



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

May 22, 2024

PRESENT:	Frank Corbeil Bill Boake Terry Kelly	Lauren Rooyakkers Steve Austin Stephanie Holmes
ABSENT:	John Symons	
STAFF PRESENT:	Greg Kirton, Director of Community Services	Kari Hanselman, Clerk

1. Call to Order

Chair Kelly called the meeting to order at 6:30 p.m.

2. Adoption of Agenda

2024-23

Moved by Bill Boake

Seconded by Frank Corbeil

That the draft agenda presented to the Committee and dated May 22nd, 2024 be hereby adopted as circulated.

Carried Chair Kelly

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

a. Minutes from Meeting of April 17th, 2024

2024-24

Moved by Lauren Rooyakkers

Seconded by Stephanie Holmes

That the Minutes of the Committee of Adjustment Meeting of April 17th, 2024 be adopted as circulated.

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

None for this session.

7. Ratepayer's Delegations

None for this session.

8. Public Hearing(s)

a. A-2024-05 - Allan and Lynne Amyotte - 770 Ouellette Road

A public hearing was held on a minor variance application submitted by Allan and Lynne Amyotte. Brad Amyotte presented the application to the Committee. The applicants are seeking a minor variance to permit an addition to the existing detached garage which will result in a total floor area of 181.2m² (1,950 square feet), whereas Zoning By-law No. 2021-60 permits 111.5m² (1,200 square feet). They are also applying for a reduction in the required setback between an accessory structure and the main building of 1.56m, whereas By-law 2021-60 requires 2.00m.

Director of Community Services advised that no correspondence was received on the application.

No public input was provided at the public hearing and the application was approved.

DECISION OF COMMITTEE ON A MINOR VARIANCE APPLICATION

APPLICANT: Allan and Lynne Amyotte

CIVIC ADDRESS: 770 Ouellette Road

FILE NO.: A-2024-05

PURPOSE: The applicant is seeking a minor variance to permit the following:

- An addition to the existing detached garage which will result in a total floor area of 181.2m² (1,950 square feet), whereas Zoning By-law No. 2021-60 permits 111.5m² (1,200 square feet).

- A reduction in the required setback between an accessory structure and the main building. 1.56m proposed whereas By-law 2021-60 requires 2.00m

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 22nd day of May, 2024.

DECISION: That the requested variances to permit an addition to the existing detached garage which will result in a total floor area of 181.2 m² and a reduction in the required setback between an accessory structure and the main building of 1.56m 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:

- That 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.

2024-25

Moved by Lauren Rooyakkers

Seconded by Bill Boake

THAT Minor Variance Application A-2024-05 submitted by Allan and Lynne Amyotte requesting a minor variance to permit an addition to the existing detached garage which will result in a total floor area of 181.2m² (1,950 square feet), whereas Zoning By-law No. 2021-60 permits 111.5m² (1,200 square feet) and a reduction in the required setback between an accessory structure and the main building of 1.56m, whereas By-law 2021-60 requires 2.00m, BE APPROVED.

Carried Chair Kelly

b. A-2024-07 - Evan MacKinnon - 953 South Shore Road

A public meeting was held on a minor variance application submitted by Evan MacKinnon. The applicant is seeking a minor variance to permit the construction of a boat house with an increased permitted floor area of 55.7m² whereas by-law 2021-60 permits 45m².

Director of Community Services advised that no correspondence was received on the application.

No public input was provided at the public hearing and the application was approved.

DECISION OF COMMITTEE ON A MINOR VARIANCE APPLICATION

APPLICANT: Evan MacKinnon

CIVIC ADDRESS: 953 South Shore Road

FILE NO.: A-2024-07

PURPOSE: The applicant is seeking a minor variance to construct a boat house with an increased permitted floor area of 55.7m² whereas by-law 2021-60 permits 45m²

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 22nd day of May, 2024.

DECISION: That the requested variance to permit the construction of a boat house with an increased permitted floor area of 55.7m 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:

- That 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

2024-26

Moved by Steve Austin

Seconded by Lauren Rooyakkers

THAT Minor Variance Application A-2024-07 submitted by Evan MacKinnon requesting a minor variance to permit the construction of a boat house with an increased permitted floor area of 55.7m² whereas By-law No. 2021-60 permits 45m², BE APPROVED.

Carried Chair Kelly

- c. A-2024-08 - Jules Perron and Jessica Farmer - 34 Marina Road

A public meeting was held on a minor variance application submitted by Jules Perron and Jessica Farmer. The applicants are seeking a minor variance to permit a reduction in the required setback from the water. The applicant is seeking a 14.00m setback for the main dwelling, whereas 30m is required. The applicant is also seeking approval for a reduced setback for a deck of 10.65m whereas 27.5m is required.

Director of Community Services advised that no correspondence was received on the application and that there is a permit from the Conservation Authority on file.

No public input was provided at the public hearing and the application was approved.

DECISION OF COMMITTEE ON A MINOR VARIANCE APPLICATION

APPLICANT: Jules Perron and Jessica Farmer

CIVIC ADDRESS: 34 Marina Road

FILE NO.: A-2024-08

PURPOSE: The applicant is seeking a minor variance to permit a reduction in the required setback from the water. The applicant is seeking a 14.00m setback for the main dwelling, whereas 30.00m is required. The applicant is also seeking approval for a reduced setback for a deck of 10.65m whereas 27.5m is required.

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 22nd day of May, 2024.

DECISION: That the requested variance to permit a reduction in the required setback from the water of 14.00m for the main dwelling and a reduced setback for a deck of 10.65m 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:

- That 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.

