



**Municipality of Mississippi Mills**

**Committee of Adjustment Agenda**

**Monday, December 16, 2024**

**6:00 p.m.**

**E-participation**

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**Pages**

**A. CALL TO ORDER**

The Chair to call 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 October 28, 2024 be approved.

**3 - 5**

**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 Plan 6262, Part of Lot 19 of the Henderson Section, Part of Lots 13 and 14 of Anderson Section, Part 1 of Reference Plan 27R6310 and Part 2 of Reference Plan 27R9062, Almonte Ward, Municipality of Mississippi Mills, municipally known as 169 Country Street, in order to satisfy a condition of Consent application D10-DEV-24, subject to the following conditions:

1. That the following requested Minor Variances to Zoning By-law #11-83 are approved:
  - A reduced lot frontage of 8.12 metres on the lot to be severed, whereas the required minimum lot frontage for a single detached dwelling is 18 metres in the Residential Second Density, Special Provision 9 (R2-9) zone.
  - A reduced rear yard setback of 0.3 metres on the lot to be retained, for an existing accessory structure, whereas the minimum required rear yard setback for an accessory structure is 1.2 metres in the R2-9 zone.
  - A reduced eaves setback of 0.04 metres on an existing accessory structure, on the lot to be retained, whereas the minimum required setback for eaves on an accessory structure is 0.3 metres in the R2-9 zone.
  
2. That the Owners obtain all required approvals and building permits 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 Wednesday, January 22, 2025 at 4:30 pm. Please refer to the attached calendar for meetings in 2025.

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**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**

**October 28, 2024**

**6:00 p.m.**

**E-participation**

Committee Present: Connie Bielby  
Norm Allen  
Patricia McCann-MacMillan  
Deputy Mayor Minnille

Committee Absent: Stacey Blair

Staff Present: Melissa Fudge, Secretary Treasurer to Committee of Adjustment  
Gillian Bentley, Planner  
Drew Brennan, Senior Planner

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**A. CALL TO ORDER**

The Chair, Patricia McCann-MacMillan, called the meeting to order at 6:04 pm.

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

None.

**C. APPROVAL OF AGENDA**

**Moved by** Connie Bielby

**Seconded by** Deputy Mayor Minnille

**THAT** the agenda be approved as presented.

**CARRIED**

**D. APPROVAL OF MINUTES**

**Moved by** Norm Allen

**Seconded by** Deputy Mayor Minnille

**THAT** the minutes dates August 26, 2024 be approved.

**CARRIED**

**E. REPORTS**

**E.1 Minor Variance Application - D13-PAR-24 – 21 Carss 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. No one spoke.

**Moved by** Connie Bielby

**Seconded by** Norm Allen

**THAT** the Municipality of Mississippi Mills Committee of Adjustment approve the Minor Variance application affecting the subject lands which are legally described as Concession 9, East Part of Lot 17, Parts 4 and 5 on Reference Plan 26R430, Almonte Ward, Municipality of Mississippi Mills, municipally known as 21 Carss Street, in order to permit an existing accessory building, subject to the following conditions:

1. That the following requested Minor Variances to Zoning By-law #11-83 are approved:
  - To permit an existing accessory building with a minimum interior side yard setback of 1.8 metres, whereas Table 6.1A(3)(i) of the Zoning By-law requires accessory building to have a minimum interior side yard setback of 3.0 metres in the Residential First Density (R1) zone.
  - To permit existing accessory buildings with a cumulative area of 152 m<sup>2</sup> whereas Table 6.1A(6) of the Zoning By-law requires the maximum cumulative area of all accessory buildings to be the lesser of 55 m<sup>2</sup> or 50% of the yard in which they are located.
  - To permit a third accessory building on the subject property whereas Table 6.1A(7) of the Zoning By-law permits a maximum

of two (2) accessory buildings in the Residential First Density (R1) zone.

2. That the Applicants obtain all required building permits and approvals within two 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, November 25, 2024 at 6:00 pm.
- The Committee of Adjustment meeting in December will be rescheduled for Monday, December 16, 2024 at 6:00 pm.
- Staff will circulate a survey to the Committee for scheduling meetings for 2025.

