

THE CORPORATION OF THE MUNICIPALITY OF OLIVER PAIPOONGE

MUNICIPAL COUNCIL

COMMITTEE OF THE WHOLE PLANNING AND DEVELOPMENT

A G E N D A

Planning and Development Department
Building and Property
Leisure Services
Protective Services

- DATE:** October 13, 2010
- TIME:** 6:30 p.m.
- PLACE:** Council Chambers
Oliver Paipoonge Municipal Complex
- CHAIR:** Councillor K. Grootenboer
- MEMBERS OF COUNCIL:** Mayor L. Kloosterhuis
Councillor D. Hearn
Councillor S. Pinner
Councillor A. Vis
- MUNICIPAL OFFICERS:** Jamie Cressman, CAO/Clerk
Judy Jacobson, Deputy Clerk
Sharron Martyn, Planner
- ORDERS OF THE DAY:** OPENING THE MEETING
DISCLOSURES OF INTEREST
ADOPTION OF THE AGENDA
DEPUTATIONS
MINUTES OF PREVIOUS MEETING
REPORTS OF MUNICIPAL OFFICERS
REPORTS OF COMMITTEES
OUTSTANDING ITEMS
ADJOURNMENT

CALL TO ORDER

DISCLOSURES OF INTEREST

CONFIRMATION OF THE AGENDA

RES THAT with respect to the October 13, 2010, Committee of the Whole Planning and Development Agenda we recommend that the agenda as printed including any additional information and new business be confirmed.

DEPUTATIONS

MINUTES OF PREVIOUS MEETING

Committee of the Whole
Planning and Development

6 – 13

Minutes of the Committee of the Whole Planning and Development Meeting held on September 13, 2010, for discussion only.

REPORTS OF MUNICIPAL OFFICERS

Monthly Report – Planning Department

No Report.

Provincial Policy Statement Consultation

At the September 13, 2010, Committee of the Whole Planning and Development Meeting it was the consensus of Council that this matter be represented at the October 13th or 27th meeting of Committee of the Whole Planning and Development for discussion in order that a written submission could be made prior to the October 29th deadline.

Committee of Adjustment

Robert Ham
Application Nos. 1B/28/10 and 1B/29/10

14 – 38

Applications on behalf of Robert Ham on property known as Con A S/R Pt Lot A, also known as 407 Hwy 130, former Geographic Township of Paipoonge, now Municipality of Oliver Paipoonge for consent to create a new lot.

Planning Report relative to the above noted for information.

	PAGES
Andre & Teda Heerema <u>Application No. 1B/30/10</u>	39 – 51
Application on behalf of Andre & Teda Heerema on property known as Pt Lot 10 Con A, SKR, Hwy 130, former Geographic Township of Paipoonge, now Municipality of Oliver Paipoonge for consent to create a new lot.	
Planning Report relative to the above noted for information.	
 <u>Emergency Plan</u>	
Report with respect to the above noted to be distributed separately.	
 <u>Industrial Park</u>	
Report No. 2010.46 providing an update with respect to the Industrial Park distributed separately.	
 <u>CAO Report</u>	
Report from Jamie Cressman, CAO distributed separately.	
 <u>PROTECTIVE SERVICES</u>	
<u>By-law Enforcement</u>	52 – 53
Monthly report for September 2010 from By-law Enforcement.	
 <u>Building</u>	 54
Monthly report for September 2010 relative to Building Permits issued.	
 <u>COMMUNITY SERVICES</u>	
<u>Library</u>	55 – 56
Minutes of the Library Board of Directors’ Meeting held on Wednesday, September 15, 2010, for information.	

	PAGES
<u>Rosslyn Water System</u>	57 – 61
Copy of the ALS Laboratory Group Analytical Reports dated September 13 and 21, 2010, respectively, for information.	
Certificate of Analysis dated September 27, 2010, for information.	62 – 64
 REPORTS OF COMMITTEES	
<u>Committee of Adjustment</u>	65 – 70
Minutes of the One Hundred and Sixth Meeting of the Committee of Adjustment held on August 12, 2010, for information.	
 <u>Lakehead Region Conservation Authority</u>	 71 – 82
Minutes of the Sixth Regular Meeting of the Lakehead Region Conservation Authority held on August 25, 2010, for information.	
 <u>Lakehead Source Protection Authority</u>	 83 – 85
Minutes of the Second Regular Meeting of the Lakehead Source Protection Authority held on June 30, 2010, and August 4, 2010, respectively, for information.	
 <u>Thunder Bay District Health Unit</u>	 86 – 89
Minutes of the Thunder Bay District Health Unit Meeting held on April 20, 2010, for information.	
 <u>Joint Board Meeting TBDSSAB and TBDHC</u>	 90 – 100
Minutes of the Joint Board Meeting No. 13/2010 of the District of Thunder Bay Social Services Administration Board and Directors of the Thunder Bay District Housing Corporation held on July 19, 2010, for information.	
 <u>Thunder Bay District Municipal League</u>	 101 – 104
Minutes from the Thunder Bay District Municipal League Meeting held on June 12, 2010, for information.	

PAGES

PENDING ITEMS

List of Pending Items.

105

NEW BUSINESS

ADJOURNMENT

RES THAT the Committee of the Whole Planning and Development Meeting held on October 13, 2010, be adjourned the hour being _____ p.m.

THE CORPORATION OF THE MUNICIPALITY OF OLIVER PAIPOONGE

COMMITTEE OF THE WHOLE
PLANNING AND DEVELOPMENT

MINUTES

Planning Department
Building and Property
Leisure Services
Protective Services

DATE: September 13, 2010
TIME: 6:45 p.m.
PLACE: Council Chambers
Oliver Paipoonge Municipal Complex
CHAIR: Councillor D. Hearn
PRESENT: Mayor L. Kloosterhuis
Councillor K. Grootenboer
Councillor S. Pinner
Councillor A. Vis
MUNICIPAL OFFICERS: Jamie Cressman, CAO/Clerk
Judy Jacobson, Deputy Clerk
Sharron Martyn, Planner
Dan Calvert, Community Services Assistant
Erin Lane, Community Development Intern

CALL TO ORDER

Councillor Hearn called the meeting to order.

DISCLOSURES OF INTEREST

No disclosures of interest noted at this time.

CONFIRMATION OF THE AGENDA

Resolution No. 270-2010

MOVED BY Councillor K. Grootenboer
SECONDED BY Councillor A. Vis

THAT with respect to the September 13, 2010, Committee of the Whole Planning and Development Agenda we recommend that the agenda as printed including any additional information and new business be confirmed.

