

# MEMORANDUM

---

**DATE:** MAY 13, 2022

**TO:** TOWNSHIP OF EDWARDSBURGH CARDINAL  
COMMUNITY DEVELOPMENT COMMITTEE OF THE WHOLE

**FROM:** NOVATECH

**RE:** NEW COMPREHENSIVE ZONING BY-LAW REVIEW  
PUBLIC MEETING – PUBLIC & AGENCY COMMENT SUMMARY

---

## Background & Public Meeting

On March 7<sup>th</sup>, 2022 Novatech presented a report to the Township's Community Development Committee of the Whole to present a second draft of the proposed new Township Comprehensive Zoning By-law. At this meeting the Committee endorsed proposed revisions to the Zoning By-law to address comments made by the Committee in November 2021 as well as public and agency comments received to date. This meeting also presented the proposed Official Plan amendment required to address local policies to implement Additional Residential Units within the Township. Following this meeting direction was provided to schedule and advertise a combined public meeting for the proposed Official Plan amendment and new Comprehensive Zoning By-law.

On April 21, 2022 a combined Official Plan amendment and Comprehensive Zoning By-law public meeting was held at 6:30pm in the Council Chambers (18 Centre Street, Spencerville ON). The public meeting notice was circulated directly to those who had requested they be notified of upcoming meetings and consultations. Notice was also circulated to required agencies and persons required by the Planning Act. The public meeting notice was also advertised in three local newspapers on March 24, 2022 including the Brockville Recorder and Times, South Grenville Beacon and the Prescott.

The purpose of this report is to present a summary of written submissions received on the second draft of the Zoning By-law presented at the public meeting. The report also provides a brief comment summary in relation to the written submissions received and includes a recommendation for the Committee's consideration. A separate report was previously prepared and presented to the Committee to address comments received in relation to the proposed Official Plan amendment.

## Public and Agency Comments

At the public meeting, Novatech presented a summary of the proposed Official Plan amendment and new Comprehensive Zoning By-law. A total of 5 members of the public attended the public meeting. Comments made at the public meeting were mostly regarding the Zoning By-law amendment process as opposed to comments directly related to the content of the draft Zoning By-law text or schedules.

At the time of writing this report, a total of 92 written submission have been received to date on the proposed new Zoning By-law. A summary of comments received up until September 30, 2021 was presented at the November 1, 2021 Committee meeting.

A total of 11 written submissions were received on the draft Zoning By-law following the Committee meeting in November 2021. A summary of these comments is provided in **Attachment A** with full written submissions provided in **Attachment B**.

**Attachment A** includes a brief summary of comments received and includes a recommendation for the Committee's consideration to address the comment provided.

It is considered that some of the comments require a more detailed response and recommendation, as outlined below.

#### Resident Comments:

##### 1. Centre Street Zoning – Spencerville

A request has been made that Centre Street in Spencerville from 18 & 13 Centre Street to the western village boundary be rezoned to R1 to reflect the existing residential uses, with the exception of existing commercial and institutional uses, see **Figure 1**.

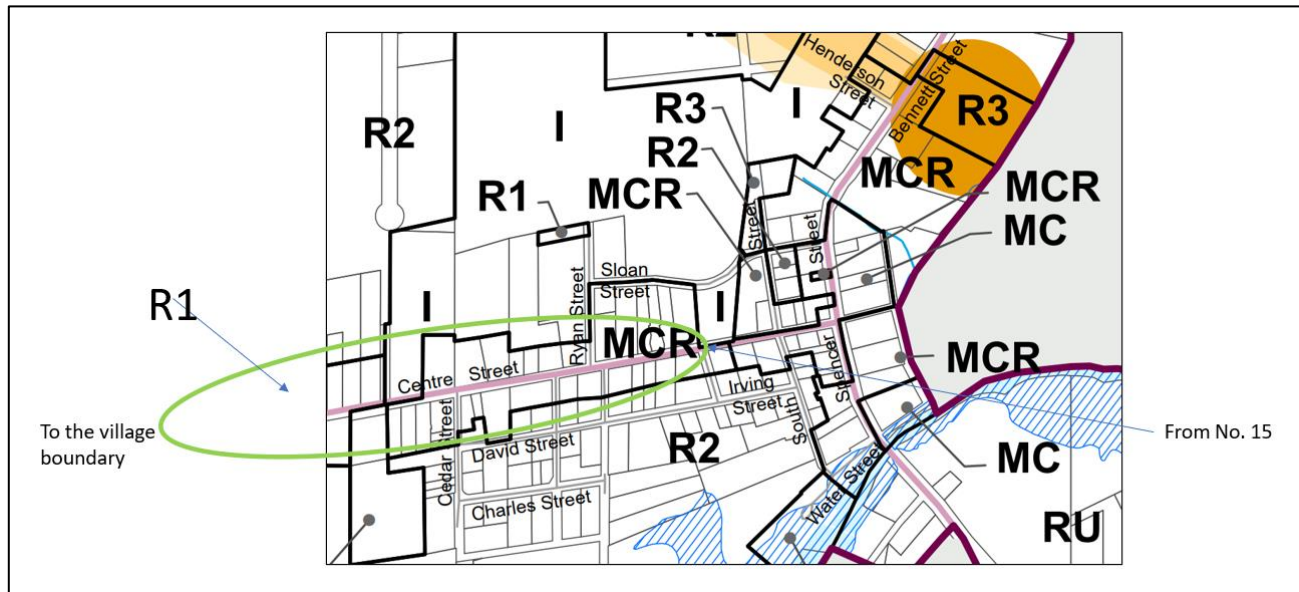
Schedule C of the Township's Current Zoning By-law zones majority of Centre Street from Spencer Street to the east and the Village Boundary to the West as MCR (Mainstreet Commercial Residential), **Figure 2**.