**H. ADJOURNMENT**

**Moved by** Deputy Mayor Minnille

**Seconded by** Norm Allen

**THAT** the meeting be adjourned at 6:13 pm.

**CARRIED**

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Melissa Fudge, Recording  
Secretary

**THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS**

**STAFF REPORT**

**MEETING DATE:** December 16, 2024

**TO:** Committee of Adjustment

**FROM:** Gillian Bentley, Planner

**SUBJECT:** **Minor Variance Application – D13-DEV-24  
Plan 6262, Part of Lot 19 of the Henderson Section, Part of  
Lots 13 and 14 of Anderson Section, Part 1 of Reference  
Plan 27R6310 and Part 2 of Reference Plan 27R9062  
Almonte Ward, Municipality of Mississippi Mills  
Municipally Known as 169 Country Street**

**OWNER:** Rachel Devenport

**APPLICANT:** ZanderPlan Inc.

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**RECOMMENDATION:**

**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, Part of Lot 19 of the Henderson Section, Part of Lots 13 and 14 of Anderson Section, Part 1 of Reference Plan 27R6310 and Part 2 of Reference Plan 27R9062, Almonte Ward, Municipality of Mississippi Mills, municipally known as 169 Country Street, in order to satisfy a condition of Consent application D10-DEV-24, subject to the following conditions:**

- 1. That the following requested Minor Variances to Zoning By-law #11-83 are approved:**
  - A reduced lot frontage of 8.12 metres on the lot to be severed, whereas the required minimum lot frontage for a single detached dwelling is 18 metres in the Residential Second Density, Special Provision 9 (R2-9) zone.**
  - A reduced rear yard setback of 0.3 metres on the lot to be retained, for an existing accessory structure, whereas the minimum required rear yard setback for an accessory structure is 1.2 metres in the R2-9 zone.**
  - A reduced eaves setback of 0.04 metres on an existing accessory structure, on the lot to be retained, whereas the minimum required**

**setback for eaves on an accessory structure is 0.3 metres in the R2-9 zone.**

- 2. That the Owners obtain all required approvals and building permits within two (2) years of the decision coming into full force and effect.**

**PURPOSE AND EFFECT**

The applicant has requested the subject Minor Variances as a condition of Consent application D10-DEV-23 (B23-103).

The applicant is seeking relief to permit a reduced lot frontage of 8.12 metres on the severed lot, whereas the required minimum lot frontage is 18 metres for a detached dwelling in the R2-9 zone.

Additionally, the applicant is requesting relief to permit an existing accessory structure with a rear yard setback of 0.3 metres on the retained lot, whereas the minimum required rear yard setback for an accessory structure in the R2-9 zone is 1.2 metres, as well as a minimum eaves setback of 0.04 metres, whereas the minimum eaves setback for accessory structures is 0.3 metres.

The requested Minor Variances are outlined below.

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

<b>Section</b>	<b>Zoning Provision</b>	<b>By-law Requirement</b>	<b>Requested</b>
Table 13.2A	Lot Frontage, Minimum	18 metres	8.12 metres
Table 6.1A(4)	Minimum rear yard setback for accessory uses, buildings or structures	1.2 metres	0.3 metres
Table 6.19(2)	Eaves, troughs and gutters	Not closer than 0.3 metres to a lot line	0.04 metres

**DESCRIPTION OF SUBJECT LANDS**

The subject property is an irregularly shaped lot, located on the north side of Country Street, in between Bridge Street and Elgin Street, measuring approximately 1277.8 m<sup>2</sup> with 26.44 metres of frontage on Country Street. The property currently has a dwelling on the second floor of the garage, constructed in 2006, and a fourplex constructed in 1875 on the same lot, as well as a parking lot and two (2) accessory structures. Once the related Consent application is approved, the retained lot will contain the fourplex

and two (2) accessory structures. The retained lot will contain the garage with the dwelling. The parking lot is to be shared between the severed and retained lots.

Figure 1 shows an aerial image of the subject property.

**Figure 1 – Aerial Image of Subject Property**



**PROPOSED DEVELOPMENT**

No development is proposed as a result of the subject Minor Variance application or related Consent application.

**SERVICING & INFRASTRUCTURE**

The property is currently serviced by municipal water and sewer. No changes are proposed as a result of the subject Minor Variance application. However, as a condition of Consent, the lot to be severed is required to be serviced by separate municipal water and sewer. The Owner will be required to enter into a Development Agreement with the Municipality prior to any road cuts or servicing connections made.



