



Municipality of Mississippi Mills

COMMITTEE OF ADJUSTMENT AND PROPERTY STANDARDS AGENDA

Wednesday, December 16, 2020

5:30 p.m.

E-participation

	Pages
A. CALL TO ORDER	
B. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF	
C. APPROVAL OF AGENDA	
D. APPROVAL OF MINUTES	2 - 5
E. REPORTS	
E.1. Minor Variance Application A-15-20	6 - 15
The owners/applicant is requesting relief from the minimum rear yard setback requirement from 7.5m (24.6ft) to 4.27m (14ft) of the Residential Second Density (R2) Zone to permit an addition on the existing dwelling. The addition would increase the floor area for the existing dwelling and would include a new secondary dwelling unit.	
F. OTHER / NEW BUSINESS	
G. MEETING ANNOUNCEMENTS	
G.1. Draft 2021 Meeting Dates	16
H. ADJOURNMENT	



**The Corporation of the Municipality of Mississippi Mills
Committee of Adjustment and Property Standards Meeting
MINUTES**

**November 18, 2020
5:30 p.m.
Council Chambers, Municipal Office
3131 Old Perth Road**

Committee Present: Stacey Blair
Connie Bielby
Patricia McCann-MacMillan

Staff Present: Maggie Yet, Planner I

A. CALL TO ORDER

The meeting was called to order at 5:34p.m.

**B. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE
THEREOF**

None.

C. APPROVAL OF AGENDA

Moved by Stacey Blair

Seconded by Connie Bielby

D. APPROVAL OF MINUTES

Moved by Connie Bielby

Seconded by Stacey Blair

E. HEARINGS

E.1 Application A-13-20

The Chair opened the floor to comments. The Planner noted that prior to the meeting, the Chair had noted the report stated there were no environmental and natural features present and questioned if there was a floodplain and stable slope hazard onsite. The Planner responded that the Mississippi Valley Conservation Authority had been circulated a copy of the application for review and comment, however, no comments were received regarding the subject application. The Planner further noted that the property abuts the floodplain although the structure would not be located within the delineation of the floodplain. The Planner noted that if the Committee is concerned regarding the floodplain and slope hazard that the Committee could include that the applicant obtain all necessary approvals and permits from MVCA as a condition of approval. The Planner further noted that as the property is within MVCA's regulation area that the applicant would be required to obtain an MVCA permit, should it be required, whether or not the Committee required it as a condition of approval and that the Building Department is not able to issue a permit for the change of use if applicable law is not met.

The Planner additionally provided comments from the Fire Chief verbally to the Committee which were received following the finalization of the staff report and agenda. Comments from the Fire Chief stated no concerns for the application.

S Blair stated she was satisfied with requirement to obtain necessary permits. C Bielby stated that the Health Unit and MVCA should be part of conditions. The Chair confirmed with the Planner no additional fixtures were to be added on site. The Chair commented that given her concerns regarding the unstable slope and flood plain, the Chair supported the condition that the applicant obtain MVCA approval and permits if required.

The Committee came to an agreement to include as a condition of approval that the applicant obtain all required MVCA approval and permits for the proposed expansion.

Committee passed the following motion:

THAT the Municipality of Mississippi Mills Committee of Adjustment approves the Minor Variance for the land legally described as Plan 779, Part Block D, Part Mackenzie St/Mill St, being Part 1 on RP 27R9235 and Parts 6 & 7 on RP 27R9384, Pakenham Ward, Municipality of Mississippi Mills, municipally known as 4839 Kinburn Side Road, to permit the expansion of a legal non-conforming secondary dwelling unit within the

Highway Commercial (C3) Zone from 73.5m² (791.5ft²) to 136.0m² (1,464.4ft²), subject to the following conditions:

1. That the Minor Variance are approved based on the plans submitted;
2. That the Owner obtain all required building permits and approvals for the secondary dwelling unit;
3. That the Owner obtain all required permits from the Leeds, Grenville & Lanark District Health Unit; and
4. That the Owner obtain approval and all required permits from the Mississippi Valley Conservation Authority (MVCA).

Moved by Stacey Blair

Seconded by Connie Bielby

CARRIED

E.2 Application A-14-20

The Chair opened the floor to comments. The Planner provided comments from the Fire Chief, noting no comments were raised in the review of the application. The Planner noted that prior to the meeting, the Chair had noted the report did not make reference to the Heritage Conservation District and requested a review of the proposal against the COP's heritage resource policies. The Planner responded that the building is a designated heritage building and within the Heritage Conservation District. The Planner provided a review of the applicable heritage policies within the COP verbally, including sections 4.3, 4.3.3.3 and 4.3.4.3.1. The Planner stated that the proposal would be limited to internal changes, no external changes are proposed and would not impact the heritage character or value of the District. The Planner noted that the Committee could include as a condition of approval that the applicant consult with the Heritage Committee.

