



COMMITTEE OF ADJUSTMENT/PLANNING ADVISORY COMMITTEE
of September 25, 2012 @ 6:00 PM

AGENDA

LOCATION: TOWN ADMINISTRATION OFFICE, 2ND FLOOR, 30 KING STREET EAST, GANANOQUE

WELCOME:

- A) HEALTH, SAFETY, & WELLNESS:
- B) DECLARATION OF PECUNIARY INTERESTS:
- C) MINUTES OF PREVIOUS MEETING: Adoption of the Committee's minutes of the previous meeting.
 ✦ COA/PAC June 26, 2012
- D) CONSENT:
 ✦ B3/12 McIntyre (application approved under B1/11 – Lapsed)
 93 James Street
- E) DEVELOPMENT PERMIT:
- F) CONTINUING BUSINESS/NEW BUSINESS:
 ✦ Update from Minutes of July 24, 2012
- G) PUBLIC QUESTION PERIOD
- H) ADJOURN:
- I) Next regular meeting of COA/PAC is scheduled for October 23, 2012 at 6 p.m.

The Corporation of the Town of Gananoque
COA/PAC MINUTES OF June 26, 2012 @ 6:00 PM

Members Present:

Nicole St. Onge , Jonathon Allen, Sheila Burtch, Councillor Jeff
Girling, Councillor Joe Jansen.

Members Absent:

Heather Gallacher, Chuck Marquardt

Staff Present:

Brenda Guy, Manager of Community Development

MOTION NO. 2012-24

Moved by: Joe Jansen
Seconded by: Sheila Burtch

That Nicole St. Onge be appointed as Chair for the COA/PAC for the July 24,
2012 meeting.

CARRIED

WELCOME

MINUTES OF PREVIOUS MEETING:

MOTION NO. 2012-25

Moved by: Sheila Burtch
Seconded by: Joe Jansen

That Planning Advisory Committee accepts the minutes of the Committee of
Adjustment & Planning Advisory Committee dated June 26, 2012.

CARRIED

A) HEALTH, SAFETY, & WELLNESS:

B) DECLARATION OF PECUNIARY INTERESTS: None

C) DELEGATIONS/PRESENTATIONS: None

D) CONSENT:

✚ B2-12 Thomas
 101 South Street

Sylvia and Hector Thomas were in attendance on behalf of the
application.

The applicant is proposing to sever an existing dwelling unit from
an accessory structure which has living accommodations.

The application was deferred from the meeting of June 22, 2012
to obtain further information from the applicant.

The property is listed for sale and the retained lands are listed as a
single family dwelling. The applicants have confirmed. If a future
owner wishes to have apartments within the dwelling they would
require further application for parking requirements.

MOTION NO. 2012-26

Moved by: Joe Jansen
Seconded by: Jeff Girling

That PAC/COA approves consent application B2/12 Thomas to
sever a parcel of land (32m x 26m irregular) with a retaining parcel
(25m x 25m) provided the conditions outlined in the Notice of
Decision are met.

CARRIED.

E) DEVELOPMENT PERMIT: None

F) SUBDIVISION AGREEMENT: None

G) CONTINUING BUSINESS/CORRESPONDENCE:

✦ B2/12 Thomas Deferred to this (July 24, 2012) meeting

H) NEW BUSINESS: None

I) PUBLIC QUESTION PERIOD:

J) ADJOURN

MOTION NO. 2012-27

Moved by: Jonathon Allen

Be it resolved that Committee of Adjustment/Planning Advisory Committee adjourn this regular meeting.

Original Signed by Chair
Chair, Chuck Marquardt

Original Signed by Staff
Secretary –Treasurer, Brenda Guy

PLANNING REPORT

TO: **PLANNING ADVISORY COMMITTEE**
FROM: BRENDA GUY
MANAGER OF COMMUNITY DEVELOPMENT
DATE: Thursday, September 20, 2012
SUBJECT: B3/12 - MCINTYRE
CONSENT

Background:

Property: 93 James Street (83 James Street)
Legal Desc: Plan 86 Pt. Lot 211 Gan R Es, Town of Gananoque
Acreage: 20,473 sq.ft.
Lot Coverage: 35% Maximum Coverage
Official Plan: Residential
Development permit: Residential

The applicant had consent approval under B1/11 to convey an area of approximately 94 sq.m to an adjacent property, which is of the same ownership. The decision to approve consent was given on May 25, 2011 and the applicant had no later than May 24, 2012 to fulfill the conditions set out by the Committee of Adjustment or the application lapses. Unfortunately, the consent had lapsed. Due to the lapsing of the application it is required to start the process again including circulation, public meeting and passing.

The previous report dated May 20, 2011 is still applicable to the current application. The report is provided.

Circulation was issued and there were no comments received by adjacent property owners and the following is received from agencies:

CAO		
Canada Post		
CRCA	No comment	
CBO		
Eastern Ontario Power		

Leeds Grenville EMS		
Fire Department	No comment	
LG Health Unit	No comment	
Police Department		
Water/Sewer		
Public Works		

The approval of the consent in 2011 set out the following conditions:

1. Preparation of a Reference Plan, approved by Staff
2. New deeds prepared
3. Minor Variance application to recognize the existing structures.
4. An easement in favour of Eastern Ontario Power for the service wire crossing 83 James Street to service 93 James Street

The Minor Variance application to recognize the reduced front yard setback on both parcels was completed in November 2011 and therefore this condition has been met.

Upon the writing of this report, no further request has been made by Eastern Ontario Power with regards to the easement. If new information is available at the time, it will be noted verbally. All conditions set out under B1/11 is being sought by staff.

PLANNING REPORT

TO: **PLANNING ADVISORY COMMITTEE**

FROM: BRENDA GUY
PLANNING APPROVALS COORDINATOR

DATE: Friday, May 20, 2011

SUBJECT: B1/11 – MCINTYRE
CONSENT

Recommendation:

That the Committee of Adjustment approves Consent Application B01/11 McIntyre for a lot line adjustment be approved subject to the standard severance condition including a zoning by-law amendment for both parcels of land.

Background:

Property: 93 James Street

Legal Desc: Part Lot 211 Plan 86, Town Of Gananoque

Acreage: Approximately .21 acres
30' frontage along Princess Street

Lot Coverage: 35% Maximum Coverage

Official Plan: Residential

Zoning: R1 – Low Density Residential

The applicants are proposing to sever a strip of property, L-shaped, and convey it to the adjoining property. Both the subject property and the lands to be conveyed to belong to the same owner(s).

