



**TOWNSHIP OF SOUTHWOLD**  
**COMMITTEE OF ADJUSTMENT**  
**NOTICE OF DECISION**  
**APPLICATION NO. MV 2026-03**

ATTACHED is a certified copy of the decision of the Committee of Adjustment in the matter of an Application MV 2026-03 for a minor variance pursuant to Section 45 (10) of the Planning Act, R.S.O. 1990, as amended.

The applicant, the Minister or any other person or public body who has an interest in the matter may appeal the decision to the Ontario Land Tribunal (formerly the Local Planning Appeal Tribunal) by filing with the Secretary-Treasurer of the Committee of Adjustment, not later than the **30<sup>th</sup> day of March, 2025, at 5:00 p.m.**

**HOW TO FILE AN APPEAL:** Appeals are submitted to the Secretary-Treasurer via the Ontario Land Tribunal's (OLT) online e-file service.

1. Navigate to the OLT's e-file service at <https://olt.gov.on.ca/e-file-service/>.
2. On the e-file service, sign into your *My Ontario Account* (first time users will need to register for a *My Ontario Account*).
3. Submit the appeal via the e-file service and ensure that you select the correct approval authority, which in this case is listed as "*Township of Southwold (municipality) – CAO/Clerk*".
4. Pay the fee required by the OLT. The fee schedule and methods of payment can be found on the OLT website at <https://olt.gov.on.ca/fee-chart/>. OLT payment options and instructions are available online. NB: Cheques must be made out to the 'Minister of Finance'.
5. Anyone filing an appeal that does not use the OLT's e-file portal may submit the required material directly to the CAO/Clerk at the address listed below. Please note that an additional administrative fee will apply. Forms can be downloaded from the OLT website above or are available for pick-up at the Township of Southwold Office, 35663 Fingal Line, Fingal.

**Additional Information** regarding this application for minor variance is available for review, at the Township of Southwold Municipal Office, or by contacting the Township Planner via phone at 519-769-2010 or e-mail at [planning@southwold.ca](mailto:planning@southwold.ca), or available online at the Township's website at: [www.southwold.ca/current-planning-applications](http://www.southwold.ca/current-planning-applications)

Dated this 10<sup>th</sup> day of March, 2026.

Jeff Carswell, CAO/Clerk  
Secretary-Treasurer of the Committee of Adjustment  
Township of Southwold  
35663 Fingal Line  
Fingal, Ontario N0L 1K0  
Phone: 519-769-2010  
E-mail: [cao@southwold.ca](mailto:cao@southwold.ca)



**COMMITTEE OF ADJUSTMENT FOR  
THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD**

**DECISION SHEET**

\*\*\*\*\*

**Application No.** MV 2026-03  
**Date of Hearing:** March 9th, 2026  
**Owner/Applicant:** Shayne Mitchell  
**Agent:** n/a  
**Description:** CON SNBTR PT LOT 40 RP; 11R1401 PART 7  
**Municipal Address:** 10449 Talbotville Gore Road

**Lot Description:**

<b>Existing Lot Area</b>	2,647.01 m <sup>2</sup>
<b>Existing Lot Frontage</b>	43.422 m
<b>Existing Lot Depth</b>	60.960 m

In the matter of Section 45(1) of The Planning Act R.S.O 1990, the Township of Southwold Comprehensive Zoning By-law 2011-14, and an application for **Minor Variance**.

The owner is requesting a Minor Variance to seek a relief provision of Zoning By-law 2011-14, as amended to permit an Additional Dwelling Unit (ADU) with a floor area equivalent to approximately 43% of the habitable floor area of the proposed primary dwelling, and to permit the ADU to be located within the front yard. Specifically, the minor variance will consider the following:

1. Relief from Section 3.48(i) (Added by By-Law 2022-44), to permit an Additional Dwelling Unit (ADU) with a floor area equivalent to approximately 43% of the habitable floor area of the proposed primary dwelling, whereas a maximum of 40% is permitted. Relief is also requested from Section 3.1(a)(iii) of Zoning By-law 2011-14, as amended, to permit the ADU to be located within the front yard. The application proposes the construction of a new primary dwelling, with the existing dwelling to be retained and re-designated as the Additional Dwelling Unit.

**Decision:**

1. The application is hereby **approved** to obtain Relief from the provision of Relief from Section 3.48(i) (Added by By-Law 2022-44), to permit an Additional Dwelling Unit (ADU) with a floor area equivalent to approximately 43% of the habitable floor area of the proposed primary dwelling, whereas a maximum of 40% is permitted. Relief is also requested from Section 3.1(a)(iii) of Zoning By-law 2011-14, as amended, to permit the ADU to be located within the front yard.

