



MUNICIPALITY OF EAST FERRIS
PLANNING ADVISORY COMMITTEE

Wednesday, May 15th, 2019

The Regular Meeting of the Municipality of East Ferris Planning Advisory Committee was held on Wednesday, May 15th, 2019 at 7:00 p.m. at the Corbeil Park Hall.

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

ABSENT (WITH REGRETS): John Symons, Al Herauf

PUBLIC IN ATTENDANCE: Rick Miller, Miller & Urso Surveying and member of the general public

ADOPTION OF AGENDA:

Resolution No. 2019-01
Erika Lougheed – Michel Voyer

THAT the draft agenda presented to the Committee and dated May 15th, 2019 be hereby adopted as circulated.

Carried John O'Rourke

ACCEPTING THE MINUTES OF THE PREVIOUS MEETING(S):

Resolution No. 2019-02
Erika Lougheed – Michel Voyer

THAT the Minutes of the Planning Advisory Committee meeting held April 17th, 2019 be adopted as circulated.

Carried John O'Rourke

DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF:

-None for this Session



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RATEPAYER'S DELEGATIONS:

-None for this Session

PUBLIC HEARINGS:

File No. B-2019-05

Applicant: Michel Lavigne

A public meeting was held on an application submitted by Michel Lavigne for a consent to sever for the purpose of a lot addition from 613 Lavigne Road to the adjacent property at 647 Lavigne Road.

Public Comments:

The agent for the applicant, Rick Miller, advised that this application is a simple lot addition and would not create a new buildable lot.

Resolution No. 2019-03
Erika Loughheed – Michel Voyer

File No. B-2019-05

Applicant: Michel Lavigne

WHEREAS the owner(s) of the lands described as 613 Lavigne Road (Part of Lots 7 & 8, Concession 9, Township of East Ferris) has applied to sever a parcel of land for the purpose of a lot addition to the adjacent property at 647 Lavigne Road.

AND WHEREAS the application is consistent with the Provincial Policy Statement 2014;

AND WHEREAS the application is in conformity with the policies contained within the Official Plan for the Municipality;

THEREFORE BE IT RESOLVED that this application be recommended for approval, 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' Community Planner;



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- 4) That the applicant is required to pay \$250.00 to the Municipality of East Ferris for the Finalization Fee prior to the transfer of the severed 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 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
- 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.

Note(s)

- 1) That the owner is responsible to obtain any required permits from the North Bay Mattawa Conservation Authority prior to the issuance of building permits;
- 2) That the owner is responsible to obtain any required permits from the Ministry of Natural Resources and Forestry (MNRF) and follow the legal requirements of the Endangered Species Act, 2007; and
- 3) That the owner is responsible to obtain an entrance permit to the satisfaction of the Municipal Engineer prior to the issuance of a building permit.

Carried John O'Rourke

No public input was received at the public meeting and PAC is of the opinion that the proposal is consistent with Provincial Policy, the Municipality's Official Plan, Zoning By-law and represents good land use planning.



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File No. B-2019-06

**Applicant: Ron Lavigne on
behalf of Dan Power**

A public meeting was held on an application submitted by Ron Lavigne on behalf of Dan Power for a consent to sever for the creation of a new lot. The application is identical to an application that was supported by the Planning Advisory Committee and approved by Council in 2017 under file B-2017-09. The applicant did not fulfill their conditions within the required one-year time frame so they must reapply under the rules for consents.

Public Comments:

Ron Lavigne addressed the Committee and stated he is requesting a consent to create a new lot.

Resolution No. 2019-04
Frank Corbeil – Bill Boake

File No. B-2019-06

**Applicant: Ron Lavigne on
behalf of Dan Power**

WHEREAS the owner(s) of the lands described as 42 Lavigne Road (Lot 13 and Part of Lot 14, Concession 10) has applied to sever a parcel of land for the creation of one new lot. The proposed lot will have approximately 100 metres of frontage on Lavigne Road and an area of 1 hectares;

AND WHEREAS the application is consistent with the Provincial Policy Statement 2014;

AND WHEREAS the application is in conformity with the policies contained within the Official Plan for the Municipality;

THEREFORE BE IT RESOLVED that this application be recommended for approval, 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' Community Planner;



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- 4) That the applicant is required to pay \$250.00 to the Municipality of East Ferris for the Finalization Fee prior to the transfer of the severed land;
- 5) That the applicant is required to pay \$250.00 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 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.

