



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

**COMMITTEE OF ADJUSTMENT**

April 24, 2019, 7:00 pm

Council Chambers

415 rue Lemay Street, Clarence Creek, Ont.

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Pages

1. Opening of the meeting
2. Reading and Adoption of the agenda
3. Pecuniary declarations
4. Adoption of the minutes 1
5. Consent Applications
- 5.1 B-CR-006-2019 9  
Holzman Consultants for Donald Hall  
Part of Lot 16, Conc.7  
Bouvier Road
- 5.2 B-CR-007-2019 21  
Holzman Consultants for Donald Hall  
Part of Lot 16, conc. 7  
Bouvier Road
6. Minor Variance Applications
- 6.1 A/04/19 33  
Robert Levesque  
1429 Vinette Road

6.2 A/05/19  
Steve Picard  
3 Adolphus Court

37

7. Follow-ups
8. Other Items
9. Adjournment



CORPORATION DE LA CITÉ DE  
CLARENCE-ROCKLAND

COMITÉ DE DÉROGATION

le 24 avril 2019, 19 h 00

Salle du Conseil

415 rue Lemay Street, Clarence Creek, Ont.

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Pages

|     |                                                                                                           |    |
|-----|-----------------------------------------------------------------------------------------------------------|----|
| 1.  | Ouverture de la réunion                                                                                   |    |
| 2.  | Lecture et Adoption de l'ordre du jour                                                                    |    |
| 3.  | Déclarations pécuniaires                                                                                  |    |
| 4.  | Adoption des procès-verbaux                                                                               | 1  |
| 5.  | Demandes de morcellement                                                                                  |    |
| 5.1 | B-CR-006-2019<br>Holzman Consultants pour Donald Hall<br>Partie du lot 10, concession 7<br>chemin Bouvier | 9  |
| 5.2 | B-CR-007-2019<br>Holzman Consultants pour Donald Hall<br>partie du lot 16, concession 7<br>chemin Bouvier | 21 |
| 6.  | Demandes de dérogation mineure                                                                            |    |
| 6.1 | A/04/19<br>Robert Levesque<br>1429 chemin Levesque                                                        | 33 |

6.2 A/05/19  
Steve Picard  
3 Adolphus Court

37

7. Suivi
8. Autres items
9. Ajournement



**CORPORATION OF THE  
CITY OF CLARENCE-ROCKLAND  
COMMITTEE OF ADJUSTMENT MEETING MINUTES**

March 27, 2019  
Council Chambers  
415 rue Lemay Street, Clarence Creek, Ont.

PRESENT:               Serge Dicaire  
                              Marie-Ève Bélanger  
                              Guy Desjardins  
                              Michel Levert  
                              Samuel Cardarelli  
                              Mario Zanth  
                              Nicolas Denis  
ABSENT:               Michel Bergeron  
                              Jean-Yves Lalonde

**1.     Opening of the meeting**

The Chair opens the meeting at 7:03 pm.

**2.     Reading and Adoption of the agenda**

**Moved by** Mario Zanth

**Seconded By** Samuel Cardarelli

THAT the agenda be adopted as presented.

**CARRIED**

**3.     Pecuniary declarations**

none

**4.     Adoption of the minutes**

**Moved by** Michel Levert

**Seconded By** Samuel Cardarelli

That the minutes of the meeting of February 27th, 2019 of the Adjustment Committee be approved.

**CARRIED**

## **5. Consent Applications**

### **5.1 B-CR-033-2010**

**Moved by** Michel Levert

**Seconded By** Mario Zanth

QUE le Comité de dérogation approuve la demande d'autorisation soumise par Suzanne et Jean-Marie Godin, dossier B-CR-033-2010, concernant la propriété décrite comme étant le 1884 chemin Henrie, partie du lot 8, concession 5;

Sujette aux conditions suivantes :

1. Que le(s) requérant(s) fournisse(nt) à la Cité de Clarence-Rockland une copie originale en papier et une copie numérique en format PDF du plan de référence (plan d'arpentage) dûment enregistrées qui se conforment essentiellement à la demande B-CR-033-2010 telle qu'accordée.
2. Que le(s) requérant(s) fournisse(nt) aux Comtés Unis de Prescott et Russell une copie en format PDF et une copie en format DWG du plan de référence (plan d'arpentage) dûment enregistrées qui se conforment essentiellement à la demande B-CR-033-2010 telle qu'accordée.
3. Que le(s) requérant(s) remette à la Cité de Clarence-Rockland un montant représentant 5% de la valeur de la parcelle à être détachée pour fins de parc. La valeur de la parcelle sera déterminé par:
  - a. Une évaluation de marché ou lettre d'opinion, obtenu par le propriétaire et au dépenses du propriétaire, d'un évaluateur certifié, révisé et accepté par le Département d'infrastructures et aménagement; ou
  - b. L'enregistrement de la vente du terrain le plus récent, pas plus que 24 mois avant la date de la décision, révisé et accepté par le Département d'infrastructures et aménagement; pourvu que la vente était au valeur du marché et qu'il n'y a pas eu des modifications qui pourraient affecter la valeur du terrain, incluant

mais pas limité à des changements de zonage, de désignation du Plan officiel, ou de morcellement.

4. Que le(s) requérant(s) fournisse(nt) à l'autorité approbatrice de la Cité de Clarence-Rockland un rapport d'analyse d'eau selon le Plan officiel des Comtés unis, article 7.4.2, politique 14.1, afin de démontrer que l'aquifère peut fournir une réserve d'eau viable à long terme et de qualité et quantité acceptables. L'étude sera préparée par un professionnel qualifié aux frais du(des) requérant(s) et sera révisée et approuvée par la Conservation de la Nation Sud.
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).

**CARRIED**

## **5.2 B-CR-003-2019**

**Moved by** Samuel Cardarelli

**Seconded By** Michel Levert

THAT the Committee of Adjustment approve the consent application submitted by Robin Cloutier and Natalie Lalonde, file number B-CR-003-2019, concerning the property described as 3733 and 3737 Marcil Road, Part 8 on Plan 50R-2554, subject to the following conditions:

1. That a monetary compensation for revision fees amounting to \$350.00 be paid to the United Counties of Prescott and Russell.
2. That the applicant(s) provide to the City of Clarence-Rockland one original paper copy and a digital copy (PDF format) of a registered Reference Plan (plan of survey) that identifies the severance B-CR-003-2019 as approved by the committee.
3. That the applicant(s) provide to the United Counties of Prescott and Russell one copy to be submitted electronically in PDF and DWG formats of a registered Reference Plan (plan of survey) that identifies the severance B-CR-003-2019 as approved by the committee.
4. That the applicant provide to 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.

