

File: A08/2024W

## 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:

**Lawrence Schilstra**  
12491 Lakeshore Road  
Concession 1 Part Lot 24 Registered Plan 59R-12535 Parts 2 and 3

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

The subject property is located on the south side of Lakeshore Road, between Daley Ditch Road and Brawn Road.

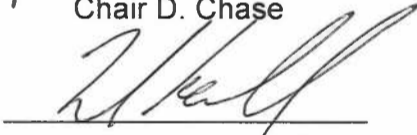
An application for a minor variance has been submitted to request relief from the following provisions of Zoning By-law 034-2014 to permit the construction of a detached garage on the subject property:

Section of Bylaw	By-law Requirement	Application Request
Section 7.2.1 Table 10 – Maximum Lot Coverage	15%	18%
Section 4.21 Table 2 – Maximum Accessory Building Lot Coverage	2.5%	3%

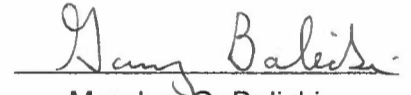
DECISION:  GRANTED       REFUSED


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 D. Chase

  
Member M. Feduck

  
Member R. Leone


  
Member G. Balicki

  
Member S. McMillan

Date of Decision: June 19, 2024

Date of Notice: June 20, 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: July 9, 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 A08/2024W**

This is Schedule A, appended to and forming part of the Notice of Decision for Application for Minor Variance A08/2024W.

**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:**

1. That the original single detached dwelling be removed in accordance with the conditions of Building Permit No. 2022-139 & 2022-142, prior to the issuance of a building permit for the proposed accessory building.
2. That the applicant provide a revised Lot Grading and Drainage Plan for the subject property, prepared by a qualified professional, to address the placement of the proposed accessory building and to confirm that the proposed grading for all works, once completed, will not impact the adjacent properties.