

**TOWNSHIP OF McNAB/BRAESIDE
COMMITTEE OF ADJUSTMENT
AGENDA**

**Thursday, August 8, 2024 - 1:00 p.m.
Township Municipal Office
2473 Russett Drive**

1. Call to open hearing.
2. Minutes of the previous hearing, July 25, 2024.
3. Declaration of a Pecuniary Interest (Money/Financial).
4. Consideration of Application No. A-9/24
632 Caruso Circle – Keith Blimkie
 - (a) Purpose of the Application
 - (b) Confirmation of Dates
 - (c) Confirmation of Notice
 - (d) Reading of Written Comments
 - (e) Overview of Planning Report
 - (f) Discussion and Public Participation
6. Decision by Committee for Application No. A-9/24, or call for a further hearing if required.
7. Appeal Rights
8. Adjournment

CORPORATION OF THE TOWNSHIP OF McNAB/BRAESIDE
2473 Russett Drive, Arnprior, Ontario K7S 3G8

Application for Minor Variance

Note: The "*" identifies prescribed information outlined in Ontario Regulation 200/96

PART I GENERAL INFORMATION

1. APPLICANT/OWNER INFORMATION

a) *Applicant's Name(s): Keith Blimkie
*Address: 632 Caruso Circle, Braeside, ON
*Phone #: Home () Work () Cell () 613-327-2143
E-mail: keithblimkie14@gmail.com

b) *The applicant is: the registered owner an agent authorized by the owner]

c) If the applicant is an agent authorized by the owner, please complete the following:

*Name of Owner: _____
*Address of Owner: _____
*Phone #: Home () Work () Cell () _____

d) To whom should correspondence be sent? Owner Applicant Both]

2. *PROVIDE A DESCRIPTION OF THE SUBJECT LAND:

Street Address: 632 Caruso Circle, Braeside, ON

Concession: Conc. B Lot: W. PT. Lot 21 PT ALL RD

Registered Plan No.: _____ Block or Lot No(s). in the Plan: _____

Reference Plan No.: 49R11716 Part No(s): Part 2

3. *CURRENT DESIGNATION OF THE SUBJECT LAND IN THE OFFICIAL PLAN (IF ANY):

Rural

4. *CURRENT ZONING OF THE SUBJECT LAND:

Rural (RU)

PART II DETAILS OF THE APPLICATION

17-2d
KS
JUL 11/24
6.

5. ***PLEASE STATE THE NATURE AND EXTENT OF THE RELIEF FROM THE ZONING BY-LAW** 1. Section 3.3.4, and 17.2(c) of the RU Zone - To reduce the minimum front yard setback from 7.5 metres to 2.39 metres at the front southeast corner of the carport; and to 2.97 metres at the front southwest corner of the carport. The new carport will follow the established front yard building line.

2. Section ~~3.3.4~~ - To reduce the minimum southeast side yard setback from 3.0 metres to 1.2 metres for both corners of the carport

6. ***WHAT IS THE REASON WHY THE PROPOSED USE CANNOT COMPLY WITH THE PROVISIONS OF THE ZONING BY-LAW?**

Property is an existing undersized lot of 930.1 square metres and shallow with an average lot depth of ~ 35 metres.

7. ***DIMENSIONS OF THE SUBJECT LAND:**

Frontage: 87.5 ft (26.68 m) Depth: 105 ft (32.0 m) Area: 0.23 Ac (930 sq m)

8. ***PLEASE MARK BELOW THE ACCESS TO THE SUBJECT LAND:**

Provincial Highway Municipal Road Maintained All Year
 Municipal Road Maintained Seasonally Right Of Way Water
 Other Public Road: _____

9. ***IF THE ONLY ACCESS IS BY WATER, PLEASE STATE BELOW THE PARKING AND DOCKING FACILITIES THAT ARE TO BE USED, AND THE DISTANCE OF THESE FACILITIES FROM THE SUBJECT LAND AND FROM THE NEAREST PUBLIC ROAD:**

10. ***WHEN WAS THE SUBJECT LAND ACQUIRED BY THE CURRENT OWNER?**

October 2 1987

11. ***WHAT ARE THE EXISTING USES OF THE SUBJECT LAND AND HOW LONG HAVE THEY CONTINUED?**

#1 Rural Since: House and shed were built 1970 / 54 Years

#2 _____ Since: _____ / _____ Years

12. ***ARE THERE ANY BUILDINGS OR STRUCTURES ON THE SUBJECT LAND?**

Yes No

13. ***WHAT ARE THE "PROPOSED" USES OF THE SUBJECT LAND?**

The addition of a new attached carport on the south side of the dwelling

14. ***WILL ANY BUILDINGS OR STRUCTURES BE BUILT ON THE SUBJECT LAND?**
 Yes No

15. ***PROVIDE THE FOLLOWING DETAILS FOR ALL EXISTING OR PROPOSED BUILDINGS OR STRUCTURES ON THE SUBJECT LAND: (use a separate page if necessary)**

Type of building or structure	EXISTING			PROPOSED	
	House	Shed		Attached Carport	
Setback from the front lot line	11'-8" (3.56m)	64' (19.51m)		7'-10" (2.39m)	
Setback from the rear lot line	51' (15.56m)	36' (10.97m)		76'-2" (23.2m)	
Setbacks from the side lot lines	6'-5.5" (1.98m)	4' (1.22m)		3'-10" (1.2m)	
Height (in metres)	22'-6" (6.86m)	12' (3.66m)		19' (5.79m)	
Dimensions or floor area	1260 sq ft 117 sq m	112 sq ft (10.4 sq m)		544 sq ft 50.54 sq m	
Date constructed	1970	1970			

16. ***INDICATE HOW WATER IS SUPPLIED AND HOW SEWAGE DISPOSAL IS PROVIDED TO THE SUBJECT LAND:**

WATER

SEWAGE

- | | |
|--|---|
| publicly owned and operated piped water system <input type="checkbox"/> | publicly owned and operated piped sanitary sewage system <input type="checkbox"/> |
| privately owned and operated individual well <input checked="" type="checkbox"/> | publicly owned and operated communal septic system <input type="checkbox"/> |
| privately owned and operated communal well <input type="checkbox"/> | publicly owned and operated individual septic system <input type="checkbox"/> |
| lake or other water body <input type="checkbox"/> | privately owned and operated individual septic system <input checked="" type="checkbox"/> |
| other means: _____ <input type="checkbox"/> | privy <input type="checkbox"/> |
| | Other means: _____ <input type="checkbox"/> |

17. ***HOW IS STORM DRAINAGE PROVIDED?**

Sewers Ditches Swales Other Means

18. ***IS THE SUBJECT LAND ALSO THE SUBJECT OF AN APPLICATION FOR APPROVAL OF A PLAN OF SUBDIVISION OR CONSENT?** Yes No Don't Know

***IF YES, PLEASE STATE, IF KNOWN, THE FILE NO. AND THE STATUS OF THE APPLICATION:**

File No.: _____ Status: _____

19. ***HAS THE SUBJECT LAND EVER BEEN THE SUBJECT OF AN APPLICATION UNDER SECTION 45 OF THE PLANNING ACT? (i.e. previous minor variance application)**

Yes No Don't Know

20. APPLICATION SKETCH

On a separate page(s), please provide a sketch, preferably prepared by a qualified professional, showing the following: (In some cases, it may be more appropriate to prepare additional sketches at varying scales to better illustrate the proposal.)

