

THE CORPORATION OF THE MUNICIPALITY OF NEEBING

MINUTES OF THE SPECIAL MEETING OF COUNCIL

Held at the Municipal Office

On Wednesday, January 30, 2008

PRESENT: Mayor Steven Harasen
Councillor Roger Shott
Councillor Bev Dale
Councillor James Jeffery
Councillor Maureen Schmidt
Councillor Beverly Mercer
Acting Clerk Delma Stajkowski

ABSENT: Councillor Dawne Kilgour

Mayor Harasen called the meeting to order at 7:31 p.m.

DISCLOSURE OF CONFLICT OF INTEREST:

There was no disclosure of interest noted at this time.

RESOLUTIONS:

Resolution declaring this a SPECIAL MEETING OF COUNCIL to discuss a Zoning By-law Amendment under Section 34 of the Planning Act and Amendments thereto as submitted by Wolfwood Enterprises ULC.

Res. No. 28-1-2008

Moved by: Roger Shott
Seconded by: Bev Dale

THAT this be declared a SPECIAL MEETING OF COUNCIL to discuss a Zoning By-law Amendment under Section 34 of the Planning Act and Amendments thereto as submitted by Wolfwood Enterprises ULC

CARRIED

Discussion:

Zoning By-law Amendment (Wolfwood Enterprises ULC)

Comments from Ministries and Agencies:

LRCA: The staff have reviewed the above-noted application as it relates to flooding and erosion issues and have the following comments:

The applicant should be aware that part of the subject property, as shown on the enclosed sketch, is affected by the Conservation Authority's Development, Interference with Wetlands and Alteration to Shorelines and Watercourses regulations. The construction of any buildings or structures, the placing or dumping of fill, or any alteration to the existing channel of the watercourse may require a permit from the Conservation Authority. As detailed in

LRCA: con't

our Level II fish habitat agreement with the Department of Fisheries and Oceans (DFO) the Lakehead Region Conservation Authority evaluates proposed works as to their impact on fish habitat within our area of jurisdiction.

Staff do not have any objections to the proposed zoning by-law amendment which would rezone a portion of the subject property from the (UL) Use Limitation and (RU) Rural Zone to Remote Recreation 3 (S3); to amend 5.7.2 (a) Zone Provision to reduce the minimum Lot Area from 8 hectares to .6 hectares and to amend 5.7.3(c) Other Provisions to increase the size of the remote cottage to a minimum of forty-five square metres in area.

MAH: RE; Notice of Public Meeting regarding a zoning amendment for Wolfwood Enterprises ULC - Portion of Mining Location 11B, Township of Crooks to be held January 30, 2008.

The Ministry of Municipal Affairs and Housing (MAH), the municipality and the applicant entered into minutes of settlement (the minutes) that were presented to the Ontario Municipal Board hearing on the Neebing Official Plan last week. These minutes included direction on how the planning applications and amendments required for the above-mentioned properties will be processed.

I understand that Council is only intending to hold the public meeting on this matter tonight and will not be passing a zoning amendment by-law at this time. Pursuant to the minutes, MAH would expect that staff will be given direction to work with our Ministry and the agent for Wolfwood enterprises to draft an appropriate amendment that meets the agreed upon requirements. Although this is not necessarily a complete or final list, the amending by-law would consider matters such as those outlined below.

1. The mapping should be revised to utilize the most recent drawings attached to the minutes. The area shown in the minutes outside of the "EP" area, which includes the significant habitat area and adjacency area of a threatened or endangered species, could be rezoned to the remote recreation zone as shown on the attached map. The rest of the property should remain in the "UL" Use Limitation Zone.
2. The "UL" zone appears to restrict any buildings or structures except those used for flood or erosion control, watercourse protection works or bank stabilization projects. Since we do not anticipate any such works on the property, we have no concern with this section of the Neebing zoning by-law as it affects these lands however, we would request confirmation that no other part of the municipal zoning by-law would permit any other buildings or structures in the "UL" zone on this property.

3. As it affects this property, the "UL" zone should be amended to remove any permitted uses presently allowed in the zone that could disturb the natural land forms or vegetation such as pits and quarries, public parks, forestry uses, agricultural uses etc.
4. In addition as it affects this property, the "UL" zone should be amended, to state that no development of a road or access trail of any kind is permitted.

We look forward to working with municipal staff and the applicant to prepare a final draft of the zoning amendment for enactment.

Please keep in mind that there are other requirements of the settlement agreement that must be finalized before the proposed new lots can be created. Amongst other matters this includes a provision for enactment of controls such as site plan control which would preclude the removal of any healthy natural vegetation from the area zoned "UL".

When the municipality finalizes its new comprehensive zoning by-law in the future, we would expect to see the areas on this property that are shown as "EP" in the minutes, to be zoned to some form of environmental protection zone and that the site specific provisions required as a result of the minutes be brought forward into the new by-law.

Please provide MAH with notice of the passage of any zoning by-law related to this matter.

Mr. Alan Jones (representative of Wolfwood Enterprises ULC) outlined the concept that the property owner was trying to accomplish which was to have three buildable lots on Little Trout Bay. It was noted that the back lot line would have to stay outside the Environmental Protection Area. Mr. Jones stated that there were several criteria needed to be addressed before completion of either the consent or amendment could take place. One being an archaeological assessment, another is a development agreement has to be drawn up to recognize the biologists recommendations, as well as septic approval and water treatment plans. It was also noted that an easement would be required for a hydro easement as well, the driveway should be wide enough and cleared enough for emergency vehicles to manoeuvre around.

ADJOURNMENT:

Res. No. 27-1-2008

Moved by: Roger Shott
Seconded by: Beverly Mercer

THAT the time being 10:05 p.m., this In-Camera Session is hereby adjourned and the Regular Meeting of Council is resumed.

CARRIED

SPECIAL MEETING OF COUNCIL

Mayor
Steven Harasen

Acting Clerk
Delma Stajkowski, AMCT