



TOWNSHIP OF NAIRN AND HYMAN

Minor Variance Approval Authority Notice of Decision

DECISION

MINOR VARIANCE

Under Section 45 of the *Planning Act*

File No. : A01-25

Owner/Applicant: Chris and Jodi Porteous

Legal Description: LOTS 4 & 5, BLOCK D, PLAN M8 NAIRN TOWNSHIP OF NAIRN AND HYMAN

Property Address: 39 Front St, Township of Nairn and Hyman

Official Plan: Residential District

Zoning: General Residential (R1) 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 detached garage with a height of 6m (19.6 ft) where normally 4.2 m (13.8 ft) is permitted, a minimum exterior side yard setback of 3m (10ft) where the minimum setback required is 6m (19.6ft), a maximum lot coverage of 7% for the accessory structure where 5% is permitted and to permit the construction of an accessory building within the exterior side yard setback required for the main building.

MINOR VARIANCES ARE REQUIRED FOR THE FOLLOWING:

- Relief from Section 5.4.2 to permit the maximum height for an accessory building to be 6m (19.6ft)
- Relief from Section 5.4.2 to permit a minimum exterior side yard setback of 3m (10ft)
- Relief from Section 4.1.1 to permit a maximum lot coverage of 7% for an accessory structure
- Relief from Section 4.1.1 to permit the construction of an accessory building within the exterior side yard setback required for the main building

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

PUBLIC HEARING

No comments were 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 Sept. 8, 2025 as required by the *Planning Act*.

Proposed by : Karen Richter, seconded by : Trevor McVey and adopted with unanimity.

Application Number **A01-25** is hereby:

TOWNSHIP OF NAIRN AND HYMAN

MINOR VARIANCE DECISION

☐ 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 garage having a maximum height of 6m, exterior side yard setback of 3m, lot coverage of 7% and be located in the exterior side yard setback required for the main building be **approved** with the following conditions:

- That the proposed garage be permitted with the height, exterior side yard setback, 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: Sept. 8, 2025

Last Date of Appeal: Sept. 28, 2025 (insert date, 20 days from date of decision)

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.

TOWNSHIP OF NAIRN AND HYMAN

MINOR VARIANCE DECISION

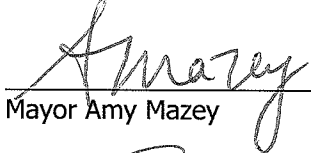
DECISION SIGNATURE PAGE

File No. : A01-25


Owner/Applicant: Chris and Jodi Porteous
Agent:

Legal Description: LOTS 4 & 5, BLOCK D, PLAN M8 NAIRN TOWNSHIP OF NAIRN AND HYMAN
Property Address: 39 Front St, Township of Nairn and Hyman

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



Mayor Amy Mazey



Councillor Trevor McVey



Councillor Rod MacDonald




Councillor Wayne Austin

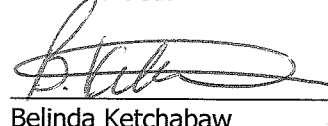


Councillor Karen Richter

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
CAO, Clerk/Treasurer,
Township of Nairn and Hyman

MINOR VARIANCE DECISION

Hand-drawn site plan of a property. The plan shows a large rectangular area labeled "HALL" with dimensions 30' by 56'. To the right of the hall is a "FRONT STREET" and a "SIDE WALK". Below the hall is a smaller rectangular area labeled "GARAGE" with dimensions 28' by 36'. The garage is adjacent to a "HALL STREET" and a "SIDE WALK". The overall dimensions of the property are 4' by 5'.