



PLANNING JUSTIFICATION BRIEFING

Lavigne Road, Corbeil, ON

Application for a Draft Approval of Plan of
Subdivision

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1. INTRODUCTION

TULLOCH has been retained by the owners of property with frontage on Corbeil Road, Lavigne Road, and Quae Quae Road in the Municipality of East Ferris, to prepare a Planning Justification Briefing as part of a complete application package for a Draft Plan of Subdivision submitted to the Municipality. The application will facilitate orderly development of the subject lands and enable the creation of forty-one (41) residential lots and one (1) roadway block off of Lavigne Road in the Municipality of East Ferris.

This briefing reviews the consistency and conformity of the application in the context of the applicable policies and direction found within the following documents and plans:

- *Provincial Planning Statement (2024)*
- *Growth Plan for Northern Ontario (2011)*
- *Municipality of East Ferris Official Plan (2023)*
- *Municipality of East Ferris Zoning By-Law 2021-60*

Overall, the authors find that the proposed application for Draft Approval of a Plan of Subdivision conforms to the *Municipality of East Ferris Official Plan*, follows the direction of the *Growth Plan for Northern Ontario*, is consistent with the *Provincial Planning Statement*, and therefore represents good planning.

2. SUBJECT LANDS AND SURROUNDING CONTEXT

The subject lands are +/-115.5 hectares in area, with a combined frontage of ± 1,224 metres on Corbeil Road, Lavigne Road, and Quae Quae Road. The property has a depth of ± 2km at its deepest point. The property is made up of four (4) original township lots except for lands removed through previous severance applications. The lands that are represented by this application are legally described as Concessions 7 & 8, Lots 13 & 14, in the Municipality of East Ferris, in the District of Nipissing.

The subject lands are currently vacant and undeveloped. Three (3) wetland pockets and associated watercourses exist on the property and were evaluated by FRiCorp Ecological Services in September of 2024. A copy of the Environmental Impact Study is attached. The remainder of the lot is naturally vegetated. All roads surrounding the lands that are subject to this application are characterized by rural residential uses with dwellings located on both sides.

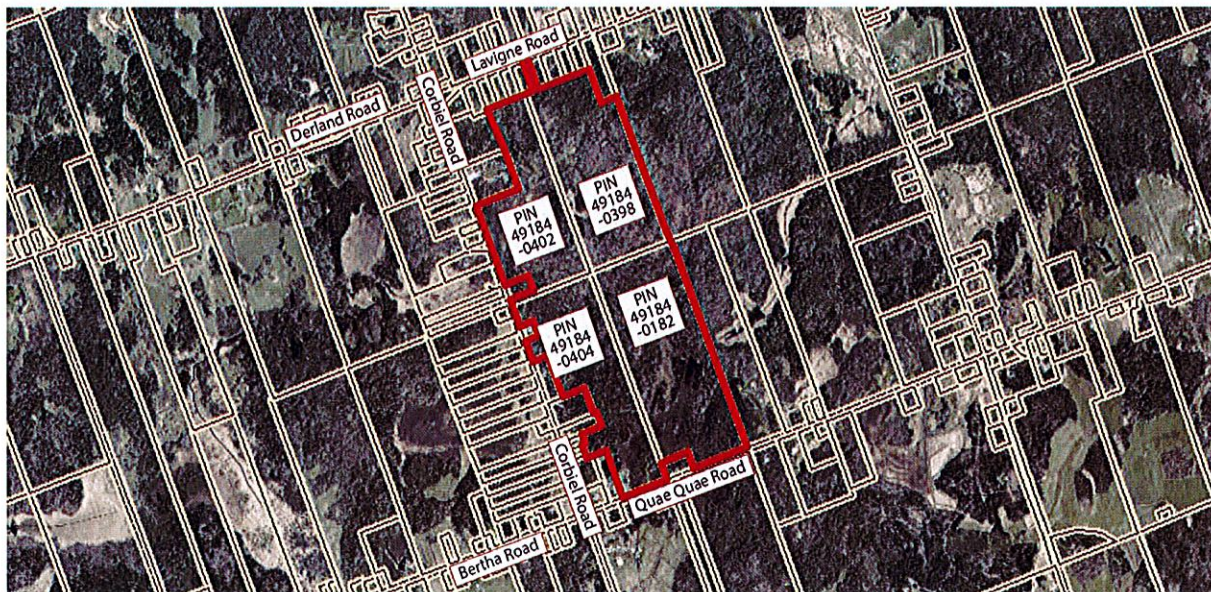


Figure 1.0: Subject property and surrounding context (red outline marks the site)

