

Township of McNab/Braeside

Committee of Adjustment

A Hearing of the Committee of Adjustment was held on August 21st, 2017 at 7:00 p.m. in the Municipal Office.

PRESENT: Geoff Booth Chairperson
 Vance Bedore Member
 Jacqueline Asselin Member

Disclosures of pecuniary interest and the general nature thereof.

Members were asked to state any financial interest and the general nature thereof before the item is discussed. No disclosures of pecuniary interest were declared at this time.

Moved by Vance Bedore, seconded by Jacqueline Asselin, that the July 10th, 2017 minutes be approved as circulated. **Carried.**

Hearings:

B-11/17 Beverly & David Runtz

Dick Straathof, Agent for the Applicants, was in attendance this evening to discuss this application.

The Committee discussed the requirement for a Zoning Amendment to permit accessory buildings that are higher than 5 metres, to prohibit the keeping of farm animals on the severed lands and also to prohibit residential use on the retained lands with Mr. Straathof. They also discussed the need for the sketch to be amended to reflect the Sewage System Inspector's requirements to locate the side yard property line a minimum of 70' from the septic system to meet the Ontario Building Code. Mr. Straathof requested that the application be held in abeyance until the September 25th, 2017 Committee of Adjustment meeting to permit him time to amend the sketch and further review the Planning Report.

B-12/17 Bruce & Lois Thompson

Bruce and Lois Thompson were in attendance this evening to discuss this application.

Mr. Thompson addressed the Committee to speak to the appeal that was submitted by neighbouring property owner Michael Nagrodski. He explained that he had made an error when he stated on the sketch that it was a closed road allowance and further noted that it does not abut the proposed lot. The Committee were in agreement that the road allowance is irrelevant in regard to the consent application. Mr. Thompson

then spoke about the quality of hay which was another of the concerns listed in Mr. Nagrodski's letter of appeal, advising that it is not good quality and he has been unable to sell it in recent years. A letter written by Tom McIntyre, who currently farms the property, was submitted by Mr. Thompson reiterating this.

Moved by Jacqueline Asselin, seconded by Vance Bedore, that Application B-12/17 be approved as applied for. **Carried.**

B-13/17 1332712 Ontario Inc.

Scott McEwan was in attendance this evening to discuss this application.

Mr. McEwan provided a detailed history of the property in regard to the previous and current zoning, referring to a handout that he had circulated to the Committee prior to his presentation. He noted that he is concerned that the lands could be returned to an agricultural designation at a future date when the Townships Official Plan gets updated and that this consent application is a step towards ensuring that the proposed severed lands are preserved for future residential subdivision development.

The Committee discussed the application with Mr. McEwan, noting that the Planning Report recommends that a site specific zoning by-law amendment be obtained as a condition of the consent to rezone the retained lands to an Agricultural-Exception (A-EX) Zone to permit a reduced lot area and to rezone the severed lands to a Rural Residential-Exception-holding (RR-Ex-h) Zone to permit a reduced lot frontage and implement the recommended conditions for removal of the holding related to future subdivision development of the lands.

Moved by Vance Bedore, seconded by Jacqueline Asselin, that Application B-13/17 be approved as applied for subject to the conditions listed in the decision. **Carried.**

Decisions:

B-12/17 Bruce & Lois Thompson

Consent to sever a parcel of land approximately 90m frontage x 137 depth, 1.4 ha, for residential purposes, being Pt Lot 23, Concession 1, 2381 Burnstown Road, Township of McNab/Braeside is granted to Bruce & Lois Thompson on condition that:

1. Three registered Plans of Survey in conformity with the sketch depicting the severed lands as attached to the application be presented to the Township and a copy be deposited in the Land Registry Office.
2. The original executed transfer (Transfer In Preparation) be presented to the Township.

NOTE: The above conditions must be completed within one year of the date of decision. Should the conditions not be met the consent shall be deemed to be refused. This consent conforms with section 3.3 (2) (b) of the Official Plan.

Reasons:

- The Committee stated that the general intent and purpose of the Township of McNab/Braeside's Official Plan would be maintained.
- The Committee also stated that the application complies with the relevant policies of the Township of McNab/Braeside's Official Plan.
- It was noted by the Committee that the subject lands will comply with the provisions of the Township of McNab/Braeside's Comprehensive Zoning By-Law 2010-49 and the use would be compatible with the existing uses in the vicinity of the subject property.

For the above mentioned reasons, the application for consent was granted.

B-13/17 1332712 Ontario Inc.

Consent to sever a parcel of land approximately 20m frontage, 8.8 ha, irregular in shape, for residential purposes, being Lot 1, Concession 11, Moreau Road & Young Road, Township of McNab/Braeside is granted to 1332712 Ontario Inc. on condition that:

1. The Applicants successfully obtain a Zoning Amendment for the retained lands to rezone the lands to an Agriculture-Exception (A-Ex) Zone to permit a reduce lot area; and to rezone the severed lands to a Rural Residential-Exception-holding (RR-Ex-h) to permit a reduced lot frontage and implement the recommended conditions for the removal of the holding related to future subdivision development of the lands.
2. Favourable comments are received from Ontario Power Generation.
3. Three registered Plans of Survey in conformity with the sketch depicting the severed lands as attached to the application be presented to the Township and a copy be deposited in the Land Registry Office.
4. The original executed transfer (Transfer In Preparation) be presented to the Township.

NOTE: The above conditions must be completed within one year of the date of decision. Should the conditions not be met the consent shall be deemed to be refused. This consent conforms with section 3.3 (2) (b) of the Official Plan.

Reasons:

The Committee stated that:

- The general intent and purpose of the Township of McNab/Braeside's Official Plan would be maintained.
- The application complies with the relevant policies of the Township of McNab/Braeside's Official Plan.

- The subject lands would comply with the provisions of the Township of McNab/Braeside's Comprehensive Zoning By-Law 2010-49 once a zoning amendment has been obtained.
- The use would be compatible with the existing uses in the vicinity of the subject property.

For the above mentioned reasons, the application for consent was granted

Delegations: Nil

Discussion: Nil

Correspondence: Nil

Unfinished Business: Nil

New Business: Nil

Next Meeting:

The next meeting will be held on September 25th, 2017.

Adjournment.

The meeting adjourned on a motion moved by Jacqueline Asselin at 8:15 p.m.

.....
Chairperson

.....
Secretary