It is the Municipality's understanding that an existing stormwater drainage system (catch basin and connections) is located on the lot to be severed. This shared stormwater system does not appear to be addressed by any private easements or registered agreements. The Municipality recommends that the Owner address this with the adjacent property owner and advises that, regardless of the lack of agreements or easements, the stormwater system needs to be monitored on a regular basis to ensure proper drainage for all properties draining into the stormwater system.

## **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 "Residential" in the Community Official Plan (COP). The Residential designation permits a variety of residential and accessory uses. The intent of this designation is to regulate development within the urban settlement area to establish and maintain a low and medium density residential development pattern. Principal dwellings are generally required to be located on separate lots, which is the intent of the related Consent application.

Staff are of the opinion that the requested variances are in conformity with the general intent and purpose of the COP.

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

The property is zoned Residential Second Density, Special Provision 9 (R2-9) in the Comprehensive Zoning By-law 11-83. Zoning By-law Amendment Z-04-06, which created the R2-9 zone, was passed in 2006. The R2-9 zone permits the following:

*"...a dwelling unit may be permitted in an accessory detached garage and further that a detached garage containing a dwelling unit may have a rear yard or side yard setback of 1 m.*

The requested variances do not affect the R2-9 zone.

The intent of the rear yard setback provision is to maintain consistent development within the context of the area, provide access to rear yards, as well as provide sufficient area for grading, drainage, and maintenance. The current location of the shed is not anticipated to restrict access to the rear yard or impact grading, drainage, and maintenance. The intent of the eaves setback is to prevent encroachments by a structure that may have eaves that project further into setbacks than the structure itself. The subject accessory structure is oriented perpendicular to the rear lot line, and any precipitation from the roof is not anticipated to fall into the neighbouring property.

The intent of minimum lot frontage provisions is to provide lots with road frontage and sufficient lot width to accommodate a dwelling and any accessory uses. Due to the detached dwelling located behind the fourplex, the severed lot is required to have reduced frontage to maintain the shared access. The severed and retained lots share an existing entrance onto Country Street, with an easement and a Joint Use and Maintenance Agreement (JUMA) to be registered as part of the Consent application.

Staff are of the opinion that the requested variances are 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?**

According to municipal records, the accessory structure was constructed in 1996. To relocate or demolish the structure to meet the required 1.2 metre setback would result in undue impacts to the current property owner. The accessory structure on the retained lands abuts a landing which is to be located on the severed lands. Shifting the proposed rear lot line further from the accessory structure would result in encroachments of the existing landing onto the retained lands. The proposed lot line passes between the two structures to ensure that both structures are wholly within the boundaries of the respective lots. Staff are of the opinion that the requested variance represents appropriate and desirable development of the lands in question.

Lots are generally permitted to have one principal dwelling, whereas the subject property contains two existing principal dwellings, one of which is a fourplex, the other a single detached dwelling. While the related Consent application creates several zoning deficiencies, the dwellings are to be located on separate lots after the Consent is completed, preserving the existing structures. Both the severed and retained lots require frontage onto Country Street, and although the lot frontage for the severed lot is deficient, this will enable both properties to maintain their shared access onto Country Street.

Staff are of the opinion that the requested variances represent appropriate and desirable development of the lands in question.

#### 4. Is the proposal minor?

The requested variances represent a logical solution to a deficient rear yard setback and lot frontage that are created due to a Consent application and the desire to maintain lot fabric that is consistent with the existing structures on the subject property. As the accessory structure has been in existence for approximately 30 years, and the access to severed lot is existing, Staff are of the opinion that the qualitative value of the requested variance is minor in nature.

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

#### **CONCLUSION**

Overall, Staff support the Minor Variance application. The requested variances represent a desirable solution on a property which has a complex lot layout. The requested variances will allow the owners to continue to enjoy their existing accessory structure and existing shared access.

