

The Corporation of the  
**Municipality of Neebing**

AGENDA for Special Meeting of Neebing Council, Sitting as Committee of the Whole  
Wednesday, August 11, 2021 at 5:00 p.m.

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/138872301>

You can also dial in using your phone.

Canada (Toll Free): [1 888 455 1389](tel:18884551389) Access Code: **138-872-301**

**1. Preliminary Matters**

- (a) Call to Order
- (b) Attendance
- (c) Request/Receive Declarations of Pecuniary Interests  
under the Municipal Conflict of Interest Act (if any)

**2. Public Meeting Under Section 53 of the Planning Act: Consent (Severance) for Rudy Stajkowski**

- |     |   |       |
|-----|---|-------|
| 2.1 | Application B03-2021 (for a severance to create a lot)  | 1-9   |
| 2.2 | Report from Clerk-Treasurer Regarding Consent Application<br>(Recommendation to Recommend that Council approve the application, with<br>conditions) | 10-18 |
| 2.3 | Receive Comments from Interested Members of the Public  | -     |
| 2.4 | Debate Recommendation for Council   | -     |

**3. Public Meeting Under Section 34 of the Planning Act: Minor Variance Application for Linda Colosimo**

- |     |  |       |
|-----|--|-------|
| 3.1 | Application B04-2021   | 19-23 |
| 3.2 | Report from Clerk-Treasurer Regarding the Application<br>(Recommendation to recommend that Council approve the requested<br>amendment) | 24-28 |
| 3.3 | Receive Comments from Interested Members of the Public   | -     |
| 3.4 | Debate Recommendation for Council  | -     |

**4. Adjourn the Meeting**

**Municipality of Neebing**  
**4766 Highway 61 Neebing, ON P7L 0B5**  
**T: 807-474-5331 F: 1-807-474-5332**

## Application for Consent

The Applicant consents to an inspection of the property by members of the Neebing Municipal Council and by municipal staff. The undersigned hereby applies to the Neebing Municipal Council under the Planning Act, R.S.O. 1990, c. P. 13, as amended.

**THE INFORMATION IN THIS APPLICATION IS COLLECTED FOR THE PURPOSE OF CREATING A RECORD THAT IS AVAILABLE TO THE GENERAL PUBLIC.**

### 1. Owner/Applicant Information:

Name: <i>Rudy Stajkowski</i>		Tel: <i>964-2479</i>	
Address: <i>1697 Pardue Rd.</i>		Fax:	
City/Prov/PC: <i>Neebing, ON P7L 0G7</i>		Email:	
Name:		Tel:	
Address Same As Owner Above <input type="checkbox"/> Or		Fax:	
City/Prov/PC:		Email:	

### 2. Agent Information Acting On Behalf Of Owner (If Any):

Name:		Tel:	
Address:		Fax:	
City/Prov/PC:		Email:	

### 3. Indicate the type of transaction for which the severance is required (Mark x):

To sell/transfer property	<input checked="" type="checkbox"/>	To approve a lease with a term over 21 yrs.	
To add property to another (consolidate)		For a mortgage over part of the land	
To provide an easement/right of way		Other (specify):	

Provide the names of other parties involved, if known. (i.e. purchaser, mortgagor, tenant, person requiring easement, etc.)

*none*

### 4. If there are existing easements, rights of way, restrictive covenants, mortgages, or any other encumbrances currently on the property, please provide details. If there are no encumbrances, please indicate so.:

*none*

<b>5. Property legal description:</b>			
Assessment Roll Number:	58-01- 050-008 -07504		
Municipal Address (Or Abutting Road Name If Property Has No Address)	1697 Pardee Rd.		
Registered Plan No.:	Mining Location No.:		
Reference Plan No.:	Lot No.: South Part of Lot 8		
Concession No.: 3 Pardee	Part No.:	Sec. No.:	
<b>6. Physical description/dimensions of the parcel that will be RETAINED after severance:</b>			
Frontage in Meters: ~ 500 meters Pardee S. ~ 592 meters Pardee E.	Depth in Meters: ~ 800 from Pardee S. Varies E. -- ~ 791 ft ~ 436 m from Pardee S.		
Area in Square Meters: ~ 559,712	Area in Hectares:		
Number of Buildings and Structures	Existing: 1	Proposed: 1	
Use of the Land	Existing: Farm	Proposed: residential & Farm	
Official Plan Designation: Rural	Zoning: Rural, some Use Limitation		
<b>7. Physical description/dimensions of the parcel(s) that will be SEVERED:</b>			
<b>FIRST PARCEL:</b>			
Frontage in Meters: ~ 212	Depth in Meters: ~ 94		
Area in Square Meters: ~ 19,928	Area in Hectares: ~ 2		
Number of Buildings and Structures	Existing: 3	Proposed: 3	
Use of the Land	Existing: farm/residential	Proposed: farm/residential	
Official Plan Designation:	Zoning:		
<b>SECOND PARCEL (if applicable):</b>			
Frontage in Meters:	Depth in Meters:		
Area in Square Meters:	Area in Hectares:		
Number of Buildings and Structures	Existing:	Proposed:	
Use of the Land	Existing:	Proposed:	
Official Plan Designation:	Zoning:		
<b>THIRD PARCEL (if applicable):</b>			
Frontage in Meters:	Depth in Meters:		
Area in Square Meters:	Area in Hectares:		
Number of Buildings and Structures	Existing:	Proposed:	
Use of the Land	Existing:	Proposed:	
Official Plan Designation:	Zoning:		

8.(a) Road access to retained parcel	Mark (X)	(b) Road access to severed parcel(s)	Mark (X) SEVERED PARCEL		
			1	2	3
Provincial Highway		Provincial Highway			
Municipal Road	✓	Municipal Road	✓		
Private Road		Private Road			
Right of Way		Right of Way			
Water Only**		Water Only**			

**\*\* (c) Where access is proposed by water only, indicate on the sketch or in the space below, the parking and docking facilities to be used and the approximate distance of these facilities as well as the nearest public road from the subject lands.**

N/A

9.(a) Water supply to the retained parcel	Mark (X)	(b) Water supply to the severed parcel(s)	Mark (X) SEVERED PARCEL		
			1	2	3
Privately Owned & Maintained Well	✓	Privately Owned & Maintained Well	✓		
Lake		Lake			
Other (specify): <i>none at present - would be well in future</i>		Other (specify):			
10.(a) Septic service to the retained parcel	Mark (X)	(b) Septic service to the severed parcel(s)	Mark (X) SEVERED PARCEL		
			1	2	3
Privately Owned & Maintained Septic System	✓	Privately Owned & Maintained Septic System	✓		
Outhouse/Privy		Outhouse/Privy			
Other (specify): <i>none at present - would be septic in future</i>		Other (specify):			

**11. Has the land ever been the subject of an application for a plan of subdivision under the Planning Act or a prior consent under the Planning Act?**

YES ☐

NO ☒

If YES, provide the File/Application Number, date of application, and the result and decision with respect to the application.

**12. Were any land parcels severed from this property since October 4, 1972?**

YES ☒

NO ☐

If YES, advise how many times the property has been severed and when this happened.

2 in May 2012

13. Have any land parcels been severed from the original parcel that was acquired by the Applicant?

YES ☒

NO ☐

If YES, advise how many times the property has been severed and when this happened.

2 in May 2012 reference plan 55R13526

14. Is the subject land the subject of any other applications under the Planning Act?

YES ☐

NO ☒

If YES, provide the file/application number and the status of such applications.

