

The Corporation of the
Municipality of Neebing

AGENDA for Special Meeting of Neebing Council, Sitting as Committee of the Whole
Wednesday, August 16, 2023 at 5:30 p.m.
at the Municipal Office or join meeting from your computer, tablet or smartphone.

<https://meet.goto.com/859788893>

You can also dial in using your phone.

Access Code: 859-788-893 Canada (Toll Free): [1 888 299 1889](tel:18882991889)

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 34 of the Planning Act: Site Specific Zoning By-law
Amendment for 491 Boundary Drive East**

- | | | |
|-----|--|------|
| 2.1 | Application Z01-2023 (rezoning to allow second dwelling) | 1-6 |
| 2.2 | Report from Clerk-Treasurer Regarding the Application
(Recommendation to recommend that Council approve the requested
amendment) | 7-13 |
| 2.3 | Receive Comments from Interested Members of the Public | - |
| 2.4 | Debate Recommendation for Council | - |

**3. Public Meeting Under Section 53 of the Planning Act: Consent (Severance) for Contracting
Kings**

- | | | |
|-----|--|-------|
| 2.1 | Application B06-2023 (severance to create 3 new lots) | 14-19 |
| 2.2 | Report from Clerk-Treasurer Regarding the Application
(Recommendation to recommend that Council approve the requested
amendment) | 20-32 |
| 2.3 | Receive Comments from Interested Members of the Public | - |
| 2.4 | 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 Re-Zoning and/or Official Plan Amendment	
<p>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.</p> <p>THE INFORMATION IN THIS APPLICATION IS COLLECTED FOR THE PURPOSE OF CREATING A RECORD THAT IS AVAILABLE TO THE GENERAL PUBLIC.</p>			
1. Owner/Applicant Information:			
Name: <i>Mike & Mary-Ellen McLooye</i>		Tel: <i>807 475-5665</i>	
Address: <i>491 Boundary Dr E.</i>		Fax:	
City/Prov/PC: <i>Neebing - ON</i>		Email: <i>mmcclooye@tbaytel.net</i>	
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. If there are existing easements, rights of way, restrictive covenants, mortgages, or any other encumbrances currently on the property, please provide details including names and addresses of interested parties. If there are no encumbrances, please indicate so.:			
4. Property Legal Description:			
Assessment Roll Number:		<i>58-01-030 006 032 10</i>	
Municipal Address (Or Abutting Road Name If Property Has No Address)		<i>491 Boundary Dr. E</i>	
Registered Plan No.:		Mining Location No.:	
Reference Plan No.: <i>55R11185 Part 1</i>		Lot No.: <i>10</i>	
Concession No.: <i>1</i>	Part No.: <i>NE 1/4 Lot 10</i>	Sec. No.:	

5. Physical description/dimensions of the parcel:		
Frontage in Meters: <u>75</u>	Depth in Meters: <u>300</u>	
Area in Square Meters: <u>5 1/2 acres</u>	Area in Hectares:	
Number of Buildings and Structures	Existing: <u>2</u> Proposed:	
<p>(Attach a list of the <i>existing</i> buildings/structures including the dates that each was constructed. Attach a list of <i>proposed</i> buildings/structures. If any of the building are proposed to be demolished/removed as part of the development, indicate which ones. Be sure to include both existing (including any to be removed) and proposed building/structures on the diagram, including all set back dimensions and building heights.)</p>		
Use of the Land <u>Residential</u>	Existing: Proposed:	
Number of years existing use has been ongoing: <u>34</u>		
Year the Applicant purchase the property:		
Official Plan Designation:	Existing Zoning:	
6. Are you seeking a New Official Plan designation?		
YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		
If YES, please indicate what is desired (attach more pages if necessary).		
7. Are you seeking a site-specific Official Plan policy amendment?		
YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		
If YES, please indicate what is desired (attach more pages if necessary).		
8. Are you seeking a new Zone?		
YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		
If YES, please indicate which zone you are seeking.		
9. Are you seeking changes to the Zone Regulations (set backs)?:		
YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> <u>permitted use</u>		
If YES, please indicate the details (attach more pages if necessary):		
Frontage:	Current Requirement:	Change Sought:
Minimum front yard:	Current Requirement:	Change Sought:
Minimum rear yard:	Current Requirement:	Change Sought:
Minimum set-back from water:	Current Requirement:	Change Sought:
Maximum building height:	Current Requirement:	Change Sought:
Minimum building area:	Current Requirement:	Change Sought:

Change permitted use to allow 2nd dwelling unit.

10. Describe, in detail, what new development is being proposed on this property. If there is no new development being proposed, describe the reasons for this application.:

Converting the existing garage into a garden suite

11. Road access to the Property:

Mark (X)

Mark (X)

Provincial Highway

Private Road

Municipal Road

X

Right of Way

Water Only**

** 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 land.

12. Describe the parking facilities to be used and the approximate distance of these facilities between the subject land and the nearest public road.:

private drive way
250' from Boundary Drive

13. Water supply to the property:

Mark (X)

X

Privately Owned and Maintained Individual Well

Lake

Other (specify):

14. Septic service to the retained parcel

Mark (X)

X

Privately Owned and Maintained Individual Septic System

Outhouse/Privy

Communal Septic System

Other (specify):

NOTE: If the application seeks development on privately owned and operated individual or communal septic systems, and more than 4,500 litres of effluent would be produced per day as a result of the development being completed, a Servicing Options Report and a Hydrogeological Report must be provided.

15. Stormwater Drainage:			
Mark (X)		Mark (X)	
	Storm Sewer	<input checked="" type="checkbox"/>	Ditches
	Swales		Other (specify):

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

YES ☐ NO ☒

If YES, provide the file/application number(s) 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 ANY boundary line of the Property:	Mark (X)	YES	NO
...within 500 metres of an agricultural operation?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
...within 500 metres of a landfill operation?			<input checked="" type="checkbox"/>
...within 500 metres of mineral aggregate operations or a pit or a quarry?			<input checked="" type="checkbox"/>
If YES, will the development hinder continued operations of extraction?			
...within 125 metres of a significant wetland?			<input checked="" type="checkbox"/>
Does any portion of the Property contain habitat of any endangered or threatened species (plant or animal)?			<input checked="" type="checkbox"/>

16. How, in your view, will the proposed development fit in with the other existing land uses in the vicinity of the property? Attach additional pages if necessary.

