



CORPORATION OF THE CITY OF
CLARENCE-ROCKLAND

COMMITTEE OF ADJUSTMENT

June 24, 2020, 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 24 juin 2020, 19 h 00

Salle du Conseil

415 rue Lemay Street, Clarence Creek, Ont.

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

May 21, 2020
Council Chambers
415 rue Lemay Street, Clarence Creek, Ont.

PRESENT: Serge Dicaire
Guy Desjardins
Marie-Eve Belanger
Michel Levert
Samuel Cardarelli
Mario Zanth
Nicolas Denis

ABSENT: Marie-Ève Bélanger
Maryse St-Pierre
Monique Ouellet
Claire Lemay
Helen Collier
Michel Bergeron

1. Information

2. Opening of the meeting

The Chair opens the meeting at 7:16pm.

3. Reading and Adoption of the agenda

RESOLUTION

Moved by Samuel Cardarelli

Seconded By Michel Levert

THAT the agenda be adopted as presented with the addition of item 7.1.

CARRIED

4. Pecuniary declarations

none

5. Adoption of the minutes

RESOLUTION

Moved by Guy Desjardins

Seconded By Samuel Cardarelli

That the minutes of the meeting of January 16th, 2020 be approved.

CARRIED

6. Minor Variance Applications

6.1 D-13-20-01

Mr. Levert asked why we were encroaching onto the Emergency access and if will be an issue. Mr. Denis indicated that the Protection Services did not note that there were going to be an issue.

RESOLUTION

Moved by Samuel Cardarelli

Seconded By Mario Zanth

THAT the Committee of Adjustment accepts the application for Minor Variance submitted by Marc Bourbonnais, for the property identified as 645 Edwards Street, to:

- Allow the reduction of the minimum width of a two-way traffic driveway from 6.0 m to 5.5 m.

CARRIED

6.2 D-13-20-03

RESOLUTION

Moved by Mario Zanth

Seconded By Samuel Cardarelli

THAT the Committee of Adjustment accepts the application for Minor Variance submitted by Mr. Jocelyn Peloquin for Spacebuilders Ottawa Ltd., for the property identified as lots 10 & 62 and block 90 of reference plan 50M-336, to:

- Allow the reduction of the minimum exterior side yard from 3.0m to 1.2m for lots 10 and 62 of reference plan 50M-336;
- Allow the reduction of the minimum exterior side yard from 3.0m to 1.5m for block 90 of reference plan 50M-336.

CARRIED

6.3 D-13-20-04

RESOLUTION

Moved by Guy Desjardins

Seconded By Michel Levert

QUE le Comité de dérogation accepte la demande de dérogation mineure soumise par Marc et Michelle Brulé, dossier D-13-20-04, concernant la propriété décrite comme 2954 chemin Henrie, dans le but de :

- Réduire la cour latérale intérieure minimale de 3,0 m à 1,39 m .

CARRIED

7. Severance Application

7.1 Validation of Title

RESOLUTION

Moved by Mario Zanth

Seconded By Michel Levert

That the Committee of Adjustment recommends that the Certificate of Validation of Title for the property known as 1680 Tucker Road be approved and signed by the Official.

CARRIED

8. Follow-ups

8.1 B-CR-007-2018

Mr. Daniel Rozon, applicant, made a presentation in regards to his file and the hydrogeological report that was submitted. He would like the Committee to approve his hydrogeological study, being condition No. 4 without the approval and recommendation from SNC. He sent the report for review to Morey in which they said that the well can accommodate a

single detached dwelling. Mr. Rozon then explained the well in question. He continues by explaining the severances that Mr. Etter did in the past and compared those files to his file. His Engineers were asked by Mr. Rozon to compare the well from Mr. Etter to his.

Mrs. McDonald from South Nation Conservation made a presentation afterwards. She indicated that the Etter well had over 3 to 5 times more water than the Rozon well. She said that SNC received some calls about wells like the one proposed that became dry in 2019 for several weeks. She also indicated that side stepping the technical review process did not offer a fair approach to land division. She indicated that the well for B-CR-007-2018 was pumped during high water condition and the well still went dry. She continues by indicating that the property does not offer another proper location for the well. They also worry that the septic might contaminate the well due to its proposed location. The provision of water is essential for a lot creation.

