



THE CORPORATION OF THE
TOWN OF MIDLAND

575 Dominion Avenue
Midland, ON L4R 1R2
Phone: 705-526-4275
Fax: 705-526-9971
www.midland.ca

**NOTICE OF DECISION
COMMITTEE OF ADJUSTMENT
Minor Variance Application A.22/2018**

DECISION DATE: October 18, 2018
MAILING DATE OF THIS NOTICE: October 19, 2018
DEADLINE FOR APPEAL: November 8, 2018
MUNICIPAL ADDRESS: 244 Frank Street

Notice was given and a Public Hearing was held on Thursday, October 18, 2018, as required by the Section 45 of the *Planning Act*, R.S.O. c.P.13 1990.

PURPOSE OF THE APPLICATION:

A reduction in the minimum Front Yard setback from 6.0 metres to 5.64 metres, a Variance of 0.36 metres and a reduction in the minimum Rear Yard setback from 7.6 metres to 3.048 metres, a Variance of 4.552 metres for the purpose of constructing a new 1-storey residential dwelling.

REQUESTED VARIANCE(S) TO THE ZONING BY-LAW:

- 1. Section 5.4.3.4, By-law 2004-90 as amended**
The by-law requires a Front Yard setback of 6.0 m.
The proposed residential dwelling will have a setback of 5.64 m.
- 2. Section 5.4.3.4, By-law 2004-90 as amended**
The by-law requires a Front Yard setback of 7.6 m.
The proposed residential dwelling will have a setback of 3.048 m.

DECISION OF THE COMMITTEE: APPROVED(with conditions)

Reasons:

The requested Variance is minor in nature, desirable and maintains the general intent and purpose of the Official Plan and Zoning By-law. The Application satisfies the four tests for Minor Variances as set out in Section 45 of the Planning Act.

Effect of Written and Oral Submissions:

- No written and oral submissions were received.
- The written and/or oral submissions received did not have any effect on the Decision.
- The written and/or oral submissions received had the following effect on the Decision:
- Condition # 3 was added by Committee to respond to written concerns with respect to historic land use.


Conditions:

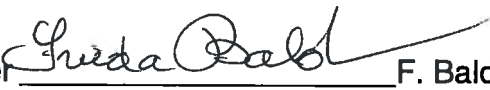
1. That the Applicants obtain a Building Permit within one (1) year of the date of Committee decision.
2. That the Applicants convey a 0.3 metre (1 ft.) reserve on the northern limit of the property to the Town. The Applicants will be responsible for any and all costs associated with the conveyance.
3. That the Town ensure, through consultation with the County of Simcoe, that sufficient site investigations have occurred to permit the residential use of the subject property.

DECISION SIGNATURE PAGE

We, the undersigned, concur in the Decision and the Reasons of the Committee of Adjustment:

Committee Member  C. Tremblay, Chair

Committee Member  G. Barber

Committee Member  F. Baldwin

Committee Member _____ R. White

Committee Member _____ J. Reid

I, Wesley Crown, Secretary-Treasurer of the Midland Committee of Adjustment, do hereby certify this to be a true copy of the Decision handed down on an application for Minor Variance.



Wesley Crown, MCIP, RPP
Secretary-Treasurer, Midland Committee of Adjustment

To appeal this decision to the Local Planning Appeal Tribunal, send a completed LPAT Appellant Form (A1) to the Secretary-Treasurer, Committee of Adjustment. You must pay a filing fee of \$300.00, by certified cheque or money order, in Canadian funds, payable to the Minister of Finance. To obtain a copy of Appellant Form (A1) and other information about the appeal process please visit the Local Planning Appeal Tribunal website at elto.gov.on.ca/tribunals/lpat/

If no Notice of Appeal has been received by the last date for filing an appeal, the Decision of the Committee becomes final and binding.