

THE CORPORATION OF THE MUNICIPALITY OF OLIVER PAIPOONGE

MUNICIPAL COUNCIL

PUBLIC MEETING

A G E N D A

DATE: November 28, 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: 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

DISCLOSURES OF INTEREST

ADOPTION OF THE AGENDA

RES THAT with respect to the November 28, 2011, Public Meeting Agenda,  
1 we recommend that the agenda as printed including any additional information and new business be confirmed.

PUBLIC MEETING

Zoning By-law Amendment  
A. J. Britton Contractors Ltd.

4 – 18

An application on behalf of the A. J. Britton Contractors Ltd. for a zoning by-law amendment to rezone the property located on the east side of Calvert Road, north of John Street Road to Oliver Limited Agriculture (OAL) from Oliver Agricultural (OAG). The subject lands are described as Con 4, Part N ½ Lot 6, RP55R1191, Part 5 Irreg (former Municipality of Oliver), Geographic Municipality of Oliver Paipoonge.

The draft by-law 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.
- 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.
- i) Mayor’s concluding remarks and advises the By-law will be considered at the Regular Meeting of Council held later in the evening, November 28, 2011.

19 – 21

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.



## **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, November 28<sup>TH</sup>, 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.13. 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.

Applicant: A.J. Britton Contractors Ltd.

Subject lands are described as Conc. 4, PT N1/2 Lot 6 RP 55R1191 Part 5 irreg. Calvert Road, formerly Township of Oliver, now in the Municipality of Oliver Paipoonge.

The proposed By-law Amendment would rezone the property located east side of Calvert Road, north of John Street Road to Oliver Limited Agriculture (OAL). The present zoning on subject property is Oliver Agricultural (OAG). The effect of the proposed amendment would be to allow for the this lot to severed allowing for two new buildable lots for possibly hobby or horse farm.

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

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.

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.

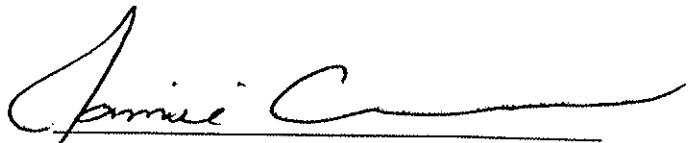
For more information:

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

Dated at the Municipality of Oliver Paipoonge this 8<sup>th</sup> day of November, 2011.

