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**ITEM: Zoning By-law Amendment - Recommendation Report**  
**DATE: July 19, 2023**  
**TO: Planning Advisory Committee**  
**FROM: Planning & Development Department**  
**FILE NO.: C-2023-03**  
**OWNER: 1000328150 Ontario Inc.**

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## **1. Description of Property**

The subject property is located at the corner of Highway 17 and Centennial Crescent and is currently vacant. There is one access point to the property along Centennial Crescent. The property has a large cleared area in the southwest corner of the property with a mix of wetland and forested areas covered the majority of the remainder of the property.

## **2. Background**

The applicant is seeking to rezone the subject property from the exiting Rural (R) zoning to a General Commercial Special (C1S) zone in order to permit the construction of an animal hospital with an accessory kennel use.

The applicant is also seeking approval for a consent application to create an additional lot that would be used for future commercial development, with no current planned uses.

## **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 3<sup>rd</sup> 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 proposal is 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 a General Commercial Special zone is consistent with the Rural policies in the Official Plan. Section 5.2.5 of the Official Plan speaks to the Rural Commercial development policies. Commercial uses are recognized by the plan as an important category of uses in the Rural area as a complement to commercial activity in the Village areas of the municipality. Section 5.2.5 of the Official Plan states that:

*“The intent of this Plan is to sustain the existing commercial base and encourage business development which is suited to a rural community, to the needs of local residents and to the needs of the travelling public and tourists. While the Villages will remain the primary focus of new commercial development, commercial uses in the rural area will be permitted. A strategic node for commercial development is the intersection of Highway 94, 17 and Johnson Road.”*

The official plan is supportive of commercial development in the rural areas generally and especially at this particular location. The intersection of the Highway 17 and Centennial Crescent is a designated focus area for commercial activity due to it's prominence and suitability for access for commercial use.

Section 5.2.5 (3) also speaks to the need to consider adjacent land uses when looking at rezoning applications for commercial uses. The nearest residential uses are to the northwest and are well buffered by heavily treed areas as well as the telecom tower adjacent to the subject lands. Future development on the proposed lands would be subject to site plan control which would ensure the ability to maintain these treed areas as buffers to the adjacent residential lands.

This application is also specifically seeking to rezone the lands to permit a kennel. Section 5.2.9 (1) of the Official Plan contains policies about the implementation of by-law amendments for kennel uses. Kennels have the potential to cause land use conflicts due to noise and disturbances at various times of the day and night, so special care must be taken when located a kennel to minimize the risk of conflict. In this case, as described above, the separation distances to adjacent properties are significant and the property is well vegetated near the adjacent residential uses. The planned location for the animal hospital/kennel would be somewhere between 150m and 200m away from the property boundary of the nearest residential use, with the distance to the nearest home being larger. This separation distance helps to significantly minimize any potential impacts or concerns about land use conflicts related to the operation of the kennel.

## D. Zoning By-Law

The property is currently Rural and the applicant is seeking to rezone the property to a General Commercial Special zone. A copy of the draft by-law is attached as Appendix 'B' to this report.

The proposed rezoning is consistent with the official plan policies for this area. Commercial development is desirable at this location in order to best make use of a major node in the community and increase commercial lands in East Ferris. The zoning by-law amendment is also consistent with the surrounding area with major commercial developments directly across the intersection.

### 4. Recommendation

It is recommended that Zoning By-law Amendment Application C-2023-03 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,



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Greg Kirton, RPP, MCIP

Director of Community Services  
Municipality of East Ferris

# Appendix 'A'



**Appendix 'B'**

**THE CORPORATION OF THE MUNICIPALITY OF EAST FERRIS  
BY-LAW NO. 2023-XX**

**BEING A BY-LAW TO AMEND  
BY-LAW NO. 2021-60 AS AMENDED**

**WHEREAS** pursuant to the provisions of the Planning Act, RSO 1990, Section 34, the Council of a Municipality may enact By-laws regulating the use of lands and the erection of buildings and structures thereon;

**AND WHEREAS** By-law No. 2021-60 regulates the use of land and the use and erection of buildings and structures within the Municipality of East Ferris;

**AND WHEREAS** the Council of the Corporation of the Municipality of East Ferris deems it advisable to amend By-Law No. 2021-60, as hereinafter set forth;

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

1. That Schedule A of By-law 2021-60 is amended by changing the zoning of certain lands shown on Schedule "A" from the Rural (R) zone to the General Commercial Special (C1 2023-XX) zone.
2. The General Commercial Special (C1 2023-XX) zone permits all uses in the General Commercial (C1) zone as well as the following additional uses:
  - Kennel
3. All zone other zone standards associated with General Commercial (C1) zone shall apply to the General Commercial Special (C1 2023-XX) zone.

**READ A FIRST AND SECOND** time this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**READ A THIRD TIME, AND FINALLY** passed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor

Pauline Rochefort

\_\_\_\_\_  
Clerk

Kari Hanselman

THE CORPORATION OF THE MUNICIPALITY OF EAST FERRIS

SCHEDULE "A"  
BY-LAW NO. 2023-XX



This is Schedule "A" To By-law No. 2023-XX passed by Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor  
Pauline Rochefort

\_\_\_\_\_  
Clerk  
Kari Hanselman