



**CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING
COUNCIL AND COMMITTEE OF THE WHOLE
AGENDA**

May 16, 2023, 6:30 PM

		Pages
1.	<u>OPENING AND LAND ACKNOWLEDGEMENT</u>	
2.	<u>DECLARATIONS OF PECUNIARY INTEREST</u>	
3.	<u>ADDENDUM & AGENDA</u>	
3.1	Approve the Addendum	5
3.2	Adopt the Agenda	7
4.	<u>DELEGATIONS & PETITIONS</u>	
4.1	Petition to Re-open the Municipal Office in Verner	9
4.2	Health Box Pilot Project - North Bay Parry Sound District Health Unit, Centre Alliance & West Nipissing Community Health Centre (Leanne Estey, Mike Taylor, Chris Bowes, Monique Duchesne)	22
5.	<u>CLOSED MEETING</u>	23
Pursuant to Section 239(2) of the <i>Municipal Act</i>,		
5.1	Adoption of Minutes of Closed Meeting March 21, 2023	
5.2	Human Resources Update	
5.3	Back to Open Session	
6.	<u>COMMITTEE OF THE WHOLE</u>	
6.1	Public Works Committee	
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b.	Quesnel Road - Extension of Water Service Options	27
6.2	Community Services Committee	
a.	Beach & Parks By-Law	30
b.	Community Services Update (verbal)	
6.3	Environmental Services Committee	
a.	Centre Communautaire de Lavigne - Request to remove Recycling Bins at Park	34
7.	<u>REGULAR MEETING</u>	

7.1	Consent Agenda	36
	<i>For the purpose of convenience and for expanding meetings, matters of business that are repetitive or routine in nature are included in the Consent Agenda, and all such matters of business contained in the Consent Agenda are voted on collectively.</i>	
	<i>A particular matter of business may be singled out from the Consent Agenda for debate or for a separate vote upon the request of any Councillor. In the case of a separate vote, the excluded matter of business is severed from the Consent Agenda, and only the remaining matters of business contained in the Consent Agenda are voted on collectively.</i>	
	a. Council Minutes - May-2-2023	38
	b. Au Chateau Board Minutes - 18-Jan-2023	51
	c. Au Chateau Board Minutes - 15-March-2023	61
	d. Planning Advisory Committee Minutes - April 11, 2023	68
	e. Committee of Adjustment Minutes - April 11, 2023	73
7.2	Planning	
	a. Grant Draft Subdivision Plan Approval - FileNo. SUBD2023-02 (Old Highway 17)	84
	b. General Amendments to West Nipissing Zoning By-Law 2014-45	122
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7.4	Unfinished Business	
7.5	New Business	
	a. Award of the granular resurfacing quotation	129
	b. Award of the asphalt sheeting quotation	132
	c. Exemption from Fencing By-Law - 47 Chateau Terrace	135
	d. By-Law No. 2023-47, to establish a Council Vacancy Policy	151
	e. Tender Award - John Street Rehabilitation	164
8.	<u>NOTICE OF MOTION</u>	
9.	<u>ADDENDUM</u>	
10.	<u>MAYOR'S REPORT AND ANNOUNCEMENTS</u>	
	10.1 Mayor's Report	
11.	<u>ADJOURNMENT</u>	
	11.1 Adopt Confirmatory By-law	168
	11.2 Adjourn the meeting	170



LA CORPORATION DE LA MUNICIPALITÉ DE NIPISSING OUEST
RÉUNION DU CONSEIL ET COMITÉ PLÉNIER
ORDRE DU JOUR

le 16 mai 2023, 18 h 30

	Pages
1. <u>OUVERTURE ET RECONNAISSANCE DES TERRES</u>	
2. <u>DÉCLARATION D'INTÉRÊTS PÉCUNIAIRES</u>	
3. <u>ADDENDA et ORDRE DU JOUR</u>	
3.1 Approbation de l'addenda	5
3.2 Adoption de l'ordre du jour	7
4. <u>DÉLÉGATIONS et PÉTITIONS</u>	
4.1 Pétition - Reouvrir le bureau municipal à Verner	9
4.2 Projet pilote de boîte de santé - Centre de Santé Communautaire de Nipissing Ouest, Centre Alliance et bureau de santé North Bay - Parry Sound (Leanne Estey, Mike Taylor, Chris Bowes, Monique Duchesne)	22
5. <u>RÉUNION À HUIS CLOS</u>	23
Conformément au paragraphe 239(2) de la Loi sur les municipalités,	
• les renseignements personnels concernant une personne qui peut être identifiée, y compris les employés des conseils municipaux ou locaux;	
• Mise à jour des ressources humaines	
5.1 Adoption du procès-verbal de la réunion à huis clos le 21 mars 2023	
5.2 Mise à jour des ressources humaines	
5.3 Réouverture de la réunion	
6. <u>COMITÉ PLÉNIER</u>	
6.1 Comité des travaux publics	
a. Discussion concernant les réparations du chemin Abitibi -et le chemin de Montréal (Pétition- M. Paquette)	25
b. Chemin Quesnel - Extension des options de service d'eau	27
6.2 Comité des services communautaires	
a. Règlement relatif aux plages et parcs	30
b. Mise à jour sur les services communautaires (verbale)	
6.3 Comité des services environnementaux	
a. Centre communautaire de Lavigne - Demande d'enlever les bacs de recyclage au parc	34
7. <u>RÉUNION RÉGULIÈRE</u>	

7.1	Ordre du jour par consentement	36
	<i>Pour des raisons de commodité et afin d'élargir les réunions, les questions répétitives ou de routine sont incluses dans l'ordre du jour des questions en suspens, et toutes ces questions contenues dans l'ordre du jour des questions en suspens sont votées collectivement.</i>	
	<i>À la demande d'un conseiller, une question particulière peut être retirée de l'ordre du jour pour être débattue ou faire l'objet d'un vote séparé. Dans le cas d'un vote séparé, la question exclue est retirée de l'ordre du jour et seules les questions restantes de l'ordre du jour sont votées collectivement.</i>	
	a. procès-verbal du conseil 2-mai-2023	38
	b. 18-Janv-2023 procès-verbal du Au Chateau	51
	c. 15-Mars-2023 procès-verbal du Au Chateau	61
	d. Procès-verbal du Comité consultatif de Planification - 11 avril 2023	68
	e. Procès-verbal du Comité de dérogation - 11 avril 2023	73
7.2	Planification	
	a. Accorder l'approbation du projet de plan de lotissement - Dossier no SUBD2023-02 (ancienne route 17)	84
	b. Modifications générales au règlement de zonage de Nipissing Ouest 2014-45	122
7.3	Correspondence	
7.4	Affaires en marche	
7.5	Affaires nouvelles	
	a. Attribution du devis pour le resurfaçage granulaire	129
	b. Attribution de l'offre pour la pose de l'asphalte	132
	c. du Règlement sur les clôtures - 47, terrasse du château	135
	d. Règlement no 2023-47, établissant une politique sur les postes vacants au Conseil	151
	e. Tender Award - John Street Rehabilitation	164
8.	<u>AVIS DE MOTION</u>	
9.	<u>ADDENDA</u>	
10.	<u>RAPPORT DU MAIRE ET ANNONCES</u>	
	10.1 Rapport du maire	
11.	<u>AJOURNEMENT</u>	
	11.1 Adoption de l'arrêté confirmatoire	168
	11.2 Ajourner la réunion	170



West Nipissing Ovest

CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

Council - Committee of the Whole

Resolution #

Title: Approve the Addendum

Date: May 16, 2023

Moved by: _____

Seconded by: _____

BE IT RESOLVED THAT the Addendum for the meeting of Council held on May 16, 2023 be approved, as presented.

CARRIED

DEFEATED

DEFEATED

**CARRIED WITH
AMENDMENTS / REFERRED /
DEFERRED / DELETED**



West Nipissing Ouest

CORPORATION DE LA MUNICIPALITÉ DE NIPISSING OUEST

Council - Committee of the Whole

Résolution #

Titre: Approbation de l'addenda

Date: le 16 mai 2023

Proposé par: _____

Appuyé par: _____

QU'IL SOIT RÉSOLU QUE l'Addenda de la réunion du Conseil tenue le 16 mai, 2023 soit approuvé, tel que présenté.

ADOPTÉ

REJETÉ

REJETÉ

**ADOPTÉ AVEC
MODIFICATIONS / REPORTÉ /
RÉFÉRÉ / RETIRÉ**



West Nipissing Ovest

CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

Council - Committee of the Whole

Resolution #

Title: Adopt the Agenda

Date: May 16, 2023

Moved by: _____

Seconded by: _____

BE IT RESOLVED THAT the Agenda for the meeting of Council held on May 16, 2023 be approved, as presented.

CARRIED

DEFEATED

DEFEATED

**CARRIED WITH
AMENDMENTS / REFERRED /
DEFERRED / DELETED**



West Nipissing Ouest

CORPORATION DE LA MUNICIPALITÉ DE NIPISSING OUEST

Council - Committee of the Whole

Résolution #

Titre: Adoption de l'ordre du jour

Date: le 16 mai 2023

Proposé par: _____

Appuyé par: _____

QU'IL SOIT RÉSOLU QUE l'Ordre du jour de la réunion du Conseil tenue le 16 mai, 2023 soit approuvé, tel que présenté.

ADOPTÉ

REJETÉ

REJETÉ

**ADOPTÉ AVEC
MODIFICATIONS / REPORTÉ /
RÉFÉRÉ / RETIRÉ**



THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING
LA CORPORATION DE LA MUNICIPALITÉ DE NIPISSING OUEST



SCHEDULE "B" OF BY-LAW 2023/27

REQUEST FOR DELEGATION / WRITTEN SUBMISSION

A request for a delegation or presentation before Council must be in the form of a written submission to the Municipal Clerk. The following background information form must be duly completed and submitted by not later than 4:30 p.m. on the Wednesday prior to the requested Meeting.

PLEASE PRINT CLEARLY:

Council Meeting Date:			
Subject:	Re - Open Municipal office in Verner		
Name:	Fern Pellerin		
Address:			
Phone:	Home: 709 493 9770	Business / Cell:	Fax:
E-Mail:			

Name of Group or Person(s) being represented (if applicable) :
Residents of Wards 6, 7 and 8

Details of nature of the business/purpose (additional information can be attached separately) :

Presentation Requirements: Easel Projection Equipment Other:

Please be advised that your delegation/presentation will be recorded in video and audio format as part of Council Meetings and will be subject to media broadcast (YouTube). Personal information on this form will be used for the purpose of sending correspondence relating to matters before Council and Committee of the Whole. Your name, address, comments, and any other personal information, is collected and maintained for the purpose of creating a report that is available to the general public in a hard copy format pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, C.M 56, as amended.

Submit your completed form to:
Municipal Clerk Office
Municipality of West Nipissing
101 – 225 Holditch Street
Sturgeon Falls, ON P2B 1T1
Tel: 705-753-2250 • Fax: 705-753-3950

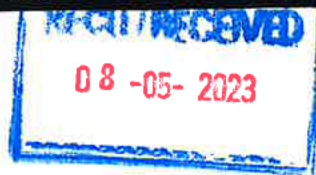
Visit ... www.westnipissingouest.ca

PRESCRIBED PETITION FORM

SUBMIT TO:



Council of the Municipality of West Nipissing
 % Municipal Clerk
 101 - 225 Holditch Street
 Sturgeon Falls, ON L3B 3X4



I/We the undersigned petition the Council of the Municipality of West Nipissing as follows:

Brief description: Re: Conseil l'Office Municipal de Verner

PRINTED NAME	MAILING ADDRESS	CONTACT NUMBER	SIGNATURE
MARC COTE	53 Guenette Rd Box 403	[REDACTED]	Marc Cote
NORM VEILLETT	3116-711 COUASOT Rd	[REDACTED]	Normand Velette
Claude Tremblay	240 WIPISSING ST	[REDACTED]	Claude Tremblay
Sjanic Baker	240 Nipissing St	[REDACTED]	Sjanic Baker
Les Michel	15 ST Laurent Verner	[REDACTED]	L. Michel
Brenda Michel	15 ST Laurent Verner	[REDACTED]	Brenda Michel
Lucas Verner	1 Rue des Erable	[REDACTED]	L.V.
Evelyn St-Jean	121-1 rue Levesque, S Falls	[REDACTED]	[Signature]
Michel Giroux	260 MICHEL RD LAUVIGNE	[REDACTED]	[Signature]
Ray McDonald	109 North South Warner	[REDACTED]	[Signature]
Ernaquie	145 Holditch St #227	[REDACTED]	[Signature]
Hil Tremblay	745 main 301	[REDACTED]	[Signature]
Lucienne Giroux	ch Gerard, Lavigne	[REDACTED]	L. Giroux
Gerard Giroux	" " "	[REDACTED]	[Signature]
Gilles Rainville	91 Comeau Rd Lavigne	[REDACTED]	[Signature]
Daniel Mathieu	180 Gareau Verner	[REDACTED]	[Signature]

MUST BE SIGNED BY SUBMITTING REQUESTOR

Contact Information:	Print Name:	Signature:
Mailing Address:	Street, City, Postal Code:	

By signing this petition, I hereby acknowledge that this petition will become part of a public record belonging to the Municipality of West Nipissing and that all information contained in this petition will be available for viewing by the public and may be reproduced in a future Council Agenda.

PRESCRIBED PETITION FORM

SUBMIT TO:



Council of the Municipality of West Nipissing
 % Municipal Clerk
 101 - 225 Holditch Street
 Sturgeon Falls, ON L3B 3X4

08-05-2023

I/We the undersigned petition the Council of the Municipality of West Nipissing as follows:

Brief description:

PRINTED NAME	MAILING ADDRESS	CONTACT NUMBER	SIGNATURE
Fernande Ruckow	14 Des Herbes		J. Ruckow
Garry Hobbs	237 Ave du Lac		Garry Hobbs
CAROLE LEBLANC	237 AVE DU LAC.		Carole LeBlanc
J. Piette	233 Ave du lac		J. Piette
Reina Piette	296 Perrin rd Apt 1 Sturgeon		Reina Piette
Denis Piette	"		Denis Piette
ALFRED LAFLEUR	16 STURGEON		Alfred Lafleur
Laurion Corriveau	17 Queen Sturgeon F. 70		Laurion Corriveau
Glenne Rainville	95 ch. Comeau Lavigne		Glenne Rainville
CONRAD BOIVIN	95 CH. COMEAU LAVIGNE		Conrad Boivin
Michel Piette	233 Avenue du Lac Lavigne		Michel Piette
Simone Bilange	496 Salter St. Sturgeon Falls		Simone Bilange
Henise Roberdy	909 Levac Rd. Cache Bay		Henise Roberdy
Andie Roberdy	989 Levac Rd. Cache Bay		Andie Roberdy
Louise Miron	11726 Rte 64, VERNER, ON		Louise Miron
Evelyn Pellerin	200 Piquette Rd VERNER, ON		Evelyn Pellerin

MUST BE SIGNED BY SUBMITTING REQUESTOR

Contact Information:	Print Name:	Signature:
Mailing Address:	Street, City, Postal Code:	

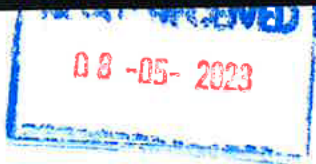
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PRESCRIBED PETITION FORM

SUBMIT TO:



Council of the Municipality of West Nipissing
 % Municipal Clerk
 101 – 225 Holditch Street
 Sturgeon Falls, ON L3B 3X4



I/We the undersigned petition the Council of the Municipality of West Nipissing as follows:

Brief description: Ré - Ouverture l'office Municipale de Verner

PRINTED NAME	MAILING ADDRESS	CONTACT NUMBER	SIGNATURE
Susan Mathieu	180 Gareau Rd, Verner	[REDACTED]	Susan P. Mathieu
Loise Tremblay	2001 R. Principale, Markham	[REDACTED]	L. Tremblay
Michelle Sans-Couture	149 William, Sturgeon Falls	[REDACTED]	R. Saul-Couture
Christe Beaulieu	149 William, Sturgeon Falls	[REDACTED]	B. Beaulieu
Lynne Lapin	36 rue Principale O, Verner	[REDACTED]	Lynne Lapin
Jany Lapin	36 rue Principale O, Verner	[REDACTED]	Jany Lapin
Jeannine Lavoie	730 Coursol Rd	[REDACTED]	Jeannine Lavoie
Guy Gaudreau	139 apt. 4 ^{RUE} Ottawa	[REDACTED]	Guy Gaudreau
R. Phibbert	9 rue des Érables	[REDACTED]	Roy Phibbert
IRENE LA FANTASIE	9 St Jean Baptiste Verner	[REDACTED]	Irene Lafantaisie
ANIZ REGOIR	85 St Jean Baptiste Verner	[REDACTED]	A. Regoir
P. Pignette	18 Rue Rivière, Verner	[REDACTED]	P. Pignette
D. Tellier	11704 Hwy 64, Verner	[REDACTED]	Diane Tellier
L. LeFavre	11748 Hwy 64, Verner	[REDACTED]	Lise LeFavre
J. Rioux	106 michel Sturgeon Falls	[REDACTED]	J. Rioux
R. Martin	10 rue Dubois	[REDACTED]	R. Martin

MUST BE SIGNED BY SUBMITTING REQUESTOR

Contact Information:	Print Name:	Signature:
Mailing Address:	Street, City, Postal Code:	

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PRESCRIBED PETITION FORM

SUBMIT TO:



Council of the Municipality of West Nipissing
 % Municipal Clerk
 101 - 225 Holditch Street
 Sturgeon Falls, ON L3B 3X4



I/We the undersigned petition the Council of the Municipality of West Nipissing as follows:

Brief description:

PRINTED NAME	MAILING ADDRESS	CONTACT NUMBER	SIGNATURE
Justine Desjardis	[REDACTED]	[REDACTED]	[Signature]
Gaston Bédard	[REDACTED]	[REDACTED]	[Signature]
CHARLES ROCHER	10821 HWY 645 LAUVIGNON	[REDACTED]	[Signature]
PAULE RETTE	101 MICHEL RD LAUVIGNON	[REDACTED]	[Signature]
FRANK BENOIT	10456 HWY 17 VERNER	[REDACTED]	[Signature]
Richard Bédard	10 ST Jean Baptiste	[REDACTED]	[Signature]
Joanne Sarge	98 ARTHUR ST Sturgeon Falls	[REDACTED]	[Signature]
Denis Philion	75 Pellerin Rd Verner	[REDACTED]	[Signature]
Richard Drouin	748 DRIVE-IN Rd	[REDACTED]	[Signature]
Rolly Biggers	123 Aubrey	[REDACTED]	[Signature]
Jean Bédard	636 DeLorme Rd	[REDACTED]	[Signature]
JF Morin	624 DeLorme Rd	[REDACTED]	[Signature]
Anne Tessier	176 Gareau Rd	[REDACTED]	[Signature]
Kati Nicol	1519 HWY 575, Field	[REDACTED]	[Signature]
Jérôme Courchesne	39, chemin Caron, Lavigne, ON P4H 1K0	[REDACTED]	[Signature]

MUST BE SIGNED BY SUBMITTING REQUESTOR		
Contact Information:	Print Name:	Signature:
Mailing Address:	Street, City, Postal Code:	

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Council of the Municipality of West Nipissing
 % Municipal Clerk
 101 - 225 Holditch Street
 Sturgeon Falls, ON L3B 3X4



I/We the undersigned petition the Council of the Municipality of West Nipissing as follows:

Brief description: Re-coursil L'Office Municipal de Verner

PRINTED NAME	MAILING ADDRESS	CONTACT NUMBER	SIGNATURE
Fernand Pellerin	Box 429 Verner		Fernand Pellerin
Jean-Paul Boudry	623 Leclair Rd.		Jean-Paul Boudry
Nicole Beaury	623 Leclair Rd.		Nicole Beaury
Madeline Genary	12 Carter St. Verner		Madeline Genary
Raymond Genard	12 Carter St. Verner		Raymond Genard
Paulette Bazinet	9 Carter St Verner		Paulette Bazinet
Chantal Lapensee	108-70 Principal St. Verner		Chantal Lapensee
Diane B. Chèvrefils	5 Riverfront Drive Sturgeon Falls		Diane B. Chèvrefils
Daniel M. Chèvrefils	5 prom. Riverbent, Sturgeon Falls		Daniel M. Chèvrefils
Pauline Bouffard	932 Chemin Betty		Pauline Bouffard
Narc Côté	59 ch Guénette		Narc Côté
Flore Côté	59 " "		Flore Côté
Jocelyne Desrosiers	4 Old Hwy 17 Verner		Jocelyne Desrosiers
Claudette Pagnon	10746 Hwy 17 Verner		Claudette Pagnon
Richard St-Denis	25 Roberts Rd Rivard		Richard St-Denis

MUST BE SIGNED BY SUBMITTING REQUESTOR

Contact Information:	Print Name:	Signature:
Mailing Address:	Street, City, Postal Code:	

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PRESCRIBED PETITION FORM

SUBMIT TO:



Council of the Municipality of West Nipissing
 % Municipal Clerk
 101 – 225 Holditch Street
 Sturgeon Falls, ON L3B 3X4



I/We the undersigned petition the Council of the Municipality of West Nipissing as follows:

Brief description:

PRINTED NAME	MAILING ADDRESS	CONTACT NUMBER	SIGNATURE
Samuel Montes	10, rue Duboua Vermer Port Hope		[Signature]
DEWISE GREVIER	Sturgeon Falls		[Signature]
Saurin Rieun	1000 ...		
Carole Lafreniere-Noël	212 Promenade du Lac Sturgeon Falls, Ont.		Carole L. Noël
Richard Malette	52 Principale West		[Signature]
Lynn MALETTE	" " "		[Signature]
Nicole Sirois	Sturgeon Falls		[Signature]
Kathleen Levesque	715 Courval Rd S. Falls		[Signature]
Maurice Bazinet	110 Rue des érables Vermer		[Signature]
Carmen Doyon	1739 Church St Sturgeon Falls		[Signature]
Brad Mastin	930 Betty Rd Vermer		[Signature]
Shelley Button	930 Betty Rd Vermer		[Signature]
MAE OLIVIER	11715 Hwy 64 Vermer		[Signature]
Jeff Olivier	11715 Hwy 64 Vermer		[Signature]
Rob Desha	4 Old Highway 12 Vermer		[Signature]

MUST BE SIGNED BY SUBMITTING REQUESTOR

Contact Information:	Print Name:	Signature:
Mailing Address:	Street, City, Postal Code:	

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PRESCRIBED PETITION FORM

SUBMIT TO:



Council of the Municipality of West Nipissing
 % Municipal Clerk
 101 - 225 Holditch Street
 Sturgeon Falls, ON L3B 3X4



I/We the undersigned petition the Council of the Municipality of West Nipissing as follows:

Brief description:

PRINTED NAME	MAILING ADDRESS	CONTACT NUMBER	SIGNATURE
Nathalie Leduc	947 Betty Rd Verner Pottamo	[REDACTED]	Nathalie Leduc
JOEY PARQUETTE	947 BETTY Rd VERNER POTTAMO	[REDACTED]	Joey Parquette
Sylvain Shook	110 O'Brien Rd. Verner Pottamo	[REDACTED]	Sylvain Shook
DANIEL Leduc	185 Leduc Rd. Pottamo	[REDACTED]	Daniel Leduc
Linda Leduc	185 Leduc Rd. Field C POTTAMO	[REDACTED]	Linda Leduc
J-F TURPIN	91 Hilltop Rd Larniere P01-1R8	[REDACTED]	J-F Turpin
Mathieu Turpin	113 Veuve Rd Verner ON POTTAMO	[REDACTED]	Mathieu Turpin
Steve Ronville	VERNER	[REDACTED]	Steve Ronville
Gilles Dubois	Verner Ont.	[REDACTED]	Gilles Dubois
Berthe Turpin	10720 HWY 17, Verner	[REDACTED]	Berthe Turpin
DENIS LABROSSE	6 HERITAGE CR	[REDACTED]	Denis Labrosse
Louis Ronville	6 Heritage Cr	[REDACTED]	Louis Ronville
MARCEL DUBOIS	Marcel Dubois	[REDACTED]	Marcel Dubois
Norm Rondeau	Norm Rondeau	[REDACTED]	Norm Rondeau
	Guy Madore	[REDACTED]	Guy Madore
	Manuel Lafreniere	[REDACTED]	Manuel Lafreniere

MUST BE SIGNED BY SUBMITTING REQUESTOR	
Contact Information:	Print Name: _____ Signature: _____
Mailing Address:	Street, City, Postal Code: _____

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PRESCRIBED PETITION FORM

SUBMIT TO:



Council of the Municipality of West Nipissing
 % Municipal Clerk
 101 – 225 Holditch Street
 Sturgeon Falls, ON L3B 3X4

RECU/REC 103

03-05-2023

I/We the undersigned petition the Council of the Municipality of West Nipissing as follows:

Brief description:

PRINTED NAME	MAILING ADDRESS	CONTACT NUMBER	SIGNATURE
PIERRE PROCELLETTA	70 Piquette RD		<i>Pierre Procelletta</i>
Jacqueline BRONVILLE	70 Piquette Rd		<i>Jacqueline Bronville</i>
PETER WAINST	63 PRINCIPAL ST W		<i>Peter Wainst</i>
BRUNO	659 RAINVILLE RD.		<i>Bruno</i>
Sylvie Beaudry	18 Principale W Apt. 4		<i>Sylvie Beaudry</i>
Chris Desjardins	280 Roberge Rd		<i>Chris Desjardins</i>
Yves SHANK	110 O'Brien		<i>Yves Shank</i>
Chantal LINDRAU	63 Principale West. Verner		<i>Chantal Lindrau</i>
Anne Beaudry	659 Rainville Rd. Verner		<i>Anne Beaudry</i>
Emilie Shank	110 O'Brien Rd. Verner		<i>Emilie Shank</i>
Jean Roberge	10519 Hwy 64 Lavigne		<i>Jean Roberge</i>
Yves Arbour	60 Arbour Road		<i>Yves Arbour</i>
Lynne Roberge	10519 Hwy 64 Lavigne		<i>Lynne Roberge</i>
Diane Arbour	Subway ON.		<i>Diane Arbour</i>
Francoise Procelletta	Verner ON Box 299		<i>Francoise Procelletta</i>
Daniel Procelletta	11 rue Principale Verner		<i>Daniel Procelletta</i>

MUST BE SIGNED BY SUBMITTING REQUESTOR		
Contact Information:	Print Name:	Signature:
Mailing Address:	Street, City, Postal Code:	

By signing this petition, I hereby acknowledge that this petition will become part of a public record belonging to the Municipality of West Nipissing and that all information contained in this petition will be available for viewing by the public and may be reproduced in a future Council Agenda.

PRESCRIBED PETITION FORM

SUBMIT TO:



Council of the Municipality of West Nipissing
 % Municipal Clerk
 101 - 225 Holditch Street
 Sturgeon Falls, ON L3B 3X4



I/We the undersigned petition the Council of the Municipality of West Nipissing as follows:

Brief description:
 Reopen municipal office in Verner

PRINTED NAME	MAILING ADDRESS	CONTACT NUMBER	SIGNATURE
Evelyn St Denis	25 Roberts Rd. River Valley	[REDACTED]	[Signature]
Rheal Brouillette	415 Ch. Raimille Vermer Ont.	[REDACTED]	[Signature]
Angèle Labelle	104 John St. Sturgeon Falls	[REDACTED]	[Signature]
Patricia =	104 John St Sturgeon Falls	[REDACTED]	[Signature]
Marie Landreau	439 ch. Sabourin Sturgeon Falls	[REDACTED]	[Signature]
Liliane Raymond	135 Ottawa St Ap 35 Falls	[REDACTED]	[Signature]
Rita Olivier	31- Michaud. Sturgeon Falls	[REDACTED]	[Signature]
Jaceline Oubon	94 Principale Est	[REDACTED]	[Signature]
Hennette Oubon	145 Main Sturgeon.	[REDACTED]	[Signature]
Pierrette Labelle	139 North - Sturgeon -	[REDACTED]	[Signature]
Robert Labelle	11 11 11	[REDACTED]	[Signature]
Jean-Luc Giguere	179 Sturgeon Rd	[REDACTED]	[Signature]
Madeline Caric	38 Rue Principale E. Apt 1 Verner Ont	[REDACTED]	[Signature]
Manuelle Lamoureux	976 Coarville Rd Sturgeon	[REDACTED]	[Signature]
Gérard Miron	11726 Rte Vermer Ont.	[REDACTED]	[Signature]
Ray Pellerin	200 Piquette Rd. VERNER	[REDACTED]	[Signature]

MUST BE SIGNED BY SUBMITTING REQUESTOR

Contact Information:	Print Name:	Signature:
Mailing Address:	Street, City, Postal Code:	

By signing this petition, I hereby acknowledge that this petition will become part of a public record belonging to the Municipality of West Nipissing and that all information contained in this petition will be available for viewing by the public and may be reproduced in a future Council Agenda.

