# A G E N D A

## WEST NIPISSING COMMITTEE OF ADJUSTMENT

## MEETING HELD ON JUNE 14, 2021 – 7:00PM

**Join Zoom Meeting**
https://www.westnipissing.ca/town-hall/council/council-meetings/
**1 647 558 0588**
**Meeting ID: 265 014 1204**
**Participant: #**
**Password: 654321**
**YouTube Link:** https://www.youtube.com/channel/UCG6HWMXnA-RBiH-UdZVClHg

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**1.** Meeting called to Order;

**2.** Declaration of Pecuniary Interest;

**3.** Approval of Agenda for June 14, 2021;

**4.** Adoption of Minutes of May 10, 2021 meeting;

**5.** Agency Comments;

**6.** Consent and Minor Variance Applications

| File No. | Applicant/Agent | Address | Geographic Location | Purpose |
|---|---|---|---|---|
| C33/21 | Patro, Walter | 43 Riding Stable Rd | Pedley | New Lot (1) |
| C34/21 | Bonin, Denis and Anne | 249 Quesnel Rd | Springer | New Lot (1) |
| C35/21 | Quesnel, Edgar and Marie | 486 Quesnel Rd | Springer | New Lots (2) |
| C39/21 | Maclean, Clifford and Alynn | 11 Ayotte Rd | Crerar | New Lots (3) |
| MV2021-04 | Birfir, Igor | 161 Main St | Springer | Reduce minimum parking spaces from 1.25 spaces per unit to 0.625 spaces per unit |
| MV2021-05 | Golden, Deborah and Keith | 1453 Tomiko Rd | Grant | Exemption from paragraph 4.22 (d) prohibiting galvanized steel buildings in a Shoreline Residential zone |
| C03/20 | Trepanier, Armand and Diane | Water access only | Gibbons | Amend conditions of provisional consent |

**7.** Adjournment.

MINUTES

**Municipality of West Nipissing**
**Meeting of the Committee of Adjustment**
**Held on May 10, 2021 at 6:00 PM**
**Chair: Denis Sénécal**

| **PRESENT:** | Fernand Pellerin<br>Normand Roberge<br>Roger Gagnon<br>Denis Sénécal<br>Christopher Fisher | **ABSENT:** |
|---|---|---|

## CALL TO ORDER

**RESOLUTION #2021/038**
Moved by: **Christopher Fisher** Seconded by: **Roger Gagnon**

That the Agenda for the Committee of Adjustment meeting of May 10th, 2021 be adopted, as presented. **CARRIED**

## MINUTES

**RESOLUTION #2021/039**
Moved by: **Christopher Fisher** Seconded by: **Denis Sénécal**

That the Minutes of the Committee of Adjustment meeting held on April 12th, 2021, be adopted, as presented. **CARRIED**

## APPLICATIONS FOR MINOR VARIANCE AND CONSENT

**C07/2021 - Application for Consent by Robert Larabie (Owner)**
Robert Larabie to create a new lot at 620 Sandhill Road, Sturgeon Falls. Part of Lot 6, Concession 1, Springer Township, Municipality of West Nipissing, District of Nipissing.

**RESOLUTION #2021/040**
Moved by: **Christopher Fisher** Seconded by: **Denis Sénécal**

**CONDITIONS:**

| | |
|---|---|
| 1. | That a Reference Plan be prepared and deposited in the Land Registry Office and a copy of the new survey be filed with the Municipality. |
| 2. | Confirmation that all property taxes are paid up to date. |
| 3. | That all conditions be met on or before a date being one year from the date of giving of notice or the consent shall be deemed not to have been given as per Section 53(20) of the Planning Act, R.S.O., as amended. |
| 4. | That a Transfer/Deed of Land be submitted to the Secretary-Treasurer for the issuance of a Certificate of Consent. |

| | |
|---|---|
| 5. | That a PIN Consolidation be filed in the Land Registry Office in order to consolidate the lot addition lands with the lands to which it is being added. |
| 6. | That the owner provides a written acknowledgement pursuant to S. 4.23.3 that the subject lands are partially fronting on lands which have not been assumed by the Municipality as a highway within the definition of the *Municipal Act,* 2001. |
| 7. | The owners shall, pursuant to Section 65(2) of the Drainage Act, R.S.O., 1990 (the "Act"), enter into an Agreement with regard to their respective share(s) of the drainage assessment for the severed and retained lands and shall file such agreement with the Clerk of the Municipality of West Nipissing, for the approval by the Council for the Municipality of West Nipissing. In the event that the Agreement of the parties is not acceptable to the Council of the West Nipissing Municipality, the provisions of Section 65(1) of the Act shall apply.<br>- **Cedar Grove Drain** |

**CARRIED**

**C28/2021 - Application for Consent by Jean-Guy Gingras (Owner)**
A consent application made by Jean-Guy Gingras to create a new lot at Highway 64, Sturgeon Falls, Ontario. Part of Lot 5, Concession 3, Part 1, 36R10350, Springer Township, Municipality of West Nipissing, District of Nipissing.

- Lorraine Ricard-Dupuis requested information about the severance and a second entrance to her property.

**RESOLUTION #2021/041**
Moved by: **Denis Sénécal** Seconded by: **Roger Gagnon**

**CONDITIONS:**

| | |
|---|---|
| 1. | That a Reference Plan be prepared and deposited in the Land Registry Office and a copy of the new survey be filed with the Municipality. |
| 2. | Confirmation that all taxes are paid up to date. |
| 3. | That all conditions be met on or before a date being one year from the date of giving of notice or the consent shall be deemed not to have been given as per Section 53(20) of the Planning Act, R.S.O., as amended. |
| 4. | That a Transfer/Deed of Land be submitted to the Secretary Treasurer for the issuance of a Certificate of Consent. |
| 5. | That written confirmation be obtained from the Ministry of Transportation that an entrance permit can be issued for the subject property. |

**CARRIED**

**C29/2021 - Application for Consent by Richard and Danielle Lemieux (Owner)**
A consent application made by Richard and Danielle Lemieux to create a new lot at 343 Duck Creek Road, Monetville, Ontario. Part of Lot 5, Concession 5, Part 2, 36R14362, Loudon Township, Municipality of West Nipissing, District of Nipissing.

**RESOLUTION #2021/042**
Moved by: **Denis Sénécal** Seconded by: **Fernand Pellerin**

**CONDITIONS:**

| | |
|---|---|
| 1. | That a Reference Plan be prepared and deposited in the Land Registry Office and a copy of the new survey be filed with the Municipality. |
| 2. | Confirmation that all taxes are paid up to date. |
| 3. | That all conditions be met on or before a date being one year from the date of giving of notice or the consent shall be deemed not to have been given as per Section 53(20) of the Planning Act, R.S.O., as amended. |
| 4. | That a Transfer/Deed of Land be submitted to the Secretary Treasurer for the issuance of a Certificate of Consent. |

**CARRIED**

**C30/2021 - Application for Consent by Mihaela Bojanska (Owner)**
A consent application made by Mihaela Bojanska to create two (2) new lots at 889 Piquette Road, Verner, Ontario. E ½ of E ½ Lot 7, Con 3, Kirkpatrick Township, Municipality of West Nipissing, District of Nipissing.

- Frank Pacheco requested information about the part of the property which will be naturally severed by the road.

**RESOLUTION #2021/043**
Moved by: **Roger Gagnon** Seconded by: **Christopher Fisher**

**CONDITIONS:**

| | |
|---|---|
| 1. | That a Reference Plan be prepared and deposited in the Land Registry Office and a copy of the new survey be filed with the Municipality. |
| 2. | Confirmation that all taxes are paid up to date. |
| 3. | That all conditions be met on or before a date being one year from the date of giving of notice or the consent shall be deemed not to have been given as per Section 53(20) of the Planning Act, R.S.O., as amended. |
| 4. | That a Transfer/Deed of Land be submitted to the Secretary Treasurer for the issuance of a Certificate of Consent. |
| 5. | That any portion municipally maintained and travelled road located on the subject land be conveyed to the Municipality of West Nipissing. |
| 6. | Pursuant to Section 76(1) of the Drainage Act, R.S.O., 1990 (the "Act"), the municipality shall appoint the Engineer to prepare a report to re-apportion the assessment for maintenance of the Krause-Piquette and Turcotte-Piquette Drains, for which the Applicant/Owner shall be responsible for all costs associated therewith, in the absolute discretion of the Drainage Engineer who may vary such assessments as he or she deems appropriate. |

**CARRIED**

**C31/2021 - Application for Consent by Daniel and Linda Leduc (Owners)**
A consent application made by Daniel and Linda Leduc to create a new lot at 185 Leduc Road, Field, Ontario. N ½ Lot 7, Concession 6, Badgerow Township, Municipality of West Nipissing, District of Nipissing.

- Member Fisher noted that he owns abutting land but has no conflict of interest.

