



**PUBLIC MEETING
ZONING BY-LAW AMENDMENT
MINUTES**

**Tuesday, June 8th, 2021
5:30 p.m.
GoToMeeting**

ATTENDANCE:

Members Present: Chair, Reeve Brian Campbell
Deputy Reeve Barrie Crampton
Councillor Rob Rainer
Councillor Fred Dobbie
Councillor Beverley Phillips
Councillor RoxAnne Darling
Councillor Mick Wicklum
Councillor Gene Richardson (arrived at 5:38 p.m. and
left at 6:05 p.m.)

Staff Present: Amanda Mabo, Acting Chief Administrative Officer/Clerk
Janie Laidlaw, Deputy Clerk
Noelle Reeve, Planner

Public Present: Fred Barrett
Kenneth Klein
Matthew Bradbury
Keven Mason
Frank Johnson
Andrew Kendrick
Greg Hull
Alex Bushall
Karen Prytula
Lynn Tarzwell

1. CALL TO ORDER

The public meeting was called to order at 5:30 p.m.

2. INTRODUCTION

The Chairman overviewed the Teleconference Participation Etiquette that was outlined in the Agenda.

The Chairman provided an overview of the Zoning By-Law application review process to be followed, including:

- the purpose of the meeting
- the process of the meeting
- all persons attending were encouraged to make comments in order to preserve their right to comment should the application(s) be referred to the Ontario Land Tribunal (OLT)
- the flow and timing of documentation and the process that follows this meeting
- any person wanting a copy of the decision regarding the applications on the agenda was advised to email planningassistant@tayvalleytwp.ca

The Chairman asked if anyone had any questions regarding the meeting and the process to be followed. Given that there were no questions, the meeting proceeded.

3. APPLICATIONS

i) **FILE #ZA21-10 Holding Zone Amendment Maberly Pines Subdivision.**

Councillor Gene Richardson arrived at 5:38 p.m.

a) **PLANNER FILE REVIEW & PROPOSED BY-LAW**

The Planner reviewed a PowerPoint presentation that was attached to the agenda, the PowerPoint presented at the meeting included a revised slide with the comments received from the public – *attached, page 8.*

b) **PUBLIC COMMENTS**

Fred Barrett

- did not feel he had enough information at first, but the presentation clarified things, wondered about how the study would be paid for, needs more information on that
- his well is 230' and has never run out of water
- did look at the study from 1979, does agree that the study needs to be done for each lot

Councillor Richardson left at 6:05 p.m.

Kenneth Klein

- his land is very rocky
- objecting to the holding zone, feels the cart is before the horse
- Council is putting a hold on something for a short time but feels it will take a long time with all the red tape

- one reason to do the study was to avoid a bad reputation of the Township but there is no evidence that there is a bad reputation
- the cost is high to do the study and will take a long time, as an owner, will have delays to develop and two of lots in the subdivision have good wells with no issues over many years
- purchased the lot for off-grid construction and will bring in drinking water
- if the wells will be drilled through rock, the cost does not seem worth it
- is already paying for insurance on the road and feels the Township should look at upgrading the roads
- would like the real costs and a real time frame, where the existing homes in the subdivision are included and with road improvements

Matthew Bradbury

- is a licenced contractor, believes the septic permit process assesses and handles these issues, therefore, should not have to pay extra for that information
- agrees with K. Klein worried about getting access, do not put the cart before the horse
- just bought property and have done drawings and ordered material, now concerned he may not be able to build
- have a wife and kids, staying with family and concerned they will now have to rent until they can build
- need proper access to properties before a holding zone
- agree with making a healthy place

Kevin Mason

- were provided the pricing for option 1, what is the pricing for the other options
- is against the holding zone, with all the red tape it will be years
- nothing has progressed on the roads
- each building permit would have a site plan for the well and septic setback
- has two properties, costs will be unbearable
- all for the study but not the hold

