

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

**Wednesday, January 17, 2023 - 11:00 a.m.
Township Municipal Office
2473 Russett Drive**

1. Call to open hearing.
2. Minutes of the previous hearing, October 30, 2023.
3. Declaration of a Pecuniary Interest (Money/Financial).
4. Consideration of Application No. A3/23
1781 Russett Drive – Andrew Jahn
 - (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-3/23, or call for a further hearing if required.
7. Appeal Rights
8. Adjournment

A-3/23

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): ANDREW JAHN
- *Address: 1781 RUSSETT DRIVE, ARNPRIOR ON. K7S 3G8
- *Phone #: Home () Work () Cell (613) 223-7168
- E-mail: ANDREWJAHN-11@HOTMAIL.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: 1781 RUSSETT DRIVE

Concession: 8 Lot: 14

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

Reference Plan No.: 49R6498 Part No(s): 1

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

AGRICULTURAL

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

RURAL ZONE PERMITS ACCESSORY BUILDING HEIGHT OF 5.0 METERS
THE PROPOSED SHED WOULD BE 6.5 METERS IN HEIGHT

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

THE PROPOSAL IS TO BUILD A SHED FOR STORING TOOLS, TRUCK, RV
AND BOAT. THE PROPOSED SHED WOULD BE 2000 SQFT AND 6.5 METERS
IN HEIGHT

7. *DIMENSIONS OF THE SUBJECT LAND:

Frontage: 590.69' Depth: 219.54' Area: 129,680 SQFT (2.98 acres)

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?

2014

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

#1 SINGLE FAMILY DWELLING Since: 1984 / 39 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?

BUILD A SHED

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	RESIDENCE		SHED	
Setback from the front lot line	106'		146.5'	
Setback from the rear lot line	81.77'		33'	
Setbacks from the side lot lines	274' R 236' L		427' R 113' L	
Height (in metres)	4.1 M		6.5 M	
Dimensions or floor area	2,628 SQFT		2,000 SQFT	
Date constructed	1984			

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

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.

December-20-2023
Date


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) ANDREW JAHN

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 20th day of December, 2023

[Signature]
Signature of Owner or Authorized Agent

Dec-20-2023
Date

[Signature]
Signature of Commissioner

Dec 20 2023
Date

Christina Catherine Mulcahey, a Commissioner, etc., Province of Ontario, for the Corporation of the Township of McNab/Braeside.

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)

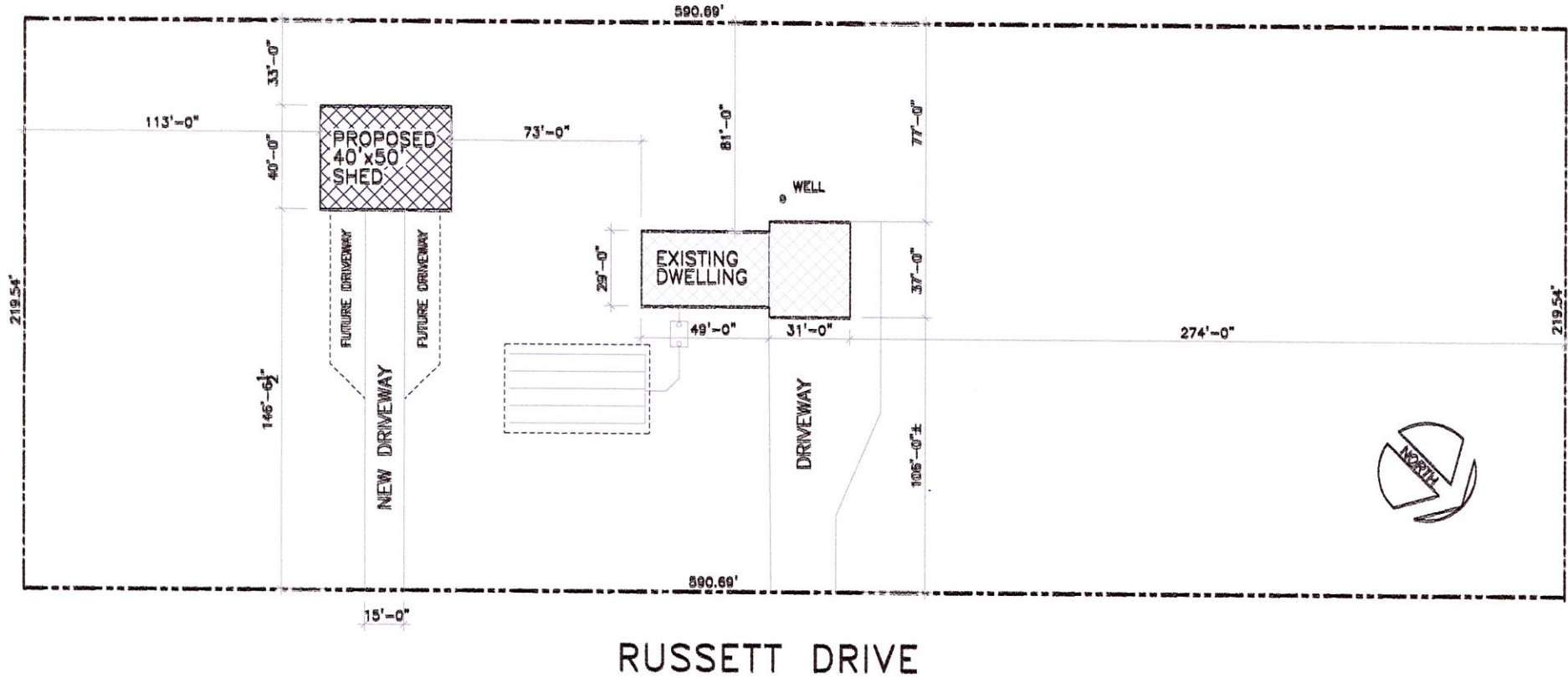
"COMPLETE" APPLICATION AND FEE OF \$ 3900.00 RECEIVED BY THE MUNICIPALITY:

