



FILE NO. A-5/22

TOWNSHIP OF McNAB/BRAESIDE
COMMITTEE OF ADJUSTMENT

NOTICE OF PUBLIC HEARING
APPLICATION FOR MINOR VARIANCE

IN THE MATTER OF Section 45 of the *Planning Act*, and

IN THE MATTER OF an application for minor variance submitted for the property described as 3 Bishop Road, Braeside, ON K0A 1G0.

The purpose of the minor variance being sought may be stated as a variance from Zoning By-law 2010-49, as amended, as follows:

The application is for relief from the zoning by-law to permit an addition to the existing single detached dwelling with a minimum rear yard setback of 2.2 metres, a minimum exterior side yard setback of 2.9 metres, and an interior side yard setback of 0 metres. A key map of the property and application sketch is included.

TAKE NOTICE that this application will be heard by the Committee of Adjustment on:

Date: Monday September 26, 2022
Time: 4:00 p.m.
Location: **McNab/Braeside Municipal Office – 2473 Russett Drive, Arnprior ON**

There will be opportunities provided to participate in the meeting on the meeting date. Any concerns or support of the application, are encouraged to be submitted prior to the Public Meeting, so they can be considered prior to a decision being made on the application. **Please note that the date and time for the public meeting will be posted on the Townships website, on the same page as the Committee Agenda Package, for the September 26, 2022 Committee of Adjustment meeting.** Alternatively, you may contact Angela Young in the Clerk's office at 613-623-5756 Ext. 223 or at info@mcnabbraeside.com requesting information on how to access information about the Public Meeting.

If you do not attend this hearing, it may proceed in your absence and, except as otherwise provided in the *Planning Act*, you will not be entitled to any further notice in the proceedings.

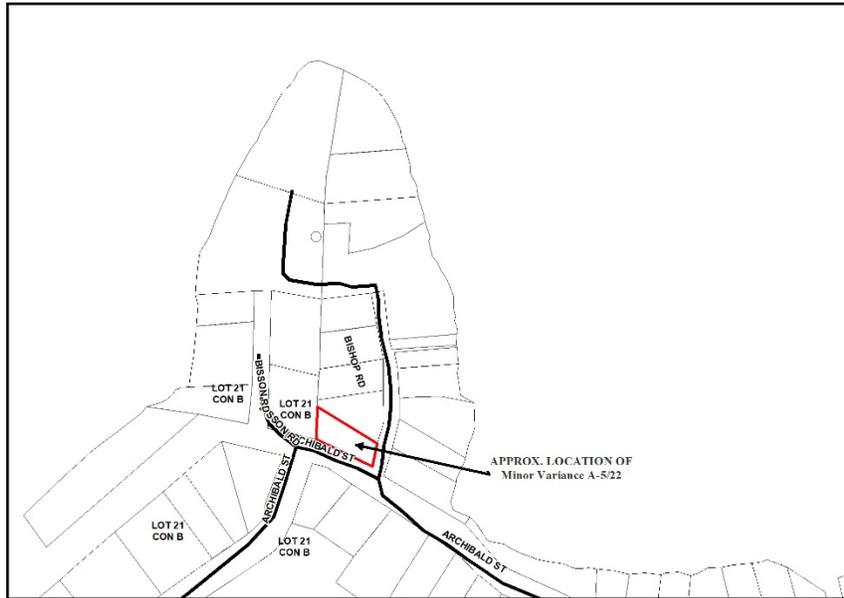
Additional information about this application may be obtained and comments can be submitted by contacting:

Laura Jamieson, Junior Planner
County of Renfrew
ljamieson@countyofrenfrew.on.ca
613-735-7288 ext. 426

Dated at the Township of McNab/Braeside this 30th day of August, 2022.

