

THE CORPORATION OF THE MUNICIPALITY OF HURON SHORES

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

PLEASE READ BEFORE COMPLETING THIS APPLICATION

This application reflects the mandatory information that is prescribed in the Schedules to Ontario Regulations 543/06 and 545/06 made under the Planning Act, RSO, 1990, as amended. In addition to completing this form, the Applicant shall be required to submit the appropriate fee, a detailed site plan and any additional information or studies that may be necessary to assess the proposal.

Failure to submit the required information will delay the consideration of this Application. An application which is not considered complete under the Planning Act is not subject to the timelines of the Act. Applicants are encouraged to consult with the Municipality prior to completing the application.

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

Date of Application September 11, 2024

1. Applicant Information

1.1 Name of Owner(s). An owner's authorization is required in Section 13 if the applicant is not the owner.		
Name of Owner(s) <i>Kansas City Realty Corporation</i>	Home Phone No.	Business Phone No. <i>705-949-5411</i>
Address <i>301-369 Queen St. E Sault Ste. Marie ON</i>	Postal Code <i>P6A 1Z4</i>	Fax No. <i>705-949-9899</i>
Email <i>christian@provenzano.ca</i>	Cell 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 firm acting on behalf of the owner. See Section 13)		
Name of Contact Person/Agent <i>Provenzano Law Professional Corporation</i>	Home Phone No.	Business Phone No. <i>705-949-5411</i>
Address <i>301-369 Queen St. E Sault Ste. Marie ON</i>	Postal Code <i>P6A 1Z4</i>	Fax No. <i>705-949-9899</i>
Email <i>wes@provenzano.ca</i>	Cell No.	
1.3 Indicate the contact for this application (check one please)		
Owner <input checked="" type="checkbox"/> Applicant/Agent <input checked="" type="checkbox"/> <i>both</i>		

For Office Use Only	
Date Application Received	
Date Application deemed to be complete	

THE CORPORATION OF THE MUNICIPALITY OF HURON SHORES

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

2. Location of the Subject Land (Complete applicable boxes in 2.1)

2.1 Municipal Address (<i>mailing address</i>) <i>435 Melwet Rd, Iron Bridge, ON</i>			Postal Code <i>P0R 1H0</i>
Concession Number(s) <i>See Schedule</i>	Lot Number(s)	Registered Plan No.	Lot(s)/Block(s)
Reference Plan No.	Part Number(s)	Parcel Number(s)	Former Township
Assessment Roll No.			
2.2 Are there any easements or restrictive covenants affecting the subject land? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, describe the easement or covenant and its effect. <i>N/A</i>			

3. Names and Addresses of any holders of mortgages, charges or other encumbrances of the subject lands (attach separate page if required).

① Sault Financial Corp. Limited

② Busi-ness Inc.

*c/o 301-369 Queen St. E Sault Ste. Marie ON
P6A 1Z4*

4. Description of the property and servicing information (Complete each section using metric units only).

4.1 Dimensions *See Schedule 9 Site Plan*

Lot Frontage – Street Side (m)	Lot Frontage – Water Side (m)	Lot Depth (m)	Lot Area (ha) or (sq. m.)

THE CORPORATION OF THE MUNICIPALITY OF HURON SHORES

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

4.2 Access (Check appropriate box and state road name) :

- Highway (#) _____
- Municipal Road, Maintained Year Round Melwel Rd
- Municipal Road, Seasonally Maintained _____
- Public Road, Unmaintained (Abandoned) _____
- Private Road _____
- Right of Way (Provide Proof of legal right-of-way or written agreement to consent to legalize existing right-of-way) _____
- Water Access Big Basswood Lake

4.3 If private road, describe location and properties on which private road traverses along with written proof of permission to use or written proof of commitment of the landowner of lands subject to this application and all landowners providing access by said private road, to have such access registered at the land registry office .

N/A

4.4 If access is by right-of-way, describe right-of-way and properties on which right-of-way exists along with written proof that subject lands have legal right of to use said right-of-way or written proof of commitment of the landowner of lands subject to this application and all landowners providing access by said right-of-way, to have such right-of-way registered at the land registry office.

See consent application

THE CORPORATION OF THE MUNICIPALITY OF HURON SHORES

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

4.5 If water access only, describe the location of parking and docking facilities to be used, and the distance from the subject lands indicating whether said parking and docking is public or private, along with written proof of permission to use or written proof of commitment of landowners to enter into an agreement to be registered at land registry.