Schedule C of the proposed second draft of the new Zoning By-law proposes to apply the MCR in a similar manner along Centre Street, **Figure 3**. Minor revisions to the zone boundary are proposed to reflect current uses and historical amendments to redefine the zone boundary for the MCR zone. Permitted uses within the MCR zone and the MCR zone boundary were also discussed early on in the Zoning By-law amendment process at a Community Development Committee meeting on September 8, 2020 and the November 1, 2021 CDC meeting.

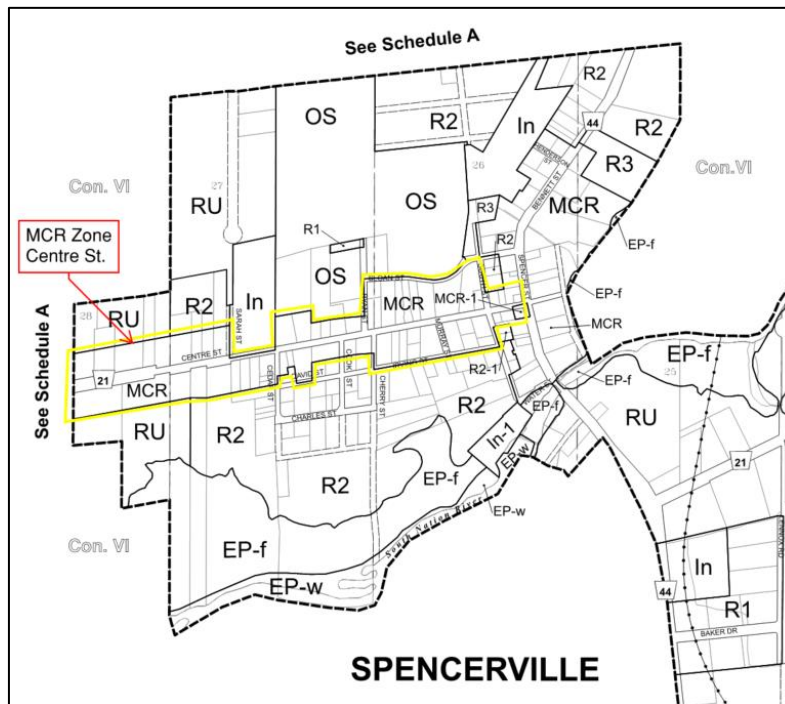
The Village of Spencerville is designated in the Township's Official Plan as Rural Settlement Area which permits a variety of land uses including commercial, institutional, and residential uses. The application of the MCR zone that is reflected in the Township's current Zoning By-law and proposed Zoning By-law provides land use flexibility by permitting a variety of as-of right uses without the need to apply for a zoning by-law amendment. It is noted that since many of the existing uses along Centre Street are presently residential in nature, it may be considered appropriate to zone this section of Centre Street to R1 or R2, thereby restricting the uses to residential only. If so, such lands would require site-specific zoning by-law amendments should an individual or property owner wish to establish a commercial use on the property.

In light of the comment, is it recommended that the Committee consider whether a more restrictive zoning along Centre Street is desirable. In our opinion, the proposed MCR zone is consistent with the present zoning, remains suitable and contributes to the mixed use and diversity found along mainstreets in settlement areas.

