



The Corporation of the Township of Perry

MINUTES

PUBLIC MEETING

Part of Lot 13, Concession 11, Township of Perry
86 Old Government Road (Perry Township)

Wednesday, July 19th, 2017
7:00 p.m.

Council Chambers
(1695 Emsdale Road, Emsdale, ON)

Any and all Minutes are to be considered Draft until approved by Council at a Regular Meeting of Council

In Attendance:

Council Members:

Mayor Norm Hofstetter
Councillors: Jim Cushman, Jeff Marshall,
Margaret Ann MacPhail and Les Rowley

Municipal Staff:

Beth Morton, Clerk-Administrator
Melinda Torrance, Deputy Clerk

Members of the Public:

Sign in sheet on file

Resolution No. 2017-280

Moved by: Les Rowley

Seconded by: Margaret Ann MacPhail

Be it resolved that the Council of the Township of Perry does hereby now adjourn from this Regular Meeting at 7:40 p.m. to commence a 'Public Meeting' for the purpose of hearing comments from members of the public with regard to a proposed Zoning By-law Amendment for lands legally described as Part of Lot 13, Concession 11, located at 86 Old Government Road.

Carried

Resolution No. 2017-281

Moved by: Les Rowley

Seconded by: Jeff Marshall

Be it resolved that the Council of the Township of Perry hereby accepts the report submitted by Beth Morton, Clerk-Administrator for a Zoning By-law Amendment for Part of Lot 13, Concession 11 (Township of Perry).

Carried

Mayor Hofstetter as the Chair advised that this is a Public Meeting to hear public comments and answer questions regarding the proposed Zoning By-law Amendment for lands legally described as Part of Lot 13, Concession 11, in the

Township of Perry located at 86 Old Government Road. The purpose of the proposed by-law is to rezone the lands from the Extractive Industrial Pit (M3P) Zone to an Institutional (I) Zone to permit a Fire Hall to be built on the lands.

He outlined how the Public Meeting would be conducted. He stated that the Clerk would advise as to when, how and to whom notice of the public meeting was circulated and confirm proper notice was given.

He noted that the public meeting is not a public debate on the matter. The public will be afforded the opportunity to provide their comments or questions. He outlined that persons in favour of the application would go first. Those in opposition to the application would follow. He also advised that people providing comments or questions are asked to present them through him as the Chair.

He then noted that Council will have the opportunity to question the applicants, planning consultants or agents. He also advised that Council will consider the Zoning By-law Amendment at a future Regular Meeting of Council. He stated that all persons addressing Council must state their full name, full mailing address and postal code and must direct their comments through the Chair.

Mayor Hofstetter then requested that the Clerk advise as to how and to whom notice of the public meeting was circulated.

Notice of this Public Meeting was given by posting the application on the Township's website, www.townshipofperry.ca on June 26, 2017; forwarding it to all persons and public bodies as prescribed under the Ontario Planning Act Regulation, including owners within 600' feet of the applicant's property; and to those requested.

The purpose of the application is to rezone a portion of the lands from the Extractive Industrial Pit (M3P) Zone to an Institutional (I) Zone to permit a Fire Hall to be built on the lands.

The lands are designated as "Existing ARA Licence" by the Municipality's Official Plan and do not have any identified Natural Heritage Features. The lands are zoned "Extractive Industrial Pit" (M3P) by the Municipality's Zoning By-law 2014-21.

The total lands owned by the Township is approximately 31.141 hectares (77 acres) in size. Existing development on the property includes a Public Works Garage, Fabric Storage Building, Sand/Salt Shed, Storage building, and a former Municipal Office currently being used for fire training. A 83' x 64' Fire Hall has been proposed for the portion of lands to be rezoned. The approximate size of lands to be rezoned are calculated to be approximately 1.5 hectares (3.7 acres).

The subject lands to be rezoned are located on Old Government Road and at the present time, the land has been rehabilitated from its use as a pit.

