



MUNICIPALITY OF EAST FERRIS

COMMITTEE of ADJUSTMENT

Tuesday, September 8th, 2020

A Meeting of the Municipality of East Ferris Committee of Adjustment was held on Tuesday, September 8th, 2020 at 1:00 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

1. ADOPTION OF AGENDA:

Resolution No. 2020-11
Al Herauf – Frank Corbeil

THAT the draft agenda presented to the Committee and dated the 8th day of September, 2020 be hereby adopted as circulated.

CARRIED

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

Resolution No. 2020-12
Al Herauf – Bill Boake

THAT the minutes of the Committee of Adjustment Meeting of August 19th, 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

6. PUBLIC HEARING:

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.



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

A second public meeting was held on applications submitted by Claude Champagne. Decision on the applications was deferred from the meeting of August 19th, 2020. 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 advised the applications are the same and he can answer any questions the Committee may have. The Committee discussed the reduced frontage and their concern with the potentially dangerous corner. The Committee discussed passing a resolution recommending Council look into safety issues at the Philip Drive/Park Drive corner. A resolution will be prepared and brought forward at a future meeting.

Mr. Kirton shared with the Committee the correspondence received since the last meeting. The correspondence was as follows:

- A letter of support from Julie Cote
- A letter of support from Sarah Philbin
- An updated letter from Patrick Callaghan indicating that they no longer objected in principle but would be following up with the municipality in the future with regards to the corner of Park Drive and Hillside Drive
- A letter from Jennifer Brown outlining her comments regarding the application, including the history of the subdivision and information relating to the covenants set in place for other properties within the subdivision.

No correspondence or objections to the applications were received at the public meeting and the applications were approved as requested.

DECISION OF MINOR VARIANCE (File A-2020-05):

Bill Boake – Erika Lougheed – Frank Corbeil – Al Herauf – 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 8th day of September, 2020.

DECISION: That the requested variance to permit a reduced lot frontage 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.

DECISION OF MINOR VARIANCE (File A-2020-06):

Bill Boake – Erika Lougheed – Frank Corbeil – Al Herauf – 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 8th day of September, 2020.

DECISION: That the requested variance to permit a reduced lot frontage 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.



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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.

DECISION OF CONSENT (File B-2020-05):

Bill Boake – Erika Loughheed – Frank Corbeil – Al Herauf – 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 8th day of September, 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;
- 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.
- 9) That the parcel of land described as PLAN 36M660 BLK 25 be merged with the severed lands as part of the finalization of the application.
- 10) That the parcel of land described as PLAN 36M660 BLK 23 and the parcel of land described as PLAN 36M660 BLK 22 be merged in conjunction with the retained lands to consolidate the remaining parcels as part of the finalization of the application.

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. **CORRESPONDENCE:** None for this session

8. **ADJOURNMENT:**

Resolution No. 2020-13
Frank Corbeil – Al Herauf

That the Committee of Adjustment meeting adjourn at 1:38 p.m.

CARRIED



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Chair, John O'Rourke

Greg Kirton, Manager of Planning