Therefore, Staff are of the opinion that Minor Variance Application D10-DEV-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,



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Gillian Bentley  
Planner

Reviewed by,



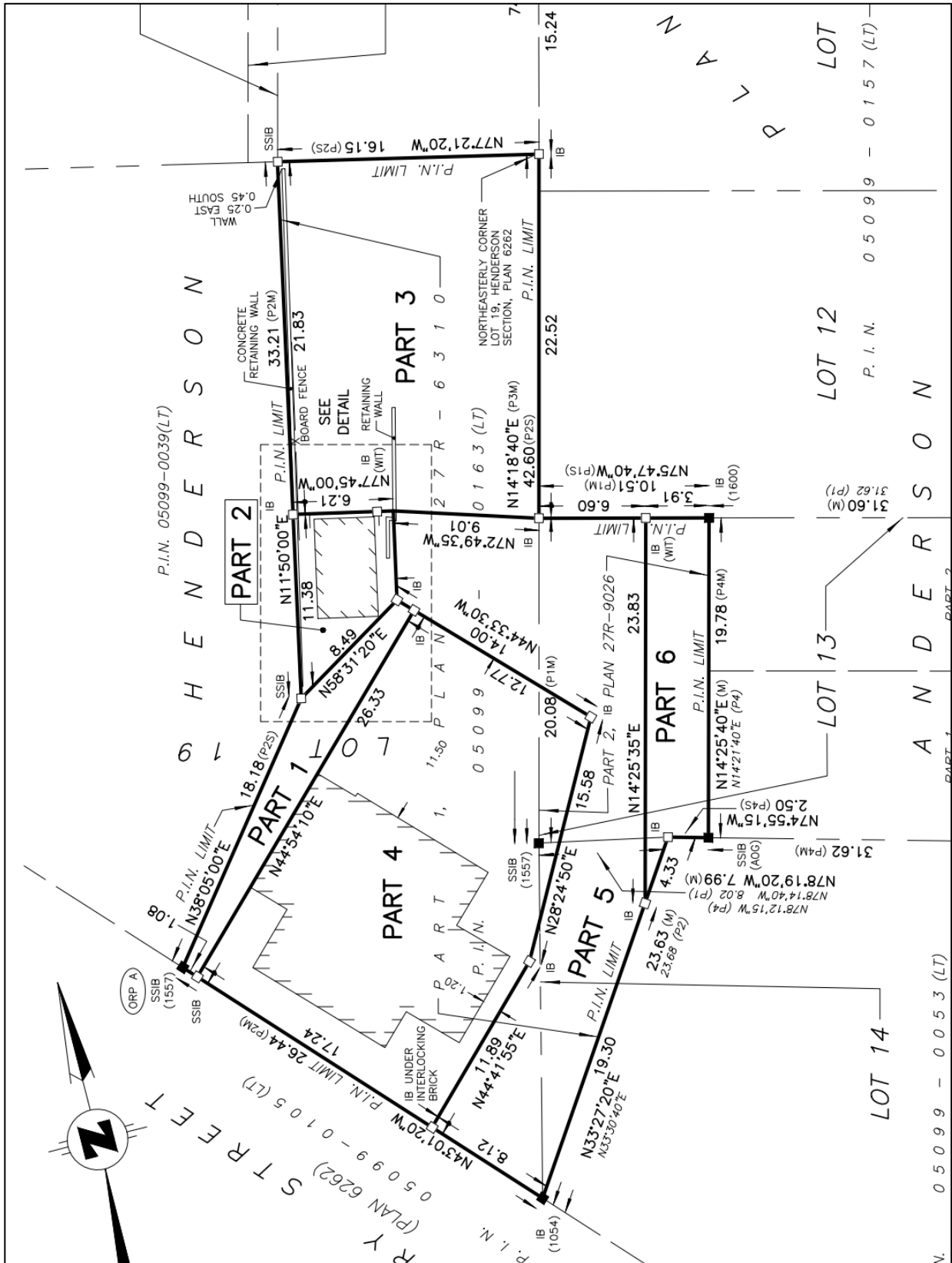
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Drew Brennan  
Senior Planner