S Blair noted she had no concerns with application. S Blair stated that she is familiar with the location and supportive of the application as it will add more residential units to the downtown core. S Blair further noted that the proposal would result only in interior changes and should not impact any heritage values of the property. S Blair stated she does not support the inclusion of condition to consult the Heritage Committee.

The Committee discussed with the Planner heritage concerns around the proposal and the scope and role of the Heritage Committee. The

Committee concluded not to include the proposed condition to require the applicant consult with the Heritage Committee as the proposed works are limited to an internal change of use and no exterior features were to be impacted, nor the heritage character or value of the subject property.

Following the discussion, the Committee took to a vote the following motion:

THAT the Municipality of Mississippi Mills Committee of Adjustment approves the Minor Variance for the lands legally described as Plan 6262, McIntosh Section, Lots E & F, Almonte Ward, Municipality of Mississippi Mills, municipally known as 77 Little Bridge Street, to permit the conversion of a ground floor commercial unit to a residential apartment dwelling unit in the C2 Zone with a maximum residential density of 3 units, subject to the following conditions:

1. That the Minor Variance are approved based on the plans submitted;
2. That no changes to the exterior of the building are required for the proposed residential dwelling unit unless otherwise required by the Ontario Building Code, and
3. That the Owners obtain all required building permits and approvals for the change of use.

Moved by Stacey Blair

Seconded by Connie Bielby

CARRIED

F. OTHER / NEW BUSINESS

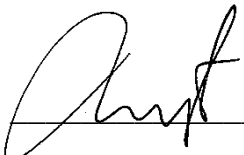
None.

G. MEETING ANNOUNCEMENTS

None.

H. ADJOURNMENT

THAT the meeting be adjourned at 6:00 p.m.



Maggie Yet, Recording Secretary

CARRIED

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

PLANNING REPORT

MEETING DATE: Wednesday, December 16, 2020
TO: Committee of Adjustment
FROM: Maggie Yet – Planner 1
SUBJECT: **MINOR VARIANCE APPLICATION A-15-20 (D13-WAT-20)**
Plan 6262, Lot 99 and Part Lot 100
Almonte Ward, Municipality of Mississippi Mills
Municipally known as 119 Edward Street
OWNER/APPLICANT: Kimberly Dagenais (Watters) & Paul Watters

RECOMMENDATION:

THAT the Municipality of Mississippi Mills Committee of Adjustment approves the Minor Variance for the land legally described Plan 6262, Lot 99 and Part Lot 100, Almonte Ward, Municipality of Mississippi Mills, municipally known as 119 Edward Street, to reduce the minimum required rear yard setback from 7.5m (24.6ft) to 4.27m (14ft) in order to permit the construction of an addition at the rear of the existing dwelling, subject to the following conditions:

- 1. That the Minor Variance is approved based on the plans submitted with a revision to the building plan to include a note that the existing dwelling and proposed addition will have eaves installed to carry water towards Edward Street and lot grading appropriate to ensure runoff from the eaves flows toward Edward Street; and**
- 2. That the Owner obtain all required building permits.**

PURPOSE AND EFFECT

The owners/applicant is requesting relief from the minimum rear yard setback requirement from 7.5m (24.6ft) to **4.27m (14ft)**¹ of the Residential Second Density (R2) Zone to permit an addition on the existing dwelling. The addition would increase the floor area for the existing dwelling and would include a new secondary dwelling unit. The Minor Variance request is outlined below:

Table 1 – Requested Relief from Zoning By-law #11-83

Section	Zoning Provision	By-law Requirement	Requested
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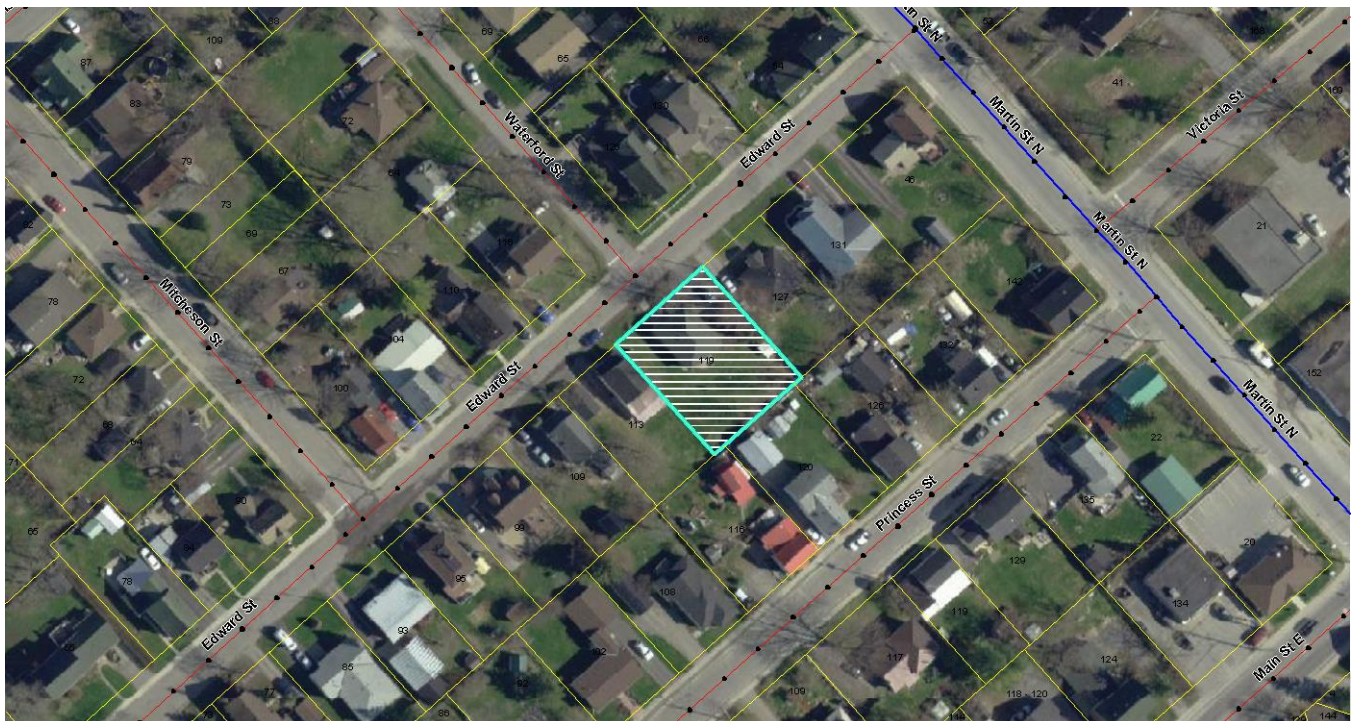
¹ The owner/applicant had originally requested relief from 7.5m to 3.66m (12ft) as circulated in the notice of public meeting. The application has been revised to reflect a requested relief of 4.27m (14ft) following additional information and confirmation by the owner/applicant.

Table 13.1(A)	Rear Yard Setback, Minimum	7.5m (24.6ft)	4.27m (14ft)¹
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DESCRIPTION OF SUBJECT LANDS

The subject property is located on Edward Street, east of the intersection of Edward Street and Martin Street N, within Almonte Ward. The property is 804.7m² (0.20ac) in size with a frontage of 25.1m (82.5ft). The property is occupied by a single detached dwelling. The proposed addition will be located to the rear of the existing dwelling. The addition would consist of two floors: the ground floor would contain a common mudroom and secondary dwelling unit and the second floor would expand the floor area for the primary dwelling unit. The property is generally surrounded by low density residential uses. The location of the subject property is depicted in the following aerial photo:

Figure 1. – Aerial Photo of Property (2014)



SERVICING & INFRASTRUCTURE

The subject property is serviced by municipal water and sewer services and has driveway access from Edward Street, a municipally owned and maintained road. The municipal servicing and infrastructure demands would not change as a result of the application.

COMMENTS FROM CIRCULATION OF THE APPLICATION

COMMENTS FROM INTERNAL CIRCULATION

Comments received based on the circulation of this application have been summarized below:

CAO: No comments received.

CBO: No objections.

Fire Chief: No concerns.

Acting Director of Roads and Public Works: A note needs to be added to the [building plan] drawings that the both the expansion and the current unit need to have eaves installed to carry water forward towards Edward street and lot grading appropriate to ensure runoff from the eaves flows towards Edward Street. The proponent should consider connecting any sump pump to the storm sewer on Edward Street.

Recreation Coordinator: No concerns.

COMMENTS FROM EXTERNAL AGENCIES

Mississippi Valley Conservation Authority (MVCA): A cursory review of the above noted application revealed no issues with regard to Mississippi Valley Conservation Authority's plan input and review program. We have therefore screened this application out of our formal review process.

COMMENTS FROM THE PUBLIC

No comments were received from the public at the date this report was finalized.

EVALUATION

FOUR TESTS

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to grant relief from the requirements of a municipal zoning by-law. In properly evaluating such requests, the Committee needs to be satisfied that the proposal meets the four (4) tests set out in the *Planning Act*. Staff comments concerning the application of the four (4) tests to this Minor Variance request are as follows:

1. Does the proposal maintain the intent of the Official Plan?

The subject property is designated 'Residential' in the Municipality's Community Official Plan (COP). The Residential designation permits low and medium density residential uses and accessory uses. The Municipality's COP does not specifically address or contain policies related to minimum rear yard setbacks for properties located within the Residential designation. As such, the requested variance conforms to the general intent and purpose of the COP.

