



Township of McKellar

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

Phone: (705) 389-2842

Fax: (705) 389-1244

Committee of Adjustment - Public Meeting Agenda December 5, 2023 – 5:00 p.m.

1. Call to Order – Res. No. 23-44

- Introductions are made: Members of the Committee and Staff

2. Disclosure of Pecuniary Interest and General Nature Thereof

3. Meeting Protocol

- The Chairperson takes a roll call of guests and visitors who are in attendance.
- The Chairperson asks that all comments be addressed through the Chairperson and that the person making comments should state his/her name before speaking.

4. Appointments

5. Minutes

- November 21, 2023 Meeting – **Res. No. 23-45**

6. Discussion:

6.1 Brisbin, Brian – Application No. A/13/2023 Proposed addition (covered porch) to an existing sleeping cabin to exceed the permitted gross floor area

- The Chairperson will ask the Secretary/Treasurer if any letters or related correspondence have been received and, if so, the nature thereof.
- The Applicant will make their presentation and comments, if in attendance
- Questions or comments from Committee of Adjustment members and the public

7. Decision of Committee of Adjustment

- 7.1 Brisbin Decision – **Res. No. 23-46**

8. Adjournment - Res. No. 23-47



CORPORATION OF THE TOWNSHIP OF MCKELLAR

Committee of Adjustment Minutes

November 21, 2023

Chair, David Moore called the meeting to order at 5:00 p.m.

INTRODUCTIONS

Chair, David Moore took Roll Call.

Present: Chair, David Moore, Morley Haskim, Mike Kekkonen, Reg Moore, Debbie Zulak

Regrets: Nick Ryeland

Staff: Secretary/Treasurer, Karlee Britton

DECLARATIONS OF PECUNIARY AND/OR PERSONAL INTEREST AND GENERAL NATURE THEREOF

There were no conflicts of interest declared.

Moved by: Debbie Zulak

Seconded by: Mike Kekkonen

23-39 That the Committee of Adjustment meeting agenda is accepted, as presented.

Carried

Moved by: Debbie Zulak

Seconded by: Mike Kekkonen

23-40 That the Committee of Adjustment Minutes from the November 7, 2023 meeting are accepted, as circulated.

Carried

6.1 Discussion – Emmons, Erin & Chris Application No. A/11/2023

Chair, David Moore asked if any letters or related correspondence were received. Secretary-Treasurer, Karlee Britton replied no letters or related correspondence were received.

Chair, David Moore asked if the applicant would like to speak to the application. The agent, Jarret McNamee from AJM Designs Inc. spoke on behalf of the applicant.

Chair, David Moore asked if there were any questions or comments from members and the public, there were no questions.



CORPORATION OF THE TOWNSHIP OF MCKELLAR

Committee of Adjustment Minutes

November 21, 2023

Moved by: Mike Kekkonen

Seconded by: Debbie Zulak

- 23-41** **That** the Committee of Adjustment does hereby grant the Minor Variance Application A/11/2023 - Emmons to permit relief of the maximum height for the construction of one accessory building (garage, private) to exceed the maximum height of 5 metres in Schedule "B" to the Township of McKellar's Comprehensive Zoning By-law No. 95-12, as amended. The maximum height is increased from 5 metres as regulated in Schedule 'B' of By-Law 95-12, as amended, to 5.80 metres granting 0.80 metres relief from the maximum height. All other applicable Sections of By-Law 95-12, as amended, are to be complied with.

Carried

6.1 Discussion – Slama, Ohad Application No. A/12/2023

Chair, David Moore asked if any letters or related correspondence were received. Secretary-Treasurer, Karlee Britton replied no letters or related correspondence were received.

Chair, David Moore asked if the applicant would like to speak to the application. Ohad Slama spoke to the application.

Chair, David Moore asked if there were any questions or comments from members and the public, there were no questions.

Moved by: Reg Moore

Seconded by: Morley Haskim

- 23-42** **That** the Committee of Adjustment does hereby grant the Minor Variance Application A/12/2023 - Slama to permit relief of the maximum gross floor area for the construction of six rental cottages to each exceed the maximum gross floor area. The maximum gross floor area per rental cottage is increased from 100 square metres as regulated in By-law 2022-52 being a By-law to amend the Township of McKellar's Comprehensive Zoning By-law No. 95-12, as amended to 150 square metres having 50 square metres relief from the maximum gross floor area. All other applicable Sections of By-Law 95-12, as amended, are to be complied with.

