

# APPLICATION FOR

File No.  
A-05-21

☒ MINOR VARIANCE - s. 45 (1) ☐ PERMISSION - s. 45 (2)

The undersigned hereby applies to the Committee of Adjustment for the .....  
..... under section 45  
(name of municipality)  
of the *Planning Act* for relief, as described in this application, from By-law No. .... (as amended).

NAME OF OWNER Mark & Gisle Russell	NAME OF AGENT (if applicant is an agent authorized by the owner)
ADDRESS 2107 Jochem Rd	ADDRESS
OxSord Station ON	
TELEPHONE [REDACTED]	TELEPHONE

OFFICIAL PLAN - current designation of the subject land:

Residential 2107 Jochem Rd Rural Policy Area ~~MM~~  
OxSord Station ON

ZONING BY-LAW - current zoning of the subject land:

Residential Rural ~~MM~~

RELIEF - nature and extent of relief from the zoning by-law:

Allow variance of part 3 for road frontage of 156' (one hundred & fifty six feet) Variance for part 4 frontage 188'

REASON why the proposed use cannot comply with the provisions of the zoning by-law:

Not enough frontage

LEGAL DESCRIPTION of subject land (such as the municipality, concession and lot numbers, registered plan and lot numbers, reference plan and part numbers and name of street and number):

Edwardsburgh Con 9 Lot 21  
Plan #15R9659 Parts 3 & 4

Note: See reverse of page 3 for details of sketch required.

DIMENSIONS OF LAND affected:

part 3	156'	Depth: 707'	Area: 2.5 Acres
part 4	188'	2930'	28.28 Acres

ACCESS - Access to the subject land is by:

<input type="checkbox"/> Provincial highway	<input type="checkbox"/> Municipal road - seasonal
<input checked="" type="checkbox"/> Municipal road - year round	<input type="checkbox"/> Right-of-way
<input type="checkbox"/> Other public road (specify) .....	<input type="checkbox"/> Water

**WATER ACCESS** - Where access to the subject land is by water only:

Docking facilities (specify) .....	Parking facilities (specify) .....
distance from subject land .....	distance from subject land .....
distance from nearest public road .....	distance from nearest public road .....

EXISTING USES of the subject land:	LENGTH OF TIME the existing uses of the subject land have continued:
Residential	

Part 3

**EXISTING BUILDINGS - STRUCTURES** - Where there are any buildings or structures on the subject land, indicate for each:

TYPE - House	Front lot line setback: 20M	Height in metres: 5M
	Rear lot line setback: 175M	Dimensions: 9.14M x 12.192M
DATE CONSTRUCTED	Side lot line setback: 3.8M	Floor area: 11.558M
	Side lot line setback: 14.35M	
TYPE -	Front lot line setback: 20M	Height in metres: 7M
	Rear lot line setback: 175M	Dimensions: 7.3M x 9.14M
DATE CONSTRUCTED	Side lot line setback:	Floor area: 66.959M
	Side lot line setback:	

*attach additional page if necessary*

**PROPOSED USES of the subject land:**

Residential

**PROPOSED BUILDINGS - STRUCTURES** - Where any buildings or structures are proposed to be built on the subject land, indicate for each:

TYPE -	Front lot line setback:	Height in metres:
	Rear lot line setback:	Dimensions:
	Side lot line setback:	Floor area:
	Side lot line setback:	
TYPE -	Front lot line setback:	Height in metres:
	Rear lot line setback:	Dimensions:
	Side lot line setback:	Floor area:
	Side lot line setback:	

*attach additional page if necessary*

**DATE** - Subject land was acquired by current owner on: .....

**WATER** is provided to the subject land by:

<input type="checkbox"/> Publicly-owned/operated piped water system	<input type="checkbox"/> Lake or other water body
<input checked="" type="checkbox"/> Privately-owned/operated individual well	<input type="checkbox"/> Other means (specify) .....
<input type="checkbox"/> Privately-owned/operated communal well	

**SEWAGE DISPOSAL** is provided to the subject land by:

<input type="checkbox"/> Publicly-owned/operated sanitary sewage system	<input checked="" type="checkbox"/> Privately-owned/operated individual septic system
<input type="checkbox"/> Privately-owned/operated communal septic system	<input type="checkbox"/> Privy
<input type="checkbox"/> Other means (specify) .....	



STORM DRAINAGE is provided to the subject land by:

☐ Sewers

☒ Ditches

☐ Swales

☐ Other means (specify) .....

OTHER APPLICATIONS - If known, indicate if the subject land is the subject of an application under the Act for:

☐ Approval of a plan of subdivision (under section 51) File # ..... Status .....

☐ Consent (under section 53) File # ..... Status .....

☐ Previous application (under section 45) File # ..... Status .....

