

# NOTICE OF VIRTUAL PUBLIC MEETING

## WEST NIPISSING PLANNING ADVISORY COMMITTEE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

**TAKE NOTICE** that the West Nipissing Planning Advisory Committee will hold a VIRTUAL public meeting in order to consider proposed amendments to Comprehensive Zoning By-law No. 2014-45 under Section 34 of the *Planning Act, RSO 1990*.

**AND TAKE NOTICE** that the virtual meeting will be considered a public meeting, however, due to public health concerns regarding COVID-19, **physical attendance is not permitted.**

This meeting will be live streamed for viewing at [www.westnipissing.ca](http://www.westnipissing.ca). In addition, anyone wishing to make oral representation may participate in the virtual public meeting by clicking on the link included below or by dialing in using the telephone number and access code below.

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|--------------------------------------|---|----------------------------|------------------|------------------------|
| Date and Time:                       | December 13, 2021 AT 6:00 P.M.  |                            |                  |                        |
| YouTube Link:                        | <a href="https://www.youtube.com/channel/UCG6HWMXnA-RBiH-UdZVCIHg">https://www.youtube.com/channel/UCG6HWMXnA-RBiH-UdZVCIHg</a>                 |                            |                  |                        |
| Meeting Link:                        | <a href="https://www.westnipissing.ca/town-hall/council/council-meetings/">https://www.westnipissing.ca/town-hall/council/council-meetings/</a> |                            |                  |                        |
| Zoom Meeting Dial-in number & access | Phone Number<br>1 647 558 0588  | Meeting ID<br>265 014 1204 | Participant<br># | Meeting Pswd<br>654321 |

**THE PURPOSE AND EFFECT** of the zoning amendment(s) are as follows:

### 1. SECTION 4.1 – ACCESSORY DWELLING UNIT

**PURPOSE:** To allow Detached Accessory dwellings in the SR (Shoreline Residential), RR (Rural Residential) and RU (Rural) zones.

**RATIONALE:** The *Planning Act* includes affordable housing as a matter of provincial interest to be considered by local planning authorities when carrying out their responsibilities under the *Act*. Currently the West Nipissing Zoning By-Law permits Accessory Dwelling Units in all residential zones provided that the Accessory Dwelling Unit is located within the permitted dwelling on the property. In recent years, the Municipality of West Nipissing has seen an increasing number of requests for second dwellings that are separate from the main dwelling in the rural and shoreline areas. It is appropriate to consider regulations to permit a second dwelling on lots in the SR, RR and RU zones.

| CURRENT  | PROPOSED AMENDMENT  |
|--|---|
| <p>4.1 Accessory Dwelling Unit</p> <p>Notwithstanding any other provisions of this By-law regarding the number of dwelling units on a single lot, an accessory dwelling unit is permitted in any Residential Zone, and in the Rural (RU) and Agricultural One (A1) Zones, subject to the following provisions:</p> <p>a) The accessory dwelling unit is located within a permitted single detached dwelling or a semi-detached dwelling;</p> <p>b) Only one (1) accessory dwelling unit may be created within the principal dwelling unit;</p> <p>c) An accessory dwelling unit shall not be permitted if the lot also contains a garden suite;</p> <p>d) The maximum floor area of an accessory dwelling unit shall not exceed 75% of the floor area of the principal dwelling unit;</p> <p>e) The accessory dwelling unit shall be an integral part of the principal dwelling unit and be designed so as to maintain the general character of the dwelling and surrounding neighbourhood;</p> <p>f) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other fire, health, safety, or occupancy regulations or by-laws; and</p> <p>g) A minimum of one parking space is provided for the accessory dwelling unit, and does not result in a separate driveway being required.</p> | <p>Add Section 4.1.1, 4.1.2 and 4.1.3 to follow Section 4.1</p> <p>4.1.1 Accessory Dwelling on a Residential Lot</p> <p>Notwithstanding any other provision of this By-law regarding the number of dwelling units on a single lot, an accessory dwelling is permitted in the Rural (Ru), Rural Residential (RR) and Shoreline Residential (SR) Zones subject to the following provisions:</p> <p>a) For the purposes of this section, an accessory dwelling is defined as a second single detached dwelling on a property;</p> <p>b) A maximum of one (1) accessory dwelling is permitted on the property;</p> <p>c) The accessory dwelling shall meet all of the lot regulations applicable to the principal single detached dwelling and shall meet all other applicable provisions of this By-law, and any other fire, health, safety or occupancy regulations or by-laws;</p> <p>d) A minimum of one parking space is provided for the accessory dwelling and does not result in a separate driveway being required.</p> <p>4.1.2 Notwithstanding Section 4.1 and 4.1.1, in the Rural (RU) or Rural Residential (RR) Zones, only one accessory dwelling unit or accessory dwelling is permitted on a lot.</p> <p>4.1.3 Where an accessory dwelling is erected on a lot in the SR Zone, a sleeping cabin is not permitted.</p> |

