

# AGENDA

## WEST NIPISSING PLANNING ADVISORY COMMITTEE

### VIRTUAL MEETING

Planning Advisory Committee  
July 12, 2021, 6:00 PM Eastern Time

Join Zoom Meeting

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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 July 12, 2021,
  4. Adoption of Minutes of June 14, 2021, meeting
  5. **ZBLA2021/08**  
Applicant: Sturgeon Falls Brush & Manufacturing Ltd.  
Property: 15 Landfill Site Road/Highway 17, Pedley Twp.
  6. **ZBLA2021/09**  
Applicant: Georges Brouillette  
Property: 140 Promenade du Lac, Sturgeon Falls
  7. Adjournment.

# Joie de vivre



[www.westnipissingouest.ca](http://www.westnipissingouest.ca)



## MINUTES

**Municipality of West Nipissing  
Meeting for the Planning Advisory Committee  
On June 14, 2021 at 06:00 PM  
Chair: Denis Sénécal**

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

**ABSENT:** Joanne Savage

### 1. CALL TO ORDER

### 2. DECLARATION OF PECUNIARY INTEREST

### 3. APPROVAL OF AGENDA

#### **RESOLUTION #2021/019**

Moved by: Christopher Fisher

Seconded by: Denis Sénécal

That the Agenda for the meeting of June 14, 2021, be approved as presented.

**CARRIED**

### 4. MINUTES

#### **RESOLUTION #2021/020**

Moved by: Christopher Fisher

Seconded by: Yvon Duhaime

That the Minutes of meeting held on April 12, 2021 be adopted, as presented.

**CARRIED**

### 5. ZONING AMENDMENT APPLICATION NO. ZBLA2021/06 Michelle Abbott

#### **RESOLUTION #2021/021**

Moved by: Normand Roberge

Seconded by: Christopher Fisher

**WHEREAS** a public meeting was held for the purpose of amending Zoning By-Law 2014-45 for the property located at 174 West Bay Road, Monetville, 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 174 West Bay Road, as follows:

Schedule **J2** 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 PCL 20173, NIP, Broken Lot B, Concession 5, Loudon Township, Municipality of West Nipissing, shown as hatched on Schedule 'A', attached hereto from RU (Rural) to RU-8 (Rural exception zone 8) to permit a second dwelling.

The provisions shall be as follows:

By-law	Location	Schedule	Special Provisions
2021/ ____	PCL 20173, NIP, Broken Lot B, Concession 5, Loudon Township, Municipality of West Nipissing	J2	<ul style="list-style-type: none"><li>Permitted principal uses shall include a second accessory dwelling.</li></ul>

**CARRIED**

## **6. ZONING AMENDMENT APPLICATION NO. ZBLA2021/07 Denis and Anne Bonin**

### **RESOLUTION #2021/022**

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 249 Quesnel Road, Sturgeon Falls, 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 249 Quesnel Road, as follows:

Schedule **SF9** 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 2, Concession A, 36R10598 Part 4, Springer Township, Municipality of West Nipissing, shown as hatched on Schedule 'A', attached hereto from RU (Rural) to RR-9 (a) and (b) (Rural exception zone 9 (a) and (b)) as follows:

The provisions shall be as follows:

By-law	Location	Schedule	Special Provisions
2021/____	Part Lot 2, Concession A, 36R10598 Part 4, Springer Township, Municipality of West Nipissing	SF9	9(a): - Permitted principle uses shall include a duplex - Front yard set-back shall be 45m  9 (b): - Front yard set-back shall be 45m

**CARRIED**

## **9. ADJOURNMENT**

### **RESOLUTION #2021/018**

Moved by: Dan Roveda

Seconded by: Christopher Fisher

**BE IT RESOLVED** that the West Nipissing Planning Advisory Committee meeting of June 14, 2021 be adjourned to July 12, 2021.

**CARRIED**

# PLANNING REPORT

Proposed Plan of Zoning Amendment File No. ZBLA2021/08

Applicant: Sturgeon Falls Brush & Manufacturing Ltd.

Date: July 9, 2021



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## 1. INTRODUCTION

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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 15 Landfill Site Road, Sturgeon Falls, being described as Part of Lot 9, Concession 1, being Part 1, 36R-12791 and Part 1, 36R-11543, Township of Pedley. The property is owned by Sturgeon Falls Brush & Manufacturing Inc. The subject property is located on the west side of Landfill Site Road and north of Highway 17. The property is in proximity to the West Nipissing Landfill Site.

## 3. DEVELOPMENT PROPOSAL

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The Applicant is proposing to re-zone the property from M1 (Light Industrial Zone) to M2 (Heavy Industrial Zone) in order to establish a sawmill operation which is complementary to existing services provided by the owner whose main business is brush cutting. The property, if re-zoned, could also be used for any use set out in Table 8.1 and 8.1 subject to the lot standard provisions of Table 8.3.

## 4. POLICY CONTEXT

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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 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.

#### 1.3 [Employment](#)

##### 1.3.1 Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;
- d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and
- e) ensuring the necessary infrastructure is provided to support current and projected needs.

#### 1.3.2 [Employment Areas](#)

- 1.3.2.1 Planning authorities shall plan for, protect and preserve employment areas for current and future uses and ensure that the necessary infrastructure is provided to

support current and projected needs

- 1.3.2.2 At the time of the official plan review or update, planning authorities should assess employment areas identified in local official plans to ensure that this designation is appropriate to the planned function of the employment area.

Employment areas planned for industrial and manufacturing uses shall provide for separation or mitigation from sensitive land uses to maintain the long-term operational and economic viability of the planned uses and function of these areas.

- 1.3.2.3 Within employment areas planned for industrial or manufacturing uses, planning authorities shall prohibit residential uses and prohibit or limit other sensitive land uses that are not ancillary to the primary employment uses in order to maintain land use compatibility.

Employment areas planned for industrial or manufacturing uses should include an appropriate transition to adjacent non-employment areas.

- 1.3.2.4 Planning authorities may permit conversion of lands within employment areas to non-employment uses through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

- 1.3.2.5 Notwithstanding policy 1.3.2.4, and until the official plan review or update in policy 1.3.2.4 is undertaken and completed, lands within existing employment areas may be converted to a designation that permits non-employment uses provided the area has not been identified as provincially significant through a provincial plan exercise or as regionally significant by a regional economic development corporation working together with affected upper and single-tier municipalities and subject to the following:

- there is an identified need for the conversion and the land is not required for employment purposes over the long term;
- the proposed uses would not adversely affect the overall viability of the employment area; and
- existing or planned infrastructure and public service facilities are available to accommodate the proposed uses.

