

AGENDA

WEST NIPISSING PLANNING ADVISORY COMMITTEE

VIRTUAL MEETING

Planning Advisory Committee
June 14, 2021, 6:00 PM Eastern Time

Join Zoom Meeting

<https://www.westnipissing.ca/town-hall/council/council-meetings/>

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1 647 558 0588 Canada

Meeting ID: 265 014 1204

Participant: #

Passcode: 654321

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 June 14, 2021,
 4. Adoption of Minutes of April 12, 2021, meeting
 5. **ZBLA2021/06**
Applicant: Michelle Abbott
Property: 174 West Bay Road, Monetville
 6. **ZBLA2021/07**
Applicant: Denis and Anne Bonin
Property: 249 Quesnel Road, Sturgeon Falls
 7. Adjournment.

Joie de vivre



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MINUTES

**Municipality of West Nipissing
Meeting for the Planning Advisory Committee
On April 12, 2021 at 06:00 PM
Chair: Denis Sénécal**

PRESENT: Yvon Duhaime
Christopher Fisher
Fernand Pellerin
Normand Roberge
Dan Roveda
Joanne Savage
Denis Sénécal

ABSENT:

1. CALL TO ORDER

2. DECLARATION OF PECUNIARY INTEREST

3. APPROVAL OF AGENDA

RESOLUTION #2021/012

Moved by: Christopher Fisher

Seconded by: Yvon Duhaime

That the Agenda for the meeting of April 12, 2021, be approved as presented.

CARRIED

4. MINUTES

RESOLUTION #2021/013

Moved by: Yvon Duhaime

Seconded by: Dan Roveda

That the Minutes of meeting held on March 8, 2021 be adopted, as presented.

CARRIED

5. ZONING AMENDMENT APPLICATION NO. ZBLA2021/01 Igor Bifir

RESOLUTION #2021/014

Moved by: Joanne Savage

Seconded by: Christopher Fisher

WHEREAS a public meeting was held for the purpose of amending Zoning By-Law 2014-45 for the property located on at 161 rue Main Street, Sturgeon Falls, being Part of Lot 19, W/S Main Street, Plan 11, Sturgeon Falls.

AND WHEREAS THE PURPOSE AND EFFECT of the proposed amendment is as to amend the zoning designation of the said property from C1-1 (General Commercial Exception Zone 1) to R-4 (Residential, Four, Exception Zone 3), as shown on the attached Schedule “A”;

AND WHEREAS written concerns and objections were received:

☒ YES or ☐ NO

BE IT RESOLVED THE WEST NIPISSING PLANNING ADVISORY COMMITTEE

☒ RECOMMENDS or ☐ DOES NOT RECOMMEND

that the Council for the West Nipissing Municipality adopts the proposed zoning by-law to rezone the property located on 161 rue Main Street, Sturgeon Falls as follows:

1. Schedule **SF5** of By-Law No. 2014/45 shall be amended by changing the zoning designation of the properties shown on sketch attached hereto, which properties are more particularly described as rue 161 Main Street, Sturgeon Falls, being Part of Lot 19 W/S Main Street, Plan 11, Sturgeon Falls.

EXCEPTION	BY-LAW	LOCATION	SCHEDULE	SPECIAL PROVISIONS
R4-3	2020/___	Part Lot 19, WS Main Street, Plan 11, Sturgeon Falls	SF5	See Schedule “A” Attached.

CARRIED

6. ZONING AMENDMENT APPLICATION NO. ZBLA2021/05 Roger Poitras

RESOLUTION #2021/015

Moved by: Christopher Fisher

Seconded by: Yvon Duhaime

WHEREAS a public meeting was held for the purpose of amending Zoning By-Law 2014-45 for the property located at 10537 Highway 17, Verner, Ontario;

AND WHEREAS written concerns and objections were received:

☐ YES or ☒ NO

BE IT RESOLVED THE WEST NIPISSING PLANNING ADVISORY COMMITTEE

☒ RECOMMENDS or ☐ DOES NOT RECOMMEND

that the Council for the West Nipissing Municipality adopts the proposed zoning by-law to rezone the property located at 10537 Highway 17, as follows:

Schedule **F3-1** of By-Law No. 2014/45 shall be amended by changing the zoning designation of the properties shown on Schedule ‘A’ attached hereto, which properties are more particularly described as Part Lot 8, Con. 4, Parts 1 – 12, NR2164, Township of Caldwell, Municipality of West Nipissing.

1. Municipality of West Nipissing, shown as hatched on Schedule ‘A’, attached hereto from RU (Rural) to RU-3 (Rural exception zone 3) to permit an accessory dwelling unit.

2. The provisions shall be as follows:

By-law	Location	Schedule	Special Provisions
2021/____	Part Lot 8, Con. 4, Parts 1 – 12, NR2164, Township of Caldwell, Municipality of West Nipissing	F3-1	<ul style="list-style-type: none">Permitted Accessory uses shall include a dwelling unit.

