

THE TOWNSHIP OF BRUDENELL, LYNDOKH AND RAGLAN

Minutes of the Public Meeting held on November 4, 2015 at the Municipal Office located in Palmer Rapids - Ontario at 7:00 pm.

Present were: Reeve, **Garry Gruntz**
Councillor, **Wayne Banks**
Councillor, **Iris Kauffeldt**
Councillor, **Sheldon Keller**
Councillor, **John Rutledge**

Staff Present: Michelle Mantifel, **Clerk-Treasurer**
Alvin Kauffeldt, **Public Works Supervisor**
Jordan Genrick, **Fire Chief (A)**

Public: 8 Members of the public
Jen Juhasz, The Valley Gazette

1. The Meeting was called to order by Reeve, **Garry Gruntz**.
2. PECUNIARY INTERESTS – None
3. Purpose: To hear comments in regards to an Official Plan Amendment.
4. Applicants: Wilmer & Carolyn Budarick
5. Proposed Official Plan Amendment:

The purpose of the proposed Official Plan Amendment is to designate the subject land from Rural to Rural-Exception Fourteen to permit the severance of a new lot on Raglan (White) Lake, which is designated Highly Sensitive in the County of Renfrew Official Plan.

The lands affected by this amendment are Part of Lot 19, Concession 13, in the geographical Township of Raglan, now in the Township of Brudenell, Lyndoch and Raglan, and designated Parts 1, 2 and 3 on Reference Plan 49R-1141. The property is known municipally as 847 Reid Road.

The Official Plan of the County of Renfrew was adopted by the Council of the County of Renfrew on March 27, 2002 and was approved by the Minister of Municipal Affairs and Housing on June 16, 2003.

The subject lands are designated Rural and are adjacent to Raglan (White) Lake which is designated a Highly Sensitive Lake on Schedule "A" to the Official Plan.

The owners of the property are seeking consent for the severance of a new lot containing a dwelling. The County of Renfrew Official Plan contains policies that prohibit the creation of new lots with frontage on highly sensitive lakes.

Background:

The Official Plan designates Raglan (White) Lake as a highly sensitive lake. Section 9.2 (3) of the Official Plan states that, "No new lots with lakeshore frontage or second-tier development shall be created either by means of consent or through plan of subdivision."

The proposed amendment would allow for the consideration of an application for consent. The consent application would sever lands that are approximately 4573 square metres (1.13 acres) in area, and contain an existing cottage and associate Class IV septic system. It is recommended that this Official Plan Amendment and future consent application require, as a condition of consent approval, that any future septic system and building construction on the retained lands occur at least 300 metres (984 feet) and 30 metres (98.4 feet) respectively from the sensitive lake.

Any potential impacts to the lake can be mitigated by requiring a 300 metre setback for any new septic systems and a 30 metre setback for new buildings or structures. The proposed Official Plan Amendment and future severance application should not result in any adverse impact on the highly sensitive lake.

Provincial Policy:

Section 2.2.2. of the Provincial Policy Statement (PPS) states, "Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such as these features and their related hydrologic functions will be protected, improved or restored." This Official Plan amendment seeks to permit the creation of a new waterfront lot. The Official Plan amendment is consistent with the PPS because the proposed severed lands contain an existing dwelling and potential impacts on the lake can be mitigated by utilizing zoning setbacks from the lake. If approved, the Official Plan amendment and subsequent consent are not anticipated to have impact on the hydrologic functions of Raglan (White) Lake.

6. Details of the Amendment

The Official Plan is amended as follows:

- (a) Schedule "A" to the Official Plan of the County of Renfrew is amended by redesignating lands described as 847 Reid Road, being part of Lot 19, Concession 13, in the geographic Township of Raglan, now in the Township of Brudenell, Lyndoch and Raglan, and designated Parts 1, 2 and 3 on Reference Plan 49R-1141, from Rural to Rural-Exception Fourteen, as shown on the attached Schedule "A".
- (b) By adding the following subsection to section 5.4 – Special Policy Exceptions, immediately following section 5.4 (M):

“(N) **Brudenell, Lyndoch and Raglan**

- (1) Rural-Exception Fourteen (Part of Lot 19, Concession 13, geographic Township of Raglan)

Notwithstanding any policies of this Plan to the contrary, for those lands designated Rural-Exception Fourteen on the Land Use Schedules and located in part of Lot 19, Concession 13, geographic Township of Raglan, a consent to sever a lot with an existing dwelling is permitted. As a condition to the approval of a consent application, an amendment to the local zoning by-law will be required. The zoning by-law amendment is to implement a 300 metre setback for a new septic system and a 30 metre setback for any new buildings or structures measured from the high water mark of Raglan (White) Lake.”

