



ITEM: Consent to Sever Recommendation Report
DATE: July 19, 2023
TO: Committee of Adjustment
FROM: Planning & Development Department
FILE NO: B-2023-12 & B-2023-13
LOCATION:

1. Introduction

An application has been submitted to the Municipality of East Ferris for consent to sever for the purposes of creating two new lots from the subject property at 479 Nosbonsing Park Road. The property is designated Waterfront in the East Ferris Official Plan and zoned Rural by Zoning By-law 2021-60. Both of the proposed lots would have frontage along Nosbonsing Park Road but would not have frontage along Lake Nosbonsing.

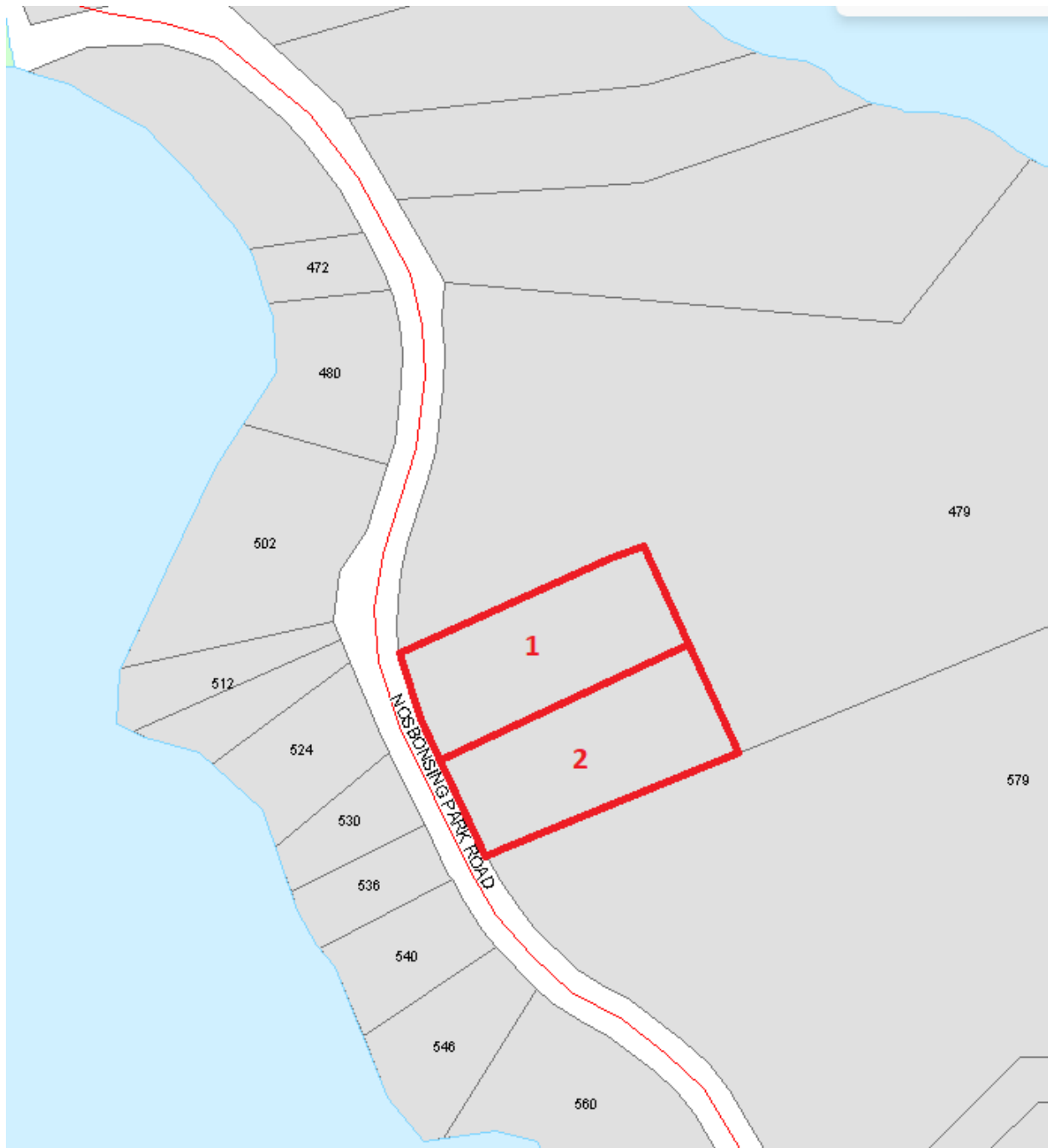
2. Description of Property

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 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 Waterfront in the East Ferris Official Plan and is zoned Lakefront Residential. Both of these planning documents have a required minimum lot frontage of 60m (200 ft) and a minimum lot area of 0.8 ha (2 acres). Both of the proposed severed lots meet these minimum requirements and the retained lands far exceed both standards.

The proposed lots are larger than the majority of lots in the immediate area, especially relative to the lots along the west side of Nosbonsing Park Road. The lot layout would be appropriate in the context of this area and consistent with the residential character of the neighbourhood.

4. Recommendation

It is recommended that Consent Application B-2023-12 and B-2023-13 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 \$1000.00 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,

A handwritten signature in dark ink, appearing to read 'G. Kirton', is written above a horizontal line.

Greg Kirton, RPP, MCIP

Director of Community Services
Municipality of East Ferris