

NOTICE OF DECISION
Committee of Adjustment
Application for Minor Variance A01-25

Owners/Applicants: Kappy Holdings Inc.
Agent: Jamie Dodds
Legal Description: Part of Block 4 E/S John Plan 164, Town of Aylmer
Civic Address: 555 John Street North
Roll No.: 3411-030-0000-2600

Date of Decision: Wednesday, February 5, 2025
Date of Notice: Friday, February 7, 2025
Last Day of Appeal: Tuesday, February 25, 2025

Notice was given and a Public Hearing was held on Wednesday, February 5, 2025 as required by Section 45 of the *Planning Act*, R.S.O. c. P13, 1990.

PURPOSE OF THE APPLICATION

To seek relief from the following:

REQUESTED VARIANCES TO THE ZONING BY-LAW:

1. Reduction in minimum parking space width from 3.7 m (12.14 ft.) to 3.4 m (11.16 ft.) for the physically handicapped (as per Section 3(18)(a));
2. Reduction in minimum parking space width from 2.8 m (9.19 ft.) to 2.75 m (9.02 ft.) (as per Section 3(18)(e));
3. Reduction in the parking area street line setback from 3.0 m (9.84 ft.) to 0.3 m (0.98 ft.) along Beech Street Each (as per Section 3(18)(g));
4. Reduction in the required number of stacking lane spaces from 10 to 7 before the pick-up window and from 2 to 1 after the pick-up window (as per Section 3(18)(m)(iv.)); and,
5. Queuing spaces forming a stacking lane to be located in a parking aisle providing access to a parking space (as per Section 3(18)(m)(ii)(iii.)).

DECISION OF THE COMMITTEE:

APPROVED

With the condition that staff consider fencing in the Site Plan approval process.

Reasons

The requested variances are minor in nature, desirable and maintain the general intent and purpose of the Official Plan and Zoning By-law. The Application satisfies the four tests for a Minor Variance as set out in Section 45 of the *Planning Act*.

Effect of Written and Oral Submissions:

Public comments were received in support of and against the application, the effect of which resulted in a decision to approve the application with a condition.

TAKE NOTICE THAT the applicant or any other specified person or public body who has an interest in the matter may within 20 days of the date of decision appeal to the Ontario Land Tribunal by filing with the Clerk of the Corporation of the Town of Aylmer, **no later than February 25th, 2025 at 5:00pm**, a notice of appeal setting out the objection to the variance and the reasons in support of the objection, accompanied by the fee required by the Tribunal in the amount of \$400.00 which must be in the form of certified cheque, money order, or credit card, and must be in Canadian funds. Certified cheques and money orders should be made payable to the "Minister of Finance. If you wish to appeal, you may do so online or a copy of an appeal form is available from the Ontario Land Tribunal <https://olt.gov.on.ca/file-an-appeal/> or aylmer.ca/OLT-appeal¹.

If no Notice of Appeal has been received by the last day for filing an appeal, the Decision of the Committee becomes final and binding.

¹ If the OLT portal is down, submit appeal documents by email to the Municipal Clerk at clerks@town.aylmer.on.ca. Payment directions will be provided with confirmation of receipt.

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We, the undersigned, concur in the Decision and the Reasons of the Committee of Adjustment:



J. Couckuyt
Chair, Aylmer Committee of Adjustment

Committee Member J. Rauhe
In favour – Original to be signed

Committee Member W. Barber
In favour – Original to be signed

Committee Member J. Chapman
In favour – Original to be signed

Committee Member K. Desrosiers
In favour – Original to be signed

Committee Member A. Oslach
In favour – Original to be signed

Committee Member P. Barbour
In favour - Original to be signed

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I, Owen Jaggard, Secretary-Treasurer of the Committee of Adjustment of the Corporation of the Town of Aylmer, certify that the above is a true copy of the Decision.



Owen Jaggard
Secretary-Treasurer, Aylmer Committee of Adjustment