AGENDA
L’ORDRE DU JOUR

1. ROLL CALL
   APPEL

2. ADDITIONS, DELETIONS OR AMENDMENTS
   ADJONCTIONS, EFFACEMENTS OU MODIFICATIONS

3. ADOPTION OF THE AGENDA
   ADOPTION DE L’ORDRE DU JOUR

4. DISCLOSURE OF PECUNIARY INTEREST
   DÉCLARATION D’INTÉRÊT PÉCUNIAIRE

5. ADOPTION OF MINUTES
   L’ADOPTION DES PROCÈS-VERBAUX

   Minutes of May 27, 2019
   Procès-verbal du 27 mai 2019  3 - 6

6. REPORTS FROM THE DEPARTMENT AND RESOLUTIONS
   RAPPORTS DU DÉPARTEMENT ET RÉSOLUTIONS

   a. Lucille Gignac, Pt Lot 8, con 7, 12 Bourassa, Embrun
      Consent application
      Report PD-59-2019
      Presented by Claire Roy
      Lucille Gignac, Pt Lot 8, con 7, 12 Bourassa, Embrun
      Demande d’autorisation
      Rapport PD-59-2019
      Présenté par Claire Roy  7 - 21

   b. Marilyse Dumas, Lot 3, Plan 50M303, Plan 50R9943,
      Pt 2, 23 Gaslight, Russell
      Minor Variance
      Report PD-61-2019  22 - 30
Presented by Claire Roy
Marilyse Dumas, Lot 3, Plan 50M303, Plan 50R9943, Pt 2, 23 Gaslight, Russell
Dérogation mineure
Rapport PD-61-2019
Présenté par Claire Roy

c. Fleurette & Darrell Parlee, Lot 71, Plan 50M313, 255 Belfort, Embrun
Minor Variance
Report PD-62-2019
Presented by Claire Roy
Fleurette & Darrell Parlee, Lot 71, Plan 50M313, 255 Belfort, Embrun
Dérogation mineure
Rapport PD-62-2019
Présenté par Claire Roy

d. Marcelle Lacasse, Pt blk 1, Plan 50M322, Plan 50R10378, Part 74, 324 Solstice, Embrun
Minor Variance
Report PD-63-2019
Presented by Claire Roy
Marcelle Lacasse, Pt blc 1, Plan 50M322, Plan 50R10378, Partie 74, 324 Solstice, Embrun
Dérogation mineure
Rapport PD-63-2019
Présenté par Claire Roy

7. QUESTION PERIOD ON MEETING OF THE DAY
PÉRIODE DES QUESTIONS SUR LA RÉUNION DU JOUR

8. NEXT MEETING
PROCHAINE RÉUNION

Next Meeting: August 26, 2019 at 6 p.m.

Prochaine réunion: 26 août 2019 à 18 h

9. ADJOURNMENT
AJOURNEMENT
TOWNSHIP OF RUSSELL
COMMITTEE OF ADJUSTMENTS
MEETING
May 27, 2019 at 6:00 p.m.
Gaston R. Patenaude Hall
717 Notre-Dame Street
Embrun ON

MINUTES
PROCÈS-VERBAL

Committee Members
Present:
Membres du comité présents:
Jamie Laurin, Councillor/conseiller
Mike Tarnowski, Councillor/conseiller
Langis Lebel, member of the public/membre du public
Mélanie Gervais, member of the public/membre du public
Jean-Guy Bisson, member of the public/membre du public
Dominique Tremblay, Planning Director/Directrice Aménagement du territoire
Claire Roy, Planning technician/Technicienne en aménagement du territoire
Alix Jolicoeur, Planner/urbaniste
Nathalie Levac, Administrative Assistant/Assistante administrative

1. ROLL CALL
   a. Mr. Laurin calls the meeting to order at 6 p.m.
   Moved by Councillor Mike Tarnowski
   Seconded by Mélanie Gervais
   Be it resolved that we open this meeting of the Committee of adjustments.
   MOTION APPROVED

2. ADDITIONS, DELETIONS OR AMENDMENTS

3. ADOPTION OF THE AGENDA
   Agenda
   Be it resolved that we approve the agenda as presented.

Committee of Adjustments May 27, 2019
4. DISCLOSURE OF PECUNIARY INTEREST

a. There was no disclosure of pecuniary interest.

5. ADOPTION OF MINUTES

Minutes of April 29, 2019
Moved by Mélanie Gervais
Seconded by Councillor Mike Tarnowski
Be it resolved that the minutes of the Committee of adjustments held on April 29, 2019 be approved as presented.

MOTION APPROVED

6. REPORTS FROM THE DEPARTMENT AND RESOLUTIONS

a. Paul Desrosiers, Part Lot 4, Con8, 1581 St-Jacques, Embrun
Consent application UCPR #B-027-2019
Report PD-47-2019
Presented by Claire Roy
Whereas the following report has been presented at this meeting of the Committee of Adjustments;
And Whereas the Committee of Adjustments deems it advisable to approve the recommendations of staff from the said report; therefore be it resolved that the Committee of Adjustment approves recommendations from staff for the following:
Report #PD-47-2019 Consent application #B-027-2019 submitted by Paul Desrosiers, Part of Lot 4, Concession 8, known as 1581 St-Jacques Road in Embrun subject to the conditions identified in the report.

Moved by Langis Lebel Seconded by
Jean-Guy Bisson

b. Eastrock Inc., Pt Lot 21, Con 4, Part 1, Plan 50R10812, Echo and Warehouse Streets, Vars

Minor Variance
Report PD-46-2019
Presented by Alix Jolicoeur
Questions from the public:
none
Questions from the committee:
none

Be it resolved that the committee of adjustments approves the following Minor Variance Application: Minor Variance application submitted by Eastrock Inc., for the property legally described as being Part of Lot 21, Concession 4, Part 1 on Plan 50R10812, known as a vacant lot on Echo Street and Warehouse Street in Vars.

