



Special Committee Meeting of Council Minutes

March 29, 2021, 5:30 p.m.
Electronic Participation via Zoom

Members Present: Mayor Al McDonald, Councillor Tanya Vrebosch, Councillor Brousseau, Councillor Mayne, Councillor Bill Vrebosch, Councillor King, Councillor Robertson, Councillor Bain, Councillor Mendicino, Councillor Tignanelli, Councillor Maroosis

1. Community Services Committee

1. **Public Meetings Under the Planning Act**

1. CSBU-2020-15 Report from Peter Carello dated March 11, 2021 re: CS-2021-01 Proposed Draft Plan of Subdivision by Miller & Urso Surveying Inc. on behalf of Highland Woods Developments Inc. and Jogra Investments Ltd. - 771 Golf Club Road

The Deputy City Clerk advised that notice of the meeting was given by prepaid first class mail on the 9th day of March, 2021 to all owners of the property within 120 metres of the subject property and by the posting of a placard on the subject property.

Beverley Hillier explained the purpose of the proposed draft plan of subdivision.

Councillor Brousseau asked for public presentations in support of or objecting to the draft plan of subdivision.

Presentations:

Rick Miller, Agent for the Applicant

- Noted that the extension of Bain Drive facilitates construction of dwellings on a new street presently under construction in the area to the south which previously received draft approval.
- Noted the combination of single family dwellings and townhouses have proceed with construction this year.

- Noted the purpose of the roadway development is for connectivity this roadway over the lands and connect to Bain Drive.
- Clarified that the next phase is to extend the roadway in the near future.

Direction: Committee Report be brought forward to Council on Tuesday, April 6, 2021.

2. Report from Peter Carello dated March 10, 2021 re: CS-2020-11 Proposed Zoning By-Law Amendment and Draft Plan of Subdivision application by Antech Design and Engineering on behalf of Millford Development Ltd. and New Era Homes Ltd. - 719 Ski Club Road

The Deputy City Clerk advised that notice of the meeting was given by prepaid first class mail on the 9th day of March 2021 to all owners of property within 120 metres of the subject property and by the posting of a placard on the subject property.

Beverley Hillier explained the purpose of the proposed zoning by-law amendment and the proposed draft plan of subdivision application.

Mayor McDonald joined the meeting at 5:53 p.m.

Councillor Brousseau asked for public presentations in support of or objecting to the proposed zoning by-law amendment and the proposed draft plan of subdivision application.

Presentations:

Katie Vint:

- Noted employment in environmental management in the public sector.
- Speaking as a private citizen.
- Noted reviewing the development towards environmental compliance with legislation.
- Expressed concerns surrounding a lack of transparency and the procedures and practices applied during the approval process, including the lack of oversight in the actual development.
- Reviewed all provided information.

- Has a lot of information and willing to provide her notes to the City Clerk.
- Referred to westerly lot as the old Angela Court.
- Noted opposition to the development.
- Noted concerns surrounding the published report versus the reporting made by staff during the meeting. Citing contradictory information within the report related to school types/locations, pathways; noting that the report was misleading to the general public, giving a false perception of the area.
- Noted that she had reported the developer regarding fallen trees on the area watercourse/wetland, citing concern that the developer should have been stopped and that it was a federal finable offence to destroy species at risk habitat.
- Noted that the piece of land being left as a reserve is a large man-made storm water management ravine which flows through the wetland.
- Concerned that Schedule B (page 18) is not referenced once in the Report.
- Cited inconsistencies between the City and North Bay Mattawa Conservation Authority (NBMCA) relating to the inspection roles in environmental compliance.
- Cited concerns surrounding the approval of a project with inadequate road allowance (McKeown Avenue) and the potential legal implications for the City for future non-access.
- Noted that the report does not include evidence of the consultation with the Ministry of the Environment.
- Restated the City's Engineering Department comments regarding requirements of a traffic study, Storm Water Management Plan and Storm Water Report.
- Stated that there is a link between the 1992 approval of Angela Court and the currently proposed development.
- Expressed opinion that an environmental assessment would be required for both the tributary near the westerly lot of the new proposed area which is the old Angela Court and the proposed development.
- Thanked staff for providing an explanation of lots 1 and 2.

- In relation to condition #4, noted concerns about interpretation. Proposed to include non-invasive work timelines and written mitigation measures be documented and procedures followed.
- Disagreed that there was no mention of providing the documentation for the public for review or comment.
- Recommended that the City keep the 5% of parkland, and noted multiple Species at Risk (SAR) habitat in the wetlands.
- Recommended that the parkland remain in that part of the community rather than the money go back to the City to fill in the storm drain between the two new properties.
- Noted that more clarity is required on the environmental impact study (EIS) process, expressing concerns related to permit requirements and study recommendations with the NBMCA.
- Noted that the NBMCA documents stated that they may require large development to conduct an EIS.
- Requested to know who was the environmental authority taking the risk at the City.
- Expressed a lack of checks and balances in the current system and that conditions should be included and someone should be on site to ensure compliance.
- Recommended that the developer reassess their EIS in the future to ensure that all current and future species are assessed, as well as ensuring site conditions haven't changed. Further recommended that the specific NBMCA guideline be included in the conditions for the EIS for compliance enforcement purposes.
- Requested that the watershed be properly delineated, requested that the mapping identify the wetland so the developer knows exactly how close it is to ensure proper mitigation is complied with during construction.
- Suggested that the NBMCA make demands and not recommendations to ensure that the developer and staff know the mitigation conditions.
- Expressed concerns that EIS should include a health and safety component, including notices, signage, fencing, clean fill.

