

# MEMORANDUM

To: Members of Council

From: Jamie Cressman, Chief Administrative Officer/Clerk

Date: February 18, 2011

Re: Committee of the Whole Administration and Operations and Regular Meetings  
Tuesday, February 22, 2011  
Additional and New Business Items

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1. As listed in the Committee of the Whole Administration and Operations Agenda - email from Kelly Sebulski, Joy Vanlenthe and Pat Cook dated February 18, 2011, relative to a deputation request for use of the Murillo Race Track.
2. As listed in the Regular Agenda - By-law No. 622-2011 including changes recommended by Council at the February 14, 2011 meeting.

The following New Business Item will be presented at the Regular Meeting:

1. Submission prepared by Councillor E. Collingwood for presentation at the meeting with the Ministry of Transportation at the ROMA/OGRA Conference.

## Jamie Cressman

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**From:** kelly [kjs@tbaytel.net]  
**Sent:** February 18, 2011 9:57 AM  
**To:** 'Jamie Cressman'  
**Subject:** RE: hi meeting

Hi we are asking for the track 4x this summer June 12<sup>th</sup> July 14<sup>th</sup> August 7<sup>th</sup> September 24<sup>th</sup>. We would like to present the agenda and goals of the NorthWestern Ontario Horseracing Association. If the Council has room on their meeting agenda for February 22, 2011, we would like to present then, to give our club as much time as possible to get all our other paperwork in place. We have been in contact with Ken Kvemshagen, President of the Manitoba Pro Chariot and Chuckwagon Association, 1(204)748-5843, also Raina Henriksen, former Chairman of the Board of the Calgary Stampede, who are going to help us get things set up to the professional level we wish to achieve. These dates are tentative, if these are already booked, we have no problem with being flexible with what the Township may have available.

Thank-you very much for your assistance in this matter,

Sincerely,  
Kelly Sebulski, Joy Vanlenthe and Pat Cook

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**From:** Jamie Cressman [<mailto:jamie.cressman@oliverpaipoonge.on.ca>]  
**Sent:** February-18-11 9:25 AM  
**To:** 'kelly'  
**Subject:** RE: hi

Hi Kelly

I need a written statement asking to be put on the agenda for the council meeting on February 22, 2011 and the reason for attending. Can you also put in writing the details of what you plan to do. Dates, type of racing, who your group is those kind of things. If you need more information please give me a call.

Jamie Cressman, CAO/Clerk  
Municipality of Oliver Paipoonge  
P.O. Box 10, 4569 Oliver Road  
Murillo, Ontario, P0T 2G0  
Tel. (807) 935-2613 Ext 1  
Fax (807) 935-2161  
Email [jamie.cressman@oliverpaipoonge.on.ca](mailto:jamie.cressman@oliverpaipoonge.on.ca)

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**From:** kelly [<mailto:kjs@tbaytel.net>]  
**Sent:** February 17, 2011 4:58 PM  
**To:** [jamie.cressman@oliverpaipoonge.on.ca](mailto:jamie.cressman@oliverpaipoonge.on.ca)  
**Subject:** hi

What do you need from me exactly a few people are asking I threw out the paper that I wrote on sorry thanks for the help

**THE CORPORATION OF THE MUNICIPALITY  
OF OLIVER PAIPOONGE**

**BY-LAW NO. 622 - 2011**

A By-law to amend By-law No. 185-01, a Zoning By-law.

**WHEREAS** the Council for the Corporation of the Municipality of Oliver Paipoonge owner of certain lands situate in the Municipality of Oliver Paipoonge requires a change to the zoning to accommodate a site specific zoning change to said lands;

**AND WHEREAS** the Council is desirous of amending said By-law No. 185-01 in the manner herein set forth.

**Section 1 -- Application of the By-law**

1.1.1 Sections 2 and 3 of this By-law shall apply only to the lands and premises being Part of the West Half of the South Half of Lot 6, Concession 2 and Part West Half of North Half Lot 6, Concession 1, in the former Township of Oliver and now in the Municipality of Oliver Paipoonge, commonly known as Rubin Industrial Park Phase Two.

