

Decision of the Committee of Adjustment With Reasons

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

Municipality	Municipality of Kincardine
File Number	A-2021-052
Related File(s)	N/A
Date of Hearing	September 30, 2021
Owner / Applicant / Agent	Cory & Heather Cuyler
Legal Description	PLAN 3M-157 LOT 4 SEC 3M-157;PCL 4-1
Municipal Address	25 Stoney Island Crescent
Purpose of Application	To build an accessory detached garage.
Variances Granted	For an increase in maximum accessory building height from 4.5 metres to 5.34 metres to permit an accessory detached garage.
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 2003-25 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 maximum accessory structure height be no more than 5.34 metres.
4. That the development be completed within 2 years of this decision.

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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The application for Minor Variance from Comprehensive Zoning By-law 2003-25 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-2021-052 Cuyler

We, the **undersigned, concur in the Decision and reasons** given for the Decision of the Committee of Adjustment for the Municipality on September 30, 2021.

Signature	Title & Name	Absent	Present
_____	Committee Member, (Randy Norris)	()	()
_____	Committee Member, (Stephen Bowley)	()	()
_____	Committee Member, (Athina Gatos)	()	()
_____	Committee Member, (Christina Weylie)	()	()
_____	Committee Chair, (Lou Battaino)	()	()

Certification of Committee's Decision

I, _____ being the Secretary-Treasurer for the Corporation of the **Municipality**, certify that this is a true copy of the Committee's Decision of **September 30, 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 **October 20, 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 Ontario Land Tribunal (OLT) 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 OLT guidelines and Appeal Form A1, available at <https://olt.gov.on.ca/appeals-process/> 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 specified by the OLT payable to the Minister of Finance.

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

Municipality of Kincardine
1475 Concession 5
Kincardine, ON N2Z 2X6

The OLT 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 BCPLPE@brucecounty.on.ca.

Schedule 'A'

