



Corporation of the  
the Town of St. Marys

Application for Minor Variance (Under Section 45 (1) of the Planning Act)   
Application for Permission (Under Section 45 (2) of the Planning Act)

File No. A07-2020

**Instructions**

Each application must be accompanied by the application fee in the form of either cash or a cheque payable to the Town. An accurate scaled drawing of the subject land must be submitted.

If the applicant is not the owner of the subject land, a written statement by the owner which authorizes the applicant to act on behalf of the owner as it relates to the subject application, must accompany the application (See Section 11.0).

In addition, the applicant may be required to submit a more detailed site plan in accordance with Section 41 of the Planning Act.

**Completeness of the Application**

The information in this form that must be provided by the applicant is indicated by black arrows (➤) on the left side of the section numbers. This information is prescribed in the Schedule to Ontario Regulation 200/96 made under the Planning Act. The mandatory information must be provided with the appropriate fee and a scaled drawing. If the mandatory information is not provided, the Town will return the application or refuse to further consider the application.

To ensure the quickest and most complete review, this information should be submitted at the time of application. In the absence of this information, it may not be possible to do a complete review within the legislated time frame for making a decision. As a result, the application may be refused.

**Approval Process**

Upon receipt of an application, the required fee and other information (as required) the Secretary of the Committee of Adjustment will determine whether the application is complete. Once complete, a notice of hearing will be circulated as required by the Ontario Planning Act. The applicant is encouraged to attend the hearing to present the proposal. The applicant will be provided notice of any decision made by the Committee concerning the application. If no notice of appeal is given within twenty days, the decision of the Committee is final and binding.

**For Help**

To help you complete the application form, please consult the Building Department in the Town Hall. You can also call the Building Department at (519) 284-2340.

Please Print and Complete or (✓) Appropriate Box(es)

**1.0 Application Information**

➤ 1.1 Name of Owner(s) An owner's authorization is required if the applicant is not the owner (See Section 11.0)

Name of Owner(s) Merlin and Belinda Linares	Home Telephone No. 519-276-1558	Business Telephone No.
Address 496 Elizabeth St	Postal Code N4X 1B2	Fax No.

➤ 1.2 Agent/Applicant - Name of the person who is to be contacted about the application, if different than the owner. (This may be a person or Company acting on behalf of the owner.)

Name of Contact Person (and Company)	Home Telephone No.	Business Telephone No.
Address	Postal Code	Fax No.

**2.0 Location and Size of the Subject Land**

Street No. 496	Name of Street/Road Elizabeth	Registered Plan No. 250	Lot(s)/Block(s) 4
Reference Plan No.	Part Number(s)	Concession Number(s)	Lot Number(s)
Lot Frontage 22.860m	Average Width 22.859m	Average Depth 45.720	Lot Area 1045.052m <sup>2</sup>

➤ 2.1 Is there a mortgage or charge in respect of the subject land?  Yes  No If yes, give the names and addresses of any mortgages or charges

RBC Bank

➤ 2.2 Are there any easements or restrictive covenants affecting the subject land?  Yes  No If yes, describe the easement or covenant and its effect.

➤ 2.3 When were the subject lands acquired by the current owner?

2010

**3.0 Proposed and Current Land Use**

➤ 3.1 What is the proposed use of the subject land?

Addition (Granny flat)

➤ 3.2 What is the current use of the subject land?

Residential, Single Family Dwelling

➤ 3.3 How is the subject land currently designated in the Official Plan?

Residential.

➤ 3.4 How is the subject land currently zoned in the applicable Zoning By-law?

R1

➤ 3.5 What is the nature and extent of relief from the Zoning By-law requested?

Requesting relief from the side yard setback on the west side of the property from 2.4m to 1.2m.

➤ 3.6 Why can the proposed use not comply with the provisions of the Zoning By-law?

We are proposing to add a 'Granny Flat' onto the house for my recently widowed mother. The addition along the side isn't allowing enough space to accommodate accessibility & we do not want



to cut down any trees in the rear yard, which would be required if we couldn't widen the addition along the side.