Angela Young
Deputy Clerk
Township of McNab/Braeside
Tel.: 613-623-5756

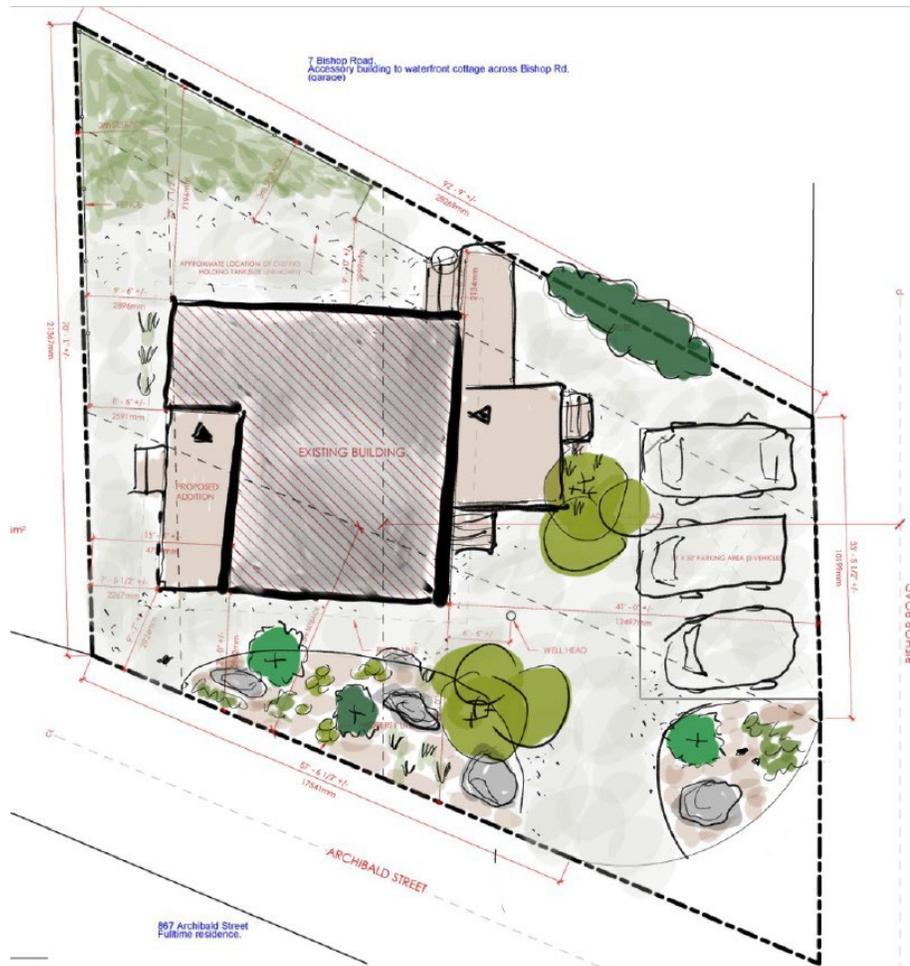
Key Map



1 centimeter = 17 meters

KEY MAP
Township of MCNAB/BRAESIDE
(geographic Township of McNab)

Preliminary Plan (For Illustrative Purposes Only)



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): Natasha Sams
 *Address: 3 Bishop Road, Braeside ON K0A 1G0
 *Phone #: Home () Work () Cell (343) 988.7267
 E-mail: plotnik.inc@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: 3 Bishop Road, Braeside, ON K0A 1G0
Concession: _____ Lot: 26
Registered Plan No.: 217 Block or Lot No(s). in the Plan: 7
Reference Plan No.: _____ Part No(s).: _____

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

None

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**

Exception from setback requirements to extend roof line and add additional deck at rear of building. Existing front deck to be re-built. Existing building is already non-conforming.

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

Setabck requirements as per section 3.23 of Zoning By-law 2010-49.

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

Frontage: 21.4 m Depth: 28.3 m Area: ~605 m2
(irregular shape)

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?**

November 2021

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

#1 Seasonal Cottage Since: 1961 / 61 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?**

Seasonal Cottage

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)

	EXISTING			PROPOSED	
Type of building or structure	Seasonal Cottage, 83m ²			Seasonal Cottage, 83m ²	
Setback from the front lot line	9.5 m			9.5 m	
Setback from the rear lot line	4.7 m			2.3 m	
Setbacks from the side lot lines	3.9 m at rear corner (exterior)			2.9 m at rear corner (exterior)	
Height (in metres)	~5 m from grade			~5 m from grade	
Dimensions or floor area	83 m ²			83 m ²	
Date constructed	1961				

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 [x]

CONSULTANTS:

CONSULTANTS:

SEAL:

PROJECT NAME:

PLOTNIKOV RESIDENCE

PROJECT ADDRESS:

**3 BISHOP ROAD,
RENFREW, ON**

OWNER/CLIENT:

NATASHA PLOTNIKOV

REVISIONS:

IS	RE	DATE	ISSUED FOR BUILDING PERMIT	DESCRIPTION
1	1	JUN 10, 2022	ISSUED FOR BUILDING PERMIT	

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DRAWN BY: N.PERREAULT

CHECKED BY: B.WILSON

DESIGNED BY: N.PERREAULT

PROJECT NUMBER:

46-2022

SHEET NAME:

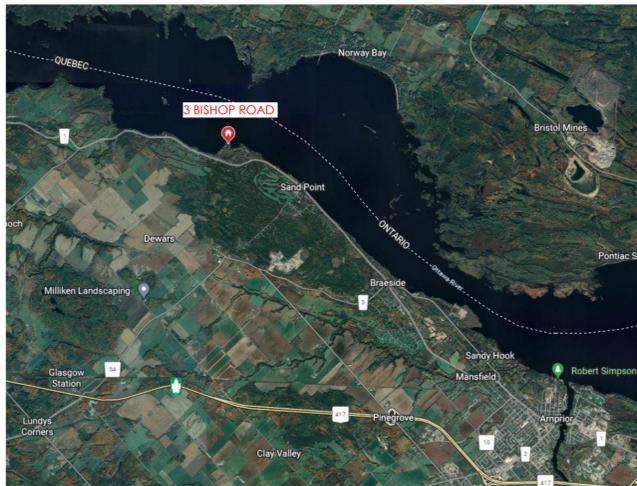
SITE PLAN

ISSUED FOR PERMIT

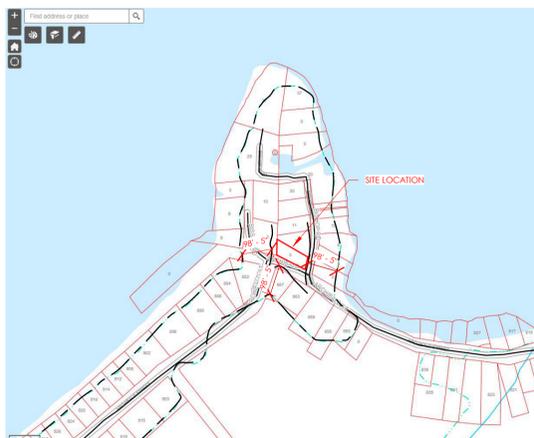
A1.01



SITE LOCATION

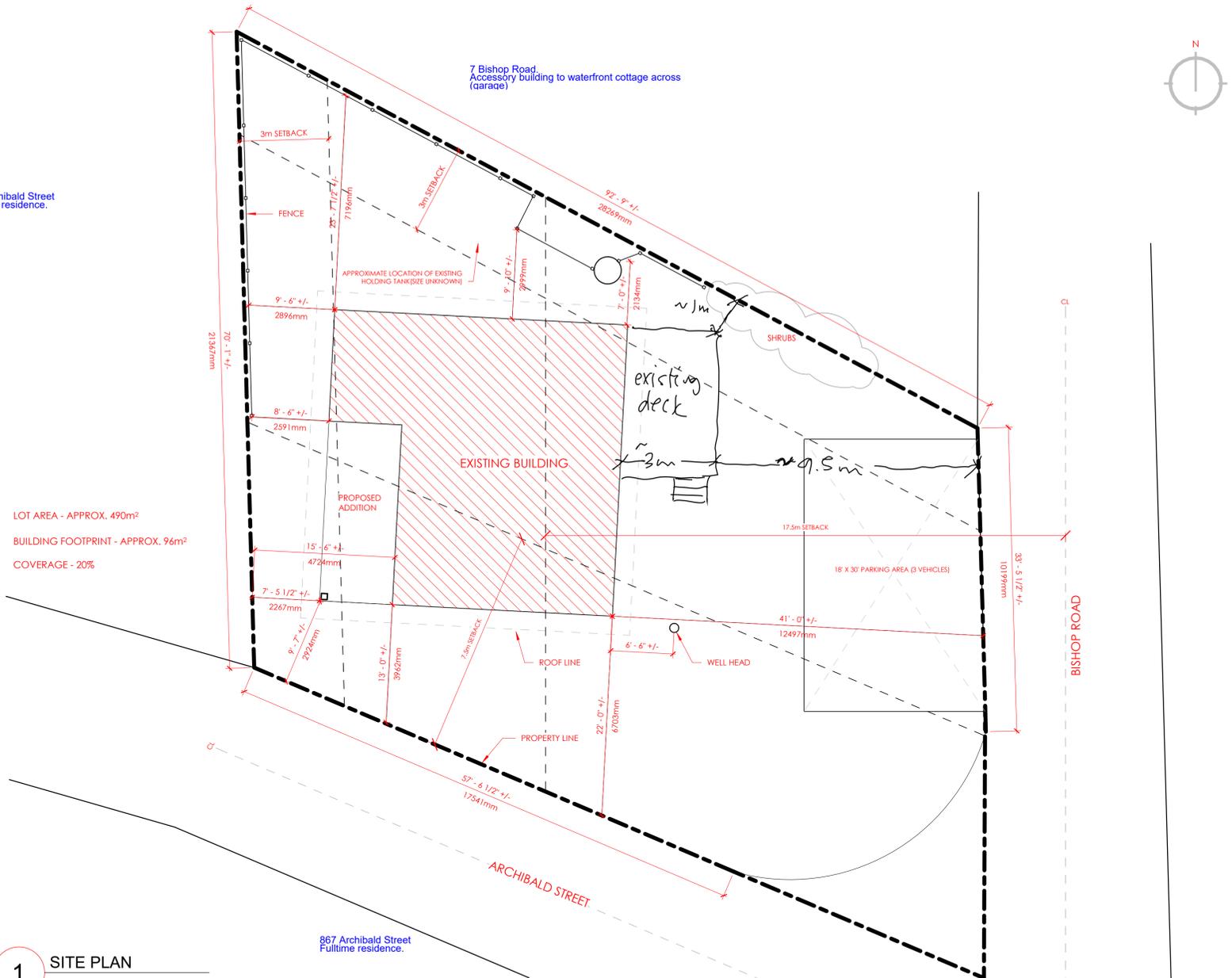


SITE VICINITY



2 WATERLINE SETBACK
1" = 300'-0"

872 Archibald Street
Fulltime residence.



LOT AREA - APPROX. 490m²
BUILDING FOOTPRINT - APPROX. 96m²
COVERAGE - 20%

1 SITE PLAN
1/8" = 1'-0"

ZONING INFORMATION

ZONING DESIGNATION:	RURAL ZONE (RU) - SINGLE DETACHED	COMPLIANCE - YES(EXISTING NON COMPLIANT)/NO
LOT AREA (MIN):	4047m ²	NO
FRONTAGE (MIN):	45m	NO
3.23 SETBACKS THE SETBACK REQUIREMENT SHALL BE 10m FROM THE ROAD CENTRELINE PLUS THE MINIMUM FRONT YARD DEPTH REQUIRED FOR SUCH ZONE WHERE IT IS LOCATED		
