



**The Corporation of the Municipality of  
St.-Charles**

# **AGENDA**

## **Committee of Adjustment**

January 18, 2023 at 5:30 PM  
Council Chambers (Municipal Office)  
St.-Charles, Ontario

### **1.0 MEETING CALLED TO ORDER & ROLL CALL**

- 1.1 Resolution to open the meeting

BE IT RESOLVED THAT the Committee of Adjustment meeting of January 18, 2023 be opened at 5:30 p.m.

### **2.0 APPOINTMENT OF CHAIR FOR THE 2022-2026 TERM**

- 2.1 Resolution to appoint the Chair for the Committee of Adjustment for the 2022-2026 Term

BE IT RESOLVED THAT the Committee of Adjustment hereby appoints Mayor Paul Branconnier to the position of Chair for the Committee of Adjustment for the 2022-2026 Term.

### **3.0 ADOPTION OF AGENDA**

- 3.1 Resolution to adopt the agenda

BE IT RESOLVED THAT the agenda for the Committee of Adjustment meeting held January 18, 2023 be adopted as presented.

#### **4.0 DISCLOSURES OF PECUNIARY INTEREST**

#### **5.0 ADOPTION OF MINUTES**

- 5.1 Resolution to adopt the minutes of the previous meeting

BE IT RESOLVED THAT the Committee of Adjustment hereby adopts the minutes of the Committee of Adjustment meeting held June 1, 2022.

#### **6.0 APPLICATIONS**

- 6.1 Application A/08/22/SC of Gary Veinot

- 6.2 Resolution to approve Application A/08/22/SC

BE IT RESOLVED THAT Application A/08/22/SC by Gary Veinot be approved and that the necessary Notice of Decision be prepared.

#### **7.0 ADJOURNMENT**

- 7.1 Resolution to adjourn the meeting

BE IT RESOLVED THAT the Committee of Adjustment meeting held January 18, 2023 be adjourned at \_\_\_\_\_ p.m.



**The Corporation of the Municipality of  
St.-Charles**

**MINUTES  
Committee of  
Adjustment**

5:30 PM on June 1, 2022

Council Chambers (Municipal Office)  
St-Charles, Ontario

**MEMBERS PRESENT:**

Mayor:	Paul Schoppmann
Councillor:	Monica Loftus
Councillor:	Paul Branconnier
Councillor:	Richard Lemieux
Councillor:	Jackie Lafleur

**STAFF PRESENT:**

Clerk:	Tammy Godden
Director of Planning, Sudbury East Planning Board:	Matthew Dumon, MCIP, RPP
Chief Administrative Officer:	Denis Turcot
Director of Operations:	Travis De Benedet

**PUBLIC PRESENT:** 1

**1.0 MEETING CALLED TO ORDER & ROLL CALL**

**1.1 Resolution to open the meeting**

**COA 2022-01**

**Moved by: Councillor Lafleur**

**Seconded by: Councillor Lemieux**

BE IT RESOLVED THAT the Committee of Adjustment meeting of June 1, 2022 be opened at 5:30 p.m.

Carried

## **2.0 ADOPTION OF AGENDA**

### **2.1 Resolution to adopt the agenda**

**COA 2022-02**

**Moved by: Councillor Loftus**

**Seconded by: Councillor Branconnier**

BE IT RESOLVED THAT the agenda for the Committee of Adjustment meeting held June 1, 2022 be adopted as presented.

Carried

## **3.0 DISCLOSURES OF PECUNIARY INTEREST**

None declared.

## **4.0 ADOPTION OF MINUTES**

### **4.1 Resolution to adopt the minutes of the previous meeting**

**COA 2022-03**

**Moved by: Councillor Lemieux**

**Seconded by: Councillor Branconnier**

BE IT RESOLVED THAT the Committee of Adjustment hereby adopts the minutes of the Committee of Adjustment meeting held April 21, 2021.

Carried

## **5.0 APPLICATIONS**

### **5.1 Application B/14/22/SC & A/05/22/SC of Roger and Suzanne Lessard, Scott Maclean and Wendi Hollmer**

The Chair summarized the purpose of the Public Hearing to decide whether or not to approve a Minor Variance Application for Roger Lessard, Suzanne Lessard, Scott Maclean and Wendi Hollmer, Application No A/05/22/SC.