Official Plan Amendment:

Plan of Subdivision:

Zoning By-law Amendment:

Minor Variance:

Minister's Zoning Order:

Consent:

15. Is this application consistent with the Provincial Policy Statement issued under the Planning Act?

YES ☒

NO ☐

#### CERTIFICATE OF THE APPLICANT

I/We Rudy Stajkowski of the Municipality/Township/City of

Neebing in the Province of Ontario, solemnly declare that the statements contained in this application are true. I/We make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Jointly and severally (delete if not required) at the

Municipality/Township/City of Neebing

This 20<sup>th</sup> day of July, 2021.

Applicant(s) Signature:

Rudy Stajkowski

[Signature]

Commissioner for Taking Affidavits

Enka Kromm  
Clerk - Treasurer  
Municipality of Neebing

If the Applicant is a Corporation, the application shall be signed by an Officer of the Corporation and the Corporate Seal shall be affixed – or written authorization from the Corporation signed by an individual who has authority to bind the Corporation.

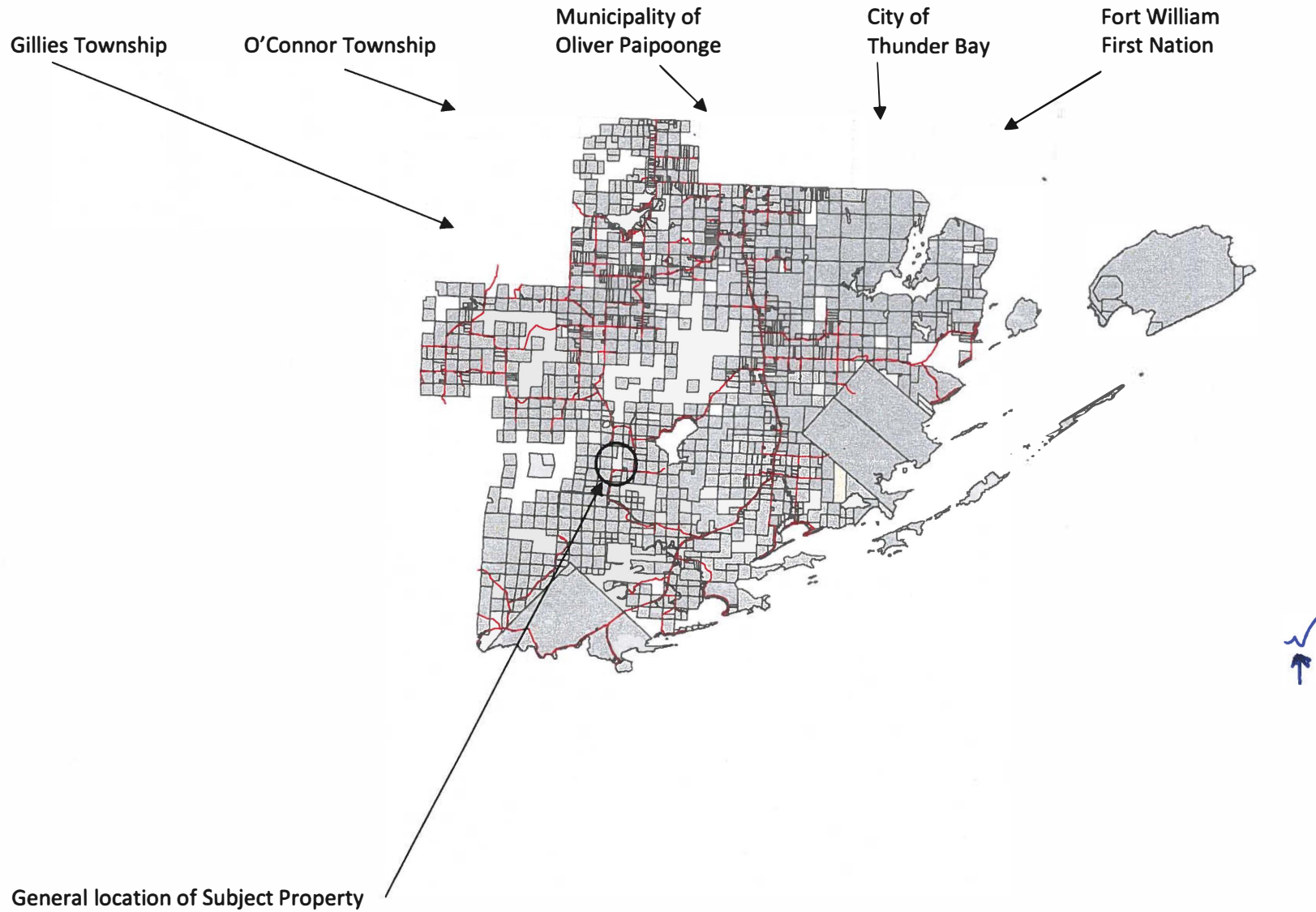
Owner's/Owners' Authorization for an Agent to make the application on his/her/their/ behalf/believes:

I/We authorize \_\_\_\_\_ (name of Agent) to act on my/our behalf in submitting this application, which is filed with my/our knowledge and consent.

