



**ITEM:** Consent to Sever Recommendation Report  
**DATE:** February 21, 2024  
**TO:** Committee of Adjustment  
**FROM:** Planning & Development Department  
**FILE NO:** B-2024-04  
**LOCATION:** 8 Cedar Bay 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 one new lot from the subject property at 8 Cedar Bay 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)

19. **REQUIRED SKETCH** (return this sketch with application form. Without a sketch application form cannot be processed.) *Septic 300 m from lake.* *2 acres min lot* *in frontage*



### **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 for a lot addition for one new rural lot 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 and zoned Rural by By-law 2021-60. Both the Official Plan and Zoning By-law require 60m of frontage and .8ha of lot area for new lot creation. It is unclear from the applicant’s proposal what their intended frontage and area are for the proposed lot. It appears on their attached sketch that they have indicated that minimums will be met but clarification should be provided.

They have also indicated on their sketch the 300m setback line from Lake Nosbonsing. All new lot creation in close proximity to this part of Lake Nosbonsing requires septic systems to be located at least 300m away from the lake when new lot creation is being proposed. It appears from the applicants sketch that the entirety of the proposed lot would be outside of 300m from the lake and therefore there would be no concerns related to these policies.

### **5. Recommendation**

It is recommended that Consent Application B-2024-04 be approved, conditional upon the following;

- 1) Confirmation that the proposed lot will meet the minimum lot frontage and lot area requirements of Zoning By-law 2021-60.
- 2) That confirmation is provided that all taxes are paid up to date;
- 3) That a plan of survey is prepared and filed with the Municipality;
- 4) That a plan of survey be sent electronically to the Municipality of East Ferris’ Director of Community Services;
- 5) 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;
- 6) 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;

- 7) 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;
- 8) 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
- 9) 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