The Director of Planning informed the Committee that Notice of the Public Hearing was posted in the Municipal Office and was sent by mail to the assess owners within sixty (60) metres of the property subject to the minor variance application, and to those persons and agencies likely to have an interest in the application.

---

Page 2 of 4

The Director of Planning also informed the Committee that included with each Notice was an explanation of the purpose and effect of the minor variance application and a key map showing the location of the property.

The Chair then declared the Public Hearing to deal with Application No. A/05/22/SC - Roger Lessard, Suzanne Lessard, Scott Maclean and Wendi Hollmer open.

The Director of Planning advised that the variance being sought would permit a reduced lot area for both the proposed severed and retained lots. The lot area for the severed lot is 0.09 hectares and the lot area for the retained lot is 0.12 hectares where 0.15 hectares is required under the Residential One (R1) Zone. The variance being sought would also permit an existing rear yard setback of 1.02 metres where the minimum setback of 15 metre is required for an existing detached structure. The Director of Planning advised that he was supportive of the application and recommended that the variance be approved as it is minor in nature, appropriate in the development of the area, and meeting the intent of both the Official Plan and Zoning By-Law.

The Applicants were not present, however, their Agent, Ms. Smith was present. Ms. Smith advised that the structure was built as a duplex and the owners are not looking to sell one (1) side. Ms. Smith confirmed that the application was mostly technical in nature.

No questions or comments were received from members of the public.

No questions or comments from the Committee members were made.

## **5.2 Resolution to approve Application A/05/22/SC**

**COA 2022-04**

**Moved by: Councillor Loftus**

**Seconded by: Councillor Lemieux**

BE IT RESOLVED THAT Application A/05/22/SC by Roger & Suzanne Lessard, Scott Maclean and Wendi Hollmer be approved and that the necessary Notice of Decision be prepared.

Carried

## **6.0 ADJOURNMENT**

### **6.1 Resolution to adjourn the meeting**

**COA 2022-05**

**Moved by: Councillor Loftus**

**Seconded by: Councillor Branconnier**

BE IT RESOLVED THAT the Committee of Adjustment meeting held June 1, 2022  
be adjourned at 5:39 p.m.

Carried

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

**NOTICE OF PUBLIC HEARING  
CONCERNING  
A PROPOSED MINOR VARIANCE TO ZONING BY-LAW 2014-26  
OF THE MUNICIPALITY OF ST. CHARLES**

---

Respecting an application by Gary Veinot  
for a variance(s) to lands on Lot 14, Concession 6  
in the Township of Appleby  
now in the Municipality of St.-Charles  
Territorial District of Sudbury  
being Part 1, Plan 53R-16032  
Parcel 51650 Sudbury East Section  
(Roll No. 5204-000-003-288-10)  
(SEPB File No. A/08/22/SC)

---

**TAKE NOTICE THAT** the above noted application will be heard by the Municipality of St.-Charles Committee of Adjustment on **January 18<sup>th</sup>, 2023, at 5:30 p.m. at the St.-Charles Municipal Office, 2 King Street East, St.-Charles, Ontario.**

**PUBLIC HEARING** - You are entitled to attend this Public Hearing in person to express your view about this application or you may be represented by counsel for that purpose. If you are aware of any person interested in or affected by this application who has not received a copy of this notice, you are requested to inform that person of this Hearing. If you wish to submit comments on this application, they are required to be submitted in writing to the Clerk at [tgodden@stcharlesontario.ca](mailto:tgodden@stcharlesontario.ca) ahead of the meeting or by mail. For further information (i.e. - additional information for public review or a written copy of this Notice), please contact Matthew Dumont, Director of Planning (Sudbury East Planning Board), at [planner@sepb.org](mailto:planner@sepb.org), during office hours Monday to Friday (8:30 a.m. to 4:00 p.m.).

**FAILURE TO ATTEND HEARING** - If you do not attend the Hearing, it may proceed in your absence and, except as otherwise provided in the Planning Act, you will not be entitled to any further notice in the proceedings.

