



**Committee of Adjustment  
Notice of Decision**

**File Number:** #B08/24– Creation of a New Lot  
**Subject Land:** Part of Lot 15, Concession 1, Geographic Township of Barrie (Big Gull Lake)  
**Applicant(s):** Ben Thompson and Greg Thompson

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**Date of Decision:** July 22, 2024

**Date of Notice:** July 23, 2024

In the Matter of the Consent Application under Section 53(1) of the Planning Act by Ben Thompson and Greg Thompson, being lands located in Part of Lot 15, Concession 1, Geographic Township of Barrie for the purpose of creating one New Lot.

Having conferred with all prescribed agencies as set out in Section 53(4) of the Planning Act, and having determined that a plan of subdivision is not necessary for the proper and orderly development of the municipality, and having had regard to those matters prescribed in Section 51(24) of the Planning Act, the Corporation of the Township of North Frontenac Committee of Adjustment has decided that this application shall be approved subject to the following conditions:

**Expiry Period**

1. Conditions imposed must be met within two years of the date of the Notice of Decision, as required by Section 53(41) of the Planning Act, RSO 1990, as amended. If conditions are not fulfilled as prescribed within two years, the application shall be deemed to be refused. Provided that all conditions are satisfied, the Certificate of Official is to be presented to the Secretary-Treasurer, Committee of Adjustment for certification under Section 53(42) of the Planning Act, R.S.O. 1990 as amended, within two years of mailing of this Notice of Decision.
2. The Certificate of Official must be registered within two years from the issuance of the Certificate as required under Section 53(43) of the Planning Act, R.S.O. 1990, as amended. A copy of the registered transfer certificate shall be provided to the Secretary-Treasurer, Committee of Adjustment to complete the file.

**Severed Lands**

3. The land to be severed by Consent Application number B08/24 shall be for the creation of one new lot approximately 1.52 hectares (3.76 acres) in area and will have a minimum of 61 metres (200 feet) of frontage along the shoreline of Big Gull Lake and a minimum of 77 metres (252.6 feet) along Gull Lake Road.

**Survey/Reference Plan or Registerable Description**

4. The surveyor or owner shall submit the draft Reference Plan electronically, or in paper form, for review and approval by planning staff prior to depositing the Reference Plan with the Land Registry Office.
5. An acceptable reference plan or legal description of the severed lands in duplicate [Registry Act, s.81, Land Titles Act, s. 150], the deed or instrument conveying the severed lands, and the Certificate of Official shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of two years [Planning Act, s. 53(41)] after the date of Decision [Planning Act, ss. 53(17) and 53(24)].
6. That the description of the parcel being severed, and the names of the Transferor and Transferee are included on the schedule attached to the deed of the land.

7. The applicant or his/her solicitor shall prepare and submit to The Corporation of the Township of North Frontenac, a transfer or such other required form of document necessary to implement the consent, including Form 1, Form 2, Form 3, or Form 4, as applicable, prescribed by Ontario Regulation 197-96, for endorsement by the Secretary-Treasurer of the Committee of Adjustments for the municipality. This transfer or other legal document shall be provided to the municipality within a period of two years after Notice of Decision was given under subsection 53(15) or 53(24) of the *Planning Act*.

### **Existing Structures**

8. Prior to the signing of the Certificate of Official for the lot to be created through consent application B08/24 all existing structures shall be demolished and removed from the subject property.

### **Municipal Requirements**

9. Minor variance application A04/24 for a reduction in the minimum required water frontage for the creation of a new lot must be approved prior to the signing of the Certificate of Official for the lot to be created through consent application B08/24.
10. That the Applicant(s) shall ensure an entrance is installed from Gull Lake Road to the lot proposed through Consent Application B08/24.
11. That the Applicant(s) shall purchase and install a civic address sign as per Municipal Requirements.
12. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. This includes all taxes levied as of the date of the signing of the certificate of official.
13. That the applicant shall provide payment to the Township of North Frontenac for a cash-in-lieu of parkland fee, pursuant to Sections 51(1) and 53(13) of the Planning Act, and in accordance with By-Law Number 34-19, in the amount of five percent (5%) of the appraised value of the land which is subject to this Consent application. The applicant shall provide a letter of opinion of value from a qualified appraiser or real estate professional (with comparable properties), or a professional appraisal completed to determine the value of the land as of the day before the provisional consent was given. The maximum payment amount shall be \$1,000.
14. In the event that there are abandoned wells located on the severed parcel, they be sealed in accordance with the requirements of the Ministry of the Environment.
15. Where a violation of the Township of North Frontenac Zoning By-Law is evident, the appropriate minor variance or re-zoning be obtained to the satisfaction of the Municipality.
16. That confirmation is filed with the application file that conditions have been fulfilled to the municipality's satisfaction.

I hereby certify that this is the decision of the Township of North Frontenac Committee of Adjustment on the above noted application for consent. Further information regarding this application may be obtained by contacting the Township Office by telephone (613) 479-2231 Monday to Friday 9 a.m. to 4 p.m.

### **Notice of Last Date of Appeal**

Notice is hereby given that the last date for appealing this decision to the Ontario Land Tribunal is **August 12, 2024**.

Only Individuals, Corporations and Public Bodies may appeal decisions in respect of applications for consent to the Ontario Land Tribunal. A Notice of Appeal may not be filed by an unincorporated association or group. However, a Notice of Appeal may be filed in the name of an individual who is a member of the association or group on its behalf. A completed appeal form accompanied by the prescribed fee payable to the **Minister of Finance** should be received on or before the date noted above.

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Tara Mieske  
Secretary -Treasurer