

# CORPORATION OF THE TOWNSHIP OF MCKELLAR

November 10, 2022 – 10:00 a.m.

## AGENDA

**Topic: Public Meeting**

**Time: November 10, 2022 10:00 A.M.**

**Join Zoom Meeting**

<https://us06web.zoom.us/j/81883369533>

**Dial by your location**

**+1 647 374 4685 Canada**

**+1 647 558 0588 Canada**

**1. CALL TO ORDER**

**2. RESPECT AND ACKNOWLEDGMENT DECLARATION**

We would like to begin by acknowledging that the land on which we gather is the traditional territory of the Anishnaabe and the Mississauga People

**3. ROLL CALL**

**4. DECLARATIONS OF CONFLICT OF INTEREST**

**5. ADOPTION OF AGENDA**

**6. PUBLIC MEETING**

**6.1 Notice of Complete Application – Grant Zoning By-law Amendment**

(i) Application

(ii) Planning Report of JL Richards

(iii) Draft Zoning By-law Amendment

**7. QUESTION/COMMENT PERIOD (RELATED TO ITEMS ON AGENDA)**

**8. BY-LAWS**

**8.1 2022-57 Zoning By-law Amendment (Grant)**

**8.2 2022-58 Confirming the Proceedings of Council**

**9. ADJOURNMENT**



# Township of McKellar

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

Phone: (705) 389-2842

Fax: (705) 389-1244

## APPLICATION FOR ZONING AMENDMENT

**General Instructions:** Read carefully before completing application.

1. Application to be completed in full.
2. **Fee: \$1,500.00**  
Includes costs of photocopying, postage, holding of special meeting, and any other directly relatable expenditure over and above normal municipal staff administrative costs, and shall exclude any costs associated with the participation of professionals, such as engineers, planners or solicitors or the costs associated with the holding of Ontario Municipal Board hearings.
3. **Deposit: \$1,000.00**  
The applicant shall reimburse the Township on demand for all costs incurred in the processing of the application, including but not limited to the costs of professional planning services, legal fees, costs relating to the serving of notices and advertising, survey fees and engineering fees. A deposit of \$1,000.00 shall be required to cover above costs, which shall be returned if no additional costs are incurred or a further deposit may be required to cover additional costs.
4. Application to be signed by owner or authorized agent only.
5. The consideration of this application does not make the Township liable for any of the applicant's costs for legal, surveying, or other professional costs.
6. If there are objections to the amending By-law and a hearing of the Ontario Municipal Board is to be held, the applicant should arrange to be present in person, or to be represented by legal counsel at the meeting.

### To Accompany Application:

A legal survey plan or a plan of the property accurately drawn to an appropriate scale based on a true survey showing:

- Existing buildings or structures on site and their dimensions
- Location of proposed buildings including their height and dimensions
- Location, widths, and names of abutting roads
- Natural features: watercourses, wooded areas, swamps, etc., and
- Any other information which might be helpful for Council's consideration of the application

Personal information contained on the application form will be used for the purpose of considering your application for a Zoning Amendment. Questions regarding the collection of this information should be directed to the Clerk.

**APPLICATION TO AMEND**

OFFICIAL PLAN

ZONING BY-LAW

<b>1. Applicant Information</b>				
1.1	Name of Applicant:	Judy Grant	Telephone Number:	Cell Phone:
	Address:	39 Hardies Rd McKellar, ON P2A 0B5	705-3891289	
1.2	Name of Owner(s) (if different from the applicant)		Telephone Number:	Cell Phone:
	Address:		Fax:	Business Phone:
1.3	Name of the person who is to be contacted about the application (if different from the applicant)		Telephone Number:	Cell Phone:
	Address:		Fax:	Business Phone:
<b>2. Purpose of this Application (check appropriate box and complete applicable sections)</b>				
2.1 Application is hereby made for a(n):				
<input type="checkbox"/> OFFICIAL PLAN AMENDMENT <input checked="" type="checkbox"/> ZONING BY-LAW AMENDMENT				
<b>For the lands hereinafter described and shown on the attached sketch</b>				
What is the existing official plan designation(s) of the subject land?		What is the existing zoning of the subject land?		
WFZ.		WFZ.		
What is the proposed amendment to the official plan?		What is the proposed zoning of the subject land?		
None		Special Provision. - less area than permitted by By-law 95-12		
What are the reasons for the proposed change?		What are the reasons for the proposed change?		
Stc; N/A		Newly severed lot than the area required		

<b>3. Location of the Subject Land (complete applicable boxes in 3.1)</b>			
3.1 Road: <u>Hardies Road</u> Address: Concession Number: <u>5</u> Lot Number: <u>33 + 34</u> Registered Plan Number: <u>42R-7404, Part 2</u> Lot(s)/Block(s):                      Reference Plan Number: Part Number(s): <u>2</u> Island Number:                      Parcel:			
3.2 Are there any easements or restrictive covenants affecting the subject land?  <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes      If YES, describe the easement or covenant and its effect:			
<b>4. Description of Subject Land and Servicing Information (Complete each subsection)</b>			
4.1 Description	Frontage (m.)	Depth (m.)	Area (ha.)
	<u>60m</u>	<u>See plan</u>	<u>0.7 hectares</u>
4.2 Buildings or Structure	Type	Existing Size	Proposed Size
(Attach Separate list if necessary)			
4.3 Access	Provincial Highway	Existing	Proposed
(check appropriate space)	Municipal road, maintained all year	<u>✓</u>	
	Other public road		
	Right of way		
	Water access (if so, describe below)		
	Describe in section 7.2, the parking and docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road.		
4.4 Water Supply	Publicly owned and operated piped water system	<u>N/A</u>	
(check appropriate space)	Privately owned and operated individual well	<u>N/A</u>	
	Privately owned and operated communal well	<u>N/A</u>	
	Lake or other waterbody	<u>N/A</u>	
	4.5 Sewage Disposal	Publicly owned and operated sanitary sewage system	<u>N/A</u>
(check appropriate space)	Privately owned and operated individual sewage tank (1)	<u>N/A</u>	
	Privately owned and	<u>N/A</u>	

