MINUTES OF THE BUSINESS MEETING OF THE NORTH BAY COMMITTEE OF ADJUSTMENT HELD IN THE 7<sup>TH</sup> FLOOR EXECUTIVE BOARDROOM, CITY HALL, 200 MCINTYRE STREET EAST, ON TUESDAY, JUNE 25, 2019 FILE NO. A-11-19

PRESENT: J. Rogerson

M. Buchanan

P. Geden

D. Young

P. Walker

# **SUMMARY OF THE APPLICATION:**

A Minor Variance Application has been submitted by Miller & Urso Surveying Inc. on behalf of Deborah Scherba, 458 Lakeside Drive, seeking relief from Zoning By-law 2015-30 as follows:

- 1) Table 5B to reduce the Min. Lot Frontage from 18m to existing 16m;
- 2) Section 3.21.2.1 to reduce the Min. Rear Yard Setback for an accessory structure located in the rear yard from 6m to existing nil;
- Section 3.21.2.2 to reduce the Min. Side Yard Setback for an accessory structure located in the rear yard from 1.2m to existing nil;
- 4) Section 3.21.1.1 to increase the Max Floor Area for an accessory structure located in the front yard from 10m<sup>2</sup> to existing 25.25m<sup>2</sup>;
- Section 3.21.1.2 to reduce the Min. Side Yard Setback for an accessory structure located in the front yard from 1.2m to existing 0.18m and 0.82m

for the purpose of constructing an addition to the existing dwelling having frontage on the unserviced shoreline of Trout Lake.

## **OTHERS IN ATTENDANCE:**

Rick Miller

The Chairman called the Hearing to Order at 9:30 a.m. and outlined the procedure to be followed and read the Notice of Hearing. A Planning Report was distributed prior to the Hearing which outlined the four tests applied under the Planning Act in order to determine if the application was minor in nature. Staff concurred the requested variances maintained the intent of the Zoning By-law and the Official Plan and was appropriate development in the area.

The Chairman invited Mr. Miller to discuss the application on behalf of his client. Mr. Miller advised of the following:

- > property is located within urban service area with no municipal services available
- > Property is serviced through private septic system and well
- Zoned Residential First Density R1
- > Applying for a variance to recognize existing lot frontage deficiency for an R1 lot
- > Recognized remaining deficiencies for accessory structures
- > Access property through legal right-of-way Lakeside Drive is further away
- Existing garage encroaches over municipal property
- Existing shed in front yard large than permitted
- Existing septic system failing inspected by the Conservation Authority
- > Proposed addition located at rear of property
- drilled well can't place new septic system in area has to go in existing location
- > minor variance triggered by new addition at the rear of the property
- > indicated location of existing services to Committee Members

Being no questions or comments the following resolution was then passed:

### RESOLUTION NO. 1

MOVED BY: Marc Buchanan

SECONDED BY: Phil Geden

"THAT the Minor Variance Application submitted by Miller & Urso Surveying Inc. on behalf of Deborah Scherba, 458 Lakeside Drive, seeking relief from Zoning By-law 2015-30 as follows:

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- 4) Section 3.21.1.1 to increase the Max Floor Area for an accessory structure located in the front yard from 10m<sup>2</sup> to existing 25.25m<sup>2</sup>;

5) Section 3.21.1.2 to reduce the Min. Side Yard Setback for an accessory structure located in the front yard from 1.2m to existing 0.18m and 0.82m

for the purpose of constructing an addition to the existing dwelling having frontage on the unserviced shoreline of Trout Lake, BE APPROVED."

### **REASONS:**

- The variance in minor.
- It is desirable for the appropriate development or use of the land, building or structure.
- The general intent and purpose of the By-law and of the Official Plan are maintained.
- As no public comment, written or oral has been received, there was no effect on the Committee's Decision from the public.

#### **CONDITIONS:**

- That the applicant enters into and executes an Encroachment Agreement with the City of North Bay to recognize existing encroaching structures prior to the issuance of a Building Permit
- That the applicant also enters into and executes a Site Plan Control Agreement with the City of North Bay.

"CARRIED" J. Rogerson, Chairman

NON-CONCURRING MEMBERS

**CONCURRING MEMBERS** 

J. Rogerson, Chair

P. Geden

M. Buchanan

D. Young

P. Walker

SECRETARY-TREASURER

C06 / COA #A-11-19 / MINUTES – JUNE 25 2019 / 458 LAKESIDE DRIVE / DEBORAH SCHERBA