

AUGUSTA TOWNSHIP
MINUTES
COMMITTEE OF ADJUSTMENT MEETING
March 5, 2025 at 11:00 a.m.

PRESENT

Klaas Bolt, Lisa Severson, Glenn Mackey

STAFF PRESENT

Melissa Banford - Secretary-Treasurer/Planner, Jessica Linn, Planning Coordinator

REGRETS

1. Call to Order

Chair Lisa Severson called the meeting to order at 11:00 a.m.

2. Approval of Agenda

Moved by Glenn Mackey, seconded by Klaas Bolt

THAT the Committee approve the meeting agenda as presented.

Motion: Carried

3. Approval of Minutes of Previous Meeting – September 20, 2024

Moved by Klaas Bolt, seconded by Glenn Mackey

THAT the Committee approve the Minutes of the previous meeting as presented.

Motion: Carried

4. Disclosure of Pecuniary Interest – None

5. Applications

• **Application A01/25, 1319 County Road 2**

The agent and the property owner were in attendance

The Planner summarized the application for the Committee and comments received to date including:

- Email from Laura Crites, Planner, SNC, dated March 4, 2025
- Letter from Neighbour at 1325 County Rd 2, dated March 4, 2025
- Staff Report by Melissa Banford, Planner, dated March 5, 2025.

The Chair opened the floor to the agent and property owner. The agent expressed that they agree with the Planner's report.

The Committee discussed the sought variance and concurred with the Planner's report.

The Committee was in favour of the application and granted approval and the decision was signed, subject to **one (1) condition** and **one (1) note**:

AUGUSTA TOWNSHIP

Condition:

- 1) That if any significant archaeological resources (as defined in the Provincial Policy Statement 2020 to include artefacts, archaeological sites, marine archaeological sites as defined under the *Ontario Heritage Act*) are unearthed as a result of the development or site alteration, it is the responsibility of the owner/their contractor that it be reported to the Ministry of Citizenship and Multiculturalism (MCM) and to the Township offices; and if a burial site containing human remains is unearthed, it is the responsibility of the owner/their contractor that they immediately notify the Township and other appropriate authorities (e.g. police, coroner's office, and/or Registrar of Cemeteries) and comply with the *Funeral, Burial and Cremation Services Act*.

Note:

- 1) It is the owners' responsibility to ensure no off-site impact with respect to drainage/roof runoff.

- **Application A02/25, 1531 County Road 2**

The applicant, Nyssa Trip was in attendance.

The Planner summarized the application for the Committee and comments received to date including:

- Staff Report by Melissa Banford, Planner, dated March 5, 2024

The Chair opened the floor to the applicant. The applicant spoke on the application and provided a sketch of potential changes for the Planner to review.

The Committee discussed the application and concurred with the staff report.

The Committee was all in favour of the application and granted approval and the decision was signed, subject to **one (1) note**:

Note:

- 1) The existing 384 sq.m. (4,133.5 sq.ft.) +/- accessory building/barn structure is permitted to be used for residential accessory hobby farm use, however, only a maximum area of 10 sq.m. (107.6 sq. ft.) can be used for the housing of livestock. Should an area greater than 10 sq.m. be proposed for livestock from within this existing barn, Minimum Distance Separation (MDS) will need to be assessed and met.

6. Adjournment

Moved by Klaas Bolt

BE IT RESOLVED THAT this Committee do now adjourn at 11:20 a.m. until the call subject to need.

Motion: Carried

AUGUSTA TOWNSHIP

Lisa Severson, Chair

Melissa Banford, Sec-Treasurer

Attached – Decision A01/25
Decision A02/25



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

Application No.: A01/25
Owner(s): David & Christine Chartrand
Subject Property: 1319 County Road 2
Legal Description: Con. 1, Pt. Lot 27

Notice was given and a Public Hearing was held on **Wednesday, March 5, 2025** as required by the *Planning Act*.

LOCATION

The subject property is located in Part Lot 27, Concession 1 (Current Assessment Roll 0706 000 035 03200), addressed as 1319 County Road 2. A detached garage, with a storage loft area, is proposed which is oversized and at a greater height than what the current zoning by-law permits. A minor variance application has been filed to seek relief from these zone provisions.

