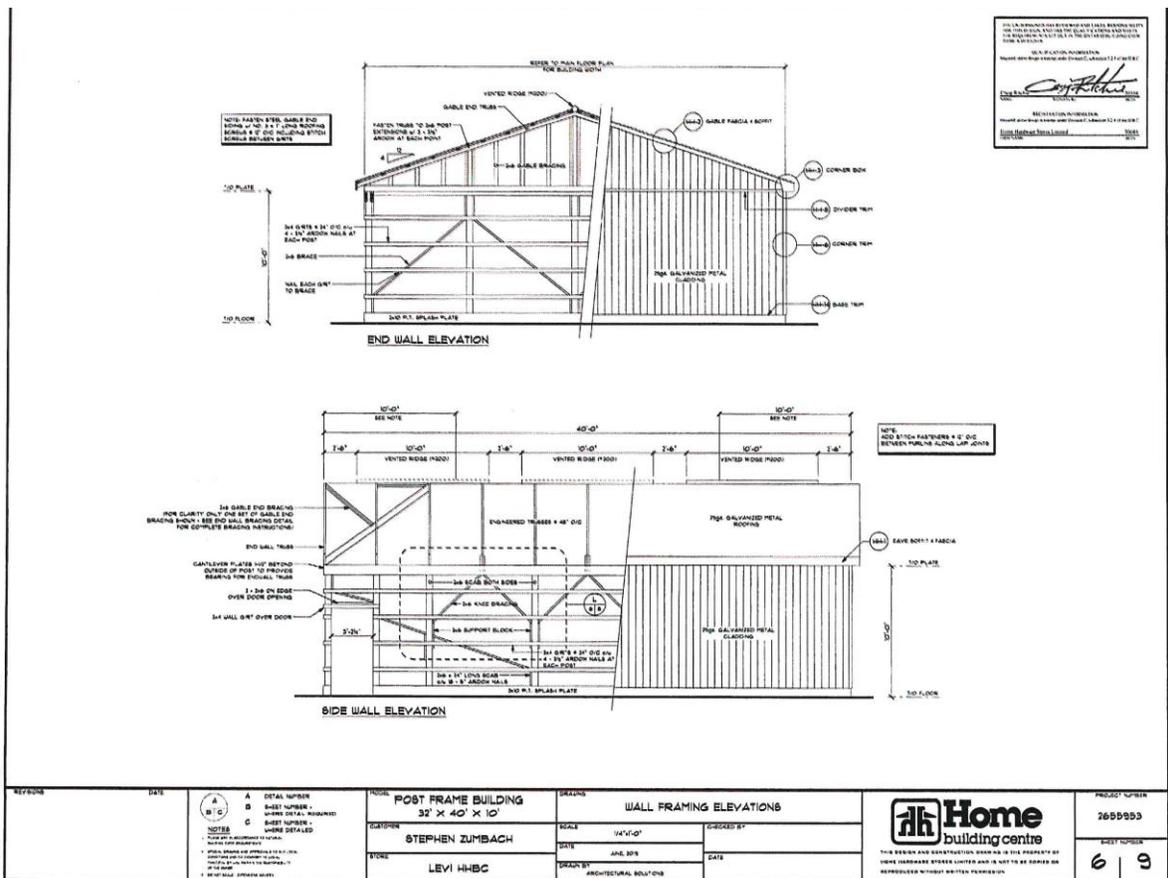
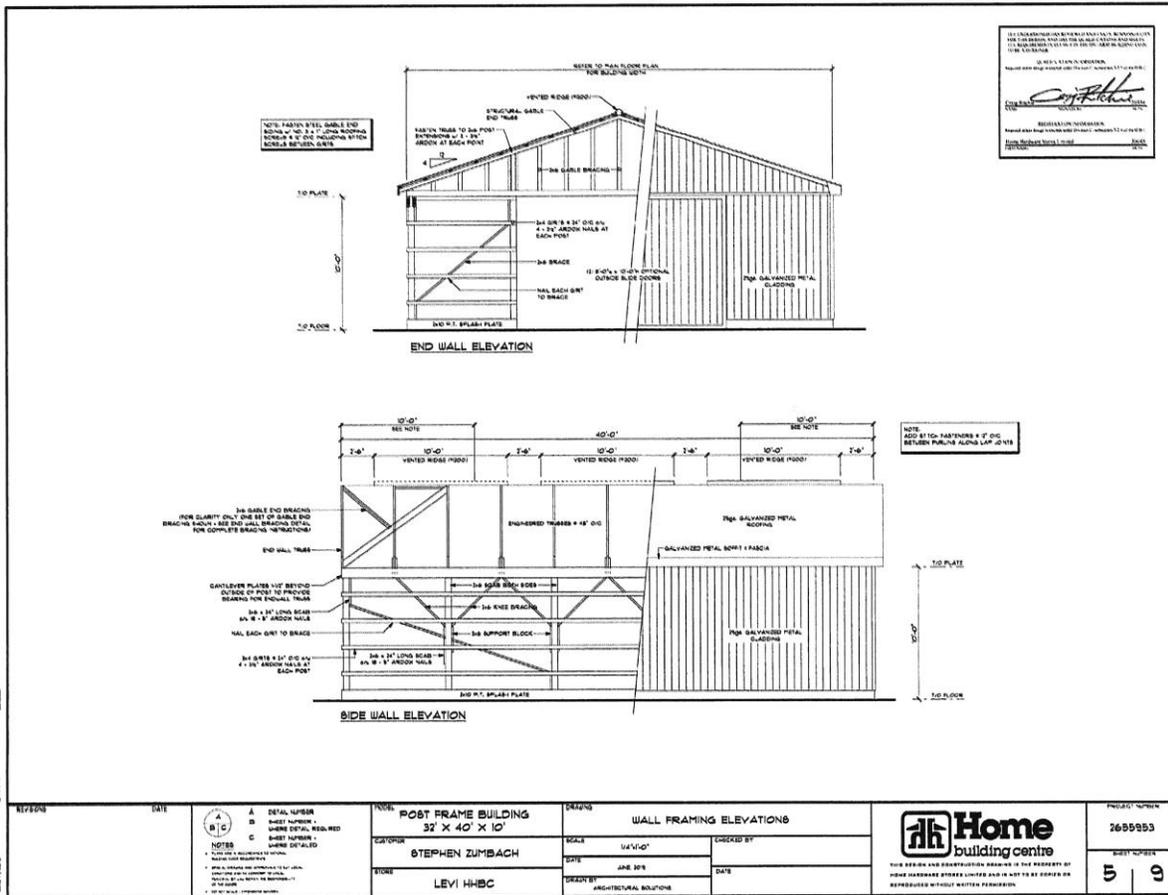
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			CUSTOMER STEPHEN ZUMBACH	DATE JUNE 30/18	DATE		SHEET NUMBER 2 9
			FIRM LEVI H-BC	DRAWN BY ARCHITECTURAL SOLUTIONS			

