



The Corporation of the Township of Perry

MINUTES

PUBLIC MEETING

Part Lot 26, Concession 10
Part 1, Plan 42R-11004
301 Birchdale Road (Edgewater Properties Inc.)

Wednesday, October 3rd, 2018
7:02 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
Kim Seguin, Treasurer
Randy McLaren, Working Roads Supervisor

Members of the Public:

Sign in sheet on file

Resolution No. 2018-349

Moved by: Les Rowley

Seconded by: Jeff Marshall

Be it resolved that the Council of the Township of Perry does hereby now adjourn from this Regular Meeting at 7:02 p.m. to commence a 'Public Meeting' for the purpose of hearing comments from members of the public with regard to a Zoning By-law Amendment application for lands legally described as Part of Lot 26, Concession 10, Township of Perry, designated as Part 1 on Plan 42R-11004, and located at 301 Birchdale Road (Edgewater Park Properties Inc.).

Carried

Resolution No. 2018-350

Moved by: Margaret Ann MacPhail

Seconded by: Jim Cushman

Be it resolved the Council of the Township of Perry receive the report prepared by Beth Morton, Clerk-Administrator for lands legally described as Part of Lot 26, Concession 10, Township of Perry, designated as Part 1 on Plan 42R-11004 and located at 301 Birchdale Road (Edgewater Park Properties Inc.).

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 26, Concession 10, designated as Part 1 on Plan 42R-11004, and located at 301 Birchdale Road. The applicant has made an application to allow for the conversion of the existing church to six rental apartment units; to allow for a reduction to the front yard to 14.9 metres; to allow a reduction to the exterior side yard to 6.56 metres and to recognize the minimum lot area of 0.3773 hectares. In addition, a holding zone has been placed on the lands, subject to the applicant completing the required Record of Site Condition on the property. A Record of Site Condition is a requirement of the Environmental Protection Act as further described in Ontario Regulation 153/04 as the land use is being changed from a community use to a residential use. The applicant is aware of this requirement and understands that the application will be subject to a holding zone pending completion and filing it in the Environmental Site Registry. This means that no development can proceed until Council is satisfied this has been fulfilled. Once fulfilled, the applicant will make a further application to lift the holding.

The purpose of the proposed By-law is to permit a multiple residential dwelling with six residential units on the lot and recognize the existing front yard of 14.9 metres, exterior side yard of 6.5 metres and existing lot area of 0.3773 ha. The application, if approved, would rezone the lands from the Institutional (I) Zone to the Multiple Residential – Exception Two Holding (R3-2H) Zone to allow for the existing church to be converted to a multiple residential dwelling with six residential units.

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.

The Clerk advised that Notice of this Public Meeting was given by posting the application on the Township's website, www.townshipofperry.ca on September 11, 2018; posted on the municipal office bulletin board; forwarding it to all persons and public bodies as prescribed under the *Ontario Planning Act* Regulation, including owners within 120 metres of the applicant's property; and to those requested.

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.

Scott Wilson, Agent from Marie Poirier Planning & Associates Inc. spoke on behalf of the client explained that the current Church will be converted into 6 apartment units; 2 bachelors and 4 one bedrooms. Mr. Wilson stated that the proposed development is consistent with the Township's Zoning By-law, Official Plan and Provincial Policy Statement 2014.

Mayor Hofstetter inquired about the exterior lighting and Mr. Wilson explained that it will be addressed in the Site Plan Control Agreement.

Mayor Hofstetter then invited members of the public to speak on the proposed Zoning By-law Amendment.

No members of the public spoke.

Mayor Hofstetter asked if there were any questions or comments from Council on the proposed Zoning By-Law Amendment.

No members of Council spoke.

Mayor Hofstetter then asked the Clerk what letters have been received with respect to the application.

The Clerk advised that on:

1. September 28, 2018 – letter from Daniel Wark and Susan Stronach of 300 Birchdale Road outlining their concerns on the proposed development;
2. September 17, 2018 – email from Eric Hood of 280 Birchdale Road outlining the requirement to obtain a mandatory Record of Site Condition under Section 168.3 of the Environmental Protection act as further described in Ontario Regulation 153/04.
3. September 13, 2018 – email from CN advising that they have no comment or objections.
4. September 20, 2018 – Christine Tudhope of MTO advising that MTO would support the proposed redevelopment subject to items outlined in their email.

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 a future 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 Local Planning Appeal Tribunal.

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. 2018-351

Moved by: Jeff Marshall

Seconded by: Les Rowley

Be it resolved that the Council of the Township of Perry does hereby now adjourn from this Public Meeting at 7:12 p.m. in order to commence the Regular Council Meeting of October 3rd, 2018.

Carried

Dated this 17th day of October, 2018.

Original Signed by Norm Hofstetter
Norm Hofstetter, *Mayor*

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