



7 Third Avenue
Whitney, Ontario

**COMMITTEE OF ADJUSTMENT MEETING &
PUBLIC HEARINGS**

AGENDA

September 20, 2023 9:00 a.m.

IN PERSON & ZOOM MEETING

Live Streamed to YouTube Channel: South Algonquin Council

Open Meeting/Call to order-9:00 a.m.

Land Acknowledgement

We acknowledge that we are gathered on the unceded Traditional Territory of the Algonquin Anishinaabeg people, specifically the Matouweskarini (people of the Madawaska River). We further acknowledge that the Algonquin People have been stewards of this land since time immemorial and we strive to treat the land along with the flora and fauna it supports, the people, their customs and traditions, with honour and respect. Today, this area is home to people of all walks of life, and we acknowledge the shared opportunities and responsibilities to live, work and survive within this beautiful territory. Chi-miigwetch, All my relations

1. Additions / Amendments to the Agenda
2. Adoption of the Agenda
3. Disclosure of Pecuniary Interest
4. Adoption of Minutes
That the Minutes of the June 20, 2023 Committee of Adjustment Meeting be approved as submitted.
5. Public Hearing
- 5.1 Consider Minor Variance Application -C.2023-02
Staff Report: Anthony Hommik, MCIP, RPP
Legal Description: CON 5 PT BROKEN; LOT 21 PT RD ALLOW RP; 36R11095 PARTS 1 TO 3 AND 6; PT PARTS 4 AND 7 RP 36R11271; PART 4 PCL 29406 NIP
Civic Address: 1724 Major Lake Road
6. Other
7. Next meeting will be scheduled when required.

Adjournment

NOTE: Submissions received from the public, either orally or in writing, may become part of the public record.

There may be limited capacity in the Council Chambers.

**THE CORPORATION OF THE TOWNSHIP OF SOUTH ALGONQUIN
COMMITTEE OF ADJUSTMENT**

PUBLIC MEETING IN-PERSON & ZOOM – June 20, 2023 –9:00 a.m.

There was an in-person and Zoom public meeting of the Committee of Adjustment to hear Minor Variance Applications No. M.V.2023-02. Present were Committee Members: Committee Chair Councillor Kuiack, Mayor LaValley, Councillor Collins, Councillor Florent, Councillor Pigeon, Councillor Rodnick, Councillor Siydock.

Staff: Tracy Cannon, Secretary Treasurer, Committee of Adjustment
Bryan Martin, CAO/Clerk Treasurer

Applicants/Agents: Doug Marsh, Applicant

Councillor Kuiack called the public meeting to order at 9:01 a.m.

LAND ACKNOWLEDGEMENT

We acknowledge that we are gathered on the unceded Traditional Territory of the Algonquin Anishinaabeg people, specifically the Matouweskarini (people of the Madawaska River). We further acknowledge that the Algonquin People have been stewards of this land since time immemorial and we strive to treat the land along with the flora and fauna it supports, the people, their customs and traditions, with honour and respect. Today, this area is home to people of all walks of life, and we acknowledge the shared opportunities and responsibilities to live, work and survive within this beautiful territory. Chi-miigwetch, All my relations

1. **ADDITIONS/AMENDMENTS TO THE AGENDA:** None

2. **ADOPTION OF THE AGENDA**

Moved by: Mayor LaValley

Seconded by: Councillor Florent

To adopt the agenda as prepared for the Committee of Adjustment meeting of Tuesday, June 20, 2023 as circulated.

-Carried-

3. **DECLARATION OF PECUNIARY INTEREST:** None

4. **ADOPTION OF MINUTES**

Moved by: Councillor Florent

Seconded by: Councillor Pigeon

To adopt the minutes of April 12, 2022 Committee of Adjustment meeting as circulated.

-Carried-

5. **PUBLIC HEARING**

Chair, Councillor Kuiack opened the Public Hearing portion of the meeting and turned it over to T. Cannon, Secretary Treasurer of the Committee of Adjustment.

5.1 CONSIDER MINOR VARIANCE APPLICATION – M.V. 2023-02

This portion of the meeting is to consider one application for a Minor Variance under Section 45 of the Planning Act for lands locally known as 1552 Aylen Lake.

