



Municipality of North Grenville

To: **Council**

Meeting Date: February 12, 2025

Subject: 460 Dennison Road

Report No: PD-2025-007

Prepared by: Muhammad Haris Zahid Planner I

Recommendation(s)

THAT Committee of Adjustment grant relief for the property to be located on 460 Dennison Road, Township of Oxford-on-Rideau, Municipality of North Grenville from the following sections of Comprehensive Zoning By-law 50-12.

1. To provide relief for the height of an accessory structure in accordance with Section 6.1.7 of the Comprehensive Zoning By-law 50-12.

Because the request is minor, the intent of the Comprehensive Zoning By-law and Official Plan are being maintained, and the variances are within the parameters for additions in the Residential designation.

Executive Summary

Purpose

- To seek relief from Section 6.1.7 of Zoning By-law 50-12 to permit a height exceeding to 7.6 m, whereas the By-law requires a maximum height of 6 m.

Key Findings

- The subject property is located within an area designated Agriculture, Floodplain Hazard and Mineral Aggregate as identified by Schedule 'A' of the Municipality's Official Plan.
- The property is zoned Rural (RU-15) and Flooding, Erosion Protection Zone (FEP) and Provincially Significant Wetland according to By-law 50-12.
- The applicant has been in discussions with the Municipality since December 2024 as his application has been prepared.

Financial Implications

- There are no financial implications with respect to this application. All costs for the application are borne by the applicant.

Background/Analysis

A minor variance application is required to provide relief from the height requirements for an accessory structure under Section 6.1.7 of the Zoning By-law. The property will comply with all other applicable requirements of the RU-15 zone.

The Property

The subject property, legally described as Part Lot 20, Concession 4, in the former Town of Oxford-on-Rideau, Municipality of North Grenville, is located on Dennison Road. The property covers a total area of 12.07 Acres (4.88 Hectares). The property is occupied by a single detached dwelling with an attached garage and several detached accessory.

According to Schedule "A" of the United Counties of Leeds and Grenville Official Plan, the property is designated as Agricultural Area and Rural Lands. As per Schedule "A" of the Municipality of North Grenville Official Plan, it is designated as Agriculture, Floodplain Hazard, and Mineral Aggregate. The property is zoned Rural (RU-15) and Flooding and Erosion Protection Zone (FEP) under the Municipality of North Grenville Comprehensive Zoning By-law.

ANALYSIS

Provincial Planning Statement

The proposed application is consistent with the relevant policies of the Provincial Planning Statement 2024 (PPS), particularly Sections 2.6 and 3.2.2, which address rural lands and agricultural areas. Section 2.6 of the PPS permits uses on rural lands that include agricultural uses, limited residential development, and home occupations. The proposed application complies with the requirement that development on rural lands be appropriate to the infrastructure available and avoid uneconomical infrastructure expansion (Section 2.6.3). Additionally, the application is consistent with the policies that allow a single residential dwelling per lot, subject to local municipal Official Plans and zoning by-laws (Section 3.2.2(c)). By aligning with the policies under Sections 2.6 and 3.2.2, the application supports the sustainable use of rural and agricultural lands, maintaining consistency with the PPS's broader objectives for growth and resource protection.

United Counties of Leeds and Grenville Official Plan

The property is designated as Agricultural Area and Rural Lands on Schedule "A" of the United Counties of Leeds and Grenville Official Plan. The Agricultural Area designation prioritizes the protection of prime agricultural lands for agricultural uses, including crop

production, livestock raising, and associated on-farm buildings and structures. One single residential dwelling is permitted per lot, with the potential for a secondary farm residence under specific conditions. The Rural Lands designation supports resource-based activities, limited residential development, and other rural land uses while preserving the natural amenities and rural character of the area.

The proposed application aligns with the policies of the Agricultural Area and Rural Lands designations by supporting agricultural and rural land uses. It is consistent with the United Counties of Leeds and Grenville Official Plan, which promotes the protection of agricultural lands and the preservation of rural character while accommodating compatible rural development.

North Grenville Official Plan

According to Schedule 'A' of the Municipality of North Grenville Official Plan, the subject property is designated as Agriculture, Floodplain Hazard, and Mineral Aggregate. The zoning of the subject property permits buildings, structures, and uses accessory to a permitted use. As the proposed accessory structure aligns with the Zoning By-law and does not conflict with the overall intent of the Agriculture designation, its construction remains appropriate within the property's zoning framework.

With respect to the Floodplain Hazard designation, Section 5.2.2(c) of the Official Plan states that any new development or structures within the floodplain will require the approval of the appropriate Conservation Authority. Based on the submission materials and the comments from the RVCA senior planner included in Appendix 'A' of this letter, the proposed accessory structure is not anticipated to be impacted by natural hazards.

