TOWNSHIP OF
CARLING

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NOTICE OF DECISION
MINOR VARIANCE APPLICATION A/1/2025
(Bilous – 30 Fred Dubie Road)

This Notice Dated: June 3, 2025

IN THE MATTER OF MINOR VARIANCE APPLICATION A/1/2025

Date of Hearing:	May 27, 2025
Applicant/Owner:	Greg Bilous
Property Location:	30 Fred Dubie Road

The purpose of the application was to seek relief from Section 5.63 of the Township's Comprehensive Zoning By-law C500-2011, being the provision establishing a maximum aggregate width of buildings lying parallel to the front lot line in a WF1-WF5 Zone. Additionally, the purpose of the application was to seek relief from Section 9.02 e) of the Township's Zoning By-law, being the provision establishing a minimum required interior side yard for a principal use building in the WF1 Zone.

The effect of the application was to grant 8.30 metres relief from Section 5.63 of the Zoning By-law. Section 5.63 of the Zoning By-law permits the subject land to have an aggregate width of buildings lying parallel to the front lot line not exceeding 14.85 metres. The Owner was proposing an aggregate width of buildings equal to 23.15 metres (8.30 metres in excess of the allowable limit). The application also had the effect of permitting a reduced interior side yard of 1.25 metres, where the Zoning By-law requires a minimum interior side yard of 5 metres (3.75 metres relief). The requested variance for a reduced interior side yard was to recognize the dwelling's existing reduced interior side yard.

The Committee of Adjustment received written letters of objection from three parties: Karin Sorra & Peter Stanfield (28 Fred Dubie Road), M. Ann Sorra (26 Fred Dubie Road) and Stephen Edmondson (14 Fred Dubie Road). Karin Sorra & Peter Sorra also made oral representations during at the Public Hearing. The Committee of Adjustment members evaluated all comments received, both orally and in writing, and made the decision that the proposed minor variances satisfied the tests prescribed in the Planning Act.

The Committee of Adjustment, in making their decision, was of the opinion that the proposed minor variance:

1) Maintained the general intent and purpose of the Township's Official Plan;
2) Maintained the general intent and purpose of the Township's Zoning By-law
3) Was desirable for the appropriate development or use of land, building or structure; and
4) Can be considered minor.

The Committee of Adjustment has granted approval to Minor Variance Application No. A/1/2025 subject to the following conditions:

1) That the Applicant apply for and obtain a Change of Use Permit for the existing sleeping cabin, converting its use to a storage building;
2) That the Applicant obtain a waiver acknowledging that sleeping cabin floor area entitlement and accessory entitlement are to be reallocated to the main dwelling, and subsequently that such floor are allowances be reduced by the same amount reallocated;
3) That the Applicant provide the Township of Carling with confirmation from the North Bay Mattawa Conservation Authority that the current sewage system can accommodate the proposed additions and that the proposed additions will be adequately setback from the existing sewage system;
4) That all applicable planning fees be paid;
5) That the approval of the minor variance from Section 9.02 e) of Zoning By-law C500-2011 does not absolve the Owner of complying with all other applicable law, including the Ontario Building Code;
6) That the extent of the variance will apply substantially in accordance with the plans and drawings submitted to the Township.

A copy of the signed decision is attached to this Notice.