CARRIED

DEPUTATIONS

King George's Park Water System

Mike Carter, Solicitor appeared before Committee and provided a verbal report with respect to the above noted and responded to questions.

It was the consensus of Council that Mike Carter contact the owner Silvio DeGregario and the CAO to contact the Ministry of the Environment to advise the Municipality cannot pass a by-law until a business plan/reserve fund is established.

It was noted that By-law No. 601-2010 relative to the above noted would need to be represented to the September 27, 2010, Regular Meeting.

MINUTES OF PREVIOUS MEETING

Committee of the Whole Planning and Development

Minutes of the Committee of the Whole Planning and Development Meeting held on July 12, 2010, for discussion only.

REPORTS OF MUNICIPAL OFFICERS

Monthly Report – Planning Department

Report from Sharron Martyn, Planner relative to the above noted. Sharron Martyn, Planner appeared and responded to questions.

Official Plan Revised Comprehensive Review

Revised Comprehensive Review distributed under separate cover.
Don Manahan, Manahan Consulting will be in attendance at the meeting.

Memorandum from Manahan Consulting relative to the revised comprehensive review distributed separately Friday via email. Don Manahan advised he will not be in attendance at the meeting.

Resolution No. 271-2010

MOVED BY Councillor A. Vis
SECONDED BY Councillor K. Grootenboer

THAT we accept the Oliver Paipoonge Comprehensive Review dated September 2010;

AND THAT Administration submit the Review to the Ministry of Municipal Affairs and Housing for their review as part of the Official Plan approval process.

CARRIED

Committee of Adjustment

Richard MacDonald/Debbie Kankkunen
Application Nos. 1B/22/10 and 1B/23/10

Applications on behalf of Richard MacDonald and Debbie Kankkunen on property known as N ½ Lot 11, Concession 4, former Geographic Municipality of Oliver now Municipality of Oliver Paipoonge for consents to sever.

Planning Report relative to the above noted for information.

Beverly & Terry Laidler
Application Nos. 1B/24/10 and 1B/25/10

Applications on behalf of Beverly & Terry Laidler on property known as Lot 20, Concession 1 N/R, 285 Blindline Road, former Geographic Municipality of Paipoonge now Municipality of Oliver Paipoonge for consents to sever.

Planning Report relative to the above noted for information.

Rob Heerema
Application No. 1A/26/10

Application on behalf of Rob Heerema on property known as Plan 169 Lot 25, 26 Pt. Lot 23, 3440 Rosslyn Road, former Geographic Municipality of Paipoonge now Municipality of Oliver Paipoonge for a minor variance.

Planning Report relative to the above noted for information.

Tri-Wing Enterprises
(Murray Wing)
Application No. 1B/27/10

Application on behalf of Tri-Wing Enterprises (Murray Wing) on property known as Plan 1, Lot 41, 42 & Pt. 40, former Geographic Municipality of Paipoonge now Municipality of Oliver Paipoonge for a consent to sever.

Planning Report relative to the above noted for information.

Application Nos. 1B/18/10 & 1B/19/10
Robert St. Amand (Agent Peter De Haan)

Copy of the Notice of Decision for consent to subdivide: creation of 2 new lots – Con. 8, Pt N ½ of Lot 5, PCL3500, 5456 Hwy 102, for information.

PPS and Staffing Update
Ministry of Municipal Affairs and Housing

Email from Shannon Smith, Manager of Community Planning and Development, Ministry of Municipal Affairs and Housing dated August 19, 2010, providing information on staffing and the Provincial Policy Statement Consultation to the held in Thunder Bay on September 23, 2010.

It was the consensus of Council that this matter be represented at the October 13th or 25th meeting of Committee of the Whole Planning and Development for discussion in order that a written submission could be made prior to the October 29th deadline.

Financial Statements

A copy of the Financial Statement for the period January 1, 2010, to August 31, 2010, distributed separately.

A copy of the Income Statement for the period January 1, 2010, to August 31, 2010 distributed separately.

Council directed that the above Statements be resubmitted to the September 27, 2010, Committee of the Whole Administration and Operations meeting.

Community Input Survey

Report No. 2010.43 relative to obtaining Council support to conduct a Community Input Survey.

Erin Laine, Community Development Intern appeared before Council and provided additional information with respect to the above noted and responded to questions.

Compliance Audit Committee

Report No. 2010.42 relative to the appointment of Compliance Audit Committee Members for the 2010 Municipal Election.

Resolution No. 273-2010

MOVED BY Councillor A. Vis
SECONDED BY Councillor K. Grootenboer

THAT with respect to Report No. 2010.42, we recommend that the following members be appointed to the Oliver Paipoonge 2010 Election Compliance Audit Committee for a term expiring November 31, 2014:

Elaine Bahlieda
Jennifer Lohuis
Fred Stille

AND THAT the Terms of Reference as attached to Report No. 2010.42 be adopted;

AND THAT any necessary By-law be presented to Council for ratification.

CARRIED

2010 Municipal Election
Advance Voting
Composite Ballot and Voter Notification Cards

Report No. 2010.44 to advise Council of the Advance Voting Days, use of Composite Ballot and Voter Notification Cards for the 2010 Municipal Election distributed separately.

Resolution No. 274-2010

MOVED BY Councillor K. Grootenboer
SECONDED BY Councillor A. Vis

THAT with respect to Report No. 2010.44 and pursuant to Section 41 (4) of the *Municipal Elections Act* the following dates and times have been established for Advance Voting for the 2010 Municipal Election:

Thursday, October 14, 2010
10:00 a.m. to 6:00 p.m.
Murillo Community Hall

and

Saturday, October 16, 2010
10:00 a.m. to 6:00 p.m.
Rosslyn Community Hall

AND THAT the necessary By-law be presented to Council for ratification.

CARRIED

Power Plant
Hume Rapids – Robert Whiteside

Email from Robert Whiteside dated August 13, 2010, relative to the above noted and in response to an email from Jamie Cressman, CAO dated August 13, 2010.

Jamie Cressman, CAO provided a verbal report with respect to the above noted.

PROTECTIVE SERVICES

By-law Enforcement

Monthly report for August 2010 from By-law Enforcement.

Jamie Cressman, CAO advised that the format of the Report was being reviewed.

Building

Monthly report for August 2010 relative to Building Permits issued.

Police – 2nd Quarter Report for 2010

Memorandum from Cst. M. Henny to Insp. S. Hauth Uniform Branch, dated July 16, 2010, relative to the 2nd Quarter Report for Oliver Paipoonge, 2010, and attaching a report on the Calls for Service.

COMMUNITY SERVICES

Library

Minutes of the Library Board of Directors' Meeting held on Wednesday, June 9, 2010, for information.

