



**DECISION
COMMITTEE OF ADJUSTMENT
MUNICIPALITY OF BAYHAM**

56169 Heritage Line, P.O. Box 160, Straffordville, Ontario, N0J 1Y0
Telephone: 519- 866-5521 Fax: 519- 866-3884

Application No. A-02/24
Applicant: Jesse and Sarah Froese
Lot: Concession 8 Lots 14, 15
Roll Numbers: 34-01-000-006-03700
Street Address: 55210 and 55248 Maple Grove Line
Date of Hearing: April 18, 2024
Date of Decision: April 18, 2024

DECISION

THAT the Committee of Adjustment Secretary/Treasurer's report DS-25/24 regarding the Froese minor variance be received;

AND THAT the Committee of Adjustment considered all written and oral submissions received on this application, the effect of which helped the committee to make an informed decision;

AND WHEREAS the Committee agrees that the proposed variance as presented meets Section 45.1(1) of the Planning Act and is considered minor;

THEREFORE application A-02/24 submitted by Jesse and Sarah Froese pursuant to Section 45 of the Planning Act for a minor variance, is granted to allow relief from Municipality of Bayham Zoning By-law No. Z456-2003:

- Section 4.10 - to retain the legal non-conforming status of a second single-detached dwelling that had existed prior to the date of the passing of the current Zoning By-law in order to redevelop a new second single-detached dwelling in the future, whereas only one (1) single-detached dwelling is permitted in the current 'Agricultural (A1-A)' Zone, and further, with the approved Minor Variance Application A-02/24, a subsequent Minor Variance Application would be required if the applicant wishes to build a new single-detached dwelling larger and/or beyond the original building envelope and floor area of the previously demolished single-detached dwelling.

Decision: GRANTED

Reasons for the Decision:

- the variance is considered to be minor in nature in accordance with the requirements of the Planning Act
- the variance application meets the "four tests" of Section 45.(1) Planning Act
- the variance maintains the general intent and purpose of the Official Plan and Zoning By-law

Concur in the Decision:

Chairperson Ed Ketchabaw
Committee Member Rainey Weisler
Committee Member Tim Emerson
Committee Member Dan Froese
Committee Member Susan Chilcott

NOTICE OF LAST DATE OF APPEAL

TAKE NOTICE that any person or agency may appeal to the Ontario Land Tribunal (OLT) in respect of the By-law variance within 20-days of the Notice of Decision by filing with the undersigned, not later than the 8th **DAY OF MAY 2024**, a notice of appeal setting out the objection to the Decision and the reasons in support of the objections. It is also necessary to submit a filing fee as per the OLT Set Rates & Fees with the notice of objection.

Dated at the Municipality of Bayham this 18th day of April 2024.

Margaret Underhill
Secretary-Treasurer, Committee of Adjustment