

## Committee of Adjustment Meeting Minutes

The Committee of Adjustment met in person in the Council Chambers on June 11, 2025 at 3:00 p.m.

Those in attendance were:

Chair: Chuck Arrand  
Member: Marc Royal  
Member: Ken Walker  
Member: Gord Zeggil

Councillor: Robert McArthur

Regrets: None

Staff: Secretary Treasurer, Colin Ens Funk  
Deputy Secretary Treasurer, Lori Kennedy  
Community Planner, Nick Ainley  
Community Planner, Danielle Waters  
Director of Planning, Amy Cann

### 1. Call to Order

The Chairman called the meeting to order at 3:00 pm.

### 2. Minutes

#### 3.1 Minutes of the Committee of Adjustment meeting held on May 7, 2025.

##### **Resolution:**

Moved by Gord Zeggil, Seconded by Robert McArthur, Be It Resolved That the Committee of Adjustment hereby approve the minutes dated May 7, 2025, as presented. Motion Carried.

### 3. Disclosure of Disqualifying Interest and General Nature Thereof

Gord Zeggil disclosed a disqualifying interest in agenda items 4.3 and 4.4 for 221 Collingwood Street.

### 4. Applications

#### 4.1 **Minor Variance 25-A10 – 3996 County Road 124 (McLean)**

The Secretary described the purpose of the application. The Secretary advised that the staff recommendation is that the application be partially denied and partially approved, with conditions.

Community Planner Danielle Waters gave a presentation on the file.

Jason McLean, applicant for the file asked about options for building a bigger structure, such as combining the two structures. Danielle stated that the size of Building A is as large as would be desired, and that the location is still a residential zone.

Chuck Arrand asked for clarification on the zone of property. Danielle stated that the front of the property is designated Commercial in the Official Plan, but that the whole site is zoned Residential. Colin Ens Funk added that there have been no changes to the Official Plan designation or Zoning since at least 2001 and 2006, respectively.

Chuck asked how the property owner would change the property to commercial. Director Amy Cann She stated that a site-specific application through Council would be the process for changing the zoning on the site. She stated that there is no expectation that the new zoning would change the zoning for the property. She added that whether the proposal was for one building or two, the size of the proposal does not meet the zoning of the site.

Gord Zeggil asked about the zones, and whether an accessory building would be permitted at the front of the property in the other zone. Danielle clarified that the whole property permits one house and one accessory building, regardless of the two zones.

Gord Zeggil asked whether there would a change to the zone which would allow the two buildings. Amy Cann stated that there could be other options, but that would require further applications in the future.

Councillor McArthur clarified whether the placement of the buildings would change the permitted square footage. Danielle confirmed that the permitted square footage is for the whole site, regardless of placement.

Councillor McArthur asked for clarification about the setbacks. Colin stated that staff received comments from a neighbour about the location of the buildings. Colin then read the letter out to the committee, as it was received after the agenda was published:

From Jen Macnaughton:

“Dear COFA Committee members, and Planner Colin Ens Funk,

I am writing regarding the above application for a Minor Variance at 3996 County Road 124.

I am the owner of the adjacent property at 4002 County Road 124.

I received your Notice of Hearing, scheduled for June 11, 2025 at 3 pm.

I have no objection to the size of the proposed outbuildings but I do have an objection to the location. They are large buildings and will block most of the view from the back of the house and deck at 4092 County Rd 124.

I met with the owner of the adjacent property, Jason McLean, onsite regarding the location and together we have a solution which restores a partial view from my house.

I attach a sketch and letter to Jason McLean which indicates the location originally indicated in the plan (dotted outlines in red) and the new proposed location of Buildings A and B in a heavy black outline.

I hope that you will include the proposed location and setback changes, outlined in my sketch, in your approval of the Minor Variance.

Please do not hesitate to call if you have any questions.

Sincerely,

Jen"

Chuck confirmed that the applicant has a relationship with his neighbours and will work out the location of the building(s). The applicant confirmed.

