



# Township of McKellar

701 Hwy. #124, P.O. Box 69, McKellar, Ontario P0G 1C0

Phone: (705) 389-2842

Fax: (705) 389-1244

## Committee of Adjustment

### NOTICE OF DECISION

**TAKE NOTICE THAT** the Committee of Adjustment for the Corporation of the Township of McKellar considered the following Application for minor variance under Section 45 of the Planning Act, R.S.O. 1990, c. P.13

APPLICATION NO.           A/10/2023  
Date of Hearing:           November 7, 2023  
Final Appeal Date       November 27, 2023  
Owner(s):                 Zalman & Ludmila Goldshmidt

Property Location:       25 Smith Pine Crescent (CON 7 PT LOT 27 PLAN M403 LOT 58  
AND RP 42R17120 PART 3 PCL 22366)

### DECISION

That the Committee of Adjustment does hereby grant the Minor Variance Application A/10/2023 - Goldshmidt to permit relief of the maximum lot ~~area~~ coverage for the construction of one accessory open-air building to exceed the allowable lot ~~area~~ coverage. The maximum lot ~~area~~ coverage is increased from 15 percent as regulated in Schedule 'B' of By-Law 95-12, as amended, to 18 percent having 3 percent relief from the maximum lot ~~area~~ coverage; and

Further to permit relief of the maximum floor area for the construction of the above mentioned accessory open-air building to exceed the maximum floor area, as defined in Section 2.72 of By-law 95-12, as amended. The maximum floor area is increased from 15 square metres to 48.6 square metres, having 33.6 square metres relief from the maximum floor area. All other applicable Sections of By-Law 95-12, as amended, are to be complied with.

### CERTIFICATION

I, Karlee Britton, Secretary-Treasurer of the Township of McKellar Committee of Adjustment, certify that the attached is a true copy of the decision of the Committee with respect to the application recorded therein.

Dated this 7<sup>th</sup> day of November, 2023

  
Karlee Britton, Secretary-Treasurer

### **NOTICE OF THE LAST DAY FOR APPEALING THE DECISION**

**The last date for filing a notice of appeal to the Ontario Land Tribunal is the 27<sup>th</sup> day of November, 2023.**

The applicant, the Minister or any other person or public body who has an interest in the matter may, within 20 days of the making of the decision, appeal to the Ontario Land Tribunal against the decision of the committee by filing with the Secretary-Treasurer of the Committee a notice of appeal setting out the objection to the decision and or conditions and the reasons in support of the objection accompanied by a certified cheque or money order in the amount of Four Hundred dollars (\$400.00) made payable to the Minister of Finance.

The notice of Appeal must be submitted to the Secretary-Treasurer at the following address: Township of McKellar, PO Box 69, 701 Highway 124, McKellar, ON, P0G 1C0.



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I, Karlee Britton, Secretary-Treasurer of the Township of McKellar Committee of Adjustment, certify that as of November 27, 2023, no appeals have been filed against the aforementioned Decision re Application A/10/2023 (Goldshmidt) and that therefore this Decision is final and binding.

Dated this 27<sup>th</sup> day of November, 2023

Karlee Britton, Secretary-Treasurer

## Key Map





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### DECISION

APPLICATION NO. A/10/2023  
 Date of Hearing: November 7, 2023  
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 Owner(s): Zalman & Ludmila Goldshmidt

Property Location: 25 Smith Pine Crescent (CON 7 PT LOT 27 PLAN M403 LOT 58 AND RP 42R17120 PART 3 PCL 22366)

### VARIANCE REQUESTED

The applicant is requesting a Minor Variance to permit the construction of an accessory open air building, that will exceed the permitted maximum lot area coverage and exceed the maximum floor area.

### DECISION

That the Committee of Adjustment does hereby grant the Minor Variance Application A/10/2023 - Goldshmidt to permit relief of the maximum lot area coverage for the construction of one accessory open-air building to exceed the allowable lot area coverage. The maximum lot area coverage is increased from 15 percent as regulated in Schedule 'B' of By-Law 95-12, as amended, to 18 percent having 3 percent relief from the maximum lot area coverage; and

Further to permit relief of the maximum floor area for the construction of the above mentioned accessory open-air building to exceed the maximum floor area, as defined in Section 2.72 of By-law 95-12, as amended. The maximum floor area is increased from 15 square metres to 48.6 square metres, having 33.6 square metres relief from the maximum floor area. All other applicable Sections of By-Law 95-12, as amended, are to be complied with.

### THE REASONS FOR THE DECISION

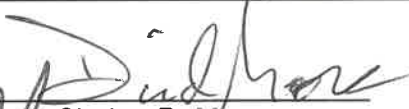
It is the opinion of the Committee of Adjustment that the requested variance:


- i) is minor in nature
- ii) is desirable for the appropriate development or use of the land, building or structure;
- iii) maintains the general intent and purpose of Comprehensive Zoning By-law 95-12, as amended; and
- iv) maintains the general intent and purpose of the Official Plan.

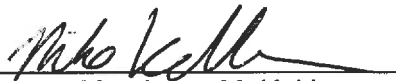
### EFFECT OF PUBLIC INPUT, IF ANY, ON LAND USE DECISIONS:


The Committee of Adjustment received written and/or oral submissions before and/or during the hearing and has taken these submissions into consideration when making its decision

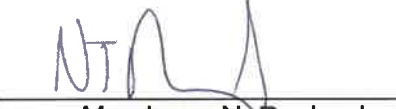
### THE FOLLOWING COMMITTEE MEMBERS CONCUR WITH THE DECISION:


  
Chair – D. Moore

  
Member – M. Haskim

  
Member – M. Kekkonen

  
Member – R. Moore

  
Member – N. Ryeland

  
Member – D. Zulak

Dated this 7<sup>th</sup> day of November, 2023