The retained parcel includes a single family dwelling. It is located at the corner of James and Garden Street. The parcel would continue to meet the lot area of the R1 – Low Density Residential zone. The dwelling currently enjoys legal non-conforming with respect to the setbacks of the dwelling unit for the front yard and exterior side yard setbacks

The adjacent lot (to which the severed portion is to be conveyed) fronts along James Street (83 James Street). The conveyance would be added to the rear and interior side yard of the property. Currently the property is all "house" with little to no landscape area. On-site there is a parking area along the alley which looks as though it may be part of 83 James Street, however, it's ownership is with 93 James Street.

The property is in keeping with Section 5.1 Residential designation of the Official Plan. The property currently does not meet the zone provisions with respect to lot area, setbacks and lot coverage. The addition of the L-shaped parcel will provide ownership of lands to park a vehicle and increase the lot area approximately 94 sq.m.

Agency Comments Received:

CRCA	-	
CBO	No issues	
Eastern Ontario Power	No issues	Eastern Ontario Power will require a 1m easement as service wire cross 83 James Street to service 93 James Street.
Fire Department	No comment	
L&G Health Unit	No objection	Property is on municipal water and sewer services
Police Department	-	
Public Works	-	
Utilities (water/sewer)	No comment	

The application is not the creation of a new lot but an addition to another parcel. The subject parcel will continue to meet the lot area and there is no new construction proposed to reduce other setbacks or reduce them further.

In addition, the lands that will be conveyed to the adjacent property will increase an undersized lot providing a parking area for the dwelling unit.

Staff have no objection to Consent Application B1/11 McIntyre provided the standard list of conditions of severance are met. These standards include a survey of the parcel being conveyed, deeds indicated that the property is being merged and not the creation of a new lot, all outstanding taxes be paid and all costs are borne by the applicant/owner. Additional, requirements will include a clearance letter regarding an easement in favour of EOP and a Zoning By-law amendment to clean up all parcels.

Consent Checklist					
Property (civic address)		93 James Street & 83 James Street			
Legal Description		Pt. Lot 211 Plan 86			
Use of Property		Residential			
Official Plan Designation		Residential			
Zoning Designation		R1 – Low Density Residential			
		Min. Requirement unless otherwise noted	Retained	Severed w Lot Line Adj	
Zone Requirements	Lot Area, As per zone	334m2/3595 ft2.	430 sq.m.	242.88 sq.m.	
	Lot Frontage, As per zone	9m/29.5'	18.4 m	14.2 m	
	Front Yard, As per zone	7m/23'	0.2 m	0	
	Rear Yard, As per zone	9m/29.5'	13.5 m	6.2 m	
	Interior Side Yard, As per zone	1.2m/3.9'	7.2 m	1 m	
	- Each additional storey	0.8m/2.6'			
	Exterior Side Yard, As per zone	4.5m/14.8'	2.0 m	n/a	
	Lot Coverage, As per zone (maximum)	35%	22%	60%	
Building Height	As per zone (maximum)	11m/36.1'	existing	existing	
	Units per lot (maximum)	2	1	1	
Accessory Bldgs	Any rear or interior setback	1 m min.	0.2m	n/a	
	Exterior Yard	4.5m/14.8'	n/a	n/a	
	Height	4.5 m max.	Existing	n/a	
	Distance to main building	2 m min.	4m	n/a	
Other	Designated Heritage Site:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No		

Other Comments:

6.2 Residential, Low Density (R1)

a) Permitted Uses:

- day nursery
- duplex dwelling
- group home
- heritage tourist inn
- places of worship
- school, private
- school, public
- semi-detached dwelling
- single detached dwelling

b) Zone Requirements:

(i) Single Detached Dwelling

Lot Area (minimum)	464.0 m ²	(4995 ft. ²)
Lot Frontage (minimum)	15.0 m	(49.2 ft.)
Yard Requirements (minimum)		
Front	7.0 m	(23 ft.)
Rear	9.0 m	(29.5 ft.)
Exterior Side	4.5 m	(14.8 ft.)
Interior Side	1.2 m	(3.9 ft.)
	for each additional storey above the first, add	
	0.8 m	(2.6 ft.)
Building Height (maximum)	11.0 m	(36.1 ft.)
Lot Coverage (maximum)	35 %	
Dwelling Units Per Lot (maximum)	1	

(ii) Duplex Dwelling

Lot Area (minimum)	557.0 m ²	(5996 ft. ²)
Lot Frontage (minimum)	18.0 m	(59.1 ft.)
Yard Requirements (minimum)		
Front	7.0 m	(23 ft.)
Rear	9.0 m	(29.5 ft.)
Exterior Side	4.5 m	(14.8 ft.)
Interior Side	2.0 m	(6.6 ft.)
Building Height (maximum)	11.0 m	(36.1 ft.)
Lot Coverage (maximum)	35 %	
Dwelling Units Per Lot (maximum)	2	

(iii) Semi-Detached Dwelling

Lot Area Per Dwelling Unit (minimum)	334.0 m ²	(3595 ft. ²)
Lot Frontage Per Dwelling Unit (minimum)	9.0 m	(29.5 ft.)
Yard Requirements (minimum)		
Front	7.0 m	(23 ft.)
Rear	9.0 m	(29.5 ft.)
Exterior Side	4.5 m	(14.8 ft.)
Interior Side	1.2 m	(3.9 ft.)
for each additional storey above the first, add	0.8 m	(2.6 ft.)
Interior side for common walls between semi-detached dwelling units	0.0 m	(0.0 ft.)
Building Height (maximum)	11.0 m	(36.1 ft.)
Lot Coverage (maximum)	35%	
Dwelling Units Per Lot (maximum)	2	



No. B-03/12

APPLICATION FOR CONSENT to the COMMITTEE OF ADJUSTMENT FOR THE TOWN OF GANANOQUE

A Complete Application consists of:

- One original and two copies of a complete application form signed including declaration of applicant.
One copy of the deed of property
Application fee in the amount of \$500 payable to the Town of Gananoque
One copy of the most recent survey of the subject property
One copy of the subject property showing the boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained
One copy, if applicable, of the property to whom the lands will be transferred to
One copy of the location of all land previously severed from the parcel originally acquired by the current owner of the subject land
One copy of the location of all natural and artificial features on the subject lands including buildings, water, roads, easements, wells and septic systems.