**Resolution:**

Moved by Gord Zeggil, Seconded by Marc Royal, Be It Resolved That Minor Variance Application 25-A10 be denied in part and approved in part, with conditions. Motion Carried.

**4.2 Consent File 25-B04 – 7343 36/37 Sideroad (Patenaude)**

The Secretary described the purpose of the application. The Secretary advised that the staff recommendation is that the application is approved, with conditions.

Secretary-Treasurer Colin Ens Funk gave a presentation on the file.

Abbey Scott, representative for the applicant, gave a presentation on the file.



Councillor McArthur asked whether the application conforms with density targets. Amy Cann clarified that the property is outside of the settlement area of Nottawa, so the density calculations do not apply. Our Official Plan lays out density targets for each settlement area such as Nottawa to preserve opportunities to create density and maximize efficiency for water and wastewater pipes and other infrastructure. As this property is a different location, there is a different application of density.

Gord Zeggil asked about the minimum size for septic. Colin clarified that our Zoning By-law requires a minimum of 0.3 ha lot size, for septic, and our Official Plan limits the upper size of a new parcel to 1 ha.

Gord asked the applicant if they were aware of the development cost going forward, and she confirmed.

**Resolution:**

Moved by Gord Zeggil, Seconded by Robert McArthur, Be It Resolved That Minor Variance Application 25-B04 be accepted as applied for, with conditions. Motion Carried.

**4.3 Consent 25-B03 – 221 Collingwood Street (Leimgardt)**

The Secretary described the purpose of the application. The Secretary advised that comment was received the day before from the NVCA, and that they had no concerns. The Secretary advised that the staff recommendation is that the application is approved, with conditions.

Chuck Arrand asked for clarification on the condition that reads “prior” to the giving of a consent. Colin clarified that technically the Committee gives provisional consent, the actual consent is given upon the completion of all conditions. The Secretary creates a Certificate of Consent, and technically the consent is ‘given’ when the Certificate is given.

Planner Nick Ainley gave a presentation on the file.

Ashley Leimgardt, applicant for the file was present to answer any questions.

Elizabeth Eakins and James Brewer, neighbours to the north of the property, were present and stated that they have no issues with the severance, but were concerned about if any of the trees or hedge between the properties were being removed.

Chuck clarified whether the hedge was on the retained or severed property. James and Elizabeth stated that the hedge is right on the line between their property and the severed property. Ashley confirmed that the hedge is exactly

on the lot line, according to a survey which they completed. She clarified that they have no intention of removing the cedar hedge, as it benefits both the neighbours to the north and her property.

**Resolution:**

Moved by Robert McArthur, Seconded by Ken Walker, Be It Resolved That Minor Variance Application 25-B03 be accepted as applied for, with conditions. Motion Carried.

**4.4 Minor Variance 25-A09 – 221 Collingwood Street (Leimgardt)**

The Secretary described the purpose of the application. The secretary again advised that the NVCA submitted comments yesterday and identified no concerns. The Secretary advised that the staff recommendation is that the application is approved, with conditions.

Community Planner Nick Ainley gave a presentation on the file.

Ashley Leimgardt was present to answer any questions.

Chuck confirmed whether the public had any questions on this file. The public had no further questions.

**Resolution:**

Moved by Ken Walker, Seconded by Marc Royal, Be It Resolved That Minor Variance Application 25-A09 be accepted as applied for, with a condition. Motion Carried.

Colin stated for the record that items 4.5 and 4.6, which were also submitted by Ashley Leimgardt and notice was circulated, were withdrawn by the applicant, and were therefore not heard.

**5. New Business**

Colin discussed how lawyer Jenna Morely was available and willing to give a presentation to staff and Committee members about enforceable conditions. The committee was available in the afternoon of June 24<sup>th</sup>.

**7. Next Meeting – July 9, 2025**

**8. Adjournment**

**Resolution:**

Moved by Gord Zeggil, Seconded by Ken Walker, Be It Resolved, that the Committee of Adjustment hereby be adjourned at 3:53 p.m. Motion Carried.



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Chuck Arrand, Chair

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Colin Ens Funk, Secretary-Treasurer

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