

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

**Wednesday, July 10, 2024 - 11:00 a.m.  
Township Municipal Office  
2473 Russett Drive**

1. Call to open hearing.
2. Minutes of the previous hearing, May 2, 2024.
3. Declaration of a Pecuniary Interest (Money/Financial).
4. Consideration of Application No. A-5/24  
2328 Burnstown Road – Emily Prospero
  - (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-5/24, 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): Emily Prospero  
\*Address: 2328 Burnstown Road Renfrew, ON McNab/Braeside K7V Z4  
\*Phone #: Home (613) 791 8587      Work (    )                      Cell (    )  
E-mail: prospero.emily@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: 2328 Burnstown Road, Renfrew ON

Concession: 2    Lot: 22

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

Reference Plan No.: 49R 8094                      Part No(s).: 1

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

sp RURAL

**4.      \*CURRENT ZONING OF THE SUBJECT LAND:**

Rural

**PART II DETAILS OF THE APPLICATION**

5. \*PLEASE STATE THE NATURE AND EXTENT OF THE RELIEF FROM THE ZONING BY-LAW We are asking to use our existing outbuilding on our property for Home Industry.

Home Industry currently requires a minimum of one acre and we have .97 of an acre.

6. *ef* SECTION 17.2 (a)(i) of the RU ZONE requires a minimum 4047 sq. m. lot size for a home industry.  
\*WHAT IS THE REASON WHY THE PROPOSED USE CANNOT COMPLY WITH THE PROVISIONS OF THE ZONING BY-LAW?

We are just shy of about .03 of an acre to utilize our outbuilding for Home Industry.

*ef* A description of proposed home use is attached to the application

7. \*DIMENSIONS OF THE SUBJECT LAND:

Frontage: 146.57' Depth: 297.13' Area: .97 acre

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

Provincial Highway  Municipal Road Maintained All Year *County Road 52 ef*  
 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?

February 2023

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

#1 Residential Since: 1948 / 76 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?

Our land and house are our primary residence. We will continue to live here while utilizing an outbuilding for Home Industry. Use of Land will not change.

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	
	Home	Garage			
Setback from the front lot line	26'	72'			
Setback from the rear lot line	231.3	190.13'			
Setbacks from the side lot lines	26'	40'			
Height (in metres)	7.3	3.25			
Dimensions or floor area	880 sq ft	586 sq ft			
Date constructed	1948	?			

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  publicly owned and operated piped sanitary sewage system   
 privately owned and operated individual well  publicly owned and operated communal septic system   
 privately owned and operated communal well  publicly owned and operated individual septic system   
 lake or other water body  privately owned and operated individual septic system   
 other means: \_\_\_\_\_  privy   
 Other means: \_\_\_\_\_

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

Sewers  Ditches  Swales  Other Means  Culvert

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.

06/12/24  
\_\_\_\_\_  
Date

*[Handwritten 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) Emily Paspero  
of the Township of McNab Braeside  
in the 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 17 day of June, 2024

[Signature]  
Signature of Owner or Authorized Agent

June - 17 / 24  
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.

June 17 / 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 \$ 900 + 3000 RECEIVED BY THE MUNICIPALITY:**

June 17, 2024  
Date

[Signature]  
Signature of Municipal Employee

\_\_\_\_\_  
Roll Number

Minor Variance Application  
Emily Prospero  
06-12-24

To The Committee of Adjustments, Planning Advisory Committee and Township of of Mcnab/Braeside,

We are requesting to use an accessory building for gainful occupation as a Home Industry. Our lot size is .97 of an acre and we are just short of a minimum required lot area of one acre. We live in our home on this property year round. Because our situation is unique, I wanted to submit a more detailed description of our plan than the application would allow.

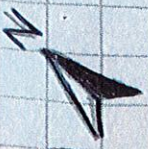
We are located on a major county road, Burnstown Road and yet are surrounded on two sides by untouched forest. Our neighbours are certainly more than 60 meters away. We are planning on utilizing an existing shop behind our garage to roast some coffee beans for sale in local cafes and shops. I am told that this is a first for the township so I assume because it hasn't been applied for before, maybe the municipality isn't as familiar with the differences in roasteries. One very important detail to note is that our roaster is 100% electric which means burning of fossil fuels is NIL. This means the impact on our surrounding environment is reduced by approximately 87%. Also, we are a micro roastery which means we will need to roast only 2-3 days per week. It should also be noted that over time, we plan to convert all energy used from this roastery to Solar Energy.