The subject property fronts on Aylen Lake and is currently improved with a legal non-conforming one-storey cottage. It also has a bunkie and a shed. The proposal is to add a one-storey addition to the existing cottage that would roughly double the building footprint. The existing cottage is located approximately 18.3

metres (60 feet) from the shoreline and the addition would be located 10.7 metres (35 feet) from the shoreline.

An Environmental Impact Study was prepared by Ravenwood Environmental and the study concluded that despite the expansion being located closer to the shoreline of Aylen Lake, no adverse impacts on Aylen Lake or other adjacent natural features are anticipated as a result of the new construction and the proposed building envelope is entirely located within a historically disturbed section of cleared land on site.

REQUIREMENTS FOR NOTICE

T. Cannon reported, the required notices were mailed on June 2, 2023 and the notice sign was posted on the property on as the property on June 5, 2023.

COMMENTS FROM THE PLANNER:

Comments from Anthony Hommik, Planner Jp2g Consultant Inc were provided in the circulated planner's report.

PUBLIC/AGENCY COMMENT ON APPLICATION: None

COMMENTS FROM THE COMMITTEE:

Councillor Collins: Will the septic be able to accommodate the additional people.

Mr. Marsh: Just an open room, need additional gathering space. The existing cottage is quite small.

Councillor Pigeon: Will there be any disruption to the shoreline?

Mr. Marsh: No disruption to the shoreline.

DECISION AND CONDITIONS OF THE MINOR VARIANCE APPLICATION

Moved by: Councillor Florent

Seconded by: Councillor Kuiack

That Committee of Adjustment approve the recommendations and conditions outlined in the Planner's Report prepared by Anthony Hommik, Senior Planner of Jp2g Consultants

AND that Minor Variance Application No.MV2023-02 be subject to the conditions outlined in the planner's report.

- 1) That the approved development is constructed substantially in accordance with the sketch submitted by the applicant, attached hereto as Appendix 1.
- 2) That an approved Sedimentation Barrier be installed downslope of the construction area during all active phases which may result in movement or disturbance of substrate material, to ensure there is no erosion or resulting sedimentation of Aylen Lake as result of activities on site. This barrier is to utilize best management practices for construction materials, and be installed properly, and inspected and maintained as required.
- 3) That the Sedimentation Barrier remain in place until all disturbed substrate has been stabilized using approved methods (geotextile, hydroseeding, etc.). 7
- 4) Payment of all municipal legal and planning fees associated with the processing of the application.

Discussion/Comment on Conditions: None

-CARRIED-

6. **OTHER:** T. Cannon advised the committee that a by-law will be presented at the next Regular Council Meeting to transfer the Shore Road Allowance back to Chellew/Carrol per Application No. C.2022-06.

7. **NEXT MEETING:** To be scheduled when required.

ADJOURNMENT

Moved by: Councillor Siydock

Seconded by: Councillor Pigeon

The Committee adjourned the Committee of Adjustment meeting at 9:14 a.m.

-Carried-

Committee Chair, Councillor Kuiack

Secretary/Treasurer, Tracy Cannon

DRAFT

PLANNING REPORT



Meeting Date:	September 20, 2023
Agency:	Township of South Algonquin
Staff Contact:	Tracy Cannon, Planning & Building Administrator
Agenda Title:	C. 2023-02 – Purchase, 1724 Major Lake Road, Murchison Ward
Agenda Action:	Approve with Conditions

Recommendation

That the Committee of Adjustment approve consent application No. C.2023-02 for the lands described as Part of Lot 21, Concession 6, Murchison (municipally known as 1724 Major Lake Road), with the conditions recommended in this report.

Background

The Township has received a consent application from the owner of the lands described as Part of Lot 21, Concession 6, Murchison (municipally known as 1724 Major Lake Road) in Murchison Ward.

