



**DECISION
COMMITTEE OF ADJUSTMENT
MUNICIPALITY OF BAYHAM**

56169 Heritage Line, P.O. Box 160, Straffordville, Ontario, N0J 1Y0
Telephone: 519- 866-5521 Fax: 519- 866-3884

Application No. A-07/24
Applicant: Jacob and Katharina Thiessen
Lot: Plan 11M-188 Lot 2
Roll Numbers: 34-01-002-001-00652
Street Address: 2 MacNeil Court, Port Burwell
Date of Hearing: May 16, 2024
Date of Decision: May 16, 2024

DECISION

THAT the Committee of Adjustment Secretary/Treasurer’s Report DS-36/24 regarding the Thiessen minor variance be received;

AND THAT the Committee of Adjustment considered all written and oral submissions received on this application, the effect of which helped the committee to make an informed decision;

AND WHEREAS the Committee agrees that the proposed variance as presented meets Section 45.1(1) of the Planning Act and is considered minor;

THEREFORE application A-07/24 submitted by Jake and Katharina Thiessen pursuant to Section 45 of the Planning Act for a minor variance, is granted to allow relief from Municipality of Bayham Zoning By-law No. Z456-2003:

- to permit a Maximum Building Height of 8.0 metres for the development of a new single-detached dwelling, whereas Section 10.5 of the Zoning By-law requires a Maximum Building Height of 7.0 metres;
- Section 4.26 to permit a front yard encroachment of 0.6 metres into the required 7.0 metres front yard setback for a roofed porch exceeding one-storey in height.

Decision: GRANTED

Reasons for the Decision:

- the variance is considered to be minor in nature in accordance with the requirements of the Planning Act
- the variance application meets the “four tests” of Section 45.(1) Planning Act
- the variance maintains the general intent and purpose of the Official Plan and Zoning By-law

Concur in the Decision:

Chairperson Ed Ketchabaw
Committee Member Rainey Weisler
Committee Member Tim Emerson
Committee Member Dan Froese
Committee Member Susan Chilcott

NOTICE OF LAST DATE OF APPEAL

TAKE NOTICE that any person or agency may appeal to the Ontario Land Tribunal (OLT) in respect of the By-law variance within 20-days of the Notice of Decision by filing with the undersigned, not later than the **5th DAY OF JUNE 2024**, a notice of appeal setting out the objection to the Decision and the reasons in support of the objections. It is also necessary to submit a filing fee as per the OLT Set Rates & Fees with the notice of objection.

Dated at the Municipality of Bayham this 16th day of May 2024.

Margaret Underhill
Secretary-Treasurer, Committee of Adjustment