

AGENDA

WEST NIPISSING PLANNING ADVISORY COMMITTEE

VIRTUAL MEETING

Planning Advisory Committee & Committee of Adjustment
April 12, 2021, 6:00 PM Eastern Time

Join Zoom Meeting

<https://us02web.zoom.us/j/86918194299?pwd=VzRFd1AzY01neU4wbEdlYkErV295QT09>

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Participant: #

Passcode: 879185

YouTube Link: <https://www.youtube.com/channel/UCG6HWMXnA-RBiH-UdZVCIHg>

1. Meeting called to Order
2. Declarations of Pecuniary Interest;
3. Approval of Agenda for April 12, 2021,
4. Adoption of Minutes of March 8, 2021, meeting
5. **ZBLA2021-01**
Applicant: Igor Birfir
Property: 161 Main Street, Sturgeon Falls
6. **ZBLA2021/05**
Applicant: Roger Poitras
10537 Highway 17, Verner
7. **SUBD2021-02**
Applicant : 1369965 Ontario Limited & Rheal and Christine Marleau
Roy Street, Sturgeon Falls,
8. **D2021-01** – Deeming By-Law
Michel Holdings Ltd.
Lots 7, 8, 9, 36M598 (Heritage Crescent, Verner)
9. Camping Trailer By-Law Update
Review Proposed Amendments
10. Adjournment.

Joie de vivre



www.westnipissingouest.ca

PLANNING REPORT

Zoning Amendment File No. ZBLA2021/01

Applicant: Igor Birfir

Property: 161 Main Street, Sturgeon Falls

Date: April 12, 2021



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1. INTRODUCTION

The purpose of this Planning Report is to address all provincial and municipal land use policies governing the proposed re-zoning of the property located at 161 Main Street, Sturgeon Falls, Ontario. The application is being brought forward by the owner, Igor Birfir, through his Agents, Goodridge, Goulet Planning & Surveying. A copy of the Applicant's report submitted with the Application is attached as Appendix 2.

2. SITE AND BACKGROUND INFORMATION

The property is located at the south west corner of Main and Queen Street in the Town of Sturgeon Falls. The property currently consists of main floor retail businesses with residential units on the upper floor. There is also an accessory building at the back of the property which is currently occupied commercially.

3. DEVELOPMENT PROPOSAL

The applicant is proposing to re-zone the lands from C1-1 (Commercial Exception Zone 1) to R4-3 (Residential Four, Exception Zone 3) to permit the conversion of all of the commercial space ground floor of the main building to residential uses. Currently, the by-law permits residential to the rear and above commercial properties; however, converting the main commercial storefront portion of the building to residential will require the property to be rezoned to a Residential Zone with some accessory commercial uses at the rear.

The proposal seeks also to legalize the existing location of the building on the property with regard to front, rear and side yard set-backs. The application also seeks to reduce the required square footage of dwelling units from 60m² to 32m² per unit. The applicant also seeks to reduce the required number of parking spaces required for residential uses from 1.25 per dwelling unit to 0.5 per dwelling unit.

Lastly, the C1 zone permits a wide variety of commercial uses which would not be appropriate or be able to be accommodated in the remaining commercial space on the property. Accordingly, it is recommended that the Special provisions of the proposed by-law limit the commercial uses to those shown in Figure 3.

4. POLICY CONTEXT

4.1 Provincial Policy Statement

The *Provincial Policy Statement 2014 (PPS)* provides a policy framework for land use within the Province of Ontario. It is the responsibility of the local planning authority(s), in this case the Municipality of West Nipissing, to uphold the policies of the PPS, pertaining to land use planning and development. In particular, the planning authorities must ensure that their decisions are consistent with key provincial interests.

The property is located within the Settlement Area of the Town of Sturgeon Falls.

1.0.1 Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

c)
1.1.3 Settlement Areas

1.1.3 Settlement areas are urban areas and rural settlement areas, and include cities, towns, villages and hamlets. Ontario's settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.

The vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

1.1.3.1 *Settlement areas* shall be the focus of growth and development.

1.1.3.2 Land use patterns within *settlement areas* shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
- d) prepare for the *impacts of a changing climate*;
- e) support *active transportation*;
- f) are *transit-supportive*, where transit is planned, exists or may be developed; and
- g) are *freight-supportive*.

5. LOCAL POLICY DOCUMENTS

5.1 Official Plan

The West Nipissing Official Plan, which was adopted by Council on April 15, 2008 and approved by the Ministry of Municipal Affairs and Housing on December 7, 2011. The Official Plan provides the framework for land use planning in the Municipality of West Nipissing.

The property is located within the Commercial District of the Town of Sturgeon Falls.

The scope of residential uses for the District are shown on Table 3.1 of the Official Plan:

Table 3.1 - Permitted Land Uses in Designated Urban and Rural Settlement Areas and the Rural Area				
Land Use Category ¹	Urban Settlement Area	Rural Settlement Area	Rural Area	
Scope of Permitted Commercial Uses in District (see also Sections 3.06.5.1, 3.06.8.3, 3.06.8.9, 3.06.11)	<u>Commercial District:</u> <ul style="list-style-type: none"> • full range of retail, service commercial, automotive, recreational and resort commercial and personal service uses • residential uses (mixed or stand alone) 	<u>Commercial Uses:</u> <ul style="list-style-type: none"> • retail, service commercial, automotive and personal service uses in keeping with the character and scale of a rural settlement area • residential uses (mixed or stand alone) • recreational and resort commercial uses serving the tourism and leisure industries 	<u>Commercial Uses:</u> <ul style="list-style-type: none"> • recreational commercial uses such as campgrounds, • recreational vehicle parks, marinas, tourist lodges, golf courses and restaurants. 	<u>Rural District:</u> <ul style="list-style-type: none"> • -resource related and rural service commercial uses • -recreational and resort commercial uses serving the tourism and leisure industries • -highway commercial uses on major roads • -residential uses

3.06.6 Planning Principles

In the review of planning applications, the following planning principles shall apply to any or all development:

1. Adequate Lot Size

The lot size shall be adequate for all existing and proposed or potential future land uses including the expansion of buildings and structures. The lot shall be adequate for all setbacks, parking and loading facilities, storage and display areas, signs, lighting, landscaping, buffering or screening, **infrastructure** and safe access and egress, where these requirements apply. Where appropriate, the approval authority shall require appropriate studies (e.g. servicing options report, geotechnical study or hydrogeological study and terrain analysis), to support the lot size proposed and to ensure that there will be no negative impacts on groundwater quality and quantity, neighbouring wells etc.

3.06.8 Community Structure and Design Criteria

The intent, and a key focus of this Plan, is to build on the character of the existing community structure of these settlement areas. This will be achieved through the careful application of design criteria in the review of planning applications; in making decisions on improvements of extensions to infrastructure; and, in the decisions communities or their leaders make in community programs and activities.

In the layout of settlement areas and land use districts, the Municipality shall have regard to the following design criteria in planning for urban and rural settlement areas and their relationship to the rural area.

3. Commercial Areas, Main Streets and Downtowns

Mixed-use commercial/residential buildings will be encouraged with development, in general, occurring at a higher density. Intensification of existing buildings will be encouraged e.g. use of upper storeys for residential uses. Commercial design should be sensitive to adjacent properties which are zoned or are exclusively used for residential purposes or other **sensitive land uses** through the use of screening or buffering and by locating or limiting outside storage, display, waste storage and access points for parking and loading away from **sensitive land uses**. Access points for commercial uses will be directed to major streets, wherever possible and shall be set back a safe distance from intersections.

Where the intensification, expansion or conversion to a commercial uses(s), or a non-residential use to a residential use occurs, the planning review shall ensure that the lot size is adequate for all requirements of the intended use including parking, water supply and sewage disposal systems, that access will be safe and that the change will be compatible with adjacent uses. Water supply and sewage disposal systems shall be installed in conformity with **Section 4.06.3** of this Plan.

5.2 Zoning By-law

The property is currently zoned C1-1 (General Commercial Exception Zone 1). This zone is applicable to most of the downtown core of Sturgeon Falls and permits zero parking requirements for commercial uses. It does not negate the required parking for residential uses in commercial buildings.

Parking requirements for commercial properties are calculated at 1 space per unit. The building, as it stands today as a Commercial building with six residential units, requires 6 parking spaces. The property can currently accommodate 5 spaces. The proposed zoning amendment change the use of the property from Commercial to multi residential, which has a parking requirement of 1.25 spaces per unit, increasing the total number of required parking spaces required to 12, while the property can still only accommodate 5 vehicles. The proposal does not address barrier free (accessible parking), which cannot be accommodated on this property and is a requirement of all new development.

While street parking is permitted in the Town of Sturgeon Falls, overnight parking in the winter months is prohibited and building occupants who cannot be accommodated on the subject property will have nowhere to park. In addition, the property has no place to store snow during winter months and it is likely that one of the current spaces will be used for snow storage and the number of existing spaces will likely be reduced.

6. **CORRESPONDENCE/INFORMATION ATTACHED**

Notice was circulated to property owners within 120 meters (400 feet) of the subject lands and a Notice of Public Meeting was posted on the subject property, as is required by the *Planning Act* (Ontario). As well, public utilities and the West Nipissing Fire Service have been notified.

Copies of Agency comments are attached as Appendix 1.

7. **SUMMARY AND RECOMMENDATIONS**

In accordance with the provisions of the *Planning Act*, the undersigned has reviewed the proposal having regard to matters of provincial interest and for consistency with the Provincial Policy Statement 2014. It should be noted that the *Strong Communities through Affordable Housing Act, 2011* amended the *Planning Act* to include a specific reference to affordable housing as a matter of provincial interest. In reviewing the proposal, the Planning Department has had regard to the Provincial Policy Statement as is required by Section 3 of the *Planning Act* (Ontario).

In addition, the application has been reviewed within the context of the West Nipissing Official Plan and Zoning By-law No. 2014-45.

The proposed application to re-zone the property from General Commercial Exception Zone 1 (C1-1) to Residential Four Exception Zone 3 (R4-3) is not recommended as it does not meet the intent of Zoning By-Law No. 2014-45 and the West Nipissing Official Plan as it relates to commercial re-development, in particular as it relates to parking.

