



## The Corporation of the Municipality of Calvin

1355 Peddlers Drive-Mattawa, Ontario-P0H 1V0

705-744-2700

### **Notice of Decision of the Approval Authority for Zoning Amendment 2024-67**

**Dated: November 27<sup>th</sup>, 2024**

**Take notice** that the Council of the Corporation of the Municipality of Calvin held a public meeting on November 26<sup>th</sup>, 2024, at 6:00 p.m. at the Municipal Office located at 1355 Peddlers Drive, in the Municipality of Calvin, to consider a proposed zoning by-law amendment under Section 34 of the Planning Act.

By-Law 2024-67 being a by-law to amend zoning by-law 2022-019 was **passed** after the public meeting held on November 26<sup>th</sup>, 2024.

By-law 2024-67 removes Section 4.11.2.1 of By-Law 2022-19, "Road Use Agreements". Section 4.11.2.1 states that ***"In addition to Section 4.11.1, development including the issuance of a building permit shall only be permitted where frontage is on a road that is defined in By-Law 2016-020 and is maintained by the Municipality or is maintained under a road maintenance agreement approved by the Municipality"*** and removes the example on page 93 referring to ***road maintenance agreements***.

The purpose of the amendment was to promote development on year-round maintained roads as well as to provide clarity in the zoning by-law for the Chief Building Official, East Nipissing Planning Board and the residents of the Municipality of Calvin. Road Use Agreements are non-transferable, and the amendment will create access registered on title using easements and rights-of-way. This amendment provides conformity with the Provincial Planning Statement, 2024.

No map is provided as the effect of the zoning by-law amendment pertains to the jurisdiction of the Municipality of Calvin.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

**Last day of appeal is December 17<sup>th</sup>, 2024.**

Any person or public body that wishes to file an appeal to the Ontario Land Tribunal must file with the clerk of the Municipality of Calvin at 1355 Peddlers Drive in the Municipality of Calvin. The appeal must set out the reasons for the appeal and must be accompanied by the fee required for the Tribunal. (Ontario Land Tribunal Act, 2021, S.O. 2021, c.4, Sched.6) The fee required for an appeal \$1,100.00 as per the fee schedule provided by the OLT.



# Corporation of the Municipality of Calvin Council Resolution

Date: November 26, 2024

Resolution Number: 2024- 410

Moved By: Councillor Manson

Seconded By: Councillor Moreton

**WHEREAS** the Council of the Corporation of the Municipality of Calvin has passed by resolution of Council to discontinue the practice of receiving requests for and issuing road use or maintenance agreements, Resolution 2024-77;

**AND WHEREAS** the Council of the Corporation of the Municipality of Calvin requested staff to provide guidelines and policies for a transparent formal process, by Resolution 2024-98;

**AND WHEREAS** the Council of the Corporation of the Municipality of Calvin instructed staff to prepare an amendment to the Zoning By-Law 2022-19, to remove the language for issuing new or future road use/maintenance agreements within the zoning by-law, by Resolution 2024-376;

**NOW THEREFORE BE IT RESOLVED THAT**, the Council of the Municipality of Calvin will enact by-law 2024-67 being a by-law to amend by-law 2022-19 to remove section 4.11.2.1 and the example on page 93.

Results: Passed

Recorded Vote:

<u>Member of Council</u>	<u>In Favour</u>	<u>Opposed</u>
Grant	<input type="checkbox"/>	<input type="checkbox"/>
Latimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Manson	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Moreton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Gould	<input checked="" type="checkbox"/>	<input type="checkbox"/>

CERTIFIED to be a true copy of  
Resolution No. 2024-392 passed by the  
Council of the Municipality of Calvin Township  
on the 26th day of November, 2024.

