



PLANNING ADVISORY/COMMITTEE OF ADJUSTMENT/ PROPERTY STANDARDS COMMITTEE AGENDA

On December 14, 2016 @ 6:00 PM

At Town of Gananoque Administration Office - Boardroom – 30 King Street East

Item	Title/Description	Recommended Action/ Attachment	Draft Motion
1	CALL TO ORDER		
2	ADOPTION OF THE AGENDA		Motion
3	HEALTH SAFETY & WELLNESS		
4	DISCLOSURE OF PECUNIARY INTEREST & THE GENERAL NATURE THEREOF		
5	PUBLIC QUESTION/COMMENT		
6	MINUTES OF COMMITTEE (ADOPTION)		
	Minutes of November 22, 2016		Motion
7	DEPUTATIONS		
	None		
8	REPORTS/NEW BUSINESS		
	Brenda Guy		
	Committee of Adjustment: ↓ B4/16 379 Stone Street N 387 Stone Street N		Motion
9	CORRESPONDENCE		
	None		
10	MEMBERS OF THE PRESS QUESTIONS OR COMMENTS		
11	ADJOURNMENT		Motion



**PLANNING ADVISORY/COMMITTEE OF ADJUSTMENT/
PROPERTY STANDARDS COMMITTEE MINUTES**

Tuesday November 22nd 2016 @ 6:00 PM
At Town Hall, Boardroom – 30 King Street East

Item	Title/Description	
1	CALL TO ORDER	
	Chair: Chris McDonald Members: Councillor Brian Brooks Sheila Burtch Chuck Marquardt Ken Wilson Kevin Wood Absent Members: Councillor Anne Warren Staff: Brenda Guy, Manager of Community Development	
2	ADOPTION OF THE AGENDA	
	MOTION No. 2016-30 Moved by: Kevin Wood Seconded by: Councillor Brian Brooks BE IT RESOLVED THAT PAC/COA/PSC adopt the agenda dated November 22 nd , 2016, as posted.	Carried.
3	HEALTH SAFETY & WELLNESS Committee members noted the change in seasonal weather conditions, including recent snow.	
4	DISCLOSURE OF PECUNIARY INTEREST & THE GENERAL NATURE THEREOF	None.
5	PUBLIC QUESTION/COMMENT	None.
6	MINUTES OF COMMITTEE (ADOPTION)	
	MOTION No. 2016-31 Moved by: Kevin Wood Seconded by: Chuck Marquardt BE IT RESOLVED THAT PAC/COA/PSC hereby adopt the minutes dated October 25 th , 2016.	Carried.
7	DEPUTATIONS	None.
8	REPORTS/NEW BUSINESS	
	✚ Property Standards Committee File No. PSC 1/16 - 73 King Street East Kevin Saylor was in attendance as the property owner. Property Standards Committee issued a Notice and Record of	

	<p>Decision on July 27, 2016 to the property owns of 73 King Street East based on two property orders; one being for signage and the second for exterior façade. The Notice and Record of Decision agreed to extend the timelines for completion to 90 days at the request of the Owner. The extension ended October 27, 2016.</p> <p>The property owner provided Staff with an update o the work that has been ongoing at the Royal theatre. In the 90 days windows have been ordered with some being installed and the remaining within the next week. Additionally, doors have been painted. The challenge is obtaining quotes for the exterior cleaning and the marquee.</p> <p>At this time the owner is requesting an extension of six months on both of the orders.</p> <p>MOTION No. 2016-32 Moved by: Councillor Brian Brooks Seconded by: Chuck Marquardt</p> <p>THAT PROPERTY STANDARDS COMMITTEE RECOMMENDS that the Notice and Record of Decision dated July 27th, 2016 for the exterior flaking paint on exterior walls and exterior windows and doors be completed by no later than May 25th 2017.</p> <p>MOTION No. 2016-33 Moved by: Kevin Wood Seconded by: Ken Wilson</p> <p>THAT PROPERTY STANDARDS COMMITTEE RECOMMEND that the Notice and Record of Decision dated July 27th, 2016 for the marquee/sign be extended to May 25th, 2017 at which point the Committee will review the timeline.</p>	<p>Carried.</p> <p>Carried.</p>
9	CORRESPONDENCE	None.
10	MEMBERS OF THE PRESS QUESTIONS OR COMMENTS	None.
11	ADJOURNMENT	
	<p>MOTION No. 2016-34 Moved by: Sheila Burtch</p> <p>That PAC/COA/PSC adjourn this regular meeting.</p>	<p>Carried.</p>