- 1.3.2.6 Planning authorities shall protect employment areas in proximity to major goods movement facilities and corridors for employment uses that require those locations.

- 1.3.2.7 Planning authorities may plan beyond 25 years for the long-term protection of employment areas provided lands are not designated beyond the planning horizon identified in policy 1.1.2.

## 5. LOCAL POLICY DOCUMENTS

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Local policy documents include the, [West Nipissing Official Plan](#) , [West Nipissing Zoning By-law 2014-45](#) 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 6 April 15, 2008 and approved by the Ministry of Municipal Affairs and Housing on December 7, 2011. The following provides a summary of the existing Official Plan policies and relevant considerations for the site:

#### 3.06(7) [Economic Development Policies](#)

This Plan recognizes the social and environmental benefits of living and working within the same community. However, it is recognized that the majority of the resident labour force of



West Nipissing works outside of the community. The majority of these “commuters” work in nearby Sudbury and North Bay. With the growth in the retail sector in the two larger Cities, West Nipissing faces significant challenges in retaining and expanding its retail economic base.

Promoting the strengths of the local economy and the challenges which exist, this Plan establishes a clear policy direction which will provide a positive climate for economic investment and job creation.

#### 3.06.8(4) Industrial Areas

*Industries should be located to take advantage of existing or planned **infrastructure** or transportation services (rail, road); in proximity to natural resources where there is a dependency on such materials for processing or manufacturing; or where they can optimize the use of the labour market or can take advantage of new technologies. Locations shall be avoided which will create land use conflicts or where the type of industry has the potential to pollute groundwater or surface water resources (e.g. sensitive aquifers, recharge areas or well head protection areas) (see also **Section 3.06.6.5** for land use compatibility guidelines and requirements).*

*Mixed use business parks and employment areas are encouraged and should be designed through zoning and site plan control to facilitate the integration of complementary industrial and commercial land uses.*

*The Municipality may establish specifically designated areas for industrial uses through zoning. Such areas should be designed to cluster industrial uses in one area of the community i.e. **Employment District**. Access should be controlled through such measures as definable and curbed access points, shared access or service roads for multiple developments, prescribed spacing and number of access points to each other and to intersections. Access to industrial areas shall not be permitted through a residential area.*

*Areas for outdoor storage, parking, loading, and waste receptacles should be visually screened or appropriately located in such a way as to not detract the traveling public or negatively affect other nearby land uses, particularly **sensitive land uses**.*

*Water supply and sewage disposal systems shall be installed in conformity with **Section 4.06.3** of this Plan.*

*Controls will be exercised to avoid excessive or distractive signage in or adjacent to industrial areas.*

*Where the intensification, expansion or conversion of/to an industrial uses(s) 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.*

Table 3.1 – Permitted Land Uses in Designated Urban and Rural Settlement Areas and the Rural Area

<b>Land Use Category<sup>1</sup></b>	<b>Urban Settlement Area</b>	<b>Rural Settlement Area</b>	<b>RURAL AREA</b>	
			<b>Waterfront District</b>	<b>Rural District</b>
<b>Scope of Permitted Industrial Uses in District</b> (see also <b>Sections 3.06.6.5, 3.06.8.4</b> )	<b><u>Employment District:*</u></b> <ul style="list-style-type: none"> <li>Class I, II and III industrial uses (see reference documents i.e. Guideline D-6 for description of industrial classes)</li> <li>-Commercial uses which compliment or are compatible with any permitted industrial use or commercial uses which are deemed suitable by a the Municipality. *These provisions shall apply in the vicinity of Sturgeon Falls/Cache Bay, Verner and Field.</li> <li>-mineral exploration and prospecting except where prohibited by provincial law</li> </ul>	<b><u>Employment Uses:</u></b> <ul style="list-style-type: none"> <li>Class I and II industrial uses (see reference documents i.e. Guideline D-6 for description of industrial classes)</li> <li>Commercial uses which compliment or are compatible with any permitted industrial use</li> <li>Mineral exploration and prospecting except where prohibited by provincial law</li> </ul>	<ul style="list-style-type: none"> <li>No industrial use is permitted within the Waterfront Area. Any industrial uses shall require an amendment to this Plan.</li> </ul>	<b><u>Employment District:</u></b> <ul style="list-style-type: none"> <li>Class I, II and III industrial uses and resource related industrial uses</li> <li>transportation and distribution industries</li> </ul> <b><u>Salvage Yard District:</u></b> <ul style="list-style-type: none"> <li>salvage yards</li> <li>(see reference documents i.e. Guideline D-6 for description of industrial classes)</li> <li>mineral exploration and prospecting except where prohibited by provincial law</li> </ul>

## 5.2 **Zoning By-Law**

The proposal is to re-zone the property from M1 (Light Industry) to M2 (Heavy Industrial). The permitted uses for the Industrial Zones are attached as Figure 5. Any new development on the lands will be required to be in conformity with Tables 8.1, 8.2 and 8.3 of the West Nipissing zoning By-Law 2014-45.

In addition to the permitted uses, the property will be required to be in conformity with the provisions of the by-law relating to buffering, landscaping, parking, outdoor storage, Outdoor display.

## 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 Industrial zones as well as properties which are the subject of planning approvals are designated within the Site Plan Control Area.

The municipality reserves the right to require the owner to enter into a Site Plan Control Agreement in the future.

## 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. Comments and concerns received are attached Appendix 1.

## **7. SUMMARY AND RECOMMENDATIONS**

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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 M1 (Light Industry) to M2 (Heavy Industry) is in general conformity with the West Nipissing Official Plan.

It is recommended that the property be rezoned from M1 (Light Industry) to M3 (Heavy Industry).