It is a residence in the existing rural area.

15. Describe in detail, how your development is consistent with the Provincial Policy Statement issued under Subsection 3(1) of the Planning Act. Attach additional pages if necessary.

It is consistent with the rural landscape of the area & there is no change to the existing use of the land.

CERTIFICATE OF THE APPLICANT

I/We Mike & Mary-ellen McCooey of the Municipality/Township/City of Needing 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

Needing. This 25 day of July, 2023.

[Signature]
Commissioner for Taking Affidavits

Applicant(s) Signature:

[Signature]

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 x Mike McCooey (name of Agent) to act on my/our behalf in submitting this application, which is filed with my/our knowledge and consent.

Mary-ellen McCooey
Owner/Owners' Signatures

Date 17/07/2023



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

Date: August 9, 2023 for Special Committee of the Whole Meeting
August 16, 2023

To: Mayor and Council

Subject: Application for Re-Zoning

Submitted by: Erika Kromm, Clerk-Treasurer

RECOMMENDATION

With respect to this Report, Administration recommends that the Council approve the application Z02-2023 and pass the following resolution:

That, a public meeting having been held with respect to the application by Mike and Mary-Ellen McCooeye relative to property municipally known as 491 Boundary Drive East, and legally described as Concession 1, Part NE ¼ Lot 10, 55R11185 Part 1 PCL 5554; DFWF, in the Municipality of Neebing (geographic Blake Township) and the District of Thunder Bay, a site specific amendment be completed for Neebing's comprehensive Zoning By-law (By-law 2017-030) to allow two dwellings on this lot within the Rural Zone.

A By-law implementing these recommendations is included in agenda of the Regular Council meeting at 6:00 pm. Should any of the recommendations of Administration be altered, the by-law will require the appropriate amendments prior to passage.

DISCUSSION

Description of Proposal

This application is brought by Mike and Mary-Ellen McCooeye, the property owners. They wish to build a second dwelling unit within the attached garage. As the zoning only allows one dwelling unit per lot, a site-specific re-zoning is required to allow the second unit.

Attachment One to this Report contains a map showing the general vicinity of the site within Neebing. It also contains a summary of information for Council's convenience.

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

The Chief Building Official has no concerns regarding this application.

The Lakehead Region Conservation Authority has no concerns regarding this application.

Approval of the application is consistent with the provisions of the Provincial Policy Statement. Approval of the application is consistent with the policies in Neebing's Official Plan. Neebing's Official Plan is under review by the Province. Pending amendments will impact this application in a positive manner, as provisions are being added encouraging residential intensification, in keeping with the Provincial Policy Statement.

All of the properties abutting the subject property are zoned "Agricultural" and are farm fields or developed as rural residences.