7. Implementation and Interpretation

The implementation and interpretation of this amendment shall be accordance with the respective policies of the Official Plan of the County of Renfrew.

8. Clerk's Reading of Written Comments: The Clerk stated that Ontario Power Generation had no comments or concerns.

The Clerk read the letters/emails received from Glen & Linda Weitzel, Ron Shelep, Anneliese Jamnik and Zofia & Henryk Chrzanowski objecting to the amendment.

9. Oral and Written presentations by those in attendance:

Anneliese Jamnik informed Council that Raglan White Lake is a highly sensitive lake. The Official Plan prohibits the creation of new lots and severing this piece of land would create a new lot. It would also create a precedent. Not all the land on lake is crown, there is some private land. Other land owners on the lake could build a dwelling and then apply for a severance fifteen years later to create a new lot.

Mrs Jamnik was also informed that a building permit was issued for the cottage by the municipality. At the time the cottage was built, no further development was allowed on the lake as it was designated as a sensitive lake. She feels that building the cottage was illegal; however since it is built she feels that the cottage should remain. The cottage is leased and the lease was renewed last year. Mrs. Jamnik feels that it should continue as a leased property. She is also concerned that this would not just happen at Raglan White Lake, but on other sensitive lakes in Renfrew County. She feels that the lake should be protected and the Official Plan upheld.

10. Questions to Council:

When was the cottage built and the permit issued? The Clerk informed the gallery that the permit was issued in 1992 by the Building Inspector, Mr. Michaelis.

The Clerk also informed the gallery that in the Official Plan Raglan White Lake is designated as a highly sensitive lake. However, the Official Plan doesn't regulate if a building permit can be issue, the zoning by-law determines that.

The Clerk also stated that on the retained land, the rezoning amendment requires that any new structures need to be 30 metres from the lake and new septic systems need to be 300 metres from the lake. This would protect against development on the lake on the retained land. For the rest of the lake, the policies in the Official Plan would protect against further development. This is why they need to do an official plan amendment to create a new lot which has an existing cottage.

What is to prevent this from happening again on Raglan White Lake that a property owner builds a cottage and then severs the lot? On a Rural Marginal property in the Township of Raglan you can have two dwellings on a lot. The existing property has a farmhouse and leased cottage. On the retained property the owner could build another dwelling unit, but it would need to be at least 30 metres from the lake.

Why are there two zoning by-laws for our municipality? We have not updated the zoning by-law since amalgamation in 1999. Both former municipalities had a separate zoning by-law. Once the County of Renfrew updates their Official Plan, the municipality will need to update their zoning by-law within 3 years.

How far is the existing farmhouse from the lake? The farmhouse is the length of two lots from the lake. The farmhouse and leased cottage are on the same parcel of land.

11. Appeal Process

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Brudenell, Lyndoch and Raglan before the proposed Official Plan amendment is adopted by the County of Renfrew, the person or public body is not entitled to appeal the decision of the Ministry of Municipal Affairs and Housing, to the Ontario Municipal Board.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Township of Brudenell, Lyndoch and Raglan before the proposed Official Plan amendment is adopted by the County of Renfrew, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or the public body as a party.

If you wish to be notified of the adoption of the proposed Official Plan amendment, or of the refusal of a request to amend the Official Plan, or for further information, you must make a written request to the Clerk.

12. Resolution # 1

Moved by **Sheldon Keller**, sec. by **Iris Kauffeldt**

“THAT this meeting be closed.”

Carried.

Reeve, Garry Gruntz

Clerk, Michelle Mantifel