PRESCRIBED PETITION FORM

SUBMIT TO:



Council of the Municipality of West Nipissing
 % Municipal Clerk
 101 – 225 Holditch Street
 Sturgeon Falls, ON L3B 3X4



I/We the undersigned petition the Council of the Municipality of West Nipissing as follows:

Brief description:

PRINTED NAME	MAILING ADDRESS	CONTACT NUMBER	SIGNATURE
JOYANNE VENNE	43 RUE PRINCIPALE O.	[REDACTED]	Joyanne Venne
DANIEL VENNE	43 RUE PRINCIPALE O.	[REDACTED]	Daniel Venne
Brodley St Jean	5 Dubeau St. Verner	[REDACTED]	[REDACTED]
Chloé Lalonde	5 Dubeau St. Verner	[REDACTED]	[REDACTED]
BETTY ST JEAN	312 Savignac Rd Verner	[REDACTED]	Betty St Jean
Benoit St Jean	312 Savignac Rd Verner	[REDACTED]	[REDACTED]
YAN Michel	704 Heclach RD Verner	[REDACTED]	Yan Michel
Alain Boisdieu	667 Nipissing ROAD ST-FALLS	[REDACTED]	Alain Boisdieu
ALAIN MORIN	82 AVE NADEAU RIVER VALLEY	[REDACTED]	Alain Morin
Marjorie Boisvenue	624 Deborne Road Sturgeon Falls	[REDACTED]	Marjorie Boisvenue
Christine Boisvenue	667 Nipissing St Sturgeon Falls	[REDACTED]	Christine Boisvenue
Therese Pellonin	[REDACTED]	[REDACTED]	[REDACTED]
Alain Brouillette	468 Rainville Rd.	[REDACTED]	Alain Brouillette

MUST BE SIGNED BY SUBMITTING REQUESTOR	
Contact Information:	Print Name: _____ Signature: _____
Mailing Address:	Street, City, Postal Code: _____

By signing this petition, I hereby acknowledge that this petition will become part of a public record belonging to the Municipality of West Nipissing and that all information contained in this petition will be available for viewing by the public and may be reproduced in a future Council Agenda.



REQUEST FOR DELEGATION / WRITTEN SUBMISSIONS

A request for a delegation or presentation before Council must be in the form of a written submission to the Municipal Clerk. The following background information form must be duly completed and submitted by not later than 4:30 p.m. on the Wednesday prior to the requested meeting.

PLEASE PRINT CLEARLY:

Council Meeting Date: **May 16, 2023**

Subject: **Our Healthbox - Access point for health products and community information**

Name: **Monique Duchesne**

Address: **345 Oak Street West**

Phone: **Home:** **Business / Cell:** **705-474-1400 ext. 5216** **Fax:**

E-Mail: **monique.duchesne@healthunit.ca**

Name of Group or Person(s) being represented *(if applicable)* :

North Bay Parry Sound District Health Unit, Alliance Centre (WNGH), West Nipissing Community Health Centre

Details of nature of the business/purpose *(additional information can be attached separately)* :

We would like to request the opportunity to present the Our Healthbox pilot project at your next Council meeting. This project is being led by the Alliance Centre at the West Nipissing General Hospital in collaboration with the West Nipissing Community Health Centre, Life Care Pharmacy, and the North Bay Parry Sound District Health Unit. The initiative intends to increase access to local service and health information, as well as health products beyond what is currently available. We will have representation, at the Council meeting, from the Alliance Centre (Leanne Estey) and the North Bay Parry Sound District Health Unit (Chris Bowes), and possibly others.

Presentation Requirements: Easel Projection Equipment

Other:

Please be advised that your delegation/presentation will be recorded in video and audio format as part of Council meetings and will be subject to media broadcast (Eastlink and internet). Personal information on this form will be used for the purpose of sending correspondence relating to matters before Council and Committee of the Whole. Your name, address, comments, and any other personal information, is collected and maintained for the purpose of creating a report that is available to the general public in a hard copy format pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, C.M 56, as amended.

Submit your completed form to:

Municipal Clerk (delegate)
Municipality of West Nipissing
101 – 225 Holditch Street
Sturgeon Falls, ON P2B 1T1
e-mail: mducharme@westnipissing.ca or jdupuis@westnipissing.ca
Tel: 705-753-2250 • Fax: 705-753-3950

Visit ... www.westnipissingouest.ca



West Nipissing Ouest

CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

Council - Committee of the Whole

Resolution #

Title: CLOSED MEETING

Date: May 16, 2023

Moved by: _____

Seconded by: _____

BE IT RESOLVED THAT we proceed into a **CLOSED** meeting as authorized in Section 239 (2) of the *Municipal Act (2001)*, to discuss the following:

- personal matters about an identifiable individual, including municipal or local board employees;
 - a. Human Resources Update

CARRIED

DEFEATED

DEFEATED

**CARRIED WITH
AMENDMENTS / REFERRED /
DEFERRED / DELETED**



West Nipissing Ouest

CORPORATION DE LA MUNICIPALITÉ DE NIPISSING OUEST

Council - Committee of the Whole

Résolution #

Titre: RÉUNION À HUIS CLOS

Date: le 16 mai 2023

Proposé par: _____

Appuyé par: _____

IL EST RÉSOLU QUE nous procédions à une **RÉUNION À HUIS CLOS**, tel qu'autorisé par l'article 239 (2) de la *Loi sur les municipalités* (2001), pour discuter de ce qui suit :

- des renseignements privés concernant une personne qui peut être identifiée, y compris des employés de la municipalité ou du conseil local;
 - a. Human Resources Update

ADOPTÉ

REJETÉ

REJETÉ

ADOPTÉ AVEC
MODIFICATIONS / REPORTÉ /
RÉFÉRÉ / RETIRÉ

MARCEL PAQUETTE



Petition to DAW BACKE WADD ⁴

2023-04-28

Petition summary and background	ROAD NEED TO BE REPAIR - CULVERT
Action petitioned for	

Printed Name	Signature	Address	Comment	Date
MARCEL PAQUETTE	M. Paquette	60 Abitibi #1	ROAD TO BE FIX TRIP-HAZARD	
Guy Savé	Guy Savé	60 Abitibi #2	Expensive in car maintenance	
Denise Paquette	Denise Paquette	60 Abitibi #1	Road always full of water & holes	April 11/23
Mignonne McEwen	Mignonne McEwen	101 Ottawa	Needs more than "patches"	
Ernest Lapointe	Ernest Lapointe	56 Abitibi	hard on cars,	
Michelle Lacroix	Michelle Lacroix	56 abitibi	awful road	
Daniel Fournier	Daniel Fournier	87 MONTREAL	" "	
Robert Lalonde	Robert Lalonde	107 Montreal St	-ROAD NEEDS ATTENTION	
Michael Lenzi	Michael Lenzi	117 Montreal St.	FIX	April 7/2023
Joy Little Pretty	Joy Little Pretty	103 Montreal St	Needs Fixing really bad	
Home for the	Home for the	95 MONTREAL ST	" "	
Diane Hogue	Diane Hogue	91 Abitibi	DISCUSSIVE	

STAFF REPORT



TO: Jay Barbeau, CAO

FROM: Shawn Remillard, C. Tech. Manager, Public Works

DATE: May 9, 2023

RE: **Quesnel Road Water main, Hydrants and Water Services**

As requested by the CAO, Public Works was asked to provide a budgetary cost estimate for the construction of a water main on Quesnel Road from Nipissing street to Dutrisac Road.
(no sanitary or storm)

The budgetary cost according to current unit rates for the construction of approximately 1650 meters of 200 mm watermain are approximately as follows:

- | | |
|--|---------------------------|
| • 200mm PVC pipe with tracer wire @ \$315.00/m | \$519,750.00 |
| • 200mm valves @\$5,000.00 each x 4 | \$20,000.00 |
| • Water main commissioning | \$10,000.00 |
| • Water services @ \$3,000.00 each x 34 potential | \$102,000.00 |
| • Hydrants @ \$10,000.00 each x 19 at 90 meter spacing | \$190,000.00 |
| • Final Connections @ \$6,000.00 each x 2 connections | \$12,000.00 |
| | TOTAL=\$853,750.00 |
- Rock outcrop will be encountered and exact quantities for removal would need to be measured for an accurate cost estimate via geotechnical survey
 - water modeling to confirm adequate pressures and Fire Flows should be completed


RECOMMENDATION:

The current known budgetary cost/unit rates should be evaluated prior to moving forward and incurring additional consulting costs to determine whether servicing the potential properties is cost prohibitive.

Respectfully,

Shawn Remillard, C.Tech
Manager, Public Works

SCHEDULE "B" OF BY-LAW 2019/24

 AGENDA ITEM REQUEST FORM			
PLEASE PRINT CLEARLY:			
Requested Council Meeting Date:	May 2/2023		
Name of Requestor:	Kristopher Rivard - for Lynne and Yves Laurin	Date submitted: April 21/2023	
Address:	Full mailing address:		
Phone:	Home:	Business / Cell:	Fax:
E-Mail:	Krivard@municipality.westnipissing.on.ca + lynne@tcmtotalcabinetmodules.ca		
Requested Agenda Item/Subject:	Petition for Water Services on Quesnel Road		
Additional details / background information:	<input type="checkbox"/> see below <input checked="" type="checkbox"/> Supporting documents attached separately <i>Please attach/include pertinent information to support this item. This will assist staff in conducting any research or obtaining background information; which may be required to make an informed decision in the best interest of the municipality.</i> This petition is submitted with the hope to start a discussion regarding the extension of municipal water and sewer services along Quesnel Road - between Nipissing Street and Dutrisac Road.		
ADMINISTRATIVE APPROVAL			
STEP 1 → Submit your completed form to the CAO or designate for required review and approval. Every effort will be made to accommodate requests however the complexity of subject may require the matter to be heard on another date other than the original date requested and the requestor will be notified.			
Signature of CAO or designate:		Date:	
MUNICIPAL OFFICE USE			
STEP 2 → This form must be returned to the Clerk's office no later than 12 noon on the Wednesday preceding the Council Meeting at which the item is to be considered, subject to CAO approval and scheduling.			
Date Received:		Received from:	
Meeting Date Requested:		Mode of Notification: <input type="checkbox"/> in person <input type="checkbox"/> by telephone <input type="checkbox"/> by e-mail <input type="checkbox"/> other: _____	
Processing of request:	<input type="checkbox"/> Information only <input type="checkbox"/> Action Item <input type="checkbox"/> Discussion/Action Item <input type="checkbox"/> Report Required <input type="checkbox"/> Public Hearing <input type="checkbox"/> Closed Session		
APPROVED FOR AGENDA:			
Scheduled for (date):		<input type="checkbox"/> Regular meeting <input type="checkbox"/> Committee of Whole meeting	
Requestor Notification:	The above requestor _____ was notified on _____ (date)		
Action Taken:			
Notes / Comments:			

387 Mageau	Received	yes
382 Leblanc	Not received, placed in mailbox again	
383 Unknown	Not received, placed in mailbox again	
375 Lafantaisie	Received	yes
365 Menard	Received	yes
375 Seguin/ Lafleur	Not received, placed in mailbox again	
350 Unknown	Not received, placed in mailbox again	
338 Unknown	Not interested in services	No
336 Unknown	Not received, placed in mailbox again	
325 A1	Not received, faxed a new copy	
317 TCM		yes
304 Unknown	Not received, placed in mailbox again	
298 Unknown	Dutrisac rental, says he gave to landlord	
290 Unknown	Not received, placed in mailbox again	
284 Unknown	Dutrisac rental	
282 Unknown	Dutrisac rental	
259 Nadeau	Gave in person, will think about it	
249 Bonin	Received	yes
246 Thompson	Received	yes
244 Turner	Received	yes
242 Unknown	Dutrisac rental	
240 Unknown	Dutrisac rental	
236 Unknown	Dutrisac rental	
234 Unknown	Dutrisac rental	
230 Unknown	Delivered at door, no answer	
215 Unknown	In person, not intersted has all services they need	No
209 Legault	Received	yes

MEMORANDUM

TO: Jay Barbeau, CAO

FROM: Stephan Poulin, Director of Economic Development and Community Services

DATE: May 11, 2023

RE: Public Beaches – By-law to Regulate the Use of Public Beaches

A draft by-law has been prepared for Council's consideration. This by-law is being introduced for the purpose of minimizing disturbances at our public beaches. We have seen an increase in complaints and we are hopeful that this by-law will address concerns raised by residents and community groups.

Joie de vivre



www.westnipissingouest.ca



BY-LAW XXXX-XX

BEING A BY-LAW TO REGULATE THE USE OF PUBLIC BEACHES WITHIN THE MUNICIPALITY OF WEST NIPISSING

1. DEFINITIONS

1.1 In this By-law:

- (a) **"Person"** shall mean any individual, association, firm, partnership or corporation.
- (b) **"Municipality"** means the Corporation of the Municipality of West Nipissing.
- (c) **"Fire"** means the combustion of substances with oxygen and air so as to give out bright light and heat, but does not include the use only of coals for the purpose of cooking food above such coals where the coals are enclosed by the non-combustible structure designed for such purpose.
- (d) **"Beach(es)"** means waterfront land including buildings, structures and facilities owned by the Municipality and set aside and hereby dedicated by Schedule "B" of this by-law for the purposes of a public Beach.
- (e) **"Motor Vehicle"** includes a Motor Vehicle as defined under the *Highway Traffic Act*, R.S.O. 1990, as may be amended from Time to Time, and any snowmobile, go-cart, bike, mini bike, all-terrain vehicle or similar vehicle propelled or driven by internal combustion, bicycle, carriage, wagon, sleigh or other vehicle or conveyance of every description, whatever the mode of power, but excludes wheelchair or similar device (powered or otherwise) used by an individual due to a disability, baby carriage, cart, child's wagon, child's stroller, child's sleigh or other conveyance of like nature;
- (f) **"Non-Motorized Vehicle/Muscular Powered Vehicle"** includes vehicles such as in-line skates, skateboards or other conveyance of like nature.
- (g) **"Municipal Law Enforcement Officer/By-law Officer"** shall mean any Person appointed by Council to enforce the by-laws of the Municipality.
- (h) **"Animals"** include dogs, cats and domesticated wildlife
- (i) **"Times"** means standard Time or daylight-saving Time, whichever shall be in official current use in the municipality.

2. GENERAL

2.1. No Person, while on any Beach, shall:

- (a) Act in any riotous, violent or threatening conduct or use profane or abusive language;
- (b) Cast, throw, or in any way propel any object in such a manner as may injure or cause injury or damage to any Person or property;
- (c) Create a nuisance by loitering, accosting, frightening, annoying or otherwise disturbing other Persons; or
- (d) Fail to abide by the posted authorized signs, rules and regulations of a municipal beach.

3. HOURS OF OPERATION

3.1. Closing hours

- (a) All Public Beaches shall be closed from 11:00 p.m. each day until 7:00 a.m. the following day.

3.2. Posted closing hours

- (a) The Municipality may post hours of closing of a Beach other than as set out in Subsection 3.1(a) and in any such instance, the posted hours shall prevail.

3.3. **Guidelines – temporary closing of a beach**

- (a) Despite Subsection 3.1 (a) the Municipality may temporarily close a Beach where:
- i. ground conditions exist which may be a hazard;
 - ii. the use of the Beach may result in damage to the grounds;
 - iii. the Municipality determines it is necessary for the health or welfare of the public; or
 - iv. to complete repairs or upgrades to said Park or Beach area.

4. **BEACH USE**

4.1. **Campfires and barbecues**

- (a) No Person shall, while at the Beach:
- i. light, build or stoke an open fire or bonfire;
 - ii. use a barbecue (charcoal, propane solid-fueled portable barbecues).

4.2. **Noise**

- (a) No Person shall, while in any Beach, operate loudspeakers or amplifying equipment.
 (b) No Person shall contravene the Municipality's *Noise Control Bylaw*.

4.3. **Fireworks**

- (a) No Person shall, while on any Beach, discharge Fireworks.

4.4. **Waste/pollution**

- (a) No Person shall, while on any Beach:
- i. litter, dump or dispose of tree trimmings, leaves, grass cuttings or any other garbage, except that which is generated through the normal use of the Beach and shall only deposit same in the receptacles provided for that purpose;
 - ii. dump or deposit snow, fill, soil, building or construction materials;
 - iii. dump or drain onto any soil or into the water of any pond, lake, stream, fountain, pool or watercourse of any kind, or any toxic or hazardous substance/material which may result in environmental harm;
 - iv. release balloons or paper lanterns

4.5. **Camping and Lodging**

- (a) No person shall, while on any Beach, dwell, camp or lodge. Camping at Municipal Beaches, including the parking area, is prohibited.

4.6. **Alcohol use**

- (a) No Person shall bring to, keep, consume, serve or sell any liquor at any Beach, unless such Person has received permission in writing from the Municipality and obtained a license from the Alcohol and Gaming Commission of Ontario, as required for such activity. Nothing in this section relieves any Person from the requirements to obtain a liquor license under the *Liquor License Act*.

5. **PARKING AND VEHICLES**

5.1. **General public parking**

- (a) No Person shall park or leave a vehicle at a Beach except in a designated area for parking.
 (b) Overnight parking at Municipal beaches is prohibited.

5.2. **Motorized recreational vehicles**

- (a) No Person shall ride, drive, park or be in possession or control of a motorized recreational vehicle at a Beach except in a designated parking area.

6. **ANIMALS**

6.1. No Person as owner or Person having control of any dog, cat or domesticated wildlife shall:

- (a) allow it to run at large;
- (b) permit any dog, cat or domesticated wildlife to enter any swimming area, pond, garden, landscaped area or any other area posted to prohibit access, excluding guide dogs;
- (c) ensure that it is, at all times, on a leash or chain not exceeding 6 feet (1.8m) in length; pick up and remove any excrement left by the dog, cat or domesticated wildlife and dispose of it in a receptacle for litter or in some other suitable container.

7. WATERCRAFT/BOATING

7.1. Mooring

(a) Unless authorized by law, no Person shall moor a watercraft to a structure such as a Floating swimming platform, at/near any Beach except if there is a designated area (fixed dock).

8. PENALTIES

- 8.1. Any Person who contravenes any provision of this by-law resulting from the operation of a Motor Vehicle is guilty of an offence and on conviction is liable to a fine in such amount provided for by the *Provincial Offences Act* or the *Highway Traffic Act*.
- 8.2. Any Person who contravenes any of the provisions of this by-law is subject to the *Trespass to Property Act*.
- 8.3. Any Person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine or damages under the *Provincial Offences Act*.
- 8.4. Any vendor who has a record of violations within Municipal operated functions may be refused a permit for access to Beaches and other Municipal facilities.

9. ENFORCEMENT

- 9.1. This by-law shall be enforced by a Person appointed by the Council for the purpose of enforcing the bylaws of the Municipality.
- 9.2. Any police officer, provincial offences officer, Municipal by-law enforcement officer or employee of the municipality is encouraged to inform any Person of the provisions of this by-law and to request compliance.
- 9.3. Any police officer, provincial offences officer or employee of the Municipality whose duties include the enforcement of this by-law is authorized to request any Person believed by such officer or employee to be contravening or who has contravened any provision of this by-law:
 - (a) to desist from the activity constituting or contributing to such contravention;
 - (b) to remove from the Beach any Animal or thing owned by or in the control of such Person which the officer or employee believes is or was involved in such contravention; or
 - (c) to leave the Beach area.

ENACTED AND PASSED THIS DAY OF 2023 AS WITNESSED BY THE SEAL OF THE CORPORATION AND THE HANDS OF ITS PROPER OFFICERS.

MAYOR

CAO

From: CCL - Centre Communautaire de Lavigne <ccl@lavigneontario.ca>

Date: Monday, May 8, 2023 at 1:07 PM

To: Jay Barbeau <jbarbeau@municipality.westnipissing.on.ca>

Subject: Bacs à recyclage (parc polyvalent)

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Bonjour M. Barbeau,

Les membres du conseil d'administration du Centre Communautaire de Lavigne (CCL) se sont rencontrés hier, le dimanche 7 mai 2023, pour discuter du projet du Parc polyvalent et terrain de jeu de Lavigne.

Suites aux discussions, les membres souhaiteraient vous aviser que le CCL ne souhaite pas garder les bacs à recyclage au parc polyvalent, car cela limite l'espace de stationnement disponible au parc et certaines personnes laissent leurs poubelles sur le site et non leur recyclage (abus). Avec la nature qui entoure le parc, les animaux sauvages viennent faire leurs tours dans le stationnement avec la senteur des poubelles, ce qui crée des préoccupations concernant la sécurité des utilisateurs.

De plus, le CCL a discuté de la possibilité de placer les bacs à recyclage dans le stationnement au centre communautaire. Cela avait déjà été essayé il y a plusieurs années et les bacs ont été enlevés en raison d'abus (poubelle, réservoirs de propane, pneus, etc.). Pour cette raison, le CCL ne voudrait pas procéder à relocaliser les bacs dans le stationnement au CCL.

Cela étant dit, les membres du conseil d'administration suggèrent de relocaliser les bacs à recyclage au dépot de Lavigne.

Si vous avez des questions, ou si vous voulez en discuter plus longuement, n'hésitez pas à nous joindre.

Sincèrement,

Daniel Corriveau, Président

Centre Communautaire de Lavigne (CCL)

www.lavigneontario.ca

705-562-3342

ENGLISH TRANSLATION:

Hello Mr. Barbeau, The members of the Board of Directors of the Centre Communautaire de Lavigne (CCL) met yesterday, Sunday, May 7, 2023, to discuss the Lavigne Multipurpose Park and Playground project.

Following the discussions, members would like to advise you that the CDC does not wish to keep recycling bins at the multi-purpose park, as this limits the parking space available at the park and some people leave their garbage cans on the site and not their recycling (abuse). With the nature surrounding the park, wild animals come to make their rounds in the parking lot with the scent of garbage cans, which creates concerns about the safety of users.

In addition, the CDC discussed the possibility of placing recycling bins in the parking lot at the community centre. This had already been tried several years ago and the bins were removed due to abuse (garbage can, propane tanks, tires, etc.). For this reason, the CDC would not want to relocate the bins in the parking lot at the CDC.

That being said, board members suggest relocating recycling bins to the Lavigne landfill. If you have any questions, or would like to discuss them further, please do not hesitate to contact us.

Sincerely Daniel Corriveau,
President Centre Communautaire de Lavigne (CCL)
www.lavigneontario.ca
705-562-3342



West Nipissing Ouest

CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

Council - Committee of the Whole

Resolution #

Title: Consent Agenda

Date: May 16, 2023

Moved by: _____

Seconded by: _____

That the items listed under the Consent Agenda for May 16, 2023 be approved as presented.

CARRIED

DEFEATED

DEFEATED

**CARRIED WITH
AMENDMENTS / REFERRED /
DEFERRED / DELETED**



West Nipissing Ouest

CORPORATION DE LA MUNICIPALITÉ DE NIPISSING OUEST

Council - Committee of the Whole

Résolution #

Titre: Ordre du jour par consentement

Date: le 16 mai 2023

Proposé par: _____

Appuyé par: _____

Que les points énumérés à l'ordre du jour du consentement pour May 16, 2023 soient approuvés tels que présentée.

ADOPTÉ

REJETÉ

REJETÉ

**ADOPTÉ AVEC
MODIFICATIONS / REPORTÉ /
RÉFÉRÉ / RETIRÉ**



West Nipissing Ovest

CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

Council - Committee of the Whole

Resolution #

Title: Council Minutes - May-2-2023

Date: May 16, 2023

Moved by: _____

Seconded by: _____

BE IT RESOLVED THAT the minutes of the Council - Committee of the Whole meeting held on May 2, 2023 be adopted, as presented.

CARRIED

DEFEATED

DEFEATED

**CARRIED WITH
AMENDMENTS / REFERRED /
DEFERRED / DELETED**



West Nipissing Ouest

CORPORATION DE LA MUNICIPALITÉ DE NIPISSING OUEST

Council - Committee of the Whole

Résolution #

Titre: procès-verbal du conseil &span style="font-size: 15.04px;">2-mai-2023

Date: le 16 mai 2023

Proposé par: _____

Appuyé par: _____

IL EST RÉSOLU que le procès-verbal du Conseil – Comité plénier du 2 mai, 2023 soit adopté, tel que présenté.

ADOPTÉ

REJETÉ

REJETÉ

**ADOPTÉ AVEC
MODIFICATIONS / REPORTÉ /
RÉFÉRÉ / RETIRÉ**



CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

MINUTES OF THE COUNCIL MEETING

May 2, 2023, 6:30 PM

Members Present: Councillor Jérôme Courchesne
Councillor Daniel Gagné
Councillor Kaitlynn Nicol
Councillor Fern Pellerin
Councillor Kris Rivard
Councillor Roch St. Louis
Mayor Kathleen Thorne-Rochon

Members Absent: Councillor Jamie Restoule
Councillor Anne Tessier

- 1. **ROLL CALL**
- 2. **OPENING AND LAND ACKNOWLEDGEMENT**
- 3. **DECLARATIONS OF PECUNIARY INTEREST**
- 4. **ADDENDUM & AGENDA**

4.1 Approve the Addendum

Resolution # 2023-143

Moved by: Councillor Fern Pellerin

Seconded by: Councillor Daniel Gagné

BE IT RESOLVED THAT the Addendum for the meeting of Council held on May 2nd, 2023 be approved, as presented.

CARRIED**4.2 Adopt the Agenda**

Resolution # 2023-144

Moved by: Councillor Fern Pellerin

Seconded by: Councillor Daniel Gagné

BE IT RESOLVED THAT the Agenda for the meeting of Council held on May 2nd, 2023 be approved, as presented.

CARRIED**5. DELEGATIONS & PETITIONS****5.1 Receive Petition - Reinstate Anne Tessier (R. Venne)**

Council received a petition from Rejean Venne seeking reinstatement of Councilor Anne Tessier as a member of Au chateau board. The Mayor noted that given that the petition addresses a matter which has already been decided by council, the item will only be brought back in the event that a motion by a prevailing member is made and supported by 2/3 of members.

5.2 Receive Petition - Repairs Abitibi Rd - Montreal Rd (M. Paquette)

Council received a petition from Marcel Paquette requesting the repair and maintenance of the roads located between Montreal, Ottawa and Abitibi. This item will be discussed at a future meeting.

6. COMMITTEE OF THE WHOLE**6.1 General Government Committee**1. Budget Update - Public Works Capital Costing Issues

The Chief Administrative Officer and Treasurer provided council with information concerning bids for budgeted items coming in at prices higher than budgeted. It is anticipated that this trend will continue. Public Works is evaluating the bids that have been received and is waiting on those final bids to close. We will then be able to determine if

budget or project amendments are required. If amendments are required, Council will be provided with an update and recommendations.

2. Municipally Owned Surplus Land Disposition Strategy

The Clerk/Planner provided Council with information concerning a strategy for the proposed disposition of municipal surplus land. Council was in general agreement to have staff provide recommendations for lands which can be considered for disposition and to bring those recommendations back to council a few at a time in order that council can have a fulsome discussion and consider each proposed disposition prior to making a decision.

3. Council Vacancy Replacement Policy Options

The Municipal Clerk/Planner provided council with options concerning a proposed by-law to govern the replacement of council vacancies. Following discussion, it was determined that the process of appointment by application was the preferred option by the majority of members. Staff will draft a by-law reflecting Council's direction to be brought back to Council at a future meeting..

6.2 Sewer and Water Committee

7. REGULAR MEETING

7.1 Consent Agenda

Resolution # 2023-145

Moved by: Councillor Daniel Gagné

Seconded by: Councillor Fern Pellerin

BE IT RESOLVED THAT the Council for the Municipality of West Nipissing hereby approves Consent Agenda Items 7.1 ~~(A)~~, (B), and (C) as presented at the meeting held on May 2, 2023.

CARRIED

2. Nov-9-2022- WN Police Service Board Minutes

3. Jan-11-2023- WN Police Service Board Minutes

1. Apr-18-2023 - Council Minutes

Resolution # 2023-146

Moved by: Councillor Kris Rivard

Seconded by: Councillor Jérôme Courchesne

BE IT RESOLVED THAT the minutes of the Council and Committee of the Whole Meeting meeting held on April 18, 2023, be adopted, as presented.

CARRIED

7.2 Planning

1. Approve Extension of a Draft Plan of Subdivision-Lafreniere Bay Street

Resolution # 2023-147

Moved by: Councillor Daniel Gagné

Seconded by: Councillor Fern Pellerin

WHEREAS on April 18, 2013, the Council of the Municipality of West Nipissing granted approval for a Draft Plan of Subdivision (SUBD 2013/01) of six (6) lots on lands on Bay street, legally described as Part Lot 5, Concession A, Parts 1 and 2, Plan 36R-5355 and Parts 2 and 3, Plan 36R-7373, Township of Springer, now Municipality of West Nipissing, District of Nipissing to **Paul and Jeannine Lafreniere**.

AND WHEREAS Extensions to the draft approval were granted on March 15-2016 by Resolution # 2016/104 and further extended on May 21-2019 by Resolution # 2019/158;

AND WHEREAS the property and draft Subdivision approval have been transferred to **Julie Leblanc, Pauline Lafreniere and Denis Lafreniere** as a result of the passing of Paul and Jeannine Lafreniere

AND WHEREAS the Applicants have made a request seeking a further extension in order to allow for the required work to be completed and for the subdivision to be registered by the end of 2026.

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of West Nipissing hereby approves the requested extension of the Approved Draft Plan of

Subdivision No. SUBD 2013/01 to **Julie Leblanc, Pauline Lafreniere and Denis Lafreniere** until April 30, 2026, allowing the Applicant/Subdivider time to complete the required work and to register the subdivision, in order to meet the previously set terms and conditions.

CARRIED

7.3 New Business

1. By-Law 2023-42 to set the Tax Rates for 2023

Resolution # 2023-148

Moved by: Councillor Fern Pellerin

Seconded by: Councillor Kris Rivard

BE IT RESOLVED THAT By-law **2023/42**, being a by-law to set the 2023 Tax Rates for the Municipality of West Nipissing; shall come into force and take effect on the date it is passed.

CARRIED

2. By-Law 2023-43 to appoint Deputy Clerk

Resolution # 2023-149

Moved by: Councillor Kris Rivard

Seconded by: Councillor Fern Pellerin

BE IT RESOLVED THAT By- Law 2023/43 being a by-law to appoint a Deputy Clerk for the Municipality of West Nipissing; shall come into force and take effect on the date it is passed.