➤ 3.7 Provide the following details for all buildings, both existing or proposed. (Attach an additional page if necessary)

	Existing Buildings		Proposed Buildings			Existing Buildings		Proposed Buildings	
3.7.1 Front Yard	10.78m	8.97m	3.7.5 Height	5.48m	3.2m				
3.7.2 Rear Yard	24.68m	20.78m	3.7.6 Dimensions	13.75m x 10.28m	4.93 x 15.98m				
3.7.3 Side Yard	W (5.86m)	1.2m	3.7.7 Gross Floor Area	236m <sup>2</sup>	85.65m <sup>2</sup>				
3.7.4 Side Yard	E (3.17m)	14.23m	3.7.8 Date Constructed	1960's +/-					

4.0 Previous Industrial or Commercial Uses

4.1 Has there been an industrial or commercial use on the subject land or adjacent land? If Yes, specify the uses and dates.  Yes  No

4.2 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?  Yes  No

4.3 What information did you use to determine the answers to the above questions?

4.4 If Yes, to (4.1), (4.2) or (4.3), a previous use inventory showing all former uses of the subject land, or if appropriate, the adjacent land, is needed. Is the previous use inventory attached?  Yes  No

➤ 5.0 Status of Other Applications under the Planning Act

Is the subject land also the subject of an application for an Official Plan Amendment, Consent, approval of a Site Plan, Minor Variance, Zoning By-law Amendment or Zoning Order Amendment?  Yes  No If Yes, indicate the type of application, the file number and the status of the application.

➤ 6.0 Servicing

6.1 Indicate the existing/proposed servicing type for the subject land.

Sewage Disposal	Existing	Proposed	Water Supply	Existing	Proposed
a) Public piped sewage system	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	a) Public piped water system	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b) Public or private communal septic			b) Public or private communal well(s)		
c) Individual septic system(s)			c) Individual well(s)		
d) Other			d) Other		
Storm Drainage	Existing	Proposed	Road Access	Existing	Proposed
a) Sewers	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	a) Arterial Road		
b) Ditches or swales			b) Collector Road		
c) Other			c) Local Road	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

➤ 7.0 Justification

7.1 Indicate how the proposed development will be compatible with the surrounding land uses. (attach an additional page if necessary)

The surrounding properties are residential. We are keeping the design of the addition to compliment the current house. We are not changing the use of the home, nor will it change surrounding homes.

8.0 Other Information (attach an additional page if necessary)

➤ 9.0 Application Drawing

Please submit an accurate, scaled drawing of the proposal showing the following information:

- The subject land, including its boundaries and dimensions, and the location, and nature of any easement or restrictive covenants which affect the subject land;
- The uses of adjacent and abutting land;
- The location of all existing as well as proposed buildings and their dimensions, uses, and setbacks from lot lines;
- The location of all natural and man-made features on the land and the location of an of these features on adjacent and abutting lands;
- Scale and north arrow.

➤ 10.0 Affidavit or Sworn Declaration

I, Belinda Linares of the Town of St. Marys in the County/Region of Perth County make oath and say (or solemnly declare) that the information contained in the documents that accompany this application is true.

Sworn (or declared) before me at the \_\_\_\_\_

in the County/Region of \_\_\_\_\_

this 27 day of May, 2020

[Signature]  
Commissioner of Oaths

Grant George Brouwer,  
A Commissioner, etc.,  
Province of Ontario, for the  
Corporation of the Town of St. Marys.  
Expires September 5, 2021

[Signature]  
Applicant

➤ 11.0 Authorization of Owner for Agent to Make the Application

I (we), \_\_\_\_\_ of the \_\_\_\_\_ in the County/Region of \_\_\_\_\_ am the owner of the land that is the subject of this application for a Minor Variance/ Permission and I (we) hereby authorize \_\_\_\_\_ to act as my (our) agent in the application.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner(s)

12.0 ACKNOWLEDGEMENT

With the filing of this application, the applicant is aware of, and agrees, that if the decision of the Council of the Town of St. Marys regarding this application is appealed by a third party (a party other than the applicant), all costs incurred by the Corporation of the Town of St. Marys for legal counsel and other associated costs to represent the Corporation of the Town of St. Marys in defending the decision before the Ontario Municipal Board will be solely the responsibility of, and paid for by the applicant.

