

Decision of the Committee of Adjustment With Reasons

(Section 45(1), Planning Act, 1990)

Municipality	Township of Huron-Kinloss
File Number	A-2022-037
Related File(s)	None
Date of Hearing	December 12, 2022
Owner / Applicant / Agent	Joel Courtney & Jessica Carter
Legal Description	PLAN 503 LOT 21 (Huron), Township of Huron-Kinloss
Municipal Address	21 BOILER BEACH RD
Purpose of Application	A reduction to the required interior side yard setback and an increase to the height for an addition to the existing dwelling.
Variences Granted	The proposed height is 8.75 m, whereas the maximum height in the zoning bylaw is 8 m. The applicant is requesting an increase of 0.75 m. The proposed setback is 1.5 m, whereas the required side yard setback in the Zoning By-law is 3 m. The applicant is requesting a reduction by 1.5 m.
Effect of Submissions	Any submissions relating to this application were considered by the Approval Authority in making its decision on this matter.

The application for Minor Variance from Comprehensive Zoning By-law 2018-98 is hereby **granted** subject to the following conditions:

1. That any future development on the property conforms to the provisions of the Zoning By-law;
2. That the decision applies only to the proposed development as indicated on Schedule 'A' attached to and forming part of this decision.
3. The interior side yard setback for the dwelling shall be no less than 1.5m.
4. The height of the dwelling shall be no greater than 8.75m.

Reasons:

1. The variance maintains the intent and purpose of the Official Plan.
2. The variance maintains the intent and purpose of the Zoning By-law.
3. The variance requested is desirable for the appropriate and orderly development and use of the lands and buildings.
4. The variance is minor in nature.

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The application for Minor Variance from Comprehensive Zoning By-law 2018-98 is hereby **refused**.

Reasons (check all that apply):

- The variance does not maintain the intent and purpose of the Official Plan.
- The variance does not maintain the intent and purpose of the Zoning By-law.
- The variance requested is not desirable for the appropriate and orderly development and use of the lands and buildings.
- The variance is not minor in nature.
- The variance does not conform to the Provincial Policy Statement.

Concurrence of Committee Members for Minor Variance A-2022-037 Courtney

We, the undersigned, **concur in the Decision and reasons** given for the Decision of the Committee of Adjustment for the Municipality on December 12, 2022

Signature	Title & Name	Absent	Present
_____	Committee Member, (Don Murray)	()	()
_____	Committee Member, (Jim Hanna)	()	()
_____	Committee Member, (Larry Allision)	()	()
_____	Committee Member, (Shari Flett)	()	()
_____	Committee Member, (Scott Gibson)	()	()
_____	Committee Chair, (Ed McGugan)	()	()
_____	Committee Chair, (Carl Sloetjes)	()	()

Certification of Committee's Decision

I, **Jennifer White** being the Secretary-Treasurer of the Committee of Adjustment for the Corporation of the **Township of Huron-Kinloss**, certify that this is a true copy of the Committee's Decision of **December, 12 2022**.

Date

Secretary-Treasurer

Notice of Last Date of Appeal

Notice is hereby given that the last date for appealing this decision to the

Ontario Land Tribunal is **January 1, 2023**.

See appeal information on reverse of this form.

Notice That No Appeals Have Been Received

When signed, this certifies that no appeals have been received

Date

Secretary-Treasurer

Appeal Information

Not later than 20 days from the Date of Decision, the applicant, the Minister or any specified person or public body may appeal to the Ontario Land Tribunal (OLT) against the decision of the Committee. If no notice of appeal is given within 20 days, the decision of the Committee is final and binding.

Anyone eligible to appeal the decision is required to submit a notice of appeal (in accordance with the OLT guidelines and Appeal Form A1, available at <https://olt.gov.on.ca/appeals-process/> setting out the objection to the decision and the reasons in support of the objection.

Appeals must include a certified cheque or money order in the amount specified by the OLT payable to the Minister of Finance.

