



ITEM: Consent to Sever and Minor Variance Recommendation Report
DATE: August 16, 2023
TO: Committee of Adjustment
FROM: Planning & Development Department
FILE NO: B-2023-18 & A-2023-09
LOCATION: 114 Eglington Road North

1. Introduction

Concurrent applications for consent to sever and minor variance have been submitted by Paul Goodridge on behalf of Marc and Donna Carriere for a severance of their property located at 114 Eglington Road North. The existing property is approximately 7ha in area with frontage in two separate locations along Eglington Road North. The property wraps around 120 Eglington Road North, which was previously severed by the applicant.

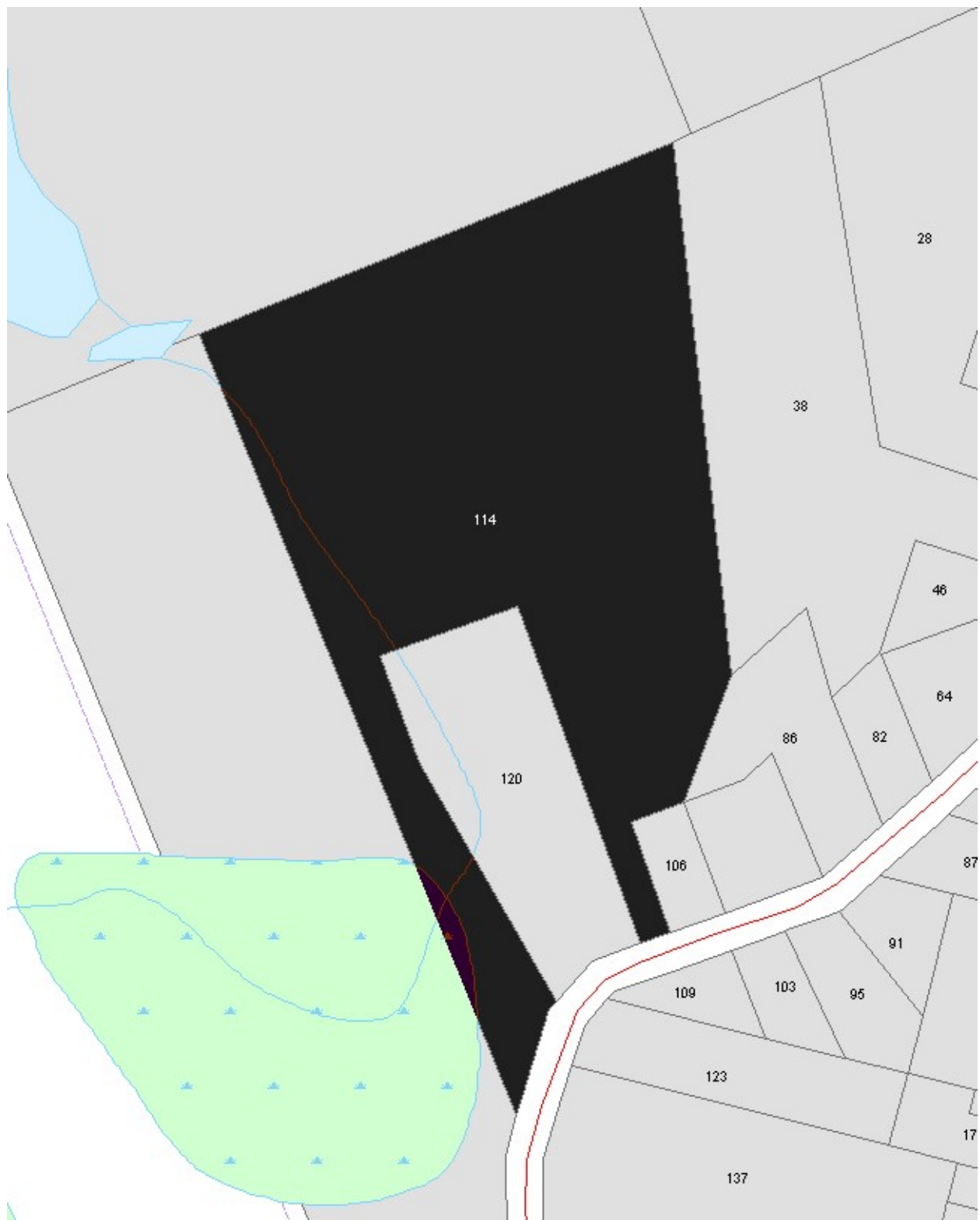
The severed and retained lands in the applicants proposal would have 2.027ha of lot area/64m of frontage and 4.978ha/20.12m of frontage, respectively. The minor variance application seeks to permit the requested decrease in required lot frontage for the retained lands from 60m to 20.12m.