	operated communal septic system	N/A	
	Privy	N/A	
	Other means	N/A.	
	A certificate of approval from the Director having jurisdiction under Part VII of the E.P.A. submitted with this application will facilitate the review.		
4.6 Storm Drainage (check appropriate space)	Method of Drainage:		
	Surface	✓	
	Ditching		
	Piping		
4.7 Other Services (check appropriate space)	Electricity	N/A	
	School Busing	N/A	
	Garage Collection	N/A.	
4.8	If access to the subject land is by private road, or if "other public road" or "right-of-way" was indicated in section 4.3, indicate who owns the land or road, who is responsible for its maintenance and whether it is maintained seasonally or all year.  N/A.		
<b>5. Lands</b>			
5.1	What are the existing uses on the subject land?  vacant.	Date use Established:	
	What are the proposed uses on the subject land?  no proposed use - vacant.	Proposed Commencement Date:	
5.2	Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified. Please check the appropriate boxes, if any apply.		
	Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (include approx.. distance)
	An agricultural operation, including livestock facility or stockyard	N/A	
	A landfill	N/A	
	A sewage treatment plant or waste stabilization plant	N/A	
	A Provincially significant wetland (Class 1, 2 or 3 wetland)	N/A	
	A Provincially significant wetland within 120 metres of subject land	n/a	
	Flood plain	N/A	
	A rehabilitated mine site	N/A.	
	A non-operating mine site within 1 km of the subject land	N/A	
	An active mine site	N/A	
	An industrial or commercial use, and specify the use(s)	N/A	
	An active railway line	N/A	
	A Municipal or Federal airport	N/A	
	<b>6. Current Applications</b>		

6.1	<p>Is the subject land currently the subject of an application for a minor variance, consent or approval of a plan of subdivision?</p> <p><input checked="" type="checkbox"/> Yes    <input type="checkbox"/> No    <input type="checkbox"/> Unknown    If YES and if KNOWN, specify the appropriate file number and status of the application.</p> <p style="text-align: center;"><i>Consent Application B42/2022(MCK)</i></p>
6.2	<p>Has the land ever been the subject of an Official Plan Amendment or Zoning By-Law Amendment?</p> <p><input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No    <input type="checkbox"/> Unknown, if YES and if KNOWN, specify the number for the amendment.</p>
<b>7. Other Information</b>	
7.1	<p>When was the subject land acquired by the current owners?</p> <p style="text-align: center;"><i>1984</i></p>
7.2	<p>If there is any other information that you think maybe useful to the Township or other agencies in reviewing this application? If so, explain below or attach a separate page.</p> <p style="text-align: center;"><i>N/A</i></p>
<b>8. Plans</b>	
8.1	<p><b>Key Plan</b></p> <p>Every application shall be accompanied by a key plan, drawn to an appropriate scale, properly dimensioned and showing thereon:</p> <ul style="list-style-type: none"> <li>• The boundaries and dimensions of the parcel of land that is the subject of the application, the part of the parcel that is the subject of this application, the location of all adjacent properties and/or islands, transportation routes, etc;</li> <li>• The distance between the subject land and the nearest township lot line or landmark, such as a railway crossing or bridge;</li> <li>• All lands within 120 metres (400 feet) of subject lands;</li> <li>• The nearest highway or township road</li> </ul>
8.2	<p><b>Property Sketch</b></p> <p>Every application shall be accompanied by a sketch (based on a boundary survey plan of the subject land prepared by an Ontario Land Surveyor) drawn to an appropriate scale, properly dimensioned and showing thereon;</p> <ul style="list-style-type: none"> <li>• The boundaries and dimensions of the subject land and the part that is the subject of this application;</li> <li>• The boundaries and dimensions of any land owned by the owner of the subject land and that abuts the subject land;</li> <li>• The location and dimensions of existing and proposed buildings and structures and their distance from lot lines;</li> <li>• The location of land previously severed from the parcel originally acquired by the current owner of the subject land;</li> <li>• The approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks, landscaped open spaces, planting strips, parking areas, loading areas, driveways and walkways;</li> <li>• The existing use(s);</li> </ul>

- Use on adjacent lands
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a publicly travelled road, a private road right-of-way;
- If access to the subject land is by water only, the location of the parking and boat docking facilities uses;
- The location and nature of any easement affecting the subject land

**Additional Information, including architectural drawings and elevations, shall be furnished by the applicant at the request of the Township.**

**9. Affidavit/Sworn Declaration**

9.1 The contents 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 McKellar Twp this 13<sup>th</sup> day of September 2022  
 I, Judy Grant of the Township of McKellar in the County/District/Regional  
 Municipality 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**,  
 DECLARED BEFORE ME at the Township of McKellar in the  
District of Parry Sound this 13<sup>th</sup> day of  
September 2022

  
 A Commissioner of Oaths

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

  
 Signature of Applicant or Agent

**10. Authorizations**

10.1 If the Applicant is not the owner of the land that is the subject of this application, the written authorization of the owner that the applicant is authorized to make the application must be included with this form or authorization set out below must be completed.

**Authorization of Owner for Agent to Make the Application**

*N/A*

I, \_\_\_\_\_, am the owner of the land that is the subject of this  
 application for an Official plan Amendment and/or Zoning By-law Amendment and I authorize  
 \_\_\_\_\_ to make this application on my behalf.

Date: \_\_\_\_\_ Signature of Owner: \_\_\_\_\_

10.2 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 Owner for Agent to Provide Personal Information**

I, \_\_\_\_\_, am the owner of the land that is the subject of this application for an Official Plan Amendment and/or Zoning By-law Amendment and for the purposes of the Freedom of Information Act, 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.

Date: \_\_\_\_\_ Signature of Owner: \_\_\_\_\_

**11. Consent of the Owner (this section must be completed for the application to be processed)**

11.1 Complete the consent of the owner concerning personal information set out below.

**Consent of the Owner to the Use and Disclosure of Personal Information**

I, Judy Grant, am the owner of the land that is the subject of this application and for the purpose of the Freedom of Information and Protection of Privacy Act, 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 for the purposes of processing this application.