2655953





**TYPICAL SIDE WALL SECTION**  
SCALE: 1/4" = 1'-0"

**TYPICAL END WALL SECTION**  
SCALE: 1/4" = 1'-0"

**CORNER BRACING DETAIL**  
NOT TO SCALE

**END WALL BRACING DETAIL**  
NOT TO SCALE

REVISIONS	DATE	A B C	A B C	NO. <b>POST FRAME BUILDING</b> <b>32' X 40' X 10'</b> DRAWN BY <b>STEPHEN ZUMBACH</b> DATE <b>LEVI HBC</b>	WALL SECTION & DETAILS SCALE: 1/4" = 1'-0" CHECKED BY DATE DRAWN BY ARCHITECTURAL SOLUTIONS	<p><b>Home building centre</b></p> <p>THIS DESIGN AND SPECIFICATION BRINGS TO THE PROPERTY OF LEVI HERRBERT STEWART LIMITED AND IS NOT TO BE REPRODUCED OR REPRODUCED WITHOUT WRITTEN PERMISSION</p>	PROJECT NUMBER <b>2659593</b> SHEET NUMBER <b>7</b> / <b>9</b>
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**END WALL BRACING DETAIL**  
SCALE: 1/4" = 1'-0"

**FOUNDATION DETAIL**  
SCALE: 1/4" = 1'-0"

**CORNER POST DETAIL**  
SCALE: 3/4" = 1'-0"

**JOINT FLASHING DETAIL**  
SCALE: 3/4" = 1'-0"

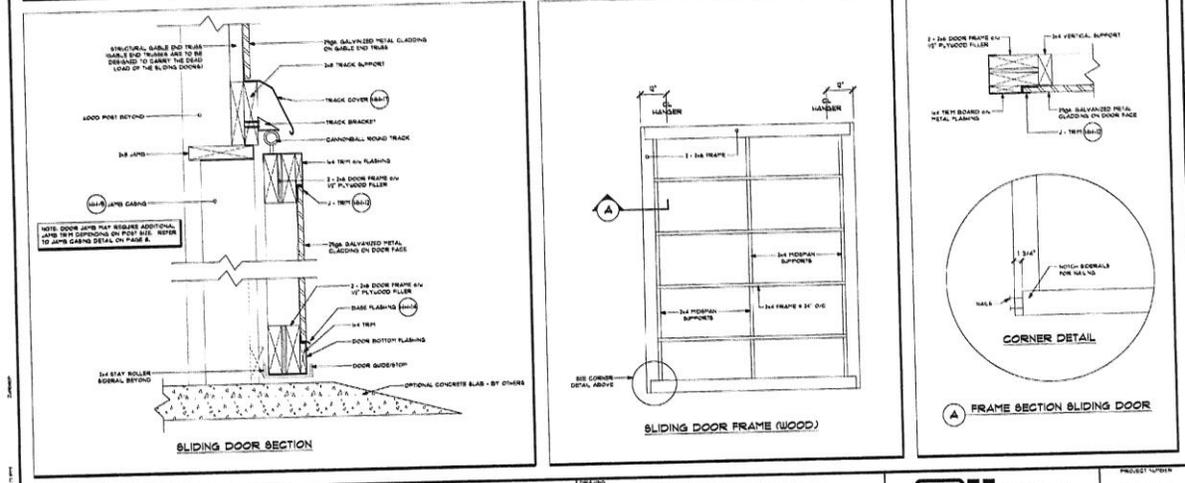
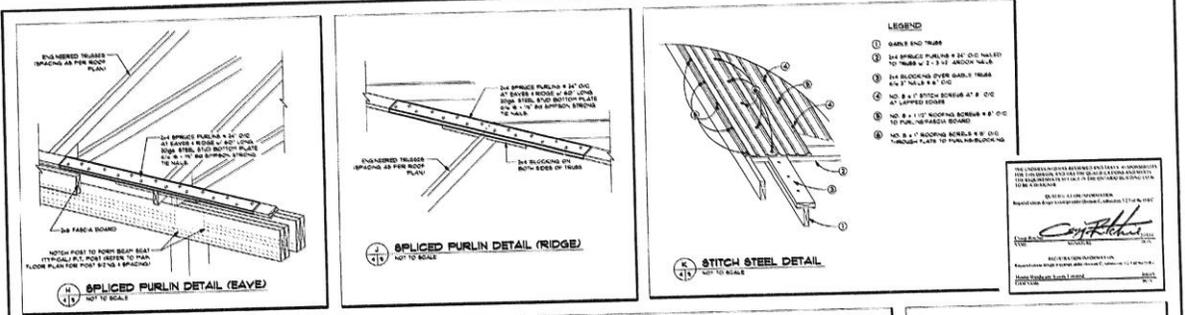
**JAMB CASING DETAIL**  
SCALE: 3/4" = 1'-0"

