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ITEM: Minor Variance – Recommendation Report
DATE: September 20, 2023
TO: Committee of Adjustment
FROM: Planning & Development Department
FILE NO: A-2023-10
ADDRESS: 304 Nosbonsing Park Road

1. Description of Property

This property is located on Nosbonsing Park Road and is currently vacant. A new home and associated accessory buildings is planned for the property.

2. Proposed Development

The applicant is requesting permission to reduce the required front yard setback from Lake Nosbonsing. These lots were created in 2020 through a plan of subdivision. At the time the Zoning By-law required a 20m setback from the water as the front yard setback from these properties. The required setback has since increased to 30m, which required the applicants plans to be reworked slightly. The applicant is seeking a reduction in the required setback from 30m to 28.46m.

3. Planning Review

A. Ontario Planning Act

Section 45 (1) of the Ontario Planning Act establishes four 'tests' for the review and consideration of a minor variance. The four 'tests' are:

1. Is the proposal minor in nature?
2. Is the proposal desirable for the appropriate development or use of land, building or structure?

3. Does the proposal maintain the purpose and intent of the Official Plan?
4. Does the proposal maintain the general purpose and intent of the Zoning By-law?

The four tests must be considered when reviewing a minor variance application and all tests must be met in order for an application to be approved.

B. Provincial Policy Statement

The Provincial Policy Statement (PPS 2020) was issued under Section 3 of the Planning Act, and came into effect May 1st, 2020. The PPS 2020 requires that decisions affecting planning matters “shall be consistent with” policy statements issued under said Act. The PPS 2020 contains high level direction for planning matters in the Province of Ontario, with the general vision being implemented through local Official Plans.

The current proposal has been reviewed in the context of the PPS 2020 and deemed to be consistent with the policies outlined in it.

C. Growth Plan for Northern Ontario

The Growth Plan for Northern Ontario (2011) was issued under the Places to Grow Act, which ensures a long term vision for strong communities while implementing policies directed at economic prosperity. Similar to the PPS 2020, the Growth Plan provides high level direction for broad planning matters in Northern Ontario. The current proposal is in conformity with the Growth Plan for Northern Ontario

D. Official Plan Policies

The property is designated as Waterfront Designation in the Official Plan.

The Waterfront designation permits a variety of land uses including low density residential and accessory structures, such as a garage. The official plan also speaks to orderly development along the shoreline with sufficient setbacks as to protect the shoreline and allow for naturalized areas between the dwelling and the shoreline.

The applicant’s proposal is consistent with the general intent and purpose of the Municipality’s Official Plan.

E. Zoning By-Law

The property is currently zoned Lakefront Residential Zone (RL), which permits a residential dwelling and accessory structures. There is no conflict with the Zoning By-Law from a use perspective. The applicant is seeking permission to reduce the required front yard setback from 30m to 28.46m. The majority of the dwelling meets the 30m setback that is required; however, a small inlet in the shoreline means that the shortest point between the shoreline and a portion of the structure is less than 30m in one location. A reduction in the proposed setback to 28.46m

should not have any impacts on Lake Nosbonsing and is generally consistent with the intent of the setback provisions of Zoning By-law 2021-60.

F. Recommendation

That Minor Variance Application A-2023-10 to permit a reduced front yard setback be approved.

