

Minor Variance or Permission Application

3. Property information

Civic address: 147 Peelow Road, Hastings Highlands, ON K0L1C0

Assessment Roll Number: 12-90-374-065-10900-0000

Former Geographic Township Monteagle

Legal Description: Part 3 of Lot 22, Concession 9 Geographic Township of Monteagle, Municipality of Hastings Highlands, County of Hastings

Lot frontage (m): 75.41 Lot Depth (m): 17.53 Lot Area (ha): 0.082

Date the subject property was acquired by current owner: April 2023

4. Access to property (select one):

- Provincial highway
- Municipal Road (year-round maintenance)
- Municipal Road (seasonal maintenance)
- Other (please specify): _____
- Right-of-way
- Water (see next page)

Where access to the subject land is by water only:

Docking facilities Location: _____

Distance of Docking facilities from subject land: _____

Distance of Docking facilities from public road: _____

Parking facilities Location: _____

Distance of Parking facilities from subject land: _____

Distance of Parking facilities from public road: _____

5. Is 66 feet Shore Road Allowance owned by Applicants? Yes No N/A

If yes, please include documentation to support this. If no water frontage, select N/A.

If No, is development happening on the Shore Road Allowance? Yes No

6. Servicing of the Property

Water is provided to the subject land by:

- Publicly owned/operated pipe water system
- Privately owned/operated individual well
- Privately owned/operated communal well
- Lake or other waterbody
- Other means (please explain): _____



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Sewage is provided to the subject land by:

- Publicly owned/operated sanitary sewage system
- Privately owned/operated individual septic system
- Privately owned/operated communal septic system
- Privy
- Other means (please explain): Incineration (black water) Surface Discharge (Gray water)

Storm drainage is provided to the subject land by:

- Sewers
- Ditches
- Swales
- Other means (please explain): natural property grade

7. Current Land Use

Current designation of the property in the County of Hastings Official Plan:

Rural Waterfront Residential

Current zoning of the property in the Comprehensive Zoning Bylaw:

Waterfront Residential (WR)

What is the land currently being used for? Please explain:

4 Season Cottage Property (Residential)

Length of time the current use of the land has continued: 1956

What are the land uses of adjacent and neighbouring properties?

Right Side and Behind: Cottages/Residences

Left Side: Vacant Land

8. Existing buildings/structures

Include the following for each building(s) or structure(s) on the property:

Existing Building/Structure 1 (both metric and imperial units):

Type of building: Cottage
Date constructed: 1956
Height of building (to the midpoint of the roof): 13ft
Front lot line setback: 2.19m Dimensions: 8.53m x9.14m
Rear lot line setback: 7.1m Floor area: 53.88m²
Side lot line setback: 0.91m Side lot line setback: 65.04m
Distance to water (if applicable): 7.1m

Existing Attached Structure (such as a deck) (metric and imperial units):

Type of building: deck
Date constructed: 2023
Height of building (to the midpoint of the roof or top of deck): 18 inches
Front lot line setback: 2.54m Dimensions: 2.4m x4.1m
Rear lot line setback: 12.74m Floor area: 9.84m²
Side lot line setback: 10.06m Side lot line setback: 62.02m
Distance to water (if applicable): 12.74m

Note: If there are any additional attached decks, porches, etc., include them as an Existing Building/Structure below.

Existing Building/Structure 2 (both metric and imperial units):

Type of building: shed
Date constructed: unknown
Height of building (to the midpoint of the roof): 2.44m
Front lot line setback: 0.86m Dimensions: 2.44x3.7m
Rear lot line setback: 14.1m Floor area: 8.91m²
Side lot line setback: 14.59m Side lot line setback: 60.82m
Distance to water (if applicable): 14.1m



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Existing Building/Structure 3 (both metric and imperial units):

Type of building: _____
Date constructed: _____
Height of building (to the midpoint of the roof): _____
Front lot line setback: _____ Dimensions: _____
Rear lot line setback: _____ Floor area: _____
Side lot line setback: _____ Side lot line setback: _____
Distance to water (if applicable): _____

Existing Building/Structure 4 (both metric and imperial units):

Type of building: _____
Date constructed: _____
Height of building (to the midpoint of the roof): _____
Front lot line setback: _____ Dimensions: _____
Rear lot line setback: _____ Floor area: _____
Side lot line setback: _____ Side lot line setback: _____
Distance to water (if applicable): _____

Existing Building/Structure 5 (both metric and imperial units):

Type of building: _____
Date constructed: _____
Height of building (to the midpoint of the roof): _____
Front lot line setback: _____ Dimensions: _____
Rear lot line setback: _____ Floor area: _____
Side lot line setback: _____ Side lot line setback: _____
Distance to water (if applicable): _____

Note: If there are additional buildings, please attach (a) separate page(s) to this Application.