**CARRIED**

**6. Minor Variance Applications**

**6.1 A/03/19**

Mr. Zanth asks if the distance between the side lot line will be respected. Claire indicated that the 1 metre setback from the lot line will be respected.

**Moved by** Michel Levert

**Seconded By** Mario Zanth

THAT the Committee of Adjustment accepts the application for Minor Variance submitted by Eric Portelance, for the property identified as 46 Granite Street, to:

- Increase the maximum width of the driveway to 9.15 metres.

**CARRIED**

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Serge Dicaire President

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W Marie-Eve Bélanger Secretary  
Treasurer



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

**PROCÈS-VERBAL RÉUNION COMITÉ DE DÉROGATION**

le 27 mars 2019  
Salle du Conseil  
415 rue Lemay Street,  
Clarence Creek, Ont.

**PRÉSENT:** Serge Dicaire  
Marie-Ève Bélanger  
Guy Desjardins  
Michel Levert  
Samuel Cardarelli  
Mario Zanth  
Nicolas Denis

**ABSENT:** Michel Bergeron  
Jean-Yves Lalonde

- 1. Ouverture de la réunion**  
Le président ouvre la réunion à 19h03.
- 2. Lecture et Adoption de l'ordre du jour**  
**Proposé par** Mario Zanth  
**Appuyé par** Samuel Cardarelli  
QUE l'ordre du jour soit adopté tel que présenté.

**ADOPTÉE**

- 3. Déclarations pécuniaires**  
aucune
- 4. Adoption des procès-verbaux**  
**Proposé par** Michel Levert  
**Appuyé par** Samuel Cardarelli

Que le procès-verbal de la réunion du comité de dérogation du 27 février 2019 soit approuvé.

**ADOPTÉE**

## **5. Demandes de morcellement**

### **5.1 B-CR-033-2010**

**Proposé par** Michel Levert

**Appuyé par** Mario Zanth

QUE le Comité de dérogation approuve la demande d'autorisation soumise par Suzanne et Jean-Marie Godin, dossier B-CR-033-2010, concernant la propriété décrite comme étant le 1884 chemin Henrie, partie du lot 8, concession 5;

Sujette aux conditions suivantes :

1. Que le(s) requérant(s) fournisse(nt) à la Cité de Clarence-Rockland une copie originale en papier et une copie numérique en format PDF du plan de référence (plan d'arpentage) dûment enregistrées qui se conforment essentiellement à la demande B-CR-033-2010 telle qu'accordée.
2. Que le(s) requérant(s) fournisse(nt) aux Comtés Unis de Prescott et Russell une copie en format PDF et une copie en format DWG du plan de référence (plan d'arpentage) dûment enregistrées qui se conforment essentiellement à la demande B-CR-033-2010 telle qu'accordée.
3. Que le(s) requérant(s) remette à la Cité de Clarence-Rockland un montant représentant 5% de la valeur de la parcelle à être détachée pour fins de parc. La valeur de la parcelle sera déterminé par:
  - a. Une évaluation de marché ou lettre d'opinion, obtenu par le propriétaire et au dépenses du propriétaire, d'un évaluateur certifié, révisé et accepté par le Département d'infrastructures et aménagement; ou
  - b. L'enregistrement de la vente du terrain le plus récent, pas plus que 24 mois avant la date de la décision, révisé et accepté par le Département d'infrastructures et aménagement; pourvu que la vente était au valeur du marché et qu'il n'y a pas eu des modifications qui pourraient affecter la valeur du terrain, incluant mais pas limité à des changements de zonage, de désignation du Plan officiel, ou de morcellement.

4. Que le(s) requérant(s) fournisse(nt) à l'autorité approbatrice de la Cité de Clarence-Rockland un rapport d'analyse d'eau selon le Plan officiel des Comtés unis, article 7.4.2, politique 14.1, afin de démontrer que l'aquifère peut fournir une réserve d'eau viable à long terme et de qualité et quantité acceptables. L'étude sera préparée par un professionnel qualifié aux frais du(des) requérant(s) et sera révisée et approuvée par la Conservation de la Nation Sud.
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).

**ADOPTÉE**

## **5.2 B-CR-003-2019**

**Proposé par** Samuel Cardarelli

**Appuyé par** Michel Levert

THAT the Committee of Adjustment approve the consent application submitted by Robin Cloutier and Natalie Lalonde, file number B-CR-003-2019, concerning the property described as 3733 and 3737 Marcil Road, Part 8 on Plan 50R-2554, subject to the following conditions:

1. That a monetary compensation for revision fees amounting to \$350.00 be paid to the United Counties of Prescott and Russell.
2. That the applicant(s) provide to the City of Clarence-Rockland one original paper copy and a digital copy (PDF format) of a registered Reference Plan (plan of survey) that identifies the severance B-CR-003-2019 as approved by the committee.
3. That the applicant(s) provide to the United Counties of Prescott and Russell one copy to be submitted electronically in PDF and DWG formats of a registered Reference Plan (plan of survey) that identifies the severance B-CR-003-2019 as approved by the committee.
4. That the applicant provide to 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.

**ADOPTÉE**

**6. Demandes de dérogation mineure**

**6.1 A/03/19**

M. Zanth demande si la distance de la ligne intérieure sera respectée. Claire mentionne que la distance de 1 mètre de la ligne sera respectée.

**Proposé par** Michel Levert

**Appuyé par** Mario Zanth

THAT the Committee of Adjustment accepts the application for Minor Variance submitted by Eric Portelance, for the property identified as 46 Granite Street, to:

- Increase the maximum width of the driveway to 9.15 metres.

**ADOPTÉE**

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Serge Dicaire Président

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W Marie-Eve Bélanger Secrétaire-  
Trésorière



## COMMITTEE OF ADJUSTMENT

### REPORT N° AMÉ-19-41-R

|                          |                                                                                                                     |
|--------------------------|---------------------------------------------------------------------------------------------------------------------|
| <b>Date received</b>     | 1/30/2019                                                                                                           |
| <b>Date of meeting</b>   | 24/04/2019                                                                                                          |
| <b>Submitted by</b>      | Marie-Eve Bélanger                                                                                                  |
| <b>Subject</b>           | Consent – Lot creation                                                                                              |
| <b>File Number</b>       | B-CR-006-2019                                                                                                       |
| <b>Owner</b>             | Donald Hall                                                                                                         |
| <b>Applicant</b>         | Holzman Consultants                                                                                                 |
| <b>Civic Address</b>     | Bouvier Road                                                                                                        |
| <b>Legal Description</b> | Part of Lot 16, Concession 7, Clarence, as in RR31677 except part 1 & 2 50R7123 & Part 1 50R8453, Clarence-Rockland |