Donna Maitland  
CAO/Clerk/Treasurer

**COPY**



**THE CORPORATION OF THE MUNICIPALITY OF CALVIN  
BY-LAW 2024-67  
BEING A BY-LAW TO AMEND ZONING BY-LAW 2022-019**

**WHEREAS** pursuant to the provisions of the Planning Act, R.S.O. 1990, Section 34, the Council of a Municipality may enact by-laws regulating the use of lands and the erection of buildings and structures thereon,

**AND WHEREAS** Section 34 (5) of the Planning Act, R.S.C. 1990 further states that a by-law passed under paragraph 1 or 2 of subsection (1) or a predecessor of that paragraph may prohibit the use of land or the erection or use of buildings or structures unless such municipal services as may be set out in the by-law are available to service the land, buildings or structures, as the case may be R.S.O. 1990, c.P.13, s.34(5);


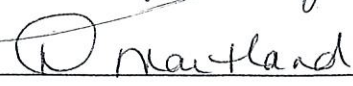
**AND WHEREAS** Council requested a further review of changes regarding road use agreements for seasonal roads;

**NOW THEREFORE** the Council of the Corporation of the Municipality of Calvin enacts the following amendment to By-Law No. 2022-19 as follows;

1. That the wording in Section 4.11.2.1 be removed with the remaining numbering being adjusted accordingly.
2. The example provided on page 93 to be removed.
3. That By-Law No. 2024-67 shall come into effect subject to the requirements of the Planning Act.

Read a first time on November 26<sup>th</sup>, 2024  
Public Hearing held November 26<sup>th</sup>, 2024

Read a second and third and finally passed this 26 day of Nov 2024.

  
 \_\_\_\_\_ MAYOR  
  
 \_\_\_\_\_ CAO, CLERK



# THE CORPORATION OF THE MUNICIPALITY OF CALVIN

## Planning Report

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TO: Council  
SUBJECT: Zoning By-Law Amendment 2022-67-Road Maintenance Agreements  
AUTHOR: Ann Carr, Public Works Superintendent  
DATE: November 26, 2024

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### **RECOMMENDATION:**

**WHEREAS** the Council of the Corporation of the Municipality of Calvin has passed by resolution of Council to discontinue the practice of receiving requests for and issuing road use or maintenance agreements, Resolution 2024-77;

**AND WHEREAS** the Council of the Corporation of the Municipality of Calvin requested staff to provide guidelines and policies for a transparent formal process, by Resolution 2024-98;

**AND WHEREAS** the Council of the Corporation of the Municipality of Calvin instructed staff to prepare an amendment to the Zoning By-Law 2022-19, to remove the language for issuing new or future road use/maintenance agreements within the zoning by-law, by Resolution 2024-376;

**NOW THEREFORE**, the Council of the Municipality of Calvin will enact by-law 2024-67 being a by-law to amend by-law 2022-19 to remove section 4.11.2.1 and the example on page 93.

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### **PROPOSAL:**

Zoning By-Law 2022-19 Section 4.11.2.1 reads "In addition to Section 4.11.1, development including the issuance of a building permit shall only be permitted where frontage is on a road that is defined by By-Law No. 2016-020 and is maintained by the Municipality or is maintained under a road maintenance agreement approved by the Municipality."

The example on Page 93 reads "Example: a road classified as a "seasonal road" will only be permitted where the road is maintained on a seasonal basis (i.e. summer season) and development on the road shall only be permitted where the road is maintained by the Municipality or under a road maintenance agreement approved by the Municipality. The Municipality assumes no responsibility for providing maintenance or emergency services in the off-season period or winter months."

*The proposed amendment will remove the ability to obtain a road maintenance agreement on a seasonal road for the purpose of residential development to prevent added maintenance cost to the taxpayers of the Municipality of Calvin, it will ensure that development is encouraged on existing year-round infrastructure as well as permit the Municipality of Calvin to provide emergency services to all residential development within its borders as per the Provincial Planning Statement, 2024.*

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### **PROVINCIAL PLANNING STATEMENT 2024 (PPS):**

"The Provincial Planning Statement provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Planning Statement sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

In respect of the exercise of any authority that affects a planning matter, Section 3 of the Planning Act requires that decisions affecting planning matters shall be consistent with policy statements issued under the Act." Page 2 of the Provincial Planning Statement, 2024.