Reasons for approval, in accordance with Report PLA 2026-11:

1. The variance does maintain the intent and purpose of the Official Plan.
2. The variance does maintain the intent and purpose of the Zoning By-law.
3. The variance requested is desirable for the appropriate and orderly development and use of the land.
4. The variance is minor in nature.

The effect of written and oral submissions on the Decision is contained within Report PLA 2026-11 and the minutes of the Committee of Adjustment Meeting of March 9th, 2026.

We, the undersigned, concur in the decision and reasons given for the decision of the Committee of Adjustment for the Township of Southwold of this 9<sup>th</sup> day of March, 2026.

<b>RECORDED VOTE</b>	<b>TO GRANT</b>	<b>TO REFUSE</b>	<b>Absent</b>	<b>Present</b>
Committee Member, John Adzija	<u>✓</u>	<u>      </u>	( )	(✓)
Committee Member, Scott Fellows	<u>      </u>	<u>      </u>	( )	( )
Committee Member, Sarah Emons	<u>✓</u>	<u>      </u>	( )	(✓)
Chairperson and Committee Member, Grant Jones	<u>✓</u>	<u>      </u>	( )	(✓)
Committee Member, Justin Pennings	<u>✓</u>	<u>      </u>	( )	(✓)

**\*\*\*\*\*CERTIFICATION OF COMMITTEE'S DECISION\*\*\*\*\***

I, Jeff Carswell, being the Secretary-Treasurer of the Committee of Adjustment for the Township of Southwold, certify that this is a true copy of the Committee's decision on the 9<sup>th</sup> day of March, 2026.

\_\_\_\_\_  
 Secretary-Treasurer

March 9, 2026  
 Date

**\*\*\*\*\*NOTICE OF LAST DATE OF APPEAL\*\*\*\*\***

NOTICE IS HEREBY GIVEN THAT THE LAST DATE FOR APPEALING THIS DECISION TO THE ONTARIO LAND TRIBUNAL (OLT) IS THE **30<sup>th</sup>, DAY OF MARCH, 2026 at 5:00 P.M.**

The decision of the Committee may be appealed to the Ontario Land Tribunal (OLT) by serving personally on or sending by registered mail to the Secretary-Treasurer of the Committee a Notice of Appeal and a copy of an appeal form which is available from the OLT website at

[www.olt.gov.on.ca](http://www.olt.gov.on.ca) setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the fee prescribed by the Tribunal as payable on an appeal from the Committee of Adjustment to the Tribunal.

Jeff Carswell, CAO/Clerk  
Township of Southwold  
35663 Fingal Line  
Fingal, Ontario  
NOL 1K0  
Phone: 519-769-2010  
Email: [cao@southwold.ca](mailto:cao@southwold.ca)

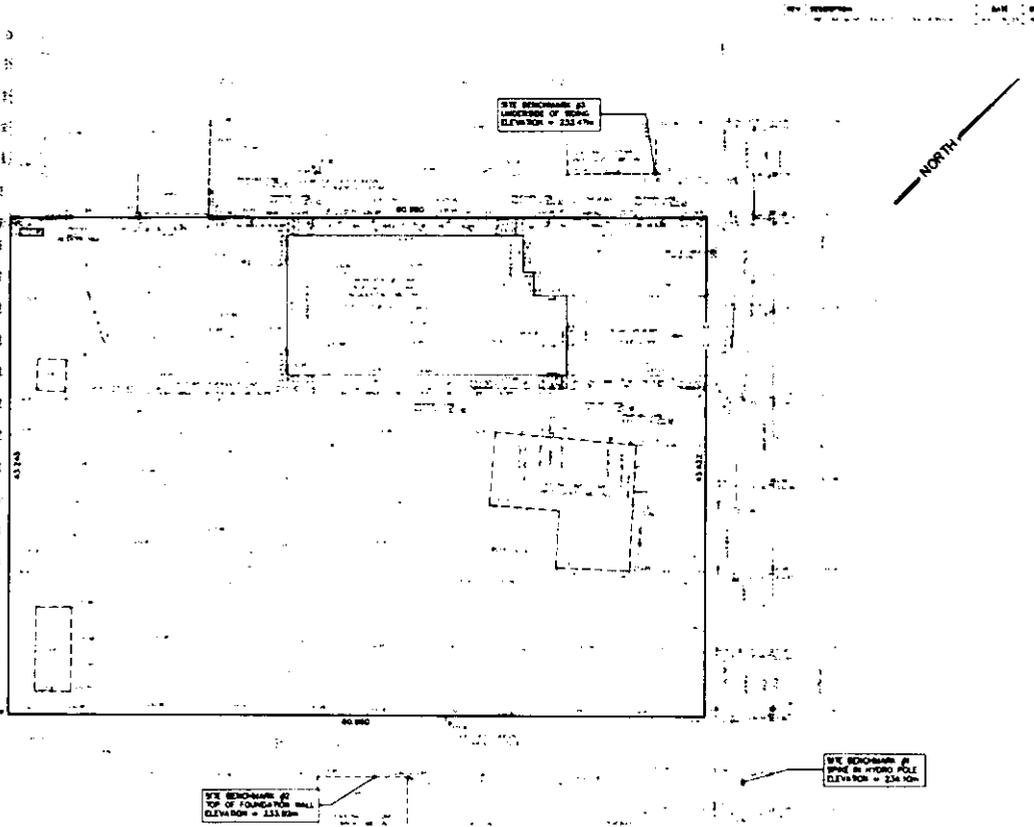
**Schedule A: Subject Area Map 10449 Talbotville Gore Road – MV 2026-03**



