Revised Decision of Committee of Adjustment
Pursuant to Section 45 of The Planning Act, R.S.O. 1990

Re: Minor Variance Application File #SHu D13-MV06-2020
Location: Plan 625 Lot 32, Exeter Ward (266 Hazelton Lane)
Applicant: Brad Robinson
Owner: Jacob Romphf

Purpose and Effect
The purpose of this application is to permit a reduced top of bank setback to the Ausable River for a proposed new residential single detached dwelling. Under the South Huron Zoning By-law Section 3.38 a minimum 30 metre setback must be maintained from the top of bank of the Ausable River in this location. The reduction sought through this application is to reduce the required top of bank setback from 30 metres to 21 metres for the proposed house and from 30 metres to 13.8 metres for a pool and shed.

Decision and Reasons of the Committee
It is the decision of the Committee of Adjustment to approve this variance application with the below conditions for the following reasons:
• The variance is minor in nature;
• The proposed minor variance represents appropriate use of the subject property;
• The requested variance conforms to the general intent and purpose of the South Huron Official Plan;
• The requested variance conforms to the general intent and purpose of the Municipality of South Huron Comprehensive Zoning By-law #69-2018.

This Decision has been made subject to the following conditions:
1. The location of the pool and shed is subject to Ausable Bayfield Conservation Authority approval; and
2. The variance approval is valid for a period of 18 months from the date of the Committee’s decision.

Effect of Public and Agency Comments on Decision of Committee of Adjustment
No public comments were received on this application so there was no effect on the decision.

Comments were received from agencies on the issues of top of bank set back, drainage, erosion and encroachment on the natural heritage features. The comments were addressed through conditions to approval.

Dated this 10th day of August 2020.
Certification of the Committee's Decision

I, Rebekah Msuya-Collison being the Secretary-Treasurer of the Committee of Adjustment for the Corporation of the Municipality of South Huron, certify that this is a true copy of the Committee's Decision.

Secretary-Treasurer

August 17 2020

Date

Appeals

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of South Huron Committee of Adjustment before the minor variance is granted, the person or public body is not entitled to appeal the decision of the Municipality of South Huron to the Local Planning Appeal Tribunal.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of South Huron Committee of Adjustment before the minor variance is granted, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal, unless in the opinion of the Tribunal, there are reasonable grounds to do so.

Any appeals of the Decision of the South Huron Committee of Adjustment must be filed with the Secretary-Treasurer of the Committee of Adjustment, not later than the 30th day of August, 2020 setting out the reasons for the appeal together with a certified cheque or money order in the amount prescribed payable to the Minister of Finance. A copy of the appeal form is available from the Local Planning Appeal Tribunal website at http://elto.gov.on.ca/. If no appeal is received within the prescribed, a Notice of No Appeal will be sent out to the applicant.

Additional Information

Additional information related to this minor variance may be obtained at the South Huron Municipal office or by contacting Rebekah Msuya-Collison, Director of Legislative Services/Clerk at 519-235-0310, between the hours of 8:30 a.m. and 4:30 p.m. (Monday to Friday). Information may also be posted on our website (www.southhuron.ca).
I agree.

From: Rebekah Msuya-Collison
Sent: Tuesday, August 11, 2020 2:07 PM
To: Councillor Faubert <dfaubert@southhuron.ca>; Councillor Oke <toke@southhuron.ca>; Councillor Neeb <aneeb@southhuron.ca>
Cc: Alex Wolfe <awolfe@southhuron.ca>; ‘Craig Metzger’ <cmetzger@huroncounty.ca>
Subject: Robinson MV06-2020

Hello everyone, please find attached copy of decision for MV05-2020 McCarty. Please email confirmation of “I agree or disagree” and reply to this email. Your email responses will be attached to the decision sheet.

As there was an amendment to the condition, Craig reviewed the draft decision and removed the conditions related to the house since its location and design may change in order to fit the pool on the property depending on the outcome of the applicant’s discussions with ABCA.

The applicant was asking for the following variances in the application:
  a) vary Section 3.38 to reduce the top of bank setback from the Ausable River for a single detached dwelling from 30 metres to 20 metres (which the committee approved) and
  b) vary Section 3.38 to reduce the top of bank setback from the Ausable River for accessory buildings (a pool and shed) from 30 metres to 13.8 metres (approved subject to ABCA approval)

I’ve copied Craig on this email if you would like further clarification on the wording of the decision.

Thanks, Rebekah
I agree

Ted Oke
Councillor Ward 3
South Huron
519-229-8249 (home)
519-440-7382 (cell)

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Thanks, Rebekah
Hi Rebekah,

I agree.

Aaron

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