



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

August 16, 2023

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

2023-13

Moved by John Symons

Seconded by Bill Boake

That the draft agenda presented to the Committee and dated August 16th, 2023 by hereby adopted as circulated.

Carried Chair Kelly

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

a. Minutes from Meeting on July 19th, 2023

2023-14

Moved by Bill Boake

Seconded by Lauren Rooyakkers

That the Minutes of the Committee of Adjustment Meeting of July 19th, 2023 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-2023-08 - Glenn and Karen Brophy - 214 One Mile Road

A public meeting was held on a Minor Variance application submitted by Glenn and Karen Brophy. The applicants are seeking approval for a reduction in the front yard setback to 2.0 meters, whereas Zoning By-law No. 2021-60 required 8.0 metres. Mr. Brophy presented his application to the Committee.

Director of Community Services advised that the MTO and Hydro commented that the property is outside their jurisdiction. The NBMCA has no objection to the application.

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

DECISION OF COMMITTEE ON A MINOR VARIANCE APPLICATION

APPLICANT: Glenn & Karen Brophy

CIVIC ADDRESS: 214 One Mile Road

FILE NO.: A-2023-08

PURPOSE: The applicants are seeking a minor variance to permit a reduction in front yard setback to 2.0 meters, whereas Zoning By-law No. 2021-60 required 8.0 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 16th day of August, 2023.

DECISION: That the requested variance to permit a reduction in front yard setback to 2.0 meters for the subject lands 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.

- b. B-2023-17 - Tulloch (Steve McArthur) on behalf of Laurent Marasse - 802 Centennial Crescent

A public meeting was held on a Consent application submitted by Tulloch on behalf of Laurent Marasse. The applicant is seeking approval for the creation of one new lot. Steve McArthur presented the application to the Committee.

Director of Community Services advised that the MTO and Hydro commented that the property is outside their jurisdiction. The NBMCA has no objection to the application.

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

DECISION OF COMMITTEE ON A CONSENT APPLICATION

APPLICANT: Tulloch Geomatics on behalf of Laurent Marasse

CIVIC ADDRESS: 802 Centennial Crescent

FILE NO.: B-2023-17

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 802 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 16th day of August, 2023.

DECISION: That the requested consent to create one new additional lot 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 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 its decision upon:

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

- c. A-2023-09 and B-2023-18 - Paul Goodridge on behalf of Marc and Donna Carriere - 114 & 134 Eglinton Road North

A public meeting was held on Minor Variance and Consent applications submitted by Goodridge Goulet Planning and Surveying on behalf of Marc and Donna Carriere. The applicants are requesting a Minor Variance to permit a reduction in the required frontage to 20.12 meters, whereas the Zoning By-law

requires 60.0 meters, The applicants are also seeking a consent for the creation of one new lot. Paul Goodridge presented the application to the Committee.

Director of Community Services advised that the MTO and Hydro commented that the property is outside their jurisdiction.

The NBMCA has no objection to the application; however, there appears to be significant alterations to the land that were done without permits. The Conservation Authority advised this is outside of their jurisdiction, but will be following up with the MNR to rectify this situation.

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

DECISION OF COMMITTEE ON A MINOR VARIANCE APPLICATION

APPLICANT: Goodridge Goulet Planning & Surveying on behalf of Marc and Donna Carriere

CIVIC ADDRESS: 114 & 134 Eglington Road North

FILE NO.: A-2023-09

PURPOSE: The applicants are seeking a minor variance to permit a reduction in the required frontage to 20.12 meters, whereas Zoning By-law No. 2021-60 requires 60.0 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 16th day of August, 2023.

DECISION: That the requested variance to permit a reduction in frontage to 20.12 meters from 60.0 meters for the subject lands 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.

DECISION OF COMMITTEE ON A CONSENT APPLICATION

APPLICANT: Goodridge Goulet Planning & Surveying on behalf of Marc and Donna Carriere

CIVIC ADDRESS: 114 & 134 Eglinton Road North

FILE NO.: B-2023-18

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 114 Eglinton Road North.

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 16th day of August, 2023.

DECISION: That the requested consent to create one new additional lot 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 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 its decision upon:

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

d. B-2023-19 - Paul Goodridge on behalf of Alysha Way - 362 Derland Road

A public meeting was held on a Consent application submitted by Goodridge Goulet Planning and Surveying on behalf of Alysha Way. The applicant is seeking approval for the creation of one new lot. Paul Goodridge presented the application to the Committee.

At the public meeting, Jamie Brown, the neighbour to the east, expressed concerns about the new driveway location being on the easterly side of his property. Mr. Brown provided documents to staff.

The Committee discussed Mr. Brown's concerns. Director of Community Services advised the Committee could add a condition to the decision requiring the applicant to enter into a Development Agreement with the municipality which would specify that the driveway be located on the westerly side of Mr. Brown's property.

No other comments were received on the application and the application was approved without an additional condition for a Development Agreement.

DECISION OF COMMITTEE ON A CONSENT APPLICATION

APPLICANT: Goodridge Goulet Planning & Surveying on behalf of Alysha Way

CIVIC ADDRESS: 362 Derland Road

FILE NO.: B-2023-19

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 362 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 16th day of August, 2023.

DECISION: That the requested consent to create one new additional lot 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 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

9. Correspondence and Information Items

None for this session

10. In-Camera (if required)

None for this session

11. Adjournment

2023-15

Moved by Frank Corbeil

Seconded by Bill Boake

That the Committee of Adjustment meeting adjourn at 7:45 p.m.

Carried Chair Kelly

Chair

Terry Kelly

Director of Community Services

Greg Kirton