



MINUTES

Public Meeting Under the Planning Act

Tuesday, June 13, 2017

Council Chambers 6:30 p.m.

COUNCIL PRESENT: All members of Council were in attendance this evening with the exception of Councillor MacKenzie and Councillor Brum who sent their regrets.

STAFF PRESENT: Angela Young, Deputy Clerk
Mandy Cannon, Executive Assistant
Bruce Howarth, Township Planner

MEDIA PRESENT: Nil.

1. Call to Order and Roll Call

A Public Meeting Under the Planning Act was held at 6:30 p.m. to consider a proposed amendment to the Zoning By-Law for the Township of McNab/Braeside in accordance with the provisions of Section 34 of the Planning Act, 1990.

2. Declare Meeting Open

Deputy Mayor Armsden stated that this is a Public Meeting held by Council under Section 34 of The Planning Act, 1990 and is declared open and further advised this Public Meeting is to consider an amendment to the Township of McNab/Braeside Zoning By-Law 2010-49 as applied for by Mrs. Julia McNab (Tracy Zander - Agent) for property located on Mountain View Road.

3. Disclosure of Pecuniary Interest and the General Nature Thereof

Members were asked to state any pecuniary interest and the general nature thereof before the item is discussed. No disclosures of pecuniary interest were declared at this time.

Deputy Mayor Armsden Chaired the Public Meeting this evening.

4. Applicant

Julia McNab - Zoning Amendment
Part Lot 6, Concession 7
626 Mountain View Road

5. Information Circulated

5.1 Notice of Application and Public Meeting
Application Sketch
Draft Zoning By-Law Amendment

6. Clerks Notice of Circulation in accordance with the Requirements of the Planning Act

The public meeting is a requirement of the Planning Act. In accordance with the Planning Act, notice must be given at least 20 days before the Public Meeting is held. Deputy Mayor Armsden requested that the Clerk confirm the date the notice was circulated and calculate that we had the required 20 days notice.

The Clerk advised the Notice was circulated to all property owners within 120m of the subject land on May 18, 2017. The Notice was mailed to the agencies as required under the Planning Act. The Notice was published on the Township website on May 18, 2017 and on the website calendar and posted on the subject property as verified by the Township Chief Building Official.

Deputy Mayor Armsden stated that the 20 day notice having been given, declared the meeting properly constituted to transact its business.

Any person wishing to receive written notice of the Adoption of the Amendment being considered at this meeting must leave their name and mailing address with the Township Clerk by writing their name and address on the list posted at the back of the Council Chambers.

As required by Section 34 (14.5) of the Planning Act, Council is required to inform the public of who is entitled to appeal to the Ontario Municipal Board, under Sections 34(11) and (19):

Deputy Mayor Armsden stated as follows:

Under Section 34(11) - If Council decides to refuse an application or refuses or neglects to make a decision on an application within 120 days of the Municipal Clerk receiving the application, the applicant or the Minister of Municipal Affairs and Housing, may appeal to the Ontario Municipal Board by filing an appeal with the Clerk of the municipality.

Section 34(19) – Not later than 20 days after the giving of Notice of Passing of the By-Law, the applicant, any person or public body who made oral submissions at the Public Meeting or made a written submission to Council, before the By-Law was passed or the Minister of

Municipal Affairs and Housing, may appeal to the Ontario Municipal Board by filing an appeal with the Clerk of the municipality.

7. Clerks Reading of the Notice

Deputy Mayor Armsden requested the Clerk give a description and location of the proposed Amendment.

The Executive Assistant advised that the amendment is located in Part of Lot 6, Concession 7, geographic Township of McNab, in the Township of McNab/Braeside, and are located at 626 Mountain View Road.

The Executive Assistant stated that the purpose of this amendment is to rezone approximately 33 hectares of agricultural land to prohibit residential use. These lands represent the retained lands of a consent application to sever a surplus farm dwelling. The zoning is required as a condition of approval of the consent.

The effect of the amendment is to rezone the lands from Agriculture (A) to Agriculture-Exception Eleven (A-E11) to prohibit residential use.

Consent Application B-2/17 is also being considered with this application. The notice was dated May 19th, 2017 and signed by CAO/Clerk, Lindsay A. Parkes.

Additional information regarding the Zoning By-Law amendment was available for inspection at the Township of McNab/Braeside Municipal Office during regular office hours.

8. Correspondence/Comments Received

- Agencies
- Planning Department
- Others

Deputy Mayor Armsden inquired if there were any written comments received.

The Deputy Clerk read comments received from Enbridge Gas Distribution advising they do not object to the proposed Application, however, reserves the right to amend or remove development conditions.

The Deputy Clerk read comments received from the Sewage System Inspector advising he had no comments or concerns.

The Deputy Clerk read comments received from the Township's Director of Public Works advising that there is a workshop that encroaches onto the Township's unopened road allowance, and further recommends that the Township enter into an Encroachment

Agreement due to the extent and location of the building encroachment if in the future the Township requires the encroachment to be removed then it will be at the property owners expense.

The Deputy Clerk read comments received from Conseil des écoles publiques de l'Est de l'Ontario (CEPEO) advising they had no comments or concerns.

The Deputy Clerk read comments received from Tracy Zander - Agent for the Applicant advising that the existing accessory building encroaches onto the municipal road allowance and inquiring as to what would be involved in an encroachment agreement and if the Township will entertain this.

The Deputy Clerk advised there was no other correspondence received either to object or to support the proposed application.

Deputy Mayor Armsden inquired if Mr. Howarth wished to speak to this amendment. Mr. Howarth stated that the owner of this farm property is proposing to sever the farm dwelling, which is surplus to the needs of the farming operation. The retained lands being approximately 33 hectares in area are vacant and will continue to be farmed. They are designated and zoned Agriculture in the Township's planning documents. In accordance with Provincial policy and the Township's Official Plan, the retained lands are required to be zoned to prohibit residential use. This rezoning is a condition of Consent Application B-2/17, which received conditional approval by the Township's Committee of Adjustment.

9. Questions/Comments

- Members of the Public
- Applicant/Agent
- Members of Council

Deputy Mayor Armsden inquired if members of the Public wished to speak to the amendment, which there was none.

Deputy Mayor Armsden inquired if the owner or agent wished to speak to the amendment. Ms. Tracy Zander was in attendance and stated that she would just like to reiterate Mr. Howarth's comments and advised that she has sent a draft Encroachment Agreement to the office today and is hoping that both the Zoning Amendment and the Encroachment Agreement can be approved at the same time.

Deputy Mayor Armsden inquired if Council Members had any questions or concerns at this point, which there were none.

10. Further Information Requests List

Members of the public were requested to leave their name and mailing address on the list at the back of the Council Chambers should they wish to be notified with regard to the Application.

11. Adjournment

Deputy Mayor Armsden advised that the Public Meeting process is now completed. Council will give careful consideration to the arguments for/and or against the Zoning Amendment requested for this property. The By-Law will be brought forward to the June 20, 2017 Regular Meeting of Council for consideration of passing along with the Encroachment Agreement. The Public meeting was declared closed.

Deputy Mayor Armsden thanked everyone for their attendance.

The meeting adjourned at 6:41 p.m.

DEPUTY MAYOR

CAO/CLERK