



The Corporation of the Township of Perry

MINUTES
PUBLIC MEETING
Zoning By-law Amendment

Part of Lot 17, Concession 6, Township of Perry
Located on Station Road – vacant land
Wednesday April 19th, 2023 – 7:09 p.m.
Municipal Office 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 Chambers:

Mayor Norm Hofstetter
Councillors: Joe Lumley, Margaret Ann MacPhail, Paul Sowrey, and Jim Cushman
Beth Morton, Clerk-Administrator
Kim Seguin, Treasurer-Tax Collector
Erica Cole, Deputy Clerk

Electronic Attendance:

None

Members of the Public:

None

Resolution No. 2023-125

Moved by: Paul Sowrey

Seconded by: Joe Lumley

Be it resolved that the Council of the Corporation of the Township of Perry does now adjourn from this Regular Meeting at 7:09 p.m. to commence a 'Public Meeting' for a proposed Zoning By-law Amendment for lands legally described as Part of Lot 11, Concession 1, in the Township of Perry, located on Station Road (Schut)

Carried

Resolution No. 2023-126

Moved by: Joe Lumley

Seconded by: Jim Cushman

Be it resolved that the Council of the Corporation of the Township of Perry receives the report prepared by Beth Morton, Clerk-Administrator, for lands legally described as Part of Lot 17, Concession 6, in the Township of Perry, located on Station Road.

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 Part of Lot 17, Concession 6, Township of Perry, located on Station Road (vacant land).

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 May 3rd, 2023, 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 Norm 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 March 28th, 2023; 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 is to rezone a portion of the lands from the Environmental Protection (EP) Zone and Rural (RU) Zone to the Rural Residential (RR) Zone in order to allow for residential uses on the lot. The applicant has submitted an Environmental Protection Zone Delineation Report completed by FRICORP Ecological Services to support the removal of the Environmental Protection (EP) Zone from the lands. 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.

The applicant and/or their agent was not present.

Members of the public in attendance did not make comment.

There were no questions or comments from Council.

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

Clerk-Administrator Beth Morton advised that the following comments have been received in regard to this application.

Lindy Vardy & John Warren, Neighbouring Property Owners:

Dear Clerk-Administrator,

Regarding the mailed notification of March 28, 2023 and the Notice of Application for the proposed Amended Zoning By-Law change for Part of Lot 17, Concession 6, in the Township of Perry, we would be requesting to be availed of copies of the assessment of this proposal by the following Ministries/Crown Corporations:

- The Ministry of Transportation - concern - set back limitations CN/CP - concern - set back limitations*
- The Ministry of The Environment - disturbance of natural environmental ground filter process*
- The Ministries of Oceans and Fisheries - disturbance of potential spawning beds for fish and disturbance of that habitat*
- North Bay Conservation Authority – above mentioned concerns*

The above mentioned concerns were expressed to us when inquiries of a similar nature were made.

Please confirm the receipt of this email,

Regards,

Property Owners and Perry Township Residents, Part Lot 18, Concession 5, Township of Perry, Roll No. 49 14 000 001 55600 0000

John Warren

Lindy Vardy

Ministry of Transportation:

The Ministry of Transportation of Ontario (MTO) has reviewed the ZBA - Township of Perry (Schut), with frontage on Highway 11 S.

The subject lands are located within the Ministry of Transportation's (MTO) permit control area and will be subject for review under the Public Transportation and Highway Improvement Act R.S.O 1990 and may require permits from the MTO. The proponent is encouraged to engage in pre-consultation with the MTO. Developments along the highway are required to undergo a pre-consultation with the MTO in order to assess the feasibility of the proposed development. Pre-consultations can be requested using the [Highway Corridor Management - Online Services](#).

MTO requires detailed information on the proposed development prior to providing formal comments regarding the ZBA.

No other comments have been received. The Clerk-Administrator will follow-up with MTO regarding their comments prior to the presentation of the proposed by-law at the May 3rd, 2023 Council meeting for clarification.

Mayor Hofstetter advised that those wishing to receive the Notice of Decision with respect to the application must make a written request as per previous instruction. He advised that Council will be considering the by-law at the May 3rd, 2023 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 conducted and presented the following resolution:

Resolution No. 2023-127

Moved by: Jim Cushman

Seconded by: Margaret Ann MacPhail

Be it resolved that the Council of the Corporation of the Township of Perry hereby now adjourn from this Public Meeting at 7:18 p.m. in order to recommence the Regular Meeting of Council of April 19th, 2023.

Carried

Dated this 3rd day of May, 2023.

"Originally Signed"

Norm Hofstetter, Mayor

"Originally Signed"

Beth Morton, Clerk-Administrator