

PLANNING DEPARTMENT STAFF REPORT

TO: Trilbee Stirling-Kattler (CAO) DATE: August 7th, 2024
 Committee of Adjustment (COA)

FROM: Kristina Grondin, Planning Coordinator

FILE: D13-24-01

SUBJECT: Application for Minor Variance: 27 MacInosh Street, Cochenour

1. Application Description

The applicant is requesting relief from the following under Section 5.2 of the Zoning By-Law:

General Provision	Current	Proposed
Minimum Lot Area	275 m ² /unit	177.9 m ² /unit
Increase # of Units	2	3
Increase Maximum Height	7.5 m	8.3 m
Reduce Rear Yard Setback	10.5 m	9.1 m

Approval of the application would allow for the construction of a multi-unit dwelling, consisting of three dwelling units, stacked vertically.

2. Location of Property

This application pertains to 27 MacInosh Street, Cochenour. A location sketch is provided.

3. Property Description

The property is zoned Townsite Residential Density 1 (R1) and designated Townsite Residential. The area of the property is 0.132 acres with approximately 1.86 metres of frontage on MacInosh Street. The property is currently vacant.

4. Site Visit

A site visit was conducted on August 2nd, 2024. Members of the Planning Advisory Committee were provided with an overview of the project.



All questions from the Committee were answered, no concerns were raised at the time of the site visit.

5. Notice Circulation and Public Consultation

Notice of the application was posted at the Municipal Office; mailed to property owners within 60 metres of the subject property, posted on the Municipal website, provided to appropriate Department Heads, and required organizations. A copy of the notice is attached to this report.

On August 2nd, 2024, individually, three members of the public requested information regarding the application. All three expressed the following parking concerns:

- property is close to a corner which may cause congestion.
- no overnight parking restriction which may eventually narrow the street if snow is not remove sufficiently due to parked vehicles.
- Large delivery vehicles access the property across the street which may cause turning issues if vehicles are parked on the shoulder of the road.

Questions were also asked regarding the proposed increase in the maximum height and number of units, but no concerns were expressed regarding these items.

6. Official Plan

Section 3.3 states that the proposed use of land must be compatible with adjacent land uses.

Section 4.1.1 states that medium density structures and apartment buildings are permitted uses.

Section 4.1.2 states that a range of densities of development shall be encouraged to ensure a variety of housing forms. It notes that the Zoning By-Law will establish suitable setbacks for different densities of development to ensure that privacy and enjoyment of existing properties are not adversely affected by higher density housing.

7. Zoning By-Law

Section 5.1 lists a multi-unit dwelling as a permitted use in the R1 zone.

Section 5.2 regulates the minimum lot area, number of dwelling units, setbacks and height of the main building. The zone requirements are outlined in item 2 of this report.

8. More Homes Built Faster Act

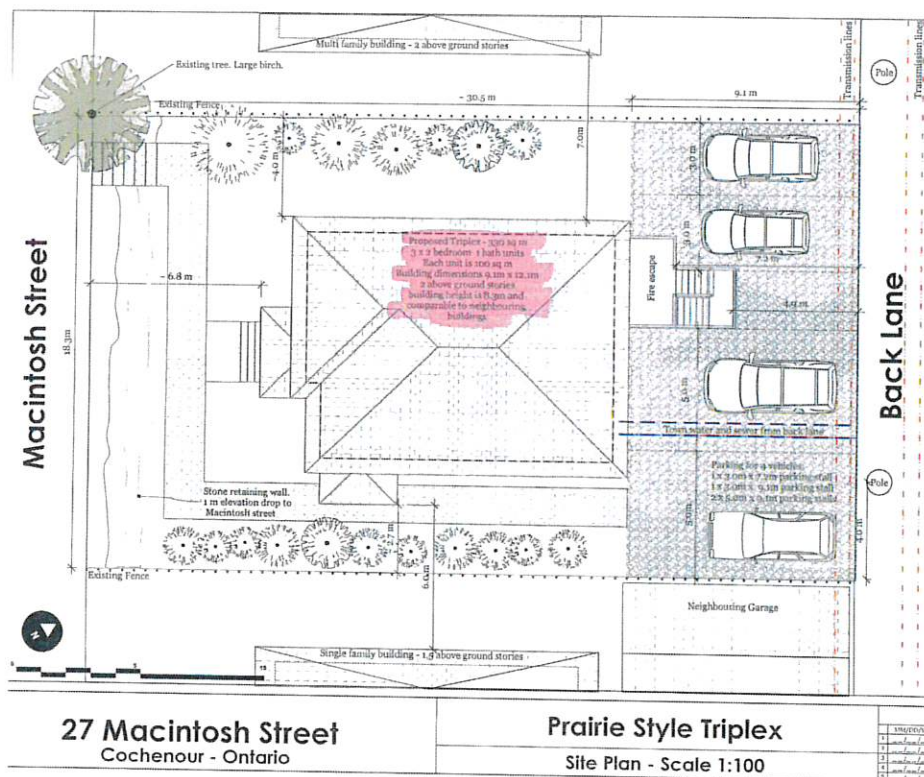
The More Homes Built Faster plan permits up to three residential units on most land zoned for one home in residential areas. These three units could all be within the existing residential structure or could take the form of a residence with an in-law or basement suite

