



TOWNSHIP OF SOUTHWOLD
COMMITTEE OF ADJUSTMENT
NOTICE OF DECISION
APPLICATION NO. MV 2024-07

ATTACHED is a certified copy of the decision of the Committee of Adjustment in the matter of an Application MV 2024-07 for a minor variance pursuant to Section 45 (10) of the Planning Act, R.S.O. 1990, as amended.

The applicant, the Minister or a specified person or public body who has an interest in the matter may appeal the decision to the Ontario Land Tribunal (formerly the Local Planning Appeal Tribunal) by filing with the Secretary-Treasurer of the Committee of Adjustment, not later than the **31st day of December, 2024**, 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 Cheque, Money Order or Credit Card payment 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 Ontario Land Tribunal (formerly 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 Township of Southwold Municipal Office, or by contacting the Township Planner via phone at 519-769-2010 or e-mail at planning@southwold.ca, or available online at the Township's website at: www.southwold.ca/current-planning-applications

Dated this 11th day of December, 2024.

June McLarty, Deputy Clerk
Deputy Secretary-Treasurer of the Committee of Adjustment
Township of Southwold
35663 Fingal Line
Fingal, Ontario N0L 1K0
Phone: 519-769-2010
Fax: 519-769-2837
E-mail: deputyclerk@southwold.ca



**COMMITTEE OF ADJUSTMENT FOR
THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD**

DECISION SHEET

Application No. MV 2024-07
Date of Hearing: December 9, 2024
Owner/Applicant: Jason DaSilva
Agent:
Description: Lot #7 and merged Part 1 of Lot 58, Plan 11M-245, Registered Plan 11R-11142
Municipal Address: 34 Talbot Grove Lane

Lot Description:

Existing Lot Area	1,655 sq m (0.41 Ac)
Existing Lot Frontage	18 metres (59.05 feet)
Existing Lot Depth	66.4 metres (217.85 feet)

In the matter of Section 45(1) of The Planning Act R.S.O 1990, the Township of Southwold Comprehensive Zoning By-law 2011-14, and an application for **Minor Variance**.

The owner is requesting a Minor Variance to seek a relief provision of Zoning By-law 2011-14, as amended to permit the construction of an accessory structure. Specifically, the minor variance will consider the following:

1. Relief from the provision of Section 3.1 (vi) (Accessory Uses) to permit the construction of an accessory structure for the purposes of establishing an Additional Dwelling Unit.

Decision:

The application is hereby **approved** to obtain relief from Section 3.1 (vi) (Accessory Uses) to permit the construction of an accessory structure from the maximum height of 5.5m (18 ft) to 6.2 m (20 ft -4in) for the purposes of establishing an Additional Dwelling Unit.

Reasons for approval, in accordance with Report PLA 2024-17:

1. The variance does maintain the intent and purpose of the Official Plan.
2. The variance does maintain the intent and purpose of the Zoning By-law.
3. The variance requested is desirable for the appropriate and orderly development and use of the land.
4. The variance is minor in nature.

The effect of written and oral submissions on the Decision is contained within Report PLA 2024-17 and the minutes of the Committee of Adjustment Meeting of December 9, 2024.

We, the undersigned, concur in the decision and reasons given for the decision of the Committee of Adjustment for the Township of Southwold of this 9th day of December, 2024.

RECORDED VOTE	TO GRANT	TO REFUSE	Absent	Present
Committee Member, John Adzija	<u>✓</u>	_____	()	(✓)
Committee Member, Scott Fellows	<u>✓</u>	_____	()	(✓)
Committee Member, Sarah Emons	<u>✓</u>	_____	()	(✓)
Chairperson and Committee Member, Grant Jones	<u>✓</u>	_____	()	(✓)
Committee Member, Justin Pennings	<u>✓</u>	_____	()	(✓)

*******CERTIFICATION OF COMMITTEE'S DECISION*******

I, June McLarty, being the Secretary-Treasurer of the Committee of Adjustment for the Township of Southwold, certify that this is a true copy of the Committee's decision on the 9th day of December, 2024.

June McLarty
 Secretary-Treasurer

December 11, 2024
 Date

*******NOTICE OF LAST DATE OF APPEAL*******

NOTICE IS HEREBY GIVEN THAT THE LAST DATE FOR APPEALING THIS DECISION TO THE ONTARIO LAND TRIBUNAL (OLT) IS THE **31st DAY OF DECEMBER, 2024.**

The decision of the Committee may be appealed to the Ontario Land Tribunal (OLT) by serving personally on or sending by registered mail to the Secretary-Treasurer of the Committee a Notice of Appeal and a copy of an appeal form which is available from the OLT website at www.olt.gov.on.ca setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the fee prescribed by the Tribunal as payable on an appeal from the Committee of Adjustment to the Tribunal.