Respectfully submitted,

Melanie Ducharme,
Municipal Clerk/Planner

Figure 1 – Aerial Imagery



Figure 2 – Site Plan

SKETCH TO ACCOMPANY

ZONING BY-LAW AMENDMENT APPLICATION

PART OF LOT 19 (WEST SIDE MAIN STREET), REGISTERED PLAN 11
MUNICIPALITY OF WEST NIPISSING

JOHN STREET

24.99

LOT 19

LOT 18

LOT 18

MAIN STREET

20.117

LOT 19

LOT 19

LOT 19

LOT 19

LOT 19

ONE STOREY BUILDING
COMMERCIAL USES
TO REMAIN

TWO STOREY BUILDING CONVERTED
3 APARTMENTS ON MAIN FLOOR
6 APARTMENTS ON SECOND FLOOR

ZONE CHANGE:
COMMERCIAL (C1) TO
RESIDENTIAL FOURTH
DENSITY SPECIAL (R4Sp)
PERMITTING LIMITED
COMMERCIAL USES

BUILDING DIMENSIONS

ZONING COMPLIANCE CHART	ACTUAL	REQUIRED	PROPOSED
LOT AREA	502.8 m ²	500 m ²	500 m ²
LOT COVERAGE	58.4%	40%	60%
FRONT SETBACK	0.2 m	7.5 m	0.0 m
REAR SETBACK	1.6 m	7.5 m	1.0 m
INTERIOR SIDE SETBACK	0.2 m	6.0 m	0.0 m
EXTERIOR SIDE SETBACK	0.2 m	7.5 m	0.0 m
ROAD CENTRELINE SETBACK	10.2 m	23.0 m	10.0 m
MAXIMUM GROSS FLOOR AREA/UNIT	32.14 m ² /UNIT	60 m ² /UNIT	32.0 m ² /UNIT
MAXIMUM DWELLING UNITS/LOT AREA	55.87 m ² /UNIT	120 m ² /UNIT	55.0 m ² /UNIT
MINIMUM LANDSCAPED OPEN SPACE	0%	30%	0%
PARKING	5 SPACES	1.25/UNIT	0.5/UNIT

METRIC:
DISTANCES SHOWN ON THIS SKETCH ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

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CAUTION:
THIS SKETCH IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR MORTGAGE OR TRANSACTION PURPOSES. IT IS TO BE USED SOLELY FOR THE EXPRESS PURPOSE STATED HEREON.

GOODRIDGE GOULET
PLANNING & SURVEYING LTD.

ONTARIO LAND SURVEYOR - LAND USE PLANNER - DEVELOPMENT CONSULTANTS
UNIT 1 - 480 MAIN STREET EAST, NORTH BAY, ON P1B 1B5
705-493-1770 paul.goodridge@ggpltd.com

DATE	PREP.	OFFICE	FILE
03/22/21	NP	P. GOODRIDGE	1055-02

Figure 3 – Special Provisions to Proposed By-law Amendment

SCHEDULE "A" TO ZBLA2021-01

Table 5.1 – Parking Requirements		
Type of Building/Use	Existing Standard	Minimum off-street Parking requirements
Commercial Uses	C1-1 no parking requirements for Commercial Zone	Same as C1-1
Dwelling Unit	1.25 spaces per unit	.5 spaces per dwelling unit

Table 6.2 – Permitted Commercial Accessory Uses for R4-3 Zone
• Business, Professional or Administrative Office
• Convenience Store
• Education Institution
• Financial Establishment
• Health Services Establishment
• Laundromat
• Personal Service Establishment
• Printing and Publishing Establishment
• Restaurant – drive through or take-out only
• Retail Store
• Service Establishment

TABLE 6.3		
Regulation	Existing Standard for R4 Zone	Proposed Standard for R4-Exception Zone 3
Lot Area	900m ²	500m ²
Lot Coverage	40%	60%
Front Yard	7.5m	0
Rear Yard	7.5m	1m
Interior Side	6m	0
Exterior Side	7.5	0
Set back from Centre Line of Road	23m	10m
Maximum Gross Floor Area/unit	60m ² /unit	32m ² /unit
Maximum dwelling units lot area	120m ² /unit	55m ² /unit
Minimum landscaped open space	30%	0

[illegible]

WEST NIPISSING OUEST ZONING BY-LAW 2014-45

CONSOLIDATION JUNE 1, 2018

The map displays a grid of streets including Ottawa Street, Bridge Street, River Street, Holditch Street, Main Street, Laweque Street, William Street, Parker Street, Church Street, Arthur Street, and Michael Street. A large blue circle is drawn around a lot on Main Street, labeled 'SF2'. The map also shows a river and a railway line. Various zoning districts are indicated by numbers and letters, such as R2, R1, C2, C3, C4, C5, C6, C7, C8, C9, C10, C11, C12, C13, C14, C15, C16, C17, C18, C19, C20, C21, C22, C23, C24, C25, C26, C27, C28, C29, C30, C31, C32, C33, C34, C35, C36, C37, C38, C39, C40, C41, C42, C43, C44, C45, C46, C47, C48, C49, C50, C51, C52, C53, C54, C55, C56, C57, C58, C59, C60, C61, C62, C63, C64, C65, C66, C67, C68, C69, C70, C71, C72, C73, C74, C75, C76, C77, C78, C79, C80, C81, C82, C83, C84, C85, C86, C87, C88, C89, C90, C91, C92, C93, C94, C95, C96, C97, C98, C99, C100, C101, C102, C103, C104, C105, C106, C107, C108, C109, C110, C111, C112, C113, C114, C115, C116, C117, C118, C119, C120, C121, C122, C123, C124, C125, C126, C127, C128, C129, C130, C131, C132, C133, C134, C135, C136, C137, C138, C139, C140, C141, C142, C143, C144, C145, C146, C147, C148, C149, C150, C151, C152, C153, C154, C155, C156, C157, C158, C159, C160, C161, C162, C163, C164, C165, C166, C167, C168, C169, C170, C171, C172, C173, C174, C175, C176, C177, C178, C179, C180, C181, C182, C183, C184, C185, C186, C187, C188, C189, C190, C191, C192, C193, C194, C195, C196, C197, C198, C199, C200, C201, C202, C203, C204, C205, C206, C207, C208, C209, C210, C211, C212, C213, C214, C215, C216, C217, C218, C219, C220, C221, C222, C223, C224, C225, C226, C227, C228, C229, C230, C231, C232, C233, C234, C235, C236, C237, C238, C239, C240, C241, C242, C243, C244, C245, C246, C247, C248, C249, C250, C251, C252, C253, C254, C255, C256, C257, C258, C259, C260, C261, C262, C263, C264, C265, C266, C267, C268, C269, C270, C271, C272, C273, C274, C275, C276, C277, C278, C279, C280, C281, C282, C283, C284, C285, C286, C287, C288, C289, C290, C291, C292, C293, C294, C295, C296, C297, C298, C299, C300, C301, C302, C303, C304, C305, C306, C307, C308, C309, C310, C311, C312, C313, C314, C315, C316, C317, C318, C319, C320, C321, C322, C323, C324, C325, C326, C327, C328, C329, C330, C331, C332, C333, C334, C335, C336, C337, C338, C339, C340, C341, C342, C343, C344, C345, C346, C347, C348, C349, C350, C351, C352, C353, C354, C355, C356, C357, C358, C359, C360, C361, C362, C363, C364, C365, C366, C367, C368, C369, C370, C371, C372, C373, C374, C375, C376, C377, C378, C379, C380, C381, C382, C383, C384, C385, C386, C387, C388, C389, C390, C391, C392, C393, C394, C395, C396, C397, C398, C399, C400, C401, C402, C403, C404, C405, C406, C407, C408, C409, C410, C411, C412, C413, C414, C415, C416, C417, C418, C419, C420, C421, C422, C423, C424, C425, C426, C427, C428, C429, C430, C431, C432, C433, C434, C435, C436, C437, C438, C439, C440, C441, C442, C443, C444, C445, C446, C447, C448, C449, C450, C451, C452, C453, C454, C455, C456, C457, C458, C459, C460, C461, C462, C463, C464, C465, C466, C467, C468, C469, C470, C471, C472, C473, C474, C475, C476, C477, C478, C479, C480, C481, C482, C483, C484, C485, C486, C487, C488, C489, C490, C491, C492, C493, C494, C495, C496, C497, C498, C499, C500, C501, C502, C503, C504, C505, C506, C507, C508, C509, C510, C511, C512, C513, C514, C515, C516, C517, C518, C519, C520, C521, C522, C523, C524, C525, C526, C527, C528, C529, C530, C531, C532, C533, C534, C535, C536, C537, C538, C539, C540, C541, C542, C543, C544, C545, C546, C547, C548, C549, C550, C551, C552, C553, C554, C555, C556, C557, C558, C559, C560, C561, C562, C563, C564, C565, C566, C567, C568, C569, C570, C571, C572, C573, C574, C575, C576, C577, C578, C579, C580, C581, C582, C583, C584, C585, C586, C587, C588, C589, C590, C591, C592, C593, C594, C595, C596, C597, C598, C599, C600, C601, C602, C603, C604, C605, C606, C607, C608, C609, C610, C611, C612, C613, C614, C615, C616, C617, C618, C619, C620, C621, C622, C623, C624, C625, C626, C627, C628, C629, C630, C631, C632, C633, C634, C635, C636, C637, C638, C639, C640, C641, C642, C643, C644, C645, C646, C647, C648, C649, C650, C651, C652, C653, C654, C655, C656, C657, C658, C659, C660, C661, C662, C663, C664, C665, C666, C667, C668, C669, C670, C671, C672, C673, C674, C675, C676, C677, C678, C679, C680, C681, C682, C683, C684, C685, C686, C687, C688, C689, C690, C691, C692, C693, C694, C695, C696, C697, C698, C699, C700, C701, C702, C703, C704, C705, C706, C707, C708, C709, C710, C711, C712, C713, C714, C715, C716, C717, C718, C719, C720, C721, C722, C723, C724, C725, C726, C727, C728, C729, C730, C731, C732, C733, C734, C735, C736, C737, C738, C739, C740, C741, C742, C743, C744, C745, C746, C747, C748, C749, C750, C751, C752, C753, C754, C755, C756, C757, C758, C759, C760, C761, C762, C763, C764, C765, C766, C767, C768, C769, C770, C771, C772, C773, C774, C775, C776, C777, C778, C779, C780, C781, C782, C783, C784, C785, C786, C787, C788, C789, C790, C791, C792, C793, C794, C795, C796, C797, C798, C799, C800, C801, C802, C803, C804, C805, C

Appendix 1 – Agency Comments

Tanya Lelievre

From: Melanie Ducharme
Sent: April 7, 2021 6:58 PM
To: Tanya Lelievre
Subject: FW: ZBLA2021-01 - 161 Main Street, Sturgeon Falls (AMENDED)

From: Shawn Remillard
Sent: March 24, 2021 2:42 PM
To: Melanie Ducharme <mducharme@municipality.westnipissing.on.ca>
Subject: RE: ZBLA2021-01 - 161 Main Street, Sturgeon Falls (AMENDED)

The proposed parking is inadequate and will result in illegal parking by tenants and guests.
Regards,

Shawn Remillard, C. Tech.
Manager, Public Works
Municipality of West Nipissing
225 Holditch Street, Suite 101
Sturgeon Falls, ON, P2B 1T1
Phone ... 705-753-0952

From: Melanie Ducharme
Sent: March 24, 2021 2:23 PM
To: Alain Bazinet <abazinet@municipality.westnipissing.on.ca>; Bell Canada <jacqueline.moyle@bell.ca>; Bell2 <rowcentre@bell.ca>; CPR <CP_Proximity-Ontario@cpr.ca>; Greater Sudbury Hydro <ESsupply@gsuinc.ca>; Hurd, Terry <terry.hurd@bell.ca>; Hydro One <LandUsePlanning@HydroOne.com>; Paula Scott <paula.scott@nbmca.ca>; Peter Ming <pming@municipality.westnipissing.on.ca>; Richard Maranda <rmaranda@wnfs.ca>; Riche, Carla (MTO) <Carla.Riche@ontario.ca>; Shawn Remillard <sremillard@municipality.westnipissing.on.ca>
Subject: ZBLA2021-01 - 161 Main Street, Sturgeon Falls (AMENDED)

This matter is being re-circulated due to changed in the original application.