PURPOSE OF THE APPLICATION

The property is zoned RW, Waterfront Residential Zone, under current Zoning By-law 2965, as amended. Relief is requested as follows:

- **Section 6.1.1, Accessory Buildings, Structures and Uses (7th provision/bullet point)**, where the maximum gross floor area of any accessory building may not exceed 100 sq.m. (1,076 sq.ft.) in a residential zone where a new proposed one storey detached garage/storage building would be 180.6 sq.m. (1944 sq.ft.) +/- in size.

-**Section 7.4.2, Accessory Buildings, Maximum Building Height**, where a maximum height of 5 m (16.4 ft.) is permitted for an accessory building and the proposed detached garage, with storage loft area, will have a height of 7.85 m (25.75 ft.) +/- (mean height).

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 Hearing on Wednesday, March 5, 2025:

DECISION: Application A01/25 is **APPROVED** with one (1) Condition and one (1) Note:

Condition:

- 1) That if any significant archaeological resources (as defined in the Provincial Policy Statement 2020 to include artefacts, archaeological sites, marine archaeological sites as defined under the *Ontario Heritage Act*) are unearthed as a result of the development or site alteration, it is

the responsibility of the owner/their contractor that it be reported to the Ministry of Citizenship and Multiculturalism (MCM) and to the Township offices; and if a burial site containing human remains is unearthed, it is the responsibility of the owner/their contractor that they immediately notify the Township and other appropriate authorities (e.g. police, coroner's office, and/or Registrar of Cemeteries) and comply with the *Funeral, Burial and Cremation Services Act*.

Note:

- 1) It is the owners' responsibility to ensure no off-site impact with respect to drainage/roof runoff.

EFFECT OF WRITTEN AND ORAL SUBMISSIONS ON APPLICATIONS

A written submission was received from South Nation Conservation (SNC) advising of no objection to the application. SNC noted in their comments that a regulation permit under Ont. Reg. 41/24 would be required for the proposed demolition and rebuild of the dwelling.

The Committee received a planning Staff Report prepared on the application.

The Committee also received a letter of objection from the abutting neighbour to the east, 1325 County Road 2. The letter stated that they object to the building being construed at a greater size than the Zoning By-law permits but it was not clear from the letter the exact nature of the neighbour's concerns. The Committee noted that the proposed garage would be located a significant distance from the dwelling at 1325 County Road 2, should not result in any impacts with respect to drainage, shadowing or egress for the lot at 1325 County Road 2. The Committee speculated that the concern may relate to impact of the river view. Planning staff advised that the Township's solicitor had previously confirmed that there is no legal right to a view. The Committee was satisfied that there does not appear to be any negative impact.

The Committee reviewed and considered the submissions 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.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

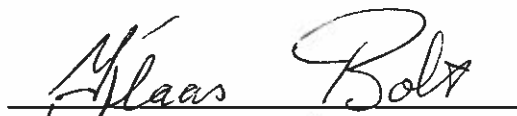
The Minor Variance Application is Approved with one (1) Condition and one (1) Note.

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

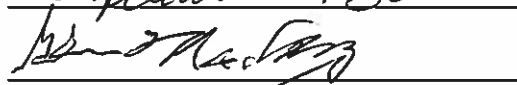
- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.

SIGNATURES

Klaas Bolt, Member



Glenn Mackey, Member



Lisa Severson, Member



DECISION DATE: **Wednesday, March 5, 2025**

DECISION CIRCULATED ON: **Thursday, March 6, 2025**

DEADLINE FOR AN APPEAL: **Monday, March 25, 2025**

RIGHT TO APPEAL TO THE ONTARIO LAND TRIBUNAL

The applicant, the Minister, or a specified person or public body that has an interest in the matter may, within 20 days of the making of the decision, appeal to the Ontario Land Tribunal against the Decision of the Committee.

An appeal to the Ontario Land Tribunal in respect to all or part of this Minor Variance may be made by filing a notice of appeal with the Clerk either via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service/> by selecting Augusta Township as the Approval Authority, or by mail at 3560 County Road 26, Prescott, ON KOE 1T0, **no later than 4:30 p.m. on March 25, 2025**. The filing of an appeal after 4:30 p.m., in person or electronically, will be deemed to have been received the next business day.


