



PLANNING JUSTIFICATION BRIEFING

Unaddressed Lands, Corbeil Road & Bertha Road
Consent to Sever application for the purpose of
creating thirteen (13) residential building lots
in the Municipality of East Ferris

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CONTENTS

1. PROPOSAL	3
2. SUBJECT SITE AND SURROUNDING LAND USES	3
3. PLANNING POLICY REVIEW	5
3.1 Provincial Policy Statement 2020 ("PPS").....	5
3.2 Official Plan	5
3.3 Zoning By-law No. 2021-60.....	8
4.0 CONCLUSION	8

1. PROPOSAL

TULLOCH has been retained by the owners of unaddressed lands on Corbeil Road at Bertha Road (PIN 49185-0591) in the Municipality of East Ferris (Corbeil) to prepare a Planning Justification Briefing as part of a complete application package submitted to the Municipality. The Consent to Sever application is for the purpose of creating thirteen (13) new residential building lots in the Municipality of East Ferris.

In this briefing, the author demonstrates that the intent and purpose of the Zoning By-law and the Municipality's Official Plan will be maintained, and the proposed use and development of the property is appropriate within a Provincial Policy context. In my professional opinion, the proposal to create thirteen (13) new residential building lots in the Municipality of East Ferris via a Consent to Sever process should be supported.

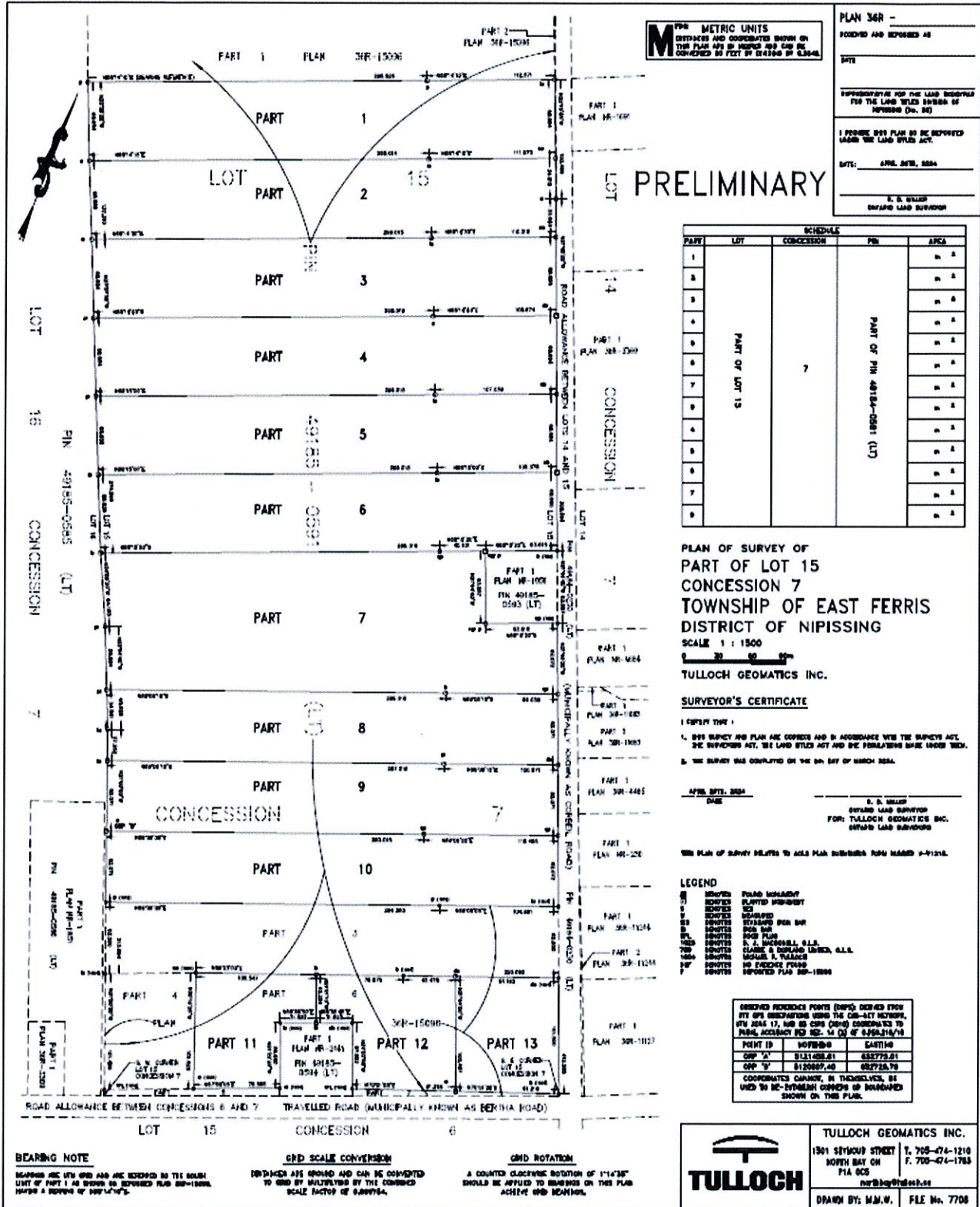
2. SUBJECT SITE AND SURROUNDING LAND USES

