

PLANNING AND PROPERTY COMMITTEE

MINUTES

**Thursday, April 22, 2004                      10 a.m.**  
**Council Chambers**

Present: Len Compton, Art Mior, Colin Wasacase, Jeff Port, Tara Rickaby,  
Bill Preisentanz

Regrets: Rory McMillan, Grant Carlson

Counillor Wasacase called the meeting to order at 10:052 a.m.

**1. Adoption of Minutes**

Moved by: Len Compton                      Seconded by: Art Mior  
THAT the minutes of the April 8, 2004 meeting be adopted as circulated.

**CARRIED**

**2. Declaration of Pecuniary Interest**

Councillor Compton declared a conflict of pecuniary interest with item 4, Gordon Subdivision, as both a lawyer and a realtor. \*\* Numbering changed with changes to the agenda – item became #5\*\*

**3. Additions to the Agenda**

Councillor Compton requested the addition of Application for Rezoning No. Z01/04 Log Cabin – procedure for future.

**4. Zoning By-law - Update**

Jeff Port indicated that there has been internal review at the Staff level. The Building and Planning Department. The Planning Advisory Committee will be meeting with Planning next week to review issues.

The Planning Department proposes a public meeting be held at the end of May, and the Lake of the Woods Property Owners Association have requested that the meeting be held on a weekend.

Meetings will be held Thursday, May 27<sup>th</sup> from 7 to 9 pm and Saturday, May 29<sup>th</sup> from 9 until 12 noon; both at the Lakeside Inn.

Planning Department will have to consider whether or not additional staff is required to help out at these meetings.

**5. Gordon Subdivision**

Nothing to report.

**6. LOWBIC service agreement**

The City will withhold quarterly payment until receipt of draft agreement. Colin Wasacase will report this at the next LOWBIC meeting.

**7. Batigelli Development Agreement**

Mr. Batigelli was given provisional consent to create 5 new lots off of Hidden Trail Road. One condition is that a road be constructed to municipal standards. He has one year to fulfill conditions.

There are two options for Mr. Batigelli: (i) build the road and provide the City with a two year maintenance guarantee; or (ii) sign a development agreement and, as a part of that agreement, provide security on the whole project. Once the development agreement is signed, the deed could be stamped.

Mr. Batigelli would like to hold off on his decision on how to proceed until he can determine how much work can be completed before the deadline.

Generally, the applicant is provided with a development agreement well in advance, and it is up to the applicant to decide how to proceed and whether or not a development is required.

**8. Sioux Narrows-Nestor Falls Service Agreement**

Still with Municipal Solicitor.

**9. Zoning By-law Amendment No. Z03/04 Burgess**

Applicant proposes to rezone from RR to R2. Property is on the Airport Road, and has been recently serviced.

The application has been reviewed by the PAC and they oppose two separate residential units on one property. If the application had been for two residential units in one structure, the Committee would not have had any objection.

**10. New item – Log Cabin – Zoning By-law Amendment Process**

Councillor Compton suggested that the process used for zoning by-law amendments should be reviewed and critiqued in order to learn from this experience.

Discussion took place respecting research and precedent.

The Planning Department will canvas several municipalities to determine their review process.

**11. \*\* New item\*\* Zoning by-law amendments**

The Planning Act does not allow delegation of zoning by-law amendment applications by Council. The process will continue status quo, with the Planning Advisory Committee being informed, during regular meetings, of upcoming applications, and delivering a recommendation. It is recognized, that due to timing of PAC and Council meetings, it is not always efficient for the applicant, for the application to be presented to the PAC first.

**12. \*\* New Item \*\* Appointment to the OMB**

Councillor Compton announced that Joe Sniezek, a former resident, has been appointed to the OMB.

**13. \*\* New Item \*\*\* Margaret O’Flaherty – Request to attend meeting**

Mrs. O'Flaherty would like to attend the next property and planning committee meeting. There may not be a quorum for the meeting. Tara to contact her and invite her to the May 20<sup>th</sup> meeting.

**Moved by Art Mior, Seconded by Len Compton, and Carried:-**

**THAT this meeting be now declared closed at 11:37 a.m.; and further**

**THAT the Committee adjourns to a Closed Meeting to discuss the following:**

- **pending acquisition of land; security of municipal property**

**14. Meeting adjourned at 11:55 a.m.**

**Next meeting : May 6, 2004      10a.m.      Council Chambers**