

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 03/25

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 JEFF YEARLEY
Email address jeff.yearley@outlook.com
Telephone Number 705-788-4856 Property Roll # 49 24 00000215 700 0000
2. Address 127 DAIRY LANE, BURK'S FALLS, ONT.
3. Name of Agent (if any) NONE
Agent Email address _____
Agent Phone Number _____
4. Agent Address _____

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: 3.7.1
Rural.

7. Nature and extent of relief applied for: HUNT CAMP

8. Why is it not possible to comply with the provisions of the by-law? Hunt Camp
Exceeds by-law maximum FT² by 30.4 FT². Cabin
built of Log.

9. Legal description of subject land (registered plan number and lot number or other legal description and, where applicable, street and street number): Con 11, Lot 10
127 DAIRY LANE

10. Dimensions of subject land: Frontage: 1133'
Depth: 3300'
Area: 98.7 AC

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: _____

Facility to be Located on Subject Land, 1180 FT From
Dairy Lane And 2472' From Hwy #520

12. Existing uses of the subject property: FARM - Rural.

13. Existing uses of abutting properties: FARM - Rural.

14. Proposed uses of the subject property: FARM. HAY CROP

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: SHOWN ON PLOT PLAN

Proposed: GROUND FLOOR 26' X 26' = 676 FT². HEIGHT 20'

(SEE 2.52 HUNT CAMP MAX FLOOR AREA 645.8 sq.ft)

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

Existing: SHOWN ON PLOT PLAN

Proposed: SHOWN ON PLOT PLAN

18. Date of acquisition of subject land: JAN. 29 2009

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

PRE EXISTING. SHED 2009. GARAGE 2011

20. Length of time the existing uses of the subject property have continued: 16 YEARS

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) _____

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

Yes _____ No ☒

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 ☒

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.

RECEIVED
TOWNSHIP OF RYERSON
COMMUNITY DEVELOPMENT
12/10/2010

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

AUTHORIZATION BY OWNER

I, _____, the undersigned, being the owner of the subject
Please Print Name

land, hereby authorize _____ to be the applicant in
the submission of this application.

DECLARATION OF APPLICANT

I, JEFF YEARLEY of the TOWNSHIP OF RYERSON
in the DISTRICT OF PARRY 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 TOWNSHIP
of RYERSON

In the DISTRICT of PARRY SOUND

This 25 day of APRIL, 2025.

Jeff Yearley
Signature of Applicant

Nancy Field
Signature of Commissioner etc.

NANCY FIELD
A Commissioner, Deputy Clerk/Treasurer
The Corporation of the Township of Ryerson
District of Parry Sound

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.

April 15, 2025
Date

Jeff Yeomley
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:\COREL\WPDATA\Planning Documents\Minor Variance\Minor Variance Application

