



ITEM: Consent to Sever Recommendation Report
DATE: May 22nd, 2024
TO: Committee of Adjustment
FROM: Planning & Development Department
FILE NO: B-2024-10 to B-2024-12
LOCATION: 644 Derland Road

1. Introduction

An application has been submitted to the Municipality of East Ferris for consent to sever for the purposes of creating three new lots from the subject property at 644 Derland 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**.

Figure 1: Property Location

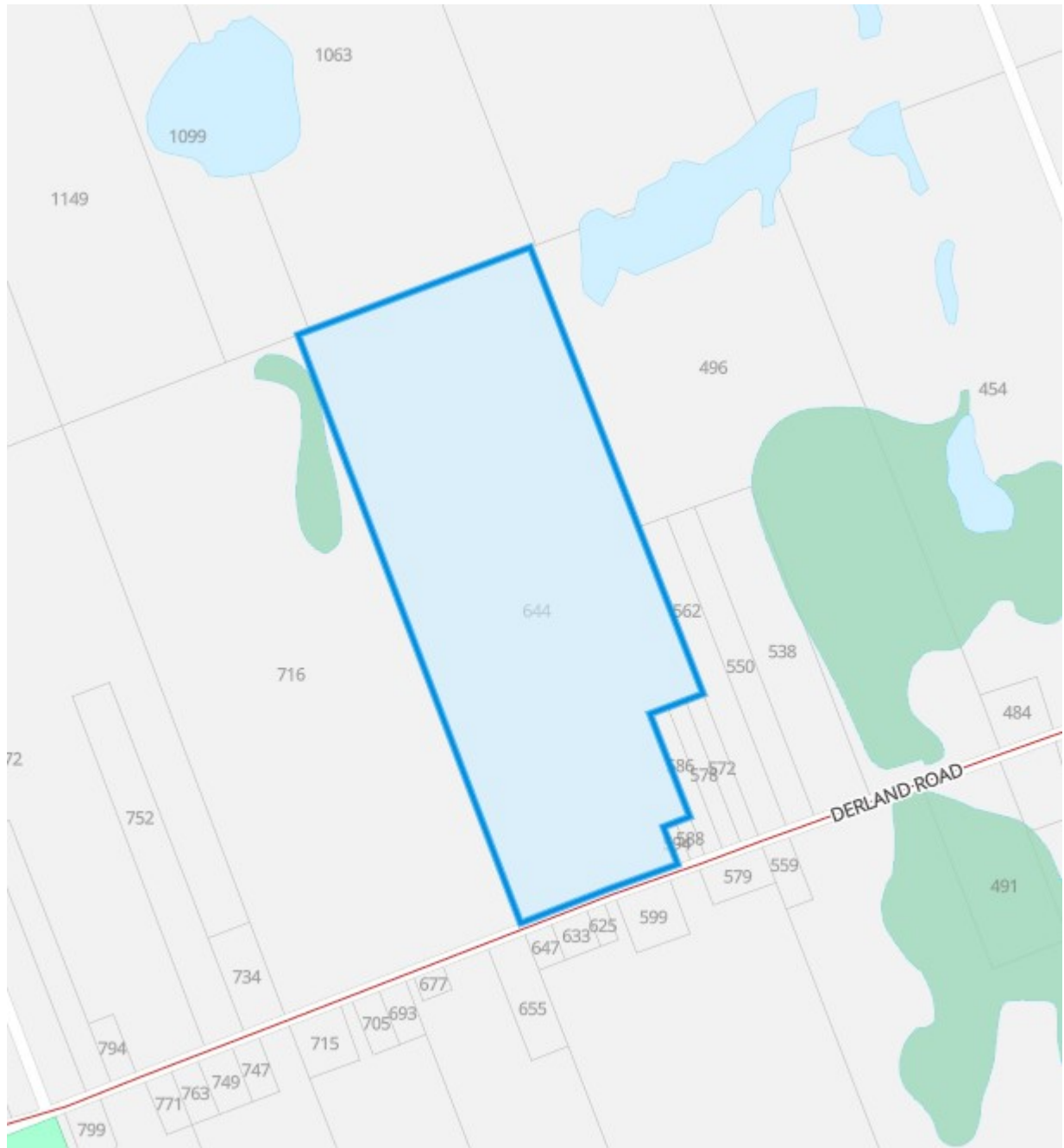
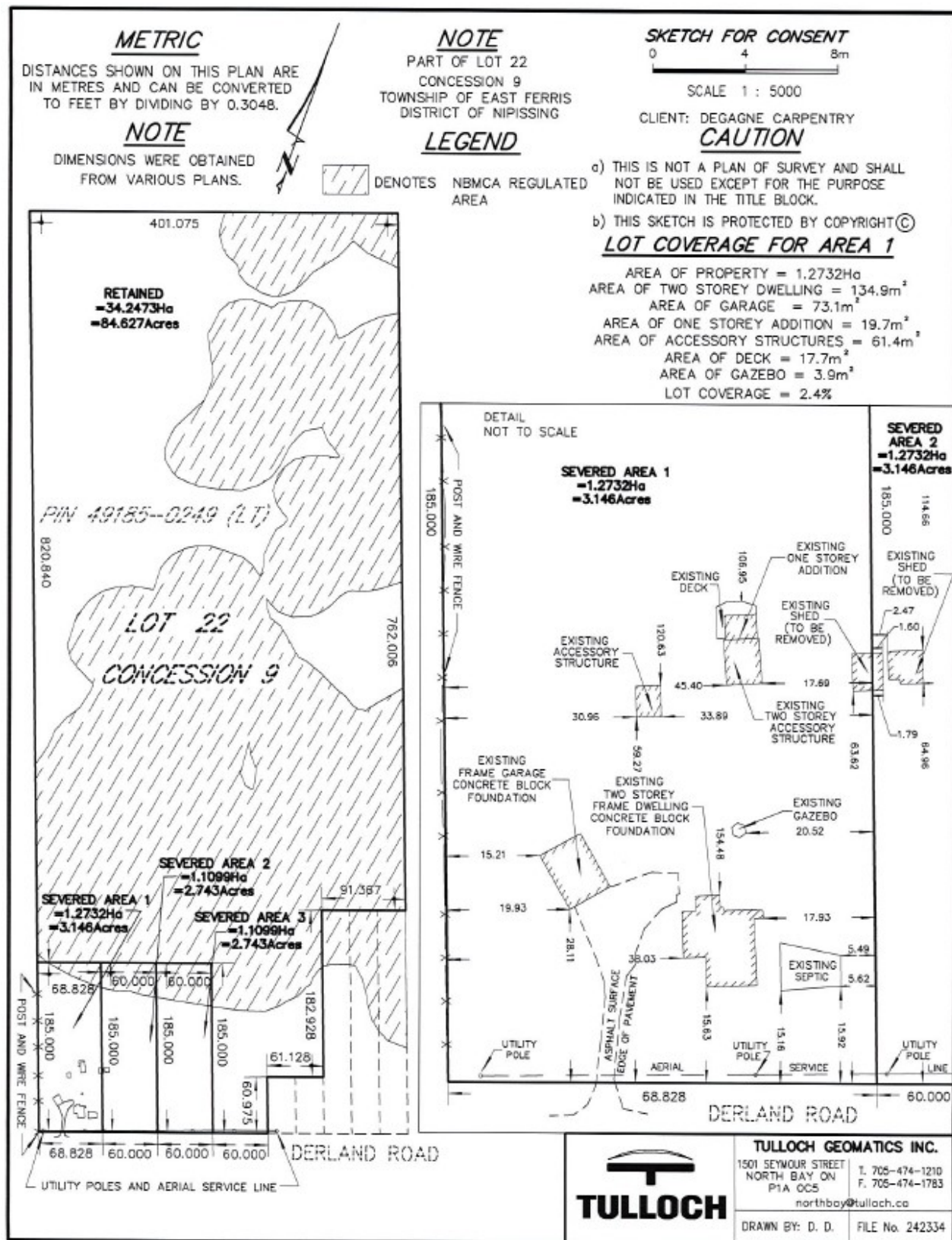


Figure 2: Lot Layout Sketch



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 3 new lots 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. The minimum lot frontage required is 60 m and the applicant is proposing between 60m and 68.8m for the severed lands and 60m for the retained lands. The Official Plan requires 0.8 ha for lot area. The applicant’s proposal would create 3 new lots with between 1.1ha (2.7 acres) and 1.27ha (3.1 acres) in lot area. The retained lands are approximately 34ha (85 acres) in area.

There is a significant amount of wetland area on the property, including a large pond about 200m away from the road. These features would prevent access and development on the very rear half of the property but the proposed location of the lots are well within the developable area along Derland Road. The pond area would touch onto the back of each of the proposed severed lots but would not have any impact on the ability to place a new dwelling or septic system on any of the lots. The East Ferris Zoning by-law requires a 30m setback for dwellings from any watercourse, wetland or similar feature. There is ample room to accommodate this setback.

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.

4. Recommendation

It is recommended that Consent Application B-2024-10 to B-2024-12 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.
- 9) That the existing sheds shown on the draft sketch and labelled as (to be removed), are removed prior to finalization of the consent applications.

Respectfully Submitted,



Greg Kirton, RPP, MCIP

Director of Community Services
Municipality of East Ferris