The appeal fee of \$400.00 (fee for a private citizen, a registered charity or a non-profit ratepayers' association) can be paid online through e-file or by certified cheque/money order to the Minister of Finance, Province of Ontario. If you wish to appeal to the Ontario Land Tribunal (OL T) or request a fee reduction for an appeal, forms are available from the OL T website at www.olt.gov.on.ca. If the e-file portal is down, you can submit your appeal to lveltkamp@augusta.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.

CERTIFICATION OF TRUE COPY

I, Melissa Banford, Secretary-Treasurer to the Committee of Adjustment for the Township of Augusta, hereby certify that this is a true and exact copy of the decision of the Committee of Adjustment as decided on March 5, 2025.



Melissa Banford
Secretary-Treasurer to the Committee of Adjustment

Township of Augusta
3560 County Road 26, Prescott, ON KOE 1T0
Tel: (613) 925-4231
Email: mbanford@augusta.ca



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

Application No.: A02/25
Owner(s): Nyssa Trip
Subject Property: 1106 County Road 2
Legal Description: Con. 1, Pt. Lot 36 & 37

Notice was given and a Public Hearing was held on **Wednesday, March 5, 2025** as required by the *Planning Act*.

LOCATION

The subject property is located in Part Lot 36 & 37, Concession 1 (Current Assessment Roll 0706 000 065 18400), addressed as 1106 County Road 2.

The property is the subject of current severance application B-140-24 filed with the United Counties of Leeds and Grenville Consent Granting Authority.

Under B-140-24, the existing dwelling and accessory structures at 1106 County Road 2 are proposed to be severed as a 2 ha (4.4 ac.) +/- residential use lot. A 49 ha (121 ac.) +/- vacant lot is proposed to be retained under this application.

There is an existing barn structure on the severed lands which is currently used/intended to be converted for primarily residential accessory storage use. As this existing building exceeds the maximum building size and height for a residential accessory building in the RU, Rural Zone, relief is required. This is a recommended condition of approval on Severance B-140-24 by the Township.

PURPOSE OF THE APPLICATION

The property is zoned RU, Rural Zone, under current Zoning By-law 2965, as amended.

Relief is requested as follows:

- **Section 6.1.1, Accessory Buildings, Structures and Uses (7th provision/bullet point)**, where the maximum gross floor area of any accessory building may not exceed 300 sq.m. (3,230 sq.ft.) in a non-residential zone and where the existing accessory building has a gross floor area of 384 sq.m. (4,133.5 sq.ft.) +/-.

-**Section 7.17.2, Accessory Buildings, Maximum Building Height**, where a maximum height of 6.5 m (21.3 ft.) is permitted for an accessory building and the existing two (2) storey accessory building has a height of 15 m (49.5 ft.) +/-.

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 Hearing on Wednesday, March 5, 2025:

DECISION: Application A02/25 is **APPROVED** with one (1) Note:

Note:

- 1) The existing 384 sq.m. (4,133.5 sq.ft.) +/- accessory building/barn structure is permitted to be used for residential accessory hobby farm use, however, only a maximum area of 10 sq.m. (107.6 sq. ft.) can be used for the housing of livestock. Should an area greater than 10 sq.m. be proposed for livestock from within this existing barn, Minimum Distance Separation (MDS) will need to be assessed and met.

EFFECT OF WRITTEN AND ORAL SUBMISSIONS ON APPLICATIONS

In deciding on this application, the Committee received and considered the planning Staff Report.

No other written submissions were received on this application.

The Committee noted that this was an existing building with no anticipated negative impact. The Committee also noted that no comments or concerns were received on the application. They concurred that they were satisfied that public interests surrounding the subject application had been considered.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

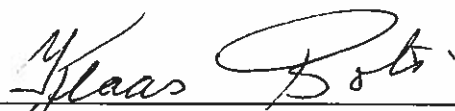
The Minor Variance Application is Approved with one (1) Note.

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.

SIGNATURES

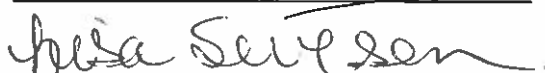
Klaas Bolt, Member



Glenn Mackey, Member



Lisa Severson, Member



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Melissa Banford
Secretary-Treasurer to the Committee of Adjustment

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