

# AGENDA

## WEST NIPISSING PLANNING ADVISORY COMMITTEE

### VIRTUAL MEETING

Planning Advisory Committee  
March 14, 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 March 14, 2022;
  4. Adoption of Minutes: Meeting of February 14, 2022;
  5. **ZBLA2022/03** - Zoning By-Law Amendment Application  
Applicant: Moose Point Cottages Ltd  
Property: 207 Moose Point Road, Crystal Falls
  6. **SUBD2021/03** – Subdivision Application  
Applicant: West Nipissing Casa Development Properties Ltd.  
Property: Vacant Land between Nipissing and Roy Streets, north of Quesnel Road, Sturgeon Falls
  7. **SUBD2021/05** – Subdivision Application  
Applicant: PRJ Electric Ltd.  
Property: Lalande Road, Sturgeon Falls
  8. Adjournment.

# Joie de vivre



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



# MINUTES

## Municipality of West Nipissing Meeting for the Planning Advisory Committee on February 14, 2022 at 06:00 PM

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**PRESENT:**

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

**ABSENT:**

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**1. CALL TO ORDER****2. DECLARATION OF PECUNIARY INTEREST**

There were no declarations of pecuniary interest.

**3. APPROVAL OF AGENDA****RESOLUTION #2022/005**

Moved by: Christopher Fisher

Seconded by: Joanne Savage

That the Agenda for the meeting of February 14, 2022, be approved as presented.

**CARRIED**

**4. MINUTES****RESOLUTION #2022/006**

Moved by: Christopher Fisher

Seconded by: Fernand Pellerin

That the Minutes of meeting held on January 10, 2022 be adopted, as amended.

**CARRIED**

**5. ZBLA2022/02 – Shaun McRae, Albert Viau, Lucie Chartrand-Viau****RESOLUTION #2022/007**

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 116A Nature's Trail Road, Noelville, Ontario;

**AND WHEREAS** written concerns and objections were received: ☐ YES or ☒ NO

**BE IT RESOLVED** THE WEST NIPISSING PLANNING ADVISORY COMMITTEE

☒ RECOMMENDS

☐ DOES NOT RECOMMEND

1. that the Council for the West Nipissing Municipality adopts the proposed zoning by-law to re-zone the property at 116A Nature's Trail Road, Noelville, from SR (Shoreline Residential Zone) to SR-14 (Shoreline Residential Exception Zone Fourteen).
2. Schedule M1 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, Concession 1, Falconer Township, Municipality of West Nipissing, shown on Schedule 'A', attached hereto from SR (Shoreline Residential Zone) to SR-14 (Shoreline Residential Exception Zone Fourteen).

**CARRIED**

#### **6. COMPREHENSIVE ZONING BY-LAW AMENDMENTS (follow-up from Jan-10-2022)**

##### **RESOLUTION #2022/008**

Moved by: Christopher Fisher

Seconded by: Normand Roberge

**WHEREAS** a public meeting was held for the purpose of amending Zoning By-Law 2014-45;

**AND WHEREAS** written concerns and objections were received: ☒ YES or ☐ NO

**BE IT RESOLVED** THE WEST NIPISSING PLANNING ADVISORY COMMITTEE

☒ RECOMMENDS

☐ DOES NOT RECOMMEND

**THAT COUNCIL FOR THE MUNICIPALITY OF WEST NIPISSING** enact the following changes to Zoning By-Law 2014-45:

As shown on Schedule 'A', attached.

**CARRIED**

#### **7. SHORT TERM RENTAL ACCOMMODATIONS (continuation)**

##### **RESOLUTION #2022/009**

Moved by: Normand Roberge

Seconded by: Christopher Fisher

**BE IT RESOLVED** THE WEST NIPISSING PLANNING ADVISORY COMMITTEE

☒ RECOMMENDS

☐ DOES NOT RECOMMEND

**THAT COUNCIL FOR THE MUNICIPALITY OF WEST NIPISSING** enact the following changes to Zoning by-Law 2014-45:

- ☒ 1) a) Define Short Term Rentals;  
b) Permit Short Term Rentals in certain Zones subject to provisions; and/or  
c) Establish a Licensing By-law for Short Term Rentals.

**OR**

- ☐ 2) a) Define Short Term Rentals;  
b) Prohibit Short Term Rentals

**CARRIED**

## **8. ADJOURNMENT**

### **RESOLUTION #2022/0010**

Moved by: Normand Roberge

Seconded by: Dan Roveda

**BE IT RESOLVED** that the West Nipissing Planning Advisory Committee meeting of February 14, 2022 adjourned to March 14, 2022.

**CARRIED**

ZBLA2022/03

# PLANNING REPORT

Proposed Plan of Zoning Amendment File No. ZBLA2022/03

Applicants: Moose Point Cottages Ltd.

Date: March 14, 2022



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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 207 Moose Point Road, Crystal Falls, Ontario. The application is concurrent with an application for Consent, File No. C16/22. The application is being put forward by the owner, Pat St. Jacques, President of Moose Point Cottages Ltd., through its agent, Goodridge Goulet Planning & Surveying.

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

The property is part of the tourist operation known as Moose Point Cottages which consists of a main lodge building and several cottages. The entire property owned by the Applicant is approximately 5.5 acres and he is proposing to sever and re-zone for re-sale residential purposes. Aerial imagery and the proposed area to be rezoned are attached as Figures 1 and 2. The property is located on the privately maintained Moose Point Road and is serviced by private water and septic services. In 2014 the owner acquired the shoreline reserve as well as the lands upon which he constructed a new bridge for access.

In 2017, the owner applied for a Minor Variance (File No. MV2017/06), which was granted by the Committee of Adjustment in order to demolish and re-construct the cottage(s). The within zoning amendment will recognize the reduced set-backs and lot area which were approved by the Committee of Adjustment through the Minor Variance. The sketch submitted along with the Minor Variance Application is attached as Figure 3.

## **3. DEVELOPMENT PROPOSAL**

The owner is proposing to re-zone the property from C3 (Tourist Commercial) to SR-15 (Shoreline Residential Exception Zone 15) in order to sell the property as stand-alone recreational dwellings on one property. There is a concurrent application for severance which will be considered by the Committee of Adjustment (File C16/22).

## **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.

Notwithstanding that the property is zoned C3, it is located within the Rural area of the municipality as shown in the West Nipissing Official Plan. The commercial portion of the property is comprised of approximately 5.5 acres.



#### 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:

#### 6.1.1 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.

#### 6.1.2 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)	<u><b>Residential District:</b></u> <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>	<u><b>Residential Uses:</b></u> <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>	<u><b>Residential Uses:</b></u> <ul style="list-style-type: none"> <li>• seasonal and permanent residential uses</li> </ul>	<u><b>Rural District:</b></u> <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>

## 6.2 Zoning By-Law

The proposal is to re-zone the property from C3 (tourist commercial) to SR-15 (Shoreline Residential Exception Zone 15). The Exception zone will address the current land uses. The proposed special provisions of the by-law will include:

Permitted Uses:	2 dwellings
Minimum Lot Area:	.40 Ac
Minimum F/Y	10m

## 7. PRIVATE ROAD/RIGHT OF WAY

The property is located beyond the municipally maintained and travelled portion of Moose Point Road. Concurrent with this application for re-zoning is an application for severance (File C16/22). A condition of severance will be that the subject property benefit from existing ROW Consent Application No. (C20/21).

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.

## 8. 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.

## 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 subdivision application to re-zone the property from C3 (Tourist Commercial) to SR-15 (Shoreline Residential Exception Zone 15) 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', with a long horizontal line extending to the right.

