

ORDRE DU JOUR

Agenda

Séance du Comité d'ajustement qui aura lieu
à 18 h 30, le 8 juillet 2020
*Committee of Adjustment meeting scheduled for
July 8, 2020 at 6:30 p.m.*

**(Demande de dérogation mineure - Réunion de planification
d'utilisation des terres)**
(Minor Variance Application – Land Use Planning Meeting)
908 Green Lake Road

1. **OUVERTURE**
CALL TO ORDER
2. **PRÉSENCE**
ROLL CALL

	In attendance	Absent	With Notice	Without Notice
Mayor Beverly Nantel				
Councillor Hélène Perth				
Councillor Chantal Croft				
Councillor Léandre Moore				
Councillor Luc Lévesque				
CAO-Clerk				
Treasurer				
Infrastructure Superintendant				
Misc. Staff				

Président à lire / *Chair to read* :

Cette réunion publique est une exigence de la Loi sur l'aménagement du territoire et est actuellement détenu à fournir une occasion pour le public d'exprimer leurs commentaires et préoccupations en ce qui concerne les applications proposées.

Si une personne ou un organisme public ne présente pas d'observations orales lors d'une réunion publique ou ne présente pas des observations écrites à la Corporation du Canton de Dubreuilville avant qu'une décision soit rendue, cette personne ou cet organisme public n'a pas le droit de faire appel de la décision du Conseil Municipal de la Corporation du Canton de Dubreuilville au Tribunal d'appel de l'aménagement local (TAAL) et ne peut être ajouté en tant que partie jointe à l'audience d'un appel devant le

Tribunal d'appel de l'aménagement local, sauf si, de l'avis du Tribunal, il existe des motifs raisonnables de le faire.

This public meeting is a requirement of the Planning Act and is being held to provide an opportunity for the public to voice their comments and concerns with regards to these proposed applications.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Corporation of the Township of Dubreuilville before a decision is rendered, the person or public body is not entitled to appeal the decision of the Corporation of the Township of Dubreuilville Municipal Council to the Local Planning Appeals Tribunal (LPAT) and may not be added as a party to the hearing of an appeal before the Local Planning Appeals Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

3. APPEL ET DÉCLARATION D'INTÉRÊT PÉCUNIAIRE
DECLARATION OF CONFLICT

4. ADOPTION DE L'ORDRE DU JOUR
APPROVAL OF AGENDA

5. ADOPTION DES PROCÈS-VERBAUX
ADOPTION OF MINUTES

5.1 Procès-verbal daté du 24 juin 2020 du Comité d'ajustement / *Committee of Adjustment meeting minutes dated June 24, 2020;*

6. CORRESPONDANCE
CORRESPONDENCE

6.1 Rapport de planification daté du 8 juillet 2020 du planificateur Fotenn Consultants Inc. en ce qui concerne la demande de dérogation mineure pour 908, chemin Green Lake / *Planning report dated July 8, 2020 from the Planner Fotenn Consultants Inc. with regards to the Minor Variance Application for 908 Green Lake Road;*

7. DÉLÉGATIONS
DELEGATIONS

7.1 Commentaires des membres du public / *Comments from members of the public (10 minutes maximum);*

8. RAPPORT DES COMITÉS
REPORTS FROM COMMITTEES

9. APPROBATION DES RÉGISTRE DE CHÈQUES
APPOVAL OF CHECK REGISTER

10. RÉGLEMENTS
BY-LAWS

11. AJOUT
ADDENDUM

12. ASSEMBLÉE A HUIS CLOS
IN-CAMERA SESSION

13. AJOURNEMENT
ADJOURNMENT



5.1

THE CORPORATION OF THE TOWNSHIP OF DUBREUILVILLE

-MINUTES-

Committee of Adjustment Meeting held on
June 24, 2020 at 6:30 p.m.
Council Chambers

Minor Variance Application– Land Use Planning Meeting

PRESENT: Councillor, H. Perth
Councillor, L. Moore
Councillor, C. Croft
Councillor, L. Lévesque

ABSENT: Mayor, B. Nantel (with notice)

STAFF: CAO-Clerk, Shelley B. Casey

Councillor Hélène Perth called the meeting to order at 6:34 p.m.

COA-20200624-01 Moved by: Councillor Moore
Seconded by: Councillor Lévesque

Whereas that the agenda for the Committee of Adjustment meeting of June 24, 2020 for the purpose of reviewing a minor variance application, be adopted as submitted.

Carried

COA-20206224-02 Moved by: Councillor Croft
Seconded by: Councillor Lévesque

Whereas that the attached Committee of Adjustment meeting minutes dated February 26, 2020 be adopted and approved accordingly as submitted.

