

Township of McNab/Braeside

Committee of Adjustment

A Hearing of the Committee of Adjustment was held on July 18th, 2016 in the Municipal Office.

PRESENT: Geoff Booth Chairperson
 Jacqueline Asselin Member

Committee member Vance Bedore was absent this evening.

Disclosures of pecuniary interest and the general nature thereof.

Members were asked to state any financial interest and the general nature thereof before the item is discussed. No disclosures of pecuniary interest were declared at this time.

Moved by Jacqueline Asselin, seconded by Geoff Booth, that the June 20th, 2016 minutes be approved as circulated. **Carried.**

Hearings:

B-7/16 Troy & Lynn Saunders

Roger Harris, the lawyer representing the Saunder's, was in attendance this evening to discuss this application. Mr. Harris addressed the Committee to explain that this lot addition is to correct a mistake and further advised that he has seen the Planning Report and the conditions recommended by the Township Planner are standard. At this point in the meeting Robert Graham introduced himself as being one of the beneficiary of the severed portion of land and inquired as to what is involved when a one square foot portion of land has to be conveyed to one of the abutting road allowances owned by the Township. Committee member Jacqueline Asselin explained that it is basically a legal way to preserve the original severance.

Moved by Jacqueline Asselin, seconded by Geoff Booth, that Application B-7/16 be approved as applied for subject to the conditions listed in the decision. **Carried.**

B-8/16 Ernest & Doreen Colbert

No one was in attendance this evening to discuss this application.

The Chairperson advised that favourable comments have been received from the Planning Advisory Committee, Sewage System Inspector, Township Planner, County of Renfrew Public Works & Engineering Department and the Ministry of Transportation (MTO).

Moved by Jacqueline Asselin, seconded by Geoff Booth, that Application B-8/16 be approved as applied for subject to the conditions listed in the decision. **Carried.**

B-9/16 Terry & Tracy Bandy

Terry Bandy was in attendance this evening to discuss this application.

The Committee members discussed the intent of the application with Mr. Bandy. The Chairperson advised that the current zoning is Limited Farm which would allow animals to be kept there and further advised that the recommendation is that it be rezoned to remove the use as a condition of consent. It was noted that favourable comments have been received from the Planning Advisory Committee, Sewage System Inspector, Township Planner and County of Renfrew Public Works & Engineering Department.

Moved by Jacqueline Asselin, seconded by Geoff Booth, that Application B-9/16 be approved as applied for subject to the conditions listed in the decision. **Carried.**

B-10/16 Terry & Tracy Bandy

Terry Bandy was in attendance this evening to discuss this application.

This application was heard in conjunction with Application B-9/16.

Moved by Jacqueline Asselin, seconded by Geoff Booth, that Application B-10/16 be approved as applied for subject to the conditions listed in the decision. **Carried.**

B-11/16 Terry & Tracy Bandy

Terry Bandy was in attendance this evening to discuss this application.

This application was heard in conjunction with Application B-9/16 and B-10/16.

Moved by Jacqueline Asselin, seconded by Geoff Booth, that Application B-11/16 be approved as applied for subject to the conditions listed in the decision. **Carried.**

Decisions:

B-7/16 Troy & Lynn Saunders

Consent to sever a portion of land 9.15m frontage, 38.40m in depth, approximately 351.4 m² as a lot addition only is granted to Troy and Lynn Saunders. This property is part of Lot 21, Concession 10, 1680 Scheel Drive, Township of McNab/Braeside. This property must be added to the abutting property currently owned by Robert and Cheryl Graham at 626 Brae-Loch Road. This severance is granted on condition that:

1. A draft survey is provided confirming the garage on the severed lands meets the minimum 3.0 metre accessory building setback from the new lot lines.
2. That a one square foot portion of land presently owned by Robert and Cheryl Graham be surveyed and conveyed to one of the abutting road allowances owned by McNab/Braeside.
3. The Certificate of Consent "Schedule" attached to the deed/transfer shall include the following condition: *"The lands to be severed are for the purpose of a lot addition only to the adjacent lands owned by Robert and Cheryl Graham and any subsequent transfer, charge or other conveyance of the lands to be severed is subject to Section 50(3) (or subsection 50(5) if in a plan of subdivision) of the Planning Act. Neither the lands to be severed nor the adjacent lands are to be conveyed without the other parcel unless a further consent is obtained. The owner shall cause the lands to be severed to be consolidated on title with the adjacent lands and this condition shall be entered into the parcel as a restriction."*
4. The original executed transfer (Transfer In Preparation) and one photocopy for our records for endorsement be presented to the Township.
5. Two registered Plans of Survey in conformity with the sketch depicting the severed lands as attached to the application be presented to the Township and a copy be deposited in the Land Registry Office.

NOTE: The above conditions must be completed within one year of the date of decision. Should the conditions not be met the consent shall be deemed to be refused. This consent conforms with section 3.3 (2) (b) of the Official Plan.

Reasons:

- The Committee stated that the general intent and purpose of the Township of McNab/Braeside's Official Plan would be maintained.
- The Committee also stated that the application complies with the relevant policies of the Township of McNab/Braeside's Official Plan.
- It was noted by the Committee that the subject lands will comply with the provisions of the Township of McNab/Braeside's Comprehensive Zoning By-Law 2010-49 and the use would be compatible with the existing uses in the vicinity of the subject property.

For the above mentioned reasons, the application for consent was granted.

