



MINUTES

Public Meeting Under the Planning Act Tuesday, April 29, 2025 Council Chambers 6:00 PM

COUNCIL PRESENT: All members of Council were in attendance this evening.

STAFF PRESENT: Angela Young, Deputy Clerk
Mandy Cannon, Deputy Clerk/Executive Assistant
Anne McVean, County Planner, County of Renfrew
Nicole Moore, Junior Planner, County of Renfrew
Bruce Howarth, Manager of Planning Services, County of Renfrew

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 new proposed comprehensive Zoning By-Law for the Township of McNab/Braeside in accordance with the provisions of Section 34 of the Planning Act, 1990.

Acknowledgement

Deputy Mayor Brum stated that we acknowledge that we are on the unceded territory of the Algonquin Anishinaabe people and that we are grateful to have the opportunity to be present in this territory.

2. Declare Meeting Open

Deputy Mayor Brum stated that this is a Public Meeting held by Council under Section 34 of the Planning Act, 1990 and is declared open.

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.

4. Applicant

Township of McNab/Braeside
Applies to all lands within the entire Township of McNab/Braeside

5. Information Circulated

- 5.1 Notice of Open House and Public Meeting
- Overview of Key Changes
- Draft Schedule A Maps 1 - 11

Draft Zoning By-Law

6. **Clerks Notice of Circulation**

In accordance with the Requirements of the Planning Act this public meeting has been convened to listen to comments from the public regarding the proposal for a new zoning by-law in accordance with the Ontario Planning Act. No decisions will be made today to approve or refuse the by-law.

The purpose and effect of the new Zoning By-law is to regulate the use of the land and the erection, location and use of buildings within the entire municipality.

The new Zoning By-law consists of text and a Schedule (or a map) and will implement the County of Renfrew Official Plan and the Provincial Planning Statement.

As part of the proposal, all of the current existing Zoning By-laws for the Township of McNab/Braeside will be repealed and replaced with the provisions of the new Comprehensive Zoning By-law.

Section 34(14.5) of the Planning Act requires the public to be informed of who is entitled to appeal to the Ontario Land Tribunal under Sections 34(11) and 34(19), as follows:

Section 34(11) – If Council decides to refuse an application or refuses or neglects to make a decision on an application within 90 days of the municipal clerk receiving the application, the applicant or the Minister of Municipal Affairs and Housing, may appeal to the Ontario Land 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, a specified person or public body, a registered owner of any land to which the By-law would apply 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 Ontario Land Tribunal by filing an appeal with the clerk of the municipality.

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 Brum requested that the Clerk confirm the date the notice was circulated and calculate that we had the required 20 days notice.

7. **Clerks Reading of the Notice**

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

The Deputy Clerk advised The Notice of Open House and Public meeting was circulated to all property owners in the Township of McNab/Braeside via Canada Post ad mailer on March 27, 2025. The Notice was mailed and/or emailed to the agencies as required under the Planning Act on March 27, 2025. The Notice was mailed to the clerks of municipalities within 1 km of the Township. The Notice was also published on the Township website, Calendar and Bulletin Board on March 27, 2025.

Public Notice was given that exceeded the minimum requirement of the Planning Act.

Deputy Mayor Brum asked Ms. McVean to summarize public comments received to date and then provide an overview of the proposed by law.

8. Anne McVean introduced herself as a County Planner with the County of Renfrew. The Township of McNab/Braeside requested the County's assistance in the preparation of the Township's new Zoning By-law and a brief presentation regarding the project will be given.

Comments were received, and staff will speak to these generally at this point, and expand on them in the presentation, to follow. Comments received were regarding:

- Bee Keeping provisions and seeking clarification on the provisions as they relate to farm properties.
- Backyard Chickens provisions and seeking clarification on changes made.
- Increased Separations between sensitive uses and aggregate reserves, and operations, and the reasoning for the increased separations.
- Notification and the process regarding the mail-outs, quick timing of public sessions and the short timeline for review of the document; requested an additional public session and a 30 day commenting period.
- Questions about a potential subdivision development in White Lake
 - it appears this ZB project is related to future development in White Lake
 - protection of Waba Creek;
 - Clarification on the proposed RR-E1 Zone vs the current RR-E2 Zone
- Site-specific requests to confirm zoning and any impacts for these properties located on Highland Road, Mill Ridge Road, Lochwinnoch Road, Clouthier Lane
- Requests for copies of ZB and maps

HIERARCHY OF PLANNING DOCUMENTS

Before discussing the zoning by-law, Ms. McVean reviewed land use planning in Ontario and the hierarchy of Planning documents that are used by municipalities. Municipalities are given all of their powers and authority to act by the Province. The Province establishes the ground rules for land use planning in Ontario through the Planning Act. The Province ensures that municipalities, in carrying out their responsibilities under the Planning Act, have regard to matters of Provincial interest. Matters of provincial interests in land use planning include:

- The Protection of agricultural resources in the Province,
- The Conservation and management of natural resources and the mineral resource base,
- The orderly development of safe and healthy communities; and
- The appropriate location of growth and development

Next is the Provincial Planning Statement (PPS), which was updated by the Province in 2024. This is a policy document prepared by the Province that provides direction on matters of provincial interest related to land use planning and development.