Dec 20/23
Date

[Signature]
Signature of Municipal Employee

Roll Number

December, 2023



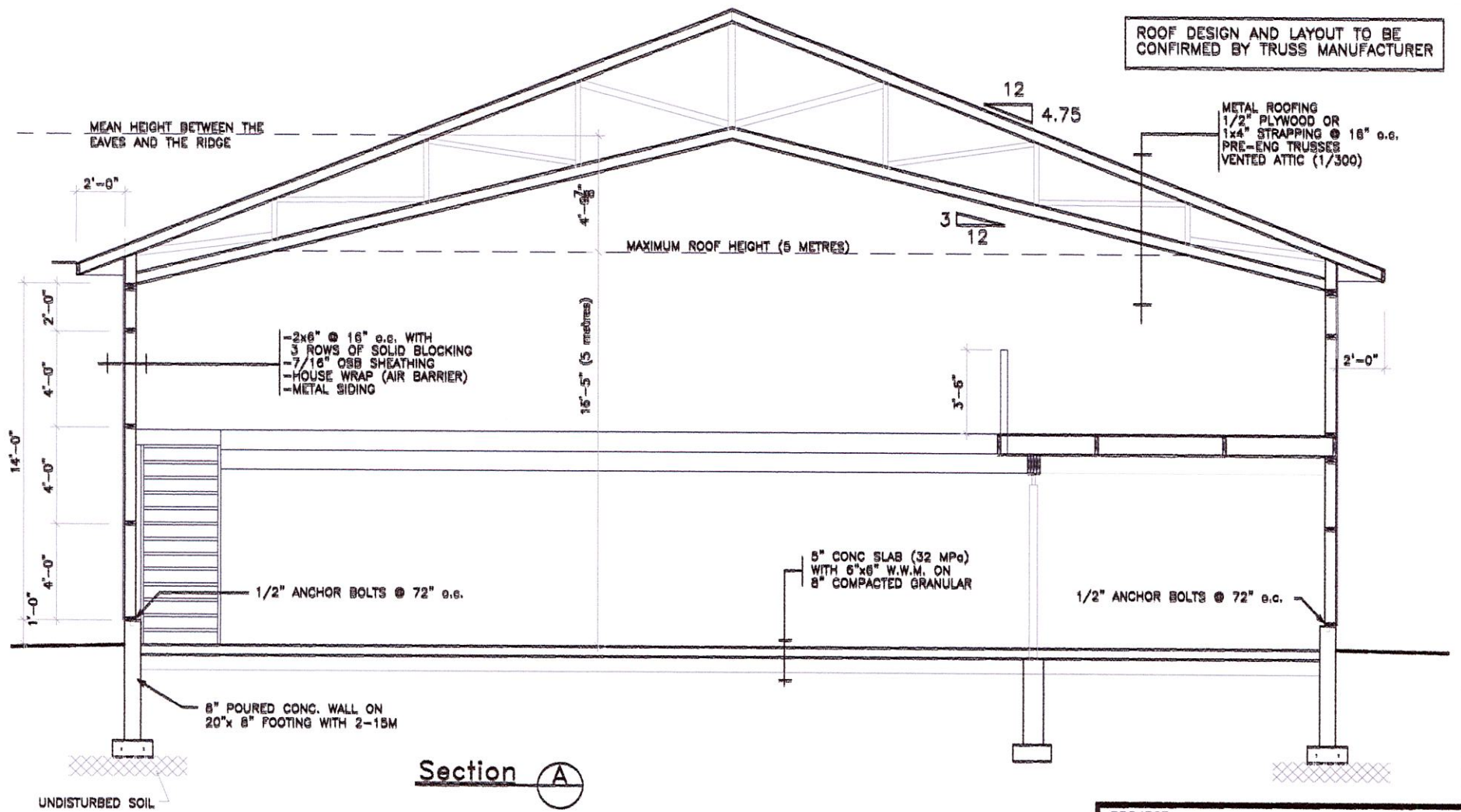
LEGAL DESCRIPTION

1781 RUSSETT DRIVE
PLAN 49R6498, PART 1
PART OF LOT 14
CONCESSION 8
TOWNSHIP OF MCNAB/BRAESIDE
COUNTY OF RENFREW

PROJECT	STORAGE SHED FOR THE JAHNS
DRAWING	SITE PLAN
DRAWN BY	JACQUES BENOIT
SCALE	1"=40'-0"
	REV #2

December, 2023

ROOF DESIGN AND LAYOUT TO BE CONFIRMED BY TRUSS MANUFACTURER



PROJECT	STORAGE SHED FOR THE JAHNS
DRAWING	SECTION
DRAWN BY	JACQUES BENOIT
SCALE	1/4" = 1'-0" U/N
	REV #2

DESIGNER _____ BCIN # _____
DESIGNER SIGNATURE SHALL BE IN RED.
 IF SIGNATURE IS NOT IN RED, THIS DRAWING
 IS NOT AN ORIGINAL, THEREFORE A COPYRIGHT
 VIOLATION HAS BEEN COMMITTED

c: Lindsey Lee, CAO/Clerk, Township of McNab/Braeside



Development & Property Department

PLANNING RESPONSE

Date: December 19, 2023	Lot: Part Lot 14	Conc: 8
Name of Applicant (owner or agent): Andrew Jahn 1781 Russett Drive Arnprior, ON K7S 3G8	Geographic Township: McNab	
Telephone: 613-223-7168	Municipality: McNab/Braeside	
E-mail: Andrewjahn_11@hotmail.com	Address / Access: 1781 & 1819 Russett Drive	

Proposal: The applicant is proposing to build a 2000 square feet private storage shed with 21' 5" height.

Official Plan Designation: Agriculture
(see attached map excerpt) Environmental Protection

Applicable Official Plan Policies:

Sections:
 6.3.1 Uses permitted in the Agricultural Designation
 6.3(5)-(7) Agriculture Designation
 8.2(1)-(2) – uses permitted in the Environmental Protection designation
 13.3(3) Municipal Roads

Zoning: Rural (RU)
(see attached map excerpt) Environmental Protection (EP)

Applicable Zoning Provisions

Sections:
 3.3 Accessory Uses
 17.1– Permitted Uses in the Rural (RU) Zone
 17.2 Provisions for Rural (RU) Zone
 20.1 – Permitted Uses in the Environmental Protection Zone
 20.2 - Provisions of the Environmental Protection Zone