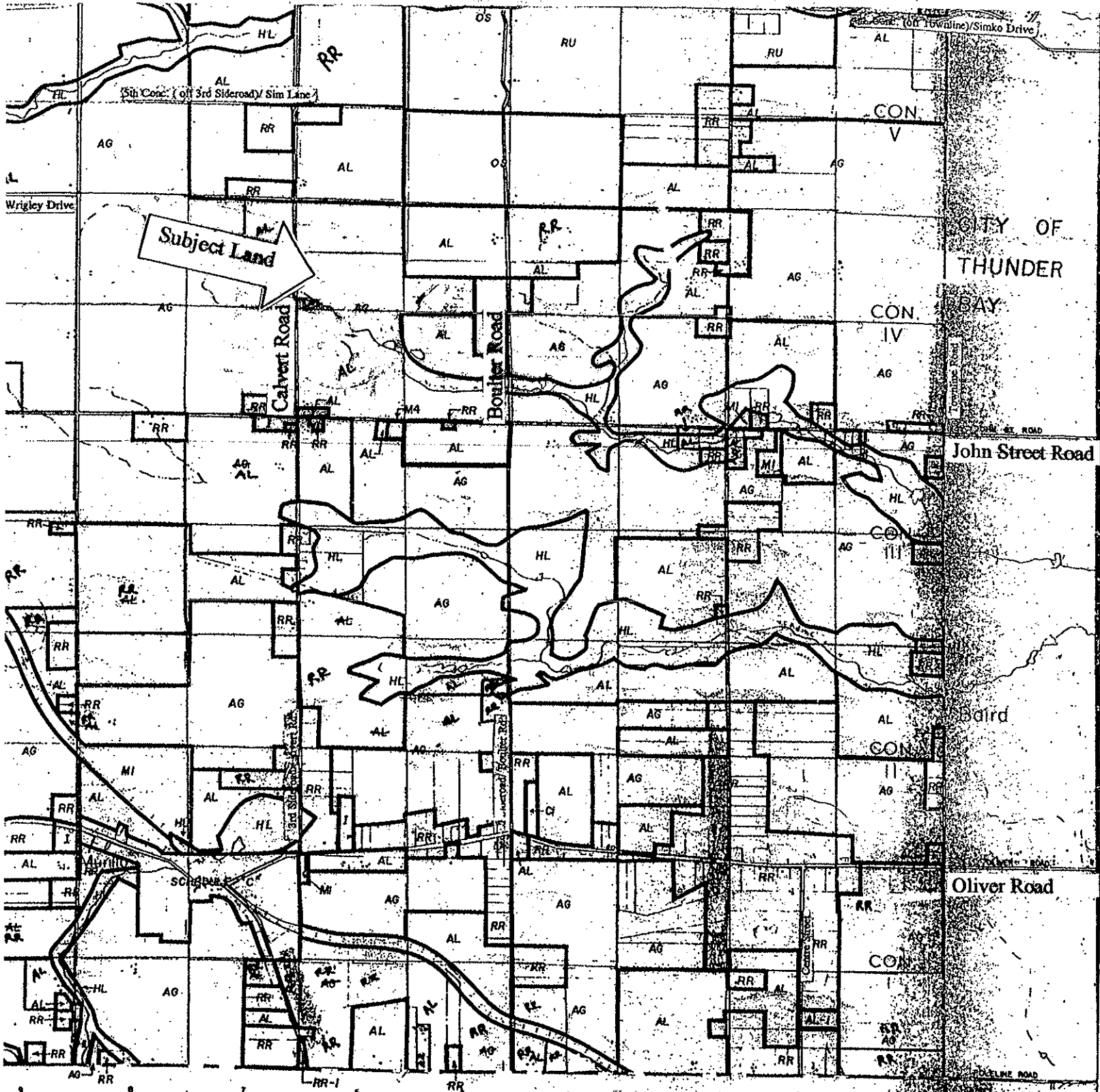
SEE MAP ON ATTACHED SHEET

FOR LOCATION OF SUBJECT LANDS.



Jamie Cressman, CAO/Clerk  
Municipality of Oliver Paipoonge.

Subject lands are described as Conc. 4, PT N1/2 Lot 6 RP 55r1191 Part 5 irreg. Calvert Road, formerly Township of Oliver, now in the Municipality of Oliver Paipoonge.



Subject Land

CITY OF THUNDER BAY

LEGEND

TOWNSHIP OF OLIVER

APPLICATION TYPE:

ZBLA10-11

Check (✓)

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

OWNER/APPLICANT INFORMATION:

Owner A. J. BRITTON CONTRACTORS LTD. Tel. (807) 939-1177  
Fax 939-1710 C (807) 624-7983

Address 24 QUEENS ROAD, SITE 8, COMP 8

Email BRITTONA@TBTTEL.NET

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

Name \_\_\_\_\_ Tel. \_\_\_\_\_

Fax \_\_\_\_\_

Address \_\_\_\_\_

Email \_\_\_\_\_

PROPERTY INFORMATION

Legal Description CONC 4, PT N1/2 LOT 6 RP 55R1191 PART 5 IRREG.

Address Calvert Road

Current Zoning AG Official Plan Designation RURAL

Existing use of the property LOGGING

How long has this use continued? PURCHASED AUG 9, 2000

In what year did the owner acquire the property? 2002

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

NONE

How is the property serviced? Check ( ) NO SERVICE

- ( ) 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:

PRIVATE DRIVEWAYS + PARKING

Does any party have an interest in the property (i.e. easement, mortgage)?  
Provide the names and addresses for these parties NONE

List any previous or current *Planning Act* applications that apply to this property  
THIS PARCEL IS PART OF CONSENT

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?  
( ) Yes (X) No

If Yes, please describe in detail \_\_\_\_\_

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 \_\_\_\_\_

(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?

AGRICULTURE USE EG. HOBBY FARM WITH RESIDENCE

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

UNKNOWN

Describe in detail what NEW DEVELOPMENT IS PROPOSED on the property

TWO POSSIBLE RESIDENCES

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

WILL BE APPLYING FOR CONSENT FOR TWO NEW LOTS SIMULTANEOUSLY WITH REZONING REQUIRE 10 ACRE LOTS

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

IDEAL FOR A FAMILY THAT WANTS A SMALL HOBBY FARM AND A FEW ANIMALS

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

NOT ENOUGH ACRES FOR A REGULAR FARM BUT PERFECT FOR A HOBBY FARM

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



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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.

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? LIMITED AGRICULTURE (OAL)

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

TO ALLOW FOR TWO SMALLER AGRICULTURE LOTS- PRESENTLY, LOT DOES NOT MEET SIZE AND FRONTAGE FOR VIABLE FARMLAND.

