

TOWNSHIP OF RYERSON
COMMITTEE OF ADJUSTMENT

Application for Minor Variance Planning Act S. 45 (1)
or For Permission Planning Act S. 45 (2)

File # A 03/24

The undersigned hereby applies to the Committee of Adjustment for the Township of Ryerson under section 45 of the Planning Act for relief, as described in the application, from Zoning By-Law #56-14 (as amended).

- 1. Name of Owner Michael + Barbara Shelley
 Email address [REDACTED]
 Telephone Number [REDACTED] Property Roll # 49 24000 001 16006
- 2. Address 1656 Peggs Mountain Road, Burt's Falls
POA 100
- 3. Name of Agent (if any) Monika Storey / Stone Mill Construction
 Agent Email address info@stone-mill.ca
 Agent Phone Number [REDACTED]
- 4. Agent Address 220 Highway 518 East,
Emsdale, POA 100

Note: Unless otherwise requested, all communications will be sent to the agent, if any.

5. Present Official Plan designation applying to the land:
Rural

6. Present Zoning By-Law provisions applying to the land:
3.1.10 Garages / Accessory buildings may be erected + used in a side or rear yard.

7. Nature and extent of relief applied for: proposed workshop is
closer to the road than the proposed
house

8. Why is it not possible to comply with the provisions of the by-law? _____
the terrain of the property better
allows for the home to be built
behind the workshop

9. Legal description of subject land (registered plan number and lot number or other legal description and, where applicable, street and street number): _____
lot 6 con 3 plan no RDI 42R21416

10. Dimensions of subject land: Frontage: ~101.30m
Depth: min 158.38m max 179.79m
Area: ~14,484 m²

11. Access to the subject lands is by (check applicable space):
Provincial Highway _____
Municipal Road Seasonal _____ All Year
Other Public Road (specify) _____
Right-of-Way _____
Water _____

If access to the subject land is by water only, the parking and docking facilities to be used:

Distance of this facility from the subject land and the nearest public road: _____

workshop to road 97m +

12. Existing uses of the subject property: vacant land

13. Existing uses of abutting properties: neighbours - residential

14. Proposed uses of the subject property: residential - house + workshop

15. Are there any buildings or structures on the subject land? Yes _____ No

16. Particulars of all buildings and structures on or proposed for the subject land. Specify ground floor area, gross floor area, number of stories, width, length, height, etc:

Existing: none

Proposed: shop ground ~ 15m²; gross ~ 15m²; height ~ 4.87m area: 9.1m

house ground ~ 15m²; gross ~ 30m²; height - walkout ~ 9.45m x 12.19m
(area 9.1m x 12.19m)

17. Location of all buildings and structures on or proposed for the subject land, specify distance from side, rear and front of lines:

Existing: none

Proposed: shop: road ~ 97m; side ~ 12m; side ~ 58m; rear 43.1m
house: road ~ 121m; side ~ 55m; side ~ 8m; rear 19m
(see sketch attached)

18. Date of acquisition of subject land: Sept. 4. 2020

19. Date of construction of all buildings and structures on subject land: _____

none

20. Length of time the existing uses of the subject property have continued: _____

since sept. 4 2020

21. Water is provided to the subject land by:

Publicly owned/operated water system _____

Privately owned/operated individual well

Privately owned/operated communal well _____

Lake or other water body _____

Other means (specify) _____

22. Sewage Disposal is provided to the subject land by:

Publicly owned/operated sanitary sewage system _____

Privately owned/operated communal septic system _____

Privately owned/operated individual septic system

Privy _____

Other means (Specify) _____

23. Storm Drainage is provided to the subject land by:

Sewers _____ Ditches _____ Swales _____ Other means (Specify) none

24. Has the owner previously applied for relief in respect of the subject property?

Yes _____ No X
If yes, please describe:

28. Is this subject property the subject of a current application for consent under Section 53 the Planning Act? Yes _____ File No. _____ Status _____
No X

If known, indicate if the subject land is the subject of an application under the Planning Act for:

Approval of a plan of subdivision (Section 51) File No. _____ Status _____

Previous Application (under Section 45) File No. _____ Status _____

There are additional requirements when submitting this application.

Read the Note: section below prior to submitting and be prepared to produce the necessary plans, monies and signed declarations. Contact the Municipal Office for further clarification, if necessary.

