



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

COMMITTEE OF ADJUSTMENT

May 28, 2019, 7:00 pm

Council Chambers

415 rue Lemay Street, Clarence Creek, Ont.

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CORPORATION DE LA CITÉ DE
CLARENCE-ROCKLAND

COMITÉ DE DÉROGATION

le 28 mai 2019, 19 h 00

Salle du Conseil

415 rue Lemay Street, Clarence Creek, Ont.

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9. Ajournement



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

April 24, 2019
Council Chambers
415 rue Lemay Street, Clarence Creek, Ont.

PRESENT: Marie-Ève Bélanger
Guy Desjardins
Michel Levert
Michel Bergeron
Samuel Cardarelli
Mario Zanth
Nicolas Denis

ABSENT: Serge Dicaire
Jean-Yves Lalonde

1. Opening of the meeting

The Chair opens the meeting at 7h02.

2. Reading and Adoption of the agenda

Moved by Guy Desjardins

Seconded By Michel Bergeron

THAT the agenda be adopted as presented.

CARRIED

4. Adoption of the minutes

Moved by Michel Levert

Seconded By Mario Zanth

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

5. Consent Applications

5.1 B-CR-006-2019

Mrs. Bélanger proceeds to present both severances at the same time. She explains Condition no. 2, in which the department deems that the lots should be smaller.

Jonah Bonn for Holzman planners explains the reasoning behind the bigger lots. They did a survey of surrounding properties and indicated that the proposed lots are a little bit bigger than surrounding properties. A realtor also suggested that lots be of 5 acres, which would give residents more privacy. He does not anticipate that the lots will be clearcut.

He continues on noting that an aggregate extraction at that location would have cumulative adverse impact for residences nearby (dust, noise, heavy truck traffic, etc.).

Mr. Zanth asks how many houses are proposed per lot. Mr. Bonn indicated that it will not be for a subdivision; only one house per lot.

Mr. Desjardins does not see why we should stop someone from severing 5 acres.

Mr. Bonn says that it is a new opportunity for this area.

Mr. Cardarelli asked the Committee if they are willing to affect the resource by creating bigger lots.

Mr. Desjardins indicated that it gives a choice for people to have bigger lots.

Mr. Levert suggest to remove condition 2.

Moved by Michel Levert

Seconded By Mario Zanth

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 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.
3. 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.
4. 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.
5. 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.
6. 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.
7. That the applicant provides SNC with a revised Environmental Impact Assessment (EIA) that addresses South Nation Conservation's comments on the original EIA.
8. 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.
9. 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, as modified

5.2 B-CR-007-2019

This file was presented at the same time as file B-CR-006-2019.

Moved by Michel Levert

Seconded By Mario Zanth

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 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.
3. 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.
4. 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.
5. 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.

6. 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.
7. That the applicant provides SNC with a revised Environmental Impact Assessment (EIA) that addresses South Nation Conservation's comments on the original EIA.
8. 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.
9. 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, as modified

6. Minor Variance Applications

6.1 A/04/19

Mr. Robert Lévesque requested if a construction permit is necessary. Mrs. Bélanger indicated that it is.

Moved by Mario Zanth

Seconded By Michel Levert

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 m² à 325,2 m².

CARRIED

6.2 A/05/19

Mr. Zanth requested if the second access will be paved. Mr. Picard indicated that they will pave it if it's necessary.

Mr. Lévesque wants to store his boat in the summer and his car in the winter. He also wants to respect the location of the entrance as per the entrance permit. He does not want to cut trees along Charlebois and will be more than 30 metres from Landry. He also indicated that he obtained consent from the two neighbors on Charlebois.

Moved by Michel Levert

Seconded By Michel Bergeron

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.

CARRIED

8. Other Items

8.1 B-CR-006-2018, B-CR-007-2018

Mrs. Bélanger indicated that she met with SNC's hydrogeologist, Mr. Rozon and Lascelles Engineering on Monday. SNC is not satisfied that the new lots will have enough water for the long term. It was agreed by all parties that more water pumping would be completed during a dry summer day as per the ministry's guideline. SNC then forwarded two new conditions to be added to the list. It is understood that one more year would be added to complete the conditions.

Moved by Mario Zanth

Seconded By Michel Levert

That the following conditions be added to the list of conditions for B-CR-006-2018 and B-CR-007-2018:

1A: The applicant provides to South Nation Conservation a pump test showing recovery that meets the D-5-5 Ministry of the Environment, Conservation, and Parks guidelines, conducted during a time of seasonal low groundwater level (e.g. July-September); and

1B: The applicant demonstrates to South Nation Conservation that the proposed septic systems will be located and/or designed appropriately to protect drinking water wells.

CARRIED

9. Adjournment

The meeting is adjourned at 7:53.

Samuel Cardarelli, Acting President

W Marie-Eve Bélanger Secretary
Treasurer



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

PROCÈS-VERBAL RÉUNION COMITÉ DE DÉROGATION

le 24 avril 2019
Salle du Conseil
415 rue Lemay Street,
Clarence Creek, Ont.

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

ABSENT: Serge Dicaire
Jean-Yves Lalonde

1. Ouverture de la réunion

Le président ouvre la réunion à 19h02.

2. Lecture et Adoption de l'ordre du jour

Proposé par Guy Desjardins

Appuyé par Michel Bergeron

QUE l'ordre du jour soit adopté tel que présenté.

ADOPTÉE

4. Adoption des procès-verbaux

Proposé par Michel Levert

Appuyé par Mario Zanth

Que le procès-verbal de la rencontre du comité de dérogation du 27 mars 2019 soit approuvé.

5. Demandes de morcellement

5.1 B-CR-006-2019

Mme Bélanger présente les deux dossiers de morcellement en même temps. Elle explique la condition no. 2, dans lequel le département estime que les lots devraient être plus petits.

Jonah Bonn, pour Holzman, explique le raisonnement des lots plus grands. Ils ont fait une enquête sur les propriétés environnantes et ont indiqué que les lots proposés sont un peu plus grands que les propriétés environnantes. Un agent immobilier a également suggéré que les terrains soient d'une superficie de 5 acres, ce qui donnerait aux résidents plus d'intimité. Il ne prévoit pas que les lots seront coupés à blanc.

Il continue en notant qu'une extraction de granulats sur le site aurait un impact négatif cumulatif sur les résidences à proximité (poussière, bruit, circulation dense de camions, etc.).

M. Zanth demande combien de maisons sont proposées par lot. M. Bonn a indiqué que ce ne serait pas pour une subdivision; une seule maison par lot.

M. Desjardins ne voit pas pourquoi on devrait empêcher quelqu'un de couper 5 acres.

M. Bonn dit que c'est une nouvelle opportunité pour cette région.

M. Cardarelli a demandé au Comité s'il était prêt à créer un impact sur la ressource en créant de plus grands lots.

M. Desjardins a indiqué que cela donnait le choix aux personnes d'avoir de plus grands terrains.

M. Levert suggère de supprimer la condition 2.

Proposé par Michel Levert

Appuyé par Mario Zanth

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 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.
3. 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.
4. 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.
5. 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:
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 - 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.
6. 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.
7. That the applicant provides SNC with a revised Environmental Impact Assessment (EIA) that addresses South Nation Conservation's comments on the original EIA.
8. 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.

9. 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, telle que modifiée

5.2 B-CR-007-2019

Ce dossier a été présenté en même temps que le dossier B-CR-006-2019.

