

THE CORPORATION OF THE MUNICIPALITY OF OLIVER PAIPOONGE

MUNICIPAL COUNCIL

PUBLIC MEETING

A G E N D A

DATE: September 13, 2010

TIME: 6:30 p.m.

PLACE: Council Chambers
Oliver Paipoonge Municipal Complex

PRESIDING: Mayor L. Kloosterhuis

MEMBERS OF COUNCIL: Councillor K. Grootenboer
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
PUBLIC MEETING
REPORTS OF MUNICIPAL OFFICERS
ADJOURNMENT

CALL TO ORDER

PAGES

DISCLOSURES OF INTEREST

ADOPTION OF THE AGENDA

PUBLIC MEETING

Richard MacDonald
and Deborah Kankkunen
Proposed Zoning Amendment

4 – 18

An application on behalf of Richard MacDonald and Deborah Kankkunen for a zoning by-law amendment to change the zoning of their property from Oliver General Agricultural (OAG) zone to Oliver Limited Agriculture (OAL) zone. The subject lands are described as N ½ Lot 11, Con 4 (former Township of Oliver), Geographic Municipality of Oliver Paipoonge; situated on Wrigley Drive. The effect of the proposed amendment is to meet the condition set by the Committee of Adjustment allowing the creation of two new lots.

- 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, Lakehead Region Conservation Authority dated August 17, 2010, advising they have no comments or concerns with the proposed by-law amendment. 19

Response from Jim McKeever, Corridor Management Planner, Ministry of Transportation dated August 17, 2010, advising the Ministry of Transportation has no concerns with this proposal and returns this application without comment. 20

- e) Planning Department reads the Planning Report. 21
- 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 on September 27, 2010.

ADJOURNMENT

RES 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 06-2010

TAKE NOTICE that the Council of the Corporation of the Municipality of Oliver Paipoonge will hold a public meeting on **SEPTEMBER 13TH, 2010**, 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: Richard MacDonald and Deborah Kankkunen are seeking a zoning by-law amendment to change the zoning of their property from Oliver General Agriculture (OAG) zone to Oliver Limited Agriculture (OAL) Zone. The subject lands are described as N ½ Lot 11, Con. 4 (former Township of Oliver), Geographic Municipality of Oliver Paipoonge; situated on Wrigley Drive. The effect of the proposed amendment is to meet the condition set by Committee of Adjustment allowing the creation of two new lots.

A LOCATION MAP and site sketch are attached along with the list of permitted uses in and provisions of the Oliver General Agriculture (OAG) zone and the Oliver Limited Agriculture (OAL) 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.

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.

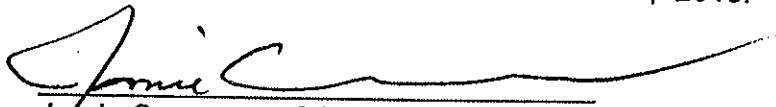
IF A PERSON OR PUBLIC BODY does not make oral submissions at a public meeting or make written submission at a public meeting to the Municipality of Oliver Paipoonge before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal 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 12TH DAY OF AUGUST, 2010.

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



Jamie Cressman, CAO/Clerk
Municipality of Oliver Paipoonge

OLIVER GENERAL AGRICULTURE (OAG) ZONE

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

Permitted Uses

- a) agriculture
- b) forestry
- c) stables, riding academies, animal kennels – boarding and breeding
- d) single detached dwellings
- e) a greenhouse operation
- f) a beekeeping operation
- g) a market garden
- h) an accessory single detached dwelling, except accessory dwellings on new lots created for a forestry use and not more than two additional farm-related dwelling units
- i) accessory buildings, structures and uses
- j) home occupation or home industry
- k) watershed management and conservation uses

Zone Provisions

- a) Minimum Lot Area..... 25 hectares
- b) Minimum Lot Frontage 300 metres
- c) Minimum Front Yard 30 metres
- d) Minimum Side Yard..... 15 metres
- e) Minimum Rear Yard 15 metres
- f) Maximum Height 10 metres
- g) Single Detached Dwelling Minimum Floor Area 70 square metres
- h) Minimum Distance Between Dwelling Units 30 metres
- i) Maximum Lot Coverage 15%

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
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-I" 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.

APPLICATION TYPE:

Check ()

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

OWNER/APPLICANT INFORMATION:

RICHARD E. MACDONALD
Owner DEBORAH L. KANKKUNEN Tel. 577-5043

Fax _____

Address 177 WRIGLEY DR. MURILLO, ONT. P0T2G0

Email rickmac1@tbaytel.net

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

Name _____ Tel. _____

Fax _____

Address _____

Email _____

PROPERTY INFORMATION

Legal Description N 1/2 Lot 11 Con. 4. Parcel 744.