SETBACKS (MIN):		
FRONT YARD:	7.5m (17.5m)	YES
EXTERIOR SIDE YARD:	7.5m	NO
SIDE YARD:	3m	YES
REAR YARD:	7.5m	NO
LOT COVERAGE (MAX):	33%	YES

- PROPERTY PIN
- PROPERTY LINE
- - - SETBACK LINE

CONSULTANTS:

CONSULTANTS:

SEAL



PROJECT NAME:

PLOTNIKOV RESIDENCE

PROJECT ADDRESS:

**3 BISHOP ROAD,
RENFREW, ON**

OWNER/CLIENT:

NATASHA PLOTNIKOV

REVISIONS:

IS	RE	DATE	ISSUED FOR BUILDING PERMIT	DESCRIPTION
1	1	JUN 10, 2022	ISSUED FOR BUILDING PERMIT	

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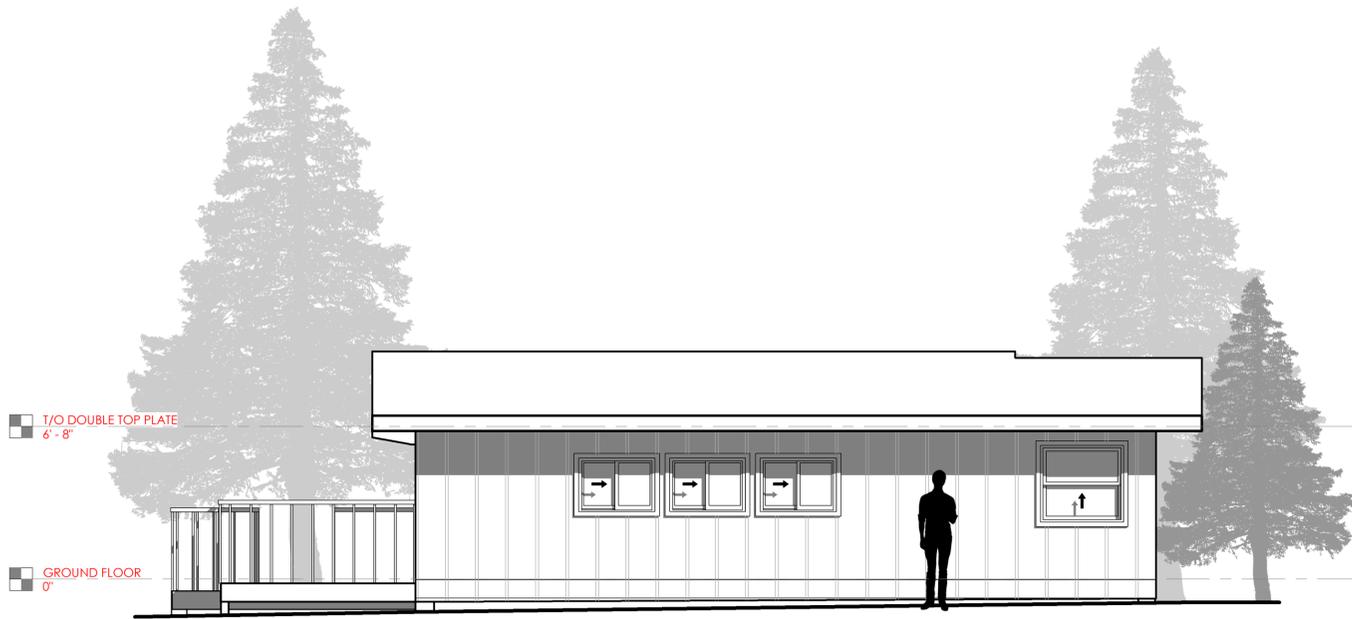
46-2022