CARRIED

7. SUBDIVISION APPLICATION NO. SUBD2021/02 1369965 Ontario Limited and Rheal and Christine Marleau

RESOLUTION #2021/016

Moved by: Christopher Fisher

Seconded by: Yvon Duhaime

WHEREAS a Public meeting was held on April 12, 2021 for draft plan approval of a plan of subdivision on property located on Roy Street, Sturgeon Falls, Municipality of West Nipissing and more particularly described as Part of the North Half of Lot 5, Concession A, Township of Springer, owned by 1369965 Ontario Limited, Rheal and Christine Marleau;

AND WHEREAS written concerns have been received and considered

☐ Yes or ☒ No

AND WHEREAS Oral submissions were made at the said Public Meeting

☒ Yes or ☐ No

BE IT RESOLVED that the Planning Advisory Committee of West Nipissing

☒ **RECOMMENDS** or ☐ **DOES NOT RECOMMEND**

draft approval of the Application for Subdivision Approval made by **1369965 ONTARIO LIMITED and Rheal and Christine Marleau** for plan of subdivision located on Roy Street, Sturgeon Falls, Municipality of West Nipissing and more particularly described as Part of the North Half of Lot 5, Concession A, Township of Springer, *which draft plan shall be amended to include Parts 13 and 14, Plan 36R-8394 (amendment);*

CARRIED

7. DEEMING BY-LAW NO. D2021/01 Michel Holdings Ltd.

RESOLUTION #2021/017

Moved by: Christopher Fisher

Seconded by: Yvon Duhaime

WHEREAS the Owner of Lots 7, 8 and 9 Registered Plan 36M-598, (the “Lands”) has applied to the Municipality to have the Lands deemed not to be lots on a Registered Plan of Subdivision pursuant to Section 50(4) of the *Planning Act*, R.S.O., c. P. 13.

THEREFORE BE IT RESOLVED that the West Nipissing Planning Advisory Committee recommends that Council for the Municipality of West Nipissing pass a By-law deeming lots 7, 8 and 9, Plan 36M-598 not to be a lot on a plan of Subdivision.

CARRIED

8. AMENDMENT – CAMPING TRAILER BY-LAW

The Committee resumed discussions regarding the ongoing matter of implementation of a by-law to regulate camper/trailers in the Municipality of West Nipissing. Notwithstanding recommendations made by staff with regard to proposed consultation given the COVID restrictions, most members of the Committee indicated an unwillingness to carry out a virtual public consultation stating concerns about lack of access/ability to navigate electronic methods. Following discussion, it was generally agreed that the matter should be held in abeyance until such time as in-person consultation can be undertaken.

9. ADJOURNMENT

RESOLUTION #2021/018

Moved by: Normand Roberge

Seconded by: Christopher Fisher

BE IT RESOLVED that the West Nipissing Planning Advisory Committee meeting of April 12, 2021 be adjourned to May 10, 2021.

CARRIED

PLANNING REPORT

Proposed Plan of Zoning Amendment File No. ZBLA2021/06

Applicants: Michelle Abbott

Date: June 14, 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 174 West Bay Road, Monetville, Ontario.

2. SITE AND BACKGROUND INFORMATION

The property is located on West Bay Road, a portion of which is municipally owned and maintained and a portion of which remains accessed by private rights of way. This property is located on the portion of the road which is private.

3. DEVELOPMENT PROPOSAL

The owner is proposing to re-zone the property from RU (Rural) to RU-4 (Rural exception zone 4) to permit a secondary dwelling.

4. POLICY CONTEXT

Land use policies and regulations affecting the subject lands include the Planning Act, R.S.O., 1990 and the associated 2014 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 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.

4.1.1 Section 1.1.5 – Rural Areas in Municipalities

The subject lands are not located within a settlement area and are therefore subject to Section 1.1.4 and 1.1.5 of the PPS. Specifically, Section 1.1.5.2 states that “*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) limited residential development; (d) home occupations and home industries; (e) cemeteries and; (f) other rural land uses*”. These uses (including agricultural uses) are considered to be the only uses permitted within rural areas.

Resource-based recreational uses, including recreational dwellings are uses that are related to a natural recreational resource such as a lake, river, or ski hill. In this case the development of lots for recreational dwellings adjacent to the waterfront would be consistent with Section 1.1.5 of the PPS. The proposed development is consistent with the guidelines published in “*An Introduction to the Provincial Policy Statement, 2014: Rural Ontario*”, released by the Province in August 2016.

4.1.2 Section 1.6.6 – Sewage, Water and Storm Water

Section 1.6.6.4 of the 2014 PPS requires that where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not provided,

individual on-site sewage services and individual on-site water services may be used, provided that site conditions are suitable for the long-term provision of such services with no negative impacts.

The subject property is located in a rural area where no municipal sewage and water services are available and therefore individual on-site servicing for the development is the most appropriate method of servicing a low-density residential development on the subject lands.

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 Rural 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:

5.1.1 3.06.3 Rural Area

The Official Plan states that lands which are not located within a designated urban or rural settlement area shall be considered to be part of the Rural Area. This area is characterized by its wide-open spaces or country-side setting where the make-up of development consists of farms, cross road settlements, scattered residential uses, pits and quarries and a variety of other rural-type uses. The Rural Area, is classified in this Plan by several Land Use Districts and Resource Lands. Each of these districts and type of resource lands constitute a separate land use designation.

Development is typically serviced by individual on-site water supply and sewage disposal systems.

5.1.2 Table 3.1 – Permitted Land Uses

The proposed residential use is consistent with the policies of the West Nipissing 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)

5.1.4 Natural Heritage Features and Areas

Natural heritage features and areas are those areas which are important for their environmental and social values as a legacy of the natural landscapes of the area. Collectively, the individual *natural heritage features and areas* within the Municipality form a natural heritage system.