N/A

4.6 Water Supply (Check appropriate box for type of service proposed) :

- Publicly owned and operated piped water system
 - Privately owned and operated piped water system (communal)
 - Drilled Well
 - Sand Point
 - Lake or other water body
 - Other means (please state)
-
- Water Service not proposed

4.7 Sewage Disposal (Check appropriate box for type of service proposed) :

- Publicly owned and operated sanitary sewage system
 - Privately owned and operated individual septic system *
 - Privately owned and operated communal septic system *
 - Privy
 - Holding Tank
 - Other (Please State)
- current: holding tanks and individual systems
intention: each lot to have its own septic system (new except proposed lot #7 (vacant land)).
-
- Sewage Disposal Service not proposed
- *If either of these items checked, please see Section 4.10.

Proposed lot #3 will keep its current septic system.

4.8 Other Services (Check if the service is available) :

- Electricity
- School Bussing
- Garbage Collection

THE CORPORATION OF THE MUNICIPALITY OF HURON SHORES

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

4.9 Storm Drainage (indicate the proposed storm drainage system):

- Storm sewers
- Ditches } as currently existing
- Swales }
- Other (please state)

4.10 Where development will produce more than 4500 litres of effluent a day, applicants are required to submit a servicing options report and a hydrogeological report: *N/A*

Title and date of servicing options report:

Title and date of hydrogeological report:

5. Planning Information

5.1 Official Plan Land Use Policy Area Designation(s) (current) of the subject land:

Waterfront Policy Area

5.2 Provide an explanation of how application conforms to the Official Plan:

Section 25.8.5 provides the ability for land division to take place where there are existing lots and more than one dwelling, where such dwellings have existed for the requisite timeline.
Section 25.8 permits up to two (2) consents for residential uses.

THE CORPORATION OF THE MUNICIPALITY OF HURON SHORES

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

5.3 If an Official Plan Amendment is being requested, will the change
(Check all appropriate boxes):

Replace or delete existing policy(ies). If yes, list all policy sections affected

N/A

Change a land use Policy Area designation on property(ies). If yes, what is (are) the proposed Policy Area land use designation(s) changes

N/A

Alter the boundary of settlement area (i.e. town, village, hamlet). If yes, name the settlement area and provide sketch of area affected.

N/A

(Note: If applicant is requesting a change to a policy, they are required to provide the proposed text of the policy(ies). If applicants are requesting a change to a Land Use Schedule, they are required to provide a map or schedule showing the proposed new land just designation for the affected property(ies).)

5.4 Reason why official plan amendment is being requested:

N/A

THE CORPORATION OF THE MUNICIPALITY OF HURON SHORES

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

5.5 Existing Zoning on Subject Lands:

RC Recreation Commercial

5.6 Zoning Requested:

W.Rcc Waterfront Recreational - Proposed Lots #1,2,4,5,6,7,8

RW Waterfront Residential - Proposed Lot #3

5.7 Reason why rezoning is being requested:

The owner purchased the property in October 2021, with the intention of operating the seasonal resort business and it has done so since then.

Following the completion of the 2023 season, the owner assessed the future prospects of the business and determined that the historical operation of the business model was no longer viable. Following extended investigation and consideration, the owner decided to pursue this application.

6. Description of Subject Land

6.1 Frontage on street side (m) _____

Frontage on water side (m) _____

6.2 Lot Depth (m) _____ See Site Plan

6.3 Lot Area _____ ha _____ m²

7. Settlement Area Boundary

7.1 Does this application propose to change the boundary of a settlement area (e.g. town, village or hamlet)

Yes No *If Yes, provide description:*

N/A

THE CORPORATION OF THE MUNICIPALITY OF HURON SHORES

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

8. Employment Area

8.1 Will this application remove land from a designated employment area? (Check appropriate box).

- Converts all or part of a commercial, industrial or institutional building to a residential use.
- Converts a brownfield site to a residential use
- Application is for residential use on land designated for a commercial, industrial or institutional use.
- Does not remove any employment land.

9. Existing Use(s) of Property Building or Structure #1

9.1 State all existing use(s) of the property (Check appropriate box(es)):

- Residential
- Commercial
- Industrial
- Institutional
- Agricultural
- Vacant
- Mixed Use: (Please state)

Seasonal resort - cabins/recreation
"Melwcl Lodge"

- Other: (Please state)

9.2 List all existing buildings and structures (including accessory buildings and structures) on the property by completing the following Table: (If more than 5 buildings or structures, please use separate page to provide description):

See Schedule.