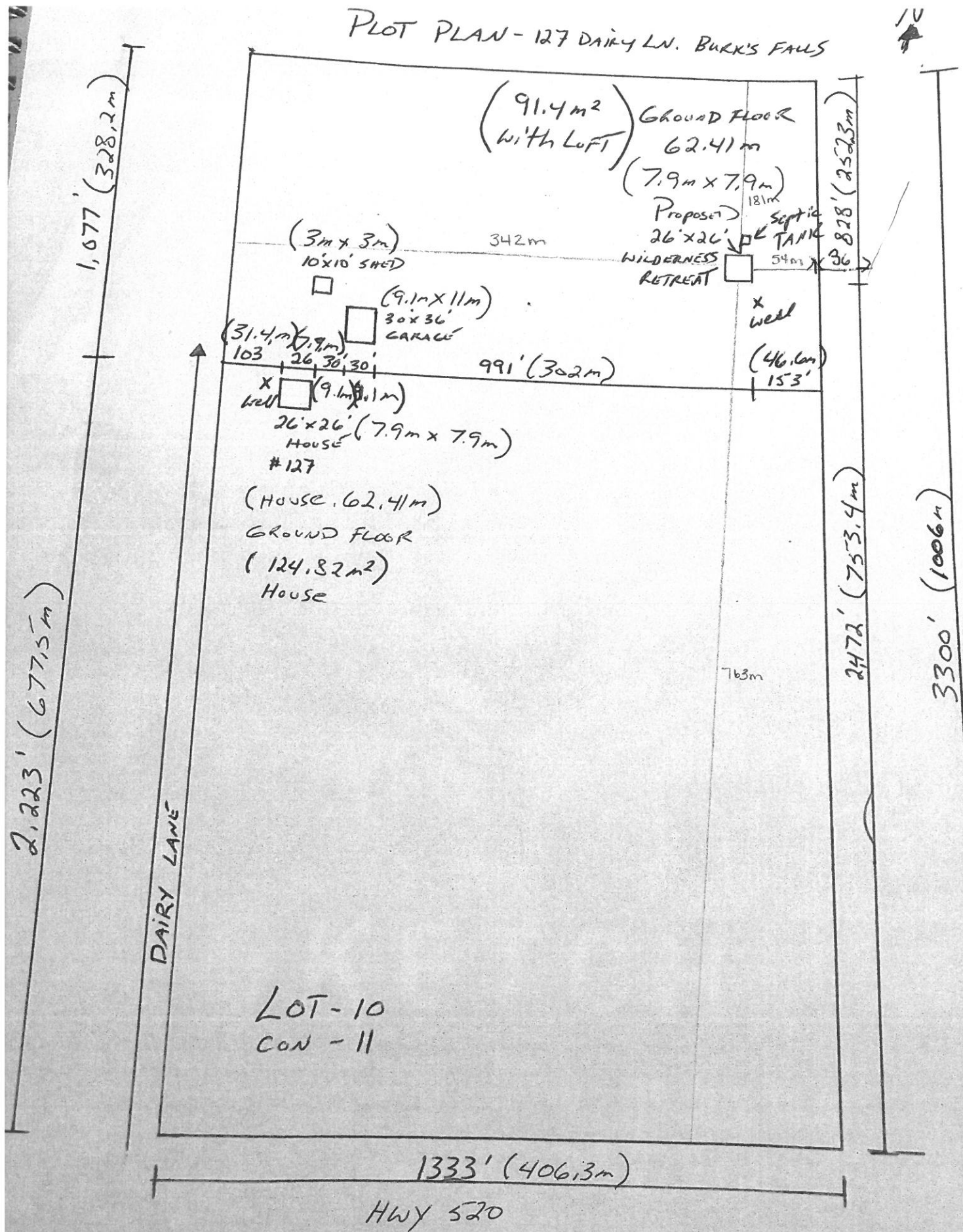
SCHEDULE 'A'

A Plan is required showing the following:

- The boundaries and dimensions of the subject land
- The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard line, rear yard lot line and the side yard lot lines
- The approximate location of all natural and artificial features on the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
- The current uses on land that is 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.
- If access to the subject land is by water only, the location of the parking and docking facilities to be used.
- The location and the nature of any easement affecting the subject land.

ATTACH PLAN

PLOT PLAN - 127 DAIRY LN. BURKS FALLS





TOWNSHIP OF RYERSON COMMITTEE OF ADJUSTMENT

June 20, 2025

Reference: File A03/25 – Minor Variance Application
127 Dairy Lane, Burk's Falls ON P0H 1C0
Applicant – JEFF YEARLEY

Purpose of Application:

The owner / applicant is proposing to erect a Hunt Camp building (log construction) on private services that has a floor area of 91.4 m² (984 ft²).

The maximum floor area for a Hunt Camp building in Zoning By-law #56-14 is 60 m² (645.8 ft²) (see Section 2.52). Therefore, the owner / applicant is seeking relief from the Zoning By-law to permit a Hunt Camp building on private services that has a floor area of 91.4 m² (984 ft²) (see Attachment A – Sketch).

Subject Property

The subject property is located at 127 Dairy Lane in Burk's Falls. The property is legally described as PCL 833 SEC SS; LT 10 CON 11 RYERSON EXCEPT PT 6, 42R2628; S/T PT 3 42R18066 AS IN GB12525; RYERSON (see Figure 1).

