

THE CORPORATION OF THE MUNICIPALITY OF OLIVER PAIPOONGE

MUNICIPAL COUNCIL

PUBLIC MEETING

A G E N D A

DATE: July 18, 2011

TIME: 6:30 p.m.

PLACE: Council Chambers
Oliver Paipoonge Municipal Complex

PRESIDING: Mayor L. Kloosterhuis

MEMBERS OF COUNCIL: Councillor J. Byers
Councillor E. Collingwood
Councillor B. Kamphof
Councillor A. Vis

MUNICIPAL OFFICERS: Judy Jacobson, Deputy Clerk
Sharron Martyn, Planner

ORDERS OF THE DAY: OPENING THE MEETING
DISCLOSURES OF INTEREST
ADOPTION OF THE AGENDA
PUBLIC MEETING
REPORTS OF MUNICIPAL OFFICERS
ADJOURNMENT

CALL TO ORDER

PAGES

DISCLOSURES OF INTEREST

ADOPTION OF THE AGENDA

RES 1 THAT with respect to the July 18, 2011, Public Meeting Agenda,
we recommend that the agenda as printed including any additional
information and new business be confirmed.

PUBLIC MEETING

Zoning By-law Amendment

Lakehead Property Management

4 – 18

An application on behalf of the Municipality of Oliver Paipoonge for a zoning by-law amendment to amend the zoning of their property to include the use of a cattle barn and feeding/bedding stable in the present Paipoonge Commercial Zone (PC2). The change will also include a lesser rear yard requirement for the proposed stable. The present property includes a motel and a horse barn. The subject lands are described as Con 1, NKR Part Lot 35, RP55R1304 Part 2, (former Municipality of Paipoonge), Geographic Municipality of Oliver Paipoonge; situated on Hwy 11/17 and corner of Pineview Drive.

19 – 20

The draft by-law is contained in the agenda and a copy will be available for the public at the meeting.

- a) Mayor introduces the amendment.
- b) Clerk to read the Notice.
- c) Mayor reviews process and purpose and effect.
- d) Clerk reads comments received from agencies or individuals.

Letter from Michelle Sixsmith, Water Resources Technologist dated July 13, 2011, advising they have no comments or concerns with the proposed amendment.

21

- e) The Planner reads the Planning Department's Report.
- f) Mayor asks for comments in support of the proposed amendment.
- g) Mayor asks for comments in opposition to the proposed amendment.
- h) Mayor asks for questions from the floor or Council Members.

22 – 26

- i) Mayor’s concluding remarks and advises the By-law will be considered at the Regular Meeting of Council held later in the evening, July 18, 2011.

27 – 42

Zoning By-law Amendment
Municipality of Oliver Paipoonge

An application on behalf of the Municipality of Oliver Paipoonge for a zoning by-law amendment from Paipoonge Institutional (P1) zone to Paipoonge Rural Commercial (PC1) on Concession 1, N/R Part Lot 5, MR48, Parts 1, 2 & 3 FWR153 and road allowance between Concession B and Concession 1, NKR (formerly known as Rosslyn Road) in the former Geographic Township of Paipoonge, now the Municipality of Oliver Paipoonge situated on Highway 130.

43 – 44

The draft by-law is contained in the agenda and a copy will be available for the public at the meeting.

- a) Mayor introduces the amendment.
- b) Clerk to read the Notice.
- c) Mayor reviews process and purpose and effect.
- d) Clerk reads comments received from agencies or individuals.

45

Letter from Michelle Sixsmith, Water Resources Technologist dated June 23, 2011, advising they have no comments or concerns with the proposed amendment.

46 – 48

- e) The Planner reads the Planning Department Report.
- f) Mayor asks for comments in support of the proposed amendment.
- g) Mayor asks for comments in opposition to the proposed amendment.
- h) Mayor asks for questions from the floor or Council Members.
- i) Mayor’s concluding remarks and advises the By-law will be considered at the Regular Meeting of Council held later in the evening, July 18, 2011.

ADJOURNMENT

RES 2 THAT the Public Meeting to consider a Zoning By-law Amendment under Section 34 of the Ontario Planning Act, R.S.O. 1990, c.P.13, 1996 Edition, be closed, the hour being _____ p.m.

**PUBLIC MEETING CONCERNING A PROPOSED
ZONING BY-LAW AMENDMENT**

File ZBLA 11-2011

TAKE NOTICE that the Council of the Corporation of the Municipality of Oliver Paipoonge will hold a public meeting on **July 18th, 2011**, at **6:30 pm** at the Council Chambers in the Oliver Paipoonge Municipal Complex, to consider a proposed Amendment to the Oliver Paipoonge Zoning By-Law 185-01 under Section 34 of the *Ontario Planning Act*, R.S.O. 1990, c.P.13.

THE APPLICANTS: 1796648 Ontario Limited o/a Lakehead Property Management are seeking a zoning by-law amendment to amend the zoning of their property to include the use of a cattle barn and feeding/bedding stable in the present Paipoonge Commercial Zone (PC2). The change will also include a lesser rear yard requirement for the proposed stable. The present property includes a motel and a horse barn. The subject lands are described as Con. 1, NKR Part Lot 35, RP55R1304 Part 2, (former Municipality of Paipoonge), Geographic Municipality of Oliver Paipoonge; situated on Hwy. 11-17 and corner of Pineview Drive. The effect of the proposed amendment will be to allow for the building of a cattle barn and feeding/bedding stable where the present horse barn is located (rear of subject property), in addition to any other uses permitted in the "PC2" Zone.

A LOCATION MAP and site sketch are attached along with the list of permitted uses in and provisions of the Paipoonge Commercial (PC2) zone.

ANY PERSONS may attend the public meeting and/or make written or verbal presentation either in support or in opposition to the proposed Zoning By-law Amendment.

A COPY of the proposed Zoning By-law Amendment and/or information and material is available for public inspection between 9:00 a.m. and 4:30 p.m. at the Oliver Paipoonge Municipal Offices in the Oliver Paipoonge Community Complex (after June 28th, 2011).

IF A PERSON OR PUBLIC BODY does not make oral submissions at a public meeting or make written submission to the Municipality of Oliver Paipoonge before the by-law is passed; the person or public body is not entitled to appeal the decision of the Council of the Municipality of Oliver Paipoonge to the Ontario Municipal Board.

IF A PERSON OR PUBLIC BODY does not make oral submissions at a public meeting or make written submission at a public meeting to the Municipality of Oliver Paipoonge before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

IF YOU WISH to be notified of the adoption of the proposed amendment or refusal of the request to amend the Zoning By-law No. 185-01, you must make a written request to the Municipality of Oliver Paipoonge, P.O. Box 10, 4569 Oliver Road, Murillo, ON P0T 2G0.

For additional information, please contact **Sharron Martyn** of the Planning Department at 935-2613x6 on Tuesday, Wednesday or Thursday or visit the Municipal Office on those days.

