

## 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 November 7, 2023 – 5:00 p.m.

## 1. Call to Order - Res. No. 23-35

• 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

• October 3, 2023 Meeting – Res. No. 23-36

## 6. Discussion:

#### 6.1 Goldshmidt, Zalman & Ludmila – Application No. A/10/2023 Proposed accessory open air building to exceed the maximum lot area coverage and exceeds the maximum 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 Goldshmidt Decision Res. No. 23-37
- 8. Adjournment Res. No. 23-38



#### CORPORATION OF THE TOWNSHIP OF MCKELLAR

#### **Committee of Adjustment Minutes**

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, Nick Ryeland,<br/>Debbie ZulakStaff: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

**23-31** That the Committee of Adjustment meeting agenda is accepted, as presented.

#### Carried

## Moved by: Morley Haskim Seconded by: Debbie Zulak

**23-32** That the Committee of Adjustment Minutes from the August 15, 2023 meeting are accepted, as circulated.

Carried

## 6.1 Discussion – Nunn, Tim Application No. A/09/2023

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 applicant was not present.

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**

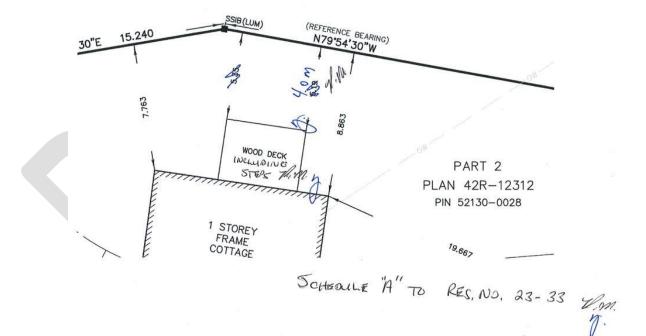
October 3, 2023

## Moved by: Reg Moore Seconded by: Nick Ryeland

**23-33** That the Committee of Adjustment does hereby grant the Minor Variance Application A/09/2023 – Nunn to permit relief of a reduced exterior rear yard setback to construct a covered porch including steps as regulated in Section 3.10 (a) of By-Law 95-12, as amended, that is reduced from 5.5 meters in Section 3.10 (a) of By-Law 95-12, as amended to 4.00 metres (1.5 meters relief) of the minimum permitted rear yard setback. All other applicable Sections of By-Law 95-12, as amended, are to be complied with.

#### Schedule 'A' to Resolution No. 23-33







#### CORPORATION OF THE TOWNSHIP OF MCKELLAR

#### **Committee of Adjustment Minutes**

October 3, 2023

## Moved by: Nick Ryeland Seconded by: Reg Moore

**23-34** That the Committee of Adjustment does now adjourn.

Carried

The meeting adjourned at 5:29 p.m.

David Moore, Chair

Karlee Britton, Secretary/Treasurer



## Township of McKellar

701 Hwy #124, P.O. Box 69, McKellar, Ontario POG 1C0 Phone: (705) 389-2842 Fax: (705) 389-1244

APPLICATION NO: <u>A - 10 - 20</u>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: | OCT 1 0 2023 OFFICE USE ONLY<br>Complete Application: DYes D No Application No. A/O |
|----------------|---|
| Date Accepted: | OCT 1 0 2023 Application Fee + Deposit Received Ves INo                             |
| Date Stamp:    | OCT 1 0 2023  |

#### A. APPLICANT/AGENT INFORMATION

| 1 | Name of Owner: | Zalman and L | udmila Goldshmidt |
|---|----------------|--------------|-------------------|
|---|----------------|--------------|-------------------|

| 2. | Address;    | Street and Number_     | 321 Royal Appian Cr        | escent       |                 |             |         |
|----|-------------|------------------------|----------------------------|--------------|-----------------|-------------|---------|
|    |             | City Concord           | Province/State             | ON           | Postal/Zi       | ip Code     | L4K 5K9 |
|    |             | Home Phone No. 4       | 16-727-0067                | Business     | Phone No.       | 647-274     | 4-2521  |
|    |             | Email mila@gbtra       | ns.ca                      |              |                 |             |         |
| 3. | Name of Age | ent (if any):          |                            |              |                 |             | 1       |
| 4. | Address:    |                        |                            |              |                 |             |         |
|    |             | Note: Unless otherwise | e requested all communicat | ions will be | sent to the age | ent, if any |         |