4. PLANNING POLICY REVIEW

The following section sets out the relevant planning policy framework to assess the appropriateness of the proposed application in the context of Provincial and Municipal policies and regulations. Each sub-section will outline relevant policies and provide a planning analysis with respect to how the application is consistent with or conforms to such policy.

4.1 PROVINCIAL PLANNING STATEMENT (2024)

The Provincial Planning Statement, 2024 (PPS) provides high-level provincial policy direction for planning approval authorities in preparing municipal planning documents, and in making decisions on Planning Act applications. Municipal Official Plans and decisions made by the approval authorities must be consistent with the PPS. Policies applicable to the proposed application are outlined and analyzed below.

Section 2.2 of the PPS contains policies on housing. In part, it states:

2.2.1. Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:

a) establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;

b) permitting and facilitating:

1. all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and

2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;

c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and ...

Planning Analysis

The proposed subdivision will support the housing goals laid out in **Section 2.2** of the PPS. Housing options in the municipality can be increased through this proposal, with potential homebuyers able to work with the developer to design a dwelling that will meet their individual needs.

Given the strip development located on the edges of the subject property, particularly along Corbiel Road, this subdivision will also represent an efficient use of land and infrastructure, introducing new housing options within previously developed areas as addressed in **Section 2.2.1 b)** and **2.2.1 c)**.

Section 2.5 of the PPS provides policies for rural areas in municipalities. In part, it states:

2.5.1. Healthy, integrated and viable rural areas should be supported by:

...

d) using rural infrastructure and public service facilities efficiently;

...

3. ... Growth and development may be directed to rural lands in accordance with policy 2.6, including where a municipality does not have a settlement area.

Planning Analysis

Although a new municipal road is proposed for this development, all roads leading to it are presently municipally owned and maintained, including services such as snow removal, school bussing, and garbage collection. This service availability will extend to the new road.

The existing rural infrastructure and public service facilities in proximity to the proposed subdivision have capacity to support additional development. Amenities in proximity to the proposed subdivision include the Corbiel Four Seasons Club, a wide variety of natural heritage features with recreational value, an assortment of home-based businesses along Corbiel Road and Lavigne Road, and the nearby hamlet of Corbiel with its associated facilities.

Additionally, further analysis is provided below on how this subdivision meets **Policy 2.6**, permitting its development on a rural property outside of a settlement area, is discussed. It is our professional opinion that the policies of **Section 2.5** are met.

Section 2.6 of the PPS provides policies for rural lands in Municipalities and states that:

2.6.1. *On rural lands located in municipalities, permitted uses are:*

...

c) residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services;

...

2.6.2. *Development that can be sustained by rural service levels should be promoted.*

2.6.3. *Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the uneconomical expansion of this infrastructure.*

2.6.4. *Planning authorities should support a diversified rural economy by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.*

Planning Analysis

The area is predominantly used for rural residential purposes, with dozens of single detached dwellings having been constructed over the decades on Corbeil Road, Lavigne Road, and Quae Quae Road. This application would facilitate the development of the interior lands behind existing development, representing an efficient use of land and pre-existing infrastructure. This is permitted as per **Section 2.6** of the PPS.

As part of the circulation process, the North Bay-Mattawa Conservation Authority will review the applications and confirm whether a sewage system can be accommodated on the new lots. Additionally, to ensure that the proposed development is within the servicing capacity of the lands, a **Hydrogeological**

Study for Proposed Estate Lots on and around Corbeil Road was prepared for the Degagne Group of Companies by a qualified Professional Engineer in early 2024. In summary, it offers the following in support:

A hydrogeological site assessment was undertaken to characterize the geological and hydrogeological conditions of the subject properties to support the proposed rural lot subdivision. Based on the review of available background information and site investigations and a review of 173 well records in the vicinity of the subject properties indicated that supply of enough water to support single family dwellings is highly likely.