Carried



CORPORATION OF THE TOWNSHIP OF MCKELLAR

Committee of Adjustment Minutes

November 21, 2023

Moved by: Morley Haskim

Seconded by: Reg Moore

23-43 **That** the Committee of Adjustment does now adjourn.

Carried

The meeting adjourned at 5:19 p.m.

David Moore, Chair

Karlee Britton, Secretary/Treasurer

DRAFT



Township of McKellar

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

Phone: (705) 389-2842

Fax: (705) 389-1244

APPLICATION NO: A-13-23

APPLICATION FOR MINOR VARIANCE OR FOR PERMISSION

The undersigned hereby applies to the Committee of Adjustment for the Township of McKellar under Section 45 of the *Planning Act* R.S.O. 1990, c.P.13, as amended, for relief, as described in this application, from the Township's Comprehensive Zoning By-law. **FAILURE TO PROVIDE ALL OF THE INFORMATION REQUIRED BY THIS APPLICATION MAY CAUSE DELAYS OR DISQUALIFY THE APPLICATION UNTIL FURTHER OR MORE ACCURATE INFORMATION IS OBTAINED.**

Date Received: <u>NOV 17 2023</u>	<u>OFFICE USE ONLY</u>
Date Accepted: <u>NOV 17 2023</u>	Complete Application: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Application No. <u>A13</u>
Date Stamp: <u>NOV 17 2023</u>	Application Fee + Deposit Received <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

A. APPLICANT/AGENT INFORMATION

- Name of Owner: Brian Brisbin in Trust
- Address: Street and Number Lona Lane #2
 City McKellar Province/State ON Postal/Zip Code P2A 04P
 Home Phone No. 416 274 2343 Business Phone No. _____
 Email brian@bbb.ca
- Name of Agent (if any): _____
- Address: _____

Note: Unless otherwise requested, all communications will be sent to the agent, if any.

- Names and Addresses of any mortgagors, holders of charges or other encumbrances:

B. PURPOSE AND TYPE OF APPLICATION

6. Minor Variance from Comprehensive Zoning By-law Permission to extend a legal non-conforming use

From what section of the Zoning By-law is relief being sought?

Section 3.39

7. Nature and Extent of Relief Applied for:

Covered screened-in porch, attached to existing structure. Seeking 14.4 square meters relief.

8. Why is it not possible to comply with the provisions of the Zoning By-Law?

Over permitted area.

C. DESCRIPTION OF PROPERTY

9. Legal description of subject land (registered plan number and lot number or other legal description and, where applicable, street and street number):

Part Lot 24, Concession 8, Lot 1, Registered Plan 42M-550

10. Dimensions of land affected:

Frontage (metres): 150 Depth (metres): 100

Area (hectares): 1.89 Width of Street: 20

11. Access to subject land is by:

- Provincial Highway year-round municipal road seasonal municipal road
 other public road private right of way water access

12. If access to the subject land is by private road, or if "other public road" or "private right of way" was indicated in Section 11, indicate who owns the land or road, who is responsible for its maintenance and whether it is maintained seasonally or all year:

N/A

13. If access to the subject land is by water only, describe the parking and docking facilities used or to be used and the approximate distance of these facilities from the subject land and the nearest public road:

N/A

D. LAND USE AND ZONING

14. Date of Acquisition of Subject Lands:

2011

15. Date of Construction of all Buildings and Structures on Subject Land:

1953

16. Existing Uses of the Subject Lands:

Residential

17. Length of time the existing uses of the subject property have continued:

70 Years

18. Existing Uses of Abutting Lands:

Residential

19. Services (Check appropriate box):

Water: Dug Well Drilled Well Lake Other _____
Sewage Disposal: Septic Privy Other Holding Tank _____

20. Storm Drainage is provided by (Check appropriate box):

sewers open ditches swales other (please specify) _____

21. Present Official Plan provisions applying to the land:

22. Present Zoning By-law provisions applying to the land:

23. Are there any easements or rights-of-way affecting the subject lands?

Yes No

If Yes, indicate and describe the purpose of the easement or rights-of-way:

Cottage lane easement (Lona Lane)

E. BUILDINGS AND STRUCTURES (on or proposed for the subject land)

EXISTING – List all existing buildings and structures					DISTANCE FROM LOT LINES (metres)			
Building/ Structure Type	Date of Construction	# of Storeys / Height	Ground Floor Area (m2)	Total Floor Area (m2)	Front	Rear	Side	Side
Cottage	1989	2	167.2	334.4	20	20	20	20
Bunky	1953	1	53.2	53.2	20	20	13.46	20

PROPOSED – List all buildings and structures					DISTANCE FROM LOT LINES (metres)			
Building/ Structure Type	Date of Construction	# of Storeys / Height	Ground Floor Area (m2)	Total Floor Area (m2)	Front	Rear	Side	Side
Addition to Bunky		1	14.4	14.4	20	20	20	20

F. HISTORY

24. Has the owner previously applied for relief in respect of the subject property?

Yes No If YES, please provide Application Number, if known: A-06-2023

Application for bunky addition, not for the screened-in porch.

