

Township of McNab/Braeside
Committee of Adjustment

A meeting of the Committee of Adjustment was held on August 8, 2024 at 1:00 p.m. at the Township's Municipal Office.

Members Present: Jacqueline Asselin Chairperson
 Mackie J. McLaren Member
 Lori Hoddinott Member

Staff Present: Anne McVean, County Planner (Secretary-Treasurer)

Public: Keith Blimkie (Owner/Applicant)

Chairperson Asselin opened the hearing at 1:00 p.m., with the land acknowledgement and introduction of the Committee members and staff present. The purpose of the hearing for minor variances was confirmed.

Moved by Member Lori Hoddinott and seconded by Member Mackie M. McLaren that the minutes of the July 25, 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-9/24 Keith Blimkie (Owner/Applicant)

The land owner/applicant was present. No members of the public were in attendance.

Ms. McVean the County Planner summarized the Notice of Hearing, explaining the nature and purpose of the application being a request to permit a reduced minimum front yard depth and a reduced minimum southeast side yard lot depth to permit an attached, post and roof, open-sided carport in the Rural (RU) Zone at 632 Caruso Circle.

Ms. McVean continued confirming the date and circulation of the notice of hearing on July 11, 2024, in accordance with the Planning Act. She also confirmed the notice was posted on site on July 15, 2024.

Agency comments were received on July 15, 2024, from Township staff. The Building, Public Works and Fire Departments all had no concerns. The Township Council provided comments on August 7, 2024, that a condition be required that the carport remain unenclosed. Ontario Power Generation provided comments on August 8, 2024, stating it had no comments or concerns.

The Planner summarized the Planning Report stating that the new carport is proposed to be attached to and located in line with the existing dwelling, being a post and roof structure with no walls. The proposed carport would require a reduced front yard setback from 7.5 metres to 2.39 metres and 2.97 metres to the front posts of the carport. The southeast side yard setback would be reduced from 3.0 metres to 1.31 and 1.2 metres to the side posts of the carport. Existing landscaping, trees and retaining wall are remaining in place.

She highlighted that this is a very small rural lot in a built-up area of the Township. The shallow lot depth, slope to the river, water setback and floodplain create constraints for development on the lot. The surrounding lots are similar in size and have similar development constraints. This area is more similar to built-up areas than rural areas of the Township. The Zoning By-law recognizes these situations and includes provisions that are more lenient for existing undersized lots.

A review of the application, Official Plan and Zoning By-law found that the Ottawa River flood plain is not an issue, and the proposed carport can meet the water setback provisions for an undersized lot. This is a typical use for a residential lot and is keeping with the intent of both the Official Plan and Zoning By-law.

The carport can be considered desirable as the open-structure will have less impact from the road and neighbouring property. Existing landscaping, trees and retaining wall are remaining in place. The Zoning By-law allows for a maximum 0.6 metre encroachment of roof eaves into all yards which would apply to the proposal. Impact from roof water and drainage can be managed with eavestroughing and best management practices. The proposed carport with reduced front and southeast side yard setbacks can be considered desirable development, provided standard mitigation measures are used to reduce impacts of drainage and sediment during construction and post-construction. Ms. McVean noted that her report noted eavestroughing is to be required on all sides of the carport, but it may not be possible on the side of the carport.

Lastly, in the context of the property, its constraints, surrounding lots and development, and the proposed type of unenclosed structure, and ability to mitigate impacts the requested setbacks can be considered minor.

The Chair asked the Committee members if they had any questions or comments of the Planner. There were none.

The Chair asked Mr. Blimkie if he wished to address the Committee. He confirmed that he would be putting eavestroughing all around the carport and be directed to a dry pit.

The Chair then asked the Committee members if they had any questions of Mr. Blimkie. There were no questions.

Ms. McVean noted that the decision has been drafted for the approval of, specifically, an unenclosed carport. Member Hoddinott commented that she would like to see a condition that the carport remain unenclosed, especially for any new owners in the future. Mr. Blimkie was agreeable to that stating he, himself, had no intentions of closing it in order to maintain access the basement garage.

Upon the request of Chair Asselin, Ms. McVean read the amended decision to approve the requested variances for a reduced front yard and reduced southeast side yard setback to permit the unenclosed carport. The Chair asked if the Committee was satisfied with the decision and if so, requested a show of hands. All members endorsed the decision with a show of hands.

At the request of the Chair, Ms. McVean 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 1:17 p.m.



Chair Asselin



Secretary