Owner/Owners' Signatures

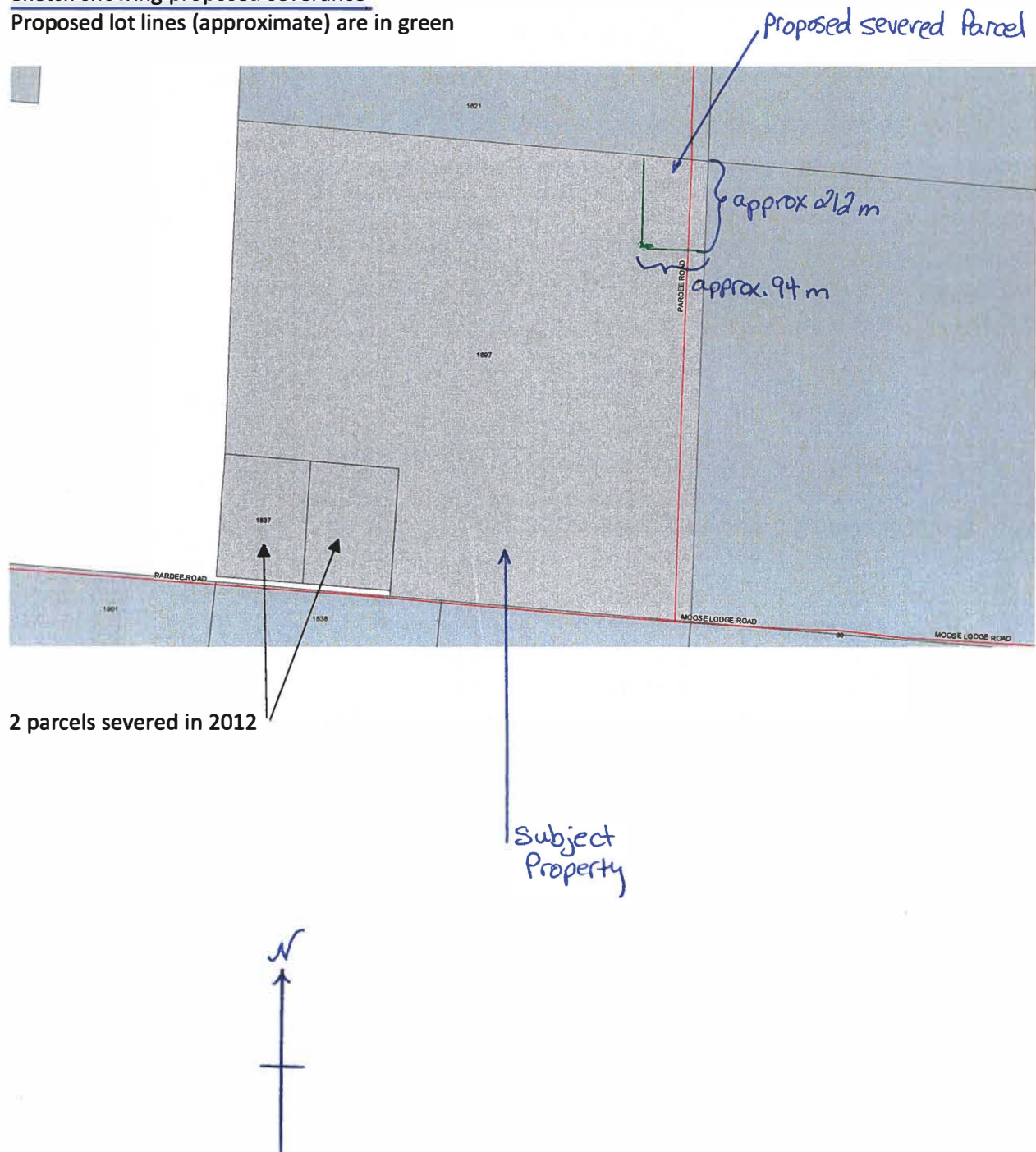
Date

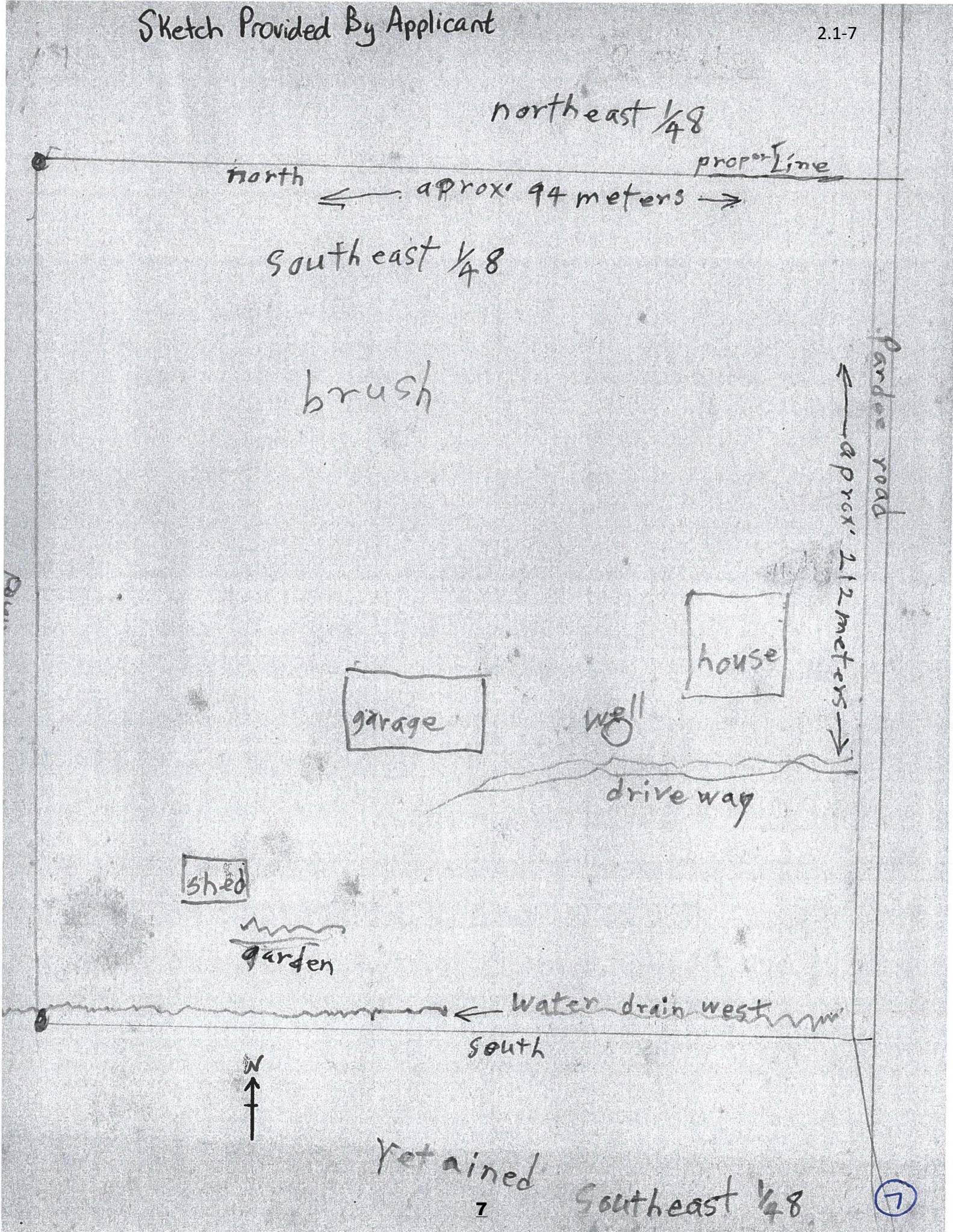
General Location within the Municipality of Neebing:



4

Sketch showing proposed severance  
Proposed lot lines (approximate) are in green