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Melanie Ducharme, Planner

Figure 1 – Aerial Imagery



Figure 2 – Proposed Severance/Zoning Amendment Sketch

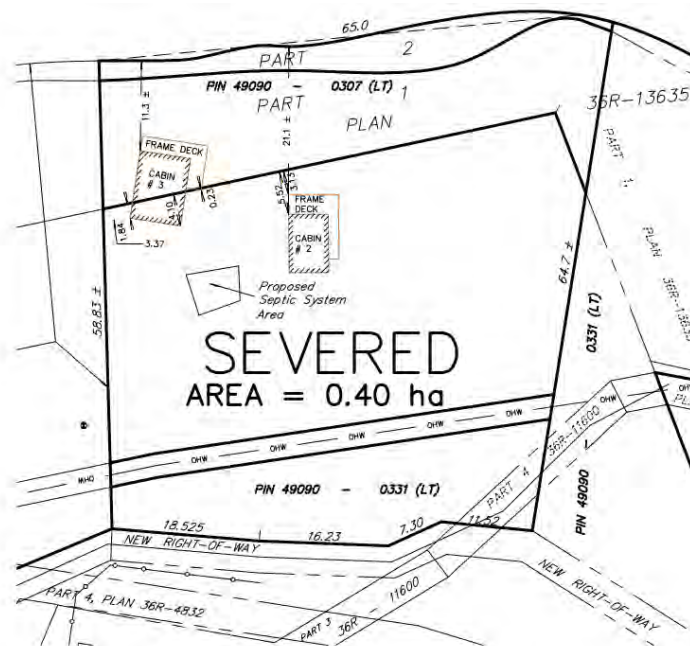
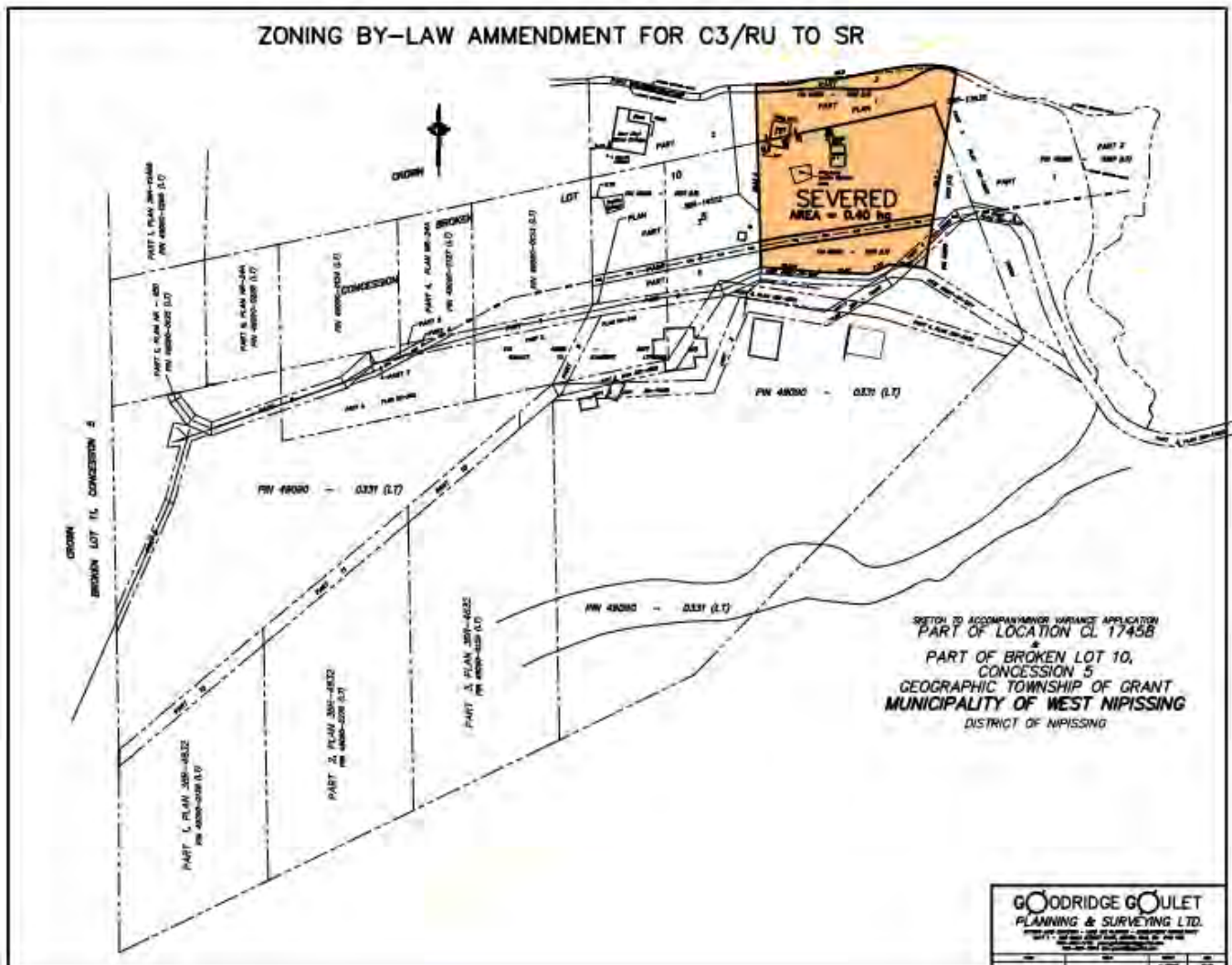