- Boundaries and the dimensions of the subject land for which the amendment is being sought.
- The location, size and type of all existing and proposed buildings and structures, indicating the distances from the front yard lot line, rear yard lot line and the side yard lot lines.
- The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
- The current uses on land that is adjacent to the subject land.
- The location, width, and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way.
- If access to the subject land is by water only, the location of the parking and docking facilities to be used.
- The location and nature of any easement affecting the subject land.
- Applicant's Name
- Date of Sketch
- The scale to which the sketch is drafted (e.g. 1 cm = 50 m)
- North Arrow
- The locations and dimensions of off-street parking spaces and off-street loading facilities
- Planting strips and landscaped areas
- Buildings to be demolished or relocated.

PART III AUTHORIZATION OF OWNER FOR AGENT TO MAKE THE APPLICATION:

(If affidavit (Part IV) is signed by an Agent on Owner's behalf, the Owner's written authorization below must be completed)

I (we) _____

of the _____

in the _____

do hereby authorize _____ to act as my/our agent in this application.

Signature of Owner(s)

Date

10. DECLARATION OF FEES INCURRED

The Owner/Agent agrees to reimburse and indemnify the Township of McNab/Braeside of all fees and expenses incurred by the Township of McNab/Braeside to process the application, including any fees and expenses attributed to proceeding before the Local Planning Appeal Tribunal or any court or other administrative tribunal if necessary to defend Council's decision to support the application.

The Owner/Agent also agrees to deposit with the Township of McNab/Braeside such monies as required by the Township of McNab/Braeside's Tariff of Fees By-Law as amended to defend appeals brought before the LPAT by parties other than the Applicant/Agent or Township.

The required fee for the processing of this application shall be in accordance with the Township of McNab/Braeside's current Tariff of Fees By-Law pertaining to planning matters. The Fees prescribed do not include professional fees, (ie. legal or engineering) or extra public meetings. Prior to undertaking any of these matters the applicant agrees to reimburse the Municipality for all charges related to the application. Fees required for the processing of this application are required at the time of submission. The amount of the required fees should be confirmed with the Township prior to the submission of the application.

July 9/2024
Date

[Signature]
Signature of Owner/Agent

Date

Signature of Owner/Agent

PART IV *AFFIDAVIT: (This affidavit must be signed in the presence of a Commissioner)

I (we) Keith Blimkie

of the 632 Caruso Circle

in the Township of McNab Braeside, County of Renfrew

solemnly declare that all of the information required under Ontario Regulation 200/96, and the statements contained in this application are true, and I, (we), make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the **CANADA EVIDENCE ACT**.

DECLARED before me at the Township of McNab/Braeside
in the County of Renfrew this 9th day of July, 2024

[Signature]
Signature of Owner or Authorized Agent

9-Jul-2024
Date

[Signature]
Signature of Commissioner
Christina Catherine Mulcahey, a Commissioner, etc., Province of Ontario, for the Corporation of the Township of McNab/Braeside. Expires July 31, 2024.

July 9/24
Date

NOTE: One of the purposes of the Planning Act is to provide for planning processes that are open, accessible, timely and efficient. Accordingly, all written submissions, documents, correspondence, e-mails or other communications (including your name and address) form part of the public record and will be disclosed/made available by the Township to such persons as the Township sees fit, including anyone requesting such information. Accordingly, in providing any such information, you shall be deemed to have consented to its use and disclosure as part of the planning process.

(To be completed by the Municipality)

"COMPLETE" APPLICATION AND FEE OF \$1,100 + 3,000 Deposit RECEIVED BY THE MUNICIPALITY:

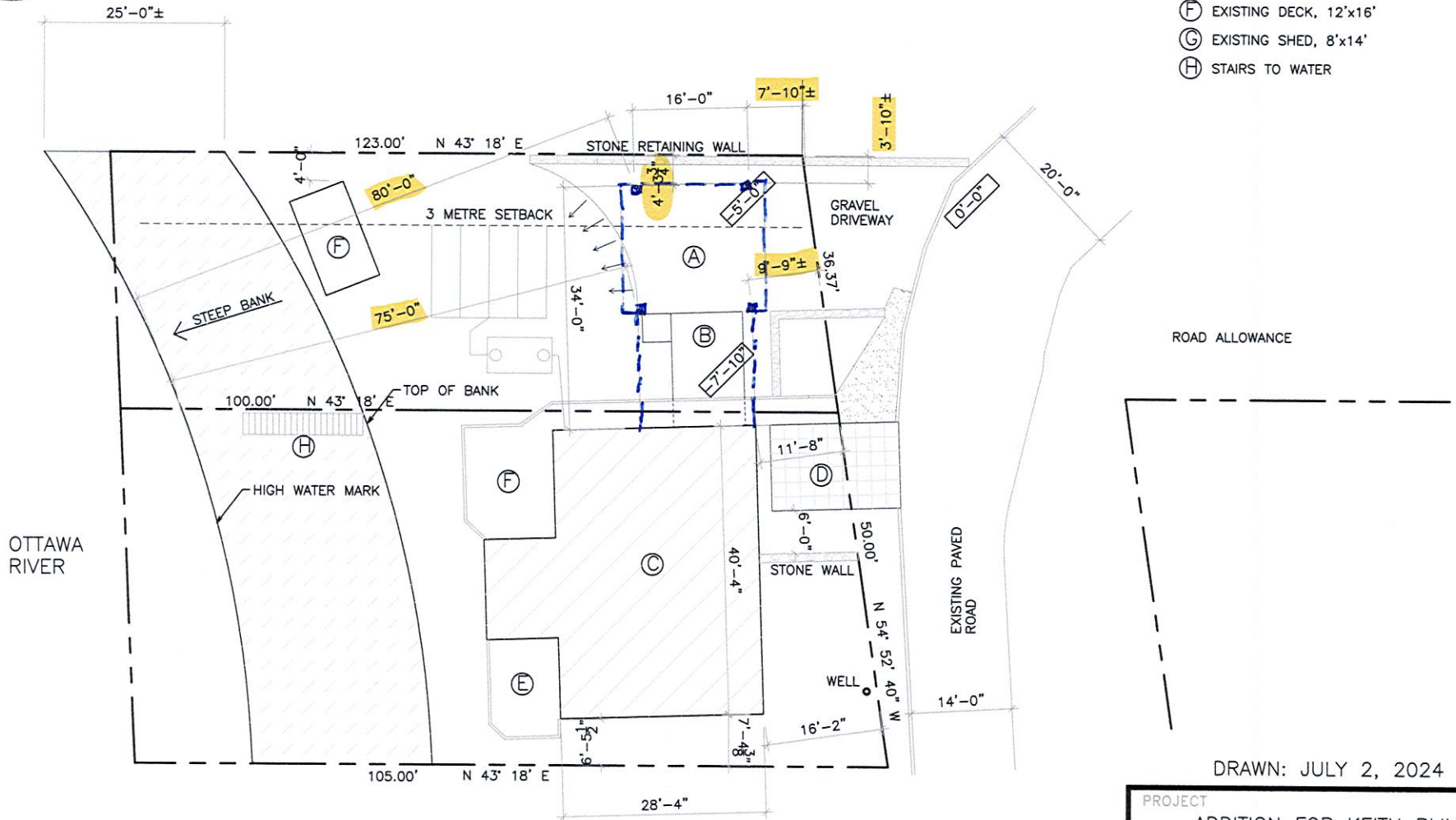
July 9, 2024
Date

[Signature]
Signature of Municipal Employee

Roll Number



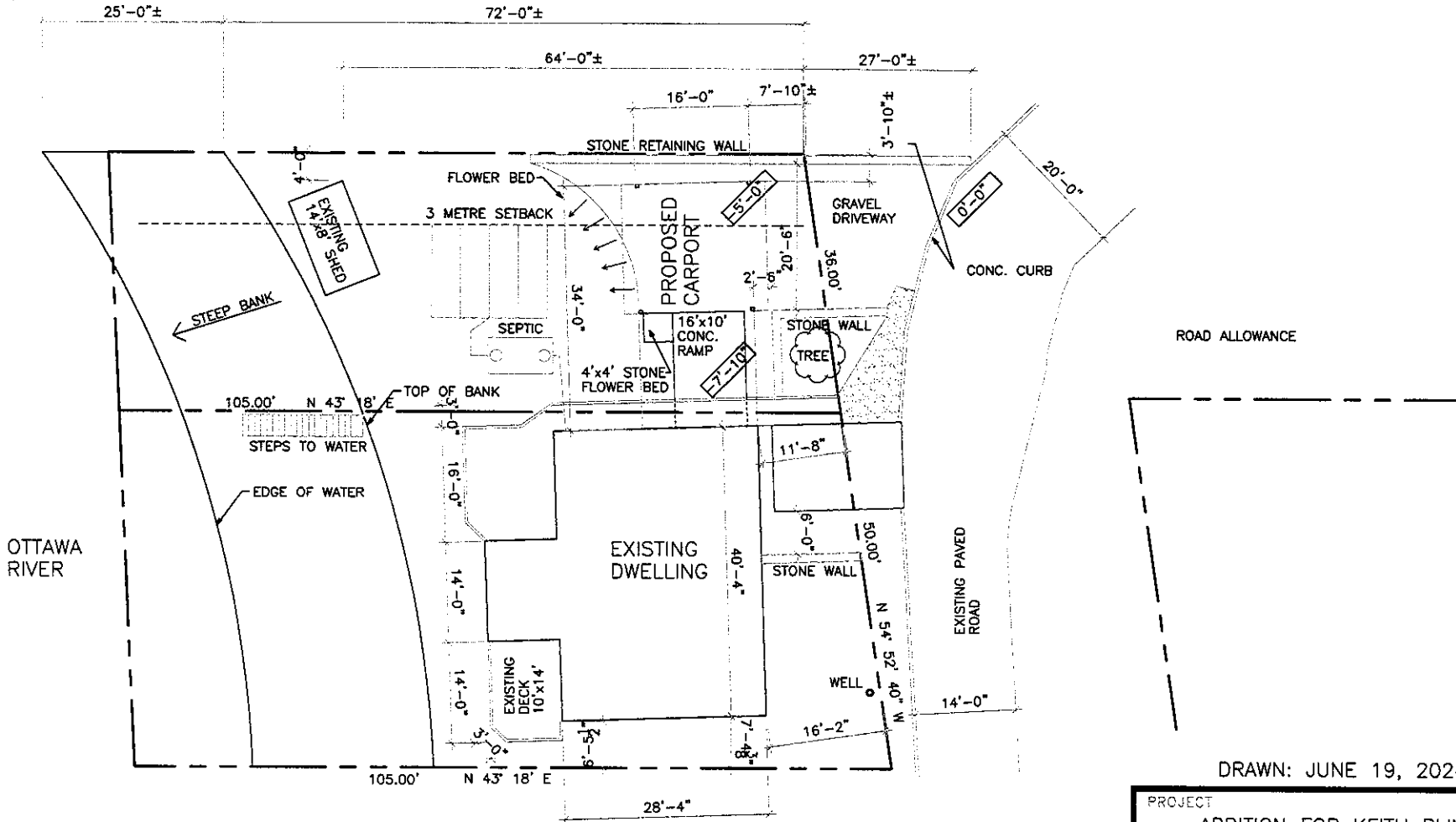
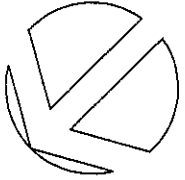
- (A) PROPOSED CARPORT, 34'x16'
- (B) CONCRETE RAMP, 10'x16'
- (C) EXISTING HOUSE, 1260 SQ FT
- (D) EXISTING PARKING AREA, 11'x16'
- (E) EXISTING DECK, 10'x14'
- (F) EXISTING DECK, 12'x16'
- (G) EXISTING SHED, 8'x14'
- (H) STAIRS TO WATER



