

PLANNING DEPARTMENT STAFF REPORT

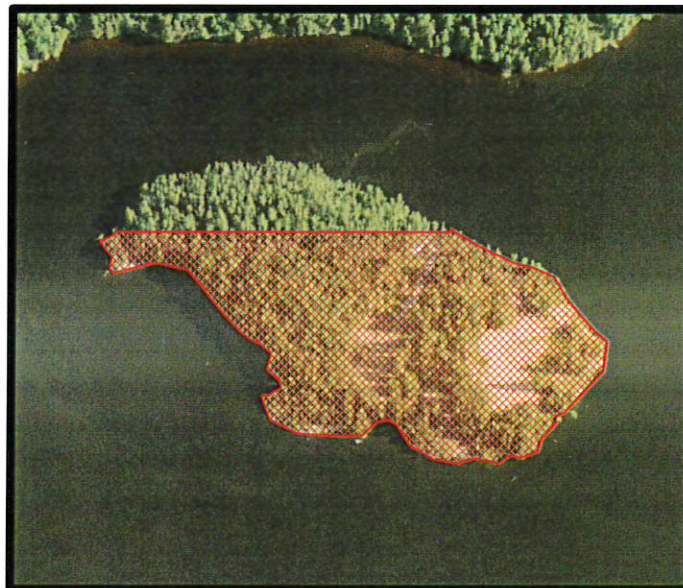
TO: Mark Vermette (CAO)
Committee of Adjustment (COA) DATE: January 31st, 2023

FROM: Kristina Grondin, Planning Coordinator FILE: D13-23-01

SUBJECT: Application for Minor Variance: Part Mining Claim KRL10667 (known as Part 14 of Plan 23R-11403)

1. Description of Property

This application pertains to a property described as Part Mining Claim KRL 10667 (known as Part 14 of Plan 23R-11403). Please refer to the location sketch.



The property is situated north of McKenzie Island. The property is 0.663 hectares in size and has a 20 metre Crown shoreline reserve.

The property is currently undeveloped. The north and east side of the island consists of steep embankments and bedrock. The southwest shoreline has flat ground more suitable for building.

2. Application Description and Proposed Relief

The applicant is requesting relief from the following requirements of the Zoning By-Law:

Section 3.26(g) which states that no buildings or structures and no accessory buildings or structures shall be erected less than 30 metres from the highwater mark of any waterbody or watercourse.

Section 9.2 Recreational Residential (R5) zone, the minimum front yard requirement is 10 metres.

The applicant is requesting relief to reduce the setback from the highwater mark to 20 metres and reduce the front yard setback to 0 metres. An approved application would allow for a cabin to be built close to the property line but not within the 20 metre Crown shoreline reserve.

3. Official Plan and Zoning By-Law

The property is zoned Recreational Residential (R5) in the Zoning By-Law and designated Natural Resources in the Official Plan.

As noted above the Zoning By-law contains provisions that prevent buildings and structures from being constructed within 30 metres of the highwater mark of any waterbody or watercourse and within 10 meters of the property line.

The Official Plan states that recreational residences are a permitted use in the Natural Resources designation. The Natural Resources Area policies note that with respect to recreational residential development along the water, site conditions must be suitable for individual water and sewage systems that are capable of meeting the Northwestern Health Unit, and/or Ministry of Environment, Conservation and Parks standards. The Official Plan also states that natural site features and tree cover should be retained where possible and incorporated into the overall development scheme.

4. Notice Circulation

Notice of the application was posted at the Municipal Office, on the Municipal Website, in the Municipal Newsletter, and provided to the appropriate Departments. It was also mailed to property owners within 60 metres of the subject location and appropriate agencies including the Ministry of Natural Resources and Forestry, and the Ministry of Environment, Conservation and Parks. A copy of the Notice is attached.

The Ministry of Natural Resources and Forestry advised that there are no concerns with the request to reduce the required setbacks if the applicant is on his private property and not within the Crown shoreline reserve. The Ministry of Environment, Conservation and Parks advised that they do not comment on Minor Variances. No other comments or concerns were received as of February 10th, 2023.

5. Site Inspection and Photos

Due to the location of the property and time of year a site inspection was not completed. The applicant provided the following pictures of the property showing the shorelines and proposed location for a cabin.

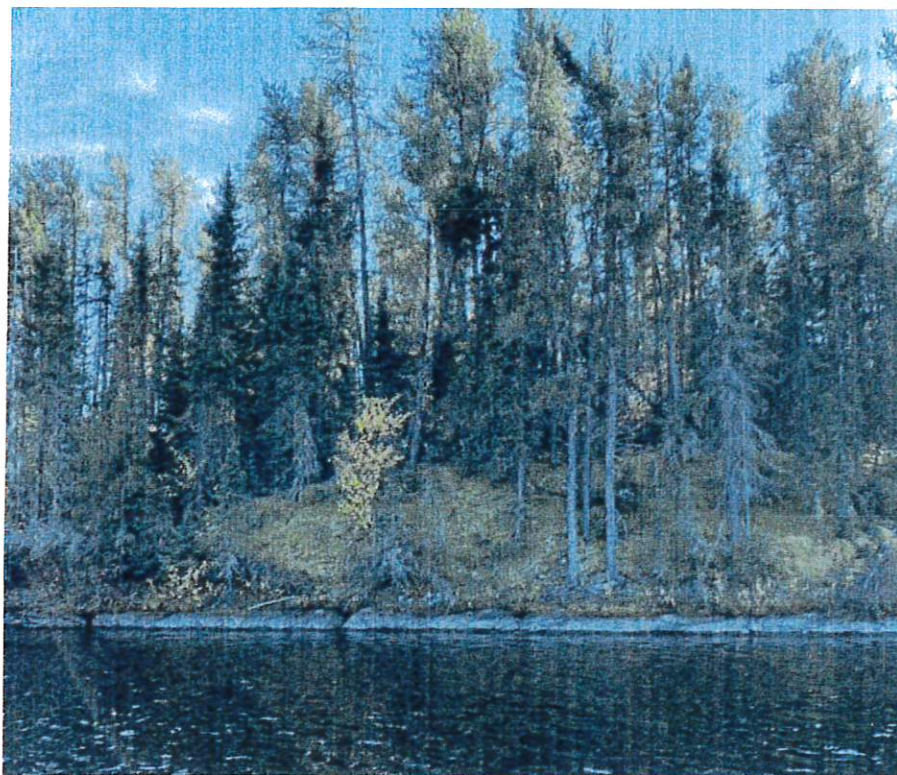
Photo 1: Southwest shoreline showing proposed frontage of cabin location.