Proposé par Michel Levert

Appuyé par Mario Zanth

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 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.
3. 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.
4. 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.
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 - 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.
6. 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.
7. That the applicant provides SNC with a revised Environmental Impact Assessment (EIA) that addresses South Nation Conservation's comments on the original EIA.
8. 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.
9. 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, telle que modifiée

6. Demandes de dérogation mineure

6.1 A/04/19

Robert Levesque demande s'il a besoin d'un permis de construction. Mme Bélanger indique que oui.

Proposé par Mario Zanth

Appuyé par Michel Levert

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 m² à 325,2 m².

6.2 A/05/19

M. Zanth demande si la deuxième entrée sera pavée. M. Picard indique que ce serait fait si nécessaire.

M. Lévesque veut entreposer son bateau l'été et auto l'hiver. Il veut également respecter la localisation d'après le permis d'entrée. Il ne veut pas couper des arbres le long de la rue Charlebois. Il sera également à plus de 30 mètres du chemin Landry. De plus, il a obtenu le consentement des 2 voisins sur Charlebois.

Proposé par Michel Levert

Appuyé par Michel Bergeron

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.

8. Autres items

8.1 B-CR-006-2018, B-CR-007-2018

Mme Bélanger indique qu'elle a rencontré lundi l'hydrogéologue de la CNS avec M. Rozon et Lascelles Engineering. Elle indique que la CNS n'est pas satisfaite que les nouveaux terrains auront assez d'eau. Il a été entendu par toutes les parties que le puit serait à nouveau pomper pendant une journée sèche d'été, tel que convenu pas les guides du ministère. La CNS a donc soumise deux nouvelles conditions à être ajoutées à la liste de condition. Il est entendu que le délai pour compléter les conditions sera prolongée de 1 an.

Proposé par Mario Zanth

Appuyé par Michel Levert

Que les conditions suivantes soient ajoutées à la liste de condition pour les dossiers B-CR-006-2018 et B-CR-007-2018:

1A: The applicant provides to South Nation Conservation a pump test showing recovery that meets the D-5-5 Ministry of the Environment,

Conservation, and Parks guidelines, conducted during a time of seasonal low groundwater level (e.g. July-September); and

1B: The applicant demonstrates to South Nation Conservation that the proposed septic systems will be located and/or designed appropriately to protect drinking water wells.

ADOPTÉE

9. Ajournement

La réunion est ajournée à 19h53.

Samuel Cardarelli, Président par intérim

W Marie-Eve Bélanger Secrétaire-
Trésorière



COMMITTEE OF ADJUSTMENT

REPORT N° AMÉ-19-50-R

Date received	02/04/2019
Date of meeting	28/05/2019
Submitted by	Nicolas Denis
Subject	Consent – Lot enlargement
File Number	B-CR-008-2019
Owner	2465636 Ontario Inc.
Applicant	François D. Lalonde
Civic Address	2081 Laval Street
Legal Description	Part of lot 20, concession 5, part 1 on plan 50R-10384

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:
Village Commercial

Classification of Zoning By-law No. 2016-10:
General Commercial – Exception 18 (CG – 18)

Services :

Municipal Water: Yes

Municipal Sewer: No

Road Access: Laval Street

An appeal may be made to the LPAT if no decision is made within 90 days (17/07/2019).

2) PURPOSE :

The owner has requested consent in order to enlarge a property along the north property line. In exchange for the land, a concurrent application to enlarge 2081 Laval Street towards the west has also been submitted (B-CR-009-2019).

3) **CONSENT REQUESTED :**

	Frontage	Depth	Area
(A) Severed parcel	3.20 m	126.19 m	403.8 m²
(B) Retained parcel	70.6 m	87.70 m	0.8 ha
(C) Enlarged parcel	55.47 m	147.25 m	1.64 ha

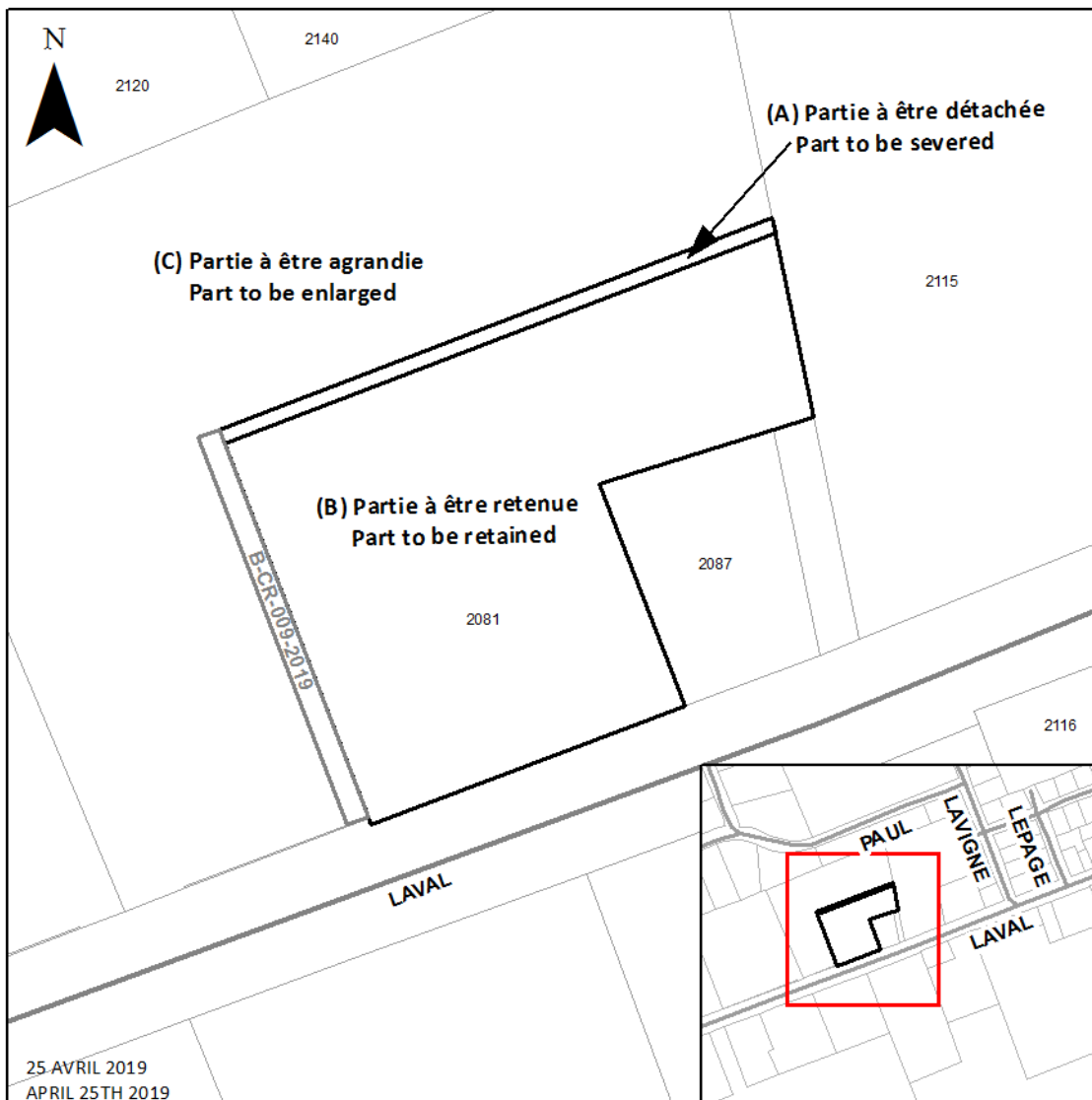


Figure 1 (Keymap)

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 enlarge a property along the north property line. In exchange for the land, a concurrent application to enlarge 2081 Laval Street towards the west has also been submitted (B-CR-009-2019). These applications for consents will correct the location of the existing stormwater retention basin located outside of the west property line of the medical centre at 2081 Laval Street. An easement would have been required for the medical centre to have access and maintain the stormwater facility. As an alternative, the property owners decided to exchange equivalent parts of land in order to avoid off-site stormwater treatment. The enlarged parcel, retained parcel and severed parcel all have frontage on Laval Street.

