

Township of McNab/Braeside

Committee of Adjustment

A Hearing of the Committee of Adjustment was held on August 17, 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 Mackie J. McLaren, seconded by Jacqueline Asselin, that the June 22, 2020 minutes be approved as circulated. **Carried.**

Moved by Jacqueline Asselin, seconded by Mackie J. McLaren, that the July 28, 2020 minutes be approved as circulated. **Carried.**

Hearings:

A-1/20 McEwan Homes

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

The Chairperson explained the nature of the application, noting the agencies that the application was circulated to and those that provided comments.

Moved by Jacqueline Asselin, seconded by Mackie J. McLaren, that Application A-1/20 be approved as applied for. **Carried.**

B-2/20 – Marlene Freitag & Mary Melcher

Marlene Freitag, Deborah Papousek, Agent for the Applicant, and Mark Melcher were in attendance this afternoon to discuss this application.

The Chairperson advised that Nathan Kuiack of the County Public Works and Engineering Department has advised that a road widening Option to Purchase signed by a previous owner in 1967 was never properly registered. Mr. Kuiack has recommended that, as a condition of consent, the Applicants complete a title search of the parts identified on Plan 49R-11071 and, if they have not been properly transferred to

the County of Renfrew, they will be required to sign a Quit Claim Deed which can be registered to complete the transfer and cleanup of these titles.

Moved by Jacqueline Asselin, seconded by Mackie J. McLaren, that Application B-2/20 be approved subject to the conditions listed in the decision. **Carried.**

B-7/20 – Terry Glen Bandy & Tracy-Lynn Bandy

Ben Clare of McIntosh Perry, Agent for the Applicant, and Terry Bandy were in attendance this afternoon to discuss this application.

Ben Clare addressed the Committee members to provide a brief history of the property and the nature of the applications. Mr. Clare noted that all comments received have been favourable, adding that comments have not yet been received from Hydro One Networks.

Moved by Jacqueline Asselin, seconded by Mackie J. McLaren, that Application B-7/20 be approved subject to the conditions listed in the decision. **Carried.**

B-8/20 – Terry Glen Bandy & Tracy-Lynn Bandy

Ben Clare of McIntosh Perry, Agent for the Applicant, and Terry Bandy were in attendance this afternoon to discuss this application.

This application was heard in conjunction with Application B-7/20.

Moved by Jacqueline Asselin, seconded by Mackie J. McLaren, that Application B-8/20 be approved subject to the conditions listed in the decision. **Carried.**

B-9/20 – Kristian Knight & Nikki Campbell

Kristian Knight was in attendance this afternoon to discuss this application.

The Secretary advised that it should be noted that the General Planning Comments in Section 4 of the Planning Report incorrectly refer to the property as having frontage on both Burnstown Road and White Lake Road.

The Chairperson advised that the Township Planner has recommended that a condition of consent be that the Applicants submit a fire risk site plan for a building site on the severed and retained lots that meets the Ministry of Natural Resources and Forestry (MNRF) standards for mitigating wildfire risk in accordance with the Provincial Wildland Fire Risk Assessment and Mitigation Reference Manual. He also noted that the retained lands will have a reduced frontage of 25.71 metres that, as a condition of consent, will require a zoning amendment to address the reduced frontage.

Moved by Mackie J. McLaren, seconded by Jacqueline Asselin, that Application B-9/20 be approved subject to the conditions listed in the decision. **Carried.**

B-10/20 – Andrew & Terry-Lee Mele

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

The Chairperson noted that there will be reduced frontage on the retained land and, as a condition of consent, the Applicants will need to successfully obtain a Zoning By-law Amendment to address the reduced the lot frontage.

Moved by Mackie J. McLaren, seconded by Jacqueline Asselin, that Application B-10/20 be approved subject to the conditions listed in the decision. **Carried.**

B-11/20 - Jason Hogan & Lisa Eve Desjardins

Marko Cekic of McIntosh Perry, Agent for the Applicants, was in attendance this afternoon to discuss this application.

Mr. Cekic addressed the Committee to explain the nature of the application. The Chairperson advised that the Township Planner had noticed that there were a few issues with the application and Mr. Cekic advised that all the concerns would be addressed.

Moved by Mackie J. McLaren, seconded by Jacqueline Asselin, that Application B-11/20 be approved subject to the conditions listed in the decision. **Carried.**

Decisions:

A-1/20 McEwan Homes

The application for a minor variance as applied for by McEwan Homes to permit construction of a temporary sales office/model home is granted.