Melanie Ducharme
Municipal Clerk/Planner
Municipality of West Nipissing
101-225 Holditch Street
Sturgeon Falls, ON P2B 1T1
Phone: 705-753-2250 x 6926
Facsimile: 705-753-3950
Email: mducharme@westnipissing.ca

Tanya Lelievre

From: Melanie Ducharme
Sent: April 7, 2021 1:38 PM
To: Tanya Lelievre
Subject: FW: ZBLA2021-01 - 161 Main Street, Sturgeon Falls (AMENDED)

From: Riche, Carla (MTO) <Carla.Riche@ontario.ca>
Sent: March 25, 2021 4:47 PM
To: Melanie Ducharme <mducharme@municipality.westnipissing.on.ca>
Subject: RE: ZBLA2021-01 - 161 Main Street, Sturgeon Falls (AMENDED)

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Melanie,

The Ministry of Transportation has no comments on the subject noted.

Regards,

Carla Riche

Corridor Management Planner
Northeast Region
Ministry of Transportation
447 McKeown Ave, Suite 301
North Bay, ON, P1B 9S9
E-mail: carla.riche@ontario.ca



A Proud Member / Un membre fier

From: Melanie Ducharme <mducharme@municipality.westnipissing.on.ca>
Sent: Wednesday, March 24, 2021 2:23 PM
To: Alain Bazinet <abazinet@municipality.westnipissing.on.ca>; Bell Canada <jacqueline.moyle@bell.ca>; Bell2 <rowcentre@bell.ca>; CPR <CP_Proximity-Ontario@cpr.ca>; Greater Sudbury Hydro <ESsupply@gsuinc.ca>; Hurd, Terry <terry.hurd@bell.ca>; Hydro One <LandUsePlanning@HydroOne.com>; Paula Scott <paula.scott@nbmca.ca>; Peter Ming <pming@municipality.westnipissing.on.ca>; Richard Maranda <rmaranda@wnfs.ca>; Riche, Carla (MTO) <Carla.Riche@ontario.ca>; Shawn Remillard <sremillard@municipality.westnipissing.on.ca>
Subject: ZBLA2021-01 - 161 Main Street, Sturgeon Falls (AMENDED)

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

This matter is being re-circulated due to changed in the original application.

Melanie Ducharme
Municipal Clerk/Planner

Appendix 2 – Applicant’s Planning Report

Goodridge Goulet Planning & Surveying Ltd.
ONTARIO LAND SURVEYOR
LAND USE PLANNERS & DEVELOPMENT CONSULTANTS

March 23, 2021

Mrs. Melanie Ducharme
Municipal Clerk / Planner
Corporation of the Municipality of West Nipissing
101-225 Holditch Street
Sturgeon Falls, ON P2B 1T1

Dear Melanie,

Reference: Zoning By-Law Amendment Application – 159 WS Main Street
Owner: Igor Birfir
Part Lot 19, Concession 1, Geographic Township of Springer
PIN 49079-0579 (LT)
Our File: 1055-20

Please find enclosed our application for a Zoning By-law Amendment for subject lands. In support of our application, attached are the following documents:

- Completed application;
- Sketch to accompany completed application;
- Copy of PIN 49079-0579 (LT);
- Copy of registry office block map; and
- Our client's cheque to cover application fees.

This application for a Zoning By-law amendment has been submitted on behalf of Igor Birfir seeks to re-zone subject lands from General Commercial (C1-1) to Residential Fourth Density Special (R4 Sp). Subject lands are located at 159 WS Main Street, in the Town of Sturgeon falls and contains 2 existing buildings. The main building is comprised of 2 Storey's, with commercial units on the main floor and residential units on the top floor. The rear building is a single storey and contains entirely commercial units.

The proposed Zoning By-law amendment would permit residential units on both storeys on the main building. The special component is to recognize existing, legal no-complying uses, given the age of the existing structure on subject lands.

The Special Provisions include:

- Decrease lot area from 900 m² to 500 m²;
- Increase lot coverage from 40% to 60%;
- Decrease front yard setback from 7.5 m to 0.0 m;
- Decrease rear yard setback from 7.5 m to 1.0 m;
- Decrease interior side yard setback from 6.0 m to 0.0 m;
- Decrease exterior side yard setback from 7.5 m to 0.0m;

Unit 1, 490 Main Street East, North Bay, ON P1B 1B5
Paul Goodridge, BSc, OLS, OLIP (705) 493-1770 paul.goodridge@ggpsltd.com
Don Goulet, Survey Consultant (705) 493-7974 don.goulet@ggpsltd.com

Reference: File 1055-20

- Decrease road centerline setback from 23.0 m to 10.0 m;
- Decrease maximum gross floor area/unit from 60.0 m²/unit to 32.0 m²/unit;
- Decrease maximum number of dwelling units/lot area from 120.0 m²/unit to 55.0 m²/unit;
- Decrease minimum landscaped open space from 30% to 0%; and
- Decrease number of parking spaces from 1.25/unit to 0.5/unit.

In conclusion, in my opinion, this application conforms to the Municipality's Official Rural Planning policies. In my opinion, it is consistent with the Provincial Policy Statement and does not conflict with the Growth Plan for Northern Ontario. The surrounding area consists mainly of general commercial (C1-1), residential two & three (R2&3) land uses. Therefore, this application will not significantly conflict with the existing uses of the area. As such, in my opinion, this application represents good planning.

Sincerely,



Noah Perron BSc (Hons)

PLANNING REPORT

Zoning Amendment File No. ZBLA2021/05

Applicants: Roger Poitras

Property: 10537 Highway 17, Verner, ON

Date: April 12, 2021



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1. INTRODUCTION

The purpose of this Planning Report is to address all provincial and municipal land use policies governing the proposed re-zoning of the property located at 10537 Highway 17, Verner, Ontario. The application is being made by the owner, Roger Poitras, for the purpose of building a second residential dwelling on his property which he will occupy and a family member will occupy the existing larger home.

2. SITE AND BACKGROUND INFORMATION

The property is approximately 10.46 Acres and is located on the north side of Highway 17 in Verner. The property was originally proposed to be an 11-lot subdivision in the late 1960's, which subdivision was never developed and the current owner owns all 11 proposed lots and the roadway off of Highway 17. These lots are all in the same ownership and may not be sold individually without further Planning Act Consent. The property is serviced by individual on-site water and sanitary services.

3. DEVELOPMENT PROPOSAL

The applicant is proposing to re-zone the lands from Rural (RU) to Rural Exception Zone 3 (RU-3) to permit the construction of a second residential dwelling on the property. The owner intends to move into the new smaller dwelling and the existing dwelling will be occupied by a member of the owner's family. The new dwelling is anticipated to have its own well and leaching bed.

4. POLICY CONTEXT

4.1 Provincial Policy Statement

The *Provincial Policy Statement 2014 (PPS)* provides a policy framework for land use within the Province of Ontario. It is the responsibility of the local planning authority(s), in this case the Municipality of West Nipissing, to uphold the policies of the PPS, pertaining to land use planning and development. In particular, the planning authorities must ensure that their decisions are consistent with key provincial interests.

1.0.1 Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

1.1.4.1 On rural lands located in municipalities, permitted uses are:

- a) the management or use of resources;
- b) resource-based recreational uses (including recreational dwellings);
- c) residential development, including lot creation, that is locally appropriate;
- d) *agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices*, in accordance with provincial standards;
- e) home occupations and home industries;
- f) cemeteries; and
- g) other rural land uses.

5. LOCAL POLICY DOCUMENTS

5.1 Official Plan

The West Nipissing Official Plan, which was adopted by Council on April 15, 2008 and approved by the Ministry of Municipal Affairs and Housing on December 7, 2011. The Official Plan provides the framework for land use planning in the Municipality of West Nipissing.

The property is located within the Rural District. The scope of residential uses for the Rural District are shown on Table 3.1 of the Official Plan:

Table 3.1 - Permitted Land Uses in Designated Urban and Rural Settlement Areas and the Rural Area				
Land Use Category ¹	Urban Settlement Area	Rural Settlement Area	Rural Area	
			Waterfront District	Rural District
Scope of Permitted Residential Uses in District (see also Sections 3.06.5.1, 3.06.2, 3.06.8.2, 3.06.8.9, 3.06.10)	<u>Residential District:</u> <ul style="list-style-type: none">• full range of low, medium and high density housing types• specialized housing types: group homes, crisis care, social assisted	<u>Residential Uses:</u> <ul style="list-style-type: none">• full range of low and medium density housing types• specialized housing types: group homes, crisis care, social assisted (excluding high density)	<u>Residential Uses:</u> <ul style="list-style-type: none">• seasonal and• permanent residential uses	<u>Rural District:</u> <ul style="list-style-type: none">• limited low density (single and two unit housing)• specialized housing types: group homes, crisis care, social assisted (excluding high density)

5.2 Zoning By-law

The property is currently zoned RU (Rural) in the Municipality of West Nipissing, the permitted uses for which are detailed on Tables 9.1 and 9.2 of the Zoning By-law as shown on Figure 5.

6. CORRESPONDENCE/INFORMATION ATTACHED

Notice was circulated to property owners within 120 meters (400 feet) of the subject lands and a Notice of Public Meeting was posted on the subject property, as is required by the *Planning Act* (Ontario). As well, public utilities and the West Nipissing Fire Service have been notified. No objections or expressions of concern have been received with respect to the proposed development.

7. SUMMARY AND RECOMMENDATIONS

In accordance with the provisions of the *Planning Act*, the undersigned has reviewed the proposal having regard to matters of provincial interest and for consistency with the Provincial Policy Statement 2014. It should be noted that the *Strong Communities through Affordable Housing Act, 2011* amended the *Planning Act* to include a specific reference to affordable housing as a matter of provincial interest. In reviewing the proposal, the Planning Department has had regard to the Provincial Policy Statement as is required by Section 3 of the *Planning Act* (Ontario).