Note:

1. One copy of this application will be filed with the Secretary-Treasurer of the Committee of Adjustment, together with the plan referred to in Note 2, accompanied by the current administration fee and/or deposit in cash or by cheque made payable to the Township of Ryerson. **Any and all extra charges associated with the application for a Minor Variance shall be the applicant's responsibility.**
2. One plan must be submitted that show the dimensions of the subject land and all abutting land and showing the location, size and type of all buildings and structures on the subject and abutting land. The Committee of Adjustment may require that the plan be signed by an Ontario Land Surveyor.

- 3. A signed and witnessed *Declaration of Applicant or Authorized Agent* must be submitted to the Municipal Office.

AUTHORIZATION BY OWNER

I, MICHAEL & BARBARA, the undersigned, being the owner of the subject
 Please Print Name SHELLEY
 land, hereby authorize Monika Storey % Stone Mill Construction to be the applicant in
 the submission of this application.

DECLARATION OF APPLICANT

I, Monika Storey of the TOWNSHIP OF PERRY
 in the DISTRICT OF PERRY SOUND solemnly declare that:

All the statements contained in this application and provided by me 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.

DECLARED before me at the _____

of _____

In the _____ of _____

This _____ day of _____, 20____.

Signature of Commissioner etc.

B. Shelley

Signature of Applicant

PERMISSION TO ENTER

I hereby authorize the members of staff and/or elected members of Council of the Township of Ryerson to enter upon the subject lands and premises for the limited purpose of evaluating the merits of this application. This is their authority for doing so.

SEPT 24 / 24
Date

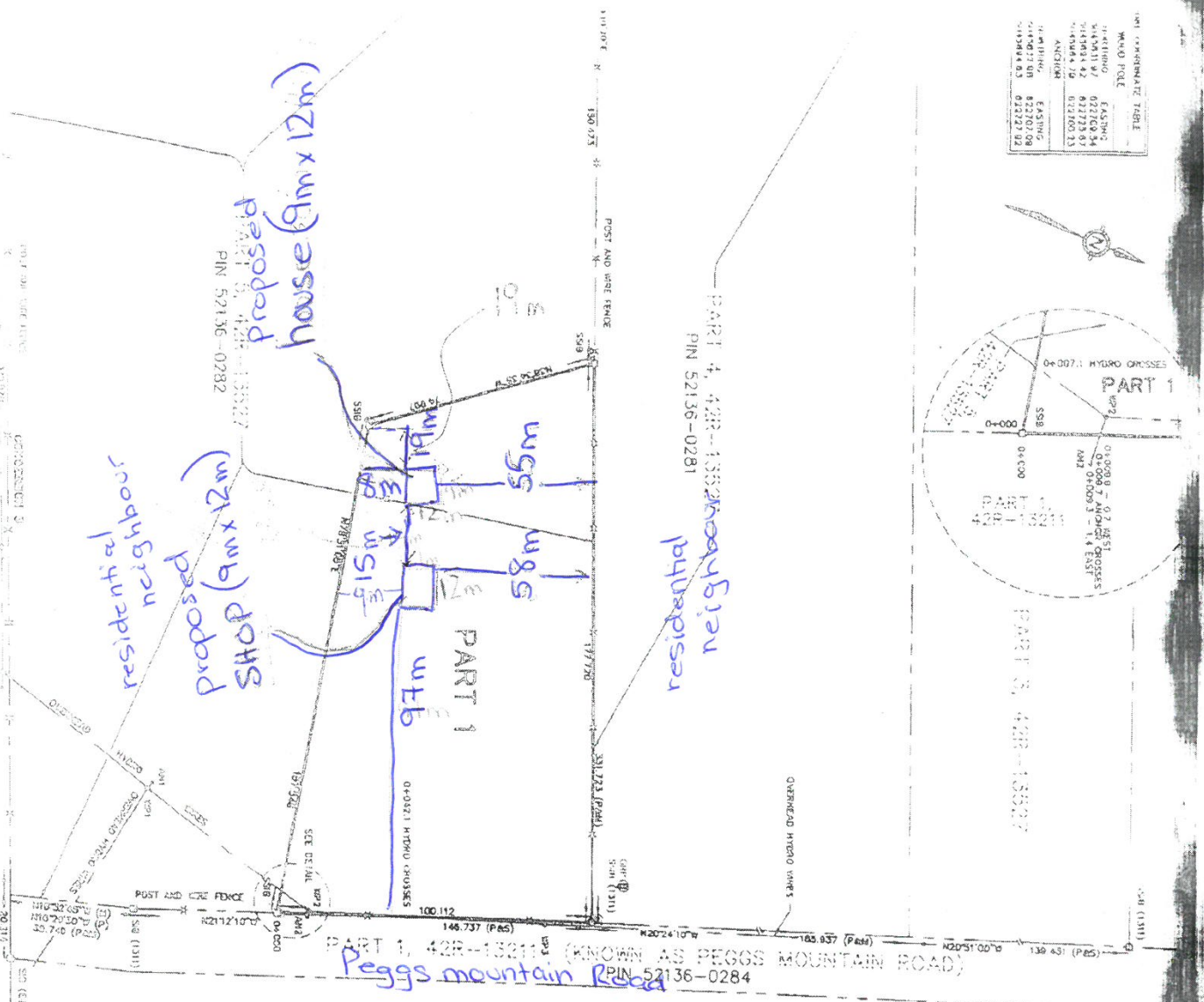
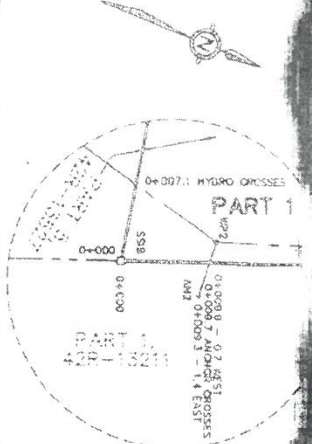
B. Shelley
Signature of Registered Owner (s) or Agent