The proposal, as shown on Appendix 1, is to sever two lots from the subject property, resulting in:

1. Severed Lot 1 – approximately 2.0-hectares (4.94 acres) lot area and approximately 120 metres (197 feet) frontage on Major Lake Road
2. Severed Lot 2 – approximately 1.0-hectare (2.47 acres) lot area and approximately 137 metres (449 feet) frontage on Major Lake Road
3. Retained Lot – approximately 3.1 hectares (7.66 acres) lot area and approximately 194 metres (636 feet) of frontage on Major Lake Road

The two lots to be severed are currently vacant and proposed to be used for residential purposes. The retained lot currently contains an existing cabin that is proposed to remain. The entirety of the subject lands are wooded.

Provincial Policy Statement, 2020

The Provincial Policy Statement, 2020 (PPS) provides policy direction on matters of provincial interest related to land use planning to provide for appropriate development, while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. All planning decisions must be consistent with the PPS.

The subject property is considered *rural lands* by the PPS definition. Section 1.1.5 of the PPS sets out the policies for rural lands in municipalities. Policy 1.1.5.2 states that on rural lands

located in municipalities, permitted uses are: c) residential development, including lot creation, that is locally appropriate. Policy 1.1.5.4 states that development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted. Policy 1.1.5.5 states that development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.

South Algonquin Official Plan

The Township of South Algonquin Official Plan designates the subject property “Rural”. Section 4.1 of the Official Plan contains the policies applicable to lands designated “Rural”. The policies recognize the need to accommodate both residential and non-residential development in the rural area. The policies permit low density year-round residential development. The policy indicates that development that will have an adverse impact on the rural character of the Township will not be permitted.

Section 4.9 sets out the policies specific to rural residential development. The policies encourage new residential development to be located in the vicinity of other residential uses, discouraging scattered or isolated development. Section 4.9.2 states that new residential development should not preclude the use of natural resources, have no negative impact on significant natural, cultural or archeological resources, can demonstrate reasonable access to community facilities, have frontage on a public road and not be located on hazard lands.

Section 11.1 of the Official Plan sets out the consent policies that must be considered in the creation of a new lot. The policies recognize consents as the primary form of lot creation in the Township. New lots are permitted provided they:

- do not cause unnecessary expansion of municipal services;
- do not restrict aggregate, forestry or agricultural operations;
- have no negative impact on natural heritage features;
- are a minimum of 1 hectare in size; and
- have frontage on a public road.

South Algonquin Zoning By-law No. 2017-527

The subject property is zoned “Rural (RU)” under South Algonquin Zoning By-law No. 2017-527. The Rural zone requires a minimum residential lot size of 1 hectare (2.47 acres) and a minimum lot frontage of 100 m (328 feet).

Planning Analysis

The proposed lots would conform to the applicable policies of the Township of South Algonquin Official Plan and would also be consistent with the PPS as the lots:

- will have limited impact on the rural character of the area;
- do not appear to impact any natural heritage resources or have a negative impact on significant natural, cultural or known archeological resources or involves hazard lands;
- will have frontage on a public highway; and
- will not result in the unnecessary expansion of municipal services.

With respect to the zoning by-law, the two proposed lots comply with the minimum frontage and area requirements.

Conclusion and Recommendation

The proposal to create two new lots by way of severance from the lands municipally known as 1724 Major Lake Road is consistent with the PPS, conforms to the relevant Official Plan policies and complies with Zoning By-law No. 2017-527. Based on the above analysis, it is recommended that the Committee of Adjustment approve the application subject to the following conditions:

- 1. That the applicant provide the Township with:
 - a. The original executed transfer (deed), a duplicate original and one photocopy;
 - b. A copy of the Reference Plan to be deposited in the Land Registry office that is substantially in compliance with the application sketch; and
 - c. A schedule describing the severed lot and naming the grantor and grantee attached to the transfer for approval purposes.
- 2. The applicant shall obtain entrance permits from the Township for the two new lots.
- 3. Payment of all municipal legal and planning fees associated with the processing of the application.
- 4. If applicable, that the applicant meet all financial requirements of the Township, including payment of the balance of any outstanding taxes, including penalties and interest.

Respectfully,

Jp2g Consultants Inc.
Engineers • Planners • Project Managers

Prepared By:



Anthony Hommik, MCIP, RPP
Manager – Planning Services | Senior Planner

Appendix 1 – Proposed Severed and Retained Lands (Applicant’s Submitted Drawing)