**NOTICE OF DECISION** - A copy of the decision of the Committee will be sent to the applicant and to each person who appeared in person or by counsel at the Hearing and who has filed with the Secretary-Treasurer a written request for notice of the decision.

Dated at Warren, this 06<sup>th</sup> day of January 2023.

Matthew Dumont, MCIP, RPP  
Director of Planning

**Variance Requested to Zoning By-law**

Re: Application No. A/08/22/SC  
(Gary Veinot)  
Roll No. 5204-000-003-288-10

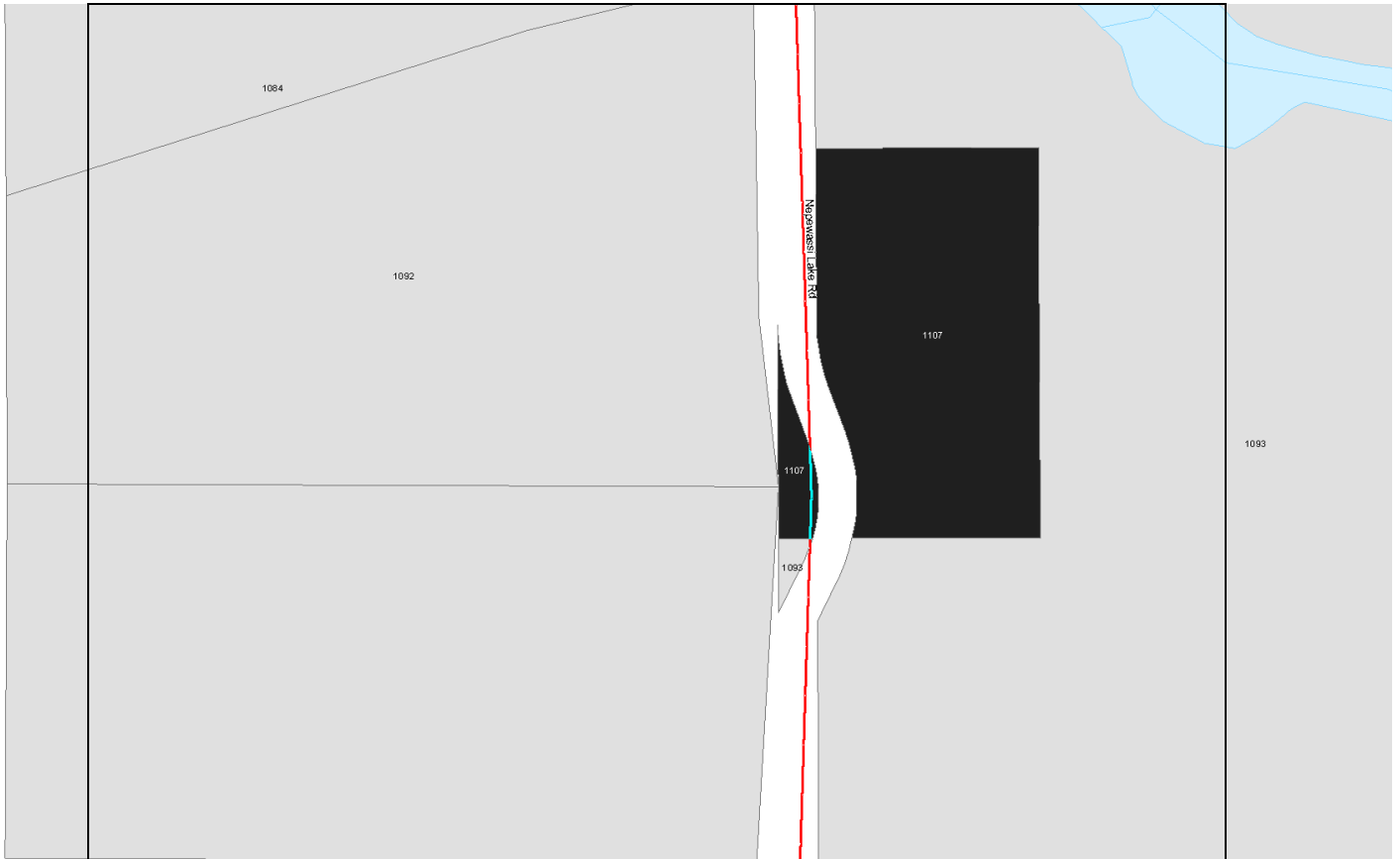
**ZONING BY-LAW 2014-26 (Municipality of St.-Charles)**

