

Received July 8, 2020

**The Corporation of the Municipality of
Temagami**



Application to Amend the Official Plan
Application to Amend the Zoning By-law

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PLEASE READ BEFORE COMPLETING THIS APPLICATION

This application reflects the mandatory information that is prescribed in the schedules to Ontario Regulations 198/96 and 199/96 made under the Planning Act, R.S.O. 1990 as amended. In addition to this form, the Applicant will be required to submit the appropriate fee, site plan, and any additional information or studies that may be necessary to assess the

proposal. Failure to submit all of the required information may prevent or delay the consideration of the Application. If more space is required please use additional sheets. Three copies of the completed application accompanied by the fee, in the form of a cheque, are required upon submission of the application.

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

SECTION 1 APPLICANT INFORMATION			
1.1 Name of Owner(s). An owner's authorisation is required in Section 11.1, if the applicant is not the owner.			
Name of Owner(s) <u>Dwayne Hull</u>		Home Telephone No. [REDACTED]	
Business Telephone No.	Fax No.	Email Address [REDACTED]	
Address [REDACTED]		Postal Code [REDACTED]	
1.2 Agent/Applicant: Name of the person who is to be contacted about this application, if different than the owner. (This may be a person or a firm acting on behalf of the owner)			
Name of Owner(s)		Home Telephone No.	
Business Telephone No.	Fax No.	Email Address	
Address		Postal Code	
1.3 Communications to be between the Municipality and owner <u>Dwayne Hull</u> Applicant/Agent			
all			
2. LOCATION OF THE SUBJECT LAND (Complete applicable boxes in 2.1)			
2.1 Address <u>2 Sunset Crescent</u>			
District <u>Nipissing</u>	Township <u>Strathroy</u>	Former Municipality <u>Temagami</u>	Section or Mining Loc. No.
Concession Number (s)	Lot Number (s) <u>56</u>	Registered Plan No. <u>M 66</u>	Lot (s) Block(s)
Reference Plan No.	Part Number(s)	Parcel Number <u>14037</u>	Island Number. <u>[REDACTED]</u>
2.2 Are there any easements or restrictive covenants affecting the subject land?			
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, describe the easement or covenant and its effect.			
3. NAMES AND ADDRESSES OF ANY MORTGAGES< CHARGES OR OTHER ENCUMBRANCES IN RESPECT TO THE SUBJECT LANDS.			

4. DESCRIPTION OF SUBJECT LAND & SERVICING INFORMATION (Complete each section)				
4.1 Description	Frontage (m)	19 m		
	Depth(m)	52 m		
	Area (ha)	0.988 ha		
4.2 Use of Property	Existing Use(s)	Rental Apt		
	Proposed Use (s)	Retail / Rental Apt		
4.3 Access (check the appropriate space)	Provincial Highway	Hwy 11		
	Municipal road, maintained all year	Sunset Cres.		
	Municipal road, seasonally maintained			
	Other public road (e.g. LRB)			
	Right of way			
	Water access (if so please describe)			
If access to the subject land is by private toad, or if "other public road" or "right of way" was indicated in section 4.4, indicate who owns the land or road, who is responsible for its maintenance and whether it is maintained seasonally or all year				
If access to the subject land is by water describe the parking and docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road.				
4.4 Water Supply	Publicly owned and operated piped water system	✓		
	Privately owned and operated individual well			
	Privately owned and operated communal well			
	Lake or other water body			
	other means			
4.5 Sewage Disposal (check the appropriate space)	Publicly owned and operated sanitary sewage system	✓		
	Privately owned and operated individual septic tank			
	Privately owned and operated communal septic system			
	Privy			
	Other means			
4.6 Other services Check if the service is available	Electricity			
	School Bussing			
	Garbage Collection			
5. LAND USE				
5.1 What is the existing Official Plan designation(s), of the subject land? UC				
5.2 What is the existing Zoning? Medium Density Residential				
5.3 What is the Proposed Zoning /Official Plan designation? Neighbourhood Commercial				
5.4 Complete the following chart for all <u>existing</u> buildings or structures on the subject land				
	Building No. 1	Building No. 2	Building No. 3	Building No. 4

Type	house			
Height	2 storeys			
Dimensions	7.6m x 13.3m			
Ground Floor Area	101 sq m			
Date Constructed	1985			

5.5 Are any of the following uses or features on the subject land or within 500 meters of the subject land, unless otherwise specified.