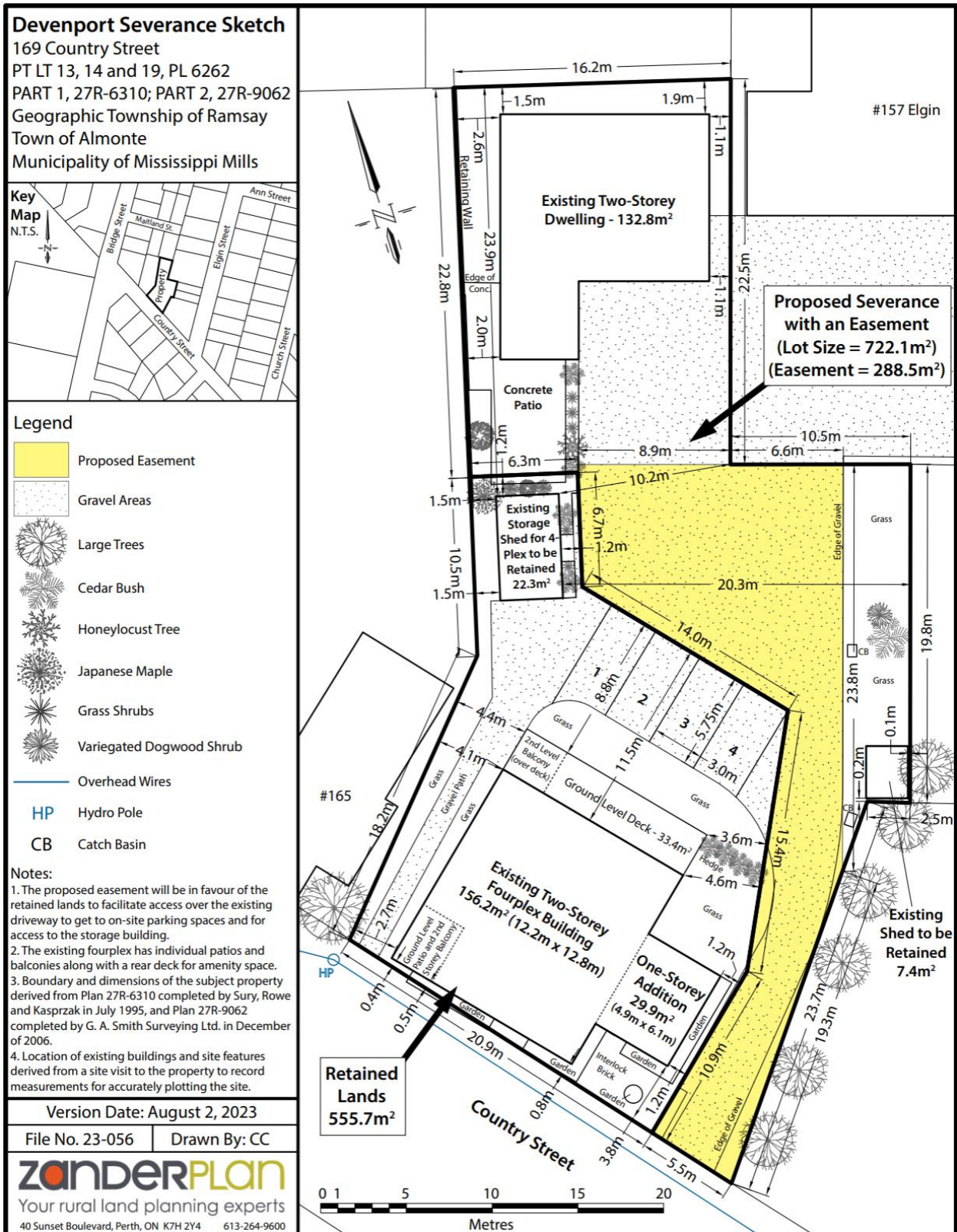
#### **ATTACHMENTS:**

1. SCHEDULE A – Draft Reference Plan
2. SCHEDULE B – Severance Sketch (Note: incorrect measurements)

**SCHEDULE A – Draft Reference Plan**



## SCHEDULE B – Severance Sketch (Note: incorrect measurements)





# Mississippi Mills

HAC  
4:00pm

CoA  
4:30pm

## 2025 COUNCIL/COMMITTEE CALENDAR

	Council		Budget Meetings				Annual Conference Dates and Locations		
	Committee of the Whole		Annual Conferences	ROMA	Jan 19-21 Toronto	FCM	May 29 - June 1 Ottawa	OEMC	Sept 17- 19 Ottawa
	County Council		Office Closed	OGRA	Mar 30-Apr 2 Toronto	AMO	Aug 17 - 20 Ottawa		

