

**Ministry of  
Municipal Affairs**

**Ministère des  
Affaires municipales**

**Ministry of Housing**

**Ministère du Logement**

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April 4, 2018

By: Email and Post

Mayor Lucy Kloosterhuis and Council  
Municipality of Oliver Paipoonge  
3250 Hwy 130  
Rosslyn ON P7K 0B1  
[Mayor.lucy@tbaytel.net](mailto:Mayor.lucy@tbaytel.net)

Subject: APPROVED OFFICIAL PLAN WITH MODIFICATIONS  
For the Municipality of Oliver Paipoonge  
MMA File No.: 58-OP-151186

Dear Mayor Kloosterhuis:

This is to advise you of the approval, with modifications, of the Municipality of Oliver Paipoonge Official Plan, as adopted by By-law No. 1028-2017 on July 24, 2017. Copies of the Notice of Decision and Decision are attached for your information and use.

The last date of appeal to the decision on this application is April 24, 2018. After the appeal period has expired, and provided no appeals to the decision have been received, we will forward a duplicate original copy of the approved Oliver Paipoonge Official Plan, as modified.

We are also required under the Environmental Bill of Rights to post the Decision, with the last date of appeal, on the Environmental Bill of Rights Registry for additional public information. The posting of the Decision on the Registry coincides with the Notice of Decision date.

In closing, we are especially appreciative of the Municipality's co-operation throughout the process and the positive working relationship with the Municipal Services Office North staff in Thunder Bay. Should you have any questions or concerns, please contact Sylvie Oulton, Planner, at 807-473-3019 or at [sylvie.oulton@ontario.ca](mailto:sylvie.oulton@ontario.ca).

Sincerely,

Victoria Kosny  
Manager, Community Planning and Development

Encls.

c. Leigh Whyte, Quartek Group Inc.  
Wayne Hanchard, CAO/Clerk/Deputy

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## NOTICE OF DECISION

With respect to an Official Plan  
Section 17 of the Planning Act

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A decision was made on the date noted above to modify and approve all of the Official Plan of the Municipality of Oliver Paipoonge as adopted by By-law No. 1028-2017. This new Official Plan replaces the in-effect versions for the Township of Oliver, approved by this Ministry in 1987, and the Municipality of Paipoonge, approved by this Ministry in 1993. These Municipalities amalgamated in 1998.

The content of written submissions were considered and in some cases, modifications were made to the Official Plan where required in order to be consistent with the Provincial Policy Statement and Provincial Plans.

### Purpose and Effect of the Official Plan

#### When and How to File An Appeal

Any appeal to the Local Planning Appeal Tribunal must be filed with the Minister of Municipal Affairs no later than 20 days from the date of this notice as shown above as the last date of appeal.

The appeal should be sent to the attention of the Area Planner, at the address shown below and it must,

- (1) set out the specific part of the proposed official plan to which the appeal applies,
- (2) set out the reasons for the request for the appeal, and
- (3) be accompanied by the fee prescribed under the Local Planning Appeal Tribunal Act in the amount of \$300.00 payable by certified cheque to the Minister of Finance, Province of Ontario.

#### Who Can File An Appeal

Only individuals, corporations or public bodies may appeal the decision of the Ministry of Municipal Affairs to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before

the plan was adopted, the person or public body made oral submissions at a public meeting or written submissions to the council, or, in the opinion of the Local Planning Appeal Tribunal, there are reasonable grounds to add the person or public body as a party.

#### When the Decision is Final

The decision of the Minister of Municipal Affairs is final if a Notice of Appeal is not received on or before the last date of appeal noted above.

**Other Related Applications:** N/A

#### Getting Additional Information

Additional information about the application is available for public inspection during regular office hours at the Ministry of Municipal Affairs at the address noted below or from the Municipality of Oliver Paipoonge office.