In addition, the application has been reviewed within the context of the West Nipissing Official Plan and Zoning By-law No. 2014-45.

The proposed application to re-zone the property from Rural (RU) to RU-3 (Rural Exception Zone 3) to permit two (2) residential dwellings is recommended.

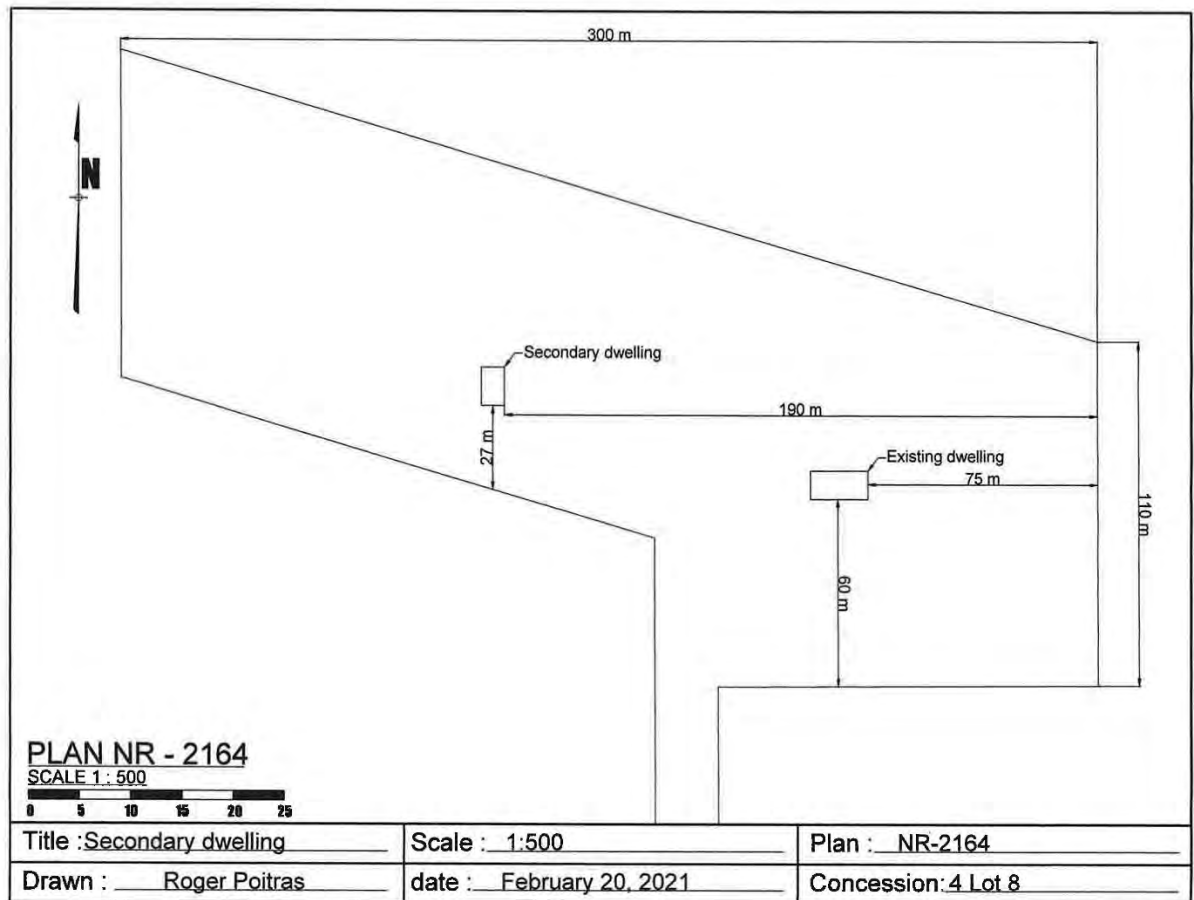
Respectfully submitted,

Melanie Ducharme,
Municipal Clerk/Planner

Figure 1 – Aerial Imagery



Figure 2 – Site Plan



[illegible]

Figure 5 – West Nipissing Zoning By-law No. 2014-45

By-law 2017/83

TABLE 9.1 – PERMITTED USES IN AGRICULTURAL AND RURAL ZONES (PRINCIPAL USE)

USE	ZONE		
	A1 (a)(e)	A2	RU (b)
Agricultural Use	●	●	●
Agricultural Services	●	●	●
Conservation Use	●	●	●
Dwelling, Mobile Home	●		●
Dwelling, Single Detached	●		●
Equestrian Facility	●	●	●
Forestry	●	●	●
Kennel			● (c)
Park, Public	●	●	●
Personal Storage			● (d)
Public Use	●	●	●
NOTES: (a) Where a residential lot is created for a surplus dwelling, the permitted uses are limited to the uses for a Rural Residential (RR) Zone, as noted in Table 6.1. (b) Where a residential lot having an area of 2 hectares or less is created by consent, the permitted uses are limited to the uses for a Rural Residential (RR) Zone, as noted in Table 6.1. (c) A kennel is only permitted on a lot with a minimum lot area of 10 hectares (d) Personal Storage uses are only permitted on a lot with a minimum lot area of 5 hectares. (e) Where a surplus dwelling is removed from a farm property by consent, the permitted uses on the remnant farm property shall be as provided in the A2 zone. (By-law 2017/83)			

TABLE 9.2 – PERMITTED ACCESSORY USES IN AGRICULTURAL AND RURAL ZONES

USE	ZONE		
	A1 (a)	A2	RU (b)
Abattoir	●		●
Agricultural Processing Establishment	●	●	●
Agricultural Produce Warehouse	●	●	●
Agricultural Product Sales Outlet	●	●	●
Bed & Breakfast Establishment	●		●
Dwelling, Single Detached	●		●
Greenhouse, Nursery, Garden Centre	●	●	●
Group Home	●		●
Home Occupation	●		●
Home Industry	●		●
Private Home Daycare	●		●
Veterinary Clinic	●		●
NOTES: (a) Where a residential lot is created for a surplus dwelling, the permitted accessory uses are limited to the uses for a Rural Residential (RR) Zone, as noted in Table 6.2. (b) Where a residential lot having an area of 2 hectares or less is created by consent, the permitted accessory uses are limited to the uses for a Rural Residential (RR) Zone, as noted in Table 6.2.			

Appendix 1 – Agency Comments

PLANNING REPORT

Proposed Plan of Subdivision

Applicants: 1369965 Ontario Limited, Rheal and Christine Marleau

Property: Roy Street, Sturgeon Falls, Ontario

Date: April 12, 2021



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1. INTRODUCTION

The purpose of this Planning Report is to address all provincial and municipal land use policies governing the proposed re-zoning and subdivision of the property located at the north limit of Roy Street Street (rue Roy), Sturgeon Falls Ontario. The application is being put forward by the owner(s), 1369965 Ontario Limited, Rheal and Christine Marleau, by Agent, Goodridge, Goulet Planning & Surveying Inc.

2. SITE AND BACKGROUND INFORMATION

The property is located at the north limit of Roy Street and has frontage on the Sturgeon River. A portion of property was previously subdivided into 13 lots by the former Town of Sturgeon Falls. These lots were created at the same time as the lots on Riverfront, however these were never developed and were sold by Tender by the Municipality in 2011. Those lots were recently acquired by the current owner and will be amalgamated with other lands which front on the Sturgeon River already owned to create the subdivision lots herein contemplated.

3. DEVELOPMENT PROPOSAL

The owner is proposing to subdivide the property into nineteen (19) lots and one new street for the purpose of single-family and two-family residential development. All of the lots will be fully serviced with municipal water and sanitary services which are available from Roy Street. The owners will be required to undertake engineering investigations in order to determine how the lots will be serviced and any upgrades, alterations or additions to existing municipal infrastructure will be required to be undertaken by the developer, at its own cost. The owner will also be responsible for obtaining all regulatory approvals required with respect to the extension of the existing water and sanitary mains.

4. POLICY CONTEXT

Land use policies and regulations affecting the subject lands include the Planning Act, R.S.O., 1990 and the associated 2020 Provincial Policy Statement at the Provincial Level. At the municipal level, the West Nipissing Official Plan, the Municipality of West Nipissing Zoning By-law 2014-45 and Site Plan Control By-Law No. 2015-63 affect the subject lands.

4.1 Provincial Policy Statement

The [*Provincial Policy Statement 2020 \(PPS\)*](#) provides a policy framework for land use within the Province of Ontario. It is the responsibility of the local planning authority(s), in this case the Municipality of West Nipissing, to uphold the policies of the PPS, pertaining to land use planning and development. In particular, the planning authorities must ensure that their decisions are consistent with key provincial interests.

The within proposal is consistent with of the PPS 2020 which provides:

- 1.1.1 Healthy, liveable and safe communities are sustained by:
 - a. promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
 - b. accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space uses to meet long-term needs;
 - c. avoiding development and land use patterns which may cause environmental or public health and safety concerns;
 - d. avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;
 - e. promoting cost-effective development standards to minimize land consumption and servicing costs;
 - f. improving accessibility for persons with disabilities and the elderly by removing and/or preventing land use barriers which restrict their full participation in society; and
 - g. ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.

1.1.2 Sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas, to accommodate an appropriate range and mix of employment opportunities, housing and other land uses to meet projected needs for a time horizon of up to 20 years. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a provincial plan, that timeframe may be used for municipalities within the area.

1.1.3 Settlement Areas:

1.1.3.1 Settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted.

1.1.3.2 Land use patterns within settlement areas shall be based on:

a. densities and a mix of land uses which:

1. efficiently use land and resources;

2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; and

3. minimize negative impacts to air quality and climate change, and promote energy efficiency in accordance with policy 1.8; and

b. a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3.

1.1.3.3 Planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs. Intensification and redevelopment shall be directed in accordance with the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.

1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while maintaining appropriate levels of public health and safety.

1.1.3.5 Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas. However, where provincial targets are established through provincial plans, the provincial target shall represent the minimum target for affected areas.

1.1.3.6 Planning authorities shall establish and implement phasing policies to ensure that specified targets for intensification and redevelopment are achieved prior to, or concurrent with, new development within designated growth areas.

1.1.3.7 New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

5. LOCAL POLICY DOCUMENTS

Local policy documents include the [West Nipissing Official Plan](#), [Zoning By-law](#) and [Site Plan Control By-Law](#).

5.1 Official Plan

The Municipality of West Nipissing is guided by the West Nipissing Official Plan which was adopted by Council on April 15, 2008 and approved by the Ministry of Municipal Affairs and Housing on December 7, 2011. The policies of the Reside District are included for the Committee's consideration. The following provides a summary of the existing Official Plan policies and relevant considerations for the site:

The subject property is located within the Urban Settlement Area of the Town of Sturgeon Falls (See Figure 3) and is a designated Residential in the West Nipissing Official Plan.

