



The Corporation of the Township of Perry

MINUTES
PUBLIC MEETING
Zoning By-law Amendment

Part of Lot 30, Concession 10, Township of Perry
Located at 1371 Highway 518 East (Corral)
Wednesday December 20th, 2023 – 7:04 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: Paul Sowrey, Joe Lumley, Jim
Cushman, and Margaret Ann MacPhail
Beth Morton, Clerk-Administrator
Kim Seguin, Treasurer-Tax Collector
Erica Cole, Deputy Clerk

Electronic Attendance:

Rob Greene

Members of the Public:

Jason Corral, Anita Corral

Declaration of Pecuniary Interest

Nil

Resolution No. 2023-320

Moved by: Margaret Ann MacPhail

Seconded by: Jim Cushman

Be it resolved that the Council of the Corporation of the Township of Perry does now adjourn from this Regular Meeting at 7:04 p.m. to commence a 'Public Meeting' for a proposed Zoning By-law Amendment for lands legally described as Part of Lot 30, Concession 10, Township of Perry, located at 1371 Highway 518 East (Corral)

Carried

Resolution No. 2023-321

Moved by: Jim Cushman

Seconded by: Joe Lumley

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 30, Concession 10, Township of Perry, located at 1371 Highway 518 East.

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 30, Concession 10, Township of Perry, located at 1371 Highway 518 East.

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 January 17th, 2024 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 November 27th, 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 purpose of the proposed By-law is to rezone a portion of the lands from the Rural (RU) Zone to the Rural Residential (RR) Zone to bring the severed and retained lands into conformity with the minimum lot size and minimum road frontage within the Zoning By-law. The rezoning is a condition of Consent Application B-092/22 filed with the Southeast Parry Sound District Planning Board. 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 their agent, Mr. Rob Greene of Tulloch, was present. Neither provided comment but were available to answer any questions from Council regarding the question.

There were no members of the public present who wished to 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 were received from the Ministry of Transportation (MTO):

MTO has reviewed the attached zoning by-law amendment application for the lands known locally as **1371 Hwy 518 East**. MTO can confirm that the subject lands are located within MTO's permit control area and is subject for review under the Public Transportation and Highway Improvement Act R.S.O 1990. The MTO supports the proposed rezoning in principle with the following comments to consider:

- No new access to Hwy 518 will be permitted. All access must remain from the existing driveway at 1371 Hwy 518 E
- Subject lands do not meet MTO requirements for pre-severance lot frontage in order to support individual access for both lots. Therefore, both lots must be accessed via a mutual/shared entrance (more information below).
- Must use existing driveway for shared entrance.
- Any future change in ownership of either severed or retained lots must be reflected in an MTO entrance permit. Owners of both lots will be required to apply for an MTO entrance permit.
- Placement of any buildings or structures within 45 meters of the Hwy 518 property line or within 180 meters of the centre-point of the intersection of Hwy 518 E and Old Monteith Road will require an MTO building/land use permit.

Mutual Access:

When common access arrangements are required, a surveyed right-of-way must be established and an easement granted by each lot in favour of the other lot sharing the entrance. This ensures continuous access to both lots served by the mutual entrance. The easements must be shown on the reference plan and the easement rights incorporated into the deeds of both lots involved.

- MTO will require that the draft reference plan be submitted to MTO for review and approval prior to registration.
- MTO will require that the draft deeds of all lots be submitted to MTO for review prior to registration to ensure the legal mutual access rights have been incorporated into the deeds of all involved properties.
- The applicant will be required to obtain an entrance permit, which can be done online at: <https://www.hcms.mto.gov.on.ca/>

All permit applications can be made online at the following link: <https://www.hcms.mto.gov.on.ca/> . Any questions regarding permitting or setbacks can be directed to Anna Long, Corridor Management Officer at anna.long@ontario.ca"

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 January 17th, 2024 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. 2023-322

Moved by: Joe Lumley

Seconded by: Paul Sowrey

Be it resolved that the Council of the Corporation of the Township of Perry hereby now adjourn from this Public Meeting at 7:14 p.m. in order to recommence the Regular Meeting of Council of December 20th, 2023.

Carried

Dated this day 17th of January, 2024.

"Originally Signed"
Norm Hofstetter, Mayor

"Originally Signed"
Beth Morton, Clerk-Administrator