



# 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/03/2024  
Date of Hearing:            September 17, 2024  
Final Appeal Date         October 7, 2024  
Owner(s):                  Rhynie Wozniak  
  
Property Location:         21 Middle River Drive (Plan 247, Lot 70)

### **DECISION**

Be It Resolved That the Committee of Adjustment does hereby grant the Minor Variance Application A/03/2024 – Wozniak to permit relief of one accessory building/structure (garage private) to:

- 1) Permit 1.4 meters relief from the minimum rear yard setback to allow for a rear yard setback of 1.6 meters and;
- 2) Permit an accessory building/structure that is neither incidental and/or ancillary to the primary dwelling; and
- 3) That 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 17<sup>th</sup> day of September, 2024

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 7<sup>th</sup> day of October, 2024.**

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.

I, Karlee Britton, Secretary-Treasurer of the Township of McKellar Committee of Adjustment, certify that as of October 7, 2024 no appeals have been filed against the aforementioned Decision re Application A/03/2024 (Wozniak) and that therefore this Decision is final and binding.

Dated this 7<sup>th</sup> day of October, 2024

Karlee Britton, Secretary-Treasurer



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## Key Map





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## Committee of Adjustment

### DECISION

APPLICATION NO. A/03/2024  
 Date of Hearing: September 17, 2024  
 Final Appeal Date: October 7, 2024  
 Owner(s): Rhynie Wozniak  
 Property Location: 21 Middle River Drive (Plan 247, Lot 70)

### VARIANCE REQUESTED

The applicant is proposing to build an accessory building (garage private) that will not comply with the rear yard setback of 3.0 metres in Schedule "B" to the Township of McKellar's Comprehensive Zoning By-law No. 95-12, as amended; and further, the accessory building/structure would exceed the size of the primary dwelling, as regulated in Section 3.03 (a) of the Zoning By-law No. 95-12, as amended. The applicant is seeking 1.4 meters relief from the minimum rear yard setback to allow for a rear yard setback of 1.6 meters and to permit an accessory building/structure that is neither incidental and/or ancillary to the primary dwelling.

### DECISION

Be It Resolved That the Committee of Adjustment does hereby grant the Minor Variance Application A/03/2024 – Wozniak to permit relief of one accessory building/structure (garage private) to:

- 1) Permit 1.4 meters relief from the minimum rear yard setback to allow for a rear yard setback of 1.6 meters and;
- 2) Permit an accessory building/structure that is neither incidental and/or ancillary to the primary dwelling; and
- 3) That all other applicable Sections of By-Law 95-12, as amended, are to be complied with.

### THE REASONS FOR THE DECISION

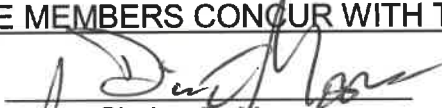
It is the opinion of the Committee of Adjustment that the requested variance:





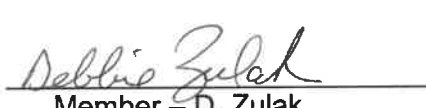
- i) is minor in nature
- ii) is desirable for the appropriate development or use of the land, building or structure;
- iii) maintains the general intent and purpose of Comprehensive Zoning By-law 95-12, as amended; and
- iv) maintains the general intent and purpose of the Official Plan.

### 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

|   |  |
|---|--|
| <br>Member – M. Haskim | <br>Member – M. Kekkonen |
| <br>Member – R. Moore  | <br>Member – N. Ryeland  |
| <br>Member – D. Zulak  |  |

Dated this 17<sup>th</sup> day of September, 2024