



A G E N D A

WEST NIPISSING COMMITTEE OF ADJUSTMENT MEETING HELD ON OCTOBER 18, 2021 – 7:30PM

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1 647 558 0588

Meeting ID: 265 014 1204

Participant: #

Password: 654321

YouTube Link: <https://www.youtube.com/channel/UCG6HWMXnA-RBiH-UdZVCIHg>

1. Meeting called to Order;
2. Declaration of Pecuniary Interest;
3. Approval of Agenda for October 18, 2021;
4. Adoption of Minutes of September 13, 2021 meeting;
5. Consent and Minor Variance Applications.

File No.	Applicant/Agent	Address	Geographic Location	Purpose
C61/21	Gagnon, Gerald and Diane	Vacant Lands on Deer Lake	Hugel	ROW for access to Subdivision lots and Easement for Hydro
C62/21	Malette, Harvey and Lise	84 Quesnel Road	Springer	Creation of two (2) new lots
C64/21	Giroux, Daniel (Concurrent Minor Variance File: MV2021/12)	Jacques Street	Crerar	Creation of one (1) new lot and one (1) lot addition
MV2021/12	Giroux, Daniel (Concurrent Consent File: C64/21)	Jacques Street	Crerar	To reduce lot frontage from 60m to 20m
C65/21	WBPW Lands Inc (Concurrent File: MV2021/14)	14 Toulouse Crescent	Springer	One (1) lot addition
MV2021/14	WBPW Lands Inc (Concurrent File: C65/21)	14 Toulouse Crescent	Springer	To reduce lot area from 0.4ha to 0.33ha
MV2021-09	Gareau-Gingras, Cynthia and Case, Davis	128A Gareau Road	Badgerow	To increase maximum lot coverage of accessory structures from 5% to 6.4% in order to construct garage (11m x 11.5m)
MV2021-13	Gallien, Roch	41 Lakewood Road	Macpherson	To reduce minimum front yard setback from 18m to 11m to permit deck enclosure

6. Adjournment.

MINUTES
Municipality of West Nipissing
Meeting of the Committee of Adjustment
Held on September 13, 2021 at 7:30 PM
Chair: Denis Sénécal



PRESENT: Fernand Pellerin
Normand Roberge
Roger Gagnon
Denis Sénécal
Christopher Fisher

ABSENT:

CALL TO ORDER

RESOLUTION #2021/075

Moved by: **Christopher Fisher**

Seconded by: **Denis Sénécal**

That the Agenda for the Committee of Adjustment meeting of September 13th, 2021 be adopted, as presented. **CARRIED**

MINUTES

RESOLUTION #2021/076

Moved by: **Roger Gagnon**

Seconded by: **Denis Sénécal**

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

APPLICATIONS FOR MINOR VARIANCE AND CONSENT

C48/21 - Application for Consent by Randolph and Wendy Ackerland (Owners)

A consent application made by Randolph and Wendy Ackerland to create one (1) new lot at 510 Kipling Road East, Verner. South Part Lot 2, Concession 3, Hugel Township, Municipality of West Nipissing, District of Nipissing.

RESOLUTION #2021/077

Moved by: **Roger Gagnon**

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 the municipally maintained and travelled roadway(s) located on the subject property, including the retained portion, shall be surveyed, at the owner's cost, and 10m from centre line of road be transferred to the municipality as a condition of the within severance.
6.	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 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. (Hughey Drain)

CARRIED

C49/21 - Application for Consent by Gary Clarke and Shawn D. Graham (Owners)

A consent application made Gary Clarke and Shawn D. Graham to create two (2) new lots at 756 North and South Road, Verner. South 1/2 Lot 8, Concession 1, Kirkpatrick Township, Municipality of West Nipissing, District of Nipissing.

RESOLUTION #2021/078

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 the municipally maintained and travelled roadway(s) located on the subject property, including the retained portion, shall be surveyed, at the owner's cost, and 10m from centre line of road be transferred to the municipality as a condition of the within severance.
6.	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 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. (Hurtubise Drain)
7.	In the event that the survey determined that no portion of the travelled roadway touches the property described as 49063-0552 The owners shall use their best efforts to negotiate a right of way over the naturally severed lands lying south of Millrand Road to the owner of PIN NO. 49063-0552. It is understood and agreed that the owner of PIN no. 490630552 shall be responsible for the application and survey costs of such right of way.

CARRIED

C50/21 - Application for Consent by Gisele and Michel Rainville. (Owners)

A consent application made by Gisele and Michel Rainville to create one (1) new lot at Old Highway 17, Verner. Part Lot 3 and 4, Concession 5, Kirkpatrick Township, Municipality of West Nipissing, District of Nipissing.

RESOLUTION #2021/079

Moved by: **Roger Gagnon**

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 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 the municipally maintained and travelled roadway(s) located on the subject property, including the retained portion, shall be surveyed, at the owner's cost, and 10m from centre line of road be transferred to the municipality as a condition of the within severance.
6.	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 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. (A. Brunet Drain 2004)

CARRIED

C51/21 - Application for Consent by Robin Frazer and Thea Sebastiany (Owners)

A consent application made by Robin Frazer and Thea Sebastiany to create two (2) new lots at Fortin Road, Verner. Part lot 2, Concession C, 36R14500 Part 2, Caldwell Township, Municipality of West Nipissing, District of Nipissing.

RESOLUTION #2021/080

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.

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| 5. | That any portion of the municipally maintained and travelled roadway(s) located on the subject property, including the retained portion, shall be surveyed, at the owner's cost, and 10m from centerline of roadway transferred to the municipality as a condition of the within severance. |
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CARRIED

C52/21 - Application for Consent by The Estate of Donat Brosseau (Owner)

A consent application made by The Estate of Donat Brosseau for addition to three (3) lots at Laurin Road, Verner. Lot 7, Concession 2, 36R14440 Parts 4-6, Badgerow Township, Municipality of West Nipissing, District of Nipissing.

RESOLUTION #2021/081

Moved by: **Fernand Pellerin**

Seconded by: **Christopher Fisher**

CONDITIONS:

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| 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 a PIN Consolidation be filed in the Land Registry Office in order to consolidate the lot addition with the lands to which it is being added. |

CARRIED

C53/21 - Application for Consent by Craig and Suzanne Dearden (Owners)

A consent application made by Craig and Suzanne Dearden to create one (1) new lot at Highway 575, Verner. Lot 9, Concession 1, 36R14534 Parts 1 and 2, Badgerow Township, Municipality of West Nipissing, District of Nipissing.

RESOLUTION #2021/082

Moved by: **Christopher Fisher**

Seconded by: **Fernand Pellerin**

CONDITIONS:

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| 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. |

6.	That any portion of the municipally maintained and travelled roadway(s) located on the subject property, including the retained portion, shall be surveyed, at the owner's cost, and transferred to the municipality as a condition of the within severance.
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CARRIED

C54/21 - Application for Consent by Peter and Karen Quinlan (Owners)

A consent application made by Peter and Karen Quinlan to create one (1) new lot at 33 McDonald Road, Verner. Part lots 4 and 5, Concession 5, 36R12509 Part 1, Kirkpatrick Township, Municipality of West Nipissing, District of Nipissing.

RESOLUTION #2021/083

Moved by: **Fernand Pellerin**

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, including the retained portion, be surveyed at the owner's cost and 10m from centerline of road be conveyed to the Municipality of West Nipissing.

CARRIED

C55/21 - Application for Consent by Madeleine Goulet (Owner)

A consent application made by Madeleine Goulet to create one (1) new lot, six (6) lot additions, and one (1) Right-of-Way at Nipissing Street, Sturgeon Falls. Part lot 4, Concession A, 36R2551 Part 1, Springer Township, Municipality of West Nipissing, District of Nipissing.

RESOLUTION #2021/084

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 a PIN Consolidation be filed in the Land Registry Office in order to consolidate the lot addition(s) with the lands to which they are being added.

6.	That a 3m easement be granted to Greater Sudbury Utilities across the entire parcel (severed and retained). The applicant shall be responsible for all costs (survey, legal) in relation to the granting of the said easement.
7.	The owner shall be fully responsible for the installation of water and sanitary services to the lands shown as Severed 1 and retained.
8.	The owner shall convey to the Municipality sufficient lands for the construction of a turn-around at the dead end of Levesque Street and the owner shall be fully responsible for the construction of such turn-around to the satisfaction of the Manager of Public Works for the Municipality of West Nipissing.
9.	The owner shall, at its cost, convey an easement to the Municipality of West Nipissing along the north boundary of the retained lands for existing drainage infrastructure.

CARRIED

C56/21 - Application for Consent by Alydra Limitee (Owner)

A consent application made by Alydra Limitee to create one (1) new lot at Levac Road, Cache Bay. Part lot 220, Plan 40, 36R8366 Parts 1 and 2, Cache Bay Township, Municipality of West Nipissing, District of Nipissing.

RESOLUTION #2021/085

Moved by: **Denis Sénécal**

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 a 3m easement be granted to Greater Sudbury Utilities across the entire parcel (severed and retained). The applicant shall be responsible for all costs (survey, legal) in relation to the granting of the said easement.
6.	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 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. (Sayer Drain)
7.	That the municipally maintained and travelled roadway(s) located on the subject property, including the retained portion, shall be surveyed, at the owner's cost, and 10m from centre line of road be transferred to the municipality as a condition of the within severance.

CARRIED

C57/21 - Application for Consent by Robert and Madeleine Vaillancourt (Owners)

A consent application made by Robert and Madeleine Vaillancourt to create one (1) new lot at Highway 64, Sturgeon Falls. Part lot 4, Concession 6, 36R14502 Parts 1, 2 and 4, Springer Township, Municipality of West Nipissing, District of Nipissing.

RESOLUTION #2021/086

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 written confirmation be obtained from the Ministry of Transportation that an entrance permit can be issued for the subject property.

