

Land Division Committee/Committee of Adjustment

**NOTICE OF PUBLIC HEARING
OF APPLICATION FOR MINOR VARIANCE
Planning Act, R.S.O. 1990, c.P. 13, R.R.O. 1990, Reg. 200/96**

a) Name of Committee (a) _____ Committee of Adjustment _____

b) Name of Applicant **RE AN APPLICATION BY (b) Martin Kichuk**

c) Brief description **LOCATION OF PROPERTY (c) 5305 Sixth Line, Concession 7 Part Lot 11**

d) As set out in Application **PURPOSE OF APPLICATION (d)
Seeking relief from Zoning By-Law section 4.22.1 to reduce the Minimum Distance Separation (MDS) setback requirement to 100.46 meters for a proposed new residential lot. This does not meet MDS requirement by 130.54 meters.**

TAKE NOTICE that an application under the above file number will be heard by committee on the date, and at the time and place shown below.

DATE _____ **May 17, 2017** _____ **TIME** _____ **7:00 p.m.** _____

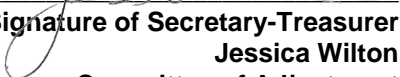
PLACE AND ADDRESS: **Town of Erin Municipal Office
5684 Trafalgar Road,
Hillsburgh, ON NOB 1Z0**

PUBLIC HEARING - You are entitled to attend this public hearing in person to express your views about this application or you may be represented by counsel for that purpose. 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. If you wish to make written comments on this application they may be forwarded to the secretary-treasurer of the committee at the address shown below. Please note that the Ontario Municipal Board may dismiss all or part of an appeal if the person or public body has not made an oral or written submission.

FAILURE TO ATTEND HEARING - If you do not attend at 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 counsel at the hearing and who has filed with the secretary-treasurer a written request for notice of the decision.

Dated this _____ 20th _____ day
of _____ April _____, 2017


Signature of Secretary-Treasurer
Jessica Wilton
Committee of Adjustment
5684 Trafalgar Rd
Hillsburgh, ON NOB 1Z0



TOWN OF ERIN - Application for a Minor Variance

GUIDELINES AND EXPLANATORY NOTES

****A pre-consultation meeting must be scheduled with the Building and Planning Departments, and the completed application and supporting documents must be supplied prior to the meeting. The application must be reviewed before submission to the Secretary-Treasurer****

Introduction

The submission of an application to the municipality to seek relief from a municipal Zoning By-law is provided for under Section 45 of The Planning Act, R.S.O., 1990, as amended. As such, this form must be completed and accompanied with the required fee and sketch prior to circulation by Committee of Adjustment. The purpose of these Guidelines is to assist persons in completing the Minor Variance Application. Please contact the Municipal Office directly if you require clarification on any matter covered by this application form.

Application Fees - \$600.00 Minor Variance Application Fee

Each application must be accompanied by the application fee in the form of a cheque/cash/money order payable to the Town of Erin. This fee is used to pay all legal, planning and other associated costs with respect to the processing of the subject application.

Authorization

If the applicant (agent or solicitor) is not the owner of the subject land, Section H of the application must be filled out by the owner, which authorizes the applicant to act on behalf of the owner as it relates to the subject application.

Source Water Protection

Is the subject land within a Wellhead Protection Area, Issue Contributing Area, or Intake Protection Zone of an approved Source Protection Plan in effect? YES [] NO []

If yes, please complete the Source Water Protection form and submit with your application.

Drawing

All applications for a Minor Variance must include an accurate and to scale sketch. In some cases, it may be preferable that this plan be prepared by a qualified professional. This sketch should show the items listed as applicable to the relief being sought. Each copy of this application must be accompanied by a plan/sketch showing the boundaries dimensions of the subject land and all of the abutting land showing the location, size and type of all existing and proposed buildings and structures on the subject land and abutting land. Where relevant to the relief being requested, the drawings must also show any of the following applicable items:

- Dimensions of area of relief
- Neighbouring properties
- Neighbouring land uses
- North arrow
- Public / private roads, allowances, rights of way
- Distance to lot lines
- Natural features (river or stream banks, wetlands)
- Other features (bridges, wells, railways, septic systems)
- Easements, restrictive covenants
- Other features (bridge, wells, railways, septic system)
- If water access, the location of parking and docking facilities

Supporting Information

Please bear in mind that additional information may be required by the municipality, county, local and provincial agencies in order to evaluate the proposed Minor Variance. The required information may include studies or reports to deal with such matters as environmental impacts, traffic, water supply, sewage disposal and storm water management. Ontario Regulation 200/96 outlines specific information, which must be included within an application for minor variance.