Applications may be subject to any Town incurred costs over and above the applications fees as set out in the General Fees and Rates By-law fees and rates for various services provided by the municipality
Consent Application may be subject to review and a separate cheque payable to the Cataraqui Region Conservation Authority, in the amount of \$290. The Town of Gananoque recommends that you consult with a Conservation Authority Officer prior to making application.

Form with fields for Name of Applicant, Name of Property Owner, Address, and Telephone. Handwritten entries include Ken McIntyre, 93 James Street, Gananoque, ON K7G 1K3, and 613 382-3478.

Purpose of Application form with checkboxes for New Lot, Lot Addition (checked), Easement, Charge, Lease, Correction of Title, and Other.

Name of Person To Whom the Land or an Interest in the land is to be transferred, charged or leased (if known): Roxanne Young + Ken McIntyre. Relationship, if any, to owner:

see B1/11

Property Information:			
Street or Property Address (if applicable):			
Legal Description including any reference plans:			
Frontage: _____	Depth: _____	Area: _____	_____

Official Plan Designation:	
Zoning Designation:	

History of the Subject Land:	
Has the subject property ever been the subject of an application for consent under Section 53, or approval of a plan of subdivision under Section 51 of the Planning Act? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, and if known, please provide the file number of each application and the decision made: _____ _____	
Has the subject property been severed from the parcel originally acquired by the Owner of the subject land? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, and if known, provide the date of transfer, the name of the transferee and the land use for each parcel severed: _____ _____	
Is the subject property currently the subject of any other application under the Planning Act such as an Official Plan Amendment, Zoning By-law Amendment, Minor Variance, Consent or Approval of a Plan of Subdivision? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, and if known, please provide the file number of each application, and its status:: _____ _____	

		To Be SEVERED	To Be RETAINED
Property Dimensions:	Frontage		
	Depth		
	Area		
Use of Subject Property:	Existing Use		
	Proposed Use		

see B1/11

EXISTING BUILDINGS:		Building 1	Building 2
To Be SEVERED	Type of Structure		
	Front Line Setback:		
	Rear Lot Line Setback:		
	Side Lot Line Setback:		
	Side Lot Line Setback:		
	Height		
	Dimensions		
	Floor Area		
To Be RETAINED	Type of Structure		
	Front Line Setback:		
	Rear Lot Line Setback:		
	Side Lot Line Setback:		
	Side Lot Line Setback:		
	Height		
	Dimensions		
	Floor Area		

Attached Additional Page, if necessary

see B1/11

PROPOSED BUILDINGS:		Building 1	Building 2
To Be SEVERED	Type of Structure		
	Front Line Setback:		
	Rear Lot Line Setback:		
	Side Lot Line Setback:		
	Side Lot Line Setback:		
	Height		
	Dimensions		
	Floor Area		
To Be RETAINED	Type of Structure		
	Front Line Setback:		
	Rear Lot Line Setback:		
	Side Lot Line Setback:		
	Side Lot Line Setback:		
	Height		
	Dimensions		
	Floor Area		
Attached Additional Page, if necessary			

Access (check appropriate box)		Yes	No
	Town Road (open all year)	<input type="checkbox"/>	<input type="checkbox"/>
	Town Road (seasonal)	<input type="checkbox"/>	<input type="checkbox"/>
	Unopen Road Allowance	<input type="checkbox"/>	<input type="checkbox"/>
	Right-of-Way	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify)		

see B1111

Where access to the Subject Land is by Water Only		Yes	No
Docking Facilities:	Distance from subject land		
	Distance from nearest public road		
Parking Facilities:	Distance from subject land		
	Distance from nearest public road		
Water Services		Yes	No
(check appropriate box)	Publicly-owned/operated	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned/operated – individual well	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned/operated – communal well	<input type="checkbox"/>	<input type="checkbox"/>
	Lake or other water body	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify):		
Sewage Services		Yes	No
(check appropriate box)	Publicly-owned/operated	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned/operated – individual well	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned/operated – communal well	<input type="checkbox"/>	<input type="checkbox"/>
	Privy	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify):		

Other Information:

Is there any other information that may be useful to the Town or other agencies in reviewing this application?

If so, explain below:

Note: Under Section 53 of the Planning Act, other information and material in addition to the foregoing, may be required, in order to process the proposed consent application. The expense of such will be the applicant's responsibility.

AUTHORIZATION BY OWNER

I, the undersigned being the owner of the subject land of this application for a consent, hereby authorize

_____ (please print name)
to be the applicant in the submission of this application.

Furthermore, I/we, being the registered owner(s) of the subject lands, hereby authorize the Members of the Town of Gananoque Committee of Adjustment and the Town of Gananoque staff members, to enter upon the property for the purpose of conducting a site inspection with respect to the attached application.

_____ Signature of Owner	_____ Signature of Owner
_____ Date	_____ Date

DECLARATION OF APPLICANT

I, KEN MCINTYRE of the TOWN of GANANOQUE in the
Province of ONTARIO 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

Furthermore, I/we, being the applicant(s) of the subject lands, hereby authorize the Members of the Town of Gananoque Committee of Adjustment and the Town of Gananoque staff members, to enter upon the property for the purpose of conducting a site inspection with respect to the attached application.

Declared before me at the Town of
Gananoque in the
Province of
Ontario this 4th day
of September, 2012

Signature of Applicant

~~Brenda Jesse Gourkink, Guy, A Commissioner, etc.
Signature of a Commissioner, etc.
Province of Ontario, for the Corporation of the Town of Gananoque
Expires March 30, 2015.~~

Signature of Applicant

Office Use Only:		Roll No: <u>015 34600</u>
<u>Sept. 4/2012</u> Date of Submission	Application Complete: <u>[Signature]</u> Signature	<u>Sept. 4/2012</u> Date

Questions??

