

MEMORANDUM

DATE: JUNE 22, 2022

TO: TOWNSHIP OF EDWARDSBURGH CARDINAL - COUNCIL

FROM: NOVATECH

RE: FINAL ZONING BY-LAW APPROVAL

Background

The Township of Edwardsburgh Cardinal Official Plan was approved, as a new Plan, by the United Counties of Leeds and Grenville in January 2020. Section 26(9) of the *Planning* Act requires that no later than 3 years after an official plan review, the Council shall amend all zoning by-laws to ensure conformity with the official plan. The Township's current Zoning By-law No. 2012-35 has been in effect since June 25, 2012.

Novatech began working with Council and the Community Development Committee in July 2020 to prepare a new Zoning By-law. Throughout the Zoning By-law review process there has been significant input provided by Township Staff, Committee, Council, the public and prescribed agencies.

This report has been prepared to provide an overview of the zoning by-law process, public consultation, policy implications and provides a recommendation for Councils consideration to approve the final Zoning By-law.

Public and Agency Consultation Summary

A draft of the proposed By-law was first circulated to the Community Development Committee for review and input before a first official draft was released to the public and prescribed agencies for review and comment. Several meetings were held with the Committee to gather input on items of local interest. The first draft was made available in May 2021 for review and comment.

In August 2021, a series of open houses (**Table 1**) both in-person at various locations within the Township and virtual were held for the public to review the proposed zoning by-law and to gather feedback or ask questions.

Table 1: Open House Attendance			
Date	Time	Location	Approx. No. of Attendees
Wednesday	3:00pm – 5:00pm	Cardinal Legion	24 registered
August 4, 2021		105 Legion Way, Cardinal	19 attended
	6:30pm – 8:30pm	South Edwardsburgh Community Centre	25 registered
		24 Sutton Drive, Johnstown	24 attended
Thursday	10:00am – 12:00pm	Municipal Office	17 registered
August 5, 2021		18 Centre Street, Spencerville	11 attended
	1:00pm – 3:00pm	Virtual via Individual Zoom Meeting	7 registered
			4 attended

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A number of comments were received on the proposed draft which were presented to the Committee in November 2021 for review, discussion and guidance on how to address comment submissions and to make any necessary revisions to the draft By-law. A second draft of the Zoning By-law was released in March 2022.

A statutory public meeting was held on Thursday April 21, 2022 in the Council Chambers (18 Centre Street, Spencerville ON). A total of 5 members of the public attended the public meeting. Following the meeting, Novatech met with the Committee on May 13, 2022 to review any new comments received on the latest draft of the Zoning By-law.

Throughout the review process a total of 96 written submissions were received on the proposed drafts of the Zoning By-law, both from members of the public and prescribed agencies. Delegations at Committee/Council meetings were also made by members of the public on specific zoning by-law provisions outside of statutory public consultation requirements on the draft By-law, with written submissions provided to Township staff following. Novatech and Township staff also worked with various agencies to prepare and revise provisions of the By-law applicable to their jurisdiction and mandates.

Attachment A includes the summary tables presented to Committee of comments received on the various drafts of the proposed new Zoning By-law. It should be noted that the Public Meeting Summary table has been revised since last presented to Committee on June 6, 2022 as an additional comment from the public was received (Comment #96). No amendments to the Zoning By-law are recommended with regards to this additional comment received.

Final Zoning By-law Draft

A final draft of the new Zoning By-law was presented to the Committee of the Whole – Community Development on June 6, 2022. At this meeting Committee reviewed public comments received and the draft By-law. The outcome of this meeting was a Committee recommendation to Council to approve the new Zoning By-law.

Minor grammatical or formatting changes were made to the final By-law since June 6, 2022. Minor revisions were also made to Section 3.24 to clarify servicing requirements for lands within the rural area and the Village of Johnstown and the RH-2 zone was revised to clarify servicing requirements in New Wexford. Further, Section 3.27 was revised to clarify setbacks of permitted encroachments to property lines.

A final Zoning By-law and four Schedules are attached to this report for Council's consideration to approve as the final new Zoning By-law. The proposed Zoning By-law is a new By-law which establishes new definitions, general provisions, use-specific provisions and various zone categories and related zone standards.

Planning Policy Implications

Planning Act

As noted, Section 26(9) of the *Planning* Act requires that no later than 3 years after an official plan review, the Council shall amend all zoning by-laws to ensure conformity with the official plan. The proposed new Zoning By-law has been prepared to meet the *Planning Act* requirements following approval of the Township's Official Plan in January 2020. The *Planning Act* also establishes

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requirements for public and agency consultation and notification requirements which were implemented during the zoning by-law review process.

Section 34(10.0.0.1) of the *Planning* Act states that if Council carries out the requirements of Section 26(9) by simultaneously repealing and replacing all the zoning by-laws in effect in the municipality, no person or public body shall submit an application for an amendment to any of the by-laws before the second anniversary of the day on which the council repeals and replaces them.

Further, Section 34(10.0.0.2), states that the above-noted section does not apply if council has declared by resolution that such zoning amendment applications are permitted. The resolution may be made in respect of a specific application, a class of applications or in respect of such applications generally.

It is likely that a development proposal will come forward that may need to amend the zoning by-law within the two-year anniversary of Council passing the new Zoning By-law. It is recommended that Council pass a resolution to allow future applications to amend the new Zoning By-law within the two-year period. This provides the opportunity to accommodate proponents of future development proposals without the need to request site-specific resolutions of Council to file an application going forward.

