



**Corporation of the Municipality of Temagami**

**Memo No.**  
2018-M-046

**Memorandum to Council**



**Staff**



**Committee**

**Subject:**

Site Plan Agreement No. SPC-18-05 – 6501 Hwy 11 North

**Agenda Date:**

**August 14, 2018**

**Attachments for  
Information:**

- SPC-18-05 Site Plan Application & Draft Agreement

**RECOMMENDATION**

This memorandum is to recommend that Council consider the following motion:

BE IT RESOLVED THAT Council receive Memo 2018-M-046 regarding the proposed site plan agreement; AND FURTHER THAT Council approve the proposed Site Plan Control Agreement SPC-18-05, for John and Diane Pandolfo.

**INFORMATION**

Sabrina Pandolfo Agent for John and Diane Pandolfo has made an application for site plan control. The property is zoned Highway Commercial (HC) and By-law 07-728 requires that commercial properties be approved by Municipal Council and subsequently signed by the Mayor and Municipal Clerk.

The Agent also made an application for a Zoning By-law Amendment that was granted on June 28, 2018 pending a 20 day appeal period. As of August 2, 2018 no appeals have been received on the zoning by-law amendment.

The proposed development consist of:

1. Proposed Construction of a 32' x 50' Garage/shop approved as per Zoning By-Law Amendment No. 18-1402.

As per the Zoning By-law 06-650 section 7.11.2 (Accessory Buildings) are permitted. It is recommended that Council pass a resolution authorizing the Mayor and Clerk to sign the attached Site Plan Agreement.

Prepared by:

Reviewed and Approved for Council consideration by:

**Tammy Lepage,  
Planning Clerk/Deputy Clerk**

**Craig Davidson  
Treasurer/Administrator /Acting Clerk**

Name, Position

Name, Position

SPC-18-05

**The Corporation of the Municipality of  
Temagami**



**Application for Site Plan Control**

**PLEASE READ BEFORE COMPLETING THIS APPLICATION**

In addition to this form, the Applicant will be required to submit the appropriate fee, site plan, and any additional information required to assess the proposal. Failure to submit all of the required information may prevent or delay the consideration of the Application. If more space is required please use additional sheets.

**Please Print and Complete or (✓) Appropriate Box(es)**

| SECTION 1 – APPLICANT INFORMATION   |   |                           |
|---|---|---------------------------|
| <b>1.1 Owner Information</b>  |   |                           |
| Name of Owner(s)<br>John & Diane Pandolfo   |   |                           |
| Home Telephone Number<br>[REDACTED]   | Business Telephone Number<br>Cell: [REDACTED] |                           |
| Fax Number  | Email Address<br>[REDACTED]                   |                           |
| Mailing Address<br>[REDACTED]   |   | Postal Code<br>[REDACTED] |
| If the owner is a corporation, please provide the name of the person who has the authority to bind the corporation and who will sign the legal agreement on behalf of the Corporation |   |                           |
| Name(s): _____  |   |                           |
| Position(s): _____  |   |                           |
| <b>1.2 Agent Information (Who is making the application on behalf of the owner)</b>   |   |                           |
| Name of Agent / Contact Person:<br>Sabrina Pandolfo   |   |                           |
| Home Telephone Number<br>[REDACTED]   | Business Telephone Number<br>[REDACTED]       |                           |
| Fax Number  | Email Address<br>[REDACTED]                   |                           |
| Mailing Address<br>[REDACTED]   |   | Postal Code<br>[REDACTED] |

1.3 Please specify to whom all communications should be sent

- ☐ Owner  
☐ Agent  
☒ Both Owner and Agent

## SECTION 2 – LOCATION OF THE SUBJECT LAND

### 2.1 Location of Land

Municipal Address

6501 Highway 11 North / Temagami, Ontario / P0H 2H0

Legal Description

Strathcona / LOC PV 11 / Parcel 17556

## SECTION 3 – AUTHORIZATION

3.1 If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner that the applicant is authorized to make the application must be included with this form or the authorization set out below must be completed.

### AUTHORIZATION OF OWNER FOR AGENT TO MAKE THE APPLICATION

I, John Pandolfo and Diane Pandolfo, am the owner of the land that is subject of this application and I authorize Sabrina Pandolfo to make this application on my behalf.

[Signature]  
Signature of Owner(s)

May 10, 2018  
Date

3.2 If the applicant is not the owner of the land that is the subject of this application, complete the authorization of the owner concerning personal information set out below.