Figure 3 – 2017/06 MV Sketch

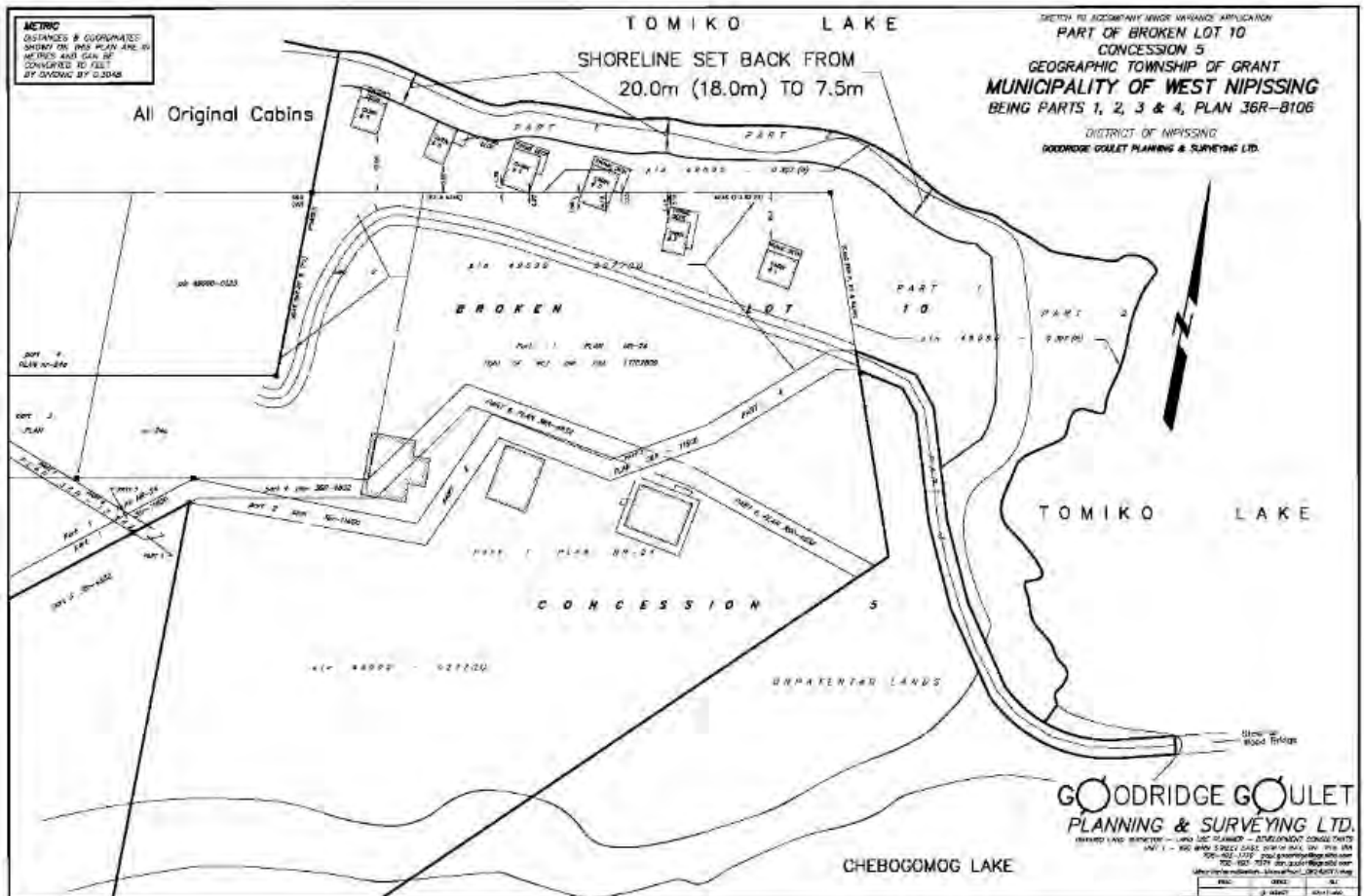


Figure 4 – West Nipissing Official Plan – Land Use Schedule

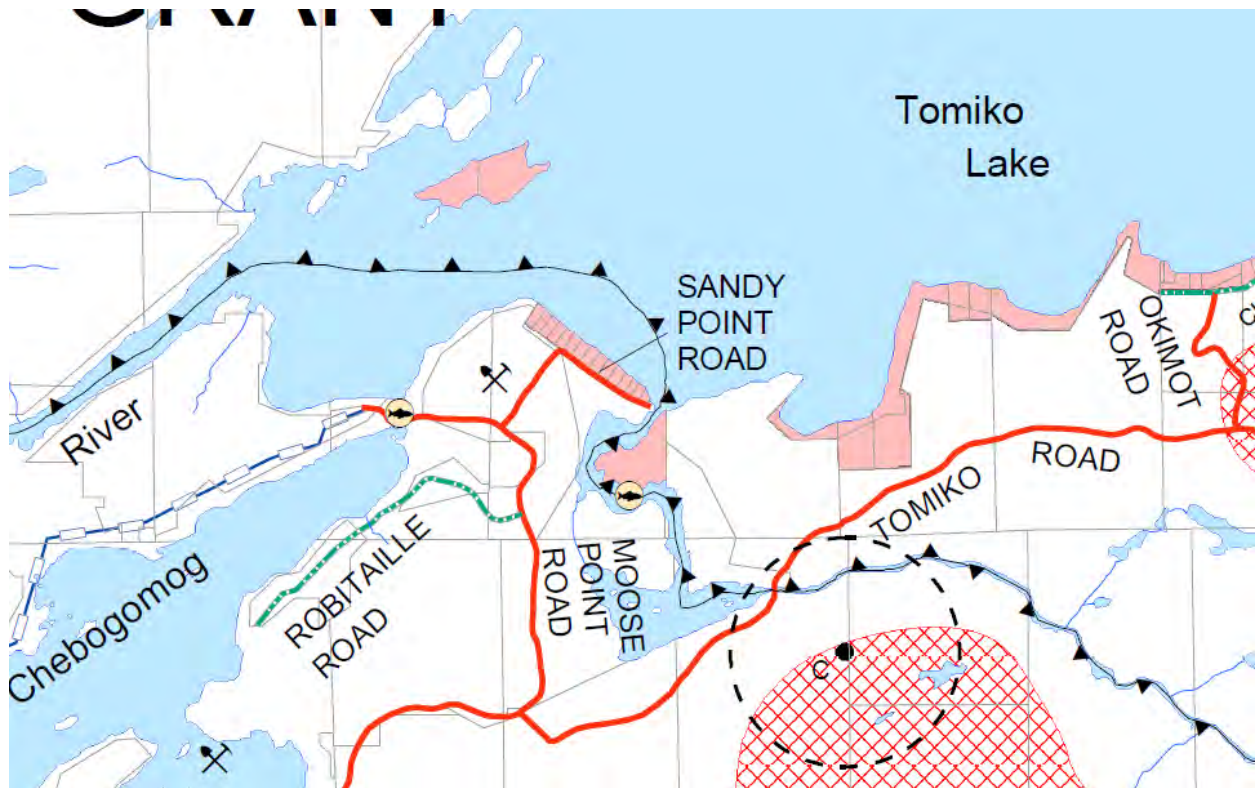
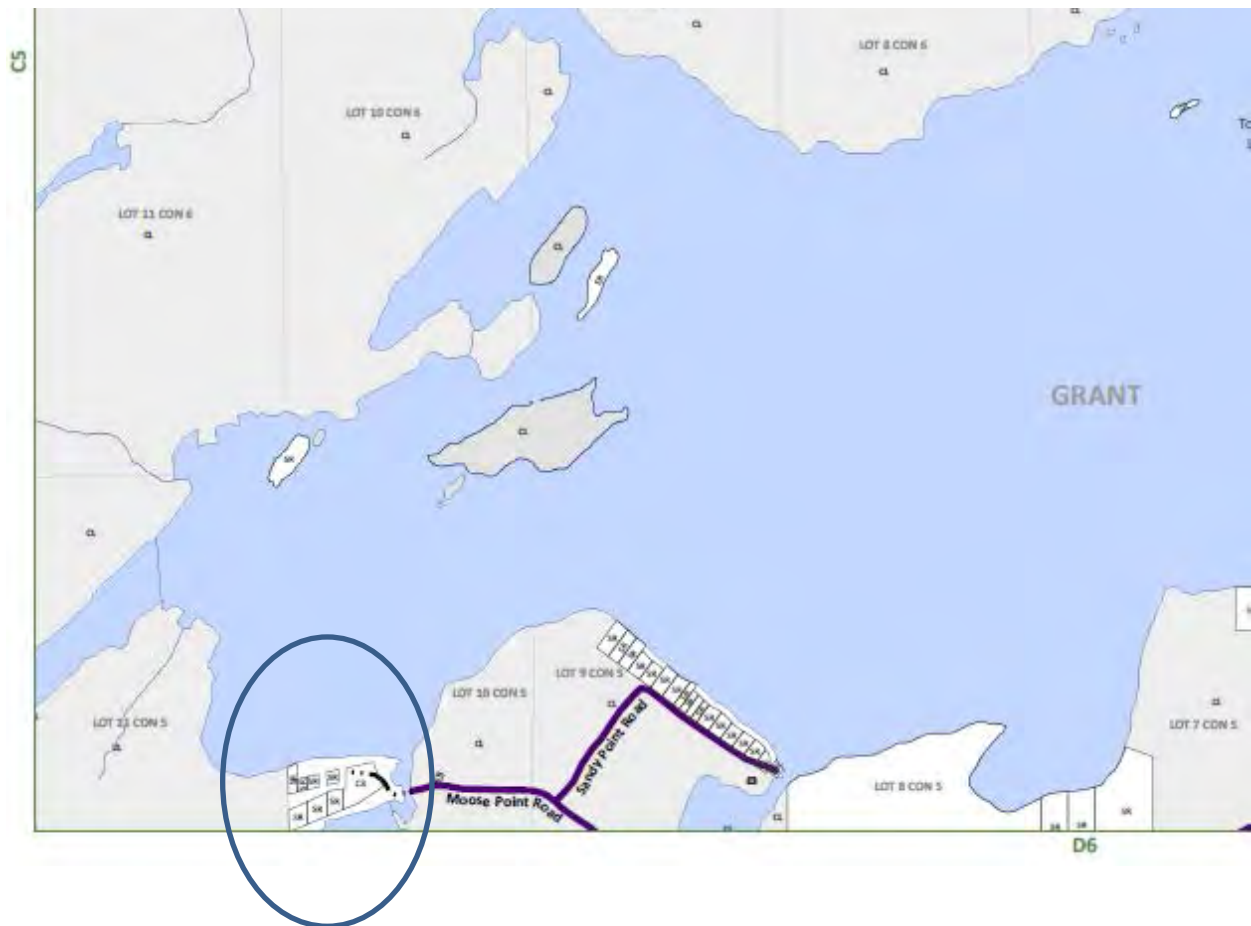



Figure 5 – West Nipissing Zoning By-law No. 2014-45





# Appendix 1 – Agency Comments

<div>  <div> WEST NIPISSING PLANNING ADVISORY COMMITTEE  <b>MEETING HELD March 14, 2022</b> </div> </div>							
RECORD OF ALL COMMENTS							
APPLICATION	BELL CANADA	MTO	HYDRO ONE	GREATER SUDBURY UTILITIES	CN / CP RAILWAYS	PUBLIC WORKS DEPT.	BUILDING DEPT.
<b>ZBLA2022/03</b> - Moose Point Cottages Ltd - 207 Moose Point Rd	•	• No comments	•	•	•	• No municipal access • Bridge is privately owned	• No issues

SUBD2021/03

# PLANNING REPORT

**Proposed Plan of Subdivision – SUBD2022/03**

**Applicants: West Nipissing Casa Development Properties Ltd.**

**Property: Vacant Land between Nipissing and Roy Street,  
North of Quesnel Road, Sturgeon Falls, Ontario**

**Date: March 14, 2022**



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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 subdivision of the vacant property located between Nipissing and Roy Street(s) and north of Quesnel Road, Sturgeon Falls Ontario into seventy-one (71) new residential lots. The application is being put forward by the owner, West Nipissing Casa Development Properties Ltd., by Agent, Goodridge, Goulet Planning & Surveying Inc.

## 2. SITE AND BACKGROUND INFORMATION

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The property is bounded on the east and west by Nipissing Street and Roy Street, respectively, and north of Quesnel Road. The property consists of the remaining vacant lands of which two prior plans of subdivision have been registered; one for 21 lots around the perimeter of Nipissing Street and Quesnel Road in 2013 and, most recently, for 48 lots on the King Street extension and new streets called Alexe Street, Mathieu Street, and Cameron Court. The prior subdivisions consist of both partially serviced (water only) and fully serviced lots (north of the gas pipeline). The property is currently accessed from King Street on the north and from Nipissing Street on the east side.

## 3. DEVELOPMENT PROPOSAL

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The owner is proposing to subdivide the property into a further seventy-one (71) residential lots serviced by three new municipal roads for the purpose of single-family and two-family residential development. All of the lots will be fully serviced with municipal water and sanitary services. The owners will be required to undertake engineering investigations in order to determine how the lots will be serviced and any upgrades, alterations or additions to existing municipal infrastructure will be required to be undertaken by the developer, at his own cost. The owner will also be responsible for obtaining all regulatory approvals required with respect to the extension of the existing water and sanitary mains.