SHEET NAME:

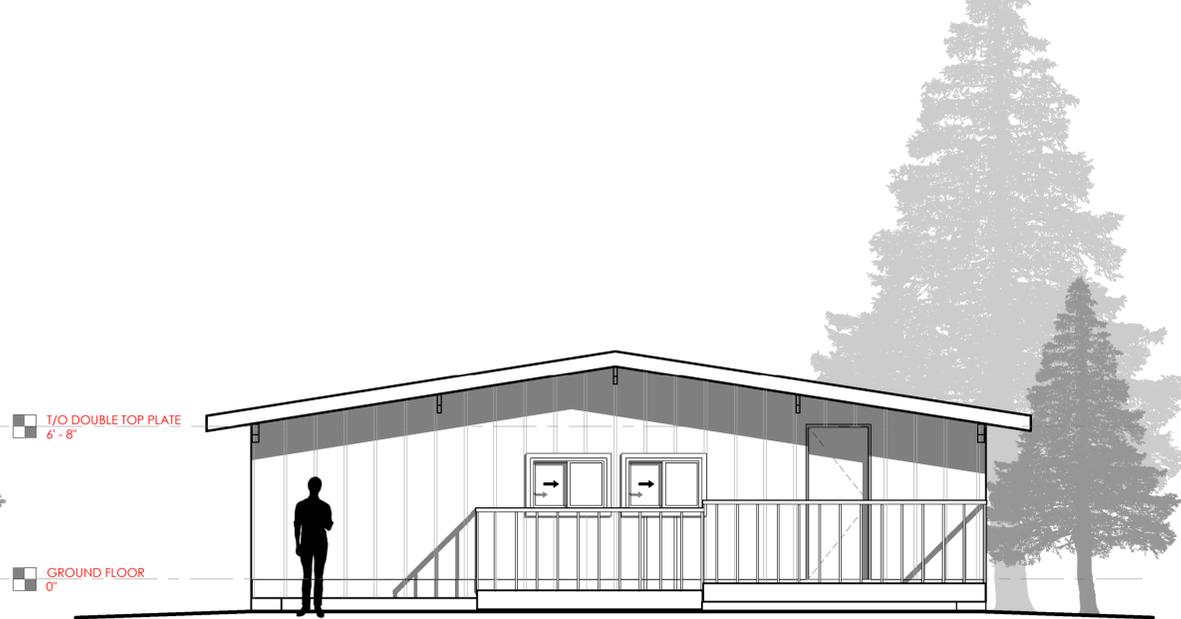
EXISTING ELEVATIONS

ISSUED FOR PERMIT

A4.01



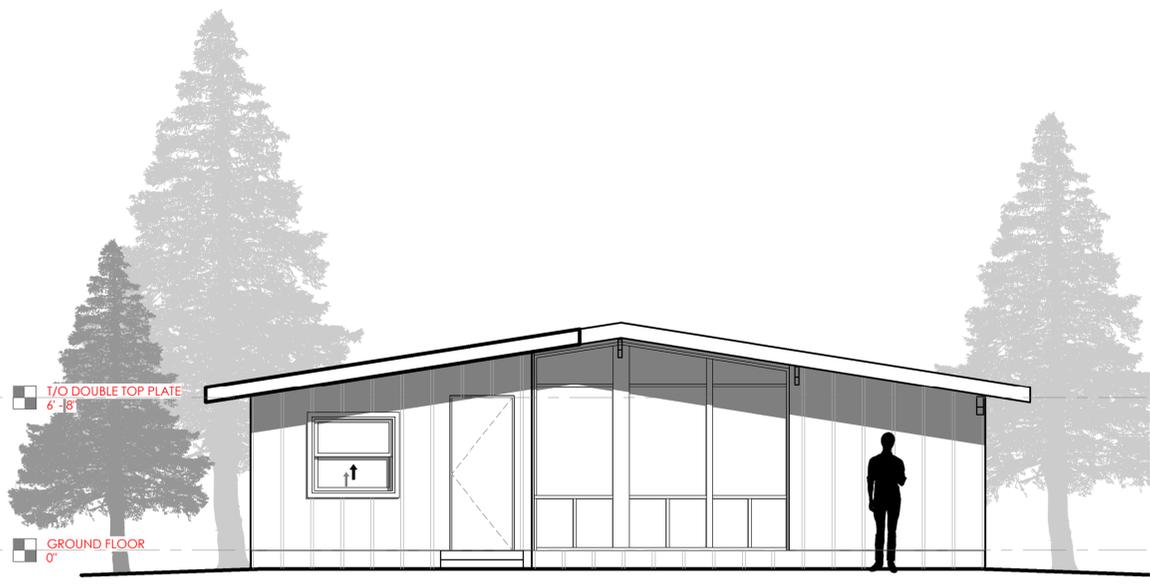
1 NORTH ELEVATION
1/4" = 1'-0"