## AUTHORIZATION BY OWNER

I, the undersigned, being the owner of the subject land, hereby authorize .....  
to be the applicant in the submission of this application.

.....  
Signature of owner

.....  
Signature of witness

.....  
Date

## DECLARATION OF APPLICANT

*Mark Russell*  
I, *Gisele Russell* of the township ..... of  
*Edwardsburgh Cardinal* in the county ..... of *Leeds Grenville*

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.

DECLARED before me at the .....

of .....

in the ..... of .....

this *20* day of *July*, *2021*...

*Melanie Stubbs*  
Signature of commissioner, etc.

*Gisele Russell*  
Signature of applicant

**Melanie Stubbs, Treasurer and by virtue of this  
Office is a Commissioner etc., United Counties of  
Leeds and Grenville, for the Corporation of the  
Township of Edwardsburgh/Cardinal**

It is required this application be accompanied by a fee of ..... payable to the Treasurer of  
the .....

Personal information contained on this form, collected pursuant to the Planning Act, will be used for the purpose of responding to the initial application.  
Questions should be directed to the Freedom of Information and Privacy Coordinator at the institution conducting the procedures under the Act.

W. B. COLLETT  
ONTARIO LAND SURVEYOR



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51 King St E, Suite 205  
Brockville, ON, K6V 1A8

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## **Planning Rationale Report**

2107 Jochem Road, Oxford Station  
Request for the assignment of separate PINs

Prepared For:

February 24, 2021

Brent Collett, OLS

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### **Description of Property and Purpose of Proposal**

The following report outlines the history of certain lands being part of Lot 21, Concession 9 in the Geographic Township of Edwardsburg, now being in the township of Edwardsburg/Cardinal, United Counties of Leeds and Grenville. This report is prepared to provide reasoning for why two adjacent properties owned by Mark and Gisele Russell should be assigned separate PINs.

The two adjacent properties can be described as Part 3 on plan 15R 9659, and Part 4 on the same plan, respectively. Part 3 (Property 'A') has a dwelling thereon. The two properties are currently under one PIN (68139-0092), which is restricting the owners from building a dwelling on Part 4 (Property 'B').

### **History of Subject Lands**

Plan 15R 9659 was registered May 5<sup>th</sup>, 1998. The plan was prepared to provide descriptions for future Planning Act consents. Parts 1, 2, and 3 were intended to be three building lots, which would ultimately be severed from the remainder of the property at that time, being Part 4.

### **Planning Act Consents**

Two Planning act consents were obtained following the registration of plan 15R 9659. The first consent was registered as a transfer on June 5<sup>th</sup>, 1998, with registration number 148213. Parts 1, 2, and 3 were transferred (as one property); Part 4 was retained, leaving two properties.

The second consent was registered as a transfer on June 5<sup>th</sup>, 1998, with registration number 148214. Part 2 was transferred, and parts 1 and 3 were retained. Since Part 2 is situated between Parts 1 and 3, this transfer resulted in three properties – Part 1, Part 2, and Part 3 each being separate. This approach to severing lots is known as 'checkerboarding' and was common practice at the time.

As a result of the two transfers, the one property, which was the subject lands of Plan 15R 9659, was now divided into four separate properties, each being its own Part on the plan.

### **Chain of Title**

Following the two Planning Act consents, Property 'A' was purchased by Mary Lorraine Rita Cadieux on July 27<sup>th</sup>, 1998 (transfer registered as No. 148920). Property 'B' was later purchased by the same Mary Lorraine Rita Cadieux on March 24<sup>th</sup>, 2000. (transfer registered as No. 156391).

On May 19, 2004, the two properties were transferred from Mary Cadieux to Ginsberg, Gingras & Associates Inc., registered as No. 181333. The same lands were subsequently transferred to the current owners, Mark Alan Russell and Gisele Antionette Marie Russell, registered as No. 181334.

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The Russells purchased the land knowing that Property 'A' and Property 'B' were separate, which would allow for building on Property 'B'.

The lands owned by the Russells were converted to Land Titles on July 27, 2009. It is presumed that the two properties were assigned one PIN because they were adjacent and under identical ownership.

Seeing as Property 'A' has been subject of a Planning Act Consent, severing it from Property 'B' in 1998, we are requesting that Property 'A' and property 'B' be assigned two separate PINs which would essentially split PIN 68139-0092.

