



ITEM: Consent to Sever Recommendation Report
DATE: October 18, 2023
TO: Committee of Adjustment
FROM: Planning & Development Department
FILE NO: B-2023-25
LOCATION: Oakridge Drive

1. Introduction

An application has been submitted to the Municipality of East Ferris for consent to sever for the purposes of permitting an access easement to allow for a shared driveway by Unit 11 and 12 of the Oakridge Estates Condominium Plan. The easement would be across Unit 12 (76 Oakridge) in favour of Unit 11 (Municipal address not yet assigned).

The applicant is requesting the easement to allow for access to Unit 11 in a way that avoids the steep grades at the end of the turnaround on Oakridge Drive. Unit 11 could have direct driveway access from the end of the turnaround; however, it would require a steep driveway with a lot of fill and would not fit well with the existing topography of the site. The shared driveway makes better use of the existing grades in the area and provides much more suitable access to Unit 11.

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

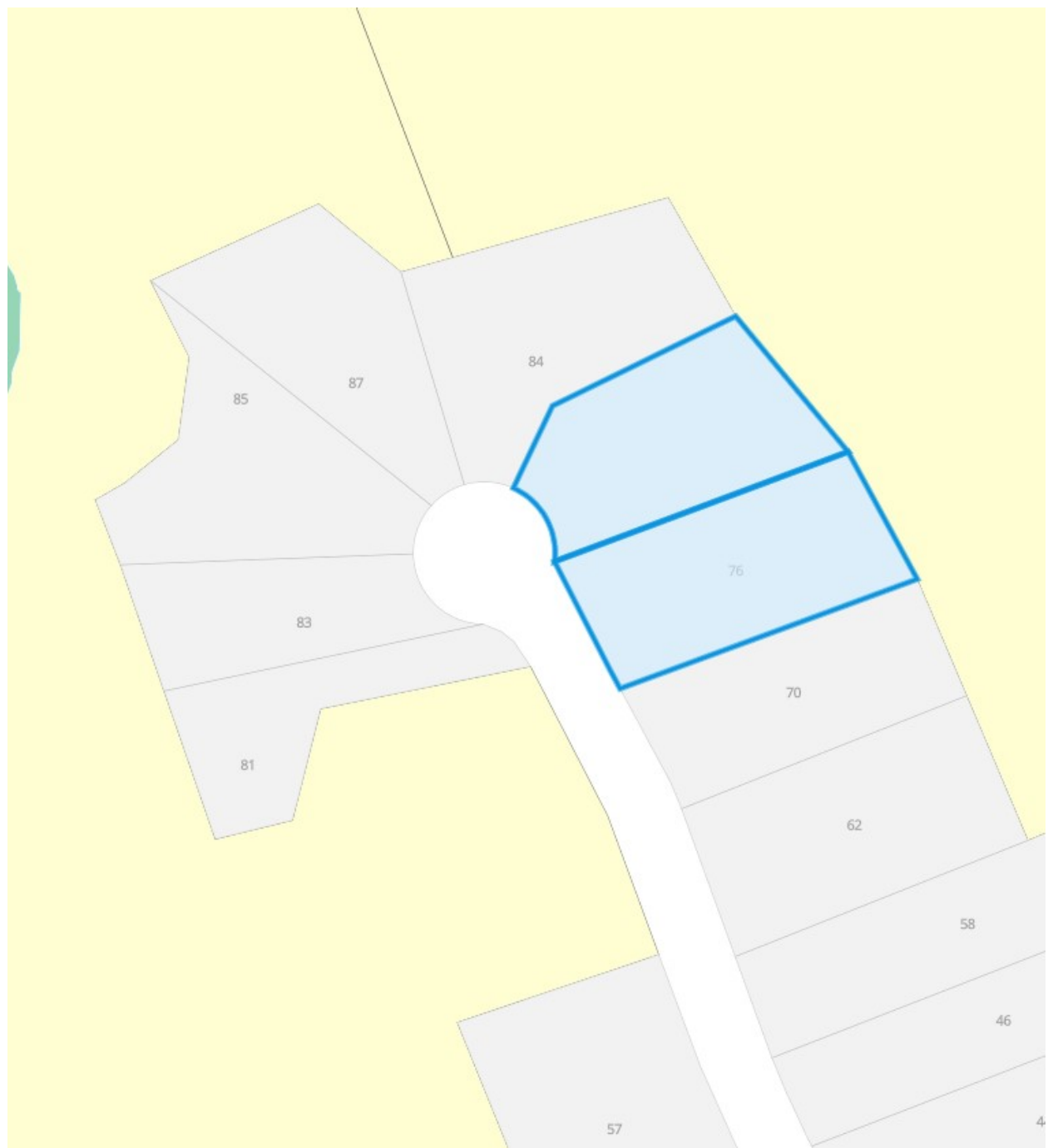
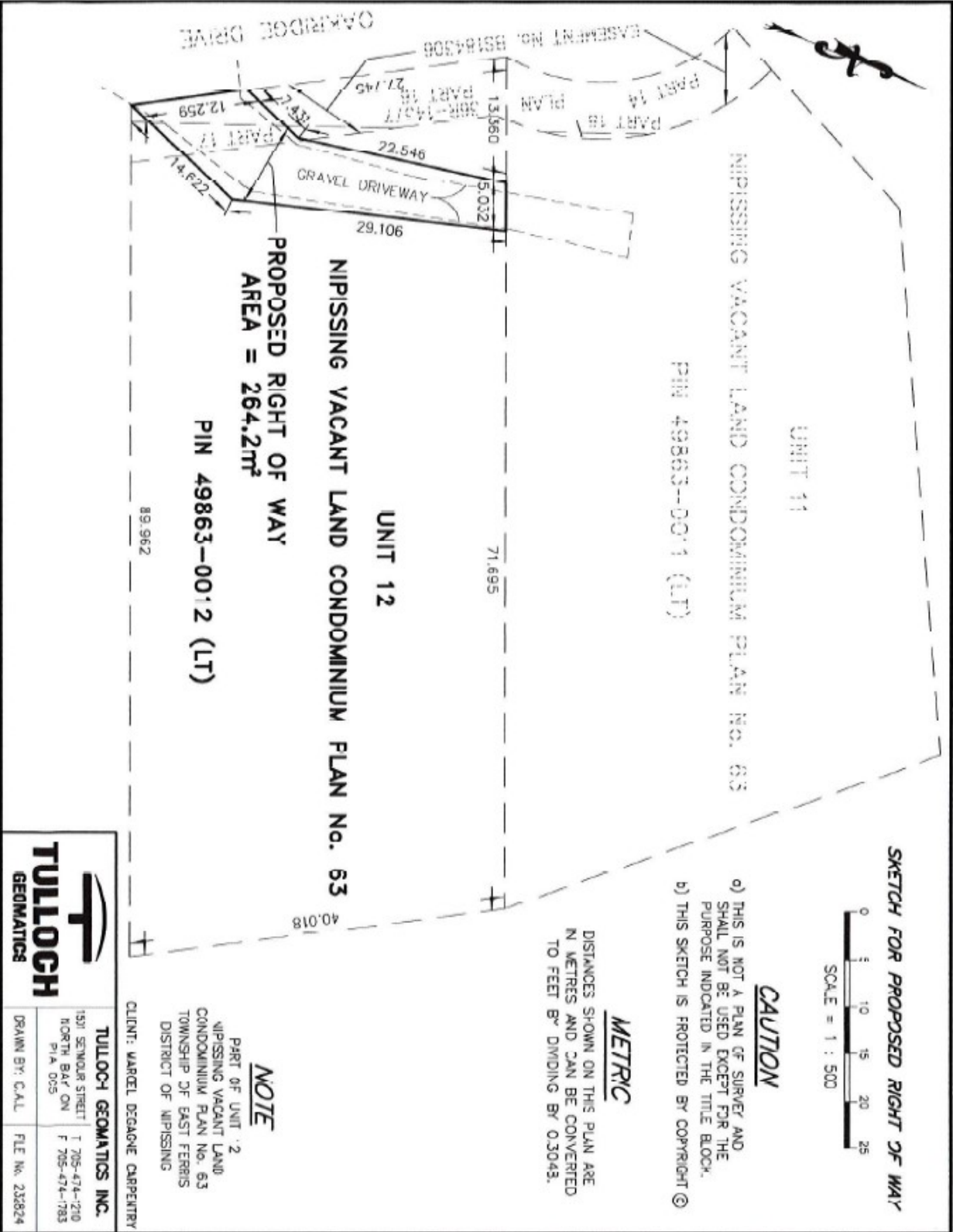


