



## The Corporation of The Township of Bonfield

**COMMITTEE OF ADJUSTMENT  
TO BE HELD May 28<sup>th</sup>, 2024, AT 6:30 P.M.**

1. Open Meeting
2. Adoption of Agenda: as prepared OR as amended
3. Disclosure of Pecuniary Interests
4. Presentations from the public
5. Minor Variance Application:
  - a. A1/2024 19 Andrews Lane, Parker
6. Adjournment

Small Community, Big Heart



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## PLANNING REPORT

**MEETING DATE:** May 28th, 2024  
**TO:** Committee of Adjustment  
**FROM:** Ann Carr, Planning Administrator  
**SUBJECT:** A1/2024 Minor Variance: Concession 10, Part Lot 35 Plan NR-1586 Part 7, PCL 22149 Nip; Parker, 19 Andrews Lane, Parker

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**RECOMMENDATION:** That Minor Variance Application A1/2024, Parker 19 Andrews Lane be approved.

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**SUBJECT LAND AND LAND USE:** The subject property is a seasonal dwelling, located at 19 Andrews Lane, designated as Recreational Area, and zoned Residential Limited Services. The surrounding uses are residential. It is on a private road and is a waterfront property.

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**APPLICANT'S PROPOSAL:** The Applicant is requesting a variance on the required front yard set back from 10 meters to 3 meters to build a deck on their seasonal dwelling.

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### PROVINCIAL POLICY STATEMENT (PPS):

#### 1 Building Strong Healthy Communities

- **1.1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development:**
  - A) accommodating an appropriate affordable and market-based range and mix of residential types.
  - C) avoiding development which may cause environmental or public health concerns
  - I) preparing for the regional and local impacts of a changing climate

#### 2.0 Wise Use and Management Resources

- **2.1 Natural Heritage:** The subject property is not designated as a prime agricultural area nor has any significant wetlands.

#### 3.0 Protecting Public Health and Safety

- **3.1 Natural Hazard:** The NBMCA didn't have any comments at this time with respect to this section of the PPS.
- Development is generally directed to areas outside of hazardous sites and lands.
- 3.1.7 development and site alterations may be permitted in those portions of hazardous lands where the effects and risk to public safety are minor or could be mitigated.

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### OFFICIAL PLAN (O.P) & ZONING BY-LAW:

#### Bonfield's Official Plan:

#### 4 Land Use Designation

- **4.3 Recreation Area: 4.2.2(a)** Permitted uses include the existing seasonal dwelling. The deck will be 8 feet wide from the seasonal dwelling.
- **4.4 Hazard Land:** The subject property fronts on an identified waterbody, Lake Talon. It is designated Development Constraint in the Official Plan along the waterfront area. The

floodplain has been identified to indicate the line of concern. NBMCA has pre-approved a DIA permit for the subject minor variance.

**Bonfield's Zoning By-Law:**

The subject property is zoned Residential Limited Services which permits a cottage or dwelling. The year-round dwelling is permitted as it is fronting on a year-round maintained road as per 3.4.1. of the Zoning By-Law provides for access to a street when on mainland within the RLS designation.

This Zone permits a 10-meter front yard set back as per Schedule B-Provisions for Residential Use in the Zoning By-Law 2012-49.

**COMMENTS/REPORTS/STUDIES:**

As required under the *Planning Act* circulation to the appropriate agencies/bodies and neighbouring landowners for comment was completed on April 30th, 2024.

1. **North Bay Mattawa Conservation Authority (NBMCA):** A DIA permit will be required.
2. **Hydro One:** No comments
3. **Ministry of Transportation (MTO):** The subject property is not within the MTO's control area, therefore, the MTO does not have any comments.
4. **Public:** No comments to date
5. **Township Departments:**
  - a. **Public Works:** No concerns regarding an entrance. Already exists
  - b. **Fire Department:** No comments

**PURPOSE:** This application is to request that front yard set back of 10 meters be reduced to 3 meters to build a deck on the front of the seasonal dwelling.

Minor Variance Test (Section 45(1) of the Planning Act):

1. Is it minor in nature?
2. Is it appropriate and desirable development for the area?
3. Is it in keeping with the purpose and intent of the Zoning Bylaw?
4. Is it in keeping with the purpose and intent of the Official Plan?

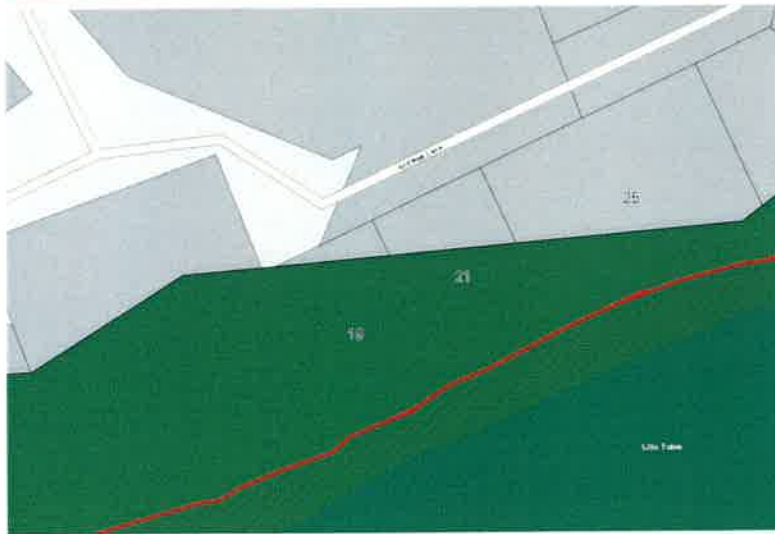
The application demonstrates the property will continue to meet the intent of the zoning by-law and official plan regulations as there are no amendments sought for change of use. The request is being made to replace their current, deck at a larger size to allow for table and chairs at the front of the property (lake side) is minor in nature. The Parkers have not purchased the shoreline road allowance and thus the minor variance is only to the edge of the current property line. The deck is compatible with other dwellings in the area. The North Bay Mattawa Conservation Authority did a site visit and commented that the deck will not have an adverse affect on safety from the flood plain however a DIA permit will be required.

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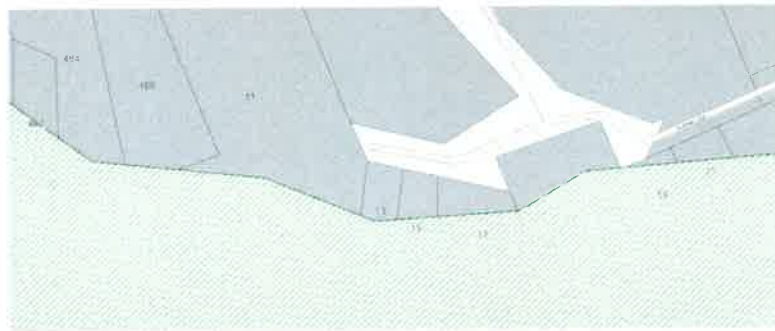
**RECOMMENDED ACTION:** That Minor Variance Application A1/2024, Parker located at 19 Andrews Lane, be approved.

Subject property: 19 Andrews Lane

Zoning Bylaw 2012-49 and Ariel Imaginary



RLS ZONE



DEVELOPMENT CONSTRAINT

Respectfully,

*Ann Carr*

Ann Carr, Planning Administrator

I concur with this report,

*Nicky Kunkel*

Nicky Kunkel, CAO