



MUNICIPALITY OF  
**West Elgin**

**Committee of Adjustment  
Notice of Decision of a Minor Variance**

**Attached** is a certified copy of the decision of the Committee of Adjustment in the matter of an Application D13 01-2021 for a minor variance pursuant to Section 45 (10) of the Planning Act, R.S.O. 1990, as amended.

**Take Notice that** the applicant, the Minister or any other person or public body who has an interest in the matter may appeal the decision to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment, not later than the **2<sup>nd</sup> day of June, 2021**, a Notice of Appeal, accompanied by the Tribunal fee, in the amount of \$400.00 for the first appeal and \$25.00 for each further appeal related to the same matter. Certified Cheques or Money Orders are to be made payable to the Minister of Finance and in Canadian funds. If you wish to appeal, a copy of an appeal form is available from the Local Planning Appeal Tribunal website at: <https://olt.gov.on.ca/tribunals/lpat/about-lpat/>

**Additional Information** regarding this application for minor variance is available for review, at the West Elgin Municipal Office, or by contacting the Municipal Planner, Bryan Pearce, HBA, CPT, MCIP, RPP via cell at 519-280-1028 or e-mail at [planning@westelgin.net](mailto:planning@westelgin.net)

Dated this 19<sup>th</sup> day of May, 2021.

Jana Nethercott, Clerk  
Secretary-Treasurer of the Committee of Adjustment  
Municipality of West Elgin  
22413 Hoskins Line, Box 490  
Rodney, Ontario N0L 2C0  
Telephone: 519-785-0560  
Fax: 519-783-0644  
Email: [clerk@westelgin.net](mailto:clerk@westelgin.net)



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 # D13 01-2021

**Location:** 166 Graham Road

**Legal Description:** East Part Lot 78, Plan 199

**Owners:** Stefan Deszi and Crystal Forth

**Applicant:** Stefan Deszi

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**Purpose and Effect**

The purpose of this application is to permit the construction of a second storey addition to the existing single unit dwelling.

The effect of the variance is to seek relief to the Municipality of West Elgin Comprehensive Zoning By-law 2015-36 from the following:

- Section 8, Table 8-1, Item 5(a)
  - Southerly side yard width from the minimum required 2 metres for a 2 storey dwelling to the proposed 0.97 metres, recognizing the existing side wall setback of the existing dwelling.
  - Northerly side yard width from the minimum required 2 metres for a 2 storey dwelling, to the proposed 0.58 metres, recognizing the existing side wall setback of the existing dwelling.
- Section 4.29.1(b)
  - Northerly side yard encroachment from the minimum required 0.6 metre setback to the lot line, to the proposed 0.27 metres, recognizing the existing eaves of the existing dwelling.

**Decision and Reasons of the Committee**

The application is hereby granted to obtain relief from the following

- Section 8, Table 8-1, Item 5(a)
  - Southerly side yard width from the minimum required 2 metres for a 2 storey dwelling to the proposed 0.97 metres, recognizing the existing side wall setback of the existing dwelling.

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Phone: 519-785-0560 ▪ Web: [www.westelgin.net](http://www.westelgin.net) ▪ Email: [jnethercott@westelgin.net](mailto:jnethercott@westelgin.net)

- Northerly side yard width from the minimum required 2 metres for a 2 storey dwelling, to the proposed 0.58 metres, recognizing the existing side wall setback of the existing dwelling.
- Section 4.29.1(b)
  - Northerly side yard encroachment from the minimum required 0.6 metre setback to the lot line, to the proposed 0.27 metres, recognizing the existing eaves of the existing dwelling.

Subject to the following conditions:

1. That the proposed development is substantially in accordance with the Minor Variance D13 01-2021 drawings, as appended to Planning Report, 2017-17 and to Schedule A of this decision.

Reasons of the Decision, in accordance with Planning Report 2021-17:

- 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;
- The variance requested desirable for the appropriate and orderly development and use of the lands and buildings; and
- The variance is minor in nature.

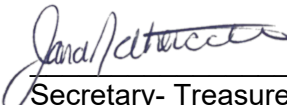
The effect of written and oral submissions on the Decision is contained within Planning Report 2021-17 and the minutes of the Committee of Adjustment Meeting.

**Dated this 13<sup>th</sup> day of May, 2021.**

ELECTRONIC RECORDED VOTE	TO GRANT	TO REFUSE	<i>Absent</i>	<i>Present</i>
Chairperson & Committee Member, Duncan McPhail	<u>Yes</u>	_____	( )	(✓)
Committee Member, Richard Leatham	<u>Yes</u>	_____	( )	(✓)
Committee Member, Taraesa Tellier	<u>Yes</u>	_____	( )	(✓)
Committee Member, Angela Cammaert	<u>Yes</u>	_____	( )	(✓)
Committee Member, Bonnie Rowe	<u>Yes</u>	_____	( )	(✓)

**Certification of the Committee’s Decision**

I, Jana Nethercott, 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

May 13, 2021  
 \_\_\_\_\_  
 Date

**Schedule A – D13 01-2021 Drawings**

**NOTES:**

- MAP IMAGE TAKEN FROM GOOGLE EARTH.
- ALL WORK SHALL MEET THE MINIMUM STANDARDS AND SPECIFICATIONS OF THE MUNICIPALITY OF WEST ELGIN.
- ALL MEASUREMENTS AND DIMENSIONS TO BE CHECKED AND VERIFIED PRIOR TO START OF CONSTRUCTION.
- ALL MATERIAL AND WORKMANSHIP SHALL CONFORM WITH THE REQUIREMENTS OF THE LATEST REVISION OF THE NATIONAL BUILDING CODE OF CANADA 2015 & OBC 2012.
- DRAWINGS ARE IN PART DIAGRAMMATIC AND NOT INTENDED TO CONVEY THE EXACT SCOPE OF WORK OF ALL CONDITIONS, THE CONTRACTOR AND ALL SUBTRADES TO VISIT SITE AND CHECK THEMSELVES ALL CONDITIONS, MATERIALS, CLEARANCES AND DIMENSIONS.
- The lot is 66 feet wide x 132 feet deep from records that Owners provided from house sale in 2013. Stephen Self Engineering determined the lot lines with the use of a metal detector and tape measure and found the bars to be 66 feet apart in the front. Then measured 132 to the back SW corner where there is a chain link fence post right on the SW corner of the lot. At the front there is curb on each side indicating the property lines. The outside of the 6 inch wide concrete curbs on each side that go to the back of the house and garage on both sides. these curb were measure and they are exactly 66 feet apart from outside to outside of the curbs.