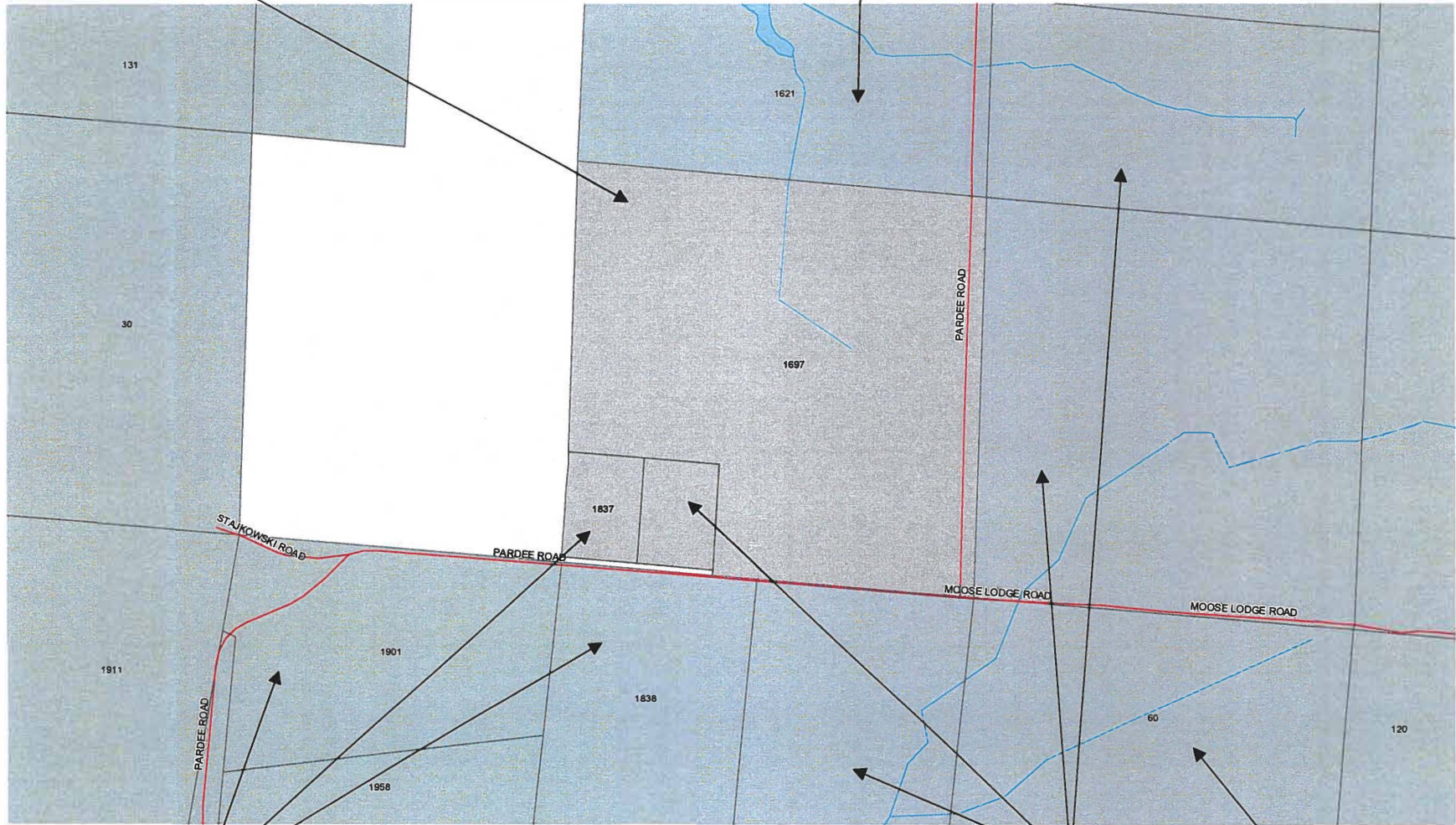


Surrounding Land Uses

Subject Property

(Crown land is shown in white)

Residential parcel



Residential parcels

Vacant parcels

Residential parcel



# Existing Structures



Existing  
barn to be on  
retained  
parcel

Small structure  
being demolished

Proposed  
Severed  
parcel



6

**The Corporation of the Municipality of Neebing  
Administrative Report**

**Date:** Prepared August 6, 2021, for Special Committee of the Whole Meeting on August 11, 2021

**To:** Mayor and Council, Sitting as Committee of the Whole

**Subject:** Application B03-2021 for Consent (Severance) to Create a Lot Property File 58-01-050-008-07504  
1657 Pardee Road, Geographic Pardee Township

**Submitted by:** Erika Kromm, Clerk-Treasurer

**RECOMMENDATION**

With respect to the application brought by the property owner, Rudy Stajkowski, for a severance to create a new lot, Administration recommends that the Committee of the Whole pass a resolution recommending to Council the approval of the application, with the same conditions as outlined in the attached report.

**DISCUSSION**

Council originally approved the severance for this property on September 4, 2019. The conditions of the approval were required to be met within 12 months. All of the conditions were met with the exception of the registration of the new lot and the road allowance. This is due to COVID delays and a misunderstanding of the process to register the new lot. The property owner has resubmitted the application for severance for re-approval.

Notices of the resubmission were sent to surrounding property owners, agencies and First Nations on July 22, 2021. No concerns were received relating to the application. One letter from an area resident was received in support of the application.

Enbridge, Hydro One and Lakehead Region Conservation Authority responded to the notice to state that their previous comments were still relevant. Neither agency have concerns related to the application.

**ATTACHMENTS**

1. Report to Council from September 4, 2019 Meeting

**AVAILABLE FOR REVIEW UPON REQUEST AND/OR AT THE MEETING**

File Information – including all documents referenced in the report

**The Corporation of the Municipality of Neebing  
Administrative Report**

**Date:** Prepared August 29, 2019, for Special Committee of the Whole Meeting on September 4, 2019

**To:** Mayor and Council, Sitting as Committee of the Whole

**For:** Public Meeting September 4, 2019

**Subject:** Application B03-2019 for Consent (Severance) to Create a Lot Property File 58-01-050-008-07504  
1657 Pardee Road, Geographic Pardee Township

**Submitted by:** Rosalie A. Evans, Solicitor-Clerk

**RECOMMENDATION**

With respect to the application brought by the property owner, Rudy Stajkowski, for a severance to create a new lot, Administration recommends that the Committee of the Whole pass a resolution recommending to Council the approval of the application, as follows:

That, a public meeting having been held with respect to the application by Rudy Stajkowski, relative to property with municipal address 1697 Pardee Road, Neebing, and legally described as Part of the South Part of Lot 8, Concession 3, in the Municipality of Neebing (geographic Pardee Township) and the District of Thunder Bay, Committee of the Whole recommends:

THAT the consent requested in Application B03-2019, as submitted by the owner to sever a lot from his property, be approved, subject to the following conditions:

- a) A survey is finalized and registered;
- b) A driveway entrance for the retained lot is approved by the Working Roads Foreman;
- c) Satisfactory approval from the Thunder Bay District Health Unit relating to adequacy of the severed and retained lots for septic services is obtained;
- d) If it is not already in Municipal Ownership, that portion of Pardee Road that is adjacent to the Severed Lot is transferred to the Municipality, free of encumbrances, and at no cost to the Municipality; and

- e) Conveyance of the road allowance and the lot must occur within twelve (12) months of the date that this decision becomes final and binding.

Because it is important, in the event of an appeal, that Council clearly state its reasoning for the approval of the application, the Committee of the Whole further recommends that Council adopt the following as the reasons for approval of the application, being:

- Overall, the Committee is satisfied that the application represents “good planning”;
- The proposed locations for the severed and retained lots will not result in negative impacts to any nearby residential property owners; and
- The application does not impose any additional service requirements on the Municipality.

## **DISCUSSION**

### **Description of Proposal**

The Subject Property is located at the northwest intersection of Pardee Road and Moose Lodge Road. Pardee Road makes a ninety degree turn at this location, so the Subject Property has frontage on Pardee Road to the south as well as to the east.

Two parcels have been severed from this property since October 4, 1972. If this severance is granted, it will be the final severance permitted for the Subject Property.

The two previously severed parcels are 1837 Pardee Road, and the vacant lot to the east of that address.

### **Description of Subject Property**

Attachment One to this Report is a summary of information about the Subject Property for Council’s convenience.

### **Properties in the Vicinity**

Attachment Two shows the lot fabric in the vicinity of the Subject Property.

Immediately south of the Subject Property is Pardee Road. South of Pardee Road are, for the most part, residentially occupied parcels, with one or two vacant parcels.

Immediately to the east of the Subject Property is Pardee Road. East of Pardee Road is a 160 acre vacant parcel also owned by the Applicant.

The property immediately to the west of the Subject Property is Crown land.

The property north of the Subject Property is residential, however, the residence itself is some distance from the north property line of the Subject Property.

### Relevant Provincial Policies

The following are relevant excerpts from the Provincial Policy Statement 2014:

- 1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.  
(This application creates a building site opportunity that is compatible with the rural landscape)
- 1.1.5.5 Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.  
(This application does not require municipal or provincial infrastructure expansion; conditions ensure septic viability)

### Relevant Policies in Neebing's 2008 Official Plan

The following are relevant excerpts from the Official Plan:

- 2.2.1 Consents shall only be granted that conform with the policies of this Plan, provided that:
  - (a) The retained and severed lot(s) can be adequately and safely serviced;
  - (b) The soil and drainage conditions are adequate for the proposed use and permit the proper siting of buildings and the installation of private septic disposal systems;
  - (c) The lands front onto a public road that is maintained by the Municipality or the Province and is of an acceptable standard of construction;
  - (d) ...
  - (e) No traffic hazard is created by the consent, and safe access/egress to the retained and severed lot(s) is feasible;
  - (f) The consent does not result in land use conflicts with existing nearby uses;
  - (g) The lot size and configuration are suitable for the proposed use and, where possible, consistent with adjacent development;
  - (h) The requirements of the Minimum Distance Separation Criteria 1 are adhered to when a consent for residential purposes is being proposed in proximity to existing livestock operations;
  - (i) The consent does not result in land locked parcels being created;
  - (j) The proposed use can be safely located away from and outside of floodways of rivers and streams, use limitation areas, mine hazards and areas designated Environmental Protection;
  - (k) ...

