



**CORPORATION OF THE CITY OF
CLARENCE-ROCKLAND**

COMMITTEE OF ADJUSTMENT

October 24, 2018, 7:00 pm

Council Chambers

415 rue Lemay Street, Clarence Creek, Ont.

Pages

1. Opening of the meeting
2. Reading and Adoption of the agenda
3. Pecuniary declarations
4. Adoption of the minutes
5. Consent Applications
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524 Rollin
 - 5.2 B-CR-017-2018 13
Jean-Jacques Ledoux for Margo Alison Ledoux
201 Onesime Guibord
 - 5.3 B-CR-022-2018 25
Monique Rozon
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6. Minor Variance Applications
 - 6.1 D13-18-11 37
Steve & Kelly McDermaid
2900 Gagne

6.2	D13-18-12	59
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	J. Rock Construction for Roxanne Rocque	
	2-700 Onesime Guibord	

7. Follow-ups

8. Other Items

9. Adjournment



**CORPORATION DE LA CITÉ DE
CLARENCE-ROCKLAND**

COMITÉ DE DÉROGATION

le 24 octobre 2018, 19 h 00

Salle du Conseil

415 rue Lemay Street, Clarence Creek, Ont.

	Pages
1. Ouverture de la réunion	
2. Lecture et Adoption de l'ordre du jour	
3. Déclarations pécuniaires	
4. Adoption des procès-verbaux	
5. Demandes de morcellement	
5.1 B-CR-016-2018 Réjean Chartrand 524 Rollin	1
5.2 B-CR-017-2018 Jean-Jacques Ledoux pour Margo Alison Ledoux 201 Onésime Guibord	13
5.3 B-CR-022-2018 Monique Rozon 11-3383 Old Highway 17	25
6. Demandes de dérogation mineure	
6.1 D13-18-11 Steve et Kelly McDermaid 2900 Gagné	37

6.2	D13-18-12	59
	Glenn Collier et Jennifer Hannah	
	4071 Champlain	

6.3	D13-18-13	63
	J. Rock construction pour Roxanne Rocque	
	2-700 Onésime Guibord	

7. Suivi

8. Autres items

9. Ajournement



COMITÉ DE DÉROGATION

RAPPORT N° AMÉ-18-81-R

Date reçu	14/08/2018
Date de la réunion	19/09/2018
Soumis par	Claire Lemay
Objet	Autorisation – Agrandissement de lot
# du dossier	B-CR-016-2018
Propriétaire	Réjean Chartrand & Marie-Reine Chartrand
Demandeur	Réjean Chartrand
Adresse civique	524 chemin Rollin
Description	Parties du lot 4, conc. 1 (O.S.), parties 2 et 3 plan 50R9904

1) INFORMATION GÉNÉRALE :

Désignation au Plan officiel des Comtés unis de Prescott et Russell : Secteur des politiques rurales

Désignation au Plan officiel de la Cité de Clarence-Rockland :
S/O

Désignation au Plan officiel de Bourget :
S/O

Classification de zone du Règlement de zonage n° 2016-10 :
Zone Rurale (RU)

Services :

Eau municipale :	non
Égout sanitaire municipal :	Non
Accès à la rue :	Rollin

Si la décision n'est pas prise dans les 90 jours, un appel peut être déposé à la CAMO (11/12/2018)

2) BUT :

Agrandissement d'un terrain.

3) **DEMANDE :**

	Façade	Profondeur	Superficie
(A) Parcelle détachée		+/- 145m	+/- 1 ha
(B) Parcelle retenue	1130.02 m	+/- 380 m	+/- 43 ha
(C) Parcelle agrandie	154.57 m	+/- 190 m	+/- 4 ha

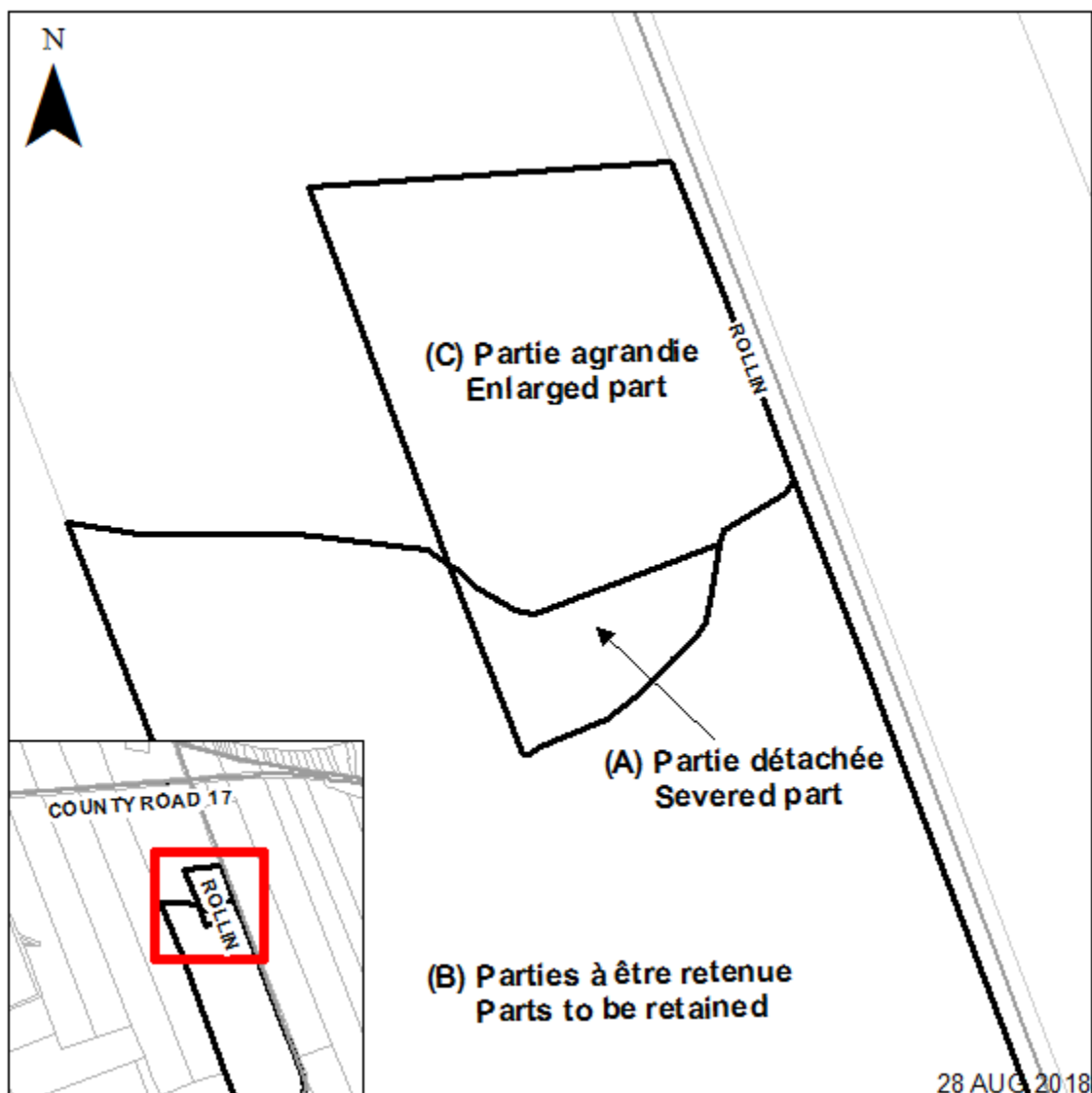


Figure 1 (Carte index)

4) **CONDITIONS ET COMMENTAIRES REÇUS :**

Finances :

Taxes à jour. Aucune objection.

Services de la protection :

Aucune objection.

Services communautaires :

Aucun commentaire.

Division de la construction :

Aucune objection.

Service d'infrastructures :

Aucun commentaire.

Comtés unis de Prescott et Russell :

Voir le document ci-joint.

Conservation de la Nation Sud :

Voir le document ci-joint.

Aménagement du Territoire :

Le demandeur propose détacher une parcelle de terrain d'environ 1 hectare afin d'agrandir le terrain résidentiel adjacent. Le propriétaire a l'intention d'éventuellement vendre le terrain agricole à un fermier et aimerait ajouter la parcelle détachée au terrain qui contient sa maison, parce que cette parcelle de terrain n'est pas cultivable et est utilisé principalement pour fins résidentiels. Aucun changement d'usage ou construction n'est proposé.

Les parcelles à être détachée, retenue et agrandie sont dans un « Secteur des politiques Rurales » selon la Cédule « A » du Plan Officiel des Comtés unis. Les usages résidentiels et agricoles existants sont permis. Les parcelles sont également identifiées comme étant un secteur de ressources de roche selon l'Annexe « E » et un corridor de déplacement faunique selon la Cédule « B ». Un cours d'eau, identifié comme étant un habitat de poisson selon la Cédule « B » du Plan officiel des Comtés unis, est situé le long de la ligne de propriété proposée entre la partie détachée et la partie retenue. Le secteur de ressources en minéraux et les éléments naturels ne seront pas affectés par le morcellement proposé.

Les parcelles à être détachée, retenue et agrandie sont désignées « Zone Rurale (RU) » au Règlement de zonage 2016-10.

La demande s'avère conforme au Règlement de zonage de la Cité de Clarence-Rockland, au Plan officiel des Comtés unis de Prescott et Russell, et à la Déclaration de principes provinciale.

