



# Municipality of West Elgin

## Minutes

Committee of Adjustment

May 23, 2019 – 1:00 p.m.

Council Chambers, West Elgin Municipal Building

**Present:** Deputy Mayor Leatham  
Councillor Cammaert  
Councillor Rowe  
Councillor Tellier

**Staff Present:** G. Scharback, CAO/Clerk  
M. Badura, Treasurer  
L. Gosnell, Public Works Superintendent  
J. Slater, Recreation Superintendent  
H. James, Planner  
J. Nethercott, Deputy Clerk  
M. Fletcher, Administrative Assistant  
M. Kalita, Utilities Manager

**Regrets:** Mayor McPhail

### 1. Call to Order

**Resolution No. 2019-304**

**Moved: Committee Member Cammaert**

**Seconded: Committee Member Rowe**

That West Elgin Committee of Adjustment convenes at 2:12 p.m. to consider an application for a Minor Variance for lands owned by Adam Okolisan and Andrew Okolisan, known as Plan 199, Part of Lot 35 (RP 11R-6917 Parts 2 and 4).

**Disposition: Carried**

### 2. Purpose of Meeting

Genevieve Scharback, Secretary/Treasurer of the Committee of Adjustment advised that the purpose of this Public Meeting of the West Elgin Committee of Adjustment is to allow the presentation of an application for a Minor Variance and to allow interested members of the public the opportunity to ask questions or offer comments with regard to this application, she noted the Public Registry and reviewed the appeal provisions.

### 3. Disclosure of Pecuniary Interest

None.

### 4. Minor Variance #D13-01-2019

- 4.1. Application #D13-02-2019
- 4.2. Report – H. James, Planner Re: Minor Variance #D13-01-2019
- 4.3. Written Comments Received – None.
- 4.4. Comments – Committee – Public in Attendance – None.

## 5. Decision

### 5.1. Resolution No. 2019-305

**Moved:** Committee Member Cammaert  
**Seconded:** Committee Member Tellier

That Minor Variance #D13-01-2019 be approved as per the attached decision sheet.

**Disposition: Carried**

It is the decision of the Committee of Adjustment to approve this variance application with 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 Municipality of West Elgin Official Plan;
- The requested variance conforms to the general intent and purpose of the Municipality of West Elgin Zoning By-Law #2015-36.

This Decision has been made subject to the following conditions:

1. The owners/applicants must make an application for a demolition permit for the removal of the existing double car garage prior to an application for a building permit; and,
2. The owners/applicants must make an application for a building permit to construct the proposed addition within two (2) years of conditional approval of this minor variance application.

A copy of the Decision Sheet is attached hereto.

## 6. Adjournment

### Resolution No. 2019-306

**Moved:** Committee Member Rowe  
**Seconded:** Committee Member Tellier

That Committee Members of the Committee of Adjustment now close the Public Meeting at 2:27 p.m. and reconvene the Regular Council Meeting.

**Disposition: Carried**

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Richard Leatham  
Deputy Mayor

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Jana Nethercott  
Deputy Clerk



The Corporation of the Municipality of West Elgin

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

Re: Minor Variance Application File # MV 01/19

**Location:** Plan 199, Part of Lot 35 (RP 11R-6917 Parts 2 and 4)

**Applicants/Agent:** Andrew Okolisan and Adam Okolisan

**Owners:** Andrew Okolisan and Adam Okolisan

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### **Purpose and Effect**

The purpose of this application is to seek relief from Zoning By-law # 2015-36 of the Municipality of West Elgin. The subject property is designated Residential in the West Elgin Official Plan and zoned Residential First Density (R1) in the Municipality of West Elgin Zoning By-law. The applicant is proposing to construct a single unit dwelling with a triple car garage with a reduced side yard width and reduced rear yard depth. Under Section 8.1.1.5 a) of the R1 Zone, main building setbacks must maintain a 2.0 metres (6.56 feet) interior side yard width for two storey single unit dwelling, and under Section 8.1.1.6 a) of the R1 Zone, main building setbacks must maintain a 7.5 metres (24.6 feet) rear yard depth. The applicants propose to build the dwelling at a side yard setback of 1.5 metres (4.92 feet) and requests relief of 0.5 metres (1.64 feet); and, a rear yard setback of 1.0 metres (3.28 feet) and requests relief of 6.5 metres (21.33 feet).

Maps showing the location of the lands to which this proposed minor variance applies are attached.

### **Decision and Reasons of the Committee**

It is the decision of the Committee of Adjustment to approve this variance application with 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 Municipality of West Elgin Official Plan;
- The requested variance conforms to the general intent and purpose of the Municipality of West Elgin Zoning By-Law #2015-36.

This Decision has been made subject to the following conditions:

1. The owners/applicants must make an application for a demolition permit for the removal of the existing double car garage prior to an application for a building permit; and,
2. The owners/applicants must make an application for a building permit to construct the proposed addition within two (2) years of conditional approval of this minor variance application.