The Provincial Policy statement was reviewed to confirm if the application complies. Section 2.4 applies to Minerals and Petroleum. Section 2.4.3 deals with Rehabilitation. It states that "rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased. Progressive rehabilitation should be undertaken wherever feasible.

The Township of Perry has rehabilitated the lands and is working on an application concurrently with the MNRF to release the ARA license from the portion of lands to be rezoned to Institutional.

As a result, the application complies with the PPS.

The Township of Perry Official Plan provides policy direction for growth within the Township. The intent of the Official Plan is to support innovative and sustainable development policies and practices to protect the natural environment. The lands are designated "Existing ARA Licence" by the Township's Official Plan.

B1.6.2 outlines the relationship between this Plan and the Ministry of Natural Resources.

It is recognized that the Ministry of Natural Resources and Forestry licenses and regulates mineral aggregate operations under the Aggregate Resources Act in the Township of Perry. It is the intent of this Plan to ensure that there is open and transparent consultation between the appropriate Provincial Ministries and agencies, the proponent(s) of the mineral aggregate operation, the community and Council before licenses are issued or modified, in order to ensure that new mineral aggregate operations or expansions to existing operations are carried out in a manner that is consistent with the goals and objectives of this Plan.

B1.6.7 outlines rehabilitation. The progressive and final rehabilitation of all pits and quarries in the Township is an expectation of this Plan. Wherever possible, Council will work with pit and quarry operators and the Ministry of Natural Resources and Forestry to ensure that all licenses have progressive rehabilitation plans and where applicable, are actively completing site rehabilitation and restoration.

The Township of Perry is working with the MNRF on the rehabilitation of the plan to appropriately rezone the lands to Institutional.

Based on this review, the application is consistent with the Official Plan.

The Township of Perry Official Plan is implemented through the Township of Perry Zoning By-law 2014-21. The lands are zoned "Extractive Industrial Pit" (M3P) within the Zoning By-law.

The lands have been rehabilitated in anticipation of the future use of a Fire Hall. The adjacent lands are a mix of residential and institutional uses.

The lands will meet all other Zone standards within Section 7 – Institutional Zone provisions.

Based on the review, the application is consistent with the Township of Perry Zoning By-law.

The purpose and intent of the Official Plan and Zoning By-law are to provide policy direction for growth within the Township and support innovative and sustainable development policies and practices to protect the natural environment while also ensuring healthy, sustainable quality of living is sustained for its residents.

Mayor Hofstetter then declared this to be a public meeting to deal with the proposed Zoning By-law amendment.

Mayor Hofstetter asked the applicant and/or their representatives to provide their comments on the proposal. The applicant is Perry Township, therefore no further comments were provided.

Mayor Hofstetter then invited members of the public to speak on the proposed Zoning By-law Amendment. There were no members of the public present for the Public Meeting.

The Clerk advised that as of 4:30 p.m. today, the Municipality has received comments from MTO that they have no objection.

Mayor Hofstetter asked if there were any questions or comments from Council on the proposed Zoning By-Law Amendment. No further questions or comments from Council came forward at this time.

Mayor Hofstetter advised that those wishing to receive further notice of the Notice of Decision of the Zoning By-law must make a written request as per previous instructions. He advised that Council will be considering the by-law at the August 2nd. 2017 Regular Meeting of Council and outlined that once Council makes a decision on the by-law, there is a 20 day appeal period from the date of

decision of the by-law during which time any person may appeal the decision of Council to the Ontario Municipal Board.

Having received no further questions or comments from the Public or Council members, Mayor Hofstetter declared this public meeting to be concluded and presented the following resolution:

Resolution No. 2017-282

Moved by: Margaret Ann MacPhail

Seconded by: Jim Cushman

Be it resolved that the Council of the Township of Perry does hereby now adjourn from this Public Meeting at 7:45 p.m. in order to recommence the Regular Council Meeting of July 19th, 2017.

Carried

Dated this 2nd day of August, 2017.

Original Signed by Norm Hofstetter
Norm Hofstetter, *Mayor*

Original Signed by Beth Morton
Beth Morton, *Clerk-Administrator*