5) RECOMMANDATION DU SERVICE :

QUE le Comité de dérogation approuve la demande d'autorisation soumise par Réjean et Marie-Reine Chartrand, dossier B-CR-016-2018, concernant la propriété décrite comme étant le 524 chemin Rollin;

Sujette aux conditions suivantes :

1. Que le(s) requérant(s) fournisse(nt) à la Cité de Clarence-Rockland deux copies originales en papier du plan de référence (plan d'arpentage) dûment enregistrées et une copie PDF qui se conforment essentiellement à la demande **B-CR-16-2018** telle qu'accordée.
2. Que le requérant fournisse une (1) copie du plan de référence (plan d'arpentage) en PDF et DWG dûment enregistré qui se conforme essentiellement à la demande B-CR-016-2018 telle que soumise aux Comtés unis de Prescott et Russell. Le plan est à remettre directement aux Comtés unis.
3. Que le(s) requérant(s) fournisse(nt) à l'autorité approbatrice de la Cité de Clarence-Rockland

(a) Une copie du Plan de renvoi ou de la description légale du bien-fonds séparé et de l'acte ou l'instrument transférant le bien-fonds séparé au propriétaire de la propriété attenante au nord connue en tant que **524 Rollin** de sorte qu'aucun nouveau lot n'est créé, conformément à l'alinéa (b) ci-dessous;

(b) Une attestation officielle joint à l'acte/au transfert requis en vertu de l'alinéa (a) ci-dessus comptant la mention suivante :

« Les biens-fonds devant être séparés ont pour seul but l'ajout d'un lot aux biens-fonds attenants appartenant à (*insérer le nom*) décrits comme NIP (*numéro d'identification de la propriété*) qui constitue les Parties (*insérer les numéros*) sur le Plan (*insérer le numéro de plan*), non pas pour la création d'un nouveau lot, et tout transfert, charge ou autre opération ultérieur(e) portant sur les biens-fonds devant être séparés est soumis au respect de l'article 50(3) ou de l'article 50(5) de la *Loi sur l'aménagement du territoire*, le cas échéant. Ni les biens-fonds à séparer, ni les biens-fonds attenants ne peuvent être transférés, chargés ou non autrement cédés dans le futur sans l'autre parcelle, sauf si un nouveau consentement est obtenu. Le Propriétaire doit faire en sorte que les biens-fonds à séparer soient consolidés sur le titre avec les biens-fonds attenants et que cette condition soit inscrite sur le registre des parcelles pour la parcelle consolidée comme restriction. »

(c) L'engagement d'un avocat autorisé à exercer le droit dans la province de l'Ontario, et en règle avec le Barreau du Haut-Canada, comme suit :

« En contrepartie de, et nonobstant, la délivrance du Certificat en vertu de l'article 50(12) de la *Loi sur l'aménagement du territoire* à l'égard de l'objet de la demande de consentement, je m'engage au

nom du Propriétaire, dans les 10 jours après l'enregistrement sur le titre du document de transfert contenant la mention indiquée dans l'attestation officielle délivrée par le Comité de dérogation, de déposer une demande de consolidation des parcelles, y compris le bien-fonds séparé (*insérer le numéro* de la partie du NIP) et le bien-fonds attenant (*insérer le numéro* du NIP). Cette consolidation de NIP vise à renforcer la stipulation de la *Loi sur l'aménagement du territoire* dans la condition décrite ci-dessus selon laquelle les deux parcelles ont fusionné dans le Titre et qu'elles ne peuvent être cédées séparément à l'avenir. Je m'engage également à transmettre une copie de la demande enregistrée de consolidation des parcelles et une copie des pages de résumé des parcelles consolidées au bureau du Comité dans les 21 jours après l'enregistrement de la demande de consolidation des parcelles. »

4. Un engagement du procureur de l'auteur de la demande confirmant que les actes seront enregistrés dans les deux (2) ans suivant la date du certificat.
5. Que le(s) requérant(s) fournisse(nt) à l'Autorité approbatrice de la Cité de Clarence-Rockland un Transfert/Acte de cession transférant le terrain divisé dans le but d'émettre un certificat d'autorisation.
6. Que chaque condition soit remplie et que l'Autorité approbatrice de la Cité de Clarence-Rockland en soit avisée par écrit pas plus tard qu'un (1) an après la date de l'avis de la décision par les départements ou les agences qui ont imposé la/les condition(s) respective(s).

Le 10 septembre 2018

Département d'urbanisme
Cité de Clarence-Rockland
1560 rue Laurier
Rockland, ON K4K 1P7

Envoyé par courriel à : clemay@clarence-rockland.com

OBJET : Demande d'Autorisation (B-CR-016-2018)

Le département d'Urbanisme des Comtés unis a complété la révision de cette demande d'autorisation. Le terrain visé se situe dans l'affectation des politiques rurales au Plan officiel des Comtés unis et nous comprenons que cette demande vise fusionner du terrain à un terrain résidentiel adjacent.

À cet effet, nous désirons inclure les conditions suivantes comme conditions d'approbation :

1. Que le requérant fournisse une (1) copie du plan de référence (plan d'arpentage) en PDF et DWG dûment enregistré qui se conforme essentiellement à la demande **B-CR-016-2018** telle que soumise.

Veuillez agréer, l'expression de mes sentiments les meilleurs.



Sylvain Boudreault,
Urbaniste junior

Via Email Transmission (clemay@clarence-rockland.com)

18 September 2018

Ms. Marie-Eve Bélanger
Manager of Development
City of Clarence-Rockland
1560 Laurier Street
Rockland, ON K4K 1P7

RE: Application for Consent (Chartrand)
File No. B-CR-016-2018
Rollin Road
Concession 1, Lot 4, Formerly Clarence Township
Roll No. 031601602103300

Dear Ms. Bélanger,

South Nation Conservation (SNC) received the above-noted application to create a new parcel of land to enlarge an adjacent residential lot.

SNC's review considers the impact of this application on the local environment, as outlined under Sections 2.1 (Natural Heritage) and 3.1 (Natural Hazards) of the Provincial Policy Statement (April 2014) issued under Section 3 of the *Planning Act*, 1990.

SNC also provides comments based on the Sewage System Management Agreement and Source Water Protection Agreement between SNC and the City of Clarence-Rockland.

Specifically, SNC examines the following:

Natural Heritage Features (S.2.1 PPS):	Natural Hazards (S.3.1 PPS):	Private Sewage System:
Significant wetlands Significant woodlands Significant valleylands Significant wildlife habitat Significant Areas of Natural and Scientific Interest Fish habitat	Hazardous lands	Loading requirements Separation distances
	Flooding Erosion	
	Hazardous sites	Clean Water Act, 2006: Source Protection Areas
	Unstable soils Unstable bedrock	

SNC's findings below are based on a desktop review and a site visit completed on September 12, 2018.

Natural Heritage Features

Watercourse

The proposed retained and severed lots contain a section of unnamed watercourse, which have been identified as Fish Habitat in Schedule B of the United Counties of Prescott and Russell (UCPR) Official Plan.

For development or site alteration proposed within 120 metres of an area identified as Fish Habitat, an Environmental Impact Study (EIS) should be prepared by a qualified professional to demonstrate that there will be no negative impacts on the natural features or on the ecological functions of the habitat. This is consistent with UCPR's Official Plan *Fish Habitat* policies, Section 5.5.7.

Significant Woodland

The proposed retained lot contains an area identified as Significant Woodland in Schedule B of the UCPR Official Plan.

For development or site alteration proposed within the habitat area or on the adjacent lands that are within 120 metres to the Significant Woodlands, an EIS should be prepared by a qualified professional to demonstrate that there will be no negative impacts on the natural features or ecological functions of the woodland. This is consistent with UCPR's Official Plan *Significant Woodlands and Vegetation Cover* policies, Section 5.5.6.

Significant Wildlife Habitat

The proposed retained and severed lots contain an area identified as Significant Wildlife Habitat, specifically, Wildlife Travel Corridor, in Schedule B of the UCPR Official Plan.

For development or site alteration proposed within the habitat area or on the adjacent lands that are within 120 metres to the Significant Wildlife Habitat, an environmental impact assessment should be prepared by a qualified professional demonstrating that there will be no negative impacts on the natural features or ecological functions of the habitat area. This is consistent with UCPR's Official Plan *Significant Wildlife Habitat* policies, Section 5.5.4.

Municipal Source Water Protection

Under the *Clean Water Act*, 2006, the Ministry of the Environment, Conservation, and Parks (MECP) directed local authorities to identify Vulnerable Areas around Municipal drinking water sources, and to prepare plans that address threats to these areas. The mapping of Vulnerable Areas has been completed, and the Source Protection Plan (SPP) for the Raisin-South Nation Source Protection Region has been approved by the MECP. Policies for protecting drinking water in vulnerable areas came into effect on April 1, 2015. The SPP can be obtained from www.yourdrinkingwater.ca.

This property is located within a Municipal drinking water Intake Protection Zone (IPZ), specifically the Wendover IPZ-2 with a vulnerability score of 8. As per Appendix D of the Source Protection Plan, policies for sewage works and agricultural activities may affect future development of the Property.

Under Section 59 of the *Clean Water Act*, 2006, future applications under the Building Code and the *Planning Act* will be screened by the Raisin-South Nation Risk Management Office. Depending on the proposed activity, additional requirements or restrictions may apply. For more information, please contact the Raisin-South Nation Risk Management Office at (613) 984-2948.

Private Sewage System

As per the information provided in the subject application under Section 5.1, there is sufficient contact area (as specified under 8.7.4.1 – Loading Requirements in the Ontario Building Code) for the installation of a private sewage system and a replacement area on the proposed retained and severed lot.

It is understood that one (1) private sewage septic system exists on the proposed lot to be enlarged. The applicant should be made aware that a sewage system permit under Section 8 (1) – Building Permit of the *Building Code Act*, 1992 is required for any new sewage system or repair, replacement and/or modification of any existing sewage system. Please contact SNC's Septic Department for more information.

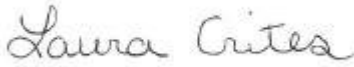
Conclusion

SNC does not object to the application; however, should the committee decide to provisionally approve the application, SNC would request that the following condition be included in the decision:

1. **That the landowner provide to South Nation Conservation a written undertaking which acknowledges that the proposed property lines must be at a minimum clearing distance of three (3) metres from all existing private sewage systems.**

I trust the above is to your satisfaction. Should you have any questions please do not hesitate to contact our office.

Best regards,



Laura Crites
Planning Assistant
South Nation Conservation
613-984-2947 ext. 372
lcrites@nation.on.ca

SNC-6055-2018



COMMITTEE OF ADJUSTMENT

REPORT N° AMÉ-18-81-R

Date received	17/08/2018
Date of meeting	19/09/2018
Submitted by	Claire Lemay
Subject	Consent – Easement
File Number	B-CR-017-2018
Owner	Margo Alison Ledoux
Applicant	Jean-Jacques Ledoux
Civic Address	201 Onésime Guibord
Legal Description	Part of Lot 15, Con. 1 (O.S.), Parts 3 and 8 Plan 50R7305

1) GENERAL INFORMATION:

Designation of the Official Plan of the United Counties of Prescott and Russell: Rural Policy Area

Designation of the Official Plan of the Urban Area of the City of Clarence-Rockland: N/A

Designation of the Official Plan of Bourget:
N/A

Classification of Zoning By-law No. 2016-10:
Rural (RU)

Services :

Municipal Water: Yes or no

Municipal Sewer: yes or no

Road Access: Onésime Guibord

An appeal may be made to the OMB if no decision is made within 90 days (15/11/2018).

2) PURPOSE :

Application for consent to create an easement for an existing shared driveway.

3) **CONSENT REQUESTED :**

	Frontage/width	Depth	Area
(A) Severed parcel	+/- 7m	+/- 78m	0.1402ha
(B) Retained parcel	90.98m	489.7m	+/- 10.45ha

Figure 1 (Keymap)

4) **CONDITIONS AND COMMENTS RECEIVED :**

Finance :

Taxes up to date. No objections.

Protective Services :

Entrance must be property identified with civic number and access must be able to accommodate fire apparatus.