THE CORPORATION OF THE MUNICIPALITY OF HURON SHORES

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

Item	Building or Structure #1	Building or Structure #2	Building or Structure #3	Building or Structure #4	Building or Structure #5
Existing type or use of each building and structure	See Schedule				
Height (m)					
Setback from front lot line (m)					
Setback from rear lot line (m)					
Setback from side lot line - one side (m)					
Setback from side lot line - other side (m)					
Setback from shoreline (m)					
Dimensions (m) or floor area (m ²)					
Year Building or structure constructed					

9.3 How many existing parking spaces are provided on the subject land?
N/A spaces.

9.4 State the existing use of land on abutting properties:

North: Crown Land South: Waterfront Recreational
 East: Meluel Rd / Residential West: Basswood Lake

THE CORPORATION OF THE MUNICIPALITY OF HURON SHORES

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

10. Proposed Use of Property

10.1 State proposed use(s) of the property (*Check appropriate box(es)*):

- Residential
- Commercial
- Industrial
- Institutional
- Agricultural
- Vacant
- Mixed Use: (*Please state*)

- Other: (*Please state*)

10.2 List all proposed buildings and structures to be constructed on the property by completing the following Table: (*If more than 5 buildings or structures, please use separate page to provide description:*

Item	Building or Structure #1	Building or Structure #2	Building or Structure #3	Building or Structure #4	Building or Structure #5
Existing type or use of each building and structure	N/A - none proposed				
Height (m)					
Setback from front lot line (m)					
Setback from rear lot line (m)					
Setback from side lot line - one side (m)					
Setback from side lot line - other side (m)					

THE CORPORATION OF THE MUNICIPALITY OF HURON SHORES

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

Setback from shoreline (m)					
Dimensions (m) or floor area (m ²)					
Year Building or structure constructed					
Proposed date of construction					

10.3 Indicate the number of additional parking spaces to be provided.

N/A spaces.

10.4 Are there any uses or features on the subject land within 500 m of the subject property, unless otherwise specified. Complete Table using √ :

Use or Feature	On the Subject Land	Within 500 m of subject land, unless otherwise specified. (indicate approximate distance)
An agricultural operation including a livestock facility (i.e. barn) or manure storage facility	no	no
A landfill site (active or closed)	no	no
A sewage treatment plant or sewage lagoon	no	no
An industrial use	no	no
A licensed pit or quarry or an aggregate reserve	no	no
An operating mine	no	no
A non-operating mine or mine hazard within 1 km of the subject lands	no	no
An active rail line	no	no
A municipal or federal airport	no	no
A flood plain	no	no
A natural gas or oil pipeline	no	no
A hydro easement	no	yes - 30m
A provincially significant wetland (within 120 m)	no	no

THE CORPORATION OF THE MUNICIPALITY OF HURON SHORES

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

A designated heritage building historic site or cemetery (within 100 m)	no	no
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11. History of the Subject Land.

11.1 Has the subject land ever been the subject of an application for approval of a previous official plan or zoning amendment?

Yes No Unknown *If yes, provide the details and decision of the previous application.*

11.2 If this application is a re-submission of a previous application, describe how it has been changed from the original application.

no

11.3 Provide the date when the subject land was acquired by the current owner. 2021/10/22

11.4 Provide the length of time that the existing uses of the subject land have continued (*Proof may be required*).

Year since current uses have continued: ~ 75-80 years

THE CORPORATION OF THE MUNICIPALITY OF HURON SHORES

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

12. Simultaneous Applications

12.1 Is the subject land or any land within 120 m. of the subject land the subject of any other planning applications at this time?

Yes No *If yes, indicate the type and file number (i.e. consent, subdivision, minor variance, site plan control).*

Please complete the following Table: *See Schedule for List*

Item	Application #1 (type) <i>Consent</i>	Application #2 (type) <i>Variance</i>	Any land within 120 (m) of the subject land
File Number			<i>N/A</i>
Name of approval authority considering application	<i>Huron Shores</i>	<i>Huron Shores</i>	
Land affected by application	<i>See Consent Same lands</i>	<i>See Schedule</i>	
Purpose	<i>Severance</i>	<i>minor variances</i>	
Status	<i>active</i>	<i>active</i>	
Effect on requested amendment	<i>See Schedule</i>	<i>See Schedule</i>	

THE CORPORATION OF THE MUNICIPALITY OF HURON SHORES

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

13. Authorization

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

AUTHORIZATION OF OWNER FOR AGENT TO MAKE APPLICATION

I, Christian Provenzano on behalf of Kansas City Realty Corporation, am the owner of the land that is the subject of this application and I authorize

_____ to make this application on my behalf.

9/11/2024
Date

[Signature]
Signature of Owner

"I have authority to bind the Corporation"

13.2 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 OWNER FOR AGENT TO PROVIDE PERSONAL INFORMATION

I, Christian Provenzano on behalf of Kansas City Realty Corporation, 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 authorize all lawyers of Provenzano Law Professional Corporation as my agent for this application, to provide any of my personal information that will be used in this application or collected during the processing of the application.

