



**ITEM: Consent to Sever Recommendation Report**  
**DATE: February 15, 2023**  
**TO: Committee of Adjustment**  
**FROM: Planning & Development Department**  
**FILE NO: B-2023-01 to B-2023-04**  
**LOCATION: Vacant Land – Corner of Bertha Road and Corbeil Road**

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## **1. Introduction**

An application has been submitted to the Municipality of East Ferris for consent to sever for the purposes of creating four new lots from the subject property at the corner of Corbeil Road and Bertha Road. The property is zoned Rural (R) under Zoning By-Law 2021-60, and under the Municipality of East Ferris Official plan, the subject property is designated Rural.

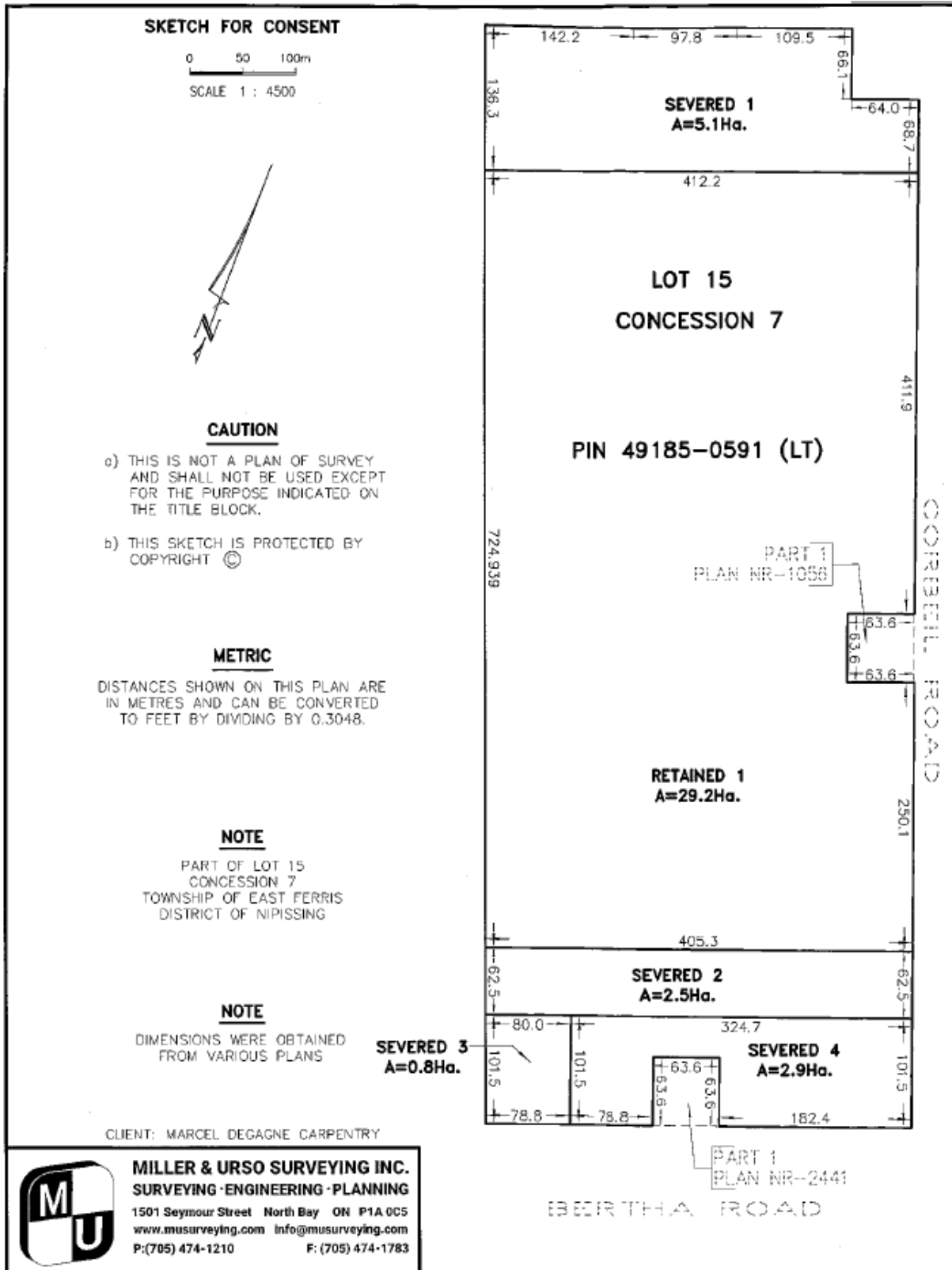
## **2. Description of Property**

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)



CLIENT: MARCEL DEGAGNE CARPENTRY



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### **3. Planning Review**

#### **A. Provincial Policy Statement**

The Provincial Policy Statement, (PPS 2020) was issued under Section 3 of the Planning Act, and came into effect May 1<sup>st</sup>, 2020. The Policy requires that decisions affecting planning matters “shall be consistent with” policy statements issued under said Act. The PPS 2020 speaks broadly to development of new lots in rural areas and permits the creation of new lots. The applicant’s proposal to create 4 new lots is generally in conformity with the policies contained within the PPS 2020.

#### **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 policies in the Growth Plan don’t generally speak directly to small scale residential lot development. The proposal is generally in conformity with the Growth Plan for Northern Ontario 2011.

#### **C. Official Plan**

The subject property is designated Rural in the Municipality of East Ferris Official Plan. The Official Plan requires 60 m of lot frontage and 0.8 ha of lot area for the creation of new lots in the Rural designation. The applicant’s proposal is to create lots with frontages ranging between 62 m and 101 m with lot areas ranging between 0.8 ha and 5.1 ha. The proposed lots meet or exceed the required lot frontage and lot area for all lots, with the majority far exceeding the minimum requirements.

