



MUNICIPALITY OF EAST FERRIS

COMMITTEE of ADJUSTMENT

Wednesday, August 19th, 2020

The Regular Meeting of the Municipality of East Ferris Committee of Adjustment was held on Wednesday, August 19th, 2020 at 6:30 p.m. via Zoom.

PRESENT: John O'Rourke, Al Herauf, Frank Corbeil, Bill Boake, Erika Lougheed, Manager of Planning and Economic Development, Greg Kirton, Recording Clerk, Kari Hanselman

EXCUSED ABSENT: John Symons, Michel Voyer

ALSO IN ATTENDANCE: Claude Champagne, Adrien Bezaire, Cleo Degagne, Ryan Sohm, Boyd Routledge

1. ADOPTION OF AGENDA:

Resolution No. 2020-07
Al Herauf – Bill Boake

THAT the draft agenda presented to the Committee as amended and dated the 19th day of August, 2020 be hereby adopted as circulated.

-The agenda was amended by moving item 6. after item 7.

CARRIED

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

Resolution No. 2020-08
Al Herauf – Bill Boake

THAT the minutes of the Committee of Adjustment Meeting of July 15th, 2020 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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Prior to the Public Hearing, Mr. Kirton advised that anyone watching via the live stream, who wishes to comment on the applications may e-mail him and he will provide the zoom link.

6. PUBLIC HEARING:

a) A-2020-05, A-2020-06, B-2020-05 Claude Champagne

A public meeting was held on applications submitted by Claude Champagne. The applicant's proposals requested a variance to permit a decreased lot frontage for 150 Hillside Drive, from the permitted 45 metres, to the proposed 20 metres and 25.8 metres. The applicant has concurrently applied for a consent to sever for the purpose of creating one new lot for residential purposes.

Mr. Champagne spoke to his applications. He advised he is severing a two-acre parcel and retaining the remaining for the existing dwelling on 150 Hillside Drive. Mr. Champagne spoke with the Municipal Engineer about the proposed new entrance and advised Mr. Boucher did not see any safety concerns with the location of the new entrance.

Mr. Kirton advised the severance application requires two minor variances in order to address the reduced frontage along the road. One minor variance addresses the existing frontage at 150 Hillside Drive and the other is to recognize the frontage deficiency of the proposed lot.

Mr. Kirton advised no objections were received from Hydro. Letters of objections were received from Tyler and Krystal Lance, Marc and Carrie Perras, Patrick and Natasha Callaghan, and Carl Crewson. The objection letters from nearby residents included safety and privacy concerns, as well as reduced lot frontage concerns and the location of the proposed new driveway being on a corner.

Public Comments

Ms. Lance shared her concerns about the road being too narrow at the proposed driveway location. When the Lance's purchased the lot to build, they were told by Municipal Staff at the time that the lot was not a buildable lot due to lack of road frontage. Concerns were also expressed about lost privacy as the Lance's home has large bay windows that face the proposed lot.

Mr. Kirton read Mr. Crewson's letter to the Committee. Mr. Herauf asked whether there is another option to access the road from the property. Mr. Kirton



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advised there is a piece of municipal land in the area, but it is not a road allowance. Councillor Lougheed questioned if there was a way of improving the language in the Official Plan to clear up confusion.

After discussing the applications further the following motion was carried:

Resolution No. 2020-09

Al Herauf – Erika Lougheed

THAT Decision on applications A-2020-05, A-2020-06, and B-2020-05 be deferred to the Committee of Adjustment meeting of September 16th, 2020.

CARRIED

Decision on the applications were deferred to the meeting of September 16th, 2020.

**b) A-2020-07
Adrien and Diane Bezaire**

A public meeting was held on an application submitted by Adrien and Diane Bezaire to permit the expansion of a garage on the subject lands. The owners are requesting an increase in the allowed garage size from the permitted 960 square feet, to the proposed 1080 square feet.

