



**ITEM:** Consent to Sever Recommendation Report  
**DATE:** August 21<sup>st</sup>, 2024  
**TO:** Committee of Adjustment  
**FROM:** Planning & Development Department  
**FILE NO:** B-2024-26 to B-2024-33  
**LOCATION:** Vacant (Lavigne Road at Corbeil Road)

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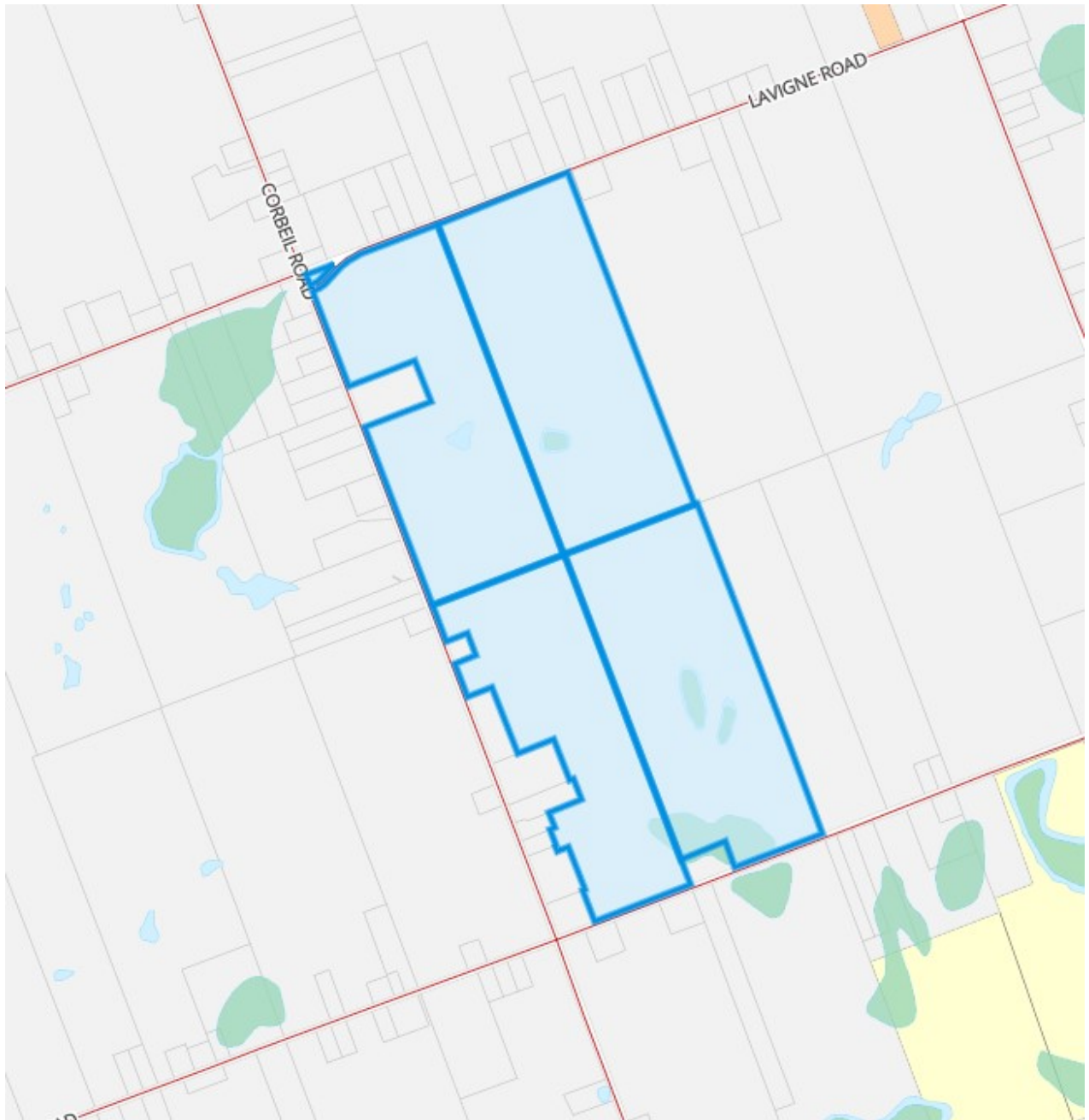
## **1. Introduction**

An application has been submitted to the Municipality of East Ferris for consent to sever for the purposes of creating eight new lots from the subject property. 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.

