

Municipality of East Ferris

Report to Council

Report No.: PLAN-2025-03

Date: March 11, 2025

Originator: Greg Kirton, Director of Community Services

Subject: Deeming By-law Request – 273 Mirimishi Road

RECOMMENDATION

1. That the Council of the Municipality of East Ferris approve the request to deem Lot 10 Plan M268 to no longer be a lot on a registered plan of subdivision.

BACKGROUND

Staff received a request from Tulloch on behalf of the Degagne Group and their clients, the owners of 273 Mirimishi Road, to deem a lot to no longer be a lot on a registered plan of subdivision. See Schedule A.

The *Planning Act* prevents a lot on a registered plan of subdivision from being merged with an adjacent lot; however, section 50(4) of the *Planning Act* makes provisions to deal with this situation when required. Section 50(4) of the *Planning Act* states that “The council of a local municipality may by by-law designate any plan of subdivision, or part thereof, that has been registered for eight years or more, which shall be deemed not to be a registered plan of subdivision...”

The request from Tulloch, on behalf of their clients, would serve the purpose of deeming the lot to no longer be part of a registered plan of subdivision in order to allow the merging of the lot with adjacent lands also owned by the property owner. The goal of the property owner is to construct an addition to their home; however, the property line between the adjacent properties that they own prevents them from doing so within the parameters of East Ferris Zoning By-law 2021-60. By deeming the lot to no longer be a lot on a plan of subdivision, this would allow the merging of properties and the development of the home addition in a way that complies with zoning regulations.

From a general planning perspective, it is desirable to permit this request because it will allow for the consolidation of lands which are currently fragmented. The adjacent lands that are not currently part of 273 Mirimishi Road are not viable development lands on their own and do not serve any practical purpose. The consolidation of the lands will not result in additional

development opportunities. There is a detached home existing on this lot and only one detached home will continue to be permitted following the land consolidation.

OPTIONS

1. Option 1

That the Council of the Municipality of East Ferris approve the request to deem Lot 10 Plan M268 to no longer be a lot on a registered plan of subdivision.

2. Option 2

That the Council of the Municipality of East Ferris does not approve the request to deem Lot 10 Plan M268 to no longer be a lot on a registered plan of subdivision.

FINANCIAL IMPLICATIONS

There are no direct financial implications as a result of this request.

RECOMMENDATION

It is recommended that the Council of the Municipality of East Ferris approve the request to deem Lot 10 Plan M268 to no longer be a lot on a registered plan of subdivision.

Respectfully Submitted,



Greg Kirton, RPP, MCIP
Director of Community Services

I concur with this report and recommendation,



Jason H. Trottier, HBBA, MPA, CPA, CMA
CAO/Treasurer

Location Map – 273 Mirimishi Road (Lot 10 Plan M268)