Section 3.06.1.1 Urban Settlement Area

Urban Settlement Areas are characterized as urban communities with a well-developed built form, a diverse mix of land uses, which have full municipal sewage and water service or partial services. These communities are considered to be the primary settlement areas for future development.

Section 3.06.1.4 Urban Service Limits

Development shall be directed first and foremost to lands within the designated Urban Service Limits.

Permitted Residential Uses within the Urban Settlement area are as follows:

Table 3.1 - Permitted Land Uses in Designated Urban and Rural Settlement Areas and the Rural Area				
Land Use Category ¹	Urban Settlement Area	Rural Settlement Area	Rural Area	
			Waterfront District	Rural District
Scope of Permitted Residential Uses in District (see also Sections 3.06.5.1, 3.06.2, 3.06.8.2, 3.06.8.9, 3.06.10)	<u>Residential District:</u> <ul style="list-style-type: none"> • full range of low, medium and high density housing types • specialized housing types: group homes, crisis care, social assisted 	<u>Residential Uses:</u> <ul style="list-style-type: none"> • full range of low and medium density housing types • specialized housing types: group homes, crisis care, social assisted (excluding high density) 	<u>Residential Uses:</u> <ul style="list-style-type: none"> • seasonal and • permanent residential uses 	<u>Rural District:</u> <ul style="list-style-type: none"> • limited low density (single and two unit housing) • specialized housing types: group homes, crisis care, social assisted (excluding high density)

5.2 Zoning By-Law

Currently, all but proposed Lots 8 and 9 are zone R1 (Residential One) which permit construction of single family dwellings. Proposed Lots 8 and 9 were previously re-zoned R2 (Residential Two) to permit construction of duplex dwellings. All of the proposed lots meet the size and frontage requirements for the R1 Zone will full services.

5.3 Site Plan Control By-Law

The West Nipissing Site Plan Control By-Law No. 2015-63 was enacted as a tool to establish areas of Site Plan Control in order for the municipality to ensure that development in specifically designated zones will proceed in accordance with certain standards.

Notwithstanding that the property is subject to site plan control, being the subject of an application under the Planning Act, it is not anticipated that a Site Plan Control Agreement will be required, given the location, nature and scope of the proposed development.

6. CORRESPONDENCE/INFORMATION ATTACHED

Notice was circulated to property owners within 120 meters (400 feet) of the subject lands and public bodies and utilities as required by Regulation. Copies of those comments are attached as Appendix 1.

7. SUMMARY AND RECOMMENDATIONS

In accordance with the provisions of the *Planning Act*, the undersigned has reviewed the proposal having regard to matters of provincial interest and for consistency with the Provincial Policy Statement 2020.

In addition, the application has been reviewed within the context of the West Nipissing Official Plan and Zoning by-law No. 2014-45. The proposed application to subdivide the property into nineteen residential is recommended subject to the conditions attached hereto as Appendix 2.

Respectfully Submitted,



Melanie Ducharme, Planner

Figure 1 – Aerial Imagery



Figure 2 – Draft Plan of Subdivision

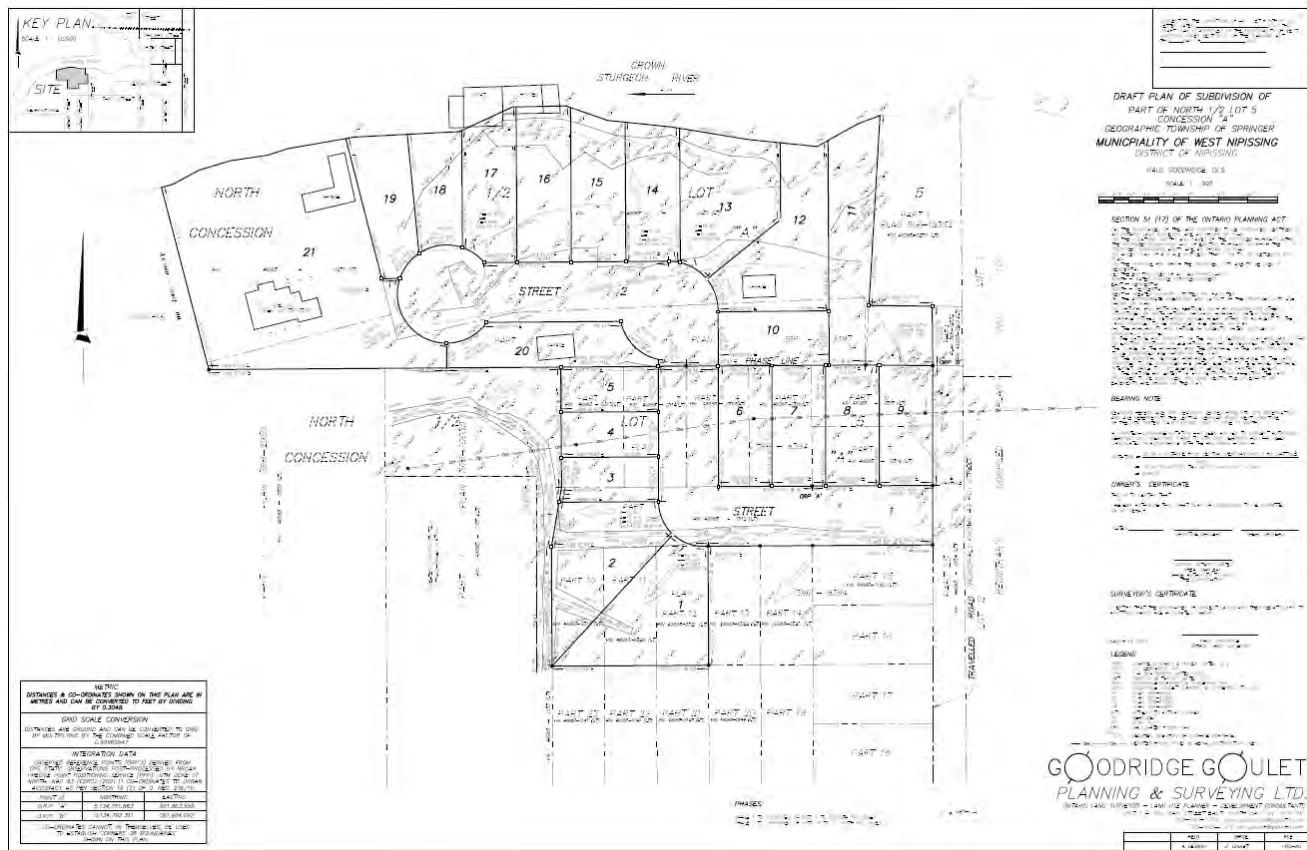
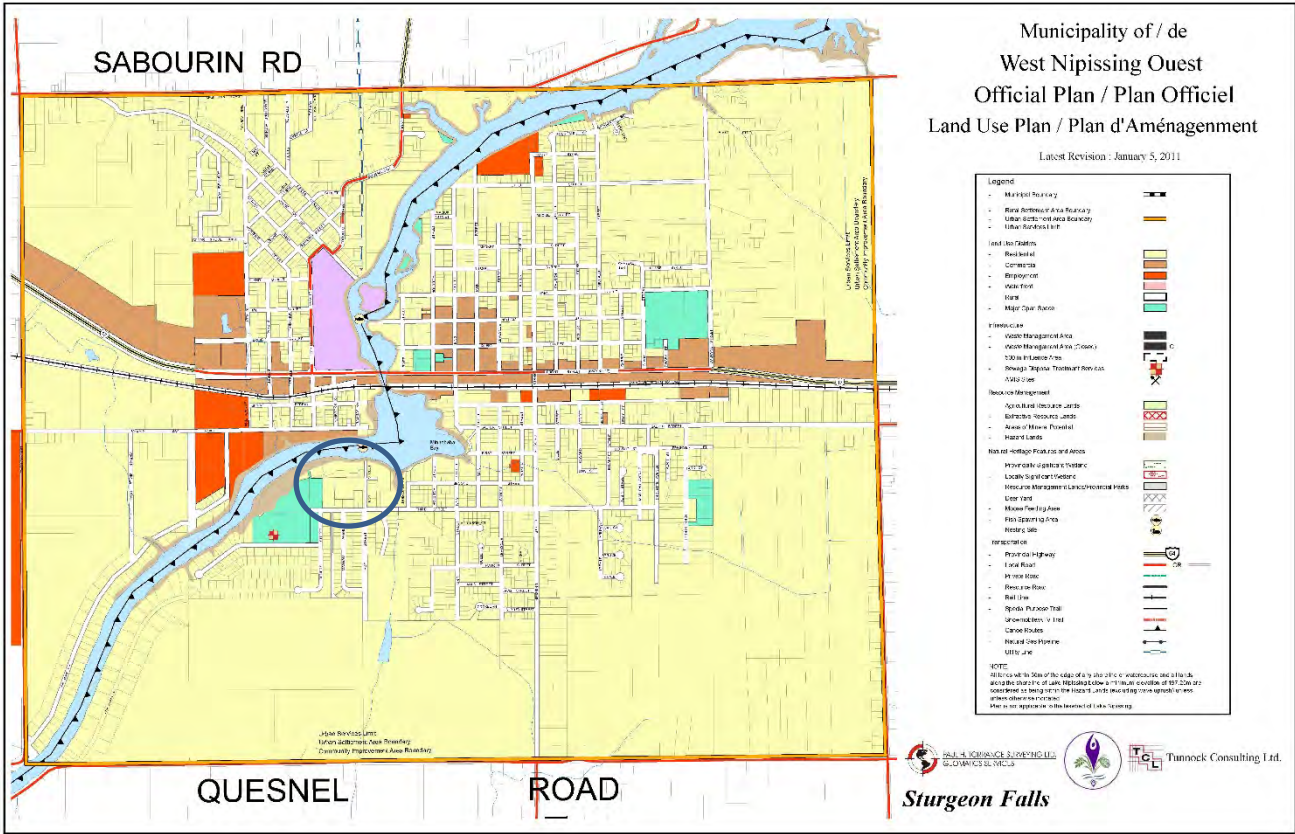


Figure 3 – West Nipissing Official Plan – Land Use Schedule



Appendix 1 –Correspondence/Comments

See attached.



