

Township of McNab/Braeside Committee of Adjustment

A meeting of the Committee of Adjustment was held on September 26, 2022 at 4:00 p.m. at the Township's Municipal Office.

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

Staff Present: Laura Jamieson Junior Planner (acting Secretary-Treasurer)

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 M. McLaren that the August 29, 2022 minutes be approved as circulated. **Carried.**

Approval of the Agenda for September 26, 2022 meeting.

HEARINGS

A-05/22 Natasha Sams

The applicant was present for the hearing, as well as one member of the public.

The Junior Planner explained the nature and purpose of the application, and summarized the planner's report. No new agency comments were provided.

The applicant stated that she spoke with Township personnel (could not remember who) about the landscape plans, and there was a site visit completed with verbal confirmation that it met the requirements of the Township's property standards bylaw. She also mentioned that the previous deck had stairs which extended into the existing shrubs along the interior lot line. She explained the landscaping plan included stairs to wrap around the existing single detached dwelling, and provide access to the rear yard.

The other member of the public, a neighbouring property owner, was addressed directly by the applicant. The applicant had knowledge of a previous zoning amendment which was required for the existing development on the abutting property, and had asked for proof of a survey for their application. The neighbour stated that a survey may have been completed, however he did not have

records of the survey at present. He stated that he had no concerns with the road centerline, rear and exterior side yard setbacks, however, the abutting property owner did have concerns with the reduction of the interior side yard setback to 0 metres. He felt the reduction to 0 metres would require the destruction of an existing shrub which was used as the property boundary, and provided a visual screen between the adjacent properties.

The applicant asked if a survey was absolutely necessary for the minor variance. The Junior Planner explained that the survey would be required as a condition of the minor variance, and that it was at the request of the Township's CBO and Public Works officials. The Junior Planner stated that the setback reductions for the existing dwelling and proposed structures were measured from the property lines, and that without knowing exactly where the property line was the setback reduction requests would not be accurate.

The applicant agreed. The applicant requested additional relief from the recommended interior side yard setback in order to work around an existing stump to access the interior side yard from the deck. The applicant explained to the Committee where the deck is proposed, and estimated the distance from the approximate property line.

The Committee asked for confirmation of the property boundary as being either an existing fence, or the existing vegetation, however the applicant could not clarify which was the official boundary. For this reason, the Committee agreed with staff's recommendation to reduce the interior side yard setback to 1.5 metres.

The applicant asked if the deck could be rebuilt in the same footprint as before, and if the existing reduction in the interior side yard setback would be "grandfathered". The applicant had been referring to the deck in the front yard as existing, however when pressed by the Committee, the applicant confirmed that the deck had been removed the previous fall due to safety concerns.

Since the deck had been removed, the Junior Planner confirmed that in order to build a deck in the front yard, reductions in the front and interior side yard setbacks would be required.

The applicant agreed to confirm the setbacks with a Registered Plan of Survey, and agreed to the reduction of the interior side yard setback of 1.5 metres rather than 0 metres.

The Committee addressed the neighbouring property owner, and confirmed that the reduction in interior side yard setback to 1.5 metres was acceptable. The abutting property owner agreed.

Moved by Jacqueline Asselin, seconded by Mackie M. McLaren that the minor variance be granted as set out in the draft Decision read by staff.

Carried.

Delegations: Nil

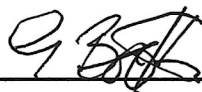
Discussion: Nil

Unfinished Business: Nil

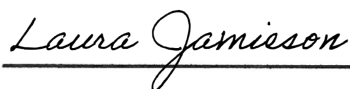
New Business: Nil

Next Meeting: To be determined.

Adjournment.: There being no further business the Chair adjourned the meeting at 4:47 p.m.



Chair Geoff Booth



Secretary