or an accessory building. The additional units must be compliant with the Building Code and Municipal By-Laws.

8. Background, Analysis and Conclusion

The application process provides applicants the opportunity to request relief from the Zoning By-Law. The proposed development is a stacked three-unit dwelling. The proposed development will not exceed the maximum lot coverage so the request to reduce the lot area per unit does not pose a concern. The provided site plan indicates that a reduced rear yard setback will not impact any site lines along the lane and the site visit confirmed that the neighbouring properties both have a garage and vegetation close to the rear lot line. An increase in the maximum height does not appear to impact the neighbouring properties as both are developed with one and a half storey homes and the property backs a laneway. The request for an increase in units from two to three is supported as multi-unit dwellings are a permitted use and the More Homes Faster Act permits three dwelling units on a single lot.

The parking requirement for three units is a total of five spaces, one being barrier-free. A standard parking space shall be 3 metres wide, and a barrier free space shall be 3.7 metres wide. The provided site plan below shows four vehicles, but the measurements indicate a fifth space is possible on the left side of the fire escape. There is 10 metres available and 3 spots (2 standard and 1 barrier-free), requires 9.7 metres.



Approval of the application would permit the main building to be located 1.4 metres closer to the rear lot line, permit 3 dwelling units on the property, and increase the maximum height by 0.8 metres.

9. Recommendation

The proposed Minor Variance is permissible as the proposed use is consistent and compatible with other uses in the surrounding area. The multi-unit dwelling provides needed housing in our community; and the requested variances are keeping within the intent of the Zoning By-Law and Official Plan.

It is recommended that the Committee of Adjustment support the proposed variances and approve the application, attached as Appendix 3.



Kristina Grondin
Planning Coordinator

Attachments:

- Appendix 1: Complete Application for Zoning By-Law Amendment
- Appendix 2: Notice of Application and Public Meeting
- Appendix 3: Draft Zoning By-Law Amendment

27 Macintosh - for the mun.

Application for a Minor Variance
Section 45 of the *Planning Act*



Complete Application

Information requested within this application may be either prescribed under Ontario Regulation 200/96 or included as additional information set out by the Municipality.

To ensure a full and quick review, please submit all of the requested information. In the absence of information, it may not be possible to do a complete review which may result in a delay and possible refusal of the application. Answers should be provided with a detailed explanation or yes/no format. Answers stated as 'not applicable (n/a)' will not be accepted. The complete application must be provided with the appropriate fee and a site sketch of the subject location.

Early Consultation

Prior to formally submitting an application, the applicant and/or agent are encouraged to contact staff of the Municipal Office to discuss the development proposal and the approval process, including circulation to agencies and neighbours, timeframes, etc. Early consultation is beneficial, as the applicant can review the proposal with Municipal staff and discuss what supporting documents and information may be required.