Adjacent lands

Development and/or site alteration may be permitted on *adjacent lands* to a *natural heritage feature or area* where the Municipality is satisfied that there will be no *negative impacts* on the natural features or the *ecological functions* for which the area is identified. The Municipality will use the Natural Heritage Reference Manual as a means to identify *adjacent lands*.

The subject property has been identified as having natural heritage features in the form of nesting sites and unevaluated wetlands. The proposed development is not anticipated to encroach on these areas and will take place within the woodland areas as shown on the attached Natural Heritage Features mapping provided by the Ministry of Natural Resources and Forestry.

5.2 Zoning By-Law

The proposal is to re-zone the property from RU (Rural) to RU-4 (Rural exception zone 4). The lot is well in excess of the required minimum for residential development.

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. In the Municipality of West Nipissing areas within the Hazard Zone are designated within the Site Plan Control Area.

Section 1B(g) of the Site Plan Control By-Law provides that any lands abutting a waterbody or water course or human made hazard or natural heritage features shall be subject to the provisions of the By-Law. The property herein is within an area of Site Plan Control due to the Hazard Zone Overlay and the Natural Heritage Features (Nesting Sites and Unclassified wetlands). Accordingly, the committee may wish to consider requiring the proponent to enter into a Site Plan Control Agreement.

6. PRIVATE ROAD/RIGHT OF WAY

The property is located beyond the municipally maintained and travelled portion of West Bay Road.

Development on the property will be subject to the provisions of Section 4.23.3 of By-law No. 2014-45 as it relates to development on Private Roads.

7. 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 2. In addition, comments of the West Nipissing Public Works Manager and Chief Building Official are also attached as Appendix 3.

9. 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.

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 RU (Rural) to RU-4 (Rural Exception Zone 4 to permit a second dwelling is in conformity with the West Nipissing Official Plan and the Provincial Policy Statements.