## 4. POLICY CONTEXT

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

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

- 1.1.1 Healthy, liveable and safe communities are sustained by:
  - a. promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
  - b. accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space uses to meet long-term needs;
  - c. avoiding development and land use patterns which may cause environmental or public health and safety concerns;
  - d. avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;
  - e. promoting cost-effective development standards to minimize land consumption and servicing costs;

- f. improving accessibility for persons with disabilities and the elderly by removing and/or preventing land use barriers which restrict their full participation in society; and
- g. ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.

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

1.1.1.3 Settlement Areas:

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

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

- a. densities and a mix of land uses which:
  - 1. efficiently use land and resources;
  - 2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; and
  - 3. minimize negative impacts to air quality and climate change, and promote energy efficiency in accordance with policy 1.8; and
- b. a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3.

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

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

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

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

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

## 5. LOCAL POLICY DOCUMENTS

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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 Residential District are included for the Committee's consideration. The following provides a summary of the existing Official Plan policies and relevant considerations for the site:

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

#### Section 3.06.1.1 *Urban Settlement Area*

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

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

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

Table 3.1 - Permitted Land Uses in Designated Urban and Rural Settlement Areas and the Rural Area				
Land Use Category <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>

## 5.2 Zoning By-Law

By By-law 2017/15, Amendment to Zoning By-Law 2014-45, the owner re-zoned the lands from a Residential Holding Zone to R2 (Residential Two), permitting single family dwellings, duplex dwellings and semi-detached dwellings as principal uses.

It is recommended that unless the proponent intends to design and install sufficient infrastructure for semi-detached dwellings (two services per lot), that the zoning be amended to remove semi-detached dwellings from the permitted uses.

## 5.3 Part Lot Control By-Law

Assuming that design and infrastructure is appropriate, if the Owner wishes to further sever all or some of the proposed lots it is recommended that a Part Lot Control By -Law be sought. Part lot control exemption by-laws are enacted by the council of the municipality where a landowner wishes to further subdivide a lot that had been previously been created by way of a plan of subdivision. This approach avoids the necessity of obtaining consents (severances) for this lot creation. This approach is particularly appropriate where it is anticipated that the lots will be further subdivided or such purposes as service easements which are not exempt under the Act.

## 5.4 Site Plan Control By-Law

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

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

## **6 – ADDITIONAL REQUIREMENTS**

### **6.1 Servicing**

The existing Phase I and part of Phase II of the development were approved with partial servicing (water service only) with on-site services contemplated for those lots located south of the high-pressure gas main which transects the property. A Hydrogeological analysis was carried out by S. A. Kirchhefer Limited, which indicated that the property cannot accommodate a significant number of additional on-site services and, accordingly, the approval of this proposed draft plan can only be given on the condition that all of the lots are serviced with municipal water and sanitary services.

It is anticipated that the lots will be drained by road-side ditches and the lots will be graded such that the water flows to the front(s) of the property. No rear yard drainage easements will be approved by the Municipality.

A street lighting plan, satisfactory to the Municipality's Public Works Director shall be required prior to the signing of a Subdivision Agreement.

### **6.2 Drainage**

The property naturally drains westerly. The design of the previous Phases I and II was that the storm water be directed northerly into the marsh on the owner's property. Since the construction of the Phase II, the Municipality has continued to experience difficulty with drainage on Roy Street because the water is not draining northerly, as designed, and is backing up onto Roy Street, creating wash-outs as Roy Street is not equipped to take the flow of water emanating from the subdivision. The proposed development of 71 additional lots, will significantly increase the volume of storm water emanating from the property thus exacerbating an already tenuous situation.

As a condition of approval, the Owner will be required to provide a Stormwater Management Plan, satisfactory to the Municipality of West Nipissing. In addition to the stormwater management report, the owner shall be required to obtain a sufficient and legal outlet for the stormwater. The property has historically drained northly through private property, under Third Street, onto some more private property and out into the Sturgeon River. This historic drainage has no status and the significant proposed change in land use of the property will have the effect of negating any historic right of drainage through the abutting private lands.

Option for obtaining a legal outlet for the stormwater for this subdivision include:

- (a) Design a storm sewer system in order to direct the water along municipal roadways to a legal outlet;
- (b) Negotiate privately drainage easements from the landowners between his property and the Sturgeon River;
- (c) Petition for a Municipal Drain pursuant to Section 4 of the *Drainage Act* and request the Municipality's Drainage Engineer to carry out an inspection of the area requiring Drainage and prepare a Preliminary Report providing options. A Municipal Drain would have the effect of creating legal outlet(s) for the proposed and existing development. It should be noted that a Municipal Drain would apportion the cost of the report and construction over the entire catchment area requiring drainage, such that the costs would not have to be borne solely by the Owner and the Municipality would also be assessed for its roads.

### **6.3 Roy Street Upgrades**

The proposed development contemplates an exit onto the unmaintained portion Roy Street. Roy Street will be required to be upgraded by the Owner, at its cost, to a standard acceptable for the Municipality to assume and maintain as year-round road to be used both for ingress and egress to the subdivision and for access to any municipal infrastructure should it be installed.



#### **6.4 Parkland Dedication**

Notwithstanding the offer by the Owner to dedicated the high-pressure gas main corridor as Parkland, in the two (2) previous phases of this development, the Municipality had elected to take the 5% cash in lieu. Given that the newest phase will bring the development to an excess of 100 new dwellings, it is recommended that Council consider taking requiring the Owner to dedicate an area to be set aside for parkland. It would be my suggestion that the lands shown as Block 72 and Lot 4 be dedicated as Parkland as the lands would be accessible from Streets A and C.

### **7. CORRESPONDENCE/INFORMATION ATTACHED**

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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.

### **8. 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 2020.

In addition, the application has been reviewed within the context of the West Nipissing Official Plan and Zoning by-law No. 2014-45. Subject to the recommendations contained in this report, the proposed application to subdivide the property into seventy-one (71) residential lots is recommended subject to the conditions and recommendations contained herein and as further attached hereto as Appendix 2.

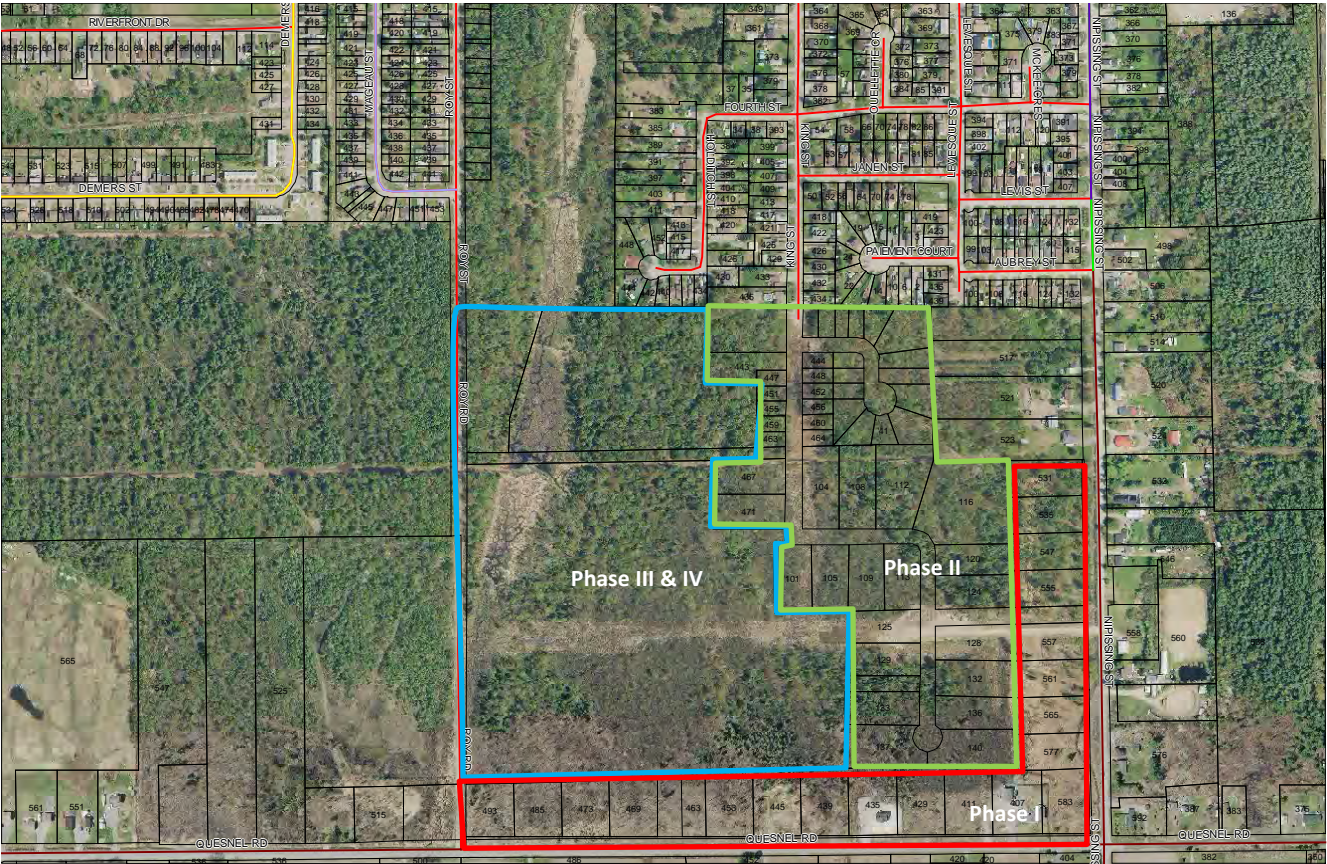
Respectfully Submitted,



---

Melanie Ducharme, Planner

Figure 1 – Aerial Imagery



[illegible]




