

AGENDA

WEST NIPISSING PLANNING ADVISORY COMMITTEE

VIRTUAL MEETING

Planning Advisory Committee
September 13, 2021, 6:00 PM Eastern Time

Join Zoom Meeting

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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 September 13, 2021,
4. Adoption of Minutes of July 12, 2021, meeting
5. **D2021/02** – Deeming By-Law
Applicant: Catherine Jodouin and Marc St. Louis
Property: 3 Bain Avenue, Cache Bay
6. **ZBLA2021/10**
Applicant: Jacques Richard and Mona Lessard
Property: 28 Fortin Road, Caldwell Township
7. Camping Trailer By-Law –
 - (a) Proposed Public Consultation Format
 - (b) Review of Proposed By-law Amendment
8. Proposed Amendments to Comprehensive Zoning By-law 2014-45
9. Adjournment.

Joie de vivre



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MINUTES

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

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

ABSENT:

1. CALL TO ORDER

2. DECLARATION OF PECUNIARY INTEREST

3. APPROVAL OF AGENDA

RESOLUTION #2021/024

Moved by: Joanne Savage

Seconded by: Christopher Fisher

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

CARRIED

4. MINUTES

RESOLUTION #2021/025

Moved by: Christopher Fisher

Seconded by: Dan Roveda

That the Minutes of meeting held on June 14, 2021 be adopted, as presented.

CARRIED

5. ZONING AMENDMENT APPLICATION NO. ZBLA2021/08 Sturgeon Brush

RESOLUTION #2021/026

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 at 15 Landfill Site Road and 12471 Highway 17, 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 15 Landfill Site Road and 12471 Highway 17, as follows:

Schedule **G6** 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 9, Concession 1, 36R11543, and Part lot 9, Concession 1, 36R12791 Part 5, Pedley Township, Municipality of West Nipissing, shown as hatched on Schedule 'A', attached hereto from M1 (Light Industrial) to M2 (Heavy Industrial).

CARRIED

6. ZONING AMENDMENT APPLICATION NO. ZBLA2021/09 George Brouillette

RESOLUTION #2021/027

Moved by: Christopher Fisher

Seconded by: Joanne Savage

WHEREAS a public meeting was held for the purpose of amending Zoning By-Law 2014-45 for the property located at 140 Promenade du Lac, 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 140 Promenade du Lac, as follows:

Schedule **H5-2** 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 13848 and 13856, SEC NIP, Part lot 1, Concession C, 36R9449, Springer Township, Municipality of West Nipissing, shown as hatched on Schedule 'A', attached hereto from SR (Shoreline Residential) to SR-12 (Shoreline Residential Exception Zone 12) as follows:

The provisions shall be as follows:

By-law	Location	Schedule	Special Provisions
2021/____	PCL 13848 and 13856, SEC NIP, Part lot 1, Concession C, 36R9449, Springer Township, Municipality of West Nipissing	H5-2	Section 4.1 – Accessory Dwelling Unit: (a) A detached accessory dwelling unit is permitted. (b) Only one (1) accessory dwelling may be created; (c) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of the By-law and any other health, safety or occupancy regulations or by-laws; and (d) A minimum of one parking space is provided for the accessory dwelling unit.

CARRIED

9. ADJOURNMENT

RESOLUTION #2021/028

Moved by: Christopher Fisher

Seconded by: Normand Roberge

BE IT RESOLVED that the West Nipissing Planning Advisory Committee meeting of July 12, 2021 be adjourned to September 13, 2021.

CARRIED

MEMORANDUM

TO: Chair and Committee Members – West Nipissing Planning Advisory

FROM: Melanie Ducharme, Municipal Clerk/Planner

DATE: September 13, 2021

RE: Catherine Jodouin and Marc St. Louis – Deeming By-Law file No. D2021-02

Catherine Jodouin and Marc St. Louis are the owners of Lots 15, 16, and 17, Plan 49, Bain Avenue, Cache Bay, Ontario, on which they have a dwelling and a septic system (currently on separate lots) and are receiving three tax bills. They wish to legalize the septic system as it is contrary to legislation to have septic systems on a different lot than the dwelling. 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. The owners wish combine the existing subdivision lots.