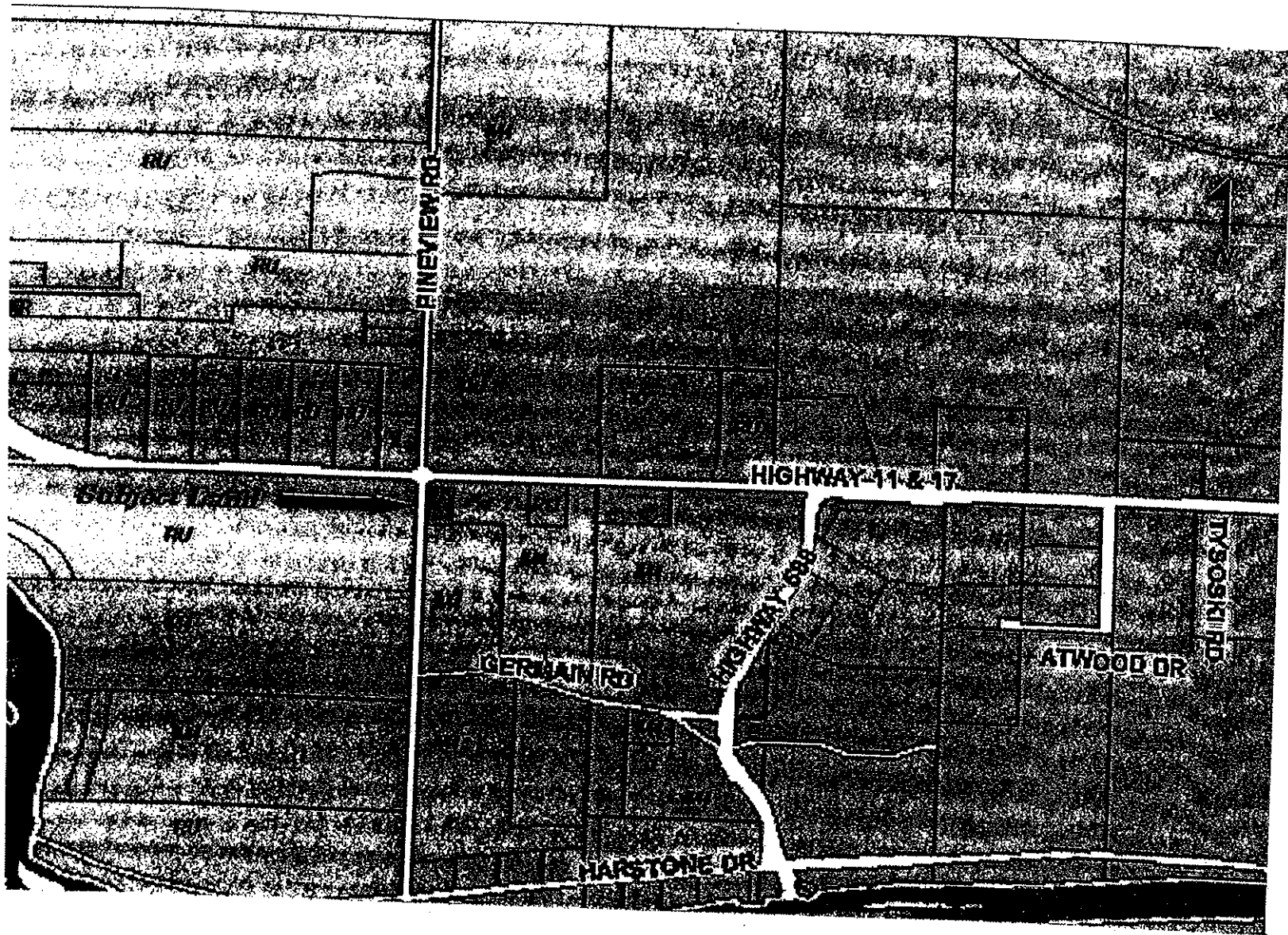
DATED AT THE MUNICIPALITY OF OLIVER
PAIPOONGE THIS 21st DAY OF JUNE, 2011.

***NOTE: SEE MAP ON REVERSE
FOR LOCATIONAL MAP
OF SUBJECT LANDS**


Jamie Cressman, CAO/Clerk
Municipality of Oliver Paipoonge

File ZBLA 11-11

For lands described as Con. 1, NKR Part Lot 35 RP55R1304 Part 2, former Municipality of Paipoonge), Geographic Municipality of Oliver Paipoonge; situated on Hwy. 11-17 and corner of Pineview Drive.





PAIPOONGE GENERAL COMMERCIAL (PC2) ZONE

No person shall within any PC2 Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

Permitted Uses:

- (i) an automobile service station
- (ii) a bulk retail outlet
- (iii) a commercial garage
- (iv) a craft shop
- (v) an equipment sales and service dealership
- (vi) a gasoline retail outlet
- (vii) a hotel
- (viii) a merchandise repair shop
- (ix) a mobile home sale and service dealership
- (x) a personal service shop
- (xi) a restaurant
- (xii) a retail store
- (xiii) a vehicle sales or rental establishment
- (xiv) a veterinary clinic
- (xv) an accessory dwelling
- (xvi) buildings, structures and uses accessory to the above uses in accordance with Section 4.1 (a)

Zone Provisions:

- | | |
|--|------------|
| a) Minimum Lot Area | 1 hectare |
| b) Minimum Lot Frontage | 60 meters |
| c) Minimum Lot Depth | 100 meters |
| d) Minimum Front Yard | 15 meters |
| e) Minimum Side Yard | 20 meters |
| f) Minimum Rear Yard | 15 meters |
| g) Maximum Height | 10 meters |
| h) Maximum Lot Coverage | 40% |
| i) Minimum Distance Between Main Buildings | 6 meters |



The Municipality of Oliver Paipoonge
4569 Oliver Road PO Box 10
Murillo, ON, P0T 2G0
Telephone: (807) 935-2613
Fax: (807) 935-2161

Other Provisions:

- a) Where a PC2 Zone abuts any commercial or industrial zone, the required side yard shall be 15 meters

Exceptions

- a) Notwithstanding any provisions in Section 4.24.2 above Lots 1 and 2, Registered Plan Number 169 shall have a required east side yard of 7 meters, a required west side yard of 1 meters and a required rear yard of .3 meters and a required front yard of 14 meters.

APPLICATION TYPE:

ZBLA 11-11

Check (✓)

- Zoning By-law Amendment - \$1000
- Temporary Use By-law - \$1000
- Removal of the Holding Zone ("H" Symbol)

OWNER/APPLICANT INFORMATION: 1796648 ONTARIO LIMITED
of LAKEHEAD PROPERTY MANAGEMENT

Owner ROBINA & JEN LACEY Tel. 627 1474

Fax _____

Address 225 N SYNDICATE AVE THUNDER BAY, P7C3V0

Email r.lacey@tbaytel.net

AGENT, SOLICITOR, OR PLANNING CONSULTANT (if applicable):

Name _____ Tel. _____

Fax _____

Address _____

Email _____

PROPERTY INFORMATION

Legal Description P1 LOT 35 CON 1 NKR. PAIPOONGE SRO BEING PART 2
SR 1304; T/W TBR 404260; OLIVER-PAIPOONGE

Address 4389 HWY 11/17

Current Zoning PC2 Official Plan Designation RURAL

Existing use of the property MOTEL & HORSE BARN

How long has this use continued? 20 + yrs

In what year did the owner acquire the property? 2011

List all types of existing buildings/structures, the dates constructed and the setbacks, height and dimensions of each building/structure

14 UNIT MOTEL WITH LIVING QUARTERS AND FULL
BASEMENT. 24 X 34' GARAGE, 38 X 100' BARN

How is the property serviced? Check ()

- () City water Private well () Communal well () Lake/other water body
 Private septic () Communal septic system () Other

How will storm drainage be provided?

- () Storm sewer Ditches () Swales () Other

If the application would permit development on privately owned and operated individual or communal septic systems, and more than 4500 litres of effluent would be produced per day as a result of the development being completed, a servicing options report and a hydrogeological report must be provided.

How is the property accessed?

- Provincial highway Municipal road, maintained all year
() Other public road () Right of way

Describe the parking facilities to be used and the approximate distance of these facilities between the subject land and the nearest public road:

BESIDE RA 9 HWY.

Does any party have an interest in the property (i.e. easement, mortgage)?
Provide the names and addresses for these parties _____ RBC

List any previous or current *Planning Act* applications that apply to this property
N/A

Are you aware of any *Planning Act* applications currently being processed for any
properties within 120m? () Yes () No

If Yes, include the File No. and Approval Authority if known _____

Does the Owner own Adjoining Properties? () Yes () No

If Yes, please describe in detail _____

Is there any reason to believe that the site may be environmentally
contaminated? () Yes () No

If Yes, please describe in detail _____

Has an industrial or commercial use been on or adjacent to the property?
() Yes () No

If Yes, please describe in detail ON-MOTEL ADJACENT - GRAVEL PITS

Has lot grading been changed by adding or removing earth or other material?
() Yes () No

Has the Ministry of the Environment or any other agency formally or informally
advised the owners that the property is or may be contaminated?
() Yes () No

If Yes, please describe in detail _____

(If you answered Yes to any of the questions related to possible contamination of the site, a previous use inventory, showing all former uses of the subject property, or if appropriate, the adjacent property, is required and must be submitted with this application)

PROPOSAL INFORMATION

What is the proposed use of the subject land? MOTEL & CATTLE BARN

Are buildings or structures proposed for the subject land? Yes () No

If Yes, indicate the types of buildings or structures and the setbacks, height and dimensions of each building/structure

BARN 90x160' ~~HEIGHT~~ HEIGHT - 24'
SET BACKS - SEE SKETCH

Describe in detail what NEW DEVELOPMENT IS PROPOSED on the property

CATTLE BARN AND FEEDING/BEDDING STABLES

List any buildings or structures that will be REMOVED as part of this proposal

OLD BARN 38x100 GARAGE 24x34'

If no new development is proposed, describe the reasons for this application

How, in your view, will the proposal fit in the existing land uses in the area?

