

**REPORT TO THE
PLANNING ADVISORY & COMMITTEE OF ADJUSTMENT**

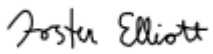
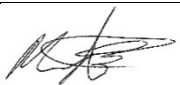

Date of Report: August 20, 2024 | **Date of Meeting:** August 28, 2024

Subject of Report: Section 45 Application **A-16-2024 RIDEAU LAKES TOWNSHIP – NEWBORO HALL**

Recommendation:

Staff recommend that the Section 45 application **A-16-2024** be **approved as submitted** with the following conditions:

1. That this approval is based on the following specifications and that any deviation from these specifications will require subsequent review and approval by the Township:
 - a. The dimensions and location of the proposed structure(s) shall be consistent with the approval;
 - b. All setbacks and development parameters shall be consistent with the details noted in the site plan and compliant with Zoning By-law 2023-50 where no approval has been granted;
2. That an updated site plan is submitted prior to the construction of the building that demonstrates the proposed building meets the required 1.5m clearance distance from the Class 5 holding tank as set out in Part 8 of the Ontario Building Code;
3. That the owners maintain all existing on-site drainage patterns;
4. That all outdoor lighting be downward cast, and as minimal as required to meet the required objectives;
5. That all materials used on the exterior of the structure be of a natural material or a colour reflective of the surrounding natural and built-up environment;
6. That the owners install screening between the proposed development and the roadways through a vegetative buffer or fencing that is reflective and complimentary to the cultural heritage values; and;
7. Future development not included in this approval will be subject to review and approval by the Township, Conservation Authority and/or Parks Canada and any other governing agency or regulations where applicable. Should any in-water or shoreline works or alterations be proposed, prior written approval from the Rideau Canal Office of Parks Canada is required.

Report Prepared By:	
	Foster Elliott, Associate Planner
Departmental Approval:	
	Malcolm Norwood Manager of Development Services
Chief Administrative Officer (CAO) Approval:	
	Mary Ellen Truelove, Clerk for Shellee Fournier, CAO

1.0 PROPERTY AND OWNER INFORMATION:

Attribute	Value
Roll Number	083184104104600
Owner Name	Rideau Lakes Township
Location	15 Drummond Street, Newboro
Area	4307.00 sqft
Frontage	65.00 ft
Depth	94.8 ft
Description	PLAN 72 PT LOT 1

