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ITEM: Official Plan Amendment - Recommendation Report
DATE: February 25, 2026
TO: Planning Advisory Committee
FROM: Planning & Development Department
FILE NO.: OPA-2026-02

1. Background

On January 13, 2026, council received a report from staff highlighting a potential issue in existing subdivision policies in the East Ferris Official Plan. Staff recommended that an amendment be undertaken to reword those policies in order to remedy the concern. The specifics of this issue are outlined in the report attached as **Appendix A**.

A draft of the implementing by-law is attached as **Appendix B**.

As per the draft by-law, the proposal is to replace section 5.5.6 of the Official Plan with the following text

“New applications for development projects in the Estate Residential designation will be evaluated based on the demand for the proposed type of development. Consideration will be given to multiple Estate Residential projects at one time, provided that reasonable justification is shown for their need. The form of development, lot pattern, lot sizes and geographic location will be among the factors considered when evaluating new Estate Residential projects.

The municipality may consider requiring phasing for new development projects if a need for the development is not clearly identified. Holding zones, as outlined in section 9.8 of this plan, may be utilized to manage phased developments.”

The intent of the change is remove the restrictive phasing language around percentages and building requirements and including more permissive language that gives flexibility based on more general criteria. This change would allow for multiple development projects in the Estate Residential designation to be considered at one time, which is beneficial to the municipality in that it is desirable to have the ability to deal with multiple projects at one time that differ in scope and are located in different areas of the municipality or that have other desirable characteristics that the municipality would want to go forward.

2. Planning Review

A. Provincial Planning Statement and Growth Plan for Northern Ontario

The Provincial Planning Statement 2024 (PPS 2024) 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 2024 speaks broadly to land development and lot creation in Section 2 of the plan. Rural lands in municipalities are permitted lot creation and development when the development can be sustained by the rural service levels and the development is appropriate to the infrastructure that is planned or available.

The proposed changes to our subdivision policies are broadly consistent with these policies and the changes to be more flexible with implementation do not remove the consideration of rural service levels and infrastructure limitations. In all cases, new development proposals will remain subject to additional criteria to examine their feasibility including, but not limited to, items such as hydrogeological studies in accordance with Ontario D-Series Guidelines and Environmental Impact Assessments.

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 for Northern Ontario 2011 contains high level statements about the development of communities in the north and the proposed changes to East Ferris subdivision policies are generally in conformity with this plan.

B. Municipal Planning Review

The proposed policy change would alter the implementation of phasing principles to subdivision developments in East Ferris; however, it would not change submission requirements to support those development applications. The municipality is seeking to give greater flexibility to a more diverse group of applicants when making subdivision applications but the intent is to ensure that the bar to make a complete submission remains consistent. The rationale behind this intent is further detailed in Council Report COMM-2026-02 (Appendix A)

3. Recommendation

It is recommended that Official Plan Amendment OPA-2026-02 be recommended for approval to East Ferris Council.

Respectfully Submitted,



Greg Kirton, RPP, MCIP
Director of Community Services

Appendix 'A'
Council Report – COMM-2026-02

Municipality of East Ferris

Report to Council

Report No.: COMM-2026-02 Date: January 13, 2026
Originator: Greg Kirton, Director of Community Services
Subject: Official Plan Subdivision Policies

RECOMMENDATION

That Council for the Corporation of the Municipality of East Ferris direct staff to prepare amendments to the subdivision policies in the East Ferris Official Plan, specifically section 5.5.6, and bring them forward to the East Ferris Planning Advisory Committee for review.

BACKGROUND

The East Ferris Official Plan contains broad ranging policies that guide long-term community development in the municipality. Official Plans are living documents that require ongoing evaluation and amendment to ensure that they are achieving what we intend them to. Occasionally, after some time working with a policy, issues will arise that were not clear and obvious at the time of the development of those policies.

The East Ferris Official Plan contains the following policy in section 5.5.6:

“5.5.6 Estate Residential - Phasing

Development will be phased to ensure that there is a substantial take-up of lots, (e.g., 75% or more), before new applications are considered. For this reason, only one designation at a time will be considered. However, if a developer does not actively pursue development of the subdivision within a reasonable time period, Council may consider a new application.

New applications will require an amendment to this Plan and will be reviewed on the basis of the supply and demand for Rural Estate Development, the impact of demand on the urban housing supply, and the locational attributes of the site. Regard shall be given to the resource management policies of this Plan in making such selections.”

The general intent of this policy is largely focused on preventing a scenario where the municipality has a significant number of partially finished subdivision projects active at one time.