#### **2.6 Rural Lands in Municipalities**

**2.6.2. Development that can be sustained by rural service levels should be promoted.**

**2.6.3. Development shall be appropriate to the infrastructure, which is planned or available, and avoid the need for the uneconomical expansion of this infrastructure.**

*The proposed zoning amendment will support the PPS and encourage development on existing municipally year-round maintained roads/streets to prevent uneconomical expansion of infrastructure.*



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### 2.7 Territory Without Municipal Organization

**2.7.2** Development shall be appropriate to the infrastructure, which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of infrastructure.

**2.7.4** In areas to and surrounding municipalities, only development that is related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings not intended as permanent residences) shall be permitted. Other uses may only be permitted if:

- b) the necessary infrastructure and public service facilities are planned or available to support the development and are financially viable over their lifecycle; and
- c) it has been determined that the impacts of development will not place undue strain on the public service facilities and infrastructure provided by adjacent municipalities, regions and/or the province.

*The proposed zoning amendment will support the PPS regarding development in Territory Without Organization by not issuing road maintenance agreements to allow travel over underserved municipal infrastructure which is provided by the Municipality of Calvin to permit development within the Territory Without Municipal Organization, Lauder Township.*

### 3.1 General Policies for Infrastructure and Public Service Facilities

**3.1.2** Before consideration is given to developing new infrastructure and public service facilities:

- a) the use of existing infrastructure and public service facilities should be optimized; and
- b) opportunities for adaptive re-use should be considered, wherever feasible.

**3.1.3** Infrastructure and public service facilities should be strategically located to support effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety in accordance with the policies in Chapter 5: Protecting Public Health and Safety.

*The proposed zoning amendment will ensure that residential development will occur on year-round maintained roads to allow optimization of existing infrastructure to support effective and efficient emergency management services. Currently road maintenance agreements have been issued for the purpose of residential development and the agreements state that there is a limitation of emergency services and jeopardizes the protection of Public Health and Safety.*

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### EAST NIPISSING OFFICIAL PLAN

#### 2.2 Growth and Development Concept

“... The intent of the Plan is to maintain rural character of the Planning Area where low density residential development will prevail intermixed with resource-based activities resource-based recreational uses and other land uses. Development is intended to occur on large lots (having a minimum of .8 hectares) with large frontages (30m). The focus of development will be infill on vacant lots or record and in areas serviced by existing roads and municipal services.”

“...The Planning Area will continue to depend on the public services facilities in Mattawa and North Bay in meeting the educational, health care and to a lesser extent recreational and social services needed by area residents and businesses. Emergency and protective services will continue to be delivered individually and, on a cost-shared basis among area Municipalities. Development will continue to be directed to the existing network of roads whose service levels, life-cycle maintenance and reconstruction is governed by Municipal Asset Management Plans.”

*The proposed zoning amendment will further confirm the growth and development concept intent of the Official Plan to encourage development in areas serviced by existing roads and municipal services.*



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### 2.6 Lot Access Criteria

Access to development shall be by one of the following means:

- Frontage on an improved year-round maintained municipal road.
- Frontage on a seasonally maintained road for seasonal land uses only.
- Frontage on a provincial highway subject to obtaining all required approvals from MTO for land use entrances, drainage and implementing any highway or entrance improvements resulting from any required traffic or drainage or stormwater management studies. Wherever feasible, access shall be via an interconnecting improved Municipal Road.
- Frontage for infill development on an existing private road or legal right-of-way/easement or unassumed road allowance, which meets appropriate maintenance standards right-of-way width, travelled surface width, height clearances, and slope required for regular and emergency vehicle use. A Municipality or Planning Board may require a maintenance agreement or may govern matters under Section 35 of the Municipal Act as a condition of development. Lots on unassumed roads shall be zoned limited service rural in the zoning by-law.
- Frontage on a municipally unopened road allowance may be permitted for infill development only where the road meets appropriate maintenance standards right-of-way width, travelled surface width, height clearances and slope required for regular and emergency vehicle use and only where the abutting property owner(s) have entered into a maintenance agreement under Section 35 of the Municipal Act as a condition of development.
- Frontage on a private road servicing a condominium where the private road servicing a condominium where the private road connects directly with an improved public road and meets appropriate construction and maintenance standards.
- Frontage may be exempted for land uses for infrequent or private access (e.g. farm field, hunt/fish camp, public utility, communications facility, passive recreational use).
- Landlocked access for new development shall not be permitted.
- Access may be exempted for development on an island or water access only lot where access to a parking area on the mainland or same lake, owned or described in a registered easement and being in the same name and interest in the island or water-access lot.
- A Municipality may establish a by-law to classify roads for the purposes of controlling access. For the purposes of this Plan, the road classification for the Township of Papineau-Cameron and the Municipality of Calvin is set out in appendix 4 to this plan.