Submission of the Application

The Municipality requires:

- ✓ A copy of the *Parcel Identification Number* abstract from the Kenora Land Titles office or Terranet dated not older than 6 months; and the Assessment Roll (Tax Bill) for proof of ownership
- ✓ All measurements in metric units (i.e. centimeters, metres, kilometers; 1 foot = 0.308 metres)
- ✓ The application to be completed in blue or black ink only
- ✓ Colour photos of the subject location from the ground (not aerial), if available
- ✓ The original signed, and witnessed copy of the application. Note: the Secretary-Treasurer (Planning Administrator) is a Commissioner of Oaths.
- ✓ The application fee

If you are unfamiliar with making *Planning Act* applications or have difficulty with the application process you are encouraged to retain a planning consultant. Generally, for completion of the application and in preparation of a good site sketch, you may consult the Red Lake Municipal Planning Department.

Planning Department
Corporation of the Municipality of Red Lake
2 Fifth Street
P.O. Box 1000
Balmertown, ON P0V 1C0
Phone: (807) 735-2096 ext. 236
Fax: (807) 735-2286
Email: planning@red-lake.com



FILE NUMBER

MUNICIPALITY OF RED LAKE APPLICATION FOR MINOR VARIANCE TO THE ZONING BY-LAW

Planning Act, R.S.O. 1990, c. P.13, s. 45
O. Reg. 200/96, Schedule

APPLICATION FEE ENCLOSED – \$300.00

THE INFORMATION IN THIS APPLICATION AND ALL OTHER INFORMATION, STUDIES, REPORTS AND COMMENTS RECEIVED RELATIVE TO THE PROCESSING OF THIS APPLICATION IS COLLECTED FOR THE PURPOSE OF CREATING A RECORD THAT IS AVAILABLE TO THE GENERAL PUBLIC.

NAME OF OWNER Joel Marion c/o Rahill Investments		NAME OF AGENT, SOLICITOR OR PLANNING CONSULTANT (IF APPLICABLE)	
ADDRESS 6 West Rahill Dr.	POSTAL BOX PO BOX 704	STREET ADDRESS	POSTAL BOX
POSTAL/ ZIP CODE POV 1C0	PROV./ STATE ON	POSTAL/ ZIP CODE	PROV./ STATE
TELEPHONE (807) 727-7252	TELEPHONE		
EMAIL joel.marion@hotmail.com	EMAIL		
DOES ANY OTHER PARTY HAVE INTEREST IN THE PROPERTY, SUCH AS CHARGE, MORTGAGE, OR EASEMENT? NO			
PLEASE PROVIDE THE NAMES AND ADDRESSES FOR THESE PARTIES NO			

PROPERTY INFORMATION:

LEGAL DESCRIPTION OF THE SUBJECT LAND, SUCH AS MINING PLAN DESCRIPTION, REGISTERED PLAN AND LOT OR PART NUMBERS PCL 4778 SEC DPF SRO; LT 60 PL M587, Mun. Red Lake (PIN No: 42009-0670)	
Registration No. KN118696 Assessment Roll No. 6041440-00207900	
STREET ADDRESS AND TOWN SITE NAME 27 Macintosh Street, Cochenour, ON	

DIMENSIONS OF SUBJECT LAND		
Frontage (metres): 18.30 M	Depth (metres): 30.50 M	Area (hectares): 0.0558

CURRENT DESIGNATION WITHIN THE RED LAKE OFFICIAL PLAN Townsite Residential	CURRENT ZONING WITHIN THE ZONING BY-LAW R1
OFFICIAL PLAN – HAS A SITE SPECIFIC DESIGNATION BEEN APPLIED, AND IF SO, WHAT LAND USES ARE PERMITTED OR NOT PERMITTED? No site specific zoning.	
ZONING BY-LAW – HAS SITE SPECIFIC ZONING BEEN APPLIED, AND IF SO, WHAT LAND USES ARE PERMITTED OR NOT PERMITTED? No site specific zoning.	

DATE SUBJECT LAND WAS ACQUIRED ON:

February 22, 2024

WHAT IS THE EXISTING USE OF THE PROPERTY? WHAT IS THE LENGTH OF TIME THIS USE HAS OCCURRED?

Vacant property. No buildings or structures are on the property.

