



ITEM: Consent to Sever Recommendation Report
DATE: August 16, 2023
TO: Committee of Adjustment
FROM: Planning & Development Department
FILE NO: B-2023-17
LOCATION: 802 Centennial Crescent

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 802 Centennial Crescent. 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.

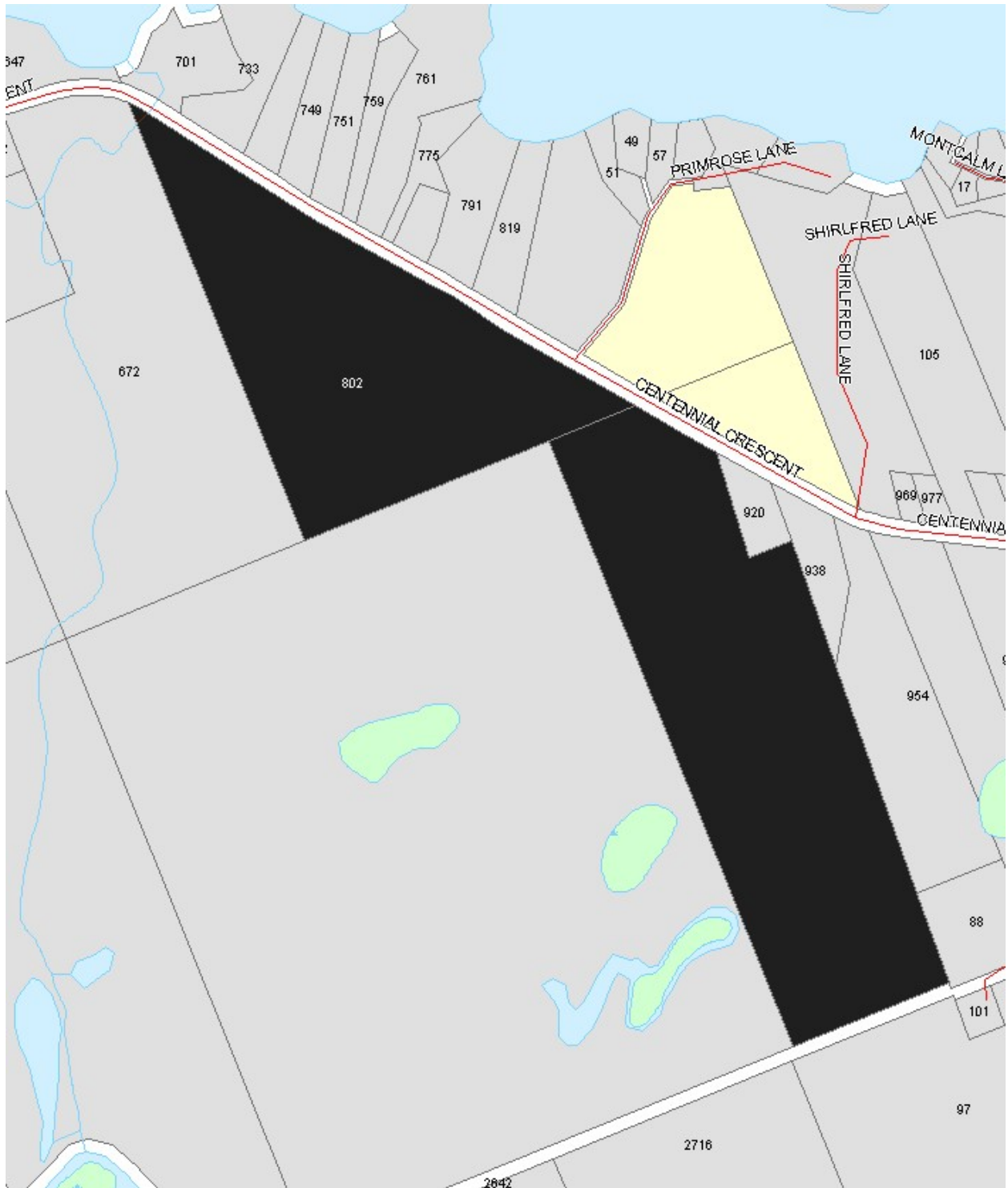
This property was subject to another consent application in August 2022 (File B-2022-21). This application has not yet been finalized. File B-2022-21 permitted the creation of a new lot along the westerly boundary of the subject property. The proposed lot creation in this application would be on the easterly part of the property and would not negatively impact the ability to finalize the application made under file B-2022-21.

The applicant is intending to convey the proposed severed lands to the owner of 819 Centennial Crescent, immediately across the street. There are no plans currently proposed for the severed lands.