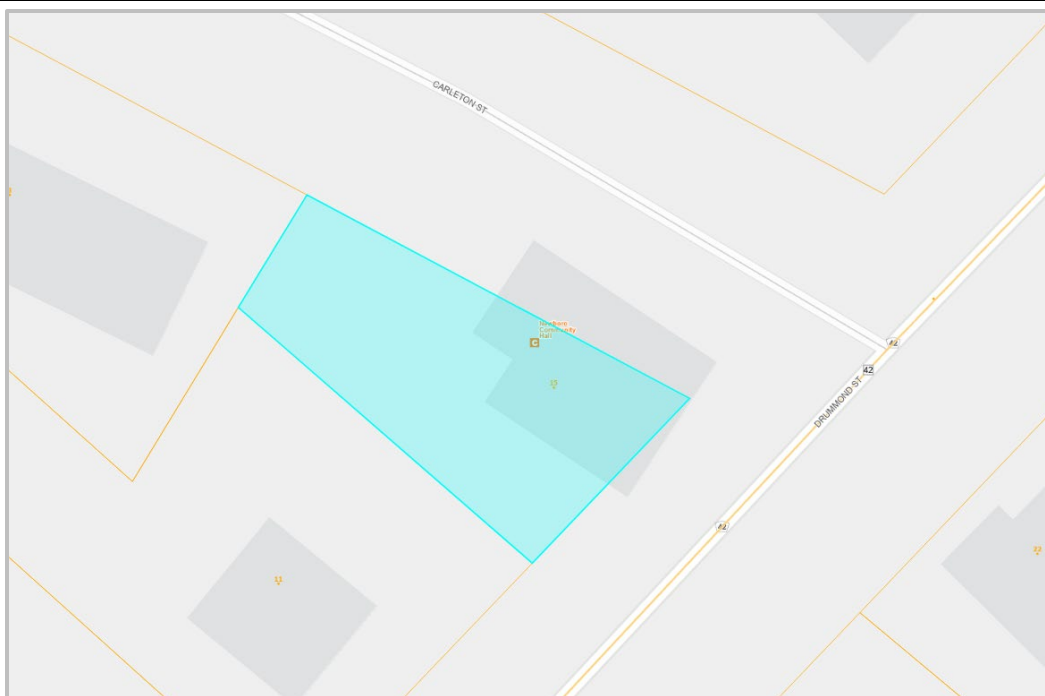


Figure 1 – Context Map

2.0 PROPOSAL

2.1 Purpose of the Application:

This is an application under Section 45 of the Ontario Planning Act requesting a minor variance from the provisions of the Township of Rideau Lakes' Zoning By-law #2023-50 as amended. The applicants are proposing to construct a 10.4sqm (112sqft) accessory structure (shed) on the property. The subject property already exceeds the maximum permitted lot coverage of 20% at approximately 71.7%. The proposal requests the following variance:

- **Section 8.1.2** – Relief of 54.3% from the permitted maximum 20% lot coverage to allow for a 74.3% lot coverage for the proposed accessory structure (shed)

**Staff note that the notice posted and circulated incorrectly referenced the Section of the Zoning By-law which relief is requested. This section was noticed as 8.2.2, however the correct section of the Zoning By-law is 8.1.2. Staff do not believe a re-notice is required as sufficient information regarding the requested relief was provided.*



Figure 2 – Aerial image of subject property.

3.0 AGENCY COMMENTS

3.1 Chief Building Official (CBO)

No objections, so long as all part 8 setbacks, sizing, and separations can be maintained.

**It is noted that the submitted site plan does not indicate the setback from the proposed building to the septic system (Class 5 Holding Tank). Therefore, a recommended condition of approval be that an updated site plan is submitted demonstrating the system meets the required clearance distance from the Class 5 holding tank of 1.5m as set out in Part 8 of the Ontario Building Code. Staff believe there to be enough space on the property to accommodate the proposed building while meeting the required 1.5m clearance distance and the required yard setbacks.*

3.2 Manager of Roads and Drainage

No concerns with this application.

4.0 STAFF REVIEW – SECTION 45(1) MINOR VARIANCE

4.1 Minor in Nature

The proposal is to construct a 10.4sqm (112sqft) accessory building (shed) on the property. The proposed accessory building requests relief from the permitted maximum 20% lot coverage in the Institutional zone to permit 74.3%. The property is currently at a lot coverage calculation of 71.7% with the existing Newboro Hall institutional building. There are potential cultural heritage impacts as the property contains a building (Newboro Hall) that has cultural heritage interest. As the proposed building is small at approximately 10.4sqm and located at the rear of the property as far away from the street as possible, staff do not have concern about visual impacts on the potential cultural heritage significant of the Hall.

Potential environmental impacts from the increased lot coverage include the increased hardened surfaces that impacts stormwater runoff and snowmelt. Due to the small size of the building, staff do not anticipate any significant negative impacts in terms of stormwater runoff or

snowmelt resulting from the increased hardened surface on the property. Additionally, the area between the proposed building and the closest road (Carleton Street) is grassed which will assist in slowing and reducing stormwater that exits the property onto the abutting Township street. The Manager of Roads and Drainage has reviewed the application and has no concerns in regard to the abutting Township street or municipal drainage. Impacts to neighbours are not anticipated as a result of the proposal as the minimum interior side yard complies with the Zoning By-law and the area between the proposed building and the neighbouring properties are vegetated with mature trees and some shrubs. No public comments have been received at the time of this report that indicate any impacts to their properties as a result of the proposal. Overall, as there are no anticipated negative impacts, staff consider the proposal to be minor in nature.