ATTACHMENTS

One: Map and Fact Sheet for Z01-2023

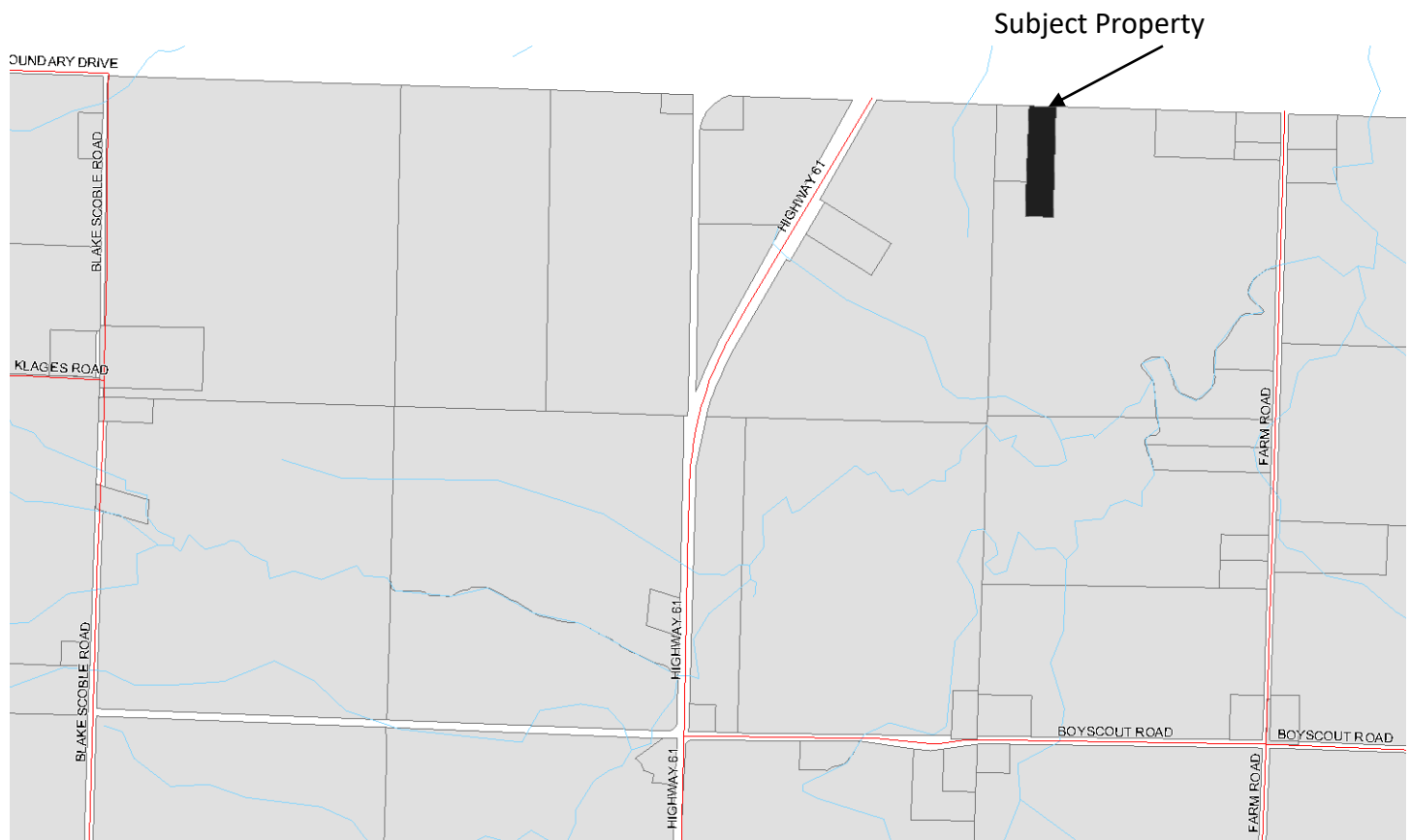
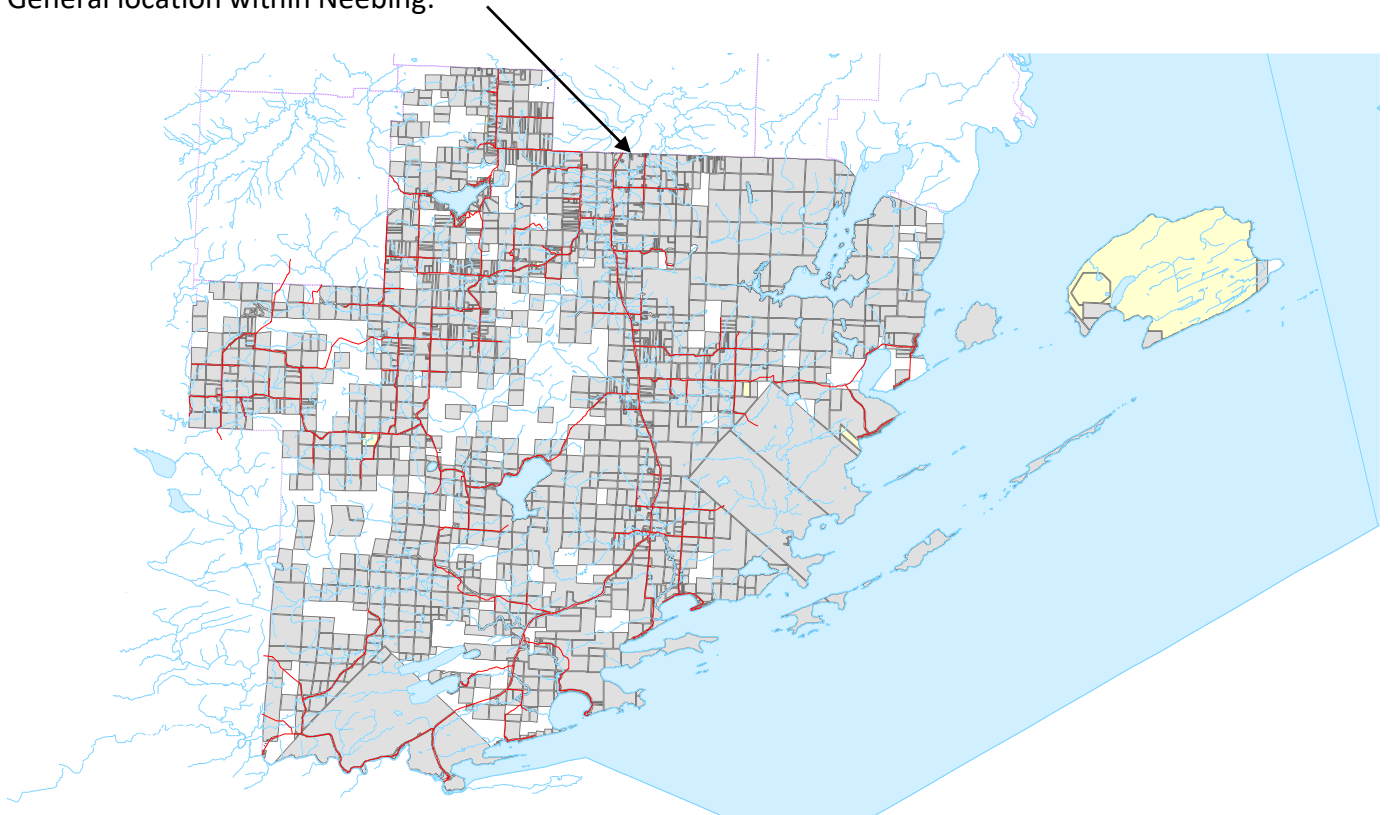
Two: Letter from LRCA

AVAILABLE FOR REVIEW UPON REQUEST AND/OR AT THE MEETING

File Information – including all documents referenced in the report

ATTACHMENT ONE: Maps & Application Fact Sheet for Z01-2023

General location within Neebing:



Z01-2023 Fact Sheet:

Owner/Applicant	Mike and Mary-Ellen McCooney
Agent	None
Property Location	Geographic Blake Township
Legal Description	Concession 1, Part NE ¼ Lot 10, 55R11185 Part 1 PCL 5554; DFWF, in the geographic Blake Township, in the Municipality of Neebing and Province of Ontario
Municipal Address	491 Boundary Drive East
Property Dimensions	Frontage: 75 meters
	Depth: 300 meters
	Area: 5.5 acres
Existing Use	Residential
Proposed Use	Residential (with two units)
Municipal Services	Maintained public road
Official Plan Designation	Agricultural
Proposed Official Plan	No change
Current Zoning	Agricultural
Proposed Zoning	Site specific amendment to allow second dwelling on same lot
Pre-circulation	Completed July 25, 2023
Agency Comments Received	LRCA has no concerns.
Public Meeting Notice	Given, as required on July 25, 2023 via direct mail to public agencies and property owners of property within the prescribed distance; posted sign on property
Public Comments Received	No comments have been received directly relating to this application.
	August, 2023



130 Conservation Road, PO Box 10427
Thunder Bay, ON P7B 6T8
Phone: (807) 344-5857 | Fax: (807) 345-9156

July 26, 2023

VIA EMAIL: clerk@neebing.org

Erika Kromm
Clerk-Treasurer
Municipality of Neebing
4766 Highway 61
Neebing, Ontario P7L 0B5

Dear Ms. Kromm,

**Re: Application: Z01-2023
491 Boundary Drive East
Concession 1, Part NE ¼ Lot 10, 55R11185 Part 1 PCL 5554; DFWF,
Geographic Blake Township, Municipality of Neebing
Owner: Mike and Mary-Ellen McCooye**

Lakehead Region Conservation Authority staff have reviewed the above-noted application to allow the owners to build an apartment dwelling located within the garage attached to the existing dwelling.

Documents Received and Reviewed by Staff

Staff have reviewed the application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020), as a regulatory authority under Ontario Regulation 180/06 and related to policy applicability and to assist with implementation of the Lakehead Source Protection Plan under the *Clean Water Act*; and when applicable as a potential adjacent landowner.