CARRIED

3. Renewal of the License Agreement - Sturgeon Falls Rod and Gun Club

Resolution # 2023-150

Moved by: Councillor Fern Pellerin

Seconded by: Councillor Kris Rivard

WHEREAS at the meeting held on May 2nd, 2023 Council received a request from the Sturgeon Falls Rod and Gun Club seeking a 5 year extension of the license agreement

BE IT THEREFORE RESOLVED that council authorizes the Mayor and CAO to sign a 5 year extension license agreement with the Sturgeon Falls Rod and Gun Club

CARRIED

4. Appointments to the Recreation and Culture Advisory Committee

Resolution # 2023-151

Moved by: Councillor Fern Pellerin

Seconded by: Councillor Kris Rivard

BE IT RESOLVED THAT the following individuals be appointed to the RECREATION AND CULTURE ADVISORY COMMITTEE:

1. Tina Bouffard
2. Katherine Clarke
3. Christine Dumont
4. Alain Gingras
5. Sonia Hotte
6. Gayle Primeau
7. Nathan Sauve

CARRIED

5. Authorization for Mayor & CAO to sign lease Agreement - Cache Bay Trailer Operators (B & M Guenette)

Resolution # 2023-152

Moved by: Councillor Fern Pellerin

Seconded by: Councillor Kris Rivard

BE IT RESOLVED THAT the Mayor and the CAO be authorized to sign a lease agreement with Bernard and Michelle Guenette for the management, operation and maintenance of the Cache Bay Trailer Park

CARRIED

6. WNGH- Run for Health Marathon - Temporary Road Closure

Resolution # 2023-153

Moved by: Councillor Roch St. Louis

Seconded by: Councillor Jérôme Courchesne

BE IT RESOLVED THAT Council grants permission for the following temporary street closures for the West Nipissing Run for Health Marathon on Sunday, June 18, 2023, starting at 10:00 AM

- Bay Street between Leblanc and Smylie Road
- Smylie Road
- Delorme Road between Smylie Road and Leblanc Road
- Leblanc Road between Bay Street and Lalande Road
- Lalande Road
- Fort Road between Lalande Road and the Sturgeon River House Museum

CARRIED

7. Adoption of the Land use and Development strategy

Resolution # 2023-154

Moved by: Councillor Roch St. Louis

Seconded by: Councillor Jérôme Courchesne

WHEREAS Council received the West Nipissing Land Use and Development Strategy at the April 18th /2023 meeting.

BE IT RESOLVED THAT the West Nipissing Land Use and Development Strategy be adopted as presented.

CARRIED

8. Award for Purchase of a Two Ton Truck with Aluminum Dump Body (PW)

Resolution # 2023-155

Moved by: Councillor Roch St. Louis

Seconded by: Councillor Jérôme Courchesne

WHEREAS one quotation was received for the purchase of a Two Ton Truck with Aluminum Dump Body for the Municipality of West Nipissing;

AND WHEREAS Council concurs with the recommendation received;

BE IT THEREFORE RESOLVED THAT the quotation for the purchase of Two Ton Truck with Aluminum Dump Body for the Municipality of West Nipissing be awarded to Blue Mountain Chrysler Ltd , having submitted a quotation of \$90,130.00; meeting all the specifications.

CARRIED

9. Award for the Purchase of a 6WD Articulated Motor Grader - (PW)

Resolution # 2023-156

Moved by: Councillor Jérôme Courchesne

Seconded by: Councillor Roch St. Louis

WHEREAS two quotations were received for the purchase of a 6WD Articulated Motor Grader for the Municipality of West Nipissing;

AND WHEREAS Council concurs with the recommendation received;

BE IT THEREFORE RESOLVED THAT the quotation for the purchase of a 6WD Articulated Grader for the Municipality of West Nipissing be awarded to Toromont Cat, having submitted the lowest quotation of \$616,528.38; meeting all the specifications.

CARRIED

8. NOTICE OF MOTION

9. ADDENDUM

9.1 Award for construction of new Public Works office

Resolution # 2023-157

Moved by: Councillor Roch St. Louis

Seconded by: Councillor Jérôme Courchesne

WHEREAS a proposal was received for the construction of a new public works office in the Municipality of West Nipissing;

AND WHEREAS Council concurs with the recommendation received;

BE IT THEREFORE RESOLVED THAT the proposal received for the construction of a new public works office for the Municipality of West Nipissing to be awarded to Jason Gagnon Renovations having submitted a proposal of \$182,104.93 meeting all the specifications.

CARRIED

9.2 Request for financial assistance with portable outhouse - Verner Market

Resolution # 2023-158

Moved by: Councillor Jérôme Courchesne

Seconded by: Councillor Roch St. Louis

WHEREAS a request was received from Rachel Beaudry and Chantal Fyfe, for financial assistance with the installation of portable washroom facilities at a proposed Vendor Market to be established in Verner on the former Le Fromage/LCBO property for the summer months;

BE IT RESOLVED that council agrees to provide financial assistance in the approximate amount of \$700 for the installation of portable washroom facilities to be installed on the premises located at 10442 and 10444 Highway 17, Verner, Ontario for a Vendor Market.

DEFEATED

10. MAYOR'S REPORT AND ANNOUNCEMENTS

10.1 Mayor's Report

11. ADJOURNMENT

11.1 Adopt Confirmatory By-law

Resolution # 2023-159

Moved by: Councillor Roch St. Louis

Seconded by: Councillor Jérôme Courchesne

BE IT RESOLVED THAT By-Law No. 2023/44, being a By-law of the Municipality of West Nipissing to confirm the proceedings of Council at its meeting held on the 2nd day of May, 2023, shall come into force and take effect on the date it is passed.

CARRIED

11.2 Adjourn the meeting

Resolution # 2023-160

Moved by: Councillor Roch St. Louis

Seconded by: Councillor Jérôme Courchesne

BE IT RESOLVED THAT the meeting of Council held on May 2nd, 2023 be adjourned.

CARRIED



West Nipissing Ovest

CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

Council - Committee of the Whole

Resolution #

Title: Au Chateau Board Minutes - 18-Jan-2023

Date: May 16, 2023

Moved by: _____

Seconded by: _____

BE IT RESOLVED that the Minutes of the Au Chateau Board of Management held on January 18, 2023 be received.

CARRIED

DEFEATED

DEFEATED

**CARRIED WITH
AMENDMENTS / REFERRED /
DEFERRED / DELETED**



West Nipissing Ouest

CORPORATION DE LA MUNICIPALITÉ DE NIPISSING OUEST

Council - Committee of the Whole

Résolution #

Titre: 18-Janv-2023 procès-verbal du Au Chateau

Date: le 16 mai 2023

Proposé par: _____

Appuyé par: _____

IL EST RÉSOLU que le procès-verbal du conseil d'administration d'Au Chateau tenu le 18 janvier, 2023 soit reçu.

ADOPTÉ

REJETÉ

REJETÉ

**ADOPTÉ AVEC
MODIFICATIONS / REPORTÉ /
RÉFÉRÉ / RETIRÉ**

**Minutes of the Annual Meeting
of the Board of Management of Au Château
held by conference call
on January 18, 2023 at 12:00 noon**

PRESENT: MEMBERS :	Ronald Demers	Chair
	Catherine Neddow	Vice-Chair
	Jacques Dupuis	Administrator / Secretary
	Fernand Pellerin	
	Jamie Restoule	
	Anne Tessier	
	Kathleen Thorne-Rochon	
	Nicole Janson	Recording Secretary

REGRETS: Temagami Representative

01. Meeting called to order

Meeting was called to order.

02. Declaration of Conflict of Interest

No declaration of conflict of interest declared.

03. Elections

The Administrator chaired the elections having the following resolutions being adopted:

Resolution No. 1

Moved by : Jamie Restoule
Seconded by : Kathleen Rochon

BE IT RESOLVED THAT Ronald Demers be appointed Chair for the year 2023.

Carried

Resolution No. 2

Moved by : Ronald Demers
Seconded by : Jamie Restoule

BE IT RESOLVED THAT Catherine Neddow be appointed Vice-Chair for the year 2023.

Carried

04. Adoption of Agenda

Resolution No. 3

Moved by : Kathleen Rochon
Seconded by : Anne Tessier

BE IT RESOLVED THAT the Agenda of the Annual Meeting on January 18, 2023 be approved as presented at 12:15 pm.

Carried

05. Adoption of Minutes

Resolution No. 4

Moved by : Jamie Restoule
Seconded by : Anne Tessier

BE IT RESOLVED THAT the Minutes of the Regular Meeting held October 19, 2022 be approved as presented.

Carried

06. New Business:

a) Staffing Update

Administrator provided a detailed report of December staffing and current issues. He further informed the Board on the recruitment process and its challenges.

b) Insurance Update

In view of the premium increase due to increase in construction cost, Administrator recommended to tender province wide to see if better premiums can be realized which would also include communicable disease coverage.

c) Critical Incident Report 2022

Administrator explained the process to follow when reporting critical incidents to the Ministry which is detailed in the tip sheet provided.

d) COVID-19 Outbreak Update

Administrator informed the Board on the types of outbreaks, the duration and the number of residents and staff affected. It was recommended by a Board Member that the Committee Members in attendance be shown on the minutes.

e) Visitation Policy

Board member Anne Tessier brought forward a motion to remove the Immunization status from the policy. Administrator advised that this motion will need to be seconded and followed by votes. After a lengthy discussion with each member's comments and opinions, this motion was seconded and it was agreed to have a recording vote. The following resolution was then passed having 3 Yeas and 3 Nays which was defeated with the Chair breaking the tie with a Nay. It was further agreed that the Immunization Status will possibly be reviewed in the Spring if changes in the pandemic situation occurs.

Resolution No. 5

Moved by : Anne Tessier
Seconded by : Catherine Neddow

BE IT RESOLVED THAT the Immunization Status be removed from the policy named Nursing – Policies & Procedures – COVID Outbreak, Management, Visitation, Access and Surveillance Testing for Residents during Pandemic Policy Index: V-005.

Defeated

f) Strategic Plan

None

07. Unfinished Business:

a) Financial Report

No Financial Report was provided due to the finalization of year end.

b) Administrative Report

There being no further discussion other than what was presented on the report which is mostly for information purposes,, the Administrative report was adopted as presented and the following resolution was passed:

Resolution No. 6

Moved by : Jamie Restoule
Seconded by : Kathleen Rochon

BE IT RESOLVED THAT the Administrator's Report be accepted as presented.

Carried

08. In-Camera Session

Resolution No. 7

Moved by : Fernand Pellerin
Seconded by : Anne Tessier

BE IT RESOLVED THAT the Board go in-camera to discuss matters regarding a Legal Matter and Identifiable Individual at 1:30 pm.

Carried

a) Legal Matter

The Administrator updated the Board on the situation with the Municipality of Temagami.

b) Identifiable Individual

The Administrator updated the Board on a Trespass Order that was issued to a visitor.

Resolution No. 8

Moved by : Jamie Restoule
Seconded by : Fernand Pellerin

BE IT RESOLVED THAT the Board returns to its Regular Meeting at 1:55 pm.

Carried

09. Other Business / Information Items

a) Next Meeting

The next meeting is scheduled for February 15th, 2023 at 12:00 noon.

b) Information Items

None


10. Adjournment

Resolution No. 9


Moved by : Anne Tesier
Seconded by : Catherine Neddow

BE IT RESOLVED THAT the meeting now adjourns at 2:56 pm.

Carried



Chair



Administrator / Secretary

**Minutes of the Special Meeting
of the Board of Management of Au Château
held by conference call
on January 27, 2023 at 11:30 am**

PRESENT: MEMBERS :	Ronald Demers	Chair
	Catherine Neddow	Vice-Chair
	Cindy Brouillette	Active Administrator
	Fernand Pellerin	
	Jamie Restoule	
	Anne Tessier	
	Kathleen Thorne-Rochon	
	Nicole Janson	Recording Secretary

REGRETS: Temagami Representative

01. Meeting called to order

Meeting was called to order.

02. Declaration of Conflict of Interest

No declaration of conflict of interest declared.

03. In-Camera Session

Resolution No. 10

Moved by : Fernand Pellerin

Seconded by : Anne Tessier

BE IT RESOLVED THAT the Board go in-camera to discuss matters regarding Labour and Legal Matters at 11:38 am.

Carried

a) Labour Matters

The Chair updated the Board on the medical status of a staff member.

b) Legal Matters

The Board discussed legal matters affecting a staff of the Corporation.

Resolution No. 11

Moved by : Jamie Restoule

Seconded by : Fernand Pellerin

BE IT RESOLVED THAT the Board returns to its Regular Meeting at 11:55 am.

Carried

04. Adoption of Agenda

Resolution No. 12

Moved by : Jamie Restoule

Seconded by : Fern Pellerin

BE IT RESOLVED THAT the Agenda of the Special Meeting on January 27, 2023 be approved as presented at 12:03 pm.

Carried

05. Vaccination Policy

Acting Administrator, Cindy Brouillette informed the Board that this policy contains 5 policies and the only one that amendments have been made to is the vaccination policy. She highlighted the changes that occurred and specified that all other requirements to enter the Home remain unchanged such as masking, screening, testing etc.

A Questions and comments period followed with a motion to Move and Second the following resolution with a recorded vote of 5 Yeas and 1 Nay.

Resolution 13

Moved by : Anne Tessier

Seconded by : Catherine Neddow

BE IT RESOLVED THAT the Board approves the vaccination policy as presented to be effective February 1, 2023.

Carried

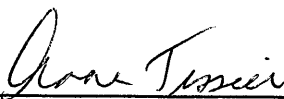
06. **Adjournment**

Resolution No. 14

Moved by : Catherine Neddow
Seconded by : Jamie Restoule

BE IT RESOLVED THAT the meeting now adjourns at 12:20 pm.

Carried



Chair



for Administrator / Secretary (Acting)



West Nipissing Ovest

CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

Council - Committee of the Whole

Resolution #

Title: Au Chateau Board Minutes - 15-March-2023

Date: May 16, 2023

Moved by: _____

Seconded by: _____

BE IT RESOLVED that the Minutes of the Au Chateau Board of Management held on March 15, 2023 be received.

CARRIED

DEFEATED

DEFEATED

**CARRIED WITH
AMENDMENTS / REFERRED /
DEFERRED / DELETED**



West Nipissing Ouest

CORPORATION DE LA MUNICIPALITÉ DE NIPISSING OUEST

Council - Committee of the Whole

Résolution #

Titre: 15-Mars-2023 procès-verbal du Au Chateau

Date: le 16 mai 2023

Proposé par: _____

Appuyé par: _____

IL EST RÉSOLU que le procès-verbal du conseil d'administration d'Au Chateau tenu le 15 mars, 2023 soit reçu.

ADOPTÉ

REJETÉ

REJETÉ

**ADOPTÉ AVEC
MODIFICATIONS / REPORTÉ /
RÉFÉRÉ / RETIRÉ**

**Minutes of the Regular Meeting
of the Board of Management of Au Château
held by conference call
on March 15, 2023 at 12:00 noon**

PRESENT:	Anne Tessier	Chair
	Catherine Neddow	Vice-Chair
	Ronald Demers	
	Jacques Dupuis	Administrator / Secretary
	Fernand Pellerin	
	Corinne Restoule	CFO / Treasurer
	Jamie Restoule	
	Kathleen Thorne-Rochon	
	Nicole Janson	Recording Secretary

REGRETS: Temagami Representative

01. Elections

Elections for a Chair were held due to Ronald Demers' resignation from this position.

The Administrator chaired the elections having the following resolution being adopted:

Resolution No. 15

Moved by : Catherine Neddow
Seconded by : Fern Pellerin

BE IT RESOLVED THAT Anne Tessier be appointed Chair for the year 2023.

Carried

02. Meeting called to order

Meeting was called to order.

03. Declaration of Conflict of Interest

No declaration of conflict of interest declared.

04. Adoption of Agenda

Resolution No. 16

Moved by : Jamie Restoule
Seconded by : Catherine Neddow

BE IT RESOLVED THAT the Agenda of the Regular Meeting on March 15, 2023 be approved as presented at 12:05 pm.

Carried

05. Adoption of Minutes

Both Board meetings omitted to include the attendance of Board Member Kathleen Thorne-Rochon. Minutes of both meetings will be amended to reflect her attendance. The following resolution was then passed having a recorded vote with a unanimous decision:

Resolution No. 17

Moved by : Catherine Neddow
Seconded by : Fern Pellerin

BE IT RESOLVED THAT the Minutes of the Annual Meeting held January 18, 2023 and the minutes of the Special Meeting held January 27, 2023 be approved as amended.

Carried

06. New Business:

a) MOHLTC Inspection Report

Administrator explained the two types of inspections outcomes being:

- ✓ Orders – non-compliance
- ✓ Written notification – low risk

The overall inspection resulted in the Home being in full compliance and having no outstanding issues.

b) Auditors' Engagement Letter

The Administrator and CFO presented the Board with the Auditors' Letter of Engagement. After explaining the different aspects of the audit letter, it was signed by the Administrator for its onward forwarding to Bakertilly.

c) Declaration of Compliance

The Board approved the signing of the Declaration of Compliance Report as part of our commitment to the Long-Term Care Service Accountability Agreement therefore, the following resolution was passed having a recorded vote with a unanimous decision:

Resolution No. 18

Moved by : Kathleen Rochon

Seconded by : Ronald Demers

BE IT RESOLVED THAT the Board Chair sign the Schedule E – Form of Compliance Declaration of the Long-Term Care Service Accountability Agreement.

Carried

d) Quality Improvement Plan

Administrator informed the Board on the Home's objectives for the year in response to Ministry's mandates which include:

- ✓ ED visits
- ✓ Residents' experience – survey
- ✓ Anti-psychotic medication – Although lower than provincial average, the Home continues to monitor.

The Home has also included unmandated measures which include:

- ✓ Falls
- ✓ Pressure ulcers

It was requested that Administrator provide the Board with a copy of the residents' survey.

After clarification of a few items, the following resolution was then passed having a recorded vote with a unanimous decision:

Resolution No. 19

Moved by : Jamie Restoule

Seconded by : Kathleen Rochon

BE IT RESOLVED THAT the Quality Improvement Plan be approved as presented.

Carried

e) **Budget Presentation**

The Chief Financial Officer and Administrator presented the budgets for review. After discussion the following resolutions were adopted having a recorded vote with a unanimous decision:

Resolution No. 20

Moved by : Fern Pellerin
Seconded by : Catherine Neddow

BE IT RESOLVED THAT the Budget for the year 2023 be approved as presented.

Carried

Resolution No. 21

Moved by : Ronald Demers
Seconded by : Jamie Restoule

BE IT RESOLVED THAT the 2023 CSS Budget be approved as presented.

Carried

07. **Unfinished Business:**

a) **Financial Report**

No Financial Report was provided due to the finalization of year end.

b) **Administrative Report**

None presented.

08. **In-Camera Session**

None

09. Other Business / Information Items

a) Next Meeting

The next meeting is scheduled for April 26th, 2023 at 12:00 noon to accommodate the Auditors in order to finalize the audit and financial statements.

b) Information Items

None

10. Adjournment

Resolution No. 22

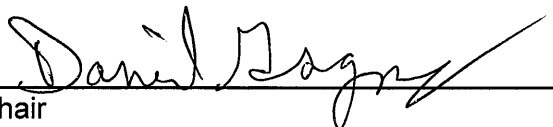
Moved by : Kathleen Rochon

Seconded by : Fern Pellerin

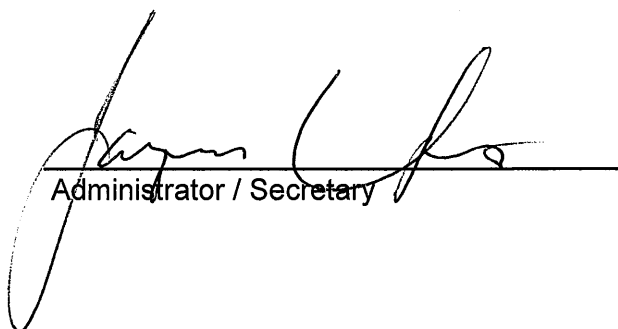
BE IT RESOLVED THAT the meeting now adjourns at 1:20 pm.

Carried

Chair



Administrator / Secretary





West Nipissing Ouest

CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

Council - Committee of the Whole

Resolution #

Title: Planning Advisory Committee Minutes - April 11, 2023

Date: May 16, 2023

Moved by: _____

Seconded by: _____

BE IT RESOLVED that the Minutes of the West Nipissing Planning Advisory Committee held on April 11, 2023 be approved, as presented.

CARRIED

DEFEATED

DEFEATED

**CARRIED WITH
AMENDMENTS / REFERRED /
DEFERRED / DELETED**



West Nipissing Ouest

CORPORATION DE LA MUNICIPALITÉ DE NIPISSING OUEST

Council - Committee of the Whole

Résolution #

Titre: Procès-verbal du Comité consultatif de Planification - 11 avril 2023

Date: le 16 mai 2023

Proposé par: _____

Appuyé par: _____

IL EST RÉSOLU que le procès-verbal du Comité consultatif d'urbanisme de Nipissing Ouest, tenu le 11 avril, 2023, soit approuvé, tel que présenté.

ADOPTÉ

REJETÉ

REJETÉ

**ADOPTÉ AVEC
MODIFICATIONS / REPORTÉ /
RÉFÉRÉ / RETIRÉ**

CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING
Minutes of the West Nipissing Planning Advisory Committee

April 11, 2023, 6:00 PM

Members Present: Kathleen Thorne-Rochon
Daniel Gagne
Roch St. Louis
Anne Tessier
Roger Gagnon

Members Absent: Daniel Seguin
Mark Fryer

1. CALL TO ORDER

2. DECLARATIONS OF PECUNIARY INTEREST

3. ADDENDUM / AGENDA

3.1 Adopt Agenda

2023-009

Moved by: Roch St. Louis

Seconded by: Daniel Gagne

BE IT RESOLVED that the Agenda for the Planning Advisory Committee meeting held on April 11, 2023, be adopted, as presented.

Resolution Carried

4. MINUTES

4.1 Adoption of Minutes

2023-010

Moved by: Kathleen Thorne-Rochon

Seconded by: Anne Tessier

BE IT RESOLVED THAT the minutes of meeting held on January 30th, 2023 be adopted, as presented.

Resolution Carried

5. ZONING BY-LAW AMENDMENT APPLICATIONS

5.1 ZBLA2023/04 - HAYWARD, Patrick and Karin - 220 Arthur Street - Sturgeon Falls

2023-011

Moved by: Roch St. Louis

Seconded by: Anne Tessier

WHEREAS a public meeting was held on April 11, 2023 for the purpose of Amending Zoning By-Law 2014-45;

AND WHEREAS no written concerns or objections have been received to the proposed amendment;

BE IT RESOLVED THAT the Planning Advisory Committee for the Municipality of West Nipissing recommends:

1. That the Council for the West Nipissing Municipality adopts the proposed zoning by-law to re-zone the property at 220 Arthur Street and more particularly shown on the attached sketch;
2. Schedule SF5 of By-Law No. 2014/45 shall be amended by changing the zoning designation of the properties shown on Schedule 'A' attached hereto, which properties are more particularly described as Pt Block E, Plan M3, Town of Sturgeon Falls, Municipality of West Nipissing, from Residential, three (R3) to Residential, three (R3) exception zone 6 to allow a dwelling within an accessory structure.

Resolution Carried

6. OTHER

6.1 Regulation of Short Term Rental Accommodations - Update

2023-012

Moved by: Roch St. Louis

Seconded by: Daniel Gagne

BE IT RESOLVED THAT:

1. the Planning Advisory Committee receive the Staff Report regarding Short Term Rental Accommodations (STRAs) for information purposes; and
2. The PAC recommends that Council direct staff to report back to with the development of a licensing system to regulate Short-Term Rental Accommodations in the Municipality of West Nipissing to be brought for consideration; and
3. Staff be directed to engage the community and residents of West Nipissing with a Short-Term Accommodation Survey to be posted on the municipality's website to receive community engagement and feedback on STRAs;

Resolution Carried

7. ADJOURNMENT

2023-013

Moved by: Kathleen Thorne-Rochon

Seconded by: Daniel Gagne

BE IT RESOLVED THAT the meeting of West Nipissing Planning Advisory Committee held on April 11, 2023 be adjourned.

Resolution Carried

7.1 Adjourn Meeting



West Nipissing Ovest

CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

Council - Committee of the Whole

Resolution #

Title: Committee of Adjustment Minutes - April 11, 2023

Date: May 16, 2023

Moved by: _____

Seconded by: _____

BE IT RESOLVED that the Minutes of the Committee of Adjustment Meeting held on April 11, 2023 be received.

CARRIED

DEFEATED

DEFEATED

**CARRIED WITH
AMENDMENTS / REFERRED /
DEFERRED / DELETED**



West Nipissing Ouest

CORPORATION DE LA MUNICIPALITÉ DE NIPISSING OUEST

Council - Committee of the Whole

Résolution #

Titre: Procès-verbal du Comité de dérogation - 11 avril 2023

Date: le 16 mai 2023

Proposé par: _____

Appuyé par: _____

IL EST RÉSOLU que le procès-verbal de la réunion du Comité de dérogation tenue le 11 avril, 2023 soit reçu.

ADOPTÉ

REJETÉ

REJETÉ

**ADOPTÉ AVEC
MODIFICATIONS / REPORTÉ /
RÉFÉRÉ / RETIRÉ**

WEST NIPISSING COMMITTEE OF ADJUSTMENT

Minutes of the Committee of Adjustment

April 11, 2023, 7:00 PM

Members Present Roger Gagnon, Kathleen Thorne-Rochon, Roch St. Louis, Jonathan Sandiford, Campbell Anderson

2. Addendum and Agenda

2.1 Approve the Addendum

BE IT RESOLVED THAT the Addendum for the West Nipissing Committee of Adjustment meeting of [*enter date*] be adopted, as presented

2.2 Adopt the Agenda

2023-037

Moved by Roch St. Louis

Seconded by Kathleen Thorne-Rochon

BE IT RESOLVED THAT the Agenda for the West Nipissing Committee of Adjustment meeting of April 11, 2023 be adopted, as presented.

Carried

3. Adoption of Minutes

2023-038

Moved by Jonathan Sandiford

Seconded by Campbell Anderson

BE IT RESOLVED that the Minutes of the Committee of Adjustment meeting held on March 14, 2023, be adopted, as presented.

Carried

4. Agency Comments

5. Applications for Consent and Minor Variance

5.1 Consent Applications

5.1.1 C15/23 - GAUTHIER, Shauna and CUILLERIER, Shawn - 1349 Betty Rd, Caldwell Twp.

2023-039

Moved by Jonathan Sandiford

Seconded by Roch St. Louis

BE IT RESOLVED:

THAT THE CONSENT APPLICATION MADE BY Shawn Cuillerier and Shauna Gauthier for the creation of a new lot together with a right of way at 1349 Betty Rd, municipality of West Nipissing is approved on the following conditions:

1. That a Reference Plan be prepared and deposited in the Land Registry Office and a copy of the new survey be filed with the Municipality.
2. Confirmation that all property taxes are paid up to date.
3. That all conditions be met on or before April 12, 2025, being two (2) years from the date of giving of notice or the consent shall be deemed not to have been given as per Section 53(20) of the Planning Act, R.S.O., as amended.
4. That a Transfer/Deed of Land be submitted to the Secretary-Treasurer for the issuance of a Certificate of Consent.
5. In the event that any portion of a municipally maintained and travelled road be located on either of the severed or retained lands, that 10m from centre line of the maintained and travelled roadway(s), including the retained lands, shall be surveyed, at the owner's cost, and transferred to the municipality as a condition of the within severance.

Carried

5.1.2 C22/23 - TAILLEFER, Yves and LACHANCE, Luc - Delorme Rd - Springer Twp.

2023-040

Moved by Roch St. Louis

Seconded by Jonathan Sandiford

BE IT RESOLVED:

THAT THE CONSENT APPLICATION MADE BY Taillefer, Yves and Lachance, Luc for the creation of a new lot on Delorme Rd, municipality of West Nipissing is approved on the following conditions:

1. That a Reference Plan be prepared and deposited in the Land Registry Office and a copy of the new survey be filed with the Municipality.
2. Confirmation that all property taxes are paid up to date.
3. That all conditions be met on or before April 12, 2025, being two (2) years from the date of giving of notice or the consent shall be deemed not to have been given as per Section 53(20) of the Planning Act, R.S.O., as amended.
4. That a Transfer/Deed of Land be submitted to the Secretary-Treasurer for the issuance of a Certificate of Consent.
5. In the event that any portion of a municipally maintained and travelled road be located on either of the severed or retained lands, that 10m from centre line of the maintained and travelled roadway(s), including the retained lands, shall be surveyed, at the owner's cost, and transferred to the municipality as a condition of the within severance.
6. Prior to final consent being granted, the owners shall install individual water services to both the severed and retained lands, at their own cost.
7. The Owners shall pay to the Municipality of West Nipissing, all amounts owed (\$1,398.83), for the Local Improvement installation of the water main on Delorme Road.

Carried

5.1.3 C23/23 - Zivanic, Sladjan and Jessica - Lac Clair Rd - Field Twp.

2023-041

Moved by Jonathan Sandiford

Seconded by Campbell Anderson

BE IT RESOLVED:

THAT THE CONSENT APPLICATION MADE BY Zivanic, Sladjan and Jessica for the creation of new lots on Lac Clair Rd, municipality of West Nipissing is approved on the following conditions:

1. That a Reference Plan be prepared and deposited in the Land Registry Office and a copy of the new survey be filed with the Municipality.
2. Confirmation that all property taxes are paid up to date.