The following variance to the regulation of the Residential Rural (RR) Zone has been requested to permit relief from Part 6, Section 6.2.2, subsection (c), and Part 7, Section 7.62, subsection 7.62 (c) iv of By-law 2014-26, being the Zoning By-law for the Municipality of St. Charles, as amended, to facilitate the construction of a detached garage providing a maximum height of 6.07m, where the maximum height of any accessory building or structure on a residential rural lot shall be 5.0m.





**AERIAL PHOTOGRAPHY**  
Minor Variance Application  
(Gary Veinot)  
Lot 14, Concession 6  
in the Township of Appleby  
now in the Municipality of French River  
Territorial District of Sudbury  
being Part 1, Plan 53R-16032  
Parcel 51650 S.E.S.  
(Roll No. 5208-000-003-288-10)  
(SEPB File No. A/08/22/SC)



**KEY MAP**

Minor Variance Application  
(Gary Veinot)  
Lot 14, Concession 6  
in the Township of Appleby  
now in the Municipality of French River  
Territorial District of Sudbury  
being Part 1, Plan 53R-16032  
Parcel 51650 S.E.S.  
(Roll No. 5208-000-003-288-10)  
(SEPB File No. A/08/22/SC)



**Planning Report:** APPLICATION FOR MINOR VARIANCE  
**Report to:** MUNICIPALITY OF ST. CHARLES  
**Meeting Date:** January 18<sup>th</sup>, 2023  
**Report Date:** January 06<sup>th</sup>, 2023

**Applicant:** Gary Veinot  
**Owner:** Same as Above  
**Agent/Solicitor:** None  
**File Number:** A/08/22/SC  
**Related Files:** None  
**Property Description:** Lot 14, Concession 6  
 in the Township of Appleby  
 now in the Municipality of St.-Charles  
 Territorial District of Sudbury  
 being Part 1, Plan 53R-16032  
 Parcel 51650 Sudbury East Section  
 (Roll No. 5204-000-003-288-10)  
 1107 Nepewassi Lake Road

**APPLICATION:**

An application has been received from Gary Veinot, for a variance to the **Residential Rural (RR) Zone of By-law 2014-26**, as amended, to facilitate the construction of a detached garage, as shown on the attached sketch dated December 15<sup>th</sup>, 2022.

The following variance is requested:

	<u>Zone Requirement</u>	<u>Proposed</u>
7.62 (c)iv. All accessory buildings Maximum Building Height	5.0 metres or 1.5 storeys (whichever is the lesser)	<b>6.07 metres</b>

When considering this application, the Committee **must consider the four tests as outlined in Section 45(1)** of the Planning Act, R.S.O. 1990, Chapter P.13, which states that a variance from the zoning by-law should:

- a) be minor;
- b) be desirable for the appropriate development or use of the land, building, or structure;

- c) maintain the general intent and purpose of the Zoning By-law; and
- d) maintain the general intent and purpose of the Official Plan.

The application must meet all of the above tests

**SUBJECT LANDS:**

Lot Dimensions:	Lot	<u>Lot Area</u> 2.48 hectares	<u>Lot Frontage</u> 208 metres
Access:	Publicly maintained (Municipality of St. Charles) year-round road (Nepewassi Lake road).		
Servicing:	Privately owned and operated individual septic system. Privately owned and operated individual well.		
School Busing:	Available.		
Garbage Collection:	Available.		
Fire Protection:	Available.		
Shore Road Allowance:	Not applicable.		

**APPLICATION REVIEW AND ANALYSIS:**

PROVINCIAL POLICY STATEMENT, 2020

The 2020 Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Under Section 3 of the Planning Act, where a municipality exercising its authority affecting a planning matter, such decisions “shall be consistent with” all policy statements issued under the Act.

No provincial interests, as expressed in the Provincial Policy Statement, are adversely affected by this application.