Address 177 WRIGLEY DR. MURILLO, ONT. P0T2G0

Current Zoning OAG Official Plan Designation RURAL

Existing use of the property Agriculture

How long has this use continued? 1800's

In what year did the owner acquire the property? 1988

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

HOUSE
WORKSHOP
3 SHEDS

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:

N/A

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

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 _____

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? Hobby Farm, residential

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 _____

Describe in detail what NEW DEVELOPMENT IS PROPOSED on the property

/

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

/

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

Consent for two new lots

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

Agricultural and Rural Residential surrounds
Subject property

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

140 acres ~~is~~ remaining agricultural

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

Describe

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.

/



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

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 Agricultural (OAL)

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

To allow for two lots (new lots)

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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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) RICHARD E. MACDONALD
DEBORAH L. KANKKUNEN 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 10 day of August, 2010.

S. Martyn
Commissioner of Oaths



R.E. Macdonald
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.

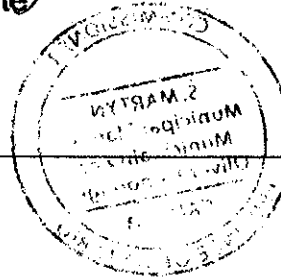
**THE INFORMATION IN THIS APPLICATION AND ALL OTHER
INFORMATION, STUDIES, REPORTS AND COMMENTS RECEIVED
RELATIVE TO THE PROCESSING OF THIS APPLICATION IS COLLECTED
FOR THE PURPOSE OF CREATING A RECORD THAT IS AVAILABLE TO
THE GENERAL PUBLIC.**

AUTHORIZATION OF THE OWNER FOR AN AGENT TO MAKE APPLICATION

I/we authorize RICHARD MACDONALD (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.

D. Kankkunen
Owner(s) D. KANKKUNEN

Date June 27/10



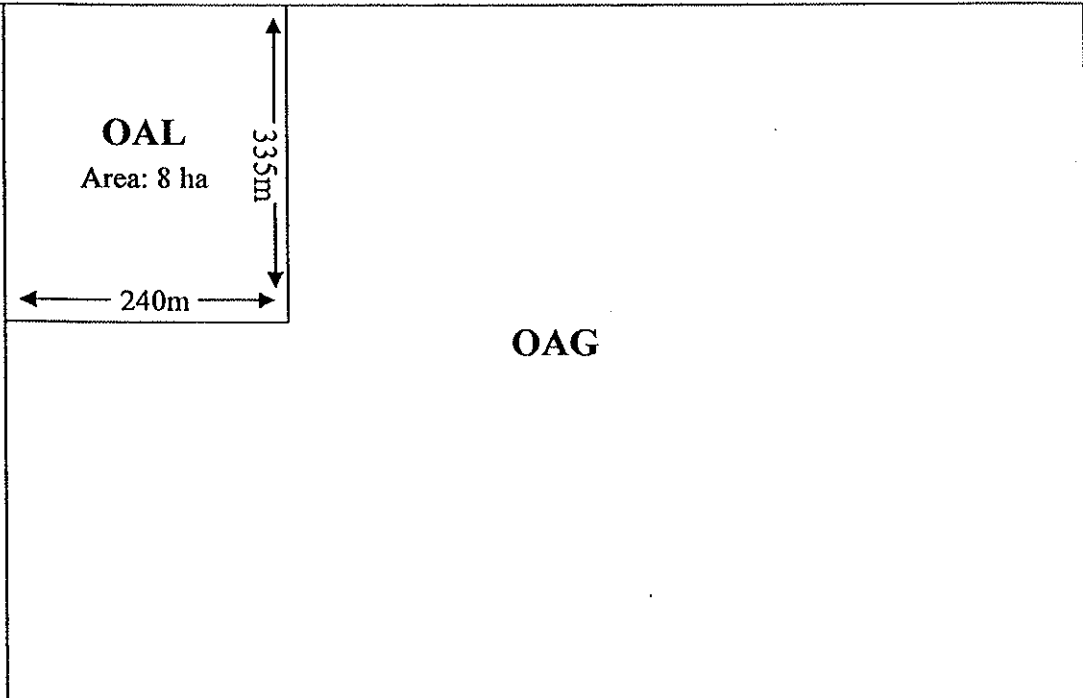
For office use only

Date complete application is received:

N ½ Lot 11, Con. 4, Wrigley Drive
Geographic Township of Oliver



WRIGLEY DR.