9/11/2024
Date

[Signature]
Signature of Owner

"I have authority to bind the Corporation"

THE CORPORATION OF THE MUNICIPALITY OF HURON SHORES

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

13.3 Complete the consent of the owner concerning personal information below.

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

I, Christian Provenzano on behalf of Kansas City Realty Corporation, 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 authorize and consent to the use by or 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.

9/11/2024
Date

[Signature]
Signature of Owner
"I have authority to bind the Corporation"

14. Additional Studies or Information

Additional studies or information may be required by the Municipality to support the application. The application may not be considered a complete application unless these studies have been completed. Applicants are advised to pre-consult with the Municipality to determine what additional studies or information is required.

N/A

List of Additional Studies or information required by the Municipality:

- _____
- _____
- _____
- _____
- _____
- _____

(NOTE: LIST TO BE PROVIDED BY MUNICIPALITY)

THE CORPORATION OF THE MUNICIPALITY OF HURON SHORES

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

15. Declaration

NOTE: ALL APPLICANTS SHALL ENSURE THAT A 'COMPLETE APPLICATION' UNDER THE PLANNING ACT HAS BEEN MADE BEFORE COMPLETING THIS DECLARATION


1. I hereby declare that this application is consistent with the policy statements issued under subsection 3(1) of the Planning Act.
2. I hereby declare that this application conforms or does not conflict with any provincial plan or plans.
3. I hereby declare that the information contained in this application and on the attached plan and any associated information submitted with this application are, to the best of my knowledge, a true and complete representation of the purpose and intent of this application.

Sworn (or declared) before me


at the City of Sault Ste. Marie

in the Province of Ontario

this 11 day of September, 2021



Commissioner of Oaths
Wes Lavergne
Lawyer - Provenzano Law
301-369 Queen St. E., Sault
Ste. Marie, Ontario P6A 1Z4



Applicant or Agent
Christian Provenzano on behalf
of Kansas City Realty Corporation.
"I have authority to bind the
Corporation"

See last page for Site Plan information.

THE CORPORATION OF THE MUNICIPALITY OF HURON SHORES

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

16. Site Plan

A site plan shall be submitted with this application that provides the following information:

- 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 their distance from the front lot line, the rear lot line, each side yard lot line and the shoreline of any water body, where applicable;
- The approximate location of all natural and artificial features such as railways, roads, water body, drainage ditches, wetlands, wooded areas, wells and septic tanks, all easements, flood plain, organic (muck) soils or leda clay;

(Note: these features must be shown for both the subject land and on any adjacent lands where these features may affect the application.)

- The current uses of 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 road, a private road or a right-of-way
- If access to the subject land will be by water only, the location of the parking and docking facilities to be used.
- North arrow and scale
- Other (as indicated by Municipality)

THE CORPORATION OF THE MUNICIPALITY OF HURON SHORES

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

17. Applicant's Posting Instructions:

In order to facilitate consideration of your Application for Official Plan and/or Zoning Amendment, we ask that you complete the following upon submission of the application to the Municipality:

- Post a clearly visible sign approximately 14" x 18" bearing your name, your application number (to be provided by the Municipality), the lot and concession number, and Plan number (if available);
- This sign to be located on the main access side of your property, preferably where your driveway accesses onto a main road, and the middle of your shoreline frontage, if possible.

You may be required to submit a copy of the Deed for the subject land. If access is provided by private road/right-of-way from a municipal road, attach a copy of the deed indicating if the access is registered on the title.

Your application will not be processed until it is deemed to be complete. To expedite the processing of your application please ensure it is complete upon submission. Incomplete applications will be returned for your re-submission. We will not hold incomplete applications in our office.

SCHEDULE TO
APPLICATION TO AMEND ZONING BY-LAW
BYLAW AMENDMENTS INCL. VARIANCES

APPLICANT: Kansas City Realty Corporation

PROPERTY: 435 Melwel Road, Iron Bridge, ON (Huron Shores)

9.2 Existing type of buildings: (See also Site Plan for specifics as to locations)

Proposed Lot #1

- Buildings:
 - Cabin #6 – single storey - original residence Pre-1985 damaged by fire and restored in approximately 2015.
 - 29.5m to waterfront
 - Cabin #5 – single storey - Pre-1985
 - 44.2m to waterfront
 - Cabin #4 – single storey - Pre-1985
 - 48.4m to waterfront
 - Cabin #3 – single storey - Pre-1985
 - 42.6m to waterfront
 - Shed
 - Approx 60m+ to waterfront