25. Is the subject land currently the subject of an application for a consent or approval of a plan of subdivision?

Yes No Unknown If YES and if KNOWN, specify the appropriate file number and status of the application:

26. Has the subject land ever been the subject of a minor variance application?

Yes No Unknown

NO. A-01-2007

G. PLANS

27. Every application shall be accompanied by a sketch [SAMPLE on page 9] (based on a boundary survey plan of the subject land) drawn to an appropriate scale, properly dimensioned and showing thereon:

- The boundaries and dimensions of the subject land
- The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings and structures from the front, rear and side 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, 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

H. AFFIDAVIT OR SWORN DECLARATION

The content of the application and appendices shall be validated by the Applicant (or authorized agent) in the form of the following Affidavit/Sworn Declaration before a Commissioner or other person empowered to take Affidavits.

Dated at the City of Toronto this 14th day of November, 20 23
I, Brian Brisbin, of the City of Toronto
in the Province of Ontario solemnly declare that all
the statements contained in this application are true and I 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.

[Signature]
Signature of Applicant or Authorized Agent

Declared before me at the City of Toronto in the Province
of Ontario this 14th day of November, 20 23

Signature of Commissioner of Oaths: [Signature] D. Sean McGarrity
LSO# 47871C

I. CONSENT OF THE OWNER TO THE USE AND DISCLOSURE OF PERSONAL INFORMATION

Complete the consent of the owner concerning personal information set out below.

I, Brian Brisbin, am the owner of the land that is the subject of this application and for the purposes of the *Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c.M.56, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the *Planning Act* R.S.O. 1990, c.P.13, as amended, for the purpose of processing this application. The applicant acknowledges that the Township considers the application forms and all supporting materials, including studies and drawings, filed with this application to be public information and to form part of the public record. With the filing of an application, the applicant consents to the Township photocopying and releasing the application and any supporting material either for its own use in processing the application or at the request of a third party, without further notification to or permission from the applicant. The applicant also hereby states that it has authority to bind its consultants to the terms of this acknowledgement. Questions about this collection of personal information should be directed to the Township Clerk.

Date November 14, 2023


Signature of Owner

J. CONSENT OF THE OWNER TO THE PAYMENT OF REQUIRED FEES AND POTENTIAL FEES

I, Brian Brisbin, acknowledge and agree that applicants must submit the required fee of \$750.00, as well as a Security Deposit of \$500.00 when filing the application. Further, I agree that any costs beyond regular processing costs relating to this application, including but not limited to engineering studies, legal opinions, planning consultant fees, and Ontario Land Tribunal hearing costs, will be the responsibility of the applicant and will submit the balance due upon receipt of an invoice for same.

Date November 14, 2023


Signature of Owner

K. AUTHORIZATIONS

If the applicant is not the owner of the land that is the subject of this application, the written consent of the owner, authorizing the applicant to make the application, must be included with this form or the authorizations set out below must be completed. Please note: If the Owner is an incorporated company, authorization of the appropriate signing officer(s) is required in accordance with the company's by-laws.

Authorization of Owner for Agent to Make the Application

I, _____, am the owner of the land that is the subject of this application for a Minor Variance and I authorize _____ to make this application on my behalf.

Date

Signature of Owner

If the applicant is not the owner of the land that is the subject of this application, complete the authorization of the owner concerning personal information set out below.

Authorization of the Owner for Agent to Provide Personal Information

I, _____, am the owner of the land that is the subject of this application for a Minor Variance and for the purposes of the *Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c.M.56, I authorize _____ as my agent for this application, to provide any of my personal information that will be included in this application or collected during the processing of the application. The applicant acknowledges that the Township considers the application forms and all supporting materials, including studies and drawings, filed with this application to be public information and to form part of the public record. With the filing of an application, the applicant consents to the Township photocopying and releasing the application and any supporting material either for its own use in processing the application or at the request of a third party, without further notification to or permission from the applicant. The applicant also hereby states that it has authority to bind its consultants to the terms of this acknowledgement.