Carried

COA-20200624-03 Moved by: Councillor Croft
Seconded by: Councillor Moore

Whereas that the attached Planning Report dated June 17, 2020 from Fotenn Consultants Inc. with regards to recommendations concerning an application for minor variance (Municipal File No. MV-20200525-01) for 908 Green Lake Road, be received; and

Whereas that the public and agencies who may have an interest with regards to this property in question have had a chance to comment on this specific planning application and the Committee of Adjustment has taken into consideration all comments received, if any;

Therefore be it resolved that the Committee of Adjustment of the Corporation of the Township of Dubreuilville, in light of the shared side yard property line between 908 & 906 Green Lake Road being called into question, that this application be deferred to our next regular scheduled municipal council meeting date of July 8, 2020 to ensure that the qualified/registered Ontario Surveyor has had the opportunity to locate and identify the property pins. This will allow the owner to assess the submitted plan and measurements of his proposed garage to compare with the required zoning regulations and actual property lines/pins. Council can then make a better-informed decision with additional information obtained on this particular matter.

Carried

COA-20200624-04 Moved by: Councillor Croft
Seconded by: Councillor Lévesque

Whereas that the June 24, 2020 Committee of Adjustment meeting for the purpose of reviewing minor variance application shall adjourn at 6:53 p.m.

Carried

Mayor

CAO/Clerk

6.1

**Corporation of the Township of Dubreuilville
Planning Report**

Prepared for:	Shelley Casey, CAO/Clerk	Applicant Name:	Guy Lachapelle
Prepared by:	Jaime Posen, MCIP RPP	Application Type:	Minor Variance
Location:	908 Green Lake Road	Report Date:	July 8, 2020

Recommendations

That the Committee of Adjustment:

- / **Approve the requested variances to Zoning By-law 2015-44 to permit the proposed garage development, as shown on the submitted plans dated July 8, 2020.**

Purpose

The purpose of the subject Minor Variance application is to permit the construction of a new garage building on the property municipally known as 908 Green Lake Road. The proposed garage is generally the same size as the existing garage.

Background

The applicant proposes to demolish the existing garage on the property and construct a new garage building at the same location. There is an existing single-detached dwelling on the property, with the proposed garage serving as a storage space for equipment and tool storage.

The property at 908 Green Lake Road is located on the west side of Green Lake Road, in the western part of the Dubreuilville township. The property has frontage on Green Lake Road on the east side, and water frontage along Green Lake on the west side. The majority of properties along Green Lake Road accommodate single-detached dwellings.

The property is zoned Waterfront Residential Zone (R6), and shares a zoning designation with other residential lots along the west side of Green Lake Road. The intent of the zone is to create and recognize waterfront properties that are generally larger than standard residential lots. While accessory buildings are permitted in the R6 zone, variances are required to the following zoning provisions to permit the proposed garage:

- / To permit a reduced front yard setback of 3.7 metres, whereas Table 11.2 of the Zoning By-law requires a front yard setback of 10 metres; and
- / To permit an increased maximum lot coverage of 4 percent for accessory buildings, whereas Table 11.2 of the Zoning By-law permits a maximum lot coverage of 2 percent.

Circulation Comments

The Minor Variance application has been circulated to property owners within 60 metres of the subject property and to Township departments.

Written comments were received from the property owner at 906 Green Lake Road to the north, concerning the location of the property line. At the request of the neighbouring property owner, a Surveyor performed a site visit to confirm the location of property lines. The survey pins have now been relocated to the correct location. The extent of the requested front yard variance has been reduced as a result of the Survey Plan.

The neighbouring landowner also expressed concerns about the location of the proposed garage, desiring that the front yard setback requirement be respected. For the reasons outlined in the Planning Recommendation below, this report continues to support the proposed variances.

Policy and Regulatory Framework

Provincial Policy Statement (PPS), 2020

The 2020 Provincial Policy Statement (PPS), issued under the authority of Section 3 of the Planning Act, provides direction on matters of provincial significance related to land use planning and development. The Planning Act requires that decisions affecting planning matters be consistent with policy statements issued under the Act.

The PPS promotes efficient development and land use patterns which accommodate an appropriate range and mix of land uses to meet long-term needs. Additionally, the policies promote cost-effective development standards to minimize land consumption and servicing costs.

The proposed variances are consistent with the policies of the PPS.

Township of Dubreuilville Official Plan (2015-27)

The Township of Dubreuilville Official Plan contains goals, objectives, and policies that guide development in the community. All policies must be consistent with the Planning Act, Provincial Policy Statement, the Growth Plan for Northern Ontario (2011), and all other applicable laws and policy directions.

