



COMMITTEE OF ADJUSTMENT
TOWNSHIP OF WAINFLEET

"Wainfleet - find your country side!"

File: A10/2021W

NOTICE OF DECISION

In the matter of the Planning Act, R.S.O. 1990, as amended and in the matter of an application on behalf of:

Derek & Tima Dragomautz
43493 Case Road
Con 4 Pt Lot 33 RP59R13258 Parts 1 to 3, Wainfleet


LOCATION OF THE LANDS AND PURPOSE OF THIS APPLICATION:

The subject property is located on the southeast corner of Case Road and Highway #3. The property is zoned Agricultural Transition – A1.

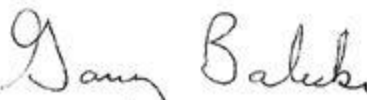
DECISION: GRANTED REFUSED

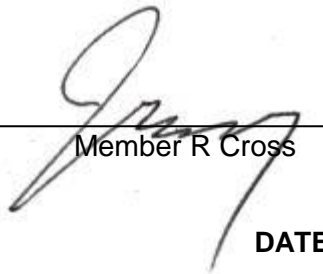
The above decision is subject to the following conditions:

PLEASE SEE SCHEDULE "A" ATTACHED HERETO FOR CONDITIONS AND REASONS


Chair M. Feduck


Member L. Bjerno


Member G. Balicki



Member R Cross


Member S McMillan

DATE OF DECISION: July 21st , 2021

DATE OF MAILING: July 23rd , 2021

I hereby certify this to be a true copy of the decision of the Committee of Adjustment for the Township of Wainfleet, in the Regional Municipality of Niagara and this decision was concurred in by the majority of the members who heard the application.


Erin Shacklette, Secretary-Treasurer

Last day for filing an appeal of this decision to the Tribunal is August 10th, 2021

PROCEDURE FOR APPEAL

The Planning Act, R.S.O. 1990, Section 45, Subsection 12, as amended states: - "The applicant, the Minister or any other person or public body who has an interest in the matter may within **twenty (20) days** of the making of the decision appeal to the Tribunal against the decision of the Committee by filing with the Secretary-Treasurer of the Committee a notice of appeal setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the prescribed fee charged by the Tribunal under the Ontario Land Tribunal Act, 2021 as payable on an appeal from a Committee of Adjustment to the Tribunal." The prescribed fee for an appeal to the Tribunal is \$400 and payable to the Minister of Finance.

Pursuant to Rule 7 of the OLT Rules, anyone who wishes to participate in an OLT appeal hearing as a participant shall file a written participant statement that sets out their position on the matter and issues of the proceeding, together with an explanation of their reasons in support of their position. A participant may only make submissions to the Tribunal in writing.



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SCHEDULE A – FILE A10/2021W

This is Schedule A, appended to and forming part of the Notice of Decision for Application for Minor Variance A10/2021W.

An application for a minor variance has been submitted to request relief from the following provisions of zoning bylaw 034-2014 in order to permit the outside storage and display of goods for a home industry

Section of Bylaw	By-law Requirement	Application Request	Difference
Section 4.17(c) Provisions for Home Industries	Outdoor storage and display of goods and materials is prohibited	Permit outdoor storage of goods and materials	N/A

DECISION: GRANTED REFUSED

The above decision is subject to the following conditions:

1. That the required site plan application for the home industry be submitted to and approved by the Township's Planning Department.

Reasons:

1. The application is consistent with the intent of the Official Plan and the Zoning By-law as Home Industries are a permitted use within the Agricultural Designation and Zone.
2. The proposed variance is minor, as the fencing will obscure the view of any oversized materials stored outdoors.
3. The decision is rendered having regard to the provisions of Section 45 of the Planning Act.

Date of Decision: July 21st, 2021

Date of Mailing: July 23rd, 2021

I hereby certify this to be a true copy of the decision of the Committee of Adjustment for the Township of Wainfleet in the Regional Municipality of Niagara and this decision was concurred in by the majority of the members who heard the application.


Erin Shacklette, Secretary-Treasurer