- (l) Subject to all other policies of this plan, not more than 4 lots, inclusive of the retained part shall be permitted from a parcel of land held under unity of ownership as of October 4, 1972.

The proposed severance falls within all of the above relevant paragraphs. With respect to the MDS Criteria 1, there is no new residential use proposed near farming operations. The residence and barn are both already in existence.

- 4.3.2 The Rural area is characterized as a low density, multi-purpose area in which a variety of land uses can be accommodated in a compatible manner consistent with the rural character of the Municipality

The proposed severance, while marginally increasing density, does not detract from the low density characteristics of the Rural area.

- 4.3.5 While land in the rural designation may be developed for a variety of uses, regard shall be given to ensure that development is compatible with surrounding land uses and appropriate for the site before development approval is given.

The development is compatible with surrounding land and appropriate for the Subject Property

- 4.3.6 Rural residential uses shall be permitted in the Rural designation on existing lots of record and on lots created through the consent and subdivision process in accordance with the policies of this Plan (Section 2.2) and provided that:

- (a) New lots for rural residential uses must be a minimum area necessary for the use permitted and the installation of a private water supply and sanitary sewage disposal system approved by the Thunder Bay District Health Unit or designated authority, however, now new residential lot shall be smaller than 1.0 hectare;
- (b) New rural residential uses should be a reasonable distance and are oriented away from industrial uses ...
- (c) New rural residential uses should not conflict with existing agricultural operations and will comply with the Minimum Distance Separation Criteria I, as amended from time to time; and
- (d) In the Rural area a maximum of 4 residential lots per holding can be created by consent from a parcel of land held under unity of ownership as of October 4, 1972, inclusive of the retained part provided all of the above matters and other policies of this Plan can be suitably addressed.

The proposed severance falls within all of the above relevant paragraphs. With respect to the MDS Criteria 1, there is no new residential use proposed near farming operations. The residence and barn are both already in existence.

Comments ReceivedLakehead Region Conservation Authority

Administration received comments from the Lakehead Region Conservation Authority (“LRCA”) on August 15th. The LRCA noted the existence of the “use limitation” areas, but because the severed and retained lots have the capability to be developed without encroaching into these areas, there is no objection.

Hydro One

Hydro One sent its comments on August 13<sup>th</sup>, and again on August 19<sup>th</sup>. It expressed no concerns from a corridor perspective.

Fort William First Nation

Fort William First Nation (“FWFN”) commented on August 20<sup>th</sup> indicating it has no issues with the proposed severance.

General Public

No members of the general public have commented on the application.

Other

Other feedback and/or responses to circulation notices that is received between the time this report was published and the time of the meeting will be made available at the meeting.

**CONCLUSION**

Administration concludes that the proposed severance is supported by the policies and general intent of Neebing’s Official Plan and the Provincial Policy Statement, 2014.

**ALTERNATE RESOLUTION**

Should Committee of the Whole wish to recommend that Council deny the application rather than approve it, the Solicitor-Clerk will develop the appropriate resolution for Committee’s consideration.

**ATTACHMENTS**

2. Fact Sheet
3. Lot Fabric in the Vicinity of the Subject Property
4. Excerpt from Zoning By-law Schedule “F” showing Use Limitation layer on the Rural Zoning for the Subject Property

**AVAILABLE FOR REVIEW UPON REQUEST AND/OR AT THE MEETING**

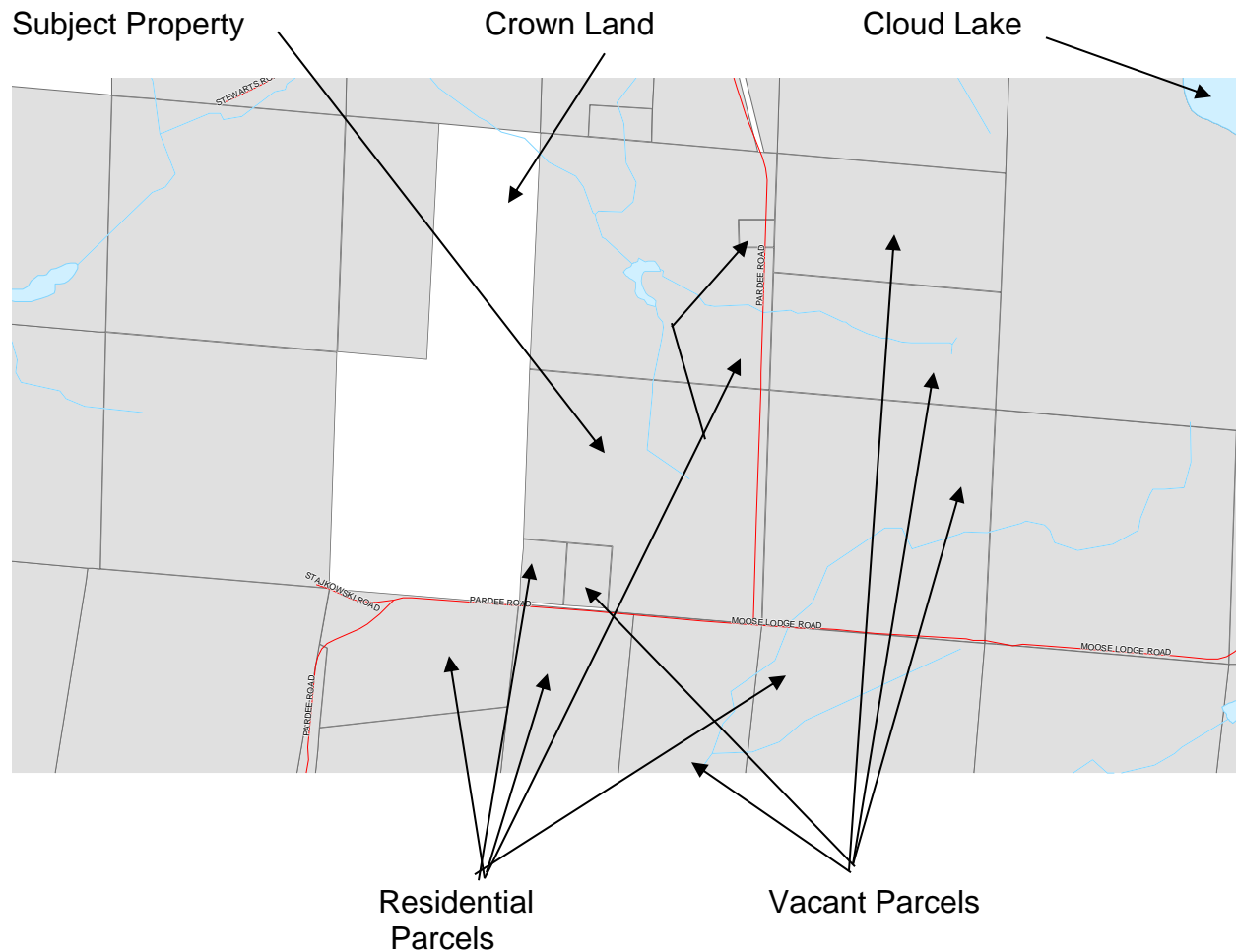
File Information – including all documents referenced in the report