Township of Edwardsburgh Cardinal Official Plan

During the Zoning By-law review process, Official Plan Amendment No. 1 was approved by the United Counties of Leeds and Grenville on June 9, 2022 which permits additional residential units within the Township. The final Zoning By-law includes additional residential unit provisions to implement this Official Plan amendment. It should be noted that in accordance with Section 34(19.1) of the *Planning Act* there is no appeal in respect of parts of a by-law that give effect to permitting additional residential units. The final Zoning By-law has been prepared to conform with the Township's Official Plan.

Township of Edwardsburgh Cardinal Zoning By-law No. 12-35

Should the final Zoning By-law be approved, Zoning By-law No. 12-35 and all related amendments will be repealed and will no longer be in effect. The new Zoning By-law will take effect once the appeal period has passed, and no appeals have been filed, in accordance with Section 34(21) the *Planning Act*.

Next Steps

Council may choose to approve the proposed final new Zoning By-law. Following approval, notice of passing will need to be sent in accordance with the *Planning Act* and a 20-day appeal period follows.

Recommendation

It is recommended that Council approve the proposed new Zoning By-law, which will repeal Zoning By-law No. 12-35, as amended. It is further recommended that Council pass a resolution under Section 34(10.0.0.2) of the *Planning Act* in order to allow zoning by-law amendment applications within the two-year period following approval.

Sincerely,

NOVATECH

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Jordan Jackson, MCIP, RPP Project Planner

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Attachment A Summary of Public & Agency Comments

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Comment #	Source	Comment Received Summary*	Comment Response
Public Con	nments		
1+	S. Summers	Suggestion that fencing setbacks be addressed in the Zoning By-law. Suggestion for minimum of 2 spaces required for new residential buildings. Suggestion for MCR lots when severed be designated as R2.	 The draft Zoning By-law does not provide provisions to address setbacks for fences. Section 3.27 (Yard and Water Setback Encroachments) would permit a fence as an encroachment into any yard. Often times fencing standards are best addressed in a separate Township By-law. The draft Zoning By-law requires a minimum of 1 parking space per dwelling unit and a minimum of 1.25 spaces per dwelling unit in an apartment dwelling (Section 3.14.1 Parking Requirements). Any new dwellings in the Township will be required to meet this minimum standard. See Schedule C of the draft Zoning By-law, the zone boundaries for the MCR have been revised. No recommendations are proposed to the draft Zoning By-law with regards to the comments provided.
2+	C. Marcellus	Opposed to a By-law change to restrict the right to use a recreational vehicle on private property, restricts freedom of assembly.	See Recreational Vehicle response and discussion in report.
3+	S. Lawrence	Opposed to a By-law change to restrict the right to use a recreational vehicle on private property, restricts freedom of assembly.	See Recreational Vehicle response and discussion in report.
4+	M. McDowell	Opposed to a By-law change to restrict the right to use a recreational vehicle on private property, restricts freedom of assembly.	See Recreational Vehicle response and discussion in report.
5+	C. Hunt N. Hunt	Opposed to a By-law change to restrict the right to use a recreational vehicle on private property, restricts freedom of assembly.	See Recreational Vehicle response and discussion in report.
6+	K. McDonald	Opposed to a By-law change to restrict the right to use a recreational vehicle on private property, restricts freedom of assembly.	See Recreational Vehicle response and discussion in report.
7+	C. Jones	Opposed to a By-law change to restrict the right to use a recreational vehicle on private property, restricts freedom of assembly.	See Recreational Vehicle response and discussion in report.
8+	Т.	Opposed to a By-law change to restrict the right to use a recreational vehicle on private property, restricts freedom of assembly.	See Recreational Vehicle response and discussion in report.

9+	E. Moore S. Momy	Opposed to a By-law change to restrict the right to use a recreational vehicle on private property, restricts freedom of assembly.	See Recreational Vehicle response and discussion in report.
10+	E. Moore S. Momy	Opposed to a By-law change to restrict the right to use a recreational vehicle on private property, restricts freedom of assembly.	See Recreational Vehicle response and discussion in report.
11+	K. Hubbard	Opposed to any proposal to prohibit short term use of recreational vehicles on private property for short term and weekend use.	See Recreational Vehicle response and discussion in report.
12+	K. Graham	Concerns expressed regarding being permitted to park a recreational vehicle on private property.	See Recreational Vehicle response and discussion in report.
13+	C. Copeland	Request for additional information on By-law changes for rural living.	N/A
14+	A. Hutchinson	Concerns expressed regarding livestock animals near residential uses. Request made that the Fencing By-law be reviewed.	 The Zoning By-law does not provide the means to control where livestock animals roam on a particular property that permits an agricultural use or a hobby farm. Section 3.15, Section 4.4.3, Section 12.1.3.2, and Section 13.1.3.4 of the draft By-law ensure that any new or expanding livestock facilities and new residential dwellings are separated from one another in accordance with the appropriate MDS formula issued by the Ontario Ministry of Agricultural, Food and Rural Affairs. No recommendations are proposed to the draft Zoning By-law with regards to the comments provided.
15⁺	P. Grant	Concerns raised regarding well construction, building permit and consent process. Minimum of 50-foot (15m) street frontage per well.	 Some of these concerns are not directly related to the draft Zoning By-law review process. The draft Zoning By-law establishes minimum lot area and frontage provisions for a variety of zones. For residential uses, the minimum lot area and frontage standards vary depending on the dwelling type proposed and the services available. Section 3.24 of the draft Zoning By-law outlines the servicing connections required for development within the Village of Spencerville.