Brenda Guy, Manager of Community Development
Town of Gananoque
30 King Street East, Box 100
Gananoque, ON K7G 2T6



LAPSED

No B-9/01

APPLICATION FOR CONSENT
to the
COMMITTEE OF ADJUSTMENT FOR THE TOWN OF GANANOQUE

A Complete Application consists of:

- One original and two copies of a complete application form signed including declaration of applicant.
- One copy of the deed of property
- Application fee in the amount of \$500 payable to the Town of Gananoque *pd*
Joint Consent and Minor Variance Application - \$700 residential, \$900 commercial
- One copy of the most recent survey of the subject property
- One copy of the subject property showing the boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained
- One copy, if applicable, of the property to whom the lands will be transferred to
- One copy of the location of all land previously severed from the parcel originally acquired by the current owner of the subject land
- One copy of the location of all natural and artificial features on the subject lands including buildings, water, roads, easements, wells and septic systems.

Applications may be subject to any Town incurred costs over and above the fees set out (See By-law 2004-63 and By-law 2007-29) being a by-law to establish general fees and rates for various services provided by the municipality)
Consent Application may be subject to review and a separate cheque payable to the Cataraqui Region Conservation Authority in the amount of \$290. The Town of Gananoque recommends that you consult with a Conservation Authority Officer prior to making application.

Name of Applicant: <i>Ken McIntyre</i>	Name of Property Owner (if different than applicant): <i>Ken McIntyre</i>
Address: <i>93 James Street Gananoque, ON K7G1R3</i>	Address: <i>93 James Street Gananoque, ON K7G1R3</i>
Telephone: <i>613 382-3478</i>	Telephone:

Purpose of Application:					
<input type="checkbox"/> New Lot	<input checked="" type="checkbox"/> Lot Addition	<input type="checkbox"/> Easement	<input type="checkbox"/> Charge	<input type="checkbox"/> Lease	<input type="checkbox"/> Correction of Title
<input type="checkbox"/> Other					

Name of Person To Whom the Land or an Interest in the land is to be transferred, charged or leased (if known): <i>Roxanne Young + Ken McIntyre</i>
Relationship, if any, to owner:

Property Information			
Street or Property Address (if applicable): <u>93 James Street</u>			
Legal Description including any reference plans: <u>pt. Lot 211 Plan 86</u>			
Frontage:	Depth:	Area (sq.m):	Area (acres):
<u>18.4m Garden</u>	<u>24.38 James</u>	<u>524sq.m</u>	

Official Plan Designation:	<u>Residential</u>
Zoning Designation:	<u>Low Density Residential</u>

History of the Subject Land:	
Has the subject property ever been the subject of an application for consent under Section 53, or approval of a plan of subdivision under Section 51 of the Planning Act?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, and if known, please provide the file number of each application and the decision made:	
<hr/> <hr/>	
Has the subject property been severed from the parcel originally acquired by the Owner of the subject land?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, and if known, provide the date of transfer, the name of the transferee and the land use for each parcel severed:	
<hr/> <hr/>	
Is the subject property currently the subject of any other application under the Planning Act such as an Official Plan Amendment, Zoning By-law Amendment, Minor Variance, Consent or Approval of a Plan of Subdivision?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, and if known, please provide the file number of each application, and its status:	
<hr/> <hr/>	

		To Be SEVERED	To Be RETAINED
Property Dimensions: <u>Irregular on severed</u>	Frontage	<u>1m along James.</u>	<u>23.38m along James</u>
	Depth	<u>18.4m</u>	<u>18.4m along Garden</u>
	Area	<u>94.04 sq.m</u>	<u>430 sq.m</u>
Use of Subject Property:	Existing Use	<u>add to residential</u>	<u>residential</u>
	Proposed Use	<u>residential</u>	<u>residential</u>

EXISTING BUILDINGS		Building 1	Building 2
To Be SEVERED	Type of Structure		
	Front Line Setback:		
	Rear Lot Line Setback:		
	Side Lot Line Setback:	N/A	
	Side Lot Line Setback:		
	Height		
	Dimensions		
	Floor Area		
To Be RETAINED	Type of Structure <i>2-storey dwelling</i>		
	Front Line Setback:	0.2 m	
	Rear Lot Line Setback:	13 m.	
	Side Lot Line Setback:	7.2 m	
	Side Lot Line Setback: <i>Exterior to James St.</i>	∅	
	Height		
	Dimensions	9.2 m x 9.6 m	
	Floor Area	<i>2-storey</i> 706.56 sq.m	
	Attached Additional Page, if necessary.		

PROPOSED BUILDINGS:		Building 1	Building 2
To Be SEVERED	Type of Structure		
	Front Line Setback:		
	Rear Lot Line Setback:		
	Side Lot Line Setback:		
	Side Lot Line Setback:	N/A	
	Height		
	Dimensions		
	Floor Area		
To Be RETAINED	Type of Structure		
	Front Line Setback:		
	Rear Lot Line Setback:		
	Side Lot Line Setback:		
	Side Lot Line Setback:	N/A	
	Height		
	Dimensions		
	Floor Area		
Attached Additional Page, if necessary			

Access (check appropriate box)		Yes	No
	Town Road (open all year)	Retained <input checked="" type="checkbox"/>	<input type="checkbox"/>
	Town Road (seasonal)	Severed-Alley <input checked="" type="checkbox"/>	<input type="checkbox"/>
	Unopen Road Allowance	<input type="checkbox"/>	<input type="checkbox"/>
	Right-of-Way	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify)		

Where access to the Subject Land is by Water Only		Yes	No
Docking Facilities:	Distance from subject land	N/A	
	Distance from nearest public road		
Parking Facilities:	Distance from subject land		
	Distance from nearest public road		
Water Services		Yes	No
(check appropriate box)	Publicly-owned/operated	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Privately owned/operated – individual well	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned/operated – communal well	<input type="checkbox"/>	<input type="checkbox"/>
	Lake or other water body	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify):		
Sewage Services		Yes	No
(check appropriate box)	Publicly-owned/operated	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Privately owned/operated – individual well	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned/operated – communal well	<input type="checkbox"/>	<input type="checkbox"/>
	Privy	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify):		

Other Information:

Is there any other information that may be useful to the Town or other agencies in reviewing this application?

If so, explain below:

Note: Under Section 53 of the Planning Act, other information and material in addition to the foregoing, may be required, in order to process the proposed consent application. The expense of such will be the applicant's responsibility.

