



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-01/24
Applicant: Lisa and Scott Walker
Lot: Lot 31 Plan 12
Roll Numbers: 34-01-002-001-15400
Street Address: 41 Strachan Street, Port Burwell
Date of Hearing: February 1, 2024
Date of Decision: February 1, 2024

DECISION

THAT the Committee of Adjustment Secretary/Treasurer’s report DS-04/24 regarding the Walker 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-01/24 submitted by Lisa and Scott Walker 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 10.10 to permit a Minimum Rear Yard Depth of 3.0 metres, whereas 7.0 metres is currently permitted
- Section 10.11 c) to permit a Maximum Floor Area of 88.5 m², whereas 75.0 m² is currently permitted for accessory buildings and structures in the R1 Zone.

Conditions:

1. That an approved engineered grading plan, including the detached garage, is required prior to the issuance of a building permit for the dwelling and detached garage.
2. That the owner includes garage eavestroughs and downspouts on the Building Plans demonstrating that water is not directed towards the rear property line prior to the issuance of a building permit.

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 (attended virtually)

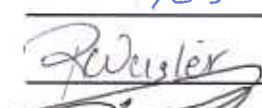
Committee Member Rainey Weisler

Committee Member Tim Emerson

Committee Member Dan Froese (attended virtually)

Committee Member Susan Chilcott

YES



YES

ABSENT

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 **21st DAY OF FEBRUARY 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 1st day of February 2024.



Margaret Underhill
Secretary-Treasurer, Committee of Adjustment