**STEPHEN SELF ENGINEERING**  
 Structural Engineers  
 10147 IONA ROAD  
 IONA STATION, ON N0L 1P0  
 519-317-6884

CLIENT:  
 STEFAN DESI

LOCATION:  
 166 GRAHAM ROAD  
 WEST LORNE, ON

DRAWN BY:  
 B. REMPEL

DATE:  
 24 APRIL 2021

SCALE:  
 1:250

PROJECT No.  
 202056

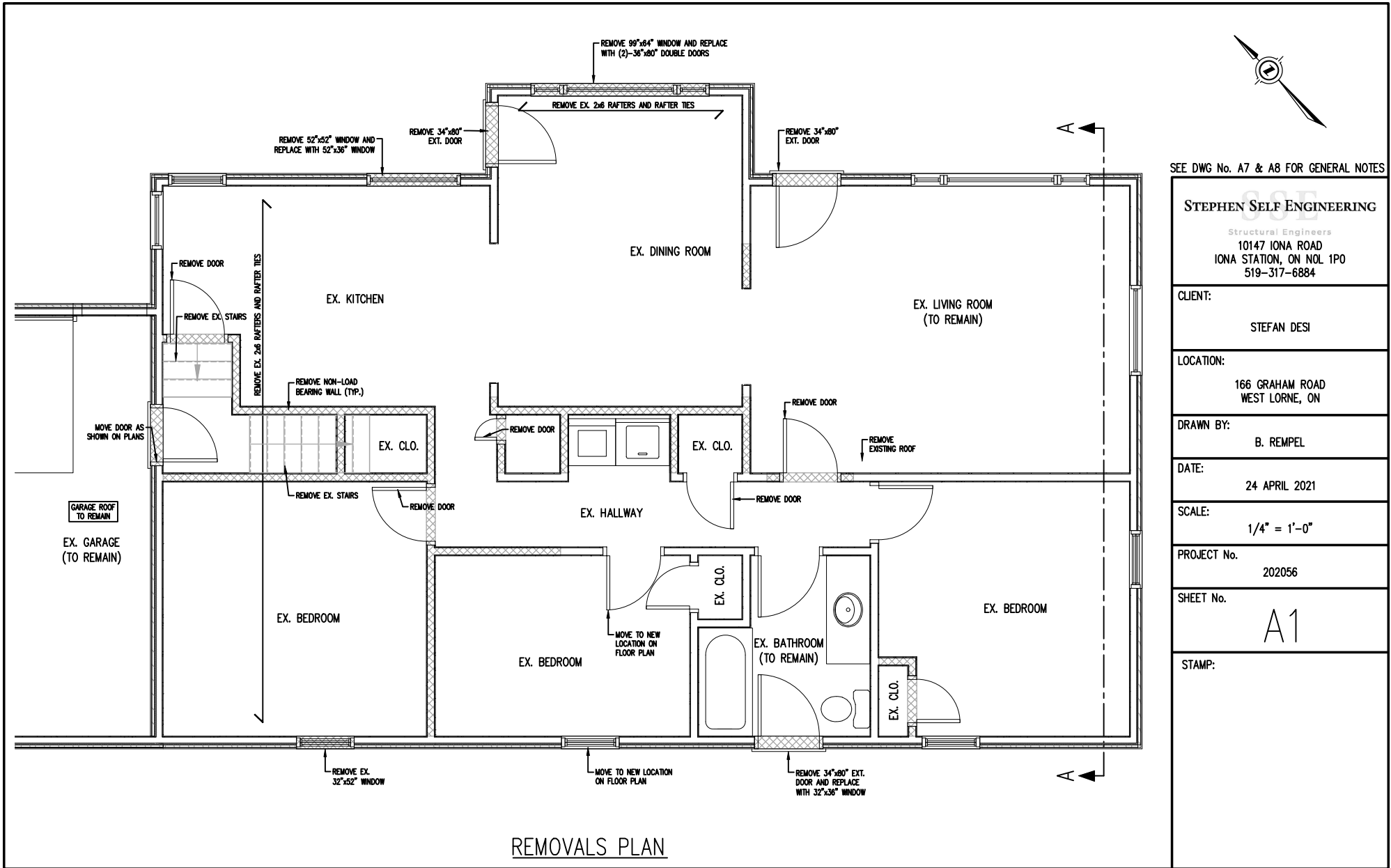
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**SITEPLAN**

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ZONING:	R1	
	REQUIRED	PROVIDED
LOT SIZE:	600m <sup>2</sup>	809.4m <sup>2</sup>
LOT FRONTAGE (MIN.):	15.0m	20.12m
LOT DEPTH (MIN.):	30.0m	40.23m
MAIN FLOOR AREA (MIN.):	100m <sup>2</sup>	115m <sup>2</sup>
LOT COVERAGE (MAX.):	30%	18%
MAIN BUILDING HEIGHT (MAX.):	10.5m	7.1m
SETBACKS:		
FRONT YARD (EXISTING):	7.5m	10.96m±
REAR YARD (EXISTING):	7.5m	19.91m±
SIDE YARD (SECOND STOREY):	2.0m	EX. 0.97m
SIDE YARD (GARAGE):	2.0m	EX. 0.58m

Yard Encroachment for eaves

- to property line (min) north side yard	0.6m	ex. 0.27m
- max yard projection north side yard	0.5m	ex. 0.31m
- to property line (min) south side yard	0.6m	0.65m
- max yard projection south side yard	0.5m	0.31m



REMOVALS PLAN

SEE DWG No. A7 & A8 FOR GENERAL NOTES

**STEPHEN SELF ENGINEERING**  
 Structural Engineers  
 10147 IONA ROAD  
 IONA STATION, ON NOL 1P0  
 519-317-6884

CLIENT:  
 STEFAN DESI

LOCATION:  
 166 GRAHAM ROAD  
 WEST LORNE, ON

DRAWN BY:  
 B. REMPEL

DATE:  
 24 APRIL 2021

SCALE:  
 1/4" = 1'-0"

