



**MINUTES**

**Public Meeting Under the Planning Act  
Tuesday, June 18, 2024  
Council Chambers 5:30 p.m.**

**COUNCIL PRESENT:** All members of Council were in attendance this evening.

**STAFF PRESENT:** Lindsey Lee, CAO/Clerk  
Angela Young, Deputy Clerk  
Christina Mulcahey, Administrative Assistant  
Anne McVean, County Planner  
Rajat Ali, County Planner

**MEDIA PRESENT:** Nil.

**1. Call to Order and Roll Call**

A Public Meeting under the Planning Act was held at 5:30 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 and 36 of the Planning Act, 1990.

**Acknowledgement**

Deputy Mayor Hoddinott stated We acknowledge that we are on the unceded territory of the Algonquin Anishinaabe people and that we are grateful to have the opportunity to be present in this territory

**2. Declare Meeting Open**

Deputy Mayor Hoddinott stated that this is a Public Meeting held by Council under Section 34 and 36 of The Planning Act, 1990 and is declared open.

**3. Disclosure of Pecuniary Interest and the General Nature Thereof**

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.

**4. Applicant**

- 4.1 1000353913 Ontario Inc. (David Draper) - Owner  
Brian Whitehead, Jp2g Consultants Inc. - Agent  
Part Lot 9, Concession B(13), Usborne Street

**5. Information Circulated**

- 5.1 - Notice of Application and Public Meeting
- Zoning Sketch
- County of Renfrew Planning Report
- Draft By-Law
- Revised Draft By-Law

**6. Clerks Notice of Circulation in accordance with the Requirements of the Planning Act**

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 Hoddinott requested that the Clerk confirm the date the notice was circulated and calculate that we had the required 20 days notice.

The Deputy Clerk advised the notice was circulated to all property owners within 120m of the subject property on May 21, 2024. The Notice was sent to the agencies as required under the Planning Act. The Notice was also published on the Township website, Calendar, and Bulletin Board on May 22, 2024 and posted at the property site by the Agent for the property owners on May 15, 2024 and verified by the Township Chief Building Official.

Deputy Mayor Hoddinott 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 approval or refusal of the amendment being considered at this meeting must leave their name and mailing address with the Township Clerk by leaving their contact information on the sheet located on the podium in Chambers.

Deputy Mayor Hoddinott stated that 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 Land Tribunal, under Sections 34(11) and (19):

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 Land Tribunal 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 Land Tribunal by filing an appeal with the clerk of the municipality.

**7. Clerks Reading of the Notice**

Deputy Mayor Hoddinott requested the Clerk give a description and location of the Proposed Amendment.

The Deputy Clerk read that the subject lands are Part of Lot 9, Concession 13(B), geographic Village of Braeside, in the Township of McNab/Braeside, located on Osborne Street. The Notice further stated that the public meeting is to inform the public of the proposed zoning amendment to be held on Tuesday June 18th, 2024 at 5:30 p.m. at the Township's Municipal Office.

The purpose of this application is to rezone 2.418 hectares of a vacant 6.27 hectare property which area proposed to be severed into three new residential building lots. The effect of the amendment is to rezone the proposed severed lots from General Industrial-Exception One-holding (GM-E1-h) to Rural-Exception Forty-Eight (RU-E48) to:

- 1) remove the holding (-h) zone;
- 2) implement a reduced minimum separation of future dwellings from the Extractive Industrial Reserve (EMR) Zone, Extractive Industrial (EM) Zone or gravel pit from 150 metres to 86 metres (includes the 60 metre rear yard setback and the 26 metre wide Algonquin Trail); and
- 3) to increase the minimum rear yard setback of future dwellings from the rear lot lines, from 7.5 metres to 60 metres.

All other provisions of the Zoning By-law will apply.

This zoning is required as a condition of approval of consent applications B155/23(1), B156/23(2) and B157/23(3).

The Deputy Clerk further advised additional information was received from the County Planning Department requiring an additional setback from the RUE48 zone which is reflected is the revised draft by-law attached with the meeting information package.

The notice was dated May 27th, 2024, and signed by Deputy Clerk, Angela Young. Additional information regarding the Zoning amendment was available for inspection upon request during regular office hours.

## **8. Correspondence/Comments Received**

- Agencies
- Planning Department
- Others

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

The CAO/Clerk advised that written comments were received as follows:

836457 Ontario Inc. – Ed Carron stating of his obligation to protect his properties current and future commercial activities that are permitted at 454 River Road (Lakeview Sand and Gravel 836457 Ontario Inc.). Mr. Carron cited the separation distances being and issues and PPS legislation that he indicates that 836457 Ontario Inc. are voicing their 100% opposition to changes or any alteration of the 150 meter buffer zone. Mr. Carron indicated that consideration could be given if all persons occupying any lands that

encompass the 150 metre buffer zone be made aware of that they openly accept a 150 m buffer zone and in no way will hamper, impeded or restrict any actives that is part of the daily operations at 454 River Road as provided for in the PPS . This correspondence was circulated to the County of Renfrew Planning Department and the Agent for the applicant.

