



ITEM: Consent to Sever Recommendation Report
DATE: April 19, 2023
TO: Committee of Adjustment
FROM: Planning & Development Department
FILE NO: B-2023-06
LOCATION: 635 Quae Quae Road

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 635 Quae Quae 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.

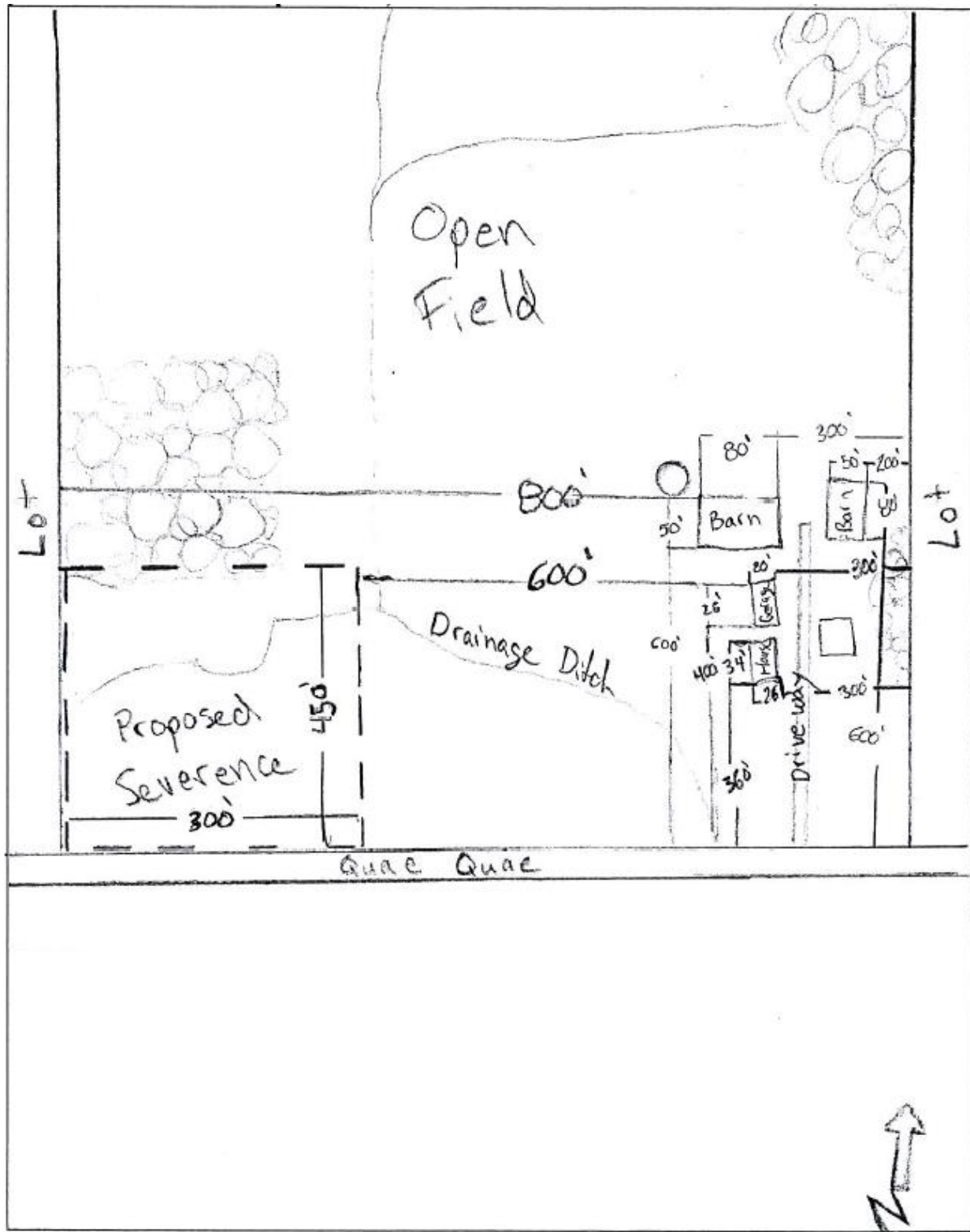
2. Description of Property

A location map is contained in **Figure 1** and the plan of the area to be severed in **Figure 2**. The applicant is proposed a new lot with 1.2 ha (3 acres) of lot area and 90m (300 feet) of lot frontage.

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

The subject property is designated Rural in the Municipality of East Ferris Official Plan. The East Ferris Official Plan states that new lots in the Rural area will have a minimum lot frontage of 60m. The applicant is proposing approximately 90m of frontage for the severed lands. The retained lands would have approximately 300m of lot frontage.

The Official Plan requires 0.8 ha for lot area. The applicant’s proposal would create a lot with approximately 1.2 ha of lot area. The retained lands would be left with approximately 39 ha of lot area.

Consideration must also be given to any potential impacts to the larger agricultural operation on the property. The East Ferris Official Plan discourages lot creation when that lot creation would have a direct impact on the viability of existing and functional farmland. Lot creation is possible when on less ideal farmland or when not impacting the function of the farm. The location and layout of the proposed lot would not have negative impacts on the larger agricultural use and the propose lot is on less optimal farmland.

Planning staff has reviewed the official plan policies surrounding consents as well as all other relevant policies and are of the opinion that the applicant’s proposal is in conformity with the official plan.

D. Zoning By-Law

The property is currently zoned Rural. The Rural Zone requires a minimum lot frontage for a residential use to be 60 m, and minimum lot area of 0.8 ha. Both of these requirements are exceeded by both the severed and retained lands, as outlined in section 4. C. above. Any future development on the site will be required to adhere to all Zoning By-law standards for setbacks, lot coverage, permitted uses, and all other regulations contained within By-law 2021-60.

5. Recommendation

It is recommended that Consent Application B-2023-06 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,



Greg Kirton RPP, MCIP

Director of Community Services
Municipality of East Ferris