PROJECT No.  
 202056

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 A1

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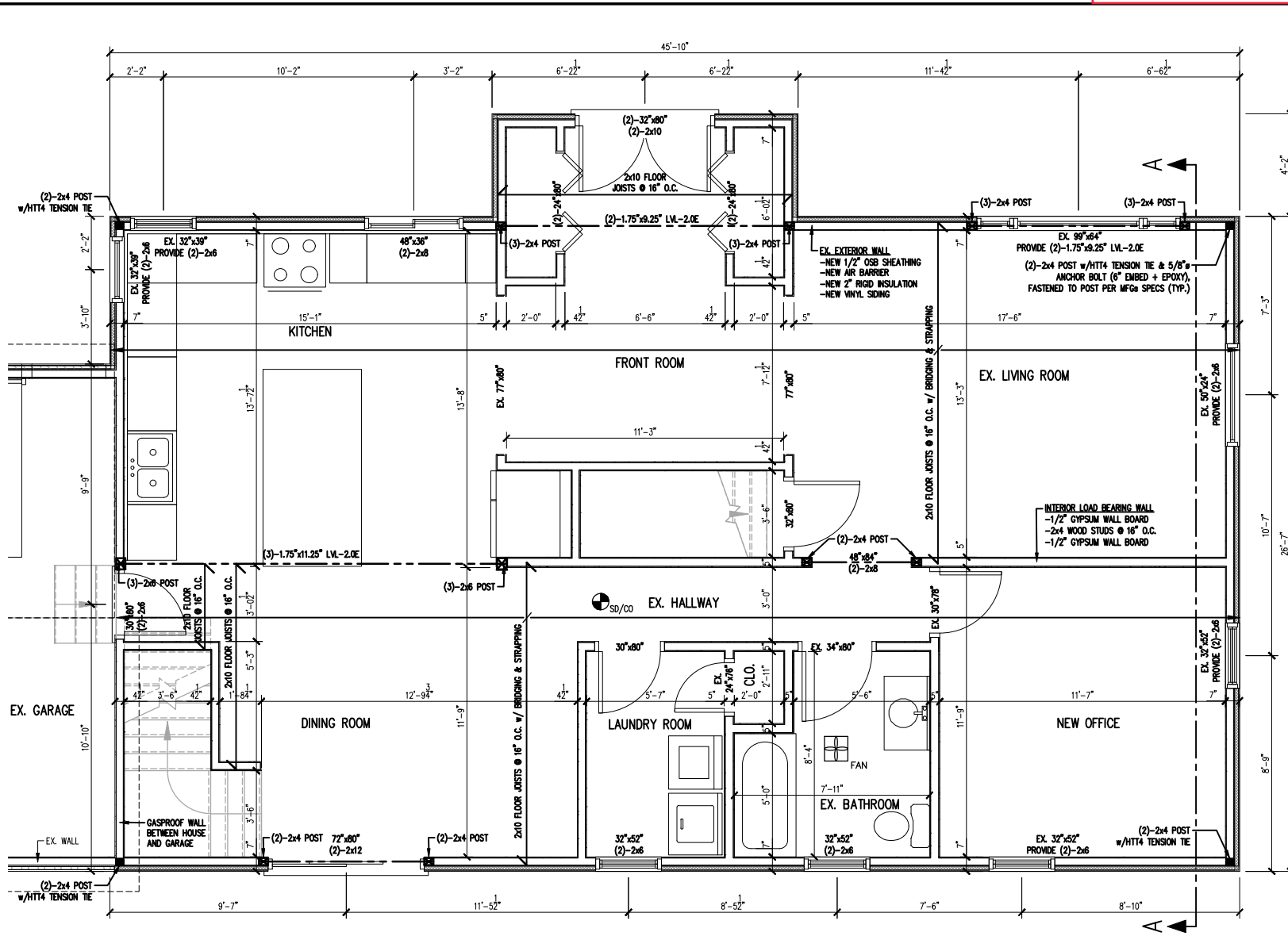
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SCALE:  
 1/4" = 1'-0"

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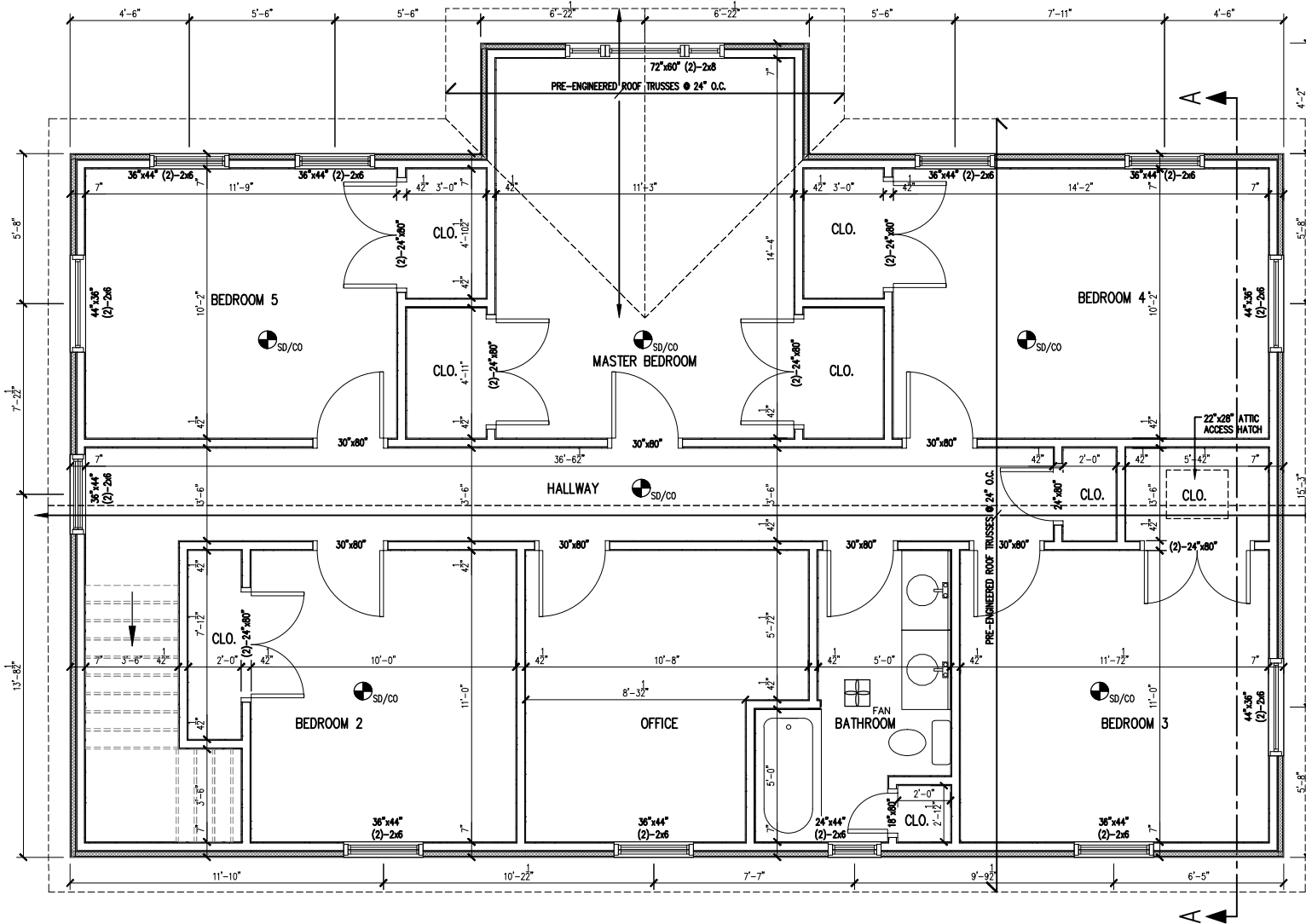
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GROUND FLOOR FRAMING PLAN





SECOND FLOOR FRAMING PLAN

SEE DWG No. A7 & A8 FOR GENERAL NOTES

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CLIENT:  
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LOCATION:  
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 WEST LORNE, ON

DRAWN BY:  
 B. REMPEL

DATE:  
 24 APRIL 2021

SCALE:  
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SHEET No.  
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STAMP:

SEE DWG No. A7 & A8 FOR GENERAL NOTES

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 519-317-6884

CLIENT:  
 STEFAN DESI

LOCATION:  
 166 GRAHAM ROAD  
 WEST LORNE, ON

DRAWN BY:  
 B. REMPEL

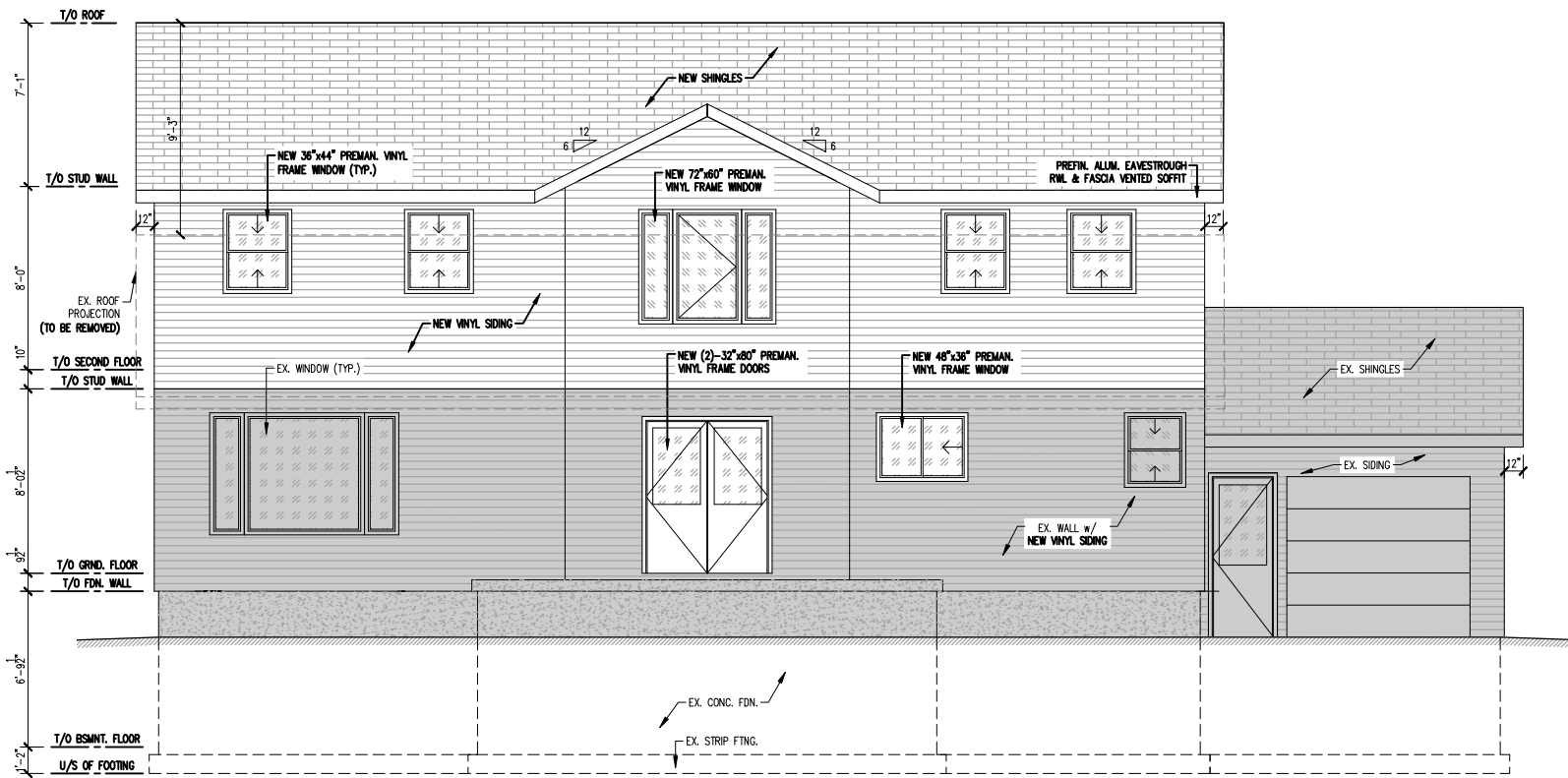
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 3/16" = 1'-0"

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FRONT ELEVATION

SEE DWG No. A7 & A8 FOR GENERAL NOTES

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DRAWN BY:  
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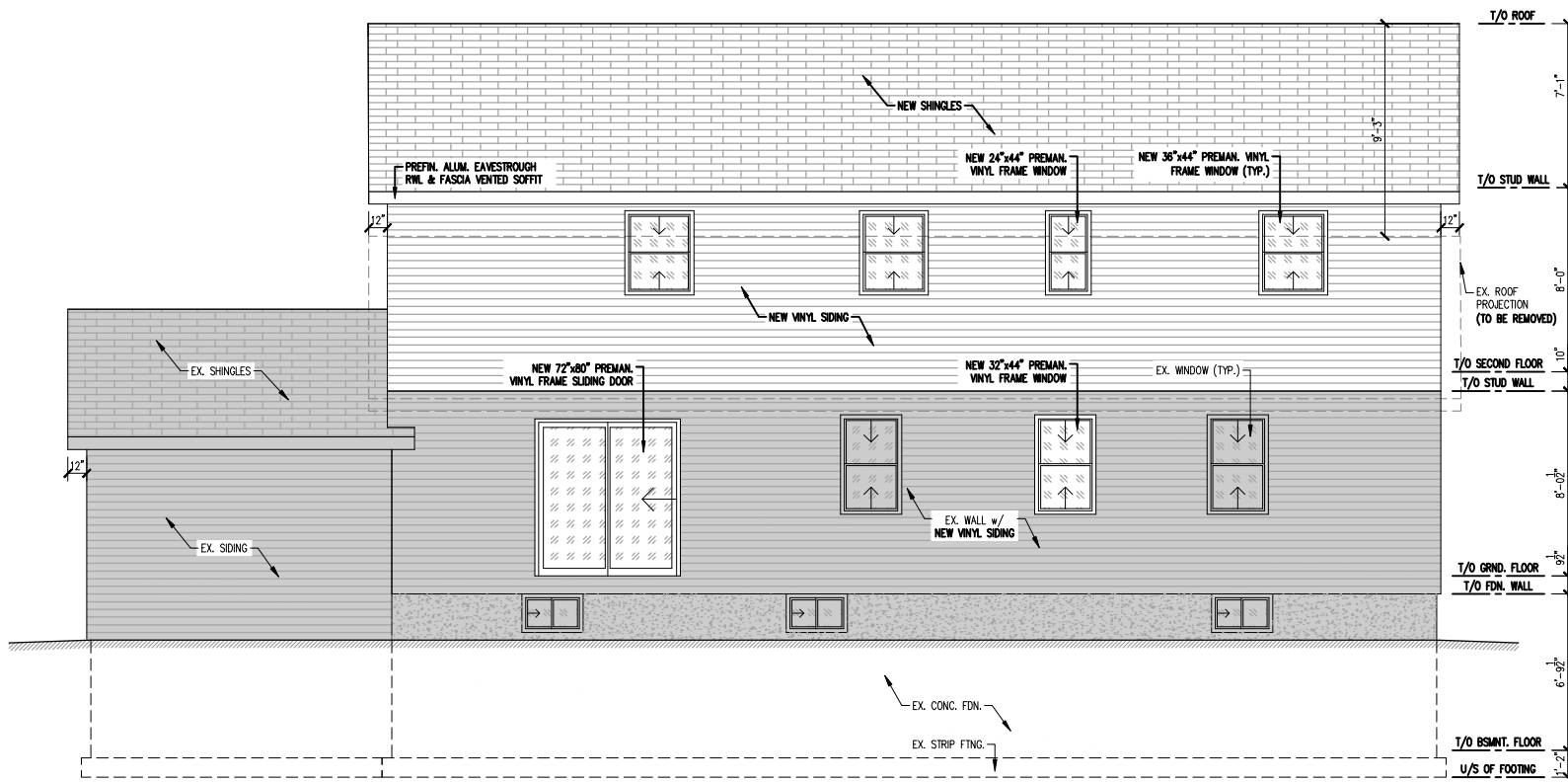
DATE:  
 24 APRIL 2021