Additionally, Section 7.1 of the Official Plan addresses the Mineral Aggregate designation, which permits pit or quarry operations, along with accessory uses such as crushing facilities, stockpiles, offices, and storage and screening operations. Interim land uses, such as agriculture, forestry, and outdoor recreation, are permitted within reserve areas, provided they do not include buildings or activities that would preclude the establishment of a pit or quarry.

The proposed development is consistent with the permitted uses under the Agriculture designation and does not conflict with the Floodplain Hazard or Mineral Aggregate designations, as outlined in the Official Plan.

Comprehensive Zoning By-law 50-12

The subject property is zoned Rural (RU-15) and Flooding and Erosion Protection (FEP) Zone, with areas of Provincially Significant Wetlands (PSWs). The primary issue under consideration is the proposed height of the accessory structure, as the property complies with all other applicable zoning standards. The construction of the accessory structure will be situated within the Rural (RU-15) zone area of the property, despite the presence of the FEP zone and PSWs. Staff are of the opinion that providing relief for the height of the accessory structure is in accordance with the Municipal Zoning By-law. This approach

ensures that the development remains consistent with the by-law while maintaining the functional use of the property and respecting the constraints of the Flooding and Erosion Protection Zone and Provincially Significant Wetlands, in the opinion of the reviewing planner.

COMMENTS

Minor Variances must satisfy the four tests as outlined in the *Planning Act* to be permitted. It is the opinion of Staff that the four tests are met in the following ways.

- 1) The first test for a minor variance is that the general intent and purpose of the Official Plan is maintained. The subject property is designated as Agriculture, Floodplain Hazard, and Mineral Aggregate on Schedule “A” of the Municipality’s Official Plan. The Rural (RU-15) zoning of the property permits accessory buildings and structures in support of a permitted use. Since the proposed accessory structure complies with the zoning provisions and does not conflict with the overall intent of the Agriculture designation, the requested variance upholds the general intent and purpose of the Official Plan.
- 2) The second test for a minor variance is that the general intent and purpose of the Zoning By-law is maintained. The subject property is zoned Rural (RU-15) and is also designated within a Flooding and Erosion Protection Zone. The RU-15 zone is intended to accommodate rural uses, including agricultural activities and accessory structures, while ensuring development respects environmental constraints such as flooding and erosion. The proposed accessory structure complies with all applicable zoning standards except for the height requirement. The requested variance for height responds to site-specific conditions and ensures the structure remains compatible with the rural character of the area. The variance maintains the general intent and purpose of the Zoning By-law by supporting functional rural development while respecting the constraints of the Flooding and Erosion Protection Zone.
- 3) The third test for a minor variance is that the variance is considered suitable and desirable for the use of the land. In this case, the variance requested is to recognize an increased height for the accessory structure. The proposed height allows for the efficient and functional use of the property while maintaining compatibility with the surrounding rural area. The increased height does not hinder the functionality of the property and facilitates its intended use as an accessory structure.
- 4) The fourth test for a minor variance is that the variance is considered minor in nature. The requested variance involves a modest increase 7.6 m in the height of the accessory structure, which is slightly above the By-law requirements. The increased height does not impact neighboring properties, as it maintains adequate separation from surrounding structures and aligns with the established rural development pattern. The variance is minor in nature and does not detract from the overall intent of the Zoning By-law or the Official Plan.

Relevance to Strategic Priorities

Strategic Pillar	Pillar #2 - A Strong, Connected, and Vibrant Community
Goal	Goal #2.3 - Build and Grow in a Connected Way
Key Action	Action #2.3.3 - Promote development policies that incorporate connectivity and coordination with the surrounding area

Options and Discussion

1. Approve the recommendation
2. Do not approve the recommendation

Financial Impact

This item has been identified in the current budget: Yes No N/A

This item is within the budgeted amount: Yes No N/A

Staffing implications, as they relate to implementing Council's decision on this matter, are limited to the existing staff complement and applicable administrative policies as approved by Council.

Internal/External Consultation

This application was circulated to persons and agencies as required under the Planning Act. At the time this report was written, the following comments are noted.

No comments were received from the public or external agencies at the time of report preparation

No comments from Public works

No comments from Emergency & Protective Services

No comments from By-law services

The building division indicated that a building permit is to be acquired prior to starting construction

Communications

Communications have been carried out in accordance with the Planning Act.

Attachments

- **Attachment 1 – Subject Property / Official Plan Designation**
- **Attachment 2 – Zoning**
- **Attachment 3 – Site Plan**
- **Attachment 4 – Appendix A**