



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-10/23
Applicant: David Hiebert
Lot: Plan 11M-188 Lot 4
Roll Numbers: 34-01-002-001-00656
Street Address: 6 MacNeil Court, Port Burwell
Date of Hearing: December 7, 2023
Date of Decision: December 7, 2023

DECISION

THAT the Committee of Adjustment Secretary/Treasurer's report DS-63/23 regarding the Hiebert 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-10/23 by David Hiebert 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 10.12.7.4 to permit a Maximum Building Coverage of 49 percent, whereas 40 percent is the permitted maximum for a new single-detached dwelling on the subject property

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 **27th DAY OF DECEMBER 2023**, 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 8th day of December 2023.

Margaret Underhill
Secretary-Treasurer, Committee of Adjustment