*The proposed zoning amendment will ensure that residential development will occur on municipal year-round maintained roads. In accordance with the Official Plan, road maintenance agreements are to be issued when the road met the appropriate maintenance standards, right-of-way width, travelled surface width, height clearances and slope required for regular and emergency vehicle use.*

*The intent of the road maintenance agreement within the Official Plan is to permit travel over a road for the purpose of developing the road to the standard described in the Official Plan. It was never intended to be issued to permit residential development on a road that is not year-round maintained or not brought to the maintenance standard that is indicated in the Official Plan or to allow residential development to occur where emergency services are not able to be provided. Furthermore, requests for*



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*road maintenance agreements were being asked for on unopened road allowances which are not maintained by the Municipality at all.*

### 5.3.2 Township Roads

5.3.2.1 In addition to the policies of Section 2.6, the primary access for development in the planning area will be via the existing road network. Municipalities are authorized to classify roads and restrict or control access for any development or a change of land use on the basis of the classification (see road classification for the Township of Papineau Cameron and the Municipality of Calvin in Appendix 4). The classification may include the designation of roads for scenic or cultural resource purposes including measures to govern or conserve a cultural heritage landscape. The land use schedules to the Official Plan set out road classification system which generally coincides with the road classification set out in by-laws passed by the Municipality of Calvin (By-Law 2016-020) and the township of Papineau-Cameron (By-Law 2018-04). For the purposes of the Official Plan, the by-laws shall be used in correlating land use decisions with the accessibility requirements or standards of the respective Municipality.

*The proposed zoning amendment coincides with the classification of roads provided for in the Official Plan. The zoning amendment will further control access for any development or change of land use.*

### 7.20 Land Division, Part Lot Control and Deeming (Sections 50-53, Planning Act)

7.20.6 Lots shall have frontage on and direct access to a year-round maintained public road, except for islands or water access only lots and where applicable to a provincial highway or as otherwise provided in section 2.6 of this Plan.

*The proposed amendment is in line with the Official Plan that lots **shall** have frontage on and direct access to a year-round maintained road as part of the provisions for land division, Part Lot Controls and Deeming.*

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### Zoning By-Law 2022-19

#### **Definition: road/street**

Means an improved public throughfare, lane, road, or highway affording principal means of access or entrance to abutting properties, and which has been assumed and is maintained year-round by a public authority.

*The amendment coincides with the definition of a road or street.*

### 4.11 Frontage on a Public Street or Public Road

No person shall erect any building or structure or use any land in any zone unless the lot upon which such building or structure is to be erected or the land to be used has access to and meets the minimum lot frontage on a *street*.

*The proposed zoning amendment will further strengthen 4.11 of the Zoning By-law 2022-19 as the definition of a road or street is that of a year-round maintained road.*

#### 4.11.1 Exceptions

Despite the above access to a lot shall be permitted:

1. For a permitted use located on an existing private road, existing easement and for a permitted use located in a registered condominium located on an internal private road;
2. For any permitted use on an island provided a public access point is available on the main land;
3. Infill on a private road existing on the day of the passing of this by-law;
4. A camp;
5. For a farm field;



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6. For a resource related use located on Crown Land;
7. For a communications facility;
8. For a public utility;
9. For a wayside pit or quarry;
10. For a water access lot;
11. For any passive outdoor recreational use or activity such as skiing, snowmobiling, hiking, mountain biking or similar activities, and
12. Provided all other applicable zone regulations are met.