Respectfully Submitted,



Melanie Ducharme, Planner

Figure 1 – Aerial Imagery

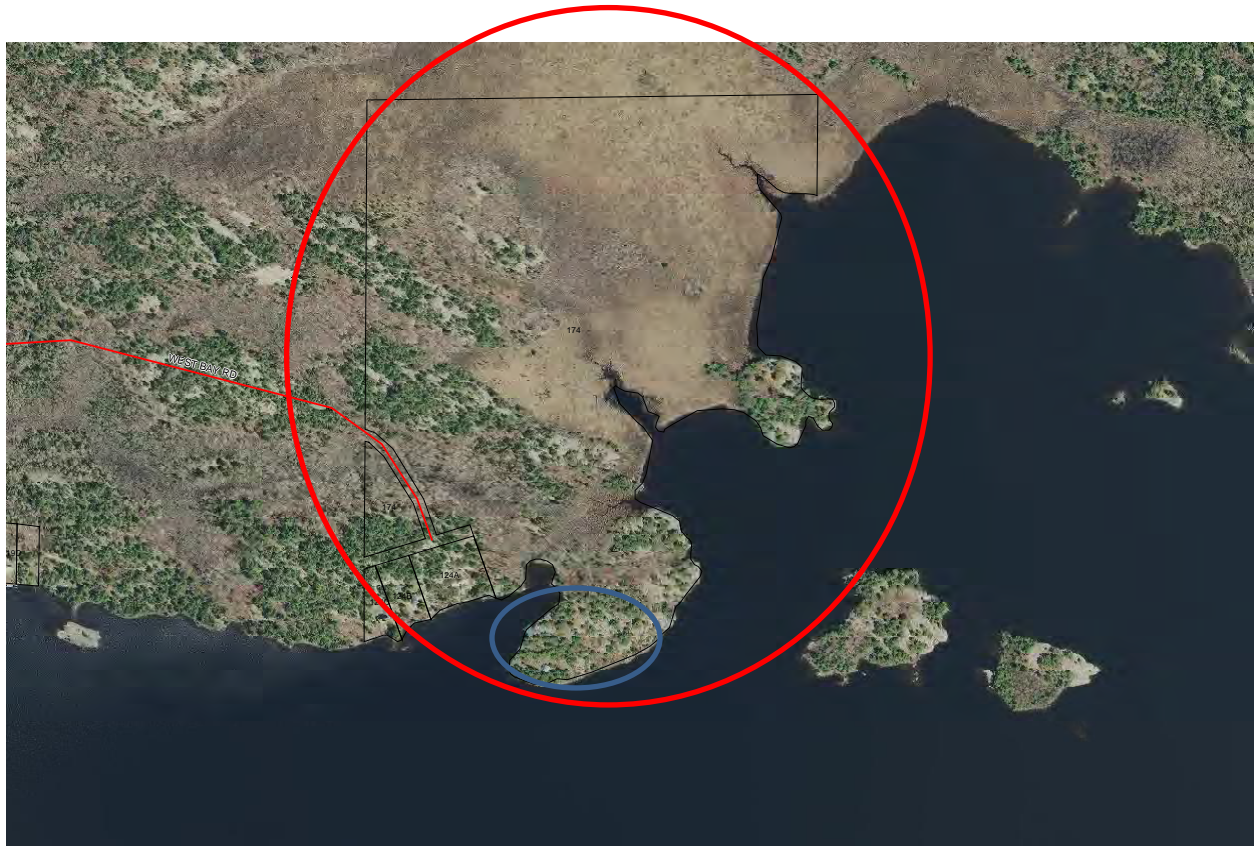


Figure 2 – Key Map



Figure 3 – West Nipissing Official Plan – Land Use Schedule