2. Does the proposal maintain the intent of the Zoning By-law?

The subject property is zoned "Residential Second Density (R2)" by the Municipality's Comprehensive Zoning By-law #11-83. The R2 Zone permits a detached dwelling in accordance with the detached dwelling provisions of the R1 Zone. The owners are applying to reduce the rear yard requirement to permit the construction of 111.5m² (1,200ft²) addition.

Minimum Rear Yard Setback Requirement

The intent of the minimum rear yard setback requirement for dwellings is to ensure that there is sufficient separation between the building and the rear lot line in order to allow for maintenance around the building, prevent runoff onto neighbouring properties, mitigate any potential visual

and privacy impacts between neighbouring properties, and maintain appropriate amenity space for the owners.

Maintenance: The requested relief will encroach into the required 7.5m rear yard setback by 3.24m (10.6ft) and is not expected to interfere with maintenance of the subject property. As such, the rear yard will maintain a setback of 4.27m which will provide adequate room for maintenance purposes.

Runoff: The proposed addition will increase the hard surface on the subject property by 111.5m². In the review of the application, the Acting Director of Roads and Public Works and Chief Building Official requested confirmation of the drainage pattern on the property. The applicant subsequently provided a revised sketch of the approximate drainage direction on the subject property. Following further review of the building plans and revised site sketch, the Acting Director requested that the building plans be revised to note the existing dwelling and proposed expansion will need to have eaves installed to carry water towards Edward Street and lot grading to ensure runoff from the eaves flows towards Edward Street. The Acting Director further noted that the applicant should consider connecting any sump pump to the storm sewer on Edward Street. No other concerns were identified. As such, Staff recommend that a condition of approval require an amendment to the submitted building plans to include eaves installation and lot grading to ensure runoff is directed to Edward Street.

As such, Staff does not anticipate significant impacts onto the property or adjacent properties from the increase in hard surface from the expanded building footprint.

Privacy Impacts: Although the minor variance would reduce the minimum setback from 7.5m to 4.27m, there remains sufficient distance from the subject property and adjacent properties to maintain privacy. Additionally, no objections had been received from adjacent owners regarding about potential privacy impacts at the time this report was finalized.

Amenity Space: The proposed structure will encroach into the rear yard setback by 3.24m which would leave 4.27m of sufficient landscaped amenity space for the use and enjoyment of the owners. Additionally, ample amenity space remains in the side yards given the total size of the lot in relation to the proposed addition.

Given the above, Staff is of the opinion that the Minor Variance in question maintains the intent of the Zoning By-law #11-83.

3. Is the proposal desirable for the appropriate development of the lands in question?

The proposal is desirable for the appropriate development and use of the land as it would the owner to increase the living space of the primary unit and add a secondary dwelling unit to be occupied by the owner's parents, thereby maximizing the owners' personal enjoyment and use of the land.

The proposal is desirable within the context of the neighbourhood and the Municipality as a whole as there are no foreseeable negative impacts as a result of the proposed variance. As noted, the setback will have no additional impacts on maintenance, runoff, amenity space or privacy on the subject property and adjacent properties. Due to the site-specific nature of property (i.e. the location of the existing and proposed structure, its size, and the negligible impacts), the proposal would not set a precedent for future applications where these features

are not present. Therefore, Staff is of the opinion that the proposal is a desirable and appropriate development of the subject lands.

4. Is the proposal minor?

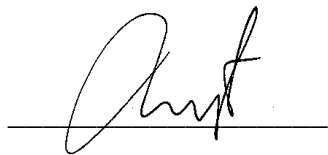
The proposed variance to the minimum rear yard setback would reduce the requirement from 7.5m (24.6ft) to 4.27m (14ft), resulting in a requested relief of 3.24m (10.6ft). Staff do not consider the request significant from a quantitative standpoint. The proposal demonstrates no foreseeable maintenance, runoff, and privacy impacts to the property in question or those neighbouring. Staff is therefore of the opinion that the requested variance is considered to be minor in nature.

CONCLUSION

Overall, Staff supports the Minor Variance application. The variances would allow the owners to maximize the use and enjoyment of their property with no foreseeable impacts. Staff believes that Minor Variance Application A-15-20 meets the four (4) tests for evaluating a Minor Variance as established under the *Planning Act*. Planning Staff therefore recommends that the Minor Variance be granted, provided the Committee is satisfied that any issues raised at the public hearing do not require additional Staff evaluation and comment, the submission of additional information, or the application of conditions other than as follows:

- 1. That the Minor Variance is approved based on the plans submitted with a revision to the building plan to include a note that the existing dwelling and proposed addition will have eaves installed to carry water towards Edward Street and lot grading appropriate to ensure runoff from the eaves flows toward Edward Street; and**
- 2. That the Owner obtain all required building permits.**

All of which is respectfully submitted by,

A handwritten signature in black ink, appearing to read 'Maggie Yet', is written over a horizontal line.