Rosslyn Water System

Copy of the ALS Laboratory Group Analytical Reports dated August 12 and 27, 2010, respectively, for information.

REPORTS OF COMMITTEES

Committee of Adjustment

Minutes of the One Hundred and Fifth Meeting of the Committee of Adjustment held on July 8, 2010, for information.

Joint Health and Safety Committee

Minutes of the Joint Health and Safety Committee Meetings held on January 20, 2010, February 3, 2010, March 10, 2010, and May 19, 2010, respectively, for information.

Lakehead Region Conservation Authority

Minutes of the Sixth Regular Meeting of the Lakehead Region Conservation Authority held on June 16, 2010, for information.

Lakehead Source Protection Committee Meeting

Minutes of the Thirty-third and Thirty-fourth Regular Meeting of the Lakehead Source Protection Committee held on July 7, 2010, and August 4, 2010, respectively, for information.

Joint Board Meeting TBDSSAB and TBDHC

Minutes of the Joint Board Meeting No. 11/2010 of the District of Thunder Bay Social Services Administration Board and Directors of the Thunder Bay District Housing Corporation held on June 17, 2010, for information.

PENDING ITEMS

Council reviewed the List of Pending Items. It was requested the development of a Communication Policy (who has the authority to speak to the media), an Industrial Park Update and an EMO Plan be added to the list.

NEW BUSINESS

ADJOURNMENT

Resolution No. 275-2010

MOVED BY Councillor K. Grootenboer
SECONDED BY Councillor A. Vis

THAT the Committee of the Whole Planning and Development Meeting held on September 13, 2010, be adjourned the hour being 8:43 p.m.

CARRIED

Councillor D. Hearn

Jamie Cressman
Chief Administrative Officer/Clerk

MUNICIPALITY OF OLIVER PAIPOONGE

COMMITTEE OF ADJUSTMENT

4569 Oliver Road, P.O. Box 10
Murillo, ON POT 2G0

Telephone: (807) 935-2613 ext. 6
Fax: (807) 935-2161

PUBLIC HEARING CONCERNING PROPOSED CONSENT TO CREATE A NEW LOT

RE: Application No.: 1B/28/10, 1B/29/10
Name of Owner: HAM, Robert
Location: Con. A. S/R. Pt. Lot A, also known as 407 Hwy 130

TAKE NOTICE that the Municipality of Oliver Paipoonge Committee of Adjustment will hold a Public Hearing on **Thursday, October 14th, 2010** at 7:00 p.m. at the Oliver Paipoonge Municipal Complex to consider the application for consent to create a new lot under Section 53 of the Planning Act, 1990. C.P. 13 as amended to March 30, 2007.

The consent is located on the property known as Con. A. S/R. Pt. Lot A, also known as 407 Hwy 130, former Geographic Township of Paipoonge, now Municipality of Oliver Paipoonge. A key map showing the location of the lands to which the consent applies is attached.

If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent to sever does not make written submissions to the Committee of Adjustment for the Municipality of Oliver Paipoonge before it gives or refuses to give a provisional consent, the Ontario Municipal Board may dismiss the appeal.

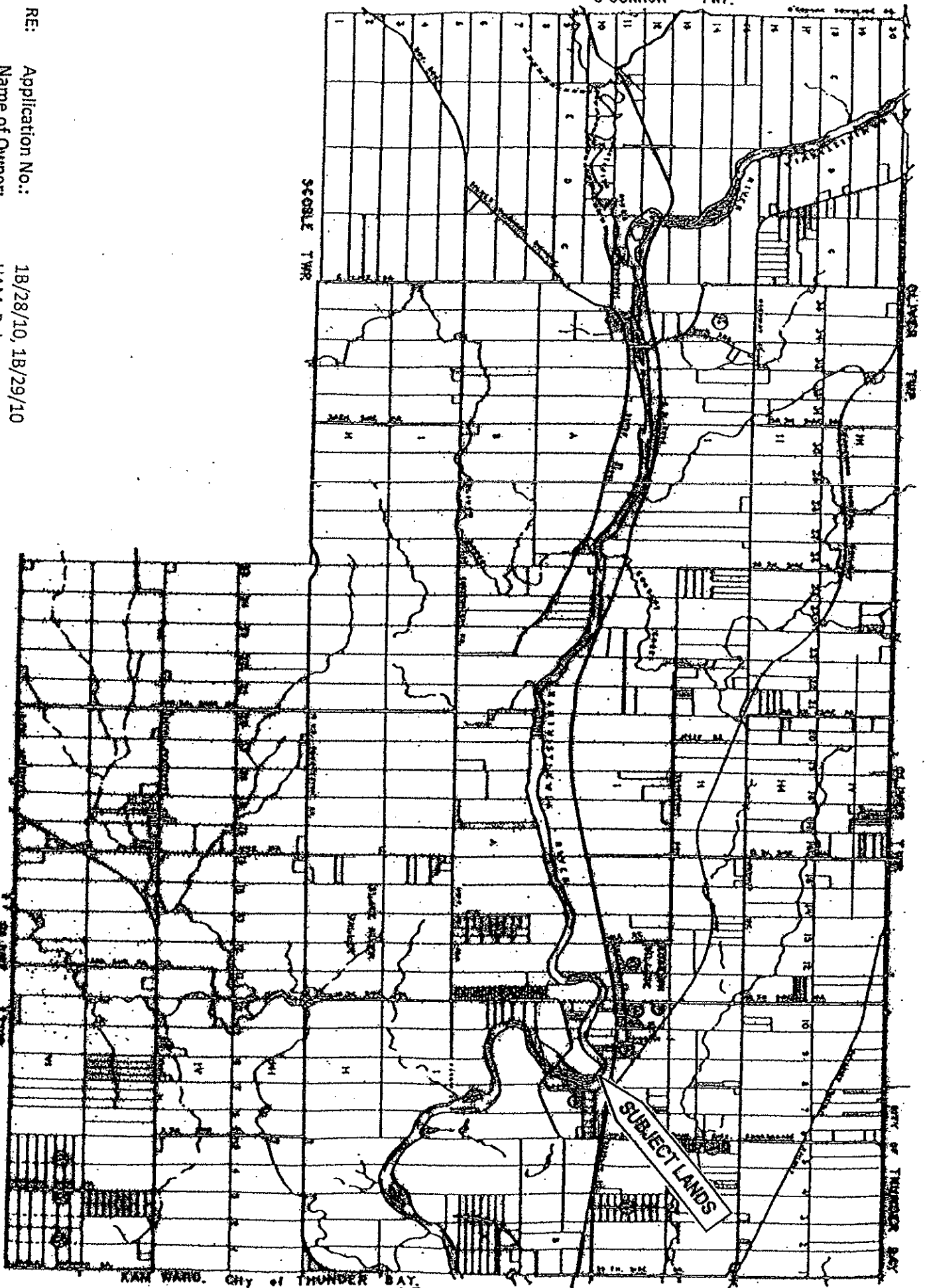
THIS NOTICE is sent to the applicant, to various agencies, and to surrounding property owners for their information. If you wish to be notified of the decision of the Committee of Adjustment for the Municipality of Oliver Paipoonge in respect to the proposed consent, you must make a written request to the Secretary-Treasurer, Committee of Adjustment, P.O. Box 10, Murillo, ON POT 2G0. Failure of the applicant to appear before the Committee, either in person or by an agent, may result in the deferment or cancellation of the application.

