



PLANNING ADVISORY COMMITTEE
Wednesday, October 20th, 2021

The regular Meeting of the Municipality of East Ferris Planning Advisory Committee was held on Wednesday, October 20th, 2021 at 7:00 p.m. via Zoom.

PRESENT: John O'Rourke, Bill Boake, Frank Corbeil, Erika Loughheed, John Symons, Terry Kelly, Al Herauf, Greg Kirton, Manager of Planning and Economic Development, and Kari Hanselman, Recording Clerk

ABSENT (WITH REGRETS): None

ALSO IN ATTENDANCE: Lance Johnson, Tom Dufresne, Merv and Pauline Leach, Jillian Sangwin, Wil Manshanden, Leah Beamish, Lexi MacDonald, Sue Lynham, Fallon Burns, and Ona Alisauskas

1. ADOPTION OF AGENDA:

Resolution No. 2021-24
Al Herauf – Frank Corbeil

THAT the draft agenda presented to the Committee and dated October 20th, 2021 be hereby adopted as circulated.

CARRIED

2. ACCEPTING THE MINUTES OF THE PREVIOUS MEETING(S):

Resolution No. 2021-25
Erika Loughheed – John Symons

THAT the Minutes of the Planning Advisory meetings held August 18th and September 7th, 2021 be adopted as circulated.

CARRIED

3. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF:
None for this session

4. RATEPAYER'S DELEGATIONS: None for this session



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5. PUBLIC HEARINGS:

a)

File No. C-2021-07

Applicant: Municipality of East Ferris

A public hearing was held on an application submitted by the Municipality of East Ferris. The Municipality is requesting to re-zone the property from Hamlet Recreational (RH) zone to General Commercial (C1) zone in order to recognize the existing office use and proposed new office use, as well as to satisfy the reporting requirements to the Ministry of the Environment, Conservation and Parks related to the soil contamination remediation on the property. This is the site for the New Municipal Office.

Resolution No. 2021-26

Frank Corbeil – Bill Boake

File No. C-2021-07

Applicants: Municipality of East Ferris

WHEREAS the owner(s) of the lands described as CON 11 PT LOT 14 PCL 895 NIP 5636 W/F on what is locally known as Corbeil Road has applied for a zoning by-law amendment to rezone the property from the existing RH (Hamlet Residential) zone to C1 (General Commercial)

AND WHEREAS the rezoning will recognize the existing office use and proposed new office use.

AND WHEREAS the application is consistent with the Provincial Policy Statement, 2014;

AND WHEREAS the application is in conformity with the policies contained within the Official Plan for the Municipality;

THEREFORE BE IT RESOLVED that the application for a zoning by-law amendment be recommended for approval.

CARRIED

No public input for this application was received at the public meeting.



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b)

File No. C-2021-08

Applicant: Municipality of East Ferris

A public hearing was held on an application submitted by the Municipality of East Ferris. The Municipality is requesting to re-zone the property from Agricultural (A) zone to General Commercial Special (C1S) zone in order to permit the establishment of a “Building Supply Outlet” in addition to the permitted retail store.

The Municipality has been working with Bur Oak Resources who wish to purchase the property and re-locate and expand their business in East Ferris. Lance Johnson from Bur Oak Resources explained that they provide green technology to their clients and that there are currently no other manufactures in Canada.

Resolution No. 2021-27

John Symons – Bill Boake

File No. C-2021-08

Applicant: Municipality of East Ferris

WHEREAS the owner(s) of the lands described as all lots shown on Plan M180 between 1095 Derland Road and the railway to the west, on what is locally known as Derland Road has applied for a zoning by-law amendment to rezone the property from the existing A (Agricultural) zone to C1S (General Commercial Special) zone.

AND WHEREAS the rezoning will permit a “Building Supply Outlet” to be constructed on the property with a small retail store and a storage area for building materials and equipment.

AND WHEREAS the application is consistent with the Provincial Policy Statement, 2014;

AND WHEREAS the application is in conformity with the policies contained within the Official Plan for the Municipality;

THEREFORE BE IT RESOLVED that the application for a zoning by-law amendment be recommended for approval.

CARRIED

No public input for this application was received at the public meeting.



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c)

File No. C-2021-09

Applicant: Tom Dufresne

A public hearing was held on an application submitted by Tom Dufresne. The applicant is requesting to re-zone the property from Agricultural (A) zone to General Commercial Special (C1S) zone in order to recognize the existing dog day care operations on the property.

Mr. Dufresne presented his application to the Committee. Mr. Kirton advised that Mr. Dufresne had applied for a building permit for an accessory structure and the zoning discrepancy was realized. The application received many support letters from clients of the business. The MTO has no objections to the application, but the property falls within the MTO permit control area.

Resolution No. 2021-28

Al Herauf – Bill Boake

File No. C-2021-09

Applicant: Tom Dufresne

WHEREAS the land owner(s) of the lands described CON 15 PT LOT 21 PLAN 36R-3644 PART 1 2 3 PCL 14343 W/F on what is locally known as Highway 17 East has applied for a zoning by-law amendment to rezone the property from A (Agricultural) zone to C1S (General Commercial Special) zone in order to recognize the existing dog day care operations on the property;

AND WHEREAS the application is consistent with the Provincial Policy Statement, 2014;

AND WHEREAS the application is in conformity with the policies contained within the Official Plan for the Municipality;

THEREFORE BE IT RESOLVED that the application for a zoning by-law amendment be recommended for approval.

