



**THE CORPORATION OF THE MUNICIPALITY OF EAST FERRIS
COMMITTEE OF ADJUSTMENT MEETING MINUTES**

February 15, 2023

PRESENT: Bill Boake
John Symons
Terry Kelly
Lauren Rooyakkers
Tara Michauville
Steve Austin

ABSENT: Frank Corbeil

STAFF PRESENT: Greg Kirton
Kari Hanselman

1. **Call to Order**
2. **Adoption of Agenda**

2023-01

Moved by Lauren Rooyakkers

Seconded by John Symons

That the draft agenda presented to the Committee and dated February 15th, 2023 by hereby adopted as circulated.

Carried

3. **Accepting the Minutes of the Previous Meeting(s)**

a. Minutes from meeting on October 12th, 2022

2023-02

Moved by Bill Boake

Seconded by Steve Austin

That the Minutes of the Committee of Adjustment Meeting held October 12th, 2022 be hereby adopted as circulated.

4. Business Arising from the Minutes

None for this sessions

5. Disclosure of Pecuniary Interest and General Nature Thereof

None for this session

6. Chair's Comments

Chair Kelly read the Chair's Outline

7. Ratepayer's Delegations

None for this session

8. Public Hearing(s)

- a. A-2023-01 - John Edgar - 49 Durrell Road

A public meeting was held on an application submitted by John Edgar. The applicant is requesting a minor variance to permit the installation of a septic system on the subject property with a setback of 21 meters from the lake; whereas Zoning By-law 2021-60 requires a 60 meter setback.

Mr. Edgar presented his application to the Committee. The property is severed by a creek which is causing constraints. The proposed location is as far away from the lake as possible.

A new system is required as the old system is nearing failure and it is no longer permissible for two homes to share a septic system. Mr. Kirton advised that this is a very unique scenario. The North Bay Mattawa Conservation Authority acknowledges the uniqueness of the situation and recommended an advanced tertiary treatment system by utilized.

No public input was received at the public meeting and the application was approved.

DECISION OF COMMITTEE ON A MINOR VARIANCE APPLICATION

APPLICANT: John Edgar

CIVIC ADDRESS: 49 Durrell Road

FILE NO.: A-2023-01

PURPOSE: The applicant is seeking a minor variance to permit the installation of a septic system on the subject property with a setback of 21m from the lake; whereas zoning by-law 2021-60 requires a 60m setback from the lake.

We, the undersigned, in making the decision upon this application have considered whether or not the variance requested was minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and Official Plan will be maintained.

CONCUR in the following decision and reasons for decision on the 15th day of February, 2023.

DECISION: That the requested variance to permit the installation of a septic system on the subject property with a setback of 21m from the lake be approved.

REASONS FOR DECISION:

- The general purpose and intent of the Official Plan is being maintained;
- The general purpose and intent of the Zoning By-law is being maintained;
- The development is desirable and appropriate for the land and consistent with the neighbourhood; and
- The variance is minor in nature.

PUBLIC INFORMATION:

No public input was received at the public meeting and COA is of the opinion that the proposal is consistent with Provincial Policy, the general intent and purpose of the Official Plan and Zoning By-law, the development is desirable and appropriate for the land and the variance in minor in nature.

- b. A-2023-02 - Jeremy & Kara Wood - 176 Waukegan Road

A public meeting was held on an application submitted by Jeremy and Kara Wood. The applicants are requesting a minor variance to permit the construction of a new dwelling on the property with a reduced rear yard setback. The reduction would be to 21.21 meters where Zoning By-law 2021-60 requires a 30 meter rear yard setback.

The Wood's presented their application to the Committee. The subject property has a different shape due to the fact it is located along a bend in the road making it difficult to meet the required rear yard setback. Mr. Kirton advised that most other lots in the area are more traditional in their shape where this lot is wider and shallower.

A letter of objection was received from an abutting property owner siting the request is not minor in nature. Mr. Kirton advised the adjacent property owners would not be affected by the proposed location of the home.

No public input was received at the public meeting and the application was approved.

DECISION OF COMMITTEE ON A MINOR VARIANCE APPLICATION

APPLICANT: Jeremy & Kara Wood

CIVIC ADDRESS: 176 Waukegan Road

FILE NO.: A-2023-02

PURPOSE: The applicants are seeking a minor variance to permit the construction of a new dwelling on the property with a reduced rear yard setback. The applicant is seeking a reduction in the required rear yard setback to 21.21m; whereas Zoning By-law 2021-60 requires a 30m rear yard setback

We, the undersigned, in making the decision upon this application have considered whether or not the variance requested was minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and Official Plan will be maintained.

