



COMMITTEE OF ADJUSTMENT

REPORT N° AMÉ-20-55-R

Date received	23/07/2020
Date of meeting	23/09/2020
Submitted by	Nicolas Denis
Subject	Consent – Creation of a new lot
File Number	D-10-896
Owners	Yann and Jonathan Lecompte
Agent	Lavoie Design & Drafting Inc.
Civic Address	880-884 St-Jean Street
Legal Description	Part of Lot 27, Concession 1 (O.S.)

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:
Local Commercial (CL) Zone (Pending an amendment to the Zoning By-law 2016-10 to change the zone category to Urban Residential Second Density – Exception 30 (R2-30) Zone)

Services :

Municipal Water: Yes

Municipal Sewer: Yes

Road Access: St-Jean Street

An appeal may be made to the LPAT if no decision is made within 90 days (21/10/2020).

2) **PURPOSE :**

The owners have requested consent in order to create a new residential lot. The proposed new residential lot would have an area of approximately 600.4 square metres and have 23.15 m of frontage on Raymond Street. This application is concurrent with application D-14-538, which seeks to modify the zoning category from "Local Commercial (CL) Zone" to "Urban Residential Second Density – Exception 30 (R2-30) Zone" in order to permit the conversion of the existing building into a detached dwelling and the construction of a semi-detached dwelling on the proposed new residential lot.

3) **CONSENT REQUESTED :**

	Frontage	Depth	Area
(A) Severed parcel	23.146 m	25.94m	600.4m²
(B) Retained parcel	20.514m	25.94m	531.93m²

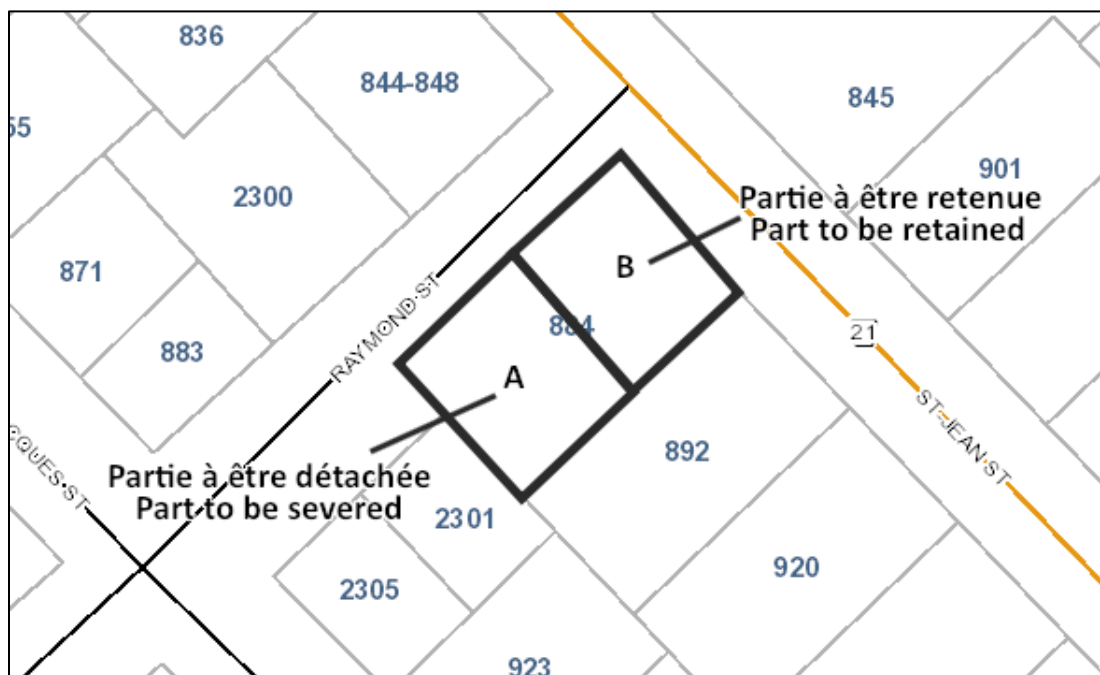


Figure 1 (Keymap)

4) **CONDITIONS AND COMMENTS RECEIVED :**

Finance :

Must ensure that taxes are up to date.

Protective Services :

No comments.

Community Services :

5% of the value of the parcel to be severed as cash-in-lieu of parkland payment.

Construction :

Full site plan review will be done at permit application with building plans.