SCALE:  
 3/16" = 1'-0"

PROJECT No.  
 202056

SHEET No.  
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REAR ELEVATION

**GENERAL NOTES**

1. ALL MEASUREMENTS AND DIMENSIONS TO BE CHECKED AND VERIFIED PRIOR TO START OF CONSTRUCTION.
2. ALL MATERIAL AND WORKMANSHIP SHALL CONFORM WITH THE REQUIREMENTS OF THE LATEST REVISION OF THE NATIONAL BUILDING CODE OF CANADA 2010 & OBC 2012.
3. DRAWINGS ARE IN PART DIAGRAMMATIC AND NOT INTENDED TO CONVEY THE EXACT SCOPE OF WORK OF ALL CONDITIONS. THE CONTRACTOR AND ALL SUBTRADES TO VISIT SITE AND CHECK THEMSELVES ALL CONDITIONS, MATERIALS, CLEARANCES AND DIMENSIONS.

SEE DWG No. A7 & A8 FOR GENERAL NOTES

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 519-317-6884

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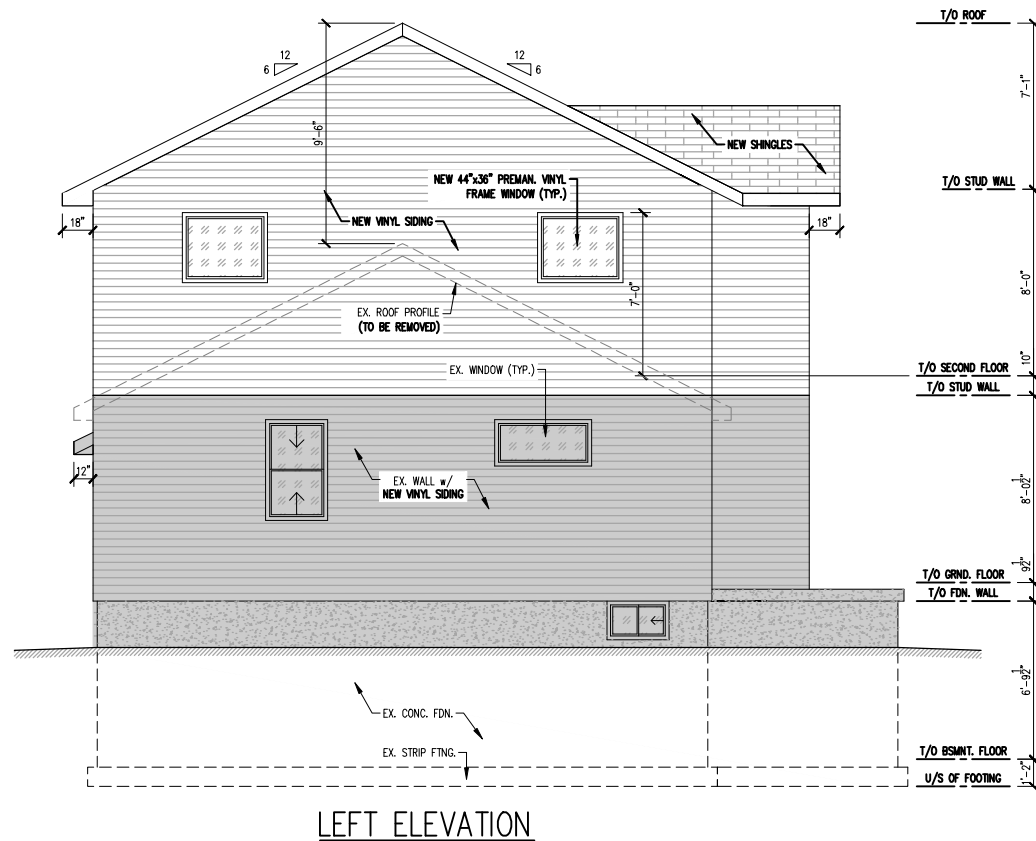
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SCALE:  
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**CONSTRUCTION NOTES:**

- ALL FOOTINGS TO BE BEAR ON UNDISTURBED SOIL, ROCK, OR COMPACTED GRANULAR FILL.
- ALL CONCRETE SHALL CONFORM TO O.B.C. 9.3.1.
- ALL CONCRETE FOUNDATION WALLS AND FOOTINGS TO BE OF A MIN. 28 DAY STRENGTH OF 20MPa.
- PROVIDE MIN. 6MIL POLY UNDER ALL WOOD IN CONTACT WITH CONCRETE.
- ALL WOOD TO BE S-P-F GRADE No.1/No.2 UNLESS OTHERWISE NOTED.
- ALL BEAMS AND GIRDERS TO BE SUPPORTED FULL WIDTH OF FOUNDATION.
- THE CONTRACTOR SHALL INSTALL SUBDRAIN TO ENSURE SUFFICIENT DRAINAGE AROUND FOUNDATION.
- AIR BARRIER SYSTEM BETWEEN GARAGE & HOUSE AS PER O.B.C 9.25.3.
- DOOR BETWEEN GARAGE & HOUSE SHALL BE FITTED WITH SELF CLOSERS AS PER O.B.C 9.10.13.15.
- PROVIDE 2 LAYERS OF ASPHALT DAMPROOFING TO ALL BELOW GRADE FOUNDATION WALLS AS PER O.B.C 9.13.3.5.
- PROVIDE FOAM GASKET OR CAULKING UNDER ALL SILL PLATES AS PER O.B.C 9.23.7.
- FOR ALL SHOWERS PROVIDE 2"x6" HORIZONTAL FLAT GIRT IN WALL 5'-0" OFF FLOOR WHERE CERAMIC TILE OCCURS.
- FOR ALL HOUSES WITH 2"x6" EXTERIOR WALL CONSTRUCTION, EXTEND WINDOW & DOOR JAMBS TO SUIT.
- DOORS & WINDOWS TO COMPLY TO FORCED ENTRY REQUIREMENTS. (O.B.C 9.7.5.2. & 9.7.5.3.)
- PROVIDE SOLID BLOCKING ON BOTH SIDES AT THE LOCK HEIGHT BETWEEN THE JAMBS & FRAME FOR ALL EXTERIOR DOORS. (O.B.C 9.7.5.2.(9))
- FLOOR LEVELS CONTAINING BEDROOMS TO HAVE ONE OPENING WINDOW WITH AN UNOBSTRUCTED AREA OF 3.8 SQ.FT (MIN.) WITH NO DIMENSION LESS THAN 15" AND 3'-3" (MAX.) FROM FLOOR LEVEL (O.B.C 9.9.10)

