

ISSUES IDENTIFICATION REPORT

2024

OFFICIAL PLAN
REVIEW AND
ZONING BY-LAW
AMENDMENT



West Nipissing Ouest



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1 Introduction

Planscape Inc. has been retained to undertake a comprehensive review of the West Nipissing Official Plan and a Comprehensive Zoning By-law update. As outlined in the RFP awarded in April 2024 the primary objectives of the project include:

i) to complete a comprehensive review of the Municipality's Official Plan that is consistent with the most recent Provincial Policy Statement, the Planning Act and any other regulatory requirements.

ii) To update the Comprehensive Zoning By-law and to ensure conformity with the updated Official plan in accordance with the Planning Act.

1.1 Purpose of Report

The purpose of this report is to address issues of concern with the existing Official Plan. Critical issues have been identified through the project work plan, preliminary discussions with staff, the document review process and from an initial municipal tour in June 2024.

The report summarizes the key issues understood to date about the difficulties encountered with the current OP policies and the key areas of opportunity for policy and format improvements.

1.2 Township Characteristics

The Municipality of West Nipissing is an amalgamated municipality consisting of five (5) formerly incorporated municipalities and seventeen (17) formerly unincorporated territories.

The municipality is approximately 1,994 square kilometres on the northern and western shores of Lake Nipissing. The area is primarily undeveloped open space and home to hundreds of lakes, the Sturgeon River and endless opportunity for outdoor leisure and activities that include both waterfront development and rural land use.

The estimated population is 14,583 according to the 2021 census¹, with the major settlement area in Sturgeon Falls and the smaller urban settlement areas of Verner and Cache Bay. Rural Settlement Areas include the Field, Lavigne, Crystal Falls and River valley communities.

West Nipissing has a region of agricultural lands that run west of Sturgeon Falls along Highway 17 to Verner and southwest to Lavigne. Farming and agriculture play an important role in the region² along with other key sectors of mining, forestry and construction.

2 Summary of Key Policy Directions

The following policy documents were reviewed for this project:

- The Planning Act,
- Provincial Policy Statement (2020),
- Accessibility for Ontarians with Disabilities Act,
- Clean Water Act (Source Water Protection Plans),
- Building Code Act, Housing and Homelessness Plan,
- Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas (2016),
- Growth Plan for Northern Ontario (2011),
- Recently updated policies and legislative changes, and other relevant Provincial Statutes, regulations, and guidelines,
- The current Official Plan,
- The current Zoning By-law, and
- All Zoning By-law Amendments.

Minor variance applications and site-specific zoning by-law amendments will be reviewed as required.

¹ Profile table, Census Profile, 2021 Census of Population - West Nipissing / Nipissing Ouest, Municipality (M) [Census subdivision], Ontario (statcan.gc.ca)

² <https://www.westnipissing.ca/town-hall/about-west-nipissing/>

3 Critical Issues Considerations

Based on the RFP, initial staff discussions, a municipal tour in June 2024 and document review, the following preliminary list of critical issues has been assembled. These issues will be carried forward and considered during the creation of the new OP and Zoning By-law.

3.1 Official Plan Formatting & Language

- Staff have commented on the sometimes-awkward language of the current document
- Not easy to reference policy based on “Section formatting style,” paragraphs should be easily referenced
- Request for cleaner and clearer language yet room for flexibility in some policy areas
- Staff would like to see a document provides easier direction for growth
- Create a clearer document with respect to policy hierarchy
- Need for Definition Section

3.2 Mapping

- The creation of digital schedules is required
- Existing mapping is confusing with “one” map approach (overlay of land use versus land constraints)
- Inconsistencies or inaccuracies are present and need correction
- Overlays require updating (including floodplains)
- French River/Conservation Area update required

3.3 Land Use Designation Policies

3.3.1 Settlement Areas

- Possible inaccuracies or inconsistencies in the mapping
- Policies to provide opportunities for future growth and development
- Address housing strategy (new study) and opportunities for residential development/expansion

- Consideration of municipal Services Infrastructure and Expansions (water and sewage)

3.3.2 Employment Lands

- Consider more accurately identifying lands in terms of commercial, industrial, institutional, office etc.
- Municipal buildings/facilities identified as Open Space, need correction in mapping
- Commercial Trailer Parks and Campgrounds policies to be considered

3.3.3 Rural Lands

- Create flexibility in lot creation where possible according to provincial guidance
- Address infilling and strip development policies
- Look at minimum size policy to determine if appropriate
- Look at flexibility where lands cannot be used for farming purposes for other development
- Address Private Road issues, access and available services (Hydro)

3.3.4 Waterfront Designation

- Discuss the idea of Waterfront Area Designation vs a Schedule “overlay” and associated polices

3.4 Management of Resources

3.4.1 Natural Heritage Features

- Address mapping inaccuracies
- Clarification on policies (specifically to non-complying and non-conforming uses)
- Provincially Significant Wetlands (PSW) refinements started in 2015, but were never completed by MECP, (Dock Rd and Forte Rd in particular) – area to be addressed by policy

3.4.2 Agricultural Areas

- Address prime lands – what can/should be added or removed
- Consult with agricultural community as a key priority for this
- Address opportunities for lot creation where appropriate
- On-farm diversified use policies and implementing zoning provisions

3.4.3 Cultural Heritage

- Consultation with local indigenous groups a priority – staff expressed the great relationship that they wish to continue

3.5 Hazard Lands

- Address inaccuracies of flood areas (Sturgeon River)
- Create clear and flexible policy for development
- Floodplain “overlay” schedule update

3.6 Lot Creation Policies

- Flexibility to create more residential lots
- Review “infilling”, “natural severances”, etc. policy
- Review Plan of Subdivision vs lot by Consent policies
- Broader Official Plan policy relating to lot size and frontage
- Address access and private roads, easements etc.
- Backlot policies
- Expand/clarify Site Servicing policies for all development

3.7 Private Road Policies

- Explore opportunities for flexibility in future development
- Review policy relating to seasonal roads, improvements, agreements and assumptions

3.8 Legal Non-Conforming/Non-Complying

- Clarification on expansions, redevelopment of pre-existing building or structures
- Site Servicing policies for redevelopment

3.9 Additional Technical Studies/Tools

- Review of Section 8 for accuracy
- Review when and what studies are required for development or lot creation

4 Conclusions

West Nipissing Ouest is a vast and varied municipality with both rural and settlement area considerations for updating policies and by-law provisions. The Official Plan review process and policy update will consider each of the areas noted in this report and by-law provisions will be updated or created to implement the policy changes.

This issues list is a starting point and will be referred to and utilized throughout the project. Additional items and issues are expected to be raised during the consultation portions of the project and will be given equal consideration in the creation of policies and provisions.