CARRIED

C58/21 - Application for Consent by Olgica Tusun-Kalac and Daria Schwartzentruber (Owners)

A consent application made by Olgica Tusun-Kalac and Daria Schwartzentruber to create three (3) new lots at Trottier Road, Lavigne. Part lot 1, Concession 2, 36R13548 Part 6, Macpherson Township, Municipality of West Nipissing, District of Nipissing.

RESOLUTION #2021/087

Moved by: **Fernand Pellerin**

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 of the municipally maintained and travelled roadway(s) located on the subject property, including the retained portion, shall be surveyed, at the owner's cost, and 10m from centre line of road be transferred to the municipality as a condition of the within severance.
6.	Owners provide written acknowledgment of a Drainage Petition filed by the former owner for a Municipal Drain to be constructed on the subject property.

CARRIED

C59/21 - Application for Consent by Allison Black (Owner)

A consent application made by Allison Black to create two (2) new lots at 463 Kilpling Road West, Warren. Part lot 8, Concession 4, Hugel Township, Municipality of West Nipissing, District of Nipissing.

RESOLUTION #2021/088

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.	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 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. (Anderson Municipal Drain)
6.	That any portion of the municipally maintained and travelled roadway(s) located on the subject property, including the retained portion, shall be surveyed, at the owner's cost, and 10m from centre line of road be transferred to the municipality as a condition of the within severance.

CARRIED

C60/21 - Application for Consent by Colby Douglas (Owner)

A consent application made by Colby Douglas to create one (1) new lot and one (1) Easement at 616 Sabourin Road, Sturgeon Falls. Part lot 6, Concession 1, Springer Township, Municipality of West Nipissing, District of Nipissing.

RESOLUTION #2021/089

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.

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| 5. | 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 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. (Cedar Grove Drain) |
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CARRIED

MV2021-10 - Application for Minor Variance by Colby Douglas (Owner)

A minor variance application made by Colby Douglas to reduce minimum lot area from 0.2 ha to 0.16 ha. at 616 Sabourin Road, Sturgeon Falls. Part lot 6, Concession 1, Springer Township, Municipality West Nipissing, District of Nipissing.

RESOLUTION #2021/090

Moved by: **Christopher Fisher**

Seconded by: **Roger Gagnon**

CARRIED

MV2021-08 - Application for Minor Variance by Frederick Bohrer (Owner)

A minor variance application made by Frederick Bohrer, seeking exemption from Paragraph 4.22 (d) prohibiting galvanized steel buildings in a Shoreline Residential Zone. Part lot 12, Concession C, 36R8243 Part 2, Caldwell Township, Municipality West Nipissing, District of Nipissing.

RESOLUTION #2021/091

Moved by: **Christopher Fisher**

Seconded by: **Fernand Pellerin**

CARRIED

MV2021-11 - Application for Minor Variance by Rolland and Sharon Sauve (Owners)

A minor variance application made by Rolland and Sharon Sauve, to reduce minimum rear yard setback from 15m to 8.5m. Part lot 8, Concession B, Springer Township, Municipality West Nipissing, District of Nipissing.

RESOLUTION #2021/092

Moved by: **Roger Gagnon**

Seconded by: **Christopher Fisher**

CARRIED

C43/21 – Change of Conditions: Consent Application by Niko Toulouse and Pierre Seguin (Owners)

RESOLUTION #2021/093

Moved by: **Fernand Pellerin**

Seconded by: **Christopher Fisher**

WHEREAS Provisional Consent to a Lot Addition Severance was granted by the Committee of Adjustment for the Municipality of West Nipissing on the 12TH day of JULY, 2019;

AND WHEREAS the Committee of Adjustment for the Municipality of West Nipissing has requested a Change of Conditions pursuant to Section 51(23) of the Act, as follows:

6. That a 3m Frontage Easement along Dovercourt Road, across the entire parcel, both severed and retained lands, be registered on title to the subject property. The owner applicant will be responsible for all legal and survey costs. The owner applicant is also responsible for obtaining a postponement to be registered on title to the subject property in favour of Greater Sudbury Hydro's interest with respect to any and all existing Charge/Mortgage of Land(s) registered on title to the property. The Owner/Applicant will be responsible for all associated costs of obtaining the said postponement.

7. That Notice of the Change of Conditions be given in accordance with Section 53(24) of the Act.

8. That all conditions be met on or before September 23, 2022, being the date which is one year from the date of giving of notice of the changed conditions.

CARRIED

C43/21 – Change of Conditions: Consent Application by 2623822 Ontario Ltd. (Owners)

RESOLUTION #2021/093

Moved by: **Denis Sénécal**

Seconded by: **Roger Gagnon**

WHEREAS Provisional Consent to a Lot Addition Severance was granted by the Committee of Adjustment for the Municipality of West Nipissing on the 12TH day of JULY, 2019;

AND WHEREAS the Committee of Adjustment for the Municipality of West Nipissing has requested a Change of Conditions pursuant to Section 51(23) of the Act, as follows:

6. That a 3m Frontage Easement along Dovercourt Road, across the entire parcel, both severed and retained lands, be registered on title to the subject property. The owner applicant will be responsible for all legal and survey costs. The owner applicant is also responsible for obtaining a postponement to be registered on title to the subject property in favour of Greater Sudbury Hydro's interest with respect to any and all existing Charge/Mortgage of Land(s) registered on title to the property. The Owner/Applicant will be responsible for all associated costs of obtaining the said postponement.

7. That Notice of the Change of Conditions be given in accordance with Section 53(24) of the Act.

8. That all conditions be met on or before September 23, 2022, being the date which is one year from the date of giving of notice of the changed conditions.

CARRIED

ADJOURNMENT

RESOLUTION #2021/095

Moved By: **Christopher Fisher**

Seconded by: **Roger Gagnon**

BE IT RESOLVED THAT the West Nipissing Committee of Adjustment meeting be adjourned to October 18, 2021.

CARRIED



WEST NIPISSING COMMITTEE OF ADJUSTMENT

MEETING HELD OCTOBER 18, 2021

RECORD OF ALL COMMENTS

APPLICATION	BELL CANADA	MTO	HYDRO ONE	GREATER SUDBURY UTILITIES	CN/CP RAIL	PUBLIC WORKS DEPT.	BUILDING DEPT.
C61/21 Gerald Gagnon	•	•	• No comments or concerns	• No comments	•	• Should retain required easement for adequate road allowance	• No issues
C62/21 Harvey and Lise Malette	• No comments or concerns	•	• No comments or concerns	• No comments	•	• No water • No sewer • No foreseeable roads issues	• No issues
C64/21 Daniel Giroux	•	•	• No comments or concerns	• No comments	•	• No water • No sewer • No road access	• No issues
C65/21 WBPW Lands Inc	•	•	•	• No comments	•	•	• No issues
MV2021/09 Cynthia Gareau-Gingras and Davis Case	•	• No comments	•	• No comments	•	• No comments • Acquire adequate easement for road allowance if required	• No issues
MV2021/12 Daniel Giroux	•	•	•	• No comments	•	• No water • No sewer • No road access	• No issues
MV2021/13 Roch Gallien	•	•	•	• No comments	•	• No water • No sewer • Not a municipal road	• No issues
MV2021/14 WBPW Lands Inc.	•	•	•	• No comments	•	•	• No issues



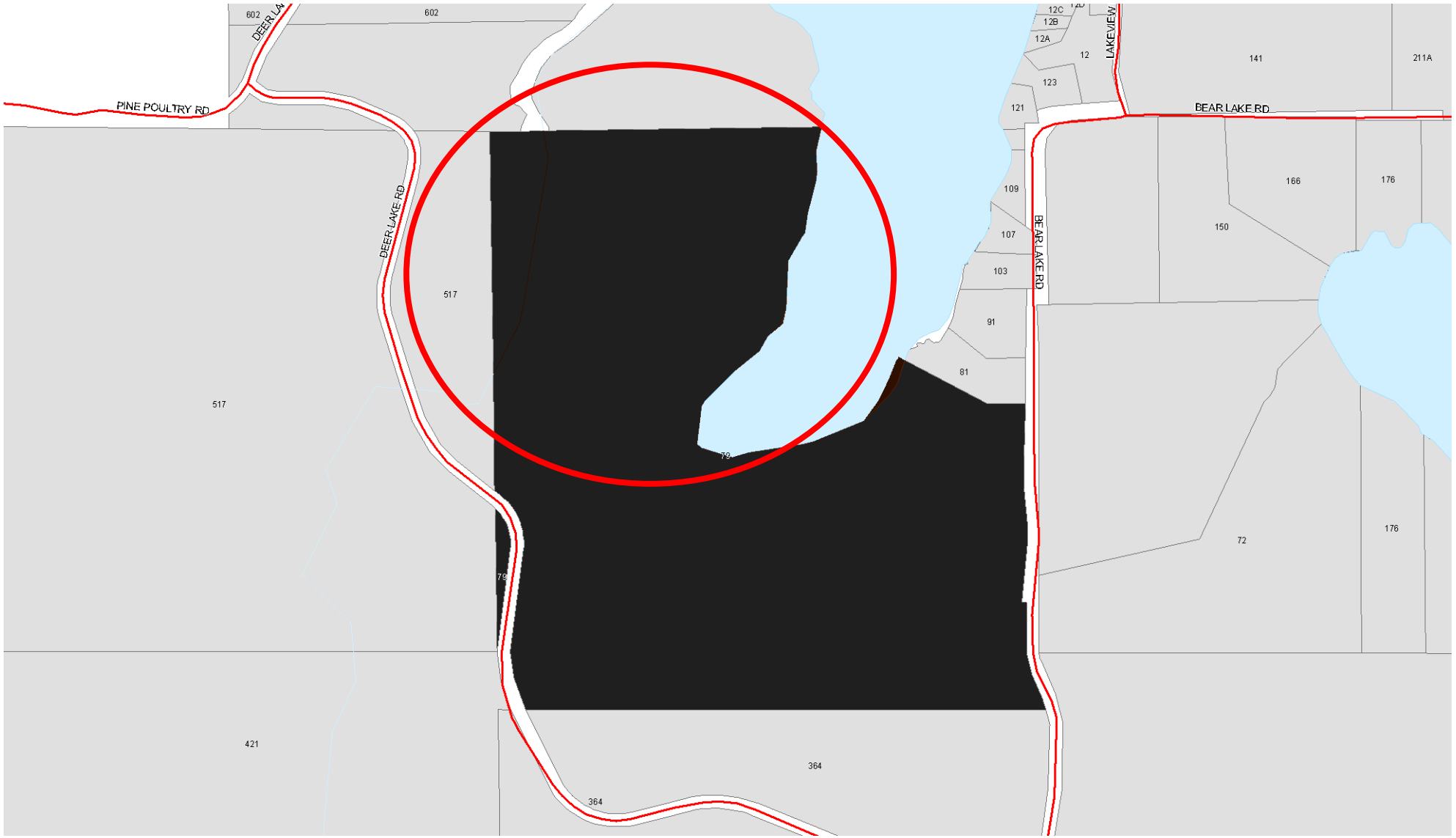
PLANNING SUMMARY REPORT CONSENT APPLICATION NO. C61/21

