



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/08/2023
Date of Hearing: August 15, 2023
Final Appeal Date September 4, 2023
Owner(s): Zalman & Ludmila Goldshmidt

Property Location: 25 Smith Pine Crescent (CON 7 PT LOT 27 PLAN M403 LOT 58
AND RP 42R17120 PART 3 PCL 22366)

DECISION

The application for Minor Variance A/08/2023 from Zoning By-law 95-12, as amended, is hereby **REFUSED**.

REASON FOR REFUSAL

The proposed gazebo exceeds the permitted floor area as defined in Section 2.72 of By-law 95-12, as amended.

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 15th day of August, 2023


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 4th day of September, 2023.

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 September 4, 2023, no appeals have been filed against the aforementioned Decision re Application A/08/2023 (Goldshmidt) and that therefore this Decision is final and binding.

Dated this 4th day of September, 2023


Karlee Britton, Secretary-Treasurer



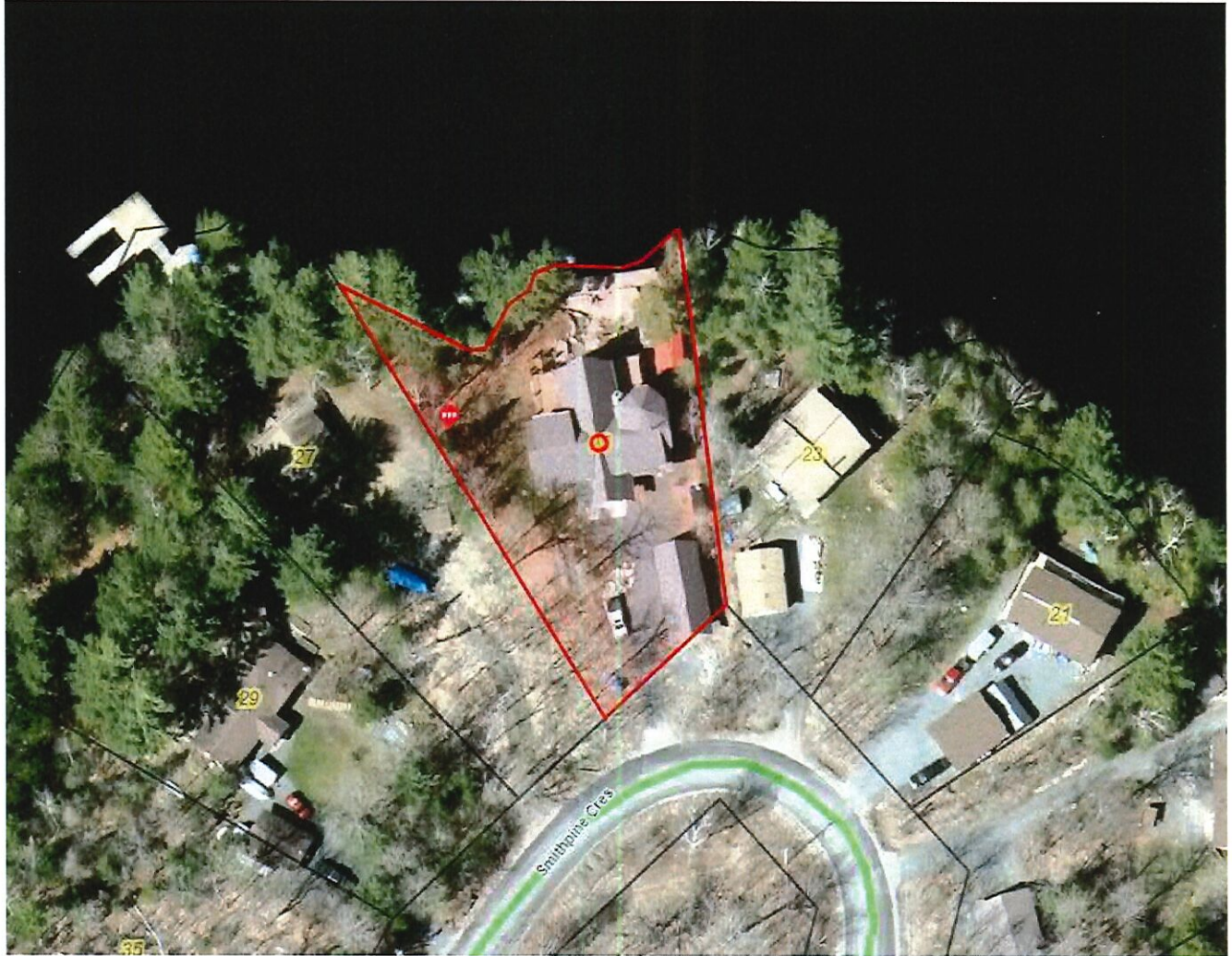
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Key Map





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DECISION

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VARIANCE REQUESTED

The applicant is requesting a Minor Variance to permit the construction of an accessory building, gazebo, that will exceed the permitted maximum lot area coverage.

DECISION

The application for Minor Variance A/08/2023 from Zoning By-law 95-12, as amended, is hereby **REFUSED**.

THE REASONS FOR THE DECISION

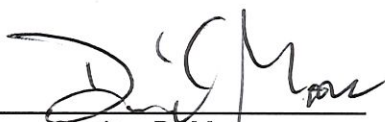
It is the opinion of the Committee of Adjustment that the requested variance:

- i) Does not maintain the general intent and purpose of Comprehensive Zoning By-law 95-12, as amended; the definition of "gazebo" in the Zoning By-law has a floor area of less than 15 square metres, the proposed gazebo had a floor area of 48.6 square metres.

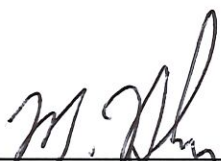
EFFECT OF PUBLIC INPUT, IF ANY, ON LAND USE DECISIONS:

- 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:



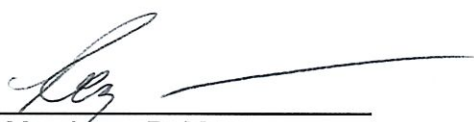
Chair – D. Moore




Member – M. Haskim



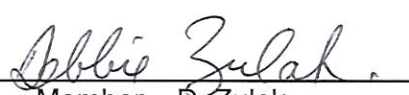
Member – M. Kekkonen



Member – R. Moore



Member – N. Ryeland



Member – D. Zulak

Dated this 15th day of August, 2023