Recommendation

The Lakehead Region Conservation Authority has no objection to the approval of application Z01-2023. The subject property does not contain any floodplains, watercourses, shorelines, wetlands, valley slopes or other environmental features of interest to Lakehead Region Conservation Authority, and it is of the opinion of Lakehead Region Conservation Authority that the application is consistent with Section 3.1 policies of the PPS. The property is not subject to Ontario Regulation 180/06, or to the policies of Lakehead Region Conservation Authority at this time, and as such, a permission from the Lakehead Region Conservation Authority is not required.

This information is current at the time of writing and may be amended as more accurate information becomes available. If you should have any questions, please contact Scott Drebit, GIS/Water Resources Technologist, at the Authority office.

Please forward a copy of the decision to the Conservation Authority.

Sincerely,



















Scott Drebit
GIS/Water Resources Technologist

Encl: Map

491 Boundary Drive East



Legend

-  Subject Property
-  Parcels
-  Approximate Regulated Area
- Regulated Features:**
-  Regional Floodline
-  100 Year Floodline
-  Fill Line
-  Floodplain
-  Water Body
-  Provincially Significant Wetland
-  Evaluated Wetland
-  Unevaluated Wetland
-  Stream
-  River
- Roads**
-  Highway
-  Road
-  Street

0 50 100 150 200 m

1:5,000

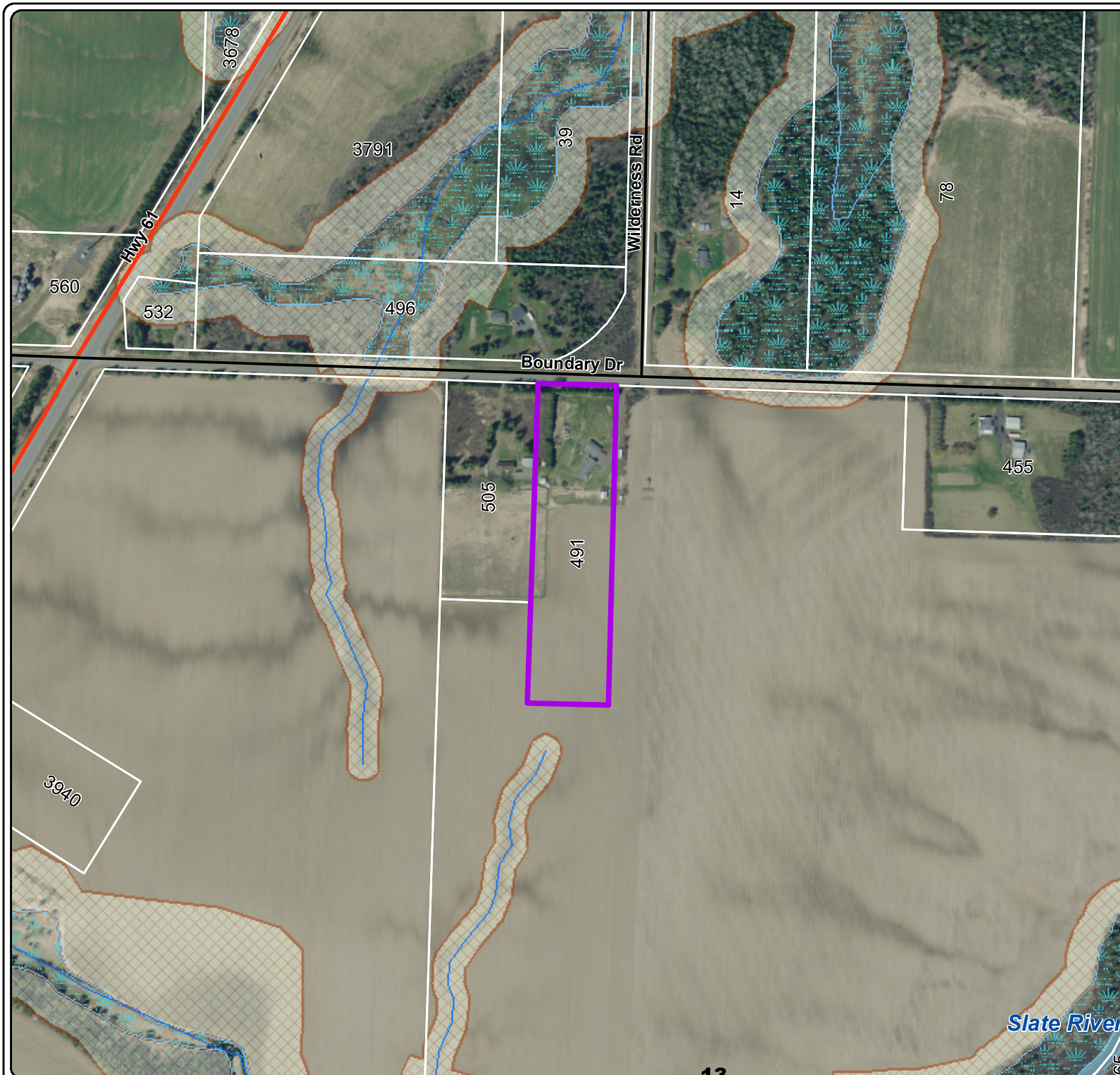
This publication was produced by:
Lakehead Region Conservation Authority
130 Conservation Rd.
Thunder Bay, ON
P7B 6T8

Base data used under license through the members of
the Ontario Geospatial Data Exchange.

This map is illustrative only. Do not rely on it as being a
precise indicator of routes or features, nor as a guide to
navigation.

Coordinate System: NAD 1983 CSRS UTM Zone 16N
Projection: Transverse Mercator
Datum: North American 1983 CSRS
Units: Meter

Created by: scott
Copyright 2023, LRCA



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: MICHAEL MEANY - CONTRACTING KINGS		Tel: 807-708-4683	
Address: 562 BOUNDARY DR.		Fax:	
City/Prov/PC: SLATE RIVER, ON P7J0A5		Email: CONTRACTINGKINGS@HOTMAIL.CA	
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.	<input type="checkbox"/>
To add property to another (consolidate)	<input type="checkbox"/>	For a mortgage over part of the land	<input type="checkbox"/>
To provide an easement/right of way	<input type="checkbox"/>	Other (specify):	<input type="checkbox"/>

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

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.:

MORTGAGE ON LAND IN THE NAME OF CONTRACTING KINGS
 THROUGH COPPERFIN CREDIT UNION.

