

THE CORPORATION OF THE MUNICIPALITY OF NEEBING
MINUTES OF THE SPECIAL MEETING OF COUNCIL, SITTING AS
COMMITTEE OF THE WHOLE – STATUTORY PUBLIC MEETING
IN ACCORDANCE WITH THE PLANNING ACT

Held at the Municipal Office
On Tuesday, May 11, 2016, at 5:00 p.m.

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

Rosalie A. Evans, Solicitor-Clerk

1. PRELIMINARY MATTERS:

- (a) **Call to Order:** Mayor Polkowski called the meeting to order at 5:00 p.m.
- (b) **Attendance:** Attendance was recorded.
- (c) **Declarations of Interest:** Councillor Shott indicated that he has a pecuniary interest in property owned by Cliff View Campers Association, and that he would recuse himself when that matter was being discussed.

2. ZONING BY-LAW REVIEW (TEXT)

2.1. Preamble

Mayor Polkowski advised those present that this is a meeting of the Neebing Council, sitting as Committee of the Whole, convened as a statutory public meeting under the provisions of the Planning Act. The purpose of the meeting is to receive input on amendments that the Council is proposing to its comprehensive Zoning By-law, including some proposed re-zonings to individual properties.

2.2. Overview from Administration

The Solicitor-Clerk provided an overview of the Report included with the agenda. It was noted that the mapping associated with the Zoning By-law had not as yet been prepared, but was in production. A future public meeting will be held with respect to the mapping. Changes being worked on included any individual re-zoning approvals undertaken but not previously mapped, and inclusion of Gooseberry Island.

2.3. Comments from the Public

The Solicitor-Clerk reviewed for Committee comments from the following which had been received in writing:

- The City of Thunder Bay (requesting more time within which to provide comments);
- The Lakehead Region Conservation Authority recommending adding a definition for “high water mark” and adding subsections to Section 3.18 in the draft by-law and
- Comments received from most property owners of the properties being considered for dual commercial/rural zoning designations, and owners of properties in the vicinities of those properties, expressing objections to the proposed changes.

The Solicitor-Clerk advised further that one of the recommendations in the attachment to the report would need to change based on a written comment handed to her at the onset of the meeting. She had understood that the owner of the property on Cloud River Road West was in favour of the re-zoning, however, he is not. Accordingly, the property should not be re-zoned.

As the Solicitor-Clerk advised that no one had signed the speaker’s list sheet, the Chair opened the floor to members of the audience who wished to speak but had not signed the speaker’s list.

Ed Chaschuk had questions relating to the proposed re-zoning of the land adjacent to the Sandhill Landfill site for the proposed gasification plant. He queried whether that change would prevent the issuance of a building permit on land he owns in the vicinity. He was advised that, if he would be able to obtain a permit today, this change will not have any impact. It is not an expansion of the landfill site.

Delma Stajkowski advised she had submitted a letter opposing any rezoning of her property, and was pleased with the recommendation that the dual zoning not proceed in the circumstances.

Robert Le Brun had questions relating to the proposed re-zoning of the Municipality’s properties on Island Avenue. He wanted to know what the new zoning would permit on the properties. Mr. LeBrun would favour any restrictions that would require the purchaser to build something in keeping with the styles and types of residences already constructed. He also wanted to know whether the proceeds of the sale could be used to chip-seal Island Avenue.

Wilma Mol had questions relating to the amount of land owned by the Municipality (as opposed to the Ministry of Transportation) at the intersections of Highways 61 and 608.

A few of the residents in attendance had questions about the Orion project and received information from Mayor Polkowski and Councillor Shott.

Rusty Ward wanted, and received, assurance that the proposed re-zonings on Cloud River Road were “off the table”.

Denise Crystalovich asked whether the Municipality was planning to develop a marina. Mayor Polkowski advised that Neebing would not compete with private enterprise in that regard, however, the possibility for a privately developed marina has been discussed with a developer.

Trevor Lee addressed Council with respect to his objection to possible rezonings at the intersections of Highways 608 and 597 and East Oliver Lake Road.

Dawne Freeman advised that she and her husband had sent letters opposing the rezoning of land on Cloud River Road (East and West).

A brief recess was held at 6:07 p.m.

Committee reconvened at 6:17 p.m.

2.4. Consider Recommendation to Council

The Solicitor-Clerk suggested that the recommendations of Administration as set out in the Report could be considered by Committee in the same manner that Council considers "consent agendas" at its Council meetings. The Margaret Street matter would need to be voted on separately to allow Councillor Shott to leave the room during the vote, as was his expressed intention.

Mayor Polkowski opened the floor to motions from members for a recommendation to Council.