ADDING ALLOWABLE USE TO COMMERCIAL PROPERTY

Describe in detail how the application conforms with the intent of the Official Plan

PROPERTY ZONED COMMERCIAL

Is the proposed amendment consistent with the Provincial Policy Statements issued under subsection 3(1) of the *Planning Act*? Yes () No

Describe

N/A

If the application is to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement, please list the details of the official plan or official plan amendment that deals with the matter.

N/A

If the application is to remove land from an area of employment, please list the details of the official plan or official plan amendment that deals with the matter.

N/A



P.O. Box 10, 4569 Oliver Road
Murillo, ON P0T 2G0
Phone: (807) 935-2613
Fax: (807) 935-2161
www.oliverpalpoonge.on.ca

If the subject land is within an area where zoning with conditions may apply, please provide an explanation of how the application conforms to the Official Plan policies relations to zoning with conditions.

N/A

COMPLETE THIS SECTION FOR A ZONING AMENDMENT, HOLDING SYMBOL REMOVAL OR TEMPORARY USE BY-LAW

Does this application seek to REZONE the property? Yes () No

If Yes, what zone is requested? STAY PC2 ZONE WITH ADDED USE

Why is this application being made to amend the Zoning By-law?

PC2 ZONE + ADDITIONAL BARN FOR COMMERCIAL USE.

If changes to the REGULATIONS of the By-law are requested, indicate so below:

A) General Regulations or Definitions (changes to Section 2 or 3 of By-law 185-01):

Section	Existing Requirement	Requested Requirement
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

B) Regulations (changes requested to the regulation in a particular zone of Section 4):



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Phone: (807) 935-2613
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www.oliverpaipoonge.on.ca

Section	Existing Requirement	Requested Requirement
_____	_____	_____
_____	_____	_____
_____	_____	_____

SKETCH

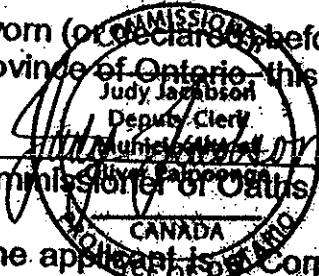
Site plan must show the following in metric dimensions on a page not exceeding 11x17":

- North arrow, scale and legend;
- The boundaries of the owner's property including the area of the property and all dimensions;
- The boundaries of the property subject to the application including area and dimensions, if different from above;
- All existing and proposed buildings located on the property including building dimensions (incl. height), separation distances between buildings and the distances to property lines;
- The location of all natural and artificial features (eg. easements, railways, pipelines, high voltage transmission lines, highways, watercourses, drainage ditches, banks, slopes, wetlands, wooded areas, wells, and septic fields) that are located on the subject land and on land that is adjacent to it and in the applicant's opinion, may affect the application;
- The nature of the existing use of the adjacent properties (eg. residential, agriculture, automotive);
- The proposed development, including the area and dimensions of any new lots to be created, the size and location of buildings, parking areas (including the dimensions of all parking spaces and aisles), landscaping, amenity areas, etc.;
- As applicable – fire access route, outdoor equipment and storage, walkways, curbing, fencing;
- Existing municipal infrastructure immediately adjacent to the site (roads, lanes, sidewalks, existing entrances, boulevard trees, fire hydrants, hydro poles, easements, etc);
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or right of way.

CERTIFICATION BY THE APPLICANT

I/we (insert name) ROBIN LACEY (PRESIDENT) of the
Municipality of Oliver Paipoonge in the Province of Ontario, solemnly declare that
the statements contained in this application are true, and I/we make this solemn
declaration conscientiously believing it to be true, and knowing that it is of the
same force and effect as if made under oath and by virtue of the *Canada
Evidence Act.*

Sworn (or declared) before me at the Municipality of Oliver Paipoonge in the
Province of Ontario, this 16th day of JUNE, 2011.



[Signature]
Commissioner of Oaths
[Signature]
Applicant/Authorized Agent

If the applicant is a Corporation, the application shall be signed by an Officer of
the Corporation and the Corporation Seal shall be affixed.

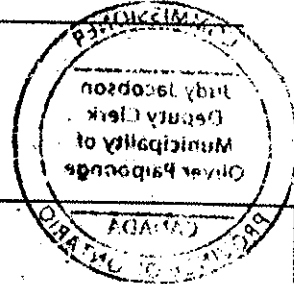
**THE INFORMATION IN THIS APPLICATION AND ALL OTHER
INFORMATION, STUDIES, REPORTS AND COMMENTS RECEIVED
RELATIVE TO THE PROCESSING OF THIS APPLICATION IS COLLECTED
FOR THE PURPOSE OF CREATING A RECORD THAT IS AVAILABLE TO
THE GENERAL PUBLIC.**

AUTHORIZATION OF THE OWNER FOR AN AGENT TO MAKE APPLICATION

I/we authorize _____ (name of agent) to act on my/our behalf in submitting this application. This application has been submitted with my/our full knowledge and endorsement.

Owner(s) _____

Date _____



For office use only

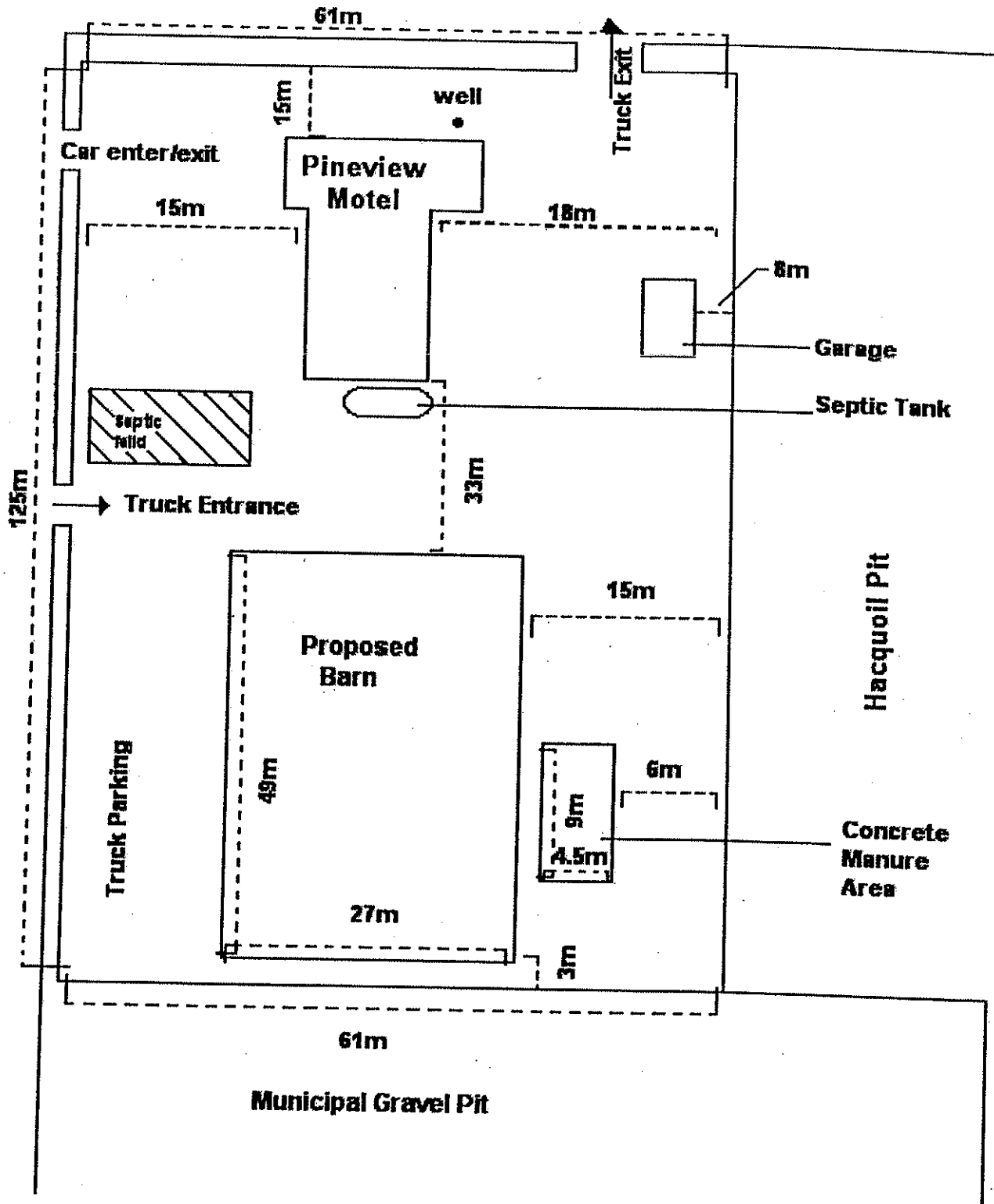
Date complete application is received:

11-17 Trans Canada Hwy 11-17



AbitibiBowater Tree Farm

Pineview Road



THE CORPORATION OF THE MUNICIPALITY
OF OLIVER PAIPOONGE

BY-LAW NO. - 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 has been petitioned by the owners of certain lands situate in the Municipality of Oliver Paipoonge to amend By-law No. 185-01, as it applies to said lands.

