

TOWNSHIP OF NAIRN AND HYMAN

Minor Variance Approval Authority Notice of Decision

DECISION

MINOR VARIANCE

Under Section 45 of the *Planning Act*

File No. : A01-19
Owner/Applicant: Kevin McAuliffe and Melanie Manninen
Agent:
Legal Description: Lot 3 of Plan M560, Nairn; PCL 16907 SEC SWS
Property Address: 152 Birch Street, 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 front yard setback and minimum 30 metre setback from the shoreline of Spanish River to 14.5 m.

MINOR VARIANCES ARE REQUIRED FOR THE FOLLOWING:

- Relief from Section 5.6.2 to reduce the minimum front yard setback with shoreline frontage from 30 metre to 14.5 metres; and
- Relief from Section 4.8 (a) to reduce the minimum setback from the shoreline of Spanish River from 30 metres to 14.5 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 *JS, 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 : *BLingard*, seconded by : *J Diebel* and adopted with unanimity.

Application Number **A01-19** 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

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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 front yard setback and setback from the shoreline of Spanish River of 14.5 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.

<p>Date of Decision: June 10, 2019</p>

<p>Last Date of Appeal: June 30, 2019</p>
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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.

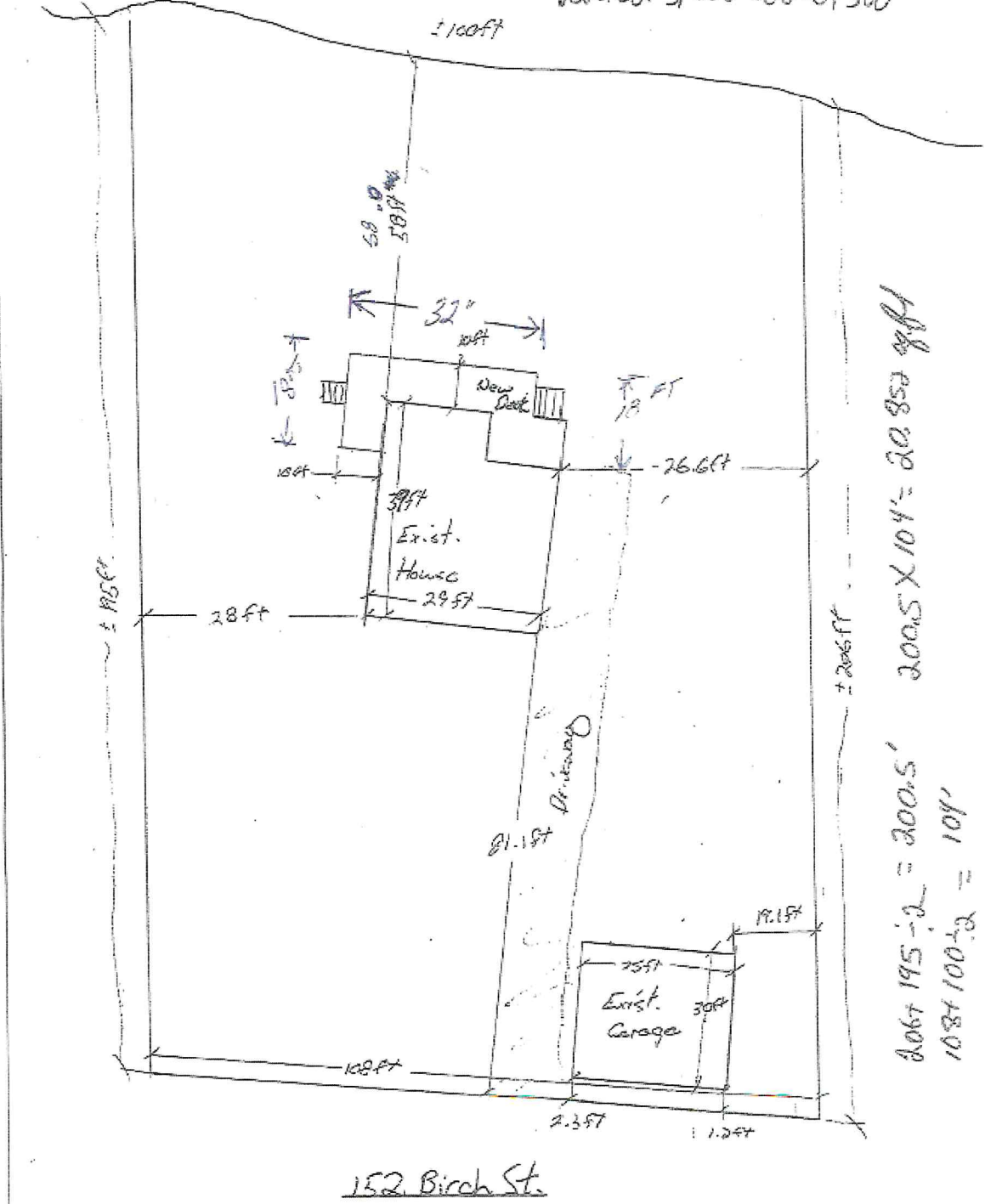
Only individuals, corporations and public bodies may appeal Decisions in respect of applications for minor variance to LPAT. A notice of appeal may not be filed by an unincorporated association or group. However, a Notice of Appeal may be filed in the name of an individual who is a Member of the Association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

TOWNSHIP OF NAIRN AND HYMAN

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SCHEDULE 'A'

PA 152-31000-000-01300



TOWNSHIP OF NAIRN AND HYMAN

MINOR VARIANCE DECISION

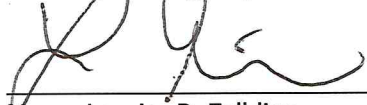
DECISION SIGNATURE PAGE

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Agent:

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We the undersigned, concur in the decision and reasons of the Approval Authority:



Mayor Laurier P. Falldien



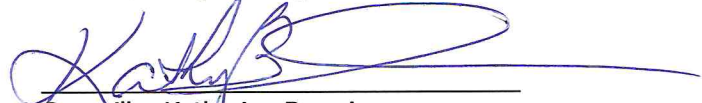
Councillor Frederic Diebel



Councillor Rod MacDonald



Councillor Brigitta Gingras

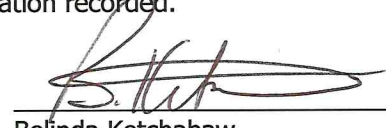


Councillor Katherine Bourrier

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.



Date of Decision



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