9. Summary of Development Proposal

Provide a complete written description of the nature of the application with details of the proposed development including but not limited to: proposed use(s), height/storeys, floor area(s), number of parking/loading spaces, landscape area, etc. If additional space needed, attach (a) separate page(s) to this Application.

Proposal to construct a 29.73m² deck on the north side of the existing legal non-conforming structure.

Existing 9.84m² deck to be removed.

No other changes are proposed to existing structures, pursuant to this application.

Current landscape areas including as many mature trees as possible will be retained in their existing natural state.

- The design of the deck is included in this application as Appendix 1: Deck Design

- Official survey showing existing buildings attached and proposed deck as Appendix 2: Surveyor's Real Property Report.

- The Environmental Impact Study prepared by RiverStone Environmental Solutions Inc. is attached as Appendix 3: Environmental Impact Study

10. Relief

Provide a written explanation of the nature and extent of the relief being requested from the Comprehensive Zoning Bylaw. A land use planning consultant or other qualified professional may be able to assist you:

As the existing dwelling is a legal non-conforming structure that was constructed prior to regulations, we are requesting relief from zoning bylaws in order to construct a 29.73m² deck which will extend beyond the envelope of the existing legal non-conforming structure.

We are proposing the new deck be constructed at a maximum distance from the water, within property parameters, however, this location becomes a development as defined in the bylaws Ref. section 5.9.2i) of Bylaw 2004-035 Comprehensive Zoning Bylaw: No development within 30m of the high water mark.

11. Reason

Provide a written explanation of why the proposed development or use cannot comply with the Comprehensive Zoning Bylaw. How or can the proposal be modified to comply with the regulations? A land use planning consultant or other qualified professional may be able to assist you in providing an explanation:

The proposed development of a 29.73m² deck cannot comply with the Comprehensive Zoning Bylaw due to the natural topography and parameters of the property being ensconced within the total 30m required setback from the high water mark.

The existing residential building will retain its current legal non-conforming structure status per Section 45(2) of the planning act, but as the proposed structure will exceed the existing legal non-conforming envelope, this application for permission is required in accordance with zoning restrictions. The deck will significantly increase the functionality of the existing building, while retaining the integral use of the property and adjoining properties (cottages/residences).

Given the property size limitations, the north deck is deemed to be the optimal solution, with considerations to environmental and municipal requirements as it does not interfere with existing drainage, or require geographical intervention (slope study) to be constructed. The deck will not cause any undue negative impacts on the environment (See EIS Attached). The proposed plan minimizes the impact of the new structure on the existing vegetation.

12. Rationale

Did you conduct a Pre-consultation with the Municipality? Yes No
If yes, please include any correspondence with the Municipality.

* See attached Appendix 4: Correspondence With Municipality

Tests for a Minor Variance or Permission Application

Please provide a written explanation of why/how the proposed development or use is consistent with the Provincial Policy Statement and either meets the tests of a Minor Variance or Permission Application. To see these tests, check the Minor Variance or Permission Guide. A land use planning consultant or other qualified professional may be able to assist you in providing planning rationale to support your Application. If more space needed to answer, please attach (an) additional page(s):

1. Is the application desirable for the appropriate development of the subject property?

Improving the existing building by the proposed development preserves the current relationship and intent of the building to the surrounding environment, thus it will not adversely impact fish/water quality of Bartlett Lake, nor shoreline vegetation, nor will it result in pollution of any kind with proper mitigation (silt fence). The proposal will limit any potential phosphorus impacts, storm water flows and potential erosion as the proposed site is ideal for the proposed deck area and will require minimal soil disturbance.