Chair, Chris McDonald

Committee Secretary, Brenda Guy

PLANNING REPORT

TO: **COMMITTEE OF ADJUSTMENT**

FROM: BRENDA GUY
MANAGER OF COMMUNITY DEVELOPMENT

DATE: Friday, December-02-16

SUBJECT: B4/16 – ROBERTSON
CONSENT

Background:

Property: 379 Stone Street N
387 Stone Street N

Legal Desc: 379 Stone Street N – Pt. Lot 703 Plan 86 Gan R E/S
387 Stone Street N – Pt. Lot 703 Plan 86 Gan R E/S

Acreage: 379 Stone Street N – 3600 sq.ft. – 30' frontage on Stone Street N
387 Stone Street N – 1560 sq.ft. – 60' frontage on Stone Street N

Lot Coverage: 35% Maximum Coverage

Official Plan: Residential

CPPB: R – Residential

The owner of the properties, Thomas Bruce Robertson has two dwelling units on one property. The property historically had one house on a lot. Upon the passing of Mrs. Robertson the properties merged in title which amalgamated the two dwelling units on one lot.

The merging of properties does not occur often. When properties are identical on the registration the land registry offices will merge them together. As these lots were not created through severance, a severance will have to occur to separate them which is the application before the committee.

Official Plan

The Official Plan designates the properties as Residential.

The proposed application is to sever what was once two properties with a dwelling unit on each but has merged in title.

Comment: The use of the lands meets the Official Plan policies for residential dwellings units.

Development Permit Bylaw

The lands are designated Residential which permits single family dwellings. Additionally, the bylaw permits one dwelling unit per lot unless there is a common wall being a semi-detached, duplex or triplex.

The checklist provided indicates that the two properties do not comply with lot area, lot frontage, front yard, lot coverage and a side yard at 387 Stone Street N. Additionally, the maximum coverage for accessory building do not comply on either property along with the setbacks to lot lines for the rear and side yards at 387 Stone Street. N.

Section 3.28 of the bylaw indicates that legal non-complying is permitted if there is a continuance of existing uses, reconstruction or repair of existing buildings, addition to existing building or structure if it was lawfully constructed at the passing of the Bylaw. In these cases, MPAC indicates that the dwellings have existed since 1875 and 1900 and the shed at 379 Stone St N indicates 1972.

Ideally the intent is to remove legal non-conforming and non-complying uses anywhere in Town and it's primarily undertaken when site specific. It was the sale of 387 Stone Street N that identified that the properties had merged in title with land registry.

Additionally, staff requested that the agent inquire as to whether the property at 387 Stone Street N has right of way access as the visual driveway does not appear to be on the subject property but on another adjacent property to the north.

At the writing of this document, the following agencies have provided comment:

Canada Post		
CRCA	No comment	
CBO	No comment	
Eastern Ontario Power		
Leeds Grenville EMS		
Fire Department		
LG Health Unit	No comment	
Police Department		
Water/Sewer		
Public Works, Culture and Recreation		
Adjacent Property owners	Ivan and Darlene Matson Gregory Taylor	No objection Clarification on survey submitted
Other:		

The lots were recognized as “existing lots of record” prior to the merger. They are separately assessed, separately serviced and for all intents and purposes have historically been recognized as being separate lots. Therefore, Staff have no objection to the severance provided the applicant fulfill the following conditions:

- Deeds
- Class I permits to recognize the existing provisions on both lots

Development Permit Checklist for RESIDENTIAL							
		Min. Requirement unless otherwise noted	RETAINED 379 STONE ST N	✓	SEVERED 387 STONE ST N	✓	
DP Requirement	DP Designation of Property	Residential					
	Lot Area, As per DP	464m ² /4,995 ft ²	4,177sq.ft.		1490sq.ft.		
	Lot Frontage, As per DP	15m/49'	35'		25'		
	Front Yard, As per DP	6m/19.6'	7'		7'		
	Rear Yard, As per DP	7.5m/24.5'	35'	✓	34'	✓	
	Interior Side Yard, As per DP	1.2m/3.9'	4'	✓	11 inches		
	Other Side Yard, As per DP	1.2m/3.9'	5'	✓	4.5'	✓	
	Exterior Side Yard, As per DP	4.5m/14.7'	N/A		N/A		
	Lot Coverage, As per DP (maximum)	35%	23%		70%		
Building Height	As per DP (maximum)	11m/36'	19'	✓	13'	✓	
Parking Spaces	Number of Parking Spaces required	2/dwelling unit					
	Size	2.7m/8.9' x 6m/19.7' min.					
	Parking spaces	Less than 50% of front yard or exterior yard					
High Watermark	Setback from any water	30 m min./98.4' unless Breakwall = 15m min/49.2'				-	
	Accessory Structures – permitted within 30m provided:	Boathouse/Boatport/dock – max length 8m/28.2'				-	
		Stairs/landings – max width 2.5 m/8.2'				-	
		Shed – max 10sq.ft/108sq.ft				-	
		Max height – 4.25m/14.7'				-	
	Class II Permit	Accessory Structures			<input type="checkbox"/> Yes <input type="checkbox"/> No	-	
	Class III Permit	Boathouse			<input type="checkbox"/> Yes <input type="checkbox"/> No	-	
Accessory Bldgs	Any rear or interior setback	1 m min./3.3'	7' rear 4' and 11' sides	✓	2' rear 4.5' and 11 inches		
	Front or exterior yards, as per DP	No closer than main structure		✓		✓	
	Height	4.5 m max./14.8'	12'	✓	12'	✓	
	Distance to main building	2 m min./6.6'		✓		✓	
	Maximum Size	Less than 10%	11%		24%		
	Maximum Gross Floor Area	100m ² /1076 sq.ft	460sq.ft.	✓	357 sq.ft.	✓	
Other	Designated Heritage Site:				<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	✓	
	Waterfront Overlay				<input type="checkbox"/> Yes <input type="checkbox"/> No	-	
	Maintain existing vegetation				<input type="checkbox"/> Yes <input type="checkbox"/> No	-	
	Setback from top of slope (except on residential/accessory)	30m min./98.4'			<input type="checkbox"/> Yes <input type="checkbox"/> No	-	
	Tree preservation	Min. 60mm dia/3.5m in height plus				<input type="checkbox"/> Yes <input type="checkbox"/> No	-
		10+ grouped of 15 cm measured 1.4 from base				<input type="checkbox"/> Yes <input type="checkbox"/> No	-
		Maintain waterfront view – building located to side					-
		Waterside walkway on multi/commercial dev					-
Section 5.4.3	Discretionary Use				<input type="checkbox"/> Yes <input type="checkbox"/> No	-	

COMMITTEE OF ADJUSTMENT
NOTICE OF PUBLIC MEETING

TAKE NOTICE THAT the Committee of Adjustment for the Town of Gananoque will hold a Public Meeting on **WEDNESDAY, the 14TH** day of December, 2016 at 6:00 P.M. in the **TOWN OF GANANOQUE - BOARDROOM, 30 King Street East, Gananoque** to hear the following application for Consent:

File No. B03/16

Owner: Thomas Bruce Robertson

Applicant: Larry L. Steacy for Thomas Bruce Robertson

The property municipally and legally described as
387 & 379 Stone Street, Gananoque
LOT 703 Part 1 Plan 86 (East)
TOWN OF GANANOQUE

has applied to the Committee of Adjustment for the Town of Gananoque for consent to:
TO SEVER TWO DWELLING UNITS THAT MERGED IN TITLE

HEARING DATE: WEDNESDAY, DECEMBER 14TH, 2016

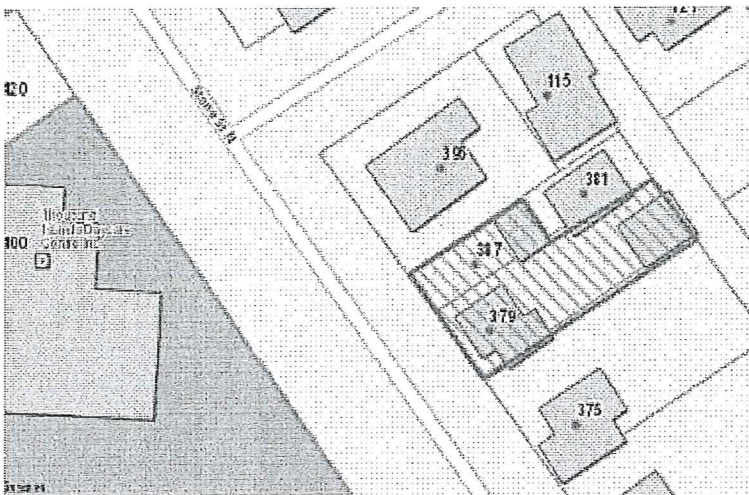
If you wish to receive written notice of the application or seek further details of the application, including a location map, it is available at the Town of Gananoque, 30 King Street East, Gananoque during normal business hours, 8:30 AM - 4:30 PM, Monday through Friday.

