



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

July 19, 2023

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

STAFF	Greg Kirton	Kari Hanselman
PRESENT:		

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

2023-10

Moved by Tara Michauville

Seconded by John Symons

That the draft agenda presented to the Committee and dated July 19th, 2023 by hereby adopted as circulated.

Carried Chair Kelly

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

- a. Minutes from Meeting on June 21st, 2023

2023-11

Moved by Steve Austin

Seconded by Tara Michauville

That the Minutes of the Committee of Adjustment Meeting of June 21st, 2023 be adopted as circulated.

Carried Chair Kelly

4. Business Arising from the Minutes

None for this session.

5. Disclosure of Pecuniary Interest and General Nature Thereof

None for this session.

6. Chair's Comments

Chair Kelly thanked everyone for attending.

7. Ratepayer's Delegations

None for this session.

8. Public Hearing(s)

a. B-2023-14 & B-2023-15 - 1000328150 Ontario Inc. - Centennial Crescent

A public meeting was held on an application submitted by Tulloch Geomatics Inc. on behalf of 1000328150 Ontario Inc. The applicants are seeking approval for a consent application to create an additional lot that would be used for future commercial development, as well as to establish a mutually shared access easement that would allow both the severed and retained lands to be served by the existing driveway on Centennial Crescent. This application is being made in conjunction with a Zoning By-law Amendment Application that would seek to rezone a parcel of land from the existing Rural (R) zoning to a General Commercial Special (C1 Sp.) zone.

Steve McArthur from Tulloch presented the application. Director of Community Services advised that the MTO provided comments after the agenda was published. They are in support of the applications. An entrance permit will be required for the severed lot.

No public input was received at the public meeting and the applications were approved.

DECISION OF COMMITTEE ON A CONSENT APPLICATION

APPLICANT: 1000328150 Ontario Inc.

CIVIC ADDRESS: Centennial Crescent

FILE NO.: B-2023-14 & B-2023-15

PURPOSE: The applicant is requesting consent to sever from the Committee of Adjustment for the purpose of creating one new lot for commercial purposes as well as to establish a mutually shared access easement that would allow both the severed and retained lands to be severed by the existing driveway on Centennial Crescent.

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 19th day of July, 2023.

DECISION: That the requested consent to create one new additional lot and a mutually shared access easement 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 \$1,250.00 per consent application to the Municipality of East Ferris for the Parkland Dedication Fee prior to the transfer of the severed land (Application No. B-2023-14 Only);
- 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.

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

b. B-2023-12 & B-2023-13 - Ken Smithard - 479 Nosbonsing Park Road

A public meeting was held on consent applications submitted by Ken Smithard. The applicant is seeking approval from the Committee to create two additional lots for residential purposes.

Mr. Smithard presented his application. The severed lots are approximately two acres in size and meet frontage requirements. Neither lot has water access.

Director of Community Services advised that the North Bay Mattawa Conservation Authority commented that they had no objection to the applications. No other correspondence was received.

No public input was received at the public meeting and the applications were approved.

DECISION OF COMMITTEE ON A CONSENT APPLICATION

APPLICANT: Ken Smithard

CIVIC ADDRESS: 479 Nosbonsing Park Road

FILE NO.: B-2023-12 & B-2023-13

PURPOSE: The applicant is requesting consent to sever from the Committee of Adjustment for the purpose of creating two new lots from the property at 479 Nosbonsing Park Road.

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 19th day of July, 2023.

DECISION: That the requested consent to create two new additional 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 \$1,250.00 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.

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

c. **B-2023-16 - 2723394 Ontario Ltd. - 1063 Highway 94**

A public meeting was held on a consent application submitted by 2723394 Ontario Inc. The applicant is seeking approval from the Committee to allow for a lot addition to the adjacent property at 1033 Highway 94.

Susan Romeril presented the application to the Committee. The intention is to build a home on the lands.

Director of Community Services advised that the North Bay Mattawa Conservation Authority has no objection to the application.

The application was approved as presented.

DECISION OF COMMITTEE ON A CONSENT APPLICATION

APPLICANT:	2723394 Ontario Limited
CIVIC ADDRESS:	1063 Highway 94
FILE NO.:	B-2023-16

PURPOSE: The applicant is requesting consent to sever from the Committee of Adjustment for the purpose of a lot addition from 1063 Highway 94 to the adjacent property on Highway 94.

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 19th day of July, 2023.

DECISION: That the requested consent for a lot addition be approved, conditional upon the following:

- 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 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;
- 6) 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
- 7) 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.

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

- d. A-2023-07 - Robert Chatarpaul - 16 Pargeter Drive

A public meeting was held on a Minor Variance application submitted by Rob Chatarpaul. The applicant is seeking approval for an increased accessory structure height of 6.6 meters, whereas the Zoning By-law permits a maximum height of 6.0 meters.

Mr. Chatarpaul presented his application. Dormers were added which increased the height of the garage.

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

DECISION OF COMMITTEE ON A MINOR VARIANCE APPLICATION

APPLICANT: Robert Chatarpaul

CIVIC ADDRESS: 16 Pargeter Drive

FILE NO.: A-2023-07

PURPOSE: The applicant is seeking a minor variance to permit an increase in accessory structure height to 6.6 meters, whereas the zoning by-law permits 6.0 meters.

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 19th day of July, 2023.

DECISION: That the requested variance to permit the increase in accessory structure height to 6.6 meters 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.

9. Correspondence and Information Items

The Committee discussed the difference between a lot addition and a severance application. The Director of Community Services clarified the differences for the Committee.

10. In-Camera (if required)

None for this session.

11. Adjournment

2023-12

Moved by Tara Michauville

Seconded by Bill Boake

That the Committee of Adjustment meeting adjourn at 7:42 p.m.

Carried Chair Kelly

Chair

Terry Kelly

Director of Community Services

Greg Kirton