ADDITIONAL INFORMATION related to the proposed consent is available for inspection between 9:00 a.m. and 4:30 p.m. on Tuesday, Wednesday, and Thursday at the Municipality of Oliver Paipoonge Office located at 4569 Oliver Road, Oliver Paipoonge Municipal Complex.

DATED AT THE MUNICIPALITY OF OLIVER PAIPOONGE THIS, 15th DAY OF SEPTEMBER, 2010.

Please see reverse for location map.


Sharron Martyn, Secretary-Treasurer



RE:

Application No.:

Name of Owner:

Location:

1B/28/10, 1B/29/10

HAM, Robert

Con. A. S/R. Pt. Lot A, also known as 407 Hwy 130

Geographic Township of Paipoonge, Municipality of Oliver Paipoonge

CERTIFICATION
by the Applicant

I/We,

ROBERT AND JUDY HAM

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 Town of Oliver Paipooonge in the Province of Ontario,

this 1st day of September 2010.



S. Martyn
Commissioner of Oaths

Bob Ham Judy Ham
Applicant/Authorized Agent

AUTHORIZATION OF THE OWNER FOR AN AGENT TO MAKE APPLICATION

I/We authorize

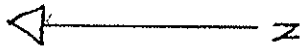
(name of agent)

to act on my/our behalf in submitting this application. This application has been submitted with my/our full knowledge and endorsement.

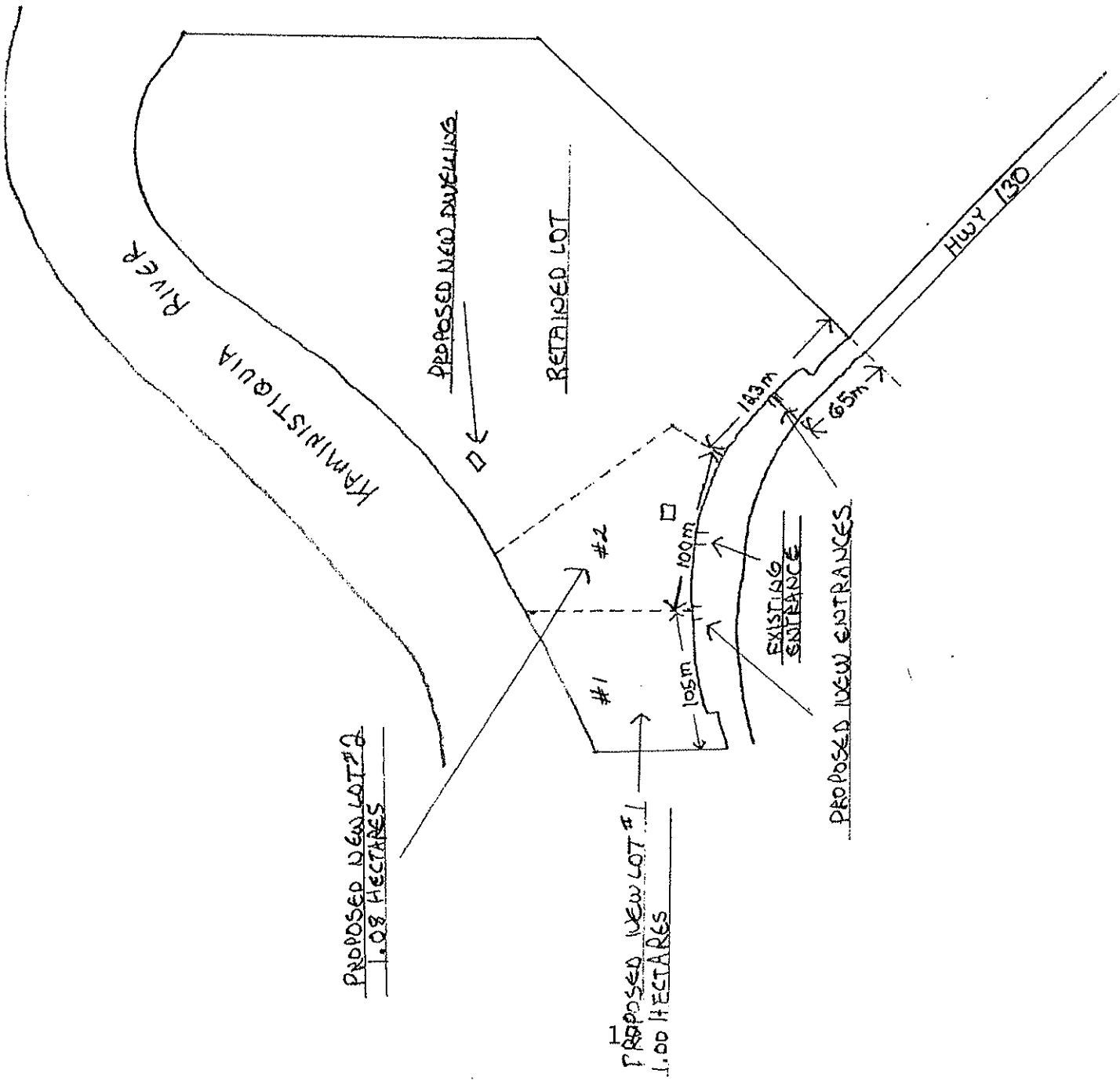
Owner(s)

Date

For Office Use Only	
Application No:	
Date completed application received:	



ROB HAM 939-1940, 628-7842
#407 HWY 130 LOT A CON A
SKB FAX # 939-3326





The Municipality of Oliver Paipoonge
Committee of Adjustment
4569 Oliver Road PO Box 10
Murillo, ON, P0T 2G0
Telephone: (807) 935-2613
Fax: (807) 935-2161
sharron.martyn@oliverpaipoonge.on.ca

Application No 18/28/10

APPLICATION FOR CONSENT

UNDER SECTION 53 OF THE PLANNING ACT TO CONVEY OR GRANT AN INTEREST IN LAND

The undersigned applies to Committee of Adjustment for Consent to convey or grant any interest in land as set out below.