**RESOLUTION #2021/044**
Moved by: **Christopher Fisher** Seconded by: **Fernand Pellerin**

**CONDITIONS:**

| | |
|---|---|
| 1. | That a Reference Plan be prepared and deposited in the Land Registry Office and a copy of the new survey be filed with the Municipality. |
| 2. | Confirmation that all taxes are paid up to date. |
| 3. | That all conditions be met on or before a date being one year from the date of giving of notice or the consent shall be deemed not to have been given as per Section 53(20) of the Planning Act, R.S.O., as amended. |
| 4. | That a Transfer/Deed of Land be submitted to the Secretary Treasurer for the issuance of a Certificate of Consent. |
| 5. | That any portion municipally maintained and travelled road located on the subject land be conveyed to the Municipality of West Nipissing. |

**CARRIED**

**C32/2021 - Application for Consent by David Nieuwenhuis (Owner)**
A consent application made by David Nieuwenhuis to create three (3) new lots at Douglas Road, North Monetville, Ontario. N ½ Lot 12, Concession 6, Falconer Township, Municipality of West Nipissing, District of Nipissing.

**RESOLUTION #2021/045**
Moved by: **Christopher Fisher** Seconded by: **Roger Gagnon**

**CONDITIONS:**

| | |
|---|---|
| 1. | That a Reference Plan be prepared and deposited in the Land Registry Office and a copy of the new survey be filed with the Municipality; |
| 2. | Confirmation that all taxes are paid up to date. |
| 3. | That all conditions be met on or before a date being one year from the date of giving of notice or the consent shall be deemed not to have been given as per Section 53(20) of the Planning Act, R.S.O., as amended. |
| 4. | That a Transfer/Deed of Land be submitted to the Secretary Treasurer for the issuance of a Certificate of Consent. |
| 5. | That any portion municipally maintained and travelled road located on the subject land be conveyed to the Municipality of West Nipissing. |

**CARRIED**

**MV2021-03 - Application for Minor Variance by Samuel Kolesnichenko (Owner)**
A minor variance application made by Samuel Kolesnichenko to reduce minimum front yard set back from 18m to 8.59m for voluntary reconstruction of cottage at 551 Lemieux Road, Monetville. Summer Resort Location, Part Broken Lot 10, Concession 2, Loudon Township, Municipality of West Nipissing, District of Nipissing.

**RESOLUTION #2021/046**
Moved by: **Roger Gagnon** Seconded by: **Christopher Fisher**

**CARRIED**

## ADJOURNMENT

**RESOLUTION #2021/047**
Moved By: **Christopher Fisher** Seconded by: **Roger Gagnon**

**BE IT RESOLVED THAT** the West Nipissing Committee of Adjustment meeting be adjourned to June 14, 2021.

**CARRIED**

West Nipissing Ouest

WEST NIPISSING COMMITTEE OF ADJUSTMENT

**MEETING HELD JUNE 14, 2021**

# RECORD OF ALL COMMENTS

| APPLICATION | BELL CANADA | MTO | HYDRO ONE | GREATER SUDBURY UTILITIES | CN / CP RAILWAYS | PUBLIC WORKS DEPT. | BUILDING DEPT. |
|---|---|---|---|---|---|---|---|
| C33/21 | • | • MTO building/land use permits are required for any proposed buildings, wells or septic systems located within 45 meters of the MTO right-of-way (ROW) limits or within 395 metres of any intersection along Highway 17 and 180 metres of any intersection along Highway 539A.<br>• An MTO Entrance permits are required prior to the construction of any new entrances or to reflect any changes in land use ownership.<br>• MTO Sign permit(s) are required for the placement of any signs within 400 m of the limit of the highway. | • | • No objections | • | • Not a Municipally maintained road<br>• Should enquire with who maintains the road for any potentially required permits | • No issues |
| C34/21 | • | • No objections | • No comments or concerns | • | • | • No water<br>• No sanitary<br>• No foreseeable roads issues | • No issues |
| C35/21 | • | • No objections | • No comments or concerns | • No objections | • | • No water<br>• No sewer<br>• No concerns | • No issues |
| C39/21 | • | • MTO building/land use permits are required for any proposed buildings, wells or septic systems located within 45 meters of the MTO right-of-way (ROW) limits or within 395 metres of any intersection along Highway 17 and 180 metres of any intersection along Highway 539A.<br>• An MTO Entrance permits are required prior to the construction of any new entrances or to reflect any changes in land use ownership.<br>• MTO Sign permit(s) are required for the placement of any signs within 400 m of the limit of the highway. | • | • No objections | • | • Not a Municipally maintained road<br>• MTO jurisdiction | • No issues |

West Nipissing Ouest

WEST NIPISSING COMMITTEE OF ADJUSTMENT

**MEETING HELD JUNE 14, 2021**

# RECORD OF ALL COMMENTS

| APPLICATION | BELL CANADA | MTO | HYDRO ONE | GREATER SUDBURY UTILITIES | CN / CP RAILWAYS | PUBLIC WORKS DEPT. | BUILDING DEPT. |
|---|---|---|---|---|---|---|---|
| MV2021/04 | • | • No objections | • | • No objections | • | • Potential by law parking issues du to shortage of parking<br>• Must ensure snow will not be stored within municipal ROW<br>• Must ensure building is adequately serviced for water and sewer to meet future needs | • No issues |
| MV2021/05 | • | • No objections | • | • No objections | • | • No water<br>• No sewer<br>• No concerns | • No issues |

# PLANNING SUMMARY REPORT
# CONSENT APPLICATION NO. C33/21

| | |
|---|---|
| **Registered Owner(s)** | Walter Patro |
| **Agent(s)** | N/A |
| **Property Location** | 43 Riding Stable Road<br>Part Lot 1, Concession 1, Pedley Township, Municipality of West Nipissing |
| **Purpose and Effect of Application** | Creation of one (1) new lot |
| **Current Zoning** | RU |
| **Official Plan Land Use** | Rural |
| **Consistent with PPS (2014)** | Yes |
| **Conditions of Approval, if any** | 1. That a Reference Plan be prepared and deposited in the Land Registry Office and a copy of the new survey be filed with the Municipality;<br>2. Confirmation that all property taxes are paid up to date;<br>3. That all conditions be met on or before a date being one year from the date of giving of notice or the consent shall be deemed not to have been given as per Section 53(20) of the Planning Act, R.S.O., as amended.<br>4. That a Transfer/Deed of Land be submitted to the Secretary-Treasurer for the issuance of a Certificate of Consent.<br>5. That written acknowledgment be provided to the Municipality of West Nipissing pursuant to S. 4.23.3 of the West Nipissing Zoning By-Law regarding the unmaintained, un-assumed status of Riding Stable Road. |
| | Severance be granted subject to conditions of approval. |