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

NA

#### APPLICATION FOR MINOR VARIANCE

Page 2 of 9

#### B. PURPOSE AND TYPE OF APPLICATION

6. I 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?

95-12 Schedule B (maximum lot coverage) and Section 2.72 (increased floor area)

7. Nature and Extent of Relief Applied for:

The total area of the existing buildings on the lot is 224.4, we are allotted 15% and over by 3%, we'd like to apply for relief of that 3% for total lot coverage thereby allowing a maximum of 18%. Proposed open air accessory building is 48.6 square meters, seeking relief for 33.6 square meters.

 Why is it not possible to comply with the provisions of the Zoning By-Law? Porposed structure is over by 3% of the allotted 15% allowed.

Proposed open air accessory building is 33.6 square meters larger than the permitted size of 15 square meters,

#### C. DESCRIPTION OF PROPERTY

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

25 Smithpine Crescent , McKeller , ON - Recreational Property

10. Dimensions of land affected:

|    | Frontage (metres): _  | 66.1                 |   | Depth                | (metres):  |
|----|---|----------------------|---|----------------------|--|
|    | Area (hectares):  | 0.22                 |   | Width                | of Street;   |
| 11 | . Access to subject lar   | nd is by:            |   |                      |  |
|    | ☐ Provincial Highwa<br>□other public road                               | у                    | ⊠year-round municipal road<br>□private right of way             |                      | □seasonal municipal road<br>□water access  |
| 12 | . If access to the subje<br>Section 10, indicate<br>maintained seasonal | who own              | ns the land or road, who is res                                 | oublic re<br>ponsibl | oad" or "right of way" was indicated in<br>e for its maintenance and whether it is |
| 13 | . If access to the subjuicted and the approx                            | ect land<br>timate d | is by water only, describe the istance of these facilities from | parking<br>the sub   | and docking facilities used or to be ject land and the nearest public road:        |

NA

#### APPLICATION FOR MINOR VARIANCE

Page 3 of 9

## D. LAND USE AND ZONING

| -         |   |
|-----------|---|
| 5. I<br>- | Date of Construction of all Buildings and Structures on Subject Land: 2013  |
| 6. 1      | Existing Uses of the Subject Lands:<br>Recreational Home  |
| 7.        | Length of time the existing uses of the subject property have continued: 2011 to current  |
| 8.        | Existing Uses of Abutting Lands:<br>Residentail lots with single detached dwellings   |
|           | Services (Check appropriate box):<br>Water: □ Dug Well □ Drilled Well ⊠ Lake □ Other<br>Sewage Disposal: ⊠ Septic □ Privy □ Other<br>Storm Drainage is provided by (Check appropriate box): |
| 21.       | □sewers □open ditches □swales ⊠other (please specify) Lake Drainage   Present Official Plan provisions applying to the land: Waterfront Residential   |
| 22.       | Present Zoning By-law provisions applying to the land:<br>Waterfront Residential, WF2   |
| 23.       | Are there any easements or rights-of-way affecting the subject lands?   |
|           | ICATION FOR MINOR VARIANCE Page 4 of  |

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

| EXISTING - Lis              | t all existing bu       | ildings and                 | structures                   |                             | -                  | DISTANCE | FROML | OT LINES (I | netres) |
|-----------------------------|-------------------------|-----------------------------|------------------------------|-----------------------------|--------------------|----------|-------|-------------|---------|
| Building/<br>Structure Type | Date of<br>Construction | # of<br>Storeys /<br>Height | Ground<br>Floor Area<br>(m2) | Total<br>Floor Area<br>(m2) | A Distantial Party | Front    | Rear  | Side        | Side    |
| Cottage                     | 2013                    | 2                           | 184                          | 104                         |                    | 10.06    |       | 10.98       | 5.0     |
| Garage                      | 2013                    | 1                           | 40 6                         | 40 6                        |                    | 3.6      |       | 97          |         |
|                             |                         |                             |                              |                             |                    |          |       |             |         |
|                             |                         |                             |                              |                             | and a second       |          |       |             |         |
|                             |                         |                             |                              |                             | ALL NO             |          |       |             |         |