5. Property legal description:			
Assessment Roll Number:	58-01-760-000-20200-0000		
Municipal Address (Or Abutting Road Name If Property Has No Address)	Oliver Creek Road		
Registered Plan No.:	Mining Location No.: R226		
Reference Plan No.:	Lot No.: Parcel 1856 FWP		
Concession No.:	Part No.:	Sec. No.:	
6. Physical description/dimensions of the parcel that will be RETAINED after severance:			
Frontage in Meters:	410m	Depth in Meters:	790m
Area in Square Meters:	323,900	Area in Hectares:	
Number of Buildings and Structures	Existing:	Proposed:	
Use of the Land	Vacant	Existing:	Proposed: Buildable
Official Plan Designation:	Zoning: Rural		
7. Physical description/dimensions of the parcel(s) that will be SEVERED:			
FIRST PARCEL:			
Frontage in Meters:	136m	Depth in Meters:	790
Area in Square Meters:	107,440	Area in Hectares:	
Number of Buildings and Structures	Existing:	Proposed:	
Use of the Land	Vacant	Existing:	Proposed: Buildable
Official Plan Designation:	Zoning: Rural		
SECOND PARCEL (if applicable):			
Frontage in Meters:	136m	Depth in Meters:	790m
Area in Square Meters:	107,440	Area in Hectares:	
Number of Buildings and Structures	Existing:	Proposed:	
Use of the Land	Vacant	Existing:	Proposed: Buildable
Official Plan Designation:	Zoning: Rural		
THIRD PARCEL (if applicable):			
Frontage in Meters:	136m	Depth in Meters:	790m
Area in Square Meters:	107,440	Area in Hectares:	
Number of Buildings and Structures	Existing:	Proposed:	
Use of the Land	Vacant	Existing:	Proposed: Buildable
Official Plan Designation:	Zoning: Rural		

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	X	Municipal Road	X	X	X
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.**

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):		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):		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.

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.

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 MICHAEL MRANY 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.

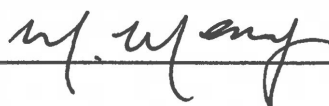
This 26 day of July, 2023.



Commissioner for Taking Affidavits



Applicant(s) Signature:



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.

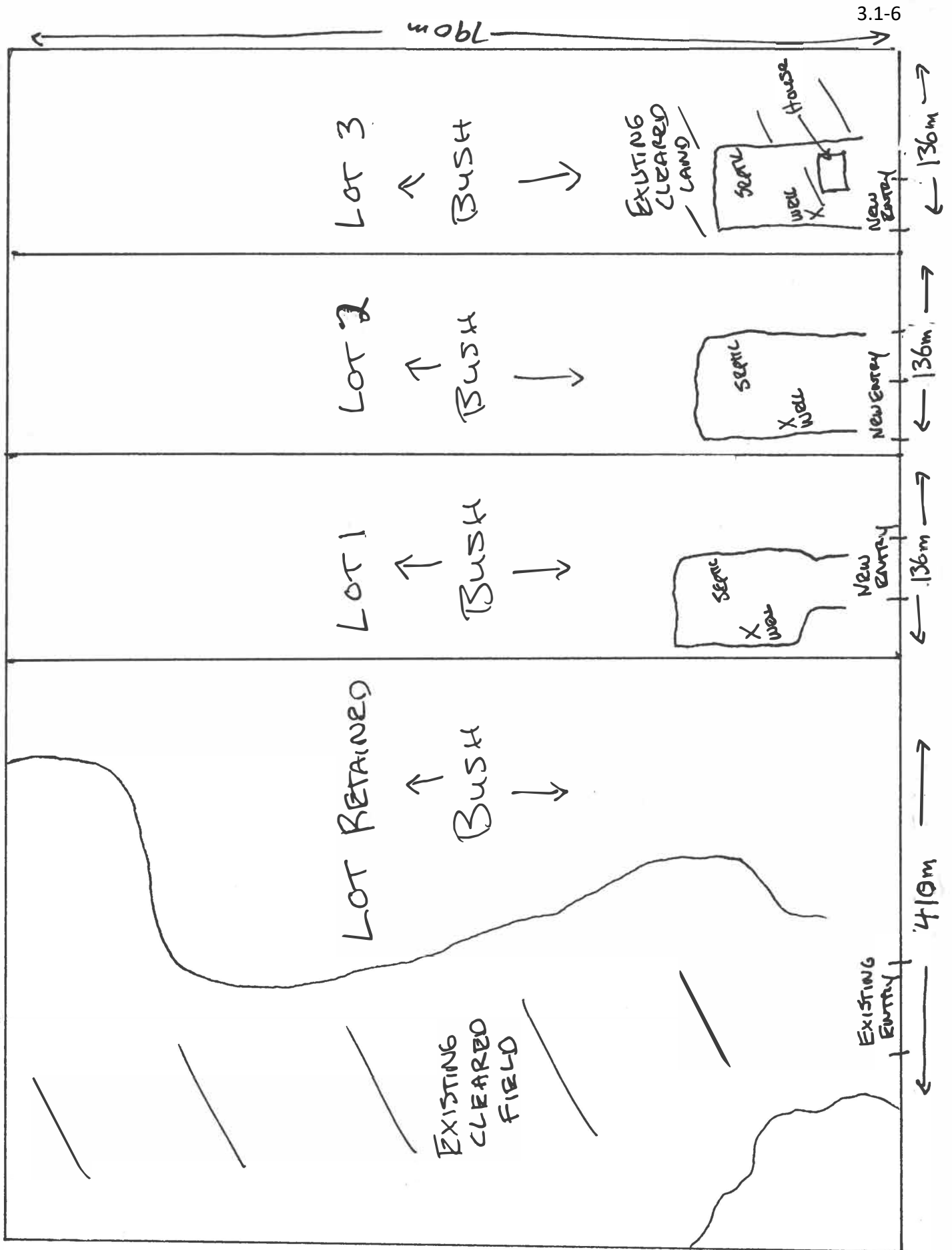
Owner's/Owners' Authorization for an Agent to make the application on his/her/their/ behalf/believes:

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





OLIVER CREEK ROAD

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

Date: Prepared August 9, 2023, for Special Committee of the Whole Meeting on August 16, 2023

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

Subject: Application B06-2023 for Consent (Severance) to Create three New Lots
Property File 58-01-760-000-20200-0000
Oliver Creek Road
Geographic Scoble Township