The subject property is +/-40 hectares in size, with frontage of +/-762m on Corbeil Road and +/-259m Bertha Road. It has a depth of +/-411m at its deepest point. It is surrounded by rural and residential uses and vacant undeveloped lands on all sides. Small wetland pockets exist on the property in what would be the rear lot areas of Parts 3 to 7, away from any proposed construction. The subject lands that are represented by this application are legally described as CON 7, PT LOT 15, PCL 7451 SEC WF; EAST FERRIS.

Figure 1.0 – Subject Lands – Unaddressed Lands on Corbeil/Astorville Road and adjacent lands



Figure 2.0 – Subject Lands – Preliminary R-Plan



3. PLANNING POLICY REVIEW

3.1 Provincial Policy Statement 2020 (“PPS”)

The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development. The Provincial Policy Statement is issued under the authority of Section 3 of the Planning Act, which requires that decisions affecting planning matters “*shall be consistent with*” policy statements issued under the Act.

Section 1.1 of the PPS 2020, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, states that Healthy, liveable & safe communities are sustained by:

- a) *“promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term; and*
- b) *accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs”*

Section 1.1.5.2 further adds that: *“On rural lands located in municipalities, permitted uses are:*

- a) *the management or use of resources;*
- b) *resource-based recreational uses (including recreational dwellings);*
- c) *residential development, including lot creation, that is locally appropriate;...”*

Section 1.1.5.4 speaks to: *“development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted. Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.”*

The proposed large rural residential lots will front on existing roads and will not require any extension of municipal services, which is encouraged by Sections 1.1 and 1.1.5.4. The Owner has completed a full Hydrogeological Study and a Traffic Impact Study and has included these in the complete application package to support the lot creation sought through this application. If approved, the Owner intends to construct thirteen (13) new Single Detached Dwellings that will be in character with the other rural residential uses in the immediate area, making them locally appropriate as per Section 1.1.5.2.

This application has been reviewed in the context of policies contained within the Provincial Policy Statement (PPS 2020) and has been found to be consistent with all matters of Provincial interest.

3.2 Official Plan

This application has been reviewed in terms of its conformity with the Municipality of East Ferris Official Plan. **Section 5.2.4** of the Plan, Rural - Residential Uses, Scope of Uses Permitted, lists residential uses include single detached dwellings, secondary units and accessory uses as permitted uses. That section goes on to state that: *“It is a basic objective of Council to control the amount and type of new residential development in the Rural designation in order to preserve agricultural land and to ensure that neither municipal water supply nor municipal sewage disposal facilities shall be required. It is therefore the policy of Council to only permit residences in the Rural designation where:*

- A) The lot on which the residential use is to be located is on a road which has been opened, established and is presently maintained year round by the Municipality;
- B) The residential use will not lead to a demand for urban services or strip development along the roads and highways of the Municipality. To this end infilling will be encouraged in existing pockets of residential development as a means of consolidating these pockets of development;
- C) The residential use will be located on an existing lot of record; or
- D) The lot conforms to the consent policies of this Plan (see Section 9.15.2)..."