Our roastery will not be open to the public and will act solely as a production space. No more than 2 persons will ever be needed to run the business and we plan to stay on the smaller scale.

I thank you for your consideration of our application,  
Emily Prospero



# WOODED AREA

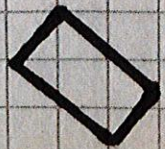


-  = 9.03'
-  = HOME INDUSTRY
-  = WELL
-  = SEPTIC

NEIGHBOURING LOT

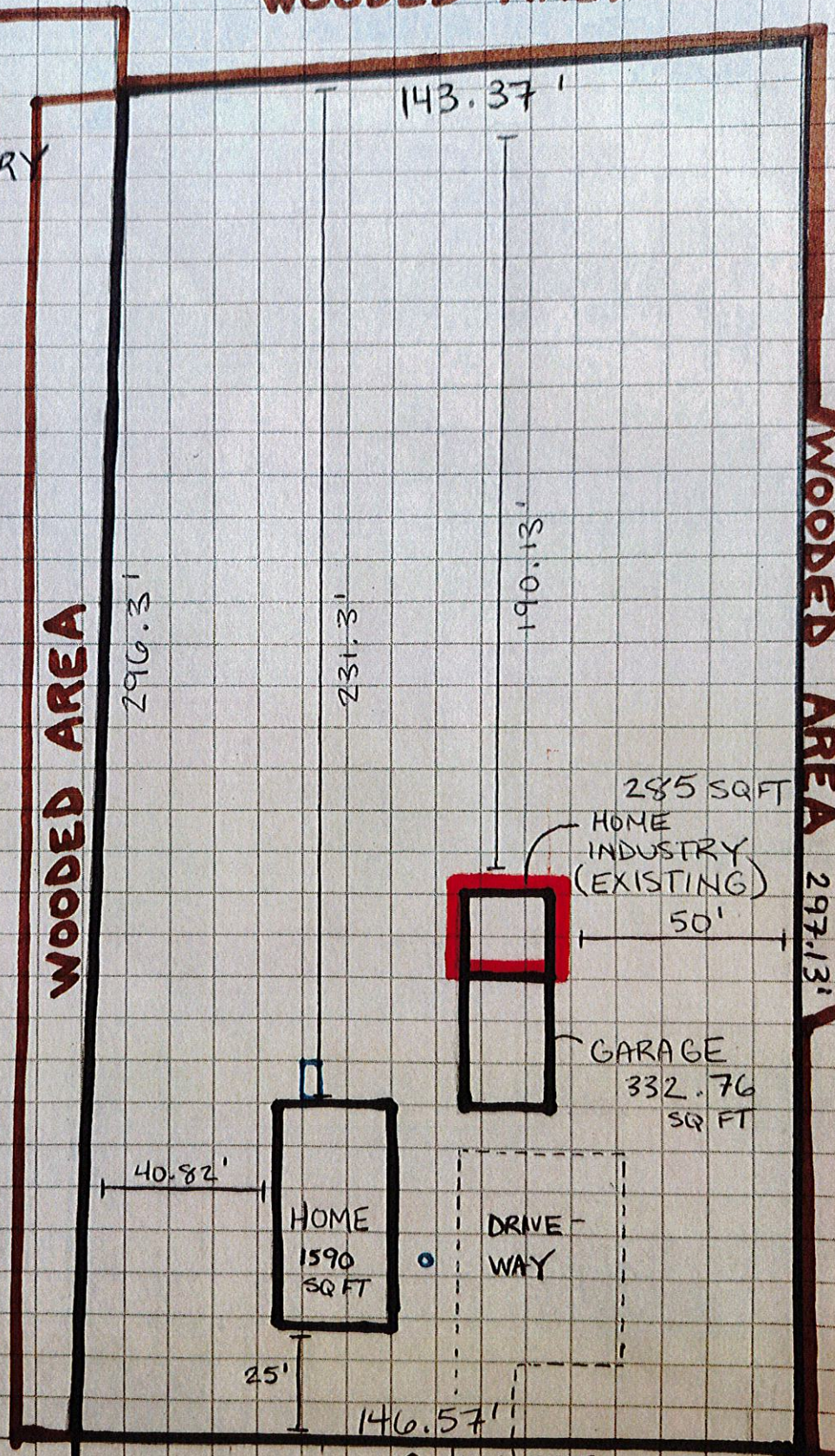
\* NOT A RESIDENTIAL DWELLING

\* SEASONAL STORAGE TRAILER

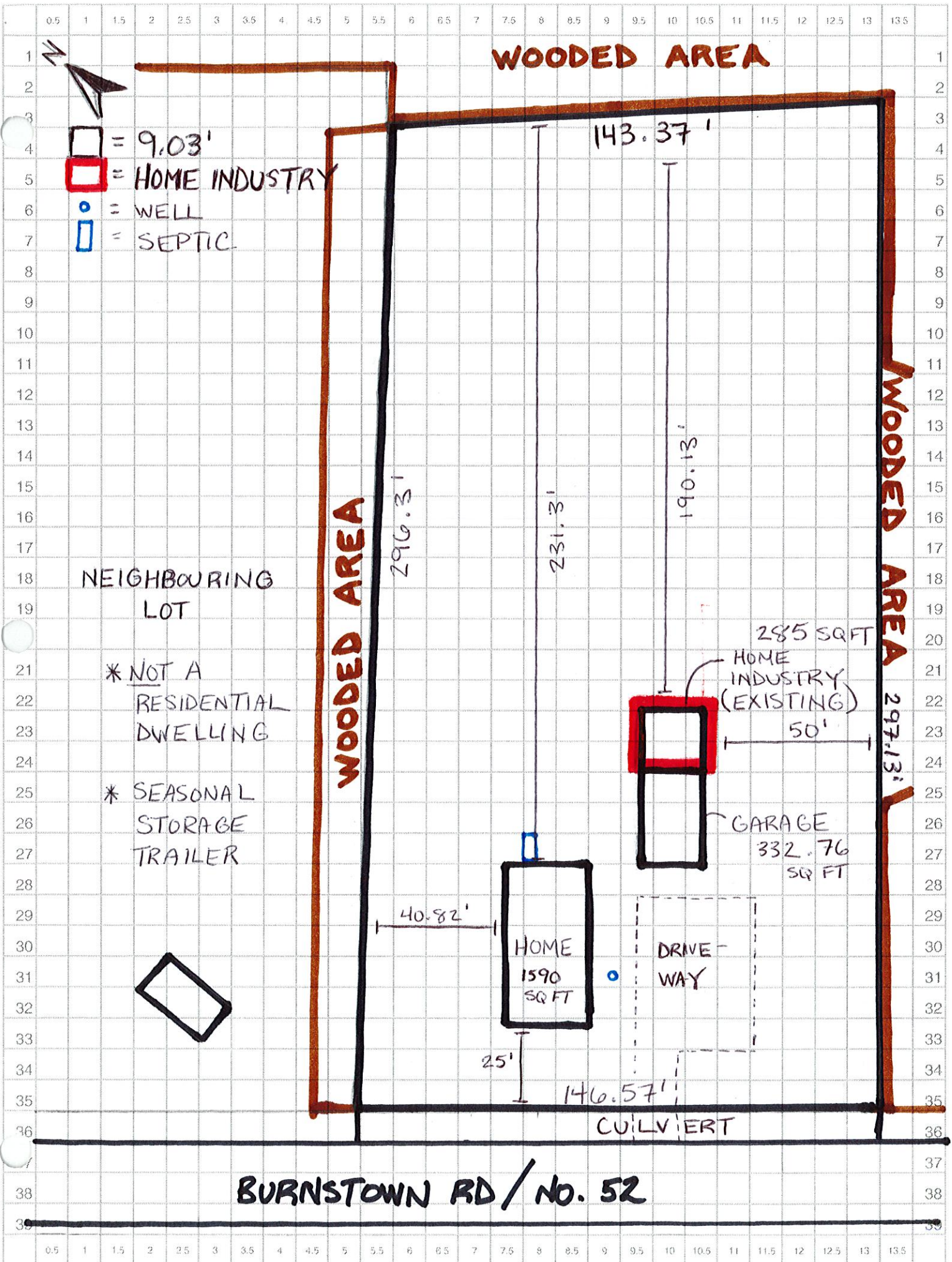


WOODED AREA

WOODED AREA



## BURNSTOWN RD / No. 52



SCHEDULE					
PART	LOT	CON.	INST.	N°	AREA (ACRES)
1	22	2	12797		0.95
2	22	2	12797		0.05

PLAN OF SURVEY  
 OF PART OF  
**LOT 22, CONCESSION 2**  
**TOWNSHIP OF McNAB**  
**COUNTY OF RENFREW**  
 1986  
 SCALE: 1 INCH = 50 FEET  
 GIBSON, SURY & ROWE LTD.

**PLAN 49R 8094**  
 Received and deposited  
 17 Oct 1986  
 (date)  
*M. Lindeman*  
 SIGNATURE  
 D.K. LAND REGISTRAR FOR  
 THE REGISTRY  
 DIVISION OF  
 RENFREW, N° 49

I REQUIRE THIS PLAN TO BE  
 DEPOSITED UNDER THE  
 REGISTRY ACT





# MINOR VARIANCE PLANNING REPORT

## **PART A – BASIC INFORMATION**

1. FILE NO.: A-5/24