			No recommendations are proposed to the draft Zoning By-law with regards to the comments provided.
16+	R. Villeneuve	Concerns expressed regarding being permitted to park and use a recreational vehicle on private property; should be permitted for special circumstances.	See Recreational Vehicle response and discussion in report.
17+	Marcellus	Concerns expressed regarding being permitted to park and use a recreational vehicle on private property; do not create by-laws that further restrict the use, should be permitted during spring, summer and fall and remove trailer from definition of 'structure'.	See Recreational Vehicle response and discussion in report.
18+	R. Lafontaine	Tuttle Point should be given special consideration in the draft Zoning By-law due to environmental context. Area is experiencing new development and use of trailers.	 Majority of properties fronting onto Tuttle Point are proposed to be zoned RLS. Provisions of the RLS zone are proposed to restrict overdevelopment of lands adjacent to the river and that have limited services (access to a public road). Properties along Tuttle Point are also located adjacent to a Provincial Significant Wetland and susceptible to Flood Plain hazards. Section 3.16 of the draft By-law provides provisions regarding development adjacent to environmental protection and natural heritage resources. Section 5.7.1 also provides provisions regarding development within the flood plain over lay zone. See Residential Limited Services (RLS) response and discussion in report.
19+	C. Cleary	Concerns expressed regarding proposed Domestic Fowl Coop zone provisions and provided recommended changes; by-law should not limit to specific type/sex of fowl. Concerns expressed regarding definition of Hobby Farm, permit sale of farm products produced. Recommended changes to definition of Livestock Units and Hobby Farm zone provisions.	 During the November 2020 Development Committee Meeting these comments were brought forward for the Committee's consideration. The Committee agreed not to change the provisions regarding the proposed Domestic Fowl Coop, Hobby Farm and Livestock Unit definitions. The definition of Hobby Farm in the draft By-law permits farm gate sales of agricultural products provided they are produced on the hobby farm. No recommendations are proposed to the draft Zoning By-law with regards to the comments provided.
20+	P. Grant	Concerns expressed regarding development in rural, village and hamlet areas. Comments provided on vision of Township's Official Plan.	No recommendations are proposed to the draft Zoning By-law with regards to the comments provided.

21+	P. Bury	Request for information on public meeting timing.	N/A
22+	R. Perrin	Opposed to by-law that would penalize personal use of recreational vehicles on private property.	See Recreational Vehicle response and discussion in report.
	a public comment re l comment).	ceived on a preliminary draft of the Zoning By-law prepared for Community Developn	nent Committee discussion (prior to the release of Draft 1 – May 2021 issued for public
23	D. Walker	Permit camping on private property.	See Recreational Vehicle response and discussion in report.
24	T. Gilligan	Section 3.12.3 is too restrictive. By-law should be revised to permit occasional use of recreational vehicles to 5 consecutive nights on a residential property.	See Recreational Vehicle response and discussion in report.
25	A. Hutchinson	By-law should require a specific distance between livestock and residential dwellings/wells, referring to Brouseville.	 The Zoning By-law does not provide the means to control where livestock animals roam on a particular property that permits an agricultural use or a hobby farm. Section 3.15, Section 4.4.1.3, Section 12.1.3.2, and Section 13.1.3.4 of the draft ensure that any new or expanding livestock facilities and new residential dwellings are separated from one another in accordance with the appropriate MDS formula issued by the Ontario Ministry of Agricultural, Food and Rural Affairs. Properties within the Brouseville settlement area are zoned Hamlet Residential (RH). Section 4.4.2 of the draft Zoning By-law provides provisions to permit a domestic fowl coop on these properties provided the provisions of Section 4.4.2 are met. No recommendations are proposed to the draft Zoning By-law with regards to the comments provided.
26	L. Temple	Concerns expressed regarding being permitted to park and use a recreational vehicle on private property; should be permitted. Concerns expressed regarding shipping container provisions, shipping containers support tiny home movement and affordable housing.	 See Recreational Vehicle response and discussion in report. Section 4.8 of the draft By-law includes provisions for Additional Dwelling Units. The intent of these provisions is to implement Official Plan policies and provide affordable and alternative housing forms throughout the Township. Section 4.10 of the draft By-law includes provisions to make it clear where shipping containers are permitted to be used for storage purposes within the Township.

			 Section 4.11 of the draft By-law includes provisions to make it clear that tiny homes are permitted as a single dwelling where a residential use is a permitted principal use. Depending on the merits of a building permit that is issued, shipping containers may be included in the construction materials associated to establishing a permitted single dwelling. Shipping Containers and Single Dwellings are defined as two separate uses within the draft Zoning By-law No recommendations are proposed to the draft By-law with regards to the comments provided regarding shipping containers, tiny homes and affordable housing.
27	C. Wilson	Concerns expressed regarding being permitted to park and use a recreational vehicle/tent on private property; should be permitted.	See Recreational Vehicle response and discussion in report.
28	A. Roth	Concerns expressed regarding being permitted to use a recreational vehicle on private property; should be permitted, suggestion to 1 per property or limited to a certain number of days per year.	See Recreational Vehicle response and discussion in report.
29	D. & B. Byrd	Request to end phone calls.	N/A
30	C. Barton	Opposed to making it illegal to allow friends to camp on property, suggestion for minimum lot size requirement. Confusion regarding zoning on a property.	 See Recreational Vehicle response and discussion in report. 178 Shanly Road is zoned on Schedule B of the Draft 1 – May 2021 Comprehensive Zoning By-law as R1. A revised draft can consider labeling placing of other exceptions zone more appropriately to avoid interpretation confusion.
31	D. Bessette	Concerns expressed regarding Additional Dwelling Units Section 4.8 provisions; properties with frontage on both a private road and public road permitted? Are existing second dwellings on private road exempt from the new By-law?	 Any existing structures that were lawfully constructed before the passing of the proposed new Zoning By-law would be permitted to continue. Section 3.11 of the draft By-law includes provisions regarding non-conforming and non-complying uses, buildings or structures. Section 4.8.1.1 of the draft by-law requires that a second dwelling unit and/or second dwelling must be located on a lot where access is provided by an improved street. This provision is in place to implement Section 6.2.1.2 of the Official Plan where it states second units are not permitted in relation to residential uses where access is obtained by private roads.