- Noted that her request for a copy of the old Angela Court report to council in 1992 remains outstanding to see the historical environmental rules.
- Discussed that the City's report to Council included the old Angela Court development that the entire scope of the project has changed and that the City should evaluate all of the environmental impacts based on the complete Angela Court development as well as the easterly and westerly lots.
- Noted that an assessment area of 120 metre radius of the subject property would include more of the tributaries because of the old Angela court.
- Noted that the system is broken and it's a good time to show more awareness of environment.

Brennain Lloyd:

- Presenting as both a resident and a resident of the Laurentian Planning Area.
- Noted that the Laurentian Planning Area has two (2) main ecological features, being the escarpment and the series of wetlands (connection).
- Noted that the wetlands from Laurentian Marsh and to Johnson creek are connected.
- Raised and discussed three (3) concerns:
 1. The impacts/assessment and evaluation of the development on the Laurentian Marsh, seeking good ecological mapping, enactment of site plan control and transparency of the decision making process.
 2. The City's view on overall development in evaluating and addressing climate change by using the tools available under the *Planning Act* and Provincial Policy Statement (PPS) to ensure impacts are mitigated (e.g. storm water run-off). Spoke to examples of requirements noted in the PPS related to storm water management. Noted that concerns were raised in June, 2019. Noted Council's 2020 resolution regarding assurances of considering climate change when making planning decisions. Noted conflicting conversations regarding the requirement of site plan control for subdivisions. Suggested Council act upon their commitment to climate change and apply site plan control mitigation measures for this development.

3. Noted planning issues that this application raises:
Concerned the impact this development has on larger infrastructure issues such as driving an earlier need for storm water management ponds in the Laurentian Planning Area (referenced future ponds on Schedule 8B).
Concerned about the needs being ecological and this development being the financial trigger for premature storm water management pond. Concerns about traffic around McKeown and the reference in the report related to Ski Club Road.
- Discussed the need and encouraged the use site plan control for clarity and ensuring the wetlands and habitats are protected.
 - Noted this development is impacting wetlands in the Laurentian marsh.
 - Raised questions surrounding decision points in the conditions, as well where the public has input post-studies. Concerned the proposal will no longer be draft before the public can be consulted to comment and argue the decision points.
 - Posed a question surrounding condition #18 development charges, and whether development charges apply currently. Requested to see developments charges applied to all medium and higher tiers of development.
 - Recommended that Council receive all reports and studies prior to making a final decision and allow the public to review pre-approval.
 - Suggested a 28th condition be added to state that prior to final approval, that a public meeting be held to consider the outcome of all reports identified in conditions #s 1 through 27, and a final decision be made thereafter.

April McCrum:

- Concerned citizen an ecologist in environmental consulting.
- Proud citizen having interest in planning and the many wetlands and natural heritage areas.
- Victim of flooding.
- Noted her main concerns relate to the proposed development are species at risks, sediment entering Chippewa creek and

the wetland downstream of the development, and building within a flood plain, and about the development blocking off any wildlife migratory corridor from the escarpment to the wetland.

- Questioned as to why the developer is building in a flood plain and questioned if other sites were examined, and whether building standards will take into consideration flood-proofing.
- Noted confusion surrounding the mapping, specifically looking at the NBMCA approximately regulated area vs. constraint regulated area as shown by the city, shown as a flood plain in NBMCA but not in the City mapping.

Candice Micucci, Agent for the Applicant:

- Agreed with the staff recommendation in the Report.
- Clarified that due to technical difficulties was only able to see the last presenter, however, noted reading all written submissions received.
- Clarified that an EIS will be required, once those recommendations are received, information can be put forward to address citizen concerns.
- Clarified that the developer is hearing from the public for the first time this evening and that it is private property and the developer is entitled to remove trees upon their property. They have spoken and will do their best to limit the impact on the neighbors, and with the development of the subdivision the trees do get cleared for servicing and new construction and there is opportunity to discuss planting once the subdivision is completed.
- Clarified that during construction, the developer will be required to have a soil and erosion plan which is engineered to prevent run-off and any special conditions stemming from the EIS surrounding site plan control regarding tributary mitigation,

Robyn Jones (written submission)

Beverley Hillier read into the record the written submission verbatim received from Robyn Jones.

Direction: Item to remain on Committee.

Special Committee Meeting of Council adjourned at 7:23 p.m.

Mayor Allan McDonald

Deputy City Clerk Jenn Montreuil