Questions about this collection of personal information should be directed to the Township Clerk.

Date: Sept 13/22 Signature of Owner: Judy P Grant

**12. Payment of Fees (this section must be completed for the application to be processed)**

12.1 Complete the consent of the owner concerning payment of fees set out below.

As of the date of this application, I hereby agree to pay for and bear the entire cost and expense for any engineering, legal, landscape architectural and/or external planning consulting expenses incurred by the Township of McKellar during the processing of this application, in addition to any application fee set by the Township of McKellar.

Date: Sept 13/22 Signature of Owner: Judy P Grant

**13. Ontario Municipal Board Hearing Costs (this section must be completed for the application to be processed)**

13.1 Complete the consent of the owner concerning Ontario Municipal Board Hearing costs set out below.

The registered owner hereby acknowledges and agrees to pay all costs incurred by the Township of McKellar related to an appeal in the event that this application is approved and the matter comes before the Ontario Municipal Board.

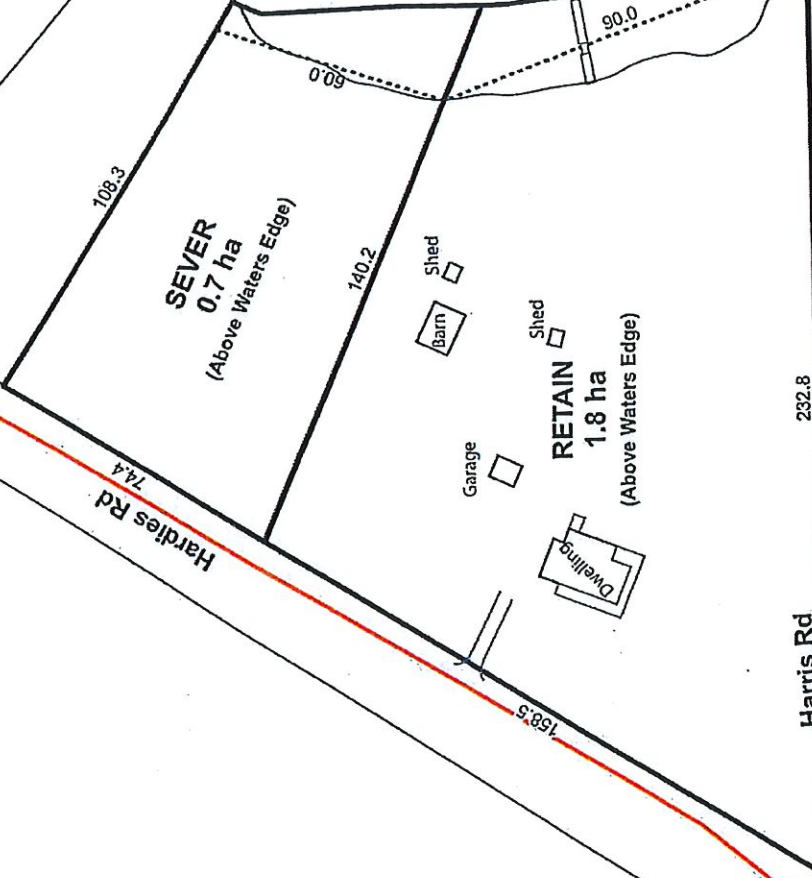
Date: Sept 13/22 Signature of Owner: Judy P Grant

Updated January 10, 2022





Manitouwabing  
Lake



# MEMORANDUM



**J.L. Richards  
& Associates Limited**  
501-555 Oak Street E  
North Bay, ON Canada  
P1B 8E3  
Tel: 705 495 7597  
Fax: 613 728 6012

To: Ms. Ina Watkinson, Clerk/Administrator  
Corporation of the Township of McKellar

Date: November 7, 2022

JLR No.: 31960(03)

CC: David Welwood, RPP, MCIP

From: Rebecca Elphick, Planner

Re: Application for Zoning By-law Amendment  
39 Hardies Road, McKellar (PIN: 521290503)  
Applicant(s): Judy Grant

**PROPERTY DESCRIPTION** The property is legally described as LT 34 CON 5 MCKELLAR E OF PT 1 42R7198 EXCEPT PT 3 42R7019, PT 1 42R7121; PT LT 33 CON 5 MCKELLAR PT 2 42R7404; MCKELLAR. The subject lands have an area of approximately 0.7 hectares and have a frontage of approximately 60 metres on Manitouwabing Lake.

**APPLICATION** The applicant has requested a Zoning By-law Amendment in order permit a reduced lot area and lot frontage. The applicant proposes no new buildings or structures on the subject lands as part of the application. The application is required to fulfill a condition of approval of Consent Application B34/2022(McK).

**RECOMMENDATION** The application is consistent with the Provincial Policy Statement and conforms to the Township's Official Plan. As such, the application is recommended for approval.

## BACKGROUND

Pursuant to Section 34 of the *Planning Act*, a zoning by-law amendment is being sought to recognize a reduced lot size and reduced lot frontage. The amendment fulfills a condition of approval of Consent Application B34/2022(McK).

The subject lands are located on the east side of Hardies Road, a municipally owned road with year-round access. The subject lands have an area of approximately 0.7 ha with approximately 60 m of frontage on Manitouwabing Lake. As identified by the applicant, the lands are currently vacant. The subject lands are surrounded by Manitouwabing Lake to the east, vacant lands to the west, and limited low density residential development to the north and south along the shoreline of Manitouwabing Lake.

Although the applicant proposes no immediate changes to the existing land uses and proposes no new buildings or structures, it is likely that the lot will be used for future waterfront residential purposes.

The subject lands are designated Waterfront within the Township's Official Plan and zoned Waterfront Residential Two (WF2) in the Township's Zoning By-law.

## ANALYSIS

### Provincial Policy Statement (PPS), 2020

The Provincial Policy Statement (PPS) is issued under Section 3 of the *Planning Act* and is intended to provide policy direction on matters of provincial interest related to land use planning and development. The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. The *Planning Act* requires that municipal decisions in respect to the exercise of any authority that affects a planning matter "shall be consistent" with the PPS.