**Section 2 -- Site Plan Control**

1.1 Pursuant to the Planning Act the Council of the Corporation of the Municipality of Oliver Paipoonge shall hereby identify this land as Part of the West Half of the South Half of Lot 6, Concession 2 and Part West Half of North Half Lot 6, Concession 1, upon which the use or uses are consistent with the following zones as specified in the Zoning By-law for the Municipality as proposed site plan control areas:

**3. Change of Zone**

3.1 Notwithstanding Schedule "A" to By-law 185-01 as it applies to Part of the West Half of the South Half of Lot 6, Concession 2 and Part West Half of North Half Lot 6, Concession 1, in the former Township of Oliver and now in the Municipality of Oliver Paipoonge, the said lands are hereby removed from the Oliver Agricultural (OAG) and Oliver Limited Agricultural (OAL) zone and designated as being Oliver General Commercial (OC1-1) zone in part and Oliver General Industrial (OM1-1) zone in part.

**Section 4 -- Regulation Changes**

4.1 For the lands and premises being Part of the West Half of the South Half of Lot 6, Concession 2 and Part West Half of North Half Lot 6, Concession 1, in the former Township of Oliver and now in the Municipality of Oliver Paipoonge, certain uses are removed specifically for this property, the Oliver General Commercial (OC-1) and Oliver General Industrial (OM1), resulting in the remaining permitted uses as described in permitted uses in Schedule A.

**"Permitted Uses**

As per Schedule "A" attached.

4-2 For the land premises being Part of the For the lands and premises being Part of the West Half of the South Half of Lot 6, Concession 2 and Part West Half of North Half Lot 6, Concession 1, in the former Township of Oliver and now in the Municipality of Oliver Paipoonge, the following definitions shall apply:

**Buffer Strip** shall mean an area of land used for no other purpose than for the erection of a solid fence not less than 1.83m, or the planting and maintaining of a continuous row of natural evergreens or a continuous unpierced hedgerow of natural shrubs and the remainder of which is to be used for landscaping.

**Industrial Use:** shall mean a small scale industrial activity which is completely enclosed within a building and which does not constitute a nuisance to surrounding landowners.

**Parking:** shall mean an area for the parking of vehicles and may include aisles, parking spaces and related entrance and exit lanes, but shall not include any part of a street.

**Petty Trade** shall mean a building or part thereof wherein a personal service is performed, including, but not so as to limit the generality of the foregoing, a barber shop, a beauty salon, a shoe repair, a dry cleaning depot, a tailor's or dressmaking shop and a photographic studio but does not include a massage or body-rub parlour or any adult entertainment parlour as defined in The Municipal Act, R.S.O. as amended from time to time.

**Height and size of buildings** shall conform to Zoning By-law 185-01 and any deviation from the rules and regulations would require a site specific zoning change.

**Retail Lumber Yard,** shall mean the use of lands, buildings or structures for the storage of wood products for the purpose of wholesale or retail trade but shall not include a planing mill or sawmill.

#### **Section 5 – Administration**

##### 5.1 Purpose and Effect – Schedule “B” attached

This By-law shall come into force and effect on the date of passing in accordance with Section 34 of the Ontario Planning Act, R.S.O. 1990, C.p.13, 1996 Edition, as amended.

Read a first, second and third time this 22nd day of February, 2011.

THE CORPORATION OF THE MUNICIPALITY  
OF OLIVER PAIPOONGE

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Mayor Lucy Kloosterhuis

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Jamie Cressman  
Chief Administrative Officer/Clerk

## MUNICIPALITY OF OLIVER PAIPOONGE

## SCHEDULE "A"

Page 1 of 2

BY-LAW NO. 622-2011

OLIVER GENERAL COMMERCIAL (OC1-1) ZONE REGULATIONS

No person shall within any OC1-1 Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

Permitted Uses:

- a) any retail or service store or shop not engaged in manufacturing on the premises unless such manufacturing is accessory to the retail business, does not exceed 50% of the floor area and the products manufactured are primarily for sale at retail on the premises
- b) a general or professional office or clinic
- c) a bank
- d) a restaurant and fast food outlet
- e) a theatre
- f) a personal service shop
- g) a bowling alley
- h) a post office
- i) dwellings above or behind a permitted commercial use
- j) an agricultural implement or produce or farm supply sales outlet
- k) a taxi service establishment
- l) vehicle sales and rental establishment
- m) a merchandise repair establishment
- n) an undertaking establishment
- o) accessory buildings or structures, including dwelling units
- p) an animal hospital or veterinary clinic or grooming shop
- q) a craft store
- r) a petty trade

Zone Provisions:

a) Minimum Lot Area	.8 hectares
b) Minimum Lot Frontage	60 meters
c) Minimum Front Yard	30 meters
d) Minimum Side Yard	20 meters
e) Minimum Rear Yard	15 meters
f) Maximum Height	10 meters
g) Minimum Floor Area	10 sq. meters
h) Maximum Lot Coverage	20%

Other Provisions:

- a) Where OC1-1 Zone abuts a Residential, Institutional or Open Space Zone, a buffer strip shall be provided along the abutting lot lines having a minimum width of 3.0 meters. Notwithstanding any other provisions of this By-Law the aforementioned buffer strip may be part of the required yard.
- b) Where the side lot line of any OC1 Zone abuts another Commercial or Industrial Zone, the minimum side yard shall be 15 meters.

## MUNICIPALITY OF OLIVER PAIPOONGE

## SCHEDULE "A"

Page 2 of 2

BY-LAW NO. 622-2011

OLIVER GENERAL INDUSTRIAL (OM1-1) ZONE REGULATIONS

No person shall within any OM1-1 Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

Permitted uses:

- a) a light industrial workshop
- b) an equipment sales and service establishment
- c) a welder's shop
- d) a carpenter or joiner's shop
- e) a warehouse or storage facility
- f) a forest products processing plant
- g) a machine shop
- h) a contractor's yard
- i) a merchandise repair shop
- j) a retail lumber yard
- k) a petty trade
- l) accessory buildings and structures including an accessory dwelling unit
- m) accessory retail outlets and offices
- n) communication towers exceeding 30 meters in height

Zone Provisions:

- a) Minimum Lot Area 2 hectares
- b) Minimum Lot frontage 30 meters
- c) Minimum Front Yard 30 meters
- d) Minimum Side Yard 20 meters
- e) Minimum Rear Yard 15 meters
- f) Maximum Height 10meters
- g) Maximum Lot Coverage 20%
- h) Minimum Floor Area 30 square meters
- i) For an Accessory Single Detached Dwelling 70 square meters

Other Provisions:

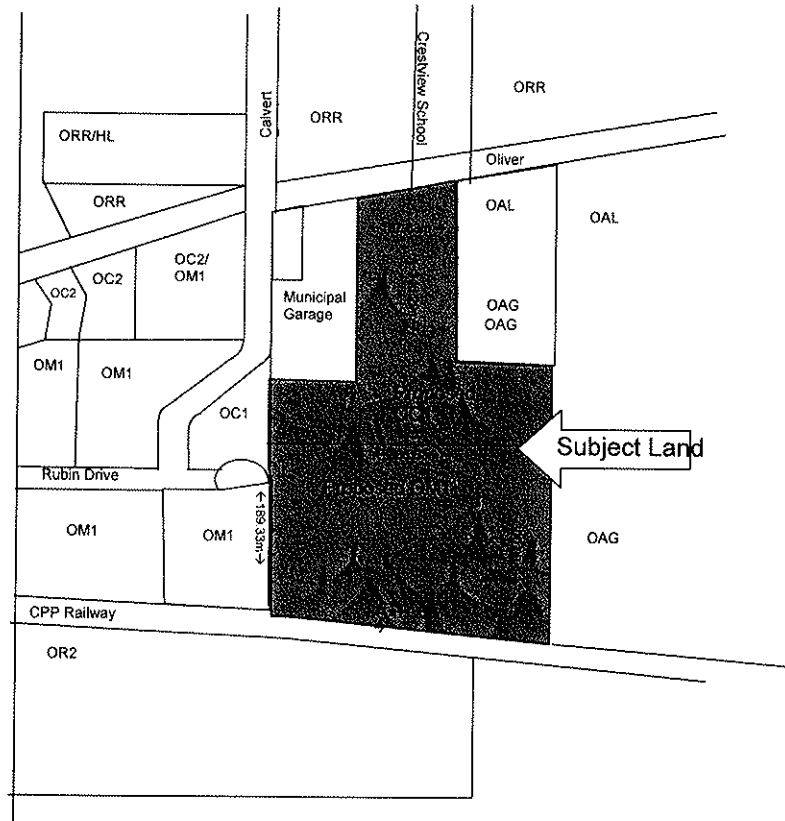
- a) Where an OM1 Zone abuts a Residential, Institutional or Open Space Zone, a buffer strip shall be provided along with the abutting lot lines having a minimum width of 10 meters
- b) Where a side lot line of an OM1-1 Zone abuts a Commercial or Industrial Zone, the required side yard shall be 15 meters.