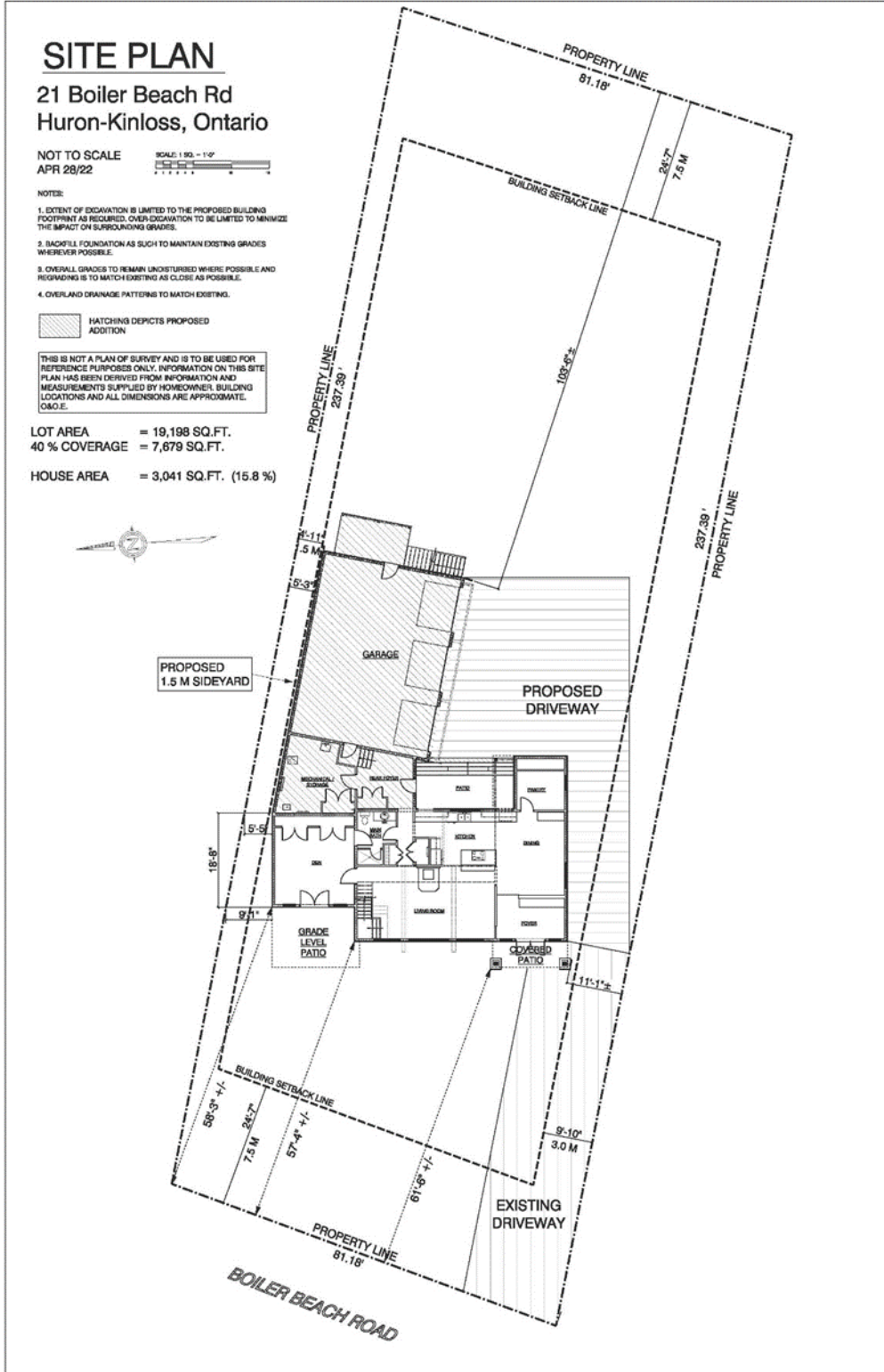
Appeals are filed with the **Secretary-Treasurer of the Committee** at:

Jennifer White, Secretary-Treasurer of the Committee of Adjustment
Township of Huron-Kinloss
21 Queen Street, P.O. Box 130
RIPLEY, ON N0G 2R0

The OLT may dismiss all or part of an appeal after holding a hearing or without holding a hearing on the motion under Section 45(17) [Dismissal without hearing], as it considers appropriate.

For more information about this application **phone 226-909-5515**, from 8:30 a.m. to 4:30 p.m. Monday to Friday; or visit on-line at **www.brucecounty.on.ca** under 'Living Here', 'Housing and Property', 'Land Use Planning' by Municipality and File Number; or e-mail **bcplwa@brucecounty.on.ca**.

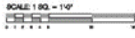
Schedule 'A'



SITE PLAN

21 Boiler Beach Rd
Huron-Kinloss, Ontario

NOT TO SCALE
Apr 28/22
Rev: Oct 14/22



NOTES:

1. EXTENT OF EXCAVATION IS LIMITED TO THE PROPOSED BUILDING FOOTPRINT AS REQUIRED. OVER EXCAVATION TO BE LIMITED TO MINIMIZE THE IMPACT ON SURROUNDING GRADES.
2. BACKFILL FOUNDATION AS SUCH TO MAINTAIN EXISTING GRADES WHEREVER POSSIBLE.
3. OVERALL GRADES TO REMAIN UNDISTURBED WHERE POSSIBLE AND REGRADING IS TO MATCH EXISTING AS CLOSE AS POSSIBLE.
4. OVERLAND DRAINAGE PATTERNING TO MATCH EXISTING.

HATCHING DEPICTS PROPOSED ADDITION
DIRECTION OF SWALE DRAINAGE

THIS IS NOT A PLAN OF SURVEY AND IS TO BE USED FOR REFERENCE PURPOSES ONLY. INFORMATION ON THIS SITE PLAN HAS BEEN DERIVED FROM INFORMATION AND MEASUREMENTS SUPPLIED BY HOMEOWNER. BUILDING LOCATIONS AND ALL DIMENSIONS ARE APPROXIMATE. O.M.E.

LOT AREA = 19,198 SQ.FT.
40% COVERAGE = 7,679 SQ.FT.
HOUSE AREA = 3,041 SQ.FT. (15.8%)