**Mailing Address for Filing a Notice of Appeal**  
Ministry of Municipal Affairs | Ministry of Housing  
Municipal Services Office N (Thunder Bay)  
435 S. James Street, Suite 223  
Thunder Bay ON P7E 6S7

Submit notice of appeal to the attention of  
Sylvie Oulton, Planner  
Municipal Services Office North (Thunder Bay)  
Tele: (807) 473-3019 Fax: (807) 475-1196

# DECISION

## With respect to the Municipality of Oliver Paipoonge Official Plan Subsection 17(34) of the *Planning Act*

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I hereby approve the repeal of the Official Plans for the previous Municipality of Paipoonge and the Township of Oliver and all subsequent amendments thereto, pursuant to By-law No.1028-2017.

I hereby approve all of the Municipality of Oliver Paipoonge Official Plan, adopted by the Municipality by By-law No. 1028-2017, subject to the following modifications:

1. **SECTION 1.2.1, CONFORMITY WITH THE 2014 PROVINCIAL POLICY STATEMENT (PPS)**, page 3 is hereby modified by inserting the following clauses after "q) ...oriented to pedestrians;"
  - "r) the promotion of built form that,
    - i) is well-designed,
    - ii) encourages a sense of place, and
    - iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;
  - s) the protection of agricultural resources of the Province."
2. **SECTION 1.2.2 COMFORTY WITH PLACES TO GROW – GROWTH PLAN FOR NORTHERN ONTARIO**, page 3 is modified by replacing the words "are consistent" at the bottom of the page, with the word "conform".
3. **SECTION 1.4.1 OLIVER PAIPOONGE GROWTH STRATEGY** is modified by:
  - a. replacing the words "has been experienced" with "experienced in the first sentence ; and replacing the words "is due" with "was due" in the second sentence on page 5"
  - b. adding the following text at the end of the fourth sentence on page 5, after the word "population": "which has changed to a modest population increase in 2016."
  - c. by adding a new paragraph at the end of Section 1.4.1 on page 6:

"The growth strategy for the Municipality of Oliver Paipoonge will involve directing the majority of future growth to rural settlement areas while accommodating limited growth within the rural areas of the municipality. This will be, in part accomplished by allowing new lot creation to take place in the rural areas of the municipality by consents which could result in up to two (2) new lots per lot of record existing as of July 24, 2017, but precluding the possibility of subdivisions in the rural areas. New subdivisions will be limited to the rural settlement areas."
4. **SECTION 2.5 GROWTH MANAGEMENT** is modified by:

- a. adding a new paragraph on page 11 after the second paragraph which shall read as follows:

"In addition to the growth management policies expressed below, additional policies that would manage the rate and location of growth are found throughout this Official Plan. For example, sections 4.2.4 and 4.3.3 limit new lot creation within the Natural Resource and Rural land use designations respectively to the number of lots that could be permitted through the consent process as plans of subdivision and condominium will not be permitted in these areas. Rather plans of subdivision and condominium will be focussed on Settlement Areas."

- b. adding the word "limited" on page 11 before the word growth in Section 2.5.4;
- c. adding a new Section 2.5.7 on page 12 as follows:

"It is the intent of this Plan to encourage residential intensification within Rural Settlement Areas where appropriate and capable of being supported by on-site private or municipal services in accordance with the servicing Sections of this Plan. Such residential intensification within Rural Settlement Areas should constitute approximately 30% of future residential growth."

5. **SECTION 3.1 ABANDONED MINE HAZARDS** on page 13 is modified by:

- a. deleting the last sentence of Section 3.1.1;
- b. deleting all of Section 3.1.3; and
- c. renumbering all subsequent section numbers accordingly.

6. **SECTION 3.17 GROUP HOMES** on page 28 is modified by:

- a. by deleting the words, "The following types of" at the beginning of the sentence, and deleting clauses a) through g) in Section 3.17.1; and
- b. by deleting Sections 3.17.3, 3.17.4 and 3.17.5.