If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make written submissions to the Committee of Adjustment before it gives or refuses to give provisional consent, the Ontario Municipal Board may dismiss the appeal.

If you wish to be notified of the decision of the Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment at the address below.

Anyone wishing to support or object to the above application may do so by advising the undersigned, in writing, of your support or objection before the hearing or by appearing, in person, at the hearing and your support or objection will be considered by the Committee when making their decision.

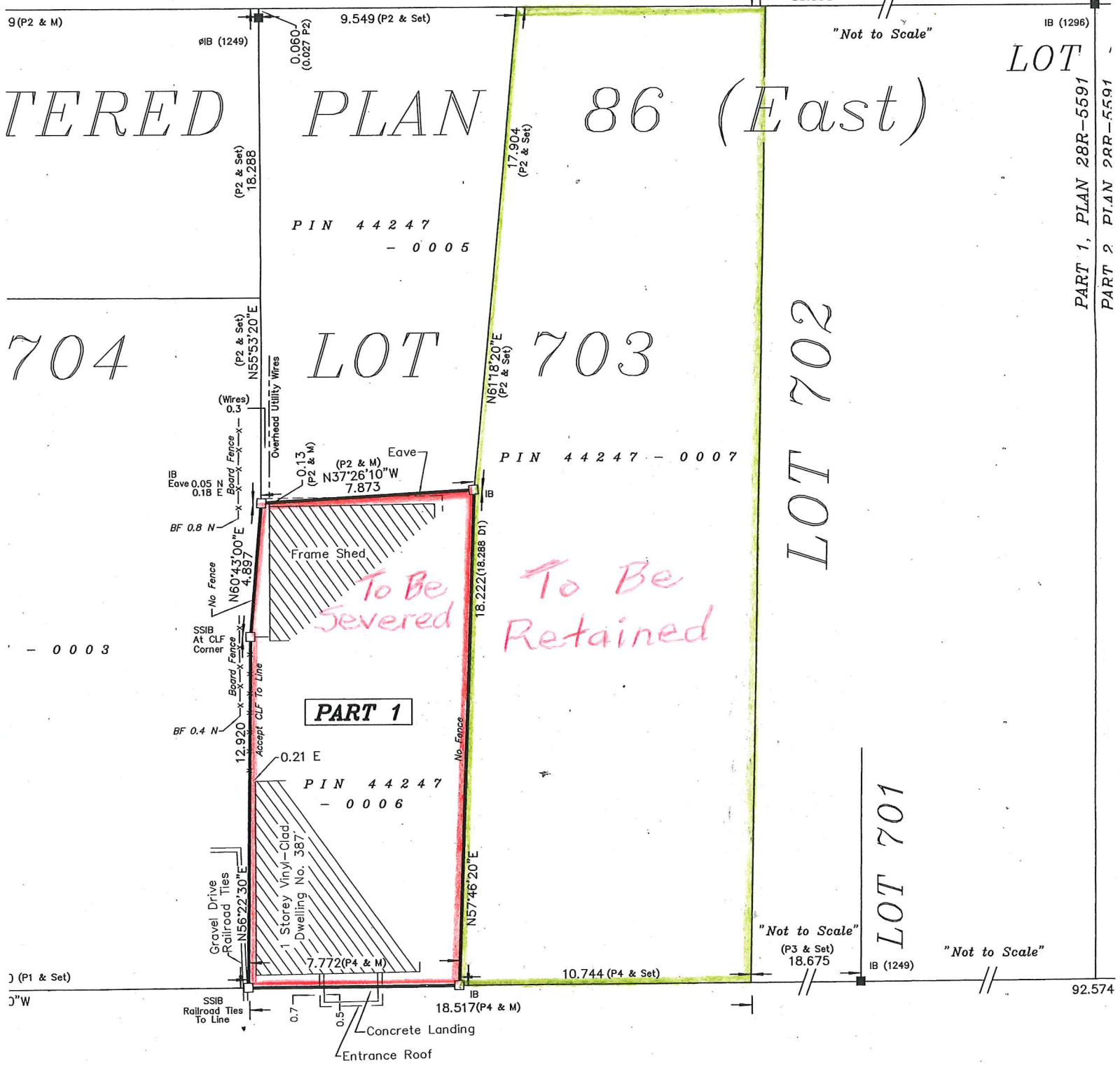
DATED this 29th Day of November, 2016



Brenda Guy
Secretary-Treasurer, Committee of Adjustment
Manager of Community Development
Town of Gananoque
30 King Street East, Box 100
Gananoque, ON K7G 2T6
Phone: 613 382-2149 ext.1126
Fax: 613 382-8587
bguy@gananoque.ca

