



# **Township of McKellar**

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701 Hwy #124, P.O. Box 69, McKellar, Ontario POG 1C0

Phone: (705) 389-2842

Fax: (705) 389-1244

## **Committee of Adjustment - Public Meeting Agenda March 4, 2025 – 5:00 p.m.**

### **1. Call to Order – Res. No. 25-01**

- Introductions are made: Members of the Committee and Staff

### **2. Disclosure of Pecuniary and/ or Personal Interest and General Nature Thereof**

### **3. Meeting Protocol**

- The Chairperson takes a roll call of guests and visitors who are in attendance.
- The Chairperson asks that all comments be addressed through the Chairperson and that the person making comments should state his/her name before speaking.

### **4. Appointments**

### **5. Minutes**

- October 1, 2024 Meeting – **Res. No. 25-02**

### **6. Discussion:**

#### **6.1 Hutterer – Application No. A/01/2025 Proposed accessory building to exceed the maximum height requirement.**

- The Chairperson will ask the Secretary/Treasurer if all Notices have been filed and the corresponding dates.
- The Chairperson will ask the Secretary/Treasurer if any letters or related correspondence have been received and, if so, the nature thereof.
- The Applicant will make their presentation and comments, if in attendance
- Questions or comments from Committee of Adjustment members and the public

### **7. Decision of Committee of Adjustment**

#### **7.1 Hutterer Decision – Res. No. 25-03**

### **8. Adjournment - Res. No. 25-04**



## CORPORATION OF THE TOWNSHIP OF MCKELLAR

Committee of Adjustment Minutes

October 1, 2024

Chair, David Moore called the meeting to order at 5:00 p.m.

### INTRODUCTIONS

Chair, David Moore took Roll Call.

**Present:** Chair, David Moore; Morley Haskim, Mike Kekkonen, Debbie Zulak

**Regrets:** Reg Moore, Nick Ryeland

**Staff:** Secretary/Treasurer, Karlee Britton

### DECLARATIONS OF PECUNIARY AND/OR PERSONAL INTEREST AND GENERAL NATURE THEREOF

There were no conflicts of interest declared.

**Moved by: Morley Haskim**

**Seconded by: Debbie Zulak**

**24-13** That the Committee of Adjustment meeting agenda is accepted, as presented.

**Carried**

**Moved by: Debbie Zulak**

**Seconded by: Mike Kekkonen**

**24-14** That the Committee of Adjustment Minutes from the September 17, 2024 meeting are accepted, as circulated.

**Carried**

### 6.1 Discussion – Murray, Dave & Karen Application No. A/04/2024

Chair, David Moore asked if any letters or related correspondence were received. Secretary-Treasurer, Karlee Britton replied no letters or related correspondence was received.

Chair, David Moore asked if the applicant would like to speak to the application. The applicant was present on Zoom but did not speak to the application.

Chair, David Moore asked if there were any questions or comments from the public, there were no questions.



CORPORATION OF THE TOWNSHIP OF MCKELLAR

Committee of Adjustment Minutes

October 1, 2024

Moved by: Debbie Zulak  
Seconded by: Morley Haskim

**24-15**      **Be It Resolved That** the Committee of Adjustment does hereby grant the Minor Variance Application A/04/2024 – Murray to permit relief of one accessory building/structure (garage, private) to have an increased height, from 5.0 metres, as regulated in Schedule 'B' of By-Law 95-12, as amended, to 5.56 metres; all other applicable Sections of By-Law 95-12, as amended, are to be complied with.

Carried

Moved by: Mike Kekkonen  
Seconded by: Debbie Zulak

**24-16**      **That** the Committee of Adjustment does now adjourn.

Carried

The meeting adjourned at 5:07 p.m.

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David Moore, Chair

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Karlee Britton, Secretary/Treasurer



# Township of McKellar

701 Hwy #124, P.O. Box 69, McKellar, Ontario P0G 1R1  
Phone: (705) 389-2842  
Fax: (705) 389-1244

APPLICATION NO: A01-2025

## APPLICATION FOR MINOR VARIANCE OR FOR PERMISSION

The undersigned hereby applies to the Committee of Adjustment for the Township of McKellar under Section 45 of the *Planning Act* R.S.O. 1990, c.P.13, as amended, for relief, as described in this application, from the Township's Comprehensive Zoning By-law. **FAILURE TO PROVIDE ALL OF THE INFORMATION REQUIRED BY THIS APPLICATION MAY CAUSE DELAYS OR DISQUALIFY THE APPLICATION UNTIL FURTHER OR MORE ACCURATE INFORMATION IS OBTAINED.**