Submitted by: Erika Kromm, Clerk-Treasurer

RECOMMENDATION

With respect to the application brought by Contracting Kings Inc., the owner, for a severance to create three new lots (plus the retained parcel), 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 Contracting Kings Inc., the owner, relative to vacant property with no municipal address on Oliver Creek Road, legally described as Mining Location R226 West Part PCL 1856 FWF in the geographic Scoble Township, in the Municipality of Neebing and the District of Thunder Bay; the Committee of the Whole recommends:

THAT the consent requested in Application B06-2023, as submitted by the owner to create three new lots, be approved, subject to the following conditions:

- a) A survey is finalized and registered;
- b) Driveway entrances for the new and retained lots are 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;
- e) If it is not already in Municipal Ownership, that portion of Oliver Creek Road that is adjacent to the Severed Lot is transferred to the Municipality, free of encumbrances, and at no cost to the Municipality; and
- f) Conveyance of the lots and road allowance must occur within twenty-four (24) 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 a vacant lot on the east side of the road. The property is currently zoned “Rural” with some Use Limitation along the creek and elevated area.

The property owner is proposing to sever the one piece to create three new lots for the purposes of creating buildable lots.

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.

The properties in the area are a mix of rural residential and vacant land.

Relevant Provincial Policies

The following are relevant excerpts from the Provincial Policy Statement 2020:

- | | |
|---------|--|
| 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 maintains 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:
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 are no livestock operations in the vicinity of the Subject Property.

- 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, 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 are no livestock operations in the vicinity of the Subject Property.

Comments Received

Lakehead Region Conservation Authority

Administration received comments from the Lakehead Region Conservation Authority ("LRCA") on August 2, 2023. The LRCA has no objection to the proposed application.

Hydro One

Administration received comments from Hydro One on August 2, 2023. Hydro One has no comments or concerns about the application.

Enbridge Gas

Administration received comments from Hydro One on July 27, 2023. Hydro One has no comments or concerns about the application. Any disconnections or relocation of services would be at the expense of the property owner.

General Public

As at the time this report was prepared, no comments or concerns regarding the application had been received from the general public.

Other

Other feedback and/or responses to circulation notices that are received between the time this report is 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, 2020.

ALTERNATE RESOLUTION

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

ATTACHMENTS

1. Fact Sheet
2. Excerpt from Zoning By-law Schedule "B" showing the Use Limitation layer over the Residential 1 Zoning for the Subject Property
3. Correspondence from LRCA, Enbridge and Hydro One

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	Contracting Kings Inc.
Agent	None
Property Location	Oliver Creek Road
Legal Description	Mining Location R226 West Part PCL 1856 FWF in the geographic Scoble Township, in the Municipality of Neebing and the District of Thunder Bay;
Municipal Address	No municipal address
Property Dimensions	Subject Property: 646,220 m ² / 160 acres, with approximately 818 meters of frontage on Klages Road
	Proposed Retained Lot: 323,900 m ² / 80 acres, with approximately 410 meters of frontage on Oliver Creek Road
	Proposed Severed Lot 1: 107,440 m ² / 26 acres, with approximately 136 meters of frontage on Oliver Creek Road
	Proposed Severed Lot 2: 107,440 m ² / 26 acres, with approximately 136 meters of frontage on Oliver Creek Road
	Proposed Severed Lot 3: 107,440 m ² / 26 acres, with approximately 136 meters of frontage on Oliver Creek Road
Existing Use	Vacant Land
Existing Structures	None
Proposed Use	Residential
Municipal Services	Municipal Road
Official Plan Designation	Rural, with use limitation
Proposed Official Plan Designation	No change
Current Zoning	Rural, with use limitation
Proposed Zoning	No change
Proposed Severance	To create three new lots
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; Enbridge Gas; Fort William First Nation; Métis Nation of Ontario; and Red Sky Métis Nation.
Pre-circulation	Completed July 27, 2023
Comments Received	LRCA, Hydro One, Enbridge
Public Meeting Notice	Given, as required on July 27, 2023 direct mail to public agencies, First Nations, and property owners of property within the prescribed distance. Signs were posted on the Subject Property approximately 2 days later Posted to Municipality's website
	August 2023

ATTACHMENT TWO: Excerpt from Schedule “B” to the Zoning By-law

Subject Property



In the map above, red hatches mark the “use limitation” layer as they currently appear in the Zoning By-law.



130 Conservation Road, PO Box 10427
 Thunder Bay, ON P7B 6T8
 Phone: (807) 344-5857 | Fax: (807) 345-9156

August 2, 2023

VIA EMAIL: clerk@neebing.org

Erika Kromm
 Clerk-Treasurer
 Municipality of Neebing
 4766 Highway 61
 Neebing, Ontario P7L 0B5

Dear Ms. Kromm,

**Re: Application: B06-2023
 Oliver Creek Road
 Mining Location R226 West Part PCL 1856 FWF
 Geographic Scoble Township
 Municipality of Neebing
 Owner: Contracting Kings Inc.**

Lakehead Region Conservation Authority (LRCA) staff have reviewed the above-noted consent application to create three new lots plus the retained lot on the parcel legally described as Mining Location R226 West Part PCL 1856 FWF located on Oliver Creek Road.

Documents Received and Reviewed by Staff

Staff have reviewed this application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020); as a regulatory authority under Ontario Regulation 180/06; related to policy applicability and to assist with implementation of the Lakehead Source Protection Plan under the *Clean Water Act*; and when applicable as a potential adjacent landowner.

Recommendation

Staff have no objection to the proposed *Planning Act* application.

Site Characteristics

Existing mapping indicates that the subject property is within the LRCA Regulated Area. Regulated features include:

- Tributary of Oliver Creek and adjacent regulated buffer,
- Unevaluated wetland adjacent regulated buffer,
- Land zoned Hazard Land, Use Limitation or Environmental Protection.

Delegated Responsibility and Statutory Comments:

1. The Lakehead Region Conservation Authority has reviewed the application through our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement.
 - Application is consistent with Section 3.1 of the PPS.
2. The Lakehead Region Conservation Authority has reviewed the application as per our responsibilities as a regulatory authority under Ontario Regulation 180/06. This regulation, made under Section 28 of the *Conservation Authorities Act*, enables conservation authorities to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake shorelines, watercourses, hazardous lands and wetlands. Development taking place on these lands may require permission from the conservation authority to confirm that the control of flooding, erosion, dynamic beaches, unstable soil and bedrock are not affected. The Lakehead Region Conservation Authority also regulates the alteration to or interference in any way with a watercourse or wetland.
 - The construction of any buildings or structures, the placing or dumping of fill, site grading, interference with a wetland, or any alteration to the shoreline or existing channel of a lake or watercourse will require a permit from the Authority.

