

Planning Justification Briefing

July 2023

*Proposed Consent to Sever Application
File #232608 – Laurent (Larry) Arthur Marasse*

*for the purpose of creating one (1) new lot
Parts 1 & 2, Plan 36R-3364*

*Roll # 483400000516510
and 483400000520311*

*802 CENTENNIAL CRES
Municipality of East Ferris*



July 2023

Municipality of East Ferris
25 Taillefer Road
Corbeil, ON P0H 1K0
Attention: Greg Kirton, Planning Services

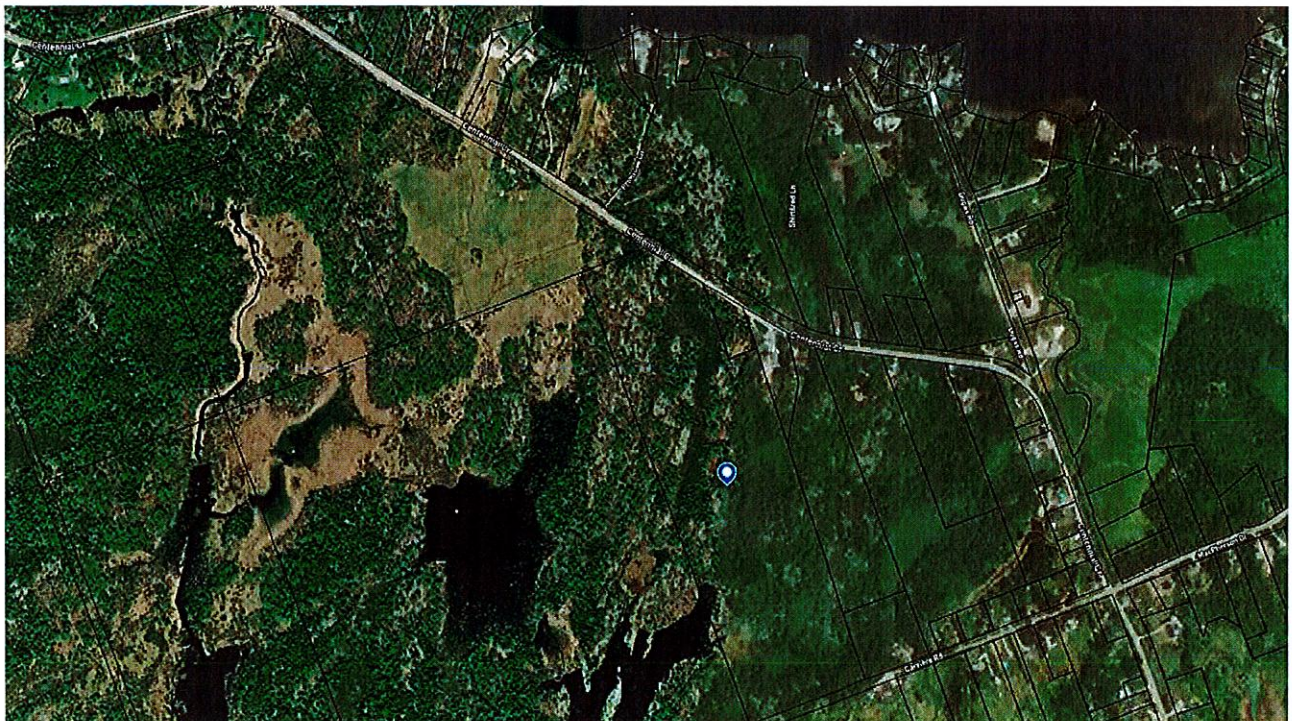
**Re: Proposed Consent to Sever for the purpose of creating one (1) new rural residential lot
- Laurent LarryArthur Marasse, 802 Centennial Crescent, Municipality of East Ferris.**

1.0 INTRODUCTION, SUBJECT SITE AND SURROUNDING LAND USES

The subject property is +/-38.0 hectares in size, with frontage of +/-900m on Centennial Crescent and a depth of +/-1200m at its deepest point. It is surrounded by rural residential, waterfront residential and agricultural uses on all sides.

The subject lands that are represented by this application are legally described as CON 16 PT LOT 16 PT LOT 17 PLAN 36R-3364 PART 2 3 PCL 12127 W/F PT 12142 W/F and EAST FERRIS CON 15 PT LOT 16 RP 36R3364 PT PART 1 PCL 12142 WF.

Figure 1.1 – Subject Lands – Centennial Crescent *(for detail please see sketch attached to application)*



2.0 SUMMARY OF PROPOSAL

The property owner, Laurent Arthur Marasse, is applying to the Municipality of East Ferris for a Consent to Sever for the purpose of creating a new lot, namely Parts 1 & 2 on Registered Plan 36R-3364. The proposed lot will have frontage on Centennial Crescent and both the retained and severed will be accessed via this existing, maintained municipal road. Each will have over 300m of frontage.