**ATTACHMENT ONE: Fact Sheet**

Owner/Applicant	Rudy Stajkowski
Agent	N/A
Property Location	Geographic Township of Pardee At a 90 degree bend in Pardee Road Slightly South West of Cloud Lake
Legal Description	Part of the South Part of Lot 8 Concession 3 Geographic Pardee Township Excluding Parts 1-4 on RP 55R-13526
Municipal Address	1697 Pardee Road
Property Dimensions	Frontage on Pardee Road to the east of the Subject Property is approximately 800 meters.
	Frontage on Pardee Road to the south of the Subject Property is approximately 500 meters.
	Depth varies between 794 and 491 meters from the east Pardee Road frontage
	Depth is 800 meters from the south Pardee Road frontage
	Area: 143.25 acres
Existing Use	Residential & farm
Existing Structures	Residence, garage, some outbuildings, and a barn
Proposed Use	Residential on severed lot (residence to remain); farming uses to continue on retained lot (existing barn will be on retained lot)
Municipal Services	Frontage on Pardee Road
Official Plan Designation	Rural; some use limitation
Proposed Official Plan Designation	No change
Current Zoning	Rural; some use limitation – See Attachment Three
Proposed Zoning	No change.
Proposed Severance	To create a lot at the northeast corner of the Subject Property, approximately 2 hectares in size
Agencies/Authorities to whom notice was sent:	Circulated: Lakehead Region Conservation Authority; Lakehead Rural Planning Board; Ministry of Natural Resources & Forestry; Ministry of Municipal Affairs and Housing; Thunder Bay District Health Unit; Hydro One (Twice: Board and Land Use Planning Section); Ontario Power Corporation; Union Gas; Fort William First Nation; Métis Nation of Ontario; and Red Sky Métis Nation.
Pre-circulation	Completed August 2, 2019
Comments Received	Ontario Hydro, LRCA, Fort William First Nation

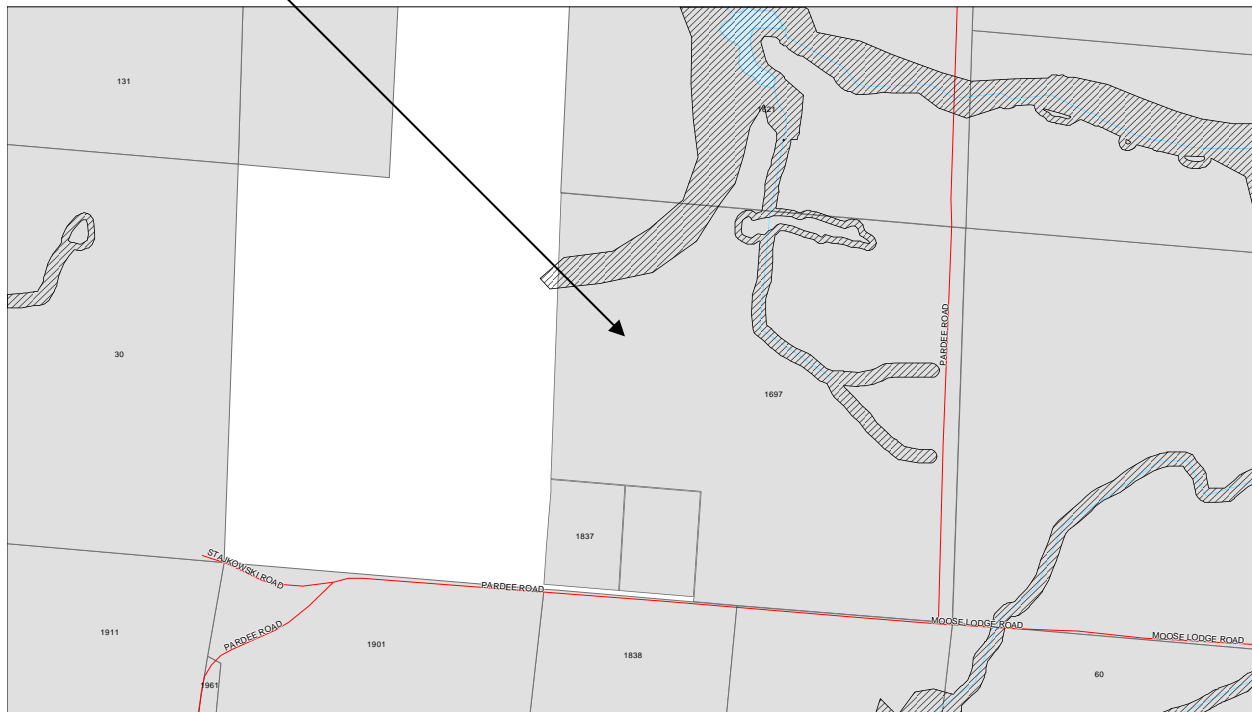
Public Meeting Notice	Given, as required on August 2, 2019 via direct mail to public agencies, First Nations, and property owners of property within the prescribed distance. Signs were posted on the Subject Property approximately 10 days later Posted to Municipality's website
	August, 2019

### **ATTACHMENT TWO: Map of Lot Fabric in Vicinity of Subject Property**



**ATTACHMENT THREE: Excerpt from Schedule “D” to the Zoning By-law**

Subject Property



Grey shading is the “Rural” zone. Red hatches mark the “use limitation” layer.

<b>Municipality of Neebing</b> 4766 Highway 61, Neebing, Ontario P7L 0B5 Ph: 807-474-5331 Fx: 807-474-5332		
<b>APPLICATION FOR MINOR VARIANCE</b>		
THE APPLICANT CONSENTS TO AN INSPECTION OF THE PROPERTY BY MEMBERS OF THE NEEBING MUNICIPAL COUNCIL AND BY MUNICIPAL STAFF.		
The undersigned hereby applies to the Neebing Municipal Council under the Planning Act, R.S.O. 1990, c. P.13, as amended.		
It is required that the completed application be accompanied by the applicable sketch and requisite fee.		
<b>OWNER/APPLICANT/AGENT INFORMATION</b>		
Owners' Names & Addresses: 1. <u>LINDA COLOSIMO</u> <u>541 FAIRVIEW AVE.</u> <u>WYCKOFF N.J.</u> 2. _____ Address same as owner above <input type="checkbox"/> or: _____ _____ (Attach pages for additional owners, if any) **Proof of Ownership may be required	Phone and/or Fax Number: <u>201-891-5282</u> <u>TB 807</u> <u>473-5246</u> _____ _____ _____	Email Address: <u>linda@lsu1</u> <u>@gmail.com</u> _____ _____ _____
1(a) Agent's Name & Address (if an Agent is engaged): _____ _____ _____	Phone and/or Fax Number: _____ _____ _____	Email Address: _____ _____ _____
3. This application is required for (indicate correct intention – more than one may apply): <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Relating to property use rights  <input type="checkbox"/> Relating to property measurements  <input checked="" type="checkbox"/> For new development         </div> <div> <input type="checkbox"/> To legalize an existing use  <input type="checkbox"/> To legalize an existing measurement  <input type="checkbox"/> Other: _____         </div> </div>		
Provide names of any other parties involved (i.e. purchaser, mortgagor, tenant, developer, etc.), if known: <u>RML 1060 Gorham ST TB 476-7107</u> <u>ANDREW</u>		
4. If there are existing easements, rights of way, restrictive covenants, mortgages, or any other encumbrances on the property now, please provide details. If there are none, please indicate so. <div style="text-align: center; margin-top: 20px;"> <u>NONE</u> </div>		
5. Property legal description: <u>CON 4 S PT LOT 7 PTCL</u> <div style="text-align: right; margin-top: 10px;"> <u>3506 RP 55R5509 PART</u> </div>		

Registered Plan No. <u>55R-5509</u> Reference Plan No. _____ Concession No. _____ Mining Location No. _____	Lot No. <u>7</u> Part No. _____ Sec. No. _____ Municipal Address: _____
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6. Physical Description/Dimensions of the subject property:

Frontage: 15.8 meters      Depth: 118.37 (WEST) meters  
122.08 (EAST)  
 Area: 1843 meters<sup>2</sup>      Area: \_\_\_\_\_ hectares

Number of buildings and structures existing: 1      proposed: 1

Use of the land: existing: Residential Seasonal Vacation Cottage      proposed: Residential

Official Plan Designation: \_\_\_\_\_      Zoning: R1

7. Please provide the following information relating to the subject property:

Frontage: 15.8 meters      Depth: 122.08 (E) meters  
 Area: 1843 ☐ meters<sup>2</sup> or ☐ hectares (indicate which)

Number of buildings and structures existing: 1      proposed: 1

Current Land use: Residential Seasonal

Proposed Land use: Residential

Use of the land abutting the subject property to the East: Residential  
 Municipal Address of that Property (if applicable): 86 Griffiths Rd  
 Distance between the closest building (if any) on that property and the shared lot line with the subject property: 1.2m meters

Use of the land abutting the subject property to the West: Recreational  
 Municipal Address of that Property (if applicable): 86 B Griffiths Road  
 Distance between the closest building (if any) on that property and the shared lot line with the subject property: \_\_\_\_\_ meters

Use of the land abutting the subject property to the North: FOREST  
 Municipal Address of that Property (if applicable): NONE  
 Distance between the closest building (if any) on that property and the shared lot line with the subject property: NONE meters

Use of the land abutting the subject property to the South: LAKE  
 Municipal Address of that Property (if applicable): NONE  
 Distance between the closest building (if any) on that property and the shared lot line with the subject property: NONE meters

8. Where this application relates to required measurements on the subject property, please provide the following information:

Required Frontage: 30 meters  
 Proposed Frontage: 15.8 meters *EXISTING LOT SIZE*

Required Lot Depth: 40 meters  
 Proposed Lot Depth: 122.08 meters *EXISTING LOT SIZE*

Required Lot Area: 1400 meters<sup>2</sup> \_\_\_\_\_ hectares  
 Proposed Lot Area: 1843 meters<sup>2</sup> *EXISTING* \_\_\_\_\_ hectares

Required Front Yard Set Back: 10 meters  
 Proposed Front Yard Set Back: 63.123 meters

Required Rear Yard Set Back: 15 meters  
 Proposed Rear Yard Set Back: 21.5 meters

Required E (east, west, north or south) Side Yard Set Back: 5 meters  
 Proposed E (east, west, north or south) Side Yard Set Back: 1.5 meters

Required minimum building floor area: 55 square meters  
 Proposed minimum building floor area: 83.16 square meters

Required maximum building floor area: — square meters  
 Proposed maximum building floor area: — square meters

Maximum building height: 10m meters  
 Proposed building height: <10m meters

Maximum Lot Coverage: \_\_\_\_\_ percent  
 Proposed Lot Coverage: 7.3% percent

9. Has the subject property been re-zoned since the date of the most recent comprehensive Zoning By-law for the Municipality? Yes ☐ No ☒

If 'yes', provide the date and the site-specific approvals:

10. Has minor variance approval been previously granted for the subject property?

Yes ☐ No ☒

If 'yes', provide the date and the site-specific approvals:

11. Is the subject land the subject of any other applications under the Planning Act? If so, indicate below, and provide file/application number, and the status of such application.

Official Plan Amendment: \_\_\_\_\_ Plan of Subdivision: \_\_\_\_\_

Zoning By-law Amendment: \_\_\_\_\_ Minor Variance: \_\_\_\_\_

Minister's Zoning Order: \_\_\_\_\_ Consent: \_\_\_\_\_

12. Explain why it is not possible to conform to the provisions of the applicable Zoning By-law (attach additional pages if required):

EXISTING FRONTAGE DOES NOT MEET 30 M REQ  
THERE IS AN EXISTING COTTAGE ON THIS LOT.  
PROPOSED IS TO REPLACE WITH NEW COTTAGE  
SIDE YARDS PROPOSED < 5M ON EACH SIDE TO BUILD

13. Is this application consistent with the Provincial Policy Statement issued under the Planning Act? Yes ☒ No ☐

#### CERTIFICATE OF THE APPLICANT


I/We Linda Colosimo of

the Municipality/Township/City of Neebing in the Province of Ontario, solemnly declare that the statements contained in this application are true, and I/We make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Jointly and severally (delete if not required) at the

Municipality/Township/City of Neebing

This 27<sup>th</sup> day of July, 2021

  
Commissioner for Taking Affidavits

Erika Kromm  
Clerk-Treasurer  
Municipality of Neebing

Linda Colosimo

If the applicant is a Corporation, the application shall be signed by an Officer of the Corporation and the Corporate seal shall be affixed – or written authorization from the Corporation signed by an individual who has authority to bind the Corporation.

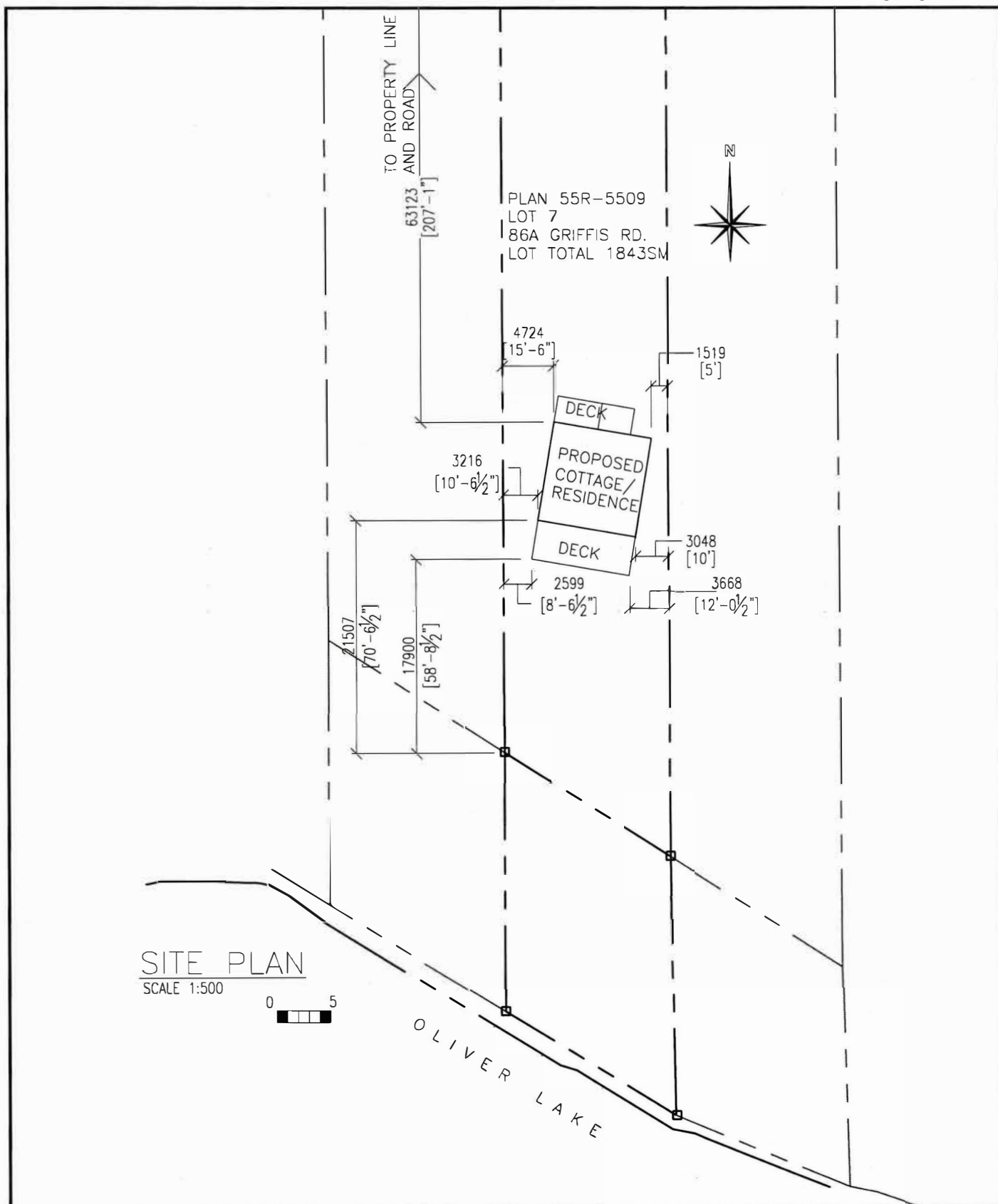
Owner's/Owners' Authorization for an Agent to Make the application on his/her/their behalf/behalfes:

I/We authorize \_\_\_\_\_ (name of agent) to act on my/our behalf in submitting this application, which is filed with my/our knowledge and consent.

Owner/Owners signatures

Date

Residence  
Similar  
IN SIZE TO  
EXISTING  
THE SIDE  
Yard  
Requirement  
of 5' and  
~~(20' and)~~  
side is  
too  
restrictive  
for the  
size of  
the  
proposed  
cottage.  
DOES  
NOT  
LEAVE  
ANY  
SPACE  
TO BUILD



THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

**QUALIFICATION INFORMATION**

REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV.C 3.2 OF THE ONTARIO BUILDING CODE 2012

Francine Katovich 23496  
NAME SIGNATURE BCIN

**REGISTRATION INFORMATION**

REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV.C 3.2 OF THE ONTARIO BUILDING CODE 2012

R.L. Tomlinson Drafting & Blueprinting Inc. 31423  
FIRM NAME BCIN

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REV	BY/DATE	DESCRIPTION	BY

PROJECT: MURRAY & LINDA COLOSIMO  
86A GRIFFIS ROAD  
COMMITTEE OF ADJUSTMENT

TITLE: PROPOSED SITE PLAN

DATE STARTED: JULY 2021 RLT PROJECT NO.: 21103-05

DRAWN BY: FMK CHECKED BY:

SCALE: AS NOTED DRAWING NO. A1

**The Corporation of the Municipality of Neebing  
Administrative Report**

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**Date:** Prepared August 6, 2021, for Special Committee of the Whole Meeting on August 11, 2021

**To:** Mayor and Council, Sitting as Committee of the Whole

**Subject:** Applications for Minor Variance  
**File Number:** B04-2021

**Submitted by:** Erika Kromm, Clerk-Treasurer

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**RECOMMENDATION**

With respect to this Report, Administration recommends that the Committee of the Whole pass a resolution recommending to Council the approval of the application, as follows:

That, a public meeting having been held with respect to the application by Linda Colosimo, relative to property at CON 4, S PT LOT 7 Part of Location CL3506, Parcel 3987 (Scoble Township), municipally known as 86A Griffis Road, the Zoning By-law (By-law 2017-030) be amended as follows:

a site-specific amendment, applicable to this lot only, to reduce the side yard setback requirements from the eastern property line from the existing restriction (2 meters) to 1.5 meters;

and that the necessary by-law be presented to the Municipal Council for ratification.

**DISCUSSION**

**Description of Proposal**

Mrs. Colosimo has applied for a minor variance to allow a reduced side yard setback for an expansion of the existing residence.

The Colosimos intend to increase the size of the existing residence to make the structure more functional; however, the lot is about half the width required by the Zoning By-law, which makes it difficult to meet the side yard requirements. Under the by-law, the required frontage is 30 meters but the frontage for this lot is just over 15 meters. As a result, a side-yard of 1.5 meters on the eastern property line is being requested to maintain functionality of the residence.

This property meets the requirements under Section 2.7.4 “Lot Less than Required” of the Zoning By-law which allows for lesser frontage for lots that were approved before the by-law was passed. Under this provision, a side yard can be reduced to 2 meters to accommodate a smaller building envelope. Due to the lot size and characteristics in this case, 2 meters is not sufficient.

#### Description of Subject Property

As noted, the subject property is a registered lot along Griffis Road on the north side of Oliver Lake. The property has a rectangular shape and is smaller than the requirements of the zoning by-law.

Dimensions and other relevant information are noted in Attachment One to this Report.

As evident from the map provided, the subject lot is the 22<sup>nd</sup> property down the road from East Oliver Lake Road (about 1 km down the road).

#### Neighbourhood Comments

No comments, either in favour of or against, the application had been received by Administration at the time this Report was prepared.

#### Agency Comments

The Chief Building Official has no concerns regarding this application.

The only circulated agency which provided comments in response to the notice circulated was Hydro One. No comments or concerns were noted.

#### Administration Comments

The application does not contravene any of the provisions of the Provincial Policy Statement. The application does not contravene any of the policies in Neebing’s Official Plan.

Section 2.7.4 of the Zoning By-law applies as it is a lot of record that was created before the zoning by-law was passed. This section allows for the reduction of side yard setbacks for lots that are less than the required size.

The proposed use is compatible with the other residences in the immediate vicinity.

## **CONCLUSION**

Administration concludes that the proposed amendments are supported by the policies and general intent of the Official Plan and the Provincial Policy Statement, and that the minor variance request should be granted.

## **ALTERNATE RESOLUTION**

Should Committee of the Whole wish to recommend that Council deny the application rather than approve it, the following resolution might be considered:

That, a public meeting having been held with respect to the application by Linda Colosimo relative to property municipally known as 86A Griffis Road, the Zoning By-law (By-law 2017-030) not be amended as requested, because the amendment is not supported by the policies and general intent of the Official Plan and the Provincial Policy Statement, and the amendment would result in uses that are not compatible with the surrounding property uses.

## **ATTACHMENTS**

1. Fact Sheet
2. Location Maps

## **AVAILABLE FOR REVIEW UPON REQUEST AND/OR AT THE MEETING**

File Information – including all documents referenced in the report  
Photographs of site & neighbouring properties

**ATTACHMENT ONE: Application Fact Sheet**

Owner/Applicant	Linda Colosimo
Property Location	North Shore of Oliver Lake, Scoble Township
Legal Description	Concession 4, South Part Lot 7 and Part of Location CL3506, Parcel 3987 and Road Allowance 55R5509 Part 4, Scoble Township
Municipal Address	86A Griffis Road
Property Dimensions	Frontage: 15.8 meters
	Depth: 122.08 meters
	Area: Approximately 0.46 acres (0.18 hectares)
Existing Use	Vacant lots
Proposed Use	Year-Round Residential Dwelling
Municipal Services	Maintained public road
Official Plan Designation	Lakefront Residential
Proposed Official Plan	No change
Current Zoning	Residential 1 (R1), with Use Limitation along the shoreline
Proposed Zoning	No change
Current Restriction	2 meter side yard setback (for permanent dwelling)
Proposed Restriction	1.5 meter side yard setback (for permanent dwelling)
Agency Comments	Circulated: Lakehead Region Conservation Authority; Thunder Bay District Health Unit; Hydro One, Ministry of Natural Resources & Lakehead Rural Planning Board
Pre-circulation	Completed July 28, 2021
Agency Comments Received	Hydro One
Public Meeting Notice	Given, as required via mailed notices in accordance with the Planning Act Regulations, and posting sign at property
Public Comments Received	None
	August 2021

**ATTACHMENT TWO: Map**