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|  | <p>Section 4.2.2 is amended by adding “accessory dwelling” following “sleeping cabin”, to read: “No detached accessory building or structure shall be used for human habitation or an occupation for gain, except for a permitted sleeping cabin, accessory dwelling, or for a home industry”.</p> <p>Tables 6.2 and 9.2 will be updated to include an Accessory Dwelling in the Permitted Accessory Uses for the RR, RU and SR zones.</p> |
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## 2. SECTION 4.2 - ACCESSORY USES, BUILDINGS AND STRUCTURES

**PURPOSE:** To increase the required set back of Accessory Structures on lands zoned RR (Rural Residential) from 1.2m to 4.5m.

**RATIONALE:** The minimum lot sizes in the RR, are sufficient to require an increased set-back from lot lines for accessory structures.

| CURRENT   | PROPOSED AMENDMENT   |
|---|--|
| <p><b>4.2.3 Location on a lot:</b> Except for in the R1 to R4 Zones, accessory buildings, structures or uses are permitted in any yard, provided such building, structure or use:</p> <ul style="list-style-type: none"> <li>is not permitted in the required front yard or the required exterior side yard; and</li> <li>is not built closer than 1.2 metres to any lot line except that common semi-detached private garages may be centered on the mutual lot line.</li> </ul> | <p><b>4.2.3 Location on a lot:</b> Accessory buildings, structures or uses are permitted in any yard, provided such building, structure or use:</p> <ul style="list-style-type: none"> <li>is not permitted in the required front yard or the required exterior side yard; and</li> <li>in the R1 – R4, SR, C1 - C3 Zones is not built closer than 1.2 metres to any lot line except that common semi-detached private garages may be centered on the mutual lot line.</li> <li>In the RR, RU, A1 and A2 zone is not built closer than 4.5m to any lot line</li> </ul> |

## 3. SECTION 4.2.11 - STORAGE CONTAINERS

**PURPOSE:** To remove the prohibition of Storage Containers in the SR (Shoreline Residential) Zone.

**RATIONALE:** As the price of construction materials continue to rise, storage containers are becoming an increasingly cost-efficient option for storage. Storage containers are currently permitted in the RR, RU, A1 and A2 Zones. It is proposed that the zones in which storage containers are permitted be expanded to include the SR Zone. Placement of such containers will be subject to the provisions of 4.2, Accessory Uses, Buildings and Structures.

| CURRENT  | PROPOSED AMENDMENT   |
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| <p><b>Section 4.2.11 - Storage Containers:</b> No person shall, in the Residential One (R1), Residential Two (R2), Residential Three (R3), Residential Four (R4), Shoreline Residential (SR), General Commercial (C1) or Highway Commercial (C2) Zones, use any truck, bus, coach, transport truck trailer, streetcar body, railway car body, railway shipping container, or similar structure of any kind, for the purpose of an accessory structure.</p> | <p><b>Section 4.2.11 Storage Containers:</b> No person shall, in the Residential One (R1), Residential Two (R2), Residential Three (R3), Residential Four (R4), General Commercial (C1) or Highway Commercial (C2) Zones, use any truck, bus, coach, transport truck trailer, streetcar body, railway car body, railway shipping container, or similar structure of any kind, for the purpose of an accessory structure.</p> |

## 4. SECTION 4.22.1(d) PROHIBITED USES/ACTIVITIES

**PURPOSE:** To remove the Shoreline Residential (SR) zone from the zones in which galvanized steel structures are prohibited.

