



MINUTES

Public Meeting Under the Planning Act Tuesday, December 12, 2017 Council Chambers 6:30 p.m.

COUNCIL PRESENT: All members of Council were in attendance for the meeting this evening.

STAFF PRESENT: Angela Young, Deputy Clerk
Bruce Howarth, Senior 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 1332712 Ontario Inc. for property located at Moreau Road and Young 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 meeting this evening.

4. Applicant

1332712 Ontario Inc. (Jp2g Consultants Inc. - Agent)
Part of Lot 1, Concession 11, Geographic Township of McNab
Moreau Road and Young 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 Deputy Clerk advised the Notice was circulated to all property owners within 120m of the subject land on November 14, 2017. The Notice was mailed to the agencies as required under the Planning Act. The Notice was published on the Township website on November 8, 2017 and on the website calendar and posted on the subject property by the applicant and verified by the Township CBO.

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 Deputy Clerk advised that the amendment is located at Part of Lot 1, Concession 11 geographic Township of McNab, in the Township of McNab/Braeside, and are located at Moreau and Young Road.

The Deputy Clerk read that the purpose of the amendment is, first, to rezone approximately 8.8 hectares of vacant land to permit the future development of a residential plan of subdivision and to rezone approximately 9 hectares of land to permit a reduced agricultural lot size.

The effect of the amendment is, first, to rezone the future development lands from Agriculture (A) and Environmental Protection (EP) to Rural-Residential Exception Eleven-holding (RR-E11-h). The RR-E11 Zone will permit a minimum lot frontage of 20 metres on Moreau Road. The holding (-h) symbol on these lands will permit existing uses and require conditions to be met to Council's satisfaction before the holding (-h) is removed and development can proceed.

The conditions for removing the holding (-h) symbol are noted in the proposed zoning by-law amendment and are as follows:

1. Planning Justification Report
2. Site Servicing Options Report
3. Hydrogeological Study with Nitrate Impact Assessment
4. Stormwater Management Report
5. Archaeological Assessment (land and water)
6. Geotechnical Study and Slope Stability Study
7. Environmental Impact Study for potential impact on natural environment, water quality and habitat for threatened and endangered species
8. Favourable Minimum Distance Separation (MDS1) Type B Land Use
9. Draft Approval of a plan of subdivision

Findings from these studies and the details of a specific development proposal will likely require more detailed zoning in the future.

Second, the portion of the retained lands zoned Agriculture (A) is proposed to be rezoned to Agriculture-Exception Fourteen (A-E14) to permit a reduce lot size of 9 hectares. The lands zoned as Environmental Protection (EP) will remain in that zone. All other provisions of the Zoning By-law shall apply.

The notice was dated November 15, 2017 and signed by CAO/Clerk, Lindsey 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 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 at this time and further that a hydrogeological Study and Nitrate Impact Assessment will be required to remove holding provisions on the property.

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 Hydro One advising they had no comments or concerns.

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. Bruce Howarth would speak to the proposed amendment. Mr. Howarth advised the applicant has requested a rezoning for a 17.8 hectare property, as a condition of Consent Application B-13/17. The severed lands being approximately 8.8 hectares in area with water frontage on Lake Madawaska are proposed for residential subdivision development. The retained lands being approximately 9 hectares in area would remain as prime agricultural farm land. An Official Plan Amendment was completed in 2005 by the applicant that designated the land from Agriculture to Rural.

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.

Mr. John Nanne was in attendance this evening and stated that he is not in favour of this zoning amendment and as a dairy farmer himself he would like to see agricultural land stay

agriculture.

Deputy Mayor Armsden inquired if the owner or agent wished to speak to the amendment.

Mr. Scott McEwan was in attendance this evening and reviewed the history of the parcel of land and how it was removed from the agricultural designation and further that the studies and report from Agricultural Soils Assessment prepared by AgPlan Limited were provided to the Ministry to support the lower class of soils in this area.

Moved by Mayor Peckett, seconded by Councillor Lang

THAT Council of the Township of McNab/Braeside agree to extend the Public Meeting under the Planning Act in progress past the allocated time of 7:00 p.m.

CARRIED.

Deputy Mayor Armsden inquired if Council Members had any questions or concerns at this point.

Council briefly discussed the future proposal for a plan of subdivision and the pros and cons of communal wells with input from both Mr. Howarth and Mr. McEwan.

Mr. Howarth stated that should the by-law be passed there will be a 20 day appeal period in which time the amendment can be appealed to the OMB.

10. Further Information Requests List

Member 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 regards 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 December 19, 2017 meeting of Council for consideration of passing. The Public meeting was declared closed.

Deputy Mayor Armsden thanked everyone for their attendance.

The meeting adjourned at 7:12 p.m.

MAYOR

CAO/CLERK