Summary

Given the above comments, it is the opinion of the Lakehead Region Conservation Authority that:

1. Consistency with Section 3.1 of the PPS has been demonstrated;
2. Ontario Regulation 180/06 does apply to the subject site. A permit from Lakehead Region Conservation Authority will be required prior to any development taking place in the regulated area;
3. The subject site is not located within an area that is subject to the policies contained in the Source Protection Plan.

This information is current at the time of writing and may be amended as more accurate information becomes available. If you should have any questions, please contact Scott Drebit, GIS/Water Resources Technologist, at the Authority office.

Please forward a copy of the decision to the Conservation Authority.

Sincerely,



















Scott Drebit
GIS/Water Resources Technologist

Encl: Map

Oliver Creek Road Lot



Legend

-  Subject Property
-  Parcels
-  Approximate Regulated Area
- Regulated Features:**
 -  Regional Floodline
 -  100 Year Floodline
 -  Fill Line
 -  Floodplain
 -  Water Body
 -  Provincially Significant Wetland
 -  Evaluated Wetland
 -  Unevaluated Wetland
 -  Stream
 -  River
- Roads**
 -  Highway
 -  Road
 -  Street

0 50 100 150 200 250 m



1:7,500

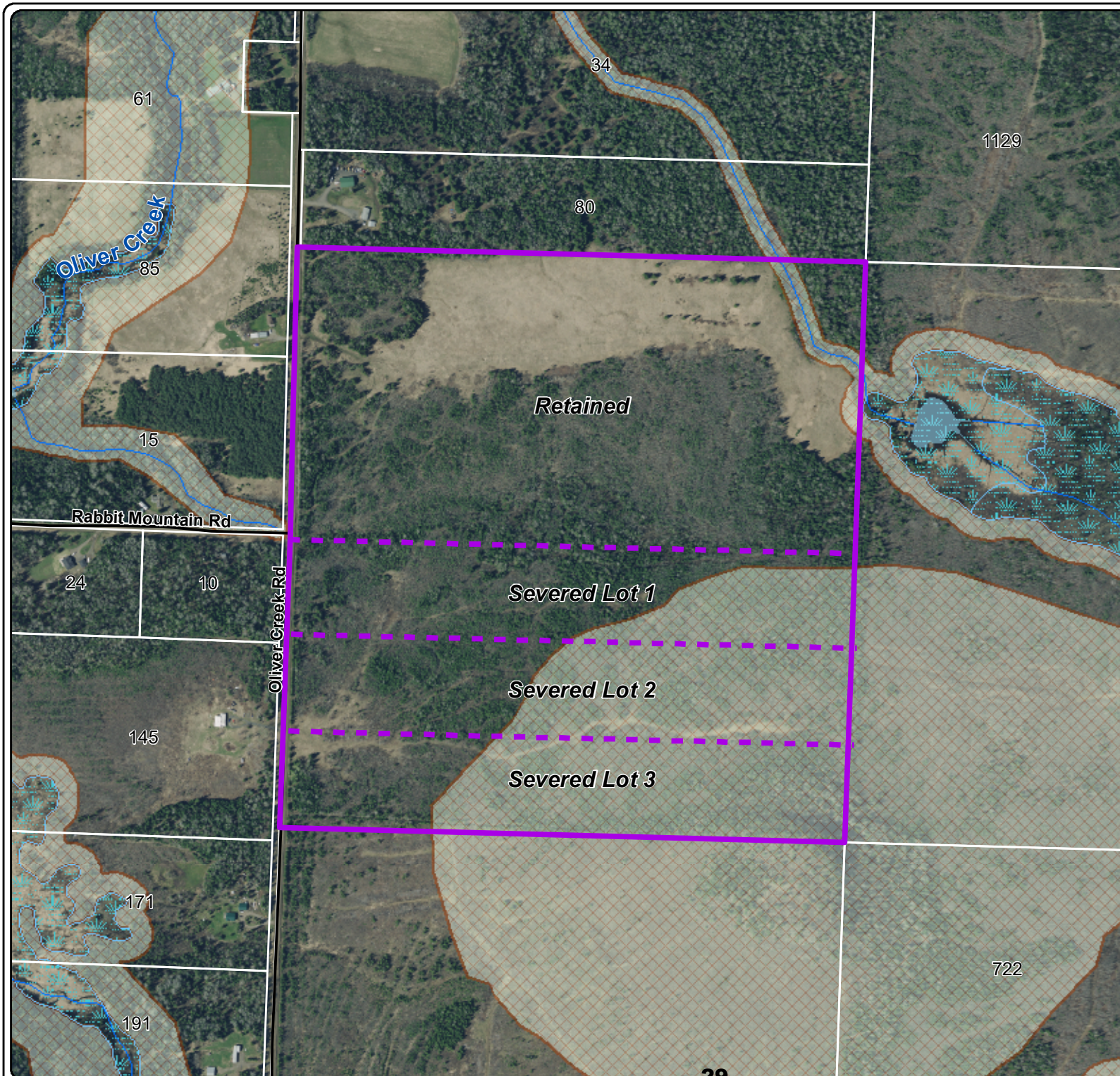
This publication was produced by:
Lakehead Region Conservation Authority
130 Conservation Rd.
Thunder Bay, ON
P7B 6T8

Base data used under license through the members of
the Ontario Geospatial Data Exchange.

This map is illustrative only. Do not rely on it as being a
precise indicator of routes or features, nor as a guide to
navigation.

Coordinate System: NAD 1983 CSRS UTM Zone 16N
Projection: Transverse Mercator
Datum: North American 1983 CSRS
Units: Meter

Created by: scott
Copyright 2023, LRCA



Erika Kromm

From: Ontario Lands <ONTLands@enbridge.com>
Sent: Thursday, July 27, 2023 4:15 PM
To: Erika Kromm
Subject: RE: Notice of Public Meeting Application B06-2023

Thank you for your correspondence with regard to the proposed Severance. Enbridge Gas Inc, does have service lines running within the area which may or may not be affected by the proposed severance.