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

The subject properties are included within the General Commercial – Exception 18 (CG-18) Zone in the City of Clarence-Rockland's Zoning By-Law No. 2016-10. The existing commercial 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 conform to the Zoning by-law 2016-10.

5) DEPARTMENTAL RECOMMENDATION :

THAT the Committee of Adjustment approve the consent application submitted by François D. Lalonde, file number B-CR-008-2019, concerning the property described as 2081 Laval Street, subject to the following conditions:

1. That the applicant provide to the City of Clarence-Rockland one original paper copy of a registered Reference Plan (plan of survey) that identifies the severance B-CR-008-2019 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(s) provide to 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 north known municipally as part of lot 20, concession 5, part 1 on plan 50R-10526, 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:

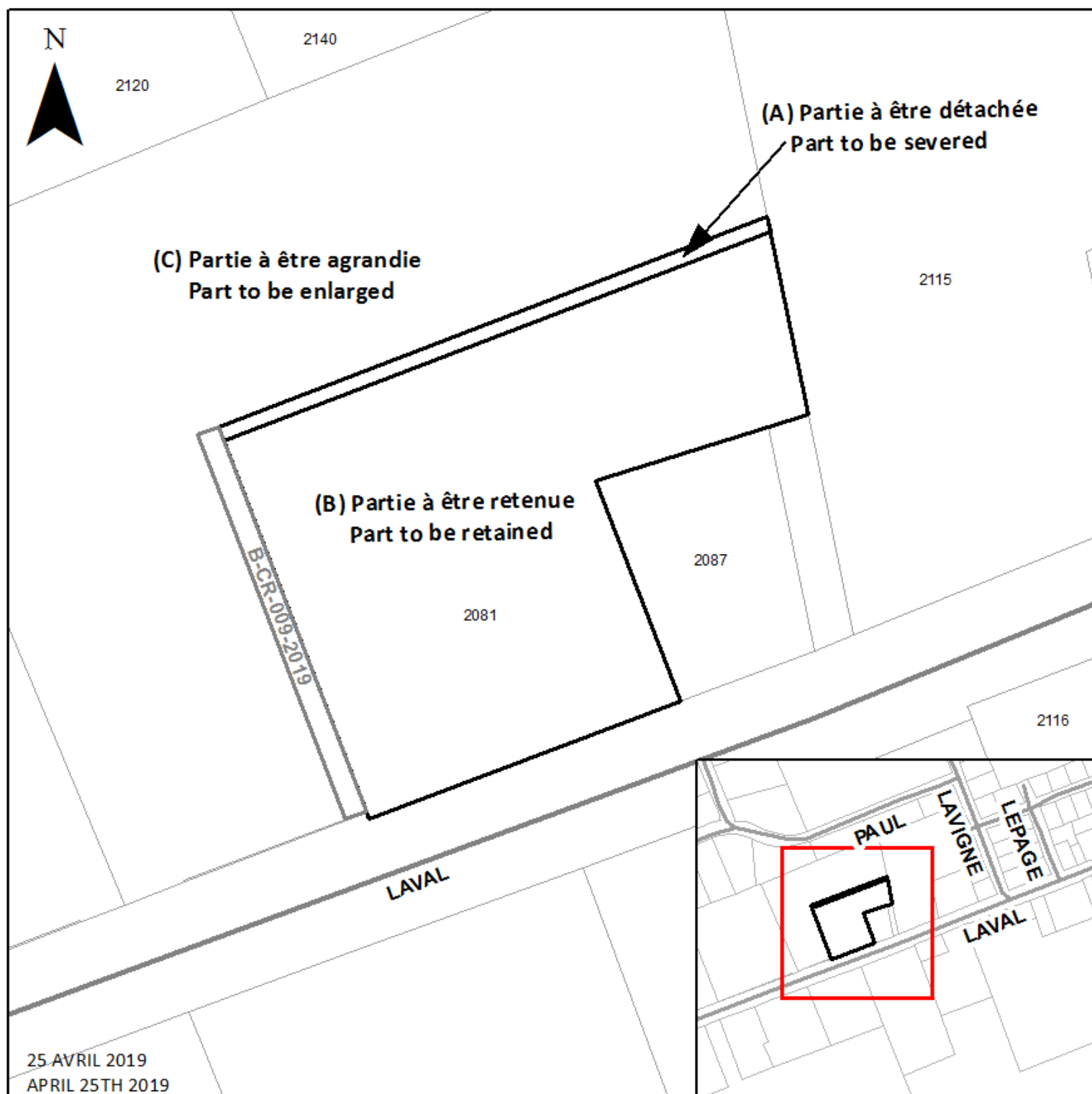
"The lands to be severed are for the purpose of a lot addition only to the abutting lands owned by *(insert name)* described as PIN *(insert property identification number)* being Part(s) *(insert numbers)* on Plan *(insert plan number)*, not for the creation of a new lot, and any subsequent transfer, 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."

- (c) An Undertaking from a solicitor authorized to practice law in the Province of Ontario, and in good standing with the Law Society of Upper Canada, as follows:

1. "In consideration of, and notwithstanding the issuance of the Certificate under Section 50(12) of the Planning Act in respect of the subject Application for Consent, I undertake on behalf of the Owner, within 10 days of the registration on title of the transfer document containing the endorsement set out in the Certificate of Official issued by the Committee of Adjustment, to file an Application to Consolidate Parcels including the severed land (Part of PIN *insert number*) and the abutting land (PIN *insert number*). This PIN consolidation is intended

to reinforce the Planning Act stipulation in the condition outlined above that both parcels have merged on Title and cannot be conveyed separately in the future. I further undertake to forward a copy of the registered Application to Consolidate Parcels and a copy of the Consolidated Parcel abstract page(s) to the Committee office within 21 days of the registration of the Application to Consolidate Parcels".

3. That the landowner provides South Nation Conservation with the following written undertaking "I acknowledge that the proposed property lines are a minimum distance of three metres from all existing private sewage system.
4. 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.
5. 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.
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 1 mai 2019

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

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

OBJET : Demande d'Autorisation (B-CR-008-2019)

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 communautaires au Plan officiel des Comtés unis et nous comprenons que cette demande vise effectuer un agrandissement de terrain.

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-008-2019** telle que soumise.

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

Sylvain Boudreault,
Urbaniste junior



Via Email (ndenis@clarence-rockland.com)

21 May 2019



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



RE: Application for Consent (2465636 Ontario Inc.)
File No. B-CR-008-2019
2081 Laval Street

Dear Ms. Bélanger,

South Nation Conservation (SNC) received the above-noted application for consent to enlarge a neighboring property.

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 valley lands Significant wildlife habitat Significant Areas of Natural and Scientific Interest Fish habitat	Hazardous lands	Loading requirements Separation distances
	<i>Flooding</i> <i>Erosion</i>	
	Hazardous sites	Clean Water Act, 2006: Source Protection Areas
	<i>Unstable soils</i> <i>Unstable bedrock</i>	

SNC's findings below are based on a desktop review and a site visit completed on May 3, 2019.



