

Municipality of Shuniah – Application for Minor Variance

FOR OFFICE USE ONLY		Application No.: <u>A26-2</u>	
Date of Pre-consultation	<u>JUNE 16 - 17 JULY 2</u>	Receipt No.:	<u>77985</u>
Pre-Consultation Fee	<u>\$ 500.00</u>	Receipt No.:	<u>76001</u>
Date Complete App Received	<u>JULY 2, 2020</u>	Cheque No.:	<u>011</u>
Application Fee	<u>\$ 400.00</u>		
LRCA Fee	<u>\$ 275.00</u>		
Date Notice Given			

1. Registered Owner:

Owner's Name (List Association Name if applicable):

WILLIAM AND CONSTANCE NEILPOVITZ

Owner's Mailing Address: [REDACTED]

City/Town/Municipality: [REDACTED]

Prov.: [REDACTED]

Postal Code: [REDACTED]

Phone: [REDACTED]

Cell: [REDACTED]

Alternate: [REDACTED]

Email Address: [REDACTED]

Alternate Email Address: [REDACTED]

2. Applicant/Agent Information: (If different from Registered Owner, an Owner's authorization is required, see Schedule A)

Applicant's Name: PETER SPECHTSolicitor/Authorized Agent/Firm: PETER D. SPECHT CARPENTRY INC.Applicant's Mailing Address: 1611 GORDON RD.City/Town/Municipality: THUNDER BAYProv.: ONT.Postal Code: P7G 1S8

Phone: [REDACTED]

Cell: 807 627-2545

Alternate: [REDACTED]

Email Address: pds@carpentry@tbaytel.net

Alternate Email Address: [REDACTED]

Send Correspondence To? (Check all that apply) ☒ Owner ☒ Applicant ☐ Agent/Solicitor

3. Location of Subject Property:

Property Address (and site description if in an Association): 1841 LAKESHORE DRIVEMINING LOC 10 HERRICK'S PT LOT 2✓ Property Roll Number - 58-28-0 10-00 4-39300-0000 (obtained from tax bill or assessment notice)

Concession No.	Section No.
Registered Plan No.	Lot(s) No. <u>2 (PART LOT 2)</u>
Mining Location <u>10</u>	Reference Plan No. Pts.

Road access: Fire No. and Common Road Name 1841 LAKESHORE DRIVE

✓ Road Ownership: ☐ Municipality ☒ Ministry of Transportation
☐ Private ☐ Other

Water access (if applicable):

(a) If the proposed access is by water, please describe the nearest public boat launching and car parking facility and if secured by registered easement.

N/A(b) How far is it from the property, and what facilities are there? N/A

Other access: (Specify) _____

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4. Encumbrances:

- 4.1 Please indicate the nature of any restrictive covenants or easements affecting the subject property and describe each easement or covenant and its effect.

N/A

- 4.2 If known, the name of person(s) to whom the property or interest in property is to be conveyed, leased or mortgaged.

N/A

5. Nature and extend of relief applied for: (By-law # 4.6.2 Section: d)

✓ THE ABOVE BY-LAW AND SECTION DESCRIBES A MAXIMUM FLOOR AREA FOR AN ACCESSORY BUILDING AS 140 SQUARE METRES. THE PROPOSED GARAGE PLAN HAS AN AREA OF 156.1 SQUARE METRES, WHICH IS 16.1 SQUARE METERS LARGER THAN THE MAXIMUM AREA.

6. Why is it not possible to comply with the provisions of the zoning by-law?

✓ OUR PREVIOUS GARAGE, WHICH WAS DESTROYED BY FIRE, WAS A 2 STOREY BUILDING. THE PROPOSED GARAGE IS ONLY ONE STOREY. HOWEVER, WE STILL REQUIRE THE SAME SPACE FOR VEHICLES, TRACTOR, LAWN EQUIPMENT, TRACTOR, WORKSHOP, TOOLS, AND GENERAL STORAGE.