Moved by Jean-Guy Bisson Seconded by Langis Lebel

Committee of Adjustments May 27, 2019

Eastrock Inc., pt lot 21, con 4, partie 1, plan 50R10812, rues Echo et Warehouse, Vars

Dérogation mineure
Rapport PD-46-2019
Présenté par Alix Jolicoeur
Questions du public:
aucune
Questions du comité:
aucune

Il est résolu que le Comité de dérogation approuve la demande de dérogation mineure suivante : Demande de dérogation mineure soumise par Eastrock Inc., pour la propriété légalement décrite comme étant l’une partie du lot 21, concession 4 sur le plan 50R-10812, connue comme étant un lot vacant sur la rue Echo et la rue Warehouse à Vars.

c. Marc Lévesque, Pt lot 12, Con 1, Part 1, Plan 50R10377, 303, Craig St., Russell

Minor Variance
Report PD-49-2019
Presented by Claire Roy
Questions from the public:
none
Questions from the committee:
none

Mike Tarnowski: By approving this minor variance for the owner to build his deck in the flood plain, is the Municipality opening itself up to any liability in the future?

Marc Lévesque, pt lot 12, con 1, partie 1, plan 50R10377, 303, rue Craig, Russell

Dérogation mineure
Rapport PD-49-2019
Présenté par Claire Roy
Questions du public:
aucune
Questions du comité:

Mike Tarnowski: En approuvant cette dérogations mineure permettant au propriétaire de construire sa terrasse dans la plaine inondable, la municipalité s'oblige-t-elle à assumer toute
Dominique Tremblay: By asking the South Nation Conservation Authority for their approval, it mitigates any liability the Municipality would have. Also, the deck is not being built in the flood plain. It is being build within the 15 metre setback of the flood plain.

Be it resolved that the committee of adjustments approves the following Minor Variance Application: Minor Variance application submitted by Marc Lévesque, for the property legally described as being Part of Lot 12, Concession 1, Part 1 on Plan 50R10377, known as 303 Craig Street in Russell.

Moved by Jean-Guy Bisson Seconded by Langis Lebel

7. QUESTION PERIOD ON MEETING OF THE DAY

8. NEXT MEETING
   Next Meeting: June 24, 2019 at 6 p.m.

9. ADJOURNMENT
   a. Adjournment
      Moved by Councillor Mike Tarnowski
      Seconded by Mélanie Gervais
      Be it resolved that we close this meeting of the Committee of adjustments at ... p.m.

   MOTION APPROVED

Dominique Tremblay: En demandant l'approbation de la Conservation de la Nation Sud, cela atténue toute responsabilité de la part de la municipalité. En outre, la terrasse n'est pas en construction dans la plaine inondable. Elle est en cours de construction dans la marge de recul de 15 mètres de la plaine inondable

Il est résolu que le Comité de dérogation approuve la demande de dérogation mineure suivante : Demande de dérogation mineure soumise par Eastrock Inc., pour la propriété légalement décrite comme étant l'une partie du lot 12, concession 1, partie 1 sur le plan 50R-10377, connue comme étant le 303, rue Craig à Russell.

Moved by Councillor Mike Tarnowski Seconded by Mélanie Gervais

7. PÉRIODE DES QUESTIONS SUR LA RÉUNION DU JOUR

8. PROCHAINE RÉUNION
   Prochaine réunion: le 24 juin 2019 à18 h

9. AJOURNEMENT
   a. Ajournement
      Proposé par Councillor Mike Tarnowski
      Appuyé par Mélanie Gervais
      Il est proposé que la séance du comité de dérogation soit levée à

   MOTION ADOPTÉE
CONSENT APPLICATION – 12 BOURASSA STREET, EMBRUN
DEMANDE D’AUTORISATION – 12, RUE BOURASSA, EMBRUN

SUBJECT
Addition to a lot – Property owned by Lucille & Denis Gignac – Agent for the owner: Mathieu Quesnel, a vacant property legally described as Part of Lot 8, Concession 7, Part 1 on Plan 50R2987, Part 1 on Plan 50R-10818 and known as 12 Bourassa Street, Embrun.

RECOMMENDATION
The Planning Department recommends that severance application B-032-2019 be approved subject to the following conditions:

1. That the severed land be merged with the adjoining lot to be enlarged.

2. That a building location survey or a surveyor’s reference plan with the location of the garage on the retained lot be provided in order to confirm the minimum required setback from the interior side lot line to the existing garage.

PD-59-2019
DATE: June 24 juin 2019

SUJET
Addition à un lot - propriété à être détachée appartenant à Lucille et Denis Gignac – agent autorisé Mathieu Quesnel, un lot vacant légalement décrit comme étant partie du lot 8, concession 7, partie 1 sur le plan 50R2987, partie 1 sur le plan 50R10818 et connue comme étant le 12, rue Bourassa à Embrun.

RECOMMANDATION
Le département d’urbanisme recommande l’approbation du détachement de terrain B-032-2019 assujetti aux conditions suivantes :

1. Que le terrain morcelé soit fusionné avec le lot adjacent à être agrandi.

2. Qu'un plan de localisation du bâtiment ou un plan de référence préparé par un arpenteur indiquant l'emplacement du garage sur le lot retenu soit fourni afin de confirmer la marge de recul minimale requise de la ligne de lot côté intérieur au garage existant.
<table>
<thead>
<tr>
<th>FINANCIAL IMPLICATION</th>
<th>IMPLICATIONS FINANCIÈRES</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>s. o.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>BUSINESS PLAN</th>
<th>PLAN D’AFFAIRES</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>s. o.</td>
</tr>
</tbody>
</table>

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<thead>
<tr>
<th>STRATEGIC PLAN</th>
<th>PLAN STRATÉGIQUE</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>s. o.</td>
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</table>

<table>
<thead>
<tr>
<th>COMMUNICATION PLAN</th>
<th>PLAN DE COMMUNICATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>s. o.</td>
</tr>
</tbody>
</table>

**PREPARED BY | PRÉPARÉ PAR:**

Claire Roy, Planning Technician/Technicienne en urbanisme  
June 24 juin 2019

**APPROVAL(S) | APPROBATION(S):**

Dominique Tremblay, Planning Director Directrice de l’urbanisme  
June 24 juin 2019
Mathieu Quesnel, as an agent for the owners, Lucille and Denis Gignac, has submitted consent application # B-032-2019 for a vacant property known as 12 Bourassa Street, Embrun legally and described as Part of Lot 8, Concession 7 being Part 1 on Plan 50R-2987 and Part 1 on Plan 50R-10818.

