

MINUTES
COMMUNITY DEVELOPMENT COMMITTEE

Monday, March 1, 2021, 6:30 PM
Township Upstairs Hall
18 Centre St.
Spencerville, ON K0E 1X0

PRESENT: Deputy Mayor Tory Deschamps
Mayor Pat Sayeau
Councillor Hugh Cameron
Councillor Stephen Dillabough
Councillor John Hunter
Conor Cleary
Chris Ward

REGRETS: Greg Modler
Cody Oatway

STAFF: Dave Grant, CAO
Rebecca Williams, Clerk
Wendy VanKeulen, Community Development Coordinator

1. Call to Order – Chair, Tory Deschamps

Deputy Mayor Deschamps called the meeting to order at 6:30 p.m.

2. Approval of Agenda

Moved by: Councillor Cameron

Seconded by: C.Ward

That the agenda be approved as presented.

Carried

3. Disclosure of Pecuniary Interest & the General Nature Thereof

None.

4. Business Arising from Previous Committee Meeting Minutes (if any)

None.

5. Delegations and Presentations

None.

6. Action/Information/Discussion Items

a. Live: Land Use Planning

1. Zoning Bylaw Review

Mr. Pentz and Ms. Jackson, planning consultants with Novatech, provided Committee an update on the draft zoning bylaw review, noting that they have incorporated the Committee's preliminary comments from previous meetings, and that the new draft bylaw updates the structure, and provides clarity to areas identified as being inconsistent. Mr. Pentz noted that once the Committee is ready, they will prepare a clean draft for the public consultation process to be released to the public for open houses.

Mr. Pentz outlined the next steps to set up open houses for public consultation and suggested that due to the current circumstances, that the Township may consider organizing more than one open house. It was noted that following the open house(s), the Committee would review feedback and make revisions to the bylaw. Novatech would provide a presentation to the public through a public meeting, which is a meeting of Council. Members noted their concerns with the current Planning Act process due to a limited number of the public attending the open house(s) and public perception of the review process. It was suggested that a feedback form be prepared and available for the public to complete and submit to the Township during the open house for Novatech and Committee to review. Members noted that the Committee has had a robust review process to date, with the review process beginning in July 2020.

Mr. Pentz outlined the new structure of the draft bylaw and highlighted modifications made to certain sections to provide greater organization and clarity when someone is searching through the bylaw.

Zone Categories:

Novatech outlined updates made to the zone categories. It was noted that changes were made to the zone names to better reflect the areas and best practices. Members inquired if the new zone categories restricted any future uses. It was noted that the new categories do not take away any current permitted uses of a property. Committee reviewed the draft new zone categories and confirmed that the overlay areas identified by Novatech are newly identified areas with respect to the flood plain and wellhead. Members confirmed that if a property has an exception, the exception would carry with the property, not the property owner.

Committee discussed at length the process for exceptions to the zoning bylaw and how someone could confirm if there is an exception made on a specific property. It was noted that in some cases, certain properties are labeled as legal non-conforming due to the use of the property pre-dating the historical zoning bylaws. Mr. Pentz confirmed that if a use was permitted in the past, and that use continued, then it would still be permitted in the draft new bylaw, however, if someone was doing something that was not permitted and continued, it still would not be permitted in the draft zoning bylaw.

Zone Schedules:

Novatech outlined the draft new schedules and noted that in many areas, they are very similar to the schedules included within the 2012 zoning bylaw. It was noted that the new maps incorporate the flood plain and wellhead zones. There was a brief discussion on how the public is informed of the updated zoning schedules. It was noted that through the process required by the Planning Act, the public is able to attend Committee meetings, public open house(s), provide feedback through in-person/mail/email etc., as well as the documents and meetings being advertised through the Township website, social media and local newspaper.

Novatech outlined suggested modifications to Schedule C for the Village of Spencerville, specifically changing a section of properties on Irving St from MCR to R2 and areas to the west and north of the Spencerville boundary from RU to R2. It was noted that changing the zoning from MCR to R2 would mitigate issues with commercial or high density multi-residential development on Irving St. Additionally the change from RU to R2 fits more with the surrounding village and its current development. Members noted that the church on Bennett St should be identified as institutional.