Photo 2: Flat suitable grounds for proposed cabin.



Photo 3: North shoreline showing steep embankment.



6. Analysis

In evaluating the decision to approve this application for variance from the Zoning By-Law, it should be considered whether positioning the cabin closer to the property line and Crown shoreline reserve will compromise the intent of the By-Law.

The intent of the Zoning By-Law in establishing the above noted provisions is primarily to protect our shorelines from erosions and against habitat loss. The Crown shoreline reserve protects the lake from potential impacts caused by development. The proposed minor variance does not reduce the Crown shoreline reserve. The development of a cabin does not have the same impact as a residential residence on the waterfront. In this situation the applicant does not own the shoreline reserve so the vegetation and natural environment of the shoreline will be maintained and protected.

The property owner provided a report from the Northwestern Health Unit that was completed in 2005. The report states that the land slopes in all directions and there is plenty of bedrock but there is some clay soil overburden towards the centre of the island, in which a Class 4 septic system could be located. This indicates that any type of bathroom facilities would most likely be located beyond the original Zoning By-Law setbacks of 30 metres.

As previously noted, the Ministry of Natural Resources and Forestry advised that there are no concerns with the request to reduce the required setbacks.

The proposed variance should be evaluated in terms of whether the variance is deemed minor and whether the general intent and purpose of the Zoning By-law is maintained. Based on the above analysis, the variance is considered minor, and it does maintain the intent of the Zoning By-law.

8. Recommendation

It is recommended that the Committee approves the application as presented and incorporates a condition that a building permit must be obtained within one (1) year of the approval, failure to do so will result in the expiry of the minor variance.

Please refer to the draft decision document for precise wording of the recommended decision.



Kristina Grondin
Planning Coordinator

Attachments:

- Notice of Application and Public Meeting
- Complete Application for Minor Variance
- Draft Decision



January 23rd, 2023

**NOTICE OF COMPLETE APPLICATION AND PUBLIC MEETING FOR
MINOR VARIANCE TO THE ZONING BY-LAW FILE NUMBER D13-23-01**

Planning Act, R.S.O.1990 C.p.13, S.45 (1)

At the date and location below, the Municipality of Red Lake Committee of Adjustment will be hearing comments on an application for Minor Variance, described as follows.

LOCATION AND PROPERTY DESCRIPTION:

PT MINING CLAIM KRL10667. Please refer to the location sketch below.

PURPOSE AND EFFECT:

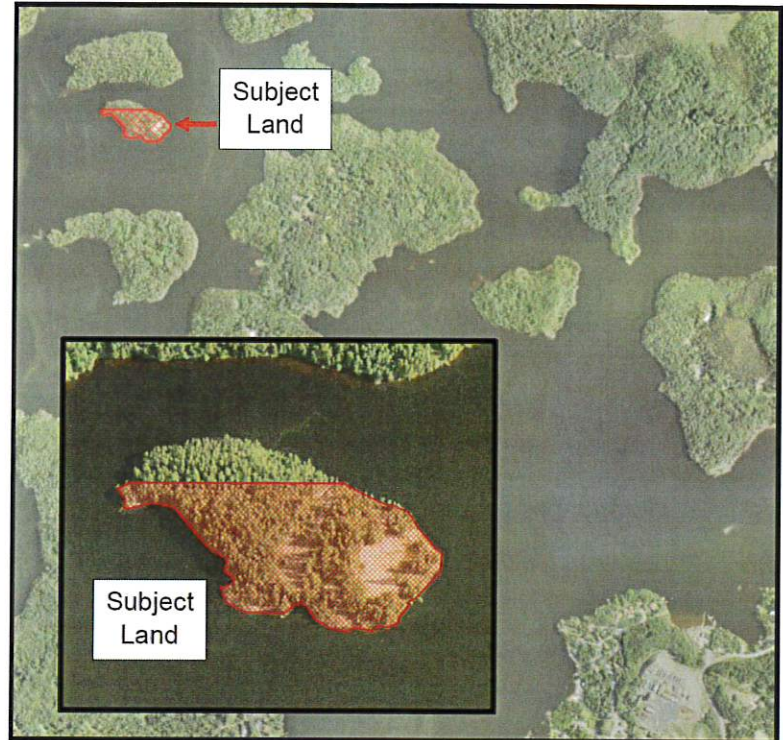
Request relief from Section 3.26(g) to reduce the waterfront setback from 30 m to 20m and 9.2 of the Zoning By-Law to reduce the minimum front yard setback from 10 metres to 0 metres. Permitting a recreational residence to be built no closer than 20m from the high water mark.

OTHER APPLICATIONS:

None at this time.