Next in the planning hierarchy, below the PPS, are Official Plans which are prepared by municipalities and contain more detailed local policy for implementing those matters

identified in the PPS. The Township of McNab/Braeside uses the County of Renfrew Official Plan as your local plan. The Official Plan was approved by the Province.

Finally in the hierarchy, below the Official Plan, is the local Zoning By-law that applies to all lands within the municipality and is required to be consistent with the PPS, and conform to and implement the policies of the Official Plan. The Zoning By-law is the mechanism given to municipalities under the Planning Act to manage land use and future development. It protects you from conflicting and possibly dangerous land uses in your community, and provides the ability for the Township and other public agencies such as emergency services, schools, health care, and electricity to plan for efficient service delivery.

The zoning by-law is a set of regulations that controls development and establishes specific zones for all properties with the aim of ensuring compatibility between land uses. Those zones are applied to properties and displayed on the accompanying map schedules. Examples of zones includes residential, commercial, resource areas, and environmental protection.

In preparing a new Zoning By-law, there are certain items that the Township has the opportunity to make work and customize for the Township such as lot line setbacks, height of buildings, and whether to allow or not allow the certain uses such as backyard chickens or sea cans, as examples. But, there are also certain matters that are outside of any municipality's control that have to be included in the zoning by-law based on Provincial interests such as: identified prime agricultural lands, identified mineral aggregate areas, setbacks to waste disposal sites, setbacks to environmentally sensitive areas, and Ministry of Transportation requirements.

A question often raised is how changes to the zoning by-law might affect property taxes. The Municipal Property Assessment Corporation (MPAC) is responsible for assigning assessed values to properties for taxation purposes. It is important to understand that the Zoning By-law and MPAC's property assessments are separate matters. MPAC assesses properties based on the actual use of the property, not its zoning category, and by analyzing the sales of comparable properties in the area. For example, a house located within an industrial zone would still be assessed and taxed as residential, while a commercial business operating in a residential zone would be assessed and taxed as commercial.

Similarly, a change from a Rural Zone to an Agriculture Zone does not affect how property taxes are assessed. The Zoning By-law does not determine eligibility for property tax rebate or reduction programs, such as those available for farmland or managed forest properties. Nor does it take into account the amount of income generated from farming operations. The purpose of the Zoning By-law is to regulate permitted land uses and the locations where those uses are allowed.

PROCESS

Under the Planning Act, the Township is required to go through this process of updating its Zoning By-law to ensure its by-law conforms to Provincial Policy and the updated Official Plan. Section 26(9) of the Planning Act states that no later than three years after the Official Plan is updated, the council of the municipality shall amend all zoning by-

laws that are in effect in the municipality to ensure that they conform to the Official Plan. The update to the County of Renfrew Official Plan was completed in 2021. Municipalities across the County, including McNab/Braeside are now looking at undergoing updates to their zoning by-laws.

This draft Zoning By-law has been prepared by the County with input from local municipal staff, who use it in their daily work, as well as from Council. The goal is to improve clarity and ease of use while meeting both Provincial requirements and local needs. As many local municipalities within the County are updating their zoning by-laws, our office has developed a template document to standardize many common provisions across adjacent municipalities. This approach not only streamlines the by-law creation process but also promotes consistency for property owners, developers, and municipal staff working across different jurisdictions.

To be clear, this Zoning By-law update does not review or support any specific development projects, nor does it make changes to facilitate new private development. Any proponent of a development proposal must follow the procedures set out under the Planning Act. If a zoning by-law amendment is required to accommodate a proposed development, a site-specific zoning amendment application must be submitted and the approval process must be completed.

For the draft Zoning By-law that is before the public, many parts of the proposed By-law remain unchanged. However, the following are the main changes proposed to the By-law:

Replacing the Residential One (R1) Zone with Rural Residential (RR) Zone, to reflect rural well and septic services that are used throughout the entire Township. The permitted uses and zone provisions are effectively unchanged. The R1 zone is being reserved for properties that are serviced by municipal water and municipal sewage. The Rural Residential (RR) is a zone for residential use on private services.

The current by-law provisions do not allow any shipping containers/ sea cans to be utilized as buildings on any property. New provisions are being proposed to allow sea cans as an accessory use in specific zones (not including residential zones), subject to specific location and screening requirements.

Current zoning provisions restrict beekeeping/apiaries to locations where a farm is a permitted use, being larger properties. New provisions are proposed to allow for beekeeping in a non-farm setting, with a limit of 5 hives and subject to minimum lot size of 0.4 Ha (1 acre), and location requirements. This does not restrict beekeeping/apiaries on farms where it continues to be a permitted use without zoning restrictions.

The zoning provisions regarding backyard chickens is not changing. The same zoning provisions that exist in the zoning by-law are the same moving forward. In addition, the Township chicken regulation, a separate by-law, is not changing and is not being reviewed. These two Township By-laws work in tandem together but neither are proposed to be changed.