Five test wells and pumping tests were completed. Based on the test well completion and pump testing, it is anticipated that there will be adequate domestic water supply for the proposed single-family dwellings. Review of water quality data from samples taken at the end of the pump test show that the groundwater quality is generally acceptable for human consumption with all parameters below health criteria limits except some elevated levels of coliform and a 1 ppm result for e-coli. Proper well development, flushing and disinfection of all new systems prior to commissioning will address this.

A review of on-site septic systems indicate that a minimum lot size of 0.5 hectares should be maintained and that standard filter bed construction with imported mantles where required for soil or groundwater conditions will be satisfactory.

Considering the findings of the hydrogeological study, it is reasonable to expect that these lots, each exceeding 0.8 hectares in size, can accommodate private water and sewage services.

The proposed new roadway will enable additional density in the rural area, increasing the tax base and making servicing the existing development in the vicinity more economical despite the need for a minor expansion of municipal infrastructure. With all above considerations addressed, it is our professional opinion that this proposal meets **Section 2.6.2** and **2.6.3** of the PPS as the development can be sustained by rural service levels.

The subject property is not currently serving agricultural or resource-related uses, nor is it expected to. Directing development onto the subject lands will minimize constraints on these resource-related uses in other areas of the Municipality, as is encouraged by **Section 2.6.4** of the PPS.

Section 4.1 of the PPS contains policies that address natural heritage. Specifically:

4.1.1. *Natural features and areas shall be protected for the long term.*

4.1.2. *The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features. ...*

4.1.4. *Development and site alteration shall not be permitted in:*

a) significant wetlands in Ecoregions 5E, 6E and 7E1; and ...

4.1.5. *Development and site alteration shall not be permitted in:*

*a) significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E1;
... d) significant wildlife habitat;*

...unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

...

4.1.7. Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.

4.1.8. Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 4.1.4, 4.1.5, and 4.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

Planning Analysis

FRiCorp. has undertaken the evaluation of the subject lands. As outlined in their previously submitted Environmental Impact Study, development avoiding any regulated natural heritage features is possible on the subject lands. Recommendations on when to undertake sitework have also been provided so that the surrounding environment is disturbed as little as possible throughout the development process. The Draft Plan of Subdivision has been developed based on FRiCorp's site mapping which demarcates natural heritage features and wildlife habitat to be avoided – both physically and seasonally.

All proposed lots will have buildable area that will not adversely affect natural heritage features or functions on the subject lands. With the above-referenced policies considered in their entirety, it is the opinion of the author that the proposed development meets the requirements of **Section 4.1** of the PPS.

Conclusion

This application has been reviewed in the context of policies contained within the Provincial Planning Statement, 2024 and has been found to be consistent with all matters of Provincial interest.

4.2 GROWTH PLAN FOR NORTHERN ONTARIO (2011)

The Growth Plan for Northern Ontario (GPNO 2011) was introduced on March 3rd, 2011. All Planning Applications must consider this Plan as part of the evaluation process. Section 3(5)(b) of the Planning Act requires that decisions made under the Planning Act need to conform to the Provincial Plan or shall not conflict with it, as the case may be.

The GPNO 2011 is broad in scope and is aimed at shaping development in Northern Ontario over the next 25 years. It outlines strategies that deal with economic development, education, community planning, transportation/infrastructure, environment, and Indigenous peoples.

Planning Analysis

The GPNO is primarily an economic development tool that encourages growth in Northern Ontario. Specific Planning related policies, including regional economic planning, the identification of strategic core areas, and targets for intensification have not yet been defined by the Province or incorporated into the Official Plan. In our professional opinion, the proposed Draft Plan of Subdivision conforms with the policies and direction provided by the Growth Plan for Northern Ontario (GPNO 2011).