ADDITIONAL INFORMATION: Completed application for the proposed Minor Variance is available for inspection at the Municipal Office.

PUBLIC HEARING: You are entitled to attend the public hearing in person to express your views about this application or you may submit written comments to be read by the Committee at the hearing. If you wish to make written comments on this application, they may be forwarded to the secretary of the Committee at the address below. If you are aware of any person interested in or affected by this application who has not received a copy of this notice you are requested to inform that person of this hearing.



FAILURE TO ATTEND HEARING: If you do not attend the 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 proceedings.

NOTICE OF DECISION: A copy of the decision of the Committee will be sent to the applicant and to each person who appeared in person or by council at the hearing and who has filed with the secretary a written request to receive the notice of decision.

DATE AND TIME OF HEARING: Tuesday, February 14th, 2023, 5:00 p.m.

PLACE AND ADDRESS: Council Chambers of the Municipal Office at 2 Fifth Street, Balmertown.

MAILING ADDRESS: Secretary of the Committee of Adjustment for The Corporation of the Municipality of Red Lake. P.O. Box 1000, Balmertown, ON P0V 1C0.

Personal information that may accompany a submission will be collected under the authority of the Planning Act and may form part of the public record which may be released to the public.

If you may have any questions, please contact the Planning Department by calling (807) 735-2096 x 234, or by Email: kristina.grondin@redlake.ca



FILE NUMBER
D13-23-01

MUNICIPALITY OF RED LAKE APPLICATION FOR MINOR VARIANCE TO THE ZONING BY-LAW

Planning Act, R.S.O. 1990, c. P.13, s. 45
O. Reg. 200/96, Schedule

APPLICATION FEE ENCLOSED – \$300.00

THE INFORMATION IN THIS APPLICATION AND ALL OTHER INFORMATION, STUDIES, REPORTS AND COMMENTS RECEIVED RELATIVE TO THE PROCESSING OF THIS APPLICATION IS COLLECTED FOR THE PURPOSE OF CREATING A RECORD THAT IS AVAILABLE TO THE GENERAL PUBLIC.

NAME OF OWNER Hugh Carlson		NAME OF AGENT, SOLICITOR OR PLANNING CONSULTANT (IF APPLICABLE)	
ADDRESS Box 320, 21 Waterfront Rd	POSTAL BOX	STREET ADDRESS	POSTAL BOX
POSTAL/ ZIP CODE POV 2M0	PROV./ STATE ON	POSTAL/ ZIP CODE	PROV./ STATE
TELEPHONE (807) 727-2262		TELEPHONE	
EMAIL hugh@redlaker.ca		EMAIL	
DOES ANY OTHER PARTY HAVE INTEREST IN THE PROPERTY, SUCH AS CHARGE, MORTGAGE, OR EASEMENT? 2nd owner			
PLEASE PROVIDE THE NAMES AND ADDRESSES FOR THESE PARTIES ENID CARLSON, same address			

PROPERTY INFORMATION:

LEGAL DESCRIPTION OF THE SUBJECT LAND, SUCH AS MINING PLAN DESCRIPTION, REGISTERED PLAN AND LOT OR PART NUMBERS Roll # 6041 440 00318180.000 42009-1034 (LT)
STREET ADDRESS AND TOWN SITE NAME

DIMENSIONS OF SUBJECT LAND		
Frontage (metres): ~ 440 m	Depth (metres): average of 90m	Area (hectares): without shoreline reserve 0.663

CURRENT DESIGNATION WITHIN THE RED LAKE OFFICIAL PLAN R5	CURRENT ZONING WITHIN THE ZONING BY-LAW R5 Recreational Residential
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OFFICIAL PLAN – HAS A SITE SPECIFIC DESIGNATION BEEN APPLIED, AND IF SO, WHAT LAND USES ARE PERMITTED OR NOT PERMITTED?
No

ZONING BY-LAW – HAS SITE SPECIFIC ZONING BEEN APPLIED, AND IF SO, WHAT LAND USES ARE PERMITTED OR NOT PERMITTED?
No

DATE SUBJECT LAND WAS ACQUIRED ON:
2005/03/21

WHAT IS THE EXISTING USE OF THE PROPERTY? WHAT IS THE LENGTH OF TIME THIS USE HAS OCCURRED?
no current use

EXISTING USE OF ABUTTING PROPERTIES
no current use

PROPOSAL INFORMATION:

RELIEF - NATURE AND EXTENT OF RELIEF FROM THE ZONING BY-LAW :
Cabin to be built 20m from the lake
when zoning asks for 30m

WHY CAN THE PROPOSED USE NOT COMPLY WITH THE ZONING BY-LAW?
The topography of much of the island is high
bedrock. At the east end you can see the
high bedrock which continues to the west

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND.
 FOR EXAMPLE, PLEASE SPECIFY THE GROUND FLOOR AREA, GROSS FLOOR AREA, NUMBER OF STOREYS, WIDTH, LENGTH, HEIGHT, ETC.

EXISTING: none

PROPOSED: A 854 sq ft cabin, 24' x 36', one floor

HAS ANY OWNER PREVIOUSLY APPLIED FOR MINOR VARIANCE IN RESPECT OF THE SUBJECT PROPERTY? YES NO

IF YES, PLEASE PROVIDE THE FILE NUMBER AND DECISION IF GIVEN:

STORM DRAINAGE is provided to the subject land by:

Sewers Ditches Swales Other means (specify)

SEWAGE DISPOSAL is or will be provided to the subject land by:

Publicly-owned/operated sewage system Pit privy
 Privately-owned/operated individual septic system Other means (specify) NW Health Unit
 Privately-owned/operated communal septic system has approved a Class 4 Septic System
(in appendix)

*Properties to be serviced by private sewage systems will require a preliminary soils inspection. It is the responsibility of the applicant to arrange an inspection with the Northwestern Health Unit.

