



ITEM: Consent to Sever and Minor Variance Recommendation Report
DATE: August 21st, 2024
TO: Committee of Adjustment
FROM: Planning & Development Department
FILE NO: B-2024-34 to B-2024-35, A-2024-09
LOCATION: 525 Groulx Road

1. Introduction

An application has been submitted to the Municipality of East Ferris for consent to sever with an associated minor variance for the purposes of creating two new lots from the subject property at 525 Groulx 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.

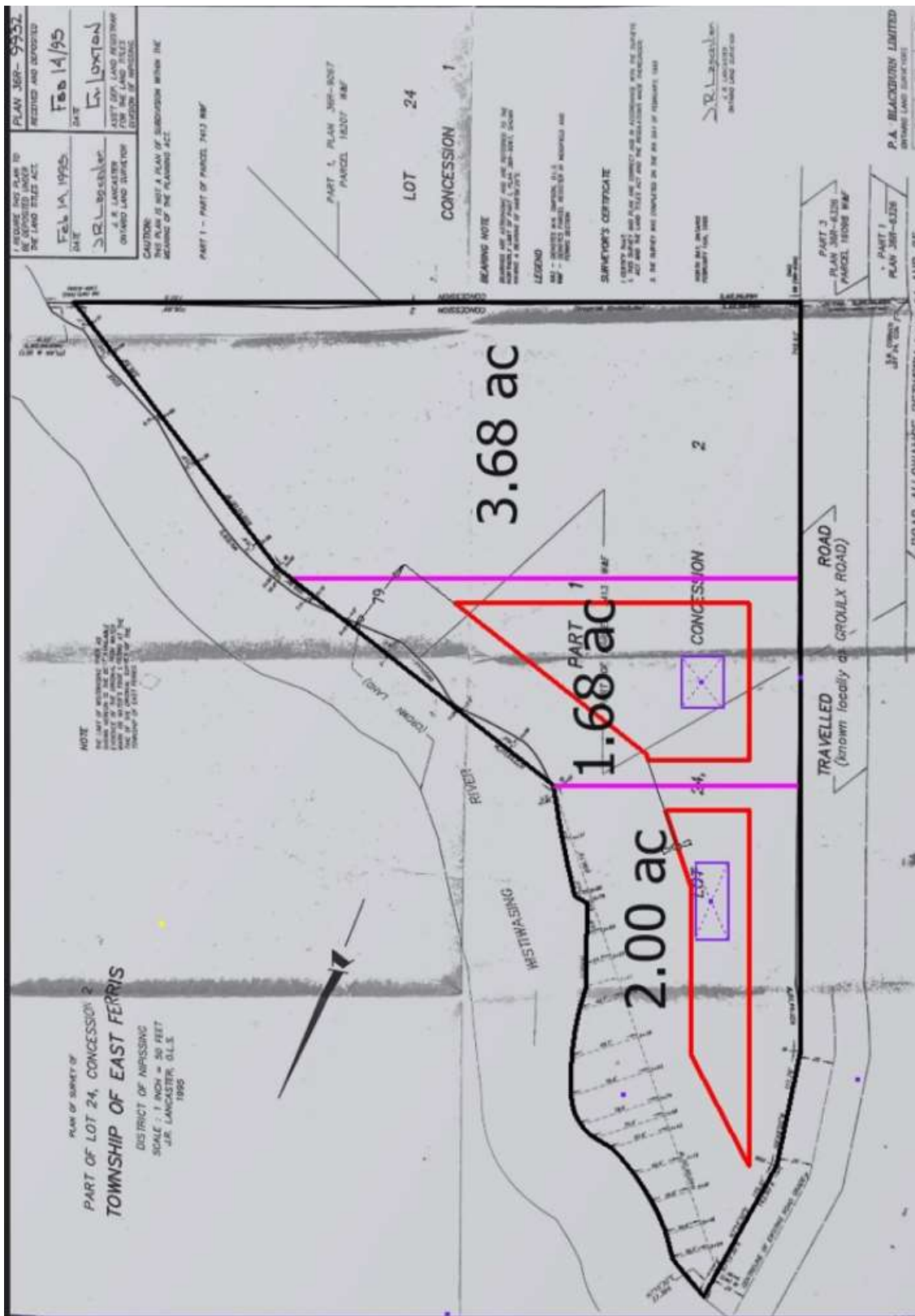
2. Description of Property

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)



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 1st, 2020. The Policy requires that decisions affecting planning matters “shall be consistent with” policy statements issued under said Act. The applicant’s proposal two new lots is consistent with 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 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. The minimum lot frontage required is 60 m (200 feet) and the minimum lot area required is 0.8 ha (2 acres).

The applicant is proposed to create two new lots, each meeting the minimum requirement for frontage, but with only one of two meeting the minimum requirement for lot area. The second lot would require a minor variance to permit the reduction in lot area to 0.67 ha (1.68 acres), whereas 0.8 ha (2 acres) is required. The retained land maintain 1.49 ha (3.68 acres) and well over 60m (200 feet) of frontage but it is not possible to accommodate a slight increase in lot area on the middle lot due to the location of the existing structures on the retained lands. The lot line is drawn as close as possible to the existing home and accessory buildings while allowing for as much land as possible to be dedicated to the new lots.

Although the lot area is somewhat undersized relative to our minimum lot sizes, the overall layout of the 3 lots together makes sense in the context of the land and would represent orderly development of this parcel. All 3 lots back onto the river and would not create any impacts to adjacent areas through a slightly undersized layout. The lot frontage along Groulx Road meets the minimum requirements for each of the lots and from that perspective the development pattern will match any development pattern that exists with standard 60m frontage development plans.

This parcel of land does not have significant development restraints and despite the slightly reduced size that is proposed for the second lot, there is ample room on the site for a building envelope for both a new dwelling and a septic system for each lot while maintaining minimum required setbacks.

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.

5. Recommendation

It is recommended that Minor Variance Application A-2024-09 be approved.

Further, it is recommended that Consent Applications B-2024-34 & B-2024-35 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,



Greg Kirton, RPP, MCIP

Director of Community Services
Municipality of East Ferris