7. **SECTION 3.22 NATURAL HERITAGE RESOURCES** is modified by:

- a. adding at the end of Section 3.22.2b) on page 33 after the word "boundary", the text: "from a wetland feature and Life Science ANSI, and 50 metres from an Earth Science ANSI"; and deleting the words, "of the" before the word "feature" at the end of the clause; and
- b. deleting the text in brackets in Section 3.22.3b) on page 34, and revising the last sentence as follows: "Therefore, a 30 metre setback for the removal of vegetation will be maintained where development is allowed to proceed within the 120 metre influence area."

8. **SECTION 3.25.2 PROVINCIALLY SIGNIFICANT AGRICULTURE** on page 38 is modified by replacing the word "should" with the word "shall".

**9. SECTION 3.27 SECONDARY DWELLINGS UNITS is modified by:**

- a. deleting all of Section 3.27.1e) on page 39 and renumbering clauses accordingly;
- b. revising S. 3.27.3 on page 39 by deleting all of the text after the word "standards" on the first line and replacing it with "for lot development."; and
- c. adding a new sentence in S. 3.27.4 on page 40 after the second sentence as follows: "The proposed site is capable of accommodating an approved septic and water supply system."; and deleting the words, "unit size and" in the last sentence.

**10. SECTION 3.28 SEWAGE AND WATER SERVICING on page 40 is modified by:**

- a. adding new Sections 3.28.2 and 3.28.3:

**"3.28.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible. Where municipal sewage and water services are not available, the use of communal sewage and water services will be considered. Where municipal sewage and water services or communal water and sewage services are not provided, individual sewage and water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts.**

**3.28.3 The Municipality will prepare a multi-year sewage and water servicing plan that:**

- adopts a hierarchy of servicing preferences as described in Policy 3.28.2, as the basis for managing growth and settlement,
- investigates options for the provision of full municipal services and communal sewage and water services,
- contains long-range servicing strategies reflective of the long term growth management goals that address the implications for existing services to serve anticipated growth,
- address the efficiency of existing infrastructure including conservation measures,
- lays out the physical and environmental constraints to development related to servicing, and
- ensures that new services support the goals of environmental protection, sustainability, intensification and growth management in an efficient and cost effective manner.

**A detailed engineering feasibility study should be undertaken to confirm the best approach, prepare a conceptual design, provide cost estimates and identify potential funding for the project, and initiate the approvals process.**

**Once these long-range goals are established, the Municipality's asset management plan should reflect the new goals."**

- b. renumbering Section 3.28.2 as Section 3.28.4.
- c. adding a new Section 3.28.5; and renumbering the sections that follow accordingly.

"Within the Rosslyn area, partial servicing (on municipal water and individual sewage systems) shall only be permitted to allow for infilling and minor rounding out of existing development on partial servicing provided site conditions are suitable for the long-term provision of such services with no negative impacts."

**11. SECTION 3.32 WILDLAND FIRE on page 44 is modified by:**

- a. adding at the end of Section 3.32.2, the text "as identified by the Ministry of Natural Resources and Forestry."
- b. adding new paragraphs 3.32.3 and 3.32.4 as follows:

"3.32.3 Proponents may be required to undertake a site review to assess for the risk of high to extreme wildland fire behaviour on the subject lands and adjacent lands (to the extent possible). If development is proceeding where high to extreme risk for wildland fire is present, proponents are required to identify measures that outline how the risk will be mitigated.

3.32.4 Wildland fire mitigation measures shall not be permitted in significant wetlands, significant wildlife habitat and significant areas of natural and scientific interest, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions."

**12. SECTION 4.2.2 NATURAL RESOURCE on page 49 is modified by:**

- a. adding in item e) the words "resource-based" before the word "recreational"; and
- b. adding in item i) the word "limited" before the words "rural residential".