4.2 Intent and Purpose of the Zoning By-Law

The subject property is zoned Institutional (I). The proposed public use of the property is permitted. Section 8.1 of the Zoning By-law prescribes the provisions for the I zone. Section 3.19 of the ZBL outlines that a public use is permitted on any property subject to the requirements of that zone and required setbacks outlined in the ZBL. The zoning standards for setbacks and building height are outlined in Table 1 below.

Table 1: Zoning Standards

Provision	Required	Proposed
Front Yard Setback (min)	3m	15.24m
Interior Side Yard Setback (min)	2m	2.13m
Exterior Side Yard Setback (min)	6m	11.58m
Rear Yard Setback (min)	2m	5.18m
Centreline of County Road Setback (min)	16m	>16m*
Centreline of Township Road Setback (min)	16m	>16m*
Height (max)	6m	3.05m

**Setback not shown, but based on lot line setbacks and road widths including the sidewalks, staff are confident that the proposed building will meet the setback.*

The proposed new building will increase the existing non-conforming lot coverage of 71.7% by 2.6% to a proposed lot coverage of 74.3%. This proposed lot coverage exceeds the maximum permitted 20% in the Institutional zone outlined in Section 8.1.2 of the ZBL. The intent of the maximum lot coverage provisions is to regulate the intensity of hardened surfaces such as roofs and decks on properties. One of the main goals is to ensure adequate 'greenspace' on properties to provide onsite stormwater management before any runoff leaves the property. In this instance, the proposed building is very limited in size and, with the recommended conditions, is adequately setback from the property lines and roadways. Any increased stormwater runoff generated from this building would be dealt with through onsite infiltration from the generally flat grassy area surrounding the proposed building. Therefore, staff believe that the proposal is considered consistent with the intent of the Zoning By-law.

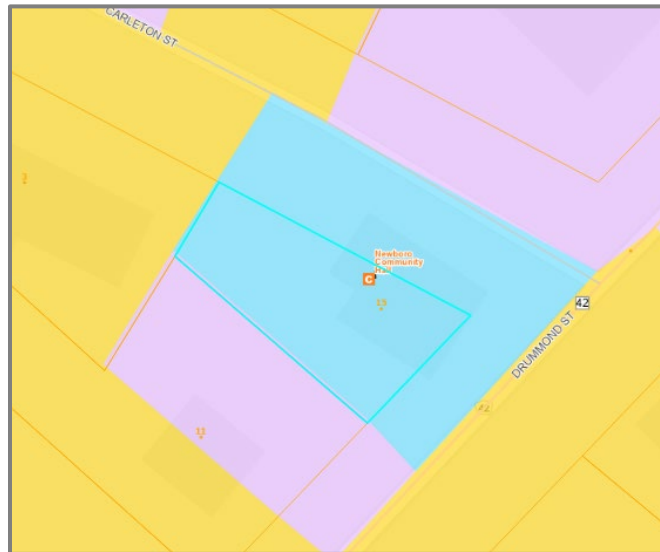


Figure 3 – Zoning map of the subject property and surrounding area.

4.3 Conformity with the Official Plan

The subject property is designated Settlement Area in the Township's Official Plan. The intent of the Settlement Area designation is outlined in Section 3.9 of the OP and seeks to promote and encourage more concentrated development in these areas than would typically be found or permitted in the surrounding rural designation. The amount and type of development permitted will be consistent with the maintenance of the character of the settlement area. As this section of the OP details that more concentrated development is to occur in Settlement Areas, a proposal for a small increase in lot coverage on a property within this designation is consistent with this goal. The proposed accessory use of the building is considered consistent with this section of the OP.