Respectfully Submitted,



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Melanie Ducharme, Planner

Figure 1 – Sketch

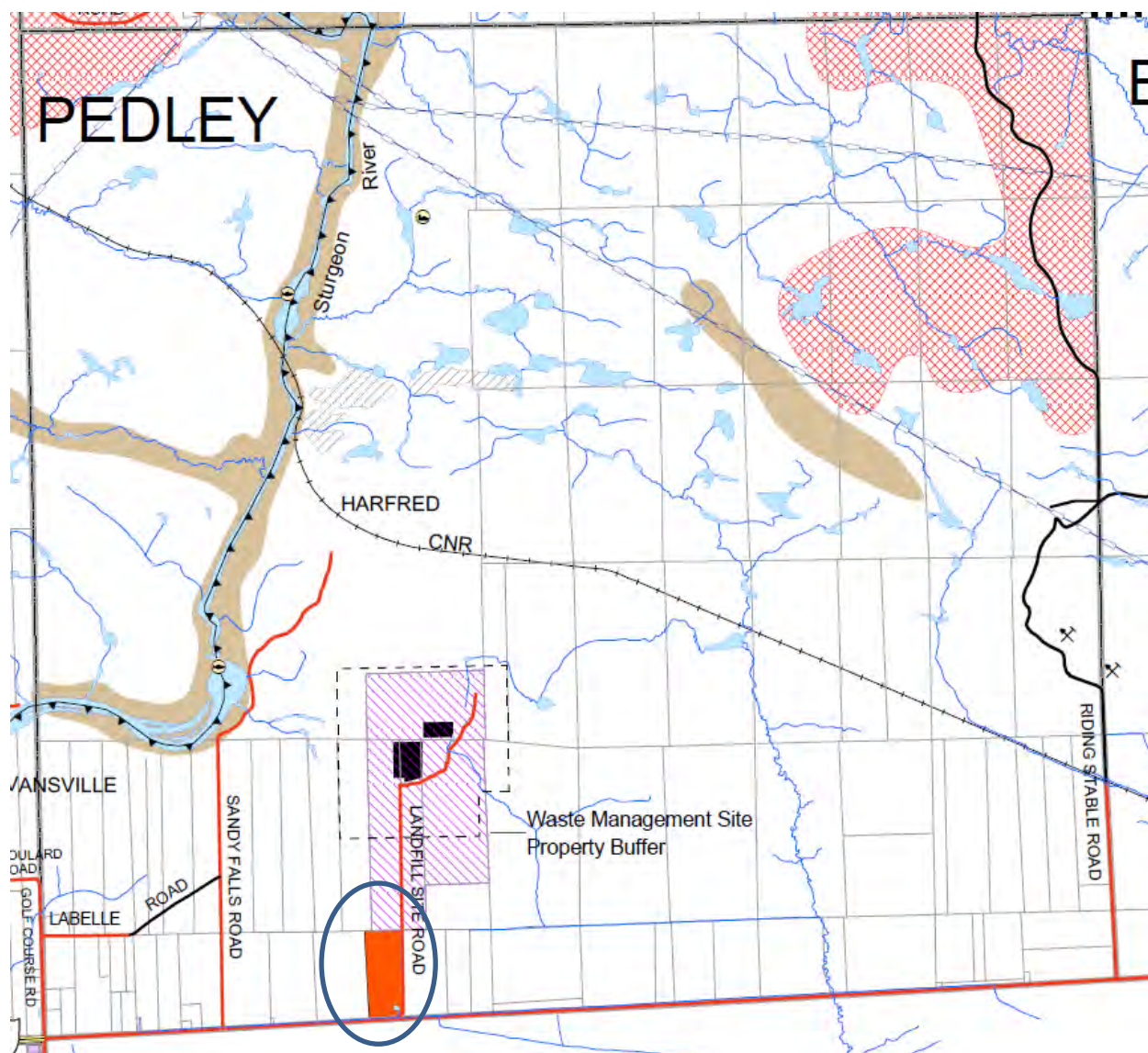




**Figure 2 – Aerial Imagery**

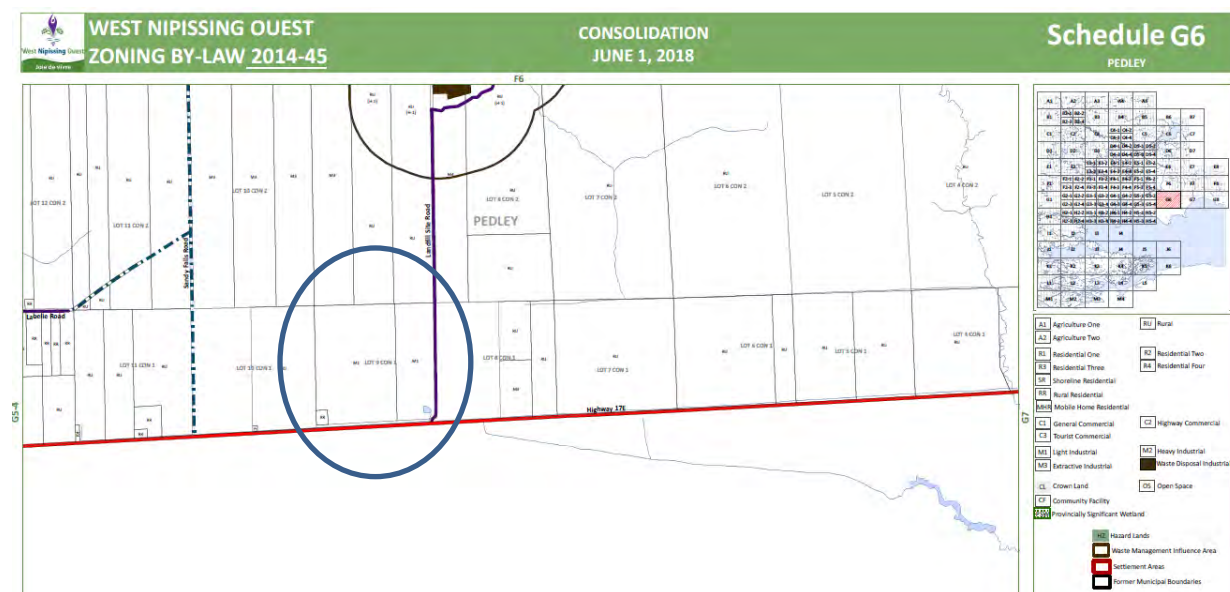


Figure 3 – West Nipissing Official Plan – Land Use Schedule






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



## Appendix 1 –Correspondence/Public Comments

 <div>WEST NIPISSING PLANNING ADVISORY COMMITTEE</div> <div>MEETING HELD JULY 12, 2021</div>							
RECORD OF ALL COMMENTS							
APPLICATION	BELL CANADA	MTO	HYDRO ONE	GREATER SUDBURY UTILITIES	CN / CP RAILWAYS	PUBLIC WORKS DEPT.	BUILDING DEPT.
<b>ZBLA2021/08</b> <b>Sturgeon Falls</b> <b>Brush and</b> <b>Contracting</b>	.	.	.	.	.	<ul style="list-style-type: none"> <li>No road, no water, no sanitary, no storm sewer</li> <li>Drainage and entrance to MTO Hwy 17 jurisdiction</li> </ul>	<ul style="list-style-type: none"> <li>No issues</li> </ul>



# PLANNING REPORT

Proposed Plan of Zoning Amendment File No. ZBLA2021/09

Applicants: Georges Brouillette by his  
Agent, Kevin Jarus, Tulloch Engineering

Date: July 9, 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 140 Promenade du Lac, Sturgeon Falls, Ontario.