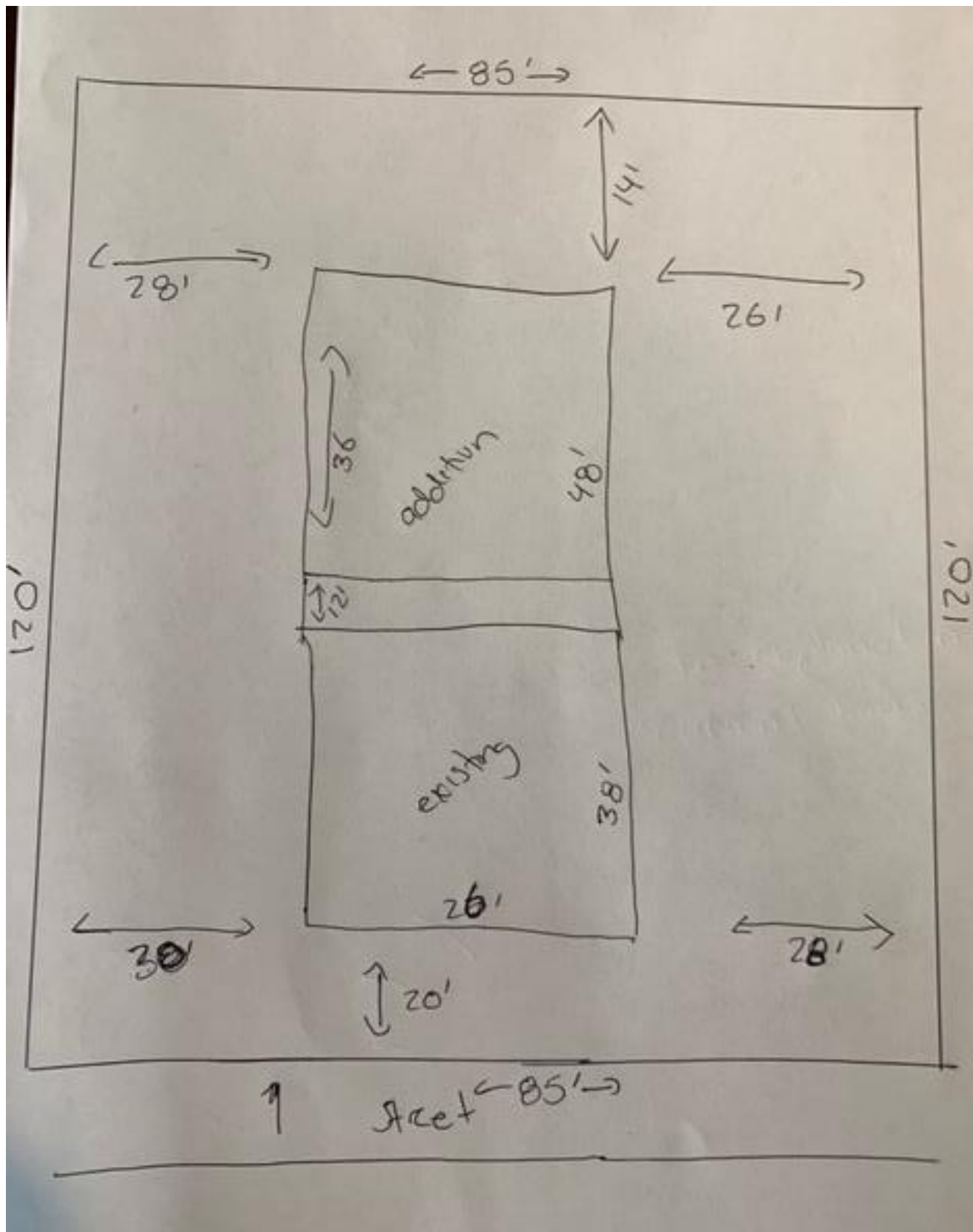
Maggie Yet
Planner 1

ATTACHMENTS:

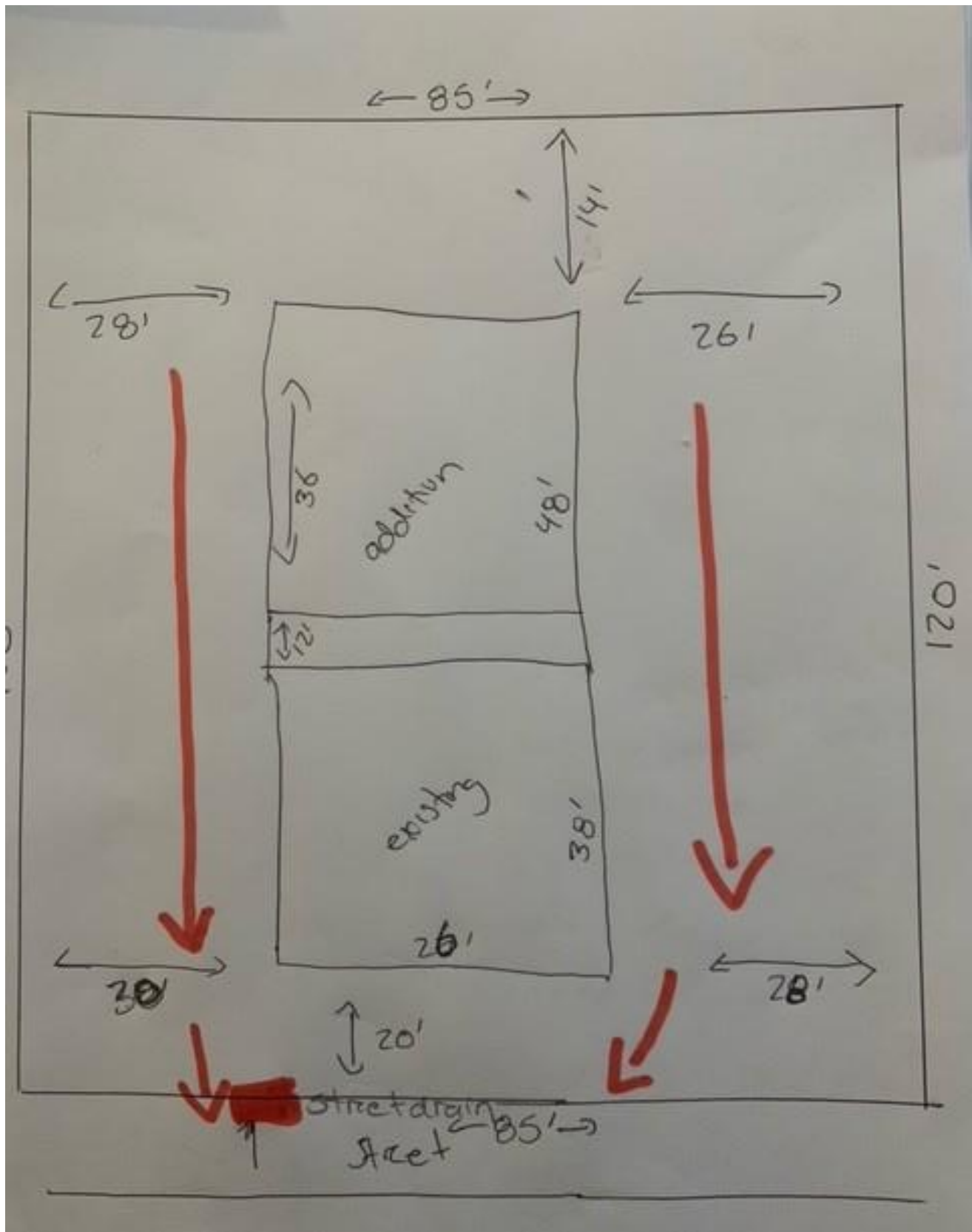
SCHEDULE A – Site Plan

SCHEDULE B – Building Plans

Schedule A Site Plan (Submitted by Applicant)



Revised Site Plan with Runoff Direction (Submitted by Applicant)