OFFICIAL PLAN

Official Plan Designation: **Rural Policy Area**, as identified in the Official Plan for the Sudbury East Planning Area (adopted April 27<sup>th</sup>, 2010, approved by the Ministry of Municipal Affairs and Housing September 28<sup>th</sup>, 2010)

Rural Policy Areas are intended to protect the natural amenities of the Sudbury East Planning Area as well as to provide opportunities for agriculture and resource-based uses, such as forestry, mining, and aggregate operations, as well as limited residential developments, where appropriate.

With respect to desirability of a proposed minor variance, Section 4.2.5 of the Official Plan provides the following criteria:

- The resulting development would be compatible with adjacent uses and in character with the established or

- planned development in the area;
- Adequate provision is made for vehicular access and off-street parking on the lot;
- Adequate buffering, screening and landscaping can be provided; and
- The application deals with circumstances particular to the site which design of the building or structure in conformity with the by-law is not feasible or possible.

Relief is from Part 6, Section 6.2.2, subsection (c), and Part 7, Section 7.62, subsection 7.62 (c) iv of By-law 2014-26, being the Zoning By-law for the Municipality of St. Charles, as amended, to facilitate the construction of a detached garage providing a maximum height of 6.07m, where the maximum height of any accessory building or structure on a residential rural lot shall be 5.0m

Staff is of opinion that the request maximum height of 6.07 metres (19.90 feet) is reasonable and not excessive in nature. Staff conducted a site visit on January 9<sup>th</sup>, 2023, and it was noted that the detached garage would be situated in the rear yard at approximately 75.0 metres (245 feet) from Nepewassi Lake Road. The subject property is approximately 2.48 hectares (6.12 acres) in lot area. The proposed location of the detached garage is located 18.29 metres (60 feet) northeast from the single-family home. The proposed detached garage will be screened by the mature trees to the north and east, thus providing adequate buffering from the adjacent property. The nearest structure (mobile home) is situated at 1092 Nepewassi Lake Road which is 178 metres (583 feet) west of the proposed location of the detached garage. Staff is satisfied that the additional height being 1.07 metres (3.50 feet) will not have any negative impacts on the abutting rural properties. Staff recommends that the variance be approved as it is minor, appropriate development for the area and meets the intent of both the Official Plan and Zoning By-law.

#### ZONING BY-LAW (BY-LAW 2014-26)

Zoning: Residential Rural (RR) Zone

Comments: Same as Above

The RR Zone requires a minimum lot area of 0.8 hectares and a minimum lot frontage of 60.0 metres. The lot does conform to the minimum lot area and the minimum lot frontage requirements of the RR Zone under Zoning By-law 2014-26, as amended.

The detached garage is intended to be used for storage, which is permitted in the RR Zone. In accordance with Part 6, Section 6.2.2, subsection (c), and Part 7, Section 7.62, subsection 7.62 (c) iv of By-law, accessory buildings are permitted in the RR Zone subject to the height restrictions noted in the above sections.

The application, as proposed, complies with the regulations of the Zoning By-law.

The proposal involves no new land use or change in land use.

#### AGENCY REVIEW

This application was circulated to those agencies that were considered to have an interest in the proposal. The following comments were received:

No comments were received as of the date of this report.

PUBLIC CONSULTATION

Notice of the minor variance application was sent to surrounding property owners on January 10<sup>th</sup>, 2023, in accordance with the requirements of the Planning Act, R.S.O. 1990, Chapter P.13 and its regulations (O.REG 71/18) thereto. As of the writing of this report, no comments or concerns had been received from neighbouring property owners.

RECOMMENDATION:

Whereas the variance requested is minor from the provision of the Zoning By-law for the Municipality of St. Charles 2014-26, is desirable for the appropriate development or use of the land, building or structure, is in keeping with the general intent and purpose of the Official Plan for the Sudbury East Planning Area, and is in keeping with the general intent and purpose of the Municipality of St. Charles Zoning By-law 2014-26, we are of the opinion that the application is acceptable from a planning perspective, and should be granted.

Respectfully submitted,

NR for Matthew Dumont

Matthew Dumont, MCIP, RPP  
Director of Planning