## **2. SITE AND BACKGROUND INFORMATION**

The property is located on Promenade du Lac, a municipally maintained and travelled road. The lot area consists of +/-0.42 of a hectare (+/-1 acre). The property was the subject of an application for severance and zoning amendment in 2019, both of which were refused by the committee as the proposed severances would have resulted in two (2) lots which did not meet the policies of the West Nipissing Official Plan and zoning by-law with respect to frontage and lot area.

## **3. DEVELOPMENT PROPOSAL**

The owner is proposing to re-zone the property from SR (Shoreline Residential) to SR-12 (Shoreline Residential Exception zone 12) in order to construct a second dwelling. The new dwelling will have its own septic

## **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. – Managing and Directing Land Use to achieve Efficient and Resilient Development and Land Use Patterns**

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 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;

#### **4.1.2 Section 1.4 – Housing**

1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

- b) permitting and facilitating:
  - 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and
  - 2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;
- c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

#### **4.1.3 Section 1.6.6 – Sewage, Water and Storm Water**

1.6.6.1 Planning for sewage and water services shall:

- a) accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:
  - 1. municipal sewage services and municipal water services; and
  - 2. private communal sewage services and private communal water services, where municipal sewage services and municipal water services are not available or feasible;
- b) ensure that these systems are provided in a manner that:
  - 1. can be sustained by the water resources upon which such services rely;
  - 2. prepares for the impacts of a changing climate;
  - 3. is feasible and financially viable over their lifecycle; and
  - 4. protects human health and safety, and the natural environment;
- c) promote water conservation and water use efficiency;
- d) integrate servicing and land use considerations at all stages of the planning process; and
- e) be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5. For clarity, where municipal sewage services and municipal water services are not available, planned or feasible, planning authorities have the ability to consider the use of the servicing options set out through policies 1.6.6.3, 1.6.6.4, and 1.6.6.5 provided that the specified conditions are met.

1.6.6.3 Where municipal sewage services and municipal water services are not available, planned or feasible, private communal sewage services and private communal water services are the preferred form of servicing for multi-unit/lot development to support protection of the environment and minimize potential risks to human health and safety.

1.6.6.4 Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, 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. In settlement areas, individual on-site sewage services and individual on-site water services may be used for infilling and minor rounding out of existing development.

At the time of the official plan review or update, planning authorities should assess the long-term impacts of individual on-site sewage services and individual on-site water services on the environmental health and the character of rural settlement areas. Where planning is conducted by an upper-tier municipality, the upper-tier municipality should work with lower-tier municipalities at the time of the official plan review or update to assess the long-term impacts of individual on-site sewage services and individual on-site water services on the environmental health and the desired character of rural settlement areas and the feasibility of other forms of servicing set out in policies 1.6.6.2 and 1.6.6.3.

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

### 5.1.3 3.06.8 Community Structure and Design Criteria

#### 3. Waterfront Development

The Municipality is characterized by a landscape with many lakes and rivers. The policies of this section of the Plan generally apply to lands within the first 300 m [984 ft.] of the shoreline of these water bodies.

The design and development or redevelopment of shoreline properties shall include provision for the establishment and/or retention of the natural features and shoreline (riparian) vegetation and shall be in addition to any provision imposed by a conservation agency as part of a shoreline management plan or flood or erosion control (see also Section 6 - Public Health and Safety). Development setbacks shall be implemented as a measure to conserve shoreline features, protect the ecological functions of the shorelines and water bodies and protect property from damage from natural hazards.

Council recognizes that inland lakes and other water bodies within the Municipality of West Nipissing are valuable recreational and environmental resources and as such should be protected from development that might cause further deterioration of their water quality. This Plan further recognizes that the Municipality also has an obligation to adjacent municipalities who share the lakes with them as well as the existing residents and tourist camp operators located on these lakes, to protect the lakes by advocating a sensible land use policy for the use of the waterfront and surrounding environment.

Council also recognizes that many residents depend on these lakes as the sole source of drinking water, that the shoreline of these water bodies has a special aesthetic appeal for the development of seasonal and permanent residential uses; and that the general population wishes to see that special care is taken through strict lake and watershed development controls to maintain or improve the existing level of water quality, aesthetics and fishery quality.

Further, Council recognizes that the ecology of lakes is an intricate system of living and non-living components which represents a highly valued community resource and that wetlands and riparian vegetation are part of the make-up of that ecology. Some lakes or watercourses have already been identified as fragile and are highly sensitive to disturbances in the watershed due to human activity. It is imperative that individuals living near or using lakes such as Deer Lake,

Cache Lake, Tomiko Lake, Bain Lake, Chebogomog Lake, Lake Nipissing and the French River, as well as potentially other lakes, continue to act responsibly to minimize the impact of their activities on the shoreline, lake water quality and the fishery. **The largest potential impact to the lake may come from redevelopment of existing lots and parcels of record which are undersized or do not meet current development standards. Finally, this includes the impact of the conversion of existing seasonal uses to permanent residential uses.**

## **5.2 Zoning By-Law**

The proposal is to re-zone the property from Shoreline Residential (SR) to Shoreline Residential Exception Zone 12 in order to construct a second single detached dwelling. The existing dwelling on the property shall be considered an accessory dwelling and shall be a permitted accessory use in the proposed exception zone. The proposed by-law will address the special provisions of the Accessory Dwelling. The proposed accessory use is within the lot coverage provisions of the by-law and shall not require any variance. The total lot coverage proposed by the new and accessory dwelling are within the lot coverage provisions of By-law 2014-45. All existing required set-backs can be achieved without variance.

## **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 is subject to Site Plan control and it is recommended that the owner enter into a Site Plan Control Agreement with the Municipality in order to address the following matters:

- Buffering: it is recommended that the owner be required to reinstate and maintain a vegetative buffer pursuant to the provisions of 4.1.4 of the West Nipissing zoning by-law, which shall be enforced pursuant to the Agreement;
- Sanitary facilities – the owner shall obtain a review by the North Bay Mattawa Conservation Authority which shall establish, among other things, size and placement of the new dwelling as well as the type of sanitary installation which will create the least amount of impact to the lake and adjacent landowners;
- The owner shall provide a drainage plan prepared by a qualified engineer or Ontario land Surveyor and shall convey to the Municipality of West Nipissing such drainage easements as may be required in order to ensure the uninterrupted historic drainage patterns of the travelled road (Promenade du Lac);
- Prior to undertaking any construction, the owner shall submit, for approval a Site plan prepared by an Ontario Land Surveyor establishing the location of all structures, proposed and existing as well as the buffer(s) and easements, as established.

