

THE CORPORATION OF THE MUNICIPALITY OF NEEBING

**MINUTES OF THE SPECIAL MEETING OF COUNCIL
(SITTING AS COMMITTEE OF THE WHOLE)**

Held at the Municipal Office
On Tuesday, May 9, 2017

PRESENT: Mayor Ziggy Polkowski
Councillor Erwin Butikofer
Councillor Roger Shott
Councillor Bill Lankinen
Councillor Curtis Coulson
Councillor Brian Wright

REGRETS: Councillor Mike McCooye

Rosalie Evans, Solicitor-Clerk

1. PRELIMINARY MATTERS:

- (a) Call to Order: Mayor Polkowski called the meeting to order at 6:30 p.m.
- (b) Attendance: Attendance was recorded.
- (c) Declarations of Interest: No declarations of interest were brought forward.

2. ADMINISTRATIVE REPORT:

2.1 Report from Solicitor-Clerk Regarding Official Plan Review

The Solicitor-Clerk overviewed the report and responded to questions.

With respect to mapping changes, there was some discussion relating to the "rural settlement area" and whether or not that designation was appropriate. The Solicitor-Clerk re-iterated the comments that had been received from the City of Thunder Bay Planning and Emergency Services Department, Planning Division. The Solicitor-Clerk indicated that, if the decision is made to apply the designation, the precise boundaries will need to be provided.

The Solicitor-Clerk noted several errors of a typographical nature that will be corrected when the Plan is brought forward for adoption.

3. PUBLIC MEETING UNDER THE PLANNING ACT

3.1 Members of the Audience Addressing Committee

Mayor Polkowski advised those present that this is a statutory public meeting under the Planning Act, allowing members of the public to address Council (sitting as Committee of the

Whole) with respect to proposed changes to the Official Plan.

Six members of the public had signed the attendance sheet.

Ms. Jill Cadieux and Ms. Debbie Karpowich took seats at the deputation table. They had with them a petition, which they presented to the Solicitor-Clerk for the record. The petition contained 34 signatures, in support of their request that the Official Plan be amended to add the enabling language necessary to allow the Council to pass a Property Standards By-law. The deputants described a property in their West Oliver Lake neighbourhood which is not only an “eyesore”, but represents, in their opinion, danger to the public and potential environmental issues. They also expressed their opinion that the condition of the property de-valued their own homes.

The property in question is a vacant lot, on which are some dilapidated buildings, abandoned vehicles (including heavy equipment) and a well on which the lid was only partially closed. The environmental concern relates to possible leakage of vehicle fluids into the soil. They see the property as dangerous as it is an attraction to small children for playing in and about the equipment, and it is dangerous in that the well is open.

Members of Committee had questions of Ms. Cadieux and Ms. Karpowich.

Several members expressed concern about the impact of a municipality-wide property standards by-law. There were concerns expressed about farming activity, long-standing practices of some individuals, and enforcement costs. In response to a question, the Solicitor-Clerk explained the difference between a “Property Standards” by-law under the Building Code Act, 1996, and a “Keep your Property Clean” by-law under the Municipal Act, 2001. The former requires a property standards committee, hearings and appeals to the Superior Court of Justice. The latter is strictly enforceable by municipal law enforcement officers, and is less formal, but can be just as effective. Councillor Shott raised the issue that many subdivision agreements contain clauses relating to how property owners in the subdivision are to maintain their properties.

Councillors turned their attention to the property causing problems for the deputants. Councillor Wright expressed concerns similar to those raised by the deputants about a property in his ward as well.

Mr. Barry Chezick, speaking from the audience, advised that a second problematic area exists in another part of their community, on property owned by the Municipality. This is a road allowance located between numbers 24 and 28 Podres Road West.

Mr. Ian Aylward, speaking from the audience, suggested a by-law that would only be applicable in the event that the state of a property was, in fact, causing market value issues for neighbouring properties.

The Solicitor-Clerk was requested to make contact with the property owner of the property which was the subject matter of the deputation from Ms. Cadieux and Ms. Karpowich, and to report to Council on possible by-law compliance actions that could be taken without a formal property standards by-law in place. Questions were also asked about whether any type of property maintenance by-laws can target only specific areas of the municipality without

applying to all land.

Mayor Polkowski thanked Ms. Karpowich and Ms. Cadieux for their presentation, and they took their seats in the audience.

Mayor Polkowski asked whether anyone else present wished to address the Committee.

Mr. Ian Aylward indicated his interest was in the severance provisions of the proposed plan, and he wanted to know how long the process would take before he was made aware of whether or not any further severances of his property could be undertaken. He was advised that the process could take 1-2 years, depending on appeals.

There were no further comments from members of the audience. Comments which had been submitted in writing prior to Wednesday, May 3 had been included in the report. Written comments received after the report had been prepared (sent by Ms. Shannon Dodd-Smith, via email) had been distributed to members in hard copy.

4. COMMITTEE OF THE WHOLE RECOMMENDATIONS:

4.1 Recommendations of the Committee

Councillor Shott expressed disagreement with amending the draft Official Plan to provide the enabling language for a property standards by-law, believing that the situation can be handled with a simpler by-law and/or enforcement process.

Members present had a further discussion about the rural settlement area boundaries without conclusion.

Recommendation No. 2017-05-001

Moved by: Councillor Coulson

Seconded by: Councillor Wright

BE IT RESOLVED THAT, apart from the boundaries for the "Rural Settlement Area", Committee of the Whole recommends that Council adopt the Official Plan as proposed by Administration;

AND THAT Committee of the Whole recommends that Council provide direction to Administration with respect to the "Rural Settlement Area" prior to adoption of the Plan.

CARRIED ✓

5. ADJOURN THE MEETING:

There being no further business to attend to, Mayor Polkowski adjourned the meeting at 7:30 p.m.

SPECIAL MEETING OF COUNCIL
(SITTING AS COMMITTEE OF THE WHOLE)


Ziggy Polkowski
MAYOR


Rosalie Evans
SOLICITOR-CLERK