**GABLE DETAIL - 8" OVERHANG**  
SCALE: 3/4" = 1'-0"

**TRUSS CONNECTION DETAIL**  
SCALE: 3/4" = 1'-0"

**BARGE DETAIL - 8" OVERHANG**  
SCALE: 3/4" = 1'-0"

REVISIONS	DATE	A B C	A B C	NO. <b>POST FRAME BUILDING</b> <b>32' X 40' X 10'</b> DRAWN BY <b>STEPHEN ZUMBACH</b> DATE <b>LEVI HBC</b>	DETAILS SCALE: AS NOTED CHECKED BY DATE DRAWN BY ARCHITECTURAL SOLUTIONS	<p><b>Home building centre</b></p> <p>THIS DESIGN AND SPECIFICATION BRINGS TO THE PROPERTY OF LEVI HERRBERT STEWART LIMITED AND IS NOT TO BE REPRODUCED OR REPRODUCED WITHOUT WRITTEN PERMISSION</p>	PROJECT NUMBER <b>2659593</b> SHEET NUMBER <b>8</b> / <b>9</b>
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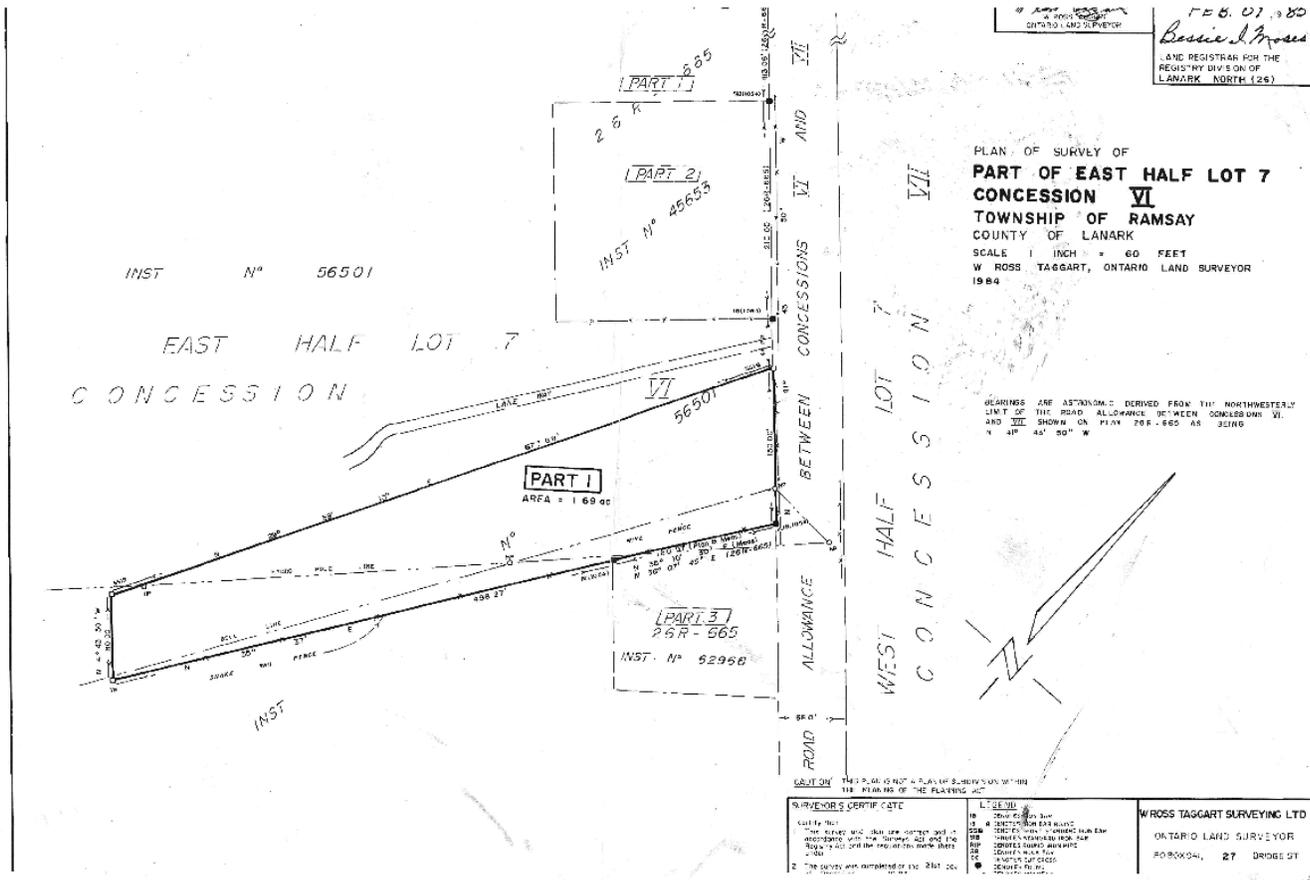
REVISED	DATE	NO. 1	POST FRAME BUILDING 32' x 40' x 10'	DATE	SLIDING DOOR DETAILS	PROJECT NUMBER	2655953
		A	DETAIL NUMBER	SCALE	NOT TO SCALE	CHECKED BY	
		B	SHEET NUMBER - LOWER DETAIL REQUIRED	DATE	JUNE 2015	DATE	
		C	SHEET NUMBER - UPPER DETAIL	DESIGNED BY	STEPHEN ZUMBACH	DATE	
			OWNER	ARCHITECTURAL SOLUTIONS	LEVI HWBC		