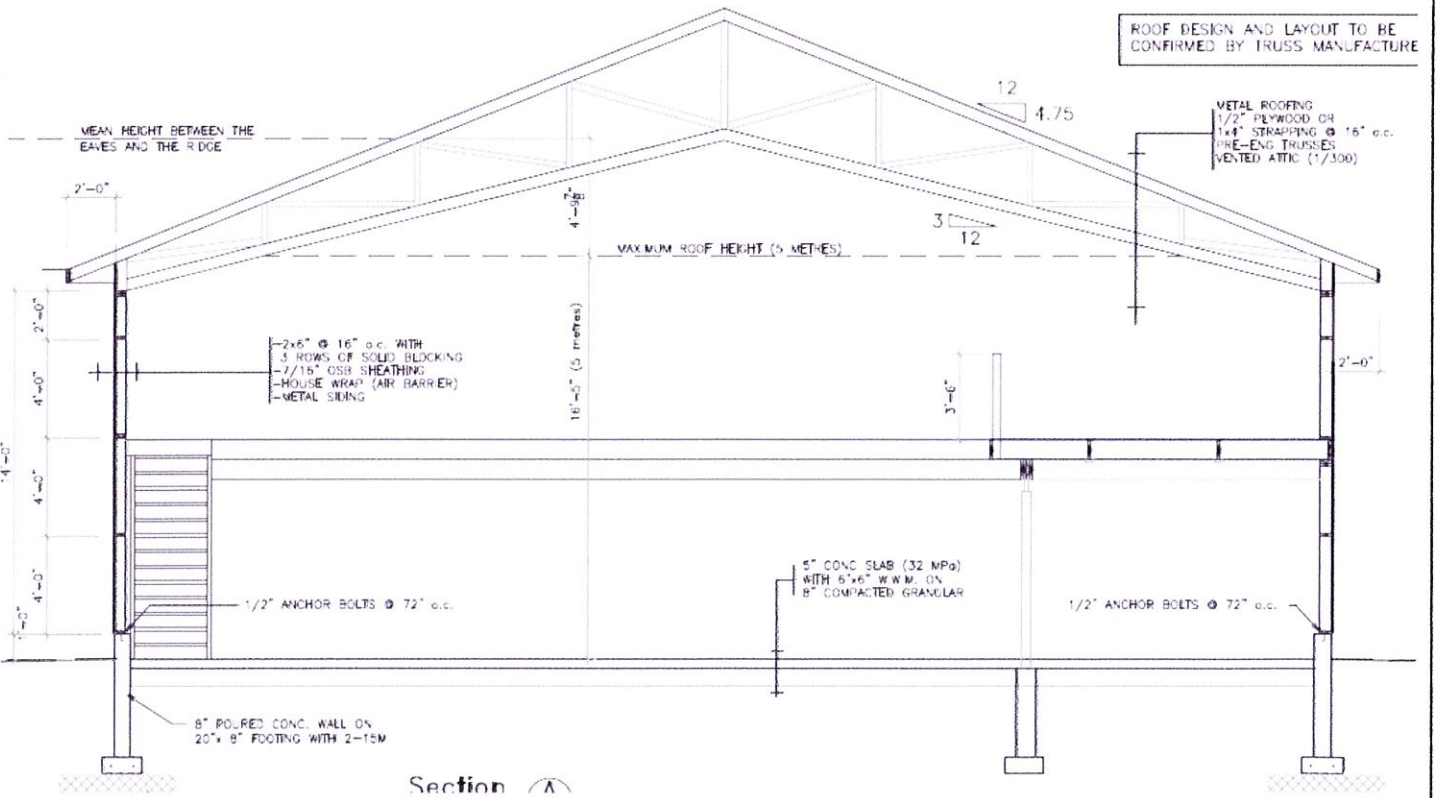
Severance History: 2 previous severances: B-10/83 & B-58/89

Planning Issues which may affect the proposal:

<input type="checkbox"/> Archaeology	<input type="checkbox"/> Natural Gas Pipeline
<input type="checkbox"/> Area of Natural and Significant Interest (ANSI)	<input type="checkbox"/> Provincially Significant Wetland (PSW)
<input type="checkbox"/> At-Capacity Lake / Near Capacity Lake	<input type="checkbox"/> Quarry
<input type="checkbox"/> Contaminated Site / Change of Use	<input type="checkbox"/> Recreation Trail
<input type="checkbox"/> County Roads	<input type="checkbox"/> Sand, Gravel or Bedrock Resource
<input type="checkbox"/> Crown Lands	<input type="checkbox"/> Septic Effluent >4500 L/day
<input type="checkbox"/> Environmental Impact Study	<input type="checkbox"/> Septic Effluent >10,000 L/day
<input type="checkbox"/> Environmental Site Assessment/Record of Site Condition	<input type="checkbox"/> Significant Wildlife habitat
<input type="checkbox"/> Fish Habitat	<input type="checkbox"/> Significant Woodlands
<input type="checkbox"/> Flood Plain	<input type="checkbox"/> Significant Valleylands
<input type="checkbox"/> Gravel or Sand Pit	<input type="checkbox"/> Site Plan
<input type="checkbox"/> Karst Topography	<input type="checkbox"/> Slip Clays
<input type="checkbox"/> Livestock Barn within 750 metres (Type A)	<input type="checkbox"/> Stormwater Management
<input type="checkbox"/> Livestock Barn within 1500 metres (Type B)	<input type="checkbox"/> Waste Disposal Site (active or inactive)
<input type="checkbox"/> Lot Grading / Drainage	<input type="checkbox"/> Wildland Fire Hazard
<input type="checkbox"/> Ministry of Transportation	<input checked="" type="checkbox"/> Other: Minor Variance

Comments/Summary/Recommended Contact:

The following response has been prepared based on a review of the above-noted Official Plan policies, which can be viewed on the County of Renfrew website at: <https://www.countyofrenfrew.on.ca/en/business-and-development/resources/Documents/OfficialPlan.pdf> and municipal zoning provisions.



