



**COMMITTEE OF ADJUSTMENT
Wednesday, October 20th, 2021**

The regular Meeting of the Municipality of East Ferris Committee of Adjustment was held on Wednesday, October 20th, 2021 at 6:30 p.m. via Zoom.

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

EXCUSED ABSENT: None

ALSO IN ATTENDANCE: Steve Thoss, Ann Wilson, Andre Devost, Claude Champagne, Nancy Best, Renee Brouillette

1. ADOPTION OF AGENDA:

Resolution No. 2021-28
Bill Boake – Frank Corbeil

THAT the draft agenda presented to the Committee and dated the 20th day of October, 2021 be hereby adopted as circulated.

CARRIED

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

Resolution No. 2021-29
Terry Kelly – Al Herauf

THAT the Minutes of the Committee of Adjustment Meeting of September 15th, 2021 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) A-2021-10
Steven Thoss and Ann Wilson – 249 MacPherson Drive**

A public meeting was held on an application submitted by Steven Thoss and Ann Wilson requesting permission from the Committee to allow the existing horse shelter to remain in front of the existing dwelling. Mr. Thoss advised that structure was purchased and constructed prior to finding out that structures are not permitted to be in front of the house.

Mr. Kirton advised that the property is quite large and that he has no concerns with the application. The North Bay Mattawa Conservation Authority advised the MDS calculation are not required.

DECISION OF MINOR VARIANCE (File A-2021-10):

Bill Boake - Frank Corbeil – Al Herauf – Terry Kelly – Erika Lougheed – John O’Rourke – John Symons

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 20th day of October, 2021.

DECISION: That the request to permit the horse structure to remain in place 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.



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**b) B-2021-29
Andre Devost on behalf of Victor Devost – 155 Highway 94**

A public meeting was held on an application submitted by Andre Devost on behalf of Victor Devost requesting permission from the Committee to create one new lot for residential purposes. This application was previously before the Committee, but was deferred due to access concerns from the MTO. Mr. Devost plans to build a home on the severed piece which will be approximately 1.5 hectares. Since the last meeting, the MTO has approved driveway access on Highway 17. The application exceeds frontage and lot size minimum requirements, so Mr. Kirton is in support of the application.

DECISION OF CONSENT APPLICATION (File B-2021-29) :

Bill Boake – Frank Corbeil – Al Herauf – Terry Kelly – Erika Lougheed – John O’Rourke – John Symons

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 20th day of October, 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, R.S.O. 1990, c.P.13, as amended;



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- 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 confirmation be provided by the MTO that an access permit can be granted for the proposed lot on Highway 17.
- 10) That the municipality confirm the property boundary through the survey work to confirm that the former easement shown on the municipal mapping is no longer active and is not impacting the continuity of the subject property.

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.

**c) B-2021-35 & B-2021-36
Claude Champagne on behalf of Roger and Louis Champagne – 324 & 348 South Shore Road**

A public meeting was held on an application submitted by Claude Champagne on behalf of Roger and Louis Champagne requesting permission to reconfigure the existing lot lines on these two properties. No new lots will be created.

Mr. Champagne advised that his son would like to build a home on the property. If the applications are approved the current garage will be attached to a vacant lot. There will be a condition that the applicant apply for a building permit for the proposed home, as the zoning by-law does not permit a garage to be constructed without a home, or plans for a home, on the



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property.

DECISION OF CONSENT APPLICATION (File B-2021-35 & B-2021-36) :

Bill Boake – Frank Corbeil – Al Herauf – Terry Kelly – Erika Lougheed – John O’Rourke – John Symons

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 20th day of October, 2021.

DECISION: That the requested consent 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.
- 8) That an application must be made for a building permit for the main building for the severed lands associated with application B-2021-36

REASONS FOR DECISION:



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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

Kim and Gilles Lefebvre were admitted to the public meeting after the Committee made their decision. Due to the high volume of commentors on an upcoming application, their request to speak was overlooked.

The Lefebvre's requested clarification on where the proposed lot lines are. Mr. Kirton advised the map they have is the existing lines, and that the new lot lines allow for the smaller piece to extend to the rear of the properties, parallel to the road allowance. The properties will remain residential.

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 is minor in nature.

**d) B-2021-37
Rick Champagne & Nancy Best – 1808 Corbeil Road**

A public meeting was held on an application submitted by Rick Champagne and Nancy Best requesting permission for a lot addition to an adjacent property on Corbeil Road. The applicants intended to apply for the severance and the lot addition at the same time, but an oversight caused the lot addition to be missed. The Committee previously granted consent for the lot creation, but not the addition. The piece will be added to a neighbour's property.

DECISION OF CONSENT APPLICATION (File B-2021-37) :

Bill Boake – Frank Corbeil – Al Herauf – Terry Kelly – Erika Lougheed – John O'Rourke – John Symons

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 20th day of October, 2021.

DECISION: That the requested consent for a lot addition be approved, conditional upon the following:



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- 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 lands for the lot addition, shown as Part 2 on Plan 36R14091, be merged with the adjacent property at 1782 Corbeil Road;
- 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:

- 5) Conformity with the *Planning Act*
- 6) Public comments submitted
- 7) Conformity with Provincial Policy
- 8) 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.



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**e) B-2021-38
Renee Brouillette & Andre Bourgeois – 1398 Highway 94**

A public meeting was held on an application submitted by Renee Brouillette & Andre Bourgeois requesting permission to create one new lot for residential purposes. The lot will be approximately 2.6 acres and the applicants plan on putting it up for sale. The MTO and NBMCA had no objections to the application. The lot meets all minimum frontage and lot size requirements.

DECISION OF CONSENT APPLICATION (File B-2021-38) :

Bill Boake – Frank Corbeil – Al Herauf – Terry Kelly – Erika Lougheed – John O’Rourke – John Symons

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 20th day of October, 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, 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

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. **IN-CAMERA:** None for this session
8. **CORRESPONDENCE:** None for this session
9. **ADJOURNMENT:**

Resolution No. 2021-30
Frank Corbeil – Bill Boake

That the Committee of Adjustment meeting adjourn at 7:22 p.m.

CARRIED

Chair, John O'Rourke

Greg Kirton, Manager of Planning