



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

March 20, 2024

PRESENT: Frank Corbeil
Bill Boake
John Symons
Terry Kelly
Lauren Rooyakkers
Steve Austin
Stephanie Holmes

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

2024-12

Moved by Frank Corbeil

Seconded by Bill Boake

That the draft agenda presented to the Committee and dated March 20th, 2024 be hereby adopted as circulated.

Carried Chair Kelly

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

a. Minutes from Meeting of February 21st, 2024

2024-13

Moved by John Symons

Seconded by Frank Corbeil

That the Minutes of the Committee of Adjustment Meeting of February 21st, 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-2024-02 - Tulloch Geomatics on behalf of Daniel and Judith Alexander - 4 MacDonald Terrace

A public meeting was held on a minor variance application submitted by Tulloch on behalf of Daniel and Judith Alexander. MacKenzie Van Horn presented the application to the Committee. The applicants are seeking a minor variance to permit the proposed seasonal room and raised deck. A variance is requested to recognize a front yard setback from 30.00 meters to 9.09 meters and to permit the front yard deck encroachment to a setback of 6.99 meters from the shoreline.

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

DECISION OF COMMITTEE ON A MINOR VARIANCE APPLICATION

APPLICANT: Tulloch Geomatics on behalf of Daniel and Judith Alexander

CIVIC ADDRESS: 4 MacDonald Terrace

FILE NO.: A-2024-02

PURPOSE: The applicant is seeking a minor variance to permit the proposed seasonal room and raised deck. A variance is requested to recognize a front yard setback from 30.00 meters to 9.09 meters and to permit the front yard deck encroachment to a setback of 6.99 meters from the shoreline.

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 20th day of March, 2024.

DECISION: That the requested variance to recognize a front yard setback from 30.00 meters to 9.09 meters and to permit the front yard deck encroachment to a setback of 6.99 meters from the shoreline 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

2024-14

Moved by Bill Boake

Seconded by John Symons

THAT Minor Variance Application A-2024-02 submitted by Tulloch Geomatics on behalf of Daniel and Judith Alexander requesting a minor variance to allow for a reduced front yard setback from 30.00 meters to 9.09 meters and to permit the front yard deck encroachment to a setback of 6.99 meters from the shoreline, BE APPROVED.

Carried Chair Kelly

- b. A-2024-03, B-2024-08 and B-2024-09 - Tulloch Geomatics on behalf of Robert and Denise Point - 837 Lake Nosbonsing Road

A public meeting was held on a minor variance and concurrent consent applications submitted by Tulloch on behalf of Robert and Denise Point. MacKenzie Van Horn presented the applications to the Committee. The applicants are seeking a minor variance to permit a reduction in the required frontage to 55.07 meters whereas Zoning By-law No. 2021-60 requires 60.00 meters. Concurrently the applicants are requesting permission to create two new lots for residential purposes.

Director of Community Services advised that Hydro One and the MTO commented that the applications are outside their jurisdiction. The North Bay-Mattawa Conservation Authority requires a final review to ensure adequate room for septic systems on both properties.

No public comments were received at the public hearing and the applications were approved.

DECISION OF COMMITTEE ON A MINOR VARIANCE APPLICATION

APPLICANT: Tulloch Geomatics on behalf of Robert and Denise Point

CIVIC ADDRESS: 837 Lake Nosbonsing Road

FILE NO.: A-2024-03

PURPOSE: The applicant is seeking a minor variance to permit a reduction in the required frontage to 55.07 meters whereas Zoning By-law No. 2021-60 requires 60.00 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 20th day of March, 2024.

DECISION: That the requested variance to permit a reduction in the required frontage to 55.07 meters whereas Zoning By-law No. 2021-60 requires 60.00 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:

- 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 is minor in nature.

DECISION OF COMMITTEE ON A CONSENT APPLICATION

APPLICANT: Tulloch Geomatics on behalf of Robert and Denise Point

CIVIC ADDRESS: 837 Lake Nosbonsing Road

FILE NO.: B-2024-08 and B-2024-09

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 837 Lake Nosbonsing 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 20th day of March, 2024.