Registered Owner(s)	Gerald Gagnon
Agent(s)	Goodridge Goulet Planning and Surveying
Property Location	Deer Lake Road, Verner, ON Part of the North Half of Lot 6, Concession 1, Hugel Township, Municipality of West Nipissing
Purpose and Effect of Application	Creation of one Right of Way for access to Subdivision lots, and one Easement for Hydro
Current Zoning	RU
Official Plan Land Use	Rural
Consistent with PPS (2014)	Yes
Conditions of Approval, if any	<ol style="list-style-type: none"> 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 Right of Way Agreement be entered into between the Owner and the Owner of the Subdivision lots to which the ROW is appurtenant in order to establish, among other things, the rights and responsibilities of each party regarding the financial contribution and future maintenance of the ROW. The ROW agreement shall be registered on title to the Dominant and Servient Lands; 6. The Owner shall obtain written confirmation from the Fire Chief of the West Nipissing Police Service that the ROW has been inspected and meets the requirements for future fire protection.
Recommendation	Severance be granted subject to conditions of approval.
Notes	Concurrent Subdivision Application SUBD2021/04

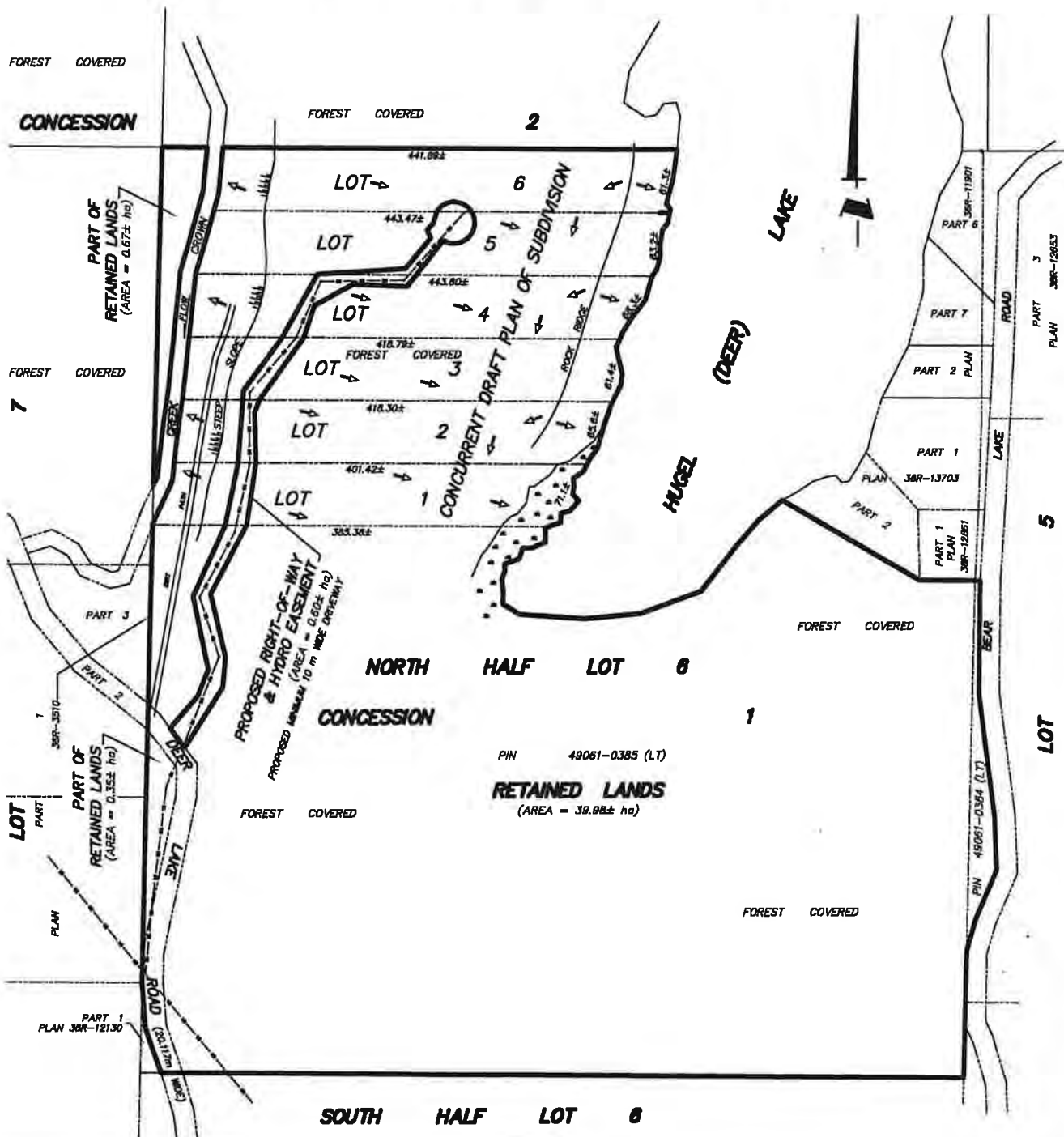
FILE: C61/21

PROPERTY: Vacant Land, Deer Lake Road

APPLICANT: Gerald Gagnon



SKETCH TO ACCOMPANY
SEVERANCE CONSENT APPLICATION
 COMMITTEE OF ADJUSTMENT
MUNICIPALITY OF WEST NIPISSING



METRIC:

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

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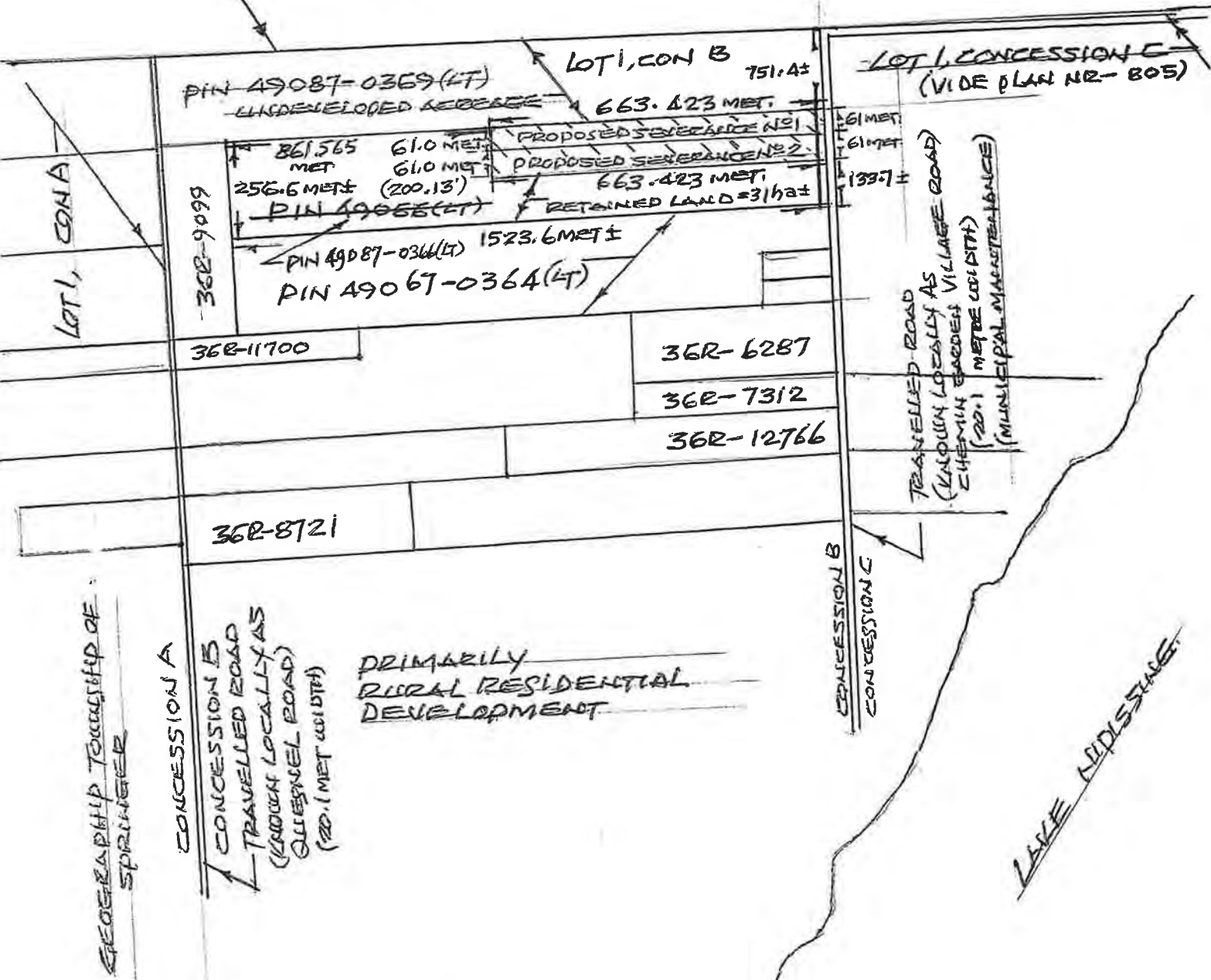
ONTARIO LAND SURVEYOR - LAND USE PLANNER - DEVELOPMENT CONSULTANTS
 UNIT 1 - 490 MAIN STREET EAST, NORTH BAY, ON P1B 1B5
 705-493-1770 paul.goodridge@ggpltd.com
 705-493-7974 don.goulet@ggpltd.com



PLANNING SUMMARY REPORT CONSENT APPLICATION NO. C62/21

Registered Owner(s)	Harvey and Lise Malette
Agent(s)	PA Blackburn Limited
Property Location	84 Quesnel Road, Sturgeon Falls, ON Part Lot 1, 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	<ol style="list-style-type: none"> 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. 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 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. (Duchesne Drain)
Recommendation	Severance be granted subject to conditions of approval.