As shown in Figure 1.2 below, lands belonging to the Owner have merged under the *Planning Act*. In January of this year Mr. Marasse severed off a piece in the northwest corner to give to his son. It was registered as 36R-15021, Part 1 on January 23rd, 2023 but has yet to be perfected. Now Mr. Marasse wishes to sever lands on the south east side of the property. These lands, legally described as Parts 1 & 2 on Registered Plan 36R-3364 (as highlighted on attached sketch) are to be conveyed to Mr. Ken Leppert upon severance completion.

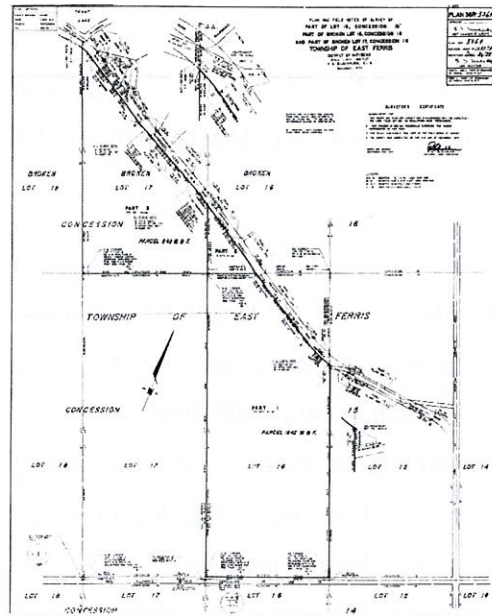
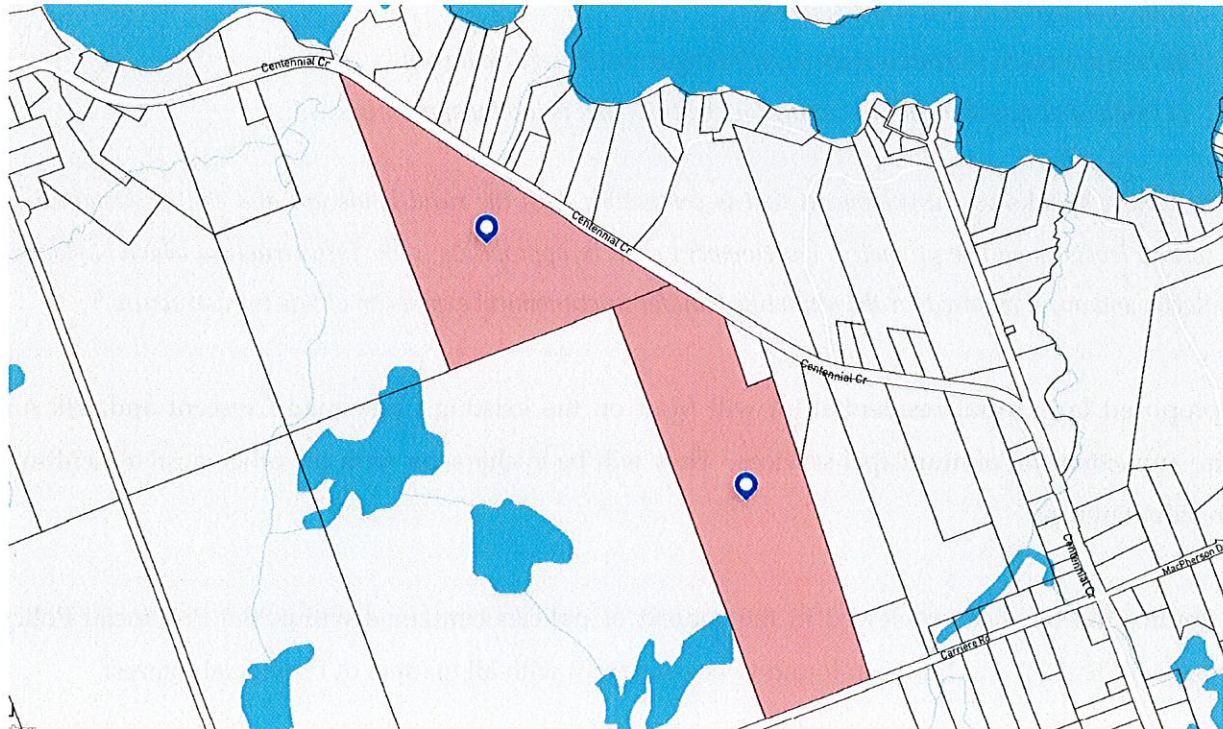


Figure 1.2 – Subject Lands – Applicants merged land holdings



3.0 PLANNING POLICY CONTEXT

3.1 Provincial Policy Statement 2020 ("PPS")

The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development. The Provincial Policy Statement is issued under the authority of Section 3 of the Planning Act, which requires that decisions affecting planning matters "shall be consistent with" policy statements issued under the Act.