4.3 EAST FERRIS OFFICIAL PLAN (2023)

The *Municipality of East Ferris Official Plan* (OP) is the principal land use planning policy document for the Municipality. The OP provides Council with a set of land use development policies, consistent with accepted planning principles and local goals and aspirations.

The subject property is designated “**Rural**” on Official Plan Schedule A which identifies the various land use designations in the Municipality. As such, the proposed subdivision will require private services. To ensure that the proposed development is within the servicing capacity of the lands, **Hydrogeological Study for Proposed Estate Lots on and around Corbeil Road** was prepared for the Degagne Group of Companies by a qualified Professional Engineer in early 2024. In summary, it offers the following in support:

A hydrogeological site assessment was undertaken to characterize the geological and hydrogeological conditions of the subject properties to support the proposed rural lot subdivision. Based on the review of available background information and site investigations and a review of 173 well records in the vicinity of the subject properties indicated that supply of enough water to support single family dwellings is highly likely.

Five test wells and pumping tests were completed. Based on the test well completion and pump testing, it is anticipated that there will be adequate domestic water supply for the proposed single-family dwellings. Review of water quality data from samples taken at the end of the pump test show that the groundwater quality is generally acceptable for human consumption with all parameters below health criteria limits except some elevated levels of coliform and a 1 ppm result for e-coli. Proper well development, flushing and disinfection of all new systems prior to commissioning will address this.

A review of on-site septic systems indicate that a minimum lot size of 0.5 hectares should be maintained and that standard filter bed construction with imported mantles where required for soil or groundwater conditions will be satisfactory.

Furthermore, as part of the circulation, the proposed must be reviewed and approved by the North Bay-Mattawa Conservation Authority to ensure that there is sufficient area on each lot for a new septic system. It is not anticipated that there will be any servicing limitations for septic systems.

Section 5.2 of the OP provides policies that apply to the Rural designation. As per **Section 5.2.2** “*within areas designated Rural on Land Use Schedule ‘A’, the scope of permitted uses shall include limited low density residential...*”. **Section 5.2.4** of the Official Plan, *Rural - Residential Uses, Scope of Uses Permitted*, lists residential uses that include single detached dwellings, secondary units and accessory uses as permitted uses. The section then goes on to state that:

It is a basic objective of Council to control the amount and type of new residential development in the Rural designation in order to preserve agricultural land and to ensure that neither municipal water supply nor municipal sewage disposal facilities shall be required. It is therefore the policy of Council to only permit residences in the Rural designation where:

A) The lot on which the residential use is to be located is on a road which has been opened, established and is presently maintained year-round by the Municipality;

B) The residential use will not lead to a demand for urban services or strip development along the roads and highways of the Municipality. To this end infilling will be encouraged in existing pockets of residential development as a means of consolidating these pockets of development;

...

E) The lot is developed in accordance with the Estate Residential policies of this Plan (see Section 5.5).

Planning Analysis

The planned development will include a roadway that will be engineered and constructed to an acceptable standard and assumed by the Municipality before any lot sales or residential development occur, as mandated by **Section 5.2.4 A)**.

The proposed subdivision is in an area of the Municipality that has experienced ‘strip development’, particularly along Corbiel Road. The Draft Plan of Subdivision therefore represents infill development, shaping a pattern of development that will use land and resources more efficiently. The infilling development is encouraged by **Section 5.2.4 B)**. The lands subject to this application represent the last developable lands in the original 400 acres bounded by Lavigne, Corbiel, and Quae Quae Roads.

As significant new residential development in the rural area must be in accordance with the Estate Residential policies of the OP, **Section 5.5** has been examined to ensure compliance, and relevant policies have been addressed below to show how the development further conforms with **Section 5.2.4 E)**.