| PROPOSED L                  | ist all buildings       | and structu                 | res                          |                             | 100        | DISTANC | E FROM L | OT LINES ( | metres) |
|-----------------------------|-------------------------|-----------------------------|------------------------------|-----------------------------|------------|---------|----------|------------|---------|
| Building/<br>Structure Type | Date of<br>Construction | # of<br>Storeys /<br>Height | Ground<br>Floor Area<br>(m2) | Total<br>Floor Area<br>(m2) | 「「「「「」」    | Front   | Rear     | Side       | Side    |
| Open Air Acce               | ssory Building          | 4 meters                    | 48.6                         | 48.6                        | AL STREET  |         | 3.5      |            |         |
|                             |                         |                             |                              |                             | ALL AL     |         |          |            |         |
|                             |                         |                             |                              |                             | A THE      |         |          |            |         |
|                             |                         |                             |                              |                             | Hele .     |         |          |            |         |
|                             |                         |                             |                              |                             |            |         |          |            |         |
|                             |                         |                             |                              |                             | The second |         |          |            |         |
|                             |                         |                             |                              |                             |            |         |          |            |         |
|                             |                         |                             |                              |                             |            |         |          |            |         |
|                             |                         |                             |                              |                             |            |         |          |            |         |

#### F. HISTORY

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

□Yes If YES, please provide Application Number, if known:

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

#### APPLICATION FOR MINOR VARIANCE

Page 5 of 9

#### 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

| following Affidavit/Sworn Declaration   | of                             | Vaughan                               | this       | 4 day of   | Octo                        | ober      | , 20 <mark>2 3</mark> . |
|---|--------------------------------|---------------------------------------|------------|------------|-----------------------------|-----------|-------------------------|
| I. Zalman Goldshmidt  |                                | , of the Ci                           | ity        |            | $_{of} \underline{\lambda}$ | Vaughan   | 11 - 6 - N              |
|   |                                | of York                               | 1          |            | soler                       | mnly dec  | lare that al            |
| the statements contained in this a<br>believing it to be true and knowing                             | pplication a<br>g that it is o | are true and I ma<br>f the same force | and effect | as if made | under of                    | ath and b | y virtue of             |
| the statements contained in this a<br>believing it to be true and knowing<br>the Canada Evidence Act. | g that it is o                 | the same force<br>our of Applicant    | and effect | asirmade   | under of                    | ath and b | y virtue of             |
| believing it to be true and knowing the Canada Evidence Act.  | g that it is o                 | ure of Applicant                      | and effect | ized Agen  | under of                    | Region    | y virtue of             |

Todd Coles City Clerk, City of Vaughan A Commissioner, etc.

#### APPLICATION FOR MINOR VARIANCE

Page 6 of 9

## 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.

#### Zalman Goldshmidt

, 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.

Uct 5, 2023 Date Signature of Owner

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

I, Zalman and Ludmila Goldshmidt , 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.

act 5, 2023

Date

Signature of Owner

## APPLICATION FOR MINOR VARIANCE

Page 7 of 9

#### 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

| , am the owner of the land that is the subject of this application for a |
|--|
| 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.

| n | - | ۴. | 0 |
|---|---|----|---|
| - | a | ×. | 5 |

Signature of Owner

#### APPLICATION FOR MINOR VARIANCE

Page 8 of 9

111414 Manitovivabing Lak 14 312-M 17/2 deck man 50 Post + Bucivri Log Home 53:1 × . 8 5.0m+ 12 57.4 6/23 77 991 needs to be min 24ft 3in. q13,5% 30 ידט איס איזי 10% 0 30117112 ( Beptize 1) Her bed 3 "A' 0 5 GAZES. 61 10 Scheolule SITE PLAT Grange 0 Zalman+Ludmill Goldshmidt Bush 1 driveway 301 25 Smith Pine Crescent McKellar Tu 12' S xisting OKI

