



ITEM: Consent to Sever Recommendation Report
DATE: February 25, 2026
TO: Committee of Adjustment
FROM: Planning & Development Department
FILE NO: B-2026-03 & A-2026-02
LOCATION:

1. Introduction

An application has been submitted to the Municipality of East Ferris for consent to sever and minor variance for 652 Astorville Road. The property is zoned Resort Commercial (C3) and designated Waterfront in the Official Plan. The applicant is requesting to sever the property and has applied for minor variances to facilitate that severance request. No new development is proposed as a result of these applications, aside from the installation of new septic systems.

2. Description of Property

A location map is contained in **Figure 1** and the plan of the area to be severed in **Figure 2**.

Figure 1: Property Location

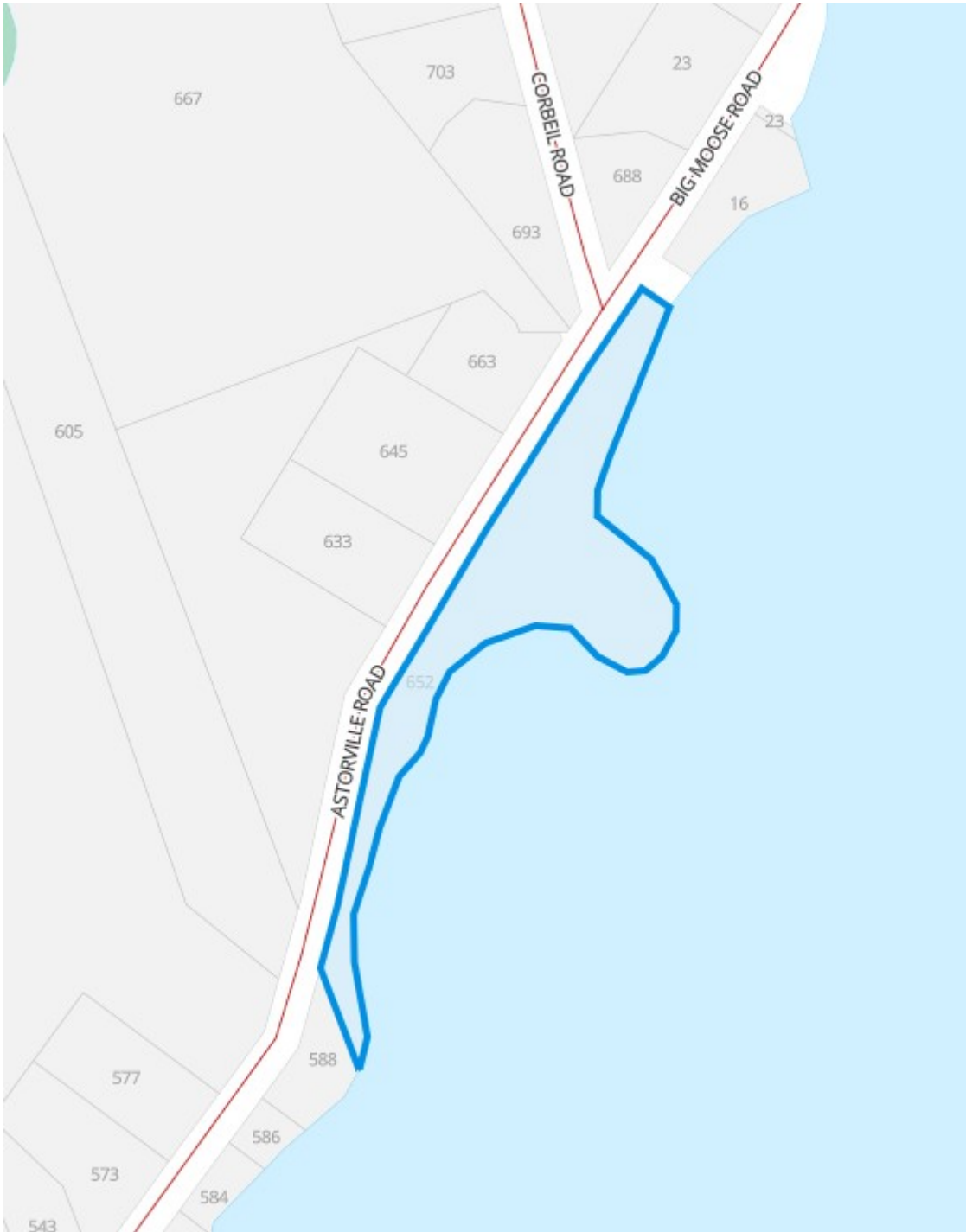


Figure 2: Area to be severed (not to scale)



3. Planning Review

A. Provincial Planning Statement

The Provincial Planning Statement, (PPS 2024) was issued under Section 3 of the Planning Act, and came into effect October 20th, 2024. The Policy requires that decisions affecting planning matters “shall be consistent with” policy statements issued under said Act. The applicant’s proposal for a lot addition for one new rural lot is consistent with the PPS 2024.