Natural Heritage Features

Watercourse

The watercourse located on the east side of the proposed severed and retained lot has been identified as Fish Habitat on the United Counties of Prescott and Russell (UCPR) Official Plan, Schedule B.

The UCPR Official Plan, Section 5.5.7., requires that any development or site alteration within 120 metres of Fish 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.

In addition, The City of Clarence-Rockland's zoning bylaw requires that any building or structure be set back a minimum of 30 metres from the high-water mark of the watercourse.

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.

Private Sewage System

The proposed lot areas noted in Section 5.1 of the application are sufficient for the installation of a private sewage system and a replacement area (per the *Ontario Building Code*). It is understood that one private sewage system exists on the proposed retained lot.

The applicant should be made aware that a sewage system permit 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 approval authority conditionally approve the application, SNC requests the following condition be included:

- 1. That the landowner provides South Nation Conservation with the following written undertaking "I acknowledge that the proposed property lines are a minimum distance of three 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,

A handwritten signature in black ink that reads "Alison McDonald".

Alison McDonald
Team Lead, Approvals
South Nation Conservation

SNC-6415-2019



COMMITTEE OF ADJUSTMENT

REPORT N° AMÉ-19-51-R

Date received	02/04/2019
Date of meeting	28/05/2019
Submitted by	Nicolas Denis
Subject	Consent – Lot enlargement
File Number	B-CR-009-2019
Owner	Investissement Gada
Applicant	François D. Lalonde
Civic Address	N/A
Legal Description	Part of lot 20, concession 5, part 1 on plan 50R-10526

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:
Village Commercial

Classification of Zoning By-law No. 2016-10:
General Commercial – Exception 18 (CG – 18)

Services :

Municipal Water: Yes

Municipal Sewer: no

Road Access: Laval Street

An appeal may be made to the LPAT if no decision is made within 90 days (17/07/2019).

2) PURPOSE :

The owner of this property has requested consent in order to enlarge 2081 Laval Street. In exchange for the land, a concurrent application has been submitted (B-CR-008-2019) to enlarge this property towards the rear of 2081 Laval Street.

3) CONSENT REQUESTED :

	Frontage	Depth	Area
(A) Severed parcel	4.78 m	84.48 m	403.8 m²
(B) Retained parcel	55.47 m	147.25 m	1.64 ha
(C) Enlarged parcel	70.6 m	87.70 m	0.8 ha

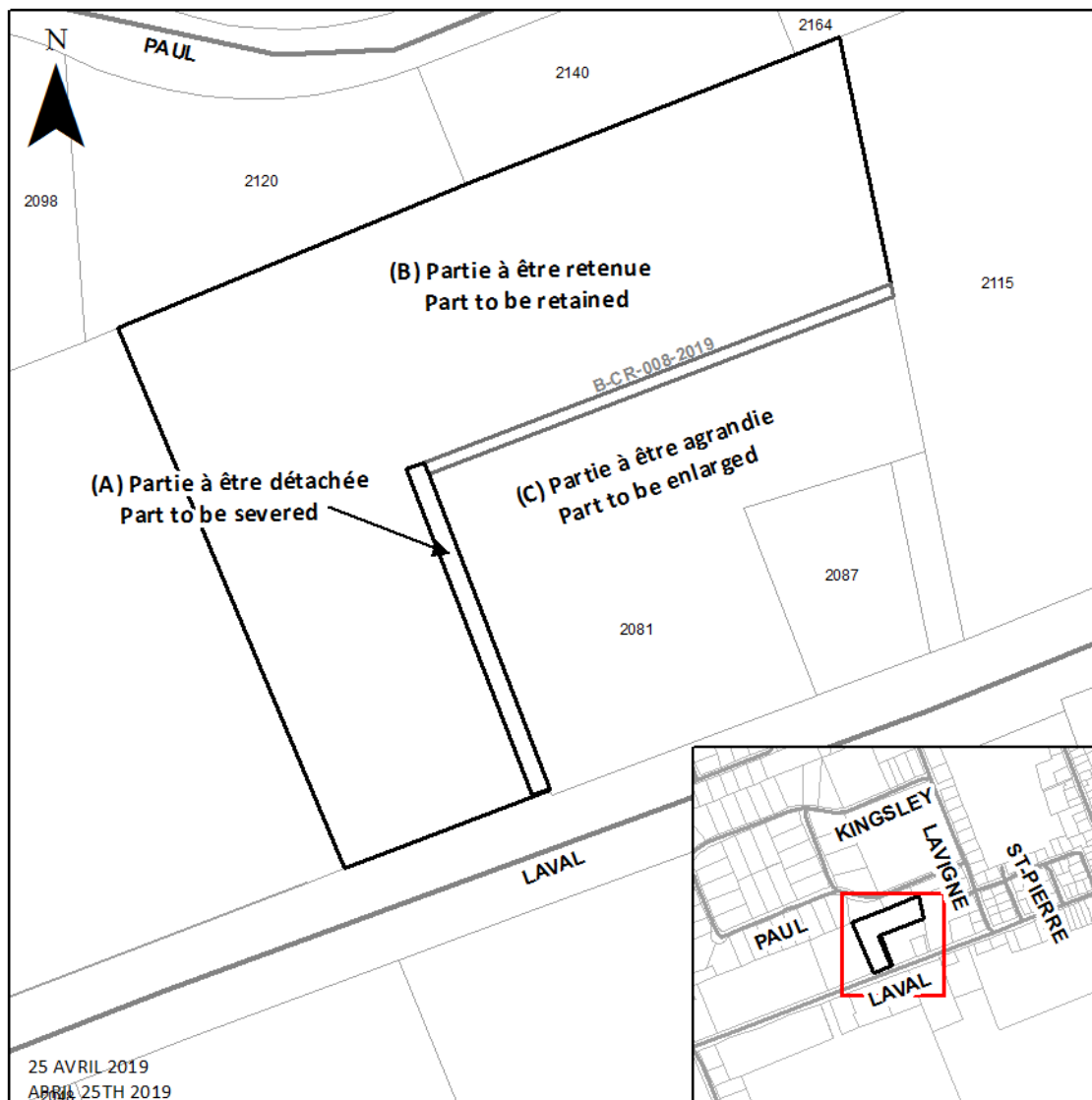


Figure 1 (Keymap)

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 of this property has requested consent in order to enlarge 2081 Laval Street. In exchange for the land, a concurrent application has been submitted (B-CR-008-2019) to enlarge this property towards the rear of 2081 Laval Street. These applications for consents will correct the location of the existing stormwater retention basin located outside of the west property line of the medical centre at 2081 Laval Street. An easement would have been required for the medical center to have access and maintain the stormwater facility. As an alternative, the property owners decided to exchange equivalent parts of land in order to avoid off-site stormwater treatment. The enlarged parcel, retained parcel and severed parcel all have frontage on Laval Street.

The severed and enlarged parcels are located within the "Community Policy Area" on Schedule "A" of the Official Plan of the United Counties of Prescott and Russell.

The subject properties are included within the General Commercial – Exception 18 (CG-18) Zone in the City of Clarence-Rockland's Zoning By-Law No. 2016-10.