Instructions for All Applicants in completing Application for Consent Forms

FEE

An application fee of \$500.00 for each application shall be made payable to the Municipality of Oliver Paipoonge. With the exception of the lot to be retained by the Owner, an application shall be filed for each new lot which is to be created.

APPLICATION

All the relevant questions must be answered and the sketch completed correctly before the application will be accepted and processed for a public meeting

OWNERS AUTHORIZATION

If an agent or solicitor is acting on behalf of the Owner at the hearing, and is making the declaration mentioned below, written authorization from the Owner should be submitted to the Secretary-Treasurer or the Commissioner of Oaths.

DECLARATION

The declaration section of the Application Form must be completed by a Commissioner of Oaths. Commissioners may be found at all law offices, the City of Thunder Bay, most Provincial Ministry and Township Offices, as well as the Committee of Adjustment office, (in Murillo)

PUBLIC HEARING

A public hearing will be held approximately one month after the receipt of the completed application and accurate sketch. The applicant will be mailed a Notice of Hearing by the Secretary- Treasurer informing her/him of the Hearing Date. The applicant or an authorized agent or solicitor must attend the hearing to explain the application and to answer questions from the Board. When an agent or solicitor is representing the land owner at the hearing,



written authorization must accompany the application authorizing the agent to appear before the Committee on behalf of his/her client.

DECISION

After the decision is made, the necessary forms will be completed and mailed by the Secretary-Treasurer to the applicant within 15 days of the hearing. Those requesting a copy of the Decision in writing will also receive the Notice of Decision.

APPEALS

For a period of 20 days from the mailing date of a Decision, appeals regarding the Decision of the Board can be appealed to the Ontario Municipal Board. After the 20 day appeal period, the Decision of the Board is final and binding.

DEFERRED APPLICATION

All applications deferred by the Board or by the request of the applicant, may not be deferred for a period longer than one (1) year from the date of the receipt of the original application. Should the period be longer than one year, the applicant will be required to re-apply.

TRANSFERS

The applicant has one year from the date of the decisions of the Board in which to satisfy all conditions and supply evidence of such to the Secretary-Treasurer of the Committee of Adjustment. At that point the applicant has two options:

- The transfer/deed of the land can be stamped and signed by the Committee of adjustment, or
- A Certificate can be issued to the applicant stating that the conditions have been met. If a Certificate is issued, an applicant has two years (From the date of issuance of the Certificate) in which to transfer the property. If transfer does not occur, the application becomes null and void.



Purpose of the Application

Type and Purpose of Proposed Transaction:

- Conveyance (specify): New Lot Lot Addition
 Other (Specify): Mortgage Lease Easement Right-Of-Way Correction of Title

1. Name of Person(s) to whom land or interest of land is intended to be conveyed, leased or mortgaged:
2. Relationship (if any) of person(s) named in Question 2. To Owner:

Land Information

3. Location of the Land:
Lot(s) No: A Concession No: A

Lot(s) No: Registered Plan No: 55R-4727

Part(s) No: 6 Municipality/Township/Unorganized: OLIVER PAIPOONGE

4. Current Official Plan Designation:
PAG

5. Description of Lands Intended to be Retained

<u>Frontage: 123 Metres</u>	<u>Depth: 300 Metres</u>
<u>Area: 10.02 Hectares</u>	<u>Existing Use: VACANT LAND</u>
<u>Proposed Use: NEW DWELLING</u>	

Number and Use of buildings and structures (both existing and proposed) on the land to be retained:
3 - ONE HOUSE, ONE GARAGE, ONE STORAGE SHED

6. Description of Land to Be Severed

Frontage: 10.5 Metres	Depth: 114 Metres
Area: 1.00 Hectares	Existing Use: VACANT LAND
Proposed Use: FUTURE DWELLING	
Number and sue of buildings and structures (both existing and proposed) on the land to be severed:	
N/A	

7. Number of New Lots (not including retained Lots) proposed:
TWO

8. Type of Road Access for proposed lot (Specify):
GRAVEL DRIVEWAY OFF HWY

Type of Road access for retained lot (Specify):
GRAVEL DRIVEWAY OFF HWY

Is Access by water to proposed lot?
NO

Is Access by water to retained lot?
NO

9. What type of water supply is proposed? (Please check appropriate boxes)

	Proposed Lot	Retained Lot
Municipally Owned and Operated water System	<input type="checkbox"/>	<input type="checkbox"/>
Lake	<input type="checkbox"/>	<input type="checkbox"/>
Well	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Other (Specify)	<input type="checkbox"/>	<input type="checkbox"/>



What Type of Sewage disposal is proposed? (Please Check Appropriate boxes)

	Proposed Lot	Retained Lot
Municipally owned and operated sanitary sewers	<input type="checkbox"/>	<input type="checkbox"/>
Septic Tank	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Pit Privy	<input type="checkbox"/>	<input type="checkbox"/>
Other(Specify):	<input type="checkbox"/>	<input type="checkbox"/>

10. When will water supply and sewage disposal services be available?

UPON APPROVAL

11. Is any part of the land swampy or subject to flooding, seasonal wetness or erosion?

Yes No

If Yes, Please give details:

12. Type of Soil:

Clay Gravel Sand Rock

Other:

13. Has the Owner previously severed any land from this holding?

Yes No

14. If Yes, please indicate previous severances on the required sketch on and supply the following information for each lot severed:

a) Grantee's name:

Relationship (If Any) to Owner:

Use of Parcel:

Date of Parcel:

b) Grantee's Name:

Relationship (If Any) to Owner:

Use of Parcel:

Date of Parcel:



The Municipality of Oliver Paipoonge
Committee of Adjustment
4569 Oliver Road PO Box 10
Murillo, ON, P0T 2G0
Telephone: (807) 935-2613
Fax: (807) 935-2161
sharron.martyn@oliverpaipoonge.on.ca

c) Grantee's Name:

Relationship (If Any) To Owner:

Use of Parcel:

Date of Parcel:

15. *Has the Parcel intended to be severed ever been, or is it now, the subject of an application for a plan of subdivision, under Section 50 of the Planning Act, 1990 as amended or its predecessors?*

Yes No

If Yes, Please Provide the File Number:

16. *Has the Owner, solicitor or agent applying for additional consents in this holding simultaneously with this application, or considering applying for additional consents in the future?*

Yes No

17. *Is The Owner, solicitor or agent applying for any minor variance, or permission to extend or enlarge under Section 45 of the Planning Act, 1990 in relation to any land that is the subject of this application?*

Yes No

If Yes, Please Provide the File Number:

18. *Is the subject land the subject of any other application under the Planning Act, as amended?*

Yes No

If Yes, Please Provide the File Number:

A Sketch is required at the time of the filing of this application.

