



# 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/01/2026  
Date of Hearing:            March 17, 2026  
Final Appeal Date         April 6, 2026  
Owner(s):                 Shelley Vandermolen  
Property Location:         154 Jones Road (CON 5 PT LOT 27)

### DECISION

Whereas the existing cottage foundation is recognized as legal non-conforming, with the original foundation located 3.5 metres from the front lot line;

Now Therefore Be It Resolved That the Committee of Adjustment does hereby grant the Minor Variance Application A/01/2026 (Vandermolen) to permit relief of one (1) uncovered deck with a reduced front yard setback of 2.4 metres, where 6 metres is required under Section 3.10(a) of the Township's Comprehensive Zoning By-law No. 95-12, as amended; and

That all other applicable Sections of By-Law 95-12, as amended, are to be complied with; and  
Further That as a condition of approval, the applicant shall enter into an encroachment agreement with the Township for the portion of the garage encroaching onto Township property. The agreement shall be registered on title, and all associated costs shall be borne by the applicant.

### 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 March, 2026

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 6<sup>th</sup> day of April, 2026.**

Take notice that an appeal to the Ontario Land Tribunal in respect to all or part of this Minor Variance may be made by filing a notice of appeal with the Secretary-Treasurer either via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service> by selecting 'McKellar (Township of)' as the Approval Authority or by mail to Township of McKellar PO Box 69, 701 Highway 124, McKellar, ON, P0G 1C0, no later than 4:30 p.m. on April 6, 2026. The filing of an appeal after 4:30 p.m., in person or electronically, will be deemed to have been received the next business day. The appeal fee of \$1,100 can be paid online through e-file or by certified cheque/money order to the Minister of Finance, Province of Ontario. If you wish to appeal to the Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the OLT website at [www.olt.gov.on.ca](http://www.olt.gov.on.ca). If the e-file portal is down, you can submit your appeal to [clerk@mckellar.ca](mailto:clerk@mckellar.ca)

I, Karlee Britton, Secretary-Treasurer of the Township of McKellar Committee of Adjustment, certify that as of April 6, 2026 no appeals have been filed against the aforementioned Decision re Application A/01/2026 (Vandermolen) and that therefore this Decision is final and binding.