Section 1.1.5 of the PPS states that on rural lands in municipalities, permitted uses include the management or use of resources, resource-based recreational uses, residential development, including lot creation, that is locally appropriate, agricultural uses, agriculture-related uses, on-farm diversified uses, normal farm practices, home occupations and home industries, cemeteries, and other rural land uses. This section details that development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted. Development on rural lands in municipalities shall be appropriate to the infrastructure which is planned and available and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.

The subject lands are currently vacant and the applicant proposes no new buildings or structures as part of the application. The subject lands will likely be used for residential or resource-based recreational purposes (i.e., a permanent or seasonal dwelling) in the future. The subject lands are located on a year-round municipally owned road. As such, the subject lands will be consistent with the outlined permitted uses of rural lands in municipalities, will be compatible with the rural landscape, and will be appropriate to the infrastructure that is available.

Section 1.6.6.4 of the PPS speaks to sewage and water, services. It states that where municipal sewage and water services or private communal water and sewage services are not available, individual on-site sewage and water services may be used, provided site conditions are suitable for the long-term provision of such services with no negative impacts. Given that the applicants propose no new buildings or structures on the subject lands, they have not identified how water supply and sewage disposal will be provided. It is likely that the lot will be used for future waterfront residential purposes. The North Bay-Mattawa Conservation Authority (NBMCA) reviewed the application for consent and determined that the subject lands have adequate space to accommodate an initial and a reserve sewage system.

Based on our review, the application is consistent with the relevant provisions of the PPS.

### Official Plan of the Township of McKellar

The subject lands are designated 'Waterfront' in the Township's Official Plan. This designation stems from the Township's recognition of the need to preserve the traditional character of each of the lakes within its jurisdiction and thus has a strong component relating to the preservation of natural heritage features. The Official Plan, in recognizing the importance of the waterfront, ensures that care is taken to protect this resource when considering new development or redevelopment proposals.

Uses permitted within the 'Waterfront' designation are limited to a single detached residential dwelling, existing commercial and tourist commercial uses, home occupations, agricultural and farming uses, public uses, institutional uses, and existing industrial uses. Currently, the subject lands are vacant, and no new buildings or structures are being proposed as part of the application at this time. However, it is likely that the subject lands will be used for waterfront residential purposes in the future.

Per Section 5.8.2.1, all new development must front upon a year-round, publicly maintained road. The subject lands are accessed via Hardies Road, a municipal road that is maintained year-round.

Per Section 6.17, Sections 6.12, 6.13, 6.14, and 6.15 apply to the 'Waterfront' designation where appropriate and concern sewage, standards, stormwater, and water supply. Presently, all development in the municipality is on individual private septic systems, which is likely to continue to be the means of treating sewage within the Township. Although the applicants propose no new buildings or structures on the subject lands, it is likely that the subject lands will be used for residential purposes in the future. At the time of development, the applicants should demonstrate that the land proposed for development is suitable for the installation of private septic systems. As a condition of development, the applicants should demonstrate confirmation from a licensed sewage hauler that it has available capacity for the haulage and disposal of septic waste. Domestic water supplies for properties in the municipality come from surface waters or individual wells and therefore property owners are responsible for individual water treatment in accordance with applicable regulation at the time of future development, per Section 6.15.

Section 6.13, Rural Standards, outlines that lots in the Township are serviced by individual wells and septic systems, and as such recommends that Rural lots be developed at an overall density greater than one hectare per lot with no individual lot smaller than 0.8 hectares to avoid any cross contamination between private well water supplies and adjoining septic systems. Any lots proposed at a lesser density may require the submission of a hydrogeological report supporting a reduced density. The North Bay-Mattawa Conservation Authority (NBMCA) reviewed the application for consent. In their letter to the applicant, dated October 25, 2022, the NBMCA determined that there is adequate space on the retained lot to accommodate a reserve sewage system and there is adequate space on the severed lot to accommodate both an initial and a serve sewage system. Therefore, a hydrogeological report is not required. Prior to the issuance of a building permit, a Sewage System Permit from NBMCA is required.

Section 6.14 concerns stormwater management at the time of subdivision application and as such does not apply to this application.

New lots in the Waterfront designation, per Section 7.08.1, are subject to a minimum lot frontage and a minimum lot area that responds to the particular needs for the various lakes and parts of lakes throughout the municipality. Previous standards for new lakefront properties on Manitouwabing Lake generally provided for 60 metre lot frontages on the west side of the lake and a minimum 90 metre lot frontage on the east side of the lake in response to the presence of deer wintering habitat. The subject lands are located on the west side of the lake, outside of the deer wintering habitat, where a 60-metre lot frontage is appropriate.

Based on our review, the application conforms with the relevant provisions of the Township's Official Plan.

**Zoning By-law for the Township of McKellar**

The subject lands are currently zoned 'Waterfront Residential (WF2)' per the Township of McKellar's Zoning By-law. Permitted uses in this zone are limited to a single detached dwelling, including a home occupation, a mobile home, and one storage building.

The zone requirements for the 'Waterfront Residential (WF2)' zone are as follows:

Provision	Requirement	Subject Land
Minimum Lot Frontage	90 m	<b>60 m</b>
Minimum Lot Area	1 ha	<b>0.7 ha</b>
Minimum Lot Depth	60 m	106.3 m
Maximum Lot Coverage	15%	n/a
Minimum Front Yard	10 m	n/a
Minimum Interior Side Yard	n/a	n/a
Minimum Exterior Side Yard	7.5 m	n/a
Minimum Rear Side Yard	7.5 m	n/a
Minimum Building Area (Ground Floor)	60 m <sup>2</sup>	n/a
Maximum Building Height	10 m	n/a

The subject lands have a frontage of approximately 60 m on Manitouwabing Lake, less than the required 90 m minimum lot frontage as per the zone requirements for the 'Waterfront Residential Two (WF2)' zone. The subject lands have an area of approximately 0.7 ha, less than the required 1 ha minimum lot area requirements for the 'Waterfront Residential Two (WF2)' zone. As such, the applicant is seeking an amendment for a Special Provision to recognize the lot deficiencies.