Minimum requirements will be a sketch showing the following (See sample attached)

- The boundaries and dimensions of the subject land and any abutting land that is owned by the Owner of the subject land.
- The North Arrow
- The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot line. (Metric measurements only).
- The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, rivers or stream banks, wetlands, wooded areas, wells and septic tanks.
- The current uses on the land that is adjacent to the subject land
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right-of-way.
- If access to the subject land is by water only, the location of the parking and docking facilities to be used.
- The location and nature of any easement affecting the subject land.
- The Location and all land previously severed from the parcel originally acquired by the current owner
- Whether the subject land within an area of land designated under any Provincial plan.

#2



The Municipality of Oliver Paipoonge
Committee of Adjustment
4569 Oliver Road PO Box 10
Murillo, ON, P0T 2G0
Telephone: (807) 935-2613
Fax: (807) 935-2161
sharron.martyn@oliverpaipoonge.on.ca

Application No. 18/29/10

APPLICATION FOR CONSENT

UNDER SECTION 53 OF THE PLANNING ACT TO CONVEY OR GRANT AN INTEREST IN LAND

The undersigned applies to Committee of Adjustment for Consent to convey or grant any interest in land as set out below.

Instructions for All Applicants in completing Application for Consent Forms

FEE

An application fee of \$500.00 for each application shall be made payable to the Municipality of Oliver Paipoonge. With the exception of the lot to be retained by the Owner, an application shall be filed for each new lot which is to be created.

APPLICATION

All the relevant questions must be answered and the sketch completed correctly before the application will be accepted and processed for a public meeting

OWNERS AUTHORIZATION

If an agent or solicitor is acting on behalf of the Owner at the hearing, and is making the declaration mentioned below, written authorization from the Owner should be submitted to the Secretary-Treasurer or the Commissioner of Oaths.

DECLARATION

The declaration section of the Application Form must be completed by a Commissioner of Oaths. Commissioners may be found at all law offices, the City of Thunder Bay, most Provincial Ministry and Township Offices, as well as the Committee of Adjustment office, (in Murillo)

PUBLIC HEARING

A public hearing will be held approximately one month after the receipt of the completed application and accurate sketch. The applicant will be mailed a Notice of Hearing by the Secretary- Treasurer informing her/him of the Hearing Date. The applicant or an authorized agent or solicitor must attend the hearing to explain the application and to answer questions from the Board. When an agent or solicitor is representing the land owner at the hearing,



written authorization must accompany the application authorizing the agent to appear before the Committee on behalf of his/her client.

DECISION

After the decision is made, the necessary forms will be completed and mailed by the Secretary-Treasurer to the applicant within 15 days of the hearing. Those requesting a copy of the Decision in writing will also receive the Notice of Decision.

APPEALS

For a period of 20 days from the mailing date of a Decision, appeals regarding the Decision of the Board can be appealed to the Ontario Municipal Board. After the 20 day appeal period, the Decision of the Board is final and binding.

DEFERRED APPLICATION

All applications deferred by the Board or by the request of the applicant, may not be deferred for a period longer than one (1) year from the date of the receipt of the original application. Should the period be longer than one year, the applicant will be required to re-apply.

TRANSFERS

The applicant has one year from the date of the decisions of the Board in which to satisfy all conditions and supply evidence of such to the Secretary-Treasurer of the Committee of Adjustment. At that point the applicant has two options:

- The transfer/deed of the land can be stamped and signed by the Committee of adjustment, or
- A Certificate can be issued to the applicant stating that the conditions have been met. If a Certificate is issued, an applicant has two years (From the date of issuance of the Certificate) in which to transfer the property. If transfer does not occur, the application becomes null and void.



2

The Municipality of Oliver Paipoonge
 Committee of Adjustment
 4569 Oliver Road PO Box 10
 Murillo, ON, P0T 2G0
 Telephone: (807) 935-2613
 Fax: (807) 935-2161
 sharron.martyn@oliverpaipoonge.on.ca

Name of Approval Authority: Committee of Adjustment

Owner Information

Full Name: ROBERT HAM
First Last

Address: 275 BLINDLINE RD.
Street Address Apt/Unit #

THUNDER BAY ONT. P7C5M9
City Province Postal Code

(807)939-1940 (807)628-7842
Home Phone Alternate Phone

Please Specify Whom all Communications should be sent:

- Owner Solicitor Agent

Agent Information (If Applicable)

Full Name: _____
First Last

Address: _____
Street Address Apt/Unit #

_____ *City Province Postal Code*

() - () -
Phone Fax



6. Description of Land to Be Severed

Frontage: <u>100</u> Metres	Depth: <u>114</u> Metres
Area: <u>1.08</u> Hectares	Existing Use: <u>OCCUPIED DWELLING</u>
Proposed Use: <u>SAME</u>	
Number and sue of buildings and structures (both existing and proposed) on the land to be severed:	

TWO - ONE HOUSE, ONE SHED

7. Number of New Lots (not including retained Lots) proposed:
TWO

8. Type of Road Access for proposed lot (Specify):

GRAVEL DRIVEWAY OFF HIGHWAY

Type of Road access for retained lot (Specify):

GRAVEL DRIVEWAY OFF HIGHWAY

Is Access by water to proposed lot?

NO

Is Access by water to retained lot?