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

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF OLIVER PAIPOONGE HEREBY ENACTS AS FOLLOWS:

- 1) Notwithstanding the provisions of Schedule "A" to By-law Number 185-01 as it applies to Concession 1, NKR, Part Lot 35, RP55R1304 Part 2 in the former Township of Paipoonge, now in the Municipality of Oliver Paipoonge, allowing for an addition to the existing zoning use as a site specific amendment in accordance with Schedule "A" attached hereto and forming part of this by-law.
- 2) Section 4.21 (PC2) Paipoonge General Commercial, is herein amended for the lands and premises being Part Lot 35, RP55R1304 Part 2, Con. 1 NKR by the addition of the following text at the end of the current section:
 - 4.21.5 "for the property commonly know as the Pineview Motel being Part of Lot 35, Reference Plan 55R1304 Part 2, Con. 1 NKR by the addition of the following text at the end of the current section the following shall apply:
 - a) Addition of use - bedding and feeding of cattle within a building on subject property
 - b) Minimum rear yard zone provision for subject property being 3 metres for said building.

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 and second time this 18th day of July, 2011.

Read a third time and finally passed this 18th day of July, 2011.

THE CORPORATION OF THE
MUNICIPALITY OF OLIVER PAIPOONGE

Mayor Lucy Kloosterhuis

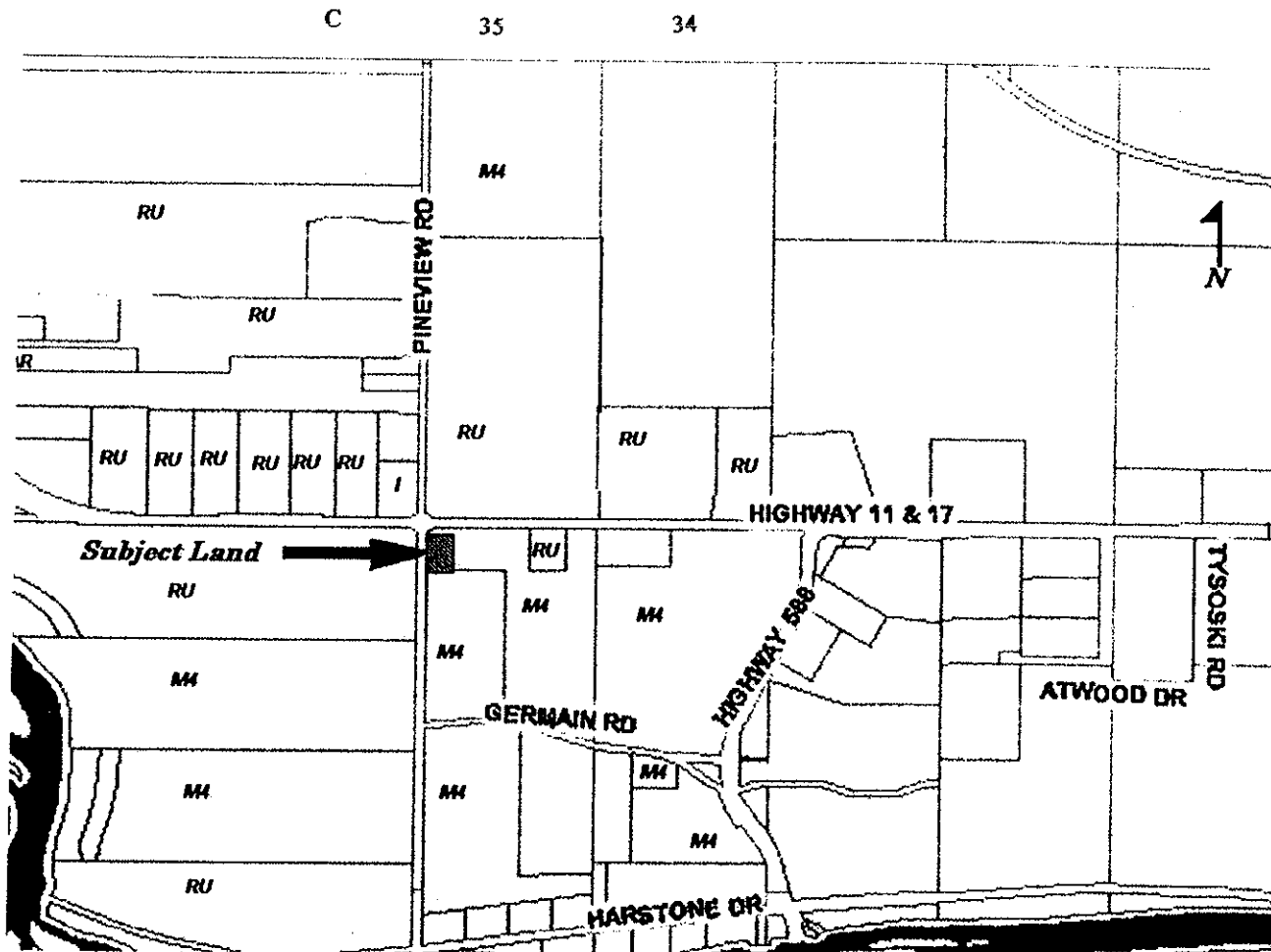
Jamie Cressman, CAO/Clerk

THE CORPORATION OF THE MUNICIPALITY
OF OLIVER PAIPOONGE

BY-LAW NO. -2011

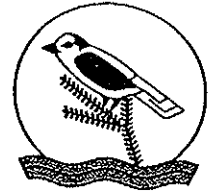
PURPOSE AND EFFECT

Present Paipoonge General Commercial (PC2) to remain on Part Lot 35, RP55R1340 Part 2, Conc. 1, NKR but will add use of a barn for feeding and bedding cattle in Paipoonge General Commercial Zone and will allow for less rear yard requirement for the subject barn.



LAKEHEAD REGION CONSERVATION AUTHORITY

130 CONSERVATION ROAD, P.O. BOX 10427, THUNDER BAY, ON P7B 6T8
 Telephone (807) 344-5857 Fax (807)345-9156
 E-mail: info@lakeheadca.com Website: www.lakeheadca.com



July 13, 2011

VIA FACSIMILE: 935-2161

Jamie Cressman
 Chief Administrative Officer/Clerk
 Municipality of Oliver Paipoonge
 P.O. Box 10, 4569 Oliver Road
 Murillo, Ontario
 P0T 2G0

Dear Mr. Cressman:

**Re: Zoning By-Law Amendment
 Conc. 1, NKR Part Lot 35 RP55R1304 Part 2
 Situated on 4389 Highway 11/17
 Geographic Township of Paipoonge
 Municipality of Oliver Paipoonge
 File No: ZBLA-11-2011**

The staff have reviewed the above-noted application as it related to flooding and erosion issues and advise that we have no comments or concerns with the proposed amendment.

Please forward a copy of your decision to the Conservation Authority.

Yours truly,

Michelle Sixsmith
 Water Resources Technologist

mds/sd

PLANNING REPORT

To Be Completed Prior to Hearing

File Number	ZBLA-11-11	Municipality:	OLIVER PAIPOONGE
Lot & Conc.	Pt. Lot 34, Con. 1 NKR former Township of Paipoonge, now Oliver Paipoonge, SRO being Part 2 on RP 55R1304; TBR404260; 4389 Hwy. 11/17		Owner #1796648 Ontario Limited (Lakehead Property Management)
Hearing Date	2011 July 18	Date of Receipt of Completed Application	2011 April 13
	Year Month Day		Year Month Day
Checked By	S. Martyn	Zoning By-Law Number:	185-01
Present Zone: PC2	Proposed Zoning Amendment – add cattle barn and feeding/bedding stable and lesser rear yard requirement for the proposed stable.		
Official Plan Designation: RURAL	Designation in Canada Land Inventory: n/a		
Site Visit Carried Out By Staff/Committee : yes	Authorization of Owner Received(if Required): n/a		

Conformity with the Agricultural Code of Practice (If Applicable) Yes No N/A

Date of Notice of Decision sent to Applicant :

Year Month Day

Planning Comments:

History of the proposal: the present motel, garage and small horse barn has been located on subject property for several years and is zoned appropriately as a motel (unclear when the horse barn was added).