#### 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:** Yes

**Municipal Sewer:** No

**Road Access:** Bouvier Road

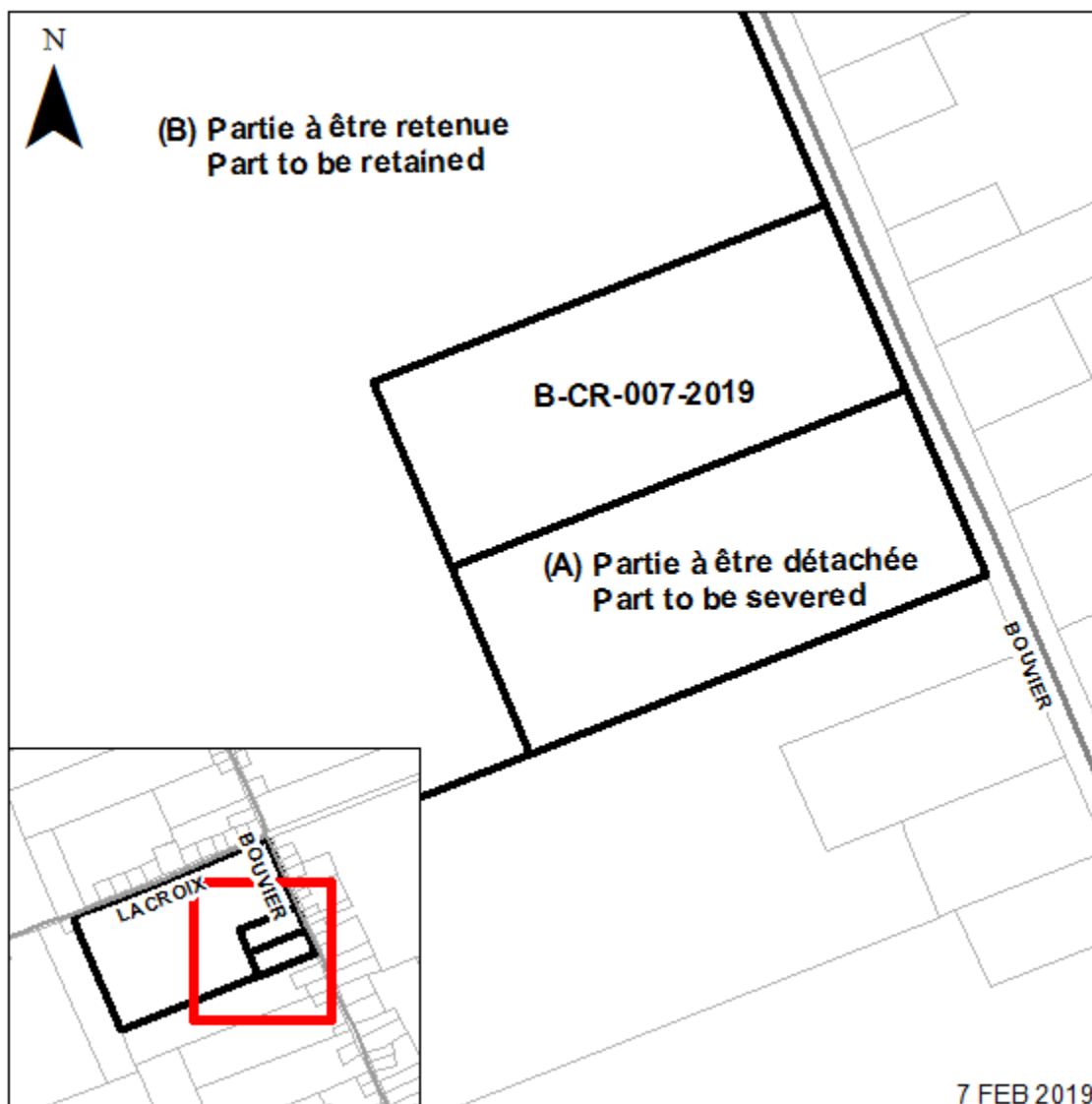
An appeal may be made to the OMB if no decision is made within 90 days (30/04/2019).

#### 2) PURPOSE :

Creation of a new rural residential lot

3) **CONSENT REQUESTED :**

|                     | Frontage | Depth | Area    |
|---------------------|----------|-------|---------|
| (A) Severed parcel  | 91m      | 220m  | 2.002ha |
| (B) Retained parcel | 272m     | 268m  | 30.6ha  |



**Figure 1 (Keymap)**

4) **CONDITIONS AND COMMENTS RECEIVED :**

**Finance :**

No objection

**Protective Services :**

No concerns

**Community Services :**

No comments

**Construction :**

No objection

**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 parcel of land of approximately 2 hectares with 91m frontage on Bouvier Road. The retained parcel has frontage on both Bouvier Road and Lacroix Road.

This application is submitted in conjunction with application B-CR-007-2019, which seeks to create another new lot with the same frontage and area immediately adjacent to the detached parcel.

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 located within a designated Wildlife Travel Corridor and Significant Woodland according to Schedule "B" of the Official Plan of the United Counties of Prescott and Russell. There is also a watercourse on the subject property, which is identified as Fish Habitat according to the Official Plan. An Environmental Impact Study was prepared by LRL Engineering in support of the application and has been reviewed by South Nation Conservation. They require a revised version to address their concerns.

The subject property is identified as a sand and gravel resource area according to Schedule "E" of the Official Plan of the United Counties of Prescott and Russell. Section 4.3.1 of the Official Plan indicates that: "development proposals in the vicinity of [mineral aggregate resource] areas will be thoroughly reviewed to ensure they do not preclude future extraction activities." Section 4.3.5.1 b) of the Official Plan indicates that:

"Development, including changes in land use and the creation of new lots for residential, commercial, institutional, recreational or industrial development in areas located within Mineral Aggregate Resource Areas, which would preclude or

hinder the establishment of mineral aggregate operations or access to the resources, will be prohibited except where:

- i) extraction of the resource would not be feasible; or
- ii) the proposed land use or development serves a greater long-term public interest; and
- iii) issues of public health, safety and environmental impact are appropriately addressed."

Furthermore, policy 4.3.5.1 c) of the Official Plan indicates that:

"The amount of land required for any new development proposed under Section 4.3.5.1 b) will be minimized to retain as much of the mineral aggregate resource potential as possible"

A Mineral Aggregate Impact Study was prepared by LRL Engineering in support of the application. The report concludes that, due to the potential negative impacts a proposed mineral aggregate extraction operation on the subject property would have on the existing neighbouring residences, wildlife, and natural features, the proposed residential developments would serve as a greater long-term public interest. The study addresses issues of environmental impacts, but does not specifically address public health and safety concerns, however, these are addressed in the Planning Rationale prepared by Holzman Consultants to support the application.