Section 1.1 of the PPS 2020, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, states that Healthy, liveable & safe communities are sustained by:

- "a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term; and*
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs"*

Section 1.1.5.2 further adds that: *"On rural lands located in municipalities, permitted uses are:*

- a) the management or use of resources;*
- b) resource-based recreational uses (including recreational dwellings);*
- c) residential development, including lot creation, that is locally appropriate;..."*

Section 1.1.5.4 speaks to: *"development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted. Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure."*

The proposed large rural residential lot will front on the existing Centennial Crescent and will not require any extension of municipal services. They will be in character with the other rural agricultural and residential uses.

This application has been reviewed in the context of policies contained within the Provincial Policy Statement (PPS 2020) and has been found to be consistent with all matters of Provincial interest.

This application has been reviewed in terms of its conformity with the Municipality of East Ferris Official Plan. Section 5.2.4 of the Plan, Rural - Residential Uses, Scope of Uses Permitted, lists residential uses include single detached dwellings, second units and accessory uses as a permitted use. That section 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;*
- C) The residential use will be located on an existing lot of record; or*
- D) The lot conforms to the consent policies of this Plan (see Section 9.15.2)..."*

Both the proposed lot and retained parcel will front on existing Centennial Crescent for more than the required 60m and there is no requirement for the extension of services. The lot area for each shall be larger than the minimum 0.81 hectares required and will be suitable for individual on-site water and sewage disposal systems, as per Section 4.19.

Section 5.2.1 Rural - Development Concept states that: *"it is the intent of the Official Plan that a mix of residential living environments through low density rural development will be met in the Rural Designation over the Planning Period ending in 2025. The rural area will also permit commercial uses, institutional uses and public service facilities..."*

Section 9.15.2, Subsection 3, speaks to Single Lot Development. *"Single lot development for seasonal or permanent residential uses may be permitted subject to meeting the requirements of Sections 4.19, 5.3.7 and Section 9.15.2 of this Plan. Lot size shall be a minimum of 0.81 hectare (2.00 acres) with a corresponding frontage of 60 metres (196.85 feet) unless more stringent standards apply. The general design principles set out in Section 5.3.4 (2) above shall apply for mainland or island development and in addition, natural vegetation and amenities shall be conserved. Development will be serviced by on-site water and sewage disposal systems as the intent is to maintain a very low density settlement pattern. The objective is to protect the present rural and natural qualities of the Municipality of East Ferris."*

The Plan adds that: *"Consents shall be permitted when it is clearly not necessary, or in the public interest, that a plan of subdivision is required. If a plan of subdivision is not deemed necessary, regard shall be had to other policies in this Plan and, more specifically, to the following criteria when considering applications for consent:*

- 1. The applicant has provided confirmation that capacity exists at a sewage disposal or treatment facility (e.g. a letter signed by holder of the Certificate of Approval (C of A)), for the lot's septage exists.*
- 2. Consent should be given only when the land fronts on and has direct access to a year round maintained public road which is of a reasonable standard of construction except in the case where the lands are designated or intended to be used in the Waterfront designation (see section 8.15.2(18)(A)) or are located on an island, or are located within or adjacent to an area which has already been developed primarily on the basis of water access only."*

Consents should be granted only when it has been established by the public authority having jurisdiction, that soil and drainage conditions are suitable to permit the proper siting of buildings, to obtain a sufficient and potable water supply and to permit the installation of an adequate means of sewage disposal. Consideration should be given to the adequacy of water supply and sewage disposal for both the severed and retained portions of the subject property. As part of the circulation, the proposed must be reviewed and approved by the North Bay-Mattawa Conservation Authority.

The Official Plan adds that: *"No severance for a year-round residential use shall be approved if the necessary school accommodation is not available. The proposed lot should also be served by an existing school bus route."* The lots will front on Centennial Crescent which has school bus services, as well as garbage pickup and snow removal. No extension of municipal services is required.

Finally, The Official Plan cautions that: *"Except as expressly permitted in Section 9.15.2 (16), it shall be a policy of Council to generally permit a maximum of two severances (e.g., creation of two additional lots) from any parcel of land. The number of new lots permitted to be created by severance within the combined Rural and Waterfront designations within any calendar year shall be limited to a maximum of 25, provided that the severance(s) conform(s) to all other applicable sections of this Plan."* This is the second severance from the merged property holdings.

This proposal has been reviewed in the context of the policies of the Municipality of East Ferris Official Plan and is in conformity with it.

5.0 ZONING BY-LAW

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. The proposed severed and the retained (and eventual building envelopes) will meet all of the lot area, frontage, setback and lot coverage requirements listed under Section 5.

6.0 CONCLUSION AND RECOMMENDATION

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). The NBMCA will be circulated on all pending *Planning Act* applications.

Based on the preceding planning analysis, the proposed consent to sever application would:

- Be consistent with the Provincial Policy Statement, 2020;
- Is in conformity with the Municipality of East Ferris Official Plan;
- Have frontage and access to a fully maintained, existing road; and therefore
- Represents good planning.

Thus, it is respectfully requested that the proposal to create one (1) new rural residential lot from the merged land holdings of Mr. Marasse, be approved by the Municipality of East Ferris.

Regards,



Steve McArthur, MCIP, RPP
o/b Tulloch Geomatics Inc.