Novatech outlined suggested modifications to Schedule B for the Village of Cardinal, specifically changing a section of residential properties along County Rd 2 and 22 from CG to R2. It was suggested that the area identified along County Rd 2 and 22 currently are and have been for a number of years, residential properties, with commercial properties in the core of the downtown community area. It was noted that a second area for modification at the corner of County Rd 2 and Dundas St would be changed from CG-3 and CG-4 to R3-4 and R3-5 to recognize and accommodate the multi-residential developments.

Members inquired about the 2012 zoning bylaw versus the new draft zoning bylaw with respect to RV use in rural areas. It was noted that the zoning bylaw sets parameters for the storage of RV, but that an RV cannot be used for occupancy/dwelling unit, except

in zones for campgrounds. There was a general discussion about the difference of someone using their RV on their property that already has a dwelling/house on it for a couple of nights versus someone using an RV on a vacant property or as a summer cottage.

Committee debated on how many shipping containers may be allowed on rural and agricultural zones. It was noted that farmers use shipping containers for storage of equipment and supplies. It was noted that during the November Committee meeting, Committee decided to limit the number of shipping containers in the Township to one. Members commented on placing different limits of shipping containers in the rural and agricultural zones. Members discussed how additional shipping containers may impact residents that live in the rural/agricultural area, specifically with respect to the view from their property. Members noted that residents that choose to live in the rural/agricultural area should be aware of their surroundings compared to if someone lived in town.

Moved by: Councillor Hunter

Seconded by: Mayor Sayeau

That Committee increases the number of permitted shipping containers in the rural (RU) and agricultural (AG) zones from 1 to 4 and incorporate the same screening requirements as outlined in the current 2012 zoning bylaw.

Carried

Moved by: Councillor Dillabough

Seconded by: C.Cleary

That Committee increases the number of permitted shipping containers in the Highway Commercial (CH) zones from 1 to 4.

Defeated

Moved by: C.Cleary

Seconded by: Councillor Dillabough

That Committee increases the number of permitted shipping containers in the Highway Commercial (CH) zones from 1 to 2.

Carried

Committee sought clarification on zoning regulations for retail cannabis. It was noted that there are federal and provincial restrictions in place, and that the province further regulates retail cannabis through the AGCO licensing. It was noted that any retail

cannabis must be located in a commercial area, with restrictions as to how close the business can be to a school. It was noted that a retail cannabis business cannot be a home based business.

2. Zoning Bylaw Review Open House

Members discussed how the Committee would receive the public feedback after the open house(s) and Committee meetings. It was noted that staff will prepare a feedback form that the public can complete for the planner and Committee review. It was noted that Novatech will also review all comments/feedback and prepare a summarized version for discussion and recommendation by the Committee.

Moved by: Councillor Hunter

Seconded by: Councillor Cameron

That Committee recommend that Council direct staff to work with Novatech on preparing a public draft of the zoning bylaw, based on the discussions heard at tonight's meeting and that the public draft be shared on the Township's website and that staff schedule and advertise the open house meetings following Provincial regulations and using the best practices shared by our Public Health Unit.

Amendment:

Moved by: Mayor Sayeau

Seconded by: Councillor Hunter

That the recommendation wording be amended as follows "...using the COVID 19 best practices shared by our Public Health Unit".

Carried

Moved by: Councillor Hunter

Seconded by: Councillor Cameron

That Committee recommend that Council direct staff to work with Novatech on preparing a public draft of the zoning bylaw, based on the discussions heard at tonight's meeting and that the public draft be shared on the Township's website and that staff schedule and advertise the open house meetings following Provincial regulations and using the COVID 19 best practices shared by our Public Health Unit.

Carried

There was consensus from Committee to include an open house in Johnstown and to allow staff to organize and set the public open house meetings.

b. Work: Economic Development

None.

c. Play: Recreation

None.

7. Inquiries/Notices of Motion

None.

8. Question Period

The following questions/comments were raised:

- Tuttle Point: process to provide and receive feedback
- RLS zone concerns
- Schedule mapping options
- Committee youtube video
- Process to confirming and/or a list of legal non-conforming properties
- Parking and occupancy of RV's

9. Closed Session

None.

10. Adjournment

Moved by: Councillor Dillabough

Seconded by: C.Ward

That Committee does now adjourn at 9:36 p.m.

Carried

Chair

Clerk