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

5) DEPARTMENTAL RECOMMENDATION :

THAT the Committee of Adjustment approve the consent application submitted by François D. Lalonde, file number B-CR-009-2019,

concerning the property described as part of lot 20, concession 5, part 1 on plan 50R-10526, subject to the following conditions:

1. That the applicant provide to the City of Clarence-Rockland one original paper copy of a registered Reference Plan (plan of survey) that identifies the severance B-CR-009-2019 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(s) provide to 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 2081 Laval Street, 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:

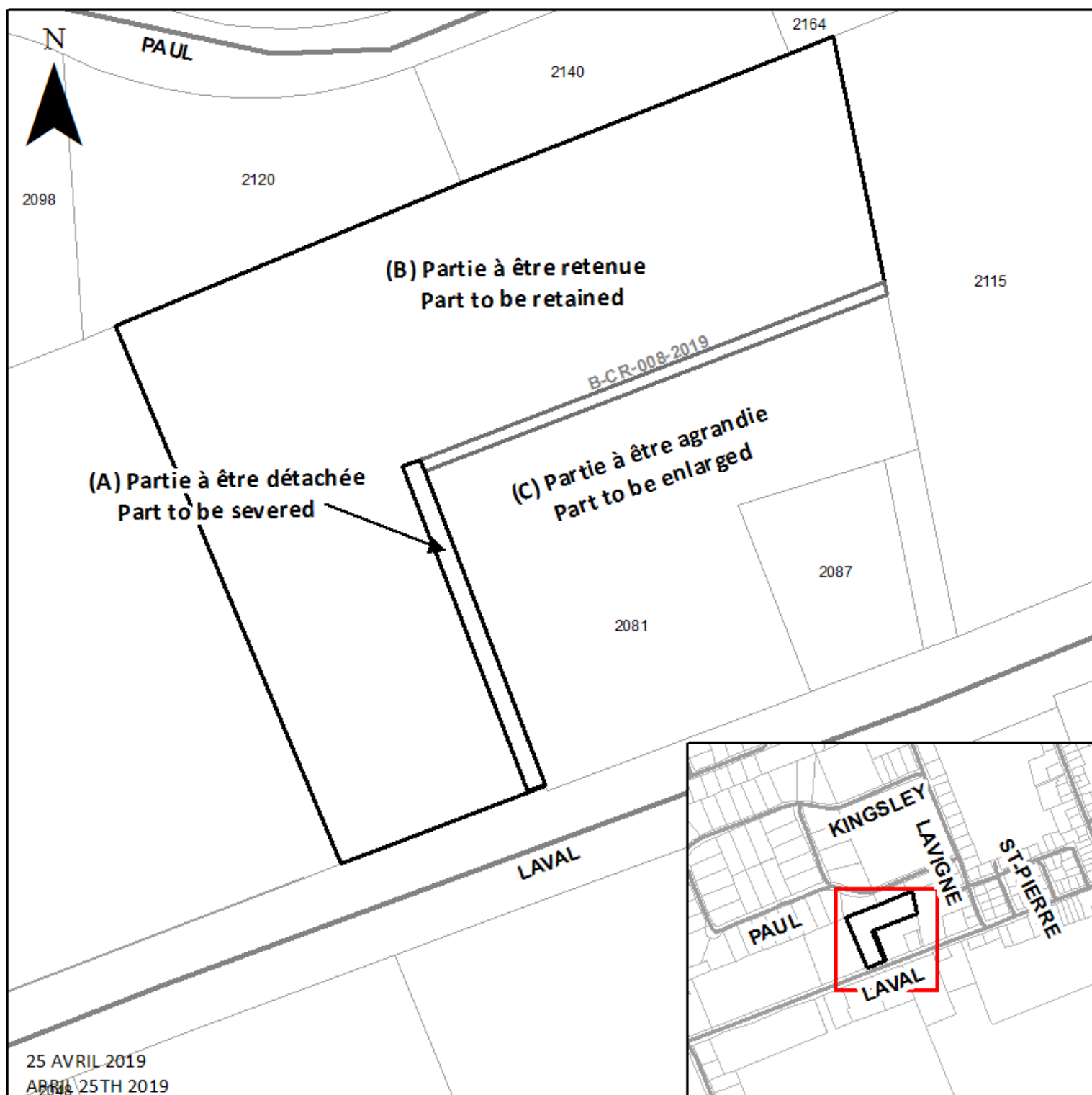
"The lands to be severed are for the purpose of a lot addition only to the abutting lands owned by *(insert name)* described as PIN *(insert property identification number)* being Part(s) *(insert numbers)* on Plan *(insert plan number)*, not for the creation of a new lot, and any subsequent transfer, 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."

- (c) An Undertaking from a solicitor authorized to practice law in the Province of Ontario, and in good standing with the Law Society of Upper Canada, as follows:

1. "In consideration of, and notwithstanding the issuance of the Certificate under Section 50(12) of the Planning Act in respect of the subject Application for Consent, I undertake on behalf of the Owner, within 10 days of the registration on title of the transfer document containing the endorsement set out in the Certificate of Official issued by the Committee of Adjustment, to file an Application to Consolidate Parcels including the severed land (Part of PIN *insert number*) and the abutting land (PIN *insert number*). This PIN consolidation is intended to reinforce the Planning Act stipulation in the condition outlined above that both parcels have merged on Title and cannot be conveyed

separately in the future. I further undertake to forward a copy of the registered Application to Consolidate Parcels and a copy of the Consolidated Parcel abstract page(s) to the Committee office within 21 days of the registration of the Application to Consolidate Parcels".

3. That the landowner provides South Nation Conservation with the following written undertaking "I acknowledge that the proposed property lines are a minimum distance of three metres from all existing private sewage system.
4. 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.
5. 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.
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 1 mai 2019

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

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

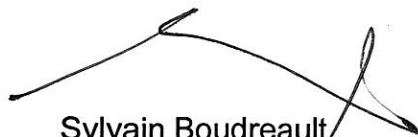
OBJET : Demande d'Autorisation (B-CR-009-2019)

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 communautaires au Plan officiel des Comtés unis et nous comprenons que cette demande vise effectuer un agrandissement de terrain.

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-009-2019** telle que soumise.

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



Sylvain Boudreault,
Urbaniste junior



Via Email (ndenis@clarence-rockland.com)

21 May 2019



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



RE: Application for Consent (Investissement Gada Inc.)
File No. B-CR-009-2019
Laval Street



Dear Ms. Bélanger,



South Nation Conservation (SNC) received the above-noted application for consent to enlarge a neighboring property.



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 valley lands Significant wildlife habitat Significant Areas of Natural and Scientific Interest Fish habitat	Hazardous lands	Loading requirements Separation distances
	<i>Flooding</i> <i>Erosion</i>	
	Hazardous sites	Clean Water Act, 2006: Source Protection Areas
	<i>Unstable soils</i> <i>Unstable bedrock</i>	



SNC's findings below are based on a desktop review and a site visit completed on May 3, 2019.





Natural Heritage Features

Watercourse

The watercourse located on the east side of the proposed retained lot has been identified as Fish Habitat on the United Counties of Prescott and Russell (UCPR) Official Plan, Schedule B.

The UCPR Official Plan, Section 5.5.7., requires that any development or site alteration within 120 metres of Fish 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.

In addition, The City of Clarence-Rockland's zoning bylaw requires that any building or structure be set back a minimum of 30 metres from the high-water mark of the watercourse.

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.

Private Sewage System

The proposed lot areas noted in Section 5.1 of the application 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 permit 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 approval authority conditionally approve the application, SNC requests the following condition be included:

- 1. That the landowner provides South Nation Conservation with the following written undertaking "I acknowledge that the proposed property lines are a minimum distance of three 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,

A handwritten signature in black ink that reads "Alison McDonald".