- The subject land is designated Agriculture in the County of Renfrew Official Plan and zoned Rural (RU) in the Township of McNab/Braeside Zoning by-law. The property is approximately 1.21 hectare in area with 180 meters of road frontage on Russet Drive. The property is serviced by private well and septic, and it has an existing single detached dwelling and an attached garage.
- The proposal is to build a shed for **storing tools, truck, recreational vehicles and a boat**. The proposed shed would be 2000 square feet in area and 6.5 metres (21' 5" feet high). The applicant is requesting to increase the allowable height from required 5 metres' to 6.5 metres.
- Section 17.2(o) of the RU Zone permits accessory buildings and structures. Subsection 3.3.4 requires that the accessory building or structure shall not be located within any minimum required front yard depth or exterior side yard. Subsection 3.3.5 specifies that accessory buildings shall not be located closer than 3.0 meters to any lot line. Subsection 3.3.6 permit a maximum height of 5.0 meters for an accessory building or structure in a Residential Zone. The minor variance application would be required to amend the height setback requirements. The new building must *meet all of the provision of the by-law*.
- Minor Variance process require the submission of an application and applicable fee to the Township of McNab/Braeside, including a sketch that shows the subject lands and the proposed use.
- The property is in an area that does not have many surrounding dwellings/properties. The property is also in a largely agricultural area where large buildings/structures are common. Subject to any unanticipated objections or concerns that are raised at the time of an application, an application for the minor variance to increase the maximum height from 5 metres to 6.5 metres can be submitted to the Township.

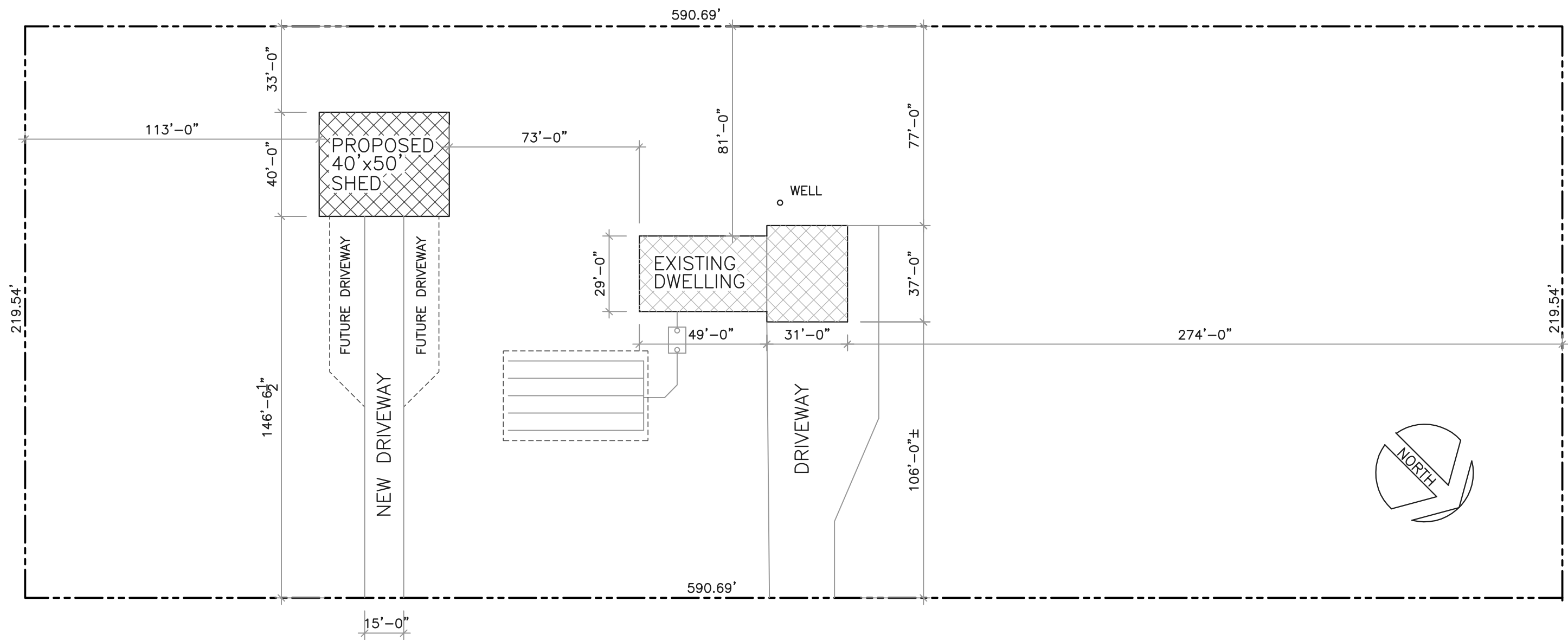
Future contact at the County of Renfrew:

Rajat Ali, Junior Planner rali@countyofrenfrew.on.ca or 613-735-7288 ext. 430

DISCLAIMER:

This form attempts to identify current policies that would be considered in the review of a formal application. If a formal application is submitted, other policies may also be identified at that time, including those by a commenting agency or the public. Please note that policies may change over time and could affect the outcome of a formal application, if it is not submitted in a timely manner, after these comments are received. The County of Renfrew is not responsible for any use that is made of this checklist.

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RUSSETT DRIVE

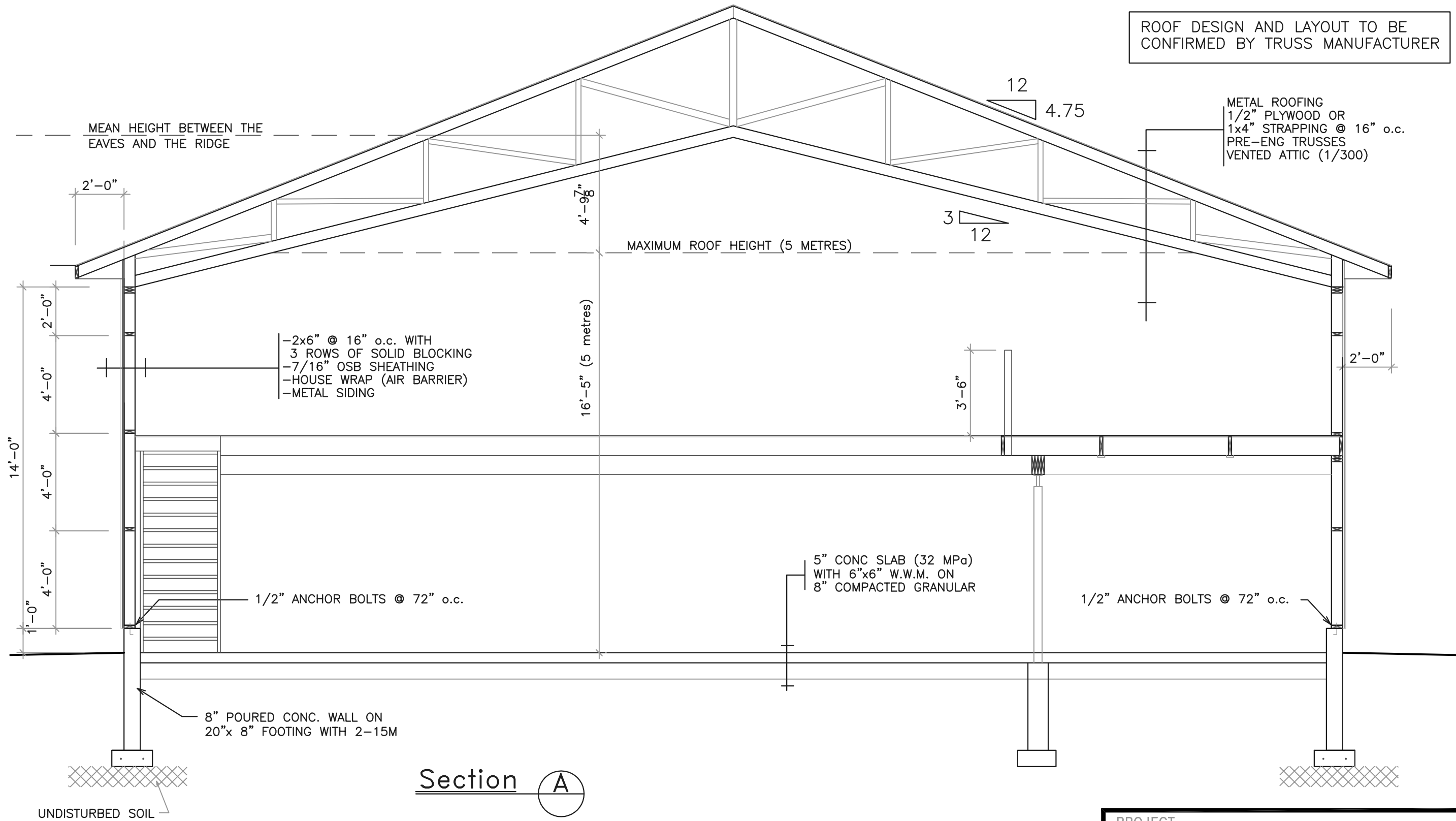
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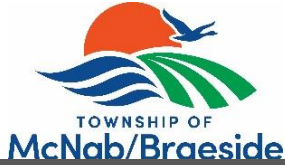
ROOF DESIGN AND LAYOUT TO BE CONFIRMED BY TRUSS MANUFACTURER



