TOWNSHIP OF
CARLING

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NOTICE OF DECISION
MINOR VARIANCE APPLICATION A/3/2025
(Harrison/Stoica-Constantin – 303 Highway 559)

July 22, 2025

Sent via email to:
Christopher Harrison (kitharrison.kh@gmail.com)
Ana Stoica-Constantin (ana.e.stoica@gmail.com)

IN THE MATTER OF MINOR VARIANCE APPLICATION A/3/2025

Date of Hearing:	July 22, 2025
Applicant/Owner:	Christopher Harrison & Ana Stoica-Constantin
Property Location:	303 Highway 559

The purpose of the application was to seek relief from Section 5.40 of the Township's Comprehensive Zoning By-law C500-2011, being the provision that regulates a residential dwelling cannot exceed 2 storeys in height.

The effect of the application was to permit the construction of a new single detached dwelling which includes a "belvedere" component located above the proposed second storey. The propoed "belvedere" constitutes a third storey, which is not otherwise permitted by Section 5.40 of Zoning By-law C500-2011. The proposed minor variance grants relief from Section 5.40 for the construction of a third storey, one storey more than permitted by Section 5.40.

One oral submission was made with regards to this application by Roselle Little. Ms. Little asked for clarity as to where the proposed dwelling would be constructed and whether its height would extent beyond the tree limit. Staff and the Owners, who were in attendance, provided clarity indicating that the building would be constructed on essentially the same footprint as the previous development on the site and that the building height was within the allowable limit prescribed for the RU Zone. The Committee of Adjustment considered this information before making their decision.

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/3/2025 subject to the following conditions:

1) Confirmation from MTO that an entrance permit can be granted or that none is required;
2) Confirmation that a septic system can be accommodated on the subject lands; and
3) That the variance apply to a belvedere that is substantially in conformity with the building drawings submitted with the application.

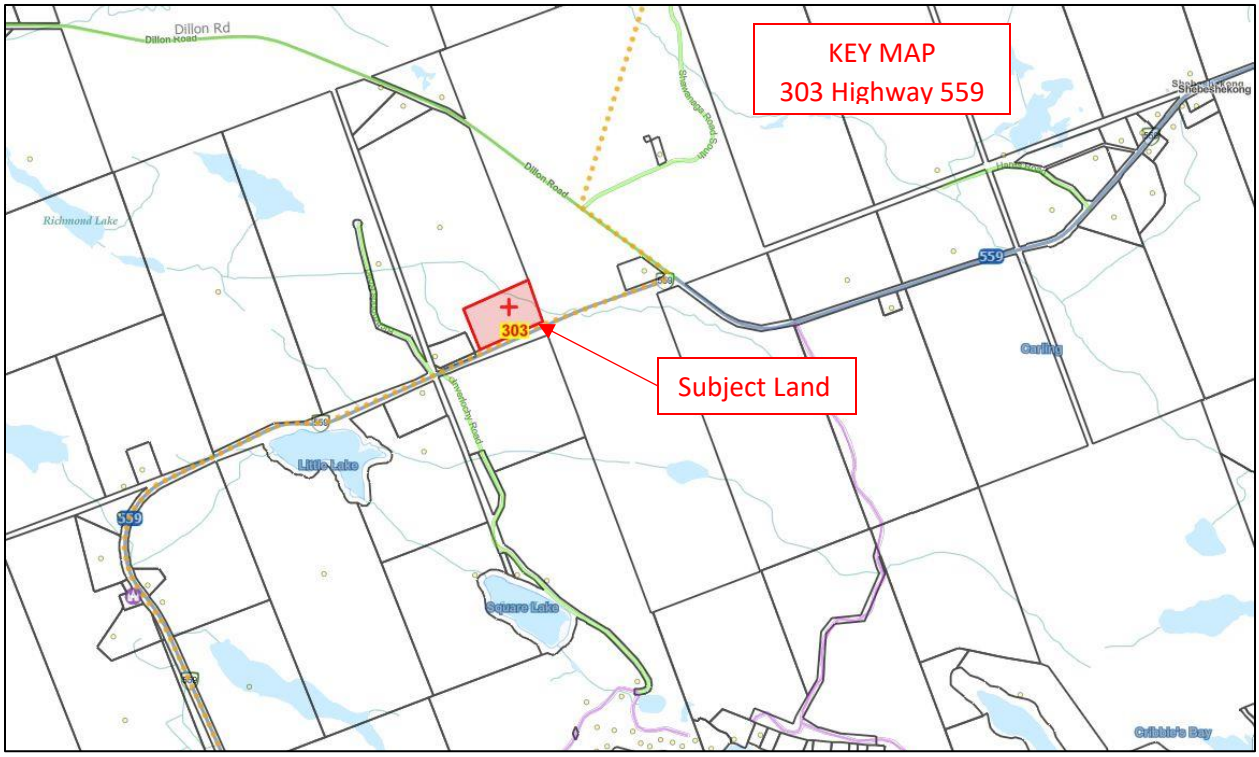
Appeals of this decision may be made in accordance with Section 45(12) of the Planning Act, R.S.O., 1990, c. P13, which states in part:

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 August 11, 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, August 11, 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, Township of Carling Committee of Adjustment


KEY MAP
303 Highway 559
Subject Land
Dillon Rd
Dillon Road
Richmond Lake
303
559
Little Lake
Square Lake
Carling
Cribbie's Bay

Resolution COA-10 -2025

Cook – Kelly :

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.

That the application be approved conditional upon;

1. Confirmation from MTO that an entrance permit can be granted or that none is required.

2. Confirmation that a septic system can be accommodated on the subject lands.

3. That the variance apply to a belvedere that is substantially in conformity with the building drawings submitted with the application.

Carried

Susan Murphy (Chair)

Lisa Cook

Al Doubrough

Bruce Kelly

Pam Wing

Certified to be a true copy
Kevin McLlwain - Clerk
Township of Carling