Personal Information contained on this form, collected pursuant to the Planning Act, will be used for the purpose of responding to the initial application. Questions should be directed to the Municipal Freedom of Information and Privacy Coordinator at the institution conducting the procedures under the Act.

Filed in: M:\CORELAWPDATA\Planning Documents\Minor Variance\Minor Variance Application

INT. COORDINATE TABLE

| W/AD POLE | EASTING | NORTHING |
|------------|-----------|------------|
| 1447811.87 | 622700.34 | 6147811.87 |
| 1447811.42 | 622723.93 | 6147811.42 |
| 1447811.12 | 622700.73 | 6147811.12 |
| 1447811.00 | 622700.00 | 6147811.00 |
| 1447811.00 | 622700.00 | 6147811.00 |



**PLAN OF SURVEY OF
PART OF LOT 6, CONCESSION 3
TOWNSHIP OF RYERSON
DISTRICT OF PARRY SOUND
SCALE 1:1000**

May 7, 2010
May 13, 2010

| PART | LOT | CONCESSION | AREA (M ²) |
|------|-----------|------------|------------------------|
| 1 | PART OF 6 | 3 | 1.84 |

DEPOSITOR: *Sharon J. Taylor*
DATE: May 13, 2010
WITNESSES: *Sharon J. Taylor*
THE LAND TINES DIVISION OF PARRY SOUND (42)

BEARING NOTE:
BEARINGS ARE UTM GRID DERIVED FROM OBSERVED REFERENCE POINTS A AND B, USING B7N (REAL-TIME NETWORK) GNS RECEIVING A BEARING OF 488°02'00" AS SHOWN HEREON.

NOTES:
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
GROUND DISTANCES SHOWN HEREON CAN BE CONVERTED TO UTM GRID BY MULTIPLYING BY A CORRECTION SCALE FACTOR OF 0.99979278.

CONVENTIONAL NOTE:
A NOTATION FACTOR OF 100'00" CORRECTION CORRECTION HAS BEEN APPLIED TO THE ASTROMETRIC BEARINGS OF UNDERLYING PLANS 42R-13211 & 42R-13527 TO ACCORDANT FOR DIFFERENT REFERENCE BENCHMARKS.