In addition to the general Rural lot standards found in section 5 of the Official Plan, the policies in the Consents section, section 9.15.2, must be considered. These policies speak to the requirement for access to a publicly maintained road as well as a number of other criteria including the adequate provision of servicing options, school options, general conformity with zoning by-law provisions, and the general character of the area. Section 9.15.2(14), specifically lays out the criteria to consider multiple consent applications simultaneously. In this case, staff are of the opinion that all of the requirements of the Official Plan policies are met to facilitate these consent applications.

Planning staff has reviewed the official plan policies surrounding consents as well as all other relevant policies and are of the opinion that the applicant’s proposal is in conformity with the official plan.

#### **D. Zoning By-Law**

The property is currently zoned Rural. The Rural Zone requires a minimum lot frontage for a residential use to be 60 m, and minimum lot area of 0.8 ha. Both of these requirements are exceeded by all lots proposed through these applications. Severed lot 2 and 4 have a watercourse that runs through them that could potentially have setback restrictions associated with it that could limit the development possibilities; however, staff have reviewed the distances between the watercourse and lot lines and determined that the limitations should not have any direct impacts on the viability of development on the lot while still meeting all of the setback

requirements in the zoning by-law that are intended to create buffers from watercourses. The general intent of the zoning by-law is maintained in the applicants proposal to create 4 large lots with significant lot areas and lot frontages. The general layout of the lots and proposed residential uses are consistent with the surrounding area and with the policies contained within the East Ferris Zoning By-law 2021-60.

## 5. Recommendation

It is recommended that Consent Application B-2023-01 to B-2023-04 be approved, conditional upon the following, per application;

- 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 applicant is required to pay \$1000.00 per consent application to the Municipality of East Ferris for the Parkland Dedication Fee prior to the transfer of the severed land;
- 6) 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;
- 7) 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
- 8) 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.

Respectfully Submitted,



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Greg Kirton

Director of Community Services  
Municipality of East Ferris