



MINUTES

**Public Meeting Under the Planning Act
Tuesday, November 13, 2018
Council Chambers 6:00 p.m.**

COUNCIL PRESENT:

All members of Council were in attendance for the meeting this evening.

STAFF PRESENT:

Lindsey Lee, CAO/Clerk
Angela Young, Deputy Clerk
Bruce Howarth, Senior Planner

MEDIA PRESENT:

Nil.

1. Call to Order and Roll Call

A Public Meeting under the Planning Act was held at 6:00 p.m. to consider a proposed amendment to the Zoning By-Law for the Township of McNab/Braeside in accordance with the provisions of Section 34 of the Planning Act, 1990.

2. Declare Meeting Open

Deputy Mayor Armsden stated that this is a Public Meeting held by Council under Section 34 of The Planning Act, 1990 and is declared open and further advised this Public Meeting is to consider a comprehensive amendment to the Township of McNab/Braeside Zoning By-Law 2010-49 as requested by Sean Connor & Jennifer Sutherland for Plan 619, Lot 1, 240 McLeod Road.

3. Disclosure of Pecuniary Interest and the General Nature Thereof

Members were asked to state any pecuniary interest and the general nature thereof before the item is discussed. No disclosures of pecuniary interest were declared at this time.

Deputy Mayor Armsden Chaired the meeting this evening.

4. Applicant

Sean Connor & Jennifer Sutherland
Lot 1, Plan 619, Part Lot 16, Concession 3
240 McLeod Road

5. Information Circulated

- 5.1 - Notice of Application and Public Meeting
- Description for Use of Property
- Application Sketch
- County of Renfrew Planning Report
- Draft Zoning By-Law Amendment

6. Clerks Notice of Circulation in accordance with the Requirements of the Planning Act

The public meeting is a requirement of the Planning Act. In accordance with the Planning Act, notice must be given at least 20 days before the public meeting is held. Deputy Mayor Armsden requested that the Clerk confirm the date the notice was circulated and calculate that we had the required 20 days notice.

The Deputy Clerk advised the Notice was circulated to all property owners within 120m of the subject property on October 16, 2018 as well as additional circulation as requested. The Notice was mailed to the agencies as required under the Planning Act. The Notice was published on the Township website on October 17, 2018 and on the Township website calendar and bulletin Board as well as at the property site.

Deputy Mayor Armsden stated that the 20 day notice having been given, declared the meeting properly constituted to transact its business.

Any person wishing to receive written notice of the passing of the Amendment being considered at this meeting must leave their name and mailing address with the Township Clerk by writing their name and address on the list posted at the back of the Council Chambers.

As required by Section 34 (14.5) of the Planning Act, Council is required to inform the public of who is entitled to appeal to the Local Planning Appeal Tribunal, under Sections 34(11) and (19):

Under Section 34(11) - If Council decides to refuse an application or refuses or neglects to make a decision on an application within 120 days of the municipal clerk receiving the application, the applicant or the Minister of Municipal Affairs and Housing, may appeal to the Local Planning Appeal Tribunal by filing an appeal with the clerk of the municipality.

Section 34 (19) – Not later than 20 days after the giving of notice of passing of the by-law, the applicant, any person or public body who made oral submissions at the public meeting or made

a written submission to Council, before the by-law was passed or the Minister of Municipal Affairs and Housing, may appeal to the Local Planning Appeal Tribunal by filing an appeal with the clerk of the municipality.

7. Clerks Reading of the Notice

Deputy Mayor Armsden requested the Clerk give a description and location of the Proposed Amendment.

The Deputy Clerk advised that the notice informed the public of the meeting date to be held on November 13th, 2018 at 6:00 p.m. for the proposed amendment for land located on Lot 1, Plan 619 in Part of Lot 16, Concession 3, municipally known as 240 McLeod Road.

The Deputy Clerk read that the purpose of this amendment is to rezone a 1.62 hectare property to permit the existing dwelling and lands at 240 McLeod Road to be used for the purposes of a wellness group home. A new definition of Wellness Group Home will be added to Section 2.0 of the Comprehensive Zoning By-law. Wellness Group Home will be defined as:

WELLNESS GROUP HOME means a single residence in which up to 9 unrelated adults (excluding staff), temporarily or permanently reside under responsible supervision where indoor and outdoor programs and activities are offered that promote mental, emotional, and physical healing for healthy living.