Res. No. 2016-05-002

Moved by: Councillor Lankinen

Seconded by: Councillor McCoeye

BE IT RESOLVED THAT, a public meeting having been held with respect to the draft wording for revisions to Neebing's Comprehensive Zoning By-law, the Committee of the Whole recommends to the Municipal Council that:

- a) Section 2.14 be deleted from the draft by-law;
- b) The term "Guest Cottage" be deleted as a stand-alone permitted use in any zone, since it is already permitted as an accessory use;
- c) Section 3.3.3(1) be deleted from the draft by-law;
- d) Section 3.5.2.3 be amended to correct the typographical error so that the number "500" is changed to the number "50" where it appears in that section;
- e) Section 3.8.3 be re-worded to provide for an exemption to the rear yard setback provisions in the zone to allow boat houses to be built;
- f) The following be added to section 3.13.1 as permitted uses in the heavy industrial zone:
"gasification plant" and "bio-diesel production plant";
- g) The following subsections be added to Section 3.18:
 - iv) land within 120 meters of a Provincially Significant Wetland;
 - v) inland lake shorelines; and
 - vi) land 15 meters landward; and 1 kilometer lakeward from the High Water Mark.
- h) The following definition for "High Water Mark" be added to Section 4:
"184.0 metres Geodetic Survey of Canada from the USA border to Jarvis Point, and 183.9 metres Geodetic Survey of Canada from Jarvis Point east to the City of Thunder Bay"
- i) Lots 23, 24 and 25 in Plan of Subdivision M555, in the geographic Blake Township, in the Municipality of Neebing and Province of Ontario on Island Avenue be re-zoned from the "Open Space" Zone to the "Recreation 2" Zone, in keeping with the properties adjacent to them;
- j) Property adjacent to the Sandhill Landfill Site, legally described as the South Part of Section 2, Parcel 2543 DFWF, Concession 1, in the geographic Crooks Township, in the Municipality of Neebing and Province of Ontario, currently zoned "extractive industrial" be re-zoned to a dual zoning, being "extractive industrial" and "heavy industrial";
- k) Lake Superior waterfront property located on the private road which extends past the terminus of Memory Road, legally described as Lots 1 through 8, inclusive, in Plan of Subdivision 734, in the geographic Crooks Township, in the Municipality of Neebing and

Province of Ontario, is re-zoned from its current zone, "Recreation *" to "Lakefront Residential"; and

- l) On the condition that the property owners enter into a development agreement to be registered on title, specifying that there is no municipal road maintenance, the same property addressed in paragraph (k) above be approved for construction of a permanent residence despite the fact that the property does not front on a public road, which would otherwise be prohibited by Section 2.2;
- m) That the balance of the text of the new draft comprehensive zoning by-law be approved as circulated;
- n) That a by-law to amend by-law 860-2010 be brought to Council on June 1, 2016 to implement:
 - First: the approvals described in paragraphs (f), (i), (j), (k), and (l),
 - Second: the addition of Section 2.6.2 to allow for multiple zoning required for the approval in (j) above; and
 - Third: the amendments to Sections 3.5.2, 3.6.2, 3.7.2, and 3.8.2 of the by-law, being the rear yard setbacks for lakefront properties (reduction from 75 feet to 50 feet).
- o) That another statutory public meeting be held to consider the balance of the full text and to receive input from the public on proposed changes to the map schedules to the Zoning By-law when the proposed changes have been considered and circulated for public comment.

CARRIED ✓

In keeping with the spirit and intent of his declaration, Councillor Shott left the meeting room.

Res. No. 2016-05-003

Moved by: Councillor Coulson

Seconded by: Councillor Wright

BE IT RESOLVED THAT, a public meeting having been held with respect to the proposed rezoning of land located on Margaret Street North, the Committee of the Whole recommends to the Municipal Council that:

Lake Superior waterfront property owned by Cliff View Campers Association Inc., located on Margaret Street North, being a portion of the property legally described as Block B, in Plan of Subdivision M-365 in the geographic Blake Township, in the Municipality of Neebing and Province of Ontario, is re-zoned from its current zone, "Open Space" to "Lakefront Residential";

And that the portion of Block B being re-zoned is the portion identified in the owner's application to the Committee of Adjustment for a land severance;

And that the zoning by-law be brought to Council for passage on a date after the Reference Plan has been registered, so that the property can be properly identified in the amending Zoning By-law.

CARRIED ✓

3. ADJOURN THE MEETING

Mayor Polkowski, as Chair, declared the meeting adjourned at 6:30 p.m., there being no further business to attend to.

SPECIAL MEETING OF COUNCIL SITTING AS COMMITTEE OF THE WHOLE



Ziggy Polkowski
MAYOR, CHAIR



Rosalie A. Evans
SOLICITOR-CLERK