Based on our review, the application complies with the general intent of the Zoning By-law.

#### RECOMMENDATION

The application to rezone the subject lands from 'Waterfront Residential Two (WF2)' to a Special Provision zone to recognize the lot deficiencies is consistent with the PPS and conforms to the Official Plan of the Township of McKellar. The subject application is recommended for approval.

Should you have any questions regarding the above, or if additional information is required, please contact the undersigned.

J.L. RICHARDS & ASSOCIATES LIMITED

Prepared by:



Rebecca Elphick, M. Pl  
Planner

Reviewed by:

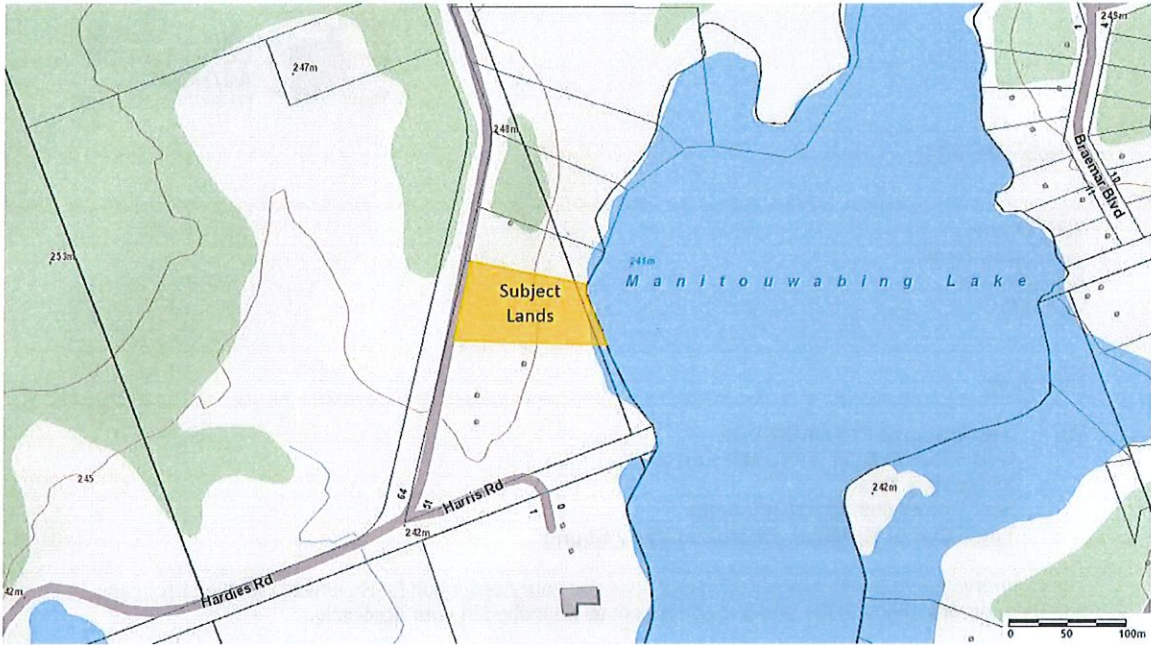


David Welwood, MES (Planning), RPP, MCIP  
Planner

RE:dw

Attachments: Attachment 'A' Key Map  
Attachment 'B' Comments from North Bay-Mattawa Conservation Authority

**Attachment 'A'**  
**Key Map**



Attachment 'B'

Comments from North Bay-Mattawa Conservation Authority



October 25, 2022

Judy Grant  
39 Hardies Road  
McKellar, ON  
P2A 0B5

Dear Judy:

Re: Application # P01-MCKEL-22  
Con 5 Lot 33 & 34, 42R-7404 Part 2  
39 Hardies Road  
Roll # 4928-000-001-38400-0000  
Township of McKellar, District of Parry Sound

The Conservation Authority has received and reviewed your Application for Review of Planning Proposals and have no objections to the granting of consent as described in your application.

The Retained Lot, 1.8 hectares (4.45 acres) currently has a dwelling serviced by a sewage system (no permit found). Adequate space was observed on the retained portion to accommodate a reserve sewage system. The newly created lot lines will not encroach on any setbacks.

The Severed Lot, 0.7 hectares (1.73 acres) is currently vacant. Adequate space was observed on the severed portion to accommodate both an initial and a reserve sewage system. The newly created lot lines will not encroach on any setbacks.

All comments are made under Regulation 332/12 of the Ontario Building Code and are based on servicing a 3 bedroom dwelling (less than 20 fixture units and less than 200 m<sup>2</sup>), a 3600 L tank and a soil percolation time of T = 50 min/cm.

Please be advised that prior to any development on the above mentioned properties, a Sewage System Permit is required.

Should you have any questions regarding the above, please do not hesitate to contact this office at (705) 746-7566.

Yours truly,

for  
Robin Allen  
CBO-SS, Program Manager

c.c. Township of McKellar

TO: John Jackson  
FROM: FRi Ecological Services  
AUTHOR: Rod Bilz  
DATE: December 12, 2021  
SUBJECT: Lot Frontage on Lake Manitouwabing for WF2 Zoning - 39 Hardies Road

INTRODUCTION

FRi Ecological Services was asked to provide an opinion on the required lot frontage for a proposed consent application to create one new severed lot at 39 Hardies Road.