NO

9. What type of water supply is proposed? (Please check appropriate boxes)

	<u>Proposed Lot</u>	<u>Retained Lot</u>
<u>Municipally Owned and Operated water System</u>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Lake</u>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Well</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Other (Specify)</u>	<input type="checkbox"/>	<input type="checkbox"/>



What Type of Sewage disposal is proposed? (Please Check Appropriate boxes)

	Proposed Lot	Retained Lot
Municipally owned and operated sanitary sewers	<input type="checkbox"/>	<input type="checkbox"/>
Septic Tank	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Pit Privy	<input type="checkbox"/>	<input type="checkbox"/>
Other(Specify):	<input type="checkbox"/>	<input type="checkbox"/>

10. *When will water supply and sewage disposal services be available?*

DWELLING HAS WATER AND SEWAGE IN PLACE

11. *Is any part of the land swampy or subject to flooding, seasonal wetness or erosion?*

Yes No

If Yes, Please give details:

12. *Type of Soil:*

Clay Gravel Sand Rock

Other:

13. *Has the Owner previously severed any land from this holding?*

Yes No

14. *If Yes, please indicate previous severances on the required sketch on and supply the following information for each lot severed:*

a) *Grantee's name:*

Relationship (If Any) to Owner:

Use of Parcel:

Date of Parcel:

b) *Grantee's Name:*

Relationship (If Any) to Owner:

Use of Parcel:

Date of Parcel:



The Municipality of Oliver Paipoonge
Committee of Adjustment
4569 Oliver Road PO Box 10
Murillo, ON, P0T 2G0
Telephone: (807) 935-2613
Fax: (807) 935-2161
sharron.martyn@oliverpaipoonge.on.ca

c) Grantee's Name:

Relationship (If Any) To Owner:

Use of Parcel:

Date of Parcel:

15. *Has the Parcel intended to be severed ever been, or is it now, the subject of an application for a plan of subdivision, under Section 50 of the Planning Act, 1990 as amended or its predecessors?*

Yes No

If Yes, Please Provide the File Number:

16. *Has the Owner, solicitor or agent applying for additional consents in this holding simultaneously with this application, or considering applying for additional consents in the future?*

Yes No

17. *Is The Owner, solicitor or agent applying for any minor variance, or permission to extend or enlarge under Section 45 of the Planning Act, 1990 in relation to any land that is the subject of this application?*

Yes No

If Yes, Please Provide the File Number:

18. *Is the subject land the subject of any other application under the Planning Act, as amended?*

Yes No

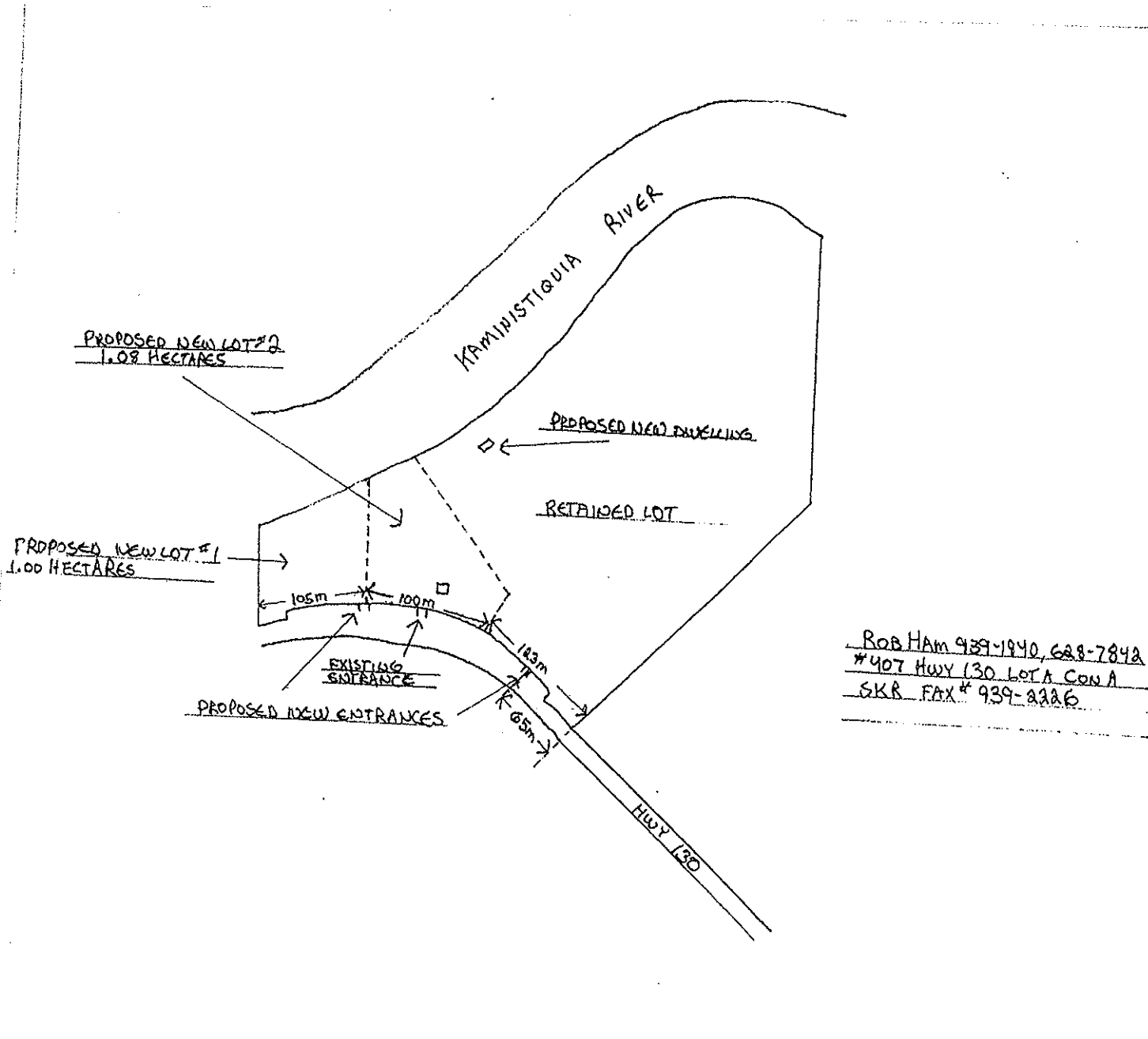
If Yes, Please Provide the File Number:

A Sketch is required at the time of the filing of this application.

Minimum requirements will be a sketch showing the following (See sample attached)

- The boundaries and dimensions of the subject land and any abutting land that is owned by the Owner of the subject land.
- The North Arrow
- The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot line. (Metric measurements only).
- The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, rivers or stream banks, wetlands, wooded areas, wells and septic tanks.
- The current uses on the land that is adjacent to the subject land
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right-of-way.
- If access to the subject land is by water only, the location of the parking and docking facilities to be used.
- The location and nature of any easement affecting the subject land.
- The Location and all land previously severed from the parcel originally acquired by the current owner
- Whether the subject land within an area of land designated under any Provincial plan.

Sketch



CERTIFICATION
by the Applicant

I/We,

ROBERT AND JUDY HAM

of the MUNICIPALITY OF OLIVER PALPOONGE 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 Mun. of Oliver Palpoonge in the Province of Ontario,

this 1st day of Sept. 20 10.