**FILE: C33/21**

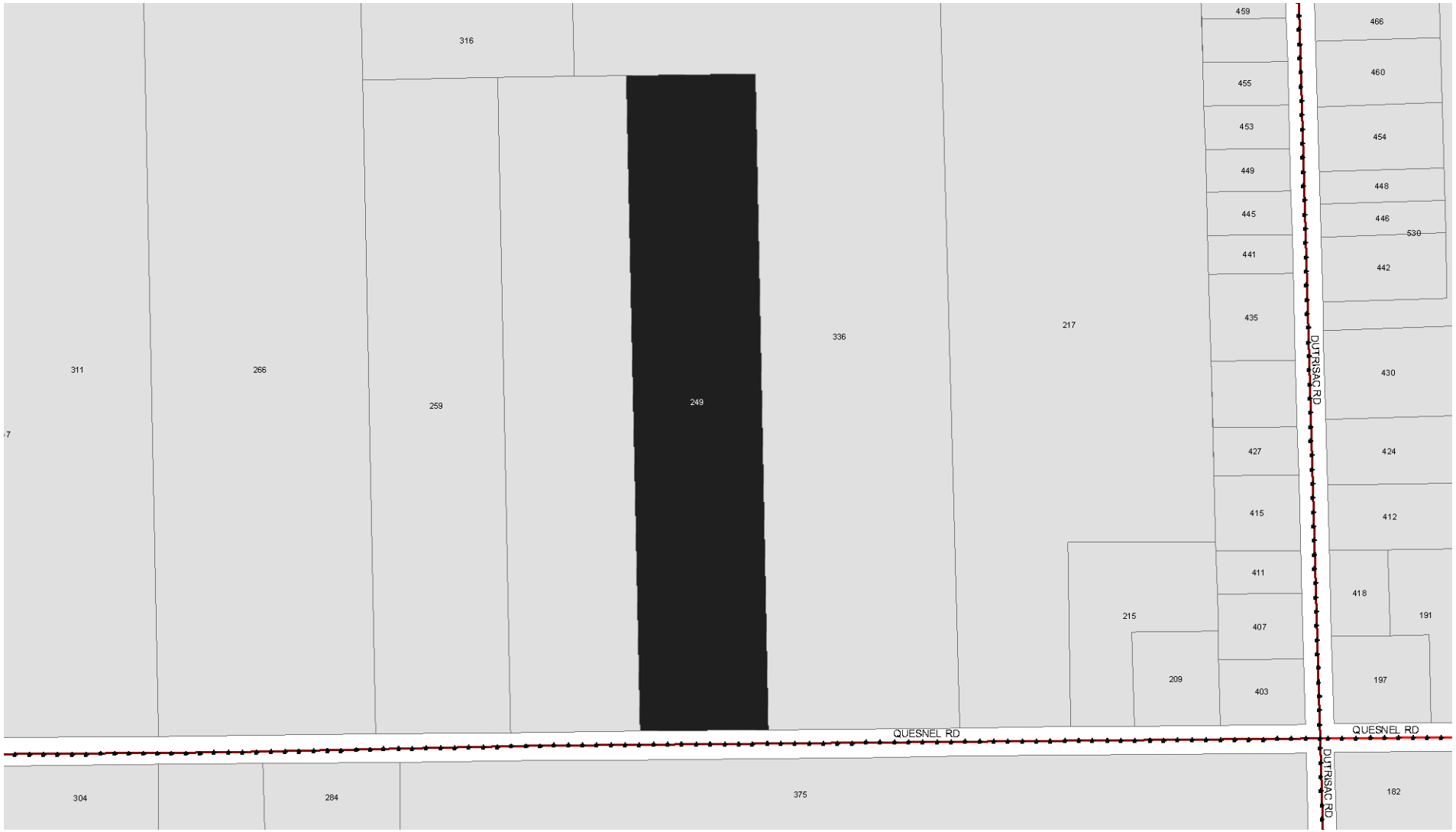
**APPLICANT: WALTER PATRO**

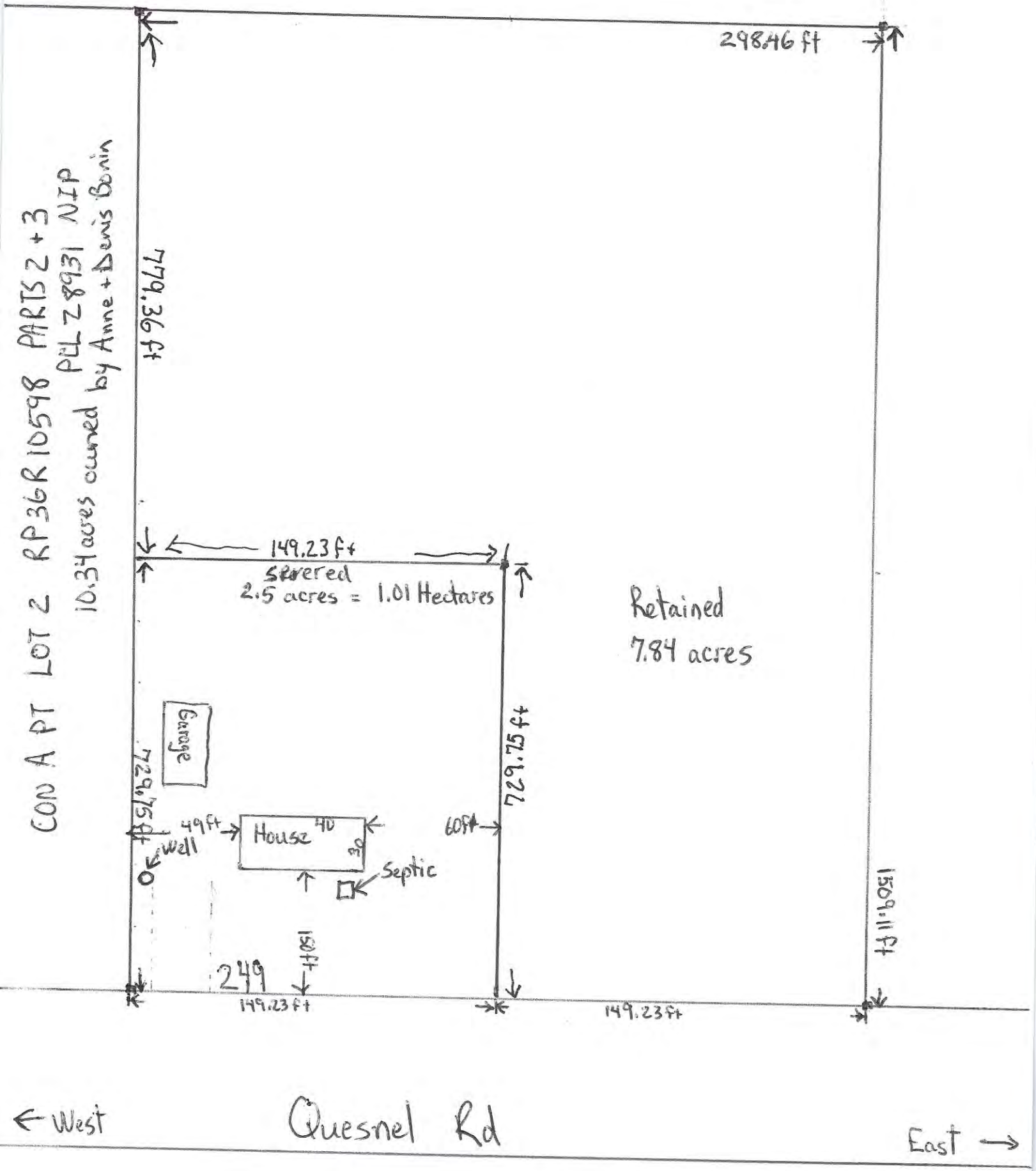
**PROPERTY: 43 RIDING STABLE ROAD**

# PLANNING SUMMARY REPORT
# CONSENT APPLICATION NO. C34/21

| | |
|---|---|
| **Registered Owner(s)** | Denis and Anne Bonin |
| **Agent(s)** | N/A |
| **Property Location** | 249 Quesnel Road<br>Part Lot 2, Concession A, 36R10598 Part 4, Springer Township, West Nipissing |
| **Purpose and Effect of Application** | Creation of one (1) new lot |
| **Current Zoning** | RU |
| **Official Plan Land Use** | Rural |
| **Consistent with PPS (2014)** | Yes |
| **Conditions of Approval, if any** | 1. That a Reference Plan be prepared and deposited in the Land Registry Office and a copy of the new survey be filed with the Municipality;<br>2. Confirmation that all property taxes are paid up to date;<br>3. That all conditions be met on or before a date being one year from the date of giving of notice or the consent shall be deemed not to have been given as per Section 53(20) of the Planning Act, R.S.O., as amended.<br>4. That a Transfer/Deed of Land be submitted to the Secretary-Treasurer for the issuance of a Certificate of Consent.<br>5. That the owner shall convey, at no cost to the municipality, any portion of the municipally maintained travelled road located on the property. |
| | Severance be granted subject to conditions of approval. |
| **Additional Comments** | Concurrent Zoning By-Law Amendment file ZBLA2021/07. |

**FILE NO: C34-21**
**APPLICANT: Denis and Anne Bonin**
**PROPERTY: 249 Quesnel Road**






(C3 - Tourist Commercial land)

# PLANNING SUMMARY REPORT
# CONSENT APPLICATION NO. C35/21

| | |
|---|---|
| **Registered Owner(s)** | Edgar and Marie Quesnel |
| **Agent(s)** | Goodridge Goulet Planning & Surveying |
| **Property Location** | 486 Quesnel Road<br>Part Lot 4, Concession B, Springer Township, Municipality of West Nipissing |
| **Purpose and Effect of Application** | Creation of two (2) new lots |
| **Current Zoning** | RU |
| **Official Plan Land Use** | Rural |
| **Consistent with PPS (2014)** | Yes |
| **Conditions of Approval, if any** | 1. That a Reference Plan be prepared and deposited in the Land Registry Office and a copy of the new survey be filed with the Municipality;<br>2. Confirmation that all property taxes are paid up to date;<br>3. That all conditions be met on or before a date being one year from the date of giving of notice or the consent shall be deemed not to have been given as per Section 53(20) of the Planning Act, R.S.O., as amended.<br>4. That a Transfer/Deed of Land be submitted to the Secretary-Treasurer for the issuance of a Certificate of Consent.<br>5. That any portion municipally maintained and travelled road located on the subject land be conveyed to the Municipality of West Nipissing.<br>6. The property is located within the Watershed of 2 Municipal Drains, namely the Bunhund Drain and the Quesnel Drain. Pursuant to S. 65 of the Drainage Act, the Clerk of the Municipality shall instruct the Municipality's Drainage Engineer to prepare a Report to re-apportion the maintenance assessment of the said Drains, as may be required, at the sole cost of the owner. |
| | Severance be granted subject to conditions of approval. |
| **Additional Comments** | File No. C36/20 – previously granted, not yet completed. |