The proposed adjoining residential property known as 10 Bourassa Street, Embrun legally described as Part of Lot 8, Concession 7 being Parts 2 and 3 on Plan 50R-2987 to include an existing garage encroaching unto the neighbouring property.

The property subject to the consent has a total area of approximately 522 square metres (0.13 acres) with a frontage of approximately 17.15 m (56 feet) on Bourassa Street in Embrun. The residential property is currently vacant.

The owner proposes to sever approximately 46.93 sq. m. (537 sq. ft.) with a frontage of 1.54 metres (5.05 ft) from the property, to merge it with the neighbouring residential property to the east, 10 Bourassa Street, owned by Francois and Carole Gignac. There is an existing one car detached garage encroaching on the proposed severed lot.
(Part A on Map 2) which will, upon its approval, be merged with the adjoining residential property known as 10 Bourassa Street in Embrun.

The proposed severed lot (Part A on Map 2) would have an area of approximately 30.48 sq. m. with 1.54 m of frontage. Upon the merging of the severed lot with 10 Bourassa Street, the lot to be enlarged, it will have a frontage of 24 metres on Bourassa Street. The property located at 10 Bourassa currently has a detached dwelling with a detached garage, which is encroaching 0.49 metres on the proposed severed lot (Part A on Map 2).

The proposed retained lot (Part B on Map 2) would have an area of approximately 476 sq. m. with approximately 15.61 metres of frontage on Bourassa Street in Embrun. This parcel of land is vacant.

Le lot détaché proposé (partie A de la carte 2) aurait une superficie d'environ 30,48 m² avec 1,54 m de façade. Lors de la fusion du lot détaché avec le 10, rue Bourassa, le lot devant être agrandi, il aura une façade de 24 mètres sur la rue Bourassa. La propriété située au 10, Bourassa a présentement une habitation isolée avec un garage isolé qui empiète sur 0,49 mètre sur le lot proposé (partie A de la carte 2).

Le lot retenu proposé (partie B de la carte 2) aurait une superficie d'environ 476 m² avec environ 15,61 mètres de façade sur la rue Bourassa à Embrun. Cette parcelle de terrain est vacante.
MAP 2: PROPOSED SEVERANCE / DÉTACHEMENT PROPOSÉ
Surveyor’s sketch showing encroachment
Reference Plan 50R-2987
**Properties**

<table>
<thead>
<tr>
<th>PIN</th>
<th>69070-0033 LT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Description</td>
<td>PT LT 8 CON 7 RUSSELL PT 1, 50R2567; S/T DEBTS IN RR87238; RUSSELL</td>
</tr>
<tr>
<td>Address</td>
<td>BOURASSA EMBRUN</td>
</tr>
<tr>
<td>PIN</td>
<td>69070-0148 LT</td>
</tr>
<tr>
<td>Description</td>
<td>PART OF LOT 8 CONCESSION 7; AS IN RU21630; RUSSELL; LYING BETWEEN PART 1 ON PLAN 50R8804 AND PART 1 ON PLAN 50R2967;</td>
</tr>
<tr>
<td>Address</td>
<td>BOURASSA EMBRUN</td>
</tr>
</tbody>
</table>

**Applicant(s)**

<table>
<thead>
<tr>
<th>Name</th>
<th>GIGNAC, LUCILLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address for Service</td>
<td>12 Bourassa EMBRUN, ONTARIO K9A 1W1</td>
</tr>
</tbody>
</table>

Note: This document is not authorized under Power of Attorney by this party.

**Statements**

The registered owner applies to consolidate the selected PINs and the proposed description for the parcels to be consolidated is PT LT 8 CON 7 BEING PT 1 50R2567 & PT 1 50R10818; TOWNSHIP OF RUSSELL.

**Signed By**

Jean Gilles Joseph Martel  
800 Notre-Dame Street  
Embrun K9A 1W1

Tel 613-443-3267  
Fax 613-443-3867

Signed for Applicant(s)  
Signed 2019 04 17

**Submitted By**

JEAN G. MARTEL  
800 Notre-Dame Street  
Embrun K9A 1W1

Tel 613-443-3267  
Fax 613-443-3867

**Fees/Taxes/Payment**

- Statutory Registration Fee  
  $64.40
- Total Paid  
  $64.40

**File Number**

- Applicant Client File Number: 9528-1 GIGNAC
FIGURE 1: PICTURE OF PROPOSED SEVERED LOT / PHOTO DU LOT DÉTACHÉ PROPOSÉ

FIGURE 2: PARCEL OF LAND TO BE ENLARGED / PARCELLE DE TERRAIN À ÊTRE AGRANDIE
DISCUSSION

PROVINCIAL POLICY STATEMENT (2014)
The proposed severance will not create a new lot, but will instead enlarge an existing one. Since the lot is presently being used as residential, the proposed enlargement is recommended based on the following policy:

1.4 Housing
1.4.3 “Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents by: …
b) permitting and facilitating:
   1. All forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements;”

UNITED COUNTIES OF PRESCOTT AND RUSSELL (UCPR) OFFICIAL PLAN
The United Counties of Prescott and Russell (UCPR) Official Plan designates the subject property as “Urban Policy Area”, a designation that intends to absorb a significant proportion of future growth in the United Counties.

Residential Policies within the Urban Policy Area include:

“To provide for a range and mix of low, medium and high density housing types to satisfy a broad range of residential requirements and ensure that affordable housing is available, but low rise and medium density housing formats such as single-detached and semi-detached dwelling units shall continue to predominate.”

The proposed consent seeks to permit a lot enlargement of an adjacent residential parcel of land and conforms to the intention of the UCPR Official Plan.