3. That all conditions be met on or before April 12, 2025, being two (2) years from the date of giving of notice or the consent shall be deemed not to have been given as per Section 53(20) of the Planning Act, R.S.O., as amended.
4. That a Transfer/Deed of Land be submitted to the Secretary-Treasurer for the issuance of a Certificate of Consent.
5. In the event that any portion of a municipally maintained and travelled road be located on either of the severed or retained lands, that 10m from centre line of the maintained and travelled roadway(s), including the retained lands, shall be surveyed, at the owner's cost, and transferred to the municipality as a condition of the within severance.

Carried

5.1.4 C24/23 - Vis, James and Jenny - 84 Norland Rd - Hugel Twp.

2023-042

Moved by Jonathan Sandiford

Seconded by Roch St. Louis

BE IT RESOLVED:

THAT THE CONSENT APPLICATION MADE BY Vis, James and Jenny for the creation of new lots at 84 Norland Rd, municipality of West Nipissing is approved on the following conditions:

1. That a Reference Plan be prepared and deposited in the Land Registry Office and a copy of the new survey be filed with the Municipality.
2. Confirmation that all property taxes are paid up to date.
3. That all conditions be met on or before April 12, 2025, being two (2) years from the date of giving of notice or the consent shall be deemed not to have been given as per Section 53(20) of the Planning Act, R.S.O., as amended.
4. That a Transfer/Deed of Land be submitted to the Secretary-Treasurer for the issuance of a Certificate of Consent.
5. In the event that any portion of a municipally maintained and travelled road be located on either of the severed or retained lands, that 10m from centre line of the maintained and travelled roadway(s), including the retained lands, shall be surveyed, at the owner's cost, and transferred to the municipality as a condition of the within severance.

Carried

5.1.5 C25/23 - Moose Point Cottages Ltd. - 207 Moose Point Rd - Grant Twp.

2023-043

Moved by Jonathan Sandiford

Seconded by Roch St. Louis

BE IT RESOLVED:

THAT THE CONSENT APPLICATION MADE BY Moose Point Cottages Ltd. for a lot addition at 207 Moose Point Rd, municipality of West Nipissing is approved on the following conditions:

1. That a Reference Plan be prepared and deposited in the Land Registry Office and a copy of the new survey be filed with the Municipality.
2. Confirmation that all property taxes are paid up to date.
3. That all conditions be met on or before April 12, 2025, being two (2) years from the date of giving of notice or the consent shall be deemed not to have been given as per Section 53(20) of the Planning Act, R.S.O., as amended.
4. That a Transfer/Deed of Land be submitted to the Secretary-Treasurer for the issuance of a Certificate of Consent.
5. In the event that any portion of a municipally maintained and travelled road be located on either of the severed or retained lands, that 10m from centre line of the maintained and travelled roadway(s), including the retained lands, shall be surveyed, at the owner's cost, and transferred to the municipality as a condition of the within severance.
6. That a PIN (Property Identifier Number) Consolidation be registered in the Land Registry Office in order to consolidate the lot addition lands with the lands to which they are being added.
7. That the owner shall acquire from the Crown, the lands lying south of the retained lands, such that the retained lands will have sufficient lot area (1Ha).

Carried

5.1.6 C26/23 - Menard, Gerry and Lise - Levac Rd - Springer Twp.

2023-044

Moved by Jonathan Sandiford

Seconded by Campbell Anderson

BE IT RESOLVED:

THAT THE CONSENT APPLICATION MADE BY Menard, Gerry and Lise for the creation of a new lot on Levac Rd, municipality of West Nipissing is approved on the following conditions:

1. That a Reference Plan be prepared and deposited in the Land Registry Office and a copy of the new survey be filed with the Municipality.
2. Confirmation that all property taxes are paid up to date.
3. That all conditions be met on or before April 12, 2025, being two (2) years from the date of giving of notice or the consent shall be deemed not to have been given as per Section 53(20) of the Planning Act, R.S.O., as amended.
4. That a Transfer/Deed of Land be submitted to the Secretary-Treasurer for the issuance of a Certificate of Consent.
5. In the event that any portion of a municipally maintained and travelled road be located on either of the severed or retained lands, that 10m from centre line of the maintained and travelled roadway(s), including the retained lands, shall be surveyed, at the owner's cost, and transferred to the municipality as a condition of the within severance.
6. The Municipal Clerk shall, pursuant to Section 65(1) of the Drainage Act, instruct the municipal engineer to apportion the assessment for drainage maintenance among the parts into which the lands are being divided. The costs of the apportionment shall be borne by the applicant. Sayer Drain
7. The owner shall, at his own cost, be responsible for the installation of water and sanitary services to the severed lands.

Carried

5.1.7 C27/23 - Vailliere, Monique and family - 312 Savignac Rd - Caldwell Twp.

2023-045

Moved by Campbell Anderson

Seconded by Jonathan Sandiford

BE IT RESOLVED:

THAT THE CONSENT APPLICATION MADE BY Vailliere, Monique and family for a lot addition at 312 Savignac Rd, municipality of West Nipissing is approved on the following conditions:

1. Confirmation that all property taxes are paid up to date.

2. That all conditions be met on or before April 12, 2025, being two (2) years from the date of giving of notice or the consent shall be deemed not to have been given as per Section 53(20) of the Planning Act, R.S.O., as amended.
3. That a Transfer/Deed of Land be submitted to the Secretary-Treasurer for the issuance of a Certificate of Consent.
4. In the event that any portion of a municipally maintained and travelled road be located on either of the severed or retained lands, that 10m from centre line of the maintained and travelled roadway(s), including the retained lands, shall be surveyed, at the owner's cost, and transferred to the municipality as a condition of the within severance.
5. That a PIN (Property Identifier Number) Consolidation be registered in the Land Registry Office in order to consolidate the lot addition lands with the lands to which they are being added.

Carried

5.2 Minor Variance Applications

5.2.1 MV2023/04- Taillefer, Yves and Lachance, Luc - Delorme Rd - Springer Twp.
2023-046

Moved by Roch St. Louis
Seconded by Jonathan Sandiford

It is the decision of the Committee of Adjustment to approve the variance application made by Taillefer, Yves and Lachance, Luc to reduce the minimum lot area from 2000m² to 1393.55m² for the following reasons:

- Meets the general intent and purpose of the Official Plan.
- Meets the general intent and purpose of the Zoning By-law.
- The variance(s) is considered desirable for the appropriate development of the property; and
- In the opinion of the Committee, the variance(s) is minor in nature.

CONDITIONS :

Carried

5.3 Amendment to Provisional Consent Applications

5.3.1 C28/23 - Moose Point Cottages Ltd. - 207 Moose Point Rd - Grant Twp.

2023-047

Moved by Jonathan Sandiford

Seconded by Campbell Anderson

BE IT RESOLVED:

THAT THE CONSENT APPLICATION MADE BY Moose Point Cottages Ltd. for a right of way at 207 Moose Point Road, municipality of West Nipissing is approved on the following conditions:

1. That a Reference Plan be prepared and deposited in the Land Registry Office and a copy of the new survey be filed with the Municipality.
2. Confirmation that all property taxes are paid up to date.
3. That all conditions be met on or before April 12, 2025, being two (2) years from the date of giving of notice or the consent shall be deemed not to have been given as per Section 53(20) of the Planning Act, R.S.O., as amended.
4. That a Transfer/Deed of Land be submitted to the Secretary-Treasurer for the issuance of a Certificate of Consent.
5. That the owner shall obtain Release and Abandonment(s) of the existing right(s) of way shown on Plan(s) 36R4832 and 36R11600.

Carried

5.3.2 C29/23 - DAOUST, René and GRAFF, Sandi - 135 Dubuc Rd - Grant Twp.

2023-048

Moved by Roch St. Louis

Seconded by Kathleen Thorne-Rochon

BE IT RESOLVED:

THAT THE CONSENT APPLICATION MADE BY Daoust, René and Graff, Sandi for the creation of a new lot at 135 Dubuc Rd, municipality of West Nipissing is approved on the following conditions:

1. That a Reference Plan be prepared and deposited in the Land Registry Office and a copy of the new survey be filed with the Municipality.
2. Confirmation that all property taxes are paid up to date.
3. That all conditions be met on or before April 12, 2025, being two (2) years from the date of giving of notice or the consent shall be deemed

not to have been given as per Section 53(20) of the Planning Act, R.S.O., as amended.

4. That a Transfer/Deed of Land be submitted to the Secretary-Treasurer for the issuance of a Certificate of Consent.
5. In the event that any portion of a municipally maintained and travelled road be located on either of the severed or retained lands, that 10m from centre line of the maintained and travelled roadway(s), including the retained lands, shall be surveyed, at the owner's cost, and transferred to the municipality as a condition of the within severance.

Carried

6. Adjournment

2023-049

Moved by Jonathan Sandiford

Seconded by Kathleen Thorne-Rochon

BE IT RESOLVED THAT the meeting of COMMITTEE OF ADJUSTMENT held on April 11, 2023 be adjourned.

Carried



West Nipissing Ovest

CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

Council - Committee of the Whole

Resolution # By-Law 2023/45
Title: Grant Draft Subdivision Plan Approval - FileNo. SUBD2023-02 (Old Highway 17)
Date: May 16, 2023

Moved by: _____
Seconded by: _____

BE IT RESOLVED THAT By-Law **2023-45**, being a by-law of the municipality of West Nipissing to grant draft approval to a plan of subdivision on part of Lot 3, Concession 5, parts 3 to 5, 36R-14822, Kirkpatrick Twp., Municipality of West Nipissing, District of Nipissing file no. SUBD2023/02 shall come into force and take effect on the date it is passed.

CARRIED

DEFEATED

DEFEATED

**CARRIED WITH
AMENDMENTS / REFERRED /
DEFERRED / DELETED**



West Nipissing Ouest

CORPORATION DE LA MUNICIPALITÉ DE NIPISSING OUEST

Council - Committee of the Whole

Résolution # By-Law 2023/45
Titre: Accorder l'approbation du projet de plan de lotissement - Dossier no SUBD2023-02 (ancienne route 17)
Date: le 16 mai 2023

Proposé par: _____

Appuyé par: _____

IL EST RÉSOLU QUE le règlement 2023-45, étant un règlement de la municipalité de Nipissing Ouest pour accorder une approbation provisoire à un plan de lotissement sur une partie du lot 3, concession 5, parties 3 à 5, 36R-14822, Kirkpatrick Twp, municipalité de Nipissing Ouest, district de Nipissing, dossier no SUBD2023/02, deviens valable à la date sélectionné SUBD2023/02 entre en vigueur et prend effet à la date de son adoption.

ADOPTÉ

REJETÉ

REJETÉ

**ADOPTÉ AVEC
 MODIFICATIONS / REPORTÉ /
 RÉFÉRÉ / RETIRÉ**



THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING
LA CORPORATION DE LA MUNICIPALITY DE NIPISSING OUEST

BY-LAW 2023/46

**BEING A BY-LAW OF THE MUNICIPALITY OF WEST NIPISSING
TO GRANT DRAFT APPROVAL TO A PLAN OF SUBDIVISION
ON PART OF LOT 3, CONCESSION 5, PARTS 3 TO 5, 36R-14822, KIRKPATRICK TWP.,
MUNICIPALITY OF WEST NIPISSING, DISTRICT OF NIPISSING
FILE NO. SUBD2023/02**

A BY-LAW TO APPROVE A DRAFT PLAN OF SUBDIVISION WITH CONDITIONS ON OLD HIGHWAY 17, being legally described as Part of Lot 3, Concession 5, Parts 3 to 5, 36R-14822, Kirkpatrick Twp., West Nipissing, District of Nipissing (the Subject Lands”) by 13107906 & 13163300 CANADA INC. (the “Applicant”).

WHEREAS the Applicant has applied for a Plan of Subdivision for six (6) lots on the Subject Lands;

AND WHEREAS the Council of the Municipality of West Nipissing has duly considered the applicant’s information, municipal staff’s Planning Report, written comments, concerns and support letters, and all other relevant background information surrounding the subject matter, and deems it advisable to grant Draft Approval of the Plan of Subdivision, subject to detailed conditions;

NOW THEREFORE BE IT RESOLVED the Council of the Corporation of the Municipality of West Nipissing, in accordance with the provisions of Section 51 of the *Planning Act*, R.S.O. 1990 as amended, hereby enacts as follows:

1. Draft Approval of a Plan of Subdivision located on the lands which are legally described as Part of Lot 3, Concession 5, Parts 3 to 5, 36R-14822, Kirkpatrick Twp., West Nipissing, District of Nipissing is hereby granted, subject to the conditions as affixed hereto as Schedule “A”;
2. THIS By-law will come into force and take effect upon final approval in accordance with the requirements of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended.

ENACTED AND PASSED THIS 16TH DAY OF MAY 2023 AS WITNESSED BY THE SEAL OF THE CORPORATION AND THE HANDS OF ITS PROPER OFFICERS.

KATHLEEN THORNE-ROCHON
MAYOR

MELANIE DUCHARME
CLERK

SCHEDULE "A" TO BY-LAW 2023/___

**DRAFT PLAN OF SUBDIVISION FILE NO. SUBD2023/02
13107906 CANADA INC. & 13163300 CANADA INC.
Part Broken Lot 3, Con. 5, Twp. Kirkpatrick**

**APPENDIX 2
SPECIAL CONDITIONS OF DRAFT APPROVAL**

If an approval is forthcoming by the Council for the Municipality of West Nipissing, it is recommended that the following conditions be imposed on the Owner along with the Conditions of Draft Approval included in Schedule "A" hereto:

- 1) The Corporation of the Municipality of West Nipissing's conditions and amendments to draft plan of approval, for registration of Subdivision File No. SUBD2023/02 are as follows:
- 2) That this approval expires three (3) years from the date of approval shown by the "Draft Plan Approval Stamp" on the face of the draft plan. If there is an appeal to the Ontario Land Tribunal under section 51 (39) of the *Planning Act*, the three (3) year expiration period does not begin until the date of the order of the Ontario Land Tribunal issued in respect of the appeal or from the date of a notice issued by the Board under section 52(51) of the *Planning Act*.
- 3) This Draft Approval applies to the Amended Plan of Subdivision prepared by Goodridge, Goulet Planning & Surveying dated March 17, 2023.
- 4) That prior to signing the Final Plan by the Municipality, the proposed subdivision conforms to the Zoning By-law in effect for the Municipality or with respect to any zoning conditions contained herein;
- 5) The Owner shall enter into a Subdivision Agreement with the Municipality with terms and conditions satisfactory to the Municipality.
- 6) Prior to the earlier of any construction, including site alteration or Subdivision Agreement, the Owner agrees to submit an Environmental Site Assessment (ESA) report(s) prepared by a qualified person, in accordance with the *Environmental Protection Act* and its regulations and all applicable standards, to the Municipality for peer review and concurrence. Such report shall include, but not be limited to, fish habitat, impact on water quality and species at risk, if any.
- 7) The Owner shall implement any recommendations of the accepted technical reports/studies submitted in support of the Draft Plan of Subdivision to the satisfaction of the Municipality at no cost to the Municipality.
- 8) The Owner agrees to revise the Draft Plan of Subdivision, as necessary, to incorporate the recommendations to implement or integrate any recommendations from the above studies, and drawings.
- 9) The Owner agrees that a natural vegetation buffer will be maintained along the water's edge of each lot, to be measured horizontally 7.5 metres back from the normal high watermark. The existing vegetation and natural soil mantle within this buffer strip will be maintained in a natural state for not less than 50% of the lot frontage.

SCHEDULE "A" TO BY-LAW 2023/___

- 10) Private water supply and sewage disposal facilities must be approved by the Ministry of the Environment, or its agent in certain areas, in accordance with Ontario Regulations 229/74 as amended, made under the Environmental Protection Act, 1971, as amended.

- 11) That the owner shall pay to the Municipality by way of certified cheque, cash in lieu of the dedication of parkland equivalent to 5% of the value of the subject lands. The Owner shall submit an appraisal of the lands being subdivided, minus the value of the Owner's dwelling, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Municipality and the approved appraisal shall form the basis of the cash in lieu payment. convey up to 5% of the land included in the plan or cash-in-lieu to the Municipality for park or other public recreational purposes.

- 12) That the Subdivision Agreement between the owner and the Municipality be registered by the Municipality against lands to which it applies once the Plan of Subdivision has been registered prior to any encumbrances.

METRIC
DISTANCES AND ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

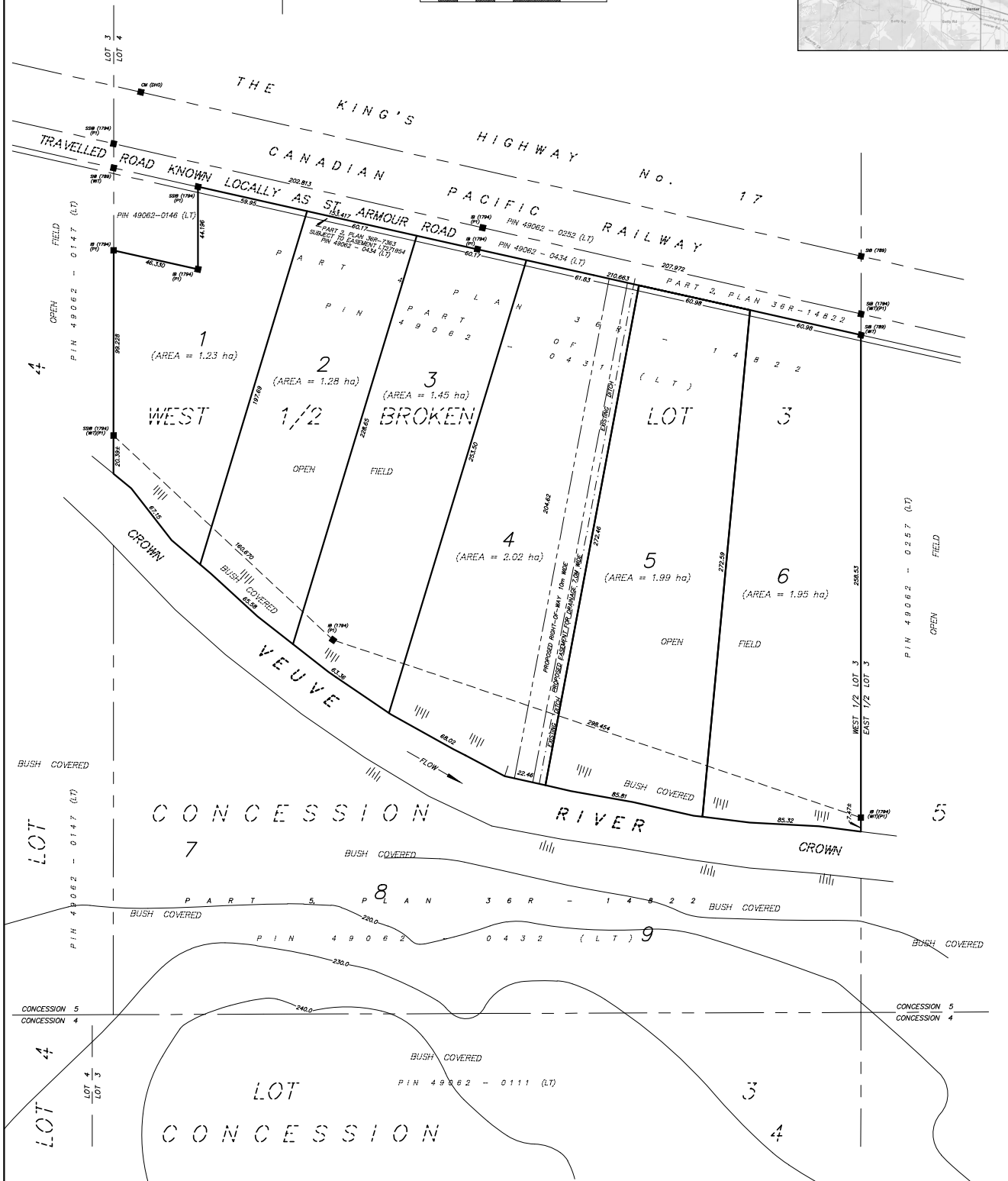
DRAFT PLAN OF SUBDIVISION OF
WEST 1/2 BROKEN LOT 3, CONCESSION 5
GEOGRAPHIC TOWNSHIP OF KIRKPATRICK
MUNICIPALITY OF WEST NIPISSING

DISTRICT OF NIPISSING
PAUL GOODRIDGE, O.L.S.
2023
SCALE: 1 : 1,000



SUBJECT TO THE CONDITIONS, IF ANY, SET FORTH IN OUR LETTER DATED _____ 2022 THIS DRAFT PLAN IS APPROVED BY THE MUNICIPALITY OF WEST NIPISSING UNDER SECTION 51 OF THE PLANNING ACT. THIS _____ DAY OF _____ 2023.

M. DUCHARME
MUNICIPAL CLERK/PLANNER
MUNICIPALITY OF WEST NIPISSING



LEGEND

- CM CONCRETE MONUMENT
- DND DEPARTMENT OF HIGHWAYS ONTARIO
- Y88 CLARKE & FORD LIMITED, O.L.S.
- 124 COLLON DITE INC. - O.L.S.
- PLAN 368-14822
- WT WITNESS

ADDITIONAL INFORMATION REQUIRED UNDER THE PLANNING ACT.

- (a) SEE PLAN
- (b) SEE PLAN
- (c) SEE PLAN
- (d) SEE PLAN (LAND USE ANALYSIS)
- (e) NORTH - RURAL, ST. AMOUR ROAD, CPR & HIGHWAY 17
- (f) SOUTH - RURAL
- (g) EAST - RURAL RESIDENTIAL
- (h) WEST - RURAL & RURAL RESIDENTIAL
- (i) SEE PLAN
- (j) SEE PLAN
- (k) TREATED SURFACE WATER OR INDIVIDUAL DRILLED WELLS
- (l) SANDY LOAM
- (m) SEE PLAN
- (n) YEAR ROUND ROAD MAINTENANCE, HYDRO, BELL & GARBAGE
- (o) NIL

LAND USE ANALYSIS

LOTS 1 TO 6 SHORELINE RESIDENTIAL 9.19 ha

TOTAL AREA OF SUBDIVISION = 9.92 ha

I HEREBY CONSENT TO THE FILING OF THIS PLAN FOR DRAFT APPROVAL.

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN ON THIS PLAN.

13107906 CANADA INC.
REGISTERED CO.-OWNER OF
PIN 49062-0431 (LT)
I HAVE AUTHORITY TO
BIND THE CORPORATION.

NORTH BAY, ONTARIO
FEBRUARY 14, 2023

PAUL GOODRIDGE, OLS

13163300 CANADA INC.
REGISTERED CO.-OWNER OF
PIN 49062-0431 (LT)
I HAVE AUTHORITY TO
BIND THE CORPORATION.

GOODRIDGE GOULET
PLANNING & SURVEYING LTD.

ONTARIO LAND SURVEYOR - LAND USE PLANNER - DEVELOPMENT CONSULTANTS
UNIT 1 - 480 MAIN STREET EAST, NORTH BAY, ON P1B 1B5
705-493-1770 paul.goodridge@gogulet.com
705-493-7974 don.goulet@gogulet.com

PLAN	FIELD	OFFICE	FILE
1514-22 2P001.dwg	N/A	K.PEARLSON	1514-22



THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

West Nipissing Planning Advisory Committee

Resolution Number: 2023-016
Title: SUBD2023/02 - 13107906 & 13163300 Canada Inc. - Old Highway 17 - Caldwell Twp.
Date: May 9, 2023

Moved by: Daniel Gagne
Seconded by: Daniel Seguin

WHEREAS a Public meeting was held on May 9, 2023 to consider approval of a draft plan of subdivision on property located on Old Highway 17, being more particularly described as part of Lot 3, Concession 5, Parts 3 to 5, 36R-14822, Township of Kirkpatrick, owned by 13107906 and 13163300 Canada Inc. (Kaur, Rajinder and Singh, Navneet)

AND WHEREAS written submissions have been received and considered;

AND WHEREAS oral submissions were made at the public meeting;

BE IT RESOLVED THAT draft approval be granted for an amended plan of subdivision, submitted by Goodridge Goulet Planning and Surveying Ltd., located on Old Highway 17, Verner, part of Lot 3, Concession 5, Parts 3 to 5, 36R-14822, Township of Kirkpatrick, on the conditions attached hereto as Schedule "A."

Resolution Carried

PLANNING REPORT

Proposed Subdivision File No. SUBD2023/02

Applicant: 13107906 and 13163300 Canada Inc.
Property: Old Highway 17, Kirkpatrick Twp.
Date: May 9, 2023



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1. INTRODUCTION

The purpose of this Planning Report is to address all provincial and municipal land use policies governing the proposed re-zoning and subdivision of the property located at on Old Highway 17, Verner Ontario the application is being put forward by the owner(s), 13107906 Canada Inc. and 13163300 Canada Ltd., by their Agent, Goodridge Goulet Planning & Surveying Ltd.

2. LOCATION AND DESCRIPTION OF SUBJECT LAND

The property is located west of the Town of Verner on Old Highway 17 and is legally described as Part of Broken Lot 3, Concession 5, being Parts 3, 4 and 5, Plan 36R-14822. The property has frontage on the Veuve River and on Old Highway 17. In addition, a portion of the property lies south of the Veuve River. The entire property is approximately 15 hectares with approximately 10 hectares lying between the highway and the Veuve River and 5 hectares south of the Veuve River. The northerly portion of the lands is relatively flat, sloping gently toward the Veuve River. The portion of the land lying south of the river is rocky, heavily treed and has a vertical clay bank. Aerial and on-site photographs are appended hereto as Figure 1.

The subject property was recently severed from abutting lands to the west, approved by Committee of Adjustment file No. C50-21. A new survey plan was deposited for the property, being Plan 36R-14822, the property consisting of Parts 3, 4 and 5 shown thereon (See Figure 2)

3. DESCRIPTION OF PROPOSAL.

The owner is proposing to subdivide the property into nine (9) lots; six north of the river and three south of the river and one block, which is intended to preserve the existing drainage course as well as to provide a common access for parking and boat launching and a right of way for the lands south of the river. the lots are intended for residential and/or seasonal residential uses. A copy of the proposed draft plan of subdivision is shown on Figure 3.

The proposed development north of the Veuve River, that which fronts on Old Highway 17 is similar to that which has taken place along Old Highway 17 over the last 15 years where small fields and former campgrounds have been divided and sold off for rural residential and seasonal uses. Lots 1 – 6 are deep, ranging in depth from 197m to 272m (646' to 892') and all are in excess of one (1) hectare (2.47acres). All of the proposed lots 1 - 6 meet the requirements of the West Nipissing zoning by-law for lot area and frontage (lots fronting on water) for the Shoreline Residential zone. Lots 1 – 6 are accessible from a municipally maintained and travelled road.

The proposed Lots 7 – 9 are proposed to be accessible by water only, via a common right of way shown as Block 10 on the draft plan. Lots 7-9 have sufficient frontage and depth to meet requirements of the zoning by-law. An inspection of the property indicates that the Proposed lots 7-9 would pose a very difficult challenge both for access and for provision of services. The bank of the river is a steep clay covered rock-face, which, for the purposed of both access and development, would be extremely challenging. For this reason as well and others, including the incompatibility of the proposed water access development with surrounding uses, this report will not be recommending the approval of Lots 7-9. Options for the lands are outlined in the Special Comments herein contained.

Stormwater will be managed entirely on each of the properties being created and all of the proposed lots slope toward the Veuve River. The Municipality of West Nipissing requires an easement existing drainage course(es) which provide(s) drainage for Old Highway 17. The easement is proposed to be contained within the Block 10, but will be shown on a separate reference plan to be deposited in the Land Registry Office subsequent to the plan of subdivision.

All of the lots will be serviced with on-site sanitary and water services. Permits for the on-site sanitary systems will be obtained from the North Bay Mattawa Conservation Authority.

4. SPECIAL COMMENTS

For the purposes of this report, the policies set forth will apply to Lots 1 – 6 only. The Owner's Agent has been advised that there will be no recommendation forthcoming for the Lots 7 – 9 for the reasons that the development of water access lots in this location is:

- (a) not in keeping with the rural landscape and adjacent uses
- (b) the lands themselves are not suited to residential development given the physical challenges of the land to obtain services.

The Owner's Agent has been provided the following options:

1. The lands on the south side of the river be removed from the proposed plan of subdivision and be retained by the owners. The retained lands would require a right of way over the Block 10 in order that they could be accessed other than by water and the lands would remain zoned Rural (RU) with the lot standards and permitted uses of that zone to remain;
2. The lands south of the river be divided into as many parts as there are lots on the north side of the river, such that each of the new proposed lots would own lands on both sides of the river. Given that the Veuve River creates a natural severance and in order to ensure that the lands on each side remain as a unit, there are options, including covenants under section 118 of the Land Titles Act and special zone provisions which could ensure that the pieces are not sold independently.

5. POLICY CONTEXT

Land use policies and regulations affecting the subject lands include the Planning Act, R.S.O., 1990 and the associated 2020 Provincial Policy Statement at the Provincial Level. At the municipal level, the West Nipissing Official Plan, the Municipality of West Nipissing Zoning By-law 2014-45 and Site Plan Control By-Law No. 2015-63 affect the subject lands.

The provincial requirements for the development and submission of a draft plan of subdivision are spelled out in Section 51 (24) of the Planning Act. The first criterion to be evaluated is the impact of the development of the subdivision on Section 2 of the Planning Act.

Section 2 of the Planning Act identifies the environmental, servicing, cultural and natural heritage issues that need to be addressed in the preparation of a plan of subdivision.

The Provincial Policy Statement (PPS) provides the specific policy direction on these matters of provincial interest as well. However, a thorough review of Section 2 should adequately address those critical matters found in the PPS.

Although the West Nipissing Official Plan will be assessed, most of the land use policies relevant to the proposal are provided in Section 51 (24) of the Planning Act and the PPS.

Tables 1 and 2 review the provisions of Section 51 (24) of the Planning Act. Table 1 considers the policy provisions of Section 2 and Table 2 focuses on the details of the actual subdivision proposal.