RESOLUTION

Moved by Mario Zanth

Seconded By Michel Levert

That the Committee recommends that a new pump test be completed during the summer months as requested from South Nation Conservation and as recommended by the Committee of Adjustment at its meeting of April 24th, 2019.

CARRIED

9. Other Items

10. Adjournment

The meeting is adjourned at 9:05 pm.

Serge Dicaire President

W Marie-Eve Bélanger Secretary
Treasurer



**CORPORATION DE LA
CITÉ DE CLARENCE-ROCKLAND
PROCÈS-VERBAL RÉUNION COMITÉ DE DÉROGATION**

le 21 mai 2020
Council Chambers
415 rue Lemay Street,
Clarence Creek, Ont.

PRÉSENT: Serge Dicaire
Guy Desjardins
Marie-Eve Belanger
Michel Levert
Samuel Cardarelli
Mario Zanth
Nicolas Denis

ABSENT: Marie-Ève Bélanger
Maryse St-Pierre
Monique Ouellet
Claire Lemay
Helen Collier
Michel Bergeron

- 1. Information**
- 2. Ouverture de la réunion**
Le président ouvre la réunion à 19h16.
- 3. Lecture et Adoption de l'ordre du jour**

RÉSOLUTION

Proposé par Samuel Cardarelli

Appuyé par Michel Levert

QUE l'ordre du jour soit adopté tel que présenté avec l'ajout de l'item 7,1.

ADOPTÉE

4. Déclarations pécuniaires

aucune

5. Adoption des procès-verbaux

RÉSOLUTION

Proposé par Guy Desjardins

Appuyé par Samuel Cardarelli

Que le procès-verbal de la réunion du 16 janvier 2020 soit approuvé.

ADOPTÉE

6. Demandes de dérogation mineure

6.1 D-13-20-01

M. Levert demande pourquoi on empiète sur l'accès d'urgence et demande si ceci sera un problème. M. Denis indique que le Service de la protection a noté qu'il n'y n'avait pas d'objection.

RÉSOLUTION

Proposé par Samuel Cardarelli

Appuyé par Mario Zanth

THAT the Committee of Adjustment accepts the application for Minor Variance submitted by Marc Bourbonnais, for the property identified as 645 Edwards Street, to:

- Allow the reduction of the minimum width of a two-way traffic driveway from 6.0 m to 5.5 m.

ADOPTÉE

6.2 D-13-20-03

RÉSOLUTION

Proposé par Mario Zanth

Appuyé par Samuel Cardarelli

THAT the Committee of Adjustment accepts the application for Minor Variance submitted by Mr. Jocelyn Peloquin for Spacebuilders Ottawa Ltd., for the property identified as lots 10 & 62 and block 90 of reference plan 50M-336, to:

- Allow the reduction of the minimum exterior side yard from 3.0m to 1.2m for lots 10 and 62 of reference plan 50M-336;
- Allow the reduction of the minimum exterior side yard from 3.0m to 1.5m for block 90 of reference plan 50M-336.

ADOPTÉE

6.3 D-13-20-04

RÉSOLUTION

Proposé par Guy Desjardins

Appuyé par Michel Levert

QUE le Comité de dérogation accepte la demande de dérogation mineure soumise par Marc et Michelle Brulé, dossier D-13-20-04, concernant la propriété décrite comme 2954 chemin Henrie, dans le but de :

- Réduire la cour latérale intérieure minimale de 3,0 m à 1,39 m .

ADOPTÉE

7. Demande de morcellement

7.1 Validation de titre

RÉSOLUTION

Proposé par Mario Zanth

Appuyé par Michel Levert

Que le comité de dérogation recommande que le certificat de validation de titre pour le 1680 chemin Tucker soit approuvé et signé par l'Officiel.

ADOPTÉE

8. Suivi

8.1 B-CR-007-2018

M. Rozon, demandeur, fait une présentation en relation avec son dossier et l'étude hydrogéologique qui a été soumise. Il aimerait que le comité approuve son étude hydrogéologique, soit la condition no. 4, sans l'approbation ou la recommandation de la Conservation de la Nation Sud. Il a également envoyé l'étude pour révision à Morey, ou il indique que le puit peut accommoder une maison unifamiliale. M. Rozon explique

maintenant le puits en question. Il continue par expliquer les morcellements que M. Etter a fait dans le passé en le comparant avec son dossier. Il a demandé à ses ingénieurs de faire une révision du puits de M. Etter et de son puit.

