



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 August 1, 2023 – 5:30 p.m.

1. Call to Order – Res. No. 23-23

- 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

- June 6, 2023 Meeting – **Res. No. 23-24**

6. Discussion:

6.1 Klimstra, Eric & Lisa – Application No. A/07/2023 - Proposed addition to an existing dwelling will not meet the permitted front yard setback.

- 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 Klimstra Decision – Res. No. 23-25

8. Adjournment - Res. No. 23-26



CORPORATION OF THE TOWNSHIP OF MCKELLAR

Committee of Adjustment Minutes

June 6, 2023

Chair, David Moore called the meeting to order at 6:02 p.m.

INTRODUCTIONS

Chair, David Moore took Roll Call.

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

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: Morley Haskim

Seconded by: Reg Moore

23-19 That the Committee of Adjustment meeting agenda is accepted as presented.

Carried

Moved by: Nick Ryeland

Seconded by: Morley Haskim

23-20 That the Committee of Adjustment Minutes from the May 16, 2023 meeting are accepted, as circulated.

Carried

6.1 Discussion – Brisbin, Brian Application No. A/06/2023

Chair, David Moore asked if any letters or related correspondence were received. Secretary-Treasurer, Karlee Britton replied one email was received from Art & Pat Pol on June 4, 2023 in support of the application.

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

June 6, 2023

Moved by: Reg Moore

Seconded by: Nick Ryeland

23-21 **Whereas** the applicant was granted a minor variance in 2007 (A/01/07) to permit a 48 square meter sleeping cabin on the subject property; and

Whereas the applicant is proposing a 6.4 square meter addition to the existing sleeping cabin with a gross floor area of 46.8 square meters;

Whereas the applicant is seeking a further relief of 5.2 metres in gross floor area from Zoning By-Law 95-12 as amended than that which was permitted under Minor Variance (A/01/07).

Therefore, Be It Resolved That the Committee of Adjustment does hereby grant the Minor Variance Application A/06/2023 – Brisbin to permit relief of one addition to the existing sleeping cabin to have an increased maximum gross floor area as defined in Section 2.150 and regulated in Section 3.39 of By-Law 95-12, as amended, of 53.2 square meters. All other applicable Sections of By-Law 95-12, as amended, are to be complied with.

Carried

Moved by: Mike Kekkonen

Seconded by: Debbie Zulak

23-22 **That** the Committee of Adjustment does now adjourn.

Carried

The meeting adjourned at 6:08 p.m.

David Moore, Chair

Karlee Britton, Secretary/Treasurer



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Phone: (705) 389-2842

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COMMITTEE OF ADJUSTMENT (MINOR VARIANCE) APPLICATION INSTRUCTIONS

1. Only the Owner or their Authorized Agents may make application to the Committee of Adjustment.
2. Applicants are asked to submit the required fee of \$750.00, as well as a Security Deposit of \$500.00 when filing the application.
3. Township staff will assist you in the submission of your application. However, you are advised to consider whether any legal or other advice may be required as part of the application.
4. Depending on the nature of the application, you may be advised to consult with applicable agencies prior to submitting this application to the Township.
5. You will be notified, in writing, of the date the Committee of Adjustment will meet to hear your application.
6. Make sure that the application, including the sketch, is complete in every respect. **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.**
7. **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.**
8. Any questions regarding the application may be directed to the Township of McKellar Municipal Office at 705-389-2842.



Township of McKellar

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

Phone: (705) 389-2842

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APPLICATION NO: _____

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.**

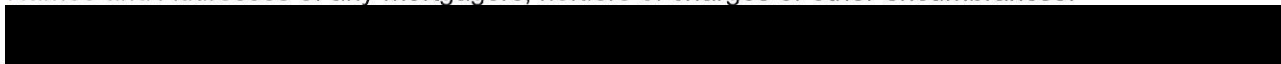
Date Received: <u>JUL 14 2023</u>	OFFICE USE ONLY
Complete Application: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Application No. <u>A-07</u>
Date Accepted: <u>JUL 14 2023</u>	Application Fee + Deposit Received <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Date Stamp: <u>JUL 14 2023</u>	

A. APPLICANT/AGENT INFORMATION

- Name of Owner: ERIC + LISA KLIMSTRA
- Address: Street and Number 65 Sunnyside Park Drive
City McKellar Province/State ON Postal/Zip Code P2A 0B5
Home Phone No. 519 841 7469 Business Phone No. —
Email eric@klimstra.com
- Name of Agent (if any): N/A
- 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?