*If the requested amendment would permit development on privately owned and operated individual or communal sewage system, and more than 4500 litres of effluent would be produced per day as a result of the proposed development, a servicing options report and a hydrogeological report must be provided.

POTABLE WATER is or will be provided to the subject land by:

Publicly-owned/operated piped water system

Lake or other water body

Privately-owned/operated individual well

Other means (specify) carried from town

Privately-owned/operated communal well

OTHER APPLICATIONS – if known, indicate if the subject land is or will be the subject of an application under the Act for:

approval of a plan of subdivision (under section 51) File Status

If Yes please describe in detail:

consent (under section 53) File Status

If Yes please describe in detail:

previous application (under section 34) File Status

If Yes please describe in detail:

Are you aware of any *Planning Act* Applications within currently being proposed for any properties within 120 metres of the subject property?
.....

ACCESS – Access to the subject land will be by:

Provincial Highway

Seasonally maintained Municipal road

Year round maintained Municipal road

Right-of-way

Private road

Water

WATER ACCESS – Where access to the subject land is by water only:

Docking facilities (specify) our home

Parking facilities (specify) our home

distance from subject land 9 km

distance from subject land 9 km

distance from nearest public road

distance from nearest public road

EXISTING BUILDINGS AND STRUCTURES – Provide the following information for all buildings and structures. Attach a separate page if necessary.

TYPE - Front lot line setback: Height in metres.....

DATE CONSTRUCTED Rear lot line setback: Dimensions:

Side lot line setback: Floor Area:

Side lot line setback:

TYPE - Front lot line setback: Height in metres.....

DATE CONSTRUCTED Rear lot line setback: Dimensions:

Side lot line setback: Floor Area:

Side lot line setback:

PROPOSED BUILDINGS AND STRUCTURES – Provide the following information for all buildings and structures. Attach a separate page if necessary.

TYPE - <u>CABIN</u>	Front lot line setback: <u>20 m</u>	Height in metres: <u>4.5 m</u>
	Rear lot line setback: <u>80 m</u>	Dimensions: <u>24' x 36'</u>
	Side lot line setback: <u>10 m</u>	Floor Area: <u>4.6m x 11 m</u>
	Side lot line setback:	Floor Area: <u>854 ft²</u>
TYPE -	Front lot line setback:	Height in metres: <u>0579 m²</u>
	Rear lot line setback:	Dimensions:
	Side lot line setback:	Floor Area:
	Side lot line setback:	

What is the expected type and volume of waste to be produced on the subject land? How will this waste be managed or treated?

Grey water (sinks) as a result of indoor plumbing a grey water pit

Black water (toilet) as a result of indoor plumbing a privy

Food wastes burned or taken home

Recyclable household wastes (plastic, glass, aluminum) taken home to recycle

Building hardware wastes (treated wood, shingles, metal) taken home

CHECK AS APPLICABLE:

Does the Owner own any adjoining property? Yes No

If Yes please describe in detail: _____

Is there any reason to believe that the site may be environmentally contaminated? Yes No

If Yes please describe in detail: _____

Has an industrial or commercial use been on or adjacent to the property? Yes No

If Yes please describe in detail: _____

Has lot grading been changed by adding or removing earth or other material? Yes No

Has the Ministry of the Environment or any other ministry advised the owners that the property is or may be contaminated? Yes No

If Yes please describe in detail: _____

Are there any known Natural Heritage values existing on the site? Yes No

DATE SUBJECT LAND WAS ACQUIRED ON: 2005

ARE THE MINERAL RIGHTS CROWN OR PATENTED? PATENTED

ARE THERE ANY RESERVATIONS ON THE PATENT OR TITLE OF THE SUBJECT LOCATION?

IF FRONTED BY WATER, IS THE SHORELINE RESERVE PATENTED OR CROWN LAND? IF CROWN, HOW WIDE IS THE RESERVATION?
CROWN LAND, 20 m shoreline reserve

Is there any other information that you think may be useful to the Municipality in reviewing this Application for Minor Variance? If so, explain below or attach a separate page with this information.

The west end of the island is 42009-1035 owned by Evolution, Kert, Gentles (see Appendix)

SITE PLAN SKETCH:

PLEASE TAKE TIME TO PROVIDE A GOOD SKETCH.

PRINT CLEARLY. IT SHOULD DISPLAY THE FOLLOWING INFORMATION TO THE BEST OF YOUR KNOWLEDGE:

- Prepared on letter paper, overtop of a photocopy of the survey is ideal. For a more detailed or larger scaled sketch, you may provide a second page.
- North arrow, scale and legend
- The boundaries of the owner's property and dimensions
- The boundaries of the property subject to the application including area and dimensions if different from above
- The location, dimensions (height, length, and width) and type of all **existing** and **proposed** buildings and structures on the subject land, indicating the distance of the buildings or structures from other buildings and from the front yard line, rear yard line and the side yard lot lines.
- The location or proposed location of any sewage disposal systems, including pit privies, grey water, or septic systems
- 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. Examples include buildings, transmission lines, roads, watercourses, slopes, drainage ditches, river or stream banks, wetlands, wooded areas, and wells
- The existing use(s) of lands on adjacent properties (i.e. residential, automotive repair, retail)
- The proposed development, including the area and dimensions of any new lots to be created, the size and location of buildings, parking spaces, landscaping, amenity areas, etc.
- As applicable - fire access route, outdoor equipment and storage, walkway, curbing, fencing
- Existing municipal infrastructure immediately adjacent to the site (roads, lane, sidewalks, existing entrances, boulevard trees, fire hydrants, hydro poles, easements, etc.)
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled 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 nature of any easements affecting the subject land.