Accordingly, Catherine Jodouin and Marc St. Louis are requesting that the Municipality of West Nipissing pass a By-Law Pursuant to Section 50(4) of the *Planning Act* (Ontario), deeming Lots 15, 16, 17, Plan 49 no longer within a Plan of Subdivision in order that the lots be assessed as one parcel.

Thank you,

Joie de vivre



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PLAN
OF SUBDIVISION OF PART OF
LOT 108
AS SHOWN ON PLAN OF J.R BOOTH'S SUBDIVISION
OF THE VILLAGE (NOW TOWN) OF
CACHE BAY

(DATED JUNE 5th 1902)

BEING COMPOSED OF A SUBDIVISION OF PART OF LOT 9 CONCESSION I
TOWNSHIP OF SPRINGER
DISTRICT OF NIPISSING
ONT.

SCALE— 132 FEET = 1 INCH.

EXAMINED AND CERTIFIED A TRUE COPY

S.S. Mearns

Registrar of Deeds

Note: Figures and lines in blue refer
to BOOTH'S Subdivision. (SHOWN BROKEN)



I hereby certify that this plan accurately shows
the manner in which land included therein has
been surveyed and subdivided by me; and
that the said plan is prepared in accordance
with the provisions of "the Registry Act"

JOHN H. SHAW
O.L.S. June 9th 1903

THIS PLAN ACCURATELY SHOWS THE MANNER IN WHICH
I HAVE CAUSED PART OF LOT 108 AS SHOWN ON PLAN OF
J.R BOOTH'S SUBDIVISION OF THE VILLAGE (NOW TOWN)
OF CACHE BAY (DATED JUNE 5th 1902) BEING COMPOSED
OF A SUBDIVISION OF PART OF LOT 9 CONCESSION I TOWNSHIP
OF SPRINGER DISTRICT OF NIPISSING, SHOWN COLORED
PINK AND BROWN, TO BE SUBDIVIDED INTO LOTS AND STREETS
A.R. MARTIN
OWNER

WITNESS
W J MILLS

PROVINCE OF ONTARIO } WILLIAM JAMES MILLS
DISTRICT OF NIPISSING } OF THE TOWN OF CACHE BAY IN THE
TO WIT } DISTRICT OF NIPISSING CLERK

MAKE OATH AND SAY—

- (1) THAT I WAS PERSONALLY PRESENT AND DID SEE THIS PLAN IN DUPLICATE
DULY SIGNED AND EXECUTED BY ANDREW ROBERT MARTIN
OF CACHE BAY THE OWNER OF THE SAID LAND.
- (2) THAT THE SAID PLAN IN DUPLICATE WAS EXECUTED IN THE TOWN OF
CACHE BAY IN THE DISTRICT OF NIPISSING.
- (3) THAT I KNOW THE SAID PARTY.
- (4) THAT I AM A SUBSCRIBING WITNESS TO THE SAID PLAN IN DUPLICATE

SWORN BEFORE ME AT THE TOWN OF CACHE BAY
IN THE DISTRICT OF NIPISSING
THIS 7 DAY OF DEC 1903
A. J. YOUNG W. J. MILLS
A COMMISSIONER ETC

I HEREBY CERTIFY THAT THIS PLAN WAS DULY REGISTERED
AND FILED IN THE REGISTRY OFFICE FOR THE DISTRICT OF
NIPISSING AT 3.40 O'CLOCK P.M. OF THE NINTH DAY
OF DECEMBER A.D. 1903.

M. DAVIDSON
DEPUTY L.M. OF T.

PLANNING REPORT

Zoning Amendment File No. ZBLA2021/10

Applicants: Jacques Richard and Mona Lessard

Property: 28 Fortin Drive, Caldwell Township

Date: September 13, 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 residential property located at 28 Fortin Drive and vacant lands located on the north side of Fortin Drive, being described as part 3 on Plan 36R-14500, Verner, ON, Ontario.