**Home building centre**

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PROJECT NUMBER: 2655953  
SHEET NUMBER: 9/9

**SCHEDULE C Survey**



**SCHEDULE C** Site Photo

(Submitted by Applicant)



**THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS**

**PLANNING REPORT**

**MEETING DATE:** Wednesday, October 16, 2019  
**TO:** Committee of Adjustment  
**FROM:** Maggie Yet – Planner 1  
**SUBJECT:** **MINOR VARIANCE APPLICATION A-24-19**  
**Part Lot 14, Concession 10, Being Lot 61 on Registered Plan 27M-88**  
**Almonte Ward, Municipality of Mississippi Mills**  
**OWNER:** 247632 Ontario Inc.  
**APPLICANT:** Tausha Heller

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**RECOMMENDATION:**

**THAT the Municipality of Mississippi Mills Committee of Adjustment approves the Minor Variance for the land legally described as Part Lot 14, Concession 10, Being Lot 61 on Registered Plan 27M-88, Almonte Ward, Municipality of Mississippi Mills, to reduce the minimum front yard setback for an attached garage from 6m (19.7ft) to 4.95m (16.2ft), to permit the construction of a single detached dwelling with an attached garage, 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; and**
- 3. That the builder construct two car garages with 5.2m (17ft) wide garage doors.**

**PURPOSE AND EFFECT**

The applicant is requesting relief from the minimum front yard setback for an attached garage from 6.0m (19.7ft) from the front lot line to 4.95m (16.2ft) to legally permit the construction of a single detached dwelling with an attached garage within the Residential First Density Exception 20 (R1-20) Zone. The Minor Variance request is outlined below:

**Table 1. – Requested Relief from Zoning By-law #11-83**

<b>Section</b>	<b>Zoning Provision</b>	<b>By-law Requirement</b>	<b>Requested</b>
13.4.20	Notwithstanding the 'R1' designation, lands designated 'R1-20' may be used in compliance with the R1 zone provisions, excepting however that:	The minimum front yard setback shall be 3.0, (9.8ft) with a garage, detached or attached being no closer than <b>6.0m (19.7ft)</b> from the front lot line.	The minimum front yard setback shall be 3.0, (9.8ft) with a garage, detached or attached being no closer than <b>4.95m (16.24ft)</b> from the front lot line.

## **DESCRIPTION OF SUBJECT LANDS**

The subject property is located along Spring Street, within Phase 5 of the Riverfront Estates Subdivision. The subject property is presently vacant. The property is  $\pm 489.65\text{m}^2$  in size with a frontage of  $\pm 11.32\text{m}$  (37.14ft). The property has a depth of  $\pm 31.76\text{m}$  (104.20ft). The property will generally be surrounded by low density residential properties within the subdivision. The location of the subject property is depicted in the following aerial photo:

**Figure 1. – Aerial Photo of Property (2017)**



## **SERVICING & INFRASTRUCTURE**

The subject property will be serviced by municipal water and sewer services and will have driveway access from Spring Street, an unassumed municipally owned road. The municipal servicing and infrastructure demands would not change as a result of the application.

## **COMMENTS FROM CIRCULATION OF THE APPLICATION**

### **COMMENTS FROM INTERNAL CIRCULATION**

Comments received based on the circulation of this application have been summarized below:

**CAO:** No comments received.

**CBO:** No comments received.

**Fire Chief:** No comments received.

**Director of Roads and Public Works:** No concerns as long as necessary parking spaces are achieved.

**Recreation Coordinator:** No concerns.

## COMMENTS FROM EXTERNAL AGENCIES

**Mississippi Valley Conservation Authority:** MVCA does not have any objection to the subject application.

## COMMENTS FROM THE PUBLIC

No comments have been received from the public as of the date this report was prepared.

## EVALUATION

### FOUR TESTS

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to grant relief from the requirements of a municipal zoning by-law. In properly evaluating such requests, the Committee needs to be satisfied that the proposal meets the four (4) tests set out in the *Planning Act*. Staff comments concerning the application of the four (4) tests to this Minor Variance request are as follows:

#### 1. Does the proposal maintain the intent of the Official Plan?

The subject property is designated “Residential” in the Municipality’s Community Official Plan (COP). The Residential designation permits low density residential uses and accessory uses. The Municipality’s COP does not specifically address or contain policies related to front yard setbacks for properties located within the Residential designation. As such, the requested variance conforms to the general intent and purpose of the COP.

#### 2. Does the proposal maintain the intent of the Zoning By-law?

The subject property is zoned “Residential First Density Exception 20 (R1-20)” by the Municipality’s Comprehensive Zoning By-law #11-83. The R1-20 Zone permits a detached dwelling and specific provisions pertaining to yard setbacks following the R1 subzone, except for the minimum front yard setback which is 3m (9.8ft), with a garage, detach or attached being no closer than 6.0m (19.7ft). The applicant is applying to reduce the minimum required front yard setback for a garage to legally permit construction of a detached dwelling with an attached garage on the subject property located.