2 EAST ELEVATION
1/4" = 1'-0"



3 SOUTH ELEVATION
1/4" = 1'-0"



4 WEST ELEVATION
1/4" = 1'-0"



**Development & Property Department
MINOR VARIANCE PLANNING REPORT
TO THE COUNCIL OF THE
TOWNSHIP OF McNAB/BRAESIDE**

PART A – BASIC INFORMATION

- 1. FILE NO.: A-5/22
- 2. APPLICANT: Natasha Sams
- 3. MUNICIPALITY: Township of McNab/Braeside
(geographic Township of Braeside)
- 4. LOT: 21 CONCESSION: B STREET: 3 Bishop Road

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 applicant is requesting a minor variance to the Township’s Zoning By-law in order to reduce the minimum rear yard setback to 2.2 metres, the minimum exterior side yard setback to 2.9 metres for to permit an addition to the existing single detached dwelling, and the minimum interior side yard setback to 0 metres to accommodate a new deck on an existing undersized lot.

8. SITE PERFORMANCE STANDARDS

<u>Zoning By-law Standard</u>	<u>Permitted</u>	<u>Proposed</u>
Section 3.8(c), 3.23(c)	A deck may be permitted to encroach by 2 metres into the required front and rear yard setback only.	A new deck which projects into the side yard (0 metre setback), and further reduces the road centreline setback (9.5 metres).
Sections 17.2(d), (e) & (f)	Required setbacks for the interior side yard (3 metres), exterior side yard (7.5 metres) and rear yard depth (7.5 metres) in the Rural zone.	To build a new deck with an interior side yard setback of 0 metres, and to construct an addition to the existing dwelling with an exterior side yard setback of 2.9 metres, and a rear yard depth of 2.2 metres.

9. SITE CHARACTERISTICS AND SETTING

The subject property is located on a corner lot as part of a plan of subdivision. The lot has an area of approximately 490 m² and contains a one-storey dwelling. The lot is serviced by private well and septic systems. The lot is accessed via Bishop Road from the east. The lot has been cleared of all trees, with a few shrubs remaining along the north property line.

The lot is located in a residential subdivision in Rhoddy's Point. The subdivision consists of single detached dwellings with frontage on either Bishop Road or Archibald Street. Most of the lots have frontage on the Ottawa River. All of the lots are serviced by private well and septic systems, and they are considered to be existing undersized lots.

The property directly to the north contains one detached garage on an irregularly shaped lot. There are currently some shrubs which act as a barrier between the two properties. The property to the west also contains a single detached dwelling, however the property is almost completely clear of tall vegetation. The lots to the

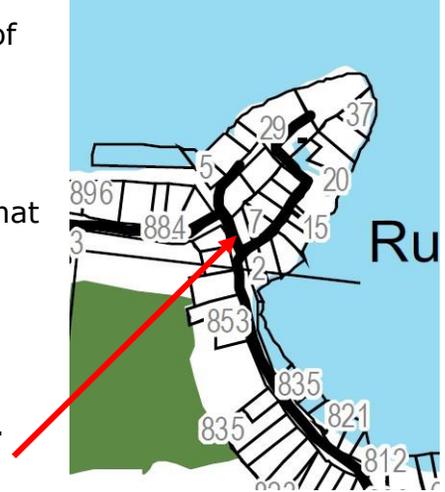


south and east are across Bishop Road and Archibald Street respectively, and contain single detached dwellings with little tree cover between the dwellings and the road.

10. **OFFICIAL PLAN**

The subject lands are designated as Rural in the County of Renfrew Official Plan. Section 5.3(1) permits limited low density residential development.