AUTHORIZATION BY OWNER

I, the undersigned being the owner of the subject land of this application for a consent, hereby authorize

_____ (please print name)
to be the applicant in the submission of this application.

Furthermore, I/we, being the registered owner(s) of the subject lands, hereby authorize the Members of the Town of Gananoque Committee of Adjustment and the Town of Gananoque staff members, to enter upon the property for the purpose of conducting a site inspection with respect to the attached application.

N/A

Signature of Owner

Signature of Owner

Date

Date

DECLARATION OF APPLICANT

I, KEN MCINTYRE of the TOWN of GANANOQUE in the Province of ONTARIO 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

Furthermore, I/we, being the applicant(s) of the subject lands, hereby authorize the Members of the Town of Gananoque Committee of Adjustment and the Town of Gananoque staff members, to enter upon the property for the purpose of conducting a site inspection with respect to the attached application.

Declared before me at the Town of Gananoque in the Province of Ontario this 19th day of April, 2007-2011

[Signature]

Signature of a Commissioner, etc

[Signature]

Signature of Applicant

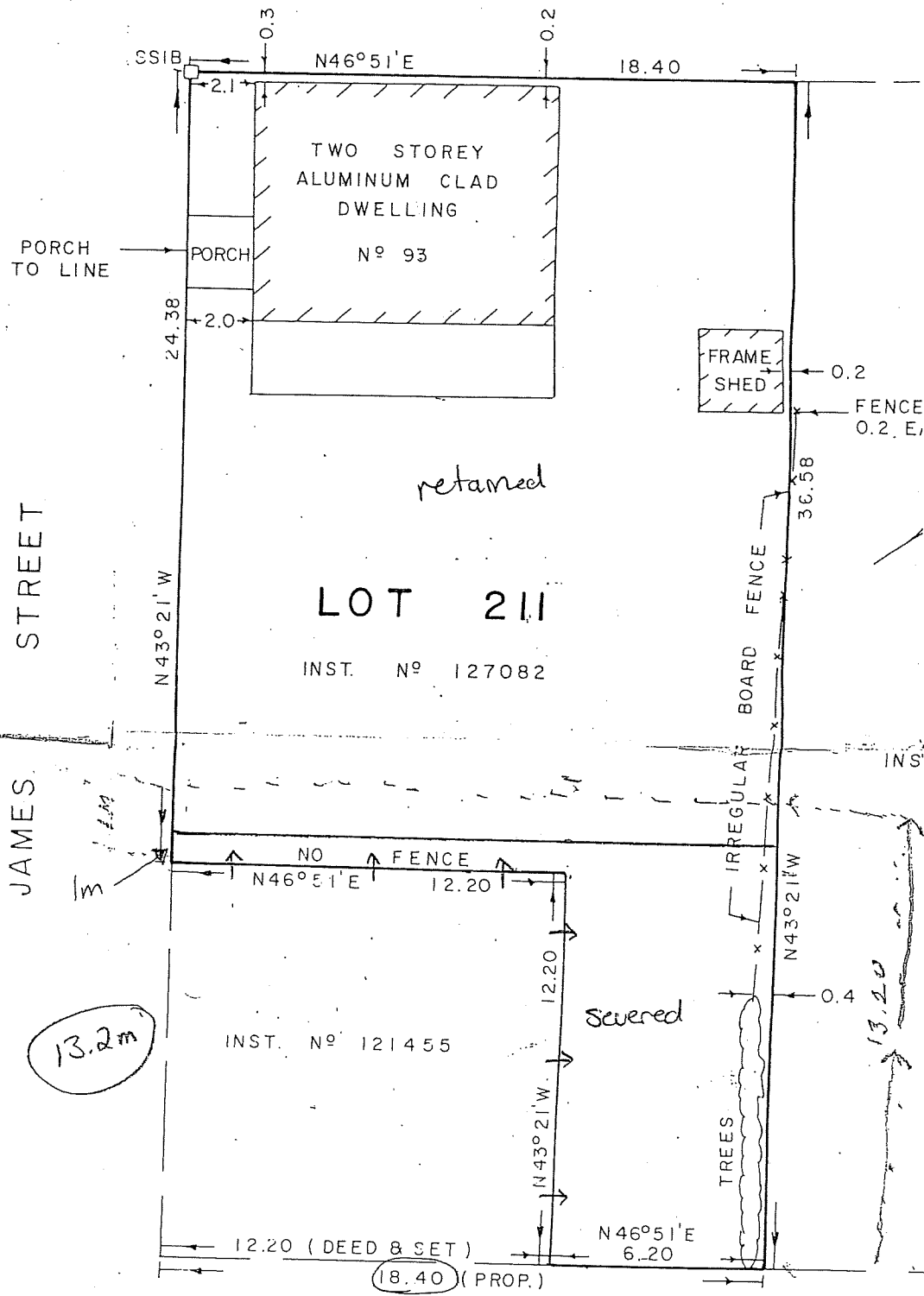
Signature of Applicant

Office Use Only		Roll No. <u>015-04600</u>
Date of Submission <u>April 17, 2011</u>	Application Complete <i>[Signature]</i>	Date

For additional details on the application process please contact:

Brenda Guy, Planning Approvals Coordinator
Town of Gananoque
30 King Street East, Box 100
Gananoque, ON K7G 2T6

GARDEN STREET



Ronald H. Smith
July 20, 1984

NOTE

LEGEND



COMMITTEE OF ADJUSTMENT FOR THE TOWN OF GANANOQUE
NOTICE AND RECORD OF DECISION

File No. B01-11 Owner: MCINTYRE, KEN

The property municipally and legally described as
93 JAMES STREET
BEING PLAN 86 PT. LOT 211 GAN R ES TOWN OF GANANOQUE

applied to the Committee of Adjustment for the Town of Gananoque
TO CONVEY A PARCEL OF LAND TO AN ADJACENT LANDOWNER (83 JAMES STREET)

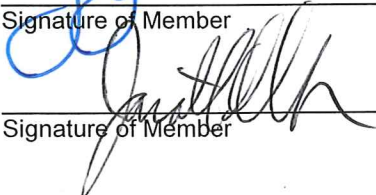
TAKE NOTICE THAT the Committee of Adjustment for the Town of Gananoque in making the decision upon this application visited and/or reviewed the subject property, along with various comments received.

