

MINUTES

STATUTORY PUBLIC MEETING

THE CORPORATION OF THE MUNICIPALITY OF SIOUX LOOKOUT
WEDNESDAY, DECEMBER 16, 2009, 5:30 P.M.
MUNICIPAL OFFICE COUNCIL CHAMBERS

Attendance Mayor Kathy Poling
Cllr James Brohm
Cllr Donald Fenelon
Cllr David Gordon
Cllr. Ben Hancharuk
Cllr. Joyce Timpson
Cllr Sue Williams

Staff: Merlin Dewing, Chief Administrative Officer
Mary MacKenzie, Clerk
Linda Spence, Deputy Clerk
Pat Uren, Planning Administrator

Media, Interested Public and Staff

1. Call to Order

The Mayor called the Public Meeting to order at 5:30 p.m.

2. Confirmation of Agenda

The Planning Administrator clarified that the purpose of the purchase of the unopened road allowance is for brushing and future construction of a dock, sauna or boathouse.

PM344-09 **Moved by: D. Fenelon**
Seconded: B. Hancharuk
THAT the Agenda of the Public Meeting of Wednesday,
December 16, 2009, be approved as presented.
CARRIED

3. Declarations – None

4. Applications

A. Zoning By-Law Amendment 012/2009
Applicant: Kelli Dawn and Terance Baker, 88 Front Street

a. Introduction and Overview

This is a Public Meeting convened under Section 34 of the *Planning Act*, R.S.O. 1990 to deal with a Zoning By-Law Amendment.

The purpose of the site specific amendment is to permit a storage trailer at the rear of the property for additional storage space for a one-year period.

b. Confirmation of Notice

The Mayor asked the Planning Administrator to confirm how Notice was served to advertise this Public Meeting.

Mrs. Uren advised that the Notice of the Public Meeting was circulated by regular mail on November 25, 2009 to all abutting neighbors **within 120 metres** and that all notice requirements have been met in accordance with the Planning Act.

c. Staff Report

The Mayor asked the Planning Administrator to provide a summary of the proposed amendment.

Council has a copy of my report dated December 3, 2009 with respect to a request for a Temporary Use By-Law from Kelli-Dawn and Terance Baker to permit a storage trailer at the rear of the East 39 feet of Lot 43, Plan M 220 known locally as Bloomin Wild Flowers or 88 Front Street and now as the location of the Sears Catalogue Outlet.

Kelli has recently taken over the Sears Outlet and at present needs some storage space for the larger items. A storage trailer has been purchased and installed off of the back lane in the parking area and the request tonight is to allow the trailer for a period of one year to allow time to assess the new business and plan for a possible expansion if things go well.

The storage trailer has been placed at the rear of the property off of the back lane – the traffic that will be generated should be minimal and the pickup area has been set up in such a way as to allow vehicles to access the door of the storage trailer from the property, not the back lane.

The By-Law will allow the trailer as per the attached site plan which is on display tonight. Additionally, a request has been made to waive Site Plan Control requirements until the one year evaluation process has been completed.

Policy 8.1.2 of the Official Plan allows Council to pass a by-law under the provision of the Planning act to allow the temporary use of lands that do not comply with the land use designations in the plan provided that the temporary use does not require major capital investment or alteration to the existing landscape; the proposed use is compatible with surrounding land uses; the proposed use does not require the extension of municipal services and the developer has entered into an agreement with the Municipality specifying the conditions under which the use may be permitted and the By-Law shall specify a maximum time period for the use to be permitted.

In this case the applicant has requested that Site Plan Control be waived and the maximum time period for the use to be permitted has been set at one year. No services such as sewer and water and hydro are required for the storage trailer.

Additionally the Planning Act allows Council to authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited by the by-law. A by-law authorizing a temporary use shall not exceed three years from the day of the passing of the by-law.

Prior to the expiration of the Temporary Use By-Law the Owner will determine the best way to address the storage for the new business and at that time all options will be reviewed and if necessary all regulations applied that would relate to the proposal.

d. Correspondence from Government Agencies and Municipal Staff

The Mayor asked the Planning Administrator to advise of any correspondence received from Government Agencies and Municipal Staff.

Mrs. Uren advised that Bell Canada has no concerns.

e. Correspondence from Members of the Public

The Mayor asked the Planning Administrator to advise of any correspondence received from Members of the Public.

Mrs. Uren advised that there was no correspondence from the public regarding this application.

f. Applicant's Presentation

The Applicant, Kelli-Dawn Baker was present but did not have comments at this time.

g. Questions or Comments from Members of the Public and Council

The Mayor asked if there were any questions or comments from Members of the Public or Council.