#### **Minimum Front Yard Setback Requirement**

The intent of the minimum front yard setback requirement is to provide sightlines for vehicular and pedestrian movement and safety, as well as maintain spatial separation between the dwelling and the lot line in order to accommodate off-street parking, sightlines, landscaping, runoff, maintenance and snow storage.

*Parking:* With respect to off-street parking, building plans submitted by the applicant indicates two off-street parking spaces within the attached garage. Two additional parking spaces would be available for parking in the driveway in tandem with the garage. This meets and exceeds parking requirements of the Zoning By-law, which requires a minimum of one parking space per detached dwelling.

*Sightlines:* The proposal would be required to maintain a minimum distance of 7m (22.97ft) between a driveway and an intersection of street lines (defined as the dividing line between a lot and a street) as per Section 9.3.9 (c) of the Zoning By-law, which would ensure minimum sightlines are maintained and thus protecting vehicular and pedestrian movement and safety.

*Landscaping, Runoff, Maintenance and Snow Storage:* The proposed variance maintains a setback of 4.95m from the front lot line. Given the available space remaining, Staff is of the opinion that adequate usable space is available in the front yard for landscaping, runoff, maintenance and snow storage.

Given the above, Staff is of the opinion that the Minor Variance in question maintains the intent of the Zoning By-law #11-83.

### **3. Is the proposal desirable for the appropriate development of the lands in question?**

The proposal is desirable within the context of the neighbourhood and the Municipality as a whole as there are no foreseeable negative impacts as a result of the proposed variance. As noted, the variances would have limited impacts on sightlines, landscaping, runoff, maintenance and snow storage, and the owner and applicants have provided sufficient parking to reduce foreseeable impacts to on-street parking. Additionally, smaller front yard requirements have been permitted in Phase 1 of Mill Run and Phases 2 and 3 of Riverfront Estates subdivisions, reflected in the Residential First Density Subzone E (R1E) Zone in the Zoning By-law. Therefore, Staff is of the opinion that the proposal is a desirable and appropriate development of the subject lands.

The proposal will ultimately see the provision of 4 parking spaces for the dwelling, where the Zoning Bylaw requires 1 parking space per single detached dwelling.

### **4. Is the proposal minor?**

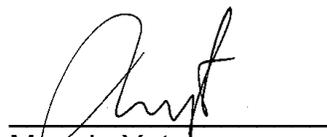
The proposed variance to the minimum front yard setback for a detached dwelling would reduce the requirement from 6m (19.7ft) to 4.95m (16.2ft), resulting in a requested relief of 1.05m (3.44ft). Staff do not consider the request significant from a quantitative standpoint. The proposal demonstrates no foreseeable parking, sightlines, landscaping, runoff, maintenance, or snow storage impacts to the property in question or those neighbouring. Staff is therefore of the opinion that the requested variance is considered to be minor in nature.

## **CONCLUSION**

Overall, Staff supports the Minor Variance application. The variances would allow the owners to maximize the use and enjoyment of their property with no foreseeable impacts to any other stakeholders. Staff believes that Minor Variance Application A-12-19 meets the four (4) tests for evaluating a Minor Variance as established under the *Planning Act*. Planning Staff therefore recommends that the Minor Variances be granted, provided the Committee is satisfied that any issues raised at the public hearing do not require additional Staff evaluation and comment, the submission of additional information, or the application of conditions other than as follows:

- 1. That the Minor Variance is approved based on the plans submitted; and**
- 2. That the owners obtain all required building permits; and**
- 3. That the builder construct two car garages with 5.2m (17ft) wide garage doors.**