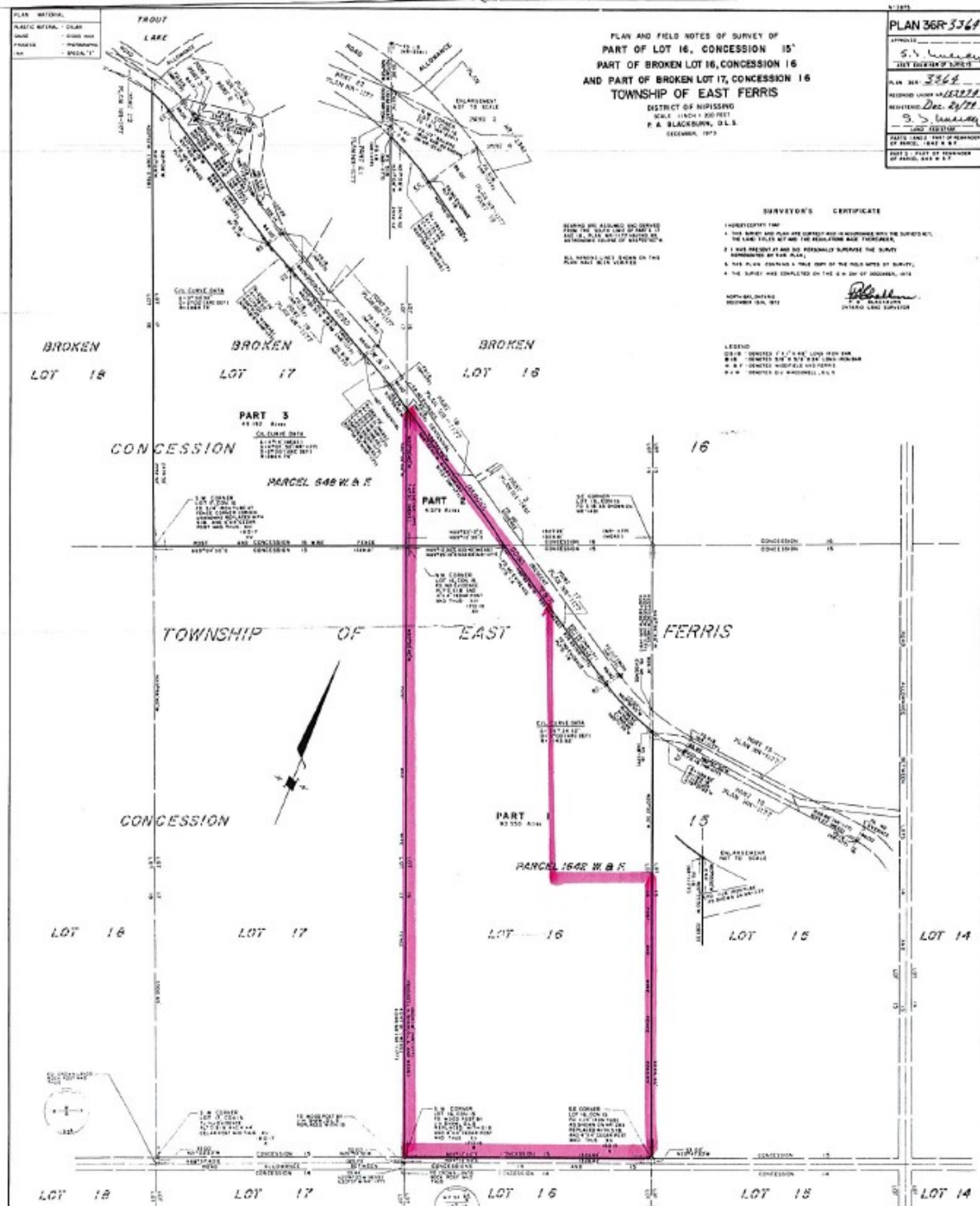
2. Description of Property

A location map is contained in **Figure 1** and the plan of the area to be severed in **Figure 2**.

Figure 1: Property Location



□ - Subject Lands to be conveyed to Ken Leppert.



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 minimum lot frontage required is 60 m and the minimum lot area required is 0.8 ha. The applicants proposal far exceeds both of these requirements with approximately 380m of frontage and 27 ha proposed.

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 significantly exceeded by both the retained and severed lands for this application. Staff have reviewed all other zoning by-law provisions and do not have any concerns with the conformity of this proposal to any other aspect of the by-law.

5. Recommendation

It is recommended that Consent Application B-2023-27 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