Community Services :

No comments.

Construction :

No objections.

Infrastructure Services :

No comments.

United Counties of Prescott and Russell :

See attached document.

South Nation Conservation :

See attached document.

Planning Services :

The owner has requested consent in order to create an easement for a shared access driveway. The severed parcel and the retained parcel have frontage on Onésime Guibord Road (County Road 8). The dominant land of the easement is identified as Part of lot 15, Concession 1 (O.S.), Part 8 on plan 50R-7305 (201 Onésime Guibord Road). The servient land (the easement) is identified as part 1 on the attached sketch which was submitted with the request. The proposed easement is located on the lot described as Part of lot 15, Concession 1 (O.S.), Part 3 on plan 50R-7305, having no civic address. The shared driveway currently exists and currently leads to the existing house at 201 Onésime Guibord Road.

The subject property is located within the "Rural *Policy Area*" on Schedule "A" of the Official Plan of the United Counties of Prescott and Russell. The subject property is also designated as a wildlife travel corridor, significant woodland, wildland fire risk area, and mineral aggregate resource.

The subject property is included within the Rural (RU) zone in the City of Clarence-Rockland's Zoning By-Law No. 2016-10. The proposed residential uses are permitted in this zone.

The proposed consent conforms to the Zoning by-law 2016-10, to the Official Plan of the United Counties of Prescott and Russell and to the Provincial Policy statement.

5) **DEPARTMENTAL RECOMMENDATION :**

THAT the Committee of Adjustment approve the consent application submitted by Jean-Jacques Ledoux for Margo Alison Ledoux, file number B-CR-017-2018, concerning the property described as Part of lot 15, Concession 1 (O.S.), Parts 3 and 8 on Plan 50R-7305, subject to the following conditions:

1. That the applicant provide the City of Clarence-Rockland two original copies of a registered Reference Plan (plan of survey) and one PDF copy that identifies the severance B-CR-017-2018 as approved by the committee.
2. That the applicant provide the United Counties of Prescott and Russell one copy of a registered Reference Plan (plan of survey) in PDF and DWG format that identifies the severance B-CR-017-2018 as approved by the Committee. The plan is to be submitted directly to the United Counties.
3. An undertaking from the applicant's solicitor confirming that the deeds will be registered on title within two (2) years of the date of the certificate.
4. That the applicants provide the Approval Authority of the City of Clarence-Rockland a Transfer/Deed of land conveying the severed land for use for the issuance of a Certificate of Consent.
5. That each condition be fulfilled and that the Consent Approval Authority of the City of Clarence-Rockland be notified in writing within one (1) year of the date of the Decision by the departments and/or agencies having imposed the said conditions.

Le 10 septembre 2018

Département d'urbanisme
Cité de Clarence-Rockland
1560 rue Laurier
Rockland, ON K4K 1P7

Envoyé par courriel à : clemay@clarence-rockland.com

OBJET : Demande d'Autorisation (B-CR-017-2018)

Le département d'Urbanisme des Comtés unis a complété la révision de cette demande d'autorisation. Le terrain visé se situe dans l'affectation des politiques rurales au Plan officiel des Comtés unis et nous comprenons que cette demande vise accorder un droit de passage aux résidents du 201 chemin Onesime Guibord afin qu'ils puissent utiliser l'entrée existante localisée sur le terrain voisin à l'ouest.

À cet effet, nous désirons inclure les conditions suivantes comme conditions d'approbation :

1. Que le requérant fournisse une (1) copie du plan de référence (plan d'arpentage) en PDF et DWG dûment enregistré qui se conforme essentiellement à la demande **B-CR-017-2018** telle que soumise.

Veuillez agréer, l'expression de mes sentiments les meilleurs.



Sylvain Boudreault,
Urbaniste junior

Via Email Transmission (clemay@clarence-rockland.com)

11 October 2018

Ms. Marie-Eve Bélanger
Manager of Development
City of Clarence-Rockland
1560 Laurier Street
Rockland, ON K4K 1P7

RE: Application for Consent (Ledoux)
File No. B-CR-017-2018
Concession 1 O.S., Lot 15, Formerly Clarence Township
Roll No. 031601602112125

Dear Ms. Bélanger,

South Nation Conservation (SNC) received the above-noted application to create an easement to allow for access to an existing driveway.

SNC's review considers the impact of this application on the local environment, as outlined under Sections 2.1 (Natural Heritage) and 3.1 (Natural Hazards) of the Provincial Policy Statement (April 2014) issued under Section 3 of the *Planning Act*, 1990.

SNC also provides comments based on the Sewage System Management Agreement and Source Water Protection Agreement between SNC and the City of Clarence-Rockland.

Specifically, SNC examines the following:

Natural Heritage Features (S.2.1 PPS):	Natural Hazards (S.3.1 PPS):	Private Sewage System:
Significant wetlands Significant woodlands Significant valleylands Significant wildlife habitat Significant Areas of Natural and Scientific Interest Fish habitat	Hazardous lands	Loading requirements Separation distances
	Flooding Erosion	
	Hazardous sites	Clean Water Act, 2006: Source Protection Areas
	Unstable soils Unstable bedrock	

SNC's findings below are based on a desktop review and a site visit completed on September 21, 2018.

Natural Heritage Features

Watercourse

The proposed retained lot contains a section of a mapped watercourse on the northeast side. This watercourse has been identified as Fish Habitat in Schedule B of the United Counties of Prescott and Russell (UCPR) Official Plan.

For any new development or site alteration proposed within 120 metres of an area identified as Fish Habitat, an Environmental Impact Study (EIS) should be prepared by a qualified professional demonstrating that there will be no negative impacts on the natural features or on the ecological functions of the habitat. This is consistent with UCPR's Official Plan *Fish Habitat* policies, Section 5.5.7.

In addition, the City of Clarence Rockland's zoning bylaw requires that buildings or structures, including septic systems, be set back 30 metres from the normal highwater mark of the waterbody or watercourse, Section 4.44.1(d).

Significant Woodland

The proposed retained lot and easement contain an area identified as Significant Woodland in Schedule B of the UCPR Official Plan.

For any new development, defined as subdivisions, site plans, zoning amendments, minor variances, and consents, or site alteration proposed within or 120 metres adjacent to the Significant Woodland, and EIS should be prepared by a qualified professional demonstrating that there will be no negative impacts on the natural features or ecological functions of the woodland. This is consistent with UCPR's Official Plan *Significant Woodland* policies, Section 5.5.6.

Natural Hazards

Slope Stability

The proposed retained parcel borders the Ottawa River. This section of the Ottawa River has been identified as having a slope stability factor of > 2.5 in the Slope Stability Study of the South Nation River and Portions of the Ottawa River by Poschmann, Klassen, Klugman and Gooding (1983). Prior to any development or site alteration, the site should be inspected by a qualified professional to ensure that any potential risks from these hazards can be adequately addressed.

Private Sewage System

As per the information provided in the subject application under Section 5.1, there is sufficient contact area (as specified under 8.7.4.1 – Loading Requirements in the Ontario Building Code) for the installation of a private sewage system and a replacement area on the proposed retained parcel.

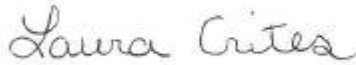
It is understood that there is no existing private sewage septic system on the proposed retained lot. The applicant should be made aware that a sewage system permit under Section 8 (1) – Building Permit of the *Building Code Act*, 1992 is required for any new sewage system or repair, replacement and/or modification of any existing sewage system. Please contact SNC's Septic Department for more information.

Conclusion

SNC does not object to the application and no conditions are requested.

I trust the above is to your satisfaction. Should you have any questions please do not hesitate to contact our office.

Best regards,



Laura Crites
Planning Assistant
South Nation Conservation
613-984-2948 ext. 372
lcrites@nation.on.ca

SNC-6054-2018

SKETCH FOR SEVERANCE APPLICATION OF
PART OF LOT 15
CONCESSION 1 (OLD SURVEY)

GEOGRAPHIC TOWNSHIP OF CLARENCE

NOW IN THE
CITY OF CLARENCE-ROCKLAND
COUNTY OF RUSSELL
2018

SURVEYED BY: ARPENTAGE DUTRISAC SURVEYING INC.
SCALE 1 : 1000



SCHEDULE				
PART	LOT	CONCESSION	P.I.N.	AREA(ha)
1	PART OF 15	1 (OLD SURVEY)	PART OF 69052-0134(LT)	0.1402

METRIC

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

CAUTION

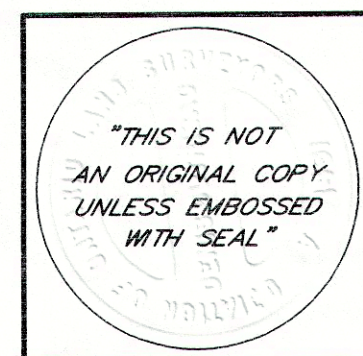
THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES.
● THIS SKETCH IS PROTECTED BY COPYRIGHT

LEGEND

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT PLANTED
SIB	DENOTES	STANDARD IRON BAR (25mm X 120cm)
IB	DENOTES	IRON BAR (16mm X 60cm)
SSIB	DENOTES	SHORT STANDARD IRON BAR (25mm X 60cm)
SU	DENOTES	SOURCE UNKNOWN
(O.S.)	DENOTES	OLD SURVEY
WT.	DENOTES	WITNESS
Meas.	DENOTES	MEASURED
P.I.N.	DENOTES	PARCEL IDENTIFICATION NUMBER
O.L.S.	DENOTES	ONTARIO LAND SURVEYOR
A	DENOTES	ARC
R	DENOTES	RADIUS
C	DENOTES	CHORD
N° 990	DENOTES	J.G. PAYETTE, O.L.S.
N° 1491	DENOTES	DENIS DUTRISAC, O.L.S.
AOV	DENOTES	ANNIS, O'SULLIVAN & VOLLEBEKK ONTARIO LAND SURVEYORS

BEARING REFERENCE:

BEARINGS SHOWN HEREON ARE NAD83 MTM (CSRS) (1997) BEARINGS AND ARE FROM THE COMPUTED BEARING OF N66°56'05"E BETWEEN ICMS 00119883074 (N. 5021172.558 E. 354418.740) AND ICMS 0011967U530 (N. 5047665.641 E. 416635.079) AND ARE REFERRED TO THE CENTRAL MERIDIAN OF LONGITUDE 76°30'W OF ZONE 9 MTM.



ADSI
Arpentage Dutrisc Surveying Inc.