[illegible]

The map displays a portion of the City of San Jose, California, with various zoning designations and lot numbers. Key streets shown include HOLLYDITCH ST, KING ST, and ROY ST. The map is divided into several sections, each with different zoning codes. The top section is labeled RU (Residential Urban). The middle section is labeled R1 (Residential Single-Family). The bottom section is labeled R2 (Residential Single-Family). The map also shows the locations of the City of San Jose and the County of Santa Clara. The map is dated 2015 and is a public document.

Lot numbers visible on the map include 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

## Appendix 1 –Correspondence/Comments

<div>  <div> WEST NIPISSING PLANNING ADVISORY COMMITTEE  <b>MEETING HELD MARCH 14, 2022</b> </div> </div>							
RECORD OF ALL COMMENTS							
APPLICATION	BELL CANADA	MTO	HYDRO ONE	GREATER SUDBURY UTILITIES	CN / CP RAILWAYS	PUBLIC WORKS DEPT.	BUILDING DEPT.
<b>SUBD2021/03</b> <b>West Nipissing Casa Development Properties Ltd.</b>	•	• No comments	• No comments or concerns	•	•	•	•

### Tanya Lelievre

**From:** Melanie Ducharme  
**Sent:** March 10, 2022 12:46 PM  
**To:** Tanya Lelievre  
**Subject:** FW: File #SUBD2021/03 - Park land

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

-----Original Message-----

**From:** Marc Arseneault <marcarseneault1@gmail.com>  
**Sent:** March 7, 2022 11:51 AM  
**To:** Melanie Ducharme <mducharme@municipality.westnipissing.on.ca>  
**Subject:** Re: File #SUBD2021/03 - Park land

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

Hi Melanie,

As discussed for the upcoming March 14th meeting, I am proposing to have park land and would prefer to see it centralized in the whole Casa development/subdivision.

Thanks,  
 Marc Arseneault  
 (705) 580-2624

## Appendix 2-Conditions of Approval

### SCHEDULE "A"

#### SUBD2021/03 - SPECIAL CONDITIONS OF DRAFT APPROVAL

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

- 1) The Corporation of the Municipality of West Nipissing's conditions and amendments to final plan of approval, for registration of Subdivision File No. **SUBD2021/03** made by **WEST NIPISSING CASA DEVELOPMENT PROPERTIES LTD.** are as follows:
- 2) That this approval expires three (3) years from the date of approval shown by the "Draft Plan Approval Stamp" on the face of the draft plan. If there is an appeal to the Ontario Municipal Board under section 51 (39) of the *Planning Act*, the three (3) year expiration period does not begin until the date of the order of the Ontario Municipal Board issued in respect of the appeal or from the date of a notice issued by the Board under section 52(51) of the *Planning Act*.
- 3) This Draft Approval applies to the Plan of Subdivision prepared by Goodridge, Goulet Planning & Surveying Inc., dated February 22, 2022.
- 4) That the owner agrees in writing to satisfy all requirements, financial and otherwise of the Municipality of West Nipissing concerning provision of services.
- 5) That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority in such location as may be agreed upon for the orderly provision of utilities and services.
- 6) That the Subdivision Agreement between the owner and the Municipality contain wording acceptable to the City Engineer to ensure that:
  - a) the owner agrees that a Stormwater Management Plan shall be undertaken by a professional engineer with respect to the Subdivision describing best management practices and appropriate measures to maintain quality storm runoff, both during and after construction; and
  - b) The Stormwater Management report shall also address any slope stability or any hydrogeological issues associated with this development
  - c) Any recommendations forthcoming from the Stormwater Management Study shall be incorporated into the final Subdivision site design and implemented to the ongoing satisfaction of, and at no expense to, the Municipality.
  - d) In conjunction with such stormwater Management Study, the Owner shall obtain a sufficient and legal outlet (municipal storm system, municipal drain or registered easement);

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



#### NOTES

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

SUBD2021/05

# PLANNING REPORT

**Proposed Plan of Subdivision**

**Applicants: PRJ Electric Ltd**

**Property: Vacant Lands on Lalande Road, Springer Township**

**Date: March 14, 2022**



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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 development of a thirteen (13) lot plan of residential subdivision, Part of Lot 8, Concession B, Geographic Township of Springer in the Municipality of West Nipissing. The Development is being proposed by Goodridge, Goulet Planning & Surveying Ltd., (Paul Goodridge, OLS) on behalf of PRJ Electric Ltd. (owner: Gilles Clement).

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

The subject property is located on the south side of Lalande Road at the corner of Lalande and Fort Roads, Township of Springer in the Municipality of West Nipissing. The Subdivision lands are comprised of approximately 15 hectares with each of the proposed lots being in excess of 1.0 hectares in size. The lands are bounded on the north by chemin Lalande Road, chemin du Fort Road on the West and chemin Concorde Road on to the south.

The property has been the subject of a previous subdivision application for eight (8) residential lots and several severances along chemin Concorde. The owner has carried out extensive ditching and drainage work on the property and the proposed new road is already in existence as shown on the attached aerial imagery. The road will be upgraded in accordance with the engineering plans which have been prepared by the owner's consultants which have been approved by the Municipality's Manager of Public Works.

## **3. DEVELOPMENT PROPOSAL**

The current proposal is for thirteen (13) new residential building lots on a cul-de-sac to be accessed from Lalande Road. The lots are proposed to be serviced by on-site water (wells) and waste water systems (septic beds).

## **4. POLICY CONTEXT**

Land use policies and regulations affecting the subject lands include the Growth Plan for Northern Ontario, the Planning Act, R.S.O., 1990 and the 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.

#### **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.

#### **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.

As the property is located within the Sturgeon River Flood Plain, the owner has carried out a hydrogeological analysis of the lands to determine the suitability of installation of on-site sanitary and water services, which report's conclusions will be further detailed in this report.

Conditions of Subdivision will include the requirement for a Drainage Plan to demonstrate how the individual lots will drain in order to mitigate negative effects which may be caused by site alteration for development. The individual lots will be subject to lot grading. No rear yard drainage easements will be accepted by the municipality and it is recommended that the

#### **Section 2.1 - Natural Heritage:**

As evidenced in the Natural Heritage Map attached, there is a small portion of Provincially Significant Wetland located at the south west corner of the proposed subdivision. In 2013 a Preliminary Ecological Site Assessment was undertaken by the developer. The results and recommendations arising from the PESA will be further discussed below.

## **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:

#### **3.06.3 Rural Area**

Lands which are not located within a designated urban or real 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 settlement, scattered residential uses, pits and quarries and a variety of other rural type uses.

Limited opportunities will be provided for residential development in the Rural Area land use designation. This will take the form of residential infilling within existing clusters of development, cross road settlements or shoreline areas. Scattered development will be discouraged. Subdivisions shall not generally be

permitted in the Rural District except for areas along the shoreline of waterbodies or in association with a recreational commercial development.

**Table 3.1 – Permitted Land Uses**

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>

## 5.2 Zoning By-Law

The property is zoned Rural and the permitted uses and lot standards in the Rural Zone can be found in Tables 9.1m 9.2 and 9.3 of the West Nipissing Zoning By-Law 2014-45.

If approved, it is recommended that the subdivision lands be re-zoned to a **Rural Residential Exception Zone** which zone will include provisions for any recommended set-backs or other recommendations arising from the Environmental Assessment Report.