The proposal must conform to the policies of Section 2.6 Environmentally Sensitive Development. This section calls for development to maintain, fit into and take advantage of the natural, scenic and historic character of individual sites and their environments. Particularly this section calls for stormwater management approaches that maximize natural infiltration and minimize runoff both during and after construction. In this case, staff believe that maintaining all existing on site drainage patterns, and retaining all existing vegetation other than that needed to be removed to construct the building will adequately provide stormwater management for the proposed new building. Further, this section calls for the encouragement of the use of natural colours or materials that are complimentary to the surrounding natural and built contextual environment. No lighting plan was submitted with the application. Staff recommend that a condition of approval be that any outdoor lighting be downward cast, and as minimal as needed to meet the required objectives.

Section 2.17 Cultural Heritage, Rideau Canal and Archaeological Resources is also reviewed as many sites within the Township's Settlement Areas are designated as heritage buildings or sites. The Newboro Hall property is not designated as a Heritage property, however does have potential cultural heritage interest. Therefore, the cultural heritage characteristics of the building have yet to be fully defined, but the proposed small accessory building at the rear of the property should not impact any characteristics of cultural heritage significance of the Newboro hall as seen from the road. Further, the proposal is for a request to obtain an increased lot coverage on the property, which is not a parameter that is likely to impact cultural heritage values. Through the recommended conditions of approval, the proposal is consistent with Section 2.17 of the OP.

The property is not subject to natural or human-made hazards, nor is within a natural heritage designation or area or their associated adjacent lands. Land Use Compatibility has been reviewed. Through the recommended condition of the buffering from the roadways, and the adherence the required setbacks that provide real separation distances between uses and buildings, there are no anticipated land use compatibility concerns identified through this review. With the attached conditions, the application meets the intent of the OP.



Figure 4 – Official Plan schedule of the property and surrounding area

4.4 Appropriate Use and Development

The proposed development meets or exceeds the standards of the Zoning By-law other than the requested relief of the minor variance. Through the use of storm water management mechanisms, natural materials and/or colours, and the buffering to minimize potential impacts to cultural heritage views, the development will address some of the more significant concerns of the Township. Overall, the proposed development is considered appropriate given the priorities and policies of the Township are adhered to.

5.0 OTHER MATTERS OF LOCAL/PROVINCIAL INTEREST

The policies of the Ontario Provincial Policy Statement have been considered in reviewing this application. Section 1.1.3 Settlement Areas has been considered. This section calls for settlement areas to be the focus of growth and development and land use patterns shall be based on densities and a mix of land uses which efficiently use land and resources, and land use patterns shall be based on opportunities for intensification. As this proposal is for an intensification of a public use property, the proposal is considered consistent with the policies of the Settlement Area section of the PPS. Section 2.6 Cultural Heritage has also been reviewed. This section calls for the protection of cultural heritage properties and values. Although the property is not designated as a heritage property, it does have cultural heritage values of interest. Therefore, through the recommended condition of adequate screening/buffering from the roadways to protect the cultural heritage views of the property, staff believe that the proposal is consistent with the Cultural Heritage section of the PPS.

The policies of the United Counties of Leeds & Grenville Official Plan have also been considered in reviewing this application. The subject property is designated as Rural Settlement Area in Section 2.3.3 of the Counties OP. An objective of the Rural Settlement Area designation is to promote development and limited intensification within these rural settlement areas that

maintain the rural settlement character. Through the recommended conditions of approval, the proposed development is considered to be consistent with the Counties OP.

6.0 PUBLIC INPUT/COMMENTS

No public comments have been received at the time of writing this report.

