

AUGUSTA TOWNSHIP
MINUTES
COMMITTEE OF ADJUSTMENT MEETING
December 1, 2021 at 1:00 p.m.

PRESENT

Committee Members: Lisa Severson (Chair), Glen Mackey.
Township Staff: Clerk Annette Simonian, Chief Building Official Karen Morrell, Interim Planner Barbara Kalivas.

REGRETS- None.

1. Call to Order

Chair Severson called the meeting to order at 1:04 p.m.

2. Approval of Agenda

Moved by Glen Mackey, seconded by Lisa Severson
THAT the Committee approve the meeting agenda as amended to include the appointment of a new Acting Secretary-Treasurer to the Committee.
Motion: Carried

3. Nominations

Moved by Glen Mackey, seconded by Lisa Severson
THAT the Committee appoint Barbara Kalivas, Interim Planner as the Secretary-Treasurer to the Committee of Adjustment.
Motion: Carried

4. Disclosure of Pecuniary Interest: None.

5. Applications

- **Application A-2021-04 (Snyder, 1144 County Rd. 2)**
The applicant/agent CBO Karen Morrell spoke to the requested relief sought from the accessory detached garage building height, constructed at 19 ft. 4 inches, where in the RU Rural Zone a height of 16 ft. 4 inches is required. Karen Morrell noted that although this property is zone RU, it abuts RV Village Residential zones where a height of 12 ft. 4 inches is permitted. Karen Morrell noted that the height was an administrative oversight when the plans were reviewed, and a permit issued and realized once construction was complete. Karen Morrell reviewed construction plans with the Committee to clarify the height.

Secretary-Treasurer Barbara Kalivas advised that there have been no written comments submitted on the application. Barbara Kalivas advised that the Clerk Annette Simonian had made note of two verbal comments received: from

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Dorothy Lefave requesting hat the lot be kept neat and; from Doug Patterson at 1181 County Rd. 2 requesting that no old cars be kept on the property/dumpster and no multiple buildings be allowed on the lot.

Chair Lisa Severson questioned what purpose the garage would be used for. CBO Karen Morrell advised that the owner has a number of antique cars to be stored in the garage and also has a van and trailer related to a spray foam business that is conducted off site. There is no business use within the garage. CBO Karen Morrell noted that the owner intends to put a hedge at the front of the garage.

Barbara Kalivas noted in discussions with the CBO, it is understood that the grade around the base of the garage may also increase somewhat, so in effect the extent of the variance may be less than applied for. As such, it is suggested that any approval to the sought variance be specifically tied to the construction that was applied for under issued building permit 2020-7498. Barbara Kalivas noted that a sufficient side yard is offered and there would not appear to be any impacts on the adjacent property owner to the east, adding that ensuring no drainage impacts onto abutting properties s under the jurisdiction of the building code when construction occurs, so an issue the CBO would regard.

The committee discussed the application, noting that this is the third garage requesting a height variance in recent times. The committee suggested that this issue be flagged during the next zoning by-law review, noting that the height maximum requirements for accessory buildings in the RU zone at 16.4 ft. and in the RV Residential Village zone at 21.3 ft. should be reversed.

Moved by Glen Mackey, seconded by Susan Kinghorn

THAT the Committee approve minor variance application A-2021-4, on the basis that the variance be tied to the garage constructed under issued building permit 2020-7498, as this application is deemed to meet the four tests on minor variance assessment under the Planning Act.

Motion: Carried.

6. Adjournment

Moved by Glen Mackey, seconded by Lisa Severson

THAT the Committee adjourn at 1:35 p.m. until the call subject to need.

Motion: Carried.

Lisa Severson, Chair

Barbara Kalivas, Secr. Treasurer

Attached – Decision A-2021-4

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Planning and Development Department **COMMITTEE OF ADJUSTMENT**

NOTICE OF DECISION MINOR VARIANCE/PERMISSION APPLICATION (Section 45 of the Planning Act)

Application No.: A2021-4
Owner(s): Jeffery Carl Snyder
Subject Property: 1144 County Road 2, Brockville ON
Legal Description: Part 2 & 3 Lot 33 Concession 1

Notice was given and a Public Hearing was held on **Wednesday, December 1, 2021** as required by the Planning Act.

PURPOSE OF APPLICATION:

The applicant requests relief from the maximum accessory building height requirements of Zoning By-Law 2965 to allow for the construction of a 19-foot and 4 inches tall accessory garage on the property.

