



**COMMITTEE OF ADJUSTMENT
Wednesday, February 16th, 2022**

The regular Meeting of the Municipality of East Ferris Committee of Adjustment was held on Wednesday, February 16th, 2022 at 7:00 p.m. via Zoom.

PRESENT: Bill Boake, Frank Corbeil, Erika Lougheed, Al Herauf, Terry Kelly, Manager of Planning and Economic Development, Greg Kirton, Recording Clerk, Kari Hanselman

EXCUSED ABSENT: John O'Rourke, John Symons

ALSO IN ATTENDANCE: Rick Miller, Miller and Urso Surveying, Steven Bon

1. ADOPTION OF AGENDA:

Resolution No. 2022-07
Frank Corbeil – Al Herauf

THAT the draft agenda presented to the Committee and dated the 16th day of February, 2022 be hereby adopted as circulated.

CARRIED

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

Resolution No. 2022-08
Bill Boake – Terry Kelly

THAT the Minutes of the Committee of Adjustment Meeting of January 19th, 2022 be adopted as circulated.

CARRIED

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

4. RATEPATER'S DELEGATIONS: None for this session

5. BUSINESS ARISING FROM THE LAST MEETING: None for this session



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6. PUBLIC HEARING:

**a) B-2021-30 to B-2021-32
Miller and Urso Surveying on behalf of Raymond and Karen Sabourin
59 Guillemette Road**

A public meeting was held on an application submitted by Miller and Urso Surveying on behalf of Raymond and Karen Sabourin requesting permission from the Committee to create three new lots for residential purposes. This application was before the Committee last summer and was deferred in order to complete requested study material.

Agent for the applicants advised a preliminary hydrogeological study and scoped natural heritage assessment study were completed and submitted to the municipality. Neither study indicated any cause for negative impact with developing these lots. The request was originally for four lots, but has been reduced to three due to development constraints with the fourth lot.

Mr. Herauf asked if the municipal engineer has reviewed the proposed driveway locations. Mr. Kirton advised that Mr. Boucher had provided comment that the entrances meet all the requirements for the last public hearing on this application and that the only thing that changed was the removal of one lot.

Mr. Miller advised he has spoken to a southerly neighbour about any water issues. That neighbour advised they had no water issues. An analysis of all wells within a one kilometer radius revealed that all provincial requirements are met and there is sufficient water supply for all wells except one.

The Committee discussed why the application was previously deferred and if their concerns were alleviated. The Committee's concerns were addressed through the studies that were completed.

Mr. Kirton read the public correspondence that was received since the packages were delivered to the Committee. A petition was submitted with 66 signatures opposing the new lots due to dangerous entrance locations, water issues, and wildlife and the destruction of their homes.

An email from Sonya Lavigne of Guillemette Road was read to the Committee. The letter sited concerns about safety, traffic increases, and water quality and supply. Ms. Lavigne requested one entrance for all three lots.



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An email from Lorna Argue from Roy Road was read to the Committee. The letter sited concerns about the location of the entrances and the lack of clear sightlines in this area. Extra vehicles servicing these homes are also a cause for safety concerns.

Mr. Kirton advised there are no conflicts with the Official Plan or Zoning By-law and all minimum requirements are exceeded for these lots.

Councillor Lougheed thanked the applicants for completing the studies as water was a concern.

DECISION OF CONSENT (File B-2021-30 to B-2021-32):

Bill Boake - Frank Corbeil – Al Herauf – Erika Lougheed – Terry Kelly

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 February, 2022.

DECISION: That the requested consent to create three new 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 Community Planner;
- 4) That the applicant pays \$250.00 in finalization fee prior to the transfer of the parcel of land;
- 5) That the applicant is required to pay \$1000.00 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 subsection 50(3) of the Planning Act, R.S.O. 1990, c.P. 13 as amended applies to any subsequent conveyance or transaction of or in relation to the parcel of land being the subject of this consent; and



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- 8) That all conditions must be filled within one year 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:

- 1) Conformity with the *Planning Act*
- 2) Public comments submitted
- 3) Conformity with Provincial Policy
- 4) Conformity with East Ferris Official Plan

Public input was received at the public meeting.

