



Zoning Bylaw Amendment Application

4. Property information

Civic address: 248 / 252 PONACKA ROAD

Assessment Roll Number: 1290 278-020-24100

Former Geographic Township HERSCHEL

Legal Description:

SEE DEED ATTACHED FOR DESCRIPTION
FIRSTLY ~~AND SECONDLY~~ DESCRIBED

Lot frontage (m): 82.32m Lot Depth (m): 42.5 Lot Area (ha): 0.416ha

Date the subject property was acquired by current owner: 2008

5. Access to property (select one):

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

Where access to the subject land is by water only:

Docking facilities: _____

Distance of Docking facilities from subject land: _____

Distance of Docking facilities from public road: _____

Parking facilities: _____

Distance of Parking facilities from subject land: _____

Distance of Parking facilities from public road: _____

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

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

7. 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): _____



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): _____

Storm drainage is provided to the subject land by:

- Sewers
- Ditches
- Swales
- Other means (please explain): _____

8. Current Land Use

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

RURAL / WATERFRONT

Current zoning of the property in the Comprehensive Zoning Bylaw:

LSR-106

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

seasonal dwellings

Length of time the current use of the land has continued: 1950

What are the land uses of adjacent and neighbouring properties?

Seasonal dwellings



9. 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: MAIN RESIDENCE 1 Storey #252 POWACKA Rd.
Date constructed: 2015 Distance to water: 17m 55.77ft
Front lot line setback: 12.49m / 41ft Dimensions: 29.6 x 9.2m (97 x 30ft)
Rear lot line setback: 17m / 55.77ft Floor area: 2810 sq ft (261.1m²)
Side lot line setback: 23.0m (75ft) Side lot line setback: 35.9m (118ft)
Height of building (to midpoint of roof): one storey

Existing Attached Deck/Porch to Existing (both metric and imperial units):

Type of building: SCREEN PORCH ATTACHED TO CABIN #248 POWACKA Rd.
Date constructed: 2022 Distance to water: 5.9m (19ft)
Front lot line setback: 33.2m (109ft) Dimensions: 5.4 x 5.4m (18 x 18ft)
Rear lot line setback: 5.9m (19ft) Floor area: 28.9m² (311sqft)
Side lot line setback: 14.5m (48ft) Side lot line setback: 74.7m (245ft)
Height of building (to midpoint of roof): _____

N.B. ATTACHED DECK DISTANCE TO WATER (CLOSEST) 4m / 13.12ft -
SEE ATTACHED DETAILS IN SCHEDULE

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

Type of building: CABIN 1 storey #248 POWACKA Rd.
Date constructed: 1950 Distance to water: 7.3m / 23.95ft.
Front lot line setback: 31.94m / 104.79ft Dimensions: 11.1 x 6.7m (36 x 22ft)
Rear lot line setback: 7.3m / 23.95ft Floor area: 64.1m² (689.967sqft)
Side lot line setback: 3.55m / 11.64ft Side lot line setback: 79.2m (260ft)
Height of building (to midpoint of roof): one storey

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

Type of building: PRIVY #252 POWACKA Rd.
Date constructed: _____ Distance to water: 34m / 111.55ft.
Front lot line setback: 6.96m / 22.83ft Dimensions: 2m x 2m
Rear lot line setback: 34m / 111.55ft Floor area: 4sqm / 43sqft
Side lot line setback: 6.81m / 22.34ft Side lot line setback: 74m / 242.78ft.
Height of building (to midpoint of roof): 3.7m / 12.1ft



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

Type of building: FRAME GARAGE 252 POWACKA RD.

Date constructed: 2015 Distance to water: 27.4 m (90ft)

Front lot line setback: 7.79m / 25.56ft Dimensions: 7.2 x 6.8m (24 x 22 ft)

Rear lot line setback: 28m / 91.86ft Floor area: 49.0 m² (5274sq ft)

Side lot line setback: 12.98m / 42.58 Side lot line setback: 59m / 193.57 ft

Height of building (to midpoint of roof): _____

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

10. 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.

NO PROPOSED NEW DEVELOPMENT

A BUILDING PERMIT HAS BEEN PREVIOUSLY
OBTAINED WITH RESPECT TO EACH BUILDING
AND STRUCTURE THAT REQUIRED A PERMIT



11. 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:

MINOR ADJUSTMENTS OF SETBACKS TO CONFORM
WITH UPDATED BUILDING LOCATE SURVEY
MOST DEFICIENCIES HAVE ALREADY BEEN
VALIDATED BY BYLAW 2021-025 AMENDING
ZONING BY-LAW 2004-035 TO LSR-106 ZONE

12. 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:

NO PROPOSED NEW DEVELOPMENT
NO CHANGE OF USE



13. Rationale

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

Criteria for a Zoning Bylaw Amendment

Please provide a written explanation of why/how the proposed development or use is:

- consistent with the Provincial Policy Statement;
- conforms with the County of Hastings Official Plan;
- maintains the general intent and purpose of the Comprehensive Zoning Bylaw; and
- desirable for development and appropriate use of the land.