### AUTHORIZATION OF OWNER FOR AGENT TO DISCLOSE PERSONAL INFORMATION

I, John Pandolfo and Diane Pandolfo, am the owner of the land that is subject of this application and for the purpose of the Freedom of Information and Protection of Privacy Act I authorize Sabrina Pandolfo to make this application on my behalf.

[Signature]  
Signature of Owner(s)

May 10, 2018  
Date

**3.3 Consent of Owner – Complete the consent of the owner concerning personal information set out below**

**CONSENT OF THE OWNER TO THE USE AND DISCLOSURE OF PERSONAL INFORMATION**

I, John Pandolfo and Diane Pandolfo, am the owner of the land that is the subject of this application and for the purposes of the Freedom of Information and protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application.

[Signature]  
[Signature]

Signature of Owner(s)

May 10, 2018  
Date

**3.4 Consent of Owner – Site Visit**

I, John Pandolfo and Diane Pandolfo, am the owner of the land that is the subject of this application and I authorize municipal staff and committee of adjustment members to enter onto the property to gather information necessary for assessing this application.

[Signature]  
[Signature]

Signature of Owner(s)

May 10, 2018  
Date

**SECTION 4 – CHECK LIST**

Have you remembered to attach the following

- ☒ 2 copies of the completed application form
- ☒ 2 copies of the required sketch
- ☒ 2 copies of any required technical or justification study
- ☒ The required fee (cheque payable to the Municipality of Temagami)

**SECTION 5 – DESCRIPTION OF THE PROJECT**

**5.1 Project Description**

Nature and extent of project

To Construct an accessory building for the use of a shop/garage.

Description of any proposed buildings/structures

32 feet X 50 Feet  
Stick Frame  
Steel Roof  
Sided

Description of any proposed uses

Garage / Shop

**SECTION 6 – AFFIDAVIT OR SWORN DECLARATION (to be completed by each owner)**

I, Sabrina Pandolfo  
(full name)

of the Municipality of Temagami  
(city, town)

in the District of Nipissing  
(region, county, district)

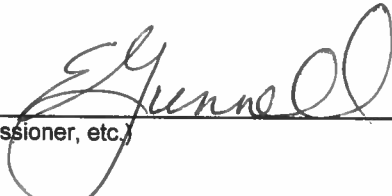
make oath and say (or solemnly declare) that the information contained in this application is true and that the information contained in the documents that accompany this application is true.

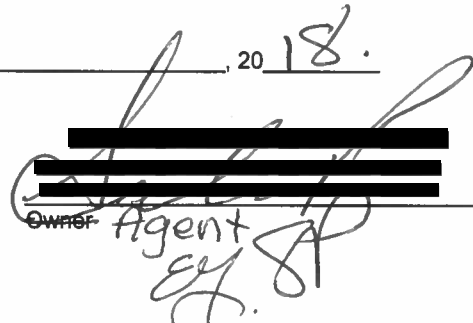

Sworn (or declared) before me

at the Municipality of Temagami  
(city, town)

