

ADDENDUM TO THE DECEMBER 13, 2022 REGULAR COUNCIL AGENDA

**Comments received as of
December 13, 2022 at 12:00 p.m.**

Public Meeting

Item No. 6.1 - Zoning By-law Amendment – to amend Section 3.26 of the Zoning By-law 07-2018 to recognize existing lots of record on private roads.

- A. Jim Dymont, Municipal Planning Consultants
 - emails of December 13, 2022 and February 15, 2022
- B. John Hawkins
 - emails of December 13, 2022 and February 24, 2022

From: James Dymont <jim@municipalplanning.ca>
Sent: December 13, 2022 11:34 AM
To: John Jackson <jjplan@vianet.ca>; michelle.hendry@whitestone.ca
Cc: [REDACTED]
Subject: Proposed By-law 63-2022

Dear Ms. Hendry;

I have previously corresponded to the Municipality with respect to proposed OPA #2 - see attached.

When I reviewed the proposed OPA before the public meeting (and still available on line) I thought that it was clear that the OPA only permitted new residential development on existing lots fronting on private roads. I was advised following the adoption of the OPA that it was revised to permit new residential lots on private roads. In my opinion this revisions should have been the subject of a new public meeting and new Notice should have been provided. The Province has been telling me since 2005 that new permanent residential development on private roads is contrary to the Provincial Policy Statement. I would like more information on how OPA 32 was revised and what consideration was given for further public consultation before the revised OPA was adopted by Council.

I have reviewed the proposed By-law 63-2022 and understand that it only applies to existing lots of record. I do not want to see the same sort of significant revision to the by-law being made by Council without further public consultation.

The existing provisions of the Whitestone Zoning By-law establish conditions that must be met for development on private roads. While this may be conditional zoning, I suggest that a comprehensive amendment to the By-law to permit new lots to be created on private roads cannot be considered in the absence of an agreement being in place, among other matters.

Please provide me with any Notice related to the By-law before Council this evening, as well as the information that I have requested related to the revisions to OPA#2 following the public meeting.

Thank you.

Jim Dymont BES, MCIP, RPP
Municipal Planning Consultants
(705) 733-5310

On Feb 15, 2022, at 10:58 AM, James Dymont <jim@municipalplanning.ca> wrote:

Madame Clerk and Mr. Jackson;

I was connected by property owners in Whitestone concerned about the potential for creating backlots behind their properties on Gibson Bay Road. I have reviewed the proposed OPA on their behalf and have advised them that I think it does a good job of setting up reasonable policies to limit backlot development to suitable areas. However, I believe the Township will need a clear definition of infilling in the Official Plan in order to reduce uncertainty and ensure that the proposed policies can be applied consistently through the Township.

Thank you.

Jim Dymont BES, MCIP, RPP
Municipal Planning Consultants
(705) 733-5310

From: [REDACTED]
Sent: December 13, 2022 9:14 AM
To: [Michelle Hendry](#)
Subject: RE: O.P.A. #2

Mayor Comrie and Council,

The rezoning of the 45-50 parcels of land considered to be backlots should not be passed by Council until the E.P. areas that were inadvertently dropped in 2018 have been fully reviewed and reinstated.

An E.A. was performed on private lands that would include Backlots in July of 2022 during the Low Water Level. Considering the amount of water level fluctuation that occurs in most of our local lakes, I would expect that all Environmental Studies be performed during the High Water Level as numerous species inhabit the watersheds at this time. All E. A's conducted at Low Water Levels should not be considered as being accurate assessments.

It appears that the Municipality is accepting an E.A., of the subject lands, that was submitted by the owner but was compiled by the same Environmental Co. that presently provides environmental services to the Municipality. Is that not a Conflict of Interest?

Regards,
John Hawkins
[REDACTED]

Sent from [Mail](#) for Windows

From: [Michelle Hendry](#)
Sent: February 24, 2022 5:19 PM
To: [REDACTED]
Cc: [Paula Macri](#)
Subject: RE: O.P.A. #2

Thank you for your comments Mr. Hawkins. They will be shared with Council.

Regards,

Michelle Hendry
Chief Administrative Officer / Clerk

21 Church Street - Dunchurch, Ontario - P0A 1G0
705-389-2466 - Ext. 123



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From: [REDACTED]

Sent: February 24, 2022 3:59 PM

To: michelle.hendry@whitestone.ca

Subject: O.P.A. #2

February 24, 2022

Michelle Hendry:

I have concerns regarding the Environmental impacts resulting from the proposed O.P.A. #2. These impacts could be reduced by requesting an Environmental Assessment on all lands considered to be Backlot. I suggest the assessment to be performed by an independent Third Party that has no previous affiliation with the Municipality or its Planning Consultants.

In addition, all new sites are to comply with the Soil Management Regulation including a chemical analysis of all soils that are imported or exported as part of a Backlot development. The Regulation states that as of January 1, 2022 the tracking and recording of all excess soils, being transported, is now mandatory.

I am also concerned about Enforcement. The Municipality should ensure that all Policies and Bylaws created by the revisions of the O.P. can be enforced.

Regards,

John Hawkins
[REDACTED]