Should the proposed severance impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any Service relocation required due to a severance would be at the cost of the property owner. Also, should future gas service be required to either the severed or retained parcel, a request for gas service needs to be submitted to the Attachment Centre at 1-866-772-1045.

Should you require any further information, please contact the undersigned.

Barbara M.J. Baranow
Analyst Land Support

Enbridge Gas Inc.
 50 Keil Drive North, Chatham, ON N7M 5M1

Integrity. Safety. Respect.

From: Erika Kromm <clerk@neebing.org>
Sent: Thursday, July 27, 2023 4:10 PM
To: Scott Drebit <scott@lakeheadca.com>; Executivevp.lawanddevelopment@opg.com;
 landuseplanning@hydroone.com; Ontario Lands <ONTLands@enbridge.com>; donelda@rsmin.ca
Subject: [External] Notice of Public Meeting Application B06-2023

CAUTION! EXTERNAL SENDER

Were you expecting this email? TAKE A CLOSER LOOK. Is the sender legitimate?
 DO NOT click links or open attachments unless you are 100% sure that the email is safe.

Please see the attached notice of public meeting.



Erika Kromm

Clerk-Treasurer
 Municipality of Neebing
 Email: clerk@neebing.org
 Phone: 807-474-5331 | Fax: 807-474-5332
 4766 Highway 61, Neebing, ON P7L 0B5
www.neebing.org

Erika Kromm

From: ARABIA Gabriel <Gabriel.Arabia@hydroone.com>
Sent: Wednesday, August 2, 2023 1:00 PM
To: Erika Kromm
Subject: Municipality of Neebing - B06-2023

Hello,

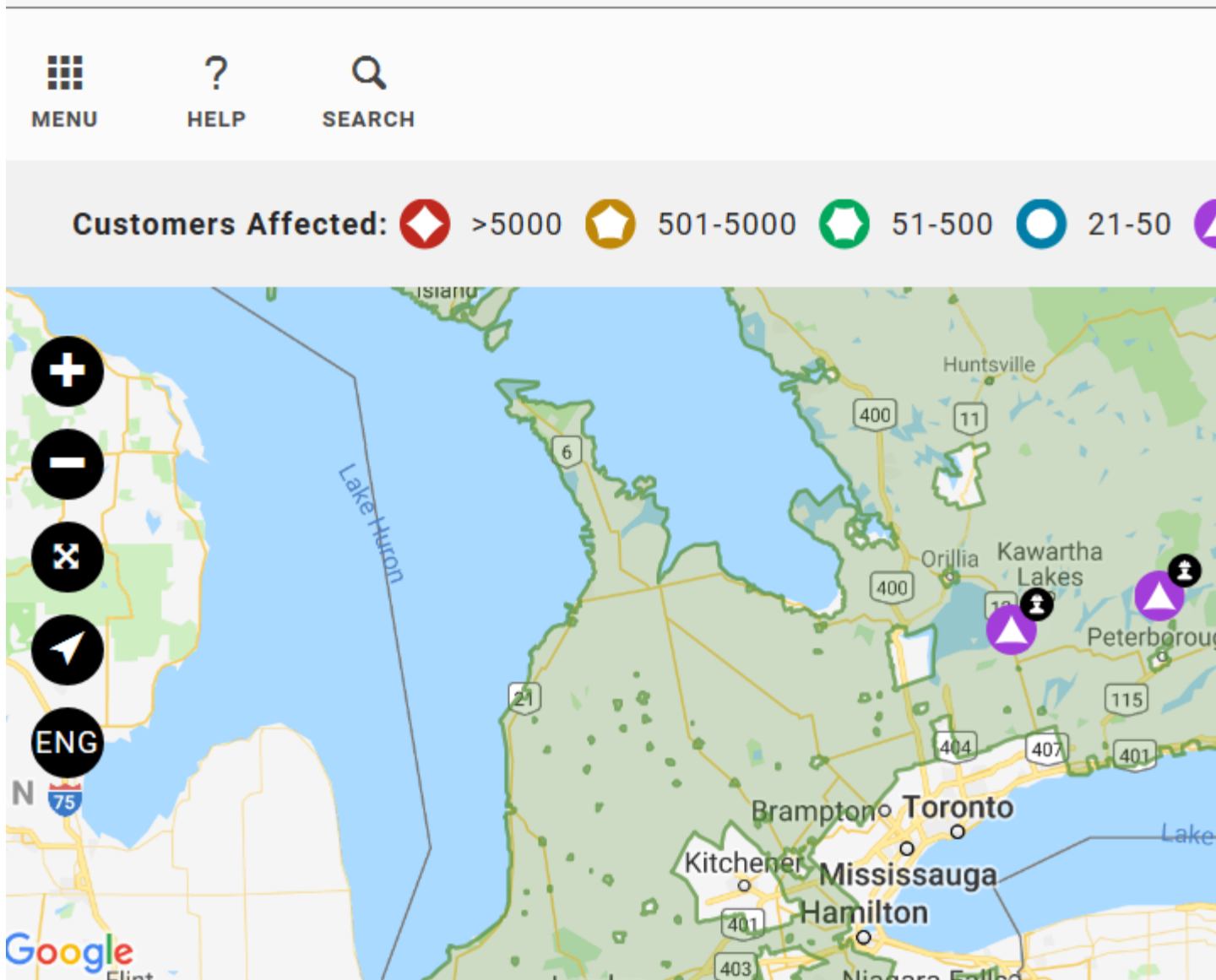
We are in receipt of your Application for Consent, B06-2023 dated July 27th, 2023. We have reviewed the documents concerning the noted Application and have no comments or concerns at this time. **Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.**

For proposals affecting 'Low Voltage Distribution Facilities' please consult your local area Distribution Supplier.

To confirm if Hydro One is your local distributor please follow the following link:

[HydroOne Map](#)

Please select " Search" and locate address in question by entering the address or by zooming in and out of the map



If Hydro One is your local area Distribution Supplier, please contact Customer Service at 1-888-664-9376 or e-mail CustomerCommunications@HydroOne.com to be connected to your Local Operations Centre

Please let me know if you have any questions or concerns.

Thank you,

Dennis De Rango

Specialized Services Team Lead, Real Estate Department

Hydro One Networks Inc.

Tel: (905)946-6237

Email: Dennis.DeRango@HydroOne.com

This email and any attached files are privileged and may contain confidential information intended only for the person