2. APPLICANT: Emily Prospero and Daniel William Kildey (Owners)  
Emily Prospero (Agent)
3. MUNICIPALITY: Township of McNab/Braeside  
(geographic Township of McNab)
4. LOT: 22 CONCESSION: 2 STREET: 2328 Burnstown Road

### SUBJECT LANDS

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

### 7. **DETAILS OF MINOR VARIANCE REQUEST**

The minor variance application requests a variance under Section 17.2(a)(i) of the Rural (RU) Zone to reduce the minimum required 4047 square metre (1.0 acre) lot area for a home industry to 3885 square metres (0.96 acres). The applicant is proposing to operate a coffee bean micro-roastery in a portion of the existing detached garage.

### 8. **SITE PERFORMANCE STANDARDS**

<u>Zoning By-law Standard</u>	<u>Required</u>	<u>Proposed</u>
Section 17.2(a)(i) minimum required lot area for a home industry in the Rural (RU) Zone	4047 square metre lot area (minimum)	3885 square metre lot area

9. **SITE CHARACTERISTICS AND SETTING**

The subject property is outlined in yellow, in the adjacent figure. The lot is described as Part 1, 49R-8094 which confirms a lot area of 0.96 acres (3885 square metres). The lot is developed with a single dwelling and detached garage near the front of the property. The lot fronts on Burnstown Road (County Road 52). The location of the proposed home industry is circled in red, in the adjacent figure.



The immediate surrounding land uses consist of:

North: a small seasonally occupied lot with intervening trees, and larger rural properties with dwellings.

East: natural bush and farm fields on the large abutting property

South: natural bush on the large abutting property. It also contains a dwelling approximately 160 metres away. Burnstown Road also runs south of the property.

West: Burnstown Road and two residential lots with dwellings approximately 88 metres and 175 metres away, respectively. Beyond that is a large rural property containing a dwelling.



The overall area consists of large rural properties and scattered rural residential lots along Burnstown Road.

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 and a full range of rural related uses, including rural commercial uses.

Section 13.3(2) requires that any new development proposing access to, or fronting on, a County 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 and Section 17.1(b) lists a number permitted non-residential uses including home industry.