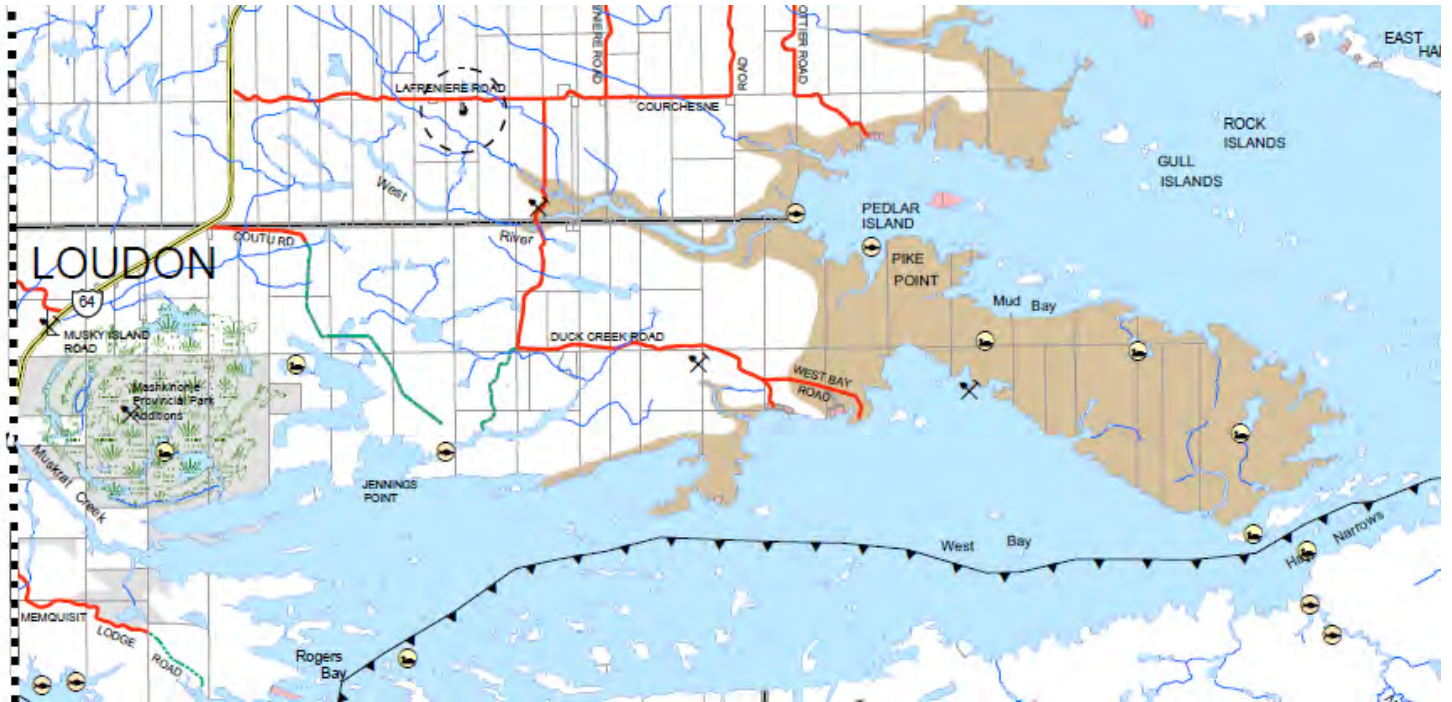


Figure 4 – West Nipissing Zoning By-law No. 2014-45

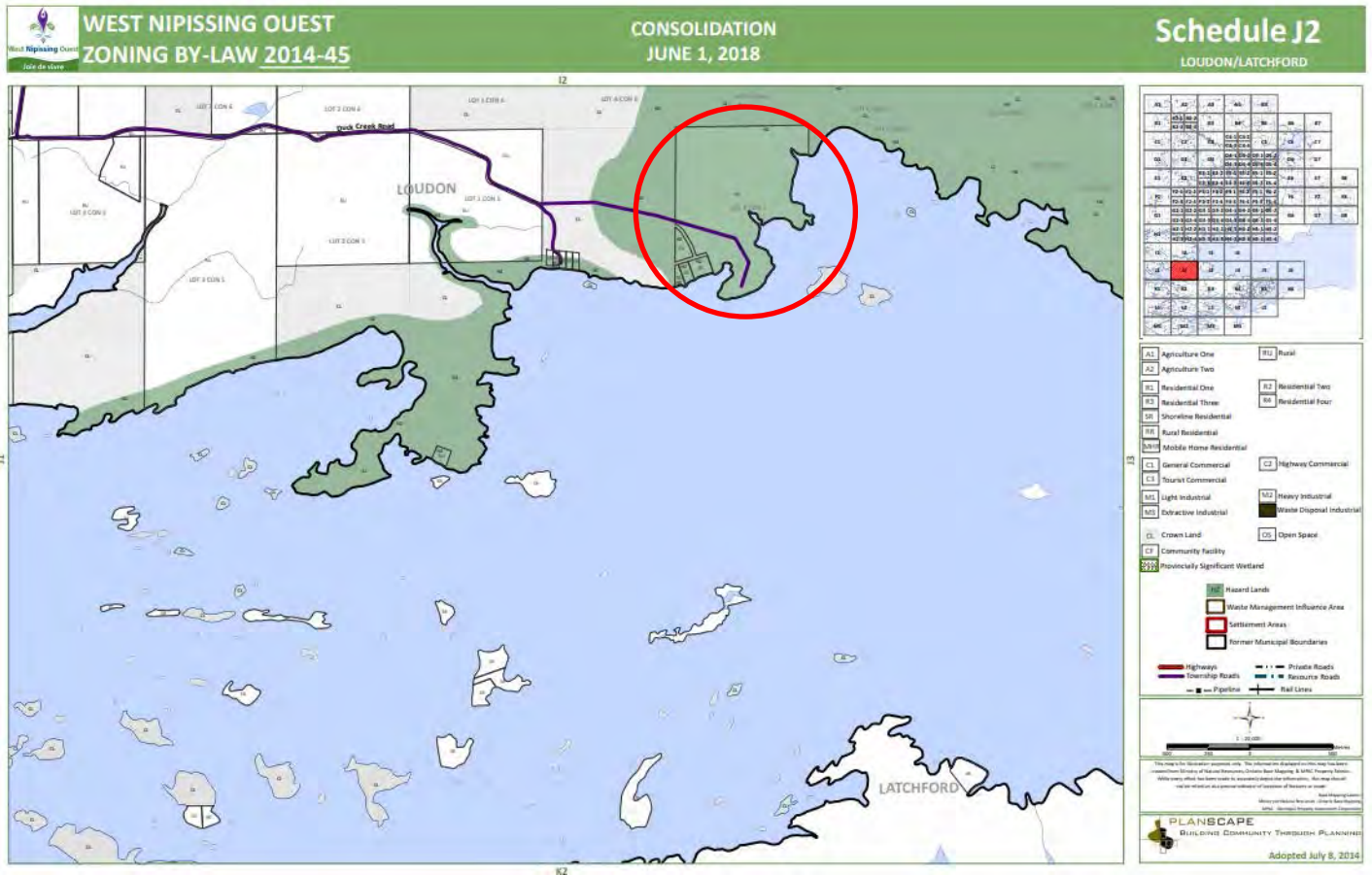
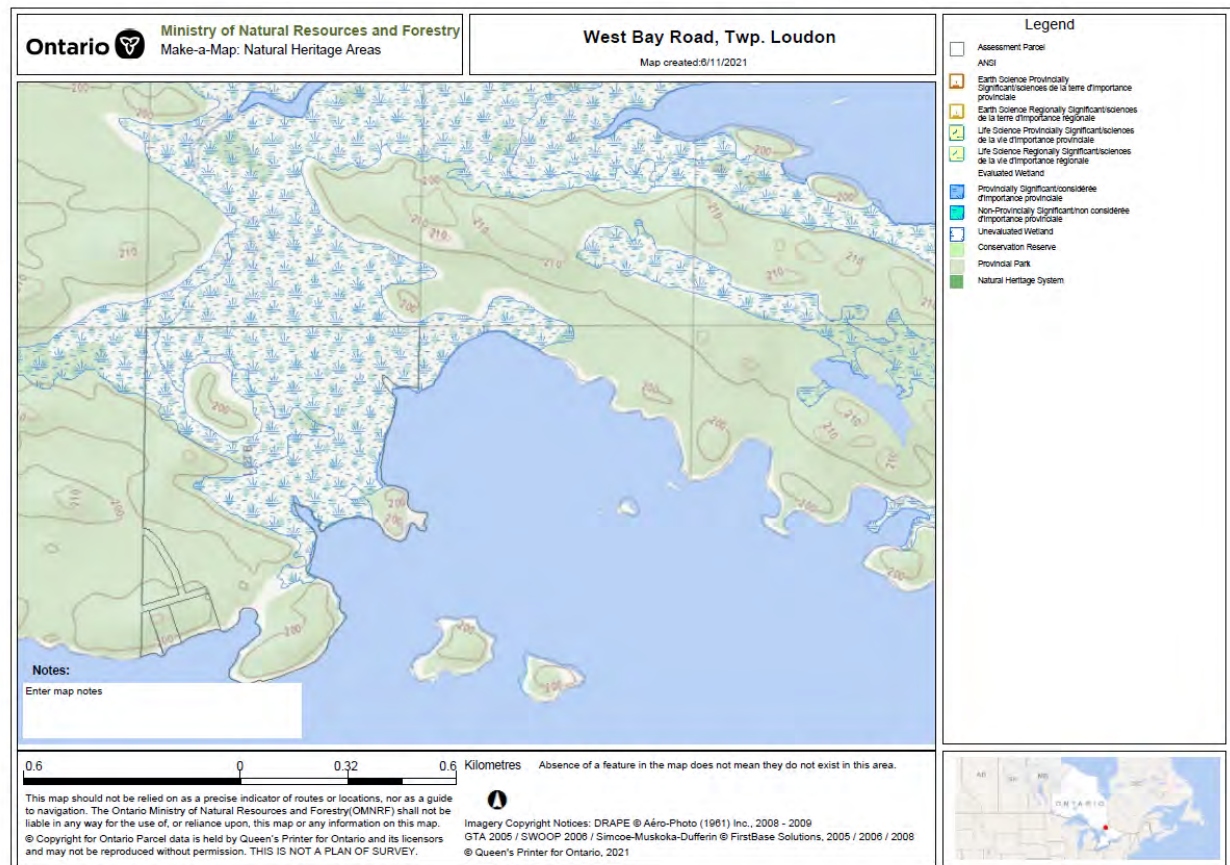



