

PRESENT: J. Rogerson
P. Geden
P. Walker

SUMMARY OF THE APPLICATION:

A Consent to sever application has been submitted by Miller & Urso Surveying Inc. on behalf of Mary Anne Nelson, 400 Wilson Road, requesting an easement for the purpose of creating a legal right-of-way over 400 Wilson Road, PIN 49126-0024 (LT), in favour of the adjacent vacant lot identified on attached schedule as PIN 49126-0025(LT) which currently has no frontage on a publicly maintained road. The easement is required in order to develop the property.

OTHERS IN ATTENDANCE:

Rick Miller

The Chairman called the Hearing to Order at 10:30 a.m. and outlined the procedure to be followed and read the Notice of Hearing. A Planning Report was prepared and distributed prior to the Hearing. The Report referenced the Zoning By-law, the Official Plan, the Provincial Policy Statements and the Growth Plan for Northern Ontario and concluded the application was good planning. Comments received offered no objections.

An abutting property owner was in attendance, Shelby DeBernardi, 310 Wilson Road, who had concerns that the proposed ROW would go over his property, and based on a survey from 2012, 400 Wilson Road did not have any frontage on Wilson Road.

Rick Miller advised that the survey from 2012 was completed by his firm and illustrated the abutting lands based on how the Registry Office showed them, which was in fact wrong, however, the abutting lands were not part of the survey at that time and were shown for illustration purposes. Miller advised they have since surveyed the property and there is frontage on Wilson Road.

The Chair also advised Mr. DeBernardi, that his points were valid and the easement could not be placed on his property and that the conditions were there to protect him, such as the applicant would have to provide road widening to the City if required and the survey would have to demonstrate that there is frontage on Wilson Road.

Being no further questions or comments, the following resolution was then passed:

RESOLUTION NO. 1

MOVED BY: Paul Walker

SECONDED BY: Phil Geden

“THAT the Consent to sever application submitted by Miller & Urso Surveying Inc. on behalf of Mary Anne Nelson, 400 Wilson Road, requesting an easement for the purpose of creating a legal right-of-way over 400 Wilson Road, PIN 49126-0024 (LT), in favour of the adjacent vacant lot identified on attached schedule as PIN 49126-0025(LT) which currently has no frontage on a publicly maintained road. The easement is required in order to develop the property, **BE APPROVED.”**

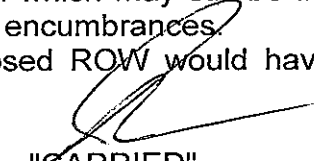
REASONS:

- 1) The general intent and purpose of the City of North Bay’s Official Plan and Zoning By-law 2015-30 are being maintained.
- 2) As no public comment, written or oral has been received, there was no effect on the Committee’s Decision.
- 3) Public comment has been received and considered and had no effect on the Committee’s Decision as the application is consistent with all relevant planning legislation and represents good planning.

CONDITIONS:

- 1) That a copy of the new survey be filed with the City.
- 2) Confirmation that all taxes are paid up to date.
- 3) That all conditions must be met on or before August 6, 2020, being one year from the giving of notice or the consent will be deemed not to have been given as per Section 53(20) of the Planning Act, R.S.O. 1990, as amended.

- 4) That a Transfer/Deed of Land be submitted to the Secretary-Treasurer for the issuance of a Certificate of Consent.
- 5) Subject to the transfer to the City of North Bay of any portion of the abutting road allowance to either the retained or the severed parcel which may still be in the paper title of the applicants. This transfer shall be free and clear of all encumbrances.
- 6) Confirmation is provided that the proposed ROW would have access to the existing publicly maintained road, Wilson Road.




"CARRIED"
J. Rogerson, Chairman

CONCURRING MEMBERS

J. Rogerson, Chair
P. Geden
P. Walker

NON-CONCURRING MEMBERS



CHAIRMAN



SECRETARY-TREASURER