ROCKLAND
PHONE: (613) 446-7101
FAX: (613) 446-7102

INDEX :
CLA-OS-1-15-1



COMMITTEE OF ADJUSTMENT

REPORT N° AMÉ-18-96-R

Date received	09/10/2018
Date of meeting	24/10/2018
Submitted by	Tyler Duval
Subject	Consent – Lot Addition
File Number	B-CR-022-2018
Owner	Monique Rozon
Applicant	Monique Rozon
Civic Address	3383 Old Highway 17 Unit 11
Legal Description	Part of lot 6, con 1 (O.S), part 1 on plan 50R7070

1) GENERAL INFORMATION:

Designation of the Official Plan of the United Counties of Prescott and Russell: Rural Policy Area

Designation of the Official Plan of the Urban Area of the City of Clarence-Rockland: N/A

Designation of the Official Plan of Bourget:
N/A

Classification of Zoning By-law No. 2016-10:
Rural (RU) Zone

Services

Municipal Water: No

Municipal Sewer: No

Road Access: Old Highway 17

An appeal may be made to the LPAT if no decision is made within 90 days (07/01/2019).

2) **PURPOSE :** Lot addition

3) CONSENT REQUESTED :

	Frontage	Depth	Area
(A) Severed parcel	0.31 m	22.71 m	7.04 m ²
(B) Retained parcel	+/- 153 m	+/- 116 m	1.53 ha
(C) Enlarged parcel	+/- 30 m	+/- 48 m	0.154 ha

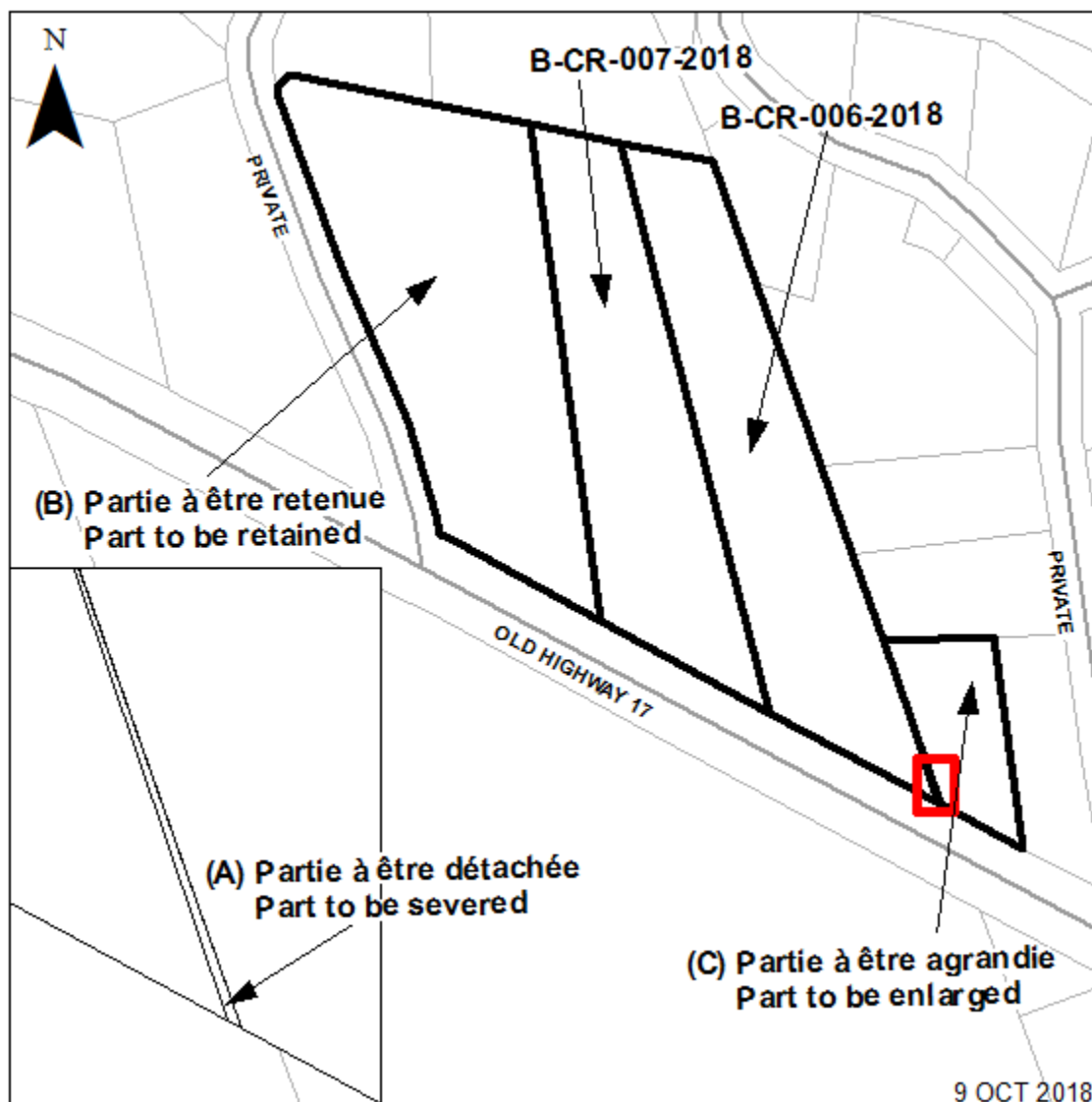


Figure 1 (Keymap)

4) CONDITIONS AND COMMENTS RECEIVED :

Finance :

No objection

Protective Services :

No concerns

Community Services :

No comments

Construction :

No comments

Infrastructure Services :

No comments

United Counties of Prescott and Russell :

See attached document.

South Nation Conservation :

See attached document.

Planning Services :

The owner has requested consent in order to sever a 22.71 m² parcel of land to enlarge an adjacent residential property. The application has the goal of transferring a triangular sliver of land measuring 0.31m along Old Highway 17 and extending 22.71m along the property line. The result will be that the well for 3421 Old Highway 17 will be located entirely on the property on which is located the dwelling it serves and the property line will be 0.05m from the westernmost edge of the drilled well. The enlarged parcel, retained parcel and severed parcel have frontage on Old Highway 17.

The severed and enlarged parcels are located within the "Rural Policy Area" on Schedule "A" of the Official Plan of the United Counties of Prescott and Russell. The existing residential use is permitted.

The subject properties are included within the Rural (RU) Zone in the City of Clarence-Rockland's Zoning By-Law No. 2016-10. The existing residential use on the property is permitted.

The proposed consent conforms to the Official Plan of the United Counties of Prescott and Russell and to the Provincial Policy statement and may conform to the Zoning by-law 2016-10.

5) DEPARTMENTAL RECOMMENDATION :

THAT the Committee of Adjustment approve the consent application submitted by Daniel Rozon for Monique Rozon, file number B-CR-022-2018, concerning the property described as 3393 Old Highway 17 Unit 11, subject to the following conditions:

1. That the applicant provide to the City of Clarence-Rockland two original paper copies of a registered Reference Plan (plan of survey) that identifies the severance B-CR-022-2018 as approved by the committee, as well as one copy to be submitted electronically in PDF and DWG format directly to the United Counties of Prescott and Russell and to the City of Clarence-Rockland.
2. That the applicant provide the Approval Authority of the City of Clarence-Rockland the following:
 - a. A copy of the legal description of the severed land and the deed or instrument conveying the severed land to the owner of the abutting property to the east known municipally as 3421 Old Highway 17, so that no new lot is being created in accordance with paragraph (b) below;
 - b. A certificate of Official attached to the deed/transfer required by paragraph (a) above containing the following endorsement:

"The lands to be severed are for the purpose of a lot addition only to the abutting lands owned by (insert name) described as PIN (insert plan number), not for the creation of a new lot, and any subsequent transfer, charge or other transaction involving the lands to be severed shall be subject to compliance with Section 50(3) or Section 50(5) of the Planning Act, as applicable. Neither the lands to be severed nor the abutting lands are to be transferred, charged or otherwise re-conveyed in the future without the other parcel unless a further consent is obtained. The Owner shall cause the lands to be severed to be consolidated on title with the abutting lands and for this condition to be entered on the parcel register for the consolidated parcel as a restriction."

3. That any mortgage on the property be discharged from any lands being severed and for any lands to be added to a lot with a mortgage, that mortgage shall be extended onto the additional land and that the solicitor provide an undertaking in writing that this condition will be fulfilled.
4. That the landowner provides to South Nation Conservation a written undertaking which acknowledges that the proposed property lines must be at a minimum clearing distance of three (3) metres from all existing private sewage systems.
5. That the applicant provide the Approval Authority of the City of Clarence-Rockland a Transfer/Deed of land conveying the severed land for use for the issuance of a Certificate of Consent.

6. That each condition be fulfilled and that the Consent Approval Authority of the City of Clarence-Rockland be notified in writing within one (1) year of the date of the Decision by the departments and/or agencies having imposed the said conditions.

Le 10 octobre 2018

Département d'urbanisme
Cité de Clarence-Rockland
1560 rue Laurier
Rockland, ON K4K 1P7

Envoyé par courriel à : clemay@clarence-rockland.com

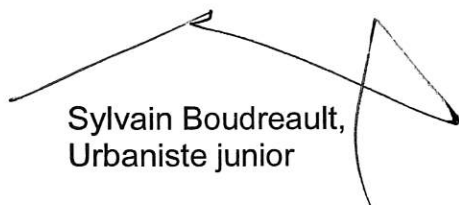
OBJET : Demande d'Autorisation (B-CR-022-2018)

Le département d'Urbanisme des Comtés unis a complété la révision de cette demande d'autorisation. Le terrain visé se situe dans l'affectation des politiques rurales au Plan officiel des Comtés unis et nous comprenons que cette demande vise effectuer un agrandissement de terrain afin que le voisin puisse acquérir du terrain pour son puits existant.

À cet effet, nous désirons inclure les conditions suivantes comme conditions d'approbation :

1. Qu'une compensation monétaire pour frais de révisions, au montant de 350.00\$ soit payée aux Comtés unis de Prescott et Russell.
2. Que le requérant fournisse une (1) copie du plan de référence (plan d'arpentage) en PDF et DWG dûment enregistré qui se conforme essentiellement à la demande **B-CR-022-2018** telle que soumise.

Veuillez agréer, l'expression de mes sentiments les meilleurs.



Sylvain Boudreault,
Urbaniste junior



Via Email Transmission (clemay@clarence-rockland.com)

17 October 2018

Ms. Marie-Eve Bélanger
Manager of Development
City of Clarence-Rockland
1560 Laurier Street
Rockland, ON K4K 1P7

RE: Application for Consent (Rozon)
File No. B-CR-022-2018
3383 Old Highway 17
Concession 1 OS, Lot 6, Formerly Clarence Township
Roll No. 031601602104750

Dear Ms. Bélanger,

South Nation Conservation (SNC) received the above-noted application to sever a parcel of land to enlarge an adjacent lot.

SNC's review considers the impact of this application on the local environment, as outlined under Sections 2.1 (Natural Heritage) and 3.1 (Natural Hazards) of the Provincial Policy Statement (April 2014) issued under Section 3 of the *Planning Act*, 1990.