Use or Feature	On the subject Land	Within 500 meters of subject land, Unless otherwise specified (indicate approximate distance)
An agricultural operation including livestock facility or stockyard	/	/
A landfill	/	/
A sewage treatment plant or waste stabilisation plant	/	/
A provincially significant wetland (class 1,2, or 3 wetland)	/	/
A provincially significant wetland within 120 meters of the subject property	/	/
Flood Plain	/	/
A rehabilitated mine site	/	/
A non-operating mine site within 1 kilometre of the subject land	/	/
A active railway line, a municipal/federal airport, utility corridors, Heritage Buildings, structures, sites	/	/

6. HISTORY OF THE SUBJECT LAND

6.1 Has the subject land ever been the subject of an application for approval of a previous official plan or zoning amendment? Zoning change from U.C. to Medium Density Residential and a Retail unit desired. bylaw 14-1177

☐ No ☒ Yes ☐ Unknown If yes and if known, provide the details and decision of the previous application

6.2 If this application is a re-submission or a previous consent application, describe how it has been changed from the original application

6.3 Provide the date that the subject land was acquired by the owner March 18, 2018

6.4 Provide the length of time that the existing uses of the subject lands have continued (Proof may be required) 2018 - 2020

7. CURRENT APPLICATION

7.1 Describe why this amendment is being requested:

Unbeknownst to current owner, Zoning had been changed in 2014. Owner purchased property under impression it was U.C.

7.2 Is the subject land the subject of any other planning approvals application at this time?

☐ Yes ☒ No If yes and if known specify the details and file number of the application

7.3 Complete the following chart for all **proposed** buildings or structures on the subject lands

	Building No. 1	Building No. 2	Building No. 3	Building No. 4
Type	/	/	/	/
Height	/	/	/	/
Dimensions	/	/	/	/

and a
Retail unit desired.
bylaw 14-1177
see
attached

(see
maps)
attached

Ground floor area				
Proposed Constructed Date				

8. SKETCH

The application shall be accompanied by a sketch showing the following:

- the boundaries and dimensions of the subject land;
- all existing and proposed buildings and structures on the subject land showing the distance of said buildings and structures from front, rear, and side lot lines
- the approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may effect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells septic tanks, steep slopes, and narrow waterbodies:
- the existing uses on adjacent lands
- 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, a right of way
- if access to the subject land is by water only,, the location of the parking and boat docking facilities to be used;
- the location and name of any easement affecting the subject land.

9. OFFICIAL PLAN AMENDMENT

9.1 Does this application involve an amendment to the Official Plan? ☐ Yes ☒ No if yes complete Section 9, if no skip to Section 10

9.2 What is the purpose of the proposed Official Plan Amendment?

9.3 Does the proposed Official Plan Amendment

Change policy	<input type="checkbox"/> yes	<input type="checkbox"/> No	delete policy	<input type="checkbox"/> Yes	<input type="checkbox"/> No
replace policy	<input type="checkbox"/> Yes	<input type="checkbox"/> No	adds policy	<input type="checkbox"/> Yes	<input type="checkbox"/> No

List all policy sections to be amended

9.4 Does the proposed Official Plan amendment change a land use designation within the Official Plan
☐ Yes ☐ No

9.5 What is the proposed Official Plan designation

10. AUTHORISATION

10.1 If the applicant is not the owner of the land that is the subject of this application, the written authorisation of the owner that the applicant is authorised to make the application must be included with this form or the authorisation set out below must be completed.