5.1 Planning Act, Section 2 – Matters of Provincial Interest Policy Evaluation

Table 1 Planning Act, Section 2 Matters of Provincial Interest

Planning Act Section 2, Matters of Provincial Interest	
The Minister, the council of a municipality, a local board, a planning board and the Local Planning Appeal Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as:	
POLICY	EVALUATION
a) the protection of ecological systems, including natural areas, features and functions:	Natural drainage on the property will be maintained by overland flows. Development setback and lot coverage requirements will ensure that much of the land on the proposed lots will be remain as a permeable surface.
b) the protection of the agricultural resources of the Province;	The lands are located in Rural Zone of the West Nipissing Official Plan. There are no farming operations in proximity to the subject lands. Accordingly, compliance with the Minimum Distance Separation Formulae (MDS) is therefore not required.
c) the conservation and management of natural resources and the mineral resource base;	There are no nearby resources extraction activities or aggregate resources mapped in the immediate area. No impacts to aggregate resources are anticipated.
d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;	No area of natural or scientific interest (ANSI) is mapped on the subject lands or in the immediate area.
e) the supply, efficient use and conservation of energy and water;	Individual hydro can be readily supplied from existing public services to the individual lots once they are created. All lots will be required to be serviced with individual wells.
f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;	The proposal will access the existing Old Highway 17 and utilize existing available hard and soft services, including telephone and hydro. Waste management can be achieved by access to local landfills and a private contractor is available in the area for curbside pickup. Wastewater will be processed by individual private septic systems at no cost to the municipality.
g) the minimization of waste;	The provision does not apply to a residential plan of subdivision.
h) the orderly development of safe and healthy communities;	The proposal will provide an intensification on an existing parcel which will match the residential development pattern in the area. The proposal does not include residential development on or in hazard lands
h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;	Any accessibility requirements will be addressed at the time of construction in accordance with the Ontario Building Code (OBC).

i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;	The infill nature of the proposal enables services such as school bussing, to be provided more efficiently
j) the adequate provision of a full range of housing, including affordable housing;	Due to the size of the parcel as well as location and the established single detached dwelling development pattern in the area, other denser residential development such as multiple family units would not be appropriate or in keeping with the character of the surrounding area. The development will create a slight increase in the local housing supply with six (6) new single detached dwellings.
k) the adequate provision of employment opportunities;	This proposal will temporarily provide jobs in the local construction industry. This small-scale low-density residential subdivision will generate a slight increase in population which will create some spin-off employment and economic opportunities.
l) the protection of the financial and economic well-being of the Province and its municipalities;	As discussed above in this section, the proposal would result in a minor expansion of the tax assessment base. In addition, it would attract new part-time or full-time residents to this area who will require local goods and services which contributes to the local economy.
m) the co-ordination of planning activities of public bodies;	West Nipissing is a single tier municipality with local planning authority. The West Nipissing municipality works collaboratively with all public bodies including the North Bay Mattawa Conservation Authority and all utilities.
n) the resolution of planning conflicts involving public and private interests;	Through the public notification requirements of the draft plan of subdivision application, issues can be raised by members of the public. In the event that public or private conflicts cannot be solved by the Approval Authority, the matter can be adjudicated by the Ontario Land Tribunal (OLT)
o) the protection of public health and safety;	The Veuve River shoreline at this location shoreline is an appropriate location for low density residential development, especially on an existing public road, maintained year- round. This is an infill proposal that will maintain the existing established residential development pattern in the area.
q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians	There are no public transit services in this area. The built form of this rural area is not conducive to public transit. The low volume of traffic in this area would not negatively impact pedestrian movement.

5.2 Planning Act, s51(24) – Plan of Subdivision Approval: Criteria

Table 2 Evaluation of Planning Act, Section 51(24) - Plan of Subdivision Approval: Criteria

POLICY	EVALUATION
In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to:	
a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;	A review of the proposed subdivision and matters of provincial interest is contained in Table 2 of this Report.
b) whether the proposed subdivision is premature or in the public interest;	The proposal is in effect an infill form of development and cannot be considered premature. The proposal will increase local housing availability at minimal or no cost to the Municipality. The proposal will result in an increase in the assessment base, as well as building permit fees to be paid prior to construction. .
c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;	An analysis of compliance of the proposal with the West Nipissing Official Plan is included in this Planning Report. As noted elsewhere in this Planning Report, the configuration of the subdivision is similar to adjacent development along Old Highway 17.
e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in	No new roads are required to serve the proposed development. Old Highway 17 is a maintained municipal roadway.
f) the dimensions and shapes of the proposed lots;	The dimensions of the lots have been designed to accommodate full on-site servicing. Septic system sizing is the principal concern. All lots are somewhat irregular in shape, but generally four-sided with parallel interior side lots line. All lot shapes are logical in consideration of developable area on the parcel to be subdivided.
g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;	Development restrictions would include maintaining a 7.5,m shoreline buffer across 50% of the frontage of each lot. Development on the lands is appropriate provided that setbacks established and EIA recommendations are implemented.
h) conservation of natural resources and flood control;	Vegetative buffering, as noted in (g), above, will mitigate disruption of any fish habitat along the shoreline of the Veuve River.
i) the adequacy of utilities and municipal services;	All lots will be serviced with on-site sanitary and water facilities. The lots are sufficiently large enough to accommodate such servicing.
j) the adequacy of school sites;	The creation of six infill lots will have no effect on the school system. It is noted that the new lots are located on school bus route.
k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;	The rural nature of the area does not necessitate the dedication of land for park purposes. Cash in lieu of parkland will requested.
l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and	This policy can be best addressed through the provisions of the OBC.

m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act.	The Municipality has adopted a site plan control bylaw which covers commercial, industrial and multiple family development and is generally not applied to single detached dwellings.
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The foregoing policy review has demonstrated that the legislation requirements for a draft plan of subdivision featured in Section 51 have been satisfied.

5.3 Provincial Policy Statement (PPS)

Notwithstanding Section 2 of the Planning Act, Section 3 of the Planning Act requires that all decisions by any authority that affect a planning matter shall be consistent with the Provincial Policy Statement (PPS). Any decisions made on or after May 1st, 2020 are to be consistent with the 2020 PPS. The following analysis will evaluate the proposal against applicable PPS policy.

Although the PPS is to be read in its entirety, the following provisions are deemed to be the most applicable to the consideration of the proposed severance.

- Section 1.0 “Building Strong Healthy Communities”
- Section 2.0 “Wise Use and Management of Resources”
- Section 3.0 “Protecting Public Health and Safety”

Table 3 - Evaluation of Provincial Policy Statement

SECTION	POLICY	EVALUATION
1.0 Building Strong Healthy Communities		
1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns		
1.1.1 Healthy, liveable and safe communities are sustained by:		
a)	promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;	The proposal represents an efficient use of land by the creation of six (6) residential infill lots in an existing residential area. This area is accessed by a year-round maintained and paved municipal roadway will be serviced by municipal water. The proposed infill development on an existing road will add to the municipal tax base at negligible municipal cost.
c)	Avoiding development and land use patterns which may cause environmental or public health and safety concerns;	Environmental concerns and mitigation were identified in a supporting EIA. The development will be serviced by on-site water and the sewage systems will be regulated by the North Bay Mattawa Conservation Authority.
e)	Promoting cost effective development patterns and standards to minimize land consumption and servicing costs;	This proposal will result in the creation of six (6) low density residential lots on an existing open public road. This will result in increased tax assessment at no new cost to the Municipality, as it already maintains and collects garbage on this stretch of road. New Municipal responsibilities would only include long term maintenance of the drainage easement.
1.1.3 Settlement Areas		
1.1.3.2 Land use patterns within settlement areas shall be based on:		
1.1.3.2(a) densities and a mix of land uses which;		

1	efficiently use land and resources;	As discussed above, the proposal is an efficient use of land. Existing public services are readily available for use of the proposed development.
2	are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomic expansion.	No extension of roads or services are required for this development.
1.1.5 Rural Lands in Municipalities		
1.1.5.1 On Rural Lands located in Municipalities, permitted uses are		
b)	Resource based recreational uses including recreational dwellings	Adjacent lands use(s) consist of seasonal and permanent dwellings
c)	Residential development including lot creation that is locally appropriate	Adjacent lands use(s) consist of seasonal and permanent dwellings
1.1.5.4	Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.	The proposed development of 6 lots is compatible with adjacent uses. No new service levels are required by the municipality for this development.
1.1.5.5	Development shall be appropriate to the infrastructure which is planned or available	Municipal year-round roadway and hydro services existing. No requirement for expansion of municipal services.
1.6 Infrastructure and Public Service Facilities		
1.6.6.4	Where municipal sewage services and municipal water services are not available, planned or feasible, individual on-site sewage services and individual on-site water services may be used provided that the site conditions are suitable for the long-term provision of such services.	Each of the lots is sufficiently large enough to accommodate on-site sewage and water services. Sanitary services will be subject to approvals from the North Bay Mattawa Conservation Authority.
2.0 Wise Use and Management of Resources		
Ontario's long-term prosperity, environmental health, and social well-being depend on conserving biodiversity, protecting the health of the Great Lakes, and protecting natural heritage, water, agricultural, mineral and cultural heritage and archaeological resources for their economic, environmental and social benefits.		
2.1 Natural Heritage		
2.1.5	Development and site alteration shall not be permitted in the following unless it has been demonstrated that there will be no negative environmental impacts on the natural features or their ecological functions.	The use of private septic systems for the proposed lots is not anticipated to have any negative impacts provided that such septic systems are installed in accordance with provincial and municipal regulations. Given the topography of the lands, it is preferred that septic systems be located in the rear yard (waterfront lots – rear yard is the yard closest to the road).
c)	Significant wildlife habitat	The owners will, as a condition of final approval, undertake a Preliminary Environmental Impact Assessment, having regard to species at risk and fish habitat.
2.1.7	Development and site alteration shall not be permitted in habitat of endangered or threatened species, except in accordance with provincial and federal requirements.	Recommendations of the Impact Assessment with regard to fish or other species at risk habitat will be implemented through zoning amendment and any required set-backs shall be included as special provisions.

2.2 Water		
2.2.1 Planning authorities shall protect, improve or restore the quality and quantity of water by:		
e) implementing necessary restrictions on development and site alteration to:		
1.	Protect all municipal water supplies and designated vulnerable areas;	Notwithstanding that the Veuve River is source drinking water for the Town of Verner, the use of private septic systems for the proposed lots is not anticipated to have any negative impacts.
h)	ensuring stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extent of	Development setbacks and buffering in accordance with the West Nipissing zoning by-law will ensure that a substantial amount of land downslope will remain vegetated and pervious.
3.0 Protecting Public Health and Safety		
Ontario's long-term prosperity, environmental health, and social well-being depend on reducing the potential for public cost or risk to Ontario's residents from natural or human-made hazards.		
Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public or safety or of property damage, and not to create new or aggravate existing hazards.		

The proposed plan of subdivision (Lots 1 – 6) would be considered limited residential and/or recreational development and is in keeping with the nature of adjacent uses.

5.4 Growth Plan for Northern Ontario

The Growth Plan for Northern Ontario (GNPO) was prepared under the Places to Grow Act, 2005. The plan is part economic development plan, infrastructure investment plan, a labour market plan and a land use plan. The Plan recognizes the role of Northern Ontario in the world's economy and is intended to be used as the strategic framework to guide decision making and investment planning in Northern Ontario over a 25-year period.

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters conform with the Growth Plan for Northern Ontario. Staff has reviewed the planning matters contained within the Growth Plan for Northern Ontario and are satisfied that the application for Zoning By-law Amendment and Proposed Plan of Subdivision conforms to and does not conflict with the Growth Plan for Northern Ontario, provided that the owner can demonstrate that there are no negative environmental impacts as a result thereof.

6. LOCAL POLICY DOCUMENTS

6.1 Official Plan

The Municipality of West Nipissing is guided by the West Nipissing Official Plan which was adopted by Council on April 15, 2008 and approved by the Ministry of Municipal Affairs and Housing on December 7, 2011. The subject property is located within the Rural Area of the Township of Kirkpatrick and is a designated Rural in the West Nipissing Official Plan. The policies of the Rural District are included for the Committee's consideration. The following Table provides a summary of the existing Official Plan policies and relevant considerations for the site:

Table 4 - Evaluation of West Nipissing Official Plan

Section	Policy	Evaluation
Section 3 Growth and Development		
3.03	Goal – to achieve a compact and energy efficient land use patten that optimizes the use of available or planned infrastructure which use densities and development standards which are cost effective and compatible with the prevailing and emerging character of settlement areas.	The proposed development is similar to the development which has taken place along Old Highway 17 in the past. No new infrastructure is required for this infill development.
3.06.3	Rural Area – Lands which are not located within a designated urban or rural settlement area shall be considered to be part of the Rural Area. This area is characterized by its wide-open spaces or country-side setting where the make-up of development consists of farms, cross road settlements, scattered residential uses, pits and quarries and a variety of other rural-type uses. Development is typically serviced by individual on-site water supply and sewage disposal systems.	The proposed development is in keeping with the rural development which has taken place along Old Highway 17 in the past. All lots will be on private services.
3.06.6 – Planning Principles		
3.06.6(1)	<u>Adequate Lot Size</u> The lot size shall be adequate for all existing and proposed or potential future land uses including the expansion of buildings and structures. The lot shall be adequate for all setbacks, parking and loading facilities, storage and display areas, signs, lighting, landscaping, buffering or screening, infrastructure and safe access and egress, where these requirements apply.	The proposed lots are all 1 hectare or greater in size, which is the minimum lot size required for lots having on-site sanitary and water facilities. It is not the practice of the municipality to require any studies where the minimum lot size has been met. Further, the Municipality is not the approval authority for septic systems, which are under the control and permitting authority of the North Bay Mattawa Conservation Authority. It is the practice of the Conservation Authority to conduct site visits to ensure that on site sanitary facilities can be installed.
3.06.6 (2)	<u>Servicing Capacity</u> Applications for lot creation on privately owned and operated individual or communal systems generating more than 4500l of effluent per day as a result of the development shall require submission of a servicing options report and a hydrogeological report	The proposed development will consist of six individual on-site septic systems, none of which will exceed the threshold of 4500l. No hydrogeological report is required for the proposed development.
3.06.6(3)	<u>Frontage and Access</u> All uses shall have frontage on and direct access to an open and maintained year round public road. Exceptions may be made for existing lots of record on private roads, condominium development and islands (water access)	Lots 1 – 6 are located on Old Highway 17. The proposed lots 7 – 9 do not have road frontage nor do they meet the requirements of the OP for water access lots.
3.06.8(9)	<u>Waterfront Development</u> – The design and development or redevelopment of shoreline properties shall include provision for the	No development other than permitted shoreline structures are permitted within the 18m setback of the shoreline. Lots

	establishment and/or retention of the natural features and shoreline vegetation. Development setbacks shall be implemented as a measure to conserve shoreline features, protect the ecological function of the shorelines and water bodies and protect property damage from natural hazards	shall be require to maintain a 15m buffer across at least 50% of the lot frontage.
Section 5 Resource Management		
Section 5.06.5 Natural Heritage Features		
5.06.5(1)	<u>Resource Identification and Conservation</u> For the purposes of this Plan, all water bodies (e.g. lakes, rivers, streams and wetlands) should be considered as potential areas for fish habitat . The Land Use Schedules are intended to identify spawning sites and fish habitat classification where a higher level of protection will generally be required	No fish spawning areas are identified on the Land Use Schedules for the subject property.
5.06.5(4)	<u>Wildlife Habitat, ANSI & Endangered or Threatened Species</u> . It is a policy to conserve or protect wildlife habitat and areas of natural and scientific interest (ANSI) for their respective ecological functions or natural features.	Heritage mapping available from the Ministry of Natural Resources, Forestry and Mines does not demonstrate any areas of natural and scientific interest (ANSI) on or adjacent to the subject lands. Notwithstanding, however, reports of Blandings turtles have been reported and, as such an Environmental Assessment shall be a condition of this draft approval.
5.06.5(6)	6. Impact Assessment: An Impact Assessment (IA) shall be prepared in support of a planning application for an Official Plan amendment, zoning by-law amendment, plan of subdivision, a consent etc. where the impact of the development and/or site alteration cannot demonstrate no negative impacts, it will not be permitted	The owners shall undertake, as a condition of draft approval, a Preliminary Environmental Assessment with a focus on Species at Risk and fish habitat. Final approval, if forthcoming, shall include any recommendations of the study.
Section 6 – Public Health and Safety		
6.06 Implementation		
6.06.1(1)	Hazardous lands are lands illustrated on the Land Use Schedules and are identified as lands which are subject to a flooding hazard or erosion hazard.	No lands in the proposed development are identified as Hazard in the West Nipissing Official Plan Land use Schedules. Notwithstanding, the lands front on the Veuve River which fluctuates particularly in the spring. No structures other than those expressly permitted in the front yard setback shall be permitted.

6.2 Zoning By-Law

The subject property is zoned Rural (RU). The property will be required to be rezoned to Shoreline Residential (SR). The SR zone permits the proposed single detached dwellings. All of the lots consist of sufficient space to accommodate the SR Lot standards, which are detailed below.

Table 5 – West Nipissing Zoning By-Law

West Nipissing Zoning By-Law No. 2045-45	
Minimum Lot Area	1 hectare
Minimum Lot Frontage	60m
Maximum Lot Coverage	15%
Maximum Lot Coverage (Accessory Buildings)	5% (included in total)
Set back from water Course/Front Yard	18m
Rear Yard	7.5m
Exterior Side Yard	10m
Interior Side Yard	3m

6.3 Site Plan Control By-Law

The West Nipissing Site Plan Control By-Law No. 2015-63 was enacted as a tool to establish areas of Site Plan Control in order for the municipality to ensure that development in specifically designated zones will proceed in accordance with certain standards.

Notwithstanding that the property is subject to site plan control, being the subject of an application under the Planning Act, it is not anticipated that a Site Plan Control Agreement will be required, given the location, nature and scope of the proposed development.

7. CORRESPONDENCE/INFORMATION ATTACHED

Notice was circulated to property owners within 120 meters (400 feet) of the subject lands and public bodies and utilities as required by Regulation. Copies of those comments are attached as Appendix

8. SUMMARY AND RECOMMENDATIONS

In accordance with the provisions of the *Planning Act*, the undersigned has reviewed the proposal having regard to matters of provincial interest and for consistency with the Provincial Policy Statement 2020.

In addition, the application has been reviewed within the context of the West Nipissing Official Plan and Zoning by-law No. 2014-45.

Based on the following report, the following is concluded:

1. The proposed 6 lots along Old Highway 17 will complement the existing residential and seasonal residential uses in the area;
2. The proposed 3 lots south of the river are inconsistent with the residential development in the area and would pose significant challenges to service. There are no existing water-access only lots along the Veuve River with in the Municipality of West Nipissing and, as such, would not be in keeping with established development patterns in the area;
3. This proposal for Lots 1 - 6 has been evaluated in regard to matters of provincial interest and criteria for approval of a subdivision in accordance with the Planning Act and was found to comply with the provincial legislation in this respect;
- 3) This proposal for Lots 1 - 6 is consistent with the Provincial Policy Statement as infilling development on private services is permissible in a rural area and natural heritage features will be protected through the mitigation recommendations of the EIA to be undertaken by the developers as a condition of this draft approval;
- 4) This proposal for Lots 1 – 6 conforms to the intent and purpose of the West Nipissing Official Plan;

- 5) This proposal for Lots 1 - 6 represents appropriate rural residential/shoreline residential land use development

Respectfully Submitted,



Melanie Ducharme, Planner

Figure 1 – Imagery



Location of Proposed Lots 1-6



South bank of Veuve River
location of proposed lots 7-9

Figure 2 – Reference Plan of Survey, 36R-14822

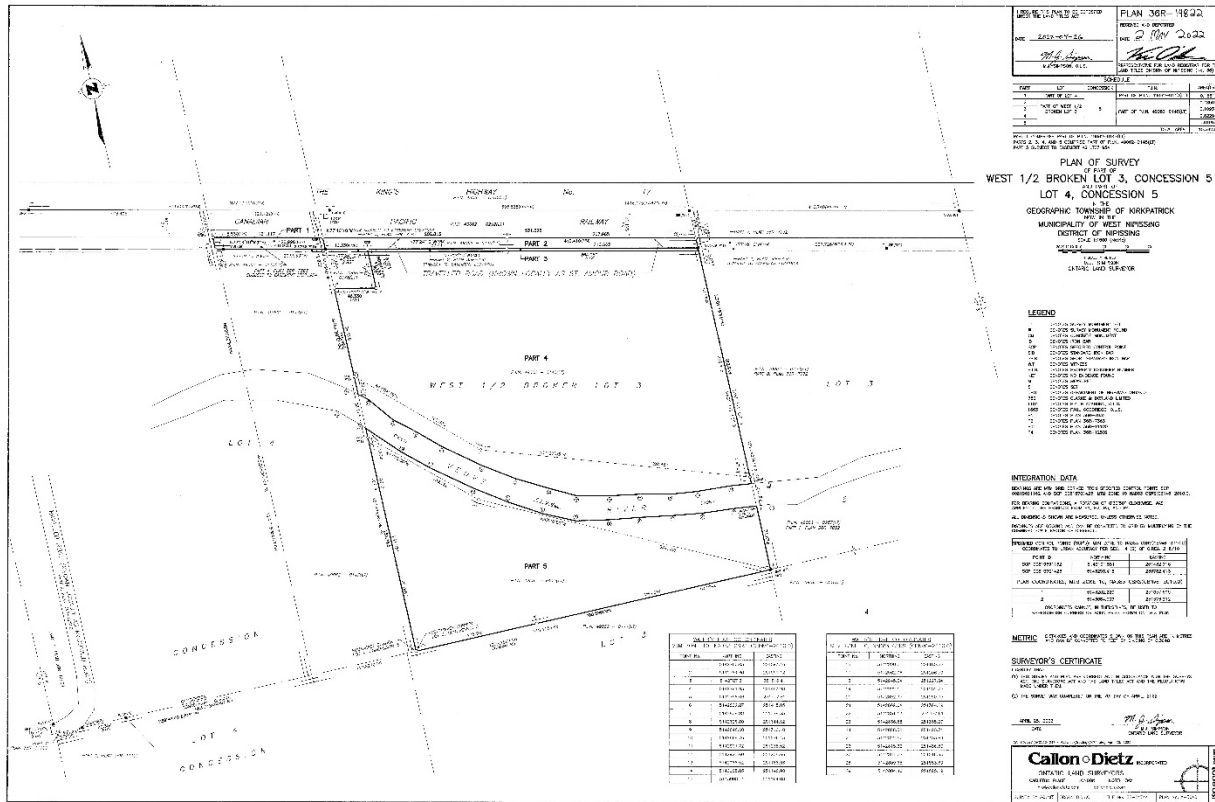


Figure 4 – West Nipissing Official Plan – Land Use Schedule

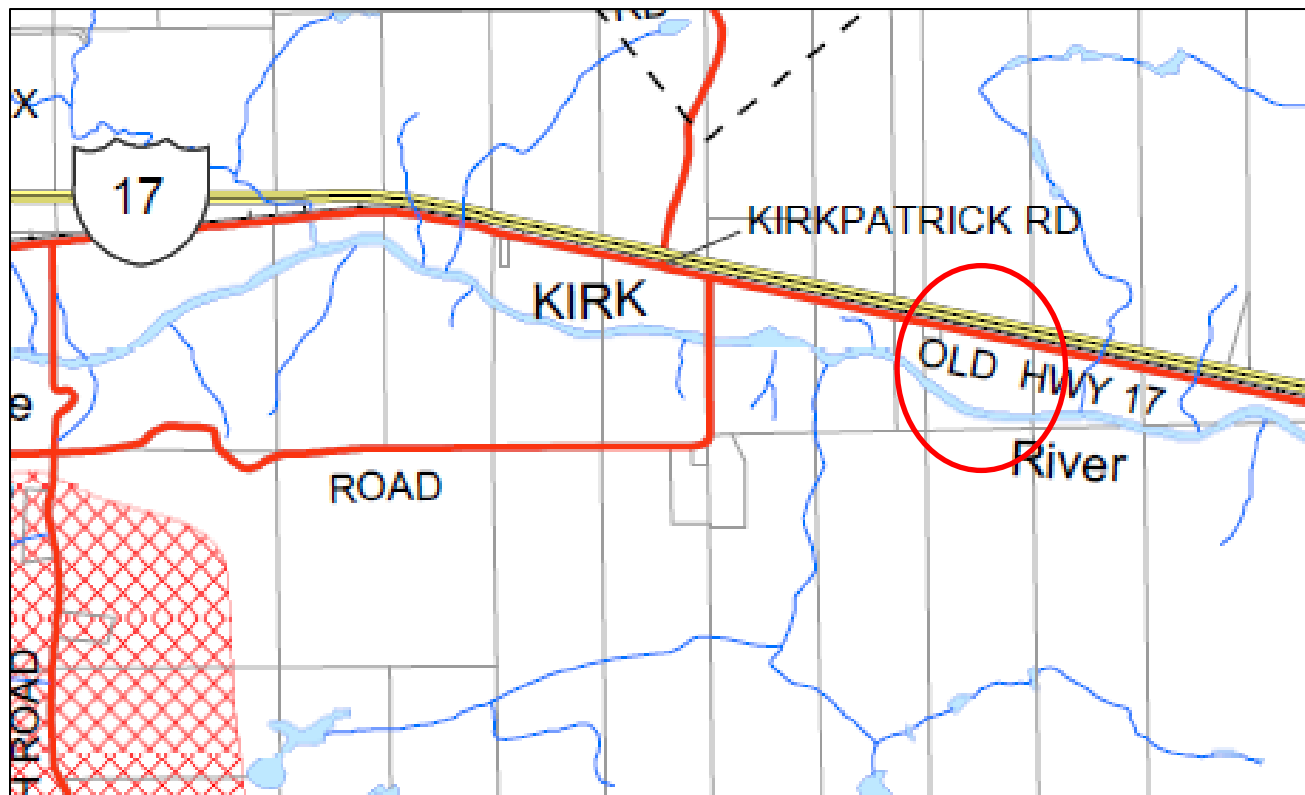


Figure 5 – West Nipissing Official Plan – Table 3.1

Table 3.1 - Permitted Land Uses in Designated Urban and Rural Settlement Areas and the Rural Area				
Land Use Category ¹	Urban Settlement Area	Rural Settlement Area	Rural Area	
			Waterfront District	Rural District
Scope of Permitted Residential Uses in District (see also Sections 3.06.5.1, 3.06.2, 3.06.8.2, 3.06.8.9, 3.06.10)	<u>Residential District:</u> <ul style="list-style-type: none"> • full range of low, medium and high density housing types • specialized housing types: group homes, crisis care, social assisted 	<u>Residential Uses:</u> <ul style="list-style-type: none"> • full range of low and medium density housing types • specialized housing types: group homes, crisis care, social assisted (excluding high density) 	<u>Residential Uses:</u> <ul style="list-style-type: none"> • seasonal and • permanent residential uses 	<u>Rural District:</u> <ul style="list-style-type: none"> • limited low density (single and two unit housing) • specialized housing types: group homes, crisis care, social assisted (excluding high density)