			 Reviewing Schedule A of the draft Zoning By-law, properties on Riddell Road are zoned RLS. The zoning on some of these properties may change as a result of a thorough review with staff. Section 6.5.3.2 of the RLS zone provisions does not permit a Second Dwelling Unit or Second Dwelling regardless of how access is provided to a property. See Additional Dwelling Unit response and discussion in report. See Residential Limited Services (RLS) zone response and discussion in report.
32	L. Wilson	Concerns expressed regarding being permitted to use a recreational vehicle on private property; should be permitted. Council should be concerned with the maintenance of buildings.	See Recreational Vehicle response and discussion in report.
33	F. Mulhulland	Opposed to a By-law that does not permit Tiny Homes or Shipping Containers as homes due to economic and environmental benefits.	 Section 4.10 of the draft Zoning By-law includes provisions to make it clear where shipping containers are permitted to be used for storage purposes within the Township. Section 4.11 of the draft Zoning By-law includes provisions to make it clear that tiny homes are permitted a single dwelling where a residential use is a permitted principal use on the property. Depending on the merits of a building permit that is issued, shipping containers may be included in the construction materials associated to establishing a permitted single dwelling. Shipping Containers and Single Dwellings are defined as two separate uses within the draft Zoning By-law No recommendations are proposed to the draft By-law with regards to the comments provided.
34	K. McAndrew	See Schedule Comments #24 – provided below.	
35	B. Salmon	Concerns expressed regarding being permitted to use a recreational vehicle on private property (vacant lots); should be permitted but with specific parameters i.e. number of recreational vehicles, length of stay, number of individuals permitted.	See Recreational Vehicle response and discussion in report.
36	K. McDonald	Concerns expressed regarding being permitted to use a recreational vehicle on private property; should be permitted, permit in any zone for weekends	See Recreational Vehicle response and discussion in report.

		and short stays (less than a month) for personal use of property owner and family. Remove Section 3.12.3 of By-law and reinstate Section 4.32(c) (incorrectly noted as Section 3.22 in comment) of current By-law.	
37	L. Schenck	Concerns expressed regarding being permitted to use a recreational vehicle/tent on private property; should be permitted. Comments provided on dogs/cats running at large.	See Recreational Vehicle response and discussion in report.
38	W. Douglas	Concerns expressed regarding being permitted to use a recreational vehicle on private property; should be permitted, suggestion for a limited time and no use of AC units.	See Recreational Vehicle response and discussion in report.
39	K. Graham	Camping on property should be permitted, not living in a recreational vehicle.	See Recreational Vehicle response and discussion in report.
40	B. Byrd	Overnight camping should be permitted on private property.	See Recreational Vehicle response and discussion in report.
41	G. Knapp	Concerns expressed regarding being permitted to use a recreational vehicle on private property; should be permitted, permit in any zone for weekends and short stays (less than a month) for personal use of property owner and family. Remove Section 3.12.3 of By-law and reinstate Section 4.32(c) of current By-law and define seasonal.	See Recreational Vehicle response and discussion in report.
42	M. Craddock	Concerns and confusion expressed regarding being permitted to use a recreational vehicle/tent on private property.	See Recreational Vehicle response and discussion in report.
43	C. Egan	Concerns expressed regarding being permitted to use a recreational vehicle/tent on private property; should be permitted.	See Recreational Vehicle response and discussion in report.
44	A. Locke	Concerns expressed regarding being permitted to use and camp on private property; should be permitted.	See Recreational Vehicle response and discussion in report.
45	B. Byrd	Concerns expressed regarding being permitted to use a recreational vehicle on private property; should be permitted.	See Recreational Vehicle response and discussion in report.

