



**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-23/24
Applicant: Ryan and Adrienne Augustine
Lot: Con 9 N Pt Lot 22
Roll Numbers: 34-01-000-006-11600
Street Address: 57873 Carson Line, Eden
Date of Hearing: December 19, 2024
Date of Decision: December 19, 2024

DECISION

THAT the Committee of Adjustment Secretary/Treasurer's Report DS-87/24 regarding the Augustine 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-23/24 submitted by Ryan and Adrienne Augustine 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, specifically:

- Section 4.59.e) to permit an ARU with a Maximum Gross Floor Area that is 61.5 percent (116.0 m² or 1,248.6 ft² in size) of the primary dwelling unit (188.8 m² or 2,032.2 ft² in size), whereas 40 percent (75.5 m² or 812.9 ft²) is required; and,
- Section 4.59.f) to permit an ARU that is located 75.0 metres (246.1 ft.) from the primary dwelling unit, whereas 40.0 metres (131.2 ft.) is required.

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 for the placement of an ARU

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 **9th DAY OF JANUARY 2025**, 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 19th day of December 2024.

Margaret Underhill
Secretary-Treasurer, Committee of Adjustment