- LEGEND:
- D DENOTES FOUND MONUMENT
 - DENOTES PLANTED MONUMENT
 - SSB DENOTES STANDARD BENCH MARK 0.025 x 0.025 x 1.22
 - SSB DENOTES STANDARD BENCH MARK 0.025 x 0.025 x 0.81
 - WGS DENOTES WOOD POST
 - WFB DENOTES WOOD POST
 - W1 DENOTES WOOD POST AND NUMBER
 - W2 DENOTES WOOD POST AND NUMBER
 - W3 DENOTES WOOD POST AND NUMBER
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 - W100 DENOTES WOOD POST AND NUMBER

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| 1447811.00 | 622700.00 | 6147811.00 |
| 1447811.00 | 622700.00 | 6147811.00 |

QUANTITIES CONTINGENT
1. QUANTITY SHOWN
(1) THIS SURVEY AND PLAN ARE CORRECT AND ACCURATE
WITHIN THE LIMITS OF THE SURVEYING INSTRUMENTS
AND METHODS EMPLOYED AND THE SURVEYOR'S SKILL
(2) THIS SURVEY AND PLAN ARE CORRECT AND ACCURATE
WITHIN THE LIMITS OF THE SURVEYING INSTRUMENTS
AND METHODS EMPLOYED AND THE SURVEYOR'S SKILL
(3) THIS SURVEY AND PLAN ARE CORRECT AND ACCURATE
WITHIN THE LIMITS OF THE SURVEYING INSTRUMENTS
AND METHODS EMPLOYED AND THE SURVEYOR'S SKILL

NOTICE OF PUBLIC HEARING RE APPLICATION FOR:

File No. A 3/24

Minor Variance - s. 45 (1)

Permission - s. 45 (2)

TOWNSHIP OF RYERSON COMMITTEE OF ADJUSTMENT

RE AN APPLICATION BY: **Michael & Barbara Shelley**
1656 Peggs Mountain Rd, Burk's Falls, ON., P0A 1C0

LOCATION OF PROPERTY: **Concession 3 Part Lot 6, 1656 Peggs Mountain Road**

PURPOSE OF APPLICATION: **To seek a variance from Section 3.1.10 of Zoning By-law #56-14 to permit a workshop in the front yard, whereas the Zoning By-law requires accessory buildings or structures to be located in the side or rear yard.**

EFFECT OF APPLICATION: **If approved, the variance would permit the construction of a workshop in the front yard, subject to all other provisions of the Zoning By-law.**

TAKE NOTICE THAT an application under the above file number will be heard by the committee of adjustment on the date, and at the time and place shown below, under the authority of section 45 of the *Planning Act*.

DATE: **November 12, 2024** TIME: **5:45 p.m.**

PLACE: **Township of Ryerson Council Chambers**
ADDRESS: **28 Midlothian Road, Burk's Falls, P0A 1C0**

LAND DESCRIPTION - A description of the subject land, or a key map showing the location of the subject land, is attached.

ADDITIONAL INFORMATION - Additional information regarding the application to be available for public inspection starting:

DATE: **October 30, 2024** TIME: **8:30 a.m. – 4:00 p.m.**

PLACE: **Township of Ryerson**

ADDRESS: **28 Midlothian Road, Burk's Falls, P0A 1C0**

OTHER APPLICATIONS - The subject land is the subject of an application under the Act for:

___ Approval of a plan of subdivision (under section 51) File # _____

___ Consent (Under section 53) File # _____



PUBLIC HEARING - You are entitled to attend this Public Hearing in person to express your view about this application or you may be represented by an agent for that purpose. If you wish to make written comments on this application, they may be forwarded to the Secretary-Treasurer at the address noted below.

FAILURE TO ATTEND HEARING - If you do not attend this public hearing, it may proceed in your absence and, except as otherwise provided in the *Planning Act*, you will not be entitled to any further notice in the proceeding.

NOTICE OF DECISION - A copy of the decision of the Committee will be sent to the applicant and to each person who appeared at the Hearing and who has filed with the Secretary Treasurer a written request for Notice of the decision.