7. Dimensions of the subject property affected:

Frontage 113.71 metresDepth 280.24 metresArea 31,866.1 square metres (7.3 acres)Width of Street 16.6 metres (including shoulder)Date Land Acquired: 1993, July 30th

8. Location and use of buildings and structures as shown on sketch – must include height, distance to front and rear of lot line, side lot lines, floor area, distance to all other buildings, including distances to abutting property buildings (in meters) – Additional Structure Page Included? (see application page 10) [] Yes [x] No

List All Existing Buildings (i.e., Residential Dwelling, Garage, Storage Shed, Bunkhouse, Commercial Shop, Office Building) Include these distances on your site plan.				Proposed Building(s) and Use of building These distances are to be included on your site plan shown as "proposed".			
Date Constructed: 2006 Structure Type: Main Dwelling				Proposed Structure Type: Garage			
to Front Yard	21.5 m	to Rear Yard	60 m	to Front Yard	40 m	to Rear Yard	11 m
to East Side Yard	9 m	to West Side Yard	13 m	to East Side Yard	5 m	to West Side Yard	19 m
Area	381 m ²	Height	10 m	Area	100 m ²	Height	6 m
Separation distance to Proposed Garage	14 m	Separation distance to	m	Separation distance to Main Dwelling	14 m	Separation distance to	m
Date Constructed: 1970 Structure Type: MAIN DWELLING				Proposed Structure Type: GARAGE			
to Front Yard	186.7 m	to Rear Yard	80.14 m	to Front Yard	140.5 m	to Rear Yard	126.94 m
to East Side Yard	23 m	to West Side Yard	57.61 m	to East Side Yard	4.57 m	to West Side Yard	96.77 m
Area	206.97 m ²	Height	6.72 m	Area	156.1 m ²	Height	5.87 m
Separation distance to Proposed Garage	34 m	Separation distance to	m	Separation distance to Main Dwelling	34 m	Separation distance to SHED	44.5 m
Date Constructed: 1999 Structure Type: SHED				Proposed Structure Type:			
to Front Yard	91 m	to Rear Yard	184.24 m	to Front Yard	m	to Rear Yard	m
to East Side Yard	30 m	to West Side Yard	77.51 m	to Side Yard	m	to Side Yard	m
Area	31 m ²	Height	4.3 m	Area	m ²	Height	m
Separation distance to Proposed Garage	49.5 m	Separation distance to	m	Separation distance to	m	Separation distance to	m

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9. Existing use of property (residential, commercial etc.):

Subject Property: RESIDENTIALLength of time of existing use: 33 years

10. Additional information – particulars of all buildings and structures on or proposed for the subject property (specify ground floor area, gross floor area, number of storeys, width, length, height, etc.):

SINGLE FAMILY DWELLING: 2 STOREYS, GROUND FLOOR AREA: 206.99 m², total floor area 270.55 m²
DIMENSIONS: 33.1 m x 13.4 m x 6.72 m.Existing: SHED: 1 STOREY, GROUND FLOOR AREA: 31 m² DIMENSIONS: 6.2 m x 5 m x 4.3 m.Proposed: GARAGE: 1 STOREY, GROUND FLOOR AREA: 156.1 m² DIMENSIONS: 12.19 m x 12.8 m x 5.87 m.

11. Former Use of Property Table (check as applicable):

Does the Owner own Adjoining Property?	☒ Yes	☐ No	☐ Unknown
Is there any reason to believe that the site or adjacent site may be environmentally contaminated?	☐ Yes	☒ No	☐ Unknown
Has an industrial or commercial use, or an orchard, been on or adjacent to the property?	☐ Yes	☒ No	☐ Unknown
Has lot grading been changed by adding or removing earth or other material?	☐ Yes	☒ No	☐ Unknown
Has a gas station been located on the subject property or adjacent land at any time?	☐ Yes	☒ No	☐ Unknown
Has there been petroleum or other fuel stored on the subject property or adjacent land?	☐ Yes	☒ No	☐ Unknown
Has the Ministry of the Environment, Conservation and Parks, or any other agency formally or informally advised the owners that the property is or may be contaminated?	☐ Yes	☒ No	☐ Unknown

11.1 What information did you use to determine the answers to the above questions on former uses?

INFORMATION WAS GATHERED FROM OURSELVES AND THE PREVIOUS OWNER.11.2 If you answered YES to any of Section 11 Former Use of Property Table, a previous use inventory showing all former uses of the subject property, or if appropriate, the land adjacent to the subject property is needed. Is the previous use inventory attached? ☐ Yes ☒ No

If the inventory is not attached, please explain.

