



COMMITTEE OF ADJUSTMENT
Wednesday, June 16th, 2021

The regular Meeting of the Municipality of East Ferris Committee of Adjustment was held on Wednesday, June 16th, 2021 at 6:30 p.m. via Zoom.

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

EXCUSED ABSENT: John O'Rourke

ALSO IN ATTENDANCE: Brian Irwin, Rick Champagne & Nancy Best, Marcel Degagne

1. ADOPTION OF AGENDA:

Resolution No. 2021-13
Frank Corbeil – Al Herauf

THAT the draft agenda presented to the Committee and dated the 16th day of June, 2021 be hereby adopted as circulated.

CARRIED

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

Resolution No. 2021-14
Terry Kelly – Bill Boake

THAT the Minutes of the Committee of Adjustment Meeting of May 19th, 2021 be adopted as circulated.

CARRIED

3. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF:

Committee member Frank Corbeil declared a Pecuniary Interest on agenda item 6(d). Mr. Corbeil advised he is making an application to sever the property at 922 Quae Road on behalf of Andrew Glab. Mr. Glab is also in negotiations with Mr. Corbeil's son on the sale of the proposed lot.

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-2021-14
Brian Irwin – 456 Johnson Road

A public meeting was held on an application submitted by Brian Irwin requesting permission from the Committee to create one new lot for residential purposes. This application was previously before the Committee in April, but was deferred prior to the public hearing taking place. Mr. Irwin spoke to the application. The North Bay Mattawa Conservation Authority and municipal staff had concerns about the suitability of the building area due to the presence of wetlands and watercourses on site. Lot lines were revised to address these concerns. The proposed lot would be 3.23 acres.

Mr. Kirton advised that no comments were received from neighbours. The NMBCA, Hydro, and the MTO had no objections.

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

DECISION OF CONSENT (File B-2021-14):

Erika Lougheed – Frank Corbeil – Al Herauf – Bill Boake – John Symons – 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 June, 2021.

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;



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- 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 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.

b) B-2021-18
Rick Champagne & Nancy Best

A public meeting was held on an application submitted by Rick Champagne and Nancy Best requesting permission from the Committee to create one new lot for residential purposes. This application is identical to two applications that were previously approved by the Council for the Municipality of East Ferris under files B-2017-05 and B-2018-03.



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In both cases the approval lapsed as a result of the conditions not being fulfilled within the required one year time period. Mr. Champagne spoke to his application. They are severing approximately 13 acres with the house and will build a new home on the retained in the future.

Mr. Kirton advised that no comments were received from neighbours. The NMBCA, Hydro, and the MTO had no objections.

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

DECISION OF CONSENT (File B-2021-18):

Erika Lougheed – Frank Corbeil – Al Herauf – Bill Boake – John Symons – 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 June, 2021.

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,



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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.

c) B-2021-19 & B-2021-20
Dan Degagne – Part of Lot 14, Con 9, Part 1, 2, and 3

A public meeting was held on applications submitted by Dan Degagne requesting permission from the Committee to allow for a lot line adjustment for two existing lots that were created by consent in 2019. No new lots are proposed to be created through these applications.

Marcel Degagne spoke to the application as Dan Degagne was unable to attend the meeting. The purpose of the application is to give more frontage to lot 3. The need for this additional frontage was identified during the building process.

Mr. Kirton advised that no comments were received from neighbours and the NMBCA, Hydro and the MTO had no objections.

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



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DECISION OF CONSENT (File B-2021-19 & B-2021-20):

Erika Lougheed – Frank Corbeil – Al Herauf – Bill Boake – John Symons – 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 June, 2021.

DECISION: That the requested consent for a lot line adjustment 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 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*



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- 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.

d) B-2021-21
Frank Corbeil on behalf of Andrew Glab – 922 Quae Quae Road

Frank Corbeil declared a conflict on this item and did not take part in any discussion other than presenting the application and responding to questions from Committee Members.

A public meeting was held on an application submitted by Frank Corbeil on behalf of Andrew Glab requesting permission from the Committee to create one new lot for residential purposes. Mr. Corbeil advised the lot is being severed at the bend on Quae Quae Road.

Councillor Kelly confirmed the size of the lot was approximately four acres. Mr. Corbeil advised the retained portion meets frontage requirements.

Mr. Kirton advised the NBMCA and Hydro had no objections to the application. CP Rail advised that the property falls within 500 metres of the rail line but had no objection to the application. Neighbour, Ted McCullough, provided comments in support of the application. Other comments contained in Mr. McCullough's e-mail were forwarded to the public works department for review.

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

DECISION OF CONSENT (File B-2021-21):

Erika Lougheed – Al Herauf – Bill Boake – John Symons- 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 June, 2021.



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DECISION: That the requested consent for a lot line adjustment 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 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



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8. CORRESPONDENCE: None for this session

9. ADJOURNMENT:

Resolution No. 2021-15
Al Herauf – Frank Corbeil

That the Committee of Adjustment meeting adjourn at 7:07 p.m.

CARRIED

Chair, John O'Rourke

Greg Kirton, Manager of Planning