Planner

- does not have quoted costs for the other option, but if you take the drilling of the 6 wells out, it will leave about \$30,000 for a review of the 1979 report and to review the placement of wells and septic's
- explained that when the Township has had interim control by-laws which is similar to holding zones before which took less than 1 year to lift the by-law, being a smaller municipality we can work faster on some issues compared to large cities
- the Township wants to see development
- the septic permit only looks at the effluent that is released from your house and a hydrogeological looks at what happens under the

ground with water flow and what goes on across the whole subdivision

- that 2 wells in the subdivision have been good, does not mean all will be
- the new Tayside Estates subdivision has different requirements for wells across the subdivision of only 25 lots due to differences in hydrogeological capacity

Deputy Reeve Crampton

- has concerns and clarified that the recommendation is to place the holding only on the vacant lots
- the Planner explained that 43 of the 51 lots are vacant, some have houses and some just have an accessory building and there are two with Building Permit applications in now

Kevin Mason

- has not submitted a permit application yet, they received the notice about the holding zone before they could submit the application
- feels the time will be longer due to Covid and everything will be bottlenecked

Councillor Darling

- if a Building Permit is submitted is the land then not considered vacant?

The Planner clarified that for the purpose of the holding zone, it cannot be put on retroactively, so if a permit was issued, that lot was not counted as one of the vacant lots. Building Permits are not usually rejected, and they are approved once any issues are addressed, therefore, the two lots with applications in were not counted as vacant

Deputy Reeve Crampton

- do the two members of the public that spoke come under this holding zone?
- the Planner explained that the 2 members of the public that spoke have not submitted applications yet, the two applications that have received permits are not on the line since they have their permits already

Frank Johnson

- representing the Little Silver and rainbow Lakes Property Owners Association
- supports applying the current standards and if that requires a holding zone then they support a holding zone
- the development area lies within the watershed of Rainbow and Little Silver Lakes
- the Annual General Meeting of the Lake Association is coming up and there may be other questions after that meeting

Kenneth Klein

- to follow up on the quote of \$90,000 for drilling the wells, some wells are depth of over 200', should get a price on drilling those well depths
- has not put an application in and was not going to drill a well
- would like to see actual time frames and costs

Andrew Kendrick

- the lack of a hydrogeological study has raised red flags for Rainbow and Little Silver Lakes as they share the watershed and aquifer and there is concern about the water quality for adequate development; would the development compromise their water?
- concern is for water supply and water quality
- would the scope of the study deal with the whole watershed or just the immediate location of the Maberly Pines Subdivision
- the costs are a concern, feels 6, 200' wells would cost more than \$90,000

Greg Hull

- bought lot four years ago for a place to be alone
- if the Township is worried about bringing in development why change it all of a sudden
- concerned with paying for the hydrogeological study
- option #4 is what the rest of the Township does

The Planner explained that the Township is dealing with development pressures and were surprised about the inquiries within the subdivision and now are trying to respond to that pressure, if Council puts on the holding zone, then Council will discuss how to finance the study. The Planner confirmed that option 4 is done for one vacant lot as opposed to 43 lots in the same area.

Alex Bushall

- the Planner did a good job explaining it
- the comments tonight are for a traditional development, why should people who have purchased their lot to do small non-traditional type of development have to pay for the study
- interested in tiny house
- looking at grey water system and composting toilet
- a lot of these people will not be able to afford these studies

The Planner said putting restrictions in the Site Plan Control Agreement to limit sewage disposal to incinerating toilets and placing extra storage requirements or cisterns could be done.

Karen Prytula

- asked about the developed lots, map shows 6, thinks there are only 5
- there is no site plan layout for this subdivision and she notified the Township of that in 1997, did the Township overlook it, if so the owners should not have to pay for it, when she developed she had to

separate the well and septic on her lot, based on the rules then, there were no concerns at that time from the Township or from the Conservation Authority

- her well is 220' deep and has always been good, clear and cold water, drilling at that time cost less than \$300
- would like to see the 1979 report that was done
- the Township already has a reputation where it is difficult to build and have been told by many that there is a lot of hoops to go through

The Planner said the 1979 report is on the website and the Township's reputation has improved to the point where it has approved 4 times the number of permanent dwellings this year compared to the 3 year average.