### **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.

No agency comments were received on this application so there was no effect on the decision.

**Dated this 23<sup>rd</sup> day of May, 2019.**

\_\_\_\_\_  
Duncan McPhail

\_\_\_\_\_  
Richard Leatham

\_\_\_\_\_  
Taraessa Tellier

\_\_\_\_\_  
Angela Cammaert

\_\_\_\_\_  
Bonnie Rowe

### **Certification of the Committee's Decision**

I, Genevieve Scharback, being the Secretary- Treasurer of the Committee of Adjustment for the Corporation of the Municipality of West Elgin, certify that this is a true copy of the Committee's Decision.

\_\_\_\_\_  
Secretary- Treasurer

\_\_\_\_\_  
Date

### **Appeals**

If a person or public body does not make oral submissions at a public hearing or make written submissions to the Municipality of West Elgin 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 West Elgin to the Local Planning Appeal Tribunal (LPAT).

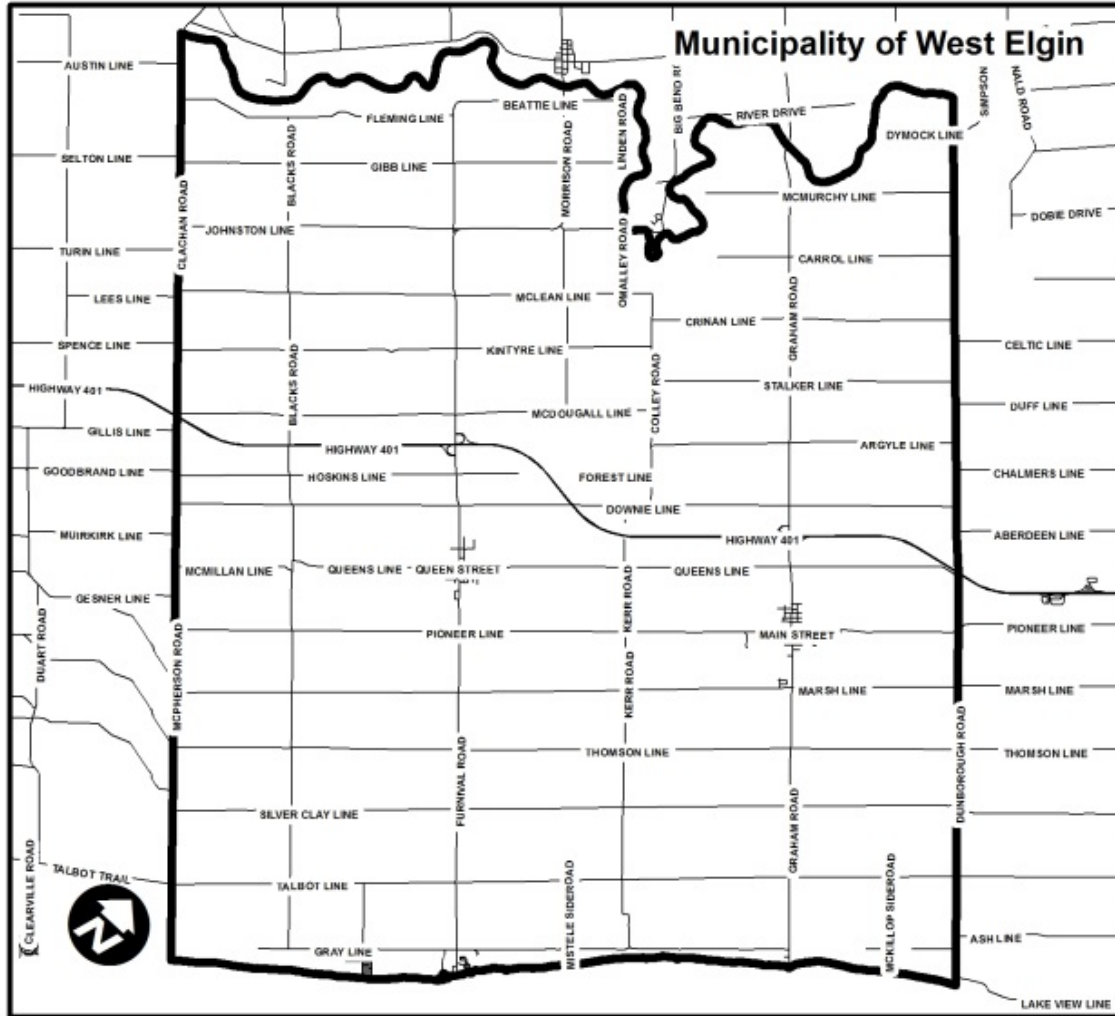
If a person or public body does not make oral submissions at a public hearing or make written submissions to the Municipality of West Elgin Committee of Adjustment before the minor variance is granted, the person or public body may not be added as a party to the hearing of an appeal before the LPAT unless,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

Any appeals of the Decision of the West Elgin Committee of Adjustment must be filed with the Secretary-Treasurer of the Committee of Adjustment, **not later than the 12<sup>th</sup> day of June, 2019** setting out the reasons for the appeal together with a certified cheque or money order in the amount of \$300.00 payable to the Minister of Finance. A copy of the appeal form is available from the Local Planning Appeal Tribunal website at [www.elto.gov.on.ca](http://www.elto.gov.on.ca). If no appeal is received within the prescribed time, a Notice of No Appeal will be sent out to the applicant.