**RATIONALE:** The SR zones are typically located in the rural area(s) and require a minimum lot area of 1 hectare, the same as RR.

| CURRENT   | PROPOSED AMENDMENT  |
|---|---|
| <p>d) Galvanized steel structures on properties in the Residential One (R1), Residential Two (R2), Residential Three (R3), Residential Four (R4) or Shoreline Residential (SR) zones;</p> | <p>d) Galvanized steel structures on properties in the Residential One (R1), Residential Two (R2), Residential Three (R3) or Residential Four (R4) zones;</p> |

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**5. SECTION 4.28.1 - CONSTRUCTION:**

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**PURPOSE:** To amend the scope of permitted temporary buildings/structures during construction to include a storage container.

**RATIONALE:** Storage containers provide secure, affordable temporary storage.

| CURRENT  | PROPOSED AMENDMENT  |
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| 4.28.1 Construction:<br>a) A temporary building, structure or trailer incidental to the construction of a principal building on a lot is permitted in all Zones provided that a valid building permit has been issued, but only for as long as it is necessary for the work in progress and until the work is completed or abandoned. In this case, 'abandoned' shall mean the failure to proceed with the work within a one year time period. | 4.28.1 Construction:<br>a) A temporary building, structure, storage container or trailer incidental to the construction of a principal building on a lot is permitted in all Zones provided that a valid building permit has been issued, but only for as long as it is necessary for the work in progress and until the work is completed or abandoned. In this case, 'abandoned' shall mean the failure to proceed with the work within a one year time period. |

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**6. Table 9.1 and 9.2 PERMITTED USES AND ACCESSORY USES IN AGRICULTURAL AND RURAL ZONES**

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**PURPOSE:** To amend Note (b) for consistency with Table 9.3

**RATIONALE:** Minimum RU lot size was changed in 2017 from 10 Ha to 4 Ha, however the Notes in Tables 9.1 and 9.2 were not updated.

| CURRENT   | PROPOSED AMENDMENT  |
|---|---|
| Table 9.1 note (b)<br>Where a residential lot having an area of 2 hectares or less is created by consent, the permitted principal uses are limited to the principal uses for a Rural Residential (RR) Zone, as noted in Table 6.1, and is subject to the lot requirements for the Rural Residential (RR) Zone, as noted in Table 6.3. | Table 9.1 note (b)<br>Where a residential lot having an area of 4 hectares or less is created by consent, the permitted principal uses are limited to the principal uses for a Rural Residential (RR) Zone, as noted in Table 6.1, and is subject to the lot requirements for the Rural Residential (RR) Zone, as noted in Table 6.3. |
| Table 9.2 Note (b)<br>Where a residential lot having an area of 2 hectares or less is created by consent, the permitted accessory uses are limited to the accessory uses for a Rural Residential (RR) Zone, as noted in Table 6.2, and is subject to the lot requirements for the Rural Residential (RR) Zone, as noted in Table 6.3. | Table 9.2 Note (b)<br>Where a residential lot having an area of 4 hectares or less is created by consent, the permitted accessory uses are limited to the accessory uses for a Rural Residential (RR) Zone, as noted in Table 6.2, and is subject to the lot requirements for the Rural Residential (RR) Zone, as noted in Table 6.3. |

**ANY PERSON** may attend the **virtual** public meeting and/or make written or verbal representation either in support of or in opposition to the proposed Zoning By-law amendment.

**PUBLIC ADVISORY**

- (i) If a person or public body would otherwise have an ability to appeal the decision of the Municipality of West Nipissing to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to (name of municipality or planning board) before the by-law is passed, the person or public body is not entitled to appeal the decision.
- (ii) If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Municipality of West Nipissing 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 Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

**IF YOU WISH** to be notified of the decision of Committee and possible Municipal Board Hearing in respect to the proposed zoning amendment, you must make a written request to the Municipality of West Nipissing c/o Melanie Ducharme at 225 Holditch Street, Suite 101, Sturgeon Falls, Ontario, P2B 1T1.

**ADDITIONAL INFORMATION** related to the proposed Zoning By-law amendment is available during regular hours at the office of the Municipality of West Nipissing, 225 Holditch Street, Sturgeon Falls or at [www.westnipissing.ca](http://www.westnipissing.ca)

**DATED** at the Municipality of West Nipissing this 9th day of November, 2021.