NIPISSING INDIAN RESERVE No 10
BLOCK 49088



SKETCH TO ACCOMPANY APPLICATION FOR CONSENT
PART OF LOT 1, CONCESSION B
GEOGRAPHIC TOWNSHIP OF SPRINGER
MUNICIPALITY OF WEST NIPISSING
DISTRICT OF NIPISSING

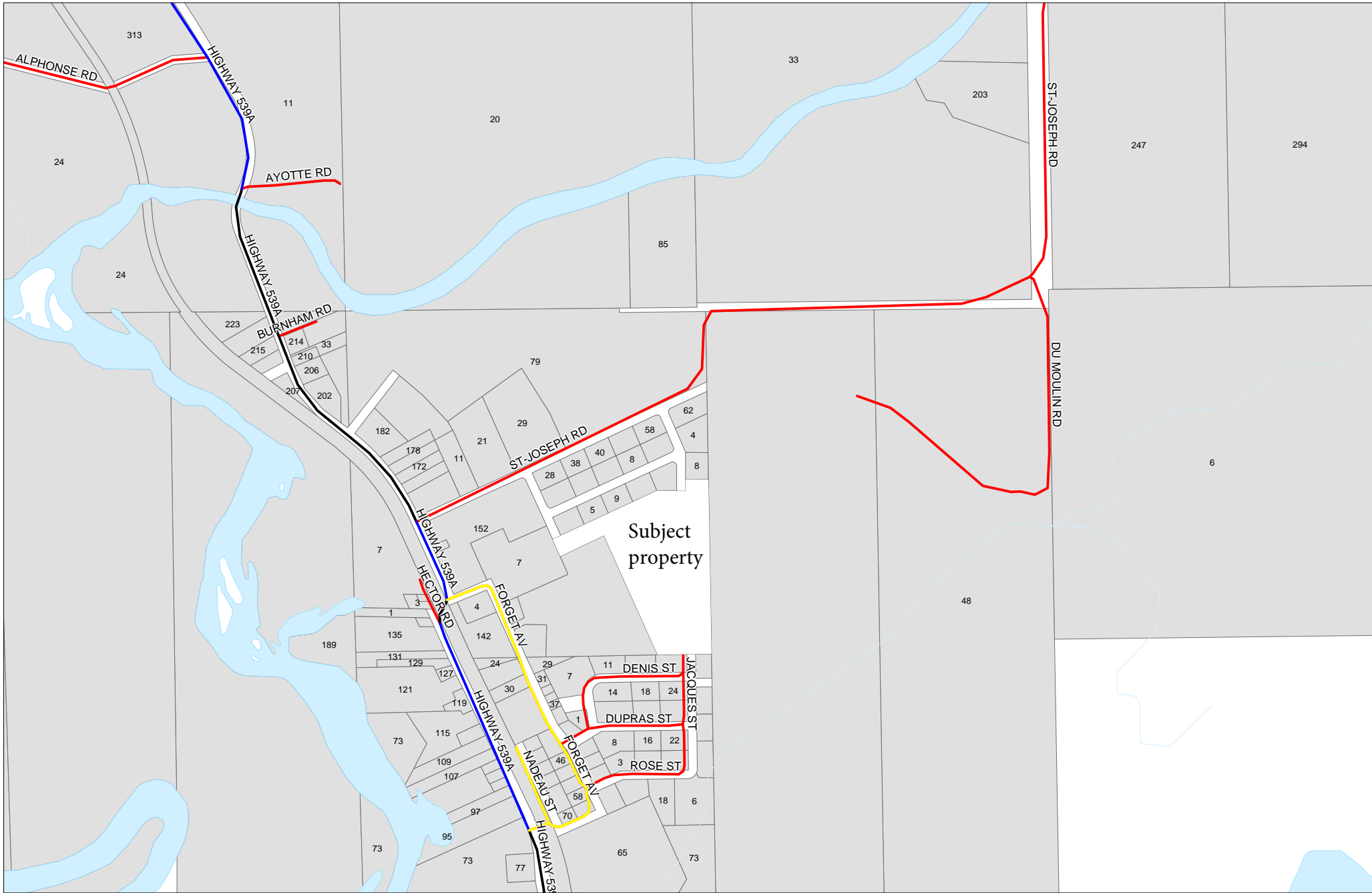
PREPARED BY P. BLACKBURN, O.L.S.

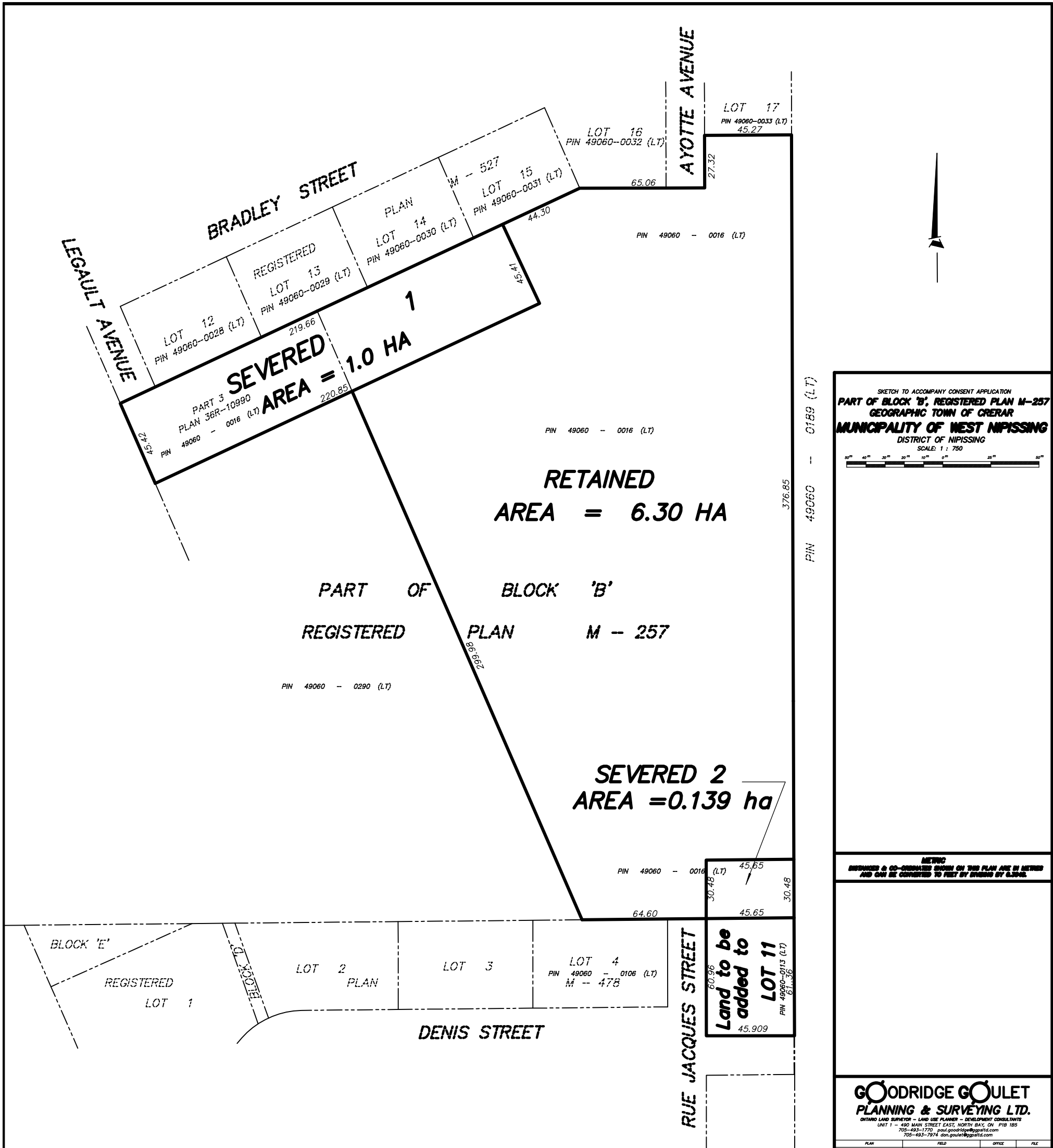


PLANNING SUMMARY REPORT CONSENT APPLICATION NO. C64/21

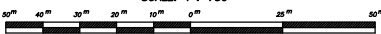
Registered Owner(s)	Daniel Giroux
Agent(s)	Goodridge Goulet Planning and Surveying
Property Location	Jacques Street, River Valley, ON Part Block B, Plan M257, Part Lot 2, Concession 4, Parts 2 and 3, 36R10990, Crerar Township, Municipality of West Nipissing
Purpose and Effect of Application	Creation of one (1) new lot and one (1) lot addition
Current Zoning	R1
Official Plan Land Use	Residential
Consistent with PPS (2014)	Yes
Conditions of Approval, if any	<ol style="list-style-type: none"> 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. If approved, the Owner shall be responsible for the upgrading of Legault Avenue to a standard acceptable to the Municipality of West Nipissing for maintenance. The Owner shall further be responsible for conveying to the Municipality sufficient property for a turn circle, the construction of which shall also be the responsibility of the Owner.
Recommendation	<p>Severance for Lot Addition be granted subject to conditions of approval.</p> <p>Severance for new lot be refused unless Applicant is agreeable to Condition 5.</p> <p>Reasons for Refusal:</p> <ul style="list-style-type: none"> • No Access from municipally maintained portion of road.
Notes	Concurrent Minor Variance Application MV2021/12