*The proposed zoning amendment will allow for recreational uses and the provision of a camp for the purposes of recreational use as per the intention of the zoning by-law.*

### **4.11.2 Road Maintenance Agreements**

*1. To be removed from the Zoning By-Law 2022-19 as per proposed zoning amendment.*

**2. In addition to Section 4.11.1, where road maintenance agreement exists between the municipality and one or more landowner and is registered on title, frontage on a private road, a private unassumed road, an unassumed road or provisions of this section, provided that such frontage is in conformity with the standards set out in the corresponding zone or any exception thereto.**

*Where road maintenance agreements have previously been issued and are registered on title the zoning amendment will not affect the current road maintenance agreements that are registered on title.*

### **4.11.3 Exception for Access**

**Despite Section 4.11.1, where an access easement registered on title between or amongst one or more landowners provides for right-of-way to an existing lot of record, or the lot has water access only, the access requirements shall be deemed to conform with the provisions for access of this By-law.**

*The provisions for access to property through registered rights-of-ways and water access conform to the Zoning By-Law and will not be affected by the proposed zoning amendment.*

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## **COMMENTS/REPORTS/STUDIES**

*As required under the Planning Act circulation to the appropriate agencies/bodies for comment was completed on November 07, 2024.*

**North Bay Mattawa Conservation Authority:** *No comments at the time of this report.*

**East Nipissing Planning Board:** *Meeting to be held on November 25<sup>th</sup>, 2024, will provide comments when received.*

**Public:** *No written submissions at the time of this report.*

### **Township Departments:**

**Public Works:** *Reported to Council on October 29<sup>th</sup>, 2024.*

**Fire Department:** *The Fire Department has concerns for development past the bridge on Stewarts Road due to the weight restrictions of the bridge at the southerly end of Stewarts Road. LSR having limited emergency services may need to be reviewed considering the Provincial Planning Policy 2024 that was introduced in October 2024.*

**Chief Building Official:** *I concur with the report and would add that currently there is confusion about when/what a building permit can be issued for when dealing with unmaintained roads. Our current zoning by-law is vague and contradictory. This would eliminate confusion.*

**Legal:** 2021 Russel Christie; *"The Municipality should stay vigilant in ensuring that private individuals do not work on property that is used by the public and owned by the Municipality."*

2024 Thomas Davis; *"... the liability for the Township has potential to be significant..."*





## THE CORPORATION OF THE MUNICIPALITY OF CALVIN

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**Municipal Engineer:** *“Bridge is rated for 18 tonne delivery vehicles would object to crossing a bridge while overloaded and will require a letter of exemption from the Municipality which for diligence should not be issued”.*

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#### **ANALYSIS:**

*The proposed Zoning Amendment is in line with the intent of the Provincial Planning Statement, 2024 and the East Nipissing Official Plan. The amendment will further support the recently released Provincial Planning Statement, 2024 by ensuring development to occur where emergency management services can be delivered and will conform to the changes implemented in the Provincial Planning Statement. It is the responsibility of the Municipality of Calvin to ensure that development occurs on existing maintained infrastructure for the purposes identified in the Provincial Planning Statement 2024 and to allow optimization of existing infrastructure to support efficient emergency management services.*

*Road maintenance agreements identified in the East Nipissing Official Plan describes that a road maintenance agreement is to be entertained when the road/street is brought to a maintenance standard and is not meant to be used to issue building permits for residential development. The Official Plan also identifies that part lot controls (consents/severances) are not permitted on roads/streets that do not have frontage on “direct access to a year-round maintained public road. (7.20 of the East Nipissing Official Plan)*

*The Municipality of Calvin’s By-Law 2017-015 “being a by-law to establish guidelines for property owners requesting year-round municipal road services on existing gravel, seasonal roads, unassumed road allowances or private roads” provides policy for an agreement to upgrade roads to the standard identified in the Official Plan. This by-law can serve as the policy to issue road maintenance agreements for the purpose of upgrading a road/street to permit residential development and the need for a road maintenance agreement will be prepared by the Municipal Solicitor as per section 5 of by-law 2017-015.*

