



*7 Third Avenue
Whitney, Ontario*

**COMMITTEE OF ADJUSTMENT MEETING
& PUBLIC HEARING**

AGENDA

July 16, 2025 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.

Roll Call

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 or a General Nature Thereof
4. Adoption of Minutes
That the Minutes of the June 18, 2025 Committee of Adjustment Meeting be approved as submitted.
5. Public Hearing
- 5.1 Consider Minor Variance Application MV.2025-002
Staff Report: Janine Cik, B.A. and Anthony Hommik, MCIP, RPP
Legal Description: DICKENS CON 8 PT LOT 12 RP;36R3849 PART 2 PCL 23860
Civic Address: 70 Whites 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 18, 2025 –9:00 a.m.

There was an in-person and Zoom public meeting of the Committee of Adjustment to hear one Consent Application No. CT.2025-001. Present were Committee Members: Committee Chair Councillor Kuiack, Mayor LaValley, Councillor Collins, Councillor Florent, Councillor Pigeon, Councillor Rodnick, Councillor Siydock

Staff: Tracy Cannon, Deputy CAO/Deputy Clerk – Planner, Secretary Treasurer of the Committee of Adjustment

Bryan Martin, CAO/Clerk-Treasurer

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

ROLL CALL: All present

LAND ACKNOWLEDGEMENT

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

2. **ADOPTION OF THE AGENDA**

Moved by: Councillor Florent

Seconded by: Councillor Rodnick

To adopt the agenda as prepared for the Committee of Adjustment meeting of Wednesday, June 18, 2025 as circulated.

-Carried-

3. **DECLARATION OF PECUNIARY INTEREST OR GENERAL NATURE THEREOF:** None

4. **ADOPTION OF MINUTES**

Moved by: Councillor Pigeon

Seconded by: Councillor Collins

To adopt the minutes of May 22, 2025 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 CONSENT APPLICATION – CT. 2025-001

T. Cannon provided the background and purpose of the application for the Consent Application for lands legally described as Part Lot 8, Concession 5, Registered Plan 36R14753, Parts 1 and Part 3 locally known as 79 A & B Church Hill Street, geographic Township of Airy.

The subject lands comprise of an area of approximately 1.96 hectares with approximately 129.72 metres of frontage of Church Hill Street and 61.93 metres of frontage of Highway 60.

The proposal is seeking to sever approximately 0.57 hectares of land with approximately 28.96 metres of lot frontage on Church Hill Street and 31.60 metres on Highway 60 from the subject property and add these lands to 29438 Highway 60. The proposed lot addition would also include the transfer of an existing 6.10 metre wide easement that will not be impacted by the application.

The results of the lot addition are.

Benefitting Lot, (29438 Highway 60) will have a lot area of approximately 0.80-hectare and approximately 93.69 metres on Church Hill Street and 58.60 metres on Highway 60.

Retained Lot, 79A & B Church Hill Street will have a lot area of approximately 1.45-hectare and approximately 93.69 metres on Church Hill Street and 31.60 metres on Highway 60.

Both the benefitting and retained lands are currently used for residential purposes. The benefitting lot is improved with a dwelling, shed, a well, and a septic system, while the retained lot is improved with two dwellings, two sheds, a well and a septic system. The lands to be severed and added to the benefitting lot are vacant.

Following the lot addition, the retained lot at 79 A & B Church Hill Street would continue to meet the required minimum lot area and frontage as required in the R1 zone.

The benefitting lot would remain undersized following the lot addition but would be closer to the desired minimum of 1 hectare, which represents an improvement on the existing condition.

There is an existing right-of-way that provides access to Church Hill Street for a property in the vicinity of this application. As a condition of approval, it is recommended that a solicitor's opinion be provided to confirm that all rights and obligations associated with the right-of-way continue to remain in place, unaltered by this application.

REQUIREMENTS FOR NOTICE

T. Cannon reported the required notices were mailed on May 29, 2025 and the notice sign was posted on the subject property on May 31, 2025.

COMMENTS FROM THE PLANNER:

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

COMMENTS FROM AGENCIES:

- Received correspondence from Pikwakanagan First Nations on June 12, 2025 requesting additional consultation. Following a conversation, the request was withdrawn.
- Received correspondence from MTO on June 13, 2025. T. Cannon will forward MTO comments to the applicant. MTO also indicated they do not have any records of an entrance permit for 29438 Highway 60. Therefore, the applicant must apply for an MTO residential permit in order to legally register the existing entrance from Highway 60. T. Cannon informed the committee that this may be added as a condition for consent or T. Cannon could advise the applicant of the requirement. It was agreed that it would not be a condition and T. Cannon would forward the information to the property owner.