All of which is respectfully submitted,



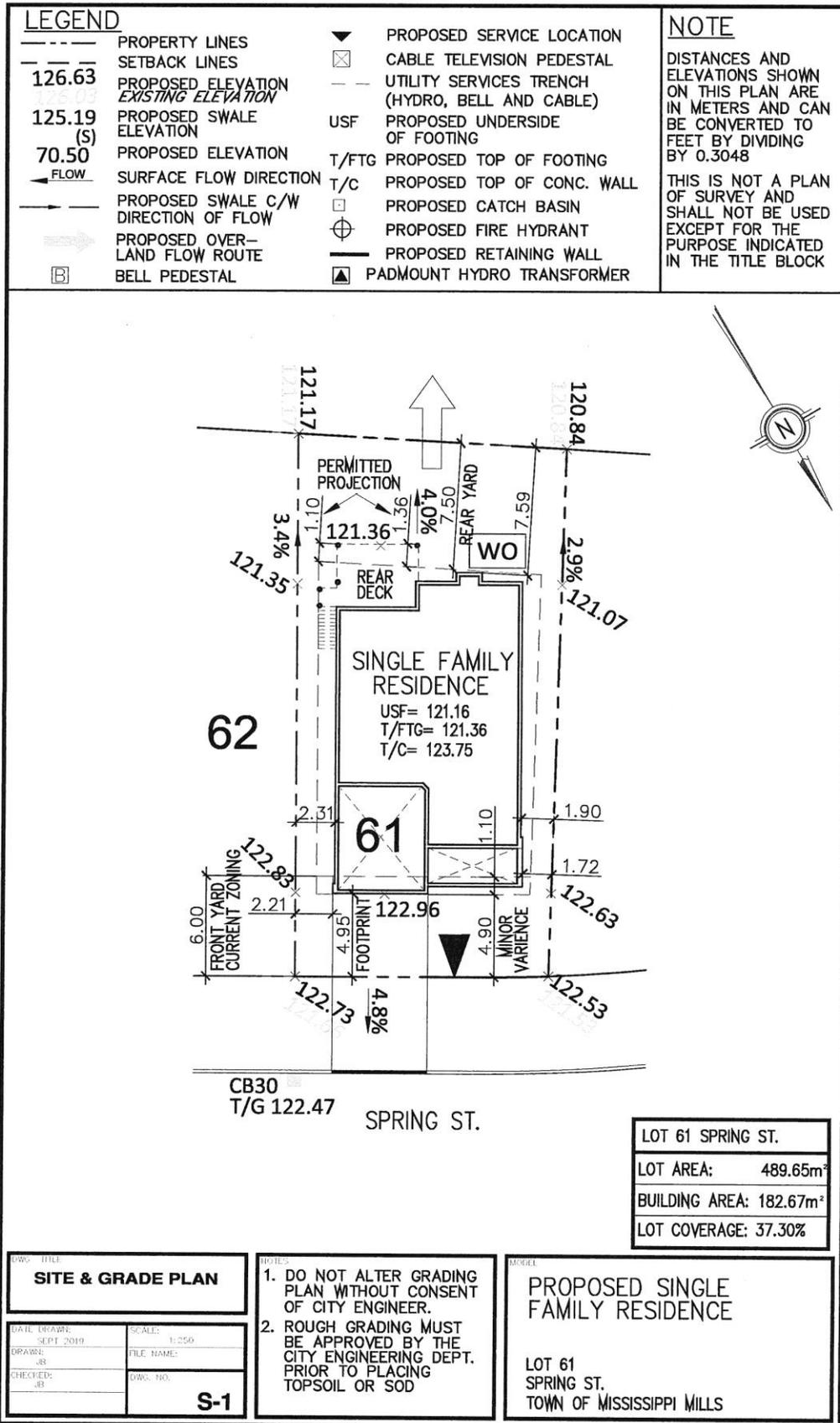
Maggie Yet  
Planner 1

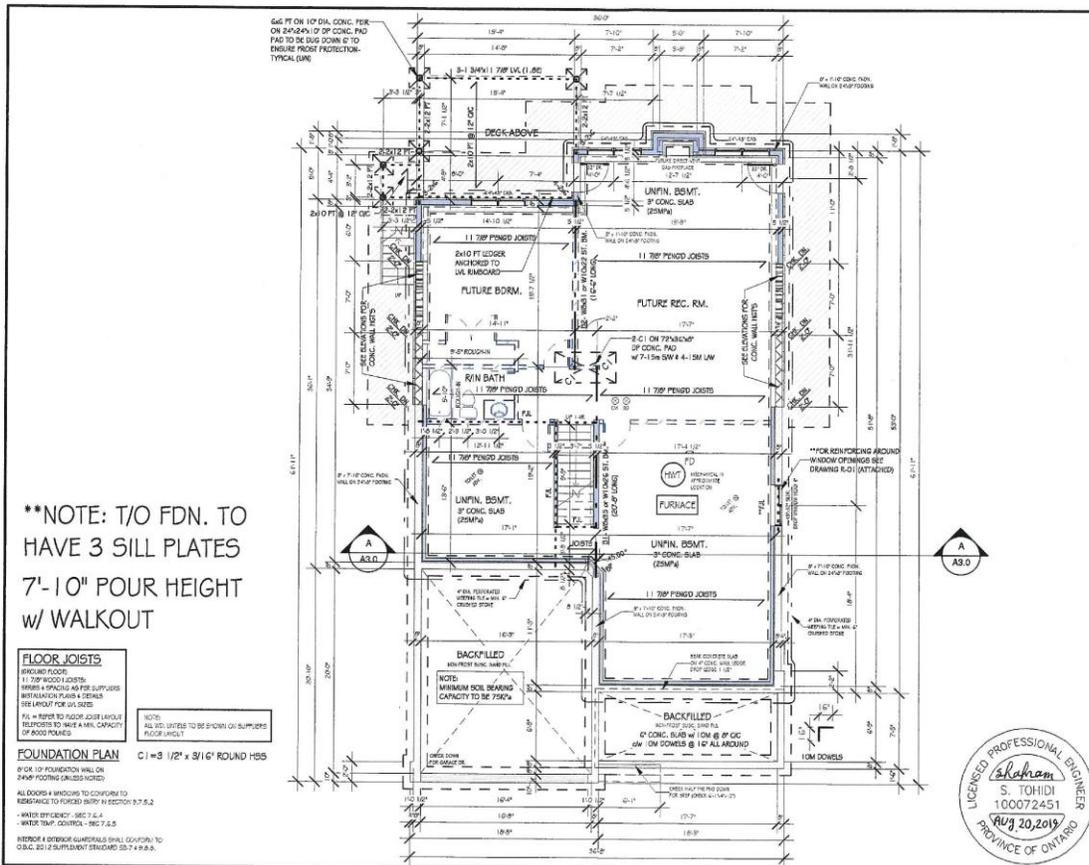


Niki Dwyer, MCIP, RPP  
Reviewed by Director of Planning

**ATTACHMENTS:**  
SCHEDULE A – Site Plans

**SCHEDULE A Site Plans**





**LEGEND**

F	BATHFAN	DV	ORDER VENT
DW	DISHWASHER	KV	RANGE HOOD VENT
BP	BOWL FOOTSTALL GROUP	H	HOBBIERS
RF	REFRIGERATOR	EF	ELECT. PANEL
⊕	TOILET ABOVE	TP	TELEPHONE
⊕	ACCESSIBLE MEDICINE CABINET	PS	3-24" POST SPY #1 OR #2
		PA	4-24" POST SPY #1 OR #2
		C1	3" / 2" x 3" / 6" ROUND HBS

