



COMMITTEE OF ADJUSTMENT
Wednesday, January 19th, 2022

The regular Meeting of the Municipality of East Ferris Committee of Adjustment was held on Wednesday, January 19th, 2022 at 7:00 p.m. via Zoom.

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

EXCUSED ABSENT: John O'Rourke, John Symons, Terry Kelly

ALSO IN ATTENDANCE: Ryan Humble, Michel Champagne

Resolution No. 2022-01
Al Herauf – Bill Boake

THAT Frank Corbeil be appointed Acting Chair as per section 3.7 of the Municipality's Procedural By-law No. 2020-17 for the purpose of the Committee of Adjustment meeting being held on January 19th, 2022.

CARRIED

1. ADOPTION OF AGENDA:

Resolution No. 2022-02
Bill Boake – Erika Lougheed

THAT the draft agenda presented to the Committee and dated the 19th day of January, 2022 be hereby adopted as circulated.

CARRIED

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

Resolution No. 2022-03
Bill Boake – Al Herauf

THAT the Minutes of the Committee of Adjustment Meeting of November 17th, 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



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5. BUSINESS ARISING FROM THE LAST MEETING: None for this session

6. PUBLIC HEARING:

a) B-2021-39

Jordyn Vaillancourt, Carlyle Strang, Drew Hampel – 68 Cedar Bay Road

A public meeting was held on an application submitted by Jordyn Vaillancourt, Carlyle Strang, and Drew Hampel requesting permission from the Committee to create one new lot for residential purposes. Ryan Humble presented the application to the Committee on the applicant's behalf. They are requesting to sever approximately 3.5 to 4 acres off the 14 acres they purchased in the fall.

This is the first application since the Lake Nosbonsing water quality study was completed last year. The property falls within the west basin. Prior to the lake study being completed there was a moratorium on lot development where septic systems could not be placed within 300 metres of the lake. This lot is close to meeting the 300 m setback, but does not. Prior policies would not allow approval, but since the study identified a capacity of three additional lots where septic systems could have a 300 metre setback from the shoreline, Mr. Kirton supports the application. The property meets all other setback and lot area requirements, and the general intent of the Official Plan is being maintained.

Since this application was deferred from the last meeting, the Conservation Authority did conduct a site visit. Mr. Kirton did receive verbal confirmation that they no longer had any concerns about a suitable septic location, but no official letter has been received. The Committee agreed to approve the application with the condition that official comments be received from the Conservation Authority regarding the septic system.

DECISION OF CONSENT (File B-2021-39):

Bill Boake - Frank Corbeil – Al Herauf – Erika Loughheed

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 January, 2022.

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 \$1,000.00 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.
- 9) That official confirmation of a suitable septic location be received from the North Bay Mattawa Conservation Authority.

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.



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- b) B-2021-41 to B-2021-44**
Steven Bon – Vacant Land Cedar Bay and South Shore Road

Resolution No. 2022-04
Bill Boake – Erika Lougheed

THAT the Public Hearing for File No. B-2021-41 to B-2021-44 (Steven Bon – Vacant land Cedar Bay and South Shore Road) be deferred to the February 16th, 2022 Committee of Adjustment Meeting.

CARRIED

- c) B-2021-47 to B-2021-48**
Michel Champagne – 10 Derland Road

A public meeting was held on applications submitted by Michel Champagne requesting permission from the Committee to create two new lots for residential purposes.

Mr. Champagne spoke to his applications. The lot on Derland Road is mainly forested and approximately two acres. The lot on Corbeil Road is rough, stony pasture that his cattle cannot access. Mr. Kirton advised that the Official Plan specifies a preference to keep suitable farmland, but the applicant has explained why these two lots are not suitable for farm or pasture.

The Conservation Authority requested the application be deferred in order to conduct a site visit in the spring to confirm suitable septic locations. The Committee agreed to defer the application until confirmation from the Conservation Authority has been received.

Resolution No. 2022-05
Al Herauf – Bill Boake

THAT Consent Applications No. B-2021-47 and B-2021-48 (Michel Champagne – 10 Derland Road) be deferred to a future meeting pending a site inspection by the North Bay Mattawa Conservation Authority to determine suitable septic locations.

CARRIED



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d) B-2021-49
Marc and Donna Carriere – 120 Eglinton Road North

A public meeting was held on an application submitted by Marc and Donna Carriere requesting permission to allow for a lot addition to the adjacent lands at 38 Eglinton Road North. The applicants were not present at the public hearing, but the Committee agreed to let Mr. Kirton speak to the application.

No public input was received on the application, and no objections were received from Hydro or the Conservation Authority. Frontages of both properties will not be affected. Lot area requirements are also exceeded. The application was approved as requested.

DECISION OF CONSENT (File B-2021-49):

Bill Boake - Frank Corbeil – Al Herauf – Erika Loughheed

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 January, 2022.

DECISION: That the requested consent for a lot addition 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 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



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- 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*
- 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:** None for this session

9. **ADJOURNMENT:**

Resolution No. 2022-06

Al Herauf – Erika Loughheed

That the Committee of Adjustment meeting adjourn at 7:37 p.m.

CARRIED

Chair, John O'Rourke

Greg Kirton, Manager of Planning