



## The Corporation of the Municipality of Shuniah NOTICE OF REFUSAL OF APPLICATION TO AMEND ZONING BY-LAW

under Section 34(10.9) of The Planning Act

Date: July 4, 2023

Application No: Z23-1

Applicant: Tamara and Alan Hutchinson

Property: 2230 Amethyst Avenue, Shuniah

Legal Description: PT ML AB Scott's Survey

Zoning: Rural, Protected Area

Official Plan Designation: Residential and Protected Area

**TAKE NOTICE** that the Council of the Corporation of the Municipality of Shuniah has decided to refuse the application to amend Zoning By-law No. 2038-00 on June 20, 2023 under section 34 (10.9) of the Planning Act. Council's decision was due to the volume of concerns, the number of amendments, and the concerns for setting a precedent. The written submissions from Mr. Kuch, Mr. O'Brien and Mr. Huzan caused an effect on the decision of the subject lands.

The purpose and effect of this proposed amendment was to amend Zoning By-law No. 2038-00 to allow for the following:

- relating to the "Retreat Centre."
  1. Section 22.1 - to add the permitted use of "Retreat Centre."
  2. Section 22.1 - to include additional dwellings.
  3. Section 4.4.1(a) - to permit occupancy.
  4. Section 4.6.2 - to allow an accessory building to have a second storey.
- relating to the creation of two new lots.
  1. Section 22.2 - to allow for a reduction of minimum lot width from 120 meters to 107 meters for retained lot.
  2. Section 22.2 - to allow for a reduction of minimum lot width from 120 meters to 61 meters for two proposed lots.
  3. Section 22.2 - to allow for a reduction of the minimum lot area from 4ha to 2.35 ha.
  4. Section 22.2 - to allow for a reduction of the minimum lot area from 4ha to 2.55 ha.

As it relates to the property described as PT ML AB Scott's Survey known as 2230 Amethyst Ave, Municipality of Shuniah.

This property is also subject to an Official Plan Amendment, file number OP23-1 and two consent applications, file numbers B4-23 and B5-23 for the creation of 2 lots on the east side of the subject property. Committee of Adjustment Hearing Date May 3, 2023.

AND TAKE NOTICE THAT individuals, corporation or public body may appeal to the Ontario Land Tribunal (OLT) in respect of the By-law. An appeal against the decision must set out the reasons for the appeal, must be filed with the Clerk of the Corporation of the Municipality of Shuniah, no later than July 24, 2023. Notice of Appeal Form (A1) can be obtained at <https://olt.gov.on.ca/appeals-process/forms/> or by contacting our office. The appeal must be accompanied by a certified cheque or money order and made payable to the Minister of Finance in the amount set out on OLT's Fee Chart for a Zoning By-law Appeal online at <https://olt.gov.on.ca/appeals-process/fee-chart/>.

Only individuals, corporations and public bodies may appeal a by-law 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 the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

Dated at the City of Thunder Bay on Tuesday, July 4, 2023.

*K Bellamy*

Clerk of the Municipality of Shuniah

#### KEY MAP OF SUBJECT PROPERTY