**FILE: C35/21**

**APPLICANT: EGAR AND MARIE QUESNEL**

**PROPERTY: 486 QUESNEL RD**

Sketch to Accompany

# Severance Consent Application

## Part Lot 4, Concession B

# Former Township of Springer

**Metric:**
Distances shown on this sketch are in meters and can be converted to feet by dividing by 0.3048.

Prepared using MNRF Make a Topographic Map

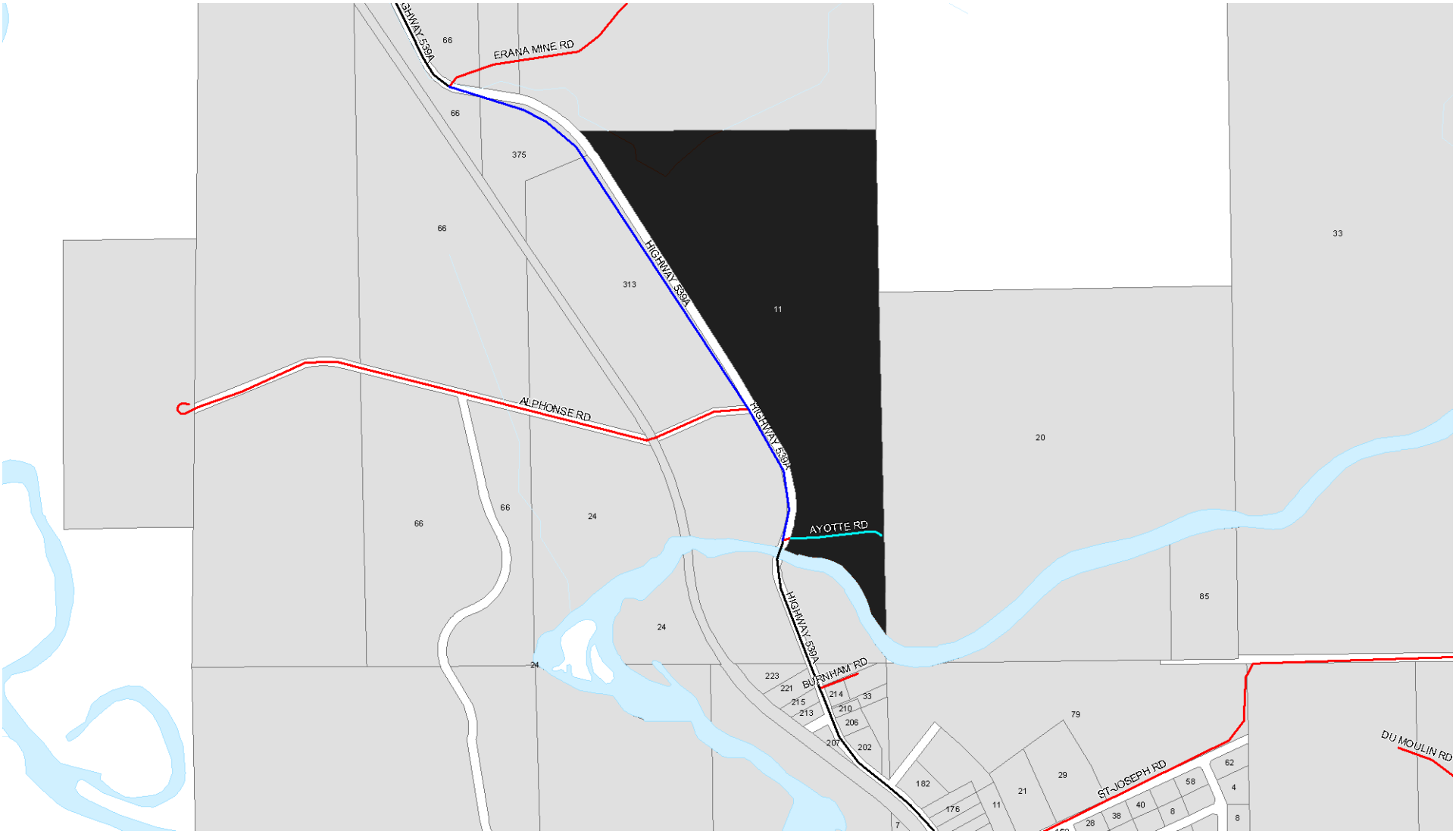
| Field | Office | File |
|---|---|---|
| N/a | N. Perron | 1009-21 |


**GOODRIDGE GOULET**
**Planning & Surveying Ltd.**
Ontario Land Surveyor – Land Use Planner – Development Consultant
Unit – 1 490 Main Street East, North Bay, ON P1B 1B5
(705) 493-1770 paul.goodridge@ggpsltd.com
(705) 493 7974 don.goulet@ggpsltd.com

# PLANNING SUMMARY REPORT
# CONSENT APPLICATION NO. C39/21

| | |
|---|---|
| **Registered Owner(s)** | Clifford and Alynn Maclean |
| **Agent(s)** | Goodridge Goulet Planning & Surveying |
| **Property Location** | 11 Ayotte Road, River Valley<br>Part Lot 3, Concession 5, 36R5431 Part 1, Crerar Township, West Nipissing |
| **Purpose and Effect of Application** | Creation of three (3) new lots |
| **Current Zoning** | RU |
| **Official Plan Land Use** | Rural |
| **Consistent with PPS (2014)** | Yes |
| **Conditions of Approval, if any** | 1. That a Reference Plan be prepared and deposited in the Land Registry Office and a copy of the new survey be filed with the Municipality;<br>2. Confirmation that all property taxes are paid up to date;<br>3. That all conditions be met on or before a date being one year from the date of giving of notice or the consent shall be deemed not to have been given as per Section 53(20) of the Planning Act, R.S.O., as amended.<br>4. That a Transfer/Deed of Land be submitted to the Secretary-Treasurer for the issuance of a Certificate of Consent.<br>5. The owner shall obtain written confirmation from the Ministry of Transportation that entrance permits are available for the severed lots; |
| | Severance be granted subject to conditions of approval. |

**FILE: C39/21**
**APPLICANT: Clifford and Alynn Maclean**
**PROPERTY: 11 Ayotte Road**



Sketch to Accompany

# Severance Consent Application

## Lot 3, Concession 5

## Geographic Township of Creror

**Metric:**
Distances shown on this sketch are in meters and can be converted to feet by dividing by 0.3048.

Prepared using MNRF Make a Topographic Map

| Field | Office | File |
|---|---|---|
| N/a | N. Perron | 1178-21 |

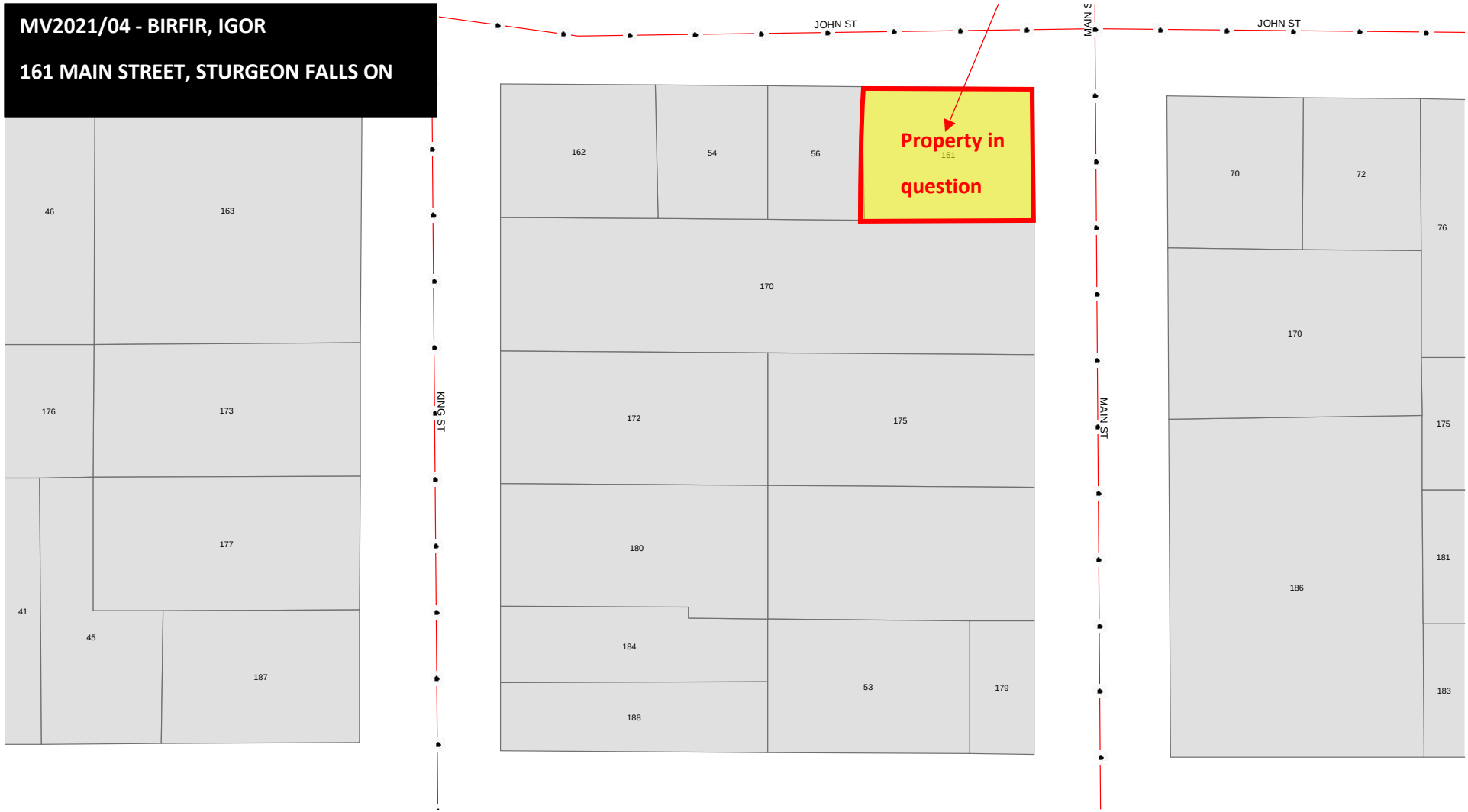

**GOODRIDGE GOULET**
**Planning & Surveying Ltd.**
Ontario Land Surveyor – Land Use Planner – Development Consultant
Unit – 1 490 Main Street East, North Bay, ON P1B 1B5
(705) 493-1770 paul.goodridge@ggpsltd.com
(705) 493 7974 don.goulet@ggpsltd.com