Schedule B Building Plans

PLAN #

C-020-022

DRAWN FOR: WATERS RESIDENCE
DATE: SEPTEMBER 28, 2020

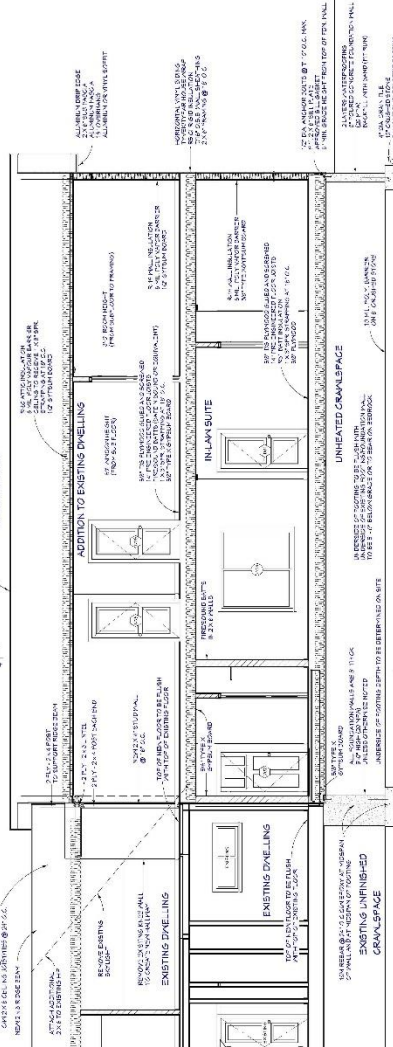
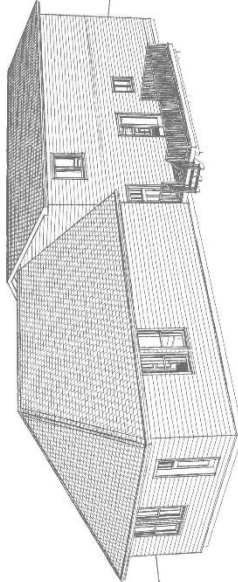
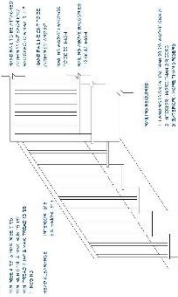
245 BURGESS RD
KENDALL LECKIE
B/CIN # 23655
LECKIE
B/CIN # 232194
B/CIN # 232508
WHITE LAKE, ONTARIO

FEDS - ADDITIONS
DOOR/WINDOW SCHEDULE
STAIR DETAIL - SECTION A-

PAGE
1

SCALE: 1/4" = 1'-0"
UNLESS
OTHERWISE
NOTED

SECTION A-1



GENERAL NOTES

1. HOUSE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CANADIAN NATIONAL BUILDING CODE (CNBC) AND THE ONTARIO BUILDING CODE (OBC).
2. HOUSE TO BE FINISHED WITH 3/4" TYPICAL CARPETING.
3. HOUSE TO BE FINISHED WITH 3/4" TYPICAL CARPETING.
4. HOUSE TO BE FINISHED WITH 3/4" TYPICAL CARPETING.
5. HOUSE TO BE FINISHED WITH 3/4" TYPICAL CARPETING.
6. HOUSE TO BE FINISHED WITH 3/4" TYPICAL CARPETING.
7. HOUSE TO BE FINISHED WITH 3/4" TYPICAL CARPETING.
8. HOUSE TO BE FINISHED WITH 3/4" TYPICAL CARPETING.
9. HOUSE TO BE FINISHED WITH 3/4" TYPICAL CARPETING.
10. HOUSE TO BE FINISHED WITH 3/4" TYPICAL CARPETING.

MECHANICAL

ELECTRICAL

PLUMBING

ROOFING

PAINTING

LANDSCAPING

INTERIORS

EXTERIORS

FINISHES

DETAILS

CONSTRUCTION

PERMITS

INSURANCE

WARRANTY

DISCLAIMER

CONTACT

REVISIONS

2012

MMA Supplementary Standard SB-12

Table 11.1.1 (B)

Thermal Performance Requirements for Building Envelopes

Forming Part of Schedule 11.1.1.2

Table 11.1.1 (B)

Thermal Performance Requirements for Building Envelopes

Forming Part of Schedule 11.1.1.2

Table 11.1.1 (B)

Thermal Performance Requirements for Building Envelopes

Forming Part of Schedule 11.1.1.2

Table 11.1.1 (B)

Thermal Performance Requirements for Building Envelopes

Forming Part of Schedule 11.1.1.2

Table 11.1.1 (B)

Thermal Performance Requirements for Building Envelopes

Forming Part of Schedule 11.1.1.2

Table 11.1.1 (B)

Thermal Performance Requirements for Building Envelopes

Forming Part of Schedule 11.1.1.2

Table 11.1.1 (B)

Thermal Performance Requirements for Building Envelopes

Forming Part of Schedule 11.1.1.2

Table 11.1.1 (B)

Thermal Performance Requirements for Building Envelopes

Forming Part of Schedule 11.1.1.2

Table 11.1.1 (B)

Thermal Performance Requirements for Building Envelopes

Forming Part of Schedule 11.1.1.2

Table 11.1.1 (B)

Thermal Performance Requirements for Building Envelopes

Forming Part of Schedule 11.1.1.2

Table 11.1.1 (B)

Thermal Performance Requirements for Building Envelopes

Forming Part of Schedule 11.1.1.2

Table 11.1.1 (B)

Thermal Performance Requirements for Building Envelopes

Forming Part of Schedule 11.1.1.2

Table 11.1.1 (B)

