

Township of McNab/Braeside
Committee of Adjustment

A meeting of the Committee of Adjustment was held on December 10, 2024 at 4:00 p.m. at the Township's Municipal Office.

Members Present: Jacqueline Asselin Chairperson
 Lori Hoddinott Member
 Robert Tremblay Member

Staff Present: Anne McVean, County Planner, County of Renfrew
 Nicole Moore, Junior Planner (Secretary-Treasurer)

Public: Samuel Laplante (Agent)
 Bill and Cindy Sellars, 1233 Mill Ridge Road

Chairperson Asselin opened the hearing at 4:00 p.m., with the land acknowledgement and introduction of the Committee members and staff present. The purpose of the hearing for minor variance was confirmed.

Moved by Member Tremblay and seconded by Member Hoddinott that the minutes of the October 2, 2024 hearing be approved as circulated. **Carried.**

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.

Chairperson Asselin advised that all persons present would be given the opportunity to ask questions or provide comment, and at the end of the hearing the Committee will render a decision, to be read aloud before signing by the Committee.

HEARING

A-6/24 Kyle & Rachel Braatz (Owners)
Samuel Laplante (Agent)

The agent, Mr. Laplante, was present. Two members of the public were also in attendance.

Ms. Moore, the Junior Planner for the County of Renfrew, summarized the Notice of Hearing, explaining the nature and purpose of the application being a request to reduce the water setback from 30 to 27 metres, for a new addition to the existing dwelling at 1232 Mill Ridge Road.

Ms. Moore confirmed the date and circulation of the notice of hearing in accordance with the Planning Act. She also confirmed the notice was posted on site by the agent. Agency comments were received, the majority of which had no comments or concerns. It was noted that the Township's Chief Building Official commented that a new septic system with an engineered design is needed, and that the design should reference the sewage calculations in the hydrological investigation. Written public comments were received from Bill and Cindy Sellars, the adjacent property owners at 1233 Mill Ridge Road. Briefly summarized, they had concerns with the location of the proposed septic system related to its proximity to the north-west property line and Mr. and Mrs. Sellar's well. They also had concerns that the location would make the nearby pine trees susceptible to uprooting, and that the septic system would conflict with nearby underground hydro infrastructure. Additional concerns were noted regarding traffic and construction issues. Mr. and Mrs. Sellars had no concerns with the requested reduction to the water setback.

The Planner started her summary of the Planning Report by emphasizing that the present application would not be before the Committee if the addition had met the water setback. She then described the existing characteristics of the subject lot and local context, applicable policies, and the supporting documentation that was submitted with the application.

Ms. Moore then moved to the general planning comments, where the submitted public concerns were addressed. She noted that the majority of these comments were beyond the scope of the present application, and that the septic design requirements, setbacks, and concerns would be addressed at the building permit stage.

The Planner then explained that the Committee is required to consider a minor variance in light of the four tests set out in the Planning Act – does the variance requested meet the intent of the Official Plan, and the intent of the Zoning By-law; is the variance desirable, and is it minor? The relevant Official Plan policies and Zoning By-law provisions were reviewed. It was noted by Ms. Moore that the owners had hired a biologist to determine the high water mark and to conduct a scoped Environmental Impact Assessment (EIA) in accordance with these policies and provisions. The EIA was supportive of the application. Additional information submitted by one of the owners demonstrated that there was no other feasible location for the addition. Therefore, the minor variance was considered as maintaining the intent of the Official Plan and Zoning By-law. The variance can be considered as desirable. Ms. Moore highlighted that the addition was designed to minimize the loss of natural vegetation and visual buffers, and maximum the functionality of developable area on the property. The Hydrogeological Investigation submitted with the application found that the property can support an additional septic system. Any potential impacts would be mitigated by following the recommendations listed within the scoped EIA and the Hydrological investigation. The Planner went on to note that the variance can be considered minor, as the proposed development largely meets the 30 metre water setback. She refers to the scoped EIA, which noted that only approximately 25.6 square meters of the development is proposed within the water setback, half of which is above ground level. Ms. Moore further highlighted

that the scoped EIA found the development would not have a greater impact beyond what currently exists on site.

The Planner concluded her summary by recommending the requested variance for a reduced water setback for the new addition at 1232 Mill Ridge Road be granted.

The Chair asked the Committee members if they had any questions or comments of the Planner. Member Tremblay had a question relating to the new septic system design. Ms. Moore directed the Committee to ask the agent. The agent, Mr. Laplante, addressed the question, and noted more details would be provided at the building permit stage.

Mr. Laplante was asked if he wished to address the Committee. He said he did not. The Chair then asked the Committee members if they had any questions of the agent. There were no questions.

Lastly, the Chair asked if any other persons wished to address the Committee. Bill Sellars spoke on behalf of himself and his wife Cindy Sellars. He reiterated his written concerns about the proposed new septic system, traffic, and construction. Through the Chair, Mr. Laplante addressed several of the septic concerns. He explained that the location of the new septic system is a proposed location, and that it could be located elsewhere. Mr. Laplante further mentioned the owner is looking into upgrading the existing system, which is further from the Sellars property. Chair Asselin noted that the traffic and construction concerns are by-law enforcement issues that are outside of the Committee's jurisdiction. Member Hoddinott also pointed out that condition no. 2 of the recommended decision would address Mr. and Mrs. Sellar's concerns about the septic system being too close to their well.

Upon the request of Chair Asselin, Ms. Moore read the draft decision to approve the requested variance to permit a reduced minimum water setback of 27 metres for an addition to the existing dwelling. The Chair asked if the Committee was satisfied with the decision. Member Tremblay noted that he agreed with the planner's report and was satisfied with the list of conditions. Member Hoddinott noted that the requested variance was to be associated with 1232 Mill Ridge Road and not 1238 Mill Ridge Road. By a show of hands, all members endorsed the decision.

At the request of the Chair, Ms. Moore read the appeal rights as set out in the Planning Act. She explained the notice of decision to be given and the 20 day appeal period starting the date the decision is made.

Chair Asselin declared the hearing over at 4:37 p.m.



Chair Asselin



Secretary