**b) B-2021-41 to B-2021-44
Steven Bon – Vacant Land Cedar Bay and South Shore Road**

A public meeting was held on an application submitted by Steven Bon requesting permission from the Committee to create four new lots for residential purposes. Mr. Bon owns approximately 100 acres and the lots range in size from 10 to 40 acres.

Councillor Kelly asked if any of the proposed lots would have water access. Mr. Bon advised that one would, but very little. Not enough to be considered a waterfront lot.

Mr. Kirton advised that the municipality has been working with Mr. Bon to improve the Cedar Bay turnaround. Council has already agreed to a land swap with the applicant to exchange a section of the road allowance for a section of the land at 106 Cedar Bay Road for the purpose of improvements to the Cedar Bay Road turnaround. The land swap would allow the applicant to merge the road allowance with 106 Cedar Bay Road as well as with a portion of the property that is subject to this application.

The North Bay Mattawa Conservation Authority had no concerns for a suitable septic location and no public comments were received at the public hearing.



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DECISION OF CONSENT (File B-2021-41 to B-2021-44):

Bill Boake - Frank Corbeil – Al Herauf – Erika Lougheed – Terry Kelly

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 February, 2022.

DECISION: That the requested consent to create four new 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 Community Planner;
- 4) That the applicant pays \$250.00 in finalization fee prior to the transfer of the parcel of land;
- 5) That the applicant is required to pay \$1000.00 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 subsection 50(3) of the Planning Act, R.S.O. 1990, c.P. 13 as amended applies to any subsequent conveyance or transaction of or in relation to the parcel of land being the subject of this consent; and
- 8) That all conditions must be filled within one year 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.
- 9) That the retained lands be merged with the unopened municipal road allowance and 106 Cedar Bay Road to consolidate the remaining lands.



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REASONS FOR DECISION:

The Committee has considered the application and based its decision upon:

- 1) Conformity with the *Planning Act*
- 2) Public comments submitted
- 3) Conformity with Provincial Policy
- 4) Conformity with East Ferris Official Plan

No public information was received at the meeting.

- c) **B-2021-45 to B-2021-46**
Applicant: Miller & Urso Surveying Inc. on behalf of Perron Properties Inc. and Daniel and Linda Mercier
1163 & 1177 Village Road

A public hearing was held on an application submitted by Miller & Urso Surveying Inc. on behalf of Perron Properties Inc. and Daniel and Linda Mercier requesting permission from the Committee for two lot additions. Lands would be swapped between the two properties in order to create a more functional lot pattern and allow for more straightforward redevelopment of the vacant lands at 1163 Village Road. This application is in conjunction with a re-zoning application that was heard at the Planning Advisory Committee meeting prior to this meeting.

The North Bay Mattawa Conservation authority had no concerns, and the applications were approved.

DECISION OF CONSENT (File B-2021-45 to B-2021-46):

Bill Boake - Frank Corbeil – Al Herauf – Erika Loughheed – Terry Kelly

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 February, 2022.

DECISION: That the requested consent for a lot additions be approved, conditional upon the following for each application:

- 1) That confirmation is provided that all taxes are paid up to date;



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- 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 Community Planner;
- 4) That the applicant pays \$250.00 in finalization fee 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 subsection 50(3) of the Planning Act, R.S.O. 1990, c.P. 13 as amended applies to any subsequent conveyance or transaction of or in relation to the parcel of land being the subject of this consent; and
- 7) That all conditions must be filled within one year 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:

- 1) Conformity with the *Planning Act*
- 2) Public comments submitted
- 3) Conformity with Provincial Policy
- 4) Conformity with East Ferris Official Plan

No public input was received at the public meeting.

7. **IN-CAMERA:** None for this session

8. **CORRESPONDENCE**

The Committee approved of a date change for the May 2022 meeting to Wednesday, May 11, 2022.



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9. ADJOURNMENT:

Resolution No. 2022-09
AI Herauf – Frank Corbeil

That the Committee of Adjustment meeting adjourn at 7:41 p.m.

CARRIED

Chair, Erika Lougheed

Greg Kirton, Manager of Planning