Mr. Kirton spoke to the application as Mr. Bezaire was having connectivity issues.

No correspondence or objections to the application were received and the application was approved as requested.

DECISION OF MINOR VARIANCE:

Bill Boake - Frank Corbeil - Al Herauf – Erika Lougheed – John O'Rourke

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 August, 2020.



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DECISION: That the requested variance to permit the increase in accessory structure floor area for the subject lands be approved.

REASONS FOR DECISION:

- 1) The general purpose and intent of the Official Plan is being maintained;
- 2) The general purpose and intent of the Zoning By-law is being maintained;
- 3) The development is desirable and appropriate for the land and consistent with the neighbourhood; and
- 4) The variance is minor in nature.

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.

**c) A-2020-08
Cleo Degagne**

A public meeting was held on an application submitted by Cleo Degagne to permit the expansion of a garage on the subject lands. The owners are requesting an increase in the allowed garage size from the permitted 768 square feet, to the proposed 1056 square feet.

Mr. Kirton advised the garage is being extended towards the road. The North Bay Mattawa Conservation Authority had no concerns and a D.I.A. permit is not required.

No correspondence or objections to the application were received and the application was approved as requested.

DECISION OF MINOR VARIANCE:

Bill Boake - Frank Corbeil - Al Herauf – Erika Lougheed – John O'Rourke

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.



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CONCUR in the following decision and reasons for decision on the 19th day of August, 2020.

DECISION: That the requested variance to permit the increase in accessory structure floor area for the subject lands be approved.

REASONS FOR DECISION:

- 1) The general purpose and intent of the Official Plan is being maintained;
- 2) The general purpose and intent of the Zoning By-law is being maintained;
- 3) The development is desirable and appropriate for the land and consistent with the neighbourhood; and
- 4) The variance is minor in nature.

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.

**d) B-2020-06
Ryan Sohm**

A public hearing was held on an application submitted by Ryan Sohm on behalf of Karen Giroux with the purpose of creating one new lot.

Mr. Sohm spoke to the application and advised the intent is to sever a two-acre lot from the existing 36-acre lot. The retained portion will be used for recreation.

No correspondence or objections to the application were received and the application was approved as requested.

DECISION OF CONSENT TO SEVER:

Bill Boake - Frank Corbeil - Al Herauf – Erika Lougheed – John O'Rourke

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 August, 2020.



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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 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.

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 input was received at the public meeting and COA is of the opinion



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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.

e) **B-2020-07**
Boyd Rutledge and Guylaine Mailloux

A public hearing was held on an application submitted by Boyd Rutledge and Guylaine Mailloux with the purpose of creating one new lot.

The new lot will have 200 feet of frontage with 400 feet depth, which exceeds minimum frontage requirements.

No correspondence or objections to the application were received and the application was approved as requested.

DECISION OF CONSENT TO SEVER:

Bill Boake - Frank Corbeil - Al Herauf – Erika Lougheed – John O'Rourke

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 August, 2020.

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 Community Planner;
- 4) That the applicant pays \$250.00 in finalization fee prior to the transfer of the parcel of land;



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- 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.

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 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.

7. COUNCIL ITEMS:

- By-law 2020-25 – Committee of Adjustment Appointments
- By-law 2020-26 – Powers of Committee of Adjustment

By-law 2020-26 delegates authority to the Committee of Adjustment for consent applications. Councillor Loughheed and Councillor Voyer have been appointed to the Committee for a one-year term.

The Committee discussed the changes. Mr. Kirton advised this is the norm provincially. The application process will be stream-lined and less administrative



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work will be required. The Committee agreed this new authority will require heightened due diligence in their considerations.

8. CORRESPONDENCE: None for this session

9. ADJOURNMENT:

Resolution No. 2020-10

Al Herauf – Erika Lougheed

That the Committee of Adjustment meeting adjourn at 8:08 p.m. and meet again when required.

CARRIED

Chair, John O'Rourke

Greg Kirton, Manager of Planning