Alison McDonald
Team Lead, Approvals
South Nation Conservation

SNC-6414-2019



COMMITTEE OF ADJUSTMENT

REPORT N° AMÉ-19-52-R

Date received	18/04/2019
Date of meeting	28/05/2019
Submitted by	Nicolas Denis
Subject	Consent – Lot enlargement
File Number	B-CR-010-2019
Owner	Hans Koch
Applicant	Martin Lemieux
Civic Address	2310 Du Lac Road
Legal Description	Part of Lot 10, Concession 3, Part 1 on plan 50R-10269

1) GENERAL INFORMATION:

Designation of the Official Plan of the United Counties of Prescott and Russell: Community, Agricultural and 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:

Village Residential First Density - Holding (RV1-h), General Agricultural (AG), General Agricultural – Flood Plain (AG-FP) and Rural (RU)

Services :

Municipal Water: No
Municipal Sewer: No
Road Access: Du Lac Road

An appeal may be made to the LPAT if no decision is made within 90 days (17/07/2019).

2) **PURPOSE :**

The applicant has requested consent in order to enlarge his property (2751 St-Pascal Street) along the north property line.

3) **CONSENT REQUESTED :**

	Frontage	Depth	Area
(A) Severed parcel	+/- 53 m	+/- 39 m	+/- 1,440 m²
(B) Retained parcel	+/- 102.65 m	+/- 238 m	+/- 94,733 m²
(C) Enlarged parcel	+/- 22.86m	+/- 30.48 m	696 m²

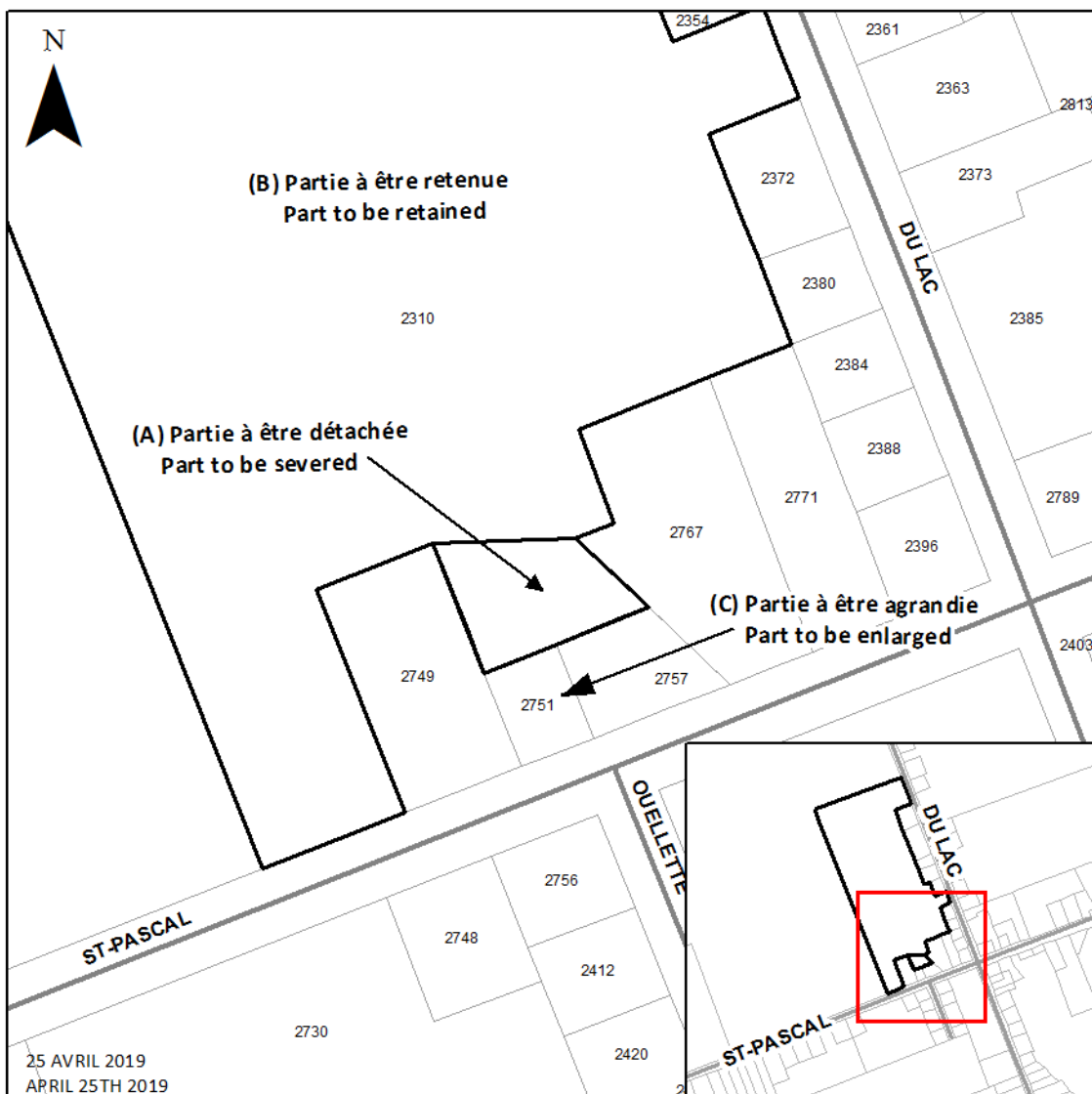


Figure 1 (Keymap)

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 applicant has requested consent in order to sever a parcel of land of 0.35 acre at 2310 Du Lac Road in order to enlarge along the north property line of his property located at 2751 St-Pascal Street. The property will be enlarged from 0.17 acre to approximately 0.52 acre.

The severed and enlarged parcels are included under the "*Community Policy Area*" according to Schedule "A" of the Official Plan of the United Counties of Prescott and Russell. Under this policy, residential uses are permitted. The retained parcel is included under the "*Community Policy Area*", "*Agricultural Policy Area*" and "*Rural Policy Area*" according to Schedule "A" of the Official Plan of the United Counties of Prescott and Russell.

The enlarged parcel is entirely zoned "*Village Residential First Density (RV1)*" while the severed parcel is zoned "*Village Residential First Density - Holding (RV1-h)*" under the Zoning By-law 2016-10. According to section 2.5 of the Zoning By-law 2016-10, "the intent of having a [holding zone] is to signify Council's approval in principle to future development of the land for the purposes indicated by the symbol. The holding classification added to a given zone shall restrict development of the land until such time as the requirements of the City of Clarence Rockland relating to the provision of municipal services and/or specific studies are complied with". Section 7.4.10 of the Official Plan of the United Counties of Prescott and Russell states

"the removal of the holding provisions shall be accomplished by the adoption of an amending By-law in accordance with the provisions of Section 36 of the *Planning Act, R.S.O. 1990* and related regulations". That being said, if council approves the consent application, a Zoning By-law amendment will be required as a condition in order to remove the holding zone of the severed land.

The proposed application is consistent with the Provincial Policy Statement and conforms to the Official Plan of the United Counties of Prescott and Russell.