SNC also provides comments based on the Sewage System Management Agreement and Source Water Protection Agreement between SNC and the City of Clarence-Rockland.

Specifically, SNC examines the following:

Natural Heritage Features (S.2.1 PPS):	Natural Hazards (S.3.1 PPS):	Private Sewage System:
Significant wetlands Significant woodlands Significant valleylands Significant wildlife habitat Significant Areas of Natural and Scientific Interest Fish habitat	Hazardous lands	Loading requirements Separation distances
	<i>Flood-ing</i> <i>Erosion</i>	
	Hazardous sites	Clean Water Act, 2006:
	<i>Unstable soils</i> <i>Unstable bedrock</i>	Source Protection Areas

SNC's findings below are based on a desktop review and a site visit completed on October 12, 2018.



Natural Hazards

SNC's review did not identify any Natural Hazards on the proposed retained or severed lots.

Natural Heritage Features

Significant Wildlife Habitat

The proposed severed and retained lots contain an area identified as Significant Wildlife Habitat, specifically, Wildlife Travel Corridor on the UCPR Official Plan, Schedule B.

For development and site alteration proposed within or 120 metres adjacent of an area identified as Significant Wildlife Habitat, an Environmental Impact Assessment should be prepared by a qualified professional demonstrating that there will be no negative impacts on the natural features or ecological functions of the habitat. This is consistent with the UCPR Official Plan policies for *Significant Wildlife Habitat*, Section 5.5.4.

Private Sewage System

As per the information provided in the subject application under Section 5.1, there is sufficient contact area (as specified under 8.7.4.1 – Loading Requirements in the Ontario Building Code) for the installation of a private sewage system and a replacement area on the proposed retained lot.

The applicant should be made aware that a sewage system permit under Section 8 (1) – Building Permit of the *Building Code Act*, 1992 is required for any new sewage system or repair, replacement and/or modification of any existing sewage system. Please contact SNC's Septic Department for more information.

Conclusion

SNC does not object to the application; however, should the committee decide to provisionally approve the application, SNC would request that the following condition be included in the decision:

- 1. That the landowner provides to South Nation Conservation a written undertaking which acknowledges that the proposed property lines must be at a minimum clearing distance of three (3) metres from all existing private sewage systems.**

I trust the above is to your satisfaction. Should you have any questions please do not hesitate to contact our office.



SOUTH NATION
CONSERVATION
DE LA NATION SUD

Best regards,

Laura Crites

Laura Crites
Planning Assistant
South Nation Conservation
613-984-2948 ext. 372
lcrites@nation.on.ca

SNC-6107-2018



COMMITTEE OF ADJUSTMENT

REPORT N° AMÉ-18-95-R

Date received	09/12/2018
Date of the meeting	24/10/2018
Submitted by	Claire Lemay
Objet	Minor Variance
File n°	A/11/13
Owner	Steven & Kelly McDermaid
Applicant	Steven & Kelly McDermaid
Civic address	N/A
Legal Description	Part Lot 14, Concession 9, Part 2 Plan 50R8421

1) GENERAL INFORMATION:

Designation of the Official Plan of the United Counties of Prescott and Russell:

Rural policy area

Designation of the Official Plan of the Urban Area of the City of Clarence-Rockland:

N/A

Designation of the Official Plan of Bourget:

N/A

Classification of Zoning By-Law No. 2006-3:

Rural – exception 49 (RU-49)

Services:

Municipal water:	No
Municipal Sewer:	No
Road access :	Gagne

2) PURPOSE :

Minor Variance to reduce the minimum setback distance between a house and a watercourse to 17 metres and between a septic system and a watercourse to 9 metres.

3) **VARIANCE REQUESTED :**

	Permitted	Proposed
Setback from house to watercourse	30 metres	17 metres
Setback from septic system to watercourse	30 metres	9 metres

4) **CONDITIONS AND COMMENTS RECEIVED :**

Finance Department:

Taxes up to date. No objection.

Infrastructure Services:

No comments.

Protective Services:

No comments.

Community Services:

No comments.

Construction Division:

No objections.

United Counties of Prescott and Russell:

No comments.

South Nation Conservation:

See attached comments letter.

Planning Services:

The property owners request a minor variance in order to reduce the required setback as per section 4.44.1 (d) between a single detached dwelling and a septic system and an adjacent watercourse which is located along the northern property line of the lot.

5) **FOUR TESTS :**

I. The general intent and purpose of the Official Plan are maintained:

Section 5.5.7 – Fish Habitat of the Official Plan of the United Counties of Prescott and Russell requires a minimum setback distance of 120m from any new development or site alteration to any fish habitat. Reductions to this distance may be approved where it has been demonstrated through an Environmental Impact Study that there will be no negative impacts on the fish habitat as a result of the proposed development or site alteration. A scoped Environmental Impact Statement was prepared by Geofirma

Engineering on July 16, 2018 in order to support the proposed location of the septic system on the lot. The study determined that the watercourse is not direct fish habitat but is 800m upstream of North Indian Creek, which is fish habitat. The authors of the study recommend a setback distance of 10m. The study includes a number of mitigation measures, which, if followed, will ensure that there are no negative impacts on the fish habitat as a result of the proposed development and site alteration. The intent and purpose of the Official Plan are therefore maintained.

II. The general intent and purpose of the Zoning By-law are maintained:

Section 4.44.1 of the Zoning By-law 2016-10 stipulates that:

"Where an existing lot on which a building or structure, which does not require plan of subdivision or site plan control approval, is to be erected or enlarged contains or is adjacent to a waterbody or watercourse, such building or structure but excluding a marine facility, a public bridge, and flood and erosion control works shall be set back a minimum of 30.0 m from the high water mark of the waterbody or watercourse. A minor variance could be approved to reduce this setback where supported by an Environmental Impact Study per Section 5.6 of the UCPR OP."

The construction of a single family dwelling and septic system on an existing lot is subject to a 30m setback from the high water mark of the watercourse. The lot in question has a width of 59.66m which means that building a large single detached dwelling with attached garage while respecting the 30m setback from a watercourse which is located along the side lot line is nearly impossible. An Environmental Impact Study has been prepared to support the request for a variance, in accordance with the policies of the Zoning By-law, thus maintaining the intent and purpose of the Zoning By-law.

III. The variance is minor:

The proposed construction of a single detached dwelling is a permitted use and is compatible with the surrounding residential lots. All other provisions of the zoning by-law, including the minimum front, side, and rear yards will be respected. As there will be no impact on the adjacent watercourse if all mitigation measures recommended in the EIS prepared by Geofirma Engineering in June 2018 are respected, the variance is minor.

IV. The proposed use of land, building or structure is desirable for appropriate development:

It is desirable for the appropriate development of this property that a single detached dwelling be constructed with an approved septic

system. The existing lot size is insufficient in order to allow construction of the house and septic system without a variance to reduce the required setback from the watercourse.

6) **RECOMMENDATION FROM THE PLANNING DIVISION**

THAT the Committee of Adjustment accepts the application for Minor Variance submitted by Steven and Kelly McDermaid, for the property identified as 2900 Gagne Road, to:

- Reduce the setback from a house to the high water mark of a watercourse to 17m; and
- Reduce the setback from a septic system to the high water mark of a watercourse to 9m.



1 Raymond St., Suite 200
Ottawa, Ontario K1R 1A2
Tel: (613) 232-2525
Fax: (613) 232-7149

REÇU

12 SEP. 2018

AMÉNAGEMENT DU TERRITOIRE

July 16, 2018

Ref. No.: 18-237-1

Steven McDermaid
1770 Cabaret Lane, Unit 102
Orleans, Ontario
K4A 2G1

Attn: Mr. Steven McDermaid

RE: Scoped Environmental Impact Statement for 2900 Gagne Road, Clarence Rockland, Ontario

Dear Mr. McDermaid:

Geofirma Engineering Ltd. (Geofirma) was retained by Steven McDermaid to complete a scoped Environmental Impact Statement (EIS) for the property addressed as 2900 Gagne Road, Clarence Rockland, Ontario. This EIS has been scoped only to consider the presence or absence of fish habitat onsite or adjacent to the site and any potential adverse effects associated with the proposed development.

1 BACKGROUND

In 2015 the property owner began the process of securing a building permit for a detached garage on the site. During the process of securing a building permit for the detached garage, Claire Van Koughnett (City of Clarence-Rockland), in an email to Steven McDermaid dated January 5, 2015, indicated that fish habitat mapped on site was not accurate and that only a 15 m setback would be required from the onsite watercourse. Further correspondence between Benoit Duquette (South Nation Conservation Authority) to Clair Lemay (City of Clarence-Rockland) dated November 4, 2015, recommended the completion of an EIS to insure no negative impacts on the natural features or on the ecological and hydrologic functions of the habitat SNC concluded were present onsite based on a desktop review.

In May, 2018, the property owner submitted an application for a permit to construct a septic system on the property. The proposed septic system location was 17 m back (west) from the top of the ditch along Gagne Road and 9 m south from the side lot ditch on the north side of the property.

Following receipt of the application for a permit to construct a septic system, SNC staff paused the review of the file until further information could be provided by the City of Clarence Rockland in relation to zoning bylaw setbacks that apply to the onsite watercourse.

In June, 2018, Marie-Eve Bélanger (City of Clarence Rockland) indicated in an email to Monique Sauvé that city bylaws require a 30 m setback from the watercourse and that an EIS would be required to support a lesser setback. Furthermore, if the EIS confirmed the presence of fish habitat than a minor variance would also be required to permit the septic system.

A Soil Evaluation and Hydrogeological Assessment was completed at the site in 1994 by Morey Engineering Consultants and indicated the onsite soils as consisting of topsoil underlain by grey brown silty clay and silty sand. Based on the silty clayey soil and an assumed high spring groundwater elevation of 0.75 m below ground surface a class IV septic system with raised bed was recommended to ensure the onsite septic system would not negatively affect adjacent groundwater.

A site location and site layout figure are provided in Attachment A.

1.1 Historical Air Photo Review

Air photos of the site were reviewed from 2005 to 2017. In July, 2005, an agricultural barn was present over the rear (west) portion of property. At this time, the watercourse orientation appeared to be the same as current, such that the watercourse runs parallel to the rear of the residences (2862 – 2886 Gagne Road) fronting on Gagne Road prior to turning east towards Gagne Road at the site property line. Once at Gagne Road, the watercourse turns south running parallel to Gagne Road for approximately 50 m prior to turning east, crossing under Gagne Road before turning south once again and running parallel to Gagne Road on the east side.

Sometime between August, 2009, and September, 2013, the agricultural barn was removed from the site. From September, 2013, to at least June, 2015 the site was vacant. The existing garage was constructed sometime between June, 2015, and September, 2016.