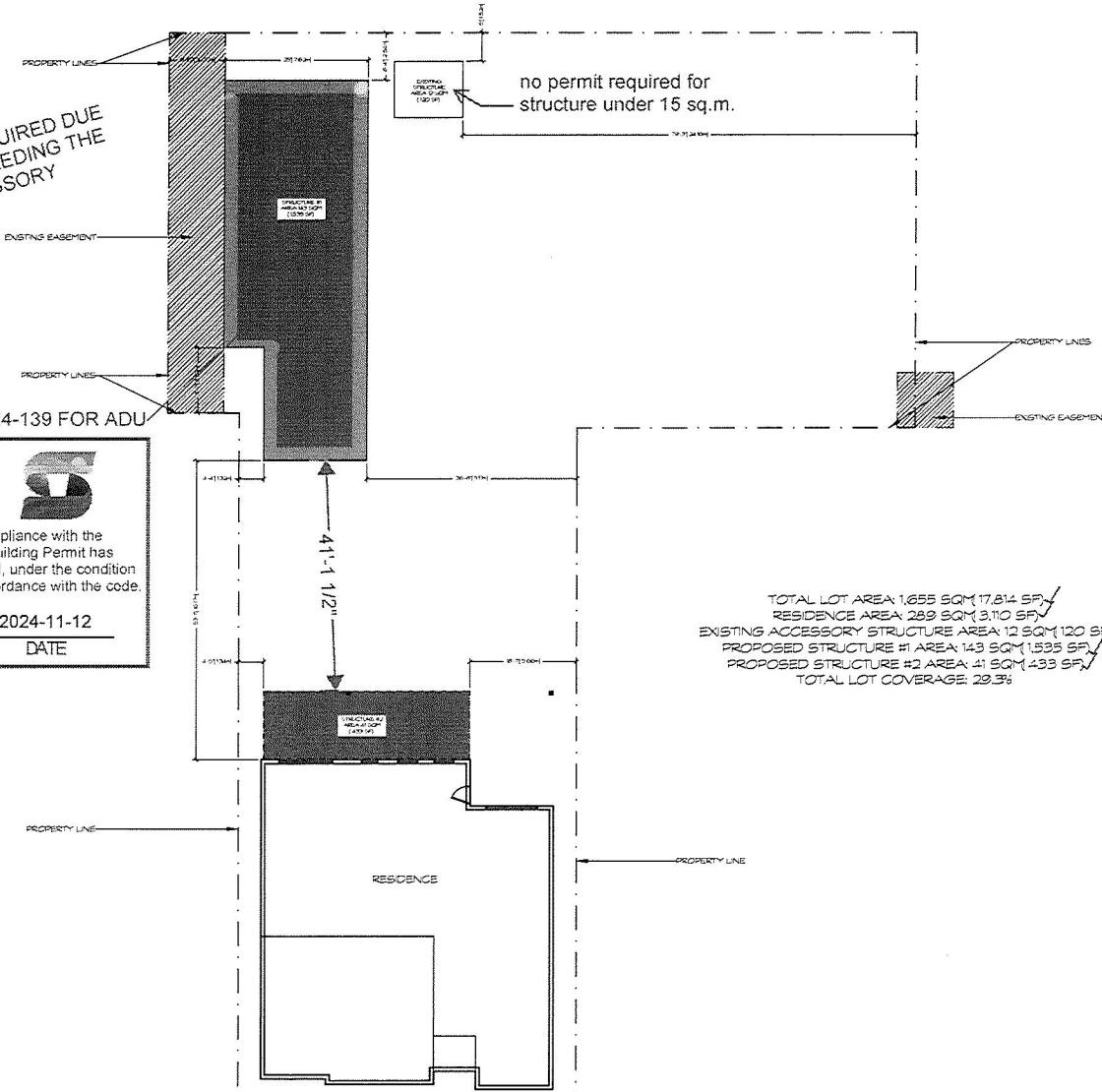
June McLarty, Deputy Clerk
 Township of Southwold
 35663 Fingal Line
 Fingal, Ontario
 N0L 1K0
 Phone: 519-769-2010
 Email: deputyclerk@southwold.ca

Schedule A: Subject Area Map 34 Talbot Grove Lane - MV 2024-07



Appendix 1: Site Plan

NOTE: A MINOR VARIANCE IS REQUIRED DUE TO THE DESIGN PROPOSAL EXCEEDING THE REQUIRED HEIGHT OF AN ACCESSORY BUILDING



PERMIT#2024-139 FOR ADU

**TOWNSHIP OF SOUTHWOLD
BUILDING DEPARTMENT**



These Plans have been examined for Compliance with the Ontario Building Code requirements. A Building Permit has been issued, subject to any changes noted, under the condition that the building will be constructed in accordance with the code.

Sandy Lale 2024-11-12
REVIEWED BY DATE

TOTAL LOT AREA: 1,655 SQM (17,814 SF) ✓
 RESIDENCE AREA: 289 SQM (3,110 SF) ✓
 EXISTING ACCESSORY STRUCTURE AREA: 12 SQM (120 SF) ✓
 PROPOSED STRUCTURE #1 AREA: 143 SQM (1,535 SF) ✓
 PROPOSED STRUCTURE #2 AREA: 41 SQM (433 SF) ✓
 TOTAL LOT COVERAGE: 29.3%

1	Nov 7, 24	issued for permit
No.	Date	Revision note

**COUNTRYSIDE
LANDSCAPE & POOLS**

JOHN (519) 619-5593
VINCE (519) 403-5693
e-mail: vince@countrysideandpools.ca

SEAL FOR PERMIT

**Da Silva
Residence**

34 Taber Grove Lane
Tobanville, Ontario

Structure Site Plan

DRW: VL
DATE: March 24, 2022
15, 2022-10
SCALE: 1:250



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