

**Minutes of Committee of the Whole
February 9, 2021**



Time: 7:00 pm

Location: Council Chambers/Electronic Participation

Meeting #7

Council Present in Council Chambers: Mayor Ron Vandewal, Ray Leonard, Doug Morey, Alan Revill, Norm Roberts, Randy Ruttan, Ron Sleeth, Ross Sutherland

Council Present via Electronic Participation: Pat Barr

Staff Present in Council Chambers: Neil Carbone - Chief Administrative Officer, Claire Dodds - Director of Development Services, Angela Maddocks - Clerk, Christine Woods -Senior Planner

1. Call to Order/Roll Call
 - a) Motion

The Clerk conducted the roll call as outlined in the attendance listed above.

Moved by Councillor Barr
Seconded by Councillor Sutherland
That the February 9, 2021 Committee of the Whole meeting be called to order at 7:00 p.m.

Carried

2. Declaration of pecuniary interest and the general nature thereof
 - a) There were no declarations reported.
3. Approval of Agenda
 - a) Motion

Moved by Councillor Roberts
Seconded by Deputy Mayor Leonard
That the agenda for the February 9, 2021 Committee of the Whole meeting be approved.

Carried

4. Scheduled Closed Session (at the end of the agenda)
5. Public Meeting - not applicable
6. Delegations - none
7. Reports Requiring Direction
 - a) Proposed General Amendments to the Zoning By-law

Christine Woods reviewed the general and technical amendments the Development Services Department is proposing as amendments to the Zoning By-law. The amendments include zoning changes for properties that are

included in the public road winter maintenance program, site specific zone errors, minimum distance separation for agricultural uses, group homes, legal cannabis production, accessory buildings in front yards, revised definitions and accessory dwelling units in industrial zones and regulations for legal cannabis production.

Zoning that Reflects Public Road Winter Maintenance Program

Hanna Road and Hanna Lane were used as examples. Properties on the lane are zoned to permit year round residents and in this case, the municipality is expected to provide winter road maintenance. The Public Services Department updated its winter maintenance program such that all or portions of some of these public roads are now maintained year-round. As such, the zoning on multiple properties should be changed to Rural or Waterfront Residential to reflect changes to the public road winter maintenance program. Changing the zoning on these properties to Rural or Waterfront Residential would allow for the issuance of a building permit for a single detached dwelling that would be constructed to permit it to be occupied year-round.

Site Specific Zone Errors

The site-specific zone errors have been identified for several properties as a result of conversations with landowners and members of the public.

Agriculture - Minimum Distance Separation

The existing MDS (Section 5.35 - Agriculture) contradicts the MDS document issued by the Province and needs to be updated to be consistent with the Provincial MDS guidelines.

Group Homes

With respect to Group Homes, staff propose to amend the Zoning By-law to list a group home as a permitted use in all zones that permit residential uses on public roads (e.g. single detached dwellings, semi-detached dwellings, multiple unit dwellings), to remove group homes from the Community Facility zone, to add minimum parking requirements to the general provisions, and to remove the provision that requires a site-specific zoning by-law amendment. The restriction to location on a public road would need to be revisited following the adoption of a new Official Plan.

The Ontario Human Rights Code says that “every person has a right to equal treatment with respect to occupancy of accommodation without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age marital status, family status, disability or the receipt of public assistance.” Municipalities have a responsibility to promote housing that is free from discrimination. Group homes are residential uses. Zoning by-laws cannot subject the people who live in this housing to higher levels of scrutiny and expectations than other forms of residential housing.

Legal Cannabis Production

This is not addressed in the Zoning By-law. The Zoning By-law should define the use, identify zones where the use is permitted, and specify regulations based on the potential impacts of the land use. The regulations may address, for example, setbacks regarding noise, light and security, and impact on the demand for water.