There is no evidence of watercourse alterations conducted onsite or in the vicinity of the site between 2005 and 2017.

2 POLICY CONTEXT

According to the Provincial Policy Statement, Section 2.1.5 states that "development and site alternation shall not be permitted in fish habitat except in accordance with provincial and federal requirements."

The protection of fish and fish habitat is a federal responsibility and is administered by the Department of Fisheries and Oceans Canada (DFO). Fish habitat as defined in the Fisheries Act means "spawning grounds and nursery, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes."

Section 35 (1) of the Fisheries Act states "*No person shall carry on any work, undertaking or activity that results in serious harm to fish that are part of a commercial, recreational or Aboriginal fishery, or to fish that support such a fishery.*"

When development is unable to avoid or mitigate serious harm to fish from typical project impacts such as temperature change, sedimentation, infilling, reduction of nutrient and food supply, etc., an authorization under Subsection 35 (2) of the Fisheries Act is required for the project to proceed without contravening the Act.

Fish habitat as defined in the Fisheries Act means "spawning grounds and nursery, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes."

Serious harm to fish, as defined in the Act mean “the death of fish or any permanent alteration to, or destruction of, fish habitat”. When development is unable to avoid or mitigate serious harm to fish from typical project impacts such as temperature change, sedimentation, infilling, reduction of nutrient and food supply, etc., an authorization under Subsection 35 (2) of the Fisheries Act is required for the project to proceed without contravening the Act.

3 EXISTING CONDITIONS

On June 21, 2018, a member of Geofirma's ecological services team visited the site to document the existing conditions at the site as they relate to the onsite watercourse and its potential to provide fish habitat.

The onsite portion of the watercourse exists as described in Section 1.1 above. Following the watercourse exiting the site through a culvert under Gagne Road and turning south, the watercourse continues approximately 70 m along the east side of Gagne Road prior to turning east and continuing to flow another 100 m before turning south and flowing along the rear of the residences located on Gagne Road ultimately discharging to North Indian Creek approximately 450 m to the south. North Indian Creek is classified as a Class C municipal drain by DFO, which indicates the watercourse is permanent and is not known to contain sensitive aquatic species.

Upstream of the site, the watercourse functions primarily as an agricultural drain which receives tile drainage from numerous fields. According to the Ontario Flow Assessment Tool, the onsite watercourse drains approximately 44.7 ha of land to the northwest of the site. Within the watershed upstream of the site, the slope of the main channel is only 0.2 %.

The bankfull width of the watercourse onsite is approximately 3 m with a bankfull depth of approximately 0.8 m. During the site visit, the flow within the watercourse was estimated to be 3.75 m per minute or moderately low flow. In-stream sediment consisted primarily of silty sandy clay with gravel with an unconsolidated thickness of approximately 10 cm.

Vegetation documented within the watercourse consisted of water plantain (*Alisma plantago-aquatica*), arrowhead (*Sagittaria latifolia*), duckweed (*Lemna spp.*), European common reed, (*Phragmites australis*) and broadleaf cattail (*Typha latifolia*). The immediate riparian area, which is restricted primarily to the ditch bank, was colonized primarily by European common reed and to a lesser extent, reed canary grass (*Phalaris arundinacea*), broadleaf cattail, joe-pye-weed (*Eutrochium purpureum*) and jewel weed (*Impatiens capensis*).

No small bodied fish species were identified in the onsite reach of the watercourse during the site investigation, however, green frog (*Rana clamitans*), leopard frog (*Lithobates pipiens*) and midland painted turtle (*Chrysemys picta*) were observed within the watercourse.

Based on conditions observed, it appears as though the watercourse had recently been subject to a drain clean-out. Photos taken during the June 21, 2018, site investigation are provided in Attachment B.

4 CONCLUSIONS AND RECOMMENDED MITIGATION MEASURES

Although the watercourse does not appear to provide direct fish habitat, it is located 800 m upstream of North Indian Creek which is known to provide fish habitat. As such, the onsite watercourse contributes to a downstream fishery and should therefore be protected against potential adverse effects associated septic systems (i.e., excess nutrient loading).

For the purpose of this Scoped-EIS, a setback is defined as the minimum required distance between any structure, development or disturbance and a specified line. A buffer is defined as the area located between the natural feature and the prescribed setback. Vegetated buffers, particularly buffers that are vegetated with a mix of grassy herbaceous vegetation and shrubby or woody vegetation are most effective in mitigating impacts associated with anthropogenic activities in adjacent lands (Beacon, 2012).

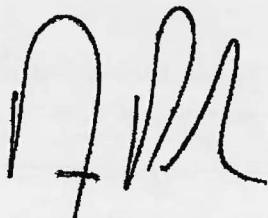
The following buffer is recommended within the context of existing environmental disturbances (such as Gagne Road, agriculture tile drainage and adjacent residences) but also to promote reasonable natural rehabilitation.

- Maintain a minimum distance setback of 10 m from the top of the road-side and lot-side ditch to the septic weeping bed.
- The buffer between the setback outlined above and the top of the road-side and lot-side ditch, should be permanently vegetated with plantings of native or non invasive trees and shrubs that are well suited for silty, clayey soil and those which have a moderate to high salt tolerance. Potential plantings could include white birch, white cedar, bur oak, bitternut hickory, green ash, red maple, silver maple, trembling aspen, Colorado spruce, crabapple, crimson maple, shrub willow, or red osier dogwood.
- Tree plantings should be spaced approximately 6-10 m apart to allow for proper development, low shrubs should be planted between tree plantings.

Should you have any questions or require additional information, please do not hesitate to contact the undersigned.

Respectfully submitted,

Geofirma Engineering Ltd.



Drew Paulusse, B.Sc.,
Senior Biologist

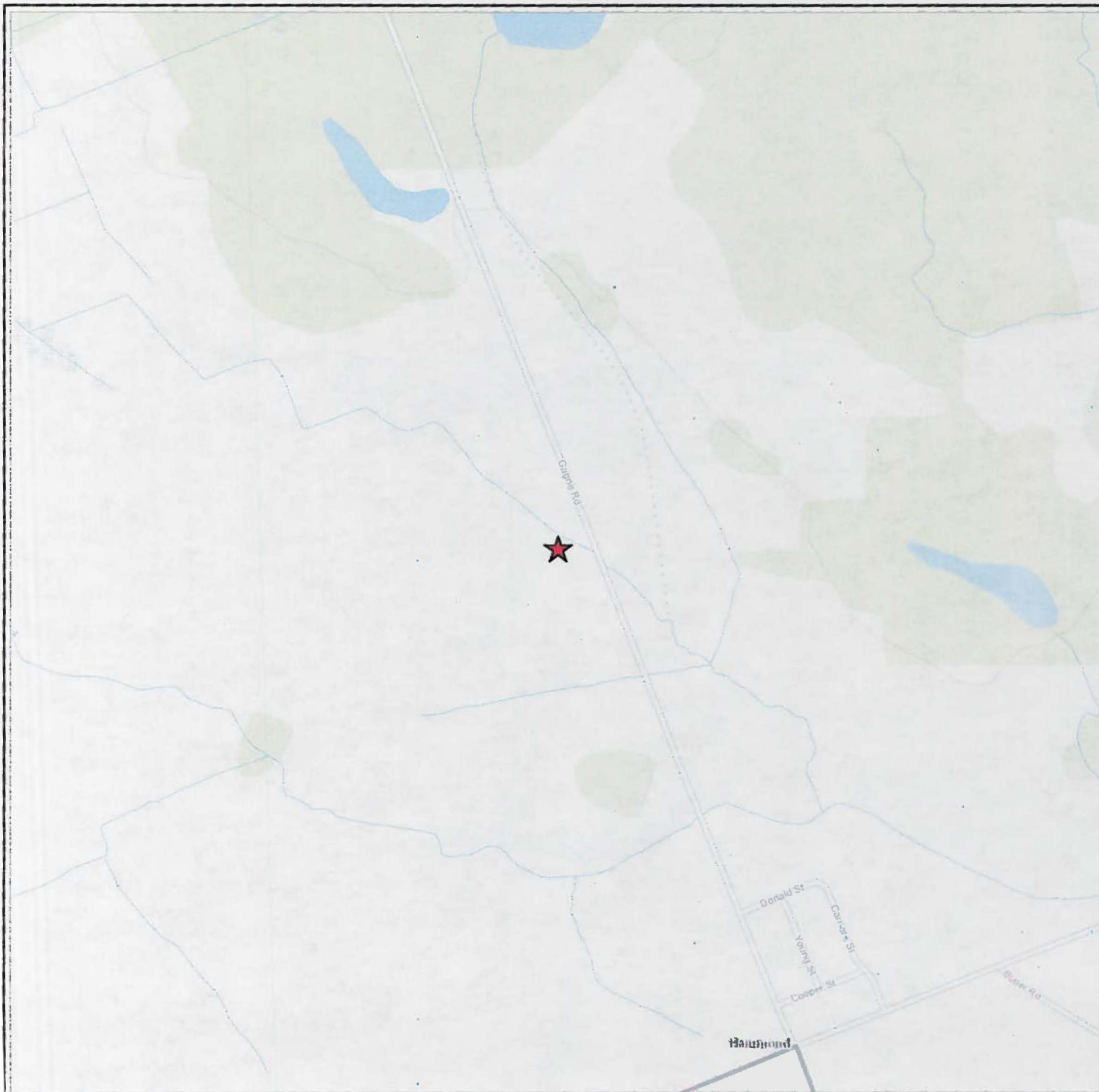
Attach.