This property is located at 4 Dale Gillan Street, 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-2/20 – Marlene Freitag & Mary Melcher

Consent to sever a portion of land approximately 169m frontage, 1737m depth, 39.7 ha for residential purposes being Lot 25, Concession 2, 2618 Burnstown Road, Township of McNab/Braeside, is granted to Marlene Freitag and Mary Melcher on condition that:

1. The Applicants complete a title search of Parts 6-11 on Registered Plan 49R-11071. If it is found that the Parts have not been properly transferred to the County of Renfrew the owners will be required to sign a Quit Claim Deed which can be registered to complete the transfer and cleanup of these titles.
2. The original executed transfer (Transfer In Preparation) and one photocopy for our records for endorsement be presented to the Township.
3. 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-7/20 – Terry Glen Bandy & Tracy-Lynn Bandy

Consent to sever a portion of land approximately 61m frontage, 106.7m depth, 0.53 ha for residential purposes being Pt Lot 8, Concession 3, 579 McLachlan Road, Township of McNab/Braeside, is granted to Terry Glen Bandy and Tracy-Lynn Bandy on condition that:

1. That a Zoning Amendment be successfully obtained to remove the Limited Farm exception as a permitted use.
2. The owners enter into a Development Agreement with the Township that implements the recommendations of the McIntosh Perry Consulting Engineers Ltd. Hydrogeological Study dated April 16, 2020 and that the agreement be registered on title.
3. That favourable comments be received from Hydro One Network's Inc.
4. The original executed transfer (Transfer In Preparation) and one photocopy for

our records for endorsement be presented to the Township.

5. 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-8/20 – Terry Glen Bandy & Tracy-Lynn Bandy

Consent to sever a portion of land approximately 61m frontage, 106.7m depth, 0.53 ha for residential purposes being Pt Lot 8, Concession 3, 579 McLachlan Road, Township of McNab/Braeside, is granted to Terry Glen Bandy and Tracy-Lynn Bandy on condition that:

1. That a Zoning Amendment be successfully obtained to remove the Limited Farm exception as a permitted use.
2. The owners enter into a Development Agreement with the Township that implements the recommendations of the McIntosh Perry Consulting Engineers Ltd. Hydrogeological Study dated April 16, 2020 and that the agreement be registered on title.
3. That favourable comments be received from Hydro One Network's Inc.
4. The original executed transfer (Transfer In Preparation) and one photocopy for our records for endorsement be presented to the Township.
5. 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-9/20 – Kristian Knight & Nikki Campbell

Consent to sever a portion of land approximately 95.89m frontage, 164.28m depth, 2.0232 ha for residential purposes being Lot 7, Concession 4, Burnstown Road, Township of McNab/Braeside, is granted to Kristian Knight and Nikki Campbell on condition that:

1. The Applicants submit a fire risk site plan for a building site on the severed and retained lots that meets the Ministry of Natural Resources and Forestry (MNRF) standards for mitigating wildfire risk in accordance with the Provincial Wildland Fire Risk Assessment and Mitigation Reference Manual.
2. The Applicant successfully obtain a Zoning By-law Amendment to reduce the lot frontage for the retained lands from 45 metres to 25.71 metres.
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-10/20 – Andrew & Terry-Lee Mele

Consent to sever a portion of land approximately 84m frontage, 73m depth, 0.6 ha for residential purposes being Lot 20, Concession 13 (B), 1919 River Road, Township of McNab/Braeside, is granted to Andrew Mele & Terri-Lee Rayvals-Mele on condition

that:

1. The Applicant successfully obtain a Zoning By-law Amendment to reduce the lot frontage for the retained lands from 45 metres to 27.23 metres.
2. The owners enter into a Development Agreement with the Township that implements the recommendations of the subdivision hydrogeological study prepared by Jp2g Consultants Inc. in 2010 for both the severed and retained lots and that the agreement be registered on title.
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 once a zoning amendment has been obtained 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-11/20 - Jason Hogan & Lisa Eve Desjardins

Consent to sever a portion of land approximately 95.3m frontage, 3.56 ha, irregular in shape, for residential purposes being Pt of Jedwood Farm, Plan 39, 90 Colin Street, Township of McNab/Braeside, is granted to Jason Hogan & Lisa Eve Desjardins, Trustees for Estate of Boyd Kenneth Hogan on condition that:

1. The owners enter into a Consolidation Agreement, registered on title to the severed lot and Lot 1, Plan 49M-99.
2. The owners provide written confirmation to the Township that the barn on the retained lands has been removed.
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.

Delegations: Nil

Discussion: Nil

Correspondence: Nil

Unfinished Business: Nil

New Business: Nil

Next Meeting: The next meeting will be held on September 21, 2020.

Adjournment.

There being no further business the Chair adjourned the meeting at 4:42 p.m.

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Chairperson

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Secretary