# PLANNING SUMMARY SHEET
# MINOR VARIANCE APPLICATION NO. MV 2021/04

| | |
|---|---|
| **Applicant(s)** | Igor Birfir |
| **Agent(s)** | Goodridge, Goulet Planning and Surveying |
| **Property Location** | 161 Main Street, Sturgeon Falls<br>Part Lot 19, Plan 11, Springer Township, Municipality of West Nipissing |
| **Proposal** | To reduce minimum parking spaces from 1.25 spaces per unit to 0.625 spaces per unit. (10 required, 5 proposed) |
| **Current Zoning** | C1-1 |
| **Official Plan Land Use** | Commercial |
| **Conditions of Approval, if any** | |
| **Recommendation:** | **Minor Variance be refused:**<br>Reasons:<br>• Proposed application does not meet the general intent of the West Nipissing Zoning By-Law and Official Plan |
| **NOTES TO MINOR VARIANCE** | *A minor variance is a small variation from the requirements of the zoning by-law. A minor variance approval is a certificate of permission, because it allows the property owner to obtain a building permit even though their property does not comply precisely with the zoning by-law. Under Section 45(1) of the Planning Act there are four tests a minor variance must meet:*<br>• *Is the application minor?*<br>• *Is the application desirable for the appropriate development of the lands in question?*<br>• *Does the application conform to the general intent of the Zoning By-law?*<br>• *Does the application conform to the general intent of the Official Plan?*<br>*It is important to note that to consider any application a minor variance it must meet all four tests* |
| **Additional Comments:** | The By-law to amend the zoning on this property was refused by Council on May 13, 2021. Notwithstanding the changes to the application (reduced number of dwelling units), this application is still requesting a reduction in the amount of required parking spaces to half of the required number. |

**MV2021/04 - BIRFIR, IGOR**

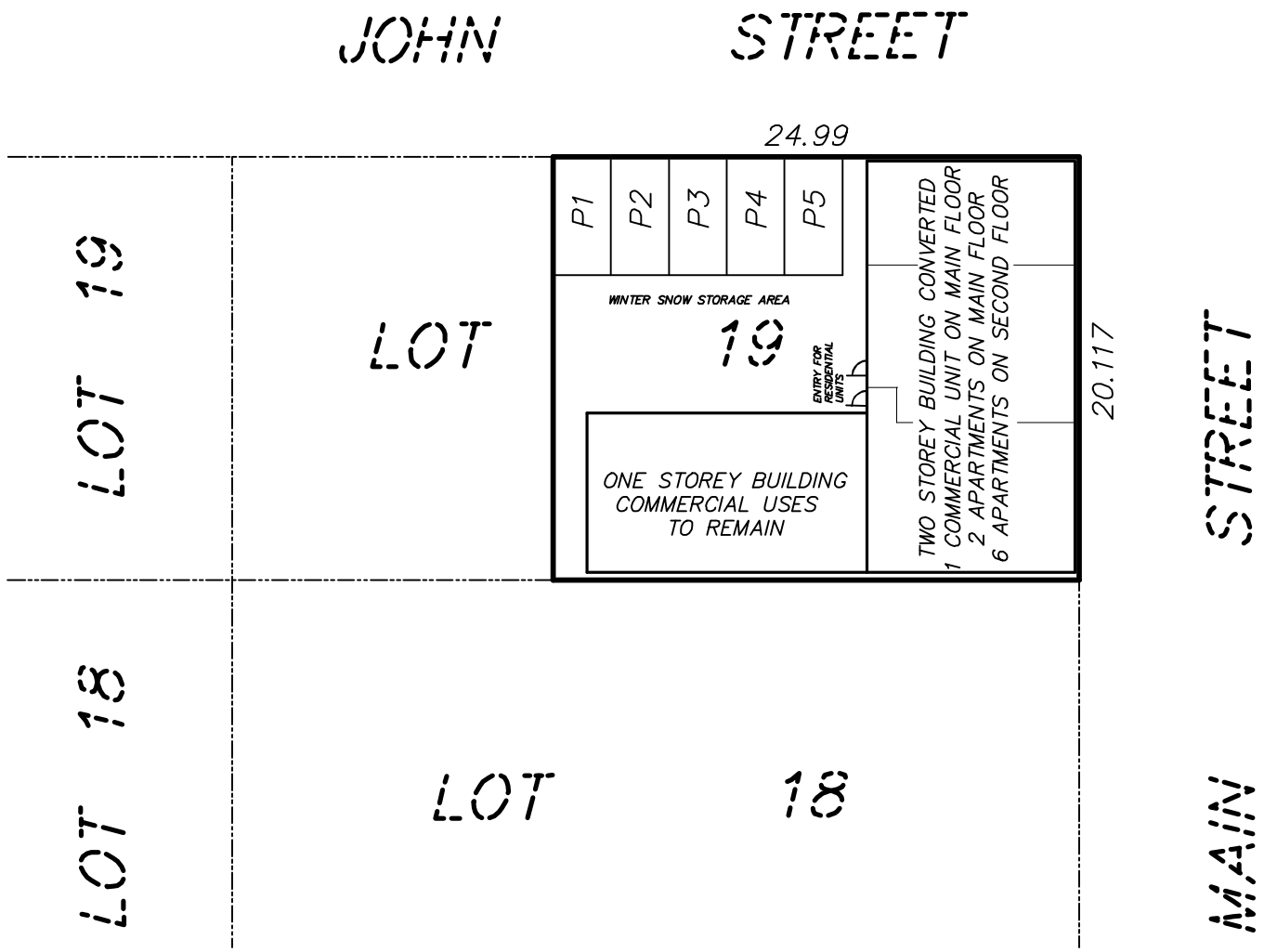
**161 MAIN STREET, STURGEON FALLS ON**

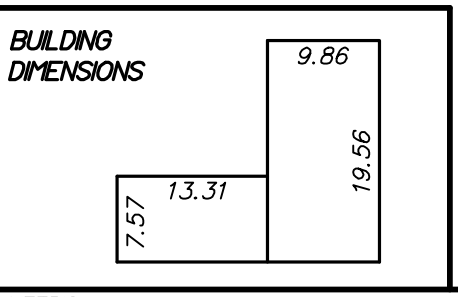


SKETCH TO ACCOMPANY

# MINOR VARIANCE APPLICATION

## PART OF LOT 19 (WEST SIDE MAIN STREET), REGISTERED PLAN 11
## MUNICIPALITY OF WEST NIPISSING




**METRIC:**

DISTANCES SHOWN ON THIS SKETCH ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

**COPYRIGHT:**

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© NO PERSON MAY COPY , REPRODUCE , DISTRIBUTE , OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF PAUL GOODRIDGE, OLS.

**CAUTION:**

THIS SKETCH IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR MORTGAGE OR TRANSACTION PURPOSES. IT IS TO BE USED SOLELY FOR THE EXPRESS PURPOSE STATED HEREON.

GOODRIDGE GOULET
PLANNING & SURVEYING LTD.
ONTARIO LAND SURVEYOR - LAND USE PLANNER - DEVELOPMENT CONSULTANTS
UNIT 1 – 490 MAIN STREET EAST, NORTH BAY, ON P1B 1B5
705-493-1770 paul.goodridge@ggpsltd.com

| DATE | FIELD | OFFICE | FILE |
|---|---|---|---|
| 06/03/21 | NP | P. GOODRIDGE | 1055-21 |

# PLANNING SUMMARY SHEET
# MINOR VARIANCE APPLICATION NO. MV 2021/05

| | |
|---|---|
| **Applicant(s)** | Deborah and Keith Golden |
| **Agent(s)** | N/A |
| **Property Location** | 1453 Tomiko Road, Crystal Falls<br>Plan 366M392 Pt Blk C, 36R10983 Part 3, 36R11346 Part 3, Grant Township, Municipality West Nipissing |
| **Proposal** | Exemption from paragraph 4.22 (d) prohibiting galvanized steel buildings in a Shoreline Residential (SR) zone. |
| **Current Zoning** | SR (Shoreline Residential) |
| **Official Plan Land Use** | Residential |
| **Conditions of Approval, if any** | |
| **Recommendation:** | **Minor Variance be granted:**<br>Reasons:<br>• No objections have been raised from adjacent owners<br>• Proposed application meets the general intent of the West Nipissing Zoning By-Law and Official Plan |
| **NOTES TO MINOR VARIANCE** | *A minor variance is a small variation from the requirements of the zoning by-law. A minor variance approval is a certificate of permission, because it allows the property owner to obtain a building permit even though their property does not comply precisely with the zoning by-law. Under Section 45(1) of the Planning Act there are four tests a minor variance must meet:*<br>• *Is the application minor?*<br>• *Is the application desirable for the appropriate development of the lands in question?*<br>• *Does the application conform to the general intent of the Zoning By-law?*<br>• *Does the application conform to the general intent of the Official Plan?*<br>*It is important to note that to consider any application a minor variance it must meet all four tests* |
| **Additional Comments:** | |

**FILE: MV2021-05**

**APPLICANT: Deborah and Keith Golden**

**PROPERTY: 1453 Tomiko Road**

PLAN OF SURVEY OF
LOCATION CL 12781
PART OF BLOCK A
REGISTERED PLAN M-392

# TOWNSHIP OF GRANT

NOW IN THE

# MUNICIPALITY OF WEST NIPISSING

DISTRICT OF NIPISSING

SCALE 1 : 1000

0 20 40 60m

D.S. Urso Surveying Ltd.