The Planning Rationale indicates that the proposed lot size (approximately 2 hectares or 5 acres) is based on the recommendation of a local realtor as a desirable configuration at this location. The proposed combined development area of the two proposed lots for severance applications B-CR-006-2019 and B-CR-007-2019 represents less than 12% of the total lot area of the subject property. No justification is included in either the Planning Rationale or the Mineral Aggregate Impact Study as to how the proposed lot size conforms to section 4.3.5.1 c) of the Official Plan of the United Counties of Prescott and Russell. In order to conform to policy 4.3.5.1 c) of the Official Plan of the United Counties, the Infrastructure and Planning Department recommends that the lot area be reduced to approximately 1 hectare (depth of 110m) in order to "retain as much of the mineral aggregate resource potential as possible". A lot with dimensions 91m by 110m (1.001ha) is still sufficiently large to accommodate a single detached dwelling and septic system and associated accessory uses, including a hobby farm. Also, the neighboring lots are fairly smaller in size than the proposed lots and the lot has municipal water.

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 lot frontage and area meet the minimum Zoning requirements.

The proposed consent generally 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 Holzman Consultants for Donald Hall, file number B-CR-006-2019, concerning the property described as Part of Lot 16, Concession 7, Bouvier Road, subject to the following conditions:

1. That a monetary compensation for revision fees amounting to \$350.00 be paid to the United Counties of Prescott and Russell.
2. That area of the proposed severed parcel be reduced to 1 ha in size.
3. That copy of all reference plans associated with this application be provided to the Secretary-Treasurer of the Committee of Adjustment for approval prior to registration.
4. That the applicant(s) provide to the City of Clarence-Rockland one original paper copy and one electronic copy (PDF format) of a registered Reference Plan (plan of survey) that identifies the severance B-CR-006-2019 as approved by the committee.
5. That the applicant(s) provide to the United Counties of Prescott and Russell one copy to be submitted electronically in PDF and DWG formats of a registered Reference Plan (plan of survey) that identifies the severance B-CR-006-2019 as approved by the committee.
6. That the applicant(s) pay the City of Clarence-Rockland an amount equivalent to 5% of the value of the parcel to be severed as cash in lieu of parkland payment. The value of the land shall be determined by:
  - (a) A market appraisal or a letter of opinion, obtained by and at the owner's expense, from a certified appraiser reviewed and accepted by the Infrastructure and Planning Department; or
  - (b) The most recent land sale record of the subject property, no more than 24 months prior to the date of the decision, reviewed and accepted by the Infrastructure and Planning Department; provided the sale was at market value and there has been no change that may impact the land value, including but not limited to changes in the zoning, Official Plan designation, or severance.
7. That the applicant(s) provide to the Approval Authority of the City of Clarence-Rockland a written engagement stating that they will ensure that any purchase and sale agreement for the severed parcel mentions that the lot must be connected to the municipal water service along Bouvier Road.

8. That the applicant provides SNC with a revised Environmental Impact Assessment (EIA) that addresses South Nation Conservation's comments on the original EIA.
9. That the applicant provide to 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.
10. 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 15 février 2019

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-006-2019)**

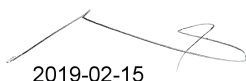
Le département d'Urbanisme des Comtés unis a complété la révision de cette demande d'autorisation. Nous comprenons que le terrain visé se situe dans l'affectation des politiques rurales au Plan officiel des Comtés unis et nous comprenons que cette demande vise effectuer une division de terrain pour fin résidentielle sur service partiel (eau municipale seulement).

Nous reconnaissons qu'une étude d'impact environnemental et une analyse vis-à-vis l'impact du morcellement proposé par rapport à la présence d'agrégat sur le terrain affecté furent produites en support à cette demande.

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 payé 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-006-2019** telle que soumise.

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



2019-02-15

Sylvain Boudreault,  
Urbaniste junior





Via Email (ndenis@clarence-rockland.com)

17 April 2019



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

**RE: Application for Consent (Hall)**  
**File No. B-CR-006-2019 & B-CR-007-2019**  
**Bouvier Road**

Dear Ms. Bélanger,

South Nation Conservation (SNC) received the above-noted applications to create new residential lots.

SNC's review considers the impact of these applications 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<br>(S.2.1 PPS):                                                                                                                                            | Natural Hazards<br>(S.3.1 PPS):    | Private Sewage System:                                   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|----------------------------------------------------------|
| Significant wetlands<br>Significant woodlands<br>Significant valley lands<br>Significant wildlife habitat<br>Significant Areas of Natural<br>and Scientific Interest<br>Fish habitat | Hazardous lands                    | Loading requirements<br>Separation distances             |
|                                                                                                                                                                                      | Flooding<br>Erosion                |                                                          |
|                                                                                                                                                                                      | Hazardous sites                    | <b>Clean Water Act, 2006:</b><br>Source Protection Areas |
|                                                                                                                                                                                      | Unstable soils<br>Unstable bedrock |                                                          |

SNC's findings below are based on a desktop review and a site visit on February 14, 2019.



## **Natural Heritage Features**

### *Watercourse, Significant Woodlands, and Significant Wildlife Habitat*

The proposed severed and retained lots contain two watercourses (fish habitat) and are located within a significant woodland and significant wildlife habitat. These features have been identified on the United Counties of Prescott and Russell (UCPR) Official Plan, Schedule B.

The UCPR Official Plan and Clarence-Rockland Zoning By-law require development on a property with a Natural Heritage Feature (watercourse, woodland, or habitat) demonstrate through an Environmental Impact Study that there will be no negative impacts on the natural features or ecological functions of the identified area.

SNC received and reviewed the Environmental Impact Assessment – Significant Woodland, Wildlife Travel Corridor, and Fish Habitat, dated January 8, 2019, prepared by LRL Engineering, please see attached comments.

SNC implements Ontario Regulation 170/06, Development Interference with Wetlands and Alterations to Shorelines and Watercourses, developed under Section 28 of the *Conservation Authorities Act*. Any interference with a watercourse may require a permit from SNC, and restrictions may apply.

## **Natural Hazards**

### *Slope Stability*

Both the proposed severed lots contain a watercourse 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*. Prior to any development or site alteration, an inspection by a qualified professional may be required in order to ensure that any potential risks from these hazards can be adequately addressed.

## **Private Sewage System**

The proposed lot areas noted in Section 4.1 of the applications are sufficient for the installation of a private sewage system and a replacement area (per the *Ontario Building Code*).

The applicant should be made aware that a sewage system permits under Section 8 (1) – of the *Building Code Act* 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.



SOUTH NATION  
**CONSERVATION**  
DE LA NATION SUD

## Conclusion

SNC does not object to the application; however, should the severances be conditionally approved, SNC requests that the following condition be included in the decisions:

- 1. The applicant provides SNC with a revised Environmental Impact Assessment (EIA), that addresses SNC's comments on the original EIA.**

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

Best regards,

A handwritten signature in black ink that reads "Alison McDonald". The signature is written in a cursive, flowing style.