The effect of the amendment is to rezone the subject property from Rural (RU) to Rural-Exception Thirty-Seven (RU-E37) which would permit a wellness group home, and to add a new definition for wellness group home to the definitions section of the Comprehensive Zoning By-law. All other provisions of the Zoning By-law shall apply.

The notice was dated October 16th, 2018 and signed by CAO/Clerk, Lindsey A. Lee.

Additional information regarding the Zoning By-Law amendment was available for inspection at the Township of McNab/Braeside Municipal Office during regular office hours.

8. Correspondence/Comments Received

- Agencies
- Planning Department
- Others

Deputy Mayor Armsden inquired if there were any written comments received.

The CAO/Clerk advised that the written submission received prior to November 8, 2018 have been outlined in the Planning Report as included in the electronic package this evening. Two

further submissions were received on November 9, 2018 and will be provided electronically to Council.

A planning report from the Township planner was submitted with the Public Meeting Package for Council's information.

The CAO/Clerk advised there was no other correspondence received either to object or to support the proposed application.

Deputy Mayor Armsden inquired if Mr. Bruce Howarth wished to speak to the proposed amendment.

Mr. Howarth reviewed the proposed intent of the application and stated that this amendment was site specific for the property at 240 McLeod Road. Mr. Howarth read the definition of Group Home as indicated in the Township Zoning By-Law 2010-49, as amended, and explained why Blue Skies does not fall under this definition. Mr. Howarth stated that the proposed amendment to allow the existing dwelling to be used as a wellness group home at 240 McLeod Road is consistent with the policies of the PPS and conforms to the Official Plan. It is planning staff's opinion that the proposed wellness group home will not have negative land use impacts and is good planning. Mr. Howarth reviewed the comments submitted to date as outlined in the planning report.

Mr. Howarth further stated that Council can consider whether a review is required related to the Township's definition of a "group home". This would be a separate process from the current site-specific application.

In conclusion Mr. Howarth stated the notice of public meeting that was circulated to agencies and the public included a proposed definition of a wellness group home. After that notice was mailed out, planning staff have slightly revised to read:

WELLNESS GROUP HOME means a single residence in which up to 9 persons over the age 18 (excluding staff), temporarily or permanently reside under responsible supervision where indoor and outdoor programs and activities are offered that promote mental, emotional, and physical healing for healthy living.

The words "unrelated adults" was removed and the words "persons over the age 18" was added.

If Council decides to approve the proposed zoning amendment, under Section 34(17) of the Planning Act, because there is a change made in a proposed by-law after holding a public meeting, Council is to determine whether any further notice is to be given in respect to the proposed by-law amendment. Staff believe that this proposed change is minor as it does not affect the intent of the circulated by-law.

9. Questions/Comments

- Members of the Public
- Applicant/Agent
- Members of Council

Deputy Mayor Armsden inquired if Council had any objections to a slight change in the agenda item order. All of Council were in agreement after the understanding that further comments would be permitted later in the meeting or at the Planning Advisory Committee Meeting.

Deputy Mayor Armsden inquired if Council members wished to speak to the amendment.

Councillor MacKenzie advised that he has several comments but would like to hear the public and applicant submissions along with the delegation to be heard in the Planning Advisory Committee Meeting later this evening and wanted to ensure that he could comment after the delegations in the next meeting.

Deputy Mayor Armsden inquired if the Applicant wished to speak to the amendment.

Mr. Connor spoke at this time, and thanked one of the persons that came to the property to see what the wellness centre was doing. He advised that when he received the group home definition he maybe should have looked closer into the meaning of this definition and would have done what he needed to do, he did not have any ill intent. Moving forward had he known what he knows now he would have done what was needed.

Deputy Mayor Armsden inquired if members of the Public wished to speak to the amendment.

Andrea McCormick advised her thoughts as to what goes on at an addiction wellness centre and reviewed the mechanisms that are available for treatment centre. As the centre stands now we have no idea what their standards are, and inquired if we could slow the process down so that we get this right.

Fred Gunn advised that he has submitted a written submission as this planning action as it is a result of a complaint. The definition is flawed and very vague and the centre does not require accreditation, and he feels there should be as this will have uniform uses and purposes. Mr. Gunn then reviewed why this use should have accreditations and further felt the definition was too open ended. Mr. Gunn further felt that Council should deal with this as a separate by-law issue not as a group home. A copy of the submission was given to the CAO/Clerk.