Dated this 30th day of October, 2024

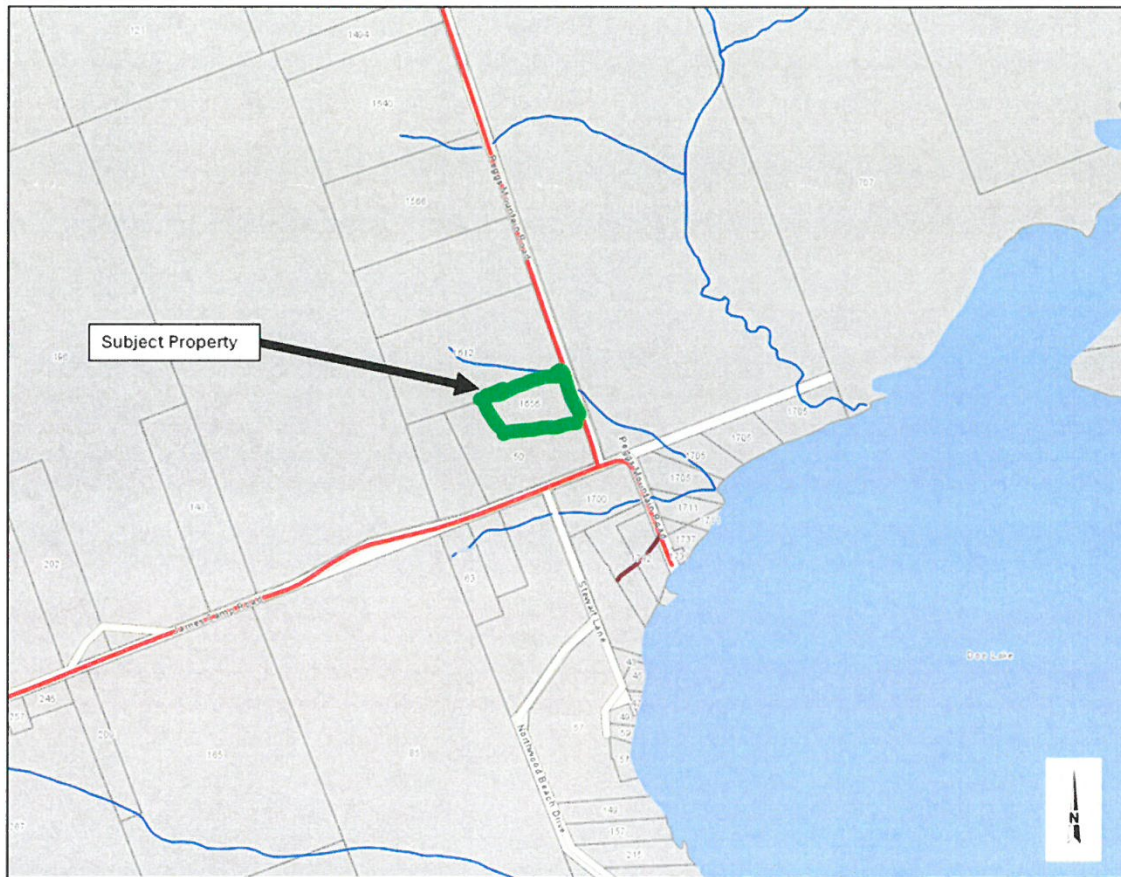
Nancy Field, Secretary Treasurer
Township of Ryerson Committee of Adjustment
28 Midlothian Road,
Burk's Falls, On P0A 1C0
TEL: 705-382-3232
FAX: 705-382-3286
clerk@ryersontownship.ca



Township of Ryerson
Minor Variance A3/24

Key Map

Subject Property: 1656 Peggs Mountain Road, Burks Falls; Concession 3 Part Lot 6



Map not to scale



**TOWNSHIP OF RYERSON
COMMITTEE OF ADJUSTMENT**

November 4, 2024

Reference: File A 03/24 – Minor Variance Application
1656 Peggs Mountain Road, Burk's Falls ON P0H 1C0
Applicant – Michael & Barbara Shelley

Purpose of Application:

The applicant is seeking relief from Zoning By-law #56-14, Section 3.1.10 – Garages or Other Accessory Buildings or Structures, to permit a garage in the front yard, whereas the Zoning By-law requires accessory buildings or structures to be located in the side or rear yard. (see Attachment 1 - sketch).

Subject Property:

An application for a Minor Variance for the property located 1656 Peggs Mountain Road was submitted for consideration. The property is legally known as PIN 521360398, Concession 3, Part Lot 6 and is located just north of Doe Lake and James Camp Road (Figure 1).