## **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 Appendices to

this report. In addition, comments of the West Nipissing Public Works Manager and Chief Building Official are also attached.

## **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. 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 Shoreline Residential to Shoreline Residential Exception Zone 12)) to permit a second dwelling is in conformity with the West Nipissing Official Plan and the Provincial Policy Statements.

It is recommended that the property be rezoned, as contemplated, provided that the owner enter into a Site Plan Control Agreement to ensure that the development, as proposed, does not create any negative impact on the adjacent waterbody, abutting landowners or municipal infrastructure.

Respectfully Submitted,



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Melanie Ducharme, Planner



**Figure 1 – Aerial Imagery**

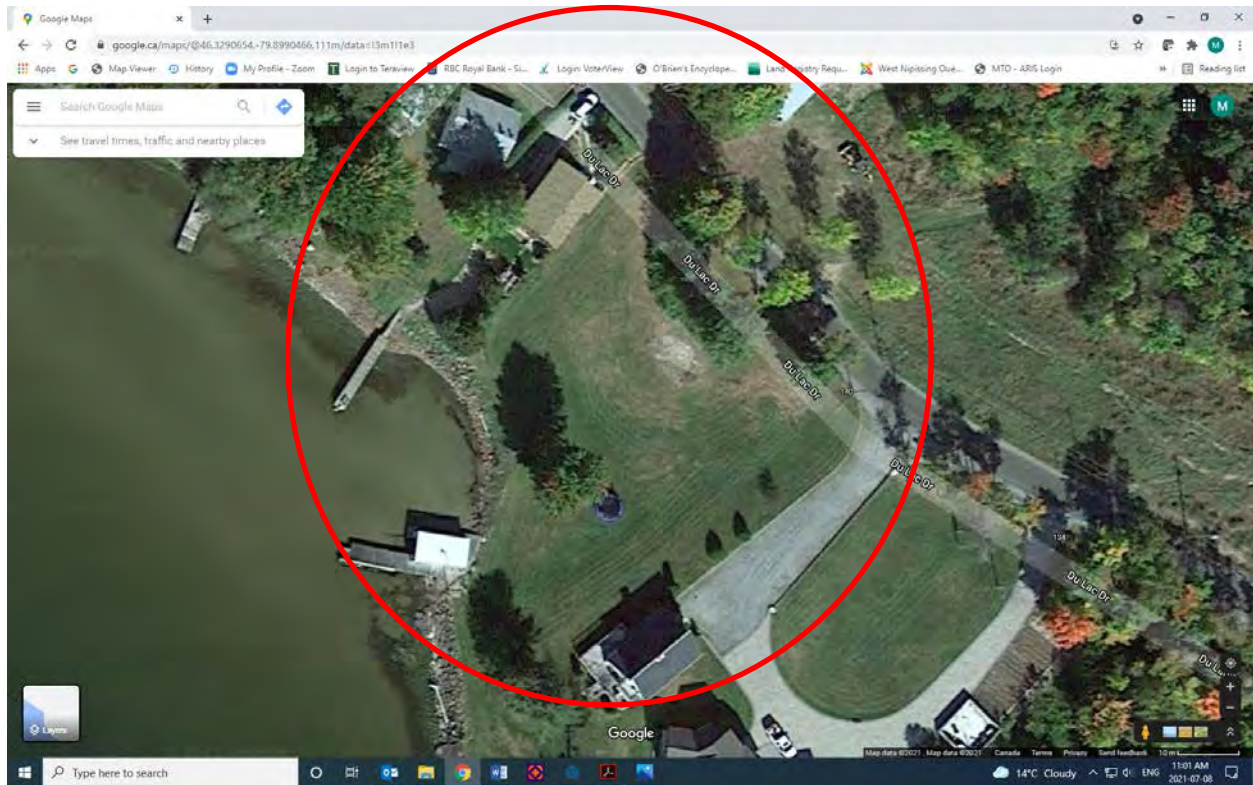
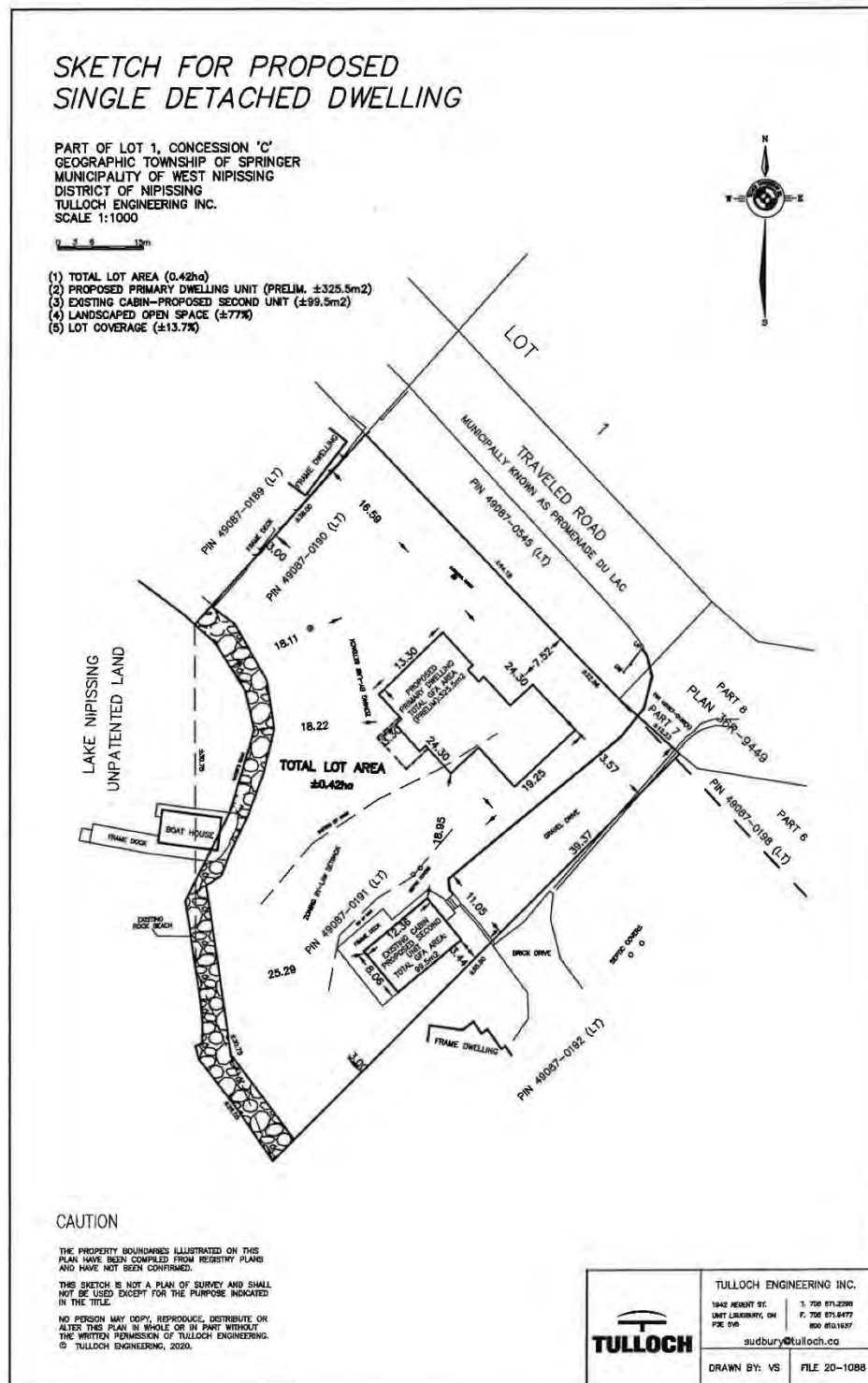