Approval Process

Upon receipt of an application, the required fee and other information as may be required, the Secretary Treasurer of the Committee of Adjustment or the Clerk of the municipality will notify those parties that are to receive notice under Ontario Regulation 200/96. This involves the circulation of the application to various agencies and abutting landowners for their comments. There may be an additional cost associated with the circulation for comments. The applicant or agent will be requested to attend a public hearing to present the proposal. Please note that it is in the applicant's best interest to ensure that they are represented at this meeting. The applicant and any other parties requesting notice will be provided with a notice of any decision made by the Committee as well as the reasons for their decision.

For further information, please contact:

Jessica Wilton
Secretary-Treasurer, Committee of Adjustment
c/o Corporation of the Town of Erin
5684 Trafalgar Road Hillsburgh, ON N0B 1Z0


Phone: 519-855-4407 x240 Fax: 519-855-4281
e-mail: jessica.wilton@erin.ca
Copies: One copy of this application, including the drawings and other information as may be specified shall be required

Minor Variance Application

Pursuant to Section 45 of The Planning Act R.S.O. 1990, as amended

Town of Erin

5684 Trafalgar Road
Hillsburgh, ON NOB 1Z0
(519) 855-4407 Fax: (519) 855-4821

	For Office use:	Application Fee Received: 6000 ⁰⁰
	Date Received: April 11/17.	
	File Number: A01-17.	
	Date Complete Application Filed: April 11, 17.	
	Roll Number: 04-06400	

A. General Information

Applicant Information			
a) Owner (Full name and address of Owner(s), whether a Corporation/Individual, must be provided)			
Contact Name(s): MARTIN KICHUK - TSN ESTATES INC.			
Address: 5305 SIXTH LINE		Municipality: Acton	
Phone / Fax: 416-561-1901		E-Mail: martinkichuk@bell.net	Postal Code: L7J 2L8
Note: Authorization is required if the applicant is <u>not</u> the owner (See Page 5)			
b) Agent *** If different from above***			
Contact Name(s):			
Address:		Municipality:	
Phone / Fax:		E-Mail:	Postal Code:
c) Name, Address, Phone of all persons having any mortgage charge or encumbrance on the property:			
Name(s):			
Address:		Municipality:	
Phone / Fax:		E-Mail:	Postal Code:
d) Send correspondence to the following: (Please specify)			
Owner: <input checked="" type="checkbox"/>		Agent:	Other:

B. Reason for Application

Under what <u>Provision(s)</u> of the Zoning by-law is the application being made, and what is the nature and extent of the relief? (also indicate on sketch)	
Section: <u>4.22.1</u> TO Reduce the MDS Setback requirements for a proposed new residential lot from 231m to 100.46m	
Why is it not possible to comply with the provisions of the By-Law? (also indicate on sketch)	
ONLY LOCATION POSSIBLE FOR NEW LOT.	
What is the current County and Town of Erin official plan and Town of Erin zoning status?	
A) Town of Erin Official Plan Designation: <u>Secondary Agricultural / Core Green</u>	B) Zoning: <u>AGRICULTURAL</u>
B) County of Wellington Official Plan Designation: <u>LANDS</u>	

C. Access to Subject Lands

Provide a description of the entire property:

Street Address: <u>5308 SIXTH LINE</u>	City/Town: <u>ACTON</u>	Municipality: <u>ERIN</u>
Concession: <u>7</u>	Lot: <u>11</u>	Registered Plan #:
Width of Road Allowance (if known):		
Road or Street Providing access to subject property:		
Frontage: <u>50</u>	Depth: <u>120</u>	Area: <u>.6 HA</u>

Please indicate what the access to the subject property is:

Provincial Highway		Other Public Road	
Seasonally Maintained Municipal Road		Right-of-way	
Continually Maintained Municipal Road	<input checked="" type="checkbox"/>	Water Access	