AUTHORIZATION OF THE OWNER FOR AN AGENT TO MAKE APPLICATION

I/We the undersigned, being the owner of the subject land, hereby authorize to be the applicant in the submission of this application. This application has been submitted with my/our full knowledge and endorsement.

Signature of 1st Owner or Signing Officer

Signature of Witness

Signature of 2nd Owner or Signing Officer

Date

AFFIDAVIT OR SWORN DECLARATION FOR THE PRESCRIBED INFORMATION

I/We, Hugh Carlson of the Municipality of Red Lake in the Province of Ontario
(Municipality/ City)
(Province)

solemnly declare that the statements and any maps or plans submitted with this application are true, and I/We 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 and by virtue and provided by me are true and I make this solemn of the Canada Evidence Act.

Sworn (or declared) before me at the Municipality of Red Lake
in the District of Kenora

This 8 day of Nov, 2022.

Christine Goulet
Commissioner for Taking Affidavits

[Signature]
1st Owner/ Signing officer/ Authorized Agent

Affix commissioner stamp here:

**Christine Goulet
a Commissioner, etc., District of Kenora
for the Corporation of the Municipality of Red Lake.**

2nd Owner/ Signing officer/ Authorized Agent

This section for Red Lake Municipal office use only:
Date complete application received: _____



ServiceOntario

PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

LAND
REGISTRY
OFFICE #23

42009-1034 (LF)

PAGE 1 OF 1
PREPARED FOR Hugh Carlson
ON 2022/08/25 AT 12:27:24

ONLAND

PROPERTY DESCRIPTION:

PCL 522 SEC DEF SRO; PM MINING CLAIM KLL10667 DONE NOT COVERED BY THE WATERS OF RED LAKE RESERVING THE SRO ON AND OVER A STRIP OF LAND ONE CHAIN IN PERPENDICULAR WIDTH ALONG THE SHORE OF RED LAKE; RED LAKE

* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

PROPERTY REMARKS:

CROWN GRANT SEE PA8469.