UNLESS NOTED OTHERWISE CONSTRUCTION PROCEDURE MUST CONFORM TO:  
 1. SPECIFICATIONS & NOTES GIVEN ON THIS DRAWING  
 2. PROVISIONS IN PART OF O.B.C. 2012

GENERAL NOTES:  
 - 1/4" SCALE  
 - DO NOT SCALE DIMENSIONS. MEASURE DIMENSIONS ONLY TO BE USED  
 - TO BE RESPONSIBLE TO THE CONTRACTOR TO CHECK & VERIFY ALL DIMENSIONS ON SITE & REPORT ALL DISCREPANCIES  
 - GENERAL CONTRACTOR TO CONSTRUCT IN ACCORDANCE WITH THE O.B.C. 2012 & ALL APPLICABLE BY-LAWS & ALL OTHER APPLICABLE CODES

1	STRUCTURAL REVIEW	AUG 16 19
NO.	REVISION	DATE

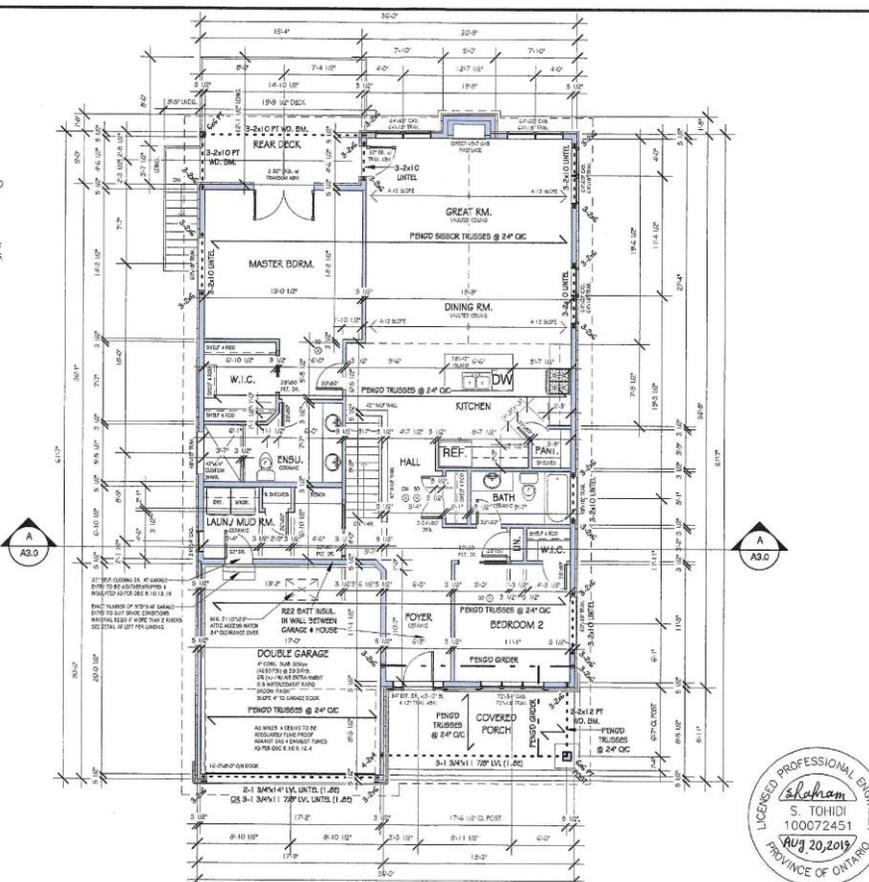
PROJECT: **BOYLE RESIDENCE**  
 1,617 sq. ft.  
 LOT 61 SPRING ST.

**Doyle Homes**

FOUNDATION PLAN

DATE: AUG 20 19  
 SCALE: 1/8" = 1'-0"  
 DRAWN BY: JS  
 CHECKED BY: JS  
 PROJECT NO.: BOYLE  
 SHEET NO.: A1.0

**PROFESSIONAL ENGINEER**  
 S. TOHIDI  
 100072451  
 AUG 20, 2019  
 PROVINCE OF ONTARIO



**LEGEND**

F	BATHFAN	DV	ORDER VENT
DW	DISHWASHER	KV	RANGE HOOD VENT
BP	BOWL FOOTSTALL GROUP	H	HOBBIERS
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		C1	3" / 2" x 3" / 6" ROUND HBS

ALL ROOF OVERHANGS TO BE 1/2" UNLESS OTHERWISE NOTED

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1	STRUCTURAL REVIEW	AUG 16 19
NO.	REVISION	DATE

PROJECT: **BOYLE RESIDENCE**  
 1,617 sq. ft.  
 LOT 61 SPRING ST.