Date Received:	<u>FEB 12 2025</u>	<b>OFFICE USE ONLY</b>	Complete Application: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Application No. <u>A1</u>
Date Accepted:	<u>FEB 12 2025</u>	Application Fee + Deposit Received	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Date Stamp:	<u>FEB 12 2025</u>			

### A. APPLICANT/AGENT INFORMATION

- Name of Owner: BRIAN & MARY HUTTERER
- Address: Street and Number 151 MANITOU DRIVE  
City MCKELLAR Province/State ON Postal/Zip Code P2A 0B4  
Home Phone No. 705-730-8001 Business Phone No. 705-440-6089  
Email brimarhutterer@gmail.com
- Name of Agent (if any): -
- Address: -

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

- Names and Addresses of any mortgagors, holders of charges or other encumbrances: -



**PURPOSE AND TYPE OF APPLICATION**

- Minor Variance from Comprehensive Zoning By-law
- Permission to extend a legal non-conforming use

From what section of the Zoning By-law is relief being sought?

schedule 'B'

- 7. Nature and Extent of Relief Applied for:

2m height exemption from 5m max height

- 8. Why is it not possible to comply with the provisions of the Zoning By-Law?

the design of roof line at midpoint at 5m would only allow headroom of 0.65m (2' 1 1/2") less finished flooring and ceiling on 2nd floor. & grade of land

**C. DESCRIPTION OF PROPERTY**

- 9. Legal description of subject land (registered plan number and lot number or other legal description and, where applicable, street and street number):

Pt. A Con 8 Sub-lot 15 Plan PSR-1476  
roll # 4928-000-002-08800-0000

- 10. Dimensions of land affected:

Frontage (metres): waterfront 105' roadside 69.69' Depth (metres): west side - 281.62' east side - 306'  
Area (hectares): 0.62 acres Width of Street: 20'

- 11. Access to subject land is by:

- Provincial Highway
- year-round municipal road
- seasonal municipal road
- other public road
- private right of way
- water access

- 12. If access to the subject land is by private road, or if "other public road" or "private right of way" was indicated in Section 11, indicate who owns the land or road, who is responsible for its maintenance and whether it is maintained seasonally or all year:

\_\_\_\_\_

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

\_\_\_\_\_



**LAND USE AND ZONING**

14. Date of Acquisition of Subject Lands:

2003

15. Date of Construction of all Buildings and Structures on Subject Land:

2005 - construction of dwelling; 2017 - front foyer addition; 2022 - kitchen expansion

16. Existing Uses of the Subject Lands:

residential residence - primary

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

20 years of residential dwelling

18. Existing Uses of Abutting Lands:

19. Services (Check appropriate box):

Water:  Dug Well  Drilled Well  Lake  Other \_\_\_\_\_  
Sewage Disposal:  Septic  Privy  Other \_\_\_\_\_

20. Storm Drainage is provided by (Check appropriate box):

sewers  open ditches  swales  other (please specify) \_\_\_\_\_

21. Present Official Plan provisions applying to the land:

waterfront residential

22. Present Zoning By-law provisions applying to the land:

waterfront residential

23. Are there any easements or rights-of-way affecting the subject lands?

Yes  No

If Yes, indicate and describe the purpose of the easement or rights-of-way:





**BUILDINGS AND STRUCTURES (on or proposed for the subject land)**

EXISTING – List all existing buildings and structures					DISTANCE FROM LOT LINES (metres)			
Building/ Structure Type	Date of Construction	# of Storeys / Height	Ground Floor Area (m <sup>2</sup> )	Total Floor Area (m <sup>2</sup> )	Front	Rear	Side	Side
house	2005	1 1/2	192.03 m <sup>2</sup>	192.03 m <sup>2</sup>	21.94 m	57.35 m	7.5 m	7.19 m
gazebo	2020	1	5.94 m <sup>2</sup>	5.94 m <sup>2</sup>	7.06 m	77.4 m	28.7 m	3.05 m
wood shed	2020	1	5.57 m <sup>2</sup>	5.57 m <sup>2</sup>	47.86 m	43.70 m	21.3 m	3.05 m
canvas tractor	2024	1	14.86 m <sup>2</sup>	14.86 m <sup>2</sup>	49.12 m	49.9 m	19.8 m	3.05 m
utility shed	2018	1	13.0 m <sup>2</sup>	13.0 m <sup>2</sup>	53.54 m	44.96 m	18.22 m	3.05 m
* All sheds will be removed off property upon construction of garage								