Proposed Lot #2

- Buildings
 - Cabin #2 – single storey - Pre-1985
 - 46.8m to waterfront
 - Cabin #1 – single storey - Pre-1985
 - 41.1m to waterfront

Proposed Lot #3

- Buildings
 - Main Lodge - approx. 2017/2018
 - 29.1m to waterfront
 - Carport/Garage approx. 2008/2009
 - Sauna – Pre 1985
 - Storage/Utility/Laundry – approx. 2008/2009
 - 104m to waterfront

- Garage/Storage approx. approx. 2008/2009
 - 107.4m to waterfront

Proposed Lot #4

- Buildings
 - Cabin #7 – Pre-1985
 - 30m to waterfront

Proposed Lot #5

- Buildings
 - Cabin #8 – Pre-1985
 - 33.7m to waterfront
 - Cabin #9 – Pre-1985
 - 37.4m to waterfront

Proposed Lot #6

- Buildings
 - Cabin #10 – Pre-1985
 - 33m to waterfront
 -

Proposed Lot #7

- Vacant/bush

Proposed Lot #8

- Buildings
 - Cabin #11 – Pre-1985
 - 28.3m to waterfront
-

10.2 – Proposed Buildings/Structures:

None.

12.1 – Simultaneous Applications

APPLICATION #1 – ZONING BYLAW AMENDMENT

Rezoning of Melwel property from Recreation Commercial to Waterfront Recreational and Waterfront Residential.

Proposed Lots 1, 2, 4, 5, 6, 7, 8 – amend to Waterfront Recreational

Proposed Lot 3 – amend to Waterfront Residential

APPLICATION #2 – MINOR VARIANCES TO REDUCE REQUIRED FRONT YARD SETBACK

Required Front Yard – 30m (98.4ft)
(Waterfront Recreational Zone and/or Waterfront Residential Zone)

- I. Proposed Lot 1 Cabin #6
 - a. Existing setback from lake: 29.5m
 - b. Required: 30m
 - c. **Variance Needed: 0.5m**

- II. Proposed Lot 3 – Main Lodge
 - a. Existing setback from lake: 29.1m
 - b. Required: 30m
 - c. **Variance Needed: 0.9m**

- III. Proposed Lot 8 – Cabin #11
 - a. Existing setback from lake: 28.3m
 - b. Required: 30m
 - c. **Variance Needed: 1.7m**

APPLICATION #3 – ZONING – TO PERMIT MULTIPLE SEASONAL DWELLINGS ON ONE LOT

- I. Proposed Lot 1
 - a. **Requirement:** Waterfront Recreational zoning permits only one seasonal dwelling per lot.
 - b. **Request:** To permit four (4) seasonal dwellings (existing) on one (1) lot.

 - II. Proposed Lot 2
 - a. **Requirement:** Waterfront Recreational zoning permits only one seasonal dwelling per lot.
 - b. **Request:** To permit two (2) seasonal dwellings (existing) on one (1) lot.

 - III. Proposed Lot 5
 - a. **Requirement:** Waterfront Recreational zoning permits only one seasonal dwelling per lot.
 - b. **Request:** To permit two (2) seasonal dwellings (existing) on one (1) lot.
-

APPLICATION #4 – ZONING – TO REDUCE REQUIRED FRONTAGE (PROPOSED LOTS 4-8)

- I. Proposed Lots 4 through 8, inclusive
 - a. **Requirement:** 4.12 - Lots to have required frontage on publicly owned year round maintained roadway.
 - b. **Request:** To reduce frontage requirement to 0m for Proposed Lots 4 through 8, inclusive. Lots 4 through 8 will be serviced by a private road, with registered easements in favour of the appropriate parcels. See Application #5.
 - c. Proposed Lots 1, 2, and 3 will each meet required frontage requirements on Melwel Road, a publicly owned and year round maintained road.
-

APPLICATION #4 – CONSENT (SEVERANCE)

Consent Application for severance of larger property into seven (7) parcels + retained lands as per Site Plan. Retained lands shown as Proposed Lot 7 on Site Plan.

APPLICATION #5 – CONSENT (EASEMENTS)

1) Access (Right of Way) Easements

a. In favour of:

- i. Proposed Lot 4
- ii. Proposed Lot 5
- iii. Proposed Lot 6
- iv. Proposed Lot 7
- v. Proposed Lot 8

See Proposed Parts 2, 3, 4, 5, 6 on Easement Diagram

2) Drainage Easement

a. In favour of proposed Lot 3.

See Proposed Part 1 on Easement Diagram.