



**The Corporation of the Township of North Stormont
Committee of Adjustment**

15 Union Street, PO Box 99
Berwick, ON K0C 1G0

NOTICE OF DECISION

Application # A-2023-02

Date of Hearing: March 1, 2023

Date of Decision: March 1, 2023

Owner & Applicant: William Van Loon

Location: Part of Lot 9, Concession 3, being Part 1, RP 52R-6387 geographic Township of Finch, Township of North Stormont; being 14703 County Road 43, Finch

Purpose: To permit relief from Section 3.22 of Zoning By-law No. 08-2014, which requires all new development to comply with the Minimum Distance Separation I (MDS I) formula. The proposed location of a new dwelling on the subject lands does not meet the MDS I setbacks required from an existing unoccupied livestock barn and manure lagoon (not in use) at 14698 County Road 43. The effect of the decision would:

- 1) Reduce the MDS I setback required between the new residential dwelling and an existing livestock barn (currently unoccupied) from 210 metres to 100 metres, and;
- 2) Reduce the MDS I setback required between the new residential dwelling and an existing manure lagoon (not in use) from 333 metres to 120 metres.

Decision: Granted.

Reasons for Decision: The general intent of the Official Plan and Zoning By-law are being maintained, the request is minor in nature considering the property lies between both an inactive farming operation and the Canadian Pacific Railway, the proposed setback is desirable and appropriate for development of a dwelling on the land.

Conditions: None.

Last date to appeal decision: March 20, 2023

TAKE NOTICE that the applicant, the Minister or a specified person or public body that has an interest in the matter may appeal to the Ontario Land Tribunal in respect of the decision by filing with the Secretary-Treasurer of the Committee of Adjustment of the Township of North Stormont a notice of appeal setting out the objection to the decision and the reasons in support of the objection, accompanied by the fee prescribed under the *Ontario Land Tribunal Act, 2021* (\$400.00 payable to the Minister of Finance). If the fee does not accompany the appeal, the Ontario Land Tribunal has the power to dismiss the appeal pursuant to subsection 45(17) of the *Planning Act*.

Only the applicant, the Minister or a specified person or public body that has an interest in the matter may appeal a decision to the Ontario Land Tribunal.

No written or oral submissions in opposition of the variances were made before or during the hearing. No changes were made to the decision as proposed.

Dated at the Township of North Stormont this 1st day March, 2023

Moe Hammoud

Secretary-Treasurer, Township of North Stormont Committee of Adjustment