

TOWNSHIP OF NAIRN AND HYMAN

Minor Variance Approval Authority Notice of Decision

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

File No. : A01-21

Owner/Applicant: Dean Lapierre

Legal Description: PCL 23508 SEC SWS; Summer Resort PL 25 PL M934 Hyman
Property Address: 48 Belle Bay Cres, Township of Nairn and Hyman

Official Plan: Rural District
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 new garage with a height of height of 5.5 m (18 ft) where normally 4.2 m (14.7 ft) is permitted, and to increase the maximum lot coverage for accessory buildings from 5% to 8.5%, and maximum lot coverage for all buildings from 15% to 16%.

MINOR VARIANCES ARE REQUIRED FOR THE FOLLOWING:

- Relief from Section 4.1.1(f) to increase the maximum lot coverage for accessory buildings from 5% to 8.5%;
- Relief from Section 5.6.2 to permit the maximum height for an accessory building to be 5.5 m.
- Relief from Section 5.6.2 to increase the maximum lot coverage from 15% to 16%

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

PUBLIC HEARING

No Comments Received

DECISION AND REASONS OF THE APPROVAL AUTHORITY

Notice was given and the request was heard by the approval authority at a public hearing on **August 9, 2021** as required by the *Planning Act*.

Proposed by : *Kathy* , seconded by : *Rod* , and adopted with unanimity.

Application Number **A01-21** is hereby:

Approved

Approved On Condition

Refused

TOWNSHIP OF NAIRN AND HYMAN

MINOR VARIANCE DECISION

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 garage having a maximum height of 5.5 metres, accessory uses lot coverage of 8.5% and total lot coverage of 16% be **approved** with the following conditions:

- That the existing 'old' garage be demolished to the satisfaction of the Chief Building Official; and
- That the proposed garage be permitted with the height and lot coverage as noted above and be located and constructed as illustrated on the drawings as attached hereto and labelled Schedule 'A'.

NOTICE OF RIGHT TO APPEAL

To appeal this Decision to the Ontario Land Tribunal (OLT), a letter, outlining the reasons for appeal, must be filed with the Township's Clerk.

Date of Decision: August 9, 2021

Last Date of Appeal: August 29, 2021

The notice of appeal must be accompanied by a cheque or money order for \$400.00 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 OLT. 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.


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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

(absent)


Councillor Brigita 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.

August 9, 2021
Date of Decision



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

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Schedule 'A'