TOWNSHIP OF RUSSELL OFFICIAL PLAN
The Township of Russell Official Plan designates the subject property, and the adjoining lot to be enlarged, “Residential”. The Residential designation is intended to permit a range of housing types and tenures, mostly low and medium density housing up to 55 units/net hectares. The proposed lot enlargement will not impact the net density as no additional dwelling units are being created.
TOWNSHIP OF RUSSELL ZONING BY-LAW
The subject property and the adjacent lot to be enlarged are zoned “Residential One (R1)”. The resulting lots from the proposed lot enlargement is compared with the provision of the Residential one (R1) zone in the table below.

Consent Application # B-032-2019

<table>
<thead>
<tr>
<th>Zoning By-Law requirements</th>
<th>Proposed Retained Lot (Part B)</th>
<th>Proposed Severed Lot (Part A)</th>
<th>Proposed total enlarged – 10 Bourassa Street</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Lot Area:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>450 sq. m.</td>
<td>+/- 475.79 m²</td>
<td>+/- 46.9 m²</td>
<td>+/- 768 m²</td>
</tr>
<tr>
<td>(A lot which existed prior to December 4, 1978 and which has an area of at least 900 m² may be divided by the Land Division Committee into two or more lots, each having an area of at least 450 m²)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Lot Frontage:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15 m</td>
<td>+/- 15.24 m</td>
<td>+/- 1.55 m</td>
<td>+/- 24 m</td>
</tr>
<tr>
<td>(A lot which existed prior to December 4, 1978 and which has a lot frontage of at least 30 m, may be divided by the Land Division Committee into two or more lots, each having a lot frontage of at least 15 m)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Interior Side Yard Setback accessory building:</strong></td>
<td>0 m</td>
<td>0 m</td>
<td>+/- 1.05 m</td>
</tr>
</tbody>
</table>

The severed property is located in a “Residential One zone (R1)”, which permits detached dwellings. The retained residential parcel (Part B on Map 2) is proposed with an area of 475.79 sq. m. and 15.24 metres of frontage. The severed parcel (Part A on Map 2) is proposed with a lot area of 46.9 sq. m. and 1.55 m of frontage. Upon the merging of the severed parcel with the adjacent property, the enlarged parcel of land situated at 10 Bourassa Street will contain an area of approximately 768 sq. m. will have approximately 46.9 m of frontage on Bourassa Street and will contain the existing detached garage.
The proposed zoning requirements for both the retained and enlarged lot do conform to the requirements of the Residential One zone (R1). The lawyer's office has confirmed that the lots were created before 1969. Due to the proximity of the building to the lot line, a building location survey will be required as a condition of consent in order to confirm that the detached garage on the severed and lot to be enlarged meets the minimum required interior side yard setback.

A building permit was issued for a detached garage measuring 22 feet by 14 feet on October 7, 2008. The Site Plan submitted by the owner with the building permit application indicated a proposed interior side yard setback for the detached garage to the property line at 1 metre.

**PLANNING DEPARTMENT COMMENTS**

The subject property is in the Village of Embrun. The surrounding area is predominantly residential with detached dwellings. The requirements of the severed and retained parcel of lands are in compliance with Zoning By-law # 2018-094.

A building location survey or surveyor's reference plan showing the location of the detached garage will be required to confirm setbacks to the proposed lots lines to determine if the detached garage meets the provisions of the Ontario Building Code and Township of Russell Zoning By-law # 2018-094.

The proposed lot addition will be in conformity with the requirements of Zoning By-law # 2018-094. The proposed lot enlargement is also in compliance with the Provincial Policy Statement, the United County of Prescott Russell Official Plan and the Township of Russell Official Plan.

**CONSULTATION**

The proposed consent was circulated internally within the Township of Russell. Responses received are attached. A summary of comments received is provided below:

<p>| Embrun and Russell Fire Department (Brian Duhamel &amp; Bruce Armstrong) | Application was reviewed and there were no comments. |</p>
<table>
<thead>
<tr>
<th>Township of Russell Building Services (Julia Tuff)</th>
<th>My only comment is to ensure that the garage noted is at least 1 m from this new property line in order to be code compliant, I do realize that it was not before this proposal. <em>The existing garage is proposed at 1.05 metres from the property line.</em></th>
</tr>
</thead>
<tbody>
<tr>
<td>Township of Russell Public Safety and Enforcement (Millie Bourdeau)</td>
<td>Application was reviewed and there were no comments.</td>
</tr>
<tr>
<td>Township of Russell Public Works</td>
<td>Application was reviewed and there were no comments.</td>
</tr>
<tr>
<td>Township of Russell Finance (Richard Godin)</td>
<td>No comments</td>
</tr>
<tr>
<td>Township of Russell Recreation (Céline Guitard)</td>
<td>No comments</td>
</tr>
<tr>
<td>Township of Russell Administration Jean Leduc</td>
<td>Application was reviewed and there were no comments.</td>
</tr>
</tbody>
</table>

**ATTACHMENTS:**

No attachments
BACKGROUND INFORMATION REPORT
RAPPORT D’INFORMATION GÉNÉRALE
PD-61-2019 DATE: June 24 juin 2019

MINOR VARIANCE APPLICATION # A5-2019
DEMANDE DE DÉROGATION MINEURE # A5-2019

SUBJECT
Minor Variance Application # A5-2019 submitted by Marilyse Dumas for a property legally described as Pt Lot 3 on Plan 50M-303, Part 2 on Plan 50R-9943 and known as 23 Gaslight Way in Russell.

VARIANCE REQUESTED
To allow for the following:

1. A reduced minimum rear yard setback of 6.2 metres whereas zoning by-law requires a minimum setback of 7.5 metres for a sunroom addition to the semi-detached.

BACKGROUND
The property owner of the property located at 23 Gaslight Way in Russell has submitted an application for a relief from the minimum rear yard setback requirement in a “Residential Two (R2)” zone. The application is to permit a minimum rear yard

SUJET
Demande de dérogation mineure n° A5-2019 soumise par Marilyse Dumas pour la propriété légalement décrite comme étant partie du lot 3 sur le plan 50M-303, partie 2 du plan 50R-9943 et située au 23, Gaslight Way, Russell.