Infrastructure Services :

- Remove the storm connection to the sanitary sewer for the driveway sloping towards the existing property. Owner will need to install a storm sump pump to pump rainwater. It is part of the Sanitary Pumping station No2 I&I reduction program.
- There is no storm sewer on Raymond St therefore the new semi-detached with accessory apartments will need to have a sump pump and existing building will need to be equipped with sump pump if not already. It will be a condition to disconnect any storm related pipes to the sanitary sewer. Storm pipes will need to be plugged to a sump pump pit. Site plan to show proposed dry well and or splash pad.
- New services for semi-detached will need to be provided (SAN & Water)
- LIDs will definitively be required to reduce the drainage potential problems. Back to front drainage will be required. A stormwater management brief will be required as a condition of the consent.
- Grading, servicing and erosion and sediment control plan will be required with submission of building permit application.
- There is an old existing storm catch basin on the proposed semi-detached property (almost if not under the proposed building). This will need to be removed. This catch basin was CCTV this spring and it is a catch basin that leads to a gravel dry well. There is no actual outlet to this catch basin.

United Counties of Prescott and Russell :

See attached document.

South Nation Conservation :

See attached document.

Planning Services :

On July 23rd 2020, Lavoie Design and Drafting Inc. on behalf of Yann and Jonathan Lecompte submitted a complete consent application in order to create a new residential lot. The proposed new residential lot would have an area of approximately 600.4 square metres and have 23.15 m of frontage on Raymond Street (Figure 1). The attached *Site Plan* and *House Plan* as well as *Planning Application Cover Letter*, from Lavoie Design & Drafting Inc., in support of the application were submitted as supporting documents to this application.

It is important to note that this application is concurrent with application D-14-538, which seeks to modify the zoning category from "Local Commercial (CL) Zone" to "Urban Residential Second Density – Exception 30 (R2-30) Zone". If approved, this would permit the conversion of the existing building into a detached dwelling and the construction of a semi-detached dwelling on the proposed new residential lot. This application was presented to the Planning Committee on September 2nd and subsequently recommended to Council for adoption.

Furthermore, the attached preliminary site plan and house plans illustrate the proposed semi-detached dwelling with second units at the basement level and the existing building to be modified and converted into a single-family dwelling with a second unit in the basement. The building currently located on the property was previously used as a veterinary clinic for numerous years. The new owners are not interested in pursuing similar commercial uses on the property and prefer reinstating the original residential uses and divide the lot in two for an infill development. The owners are proposing demolishing a part of the existing building in order to accommodate the proposed dividing property line and respect the appropriate interior side yard setback.

The subject property is located within the "*Urban Policy Area*" on Schedule "A" of the Official Plan of the United Counties of Prescott and Russell. Under this Policy, the proposed residential uses are permitted.

Also, the subject property is located within the "*Low Density Residential*" designation of the Official Plan of the Urban Area of the City of Clarence-Rockland. Under this designation, the proposed residential uses are permitted.

The application was deemed complete on August 12th, 2020. A notice of public meeting was sent to different agencies and to the property owners within 60 meters of the subject property on August 12th, 2020. A sign has also been posted on the property.

The proposed consent conforms to the Official Plan of the United Counties of Prescott and Russell, the Official Plan of the Urban Area of the City of Clarence-Rockland and to the Provincial Policy statement. If approved, the amendment to the Zoning By-law will permit the proposed uses.

5) **DEPARTMENTAL RECOMMENDATION :**

THAT the Committee of Adjustment approve the consent application submitted by Yann and Jonathan Lecompte, file number D-10-896, concerning the property described as 880-884 St-Jean 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 D-10-896 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 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 D-10-896 as approved by the committee.
3. That the road allowance of County Road 21 (St-Jean Street) along the retained parcel be enlarged as needed to 13 metres from the centre of the road; that the visibility triangle along the intersection of Raymond Street and County Road 21 (St-Jean Street), according to the provisions of the municipal Zoning By-law, be included in this enlargement and that a Deed/Transfer be prepared and executed to transfer the land free of fees or encumbrances to the United Counties of Prescott and Russell for the sum of \$1.00.
4. That the owner(s) provide confirmation that all municipal taxes are up to date.
5. That the applicant(s) provide to the Approval Authority of the City of Clarence-Rockland a stormwater management brief for the detached parcel, to demonstrate that there will be no drainage problems. This report shall be prepared by a qualified professional at the applicant's expense, and shall be reviewed and approved by the City of Clarence-Rockland's Engineer.
6. That the applicant(s) pay the City of Clarence-Rockland an amount equivalent to 5% of the value of the parcel to be severed as cash in lieu of parkland payment. The value of the land shall be determined by:
 - a. A market appraisal or a letter of opinion, obtained by and at the owner's expense, from a certified appraiser reviewed and accepted by the Infrastructure and Planning Department; or
 - b. The most recent land sale record of the subject property, no more than 24 months prior to the date of the decision, reviewed

and accepted by the Infrastructure and Planning Department; provided the sale was at market value and there has been no change that may impact the land value, including but not limited to changes in the zoning, Official Plan designation, or severance.

7. An undertaking from the owner(s) indicating that the existing storm connection on the retained parcel will be removed from the sanitary sewer and a storm sump pump to pump rainwater will be installed.
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.