The proposed lots will front on existing Corbeil Road and Bertha Road and there is no requirement for the extension of services. The lot area for each shall be larger than the minimum 0.81 hectares required and will be suitable for individual on-site water and sewage disposal systems, as per **Section 4.19**.

A Hydrogeological Study for Proposed Estate Lots On and Around Corbeil Road was prepared for the Degagne Group of Companies in early 2024. In summary, it offers the following in support:

"A hydrogeological site assessment was undertaken to characterize the geological and hydrogeological conditions of the subject properties to support the proposed rural lot subdivision. Based on the review of available background information and site investigations and a review of 173 well records in the vicinity of the subject properties indicated that supply of enough water to support single family dwellings is highly likely. Five test wells and pumping tests were completed. Based on the test well completion and pump testing, it is anticipated that there will be adequate domestic water supply for the proposed single family dwellings. Review of water quality data from samples taken at the end of the pump test show that the groundwater quality is generally acceptable for human consumption with all parameters below health criteria limits except some elevated levels of coliform and a 1 ppm result for e-coli. Proper well development, flushing and disinfection of all new systems prior to commissioning will address this. A review of on-site septic systems indicate that a minimum lot size of 0.5 hectares should be maintained and that standard filter bed construction with imported mantles where required for soil or groundwater conditions will be satisfactory."

Section 5.2.1 Rural - Development Concept states that: *"it is the intent of the Official Plan that a mix of residential living environments through low density rural development will be met in the Rural Designation over the Planning Period ending in 2025. The rural area will also permit commercial uses, institutional uses and public service facilities..."*

Section 9.15.2, Subsection 3, speaks to Single Lot Development. *"Single lot development for seasonal or permanent residential uses may be permitted subject to meeting the requirements of Sections 4.19, 5.3.7 and Section 9.15.2 of this Plan. Lot size shall be a minimum of 0.81 hectare (2.00 acres) with a corresponding frontage of 60 metres (196.85 feet) unless more stringent standards apply."*

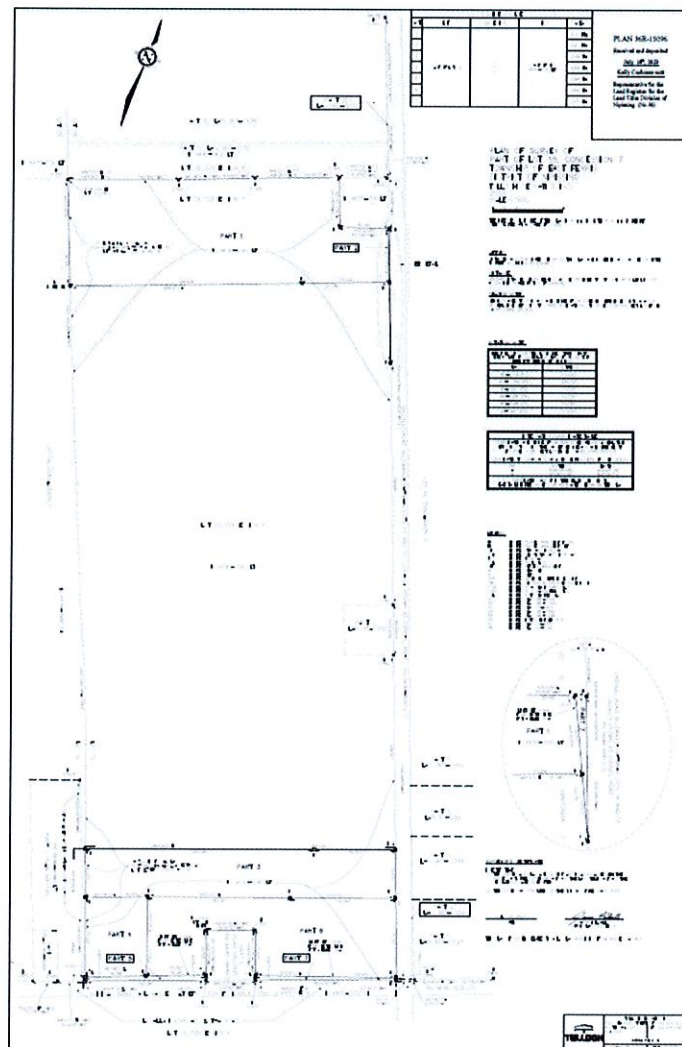
The Plan adds that: *"Consents shall be permitted when it is clearly not necessary, or in the public interest, that a plan of subdivision is required. If a plan of subdivision is not deemed necessary, regard shall be had to other policies in this Plan and, more specifically, to the following criteria when considering applications for consent:*