ROAD ALLOWANCE

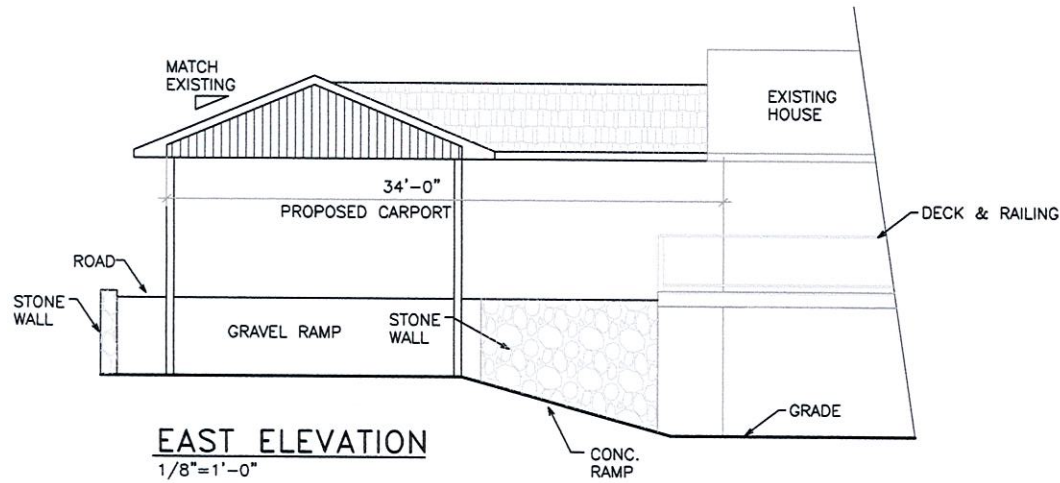
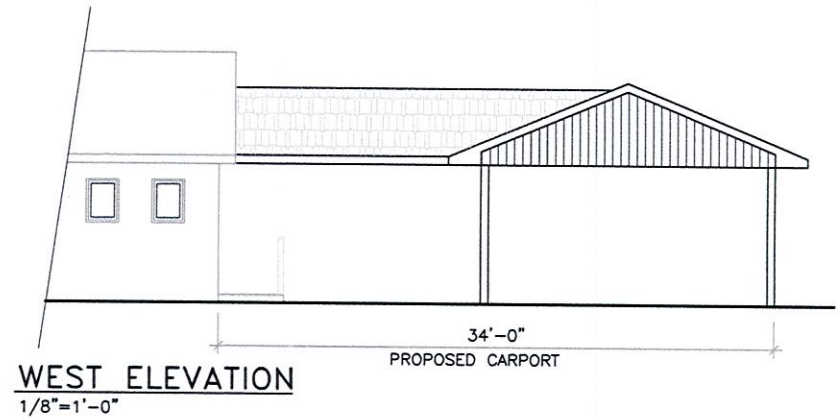
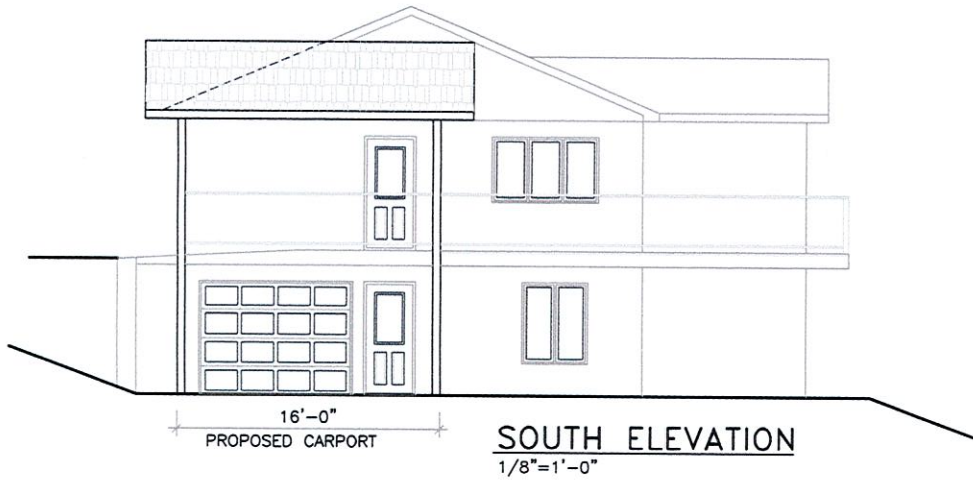
DRAWN: JULY 2, 2024

PROJECT	ADDITION FOR KEITH BLIMKIE	
DRAWN BY	JACQUES BENOIT	
SCALE	1"=15'-0" U/N	REV #



DRAWN: JUNE 19, 2024

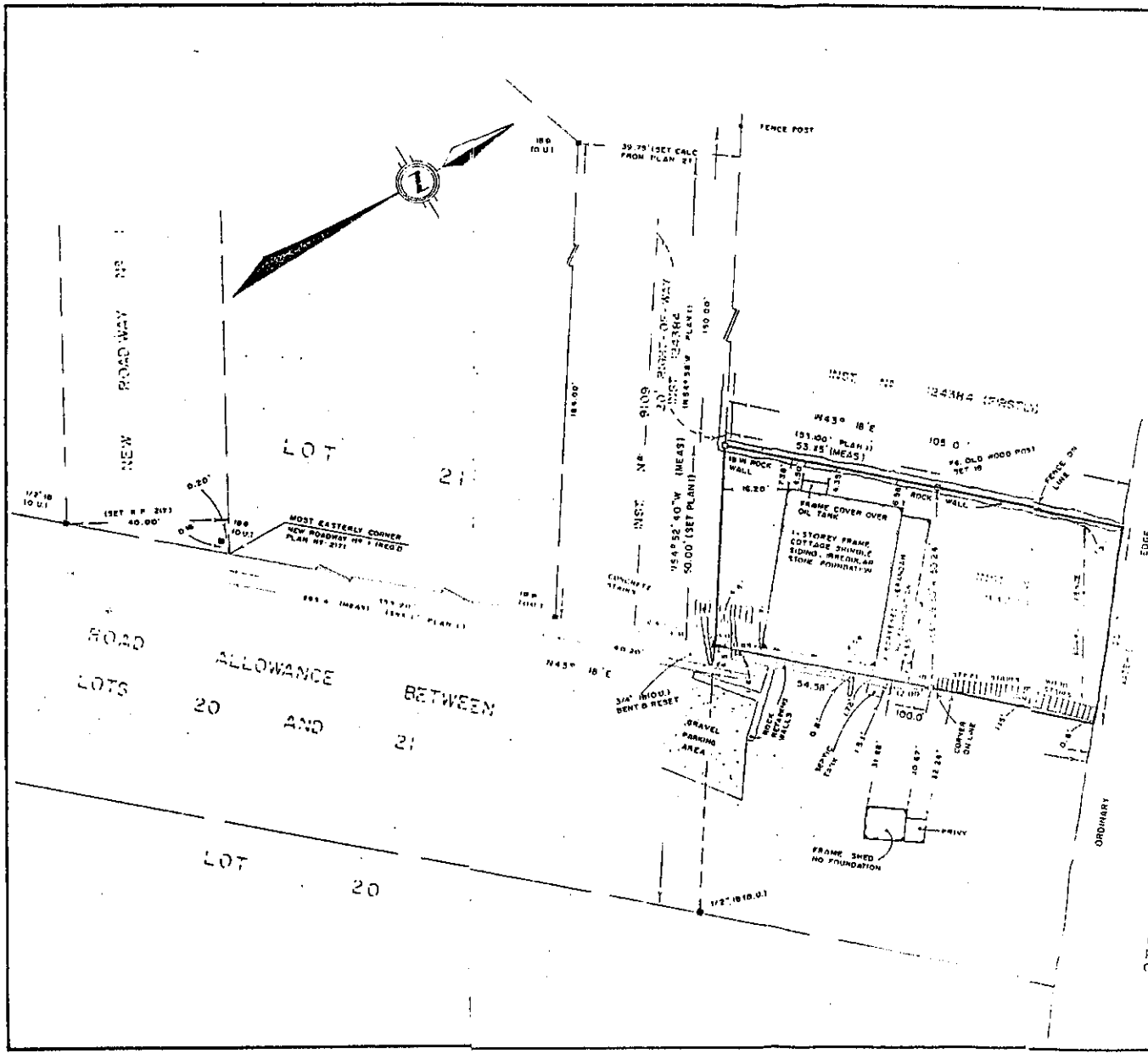
PROJECT	ADDITION FOR KEITH BLIMKIE	
DRAWN BY	JACQUES BENOIT	
SCALE	1"=15'-0" U/N	REV #2