Building
Connections
for Life

500 Regent Street
P.O. Box 250/C.P. 250
Sudbury ON P3E 4P1

Greater Sudbury
West Nipissing
Website

705.675.7536
705.753.2341
sudburyhydro.com

April 1, 2021

West Nipissing Municipality
225 Holditch Street, Suite 101
Sturgeon Falls, ON
P2B 1T1

Attention: Melanie Ducharme
Municipal Clerk/Planner

Subject: Application for Plan of Subdivision
1369965 Ontario Limited/Rheal & Christine Marleau

Property: Part of North Half of Lot 5, Concession A Springer
Municipality of West Nipissing
Vacant Lands located at the north limit of Roy Street

Your File: SUDBD2021/02

Our File: WF0161829

Dear Ms. Ducharme:

Please be advised, the only condition that Greater Sudbury Hydro Inc. has, is as follows;

The owner/developer must transfer a three metre (3m) wide easement, to be registered on title to the subject property, to Greater Sudbury Hydro Inc. for that portion of the subdivision that fronts on any existing or proposed road allowances. The Owner/Developer will be responsible for all legal and survey costs associated with this. The owner/developer is also responsible for obtaining/providing a Postponement in favour of Greater Sudbury Hydro Inc's interest with respect to any and all existing Charge/Mortgage/Lien and/or Encumbrance of Land registered on title to this property. The Owner/Development will be responsible for all costs associated with obtaining said Postponement.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mark Van de Rydt'.

Mark Van de Rydt
Supervisor - Engineering
:cl

Building Connections for Life
Établir des liens pour la vie

From: [Dolly Shetty@HydroOne.com](mailto:Dolly.Shetty@HydroOne.com) on behalf of LandUsePlanning@HydroOne.com
To: [Melanie Ducharme](mailto:Melanie.Ducharme@munipalcity.westnippising.on.ca)
Subject: West Nipissing - Roy St and 3rd St - SUBD2021-02 - Roy Street Subdivision
Date: April 9, 2021 12:04:13 PM
Attachments: [image002.png](#)
[image003.png](#)

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

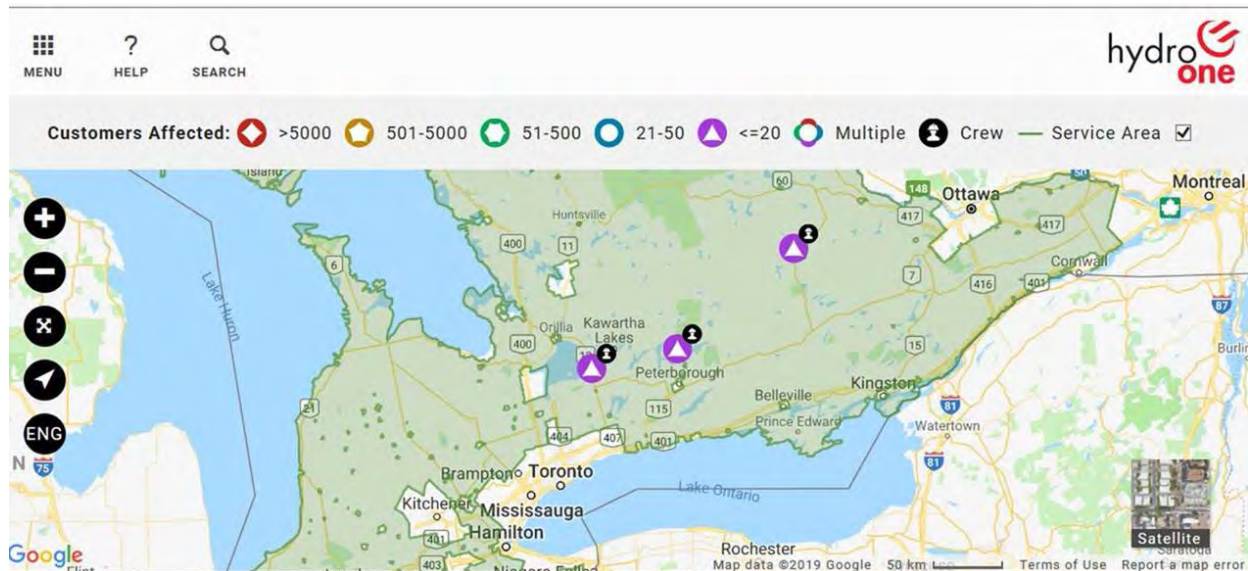
Hello,

We are in receipt of Application SUBD2021-02 dated March 24, 2021. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. [Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.](#)

For proposals affecting 'Low Voltage Distribution Facilities' please consult your local area Distribution Supplier.

To confirm if Hydro One is your local distributor please follow the following link:
<http://www.hydroone.com/StormCenter3/>

Please select "Search" and locate address in question by entering the address or by zooming in and out of the map



If Hydro One is your local area Distribution Supplier, please contact Customer Service at 1-888-664-9376 or e-mail CustomerCommunications@HydroOne.com to be connected to your Local Operations Centre

Thank you,

Best Wishes,

Dolly Shetty
Real Estate Assistant | Land Use Planning

Hydro One Networks Inc.
185 Clegg Road (R32)
Markham, ON | L6G 1B7
Email: Dolly.Shetty@HydroOne.com



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From: Melanie Ducharme <mducharme@municipality.westnippising.on.ca>
Sent: Wednesday, March 24, 2021 9:03 AM
To: Alain Bazinet <abazinet@municipality.westnippising.on.ca>; Bell Canada <jacqueline.moyle@bell.ca>; Bell2 <rowcentre@bell.ca>; CPR <CP_Proximity-Ontario@cpr.ca>; Greater Sudbury Hydro <ESSupply@gsuinc.ca>; Hurd, Terry <terry.hurd@bell.ca>; LANDUSEPLANNING <LandUsePlanning@HydroOne.com>; Paula Scott <paula.scott@nbmca.ca>; Peter Ming <pming@municipality.westnippising.on.ca>; Richard Maranda <rmaranda@wnfs.ca>; Riche, Carla (MTO) <Carla.Riche@ontario.ca>; Shawn Remillard <sremillard@municipality.westnippising.on.ca>
Subject: SUBD2021-02 - Roy Street Subdivision

***** Exercise caution. This is an EXTERNAL email. DO NOT open attachments or click links from unknown senders or unexpected email. *****

Please see attached Notice of Application for Subdivision for comment.

Thank you

Melanie Ducharme
Municipal Clerk/Planner
Municipality of West Nipissing
101-225 Holditch Street
Sturgeon Falls, ON P2B 1T1
Phone: 705-753-2250 x 6926
Facsimile: 705-753-3950
Email: mducharme@westnippising.ca

From: [Shawn Remillard](#)
To: [Melanie Ducharme](#)
Cc: [Peter Ming](#); [Stephan Poulin](#)
Subject: Re: SUBD2021-02 (Rheal Marleau) Roy Street
Date: March 18, 2021 4:14:10 PM
Attachments: [image003.png](#)

Potential issues at first glance for this subdivision:

- Lot 9 and Lot 11 currently have a water service and sanitary lateral encroachment issue
- would need a proposed drainage plan, not draining onto/via adjacent property(s)
- potential inadequate depth of cover for water and sewer due to bed rock
- existing sanitary main invert in existing M/H on Roy street potentially inadequate for a gravity system (lot 19 is over 6.5 meters lower than Roy street)
- some of the lot frontages will not allow for much snow storage. Our policy allows up to 12 meter entrance and the frontage on some are less than 12m.

Sent from my iPhone

On Mar 18, 2021, at 3:39 PM, Melanie Ducharme
<mducharme@municipality.westnipissing.on.ca> wrote:

Good afternoon,

Please see attached copy of draft plan of Subdivision which has been submitted by Mr. Marleau for consideration.

The proposal is for 19 new fully serviced lots off of the north end of Roy Street. Are you aware of any issues which would preclude this application from being circulated to the required agencies and public bodies for comment? I am aware of the existing GSU high voltage line and the encroaching sewer and water service on the proposed Lot 11.

Your comments are appreciated.

Melanie Ducharme
Municipal Clerk/Planner
Municipality of West Nipissing
101-225 Holditch Street
Sturgeon Falls, ON P2B 1T1
Phone: 705-753-2250 x 6926
Facsimile: 705-753-3950
Email: mducharme@westnipissing.ca

<image003.png>

From: [Riche, Carla \(MTO\)](#)
To: [Melanie Ducharme](#)
Subject: RE: SUBD2021-02 - Roy Street Subdivision
Date: March 25, 2021 4:55:05 PM
Attachments: [image001.png](#)
[image002.png](#)

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Melanie,

The Ministry of Transportation has no comments on the subject noted.

Regards,

Carla Riche

Corridor Management Planner
Northeast Region
Ministry of Transportation
447 McKeown Ave, Suite 301
North Bay, ON, P1B 9S9
E-mail: carla.riche@ontario.ca



A Proud Member / Un membre fier

From: Melanie Ducharme <mducharme@municipality.westnipissing.on.ca>
Sent: Wednesday, March 24, 2021 9:03 AM
To: Alain Bazinet <abazinet@municipality.westnipissing.on.ca>; Bell Canada <jacqueline.moyle@bell.ca>; Bell2 <rowcentre@bell.ca>; CPR <CP_Proximity-Ontario@cpr.ca>; Greater Sudbury Hydro <ESSupply@gsuinc.ca>; Hurd, Terry <terry.hurd@bell.ca>; Hydro One <LandUsePlanning@HydroOne.com>; Paula Scott <paula.scott@nbmca.ca>; Peter Ming <pming@municipality.westnipissing.on.ca>; Richard Maranda <rmaranda@wnfs.ca>; Riche, Carla (MTO) <Carla.Riche@ontario.ca>; Shawn Remillard <sremillard@municipality.westnipissing.on.ca>
Subject: SUBD2021-02 - Roy Street Subdivision

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

Please see attached Notice of Application for Subdivision for comment.

Thank you

Melanie Ducharme
Municipal Clerk/Planner
Municipality of West Nipissing
101-225 Holditch Street
Sturgeon Falls, ON P2B 1T1

AVIS DE RÉUNION PUBLIQUE VIRTUELLE

SOYEZ AVISÉ que le Comité consultatif d'aménagement du territoire de Nipissing Ovest tiendra une réunion virtuelle dans la Salle du Conseil au bureau de la Municipalité de Nipissing Ovest situé à 225 rue Holditch, Sturgeon Falls afin de considérer une demande déposée selon Article(s) 51(20) de la *Loi sur l'aménagement du territoire de l'Ontario*.

DE PLUS SOYEZ AVISÉ que la réunion virtuelle sera considérée comme une réunion publique, cependant, en raison de préoccupations de santé publique concernant COVID-19, **la présence physique n'est pas autorisée.**

Cette réunion sera diffusée en direct pour visionner à www.westnipissing.ca. De plus, toute personne souhaitant faire une représentation orale peut participer à la réunion publique virtuelle en cliquant sur le lien inclus ci-dessous ou en composant le numéro de téléphone et utiliser le code d'accès indiqué ci-dessous.