<input checked="" type="checkbox"/>	<p><u>The Committee of the Adjustment for the Town of Gananoque approves this application.</u></p> <p>The Committee is of the opinion that the application is in keeping with Section 53 of the Planning Act. The Committee is further satisfied that a plan of subdivision will not be required, that the application constitutes proper and orderly development of the subject lands and that the intent and purpose of the Town of Gananoque Zoning By-law and the Town of Gananoque Official Plan have been maintained.</p> <p>Conditions pertaining to the application are attached hereto and form part of this decision.</p> <p>The applicant shall have one year to obtain the necessary permits and complete those conditions which are the subject of this application, or the application shall be deemed to have been refused.</p> <p>Subsequent to the completion of the conditions, consent shall be issued by means of a Certificate of Official under Form 4 of the Planning Act.</p> <p>If the transaction for which consent is given is not completed within 180 days from the date of the issuance of the Certificate of Official, the consent shall have lapsed.</p>
<input type="checkbox"/>	<p><u>The Committee of the Adjustment for the Town of Gananoque does not approve this application.</u></p> <p>The Committee is of the opinion that the application is <u>not</u> in keeping with Section 53 of the Planning Act and that the intent and purpose of the Town of Gananoque Zoning By-law and the Town of Gananoque Official Plan have not been maintained. The Committee is further not satisfied that the application constitutes proper and orderly development of the subject lands.</p>


Signature of Member


Signature of Member


Signature of Member


Signature of Member


Signature of Member

Signature of Member

The last date for filing a Notice of Appeal of this decision is the 14TH day of MAY, 2011. DS (initial)


You may appeal to the Ontario Municipal Board against the decision of this Committee by filing with the Secretary-Treasurer of the Committee of Adjustment a notice of appeal setting out written reasons in support of the appeal and accompanied by payment to the Ontario Municipal Board in the amount of \$125.00, being the current fee prescribed the Board under the Ontario Municipal Board Act.

Only individuals, corporation and public bodies may appeal decisions in respect of applications for consent to the Ontario Municipal Board. 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.

Notice of this decision of the Committee of Adjustment was given on the 25TH day of MAY, 2011. DS (initial)

CONDITIONS OF SEVERANCE/LOT LINE ADJUSTMENT

- The applicant shall submit to the Secretary-Treasurer of the Committee of Adjustment an acceptable reference plan and deed or instrument (in triplicate) conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the Notice of Decision is given under Section 53(17) or (24) of the Planning Act (upon registration a final copy of the plan shall be provided to the Town).
- The applicant shall submit to the Secretary-Treasurer of the Committee of Adjustment a draft Transfer deed for review (upon registration a final copy of the Transfer deed shall be provided to the Town).
- The lands to be severed are for the purpose of a lot addition only to the adjacent lands owned by Roxanne Young + Ken McIntyre, and any subsequent conveyance of the lands to be severed is subject to Section 50(3) of the Planning Act. Neither the lands to be severed nor the adjacent lands are to be reconveyed without the other parcel unless a further consent is obtained. The owner shall cause the lands to be severed to be consolidated on title with the adjacent lands and for this condition to be entered into the parcel register as a restriction.
- That the applicant shall be required to connect to the municipal sanitary system, if required, at the discretion of the Public Works Department for the Town of Gananoque.
- That the applicant shall be required to connect to the municipal water system, if required, at the discretion of the Public Works Department for the Town of Gananoque.
- That the Secretary-Treasurer for the Committee of Adjustment be notified in writing that arrangements have been made between the applicant and the Authority with respect to development of the subject lands.
- That a Zoning By-law Amendment or Minor Variance Application be approved at the expense of the applicant which recognizes the proposed lots and legal and complying lots under Zoning By-law 91-37, as amended, if required.
- That the applicant enter into a Site Plan/Development Agreement with the Municipality
- That sufficient lands shall be conveyed to the Town of Gananoque along _____ of the severed lot to meet the requirements of the Town for road widening purposes, at no cost, if required.
- That payment be made for cash-in-lieu of parkland
- _____
- _____
- That the balance of any outstanding taxes, including penalties and interest (and any local improvement charges) shall be paid to the Town of Gananoque, if required.
- All costs related to fulfilling the conditions are borne by the applicant

I, , (Brenda Guy) Secretary-Treasurer of the Committee of Adjustment do hereby certify that the above is a true copy of the decision of the Committee of Adjustment for Application B01/11 rendered on the 24TH day of MAY, 2011.

Brenda Guy
Secretary-Treasurer, Committee of Adjustment
Town of Gananoque
30 King Street East, Box 100, Gananoque, ON K7G 2T6
Tel: (613) 382-2149 ext.126 OR Fax: (613) 382-8587
bguy@townofgananoque.ca

1 REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TILES ACT (DATED) _____

PLAN 288 RECEIVED AND DEPOSITED (DATED) _____

LAND REGISTRATION FOR THE LAND TILES DIVISION OF LEEDS 28

RONALD H. SMITH ONTARIO LAND SURVEYOR

SCHEDULE		REMARKS
PART	LOT	
1	211	86(EAST) 44245-0228(U)
2		
3		
4		

PARTS 1, 2, 3 AND 4 COMPRISE ALL OF PIN 44245-0228(U)

PLAN OF SURVEY OF
LOT 211
PLAN 86 (EAST)
 TOWN OF GANANOQUE
 COUNTY OF LEEDS
 RONALD H. SMITH LTD. 2011



NOTES
 BEARINGS ARE ASTROMERIC DERIVED FROM EVIDENCE OF THE WEST LIMIT OF THE SUBJECT PROPERTY HAVING A BEARING OF N 00°10'30"W PER PLAN 138-759 AS SHOWN HEREON.
 THERE ARE NO FENCES ON BOUNDARIES UNLESS OTHERWISE INDICATED.
 FENCES SHOWN ON BOUNDARIES ARE ON LINE UNLESS OTHERWISE SHOWN.
 INSUFFICIENT OVERBURDEN TO SET STANDARD IRON BARS IN SOME LOCATIONS PER SEC. 11(4) OF OREG. 525/91.

LEGEND

- DENOTES MONUMENT PLANTED
- IB IRON BAR
- SSB SHORT STANDARD IRON BAR
- CLF CHAIN LINK FENCE
- P.W.F. POST AND WIRE FENCE
- M MEASURED
- ST STAKES UNKNOWN
- SN FOUND NO EVIDENCE
- FNE NO REGISTERED EASEMENT
- NRE

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
 (1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT, THE SURVEYORS ACT AND THE LAND TILES ACT AND THE REGULATIONS MADE UNDER THEM.
 (2) THE SURVEY WAS COMPLETED ON THE _____ DAY OF OCTOBER, XXXX.