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SURVEYOR'S REAL PROPERTY REPORT  
 PLAN OF SURVEY  
 PART OF LOT 21  
 CONCESSION 9  
 GEOGRAPHIC TOWNSHIP OF EDWARDSBURGH  
 TOWNSHIP OF  
 EDWARDSBURGH/CARDINAL  
 COUNTY OF GRENVILLE

SCALE = 1 : 600

0 5 10 20 40 METRES

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TRAVELLED ROAD

(KNOWN AS JOCHEN ROAD)  
 PIN 68139 - 0424

ROAD ALLOWANCE BETWEEN  
 CONCESSIONS 9 & 10

PART 1

PART 2

PART 1

PLAN 15 R 5441

PLAN 15 R 5919

PART 1  
 PLAN 15 R 6114

PART 2  
 PLAN 15 R 5624

PART 4

PART 3

PART 2

PART 1

PLAN 15 R 9059

LOT 21  
 CONCESSION 9

**SURVEY INTEGRATION NOTES:**

1. THE INFORMATION PROVIDED ON THIS SURVEY COMPLIES WITH SECTION 14(3) & (2) SUCH THAT THE COORDINATES ARE ACCURATE, AT THE 95% CONFIDENCE LEVEL, TO 0.30 METRES IN RURAL AREAS.
2. COORDINATES HAVE BEEN DIRECTLY OBSERVED USING GPS.
3. REAL TIME NETWORK (RTN) COORDINATES FROM TOPCON NETWORK.
4. DISTANCES ON THIS PLAN ARE HORIZONTAL GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE AVERAGE CORRECTION SCALE FACTOR OF 0.99961371.

**SURVEY NOTES:**

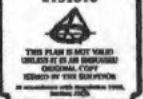
1. READINGS ARE UTM GRID DERIVED FROM GPS - REAL TIME NETWORK (RTN) OBSERVATIONS ON MONUMENTS ORP-1 AND ORP-2, HAVING A GRID BEARING OF 152°42'22", RADIAL BEARS 1587.29 AND ARE REFERRED TO THE CENTRAL MERIDIAN IN UTM ZONE 18 Q UTM.
2. DISTANCES AND COORDINATES ILLUSTRATED ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

**NOTE**

THIS PLAN MUST BE READ IN  
 CONJUNCTION WITH SURVEY REPORT  
 DATED 7777, 2021.

THIS REPORT WAS PREPARED FOR  
 M. & G. RUSSELL  
 THEIR SOLICITOR AND MORTGAGEES  
 AND THE UNDERSIGNED  
 ACCEPTS NO RESPONSIBILITY FOR  
 USE BY OTHER PARTIES.

ASSOCIATION OF ONTARIO  
 LAND SURVEYORS  
 PLAN SUBMISSION FORM  
 2151816



READINGS ARE UTM GRID DERIVED FROM GPS - REAL TIME NETWORK (RTN) OBSERVATIONS. FOR BEARING COMPARISONS A ROTATION FACTOR WAS APPLIED TO CONVERT TO UTM BEARINGS, AS NOTED BELOW.

PLAN ID.	BEARING ROTATION	DIRECTION
P1	1°05'52"	CLOCKWISE

ALL COORDINATES ARE IN METRES, ARE RELATED TO UTM ZONE 18 Q (75W LONGITUDE) HADSD CR2 AND HAVE A RELATIVE ACCURACY TO MEET THE REQUIREMENTS OF A RURAL AREA AT A 95% CONFIDENCE LEVEL. OBSERVED REFERENCE POINT (ORP), OR SPECIFIC CONTROL POINT (CPT)

POINT ID.	POINT DESC.	NORTHING (N)	EASTING (E)
ORP #1	180(1113)	4972984.687	434985.123
ORP #2	50N(1442)	4973075.306	4351073.081

THE COORDINATES ILLUSTRATED CANNOT, THEMSELVES, BE USED TO RE-ESTABLISH THE CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

**LEGEND**

□	DEMOTES PLANTED MONUMENT	RS	DEMOTES ROCK BAR
■	DEMOTES FORGED MONUMENT	CC	DEMOTES CUT CROSS
ST	DEMOTES STANDARD IRON BAR	IF	DEMOTES IRON PIPE
SSB	DEMOTES SHORT STANDARD IRON BAR	WT	DEMOTES WITNESS
IR	DEMOTES IRON BAR	FN	DEMOTES FIELD NOTES
CM	DEMOTES CORRECT MONUMENT	—S—S—	DEMOTES FENCE
OD	DEMOTES DIRECTION (NORTH, EAST, SOUTH & WEST)	RS	DEMOTES ROCK
P1	DEMOTES PLAN 15R 9059	Q/H	DEMOTES OVERHEAD
		Q/C	DEMOTES UNDERGROUND

**SURVEYOR'S CERTIFICATE**

- I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
  2. THE SURVEY WAS COMPLETED ON THE 1ST DAY OF MARCH, 2021.

2021.

W. B. COLLETT  
 ONTARIO LAND SURVEYOR



IN ENGINEERING + SURVEYING  
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MAP CHECK: W.C. PLY. CL: M.S. DRN. BY: J.M. FILE NO.: 10185 52P5

PIN 68139 - 0091

PART 4