THE ADJACENT PROPERTY WE OWN IS NOT DEVELOPED OR USED IN ANY WAY, OTHER THAN FOR TRAILS AND SOME STORAGE.11.3 If you answered Yes to any of the questions related to Section 11 Former Use of Property Table, was an Environmental Site Assessment (ESA) conducted under the Environmental Assessment Act or has a Record of Site Condition (RSC) been filed? ☐ Yes ☒ No ☐ Unknown

If no, why not? Explain on a separate page, if necessary.

THE ADJACENT PROPERTY WE OWN IS NOT DEVELOPED OR USED IN ANY WAY, OTHER THAN FOR TRAILS AND SOME STORAGE.

12. Uses adjacent to the subject property:

North RURAL / RESIDENTIALSouth RURAL / RESIDENTIAL CREast RURAL / RESIDENTIAL (TO CLARIFY: WE OWN THIS PROPERTY AND IT IS UNDEVELOPED)West RURAL / RESIDENTIAL

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13. Current Development Applications:

Not including this application, has the subject property or any abutting land ever been, or currently in the process of any other planning application, including applications before Ontario Land Tribunal (OLT), for approval of (check all that apply):

☐ Zoning By-law Amendment ☐ Consent ☐ Minor Variance ☐ Site Plan Approval
☐ Official Plan Amendment ☐ Plan of subdivision/Condominium ☐ Minister's zoning order

If yes, and if known, specify: the file number; the approval Authority; the land it affects; its purpose; its status, and its effect on the proposed amendment:

N/A.

14. Existing official plan designation:

Rⁱⁿ REⁱⁿ - RESIDENTIAL

15. Existing zoning, permitted uses, if it's located in a high-density area:

^N THIS LOT IS NOT IN A HIGH-DENSITY AREA. THIS LOT HAS 2 DIFFERENT ZONES: HIGHWAY COMMERCIAL (HC) AND RURAL (R). THE PROPOSED GARAGE IS IN THE HC ZONE. UNDER SHUNIAH'S ZONING BY-LAW SECTION 26.1, PERMITTED USE OF A STRUCTURE CAN BE CHARACTERIZED BY (IN THIS CASE), AN ACCESSORY BUILDING, EXCLUSIVELY DEVOTED TO A PERMITTED USE WHICH MAY BE USED LEGALLY AS A PERMITTED USE WHERE THE PRIMARY COMMERCIAL USE IS TERMINATED.

16. Servicing – Water:

☐ Private: lake, well, or other (specify) WELL
☐ Is it compliant with Provincial Standards? YES

17. Servicing – Sewage:

☐ Private: septic (Class 4) Other (specify) _____
☐ Is it compliant with Provincial Standards? _____

A certificate of approval from the Thunder Bay District Health Unit or Ministry of the Environment, Conservation and Parks submitted with this application will facilitate the review.

NOTE: THERE IS NO WATER/PLUMBING OR SEWER IN THE PROPOSED GARAGE

18. Servicing – Storm Drain:

☐ Provided: sewer, ditches, swales, other (specify) _____
☒ None

19. Other information:

Is there any other information you think may be useful to the Municipality or agencies in reviewing this application? If so, explain below or attach on a separate page.

OUR ORIGINAL GARAGE WAS DESTROYED COMPLETELY BY FIRE. IT HAD A SECOND STOREY, WHICH WE ARE ELIMINATING FOR OUR REBUILD. TO COMPENSATE FOR THE EXTRA ROOM REQUIRED ON THE MAIN FLOOR FOR VEHICLES, TRACTOR, WORKSHOP AND MUCH STORAGE, WE REQUIRE A LARGER SQUARE FOOTAGE FOR THE MAIN FLOOR OF THE PROPOSED GARAGE.