**DESIGN LOADS**

IMPORTANCE CATEGORY: NORMAL  
 LOCATION: WEST LORNE, ONTARIO

**LATERAL LOADS:**

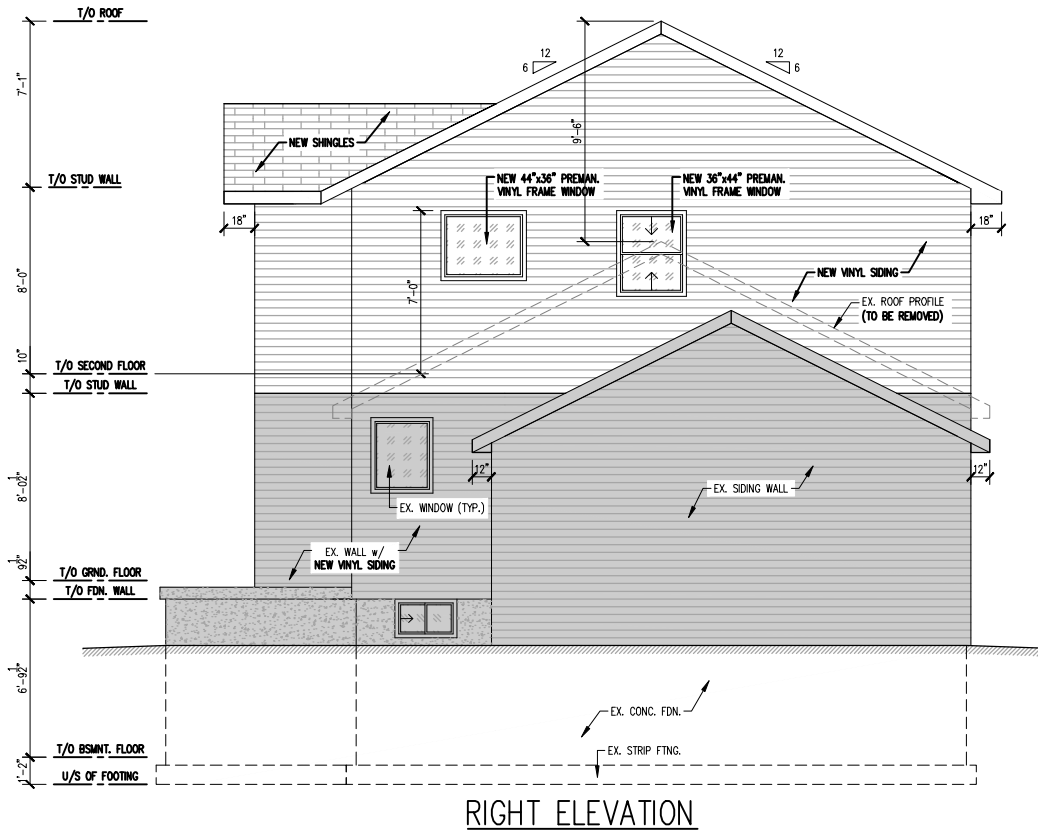
IMPORTANCE WIND (ULS): 1.0  
 IMPORTANCE WIND (SLS): 0.75  
 EXPOSURE: OPEN  
 INTERNAL PRESSURE CATEGORY: 1  
 WIND LOAD ( $q_{50}$ ): 0.47 kPa (9.82 psf)  
 WIND LOAD ( $q_{10}$ ): 0.36 kPa (7.52 psf)

**DEAD LOADS:**

ROOF DEAD LOAD: 0.72 kPa (15 psf)  
 FLOOR DEAD LOAD: 0.48 kPa (10 psf)  
 COLLATERAL LOAD: 0.24 kPa (5 psf)  
 PARTITION LOAD: 0.48 kPa (10 psf)

**LIVE LOADS:**

FLOOR LIVE LOAD: 1.90 kPa (40 psf)  
 GROUND SNOW LOAD,  $S_g$ : 1.30 kPa (27.15 psf)  
 RAIN LOAD,  $S_r$ : 0.40 kPa (8.35 psf)  
 IMPORTANCE SNOW (ULS): 1.0  
 IMPORTANCE SNOW (SLS): 0.9  
 BASIC FACTOR,  $C_b$ : 0.8  
 EXPOSURE FACTOR,  $C_w$ : 1.0  
 SLOPE FACTOR,  $C_s$ : 1.0  
 ACCUMULATION FACTOR,  $C_a$ : 1.0  
 SPECIFIED SNOW LOAD (ULS),  $S$ : 1.44 kPa (30.08 psf)  
 SPECIFIED SNOW LOAD (SLS),  $S$ : 1.30 kPa (27.10 psf)