ESTATE/QUALIFIER:
FEE SIMPLE
ABSOLUTE

RECENTLY:
FIRST CONVERSION FROM BOOK

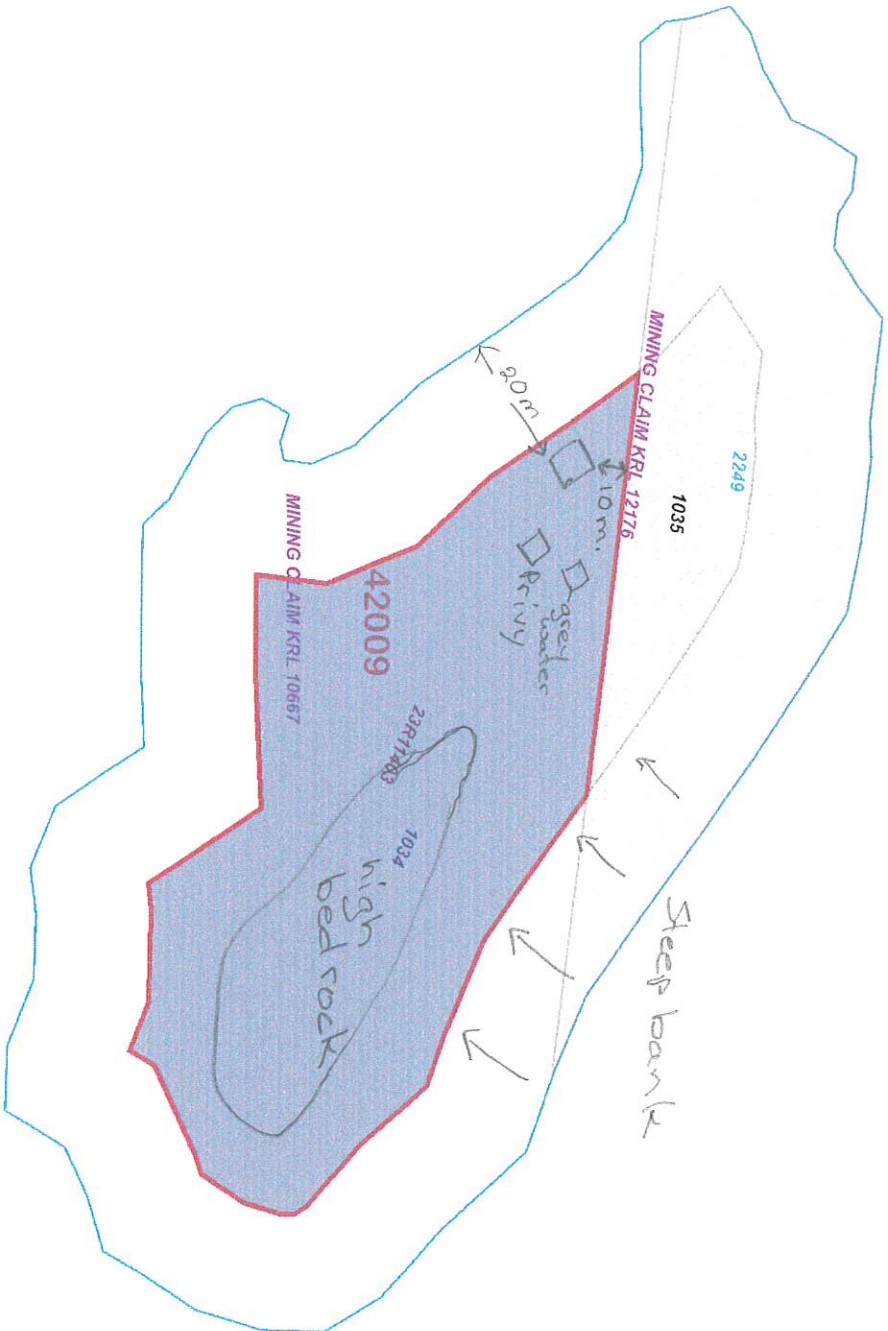
PLAN CREATION DATE:
2005/03/21

OWNERS' NAMES
CARLSON, THOMAS HUGH
CARLSON, ENID ELIZABETH

CAPACITY SHARE
THEN
THEN

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
** PRINTOUT INCLUDES ALL DOCUMENT TYPES (DELETED INSTRUMENTS NOT INCLUDED) **						
IR238930	1995/04/13	NOTICE				C
REMARKS: AIRPORT ZONING REGULATIONS						
23RL1403	2007/05/08	PLAN REFERENCE				C
KN33656	2010/06/02	TRANSFER	\$2	VIKING OUTPOST CABINS LTD.	CARLSON, THOMAS HUGH CARLSON, ENID ELIZABETH	C

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
NOTE: ENSURE THAT YOUR PRINTOUT SHOWS THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.



ServiceOntario

PRINTED ON 25 AUG, 2022 AT 13:24:38
FOR HUGH CARLSON



PROPERTY INDEX MAP

KENORA (No. 23)

LEGEND

- FRESHOLD PROPERTY
- LEASEHOLD PROPERTY
- LIMITED INTEREST PROPERTY
- CONDOMINIUM PROPERTY
- RETIRED PIN (MAP UPDATE PENDING)
- PROPERTY NUMBER
- BLOCK NUMBER
- GEOGRAPHIC FABRIC
- EASEMENT

THIS IS NOT A PLAN OF SURVEY

NOTES

REVIEW THE TITLE RECORDS FOR COMPLETE PROPERTY INFORMATION AS THIS MAP MAY NOT REFLECT RECENT REGISTRATIONS

THIS MAP WAS COMPILED FROM PLANS AND DOCUMENTS RECORDED IN THE LAND REGISTRATION SYSTEM AND HAS BEEN PREPARED FOR PROPERTY INDEXING PURPOSES ONLY