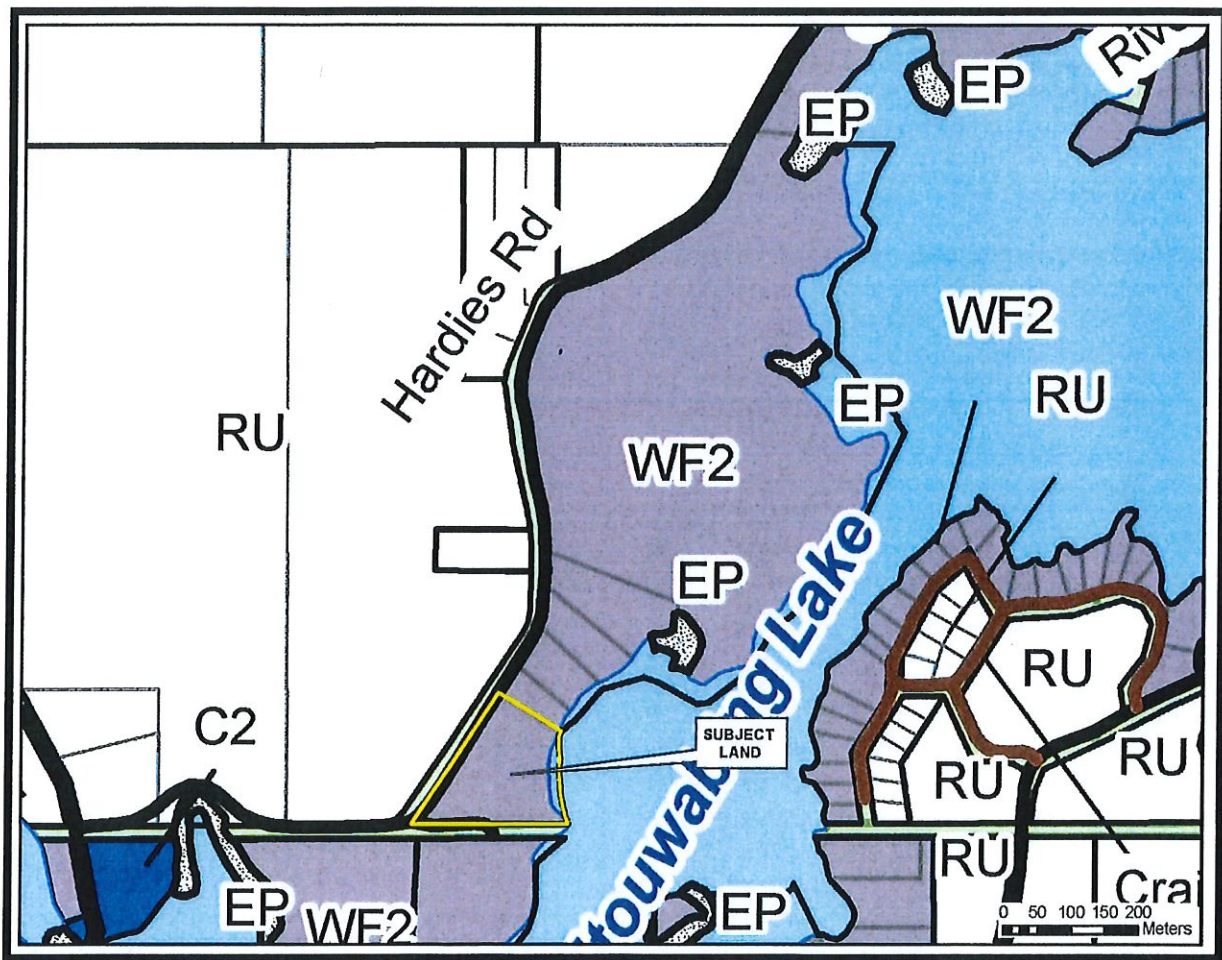


Figure 1. Location and Zoning Map

The property is currently zoned WF2. The existing lot is only large enough to provide 60m of frontage on Lake Manitouwabing for both the severed and retained lot. The zone



**Subject:** Ron Grant  
**From:** Rod Bilz <rod.bilz@fricorp.com>  
**Date:** 2021-11-25, 12:52 p.m.  
**To:** jjplan@cogeco.net

Hi John,

You are correct that the WF2 zoning requires 90m of frontage. Section 7.08.5 says that " Exceptions to the general standards set out in the implementing zoning by-law may be made by site-specific zoning by-law amendment or a minor variance application to recognize existing development, make title corrections or to respond to sound planning principles based upon individual circumstances"

Is this the section you were referring to allowing for changes to the zoning standards?

Did the municipality request that a Site Evaluation Report be done?

I am a little foggy on what we need to provide to support an exception to the standards. It says that the increase in frontage and lot size was to address density on the lake and accommodate deer wintering on the east side of the lake.

Cheers



Rod Bilz | Environmental Specialist  
[rod.bilz@fricorp.com](mailto:rod.bilz@fricorp.com) / M: 705-840-6383

FRi Ecological Services |  
T: 705-476-0085 / F: 705-476-5631 |  
1875A Seymour Street, North Bay, ON P1A 0C7 |  
<http://fricorp.com>

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standards in the comprehensive zoning By-law 2019-12 state that WF2 must have a minimum of 90m of frontage and one hectare of total area.

## DISCUSSION

I spoke with Chris Everitt (Municipal By-law Officer) to determine why some properties are zoned WF1 and some are WF2. Chris indicated that he was not aware of the criteria used to determine if a property should be zoned WF1 or WF2. Given that we do not know the criteria or justification why any specific property is zoned WF1 or WF2 it is difficult to evaluate a property and provide an environmental justification for a lot frontage less than is recommended in the Zoning By-law.

However, there are sections within the Official Plan that provide some guidance. Section 7.08.1 states that,

*"New lots in the Waterfront designation will be subject to a minimum lot frontage and a minimum lot area that responds to the particular needs for the various lakes and parts of lakes throughout the municipality. The previous standards for new lakefront properties ranged between 60 metres of frontage to 150 metres of frontage. Lake Manitouwabing generally provided for 60 metre lot frontages on the west side of the lake and a minimum 90 metre lot frontage on the east side of the Lake in response to the presence of deer wintering habitat."*

The subject property is on the west side of the lake and not within deer wintering habitat, so it is a bit unclear why there is a differentiation in Section 7.08.1 of the OP yet it appears that the majority of the waterfront zoning on Lake Manitouwabing is WF2 requiring 90 metres of frontage.

