

**NOTICE OF DECISION OF
COMMITTEE OF ADJUSTMENT
WITH REASONS RE APPLICATION FOR
File No. MV-2025-05 Minor Variance – s.45(1)**

NAME OF COMMITTEE: The Town of Minto Committee of Adjustment
RE AN APPLICATION BY: Robert Harris
PROPERTY ADDRESS: 167 Margaret St S, Harriston
LOCATION OF PROPERTY: LOT 7 PT LOT 8

The purpose and effect of this Minor Variance application is to seek relief from the Minimum Exterior Side Yard setback to the dwelling unit and an accessory structure, the Maximum Lot Coverage and to permit the construction of an accessory structure without the establishment of the principal use. Sections 10.2.5 and 6.1.2 of the Town of Minto’s Comprehensive Zoning By-law 01-86, as amended, requires a minimum exterior side yard of 6.0m (19.7 ft) to the dwelling unit and an accessory structure, whereas an exterior side yard setback of 1.52m (5.0 ft) is proposed to the dwelling unit and 3.96m (13.0 ft) to the accessory structure. Section 10.2.8 of the Town of Minto’s Comprehensive Zoning By-law 01-86, as amended, permits a maximum lot coverage of 40%, whereas 60% lot coverage is proposed. Section 6.1.5 a) requires the principal use be established on a property prior to an accessory use, however the applicant is requesting that an accessory structure is permitted to be constructed on a vacant property prior to the construction of the dwelling unit.

WE, the undersigned, in making the decision upon this application, have considered whether or not the variance requested was minor and desirable for the appropriate development or use of the land, building or structure, and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained or, in the case of a change in the use of property which is lawfully non-conforming under the By-law, as to whether or not this application has met the requirements of subsection 45(2) of *The Planning Act*, concur in the following decision and reasons for decision made on the 8th day of July 2025.

DECISION: Approves The application by Robert Harris, for the property legally described as Lot 7 and Part of Lot 8, municipally known as 167 Margaret Street South, Harriston, in the Town of Minto, seeks relief from Sections 10.2.5, 10.2.8, and 6.1.5(a) to permit a minimum exterior side yard setback of 1.52 m (5.0 ft) to the dwelling unit and 3.96 m (13.0 ft) to the accessory structure, a maximum lot coverage of 60%, and the construction of an accessory structure on a vacant property prior to the construction of the dwelling unit.

CONDITIONS:

- The relief is subject to the final approval of consent application B9-25, and is applies only to the ‘Retained Lot’;
- The relief permitted does not permit any encroachments as permitted under Section 6.37 of the Town of Minto’s Comprehensive Zoning By-law, as amended;
- The reduced exterior side yard setback shall not apply to the attached garage.

REASONS FOR DECISION: The Committee believing the request to be minor and desirable for the appropriate development of the lands and maintains the intent and purpose of the Official Plan and Zoning By-law, has approved the application.

A brief explanation of the effect, if any that the written and oral submissions had on the decision:
Town of Minto staff comments.
Wellington County Planner comments.

Signature of member

Chair

Appeal – Take notice that an appeal to the Ontario Land Tribunal in respect to this Minor Variance application may be made by filing a notice of appeal with the Town of Minto Secretary-Treasurer either via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service/> by selecting Town of Minto as the Approval Authority or by mail 5941 Highway 89, Harriston, ON N0G 1Z0, no later than 4:30 p.m. on July 28, 2025. The filing of an appeal after 4:30 p.m., in person or electronically, will be deemed to have been received the next business day. The appeal fee of \$1,100 can be paid online through e-file or by certified cheque/money order to the Minister of Finance, Province of Ontario. If you wish to appeal to the Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the OLT website at www.olt.gov.on.ca. If the e-file portal is down, you can submit your appeal to annilene@town.minto.on.ca.

Other applications – If known, indicate if the subject land is the subject of an application under the Act for:

Application Type	File Number	Status
Plan of Subdivision (Section 51)		
Consent (Section 53)	B09-25	Approved
Previous application (Section 45)		

CERTIFICATION

I, Annilene McRobb, certify that the information included herein is a true copy of the decision of the Committee with respect to the application recorded therein.

Dated this 8th day of July, 2025.

Signature of Secretary-Treasurer

Personal information contained on this form, collected pursuant to the *Planning Act*, will be used for the purposes of that Act. Questions should be directed to the Freedom of Information and Privacy Coordinator at the institution conducting the procedures under the Act.