PROJECT	ADDITION FOR KEITH BLIMKIE
DRAWN BY	JACQUES BENOIT
SCALE	1/8"=1'-0" U/N
REV #	0

BUILDING LOCATION SURVEY
 OF PART OF
LOT 21, CONCESSION B
TOWNSHIP OF McNAB
COUNTY OF RENFREW
 SCALE: 1 INCH = 20 FEET
 SURY, ROWE & KASPRZAK LIMITED
 1987

BEARINGS ARE ASTRONOMIC, AND ARE REFERRED TO THE ROAD ALLOWANCE BETWEEN LOTS 20 AND 21, SHOWN ON A PLAN BY H.R. FARLEY, O.L.S., DATED AUG. 6, 1957 HAVING A BEARING OF $N43^{\circ}18'E$.



SURVEYOR'S CERTIFICATE	
I CERTIFY THAT THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS COMPLETED ON THE 30TH DAY OF APRIL, 1987.	
DATE: APRIL 30, 1987	
LEGEND OF ABBREVIATIONS IN - IRON NAIL STN - TERMINAL IRON NAIL WIT - WITNESS * - * - * - FENCE 13 - MONUMENT ALL ■ - MONUMENT FOUND ○ - ROUND WIT - WITNESS (S/R) - DENOTES GIBSON, SURY & ROWE LTD (O.U.) - ORIGINAL UNKNOWN (PLAN 1) A PLAN BY C.G. TAYLOR, O.L.S., DATED AUG. 11, 1949 ATTACHED TO INSTR. 1104 (PLAN 2) A PLAN BY C.G. TAYLOR, O.L.S., DATED APRIL 16, 1949 ATTACHED TO INSTR. 1104	
THIS IS NOT A VALID COPY UNLESS EMBOSSED WITH SURVEYOR'S SEAL	
© COPYRIGHT SURY, ROWE & KASPRZAK LTD 1987	
SURY, ROWE & KASPRZAK LIMITED	
ONTARIO LAND SURVEYORS	ARRPRIOR and RENFREW
673 5080	432-5048
SCALE: 1" = 20'	DRAWN: J.Y.
REV: 5787	CHECKED: J.Y.

EASTERLY CORNER
ROADWAY NO. 1 (REG'D
NO. 217)

33.4' (MEAS) 353.20'
(393.1' PLAN 1)

21

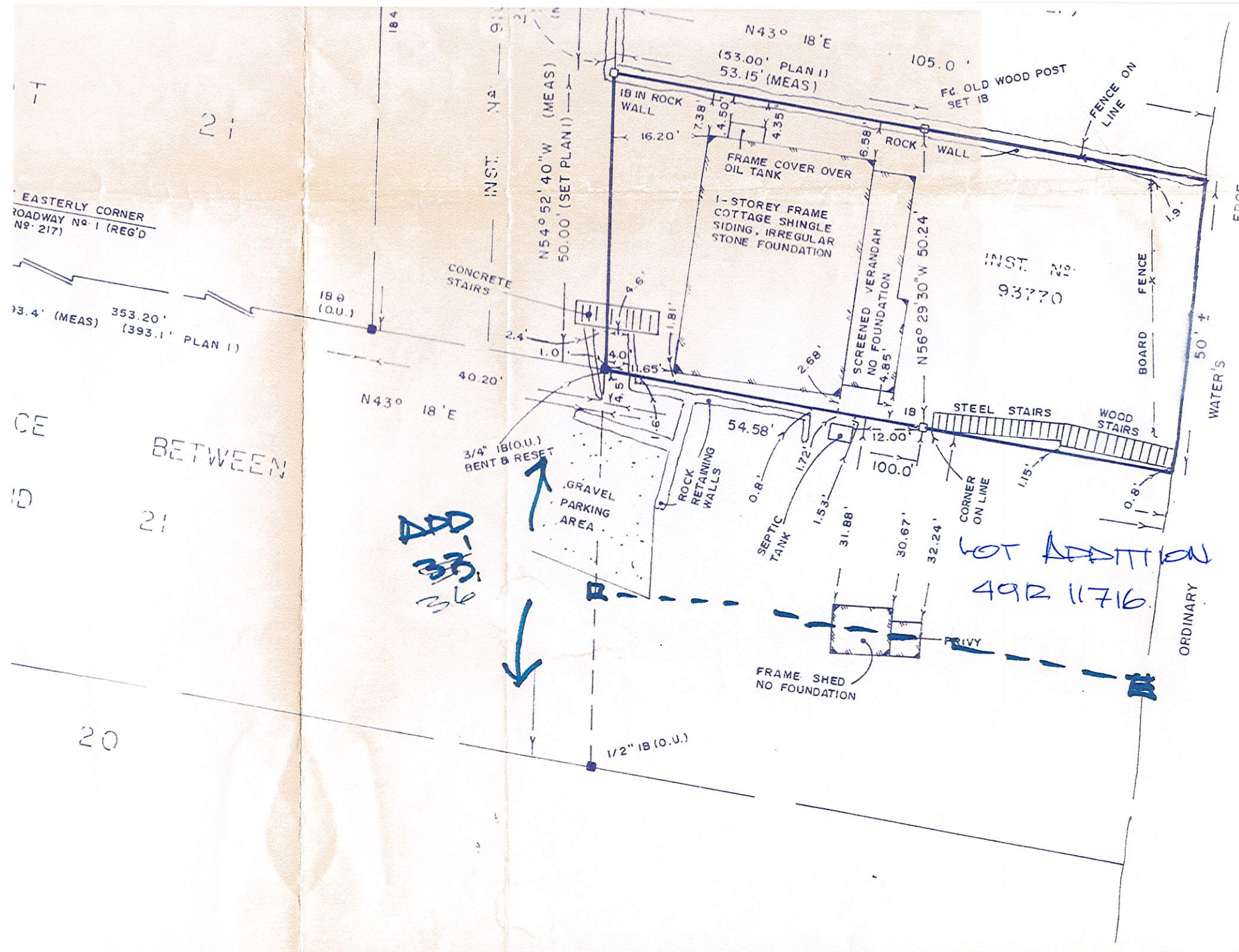
CE
ID
BETWEEN

21

20

33
33
36

LOT ADDITION
492 11716



INST. No. 93770

ORDINARY



MINOR VARIANCE PLANNING REPORT

PART A – BASIC INFORMATION

1. FILE NO.: A-9/24
2. APPLICANT: Keith Blimkie
3. MUNICIPALITY: Township of McNab/Braeside
(geographic Township of McNab)
4. LOT: 21 CONCESSION: B STREET: 632 Caruso Circle

SUBJECT LANDS

5. COUNTY OF RENFREW
OFFICIAL PLAN
Land Use Designation(s): Rural
6. TWP OF McNAB/BRAESIDE
ZONING BY-LAW 2010-49
Zone Category(s) Rural (RU)

7. **DETAILS OF MINOR VARIANCE REQUEST**

The application requests variances to various sections of the Township's Zoning By-law for a reduced front yard depth and a reduced southeast side yard width to permit an attached carport in the southeast side yard of this residential lot.

