



*The Corporation of the Township of Perry*

**MINUTES**

**PUBLIC MEETING**

**Zoning By-law Amendment**

Part of Lot 26, Concession 10

located at 301 Birchdale Road (Edgewater Park Properties Inc.)

Wednesday, February 17<sup>th</sup>, 2021 – 7:02 p.m.

Council Chambers and Electronic Attendance  
(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  
Beth Morton, Clerk-Administrator  
Kim Seguin, Treasurer-Tax Collector

**Electronic Attendance:**

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

**Members of the Public:**

Savas Varadas – Plan Muskoka, Katy and  
Dave McGregor

**Resolution No. 2021-65**

**Moved by: Jim Cushman**

**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 7:02 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 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. 2021-66**

**Moved by: Paul Sowrey**

**Seconded by: Joe Lumley**

***Be it resolved that*** the Council of the Township of Perry receive the Planning Report prepared by Beth Morton, Clerk-Administrator for proposed Zoning By-law Amendment 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, located at 301 Birchdale Road.

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 outline the purpose of the proposed By-law.

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 March 3<sup>rd</sup>, 2021 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](http://www.townshipofperry.ca) on January 25, 2021; posted at the property; and 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 Clerk/Administrator further explained the purpose of the proposed By-law. The proposed By-law is to rezone the lands from the Multiple Residential – Exception Two (R3-2) Zone to the Multiple Residential – Exception Three (R3-3) Zone to permit a second dwelling on the lot to allow for a new multi-residential building with 6 units; and to allow for a reduced minimum rear yard of 4.0 metres for a septic system and a reduced minimum exterior side-yard of 4.0 metres for a septic system. In all other respects the provisions of Zoning By-law 2014-21 shall apply.

A full report was presented to Council and staff are recommending approval of the application.

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 representative to provide their comments on the proposal.

The representative for the applicant, Mr. Savas Varadas – Plan Muskoka, advised that there is a high demand in the area for rental units, and Edgewater Park Properties Inc. is exploring the addition of 6 rental units at 301 Birchdale Road. The proposed new multi-residential building meets all building requirements and does not impact neighbouring properties. The Ministry of Transportation (MTO) has advised that the property owners are required to obtain a Building and Land Use Permit and are to meet the setback requirements from MTO's right of way. Mr. Varadas was attending the meeting if Council had any questions.

Councillor Sowrey inquired about the bedrooms within the proposed rental units. Mr. Varadas advised the bedrooms are still flexible at this time.

There were no further questions or comments from Council.

No members of the public commented on the proposed zoning by-law amendment.

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

As of 4:30 p.m. today, the Township received comments from The Ministry of Transportation (MTO) that the property owners are required to obtain a Building and Land Use Permit and are to meet the setback requirements from MTO's right of way.

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 March 3<sup>rd</sup>, 2021 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, Mayor Hofstetter declared this public meeting to be concluded and presented the following resolution:

**Resolution No. 2021-67**

**Moved by: Jim Cushman**

**Seconded by: Joe Lumley**

***Be it resolved that*** the Council of the Township of Perry does hereby now adjourn from this Public Meeting at 7:13 p.m. in order to recommence the Regular Meeting of Council of February 17<sup>th</sup>, 2021.

**Carried**

Dated this 3<sup>rd</sup> day of March, 2021.

Originally Signed by Norm Hofstetter  
Norm Hofstetter, Mayor

Originally Signed by Beth Morton  
Beth Morton, Clerk-Administrator