

CORPORATION OF THE TOWNSHIP OF McNAB/BRAESIDE
January 6, 2015
PUBLIC MEETING UNDER THE PLANNING ACT

A Public Meeting under the Planning Act was held at 6:30 p.m. to consider a proposed amendment to the Zoning By-Law for the Township of McNab/Braeside in accordance with the provisions of Section 34 of the Planning Act, 1990.

All members of Council were in attendance for the meeting this evening.

Staff in Attendance: Lindsey Parkes, CAO/Clerk (A)
Angela Young, Executive Assistant
Bruce Howarth, Township Planner

Media in attendance: Derek Dunn, Metroland Media
Peter DeWolf, MyFm

Members were asked to state any pecuniary interest and the general nature thereof before the item is discussed. No disclosures of pecuniary interest were declared at this time. Deputy Mayor Armsden Chaired the Public Meeting this evening.

Deputy Mayor Armsden stated that this is a Public Meeting held by Council under Section 34 of The Planning Act, 1990 and is declared open and further advised this Public Meeting is to consider an amendment to the Township of McNab/Braeside Zoning By-Law 2010-49.

The public meeting is a requirement of the Planning Act. In accordance with the Planning Act, notice must be given at least 20 days before the public meeting is held. Deputy Mayor Armsden requested that the Clerk confirm the date the notice was circulated and calculate that we had the required 20 days notice.

The Clerk advised the Notice was published in the Arnprior and Renfrew Local Newspapers on December 18, 2014. The Notice was mailed to the agencies as required under the Planning Act. The Notice and a copy of the draft by-law was also published on the Township website on December 17, 2014 and on the website calendar.

Deputy Mayor Armsden stated that the 20 day notice having been given, declared the meeting properly constituted to transact its business.

Any person wishing to receive written notice of the Adoption of the Amendment being considered at this meeting must leave their name and mailing address with the Township Clerk by writing their name and address on the list posted at the back of the hall.

As required by Section 34 (14.5) of the Planning Act, Council is required to inform the public of who is entitled to appeal to the Ontario Municipal Board, under Sections 34(11) and (19):

Deputy Mayor Armsden stated as follows:

Under Section 34(11) - If Council decides to refuse an application or refuses or neglects to make a decision on an application within 120 days of the municipal clerk receiving the application, the applicant or the Minister of Municipal Affairs and Housing, may appeal to the Ontario Municipal Board by filing an appeal with the clerk of the municipality.

Section 34(19) – Not later than 20 days after the giving of notice of passing of the by-law, the applicant, any person or public body who made oral submissions at the public meeting or made a written submission to Council, before the by-law was passed or the Minister of Municipal Affairs and Housing, may appeal to the Ontario Municipal Board by filing an appeal with the clerk of the municipality.

Deputy Mayor Armsden requested the Clerk Give a Description of the Proposed Amendment.

The Clerk advised the effect of this amendment is to rezone a 150 metre strip of land from Extractive Industrial (EM) to Extractive Industrial Reserve (EMR) to not allow aggregate extraction. The purpose of the amendment is to implement a 300 metre setback for aggregate extraction from the property line of the abutting residential properties on Golf Club Road. The lands affected by the amendment are Part of Lots 16 and 17, Concession A.

Additional information regarding the Zoning By-law amendment was available for inspection at the Township of McNab/Braeside Municipal Office during regular office hours.

Deputy Mayor Armsden inquired if members of the Public wished to speak in favour of the amendment, which there were none.

Deputy Mayor Armsden inquired if any members of Public wished to speak in favour of the amendment two more times, no requests were received.

Deputy Mayor Armsden inquired if members of the Public wished to speak in opposition of the amendment.

Mr. John Ewart, Solicitor for Miller Paving spoke in opposition to the amendment, Mr. Ewart cited the reasons for such as outlined in his correspondence dated December 24, 2014 and submitted to the CAO/Clerk for inclusion in the public meeting comments for this evening.

Mr. Randy Whyte commented that he would like to see a larger buffer zone in order to protect the wildlife, alvar and wetlands or the area rezoned to EP so that the zoning could not be changed back to extractive in the future.

No other members of the public spoke in opposition or commented on the proposed amendment upon two more inquiries from Deputy Mayor Armsden.

Deputy Mayor Armsden inquired if Council Members had any questions or concerns at this point which there were none.

Deputy Mayor Armsden inquired if there were any written comments received.

The Clerk read comments received from the Ministry of Natural Resources and Forestry advising they will provide more detailed comments and/or conditions after a more through review.

The Clerk read comments received from Hydro One Distribution advised they have no comments or concerns, however will provide more detailed comments and/or conditions after a more through review.

The Clerk read comments received from Ewart/O'Dwyer, Solicitors for Miller Paving, advising that they are submitting a letter of objection with respect to the proposed by-law amendment. Mr. Ewart stated that the proposed by-law is not consistent the PPS regarding the protection of the long term supply of aggregate resources. The correspondence further stated that the proposed by-law does not have the benefit or scrutiny of professional planning and environmental review and the proposed by-law is not in keeping the intent and policies of the Township Official Plan. In conclusion Mr. Ewart stated that it is their position that since Zoning By-Law No 2013-31 for the Township of McNab/Braeside is currently pending a hearing before the OMB, any further amendments to the Comprehensive Zoning By-Law 2010-49 as amended by By-Law 2013-31 is ultra-vires and an attempt to by-pass the jurisdiction of the OMB.

The Clerk advised there was no other correspondence received either to object or to support the proposed application.

Deputy Mayor Armsden advised the Public meeting process in now completed. Council will give careful consideration to the arguments for/and or against the zoning amendment requested for this property. The By-Law will be brought forward to the Regular meeting of Council this evening for consideration of passing. The Public meeting was declared closed.

Deputy Mayor Armsden thanked everyone for their attendance.

The meeting adjourned at 6:45 p.m.

MAYOR

CAO/CLERK