



The Corporation of the Municipality of Red Lake COMMITTEE OF ADJUSTMENT HEARING

MINUTES OF A COMMITTEE OF ADJUSTMENT PUBLIC HEARING HELD IN THE MUNICIPAL COUNCIL CHAMBERS ON 14 MAY 2024

Present:	Jerrett Landry	Vice Chair
	Dale Butterfield	Member
	Enid Carlson	Member
	Brenda Cooke	Member
	Allistair McRae	Member
Staff:	Kristina Grondin	Planning Coordinator
	Trilbee Stirling-Kattler	CAO/Secretary-Treasurer

1. **CALL TO ORDER:**

The Hearing was called to order at 5:00 p.m.

1.1 Land Acknowledgement Statement.

We, the Municipality of Red Lake acknowledge that our foundation and the spaces in which we live and maintain are on the lands of the Anishinaapek of Red Lake; the traditional lands of Lac Seul and Wabauskang First Nations, and Treaty 3 territory. As we are all Treaty people, we will continue to cherish the reciprocity of all our relationships on these sacred Lands and Water.

1.2 Appointment of Chair and Vice Chair.

The Committee concurred to postpone appointing a Chair and Vice chair until the vacancies are filled.

2. **DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF:**

(a) For the agenda for this meeting;

None disclosed.

(b) For minutes of a meeting at which a member was not in attendance.

None disclosed.

3. **COMMITTEE OF ADJUSTMENT PUBLIC HEARINGS:**

3.1 Application for Consent (Severance) D10-24-02; 76 Sandy Bay Road.

The Chair advised that the public hearing was being held by the Committee of Adjustment regarding an Application for Consent (Severance) D10-24-02: 76 Sandy Bay Road. He stated that any person may express their views

on the proposed application, and a record will be kept of all concerns. He requested that everyone sign the attendance form.

The Planning Coordinator advised that the purpose of the Application for Consent is to sever property to allow for the creation of one (1) new lot with an area of approximately 0.75 hectares and a road frontage of 155 metres. The one (1) retained lot would also have a lot area of approximately 0.75 hectares and a road frontage of 85 metres. She noted that the property has approximately 231 metres of frontage along Sandy Bay Road and is currently undeveloped. She reported that there is a 200' Crown Shoreline reserve between the subject lands and the water.

She advised that on June 19, 2018, the Municipality entered into an agreement with the owners of the subject lands. The purpose of the agreement was to prohibit further lot creation on Sandy Bay Road until a road survey and required upgrades were completed. Staff have been advised that the agreement would only apply to the portion of Sandy Bay Road fronting the subject lands and it is deemed that upgrades to this portion of the road are not necessary at this time. She advised that if Council or the Committee are of the opinion the above noted agreement is no longer necessary, it should be repealed by By-Law.

The Planning Coordinator reported that on February 14th, 2023, the Committee of Adjustment granted provisional approval for Application D10-23-01, being the same request as the subject application. She advised that the conditions of the 2023 application provided one year to complete conditions. She noted that she since realized that the Planning Act now provides two years to complete conditions of a Consent. She reported that after discussions with the Applicant it was recommended that they reapply and request the two year time frame.

The Planning Coordinator advised that MNRFC was consulted with respect to the proposed lot creation. She reported that Staff asked MNRFC if an easement or land use permit would be warranted to ensure the severed and retained lands would have the ability to install a water line, a formal access to the lake, a dock, or amenity space on the abutting Crown shoreline reserve. She summarized MNRFC's Comments as follows:

- Red Lake is a trout lake.
- The Ministry does not object to the proposed severance; and
- The Ministry will not support a LUP or sale of the Crown shoreline reserve in whole or in part.

The Planning Coordinator advised that Ray Hall provided information regarding waterfront subdivisions and lots that were undersized and required either no or little proof of water quality and quantity. She explained that a quick review was completed of the properties identified and it was noted that at the time of creation the requirements weren't the same for some of the developments and some of the properties had access to the water, unlike Mr. Hall's property.

The Planning Coordinator review applicable sections of the Provincial Policy Statement, Planning Act, Official Plan and Zoning By-Law, noting that the Official Plan requires a minimum lot size, being 1 hectare with a minimum frontage of 45 metres. She advised that the policy indicates that smaller lot sizes may be permitted where water quality and quantity is confirmed.

The Planning Coordinator recommended changes to the conditions of the Consent from the previous application. She did not feel a noise study was required and that the Crown shoreline didn't need to be rezoned.

The Chair asked if the Committee had any questions. None were heard. The Chair asked if anyone wished to speak in opposition of the application. No comments were heard. The Chair asked if anyone wished to speak in support of the application. Ray Hall advised that most of the waterfront subdivisions and lots did not own the shoreline at the time of development and were purchased afterwards. He stated that he contacted MMAH and they advised that spot zoning could be completed to provide relief from the requirements. He noted that the reduced size is so minimal that it does not have a large impact. He advised that the cost of a study or well would defeat selling it in two parcels. He reported that the 200 foot reserve protects the lake from development and the septic field. He noted that the information he provided included 17 developments, one done by the Municipality for 12 lots and there was no consideration for wells. He noted only 4 wells required in the 17 developments. He requested that the Committee waive the requirement for a hydrological study or wells.

The Chair asked if there were any questions from the Committee. A member noted that it is an additional expense. He noted the biggest concern is the requirement for the hydrological study. He asked what kind of amendments could be made to the conditions. The Planning Coordinator advised that they could request one well instead of a well per lot. The Committee concurred with this recommendation. Hearing no additional comments or questions, the Chair closed the public hearing at 5:38 pm.

Application for D10-24-02: 76 Sandy Bay Road
Moved By: Dale Butterfield
Seconded By: Alistair McRae
Decision – Approved

4. **MINUTES OF PREVIOUS MEETING:**

None at this time.

5. **UNFINISHED BUSINESS:**

None at this time.

6. **NEW BUSINESS:**

None at this time.

7. **CLOSED MEETING:**

None at this time.

8. **NEXT MEETING:**

8.1 Tuesday, June 11th, 2024, at 5:00 p.m.

9. **ADJOURNMENT:**

It was:

Moved by Alistair McRae

Seconded by Dale Butterfield

(COA-07-24)

RESOLVED that the Committee of Adjustment hereby adjourns from a Regular Meeting held May 14th, 2024, at 6:12 p.m.

CARRIED

Jerret Landry, Vice Chair

Trilbee Stirling-Kattler, Secretary-Treasurer