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):

DEVELOPMENT OF PROPERTY HAS ALREADY
BEEN APPROVED AND FOUND TO BE CONSISTENT
WITH OFFICIAL PLAN and PROVINCIAL POLICY STATEMENT
BUILDING PERMITS HAVE BEEN OBTAINED
FOR ALL REQUIRED BUILDINGS AND FINAL INSPECTION
AND OCCUPANCY GRANTED.



14. 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: _____

Distance to water: _____ Height of building: _____

Front lot line setback: _____ Dimensions: _____

Rear lot line setback: _____ Floor area: _____

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

Attached Deck/Porch to Proposed Building/Structure 1:

Type of building: _____

Distance to water: _____ Height of building: _____

Front lot line setback: _____ Dimensions: _____

Rear lot line setback: _____ Floor area: _____

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

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

Type of building: _____

Distance to water: _____ Height of building: _____

Front lot line setback: _____ Dimensions: _____

Rear lot line setback: _____ Floor area: _____

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

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

Type of building: _____

Distance to water: _____ Height of building: _____

Front lot line setback: _____ Dimensions: _____

Rear lot line setback: _____ Floor area: _____

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

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



15. 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)	N/A	N/A
A landfill (active or non-operating) (within 1000 metres)	N/A	N/A
An active mine site (within 1000 metres)	N/A	N/A
A rehabilitated or abandoned mine site or mine hazards (within 1000 metres)	N/A	N/A
An active gravel pit or quarry	N/A	N/A
Any industrial use (current or former)	N/A	N/A
Provincial Park or Crown Lands	N/A	N/A
A floodplain	N/A	N/A
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)	N/A	N/A
Lake, river, stream, creek, pond or other water feature	N/A	N/A
Fish habitat	N/A	N/A
Provincially Significant Wetland	N/A	N/A
Any known cultural heritage, archaeological resources and/or areas of archaeological potential?	N/A	N/A
A slope, including a steep and/or unstable slope with an angle of three-to-one (horizontal:vertical) or 18 degrees	N/A	N/A



16. 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 LSR-71 / LSR 106
- Minor Variance/Permission _____
- Site Plan Control Application _____

17. 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.

Schedule Re Attached Deck at 248 Ponacka Rd.

Closest distance to water (rear water setback)

4.0 m. (13.12 ft)

Deck Area

34.0 m² (366 sq.ft)

Dimensions

16.7 x 2m (54.79 x 6.56ft)

Setback from front lot line

38.6 m (126.64)

Setbacks from side lot lines

3.7m (12.139) and 76.9m (252.296)

A Bylaw To Amend Comprehensive Zoning Bylaw No. 2004-035 Of The Corporation Of The Municipality Of Hastings Highlands, As Amended, Being A Bylaw To Regulate The Use Of Land And The Height, Bulk, Location, Spacing, Character And Use Of Buildings

Whereas Bylaw No. 2004-035, as amended is the Comprehensive Zoning Bylaw governing the lands located within the Corporation of the Municipality of Hastings Highlands;

And Whereas the Council of the Corporation of the Municipality of Hastings Highlands having received and reviewed an application to amend Bylaw No. 2004-035 for the Corporation of the Municipality of Hastings Highlands, is in agreement with the proposed changes;

And Whereas authority is granted under Sections 34 of the *Planning Act*, R. S. O. 1990, c.P.13, as amended;

Now Therefore, The Council Of The Corporation Of The Municipality Of Hastings Highlands Enacts As Follows:

1. **That** Comprehensive Zoning Bylaw No. 2004-035, as amended, is hereby further amended as follows:

Lot 11 and Part of Lot 12, Registrars Compiled Plan 2272, being Parts 3 and 4 on Plan 21R-24177 and Part 2 on draft Reference Plan by P. A. Miller Surveying Ltd. dated January 14, 2021, in the Geographic Township of Herschel, and as shown on Schedule '1' attached hereto, from the Special Limited Service Residential-71 (LSR-71) Zone to the Special Limited Service Residential-106 (LSR-106) Zone.

The change of zone category is to allow the permitted uses in the Limited Service Residential (LSR) Zone, to recognize the second cottage on the property, to recognize the deficient lot area (minimum 4,000 sq. m) of 3800 sq. m more or less (+/-) and to recognize the setback deficiencies as follows:

**Front Yard (Minimum) 10 m
Privy 6.96 m
Frame Garage 7.79 m
Septic Field Area 2 m +/-**

**Side Yard (Minimum) 3 m
Septic Tile Field 2 m +/-**

**30 m High Water Mark
One Storey Frame Cottage (No. 252) and Deck 12.2 m from High Water Mark,
One Storey Frame Cottage (No. 244) and Deck 4.87 m +/-.**

2. **That** Schedule 'D' to Bylaw 2004-035, as amended, is hereby amended by changing the zone category thereon in accordance with Schedule '1' attached hereto.

regulations made under the *Planning Act*, R. S. O., 1990, c.P.13, as amended.