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



August 17, 2010

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
177 Wrigley Drive
N ½ Lot 11, Concession 4
Geographic Township of Oliver
Municipality of Oliver Paipoonge
File No: ZBLA 06-2010**

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

Yours truly,

Michelle Sixsmith
Water Resources Technologist

/mds

CITY OF THUNDER BAY
MUNICIPALITY OF OLIVER PAIPOONGE
TOWNSHIP OF O'CONNOR

MUNICIPALITY OF NEEBING
MUNICIPALITY OF SHUNIAM
TOWNSHIP OF CONMEE

TOWNSHIP OF GILLIES
TOWNSHIP OF DORION
PROVINCE OF ONTARIO



ENGINEERING

08-16-2010

NORTHWESTERN #E6

PUBLIC MEETING CONCERNING A PROPOSED ZONING BY-LAW AMENDMENT

File ZBLA 06-2010

TAKE NOTICE that the Council of the Corporation of the Municipality of Oliver Paipoonge will hold a public meeting on **SEPTEMBER 13TH, 2010**, 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: Richard MacDonald and Deborah Kankkunen are seeking a zoning by-law amendment to change the zoning of their property from Oliver General Agriculture (OAG) zone to Oliver Limited Agriculture (OAL) Zone. The subject lands are described as N 1/2 Lot 11, Con. 4 (former Township of Oliver), Geographic Municipality of Oliver Paipoonge; situated on Wrigley Drive. The effect of the proposed amendment is to meet the condition set by Committee of Adjustment allowing the creation of two new lots.

A LOCATION MAP and site sketch are attached along with the list of permitted uses in and provisions of the Oliver General Agriculture (OAG) zone and the Oliver Limited Agriculture (OAL) 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.

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The location of this proposal:

- is remote from any Provincial Highway.
- is within the limits of a Connecting Link Agreement under the jurisdiction of the
- abuts a roadway under the jurisdiction of the *Municipality*.

The Ministry of Transportation has no concerns with this proposal and returns this application without comment.

AUG. 17, 2010
 Date James McKeever
 Ministry of Transportation
 Northwestern Region
 (807) 473-2117

James (Jim) McKeever
 Corridor Management Planner
 Planning & Design Section, Northwestern Region

Ministry of Transportation
 615 South James Street
 Thunder Bay, Ontario, P7E 6P6
 Tel: (807) 473-2117
 Fax: (807) 473-2168
 E-mail: james.mckeever@ontario.ca

DATED AT THE MUNICIPALITY OF OLIVER PAIPOONGE THIS 12TH DAY OF AUGUST, 2010.

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

James
 Jamie Cressman, CAO/Clerk
 Municipality of Oliver Paipoonge

Returned TO!

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 Phone: (807) 935-2613 • Fax: (807) 935-2161 • www.oliverpaipoonge.on.ca

PLANNING REPORT

To Be Completed Prior to Hearing

Zoning/Official Plan Number		ZBLA06-2010		
Municipality		Municipality of Oliver Paipoonge		
Lot & Conc.		N1/2 Lot 11, Con. 4, PCL 744, 177 Wrigley Drive		
Hearing Date		2010	09	13th
		Year	Month	Day
Date of receipt of completed application		2010	08	12th
		Year	Month	Day
Checked By		S. Martyn		
Zoning By-Law Number:		By-law 185-01		
Present Zone: Oliver Agricultural (OAG) Sec. 4.1.2		Proposed Zoning: Oliver Limited Agricultural (OAL) Sec. 4.3.2		
Official Plan Designation:		RURAL		
Designation in Canada Land Inventory:		n/a		
Site Visit Carried Out By Staff:		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 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 a portion of the subject land from Oliver Agriculture (OAG) to Oliver Limited Agriculture (OAL) in order to accommodate two building lots. The retained lot will remain in the OAG zone as the land is used for hay.

The OAG lot requirement is 25 hectares and uses include agricultural uses with a single detached dwelling. The retained lot will conform to the Zoning by-law. The retained lot has a residence and accessory uses on the property, now owned by the applicants.

The OAL lot requirement is 4 hectares and uses include a single family dwelling, home industry, home occupation and animals units. Both these lots meet all the zoning requirements.

The Official Plan designation on this subject property is RURAL.

There are different zones in the area including Rural Residential but predominately agricultural and limited agricultural to accommodate small land development but keeping the agricultural and/or rural designation areas.

The owners have applied for two consents at the corner of their property and if consents are granted, one of the conditions would be that the zoning is approved by Council. Section 5 (ix) of Official Plan indicates that 2 new lots plus retained lot is allowable in the Municipality.

The subject land is consistent with the zones in the area; all three lots meet the zoning requirements as to lot area and lot frontage. The entire lot abuts a municipally maintained road (Wrigley Drive) and site lines are good therefore granting of entrances onto all three lots should not be a problem. The lot is treed and cleared. The Planner would have no objections to this application for a zoning change for the two new lots.

Sharon Martyn, Planning Department.