JANUARY						
SUN	MON	TUES	WED	THUR	FRI	SAT
			1	2	3	4
5	6	7	8 HAC	9	10	11
12	13	14 Council COW	15 County	16	17	18
19 ROMA	20 ROMA	21 ROMA	22 CoA	23	24	25
26	27	28 Council COW	29 County	30	31	

FEBRUARY						
SUN	MON	TUES	WED	THUR	FRI	SAT
						1
2	3	4	5 HAC	6	7	8
9	10	11 Council COW	12 County	13	14	15
16	17	18	19 CoA	20	21	22
23	24	25 Council COW	26 County	27	28	

MARCH						
SUN	MON	TUES	WED	THUR	FRI	SAT
					1	1
2	3	4 Council COW	5 HAC	6	7	8
9	10	11 Council COW	12 County	13	14	15
16	17	18 Council COW	19 CoA	20	21	22
23	24	25 Council COW	26 County	27	28	29
		OGRA 30	OGRA 31			

APRIL						
SUN	MON	TUES	WED	THUR	FRI	SAT
		1 OGRA	2 HAC	3	4	5
6	7	8 Council COW	9 County	10	11	12
13	14	15	16 CoA	17	18	19
20	21	22	23 County	24	25	26
27	28	29 Council COW	30			

MAY						
SUN	MON	TUES	WED	THUR	FRI	SAT
				1	2	3
4	5	6 Council COW	7 HAC	8	9	10
11	12	13	14 CoA	15	16	17
18	19	20	21 County	22	23	24
25	26	27 Council COW	28	29 FCM	30 FCM	31 FCM

JUNE						
SUN	MON	TUES	WED	THUR	FRI	SAT
1 FCM	2	3 Council COW	4 HAC	5	6	7
8	9	10 Council COW	11 County	12	13	14
15	16	17 Council COW	18 CoA	19	20	21
22	23	24 Council COW	25 County	26	27	28
29	30	*Special Council after COW to approve motions before summer recess.				

JULY						
SUN	MON	TUES	WED	THUR	FRI	SAT
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

AUGUST						
SUN	MON	TUES	WED	THUR	FRI	SAT
			1	1	2	
3	4	5	6 HAC	7	8	9
10	11	12 Council COW	13 County	14	15	16
17 AMO	18 AMO	19 AMO	20 AMO CoA	21	22	23
24	25	26 Council COW	27 County	28	29	30
		31				

SEPTEMBER						
SUN	MON	TUES	WED	THUR	FRI	SAT
	1	2	3 HAC	4	5	6
7	8	9 Council COW	10 County	11	12	13
14	15	16 Council COW	17 OEMC CoA	18 OEMC	19 OEMC	20
21	22	23 Council COW	24 County	25	26	27
28	29	30				

OCTOBER						
SUN	MON	TUES	WED	THUR	FRI	SAT
			1 HAC	2	3	4
5	6	7 Council COW	8 County	9	10	11
12	13	14 Budget	15 CoA	16	17	18
19	20	21 Council COW	22 County	23	24	25
26	27	28 Budget	29	30 Budget	31	

NOVEMBER						
SUN	MON	TUES	WED	THUR	FRI	SAT
						1
2	3	4 Council COW	5 HAC	6	7	8
9	10	11 Council COW	12 County	13 Budget	14	15
16	17	18 Council COW	19 CoA	20	21 County Budget	22
23	24	25 Inaugural Meeting	26 County	27	28	29
		30				

DECEMBER						
SUN	MON	TUES	WED	THUR	FRI	SAT
1	1	2 Council COW	3 County	4	5	6
7	8	9 Council COW	10 HAC	11	12	13
14	15	16 Council COW	17 CoA	18	19	20
21	22	23	24	25	26	27
28	29	30	31	*Target approval of 2026 budget		

Holidays		
New Years Day - January 1st	Victoria Day - May 19th	Thanksgiving - October 13th
Family Day - February 17th	Canada Day - July 1st	Remembrance Day - November 11th
Good Friday - April 18th	Civic Holiday - August 4th	Christmas Day - December 25th
Easter Monday - April 21st	Labour Day - September 1st	Boxing Day - December 26th