*The Municipality has been informed through various law firms that the use of road maintenance agreements should not be issued or used and “should stay vigilant in ensuring that private individuals do not work on property that is used by the public and owned by the Municipality.”*

*A primary example with the case of R. v City of Greater Sudbury:  
(A contracted grader operator struck and killed a pedestrian)*

*The Supreme Court of Canada published the long-awaited decision of R. v. Greater Sudbury (City) on November 10, 2023. This landmark decision has a significant impact on how projects are managed in Ontario municipalities by changing the framework, and the liabilities, of “owners”, “employers”, and “constructors”, on municipal projects.*

*Here are some key details of the case:*

*The City of Greater Sudbury put out a tender for a construction project for road and water main repairs. The general contractor agreed to serve as the “constructor” for the project, therefore, assuming control over day-to-day management of the project. As is very typical in municipal tenders such as this, the contract between the City and the general contractor called for minimal involvement from the City.*

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- 1. In September 2015, a grader operated by an employee of the contractor struck and killed a pedestrian. The contractor was charged and prosecuted as the “constructor”; however, the*



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*City was also charged for breaching its obligations as a “constructor” under the OHSA, and more notably, breaching its obligations as the “employer”, despite its involvement on the project being limited to occasional visits by the City’s contract compliance inspector.*

- 2. The Provincial Offenses Court judge acquitted Sudbury, stating that it was not an “employer” in the project, and therefore, had acted with due diligence. The Ministry of Labour appealed to the Provincial Offenses Appeal Court, which upheld the decision. The Ministry of Labour then appealed to the Provincial Court of Appeal, which overturned the decision, finding in fact that the City was an “employer”.*
- 3. The City then appealed to the Supreme Court of Canada, and the case was argued a year ago. The decision released showed a 4/4 split of the judges, resulting in a rejection of the appeal. This means, the Supreme Court of Canada has found that the city is in fact an “employer” in relation to the project, and therefore charged and prosecuted by the Ministry of Labour.*

*The R. v. Greater Sudbury (City) will bring about a significant shift in how Ontario municipalities will need to approach their operations, particularly in terms of managing contractors involved in projects. For decades, municipalities have successfully managed risks associated with OHSA violations by ceding the control of projects to reputable general contractors. However, the Supreme Court decision defies that practice now.*

*The decision essentially places a greater responsibility on municipalities to proactively assess and manage the safety practices of contractors, suggesting a more hands-on and vigilant role in overseeing projects to prevent incidents like the one described in the case. It also underscores the importance of legal considerations in shaping safety management programs, recognizing the potential legal consequences for municipalities if safety standards are not met.*

*These operational changes collectively underscore a shift toward a more proactive and preventative approach to safety management. Municipalities should consider implementing a stringent process for selecting, monitoring, and if necessary, disciplining contractors to create a safer working environment and mitigate legal risks.*

*Jolene Ingribelli, Public Sector Risk Manager for [BFL Canada](#), explains “from a risk management perspective, this decision highlights the importance and need for municipalities to have a strong risk management plan in place. We suggest this includes a review of your municipality’s current contract templates with legal counsel to ensure there is a clear division of responsibilities between parties and expectations of the vendor with respect to occupational health and safety regulations. It will be important for procurement to ensure their processes are being followed, such that vendor contracts or purchase orders are in place with your municipality’s terms and conditions including appropriate insurance requirements, WSIB, indemnification clauses etc. We also recommend that your municipality revisit their internal training, and that staff are appropriately trained on established policies and procedures. If your municipality does not currently have a Vendor Management Program or similar system in place, consideration needs to be given to implementing this type of program that ensures there is appropriate vendor pre-qualification, and monitors vendor performance e.g. violations or safety breaches and that corrective actions were taken. Municipalities need to exercise a level of due diligence with respect to on site health and safety which is commensurate with their level of resources and experience. Record keeping becomes increasingly important to show that your municipality took all*



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*reasonable precautions to protect the health and safety of workers and to establish a due diligence defence, if needed.”*