PROPOSED – List all buildings and structures					DISTANCE FROM LOT LINES (metres)			
Building/ Structure Type	Date of Construction	# of Storeys / Height	Ground Floor Area (m <sup>2</sup> )	Total Floor Area (m <sup>2</sup> )	Front	Rear	Side	Side
garage	2025	1 1/2	147.15 m <sup>2</sup>	230.76 m <sup>2</sup>	93.25 m	21.94 m	9.14 m	3.05 m

**F. HISTORY**

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

Yes  No If YES, please provide Application Number, if known: \_\_\_\_\_

25. Is the subject land currently the subject of an application for a consent or approval of a plan of subdivision?

Yes  No  Unknown If YES and if KNOWN, specify the appropriate file number and status of the application:  
 \_\_\_\_\_  
 \_\_\_\_\_

26. Has the subject land ever been the subject of a minor variance application?

Yes  No  Unknown



**PLANS**

27. Every application shall be accompanied by a sketch [SAMPLE on page 9] (based on a boundary survey plan of the subject land) drawn to an appropriate scale, properly dimensioned and showing thereon:

- 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 and structures from the front, rear and side lot lines
- 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, 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 nature of any easement affecting the subject land

**H. AFFIDAVIT OR SWORN DECLARATION**

The content of the application and appendices shall be validated by the Applicant (or authorized agent) in the form of the following Affidavit/Sworn Declaration before a Commissioner or other person empowered to take Affidavits.

Dated at the Township of McKellar this 12<sup>th</sup> day of February, 2025.  
I, Brian Hutterer, of the Township of McKellar  
in the District of Parry Sound solemnly declare that all  
the statements contained in this application 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 and by virtue of  
the Canada Evidence Act.

[Signature]  
**Signature of Applicant or Authorized Agent**

Declared before me at the Township of McKellar in the District  
of Parry Sound this 12<sup>th</sup> day of February, 2025

**Signature of Commissioner of Oaths:** [Signature]

**KARLEE HELAINA BRITTON,**  
a Commissioner, etc., Province of Ontario,  
for the Corporation of the Township of McKellar.  
Expires September 6, 2025.





**CONSENT OF THE OWNER TO THE USE AND DISCLOSURE OF PERSONAL INFORMATION**

**Complete the consent of the owner concerning personal information set out below.**

I, \_\_\_\_\_, am the owner of the land that is the subject of this application and for the purposes of the *Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c.M.56, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the *Planning Act* R.S.O. 1990, c.P.13, as amended, for the purpose of processing this application. The applicant acknowledges that the Township considers the application forms and all supporting materials, including studies and drawings, filed with this application to be public information and to form part of the public record. With the filing of an application, the applicant consents to the Township photocopying and releasing the application and any supporting material either for its own use in processing the application or at the request of a third party, without further notification to or permission from the applicant. The applicant also hereby states that it has authority to bind its consultants to the terms of this acknowledgement. Questions about this collection of personal information should be directed to the Township Clerk.

\_\_\_\_\_ Feb 12/25  
Date

\_\_\_\_\_  
Signature of Owner

**J. CONSENT OF THE OWNER TO THE PAYMENT OF REQUIRED FEES AND POTENTIAL FEES**

I, Brian Hutterer, acknowledge and agree that applicants must submit the required fee of \$750.00, as well as a Security Deposit of \$500.00 when filing the application. Further, I agree that any costs beyond regular processing costs relating to this application, including but not limited to engineering studies, legal opinions, planning consultant fees, and Ontario Land Tribunal hearing costs, will be the responsibility of the applicant and will submit the balance due upon receipt of an invoice for same.

\_\_\_\_\_ Feb 12/25  
Date

\_\_\_\_\_  
Signature of Owner



**AUTHORIZATIONS**

If the applicant is not the owner of the land that is the subject of this application, the written consent of the owner, authorizing the applicant to make the application, must be included with this form or the authorizations set out below must be completed. Please note: If the Owner is an incorporated company, authorization of the appropriate signing officer(s) is required in accordance with the company's by-laws.