AUTHORISATION OF OWNER FOR AGENT TO MAKE THE APPLICATION

I, _____ am the owner of the land that is subject of this application and I authorise
 _____ to make this application on my Behalf.

 Date Signature of Owner



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

AUTHORISATION OF OWNER FOR AGENT TO PROVIDE PERSONAL INFORMATION

I, _____, am the owner of the land that is the subject of this application and for the purpose of the Freedom of Information and Protection of Privacy Act,

I authorise _____ 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.

Date

Signature of Owner

10.3 Consent of Owner

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

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

I, Dwayne Hull, 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, I authorise 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 for the purposes of processing this application.

Date

Signature of Owner

11. AFFIDAVIT OR SWORN DECLARATION

NOTE: ALL APPLICANTS SHALL ENSURE THAT A "COMPLETE APPLICATION" UNDER THE PLANNING ACT HAS BEEN MADE BEFORE COMPLETING SECTION II

I, Dwayne Hull of the municipality of Temagami in the Nipissing District make oath and say (or solemnly declare) that the information contained in this application is true and that the information contained in the documents that accompany this application is true. Sworn (or declared) before me

at the Municipal Office
in the town of Temagami, On

this 8th day of July 2020

Commissioner of Oaths

Applicant

Suzie Fournier, a Commissioner, etc.,
Municipality of the
Municipality of Temagami

12. Check List

Applicants check list: **HAVE YOU REMEMBERED TO ATTACH:**

3 copies of the complete application form
3 copies of the required sketch
2 copies of any required technical or justification study
the required fee, cheque payable to the Municipality of Temagami