Alison McDonald  
Team Lead, Approvals  
South Nation Conservation

*SNC-6285-2019 & SNC-6284-2019*





## COMMITTEE OF ADJUSTMENT

### REPORT N° AMÉ-19-42-R

|                          |                                                                                                                     |
|--------------------------|---------------------------------------------------------------------------------------------------------------------|
| <b>Date received</b>     | 30/01/2019                                                                                                          |
| <b>Date of meeting</b>   | 24/04/2019                                                                                                          |
| <b>Submitted by</b>      | Marie-Eve Bélanger                                                                                                  |
| <b>Subject</b>           | Consent – Lot creation                                                                                              |
| <b>File Number</b>       | B-CR-007-2019                                                                                                       |
| <b>Owner</b>             | Donald Hall                                                                                                         |
| <b>Applicant</b>         | Holzman Consultants                                                                                                 |
| <b>Civic Address</b>     | Bouvier Road                                                                                                        |
| <b>Legal Description</b> | Part of Lot 16, Concession 7, Clarence, as in RR31677 except part 1 & 2 50R7123 & Part 1 50R8453, Clarence-Rockland |

#### 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:** Yes

**Municipal Sewer:** No

**Road Access:** Bouvier Road

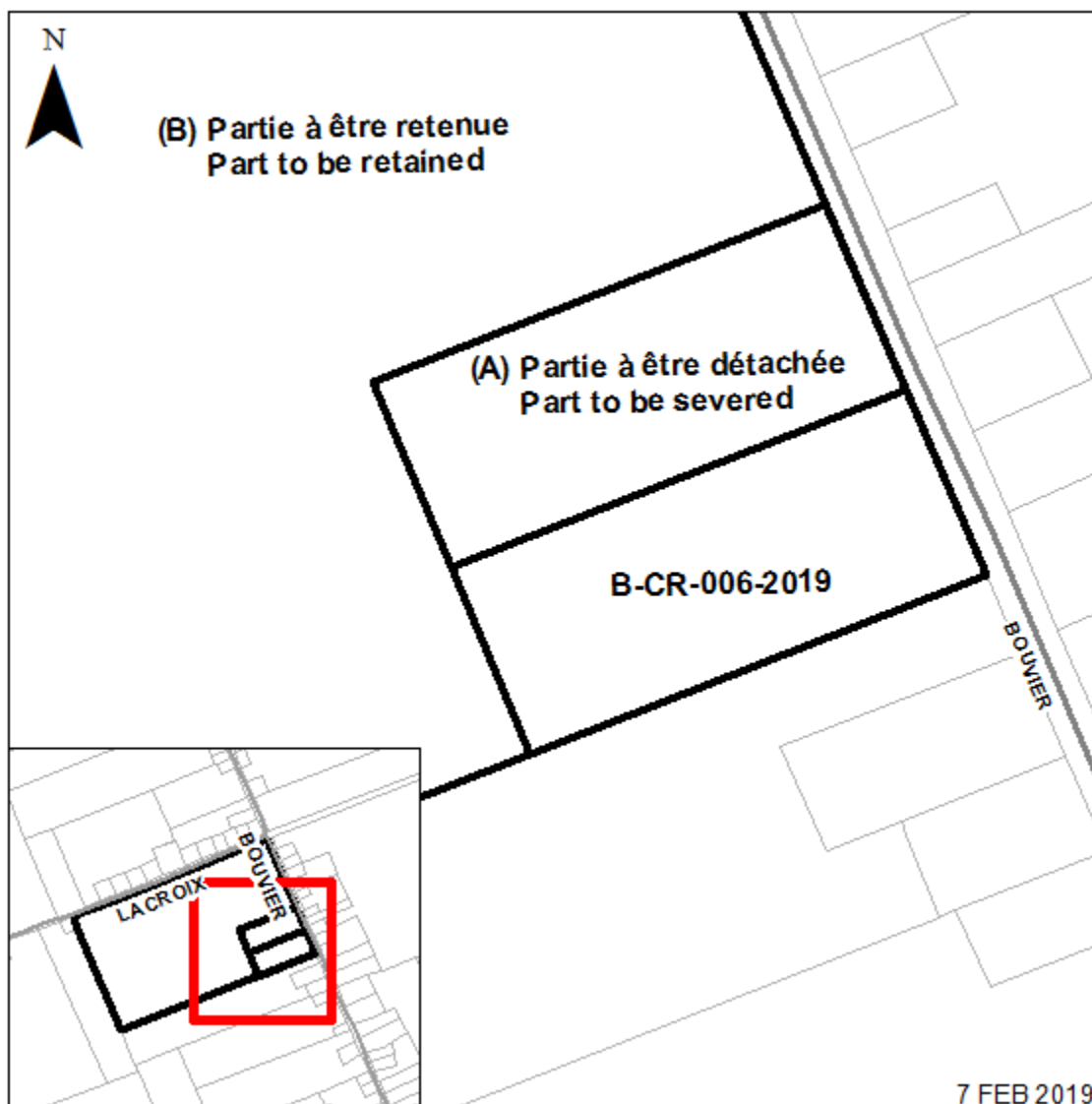
An appeal may be made to the OMB if no decision is made within 90 days (30/04/2019).

#### 2) PURPOSE :

Creation of a new rural residential lot

3) **CONSENT REQUESTED :**

|                     | Frontage | Depth | Area    |
|---------------------|----------|-------|---------|
| (A) Severed parcel  | 91m      | 220m  | 2.002ha |
| (B) Retained parcel | 272m     | 268m  | 30.6ha  |



**Figure 1 (Keymap)**

4) **CONDITIONS AND COMMENTS RECEIVED :**

**Finance :**

No objection

**Protective Services :**

No concerns

**Community Services :**

No comments

**Construction :**

No objection

**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 parcel of land of approximately 2 hectares with 91m frontage on Bouvier Road. The retained parcel has frontage on both Bouvier Road and Lacroix Road.

This application is submitted in conjunction with application B-CR-006-2019, which seeks to create another new lot with the same frontage and area immediately adjacent to the detached parcel.

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 located within a designated Wildlife Travel Corridor and Significant Woodland according to Schedule "B" of the Official Plan of the United Counties of Prescott and Russell. There is also a watercourse on the subject property, which is identified as Fish Habitat according to the Official Plan. An Environmental Impact Study was prepared by LRL Engineering in support of the application and has been reviewed by South Nation Conservation. They request that a revised study be submitted to them.