Figure 2: Easement Layout (not to scale)



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 for an easement 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 & Zoning By-law

The subject property is designated and zoned Estate Residential. There are limited policies in either planning document that outline regulations for easements. No new lots are being proposed, which means that the standard criteria associated with consents are not applicable. Easements should be evaluated separately on their own general merit.

In this instance, staff are of the opinion that the requested consent for the purpose of establishing an easement is desirable because it makes more logical use of the existing topography for driveway locations. Creating a driveway off of the end of the turnaround to access Unit 11 of the condo would create a very steep driveway that would look out of place and potentially be a hazard. By sharing the access in the easement location it results in more appropriate access to Unit 11 while not hindering the development of Unit 12 in any way. Unit 11 and 12 are both owned by the applicant, who is also the developer of the condominium. The access across unit 12 would be known by any future purchaser of the unit prior to the sale closing.

The relocation of the driveway also allows for a continuous guardrail or barrier to be installed around the steep section of the turnaround. The applicant will install this barrier when finalizing the road.

5. Recommendation

It is recommended that Consent Application B-2023-25 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 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;
- 6) 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,

A handwritten signature in cursive script, appearing to read 'Greg Kirton', written in dark ink.

Greg Kirton, RPP, MCIP

Director of Community Services
Municipality of East Ferris