EXISTING USE OF ABUTTING PROPERTIES

29 Macintosh is a R1. Looks like a duplex or tri-plex.
25 Macintosh is a R1. House with garage.

PROPOSAL INFORMATION:

RELIEF - NATURE AND EXTENT OF RELIEF FROM THE ZONING BY-LAW :

Lot area, rear yard setback, maximum number of units, parking, height
"see attached"

WHY CAN THE PROPOSED USE NOT COMPLY WITH THE ZONING BY-LAW?

Lot area proposed 177.9 m²/unit, it's a stacked unit. Rear yard setback proposed at 9.1 m, maximum number of units, looking for 3 stacked units. Parking, looking for 4 spaces because of width of lot. Height of 8.3 m or 27.23 feet.
"see attached"

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND.

FOR EXAMPLE, PLEASE SPECIFY THE GROUND FLOOR AREA, GROSS FLOOR AREA, NUMBER OF STOREYS, WIDTH, LENGTH, HEIGHT, ETC.

EXISTING:

NONE - VACANT LAND

PROPOSED:

Ground floor - 123 m² Gross floor - 110 m² # Storeys - 2
width - 9.15 m
length - 12.19 m
height - 8.30 m

HAS ANY OWNER PREVIOUSLY APPLIED FOR MINOR VARIANCE IN RESPECT OF THE SUBJECT PROPERTY? YES

NO

IF YES, PLEASE PROVIDE THE FILE NUMBER AND DECISION IF GIVEN:

STORM DRAINAGE is provided to the subject land by:

- Sewers
- Ditches
- Swales
- Other means (specify)

SEWAGE DISPOSAL is or will be provided to the subject land by:

- Publicly-owned/operated sewage system
- Pit privy
- Privately-owned/operated individual septic system
- Other means (specify)
- Privately-owned/operated communal septic system

*Properties to be serviced by private sewage systems will require a preliminary soils inspection. It is the responsibility of the applicant to arrange an inspection with the Northwestern Health Unit.

*If the requested amendment would permit development on privately owned and operated individual or communal sewage system, and more than 4500 litres of effluent would be produced per day as a result of the proposed development, a servicing options report and a hydrogeological report must be provided.

POTABLE WATER is or will be provided to the subject land by:

Publicly-owned/operated piped water system Lake or other water body

Privately-owned/operated individual well Other means (specify)

Privately-owned/operated communal well

OTHER APPLICATIONS – if known, indicate if the subject land is or will be the subject of an application under the Act for:

approval of a plan of subdivision (under section 51) File Status

If Yes please describe in detail: _____

consent (under section 53) File Status

If Yes please describe in detail: _____

previous application (under section 34) File Status

If Yes please describe in detail: _____

Are you aware of any *Planning Act* Applications within currently being proposed for any properties within 120 metres of the subject property?

ACCESS – Access to the subject land will be by:

Provincial Highway Seasonally maintained Municipal road

Year round maintained Municipal road Right-of-way

Private road Water

WATER ACCESS – Where access to the subject land is by water only: **NO WATER ACCESS**

Docking facilities (specify)..... distance from subject land distance from nearest public road	Parking facilities (specify)..... distance from subject land distance from nearest public road
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EXISTING BUILDINGS AND STRUCTURES – Provide the following information for all buildings and structures. Attach a separate page if necessary.

TYPE - **NONE** Front lot line setback: Height in metres.....

DATE CONSTRUCTED Rear lot line setback: Dimensions:

Side lot line setback: Floor Area:

Side lot line setback:

TYPE - Front lot line setback: Height in metres.....

DATE CONSTRUCTED Rear lot line setback: Dimensions:

Side lot line setback: Floor Area:

Side lot line setback:

PROPOSED BUILDINGS AND STRUCTURES – Provide the following information for all buildings and structures. Attach a separate page if necessary.

TYPE - Triplex Front lot line setback: 6.8 M Height in metres: 8.30 M
 Rear lot line setback: 9.1 M Dimensions: 16.76 M x 9.14 M
 Side lot line setback: 4.0 M Floor Area: 110 m²
 Side lot line setback: 2.7 M

TYPE - Front lot line setback: Height in metres:
 Rear lot line setback: Dimensions:
 Side lot line setback: Floor Area:
 Side lot line setback:

What is the expected type and volume of waste to be produced on the subject land? How will this waste be managed or treated?