Figure 2 – Sketch



**Figure 3 – West Nipissing Official Plan – Land Use Schedule**




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





## Appendix 1 – Agency Comments & Public Correspondence

 West Nipissing Ouest		WEST NIPISSING PLANNING ADVISORY COMMITTEE					
MEETING HELD JULY 12, 2021							
RECORD OF ALL COMMENTS							
APPLICATION	BELL CANADA	MTO	HYDRO ONE	GREATER SUDBURY UTILITIES	CN / CP RAILWAYS	PUBLIC WORKS DEPT.	BUILDING DEPT.
ZBLA2021/09 Georges Brouillette	.	.	.	.	.	<ul style="list-style-type: none"><li>There is a drainage outlet along the west side of the property we would need an easement for</li></ul>	<ul style="list-style-type: none"><li>No issues</li></ul>

Planning Advisory Committee  
140 Promenade du Lac  
File # ZBLA 2021/09

- My concern has to do with a document that has been presented twice to Planning Board that shows erroneous Lot Line ~~length~~ length of 38 meters (124.6') - the correct length is 98'
- Water run off is coming from 134 promenade and running across the septic bed of 140 promenade to the lake
- Water run off from the road is ~~excessive~~ causing extra stress on the water front properties
- a city culvert draining the north side of street has been extended across 140 promenade and as per bylaw has not been maintained in 40 years and recently was driven over by app. 100 heavy tri axle trucks
- my final concern is the health of my septic bed now that the land has been raised on the edge of my ~~septic bed~~ property.

Ian Morrison  
148 prom du lac

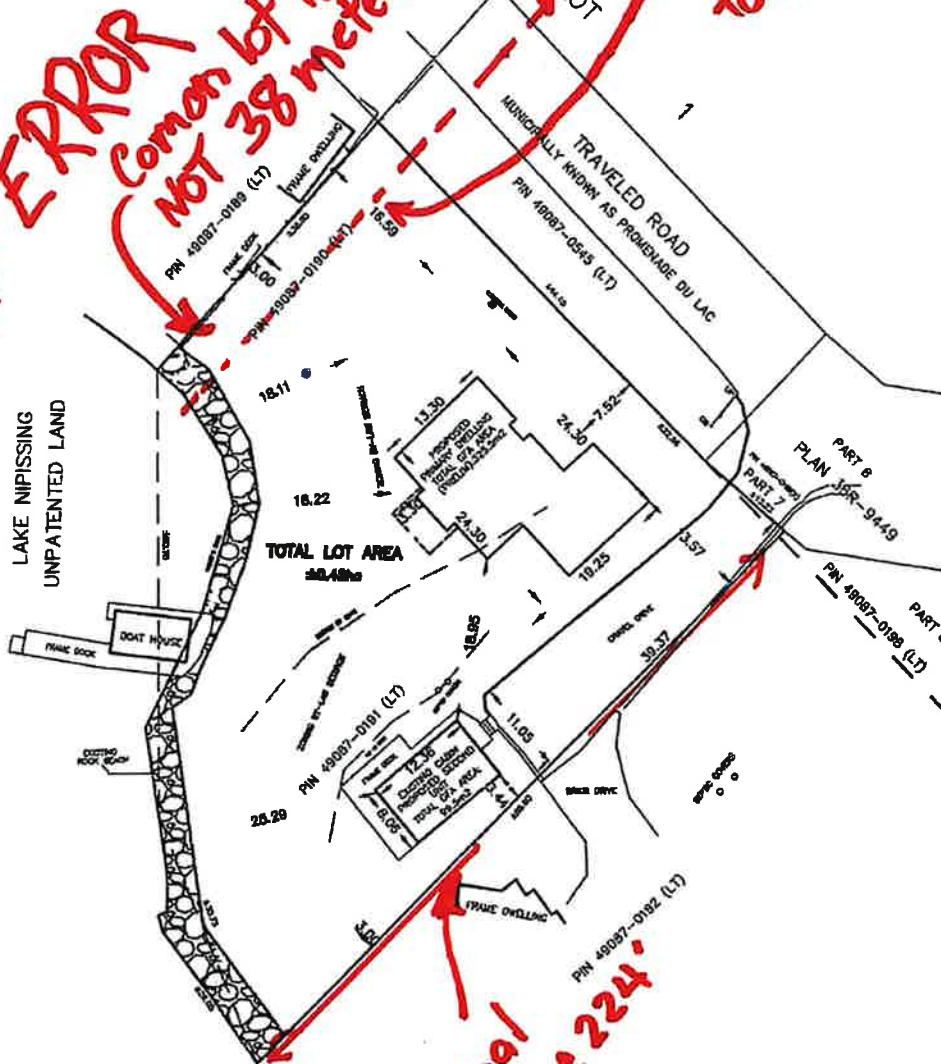
705 492 2363

# SKETCH FOR PROPOSED SINGLE DETACHED DWELLING

PART OF LOT 1, CONCESSION 'C'  
GEOGRAPHIC TOWNSHIP OF SPRINGER  
MUNICIPALITY OF WEST NIPISSING  
DISTRICT OF NIPISSING  
TULLOCH ENGINEERING INC.  
SCALE 1:1000

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

- (1) TOTAL LOT AREA (0.42ha)
- (2) PROPOSED PRIMARY DWELLING UNIT (PRELIM.  $\pm 325.0m^2$ )
- (3) EXISTING CABIN-PROPOSED SECOND UNIT ( $\pm 89.5m^2$ )
- (4) LANDSCAPED OPEN SPACE ( $\pm 77%$ )
- (5) LOT COVERAGE ( $\pm 13.7%$ )



## CAUTION

THE PROPERTY BOUNDARIES ILLUSTRATED ON THIS PLAN HAVE BEEN COMPILED FROM REGISTRY PLANS AND HAVE NOT BEEN CONFIRMED.