## 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.

A Site Plan is required to address, among other things, dimensions of the land, location of proposed buildings, the relationship of proposed structures and buildings to adjacent publicly and privately-owned properties, elevations and cross sections to determine surface drainage patterns and the general location of all services to the property;

## 6.0 SITE SPECIFIC STUDIES

### 6.1 Preliminary Ecological Site Assessment

In 2013 it was identified that a small portion of the property is overlapped by the Provincially Significant Wetland which is largely located on the west side of Fort Road. It was determined that the applicant would carry out a Preliminary Ecological Site Assessment (PESA) in accordance with the provisions of the Natural Heritage Reference Manual. The report recommendation with regard to the PSW is that further

investigation be carried out prior to development to ensure that the proposed development will not have any adverse impact on the PSW.

In 2015 the Ministry of Natural Resources and Forestry advised the Municipality of West Nipissing that they would be carrying out an evaluation of the Cache Bay Wetland areas in West Nipissing in order to provide a boundary refinement which will identify the areas within the PSW which are no longer functioning as wetland. That study has not yet been completed however recent discussions with MNRF staff have indicated that it remains a priority at the provincial level.

It is recommended that the Applicant shall obtain an evaluation of the portion of the property which is designated as PSW and/or an updated PESA to address the findings of the 2013 study and to evaluate the potential impacts of the proposed development and to make recommendations in particular with regard to the PSW, which may or may not be functioning wetland. All recommendations forthcoming from the study shall form part of the Special Provisions of the Subdivision Agreement and shall, as required, be included in the Zoning Amendment and/or Site Plan Control Agreement to be entered into.

## **6.2 Hydro-Geological Analysis**

The property is located within the Sturgeon River Floodplain, with all lots having an elevation of slightly below the regulatory flood level of 197.25m. As a result, the Owner was required to obtain a hydro-geological analysis of the terrain in order to determine suitability for the installation of private water and sanitary services and to provide recommendations for the. The report's conclusions indicate that there is sufficient surcharge of raw potable water to supply all of the proposed lots. Further, the report recommends that all of the lots shall be serviced with raised septic systems.

## **6.3 Stormwater Management**

The owner has commissioned a Stormwater Management report for the proposed development in order to address the proposed drainage of the site post-development. The conclusions of the report indicate that although that the lands are located within the flood plain and have relatively flat land conditions, the proposed low-density development will not have any adverse effect on the receiving body of water (Sturgeon River).

## **7. CORRESPONDENCE/INFORMATION ATTACHED**

Notice of this application was circulated to all properties located within 120m of the property as required by the Planning Act. Notice was also circulated to all public bodies and agencies, whose comments are attached.

See Appendix 1

## **8. SUMMARY AND RECOMMENDATIONS**

The proposed subdivision application by PRJ Electric Ltd. to divide the property described as Part of Lot 8, Concession B, Township of Springer, Municipality of West Nipissing, into thirteen (13) residential lots is in general conformity with the West Nipissing Official Plan as it relates to limited residential development in the Rural Area.

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.



If an approval is forthcoming by the West Nipissing Planning Advisory Committee, it is recommended that the following Special Conditions be imposed on the Owner in addition to the Conditions of Draft Approval included in Schedule "A" hereto:

1. That an updated Environmental Impact Study/and or evaluation of the area of the property noted as PSW be carried out and that the recommendations of the study/report be included as special provisions to the Subdivision Agreement to be entered into with the Applicant including, buffering, setbacks from wetlands, endangered species, etc.;
2. That the Owner provide a detailed Site Plan of the property, taking into consideration the recommendations of the Environmental assessment. The property shall be placed under Site Plan Control, as authorized by By-Law 2015-63 and the Owner shall enter into a Site Plan Control Agreement with the Municipality to ensure that development on the lands shall occur in accordance with the recommendations herein. The Site Plan Control Agreement shall be registered on title to each lot immediately following the Subdivision Agreement and any required municipal easements;

Respectfully Submitted,

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

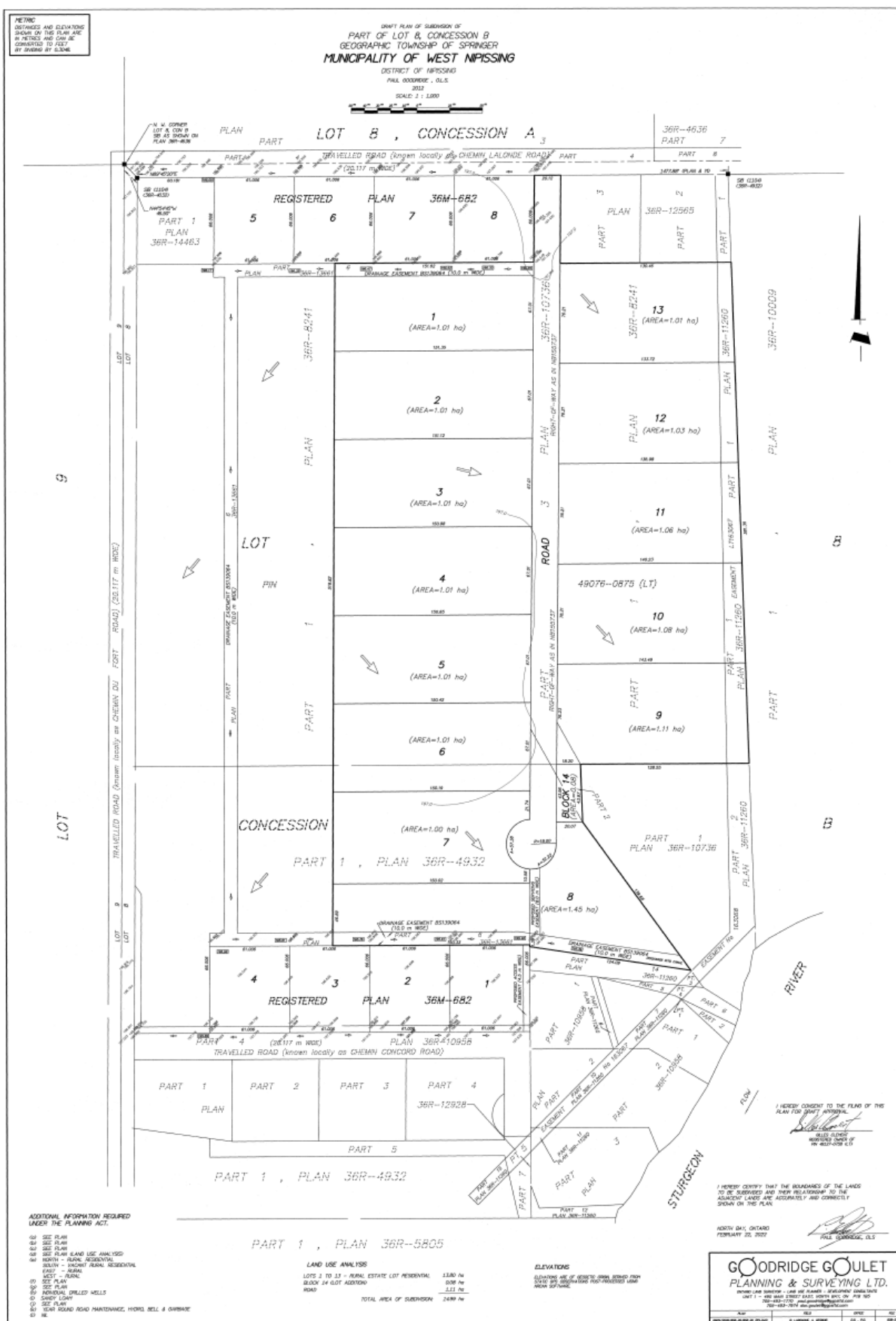
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Melanie Ducharme, Municipal Clerk/Planner

