



The Corporation of the Township of Perry

MINUTES

PUBLIC MEETING

Zoning By-law Amendment

Lot 14, Plan M-58, Township of Perry
Located at 177 North Bay Lake Road

Wednesday, September 18, 2019

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: Paul Sowrey, Margaret Ann MacPhail, Joe Lumley and Jim Cushman

Municipal Staff:

Beth Morton, Clerk/Administrator
Kim Seguin, Treasurer/Tax Collector

Members of the Public:

Sign in sheet on file

Resolution No. 2019-334

Moved by: Joe Lumley

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 7:10 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 Lot 14, Plan M-58, Township of Perry located at 177 North Bay Lake Road to allow for an exception to Section 3.2.5(v) in order to permit a dock to be 7.31 metres in width (Kane).

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 Lot 14, Plan M-58, Township of Perry located at 177 North Bay Lake Road. The purpose of the proposed By-law is to re-zone the lands from the Shoreline Residential Zone to the Shoreline Residential – Exception Twenty Zone to allow for an exception to Section 3.2.5(v) in order to permit a dock to be 7.31 metres in width.

He outlined how the Public Meeting would be conducted. He stated that the Clerk/Administrator, Beth Morton 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 the October 2, 2019 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/Administrator, Beth Morton advise as to how and to whom notice of the public meeting was circulated.

The Clerk/Administrator, Beth Morton advised that Notice of this Public Meeting was given by posting the application on the Township's website, www.townshipofperry.ca on August 9, 2019; posting 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.

The purpose of the proposed By-law is to rezone the lands from the Shoreline Residential Zone to the Shoreline Residential – Exception Twenty Zone to allow for an exception to Section 3.2.5(v) in order to permit a dock to be 7.31 metres in width.

Resolution No. 2019-335

Moved by: Paul Sowrey

Seconded by: Jim Cushman

Be it resolved that the Council of the Township of Perry receive the report prepared by Beth Morton, Clerk/Administrator for lands legally described as Lot 14, Plan M-58, Township of Perry located at 177 North Bay Lake Road to allow for an exception to Section 3.2.5(v) in order to permit a dock to be 7.31 metres in width (Kane).

Carried

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.

There was no agent nor the Owners of the property in attendance.

Mayor Hofstetter then asked if any members of the public wish to speak in connection with the proposed Zoning By-law Amendment to stand and clearly state their name, full address and postal code for the record.

Dave Marshall stood and stated he lives at 143 North Bay Lake Road. He indicated he has concerns with the precedent this amendment will set. He stated that there is a dock clearly there. The proposed dock would be quite a bit longer than other docks on the lake. The dock could be closer to 40 feet, but it is 60 feet. He noted that the dock blocks 2/3 of the neighbour's view. There are two large boats and Mr. Marshall believes the dock is also in contravention of the length for docks.

Mayor Hofstetter agreed with the concerns presented by Dave Marshall and the width of this dock. Mayor Hofstetter has a concern of the precedent this will set as well.

Mayor Hofstetter questioned if the dock could be re-configured.

Mayor Hofstetter asked if there were any more questions or comments.

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

Councillor Cushman noted that he does not support the width of 7.31 metres. He also wondered how many people would use the dock. Mr. Marshall stated it is busy and that on the average there are usually two adults and 4 kids on the dock.

Councillor MacPhail is also concerned with a precedent being set and indicates a need to verify the proper measurement of the length of the dock as well as the square footage total for the current dock.

Councillor Lumley indicated that the dock was built without coming to the township.

Staff noted that the owners may not have known the by-laws for the docks.

Staff to verify measurements of the existing dock.

The Clerk advised that she would do her best to bring it forward to the next meeting, however given the review required this Zoning By-law Amendment application may not come forward to the October 2, 2019 Regular Meeting of Council.

Mayor Hofstetter then asked the Clerk/Administrator, Beth Morton what letters have been received with respect to the application.

The Clerk/Administrator, Beth Morton advised that the municipality did not have any written comments prior to 4:30 p.m. on September 18, 2019.

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 October 2, 2019 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. 2019-336

Moved by: Paul Sowrey

Seconded by: Margaret Ann MacPhail

Be it resolved that the Council of the Township of Perry does hereby now adjourn from this Public Meeting at 7:32 p.m. in order to recommence the Regular Council Meeting of September 18, 2019.

Carried

Dated this 2nd day of October, 2019.

Original Signed by Norm Hofstetter
Norm Hofstetter, *Mayor*

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