

NOTICE OF DECISION OF
COMMITTEE OF ADJUSTMENT
WITH REASONS RE APPLICATION FOR
File No. MV-2018-03 Minor Variance – s.45(1)

NAME OF COMMITTEE: The Town of Minto Committee of Adjustment
RE AN APPLICATION BY: Jeff Metzger
PROPERTY ADDRESS: 411 Jane ST, Palmerston
LOCATION OF PROPERTY: SVY MARY CASWELLS LOT 77 CON;1 PT LOT 22 Palmerston, Town of Minto

THE PURPOSE AND EFFECT OF THE APPLICATION is to permit the construction of a 160.54m² (1536.0 sq. ft.) accessory structure with a maximum height of 5.79m (19'-0"), whereas Sections 6.1.4 b) and 6.1.3 a) of the Corporation of the Town of Minto's Comprehensive Zoning By-law 01-86, as amended, permits a maximum size of 92.9m² (1000.0 sq. ft.) and a maximum height 4.5m (14.8 ft.) for an accessory structure.

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 4th day of September, 2018.

DECISION: Denies the application by Jeff Metzger, for property legally described as SVY MARY CASWELLS LOT 77 CON;1 PT LOT 22, municipally known as 411 Jane Street Palmerston, Town of Minto. To allow the construction of a 160.54m² (1536.0 sq. ft.) accessory structure with a maximum height of 5.79m (19'-0").

CONDITIONS:

1. THAT the applicant provides a grading and drainage plan to the satisfaction of the Town of Minto, which requires a plan prepared by a professional engineer or Ontario Land Surveyor and that the owner complete the provisions of the approved grading and drainage plan and storm water management plan pursuant to development of the subject lands.
2. THAT the applicant provides a minimum Rear Yard Setback of 140 ft (42.67m) to the property line.
3. THAT the accessory structure cannot be used for commercial/industrial business purposes or habitation.
4. THAT the accessory structure be setback a minimum of 3.0 m (9.8 ft) from the side lot line.

REASONS FOR DECISION: The Committee **not** believing the request to be minor **nor** desirable for the appropriate development of the lands and to maintain the intent and purpose of the official plan and zoning by-law approves the application.

A brief explanation of the effect, if any that the written and oral submissions had on the decision:
County of Wellington Planner comments.
Town of Minto Staff comments outlining impact on adjacent occupied lands and future development.

Signature of member

Signature of member

Signature of member

Signature of member

Signature of member

Signature of member

Chair

Appeal – The last date for filing a notice of appeal of this decision is September 24th, 2018. Any such appeal must be filed with the secretary-treasurer of the committee and must set out the objection to the decision and the reasons in support of the objection and must be accompanied by the fee required by the Local Planning Appeal Tribunal.

Amount of Fee payable on appeal is \$300.00

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

- | | |
|--|-----------------|
| <input type="checkbox"/> Approval of a plan of subdivision (under section 51) File # | Status |
| X Consent (under section 53) File# B76/18 & B77/18 | Status: Pending |
| <input type="checkbox"/> Previous application (under section 45) File# | Status |

CERTIFICATION

I, Bill White, 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 4th day of September 2018.

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.