



25 TAILLEFER ROAD, CORBEIL, ONTARIO P0H 1K0  
TEL.: (705) 752-2740 FAX.: (705) 752-2452  
[municipality@eastferris.ca](mailto:municipality@eastferris.ca)

**ITEM:** Minor Variance – Recommendation Report  
**DATE:** January 17<sup>th</sup>, 2024  
**TO:** Committee of Adjustment  
**FROM:** Planning & Development Department  
**FILE NO:** A-2023-11  
**OWNER(S):** Richard Bilodeau  
**ADDRESS:** 25 Highway 94

---

## **1. Description of Property**

This property on Highway 94 near the intersection of Highway 94 and Highway 17E. The property is adjacent to the McKeown gas station to the north and residential to the south.

## **2. Proposed Development**

The applicant is proposing to construct an addition off of the rear of the home. The proposed addition would be located closer to the northerly side lot line than permitted by the zoning by-law and the applicant is seeking approval from the Committee of Adjustment to reduce the required side yard setback from 8m to 2.6m. Due to the topography on the site and existing bedrock and site features, this location is most suitable for development.

## **3. Planning Review**

### **A. Ontario Planning Act**

Section 45 (1) of the Ontario Planning Act establishes four ‘tests’ for the review and consideration of a minor variance. The four ‘tests’ are:

1. Is the proposal minor in nature?
2. Is the proposal desirable for the appropriate development or use of land, building or

structure?

3. Does the proposal maintain the purpose and intent of the Official Plan?
4. Does the proposal maintain the general purpose and intent of the Zoning By-law?

The four tests must be considered when reviewing a minor variance application and all tests must be met in order for an application to be approved.

## **B. Provincial Policy Statement**

The Provincial Policy Statement (PPS 2020) was issued under Section 3 of the Planning Act, and came into effect May 1<sup>st</sup>, 2020. The PPS 2020 requires that decisions affecting planning matters “shall be consistent with” policy statements issued under said Act. The PPS 2020 contains high level direction for planning matters in the Province of Ontario, with the general vision being implemented through local Official Plans.

The current proposal has been reviewed in the context of the PPS 2020 and deemed to be consistent with the policies outlined in it.

## **C. 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. Similar to the PPS 2020, the Growth Plan provides high level direction for broad planning matters in Northern Ontario. The current proposal is in conformity with the Growth Plan for Northern Ontario

## **D. Official Plan Policies**

The property is designated as Rural Designation in the Official Plan.

The Rural designation permits a variety of uses, including residential, and contains general policies regarding spacing and appropriate development standards for residential construction. In this instance the side yard that the applicant is requesting a setback reduction on is adjacent to a gas station. Generally, side yard setbacks are meant to provide consistent spacing between dwellings in typical residential areas as well as ensure that any individual home is not so close to a neighbouring property that it would negatively impact that property. Being adjacent to a commercial use means that these concerns are significantly lessened and that the reduced setback should not have an impact on the use or operation of the gas station business. An existing solid fence also separates the two properties.

The applicant's proposal is consistent with the general intent and purpose of the Municipality's Official Plan.

## E. Zoning By-Law

The property is currently zoned Rural (R).

Similarly to the information outlined in section D above, Zoning By-law 2021-60 contains zoning standards that outline appropriate setbacks for most situations in the rural zone. In this instance, the location of the gas station to the north mitigates concerns about the setback reduction. A 2.6m setback, in this case, maintains the intent of the zoning by-law in providing a setback that is large enough to not impact adjacent properties and provide appropriate spacing in the context of this lot.

## F. Conclusions

The application has been reviewed with the four 'tests' of Section 45(1) of the Ontario Planning Act. Staff are of the opinion that the 4 tests are met in this case. The general intent of the official plan and zoning by-law are maintained. Due to lot layout and site restrictions, the chosen location is the most suitable for development and the variance is appropriate in this context. The requested reduction is also minor in nature, although numerically a large reduction, because of the lack of impacts to any surrounding property owners and the context of the adjacent lot being commercial.

## G. Recommendation

That Minor Variance Application A-2023-11 to permit the reduction in the required side yard setback on the subject property be approved.

Respectfully Submitted,



---

Greg Kirton, RPP, MCIP  
Director of Community Services

### Location of Property (Not to Scale)



## Proposed Addition Location