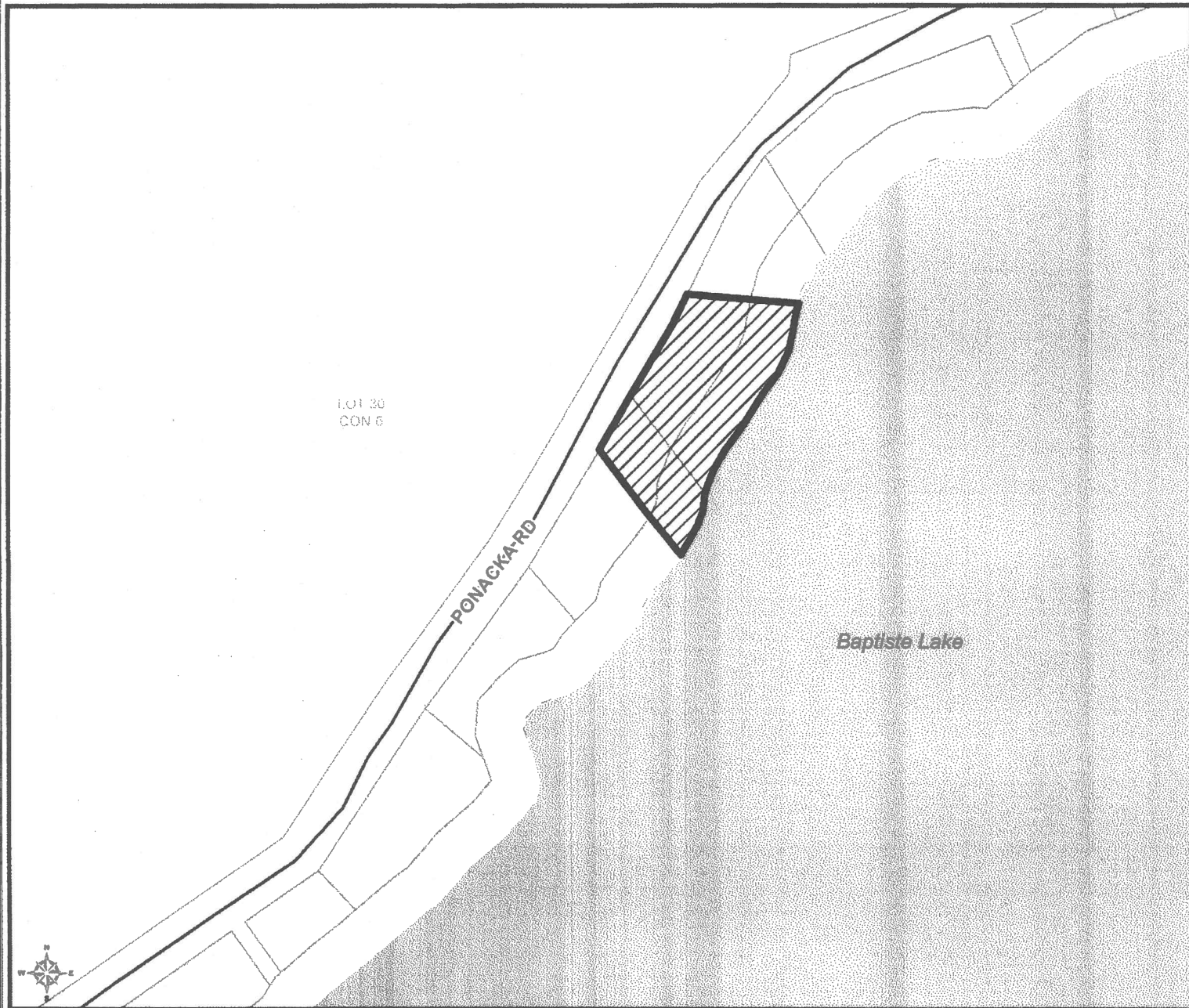
Enacted And Passed In Council this 2nd day of June, 2021.


Tracy Hagar, Mayor


Suzanne Huschilt, Municipal Clerk

Tracy Hagar
Tracy Hagar, Mayor

Suzanne Huschilt
Suzanne Huschilt, Municipal Clerk



Location of Subject Lands

Location: Part of Lot 10, Lot 11 & Part of Lot 12,
RCP 2272, Part 3 21R-24177 and
Part 2 (Preliminary Plan 20-10233)

Address: 252 & Part of 244 Ponacka Road
Municipality of Hastings Highlands
Herschel Township



Subject Land



Lands to be rezoned from the Limited Service Residential (LSR) Zone
to the Limited Service Residential Special - 106 (LSR-106) Zone.