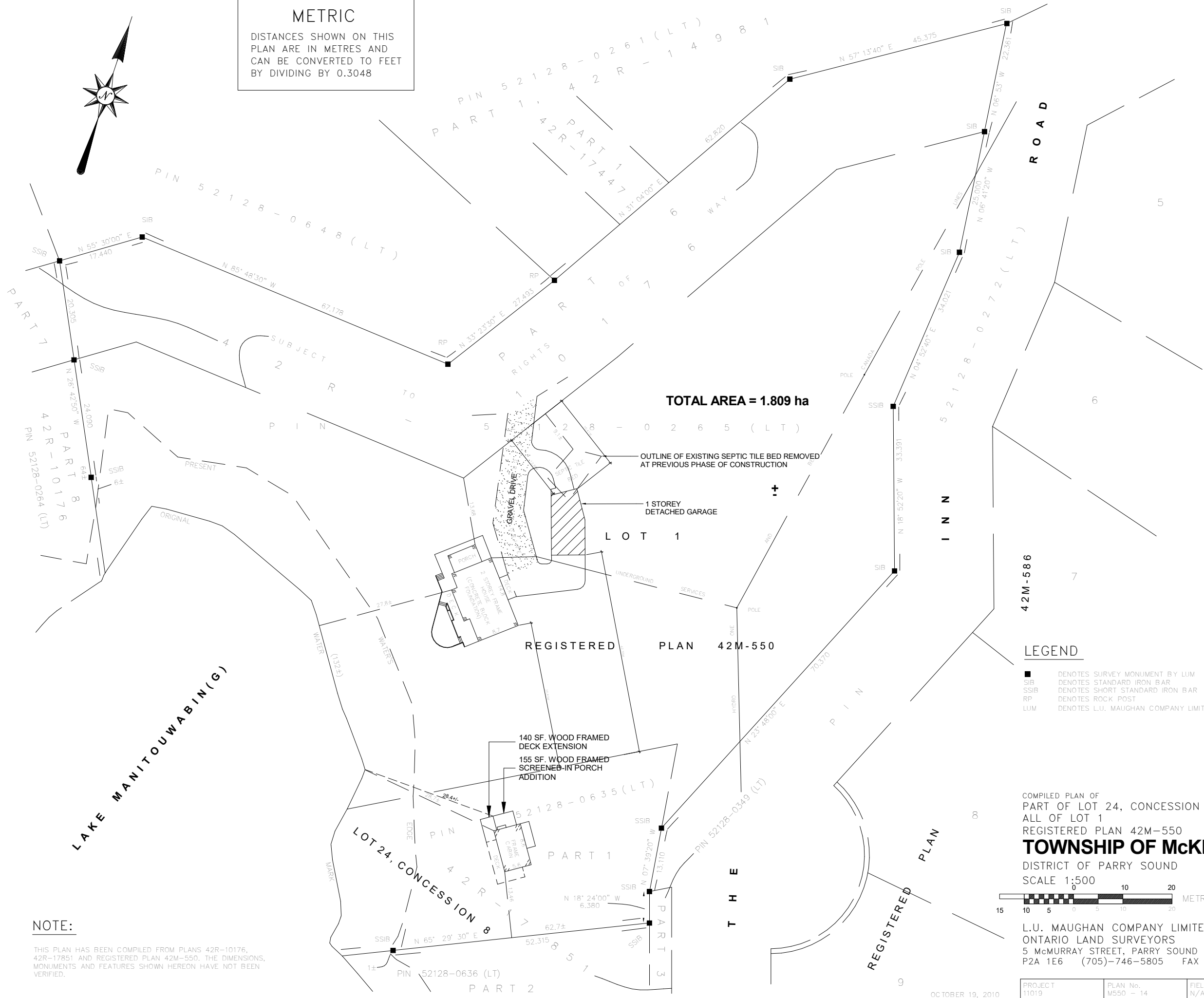
Date

Signature of Owner



METRIC

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048



TOTAL AREA = 1.809 ha

OUTLINE OF EXISTING SEPTIC TILE BED REMOVED AT PREVIOUS PHASE OF CONSTRUCTION

1 STOREY DETACHED GARAGE

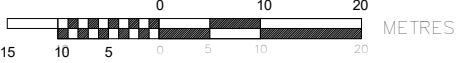
REGISTERED PLAN 42M-550

140 SF. WOOD FRAMED DECK EXTENSION
155 SF. WOOD FRAMED SCREENED-IN PORCH ADDITION

LEGEND

- DENOTES SURVEY MONUMENT BY LUM
- SIB DENOTES STANDARD IRON BAR
- SSIB DENOTES SHORT STANDARD IRON BAR
- RP DENOTES ROCK POST
- LUM DENOTES L.U. MAUGHAN COMPANY LIMITED O.L.S.