5) DEPARTMENTAL RECOMMENDATION :

THAT the Committee of Adjustment approve the consent application submitted by Martin Lemieux, file number B-CR-010-2019, concerning the property described as 2310 Du Lac Road, subject to the following conditions:

1. That the applicant provide to the City of Clarence-Rockland one original paper copy of a registered Reference Plan (plan of survey) that identifies the severance B-CR-010-2019 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 Ontario Land Surveyor retained by the applicant(s) determine the width of the road right-of-way presently in place along Du Lac Road and where such right-of-way is less than 20 metres that a parcel of land representing the missing portion required to achieve a width of 10 metres (measured from the centre line of the road right of way) along the frontage of the retained parcels be transferred to the City of Clarence-Rockland free of fees or encumbrances. In addition, the lawyer of the applicant(s) must register a by-law dedicating the land as public. Fees will need to be paid to the City of Clarence-Rockland for the preparation of the by-law. A copy of the registered by-law must be sent to the Infrastructure and Planning Services Department in order for the condition to be considered as fulfilled.
3. That the Applicant(s) provide to 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 south known municipally as 2751 St-Pascal Street, so that no new lot is being created, in accordance with paragraph (b) below;

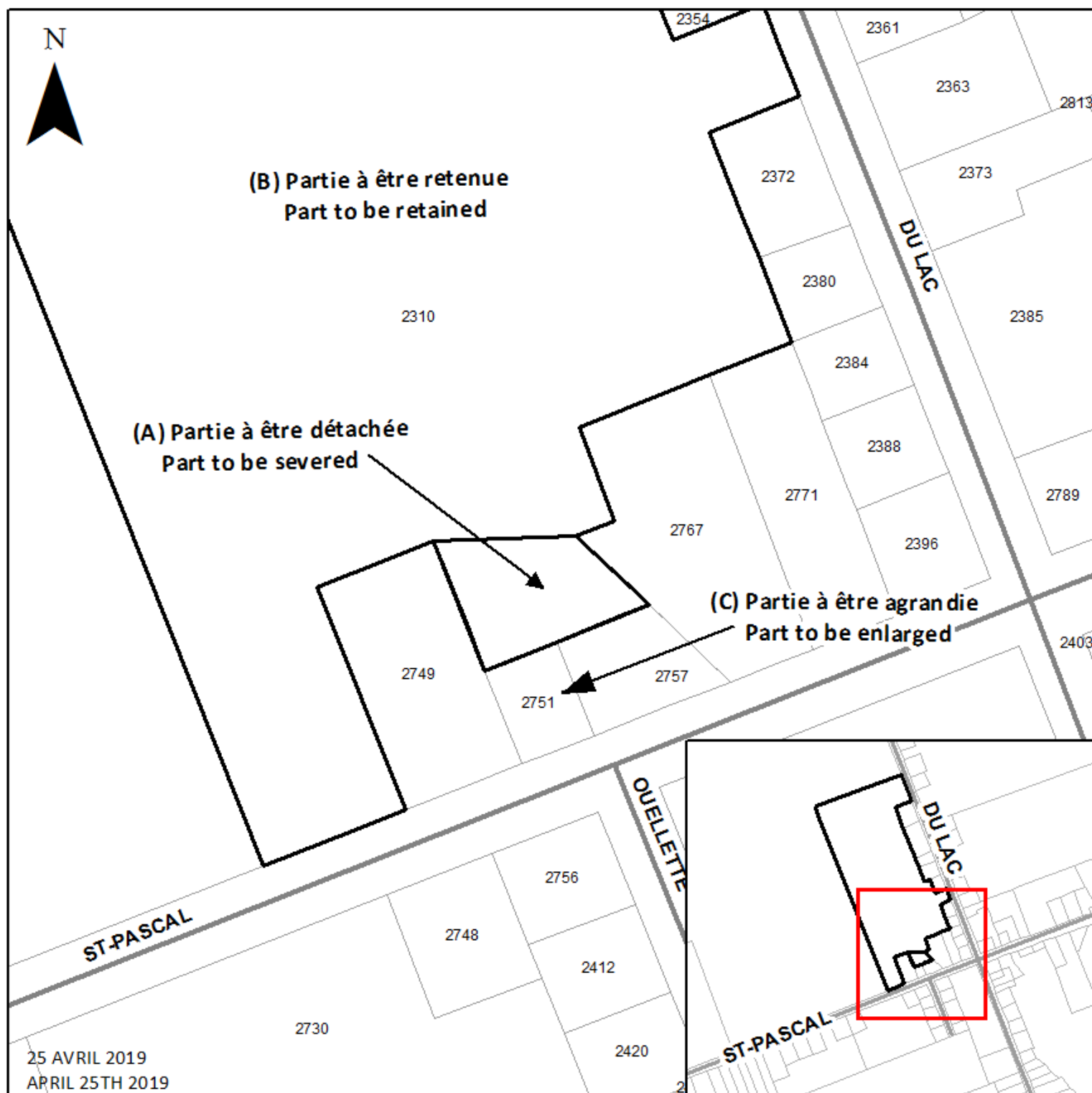
- (b) A Certificate of Official attached to the deed/transfer required by paragraph (a) above containing the following endorsement:

"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 property identification number)* being Part(s) *(insert numbers)* on Plan *(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."

- (c) An Undertaking from a solicitor authorized to practice law in the Province of Ontario, and in good standing with the Law Society of Upper Canada, as follows:

1. "In consideration of, and notwithstanding the issuance of the Certificate under Section 50(12) of the Planning Act in respect of the subject Application for Consent, I undertake on behalf of the Owner, within 10 days of the registration on title of the transfer document containing the endorsement set out in the Certificate of Official issued by the Committee of Adjustment, to file an Application to Consolidate Parcels including the severed land (Part of PIN *insert number*) and the abutting land (PIN *insert number*). This PIN consolidation is intended to reinforce the Planning Act stipulation in the condition outlined above that both parcels have merged on Title and cannot be conveyed separately in the future. I further undertake to forward a copy of the registered Application to Consolidate Parcels and a copy of the Consolidated Parcel abstract page(s) to the Committee office within 21 days of the registration of the Application to Consolidate Parcels".
4. That the landowner provides South Nation Conservation with the following written undertaking "I acknowledge that the proposed property lines are a minimum distance of three metres from all existing private sewage system".
5. That the applicant obtain an amendment to Zoning By-law No. 2016-10 for the severed parcel in order to change the zoning and remove the holding symbol from the Village Residential First Density Zone (RV1).
6. 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.

7. 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.
8. 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 1 mai 2019

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

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

OBJET : Demande d'Autorisation (B-CR-010-2019)

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 communautaires au Plan officiel des Comtés unis et nous comprenons que cette demande vise effectuer un agrandissement de terrain.

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-010-2019** telle que soumise.

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



Sylvain Boudreault,
Urbaniste junior



Via Email (ndenis@clarence-rockland.com)

21 May 2019



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



RE: Application for Consent (Koch)
File No. B-CR-010-2019
2751 St-Pascal Road



Dear Ms. Bélanger,



South Nation Conservation (SNC) received the above-noted application to sever 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 valley lands 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 May 9, 2019.





Natural Heritage Features

Watercourse

The proposed retained and severed lots contain a mapped watercourse.

The United Counties of Prescott and Russell Official Plan, Section 5.5.7., requires that any development or site alteration within 120 metres of Fish 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.

In addition, The City of Clarence-Rockland's zoning bylaw requires that any building or structure be set back a minimum of 30 metres from the high-water mark of the watercourse.

We note that no development is proposed within these setbacks.

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.

Private Sewage System

The proposed lot areas noted in Section 5.1 of the application are sufficient for the installation of a private sewage system and a replacement area (per the *Ontario Building Code*) on the proposed severed lot and lot to be enlarged.