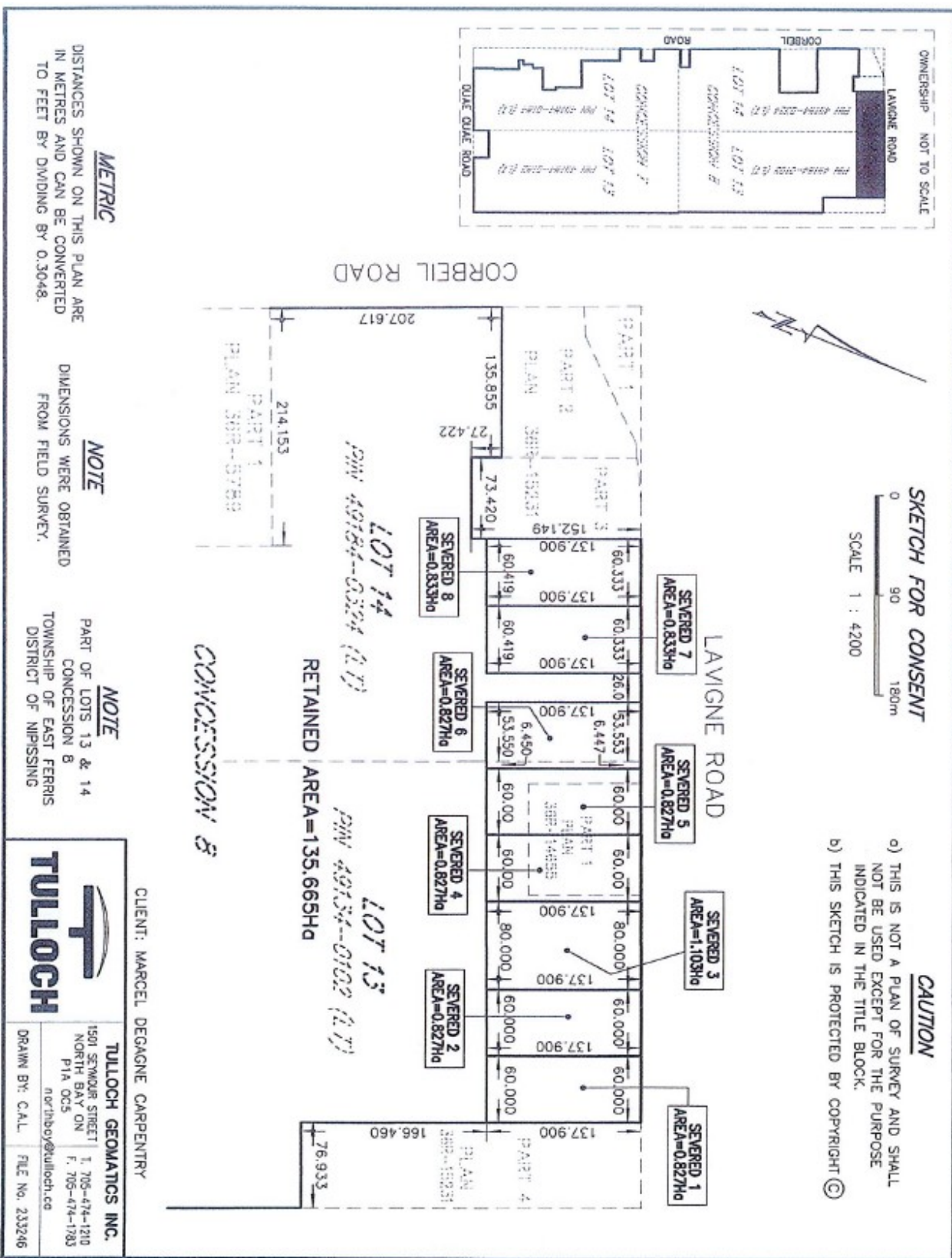
## **2. Description of Property**

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: Lot Layout Sketch



### **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 applicant’s proposal includes a planning justification briefing that goes into detail with respect to the requirements of the PPS.

Specifically Section 1.1 and it’s sub-sections speak to development and land use patterns and how they relate to rural lands. The PPS speaks to “development that is compatible with the rural landscape and can be sustained by rural service levels”. The applicant’s proposal is consistent with other development patterns in the area and would be serviced by the existing road network. Water and wastewater services would be on private systems and is supported by a hydrogeological study that was completed by the applicant.

The applicant’s proposal is consistent with the policies contained within the PPS.

#### **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 and Zoning By-law**

The subject property is designated Rural in the Municipality of East Ferris Official Plan and zoned Rural in Zoning By-law 2021-60. The minimum lot frontage required is 60 m (200 feet) and the required lot area is 0.8 ha (2 acres). The applicant’s proposal meets the minimum requirements for both lot area and lot frontage for all lots. The retained lands maintain 26m of frontage along Lavigne but have significant remaining frontage along Corbeil Road.

Development proposals of five or more units require a detailed servicing plan including a hydrogeological study to ensure availability of water for each of the lots. A study was completed by Tulloch and submitted with the application. The study reviewed 173 well records in the area and relied on test well data from 5 test well sites that were drilled. The conclusions of the report determined that there is adequate water supply to service each of the proposed dwellings and that water quality is acceptable for human consumption with proper development, flushing and disinfection of all systems, which is standard practice. The report also determined that proposed lot sizes are consistent with the minimum size to accommodate standard on-site septic systems.

The applicant’s proposal was reviewed in the context of section 9.15 of the Official Plan, which provides guidance on consent approvals. Specifically, the policy refers to a 25 lot per year limit on consent development. Historically this has been applied in a way that recognizes the ups and downs of development trends and some years more than 25 lots are created and some years less than 25 lots are created. Since the adoption of the Official Plan there has been an average of approximately 22 new lots created per year. Although so far in 2024 the pace of development has exceed 25 individual severances, the overall expected pace of development over the life of

the Official Plan has been consistent and in line with what we would expect. Another consideration when evaluating overall development trends is to look at the number of lots developed overall through other means. The Official Plan anticipated more development through rural subdivision applications than through consent applications. An application like this one could also be done through a plan of subdivision application and would meet all of the same criteria but would not be subject to any policies about overall lot development numbers. Given that we have not had a rural subdivision application since 2018 there should be additional flexibility given to land severances as the primary development mechanism in East Ferris.

Based on the full review of the policies in our Official Plan and Zoning By-law, staff are of the opinion that the application for the development of 8 new lots is consistent with these policy documents and do not have concerns with the proposal.

## **5. Recommendation**

It is recommended that Consent Applications B-2024-26 to B-2024-33 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 applicant is required to pay \$1250.00 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, RPP, MCIP  
Director of Community Services  
Municipality of East Ferris