TOWNSHIP OF NAIRN AND HYMAN

Minor Variance Approval Authority
Notice of Decision

DECISION
MINOR VARIANCE
Under Section 45 of the *Planning Act*

File No. :	A02-19
Owner/Applicant:	Ben and Lina Davidson
Agent:	
Legal Description:	Lot 26 of Plan M934, Hyman; PCL 21904 SEC SWS
Property Address:	54 Belle Bay Crescent, Nairn Centre
Official Plan:	Rural
Zoning:	Rural Residential (R3) Zone
By-law:	Zoning By-law No. 2013-5

PURPOSE OF THE APPLICATION

The purpose of this minor variance application is to permit the construction of an attached deck having the effect of reducing the minimum 30 metre setback from the shoreline of Agnew Lake to 13.9 m.

MINOR VARIANCES ARE REQUIRED FOR THE FOLLOWING:

- Relief from Section 4.8 (a) to reduce the minimum setback from the shoreline of Agnew Lake from 30 metres to 13.9 metres.

The Subject Lands are not subject to any other application under the *Planning Act*.

PUBLIC HEARING

Insert written and/or oral comments from public or indicate "No comments were received."   *No Comments were received* ~~BK~~

DECISION AND REASONS OF THE APPROVAL AUTHORITY

Notice was given and the request was heard by the approval authority at a public hearing on **June 10th, 2019** as required by the *Planning Act*.

Proposed by : *F.Diebel*, seconded by : *B.____* and adopted with unanimity.

Application Number **A02-19** is hereby:

☑ Approved   ☐ Approved On Condition   ☐ Refused

The Approval Authority, having considered the evidence presented and reviewed the plan and in consideration of all written and oral submissions made relating to the subject application, and having had regard to the matters set out in Section 45(1) of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, is satisfied that, a minor variance from the provisions of the by-law, in respect of the land, building or structure or the use thereof, is minor, is desirable for the

appropriate development or use of the land, building or structure, and the general intent and purpose of the by-law and of the official plan are maintained.

In so doing, it is the decision of the Approval Authority that: the application for constructing a deck having a reduced setback from the shoreline of Agnew Lake to 13.9 metres be *approved* with the following conditions:

- That the proposed deck be permitted with the setback as noted above and be located as illustrated on the drawing as attached hereto and labelled Schedule 'A'.

NOTICE OF RIGHT TO APPEAL

To appeal this Decision to the Local Planning Appeal Tribunal (LPAT), a letter, outlining the reasons for appeal, must be filed with the Township's Clerk.

Date of Decision: June 10, 2019
Last Date of Appeal: June 30, 2019

The notice of appeal must be accompanied by a cheque or money order for $300.00 made payable to the Minister of Finance. If you have any questions about the appeal process, please contact the Township Clerk's office.

Only individuals, corporations and public bodies may appeal Decisions in respect of applications for minor variance to LPAT. A notice of appeal may not be filed by an unincorporated association or group. However, a Notice of Appeal may be filed in the name of an individual who is a Member of the Association or group on its behalf.

Schedule "A"

Handwritten site plan annotations (rotated), including:

- 142.99'
- 33'
- Shed 1
- Shed 2
- septic tank
- field bed
- 33'
- 28'11½"
- REVISED March 25/01
- 45.10 corner of proposed deck to shoreline
- 46' corner of proposed deck to shoreline
- of proposed deck to shoreline
- Note; under deck A, there will be a non-attached deck C 14' x 8'
- B'
- C
- A'
- 40'
- 18'
- A₃
- 8'
- 20'
- B
- 150.115'
- N Lake Agnew Frontage
- 74.75'
- driveway
- 158.13'
- 5
- 5 4 Belle Bay Crescent Nairn + Hyman
- 168.05'
- Shed 3
- 139.68'
- E

DECISION SIGNATURE PAGE

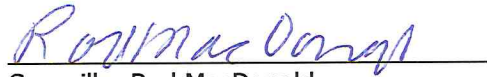|	
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We the undersigned, concur in the decision and reasons of the Approval Authority:
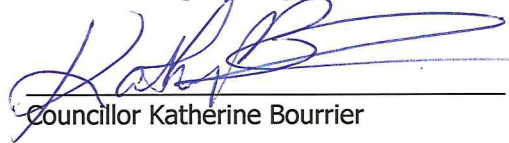
_____
Mayor Laurier P. Falldien

_____
Councillor Frederic Diebel

_____
Councillor Brigitta Gingras

_____
Councillor Rod MacDonald

_____
Councillor Katherine Bourrier

I, Belinda Ketchabaw, Municipal Clerk/Treasurer of the Township of Nairn and Hyman, certify that the attached is a true copy of the Decision of the Approval Authority with respect to the application recorded.

June 10 / 19
_____
Date of Decision

_____
Belinda Ketchabaw
Municipal Clerk/Treasurer,
Township of Nairn and Hyman