The subject property is designated Rural on Schedule A of the Township Official Plan and zoned Rural (RU) Zone on Schedule D2 of the Township Zoning By-law. Surrounding properties to the west, north and east are also designated and zoned Rural; properties to the south (across Highway 520) are designated Magnetawan River Floodplain and zoned Floodplain (FP). The Township mapping shows watercourses on the subject property, and an adjacent farming operation (including a barn) to the west.

The subject property is approximately 40 ha with frontage of ± 406 m on Highway 520. The property contains a ± 125 m² Single Detached Dwelling on private services; a ± 100 m² detached Garage; and a ± 9 m² shed.

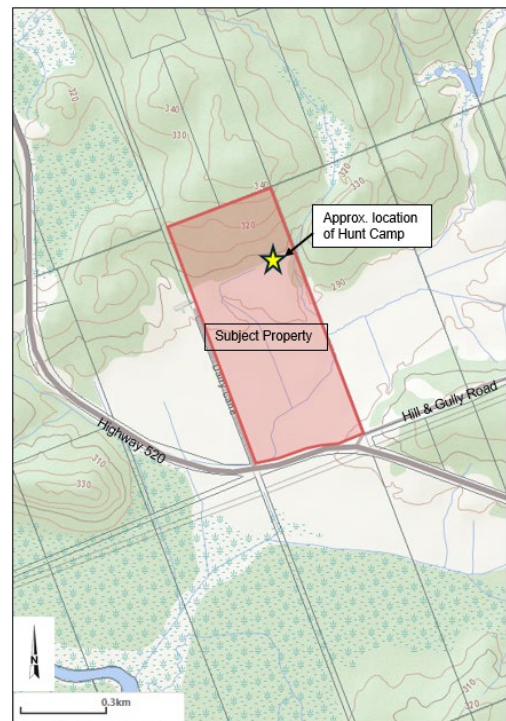


Figure 1 – Subject Property Location

The proposed development is a Hunt Camp building (log construction) on private services that has a floor area of 91.4 m² (984 ft²) [i.e., a 62.8 m² (676 ft²) ground floor area plus a 28.6 m² (308 ft²) loft] and height of 6.1 m (20 ft). Its proposed location is within the forested portion of the rear yard, with minimum setbacks of 763 m (front), 181 m (rear) and 54 m (side) (see Attachment A – Sketch).

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?**

The Rural designation in the Official Plan promotes the preservation of the rural countryside. Section 4.1.3(iii) and Section 4.1.4.2 state, respectively, that a Hunt Camp is a permitted use within the Rural designation, subject to Minimum Distance Separation (MDS) formulae in relation to livestock facilities, and an adequate sewage disposal system.

Design considerations for the proposed Hunt Camp building are based on principles that maintain the character of the rural countryside in the Township. This includes log construction of the building on private services and an on-site location in the rear yard, with minimum setbacks of 763 m (front), 181 m (rear) and 54 m (side).

The subject property shows watercourses on the Official Plan schedules. As such, Township staff confirmed during a recent site visit that the setback of the proposed development conforms with the minimum 30 m setback from same, as per Section 5.3 of the Official Plan (i.e., ± 90 m and ± 120 m from the nearest watercourse to the east and west, respectively).

In addition, there is an adjacent farming operation (including a barn) to the west of the subject property. The farming operation has an Order to Comply against the barn as it has been deemed structurally unsafe by the Township, and has to be demolished. Given this directive, and as per Guideline 20 in the Province's MDS Formulae and Guidelines Document (Publication 853), farm buildings that have been deemed structurally unsafe by a Municipality and/or can no longer be reasonably capable of housing livestock, shall not be included in MDS calculations.