THIS SKETCH IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE.

NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF TULLOCH ENGINEERING. © TULLOCH ENGINEERING, 2020.



TULLOCH ENGINEERING INC.

1948 ROBERT ST.  
UNIT 100, SUITE 100  
PO BOX 590

T. 705 871-2288  
F. 705 871-8477  
R. 705 871-1097

audbury@tulloch.ca

DRAWN BY: VS

FILE 20-1088

Lot 197 - 197'

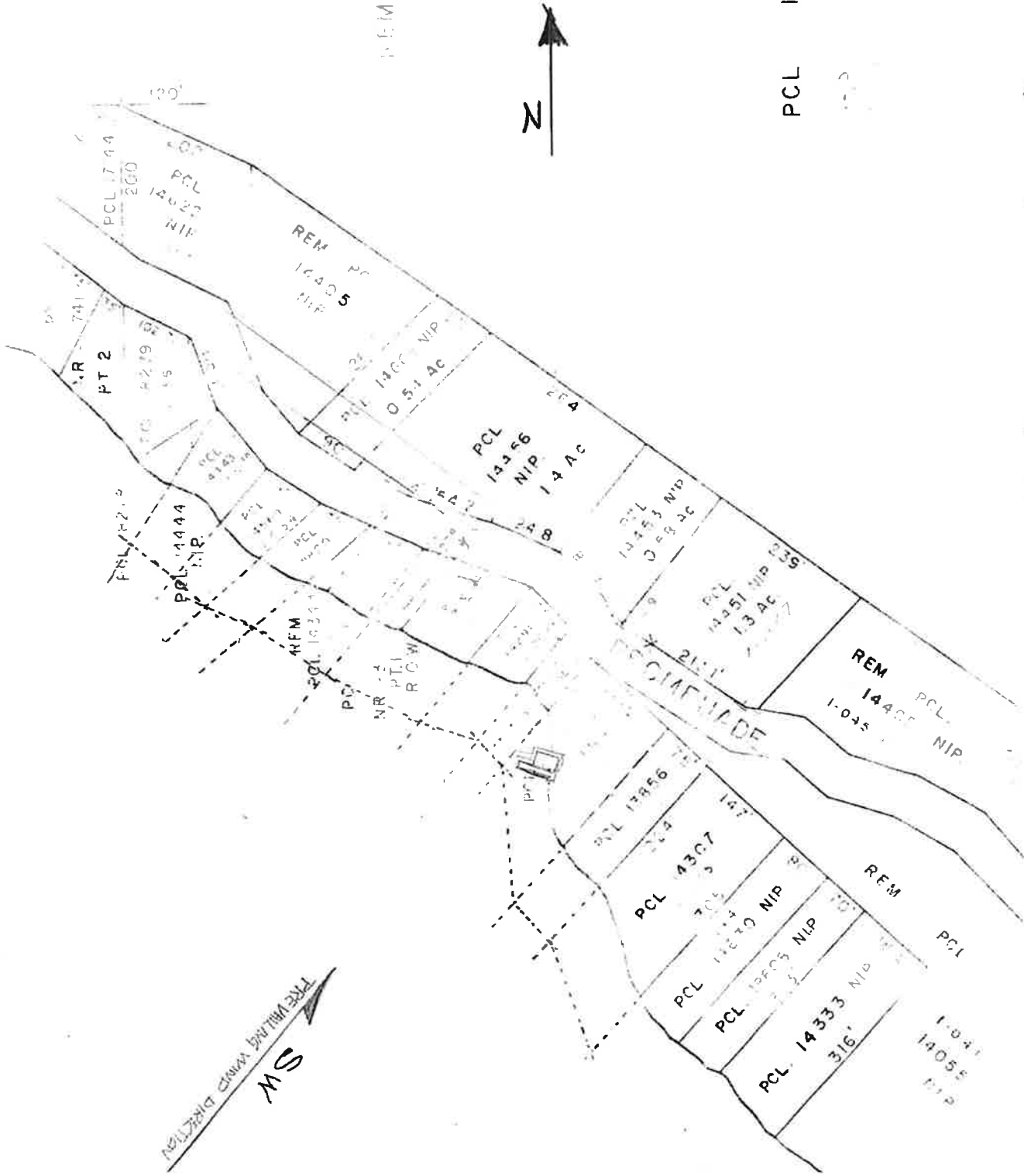
Frontage - 98'  
(Setback)

Interior Side Yd - 11 1/2'

Rear Yd - 33'

Minimum Floor Area 485 sq'

3.10  
Set back would be 25'



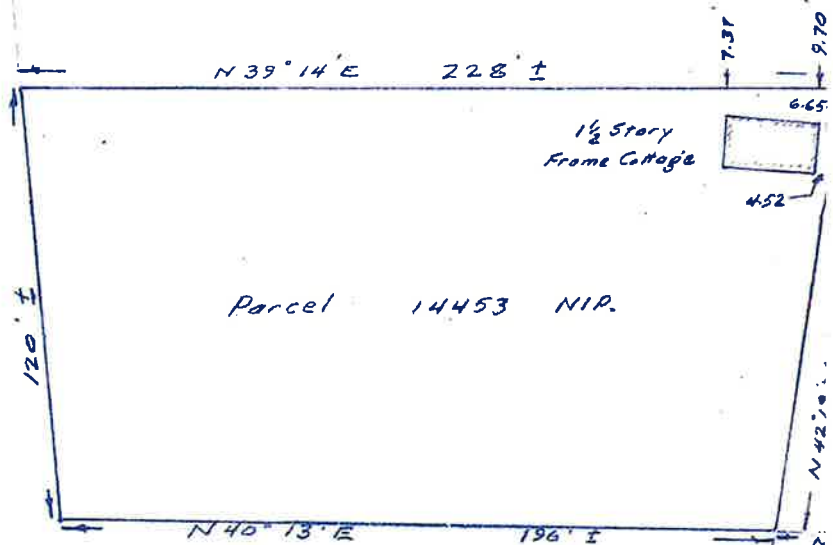
0 100 200  
SW  
TOWN OF CHANDLER, ARIZONA







BUILDING LOCATION SURVEY OF  
**PART OF LOT 1, CONCESSION C**  
**TOWNSHIP OF SPRINGER**  
 NOW IN THE  
**TOWN OF STURGEON FALLS**  
 DISTRICT OF NIPISSING  
 SCALE : 1 INCH = 40 FEET



**LEGEND**

- - DENOTES MONUMENT FOUND.
- - DENOTES MONUMENT PLANTED.
- SIB - DENOTES STANDARD IRON BAR.
- SSIB - DENOTES SHORT STANDARD IRON BAR.
- IB - DENOTES IRON BAR.