### **Additional Information**

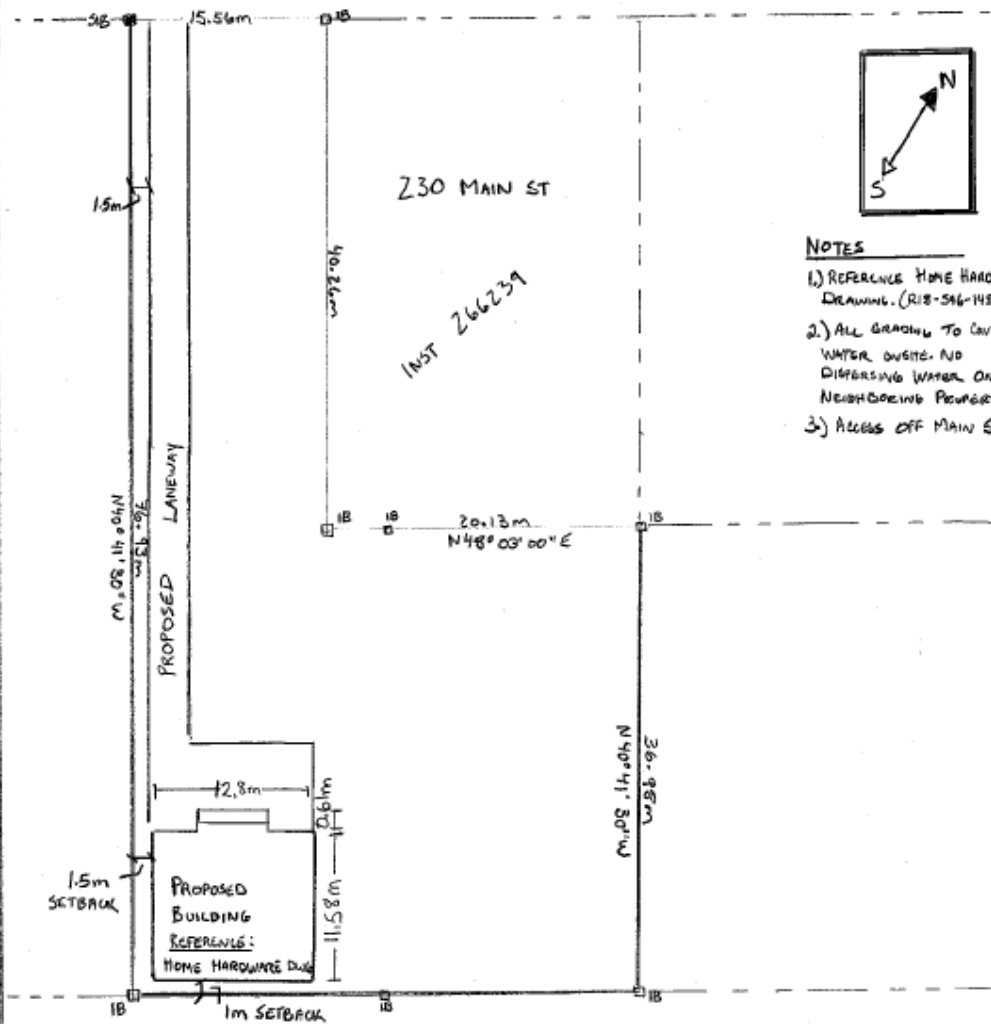
Additional information related to this minor variance may be obtained at the West Elgin Municipal office or by contacting Genevieve Scharback, CAO/Clerk at 519-235-0310 ext. 227, between the hours of 8:30 a.m. and 4:30 p.m. (Monday to Friday). Information may also be posted on our website: [www.westelgin.net](http://www.westelgin.net)

Key Maps



Property to which this minor variance applies.

MAIN STREET



NOTES

- 1) REFERENCE HOME HARDWARE DRAWING. (R18-516-1480-3)
- 2) ALL GRADING TO CONTROL WATER ONSITE. NO DISPERSING WATER ONTO NEIGHBORING PROPERTY
- 3) ACCESS OFF MAIN ST.

MUNICIPALITY OF WEST ELGIN	CONTACTS	SCALE:	DATE:	SHEET 1 of 1
	519-671-8229 ADAM OKOLISAN	METRIC 1:400	APRIL 18, 2019	
ADAM OKOLISAN SITE PLAN				