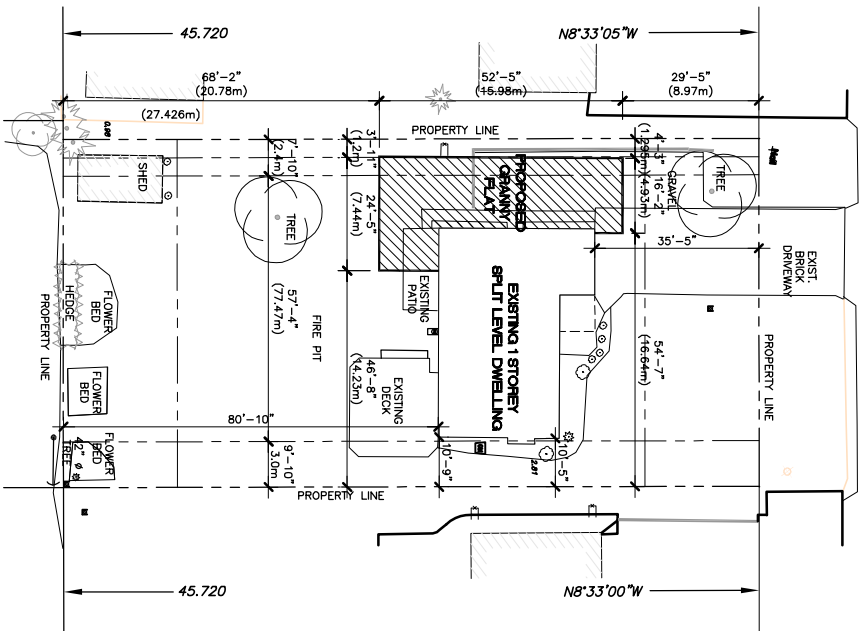
Dated at the May 27/20

in the County/Region of Perth

this 27 day of May, 2020

[Signature]  
Applicant

ELIZABETH STREET  
N8°13'55"E 22.860'