2024-27

Moved by Stephanie Holmes

Seconded by Steve Austin

THAT Minor Variance Application A-2024-08 submitted by Jules Perron and Jessica Farmer requesting a minor variance to permit a reduction in the required setback from the water of 14.00m for the main dwelling, whereas 30.00m is required and reduced setback for a deck of 10.65m whereas 27.5m is required, BE APPROVED.

Carried Chair Kelly

- d. B-2024-10 to B-2024-12 - Tulloch Geomatics on behalf of 100328150 Ontario Inc. - 644 Derland Road

A public meeting was held on consent applications submitted by Tulloch Geomatics on behalf of 100328150 Ontario Inc. (Dan Degagne). Steve McArthur presented the applications to the Committee. The purpose of the requested consent is the allow for the creation of three new lots from the property at 644 Derland Road.

Director of Community Services advised that no correspondence was received on the application and that he is recommending a condition be added that the

existing sheds identified on the draft sketch be removed before the consents are finalized.

No public input was provided at the public hearing and the application was approved.

DECISION OF COMMITTEE ON A CONSENT APPLICATION

APPLICANT: Tulloch Geomatics (Steve McArthur) on behalf of 100328150 Ontario Inc. (Dan Degagne)

CIVIC ADDRESS: 644 Derland Road

FILE NO.: B-2024-10 to B-2024-12

PURPOSE: The applicant is requesting consent to sever from the Committee of Adjustment for the purpose of creating three new lots from the property at 644 Derland 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 22nd day of May, 2024.

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

- That confirmation is provided that all taxes are paid up to date;
- That a plan of survey is prepared and filed with the Municipality;
- That a plan of survey be sent electronically to the Municipality of East Ferris's Director of Community Services;
- That the applicant pays \$250.00 in finalization fee per consent application prior to the transfer of the parcel of land;
- 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;
- 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;
- 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

- 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.
- That the existing sheds shown on the draft sketch and labelled as (to be removed), are removed prior to finalization of the consent applications.

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

2024-28

Moved by Steve Austin

Seconded by Bill Boake

THAT Consent Applications B-2024-10 to B-2024-12 submitted by Tulloch Geomatics (Steve McArthur) on behalf of 100328150 Ontario Inc. (Dan Degagne) requesting permission to create three new lots, BE APPROVED conditional upon the completion of the standard conditions listed in the Notice of Decision.

Carried Chair Kelly

- e. B-2024-13 to B-2024-25 - Tulloch Geomatics on behalf of 1851477 Ontario Inc. - Vacant (Corbeil and Bertha Road)

A public meeting was held on consent applications submitted by Tulloch Geomatics on behalf of 1851477 Ontario Inc. (Dan Degagne). Steve McArthur presented the applications to the Committee. The purpose of the requested consent is the allow for the creation of thirteen new lots from the property at Corbeil Road and Bertha Road which is currently vacant.

Director of Community Services advised that no correspondence was received on the application and that he is recommending a condition be added that the Traffic Study be provided to the Director of Public Works for use when issuing entrance permits.

No public input was provided at the public hearing and the application was approved.

DECISION OF COMMITTEE ON A CONSENT APPLICATION

APPLICANT: Tulloch Geomatics (Steve McArthur) on behalf of
1851477 Ontario Inc. (Dan Degagne)

CIVIC ADDRESS: Vacant (Corbeil Road and Bertha Road)

FILE NO.: B-2024-13 to B-2024-25

PURPOSE: The applicant is requesting consent to sever from the Committee of Adjustment for the purpose of creating 13 new lots from the property at Corbeil Road and Bertha 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 22nd day of May, 2024.

DECISION: That the requested consent to create 13 new additional lots be approved, conditional upon the following for each application:

- That confirmation is provided that all taxes are paid up to date;
- That a plan of survey is prepared and filed with the Municipality;
- That a plan of survey be sent electronically to the Municipality of East Ferris's Director of Community Services;
- That the applicant pays \$250.00 in finalization fee per consent application prior to the transfer of the parcel of land;
- 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;
- 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;
- 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

- 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.
- A copy of the Traffic Assessment by Transplan Associates be forwarded to the East Ferris Director of Public Works for use in granting entrance permits based on the preferred driveway locations.

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

2024-29

Moved by Bill Boake

Seconded by Stephanie Holmes

THAT Consent Applications B-2024-13 to B-2024-25 submitted by Tulloch Geomatics (Steve McArthur) on behalf of 1851477 Ontario Inc. (Dan Degagne) requesting permission to create thirteen new lots, BE APPROVED conditional upon the completion of the standard conditions listed in the Notice of Decision.

Carried Chair Kelly

- f. Certificate of Cancellation - Brian John Naylor /Kandyd Jozepha Szuba – Quae Quae Road

Director of Community Services advised that the ability to make this request is new to the Planning Act. The applicants are requesting the Certificate of Consent that was previously issued be cancelled. This will nullify the existing certificate and the parcels will be consolidated. The applicants are applying for a managed forest designation which requires more acreage than they currently have.

The Committee approved the request.

2024-30

Moved by Steve Austin

Seconded by Bill Boake

THAT the Certificate of Cancellation request received from Brian John Naylor and Kandyd Jozepha Szuba for their properties on Quae Quea Road, BE APPROVED.

Carried Chair Kelly

9. Correspondence and Information Items

None for this session.

10. In-Camera (if required)

None for this session.

11. Adjournment

2024-31

Moved by Frank Corbeil

Seconded by Bill Boake

THAT the Committee of Adjustment meeting adjourn at 7:31 p.m. and meeting again on June 19th, 2024.

Carried Chair Kelly

Chair

Terry Kelly

Director of Community Services

Greg Kirton