Accessory Buildings in the Front Yard

Township staff have identified several definitions that should be revised (e.g. front lot line, dwelling unit, setback) and new definitions that should be added (e.g. sewage system, footprint area). There was concern expressed about the "front lot line" definition especially when considering waterfront properties and having regard for protecting lakes. There has been an increase in the number of minor variance applications to permit accessory buildings, particularly

detached garages, in front yards. It may be appropriate to permit accessory buildings in front yards as-of-right but subject to conditions (e.g. for rural properties, establish a minimum 20 metre setback from the front lot line or increased side yard setbacks). Council asked staff to be somewhat cautious when considering this proposal in subdivisions and built up areas and suggested that use of tree planting as a buffer or berm be implemented. The definition of "footprint area" was discussed as there were concerns about "hard patio's" as they are harder on lakes and do not count as the "footprint". Clarity on these items will be included.

Accessory Dwelling Units in Industrial Zones

In order to protect Industrial properties over the long term, it is recommended the Township consider removing an accessory dwelling unit as a permitted use in the Rural Industrial Zone and Urban Industrial Zone.

There are 32 Rural Industrial or Urban Industrial zoned properties. Accessory dwellings or dwelling units are permitted on 26 of the properties. Ten of the properties have an accessory dwelling. In all cases, the dwelling existed on the property before the industrial zone was established. If an accessory dwelling unit is removed as a permitted use, the existing dwellings would become legal non-conforming uses. The change would not impact properties with a site-specific zone that permits an accessory dwelling.

Council requested that they receive copies of proposed amendments prior to public consultation. The proposed zoning amendments will be advertised on the Township website and in the Frontenac News newspaper.

b) CAO Priorities for 2021

Other than internet/broadband initiatives and where they fit in, Council was supportive of the priorities outlined in the report.

c) Respect in the Workplace Policy

A required amendment in the policy was identified; the reference to "elected official" should be removed as Council members have a "code of conduct".

8. Reports for Information - not applicable

9. Rise & Report from Committees of Council

a) Cataraqui Region Conservation Authority

Councillor Revill noted that the authority continues to assess the impacts of Bill 229 and would like to reach out to member municipalities to discuss to service level requirements and the core mandate of conservation authorities.

b) Quinte Conservation Authority

Councillor Roberts reported that what was referred to as the "old barn" has been demolished and a new garage is to be constructed. Funding for this new garage has been included in yearly budgets. The authority continues to monitor water levels.

c) Rideau Valley Conservation Authority

Councillor Barr indicated there has not been a meeting since November 2020,

therefore there is nothing new to report. RVCA has acquired more conservation land in Mississippi Mills.

10. Information Items - none

11. Notice of Motions - none

12. Announcements/Statements by Councillors

- a) Councillor Sutherland relayed concerns he has received from residents with respect to snowmobilers using the sidewalks. This has become a specific concern in Sydenham and he asked that messaging be sent to remind snowmobilers that sidewalks are for pedestrians only. He suggested that a winter bridge be constructed off of the trail from the property the township owns to access Sydenham One Stop for refueling purposes. This would keep them off the streets.

Staff will issue messaging regarding the use of sidewalks and forward the suggestion to Public Services about the possibility of bridge construction over the creek.

13. Question of Clarity (from the public on outcome of agenda items)

- a) There were no members of the public registered as an attendee for this meeting. Members of the public are still not permitted at this time due to the pandemic restrictions.

14. Closed Session

- a) Motion to move into Closed Session

In accordance with the Municipal Act Section 239.2, Committee of the Whole will move into a Closed Session to discuss Item (b) personal matters about identifiable individuals including municipal or local board employees and item (d) labour relations or employee negotiations, regarding proposed organizational structure changes.

Moved by Councillor Morey

Seconded by Councillor Sleeth

That in accordance with the Municipal Act, Section 239.2, Committee of the Whole move into a Closed Session to discuss item (b) personal matters about identifiable individuals including municipal or local board employees and item (d) labour relations or employee negotiations regarding proposed organizational structure changes.

Carried

- c) Motion - Move out of Closed Session

Moved by Councillor Sutherland

Seconded by Councillor Barr

That Committee of the Whole move out of Closed Session.

Carried

15. Adjournment

- a) Motion

Moved by Councillor Revill

Seconded by Councillor Ruttan

Committee of the Whole
February 9, 2021

That the February 9, 2021 Committee of the Whole meeting be adjourned at 8:31
p.m.

Carried