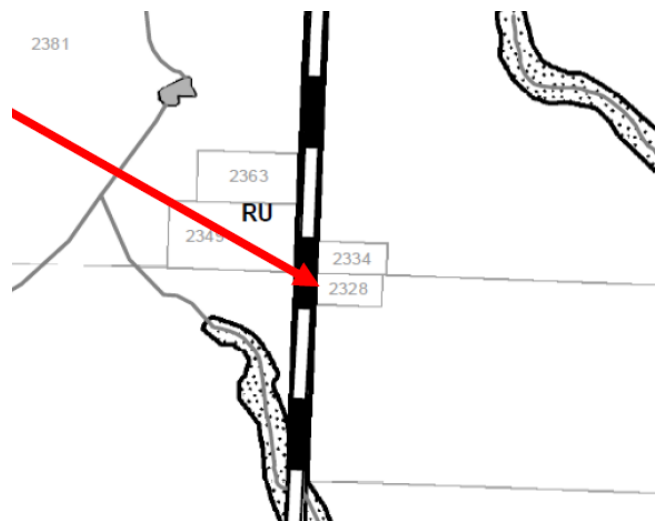
Section 17.2(a)(i) of the Rural (RU) Zone requires a minimum lot area of 4047 square metres for the permitted low density residential uses, and for home industry.

Section 17.2(n) permits accessory buildings and structures to a main permitted use in the Rural (RU) Zone.

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

Section 2.104 HOME INDUSTRY means a gainful occupation including a day nursery, carpentry, electrical shop, woodworking, window framing, welding, plumbing, machine shop, riding stables and a kennel, a service shop; blacksmithing; or a storage building for school buses, boats or snowmobiles and conducted in whole or in part in an accessory building to a single detached dwelling or to a permitted farm use. A home industry does not include an automotive-body shop, automotive-commercial garage, automotive-service station or automotive repair shop.

Section 3.0 General Provisions sets out various general planning requirements that may apply to a property and/or development proposal.



Section 3.11 Home Industry sets out various requirements for the operation of this type of use, as follows:

- 3.11.1 No more than two persons, other than a person(s) residing on the premises, shall be employed in the home industry.
- 3.11.2 Such home industry shall not be a hazardous or obnoxious trade, and shall not create or become a public nuisance.
- 3.11.3 Such home industry is clearly secondary to the main use and does not change the residential character of any dwelling, or the agricultural character of any farm unit.
- 3.11.4 The parking requirements of this By-law shall apply to any home industry use.
- 3.11.5 No goods, wares or merchandise shall be offered or exposed for sale or rent on the premises unless such goods, wares and merchandise are either:
  - (a) incidental to the home industry; or
  - (b) arts and crafts produced on the premises; or
  - (c) farm produce resulting from the main use.
- 3.11.6 Not more than 10.0 percent of the gross floor area of the dwelling unit shall be dedicated to the home industry.

Section 3.15.7 Undersized Lots, of the Non-Conforming Uses provisions allows for an existing lot with less than the required lot frontage or lot area required by the Zoning By-law to be used for the permitted uses of the Zone in which the lot is located. However, provided all other provisions of the Zoning By-law must be complied with and written approvals for the water supply and sewage disposal systems are obtained from the approval authority for those services. This provision does not apply to a home industry, a contractor's yard or shop, a forestry use or logging hauler in a Rural (RU) Zone.

Section 3.20.1(a)(i) of the Parking and Loading Space Requirements requires a minimum of 2 parking spaces per single dwelling unit. Section 3.20.1(a)(xxiv) for other non-residential uses requires a minimum of 1 parking space per 30 square metres of gross floor area of the use.

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

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, as of June 21, 2024. Public agencies have been notified, as required, including the County of Renfrew Public Works and Engineering Department.

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

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.

The applicant has provided an overview of the proposed use and how it is intended to be operated, which is summarized as follows:

- Operate a micro-roastery to roast coffee beans to be sold in local cafes and shops;
- only production will occur on site
- electric roaster to be used (no burning of fossil fuels)
- roasting only 2-3 days per week
- no more than 2 persons needed to operate the business
- smoke produced would be no more than the average house chimney
- do not anticipate use will cause nuisance to neighbours
- only one neighbour within 60 metres (seasonal/part-time occupancy)

Intent of the Official Plan and Zoning By-law

The Rural land use designation permits rural residential uses, and a range of non-residential rural uses provided the latter are appropriately located. The proposed micro-roastery is a suitable use for a home industry and the use meets the general intent of the Official Plan.