If access is by water only; please describe the parking and docking facilities used or to be used and the approximate distance of these facilities from subject land to the nearest public road:

D. Municipal Services Provided:

Please indicate the applicable water supply and sewage disposal:

Building	Municipal Water	Communal Water	Private Well	Other Water Supply	Municipal Sewers	Communal Sewers	Private Septic	Other Sewage Disposal
Existing								
Proposed			<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>	

Please indicate what the storm drainage is provided by:

Sewers		Swales	<input checked="" type="checkbox"/>
Ditches	<input checked="" type="checkbox"/>	Other Means	

E. Existing, subject, and abutting property land uses, buildings and their locations

Number of <u>existing</u> buildings or structures on the subject land: <u>2</u>	Indicate units of measurement: Metric _____ Imperial _____
Provide the information below for each (for additional buildings or structures add sheet)	
As per DWG Supplied Type of Building _____ # of Parking Spaces _____ # of Loading Spaces _____	Setback from: Front Lot Line: _____ Rear Lot Line: _____ Side Lot Lines _____ & _____
Height of Building or Structure: _____ meters. Dimensions of Floor Area: _____ Total Floor Area (excluding basement): _____ % of Lot Coverage: _____ # of Floors: _____	
What is the existing use of:	

A) The Subject Property: Residential

B) The Abutting Property: Residential / Agricultural

C) How long have the existing uses continued on the subject property: 1974

What is the Proposed use of the subject land:

Residential

Number of Proposed buildings or structures on the subject land: <u>UNKNOWN</u>		Indicate units of measurement: Metric _____ Imperial _____
Provide the information below for each (for additional buildings or structures add sheet)		
Type of Building _____	Height of Building or Structure: _____ meters.	Setback from:
# of Parking Spaces _____	Dimensions of Floor Area: _____	Front Lot Line: _____
# of Loading Spaces _____	Total Floor Area (excluding basement): _____	Rear Lot Line: _____
	% of Lot Coverage: _____ # of Floors: _____	Side Lot Lines _____ & _____

Has the subject land ever been the subject of an application under section 45 of the Act? Yes No

F. Dates regarding subject property

Date of acquisition of subject property: 2011

Date of Construction of all buildings on subject property: 1974

G. Other related planning applications

If known, is the subject land the subject of any of the following development type applications:

Application	Yes	No	File Number:	File Status:
Official Plan Amendment		✓		
Zoning By-law Amendment		✓		
Plan of Subdivision		✓		
Site Development Plan		✓		
Building Permit		✓		
Consent (Land Division Committee)	✓		<u>B-105-16</u>	
Previous Minor Variance Application		✓		

H. Authorization for Agent/Solicitor to Act for Owner

If affidavit is signed by an Agent/Solicitor on Owner's behalf, and/or the Agent will act on behalf of the Owner with regards to this application, the Owner's written authorization below must be completed.

I (we) _____, of the Town of Erin, County of Wellington do hereby authorize _____ to act as my agent in this application.

Signature of Owner(s)


Date

I. Permission to Enter

Owner or Authorized Agent:

I MARTIN KICHUK, of the Town of Erin, County of Wellington do hereby authorize the members of the Committee of Adjustment and members of the staff of the Town of Erin 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.

Location of Land: 5305 SIXTH LINE, ACTON, ON L7J 2L8

Signed: 
Owner or Authorized Agent

Date: April 11th 2017

Print Name: MARTIN KICHUK

J. Affidavit:

This affidavit must be signed in the presence of a Commissioner.

I (we) MARTIN KICHUK, of the Town of Erin, County of Wellington, do solemnly declare that all the statements contained in 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 of the Canada Evidence Act.

This 11th day of April, 2017



Signature of Owner or Authorized Solicitor/Agent

April 11 / 2017

Date

Declared before me at the Town of Erin in the County of Wellington:



Signature of Commissioner

April 11, 2017

Date

Stamp:

**DINA LUNDY, a Commissioner, etc.,
County of Wellington, while Clerk for
the Corporation of the Town of Erin**

Reviewed by:

Town of Erin Building Department

Town of Erin Planning Department

SKETCH SHOWING PROPOSED SEVERENCE ON
PART OF LOT 11
CONCESSION 7
 FORMERLY VILLAGE OF ERIN, NOW IN THE
TOWN OF ERIN
COUNTY OF WELLINGTON

J. R. FINNIE O.L.S.
 SCALE: 1:2000 METRIC



METRIC

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE
 CONVERTED TO FEET BY DIVIDING BY 0.3048.