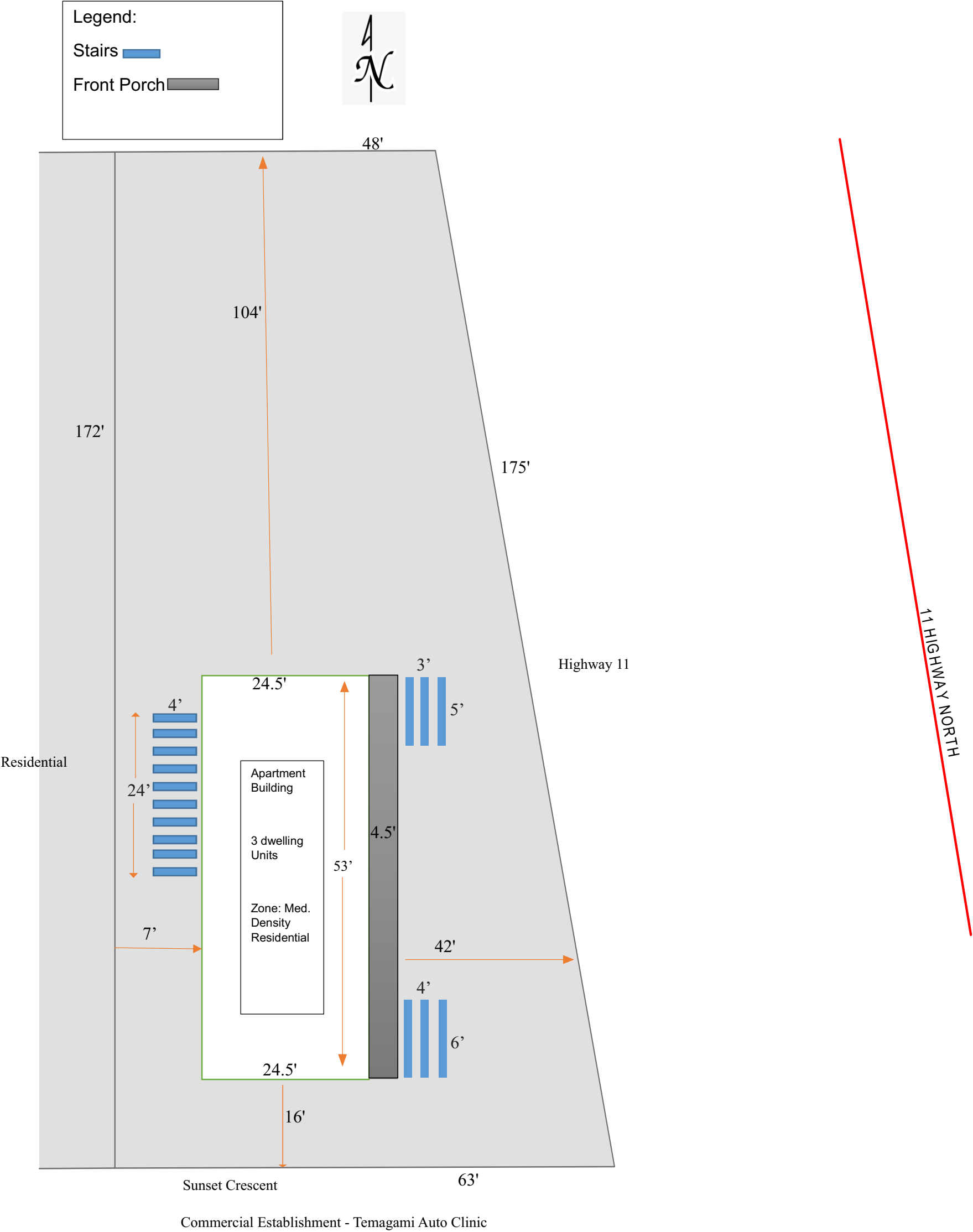
CONSENT OF OWNER – SITE VISIT

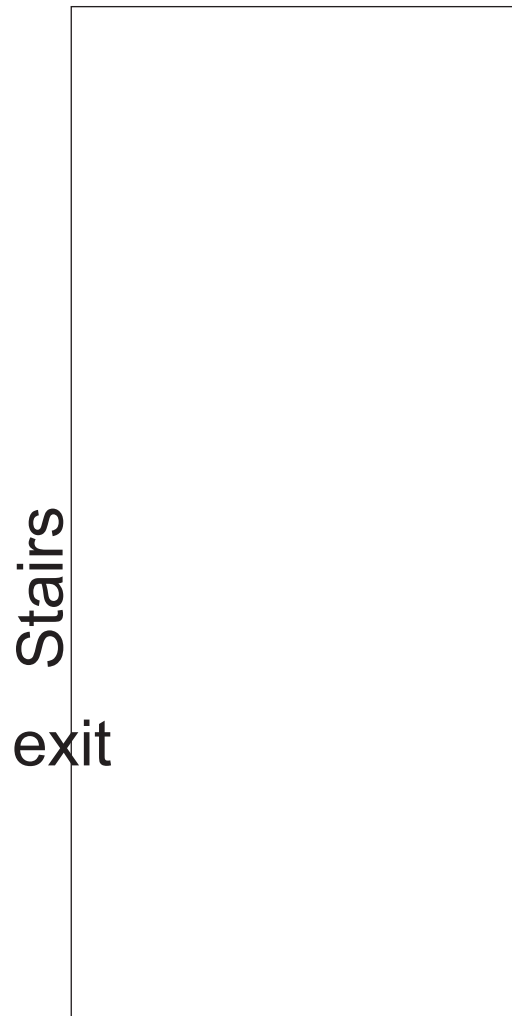
I, Dwayne Hall, am the owner of the land that is subject of this application and I authorise municipal staff, committee of adjustment members, and council members to enter onto the property to gather information necessary for assessing this application.