7.02 of 95-12 SCHEDULE 'B'

7. Nature and Extent of Relief Applied for:

Building too close to front yard required setback by approximately 8ft (2.438m)

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

Existing cottage recently renovated to spend more time in McKellar. Need space for vehicle / boat storage. Placement does not allow for compliance with setback and still have room for storage

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):

PLAN 291 LOT 88

10. Dimensions of land affected:

Frontage (metres): 94.488 m Depth (metres): 168 m

Area (hectares): 1.64 acres / 0.66 Hectares Width of Street: ~~20~~ 20 m

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 "right of way" was indicated in Section 10, 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:

OCT 29, 2020

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

original cottage ~ 1980; Proposed addition to be constructed

16. Existing Uses of the Subject Lands:

residential

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

residential

18. Existing Uses of Abutting Lands:

residential

19. Services (Check appropriate box):

Water: ☐ Dug Well ☐ Drilled Well ☒ Lake ☐ Other _____
Sewage Disposal: ☒ Septic ☐ Privy ☐ Other _____

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:

waterfront

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

95.12 waterfront residential
WFZ

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:

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 (m ²)	Total Floor Area (m ²)	Front	Rear	Side	Side
cottage	1980	2	85	171.4	15.4	142	9	33.2

PROPOSED – List all buildings and structures					DISTANCE FROM LOT LINES (metres)			
Building/ Structure Type	Date of Construction	# of Storeys / Height	Ground Floor Area (m ²)	Total Floor Area (m ²)	Front	Rear	Side	Side
garage+rooms	to be constructed	2	78.4 proposed	249.8 m	7.5	140.5	6.8	21.3

Ground floor = existing $85\text{m}^2 + 78.4\text{m}^2 = 163.4\text{m}^2$
area

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: _____

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

G. PLANS

See Schedule A + B

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 TOWNSHIP of McKELLAR this 14th day of JULY, 2023
I, ERIC KLIMSTRA, of the TOWNSHIP of McKELLAR
in the DISTRICT of PARRY SOUND 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 of Applicant or Authorized Agent

Declared before me at the TOWNSHIP of McKELLAR in the DISTRICT
of PARRY SOUND this 14th day of JULY, 2023

Signature of Commissioner of Oaths: 

INA CHRISTINE WATKINSON,
a Commissioner, etc., Province of Ontario,
for the Corporation of the Township of McKellar.
Expires February 6, 2024.

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

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, ERIC KLIMSTRA, 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.