Note(s)

- 4) That the owner is responsible to obtain any required permits from the North Bay Mattawa Conservation Authority prior to the issuance of building permits;
- 5) That the owner is responsible to obtain any required permits from the Ministry of Natural Resources and Forestry (MNRF) and follow the legal requirements of the Endangered Species Act, 2007; and
- 6) That the owner is responsible to obtain an entrance permit to the satisfaction of the Municipal Engineer prior to the issuance of a building permit.

Carried John O'Rourke

No public input was received at the public meeting and PAC is of the opinion that the proposal is consistent with Provincial Policy, the Municipality's Official Plan, Zoning By-law and represents good land use planning.



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File No. B-2019-07

Applicant: Ron Cooke

A public meeting was held on an application submitted by Ron Cooke for consent to sever for the purposes of a lot addition from 41 Northwoods Drive to the adjacent property at 55 Northwoods Drive. The consent would serve to provide additional land to the adjacent parcel and would not create a new developable lot.

Public Comments

Ron Cooke addressed the Committee and explained that he owns both 41 and 55 Northwoods Drive and requires the consent in order to correct a previous error. In 2006 Mr. Cooke applied to close and purchase the shoreline road allowance; however, during that process the road allowance in front of 55 Northwoods Drive was mistakenly merged with the 41 Northwoods Drive and the applicant is seeking the consent in order to remedy that issue.

Mr. Corbeil asked who would have made this previous error. Mr. Kirton advised that it is unclear as to whether it was a mistake on the part of the municipality or on the lawyer. Discussions were had whether it is fair to the applicant to have to pay the legal fees associated with transfer once again.

Resolution No. 2019-05

Bill Boake - Frank Corbeil

File No. B-2019-07

Applicant: Ron Cooke

WHEREAS the owner(s) of the lands described as 41 Northwoods Drive (Part of Lot 11, Concession 3, Part 15, Plan NR-5, Township of East Ferris) has applied to sever a parcel of land for the purpose of a lot addition to the adjacent property at 55 Northwoods Drive.

AND WHEREAS the application is consistent with the Provincial Policy Statement 2014;

AND WHEREAS the application is in conformity with the policies contained within the Official Plan for the Municipality;



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THEREFORE BE IT RESOLVED that this application be recommended for approval, 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' Community Planner;
- 4) 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;
- 5) 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
- 6) 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.

Note(s)

- 7) That the owner is responsible to obtain any required permits from the North Bay Mattawa Conservation Authority prior to the issuance of building permits;
- 8) That the owner is responsible to obtain any required permits from the Ministry of Natural Resources and Forestry (MNRF) and follow the legal requirements of the Endangered Species Act, 2007; and
- 9) That the owner is responsible to obtain an entrance permit to the satisfaction of the Municipal Engineer prior to the issuance of a building permit.

Carried John O'Rourke

No public input was received at the public meeting and PAC is of the opinion that the proposal is consistent with Provincial Policy, the Municipality's Official Plan, Zoning By-law and represents good land use planning.



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Resolution No. 2019-06

Michel Voyer – Erika Lougheed

THAT the Planning Advisory Committee recommend Council pay for all legal fees associated with the land transfer for File B-2019-07.

Carried John O'Rourke

File No. SB-2018-03, C-201803

Applicant: Nosbonsing Park Limited

A public meeting was held on an application submitted by Nosbonsing Park Limited for a proposed draft plan of subdivision and zoning by-law amendment for 8 waterfront lots.

Public Comments:

Agent for the applicant, Rick Miller, addressed the Committee and stated there was nothing to add to what was already presented at the previous two public hearings regarding this application.

Mr. Kirton read to the Committee additional correspondence that was received regarding the application; a letter Christine Joly of 84 Birch Hill Road. The letter expressed concerns for wildlife in the area, effects on the lake, algae break outs, and flooding.

Mr. Kirton also shared with the Committee comments received from the Municipal Engineer, Antoine Boucher, regarding driveway and drainage location for Lot 8. Mr. Boucher would request the developer ensures to meet proper site lines for entrances on each lot as well as a Storm Water Management Plan be submitted to the Municipality.