July 7, 2020
Date

[Redacted Signature]
Signature

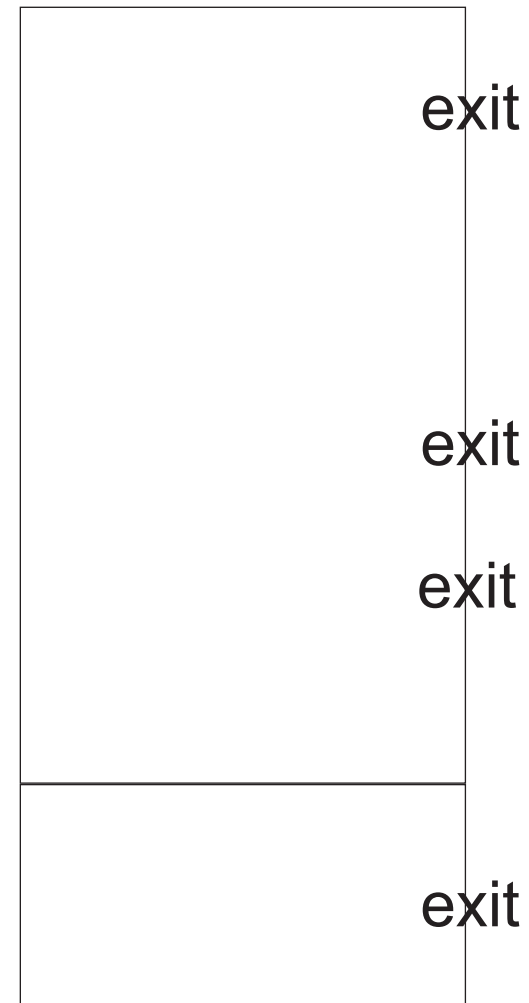
Site Sketch





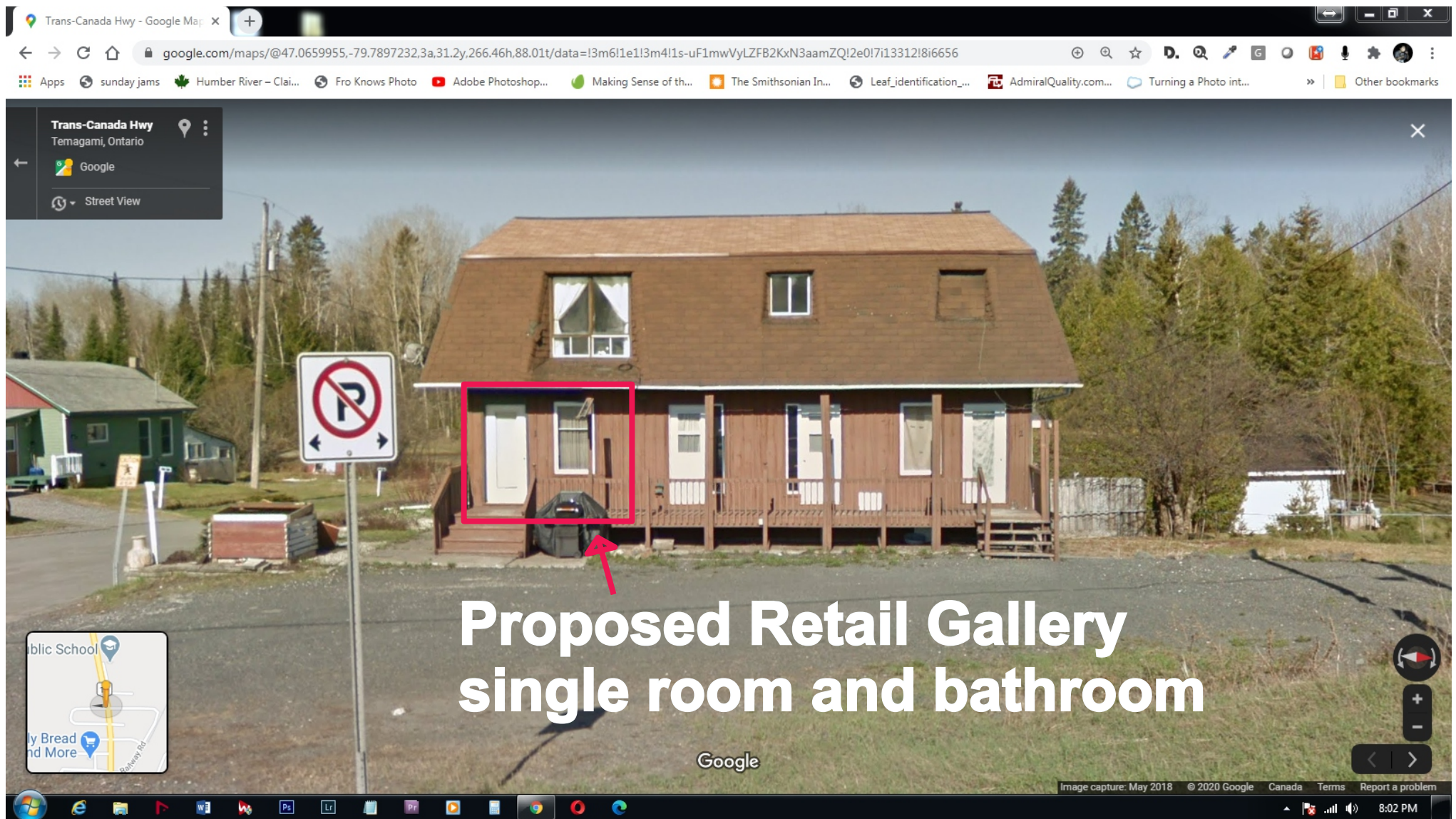
Top Floor
22 x 50

Bottom Residence
38 x 22



retail unit
11 x 22





2 Sunset Crescent

THE CORPORATION OF THE
TEMAGAMI
P.O. BOX 220
TEMAGAMI, ONTARIO P0H 2H0
(705) 569-3421
FAX: (705) 569-2834
E-MAIL: visit@temagami.ca
WEBSITE: www.temagami.ca



LETTER OF AUTHORIZATION

DATE:

I/ WE John Shymko am/ are the owner(s) of the land that is subject

of this application and I/WE authorize Dwayne Hull the agent to act on my/our
behalf for the purposes of planning inquiries, pre-consultation and submitting applications.

This request and authorization applies to:

- ☒ The Agent to disclose personal information.
- ☒ The consent of owner(s) to the use & disclosure of personal information.
- ☒ The Consent of owner(s) for site visits.

I/WE hereby as per the *Freedom of Information and Privacy Act*, authorize and consent to the disclosure to any person or public body of any personal information collected under the authority of the *Planning Act* for the purposes of processing the application.

X

Signature of Owner(s) John Shymko

X

Signature of Owner(s)

THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

BY-LAW NO. 14-1177

Being a by-law to amend By-law No. 06-650, the Comprehensive Zoning By-law of the Municipality of Temagami.

WHEREAS the Council of the Corporation of the Municipality of Temagami is empowered to pass by-laws to regulate the use of lands pursuant to Section 34 of the Planning Act, R.S.O. 1990, as amended;

AND WHEREAS a public hearing was held on the 20th day of February, 2014 regarding application number Z-14-01;

AND WHEREAS the Council of the Corporation of the Municipality of Temagami deems it advisable to amend By-law No. 06-650 (the Comprehensive Zoning By-law of the Municipality of Temagami);

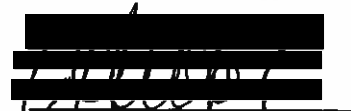
NOW THEREFORE the Council of the Corporation of the Municipality of Temagami enacts as follows:


1. That Section 7.8.4 - Exceptions of By-law 06-650, as amended, is hereby amended by adding the following words:
"Notwithstanding any other provisions of this By-law, on the land described as 2 Sunset Crescent; STRATHY PLAN M66 PT LOT 56;PCL 14037 NIP the permitted uses are limited to:
• an apartment building containing three dwelling units, in accordance with the 'fourplex dwelling or lot' requirements of Section 7.8.2
• accessory buildings, in accordance with Section 6.04"
2. That Schedule 'A-10' of Zoning By-law 06-650, as amended, is hereby amended by changing the zone classification on certain lands described as 2 Sunset Crescent; STRATHY PLAN M66 PT LOT 56;PCL 14037 NIP from the Urban Commercial (UC) Zone to the Medium Density Residential Exception One (RM-1) Zone on the lands as identified on Schedule "A-1" attached hereto and forming part of the By-law.
3. That this By-law shall become effective on the date hereof with:
 - (i) the expiration of the time period specified for the filing of objections by the notice of the passing of this By-law, provided that no notice of objections has been filed within the time period specified; or
 - (ii) the determination or direction of the Ontario Municipal Board where an objection to the approval of this By-law has been filed within the time period specified in the notice of the passing of this By-law.

4. That the Clerk of the Municipality of Temagami is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the by-law and schedules, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

TAKEN AS READ A FIRST time on this 13th day of March 2014;

READ A SECOND AND THIRD time and finally passed this 13th day of March 2014.


Mayor

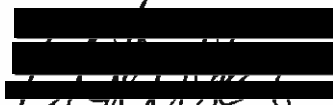

Clerk


SCHEDULE A-1
By-law 14-1177
2 Sunset Crescent; STRATHY PLAN M66 PT LOT 56;PCL 14037 NIP
Municipality of Temagami



 Subject Land

This Schedule "A-1" to By-law 14-1177
Passed this 13th day of March, 2014


Mayor


Clerk

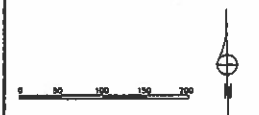
2006

A-10

2011.9

MAP 'A-10' ZONING

THE CORPORATION OF
THE MUNICIPALITY OF
TEMAGAMI



KEY MAP

N.T.S.