DEMANDE DE DÉROGATION
Pour permettre ce qui suit :

1. Une marge de recul minimale de la cour arrière de 6,2 mètres, alors que le règlement de zonage exige une marge de recul minimale de 7,5 mètres pour un ajout d’un solarium à une habitation jumelée.

ANTÉCÉDENT
La propriétaire de la propriété située au 23, Gaslight Way à Russell a présenté une demande visant à obtenir une réduction de l’exigence minimale de la marge de recul de la cour arrière dans une zone « résidentiel deux (R2) ». La demande permettra une marge de recul de la
setback of 6.2 metres whereas the by-law requires a minimum of 7.5 metres for the addition of a sunroom in a semi-detached dwelling.

PROPOSED PROJECT

The variance from the zoning by-law is required in this case to allow for the construction of a sunroom.

A building permit application was recently received for the addition of a sunroom. The parcel of land contains an existing semi-detached dwelling with a minimum rear yard setback of 9.30 metres.

The proposed sunroom addition is proposed at a rear yard setback of 6.2 metres. Zoning By-law # 2018-094 requires for an addition to the semi-detached, a minimum rear yard setback of 7.5 metres.

cour arrière de 6,2 mètres alors que le règlement exige un minimum de 7,5 mètres pour la construction d’un solarium à une habitation jumelée.

PROJET PROPOSÉ

La dérogation du règlement de zonage est nécessaire dans le cas présent afin de permettre la construction d’un solarium à une habitation jumelée.

Une demande de permis de construction a récemment été reçue pour la construction d’un solarium. La parcelle de terrain contient une habitation jumelée avec une marge de recul de la cour arrière de 9,30 mètres.

L’ajout du solarium est proposé à une marge de recul de la cour arrière de 6,2 mètres. Le règlement de zonage n° 2018-094 exige, pour l’ajout à une habitation jumelée, une marge de recul de cour arrière minimale de 7,5 mètres.
Map 1
Carte 1

Subject Property: 23 Gaslight Way, Russell
Propriété en question: 23, Gaslight Way, Russell
FIGURE 2: 23 Gaslight Way, Russell

FIGURE 3: Back yard of semi-detached / Cour arrière de l’habitation jumelée
FIGURE 4: Proposed Site Plan / Plan de site proposé
TOWNSHIP OF RUSSELL OFFICIAL PLAN

The subject property is designated as “Residential” in the Official Plan. This designation primarily permits low and medium density housing, but also contains provisions for compatible, non-residential uses.

TOWNSHIP OF RUSSELL ZONING BY-LAW

The subject property is located at 23 Gaslight Way in Russell. The property is zoned as “Residential Two Zone (R2)”. This zone permits detached dwelling, duplex dwelling, secondary dwelling units and semi-detached dwelling.

Section 4.4.2 specifies the R2 Zone requirements for a semi-detached dwelling addition with a minimum rear yard setback of 7.5 metres. As demonstrated by sketch provided by the owner, the rear yard setback is proposed at 6.2 metres.

Zoning By-law # 2018-094 defines “rear yard” setback as follows:

“Rear Yard shall mean the space parallelling the rear lot line that extends across the full width of the lot between a rear lot line and the nearest point
of the principal building not including a permitted projection under Section 3.46.”

The existing deck will be removed and the proposed sunroom addition will be installed on the existing concrete sono-tubes.

DISCUSSION

As per Section 45(1) of the Planning Act, the above application has been evaluated using the four prescribed tests as follows:

1. The variance must be minor

The requested variance is minor and the reduced required rear yard setback from 7.5 metres to 6.2 metres is not expected to have a significant impact on surrounding properties since the reduced setback is limited to the sunroom portion at the back of the semi-detached dwelling. The existing deck is being replaced with a three-season sunroom at the same height of the existing deck. The back yard of the property is fenced. The variance will not prevent adjacent properties from continuing to be used for semi-detached dwellings. The subject property is a corner lot and the sunroom will be built at a minimum of 4.10 metres from Pebblemill Lane and does not create a visibility concern. Therefore, the reduced zoning provision requirement is not expected to impact on the privacy of the neighbouring properties. All other required setbacks meet the Zoning By-Law requirements. Consequently, the application is considered as minor by the Planning Department.

2. The variance must be desirable for the appropriate development or use of the land, building or structure

The proposed development of the subject property is appropriate for the area and is desirable in the area. The subject property is located within a low and medium density residential subdivision containing detached dwellings, townhouses, apartments and semi-detached dwellings. The subject property is located on Gaslight Way in Russell and was developed as semi-detached dwellings. The proposed reduced rear yard will not change the streetscape character along Gaslight Way in Russell as the attached sunroom is proposed within the exterior side yard setback from the street. It is consistent with
policy objectives that speak for the efficient use of land and existing infrastructure.

3. **The variance must maintain the general purpose and intent of the By-law**
   The proposed semi-detached dwelling complies with all aspects of the R2 zone, aside from the required rear yard setback. The general intent of the rear yard setback in the R2 zone is to ensure that the impact on adjacent properties is mitigated. In this case, reducing the rear yard setback for the semi-detached dwelling for a sunroom will still maintain the intent and will not have an effect on the privacy of the neighbours.

4. **The variance must maintain the general purpose and intent, if any, of the Official Plan**
   The Township of Russell Official Plan permits the proposed form of development, but does not provide any policy direction on rear yard setback. However, the Official plan of the Township of Russell outlines objectives for the residential designation such as ensuring that residential intensification and redevelopment is compatible with surrounding uses. Compatibility of new developments shall be assessed based on height and massing. New buildings must have regards to the height and massing of adjacent buildings. Where variation in height or massing is proposed, a transition is desirable. The Planning Department is of the opinion that the proposed minor variances respect the massing of the adjacent proposed building.

   Based on the above, the Planning Department finds that the variance maintains the purpose and intent of the Official Plan and Zoning By-law; is desirable for the appropriate development of the land, and is minor.