COMMENTS FROM THE COMMITTEE:

- T. Cannon answered questions of the committee on access- how MPAC may assess the lands now that the benefitting lands will have access from Church Hill Street as well as Highway 60 and clarified that it is 29438 Highway 60 that requires the MTO permit to be obtained. There was a concern whether MTO would approve the entrance application. T. Cannon read the portion of MTO’s email, and it appeared by the email the permit would legalize the entrance.
- Mayor LaValley noted that the lands are owned by long-time township residents and that the portion of the land will be transferred to their daughter. She expressed her support for the application.

DECISION AND CONDITIONS OF THE CONSENT APPLICATION

Moved by: Councillor Florent

Seconded by: Mayor LaValley

That Committee of Adjustment approve Consent Application No.CT.2025-001 subject to the following conditions;

1. That the applicant provides the Township with:
 - a. A copy of the transfer (deed) of land;
 - b. A copy of a draft Reference Plan, which is substantially in compliance with the application sketch, and upon approval, be deposited with the Land Registry Office;
 - c. A schedule describing the easement and naming the grantor and grantee attached to the transfer for approval purposes.
2. Payment of all municipal legal and planning fees associated with the processing of the application.
3. 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.
4. That an opinion from a solicitor be provided to confirm that the easement will continue to provide legal access to all parties registered on title, and that all rights and obligations of all parties will remain.

-CARRIED-

6. Other – No other business.
7. Meeting will be scheduled as required.

ADJOURNMENT

Moved by: Councillor Rodnick

Seconded by: Councillor Florent

The Committee adjourned the Committee of Adjustment meeting at 9:17 a.m.

-Carried-

Committee Chair, Councillor Kuiack

Secretary/Treasurer, Tracy Cannon

PLANNING REPORT



Meeting Date: July 16, 2025
Agency: Township of South Algonquin
Staff Contact: Tracy Cannon, Deputy CAO/Deputy Clerk-Planner
Agenda Title: MV. 2025-002 – Scott
Agenda Action: Approve Subject to Conditions

Recommendation

That Committee of Adjustment for the Township of South Algonquin approve the requested Minor Variance application to permit a two-storey detached garage with habitable space on the second floor for the lands municipally known as 70 Whites Road, subject to the conditions identified in this report.

Background

The Township has received a Minor Variance application from the owner of the property municipally known as 70 Whites Road. The subject property has frontage on Ayleen Lake and is currently improved with a cottage and two garages. The application proposes to construct a third detached garage which would be two stories in height and located towards the southeast of the existing cottage. The proposed garage would have a total footprint of 108 square metres, a height of 7 metres, and a water setback of approximately 62 metres from the shoreline of Ayleen Lake. As noted, the garage also proposes to have habitable space on the second floor, which would comprise an area of approximately 111.4 squares metres and be accessed via internal stairs. The applicant's site plan showing the location of all existing buildings and the proposed garage has been attached to this report as Appendix 1.

South Algonquin Official Plan

The Township of South Algonquin Official Plan designates the subject property Waterfront. Section 5 of the Official Plan contains the policies applicable to lands designated "Waterfront Areas". The Official Plan recognizes that the "Township's Waterfront lands have played, and will continue to play, an important role in the municipality's physical development." Section 5.2 permits single-detached dwellings located on individual lots along the shoreline.

Section 5.4.4 states that "development and site alteration will be set back from all watercourses within the Township in order to protect the natural features and functions of the watercourse, provide riparian habitat, and minimize the risk to public safety and property. Buildings, structures and sewage disposal systems will be set back at least 30 m (100 feet) from the high water mark of all of lakes, rivers and streams."

The Official Plan is generally silent on accessory structures, however, Section 5.4.5 permits guest cabins on lots that are designated Waterfront.

South Algonquin Zoning By-law No. 2017-527

The subject property is zoned Shoreline Residential (SR) under Zoning By-law No. 2017-527. The Shoreline Residential zone permits a maximum of three accessory structures (4.1.3 b) and the maximum height of any accessory structure is 4.5 metres (4.1.4). Section 4.1.10 limits human habitation in accessory structures to guest cabins or one and one-half storey detached garages. Lastly, section 4.1.11 permits only one guest cabin or one, one and one-half storey detached garage per lot.

As Zoning By-law No. 2017-527 limits the maximum height of any accessory building to 4.5 metres, a variance to Section 4.1.4 is required to permit the detached garage to be 7 metres in height. Additionally, given that the Zoning By-law only contemplates one and one-half storey garages, a variance is required to both sections 4.1.10 and 4.1.11 to permit the detached garage to be two storeys in height.

