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ITEM: Zoning By-law Amendment - Recommendation Report
DATE: February 15, 2023
TO: Planning Advisory Committee
FROM: Planning & Development Department
FILE NO.: C-2023-01
OWNER: Teresa and Kevin Gilchrist

1. Description of Property

The subject property is located at 197 Lavigne Road and is approximately 83 acres in area. There is an existing home on the property. The property is currently zoned and designated Rural, which permits a wide variety of uses from agricultural uses to residential uses.

2. Background

The applicant is seeking to rezone the subject property to Rural Special zone in order to add a permitted use to the zoning for this property. No changes to zone standards, such as setbacks, are proposed. The change of use is being requested to allow for a Cat Rescue use to be established on the property within the existing home. The Cat Rescue use would be entirely contained within the existing structure on the property. The draft by-law would also permit a future expansion of the use into an accessory structure, if required, but would still require that the use be contained to an indoor setting with no animals permitted to be loose on the property.

3. Planning Review

A. Provincial Policy Statement

The Provincial Policy Statement 2020 (PPS 2020) was issued under Section 3 of the Planning Act, which requires that decisions affecting planning matters “shall be consistent with” policy statements issued under said Act.

The PPS 2020 speaks broadly to permitting development that can be sustained by the service levels available in rural areas and diversifying uses and taking advantage of economic opportunities available while ensuring compatibility among uses. In reviewing the applicant’s proposal, planning staff are of the opinion that the proposal is generally consistent with the high level policies of the PPS 2020.

B. Growth Plan for Northern Ontario

The Growth Plan for Northern Ontario 2011 received Royal Assent on March 3rd 2011 and is issued under the Places to Grow Act, which ensures a long term vision for strong communities while implementing policies directed at economic prosperity. The growth plan is very broad in scope and is focused primarily on high level economic drivers and major land uses. The growth plan doesn't speak specifically to single lot uses similar to what is requested in this application. The application is generally in conformity with the Growth Plan for Northern Ontario 2011.

C. Official Plan

The subject property falls within the Rural designation. The proposed zoning by-law amendment to an Rural Special Zone is consistent with the Rural designation in the Official Plan. The base zone remains generally consistent with the exception of an additional use. The Official Plan policies for the Rural designation permit a wide variety of uses, including residential, commercial, institutional, and agricultural. Section 5.2.10 of the Official Plan directs us to implement zoning as required to establish appropriate standards for the types of uses that are permitted in the designation. A cat rescue use doesn't fit exactly into one defined use category but the contained nature of the use, the lack of traffic in and out of the site and the general non-disruptive nature of the use make it compatible with the variety of explicitly permitted uses in this designation.

D. Zoning By-Law

The property is currently Rural (R), which permits residential and agricultural uses.

The applicant's request to rezone to a Rural Special zoning seeks to add the Cat Rescue use, while otherwise keeping all aspects of the Rural zoning the same. The Cat Rescue use is defined in the draft by-law, which is intended to keep the use contained within the existing building or a future accessory structure. This use is not a high traffic type of use and does not have a traditional commercial store front. The applicant's goal is to rehabilitate cats that can be rehomed through other regional agencies.

The proposed zoning by-law amendment would result in almost unnoticeable changes to the use of the property with no building modifications proposed, no outdoor activity associated with the use and a negligible increase in traffic. The use would also serve to fit a niche need within the greater region and would greatly benefit pet rescue and rehabilitation efforts regionally.

4. Recommendation

It is recommended that Zoning By-law Amendment Application C-2023-01 be approved.

A site plan outlining the proposed area for the zoning by-law amendment is attached as **Appendix A** to this report.

Respectfully Submitted,



Greg Kirton

Director of Community Services
Municipality of East Ferris

Appendix 'A'