Amendment: The owner has applied for a zoning amendment to allow him to build a cattle barn/ bedding & feeding station on subject property. The motel will remain as an operating motel and living quarters for the owner/manager and the small barn and garage will be demolished and replaced with a barn approximately 90'x160' with a height of 24'.

Under the PC2 commercial zone, a motel is an allowable use but a cattle barn/feed/bedding stable is presently not an allowable use therefore the applicant is requesting Council to add that use on this property as a site specific amendment.

The applicant is also applying for a lesser rear yard requirement for the barn – present requirement is 15m and applicant would only be able to build the barn 3m from the rear yard property line.

Planner's Comments:

The subject property is directly accessible from Hwy. 11-17 and Pineview Drive. There is presently an entrance directly off Hwy. 11-17 and one entrance directly off Pineview Drive. It the intent of the applicant to open another truck entrance half way down Pinewood (see sketch). The lands abutting the subject property is M4 (Extractive Industrial) on the east side of the property, M4 on the north portion of the property and RU on the west. Across the highway from subject property is RU and Institutional zoning.

The Extractive Industrial zones are active gravel pits and have the required berms surrounding the subject property. The property to the west of subject property is a treed lot.

It has been brought to the Planner's attention that the motel will be for the drivers of the cattle trucks and will no longer be for use by the travelling public.

It has also been brought to the attention of the Planner that a nutrient management plan will be presented to OMAFRA for approval outlining how the wastes will be handled from the feeding station. The plan accompanying the application indicates a 4.5m x 9m concrete building or area that will be constructed west of the barn.

The entrance off Highway 11-17 will be used as a truck exit and Pineview Road entrance will be used as an entrance for the trucks.

The Ministry of Transportation and Lakehead Rural Planning Board have been forwarded a copy of the application and notice. At the time of typing this report, no comments had been received by the Planner or CAO so unable to comment on their letters beforehand.

Based on the location of this proposed use and the zoning of surrounding properties, the Planner does not feel this amendment adding a use as a cattle/bedding/feeding station as a site specific would have an overall adverse affect on the present abutting properties nor the present uses of adjoining properties but recommends that either a Nutrient Management Plan or similar plan be approved in order to prevent any environmental problems to the subject property and surrounding properties at a later date.

With regard to the change in the rear yard requirements for the barn to be changed from 15m to 3m, Planning Department would have no object to a site plan amendment for this regulation based on the fact that the adjoining property owner is the Municipality and zoned M4 and there will be an adequate berm constructed when and if that adjoining property is used for gravel extraction.

Sharron Martyn, Planner
Oliver Paipoonge Planning Department.



PAIPOONGE GENERAL COMMERCIAL (PC2) ZONE

No person shall within any PC2 Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

Permitted Uses:

- (i) an automobile service station
 - (ii) a bulk retail outlet
 - (iii) a commercial garage
 - (iv) a craft shop
 - (v) an equipment sales and service dealership
 - (vi) a gasoline retail outlet
 - (vii) a hotel
 - (viii) a merchandise repair shop
 - (ix) a mobile home sale and service dealership
 - (x) a personal service shop
 - (xi) a restaurant
 - (xii) a retail store
 - (xiii) a vehicle sales or rental establishment
 - (xiv) a veterinary clinic
 - (xv) an accessory dwelling
 - (xvi) buildings, structures and uses accessory to the above uses in accordance with Section 4.1
- (a)

Zone Provisions:

- | | |
|--|------------|
| a) Minimum Lot Area | 1 hectare |
| b) Minimum Lot Frontage | 60 meters |
| c) Minimum Lot Depth | 100 meters |
| d) Minimum Front Yard | 15 meters |
| e) Minimum Side Yard | 20 meters |
| f) Minimum Rear Yard | 15 meters |
| g) Maximum Height | 10 meters |
| h) Maximum Lot Coverage | 40% |
| i) Minimum Distance Between Main Buildings | 6 meters |



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Other Provisions:

- a) Where a PC2 Zone abuts any commercial or industrial zone, the required side yard shall be 15 meters

Exceptions

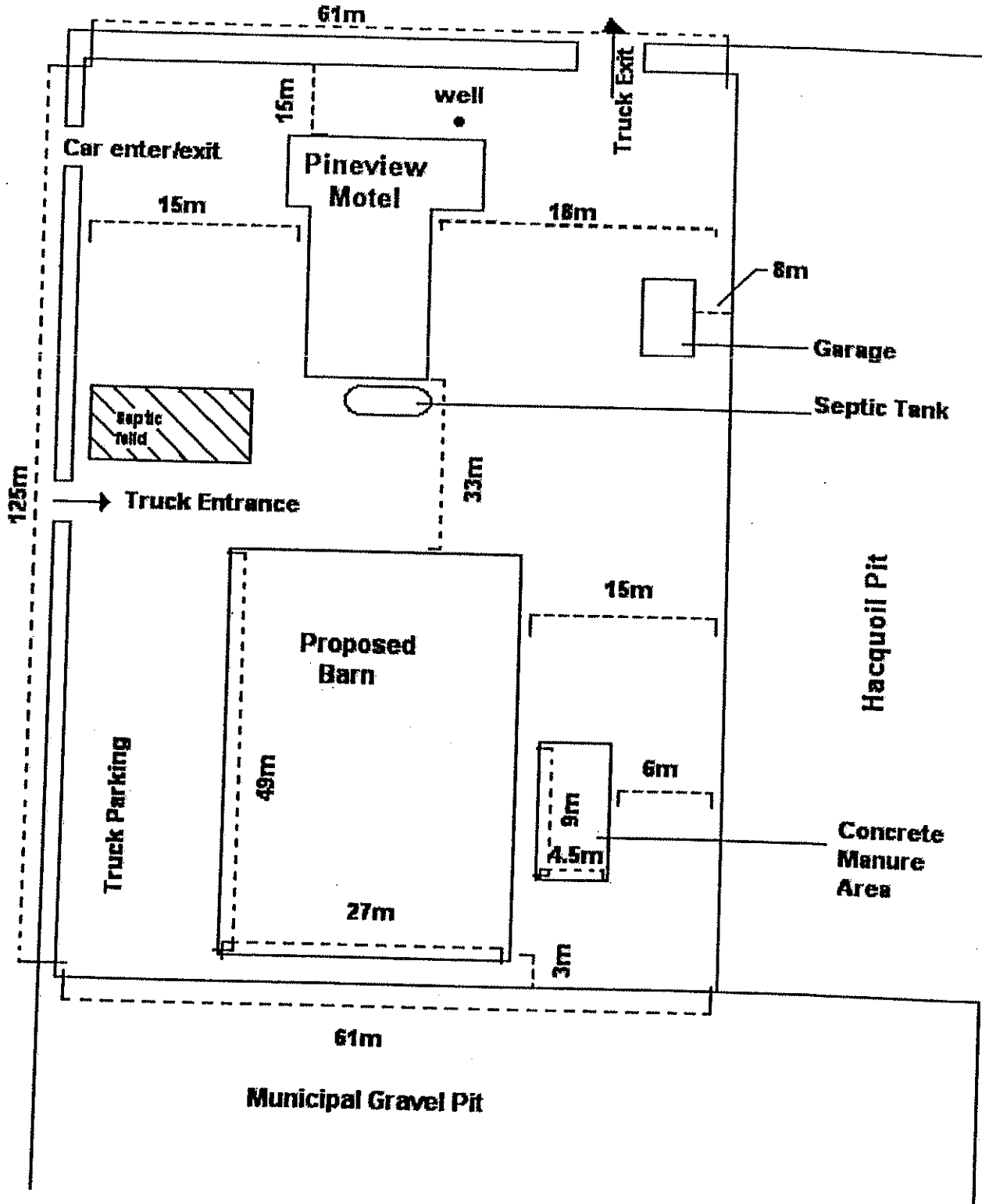
- a) Notwithstanding any provisions in Section 4.24.2 above Lots 1 and 2, Registered Plan Number 169 shall have a required east side yard of 7 meters, a required west side yard of 1 meters and a required rear yard of .3 meters and a required front yard of 14 meters.