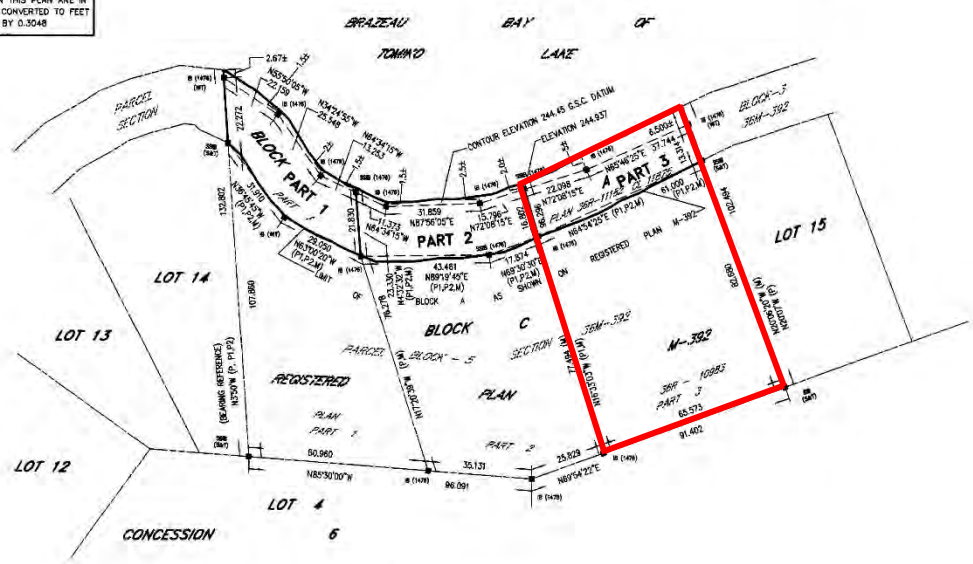
| SCHEDULE | | | | | | | |
|---|---|---|---|---|---|---|---|
| PART | LOT | PLAN | AREA ACRES | AREA HECTARES | PART OF PARCEL | RIGHTS SURFACE/MINING | REMARKS |
| 1 | PART OF BLOCK A | M-392 | 0.307 | 0.1243 | | | |
| 2 | | | 0.293 | 0.1186 | | | |
| 3 | | | 0.292 | 0.1184 | | | |
| TOTAL AREA | | | 0.892 | 0.3613 | | | |
| TOWNSHIP OF GRANT | | | | | | | |

RECEIVED AND DEPOSITED AS
PLAN 36R-11346
Sept 27/2002
DATE
DEPUTY LAND REGISTRAR FOR THE LAND TITLES DIVISION OF NIPISSING (No.36)

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.
DATE: JULY 24, 2002
R.D. MILLER,
ONTARIO LAND SURVEYOR

NOTE:
PERMISSION TO DEPOSIT THIS PLAN OF SURVEY OF CROWN LAND WAS GIVEN BY THE SURVEYOR GENERAL OF ONTARIO ON THE 10 DAY OF SEPTEMBER 2002.

**METRIC**
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048



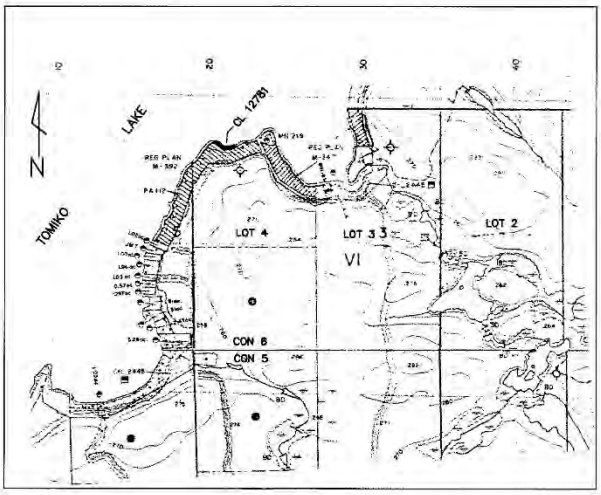

NOTE
TOMIKO LAKE IS REGULATED TO AN ELEVATION OF 244.45 G.S.C. DATUM.

NOTE
THE LIMIT OF BLOCK "A" REGISTERED PLAN M-392 AS SHOWN ON THIS PLAN HAS BEEN ESTABLISHED BY LOCATING CONTOUR ELEVATION 244.45 G.S.C. DATUM AS BEING THE BEST AVAILABLE EVIDENCE OF THIS LIMIT. ANY CHANGE IN THE POSITION OF THIS LIMIT AS SHOWN ON REGISTERED PLAN M-392 APPEARS TO BE THE RESULT OF NORMAL AND GRADUAL FLUCTUATIONS IN THIS LIMIT.

**LEGEND**

| | | |
|---|---|---|
| ■ | DENOTES | FOUND MONUMENT |
| ⊡ | DENOTES | PLANTED MONUMENT |
| S | DENOTES | SET |
| NEF | DENOTES | NO EVIDENCE FOUND |
| OU | DENOTES | ORIGIN UNKNOWN |
| P | DENOTES | REGISTERED PLAN M-392 |
| WIT | DENOTES | WITNESS |
| S&T | DENOTES | SIMPSON & TAYLOR LIMITED, O.L.S. |
| 1476 | DENOTES | D. S. URSO SURVEYING, LTD. |
| P1 | DENOTES | PLAN 36R-10983 |
| P2 | DENOTES | PLAN 36R-11182 |

NOTE
ELEVATIONS ARE GEODETIC AND ARE REFERRED TO THE BENCH MARK IN THE WING WALL OF THE DAMN AT THE OUTLET OF CHEBOGMOG LAKE HAVING AN ELEVATION OF 244.044 G.S.C. DATUM.




KEY PLAN
SCALE: 1:20000 (METRIC)

***SURVEYOR'S CERTIFICATE***

I CERTIFY THAT :
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 27th DAY OF NOVEMBER 2000.
3. THIS PLAN AND FIELD NOTES WAS PREPARED FROM AN ACTUAL SURVEY PERFORMED UNDER MY PERSONAL SUPERVISION AND I WAS PRESENT ON THE SITE DURING THE PROGRESS OF THIS SURVEY.

JULY 24, 2002
DATE

R.D. MILLER
ONTARIO LAND SURVEYOR
FOR D.S. URSO SURVEYING LTD.
ONTARIO LAND SURVEYORS.

