



**CORPORATION OF THE
MUNICIPALITY OF NORTH GRENVILLE**

DRAFT MINUTES

Special Committee of the Whole No. 15

**Wednesday, November 13, 2019, 6:39 p.m.
Held in Council Chambers, 285 County Road 44**

PRESENT	Mayor Nancy Peckford Deputy Mayor Jim McManaman Councillor John Barclay Councillor Doreen O'Sullivan Councillor Kristin Strackerjan
Staff Present	Cahl Pominville, Director of Corporate Services/Clerk Phil Gerrard, Director of Planning & Development David Nanton, Planner

A. APPROVAL OF AGENDA

SPCW-2019-032

Moved by	Doreen O'Sullivan
Seconded by	Kristin Strackerjan

That the Special Committee of the Whole Meeting agenda of November 13, 2019, be approved.

CARRIED

B. DISCLOSURE OF INTEREST

None

C. PUBLIC MEETING

1. Zoning By-Law Amendment Application ZBA-11-19, Draft Plan of Subdivision and Official Plan Amendment (Peltons Corners Subdivision Phase II)

Mayor Peckford opened the public meeting at 6:43 p.m. to consider a zoning by-law amendment, draft plan of subdivision and Official Plan application for the lands described as Part of Lot 7 and 8, Concession 4, Geographic Township of South Gower, now the Municipality of North Grenville to amend the zoning of the property from Rural (RU) to Rural Residential Special Exception Zone (RR-XX) to accommodate the proposed rural residential subdivision.

Planner David Nanton provided the following information to the Committee: background of the file, notice of the meeting and the date notice was given, purpose of the application, presentation of written submissions, overview of the site and surrounding land uses, and review of the North Grenville and County Official Plan policies and Zoning By-Law requirements. Staff recommends approval of the zoning amendment application.

Questions of the Public

Steve Pentz, Novatech Consulting, on behalf of the applicant, Westerra
- Here tonight to answer questions of Council and the public

Graham Buck, 904 Pelton Rd.

- Is this the last phase? The rural area is becoming busy.

Ed deVries, 716 Pelton Rd.

- Was there an environmental assessment done?
- The Morey report makes no mention of climate change.
- There are wetlands near the site. If it overflows it will drain south.
- Is the drainage pond designed for the second phase?
- Why is the proposal going from 60 to 50 foot frontage?
- The report data used is from 2000. Why isn't more current data used?

Pauline Lafleur, 805 Pelton Rd.

- Has many concerns.
- Bought land a number of years ago. It is becoming more like an urban area. It does not fit the character of the area.
- Concerned about water quality.
- Concerned about other pollution including light pollution.
- The original plan was to be few lots but now there are many lots.
- These are a character change to the area.

Robert Noseworthy, applicant and Steve Pentz, Novatech Consulting

- There is an increase in future development. There is no Phase 3 or 4. There is no plan to extend further.
- Environmental Impact Statement (EIS) was provided to the Planning Department. It is a public report that can be provided at the Municipal Centre. The Environmental Site Assessment (ESA) looks at contamination on the site. It is mandatory for all applications. It was done for Phase 1 but included all of the lands owned by Westerra which includes Phase 2.
- Mayor Peckford asked how you measure environmental impact when it wasn't built. Steve Pentz advised that an ESA can be completed without development. An EIS study was done specifically for Phase 2. Highlights of the report was provided. We anticipate a tree conservation plan. It is the same requirements for both phases.
- Deputy Mayor McManaman asked if there could be future development on surrounding lands. Phil Gerrard advised that the current Official Plan does not support rural development. This land had pre-approval on the previous Official Plan. Someone could file for an amendment on the neighbouring lands but it would be difficult to receive.
- Steve Pentz advised that as part of the application, a stormwater management plan was provided. The stormwater pond will be enlarged to accommodate Phase 2.
- Steve Pentz advised that he modelled the size of the plan to include Phase 2. These are large lots of approximately 1.7 acres. Stormwater will be partially managed by the lot itself. These lots are larger than in Phase 1.
- The Morey Report looked to quality and quantity of water. A peer review was also done. Comments were provided and amendments made to address them. This will become a draft condition of approval. We are confident that it has been responsible planning.
- Steve Pentz advised that we don't look at climate change specifically. We include these in our water and drainage reports.
- Councillor Barclay asked what data you use to determine the size of the storm water pond. Steve Pentz advised that it is expected to manage with quality. The quantity of water is in the engineer's report which is reviewed by the Conservation Authority. The County also reviews. The responsibility is on the developer's consultant.
- Deputy Mayor McManaman asked if there was any flooding in Phase 1. Robert Noseworthy advised that there have been no flooding issues to date. The houses are raised to address potential flooding. The pond expansion is East of Block 21. Block 21 is a walking path.
- The reduction of 60 foot to 50 foot frontage is the same as the frontage in Phase 1.
- Robert Noseworthy advised that there is a dark sky policy in North Grenville to ensure that lighting aims down, not up. There has to be lighting to address safety standards.
- Mayor Peckford asked if there were conditions in Phase 1. Robert Noseworthy noted that there was. There was cash paid in lieu of parkland. It will be part of plan of subdivision. The Fire Department is considering the pond as a water source. As the water is deep, the pond is fenced.
- Mayor Peckford noted that they are large lots. There is no park in Phase 1. Phil Gerrard advised that the Municipality took cash in lieu of parkland. It is up to Council on Phase 2.