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Havelock Alley (Per Registered Plan 86)



Stone Street PIN 44247 - 0001
(Per Registered Plan 86)

PART 1, PLAN 28R-5591
PART 2, PLAN 28R-5591



No. B-4/2016

**APPLICATION FOR CONSENT
to the
COMMITTEE OF ADJUSTMENT FOR THE TOWN OF GANANOQUE**

A Complete Application consists of:

- One original and two copies of a complete application form signed including declaration of applicant.
- One copy of the deed of property
- Application fee in the amount of \$500 payable to the Town of Gananoque
- One copy of the most recent survey of the subject property
- One copy of the subject property showing the boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained
- One copy, if applicable, of the property to whom the lands will be transferred to
- One copy of the location of all land previously severed from the parcel originally acquired by the current owner of the subject land
- One copy of the location of all natural and artificial features on the subject lands including buildings, water, roads, easements, wells and septic systems.

Applications may be subject to any Town incurred costs over and above the applications fees as set out in the General Fees and Rates By-law fees and rates for various services provided by the municipality
Consent Application may be subject to review and a separate cheque payable to the Cataraqui Region Conservation Authority, in the amount of \$290. The Town of Gananoque recommends that you consult with a Conservation Authority Officer prior to making application.

Name of Applicant: <i>Thomas Bruce Robertson</i>	Name of Property Owner (if different than applicant):
Address: <i>379 Stone St. N. Gananoque, Ont K7G 1Y9</i>	Address:
Telephone: <i>613-382-4407</i>	Telephone:

Purpose of Application:					
<input type="checkbox"/> New Lot	<input type="checkbox"/> Lot Addition	<input type="checkbox"/> Easement	<input type="checkbox"/> Charge	<input type="checkbox"/> Lease	<input type="checkbox"/> Correction of Title
<input checked="" type="checkbox"/> Other <i>Severance required as a consequence of the death of Applicant's wife, resulting in abutting properties being vested in Applicant alone.</i>					

Name of Person To Whom the Land or an Interest in the land is to be transferred, charged or leased (if known): <i>Keshia Reid</i>
Relationship, if any, to owner: <i>not related</i>

Property Information:			
Street or Property Address (if applicable): <u>387 Stone St. N.</u>			
Legal Description including any reference plans:			
Frontage: <u>7.772 metres</u>	Depth: <u>17.82 metres</u>	Area: <u>138.47 sq metres</u>	

Official Plan Designation:	
Zoning Designation:	

History of the Subject Land:	
Has the subject property ever been the subject of an application for consent under Section 53, or approval of a plan of subdivision under Section 51 of the Planning Act?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, and if known, please provide the file number of each application and the decision made:	

Has the subject property been severed from the parcel originally acquired by the Owner of the subject land?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, and if known, provide the date of transfer, the name of the transferee and the land use for each parcel severed:	

Is the subject property currently the subject of any other application under the Planning Act such as an Official Plan Amendment, Zoning By-law Amendment, Minor Variance, Consent or Approval of a Plan of Subdivision?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, and if known, please provide the file number of each application, and its status::	

		To Be SEVERED	To Be RETAINED
Property Dimensions:	Frontage	<u>7.772 metres</u>	<u>10.744 metres</u>
	Depth	<u>17.82 metres</u>	<u>36.126 metres</u>
	Area	<u>138.47 sq metres</u>	<u>388.14 sq metres</u>
Use of Subject Property:	Existing Use	<u>residential</u>	<u>residential</u>
	Proposed Use	<u>residential</u>	<u>residential</u>