Figure 5 – MNRF Natural Heritage Feature Mapping



Appendix 1 – Agency Comments



West Nipissing Ouse

WEST NIPISSING PLANNING ADVISORY COMMITTEE

MEETING HELD JUNE 14, 2021

RECORD OF ALL COMMENTS

APPLICATION	BELL CANADA	MTQ	HYDRO ONE	GREATER SUDBURY UTILITIES	CN / CP RAILWAYS	PUBLIC WORKS DEPT.	BUILDING DEPT.
ZBLA2021/06	•	• No objections	•	•	•	<ul style="list-style-type: none"> • No water or sanitary • No foreseeable road issues • Not maintained 	• No issues

PLANNING REPORT

Proposed Plan of Zoning Amendment File No. ZBLA2021/07

Applicants: Denis and Anne Bonin

Date: June 14, 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 249 Quesnel Road, Sturgeon Falls, ON, Ontario.

2. SITE AND BACKGROUND INFORMATION

The property is located on Quesnel Road, which is maintained year-round by the Municipality of West Nipissing.

3. DEVELOPMENT PROPOSAL

The owner is proposing to re-zone the property from RR (Rural Residential) to RR-5(a) and (b) (Rural Residential Exception Zone 5(a) and (b)).

RR-5(a): To construct a second dwelling on the severed portion of the property (Concurrent file No. C34/21) and to reduce the minimum lot frontage of the property from 60m (200') to 45m (150').

RR-5(b): To reduce the minimum lot frontage of retained portions of the property from 60m (200') to 45m (150').

4. POLICY CONTEXT

Land use policies and regulations affecting the subject lands include the Planning Act, R.S.O., 1990 and the associated 2014 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 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.

4.1.1 Settlement Areas

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.

4.1.2 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.

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

4.1.3 Section 1.6.6 – Sewage, Water and Storm Water

Section 1.6.6.4 of the 2014 PPS requires that where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not provided, individual on-site sewage services and individual on-site water services may be used, provided that site conditions are suitable for the long-term provision of such services with no negative impacts.

The subject property is located in a rural area where no municipal sewage and water services are available and therefore individual on-site servicing for the development is the most appropriate method of servicing a low-density residential development on the subject lands.

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 Rural 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:

5.1.2 Table 3.1 – Permitted Land Uses

The proposed residential use is consistent with the policies of the West Nipissing 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 current zoning of the property RR permits a dwelling and accessory structures as well as the uses shown in Tables 6.1 and 6.2, subject to the lot standards set out in Table 6.3. The proposal is to amend the zoning designation of the property from Rural Residential (RR) to Rural Residential Exception Zone in order to permit a second dwelling as a permitted principle use on the property. Further, as the property is the subject of a concurrent severance application and, if approved, the site will consist of two (2) lots, the designations have been identified as RR-5(a) and RR-5(b). Both sites require an amendment to the zoning by-law in order to reduce the minimum lot frontage from the required 60m to 45m.

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. All properties which are the subject of Planning Approvals may be placed under site plan control for the orderly development of the property; however it is not anticipated that the proposed development on the subject property will require any oversight additional to the normal zoning by-law provisions and Site Plan Control is not recommended in this application.

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 2014. 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 RR (Rural Residential) to RR-5 (Rural Residential Exception Zone 5(a) and (b) to permit a second dwelling and to reduce the minimum lot frontage(s) is in conformity with the West Nipissing Official Plan and the Provincial Policy Statements.

