



Municipality of Mississippi Mills

Committee of Adjustment Agenda

Monday, April 29, 2024

6:00 p.m.

Hybrid

3131 Old Perth Road.

Pages

A. CALL TO ORDER

The Chair called the meeting to order at 6:XX pm.

B. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

None.

C. APPROVAL OF AGENDA

Recommended Motion:

THAT the agenda be approved as presented.

D. APPROVAL OF MINUTES

Recommended Motion:

THAT the minutes dated March 25, 2024 be approved.

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E. REPORTS

Recommended Motion:

THAT the Municipality of Mississippi Mills Committee of Adjustment approve the Minor Variance application affecting the subject lands which are legally described as Pakenham Concession 9, Part of Lot 13, Parts 18 to 21 of Reference Plan 26-R6, Part 2 of Reference Plan 27R-10985, Pakenham Ward, Municipality of Mississippi Mills, municipally known as 126 Davison Crescent, in order to construct a sunroom addition, subject to the following conditions:

1. That the following requested Minor Variance to Zoning By-law #11-83 is approved:
 - To permit a sunroom addition with a front yard setback of 5.9 metres, whereas Section 18.2 requires a minimum front yard setback of 7.5 metres; and
 - That the front lot line be the arc of the cul-de-sac of Davison Crescent.
2. That the Owners obtain all required building permits and approvals for the construction of the sunroom addition, within two (2) years of the decision coming into full force and effect.

F. OTHER / NEW BUSINESS

None.

G. MEETING ANNOUNCEMENTS

The next Committee of Adjustment meeting is scheduled for Monday, May 27, 2024 at 6:00 pm.

H. ADJOURNMENT

Recommended Motion:

THAT the meeting be adjourned at 6:XX pm.



The Corporation of the Municipality of Mississippi Mills

Committee of Adjustment Meeting

MINUTES

March 25, 2024

6:00 p.m.

E-participation

Committee Present: Connie Bielby
Norm Allen
Stacey Blair
Deputy Mayor Minnille

Committee Absent: Patricia McCann-MacMillan

Staff Present: Melanie Knight, Director of Development Services & Engineering
Melissa Fudge, Secretary Treasurer to Committee of Adjustment
Gillian Bentley

A. CALL TO ORDER

The Chair, Deputy Mayor Minnille, called the meeting to order at 6:12 pm.

B. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

None.

C. APPROVAL OF AGENDA

Moved by Connie Bielby

Seconded by Norm Allen

THAT the agenda be approved as presented.

CARRIED

D. APPROVAL OF MINUTES

Moved by Stacey Blair

Seconded by Norm Allen

THAT the minutes dated November 27, 2023 and February 26, 2024 be approved.

CARRIED

E. REPORTS

E.1 Minor Variance Application - D13-DAN-24, 4490 Appleton Side Road

Gillian Bentley, Planner with Mississippi Mills, presented an overview of the application. The Chair asked if there are any comments from the applicant, committee members or the public.

Committee members discussed the following items:

- Staff provided clarification regarding the existing fence and its location on the property side of the rear lot line.
- Staff further explained that the decision to place the carport was based on the existing site constraints due to the existing septic system and well occupying the interior side yards. With this configuration, the most feasible options for an addition are either at the rear or front of the property. Additionally, the driveway is oriented in such a way that it lends itself to being on the rear of the property as opposed to the front of the property.
- It was noted that the property is located in the rural area.

Moved by Norm Allen

Seconded by Connie Bielby

THAT the Municipality of Mississippi Mills Committee of Adjustment approve the Minor Variance application affecting the subject lands which are legally described as Concession 11, West Part of Lot 7, Ramsay Ward, Municipality of Mississippi Mills, municipally known as 4490 Appleton Side Road, in order to construct an addition to the principal dwelling, subject to the following conditions:

1. That the following requested Minor Variance to Zoning By-law #11-83 is approved:

- To permit an addition with a rear yard setback of 2.59 metres, whereas Section 11.2 requires a minimum rear yard setback of 9 metres.
- 2. That the Owner/Applicant obtain all required building permits and approvals within two years of the decision coming into full force and effect.

