

## Township of McNab/Braeside

### Committee of Adjustment

A Hearing of the Committee of Adjustment was held on February 20, 2019 at 7:00 p.m. in the Municipal Office.

PRESENT: Geoff Booth            Chairperson  
          Jacqueline Asselin    Member  
          Mackie J. McLaren    Member

Disclosures of pecuniary interest and the general nature thereof. Jacqueline Asselin declared a conflict of interest with Application A-2/19, stating in the written disclosure that the owner of the property at 328 Nieman Drive is her brother Jean-Guy Asselin and sister-in-law Judith Rathwell. Ms. Asselin did not vacate the council chambers.

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 Jacqueline Asselin, seconded by Mackie J. McLaren, that the January 28, 2019 minutes be approved as circulated. **Carried.**

#### Hearings:

**A-2/19            Judith Rathwell & Jean-Guy Asselin**  
**Agent: Township of McNab/Braeside**

No one was in attendance this evening to discuss this application. The Chairperson explained the nature of the application and advised that favourable comments have been received from the Planning Advisory Committee and Sewage System Inspector. He further advised that the Planning Report contains the following comments:

The proposed use as a community workshop does not quite fit any definition in the by-law. The by-law permits the garage to be used as a:

- **Home industry** (which includes woodworking, but is to be a gainful occupation and can only be the residents of the dwelling and 2 other people).
- **Contractors yard/shop** (where a contractor performs shop or assembly work).
- **Private Club** (for chartered organizations to meet)

From the examples above, the garage could be used for very similar, arguably more intrusive uses. The issue is that the proposed community workshop does not quite fit any of the defined uses that the Zoning By-law permits. The Planning Act under section 45(1) allows the committee of adjustment to authorize a minor variance from the provisions of the zoning by-law in respect of the land, building or structure or the use thereof, if the 4 minor variance tests are satisfied.

Moved by Mackie J. McLaren, seconded by Geoff Booth, that Application A-2/19 be approved subject to the conditions listed in the decision. **Carried**

**Decisions:**

**A-2/19            Judith Rathwell & Jean-Guy Asselin  
Agent: Township of McNab/Braeside**

The application for a minor variance as applied for by Judith Rathwell and Jean-Guy Asselin to obtain relief from By-law 2010-49 to allow an existing accessory building to be used by a community group as a private workshop for small projects (i.e. woodworking) is granted.

This property is located at Pt Lot 8, Concession 11, Pt 1 Plan 49R7554, 328 Nieman Drive, Township of McNab/Braeside.

Reasons:

The Committee stated that:

- the variance sought was minor in nature and was desirable for the appropriate development or use of the land as the proposed variance would not have a negative impact on any of the surrounding community.
- the application would be consistent with the relevant policies of the Township of McNab/Braeside's Official Plan, which is to allow residential uses.
- the subject lands would comply with the Township of McNab/Braeside's Comprehensive Zoning By-law 2010-49, which is to maintain the character of the neighbourhood.

For the above mentioned reasons, the application for a minor variance was granted

**Delegations:**            Nil

**Discussion:**            Nil

**Correspondence:** Nil

**Unfinished Business:**    Nil

**New Business:**        Nil

**Next Meeting:**        The next meeting will be held on March 11, 2019.

**Adjournment.**

The meeting adjourned on a motion moved by Jacqueline Asselin at 4:20 p.m.

.....  
Chairperson

.....  
Secretary