The subject property is identified as a sand and gravel resource area according to Schedule "E" of the Official Plan of the United Counties of Prescott and Russell. Section 4.3.1 of the Official Plan indicates that: "development proposals in the vicinity of [mineral aggregate resource] areas will be thoroughly reviewed to ensure they do not preclude future extraction activities." Section 4.3.5.1 b) of the Official Plan indicates that:

"Development, including changes in land use and the creation of new lots for residential, commercial, institutional, recreational or industrial development in areas located within Mineral Aggregate Resource Areas, which would preclude or

hinder the establishment of mineral aggregate operations or access to the resources, will be prohibited except where:

- i) extraction of the resource would not be feasible; or
- ii) the proposed land use or development serves a greater long-term public interest; and
- iii) issues of public health, safety and environmental impact are appropriately addressed."

Furthermore, policy 4.3.5.1 c) of the Official Plan indicates that:

"The amount of land required for any new development proposed under Section 4.3.5.1 b) will be minimized to retain as much of the mineral aggregate resource potential as possible"

A Mineral Aggregate Impact Study was prepared by LRL Engineering in support of the application. The report concludes that, due to the potential negative impacts a proposed mineral aggregate extraction operation on the subject property would have on the existing neighbouring residences, wildlife, and natural features, the proposed residential developments would serve as a greater long-term public interest. The study addresses issues of environmental impacts, but does not specifically address public health and safety concerns, however, these are addressed in the Planning Rationale prepared by Holzman Consultants to support the application.

The Planning Rationale indicates that the proposed lot size (approximately 2 hectares or 5 acres) is based on the recommendation of a local realtor as a desirable configuration at this location. The proposed combined development area of the two proposed lots for severance applications B-CR-006-2019 and B-CR-007-2019 represents less than 12% of the total lot area of the subject property. No justification is included in either the Planning Rationale or the Mineral Aggregate Impact Study as to how the proposed lot size conforms to section 4.3.5.1 c) of the Official Plan of the United Counties of Prescott and Russell. In order to conform to policy 4.3.5.1 c) of the Official Plan of the United Counties, the Infrastructure and Planning Department recommends that the lot area be reduced to approximately 1 hectare (depth of 110m) in order to "retain as much of the mineral aggregate resource potential as possible". A lot with dimensions 91m by 110m (1.001ha) is still sufficiently large to accommodate a single detached dwelling and septic system and associated accessory uses, including a hobby farm. Also, the neighboring lots are fairly smaller in size than the proposed lots and the lot has municipal water.

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 lot frontage and area meet the minimum Zoning requirements.

The proposed consent generally 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 Holzman Consultants for Donald Hall, file number B-CR-007-2019, concerning the property described as Part of Lot 16, Concession 7, Bouvier Road, subject to the following conditions:

1. That a monetary compensation for revision fees amounting to \$350.00 be paid to the United Counties of Prescott and Russell.
2. That area of the proposed severed parcel be reduced to 1 ha.
3. That copy of all reference plans associated with this application be provided to the Secretary-Treasurer of the Committee of Adjustment for approval prior to registration.
4. That the applicant(s) provide to the City of Clarence-Rockland one original paper copy and one electronic copy (PDF format) of a registered Reference Plan (plan of survey) that identifies the severance B-CR-007-2019 as approved by the committee.
5. That the applicant(s) provide to the United Counties of Prescott and Russell one copy to be submitted electronically in PDF and DWG formats of a registered Reference Plan (plan of survey) that identifies the severance B-CR-007-2019 as approved by the committee.
6. That the applicant(s) pay the City of Clarence-Rockland an amount equivalent to 5% of the value of the parcel to be severed as cash in lieu of parkland payment. The value of the land shall be determined by:
  - (a) A market appraisal or a letter of opinion, obtained by and at the owner's expense, from a certified appraiser reviewed and accepted by the Infrastructure and Planning Department; or
  - (b) The most recent land sale record of the subject property, no more than 24 months prior to the date of the decision, reviewed and accepted by the Infrastructure and Planning Department; provided the sale was at market value and there has been no change that may impact the land value, including but not limited to changes in the zoning, Official Plan designation, or severance.
7. That the applicant(s) provide to the Approval Authority of the City of Clarence-Rockland a written engagement stating that they will ensure that any purchase and sale agreement for the severed parcel mentions that the lot must be connected to the municipal water service along Bouvier Road.

8. That the applicant provides SNC with a revised Environmental Impact Assessment (EIA) that addresses South Nation Conservation's comments on the original EIA.
9. That the applicant provide to 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.
10. 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 15 février 2019

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-007-2019)**

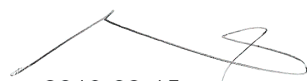
Le département d'Urbanisme des Comtés unis a complété la révision de cette demande d'autorisation. Nous comprenons que le terrain visé se situe dans l'affectation des politiques rurales au Plan officiel des Comtés unis et nous comprenons que cette demande vise effectuer une division de terrain pour fin résidentielle sur service partiel (eau municipale seulement).

Nous reconnaissons qu'une étude d'impact environnemental et une analyse vis-à-vis l'impact du morcellement proposé par rapport à la présence d'agrégat sur le terrain affecté furent produites en support à cette demande.

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 payé 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-007-2019** telle que soumise.

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



2019-02-15

Sylvain Boudreault,  
Urbaniste junior





Via Email (ndenis@clarence-rockland.com)

17 April 2019



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



**RE: Application for Consent (Hall)**  
**File No. B-CR-006-2019 & B-CR-007-2019**  
**Bouvier Road**



Dear Ms. Bélanger,



South Nation Conservation (SNC) received the above-noted applications to create new residential lots.



SNC's review considers the impact of these applications 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<br>(S.2.1 PPS):                                                                                                                                         | Natural Hazards<br>(S.3.1 PPS):    | Private Sewage System:                                   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|----------------------------------------------------------|
| Significant wetlands<br>Significant woodlands<br>Significant valley lands<br>Significant wildlife habitat<br>Significant Areas of Natural and Scientific Interest<br>Fish habitat | Hazardous lands                    | Loading requirements<br>Separation distances             |
|                                                                                                                                                                                   | Flooding<br>Erosion                |                                                          |
|                                                                                                                                                                                   | Hazardous sites                    | <b>Clean Water Act, 2006:</b><br>Source Protection Areas |
|                                                                                                                                                                                   | Unstable soils<br>Unstable bedrock |                                                          |



SNC's findings below are based on a desktop review and a site visit on February 14, 2019.





## **Natural Heritage Features**

### *Watercourse, Significant Woodlands, and Significant Wildlife Habitat*

The proposed severed and retained lots contain two watercourses (fish habitat) and are located within a significant woodland and significant wildlife habitat. These features have been identified on the United Counties of Prescott and Russell (UCPR) Official Plan, Schedule B.

The UCPR Official Plan and Clarence-Rockland Zoning By-law require development on a property with a Natural Heritage Feature (watercourse, woodland, or habitat) demonstrate through an Environmental Impact Study that there will be no negative impacts on the natural features or ecological functions of the identified area.