COMPILED PLAN OF
PART OF LOT 24, CONCESSION 8 AND
ALL OF LOT 1
REGISTERED PLAN 42M-550
TOWNSHIP OF McKELLAR
DISTRICT OF PARRY SOUND
SCALE 1:500



L.U. MAUGHAN COMPANY LIMITED
ONTARIO LAND SURVEYORS
5 McMURRAY STREET, PARRY SOUND ONTARIO
P2A 1E6 (705)-746-5805 FAX 746-7276

NOTE:

THIS PLAN HAS BEEN COMPILED FROM PLANS 42R-10176, 42R-17851 AND REGISTERED PLAN 42M-550. THE DIMENSIONS, MONUMENTS AND FEATURES SHOWN HEREON HAVE NOT BEEN VERIFIED.

BUNKY ADDITION
49 GLENN BURNEY ROAD
SEGUIN TOWNSHIP
SCREENED IN PORCH & DECK

NO.	DESCRIPTION	DATE
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DWG. TITLE
SITE SURVEY

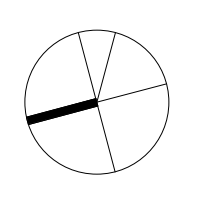
DRAWN
CD

CHECKED
BB

DATE PLOTTED
2023-11-07 12:28:06 PM

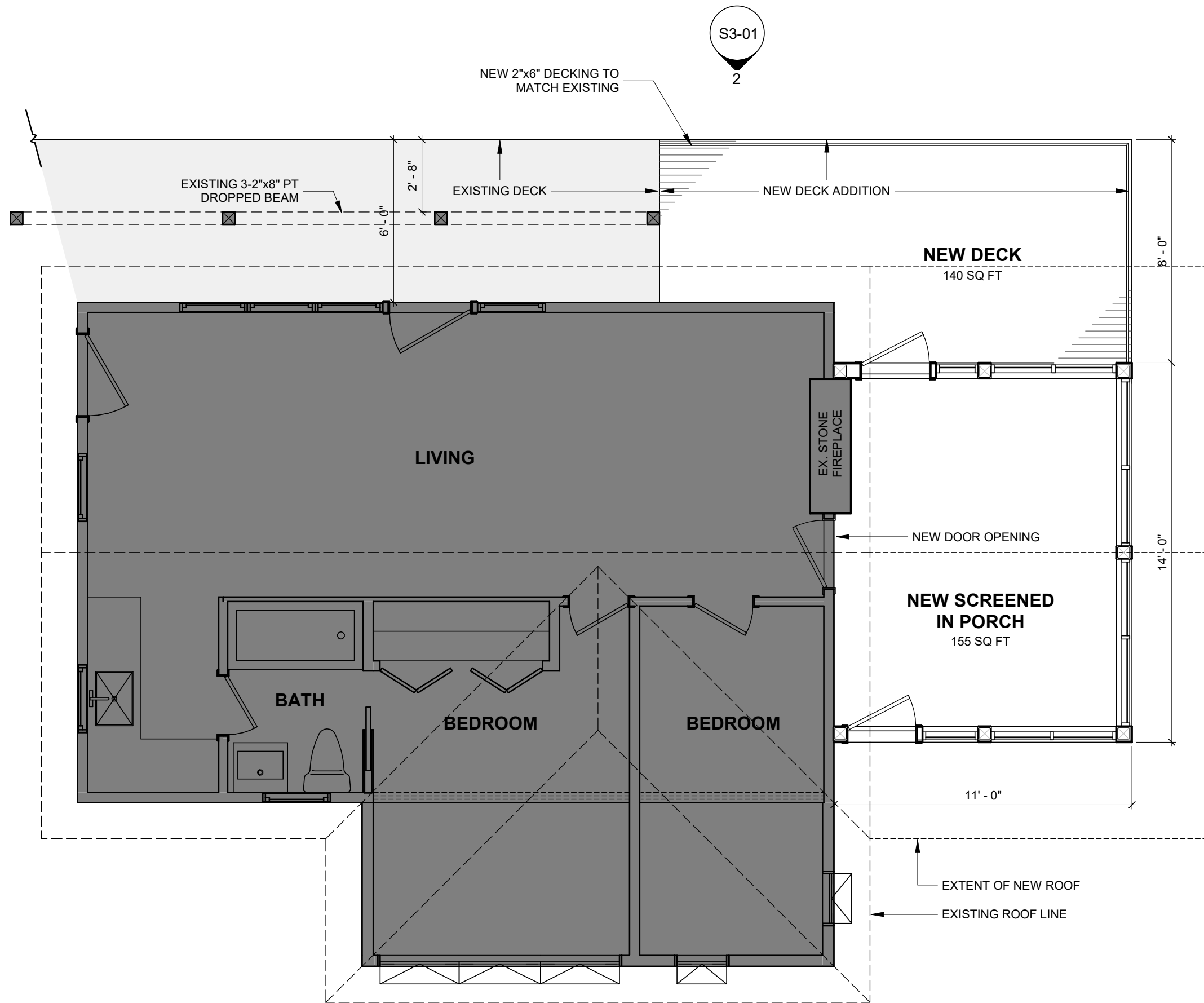
PROJ. NO.
1809

SCALE
1/64" = 1'-0"



DWG. NO.