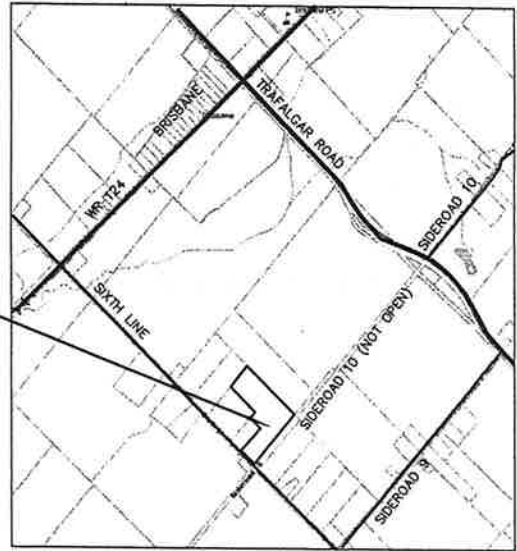
CAUTION

THIS IS NOT A PLAN OF SURVEY AND SHALL ONLY BE
 USED FOR THE PURPOSE INDICATED IN THE TITLEBLOCK.

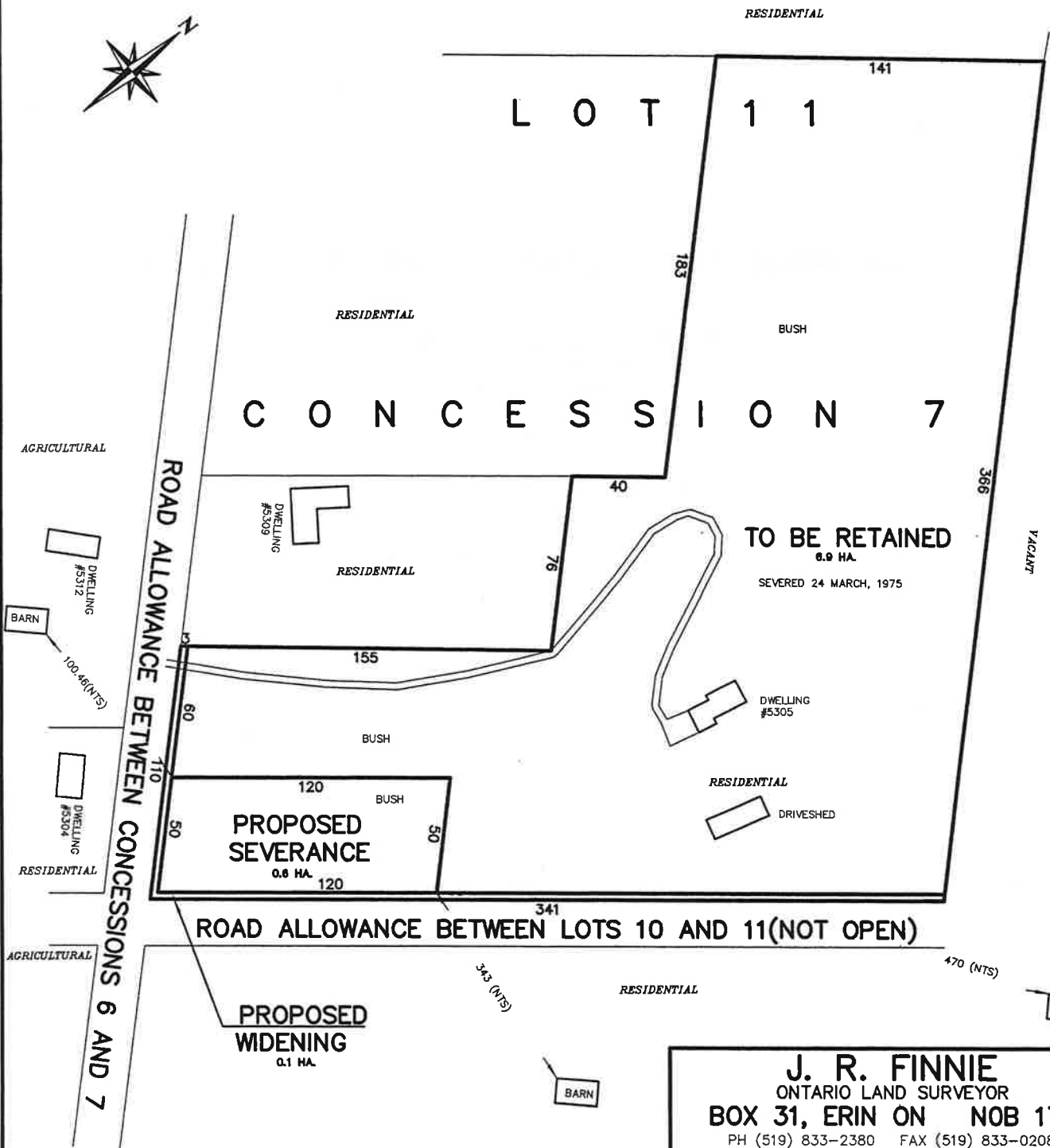
NOTES

- CON DENOTES CONCESSION
- NTS DENOTES NOT TO SCALE

KEY MAP
 (NOT TO SCALE)



SUBJECT
 PROPERTY



J. R. FINNIE
 ONTARIO LAND SURVEYOR
 BOX 31, ERIN ON NOB 1T0
 PH (519) 833-2380 FAX (519) 833-0208
 EMAIL: rfinnie@jrfinnie.com