The proposed by-law includes a new section on shoreline activity areas for waterfront properties. The current by-law restricts all buildings and structures to 30 metres from the highwater mark. The new proposal would allow limited structures such as small storage sheds, gazebos, saunas, and decks to be constructed within the 30 metre water setback subject to restrictions like size of building. The reduction would not apply to pools, hot tubs, a bunkie, or any other building designed for habitation.

The proposed by-law includes a new provision to allow a sleep cabin/bunkie on a waterfront lot that has a minimum lot area of 0.4 ha (1 acre). The sleep cabin/bunkie is required to be set back 30 metres from the highwater mark and the building would not be permitted to exceed 18 square metres.

The by-law is proposed to include a new provision to ease restrictions like setbacks to property lines for structures designed for accessible or barrier-free access, such as ramps or lifts. The intention is that that these structures would be permitted and not need a minor variance or other planning approvals for construction.

The increases to the required separation distances between sensitive development and aggregate resources, licensed pits and quarries have been updated. For sand and gravel resources and pits – the separation has been increased from 150 metres to 300 metres. For bedrock resources and quarries – the separation has been increased from 300 metres to 500 metres. This is a Provincial directive that the Township is required to implement in this zoning update.

For properties where a farm is a permitted use, in addition to traditional farming activities, the proposed update would allow on-farm diversified uses, agriculture related and non-agriculture related. This will provide properties that are zoned to permit a farm more flexibility to use the property with some restrictions regarding maximum area that can be used for the diversified use.

Provisions for additional dwelling units have been updated to be in line with Provincial legislation allowing up to 3 dwelling units on a farm in the prime agriculture zone. They cannot be severed in the future and there are requirements that the dwellings be located in a cluster to minimize impact on agriculture use.

The parking and loading requirements have been updated, and are more detailed.

Mapping has been improved to provide clarity by showing required separation distances from aggregates, licensed pits and quarries, from waste disposal sites, and Provincially Significant Wetlands.

As part of the project, an online interactive version of the zoning map schedule will be provided to the Township, for use by the public. This is intended to improve ease of use, will be searchable by address and roll number, and will include air photography and various tools.

This is the draft By-law that is now before the public for review. The purpose of this public meeting is to provide an opportunity for the public to provide comments directly to Council. Staff will taking notes and will review all the comments provided: either today

at this meeting, and/or that have been submitted in writing to the Township. Planning staff will then bring back a report to Council with responses to the comments received, our planning comments and recommendations for Council to consider. The report will be made available for public viewing when it is ready.

Council is not making a decision at this meeting. This meeting is an opportunity for staff and Council to hear from the public. After this meeting, people can continue to provide written comments to the Township. Ms. McVean advised that to receive further notice those present should ensure their names and mailing addresses are on the sign-in sheet.

Ms. McVean clarified that in order to maintain appeal rights, the public must make oral submissions at this public meeting and/or submit comments in writing to the Township clerk before Council makes a decision on the Zoning By-law.

Ms. McVean reminded those present that the draft zoning by-law document and map schedules have been and are still available on the Township's website. Alternatively, a paper copy of the text and maps can also be found at the Township office for your review.

Ms. McVean turned the meeting back to Chair Brum.

9. **Questions/Comments**

Deputy Mayor Brum inquired if any members of the public wished to speak to the application.

- Mr. Lou Laventure contested the municipality's authority to plan on private land. He stated that he wanted to have input into what was being done on his property in Lot 22, Concession 8.
- Don Lawson stated his property is Reserve Aggregate. He wants his property zoned Residential. Mr. Howarth responded stating that the lands are identified by the Province, and the mapping for aggregate has not changed.
- Amanda Mulvihill spoke to the rumoured subdivision in White Lake and zoning for it. Ms. McVean responded advising that the zoning for the land Ms., Mulvihill has identified has not changed. Mr. Howarth also responded stating that if any application proposing new development on any land in the Township is submitted, regardless of the zoning, the Township is obligated to consider the application. It is a separate process.
- Steve Neilson – Has Agriculture land on Neiman Drive and wants it changed. He can't get a lot severance. Mr. Howarth advised this is not what this meeting is about. Agricultural land would have been reviewed at the Official Plan stage.

Deputy Mayor Brum inquired if any other members of the public wished to speak, which there were none.

Deputy Mayor Brum inquired for a third time if any members of the public wished to speak, which there were none.

10. **Further Information Requests List**

Members of the public were requested to submit their name and contact information to the Clerk either on the sign in sheet on the podium or by e-mail should they wish to be notified with regards to the application indicating their name, address and postal code.

Members of the public with written submissions were asked to leave them with the clerk.

11. **Adjournment**

The public meeting process is now completed. staff will be coming back with a written report regarding all comments received either at this meeting or submitted in writing.

Deputy Mayor Brum thanked everyone for their attendance to the meeting and participating in the zoning by-law update process. Council will consider all submissions at a future council meeting.

The Public meeting was declared closed.

The meeting adjourned at 6:49 p.m.

DEPUTY MAYOR

CAO/CLERK