CARRIED

E.2 Minor Variance Application - D13-ROS-24, 5015 March Road

Melanie Knight, Director of Development Services and Engineering with Mississippi Mills, presented an overview of the application. The Chair asked if there are any comments from the applicant, committee members or the public.

Committee members discussed the following items:

- A yellow rope was observed on the property, and it was suggested that it likely delineated the new lot line.

Moved by Connie Bielby

Seconded by Stacey Blair

THAT the Municipality of Mississippi Mills Committee of Adjustment approve the Minor Variance application affecting the subject lands which are legally described as Concession 11, Part of Lot 15, Ramsay Ward, Municipality of Mississippi Mills, municipally known as 5015 March Road, in order to permit an existing detached garage, subject to the following conditions:

1. That the following requested Minor Variance to Zoning By-law #11-83 is approved:
 - To permit an existing detached garage with an interior side yard setback of 0.81 metres, whereas Section 12.2 requires a minimum interior side yard setback of 6.0 metres.
2. That the Owner/Applicant obtain all required building permits and approvals within two years of the decision coming into full force and effect.

CARRIED

E.3 Minor Variance Application - D13-JEN-24, 48 Main Street

Gillian Bentley, Planner with Mississippi Mills, presented an overview of the application. The Chair asked if there are any comments from the applicant, committee members or the public.

Committee members discussed the following items:

- The applicant confirmed their plans for a workshop on the ground floor and a studio with a powder room on the second floor, including connections to water and sewer. The applicant clarified that there is no proposal for an accessory residential unit in the garage.
- It was confirmed that the Municipality did not receive any public comments regarding this application.
- A concern was raised regarding the height of the proposed accessory structure.

Moved by Norm Allen

Seconded by Stacey Blair

THAT the Municipality of Mississippi Mills Committee of Adjustment approve the Minor Variance application affecting the subject lands which are legally described as Plan 6262, Lot 90A, Almonte Ward, Municipality of Mississippi Mills, municipally known as 48 Main Street East, in order to replace the existing garage with a two-storey accessory building, subject to the following conditions:

1. That the following requested Minor Variance to Zoning By-law #11-83 is approved:
 - To permit a new accessory structure with a building height of 7.12 metres, whereas Table 6.1A requires a maximum permitted height of 4.5 metres.
2. That the Owners obtain all required building and heritage permits and approvals for the demolition and reconstruction of the building, within two (2) years of the decision coming into full force and effect.

CARRIED

F. OTHER / NEW BUSINESS

None.

G. MEETING ANNOUNCEMENTS

The next Committee of Adjustment meeting is scheduled for Monday, April 29, 2024 at 6:00 pm.

H. ADJOURNMENT

Moved by Connie Bielby

Seconded by Norm Allen

THAT the meeting be adjourned at 6:39 pm.

CARRIED

Melissa Fudge, Recording
Secretary

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

STAFF REPORT

MEETING DATE: April 29, 2024

TO: Committee of Adjustment

FROM: Gillian Bentley, Planner

SUBJECT: Minor Variance Application – D13-GAL-24
Pakenham Concession 9, Part of Lot 13, Parts 18 to 21 of
Reference Plan 26-R6, Part 2 of Reference Plan 27R-10985
Pakenham Ward, Municipality of Mississippi Mills
Municipally Known as 126 Davison Crescent

OWNERS/APPLICANTS: Michael and Catherine Gallagher

RECOMMENDATION:

THAT the Municipality of Mississippi Mills Committee of Adjustment approve the Minor Variance application affecting the subject lands which are legally described as Pakenham Concession 9, Part of Lot 13, Parts 18 to 21 of Reference Plan 26-R6, Part 2 of Reference Plan 27R-10985, Pakenham Ward, Municipality of Mississippi Mills, municipally known as 126 Davison Crescent, in order to construct a sunroom addition, subject to the following conditions:

- 1. That the following requested Minor Variance to Zoning By-law #11-83 is approved:**
 - **To permit a sunroom addition with a front yard setback of 5.9 metres, whereas Section 18.2 requires a minimum front yard setback of 7.5 metres; and**
 - **That the front lot line be the arc of the cul-de-sac of Davison Crescent whereas Section 5 defines the front lot line as being the shortest lot line abutting a street.**
- 2. That the Owners obtain all required building permits and approvals for the construction of the sunroom addition, within two (2) years of the decision coming into full force and effect.**

PURPOSE AND EFFECT

The subject property is zoned Limited Service Residential (LSR). The applicant is seeking relief to construct a sunroom addition with a reduced front yard setback of 5.9

metres whereas the minimum front yard setback is 7.5 metres in the LSR zone. For further clarity, Davison Crescent is a private road, and the front lot line is deemed to be the cul-de-sac.

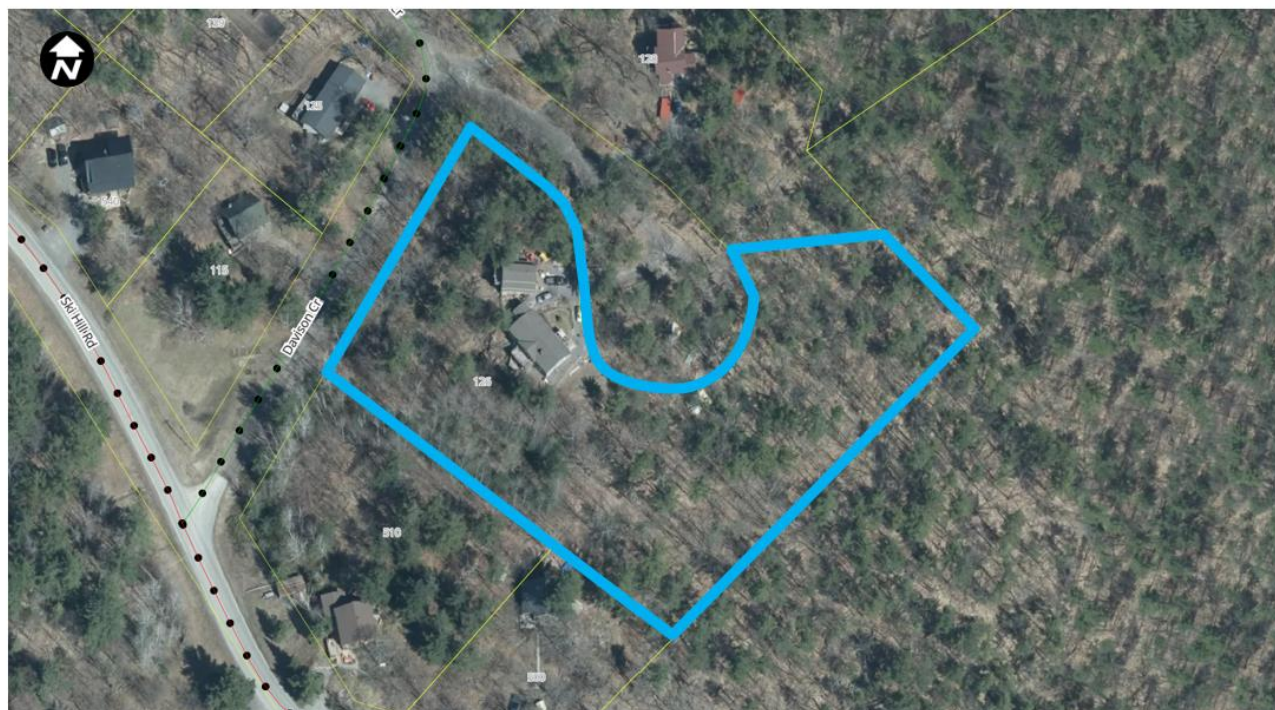
The Minor Variance request is outlined below.

