

Decision of the Committee of Adjustment With Reasons

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

Municipality	Municipality of Kincardine
File Number	A-73-19.21
Related File(s)	N/A
Date of Hearing	November 19, 2019
Owner / Applicant / Agent	Brian and Victoria Flett
Legal Description	PLAN 445 PT LOTS 19 AND 20; AND RP 3R6520 PART 1, Municipality of Kincardine (geographic Township of Kincardine).
Municipal Address	258 Victoria Street
Purpose of Application	To permit an accessory building to have a side yard setback less than the permitted 1 metre requirement
Variances Granted	For a minimum side yard setback of 0 metres;
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 75-2006 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 minimum side yard setback the detached accessory structure, as shown on Schedule A, be 0.0 metres as measured from the edge of the roof.

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.

Concurrence of Committee Members for Minor Variance A-73-19.22 / Flett

We, the undersigned, concur in the Decision and reasons given for the Decision of the Committee of Adjustment for the Municipality of Kincardine on November 19, 2019.

Signature	Title & Name	Absent	Present
<hr/>	Committee Member, (Randy Norris)	()	()
<hr/>	Committee Member, (Stephen Bowley)	()	()
<hr/>	Committee Member, (Stephen Ballock)	()	()
<hr/>	Committee Member, (Athina Gatos)	()	()
<hr/>	Committee Chair, (Christina Weylie)	()	()

Certification of Committee’s Decision

I, Michele Barr, being the Secretary-Treasurer of the Committee of Adjustment for the Corporation of the **Municipality of Kincardine**, certify that this is a true copy of the Committee's Decision of November 19, 2019.

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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 December 9, 2019
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

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Date	Secretary-Treasurer

Appeal Information

The applicant, the Minister or any other person or public body who has an interest in the matter may not later than **December 9, 2019** appeal to the Local Planning Appeal Tribunal (LPAT) against the decision of the Committee by filing with the Secretary-Treasurer of the Committee a notice of appeal (in accordance with the LPAT guidelines and Appellant Form A1, available at <http://elto.gov.on.ca>) setting out the objection to the decision and the reasons in support of the objection accompanied by a certified cheque or money order in the amount of **\$300.00** payable to the Minister of Finance. Submit Notice of Appeal to:

Secretary-Treasurer of the Committee of Adjustment

Municipality of Kincardine

Attn: Michele Barr

Administration Centre

1475 Concession 5, RR#5

Kincardine ON N2Z 2X6

The LPAT 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.

If within such 20 days no notice of appeal is given, the decision of the Committee is final and binding.

For more information about this matter, contact the **Lakeshore Hub Office**, phone **226-909-1601**; fax **519-832-9000**, from 8:30 a.m. to 4:30 p.m. Monday to Friday; or on-line at www.brucecounty.on.ca under 'Living Here', 'Housing and Property', 'Land Use Planning' by Municipality and File Number; or e-mail the Planning Office at bcplpe@brucecounty.on.ca.

Schedule 'A'