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### **COUNCIL DECISIONS:**

1. *Accept the recommendation for a proposed zoning by-law amendment to be inline with the recently released Provincial Planning Statement, 2024, to strengthen the East Nipissing Official Plan, and to provide concise language for staff regarding development on roads/streets that are not year-round maintained.*
  2. *Council to accept the risk that is placed on the Municipality when permitting private people to work on public property and to continue the use of road maintenance agreements on seasonal roads for the purpose of residential development.*
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**RECOMMENDED ACTION:** *To accept the recommendation of the Public Works Superintendent in conjunction with the comments received from stakeholders, legal authorities and the CAO in previous reports to Council.*

*Respectfully yours,*

*Ann Carr, Public Works Superintendent*

*I concur with this report,*

*Donna Maitland, CAO*



## NOTICE

### ZONING AMENDMENT MEETING

Zoning Amendment to Remove of Section 4.11.2.1 of the Zoning By-Law 2022-19 and the Example on Page 93. (Issuance of Road Use Agreements)

**November 26th, 2024, at 6:00 p.m.**

Council Chambers  
Municipal Office, 1355 Peddlers Drive,  
Municipality of Calvin

This zoning amendment will be dealt with, for recommendation to Council, at a meeting of Council, at the above noted date and time.

Information for this proposed zoning amendment can be found at: <https://www.calvintownship.ca/Admin/CollapsibleContent/Index/33>

*Note: Section 53(4) of the Planning Act requires that notice of the zoning amendment be given at least 20 days before a decision is made.*

Municipality of Calvin  
705-744-2700 EMAIL: [publicworks@calvintownship.ca](mailto:publicworks@calvintownship.ca)  
1355 Peddlers Drive, Mattawa ON, P0H1V0  
[www.calvintownship.ca](http://www.calvintownship.ca)

Notification Date: November 07th, 2024



## THE CORPORATION OF THE MUNICIPALITY OF CALVIN

### NOTICE OF A PUBLIC MEETING CONCERNING A PROPOSED ZONING BY-LAW AMENDMENT

Owner: Municipality of Calvin

Take notice that the Council of the Corporation of the Municipality of Calvin will be holding a public meeting on **November 26<sup>th</sup>, 2024, at 6:00 p.m.** at the Municipal Office located at 1355 Peddlers Drive, in the Municipality of Calvin, to consider a proposed zoning by-law amendment under Section (34) of the Planning Act.

The proposed zoning by-law amendment would change **Section 4.11.2.1 of By-Law 2022-19, "Road Use Agreements"**. **Section 4.11.2.1 states that "In addition to Section 4.11.1, development including the issuance of a building permit shall only be permitted where frontage is on a road that is defined in By-Law No.2016-020 and is maintained by the Municipality or is maintained under a road maintenance agreement approved by the Municipality"**.

The proposed zoning by-law amendment **will remove Section 4.11.2.1 of By-Law 2022-19 in its entirety** as well as the example in the corner of page 93 referring to road use agreements. Those properties that have an existing road use agreement with the Municipality of Calvin, registered on title, will be in conformity of the standards set out in the corresponding zone.

The zoning amendment is not subject to an application under the Planning Act for an amendment to the Official Plan, an amendment to a Minister's zoning order or for approval of a plan of subdivision or a consent.

If a person or a public body that files an appeal of a decision of The Corporation of the Municipality of Calvin in respect of the proposed zoning by-law amendment does not make oral submission at a public meeting or make a written submission to the Municipality of Calvin before the proposed zoning by-law is adopted, the Ontario Land Tribunal may dismiss all or part of the appeal.

Any person may attend the public meeting, and any person shall be afforded the opportunity to make representation in respect of the zoning proposal.

Additional information relating to the proposed by-law will be available to the public for inspection at the Municipal Office located at 1355 Peddlers Drive, in the Municipality of Calvin, during regular business hours, subject to the Municipal Freedom of Information and Protection Act.

Dated at the Municipality of Calvin, this 07<sup>th</sup> day of November 2024.

Ann Carr, Dipl.M.A.  
Public Works Superintendent