The application conforms to the general intent and purpose of the Official Plan, as follows:

1. Hunt Camps are permitted within the Rural designation, and design considerations for the proposed development are based on principles that maintain the character of the rural countryside in the Township (i.e., type of construction, a proposed location within the forested portion of the rear yard, private services, setbacks).
2. The setbacks of the proposed development exceed the minimum 30 m setback from proximate watercourses.
3. MDS calculations do not apply to the proposed development, as the adjacent farm building to the west of the subject property has been deemed structurally unsafe by the Township.

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

Pertinent definitions in the Zoning By-law regarding the application are as follows:

1. 2.3.7 Floor Area: The total habitable floor area of all floors contained within the outside walls of a building excluding, in the case of a dwelling, the floor area of a private garage, porch, verandah, unfinished attic, basement or cellar.
2. 2.39 Floor Area, Ground: The floor area of the grade level storey of a building measured by the outside walls, excluding, in the case of a dwelling house, any private garage, carport, porch, verandah, deck or sunroom (unless such sunroom is habitable at all seasons of the year).
3. 2.52 Hunt Camp: A building with a maximum floor area of 60 square metres (645.8 square feet) occupied as a temporary base for hunting or fishing activities.

The proposed Hunt Camp building exceeds the maximum floor area provision in the Zoning By-law, as it has a floor area of 91.4 m² (984 ft²) [i.e., a 62.8 m² (676 ft²) ground floor area plus a 28.6 m² (308 ft²) loft]. As such, the owner / applicant is seeking relief from the Zoning By-law through this application.

The subject property is zoned RU Zone, which permits a Hunt Camp (Section 4.1, Table 4). In addition, and as per Section 3.7.5, a Hunt Camp shall be located at least 120 m from the nearest Public Road and shall comply with the applicable provisions of the Limited Services Residential (LR) Zone. As noted below, and based on Attachment A – Sketch:

1. The proposed development maintains setbacks of 763 m from Highway 520 and 342 m from Dairy Lane. Both setbacks exceed the minimum 120 m setback requirement from the nearest Public Road, as per Section 3.7.5 of the Zoning By-law.
2. Regarding the LR Zone, and as per Section 4.1, Table 5 of the Zoning By-law:
 - a. The proposed development is located in the rear yard, with minimum setbacks of 763 m (front), 181 m (rear) and 54 m (side). These setbacks exceed the minimum setback requirements, i.e., 20 m (front), 10 m (rear), 3 m (interior side) and 15 m (exterior side).
 - b. The proposed building height is 6.1 m, which complies with the maximum 10 m building height provision.
 - c. Given that the subject property is approximately 40 ha, the buildings thereon (existing and proposed) comply with the maximum 10% lot coverage provision.

The application conforms to the general intent and purpose of the Zoning By-law, as follows:

1. Hunt Camps are permitted within the RU Zone.
2. Except for the maximum floor area provision for Hunt Camp buildings, the proposed development far exceeds the minimum setback requirements from Public Roads as well as the minimum setback requirements and other applicable provisions in the LR Zone.

3. The subject property is approximately 40 ha and design considerations for the proposed development are based on principles that maintain the character of the rural countryside in the Township (i.e., type of construction, a proposed location within the forested portion of the rear yard, private services, setbacks).

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

The proposed variance is desirable and appropriate, given that the subject property is approximately 40 ha and design considerations for the proposed development are based on principles that maintain the character of the rural countryside in the Township. In addition, and except for the maximum floor area provision for Hunt Camp buildings, the proposed development far exceeds the minimum setback requirements from Public Roads as well as the minimum setback requirements and other applicable provisions in the LR Zone. Furthermore, and as stated above, the proposed development maintains the general intent and purpose of the Official Plan and Zoning By-law.

- **Is the variance minor?**

The proposed variance is considered minor, as outlined below:

1. Hunt Camps are permitted within the Rural designation in the Official Plan and RU Zone in the Zoning By-law.
2. MDS calculations do not apply to the proposed development, as the adjacent farm building to the west of the subject property has been deemed structurally unsafe by the Township.
3. The setbacks of the proposed development exceed the minimum 30 m setback from proximate watercourses.
4. Except for the maximum floor area provision for Hunt Camp buildings, the proposed development far exceeds the minimum setback requirements from Public Roads as well as the minimum setback requirements and other applicable provisions in the LR Zone.
5. The subject property is approximately 40 ha and design considerations for the proposed development are based on principles that maintain the character of the rural countryside in the Township (i.e., type of construction, a proposed location within the forested portion of the rear yard, private services, setbacks).