SNC acknowledges that the proposed lot to be enlarged will be 0.52 acres. SNC normally recommends a minimum lot size of 0.70 acres for development on private services; however, the application increases the size of the enlarged lot and the entire land zoned RV1-h is being added (remaining lands are prime agriculture). SNC supports the proposal (no scaled site plan requested).

The applicant should be made aware that a sewage system permit 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 approval authority conditionally approve the application, SNC requests the following condition be included:

- 1. That the landowner provides South Nation Conservation with the following written undertaking: "I acknowledge that the proposed property lines are a minimum distance of three 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,

A handwritten signature in black ink that reads "Alison McDonald".

Alison McDonald
Team Lead, Approvals
South Nation Conservation

SNC-6417-2019



COMMITTEE OF ADJUSTMENT

REPORT N° AMÉ-19-49-R

Date received	04/04/2019
Date of the meeting	28/05/2019
Submitted by	Nicolas Denis
Objet	Minor Variance
File n°	A/06/16
Owner	Vickie Brunet
Applicant	Vickie Brunet
Civic address	N/A
Legal Description	Part of lot 8, concession 6, part 1 on plan 50R-2252 & part 4 on plan 50R-4082

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 (RU)

Services:

Municipal water:

Yes

Municipal Sewer:

Yes

Road access :

Landry Road

2) PURPOSE :

The owner has requested a minor variance in order to reduce the minimum distance separation (MDS I) from a livestock barn and manure storage facility from 134m to 55m. This reduction would allow the construction of a single detached dwelling on the existing property.

3) **VARIANCE REQUESTED :**

	Permitted	Proposed
Minimum distance separation between a livestock barn to a future dwelling.	134 metres	55 metres
Minimum distance separation between a manure storage facility to a future dwelling.	134 metres	55 metres

4) **CONDITIONS AND COMMENTS RECEIVED :**

Finance Department:

No objections.

Infrastructure Services:

New dwelling must be connected to municipal water.

Protective Services:

No concerns.

Community Services:

No comments.

Construction Division:

No comments.

United Counties of Prescott and Russell:

No comments.

South Nation Conservation:

N/A

Planning Services:

On April 4th, Ms. Vickie Brunet submitted an application for a minor variance in order to allow the reduction of the minimum distance separation (MDS I) from a livestock barn and manure storage facility from 134 meters to 55 meters. The applicant has proposed a reduction of the MDS I in order to allow the construction of a single detached dwelling on the subject property. The proposed dwelling would be located at approximately 90 meters from the existing livestock barn and approximately 70 meters from the manure storage facility on the neighboring property at 2058 Landry Road (figure 1). As proposed, the single-family detached dwelling does not respect the minimum separation distance formula, therefore a minor variance is required to permit its construction.

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

Furthermore, approximately 8.85 acres or 87% of the property is identified as "*Significant Woodland*" according to Schedule "B" of the Official Plan of the United Counties of Prescott and Russell. The proposed reduction of the MDS I would allow the owner to build a dwelling outside of the area identified as significant woodland.

The 10.09 acre lot is entirely zoned "*Village Rural (RU)*" under the Zoning By-law 2016-10. Under this zone, residential uses are permitted.

According to the implementation guidelines number 43 of the Minimum Distance Formula Document "MDS I setbacks should not be reduced except in limited site specific circumstances that meet the intent of the MDS Document. Examples include circumstances that mitigate environmental or public health and safety impacts, or avoid natural human-made hazards".



Figure 1: Location of the proposed dwelling, manure storage facility and livestock barn.

5) **FOUR TESTS :**

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

The subject property is entirely located in the "*Rural Policy Area*" according to Schedule "A" of the Official Plan of the United Counties of Prescott and Russell. The residential uses proposed for the subject property are permitted within this designation.

Section 7.4.25 of the Official Plan indicates that "where a local municipality applies MDS I to development on existing lots, minor variances to MDS I distances can be considered based on site specific circumstances. Circumstances that meet the intent, if not the precise distances of MDS I, or mitigate environmental impacts, may warrant further consideration". In this case, the applicant would need to build the proposed dwelling at approximately 250 meters from Landry Road in order to respect the proper minimum distance separation from the neighboring barn and manure storage facility. By doing so, the applicant would not only need to spend a significant amount of money in order to install the appropriate services to the house but also encroach on an area of the property containing significant woodland. Building within this area is not ideal, as it would most certainly lead the applicant to deforest an important portion of the woodland and in consequence, create an impact on the local environment. The general intent of section 5.5.6 of the Official Plan of the United Counties of Prescott and Russell in regards to significant woodland is to protect as much as possible these remaining woodlands.

Moreover, the main objective of the Minimum Separation Distance is to prevent conflicts regarding land use and the reduction of possible grievances associated with surrounding odors. Even though this application does not respect the prescribed distance established by the MDS I formula, the main intent of preventing complaints regarding different land uses is an existing problem in the area. The livestock barn and manure storage facility located at 2058 Landry Road does not respect the minimum distance separation (MDS II) of numerous surrounding dwellings and therefore is limited in their operations. Furthermore, the proposed dwelling will be further away than an existing dwelling located at 2048 Landry Road. The construction of a new single-family dwelling will not change the conflict that already exists in this specific circumstance. Therefore, 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 Zoning By-Law 2016-10 indicates in section 4.26 that "the Minimum Distance Separation Formula is applicable in zones where

agriculture use (livestock) is a permitted use". The subject property is located in a rural zone where agriculture use is permitted. That being said, the northern property line of the lot is directly abutting the "*Community Policy Area*" boundary of Clarence Creek according to Schedule "A" of the Official Plan of the United Counties of Prescott and Russell. Within this policy area, the Zoning By-law 2016-10 does not permit agriculture. The property's extreme proximity to the Community Policy Area indicates its compatibility with surrounding residential properties and land uses even though it cannot respect the MDS I.

The Zoning By-law 2016-10 indicates in section 4.26 that minimum distance separation should be applied through building permit on an existing lot. Although the applicant is seeking a variance from this provision, Ms. Brunet will respect all other provisions of this document. The proposed construction of a single-family dwelling is a permitted use on an existing lot of record in a rural zone. The dwelling will respect the prescribed setbacks from property lot lines, maximum building height and lot coverage identified in section 13.1.2. The variance respects the general intent and purpose of the Zoning By-Law 2016-10.

III. The variance is minor:

The Department deems this situation unique. The proximity of the property to the Community Policy Area, the potential environmental impact to the significant woodland if MDS I is respected, the added costs to the owner in order to build at the prescribed location and the existing residential use surrounding the property, makes this amendment minor. The proposed single family dwelling on Landry Road will not respect the minimum distance separation but is unlikely to generate any new complaints. Moreover, all other provisions of the Zoning By-law 2016-10 will be respected.

It is the department's recommendation to reduce the minimum distance separation from 134 meters to 90 meters from the livestock barn and 70 meters from the manure storage facility. These new proposed setbacks will ensure the dwelling is built as far as possible from these structures while staying compatible with the current surrounding residential uses. 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 reduction of the minimum distance separation (MDS I) is appropriate for the property.

6) **RECOMMENDATION FROM THE PLANNING DIVISION**

THAT the Committee of Adjustment accepts the application for Minor Variance submitted by Vickie Brunet, for the property identified as part of lot 8, concession 6, part 1 on plan 50R-2252 & part 4 on plan 50R-4082, to:

- Allow the reduction of the minimum distance separation from the livestock barn at 2058 Landry Road from 134 meters to 90 meters; and
- Allow the reduction of the minimum distance separation from the manure storage facility at 2058 Landry Road from 134 meters to 70 meters.