Section 5.5 provides specific policies for Estate Residential uses, which new large-scale residential development in rural areas is required to follow. **Section 5.5.2** lists permitted uses, including single detached dwellings and accessory uses including home businesses. **Section 5.5.3** discusses servicing policies, intending for Estate Residential development to use on-site individual or small-scale communal servicing. **Section 5.5.4** stipulates that Estate Residential development shall occur by Plan of Subdivision. **Section 5.5.5** provides locational criteria intended to focus Estate Residential development in areas that exhibit superior scenic aspects. **Section 5.5.6** requires development to be phased in such a way that each subdivision experiences substantial uptake before the Municipality will consider additional approvals. **Section 5.5.7** sets out design standards for Estate developments, predominantly focused on ensuring serviceability, desirability, and compatibility with both the natural environment and existing and future adjacent land uses. **Section 5.5.8** stipulates that a separate zoning category will be created and applied to Estate Residential development within the Rural Area.

Planning Analysis

The individually serviced, single detached dwellings that are proposed in this Draft Plan of Subdivision are in accordance with the policies in **Section 5.5**. The form of development for this proposal is by Plan of Subdivision, as required by **Section 5.5.4**. The planned lot layout considers and meets all policies under **Section 5.5.5** and **5.5.7** in terms of the subdivision’s location and layout. A unique passive wetland area on the subject lands will protect biodiversity and natural heritage in the wetlands on the subject property while simultaneously providing residents with communal green space to enjoy. The site-specific zoning

will meet the policies of **Section 5.5.8**. All requirements of **Section 5.5** are met in the development proposal.

Section 6.2 of the OP provides policies regarding natural heritage features in the municipality. Wetland-specific policies are discussed in **Section 6.2.1**. In part, the section states: *“The Municipality contains a number of other wetlands whose significance has not yet been evaluated or has been determined not to be provincially or locally significant. The North Bay-Mattawa Conservation Authority shall be consulted with respect to development within or adjacent to these other wetland areas.”* **Section 6.2.3** addresses endangered and threatened species: *“Development or site alteration shall not be permitted in habitat of endangered and threatened species except in accordance with Provincial and Federal requirements. Recognizing that existing species and habitat information is limited, Council will require an appropriate level of site assessment be completed.”* **Section 6.2.5** speaks to adjacent lands to natural heritage features and requires that the impact of development in these areas must be evaluated for compatibility. **Section 6.2.8** requires that an Environmental Impact Assessment be completed prior to the approval of a development.

Planning Analysis

The North Bay-Mattawa Conservation Authority will be consulted and the necessary permits obtained prior to any development occurring. The site has been evaluated by FRiCorp. and TULLOCH Environmental Services, who have provided recommendations for Natural Heritage protection measures, including the timing of site-clearing activities. Site mapping of natural heritage features and wildlife habitat has also occurred before the Draft Plan of Subdivision was finalized. While some endangered species habitat has been found on the subject property, development is not proposed in proximity to it. The diverse natural heritage on the subject property has been factored into the design of the subdivision, with protected areas serving a secondary use as passive green space for residents. Furthermore, FRiCorp. has provided the opinion that carefully timed sitework and the proposed development plan will minimize impacts on all natural heritage features within the subject lands. The development proposal is in alignment with the requirements of **Section 6.2**.

Section 8.2 provides policies for roads and classification in the Municipality. Specifically, **Section 8.2.3** outlines policies and standards for municipal roads. Relevant policies in this section include minimum right-of-way sizes, drainage, and engineering and design standards for newly constructed roads to be assumed by the Municipality, along with requirements for the permits that will need to be obtained prior to construction.

Planning Analysis

The proposed roadway for this development has been designed and engineered to meet all municipal standards, including the required right-of-way. All necessary permits including an entrance permit will be obtained prior to construction. All relevant policies of **Section 8.2** have been met.

Section 9.15 discusses municipal policies for subdivisions, condominiums, consents, and part-lot control. Specifically, **Section 9.15.1** addresses subdivision control. In part, it states:

It shall be the policy of Council to recommend to the Minister for approval, or where subdivision approval is delegated to the Municipality of East Ferris, to approve, only those plans of subdivision which conform with the policies of this Plan and which, to the satisfaction of the Council, can be supplied with adequate public service facilities.

...

Land development by Plan of Subdivision shall be the preferred method of land division for development in the Villages and for Estate and Waterfront development where four or more lots are proposed.

...