Mme Alison McDonald de la Conservation de la Nation Sud a fait une présentation par la suite. Elle indique que le puit de M. Etter avait de 3 à 5 fois plus d'eau que le puits de M. Rozon. Elle indique que la CNS a reçu des appels l'an dernier à propos des puits comme ceux-ci qui sont devenu sec pendant plusieurs semaines. Elle indique également que le fait de passer à côté du processus d'examen technique n'offrait pas une approche équitable pour le morcellement des terres. Elle a indiqué que le puits pour B-CR-007-2018 avait été pompé pendant une période de niveau d'eau élevé et que le puits était devenu sec. Elle poursuit en indiquant que la propriété n'offre pas un autre emplacement approprié pour le puits. Ils craignent également que le champ septique contamine le puits en raison de son emplacement proposé. L'approvisionnement en eau est essentiel pour la création d'un lot.

RÉSOLUTION

Proposé par Mario Zanth

Appuyé par Michel Levert

Que le comité recommande qu'un nouveau pompage d'eau soit effectué pendant les mois de l'été, tel que demandé par la Conservation de la Nation Sud et tel que recommandé par le comité de dérogation à sa réunion du 24 avril 2019.

ADOPTÉE

9. Autres items

10. Ajournement

La réunion est ajournée à 9:05 pm.

Serge Dicaire Président

W Marie-Eve Bélanger Secrétaire-
Trésorière



COMMITTEE OF ADJUSTMENT

REPORT N° AMÉ-20-35-R

Date of meeting	24/06/2020
Subject	Changes to the conditions
File Number	B-CR-007-2018
Owner	Daniel Rozon

1) **PURPOSE :**

The goal of this report is to change a condition for the severance file B-CR-007-2018 in order to be able to extend the delay since a new pump test is required.

2) **CONDITIONS AND COMMENTS RECEIVED :**

Planning Services :

The Adjustment Committee at its regular meeting of May 21st, 2020 decided that a new pump test during the low water season would be necessary to approve this severance.

On June 2nd, 2020, a Zoom meeting was organized between all parties to come up with a plan and agreement for the pumping of the well. As such, we would like to amend Condition No 4.

Condition 4 is as follows:

4. 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).

South Nation Conservation proposes that Condition No. 4 be modified to read as follows:

The applicant provides South Nation Conservation pump test results and associated datasets showing the recovery and parameters agreed to by all parties on June 2, 2020.

Also SNC indicated that Condition 5 will not be necessary anymore and can be removed.

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

The Department deems that the change of condition is major and that a 6-month extension be given to complete the conditions.

3) **DEPARTMENTAL RECOMMENDATION :**

THAT the Committee of Adjustment approve the changes to Condition 4 to read as follows:

The applicant provides South Nation Conservation pump test results and associated datasets showing the recovery and parameters agreed to by all parties on June 2, 2020.

and that the deadline to complete the conditions be extended to December 20th, 2020.



COMMITTEE OF ADJUSTMENT

REPORT N° AMÉ-20-31-R

Date received	25/05/2020
Date of the meeting	24/06/2020
Submitted by	Nicolas Denis
Object	Minor Variance
File n°	D-13-20-05
Owner	10815279 Canada Inc.
Applicant	Robin Cloutier
Legal Description	Part of Lot 27, Concession 1, Parts 2 and 3 on Reference Plan 50R-10925

1) GENERAL INFORMATION:

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

Urban Policy Area

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

Low Density Residential

Designation of the Official Plan of Bourget:

N/A

Classification of Zoning By-Law No. 2016-10:

Urban Residential Second Density Zone (R2)

Services:

Municipal water:

Yes

Municipal Sewer:

Yes

Road access :

Raymond Street

2) PURPOSE :

Minor variance in order to reduce the minimum frontage per dwelling unit from 10 m to 8.5 m, reduce the minimum lot area per dwelling unit from 300 m² to 259.2 m² and permit a maximum driveway width

per dwelling unit of 5.75 m. If approved, this would permit the construction of a semi-detached dwelling.