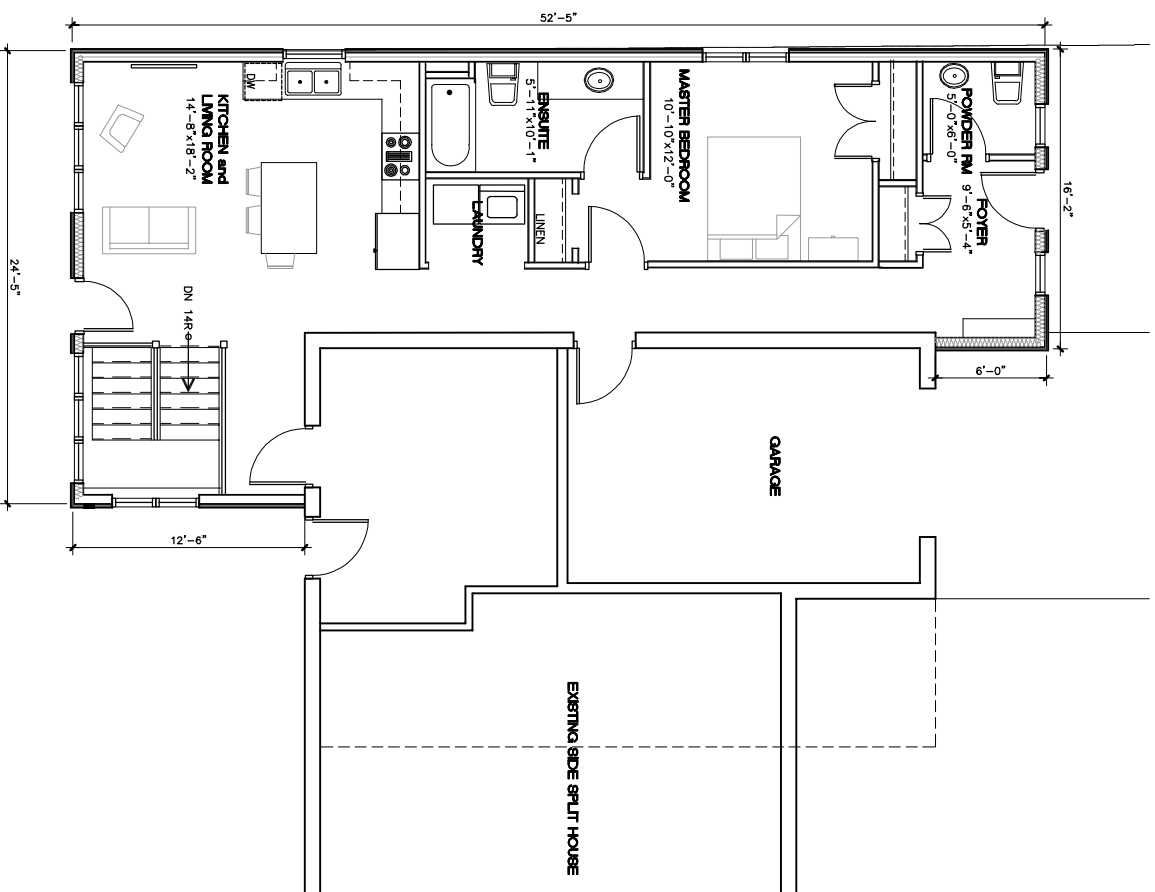


**ZONING NOTES (ND):**

AREA:	EXISTING BUILDING FOOTPRINT 1747.99 SF (162.394m <sup>2</sup> )
EXISTING GRANNY FLAT (FURNISH AND DECK):	184.28 SF (17.12m <sup>2</sup> )
EX. SHED:	922 SF (85.666m <sup>2</sup> )
NEW GRANNY FLAT:	2854.27 SF (265.17m <sup>2</sup> )
TOTAL LOT COVERAGE:	11,248.85 SF (1045.052m <sup>2</sup> )
LOT AREA:	25,334 SF (2352.5m <sup>2</sup> )
COVERAGE:	35%
ALLOWABLE:	11,248.85 SF (1045.052m <sup>2</sup> )
ALLOWABLE ACCESSORY APARTMENT AREA SHALL NOT EXCEED 10% OF THE GROSS FLOOR AREA OF THE MAIN BUILDING AND SHALL NOT EXCEED 100m <sup>2</sup> (1078SF)	
GROSS FLOOR AREA OF MAIN:	2343.99SF
GROSS FLOOR AREA OF ACCESSORY APARTMENT:	2854.27 SF
AREA OF ACCESSORY APARTMENT:	1426.51 SF
AREA OF DECK:	1427.76 SF
THE ACCESSORY APARTMENT IS 26 % OF THE GROSS FLOOR AREA	

**1 SITE PLAN**

A1 1/32"=1'-0"



**2 FLOOR PLAN**

A1 1/8"=1'-0"

TARA PORTER  
DESIGN

I, TARA PORTER HAVE REVIEWED AND TAKEN RESPONSIBILITY FOR THE DESIGN ACTIVITIES. I AM QUALIFIED AND AM REGISTERED WITH THE APPROPRIATE STRAIGHTENERS.

TARA PORTER BCIN: 24454 BCIN: 116867

LINARES RESIDENCE  
"GRANNY FLAT"

406 ELIZABETH ST.  
ST. MARVS ON.

PRINT DATE:	MAY 27, 2020
REVISION:	MINOR VARIANCE
DRAWN BY:	T.L.P.
SCALE:	AS NOTED
PROJECT No.:	20-407

SITE PLAN, FLOOR PLAN, & NOTES

**A1**