1. *The applicant has provided confirmation that capacity exists at a sewage disposal or treatment facility (e.g. a letter signed by holder of the Certificate of Approval, for the lot's septicage exists).*
2. *Consent should be given only when the land fronts on and has direct access to a year round maintained public road which is of a reasonable standard of construction except in the case where the lands are designated or intended to be used in the Waterfront designation (see section 8.15.2(18)(A)) or are located on an island, or are located within or adjacent to an area which has already been developed primarily on the basis of water access only."*

Consents should be granted only when it has been established by the public authority having jurisdiction, that soil and drainage conditions are suitable to permit the proper siting of buildings, to obtain a sufficient and potable water supply and to permit the installation of an adequate means of sewage disposal. Consideration has been given to the adequacy of water supply and sewage disposal through the prepared Hydrogeological Study.

The Official Plan adds that: *"No severance for a year-round residential use shall be approved if the necessary school accommodation is not available. The proposed lot should also be served by an existing school bus route."* The lots will front on Corbeil Road and Bertha Road, which has school bus services, as well as garbage pickup and snow removal. No extension of municipal services is required.

Finally, the Official Plan states in **Section 9.15.2 (16)**, that: *"The number of new lots permitted to be created by severance within the combined Rural and Waterfront designations within any calendar year shall be limited to a maximum of 25, provided that the severance(s) conform(s) to all other applicable sections of this Plan."* There have been a total of seven (7) Rural lots created so far in 2024. This is the second severance from the property holdings, with three (3) rural residential building lots being created in July of 2024 under Plan 36R-15096 shown here:



The Consent policies of **Section 9.15.2** have been reviewed in their entirety and the subject applications are in conformity with the policies.

This proposal has been reviewed in the context of the policies of the Municipality of East Ferris Official Plan and is in conformity with it.

3.3 Zoning By-law No. 2021-60

The subject lands are currently zoned 'Rural' in the Municipality of East Ferris' Comprehensive Zoning By-law 2021-60. **Section 5 – Rural and Residential Zones** – lists Single Detached Dwellings as a permitted use in the Rural zone. The proposed severed lots (and eventual building envelopes) will meet all of the lot area, frontage, setback and lot coverage requirements listed under Section 5.

4.0 CONCLUSION

The Owners, in preparation for application, have prepared a full Hydrogeological Study and a Traffic Impact Study and has included these in the complete application package to support the lot creation sought through this application. Any new construction on these proposed lots would require approval from the North Bay-Mattawa Conservation Authority (NBMCA) and would include new, modern sewage systems that would meet the minimum requirements for development as set out in Part 8 of the Ontario Building Code (OBC). The NBMCA will be circulated on all pending *Planning Act* applications.

In this briefing, the author demonstrates that the intent and purpose of the Zoning By-law and the Municipality's Official Plan will be maintained, and the proposed use and development of the property is appropriate. The Municipality has the authority to request that these lots be created through a Plan of Subdivision when and where necessary. The author has demonstrated that a Plan of Subdivision is not required in this case. There are no new roads being created, there are no matters of Provincial interest and there are no special considerations that would require a Subdivider's Agreement. The studies that would normally be part of a Plan of Subdivision application has also been provided. The HydroG study has demonstrated that there is sufficient water – both quantity and quality – to services these lots and the Traffic Impact Study has identified safe and appropriate driveway locations for each proposed building lot.

In my professional opinion, the proposal to create thirteen (13) new rural residential lots from the owners' land holdings should be approved by the Municipality of East Ferris. Based on the preceding planning analysis, the proposed consent to sever application would:

- Be consistent with the Provincial Policy Statement, 2020;
- Is in conformity with the Municipality of East Ferris Official Plan;
- Have frontage and access to a fully maintained, existing road; and therefore
- Represents good planning.

Respectfully submitted,



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