

The Corporation of the Township of Plummer Additional

RR # 2, 38 Railway Crescent

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Committee of Adjustment

Minutes January 17, 2018

Council Chambers

6:00 pm

Call to Order

Present: Mayor: Beth West; Councillors: Mike Jones, Boris Koehler, Carl MacKenzie, T

Absent: Tasha Strum

Staff: Clerk: Vicky Goertzen-Cooke

Twsp Planner: Glenn Tunnock (via phone)

Observers: Ted & Cathy Stoker, Nancy & David Lapish, Paula & Don Matheson, and Phil Radke

Committee of Adjustment Meeting:

B. West – Welcome address & read Speaker's notes:

Good evening ladies and gentlemen.

Tonight's meeting is a public meeting held under the authority of section 34 of the planning act. This meeting was also advertised in accordance with the requirements of the planning act.

The purpose of this public meeting is to consider an amendment to the township's zoning by-law.

The purpose of the zoning amendment is to add zone regulations for docks, boat houses and shoreline activity areas. The effect of the amendment will be to regulate the location, length and width of docks, the height, size and the location of boat houses and the location and regulation of shoreline activity areas.

(Glenn Tunnock, the Township Planner will make a presentation over the phone on the proposed amendment.)

The format of the meeting will be as follows:

- Anyone who wishes to speak for or against the zoning by-law amendment will be given the opportunity to do so.
- Before you make a presentation, I would ask that you provide your name and address to the Clerk.
- I am required by the planning act to advise you that if you do not make an oral presentation this evening or submit written comments before the by-law is adopted, you will not be entitled to appeal the decision of the council of the Township of Plummer Additional to the Ontario Municipal Board.
- I will now ask whether anyone wishes to make a presentation for the zoning by-law amendment.
- I will now ask whether anyone wishes to make a presentation against the proposed amendment.

Verbal Presentations/Statements:

Glenn Tunnock:

- MNR has vacated their responsibility to regulate docks and boathouses of a certain size.
- The proposed by-law amendment provides the Twsp with the authority to regulate to ensure that environmentally sound practices are in place and that the docks are a reasonable size and don't interfere with the waterbody; ensures that the boathouses are not too large with regards to navigation or blocking of vision for the neighbours;

Ted Stoker: Is this applicable to permanent or removable docks?

G. Tunnock:

- It applies to either; the by-law will cover docks with crib areas that supports a dock where it is 15 sq. metres or less, for these you will require Municipal approval.
- The by-law has provisions to extend the dock into the lake during lake level fluctuations

Phil Radke:

- How do you calculate the % of 25 % of useable for shoreline activity?
- How do we address where people have more than that now; or do their kids not swim there?
- Is the MNR providing Funds to police this as well as to assist with the added responsibility of the Municipality?

- If the Municipality does not pass this by-law, are there any repercussions from the MNR?
- Are the other area Municipalities passing a similar by-law?

G. Tunnock:

- The 25% represents a reasonable area of shoreline without interfering with the ecology. If you have a frontage of 100 metres, 25 metre is not unreasonable for a dock or boathouse.
- Unless someone has contravened a by-law, anything that is existing is “Grandfathered,” the zoning is not retroactive.
- MNR is not providing any funds for administration or enforcement. Normally non-compliance investigations are complaint driven.
- There are no repercussions from the MNR if the Twsp does not pass this by-law; the intent of the by-law is to not have uncontrolled development along the shoreline.
 - I.e. if someone builds an unreasonable dock that extends far out into the lake, the Municipality can’t do anything about it if it doesn’t have a regulation; the public in general would be frustrated.
- Passing a similar by-law is solely at a Municipalities prerogative; as the Planner for the Twsp it is recommended.

B. Koehler: Re: Unincorporated Municipalities that don’t adopt a shoreline development restriction, what happens to property owners where a guy who wants to build a large dock 90% if the MNR is not involved?

G Tunnock:

- There is no re-course if there are no rules in place.
- A neighbour might go through the court system to take action to reduce the size of dock i.e. if there is a navigational hazard

B. West: Can a lot owner have any number of docks, a neighbouring Municipality has some with numerous docks?

G. Tunnock:

- They can have more than one dock; it is rare, usually this would pertain to an island situation;
- Council can place a maximum number of docks, i.e. 3 docks, one main and 2 secondary docks.

Cathy Stoker: How does the municipality have authority over Lake Huron?

B. Koehler: the shoreline is part of the Township.

B. West read written submissions from Phil Radke & David Lapish – attached

- Public requested that direct email distribution be used to provide notification of meetings like this vs. just an advertisement in the Sentinel.

COA 1. Zoning By-law (docks & boathouses)

ResIn 2018-1 Boris Koehler Mike Jones

BE IT RESOLVED THAT this Council gives 1st and 2nd reading to by-law 2018-04 being a by-law to amend by-law 2013-13 being a by-law known as the “Zoning By-law” which regulates the use of land, buildings and structures within the Township of Plummer Additional to add general provisions for docks and boat houses.

CARRIED

*Note: the 3rd and final reading and enactment has been deferred due to a request for a separate Consultation Meeting regarding our proposed shoreline zoning amendment from Jesse Fieldwebster, Consultation Assessment Coordinator with the Métis Nation of Ontario.

COA 2. Metis – request for Consultation Meeting – shoreline amendment (potential dates)

Meeting dates proposed by Council: Jan 29th, 30th, 31st – date to be confirmed by Metis Association.

COA 3. COA Minutes Dec 6, 2017

ResIn 2018-2 **Mike Jones** **Boris Koehler**

BE IT RESOLVED THAT this Council approves the December 6, 2017 Committee of Adjustment Meeting Minutes. CARRIED

COA 4. Adjourn COA Meeting

ResIn 2018-3 **Carl MacKenzie** **Boris Koehler**

BE IT RESOLVED THAT this Council adjourns the Committee of Adjustment Meeting at 6:45 pm to meet again as required. CARRIED

Mayor ~ Beth West

Clerk ~ Vicky Goertzen-Cooke

Acronyms:

@ = at

ADSSAB – Algoma District Social Services Administration Board

AGM – Annual General Meeting

AHPS – Arthur Henderson Public School

AMCTO -Association of Municipal Clerks & Treasurers of Ontario

AODA – Accessibility for Ontarians with Disabilities Act

CBO – Chief Building Official

CERB – Central Emergency reporting Bureau

CF- Carry Forward

CFSO- Community Fire Safety Officer

CUPE - Canadian Union of Public Employees

FYI – for your information

Fed Nor – Federal Economic Development for Northern Ontario

FONOM – Federation of Northern Ontario Municipalities

Frd – forwarded from prior meeting

HNWDRRC - Huron Northwest Doctor Recruitment & Retention Committee

OCIF – Ontario Community Infrastructure Fund

OGRA – Ontario Good Roads Association

OMB – Ontario Municipal Board

OMAFRA – Ministry of Agriculture, Food & Rural Affairs

OPP – Ontario Provincial Police

Orig. - Original

OTF – Ontario Trillium Foundation

Min. - Ministry

MNR – Ministry of Natural Resources

MMA – Ministry of Municipal Affairs

MPAC – Municipal Property Assessment Corporation

Mtg - Meeting

MTO – Ministry of Transportation

MWRC – Municipal Waste & Recycling Consultants

N/A – not applicable

Reg. - registration

Rep – Representative

ResIn – Resolution

RFQ – Request for Quote

ROMA – Rural Ontario Municipal Association

RWF – Road Working Foreperson

SSM – Sault Ste. Marie

TMM – The Managed Municipality

TSSA – Technical Standards and Safety Authority

TWSP - Township