



**THE CORPORATION OF THE MUNICIPALITY OF EAST FERRIS
COMMITTEE OF ADJUSTMENT MEETING MINUTES**

September 20, 2023

PRESENT:	Frank Corbeil Bill Boake Terry Kelly	Lauren Rooyakkers Tara Michauville
ABSENT:	John Symons	Steve Austin
STAFF PRESENT:	Greg Kirton, Director of Community Services	Kari Hanselman, Clerk

1. Call to Order

Chair Kelly called the meeting to order at 7:02 p.m.

2. Adoption of Agenda

2023-16

Moved by Lauren Rooyakkers

Seconded by Bill Boake

That the draft agenda presented to the Committee and dated September 20th, 2023 by hereby adopted as circulated.

Carried Chair Kelly

3. Accepting the Minutes of the Previous Meeting(s)

a. Minutes from Meeting on August 16th, 2023

2023-17

Moved by Frank Corbeil

Seconded by Lauren Rooyakkers

That the Minutes of the Committee of Adjustment Meeting of August 16th, 2023 be adopted as circulated.

4. Business Arising from the Minutes

None for this session

5. Disclosure of Pecuniary Interest and General Nature Thereof

None for this session

6. Chair's Comments

None for this session

7. Ratepayer's Delegations

None for this session

8. Public Hearing(s)

- a. A-2023-10 - Tulloch on behalf of Simon Brothers Window and Door Installations Ltd. - 304 Nosbonsing Park Road

A public meeting was held on a Minor Variance application submitted by Tulloch on behalf of Simon Brothers Window and Door Installation Ltd. The applicants are seeking approval for a reduction in the front yard setback from Lake Nosbonsing to 23.2 meters, whereas Zoning By-law No. 2021-60 requires 30 meters. Steve McAurthur presented the application to the Committee.

The North Bay Mattawa Conservation Authority has no objection to the application in principle. The applicants have been in contact with the NMBCA regarding a suitable septic location.

No public input was received at the public hearing and the application was approved.

DECISION OF COMMITTEE ON A MINOR VARIANCE APPLICATION

APPLICANT: Tulloch on behalf of Simon Brothers Window and Door Installations Ltd.

CIVIC ADDRESS: 304 Nosbonsing Park Road

FILE NO.: A-2023-10

PURPOSE: The owner is applying to permit a variance to Zoning By-law 2021-60. The applicant is seeking a minor variance to permit the reduction in the required front yard setback from Lake Nosbonsing to 23.2m from the required 30m.

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 September, 2023.

DECISION: That the requested variance to permit the reduction in the required front yard setback from Lake Nosbonsing to 23.2m from the required 30m for the subject lands be approved.

REASONS FOR DECISION:

- The general purpose and intent of the Official Plan is being maintained;
- The general purpose and intent of the Zoning By-law is being maintained;
- The development is desirable and appropriate for the land and consistent with the neighbourhood; and
- 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.

- b. B-2023-20 to B-2023-23 - Tulloch on behalf of Anthony Rota - 591 South Shore Road

A public meeting was held on Consent applications submitted by Tulloch on behalf of Anthony Rota. The applicant is seeking approval for the creation of four new lots for residential purposes. Steve McAurthur presented the application to the Committee.

The North Bay Mattawa Conservation Authority commented that all lots have adequate room for septic systems. Director of Community Services advised that the lots range in size from 1.4 hectares to 2.1 hectares.

No public input was received at the public hearing and the applications were approved.

DECISION OF COMMITTEE ON A CONSENT APPLICATION

APPLICANT: Tulloch Geomatics on behalf of Anthony Rota

CIVIC ADDRESS: 591 South Shore Road

FILE NO.: B-2023-20 to B-2023-23

PURPOSE: The applicant is requesting consent to sever from the Committee of Adjustment for the purpose of creating four new lots from the property at 591 South Shore Road.

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 September, 2023.

DECISION: That the requested consent to create four new additional 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 Director of Community Services;
- 4) That the applicant pays \$250.00 in finalization fee per consent application prior to the transfer of the parcel of land;
- 5) That the applicant is required to pay \$1,250.00 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 prior to the endorsement of the transfer(s) the owner grants simply unto the Municipality of East Ferris free of any charges, all lands measured 10.0 metres (33 feet) from the centerline of any existing publicly maintained road along the full length of the owner's total holdings being the subject of this consent; and
- 8) That all conditions must be filled within two years 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:

- Conformity with the *Planning Act*
- Public comments submitted

- Conformity with Provincial Policy
- Conformity with East Ferris Official Plan

c. B-2023-24 - Richard Quinn - 234 South Shore Road

A public meeting was held on a Consent application submitted by Richard Quinn. The applicant presented his application to the Committee and is seeking to create one new lot. The severed piece has a dwelling on it now and the retained will be sold to Mr. Quinn's son.

The North Bay Mattawa Conservation Authority commented that there is sufficient room for a septic system. Director of Community Services advised all minimum frontage and setback requirements are met.

A neighbour in attendance at the public hearing addressed the Committee looking for clarification on the application.

The application was approved.

DECISION OF COMMITTEE ON A CONSENT APPLICATION

APPLICANT: Richard Quinn

CIVIC ADDRESS: 234 South Shore Road

FILE NO.: B-2023-24

PURPOSE: The applicant is requesting consent to sever from the Committee of Adjustment for the purpose of creating one new lot from the property at 234 South Shore Road.

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 September, 2023.

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 Director of Community Services;
- 4) That the applicant pays \$250.00 in finalization fee per consent application prior to the transfer of the parcel of land;

5) That the applicant is required to pay \$1,250.00 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 prior to the endorsement of the transfer(s) the owner grants simply unto the Municipality of East Ferris free of any charges, all lands measured 10.0 metres (33 feet) from the centerline of any existing publicly maintained road along the full length of the owner's total holdings being the subject of this consent; and

8) That all conditions must be filled within two years 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:

- Conformity with the *Planning Act*
- Public comments submitted
- Conformity with Provincial Policy
- Conformity with East Ferris Official Plan

9. Correspondence and Information Items

None for this session

10. In-Camera (if required)

None for this session

11. Adjournment

2023-18

Moved by Frank Corbeil

Seconded by Tara Michauville

That the Committee of Adjustment meeting adjourn at 7:33 p.m.

Carried Chair Kelly

Chair

Terry Kelly

Director of Community Services

Greg Kirton