

Minor Variance or Permission Application

3. Property information

Civic address: 1995 Mink Lake Rd
Assessment Roll Number: 12 90 191 020 21800 0000
Former Geographic Township McClure
Legal Description: 1995 Mink Lake Rd
McClure Con 7 PT Lot 23
PCL52

Lot frontage (m): 54.01 Lot Depth (m): 62.49 Lot Area (ha): .263
Date the subject property was acquired by current owner: June 15, 2017

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): _____

Storm drainage is provided to the subject land by:

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

7. 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:

Waterfront Residential WR

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

This is a cottage property used year round.

Length of time the current use of the land has continued: 70+ years

What are the land uses of adjacent and neighbouring properties?

Waterfront Residential / Cottage use.

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: 2018
Height of building (to the midpoint of the roof): 18'
Front lot line setback: 115' Dimensions: 46' x 42'
Rear lot line setback: 26' Floor area: 1593sq'
Side lot line setback: 35' Side lot line setback: 36m
Distance to water (if applicable): 98'

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

Type of building: Deck
Date constructed: 2018
Height of building (to the midpoint of the roof or top of deck): 7'
Front lot line setback: 131' Dimensions: 46' x 10'
Rear lot line setback: 13' Floor area: 460 sq'
Side lot line setback: 35' Side lot line setback: 118'
Distance to water (if applicable): 98'

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: Garage
Date constructed: 1980's
Height of building (to the midpoint of the roof): 12'
Front lot line setback: 79' Dimensions: 22'x36'
Rear lot line setback: 14' Floor area: 792 sq'
Side lot line setback: 28' Side lot line setback: _____
Distance to water (if applicable): 131'



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

Type of building: Sea Container with Lean too
Date constructed: 2019
Height of building (to the midpoint of the roof): 8'
Front lot line setback: 59' Dimensions: 16' x 20'
Rear lot line setback: 50' Floor area: 320 sq'
Side lot line setback: 0' Side lot line setback: 177'
Distance to water (if applicable): N/A

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.

This application is submitted seeking approval to demolish an existing garage measuring 22' x 36' (792 sq') and replacing it with a new garage 28' x 40'. We are requesting approval to leave the existing garage in place until the new garage is built to accommodate storage until the new garage is complete. The proposed garage will be a single story building, with a maximum mid roof height of 14.8'. The proposed garage will have 3 garage doors and be 1120sq' in floor space. Further the Sea container and lean too, onsite will be removed post construction as well.

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:

Please see appendix 1 for our response.

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:

Please see appendix 1 for our response.

12. Rationale

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

Please see appendix 1 for our response.



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: Garage

Date to be constructed: 2024/2025

Height of building (to the midpoint of the roof): 14.8'

Front lot line setback: 31' Dimensions: 28' x 40'

Rear lot line setback: 70' Floor area: 1120 sq'

Side lot line setback: 15' Side lot line setback: 122'

Distance to water (if applicable): _____

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.

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)	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	Yes
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	Yes
Fish habitat	N/A	Yes
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	Yes	Yes

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 _____
- 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.

Appendix 1

10. Relief

This application is to seek relief from two Comprehensive Zoning Bylaw's for a particular development as per Section 45(1) of the Planning Act.

The first request is to seek relief to zoning bylaw No. 2016-013, the square foot lot coverage bylaw, the building of the requested garage will exceed the 5% coverage threshold for a short window, once the new building is built the existing garage, sea container and lean too will be removed resulting in the property coverage being under the 5% threshold. A permit will be requested for the existing garage demolition at the time of permit application for the new garage build.

The second request is to seek relief zoning bylaw No. 2022-005, restricting development within proximity of a steep and/ or unstable slope. The proposed garage is setback 40' from the slope edge. Envision Consultants LTD completed an assessment of the proposed building location and Senior Geotechnical Engineer David Lewis, provided an engineer stamped report where he confirmed there will be no impact to the foundation stability at this location due to steep slopes. Please see the report attached. Appendix 2

11. Reason

The existing garage to be demolished was built in the 1980's we are having issues with the concrete floor cracking, the building is uninsulated and has leaking issues. We are looking to replace it with a slightly larger garage that can be heated.

12. Rationale

I have met onsite with the Hasting Highlands Municipal Planner John Jardine, to review our proposed construction and we have had open communication by email up to this process discussing the planned work and minor variance application process / requirements.

1. Maintain the general intent and purpose of the County of Hastings Official Plan.

Answer:

Yes this application maintains the intent of the County of Hastings Official Plan and will have no adverse effect on this or any surrounding properties.

2. Maintain the general intent and purpose of the Zoning Bylaw.

Answer:

Yes with regard to the exceeding the lot coverage, once the existing garage is demolished and sea container / lean too is removed, the location will conform with the 5% lot coverage requirement upon closure of the building permit.

Yes with regard to construction near a steep / unstable slope, we have engaged a geotechnical engineer which has assessed the proposed building and the building site. Provided an engineer stamped report where he confirmed there will be no impact to the foundation stability at this location due to steep or unstable slopes.

3. Desirable for the appropriate use of the land.

Answer:

Yes as this is waterfront residential property, a garage is an appropriate use of land and we are replacing a garage which already exists on the property results in no change of land use.

4. Minor in nature.

Answer:

Yes this request is minor in nature and will maintain the intent of the existing bylaws.