**BEARING NOTE**

BEARINGS ARE ASSUMED AND DERIVED FROM THE NORTHERLY LIMIT OF PARCEL 13983 NIP. HAVING A COURSE OF N 36° 53' W AS SHOWN ON A PLAN OF SURVEY DATED 11<sup>th</sup> OCTOBER 1930 BY E. L. MOORE C.L.S. AND ATTACHED TO TRANSFER NUMBER 42885

**NOTE**

BUILDING TIES ARE TO FRAME BUILDING CORNERS.

**SURVEYOR'S CERTIFICATE**

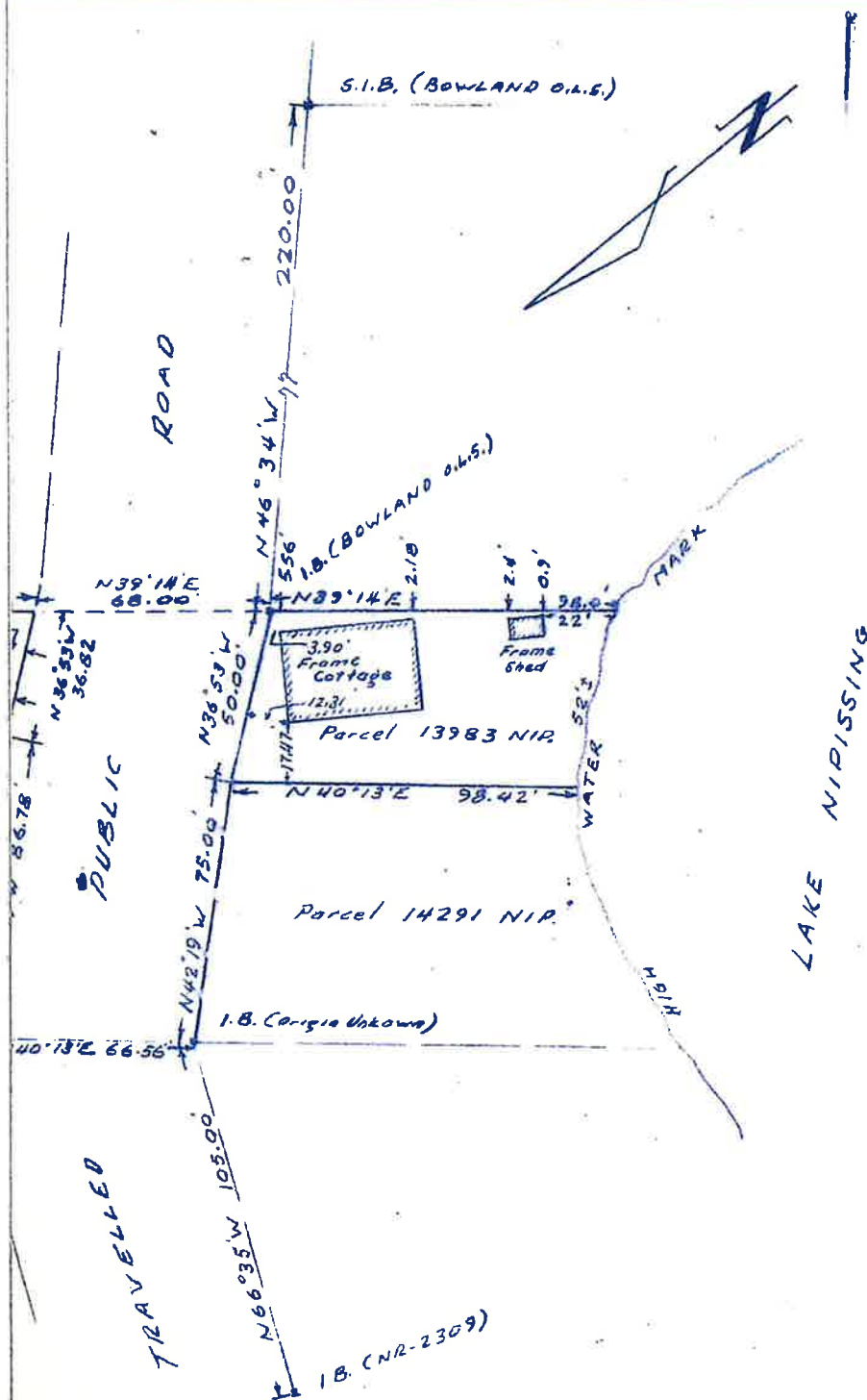
I CERTIFY THAT:

THE FIELD SURVEY REPRESENTED ON WAS COMPLETED ON THE 18<sup>th</sup> DAY

NORTH BAY, ONTARIO

*Peter T. Clarke*  
 PETER T. CLARKE  
 ONTARIO LAND SURVEYOR  
 for: CLARKE & DORLAND  
 ONTARIO LAND SURVEYORS





THIS PLAN  
OF MAY, 1984

**Clarke**  
SURVEYOR  
AND LIMITED  
SURVEYORS

"NOT  
VALID UNLESS  
EMBOSSSED WITH  
SURVEYOR'S  
SEAL"

**CLARKE & DORLAND LIMITED**

ONTARIO LAND SURVEYORS  
Box 642 NORTH BAY, ONTARIO  
P1B 8J5

1209 Casselle Street Phone 705-474-9800

DR'N: P.T.C.	FIELD:	FILE NO
CH'N: P.T.C.	P.T.C. & G.B.	24-570

140 Prom du Lac

ditch  
filled

Runoff  
from 134  
across septic  
of 140





140 Prom du Lac    Alge growth after rainstorm





140 Prom du Lac damaged waterfront





view west from damaged shoreline at 140 prom da hac

