



The Corporation of the Town of Erin

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

Re: Minor Variance Application File #A01/19
Location: CON 3 East Part Lot 2
Applicant/Agent: Leal
Owner: Leal
Date of Decision: Wednesday, January 30th, 2019

Purpose

The purpose of this application is to provide relief from Zoning By-law 07-67 specifically section 44.18 to permit a home occupation within an accessory building where the by-law requires the home occupation to be conducted only within a dwelling unit. The applicants have also requested relief from section 4.18.2 to permit a gross floor area for the home occupation to be 35% of the dwelling where the by-law permits no more than 25% of the gross floor area of the main dwelling.

Decision and Reasons of the Committee

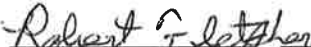
It is the decision of the Committee of Adjustment to approve this variance application for the following reasons:


- 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 Town of Erin Official Plan;
- The requested variance conforms to the general intent and purpose of the Town of Erin By-Law #07-67.

With the following conditions:

- An evaluation and report of the performance level of the accessory building, in accordance with Part 11 of the Building Code performed by a qualified professional, will be required to determine what, if any compensating construction may be required. A reduction in the performance level may require compensating construction which would require the issuance of building permit. A change of use permit will be required if no compensating construction is required depending on the classification of the building or parts thereof.
- The total combination of space(s) in the accessory building and/or main dwelling shall not exceed 35%.
- The home occupation may not reside in any other accessory building on this property aside from the structure indicated on the application and/or the main dwelling.

Dated this 30th day of January, 2019.


Rob Fletcher


William Oughtred


Brad Bruce


Wayne Parkinson

Certification of the Committee's Decision

I, LISA CAMPION being the Secretary- Treasurer of the Committee of Adjustment for the Corporation of the Town of Erin, certify that this is a true copy of the Committee's Decision.


Secretary- Treasurer

January 30th
Date

Appeals

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Erin Committee of Adjustment before the minor variance is granted, the person or public body is not entitled to appeal the decision of the Town of Erin Committee of Adjustment to the Local Planning Tribunal (LPAT.)

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Erin 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 Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Any appeals of the Decision of the Town of Erin Committee of Adjustment must be filed with the Secretary-Treasurer of the Committee of Adjustment, **not later than the 19th day of February, 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 LPAT website at <http://elto.gov.on.ca/tribunals/lpat/about-lpat/> 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 Town of Erin Municipal office or by contacting Lisa Campion, Deputy Clerk/ Secretary Treasurer of Committee of Adjustment at 519-855-4407ext. 248, 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.erin.ca).