2. SITE AND BACKGROUND INFORMATION

The properties are located on Fortin Road, which is a private road (ROW) located off of Laplage Road in the Township of Caldwell. In 2019, the owners of lands on the north side of Fortin Drive (Robin Frazer and Thea Sebastiany – C47/19) applied to sever lands which were to be added to the property at 28 Fortin Drive for the purpose of building an accessory structure (garage) as the property at 28 Fortin Drive is too small to accommodate additional structures. A condition was imposed to require the property at 28 Fortin and the property being acquired to be rezoned to a special zone which would require the two properties to be dealt with together. Due to time constraints and issues arising from the COVID pandemic, the owners requested a Change of Conditions in January, 2021 which would permit a restrictive covenant to be registered until such time as the Zoning Amendment could proceed.

3. DEVELOPMENT PROPOSAL

The proposed zoning amendment will rezone the property located at 28 Fortin Drive (currently zoned C3 with legal non-complying SR uses) and the vacant Rural lands located directly opposite as a single Exception Zone, the special provisions of which will prohibit the two properties being conveyed or otherwise dealt with separately. In addition, the special provisions will limit the permitted uses on the properties and establish lot standards.

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.

1.1.3 Rural Areas in Municipalities

Rural areas are important to the economic success of the Province and our quality of life. Rural areas are a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and

other resource areas. Rural areas and urban areas are interdependent in terms of markets, resources and amenities. It is important to leverage rural assets and amenities and protect the environment as a foundation for a sustainable economy.

Ontario's rural areas have diverse population levels, natural resources, geographies and physical characteristics, and economies. Across rural Ontario, local circumstances vary by region. For example, northern Ontario's natural environment and vast geography offer different opportunities than the predominately agricultural areas of southern regions of the Province.

- *Healthy, integrated and viable rural areas should be supported by:*
- *building upon rural character, and leveraging rural amenities and assets;*
- *providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;*
- *conserving biodiversity and considering the ecological benefits provided by nature; and*
- *providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3.*

1.1.4 Rural Lands in Municipalities

- *Recreational, tourism and other economic opportunities should be promoted.*
- *Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.*
- *Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.*
- *Opportunities should be retained to locate new or expanding land uses that require separation from other uses.*
- *Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.*

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 proposed zoning will designate both properties as SR-13 (Shoreline Residential Exception Zone 13) which will designate the permitted uses as follows:

By-law	Location	Schedule	Special Provisions
2021-__	Parcel 19393, NIP, Part Lot 2, Con. C, Twp. Caldwell, and Part Lot 2, Con. C, Caldwell, being Part 3, 36R-14500	H3-4	<ul style="list-style-type: none"> • The special zone shall comprise both properties described herein, neither of which may be conveyed, mortgaged or otherwise dealt with separately without a further amendment to the zoning by-law pursuant to section 34 of the <i>Planning Act</i>; • Accessory Uses on the property described as Part 3, 36R-14500 shall be limited to Personal Storage. • Yard Requirements for Accessory Structures on the property described as 36R-14500 shall be as follows: <ul style="list-style-type: none"> Front Yard: 15m Interior Side Yard: 7.5m Rear Yard: 7.5m

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 amendment to the Zoning By-Law contemplated herein 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 – Sketch of Proposed Development