Respectfully Submitted,

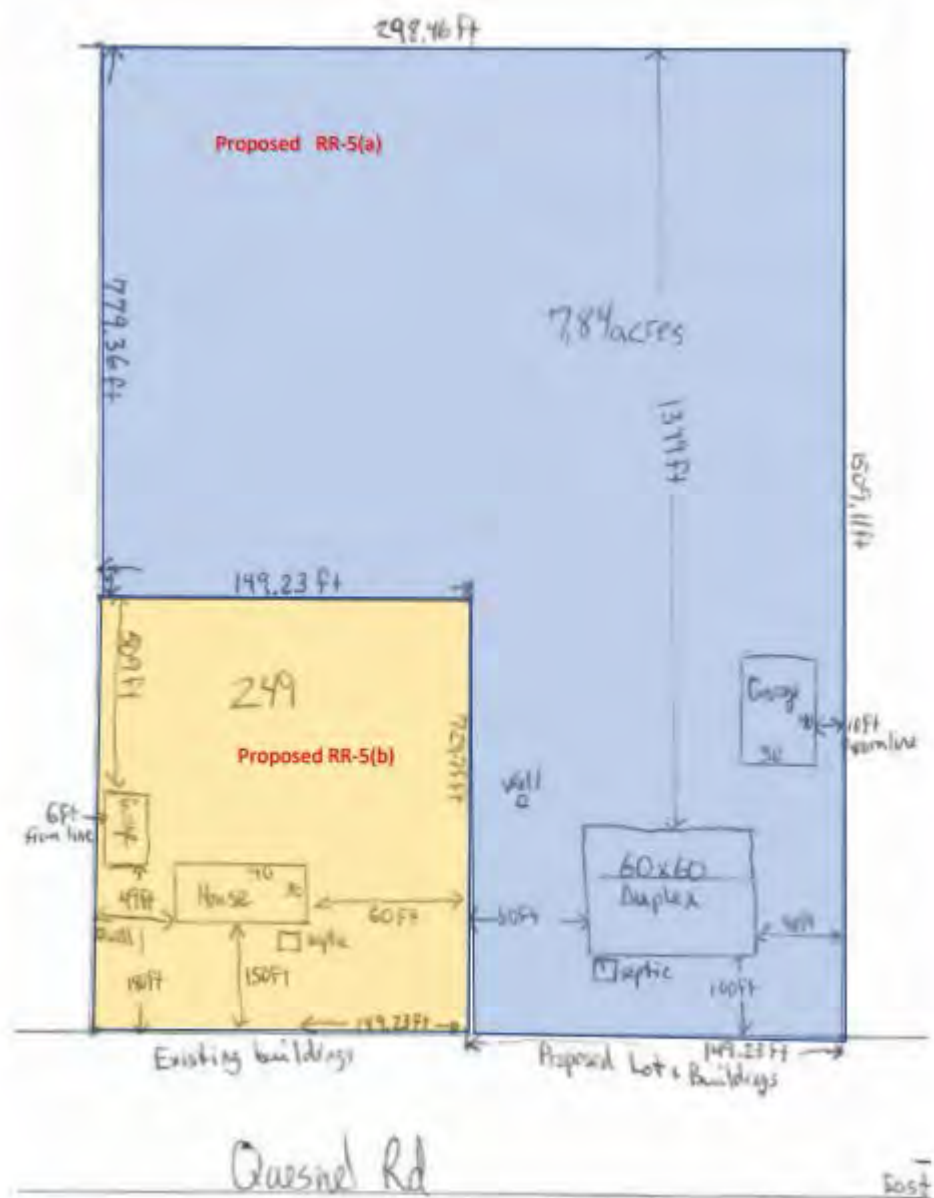
A handwritten signature in black ink, appearing to read 'Melanie Ducharme', written over a horizontal line.