Building Department - no comments or concerns.

Building Department (Septic) - no comments or concerns.

Director of Public Works – Township of McNab/Braeside - no comments or concerns.

Enbridge Gas – Does not object to the proposed application, however, reserve the right to amend their development conditions.

Bell Canada – Will provide a response should any comments/input be required on the information included in the circulation received.

County of Renfrew – May 24, 2024 - The severed residential lots will be impacted by Section 3.22 (a) (ii) of the Zoning By-Law requiring a 60 m separation for dwellings from any industrial or industrial-holding zone. Their office is prepared to allow a 0 meter setback and would apply on both side of the severed lots (RU-E48 zone). The County Planning Department submitted the revised amendment and subsequent notices for the public meeting this evening.

County of Renfrew Planning Department Comments and recommendations were circulated with the meeting package.

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

Deputy Mayor Hoddinott inquired if Ms. McVean wished to speak to the amendment. Ms. McVean gave a brief overview of the application and advised the zoning is required as a condition of concurrent severance applications that have received conditional approval to permit the creation of three new residential lots by severance. The County planning report submitted with the meeting documents outlined no concerns from the planning department and that this application is supported by staff.

## **9. Questions/Comments**

- Members of the Public
- Applicant/Agent
- Members of Council

Deputy Mayor Hoddinott inquired if any members of the public wished to speak to the amendment, which there were none.

Deputy Mayor Hoddinott inquired if Council Members had any questions at this time.

In response to council members questions, Ms. McVean advised that with regards to the separation distance the PPS identifies a 300m buffer as the area of impact for an aggregate operation. The Official Plan permits the separation distances to be reduced provided they are justified through an aggregate impact assessment and that report was provided by the consultant, based on the assessment it was recommend that the distance could be reduced. The trail also provides some separation buffer, it is proposed that increased rear yard setbacks forces the houses to be closer to Usborne Street and further away from the rear of the property which increases the separation distance, there is also existing tree cover at the back of the proposed lots, which also provides a buffer. Council members inquired as to comments received from the Town of Arnprior regarding the setback from the Arnprior landfill and concerns regarding the potable water. Ms. McVean advised that there may the potential to put a statement registered on the title of the proposed lots would let a purchaser know that there is an operational pit in close proximity, and that there could be a potential impact.

Upon further inquiry from Council, Ms. McVean advised that she was unsure as to if an indemnity clause could be stated as a caution on the land. In response to council members inquiry, Ms. McVean confirmed that the aggregate is mostly sand, and any noise and vibration would be from typical pit machinery not from blasting as per the aggregate assessment as submitted. Council questioned if the buffer zone is designed to be both ways (impact on the development from the aggregate operation and impact of the aggregate site on from the development)? Ms. McVean stated that it is reciprocal, if a new dwelling is proposed in relation to an existing aggregate operation, it must ensure that its not going to further hinder the ability for the operation to continue or expand. If a new aggregate is expanding, then it cannot impact existing residential dwellings. Council again, asked about the potable water both now and in the future and the landfill site proximity to the development site. Ms. McVean advised that as part of the severance application a hydrogeology report was submitted, and the report was positive and identified that there is quality and quantity of potable water to support those three lots and there was no nitrate impact.

Chair Hoddinott inquired as to if the committee would like a caution to be put on the property at a minimum. Council can consider this at the Council meeting later this evening. Ms. McVean advised that the applicant has provided everything that is required to support the application.

Ms. McVean stated that she wanted to make Council aware that with the passing of Bill 185 the appeal rights of the general public have changed and that they can no longer appeal Zoning By-Law amendments.

Deputy Mayor Hoddinott inquired if the owner or agent wished to speak to the amendment. The Agent for the applicant Ms. Janine Cik from Jp2g Consultants Inc. was in attendance. Ms. Cik advised that she has nothing further to add to Ms. McVean's overview and assessment of the application this evening, however, was happy to answer any questions that council may have.

**10. Further Information Requests List**

Members of the public were requested to submit their name and contact information to the Clerk either on the sign in sheet on the podium or by e-mail should they wish to be notified with regards to the application.

**11. Adjournment**

Deputy Mayor Hoddinott advised that the Public Meeting process is now completed. Council will give careful consideration to the arguments for/and or against the zoning amendment. The By-law will be brought forward to regular meeting of council later in the evening for consideration of passing.

Should the by-law be passed a notice of passing will then be circulated as required under the planning act and there would be a 20 day appeal period after the notice of passing is sent out.

Deputy Mayor Hoddinott thanked everyone for their attendance.

The Public meeting was declared closed.

The meeting adjourned at 5:57 p.m.

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DEPUTY MAYOR

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CAO/CLERK