- Councillor O’Sullivan asked if there are any plans for secondary dwellings. Robert Noseworthy advised that there was one secondary dwelling in Phase 1 at the request of the owners of the house. There are no plans for semi-detached as these are country setting lots.
- Councillor O’Sullivan asked if there is a tree conservation plan and who identifies the trees. Robert Noseworthy advised that it is mandated that butternut trees be protected. We want to retain as many trees as possible but some have to be removed so there are no ponding issues.
- Councillor O’Sullivan asked if there are walkways. Robert Noseworthy advised that Lot 21 is a pathway. A road connects to Phase 1.
- Robert Noseworthy advised that geothermal heat pumps are not allowed in North Grenville.
- Councillor Barclay asked for the rationale to have only 8 additional lots. Phil Gerrard advised that Phase 1 was the only application for cluster lot development under the old Official Plan. The maximum lots were 8 in 30 acres. Is there a minimum lot size for rural residential. Phil Gerrard advised that it is 1 hectare for a development. They must meet the separation distances for well and septic. 50 metre frontage is not critical. It is the size of the lot. It is reviewed on the number of lots in the application.

Scott Holden, 1011 Pelton Rd.

- Does this new subdivision meet the Official Plan code of a hamlet to be respectful of the area? He provided a history of Peltons Corners. You need to look behind this property at the environmental area. This is rural and sensitive property. Phil Gerrard advised that this is rural property. It is similar to the development in the hamlet. It is respectful as it is clustered together with Phase 1 in the hamlet area.
- Councillor Barclay asked if there is a defined boundary for the hamlet. Phil Gerrard advised that Phase 1 is in the hamlet. Mayor Peckford questioned what does this mean to be outside. Phil Gerrard advised that this is the last of the cluster lot development as it is grandfathered. If it wasn’t grandfathered, staff couldn’t support it.

Ed deVries, 716 Pelton Rd.

- Is this a conceptual water drainage report? Who did the peer review? It doesn’t include climate change.
- Phase 1 was an approved subdivision in the hamlet. Phase 2 is grandfathered but is not part of the hamlet. Because it is grandfathered does not mean approval.
- My house is lower than those in Phase 1. The drainage will end up in my house. Our rights need to be considered as we live here now. All reports need to be peer reviewed including climate change.
- Phil Gerrard advised that the Municipal and Conservation Authority standard is a 1-100 year storm event. It is used in the design. The intent is to retain the water. Reports are reviewed by Planning, Public Works and Conservation Authority staff. The hamlet is designated a residential area. This was designated rural residential in the 2018 Official Plan.
- Mayor Peckford questioned if the staff recommendation is based on policies currently in place. Phil Gerrard advised that the recommendation complies with both the County and North Grenville Official Plans. An appeal would need to be in objection to the policies.

Pauline Lafleur, 805 Pelton Rd.

- Have any members of Council been on the property? It appears to be lower than Phase 1.
- Phase 1 was cleared of many trees. What mechanism is in place for tree retention?
- The path will be 5 feet from my property. Concerned of traffic and dogs.
- Will there be a light at the pathway and the road?
- The pond will now be larger. Fencing is required. There has been an increase in the number of mosquitoes since the pond was put in. There are no fountains put in to agitate the water.
- What will happen if my well water doesn’t test perfectly anymore?
- Peace and quiet is important. What can I do to minimize these issues? I don’t want it to become my problem. Why does there need to be a walk way? It doesn’t go anywhere. Can the path be pushed closer to the pond?
- I am a passionate gardener. My two story house is designed for south and east light. Long-time residents will have to spend money to accommodate the subdivision.

- Phil Gerrard advised that the pathway is in Lot 21 which is 200 feet wide. It will be farther away than five feet from your property. We will address this in the design. Municipal law requires that footings must be .3 meters above the lowest point. Lighting is at the next stage of design. We have not provided lighting for pathways. The requirements of tree preservation is delicate. Too many trees will cause flooding. Deputy Mayor McManaman asked what our powers are over site plan. Phil Gerrard advised that the next step is the site plan. Conditions will include numerous items and all must be met before subdivision approval. Deputy Mayor McManaman asked if they can put agitation in this pond. Phil Gerrard advised that it is something that we can look at.

Andy Parent, 810 Pelton Rd.