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

Section	Zoning Provision	By-law Requirement	Requested
18.2	Front Yard, Minimum (m)	7.5	5.9

DESCRIPTION OF SUBJECT LANDS

As illustrated in Figure 1, the subject property is an approximately 1.1-hectare lot, at the southeast end of Davison Crescent, just off Ski Hill Road in the Pakenham Ward, with a one-storey dwelling and two-storey detached garage. The subject property is part of a private road residential development consisting of small rural, non-farm residential lots and is surrounded by a mix of rural and non-farm residential uses, as well as the Pakenham Ski Hill to the west.



 Subject Property

Figure 1 – Aerial Image of Subject Property

PROPOSED DEVELOPMENT

The applicant is proposing a sunroom addition and small deck to be constructed on the front of their dwelling. The sunroom addition has a front yard setback of 5.9 metres, projects 3.05 metres from the existing dwelling, and has a surface area of approximately 16.7 square metres. The deck is not part of the minor variance application because it complies with zoning provisions for permitted projections which require decks to be no closer than 3 metres from the front lot line.

SERVICING & INFRASTRUCTURE

The subject property is currently serviced by a private well and septic system. No servicing changes have been proposed.

Staff do not foresee any servicing or infrastructure concerns resulting from the proposed development.

COMMENTS FROM CIRCULATION OF THE APPLICATION

Staff circulated the application in accordance with the provisions of the Planning Act to the public, internal departments and external agencies and organizations. At the time of preparation of this report, no questions or comments were received.

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 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 Rural in the Community Official Plan (COP). The COP permits a variety of rural and residential uses that allow owners to enjoy their property while ensuring that the rural character of the area is maintained.

Staff are of the opinion that the requested variance is in conformity with 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 Limited Service Residential (LSR). The proposal is for relief from the front yard setback in the LSR zone. In the Zoning By-law, additions are subject to specific zoning provisions and setback requirements, where the intent of the front yard setback is to ensure that structures and projections are a reasonable distance from roads, common spaces, and local infrastructure. As Davison Crescent is a private road and the cul-de-sac has only one other lot fronting onto it, this minor variance for a reduced front yard setback will not have a noticeable impact on the surrounding lands or streetscape.

With respect to the determination of the front lot line, the subject property has frontage on two sides of Davison Crescent – the easterly side of Davison Crescent as well as a majority of the arc of the cul-de-sac. For clarity and the purposes of this minor variance application, staff have considered the arc of the cul-de-sac as the front lot line and have included this as part of the recommendation.

Staff are of the opinion that the requested variance is in conformity with the general intent and purpose of the Zoning By-law.

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

The proposed variance allows for the creation of a sunroom and deck that can be enjoyed by the owners of the property and will not disrupt the ability of neighbouring residents to enjoy their properties. The subject property is in a rural, wooded area with the nearest house being approximately 70 metres away. The size of the subject property, the placement of the dwelling and the addition of a sunroom to the front of the dwelling is generally compatible with the neighbouring context and would allow the property owners to maximize the use and enjoyment of their property with no foreseeable impacts to neighbouring properties.

Staff are of the opinion that the requested variance represents appropriate and desirable development of the lands in question.

4. Is the proposal minor?

The proposal slightly varies the front yard setback to an extent that will not have any foreseeable impacts on the surrounding area. Reducing the front yard setback from 7.5 metres to 5.9 metres is minor, especially considering that the front lot line of the subject property abuts the cul-de-sac of Davison Crescent, a private road, which is used by residents and visitors. Analysis of the proposal has concluded that the proposal is unlikely to present adverse impacts on the adjacent properties as the proposed form is largely reflective of the existing area.

Staff are of the opinion that the qualitative value of the requested variance is minor in nature.

CONCLUSION

Overall, Staff support the Minor Variance application. Allowing a reduced front yard setback for the sunroom addition will allow the owners to maximize their enjoyment of the property while ensuring that the intent of the Zoning By-law is still satisfied.

Therefore, Staff are of the opinion that Minor Variance Application D13-GAL-24 meets the four tests for evaluating a Minor Variance as established under the *Act*. Planning Staff therefore recommend 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 additional conditions not contained in this report.