11-17 Trans Canada Hwy 11-17



AbitibiBowater Tree Farm

Pineview Road





NOTICE OF RE-SCHEDULED PUBLIC MEETING BEFORE

OLIVER PAIPOONGE MUNICIPAL COUNCIL

Pursuant to Section 34 of the Planning Act, a Public Meeting will be held on

MONDAY, JULY 18TH, 2011, 6:30 P.M.

Council Chambers, 4569 Oliver Road, Murillo, Ontario

To consider a proposed amendment to the Oliver Paipoonge Zoning by-law 185-01 under Section 34 of the Ontario Planning Act, R.S.O. 1990, c.P.12. Details in the following pages.

Purpose of the Meeting:

- For the applicant to present the proposal;
- For interested parties to express their opinion about the proposal; and
- For community input to be used to evaluate the proposal.

Submission of comments and notice of decision:

Written comments may be filed at the meeting or mailed to the Clerk or Planner. Please include your name, mailing address and telephone number, and quote the file number of the application in any correspondence.

If you wish to be notified of Council's decision regarding this application, please make a written request to Jamie Cressman, CAO/Clerk, P.O. Box 10, Murillo, ON P0T 2G0.
Geographic Municipality of Paipoonge, now in the Municipality of Oliver Paipoonge; situated on Highway 130.

File: ZBLA 06-2011

Applicant: Municipality of Oliver Paipoonge

Legal Description: Concession 1, N/R Part Lot 5, MR48, Parts 1, 2 & 3 FWR153 and road allowance between Concession B and Concession 1, NKR (formerly known as Rosslyn Road).

Purpose and Effect: Rezoning by-law amendment from Paipoonge Institutional (P1) zone to Paipoonge Rural Commercial (PC1).

The Municipality of Oliver Paipoonge has declared subject property as surplus property and advertised subject property for sale. The property is presently zoned Paipoonge Institutional and the subject property must be zoned for a commercial use. The property includes the former Paipoonge Office and the former Museum.

The proposed site specific zoning by-law will only allow for the following uses:

- | | |
|---------------------------------------|---------------------------------|
| a) a business and professional office | e) an agricultural sales outlet |
| b) a craft shop | f) a petty trade |
| c) a financial institution | g) a car wash |
| d) a warehouse/storage | |

Definitions:

Petty Trade shall mean an establishment, other than an automotive use, that provides a non-personal service or craft to the public, including but not so as to limit the generality of the foregoing, a painter's shop, a carpenter's shop and electrician's shop, a merchandise service shop, a bakery, a catering establishment, an egg grading station and a monument engraving shop.

Warehouse shall mean a building or part thereof which is used primarily for the storage or wholesale distribution of goods, wares, merchandise, food-stuffs, substances, articles or things but does not include the storage of fuel.

Car Wash, shall mean a self service or drive through car wash that re-circulates water

Any person may attend the Public Meeting and/or give written or verbal representation either in support of or in opposition to the proposed Zoning by-law.

Key map attached showing the location of the property to which this application applies.

File: ZBLA 06-2011

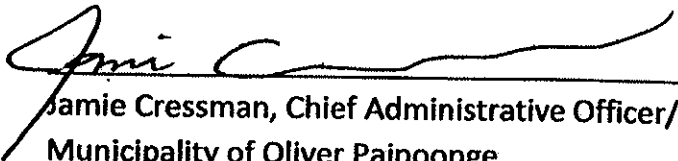
Applicant: Municipality of Oliver Paipoonge

If a person or public body does not make oral submissions at a public meeting or make written submission at a public meeting to the Municipality of Oliver Paipoonge before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

For more information:

For additional information or questions regarding this proposed amendment that will be considered at the public meeting, please call the Planner, Sharron Martyn, (807) 935-2613x6, email: sharron.martyn@oliverpaipoonge.on.ca or visit the Municipal Office on Tuesday, Wednesday or Thursdays, 8:30 am to 4:30 pm.

Dated at the Municipality of Oliver Paipoonge this 29th day of June , 2011.



Jamie Cressman, Chief Administrative Officer/Clerk
Municipality of Oliver Paipoonge
(807) 935-2613x1
email: jamie.cressman@oliverpaipoonge.on.ca

APPLICATION FOR A ZONING BY-LAW AND/OR ZONING AMENDMENT, HOLDING SYMBOL REMOVAL OR TEMPORARY USE BY-LAW

The undersigned hereby applies to the Council of the Municipality of Oliver Paipoonge under Section 34 and/or 36 and 39 of the *Planning Act* (as amended) to amend the Oliver Paipoonge Zoning By-law 185-01

APPLICATION INFORMATION:

Please read all instructions and application questions carefully before completing the application.

- For the Municipality to accept this application, all questions must be answered fully, the site plan drawing(s) are to be in a metric scale, a copy of the deed or proper legal description is required, the fee is paid in full and the authorization form completed if an agent is representing the applicant.
- If you are unfamiliar with making *Planning Act* applications or have difficulty with the application process you are encouraged to retain a planning consultant.
- Please note that when the application is deemed complete, a required sign indicating notice of application, which will be provided, shall be posted on the subject lands 20 days prior to the Public meeting. Failure to do so will result in deferral.
- The information on this form is collected for the purpose of creating a record that is available to the general public

ZONING AMENDMENT PROCESS*

*Can take a minimum of three months to complete.

Applicant to discuss intent to apply with Planner and/or CAO. If it's a complex application, consider hiring a planning consultant.

Applicant to hold pre-application meeting with Planner.

Applicant to complete application including any supplemental information requested by the Municipality, and submit with fee.

Notice of Public Meeting is circulated by Municipality and applicant posts Notice on subject property.

Planner prepares report to Council.

Council holds public meeting (Council may pass by-laws the same night if conditions of approval are not required).

Decision is final after a 20 day appeal period whereby the decision can be appealed to the Ontario Municipal Board

APPLICATION TYPE:

Check (✓)

- (X) Zoning By-law Amendment - \$1000
- () Temporary Use By-law - \$1000
- () Removal of the Holding Zone ("H" Symbol)

OWNER/APPLICANT INFORMATION:

Owner Municipality of Oliver Paipooonge Tel. 807-935-2613

Fax 807-935-2161

Address P.O. Box 10, 4569 Oliver Road

Email Sharron.Martyn@oliverpaipooonge.on.ca

AGENT, SOLICITOR, OR PLANNING CONSULTANT (If applicable):

Name _____ Tel. _____

Fax _____

Address _____

Email _____

PROPERTY INFORMATION

Legal Description Lot Parcel 7442 SEC DFWP, Part Lot 5, Con. 1 NKR

Address 202-204 Hwy 130 PART 1,2,3 FWR 153

Current Zoning Institutional Official Plan Designation PAU (old) PRC (new)

Existing use of the property Offices/bank and vacant building (Former Muse

How long has this use continued? 30 years

Does any party have an interest in the property (i.e. easement, mortgage)?
Provide the names and addresses for these parties N/A

List any previous or current *Planning Act* applications that apply to this property

Are you aware of any *Planning Act* applications currently being processed for any properties within 120m? ()Yes (x)No

If Yes, include the File No. and Approval Authority if known _____

Does the Owner own Adjoining Properties? ()Yes (x)No

If Yes, please describe in detail _____

Is there any reason to believe that the site may be environmentally contaminated? ()Yes (x)No

If Yes, please describe in detail _____

Has an industrial or commercial use been on or adjacent to the property?
(x)Yes ()No

If Yes, please describe in detail former gravel pit (adjacent)

Has lot grading been changed by adding or removing earth or other material?
()Yes (x)No

Has the Ministry of the Environment or any other agency formally or informally advised the owners that the property is or may be contaminated?
()Yes (x)No

If Yes, please describe in detail _____



P.O. Box 10, 4569 Oliver Road
Murillo, ON P0T 2G0
Phone: (807) 935-2613
Fax: (807) 935-2161
www.oliverpaipoonge.on.ca

(If you answered Yes to any of the questions related to possible contamination of the site, a previous use inventory, showing all former uses of the subject property, or if appropriate, the adjacent property, is required and must be submitted with this application)

PROPOSAL INFORMATION

What is the proposed use of the subject land? Professional office,
and car wash.