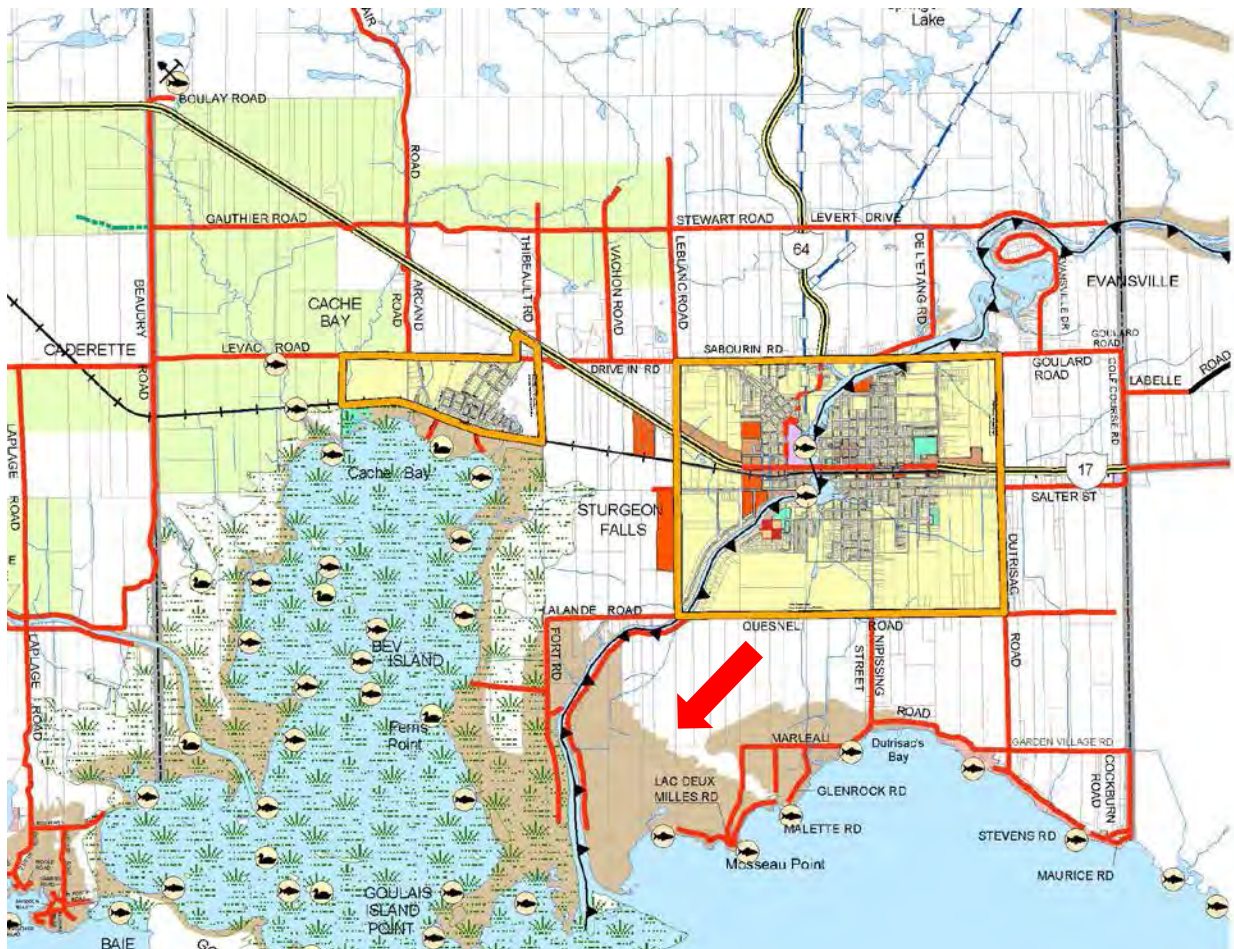
**Figure 1 – Aerial Imagery**



### Figure 2 – Proposed Draft Plan of Subdivision

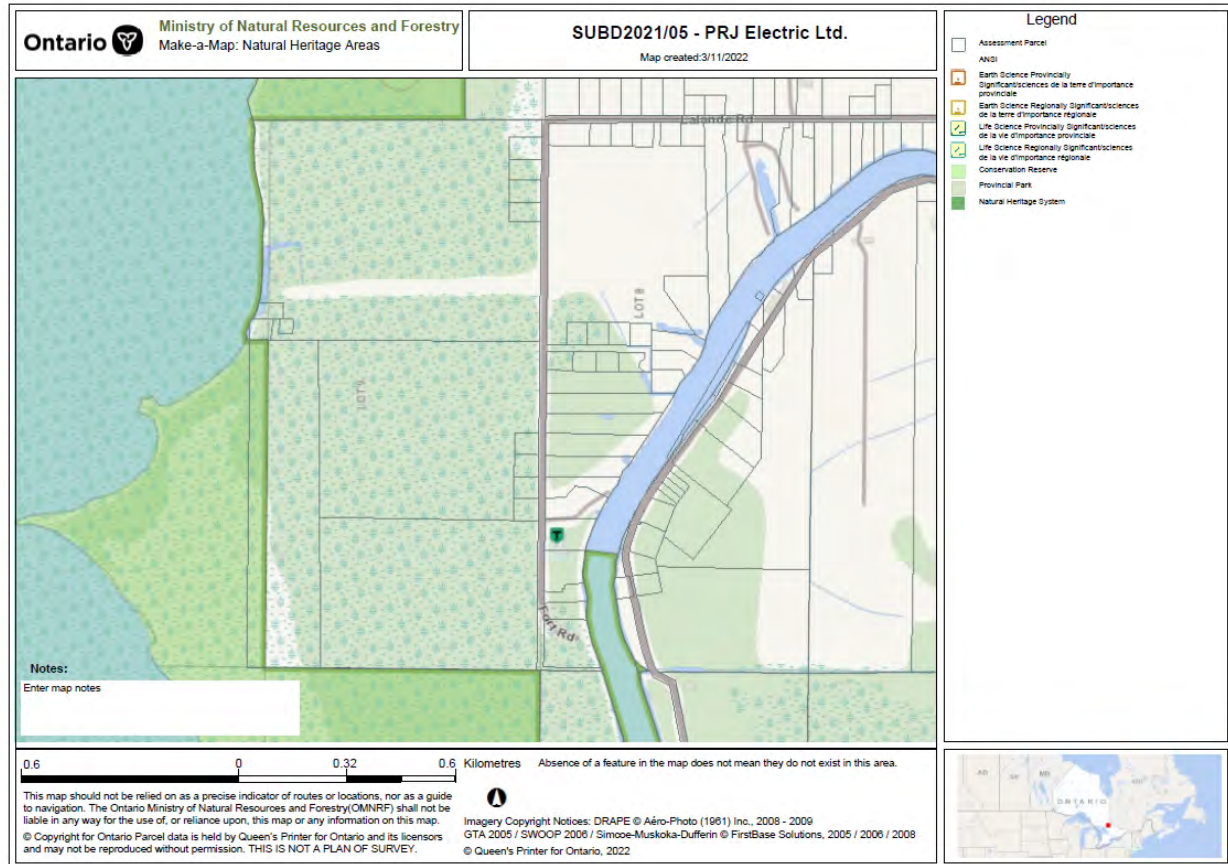


### Figure 3 – West Nipissing Official Plan – Land Use Schedule

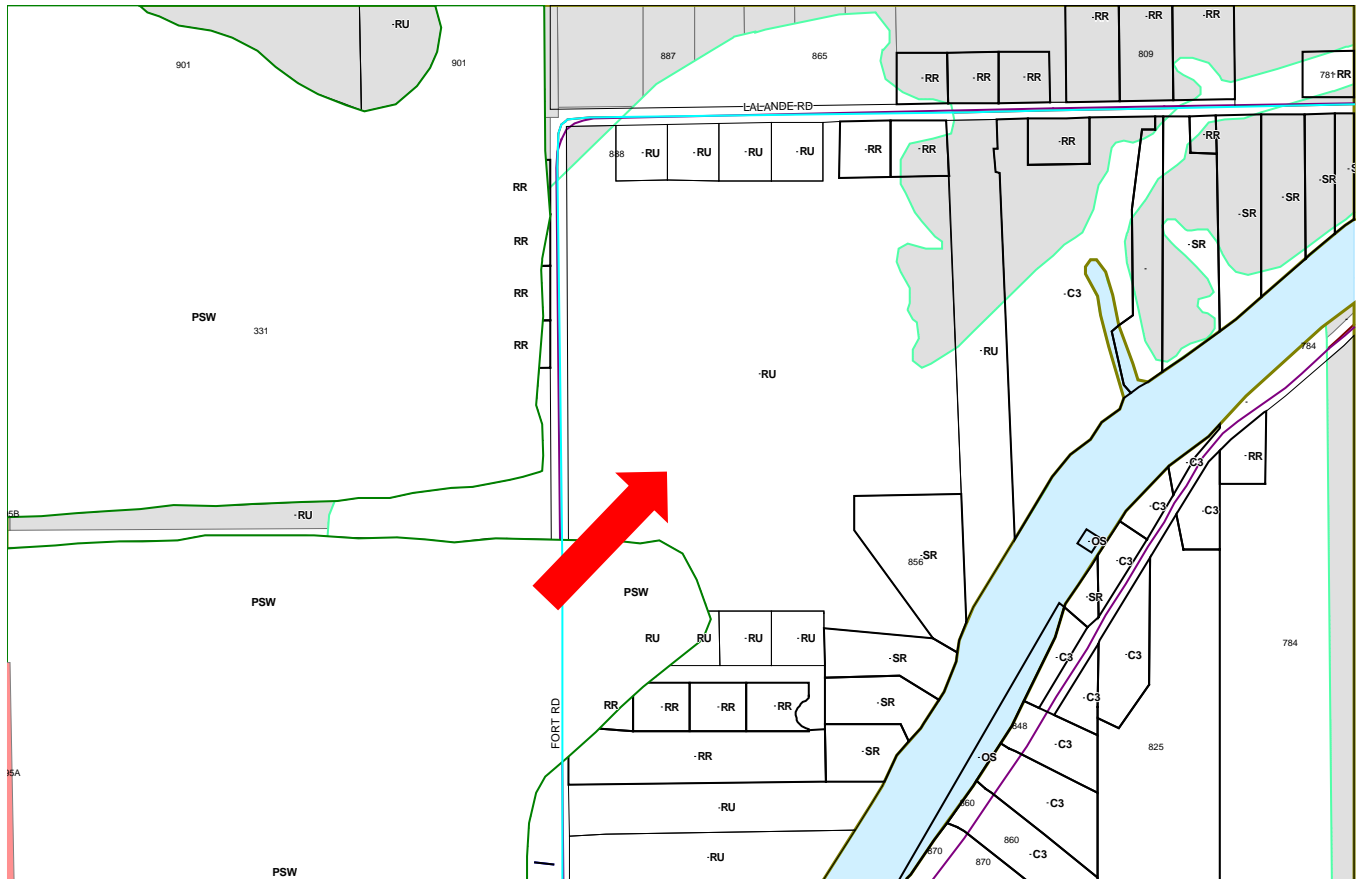





**Figure 4 – Natural Heritage Mapping**



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



## Appendix 1 - Comments

<div>  <div> WEST NIPISSING PLANNING ADVISORY COMMITTEE  MEETING HELD MARCH 14, 2022 </div> </div>							
RECORD OF ALL COMMENTS							
APPLICATION	BELL CANADA	MTO	HYDRO ONE	GREATER SUDBURY UTILITIES	CN / CP RAILWAYS	PUBLIC WORKS DEPT.	BUILDING DEPT.
SUBD2021/05 PRJ Electric Ltd	•	• No comments	•	•	•	<ul style="list-style-type: none"> <li>• No water</li> <li>• No sewer</li> <li>• Drainage shall be roadside, and only easement along lot 8 will be accepted by municipality for a drainage outlet.</li> </ul>	<ul style="list-style-type: none"> <li>• No issues</li> <li>• Note that that building plans for the new homes in the hazard land designation will need to conform to the requirements of Section 9.1.1.8 Div B of the Ontario Building Code.</li> </ul>

### Tanya Lelievre

**From:** Melanie Ducharme  
**Sent:** March 11, 2022 2:46 PM  
**To:** Tanya Lelievre  
**Subject:** FW: Comment for file no. SUBD2021/05- Meeting March14, 2022  
**Attachments:** 842Lalanderdditch.jpeg

**From:** Michael Horner  
**Sent:** March 11, 2022 10:36 AM  
**To:** Melanie Ducharme <mducharme@municipality.westnipissing.on.ca>  
**Subject:** Comment for file no. SUBD2021/05- Meeting March14, 2022

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

Hi Melanie,

We spoke earlier on the telephone last September concerning potential water issues I had with the planning of the new subdivision adjacent to our property of 842 Lalande Rd, Sturgeon Falls.

I don't oppose the project even though the reduction of green space and the creation of five new neighbors will potentially reduce the value of our property. I do believe in the growth of our community.

The problem at hand is that the natural ditch depression that provides drainage from our properties to the river goes through the middle of the proposed Lot 10. I do not see a drainage easement on the proposed plan to address this issue. If this area is simply blocked off it will definitely cause flooding to my driveway and property during spring run off.

I have included the satellite imagery which clearly shows this natural ditch. Hoping my concerns can be addressed and that this has simply been overlooked.

For any further clarification please feel free to contact me.

Michael Horner

March 3, 2022

Dear Planning Advisory Committee,

I am writing this letter in reference to file number SUBD2021/05. I simply want to ensure the Planning Advisory Committee takes into consideration drainage requirements for these 13 new un-serviced residential building lots and 1 block.

It is my understanding that the current ditches on the property are unregistered. The red line in the areal view below is what I believe to be the ditches that are on the reference plan. However, the orange line is an additional ditch that is currently on this land that is not reflected in the plan. When the snow melts, these ditches are full, and I am worried if they are not recognized on these plans that they can be filled in causing flooding issues for the surrounding neighbours.

My intentions are not to delay and impeded any development of the land. However, given this is a low-lying land I want to make sure drainage is one of the main considerations of this committee.

I assume that my comments above will be addressed at the upcoming meeting on March 14, 2022.

Kind regards,



Alexandre Laferrière

888 Lalonde Road





## Appendix 2

### **SCHEDULE 'A'**

#### **FILE SUBD 2021-05 SPECIAL CONDITIONS OF DRAFT APPROVAL**

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

- 1) The Corporation of the Municipality of West Nipissing's conditions and amendments to final plan of approval, for registration of Subdivision File No. SUBD 2021/05 made by PRJ ELECTRIC LTD. are as follows:
- 2) That this approval expires three (3) years from the date of approval shown by the "Draft Plan Approval Stamp" on the face of the draft plan. If there is an appeal to the Ontario Municipal Board under section 51 (39) of the Planning Act, the three (3) year expiration period does not begin until the date of the order of the Ontario Municipal Board issued in respect of the appeal or from the date of a notice issued by the Board under section 52(51) of the Planning Act.