S. Martyn
Commissioner of Oaths



Rob Ham Judy Ham
Applicant/Authorized Agent

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

<i>For Office Use Only:</i>	
Application No:	
Date completed application received:	

PLANNING REPORT

To Be Completed Prior to Hearing

Committee of Adjustment File Number	1B/28/10 & 1B/29/10	Municipality:	Oliver Paipoonge
Lot & Conc.	A Conc. A RP 55R4727	Owner	Robert Ham
Hearing Date	2010 Oct. 14	Date of Receipt of Completed Application	2010 09 01
	Year Month Day		Year Month Day
Checked By	S. Martyn	Zoning By-Law Number:	By-Law 185-01
Present Zone:	PAG	Proposed Zoning:	PRU
Official Plan Designation:	PAG	Designation in Canada Land Inventory: 3fm moderately severe, low natural fertility, low moisture	
Site Visit Carried Out By Staff/Committee :		Authorization of Owner Received(If Required):	n/a

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

Date of Notice of Decision sent to Applicant :

Year Month Day

Planning Comments:

Mr. Ham had applied for a rezoning to PRU and it was passed by Council but could not be enacted because the adopted Official Plan has not been approved by MMAH; so he could not apply for consents under the PRU zone. Therefore the applicant has to apply under the PAG zone under section 4.2.1 and 4.2.2 Zoning by-law 185-01(attached) which reflects use as a building lot. This section of the by-law has been used in the past in the smaller agriculture lots.

The Council has adopted the Official Plan which removes the agricultural designation along this side of the river from the hamlet area (map attached) and this area will be designated as RURAL in the new Official Plan.

The property has a single family dwelling, which is rented out by the owner, and the cleared area is used to plant potatoes. The proposed lots are located in the wooded area and where the present dwelling is situated and the retained lot is where potatoes have been planted in the past. This property has not been a viable farm for some years and is surrounded by residential uses.


Proposed lots and retained lot meet the 1 ha lot area and 60 m frontage. The agricultural use will be maintained on the retained lot. The property owner has been in touch with the LRCA and he is aware of the area where there cannot be development. LRCA will be forwarding a written report on these applications. Applicant has also been in touch with MTO and entrances will be issued but one will be combined – a formal letter will be forwarded to the Committee.

The Planner would have no objection to the creation of these two new lots based on the information noted above. These lots will be compatible with the other lands in the area. The Municipality has considered this property RURAL in their Official Plan and also the zoning by-law allows for smaller lots for residential use in the Agricultural Zone.

Sharon Martyn

PLANNING REPORT

To Be Completed Prior to Hearing

Committee of Adjustment File Number	1B/28/10 & 1B/29/10	Municipality:	Oliver Paipoonge
Lot & Conc.	A Conc. A RP 55R4727		Owner Robert Ham
Hearing Date	2010 Oct. 14	Date of Receipt of Completed Application	2010 09 01
	Year Month Day		Year Month Day
Checked By	S. Martyn	Zoning By-Law Number:	By-Law 185-01
Present Zone:	PAG	Proposed Zoning:	PRU
Official Plan Designation:	PAG	Designation in Canada Land Inventory: 3fm moderately severe, low natural fertility, low moisture	
Site Visit Carried Out By Staff/Committee :		Authorization of Owner Received(If Required):	n/a
Conformity with the Agricultural Code of Practice (If Applicable) Yes _____ No _____ N/A _____ x _____			
Date of Notice of Decision sent to Applicant :			
	Year	Month	Day
Planning Comments:			
<p><i>Mr. Ham had applied for a rezoning to PRU and it was passed by Council but could not be enacted because the adopted Official Plan has not been approved by MMAH; so he could not apply for consents under the PRU zone. Therefore the applicant has to apply under the PAG zone under section 4.2.1 and 4.2.2 Zoning by-law 185-01(attached) which reflects use as a building lot. This section of the by-law has been used in the past in the smaller agriculture lots.</i></p> <p><i>The Council has adopted the Official Plan which removes the agricultural designation along this side of the river from the hamlet area (map attached) and this area will be designated as RURAL in the new Official Plan.</i></p> <p><i>The property has a single family dwelling, which is rented out by the owner, and the cleared area is used to plant potatoes. The proposed lots are located in the wooded area and where the present dwelling is situated and the retained lot is where potatoes have been planted in the past. This property has not been a viable farm for some years and is surrounded by residential uses.</i></p> <p><i>Proposed lots and retained lot meet the 1 ha lot area and 60 m frontage. The agricultural use will be maintained on the retained lot. The property owner has been in touch with the LRCA and he is aware of the area where there cannot be development. LRCA will be forwarding a written report on these applications. Applicant has also been in touch with MTO and entrances will be issued but one will be combined – a formal letter will be forwarded to the Committee.</i></p> <p><i>The Planner would have no objection to the creation of these two new lots based on the information noted above. These lots will be compatible with the other lands in the area. The Municipality has considered this property RURAL in their Official Plan and also the zoning by-law allows for smaller lots for residential use in the Agricultural Zone.</i></p>			
			
37			

PAIPOONGE GENERAL AGRICULTURE (PAG) ZONE

No person shall within any PAG 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) agriculture
- (ii) forestry
- (iii) stables, riding academies, dog kennels
- (iv) watershed management and conservation uses
- (v) an accessory dwelling unit on a viable farm operation
- (vi) a staff house on a viable farm operation
- (vii) a single detached dwelling
- (viii) an apartment within an accessory dwelling as permitted by subsection (v) above
- (ix) a home occupation
- (x) a home industry
- (xi) buildings, structures and uses accessory to the above uses in accordance with Section 4.1 (a).

Zone Provisions

		A Use Defined in <u>4.2.1 (vii)</u>
a) Minimum Lot Area.....	35 hectares.....	1 hectare
b) Minimum Lot Frontage	300 metres	60 metres
c) Minimum Lot Depth.....	300 metres	80 metres
d) Required Front Yard.....	15 metres	15 metres
e) Required Side Yard	15 metres	15 metres
f) Required Rear Yard.....	15 metres	15 metres
g) Maximum Height	n/a	n/a
h) Minimum Floor Area (dwelling).....	80 square metres.....	80 square metres

Notwithstanding subsections 4.2.1 (v), (vi) and (viii), the total number of dwelling units on a viable farm operation shall not exceed three (3).

A staff house shall be located on the same lot as the main farm residence and not more than 400 metres from the main farm residence.

A mobile home may be used as a staff house subject to the issuance by the Chief Building Official of a Permit for a temporary building. A mobile home used as a staff house shall have unity of construction and a minimum floor area of 60 square metres.

Additions or enlargements to mobile homes may be permitted provided that such additions are immediately adjacent to the entrances to the main unit and do not in the aggregate exceed a maximum floor area of 10 square metres.