

From the Desk of Lake Erie Rocky Shore Developments Inc.

Sarah Ivins, B.U.R.Pl., Dipl.M.A.
Planner, Assistant Secretary-Treasurer - Committee of Adjustment
Community & Development Services
Corporation of the Township of Wainfleet

Good morning.

Re: Lake Erie Rocky Shore Developments Inc.'s application for a proposed minor variance to permit an increase in maximum lot coverage to accommodate an expanded unenclosed deck on the rear of the existing dwelling.

- Property Address: 11435 Morgan's Point Road

Sarah, thank you for forwarding the record of the pre-consultation meeting conducted on Thursday July 11th, 2024. The information disclosed within is agreeable to Lake Erie Rocky Shore Developments Inc. as we seek to bring forth a minor variance application that is:

- 1.) Consistent with the intent of the Official Plan and the Zoning Bylaw.
- 2.) Minor in nature given the location and size of the subject lands.
- 3.) Addressing the provisions of Section 45 of the Planning Act.

Minor Variance Application Executive Summary

The objective of the minor variance application is to allow lot coverage to be increased to 16.68%. Maximum lot coverage is 15.00% as per Township Zoning By-Law 034-2014.

The lot coverage is currently at 14.98%. The total lot area is 651.37 m² or 97.59 m².

The currently as built unenclosed deck is 7'8" feet x 6'0" feet as per enclosed architectural drawings or 4.35 m². The minor variance application is asking for permission to allow the unenclosed deck to be sized at 14'11" feet x 8.'0" feet or 11.10 m² which will be 6.75 m² larger than currently built.

In conclusion, the minor variance should allow overall lot coverage to be 108.68 m² or 16.68% to accommodate the unenclosed deck. This will allow the unenclosed deck to be in appropriate proportion to the overall size of the home. The current as built unenclosed deck with the dimensions of 7'8" feet x 6'0" feet is not consistent with the overall dimensions of the home and as a result does not reflect the overall character of this home nor does it enhance the overall character of the neighborhood.

In terms of vehicle parking, it will remain limited to the driveway.

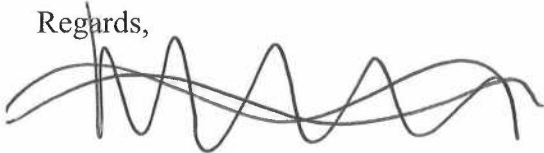
Kindly note that Lake Erie Rocky Shore Developments Inc. has amended the lot grading plan and home blueprint to be compatible with the character of the home thereby increasing the

unenclosed deck's functionality. The proposed amendment is relatively minor and therefore appropriate in relation to the overall home design and surrounding neighborhood. The potential impact of this proposal is it involves installing one additional anchor post. The existing deck has two anchor posts and a total of three will be required. As a result, this minor variance application has limited environmental implications. Kindly note that the third and proposed new anchor post will be located at least 1.5 meters away from the septic tank. In conclusion, this minor variance application is consistent with the Ontario Planning Act, The Niagara Region and the Corporation of the Township of Wainfleet, in the opinion of the Applicant, Lake Erie Rocky Shore Developments Inc.

Sarah, please reference enclosed completed minor variance application together with supporting materials.

With thanks and appreciation.

Regards,

A handwritten signature in black ink, appearing to read 'Otto Bulk', written over a horizontal line.

Otto Bulk
President
Lake Erie Rocky Shore Developments Inc.

Enclosed:

- Minor Variance Application
- Minor Variance Application Fee
 - Appendix A
- Record of Pre-Consultation
- Residential House Blueprints / Evaluation Drawings
- Site Plan / Grading Plan

Appendix A

Re: Lake Erie Rocky Shore Developments Inc.

- Property Address: 11435 Morgan's Point Road

Why is it not possible to comply with the provisions of the By-law when amending the deck size?

The By-law has specific requirements and restrictions for overall lot coverage. These requirements are put in place to maintain a certain aesthetic and design standard for the Region. When building the deck, it became apparent that it may not be realistic to comply with this provision. If changes to the deck are not going to be allowed via the minor variance application the unenclosed deck will have limited practical functionality and unnecessary limited restrictions in terms of comfortability and enjoyment. These limitations are mainly due to factors related to the size of the current as built unenclosed deck.

Demonstrate how the variance is minor in nature pertaining to the deck.

The deck that was originally planned by the prior owner to allow a new home construction building permit and grade plan was to be designed in a manner that will allow less than 15.00% lot coverage. However, as the construction progress continues, the general contractor encountered some minor limitations in terms of the overall design, appearance and functionality of the deck. This minor variance application is going to address these shortcomings. These proposed amendments are minor in nature and have a significant positive impact on the overall design and functionality of the deck while only increasing the lot coverage to 16.68%.

How is the variance appropriate and desirable for the use of the land?

The decision to grant a variance will be limited to the unenclosed deck attached to the home. The appropriateness will allow the unenclosed deck to fully encompass the unique characteristics of the location, while increasing the functionality and practical use of the unenclosed deck.

How does the variance meet the intent of the Official Plan and Zoning Bylaw?

The variance process allows for slight deviations from the requirements outlined in the Official Plan and Zoning Bylaw. It is meant to provide flexibility and accommodate specific circumstances while still maintaining the overall intent and vision of the Official Plan and Zoning Bylaw. Strict adherence to the requirements of the Official Plan and Zoning Bylaw may not be practical or feasible for a particular property in terms of restricting overall lot coverage to 15.00%. The minor variance process allows applicants to apply for a minor adjustment to the requirements, such as setback distances or building height, to better meet their needs while still conforming to the overall intent of the Official Plan and Zoning Bylaw. This process ensures that the principles and objectives of the Official Plan and Zoning Bylaw are still being met, while also providing room for unique circumstances. Increasing the maximum lot coverage from 15.00% to 16.68% pertaining to 11435 Morgan's Point is an ideal example where the overall intent of the Official Plan and Zoning Bylaw is respected, while considering the unique circumstances of the property.