3) **VARIANCE REQUESTED :**

	Permitted	Proposed
Minimum frontage per dwelling unit	10 m	8.5 m
Minimum lot area per dwelling unit	300 m ²	259.2 m ²
Maximum driveway width		5.75 m per DU

4) **CONDITIONS AND COMMENTS RECEIVED :**

Finance Department:

No objection.

Infrastructure Services:

Grading plan will need to demonstrate a front to back grading. New services and a road cut permit will be required. A dry well for the sump pump will be required since there is no storm service at this location.

Protective Services:

No comments.

Community Services:

No comments.

Construction Division:

No comments.

United Counties of Prescott and Russell:

No comments

South Nation Conservation:

No comments.

Planning Services:

On May 25th 2020, Mr. Robin Cloutier from RN Properties (10815279 Canada Inc.), submitted an application regarding a minor variance in order to reduce the minimum frontage per dwelling unit from 10 m to 8.5 m, reduce the minimum lot area per dwelling unit from 300 m² to 259.2 m² and permit a maximum driveway width per dwelling unit of 5.75 m. If approved, this would permit the construction of a semi-detached dwelling.

On January 30th 2019, the Committee of adjustment conditionally approved the severance application B-CR-002-2019 for the creation

of a new lot on Raymond Street (Figure 1). The owner at the time, Pierre René Charron and Francine Rachel Charron, severed a parcel of land with an agreement to sell the property to RN Properties (10815279 Canada Inc.) for residential purposes. The original intent of the lot was to build a duplex dwelling on the subject property. The dimensions of the property were established using the zone requirements for this type of dwelling outlined in Table 6.3.2 for the Urban Residential Second Density (R2) zone. After the creation of the new lot was completed and subsequently transferred to the new owner, a building permit application was submitted for a duplex dwelling. During the review period of the building plans and succeeding conversations with the owner, it was determined that a third unit was not a permitted use for the basement floor in a duplex dwelling as per Section 4.41 of the Zoning By-law 2016-10. The owners, wanting to keep their options open for future improvements, determined that a semi-detached dwelling was a better option for this location. That being said, the dimensions and area of the newly severed lot did not meet the requirements for a semi-detached dwelling. A minor variance is required in order to build this dwelling type on this property.

All of the subject property is included under the "*Urban Policy Area*" on Schedule "A" of the Official Plan of the United Counties of Prescott and Russell. Also, this property is included under the "*Low Density Residential*" designation according to the Official Plan of the Urban Area of the City of Clarence-Rockland. Under these policy areas, the proposed residential use is permitted.

The property is zoned "*Urban Residential Second Density (R2)*" under the Zoning By-law 2016-10. Under this zone, the proposed residential uses are permitted.

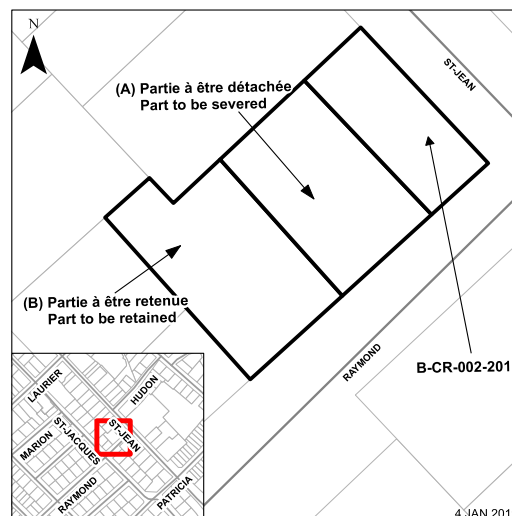


Figure 1 – Location of the subject properties (Part to be severed).

5) **FOUR TESTS :**

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

The property is identified under the "*Urban Policy Area*" designation on Schedule "A" of the Official Plan of the United Counties of Prescott and Russell. This designation applies to Towns or Villages with a population of 1000 or more which have been developed on full municipal services. It is intended that this area is to absorb a significant part of future growth in the United Counties of Prescott and Russell and maximize development on available infrastructures. Directing growth to our communities will result in compact development which in turn helps to ensure efficient use of infrastructures. Compact development patterns will also help to ensure that future infrastructure expansions will take place in a more cost efficient manner. Under this policy area, the proposed residential use is permitted.