Grey water (sinks) as a result of indoor plumbing 340 L per day - drain
 Black water (toilet) as a result of indoor plumbing 68 L per day - drain
 Food wastes 5.1 kg per day - composter and garbage program.
 Recyclable household wastes (plastic, glass, aluminum) 2 kg per day - recycling program
 Building hardware wastes (treated wood, shingles, metal) waste disposal site - 0 kg

CHECK AS APPLICABLE:

Does the Owner own any adjoining property? Yes No
 If Yes please describe in detail: _____

Is there any reason to believe that the site may be environmentally contaminated? Yes No
 If Yes please describe in detail: _____

Has an industrial or commercial use been on or adjacent to the property? Yes No
 If Yes please describe in detail: _____

Has lot grading been changed by adding or removing earth or other material? Yes No

Has the Ministry of the Environment or any other ministry advised the owners that the property is or may be contaminated? Yes No
 If Yes please describe in detail: _____

Are there any known Natural Heritage values existing on the site? Yes No

DATE SUBJECT LAND WAS ACQUIRED ON: February 22, 2024

ARE THE MINERAL RIGHTS CROWN OR PATENTED? patented

ARE THERE ANY RESERVATIONS ON THE PATENT OR TITLE OF THE SUBJECT LOCATION? NO

IF FRONTED BY WATER, IS THE SHORELINE RESERVE PATENTED OR CROWN LAND? IF CROWN, HOW WIDE IS THE RESERVATION? NO

Is there any other information that you think may be useful to the Municipality in reviewing this Application for Minor Variance? If so, explain below or attach a separate page with this information.

SITE PLAN SKETCH:

PLEASE TAKE TIME TO PROVIDE A GOOD SKETCH.

PRINT CLEARLY. IT SHOULD DISPLAY THE FOLLOWING INFORMATION TO THE BEST OF YOUR KNOWLEDGE:

- Prepared on letter paper, overtop of a photocopy of the survey is ideal. For a more detailed or larger scaled sketch, you may provide a second page. ✓
- North arrow, scale and legend ✓
- The boundaries of the owner's property and dimensions ✓
- The boundaries of the property subject to the application including area and dimensions if different from above ✓
- The location, dimensions (height, length, and width) and type of all **existing** and **proposed** buildings and structures on the subject land, indicating the distance of the buildings or structures from other buildings and from the front yard line, rear yard line and the side yard lot lines. ✓
- The location or proposed location of any sewage disposal systems, including pit privies, grey water, or septic systems ✓
- The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, transmission lines, roads, watercourses, slopes, drainage ditches, river or stream banks, wetlands, wooded areas, and wells ✓
- The existing use(s) of lands on adjacent properties (i.e. residential, automotive repair, retail) ✓
- The proposed development, including the area and dimensions of any new lots to be created, the size and location of buildings, parking spaces, landscaping, amenity areas, etc. ✓
- As applicable - fire access route, outdoor equipment and storage, walkway, curbing, fencing ✓
- Existing municipal infrastructure immediately adjacent to the site (roads, lane, sidewalks, existing entrances, boulevard trees, fire hydrants, hydro poles, easements, etc.) ✓
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right-of-way. ✓
- If access to the subject land is by water only, the location of the parking and docking facilities to be used. ✓
- The location and nature of any easements affecting the subject land. ✓

AUTHORIZATION OF THE OWNER FOR AN AGENT TO MAKE APPLICATION

I/We the undersigned, being the owner of the subject land, hereby authorize Joel Marion to be the applicant in the submission of this application. This application has been submitted with my/our full knowledge and endorsement.


Signature of 1st Owner or Signing Officer

Blanchy
Signature of Witness

Signature of 2nd Owner or Signing Officer

July 13 / 2024
Date

AFFIDAVIT OR SWORN DECLARATION FOR THE PRESCRIBED INFORMATION

I/We, Joel Marion of the Municipality of Red Lake in the Province of Ontario
(Municipality/ City)
(Province)

solemnly declare that the statements and any maps or plans submitted with this application are true, and I/We make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue and provided by me are true and I make this solemn of the Canada Evidence Act.