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

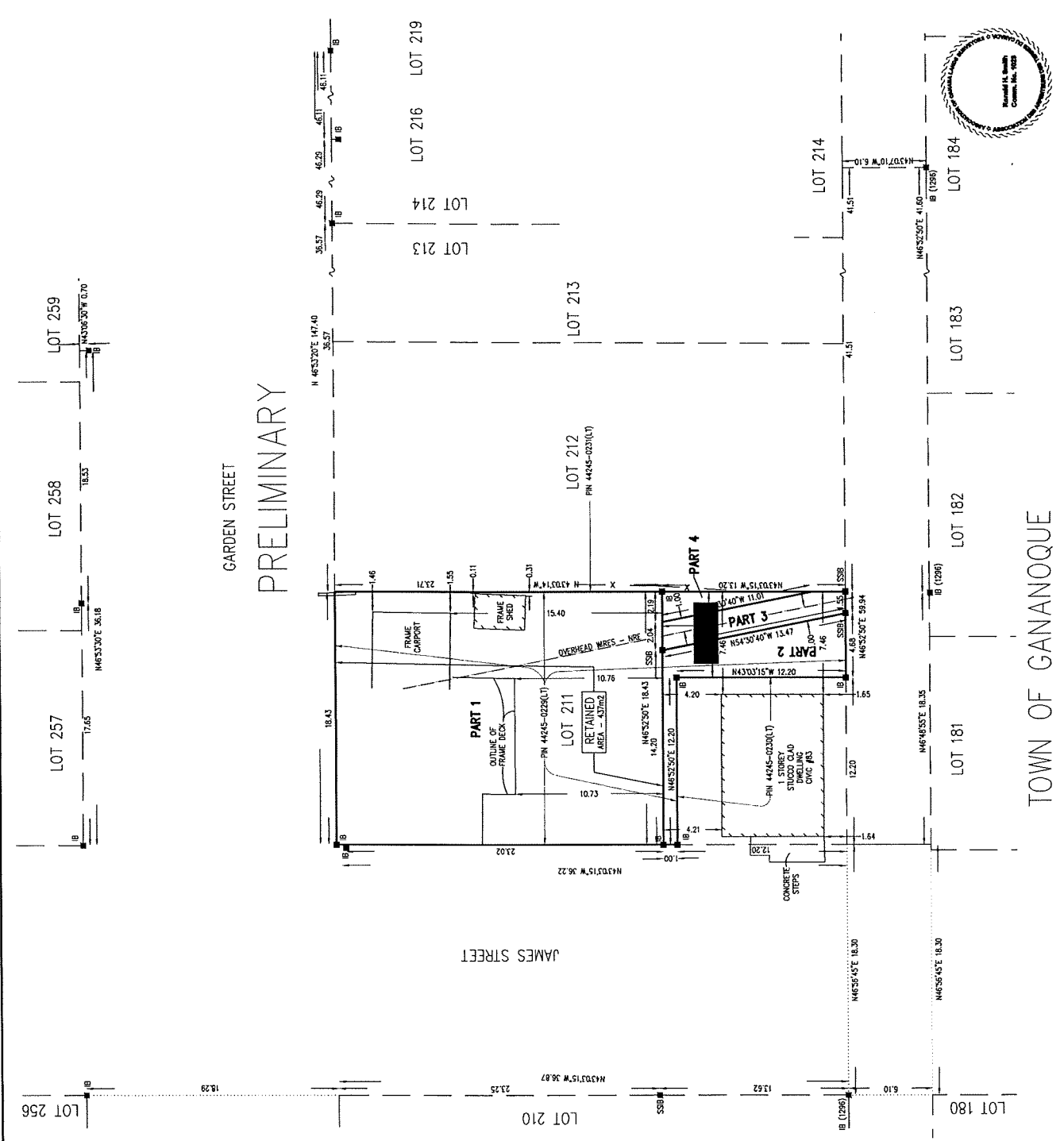
RONALD H. SMITH LTD.
 ONTARIO LAND SURVEYORS
 CANADA LANDS SURVEYORS

HEAD OFFICE
 637 NORRIS COURT, UNIT 8
 KINGSTON, ONTARIO
 1 613 547-1110

CONSULTATION OFFICE
 183 SYDENHAM STREET
 GANANOQUE, ONTARIO
 1 613 382-3978

DRAWN BY: AB CHECKED BY: _____
 REFERENCE # 11-032

11-032-1.DWG PLOTTED AUG. 9, 2011





COMMITTEE OF ADJUSTMENT FOR THE TOWN OF GANANOQUE
**NOTICE TO APPLICANT WHERE NO APPEAL AGAINST DECISION OF
 COMMITTEE OF ADJUSTMENT FILES OR WHERE APPEALS WITHDRAWN**

File No. B01/11 Owner: **KEN MCINTYRE**

The property municipally and legally described as

83 JAMES STREET

93 JAMES STREET

**BEING PLAN 86, PT. LOT 211 GAN R ES
 TOWN OF GANANOQUE**

has applied to the Committee of Adjustment for the Town of Gananoque

TO CONVEY A PARCEL OF LAND FROM 93 JAMES STREET TO 83 JAMES STREET

TAKE NOTICE THAT the statutory time for filing an appeal against the decision of the Gananoque Committee of Adjustment made upon the application recorded under the file number indicated above has now elapsed and;

<input checked="" type="checkbox"/>	No appeals have been received.
<input type="checkbox"/>	All appeals to the Ontario Municipal Board have been withdrawn.

THE DECISION of the Gananoque Committee of Adjustment is now final and finding.

Dated this 16th day of JUNE, 2011.

 Brenda Guy, Secretary-Treasurer

No appeal – within 20 days – decision final – If within twenty days of the making of the decision, no notice of appeal is given, the decision of the committee is final and binding, and the secretary-treasurer shall notify the applicant and shall file a certified copy of the decision with the clerk of the Municipality.

Appeal – withdrawn – decision final – Where all appeals to the Ontario Municipal Board are withdrawn, the decision of the committee is final and binding, and the secretary-treasurer shall notify the secretary-treasurer of the committee who in turn shall notify the applicant and shall file a certified copy of the decision with the clerk of the Municipality.