Are buildings or structures proposed for the subject land? () Yes (X) No

If Yes, indicate the types of buildings or structures and the setbacks, height and dimensions of each building/structure

Describe in detail what NEW DEVELOPMENT IS PROPOSED on the property

As per PCI (Paipoonge Rural Commercial) with additional
car wash.

List any buildings or structures that will be REMOVED as part of this proposal

NONE

If no new development is proposed, describe the reasons for this application

Change in zoning to allow for New Business.

How, in your view, will the proposal fit in the existing land uses in the area?

Commercial operation directly across the road. Trailer park across road, North is a golf course, and South is housing development, with a private Golf Course

Describe in detail how the application conforms with the intent of the Official Plan

Commercial lots are to be in clusters so designated uses with exposure to high traffic volumes

Is the proposed amendment consistent with the Provincial Policy Statements issued under subsection 3(1) of the Planning Act? Yes No

Describe In New official plan the subject land is situated in or around Hamlet area which is consistent with provincial Policy statement.

If the application is to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement, please list the details of the official plan or official plan amendment that deals with the matter.

If the application is to remove land from an area of employment, please list the details of the official plan or official plan amendment that deals with the matter.

N/A

If the subject land is within an area where zoning with conditions may apply, please provide an explanation of how the application conforms to the Official Plan policies relations to zoning with conditions.

Site plan amendment being applied for on subject land to allow for specific uses compatible to surrounding area.

COMPLETE THIS SECTION FOR A ZONING AMENDMENT, HOLDING SYMBOL REMOVAL OR TEMPORARY USE BY-LAW

Does this application seek to REZONE the property? (x)Yes ()No

If Yes, what zone is requested? PC1

Why is this application being made to amend the Zoning By-law?

If changes to the REGULATIONS of the By-law are requested, indicate so below:

A) General Regulations or Definitions (changes to Section 2 or 3 of By-law 185-01):

Section	Existing Requirement	Requested Requirement
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

B) Regulations (changes requested to the regulation in a particular zone of Section 4):

Section	Existing Requirement
	PCI

Requested Requirement
A business and professional office, a craft shop, financial institution, warehouse/storage, an agricultural sales outlet, a petty trade, and a car wash

SKETCH

Site plan must show the following in metric dimensions on a page not exceeding 11x17":

- North arrow, scale and legend;
- The boundaries of the owner's property including the area of the property and all dimensions;
- The boundaries of the property subject to the application including area and dimensions, if different from above;
- All existing and proposed buildings located on the property including building dimensions (incl. height), separation distances between buildings and the distances to property lines;
- The location of all natural and artificial features (eg. easements, railways, pipelines, high voltage transmission lines, highways, watercourses, drainage ditches, banks, slopes, wetlands, wooded areas, wells, and septic fields) that are located on the subject land and on land that is adjacent to it and in the applicant's opinion, may affect the application;
- The nature of the existing use of the adjacent properties (eg. residential, agriculture, automotive);
- The proposed development, including the area and dimensions of any new lots to be created, the size and location of buildings, parking areas (including the dimensions of all parking spaces and aisles), landscaping, amenity areas, etc.;
- As applicable – fire access route, outdoor equipment and storage, walkways, curbing, fencing;
- Existing municipal infrastructure immediately adjacent to the site (roads, lanes, sidewalks, existing entrances, boulevard trees, fire hydrants, hydro poles, easements, etc);
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or right of way.

CERTIFICATION BY THE APPLICANT

I/we (insert name) Jamie Cressman, CAO/Clerk of the Municipality of Oliver Paipoonge in the Province of Ontario, solemnly declare that the statements contained in this application are true, and I/we make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

Sworn (or declared) before me at the Municipality of Oliver Paipoonge in the Province of Ontario, this COMMISSIONER day of June, 2011.

Judy Jacobson
Judy Jacobson
Deputy Clerk
Municipality of
Oliver Paipoonge
Commissioner of Oaths

Jamie Cressman
Applicant/Authorized Agent

If the applicant is a Corporation, the application shall be signed by an Officer of the Corporation and the Corporation Seal shall be affixed.

THE INFORMATION IN THIS APPLICATION AND ALL OTHER INFORMATION, STUDIES, REPORTS AND COMMENTS RECEIVED RELATIVE TO THE PROCESSING OF THIS APPLICATION IS COLLECTED FOR THE PURPOSE OF CREATING A RECORD THAT IS AVAILABLE TO THE GENERAL PUBLIC.

AUTHORIZATION OF THE OWNER FOR AN AGENT TO MAKE APPLICATION

I/we authorize _____ (name of agent) to act on my/our behalf in submitting this application. This application has been submitted with my/our full knowledge and endorsement.

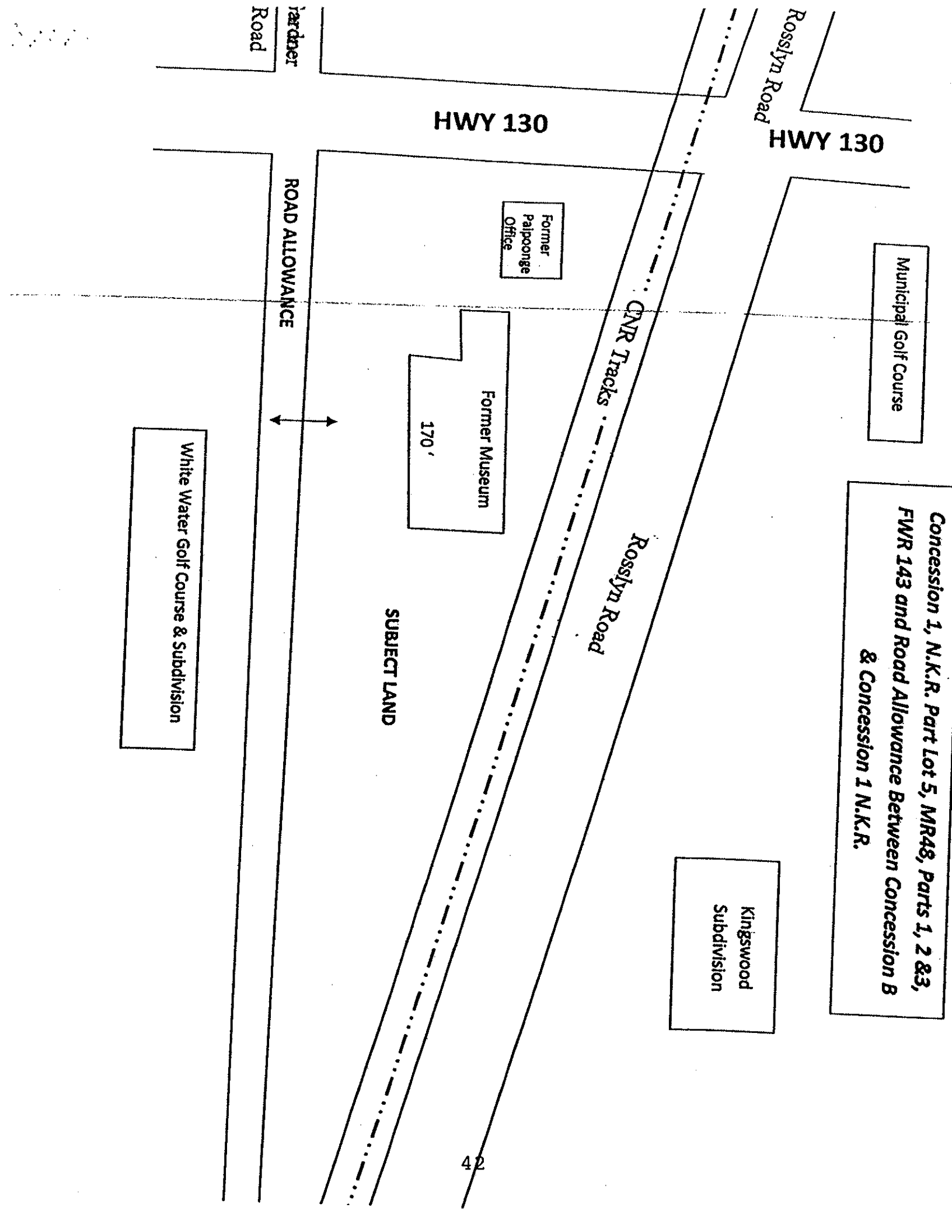
Owner(s) _____

Date _____



For office use only

Date complete application is received:



**Concession 1, N.K.R. Part Lot 5, MR48, Parts 1, 2 & 3,
FWR 143 and Road Allowance Between Concession B
& Concession 1 N.K.R.**

Municipal Golf Course

**Kingswood
Subdivision**

HWY 130

HWY 130

Rossllyn Road

CNR Tracks

**Former
Palpoonge
Office**

**Former Museum
170'**

SUBJECT LAND

ROAD ALLOWANCE

White Water Golf Course & Subdivision

**Yardner
Road**

42

DRAFT

THE CORPORATION OF THE MUNICIPALITY OF OLIVER PAIPOONGE

BY-LAW NO. 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.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF OLIVER PAIPOONGE HEREBY ENACTS AS FOLLOWS:

Section 1 -- Application of the By-law

- 1.1 Sections 2 and 3 of this By-law shall apply only to the lands and premises being Concession 1, N/R Part Lot 5, MR 48, Parts 1,2,& 3 FWR153 and road allowance between Concession "B" and Concession "1", NKR (formerly known as Rosslyn Road) in the former Township of Paipoonge and now in the Municipality of Oliver Paipoonge.