EFFECT OF THE APPLICATION / REQUESTED VARIANCE(S)/PERMISSION(S) TO THE ZONING BY-LAW:

To permit the construction of a detached garage and seek the following permissions from Zoning By-Law 2965:

- **Section 7.17.2** – All Other Uses - Relief of 3 ft from the maximum accessory building height of 16.4ft to allow for the height of 19.4 ft of detached garage.

We, the undersigned members of the Committee of Adjustment of the Township of Augusta do hereby certify that, in making the following decision under Subsection 45(8) of the *Planning Act* upon the hearing of this Application, including all materials submitted by the public / owner / agent / planner and have taken due regard to the requirements set out in Section 45(1) and Section 45(2) of the *Planning Act*. The following decision was reached at a Virtual Hearing on Wednesday December 1, 2021.

DECISION: Application A2021-4 to permit the maximum height of 19.4ft of a detached garage on the subject lands as indicated on the attached 'Schedule A', which is tied specifically to issued Building Permit 2020-7498 is APPROVED.

EFFECT OF WRITTEN AND ORAL SUBMISSIONS ON APPLICATIONS

In making the decision for this application, there were no written or verbal submissions received from the public at the hearing. Verbal comments made to the Township's Clerk from two area property owners noted the desire that the property be kept neat and that no old cars be parked around the property. The Committee reviewed and considered the submissions from the public in making the decision on this application. The effect of the comments was that they informed the Committee of the various additional public interests surrounding the subject application and those interest are noted herein for the benefit of the property owner.

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IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Minor Variance Application is Approved on the basis of permitting the garage construction as issued under Building Permit 2020-7498.

It is the decision of the Committee of Adjustment to approve this variance application for the following reasons:

- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.

The Committee notes that the variance approval is specifically tied to building permit 2020-7498 and as advised by the Township's Chief Building Official, the grade yet to be finished may likely render the sought variance height to be even less than sought.

The Committee notes that the garage is intended for personal storage use only and does not relate to a business use operating from the garage, other than the applicants parking of their off site business use vehicles and a trailer on the property/in the garage.

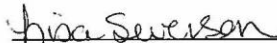
SIGNATURES

Glenn Mackey, Member



Susie Kinghorn, Member

Lisa Severson, Member



DECISION DATE: **Wednesday, December 1, 2021**

DECISION CIRCULATED ON: **Thursday, December 2, 2021**

DEADLINE FOR APPEALS: **Tuesday, December 21, 2021**

RIGHT TO APPEAL TO THE ONTARIO LAND TRIBUNAL

The applicant, the Minister, or any other person or public body who has an interest in the matter may within 20 days of the making of the decision appeal to the Tribunal against the decision of the committee by filing with the secretary-treasurer of the committee a notice of appeal setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the secretary-treasurer of the fee charged by the Tribunal as payable on an appeal from a committee of adjustment to the Tribunal.

You must pay a filing fee of \$400.00 by certified cheque or money order payable to The Minister of Finance. To obtain a copy of the applicable form and other information about the appeal process, please visit www.elto.gov.on.ca.

On an appeal to the Tribunal, the Tribunal shall, except as provided in subsections (15) and (17), hold a hearing of which notice shall be given to the applicant, the appellant, the secretary-treasurer of the committee and to such other persons or public bodies and in such manner as the Tribunal may determine.

IF NO APPEAL IS MADE within twenty (20) days, the decision of the Committee is final and the Secretary-Treasurer shall notify the applicant

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CERTIFICATION OF TRUE COPY

bk. I, Barbara Kalivas, Secretary-Treasurer of the Committee of Adjustment for the Township of Leeds and the Thousand Islands, hereby certify that this is a true and exact copy of the decision of the Committee of Adjustment as decided on December 1, 2021.

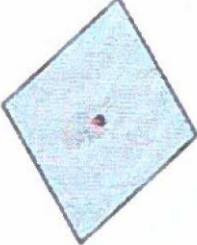



Barbara Kalivas
Secretary-Treasurer

Committee of Adjustment
Planning and Development Department
Township of Augusta
3560 County Road 26, Prescott, ON K0E 1T0 Tel: (613) 925-4231
Fax: (613) 925-3499

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Schedule A
Minor Variance Application: A2021-4
Owner(s): Jeffery Carl Snyder
Location: 1144 County Road 2, Brockville ON




Committee Chairperson _____ Secretary-Treasurer J.B. Helli
Date: December 1, 2021