Attachment A – Site Figures

Attachment B - Photolog

Doc. ID:	18-237-1_McDermaid Scoped EIS R0	
Revision Number:	0	Date: July 16, 2018
Prepared By:	Drew Paulusse	
Reviewed By:	Taylor Warrington	

ATTACHMENT A



LEGEND

★ Site Location

INDEX MAP

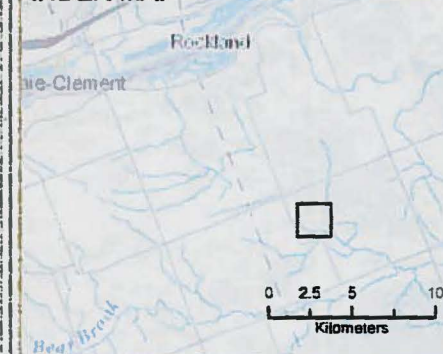
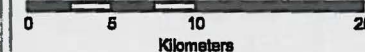


Figure A.1
Site Location



Scale 1:10,000



Coordinate System: NAD 1983 UTM Zone 18N
Service Layer Credits: MNR, Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

PROJECT No. 18-237-1

PROJECT

Environmental Impact Statement
Part of Lot 15, Concession 9
City of Clarence Rockland
United Counties of Prescott Russell

DESIGN: ADG
CAD/GIS: TEW
CHECK: DMP
REV: 0

DATE: 13/07/2018





LEGEND

- Property Boundary
- Development
- Vegetated Buffer
- 10 m Setback
- ➔ Watercourse

**Figure A.2
Site Layout**



Scale 1:1,500



Coordinate System: NAD 1983 UTM Zone 18N
Air Photo: GeoOttawa, 2017

PROJECT No. 18-237-1

PROJECT

Environmental Impact Assessment
Part of Lot 15, Concession 9
City of Clarence Rockland
United Counties of Prescott and Russell

DESIGN: ADG
CAD/GIS: ADG/TEW
CHECK: DMP
REV: 0

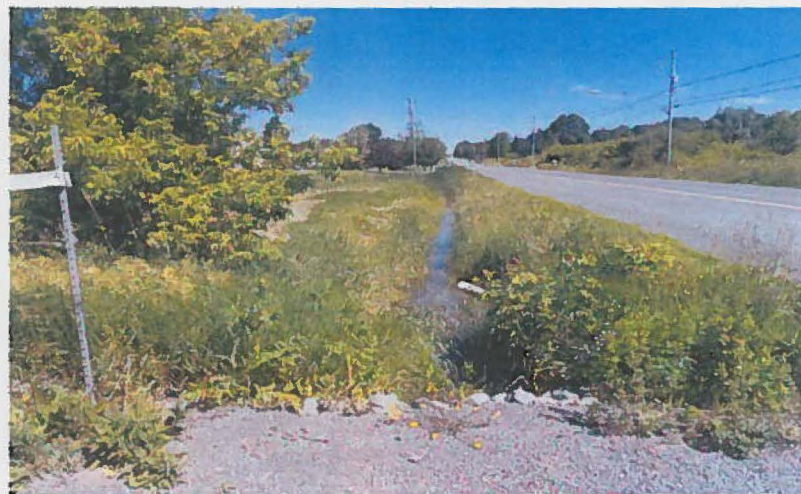
DATE: 13/07/2018



ATTACHMENT B



2900 Gagne Road, Looking Northwest



Watercourse between 2900 Gagne Road and Gagne Road, Looking North



Culvert Crossing under Gagne Road, Looking East



Watercourse between 2900 Gagne Road and Gagne Road, Looking South



Watercourse located between 2900 & 2886 Gagne Road, Looking West



Watercourse located between 2900 & 2886 Gagne Road, Looking East



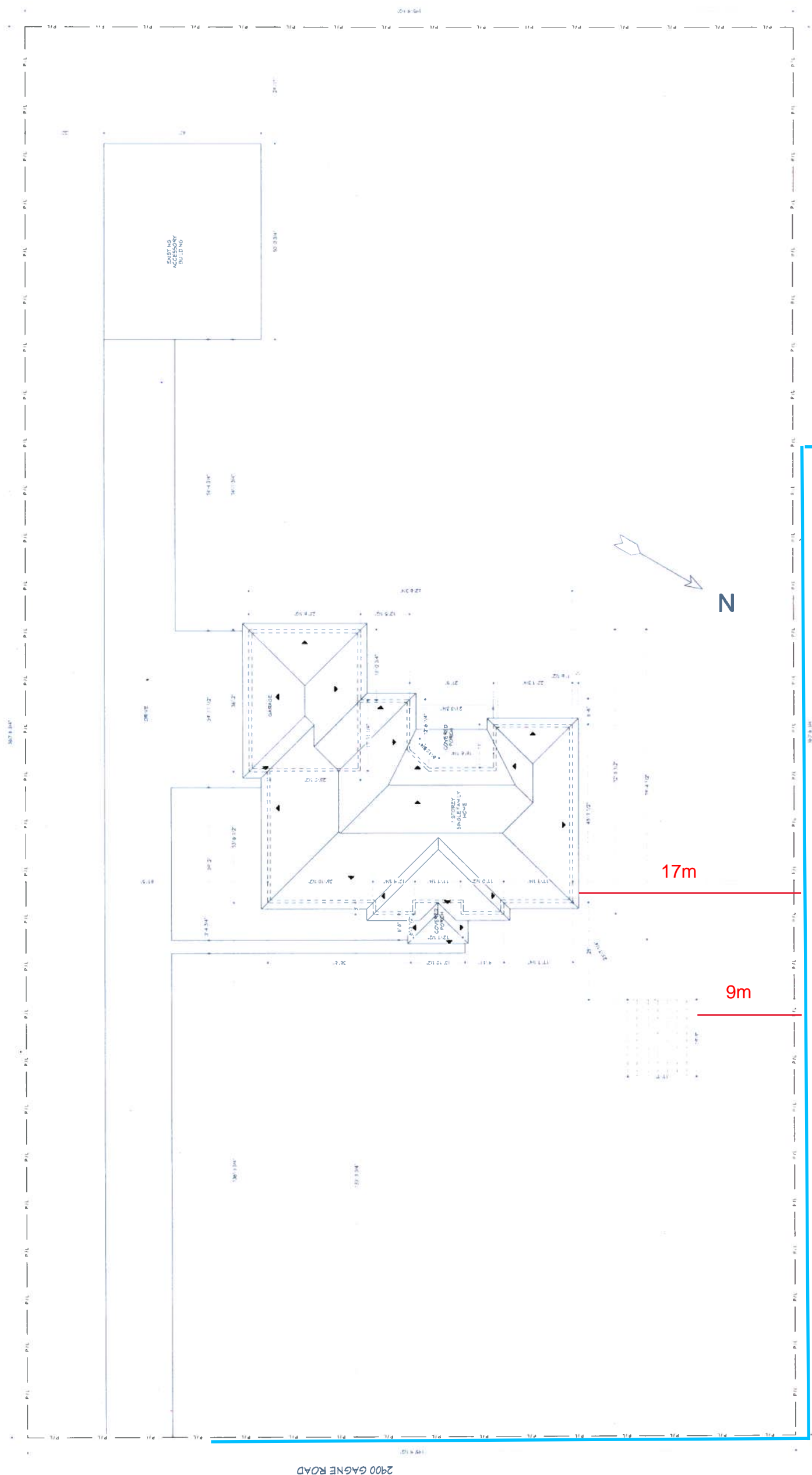
**Watercourse located between 2900 & 2886 Gagne Road, Looking East
towards Gagne Road, Development Area on right**



Southwest Corner of Site, Looking Northeast towards Gagne Road

12 SEP. 2018

REQU



PENGSEAL
Patched Into Your
MAILING LIST TODAY.

[illegible]

DESIGNER
PERMIT 4
DRAFTING SERVICES

OB LOCATION 2900 Gagne Road

OWNER: Steven & Kelly McDermald
13 450 1817
mcdermald@hotmail.com

DRIVING SITE PLAN

[illegible]

Via E-mail (clemay@clarence-rockland.com)

October 17, 2018



Marie-Eve Bélanger
Manager of Development
The City of Clarence-Rockland
1560 Laurier Street
Rockland, ON K4K 1P7



Re: Proposed Minor Variance D-13-18-11
Applicant: McDermaid
2900 Gagne Road
Concession 9, Part of Lot 14, City of Clarence-Rockland
Roll No. 031601600904049

Dear Ms. Bélanger,



South Nation Conservation (SNC) received and reviewed an application for minor variance to the zoning by-law at the above noted location. It is understood that the proposed minor variance would permit a reduction in the required setback from the house to watercourse to 17 metres and from the septic field to the watercourse to 9 metres.



After considering the environmental impacts of the proposed minor variance on the local environment, as outlined under Sections 2.1 (Natural Heritage), and 3.1 (Natural Hazards) of the Provincial Policy Statement, 2014, issued under Section 3 of the *Planning Act*, the Official Plan of the United Counties of Prescott and Russell (UCPR), and the Source Water Protection Agreement between the City of Clarence-Rockland and SNC, we offer the following comments:



Natural Heritage Features

Watercourse



A mapped watercourse is located along the east side of the property. This watercourse has been identified as Fish Habitat in the UCPR Official Plan, Schedule B.



For any new development or site alteration proposed within 120 metres of an area identified as Fish Habitat, an Environmental Impact Study (EIS) should be prepared by a qualified professional demonstrating that there will be no negative impacts on the natural features or on the ecological functions of the habitat. This is consistent with the UCPR Official Plan Fish Habitat policies, Section 5.5.7.

In addition, the City of Clarence-Rockland's zoning by-law requires that buildings or structures, including septic systems, be set back 30 metres from the normal highwater mark of the waterbody or watercourse, Section 4.44.1(d).

SNC has received and reviewed the report titled "*Scoped Environmental Impact Statement for 2900 Gagne Road, Clarence Rockland, Ontario*", prepared by Geofirma Engineering Ltd., Dated July 16, 2018. The recommendations of the report are as follows:

- Maintain a minimum distance setback of 10 metres from the top of the road-side and lot-side ditch to the septic weeping bed;
- The buffer between the setback outlined above and the top of the road-side and lot-side ditch should be permanently vegetated with plantings of native or non-invasive trees and shrubs that are well suited for silty, clayey soil and those which have a moderate to high salt tolerance; and
- Tree plantings should be spaced approximately 6-10 metres apart to allow for proper development. Low shrubs should be planted between plantings.

SNC supports the conclusions and recommendations of the report.

Ontario Regulation 170/06

It is the obligation of SNC to implement Ontario Regulation 170/06, *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*, under the *Conservation Authorities Act*, 1990.

This property contains an area protected by SNC under O. Reg. 170/06. Specifically, any interference with a watercourse may require a permit from SNC, and restrictions may apply.

Recommendation

SNC does not object to the application and there are no anticipated negative impacts to the above-mentioned feature.

SNC recommends the applicant be made aware of the above noted comments and regulations and are advised that we are available to discuss any proposed development and applicable permits at their convenience.

I trust the above is to your satisfaction. Should you have any questions please do not hesitate to call our office.

Best regards,

Laura Crites

Laura Crites
Planning Assistant
South Nation Conservation
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SNC-6078-2018



COMMITTEE OF ADJUSTMENT

REPORT N° AMÉ-18-94-R

Date received	27/09/2018
Date of the meeting	24/10/2018
Submitted by	Claire Lemay
Object	Minor Variance
File n°	A/12/18
Owners	Glenn Collier & Jennifer Hannah
Applicants	Glenn Collier & Jennifer Hannah
Civic address	4071 Champlain
Legal Description	Part of Lot 22, Concession 4, Part 4 Plan 50R1807

1) GENERAL INFORMATION:

Designation of the Official Plan of the United Counties of Prescott and Russell:

Agricultural Policy Area

Designation of the Official Plan of the Urban Area of the City of Clarence-Rockland:

N/A

Designation of the Official Plan of Bourget:

N/A

Classification of Zoning By-Law No. 2006-3:

Restricted Agricultural (AR)

Services:

Municipal water:	No
Municipal Sewer:	No
Road access:	Champlain

2) PURPOSE :

Minor Variance to reduce the front yard setback for an accessory structure from 15m from a County Rd. to 7m.