Sworn (or declared) before me at the Municipality of Red Lake in the District of Kenora

This 15 day of July, 2024.


Commissioner for Taking Affidavits


1st Owner/ Signing officer/ Authorized Agent

2nd Owner/ Signing officer/ Authorized Agent

Affix commissioner stamp here:


This section for Red Lake Municipal office use only:

Date complete application received: _____

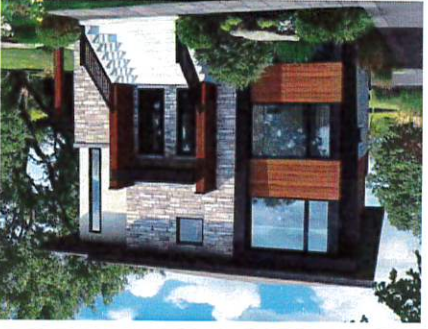
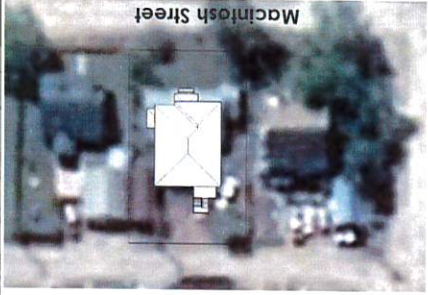
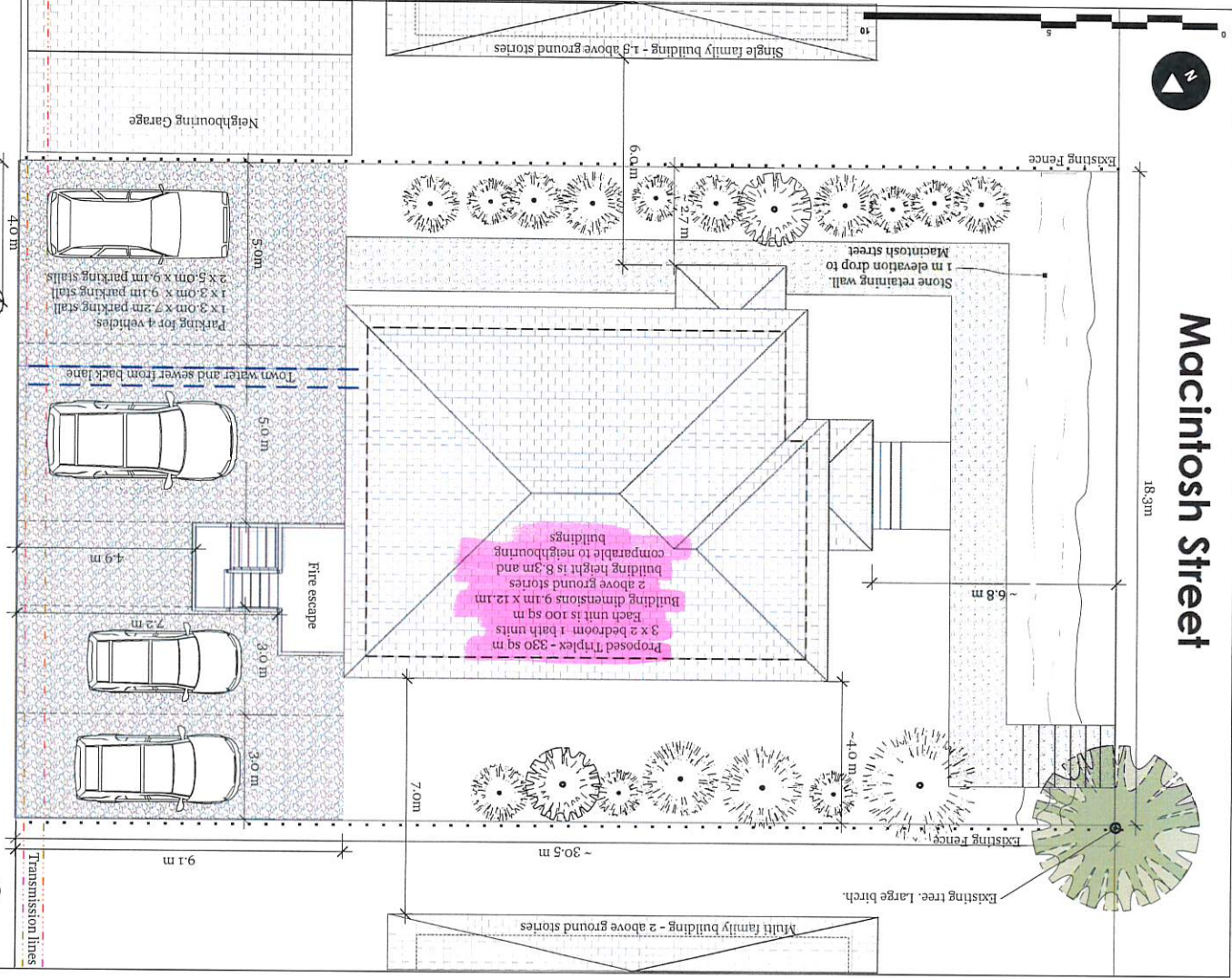
Macintosh Street