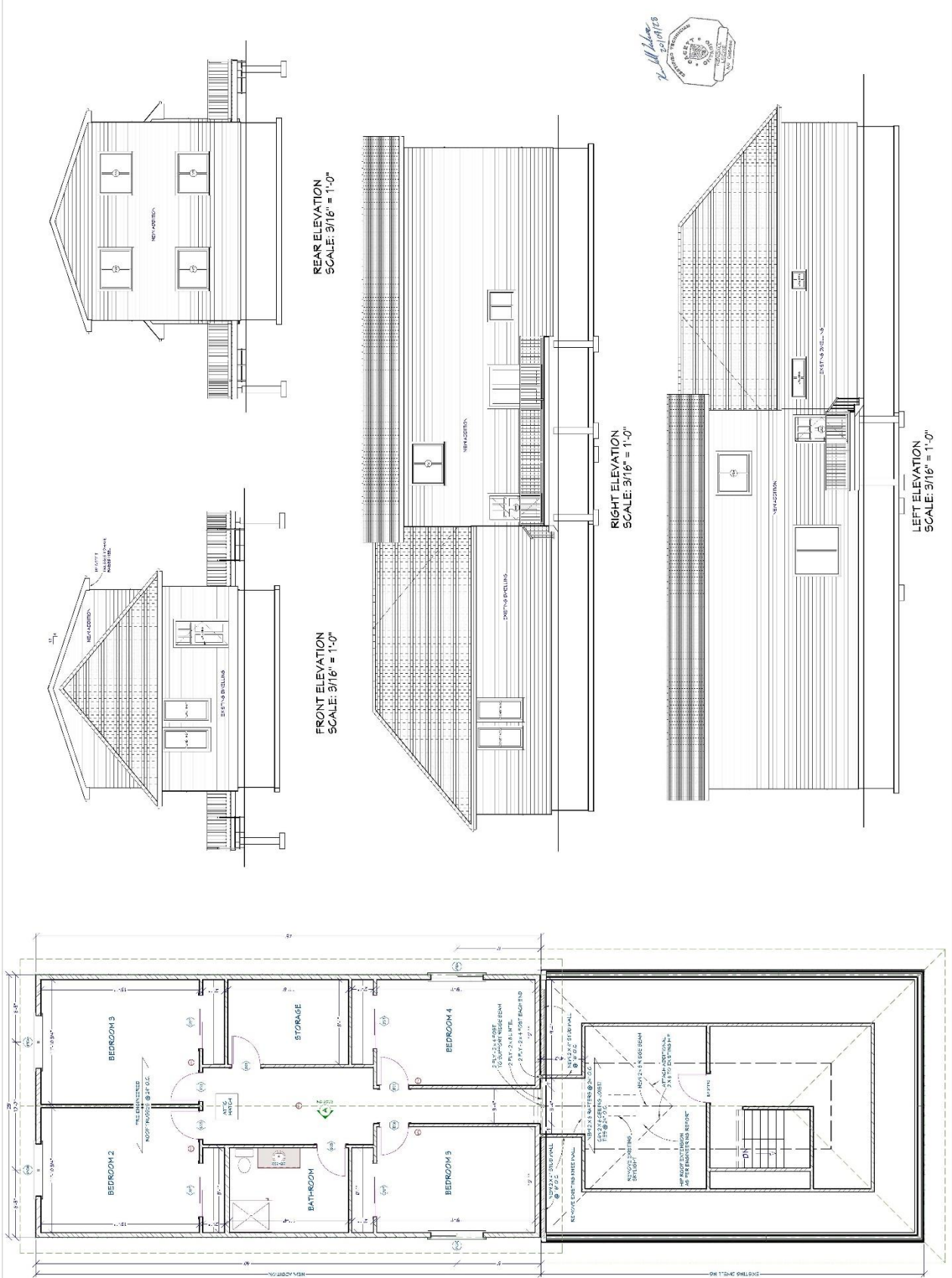
Thermal Performance Requirements for Building Envelopes

Forming Part of Schedule 11.1.1.2

Table 11.1.1 (B)

Thermal Performance Requirements for Building Envelopes

Forming Part of Schedule 11.1.1.2



Committee of Adjustment

2021 Meeting Schedule

Public Meeting Date	Deadline for Receipt of Applications	Circulation/Notice Sign Deadline	Last Day to Appeal
January 27	January 6	Thursday, January 14	February 18
February 17	January 17	Thursday, February 4	March 11
March 17	February 17	Thursday, March 4	April 13
April 21	March 24	Thursday, April 8	May 11
May 19	April 21	Thursday, May 6	June 10
June 16	May 19	Thursday, June 3	July 8
July 21	June 23	Thursday, July 8	August 12
August 18	July 21	Thursday, August 5	September 9
September 15	August 18	Thursday, September 2	October 7
October 20	September 22	Thursday, October 7	November 12
November 17	October 20	Thursday, November 4	December 9
December 15	November 17	Thursday, December 2	January 6 (2022)