Date et Temps:	LE 12 AVRIL, 2021 à 18h00			
No. de dossier	SUBD2021/02			
Propriétaires	1369965 Ontario Limited and Rheel & Christine Marleau			
Proposé	Subdiviser une propriété en 21 lotissements.			
Agent (s)	Goodridge, Goulet Planning & Surveying Limited			
Lien pour Youtube: (visionner seulement)	https://www.youtube.com/channel/UCG6HWMXnA-RBiH-UdZVCIHg			
Lien pour réunion Zoom:	https://us02web.zoom.us/j/88088006724?pwd=SndIQkdZSUFiWIRuT0RhNGpRNHRyQT09			
Détaille de la réunion Zoom & accès (téléphone)	Dial In: 1 647 558 0588	Meeting ID: 869 1819 4299	Participant: #	Passcode: 879185
Adresse:	Lot vacant, à la limite nord de la rue Roy, Sturgeon Falls, Ontario			
Description légale:	Partie du Lot 5, Con A, Canton de Springer, Municipalité de Nipissing Ovest			
Application simultanée	Non applicable			

CROQUIS/CARTE CLÉ : Veuillez-vous référer au croquis/carte clé jointe pour l'emplacement du terrain, qui fait l'objet de cette demande.

TOUTE PERSONNE ou corps public peut assister à cette réunion publique et/ou faire une présentation orale ou par écrit, soit pour ou contre le plan de lotissement proposé.

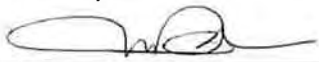
RENSEIGNEMENT PUBLIC : Si une personne/le public ne fait pas de présentation orale lors d'une réunion publique, si l'une d'elles a lieu, ou ne fait pas de présentations écrites à la Municipalité de Nipissing Ovest relativement au plan de lotissement proposé avant que l'autorité d'approbation ne donne ou refuse d'approuver le projet de plan de lotissement, la personne/le public n'a pas le droit d'interjeter appel de la décision de la Municipalité de Nipissing Ovest devant le Tribunal d'appel de l'aménagement du territoire.

Si une personne/le public ne fait aucune présentation orale à la réunion publique ou ne fait aucune présentation par écrit à la Municipalité de Nipissing Ovest traitant du plan de lotissement proposé avant que l'autorité d'approbation ne donne ou refuse de donner son approbation pour le plan de lotissement, la personne/le public n'a pas le droit d'interjeter un appel de la décision prise par la Municipalité de Nipissing Ovest au Tribunal d'appel de l'aménagement local et ne peut pas être ajouté(e) comme faisant parti de l'audience d'un appel devant le Tribunal d'appel de l'aménagement local à moins que le Tribunal trouve qu'il a des raisons valables pour en faire ainsi.

SI VOUS DÉSIREZ être avisé de la décision du Comité consultatif d'aménagement du territoire de Nipissing Ovest au sujet du Plan de Lotissement, **vous devez faire demande par écrit à la Municipalité de Nipissing Ovest** a/s Melanie Ducharme, au 101-225 rue Holditch, Sturgeon Falls, ON P2B 1T1.

DES INFORMATIONS SUPPLÉMENTAIRES rattachés au Plan de Lotissement proposé sont disponibles pendant les heures régulières du bureau de Planification de Nipissing Ovest, au 101-225 rue Holditch, Sturgeon Falls ou par courriel à mducharme@westnipissing.ca

Daté ce 22^e jour de mars 2021.

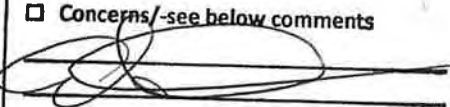


Melanie Ducharme, Greffière/Planificatrice municipale

**MUNICIPALITY OF WEST NIPISSING
BUILDING DEPARTMENT**

☒ **No concerns**

☐ **Concerns/-see below comments**



SCHEDULE "A"

SUBD2021-02 - SPECIAL CONDITIONS OF DRAFT APPROVAL

If an approval is forthcoming by the West Nipissing Planning Advisory Committee, it is recommended that the following conditions be imposed on the Owner along with the Conditions of Draft Approval include:

- 1) The Corporation of the Municipality of West Nipissing's conditions and amendments to final plan of approval, for registration of Subdivision File No. SUBD2021/01 made by **1369965 Ontario Limited and Rheal and Christine Marleau** are as follows:
- 2) That this approval expires three (3) years from the date of approval shown by the "Draft Plan Approval Stamp" on the face of the draft plan. If there is an appeal to the Ontario Municipal Board under section 51 (39) of the *Planning Act*, the three (3) year expiration period does not begin until the date of the order of the Ontario Municipal Board issued in respect of the appeal or from the date of a notice issued by the Board under section 52(51) of the *Planning Act*.
- 3) This Draft Approval applies to the Plan of Subdivision prepared by Goodridge, Goulet Planning & Surveying Inc., dated March 17, 2021 which is comprised of 2.83 Hectares.
- 4) That the owner agrees in writing to satisfy all requirements, financial and otherwise of the Municipality of West Nipissing concerning provision of services.
- 5) That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority in such location as may be agreed upon for the orderly provision of utilities and services.
- 6) That the Subdivision Agreement between the owner and the Municipality contain wording acceptable to the City Engineer to ensure that:
 - a) the owner agrees that a Stormwater Management Plan shall be undertaken by a professional engineer with respect to the Subdivision describing best management practices and appropriate measures to maintain quality storm runoff, both during and after construction; and
 - b) The Stormwater Management report shall also address any slope stability or any hydrogeological issues associated with this development
 - c) Any recommendations forthcoming from the Stormwater Management Study shall be incorporated into the final Subdivision site design and implemented to the ongoing satisfaction of, and at no expense to, the Municipality.
- 7) That the Owner provides full engineering drawings showing the provision of full municipal services prepared by a qualified engineer, to the satisfaction of, and at no expense to the Municipality of West Nipissing to address the following:

- a. Road design
 - b. Storm water and drainage
 - c. Sidewalk
 - d. Water mains and services
 - e. Sanitary mains and services
 - f. Fire hydrant and spacing
 - g. Entrances to lots;
 - h. Street lighting
 - i. CMB location;
 - j. Location of other services (telephone, gas, hydro, etc.).
- 8) That the owner agrees to convey up to 5% of the land included in the plan or cash-in-lieu to the Municipality for park or other public recreational purposes as council may determine.
- 9) The owner covenants and agrees to provide the municipality with evidence that satisfactory arrangements, financial and otherwise, have been made with Canada Post Corporation for the installation of Community Mail Boxes (CMB) as required by Canada Post Corporation. The owner further agrees to provide notice to prospective purchaser of the locations of the CMB and that home/business mail delivery will be provided by CMBs provided by the owner, provided that the owner has paid for the activation and equipment installation of the CMB's.
- 10) That the Subdivision Agreement between the owner and the Municipality be registered by the Municipality against lands to which it applies once the Plan of Subdivision has been registered prior to any encumbrances.
- 11) That the Subdivision Agreement between the owner and the Municipality contain a Special Provision with wording acceptable to or Hydro One/Greater Sudbury Utilities to ensure that:
- a. Prior to final approval, a copy of the lot grading and drainage plan, showing existing and final grades, must be submitted to Hydro One/Greater Sudbury Utilities for review and approval.
 - b. Any development in conjunction with the subdivision must not block vehicular access to any Hydro One/Greater Sudbury Utilities facilities located on the right-of-way. During construction, there will be no storage of materials or mounding of earth or other debris on the right-of-way.
 - c. The costs of any relocations or revisions to Hydro One/Greater Sudbury Utilities facilities which are necessary to accommodate this subdivision will be borne by the developer.
 - d. The easement rights of Hydro One/Greater Sudbury Utilities and its legal predecessors are to be protected and maintained.
- 12) That before Municipal Council's Final Approval is given, the Council shall be advised in writing by the Director of Community Services how Condition No. 8 has been satisfied.

- 13) That before City Council's Final Approval is given, the Council shall be advised in writing by Canada Post Corporation how Condition No. 9 has been satisfied.

NOTES

- 1) We suggest you make yourself aware of the following:
- a) Section 143(1) of The Land Titles Act, R.S.O. 1980 as amended, which requires all new plans to be registered in a land titles system.
 - b) Section 143(2) allows certain exceptions.
- 2) ~~Prior to any construction, a Fill, Construction and Alteration to Waterways Permit is required from the North Bay-Mattawa Conservation Authority. The subject lands are within an area regulated by the North Bay-Mattawa Conservation Authority under Ontario Regulation 162/90. This regulation is pursuant to Section 28 of the Conservation Authorities Act of Ontario.~~
- 3) ~~Private water supply and sewage disposal facilities must be approved by the Ministry of the Environment, or its agent in certain areas, in accordance with Ontario Regulations 229/74 as amended, made under the Environmental Protection Act, 1971, as amended.~~
- 4) We recommend you make yourself aware of applicable Federal and Provincial laws regarding construction in proximity to waterbodies.
- 5) The Developer is hereby advised that prior to commencing any work within the Plan, the Developer must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available within the proposed development to provide communication/telecommunication service to the proposed development. In the event that such infrastructure is not available, the Developer is hereby advised that the Developer may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Developer elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the Developer shall be required to demonstrate to the municipality that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency Services).
- 6) The Owner/Developer is hereby advised that prior to commencing any work within the Plan, the Owner/Developer must confirm with Hydro One/Greater Sudbury Utilities that appropriate electrical services infrastructure is currently available along the proposed development to provide delivery of electrical energy to the proposed development. In the event that such infrastructure is not available, the Owner/Developer is hereby advised that the Owner/Developer may be required to pay for the connection to and/or extension of the existing electrical distribution infrastructure, in accordance with Hydro One and the Ontario Distribution System Code.

MEMORANDUM

TO: Chair and Committee Members – West Nipissing Planning Advisory

FROM: Melanie Ducharme, Municipal Clerk/Planner

DATE: April 12, 2021

RE: Michel Holdings Limited – - Deeming By-Law file No. D2021-01

Michel Holdings Limited is the owner of Lots 7, 8, 9, Plan 36M-598, Heritage Crescent, Verner, Ontario. Michel Holdings Limited wish re-align the exiting subdivision lots by splitting the centre lot and adding half to each of the abutting lots. Once lots are registered by a Plan of Subdivision, they remain separate entities unless the lots are deemed by the Approval Authority not to be lots within a Plan of Subdivision.

Accordingly, Michel Holdings is requesting that the Municipality of West Nipissing pass a By-Law Pursuant to Section 50(4) of the *Planning Act* (Ontario), deeming Lots 7, 8, 9, Plan 36M-598 no longer within a Plan of Subdivision.

This application is concurrent with a severance application which will be considered by the West Nipissing Committee of Adjustment.