Mr. Eric Clark stated that Council has an opportunity to embrace this facility within the boundaries of the noise and traffic and felt that Council and the residents could review this within the context provided.

Keith Christie advised he will provide a written submission and inquired if Council knows the scope of this business or what it may evolve into, and inquired as to what the accountability mechanism is. Mr. Christie stated that in May 2018 he contacted township staff and was advised that this use was a group home. Blue Skies keeps changing their mandate and it is very vague. He wanted to know how many persons could afford this fee for services and stated that they are seeking residents from out of town, not just local people. Mr. Christie stated that he believes only the owners will provide oversight. We are not opposed to group homes if they are licensed by the Province and they are regulated and available to all.

Mr. Christie stated that Blue Skies is not a Group Home, therefore they have requested an exception to the Zoning By-law. He reviewed the definition as outlined in the municipal act and inquired as to who are the "residents" as outlined in the PPS, and followed up with several definitions of "residents". He further stated that surrounding zoning by-laws focus family long term living arrangements and gave options for short term shelters, stating that these are not permitted in residential areas. The proposed amendment is poorly drafted and should not be approved, and requested that Blue Skies be brought into conformance with the current by-law.

Council recessed at 7:10

Council reconvened at 7:13

Jennifer Sutherland owner/operator of 240 McLeod Road addressed comments made about the changing information on the website and advised that the Connor family have run group homes for a number of years. Blue Skies is very much a family and home, and stated that the website is updated as frequently as time permits to show exactly what the center is doing.

Lisa McNaughton stated that it wasn't for places like this she would not be around today. She further stated that she understands where the owners and area residents are coming from.

Grant Armstrong advised that he agrees with Mr. Christie and Ms. McCormick and reviewed a letter he had submitted on November 9th, 2018 and received confirmation of Council's pending receipt of same. Mr. Armstrong stated that this is commercial use not residential and should not be permitted in the area.

Karen Wilson asked where the definition of a Group Home came from, and was advised that this was a definition that our planner came up with. Ms. Wilson then stated that she is very concerned as now this could be used as a precedent. Ms. Wilson then asked about the septic and was advised that the septic system was appropriately sized for this structure and was further advised that the Septic Inspector had provided comments that were included in the planning report advising of the requirements should extra fixtures or bedrooms be added.

Carolyn Fox advised that there are 7 bedrooms at the centre and that addiction is a disease the same as cancer is a disease.

Jane Gagnon advised that she felt Blue Skies is not disclosing what they are doing at this facility and should have more security. Ms. Gagnon advised that most of her concerns have already been heard but just wanted to state that she felt unsafe on her property.

Bill Morton stated that he undertook considerable expense to comply with the Zoning By-Law for his property and stated that this amendment is unnecessary and he does not want it here in his neighbourhood and they should put it in Burnstown or White Lake where there would be no particular problem.

Jennifer Remus stated that she was not hearing that this is about people and that Blue Skies is a family atmosphere and they are making a difference and the Township should be proud that Blue Skies has located here.

Roger Harvey advised that he has worked in the addiction and mental health industry in Renfrew County for a number of years and is one of the primary Councillors at Blue Skies. He stated that safety is number one with the centre and they consider the safety of our residents and area.

Andrea McCormick stated that she has asked several times how many bedrooms are in the house and got the answer tonight. She further stated that the Township has not done its job, there is a change of use why is there no report. This is about process and trust, not fear.

Fred Gunn stated that there are a number of group home that would set up and take advantage of the vague definition the Township is putting in place.

Sean Connor added that he fully supports accreditation. There is no legislation that regulates these and advised that to be accredited you have to be in business for a year and there is an evolution process, they look at the policies and may change depending on what issues that arise. The government has no legislation nor are they interested in doing it. Connor Homes is accredited on the children side of their operations.

There were no further comments from the public or the applicant.

Deputy Mayor Armsden inquired if there were any further comments from Council, which there were none.

10. Further Information Requests List

Members of the public were asked to leave their name and contact information on the list at the back of Council Chambers should they wish to be notified with regards to the application.

11. Adjournment

Deputy Mayor Armsden advised that the Public meeting process is now completed. Council will give careful consideration to the arguments for/and or against the zoning amendment requested for this property.

A By-Law will be brought forward to the November 20, 2018 Regular Council Meeting for consideration. The Public meeting was declared closed.

Deputy Mayor Armsden thanked everyone for their attendance.

The meeting adjourned at 8:03 p.m.

MAYOR

CAO/CLERK