46	T. Byrd	Concerns expressed regarding being permitted to use a recreational vehicle on private property; should be permitted, suggestion for permitting system and use of trailers should not be for profit.	See Recreational Vehicle response and discussion in report.
47	A. Gilmer	Concerns expressed regarding being permitted to use a recreational vehicle on private property; enforcement concerns, suggestions for permit system; should be permitted.	See Recreational Vehicle response and discussion in report.
48	D. Moulton	Concerns expressed regarding being permitted to use a recreational vehicle/bunkie on private property; should be permitted.	 See Recreational Vehicle response and discussion in report. Section 3.12 (Occupancy Restrictions) of the draft Zoning By-law would not permit an accessory structure to be used as a 'Bunkie'.
49	R. Moulton	Concerns expressed regarding being permitted to use a recreational vehicle/tent on private property; should be permitted.	See Recreational Vehicle response and discussion in report.
50	D. Starkey	Comments provided on Section 3.22, suggest wording to cease use of recreational vehicle since permitted to park and clarify whether use of Section 3.22 applies to building renovations. Clarify 'approved onsite sewage disposal system'. Domestic Fowl Coops are allowed in (RU) (A) and (HR). Does that mean they are not permitted in (R1) (R2) (R3) and (LRS)?	See Recreational Vehicle response and discussion in report. See Domestic Fowl Coops response and discussion in report.
51	S. Zorzella P. Davies	Provided comments and recommendations on the RLS provisions including definition of limited services, water setbacks, yard requirements, lot size, floor space index and lot coverage.	 See Residential Limited Services (RLS) Zone response and discussion in report. Section 6.18.2 of the Official Plan requires that development or site alteration shall generally occur a minimum distance of 30m from the normal high water mark of any waterbody. The Official Plan also includes policies to limit development within the 30m water setback. Section 3.25 (Water Frontage and Water Setbacks) is meant to implement the policy direction for development adjacent to waterbodies. A 30m setback to a watercourse for buildings or structures is a current provision in the Township's current Zoning By-law. The intent of the water setback provision is to prevent the disturbance of the shoreline areas or the removal of the soil mantle and natural vegetation (Section 6.18 of Official Plan).

			No recommendations are proposed to the draft By-law with regards to the comments requesting that the 30m water setback not apply to properties on Tuttle Point.
52	M. Ault	Concerns expressed regarding being permitted to use a recreational vehicle on private property; should be permitted, permit in any zone for weekends and short stays (less than a month) for personal use of property owner and family. Remove Section 3.12.3 of By-law and reinstate Section 4.32(c) of current By-law, define seasonal.	See Recreational Vehicle response and discussion in report.
53	S. Marcellus	Concerns expressed regarding being permitted to use a recreational vehicle on private property; should be permitted, permit in any zone for weekends and short stays (less than a month) for personal use of property owner and family. Remove Section 3.12.3 of By-law and reinstate Section 4.32(c) of current By-law, define seasonal.	See Recreational Vehicle response and discussion in report.
54	D. & R. Dulmage	Concerns expressed regarding being permitted to park and use a recreational vehicle on private property; should be permitted.	See Recreational Vehicle response and discussion in report.
55	J. Philiban	Concerns expressed regarding being permitted to use a recreational vehicle on private property.	See Recreational Vehicle response and discussion in report.
56	R. Corey	Remove Section 3.12.3 of By-law, reductions from 3 months to 30 days acceptable.	See Recreational Vehicle response and discussion in report.
57	D. Poaps	Opposed to Section 3.12.3 of the draft By-law.	See Recreational Vehicle response and discussion in report.
58	F. Menard	Reinstate old by-law to apply weekend and week stays in an recreational vehicle, suggestion for 1 month.	See Recreational Vehicle response and discussion in report.
59	T. Rae	Opposed to Section 3.12.3 of the draft By-law. Reinstate Section 4.32(c) of current By-law.	See Recreational Vehicle response and discussion in report.
60	B. Marcellus	Concerns expressed regarding being permitted to use a recreational vehicle on private property; should be permitted, permit in any zone for weekends	See Recreational Vehicle response and discussion in report.

		and short stays (less than a month) for personal use of property owner and family. Remove Section 3.12.3 of By-law and reinstate Section 4.32(c) of current By-law, define seasonal.	
61	K. Bartlett	Concerns expressed regarding being permitted to use a recreational vehicle on private property; should be permitted, permit in any zone for weekends and short stays (less than a month) for personal use of property owner and family. Remove Section 3.12.3 of By-law and reinstate Section 4.32(c) of current By-law, define seasonal.	See Recreational Vehicle response and discussion in report.
62	L. Schenck	Should be permitted to sleep in a tent or trailer on private property.	See Recreational Vehicle response and discussion in report.
63	P. Arruda	Concerns expressed regarding being permitted to use a recreational vehicle on private property; should be permitted.	See Recreational Vehicle response and discussion in report.
64	L. Peterson	Concerns expressed regarding being permitted to use a recreational vehicle on private property. Opposed to any By-law changes that further restrict free use of personal property.	See Recreational Vehicle response and discussion in report.
65	B. Peck	Concerns expressed regarding being permitted to use a recreational vehicle on private property. Remove Section 3.12.3 of draft by-law.	See Recreational Vehicle response and discussion in report.
66	P. Bury	Property is zoned MCR, does this mean a gas station could be established next door or across the street?	• The draft MCR zone only permits an existing Automobile Service Station. If a property is zoned MCR, a new Automobile Service Station would not be permitted.
			No recommendations are proposed to the draft By-law with regards to the comments provided.
67	P. Davies	List of properties provided with recommended zone changes (RU/RLS) based on lot sizes.	See Residential Limited Services (RLS) response and discussion in report.
68	P. Grant	Comments provided on open storage definition.	See Recreational Vehicle response and discussion in report.