**Authorization of Owner for Agent to Make the Application**

I, \_\_\_\_\_, am the owner of the land that is the subject of this application for a Minor Variance and I authorize \_\_\_\_\_ to make this application on my behalf.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner

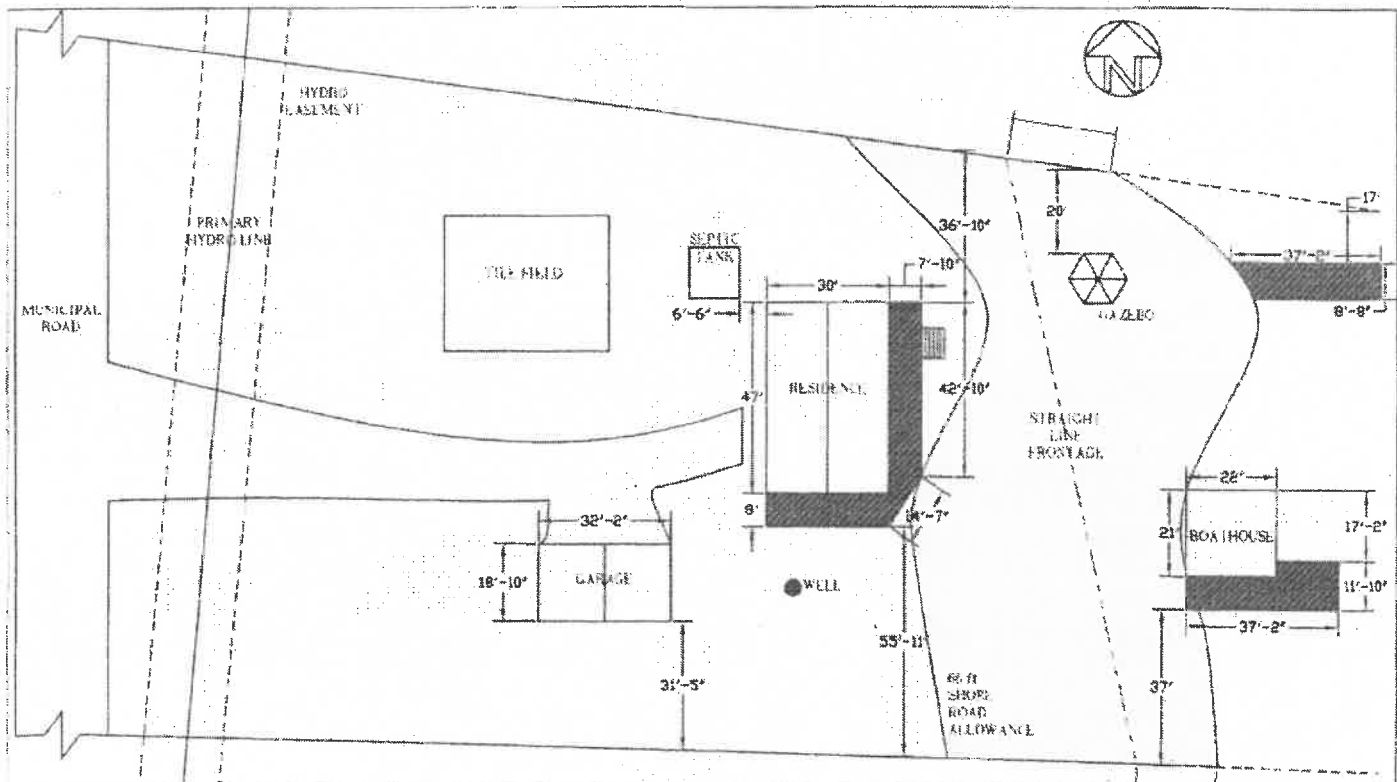
If the applicant is not the owner of the land that is the subject of this application, complete the authorization of the owner concerning personal information set out below.