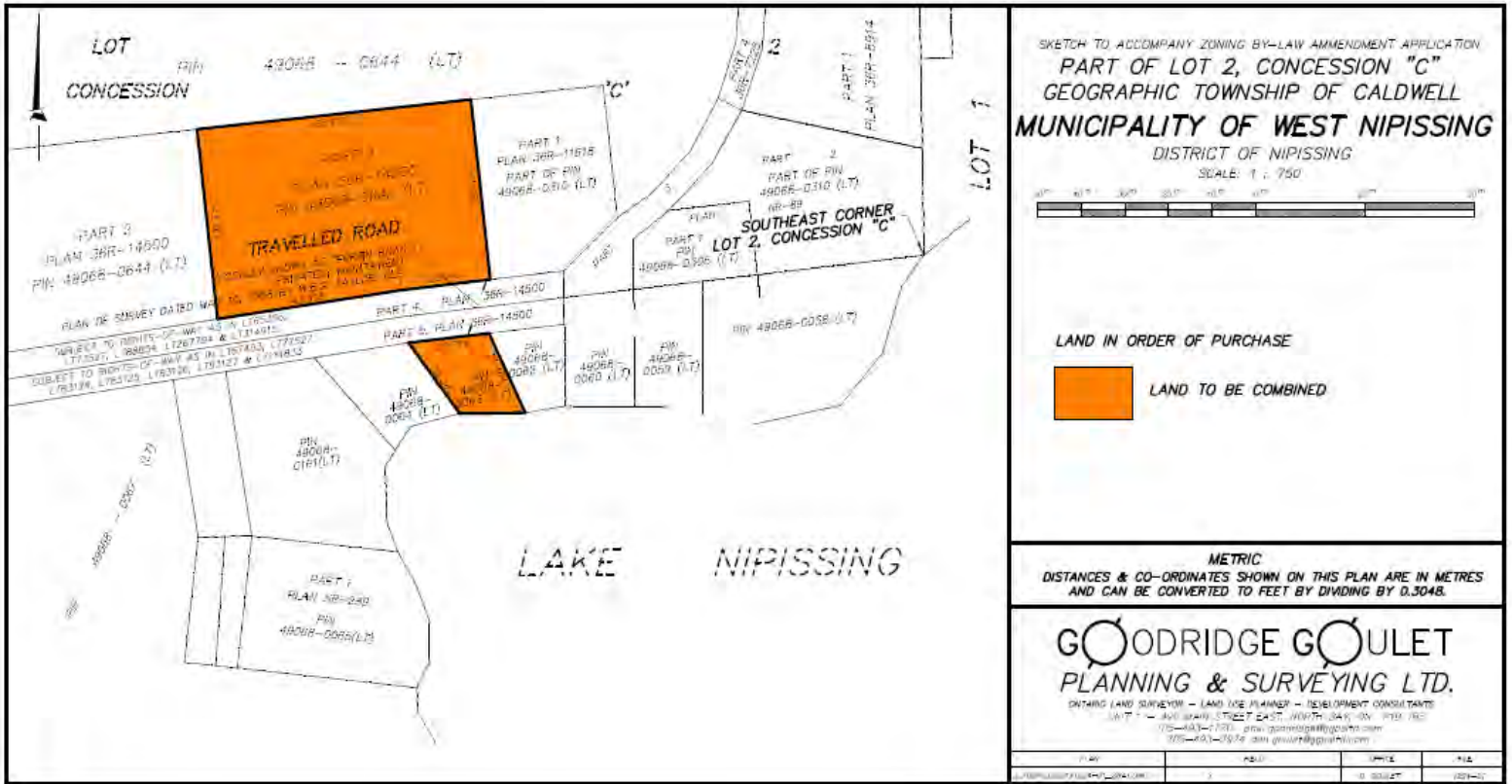


Figure 3 – West Nipissing Official Plan – Land Use Schedule