		Comments provided on Section 3.12 and Section 3.13.2 of By-law. Suggestion that recreational vehicles may not be stored or parked on a vacant lot.	
69	M. Hamilton	Concerns expressed regarding being permitted to use a recreational vehicle on private property; should be permitted, suggestion provided to limit the number of days and stays per year to use a residential vehicle and permit requirements.	See Recreational Vehicle response and discussion in report.
70	G. Thorburn	Rural people will have no voice.	N/A
71	S. Summers	Comments provided on the MCR zone applied to properties between Centre Street and Sloan Street in Spencerville. Concerns expressed that this would allow higher density residential development.	No recommendations are proposed to the draft By-law with regards to the comments provided.
72	C. Marcellus	Concerns expressed regarding being permitted to use a recreational vehicle on private property; should be permitted, permit in any zone for weekends and short stays (less than a month) for personal use of property owner and family. Remove Section 3.12.3 of By-law and reinstate Section 4.32(c) of current By-law, define seasonal.	See Recreational Vehicle response and discussion in report.
73	A. Clarke	Comments provided are in relation to the Township's Interim Control By- law. Concerns that Frederick Street is not the best location and concerns over water shed.	No recommendations are proposed to the draft By-law with regards to the comments provided.
74	D. Bessette	Seeking clarification regarding Additional Dwelling Units and requirement for access on an improved road for a specific property that has frontage on both a private road and improved street.	 13 Riddell Road is zoned RLS in the draft Zoning By-law. Additional Dwelling Units (Second Dwelling Units and/or Second Dwellings) would not be permitted on this property per Section 6.5.2.1 of the draft Zoning By-law regardless of the road frontage the property may have. 13 Riddell Road has frontage on an improved street, the zoning on this property may change in a future draft of the By-law following review with staff. See Residential Limited Services (RLS) zone response and discussion in report.
			See Additional Dwelling Unit response and discussion in report.

75	A. Hutchinson	Concerns expressed regarding zoning for livestock uses and residential areas, referring to Brouseville.	 The Zoning By-law does not provide the means to control where livestock animals roam on a partial property that permits an agricultural use or a hobby farm. Section 3.15, Section 4.4.1.3, Section 12.1.3.2, and Section 13.1.3.4 of the draft Zoning By-law ensures that any new or expanding livestock facilities and new residential dwellings are separated from one another in accordance with the appropriate MDS formula issued by the Ontario Ministry of Agricultural, Food and Rural Affairs. Properties within the Brouseville settlement area are zoned Hamlet Residential (RH). Section 4.4.2 provides provisions to permit a domestic fowl coop on these properties provided the provisions of Section 4.4.2 are met. No recommendations are proposed to the draft By-law with regards to the comments provided.
76	A. & D. Murphy	Concerns expressed regarding being permitted to use a recreational vehicle on private property; should be permitted, permit in any zone for weekends and short stays (less than three months) for personal use of property owner and family. Remove Section 3.12.3 of By-law and reinstate Section 4.32(c) of current By-law, define seasonal.	See Recreational Vehicle response and discussion in report.
77	D. Dulmage	Clarity provided on recreational vehicle use on personal property at open house.	N/A
78	G. McDonald	Opposed to RLS zone provision change from 20% to 10% lot coverage as it would impact properties and development opportunities. Propose new limit is for new severances only.	See Residential Limited Services (RLS) Zone response and discussion in report.
79	S. Zorzella P. Davies	Comments provided regarding definitions and use of recreational vehicles, use of recreational vehicles during construction, summary of challenges with RVs during construction, boats. Discussion paper also provided on recreational vehicles.	See Recreational Vehicle response and discussion in report.
80	H. Ardley	Concerns expressed regarding being permitted to use a recreational vehicle on private property; should be permitted, permit in any zone for weekends	See Recreational Vehicle response and discussion in report.

		and short stays (less than three months) for personal use of property owner and family. Remove Section 3.12.3 of By-law and reinstate Section 4.32(c) of current By-law, define seasonal.	
Agency Co			
81	MHBC o/b TransCanada PineLines Limited (TCPL)	Comments provided to revise Section 3.17 (Setbacks from Natural Gas Pipelines) to conform to current TCPL standards.	See TransCanada PipeLines response in report.
82	South Nation Conservation Authority	Recommend new definitions for 'Development', 'Regulated Area', 'Site Alterations' be added to the By-law. Recommend amendments to the definitions of 'Conservation Use', 'Partial Service', 'Site Alteration' and 'Watercourse'. Recommend amendments related to setbacks to watercourses, Environmental Protection zones, Recommendation to include provisions related to fish habitat and steep slopes/erosion hazards setbacks. Recommendation to clarify wording in Section 3.2 (Existing Undersized Non-Complying Lots) and Section 3.25 (Water Frontage and Water Setbacks).	See Attachment B.
Schedule	Comments		
30	C. Barton	Concerns expressed regarding zone category on property, referring to Schedule B.	178 Shanly Road is zoned on Schedule B of the Draft 1 – May 2021 Comprehensive Zoning By-law as R1. A revised draft can consider labeling placing of other exceptions zone more appropriately to avoid interpretation confusion.
34	K. McAndrew	Clarify zone boundary for property with Cardinal KOA, referring to Schedule A.	• It is our understanding that 609 Pittston Road has contained the KOA campground use for a number of years and has legal non-conforming rights as the property is currently zoned Agricultural (A).

			It is recommended that the entire property of 609 Pittston Road be zoned CT for the existing KOA campground use.
51	S. Zorzella P. Davies	Recommended zone boundary changes for RLS and RU zones.	It is recommended that the boundaries of the RLS and RU zone be refined with assistance from Township Staff.
82	South Nation Conservation Authority	Recommended that watercourses be added to the legend. Recommended changes to floodplain overlay of Schedule B and D. Recommend clarifying boundaries of Official Plan reference on schedules.	It is recommended that the Conservation Authorities comments on the Zoning By-law Schedules be implemented, see Attachment B.