C64-21 - Daniel Giroux (Jacques St., Twp. Crerar)





SKETCH TO ACCOMPANY CONSENT APPLICATION
PART OF BLOCK 'B', REGISTERED PLAN M-257
GEOGRAPHIC TOWN OF CRERAR
MUNICIPALITY OF WEST NIPISSING
 DISTRICT OF NIPISSING
 SCALE: 1 : 750



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

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 705-493-1770, paul.goodridge@gspatd.com
 705-493-7974, don.goulet@gspatd.com

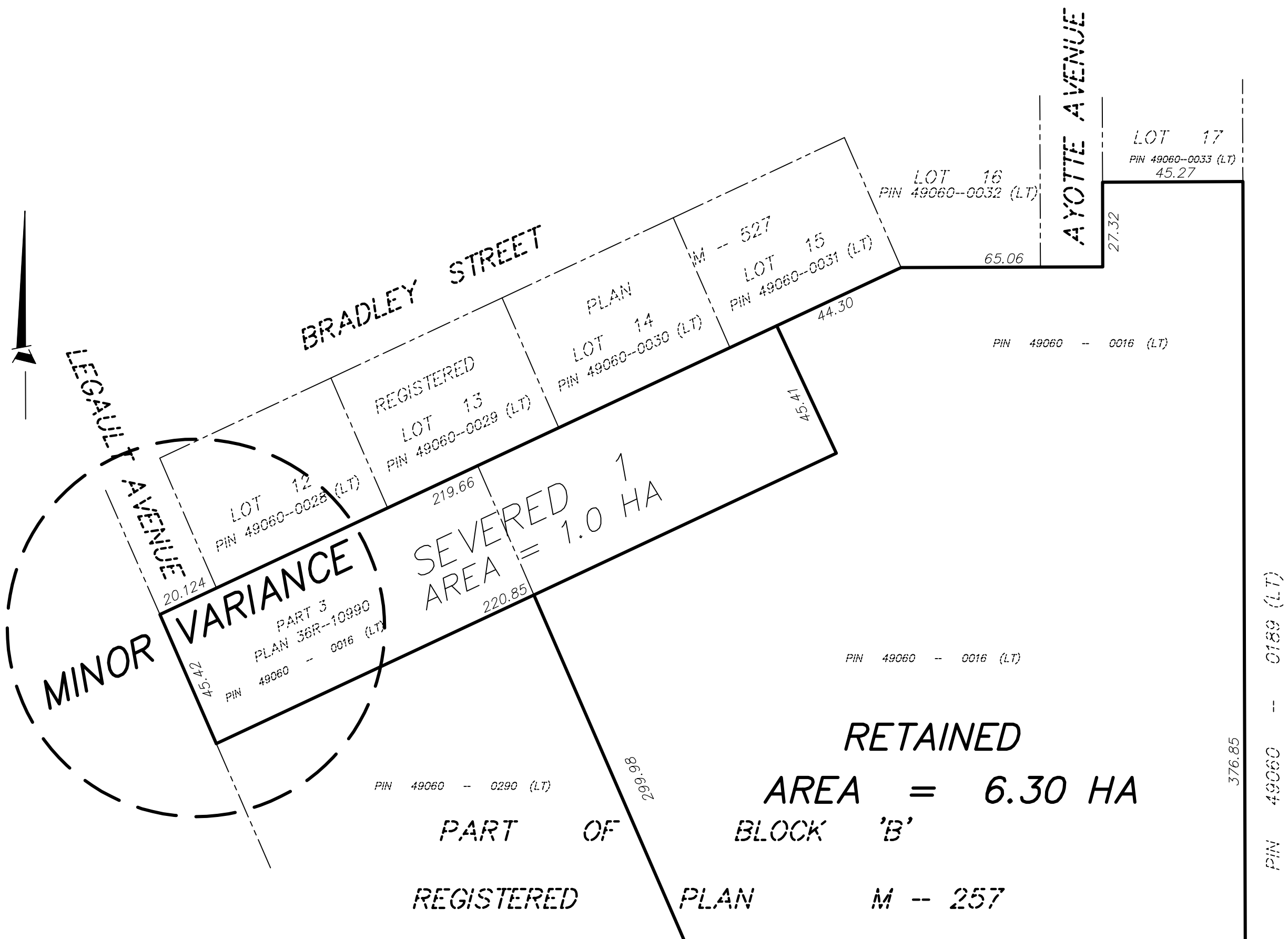
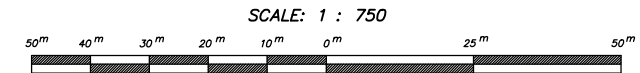
PLAN	FIELD	OFFICE	FILE
		D. GOULET	1007-21

PLANNING SUMMARY SHEET

MINOR VARIANCE APPLICATION NO. MV2021/12

Applicant(s)	Daniel Giroux
Agent(s)	Goodridge Goulet Planning and Surveying
Property Location	Jacques Street, River Valley, ON Part Block B, Plan M257, Part Lot 2, Concession 4, Parts 2 and 3, 36R10990, Crerar Township, Municipality of West Nipissing
Proposal	To reduce minimum front yard from 60m to 20m.
Current Zoning	R1
Official Plan Land Use	Residential
Conditions of Approval, if any	
Recommendation:	<p>Minor Variance be refused unless concurrent C64/21 is provisionally approved with conditions of road upgrades and turn-circle at owner's cost.</p> <p>Reasons:</p> <ul style="list-style-type: none"> New lot proposed by C64/21 does not have access from municipal maintained road.
NOTES TO MINOR VARIANCE	<p><i>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:</i></p> <ul style="list-style-type: none"> <i>Is the application minor?</i> <i>Is the application desirable for the appropriate development of the lands in question?</i> <i>Does the application conform to the general intent of the Zoning By-law?</i> <i>Does the application conform to the general intent of the Official Plan?</i> <p style="text-align: center;"><i>It is important to note that to consider any application a minor variance it must meet <u>all four</u> tests</i></p>
Notes:	Concurrent Consent Application C64/21

SKETCH TO ACCOMPANY MINOR VARIANCE APPLICATION
PART OF BLOCK 'B', REGISTERED PLAN M-257
GEOGRAPHIC TOWN OF CRERAR
MUNICIPALITY OF WEST NIPISSING
 DISTRICT OF NIPISSING

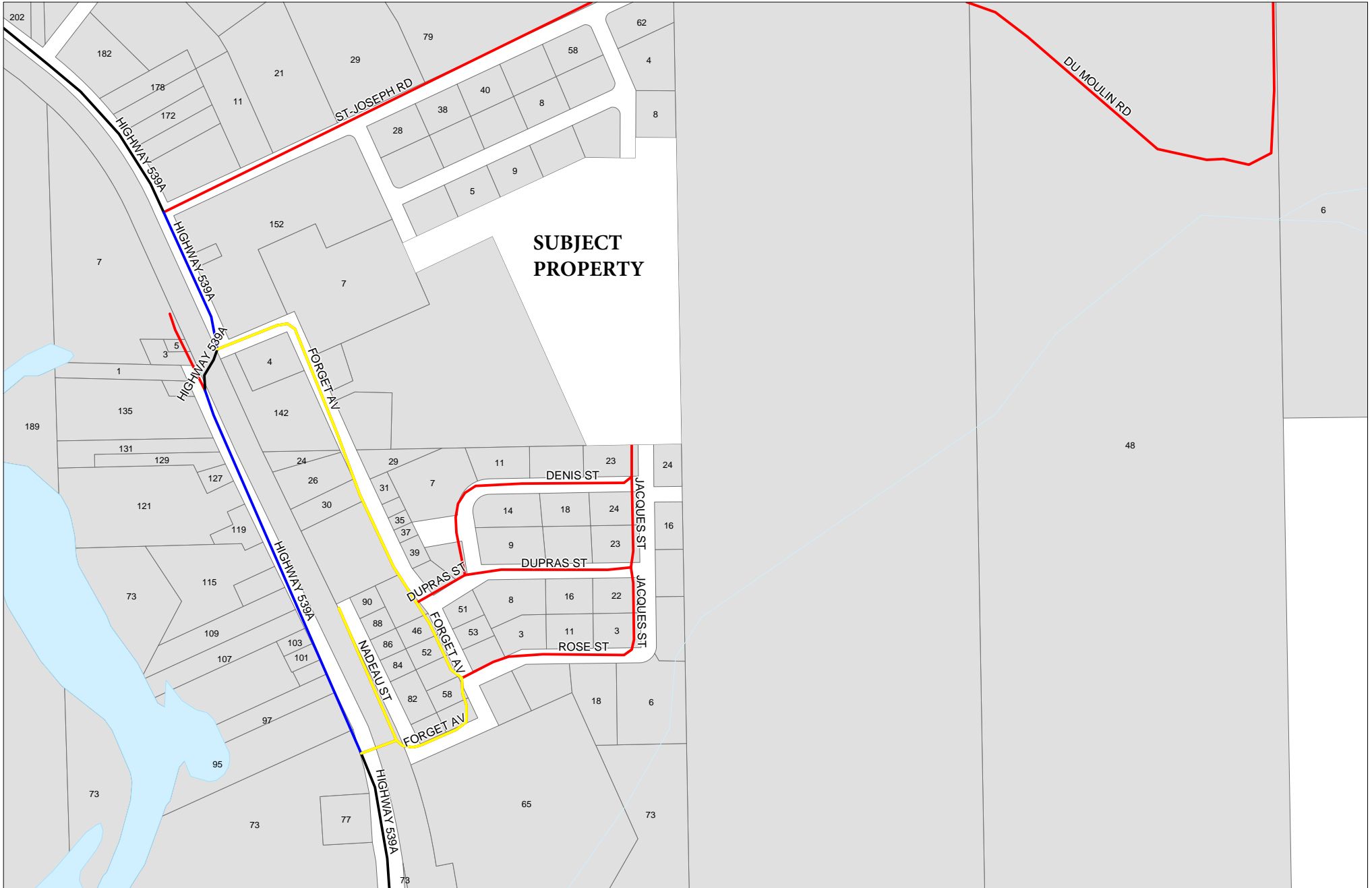


METRIC
 DISTANCES & CO-ORDINATES SHOWN ON THIS PLAN ARE IN METRES
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 705-493-7974 don.goulet@ggpltd.com