Dated this 6<sup>th</sup> day of April, 2026

Karlee Britton, Secretary-Treasurer



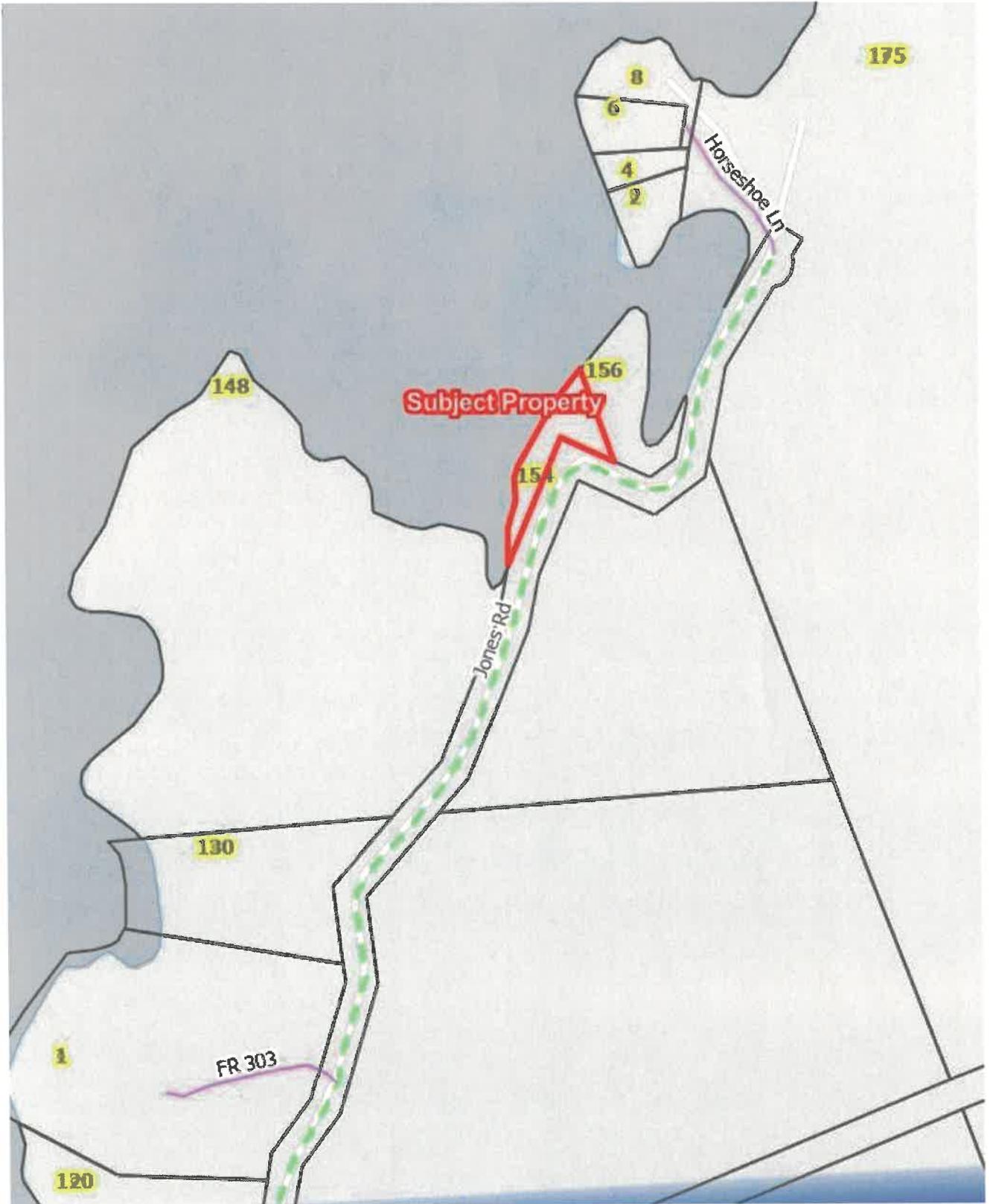
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## Key Map





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## Committee of Adjustment

### DECISION

APPLICATION NO. A/01/2026  
 Date of Hearing: March 17, 2026  
 Final Appeal Date April 6, 2026  
 Owner(s): Shelley Vandermolen  
 Property Location: 154 Jones Road (CON 5 PT LOT 27)

### VARIANCE REQUESTED

The applicant has constructed an uncovered deck that extends into the required front yard setback. Under Schedule 'B' of the Township of McKellar's Comprehensive Zoning By-law No. 95-12, as amended, the minimum front yard setback is 10 metres. The existing cottage was recognized as legal non-conforming, with its original foundation located at a reduced setback of 4.3 metres. The applicant is seeking relief to permit a further reduced setback of 2.4 metres for the uncovered attached deck from the 6 metre setback as required by Section 3.10 (a) of Comprehensive Zoning By-Law 95-12 as amended.

### DECISION

Whereas the existing cottage foundation is recognized as legal non-conforming, with the original foundation located 3.5 metres from the front lot line;

Now Therefore Be It Resolved That the Committee of Adjustment does hereby grant the Minor Variance Application A/01/2026 (Vandermolen) to permit relief of one (1) uncovered deck with a reduced front yard setback of 2.4 metres, where 6 metres is required under Section 3.10(a) of the Township's Comprehensive Zoning By-law No. 95-12, as amended; and

That all other applicable Sections of By-Law 95-12, as amended, are to be complied with; and Further That as a condition of approval, the applicant shall enter into an encroachment agreement with the Township for the portion of the garage encroaching onto Township property. The agreement shall be registered on title, and all associated costs shall be borne by the applicant.

### 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:

 Member – M. Haskim	 Chair – D. Moore	 Member – M. Kekkonen
 Member – R. Moore	Absent Member – N. Ryeland	
 Member – D. Zulak		

Dated this 17<sup>th</sup> day of March, 2026