Variance Application MV 2026-03: 10449 Talbotville Gore Road

- Township Roads
- Minor Variance Location
- Parcels
- Municipal Drainage

Appendix 1: Site Plan



**SITE PLAN**  
 PREPARED FOR BUILDING PERMIT  
 AND LOT GRADING  
 FOR SHAYNE MITCHELL  
 MUNICIPAL # 10449 TALBOTVILLE CORY ROAD  
 ALL OF P.L.N. 35156-0262

SCALE 1:200  
 METRIC

**CAUTION**  
 THIS PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE TOWNSHIP OF SOUTHWOLD. THE TOWNSHIP OF SOUTHWOLD IS NOT RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY CAUSED BY THE USE OF THIS PLAN. THE LOCATION OF UNDERGROUND UTILITIES HAS NOT BEEN DETERMINED. THE LOCATION OF UPPER LIMIT OF GROUND WATER TABLE HAS NOT BEEN DETERMINED.

**NOTES**

1. THE PROPERTY IS PART OF LOT 40, CONCESSION SOUTH OF THE NORTH BRANCH OF TALBOT ROAD, TOWNSHIP OF SOUTHWOLD, COUNTY OF ELLEN.
2. THE PROPERTY IS 10.449 HECTARES IN AREA.
3. THE PROPERTY IS BOUND BY TALBOTVILLE CORY ROAD TO THE NORTH AND WEST, AND BY THE NORTH BRANCH OF TALBOT ROAD TO THE SOUTH.
4. THE PROPERTY IS BOUND BY THE NORTH BRANCH OF TALBOT ROAD TO THE SOUTH.
5. THE PROPERTY IS BOUND BY THE NORTH BRANCH OF TALBOT ROAD TO THE SOUTH.
6. THE PROPERTY IS BOUND BY THE NORTH BRANCH OF TALBOT ROAD TO THE SOUTH.
7. THE PROPERTY IS BOUND BY THE NORTH BRANCH OF TALBOT ROAD TO THE SOUTH.
8. THE PROPERTY IS BOUND BY THE NORTH BRANCH OF TALBOT ROAD TO THE SOUTH.
9. THE PROPERTY IS BOUND BY THE NORTH BRANCH OF TALBOT ROAD TO THE SOUTH.
10. THE PROPERTY IS BOUND BY THE NORTH BRANCH OF TALBOT ROAD TO THE SOUTH.

**PROPERTY DESCRIPTION (FUTURE REVENANCE)**  
 PART OF LOT 40  
 CONCESSION SOUTH OF THE NORTH BRANCH OF TALBOT ROAD  
 TOWNSHIP OF SOUTHWOLD  
 COUNTY OF ELLEN



© COPYRIGHT 2025 KIM HUSTED SURVEYING LTD.  
 ALL RIGHTS RESERVED. NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF KIM HUSTED SURVEYING LTD.

**KIM HUSTED**  
 SURVEYING LTD.  
 1000 BAYVIEW AVE. #1000  
 SCARBOROUGH, ONTARIO M1B 2Y1  
 TEL: (416) 291-1111  
 FAX: (416) 291-1112  
 WWW.KIMHUSTEDSURVEYING.COM

NOTE: DISTANCE FROM T.F.W. TO U.S.F. IS 7.66m OR 25'0"  
 8" FOUNDATION WALL HEIGHT ON 6" FOOTINGS.  
 NOTE: A DISTANCE OF 1.22m OR 4'0" MUST BE MAINTAINED  
 FROM FINAL GRADE TO UNDERSIDE OF  
 FOOTINGS IN ALL LOCATIONS.