B-8/16 Ernest & Doreen Colbert

Consent to sever a portion of land approximately 27 ha as a lot addition only is granted to Ernest Boyd Colbert and Doreen Nancy Colbert. This property is part of East Pt Lot 21, Concession "A", Duncan Drive/Division Street, Township of McNab/Braeside. This property must be added to the abutting property currently owned by Ernest Boyd Colbert and Doreen Nancy Colbert at 429 Division Street. This severance is granted on condition that:

1. That a one square foot portion of land known municipally as 419 Division street be surveyed and conveyed to the abutting road allowance owned by the Township of McNab/Braeside.

2. The Certificate of Consent "Schedule" attached to the deed/transfer shall include the following condition: *"The lands to be severed are for the purpose of a lot addition only to the adjacent lands owned by Ernest Boyd Colbert and Doreen Nancy Colbert and any subsequent transfer, charge or other conveyance of the lands to be severed is subject to Section 50(3) (or subsection 50(5) if in a plan of subdivision) of the Planning Act. Neither the lands to be severed nor the adjacent lands are to be conveyed without the other parcel unless a further consent is obtained. The owner shall cause the lands to be severed to be consolidated on title with the adjacent lands and this condition shall be entered into the parcel as a restriction."*
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Reasons:

- The Committee stated that the general intent and purpose of the Township of McNab/Braeside's Official Plan would be maintained.
- The Committee also stated that the application complies with the relevant policies of the Township of McNab/Braeside's Official Plan.
- It was noted by the Committee that the subject lands will comply with the provisions of the Township of McNab/Braeside's Comprehensive Zoning By-Law 2010-49 and the use would be compatible with the existing uses in the vicinity of the subject property.

For the above mentioned reasons, the application for consent was granted.

B-9/16 Terry & Tracy Bandy

Consent to sever a parcel of land approximately 61m frontage x 106.7m depth, .65 ha, for residential purposes, being Lot 8, Concession 3, McLachlan Road, Township of McNab/Braeside is granted to Terry and Tracy Bandy on condition that:

1. That a Zoning Amendment be successfully obtained to remove the Limited Farm as a permitted use.
2. A Development Agreement is finalized and registered on title that incorporates the recommendations of the McIntosh Perry Hydrogeology Study, dated May 5, 2016.
3. Two registered Plans of Survey in conformity with the sketch depicting the severed lands as attached to the application be presented to the Township and a copy be deposited in the Land Registry Office.
4. The original executed transfer (Transfer In Preparation) be presented to the Township.

NOTE: The above conditions must be completed within one year of the date of decision. Should the conditions not be met the consent shall be deemed to be refused. This consent conforms with section 3.3 (2) (b) of the Official Plan.

Reasons:

The Committee stated that:

- The general intent and purpose of the Township of McNab/Braeside's Official Plan would be maintained.
- The application complies with the relevant policies of the Township of McNab/Braeside's Official Plan.
- The subject lands would comply with the provisions of the Township of McNab/Braeside's Comprehensive Zoning By-Law 2010-49.
- The use would be compatible with the existing uses in the vicinity of the subject property.

For the above mentioned reasons, the application for consent was granted.

B-10/16 Terry & Tracy Bandy

Consent to sever a parcel of land approximately 61m frontage x 106.7m depth, .65 ha, for residential purposes, being Lot 8, Concession 3, McLachlan Road, Township of McNab/Braeside is granted to Terry and Tracy Bandy on condition that:

1. That a Zoning Amendment be successfully obtained to remove the Limited Farm as a permitted use.
2. A Development Agreement is finalized and registered on title that incorporates the recommendations of the McIntosh Perry Hydrogeology Study, dated May 5, 2016, and the McIntosh Perry drainage plan and related recommendations.
3. Two registered Plans of Survey in conformity with the sketch depicting the severed lands as attached to the application be presented to the Township and a copy be deposited in the Land Registry Office.
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Reasons:

The Committee stated that:

- The general intent and purpose of the Township of McNab/Braeside's Official Plan would be maintained.
- The application complies with the relevant policies of the Township of McNab/Braeside's Official Plan.

- The subject lands would comply with the provisions of the Township of McNab/Braeside's Comprehensive Zoning By-Law 2010-49.
- The use would be compatible with the existing uses in the vicinity of the subject property.

For the above mentioned reasons, the application for consent was granted.

B-11/16 Terry & Tracy Bandy

Consent to sever a parcel of land approximately 61m frontage x 106.7m depth, .65 ha, for residential purposes, being Lot 8, Concession 3, McLachlan Road, Township of McNab/Braeside is granted to Terry and Tracy Bandy on condition that:

1. That a Zoning Amendment be successfully obtained to remove the Limited Farm as a permitted use.
2. A Development Agreement is finalized and registered on title that incorporates the recommendations of the McIntosh Perry Hydrogeology Study, dated May 5, 2016, and the McIntosh Perry drainage plan and related recommendations.
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- The application complies with the relevant policies of the Township of McNab/Braeside's Official Plan.
- The subject lands would comply with the provisions of the Township of McNab/Braeside's Comprehensive Zoning By-Law 2010-49.
- The use would be compatible with the existing uses in the vicinity of the subject property.

For the above mentioned reasons, the application for consent was granted.

Delegations: Nil

Discussion: Nil

Correspondence: Nil

Unfinished Business: Nil

New Business: Nil

The next meeting will be on August 22nd, 2016.

The meeting adjourned on a motion moved by Jacqueline Asselin.

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Chairperson

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Secretary