

The Corporation of the
City of Kawartha Lakes
Committee of Adjustment
Notice of Decision

Application File No: D20-2021-029

Application by: Steven Harjula

Address of Applicant:



Owner: Steven Harjula

Location of Property: Vacant Lands, Unassumed Road Allowance
Part Lots 16 and 17, Concession 10
Geographic Township of Somerville, Ward 2, now in
the City of Kawartha Lakes

Purpose of the Application:

D20-2021-029 – Vacant Lands, Part Lots 16 and 17, Concession 10, Geographic Township of Somerville, Ward 2, now in the City of Kawartha Lakes – To consider relief under Section 45 (1) of the Planning Act, R.S.O., as amended, from the Township of Somerville Zoning By-law 78-45. The purpose and effect is to facilitate construction of a new dwelling and agricultural building in support of a nursery business on a lot absent frontage on an improved public street.

Relief sought:

- 1) Section 18.8.1 provides that no building or structure shall be erected in any Zone unless the lot upon which such building or structure is to be erected has a lot line which abuts an improved public street, where access can be obtained off such street; the existing lot abuts a municipal unassumed road.

In making of this decision, the Committee has considered all written and oral submissions made to the Committee, and has adopted the following decision.

Decision:

Date of Decision: September 22, 2022

Moved By: S. Strangway

Seconded By: S. Richardson

That minor variance application D20-2021-029 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

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Conditions

- 1) **That** the owner submit to the City a proposal to assume the unnamed road by service, in accordance with Council Policy CP2017-010 within twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon receipt of the proposal.

This approval pertains to the application as described in report COA2022-064. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Carried

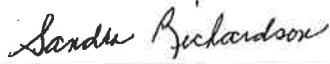
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Members Concurring In the Decision



Lloyd Robertson

David Marsh



Sandra Richardson

Emmett Yeo



Betty Archer



Steve Strangway



Janice Robinson

Members Dissenting In the Decision

Lloyd Robertson

David Marsh

Sandra Richardson

Emmett Yeo

Betty Archer

Steve Strangway

Janice Robinson

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Appeal – If you wish to appeal the decision you must set out written reasons in support of the appeal using Appellant “A1” Form (available from the Ontario Land Tribunal (OLT) website at <https://olt.gov.on.ca/about-olt/> or from the Secretary-Treasurer at the address provided below), together with payment of \$400.00 in the form of a certified cheque or money order, made payable to the **Minister of Finance**, must be filed with the “Secretary-Treasurer, City of Kawartha Lakes Committee of Adjustment, 180 Kent St. W., Lindsay, Ontario K9V 2Y6.”

The office may also be contacted at Tel: 705-324-9411 Extension 1246 Fax 705-324-4027 or by e-mail: rholy@kawarthalakes.ca. All appeals with the appropriate fee must be received at the address shown above on or before, **October 11, 2022**.

Only individuals, corporations and public bodies may appeal decisions in respect of applications for consent to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

Our records, at this time, indicate that the land which is subject of this Application is also subject to an application under the Planning Act for:

- | | | | |
|--------------------------|---------------------|----------|---------|
| <input type="checkbox"/> | Plan of Subdivision | File No. | Status: |
| <input type="checkbox"/> | Consent | File No. | Status: |

CERTIFICATION

I Mark LaHay certify that the information included herein is a true copy of the decision of the committee with respect to the application recorded therein.

Dated this 22nd day of September, 2022


Secretary-Treasurer