CARRIED

No public input for this application was received at the public meeting.



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d)

File No. LSRA-2021-03

Applicant: Merv and Pauline Leach on behalf of Sean Stortz

A public hearing was held on an application submitted by Merv and Pauline Leach on behalf of Sean Stortz. The applicants are requesting permission from the Committee to close and purchase the original lakeshore road allowance abutting their property.

The Leach's advised that they purchased the property for their son. They would like to purchase the lakeshore road allowance in order to develop on the property.

Mr. Kirton advised that lots of correspondence has been received from the public on this application. The shoreline road allowance has historically been used as a walking path. There was a structure built on this property without a building permit, but that is outside the scope of this application and is being dealt with by the building department.

Letters of concern/opposition were received from the following individuals: Michael Sangwin, Lexi MacDonald, Jillian Sangwin, Ona Alisauskas, Susan Lynham, Jessica Dennison, Ben Manshanden, Colleen Burns, Graham Sangwin, June Sangwin, Alison and Kirk Reid, Gary and Andrea Robinson, Dororthy Burns, and Fallon Burns. A petition with roughly 500 signature and 30 comments in opposition of the sale was also submitted to the Committee for their consideration.

The North Bay Mattawa Conservation Authority stated no objection to the application as there is no fish spawning habitat at that location.

Mr. Kirton reviewed the policies contained within the Official Plan and By-law No. 2015-35 which are the two guiding documents for LSRA applications. Based on a review of the policies contained in these two documents he is in support of the application.

The Committee discussed the sale of two lakeshore road allowances on the island back in 2019. It is the position of Council to sell lakeshore road allowances to abutting property owners. Discussions were had regarding the creation of an island association to maintain the community spirit of the island. The Committee agreed that things change over time, but are hopeful residents of the island can find a solution.

The Leach's advised they are good people and are just looking for privacy while they use their property. There are trails at the back of the property that can be used to traverse the island.



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The following individuals joined the public meeting to express their concerns with the application: Jillian Sangwin, Ben Manshanden, Leah Beamish, Sue Lynham, Lexi MacDonald, Fallon Burns, and Ona Alisauskas.

Concerns from Hemlock Island residents include the following:

- Loss of access to properties in case of a fire
- Safety
- The historical use of the road allowance
- Divisive act by the property owners
- Swamp behind the property making it difficult to travel
- Decreased value of other properties on the island
- Committee members can refuse the application
- Barricades already in place
- Right of passage being taken away
- Property should not have been sold
- The trail is the only part of the property above the water table
- Landowners should expect a modified sense of privacy when moving to an island
- Foliage already removed
- Element of the application missing – not complete application
- Illegal structure on the property

Mr. Kirton advised that he has spoken to the Municipality's solicitor and the Municipality does have the authority to sell our land. The cottage will not be built on the road allowance as a minimum 20-meter setback is required from the water for any primary structures.

Ms. Leach expressed her concerns for her safety while on the island. The Leach's inquired about any easements or right of ways and they were told there was none.

The Committee discussed the concerns raised by residents. John Symons requested clarification that no other property would be land locked due to this sale. Mr. Kirton advised no property would be landlocked as all properties on Hemlock Island have direct access to the water.



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Resolution No. 2021-29

Johns Symons – Frank Corbeil

File No. LSRA-2021-03

Applicant: Merv and Pauline Leach on behalf of Sean Stortz

WHEREAS a request has been made by Merv and Pauline Leach on behalf of Sean Stortz to close and purchase the original shoreline road allowance abutting their property described as PLAN M475 BLK A PCL 12836 W/F on Hemlock Island.

AND WHEREAS By-law No. 2015-35 provides policies and procedures for the disposition of Shoreline Road Allowances in the Municipality of East Ferris;

AND WHEREAS the request would comply with the policies set out in By-law No. 2015-35;

THEREFORE BE IT RESOLVED that the request made by Merv and Pauline Leach on behalf of Sean Stortz to close and purchase the original shoreline road allowance abutting their property be recommended to proceed in accordance with applicable regulations, policies and procedures set out in By-law No. 2015-35.

CARRIED

Public input was received and considered during the public meeting, and the Planning Advisory Committee (PAC) is of the opinion that the public comments received did not raise issues requiring further review.

6. CORRESPONDENCE: None for this session

7. OTHER BUSINESS

a) Digital Agenda Software – Transition to Escribe and Tablets

Mr. Kirton advised that Council approved the Committee of Adjustment and Planning Advisory Committee moving to the Escribe meeting management software and the purchase of tablets for Committee members. Committee members will be trained on the program and the December meeting is a potential start date.

b) Comprehensive Zoning By-law Update

No discussion was had on this item.

8. IN-CAMERA (if required): None for this session



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9. ADJOURNMENT:

Resolution No. 2021-30

John Symons – Frank Corbeil

THAT the Planning Advisory Committee meeting adjourn at 9:42 p.m.

CARRIED

Chair

Planner