The applicant intended to build a home on the retained lands in the location shown in Figure 2.

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



SKETCH TO ACCOMPANY

MINOR VARIANCE & CONSENT APPLICATIONS

PART OF LOT 29, CONCESSION 9
TOWNSHIP OF EAST FERRIS
DISTRICT OF NIPISSING

SCALE 1 : 2,000

LOT 29

LOT 28

LOT 29

CONCESSION

PIN 49185 - 0003 (L.T.)

206.69

67.50

PIN 49185

PART 1
PLAN 3BR-3295
PIN 49185 - 0803 (L.T.)

SEVERED
AREA: 2.027 ha
(5.01 ac)

205.92

46.00

33.83

PART 1
PLAN 3BR-14680
PIN 49185 - 0787 (L.T.)

No. 120
DWELLING

GARAGE

PROPOSED
DWELLING

HEAVILY
FORESTED

74.75

PIN 49185 - 0786 (L.T.)

PART 3
PLAN 3BR-11994

PART 1
PLAN 3BR-6759

PART 2
PLAN 3BR-6759

PART 3
PLAN 3BR-6759

PART 1
PLAN 3BR-6759

PART 2
PLAN 3BR-6759

PART 3
PLAN 3BR-6759

PIN 49185 - 0132 (L.T.)

PIN 49185 - 0133 (L.T.)

CONCESSION

102.53

31.83

39.47

102.53

30.47

PIN 49185 - 0129 (L.T.)

PART 1
PLAN 3BR-6759

PART 2
PLAN 3BR-6759

PART 3
PLAN 3BR-6759

PIN 49185 - 0848 (L.T.)

PART 1
PLAN NR-937

PART 2
PLAN NR-1158

PART 3
PLAN NR-157

WILKINSON ROAD NORTH

RURAL

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 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. Municipal Planning Review

The applicant’s proposal exceeds the required lot area significantly in the case of both the severed and retained lands; however, the lot frontage is deficient by a significant numerical margin for the retained lands. The applicant has submitted a minor variance request in order to facilitate the requested severance. The minor variance would permit a decrease in lot frontage from the required 60m to the proposed 20.12m for the retained lands.

Minor variance applications must be evaluated in the context of the 4 tests in the Planning Act. Although numerically significant, the evaluation of the request for a reduced lot frontage must be primarily considered from the point of impact, conformity with the intent of municipal planning documents and the appropriateness of the development. The intent of the minimum frontage requirements of the zoning by-law and official plan are generally aimed at creating a regular lot pattern with lots that are not too narrow. In this case, although very narrow along the road, it opens up significantly approximately 60m back with an additional over 300m of depth before the rear lot line. In this case, the proposed dwelling would not be immediately behind the adjacent lot and would be separated by heavily forested area. Further, because of the very unusual lot shape and segregated nature of the two sections of frontage, a driveway would be established in the location with the 20.12m of frontage whether the land is severed or not. If the severance application did not go ahead the access to the property would still be established along the narrow frontage.

Based on the information above, staff are of the opinion that the requested variance is appropriate and is in conformity with the general intent of our official plan and zoning by-law. The requested variance and associated severance would allow the retained lands to have reduced frontage and allow a second lot to be established along the larger section of frontage, which would be able to make efficient use of land that is otherwise very disconnected from the rest of the property.

5. Recommendation

It is recommended that Minor Variance application A-2023-09 be approved to permit a reduction in required lot frontage for the retained lands of 20.12m. Further, it is recommended that Consent Application B-2023-18 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