PLAN	FIELD	OFFICE	FILE
		D. GOULET	1207-21

C64/21 AND MV2021/12 - Daniel Giroux - Jacques St., River Valley



N

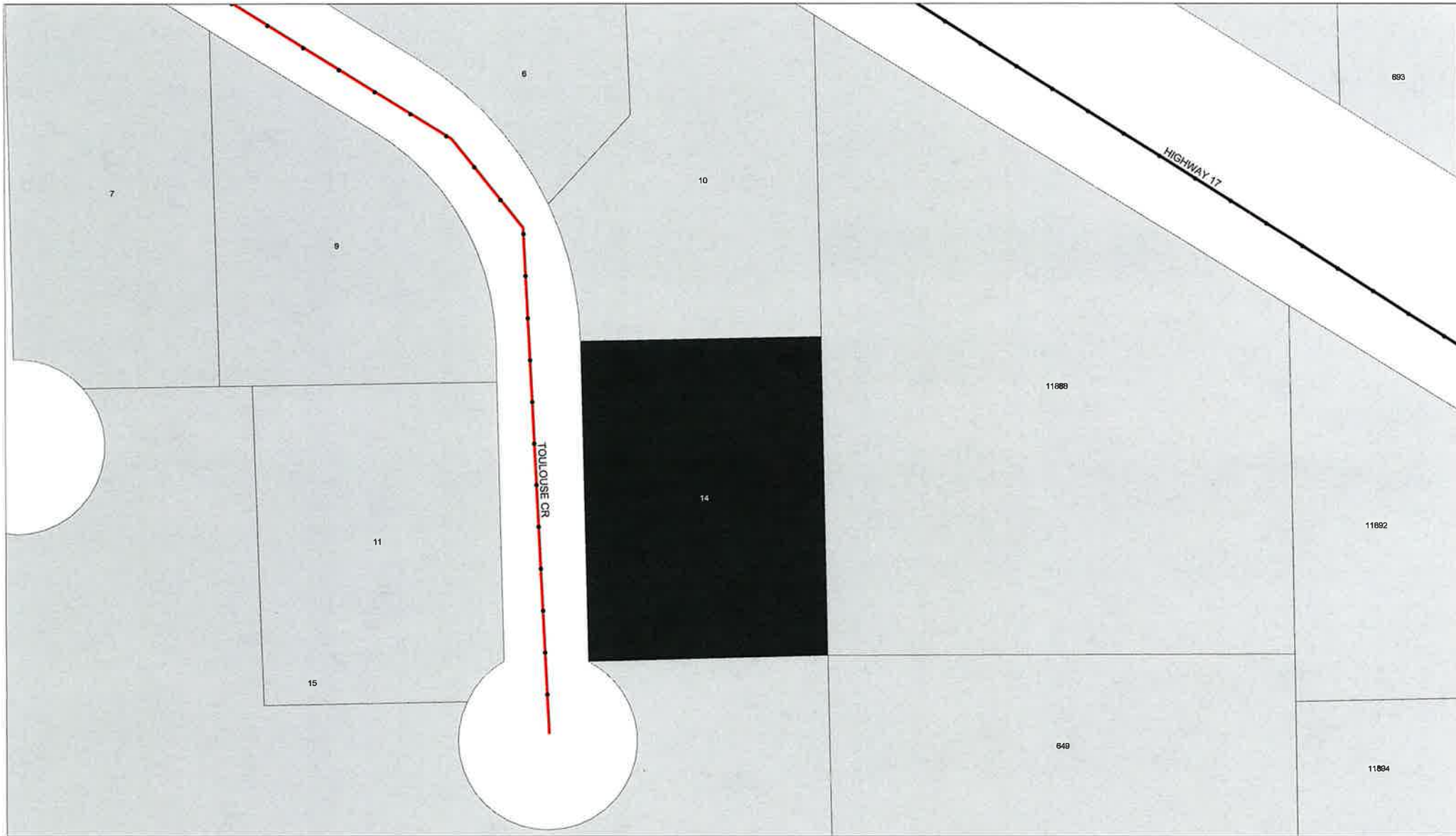




PLANNING SUMMARY REPORT CONSENT APPLICATION NO. C65/21

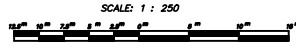
Registered Owner(s)	WBPW Lands Inc
Agent(s)	Goodridge Goulet Planning and Surveying
Property Location	14 Toulouse, Sturgeon Falls, ON Lot 14, 36M618, Springer Township, Municipality of West Nipissing
Purpose and Effect of Application	One (1) lot addition
Current Zoning	M2-1
Official Plan Land Use	Rural
Consistent with PPS (2014)	Yes
Conditions of Approval, if any	<ol style="list-style-type: none"> 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 the Lot Addition lands be re-zoned to M1 (Light Industry) so that the zoning of the Lot addition lands be the same as the property to which it is being added. 6. That a PIN Consolidation be in the Land Registry Office in order to consolidate the lot addition(s) with the lands to which they are being added.
Recommendation:	Severance be granted subject to conditions of approval.
Notes	Concurrent Minor Variance Application MV2021/14

C65/21 - WBPW Lands Inc. - 14 Toulouse Crescent



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

SKETCH TO ACCOMPANY CONSENT APPLICATION
LOT 7, CONCESSION 1
 GEOGRAPHIC TOWNSHIP OF SPRINGER
 MUNICIPALITY OF WEST NIPISSING
 DISTRICT OF NIPISSING



THE KING'S HIGHWAY NO. 77
 PLAN NO. 57497 (MTO FILE P-2261-14)
 PIN 49076-0511 (LT)

LOT 1

TOULOUSE CRESCENT

RETAINED

SEVERED

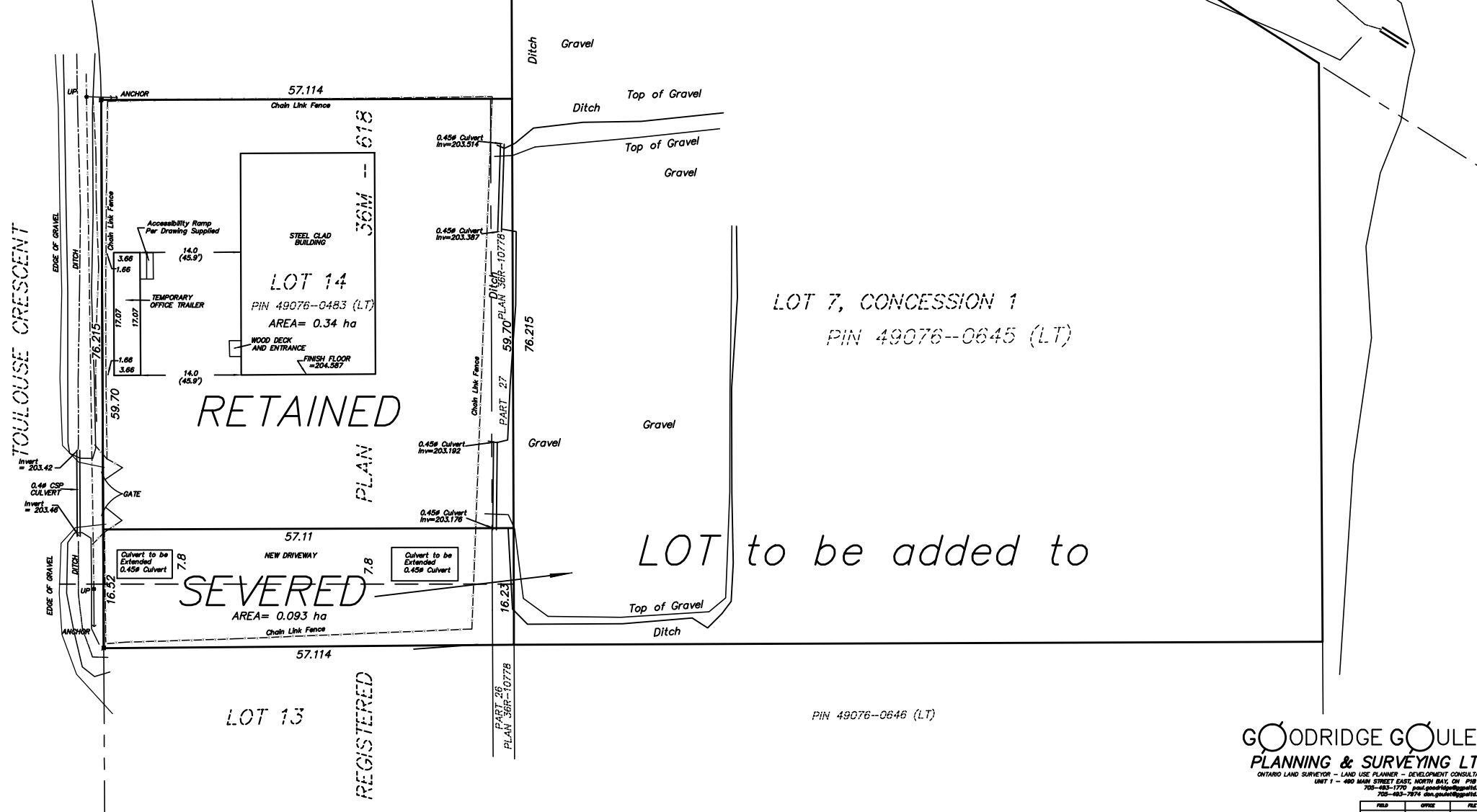
PLAN

REGISTERED

LOT 7, CONCESSION 1
 PIN 49076-0645 (LT)