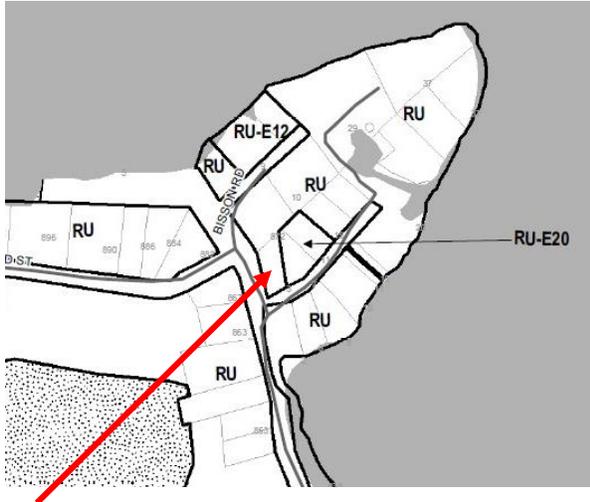
Section 2.2(9)(c) of the Official Plan applies to areas identified as having karst topography. The policy states that development may be permitted in areas with karst, provided the Chief Building Official confirms that there is more than 1 metre of overburden or that a geotechnical study has been completed. The subject lands are located within a registered Plan of Subdivision, therefore appropriate mitigation measures should have been taken. No further investigation is required.



11. **ZONING BY-LAW**

The subject lands are zoned as Rural (RU). Section 17.1 states that in the Rural zone, a single detached dwelling, semi-detached dwelling, duplex dwelling and a limited service dwelling on an existing lot of record are permitted residential uses. There are a variety of non-residential uses permitted in the RU zone, including but not limited to, a farm, home industry, public building, religious education facility, or a bed and breakfast establishment. Section 17.2 details the requirements for setbacks from lot lines for all buildings or structures in the RU zone. The minimum required front and rear yard depths are 7.5 metres. The minimum required interior side yard width is 3 metres, and the required exterior side yard width is 7.5 metres.

The lot is undersized according to the current provisions for the RU zone. Under Section 3.15.7, the lot may be used for a purpose permitted in the Zone the lot is located in, provided all other provisions of the By-law are complied with, and there are written approvals for water and septic systems obtained from the Chief Building Official.



Section 3.23 outlines setback requirements for buildings and structures. Subsection 3.23(c) directs that no structure shall be erected in any zone unless the building meets a minimum setback requirement of 10 metres from the road centreline, plus the minimum front yard depth for the Zone.

12. STUDIES

No studies were submitted with the application for Minor Variance. None are required for the proposed addition.

13. 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 application for a minor variance is to provide relief from a number of setback provisions in the McNab/Braeside Zoning By-law to allow for an addition to the existing single detached dwelling on an existing undersized lot, and the construction of a new deck. Both the Official Plan and the Zoning By-law permit limited low density residential housing in the form of single detached dwellings in the Rural (RU) zone.

Under the Zoning By-law (Section 3.15.7), an undersized lot is permitted to be used in accordance with the uses in the Zone, provided that all other provisions of the by-law are complied with and written approvals for the water supply and sewage disposal systems are obtained. Section 3.8(c) permits an encroachment of decks in the front and rear yards by 2 metres. Section 3.23(c) states that the setback requirement from a local municipal road shall be 10 metres from the road centreline, plus the minimum front yard depth required in the site-specific Zone. Sections 17.2(c) and (f) of the McNab/Braeside Zoning By-law require a minimum depth of 7.5 metres for the front and rear yards. Section 17.2(d) requires a minimum interior side yard width of 3 metres. Section 17.2(e) requires a minimum exterior side yard width of 7.5 metres.

The existing one-storey dwelling is situated slightly to the rear of the lot. Currently, the existing dwelling meets the minimum required setbacks for the front lot line only. The well is located in the front yard, east of the existing dwelling, and the holding tank is located in the interior side yard, to the north of the dwelling. The proposed addition is to the rear of the dwelling, which will further reduce the rear yard setback (currently 2.5 metres, to 2.2 metres). The proposed addition would further reduce the exterior side yard setback also (currently 3.9 metres, to 2.9 metres).

The existing dwelling is set approximately 12.5 metres back from the front lot line, which meets the setback requirements for the RU zone under Section 17.2(c). However, the setback from the road centreline under Section 3.23(c) is not met. There are no changes to the front yard setback for the existing dwelling.

The proposed deck will not further encroach on the front lot line setback, however the encroachment will not increase from what was previously existing (deck has been demolished). The proposed deck will project 3 metres to the interior side yard. This contravenes Section 3.8(c), which permits an encroachment of 2 metres into the *front or rear yard only* for a deck. This would completely reduce the interior side yard setback.