Section 2.1.2.1 f) indicates that a portion of the County's future housing needs shall be provided through residential intensification, such as, modest intensification in stable residential areas respecting the character of the area. Stable residential areas are considered to be established areas generally consisting of predominantly low density housing on local roads with the built boundary. The proposed development will be intensifying an established area of Rockland amongst low density housing on a local street.

Moreover, Section 2.2.6. of the Official Plan of the United Counties of Prescott and Russell outlines the residential policies within Urban Policy Areas. Item b) states that one of the objectives of residential development within the Urban Policy Area is "to provide for a range and mix of low, medium density housing types to satisfy a broad range of residential requirements and ensure that affordable housing is available, but low rise and low density housing forms such as single-detached and semi-detached dwelling units shall continue to predominate". If approved, the proposed development would add valuable affordable housing to the urban area without adding a dwelling type that is not consistent with the overall character of the neighborhood.

This designation supports diversified mixed communities offering a range of housing types. As such, the proposed minor variance is in line with the policies of the Official Plan of the United Counties of Prescott and Russell.

In addition, the property is included under the "*Low Density Residential*" designation according to the Official Plan of the Urban Area of the City of Clarence-Rockland. Under this policy area, the proposed residential use is permitted.

Section 4.10.1 of the Official Plan also encourages diversity in the supply of housing, promote a full range of housing types and allow increased residential intensification in the urban area.

As such, the variance requested maintains the general intent and purpose of the policies outlined in the Official Plan of the urban area of the City of Clarence-Rockland and the Official Plan of the United Counties of Prescott and Russell.

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

The property is zoned "*Urban Residential Second Density (R2)*" under the Zoning By-law 2016-10. Under this zone, the proposed residential use is permitted.

The owner is requesting relief for some of the zone requirements established in Table 6.3.2. This would permit the construction of a semi-detached dwelling on a slightly smaller lot originally designed for a duplex dwelling. These reductions include the minimum lot frontage per dwelling unit from 10.0 m to 8.5m and the minimum lot area per dwelling unit from 300m² to 259.2m². After reviewing the proposed building plans for the semi-detached dwelling (Figure 2), the designer has proposed a structure that, despite the lot dimensions, can meet the prescribed 6.0 m front yard setback, the 1.0 m interior side yard setbacks, the 7.5m minimum rear yard setback, the 70 m² minimum dwelling unit area, the 1.0m landscape buffer and the 11.5 m maximum building height. That being said, the reduced lot dimensions will not have an impact on reducing or affecting the functions of the required yards nor will it compromise minimum indoor or outdoor spaces expected in a Urban Residential Second Density (R2) zone. It is important to note that permitting this project will not have an impact on surrounding properties. In fact, the reduced lot dimensions forces the owner to build a smaller semi-detached dwelling, that meets most of the minimum zone requirements, which in return will blend with the neighbouring single-family dwellings and create smaller units that can legitimately cater to a different socio-economic demographic.

Moreover, the owner is requesting a maximum driveway width of 5.75m per dwelling unit. This additional variance is required in

order to address the possibility of adding secondary units in the basement of each dwelling units in the future. If this is the case, 3.0 parking spaces are required per dwelling units. A parking space would be provided in the garage of each dwelling units and two parking spaces would be provided in the driveway. That being said, in order to satisfy Section 5.2.3 of the Zoning By-law 2016-10 in regards to motor vehicle parking space dimensions, a wider driveway would be required per dwelling units. Nonetheless, the intention of the Zoning By-law is to limit the maximum width of driveways in order to reduce impermeable surfaces, allow stormwater to infiltrate efficiently into the bordering soil and ensure that there is a minimum 1.0m landscape buffer between residential lots. The proposed width of the driveways are anticipated to provide 2.7m as a landscape buffer on both sides of the lot between abutting properties which in return will provide sufficient space for snow storage during the winter months and sufficient space for surface runoff infiltration.