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
N/A		

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



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

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## 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)

ARTHUR BRITTON

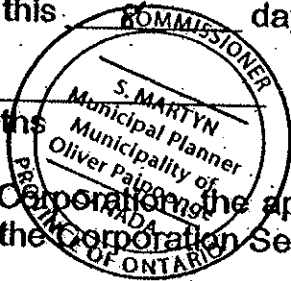
of the

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 \_\_\_\_\_ day of NOVEMBER, 20 11.

*S. Martyn*

Commissioner of Oaths



*Arthur Britton*

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:

\_\_\_\_\_

AL

AL

AL

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CONC 4

PART OF N/H LOT 6

RP 55R11591

PART 5 IRREG

25.05 HA.

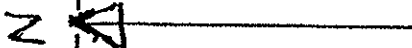
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A.G.

A.J. BRITTON CONTRACTORS  
LTD.

A.L.

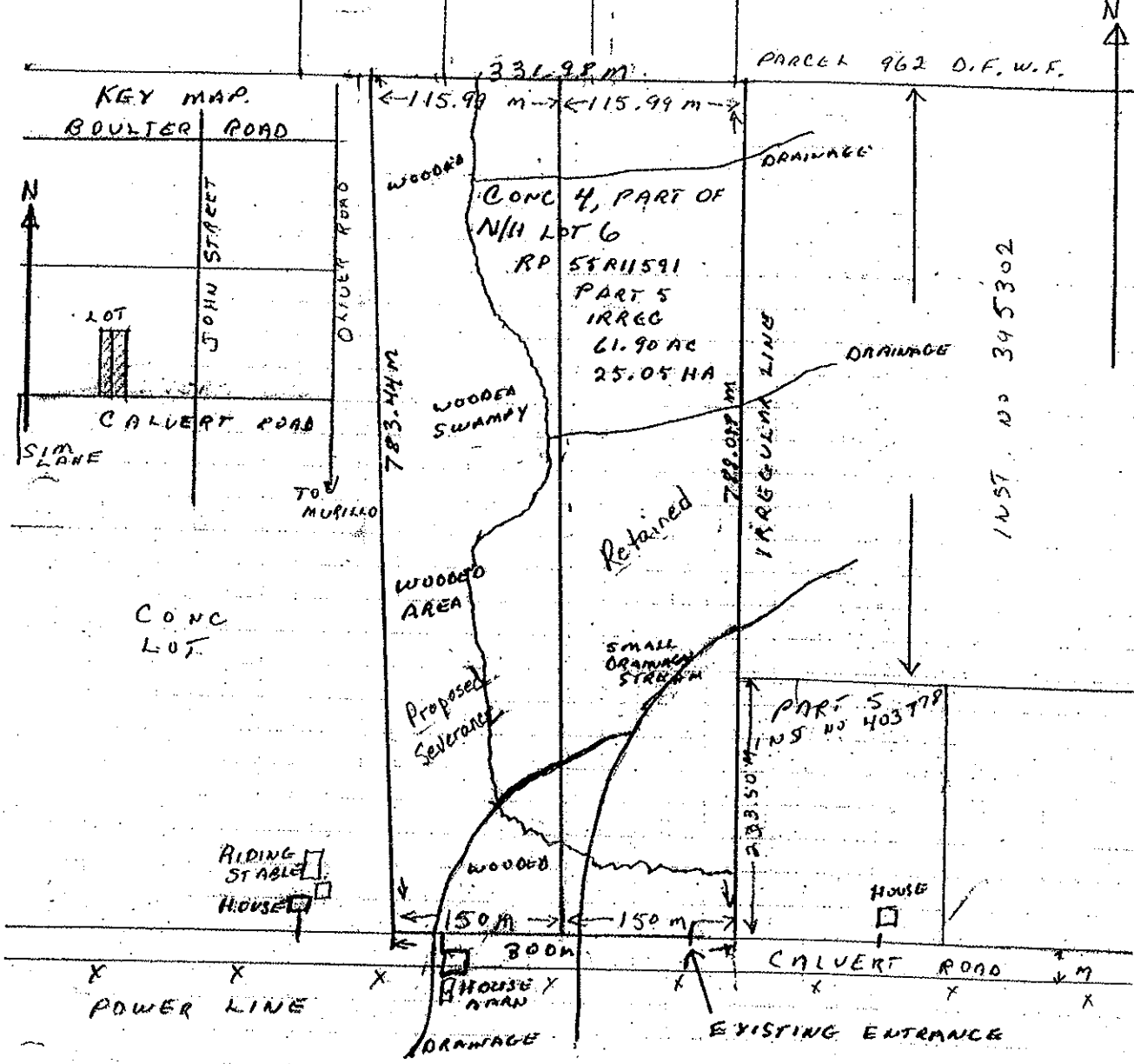
CALVERT ROAD.