In keeping with the Rural Official Plan policies, the Rural (RU) Zone in the Township's Zoning By-law permits low density residential uses such as a single dwelling, and specific rural commercial, industrial and resource-based uses. A home industry is listed as a permitted use. Although considered a commercial use in the RU Zone, is permitted to be located on a rural residential sized lot of no less than 4047 square metres (1 acre).

The definition of home industry provides examples of appropriate types of uses for home industries. The definition also requires that the home industry be located in an accessory building. The proposed coffee micro-roastery can be considered an appropriate use for a home industry which involves minor processing of a product for off-site sales. Section 3.11 Home Industry stipulates how a home industry is to be operated, as follows.

*3.11.1 No more than two persons, other than a person(s) residing on the premises, shall be employed in the home industry.*



The applicant has identified that no more than 2 persons are required to operate the proposed roastery.

*3.11.2 Such home industry shall not be a hazardous or obnoxious trade, and shall not create or become a public nuisance.*

The applicant indicates that the smoke produced is similar to that of a home chimney. The closest residential dwellings are approximately 88 to 175 metres away. The adjacent lot is not developed with a dwelling but is used seasonally or part-time and is buffered by intervening trees.

*3.11.3 Such home industry is clearly secondary to the main use and does not change the residential character of any dwelling, or the agricultural character of any farm unit.*

The micro-roastery is proposed to occupy 26.5 square metres (285 square feet) floor area of the existing detached garage. This size is secondary to the main use. The residential character of the dwelling will not be impacted.

*3.11.6 The parking requirements of this By-law shall apply to any home industry use.*

The dwelling requires two (2) parking spaces. The size of the roastery requires one (1) parking space. The property is large enough to accommodate three (3) parking spaces.

*3.11.7 No goods, wares or merchandise shall be offered or exposed for sale or rent on the premises unless such goods, wares and merchandise are either:*

- (a) incidental to the home industry; or*
- (b) arts and crafts produced on the premises; or*
- (c) farm produce resulting from the main use.*

There is no intent to sell roasted coffee on-site.

*3.11.6 Not more than 10.0 percent of the gross floor area of the dwelling unit shall be dedicated to the home industry.*

Although not identified, this provision would allow for part of the dwelling to be used in conjunction with the home industry.

The proposed use can meet all of the requirements of the home industry except for the minimum lot size. A reduction to the minimum lot area from 4047 square metres to the existing 3885 square metres is required, being a difference of 162 square metres (0.04 acres). Both the use and the proposed reduced lot area meet the intent of the Zoning By-law.

Is the variance minor

The required variance for the lot size is a reduction of only 162 square metres. This will recognize the existing lot size. It is a rural residential lot which is not over-developed and not crowded by abutting land uses. No new buildings or structures are proposed to accommodate the new use. Given the context of the lot in relation to surrounding property sizes and land uses, the variance can be considered minor in nature.

Is the variance desirable

The proposed use is to be located in the rear of an existing structure where it will be largely out of site from neighbouring properties. There is natural bush that provides buffering on three sides. The variance requested is technical in nature to permit a slightly smaller lot size for the proposed use. The lot is existing. There will be no real noticeable change to the property, which is the intent of the Home Industry provisions. Based on this, the variance can be considered desirable.

Overall, based on the above review, it is staff's opinion that the proposed variance to permit a slightly reduced lot area for a home industry in the rear of the existing detached garage at 2328 Burnstown Road, in the Rural (RU) Zone meets the four tests of the Planning Act.

15. **RECOMMENDATIONS**

That subject to any additional concerns or information raised at the Committee of Adjustment Hearing, the Committee approve the following variance for 2328 Burnstown Road:

That a variance be granted to Section 17.2(a)(i) of the Rural (RU) Zone to permit a reduced lot area of 3885 square metres for a home industry use.

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Date: June 27, 2024  
Prepared by: Anne McVean, County Planner  
Reviewed by: Bruce Howarth, MCIP, RPP.  
Manager of Planning Services