LEGEND

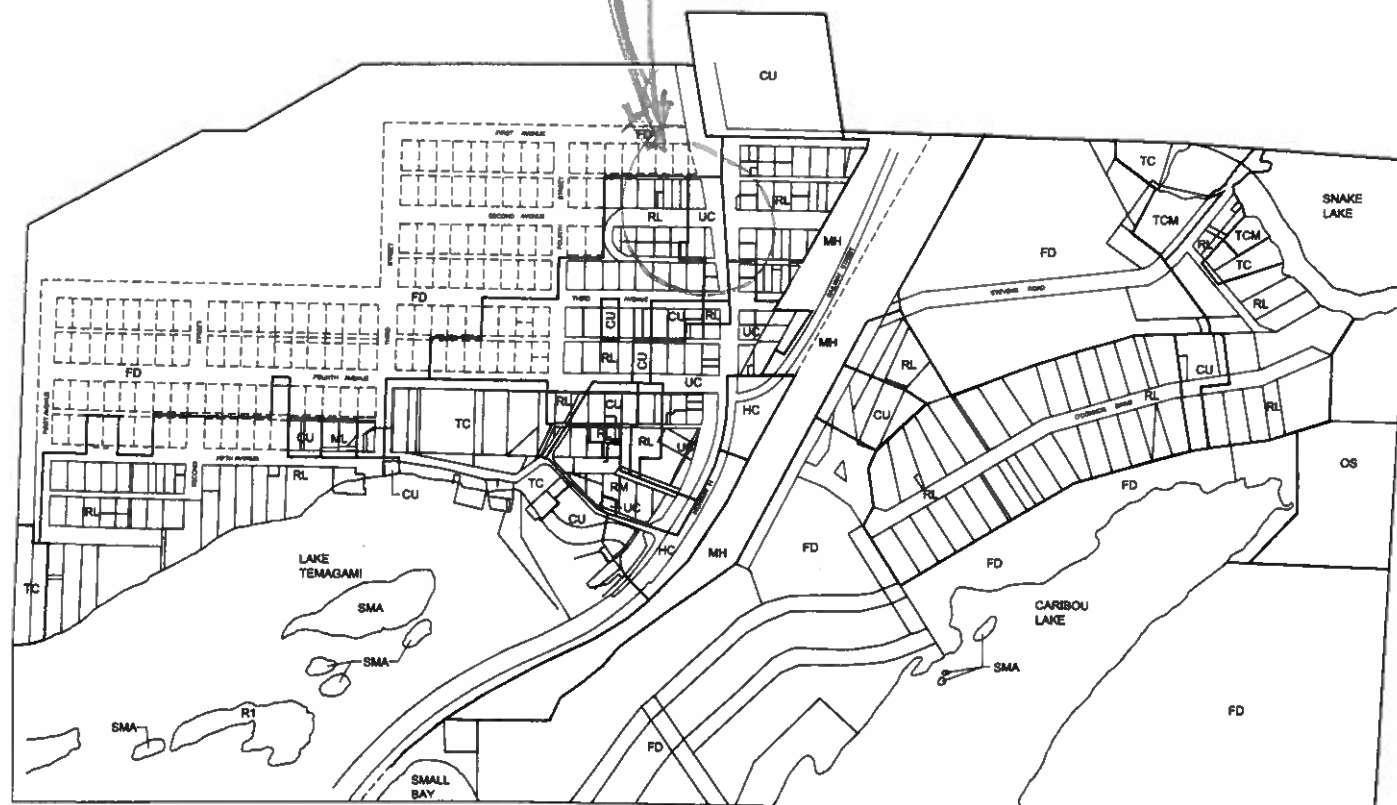
PA	PROTECTED AREA (PA) ZONE
SMA	SPECIAL MANAGEMENT AREA (SMA) ZONE
IMA	INTEGRATED MANAGEMENT AREA (IMA) ZONE
R1	REMOTE RESIDENTIAL (R1) ZONE (LAKE TEMAGAMI)
R2	REMOTE RESIDENTIAL (R2) ZONE
R3	RURAL RESIDENTIAL (R3) ZONE
RL	LOW DENSITY RESIDENTIAL (RL) ZONE
RM	MEDIUM DENSITY RESIDENTIAL (RM) ZONE
RMH	MOBILE HOME PARK RESIDENTIAL (RMH) ZONE
TC	TOURIST COMMERCIAL (TC) ZONE
TCYC	TOURIST COMMERCIAL YOUTH CAMP (TCYC) ZONE
TCM	TOURIST COMMERCIAL MARINA (TCM) ZONE
UC	URBAN COMMERCIAL (UC) ZONE
HC	HIGHWAY COMMERCIAL (HC) ZONE
NC	NEIGHBOURHOOD COMMERCIAL (NC) ZONE
ML	LIGHT INDUSTRIAL (ML) ZONE
MH	HEAVY INDUSTRIAL (MH) ZONE
MA	MINERAL AGGREGATE (MA) ZONE
P	PARK (P) ZONE
OS	OPEN SPACE (OS) ZONE
CU	COMMUNITY USE (CU) ZONE
WD	WASTE DISPOSAL (WD) ZONE
FD	FUTURE DEVELOPMENT (FD) ZONE

NOTES:

THIS SCHEDULE FORMS PART OF THE ZONING BY-LAW OF THE MUNICIPALITY OF TEMAGAMI AND MUST BE READ IN CONJUNCTION WITH THE TEXT AND OTHER SCHEDULES.

UNLESS OTHERWISE NOTED, ALL ISLANDS WITHIN THE PROTECTED MANAGEMENT AREA ZONE, SPECIAL MANAGEMENT AREA ZONE OR INTEGRATED MANAGEMENT AREA ZONE ARE ZONED PROTECTED MANAGEMENT AREA ZONE, SPECIAL MANAGEMENT AREA ZONE OR INTEGRATED MANAGEMENT AREA ZONE RESPECTIVELY.

REVISED 2011.9



VILLAGE OF TEMAGAMI NEIGHBOURHOOD