

File: A16/2024W

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:

Bernice Kuca
12225 Hickey Road
Plan 5 Part Lot 1 Lot B RW; NP732

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

The subject property is located on the south side of Hickey Road west of Augustine Road. The subject property is zoned Residential Lakeshore – RLS.C25 with a Hazard Overlay and currently has a legal non-conforming one-storey single detached dwelling.

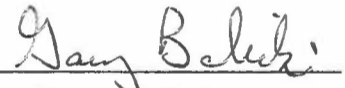
An application for a minor variance has been submitted to expand a legal non-conforming building. The applicant proposes to construct a new two-storey single detached dwelling on the existing footprint with 2.98m extending further towards the rear lot line, resulting in a rear yard setback of 4.66m, as well as total lot coverage of 30.91%.

DECISION: GRANTED REFUSED DEFERRED

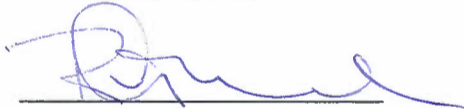
Prior to making the decision, the Committee of Adjustment considered all written and verbal comments from the public and responding Township Departments and external agencies. The above decision was made for the reasons and is subject to the conditions outlined in Schedule "A", attached hereto.



Chair D. Chase



Member G. Balicki



Member R. Leone



Member S. McMillan

Date of Decision: November 20, 2024

Date of Notice: November 21, 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: December 10, 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 A16/2024W

This is Schedule A, appended to and forming part of the Notice of Decision for Application for Minor Variance A16/2024W.

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.