The irregular size and shape of the lot, combined with the layout of the dwelling provide constraints for the proposed addition. The dwelling is shaped like an L, and the proposed addition would change the shape of the dwelling to be a square by adding to the west section of the dwelling. No services would be impacted by the addition in the anticipated location, the existing well and holding tank could remain in place on the property.

The layout of the deck has raised some concern from a neighbouring property owner. The deck has been proposed to abut the interior side lot line, which is another irregularly shaped lot containing a detached garage. The adjacent property owner opposed the interior side yard setback reduction to 0 metres, maintaining that they would appreciate some distance between the deck and the property line. Additionally, the existing shrub, which is used as a barrier between the lots, would have to be removed to accommodate the deck in its proposed location which the complainant discouraged.

Comments from the Township's Chief Building Official highlighted the requirement of a Registered Plan of Survey to confirm the setback distances from Township and neighbouring properties. Due to the potential for flooding from the Ottawa River in Rhoddy's Bay, the CBO also requested that the survey depict the elevations for floodplains.

Township Public Works concurred with the request for a registered survey to show the property boundaries and the setbacks to existing and proposed structures. A complete entrance permit will be required if there are any changes to the entrance to the property. Additionally, there were concerns raised about the proposed landscaping along Archibald Road. The plantings and large landscape rocks as shown in the sketch must conform to the Township's Property Standards By-law, and be located a minimum of 3 metres from the travelled lane (Section 2.2.3). Consideration

should be had for the height of the landscaping features at the intersection of Archibald Street and Bishop Road as per the regulations for the sight triangle under Section 3.30 – Visibility at Intersections.

14. RECOMMENDATIONS

That the minor variance be approved to reduce the minimum required rear yard depth from 7.5 metres to 2.2 metres to permit an addition to the single detached dwelling at 3 Bishop Road, Braeside.

That the minor variance be approved to reduce the minimum required exterior side yard setback from 7.5 metres to 2.9 metres to permit an addition to the single detached dwelling at 3 Bishop Road, Braeside.

That the minor variance be approved to reduce the minimum required road centreline setback from 17.5 metres to 12.5 metres to permit the construction of a new deck to replace a previously existing deck.

That the minor variance be refused to reduce the minimum required interior side yard setback from 3 metres to 0 metres to permit the construction of a new deck. Due to the fact that the property is undersized and irregularly shaped, it is recommended that committee consider a reduced setback to 1.5 metres instead of 0 metres. A 1.5 metre setback will provide additional relief and a slightly larger deck than the existing by-law requires, but will still provide some buffer for the adjacent property owner, allow vegetation to exist and act as a buffer between the properties, and allow for access and long-term maintenance of the deck without trespassing on neighbouring property.

It is recommended that the committee authorize the following variances to by-law 2010-49 subject to conditions:

- a) A reduction of the minimum rear yard setback from 7.5 metres to 2.2 metres to accommodate an addition to the existing dwelling;
- b) A reduction to the minimum required exterior side yard setback from 7.5 metres to 2.9 metres to accommodate an addition to the existing dwelling;
- c) A reduction to the minimum setback to the road centerline from 17.5 m to 12.5 metres to accommodate a new deck;
- d) A reduction to the interior side yard setback to 1.5 metres to accommodate a new deck.

The following conditions are recommended:

- a) That an elevation survey depicting the Ottawa River Floodplain be provided to the satisfaction of the Township Chief Building Official, and further that the survey depict the building setbacks (proposed and existing structures) to the property line;
- b) That the development be floodproofed in accordance with the Building Code and the Township's zoning by-law requirements;
- c) That an application for an entrance permit be submitted to the Township if changes are proposed to the existing access/driveway;

- d) Landscaping and rocks shown on the plan are required to meet the Townships property standards by-law and be setback a minimum of 3 metres from the travelled portion of the road;
- e) That any vegetation/shrubs removed from the interior side yard setback be protected where possible. Where vegetation/shrubs is required to be removed as a result of construction, the owner agrees to replace/plant replacement vegetation after the construction of the deck.
- f) That the proposal be substantially constructed in accordance with the sketch provided with the minor variance application with the exception of the deck setback to the interior lot line.

In conclusion, it is staff's opinion that the proposed variances generally conform to both the County of Renfrew Official Plan and Township Zoning By-law. The development is a desirable use of the land in the context of the neighbourhood and can be considered minor in nature.

Date: September 22, 2022
Prepared by: Laura Jamieson
Junior Planner
Reviewed by: Bruce Howarth, MCIP, RPP
Manager of Planning Services