Variations Requested

1. Section 4.1.4

The maximum height of an accessory building or structure shall be 7 metres, except in the SR, LSR and R2 where the maximum accessory building height shall be 4.5 metres, or as otherwise permitted in this By-law.

Varied to:

The maximum accessory building height shall be **7 metres**.

2. Section 4.1.10

The use of any accessory building or structure for a habitable room is not permitted except in the case of a guest cabin or a one and one-half storey detached garage. Occupancy of any accessory structures shall not be permitted until an occupancy permit has been issued by the Township.

Varied to:

A **two-storey** detached garage shall be permitted. Occupancy of any accessory structures shall not be permitted until an occupancy permit has been issued by the Township.

3. Section 4.1.11

Only one guest cabin or one, one and one-half storey detached garage shall be permitted per lot.

Varied to:

One guest cabin or one, **two-storey** detached garage shall be permitted **on the subject lot**.

Planning Analysis

Section 45(1) of the *Planning Act* provides the Committee of Adjustment with the power to grant minor variances, provided four tests are met. How the application meets the tests is described below:

Is the application in keeping with the general intent and purpose of the Official Plan?

As noted above, the application seeks to construct a new detached garage on the subject lot. The Official Plan identifies Ayleen Lake as a lake trout lake, "not at capacity". While the Official Plan does not speak to garages/accessory structures, it does contemplate standalone guest cabins. The habitable space that is proposed on the second floor of the garage is consistent with the guest cabin use and is in keeping with the general intent and purpose of the Official Plan.

Is the application in keeping with the general intent and purpose of the Zoning By-law?

The design of the roof line and second floor of the proposed garage is such that it cannot be considered one and one half storeys, nor meet the maximum accessory building height of 4.5 metres. However, all other requirements of the Zoning By-law would be met, including setbacks, accessory lot coverage, and the maximum number of accessory buildings permitted per lot; being three. Therefore, the application is in keeping with the general intent and purpose of the Zoning By-law.

Is the application minor in nature?

The policy framework for the Township of South Algonquin provides for accessory structures that include habitable space on an upper level, which is what is being proposed by this application. The proposed increased height of the garage is not anticipated to result in any adverse visual or environmental impacts, as the structure would be located to the rear of the dwelling and would not be visible from the shoreline of Ayleen Lake. Moreover, the permission to configure the second floor such that the detached garage would not be considered one and one-half storeys is minor in nature.

Is the application desirable for the appropriate development or use of the land, building or structure?

The proposed garage would enhance the functionality of the property for continuing the existing permitted recreational residential use. Further, the proposed garage would be located a considerable distance from the shoreline (approximately 62 metres) and would meet all other minimum yard requirements. No adverse impacts are anticipated on any neighbouring properties, nor on the quality of the lake. The application is therefore considered desirable for the appropriate development of the land.

Conclusion and Recommendation

The application for minor variance has been evaluated against the four tests of Section 45(1) of the *Planning Act* and it is concluded that the application meets said tests and should be approved, subject to the following three conditions:

- 1) That the approved development be constructed substantially in accordance with the plans prepared by Onsite Design and Drafting, dated June 30, 2025, attached hereto as Appendix 1.
- 2) Payment of all municipal legal and planning fees associated with the processing of the application.

Respectfully,

Jp2g Consultants Inc.
Engineers • Planners • Project Managers

Prepared By:

A handwritten signature in black ink that reads "Janine Cik". The script is fluid and cursive.