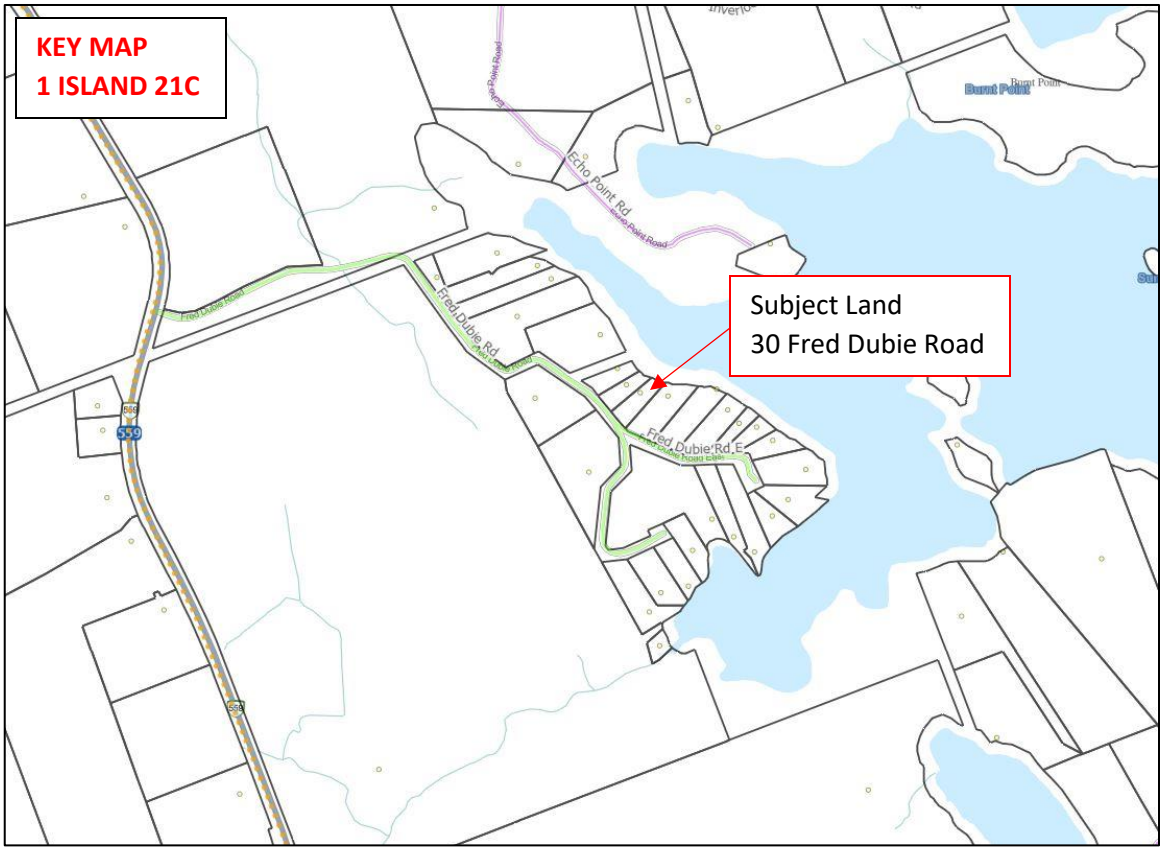
Appeals of this decision may be made in accordance with Section 45(12) of the Planning Act, R.S.O., 1990, c. P13, which states in part:

The applicant, the Minister or a specified person or public body that has an interest in the matter may within 20 days of the making of the decision appeal to the Tribunal against the decision of the committee by filing with the secretary-treasurer of the committee a notice of appeal 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 charged by the Tribunal as payable on an appeal from a committee of adjustment to the Tribunal.

Take notice that an appeal to the Ontario Land Tribunal in respect of all or part of this Minor Variance may be made by filing a notice of appeal with the Secretary-Treasurer either via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at https://olt.gov.on.ca/e-file-service by selecting Carling (Township): Clerk & Secretary-Treasurer as the Approval Authority or by mail (2 West Carling Bay Road, Nobel, ON P0G 1G0), no later than 4:00 p.m. on June 16, 2025. The filing of an appeal after 4:00 p.m., in person or electronically, will be deemed to have been received the next business day. The appeal fee of $400 can be paid online through e-file or by certified cheque/money order to the Minister of Finance, Province of Ontario. If you wish to appeal to the Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the OLT website at www.olt.gov.on.ca. If the e-file portal is down, you can submit your appeal to planning@carling.ca.

The last day for an appeal of the decision is **Monday, June 16, 2025**. If no Notice of Appeal has been received by 4:00 p.m. on that date, the decision of the Committee of Adjustment is final and binding.

Kevin McLlwain,
Secretary-Treasurer, Committee of Adjustment


KEY MAP
1 ISLAND 21C
Subject Land
30 Fred Dubie Road
Echo Point Rd
Fred Dubie Rd
Fred Dubie Rd E
559
Burnt Point

Resolution COA-7-2025

Doubrough - Cook:

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.

1. That the Applicant apply for and obtain a Change of Use Permit for the existing sleeping cabin, converting its use to a storage building;
2. That the Applicant sign a waiver acknowledging that sleeping cabin floor area entitlement and accessory floor area entitlement are to be reallocated to the main dwelling, and subsequently that that such floor area allowances be reduced by the same amount reallocated.
3. That the Applicant provide the Township of Carling with confirmation from the North Bay Mattawa Conservation Authority that the current sewage system can accommodate the proposed additions and that the proposed additions will be adequately setback from the existing sewage system.
4. That all applicable planning fees be paid; and
5. That the approval of the minor variance from Section 9.02 e) of Zoning By-law C500-2011 does not absolve the Owner of complying with all other applicable law, including the Ontario Building Code.
6. That the extent of the variance will apply substantially in accordance with the plans and drawings submitted to the Township.

Carried

Susan Murphy (Chair)

Lisa Cook

Al Doubrough

Bruce Kelly

Absent

Pam Wing

Certified to be a true copy

Kevin McLlwain - Clerk
Township of Carling