Township of McKellar



Public Meeting Agenda – Committee of Adjustment January 24, 2023 – 5:30 p.m.

1. Call to Order

- Introductions are made: Council and Staff
- 2. Disclosure of Pecuniary Interest and General NatureThereof
- 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

- Appointment of Chairperson Res. No. 23-01
- Appointment of Secretary-Treasurer **Res. No. 23-02**

5. Minutes

- 6. Discussion:
 - 6.1 Hamel, Marc & Christine Application No. A/01/2023 -Proposed Accessory Building (Garage) is Larger than Proposed principal use of lot (Single Family Residential Dwelling)
 - 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 his/her 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 Hamel Decision **Res. No. 23-03**
- 8. Adjournment Res. No. 23-04



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 (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 POG 1C0 Phone: (705) 389-2842 Fax: (705) 389-1244

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: $3an.4/23$ Complete Application: \Box Yes \Box No Application No. $A-01-2$	023
Date Accepted: $OC_{+}.19/22$ Application Fee + Deposit Received DYes DNo	
Date Stamp: January 4, 2023	

A. APPLICANT/AGENT INFORMATION

1.	Name of Own	er: Marc and Christine Hamel					
2.	Address: Street and Number 732 Hwy 124						
		City McKellar Province/State ON Postal/Zip Code POG ICO					
		Home Phone No. <u>705-746-045</u> 7 Business Phone No					
		Email <u>marcdman1@gmall</u> .com					
3.	Name of Ager	t (if any): <i>N │ A</i>					
4.	Address:						
		Note: Unless otherwise requested, all communications will be sent to the agent, if any.					

5. 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 3.03 (a)

7. Nature and Extent of Relief Applied for:

Proposed garage larger than proposed dwelling Why is it not possible to comply with the provisions of the Zoning By-Law? 8

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):

732 Hwy 124	McKellar. Con Parts	A PT Lot 22 s 2+3 Subject	<u>RP 42R 14892</u> 1 to Row
10. Dimensions of land affecte	ed:	0	
Frontage (metres):/ 8	1.4 m	_ Depth (metres):	145.3 m
Area (hectares): 2.	24 ha	_ Width of Street:	
11. Access to subject land is b	y:		
☑ Provincial Highway □other public road	□year-round municipal roa □private right of way	d ⊟seasonal r ⊡water acce	nunicipal road ess
-	id is by private road, or if "other wns the land or road, who is re		

Section 10, indicate who owns the land or road, who is responsible for its maintenance and whether it is maintained seasonally or all year:

NIA

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:

NIA

D. LAND USE AND ZONING

14. Date of Acquisition of Subject Lands:

2018

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

16. Existing Uses of the Subject Lands:

Vacant Land

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

1	8. E>	kisting Uses of Abut Residentic						
19	9. Se	ervices (Check appr	copriate box): N/I	7				
		ater: ewage Disposal:	□ Dug Well □ Septic	□ Drilled Well□ Privy	□ Lake □ 0 □ Other			
20	0. St	orm Drainage is pro	ovided by (Check appr	opriate box):				
		sewers	\Box open ditches	□swales	∃other (please specify) _			
2	1. Pr	esent Official Plan	provisions applying to	the land:				
						3		
22	 2. Pr	esent Zoning By-la	w provisions applying	to the land:				
23	3. Ar	e there any easeme	ents or rights-of-way a	ffecting the subje	ect lands?			
		🗹 Yes 🗆 No						
	If Yes, indicate and describe the purpose of the easement or rights-of-way:							
		Row to a	access Con	A PT Lot	22 RP 42RI	1892 2 Rowl		
APPI	APPLICATION FOR MINOR VARIANCE Part 1 Together W ROW Page 4 of 9							

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

EXISTING – List all existing buildings and structures						DISTANC	E FROM LO	OT LINES (metres)
Building/ Structure Type	Date of Construction	# of Storeys / Height	Ground Floor Area (m2)	Total Floor Area (m2)	and the state	Front	Rear	Side	Side
					and the second				
					1.50				

PROPOSED – List all buildings and structures						DISTANC	E FROM LO	OT LINES (metres)
Building/ Structure Type	Date of Construction	# of Storeys / Height	Ground Floor Area (m2)	Total Floor Area (m2)	The Party of the Party of	Front	Rear	Side	Side
Garage	Spring 2023	3 1		297.29		60m	100 m	5.3 m	300 m
SFD	Spring 2023	3)		237.83	Provide State	82m	45m	30m	300m
	1 5								
					1				
					and the second				

F. HISTORY

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

□Yes □ÍNo 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?

 \Box Yes \Box No \Box 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

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:

V	The	boundaries	and	dimensions	of	the	subject	t land
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- 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 4th day of January, 2023.
I, Marc Hamel , of the Township of McKellar
in the District of Parry Sound solemnly declare that a
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 <u>Township</u> of <u>McKellar</u> in the <u>District</u> of <u>Parry Sound</u> this <u>Y</u> ^{+L} day of <u>January</u> , 2023.
of <u>Parry Sound</u> this <u>9</u> ⁺⁻ day of <u>January</u> , 2023.
Signature of Commissioner of Oaths: <u>Xellu Bette</u> KARLEE HELAINA BRITTON,
a Commissioner, etc., Province of Ontario, for the Corporation of the Township of McKellar.
Expires September 6, 2025.

APPLICATION FOR MINOR VARIANCE

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, <u>Marc</u> <u>Hame</u>, 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.

OAN 7 COLO	
Date Signature of Owner	

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

I, <u>Marc Hame</u>, 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.

Same. JAW 1 2023 Signature of Owner

Date

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

N/A

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