- 3) This Draft Approval applies to the Plan of Subdivision prepared by Goodridge, Goulet Planning & Surveying dated February 22, 2022.
- 4) That prior to signing the Final Plan by the Municipality, the proposed subdivision conforms to the Zoning By-law in effect for the Municipality or with respect to any zoning conditions contained herein or in the Staff Report to which this is appended;
- 5) That the owner agrees in writing to satisfy all requirements, financial and otherwise of the Municipality of West Nipissing concerning provision of roads, installation of services, and drainage.
- 6) That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
- 7) That the Owner provides full engineering drawings showing the provision of full municipal services prepared by a qualified engineer, to the satisfaction of, and at no expense to the Municipality of West Nipissing to address the following:
  - a. Road design;
  - b. Storm water, drainage and including a legal outlet;
  - c. Entrances to lots;
  - d. Street lighting;
  - e. CMB location;
  - f. Location of other services (telephone, gas, hydro, etc.).

- 8) That the owner agrees to convey up to 5% of the land included in the plan or cash-in-lieu to the Municipality for park or other public recreational purposes.
- 9) The owner covenants and agrees to provide the municipality with evidence that satisfactory arrangements, financial and otherwise, have been made with Canada Post Corporation for the installation of Community Mail Boxes (CMB) if required by Canada Post Corporation. The owner further agrees to provide notice to prospective purchaser of the locations of the CMB and that home/business mail delivery will be provided by CMBs provided by the owner, provided that the owner has paid for the activation and equipment installation of the CMB's.
- 10) That the Subdivision Agreement between the owner and the Municipality be registered by the Municipality against lands to which it applies once the Plan of Subdivision has been registered prior to any encumbrances.
- 11) That the Subdivision Agreement between the owner and the Municipality contain a Special Provision with wording acceptable to Greater Sudbury Hydro Utilities (GSU) or Hydro One to ensure that:
  - a. Prior to final approval, a copy of the lot grading and drainage plan, showing existing and final grades, must be submitted to GSU or Hydro One for review and approval.
  - b. Any development in conjunction with the subdivision must not block vehicular access to any GSU/Hydro One facilities located on the right-of-way. During construction, there will be no storage of materials or mounding of earth or other debris on the right-of-way.
  - c. The costs of any relocations or revisions to GSU/Hydro One facilities which are necessary to accommodate this subdivision will be borne by the developer.
  - d. The easement rights of GSU/Hydro One and its legal predecessors are to be protected and maintained.
- 12) That an updated Environmental Impact Study be carried out and that the recommendations of the study be included as special provisions to the Subdivision Agreement to be entered into with the Applicant including, buffering, setbacks from wetlands, endangered species, etc.;
- 13) That the Owner provide a detailed Site Plan of the property, considering the recommendations of the Environmental assessment. The property shall be placed under Site Plan Control, as authorized by By-Law 2015-63 and the Owner shall enter into a Site Plan Control Agreement with the Municipality to ensure that development on the lands shall occur in accordance with the recommendations herein. The Site Plan Control Agreement shall be registered on title to each lot immediately following the Subdivision Agreement and any required municipal easements;
- 14) The owners shall undertake an update of the Environmental Assessment which was carried out in 2013 in particular relating to the portion of the lands located in and adjacent to the Provincially Significant Wetlands. Any recommendations arising from the said report shall be incorporated into and form part of the required Zoning By-Law Amendment and/or Site Plan Control Agreement, as applicable.
- 15) That the Owner shall re-zone the property to a Rural Residential Exception Zone, which Zone shall include any recommended set-backs arising from the updated PESA.

## NOTES

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