**Authorization of the Owner for Agent to Provide Personal Information**

I, \_\_\_\_\_, am the owner of the land that is the subject of this application for a Minor Variance and for the purposes of the *Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c.M.56, I authorize \_\_\_\_\_, as my agent for this application, to provide any of my personal information that will be included in this application or collected during the processing of the application. The applicant acknowledges that the Township considers the application forms and all supporting materials, including studies and drawings, filed with this application to be public information and to form part of the public record. With the filing of an application, the applicant consents to the Township photocopying and releasing the application and any supporting material either for its own use in processing the application or at the request of a third party, without further notification to or permission from the applicant. The applicant also hereby states that it has authority to bind its consultants to the terms of this acknowledgement.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner

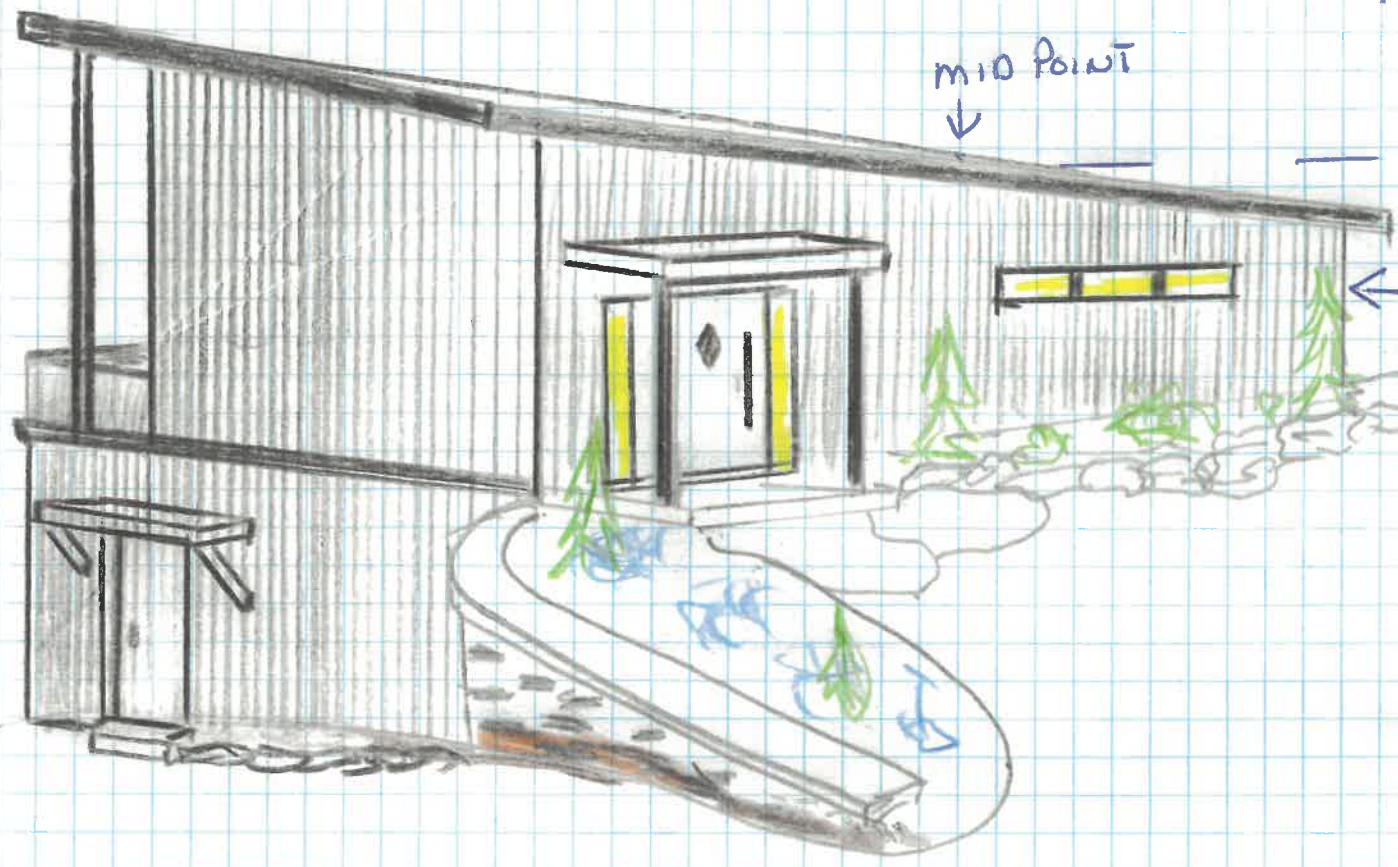


<p><b>SAMPLE SITE PLAN</b></p>	<p><u>LOT COVERAGE</u></p>	<p>STRAIGHT LINE FRONTAGE:</p>	<p><u>PLEASE INDICATE ALL OF THE FOLLOWING ON THE SITE PLAN</u></p>
	<p>RESIDENCE (INCL DECKS) 2040 SQFT          GARAGE 605 SQFT          GAZEBO 127 SQFT          BOATHOUSE 462 SQFT          DOCKS 777 SQFT</p>	<p>150 FT          AREA FIRST 60 METRES: 50500 SQFT          TOTAL LOT AREA: 2 AC          PERCENT OF LOT COVERAGE: 6.4%          PERCENTAGE ALLOWED: 8%</p>	<p>- PROPERTY LOCATION          - PROPERTY LINES          - FRONTAGE ON LAKES/ROADS          - ALL EXISTING STRUCTURES (INCLUDING DIMENSIONS)          - TOTAL LOT SIZE          - TOTAL LOT COVERAGE</p>
<p>OWNER: _____          LOT: _____          CONCESSION: _____          CIVIC ADDRESS: _____</p>			



STRUCTURE ELEVATION  
IS 5'-6" ABOVE Rd.  
GRADE

AND 72'-0" FROM  
ROAD



mid point  
↓

72'-0"