Recommendation:

It has been demonstrated that Application A03/25 to request relief from Zoning By-law #56-14 satisfies the four tests of a Minor Variance application required by the *Planning Act*, c. P.13. It is recommended that Application A03/25 be approved with the following conditions:

1. That the proposed development be permitted with the setbacks cited herein and shown on the drawing attached hereto and labelled as Attachment A.
2. That all necessary permits, subject to applicable law, must be obtained by the owner / applicant to the satisfaction of the Township and other applicable authorities having jurisdiction.

3. That a building permit must be obtained by the owner / applicant before construction begins.
4. That the owner / applicant must limit tree removal to only the building envelope required for the proposed construction, as shown on the drawing attached hereto and labelled as Attachment A.

Sincerely,

J.L. RICHARDS & ASSOCIATES LIMITED

Prepared by:

Reviewed by:



Tara Michauville, M.Sc.
Planner

Wes Paetkau, RPP, MCIP
Senior Planner, Practice Lead

TM:wp

LOT PLAN - 127 DAIRY LN. BURK'S FALLS

1,077' (328.2m)

2,223' (677.5m)

DAIRY LANE

LOT-10
CON-11

1333' (406.3m)

Hwy 520

91.4m² (With Loft) GROUND FLOOR 62.41m

(7.9m x 7.9m) Proposed 26' x 26' WILDERNESS RETREAT

SEPTIC TANK 54m

342m

(3m x 3m) 10' x 10' SHED

(9.1m x 11m) 30' x 36' GARAGE

(31.4m x 7.9m) 103' 26' 30' 30'

(9.1m x 9.1m) 26' x 26' (7.9m x 7.9m) HOUSE #127

(House 62.41m) GROUND FLOOR (124.82m²) HOUSE

(46.6m) 153'

2472' (753.4m)

828' (252.3m)

3300' (1006m)

763m

10

NOTICE OF PUBLIC HEARING RE APPLICATION FOR:

File No. A03/25

☒ Minor Variance - s. 45 (1)

☐ Permission - s. 45 (2)

TOWNSHIP OF RYERSON COMMITTEE OF ADJUSTMENT

RE AN APPLICATION BY: **JEFF YEARLEY**
127 Dairy Lane, Burk's Falls, ON P0A 1C0

LOCATION OF PROPERTY: **PCL 833 SEC SS; LT 10 CON 11 RYERSON EXCEPT PT 6, 42R2628; S/T PT 3 42R18066 AS IN GB12525; RYERSON**
(known locally as 127 Dairy Lane, Burk's Falls)

PURPOSE OF APPLICATION: **To seek variance from Zoning By-law #56-14 to permit a Hunt Camp building that has a floor area of 91.4 m² (984 ft²) where a maximum floor area of 60 m² (645.8 ft²) is permitted (see Section 2.52)**

EFFECT OF APPLICATION: **If approved, the variance would permit the construction of a Hunt Camp building with a floor area of 91.4 m² (984 ft²), 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: **July 15, 2025**
TIME: **5:45 p.m.**
PLACE: **Township of Ryerson Council Chambers**
ADDRESS: **28 Midlothian Road, Burk's Falls, ON 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: **June 24, 2025**
TIME: **8:30 a.m. – 4:00 p.m.**
PLACE: **Township of Ryerson**
ADDRESS: **28 Midlothian Road, Burk's Falls, ON 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 24th day of June, 2025

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 A03/25**

Key Map

Subject Property: 127 Dairy Lane, Burk's Falls, ON P0A 1C0
(PCL 833 SEC SS; LT 10 CON 11 RYERSON EXCEPT PT 6, 42R2628; S/T PT 3 42R18066
AS IN GB12525; RYERSON)