Melanie Ducharme, Planner

Figure 1 – Aerial Imagery



Figure 2 – Sketch of Proposed Development



Not to Scale

Figure 3 – West Nipissing Official Plan – Land Use Schedule

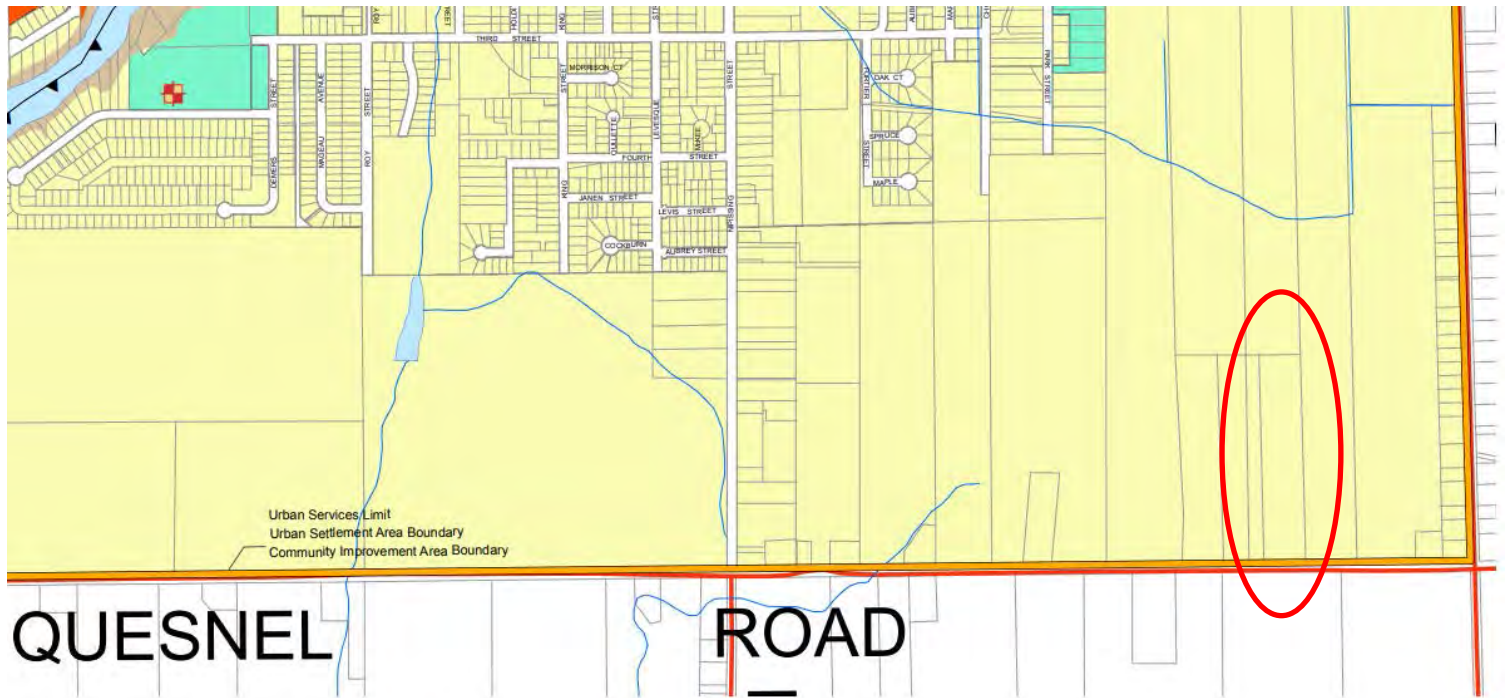
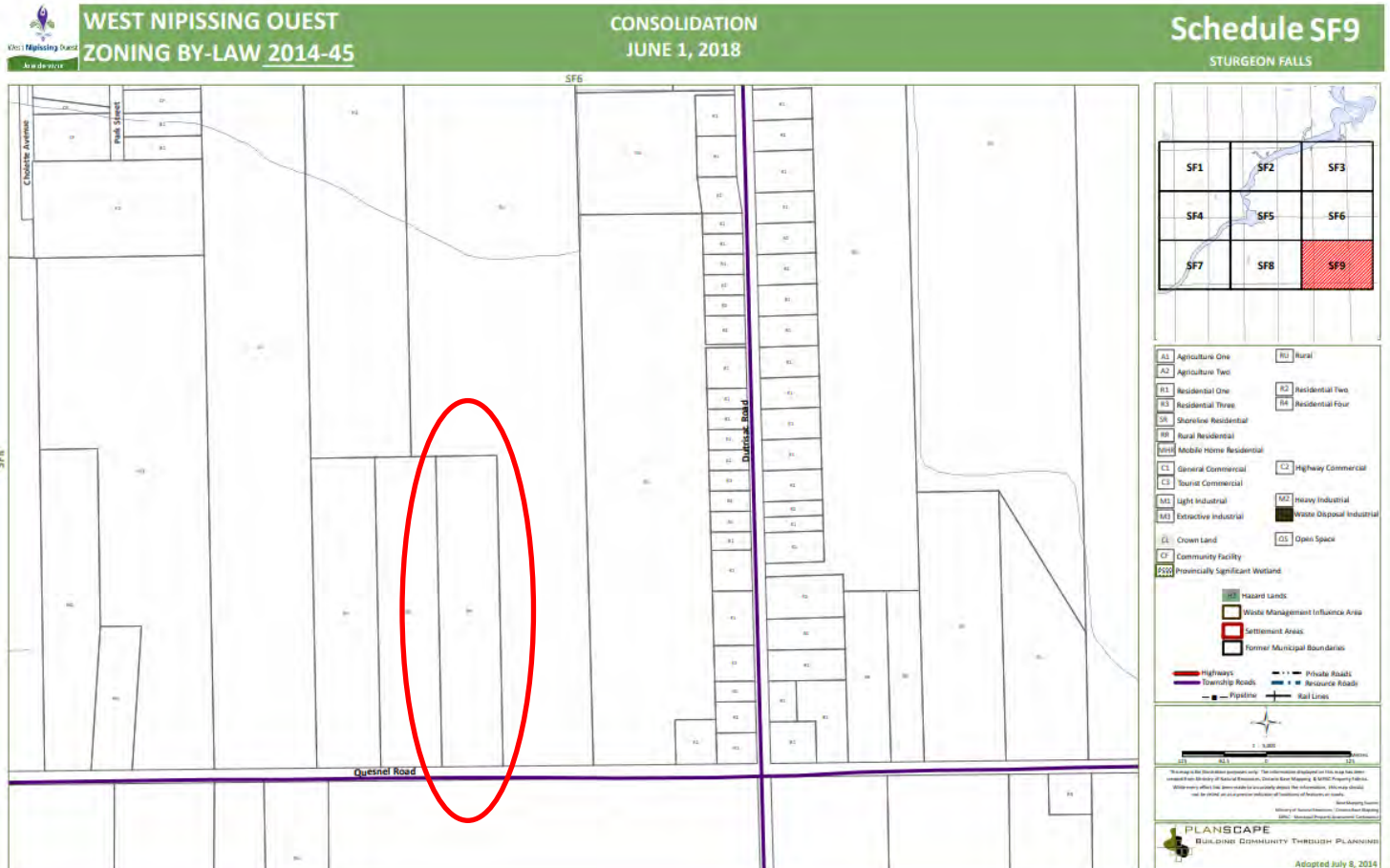


Figure 4 – West Nipissing Zoning By-Law No. 2014-45



Appendix 1 – Agency Comments

<div>  <div> WEST NIPISSING PLANNING ADVISORY COMMITTEE MEETING HELD JUNE 14, 2021 </div> </div>							
RECORD OF ALL COMMENTS							
APPLICATION	BELL CANADA	MTO	HYDRO ONE	GREATER SUDBURY UTILITIES	CN / CP RAILWAYS	PUBLIC WORKS DEPT.	BUILDING DEPT.
ZBLA2021/07	•	• No objections	•	•	•	<ul style="list-style-type: none"> • No water or sanitary • No foreseeable road issues 	• No issues