Regard shall be given to the requirements for an impact assessment for subdivisions proposed with shoreline frontage or in the vicinity of identified natural heritage features, Archaeological or cultural heritage resources or natural or human-made hazards (flood plains, development constraints, noise and vibration, sewage treatment or waste disposal facilities). Reference shall also be made to the servicing policies of this Plan (see Section 4.19) for the requirements for on-site or communal servicing for subdivisions.

...

The Municipality may, as a condition of draft plan of subdivision or draft plan of condominium approval pursuant to the Planning Act, require the owner of land to enter into one or more agreements which may be registered against the title of the subject lands. Subdivision agreements shall ensure that the provision of funds, services, facilities, and other matters. The applicant shall be required to post appropriate securities with the Municipality to ensure the conditions of the subdivision agreement are fulfilled.

Planning Analysis

As determined by the previously discussed hydrogeological study, the subject lands have ample servicing capacity to support this development. The preceding analysis has discussed the conformity of the development proposal with Official Plan policies, including how due regard will be given to all natural heritage features, and the applicants have further provided an independent study prepared by environmental professionals that assesses regulated areas and offers best practices to minimize the impacts of development. The servicing policies of the OP have also been met, including the obtention of a hydrogeological study to examine serviceability of the lot. A subdivision agreement between the Municipality and the property owners will be implemented prior to development.

Therefore, all policies of **Section 9.15.1** have been or will be met.

Conclusion

It is our professional opinion that the proposal meets the Municipality's overall development goals. The lots represent a limited amount of rural residential growth via a minor extension of municipal services, specifically a new interior road to be built at the developer's expense. Natural Heritage features on the subject lands are preserved by the subdivision's design, ensuring synergy between development and protected areas. All policies for a Plan of Subdivision have been considered and do not conflict with this OP. This proposal has been reviewed in the context of the policies of the Municipality of East Ferris Official Plan and is in conformity with the general principles and direction of the document.

4.4 EAST FERRIS ZONING BY-LAW NO. 2021-60

The subject lands are currently zoned 'Rural' in the *Municipality of East Ferris' Comprehensive Zoning By-law 2021-60*. **Section 5 – Rural and Residential Zones** – lists Single Detached Dwellings as a permitted use in the Rural zone. As per East Ferris policy, a special Estate Residential designation will be applied to the subject lands to ensure that all development will meet the municipal Estate Residential standards. The Draft Plan of Subdivision demonstrates that the proposed lots (and eventual building envelopes) will all meet the area, frontage, setback and lot coverage requirements for Estate Residential lands that are listed under **Section 5** of *Zoning By-Law 2021-60*.

Planning Analysis

As all requirements of lot sizing and frontage are met in this Draft Plan of Subdivision, it is our professional opinion that this proposal conforms with *Zoning By-law No. 2021-60*.

5. CONCLUSION

A Traffic Study and a Hydrogeological Study for lots previously created via consent on and around Corbeil Road were prepared for the applicant in early 2024. The Hydrogeological Report concluded that there was adequate water (quantity and quality) to service more than what has been created via consent and is proposed by this Plan of Subdivision. Any new construction on these proposed lots would require approval from the North Bay-Mattawa Conservation Authority (NBMCA) and would include new, modern sewage systems that would meet the minimum requirements for development as set out in Part 8 of the Ontario Building Code (OBC). Natural heritage features on the property will be protected and integrated into the passive green space area of the subdivision. FRiCorp. has provided expert advice on ways to avoid adverse impacts on natural heritage features and functions, and these recommendations will be implemented during construction of the subdivision. The planned roadway will meet or exceed all municipal requirements, and every lot in the Draft Plan of Subdivision will be appropriately sized with an average lot area of at least 0.8 ha.

Based on the preceding planning analysis, the Draft Plan of Subdivision:

- Is consistent with the Provincial Planning Statement, 2024;
- Agrees with the Growth Plan for Northern Ontario, 2011;
- Is in conformity with the Municipality of East Ferris Official Plan, 2023;
- Will have frontage and access to fully maintained, municipal roads and therefore;
- Represents good planning.

Respectfully submitted,



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