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AFFIDAVIT OR SWORN DECLARATION I/We, <u>WILLIAM & CONSTANCE NEELIPONTZ</u> of the City/District/Regional Municipality of <u>[REDACTED]</u> in the City/District/Regional Municipality of <u>[REDACTED]</u> solemnly declare that all the statements contained in this application are true, and I/We make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.	
SWORN/AFFIRMED /DECLARED before me at the <u>CITY OF THUNDER BAY</u> In the Province) Of Ontario this <u>JULY</u> , day of <u>20 26</u>)	 SIGNATURE KERRY BELLAMY, Clerk MUNICIPALITY OF SHUNIAH "Commissioner for taking Affidavits"
A Commissioner for taking Affidavits. <u>K Bellamy</u> signature	stamp
CONSENT OF THE APPLICANT: AUTHORIZATION OF APPLICANT TO THE USE AND DISCLOSURE OF PERSONAL INFORMATION Complete the consent of the applicant concerning personal information set out below. I, <u>WILLIAM & CONSTANCE NEELIPONTZ</u>, am the applicant for this planning application, and for the purposes of the <i>Freedom of Information and Protection of Privacy Act</i> 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 <i>Planning Act</i> for the purposes of processing this application. <u>JULY 2, 2026</u> Date <u>[Signature]</u> Signature of Applicant	

NOTE:

1. Each application must be accompanied with a fee according to the most recent Fees and Tariffs By-law.
2. ALL questions **MUST** be answered fully and the sketch completed **BEFORE** the application(s) will be accepted for processing.
3. A sketch must accompany the application showing,
 - a) The boundaries and dimensions of the subject property;
 - b) The location, size and type of all existing and proposed buildings and structures on the subject property, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines;
 - c) The approximate location of all natural and artificial features on the subject property and on the land that is adjacent to the subject property that, in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, slopes (contour lines), drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks. See also Official Plan Schedule B1 Constraints Map. (NOTE: the LRCA Regulates 30m around all wetlands);
 - d) The existing uses on adjacent land, such as residential, agricultural and commercial uses;
 - e) The locations, width and name of any roads within or abutting the subject property, indicating whether it is an unopen road allowance, a public travelled road, a private road or a right of way;
 - f) If access to the subject property is by water only, the location of the parking and boat docking facilities to be used;
 - g) The location and nature of any easement affecting the subject property.

PLEASE ENSURE **ALL** PERTINENT INFORMATION IS CONTAINED ON A SINGLE SKETCH ONLY. THE MAXIMUM SIZE FOR THE ACCOMPANYING SKETCH SHALL BE **11" X 17"**.

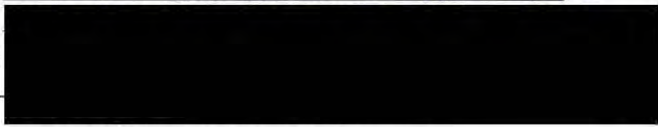
4. If applicable, property owner's authorization letter attached as Schedule A.

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EXAMPLE OWNERS LETTER OF AUTHORIZATION

If there are multiple owners, an authorization letter must be provided by each

Schedule A

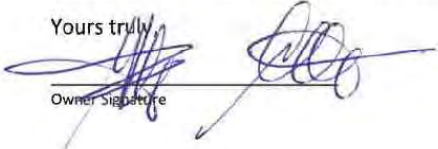
Date: JULY 1, 2026
Owner Name: WILLIAM AND CONSTANCE NEILPOVITZ
Address: 
Phone Number: 
Email: 
Attention: Committee of Adjustment, Secretary-Treasurer
Subject: Owners Letter of Authorization
RE: Subject Lands at
Lot: MINING LOC 10 HERRICK'S LOT 2 (PART LOT 2)
Plan: _____
Address: 1841 LAKESHORE DRIVE

Dear Approval Authority:

I, WILLIAM & CONSTANCE NEILPOVITZ, am the owner of the land that is the subject of this planning application and I authorize PETER SPECHT to make this application on my behalf as described in the attached site plan. For the purposes of the Freedom of Information and Protection of Privacy Act, I authorize PETER SPECHT as my agent for this application, to provide any of my personal information that will be included in this application or collected during the process on of the application, and 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 for the purposes of processing this application.

Please do not hesitate to contact me if there are any further questions.

Yours truly,


Owner Signature