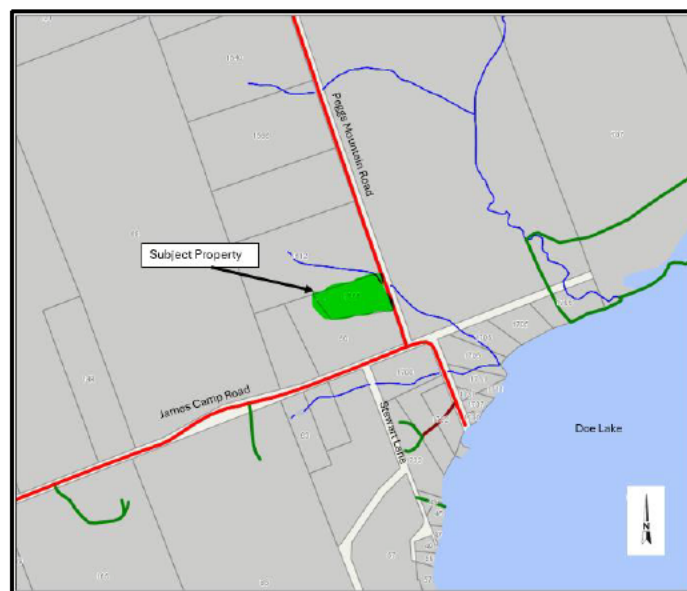


Figure 1 – Subject Site (map not to scale)

The property is designated Rural in the Township's Official Plan and zoned Rural in the Township's Zoning By-law #56-14. Surrounding properties are also designated and zoned Rural.

The property is currently vacant with the owners proposing to build a single family dwelling and a garage. The property is irregular in shape with approximately 101.3 m frontage on Peggs Mountain Road and is approximately 1.44 hectares (3.57 acres) in size.

Minor Variance Rationale:

Section 45(1) of the *Planning Act*, R.S.O. 1990 c. P.13, as amended, sets out four tests for a minor variance that must be met for the consideration of its approval.

- **Is the general intent and purpose of the Official Plan maintained?**

In the Official Plan, the Rural designation promotes the preservation of rural character with the dominant consideration for an open and natural appearance of the countryside as a priority. A single detached dwelling is a permitted use in the Rural area and a garage is a permitted accessory building. The subject property exceeds the lot frontage and lot area provisions of the Rural designation. Design considerations are based on principles that maintain the rural character of the Township and include buildings be sited in relation to natural features rather than the road and setbacks be varied from surrounding development.

The application conforms to the general intent and purpose of the Official Plan which does contain specific policies for accessory structure locations.

- **Is the general intent and purpose of the Zoning By-law maintained?**

The subject property is zoned Rural which permits the development of a single detached dwelling and a garage as an accessory building. The Zoning By-law requires that accessory buildings be situated in the side or rear yard to ensure a consistent approach to the placement of accessory structures and to maintain the rural residential character.

The front yard setback for buildings in the Rural zone is 30 m where the applicant is suggesting a setback of approximately 97 m for the garage and approximately 112 m for the detached dwelling. These setbacks far exceed the minimum required in the Rural zone which will facilitate maintaining the rural character of the area.

The application meets the general intent and purpose of the Zoning By-law.

- **Is the variance desirable for the appropriate development of use of the property?**

The proposed variance is desirable as it proposes to develop the garage at a setback of approximately 97 m from the road, where 30 m is required. This is over three times the required setback which keeps the intent of maintaining the Rural

designation to preserve the character of the natural countryside appearance as a priority.

The request to build the garage in the front yard instead of a side or rear yard is due to the preferred siting the house on the property having better suited terrain closer to the rear lot line.

Given the setback of the proposed garage, the requested variance is desirable and appropriate use of the property.

- **Is the variance minor?**

The proposed variance to allow the garage to be build in the front yard in the rural zone is a minor request and not expected to create any adverse impacts. The proposed location of the garage is well in excess of the required minimum front yard setback. The proposed development complies with all other development standards in the Zoning By-law.

Recommendation:

The proposed minor variance maintains the general intent and purpose of the Township's Official Plan and Zoning By-law. The requested variance is considered a desirable use of the land and is minor in nature. The application represents good land use planning and meets the four tests required under Section 45(1) of the *Planning Act*.

Sincerely,

J.L. RICHARDS & ASSOCIATES LIMITED

Prepared by:

Reviewed by:



Tara Michauville, MSc
Planner

Jason Ferrigan, RPP, MCIP, MScPI
Principal Associate, Chief Planner

TM:jf

Attachment 1 - Sketch of proposed development