PROJECT	STORAGE SHED FOR THE JAHNS	
DRAWING	SECTION	
DRAWN BY	JACQUES BENOIT	
SCALE	1/4"=1'-0" U/N	REV #2

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VIOLATION HAS BEEN COMMITTED



MINOR VARIANCE PLANNING REPORT

PART A – BASIC INFORMATION

- 1. FILE NO.: A-3/23
- 2. APPLICANT: Andrew Jahn (Owner)
- 3. MUNICIPALITY: Township of McNab/Braeside
(geographic Township of McNab)
- 4. LOT: 14 CONCESSION: 8 STREET: 1781 Russett Drive

SUBJECT LANDS

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

7. **DETAILS OF MINOR VARIANCE REQUEST**

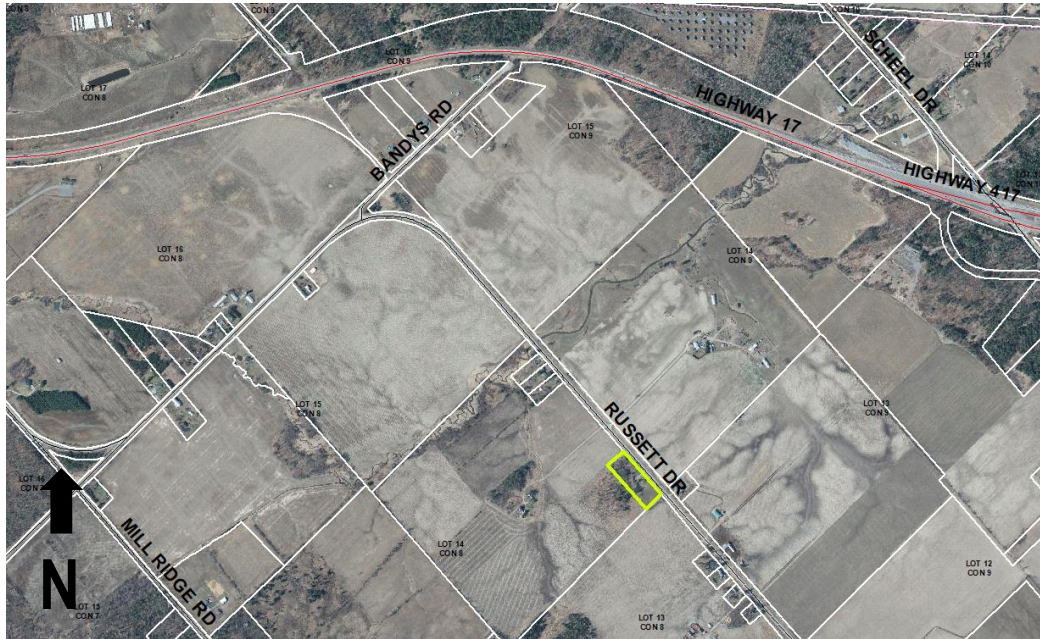
The minor variance application requests a variance to Section 3.3.6 of the Township’s Zoning By-law to permit an increased maximum building height from 5.0 metres to 6.5 metres for a proposed accessory building, on a residential lot for storage purposes.

8. **SITE PERFORMANCE STANDARDS**

<u>Zoning By-law Standard</u>	<u>Permitted</u>	<u>Proposed</u>
Section 3.3.6	Maximum 5.0 metre accessory building height in any Residential Zone	6.5 metres accessory building height

9. **SITE CHARACTERISTICS AND SETTING**

The subject property (outlined in yellow) is located on Russett Drive, approximately 2.7 kilometres southeast of the Calabogie Road/Highway 17 interchange, on the south side of Highway 17. It is located in an area consisting primarily of active farms. There are several existing residential lots found in the vicinity with only one in close proximity to the subject lot. Otherwise, the immediate abutting land use around this lot is farmland.