8. **SITE PERFORMANCE STANDARDS**

<u>Zoning By-law Standard</u>	<u>Required</u>	<u>Proposed</u>
Section 3.8(a) Encroachments in required minimum yards	Eaves a maximum of 0.6 metres	<i>Eave overhang of carport roof in side yard - unknown</i>
Section 17.2(c) Minimum Front Yard Depth in the Rural (RU) Zone	7.5 metres	<i>2.39 metres to the south supporting post 2.97 metres to the west supporting post</i>

Section 17.2(d) Minimum Side Yard Width in the Rural (RU) Zone

3.0 metres

1.2 metres to the south supporting post

1.31 metres to the east supporting post

9. SITE CHARACTERISTICS AND SETTING

The subject property is outlined in yellow, in the adjacent figure. It is located just southeast of Rhoddy's Bay on the Ottawa River. The lot is considered an existing undersized lot with a lot area of 930.1 square metres and an average lot depth of 36 metres.



The property contains a long-existing dwelling with a basement garage, decks, an accessory shed and is serviced by a well and septic system. The dwelling was likely located at the front of the lot because the lot has a notable slope from the road down to the Ottawa River. A small portion of the lot falls within the Ottawa River floodplain. The regulatory floodline which in this location coincides with the floodway boundary is shown as a blue dotted line in the adjacent figure. The majority of the subject property is outside of the river's floodway.

Three Google Street views of the property, on the next page, show the changes in elevation at the front and sides of the property. The highest elevation of the lot is at street level.

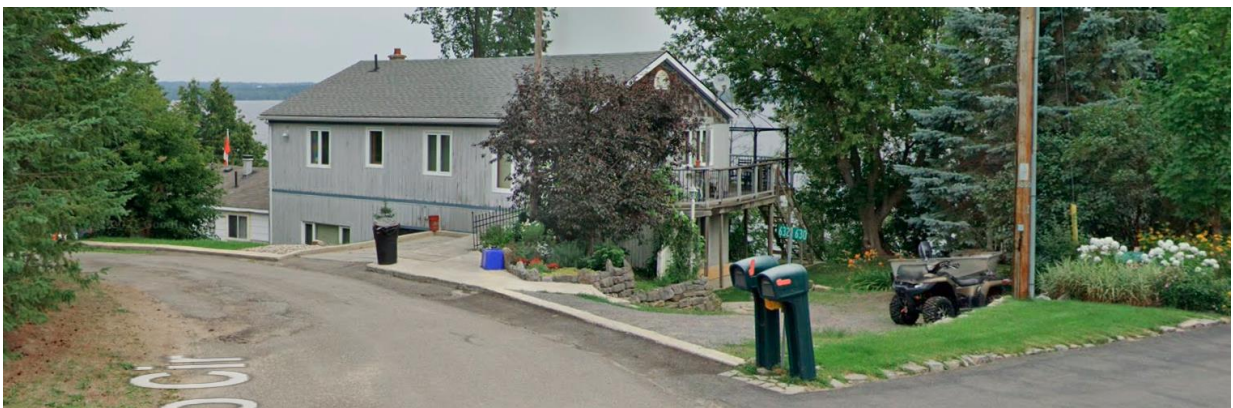
Photo 1 shows that although the dwelling is located fairly close to the road and is two storeys in height, from the street it partially appears to be lower than two storeys. The proposed carport would tie into the right side of the dwelling.



Photo 2, below, shows the existing landscaping at the front of the property, and the existing driveway leading to where the carport is proposed. The cement ramp, on the left, leading down to the basement garage is just visible. Large coniferous trees and a retaining wall are visible along the southeast lot line abutting 630 Caruso Circle.



Photo 3 shows the southeast end of the dwelling to which the carport is proposed to connect. It also shows the driveway dipping down to the proposed building site. Behind the dwelling, the lot drops off towards the Ottawa River.



The area in which the subject property is located is shown in the figure below. It is a relatively built-up area consisting of numerous long-existing, waterfront, residential lots that stretch along the riverfront to the northwest and southeast of the subject lands. Immediately to the southwest is a cluster of residential lots surrounded by the roadway known as Caruso Circle. The lots in the area are of varying sizes but the vast majority of them are also undersized lots, where development is constrained. Beyond that to the south are larger vacant properties. The Ottawa River is located to the northeast. The regulatory floodline is shown in a dotted blue line. The floodway boundary is shown in the solid blue line. For this and the abutting properties, these two lines coincide.

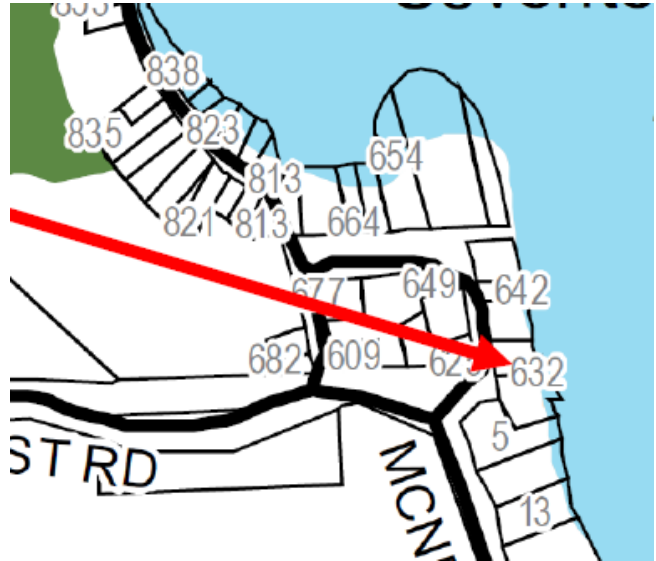


10. **OFFICIAL PLAN**

The subject lands are designated Rural in the County of Renfrew Official Plan.

Section 5.3(1) of the Rural designation permits low density residential uses.