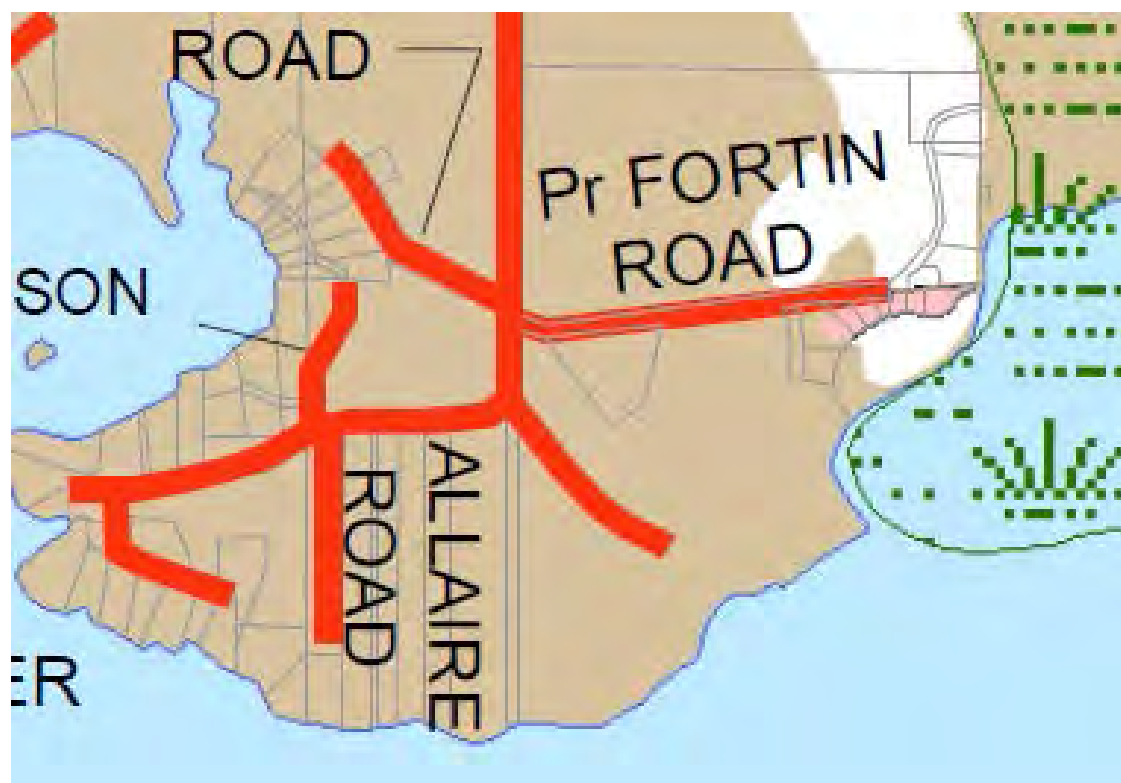
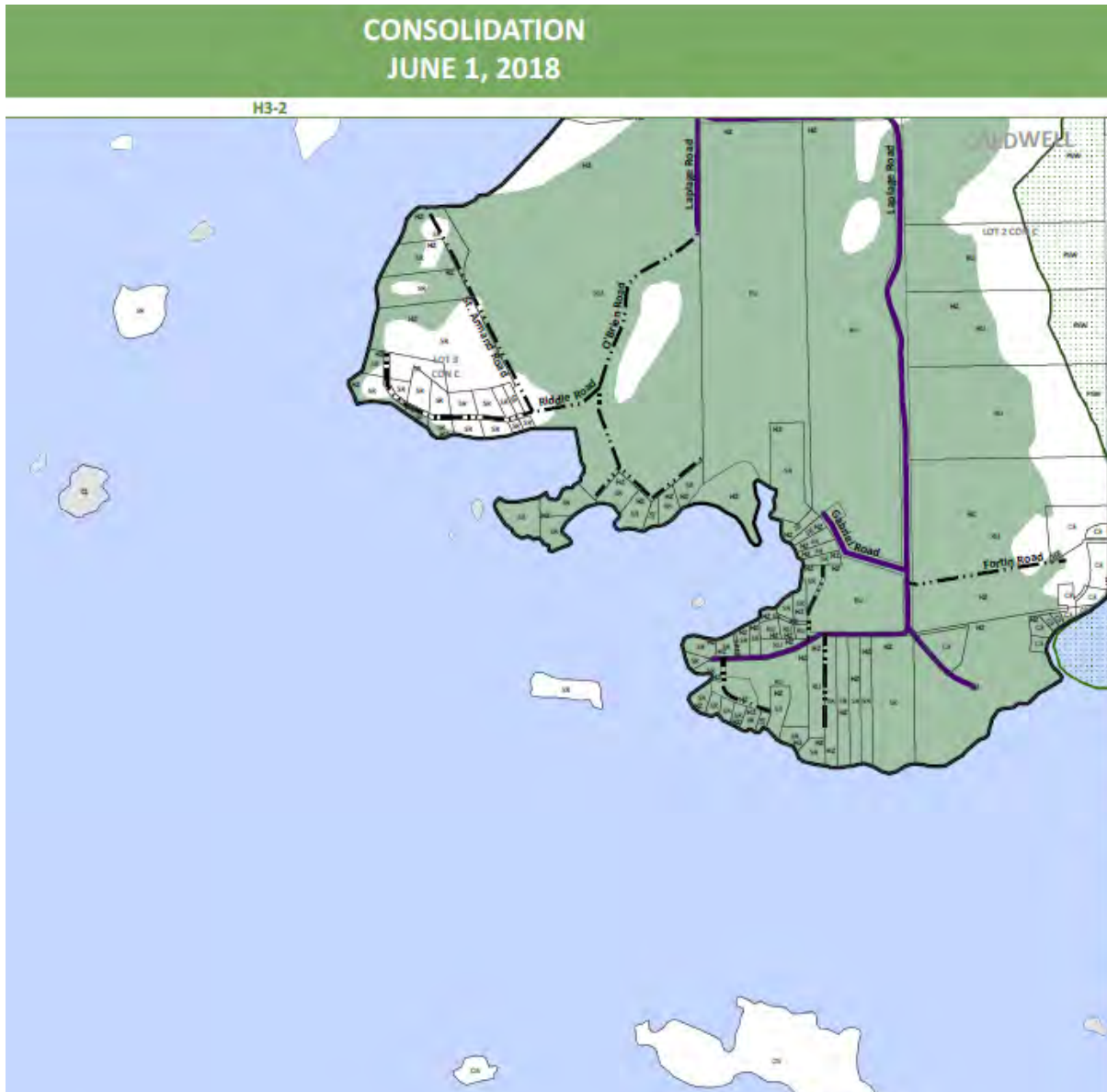



