MINUTES OF THE BUSINESS MEETING OF THE NORTH BAY COMMITTEE OF ADJUSTMENT HELD IN THE 7TH FLOOR EXECUTIVE BOARDROOM, CITY HALL, 200 MCINTYRE STREET EAST, ON TUESDAY, MAY 28, 2019. FILE NO. A-09-19

PRESENT: J. Rogerson

M. Buchanan

P. Geden

D. Young

P. Walker

SUMMARY OF THE APPLICATION:

A Minor Variance Application has been submitted by Marcel Degagne, Degagne Carpentry on behalf of 1851477 Ontario Inc. requesting to vary Zoning By-law 2015-30 to permit an accessory structure in the front yard on property forming part of the Draft Plan of Subdivision located on Northmount Road.

OTHERS IN ATTENDANCE:

Marcel Dagagne

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.

Adam Curran declared a conflict on this application.

The Chairman invited Mr. Degagne to discuss the application. Mr. Degagne informed the Committee that a new dwelling is currently under construction. His clients prefer to have the garage located in the front yard. The current regulations do not permit this however Mr. Degagne advised that Planning Staff is currently amending the by-law to permit this in the Rural area. He did have to option to wait however, he wishes to construct the garage concurrently with the dwelling and he did not wish to wait.

Raymond Lamothe, 450 Northmount Road, made the Committee aware that the owner has a commercial business and wanted reassurance that it was not the intent to move his commercial business on the property. The Chairman informed Mr. Lamothe of its mandate. In the event that there is zoning infraction, City Hall should be notified but this is outside the Committee's mandate. Mr. Lamothe asked that since this is the first purchaser, out of 10 lots why would he choose this one that required a variance and not another lot where the grading in the rear yard would have accommodated a detached garage without a variance?

Staff clarified that this section was currently in the process of being amended to permit garages in the front yard for Rural and Rural Residential Estate lots but that it was Mr. Degagne's choice to proceed now rather than wait for the by-law to pass.

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

RESOLUTION NO. 4
MOVED BY: Phil Geden

SECONDED BY: Don Young

"THAT the Minor Variance Application submitted by Marcel Degagne, Degagne Carpentry on behalf of 1851477 Ontario Inc. requesting to vary Zoning By-law 2015-30 to permit an accessory structure in the front yard on property forming part of the Draft Plan of Subdivision located on Northmount Road, BE APPROVED."

REASONS:

- 1) The variance in minor.
- 2) It is desirable for the appropriate development or use of the land, building or structure.
- 3) The general intent and purpose of the By-law and of the Official Plan are maintained.
- 4) Public comment has been received and considered and had no offect on the Committee's Decision as the application is consistent with all relevant planning legislation and represents good planning.

J. Rogerson, Chairman

"CARRIED"

NON-CONCURRING MEMBERS

CONCURRING MEMBERS

J. Rogerson, Chair P. Geden M. Buchanan D. Young P. Walker

COST COA #A-09-19 / MINUTES - MAY 28 2019 / NORTHMOUNT ROAD / 1851477 ONTARIO INC.