7.0 SKETCHES

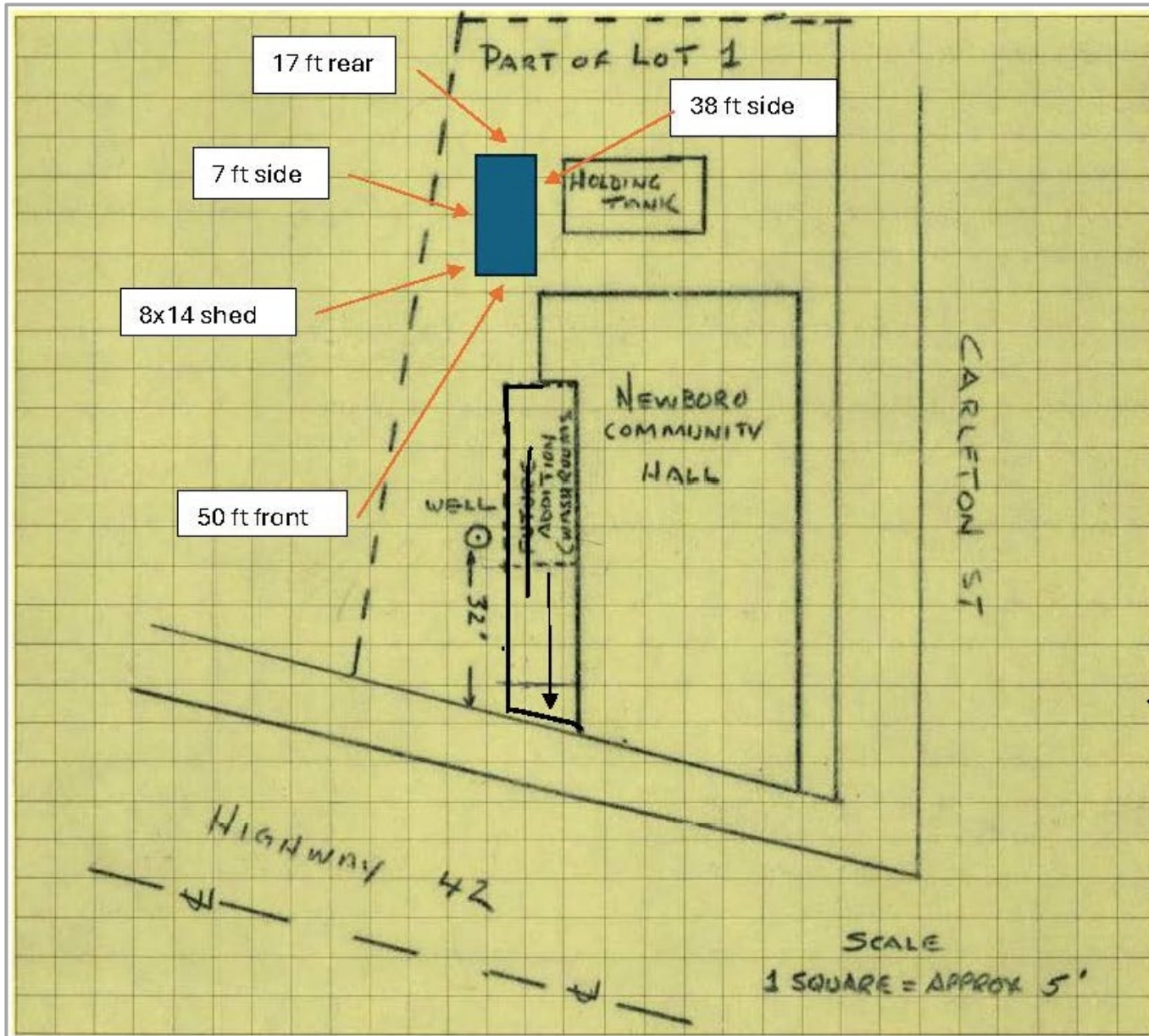


Figure 5 – Site Plan Drawing

8.0 PHOTOS



Photo 1 – Proposed Area of Building



Photo 2 – View Along the Side Lot Line from County Road



Photo 3 – View from Carleton Street