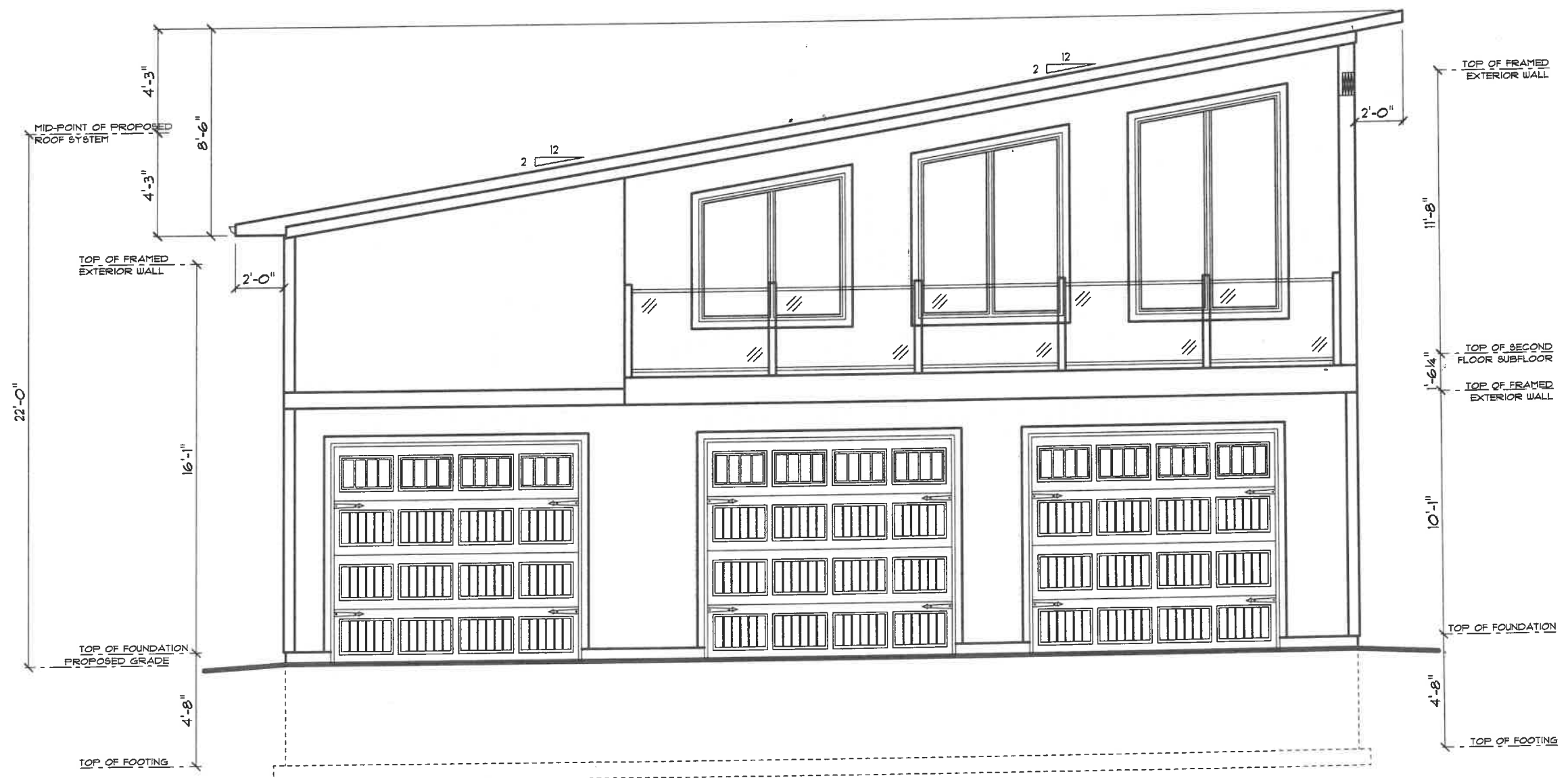
5'-6"  
↑  
↓

MANZOU DRIVE

**FRAMING NOTES**  
 USE (3) 2"x8" HEADERS C/W 2-2x6 POSTS (1 JACK + 1 KING) UNLESS OTHERWISE NOTED.  
 TRUSSED ROOF AS PER MANUFACTURERS' SPECIFICATIONS.  
 ROOF OVER FRAME RAFTERS TO BE 2"x6" @ 16" O.C. C/W 2"x4" COLLAR TIES AS REQUIRED UNLESS OTHERWISE NOTED.  
 RIDGE, HIP AND VALLEY RAFTERS TO BE 2"x10" WITH SUPPORT AS REQUIRED UNLESS OTHERWISE NOTED.

**CONCRETE NOTES**  
 ALL FOUNDATION WALLS TO BE 12 1/2" AMVIC R30 ICF WALLS C/W 24" WIDE x 8" DEEP CONCRETE STRIP FOOTINGS R/W 2-15M LONGITUDINAL BARS.

**GENERAL NOTES**  
 ALL STEEL BEAMS & HSS COLUMNS TO BE GRADE 350W.  
 ALL LUMBER TO BE SPF NO. 1/2 OR BETTER  
 MINIMUM SOIL BEARING CAPACITY TO BE 100KPa (2000psf).  
 PROVIDE SOLID BLOCKING @ WALLS ADJACENT TO WATER CLOSETS TO FACILITATE FUTURE WATER CLOSET GRAB BARS.



**C. FREDE  
 DESIGN INC.**  
 (519) 669-4780  
 ELMIRA, ONTARIO  
 CRAIG.FREDE@SYMPATICO.CA

**CONTRACTORS NOTE**  
 CONTRACTOR SHALL CHECK ALL DIMENSIONS ON THE DRAWINGS AND REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING  
 DRAWINGS ARE NOT TO BE SCALED

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.  
 CRAIG FREDE BCIN # 20343  
 C. FREDE DESIGN INC. BCIN # 41306

CUSTOMER  
**HUTTERER GARAGE**

LOCATION  
**McKELLAR, ONTARIO**

DRAWING  
**FRONT ELEVATION**

SCALE  
 3/16"=1'-0"