S0-01



S3-01
2

S3-01
1

S3-01
3

NO.	DESCRIPTION	DATE
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DWG. TITLE		
GROUND FLOOR PLAN		

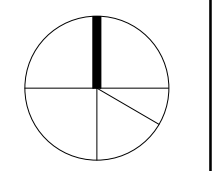
DRAWN	CD
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CHECKED	BB
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DATE PLOTTED	2023-11-07 12:28:06 PM
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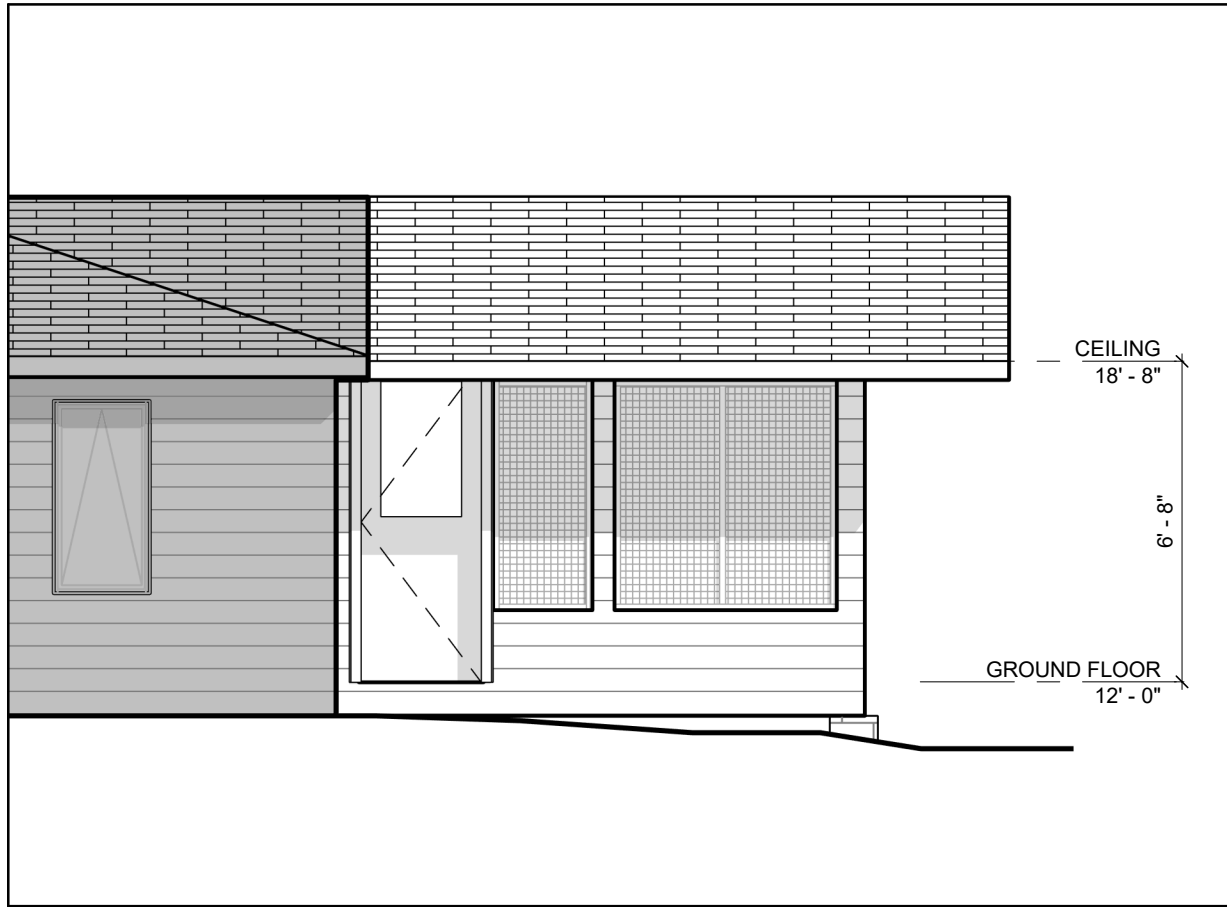
PROJ. NO.	1809
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SCALE	1/4" = 1'-0"
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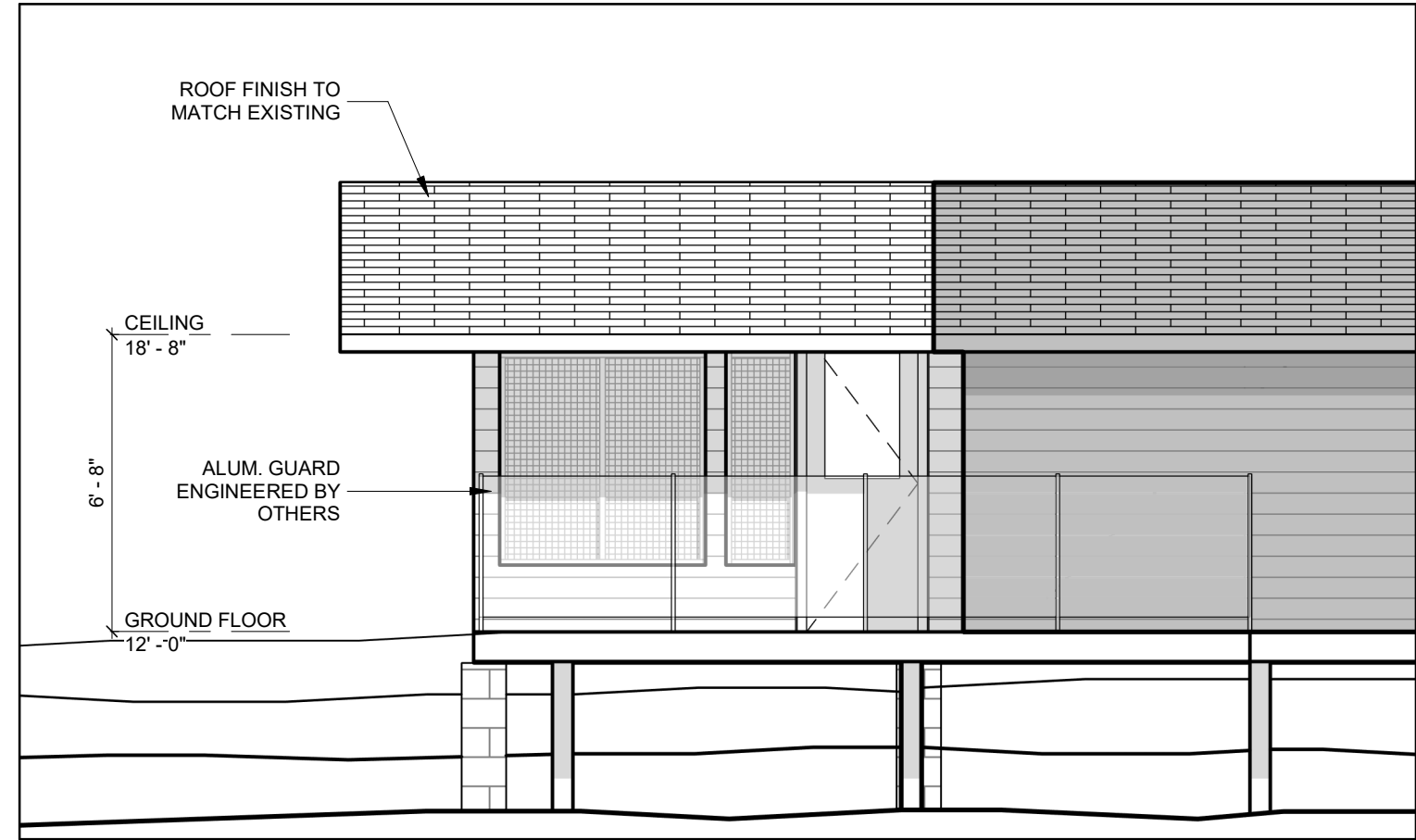


DWG. NO.

