



COMMITTEE OF ADJUSTMENT
Wednesday, May 19th, 2021

The regular Meeting of the Municipality of East Ferris Committee of Adjustment was held on Wednesday, May 19th, 2021 at 7:00 p.m. via Zoom.

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

EXCUSED ABSENT: Bill Boake

ALSO IN ATTENDANCE: Rick Miller from Miller & Urso Surveying, Luke and Valerie Foy, Joanna and Waldemar Wein

1. ADOPTION OF AGENDA:

Resolution No. 2021-10
Al Herauf – Frank Corbeil

THAT the draft agenda presented to the Committee and dated the 19th day of May, 2021 be hereby adopted as circulated.

CARRIED

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

Resolution No. 2021-11
Frank Corbeil – Terry Kelly

THAT the Minutes of the Committee of Adjustment Meeting of April 21st, 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) B-2021-02
Miller & Urso Surveying on behalf of Susan Hutchinson – Vacant Land
Nosbonsing Park Road

A public meeting was held on an application submitted by Miller & Urso Surveying on behalf of Susan Hutchinson requesting permission from the Committee to create one new lot for residential purposes. Mr. Miller spoke to the application. The property is approximately 30 acres, and 2.5 acres will be severed off the south west corner of the property. The severed portion will have 60 metres of frontage. A portion of the property is low lying, but there is approximately 10 to 12 acres of the remaining property that is high and dry.

Mr. Kirton advised this application was deferred from the March 17th, 2021 Committee of Adjustment meeting in order to give the North Bay Mattawa Conservation Authority more time to conduct a site visit. No concerns were identified. No other comments were received.

Chair O'Rourke confirmed no public was waiting to comment on the application.

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-2021-02):

Erika Loughheed – Frank Corbeil – Al Herauf – John O'Rourke – 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 19th day of May, 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;



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- 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.

b) B-2021-15
Luke and Valerie Foy – 1305 Centennial Crescent

A public meeting was held on an application submitted by Luke and Valerie Foy requesting permission from the Committee to create one new lot for residential purposes. The Foy's spoke to their application. They currently have no plans to



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build on the property, rather see it as a nest egg. An ecological survey of the property was completed by FRI Ecological as there are some wetlands at the rear of the property.

Mr. Kirton supports the application with a condition that the recommendations in the report submitted by FRI Ecological be implemented to the satisfaction of municipal staff. No other comments were received.

Chair O'Rourke confirmed no public was waiting to comment on the application.

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-2021-15):

Erika Lougheed – Frank Corbeil – Al Herauf – John O'Rourke – 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 19th day of May, 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



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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.
- 9) That the recommendations in the report submitted by FRI Ecological be implemented to the satisfaction of municipal staff.

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-2021-16 & B-2021-17
Joanne and Waldemar Wein – 896 Macpherson Drive

A public meeting was held on applications submitted by Joanna and Waldemar Wein requesting permission from the Committee to create two new lots for residential purposes. The Wein's spoke to their applications. The first lot to the east will be approximately 2 acres and the lot to the west will be approximately 4 acres. They have maintained the property for many years, and perhaps may sell for residential purposes in the future.

The North Bay Mattawa Conservation Authority had no objection to the applications. There are no watercourses or wetlands on the property. No other comments were received.



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Chair O'Rourke confirmed no public was waiting to comment on the application.

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-2021-16 & B-2021-17):

Erika Lougheed – Frank Corbeil – Al Herauf – John O'Rourke – 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 19th day of May, 2021.

DECISION: That the requested consent to create two new additional lot 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 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.

7. IN-CAMERA: None for this session

8. CORRESPONDENCE

The Committee discussed changing the times of Committee of Adjustment and Planning Advisory Committee meetings due to the contentious matter of some Planning Advisory Committee applications. PAC meetings tend to extend beyond the current half hour allotment. The Committee will discuss further at the next meeting.

9. ADJOURNMENT:

Resolution No. 2021-12
Frank Corbeil – Al Herauf

That the Committee of Adjustment meeting adjourn at 8:33 p.m.

CARRIED

Chair, John O'Rourke

Greg Kirton, Manager of Planning