Personal information contained on this form, collected pursuant to the Planning Act, will be used for the purposes of that Act. Questions should be directed to the Freedom of Information and Privacy Coordinator at the institution conducting the procedures under the Act.

**THE APPLICANT MUST NOW FULFILL ALL CONDITIONS, AS SET OUT IN THE
 NOTICE OF DECISION, BY NO LATER THAN THE 24th DAY OF MAY, 2012 OR
 THE APPLICATION SHALL BE DEEMED TO BE REFUSED.**

30 King Street East, Box 100
 Gananoque, Ontario
 K7G 2T6
 Phone: (613) 382-2149
 Fax: (613) 382-8587
www.townofgananoque.ca



COMMITTEE OF ADJUSTMENT FOR THE TOWN OF GANANOQUE
NOTICE AND RECORD OF DECISION

File No. A2-3/11

APPLICANT: MCINTYRE, KEN

The property municipally and legally described as

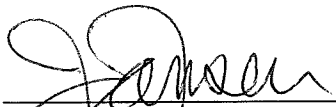
83 JAMES STREET & 93 JAMES STREET
LOT 211 PLAN TOWN OF GANANOQUE

has applied to the Committee of Adjustment for the Town of Gananoque for a Minor Variance to


RECOGNIZE THE EXISTING STRUCTURES ON THE TWO PROPERTIES

TAKE NOTICE THAT the Committee of Adjustment for the Town of Gananoque in making the decision upon this application visited and/or reviewed the subject property, along with various comments received.

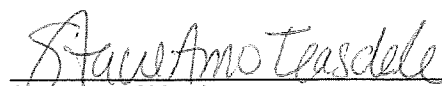
<input checked="" type="checkbox"/>	<p>The Committee of the Adjustment for the Town of Gananoque approves this application.</p> <p>The Committee is of the opinion that the application is in keeping with Section 45 of the Planning Act. The Committee is further satisfied that the application was minor and desirable for the appropriate development or use of the land, building or structure, and that the general intent and purpose of the Town of Gananoque Zoning By-law and the Town of Gananoque Official Plan have been maintained.</p> <p>The Committee of the Adjustment for the Town of Gananoque also approves this application for the following reasons:</p> <p><u>No further impact on neighbours as buildings are existing</u></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Conditions pertaining to the application are attached hereto and form part of this decision.</p> <p>The applicant shall have one year to obtain the necessary permits and complete those works which are the subject of this application, or the application shall be deemed to have been refused.</p>
<input type="checkbox"/>	<p>The Committee of the Adjustment for the Town of Gananoque does not approve this application.</p> <p>The Committee is of the opinion that the application is <u>not</u> in keeping with Section 45 of the Planning Act. The Committee is further not satisfied that the application 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 Town of Gananoque Zoning By-law and the Town of Gananoque Official Plan have been met.</p>



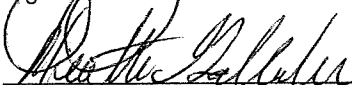
Signature of Member




Signature of Member



Signature of Member




Signature of Member




Signature of Member

Signature of Member

The last date for filing a Notice of Appeal of this decision is the 17TH day of OCTOBER, 2011.  (initial)

You may appeal to the Ontario Municipal Board against the decision of this Committee by filing with the Secretary-Treasurer of the Committee of Adjustment a notice of appeal setting out written reasons in support of the appeal and accompanied by payment to the Ontario Municipal Board in the amount of \$125.00, being the current fee prescribed the Board under the Ontario Municipal Board Act.

Notice of this decision of the Committee of Adjustment was given on the 28TH day of SEPTEMBER, 2011.  (initial)

CONDITIONS OF MINOR VARIANCE/PERMISSION

- _____
- _____
- _____
- _____
- No conditions imposed

I, Brenda Guy, Secretary-Treasurer of the Committee of Adjustment do hereby certify that the above is a true copy of the decision of the Committee of Adjustment for Application A02-3/11 rendered on the 27TH day of OCTOBER, 2011.



Brenda Guy

Brenda Guy
Secretary-Treasurer, Committee of Adjustment
Town of Gananoque
30 King Street East, Box 100
Gananoque, ON K7G 2T6

Tel: (613) 382-2149 ext.126 OR Fax: (613) 382-8587
bguy@townofgananoque.ca

COMMITTEE OF ADJUSTMENT FOR THE TOWN OF GANANOQUE
**NOTICE TO APPLICANT WHERE NO APPEAL AGAINST DECISION OF
 COMMITTEE OF ADJUSTMENT FILES OR WHERE APPEALS WITHDRAWN**

File No. A2-3/11 APPLICANT: MCINTYRE, KEN

The property municipally and legally described as

83 JAMES STREET & 93 JAMES STREET
 LOT 211 PLAN TOWN OF GANANOQUE

has applied to the Committee of Adjustment for the Town of Gananoque for a Minor Variance to

RECOGNIZE THE EXISTING STRUCTURES ON THE TWO PROPERTIES

TAKE NOTICE THAT the Committee of Adjustment approved the application.

AND TAKE NOTICE THAT the statutory time for filing an appeal against the decision of the Gananoque Committee of Adjustment made upon the application recorded under the file number indicated above has now elapsed and;

<input checked="" type="checkbox"/> <i>DK</i>	No appeals have been received.
<input type="checkbox"/>	All appeals to the Ontario Municipal Board have been withdrawn.

THE DECISION of the Gananoque Committee of Adjustment is now final and finding.

Dated this 4th day of NOVEMBER, 2011.

BG

 Brenda Guy, Secretary-Treasurer

No appeal – within 20 days – decision final – If within twenty days of the making of the decision, no notice of appeal is given, the decision of the committee is final and binding, and the secretary-treasurer shall notify the applicant and shall file a certified copy of the decision with the clerk of the Municipality.

Appeal – withdrawn – decision final – Where all appeals to the Ontario Municipal Board are withdrawn, the decision of the committee is final and binding, and the secretary-treasurer shall notify the secretary-treasurer of the committee who in turn shall notify the applicant and shall file a certified copy of the decision with the clerk of the Municipality.

Personal information contained on this form, collected pursuant to the Planning Act, will be used for the purposes of that Act. Questions should be directed to the Freedom of Information and Privacy Coordinator at the institution conducting the procedures under the Act.

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