The property is an existing residential lot fronting on and accessing Russett Drive. It contains an existing single detached dwelling and is serviced by private well and septic system.



The applicant's proposed site plan showing the proposed building footprint and location, and building elevations are attached as Appendix A to this report.

10. **OFFICIAL PLAN**

The subject lands are designated as Agriculture in the County of Renfrew Official Plan. Section 6.3(1) and (2) of the Agriculture designation primarily permit agricultural and agricultural-related uses. Section 6.3(3) recognizes existing small land holdings that contain a variety of use but are mostly rural residences.

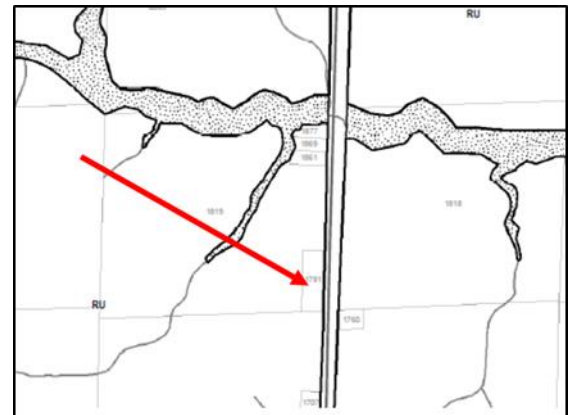


Section 2.0 General Development Policies contains various general policies that may apply to a specific property and/or proposal. There are no General Development Policies impacting this property or proposal.

Section 13.3(3) are the local municipal road policies and any new development fronting on a municipal road must meet the road authority's requirements.

11. **ZONING BY-LAW**

The subject property is zoned Rural (RU). Section 17.1(a) permits low density residential uses including a single detached dwelling. Sections 17.2(c) sets out a minimum 7.5 metre front yard setback from the front lot line. Section 17.2(i) permits a maximum lot coverage of 33%. Section 17.2(o) indicates that accessory buildings are permitted in accordance with Section 3.0 General Provisions of the Zoning By-law.



In Section 3.3 General Provisions, Section 3.3.5 requires that accessory buildings be located no closer than 3.0 metres to any lot line. Section 3.3.4 however, stipulates that an accessory building shall not be located within a minimum required front yard depth. Section 3.3.6 stipulates that accessory buildings in any Residential Zone shall not exceed 5.0 metres in height.

Section 2.0 Definitions defines terms found throughout the Zoning By-law. Section 2.99(c) defines Height, as it relates to buildings with a gable roof, as being the vertical distance between the average elevation of the finished surface of the ground at the front of the building and the mean height between the eaves and the ridge.

12. **STUDIES**

No studies were submitted or required in support of this application.

13. PUBLIC/AGENCY 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. Public agencies have been notified, as required.

As of the writing of this report, no comments have been received. Should any public or agency 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.

Although the subject lands are designated as Agriculture in the Official Plan, the Official Plan recognizes long-existing residential lots such as this property. The subject lands are zoned Rural (RU) which permits residential uses, and accessory uses in accordance with the General Provisions of the Zoning By-law. The proposed accessory building at the proposed location shown on the application sketch exceeds both the minimum required 7.5 metre front yard setback and the minimum required 3.0 metre setback from the rear and side lot lines. The addition of the 2000 square foot accessory shed to the property, in addition to the existing dwelling will be well below the maximum 33% permitted lot coverage, as the lot is 1.2 hectares in area.

This is a good-sized rural residential lot that is not crowded by other development. Larger sized accessory buildings on such lots are not uncommon. The closest dwelling is located kitty-corner to the east, across the road. It is off-set and does not directly face the subject lands. Otherwise, all other abutting properties consist of agricultural lands. An increased height of 1.5 metres for the new accessory building at the proposed location on the lot will not have any negative impacts on abutting lands or uses.

Based on the above-comments the development and the requested variance meet the general intent and purpose of both the Official Plan and the Zoning By-law. The proposed use is in keeping with rural development in the area and the increased building height can be considered appropriate on a rural residential lot. The development is desirable and appropriate for the lands, and the variance requested can be considered minor. The requested variance 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 requested variance to Section 3.3.6 of the Zoning By-law for the subject lands to allow a maximum 6.5 metre building height for the proposed accessory building, as depicted in minor variance application A-3/23.

Date: January 9, 2024
Prepared by: Anne McVean, County Planner
Reviewed by: Bruce Howarth, MCIP, RPP
Manager of Planning Services

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