July 14 / 2023

Date


Signature of Owner

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

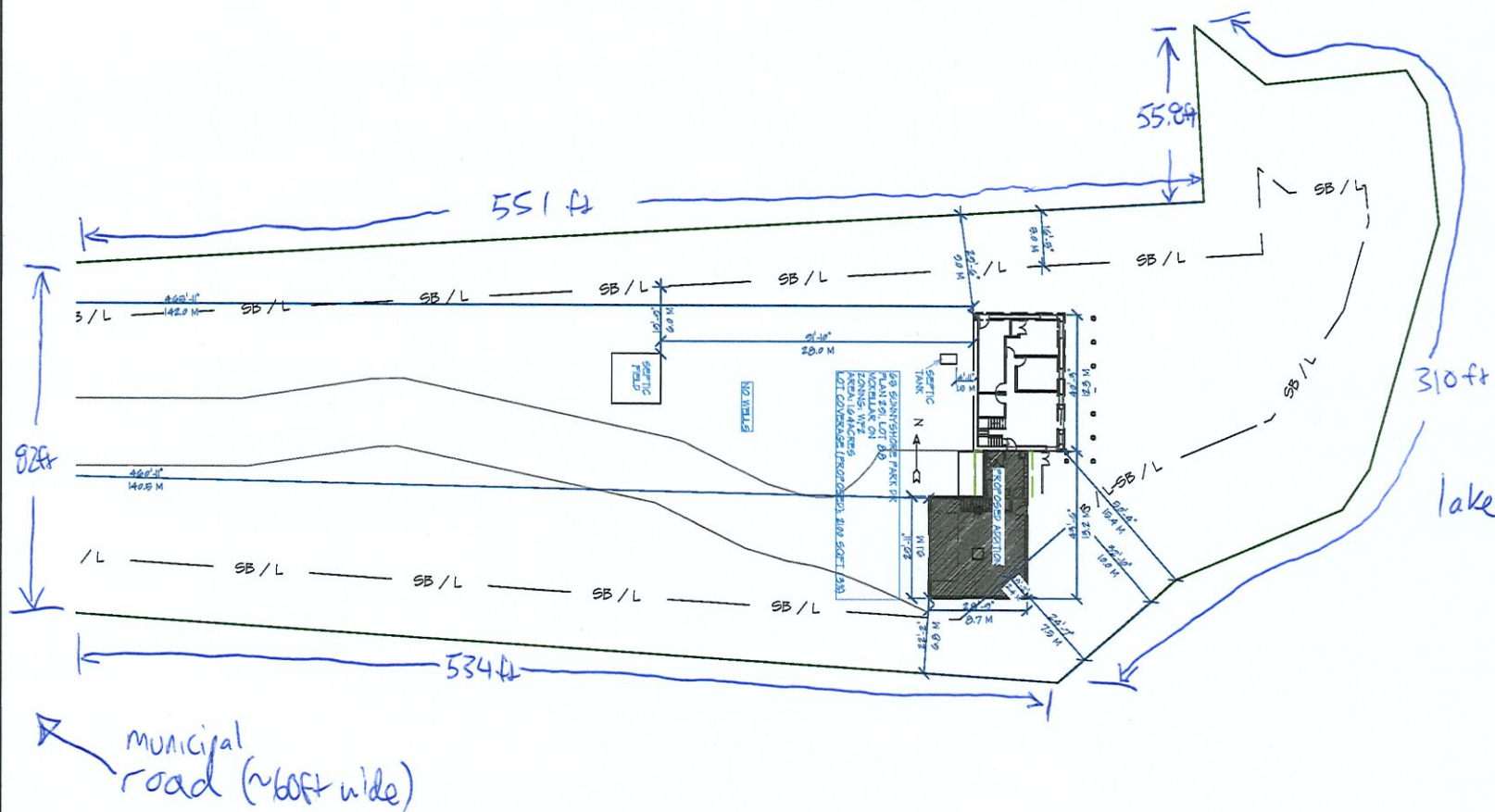
I, ERIC KLIMSTRA, acknowledge and agree that applicants must submit the required fee of \$750.00, as well as a Security Deposit of \$500.00 when filing the application. Further, I agree that any costs beyond regular processing costs relating to this application, including but not limited to engineering 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.

July 14 / 2023

Date


Signature of Owner

Schedule A-65 Sunnyside Park Dr



GENERAL NOTE: THESE DRAWINGS ARE NOT TO BE SCALED. ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR PRIOR TO COMMENCEMENT OF ANY WORK. ANY DISCREPANCIES MUST BE REPORTED DIRECTLY TO THE DESIGNER.



HARMONY
Design and Renovation

Harmony Design
(888) 273 6682

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY
FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS
THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE
TO DESIGN THE WORK SHOWN ON THE ATTACHED DOCUMENTS.

QUALIFICATION INFORMATION
REQUIRES UL2089 DESIGN IS EXCEPT UNDER DIV. C - 920.1 OF THE
BUILDING CODE

NAME	SIGNATURE	DATE

REGISTRATION INFORMATION
REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIV. C - 5.2.4.1 OF THE
BUILDING CODE

HATCHWAY DESIGN AND ELEVATION		165.00
PIER NAME		NO.

NOTICE, DISCLAIMER AND COPYRIGHT:

THE INFORMATION CONTAINED IN THIS DOCUMENT IS PROPRIETARY TO HARMONY DESIGN AND RENOVATION. THIS DOCUMENT IS PREPARED FOR A SPECIFIC SITE AND INCORPORATES CALCULATIONS BASED ON DATA AVAILABLE FROM THE CLIENT. AT THIS TIME, BY ACCEPTING AND USING THIS DOCUMENT, THE RECIPIENT AGREES TO PROTECT ITS CONTENTS FROM FURTHER DISSEMINATION (OTHER THAN THAT REQUIRED TO QUOTE AND BUILD THIS PROJECT) WITHOUT THE WRITTEN PERMISSION OF HARMONY DESIGN AND RENOVATION. THE CONTENTS OF THIS DOCUMENT ARE NOT TO BE REPRODUCED OR COPIED IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF HARMONY DESIGN AND RENOVATION.

KLIMSTRA ADDITION
65 Sunnyshore Park Dr
McKellar, Ontario

Date of issue: 2023-07-13

Scale: $1/32'' = 1'-0''$

SITE PLAN

Report No:
HDR 22-018

Drawing No:
A-2

Schedule B - 65 Sunnyside Park Dr