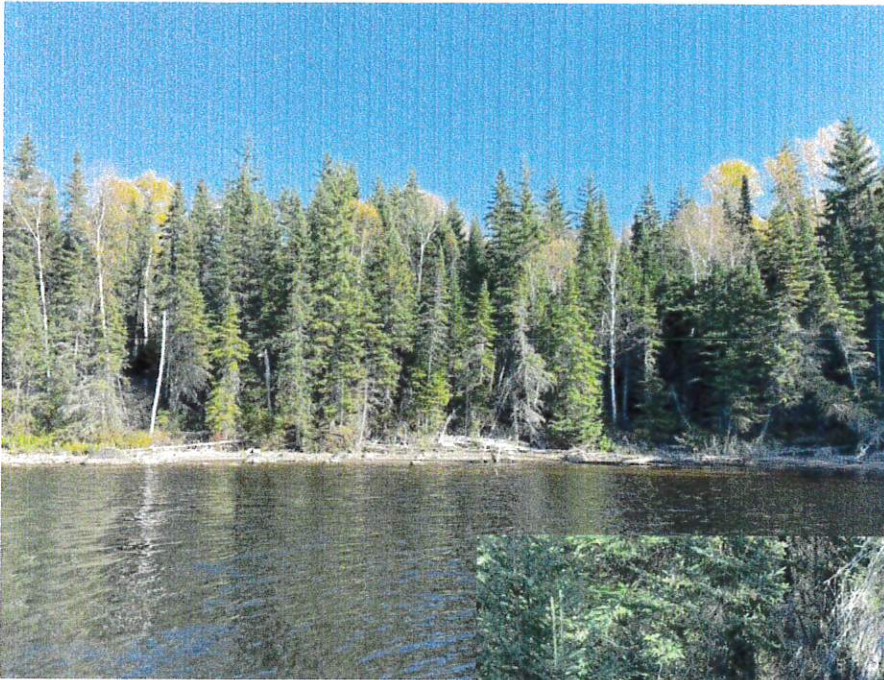
FOR DIMENSIONS OF PROPERTIES BOUNDARIES SEE RECORDED PLANS AND DOCUMENTS

ONLY MAJOR EASEMENTS ARE SHOWN

REFERENCE PLANS UNDERLYING MORE RECENT REFERENCE PLANS ARE NOT ILLUSTRATED

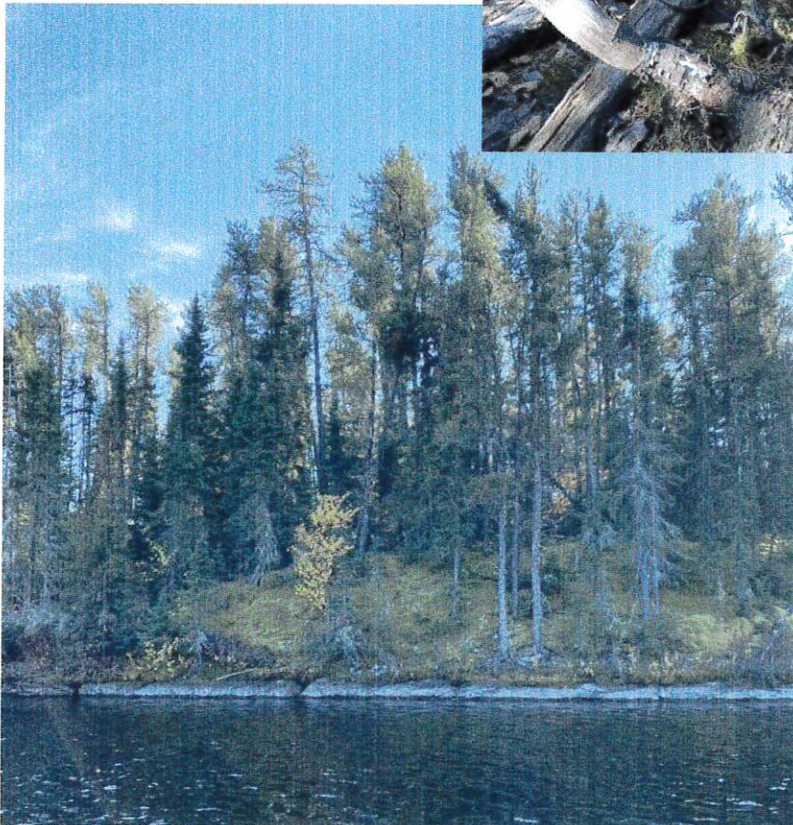


Pictures for Carlson Minor Variance



The southwest shoreline in front of the cabin

The flat ground suitable for a cabin



The north side of the island showing the steep bank

pictures taken
Oct. 11, 2022

NORTHWESTERN HEALTH UNIT

21 Wolsley Street - Kenora, Ontario P9N 3W7
(807) 468-3147 or Fax (807) 468-4970

CONSENT #: D10-04-8		DATE: July 19, 2005	
OWNER: Viking Island - Hugh & Enid Carlson			
ADDRESS: Box 320, Red Lake, Ontario, P0V 2M0		TELEPHONE: 807-727-2262	
LOCATION OF LOT: Red Lake - North End of McKenzie Island			
DISTRICT: KENORA		TOWNSHIP: Red Lake	
DESCRIPTION OF LOT: LOT: CONC: PARCEL: PLAN: Mining Claims: K-1613, K-1619, K-1620, KRL-10335, KRL10666, KRL-10667 & KRL-10904			
SIZE OF LOT - SEVERED: Part 1 - 10 ac. Part 2 - 7.6 ac.		RETAINED: 81 ac. (combined)	
INTENDED USE - SEVERED: Seasonal Residential		RETAINED: Seasonal Residential	

GENERAL DESCRIPTION: existing buildings, surface drainage, slopes (on each part) etc., and proposed water supply.

Severed Part 1 **Portion A.** This lot has no buildings located on it. The land slopes north towards the lake. The shoreline is rocky with some clay soil towards the middle of the lot. Class 4 septic systems would have to be located towards the centre of the lot.

Portion B. This lot also has no buildings located on the lot. This is an Island and the land slopes in all directions. There is plenty of bedrock but there is some clay soil overburden towards the centre of the Island. This is the only area which Class 4 septic systems could be located (very site specific for septic system construction only).

Portion C. This is a very small portion of land on a very small Island. There is not room to accommodate a proper sewage disposal system. Therefore this portion of Severed Part 1 will not receive approval from the Northwestern Health Unit for development.

Severed Part 2 There are no buildings located on this lot. This is an Island and the land slopes in all directions towards the lake. There is clay soil towards the centre/back of this lot where Class 4 septic systems would have to be located.

Retained Lot Portion A. This is a large Island that has no buildings located on it. The land slopes in all directions and the soil is a mixture of clay and bedrock. Class 4 septic systems would have to be located towards the centre areas of this Island.

Retained Lot Portion B. This is a large lot, which has room to accommodate Class 4 septic systems towards the middle of the lot. The soil is a mixture of clay and bedrock. The land slopes west towards the lake.

Retained Lot Portion C. This lot is a portion of an Island. The soils consist of a mixture of clay and bedrock. The land slopes south towards the lake. The lot tends to level off towards the middle/back of the property. This is where Class 4 septic systems would have to be located.