LOT to be added to

PIN 49076-0646 (LT)



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 705-483-1770 goodridge@goodridgegoulet.com
 705-483-7874 dm.goulet@goodridgegoulet.com

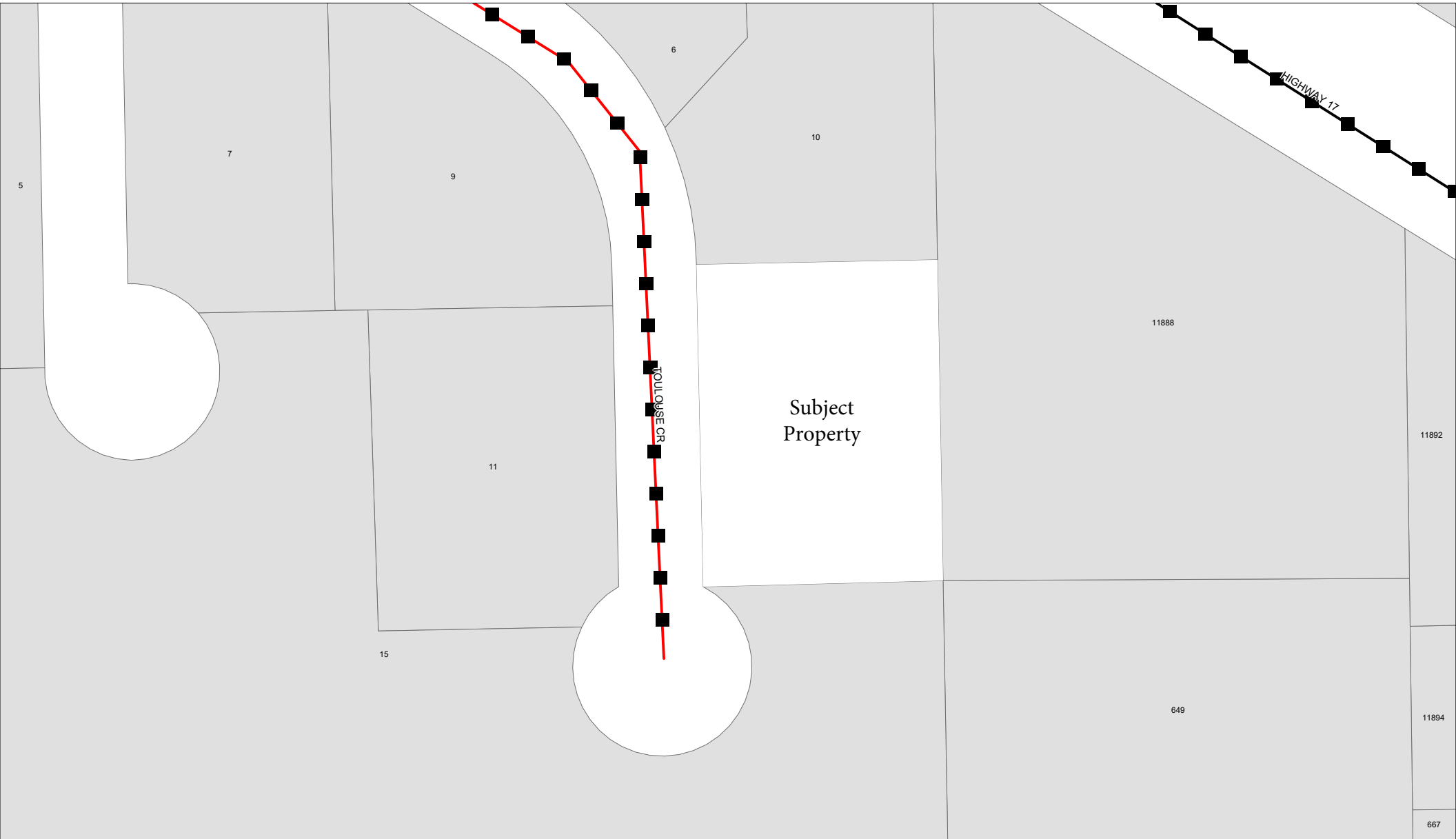
FIELD	OFFICE	FILE
A. DUNN	B. WISLEY	22-10-2

PLANNING SUMMARY SHEET

MINOR VARIANCE APPLICATION NO. MV2021/14

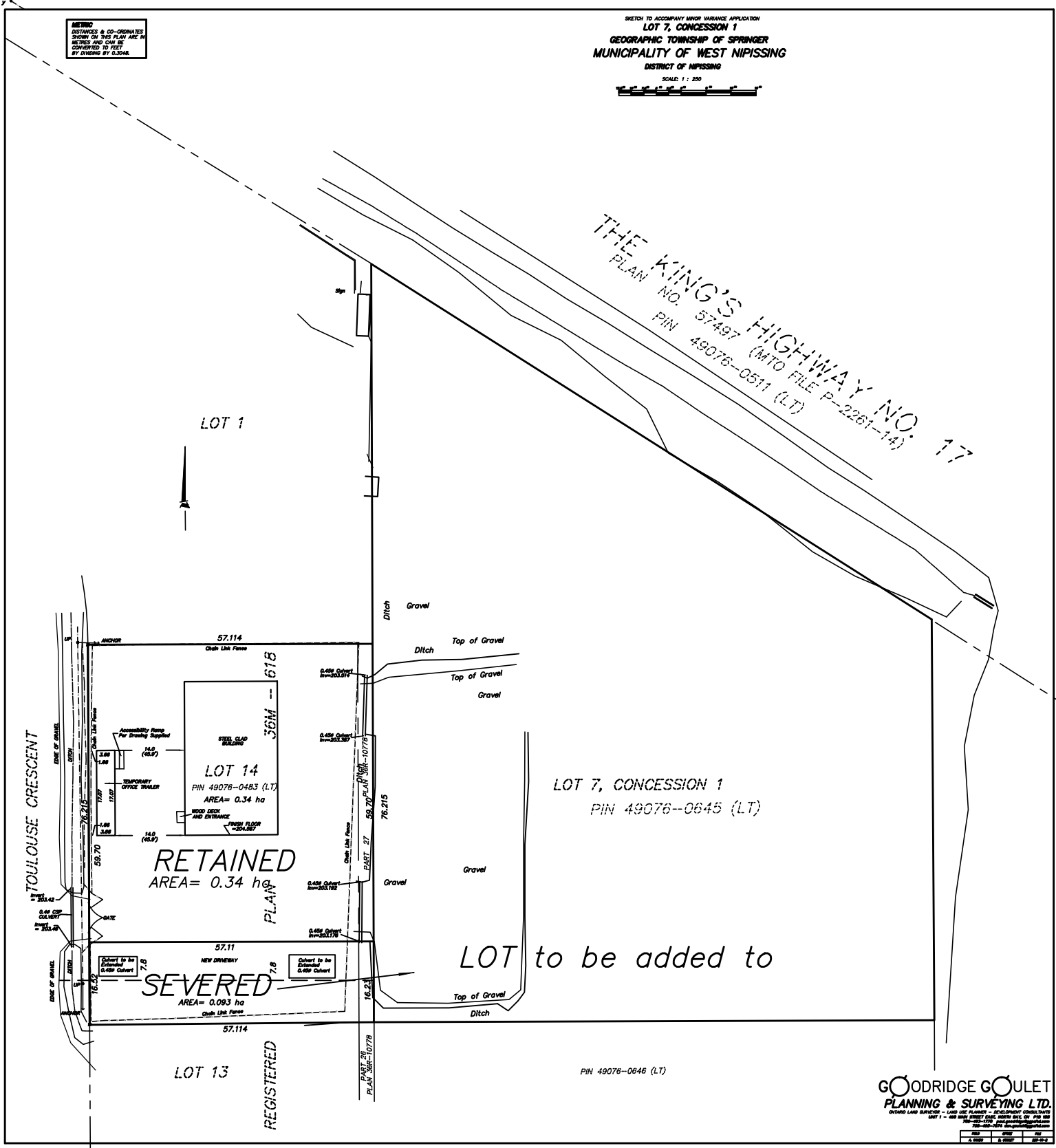
Applicant(s)	WBPW Lands Inc
Agent(s)	Goodridge Goulet Planning and Surveying
Property Location	14 Toulouse, Sturgeon Falls, ON Lot 14, 36M618, Springer Township, Municipality of West Nipissing
Proposal	To reduce minimum lot area from 0.4ha to 0.33ha.
Current Zoning	M2-1
Official Plan Land Use	Rural
Conditions of Approval, if any	
Recommendation:	<p>Minor Variance be granted:</p> <p>Reasons:</p> <ul style="list-style-type: none"> • No objections have been raised from adjacent owners • Proposed application meets the general intent of the West Nipissing Zoning By-Law and Official Plan
NOTES TO MINOR VARIANCE	<p><i>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:</i></p> <ul style="list-style-type: none"> • <i>Is the application minor?</i> • <i>Is the application desirable for the appropriate development of the lands in question?</i> • <i>Does the application conform to the general intent of the Zoning By-law?</i> • <i>Does the application conform to the general intent of the Official Plan?</i> <p style="text-align: center;"><i>It is important to note that to consider any application a minor variance it must meet <u>all four tests</u></i></p>
Notes:	Concurrent Consent Application C65/21