DRAWN BY: np PROJECT: 16-1736SKT

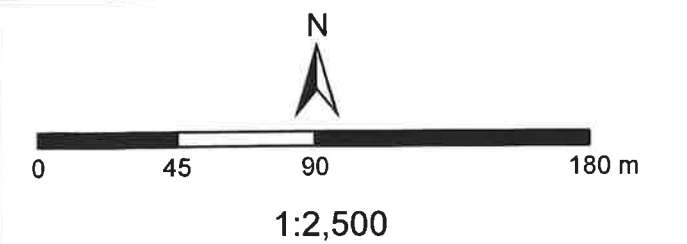
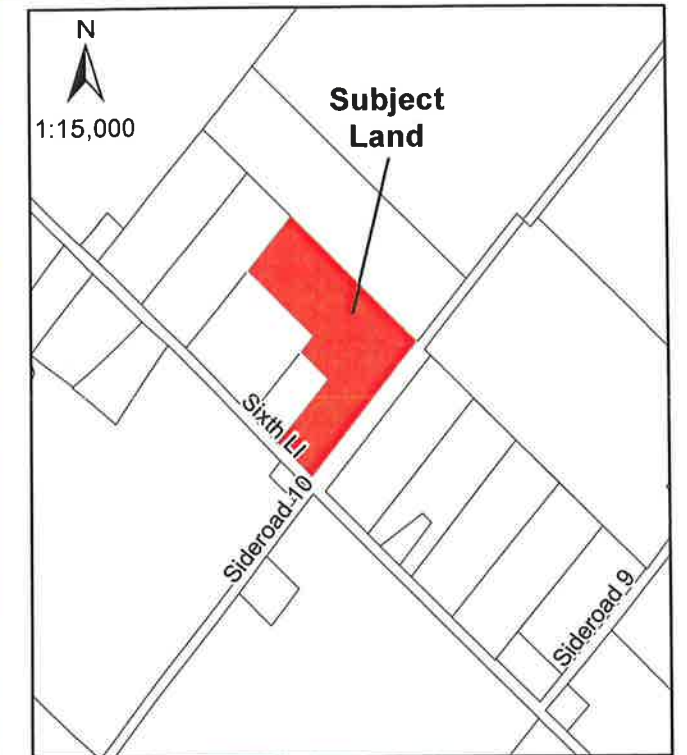
21/5/16

COUNTY OF WELLINGTON LAND DIVISION

B105/16

Applicant:
Martin Kichuk

Town of Erin



Date: November 22, 2016

File: F:\LIS\Projects_Development Review\Land
Division Committee Maps\2017\1 - January\B105-16.mxd

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Ortho imagery flown Spring 2015.