**CONSTRUCTION NOTES CONT'D:**

- STAIRS AS PER O.B.C 9.8.3:
- UNIFORM RISE/RUN (3/16"(5mm) RISE TOLERANCE & 3/16"(5mm) RUN TOLERANCE BETWEEN ADJACENT STEPS AS PER O.B.C 9.8.4.4.)
  - RISE = 7.875" MAX.
  - RUN = 8.25" MIN.
  - TREAD = 9.25" MIN.
  - NOSING = 1" MAX.
  - HEADROOM = 6'-5" MIN.
  - WIDTH = 2'-10" MIN.
  - HANDRAILS = 34" MIN. TO 38" MAX.
  - HANDRAILS = 2" MIN. TO SURFACE BEHIND
- GUARDS TO BE AS SPECIFIED IN O.B.C 9.8.8:
- INTERIOR - MIN. 36" HEIGHT - 4" MAX. OPENINGS - NON CLIMBABLE (9.8.8.6)
- EXTERIOR GUARDS TO BE 36" (MIN.) WERE THE WALKING SURFACE OF PORCHES, DECKS, LANDING & BALCONIES ARE LESS THAN 5'-11" ABOVE FINISHED GROUND LEVEL & 42" (MIN.) FOR ANYTHING EXCEEDING 5'-11" BUT LESS THAN 32'-10" ABOVE FINISHED GRADE. (O.B.C 9.8.8.3)
- HANDRAILS TO BE ATTACHED AT POINTS NOT MORE THAN 3'-11" APART, WITH THE FIRST ATTACHMENT POINT NOT MORE THAN 12" FROM THE END OF THE HANDRAIL, WITH MIN. 2 WOOD SCREWS AT EACH POINT PENETRATING MIN. 1 1/4" INTO SOLID WOOD. (O.B.C 9.8.7.7.)
- STAIRS TO FINISHED AND UNFINISHED BASEMENT TO BE ENCLOSED BY WALLS OR GUARDS. (O.B.C 9.8.8.1)
- PROVIDE 20"x28" ATTIC ACCESS IN GARAGE CEILING & UPPER FLOOR CEILING. (O.B.C 9.19.2)
- ALL CHIMNEYS & FIREPLACES TO CONFORM TO SECTIONS 9.21 & 9.22 OF O.B.C.
- SUPPORT OF NON-LOADBEARING PARTITIONS TO COMPLY WITH SUBSECTION (O.B.C 9.23.9.8)
- ALL STUD WALLS BETWEEN GARAGE & LIVING AREAS TO BE 2"x6" STUDS AT 16" O.C. C/W R-24 INSULATION & 1/2" DRYWALL. (O.B.C SB-12)
- ALL AIR BARRIERS TO BE CONTINUOUS & SEALED AS PER O.B.C 9.25.3.
- ALL ATTIC ACCESS PANELS TO BE INSULATED & WEATHERSTRIPPED. (O.B.C SB-12)
- ALL VAPOUR BARRIERS TO BE 6-MIL POLYETHYLENE (CGSB 51.34-M) AND BE INSTALLED AS PER O.B.C 9.25.4.
- PROVIDE ELECTRICAL & LIGHTING FACILITIES AS PER O.B.C 9.34.

SEE DWG No. A7 & A8 FOR GENERAL NOTES

**STEPHEN SELF ENGINEERING**

Structural Engineers  
 10147 IONA ROAD  
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CLIENT:

STEFAN DESI

LOCATION:

166 GRAHAM ROAD  
 WEST LORNE, ON

DRAWN BY:

B. REMPEL

DATE:

24 APRIL 2021

SCALE:

3/16" = 1'-0"

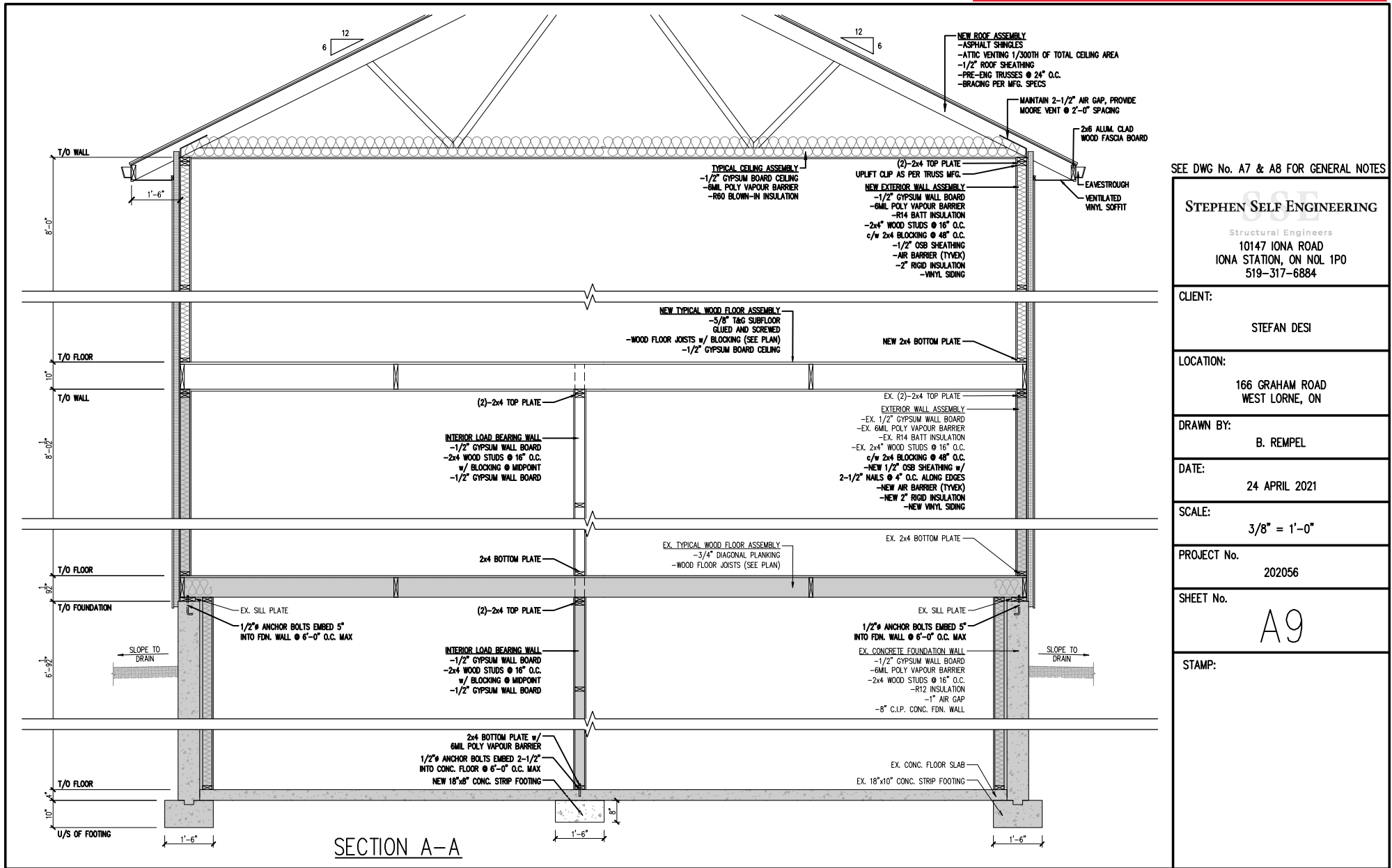
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SCALE:  
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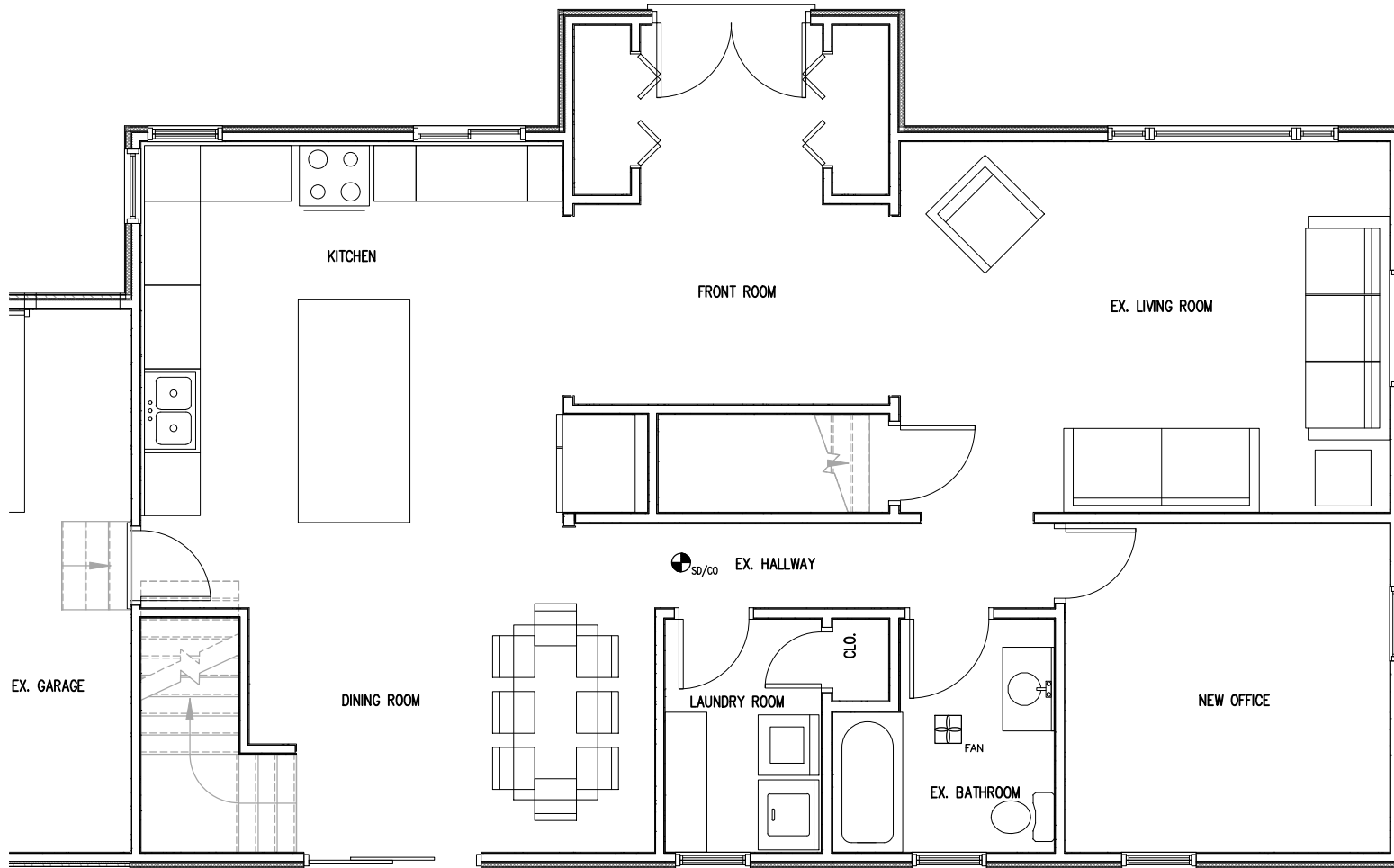
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GROUND FLOOR FURNITURE PLAN