Phil Mosher & Clair Milloy – Rideau Valley Conservation Authority

- Phil Mosher asked Clair Milloy recapped what was heard
- there are concerns about if the development will impact more that just the lands in the subdivision and will the hydrogeological study take them into account
- the hydrogeological study was asked for by the Rideau Valley Conservation Authority and the Rideau Valley Conservation Authority will look into whether the hydrogeological study will consider the lake capacity impact on the two lakes

Lynn Tarzwell

- the Little Silver and Rainbow Lakes Association is concerned about the watershed and preserving it
- this may be frustrating for those wanting to build, but feels the cart is before the horse if you build before knowing what the impact will be

Kevin Mason

- will the developed lots pay for the study?
- Council will decide after the holding zone is on, how the study will be financed, is concerned because he has two lots
- what happens if study goes forward, and shows that there is not enough water for all of the lots

The Planner did not want to speculate before having the information, it would be a complex decision-making process at that point.

Matthew Bradbury

- asked if Building Permits were being accepted and being issued
- the Planner explained that they are, as the holding zone does not come into affect until Council passes the By-Law

Councillor Darling

- is the copy of the subdivision agreement on the website?
- the properties are zoned residential?

- could an option be to amend the current subdivision agreement to be more site specific, as most in the subdivision seem to want to do non-traditional development
- most lots are under an acre

The Planner explained that Council can amend a Holding Zone through a Minor Variance, so that it can be lifted and apply to certain parts of it. The Developer of this subdivision has passed away, so not sure who the agreement would be amended to. If some or many lot owners want small homes and non-traditional septic systems, etc, it might be the saving grace. The lots are under 1ha (2 acres) and this could be a legislated requirement for specific zoning for this subdivision.

Councillor Darling

- can the municipally impose restrictions on these lots, a lot of the lots are too small to meet the current setbacks, regardless what the hydrogeological study says, what are the legal rights of the Township and is there flexibility to not sterilize any of the lots

The Planner indicated that these are the options that can be explored once the holding zone is in place and development is temporarily halted.

The Reeve asked if Councillor Darling could send the rest of the questions to the Planner and all of Council can receive the answers.

Councillor Wicklum

- feels the item deserves a Committee of the Whole meeting, he also has a lot of questions that need more than 10 minutes at the next meeting to discuss and the public should hear them
- the Reeve explained that the next meeting is on June 22 and for Councillor Wicklum to send his questions to the Planner so she is not caught off guard at the meeting and can get the answers prepared, they will be discussed at the June 22 meeting and the public can hear them

Craig Shackelton

- cost prohibited and wants a tiny home option and should not throw a huge price at homeowners

Councillor Dobbie

- asked if a quote for the six wells could be provided at the next meeting and can the wells be drilled strategically so that they could be used as a back up well if there is low water quantity, similar to the dry hydrants the Fire Department has

Councillor Darling

- the wells in the Tayside Subdivision cannot be any deeper than 300 feet, wondered what the reason was

Clair Milloy

The Conservation Authority explained that typically the well depths are limited to what the test well depths were as there is no way of knowing what the water was like below that.

The Planner also explained that in that subdivision one part of it has restrictions on the number of bedrooms the house can have, due to the soil type and the effect on the septic system.

Reeve Campbell

- can the test wells be drilled on the vacant lots and can the owner use them and pay for them

The Planner explained that permission would be required to drill a well on someone's lot and how the wells are being paid for is part of the discussion, applying the holding zone will allow Council to have those discussions without more Building Permits being issued.

c) NEXT STEPS

That any questions be submitted to the Planner by email, so the answers can be provided at the June 22nd meeting.

That the proposed amendments to Zoning By-Law No. 02-021 be moved forward to the July 22nd Council meeting.

4. ADJOURNMENT

The public meeting adjourned at 7:01 p.m.


Brian Campbell, Reeve


Janie Laidlaw, Deputy Clerk

Holding Zone - Maberly Pines Subdivision

Public Comment

- By the afternoon of Tuesday June 8, 2021, the Planner had received:
 - 2 requests to speak - Karen Prytula, Fred Barrett;
 - 1 comment in favour of protecting the water table;
 - 3 inquiries about the implications of the Holding Zone. All parties supported protecting the well water quality. All also supported the Township setting a levy (suggested at less than \$3,000 on each lot to bring the roads up and assume them);
 - 1 request to be notified of the decision;
 - 1 comment against the holding zone because they didn't want restrictions on building permits, they wanted the roads brought up to Township standards to be assumed so development could actually happen.