SNC received and reviewed the Environmental Impact Assessment – Significant Woodland, Wildlife Travel Corridor, and Fish Habitat, dated January 8, 2019, prepared by LRL Engineering, please see attached comments.

SNC implements Ontario Regulation 170/06, Development Interference with Wetlands and Alterations to Shorelines and Watercourses, developed under Section 28 of the *Conservation Authorities Act*. Any interference with a watercourse may require a permit from SNC, and restrictions may apply.

## **Natural Hazards**

### *Slope Stability*

Both the proposed severed lots contain a watercourse 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*. Prior to any development or site alteration, an inspection by a qualified professional may be required in order to ensure that any potential risks from these hazards can be adequately addressed.

## **Private Sewage System**

The proposed lot areas noted in Section 4.1 of the applications are sufficient for the installation of a private sewage system and a replacement area (per the *Ontario Building Code*).

The applicant should be made aware that a sewage system permits under Section 8 (1) – of the *Building Code Act* 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.



SOUTH NATION  
**CONSERVATION**  
DE LA NATION SUD

## Conclusion

SNC does not object to the application; however, should the severances be conditionally approved, SNC requests that the following condition be included in the decisions:

- 1. The applicant provides SNC with a revised Environmental Impact Assessment (EIA), that addresses SNC's comments on the original EIA.**

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

Best regards,

A handwritten signature in black ink that reads "Alison McDonald". The signature is written in a cursive, flowing style.

Alison McDonald  
Team Lead, Approvals  
South Nation Conservation

*SNC-6285-2019 & SNC-6284-2019*





## COMITÉ DE DÉROGATION

### RAPPORT N° AMÉ-19-44-R

|                           |                                    |
|---------------------------|------------------------------------|
| <b>Date reçue</b>         | 14/03/2019                         |
| <b>Date de la réunion</b> | 24/04/2019                         |
| <b>Soumis par</b>         | Nicolas Denis                      |
| <b>Objet</b>              | Dérogation mineure                 |
| <b># du dossier</b>       | A/04/19                            |
| <b>Propriétaires</b>      | Robert Levesque et Joanne Levesque |
| <b>Demandeur</b>          | Robert Levesque                    |
| <b>Adresse civique</b>    | 1429 chemin Vinette                |
| <b>Description</b>        | Partie du lot 5, concession 7      |

#### 1) INFORMATION GÉNÉRALE :

**Désignation au Plan officiel des Comtés unis de Prescott et Russell :** Désignation rurale

**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 :** Rurale (RU)

**Services :**

**Eau municipale :** Non

**Égout sanitaire municipal :** Non

**Accès à la rue :** Chemin Vinette

#### 2) BUT :

Dérogation mineure afin de construire deux abris à voiture de 15'x50' (69.7m<sup>2</sup>) chacun. Ces abris à voiture seront attachés à un garage détaché en construction de 40'x50' (185.8m<sup>2</sup>). Les structures accessoires sur le terrain sont plus grand en superficie que la maison, ce qui n'est pas permis selon le Règlement de zonage.

3) **DÉROGATION DEMANDÉE :**

|                                                                 | <b>Permis</b>                                     | <b>Proposé</b>       |
|-----------------------------------------------------------------|---------------------------------------------------|----------------------|
| Grandeur maximal pour des structures accessoires (Section 4.1). | Pas plus grand que la maison (188m <sup>2</sup> ) | 325.2 m <sup>2</sup> |

4) **CONDITIONS ET COMMENTAIRES REÇUS :**

**Services des finances :**

Aucune objection.

**Services d'infrastructure :**

Aucun commentaire.

**Services de la protection :**

Aucun commentaire.

**Services communautaires :**

Aucun commentaire.

**Division de la construction :**

Un nouveau permis de construction sera requis pour ces structures si elles sont approuvées.

**Comtés unis de Prescott et Russell :**

Aucun commentaire.

**Conservation de la Nation Sud :**

S/O

**Aménagement du Territoire :**

Le 14 mars, M. Robert Levesque a présenté une demande de dérogation mineure afin de permettre la construction de deux abris à voiture de 15'x50' (69,7 m<sup>2</sup>) chacun. Ces abris à voiture seront attachés à un garage détaché présentement en construction (40'x50' - 185.8 m<sup>2</sup>) sur la partie nord-ouest de la propriété.

L'ensemble de la propriété est inclus à l'intérieur de la «désignation rurale» de l'annexe «A» du Plan officiel des Comtés unis de Prescott et Russell. En vertu de cette politique, les utilisations résidentielles sont autorisées.

De plus, approximativement 1,4 acre ou 36,8% de la propriété est ciblé comme «région de boisée d'importance» à l'annexe «B» du

Plan officiel des Comtés unis de Prescott et Russell. Le garage et les abris de voiture ne seront pas construits dans cette région, donc aucun impact négatif n'est prévu sur le boisé d'importance.

Selon le Règlement de zonage 2016-10, l'entièreté de la propriété se retrouve dans la zone «Rurale (RU)». La section 4.1 du Règlement précise que tout bâtiment accessoire (tel qu'un abri à voiture), destiné à un usage résidentiel, peut avoir une superficie maximale de 8% de la superficie totale du lot ou ne peut pas surpasser la superficie totale de la maison. Dans ce cas, la superficie du terrain est de 3,91 acres (1,58 hectare). 8% de la superficie du terrain est 1 265 m<sup>2</sup> (13 625 pieds carrés). La taille proposée du garage et des abris de voiture (325,2 m<sup>2</sup>) est égale à 2% de la superficie du terrain. Alternativement, la maison située au 1429 chemin Vinette a une superficie d'environ 188 m<sup>2</sup> (2 023 pieds carrés). M. Robert Levesque aimerait construire 137.2 m<sup>2</sup> (1 476,8 pieds carrés) plus grand que la superficie de la maison.

Les abris de voiture proposés seront à environ 13 mètres (45 pieds) de la ligne de propriété à l'ouest, environ 56 mètres (185 pieds) de la ligne de propriété à l'est, environ 76 mètres (250 pieds) de la ligne de propriété avant et environ 34 mètres (112 pieds) de la ligne de propriété arrière.

## 5) **QUATRE TESTS :**

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

La propriété en question est entièrement située dans la «désignation rurale», selon l'annexe «A» du Plan officiel des Comtés unis de Prescott et Russell. Les structures accessoires pour une utilisation résidentielle sont autorisées par le présent Plan officiel. Les abris de voiture proposés sont des structures accessoire et respectent donc l'objet et les orientations générales du Plan officiel des Comtés unis de Prescott et Russell.