Section 2 -- Change of Zone

- 2.1 Notwithstanding Schedule "A" to By-law 185-01 as it applies to Concession 1, N/R Part Lot 5, MR 48, Parts 1,2,& 3 FWR153 and road allowance between Concession "B" and Concession "1", NKR (formerly known as Rosslyn Road) in the former Township of Paipoonge and now in the Municipality of Oliver Paipoonge, the said lands are hereby removed from the Paipoonge Institutional (PI) zone and designated as being in and part of the Paipoonge Rural Commercial (PC1) zone.

Section 3 -- Regulation Changes

- 3.1 For the lands and premises being Concession 1, N/R Part Lot 5, MR 48, Parts 1,2,& 3 FWR153 and road allowance between Concession "B" and Concession "1", NKR (formerly known as Rosslyn Road) in the former Township of Paipoonge and now in the Municipality of Oliver Paipoonge, Section 4.19.1 of By-law 185-01 is hereby deleted and replaced with the following:

*4.19.1 Permitted Uses

- i) A business and professional office
- ii) A craft shop
- iii) A financial institution
- iv) A warehouse/storage
- v) An agricultural sales outlet
- vi) A petty trade
- vii) Car Wash

Definitions:

PETTY TRADE, shall mean an establishment, other than an automotive use, that provides a non-personal service or craft to the public, including, but not so as to limit the generality of the foregoing, a painter's shop, a carpenter's shop, and electrician's shop, a merchandise service shop, a bakery, a catering establishment, an egg grading station and a monument engraving shop.

WAREHOUSE, shall mean a building or part thereof which is used primarily for the storage or wholesale distribution of goods, wares, merchandise, food-stuffs, substances, articles or things but does not include the storage of fuel.

CAR WASH, shall mean a self service car wash that re-circulates water.

Section 4 – Administration

4.1 This By-law conforms to the Official Plan for the Municipality of Paipoonge, and shall come into force and effect on the date of passing subject to the filing of appeals and related Ontario Municipal Board decision.

Read a first and second time this
Read a third and finally passed this

THE CORPORATION OF THE
MUNICIPALITY OF OLIVER PAIPOONGE

Mayor Lucy Kloosterhuis

Chief Administrative Officer/Clerk

LAKEHEAD REGION CONSERVATION AUTHORITY

130 CONSERVATION ROAD, P.O. BOX 10427, THUNDER BAY, ON P7B 6T8
Telephone (807) 344-5857 Fax (807)345-9156
E-mail: info@lakeheadca.com Website: www.lakeheadca.com



June 23, 2011

VIA FACSIMILE: 935-2161

Jamie Cressman
Chief Administrative Officer/Clerk
Municipality of Oliver Paipoonge
P.O. Box 10, 4569 Oliver Road
Murillo, Ontario
P0T 2G0

Dear Mr. Cressman:

**Re: Zoning By-Law Amendment
Conc. 1, N/R Part Lot 5, MR48, Parts 1, 2 & 3 FWR153 and Road Allowance
between Conc. B and Conc. 1, NKR (formerly known as Rosslyn Road)
202-204 Highway 130
Geographic Township of Paipoonge
Municipality of Oliver Paipoonge
File No: ZBLA-06-2011**

The staff have reviewed the above-noted application as it related to flooding and erosion issues and advise that we have no comments or concerns with the proposed amendment.

Please forward a copy of your decision to the Conservation Authority.

Yours truly,

Michelle Sixsmith
Water Resources Technologist

mds/sd

PLANNING REPORT

To Be Completed Prior to Hearing

File Number	ZBLA06-2011		
Municipality/Township	Municipality of Oliver Paipoonge		
Legal	Conc. 1, N/R Part Lot 5, MR48, Parts 1,2 & 3 FWR153 and road allowance between conc. B and Conc. 1 NKR		
Hearing Date	2011	07	27
	Year	Month	Day
Date of receipt of completed application	2011	06	07
	Year	Month	Day
Checked By	S. Martyn		
Zoning By-Law Number:	185-01		
Section:	Zone: Paipoonge General Commercial (PC2)		
Official Plan Designation:	PROPOSED PRC	PRU – Paipoonge Official Plan	
Designation in Canada Land Inventory:	N/A		
Site Visit Carried Out By Staff or Committee Member:	N/A		
Minor Variance or By-Law Amendment Needed?	Yes:	No:	
Authorization of Owner received (if required)	Yes	No	
Conformity with the Agricultural Code of Practice (If Applicable)	Yes	No	N/A
Date of Notice of Decision Sent to Applicant :			
Year	Month	Day	

Planning Comments:

Purpose and Effect: Rezoning by-law amendment from Paipoonge institutional (P1) zone to Paipoonge Rural Commercial (PC1) with an additional use – car wash.

Following declaring the subject property surplus, the property has been offered for sale. The zoning of the property was Institutional and in order to market this property the Council for the Municipality must change the zoning to commercial use and to a use compatible with the area.

It was agreed that the recommended zone Paipoonge Rural Commercial (PC1) would be compatible with the various zones surrounding this property. This zone includes the following uses:

- a) Business and professional office
- b) Craft shop
- c) A financial institution
- d) Warehouse/storage
- e) Agricultural sales outlet

-
- f) Petty trade
 - g) Car wash

Definitions have been described on the Notice of the Public Meeting.

Access: the subject property fronts onto Hwy. 130 and is situated on the corner lot. Railway runs along the subject property between subject property and Rosslyn Road.

Analysis: The current use of the subject property is a credit union and a chiropractor in the main use building and the former Museum building is presently vacant.

Goals: some of the goals which the Municipality wishes to achieve in the "Rural" designation are:

- a) To maintain a low-density rural character,
- b) To promote an environment where the privacy and serenity of rural living can be enjoyed,
- c) To provide flexibility by permitting a variety of land uses,
- d) To allow investors a wide range of options for their investments within the policies of this Plan,

Policies: to achieve the foregoing goals the following policies are adopted:

a) **Compatibility**

While land in the "Rural" designation may be developed for a variety of uses, consideration shall be given to ensure that development is compatible with surrounding land uses and the potential of the land before any approval is given.

Definitions from Zoning By-law 185-01:

Commercial Use:

Shall mean the use of land or buildings for the purposes of buying, selling, renting and/or leasing commodities and supplying services but does not include activities associated with the manufacturing, warehousing or assembling of goods or with any construction activity.

Offensive Uses: No use shall be permitted in any zone which, from its nature, materials used therein or emissions issued there from is declared to be an offensive trade, business or manufacture under the Health protection Act, 1982 as amended from time to time, by the Province of Ontario, the Government of Canada, or any agencies thereof.

Conclusion:

The Municipality has included a car wash as an additional use in the PC1 as a possible use in the old Museum building. It has been recommended that if a car wash is a use that it be a car wash that recycles the water.

The zoning of Paipoonge Rural Commercial is compatible with the surrounding area made up of two housing developments, a trailer park, commercial uses and a golf course.

If there is to be any further development on subject property, this PC1 zoning would accommodate further small businesses like a craft shop, esthetician, etc.

The present septic field accommodates both buildings and should be determined if the field will accommodate both uses.

The well also accommodates both buildings and should be determined if the well will accommodate both uses.

Recommendation: Based on the uses under the PC1 zone being recommended for this property with the addition of the car wash and based on the car wash using recycled water, the Planning Department would have no concerns with this zoning amendment.

Submitted by: Sharron Martyn, Planner
Oliver Paipoonge Planning Department