Mark LaRouche and Melanie McVeety of 406 Nosbonsing Park Road provided the Committee members with a letter dated May 12, 2019 along with photographs of the water run off on their property and data relating to phosphorus concentration in Lake Nosbonsing. Mr. LaRouche and Ms. McVeety requested a 60 meter buffer to address property run off concerns. The Committee deemed not to include the 60 meter buffer as per Ms. McVeety's request. It was also requested that Nosbonsing Park Road be permanently repaired before any development on the proposed lots begin. Mr. Kirton and Councillor Voyer advised that Council has directed the Public Works Committee to explore the possibility of road upgrades on Nosbonsing Park Road and produce a report for their consideration.



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Brian Paxton of 66 Birch Hill Road addressed the Committee with questions regarding a policy for new lots. Mr. Paxton was advised that the municipality does have a policy for the creation of new lots, aside from the west basin of Lake Nosbonsing. Mr. Paxton was told new lot creation was not allowed on the lake.

Christine Joly spoke to the Committee regarding her concerns about the development.

Resolution No. 2019-07
Michel Voyer – Bill Boake

File No. SB-2018-03, C-201803

Applicant: Nosbonsing Park Limited

WHEREAS the owner(s) of the lands described as Park Broken Lot 5 & Part Original Road Allowance in front of Broken Lot 5, Concession 5, Township of East Ferris, District of Nipissing on what is locally known as Nosbonsing Park Road has applied for a draft plan of subdivision and zoning by-law amendment for the purpose of creating a new 8 lot, waterfront residential development, be approved, with the following conditions stated below:

AND WHEREAS the application has regard for the criteria of Section 51(24) of the *Planning Act*;

AND WHEREAS the application is consistent with the Provincial Policy Statement 2014;

AND WHEREAS the application is in conformity with the policies contained within the Official Plan for the Municipality;

THEREFORE BE IT RESOLVED that this application be recommended for approval, conditional upon the following:

- 1) That confirmation is provided that all taxes are paid up to date;
- 2) That this approval expires 3 years from the date of approval shown on the face of the draft plan. If there is an appeal to the Local Planning Appeal Tribunal, the 3 year expiration period does not begin until the date of the order of the Local Planning Appeal Tribunal issued in respect of the appeal or from the date of notice issued by the tribunal.
- 3) This draft approval applies to the plan of subdivision prepared by Miller & Urso Surveying as shown on Appendix C of the staff planning report, dated February 8th,



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2018.

- 4) That prior to signing the final plan by the municipality, the proposed subdivision conforms to the Zoning By-law or with respect to any zoning conditions or changes related to this application.
- 5) That the owner agrees in writing, by way of entering into an agreement, to satisfy all requirements, financial and otherwise of the Municipality of East Ferris concerning provision of road, installation of services, drainage, and any other aspect of the development proposal.
- 6) That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
- 7) That the owner agrees to convey up to 5% of the land included in the plan or cash-in-lieu to the Municipality for park or other public recreational purposes.
- 8) That the Subdivision Agreement between the owner and the Municipality be registered by the Municipality against the lands to which it applies once the plan of subdivision has been registered prior to any encumbrances.
- 9) That before Municipal Council's final approval is given, the Council shall be advised in writing by the Manager of Planning and Economic Development how condition no. 7 has been satisfied.
- 10) That a 15m side yard setback be provided along lot 8 on the southerly side adjacent to the neighboring property.

Notes

- 1) That the owner is responsible to obtain any required permits from the North Bay-Mattawa Conservation Authority prior to the issuance of building permits;
- 2) That the owner is responsible to obtain any required permits from the Ministry of Natural Resources and Forestry (MNRF) and follow the legal requirements of the Endangered Species Act, 2007; and

Carried John O'Rourke

Public input was received at the public meeting and the following changes were made to the proposal to reflect the changes proposed by the public:



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The condition that a 15m side yard setback be provided along lot 8 on the southerly side adjacent to the neighboring property.

John O'Rourke, Chair of the PAC, requested a recorded vote on the above resolution:

	<u>YEA</u>	<u>NAE</u>
Bill Boake	X	
Frank Corbeil	X	
Erika Lougheed		X
Michel Voyer	X	
John O'Rourke	X	

ADJOURNMENT:

Resolution No. 2019-08
Bill Boake – Frank Corbeil

THAT the Planning Advisory Committee meeting adjourn at 8:53 pm.

Carried John O'Rourke

Chair

Planner