Comment Received Summary* Source **Comment Response** Comment # **Public Comments** 83 Comments are provided regarding the use and application of the RLS zone P. Davies within the new Zoning By-law. See Limited Services Residential (RLS) zone response and discussion in Concerns expressed that the RLS zone and private roads are not report. appropriately defined. Concerns expressed regarding being able to park a recreational vehicle on Section 3.14.11.1 (Parking and Storage of Recreational Vehicles) permits a 84 V. Cameron private property. recreational vehicle to be stored as an accessory use to a permitted residential use and establishes provisions regarding the location of where the recreational vehicles Suggestions provided to implement a permitting system to permit various may be parked/stored. The intent of this provision is to address public comments received throughout the public consultation to permit the storage of a recreational uses for recreational vehicles. vehicle on a residential property. Section 3.22 (Temporary Uses) allows a recreational vehicle to be occupied on a temporary basis during the course of construction of a new dwelling or during the major renovation of an existing dwelling and establishes provisions regarding the location, time period and servicing requirements to permit this use. No recommendations are proposed to the draft By-law with regards to this additional comment. 85 P. Bury Request that within the Village of Spencerville, Centre Street (from 18 & 13 Centre Street to the Western Village boundary) be rezoned from MCR to R1 See Centre Street Zoning response and discussion in report. to reflect the current residential uses. On May 16, 2022, CDC decided to maintain the MCR zone as proposed in the Draft 2 - February 2022 Zoning By-law. Reasons for the requested change are also proposed. Request made to be notified of Township decisions on proposed Official Plan 87 R. Perrin No recommendations are necessary with respect to this comment. and Zoning By-law amendment. J. Sheldrick-Perrin Opposed to proposed amendment to rezone 41 Adelaide Street from 41 Adelaide Street are currently zoned Community Commercial (CC) on Schedule 89 R. Perrin Community Commercial (CC) to Residential Second Density (Schedule B). J. Sheldrick-B of the Township's current Zoning By-law.

*Refer to full comment submission for full details and context of comments provided. A summary is provided for ease of understanding the issues and concerns noted in the comments related to the draft Zoning By-law.

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	Request made for property to continue to be zoned as Community Commercial.	41 Adelaide Street is proposed to be zoned Residential Second Density (R2) on Schedule B of the Township's Draft 2 Zoning By-law, consistent with many other properties in this area as discussed previously with the Committee.
		41 Adelaide Street is presently developed with a single dwelling and detached garage (residential use). The current Community Commercial (CC) zone does not include a single dwelling as a permitted use. The proposed R2 zone would recognize and permit the current use on the property. Any future commercial uses would require a site-specific Zoning By-law amendment.
		Many properties in the Village of Cardinal along Shanley Road are proposed to be rezoned Residential Second Density (R2) while others are proposed to be zoned General Commercial (CG). Zoning of these properties is proposed to change to reflect the current residential or commercial nature of a property. It should be noted that property values are not a provincial interest identified under the <i>Planning Act</i> .
		No recommendations are proposed to the draft By-law with regards to the comments provided.
P. Bury	Request that within the Village of Spencerville, Centre Street (from 18 & 13 Centre Street to the Western Village boundary) be rezoned from MCR to R1 to reflect the current residential uses.	See Centre Street Zoning response and discussion in report.
	Reasons for the requested change are also proposed.	On May 16, 2022, CDC decided to maintain the MCR zone boundaries as proposed in the Draft 2 - February 2022 Zoning By-law.
M. Mootrey	Request that a vacant property adjacent to 5067 Rock Street (roll number: 070170103511150) be exempt from the 500m setback requirement for a new dwelling from a guarry (Tackaberry Quarry).	The vacant property (roll number: 070170103511150) is presently zoned Rural (RU) which permits a single dwelling.
	The property was created by consent in 2008.	Section 4.37(i) (Pits and Quarries) of the Township's current Zoning By-law No. 2012-35 requires a minimum separation distance between a sensitive land use (i.e a dwelling) of 300m from the licensed limit of excavation of a quarry.
		Section 3.15 (Residential Separation Distances from Other Land Uses) of the Draft Zoning By-law requires a setback of 500m from a quarry for a new dwelling or second dwelling.
-		P. Bury Request that within the Village of Spencerville, Centre Street (from 18 & 13 Centre Street to the Western Village boundary) be rezoned from MCR to R1 to reflect the current residential uses. Reasons for the requested change are also proposed. M. Mootrey Request that a vacant property adjacent to 5067 Rock Street (roll number: 070170103511150) be exempt from the 500m setback requirement for a new dwelling from a quarry (Tackaberry Quarry).

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	<u>– June 14, 2022</u>		The Township's Official Plan approved in January 2020 establishes a 500m influence area around quarries. The proposed setback change from 300m to 500m is to implement policies of the Township's Official Plan which implements policies from the United Counties of Leeds and Grenville's Official Plan and Provincial Policy Statement to limit land uses that may preclude or hinder the establishment or expansion of mineral aggregate operations such as pits and quarries and to protect sensitive land uses. No recommendations are proposed to the draft By-law with regards to the comments provided as there may be other properties throughout the Township where this provided as there may be other properties throughout the
93	P. Davies	Request that the RLS zone be removed from the By-law.	Township where this new setback of 500m would impact development opportunities. On May 16, 2022, CDC decided to maintain the proposed setbacks of 500m for dwellings near quarries as proposed in the Draft 2 - February 2022 Zoning By-law.
30	S. Zorzella	 If RLS is not removed request the following amendments to the Zoning By- law: Maintain RLS Lot Coverage at 20% Remove access by private road restriction for additional residential units Define minimum road standards for emergency service access on private roads Request amendments to the Zone Schedules: Correct USA border 	 With respect to Zone Schedule amendments, the USA border was provided through data release agreement with the Counties. Schedule A uses the most recent data available from Provincial databases for the USA border. RH zone boundaries indicated on the draft Schedule A are shown to be consistent with the current Zoning By-law 2012-35. Schedule A has been updated to revise the RH zones to reflect the Official Plan Settlement Area boundaries and parcel mapping.
94	L. Chapenskie D. Chapenskie	 Correct USA border RH zones are different than the Settlement Area boundaries in the Official Plan Concerns expressed that they will be unable to build on a vacant lot within the 500m influence area of a quarry. 	See response provided for Comment #92.

