



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

Tuesday, October 10, 2023

5:30 p.m.

**Tay Valley Municipal Office – 217 Harper Road, Perth, Ontario
Council Chambers**

ATTENDANCE:

Members Present: Chair, Councillor Greg Hallam
Councillor Wayne Baker
Councillor Korrine Jordan
Councillor Andrew Kendrick
Councillor Angela Pierman
Councillor Marilyn Thomas (arrived at 5:52 p.m.)

Staff Present: Amanda Mabo, Chief Administrative Officer/Clerk
Aaron Watt, Deputy Clerk
Noelle Reeve, Planner
Sean Ervin, Public Works Manager
Ashley Liznick, Treasurer

Public Present: Donna Brown
D. Campbell
Doug Campbell

1. CALL TO ORDER

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

2. INTRODUCTION

The Chair 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 Chair 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 #ZA23-07: Calvin Brook and Patricia McCarney
506 Cherie Hill Lane
Concession 6, Part Lot 3,
Geographic Township of North Burgess**

- a) PLANNER FILE REVIEW & PROPOSED BY-LAW

The Planner reviewed the PowerPoint Presentation that was attached to the agenda.

A letter of concern was received today, signed by four (4) Adam Lake residents stating that they do not oppose development on Adam Lake, but are opposed to the zoning change. The 30 meter setback for septic systems was introduced by Council in 2021 to relieve pressure on the lake. At this point in time the residents see no reason to allow changes as aquatic vegetation has increased. More time is needed to allow the lake to recover. This particular property is very low lying as well as surrounded by water on two sides and bisected by a right of way. Any development would by location have negative implications on the lake. The 30 meter setback should be adhered to.

A Member asked how a shoreline buffer is confirmed to be maintained.

The Planner explained that a Site Plan Control Agreement is used to ensure maintenance of the shoreline - applicants provide drawings, and this document is registered on title. Once registered on title, the requirements can be enforced as a legal document.

A Member questioned if the application is for a new build.

The Planner explained that it is a new build except for the stone pillars already in place. The pillars were installed, under a building permit at the time, approximately twenty (20) years ago. The former North Burgess Township regulations at the time allowed the set back as 15 meters.

A Member confirmed with the Planner that the property has easements that are the sole means of access to neighbouring properties.

b) APPLICANT COMMENTS

None.

c) PUBLIC COMMENTS

Doug Campbell lives on Cherie Hill Lane

- have some questions
- thinks the property owner will need an industrial sized septic system if everything is being pushed back up the hill
- it will also have to be buried under the right-of-way
- would then leave the pump chamber below the hill and would need to be flood proofed
- what is the required maintenance on the system?
- why at this point not pushing back to meet the required set back?

Councillor Marilyn Thomas arrived at 5:52 p.m.

Planner

- owner consulted with the septic system office and it is permitted to be placed on the hill
- the system would have to have an inspection once a year as it is a special system
- because of the nature of the property being a peninsula, moving back from one side would push the development closer to the water on the other side. The proposal in front of the public tonight maximizes the setback on the property from the lake
- this is a lot of record and has the right to be developed but can seek relief through a zoning amendment

Donna Brown

- if going to push the waste for the septic to the top of the steep granite rock hill, what is going to happen to the right of way
- they will be blocking the right of way when the system is being dug
- cannot understand why permitting a building within the water setback
- the development can be pushed back to the top of the hill
- going to create more runoff because the property is below the water level and does not want her property to flood as it is lower than the neighbours

Planner

- the applications are not allowed to block the right of way
- the applicant will need to work with the neighbours about timing in order to not block access
- normally do not permit within water setbacks but this lot has the constraints of water on both sides and in this case pushing the dwelling back on one side would not make it better for the lake on the other side

- the development cannot go on the top of the hill due to the Hydro easement, the right of way and the proposal attempted to achieve the best setback for the lake given the constraints for the lot
- the eavestroughs will drain into French drains in the ground to direct runoff away from the lake
- could include a site lot grading and drainage plan as a condition of the Site Plan Control Agreement

d) RECOMMENDATION

That the proposed amendments to Zoning By-Law No. 02-121 be approved.

4. ADJOURNMENT

The public meeting adjourned at 6:01 p.m.


Chairperson


Deputy Clerk