Section 7.08.5 of the OP states that,

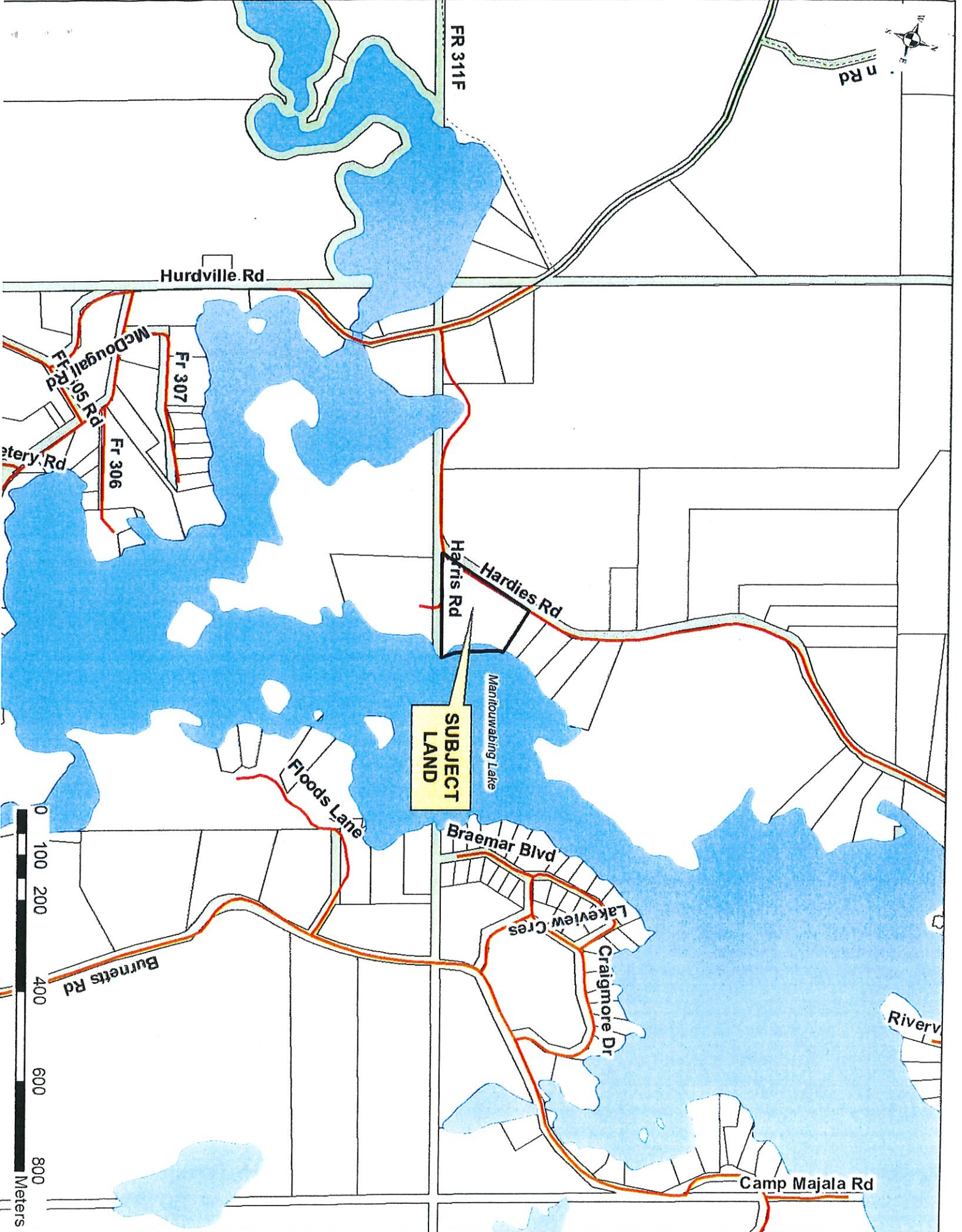
*"Exceptions to the general standards set out in the implementing zoning by-law may be made by a site-specific zoning by-law amendment or a minor variance application to recognize existing development, make title corrections or to respond to sound planning principles based upon individual circumstances."*

To support a site-specific zoning by-law amendment based on sound planning principles, we need to know the purpose of the different frontages for WF1 and WF2. It would not represent sound planning principles to allow for reduced shoreline frontage on this particular lot unless there is something unique about this specific situation, otherwise all of the WF2 should be rezoned to WF1.

## **CONCLUSIONS**

If indeed the required 90 metre frontage was to reduce the density of development within a deer wintering area as per Section 7.08.1, then there may be merit in allowing for a reduced 60 metre frontage on this particular property since it is not on the east side of the lake where the identified deer wintering areas are situated.

Without any additional information justifying a lesser frontage requirement, there is no environmental perspective that would support that action.



FR 311F

Hurdville Rd

Ft 307

Ft 306

Harris Rd

Hardies Rd

Mantouwabing Lake

**SUBJECT LAND**

Floods Lane

Braemar Blvd

Lakeview Cres

Craigmore Dr

Burnetts Rd

Camp Majala Rd

Riverv



**CORPORATION OF THE TOWNSHIP OF MCKELLAR  
BY-LAW NO. 2022-57**

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**A By-law to amend By-law No. 95-12, the Zoning By-law  
with respect to lands legally described as LT 34 CON 5 MCKELLAR E OF PT 1  
42R7198 EXCEPT PT 3 42R7019, PT 1 42R7121; PT LT 33 CON 5 MCKELLAR PT 2  
42R7404; MCKELLAR (Grant)**

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**WHEREAS** By-law No. 95-12 regulates the use of land and the use and erection of buildings and structures within the Township of McKellar;

**AND WHEREAS** the Council of the Corporation of the Township of McKellar deems it advisable to amend By-law No. 95-12 as hereinafter set forth;

**AND WHEREAS** authority to pass such a by-law is provided by Section 34 of the *Planning Act, R.S.O. 1990, Chapter P.13* and amendments thereto;

**NOW THEREFORE** the Council of the Corporation of the Township of McKellar enacts as follows:

**1.0 THAT ZONING BY-LAW NO. 95-12 IS AMENDED AS FOLLOWS:**

1.1 Schedule 'A' (Sheet 1) to Zoning By-law 95-12, is hereby further amended, by rezoning the lands legally described as LT 34 CON 5 MCKELLAR E OF PT 1 42R7198 EXCEPT PT 3 42R7019, PT 1 42R7121; PT LT 33 CON 5 MCKELLAR PT 2 42R7404; MCKELLAR (municipally addressed as 39 Hardies Road) to Special Provision 17.1 as shown on Schedule 'A' attached hereto and forming a part of this By-law.

