

Decision of the Committee of Adjustment With Reasons

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

Municipality	Township of Huron-Kinloss
File Number	A-2021-007
Related File(s)	N/A
Date of Hearing	April 12, 2021
Owner / Applicant / Agent	Mark & Karen Vollmer
Legal Description	CON A PT LOT 10 PT SHORE RD;ALLOW RP 3R4203 PARTS 13 AND;14
Municipal Address	767 Victoria Road
Purpose of Application	To permit an addition to the existing single detached dwelling and existing detached garage
Variances Granted	<div><div>1.</div><div>An increase of the maximum height for accessory buildings and structures. The proposed height is 5.5 m and the height permitted in the zoning bylaw is 5 m.</div></div> <div><div>2.</div><div>A reduction of the interior side yard setbacks. The proposed side yard setback is 1.6 m and 0.67 the minimum permitted in the by-law is 3 m.</div></div>
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.

That the applicant provides a survey indicating the exact measurements of the single detached dwelling foundation to both interior lot lines to demonstrate conformity with the approved variance to the satisfaction of the Township of Huron-Kinloss;
4.

That the total height for the accessory building shall be no greater than 5.5 m;
5.

That the interior side yard setback for the single detached dwelling shall be no less than 1.6 m.
6.

That the interior side yard setback for the single detached dwelling shall be no less than 0.67 m.

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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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 **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-2021-007 Vollmer

We, the **undersigned, concur in the Decision and reasons** given for the Decision of the Committee of Adjustment for the Municipality on April 12, 2021

		Absent	Present
_____	Committee Member, (Don Murray)	()	()
_____	Committee Member, (Lillian Abbott)	()	()
_____	Committee Member, (Jeff Elliott)	()	()
_____	Committee Member, (Jim Hanna)	()	()
_____	Committee Member, (Ed McGugan)	()	()
_____	Committee Member, (Carl Sloetjes)	()	()
_____	Committee Chair, (Mitch Twolan)	()	()

Certification of Committee’s Decision

I, **Emily Dance** 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 **April 12, 2021**.

_____	_____
Date	Secretary-Treasurer

Notice of Last Date of Appeal

Notice is hereby given that the last date for appealing this decision to the
Local Planning Appeal Tribunal is **May 2, 2021**.
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 other person or public body who has an interest in the matter may appeal to the Local Planning Appeal Tribunal (LPAT) 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 wishing to appeal the decision is required to submit a notice of appeal (in accordance with the LPAT guidelines and Appellant Form A1, available at <https://olt.gov.on.ca/tribunals/lpat/about-lpat/>) 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 of **\$400.00** payable to the Minister of Finance.

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

Emily Dance, Secretary-Treasurer of the Committee of Adjustment

21 Queen Street, P.O. Box 130
RIPLEY, ON N0G 2R0

The LPAT 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'