CONCUR in the following decision and reasons for decision on the 15th day of February, 2023.

DECISION: That the requested variance to permit the construction of a new dwelling on the property with a reduced rear yard setback of 21.21m be approved.

REASONS FOR DECISION:

- The general purpose and intent of the Official Plan is being maintained;
- The general purpose and intent of the Zoning By-law is being maintained;
- The development is desirable and appropriate for the land and consistent with the neighbourhood; and
- The variance is minor in nature.

PUBLIC INFORMATION:

No public input was received at the public meeting and COA is of the opinion that the proposal is consistent with Provincial Policy, the general intent and purpose of the Official Plan and Zoning By-law, the development is desirable and appropriate for the land and the variance is minor in nature.

- c. B-2023-01 to B-2023-04 - Miller & Urso Surveying Inc. on behalf of 1851477 Ontario Inc. - Vacant land on the corner of Corbeil Road and Bertha Road

A public meeting was held on an application submitted by Miller and Urso Surveying on behalf of 1851477 Ontario Inc. The applicant is requesting a consent to sever for the purpose of creating four new lots for residential purposes.

Mr. Miller presented his application to the Committee. All four lots exceed minimum size and frontage requirements. The smallest lot will be 0.8 Hectares and the largest will be 5.1 hectares.

The North Bay Mattawa Conservation Authority expressed concerns of suitable septic locations for severed lots two, three and four. They requested the applications be deferred until a site inspection can be completed in the spring.

No public information was received at the public meeting. The Committee approved all four applications with the condition that a site inspection be completed by the NBMCA and that suitable septic locations are found.

DECISION OF COMMITTEE ON A CONSENT APPLICATION

APPLICANT: Miller & Urso Surveying Inc. on behalf of 1851477 Ontario Inc.

CIVIC ADDRESS: Vacant Land – Corbeil Road / Bertha Road

FILE NO.: B-2023-01 to B-2023-04

PURPOSE: The applicant is requesting consent to sever from the Committee of Adjustment for the purpose of creating four new lots for residential purposes.

We, the undersigned, in making the decision upon this application have considered whether or not the requested consent is in conformity with the policies laid out in the East Ferris Official Plan and consistent with the requirements of section 51(24) of the *Planning Act*.

CONCUR in the following decision and reasons for decision on the 15th day of February, 2023.

DECISION: That the requested consent to create four new lots be approved, conditional upon the following for each application:

- 1) That confirmation is provided that all taxes are paid up to date;
- 2) That a plan of survey is prepared and filed with the Municipality;
- 3) That a plan of survey be sent electronically to the Municipality of East Ferris’s Director of Community Services;
- 4) That the applicant pays \$250.00 in finalization fee per consent application prior to the transfer of the parcel of land;
- 5) That the applicant is required to pay \$1000.00 per consent application to the Municipality of East Ferris for the Parkland Dedication Fee prior to the transfer of the severed land;

6) That the transfer(s)/Deed(s) of Land is submitted to the Secretary-Treasurer for the Issuance of the Certificate of Consent under subsection 53 (42) of the Planning Act, R.S.O. 1990, c.P.13, as amended;

7) That prior to the endorsement of the transfer(s) the owner grants simply unto the Municipality of East Ferris free of any charges, all lands measured 10.0 metres (33 feet) from the centerline of any existing publicly maintained road along the full length of the owner's total holdings being the subject of this consent; and

8) That all conditions must be filled within two years from the date the notice of decision has been given otherwise this provisional consent will lapse and the application for consent shall be deemed to be refused as per Section 53 (41) of the Planning Act, R.S.O. 1990, c.P.13, as amended.

9) That the North Bay Mattawa Conservation Authority has no objections following a site visit in the spring for applications B-2023-02, B-2023-03, and B-2023-04

REASONS FOR DECISION:

The Committee has considered the application and based it's decision upon:

- Conformity with the *Planning Act*
- Public comments submitted
- Conformity with Provincial Policy
- Conformity with East Ferris Official Plan

9. Correspondence and Information Items

None for this session

10. In-Camera (if required)

None for this session

11. Adjournment

2023-03

Moved by John Symons

Seconded by Lauren Rooyakkers

That the Committee of Adjustment meeting adjourn at 7:40 p.m.

Carried

Chair

Terry Kelly

Director of Community Services

Greg Kirton