Section 2.0 General Policies contains various policies that may apply to properties and new development. Section 2.2(9)(e)(1) are policies for floodplains where FDRP (Flood Damage Reduction Program) mapping is available. They identify the floodway as being the inner portion of the floodplain where no development or site alteration are permitted. Between the floodway and the regulatory floodline is the flood fringe where floodproofed development may be permitted.



Section 2.2(11) Water Setback and Protection of Shoreline Integrity identifies a required minimum 30 metre setback for development from the high water mark of a water body. High water mark is defined as the point where the action of water has been so common and usual that it has created a condition where the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark is different. Section 2.2(11)(b) references the types of experts that can confirm the location of the high water mark. This includes chief building officials. The policy identifies that the lands within the water setback are to be retained where possible in its natural state to serve as a buffer minimizing land-surface transport of nutrients to the water body and maintain natural views from the water.

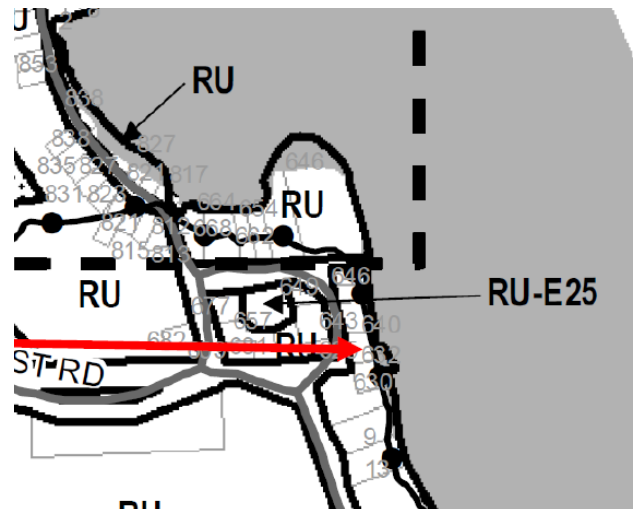
Section 13.3(3) requires that any new development proposing access to, or fronting on, a Township road must satisfy all requirements of the road authority.

11. **ZONING BY-LAW**

The subject land is zoned Rural (RU) in the Township’s Zoning By-law. Section 17.1(a) of the Rural (RU) Zone permits low density residential uses.

Section 17.2(c) requires a minimum 7.5 metre depth from the front lot line, and Section 17.2(d) requires a minimum 3.0 metre side yard depth.

Section 2.0 Definitions lists various terms used within the Zoning By-law and provides definitions.



Section 2.101 HIGH WATER MARK means the mark made by the action of water under natural conditions on the shore or bank of water, which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark.

Section 3.0 General Provisions contains various provisions that may apply to a property or new development.

Section 3.3.7 states that buildings and structures shall not be considered accessory if attached to the main building.

Section 3.8(a) Encroachments on Required Yards permits eaves to encroach in all yards a maximum of 0.6 metres.

Section 3.23(c) requires development adjacent to a Township road to meet the road authority's requirements.

Section 3.23(d) states that where an existing lot of record situated between two existing dwellings separated by not more than 100 metres, the minimum water setback may be reduced to the building line established by the two existing dwellings, provided that it shall not be less than 15 metres from the high water mark.

12. **STUDIES**

None submitted and none required.

13. **COMMENTS**

As required by the Planning Act, all property owners within 60 metres of the subject property have been notified of the application. The applicant has also posted notice on site on July 15, 2024. Public agencies have been notified, as required, including Ontario Power Generation.

Should any additional comments be received they will be provided at the Hearing.

AGENCY COMMENTS

Township of
McNab/Braeside
Staff

July 15, 2024

- Chief Building Official – no comments or concerns
- Director of Public Works – no comments or concerns
- Fire Chief – no concerns

PUBLIC COMMENTS

None at the time of writing this report.

14. **GENERAL PLANNING COMMENTS**

Section 45(1) of the Planning Act provides that a Committee of Adjustment may authorise a minor variance from the provisions of the zoning by-law if the request maintains the general intent and purpose of both the Official Plan and the Zoning By-law, if the development is desirable and appropriate for the lands, building or structure and the variance is in fact minor.

Ottawa River Floodplain

The General policies of the Official Plan identify floodplains and how development is to occur to avoid harm to life and property. The floodplain mapping shows that the subject property is impacted by the floodplain near the shoreline of the Ottawa River. However, the location of the proposed carport is outside of the FDRP mapped floodway boundary. The floodplain is not an issue for this proposal.

Water Setback

The property is also subject to the water setback and shoreline integrity policies of the Official Plan. The intent is that development be set back far enough from the water to reduce impact on the water quality of water bodies, due to the land transport of nutrients and sediment. Generally, the minimum required setback from the high water mark is 30 metres. However, the policies do recognize that in the case of small existing lots where the setback cannot be met, development should be located as remotely as possible from the high water mark. In keeping with this, the Zoning By-law also recognizes that it may not be possible to meet the minimum 30 metre water setback for existing undersized lots and allows for a reduced water setback in line with existing development on either of side of the lot. This lot meets the water setback requirements of Section 3.23(d) of the Zoning By-law because the dwellings on either side of 632 Caruso Circle are within 100 metres of each other and closer to the shoreline than 632 Caruso Circle. Therefore, a reduced 15 metre setback is permitted.

The application sketch dated July 2, 2024 identifies the high water mark and that the rear of the carport is 22.86 metres (75 feet) from that high water mark. The sketch was prepared by Mr. Jacques Benoit, who is a practicing, professional municipal chief building official and is considered as a qualified person to determine the location of a high water mark, as set out in the Official Plan policies. The proposed carport therefore meets the water setback requirements based on the circumstances of the lot.

Proposed Carport

The proposed carport is described as a post and roof construction with no enclosed walls. The carport roof is proposed to extend and connect to the existing house so that it also covers the existing ramp to the basement garage. The carport would therefore be considered as part of the main dwelling, as set out in Section 3.3.7 of the Zoning By-law, and is required to meet the building setbacks for a main use in the Rural (RU) Zone, for this property.

The requested reductions to the minimum front and side yards are shown on the application sketch as being measured from the front and side lot lines to the supporting posts. The sketch shows a roof overhang extending beyond the posts at the front and back of the carport, but at the side of the carport the roof is shown being in line with the posts. However, the preliminary building elevations shows a roof overhang on the front, back and side of the carport. Section 3.8(a) Encroachments on Required Yards permits eaves to encroach in all minimum required yards a maximum of 0.6 metres.

If the carport roof is constructed as depicted in the building elevation plans with a maximum 0.6 metre eave encroachment into the requested reduced front and side yards:

- the front eave of the carport could be 1.79 m (5.8 ft) and 2.37 m (7.77 ft) from the front lot line, and
- the side eave of the carport could be 0.71 m (2.3 ft) and 0.6 m (1.97 ft) from the southeast side lot line.