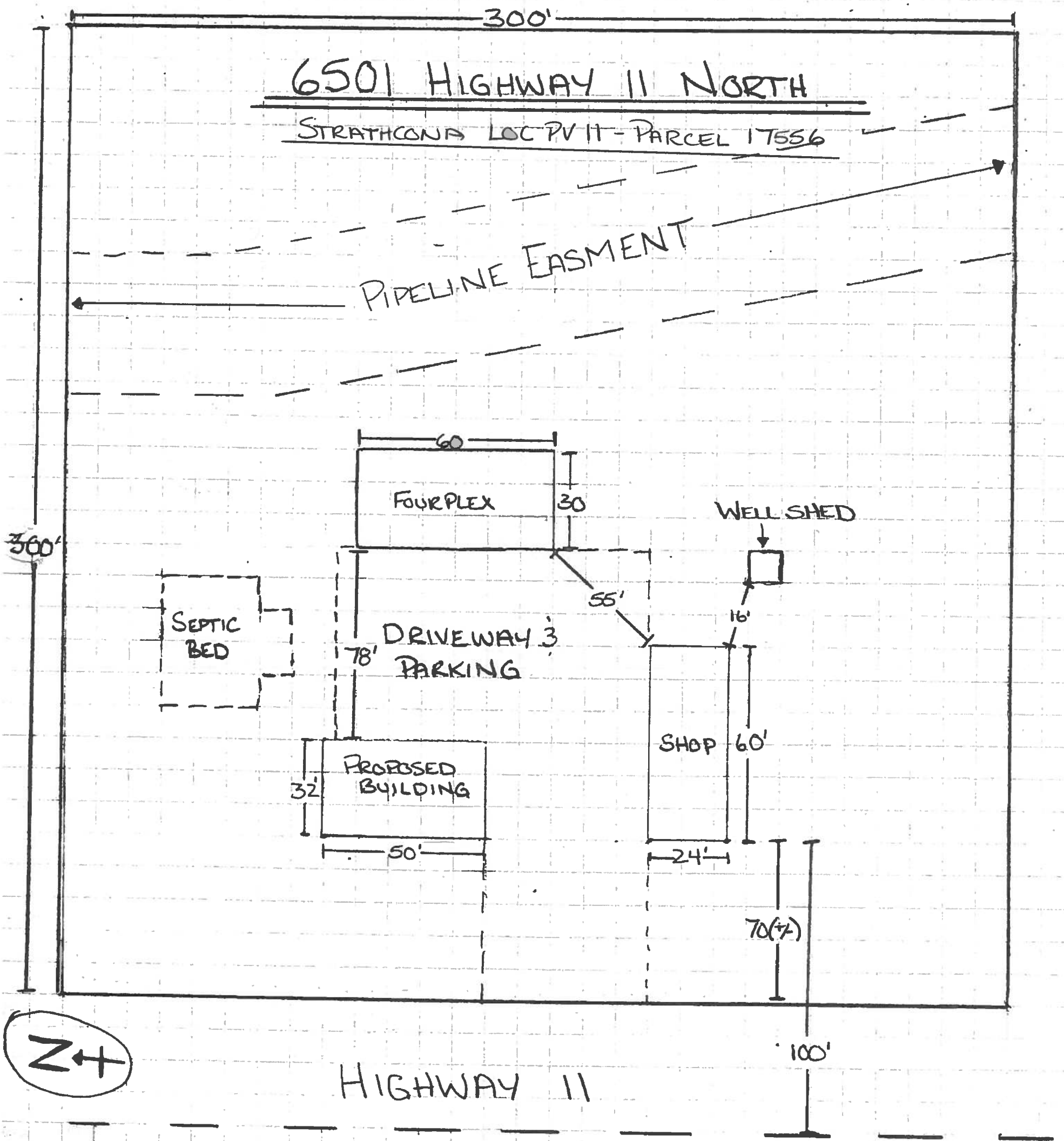
in the District of Nipissing  
(region, county, district)

this 10<sup>th</sup> day of May, 2018.

  
(Commissioner, etc.)  
Elaine Gunnell, Commissioner, etc.,  
Clerk of the  
Municipality of Temagami

  
Owner Agent  


HIGHWAY COMMERCIAL  
SABRINA PANDOLFO  
MAY 10, 2018



□ = 10 FEET (APPROX)

THE CORPORATION OF THE  
MUNICIPALITY OF TEMAGAMI  
P.O. BOX 220  
TEMAGAMI, ONTARIO P0H 2H0  
(705) 569-3421  
FAX: (705) 569-2834  
E-MAIL: visit@temagami.ca  
WEBSITE: www.temagami.ca



**SITE PLAN CONTROL AGREEMENT NO. SPC-18-05**

**THIS AGREEMENT** made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

**B E T W E E N:**

**THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI  
7 LAKESHORE DRIVE, BOX 220, TEMAGAMI, ON, P0H 2H0**

(hereinafter called "*the Municipality*")

**OF THE FIRST PART**

- and -

**JOHN JOSEPH PANDOLFO AND DIANE LENA PANDOLFO  
P.O. BOX 283, TEMAGAMI, ON, P0H 2H0**

(hereinafter called "*the Owner*")

**OF THE SECOND PART**

**WHEREAS** the Owner has made application to the Municipality to develop and/or redevelop the lands and premises which are within a Site Plan Control Area, and are described as:

**Roll Number:** 4869-010-002-02400-0000

**Civic Address:** 6501 Highway 11 North

**Legal Description:** PCL 17556 SEC NIP; SUMMER RESORT LOCATION PV 11  
STRATHCONA AS IN NP9377; S/T LT 148595, LT275657,  
LT81767; TEMAGAMI; DISTRICT OF NIPISSING

**Zone:** HC- HIGHWAY COMMERCIAL

**AND WHEREAS** the proposed development of the subject lands by the Owner is outlined on a site plan included as Schedule A and forms part of this agreement;