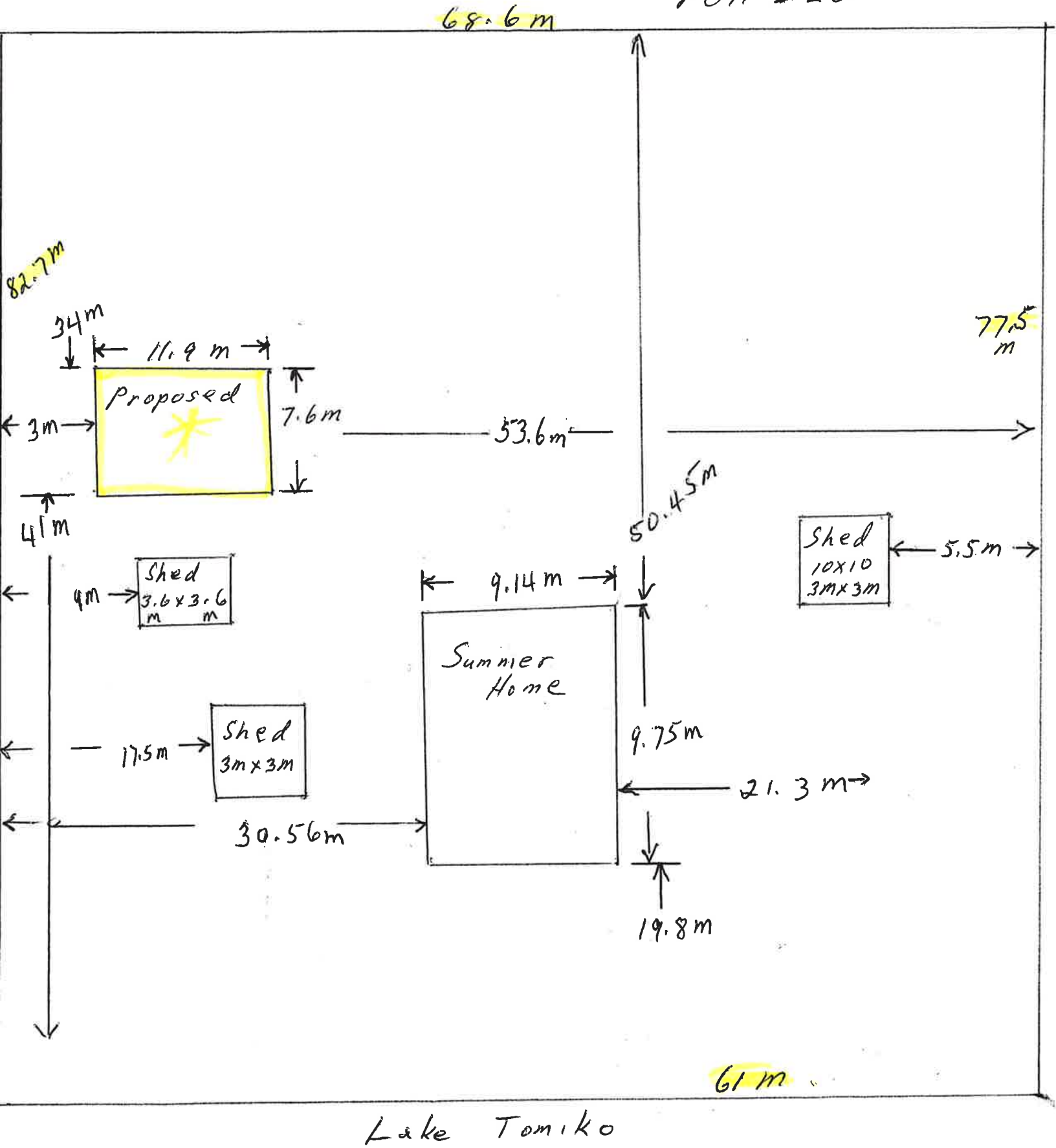
**BEARING NOTE**
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE WEST LIMIT OF BLOCK "C" AS SHOWN ON REGISTERED PLAN M-392 HAVING A BEARING OF N3°50'W.


D.S. Urso Surveying Ltd.
Ontario Land Surveyors ♦Canada Land Surveyors
Planning Consultants
1401 SEYMOUR STREET, UNIT 2, NORTH BAY, ON. P1B 8G4
TEL: (705) 474-1210
FAX: (705) 474-1783


| DRAWN BY: M.M.W. | FIELD: | PLAN No: |
|---|---|---|
| CHECKED BY: R.D.M. | D.B. P.V. | W.O. 604 |

11346

1453 Tomiko Rd
Crystal Falls
P0H 2L0




Lake Tomiko

## Melanie Ducharme

**From:** Paul Goodridge <paul.goodridge@ggpsltd.com>
**Sent:** May 26, 2021 3:24 PM
**To:** Melanie Ducharme
**Subject:** Armand Trepannier
**Attachments:** 469-18_FLOOD CONTOUR.pdf

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Mel,

Attached is a pdf copy of a topographic survey illustrating the maximum flood contour at the location of Mssr. Trepannier's three approved severance lots. We are requesting the Committee withdraw their condition of approval that these lands be re-zoned at the June meeting as there is ample room above the flood contour for a standard cottage and class IV septic system on each lot. The lots would still be considered water access only as we have no legal access to the highway.

Thank you,

Paul

**Paul Goodridge, BSc, OLIP, OLS**
Goodridge Goulet Planning & Surveying Ltd.
Suite 1 - 490 Main Street East
North Bay, ON P1B 1B5
paul.goodridge@ggpsltd.com
(705) 493-1770

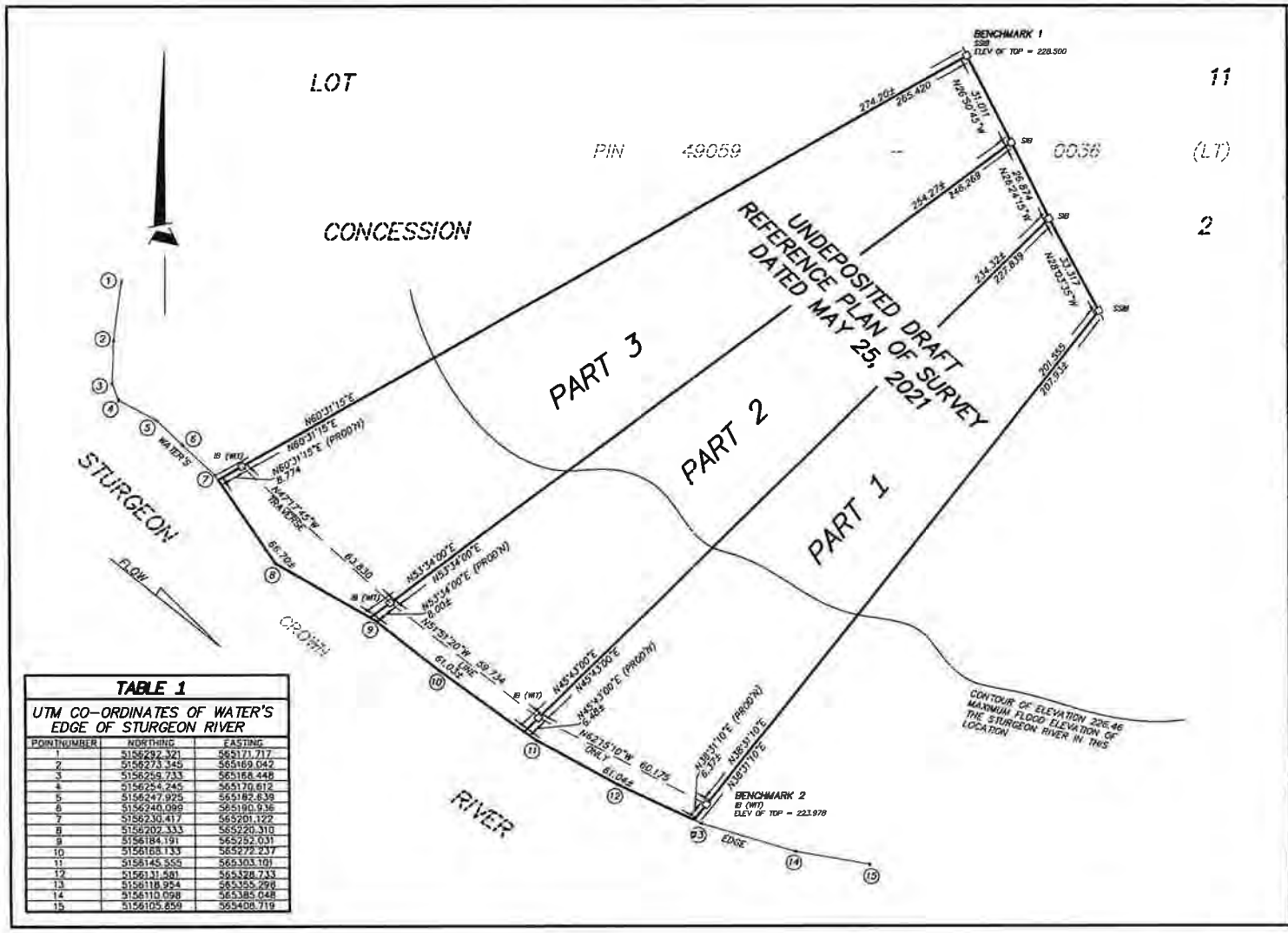



**TABLE 1**

UTM CO-ORDINATES OF WATER'S EDGE OF STURGEON RIVER

| POINT NUMBER | NORTHING | EASTING |
|---|---|---|
| 1 | 5156292.321 | 565171.717 |
| 2 | 5156273.345 | 565169.042 |
| 3 | 5156259.733 | 565168.448 |
| 4 | 5156254.245 | 565170.612 |
| 5 | 5156247.925 | 565182.638 |
| 6 | 5156240.096 | 565190.936 |
| 7 | 5156230.417 | 565201.122 |
| 8 | 5156202.333 | 565220.310 |
| 9 | 5156184.191 | 565252.031 |
| 10 | 5156168.133 | 565272.237 |
| 11 | 5156145.555 | 565303.101 |
| 12 | 5156131.581 | 565328.733 |
| 13 | 5156118.954 | 565355.296 |
| 14 | 5156110.098 | 565385.048 |
| 15 | 5156105.859 | 565408.719 |

TOPOGRAPHIC PLAN OF SURVEY TO ILLUSTRATE

# MAXIMUM FLOOD CONTOUR

PART OF LOT 11, CONCESSION 2
GEOGRAPHIC TOWNSHIP OF GIBBONS
**MUNICIPALITY OF WEST NIPISSING**
DISTRICT OF NIPISSING
SCALE: 1 : 1,000

50m 40m 30m 20m 10m 0m 25m 50m

## METRIC

DISTANCES & CO-ORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

## BEARING NOTE

BEARINGS HEREON ARE GRID BEARINGS DERIVED FROM RTK GPS OBSERVATIONS AND ARE REFERRED TO THE CENTRAL MERIDIAN 81° WEST LONGITUDE OF THE UTM SYSTEM, NAD83 (CSRS) (2017) ZONE 17 NORTH.

