

MINUTES OF THE BUSINESS MEETING OF THE NORTH BAY COMMITTEE OF ADJUSTMENT HELD VIRTUALLY VIA ZOOM ON TUESDAY, MAY 12, 2020. FILE NO. B-06-20 & CONCURRENT B-07-20

**PRESENT:** J. Rogerson  
P. Geden  
M. Buchanan  
D. Young

**SUMMARY OF THE APPLICATION:**

A Consent to sever application submitted by Miller & Urso Surveying Inc. on behalf of BVD Holdings North Bay Inc. requesting to sever two small parcels from their holdings at 270 Pinewood Park Drive for the purpose of lot additions to be added to the abutting vacant property in order to accommodate a proposed development. The applicants are also requesting an easement for drainage purposes. A concurrent Consent to Sever Application File B-07-20 has been filed with this application to facilitate a land swap between the two properties.

**OTHERS IN ATTENDANCE:**

Rick Miller

The Chairman called the Hearing to Order at 9:30 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.

The Chairman invited Mr. Miller to discuss the application on behalf of his client. Mr. Miller advised on the following:

- the subject property is currently developed with a Tim Horton's, a convenience store, a gas station, a Burger King and a Petro-Canada.
- The portion that is currently before the Committee has not been developed yet but there is a proposed future Sheraton 4 Points Hotel with 132 rooms to be constructed.
- Access from Pinewood Park Drive over existing easements
- Access from the Highway will not be granted by Ministry of Transportation
- MTO have requested a Storm Water Management Study and easements.
- All preliminary plans have been discussed at the Development Application Review Team (DART), Ministry of the Environment and Ministry of Transportation.
- Permits will be required from MTO in addition to Building Permits.
- Discussion on the C6Sp.70 zone
- Tim Horton's Drive Thru separate from easement
- land swap required to facilitate the lot addition
- clarification under the Planning Act preventing lot additions to originally severed parcels
- MTO's comments requesting deferral not appropriate - nothing can happen without their approval

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

**RESOLUTION NO. 3**

**MOVED BY: Marc Buchanan**

**SECONDED BY: Don Young**

“**THAT** the consent to sever application submitted by Miller & Urso Surveying Inc. on behalf of BVD Holdings North Bay Inc. requesting to sever two small parcels from their holdings at 270 Pinewood Park Drive for the purpose of lot additions to be added to the abutting vacant property in order to accommodate a proposed development and the request for an easement for drainage purposes, **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.

**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 May 12, 2021, 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.

"CARRIED"

J. Rogerson, Chairman

**CONCURRING MEMBERS**

J. Rogerson, Chair  
P. Geden  
M. Buchanan  
D. Young

**NON-CONCURRING MEMBERS**

**RESOLUTION NO. 4**

**MOVED BY: Marc Buchanan**

**SECONDED BY: Don Young**

**"THAT** the Consent application submitted by Miller & Urso Surveying Inc. on behalf of BVD Holdings London Inc. requesting to sever a small 3sq.m area from their vacant holdings to alter the original severed property and add this 3sq.m parcel as a lot addition to 270 Pinewood Park Drive in order to facilitate a land swap between the two properties, **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.

**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 May 12, 2021, 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.

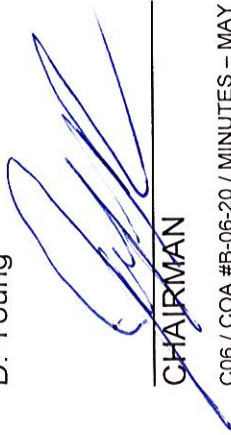
"CARRIED"

J. Rogerson, Chairman

**CONCURRING MEMBERS**

J. Rogerson, Chair  
P. Geden  
M. Buchanan  
D. Young

**NON-CONCURRING MEMBERS**

  
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CHAIRMAN

  
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SECRETARY-TREASURER