DATE  
 FEBRUARY 10, 2025

DRAWN BY  
 CF

CHECKED BY  
 \_\_\_\_\_

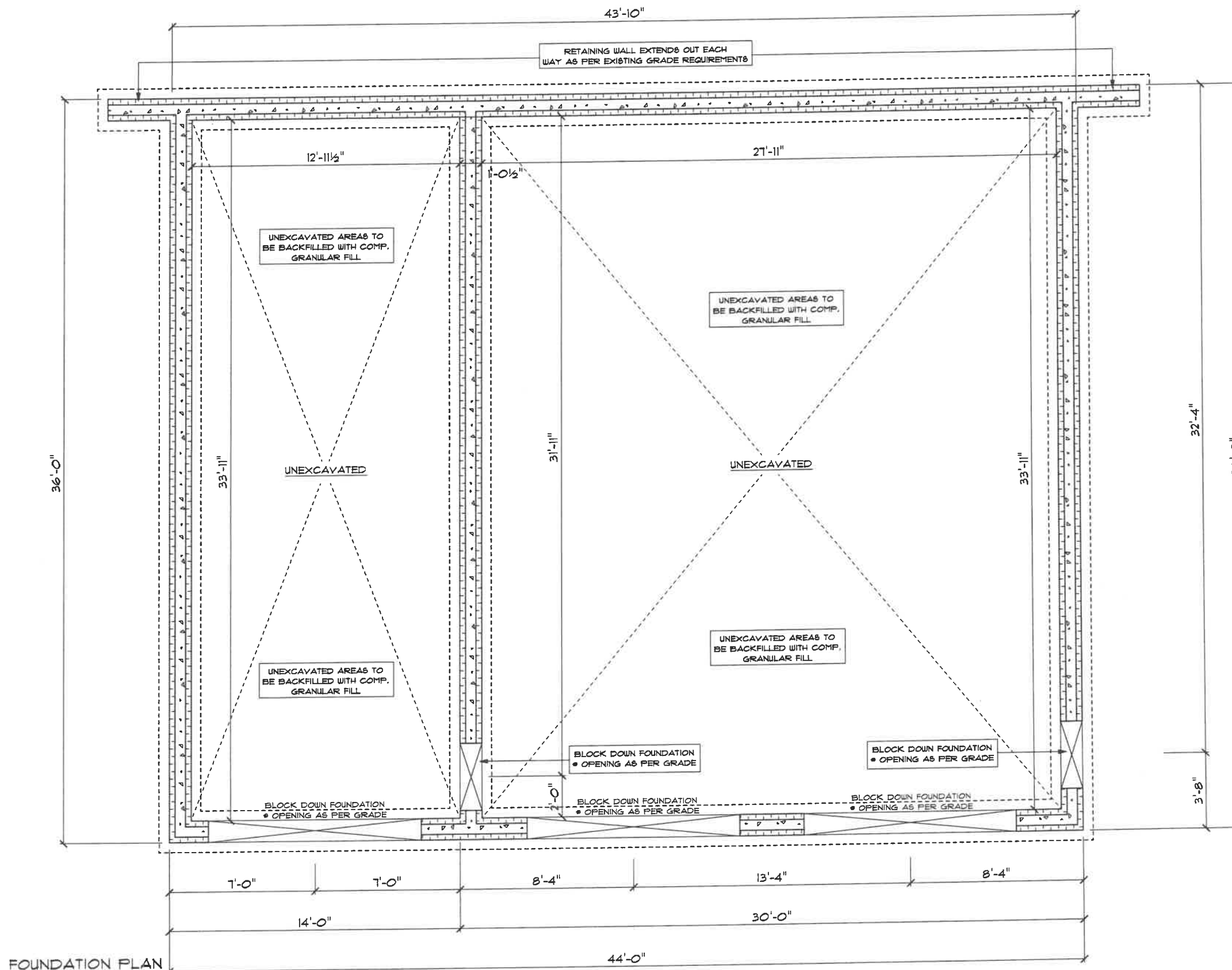
DATE  
 \_\_\_\_\_

**MCNABB**  
**HOME BUILDING CENTRE**  
 PARRY SOUND, ONTARIO  
 1-705-746-2147

PROJECT NUMBER  
 150-100-20

SHEET NUMBER  
 1 | 4





FOUNDATION PLAN

**FRAMING NOTES**  
 USE (3) 2"x8" HEADERS C/W 2"x6 POSTS (1 JACK + 1 KING) UNLESS OTHERWISE NOTED.  
 TRUSSED ROOF AS PER MANUFACTURERS' SPECIFICATIONS.  
 ROOF OVER FRAME RAFTERS TO BE 2"x6" @ 16" O.C. C/W 2"x4" COLLAR TIES AS REQUIRED UNLESS OTHERWISE NOTED.  
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 PROVIDE SOLID BLOCKING @ WALLS ADJACENT TO WATER CLOSETS TO FACILITATE FUTURE WATER CLOSET GRAB BARS.

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 CRAIG FREDE BCIN # 20343  
 C. FREDE DESIGN INC. BCIN # 41306

CUSTOMER  
**HUTTERER GARAGE**

LOCATION  
**McKELLAR, ONTARIO**

DRAWING  
**FOUNDATION PLAN**

SCALE  
 3/16"=1'-0"

DATE  
 JANUARY 29, 2025

DRAWN BY  
 CF

CHECKED BY  
 DATE

**MCNABB**  
**HOME BUILDING CENTRE**  
 PARRY SOUND, ONTARIO  
 1-705-746-2147

PROJECT NUMBER  
 150-100-20

SHEET NUMBER  
 2 | 4



Owner: Brian & Mary Hutterer  
 Property Location: 151 Manitou Drive, McKellar ON P2A 0B4  
 Pt. A Con 8 Sub-lot 15 Plan PSR-1476  
 roll # 4928-000-002-08800-0000  
 Area: 0.62 acres - 4,045 sq. feet \* sheds will be removed off property