A.G.

AC

PART 5 PARCEL 5390 D.F.W.F.	PART 3 PARCEL 15559 T.B.F.	55R PART 1 PARCEL 15567 T.B.F.
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CONC LOT

AREA TO SEVERE  
31 ACRES  
12.5 HA

62 ACRES  
25 HA

# PLANNING REPORT

**To Be Completed Prior to Hearing**

Zoning/Official Plan Number			
		ZBLA10-2011	
Municipality			
Municipality of Oliver Paipoonge			
Lot & Conc.			
Conc. 4, PT. N1/2 Lot 6 RP55r1191, Part 5 Irreg. Calvert Road, formerly Township of Oliver, now Municipality of Oliver Paipoonge			
Hearing Date		2011	11
		Year	Month
			28th
			Day
Date of receipt of completed application			
		2011	11
		Year	Month
			20th
			Day
Checked By		S. Martyn	
Zoning By-Law Number:		By-law 185-01	
Present Zone: <b>Oliver Agricultural (OAG)</b>		Proposed Zoning: <b>Oliver Limited Agricultural (OAL)</b>	
Official Plan Designation: <b>New OP – Rural</b>		Designation in Canada Land Inventory: <u>  n/a  </u>	
Site Visit Carried Out By Staff : <b>YES</b>			

Authorization of Owner received (if required) Yes \_\_\_\_\_ No \_\_\_\_\_ N/A  \_\_\_\_\_

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

Date of Notice of Passing the Zoning Amendment By-law sent to Applicant :

Year	Month	Day
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**Planning Comments:**

*The purpose of this application is to change the zoning on the subject property owned by A.J. Britton Contractors Ltd. to Oliver Limited Agriculture to allow for the owner to sever his property to make two Limited Agriculture lots. The property conforms to the old Oliver Official Plan and the newly adopted Official Plan. The properties surrounding the subject property is Agriculture and Limited Agriculture as well as residential on the next road; therefore rezoning this lot to Limited Agriculture would conform to the surrounding area.*

*The property is large enough to accommodate the OAL zoning requirements as to size and for uses such as a hobby farm – copy is attached.*

*The present property is treed and has natural drainage areas on the property as shown on the attached map. There is presently an entrance onto the property and applicant will be applying for the second entrance if the consent is approved.*

*Based on the various Agricultural and Limited Agricultural properties already in the area and the lot can accommodate a limited agricultural uses, the Planning Department would have no objection to Council adopting the zoning change for the subject lot.*

*Sharron Martyn, Planning Department*



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OLIVER LIMITED AGRICULTURE (OAL) ZONE REGULATIONS

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

Permitted Uses:

- a) agriculture
- b) a greenhouse operation
- c) a bee-keeping operation
- d) a market garden
- e) animal kennel-breeding
- f) hobby farms
- g) accessory dwelling units
- h) accessory buildings, structures and uses
- i) home occupations and home industries
- j) single detached dwelling

Zone Provisions:

- a) Minimum Lot Area 4 hectares
- b) Minimum Lot Frontage 120 meters
- c) Minimum Front Yard 30 meters
- d) Minimum Side Yard 15 meters
- e) Minimum Rear Yard 15 meters
- f) Maximum Height 10 meters
- g) Single Detached Dwelling  
     Minimum Floor Area 70 square meters
- h) Maximum Lot Coverage 20%

Animal Units and Lot Sizes

- a) In OAL Zone, one animal unit shall be permitted per hectare.
- b) The following table shall apply in determining animal units

<u>Type of Livestock or Poultry</u>	<u>No. of Animal Units</u>
1 dairy cow (plus calf)	1
1 beef cow (plus calf)	1
1 bull	1



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1 Horse	1
4 Sheep	1
4 Sows (plus litter to weaning)	1
125 laying hens	1
100 female mink (plus associated males and kits) 4 goats	1
60 geese or ducks or turkey or combination thereof	1
60 rabbits	1
60 pigeons	1
.5 beehives	1

Site Specific Provisions:

a) Notwithstanding any other provisions of this By-law, a maximum of twelve horses shall be permitted on those lands zoned "OAL-1" known as Plan 635, Part of Lot 16, Reference Plan 55R2976, Part 2 and Reference Plan 55R3308, Part 3 located within Part Lot 2, Concession 1, shown on Schedule 'A'. These lands are municipally known as the Wynalda property.