## GRID SCALE CONVERSION

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99962323

## ELEVATIONS:

ELEVATIONS SHOWN HEREON ARE OF GEODETIC ORIGIN (ORTHOMETRIC HEIGHT, CGVD28, HT2.0) AND HAVE BEEN DERIVED FROM GPS STATIC POINT POSITIONING POST-PROCESSED USING THE NRCAN PRECISE POINT POSITION SERVICE (PPP). ELEVATIONS ARE ACCURATE TO 40mm AT THE 95% CONFIDENCE LEVEL.

## SITE BENCHMARKS

| | |
|---|---|
| BENCHMARK 1 | TOP OF SSIB AT NORTH CORNER OF PART 3, DRAFT REFERENCE PLAN OF SURVEY HAVING AN ELEVATION OF 228.500. |
| BENCHMARK 2 | TOP OF IB IN THE VICINITY OF THE SOUTH CORNER OF PART 1, DRAFT REFERENCE PLAN OF SURVEY HAVING AN ELEVATION OF 223.978. |

## SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM;
2. THE SURVEY WAS COMPLETED ON 11th DAY OF MAY, 2021

NORTH BAY, ONTARIO
MAY 26, 2021

PAUL GOODRIDGE
ONTARIO LAND SURVEYOR

GOODRIDGE GOULET
PLANNING & SURVEYING LTD.
ONTARIO LAND SURVEYOR – LAND USE PLANNER – DEVELOPMENT CONSULTANTS
UNIT 1 – 490 MAIN STREET EAST, NORTH BAY, ON P1B 1B5
705-493-1770 paul.goodridge@ggpsltd.com
705-493-7979 don.goulet@ggpsltd.com

| PLAN | FIELD | OFFICE | FILE |
|---|---|---|---|
| 469-18_Contour.dwg | A.G. | P. GOODRIDGE | 469-18 |

West Nipissing Ouest
Joie de vivre

# WEST NIPISSING COMMITTEE OF ADJUSTMENT
## File no. C03/20

Resolution No.

**2020 / 014**

**March 9, 2020**

| Moved by / *Proposé par* : | Seconded by / *Appuyé par* : |
|---|---|
| | |

THAT THE CONSENT APPLICATION MADE BY: Armand and Diane Trépanier for the creation of new lots ~~together with a Right of Way on~~ lands on Highway 539, legally described as Part of Lot 11, Concession 2; Township of Gibbons, Municipality of West Nipissing

SHALL BE ☑ **GRANTED** ☐ **PROPOSED TO BE REFUSED**

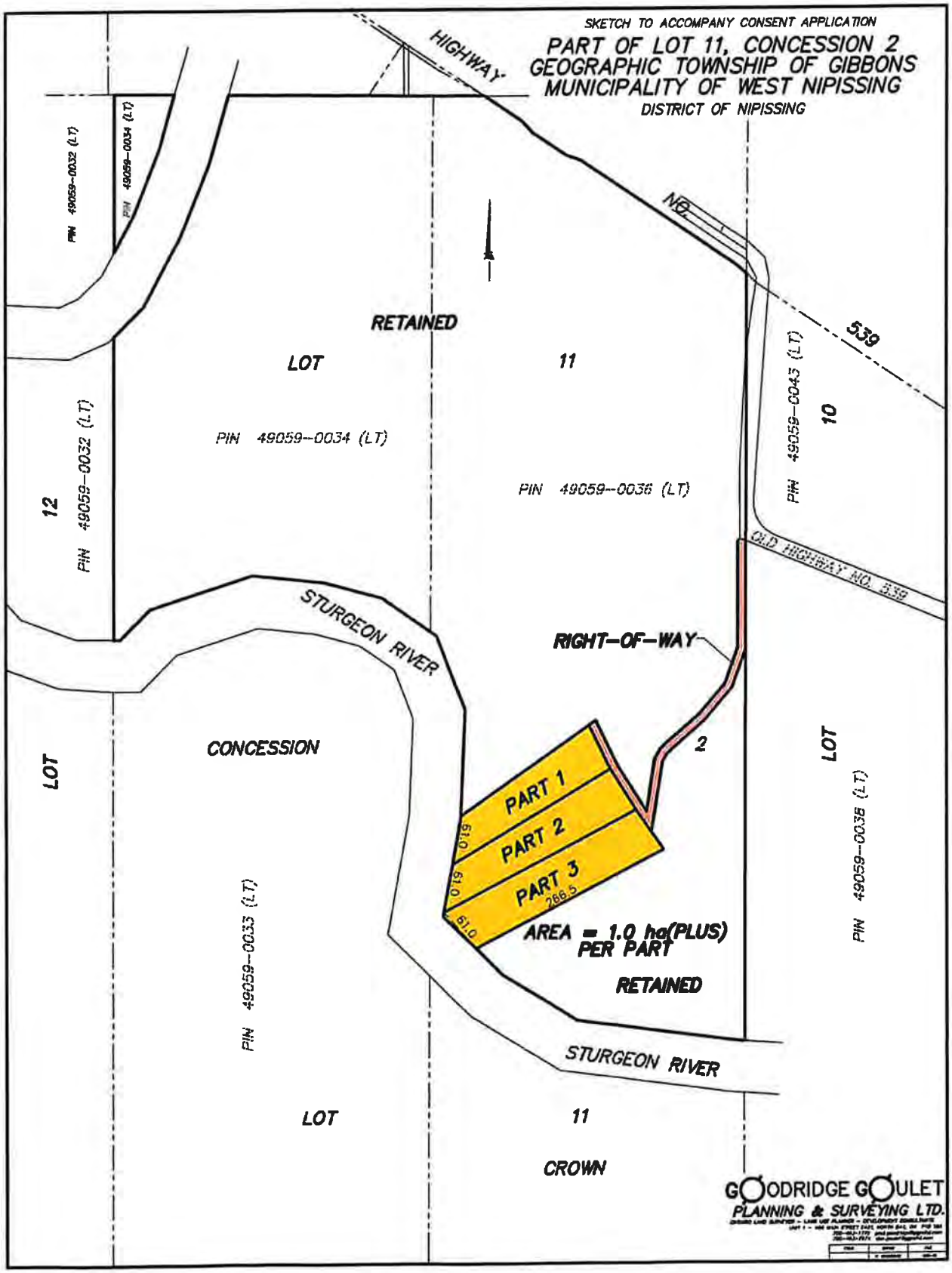
**CONDITIONS:**

1. That a Reference Plan be prepared and deposited in the Land Registry Office and a copy of the new survey be filed with the Municipality.
2. Confirmation that all property taxes are paid up to date.
3. That all conditions be met on or before MAR 11, 2021 being one year from the date of giving of notice or the consent shall be deemed not to have been given as per Section 53(20) of the Planning Act, R.S.O., as amended.
4. That a Transfer/Deed of Land be submitted to the Secretary-Treasurer for the issuance of a Certificate of Consent.
5. That the property be re-zoned as follows:
   (a) Permitted uses are limited to recreational vehicles and accessory structures, provided such structures are located no closer than 15m from the top of bank, do not have permanent foundations and are not intended for human habitation.
   (b) A maximum of one recreational vehicle per lot be permitted;
   (c) No septic or leaching bed is permitted;
   (d) No building opening below the flood plain elevation
6. That the owners shall obtain access to the property from the publicly assumed portions of Highway 539.

CHAIR

SECRETARY

| NAMES | YEAS | NAYS |
|---|---|---|
| Fisher, Christopher | | |
| Gagnon, Roger | | |
| Pellerin, Fernand | | |
| Roberge, Normand | | |
| Sénécal, Denis | | |


SKETCH TO ACCOMPANY CONSENT APPLICATION
PART OF LOT 11, CONCESSION 2
GEOGRAPHIC TOWNSHIP OF GIBBONS
MUNICIPALITY OF WEST NIPISSING
DISTRICT OF NIPISSING
HIGHWAY
NO.
539
RETAINED
LOT
11
PIN 49059-0034 (LT)
PIN 49059-0036 (LT)
PIN 49059-0032 (LT)
PIN 49059-0034 (LT)
12
PIN 49059-0032 (LT)
PIN 49059-0043 (LT)
10
OLD HIGHWAY NO. 539
STURGEON RIVER
RIGHT-OF-WAY
CONCESSION
2
LOT
PART 1
PART 2
PART 3
61.0
61.0
61.0
266.5
AREA = 1.0 ha(PLUS)
PER PART
RETAINED
PIN 49059-0036 (LT)
PIN 49059-0033 (LT)
STURGEON RIVER
LOT
11
CROWN
GOODRIDGE GOULET
PLANNING & SURVEYING LTD.