EXISTING BUILDINGS:		Building 1	Building 2
To Be SEVERED 387 Stone Street North	Type of Structure	TIMBERFRAME	TIMBERFRAME
	Front Line Setback:	7'	48'
	Rear Lot Line Setback:	34'	2'
	Side Lot Line Setback:	11 inches	11 inches
	Side Lot Line Setback:	4'6"	4'6"
	Height	13 feet	12 feet
	Dimensions	21'x24'	21'x17'
	Floor Area	696 square feet	357 square feet
To Be RETAINED 379 Stone Street North	Type of Structure	TIMBERFRAME	TIMBERFRAME
	Front Line Setback:	7'	89'
	Rear Lot Line Setback:	65'	7'
	Side Lot Line Setback:	4'	4'
	Side Lot Line Setback:	5'	11'
	Height	19'	12'
	Dimensions	29x24	23x20
	Floor Area	504 square feet	460 square feet
Attached Additional Page, if necessary			

PROPOSED BUILDINGS:		Building 1	Building 2
To Be SEVERED	Type of Structure	<i>See part of survey attached.</i>	
	Front Line Setback:		
	Rear Lot Line Setback:		
	Side Lot Line Setback:		
	Side Lot Line Setback:		
	Height		
	Dimensions		
	Floor Area		
To Be RETAINED	Type of Structure	<i>Setbacks etc. not measured. This has been the home of the Applicant for several years.</i>	
	Front Line Setback:		
	Rear Lot Line Setback:		
	Side Lot Line Setback:		
	Side Lot Line Setback:		
	Height		
	Dimensions		
	Floor Area		
Attached Additional Page, if necessary			

Access (check appropriate box)		Yes	No
	Town Road (open all year)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Town Road (seasonal)	<input type="checkbox"/>	<input type="checkbox"/>
	Unopen Road Allowance	<input type="checkbox"/>	<input type="checkbox"/>
	Right-of-Way	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify)		

Where access to the Subject Land is by Water Only		Yes	No
Docking Facilities:	Distance from subject land		
	Distance from nearest public road		
Parking Facilities:	Distance from subject land		
	Distance from nearest public road		
Water Services		Yes	No
(check appropriate box)	Publicly-owned/operated	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Privately owned/operated – individual well	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned/operated – communal well	<input type="checkbox"/>	<input type="checkbox"/>
	Lake or other water body	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify):		
Sewage Services		Yes	No
(check appropriate box)	Publicly-owned/operated	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Privately owned/operated – individual well	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned/operated – communal well	<input type="checkbox"/>	<input type="checkbox"/>
	Privy	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify):		

Other Information:

Is there any other information that may be useful to the Town or other agencies in reviewing this application?

If so, explain below:

As previously stated. The two parcels, one to be severed and the parcel to be severed remained as two separate parcels for several years. Parcel to be severed has been registered to Bruce Robertson. Parcel to be retained has remained registered to Bruce Robertson and his wife Isabel Robertson. Isabel is deceased.

Note: Under Section 53 of the Planning Act, other information and material in addition to the foregoing, may be required, in order to process the proposed consent application. The expense of such will be the applicant's responsibility.

AUTHORIZATION BY OWNER

I, the undersigned being the owner of the subject land of this application for a consent, hereby authorize

Larry L. Steacy (please print name)
to be the applicant in the submission of this application.

Furthermore, I/we, being the registered owner(s) of the subject lands, hereby authorize the Members of the Town of Gananoque Committee of Adjustment and the Town of Gananoque staff members, to enter upon the property for the purpose of conducting a site inspection with respect to the attached application.

Signature of Owner

Bruce Robertson
Signature of Owner

Date

November 7, 2016
Date

DECLARATION OF APPLICANT

I, Bruce Robertson of the Town of Gananoque in the
County of Leeds solemnly declare that:

All the statements contained in this application and provided by me are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath

Furthermore, I/we, being the applicant(s) of the subject lands, hereby authorize the Members of the Town of Gananoque Committee of Adjustment and the Town of Gananoque staff members, to enter upon the property for the purpose of conducting a site inspection with respect to the attached application.

Declared before me at the Town of
Gananoque in the
County of
Leeds this 7th day
of November, 2016

Steacy
Signature of a Commissioner, etc

Bruce Robertson
Signature of Applicant

Signature of Applicant

Office Use Only:		Roll No: <u>015 47300 / 015 47100</u>
Date of Submission	Application Completed <u>[Signature]</u> Signature	<u>Nov. 29/2016</u> Date

Questions??

Brenda Guy, Manager of Community Development
Town of Gananoque
30 King Street East, Box 100
Gananoque, ON K7G 2T6