Figure 4 – West Nipissing Zoning By-Law No. 2014-45



Appendix 1 – Agency Comments

 WEST NIPISSING PLANNING ADVISORY COMMITTEE MEETING HELD SEPTEMBER 13, 2021							
RECORD OF ALL COMMENTS							
APPLICATION	BELL CANADA	MTO	HYDRO ONE	GREATER SUDBURY UTILITIES	CN / CP RAILWAYS	PUBLIC WORKS DEPT.	BUILDING DEPT.
ZBLA2021/10 Jacques Richard and Mona Lessard		• No comments				• Private road	• No issues



West Nipissing Ovest

Joie de vivre

MEMORANDUM

TO: West Nipissing Planning Advisory Committee

FROM: Melanie Ducharme, Municipal Clerk/Planner

DATE: September 10, 2021

RE: **PROPOSED PUBLIC CONSULTATION & AMENDMENTS TO BY-LAW 2014-45 CONCERNING THE REGULATION OF CAMPING TRAILERS IN WEST NIPISSING**

INTRODUCTION:

On April 12, 2021 the Planning Advisory Committee elected to place the proposed amendments to Zoning by-law No. 2014-45 concerning the regulation of camping trailers in abeyance pending the lifting of restrictions related to the COVID-19 pandemic.

On July 16, 2021 the Province of Ontario moved to Step 3 of its Reopening Plan and guidelines to public gatherings were established.

PROVINCIAL GUIDELINES:

Meeting or event spaces, conference centres, convention centres

Restrictions: indoor capacity for the facility limited to permit two metres physical distancing up to 50% or 1,000 people, whichever is less, including:

- o maximum of 50% capacity for each rentable room
- o rooms must be separated by a partition with a hard, non-porous surface that can be routinely cleaned and disinfected
- outdoor capacity for the facility limited to 75% or 5,000 people, whichever is less
- maximum capacity must be posted
- the person responsible for the business must record the name and contact information of every member of the public who attends a meeting or event and must actively screen individuals. The COVID-19 customer screening tool may be used to meet this requirement
- rented space must be configured so patrons at different tables are 2 metres apart or separated by a barrier;

Joie de vivre



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PROPOSAL FOR PUBLIC CONSULTATION:

Based on the foregoing restrictions and, in an effort to obtain public input from as many persons as possible, the following format is being proposed and I am seeking this Committee’s direction with respect to the proposed format in order that we may proceed to move this matter forward.

:

Meeting Format	Open House Format with all members of the PAC and Staff in attendance to receive comments
Method of Public Notice:	Newspaper, Website, Written Notices in public places
Location:	Cache Bay Community Hall
Duration of Meeting:	4 Hours

Members of the Public will:

- be limited to no more than 50% capacity (based on the square footage calculation of the space);
- be required to maintain physical distancing;
- be required to wear a mask or face covering;
- Subject to Provincial Legislation and/or municipal policy, be required to provide proof of full vaccination prior to entry;
- be actively screened on entry by way of completion of a self-assessment questionnaire;
- be required to provide their name and address for the purpose of contact tracing;
- be asked to provide their comments and/or ask questions and thereafter leave the venue in order to permit other members to enter the venue to provide their comments.