   The subject minor variances meet the four prescribed tests set out in Section 45 (1) of the *Planning Act* and; therefore, support approval of the Minor Variance Application D13 A5-2019.

   The Committee must make their determination based on the above comments and their own evaluation of the proposed variances with respect to the four tests, whether to approve the application.
MINOR VARIANCE APPLICATION # A6-2019
DEMANDE DE DÉROGATION MINEURE # A6-2019

SUBJECT
Minor Variance Application # A6-2019 submitted by Darrell & Fleurette Parlee for a property legally described as Pt Lot 71 on Plan 50M-313, Part 2 on Plan 50R-10691 and known as 255 Belfort Street in Embrun.

VARIANCE REQUESTED
To allow for the following:

1. A reduced minimum rear yard setback of 4.65 metres whereas zoning by-law requires a minimum setback of 7.5 metres;

2. To allow an increased maximum lot coverage from 47% to 47.5%.

for the construction of an addition being a sunroom located at the back of the semi-detached dwelling.

SUJET
Demande de dérogation mineure n° A6-2019 soumise par Darrell et Fleurette Parlee pour la propriété légalement décrite comme étant partie du lot 71 sur le plan 50M-313, partie 2 du plan 50R-10691 et située au 255, rue Belfort, Embrun.

DEMANDE DE DÉROGATION
Pour permettre ce qui suit :

1. Une marge de recul minimale de la cour arrière réduite à 4,65 mètres, alors que le règlement exige une marge de recul minimale de 7,5 mètres ;

2. Permettre une augmentation de la superficie maximale couverte du lot de 47 % à 47,5 %.

pour la construction d'un solarium situé à l'arrière de l'habitation jumelée.
BACKGROUND

The property owners of the property located at 255 Belfort Street in Embrun has submitted an application for a relief from the minimum rear yard setback requirement in a “Residential Two – Exception 26 (R2-26)” zone. The application is to permit a minimum rear yard setback of 4.65 metres whereas the by-law requires a minimum of 7.5 metres and to allow an increased maximum lot coverage from 47% to 47.5% for the addition of a sunroom to a semi-detached dwelling.

PROPOSED PROJECT

The variance from the zoning by-law is required in this case to allow for the construction of an attached sunroom in the back yard of the property.

The subject property was approved as part of a Plan of Subdivision #50M-313 being Part 2 on Plan 50R-10691, which was registered on title on September 6, 2013, and is currently zoned for the proposed form of development.

A building permit application was recently received for a 120-square-foot addition to the semi-detached. The parcel of land contains a semi-detached dwelling that was built at

ANTÉCÉDENT

La propriétaire de la propriété située au 255, rue Belfort à Embrun a présenté une demande visant à obtenir une réduction de l’exigence minimale de la marge de recul de la cour arrière dans une zone « résidentiel deux – exception 26 (R2-26) ». La demande permettra une marge de recul minimale de la cour arrière de 4,65 mètres alors que le règlement exige un minimum de 7,5 mètres et permettra une augmentation de la superficie maximale couverte du lot de 47 % à 47,5 % pour l’ajout d’un solarium à une habitation jumelée.

PROJET PROPOSÉ

La dérogation du règlement de zonage est nécessaire dans le cas présent afin de permettre la construction d’un solarium à une habitation jumelée dans la cour arrière.

La parcelle de terrain en question a été approuvée dans le cadre d’un plan de lotissement n° 50M-313 étant la partie 2 sur le plan 50R-10691 qui a été enregistré sur les titres de propriété le 6 septembre 2013. La propriété est présentement zonée pour la forme de développement proposée.

Une demande de permis de construction a récemment été reçue pour l’ajout d’un solarium de 120 pieds carrés à une habitation jumelée. La parcelle de terrain
a minimum rear yard setback of 8.35 metres.

The proposed sunroom addition is proposed at a rear yard setback of 4.65 metres. Zoning By-law #2018-094 requires for an addition to the semi-detached, a minimum rear yard setback of 7.5 metres.

In addition, an increased in the maximum lot coverage from 47% to 47.5% is necessary for the addition of a sunroom as an exception to the zoning designation restricting the lot coverage was adopted for the subject property in 2016.

MAP AND PICTURE(S) OF THE PROPERTY

CARTE ET PHOTO(S) DE LA PROPRIÉTÉ

Map 1
Carte 1
Subject Property: 255 Belfort Street, Embrun
Propriété en question: 255, rue Belfort, Embrun
FIGURE 2: 255 Belfort Street, Embrun

FIGURE 3: Back yard of semi-detached / Cour arrière de l'habitation jumelée
FIGURE 4: Proposed Site Plan / Plan de site proposé
Proposed model of sunroom: Gable Roof Enclosure
Modèle de solariun proposé : Toiture à deux versants

TOWNSHIP OF RUSSELL OFFICIAL PLAN

The subject property is designated as “Residential” in the Official Plan. This designation primarily permits low and medium density housing, but also contains provisions for compatible, non-residential uses.

TOWNSHIP OF RUSSELL ZONING BY-LAW

The subject property is located at 255 Belfort Street in Embrun. The property is zoned as “Residential Two Zone – Exception 26 (R2-26)”. This zone permits detached dwelling, duplex dwelling, secondary dwelling units and semi-detached dwelling.

Section 4.4.2 specifies the R2 Zone requirements for a semi-detached dwelling addition with a minimum rear yard setback of 7.5 metres. As demonstrated by sketch provided by the owner, the rear yard setback is proposed at 4.65 metres. In addition Exception 26 stipulates that the maximum lot coverage shall be 47%.

Zoning By-law # 2018-094 defines “rear yard” setback and lot coverage as follows:

“Rear Yard shall mean the space paralleling the rear lot line that extends across the full width of the lot between a rear lot line and the nearest point of the principal building not including a permitted projection under Section 3.46.”

and
“Lot Coverage” shall mean the percentage of the lot area covered by all buildings and structures above ground level, including accessory buildings, provided that the area of buildings shall be measured to the exterior of the outside walls, and shall not include permitted projections.

