

THE CORPORATION OF THE MUNICIPALITY OF OLIVER PAIPOONGE

MUNICIPAL COUNCIL

PUBLIC MEETING

A G E N D A

DATE: June 27, 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 (*late with notice*)
Councillor B. Kamphof
Councillor A. Vis

MUNICIPAL OFFICERS: Jamie Cressman, CAO/Clerk
Judy Jacobson, Deputy Clerk

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

CALL TO ORDER

DISCLOSURES OF INTEREST

ADOPTION OF THE AGENDA

RES 1 THAT with respect to the June 27, 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
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. 4 – 17

The draft by-law is contained in the agenda and a copy will be available for the public at the meeting. 18 – 19

- 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.
- e) The Planning Department’s Report was read at the Special Public Meeting held on April 4, 2011.
- 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 to held later this evening being July 18, 2011.

ADJOURNMENT

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



NOTICE OF PUBLIC MEETING BEFORE OLIVER PAIPOONGE MUNICIPAL COUNCIL

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

MONDAY, JUNE 27TH, 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 7th day of June , 2011.



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

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 Paipoonge Tel. 807-935-2613

Fax 807-935-2161

Address P.O. Box 10, 4569 Oliver Road

Email Sharron.Martyn@oliverpaipoonge.on.ca

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

Name _____ Tel. _____

Fax _____

Address _____

Email _____

PROPERTY INFORMATION

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

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

Current Zoning Institutional Official Plan Designation PR4 (old) PRC (new)

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

How long has this use continued? 30 years

In what year did the owner acquire the property? Unknown.

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

financial institution, medical office, commercial office
and old Museum building to be used for commercial
repair garage for owners building.

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:

parking for office building and parking for new
proposed use.

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 _____



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(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



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

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.**



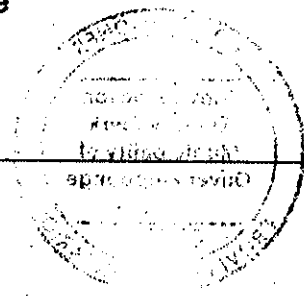
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AUTHORIZATION OF THE OWNER FOR AN AGENT TO MAKE APPLICATION

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

Rossllyn Road

CNR Tracks

Former
Palpoonge
Office

Former Museum
170'

SUBJECT LAND

ROAD ALLOWANCE

White Water Golf Course & Subdivision

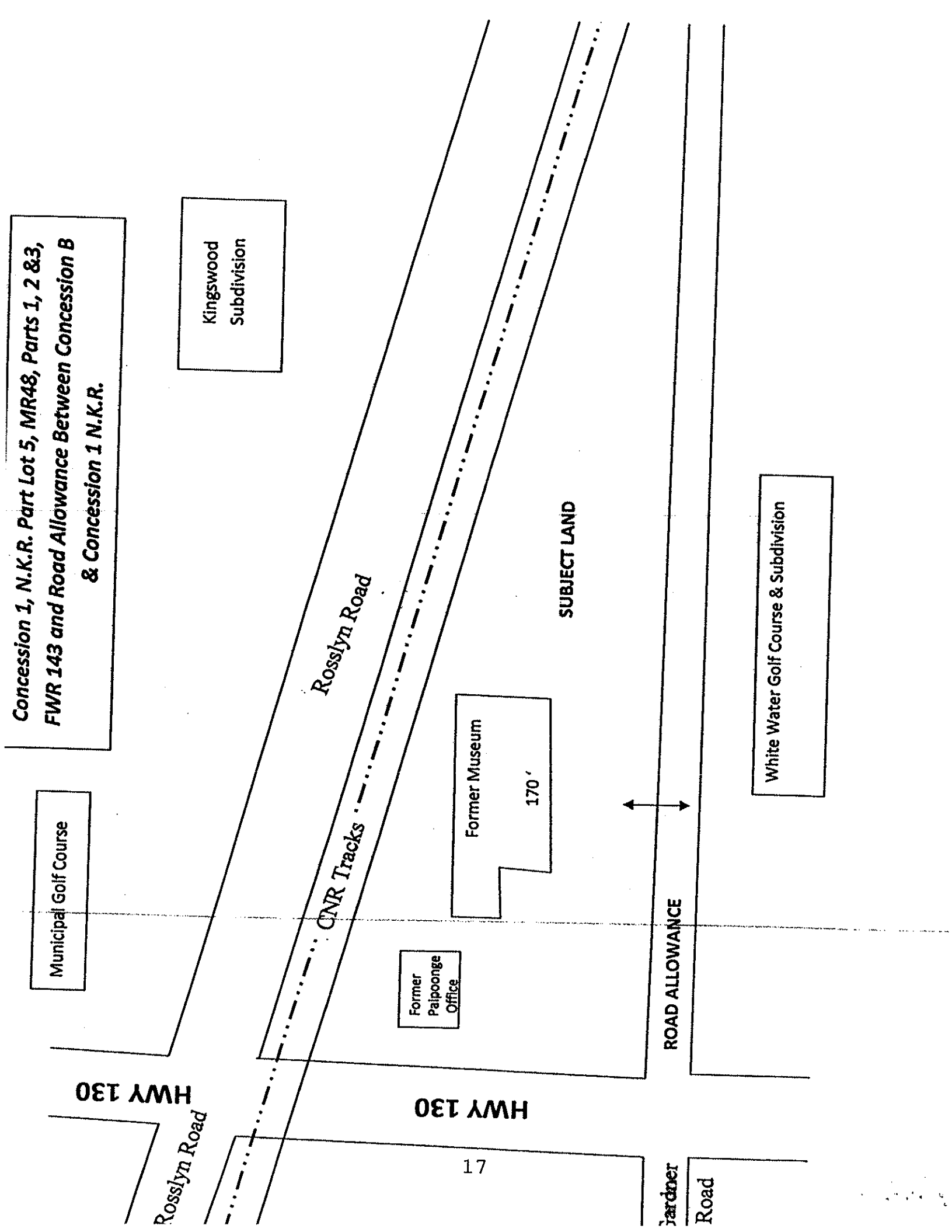
HWY 130

HWY 130

17

Jardner
Road

Rossllyn Road



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