



ITEM: Consent to Sever Recommendation Report
DATE: March 20th, 2024
TO: Committee of Adjustment
FROM: Planning & Development Department
FILE NO: B-2024-08, B-2024-09, A-2024-03
LOCATION: 837 Lake Nosbonsing 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 837 Lake Nosbonsing 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.

837 Lake Nosbonsing Road as well as the adjacent vacant parcel are owned by members of the same family and they are seeking to rearrange the lot lines of both parcels to accommodate one additional lot while still maintaining access to the retained lands. The proposed lot pattern would shift the boundaries of 837 Lake Nosbonsing Road to better accommodate the new lot and a more normal lot pattern. Due to the amount of frontage available between all parcels, the proposed retained lands would be deficient in frontage and would require a minor variance to permit a frontage of 55m, whereas 60m is required by Zoning By-law 2021-60.

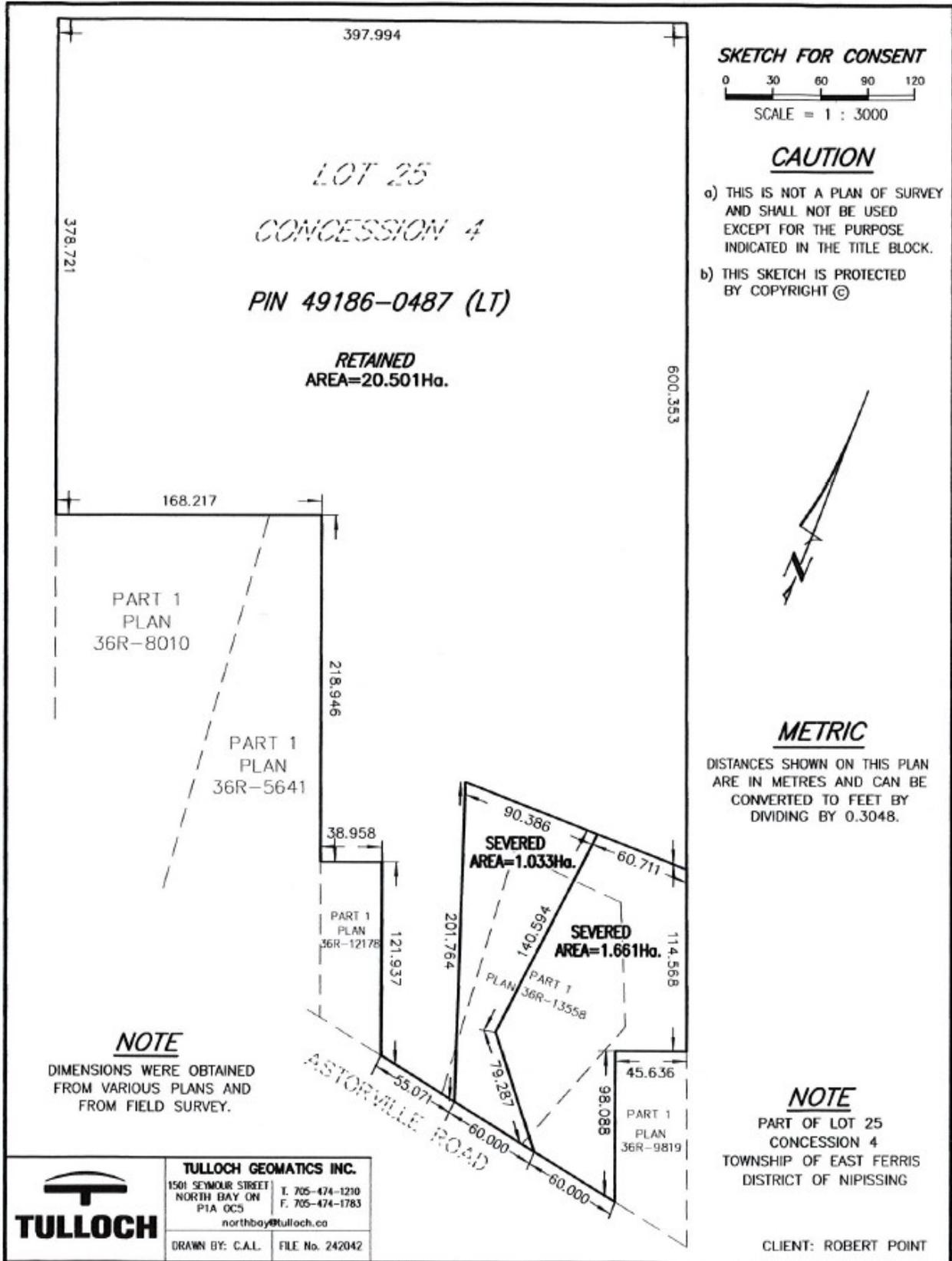
2. Description of Property

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 Rural in the Municipality of East Ferris Official Plan and zoned Rural by by-law 2021-60. The applicant is seeking a minor variance to allow for a reduced frontage of 55.07m on the retained lands, whereas 60m is required by the zoning by-law. Both severed lots exceed the minimum required lot area of 0.8 ha with 1.033ha and 1.661ha respectively. The proposed lot pattern makes better and more efficient use of the land by realigning the lot lines in a more efficient and sensible way to accommodate the additional lot.

The requested variance is minor in nature given the very small numerical reduction associated with the significant amount of area proposed to remain with the lot.

Staff are of the opinion that the proposed consent and minor variance applications are appropriate and would allow for development of these lands in an orderly manner.

5. Recommendation

It is recommended that Consent Application B-2024-08 and B-2024-09 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 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