Allan Lago was present. He stated that he supported the application and was glad to see an existing business expanding to the point of needing storage space. He asked why Council and staff deal with individuals so differently. He noted that he was denied such a request for a storage trailer under Zoning By-Law 29-01. Mayor Poling stated that staff will review the matter and provide Mr. Lago with the information.

Councillor Timpson asked what some of the options might be. Mrs. Uren advised that there are the options of renting storage space, additions to the building or utilizing the area presently being leased out in the existing building.

h. Conclusion and Right of Appeal Process

This concludes the Public Meetings regarding Zoning By-Law Amendments.

If any member of the Public wishes to be notified of the decision of Council in respect of the application, they must make a written request to the Planning Administrator.

Notice to appeal the decision of Council to the Ontario Municipal Board must be filed with the Planning Administrator no later than 20 days from the Notice of the passing of the By-Law.

The Notice of Appeal shall be sent to the attention of the Planning Administrator and it must include the following information:

- The reasons for the appeal; and
- The fee as prescribed under the *Ontario Municipal Board Act* in the amount of \$125.00 payable by certified cheque to the Minister of Finance, Province of Ontario.

Only individuals, corporations or public bodies may appeal the decision of Council to the Ontario Municipal Board. An appeal may not be filed by an unincorporated association or group. A Notice of Appeal may be filed in the name of an individual who is a member of the association or group.

**B. Road Allowance Closure and Sale
Part 1, Plan 23R 11791 – Gary Bower****a. Introduction and Overview**

This is a Public Meeting convened under the *Ontario Municipal Act, 2001* to deal with an application to purchase a unopened road allowance.

The purpose of the proposed purchase of unopened road allowance is to allow brushing and future construction of a dock, sauna or boathouse.

b. Confirmation of Notice

The Planning Administrator will confirm how Notice was served to advertise this Public Meeting.

Mrs. Uren advised that the notice was published in three consecutive editions of the Sioux Lookout Bulletin and that Notice requirements have been met.

c. Correspondence from Government Agencies

The Planning Administrator will read out any correspondence received from Government agencies.

Mrs. Uren advised that Mary MacKenzie, Clerk, had no objections.

d. Correspondence from Members of the Public

The Planning Administrator will read out any correspondence received from members of the public.

Mrs. Uren advised that there was no correspondence from the public regarding this application.

e. Staff Report

The Planning Administrator provided a summary of the application:

A request to purchase the unopened shoreline road allowance fronting Mining Location HW 541 has been received from Mr. Gary Bower.

HW 541, a 46.58 acre parcel of land which belongs to Mr. Bower is located on the south shore of Pelican Lake just past Frog Rapids bridge. There is a private gravel pit located approximately 400 feet southwest of the shoreline road allowance and a seasonal dwelling at the southeast end of the property closest to Frog Rapids Narrows.

The shoreline road allowance is very rugged, well treed and very rocky beyond the high water mark. At some points there is a 20 to 25 foot drop. There is no public access to this shoreline road allowance.

The purchase of the road allowance will allow Mr. Bower to brush and clear some of the trees to enhance the view of the lake and area and in the future to construct a dock, boathouse or sauna. Without owning the shoreline road allowance these uses would not be permitted.

This is a shoreline road allowance fronting a private property – there is no established public or emergency access to the road allowance and adjoining landowners will not be deprived of access to the water.

f. Applicant's Presentation

The Applicant or a Representative is invited to speak to the application.

The Applicant, Mr. Bower was present but did not have comments at this time.

g. Questions from Members of Council and the Public

Members of the public are invited to speak to the application. The public can ask questions of clarification or seek background information, speak in support of the application or speak in opposition of the application.

All questions will be directed through the Chair. It is requested that only one question be asked at a time. Please identify yourself before you ask your question so that you can be properly recorded in the Minutes of the Meeting.

Mr. Lago advised that he is in support of this sale since it will add to the tax base. However, he pointed out an error in the report with respect to amount of shoreline being sold (1700 vs 900 feet). Mrs. Uren advised that the length of the shoreline road allowance is 1765 feet.

h. Conclusion and Right of Appeal Process

This concludes the Public Meeting regarding the closure and sale of an Unopened Road Allowance.

The Planning Administrator advise that there is no appeal process.

5. Motion to Adjourn

PM345-09

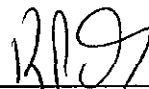
Moved by: B. Hancharuk

Seconded: S. Williams

THAT the Public Meeting of Wednesday, December 16, 2009, be adjourned at 5:46 p.m.

CARRIED

ADOPTED AS PRESENTED THIS TWENTIETH DAY OF JANUARY, 2010.



Kathy Poling, Mayor



Mary L. MacKenzie, Clerk