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

L'intention générale du Règlement de zonage 2016-10 est respectée, car le garage présentement en construction et les deux abris de voiture proposés seront situés sur un grand terrain (3,91 acres) et ne dépasseront pas 8% de la superficie du terrain. De plus, les structures ne sont pas beaucoup plus grandes qu'une maison qui pourrait vraisemblablement se trouver dans cette zone. Si le lot était utilisé à des fins agricoles dans la même zone, les

structures accessoires seraient autorisées à être plus grandes que la maison. Le demandeur respectera toutes les autres dispositions du Règlement de zonage.

**III. La demande est mineure :**

La modification demandée par M. Robert Levesque vise à augmenter la taille autorisée de 188 m<sup>2</sup> à 325,2 m<sup>2</sup>. Le département d'Infrastructure et de l'aménagement du territoire estime que cette modification est mineure, car les nouvelles structures proposées n'auront presque aucun impact sur le voisinage. Ceci est grâce à la végétation existante et de l'emplacement des bâtiments. Ceci étant dit, les abris de voiture ne seront pas très visibles du chemin Vinette ou des propriétés voisines. Le requérant respectera également toutes les autres dispositions du Règlement de zonage 2016-10. La dérogation peut donc être considérée comme étant mineure.

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

L'utilisation proposée du terrain est autorisée par la Déclaration de principes provinciale, le Plan officiel des Comtés unis de Prescott et Russell ainsi que le Règlement de zonage 2016-10. Le garage et les abris de voiture proposés respecteront toutes les autres dispositions du Règlement de zonage. Alors, la taille des abris de voiture proposés est favorable à un grand garage en milieu rural.

**6) RECOMMANDATION DU SERVICE :**

QUE le Comité de dérogation accepte la demande de dérogation mineure soumise par Robert Levesque, dossier A/04/19, concernant la propriété décrite comme étant le 1429 chemin Vinette, dans le but d' :

- Augmenter la taille des structures accessoires de 188 m<sup>2</sup> à 325,2 m<sup>2</sup>.



## COMMITTEE OF ADJUSTMENT

### REPORT N° AMÉ-19-45-R

|                            |                               |
|----------------------------|-------------------------------|
| <b>Date received</b>       | 22/03/2019                    |
| <b>Date of the meeting</b> | 24/04/2019                    |
| <b>Submitted by</b>        | Nicolas Denis                 |
| <b>Object</b>              | Minor Variance                |
| <b>File n°</b>             | A/05/19                       |
| <b>Owners</b>              | Steve Picard & Monique Dupuis |
| <b>Applicant</b>           | Steve Picard                  |
| <b>Civic address</b>       | 3 Adolphus Court              |
| <b>Legal Description</b>   | Plan M-133, Lot 11            |

#### 1) GENERAL INFORMATION:

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

Community 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:**

Village Residential First Density – Exception 1 (RV1-1)

##### **Services:**

**Municipal water:**

No

**Municipal Sewer:**

No

**Road access :**

Adolphus Court

#### 2) PURPOSE :

Minor Variance to build a second driveway on the above-mentioned property. The driveway would be located on Charlebois Street and

would allow the owners to have access to their rear yard, where a future detached garage will be built.

3) **VARIANCE REQUESTED :**

|                                             | <b>Permitted</b> | <b>Proposed</b> |
|---------------------------------------------|------------------|-----------------|
| Maximum Number of Driveways (Section 5.8.3) | One driveway     | Two driveways   |

4) **CONDITIONS AND COMMENTS RECEIVED :**

**Finance Department:**

No objection.

**Infrastructure Services:**

Needs to apply for an entrance permit via the Infrastructure & Planning Department once the minor variance is approved.

**Protective Services:**

No comments.

**Community Services:**

No comments.

**Construction Division:**

No comments.

**United Counties of Prescott and Russell:**

The proposed entrance on Charlebois Street will be located near County Road 8. We request that the entrance be located as far as possible from the intersection of Charlebois Street and County Road 8 (Landry Road). Sub-Article 3.3 "Transport" of the Official Plan of the United Counties of Prescott and Russell states that the road system, regardless of the level of government, must operate efficiently and safely.

**South Nation Conservation:**

N/A

**Planning Services:**

On March 22<sup>nd</sup>, Mr. Steven Picard submitted an application for a minor variance to allow the construction of a second driveway located on Charlebois Street. The proposed driveway would allow the owners to have access to their rear yard, where a future detached garage will be built in order to aid and contribute to the property's principal use. The owners currently access the property from Adolphus Court, but cannot access the rear of the property due to the location of trees, septic system and well.

All of the subject property is included under the "*Community Policy Area*" on Schedule "A" of the Official Plan of the United Counties of Prescott and Russell. Under this policy, residential uses are permitted.

The 0.73 acre lot is entirely zoned "*Village Residential First Density, Exception 1 (RV1-1)*" under the Zoning By-law 2016-10.

5) **FOUR TESTS :**

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

The subject property is *entirely located in the "Community Policy Area"* according to the Schedule "A" of the Official Plan of the United Counties of Prescott and Russell. The existing residential use is permitted within this designation.

Section 3.3 "*Transport*" of the Official Plan explains that the road system, independent from the level of government, needs to be efficient and safe. In this case, the owners will only use the secondary entrance in order to occasionally access the future detached garage therefore creating low added circulation on a residential local street. The variance requested maintains the general intent and purpose of the Official Plan.

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

The second driveway's main purpose will be to access a future detached garage in the rear yard of the property. Although the Zoning By-law 2016-10 indicates in section 5.8.3 that only one driveway is permitted per dwelling, the applicants will respect all other provisions of this document. The proposed accessory building is permitted in a Village Residential First Density zone and it will respect proper setbacks from lot lines, prescribed height in a community residential zones and the maximum lot coverage identified in section 4.1. The variance respects the general intent and purpose of the Zoning By-Law 2016-10.

**III. The variance is minor:**

The Department deems this amendment is minor since the situation is unique. The location of trees, a septic system and a well is affecting the possibility for the owners to access the rear of the property from the main entrance on Adolphus Court. The second entrance on Charlebois Street will not be used frequently and is unlikely to have any impacts on the surrounding properties and

road system. All other provisions of the Zoning By-law will be respected.

Moreover, the owners will need to comply to the Private Entrance By-law 2017-44 that states that "an entrance will not be permitted in a location that in the opinion of the Director would cause a traffic hazard". The variance can therefore be considered minor.

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

The proposed use of the land is permitted by the Provincial Policy Statement and by the Official Plan of the United Counties of Prescott and Russell. The property in question will respect every other provision of the Zoning By-law 2016-10. The proposed second driveway is appropriate for the development of the property.

**6) RECOMMENDATION FROM THE PLANNING DIVISION**

THAT the Committee of Adjustment accepts the application for Minor Variance submitted by Steve Picard, for the property identified as 3 Adolphus Court, to:

- Allow a second driveway on Charlebois Street.