

File: A01/2024W

NOTICE OF DECISION

In the matter of the Planning Act, R.S.O. 1990, c. P. 13, s. 45, and;
In the matter of an application for minor variance on behalf of:

Tom & Alice Jongsma, Justin & Sarah Jongsma
75805 Robinson Road
Concession 7, Part Lots 58 & 59

Description of the Land and Purpose and Effect of the Application:

The subject property is located at the north-east corner of Robinson and Townline Roads. The subject property is zoned Agriculture (A2).

An application for a minor variance has been submitted to request relief from the following provisions of Zoning By-law 034-2014 to permit the construction of a new single-family dwelling on the subject property.

Section of Bylaw	By-law Requirement	Application Request
Section 6.2.1 (Minimum Exterior Side Yard)	15 metres	11 metres

DECISION: ☒ GRANTED ☐ REFUSED

Prior to making the decision, the Committee of Adjustment considered all written and verbal comments from the public and responding Township Departments and external agencies. The above decision was made for the reasons and is subject to the conditions outlined in Schedule "A", attached hereto.


Chair M. Feduck


Member D. Chase


Member R. Leone


Member G. Balicki


Member S. McMillan

Date of Decision: February 21, 2024

Date of Notice: February 22, 2024

I, David Scott, Secretary-Treasurer of the Committee of Adjustment for the Township of Wainfleet, hereby certify that the above is a true copy of the decision of the Committee of Adjustment for the Township of Wainfleet in the Regional Municipality of Niagara and this decision was concurred in by the majority of the members who heard the application.


David Scott, Secretary-Treasurer

Last date of filing an appeal to the Ontario Land Tribunal: March 12, 2024

PROCEDURE FOR APPEAL

The *Planning Act*, R.S.O. 1990, c. P. 13, Section 45, Subsection 12, states that "the applicant, the Minister or a specified person or public body that has an interest in the matter may within 20 days of the making of the decision appeal to the Tribunal against the decision of the committee by filing with the secretary-treasurer of the committee a notice of appeal setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the secretary-treasurer of the fee charged by the Tribunal as payable on an appeal from a committee of adjustment to the Tribunal". Parties, other than the applicant, the Minister, a specified person or public body, are no longer eligible to file appeals for this application.

Information regarding the Ontario Land Tribunal appeals process, forms and prescribed fees can be found at <https://olt.gov.on.ca/>.

SCHEDULE A – FILE A01/2024W

This is Schedule A, appended to and forming part of the Notice of Decision for Application for Minor Variance A01/2024W.

The above decision was made for the following reasons:

1. The application can be considered consistent with the intent of the Official Plan and the Zoning By-law.
2. The proposed variance appears minor in nature given the location and size of the subject lands.
3. This decision has been rendered having regard to the provisions of Section 45 of the Planning Act.

The above decision is subject to the following conditions of provisional consent:

1. That a Change of Use/Renovation Building Permit Application be obtained for the relocation and repurposing of the existing single detached dwelling into an accessory building. As a requirement of the permit, the applicant may be required to enter into a Development Agreement or sign a Declaration of Use, to the satisfaction of the Chief Building Official and Planner.