18.3m



27 Macintosh Street Cochenour - Ontario

Prairie Style Triplex Site Plan - Scale 1:100



REVISIONS

NO.	DATE	BY	DESCRIPTION
1		MM/DD/YY	Added site info and neighbouring homes

05 A



Machintosh Street View



Back lane View

Section 5.2

- Reduce lot area per unit from 275 m² to 177.9 m²
- Reduce rear yard setback from 10.5 m to 9.1 m
- Increase maximum number of units from 2 to 3
- ~~Reduce parking spaces from 5 to 4~~ *Removed*
- Increase maximum height from 7.5 m to 8.3 m

LAND
REGISTRY
OFFICE #23

42009-0670 (LT)

PAGE 1 OF 1
PREPARED FOR joel
ON 2024/07/13 AT 13:11:21

ONLAND

* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

PROPERTY DESCRIPTION:

PCL 4778 SEC DPF SRO; LT 60 PL M587 EXCEPTING AND RESERVING UNTO COCHENOUR WILLANS GOLD MINES LIMITED, WILMAR MINES LIMITED AND ANNCO MINES LIMITED, AND ITS ASSIGNS, ALL MINING RIGHTS, MINES AND MINERALS WHETHER SOLID, LIQUID OR GASEOUS ALREADY FOUND OR WHICH MAY HEREAFTER BE FOUND TO EXIST WITHIN, UPON OR UNDER THE SAID LANDS, WITH FULL LIBERTY OF INGRESS, EGRESS AND REGRESS AT ALL TIMES AND GENERALLY TO DO ALL OTHER ACTS AND THINGS NECESSARY OR PROPER FOR WORKING AND OBTAINING THE SAID MINES AND MINERALS; RED LAKE

PROPERTY REMARKS:

ESTATE/QUALIFIER:

FEE SIMPLE
ABSOLUTE

RECENTLY:

FIRST CONVERSION FROM BOOK

PIN CREATION DATE:

2005/03/21

OWNERS' NAMES

RAHILL INVESTMENTS INC.

CAPACITY SHARE

ROWN

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/CHKD
** PRINTOUT INCLUDES ALL DOCUMENT TYPES (DELETED INSTRUMENTS NOT INCLUDED) **						
LT238980	1995/04/13	NOTICE REMARKS: AIRPORT ZONING REGULATIONS				C
KN110381	2022/08/23	APL (GENERAL) REMARKS: NOTICE OF VESTING		THE CORPORATION OF THE MUNICIPALITY OF RED LAKE	THE CORPORATION OF THE MUNICIPALITY OF RED LAKE	C
KN118696	2024/02/22	TRANSFER	\$11,000	THE CORPORATION OF THE MUNICIPALITY OF RED LAKE	RAHILL INVESTMENTS INC.	C

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.