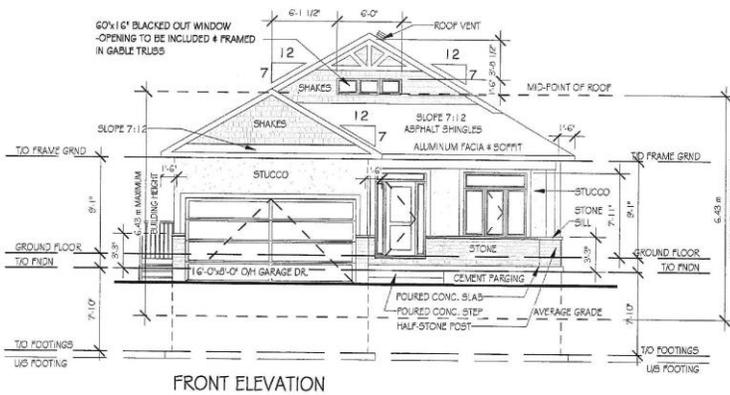
**Doyle Homes**

GROUND FLOOR

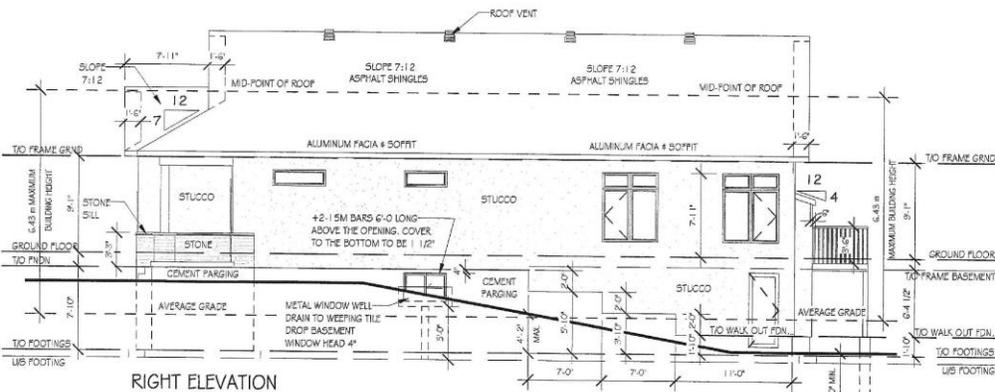
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 SCALE: As indicated  
 DRAWN BY: JS  
 CHECKED BY: JS  
 PROJECT NO.: BOYLE  
 SHEET NO.: A2.0

**PROFESSIONAL ENGINEER**  
 S. TOHIDI  
 100072451  
 AUG 20, 2019  
 PROVINCE OF ONTARIO

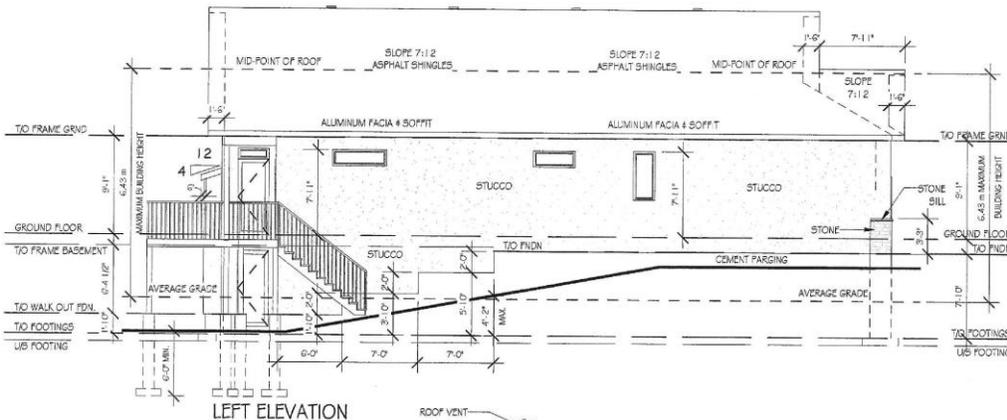




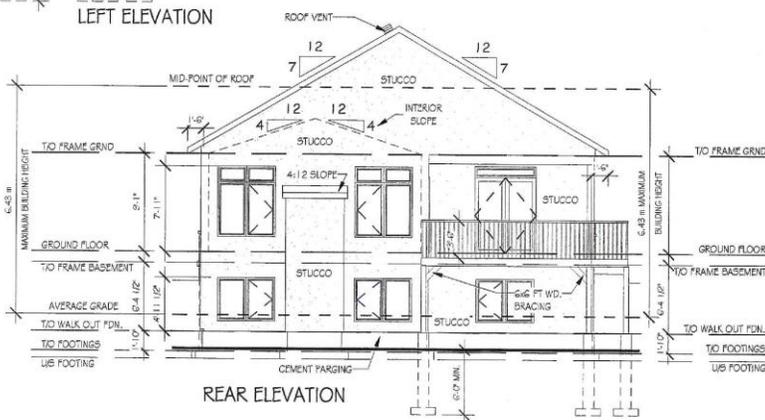
FRONT ELEVATION



RIGHT ELEVATION



LEFT ELEVATION



REAR ELEVATION

DATE: AUG 2019  
 SCALE: 1/8" = 1'-0"  
 DRAWN BY: JB  
 CHECKED BY: JB

PROJECT: BOYLE RESIDENCE  
 1,617 sq. ft.  
 LOT 61 SPRING ST.

NO.	REVISION	DATE
1	STRUCTURAL REVIEW	AUG 16 19

**Doyle Homes**

EXTERIOR ELEVATIONS

DATE: AUG 2019  
 SCALE: 1/8" = 1'-0"  
 DRAWN BY: JB  
 CHECKED BY: JB

A5.0

DATE: AUG 2019  
 SCALE: 1/8" = 1'-0"  
 DRAWN BY: JB  
 CHECKED BY: JB

PROJECT: BOYLE RESIDENCE  
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 LOT 61 SPRING ST.

NO.	REVISION	DATE
1	STRUCTURAL REVIEW	AUG 16 19

**Doyle Homes**

EXTERIOR ELEVATIONS

DATE: AUG 2019  
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 CHECKED BY: JB

A5.1