



## The Corporation of the Municipality of West Elgin

### Decision of Committee of Adjustment

Pursuant to Section 45 of *the Planning Act*, R.S.O. 1990

**Re:** Minor Variance Application File # D13 06/19

**Location:** Concession 5 Western Division, Part of Lot 8, 13674 Furnival Road

**Agents:** Jacob McCall and Christina Ross

**Owners:** Jacob McCall, Howard McCall and Christina Ross

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### **Purpose and Effect**

The purpose of this application is to seek relief from Zoning By-law # 2015-36 of the Municipality of West Elgin. The subject property is designated Agricultural in the West Elgin Official Plan and zoned Restricted Agricultural (A3) in the Municipality of West Elgin Zoning By-law. The owners are proposing to construct an accessory building for a secondary farm occupation. Section 7.2.5 subsection c) states secondary farm occupations shall be located a minimum of 150.0 m (492.13 ft.) from a dwelling situated on a neighbouring lot. The owners are proposing a minimum distance of 119.0 m (390.42 ft.) to a dwelling situated on a neighbouring lot located at 113657 Furnival Road. The owners are unable to meet the minimum distance of a secondary farm occupation from a dwelling situated on a neighbouring lot due to insufficient depth of the subject lands.

Maps showing the location of the lands to which this proposed minor variance applies are attached.

### **Decision and Reasons of the Committee**

It is the decision of the Committee of Adjustment to approve this variance application with for the following reasons:

- The variance is minor in nature;
- The proposed minor variance represents appropriate use of the subject property;
- The requested variance conforms to the general intent and purpose of the Municipality of West Elgin Official Plan;
- The requested variance conforms to the general intent and purpose of the Municipality of West Elgin Zoning By-Law #2015-36.

### **Effect of Public and Agency Comments on Decision of Committee of Adjustment**

No public comments were received on this application so there was no effect on the decision.

Agency comments were received in support of the application, the effect of which resulted in a decision to approve the application.

Dated this 9<sup>th</sup> day of January, 2020.



Duncan McPhail



Richard Leatham



Taraesa Tellier



Angela Cammaert



Bonnie Rowe

### Certification of the Committee's Decision

I, Jana Nethercott, being the Secretary- Treasurer of the Committee of Adjustment for the Corporation of the Municipality of West Elgin, certify that this is a true copy of the Committee's Decision.



Secretary- Treasurer

Jan 9 / 2020

Date

### Appeals

If a person or public body does not make oral submissions at a public hearing or make written submissions to the Municipality of West Elgin Committee of Adjustment before the minor variance is granted, the person or public body is not entitled to appeal the decision of the Municipality of West Elgin to the Local Planning Appeal Tribunal (LPAT).

If a person or public body does not make oral submissions at a public hearing or make written submissions to the Municipality of West Elgin Committee of Adjustment before the minor variance is granted, the person or public body may not be added as a party to the hearing of an appeal before the LPAT unless, in the opinion of the LPAT, there are reasonable grounds to do so.

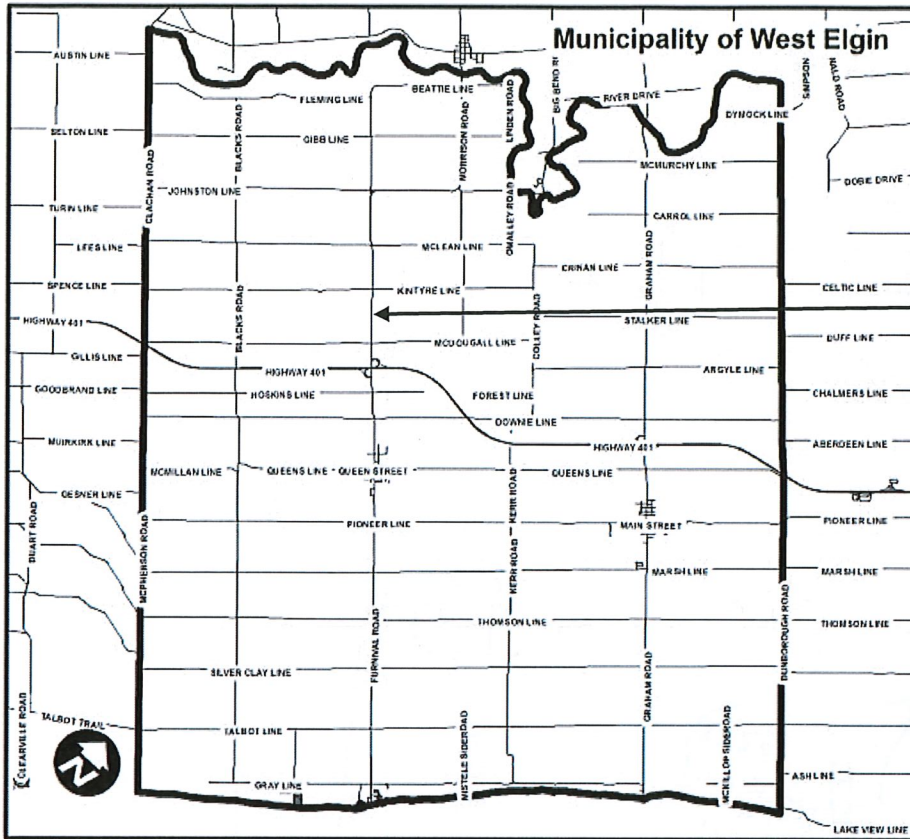
Any appeals of the Decision of the West Elgin Committee of Adjustment must be filed with the Secretary-Treasurer of the Committee of Adjustment, **not later than the 29<sup>th</sup> day of January, 2020** setting out the reasons for the appeal together with a certified cheque or money order in the amount of \$300.00 payable to the Minister of Finance. A copy of the appeal form is available from the Local Planning Appeal Tribunal website at [www.elto.gov.on.ca](http://www.elto.gov.on.ca). If no appeal is received within the prescribed time, a Notice of No Appeal will be sent out to the applicant.

### Additional Information

Additional information related to this minor variance may be obtained at the West Elgin Municipal office or by contacting Jana Nethercott, Secretary-Treasurer at 519-785-0560, between the hours of 8:30 a.m. and 4:30 p.m. (Monday to Friday).



## Key Maps



Property to which this zoning  
by-law amendment applies.