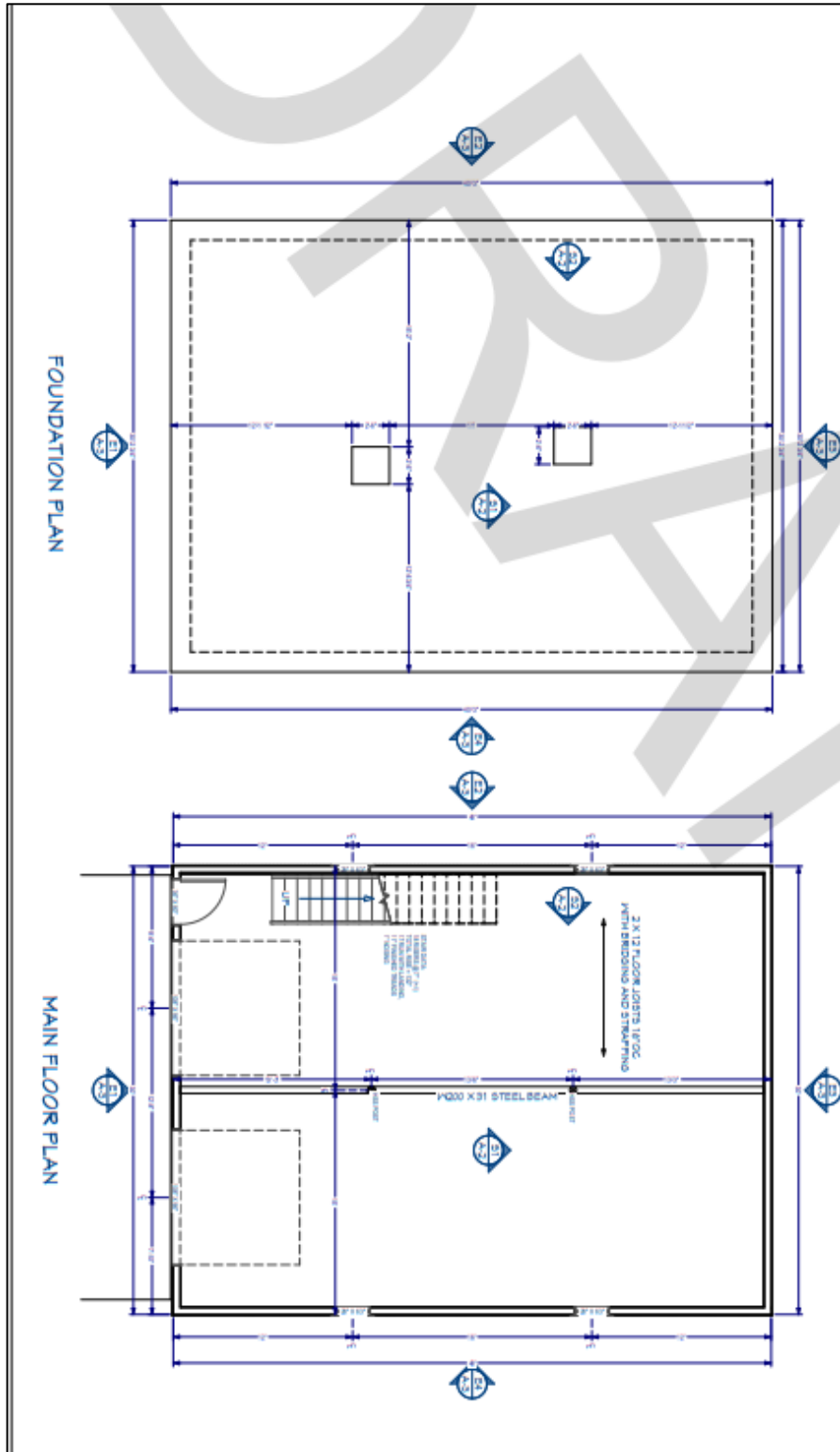
Janine Cik, B.A. (Hons)
Junior Planner

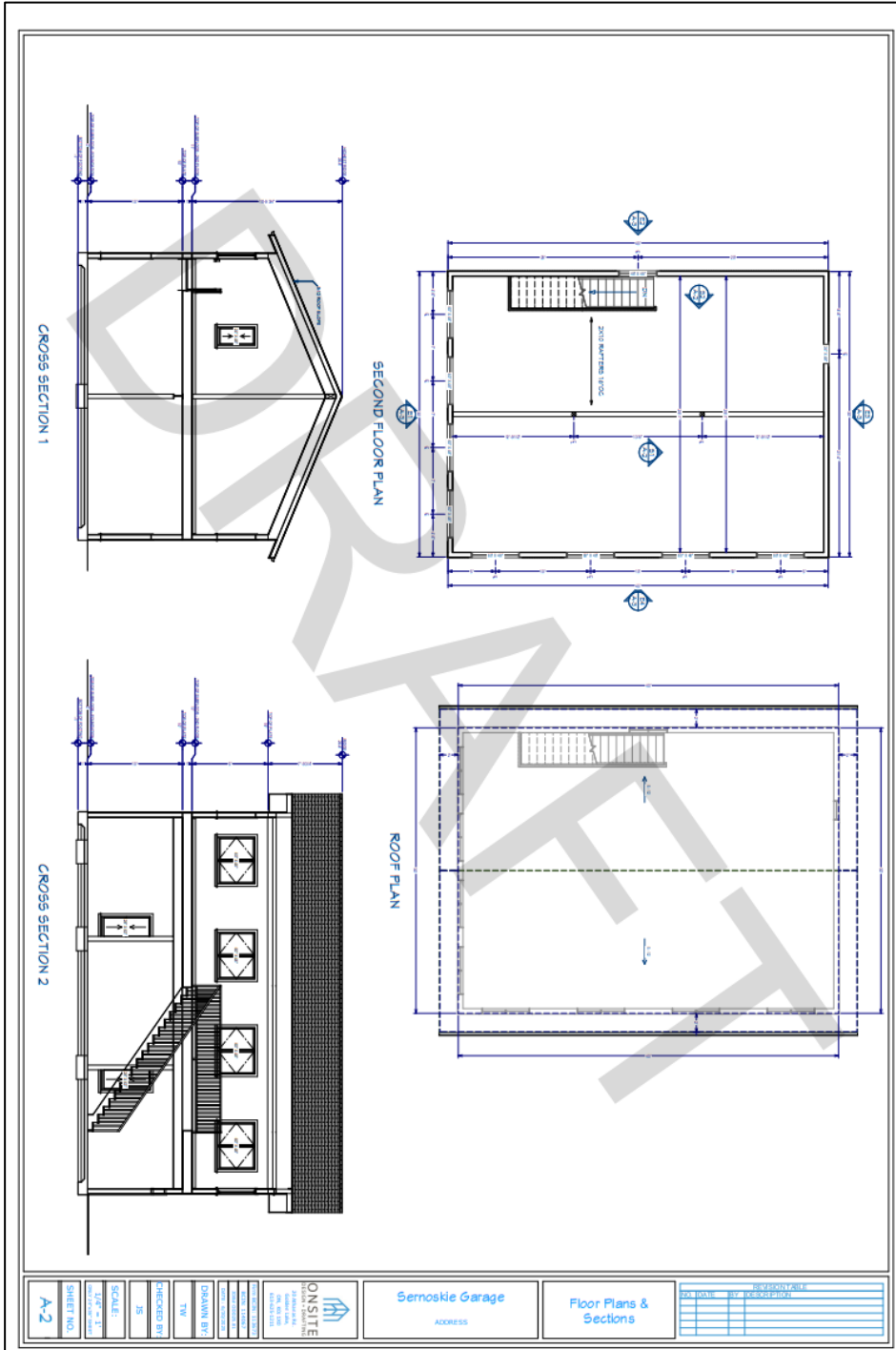
Reviewed By:

A handwritten signature in black ink that reads "Anthony Hommik". The script is fluid and cursive.

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

Garage Design





A-2

SHEET NO.

SCALE:

1/8" = 1'

CHECKED BY:

JS

DRAWN BY:

TW

DATE:

10/10/2018

PROJECT:

SENIOSKIE GARAGE

ADDRESS:

10000 100th Ave

Edmonton, Alberta

T5A 1C6

ON-SITE

ARCHITECTURE

10000 100th Ave

Edmonton, Alberta

T5A 1C6

Senoskie Garage

ADDRESS

Floor Plans &

Sections

DATE:

10/10/2018

BY:

JS

CHECKED BY:

JS

DRAWN BY:

TW

DATE:

10/10/2018

PROJECT:

SENIOSKIE GARAGE

ADDRESS:

10000 100th Ave

Edmonton, Alberta

T5A 1C6

ON-SITE

ARCHITECTURE

10000 100th Ave

Edmonton, Alberta

T5A 1C6

Senoskie Garage

ADDRESS

Floor Plans &

Sections

DATE:

10/10/2018

BY:

JS

CHECKED BY:

JS

DRAWN BY:

TW

DATE:

10/10/2018

PROJECT:

SENIOSKIE GARAGE

The image displays four architectural elevations of a garage structure, arranged in a 2x2 grid. The top-left view is the 'FRONT ELEVATION', showing a gabled roof with three diamond-shaped windows in the upper section and a row of six smaller rectangular windows below. The top-right view is the 'REAR ELEVATION', featuring a gabled roof and a single diamond-shaped window. The bottom-left view is the 'LEFT ELEVATION', showing a vertical wall with two diamond-shaped windows and a dark, textured horizontal band at the base. The bottom-right view is the 'RIGHT ELEVATION', showing a vertical wall with four diamond-shaped windows and a dark, textured horizontal band at the base. A large, faint watermark 'DRAFT' is visible across the center of the drawings.

FRONT ELEVATION

REAR ELEVATION

LEFT ELEVATION

RIGHT ELEVATION

Drawing Title	
NO.	DATE

Semokle Garage
© 2005

ONSITE
ARCHITECTURE
1000 W. 10th St.
Wichita, KS 67202
Tel: 781-333-3333
Fax: 781-333-3333
www.onsitearch.com

SCALE: 1/8" = 1'-0"
DATE: 10/1/05
DRAWN BY: JTB
CHECKED BY: JTB

A-3