Figure 6 – West Nipissing Zoning By-law No. 2014-45

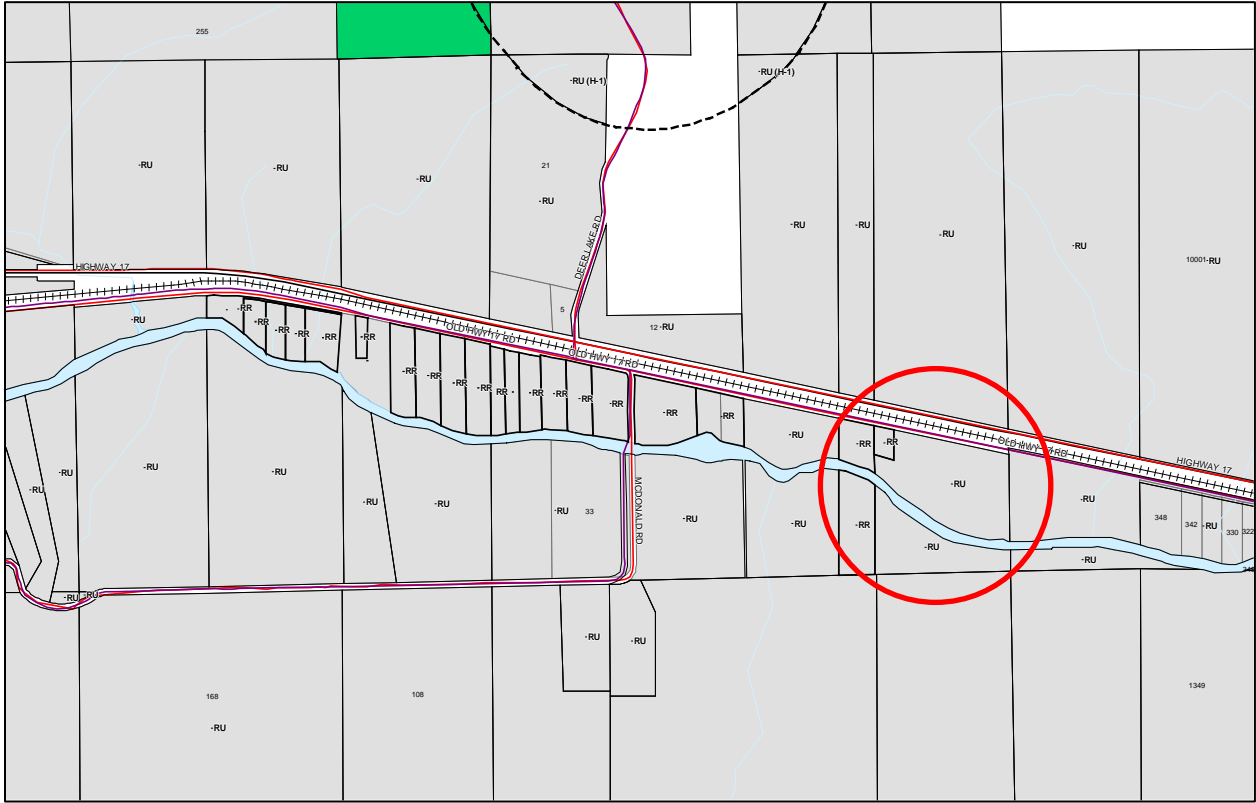
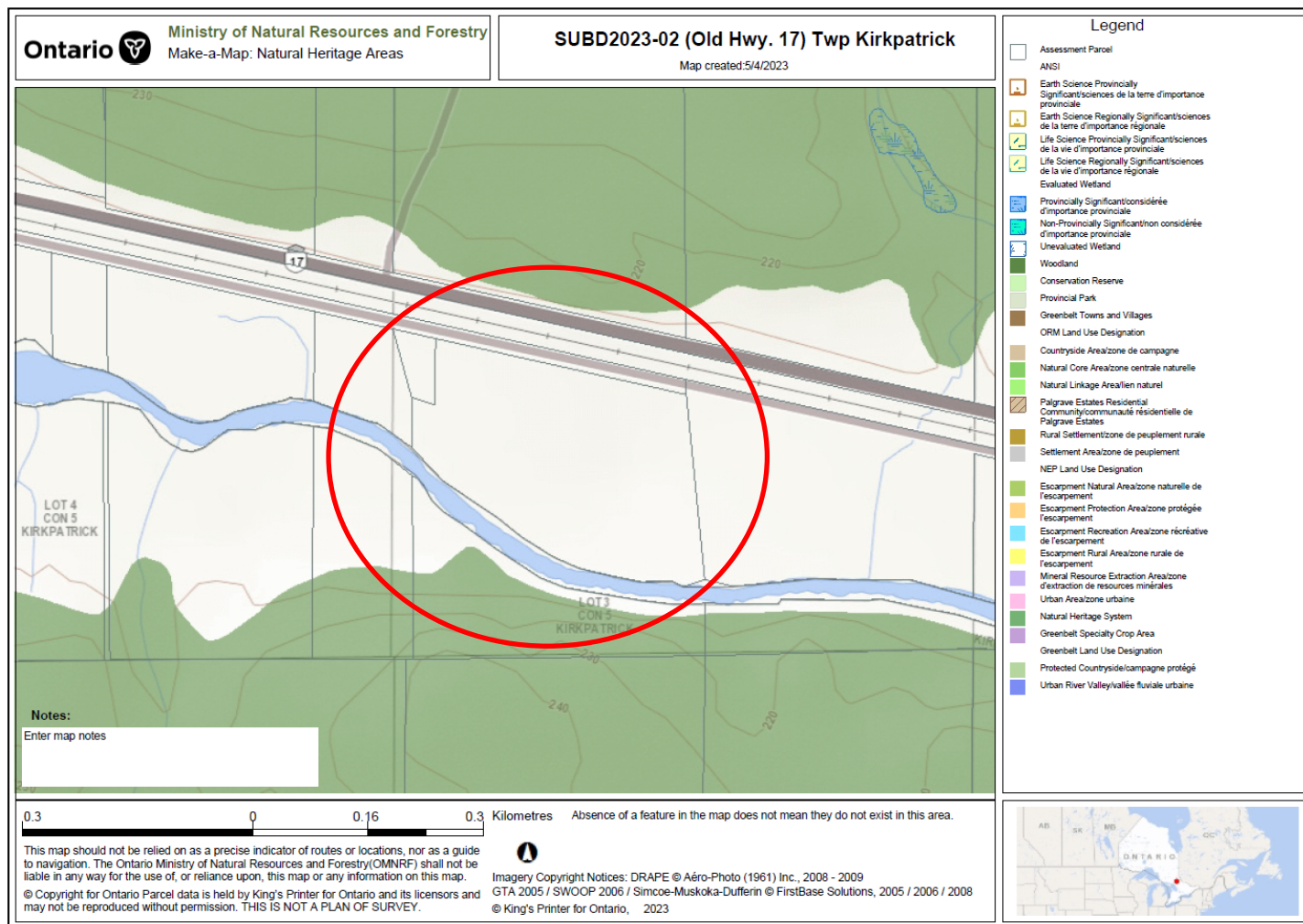


Figure 7 – Natural Heritage Mapping



Appendix 1 – Comments

From: Steve Gearing <sssgearing@hotmail.com>
Sent: May 3, 2023 4:04 PM
To: Melanie Ducharme <mducharme@municipality.westnipissing.on.ca>
Subject: Re: Planning advisory committee meeting

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Dear Planning Advisory Committee

Please be advised this is a written submission to the Municipality of West Nipissing in regards to file SUB2023/02 a purposed application for a subdivision in our neighborhood.

We are not opposed to the land owners being able to separate and sell. Our concern is regarding the water access only properties seen as lot 7,8 and 9 and the purposed boat launch.

We have two concerns we wish the planning committee to address.

1) Do lots 7,8 and 9 meet required set backs from the river for development and septic approval? The lots are mainly solid rock with approximately a 20 meter vertical elevation. This application does not indicate this and is written as BUSH in the proposal. A site evaluation by the Mattawa Conservation Authority needs to be done to assess this. Also the planning committee needs to do site visits of purpose changes to insure complete understanding of impact to the area.

2)The delicate nature of the Veuve River shoreline as witnessed with recent flooding(pic provided) and loss of shoreline(pic provided) maintaining water quality and preserving wildlife while protecting habitat is a responsibly of this community and The Town of West Nipissing. I have provided a picture of a Blanding Turtle taken by me on the Veuve River July 29 2022. The Blanding's turtle is a threatened reptile and is under the endangered species act of 2007.

Thank you for your consideration and express again the importance of completing site

visits of purposed changes to properties and protecting the environment for both peoples and wildlife of West Nipissing.

Sherri Sharpless
 Steve Gearing

Sent from my iPhone

On Apr 27, 2023, at 12:25 PM, Melanie Ducharme <mducharme@municipality.westnipissing.on.ca> wrote:

Good afternoon Ms. Sharpless and Mr. Gearing,

Receipt is acknowledged of your correspondence and request to be notified of the Decision and any OLT

Hearing of the matter.

Thank you,

Melanie

-----Original Message-----

From: Steve Gearing <sssgearing@hotmail.com>

Sent: April 27, 2023 11:38 AM

To: info <info@municipality.westnipissing.on.ca>; Melanie Ducharme

<mducharme@municipality.westnipissing.on.ca>

Subject: Planning advisory committee meeting

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Melanie Ducharme

My husband and I have received the letter advising us of a purposed subdivision application that affects our neighborhood.

We have some questions and concerns and wish to attend the planning advisory meeting on May9th at 6pm in person.

We also wish to be notified of the decision of the committee and possible Ontario Land Tribunal Hearing and this is my written request to the West Nipissing Municipality.

Please advise me if this email is sufficient or if a paper letter is required.

Sincerely

Sherry Sharpless and Steve Gearing

60 McDonald Rd

Verner

705 492-9137

Sent from my iPhone



From: SHL@O.Paj
To: Stasha.Lind
Subject: Municipality of West Nipissing - Old Highway 17, Varner ON - SUBD2023/02
Date: May 4, 2023 10:45:48 AM
Attachments: [img20231.png](#)

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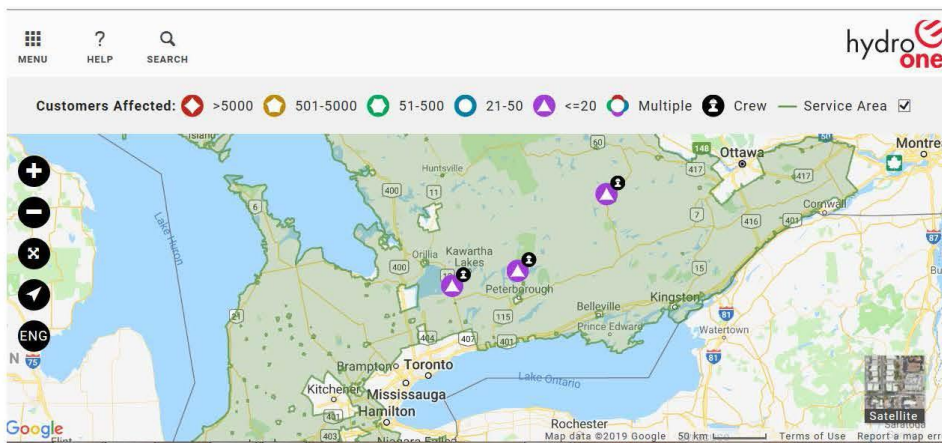
Hello,

We are in receipt of your Plan of Subdivision application, SUBD2023/02 dated April 20th, 2023. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. **Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.**

For proposals affecting "Low Voltage Distribution Facilities" the Owner/Applicant should consult their local area Distribution Supplier. Where Hydro One is the local supplier the Owner/Applicant must contact the Hydro subdivision group at subdivision@hydroone.com or 1-866-272-3330.

To confirm if Hydro One is your local distributor please follow the following link: <http://www.hydroone.com/StormCenter3/>

Please select "Search" and locate address in question by entering the address or by zooming in and out of the map.



If you have any further questions or inquiries, please contact Customer Service at 1-888-664-9376 or e-mail CustomerCommunications@HydroOne.com to be connected to your Local Operations Centre.

If you have any questions please feel free to contact myself.

Thank you,

Dennis De Rango

Specialized Services Team Lead, Real Estate Department
Hydro One Networks Inc.
Tel: (905)946-6237

Email: Dennis.DeRango@HydroOne.com

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From: circulations@wsp.com <circulations@wsp.com>
Sent: May 4, 2023 1:52 PM
To: Melanie Ducharme <mducharme@municipality.westnipissing.on.ca>
Cc: planninganddevelopment@bell.ca
Subject: Draft Plan of Subdivision (SUBD2023/02), Old Hwy 17, West Nipissing

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2023-05-04

Melanie Ducharme

West Nipissing / Nipissing Ouest
Sturgeon Falls, Ontario, P2B 1T1

Attention: Melanie Ducharme

Re: Draft Plan of Subdivision (SUBD2023/02), Old Hwy 17, West Nipissing; Your File No. SUBD2023/02

To Whom this May Concern,

We have reviewed the circulation regarding the above noted application and have the following comments to provide:

Please note that Bell Canada has an existing registered easement granting access and usage rights across a portion of the above referenced lands. This easement is in place to safeguard a critical piece of Bell Canada's data transportation network and Bell is not willing to release its interest. The proposed development should not encroach upon and must not encumber Bell Canada's access to its infrastructure and easement lands in any way.

Any proposal to encroach on, over or under Bell Canada's existing easement shall be submitted to Bell Canada for review prior to any construction relevant to the proposed crossing. Bell Canada reserves the right to approve or deny any proposal to cross its existing easement.

In addition, the following paragraph is to be included as a condition of approval:

“The Owner shall indicate in the Subdivision Agreement, in words satisfactory to Bell Canada, that it will grant to Bell Canada any easement that may be required, which may include a blanket easement, for communication/telecommunication infrastructure.”

Upon receipt of this comment letter, the Owner is to provide Bell Canada with servicing plans/CUP at their earliest convenience to planninganddevelopment@bell.ca to confirm the provision of communication/telecommunication infrastructure needed to service the development.

We would note that WSP operates Bell Canada’s development tracking system, which includes the intake and processing of municipal circulations. However, **all responses to circulations and requests for information, such as requests for clearance, will come directly from Bell Canada, and not from WSP.** WSP is not responsible for the provision of comments or other responses.

If you believe that these comments have been sent to you in error or have questions regarding Bell’s protocols for responding to municipal circulations and enquiries, please contact planninganddevelopment@bell.ca

Should you have any questions, please contact the undersigned.

Yours truly,

Juan Corvalan
Senior Manager - Municipal Liaison
Email: planninganddevelopment@bell.ca

From: [Frank Loeffen](#)
To: [Natasha Liard](#)
Subject: RE: Public notice and sketch for Subdivision file no. SUBD2023/02 - 13107906 Canada Inc.
Date: April 20, 2023 5:14:09 PM
Attachments: [image001.png](#)

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Good afternoon,

The main concern I have is the flood plain of the Veuve River.
According to the draft site plan access to lots 7, 8, 9 will not have fire protection unless a road is installed.

Kindly.

Frank Loeffen, CMMIII
West Nipissing Fire Chief/CEMC
104-225 Holditch Street
Sturgeon Falls, ON P2B 1T1
Office: 705-753-1170 ext. 6920
Cell: 705-491-5847
Email: floeffen@wnfs.ca

From: [Alain Bazinet](#)
To: [Natasha Liard](#)
Subject: RE: Public notice and sketch for Subdivision file no. SUBD2023/02 - 13107906 Canada Inc.
Date: April 20, 2023 4:13:06 PM
Attachments: [image001.png](#)

Nat,

I have no issues with this development.

Regards,

Alain Bazinet, CBCO
BCIN 21050
Chief Building Official
225 Holditch Street
Suite 101
Sturgeon Falls, ON
P2B 1T1
705-753-6906

From: [Shawn Remillard](#)
To: [Natasha Liard](#)
Subject: RE: Public notice and sketch for Subdivision file no. SUBD2023/02 - 13107906 Canada Inc.
Date: April 20, 2023 3:51:26 PM
Attachments: [image001.png](#)

No foreseeable roads issues.

Shawn Remillard, C. Tech.
Manager, Public Works
Municipality of West Nipissing
225 Holditch Street, Suite 101
Sturgeon Falls, ON, P2B 1T1
Phone ... 705-753-0952

From: [Lauzon, Carrie](#)
To: [Melanie Ducharme](#)
Cc: [Natasha Liard](#)
Subject: FW: Public notice and sketch for Subdivision file no. SUBD2023/02 - 13 107906 Canada Inc.
Date: April 27, 2023 8:22:10 AM
Attachments: [image001.png](#)
[image002.png](#)
[Draft Plan - signed.pdf](#)
[SUBD2023-02 - Key Map.pdf](#)
[SUBD2023-02-Notice of Public Meeting --May 9 - 2023 .pdf](#)

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Hi

Please be advised, we have no concerns, as the property is outside of our territory

Thank you

Carrie Lauzon

Engineering/Energy Supply Clerk, Engineering Department
Greater Sudbury Hydro



Building
Connections
for Life



500 Regent Street
Sudbury ON P3E 3Y2
Phone: 705-675-7536 ext. 2220
Fax: 705-675-0529
Email: carrie.lauzon@gsuinc.ca
sudburyhydro.com

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Appendix 2-Conditions of Approval

**DRAFT PLAN OF SUBDIVISION FILE NO. SUBD2023/02
13107906 CANADA INC. & 13163300 CANADA INC.
Part Broken Lot 3, Con. 5, Twp. Kirkpatrick**

**APPENDIX 2
SPECIAL CONDITIONS OF DRAFT APPROVAL**

If an approval is forthcoming by the Council for the Municipality of West Nipissing, it is recommended that the following conditions be imposed on the Owner along with the Conditions of Draft Approval included in Schedule "A" hereto:

- 1) The Corporation of the Municipality of West Nipissing's conditions and amendments to draft plan of approval, for registration of Subdivision File No. SUBD2023/02 are as follows:
- 2) That this approval expires three (3) years from the date of approval shown by the "Draft Plan Approval Stamp" on the face of the draft plan. If there is an appeal to the Ontario Land Tribunal under section 51 (39) of the *Planning Act*, the three (3) year expiration period does not begin until the date of the order of the Ontario Land Tribunal issued in respect of the appeal or from the date of a notice issued by the Board under section 52(51) of the *Planning Act*.
- 3) This Draft Approval applies to the Amended Plan of Subdivision prepared by Goodridge, Goulet Planning & Surveying dated March 17, 2023.
- 4) That prior to signing the Final Plan by the Municipality, the proposed subdivision conforms to the Zoning By-law in effect for the Municipality or with respect to any zoning conditions contained herein;
- 5) The Owner shall enter into a Subdivision Agreement with the Municipality with terms and conditions satisfactory to the Municipality.
- 6) Prior to the earlier of any construction, including site alteration or Subdivision Agreement, the Owner agrees to submit an Environmental Site Assessment (ESA) report(s) prepared by a qualified person, in accordance with the *Environmental Protection Act* and its regulations and all applicable standards, to the Municipality for peer review and concurrence. Such report shall include, but not be limited to, fish habitat, impact on water quality and species at risk, if any.
- 7) The Owner shall implement any recommendations of the accepted technical reports/studies submitted in support of the Draft Plan of Subdivision to the satisfaction of the Municipality at no cost to the Municipality.
- 8) The Owner agrees to revise the Draft Plan of Subdivision, as necessary, to incorporate the recommendations to implement or integrate any recommendations from the above studies, and drawings.
- 9) The Owner agrees that a natural vegetation buffer will be maintained along the water's edge of each lot, to be measured horizontally 7.5 metres back from the normal high watermark. The existing

vegetation and natural soil mantle within this buffer strip will be maintained in a natural state for not less than 50% of the lot frontage.

10) Private water supply and sewage disposal facilities must be approved by the Ministry of the Environment, or its agent in certain areas, in accordance with Ontario Regulations 229/74 as amended, made under the Environmental Protection Act, 1971, as amended.

11) That the owner shall pay to the Municipality by way of certified cheque, cash in lieu of the dedication of parkland equivalent to 5% of the value of the subject lands. The Owner shall submit an appraisal of the lands being subdivided, minus the value of the Owner's dwelling, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Municipality and the approved appraisal shall form the basis of the cash in lieu payment. convey up to 5% of the land included in the plan or cash-in-lieu to the Municipality for park or other public recreational purposes.

12) That the Subdivision Agreement between the owner and the Municipality be registered by the Municipality against lands to which it applies once the Plan of Subdivision has been registered prior to any encumbrances.



West Nipissing Ovest

CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

Council - Committee of the Whole

Resolution # By-Law 2023/46
Title: General Amendments to West Nipissing Zoning By-Law 2014-45
Date: May 16, 2023

Moved by: _____

Seconded by: _____

BE IT RESOLVED THAT By-Law **2023/46**, being a By-Law to amend Zoning By-Law No. **2014/45** to adopt general amendments to the West Nipissing Zoning By-Law 2014-45 shall come into force and take effect on the date it is passed

CARRIED

DEFEATED

DEFEATED

**CARRIED WITH
AMENDMENTS / REFERRED /
DEFERRED / DELETED**



West Nipissing Ouest

CORPORATION DE LA MUNICIPALITÉ DE NIPISSING OUEST

Council - Committee of the Whole

Résolution #

By-Law 2023/46

Titre:

Modifications générales au règlement de zonage de Nipissing Ouest 2014-45

Date:

le 16 mai 2023

Proposé par:

Appuyé par:

IL EST RÉSOLU QUE le règlement 2023/46, qui est un règlement visant à modifier le règlement de zonage n° 2014/45 afin d'adopter des modifications générales au règlement de zonage, entre en vigueur et prenne effet à la date à laquelle il est adopté.

ADOPTÉ

REJETÉ

REJETÉ

**ADOPTÉ AVEC
MODIFICATIONS / REPORTÉ /
RÉFÉRÉ / RETIRÉ**



THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING
BY-LAW 2023/47

**BEING A BY-LAW TO AMEND ZONING BY-LAW NO. 2014/45
TO INCORPORATE GENERAL AMENDMENTS TO THE ZONING BY-LAW**

WHEREAS Comprehensive Zoning By-law 2014/45 was adopted by Council in 2014 and Council has determined that amendments are warranted to specific sections of By-law 2014/45;

AND WHEREAS the Council of the Corporation of the Municipality of West Nipissing has ensured that adequate information has been made available to the public, and has held at least one (1) public meeting after due notice for the purpose of informing the public of the By-law;

AND WHEREAS it is deemed desirable to amend the zoning by-law pursuant to Section 34 of the Planning act R.S.O. 1990, as amended;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING ENACTS AS FOLLOWS:

1. SECTION 4.2 - ACCESSORY USES, BUILDINGS AND STRUCTURES

Replace Section 4.2.3 with the following

4.2.3 Location on a lot: Accessory buildings, structures or uses are permitted in any yard, provided such building, structure or use:

- is not permitted in the required front yard or the required exterior side yard; and
- 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.
- In the RR, RU, A1 and A2 zone is not built closer than 3.0m to any lot line

2. SECTION 4.2.11 - STORAGE CONTAINERS

Amend Section 4.2.11 as follows:

Section 4.2.11 Railway Shipping (Storage) Containers/Galvanized Steel Buildings:

- (a) No person shall, in the Residential One (R1), Residential Two (R2), Residential Three (R3) or Residential Four (R4) Zones, use any truck, bus, coach, transport truck trailer, streetcar body, railway car body, railway shipping (storage) container, or similar structure of any kind, for the purpose of an accessory structure;
- (b) No person shall, in the Shoreline Residential (SR) Zone, use any truck, bus, coach, transport truck trailer, streetcar body, railway car body, or similar structure of any kind, for the purpose of an accessory structure.
- (c) No person shall, in the Residential One (R1), Residential Two (R2), Residential Three (R3) Residential Four (R4) Zones permit more than one (1) galvanized steel building which galvanized steel structure shall, for the purposes of this by-law, be considered an Accessory Structure and subject to the all regulations relating thereto including placement, lot coverage, etc;
- (d) No person shall, in the Shoreline Residential (SR) zone;
 - i. permit more than one (1) storage container or galvanized steel building, which storage container or galvanized steel structure shall, for the purposes of this by-law, be considered an Accessory Structure and subject to the all regulations relating thereto including placement, lot coverage, etc;
 - ii. permit a storage container or galvanized steel building on any lot having an area of less than 4000m² (1 acre);

3. SECTION 4.28.1 – TEMPORARY USES:

Amend Section 4.28.1 Construction as follows:

- 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.

4. Table 6.3 - Maximum Number of Dwelling Units in SR and RR zones;

Table 6.3 – RESIDENTIAL ZONE REQUIREMENTS be amended to correct typographical errors in the Maximum Number of Dwellings in the RR and SR zones in as follows:

REGULATION	R1	R2	R3	R4	SR	RR	MHR
Maximum Number of Dwelling Units	3	3	8(c)	(d)	1	1	10/ha

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

Amend Note (b) in Tables 9.1 and 9.2, as follows:

Table 9.1 note (b)

Where a residential lot having an area of Four (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)

Where a residential lot having an area of Four (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.

This By-law shall take effect on the date of passage and come into force in accordance with Section 34 of the Planning Act, RSO 1990, Ch. P 13

ENACTED AND PASSED THIS 16th DAY OF MAY, 2023 AS WITNESSED BY THE SEAL OF THE CORPORATION AND THE HANDS OF ITS PROPER OFFICERS.

KATHLEEN THORNE ROCHON

MELANIE DUCHARME



MEMORANDUM

TO: Planning Advisory Committee Members

FROM: Melanie Ducharme, Municipal Clerk/Planner

DATE: MAY 9, 2023

RE: PROPOSED AMENDMENTS TO ZONING BY-LAW 2014-45

In 2021 and 2022, certain amendments to the West Nipissing Comprehensive Zoning By-Law were discussed by the previous Planning Advisory Committee. The proposed changes were being brought by staff based on recurring enquiries from the public regarding certain matters which staff felt necessitated a “second look” at certain by-law to determine whether changes were in order.

A variety of changes were discussed, with those on the attached draft having been the final result of many discussions by the PAC and input from the public. From this discussion, the separate issue of Short Term Rental Accommodations arose and was determined to be an issue to be dealt with on its own, outside of the “housekeeping” amendments.

As a result of Council difficulties and the election taking place in 2022, the final iteration of the zoning by-law amendment which was recommended by the PAC, never came to council for final adoption. I am bringing this back for the purpose of informing this committee of the recommendations of the predecessor committee and also for the purpose of addressing a housekeeping amendment which came to light in January of this year which is as follows:

In 2013-14 when the comprehensive by-law was being considered, many versions of the by-law were considered prior to adoption. In its final version, there was an error in Table 6.3, which only came to light in 2023.

Table 6.3 sets out the standards for the Residential Zones. In the early stages, there was consideration to having two different SR (shoreline residential) and RR (Rural residential zones). The intent of this was to have different standards for existing undersized lots, one of which was to permit two (2) dwellings in the zone having the regulation sized lots. The two zone concept was discarded by Council, however the 2 permitted dwellings was inadvertently left in the table, however never applied in practice. All persons requesting a second dwelling in the SR and RR zones have been required to obtain an amendment to the by-law since 2014 and the intent is to continue the practice.

Accordingly, since the provision, as written, has never been applied since the by-law was adopted, it is recommended that this minor amendment be effected for the purpose of reflecting current practice and the original intent of the by-law.

This change will be included with the other changes to be adopted, all of which have undergone public consultation as is required by the Act.



THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

West Nipissing Planning Advisory Committee

Resolution Number: 2023-017
Title: ZBLA2021-16 - Amendments to Comprehensive Zoning By-Law 2014-45
Date: May 9, 2023

Moved by: Roch St. Louis
Seconded by: Daniel Seguin

WHEREAS The Planning Advisory Committee for the Municipality of West Nipissing recommended changes to the West Nipissing Comprehensive Zoning By-Law 2014-45 on January 11, 2022;

AND WHEREAS the Planning Advisory Committee appointed for the 2022-2026 Term has reviewed the proposed changes and agrees with the recommendation;

BE IT RESOLVED THAT the Planning Advisory Committee for the Municipality of West Nipissing having reviewed the recommendation of the prior Committee hereby recommends that the Municipality of West Nipissing adopt the proposed changes to the Comprehensive Zoning By-Law.

Resolution Carried

Resolution No.

2022/004

**WEST NIPISSING PLANNING ADVISORY COMMITTEE
ZBLA2021/16**

JANUARY 10, 2022

Moved by / *Proposé par* :

Normand Roberge

Seconded by / *Appuyé par*:

Christopher Fisher

WHEREAS a public meeting was held for the purpose of amending Zoning By-Law 2014-45;

AND WHEREAS written concerns and objections were received: YES or NO

BE IT RESOLVED THE WEST NIPISSING PLANNING ADVISORY COMMITTEE

RECOMMENDS

DOES NOT RECOMMEND

THAT COUNCIL FOR THE MUNICIPALITY OF WEST NIPISSING enact the following changes to Zoning By-Law 2014-45:

As shown on Schedule 'A', attached.

Defeated:	
Deferred/Tabled:	TO FEBRUARY 14, 2022

	Yeas	Nays
Duhaime, Yvon		
Fisher, Christopher		
Pellerin, Fernand		
Roberge, Normand		
Savage, Joanne		
Sénécal, Denis		
Roveda, Dan		

"Denis Sénécal"

CHAIR

"Melanie Ducharme"

SECRETARY



West Nipissing Oust

CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

Council - Committee of the Whole

Resolution #**Title:** Award of the granular resurfacing quotation**Date:** May 16, 2023**Moved by:** _____**Seconded by:** _____

BE IT RESOLVED THAT the quotations for the 2023 Granular Resurfacing Projects for the Municipality of West Nipissing be awarded as follows:

AWARDED TO	ROAD	UNIT PRICE (/MT) <i>(H.S.T. Not included)</i>
Ed Séguin & Sons	Alphonse	\$19.23
Ed Séguin & Sons	Bellefeuille	\$21.23
French River Contracting	Dokis	\$20.39
Ed Séguin & Sons	Gauthier	\$15.38
Ed Séguin & Sons	Labrosse	\$18.28
Labelle Bros. Excavating	Pierre	\$16.70
Labelle Bros. Excavating	Quesnel	\$16.70
Ed Séguin & Sons	Roberts	\$20.23
Ed Séguin & Sons	Rochon	\$19.88

CARRIED

DEFEATED

DEFEATED

CARRIED WITH
AMENDMENTS / REFERRED /
DEFERRED / DELETED



West Nipissing Ouest

CORPORATION DE LA MUNICIPALITÉ DE NIPISSING OUEST

Council - Committee of the Whole

Résolution #

Titre: Attribution du devis pour le resurfaçage granulaire

Date: le 16 mai 2023

Proposé par: _____

Appuyé par: _____

IL EST RÉSOLU QUE les soumissions pour les projets de resurfaçage granulaire de 2023 pour la municipalité de Nipissing Ouest soient attribuées comme suit :

ATTRIBUÉ À	RUE	PRIX UNITAIRE (/TM) (H.S.T. pas inclus)
Ed Séguin & Sons	Alphonse	\$19.23
Ed Séguin & Sons	Bellefeuille	\$21.23
French River Contracting	Dokis	\$20.39
Ed Séguin & Sons	Gauthier	\$15.38
Ed Séguin & Sons	Labrosse	\$18.28
Labelle Bros. Excavating	Pierre	\$16.70
Labelle Bros. Excavating	Quesnel	\$16.70
Ed Séguin & Sons	Roberts	\$20.23
Ed Séguin & Sons	Rochon	\$19.88

ADOPTÉ

REJETÉ

REJETÉ

ADOPTÉ AVEC
MODIFICATIONS / REPORTÉ /
RÉFÉRÉ / RETIRÉ



The Corporation of the Municipality of West Nipissing
 La Corporation de la Municipalité de Nipissing Ouest
 225 rue Holditch Street, Suite 101, Sturgeon Falls, ON P2B 1T1
 705-753-2250 or/ou 1-800-263-5359
 Fax/télécopie 705-753-3950

Project	GRANULAR RESURFACING 2023									
Closing Information	April 11, 2023									
Opened By	Shawn Remillard & Elizabeth Henning					BID SUBMISSIONS (Unit Price per Metric Tonne)				
Name	Date Received	Alphonse	Bellefeuille	Dokis	Gauthier	Labrosse	Pierre	Quesnel	Roberts	Rochon
French River Contracting	11-Apr-23	NA	NA	\$20.39	NA	NA	NA	NA	NA	NA
Roleo Seguin	11-Apr-23	\$21.95	NA	NA	\$21.50	NA	\$21.50	\$21.50	NA	NA
Labelle Bros Excavating	11-Apr-23	NA	NA	NA	16.70	NA	\$16.70	\$16.70	NA	NA
Ed Seguin & Sons	11-Apr-23	\$19.23	\$21.23	\$25.23	\$15.38	\$18.28	\$19.93	\$18.93	\$20.23	\$19.88

*



West Nipissing Ouest

CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

Council - Committee of the Whole

Resolution #

Title: Award of the asphalt sheeting quotation

Date: May 16, 2023

Moved by: _____

Seconded by: _____

WHEREAS three (3) quotations were received for asphalt sheeting services in the Municipality of West Nipissing;
AND WHEREAS Council concurs with the recommendation received;
BE IT THEREFORE RESOLVED THAT the quotation for asphalt sheeting services in the Municipality of West Nipissing be awarded to **PIONEER CONSTRUCTION**, having submitted the lowest quotation of \$106,100.85, meeting all the specifications.