Thank you,

Joie de vivre



www.westnipissingouest.ca

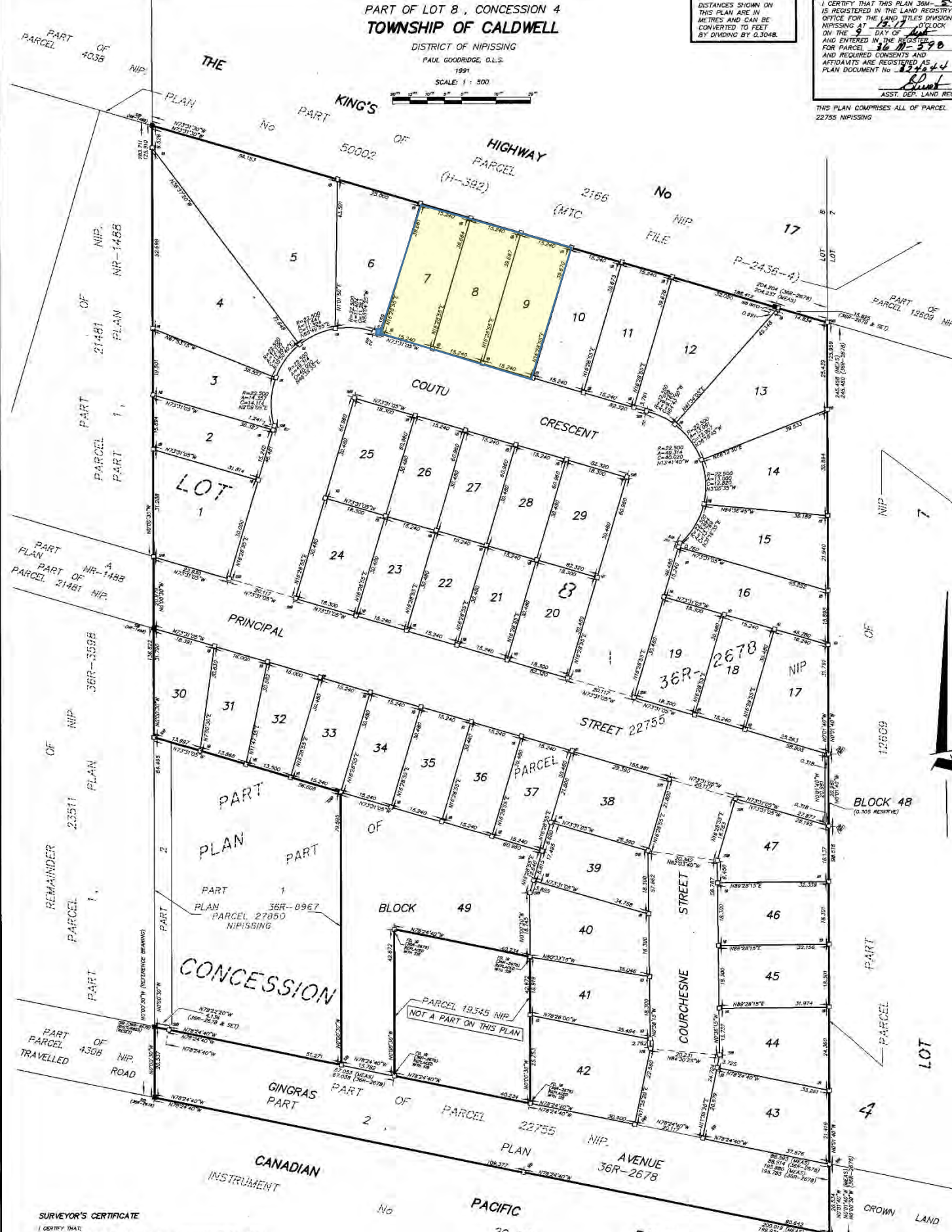
M-598

PLAN OF SUBDIVISION OF
PART OF LOT 8, CONCESSION 4
TOWNSHIP OF CALDWELL
DISTRICT OF NIPISSING
PAUL GOODRIDGE, O.L.S.
1991

METRIC
DISTANCES SHOWN ON
THIS PLAN ARE IN
METRES AND CAN BE
CONVERTED TO FEET
BY DIVIDING BY 0.3048.

PLAN 36M-598
I CERTIFY THAT THIS PLAN 36M-598
IS REGISTERED IN THE LAND REGISTRY
OFFICE FOR THE LAND TITLES DIVISION OF
NIPISSING AT 12:17 O'CLOCK
ON THE 8 DAY OF JULY, 1991,
AND ENTERED IN THE BOOKS
FOR PARCEL 36M-598
AND REQUIRED CONSENTS AND
AFFIDAVITS ARE REGISTERED AS
PLAN DOCUMENT NO. 82444
ASST. DEP. LAND REGIST.
THIS PLAN COMPRISES ALL OF PARCEL
22755 NIPISSING

SCALE 1 : 500



SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS
ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE THEREUNDER.

20 1/2

MEMORANDUM

TO: West Nipissing Planning Advisory Committee

FROM: Melanie Ducharme, Municipal Clerk/Planner

DATE: April 12, 2021

RE: **CAMPING TRAILER BY-LAW UPDATE**

Please see attached draft zoning by-law amendment for discussion purposes only. This document is not intended to be notification to the public and is for the sole purpose of discussion by the Planning Advisory Committee. Once the Committee has discussed the draft and any changes or additions arising from that discussion are made, I can move it to public consultation as is required pursuant to Section 34 of the Planning Act.

I have attempted, to the best of my knowledge and, upon review of the meetings wherein the matters were discussed, to capture what I hope to be the spirit of this Committee(s) and Council(s) direction regard the new proposed regulations.

Thank you

Joie de vivre



www.westnipissingouest.ca

BY-LAW 2021/____

**BEING A BY-LAW TO AMEND ZONING BY-LAW NO. 2014/45
TO INCORPORATE AMENDMENTS TO THE ZONING BY-LAW FOR THE REGULATION OF
CAMPING TRAILERS AND RECREATIONAL VEHICLES**

WHEREAS Comprehensive Zoning By-law 2014/45 was adopted by Council in 2014 and Council has determined that amendments are warranted to specific sections of By-law 2014/45;

AND WHEREAS the Council of the Corporation of the Municipality of West Nipissing has ensured that adequate information has been made available to the public, and has held at least one (1) public meeting after due notice for the purpose of informing the public of the By-law;

AND WHEREAS it is deemed desirable to amend the zoning by-law pursuant to Section 34 of the Planning act R.S.O. 1990, as amended;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING
ENACTS AS FOLLOWS:**

Section 4.30 is deleted in its entirety and replaced with the following:

Section 3 - Definitions:

- 3.____ **"Trailer, Stored"** means any travel trailer or recreational vehicle located on the property only for the purpose of sale or storage but shall not include any trailer being used at any time for living, sleeping or eating accommodations of persons while located on that property.
- 3.____ **"Trailer, Transient"** means any travel trailer or recreational vehicle which is placed on a property for a period not exceeding fourteen (14) consecutive days during the months of May, June, July or August in any year.

Section 4.30 Travel Trailers and Recreational Vehicles:

- 4.30.1 No person shall use nor shall an owner of Property permit a person to use and/or keep a travel trailer or recreational vehicle on any Property within the Municipality except as provided in this By-law.
- 4.30.1 The parking and/or storage of more than one travel trailer or recreational vehicle shall be prohibited in the Residential One (R1), Residential Two (R2), Residential Three (R3) and Residential Four (R4) Zones except where such parking or storage is a permitted use in accordance with this By-law or is accessory to a dwelling located on the lot and the travel trailer or recreational vehicle is owned by the occupant of the lot. No human habitation shall be permitted except in accordance with Section 4.22.1 (g) hereof.
- 4.30.2 The parking and/or storage of more than two (2) travel trailers or recreational vehicles shall be prohibited in the Shoreline Residential (SR) zone. except where such parking or storage is a

permitted use in accordance with this By-law or is accessory to a dwelling located on the lot and the travel trailer or recreational vehicle is owned by the occupant of the lot. No human habitation shall be permitted except in accordance with Section 4.22.1 (g) hereof. The provisions of this paragraph shall not apply to transient trailers, as herein defined. Any increase to the number of travel trailers or recreational vehicles in the SR zone shall be dealt with through the Minor Variance provisions of the Planning Act (Ontario);

- 4.30.3 In the Shoreline Residential (SR), Rural Residential (RR), Rural (RU) and Agriculture (A1) Zones, no travel trailer or recreational vehicle shall be placed closer than 15m to any property line, which shall include a Stored Trailer. The parking or storage of a travel trailer or recreational vehicle in the R1, R2, R3 and R4 zones shall be subject to the provisions of Section 5.5, hereof.
- 4.30.4 No person shall discharge or caused to be discharged from any travel trailer or recreational vehicle any septic effluent or grey water other than in accordance with Section 4.30.6.
- 4.30.5 The Parking and/or storage of more than six (6) travel trailers or recreational vehicles shall be prohibited in the Rural Residential (RR), Rural (RU) or A1 (Agriculture, One), zones. Any increase in the number of travel trailers or recreational vehicles in the Rural Residential (RR), Rural (RU) or A1 (Agriculture, One), zones shall be dealt with through the Minor Variance provisions of the Planning Act (Ontario)
- 4.30.6 In any zone, the parking of a travel trailer or recreational vehicle, shall be prohibited, except in accordance with the following regulations:
- (a) The travel trailer or recreational vehicle is connected to an approved Class 4 System (leaching bed); or
 - (b) the property contains an approved Class 1 system (a chemical toilet, an incinerating toilet, a recirculating toilet, a self-contained portable toilet, an earth pit privy, a pail privy, a privy vault or a composting toilet system,) and an approved Class 2 system (grey-water); or
 - (c) the septage and grey water is being removed from the travel trailer or recreational vehicle by a licensed hauler. The Municipality reserves the right to require an owner to provide receipts and/or contracts as evidence of such an arrangement; or
 - (d) The septage and grey water is being hauled from the property in a portable tank designed for such purpose and disposed of in a licensed transfer (dump) station. The Municipality reserves the right to conduct regular inspections of properties utilizing portable haulage systems.
 - (e) the provisions of this paragraph 4.30.6 shall not apply to Stored Trailers or Transient Trailers, provided that such Transient Trailer is equipped with a self-contained sanitary system.
- 4.30.7 No person shall add or cause to be added to a travel trailer or recreational vehicle, including, but not limited to, sunroom, porch, roof canopy or deck unless a permit for the construction of such addition has been obtained and approved by the Municipality. Such additions or structures shall be subject to the provisions of Section 4.2 (Accessory Uses, Buildings and Structures)

This By-law shall take effect on the date of passage and come into force in accordance with Section 34 of the Planning Act, RSO 1990, Ch. P 13

ENACTED AND PASSED THIS _____ DAY OF _____, 2021 AS WITNESSED BY THE SEAL OF THE CORPORATION AND THE HANDS OF ITS PROPER OFFICERS.

JOANNE SAVAGE
MAYOR

MELANIE DUCHARME
CLERK

DRAFT FOR DISCUSSION PURPOSES ONLY