		(Drait 2 – February 2022 – Fubr	in meeting)
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		Recommend that existing lots be grandfathered in to permit a dwelling on a lot that is within the new 500m influence area. Recommend that second dwellings such as tiny homes or in-law dwellings be allowed to be build within the influence areas.	On May 16, 2022, CDC decided to maintain the proposed setbacks of 500m for dwellings near quarries as proposed in the Draft 2 - February 2022 Zoning By-law.
		By-law No. 93-88 was referenced with questions provided related to an OMB decision and conditions from 1990.	See response provided for Comment #96.
95	M. Mootrey	Concerns provided regarding the need to apply for a building permit application.	See response provided for Comment #92.
		Recommend that existing lots be grandfathered in to permit a dwelling on a lot that is within the new 500m influence area.	On May 16, 2022, CDC decided to maintain the proposed setbacks of 500m for dwellings near quarries as proposed in the Draft 2 - February 2022 Zoning By-law.
96	S. Irving L. Marcil-Irving	Concerns provided regarding the possibility of a concrete or asphalt batching plant operating at the Tackaberry Quarry on Rock Street. By-law No. 93-88 was referenced with questions provided related to an OMB decision and conditions from 1990.	By-law No. 93-88 is a by-law to authorize Council to execute an agreement with G. Tackaberry & Sons Construction Company Limited. By-law No. 93-88 is not a By- law related to an Official Plan or Zoning By-law amendment for the quarry property. The By-law references conditions to an OMB decision that would be related to the issuance of a license from the Ministry of Northern Development, Mines, Natural Resources and Forestry.
			No changes to the Tackaberry Quarry are proposed as the new By-law proposes to carry forward the zoning [current zone: Mineral Extraction (MX); proposed zone: Mineral Aggregate Extraction (MX)] on the subject lands to permit a quarry.
			No recommendations are proposed to the draft By-law with regards to the comments provided.
Agency Co	omments		
86	Enbridge	Request that Enbridge pipelines be included on the Official Plan and Zoning Maps. Request made for policy inclusion that Enbridge be circulated and consulted	Section 3.17 (Setbacks from Natural Gas Pipelines) of the draft Zoning By-law includes zone provisions for principal and accessory structures be setback a certain distance from natural gas pipeline rights-of-way, as set out in the Official Plan.
		on new development applications within 200m of pipeline infrastructure.	Schedule A has been updated to include pipeline data as received from the United Counties.

		Request made that new development within 30m of a pipeline right-of-way seek written consent from the pipeline right-of-way.	Section 3.17 has been revised to prohibit buildings or structures on natura gas or liquid pipeline right-of-ways and to establish a 30m setback from the
		Request that development setbacks be implemented in the Official Plan and Zoning By-law.	centre of a liquid pipeline to address the comment provided by Enbridge Pipelines.
		Additional information was provided regarding development requirements with Enbridge.	
88	South Nation Conservation Authority	Recommends the Zoning By-law includes provides that identify when an SNC permit may be required.	No recommendations are proposed to the draft By-law with regards to the permit identification comment.
		Dravidas recommendations on the minimum lateras requirements for private	There may be other agencies where a permit may be required for a development
		Provides recommendations on the minimum lot area requirements for private and partial serviced lots, expressing concerns regarding private septic system capacity and the need for a water quantity assessment. A lot area of 0.4 ha per dwelling unit is recommended where a private septic system is	project or application. It is recommended that the Township's development information page be updated to include additional information to assist project proponents with understanding development approval requirements.
		required.	The comments regarding minimum lot area provisions for private and partial services has been discussed with the Conservation Authority. The following revisions have been made to the draft By-law to address the comment received with input from the Conservation Authority:
			 The draft Zoning By-law has been revised to require a minimum log area 0.4 ha per dwelling unit where private or partial servicing requires a septic system.
			 A provision has also been included noting that the minimum lot area per dwelling unit may be reduced, provided a Servicing Report inclusive of a hydrogeological assessment and/or terrain analysis prepared by a qualified licensed professional engineer/geoscientist approved to the satisfaction the Township addressing private sewage disposal and/or private water supply requirements for a reduced lo area but no less than 0.2 ha.
			The above noted revisions apply to the proposed R1, R2, R3, HR, CG, MC, MCR CG, CH, MG and I zones.

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91	Infrastructure	Request that current uses permitted in the Rural, Environmental Protection,	The draft Zoning By-law includes new definitions and new general provisions.
	Ontario	Highway Commercial and Agricultural zones in current Zoning By-law 2012-	Further, the permitted uses included in the proposed Rural, Environmental
		35 continue in the current Zoning By-law.	Protection, Highway Commercial, and Agricultural zones, are in large part consistent
			with the current by-law.
			No recommendations are proposed to the draft By-law with regards to the
			comments provided.