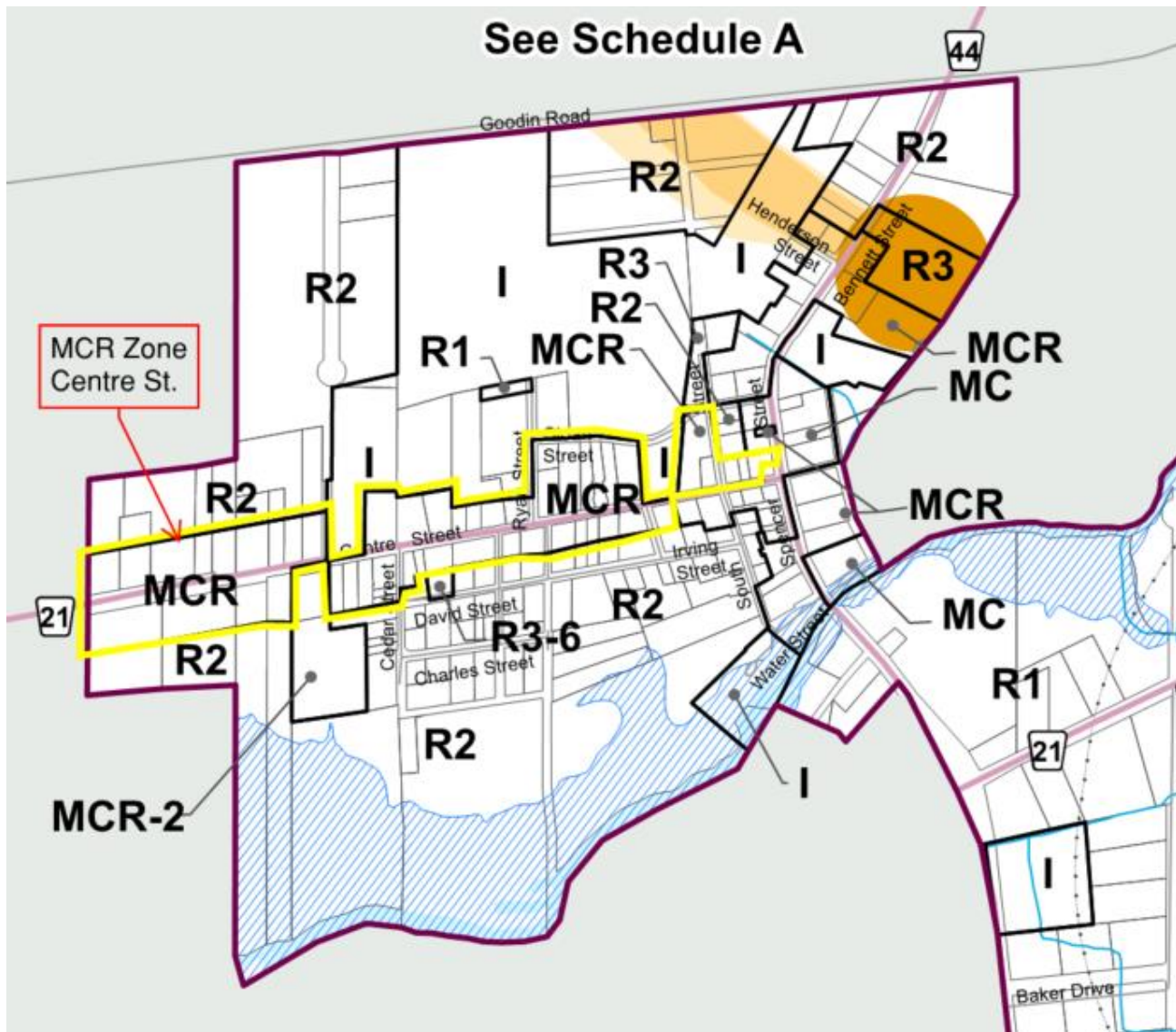
**Recommendation:** It is recommended that the Committee consider whether the current MCR zone is preferred or whether the zoning should reflect current uses only.



**Figure 1. – Centre Street Area of Recommendation from MCR to R1**



**Figure 2. – Excerpt of Schedule C Zoning By-law No. 2021-35**



**Figure 3. – Excerpt of Schedule C Draft 2 Zoning By-law**

## 2. Limited Services Residential (RLS) Zone

Comments have been received relating to the RLS zone, specifically with respect to its purpose and application to lots that obtain access via private road. The submission also suggests that the RLS zone is not necessary and should be removed.

The purpose of the RLS zone is to identify parcels that obtain access via a private road. Section 5.3.16 of the Official Plan defines private roads, and in Section 5.3.19 goes on to indicate that where access is obtained by private road, municipal services are not or may not be available. The policy further states that the Township shall attempt to recognize such limitations through the Zoning By-law and/or municipal agreements.

It is considered that the RLS zone is a useful identifier of properties that obtain access via private road (no frontage on an improved street), and best efforts have been made to accurately map such



properties in fulfillment of the Official Plan policy direction. Further the use of site plan agreements (where applicable) provides the opportunity to include relevant clauses in registered title documents whereby property owners would acknowledge access by private road, and the limitations of such access. Through the use of zoning and municipal agreements, the Township has the ability to limit risk and liability by restricting development on private roads. It is considered that the RLS zone is a reasonable zoning approach and to assist in the understanding of the intent of the RLS zone, an explanatory note has been added to Section 6.5 of the By-law (Limited Services Residential Zone), consistent with the text that is in the current Zoning By-law.

The comment also questioned the standards relating to RLS-zoned properties. Given the nature of the majority of the RLS-zoned properties being small, undersized waterfront lots, it is considered that the proposed RLS standards are appropriate, and no revisions are necessary.

### **Next Steps**

A final draft of the Zoning By-law text and Schedules A-D that implements the Committee's recommendations to the draft By-law as well any additional consultant revisions will be bought back for the Committee's review and endorsement. Once the Committee has reviewed the final draft of the Zoning By-law and is satisfied with the changes, a formal Committee recommendation can be made for Council to approve the new Comprehensive Zoning By-law.

Sincerely,

**NOVATECH**



Jordan Jackson, MCIP, RPP  
Project Planner

Attachment A: Summary of Public & Agency Comments  
Attachment B: Public and Agency Written Submissions