- Not supportive or against. Is concerned about the wildlife. A lot of animals under the endangered species of trees. The wetland has many as well. We never know what will happen on vacant land. The people of Peltons Corners are their own little town. We are putting your home on their home. Mayor Peckford asked if there are hard limits in the new Official Plan to preserving natural assets. Do Councils powers rest with the conditions of approval? Phil Gerrard advised that the Official Plan has mapped out wetlands and wildlife areas. The environmental impact study also looks at the habitat for wildlife species.
- Deputy Mayor McManaman asked which conservation Authority has jurisdiction in this area. Phil Gerrard advised that it is governed by South Nation conservation.
- Deputy Mayor McManaman noted that several people mention this land as being wet. Phil Gerrard advised that this is not wetland according to information from the Province. They are regulated by the Conservation Authority who take direction from the Province. Mayor Peckford question if the wetland is not designated arbitrarily. Phil Gerrard advised that the definition of wetland is in the definitions in the Provincial Policy Statement.
- Councillor O'Sullivan wished to ensure that there would be plans for landscaping around the pond and its fence.

Scott Holden, 1011 Pelton Rd.

- Do we have a procedure to challenge the grandfathering in the Official Plan? Phil Gerrard advised that the Municipality may turn down an application but they would probably be facing a court challenge. Mayor Peckford asked if the next Official Plan would involve the public. Phil Gerrard advised that our last Official Plan was approved by the County in May, 2018. There was massive input by the public in preparation.
- Mayor Peckford asked if the Provincial Policy Statement was a guide. Phil Gerrard advised that they are mandates
- Deputy Mayor McManaman asked since the policy change have you turned down developers or have they changed their location. Phil Gerrard advised that we have not faced an application in opposition to the new Official Plan. Our Official Plan is consistent with the Province.
- Mayor Peckford noted that we have heard concerns but the Official Plan does account for this phase. We recognize the concerns.
- Robert Noseworthy noted that the site plan can remove the pathway. We are not looking to destroy natural habitat to plant trees. Block 21 is 60 metres wide. It is 30 metres East of Block 21 to the pond. There will be a black 4 foot fence around the property. The pathway would give back to the community. If the Municipality doesn't want the pathway, there won't be one. We are far away from having a light. That will come up in the site plan. It will come before Council before final approval. We have no interest in disrupting the neighbourhood.
- Councillor O'Sullivan asked if the house will have to be altered. Pauline Lafleur advised that if it is not going to be a road I can adjust the house location.

Mayor Peckford closed the public meeting at 8:34 p.m.

Deputy Mayor McManaman

- We have to go through various authorities before they can build- Conservation Authority, County, Municipal planning stages for studies and Provincial rules. If the Municipality says no the developer can go to Local Planning Appeal Tribunal (LPAT) to appeal. Does the next steps involve the public? Phil Gerrard advised that the next step is for a report coming back to Committee of the Whole for conditions of draft approval. These approved

conditions will go to the County. They are the approval authority for subdivisions. The County can contradict a condition that they feel is not appropriate. The Province has given Counties the subdivision authority. Council will look to adopt the amendment to the Official Plan. It then goes to County for approval. The zoning amendment is under Municipal authority. The three sections of the resolution is appropriate. Deputy Mayor McManaman noted that we ask questions that we know the answers to but want the public to understand the process.

Councillor Barclay

- He works with Public Works and can better understand Stormwater Management. With the PPS and our Official Plan we are running out of space in the rural area. The current rules are much stricter.

Mayor Peckford read the proposed resolution.

- Mayor Peckford asked what the increase from 8-20 is based on. Phil Gerrard advised that when we eliminated the cluster lots it is capped at 8. This number does not match the area of land for 20 lots on 30 acres. This application is in line with all policies.
- Mayor Peckford asked the timing to bring draft conditions back to Committee of the Whole. Phil Gerrard advised that he expects them back in December.

SPCW-2019-033

Moved by	Doreen O'Sullivan
Seconded by	Jim McManaman

Committee of the Whole recommends that Council approve Zoning By-Law Amendment Application ZBA-11-19 for the lands described as Part of Lot 7 and 8, Concession 4, Geographic Township of South Gower, now the Municipality of North Grenville to amend the zoning of the property from Rural (RU) to Rural Residential Special Exception Zone (RR-XX) to accommodate the proposed rural residential subdivision.

AND FURTHER THAT Committee of the Whole recommends that Council enact a By-Law to adopt Official Plan Amendment 6 to the Official Plan of the Municipality of North Grenville to amend Section 9.3.4 to increase the maximum number of lots within the rural residential subdivision from 8 to 20.

AND FURTHER THAT Committee of the Whole direct staff to prepare a report setting out proposed Conditions of Draft Approval for this subdivision to be brought back to a subsequent meeting for consideration by the Committee of the Whole.

CARRIED

D. ADJOURNMENT

Mayor Peckford adjourned the meeting at 8:50 p.m.

NANCY PECKFORD
Mayor

CAHL POMINVILLE
Clerk