In addition to the Open House, members of the public will be permitted to provide written comments by regular mail or electronic format.

CONSIDERATION OF PUBLIC COMMENTS:

Due to the restrictions on public gatherings, the Planning Advisory Committee will only receive comments at the Open House. Deliberation and subsequent recommendation to Council will take place at a scheduled Planning Advisory Committee Meeting, Electronic or in-person as the case may be at that time, which will be live streamed on the municipality’s website. At the PAC meeting, Staff will provide a summary of all verbal and written comments received.

PROPOSED AMENDMENTS TO BE INCLUDED IN PUBLIC NOTICE:

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 outlined above) and as is required pursuant to Section 34 of the Planning Act.



THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

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

MEMORANDUM

TO: Planning Advisory Committee Members

FROM: Melanie Ducharme, Municipal Clerk/Planner

DATE: September 10, 2021

RE: **PROPOSED AMENDMENTS TO ZONING BY-LAW 2014-45**

On July 8, 2014, the Corporation of the Municipality of West Nipissing adopted a new Comprehensive Zoning By-Law. In 2018 the By-law was amended to include a variety of housekeeping amendments and the by-law was updated to include those amendments as well as all of the Zoning-By-Law amendments which have been approved by Council.

Since 2018, this Committee and the Committee of Adjustment, through the Minor Variance process, have seen an increase in the same types of applications being brought before the Committee(s) for consideration. At this time, I am requesting this Committee to consider the following amendments to the Comprehensive Zoning By-Law.

1. SECTION 4.1 – ACCESSORY DWELLING UNIT

PURPOSE: To allow Detached Accessory dwelling units in the SR, RR and RU zones.

RATIONALE: The *Planning Act* includes affordable housing as a matter of provincial interest to be considered by local planning authorities when carrying out their responsibilities under the Act. Currently the West Nipissing Zoning By-Law permits Accessory Dwelling Units in all residential zones provided that the Accessory Dwelling Unit is located within the permitted dwelling on the property. In recent years, the PAC has seen an increasing number of requests for second dwellings in the rural and shoreline areas.

CURRENT	PROPOSED AMENDMENT
<p>4.1 Accessory Dwelling Unit</p> <p>Notwithstanding any other provisions of this By-law regarding the number of dwelling units on a single lot, an accessory dwelling unit is permitted in any Residential Zone, and in the Rural (RU) and Agricultural One (A1) Zones, subject to the following provisions:</p> <ul style="list-style-type: none"> a) The accessory dwelling unit is located within a permitted single detached dwelling or a semi-detached dwelling; b) Only one (1) accessory dwelling unit may be created within the principal dwelling unit; c) An accessory dwelling unit shall not be permitted if the lot also contains a garden suite; d) The maximum floor area of an accessory dwelling unit shall not exceed 75% of the floor 	<p>4.1.2 Include the following:</p> <p>In the RR, RU and SR Zones, a detached Accessory Dwelling shall be permitted, subject to the provisions of tables 6.3 and 9.3 for the respective zones.</p> <p>Tables 6.1 and 9.1 would be updated to include an Accessory Dwelling in the Permitted Uses.</p>

<p>area of the principal dwelling unit;</p> <p>e) The accessory dwelling unit shall be an integral part of the principal dwelling unit and be designed so as to maintain the general character of the dwelling and surrounding neighbourhood;</p> <p>f) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other fire, health, safety, or occupancy regulations or by-laws; and</p> <p>g) A minimum of one parking space is provided for the accessory dwelling unit, and does not result in a separate driveway being required.</p>	
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2. SECTION 4.2.11 - STORAGE CONTAINERS

PURPOSE: To remove the prohibition of Storage Containers in the SR (Shoreline Residential) Zone.

RATIONALE: As the price of construction materials continue to rise, storage containers are becoming an increasingly cost-efficient option for storage. Storage containers are currently permitted in the RR, RU, A1 and A2 Zones. It is proposed that the zones in which storage containers are permitted be expanded to include the SR Zone. Placement of such containers will be subject to the provisions of 4.2, Accessory Uses, Buildings and Structures.

