

TOWNSHIP OF SOUTH ALGONQUIN

ZONING BY-LAW STATUTORY PUBLIC MEETING – MINUTES

On Tuesday, December 6, 2016 Council for the Corporation of the Township of South Algonquin held a Special Council Meeting with respect to the Statutory Public Meeting for the Zoning By-Law.

Present: Mayor Jane Dumas
Councillor John Brown
Councillor Joe Florent
Councillor Dave Harper
Councillor Richard Shalla
Councillor Bill Rodnick

Staff Holly Hayes, CAO/Clerk Treasurer
Tracy Cannon, Municipal Operations Clerk – Recording Secretary
Jamie Robinson, Partner – MHBC Planning Ltd.

Mayor Jane Dumas called the Special Meeting of Council to order at 6:02 p.m.

Mayor Dumas opened the meeting with round table introductions and explained the public meeting was held in accordance with Section 34 of the Planning Act and is being held to inform the public of the details of the proposed Zoning By-Law. The public meeting is to provide the public with an opportunity to provide comments on the draft Zoning By-Law. Mayor Dumas also expressed that Council was in attendance to observe and listen to the public comments. Mayor Dumas also advised the audience, whoever wished to received notice of the decision of the Zoning By-Law to record their information on the circulated sign in sheet.

Jamie Robinson, Partner – MHBC Planning Ltd. presented a slide show presentation that included the purpose of the Zoning By-Law, project timelines, project overview, maps and the structure and zone categories of the Zoning By-Law. It was emphasized that the Zoning By-Law is a “permissive” document. Existing uses, building and structures are “grandfathered” and would be considered as legal non-conforming uses. The Zoning By-Law determines permitted uses based on existing use “as of right”. Mr. Robinson also emphasized that the Zoning By-Law can be amended to reflect changing trends. Also included in the presentation were some of the general public comments received, key modifications and next steps which are as follows:

- Receive comments from the Public Meeting.
- Modify the Zoning By-Law as required
- Prepare staff recommendation report
- Provide Zoning By-Law and staff recommendation report for consideration

Public Questions/Comments

Mayor Dumas invited the audience to provide public comments or questions. Mayor Dumas emphasized that names and addresses of individuals who wish to speak will appear in the meeting minutes, which are public.

Sid James 29890 Highway 60

Question: Does the taxation apply to property uses or how they are zoned?

Answer: MPAC assess properties on the current use of the property. The Zoning By-Law also zones properties on current uses.

Darnell Dawson 1288B McKenzie Lake Road

Question: How many accessory buildings are allowed in a rural zone?

Answer: Currently four (4) accessory buildings are permitted in a rural zone, this does not apply to agricultural uses. Further discussion is required.

Ian Collins 260 All Star Resort Lane

Question: Is there going to be mixed zoning for commercial properties where the owner is residing?

Answer: All commercial zones are permitted dwelling units as of right.

Harold Luckasavitch 71 Lake Street (Comments/questions provided in writing)

Comment: Map 12 Identifies a portion of land that is shown as Crown Land (CL). This was transferred to the Township in 1973 for a Municipal Park.

Comment: Section 4:1:3 speaks about the number of accessory buildings in RU zones as 4. RU could be a parcel of land anywhere from $\frac{3}{4}$ of an acre to 100 acres of land with the same number of accessory buildings being permitted, which does not make sense, requesting that larger parcels should be allowed more buildings as long as it does not have an impact on adjacent lots, also that it doesn't have an impact on the property being developed.

Question: Clarification on Section 4.1.6 (b) Rear Yard Setbacks

Answer: Only applies to a building or structures.

Question: Section 4:30 speaks about sight triangles, does this apply and if so why? All dangerous trees were removed on property line, now would like to re-develop the area.

Answer: Since the property is on a corner lot, shrubs or trees shall not be permitted in excess of 1 metre in height for a distance of 6 metres on either side of the sight triangles.

Question: Map 15 identifies two one hundred acre parcels, 1 being designated as rural (RU) the other being designated as industrial (M1), why the difference? When the Industrial (M1) is not being used for Industrial (M1) but commercial which only takes in a small portion. The balance of the land has two residential dwellings located on it.

Answer: There are components of the current use that classes that property as Industrial (M1).

Question: Map 15 also identifies Environmental Protection (EP) areas on the map. Some of these areas are on private land. Has the owners been notified that restrictions now apply to their land?

Answer: No, property owners were not notified of this Environmental Protection (EP). These areas classified as Environmental Protection (EP) were determined by the Ministry of Natural Resources and Forestry, not the Township.

Question: Would Council consider putting a hold on rushing to pass the Zoning By-Law? Mr. Luckasavitch didn't feel all the residents were aware of the restrictions they will now have on their property. He also suggested to put a question ballot at election time to see if the public really wants a Zoning By-Law.

Answer: The Township is required under the Planning Act to pass a Zoning By-Law within three years of the enactment of the Official Plan, which was enacted in 2014.

Sid James 29890 Highway 60

Comment: Suggested the audience search the definition of trees and shrubs. Mr. James also felt there was ample time, and notice provided in the process of implementing the Zoning By-Law.

Sandra Collins 260 All Star Resort Lane

Question: Currently, minimum water frontage is 90 metres. Madawaska Valley currently has a 60 metre minimum water frontage. Could this be less for South Algonquin?

Answer: Jamie Robinson, Planner will investigate further.

Barney Baker 121 Galeairy Lake Road

Question: What part of the lot is considered the front yard and the rear yard when the building is between the road and the water?

Answer: When a building is on the lake the front yard is between the structure and the water, the rear yard is between the building and the road. When there is no lake, the front yard is the area between the building and the road.

David Brown 25150A Highway 60

Question: Agreed that more time is needed before the passing of the Zoning By-Law. How can the Township have the ability to enact a By-Law on private properties that have a “red seal” under the Land Owner’s Association? (Document provided)

Answer: The Township is required under the Planning Act to pass a Zoning By-Law within three years of the enactment of the Official Plan, which was enacted in 2014. Council will review the document provided.

Harold Luckasavitch 71 Lake Street

Question: Once the Zoning By-Law is passed, who will enforce the By-law? What additional costs would the Township incur?

Answer: The Township already has a part-time By-Law Enforcement Officer on staff. No additional costs are anticipated.

Sandra Collins 260 All Star Resort Lane

Question: Is all existing building “grandfathered”?

Answer: Yes, the Zoning By-Law will only affect subsequent structures.

John Haskin 21 Haskin Lane

Question: How do I go about adding a piece onto my property?

Answer: This would be considered a “lot addition” and could be applied for through a consent application.

Council Questions/Comments

Councillor Florent stated that during the implementation of the Official Plan Council tried adjusting the minimum lot size, but it was sent back by the Ministry to be adjusted accordingly. Mr. Florent clarified that the Zoning By-Law is a “permissive” document and property owners can apply to have the document amended.

Councillor Shalla expressed concerns regarding the minimum lot sizes for lots that are naturally severed by roads.

Staff Comments

Holly Hayes, CAO/Clerk Treasurer thanked everyone for attending the public meeting.

Jamie Robinson, Planner MHBC Inc. explained, once the Zoning By-Law is passed a notice of decision will be included in a local paper, website etc. A person or public body, no later than 20 days after the passing of the Zoning By-Law may appeal to the Municipal Board.

Adjournment 7:21 p.m.

Jane A.E. Dumas, Mayor

Holly Hayes, CAO/Clerk Treasurer

Tracy Cannon, Municipal Operations Clerk,
Recording Secretary