3) **VARIANCE REQUESTED :**

	Permitted	Proposed
Minimum front yard (County Road)	15 metres	7 metres

4) **CONDITIONS AND COMMENTS RECEIVED :**

Finance Department:

Taxes up to date. No objections.

Infrastructure Services:

No comments.

Protective Services:

No comments.

Community Services:

No comments.

Construction Division:

No objections.

United Counties of Prescott and Russell:

In order to authorize a minor variance, the variance must respect the objectives of the Official Plan. According to paragraph 6, section 3.3.4 of the Official Plan of the United Counties of Prescott-Russell, all development must be located at a minimum of half of the road right-of-way identified in Schedule "D". As a result, the property owner must demonstrate that the intent of the Official Plan is respected. A minor variance cannot be authorized in order to build a structure less than 13 metres from the centre of the road right of way of Champlain (County Road No. 8).

Planning Services:

The property owner submitted an application for a building permit for a detached garage; during the zoning review of the permit application, it was noted by Planning staff that the required setback from the road was not respected by the proposed plans. The property owner has the intention of using the garage for a home industry/hobby workshop. Due to the lot depth (22.5m), it is nearly impossible to place the proposed garage on the lot in a manner which respects both the front and rear setbacks. Upon further investigation of the lot dimensions and the proposed location of the new garage, it would appear that a reduction of the front yard setback to 10m would be sufficient, rather than the 7m initially requested. A setback of 10m would be sufficient to ensure that the minimum setback from the centerline of the road is respected without requiring the additional step of engaging a surveyor to verify the distances.

5) **FOUR TESTS :**

I. The general intent and purpose of the Official Plan are maintained:

The subject property is designated Agricultural Resource Policy Area according to Schedule "A" of the Official Plan of the United Counties of Prescott-Russell. The current residential use is permitted in this area. Section 3.3.4, policy 6 of the Official Plan of the United Counties states that:

"A minimum development setback of half the minimum right of way identified on Schedule D from the centre line of the road shall be required and implemented in local zoning by-law."

The right-of-way width for this portion of County Road No. 8 is 26m. The proposed garage must be more than 13m from the centreline for the road. The variance respects the intent and purpose of the Official Plan.

II. The general intent and purpose of the Zoning By-law are maintained:

The required front yard setback is intended to ensure that accessory structures such as garages and sheds are set back a safe distance from the road and that accessory structures are not located closer to the road than the principal dwelling on the lot. There is no existing survey of the property to identify the exact distance from the house to the front property line along Champlain Road. Aerial photos appear to indicate the house is approximately 19m from the edge of asphalt, or 24m from the centerline of the road. The proposed new garage is intended to be located approximately the same distance from the front property line as the house is. The location of the existing driveway is not proposed to change. All other provisions of the Zoning By-law will be respected. The variance respects the intent and purpose of the Zoning By-law 2016-10.

III. The variance is minor:

The proposed use is permitted in the area and is unlikely to have any impacts on the surrounding properties. All other provisions of the zoning by-law will be respected with regard to building height, dimensions, and rear and side yard setbacks. The garage will not be closer to the road than the existing house. The variance is minor.

IV. The proposed use of land, building or structure is desirable for appropriate development:

The use of an accessory structure for a home industry is permitted by the zoning by-law. There is not currently a detached garage on

the property. The size of the garage is appropriate for the size of the house and the size of the lot. The proposed garage is desirable for the appropriate development of the property.

6) **RECOMMENDATION FROM THE PLANNING DIVISION**

THAT the Committee of Adjustment accepts the application for Minor Variance submitted by Glenn Collier and Jennifer Hannah, for the property identified as 4071 Champlain Road, to:

- Reduce the front yard setback for an accessory structure to 10m.



COMITÉ DE DÉROGATION

RAPPORT N° AMÉ-18-93-R

Date reçue	01/10/2018
Date de la réunion	24/10/2018
Soumis par	Claire Lemay
Objet	Dérogation mineure
# du dossier	A/13/18
Propriétaire	Roxanne Rocque
Demandeur	J-Rock Construction
Adresse civique	2-700 Onésime Guibord
Description	Ile Clarence, Parties 18 & 21 plan 50R9

1) INFORMATION GÉNÉRALE :

Désignation au Plan officiel des Comtés unis de Prescott et Russell : Rurale / Site naturel d'importance pour les Comtés

Désignation au Plan officiel de l'aire urbaine de la Cité de Clarence-Rockland : S/O

Désignation au Plan officiel de Bourget :
S/O

Classification de zone du Règlement de zonage n° 2016-10 :
Résidentielle saisonnière – exception 1 (RS-1)

Services :

Eau municipale :

Non

Égout sanitaire municipal :

Non

Accès à la rue :

Aucun

(pont piétonnier au chemin Onésime Guibord)

2) BUT :

Dérogation mineure afin d'augmenter la hauteur maximale d'un chalet à 6m pour élever la fondation d'un chalet existante.

3) **DÉROGATION DEMANDÉE :**

	Permis	Proposé
Hauteur maximale	5 m	6 m

4) **CONDITIONS ET COMMENTAIRES REÇUS :**

Services des finances :

Taxes à jour. Aucune objection.

Services d'infrastructure :

Aucun commentaire.

Services de la protection :

Aucun commentaire.

Services communautaires :

Aucun commentaire.

Division de la construction :

Aucun objection.

Comtés unis de Prescott et Russell :

Afin d'autoriser une dérogation mineure, cette dernière doit respecter les objectifs du plan officiel. Selon l'article 6.5.6 du Plan officiel des Comtés unis de Prescott et Russell, de nouveaux risques ne sont pas créés et les risques existants ne sont pas aggravés. Par conséquent, les rénovations ne doivent pas servir à augmenter l'occupation du bâtiment. Par exemple, en ajoutant des chambres à coucher ou en augmentant la superficie habitable.

Aménagement du Territoire :

La demande de dérogation a le but de permettre le remplacement de la fondation d'un chalet existant. Le chalet fut inondé au printemps 2017 et nécessite certaines rénovations. La propriété visée n'est pas identifiée comme étant dans une zone inondable selon le Plan officiel ni le Règlement de zonage. Par contre, l'inondation du printemps 2017 et l'élévation du sol autour du chalet indiquent que le chalet est néanmoins dans une plaine inondable non identifiée. Conformément aux politiques de la Cité de Clarence-Rockland, le chef du service de la construction a demandé que toute ouverture du bâtiment soit élevée au-dessus du niveau de crue centenaire de 45.1m. Le niveau du sol autour du chalet est entre 42.40m et 42.88m d'élévation. La fondation sera levée au niveau de 45.10m, ce qui nécessite la dérogation mineure demandée pour la hauteur maximale du chalet. Aucun agrandissement n'est proposé au chalet existant. Le chalet n'a pas de sous-sol existant et la nouvelle fondation aura un sous-sol d'environ 8

pieds de hauteur, qui serait non-habitable. Aucun renouvellement du sol n'est proposé, ni des changements au système septique.

5) **QUATRE TESTS :**

I. La demande respecte l'objet et les orientations du Plan officiel :

La propriété visée est dans un secteur des politiques rurales selon la cédule A du Plan officiel des Comtés unis et se situe aussi dans un site naturel d'importance des Comtés selon la cédule B du Plan officiel. Un corridor de déplacement faunique se situe également sur et autour du terrain, selon la cédule B du Plan officiel des Comtés unis. Les politiques du Plan officiel pour ces secteurs permettent une habitation saisonnière.

La propriété visée n'est pas identifiée comme étant une plaine inondable, par contre, l'élévation du terrain et le fait que le chalet fut inondé au printemps 2017 indiquent qu'une plaine inondable est présente à cet endroit. Les politiques de l'article 6.5.2 du Plan officiel des Comtés unis s'appliquent. Tout développement est interdit à l'intérieur de la plaine inondable. Des réparations et ajouts mineurs aux bâtiments existants sont permis.

Aucun nouveau développement n'est proposé. Cette demande de dérogation vise permettre des réparations d'un bâtiment existant seulement. La demande respecte l'objet et les orientations du Plan officiel des Comtés unis.

II. La demande respecte l'objet et les orientations du Règlement de zonage de la Cité de Clarence-Rockland :

La propriété visée est située dans une zone Résidentielle Saisonnière – exception 1 (RS-1). Des habitations saisonnières existantes sont permises. L'article 4.16.1 (c) permet des ajouts mineurs et des réparations aux bâtiments existants, « à condition que tous les nouveaux travaux soient entrepris en ayant recours à des mesures de protection appropriées contre les inondations ». L'élévation de la fondation constitue les mesures de protection appropriées pour cette demande.

La hauteur maximale dans la zone RS est 5m. Le chalet existant a une hauteur d'environ 4.5m à la mi-toit. Avec la nouvelle fondation proposée, la hauteur totale du chalet sera 5.8m. L'intention de la hauteur maximale a comme but de limiter les chalets à des bâtiments d'un étage seulement. Les rénovations proposées n'auront pas l'effet d'ajouter à l'espace habitable du chalet et feront simplement élever le chalet au complet au-dessus du niveau de la

crue centenaire. Le chalet demeurera un petit bâtiment à usage saisonnier avec seulement un étage d'espace habitable.

La demande respecte l'objet et les orientations du Règlement de zonage 2016-10.

III. La demande est mineure :

La demande d'augmentation de la hauteur maximale est pour une augmentation de 1 mètre, mesuré à la mi-toit du maximum permis dans le zonage. Le chalet doit être élevé à une hauteur de 1,46m. Les rénovations proposées n'auraient aucun effet sur les propriétés avoisinantes et sur les éléments naturels adjacents. L'augmentation de la hauteur du chalet n'a pas pour but d'ajouter à la superficie habitable de la structure. La demande est donc mineure.

IV. La demande de dérogation est opportune par rapport à l'utilisation du terrain :

Si la fondation n'est pas élevée au niveau de 45,1m, le chalet ne pourra pas être réparé et devra être démoli. Aucun nouveau bâtiment ne pourrait être construit à sa place. La dérogation est nécessaire afin de rendre la structure existante sécuritaire suite aux inondations du printemps 2017.

6) RECOMMANDATION DU SERVICE :

QUE le Comité de dérogation accepte la demande de dérogation mineure soumise par J-Rock Construction pour Roxanne Rocque, dossier A/13/18, concernant la propriété décrite comme l'unité 2, 700 Onésime Guibord, Ile Clarence, Parties 18 & 21, plan 50R9, dans le but de :

- Augmenter la hauteur maximale d'une habitation saisonnière à 6m.