

## Township of McNab/Braeside

### Committee of Adjustment

A Hearing of the Committee of Adjustment was held on September 30, 2019 at 4:00 p.m. in the Municipal Office.

**Members Present:** Geoff Booth Chairperson  
Jacqueline Asselin Member  
Mackie J. McLaren Member

**Staff Present:** Helen Siroski, Secretary-Treasurer

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 under the *Municipal Conflict of Interest Act*. Mackie McLaren declared a conflict of interest with Applications B-3/18 and B-4/18. Mr. McLaren stated in the written disclosure that he is a part-time employee of McGregor Produce, and Cameron McGregor, who raised drainage concerns with the two parcels, is a partner of McGregor Produce.

Moved by Jacqueline Asselin, seconded by Mackie J. McLaren, that the September 9, 2019 minutes be approved as circulated. **Carried.**

#### Hearings:

##### **A-5/19            1605821 Ontario Inc.**

Scott McEwan was in attendance this evening to discuss this application.

The Chair explained the nature of the application and advised that all the required reports have been received and are favourable, adding that the Hydrogeological Investigation indicated that there are elevated fluoride levels. He further noted that the Township Planner has recommended that the owner provide notice of the elevated fluoride levels to the Medical Officer of Health.

Moved by Jacqueline Asselin, seconded by Mackie J. McLaren, that Application A-5/19 be approved subject to the condition listed in the decision. **Carried.**

Committee member Mackie McLaren vacated the Council chambers at 4:05 p.m.

##### **B-3/18            Estate of William Miller**

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

The Chair explained the reason for the delay in hearing this application, advising that a

Lot Grading and Drainage Plan has now been drawn up. He further advised that following his review of the plan the Director of Public Works has requested that the decision include the following conditions:

The Lot Grading and Drainage Plan be registered on title.

The ditch as detailed on the Lot Grading and Drainage Plan is constructed prior to the consent being finalized to ensure positive drainage across the severed lands.

A drainage easement in favour of the Township of McNab/Braeside be registered on both the severed and retained portions of the land.

Moved by Jacqueline Asselin, seconded by Geoff Booth, that Application B-3/18 be approved subject to the conditions listed in the decision. **Carried.**

**B-4/18          Estate of William Miller**

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

This application was held in conjunction with Application B-3/18.

Moved by Jacqueline Asselin, seconded by Geoff Booth, that Application B-4/18 be approved subject to the conditions listed in the decision. **Carried.**

Mr. McLaren returned to the Council chambers at 4:09 p.m.

**B-9/19          Arthur & Deborah Duff**

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

The Chair advised that favourable comments have been received from the Planning Advisory Committee, Sewage System Inspector and Township Planner, noting that favourable MDS 1 calculations have also been received.

Secretary Helen Siroski advised that comments have not yet been received from TransCanada Pipeline.

Moved by Jacqueline Asselin, seconded by Geoff Booth, that Application B-9/19 be held in abeyance pending receipt of comments from TransCanada Pipeline. **Carried.**

**B-10/19        Jamie Ziebarth**

Nancy Ziebarth, Agent for the Applicant was in attendance this evening to discuss this application. Lyann DeJager, owner of the abutting property was also in attendance.

The Chair advised that all comments have been received and are favourable.

Committee member Jacqueline Asselin explained the requirement for the one foot reserve to be conveyed to the Township.

Moved by Jacqueline Asselin, seconded by Mackie J. McLaren, that Application B-10/19 be approved as applied for. **Carried.**

**Decisions:**

**A-5/19            1605821 Ontario Inc.**

The application for a minor variance as applied for by 1605821 Ontario Inc. to obtain relief from By-law 2010-49 to permit a secondary dwelling unit is granted on condition that:

1. The owner provides notice of the elevated fluoride levels to the Medical Office of Health.

This property is located at 155 Division Street, Township of McNab/Braeside.

Reasons:

The Committee stated that:

- the variance sought was minor in nature and was desirable for the appropriate development or use of the land as the proposed variance would not have a negative impact on any of the surrounding community.
- the application would be consistent with the relevant policies of the County of Renfrew's Official Plan, which is to allow residential uses.
- the subject lands would comply with the Township of McNab/Braeside's Comprehensive Zoning By-law 2010-49, which is to maintain the character of the neighbourhood.

For the above mentioned reasons, the application for a minor variance was granted.

**B-3/18            Estate of William Miller**

Consent to sever a portion of land approximately 61m frontage, 152.5m depth, .93 ha for residential purposes, being part of Lot 25, Concession 6, 2305 Miller Road (Miller Road & Clifford Side Road), Township of McNab/Braeside, is granted to the Estate of William Miller on condition that:

1. The Lot Grading and Drainage Plan be registered on title.
2. The ditch as detailed on the Lot Grading and Drainage Plan is constructed prior to the consent being finalized to ensure positive drainage across the severed lands.
3. A drainage easement in favour of the Township of McNab/Braeside be registered on both the severed and retained portions of the land.

4. Three 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.
5. The original executed transfer (Transfer In Preparation) and one photocopy for our records for endorsement 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 Committee also stated that the application complies with the relevant policies of the County of Renfrew'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-4/18          Estate of William Miller**

Consent to sever a portion of land approximately 61m frontage, 152.5m depth, .93 ha for residential purposes, being part of Lot 25, Concession 6, 2305 Miller Road (Miller Road & Clifford Side Road), Township of McNab/Braeside, is granted to the Estate of William Miller on condition that:

1. The Lot Grading and Drainage Plan be registered on title.
2. The ditch as detailed on the Lot Grading and Drainage Plan is constructed prior to the consent being finalized to ensure positive drainage across the severed lands.
3. A drainage easement in favour of the Township of McNab/Braeside be registered on both the severed and retained portions of the land.
4. Three 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.
5. The original executed transfer (Transfer In Preparation) and one photocopy for our records for endorsement 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 Committee also stated that the application complies with the relevant policies of the County of Renfrew'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-10/19      Jamie Ziebarth**

Consent to sever a portion of land approximately 26.24 m depth, 1048m<sup>2</sup> ha, irregular in shape, as a lot addition only is granted to Jamie Ziebarth. This property is part of Lot 8, Concession 4, 343 Kippen Road, Township of McNab/Braeside. This property must be added to the abutting property currently owned by Lyann DeJager at 307 Kippen Road. This severance is granted on condition that:

1. A one square foot piece of land, adjacent to the road allowance, of the lot being enlarged be surveyed and conveyed to the Township of McNab/Braeside with all costs to be assumed by the Applicant.
2. The Certificate of Consent "Schedule" to be 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 Lyann DeJager 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."*
3. The original executed transfer (Transfer In Preparation) and one photocopy for our records for endorsement be presented to the Township.
4. Three 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 County of Renfrew'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

**Next Meeting:** The next meeting will be held on October 21, 2019.

**Adjournment.**

There being no further business the Chair adjourned the meeting at 4:25 p.m.

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Chairperson

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Secretary