1.2 Section 16 (Special Provisions) is further amended, by adding the following paragraph at the end of the section (17.1):

"Notwithstanding the requirements of this By-law, on lands located at LT 34 CON 5 MCKELLAR E OF PT 1 42R7198 EXCEPT PT 3 42R7019, PT 1 42R7121; PT LT 33 CON 5 MCKELLAR PT 2 42R7404; MCKELLAR, 39 Hardies Road as identified on Schedule 'A' attached hereto, the requirements of the Waterfront Residential Two (WF2) Zone shall apply, except:

- a) The minimum lot area shall be 0.7 hectares.
- b) The minimum lot frontage shall be 60 metres.

2.0 Schedule 'A' attached hereto is hereby made part of this By-law.

3.0 This By-law shall come into force and effect pursuant to the provisions of and Regulations made under the *Planning Act, R.S.O. 1990*.

**READ a FIRST and SECOND time this 10th day of November, 2022**

Peter Hopkins, Mayor

Ina Watkinson, Clerk

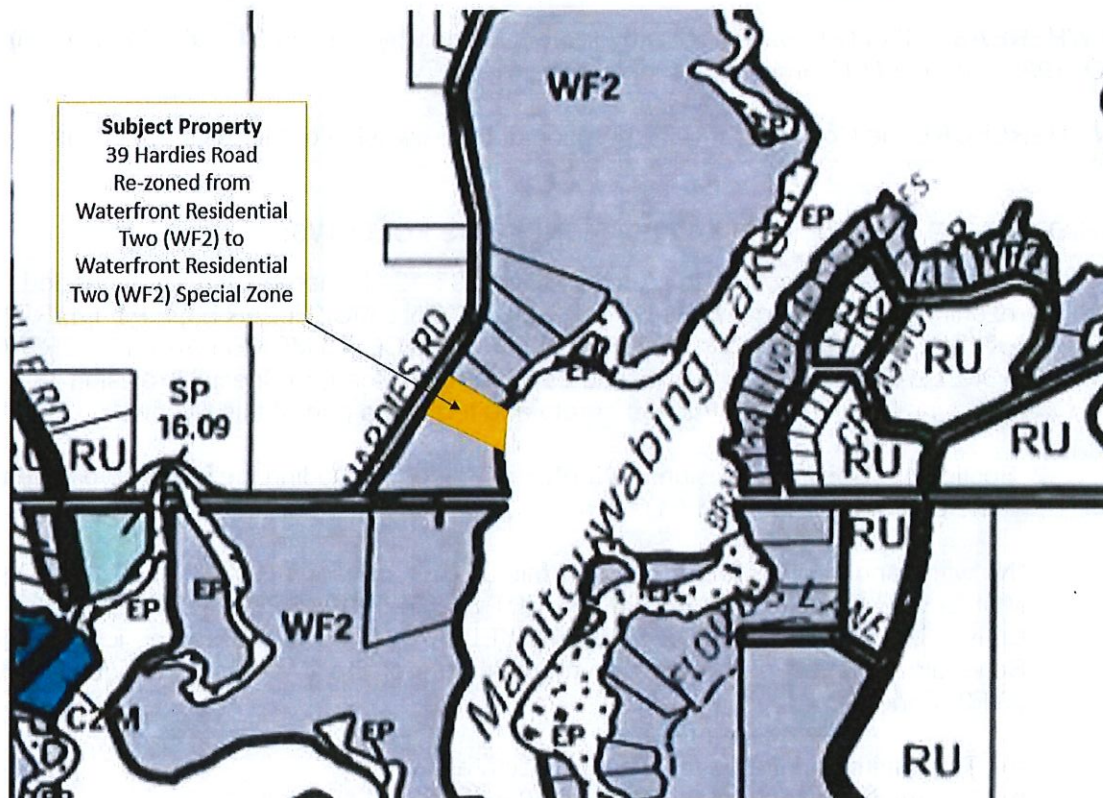
READ a THIRD time and PASSED in OPEN COUNCIL this 10<sup>th</sup> day of November, 2022

Peter Hopkins, Mayor

Ina Watkinson, Clerk

### SCHEDULE 'A'

- 1.0 This is Schedule 'A' to By-law 2022-57, being a portion of 'Schedule A' (Map No. 129) to Zoning By-law 95-12, passed this 10<sup>th</sup> day of November, 2022.



Peter Hopkins, Mayor

Ina Watkinson, Clerk

# Public Meeting Agenda – Grant Zoning By-Law Amendment November 10, 2020, 10:00 a.m.

## 1. Call to Order

- Introductions are made: Council and Staff

## 2. Land Acknowledgement

## 3. Roll Call

## 4. Disclosure of Pecuniary Interest and General Nature Thereof

## 5. Adopt Agenda

## 6. 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 their name before speaking.

## 7. Discussion:

**Agenda Item 6.1** Grant – Proposed Zoning By-law amendment is to seek relief from Section 7.02 of the McKellar Zoning By-law to permit a reduced minimum lot area of 0.7 ha where 1.0 ha is required and a reduced frontage of 60 m onto Manitouwabing Lake where 90 m is required. The application is intended to fulfill conditions of draft consent approval for a related severance application.

- The Chairperson will ask the Clerk if any letters or related correspondence have been received.
- David Welwood and Rebecca Elphick, Municipal Planners will speak to the matter.
- The Applicant (Judy Grant) will make her presentation and comments if in attendance
- Questions or comments from Council and the public

## 8. Adjournment