Respectfully Submitted,



Greg Kirton, RPP, MCIP
Director of Community Services

Minor Variance Sketch

SKETCH FOR MINOR VARIANCE



CAUTION

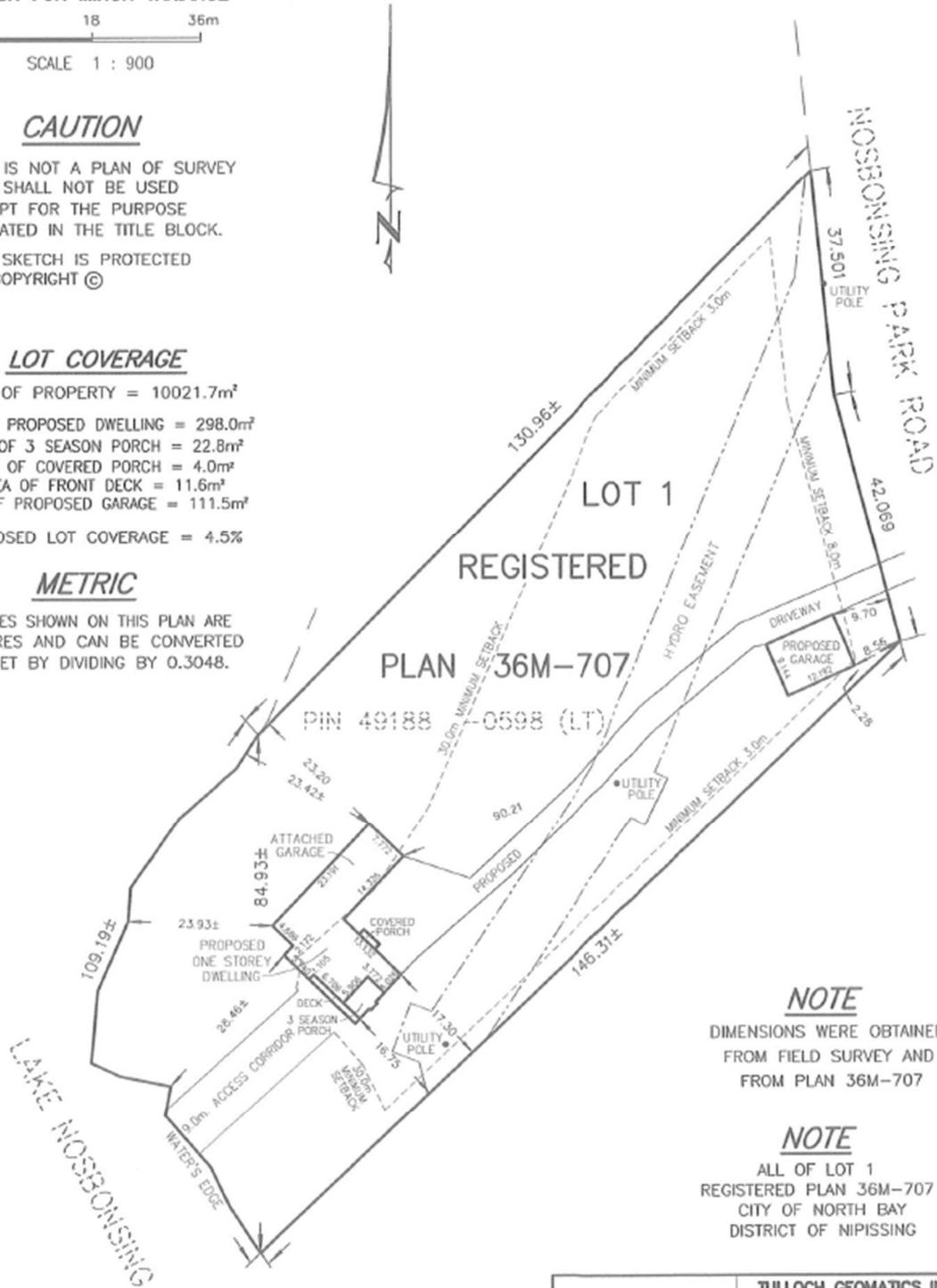
- a) THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.
- b) THIS SKETCH IS PROTECTED BY COPYRIGHT ©

LOT COVERAGE

AREA OF PROPERTY = 10021.7m²
 AREA OF PROPOSED DWELLING = 298.0m²
 AREA OF 3 SEASON PORCH = 22.8m²
 AREA OF COVERED PORCH = 4.0m²
 AREA OF FRONT DECK = 11.6m²
 AREA OF PROPOSED GARAGE = 111.5m²
 PROPOSED LOT COVERAGE = 4.5%

METRIC

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.



NOTE

DIMENSIONS WERE OBTAINED FROM FIELD SURVEY AND FROM PLAN 36M-707

NOTE

ALL OF LOT 1 REGISTERED PLAN 36M-707 CITY OF NORTH BAY DISTRICT OF NIPISSING

CLIENT: BAYBUILDERS

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| TULLOCH | TULLOCH GEOMATICS INC. | |
| | 1501 SEYMOUR STREET NORTH BAY ON PTA OCS | T. 705-474-1210 F. 705-474-1783 |
| northbay@tulloch.ca | | DRAWN BY: C.A.L. FILE No. 7791 |