**AND WHEREAS** the proposed development of the subject lands by the Owner is to be in accordance with the site plan control area requirements as set forth in By-law No. 07-728 passed pursuant to Section 41 of the Planning Act, RSO 1990, c. P.13 as amended;

**AND WHEREAS** the Parties hereto have agreed that the specific provisions as set forth herein shall be met by the Owner as a condition to the approval of the development of the lands;

**NOW THIS AGREEMENT WITNESSETH** that in accordance of the mutual covenants and conditions herein set forth, and the required payment by the owners to the Municipality, the receipt whereof is hereby acknowledged, the Parties do hereby covenant and agree as follows:

### **1. GENERAL PROVISIONS**

- 1.1** All natural tree, shrub and ground cover shall be retained except where limited clearing is required to provide sites for buildings and structures, and walkways. Mature trees shall be retained on the property.
- 1.2** Exterior lighting on the property and on the buildings shall be designed to shine directly down so that there is no impact on the night sky.
- 1.3** Any infilling of low areas and other site alterations shall require that a stormwater management study be completed prior to infilling. A copy of the study shall be given to the Municipality prior to commencement of infilling.
- 1.4** Permission is given for the following construction as shown on Schedule A subject to the requirements of the Zoning By-law, Ontario Building Code, and Province of Ontario:
  1. Construction of a 32' x 50' Stick Frame, Steel Roof, Sided Garage Shop as per Zoning By-Law Amendment No. 18-1402.

### **2. AGREEMENT REGISTRATION**

- 2.1** This Agreement or any notice of this Agreement shall be registered against the subject lands at the expense of the Owner. The Municipality shall enforce the provisions hereof against the Owner and any and all subsequent owners of the subject lands. The Owner agrees that de-registration of this agreement shall not be permitted without the written consent of the Municipality.
- 2.2** The Parties agree that this Agreement shall be registered by the Municipality against the Owner's lands at the Owner's expense.

### **3. SCHEDULES AND REQUIREMENTS**

The following schedules form part of this agreement:  
Schedule A - Site Plan

### **4. BUILDING PERMITS**



- 4.1** Building permits shall not be issued for development on the lands described in Schedule A attached hereto, until this Agreement has been signed by all Parties. The Site Plan Agreement will be registered on title by the Municipality and a registered copy of the Agreement will be provided to the owner and the Municipality.

**5. ENFORCEMENT**

- 5.1** The Owner agrees to carry out the works described herein materially according to the provisions of this Agreement. In the event that the Owner deviates from said provisions, in addition to any other remedy, the Owner hereby authorizes the Municipality, its officers, servants, agents and employees to enter on the subject lands and to correct the deviation at the Owner's expense and to add the cost thereof to the Collector's Roll for the said lands and to collect the said costs, with interest in like manner as municipal taxes.
- 5.2** The parties acknowledge the provisions of Section 67 of the Planning Act R.S.O. 1990 c. P.13 as amended, which provides that persons who contravene Section 41 of the Planning Act are liable on a first conviction to a fine of not more than \$25,000 and on a subsequent conviction of not more than \$10,000 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted.

**6. AMENDMENT, EFFECT AND NOTICE**

- 6.1** This Agreement shall only be amended or varied by a written document of equal formality herewith duly executed by the Parties and registered against the title to the subject lands.
- 6.2** The Agreement shall come into effect on the date of execution by the Parties.

Any notice required to be given pursuant to the terms of this Agreement shall be in writing and mailed or delivered to the current address of the other Party.

**WITNESS** the signature and seal of the parties hereto.

THE CORPORATION OF THE  
MUNICIPALITY OF TEMAGAMI

\_\_\_\_\_  
Mayor  
Lorie Hunter

\_\_\_\_\_  
Acting Clerk  
Craig Davidson

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Diane Lena Pandolfo

Print Name: \_\_\_\_\_

\_\_\_\_\_  
Witness

\_\_\_\_\_  
John Joseph Pandolfo

Print Name: \_\_\_\_\_

**FACSIMILE:**

*Either party may execute this Site Plan Control Agreement by signing a facsimile thereof. The parties agree that execution by any party of a facsimile shall be in all respects identical to execution of an original or photocopy. The parties agree to accept a facsimile of the signature of any party as evidence of the fact that this Site Plan Control Agreement has been executed by that party. In all respects a facsimile signature may be accepted as having the same effect as an original signature.*