DECISION: That the requested consent to create two 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;
- 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; and

- That the North Bay-Mattawa Conservation Authority provide confirmation there is adequate room for a septic system on the subject property.

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

2024-15

Moved by Steve Austin

Seconded by Bill Boake

THAT Minor Variance Application A-2024-03 submitted by Tulloch Geomatics on behalf of Robert and Denise Point requesting a minor variance to permit a reduction in the required frontage to 55.07 meters whereas Zoning By-law No. 2021-60 requires 60.00 meters, BE APPROVED;

AND THAT Consent Applications B-2024-08 and B-2024-09 submitted by the same requesting permission to create two new lots, BE APPROVED conditional upon the completion of the standard conditions listed in the Notice of Decision.

Carried Chair Kelly

- c. B-2024-06 - Tulloch Geomatics on behalf of Degagne Carpentry - 1750 Corbeil Road

A public meeting was held on a consent application submitted by Tulloch on behalf of Degagne Carpentry. MacKenzie Van Horn presented the application to the Committee. The applicants are seeking consent to create one new lot.

Director of Community Services advised that Hydro One and the MTO commented that the application is outside their jurisdiction. The North Bay-Mattawa Conservation Authority had no objections to the application.

A local resident in attendance at the public hearing inquired about how many buildings were proposed to be built. Director of Community Services advised that the zoning of the property determines what can be built.

The application was approved as presented.

DECISION OF COMMITTEE ON A CONSENT APPLICATION

APPLICANT: Tulloch Geomatics on behalf of 1761877 Ontario Inc. and 1851477 Ontario Inc.

CIVIC ADDRESS: 1750 Corbeil Road

FILE NO.: B-2024-06

PURPOSE: The applicant is requesting consent to sever from the Committee of Adjustment for the purpose of creating one new lot from the property at 1750 Corbeil 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 20th day of March, 2024.

DECISION: That the requested consent to create one new additional lot be approved, conditional upon the following:

- 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.

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

2024-16

Moved by Bill Boake

Seconded by Frank Corbeil

THAT Consent Application B-2023-06 submitted by Tulloch Geomatics on behalf of Degagne Carpentry requesting permission to create one new lot, BE APPROVED conditional upon the completion of the standard conditions listed in the Notice of Decision.

Carried Chair Kelly

- d. B-2024-07 - James and Veronica Mulligan - 845 Corbeil Road

A public meeting was held on a consent application submitted by James and Veronica Mulligan. The Mulligans presented their application to the Committee. The applicants are seeking consent to create one new lot for residential purposes.

Director of Community Services advised that Hydro One and the MTO commented that the application is outside their jurisdiction. The North Bay-Mattawa Conservation had no objections to the application.

No public information was received at the public hearing and the application was approved.

DECISION OF COMMITTEE ON A CONSENT APPLICATION

APPLICANT: James and Veronica Mulligan

CIVIC ADDRESS: 845 Corbeil Road

FILE NO.: B-2024-07

PURPOSE: The applicants are requesting consent to sever from the Committee of Adjustment for the purpose of creating one new lot from the property at 845 Corbeil 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 20th day of March, 2024.

DECISION: That the requested consent to create one new additional lot be approved, conditional upon the following:

- 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.

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

2024-17

Moved by Frank Corbeil

Seconded by John Symons

THAT Consent Application B-2024-07 submitted by James and Veronica Mulligan requesting permission to create one new lot, BE APPROVED conditional upon the completion of the standard conditions listed in the Notice of Decision.

Carried Chair Kelly

9. Correspondence and Information Items

Mr. Corbeil requested that site plans and sketches be shared on the projector at future meetings. The Committee discussed Section 118 of the Land Titles Act and its use in East Ferris.

10. In-Camera (if required)

None for this session.

11. Adjournment

2024-18

Moved by Frank Corbeil

Seconded by Bill Boake

THAT the Committee of Adjustment meeting adjourn at 7:32 p.m.

Carried Chair Kelly

Chair

Terry Kelly

Director of Community Services

Greg Kirton