July 25th, 2024

NOTICE OF COMPLETE APPLICATION AND PUBLIC MEETING FOR MINOR VARIANCE TO THE ZONING BY-LAW FILE NUMBER D13-24-01

Planning Act, R.S.O.1990 C.p.13, S.45 (1)

At the date and location below, the Municipality of Red Lake Committee of Adjustment will be hearing comments on an application for Minor Variance, described as follows.

LOCATION AND PROPERTY DESCRIPTION:

27 MacIntosh Street, Cochenour. Please refer to the location sketch.

PURPOSE AND EFFECT:

Request relief from Section 5.2 of the Zoning By-Law to reduce lot area per unit, reduce rear yard setback from 10.5 m to 9.1 m, increase number of units from 2 to 3, reduce parking spaces from 5 to 4 and increase maximum height from 7.5 m to 8.3 m.

OTHER APPLICATIONS:

None at this time.

ADDITIONAL INFORMATION: Complete application for the proposed Minor Variance is available for inspection at the Municipal Office.

PUBLIC HEARING: You are entitled to attend the public hearing in person to express your views about this application or you may submit written comments to be read by the Committee at the hearing. If you wish to make written comments on this application, they may be forwarded to the secretary of the Committee at the address below. If you are aware of any person interested in or affected by this application who has not received a copy of this notice you are requested to inform that person of this hearing.



FAILURE TO ATTEND HEARING: If you do not attend the hearing it may proceed in your absence and, except as otherwise provided in the *Planning Act*, you will not be entitled to any further notice in the proceedings.

NOTICE OF DECISION: A copy of the decision of the Committee will be sent to the applicant and to each person who appeared in person or by council at the hearing and who has filed with the secretary a written request to receive the notice of decision.

DATE AND TIME OF HEARING: Tuesday, August 13th, 2024, 5:00 p.m.

PLACE AND ADDRESS: Council Chambers of the Municipal Office at 2 Fifth Street, Balmertown.

MAILING ADDRESS: Secretary of the Committee of Adjustment for The Corporation of the Municipality of Red Lake. P.O. Box 1000, Balmertown, ON P0V 1C0.

Personal information that may accompany a submission will be collected under the authority of the Planning Act and may form part of the public record which may be released to the public.

If you may have any questions, please contact the Planning Department by calling (807) 735-2096, or by email: kristina.grondin@redlake.ca



NOTICE OF DECISION OF THE COMMITTEE OF ADJUSTMENT APPLICATION FOR:

Minor Variance – s. 45(1) Permission – s. 45(2)

APPLICATION BY Joel Marion c/o Rahill Investments

LOCATION OF PROPERTY 27 MacIntosh Street, Cochenour (Lot 60 of Plan M587)

PURPOSE OF APPLICATION To receive relief from requirements of the Zoning By-Law. The applicant is requesting relief from Section 5.2 as follows:

- Reduce lot area per unit from 275 m² to 177.9 m²
- Reduce rear yard setback from 10.5 m to 9.1 m
- Increase number of units from 2 to 3
- Increase maximum height from 7.5 m to 8.3 m

WE, the undersigned, in making the decision upon this application, have considered whether or not the permission 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 a use in a 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 the decision made on the **13th day of August, 2024.**

DECISION:
Approved: <input type="checkbox"/> Defeated: <input type="checkbox"/>

CONDITIONS:

REASONS FOR DECISION:
The requested minor variance maintains the general intent and purpose of the Zoning By-law and is considered minor.

SIGNATURES OF MEMBERS

.....
Jerrett Landry, Vice Chair

.....
Dale Butterfield, Member

.....
Enid Carlson, Member

.....
Brenda Cooke, Member

.....
Allistair McRae, Member

Appeal – The last date for filing a notice of this decision is 20 days after the notice of decision is given.

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.

Person – appeal limitation – Only individuals, corporations and public bodies may appeal decisions in respect on an application for a minor variance or permission to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

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

- Approval of a plan of subdivision (under section 51) File #N/A..... Status:
- Consent (under section 53) File #N/A..... Status:
- Previous application (under section 45) File #N/A..... Status:

CERTIFICATION

I, Mark Vermette, 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 13th day of August, 2024

.....
Trilbee Stirling-Kattler, CAO/Secretary-Treasurer