MUNICIPALITY OF OLIVER PAIPOONGE  
SCHEDULE "B"  
PAGE 1 OF 1  
BY-LAW NO. 622-2011

PURPOSE AND EFFECT

North portion of the property abutting Oliver Road will be zoned General Commercial (OC1-1) to allow for commercial development (approximate area effected noted on map below).

South portion of property which will abut the extension of Ruben Drive to be zoned General Industrial (OM1-1) to allow for general industrial development (approximate area effected noted on map below).



**Madame Minister;**

**I would like to thank you for this opportunity to express our concerns as it relates to the Proposed Four Lane project for Highway 11/17 that will bypass the Village of Kakabeka Falls located approximately twenty kilometers west of the City of Thunder Bay.**

**The proposed highway corridor will not only bring doom the current and future business sector of this small Village but it will also restrict development on hundreds of acres of private lands.**

**Council and a citizens group have met with ministry personnel and consultants on several occasions, although they were courteous they did not seem to understand our concerns, Madame Minister this is one of the reasons why we are here today.**

**The Council of the Municipality of Oliver Paipoonge strongly opposes the proposed four-lane bypass around the Village of Kakabeka.**

**We realize the proposed four-lane highway will not be constructed for many years to come however the mere fact of designating a corridor at this time will definitely sterilize all lands within a yelling distance of this proposed highway corridor; especially those areas with designated overhead interchanges where we believe grade level interchanges would suffice here in the far north.**

**Traffic counts over the years have demonstrated and shown that the majority of the Trans Canada trucking and vehicular traffic utilizes Highway 102 that deviates from Highway 11/17 at the north end of the City of Thunder Bay. The Trans Canada traffic utilizes Highway 102 for a couple of reasons, firstly it cuts off about 22 kilometer of travel and secondly it avoids the traffic of the local commuters on the already over congested expressway that bypasses the City of Thunder Bay.**

**It has been noted in the MTO study reports that the Principles for Generating Alternatives in the Class EA for Provincial Transportation Facilities include:**

- Avoid forest and wetland areas**
- Avoid river and valley crossings at sensitive areas**
- Avoid urban and commercial areas**
- Avoid developed properties**
- Avoid areas of prime agricultural land and high capital investment**
- Avoid areas of multiple property disturbances**

**The Preferred Route is supposed to be based on input from the public, stakeholders and engineering and environmental investigations. Madame Minister, this has not happened, the design study report GWP 6054-03-00 makes reference to these principles but at the end of the day the preferred route will be constructed through virgin forests and wetlands, bridges will be built across rivers and sensitive areas, urban and commercial areas will be disrupted, eliminate potential urban growth areas and finally this highway will impact prime agriculture lands.**

**Madame Minister, the preferred route should be Hwy 102 or a route further to the north that will be far removed from the busy city traffic as well as the rural communities and the productive farmlands.**

**Madame Minister, The Municipality of Oliver Paipoonge is comprised of a number small communities, Village of Murillo, Village of Rosslyn, Slate River and the Village Kakabeka Falls and the Kakabeka Falls Provincial Park. We are a close knit community where one entity depends on the other; we do not want a four lane highway to divide our community.**

**Thank you.**