The subject lands are designated as "Residential Area" on Schedule A of the Official Plan. The designation permits a full mix and range of housing types and densities appropriate to a small urban community. Accessory buildings and structures are permitted subject to standards and requirements set out in the Zoning By-law.

Principle 6.3.2.4 states that housing types and densities will include a mix of dwelling types where designed to maintain compatibility and consistency in the character of the area in which they are located. Urban design principle F in Section 6.3.2.12 encourages design of housing that is architecturally compatible.

Policy 6.15.2.7 establishes that an Environmental Impact Study (EIS) may be required adjacent to lakes and rivers. Due to the small scale of the proposed garage, and as the garage will be constructed in a location that currently accommodates an existing garage, submission of an EIS is not necessary.

Policy 9.1.2 states that, in the absence of detailed mapping, the setback of habitable buildings, non-residential buildings and sewage disposal systems from the shoreline or high water mark shall be 30 metres. The setback provisions may be reduced or waived without amendment to the Official Plan where technical evidence is provided that establishes a flood plain elevation and that development will be located above the said elevation. As the proposed garage is not habitable and is proposed to be constructed in a location that currently accommodates an existing garage, the impact of potential flooding is reduced.

The proposed Minor Variance application is consistent with the policies of Official Plan.

Township of Dubreuilville Zoning By-law (2015-44)

Section 4.1 of the Zoning By-law contains provisions for accessory buildings, including:

- / Accessory uses, buildings and structures shall be permitted in all zones as set out in the list of permitted accessory uses for each specific zone.
- / Accessory uses, buildings and structures shall comply with the zoning regulations for the zone in which they are permitted [...]
- / No accessory use shall be erected closer to the front lot line or the exterior side lot line than the minimum front yard and external side yard setbacks required for the main building [...]

The subject lands are zoned Waterfront Residential (R6) in Zoning By-law. The R6 zone permits single-detached dwellings and seasonal dwellings on relatively large lots, along with associated accessory buildings and structures.

The proposed garage is evaluated against the applicable zoning standards in the table below:

Provision	Zoning By-law Requirement	Proposal	Compliance
Minimum Front Yard with no water frontage*	Same as main use (10 m)	3.7 m	x
Minimum Rear Yard	0.5 m	~7 m	✓
Minimum Interior Side Yard	0.5 m	1 m	✓
Maximum Height	.6 m	4.11 m	✓
Maximum Lot Coverage	2% (not included in total of 5%)	4%	x
Separation Distance Between the Main Building and Any Accessory Building	2 m	4.8 m	✓

* This zoning category is interpreted to refer to properties for which street frontage is provided. In these cases, the property line along the street frontages represents the front lot line.

Based on the evaluation table above, the following variances are required:

- / To permit a reduced front yard setback of 3.7 metres, whereas Table 11.2 of the Zoning By-law requires a front yard setback of 10 metres; and
- / To permit an increased maximum lot coverage of 4 percent for accessory buildings, whereas Table 11.2 of the Zoning By-law permits a maximum lot coverage of 2 percent.

Planning Recommendation

It is our professional planning opinion that the proposed minor variance application is consistent with the Provincial Policy Statement (2020), conforms to the Township of Dubreuilville Official Plan (2016) and complies with the intent of the Township of Dubreuilville Zoning By-law (2015).

In particular, our support is premised on the following factors:

- / The proposed garage will be constructed in the same location as the existing garage, which is proposed to be removed. The proposed garage is generally the same size and scale as the existing garage. Consequently, impacts will not be significant.

- / The setback of the existing house, while less than the Zoning By-law requirement, is consistent with the siting of other homes along the west side of Green Lake Road. Given this streetscape character, the reduced front yard setback of the garage will not generate significant visual impacts.
- / The depth of the lot is generally not sufficient to accommodate both the required front yard setback and the required shoreline setback of 30 metres. Of the two provisions, a variance to the front yard setback is preferred to protect the environmental integrity of the lake and avoid any flooding impacts.
- / The proposed garage remains aligned with the front of the existing dwelling, and is no closer to the street, maintaining the intent of the Zoning By-law.
- / The increase in lot coverage from 2 percent to 4 percent is minor and will not result in undue impacts to stormwater management or streetscape character. Notably, the maximum lot coverage for the Residential First Density (R1) zone is 10 percent.

Additionally, the proposed variances maintain the general intent and purpose of both the Official Plan and Zoning By-law, are desirable for the use of the land, and are, in our opinion, minor in nature. We recommend approval of the proposed Minor Variances.

Fotenn Consultants Inc.