B. Growth Plan for Northern Ontario

The Growth Plan for Northern Ontario 2011 was issued under the Places to Grow Act, which ensures a long term vision for strong communities while implementing policies directed at economic prosperity. The proposal is in conformity with the Growth Plan for Northern Ontario 2011.

C. Official Plan & Zoning By-law

The subject property contains cabins used for recreational purposes, permitted under the C3 zoning for the property. The Official Plan Waterfront designation also permits recreational campground uses.

The applicant is applying for the severance primarily to deal with an emergency situation related to the septic systems on the site. Over the years degradation has occurred on the existing systems to a point where it represents an emergency and a potential risk to Lake Nosbonsing. Replacing the system as quickly as possible will be the best possible outcome for overall lake health.

The applicant is proposing to replace the existing system with a 21,000L system that will serve the house and 11 cottages as well as new systems replacing the existing holding tanks for the other 7 cabins. The applicant is proposing a severance in order to expedite the replacement process to keep the approval local with the North Bay-Mattawa Conservation Authority. Without a severance, the approval would rest with the province through their communal septic system approvals process, which would significantly delay the replacement process and increase the chances of negative impacts to Lake Nosbonsing.

While Section 5.3.7.2 of the East Ferris Official Plan generally only permits new lot creation in this basin of Lake Nosbonsing when a new septic system can be located 300m or greater from the shoreline of the lake, this situation is unique in that no new development is proposed as a result of the lot creation. The intention of the policies limiting severances in this basin of the lake is to limit additional demands on the lake from new development, whether that be through septic leeching, runoff on the lot or other development stressors.

In this instance, the scope of development on this entire parcel would remain exactly as it exists today, with the exception of the septic replacement. The approval of the severance would actually further the policy goals of limiting the impact of development on the lake by expediting the septic replacement and limiting negative impacts on the lake.

This property has historical development that significantly predates currently zoning regulations and as a result there are significant issues of non-compliance due to the layout of the property

an the proximity of existing development to the lake. To accommodate the severance request, a minor variance approval is also required in order to address all of these existing deficiencies. If the committee chooses to approve these applications, staff recommend a condition of the variance be included to tie the approval to the submitted sketch to add a layer of insurance that the existing development pattern is not altered.

Based on the review of the submitted variance application, additional variance requests are required beyond the circulated list. The additional required variances are bolded in the following list:

Severed Lands:

- Minimum lot area – 0.6ha (0.8ha required)
- Minimum front yard setback – 6.4m (30m required)
- **Minimum rear yard setback – 0m (15m required)**
- Minimum interior side yard setback – 3m (8m required)
- Maximum lot coverage – 11.7% (10% permitted)
- Subject to being tied to the attached sketch reflecting the existing conditions

Retained Lands:

- Minimum front yard setback – 3.7m (30m required)
- Minimum rear yard setbacks – 7.3m (15m required)
- **Minimum interior side yard setback – 4m (8m required)**
- Minimum septic field bed setback – 30m (60m required)
- Subject to being tied to the attached sketch reflecting the existing conditions

The request for a 0m setback on the severed lands is required in order to address cottage 18, which is straddling the lot boundary onto municipal lands. In addition to the standard list of conditions, staff recommend that a condition be added to require the applicant to receive an approved encroachment agreement from Council to address the location this cottage. Alternatively, the cottage could be relocated entirely within the property boundaries.

Joint reciprocal easements for the access right of way would also be required for both the severed and retained lands.

4. Recommendation

It is recommended that Consent Application B-2026-03 be approved, conditional upon the following;

- 1) That confirmation is provided that all taxes are paid up to date;
- 2) That a plan of survey is prepared and filed with the Municipality;
- 3) That a plan of survey be sent electronically to the Municipality of East Ferris' Director of Community Services;
- 4) That the applicant is required to pay \$250.00 per consent application to the Municipality of East Ferris for the Finalization Fee prior to the transfer of the severed land;
- 5) That the transfer(s)/Deed(s) of Land is submitted to the Secretary-Treasurer for the Issuance of the Certificate of Consent under subsection 53 (42) of the Planning Act, R.S.O. 1990, c.P.13, as amended;

- 6) That prior to the endorsement of the transfer(s) the owner grants simply unto the Municipality of East Ferris free of any charges, all lands measured 10.0 metres (33 feet) from the centerline of any existing publicly maintained road along the full length of the owner's total holdings being the subject of this consent; and
- 7) That all conditions must be filled within two years from the date the notice of decision has been given otherwise this provisional consent will lapse and the application for consent shall be deemed to be refused as per Section 53 (41) of the Planning Act, R.S.O. 1990, c.P.13, as amended.
- 8) That the severed and retained lands comply with the provisions of Zoning By-law 2021-60, as amended.

It is further recommended that Minor Variance Application B-2026-02 be approved, conditional upon the following:

- 1) That the site layout of both the severed and retained lands, as shown on Figure 2, are maintained in accordance with that drawing.
- 2) Any new buildings or development not reflected on Figure 2 would be required to meet all of the standards set out in Zoning By-law 2021-60, as amended.

Respectfully Submitted,



Greg Kirton, RPP, MCIP

Director of Community Services
Municipality of East Ferris