There are no concerns with the eaves encroaching into the reduced front and rear yard setbacks provided roof stormwater is properly managed, as described in Potential Impacts, below.

Existing Landscaping

The applicant has advised that:

- the site of the new carport will be levelled;
- the existing landscaping will remain unchanged;
- the existing trees will not be removed;
- the existing retaining wall along the southeast side lot line will remain as is.

Potential Impacts

Potential impacts of the carport as proposed would include:

- visual impacts from the street and the abutting property 630 Caruso Circle to the southeast;
- erosion, stormwater and sediment run-off during construction; and
- post development stormwater run-off.

The visual impacts from both the street and the abutting 630 Caruso Circle are anticipated to be minimal. The travelled portion of Caruso Circle curves away, in front of the proposed carport. Also, the carport is open-sided and none of the existing landscaping and vegetation is proposed to be removed.

Stormwater and drainage must be managed within the boundaries of the subject property. With the roofline/eaves at reduced setbacks from the lot lines there is potential for roof stormwater drainage to negatively impact 630 Caruso Circle and the Ottawa River. This can occur both during site preparation and post construction. There is also potential for some erosion, and sediment transfer down the slope to the Ottawa River. These potential drainage and erosion impacts can be effectively managed with standard best management practices that can be implemented as conditions of approval. Recommended conditions would include:

- (i) Effective sediment and erosion control measures are to be maintained until complete re-vegetation of disturbed areas is achieved. Silt fencing is to be installed along the edges of the work areas. The silt fencing is to be properly dug-in to treat any surface water flow and is maintained as required, including removal of accumulated sediment.
- (ii) The extent of exposed soils is to be kept to a minimum at all times. Re-vegetation of exposed, non-developed areas is to be achieved as soon as possible.
- (iii) Drainage and rooftop run-off is to be contained on-site and managed so it does not cause surface sedimentation run-off to neighbouring properties and the Ottawa River. Eavestroughing is to be installed on all eaves and be drained to downspouts discharging to coarse granular gravel/crushed rock receptors, rain barrels or rain gardens.

Intent of the Official Plan and Zoning By-law

The Rural land use designation in the Official Plan permits low density residential uses with the intent to protect rural character and natural resources of the County. The Rural designation and the Rural (RU) Zoning is applied to lands outside of designated settlement areas in the municipality and allow low density residential uses, that includes normal incidental uses (i.e. sheds, garages). However, this small enclave in the rural area has characteristics that are more similar to built-up areas where the lots have relatively small lot areas and frontages that impact development potential. The Township's Zoning By-law recognizes that small existing lots can constrain development potential and includes more lenient building provisions for smaller lots such as this one.

This lot is constrained by the close proximity of the dwelling to the front lot line along Caruso Circle, the shallow lot depth and the elevation drop to the Ottawa River. Based on the lot constraints, the characteristics of the surrounding lots, the variances requested for the proposed open-sided carport meets the intent of the Official Plan and Zoning By-law.

Is the variance desirable

The carport as proposed has been designed for additional functionality for the existing residential use. Its design as a post and roof structure reduces visual impact from the road, 360 Caruso Circle and the rear yard. Even with reduced setbacks and encroaching eaves, the carport would be located such that existing landscaping and trees, and the yard sloping to the river will not be modified. Impacts during site preparation, construction, and post-construction can be easily mitigated with standard best management practices to ensure no abutting lands and the Ottawa River are negatively impacted. Accordingly, the variances can be considered desirable.

Is the variance minor

There is no specific number or percentage that defines what is minor in the consideration of minor variance requests. The proposed request must be considered in the context of the proposed development, the site, surrounding uses and potential impacts.

As stated above, the location of the proposed carport is limited due to the existing site conditions of the property. The proposed carport requires a reduced minimum front yard setback from 7.5 metres to 2.97 and 2.39 metres to the west and south supporting posts of the carport, respectively. With a 0.6 metre roof overhang the eaves would be no closer than 2.37 m (7.77 ft) and 1.79 m (5.8 ft) from the front lot line. Although this seems to be a significant setback reduction, the impact of the reduced setback is lessened by the following factors:

- The travelled portion of Caruso Circle curves away from the front lot line in front of the proposed carport location providing a greater setback to the travelled road.
- The Township's Public Works Department has not identified any issues with this application.
- The proposed carport is completely open with no walls. It is only a post and roof structure.
- Roof stormwater can be properly managed through standard best management practices

Likewise, the minimum required side yard setback reduction from 3.0 metres to 1.2 metres and 1.31 metres to the southeast side lot line, with roof overhang would result in the eave being no closer than 0.71 m (2.3 ft) and 0.6 m (1.97 ft) to the southeast side lot line. This type of setback is in keeping with what is found in built up areas of smaller lot sizes where often minimum side yards are set at 1.2 metres with allowable eave encroachments into that setback. The impact of this reduced setback is lessened because:

- The proposed carport is completely open with no walls. It is only a post and roof structure which will reduce visual impact for the immediate neighbouring property at 630 Caruso Street.
- No change is proposed to existing trees and landscaping in the southeast side yard.
- The stone retaining wall along the southeast side lot line is remaining
- Roof stormwater can be properly managed through standard best management practices

As such, the variances for the requested front yard and side yard setback with allowable eave encroachments under Section 3.8(a) of the Zoning By-law can be considered minor.

15. RECOMMENDATIONS

That subject to any additional concerns or information raised at the Committee of Adjustment Hearing, the Committee approve the following variances to permit an attached post and roof, unenclosed carport at 632 Caruso Circle, as follows, subject to conditions:

1. Variances to Section 17.2(c) Front Yard Depth from a minimum of 7.5 metres to a minimum of 2.39 metres to the south supporting post and to a minimum of 2.97 metres to the west supporting post of the proposed carport;

2. A variance to Section 17.2(d) Side Yard Depth from a minimum of 3.0 metres to a minimum of 1.2 metres to the south supporting post and to a minimum of 1.31 metres east supporting post.

The following conditions are recommended:

- (i) Effective sediment and erosion control measures are to be maintained until complete re-vegetation of disturbed areas is achieved. Silt fencing is to be installed along the edges of the work areas. The silt fencing is to be properly dug-in to treat any surface water flow and is maintained as required, including removal of accumulated sediment.
- (ii) The extent of exposed soils is to be kept to a minimum at all times. Re-vegetation of exposed, non-developed areas is to be achieved as soon as possible.
- (iii) Drainage and rooftop run-off is to be contained on-site and managed so it does not cause surface sedimentation run-off to neighbouring properties and the Ottawa River. Eavestroughing is to be installed on all eaves and be drained to downspouts discharging to coarse granular gravel/crushed rock receptors, rain barrels or rain gardens.

Date: July 29, 2024
Prepared by: Anne McVean, County Planner
Reviewed by: Bruce Howarth, MCIP, RPP.
Manager of Planning Services

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