All of which is respectfully submitted by,

Reviewed by,



Gillian Bentley
Planner

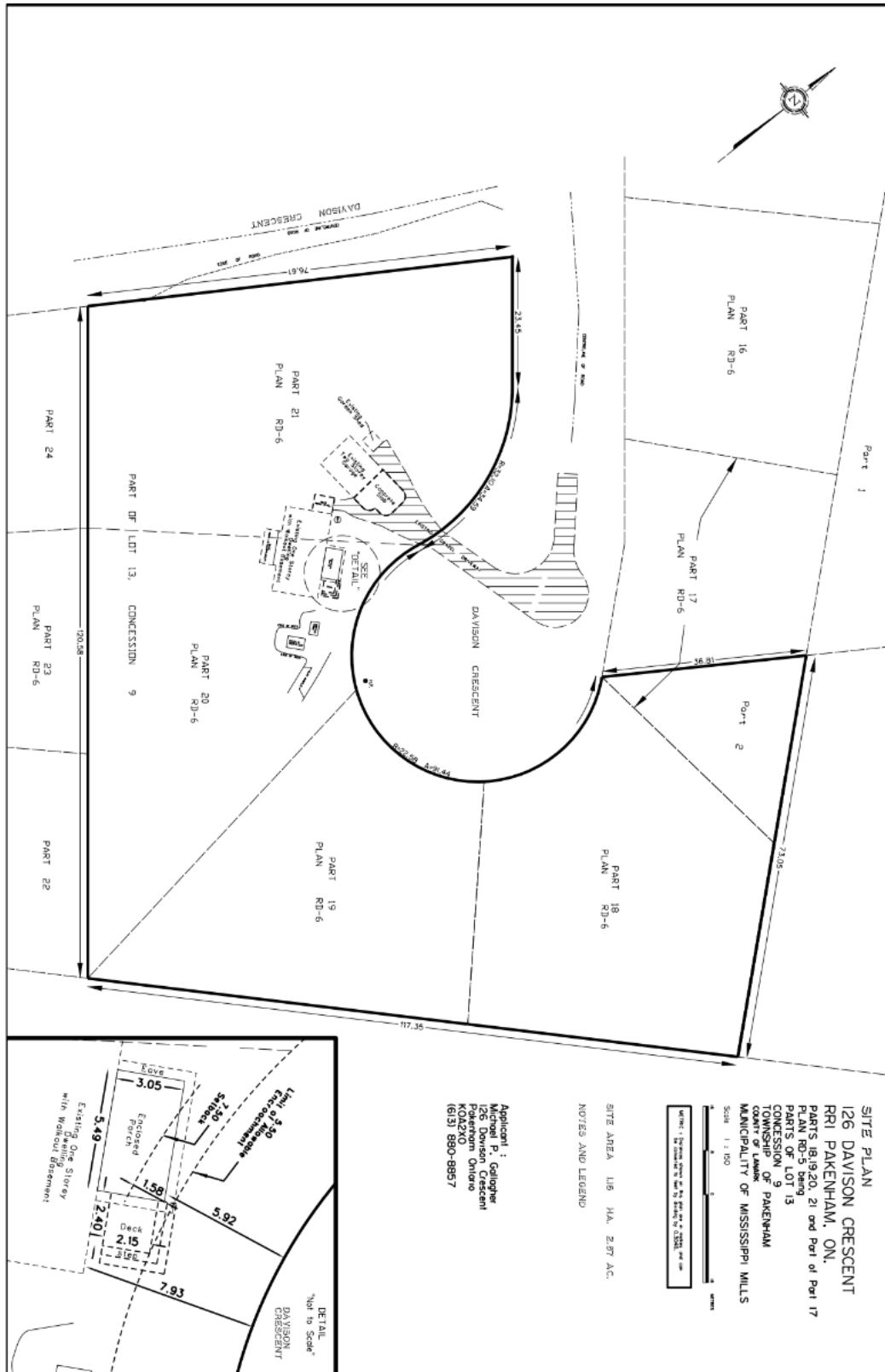


Melanie Knight MCIP, RPP
Director of Development Services and
Engineering

ATTACHMENTS:

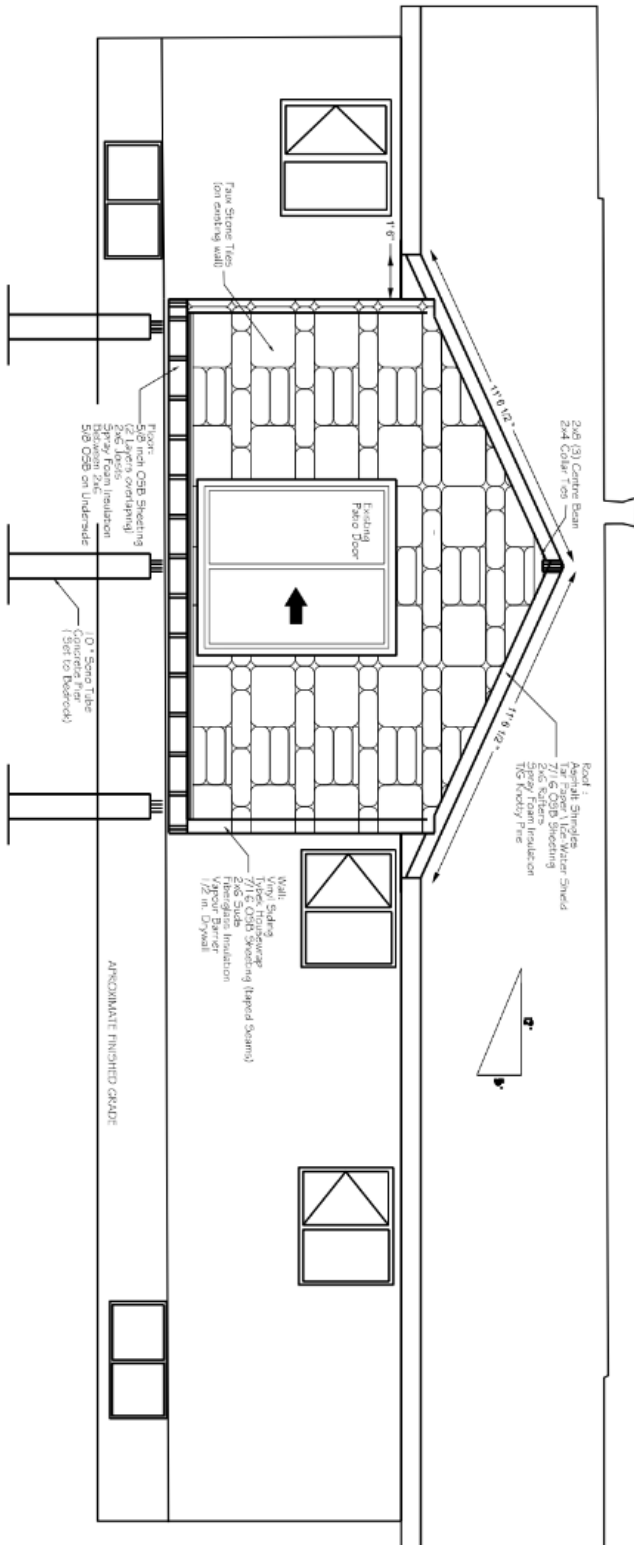
1. SCHEDULE A – Site Plan & Drawings

SCHEDULE A – Site Plan & Drawings



1 NORTH WALL @ HOUSE
1/4" = 1'-0"

3 Season Sun Porch



OWNER:		DRAWING TITLE:		DATE (Y/M/D):		PROJECT:		SHEET NO.:
Michael Gallagher		NORTH WALL @ HOUSE		04/04/2022		Sun Porch		
125 Boston Crescent Parsippany, Ontario		DRAWN BY:		LOT NO.:		SCALE:		A1
		T. Gallagher				1/4" = 1' - 0"		
REVISION		DATE (Y/M/D)						
MAILED FOR PROJECT L. BACCHINI		04/04/2022						