MV2021/14 - WBPW Lands Inc. - 14 Toulouse Crescent



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

SKETCH TO ACCOMPANY MINOR VARIANCE APPLICATION
LOT 7, CONCESSION 1
GEOGRAPHIC TOWNSHIP OF SPRINGER
MUNICIPALITY OF WEST NIPISSING
 DISTRICT OF NIPISSING
 SCALE 1 : 250



THE KING'S HIGHWAY NO. 17
 PLAN NO. 57497 (MTO FILE P-2281-1A)
 PIN 49076-0511 (LT)

TOULOUSE CRESCENT
 CHAIN LINK FENCE
 ANCHOR
 57.114
 57.114
 36M
 57.114

RETAINED
 AREA = 0.34 ha
 PLAN 36M -- 618

SEVERED
 AREA = 0.093 ha
 NEW DRIVEWAY
 57.11
 CHAIN LINK FENCE
 57.114

LOT 13

REGISTERED

LOT 7, CONCESSION 1
 PIN 49076-0645 (LT)

LOT to be added to

PIN 49076-0646 (LT)

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 TEL: 905-270-8877 FAX: 905-270-8878
 WWW.GOODRIDGEGOULET.COM

PLANNING SUMMARY SHEET

MINOR VARIANCE APPLICATION NO. MV2021/09

Applicant(s)	Cynthia Gareau-Gingras and Davis Case
Agent(s)	N/A
Property Location	128A Gareau Road, Verner, ON Lot 13, Plan M307, Badgerow Township, Municipality West Nipissing
Proposal	To increase maximum lot coverage of accessory structures from 5% to 6.4% in order to construct garage (11m x 11.5m)
Current Zoning	SR
Official Plan Land Use	Waterfront
Conditions of Approval, if any	
Recommendation:	<p>Minor Variance be granted:</p> <p>Reasons:</p> <ul style="list-style-type: none"> • No objections have been raised from adjacent owners • Proposed application meets the general intent of the West Nipissing Zoning By-Law and Official Plan
NOTES TO MINOR VARIANCE	<p><i>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:</i></p> <ul style="list-style-type: none"> • <i>Is the application minor?</i> • <i>Is the application desirable for the appropriate development of the lands in question?</i> • <i>Does the application conform to the general intent of the Zoning By-law?</i> • <i>Does the application conform to the general intent of the Official Plan?</i> <p style="text-align: center;"><i>It is important to note that to consider any application a minor variance it must meet <u>all four tests</u></i></p>

MV2021/09 - 128A Gareau Road - Cynthia Gareau-Gingras and Davis Case



CACHE LAKE



SKETCH TO ACCOMPANY BUILDING PERMIT APPLICATION
LOT 13, REGISTERED PLAN M307
GEOGRAPHICAL TOWNSHIP OF BADGEROW
MUNICIPALITY OF WEST NIPISSING
DISTRICT OF NIPISSING
SCALE: 1 : 250

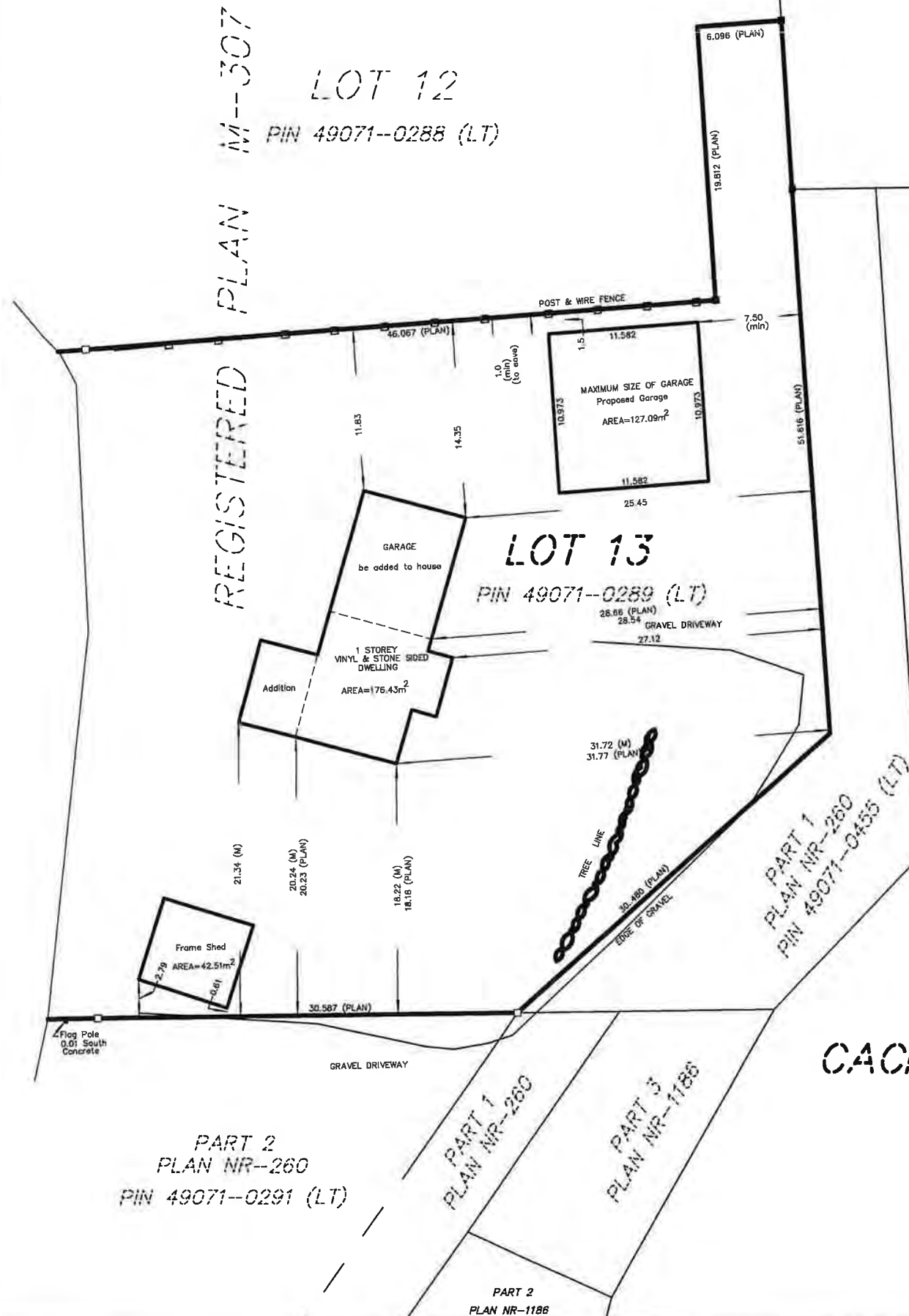


GAREAU STREET
PIN 49071-0455 (LT)

REGISTERED PLAN M--307

LOT 12
PIN 49071-0288 (LT)

LOT 15
REGISTERED PLAN M--307



METRIC CONVERSION

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

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CAUTION

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AREA OF LOT 2630.305m²
LOT COVERAGE ALL BUILDINGS = 13.2%
LOT COVERAGE FOR ACCESSORY BUILDINGS = 6.4%
LOT COVERAGE DWELLING = 6.71%

CACHE LAKE

GOODRIDGE GOULET
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705-493-1770 paul.goodridge@ggpstld.com
705-493-7974 dan.goulet@ggpstld.com

FIELD	OFFICE	FILE
K. LAROUCHE	D. GOULET	859-20-3

PLANNING SUMMARY SHEET

MINOR VARIANCE APPLICATION NO. MV2021/13

Applicant(s)	Roch Gallien
Agent(s)	N/A
Property Location	41 Lakewood, Lavigne, ON Part Lot 2, Concession 3, Macpherson Township, Municipality West Nipissing
Proposal	To reduce minimum front yard setback from 18m to 11m to permit deck enclosure
Current Zoning	SR
Official Plan Land Use	Hazard
Conditions of Approval, if any	
Recommendation:	<p>Minor Variance be granted:</p> <p>Reasons:</p> <ul style="list-style-type: none"> • No objections have been raised from adjacent owners • Proposed application meets the general intent of the West Nipissing Zoning By-Law and Official Plan
NOTES TO MINOR VARIANCE	<p><i>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:</i></p> <ul style="list-style-type: none"> • <i>Is the application minor?</i> • <i>Is the application desirable for the appropriate development of the lands in question?</i> • <i>Does the application conform to the general intent of the Zoning By-law?</i> • <i>Does the application conform to the general intent of the Official Plan?</i> <p style="text-align: center;"><i>It is important to note that to consider any application a minor variance it must meet <u>all four tests</u></i></p>

MV2021/13 - Roch Gallien - 41 Lakewood Road, Lavigne



Site Plan Gallien/Lacroix

Total area
0.41 acres

Lac
100'

41 Lakewood Rd.

Lauvigne

Corner Post
of lot (surveyed)

Deck from lot line
10' (roughly)
(3.048 metres)

Deck (existing)
6' x 40'

Shed

Covered Deck 12' x 35'
existing

Deck existing
12' x 28'

Maison
* original 1967
* Renovated 1991
with decks

Garage
28'
24'
6'

Nouveau
Garage Gallien/
Lacroix

Nouveau
Garage
22'
16'
5.7'
14'

178.6'

16'

North
↑

Chemin

* Dessin n'est pas à l'échelle

Corner Post
surveyed
by neighbour