CARRIED

DEFEATED

DEFEATED

**CARRIED WITH
AMENDMENTS / REFERRED /
DEFERRED / DELETED**



West Nipissing Ouest

CORPORATION DE LA MUNICIPALITÉ DE NIPISSING OUEST

Council - Committee of the Whole

Résolution #

Titre: Attribution de l'offre pour la pose de l'asphalte

Date: le 16 mai 2023

Proposé par: _____

Appuyé par: _____

ATTENDU QUE trois (3) soumissions ont été reçues pour des services d'installation d'asphalte dans la municipalité de Nipissing Ouest;

ATTENDU QUE le Conseil est d'accord avec la recommandation reçue;

IL EST DONC RÉSOLU QUE la soumission pour les services l'installation d'asphalte dans la municipalité de Nipissing Ouest soit attribuée à **PIONEER CONSTRUCTION**, ayant soumis la soumission la plus basse de 106,100.85 \$, répondant à toutes les spécifications

ADOPTÉ

REJETÉ

REJETÉ

**ADOPTÉ AVEC
MODIFICATIONS / REPORTÉ /
RÉFÉRÉ / RETIRÉ**



Project	Asphalt Sheeting 2023	
Closing Information	45027	
Opened By	Elizabeth Henning	and Alisa Craddock
Name	Date Received	Bid Submission
Miller Paving	April 11, 2023	\$146,572.00
Interpaving	April 11, 2023	\$115,711.20
Pioneer Construction	April 11, 2023	\$106,100.85



West Nipissing Ouest

CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

Council - Committee of the Whole

Resolution #

Title: Exemption from Fencing By-Law - 47 Chateau Terrace

Date: May 16, 2023

Moved by: _____

Seconded by: _____

WHEREAS a request for exemption has been received from Jocelyne Bouffard and Claude Strasbourg for exemption from the West Nipissing Fencing By-Law no. 2009/38 in order to construct a fence on the easterly boundary of 2.15m, which exceeds the maximum height in the said by-law of 2.0m.

BE IT RESOLVED that Council for the Municipality of West Nipissing grants and exemption to By-Law No. 2009/38 for property at 47 Chateau Terrace in order to build a fence of 2.15m (east boundary only).

CARRIED

DEFEATED

DEFEATED

**CARRIED WITH
AMENDMENTS / REFERRED /
DEFERRED / DELETED**



CORPORATION DE LA MUNICIPALITÉ DE NIPISSING OUEST

Council - Committee of the Whole

Résolution #

Titre: du Règlement sur les clôtures - 47, terrasse du château

Date: le 16 mai 2023

Proposé par: _____

Appuyé par: _____

ATTENDU QUE une demande d'exemption a été reçue de la part de Jocelyne Bouffard et Claude Strasbourg pour une dérogation du règlement no 2009/38 concernant les clôtures de Nipissing Ouest afin de construire une clôture de 2,15 m sur la limite est, ce qui excède la hauteur maximale de 2,0 m prévue par ledit arrêté.

IL EST RÉSOLU que le conseil de la municipalité de Nipissing Ouest accorde une exemption à l'arrêté no 2009/38 pour la propriété du 47, terrasse Château, afin de construire une clôture de 2,15 m (limite est seulement).

ADOPTÉ

REJETÉ

REJETÉ

**ADOPTÉ AVEC
MODIFICATIONS / REPORTÉ /
RÉFÉRÉ / RETIRÉ**

MEMORANDUM

TO: Jay Barbeau, CAO

FROM: Melanie Ducharme

DATE: May 16, 2023

RE: REQUEST FOR EXEMPTION FROM FENCING BY-LAW

Please see attached request for exemption from the West Nipissing Fence By-Law in order to build a fence which exceeds the permitted maximum height of 2m (6'6").

Notwithstanding that staff have communicated alternative options to increasing the fence height such as installing visual screening on the proposed decking or a free-standing structure located wholly within the limits of the owner's property, the owners are requesting exemption from the by-law to build the fence at 7' feet (2.15m).

Joie de vivre



www.westnipissingouest.ca

OFFICE OF THE REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE
NORTHEAST REGION

159 CEDAR STREET, SUITE 303
SUDBURY, ONTARIO, P3E 6A5



BUREAU DU JUGE PRINCIPAL RÉGIONAL
COUR DE JUSTICE DE L'ONTARIO
RÉGION DU NORD-EST

159, RUE CEDAR, PIÈCE 303
SUDBURY (ONTARIO) P3E 6A5

TELEPHONE/TÉLÉPHONE : (705)564-7624
FACSIMILE/TÉLÉCOPIEUR : (705)564-7620

July 2, 2009

Marcelle Cloutier
Deputy Clerk/Executive Secretary
Corporation of the Municipality of West Nipissing
105 – 225 rue Holditch Street
Sturgeon Falls, ON, P2B 1T1

Dear Ms. Cloutier:

Re: Set Fine Application – Provincial Offences Act
Part I – Municipality of West Nipissing – Nipissing District

Enclosed herewith is a copy of an Order and a copy of the schedule of set fines for By-law No. 2009/38, the By-law indicated in the schedule. Please ensure that a copy of the said document is forwarded to the Provincial Offences Office, which has jurisdiction for the Municipality of West Nipissing in the Nipissing District.

The setting of the fines does not constitute my approval of the short form of wording used to describe the Offences.

I have forwarded the original of the Orders and the schedules of these set fines to the Ontario Court of Justice in North Bay.

Yours truly,

A handwritten signature in blue ink, appearing to read 'Richard A. Humphrey'.

Justice Richard A. Humphrey
Regional Senior Justice
Ontario Court of Justice

RAH/sp
Encl.

c.c.: Her Worship Kathleen Bryant, Regional Senior Justice of the Peace
His Worship William Brownell, Justice of the Peace

OFFICE OF THE REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE
NORTHEAST REGION

159 CEDAR STREET, SUITE 303
SUDBURY, ONTARIO, P3E 6A5



BUREAU DU JUGE PRINCIPAL RÉGIONAL
COUR DE JUSTICE DE L'ONTARIO
RÉGION DU NORD-EST

159, RUE CEDAR, PIÈCE 303
SUDBURY (ONTARIO) P3E 6A5

TELEPHONE/TÉLÉPHONE : (705)564-7624
FACSIMILE/TÉLÉCOPIEUR : (705)564-7620

PROVINCIAL OFFENCES ACT

Part I

IT IS ORDERED pursuant to the provisions of the *Provincial Offences Act* and the rules for the Ontario Court of Justice, that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By-Law No. 2009/38, of the Corporation of the Municipality of West Nipissing, Nipissing District, attached hereto is the set fine for those Offences. This Order is to take effect July 9, 2009.

Dated at the City of Greater Sudbury this 2nd day of July, 2009.

A handwritten signature in blue ink, appearing to read 'R.A. Humphrey', written over a horizontal line.

RICHARD A. HUMPHREY
REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE

THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

BY-LAW NO. 2009/38

**BEING A BYLAW TO REGULATE FENCES
(EXCLUDING SWIMMING POOL FENCES)**

WHEREAS Section 10(2) of the Municipal Act S.O., 2001, c. 25 authorizes Council to pass by-law respecting structures, including fences and signs;

AND WHEREAS Section 427(1) of the Municipal Act S.O., 2001 c. 25 provides that a municipality may proceed to do things at a person’s expense, which that person is otherwise required to do under a by-law or otherwise failed to do;

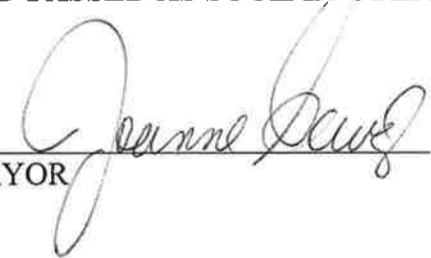
AND WHEREAS by By-law 2005/40 the Corporation of the Municipality of West Nipissing established a by-law regulating fencing around swimming pools.

AND WHEREAS the Corporation of the Municipality of West Nipissing now considers it desirable to enact a by-law to regulate all other fencing in the Municipality of West Nipissing (except swimming pool fencing which shall continue to be regulated By by-law 2005/40);

NOW THEREFORE the Council of the Corporation of the Municipality of West Nipissing hereby adopts the following as a by-law:

1. That Council adopts a bylaw to regulate the height, location and description of lawful fences within the Municipality of West Nipissing identified as Schedule “A” hereto attached and forming part of this by-law.
2. That this by-law shall come into force and effect and take effect on the date of its final passing;
3. That the clerk of the Municipality of West Nipissing is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to this bylaw as may be deemed necessary after the passage of this by-law.

READ A FIRST TIME AND CONSIDERED READ A SECOND AND THIRD TIME AND PASSED AS SUCH IN OPEN COUNCIL THIS 16TH DAY OF JUNE 2009.



 MAYOR



 CLERK

**CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING
SCHEDULE "A" TO BY-LAW NO. 2009/38**

BEING A BYLAW TO REGULATE FENCES

INDEX

Part 1 – Definitions

Part 2 – Application

Part 3 – Administration

Part 4 – Permits and Approvals

Part 5 – Regulations

Part 6 – Line Fences Act

Part 7 – Exemptions

Part 8 – Enforcement

Part 9 – Validity

Part 1
DEFINITIONS OF WORDS AND PHRASES:

1.01 Definitions of words and phrases used in this by-law that are not included in the list of definitions in this section shall have the meanings which are commonly assigned to them in the context in which they are used in this by-law.

1.02 The words defined in this section have the following meaning for the purposes of this by-law.

“Agricultural Zone” means the area of land designated for agricultural use as prescribed in the Zoning By-law.

“Boundary Fence” means a fence to mark the lot line between an owner’s land and adjoining lands.

“Building By-law” means the Municipality of West Nipissing by-law and amendments thereto and any subsequent by-laws which may be enacted in substitution thereof.

“Building Code Act” means the Building Code Act, S.O. 1992, c.25

“Commercial Zone” means the area of land designated for commercial use as prescribed in the Zoning By-law.

“Council” means the Council of the Municipality of West Nipissing.

“Farm Fence” means a fence erected for the purpose of containing livestock, enclosing crops, water areas, woodlots, buildings, fields or laneways for the operation of agriculture.

“Fence” means a hedge or thick growth of shrubs or trees, a structure or partition made of wood, metal, or other substance that is constructed for any purpose, such as marking the boundary of property, enclosing a property, providing privacy, preventing access by people or animals, or dividing property into sections, and includes every door, gate and other closure that forms part of a fence.

“Grade” means the elevation of the surface of the ground where it abuts a fence or other structure.

“Height” means the vertical distance between natural grade and the top of the fence.

“Industrial Zone” means the area of land designated for industrial use as prescribed in the Zoning By-law.

“Inhabitants” means those person(s) occupying or residing within the municipality.

“Line Fences Act” means the Line Fences Act, R.S.O. 1990, Chapter L.17 as amended.

“Lot Line” means the boundary line between adjoining properties and or the boundary line between a property and a highway, road street, avenue, laneway, watercourse etc.

- a) **“Front Lot Line”** means,
- (i) in the case of an interior lot, the lot line dividing the lot from the street;
 - (ii) in the case of a corner lot, the shorter lot line abutting a street shall be deemed to be the front lot line except where the lot lines abutting a street are the same length, the lot line used for the principal entrance to the lot shall be deemed to be the front lot line;
 - (iii) In the case of a through lot, the lot line used for the principal entrance to the lot shall be deemed to be the front lot line;
 - (iv) in case of a standard waterfront lot, the lot line which fronts on the water shall be deemed to be the front lot line;

- b) **“Flank Lot Line”** means any lot line other than a front lot line which is also a street line.
- c) **“Rear Lot Line”** means any lot line which is not a front lot line, a flank lot line or a side lot line.
- d) **“Side Lot Line”** means a lot line which intersects a front lot line or a flank lot line provided that, if any side lot line or portion thereof is the rear lot line of an abutting lot, such lot line or portion thereof shall be deemed to be a rear lot line.

“Maintain” means to carry out repairs of any part or parts of a swimming pool fence so that it can properly perform to intended function.

“Municipality” means the Corporation of the Municipality of West Nipissing.

“Natural Grade” means the average naturally occurring elevation of ground level within 3 meters (9.84 ft) horizontally of each side of a fence.

“Owner” means the person for the time being managing or receiving the rent of the land or premises in connection with which the word is used, whether on the person’s own account or as agent or trustee of any other person, or who would so receive the rent if such land and premise were lent.

“Person” means an individual, firm or corporation.

“Property” means a parcel of land and any building or other structure on the land.

“Property Standards Officer” means the person or persons duly appointed from time to time by Council to enforce regulatory by-laws of the Municipality.

“Residential Zone” means those areas of land designated for residential use as prescribed in the Zoning By-law.

“Rural Zone” means the area of land designated for rural use as prescribed in the Zoning By-law.

“Rural Residential Zone” means the area of lands designated for rural residential use as prescribed in the Zoning By-law as well as those lands in rural or agriculturally designated areas of the municipality where lots are equal to or less than one acre in size.

“Sight Triangle” means that area lying within the triangle bounded by a line running from two points located 9 meters (29.52 feet) from the corner of any lot (being the hypotenuse of the triangle), and the lines from those two points to the same corner of the lot, where the lot corner is adjacent to an intersection of two or more streets, roads, highways or public thoroughfares.

“Yard” means a space, appurtenant to a building, structure or excavation, located on the same lot as the building, structure or excavation, and which space is open, uncovered and unoccupied from the ground to the sky except for such accessory buildings, structures or uses as are specifically permitted.

- a) **“Front Yard”** means a yard located between the front lot line and the nearest part of any excavation or main building on the lot and extending across the full width of the lot.
- b) **“Flank Yard”** means a yard located between a flank lot line and the nearest part of any excavation or main building on the lot and extending for the full length of such flank lot line, but excluding any front yard.
- c) **“Rear Yard”** means a yard located between a rear lot line and the nearest part of any excavation or main building on the lot and extending for the full length of such rear lot line, but excluding any front yard or flank yard.
- d) **“Side Yard”** means a yard located between a side lot line and the nearest part of any excavation or main building on the lot and extending for the full length of such side lot line, but excluding any front yard, flank yard or rear yard.

“Zone” means an area designated on a Zoning Map Schedule and established by the Zoning By-law for a specific use.

“Zoning By-Law” means all current by-laws and amendments thereto and any subsequent by-laws which may be enacted in substitution therefore under the Planning Act R.S.O. 1990 c.P.13 (as amended) with respect to land use within the Municipality of West Nipissing.

Part 2 APPLICATION

- 2.1 The requirements of this by-law apply to all property within the geographic limits of the Municipality of West Nipissing, except where otherwise provided.
- 2.2 If there is a conflict between a requirement established by another by-law of the Municipality and a requirement of this by-law, the requirement that establishes the higher standard in terms of protecting the health, safety and well-being of the inhabitants of the Municipality prevails to the extent of the conflicts.
- 2.3 This by-law shall apply to all fences constructed or replaced in the Municipality on or after the date of adoption.

Part 3 ADMINISTRATION

- 3.1 The Property Standards Officer is responsible for the administration and enforcement of this by-law.

Part 4 PERMITS AND APPROVALS

- 4.1 No permit is required pursuant to this by-law for the construction of a fence.

Part 5 REGULATIONS

- 5.1 No person shall erect, construct, rebuild, reconstruct, alter, maintain or move or cause, suffer or permit the erecting, construction, rebuilding, reconstructing, altering, maintaining or moving of any fence contrary to the provisions set out below, except as provided in Part 7-Exemptions.

Height and Description of Lawful Fences

- 5.2 No person shall construct a fence that is greater than 2 meters (6.56 feet) in height above natural grade on or around any property in all zones.
- 5.3 No person shall construct a fence in a residential or rural residential zone that is greater than 1.2 meter (4.00 feet) in height above natural grade within any required front yard or flank yard as prescribed in the Zoning by-law.
- 5.4 Notwithstanding the requirements of Section 5.2 and 5.3, the maximum height of a fence above natural grade does not apply in an industrial or institutional zone or on any property in any zone where the fence is constructed to surround a public utility installation for the generation and distribution of electricity, a pipeline valve, storage site for chemicals and explosives, sludge pit or other property used for similar or related purposes or other locations where there is a risk to the public as determined by the Property Standards Officer.
- 5.5 A fence of chain link construction where permitted under Section 5.4 shall comprise of chain link with diamond mesh of not greater than 38 millimeters (1.5 inches), consisting of 12 gauge galvanized steel wire or 14 gauge galvanized steel wire covered with vinyl or

another coating that is acceptable to the Property Standards Officer which forms a total thickness equivalent to 12 gauge galvanized steel wire.

Sight Triangle

- 5.6 Notwithstanding Section 5.3 and except where permitted by Sec 5.4, no person shall construct a fence within the sight triangle that is greater than 1.2 meters (4.00 feet) in height.

Barbed Wire

- 5.7 No person shall construct a fence consisting wholly or partly of barbed wire or other barbed material in a residential zone or on any boundary line in any zone that adjoins a property in a residential, institutional or recreational zone.
- 5.8 Notwithstanding Section 5.7 a farm fence constructed in a rural or agricultural zone may consist of barbed wire.
- 5.9 Notwithstanding Section 5.10 a person may construct a fence consisting partly of barbed wire or other barb material on or around an industrial property, public utility installation for the generation and distribution of electricity, pipeline valve, storage site for chemicals and explosives, sludge pit or other property used for similar or related purposes, provided such barbed wire or other barbed material is cantilevered from the top of such fence in a direction away from adjacent properties, and is at a height of not less than 1.83 meters (6 feet) above natural grade.

Electrified Wire

- 5.10 No person shall construct a fence consisting wholly or partly of electrified wire material in a residential zone or boundary line of any property in any zone adjoins a property in a residential or institutional zone.

Part 6 LINE FENCES ACT

- 6.1 The provisions of the Line Fences Act, R.S.O.1990, c.L. 19, as amended, shall apply to all fences within the municipality.

Part 7 EXEMPTIONS

- 7.1 The requirements of this by-law do not apply to a fence that was constructed lawfully prior to the day on which this by-law came into force.
- 7.2 Notwithstanding Section 7.1, the requirements of this by-law shall apply when any change to a fence is made after the day on which this by-law came into force.
- 7.3 The requirements of this by-law with respect to the height of fence do not apply to a farm fence in agricultural or rural zones that is necessary for the raising of certain types of animals or for another agricultural purpose.
- 7.4 The requirements of this by-law with respect to the height of a fence do not apply to a fence constructed for the purpose of protecting the public from the danger of flying or falling objects including baseballs or golf balls.
- 7.5 The requirements of this by-law with respect to the height of a fence do not apply to fence on or surrounding municipally owned property.

Part 8
ENFORCEMENT

- 8.1.1 Every person who contravenes any section of this By-law is, upon conviction, guilty of an offence and subject to a penalty as provided under the Provincial Offences Act.
- 8.1.2 No person shall erect, construct, rebuild, reconstruct, alter, maintain or move or cause, suffer or permit the erecting, construction, rebuilding, reconstructing, altering, maintaining or moving of any fence contrary to the provisions of this By-law.
- 8.2 Each new day of continuing offence will be considered a new offence.
- 8.3 The Court in which conviction has been entered and any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the Person convicted, and such order shall be in addition to any other penalty imposed and enacted as such.

Part 9
VALIDITY

- 9.1 It is declared that notwithstanding that any section or sections of this by-law, or parts thereof, may be found by any court of law to be bad or illegal or beyond the power of the Council to enact, such section or sections or parts thereof shall be deemed to be severable and that all other sections or parts of this by-law are separate and independent from each other and enacted as such.

THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

**SET FINE SCHEDULE "B" TO BY-LAW 2009/38
PART 1 PROVINCIAL OFFENCES ACT**



By-law 2009/38 re: To regulate fencing excluding swimming pool fences

ITEM	COLUMN 1 SHORT FORM WORDING	COLUMN 2 PROVISION CREATING OR DEFINING OFFENCE	COLUMN 3 SET FINE
1	Construct a fence that does not comply with requirements of by-law	Schedule 'A' Part 5 Section 5.1	\$ 175.00
2	Construct a fence greater than 2 meters (6.56') high	Schedule 'A' Part 5 Section 5.2	\$ 175.00
3	In residential area, construct fence greater than 1.2 meter (4.00 ') high	Schedule 'A' Part 5 Section 5.3	\$ 175.00
4	Construct a chain link fence with diamond mesh greater than 38 mm. (1.5 ")	Schedule 'A' Part 5 Section 5.5	\$ 175.00
5	Construct fence with sight triangle greater than 1.2 meters (4') high	Schedule 'A' Part 5 Section 5.6	\$ 175.00
6	Construct a barbed-wire fence in residential zone	Schedule 'A' Part 5 Section 5.7	\$ 175.00
7	Construct a barbed-wire fence on boundary line/zone adjoining residential property	Schedule 'A' Part 5 Section 5.7	\$ 175.00
8	Construct a barbed-wire fence on boundary line/zone adjoining institutional property	Schedule 'A' Part 5 Section 5.7	\$ 175.00
9	Construct a barbed-wire fence on boundary line/zone adjoining recreational property	Schedule 'A' Part 5 Section 5.7	\$ 175.00
10	Construct fence of wholly/partly electrified wire material in residential zone	Schedule 'A' Part 5 Section 5.10	\$ 175.00
11	Construct fence of wholly/partly electrified wire material on boundary line adjoining residential zone	Schedule 'A' Part 5 Section 5.10	\$ 175.00
12	Construct fence of wholly/partly electrified wire material on boundary line adjoining industrial zone	Schedule 'A' Part 5 Section 5.10	\$ 175.00
13	Erect fence contrary to provisions of fencing by-law	Schedule 'A' Part 8 Section 8.1.2	\$ 175.00
14	Re-build fence contrary to provisions of fencing by-law	Schedule 'A' Part 8 Section 8.1.2	\$ 175.00
15	Reconstruct fence contrary to provisions of fencing by-law	Schedule 'A' Part 8 Section 8.1.2	\$ 175.00
16	Alter fence contrary to provisions of fencing by-law	Schedule 'A' Part 8 Section 8.1.2	\$ 175.00
17	Maintain fence contrary to provisions of fencing by-law	Schedule 'A' Part 8 Section 8.1.2	\$ 175.00
18	Cause/suffer/permit construction of fence contrary to fencing by-law	Schedule 'A' Part 8 Section 8.1.2	\$ 175.00
19	Cause/suffer/permit erecting of fence contrary to fencing by-law	Schedule 'A' Part 8 Section 8.1.2	\$ 175.00
20	Cause/suffer/permit rebuilding of fence contrary to fencing by-law	Schedule 'A' Part 8 Section 8.1.2	\$ 175.00
21	Cause/suffer/permit reconstructing of fence contrary to fencing by-law	Schedule 'A' Part 8 Section 8.1.2	\$ 175.00

ITEM	COLUMN 1 SHORT FORM WORDING	COLUMN 2 OFFENCE CREATING PROVISION	COLUMN 3 SET FINE
22	Cause/suffer/permit altering of fence contrary to fencing by-law	Schedule 'A' Part 8 Section 8.1.2	\$ 175.00
23	Cause/suffer/permit maintaining of fence contrary to fencing by-law	Schedule 'A' Part 8 Section 8.1.2	\$ 175.00
24	Cause/suffer/permit moving of fence contrary to fencing by-law	Schedule 'A' Part 8 Section 8.1.2	\$ 175.00
25	Move fence contrary to provisions of fencing by-law	Schedule 'A' Part 8 Section 8.1.2	\$ 175.00

NOTE: Penalty provision for the offences indicated above is Section 8.1.1 of By-law No. 2009/38 a certified copy of which has been filed.

May 10th 2023

Mélanie Ducharme & Counsellors
West Nipissing Municipality
225 Holditch Street, Suite 101
Sturgeon Falls ON P2B 1T1

Re: Fence variance request between 47 Chateau Terrace and 50 Chateau Terrace

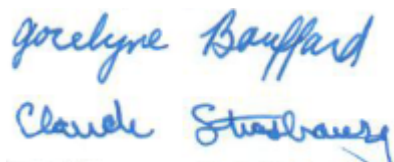
Dear Ms. Ducharme and Counsellors,

We are writing this letter to seek a fence variance for our single-family home at 47 Chateau Terrace in Sturgeon Falls. We were informed that current zoning rules says that fences for the side and back of a property must be no more than 6,5 feet tall. We respectfully request to install a fence that would be 7 feet tall between our property and our neighbor's who lives at 50 Chateau Terrace.

Enclosed is the surveyor's plan of the property and you will notice that because we live on a terrace that our house is very close to the neighbors because of the type of yard that we both have. Therefore, a higher fence between my neighbor and I would allow more privacy, security and permit to block the view of his neglected yard. You will also find enclosed a picture of the fence we intend to build.

We hope that you will agree that our request is reasonable, and we thank you for your thoughtful consideration of this request.

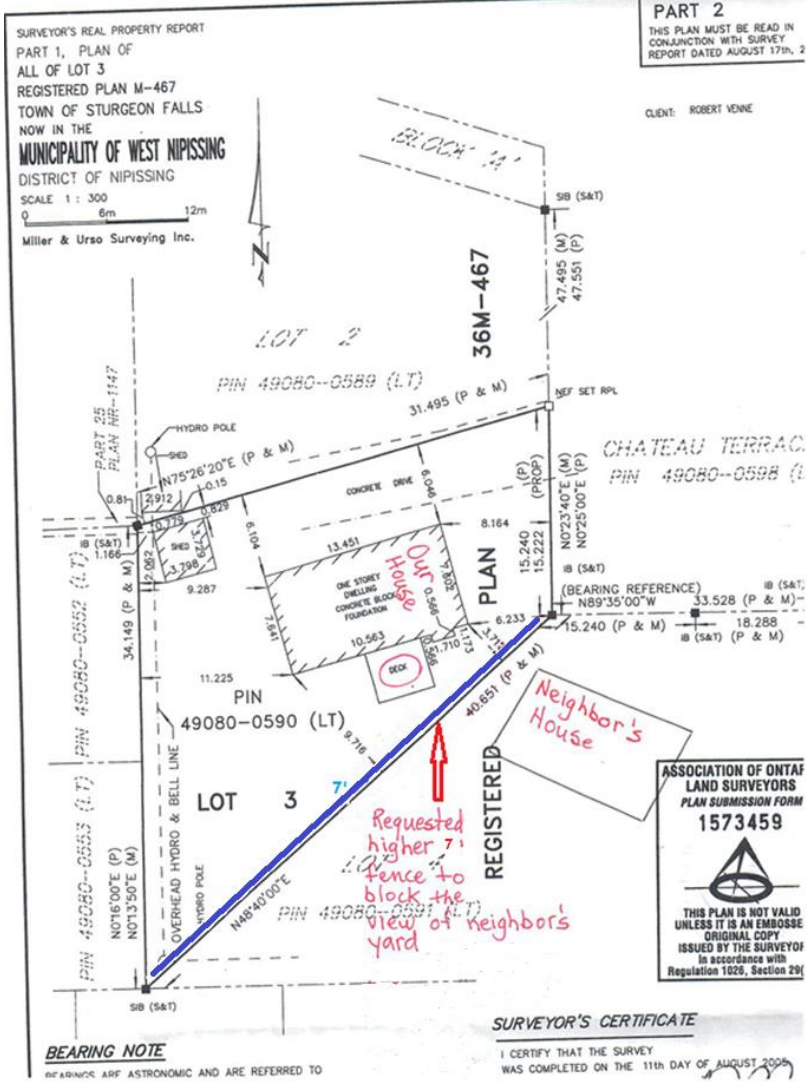
Sincerely yours,



Jocelyne Bouffard & Claude Strasbourg
47 Château Terrace
Sturgeon Falls ON



Here is the plan of the property where we would like to have the higher 7 feet fence and the type of fence we would build.





West Nipissing Ouest

CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

Council - Committee of the Whole

Resolution # By-Law 2023-47
Title: By-Law No. 2023-47, to establish a Council Vacancy Policy
Date: May 16, 2023

Moved by: _____
Seconded by: _____

BE IT RESOLVED THAT By-Law **2023-47** being a By-Law to adopt an amended Council Vacancy Appointment Policy By-Law **2022-57**, shall come into force and take effect on the date it is passed.

