



# PLANNING JUSTIFICATION BRIEFING

111 Lavigne Road, East Ferris

Consent to Sever for the purpose of a Lot Addition

January 6, 2025

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File #242716

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# 1.0 INTRODUCTION

TULLOCH has been retained by Mary Anne Saunders to represent their property interests at 111 Lavigne Road in the Municipality of East Ferris. I have prepared this planning justification briefing as part of a complete application package submitted to the Municipality’s Planning Department.

The application is for Consent to Sever for the purpose a lot addition from property with frontage on Lavigne Road. No new lots will be created by this proposal. The proposed severance and lot addition will be added to lands identified by Plan 36R-15237, Part 1, which are lands owned by the Degagne Group of Companies. The purpose of this lot addition is to consolidate lands to facilitate the planning of a new Draft Plan of Subdivision that will be know as the Meadow Drive Subdivision. It is anticipated that this application for Draft Plan approval will be formally made in 2025, pending consolidation of the lands that are the subject of this application.

This briefing reviews the consistency and conformity of the application in the context of the applicable policies and direction found within the following documents and plans:

- 2024 Provincial Planning Statement (PPS)
- Municipality of East Ferris Official Plan
- Municipality of East Ferris Zoning By-Law

Overall, the author finds that the proposed consent application conforms with the Municipality of East Ferris Official Plan, is consistent with the 2024 Provincial Planning Statement and represents good planning.

# 2.0 SUBJECT PROPERTY & SURROUNDING CONTEXT

The subject property is +/-30 hectares in size, with frontage of +/-60 metres on Lavigne Road and a depth of +/-789 metres at its deepest point. The lands that are represented by this application are legally described as Concession 9, Part Lot 13, Remainder of Plan 36R-14770, PIN 49184-0366 (LT) in the Township of East Ferris, in the District of Nipissing.

The lands are vacant. An unevaluated wetland and associated waterbody/watercourses exists on the property and the lands subject to the proposed lot addition are naturally severed by this wetland complex. These natural features are more than 500 metres north of the Lavigne Road, which is characterized by residential uses with single detached dwellings located on both sides of the road.

# 3.0 POLICY OVERVIEW & ANALYSIS

The following section sets out the relevant planning policy framework to assess the appropriateness of the proposed application in the context of Provincial policies and regulations. Each sub-section will outline relevant policies and provide a planning analysis with respect to how the application is consistent with or conforms to such policy.

### 3.1 PROVINCIAL PLANNING STATEMENT, 2024 (PPS)

The *Provincial Planning Statement, 2024* (PPS) provides high-level provincial policy direction for planning approval authorities making decisions on *Planning Act* applications. Policies applicable to the proposal are outlined and analyzed below:

**Section 2.5** of the PPS provides policies that apply to rural areas in municipalities. It states that:

1. *Healthy, integrated and viable rural areas should be supported by:*
  - a) *building upon rural character, and leveraging rural amenities and assets;*
  - b) *promoting regeneration, including the redevelopment of brownfield sites;*
  - c) *accommodating an appropriate range and mix of housing in rural settlement areas;*
  - d) *using rural infrastructure and public service facilities efficiently;*
  - e) *promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;*
  - f) *providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;*
  - g) *conserving biodiversity and considering the ecological benefits provided by nature; and*
  - h) *providing opportunities for economic activities in prime agricultural areas, in accordance with policy 4.3.*
2. *In rural areas, rural settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted.*
3. *When directing development in rural settlement areas in accordance with policy 2.3, planning authorities shall give consideration to locally appropriate rural characteristics, the scale of development and the provision of appropriate service levels. Growth and development may be directed to rural lands in accordance with policy 2.6, including where a municipality does not have a settlement area.*

...

### 2.6 Rural Lands in Municipalities

1. *On rural lands located in municipalities, permitted uses are:*
  - *the management or use of resources;*
  - *resource-based recreational uses (including recreational dwellings not intended as permanent residences);*
  - *residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services;*
  - *agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;*
  - *home occupations and home industries;*
  - *cemeteries; and*
  - *other rural land uses.*
2. *Development that can be sustained by rural service levels should be promoted.*

3. *Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the uneconomical expansion of this infrastructure.*
4. *Planning authorities should support a diversified rural economy by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.*

...

Per **Sections 2.5 & 2.6**, new development must align with available infrastructure and avoid unnecessary expansion. The application would facilitate the creation of a new lot addition and would leave a retained parcel with frontage on a year-round, publicly maintained road. Thus, no new road creation or servicing would be required, representing appropriate development.

The lot addition proposed through this Consent to Sever application will facilitate the design of the Meadow Drive subdivision, which will focus on accommodating an appropriate range and mix of housing, as per **Section 2.5.1(c)**.

The PPS has been reviewed in its entirety. No other matters of provincial significance were identified through this review. Overall, we believe that the proposal is consistent with the policies of the 2024 PPS.

## 3.2 OFFICIAL PLAN

The *Municipality of East Ferris Official Plan (OP)* is the principal land use planning policy document for the Municipality. The OP provides Council with a set of land use development policies, consistent with accepted planning principles and local goals and aspirations.

The subject property is designated "Rural" on Official Plan Schedule A which identifies the various land use designations in the Municipality. **Section 5.2** of the OP provides policies that apply to the Rural designation. As per **Section 5.2.2** "*within areas designated Rural on Land Use Schedule 'A', the scope of permitted uses shall include limited low density residential...*". **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 retained parcel will front on existing Lavigne Road and there is no requirement for the extension of services. The proposed severed will be added to lands identified by Plan 36R-15237, Part 1, which are lands owned by the Degagne Group of Companies. The purpose of this lot addition is to consolidate lands to facilitate the planning of a new Draft Plan of Subdivision that will be know as the Meadow Drive

Subdivision. It is anticipated that this application for Draft Plan approval will be formally made in the first half of 2025 pending consolidation of the lands that are the subject of this application.

The proposed severed will be added to lands that front on Corbeil Road and will help to facilitate the orderly development of the proposed Industrial Park and the planned Meadow Drive subdivision. Approving the requested Consent to Sever would allow the land swap to be completed and would allow for the planning, engineering, surveying and environmental work to continue to move forward on these important economic development projects in the Municipality of East Ferris.

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, specifically the policies of **Section 5.2**.

**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 will form part of the proposed Meadow Drive Plan of Subdivision while the retained will meet all of the lot area, frontage, setback and lot coverage requirements listed under Section 5.

**CONCLUSION**

A Traffic Study and a Hydrogeological Study for Proposed Estate Lots On and Around Corbeil Road was prepared in early 2024. The HydroG Report concluded that there was adequate water (quantity and quality) to service the proposed lots, including the Retained, that front on Lavigne Road. Any new construction on the retained 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).

It is requested that the proposed severance for the purpose of a lot addition from the owners’ land holdings be approved by the Municipality of East Ferris. Approving the requested Consent to Sever would allow the land swap to be completed and would allow for the planning, engineering, surveying and environmental work to continue to move forward on the planned Meadow Drive subdivision.

Based on the preceding planning analysis, the proposed consent to sever application would:

- Be consistent with the Provincial Planning Statement, 2024;
- Is in conformity with the Municipality of East Ferris Official Plan;
- Will have frontage and access to a fully maintained, existing roads for both the severed and retained; and therefore
- Represents good planning.

Respectfully submitted,



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