In consideration of the foregoing, the variance respects the general intent and purpose of the Zoning By-Law 2016-10.

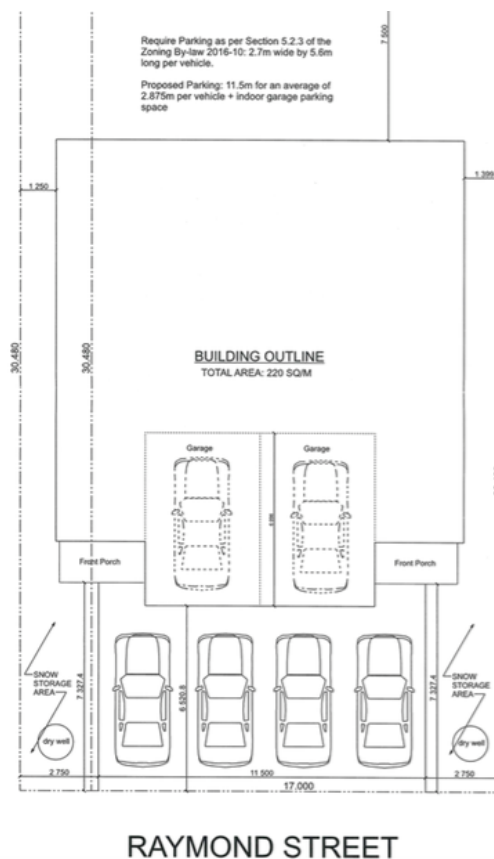


Figure 2 – Proposed semi-detached site plan.

III. The variance is minor:

The Department deems this amendment as minor since the proposed use is already permitted by the current zone and encouraged by the governing Official Plan's.

In addition, the reduction of the minimum frontage per dwelling units (15% reduction) and the minimum lot area per dwelling units (13.6% reduction) will not limit the proposed structure of achieving the minimum dwelling unit area and the minimum yard setbacks prescribed by the Zoning By-law 2016-10. In return, the City of Clarence-Rockland will intensify its urban area, maximize the infrastructure currently available and gain valuable affordable housing. That being said, the proposed project will respect all other provisions established in the Zoning By-law 2016-10.

Furthermore, the newly created lot is located on Raymond Street. This local street presents a spacious road allowance, variable circulation levels depending on the time of day and a flat surface, which in return offers a great visibility for vehicles to access the property or roadway. The addition of a semi-detached dwelling is not anticipated to create any safety hazard to other residents, pedestrians or motorists.

Without a minor variance, the owners could build a duplex dwelling and achieve similar results. The Zoning By-law defines a duplex dwelling as "a residential building divided horizontally into two attached dwelling units, each having a separate entrance either directly or through a common vestibule". Keeping this in mind, the current characteristics of the subdivision (mostly single-family dwellings) would inherently make this type of structure stand out significantly more than a proposed vertically separated semi-detached. Furthermore, a semi-detached was built in 2012 in close proximity to the subject property and on Raymond Street (Figure 3). This is a great example of the type of structure that can be developed and its coexistence within a predominate single-family dwelling community.

The variance can therefore be considered minor.



Figure 3 – Example of a semi-detached dwelling on Raymond Street.

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

The proposed use of the land is encouraged by the Provincial Policy Statement, by the Official Plan of the United Counties of Prescott and Russell and by the Official Plan of the Urban Area of the City of Clarence-Rockland. The property in question will respect every other provision of the Zoning By-law 2016-10. The proposed reduction of the minimum frontage per dwelling unit, the reduction of the minimum lot area per dwelling unit and the maximum driveway width per dwelling unit are appropriate and required for the continuation of development of this property.

6) RECOMMENDATION FROM THE PLANNING DIVISION

THAT the Committee of Adjustment accepts the application for Minor Variance submitted by Mr. Robin Cloutier for 10815279 Canada Inc, for the property identified as Part of Lot 27, Concession 1, Parts 2 and 3 on Reference Plan 50R-10925 to:

- Allow the reduction of the minimum frontage per dwelling unit from 10.0 m to 8.5 m;
- Allow the reduction of the minimum lot area per dwelling unit from 300.0 m² to 259.2 m²;
- Allow a 5.75 m maximum driveway width per dwelling unit.