

Township of McNab/Braeside

Committee of Adjustment

A Hearing of the Committee of Adjustment was held on November 30, 2020 at 4:00 p.m. in the Municipal Office.

Members Present: Geoff Booth Chairperson
Jacqueline Asselin Member
Mackie J. McLaren Member

Staff Present: Helen Siroski, Secretary-Treasurer

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 under the *Municipal Conflict of Interest Act*. No disclosures of pecuniary interest were declared at this time.

Moved by Jacqueline Asselin, seconded by Mackie J. McLaren, that the October 26, 2020 minutes be approved as circulated. **Carried.**

Hearings:

A-5/20 – Virginia Atkinson

Virginia Atkinson was in attendance this afternoon to discuss this application.

The Chairperson explained the nature of the application, noting that the Public Work's Director had provided conditions to be included in the decision. A brief discussion with the Applicant Virginia Atkinson followed during which she advised that she was agreeable to the conditions.

Moved by Jacqueline Asselin, seconded by Mackie J. McLaren, that Application A-5/20 be approved subject to the conditions as set out in the Planning Report and by the Public Work's Director. **Carried.**

A-6/20 - Patrick & Jodie Talbot

Patrick and Jodie Talbot were in attendance this afternoon to discuss this application.

The Chairperson explained the nature of the application, noting that favourable comments have been received from the Planning Advisory Committee, Sewage System Inspector and Township Planner.

Moved by Jacqueline Asselin, seconded by Mackie J. McLaren, that Application A-6/20 be approved as applied for. **Carried.**

B-12/20 – Monica Eva Yantha – Agent: Peter Gahan

Peter Gahan, Agent for the Applicant, was in attendance this afternoon to discuss this application.

The Chairperson advised that the application had previously been held in abeyance due to various issues including the requirement for an Aggregate Impact Assessment Study as well as MDS calculations. He further advised that the MDS calculations have been completed and are not favourable. Peter Gahan, Agent for the Applicant, addressed the Committee to express his concerns with the MDS calculations of the barn at 1045 Goshen Road and to question the current use. Following a brief discussion the Committee and the Agent were in agreement that the application should be held in abeyance until an investigation into the use of the barn has been completed.

Moved by Mackie J. McLaren, seconded by Jacqueline Asselin, that Application B-12/20 be held in abeyance pending an investigation into the use of the barn at 1045 Goshen Road. **Carried.**

B-13/20 – Monica Eva Yantha – Agent: Peter Gahan

Peter Gahan, Agent for the Applicant, was in attendance this afternoon to discuss this application.

This application was heard in conjunction with Application B-12/20.

Moved by Mackie J. McLaren, seconded by Jacqueline Asselin, that Application B-13/20 be held in abeyance pending an investigation into the use of the barn at 1045 Goshen Road. **Carried.**

B-14/20 – James Clemen

No one was in attendance this afternoon to discuss this application.

The Chairperson stated that Bell Canada has requested protection for existing facilities by means of a 3.0m wide strip to measure 1.5m on either side of the aerial facilities as can be reasonably accommodated. Secretary Helen Siroski advised that the Applicant is aware of Bell Canada's request and has been in contact with them to discuss their request. The Committee also discussed the requirement for site plans showing a building site on both the severed and retained lots that meet MNRF standards for mitigating wildfire risk in accordance with the Provincial Wildland Fire Risk Assessment and Mitigation Reference Manual. The Secretary advised that the Applicant has been advised of the requirement. The Chairperson advised that there are no other concerns with the application.

Moved by Jacqueline Asselin, seconded by Mackie J. McLaren, that Application B-14/20 be approved subject to the conditions in the Planning Report. **Carried.**

B-16/20 – James Clemen

No one was in attendance this afternoon to discuss this application.

This application was heard in conjunction with Application B-14/20.

Moved by Jacqueline Asselin, seconded by Mackie J. McLaren, that Application B-16/20 be approved subject to the conditions in the Planning Report. **Carried.**

Decisions:

A-5/20 – Virginia Atkinson

The application for a minor variance as applied for by Virginia Atkinson to reduce the rear yard setback from 7.5 metres to 5.3 metres; and to reduce the setback from the highwater mark of the Ottawa River from 30 metres to 8 metres for the north corner and 9.5 metres for the east corner of the proposed dwelling is granted on condition that:

1. The Owner shall, within three (3) months of the date of this Decision and in any event prior to the issuance of a building permit for a new dwelling on the Property:
 - a. Grant to the Township, on terms satisfactory to the Township, a registered drainage easement, 4.0m wide and running the length of the Property along the West property boundary as detailed on the sketches provided by the applicant. The easement will permit the construction, installation, excavation, repair, use, maintenance and replacement of a catchbasin and drainage pipe (the “Drainage Works”) as well as the protection of the drainage pipe in perpetuity; and,
 - b. Enter into a Development Agreement, on terms satisfactory to the Township, which shall include the following provisions:
 - i. The Owner shall grant to the Township and to any licensed Ontario Land Surveyor retained by the Township access to the Property for the purposes of preparing a reference plan to describe the area to be encumbered by the easement described in Condition [1a] above.
 - ii. The Owner shall maintain the old catchbasin and drainpipe currently existing on the Property and shall take reasonable steps to ensure that neither the old catchbasin nor the old drainpipe are removed, damaged or obstructed until such time as the Township completes the construction and installation of the Drainage Works.

- iii. Upon receipt of written confirmation from the Township that the construction and installation of the Drainage Works has been completed, the Owner shall, at its sole cost, remove the old catchbasin and drainpipe.
 - iv. Within eight (8) months of the date of this Decision, the existing boat house constructed at the edge of the Property and the existing cottage shall be demolished and removed in accordance with all applicable laws and regulations and the Property returned to level grade, all to the satisfaction of the Township, to permit the construction and installation of Drainage Works.
 - v. Following the removal of the existing cottage and boat house and lot grading in accordance with Condition [1b iv], the Township will complete the installation of the Drainage Works as soon as practical provided that the Drainage Works will not be completed when the ground is frozen or during high water events.
2. The Owner implement best management practices at the time of building permit to include:
- i. Directing eavestroughing run-off away from the river side;
 - ii. Reducing the use of hard, impermeable surfaces on the driveway/parking area and in landscaping materials;
 - iii. Landscaping the lands between the building and water's edge to be more neutralized, acting as a buffer to reduce land-surface transport of nutrients.

The property is located at 16 Goodwin Lane, 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 County of Renfrew'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

A-6/20 - Patrick & Jodie Talbot

The application for a minor variance as applied for by Patrick and Jodie Talbot to permit a second dwelling on the property is granted.

The property is located at 985 Mill Ridge Road, 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 County of Renfrew'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.

B-14/20 – James Clemen

Consent to sever a portion of land approximately 102m frontage, 112m depth, 1.14 ha, for residential purposes being Lot 9, Concession 4, McLachlan Road, Township of McNab/Braeside, is granted to James Clemen on condition that:

1. A 3.0m wide easement to measure 1.5m on either side of the aerial facilities in favour of Bell Canada be reserved and that the easement be reflected in the Reference Plan.
2. The Applicant submits a fire risk site plan for a building site on both the severed and retained lot that meets the Ministry of Natural Resources and Forestry (MNR) standards for mitigating wildfire risk in accordance with the Provincial Wildland Fire Risk Assessment and Mitigation Reference Manual.
3. The original executed transfer (Transfer In Preparation) and one photocopy for our records for endorsement be presented to the Township.
4. Three registered Reference Plans 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.

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 of Adjustment considered all the written and oral submissions and is of the opinion that, subject to the conditions of provisional consent, this application meets Planning Act requirements, is consistent with the Provincial Policy, the Township's Zoning By-Law and the County of Renfrew's Official Plan and represents good land use planning.

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

B-16/20 – James Clemen

Consent to sever a portion of land approximately 85m frontage, 112m depth, 0.95 ha, for residential purposes being Lot 9, Concession 4, McLachlan Road, Township of McNab/Braeside, is granted to James Clemen on condition that:

1. A 3.0m wide easement to measure 1.5m on either side of the aerial facilities in favour of Bell Canada be reserved and that the easement be reflected in the Reference Plan.
2. The Applicant submits a fire risk site plan for a building site on both the severed and retained lot that meets the Ministry of Natural Resources and Forestry (MNR) standards for mitigating wildfire risk in accordance with the Provincial Wildland Fire Risk Assessment and Mitigation Reference Manual.
3. The original executed transfer (Transfer In Preparation) and one photocopy for our records for endorsement be presented to the Township.
4. Three registered Reference Plans 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.

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 of Adjustment considered all the written and oral submissions and is of the opinion that, subject to the conditions of provisional consent, this application meets Planning Act requirements, is consistent with the Provincial Policy, the Township's Zoning By-Law and the County of Renfrew's Official Plan and represents good land use planning.

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: January 11, 2021

Adjournment.

There being no further business the Chair adjourned the meeting at 4:45 p.m.

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Chairperson

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Secretary