



MUNICIPALITY OF SHUNIAH
COMMITTEE OF ADJUSTMENT
Notice of the Decision

Application No. : B4-22

Mailing Date: MAY 6, 2023

Owner/Applicant: Alan & Tami Hutchinson

Agent: N/A

Subject property: 2230 Amethyst Ave

Legal Description: PT ML AB SCOTTS

To whom it may concern:

The attached certified copy of the Decision of the Committee of Adjustment was passed at a meeting held on May 3rd, 2023. This land is also subject to Official Plan Amendment file number OP23-1 and Zoning File Amendment file number Z23-1. More information about these files can be found on our website at shuniah.org/planning-application-notice/

Please be advised that before this decision becomes final and binding, in accordance with section 53 (19) of the Planning Act, 1990, and amendments thereto, the following may appeal to the Ontario Land Tribunal against the decision within twenty (20) days after the giving of the notice: the applicant, the Minister, a specified person, a public body.

An appeal to the Tribunal against the decision may be made by filing a notice of appeal with the Secretary-Treasurer. The appeal against the decision must include the objection to the decision, the reasons in support of the objection, and be accompanied by the fee required by the Ontario Land Tribunal. Any comments received will become public information and will be maintained for the purpose of creating a record that is available to the general public. The OLT Appeal Fee must be paid by certified cheque or money order payable to the "Minister of Finance." Notice of appeal forms (A1 Appeal Form) can be obtained at <https://olt.gov.on.ca/appeals-process/forms/> or by visiting our office.

Only individuals, corporations and public bodies may appeal decisions in respect of applications for consent to the Local Planning Appeal 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.

In accordance with section 53(19) of the Planning Act, 1990 and amendments thereto, the final day for submitting an appeal against this decision shall be twenty (20) days after the giving of the notice; which is, **May 28th, 2023**. The Decision does not become final and binding until this period of appeal has expired.

If there are no appeals filed, any conditions set out with the decision must be complied with, **within two years of the date that the NOTICE OF DECISION was given; two years of the notice of decision is May 8th, 2025**. You have until that time to meet the conditions set in accordance with the decision of the Committee of Adjustment with respect to your application No.: B4-22. If the conditions have not been fulfilled within a period of one year after notice was given under subsection (17) or (24), whichever is later, the application for consent shall be deemed to be refused.

You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of the provisional consent.

Yours truly,

Jennifer Kruzick

Committee of Adjustment

Municipality of Shuniah

420 Leslie Avenue

Thunder Bay, Ontario P7A 1X8

Encl.



COMMITTEE OF ADJUSTMENT RESOLUTION

Date: May 3, 2023

Resolution No.: 6-23

Moved By: *Michael*

Seconded By: *JoAnn Hamel*

That application B4-22 from Alan and Tami Hutchinson for consent for severance of a vacant lot with frontage off of Amethyst Avenue to create a new lot is hereby DEFERRED.

If ~~denied~~: for the following reason, MORE INFORMATION NEEDED

If approved: for the following reason and is subject to the following conditions,

1. That the Secretary Treasurer's Certificate under the Planning Act shall have been issued with respect to the "severed" land of application number "B5/22".
2. That the proposed Official Plan Amendment Number 23-1 to the Shuniah Official Plan be approved.
3. That the proposed Zoning By-law Amendment Number 23-1 to the Shuniah Zoning By-law 2038-00 be approved.
4. That 5% cash-in-lieu of the value of the land be paid to the Municipality with respect to the severed lots.
5. That a registered legal description of the subject lands is received by the Secretary- Treasurer.
6. A letter shall be received from the governing authority being the Municipality of Shuniah's Manager of Operations indicating that satisfactory arrangements have been made with respect to access/driveway location for both the severed lots.
7. That approval for a Class IV Septic System is received from the Thunder Bay District Health Unit for both the severed lots.
8. That the Secretary-Treasurer shall receive a written report from a recognized testing laboratory that the water source on the severed lots is potable.
9. That written evidence from a licensed well driller or master plumber, confirming the establishment on the property of a source of water having a flow of at least four (4) gallons of water per minute after one (1) hour of pumping from the subject water source at the rated flow, be received by the Secretary-Treasurer for both the severed and retained lots.

Carried Defeated Amended Deferred

Bill Paul

Signature