Furthermore, the proposed development will improve the function and longevity of the structures and will be consistent with the Provincial Policy Statement (PPS) 2020.

See Appendix 3: Environmental Impact Study

2. Will the application result in undue adverse impacts on the surrounding properties and neighbourhood?

Construction will retain the existing line of sight of neighbouring cottages/residences.

The deck will be to the north of the existing dwelling, keeping it at a maximum distance from neighbouring lot lines.

Construction will retain all of the current landscape and foliage within the high water mark setback and will not require invasive soil excavation, limiting erosion.

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13. Property/proposed development

Include the following for each proposed building(s) or structure(s) on the property:

Proposed Building/Structure 1 (both metric and imperial units):

Type of building: North deck

Date to be constructed: Fall 2024

Height of building (to the midpoint of the roof): 2 ft

Front lot line setback: 2.63m Dimensions: 16x24ft

Rear lot line setback: 7.5m Floor area: 29.73m²

Side lot line setback: 10.06m Side lot line setback: 59.75m

Distance to water (if applicable): 7.5m

Deck to dwelling = less than 0.5 ft. JJ ✓

Proposed Attached Structure (such as a deck) (metric and imperial units):

Type of building: _____

Date to be constructed: _____

Height of building (to the midpoint of roof or top of deck): _____

Front lot line setback: _____ Dimensions: _____

Rear lot line setback: _____ Floor area: _____

Side lot line setback: _____ Side lot line setback: _____

Distance to water (if applicable): _____

Proposed Building/Structure 3 (both metric and imperial units):

Type of building: _____

Date to be constructed: _____

Height of building (to the midpoint of roof): _____

Front lot line setback: _____ Dimensions: _____

Rear lot line setback: _____ Floor area: _____

Side lot line setback: _____ Side lot line setback: _____

Distance to water (if applicable): _____

Note: If there are additional buildings, attached decks, attached porches, etc., please attach a separate page to this Application.

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14. Land Uses and Features

Are any of the following uses or features on the subject lands and/or within 500 metres of the subject lands (Please indicate if it applies with a 'Yes' and an 'N/A' if it does not. Any features indicated with a 'Yes', please identify on your site plan):

	On Subject Lands	Within 500 Metres (unless otherwise specified)
An agricultural operation (any livestock facility, occupied or vacant, including manure storage)	x	x
A landfill (active or non-operating) (within 1000 metres)	x	x
An active mine site (within 1000 metres)	x	x
A rehabilitated or abandoned mine site or mine hazards (within 1000 metres)	x	x
An active gravel pit or quarry	x	x
Any industrial use (current or former)	x	x
Provincial Park or Crown Lands	x	x
A floodplain	x	x
Significant wildlife habitat (such as a deer yard) and/or significant habitat of Species at Risk (including but not limited to endangered and threatened species)	x	x
Lake, river, stream, creek, pond or other water feature	YES	YES
Fish habitat	YES	YES
Provincially Significant Wetland	x	x
Any known cultural heritage, archaeological resources and/or areas of archaeological potential?	x	x
A slope, including a steep and/or unstable slope with an angle of three-to-one (horizontal:vertical) or 18 degrees	x	x

15. Other Planning Applications

Has the property been or is the property currently the subject of any of the following (include file number and status)? Check all that apply:

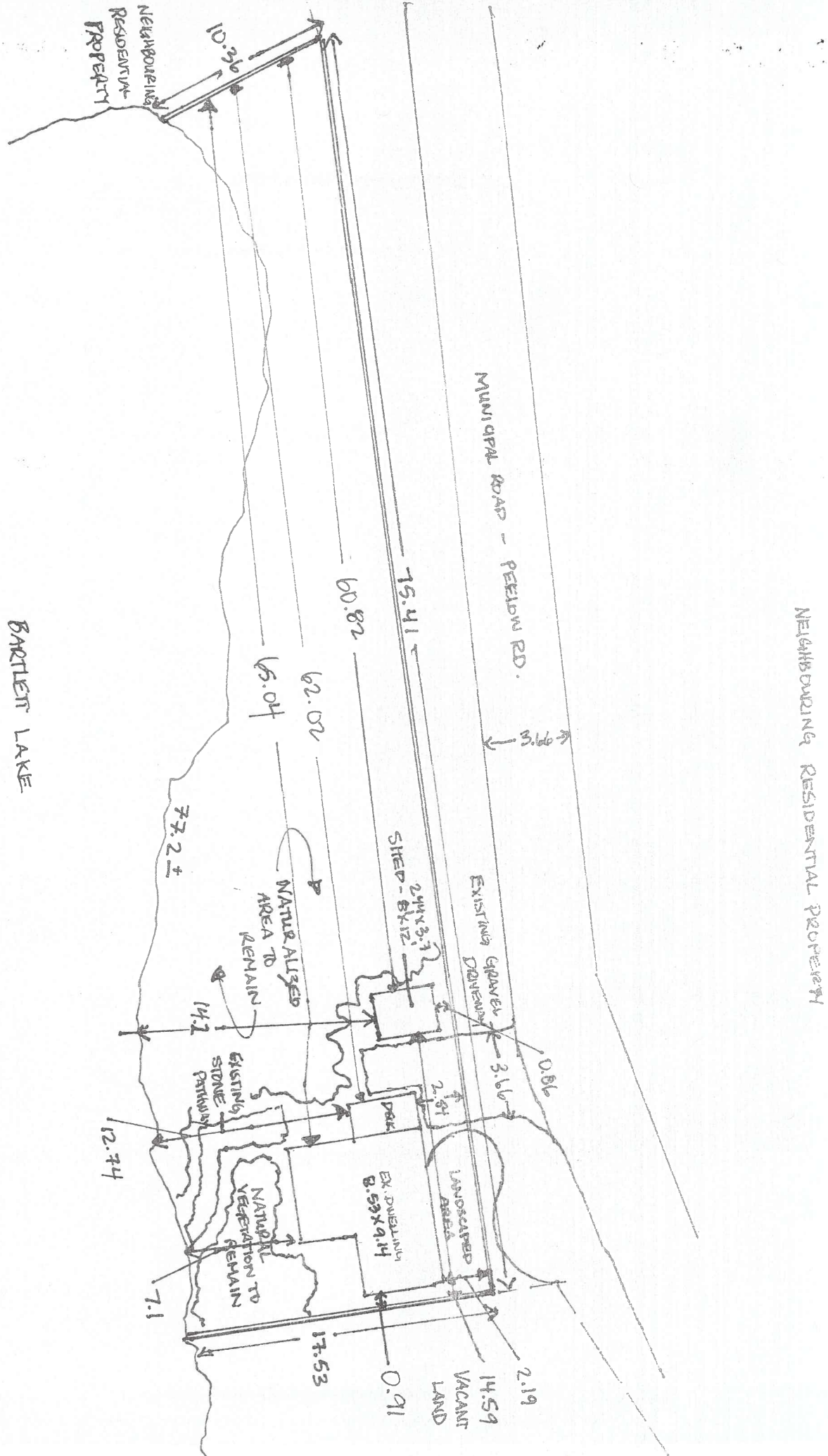
- Official Plan Amendment _____
- Consent (Severance) _____
- Plan of Subdivision _____
- Zoning Bylaw Amendment Application _____
- Minor Variance Application (submitted with) _____
- Site Plan Control Application _____

16. Site Plan Requirements

The site plan will have to be clear and Minimum requirements for a site plan will show the following:

- The boundaries and dimensions of the subject land.
- The location, size and type of all existing and proposed buildings and structures, including septic systems, in the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear lot lines, and the side yard 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 (including railways, roads, watercourses, drainage ditches, lake, pond, river or stream, banks, wetlands, wooded areas, wells, and septic tanks).
- The current uses on land that are 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.
- The location and nature of easements and right-of-ways affecting the subject land.
- If access to the subject land is by water only, the location of the parking and docking facilities to be used.
- The distance of the proposed buildings or structure to any water features, including, but not limited to, lakes, rivers, streams, creeks and ponds.
- Any land uses and/or features noted above on Page 8 of this Application.
- For proposals on waterfront properties, the Municipality recommends including a landscaping plan in the Application to indicate how natural vegetation will be maintained or restored on the property.

SITE PLAN: 147 PEELAW ROAD



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