CURRENT	PROPOSED AMENDMENT
Section 4.2.11 - Storage Containers: No person shall, in the Residential One (R1), Residential Two (R2), Residential Three (R3), Residential Four (R4), Shoreline Residential (SR), General Commercial (C1) or Highway Commercial (C2) Zones, use any truck, bus, coach, transport truck trailer, streetcar body, railway car body, railway shipping container, or similar structure of any kind, for the purpose of an accessory structure.	Section 4.2.11 Storage Containers: No person shall, in the Residential One (R1), Residential Two (R2), Residential Three (R3), Residential Four (R4), General Commercial (C1) or Highway Commercial (C2) Zones, use any truck, bus, coach, transport truck trailer, streetcar body, railway car body, railway shipping container, or similar structure of any kind, for the purpose of an accessory structure.

3. SECTION 4.2 - ACCESSORY USES, BUILDINGS AND STRUCTURES

PURPOSE: To increase the required set back of Accessory Structures on lands zoned A1, A2, RU and RR from 1.2m to 4.5m.

RATIONALE: The minimum lot sizes in the RR, RU, A1, A2 are sufficient to require an increased set-back from lot lines for accessory structures.

CURRENT	PROPOSED AMENDMENT
<p>4.2.3 Location on a lot: Except for in the R1 to R4 Zones, accessory buildings, structures or uses are permitted in any yard, provided such building, structure or use:</p> <ul style="list-style-type: none"> • is not permitted in the required front yard or the required exterior side yard; and 	<p>4.2.3 Location on a lot: Except for in the R1 to R4 Zones, accessory buildings, structures or uses are permitted in any yard, provided such building, structure or use:</p> <ul style="list-style-type: none"> • is not permitted in the required front yard or the required exterior side yard; and

<ul style="list-style-type: none"> • is not built closer than 1.2 metres to any lot line except that common semi-detached private garages may be centered on the mutual lotline. 	<ul style="list-style-type: none"> • in the R1 – R4, SR C1 - C3 Zones is not built closer than 1.2 metres to any lot line except that common semi-detached private garages may be centered on the mutual lotline. • In the RR, RU, A1, A2 zones is not built closer than 6m to any lot line
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4. SECTION 4.22.1(D) PROHIBITED USES/ACTIVITIES

PURPOSE: To remove the Shoreline Residential (SR) zone from the zones in which galvanized steel structures are prohibited.

RATIONALE: The SR zones are located outside of town and require a minimum lot area of 1 hectare the same as RR.

CURRENT	PROPOSED AMENDMENT
d) Galvanized steel structures on properties in the Residential One (R1), Residential Two (R2), Residential Three (R3), Residential Four (R4) or Shoreline Residential (SR) zones;	d) Galvanized steel structures on properties in the Residential One (R1), Residential Two (R2), Residential Three (R3) or Residential Four (R4) zones;

5. SECTION 4.28.1 - CONSTRUCTION:

PURPOSE: To amend the scope of permitted temporary buildings/structures during construction to include a storage container.

RATIONALE: Storage containers provide secure, affordable temporary storage.

CURRENT	PROPOSED AMENDMENT
<p>4.28.1 Construction:</p> <p>a) A temporary building, structure or trailer incidental to the construction of a principal building on a lot is permitted in all Zones provided that a valid building permit has been issued, but only for as long as it is necessary for the work in progress and until the work is completed or abandoned. In this case, ‘abandoned’ shall mean the failure to proceed with the work within a one year time period.</p>	<p>4.28.1 Construction:</p> <p>a) A temporary building, structure, <u>storage container</u> or trailer incidental to the construction of a principal building on a lot is permitted in all Zones provided that a valid building permit has been issued, but only for as long as it is necessary for the work in progress and until the work is completed or abandoned. In this case, ‘abandoned’ shall mean the failure to proceed with the work within a one year time period.</p>

The Zoning By-law is anticipated to be updated in the near future to include provisions dealing with regulation of Camping Trailers. If this Committee were to consider the changes proposed herein, those could be included in the same by-law amendment and circulated concurrently.