TOWNSHIP OF CARLING
COMMITTEE OF ADJUSTMENT – MEETING MINUTES
9:00 a.m.
Tuesday, March 26, 2024

Minutes of the Committee of Adjustment held March 26, 2024 to consider application A/1/2024

Present Chair: Susan Murphy
Members: Lisa Cook
Al Doubrough
Bruce Kelly
Pam Wing
Staff: Kevin McLlwain, CAO/Clerk
Ryan Snowball, Planner
Mackenzie Taylor, Records Clerk / Deputy Clerk
Gord Harrison, Fire Chief
Chris Waefler, Public Works Manager
Naythan Nunes, Chief Building Official (Attended Virtually)

1. CALL TO ORDER

The Chair called the meeting to order at 9:00 a.m.

2. ADOPTION OF MINUTES

Resolution COA-1-2024

Doubrough - Cook: That the minutes of the Committee of Adjustment meetings held on October 10, 2023, be adopted.

Carried

3. MINOR VARIANCE APPLICATION A/1/2024– Rombouts

IN THE MATTER OF MINOR VARIANCE APPLICATION A/1/2024
Date of Hearing: March 26, 2024
Owner(s): Mackie & Jennifer Rombouts
Property Location: 10 Linda Lane West

Minor Variance(s) Requested: The owners are seeking two approvals. Pursuant to Section 45(1) of the Planning Act, R.S.O. 1990, c.P.13 as amended the owners are seeking a minor variance from Section 5.63 of the Zoning By, seeking relief for the 16.44 increase in the aggregate width of buildings lying parallel to the front lot line. Secondly, pursuant to Section 45(2) of the Planning Act R.S.O. 1990, c.P13 as amended, the owners are seeking permission to expand a legal non-conforming use.

Explanatory Note: Section 6.63 prescribes that the maximum aggregate width depth of all buildings parallel to the front lot line cannot exceed 50% of the lot frontage. In the case of 10 Linda Lane West, the maximum aggregate width of buildings laying parallel to the front lot line was ±22.84 meters. The proposed addition would result in an aggregate width of ±39.28 metres (16.44 metres in excess of the allowable).

It was determined that due to the subject land containing two seasonal dwellings, this proposal constituted an expansion to a legal non-conforming use. This because the subject land contains two seasonal dwelling, the second dwelling is not a permitted use as set out in Zoning By-law C500-2011 given the size of the subject land. Section 5.09.2 a) i) of the Township's Zoning By-law permits the reconstruction of a legal non-conforming use, so long as there is non increase in the height size and/or volume and so long as the use does not change. Due to the owners proposing an expansion of the second dwelling which will result in a floor area increasing by 126.6 square metres (1362.7 square feet) and its height increasing by 0.4 metres, Planning Act approval is required in the form of a Permission to Expand a Legal Non-Conforming Use.

Relief Being Sought Pursuant to Section 45(1) of the Planning Act			
	Permitted	**Proposed**	**Relief**
5.63 Aggregate Width of Buildings Lying Parallel to Front Lot Line	±22.84 metres	±39.28 metres	±16.44 metres
Relief Being Sought Pursuant to Section 45(2) of the Planning Act			
	Permitted	**Proposed**	**Relief**
5.09.2 a) i) Expansion to Legal Non-Conforming Use – Floor Area Increase	135.2m^2	261.8m^2	126.6m^2
5.09.2 a) i) Expansion to Legal Non-Conforming Use-Height Increase	6.2 metres	6.6 metres	0.4 metres

Resolution COA-_____-2024

_____ - _____:

It is the opinion of the Committee of Adjustment, with respect to the Application for Minor Variance filed pursuant to Section 45(1) of the Planning Act, R.S.O. 1990, c. P.13, as amended:

- that the general intent and purpose of the Zoning By-law is maintained;
- that the general intent and purpose of the Official Plan is maintained;
- that the variance is desirable for the appropriate development or use of land, building or structure; and
- that the variance is minor.

And it is the opinion of the Committee of Adjustment, with respect to the Application for Permission to Expand a Legal Non-Conforming Use, pursuant to Section 45(2) of the Planning Act, R.S.O. 1990, c. P.13, as amended:

- that the application is desirable for the appropriate development of the subject land; and
- that the application will not result in undue adverse impacts on the surrounding properties and neighbourhood.

We do hereby concur in granting consent to this application subject to the following conditions:

1. That the owners provide the Township with confirmation from the North Bay Mattawa Conservation Authority indicating that the proposed additions will be adequately setback from the existing sewage system located on the subject land; and

2. That all applicable planning fees are paid.

Differed

Resolution COA-2-2024
Cook – Kelly : That a decision on Minor Variance Application A/1/2024 be differed.

Carried

4. ADJOURNMENT

Resolution COA-3-2024
Doubrough - Cook : That this meeting of the Committee of Adjustment does now adjourn.

Carried

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Susan Murphy, Chair	Kevin McLlwain, Secretary