The existing deck will be removed and the proposed sunroom addition will be installed on two techno posts.

**DISCUSSION**

As per Section 45(1) of the *Planning Act*, the above application has been evaluated using the four prescribed tests as follows:

1. **The variance must be minor**
   The requested variances are minor and the reduced required rear yard setback from 7.5 metres to 4.65 metres and the lot area from 47% to 47.5% is not expected to have a significant impact on surrounding properties since the reduced setback is limited to the sunroom portion at the back of the semi-detached dwelling. The existing deck is being replaced with a three-season sunroom at a similar plate form height from the ground of the existing deck. A privacy fence is in the process of being installed. The variance will not prevent adjacent properties from continuing to be used for semi-detached dwellings as it will not be noticeable from the street and does not create a visibility concern. The increased zoning provision requirement is not expected to impact on the privacy of the neighbouring properties. All other required setbacks meet the Zoning By-Law requirements. Consequently, the application is considered as minor by the Planning Department.

2. **The variance must be desirable for the appropriate development or use of the land, building or structure**
   The proposed development of the subject property is appropriate for the area and is desirable in the area. The subject property is located within a low and medium density residential subdivision containing detached dwellings, townhouses, apartments and semi-detached dwellings. The subject property is located on Belfort Street in Embrun which is being developed as semi-detached dwellings on both sides of the street. The back yard of the subject parcel of land backs onto a vacant property. The proposed reduced rear yard will not change the streetscape character along Belfort in Embrun as the sunroom will not
be visible from the street. It is consistent with policy objectives that speak for the efficient use of land and existing infrastructure.

3. **The variance must maintain the general purpose and intent of the By-law**

The proposed semi-detached dwelling complies with all aspects of the R3-6 zone, aside from the required rear yard setback and lot coverage. The general intent of the rear yard setback in the R2 zone is to ensure that the impact on adjacent properties is mitigated. In this case, a privacy fence is being installed and reducing the rear yard setback and increasing the lot coverage for the proposed sunroom will still maintain the intent and will not have an effect on the privacy of the neighbours.

It should also be noted that the Township of Russell Zoning By-law # 2018-094 no longer contains a lot coverage in a residential zone R2 or R3.

4. **The variance must maintain the general purpose and intent, if any, of the Official Plan**

The Township of Russell Official Plan permits the proposed form of development, but does not provide any policy direction on rear yard setbacks or lot coverage. However, the Official plan of the Township of Russell outlines objectives for the residential designation such as ensuring that residential intensification and redevelopment is compatible with surrounding uses. Compatibility of new developments shall be assessed based on height and massing. New buildings must have regards to the height and massing of adjacent buildings. Where variation in height or massing is proposed, a transition is desirable. The Planning Department is of the opinion that the proposed minor variances respect the massing of the adjacent proposed building.

Based on the above, the Planning Department finds that the variance maintains the purpose and intent of the Official Plan and Zoning By-law; is desirable for the appropriate development of the land, and is minor.

The subject minor variances meet the four prescribed tests set out in Section 45 (1) of the *Planning Act* and; therefore, support approval of the Minor Variance Application D13 A6-2019.
The Committee must make their determination based on the above comments and their own evaluation of the proposed variances with respect to the four tests, whether to approve the application.

PREPARED BY/PRÉPARÉ PAR: Claire Roy

SUBMITTED BY/SOUMIS PAR: Dominique Tremblay

Claire Roy, Planning Technician/Technicienne en urbanisme
Dominique Tremblay, Planning Director/Directrice de l’aménagement du territoire
MINOR VARIANCE APPLICATION # A7-2019
DEMANDE DE DÉROGATION MINEURE # A7-2019

SUBJECT
Minor Variance Application # A7-2019 submitted by Marcelle Lacasse for a property legally described as Part of Block 1 on Plan 50M-322, Part 74 on Plan 50R-10378 known as 324 Solstice Crescent in Embrun.

VARIANCE REQUESTED
To allow for the following:

1. A reduced minimum interior side yard setback of 0 metre whereas zoning by-law requires a minimum setback of 1.2 metres for a sunroom addition to the semi-detached on Part 74 of Plan 50R-10378.

BACKGROUND
The property owner of the property located at 324 Solstice Crescent in Embrun has submitted an application for a relief from the minimum interior side yard setback requirement in a “Residential Three – Exception 6 (R3-6)” zone. The
application is to permit a minimum interior side yard setback of 0 metre whereas the by-law requires a minimum of 1.2 metres for the addition of a sunroom in a semi-detached dwelling.

PROPOSED PROJECT
The variance from the zoning by-law is required in this case to allow for the construction of a sunroom to a semi-detached dwelling.

The subject property was approved as part of a Plan of Subdivision #50M-322 being Part 74 on Plan 50R-10378, which was registered on title on March 2, 2015, and is currently zoned for the proposed form of development.

A building permit application was recently received for the addition of a three-season sunroom. The parcel of land contains a semi-detached dwelling with an interior side yard setback of 0 metre between units which are vertically attached.

The proposed sunroom addition is proposed at an interior side yard setback of 0 metre. Zoning By-law #2018-094 requires for an addition to a semi-detached, a minimum interior side yard setback of 1.20 metres.

cour latérale intérieure de 0 mètre alors que le règlement exige un minimum de la cour latérale intérieure de 1.2 mètre pour l'ajout d'un solarium à une habitation jumelée.

PROJET PROPOSÉ
La dérogation au règlement de zonage est nécessaire dans le cas présent afin de permettre la construction d'un solarium à une habitation jumelée.

La parcelle de terrain en question a été approuvée dans le cadre d'un plan de lotissement n° 50M-322 étant la partie 74 sur le plan 50R-10378 qui a été enregistré sur les titres de propriété le 2 mars 2015. La propriété est présentement zonée pour la forme de développement proposée.

Une demande de permis de construction a recemment été recue pour l'ajout d'un solarium trois saisons. La parcelle de terrain contient une habitation jumelée avec une marge de recul de la cour latérale intérieure de 0 mètre entre les unités reliées verticalement.