CARRIED

DEFEATED

DEFEATED

**CARRIED WITH
AMENDMENTS / REFERRED /
DEFERRED / DELETED**



West Nipissing Ouest

CORPORATION DE LA MUNICIPALITÉ DE NIPISSING OUEST

Council - Committee of the Whole

Résolution #

By-Law 2023-47

Titre:

Règlement no 2023-47, établissant une politique sur les postes vacants au Conseil

Date:

le 16 mai 2023

Proposé par:

Appuyé par:

IL EST RÉSOLU QUE le règlement 2023-47, qui est un règlement visant à adopter le règlement modifié no 2022-57 sur la politique de nomination aux postes vacants du Conseil, entre en vigueur et prend effet à la date de son adoption..

ADOPTÉ

REJETÉ

REJETÉ

**ADOPTÉ AVEC
MODIFICATIONS / REPORTÉ /
RÉFÉRÉ / RETIRÉ**



THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING
LA CORPORATION DE LA MUNICIPALITE DE NIPISSING OUEST

BY-LAW 2023/47

**BEING A BY-LAW TO AMEND BY-LAW 2022-27
TO ADOPT THE COUNCIL VACANCY APPOINTMENT POLICY**

WHEREAS pursuant to section 263 of the Municipal Act, 2001, S.O. 2001 c. 25, when the seat of a member of council becomes vacant during the term of office, Council may fill a vacancy by appointing a person who has consented to accept the office if appointed, or requiring that a By-election be held to fill a vacancy in accordance with the Municipal Elections Act, S.O., 1996, c 32.

AND WHEREAS the Council of the Corporation of the Municipality of West Nipissing adopted a policy on June 15, 2022 to govern the process for Council to appoint a person to fill a seat of a member of council that had been declared vacant.

AND WHEREAS Council for the Corporation wishes to amend the said policy

NOW THEREFORE the Council of the Corporation of the Municipality of West Nipissing enacts as follows:

1. That Council hereby approves the amended "Council Vacancy Appointment Policy" attached as Schedule "A" to this Bylaw.
2. That Schedule "A" hereto shall replace Schedule "A" to By-Law 2022-57.

ENACTED AND PASSED THIS 16th DAY OF MAY 2023 AS WITNESSED BY THE SEAL OF THE CORPORATION AND THE HANDS OF ITS PROPER OFFICERS.

KATHLEEN THORNE ROCHON
MAYOR

MELANIE DUCHARME
CLERK

SCHEDULE "A" to BY-LAW 2023/47

AMENDED COUNCIL VACANCY APPOINTMENT POLICY

1. PURPOSE

The purpose of this policy is to provide for an accountable and transparent process for filling any vacancy, including the Mayor or Councillor for any Ward, that occurs.

2. APPLICABILITY AND SCOPE

This policy shall apply to any vacancy which occurs during the term of Council.

3. BACKGROUND

3.1 In accordance with the Municipal Act, S.O., 2001, c.25, (the "Act") when a seat of a member of Council becomes vacant, the remaining Council is required to declare the seat vacant and to determine whether the seat will be filled by holding a By-Election or by Appointment. A vacancy occurs on the death or resignation of a member or if a member becomes disqualified from holding office during the term.

3.2 Following the consideration of a report to Council on May 2, 2023, Council chose to conduct the selection for the filling of a vacancy of a member of Council through Appointment of Applicants, in accordance with the provisions of the *Municipal Act, 2001*.

3.3 In order to ensure an accountable and transparent process for filling any vacancy, Council has directed that a policy be adopted to provide a clear understanding of the decision-making process when a vacancy occurs.

4. POLICY STATEMENTS

The Municipality of West Nipissing is committed to an open, accountable and transparent government. Council, when exercising its responsibility under the Act to fill a vacancy shall observe the following principles:

4.1 Council will, at the meeting immediately following becoming aware of a vacancy, declare the seat vacant in accordance with Section 262(1) of the Act and shall adopt a resolution to fill the vacancy by appointment, the process for which is detailed in paragraph ___ hereof.

4.2 Within 60 days following the declaration of the vacant seat, council shall, pursuant to Section 262(5)(ii) of the Act, adopt a By-Law to appoint an eligible candidate, selected through the process herein, to fill the vacancy for the remainder of the council term.

5. DEFINITIONS

5.1 In this policy the following terms shall have the meaning ascribed to them:

5.2 "Appointment" means the appointment of a qualified individual who is a Candidate as defined herein, by majority vote of Council, to fill a vacancy on Council for the remainder of the current Council term.

5.3 "Candidate" means an individual who has submitted a written request to be considered for appointment to fill a vacancy in the office of Councillor as of the date of this policy being enacted, having met the eligibility requirements of the Municipal Elections Act, 1996.

5.4 "Lot" means a method of determination the name of each Candidate shall be placed on five (5) equal size pieces of paper of the same colour and folded in half. Such five folded pieces of paper for each Candidate that is subject to section 1.7.6 shall be placed in an opaque container whereupon the Clerk or the Clerk's designate will draw one piece of paper. The name of the Candidate on the piece of paper drawn by the Clerk or Clerk's designate shall be the selected Candidate as contemplated in section 1.7.7.

6. APPLICATION PROCEDURE

6.1 Immediately following the declaration of vacancy and resolution detailed in Section 4.1, the Clerk shall post a Council Vacancy Notice (Appendix A) on the municipality's website (www.westnipissing.ca) and in a local newspaper having a circulation sufficient to meet the timelines stipulated in the Notice for a minimum of two (2) consecutive weeks following Council's decision to fill a vacancy by appointment. The notice shall indicate Council's intention to appoint an individual to fill a vacancy and shall outline the nomination process.

6.2. Interested persons will be required to complete a Consent of Nominee form and a Declaration of Qualification (obtained from the Municipal Clerk), provide personal identification showing their name and qualifying address within the Municipality of West Nipissing, and may be required to provide a written response to specific questions as may be determined by Council;

6.3 Applicants are referred to hereinafter as Candidates.

6.4 Candidate(s) may submit, to the Clerk, a personal statement of qualification for consideration of Council. Personal statements shall be typewritten on 8 ½" X 11" paper not exceeding two pages in length and will include the Candidate name and address. Statements that do not comply shall not be included in the Council meeting agenda or provided to Council by the Clerk. Candidates will be advised of the deadline for submission of a personal statement.

6.5 Once submitted, the forms will be made available to the public in the same way as a nomination form for a Candidate in a municipal election or by-election and may be included on a Council agenda published on the municipal website;

6.6 A deadline will be established for filing the Consent of Nominee and Declaration of Qualification, as determined by Council in consultation with the Clerk;

6.7 Individuals who have submitted the necessary forms may appear before Council at a date and time so determined by the Council, and the Clerk will advise all applicants of the established date and time;

6.8 The Clerk will create a list of all Candidates and publicly post said list on the Municipality's website and at the Municipal Office. This list will be updated as applications are received, once deemed complete by the Clerk;

6.9. Notwithstanding the requirement of the Municipality's Procedural By-law, the agenda for the meeting shall be set by the Clerk to allow for the orderly proceeding of selecting a Candidate and the agenda shall include the following:

- a. A certified list of all Candidates listed in alphabetical order, by last name;
- b. Any personal statement of qualification for consideration of Council;

6.10 Copies of all application documents will be included with the agenda package for the Appointment Meeting and will be made available as part of the public agenda posted on the Municipality's website. The Agenda shall be published to Members of Council and to the public in the same manner as a Regular or Special Council agenda.

7. **PROCEDURE AT APPOINTMENT MEETING OF COUNCIL**

7.1 At the Appointment Meeting which may be at a Regular or Special Meeting of Council, the Presiding Officer shall make a brief statement to outline the purpose of the meeting and the order of proceedings;

7.2 The Clerk will provide a list of Candidates who have completed the Consent of Nominee and Declaration of Qualification, and the Chair will call for a motion to consider the Candidates to fill the vacancy, as follows:

"BE IT RESOLVED THAT the following individuals who have signified in writing that they are legally qualified to hold office and consented to accept the office if they are appointed to fill the vacancy, be considered for appointment to fill such vacancy"

7.3 Candidates will be sequestered in an adjacent room until it is their time to answer questions posed by Council. Once a Candidate has answered the questions, they will return to a separate room until all Candidate interviews are complete.

7.4 At the Appointment Meeting, each Candidate will be afforded an opportunity to address Council, in the language of his or her choice, for a period not to exceed ten (10) minutes. The order of speaking will be alphabetical by last name.

7.5 Each member of Council will be allowed no more than one question to each Candidate and responses from Candidates shall be limited to a maximum of two (2) minutes per question;

7.6 Upon hearing all Candidate submissions, Council will proceed to vote, by way of a public ballot vote, similar to the Ranked Voting process, in rounds of voting as follows;

- a. Candidate names will be displayed on the Council Chamber viewing screen and shall be displayed in alphabetical order, by last name for use in a public tally of votes;
 - b. Each of the pieces of paper to be used as either ballots, or to be used by the Clerk to draw names in accordance with Section 7(m) (i)(ii) will be equal in size and type;
 - c. Only the Clerk or Clerk's designate may handle the papers, ballots and Container referenced in this procedure, save and except the Members being permitted to mark their ballots;
 - d. Ballots will be provided to Members of Council in the form of a voting card on which to indicate their choice of Candidate in writing; and all voting cards shall be of identical size, paper quality, and colour and shall be pre-printed with the Member's name and a place to be initialed by the Member;
 - e. The first-round ballots may contain the name of each Candidate, in alphabetical order by surname and have a box immediately preceding the surname in which the Member of Council may mark an "X" beside the name of the Candidate of their preference;
 - f. All subsequent ballots shall be in the form described in (d) above however will not contain any Candidate names in a pre-printed format;
 - g. The Clerk will ask Members of Council to vote by clearly printing the name of their preferred Candidate on the ballot, initialing the ballot for authentication purposes, folding the ballot and returning it directly to the Clerk;
 - h. Any Round One ballot marked with more than one "X", or any subsequent round ballot that is not legibly printed, or any ballot that does not contain the authentication initials of the Member of Council shall be considered a spoiled ballot and shall not be included in the tally;
 - i. The Clerk will read aloud the Member's name and selected Candidate and announce the tallies of all votes, while maintaining the tally on the viewing screen;
 - j. If the Candidate receiving the greatest number of votes cast does not receive more than one-half the votes of all voting Members of Council, the Candidate or Candidates who received the fewest number of votes shall be excluded from consideration;
 - k. The vote will be taken again by the Clerk and, if necessary, more than once, excluding in each successive vote the Candidate or Candidates who receive the fewest number of votes;
 - l. The process shall be repeated until the Candidate receiving the greatest number of votes has also received more than one-half of the votes of the voting Members of Council;
 - m. In the event the votes cast are equal for all Candidates:
 - i. If there are three or more Candidates remaining, the Clerk shall by lot select one such Candidate to be excluded from subsequent voting;
 - ii. If only two Candidates remain, the tie shall be broken and vacancy shall be filled by the Candidate selected by lot, as conducted by the Clerk, wherein the first name drawn shall be declared the successful Candidate;
- 7.7 Upon conclusion of the voting, the Clerk will declare to be elected the Candidate receiving the votes of more than one-half of the number of voting Members, or as provided in 19(m)(ii);
- 7.8 A by-law confirming the appointment shall be enacted by Council to appoint the successful Candidate to the office for the remainder of the term and the Clerk will administer the Oath of Office to the successful Candidate;
- 7.9 The Minutes of the Appointment Meeting shall include a full disclosure of all voting results, including the name of each Member of Council and their selected Candidate in any and all voting rounds.



West Nipissing Ouest

Appendix A

PUBLIC NOTICE

MUNICIPALITY OF WEST NIPISSING

MUNICIPAL COUNCIL VACANCY

TAKE NOTICE THAT a vacancy exists on the Municipality of West Nipissing Council for one (1) Council Position for _____ [state position ie) Mayor or Councillor for Ward__]. Council has determined that it wishes to fill this vacancy through **SELECTION BY NOMINATION AND APPOINTMENT** in accordance with the Municipality of West Nipissing Council Vacancy Policy.

The term of this position is from the date of Council appointment for the balance of the Council term until [date of election, 2026.

An applicant for municipal office must be a qualified municipal elector as set out in the *Municipal Elections Act, 1996*. Qualified electors must be:

- 18 years of age or older;
 - a Canadian citizen;
 - a resident of the Municipality of West Nipissing, or an owner or tenant of land in the Municipality or the spouse of such an owner or tenant; and
 - not prohibited from voting under any other Act or disqualified from running for or holding municipal office.
- Applicants must complete and submit a Council Vacancy Application package in person to the Clerk. **Nominations will be accepted by the Clerk at the Municipal Office during regular business hours until [date and time]. (electronic packages shall not be accepted. Original signatures are required.)**

Applicants must also submit to the Clerk a personal statement of qualification for consideration of Council. Personal statements will be typewritten in a 12-point font on letter size (8 ½" x 11") paper, shall not exceed two (2) pages in length, and will include the Applicant's name and address. Statements that do not meet these requirements shall not be included in any Council meeting agenda or provided to Council by the Clerk.

Certified registered Applicants will be afforded the opportunity to address Council for a period of not more than ten (10) minutes and then will be asked questions by Council in an open Special Council Meeting to be held on [date and time] pm in accordance with the policy for that Special Council Meeting.

The Council Vacancy Policy and application package are available on the Municipality's website at www.westnipissing.ca or at the Municipal Office, 225 Holditch Street, Sturgeon Falls, ON P2B 1T1.

For further information or to complete a Council Vacancy Application package, please contact:

Melanie Ducharme, Municipal Clerk
 225 Holditch Street,
 Sturgeon Falls, ON P2B 1T1
mducharme@westnipissing.ca

The Municipality of West Nipissing is committed to providing a barrier free workplace. If accommodation is required during the selection or interview process, it will be available upon advance request. This posting is available in an accessible format upon request.

MEMORANDUM

TO: Jay Barbeau, CAO

FROM: Melanie Ducharme

DATE: May 16, 2023

RE: COUNCIL VACANT SEAT POLICY

At the meeting of May 2, 2023, Council discussed a report from Staff, and the various options presented for a proposed Council Vacant Seat Policy. Following discussion, the majority of Council were in support of a policy for replacement by a process of Appointment.

Accordingly, a proposed By-Law for vacant seat replacement outlining a process for replacement by appointment is being brought forward for council's consideration and adoption.

Joie de vivre



www.westnipissingouest.ca



STAFF REPORT

To: Jay Barbeau, Chief Administrative Officer

From: Melanie Ducharme, Municipal Clerk/Planner

Subject: Council Vacant Seat Policy Options

Date: April 27, 2023

Recommendation:

THAT Council receive the Report entitled Council Vacant Seat Policy Options;

AND THAT Council agrees to proceed with Option(s) _____ for the filling of vacant seats for the Mayor and Ward Councillors;

AND THAT Council direct staff to prepare a policy for the filling of vacant seats on Council for the Mayor and for Ward Councillors for adoption by Council.

Background:

In accordance with the *Municipal Act*, S.O. 2001, c.25, when the seat of a Member of Council becomes vacant, Council is required to declare the seat vacant and determine if the seat will be filled by by-election or appointment. A vacancy can occur on Council in several different ways, including the death or resignation of a Member, when a Member becomes disqualified from holding office, is absent from the meetings of council for three successive months without being authorized to do so by a resolution of council, is appointed or elected to fill any vacancy in any other office on the same council, or forfeits his or her office under this or any other Act.

The *Municipal Act* requires Council to decide on a process to fill a vacant Council office, within 60 days of the declaration of vacancy, unless the vacancy occurs within 90 days of the election, in which case the seat is permitted to remain vacant until the election has taken place.

Since Amalgamation in 1999, Council for the Municipality of West Nipissing has been required to fill vacant seats on four (4) occasions:

YEAR	WARD	DEPARTING COUNCILLOR	NEW COUNCILLOR	METHOD USED
2020-2022	7	Jérémy Seguin	Normand Roberge	Appointment (Minister's Order)
2009	8	John Dobbs	Gérald Miron	Appointment
2007	4	Marc Serré	Jamie Restoule	Appointment
2003	3	Marcel Noel	Don Fortin	By-Election

In 2020, the seat in Ward 7 was declared vacant following the resignation of Ward 7 Councillor Jérémy Séguin. Failure by Council to agree on a process for filling the vacant seat resulted in the seat remaining vacant for nearly two (2) years, during which time the remaining members, already divided on the issue

of how to replace the seat, continued to be unable to reach consensus on many issues. On April 28, 2022, the Minister of Municipal Affairs and Housing issued an Order to the Municipality of West Nipissing to fill the seat within a stipulated time-line and, further, appointed a facilitator, Nigel Bellchamber, to assist council in establishing a process for so doing.

At the time of the issuance of the Minister's Order, 2022, being an election year, the last date for holding a by-election had already passed. With the assistance of the facilitator as well as the municipality's solicitor, Council agreed upon an acceptable process for appointment for the vacant seat, which was adopted by by-law No. 2022-56. Subsequently, the process was carried out with an appointment to replace the vacant Ward 7 seat on June 15, 2022, nearly two (2) years after the seat had been declared vacant.

Since By-law no. 2022-56, was adopted under extenuating circumstances, a permanent vacant seat replacement policy should be adopted by Council in order to establish an agreed upon process in the event that a seat should become vacant for any reason in the future.

Analysis/Consideration:

When a vacancy on Council occurs, Council is faced with the decision on how to fill the vacant seat for the remainder of the term. The *Municipal Act* provides the following two options:

Filling vacancies:

263 (1) If a vacancy occurs in the office of a member of council, the municipality shall, subject to this section,

- (a) fill the vacancy by appointing a person who has consented to accept the office if appointed; or
- (b) require a by-election to be held to fill the vacancy in accordance with the *Municipal Elections Act, 1996*.

Section 263(5) establishes the rules applying to filling vacancies.

Rules applying to filling vacancies

263 (5) The following rules apply to filling vacancies:

1. Within 60 days after the day a declaration of vacancy is made with respect to the vacancy under section 262, the municipality shall,
 - i. appoint a person to fill the vacancy under subsection (1) or (4), or
 - ii. pass a by-law requiring a by-election be held to fill the vacancy under subsection (1).
2. Despite paragraph 1, if a court declares an office to be vacant, the council shall act under subsection (1) or (4) within 60 days after the day the court makes its declaration.
3. Despite subsections (1) to (4), if a vacancy occurs within 90 days before voting day of a regular election, the municipality is not required to fill the vacancy.

Section 264 of the *Municipal Act, 2001*, provides that a person appointed or elected to fill a vacancy shall hold the office for the remainder of the term of the person he or she replaced.

Section 256 of the *Municipal Act* sets out the eligibility requirements for persons qualified to be elected or to hold office as a member of a Council of a local municipality. To be an elector, the person under

consideration must, on voting day, (a) reside in the municipality or be the owner or tenant of land there, or the spouse of such owner or tenant, (b) be a Canadian Citizen, (c) be at least 18 years old and (d) not be prohibited from voting.

Under section 258 (1) of the *Municipal Act, 2001*, the following are not eligible to be elected as a member of a council or to hold office as a member of a council: an employee of the municipality; a person who is not an employee of the municipality but who is the clerk, treasurer, Integrity Commissioner, Auditor General, Ombudsman, registrar or an investigator of the municipality; a person who is not an employee of the municipality but who holds any administrative position of the municipality; a judge of any court; a member of the Legislative Assembly or of the Senate or House of Commons of Canada; and a public servant.

Once the seat is declared vacant, the municipality has 60 days to either appoint a person, or pass a by-law requiring a by-election be held.

The following are a number of options for Council consideration to fill the Councillor vacancy, it being noted that this list is not exhaustive, and that Council has the option of filling the vacancy in any way that is compliant with the legislation. In addition to any one (1) of the following processes, Council may also choose a hybrid model, utilizing different options depending on when the vacancy occurs in the four (4) year term.

Option #1 Pass a By-law Requiring a By-Election be Held to Fill the Council Vacancy

Council has the option of passing a by-law authorizing a by-election. The *Municipal Elections Act* ("MEA") states that if such a by-law is passed, that the nomination day would occur a maximum of sixty (60) days from the passing of the by-law, with voting day occurring forty-five (45) days after nomination day. The MEA states that a by-election must be held "as far as possible" in the same manner as the regular election, which would be a Vote by Mail process.

A by-election may be the most democratic option to fill the vacancy, but is also the most costly. The 2022 Municipal and School Board election cost in excess of \$70,000.00. These costs included the Vote by Mail provider, Canada Post to mail the ballot kits and Dominion Voting to supply the tabulators required to count the ballots. A by-election for a single vacant council seat (unless the vacant seat was the Mayor), would not be quite as costly as a full election, however all the same steps are required, postage, tabulators, VBM kits, etc.

Option #2 Appointment Process

The *Municipal Act, 2001* does not set out requirements relating to the appointment of an individual to fill a Council vacancy, other than those relating to qualifications. In order to be considered for appointment, individuals must meet the qualifications as outlined in the *Municipal Elections Act*, and listed below:

- i. Reside in or be the owner/tenant of land in the municipality, or spouse
- ii. Canadian Citizen
- iii. At least 18 years of age
- iv. Not be prohibited from voting under section 17(3) of the *Municipal Elections Act* or otherwise by law

Council would declare the Councillor seat to be vacant at the Council Meeting immediately following the occurrence of the vacancy, and in accordance with the *Municipal Act*, if Council direct that the vacancy will be filled by appointment.

Option 2(a) Appointment of a Candidate from the previous Municipal Election to Fill the Vacancy

Option 2(a) may be used to appoint the next-place finisher in the most recent municipal election. Should Council opt to consider the appointment of the next-place finisher, the Municipal Clerk would seek written confirmation and qualification and determine if the individual is interested in accepting the appointment. Option 2(a) could result in an Oath of Office being administered by the new Councillor at the next meeting of Council.

Option 2(b) Appointment by Call for Applications

Option 2(b) approves an appointment process which would permit interested, eligible persons to apply for appointment to Council. This open call for applications would be advertised, and would include a process through an application, declaration of qualifications and a recommended procedure to include an interview/presentation to Council in an open Council Meeting. This format is based on practices in other Ontario municipalities.

Option 2(c) Direct Appointment by Council

Option #2(c) approves an appointment process where Council appoints an eligible individual without an application process and without referencing the most recent election results

Financial Consideration:

OPTION	METHOD	FINANCIAL IMPLICATION	EFFICIENCY
Option 1	By-election	By-election is estimated between \$6,500 and \$8,000; which includes the cost of administrative fee, ballot kits, postage and advertising,	<ul style="list-style-type: none"> • Lengthiest Option. • Most expensive Option.
Option 2(b)	Appointment by application	Main expense will be advertising, estimated at \$500 maximum. No direct election costs other than advertising for applications.	<ul style="list-style-type: none"> • Second fastest option. • Minimal cost.
Option 2(a) or (c)	Appointment of second place candidate or direct appointment of other qualified Elector.	No direct election costs for this option; no advertising costs;	<ul style="list-style-type: none"> • Most time efficient method. • No cost.

Conclusion:

In considering which option to choose, Council should consider the following factors:

- efficiency; time and resources required to administer the process;
- timing, and
- accountability to constituents.

While opting to fill the vacancy through appointment is both quicker and less expensive than a by-election, it does not factor the role of the public in the process. Filling a vacancy early in a four-year Council term through by-election would provide constituents with the result that best reflects their preferred representation.

In conducting research, it appears that in many municipalities, by-elections are held to fill vacancies which occur closer to the beginning of the term to ensure democratic representation, whereas closer to the end of the term, filling a vacancy through appointment to cover a shorter portion of the term seems to be the preferred option and, after March 31 in an election year, appointment is the only option as the Municipal Act does not allow by-elections to be held after March 31st in the year of a regular election.

Attachments:

None



West Nipissing Ovest

CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

Council - Committee of the Whole

Resolution #

Title: Tender Award - John Street Rehabilitation

Date: May 16, 2023

Moved by: _____

Seconded by: _____

WHEREAS three tenders were received for the Rehabilitation Project of John Street from Coursol Road to Clark Street for the Municipality of West Nipissing
AND WHEREAS Council concurs with the recommendation received;
BE IT THEREFORE RESOLVED THAT the tender for the Rehabilitation Project of John Street from Coursol Road to Clark Street for the Municipality of West Nipissing be awarded to Labelle Bros. Excavating, having submitted a quotation of \$1,168,755.00; meeting all the specifications.

CARRIED

DEFEATED

DEFEATED

**CARRIED WITH
AMENDMENTS / REFERRED /
DEFERRED / DELETED**



West Nipissing Ouest

CORPORATION DE LA MUNICIPALITÉ DE NIPISSING OUEST

Council - Committee of the Whole

Résolution #

Titre: Tender Award - John Street Rehabilitation

Date: le 16 mai 2023

Proposé par: _____

Appuyé par: _____

ATTENDU QUE trois soumissions ont été reçues pour le projet de réfection de la rue John entre la rue Coursol et la rue Clark pour la municipalité de Nipissing Ouest
ET PUISQUE le conseil est d'accord avec la recommandation reçue ;
IL EST AINSI RÉSOLU QUE la soumission pour le projet de réfection de la rue John entre la rue Coursol et la rue Clark pour la municipalité de Nipissing Ouest, soit accordée à Labelle Bros. Excavating, ayant soumis un devis de \$1,168,755,00 et rencontrant toutes les spécifications.

ADOPTÉ

REJETÉ

REJETÉ

**ADOPTÉ AVEC
MODIFICATIONS / REPORTÉ /
RÉFÉRÉ / RETIRÉ**



757 Main Street East
 North Bay, ON, P1B 1C2
 T: 705.474.2720 • www.exp.com

May 10, 2023

Shawn Remillard, Manager of Public Works
 Municipality of West Nipissing
 225 Holditch Street, Suite 101
 Sturgeon Falls, ON, P2B 1T1

**RE: Recommendation for Award Letter for the Rehabilitation of John Street
 From Coursol Road to Clark Street - EXP Project No. NTB-21023180-01**

Dear Shawn:

EXP has prepared the following recommendation letter for the award of the work outlined for the above-mentioned project.

The total bids amount tendered were as followed:

Tenderer	Grand Total (HST excluded)	Bonding Attached	Addendums Attached
Labelle Bros. Excavating	\$1,168,755.00	Yes	Yes
Ed Seguin & Sons Trucking & Paving Ltd.	\$1,767,048.21	Yes	No
Kenalex Construction Company Limited	\$1,781,191.00	Yes	Yes

EXP has reviewed the tender documents submitted, specifically the prices, schedule, tenderer's experience, and traffic control plan.

In conclusion, EXP recommends awarding the Rehabilitation of John Street to **Labelle Bros. Excavating**. Their tender price is fair and competitive, they have outstanding experience on similar projects, they have a clear understanding of the requirements of the project, and they provide The Municipality of West Nipissing with the best overall value.

Yours truly,
EXP SERVICES INC.

Codey Munshaw, P.Eng.
 Civil Engineer



The Corporation of the Municipality of West Nipissing
 La Corporation de la Municipalité de Nipissing Ouest
 225 rue Holditch Street, Suite 101, Sturgeon Falls, ON P2B 1T1
 705-753-2250 or/ou 1-800-263-5359
 Fax/télécopie 705-753-3950

Project	REHABILITATION PROJECT OF JOHN STREET From Coursol Road to Clark Street		
Closing Information	May 9, 2023 @ 2:00 PM		
Opened By	Melanie Ducharme	and	Elizabeth Henning
Name	Date Received	Bid Submission	
Ed Seguin & Sons	May 9, 2023	\$1,767,048.21	
Kenalex Construction	May 9, 2023	\$1,781,191.00	
Labelle Bros Excavating	May 9, 2023	\$1,320,693.15	



West Nipissing Ouest

CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

Council - Committee of the Whole

Resolution #

Title: Adopt Confirmatory By-law

Date: May 16, 2023

Moved by: _____

Seconded by: _____

BE IT RESOLVED THAT By-Law No. 2023/48, being a By-law of the Municipality of West Nipissing to confirm the proceedings of Council at its meeting held on the 16 day of May, 2023, shall come into force and take effect on the date it is passed.

CARRIED

DEFEATED

DEFEATED

**CARRIED WITH
AMENDMENTS / REFERRED /
DEFERRED / DELETED**



West Nipissing Ouest

CORPORATION DE LA MUNICIPALITÉ DE NIPISSING OUEST

Council - Committee of the Whole

Résolution #

Titre: Adoption de l'arrêté confirmatoire

Date: le 16 mai 2023

Proposé par: _____

Appuyé par: _____

QU'IL SOIT RÉSOLU QUE le règlement n°. 2023/48, étant un règlement de la municipalité de Nipissing Ouest pour confirmer les travaux du Conseil lors de sa réunion tenue le 16 jour de mai 2023, entre en vigueur et prend effet à la date à laquelle il est adopté.

ADOPTÉ

REJETÉ

REJETÉ

**ADOPTÉ AVEC
MODIFICATIONS / REPORTÉ /
RÉFÉRÉ / RETIRÉ**



West Nipissing Ovest

CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

Council - Committee of the Whole

Resolution #

Title: Adjourn the meeting

Date: May 16, 2023

Moved by: _____

Seconded by: _____

BE IT RESOLVED THAT the meeting of Council held on May 16, 2023 be adjourned.

CARRIED

DEFEATED

DEFEATED

**CARRIED WITH
AMENDMENTS / REFERRED /
DEFERRED / DELETED**



West Nipissing Ouest

CORPORATION DE LA MUNICIPALITÉ DE NIPISSING OUEST

Council - Committee of the Whole

Résolution #

Titre: Ajourner la réunion

Date: le 16 mai 2023

Proposé par: _____

Appuyé par: _____

QU'IL SOIT RÉSOLU QUE la réunion du Conseil tenue le 16 mai, 2023 soit ajournée.

ADOPTÉ

REJETÉ

REJETÉ

**ADOPTÉ AVEC
MODIFICATIONS / REPORTÉ /
RÉFÉRÉ / RETIRÉ**