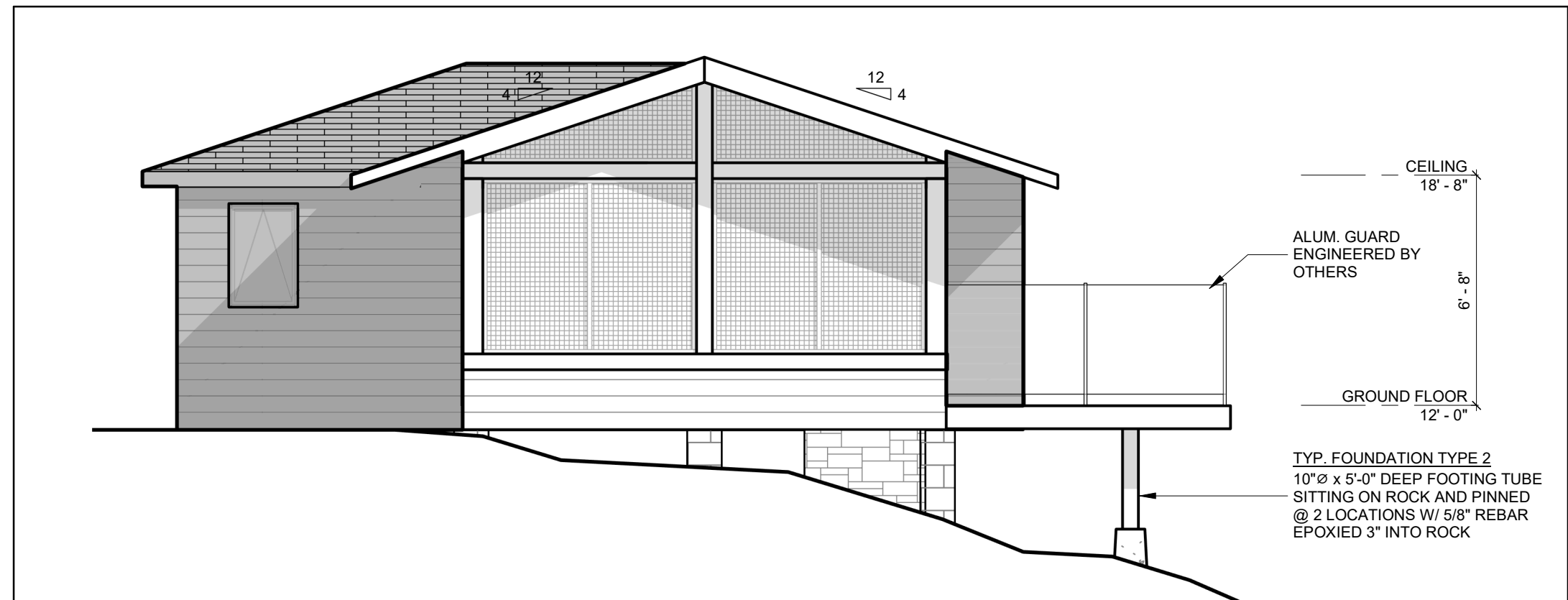
S2-01



3 EAST ELEVATION - SCREENED PORCH
1/4" = 1'-0"



2 WEST ELEVATION - SCREENED PORCH
1/4" = 1'-0"



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

NO.	DESCRIPTION	DATE
-----	-------------	------

DWG. TITLE
ELEVATIONS

DRAWN
CD

CHECKED
BB

DATE PLOTTED
2023-11-07 2:19:20 PM

PROJ. NO.
1809

SCALE
1/4" = 1'-0"



DWG. NO.

S3-01

Karlee Britton

From: art pol <[REDACTED]> on behalf of art pol
Sent: November 27, 2023 8:22 PM
To: DeputyClerk@mckellar.ca
Subject: FW: Brisbin Minor Variance

From: [art pol](#)
Sent: June 4, 2023 1:46 PM
To: DeputyClerk@mckellar.ca
Subject: Brisbin Minor Variance

Hello Karlee,

We are the abutting neighbors to Brain & Kathleen Brisban and we have no problem with the minor variance for the a covered porch on their Bunkie.

Regards,
Art & Pat Pol
■ Lona Lane
McKellar, ON

Sent from [Mail](#) for Windows