**13. SECTION 4.3 RURAL is modified:**

- a. In Section 4.3.2h) on page 51, by adding the word "Limited" before the words "Rural residential uses" and "rural residential development";
- b. In Section 4.3.9 on page 52, the word "and" is deleted at the end of g); the word "and" is added at the end of h); and a new clause i) is added after h) as follows:
  - "i) The maximum number of new lots that can be created from a lot of record existing as of July 24, 2017 is two (2) new lots and the retained portion."

**14. SECTION 4.4 RESIDENTIAL is modified as follows:**

- a. in Section 4.4 on page 53, the last line of the first paragraph is deleted;

- b. In the second paragraph, the second sentence is revised after the words "water supply" as follows: "...when proposals are in compliance with Section 3.28, in order to improve the operation of the system and its economic feasibility.";
  - c. sentences 3, 4 and 5 are deleted; and
  - d. the text in Section 4.4.3 on pages 54 and 55 is reworded as follows:  
  

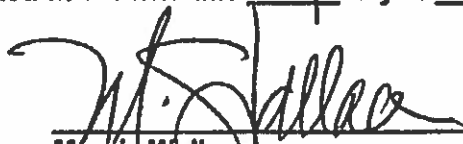
"New development that is not on full municipal servicing or communal sewage and water services, and not within the Whitewater Subdivision, shall be a minimum lot size of 1 hectare (2.47 acres) unless: justified by a hydrogeological assessment or study completed by a qualified professional in accordance with MOECC Guidelines, to the satisfaction of Council; and supported by a Servicing Options Statement prepared in accordance with the MOECC D-5-3 Guideline."
- 15. **SECTION 5.2 PUBLIC PARTICIPATION** on page 69 is modified by:
  - a. adding a new policy after Section 5.2.1 as follows:  
  

"5.2.2 Indigenous communities should be consulted early in the planning process in order to identify potential issues, opportunities, and mitigation measures for any adverse impacts, prior to finalizing the application(s)."; and
  - b. by renumbering the subsequent policies accordingly.
- 16. **SECTION 5.6 CONDITIONAL ZONING BY-LAWS** on pages 71 and 72 is modified by deleting the entire section. Subsequent sections are renumbered accordingly.
- 17. **SECTION 5.14.3 IMPLEMENTING COMMUNITY IMPROVEMENT POLICIES** on page 77 is modified by:
  - a. adding after item b) the following five items:
    - c) To seek long-term options for the financing of the development and expansion of municipal infrastructure to accommodate residential intensification within Settlement Areas;
    - d) To increase the supply and availability of affordable housing;
    - e) To improve energy efficiency;
    - f) To promote heritage conservation;
    - g) To encourage and facilitate the clean-up and redevelopment of the limited number of brownfields within the municipality;
  - b. renumbering item c) and d) as items h) and i).
- 18. **SECTION 5.19 REQUIREMENTS FOR CONSULTATION** is modified on page 81 by deleting the word "and" after "p) Water Quality Report"; adding a semi colon then the word "and" after "Q) Environmental Site Assessment...previous use;" and adding "r) Public Consultation Strategy." at the end after item Q).

19. **SECTION 5.20 SUBDIVISION OF LAND** is modified,

- a. in Section 5.20.1d) on page 82 by: deleting the words "they are" before the word "necessary" in the second line; by adding the words "on partial services" in the fourth line after the words, "existing development"; and by deleting the remainder of the text after the first sentence;
- b. In Section 5.20.2 after h) on page 83, by adding a new clause as follows:
  - "l) The maximum number of new lots that can be created from a lot of record existing as of July 24, 2017 is two (2) new lots and the retained portion;" and;
- c. by renumbering items l), j) and k) as items j), k) and l) accordingly.

Dated at Toronto this 29 day of March, 2018.



Marcia Wallace  
Assistant Deputy Minister  
Municipal Services Division  
Ministry of Municipal Affairs | Ministry of Housing