***SEE ATTACHED MAP**

SUITABILITY FOR ON SITE SEWAGE DISPOSAL

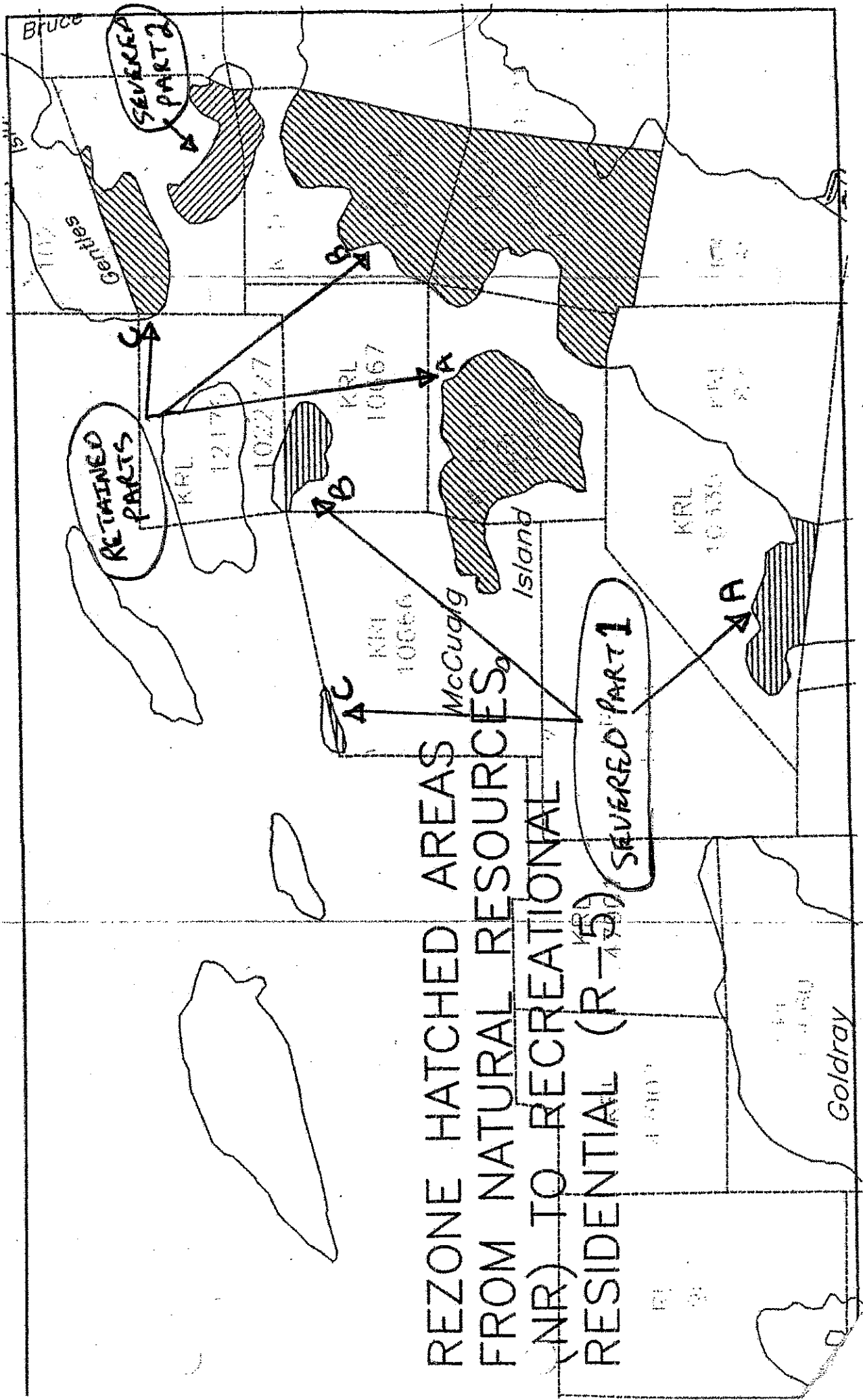
	SATISFACTORY	NOT SATISFACTORY	NOT SATISFACTORY, BUT COULD BE MADE SO:
RETAINED	Portions A, B, C X		
SEVERED	Severed Part 1 Portions A & B Severed Part 2 X	Severed Part 1 C. X	

TECHNICIAN: *Michael Mackie*
Michael Mackie C.P.H.I.

DIRECTOR: *[Signature]*

ARTHUR'S APPROVED FOR SEPTIC.

The Island



REZONE HATCHED AREAS
 FROM NATURAL RESOURCES
 (NR) TO RECREATIONAL
 RESIDENTIAL (R-5)

SEVERED PART 1

RETIRED PARTS

SEVERED PART 2



FILE NUMBER
D13-23-01

NOTICE OF DECISION OF THE COMMITTEE OF ADJUSTMENT APPLICATION FOR:

Minor Variance – s. 45(1) Permission – s. 45(2)

APPLICATION BY Hugh Carlson

LOCATION OF PROPERTY Part of Mining Claim 10667 (known as Part 14 of Plan 23R-11403)

PURPOSE OF APPLICATION To receive relief from requirements of the Zoning By-Law. The applicant is requesting relief from Section 3.26(g) to reduce the waterfront setback to 20 metres and Section 9.2 to reduce the front yard setback to 0 metres, to allow for the construction of a cabin near the property line but not within the Crown shoreline reserve.

WE, the undersigned, in making the decision upon this application, have considered whether or not the permission requested was minor and desirable for the appropriate development or use of the land, building or structure, and that the general intent and purpose of the zoning by-law and the official plan will be maintained or, in the case of a change in a use in a property which is lawfully non-conforming under the by-law, as to whether or not this application has met the requirements of subsection 45(2) of the *Planning Act*, concur in the following decision and reasons for the decision made on the **14th day of February, 2023**.

DECISION:

Approved:

Defeated:

CONDITIONS: That a building permit is obtained within one (1) year of the granting of this variance, failure to do so will result in the expiry of the minor variance.

REASONS FOR DECISION:

The requested minor variance maintains the general intent and purpose of the Zoning By-law and is considered minor.

SIGNATURES OF MEMBERS

.....
Gary Ripley, Chair

.....
Enid Carlson, Member

.....
Jerrett Landry, Member

.....
Shielagh Banfield, Member

.....
Allistair McRae, Member

.....
Brenda Cooke, Member

Appeal – The last date for filing a notice of this decision is 20 days after the notice of decision is given.

Any such appeal must be filed with the secretary-treasurer of the committee and must set out the objection to the decision and the reasons in support of the objection and must be accompanied by the fee required by the Local Planning Appeal Tribunal.

Person – appeal limitation – Only individuals, corporations and public bodies may appeal decisions in respect on an application for a minor variance or permission to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

Other Applications – if known, indicate if the subject land is the subject of an application under the Act for:

- Approval of a plan of subdivision (under section 51) File #N/A..... Status:
- Consent (under section 53) File #N/A..... Status:
- Previous application (under section 45) File #N/A..... Status:

CERTIFICATION

I, Mark Vermette, certify that the information included herein is a true copy of the decision of the Committee with respect to the application recorded therein.

Dated this 14th day of February, 2023

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Mark Vermette, CAO/Secretary-Treasurer