**STEPHEN SELF ENGINEERING**  
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SCALE:  
 1/4" = 1'-0"

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SEE DWG No. A7 & A8 FOR GENERAL NOTES

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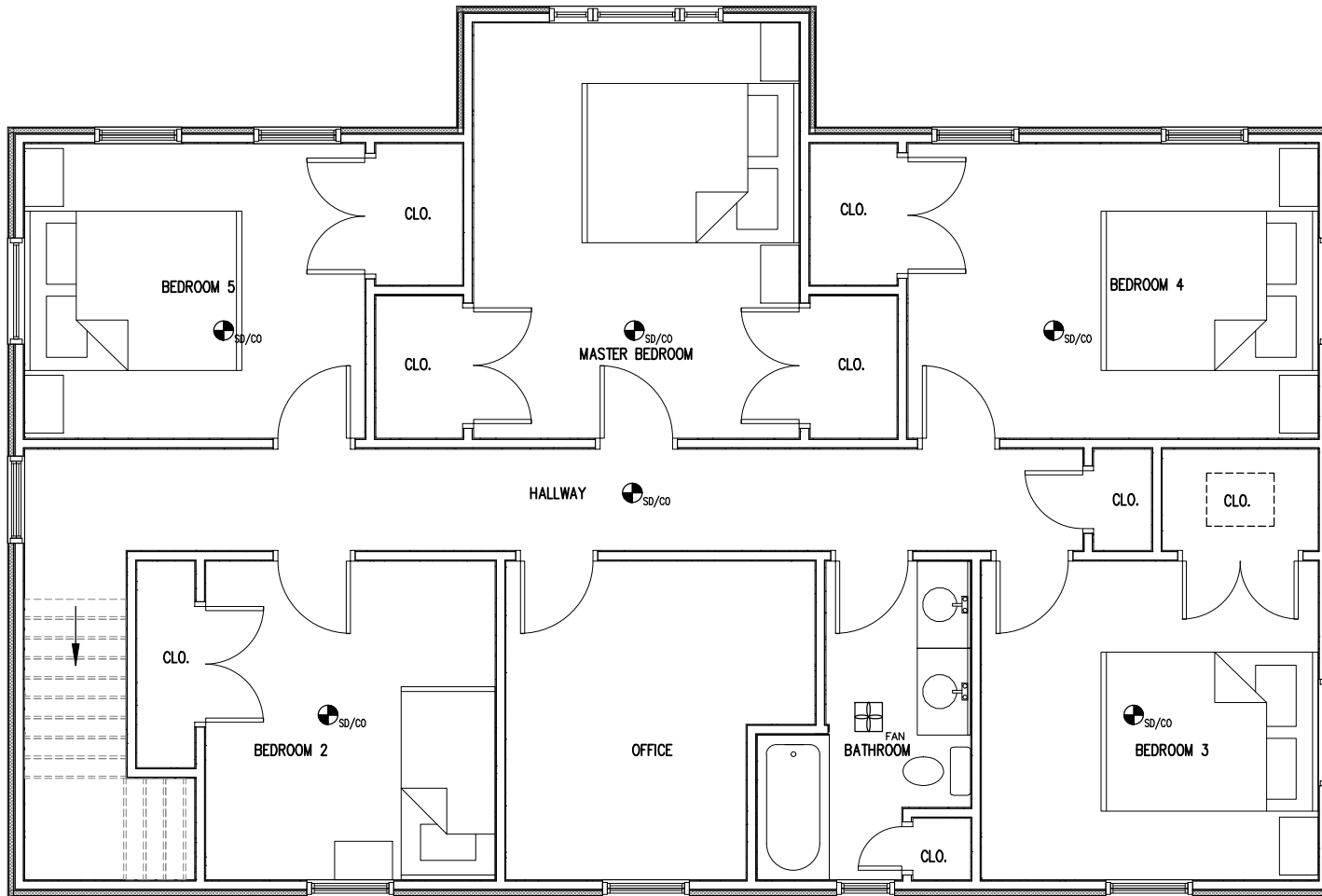
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SECOND FLOOR FURNITURE PLAN