L'ajout du solarium est proposé avec une marge de recul latérale intérieure de 0 mètre. Le règlement de zonge n° 2018-094 exige, pour l'ajout à une habitation jumelée, une marge de recul pour la cour latérale intérieure minimale de 1,20 mètres.
MAP AND PICTURE(S) OF THE PROPERTY

CARTE ET PHOTO(S) DE LA PROPRIÉTÉ

Map 1
Carte 1

Subject Property: 324 Solstice Cr., Embrun
Propriété en question: 324, cr. Solstice, Embrun

FIGURE 2: 324 Solstice Crescent, Embrun
FIGURE 3: Back yard of semi-detached / Cour arrière de l’habitation jumelée
FIGURE 4: Proposed Site Plan / Plan de site proposé

FIGURE 5: Proposed sunroom model: Acrylic Roof Panels
Modèle de solarium proposé : Toiture à panneaux acryliques
TOWNSHIP OF RUSSELL OFFICIAL PLAN

The subject property is designated as “Multi-unit Residential” in the Official Plan. This designation permits a high density residential housing, but also contains provisions for compatible, non-residential uses.

TOWNSHIP OF RUSSELL ZONING BY-LAW

The subject property is located at 324 Solstice in Embrun. The property is zoned as “Residential Three – Exception 6 Zone (R3-6)”. This zone permits apartment dwelling, boarding houses, converted dwelling, group home, lodging houses, residential care facilities, retirement home, secondary dwelling units, townhouse dwelling, stacked townhouse dwelling and triplex dwelling. The exception – 6 stipulates that “Notwithstanding the provisions of this By-law to the contrary, the lands designated R3-6 shall also be used for semi-detached dwelling. Semi-detached dwelling in the R3-6 shall be developed in accordance with the zone requirements of Section 4.4.2.” being the zone requirements of the Residential two-zone.

Section 4.4.2 specifies the R2 Zone requirements for a semi-detached dwelling addition with an interior side yard setback of 1.2 metres. As demonstrated by sketch provided by the owner, the interior side yard setback is proposed at 0 metre.

Zoning By-law # 2018-094 defines “Interior side yard” setback as follows:

“Interior Side Yard shall mean the space not abutting a public street that extends from the front yard to the rear yard between a side lot line and the nearest point of any main building, not including a permitted projection.”

The proposed sunroom addition will be installed on the existing cement piers as shown on Figure 3. The proposed construction is also subject to setbacks with respect to unprotected opening in accordance to the Ontario Building Code. The owner of the company that sold the sunroom has been advised and will be providing additional material specifications to meet the Ontario Building Code for the issuance of the building permit.
South Nation Conservation has advised that they have no issues with the proposed development as it was dealt with original permit of the semi-detached.

**DISCUSSION**

As per Section 45(1) of the *Planning Act*, the above application has been evaluated using the four prescribed tests as follows:

1. **The variance must be minor**

   The requested variance is for a reduced interior side yard setback from 1.2 metres to 0 metres is not expected to have a significant impact on surrounding properties since the reduced setback is limited to the sunroom portion at the back of the semi-detached dwelling. An existing full height privacy wall between the deck and underneath of the roof is presently installed between the two semi-detached dwellings. (See Figure 3). The proposed three-season sunroom will be installed on the existing cement piers. The backyard of the property backs unto the Castor River, therefore no adjacent parcel of land at the back of the property with an adjoining rear yard. The adjoining properties (312 & 316 Solstice Street) contains similar sunrooms. The variance will not prevent adjacent properties from continuing to be used for semi-detached dwellings and will not create a visibility concern. Therefore, the reduced zoning provision requirement is not expected to impact on the privacy of the neighbouring properties. All other required setbacks meet the Zoning By-Law requirements. Consequently, the application is considered as minor by the Planning Department.

2. **The variance must be desirable for the appropriate development or use of the land, building or structure**

   The proposed development of the subject properties are appropriate for the area and is desirable in the area. The property in question is located on lots within a low and medium density residential subdivision containing primarily detached dwellings, semi-detached and townhouses. The subject property is surrounded by residential properties.
The proposed reduced interior side yard will not change the streetscape character along Solstice in Embrun. It is consistent with policy objectives that speak for the efficient use of land and existing infrastructure.

3. **The variance must maintain the general purpose and intent of the By-law**
   The proposed semi-detached dwelling complies with all aspects of the R3-6 zone, aside from the required interior side yard setback. The general intent of the interior side yard setbacks in the R3-6 zone is to ensure that the impact on adjacent properties is mitigated. In this case, reducing the interior side yard setback for the semi-detached dwelling will still maintain the intent and will not have an effect on the privacy of the neighbours.

4. **The variance must maintain the general purpose and intent, if any, of the Official Plan**
   The Township of Russell Official Plan permits the proposed form of development, but does not provide any policy direction on interior or exterior side yard setbacks or lot coverage. However, the Official plan of the Township of Russell outlines objectives for the residential designation such as ensuring that residential intensification and redevelopment is compatible with surrounding uses. Compatibility of new developments shall be assessed based on height and massing. New buildings must have regards to the height and massing of adjacent buildings. Where variation in height or massing is proposed, a transition is desirable. The Planning Department is of the opinion that the proposed minor variances respect the massing of the adjacent proposed building.

   Based on the above, the Planning Department finds that the variance maintains the purpose and intent of the Official Plan and Zoning By-law; is desirable for the appropriate development of the land, and is minor.

   The subject minor variances meet the four prescribed tests set out in Section 45 (1) of the *Planning Act* and; therefore, support approval of the Minor Variance Application D13 A7-2019.
The Committee must make their determination based on the above comments and their own evaluation of the proposed variances with respect to the four tests, whether to approve the application.

PREPARED BY/PRÉPARÉ PAR: Claire Roy, Planning Technician/
Technicienne en urbanisme territoire

SUBMITTED BY/SOUMIS PAR: Dominique Tremblay, Planning Director/
Directrice de l’aménagement du territoire