The intent of this policy has merit in the sense that partly developed subdivisions with a lack of demand to finish them are problematic for a number of reasons. However, the policy as written also has glaring problems from an implementation perspective.

The first key problem is that it does not allow for developments with varying designs to be considered or built concurrently. The style of development in an estate residential subdivision can vary significantly based on location, topography and access. The estate residential designation is the official plan designation used for all new subdivision applications outside of lakefront or village areas regardless of housing type, size or scale of lots, or number of lots in the development. It is problematic to hamstring non-competing development proposals on this distinction. A similar problem exists for geographic area, where it may be desirable to have one project active in Corbeil and one in Astorville; however, the current policy does not allow for that.

The second key problem with these policies is that it can effectively give one developer control over the entire subdivision development process. If one developer has a project that is about to be 75% built out, as per the policy, they can have their next application in hand as they get the building permit that hits that threshold, effectively locking out other land owners from the development application process, if adhering to a strict interpretation of the policy.

It is also important to note that the broader provincial planning framework matters in the context of municipal Official Plan policies. Land use planning in Ontario is implemented in a top-down framework where municipal plans must conform to provincial plans above them. Current provincial policies prioritize flexible housing policies and policies that allow for greater ease in housing and lot development.

While all Official Plan policies will be reviewed through the mandatory 10-year Official Plan review process, staff are of the opinion that this policy is especially problematic and warrants immediate action prior to the 10-year review, which can often take a significant amount of time from initiation to policy implementation.

OPTIONS

1. Option 1

That Council for the Corporation of the Municipality of East Ferris direct staff to prepare amendments to the subdivision policies in the East Ferris Official Plan, specifically section 5.5.6, and bring them forward to the East Ferris Planning Advisory Committee for review.

2. Option 2

That no action be taken at this time, leaving current Official Plan policies in effect.

FINANCIAL IMPLICATIONS

There are no financial implications at this time.

RECOMMENDATION

It is recommended that staff prepare amendments to the subdivision policies in the East Ferris Official Plan, specifically section 5.5.6, and bring them forward to the East Ferris Planning Advisory Committee for review

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

Appendix 'B'

Draft By-law Amendment

THE CORPORATION OF THE MUNICIPALITY OF EAST FERRIS

DRAFT BY-LAW NO. 2026-XX

OFFICIAL PLAN AMENDMENT No. 2026-02

WHEREAS the Municipality of East Ferris has proposed an amendment to the Official Plan of the Municipality of East Ferris;

AND WHEREAS the Municipality of East Ferris has ensured that adequate information has been made available to the public and has held at least one public meeting after due notice for the purpose of informing the public of this By-law;

AND WHEREAS it is deemed desirable to amend section 5.5.6 of the Official Plan of the Municipality of East Ferris, as outlined below, pursuant to Section 17 of the Planning Act R.S.O. 1990, as amended;

NOW THEREFORE the Council of the Corporation of the Municipality of East Ferris enacts as follows:

1. That the Official Plan for the Municipality of East Ferris be amended, as follows:

- a. By deleting Section 5.5.6 and replacing it with the following:

"5.5.6 Estate Residential – Phasing

New applications for development projects in the Estate Residential designation will be evaluated based on the demand for the proposed type of development. Consideration will be given to multiple Estate Residential projects at one time, provided that reasonable justification is shown for their need. The form of development, lot pattern, lot sizes and geographic location will be among the factors considered when evaluating new Estate Residential projects.

The municipality may consider requiring phasing for new development projects if a need for the development is not clearly identified. Holding zones, as outlined in section 9.8 of this plan, may be utilized to manage phased developments."

2. Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Section 4 of O.Reg. 543/06 as amended.
3. Where no notice of appeal is filed with the Clerk of the Municipality of East Ferris within twenty (20) days after the day that the giving of written notice as required by the Act is completed, then this By-law shall be deemed to have

come into force on the day after the last day for filing an appeal.

4. Where one or more notices of appeal are filed with the Clerk of the Municipality of East Ferris within twenty (20) days after the day that the giving of written notice as required by the Act is completed, setting out the objection to the By-law and the reasons in support of the objection, then this By-law shall not come into force until all appeals have been finally disposed of, where upon the By-law shall be deemed to have come into force on the day after the last day all appeals have been finally disposed of.

READ A FIRST AND SECOND time this _____ day of _____, 2026.

READ A THIRD TIME, AND FINALLY passed this _____ day of _____, 2026.

Mayor
Richard Champagne

Clerk
Kim Rose