



The Corporation of the Township of Perry

MINUTES

PUBLIC MEETING

**Amendments to Township Official Plan and Zoning By-law
to Allow for Additional Dwelling Units**

Wednesday, June 16th, 2021 – 7:05 p.m.

Council Chambers and Electronic Attendance
(1695 Emsdale Road, Emsdale, ON)

Any and all Minutes are to be considered Draft until approved by Council at a
Regular Meeting of Council

In Attendance:

Council Chambers:

Mayor Norm Hofstetter
Beth Morton, Clerk-Administrator

Electronic Attendance:

Councillors: Margaret Ann MacPhail,
Joe Lumley, Paul Sowrey and Jim Cushman

Staff: Mike Wilmon, Chief Building Official
Kim Seguin, Treasurer-Tax Collector

Members of the Public:

Todd Weiler, Elizabeth Sowrey

Resolution No. 2021-250

Moved by: Joe Lumley

Seconded by: Margaret Ann MacPhail

Be it resolved that the Council of the Township of Perry does hereby now adjourn from this Regular Meeting at 7:05 p.m. to commence a 'Public Meeting' for the purpose of hearing comments from members of the public with regard to proposed Amendments to the Township Official Plan and Zoning By-law to Allow for Additional Dwelling Units.

Carried

Resolution No. 2021-251

Moved by: Paul Sowrey

Seconded by: Jim Cushman

Whereas the Council of the Township of Perry receives the Report from the Clerk-Administrator for the Zoning By-law Amendment and Official Plan Amendment to allow for additional residential units; make a minor clarification to Section 1 Administration; and amend Section B1.4.2b) related to the creation of new infill lots in the Rural Designation;

Be it resolved that the Council of the Township of Perry hereby supports the Official Plan Amendment and Zoning By-law Amendment as presented and directs

the Clerk-Administrator to bring forward the By-law for Official Plan Amendment for Council consideration at the July 7th, 2021, Regular Meeting of Council.

Carried

Mayor Hofstetter as the Chair advised that this is a Public Meeting to hear public comments and answer questions regarding the proposed Amendments to the Township Official Plan and Zoning By-law to Allow for Additional Dwelling Units; provide minor clarification for administration; and to clarify the intent of rural infill lot creation in the Township.

He outlined how the Public Meeting would be conducted. He stated that the Clerk/Administrator, Beth Morton would advise as to when, how and to whom notice of the public meeting was circulated and outline the purpose of the proposed By-law.

He noted that the public meeting is not a public debate on the matter. The public will be afforded the opportunity to provide their comments or questions. He outlined that persons in favour of the application would go first. Those in opposition to the application would follow. He also advised that people providing comments or questions are asked to present them through him as the Chair.

He then noted that Council will have the opportunity to ask questions. He also advised that Council will consider the proposed amendment to the Township's Official Plan at the July 7th, 2021 Meeting of Council. Once adopted by Council it will be submitted to the Ministry of Municipal Affairs and Housing who are the approval authority for Official Plan for the Township. Council will consider the Zoning By-law Amendment at a future Regular Meeting of Council following the MMAH approval of the Official Plan Amendment. He stated that all persons addressing Council must state their full name, full mailing address and postal code and must direct their comments through the Chair.

Mayor Hofstetter then requested that the Clerk/Administrator, Beth Morton advise as to how and to whom notice of the public meeting was circulated.

The Clerk/Administrator, Beth Morton, advised that Notice of this Public Meeting was given by posting the Notice of Complete Application and Electronic Meeting on the Township's website, www.townshipofperry.ca on May 17th, 2021; posting in the Almaguin Newspaper on May 27th, 2021 and June 3rd, 2021; posting at the Community Board at the post boxes in Emsdale and Hope's Clover Farm in Novar on May 17th, 2021; and posted and forwarding it to all persons and organizations who have previously requested to receive all Planning notices from the Township of Perry.

The Clerk/Administrator further explained the purpose of the proposed By-law. The lands affected by the proposed Amendments to Township Official Plan and Zoning By-law to Allow for Additional Dwelling Units include all lands within the jurisdictional limits of the Township designated "Rural" and "Hamlet".

The purpose of this amendment is for Council to establish policies and requirements for additional residential units; provide a minor clarification for administration; and to clarify the intent of rural infill lot creation in the Township of Perry.

The Official Plan for the Township of Perry was approved, with modifications, by the Ministry of Municipal Affairs on December 11th, 2013.

On June 6th, 2019, the *More Choices Act* was enacted. The Act is the foundation for Ontario's long-term commitment to affordable housing and it includes amendment to the Planning Act, which provides municipalities with enhanced land use planning tools to support the creation of additional residential units.

The changes to the Planning Act came into effect on January 1st, 2012, and require municipalities to establish official plan policies that allow additional residential units in single detached, semi-detached and row/townhouse dwellings or within an ancillary structure (e.g. a garage) to the above-noted dwelling types. These policies are intended to help implement the Province's long-term affordable housing strategy. The changes are intended to improve access to adequate, suitable and affordable/attainable housing, and provide a solid foundation to secure employment, raise families and build strong communities.

A review of the existing policies in the Perry Official Plan indicate that some minor revisions are required to comply with the changes to the Planning Act, in particular to permit accessory additional residential units only in the permitted uses within the "Rural and Hamlet" Designations.

The proposed changes to the policies will enhance and support the policies of the Township of Perry Official Plan as it relates to intensification through the promotion of affordable and attainable housing within the Hamlet designation and promote affordable and attainable housing within the Rural designation.

A draft Zoning By-law Amendment application is being processed concurrently with the Official Plan amendment to implement this policy direction and permit additional residential units specifically within the Residential One (R1), Residential Two (R2) Residential Three (R3), Rural Residential (RR) and Rural (RU) Zones; provide a definition for "Additional Residential Unit" and other clarification to existing provisions and new general provisions that pertain to this new use.

Section B.1.4.2 provides the policy direction for the consideration of the creation of new infilling lots within the Rural Designation.

Specifically, subsection B.1.4.2 b) permits the creation of one infill lot from a parcel in the Rural designation that existed on the date this Plan was approved, provided

the lot is to be located within a cluster of six residences which also existed on the date this Plan was approved on lots that are not more than 400 metres apart.

There has been some confusion with the interpretation of determining the 400 metre measurement when counting the surrounding lots.

Perry staff interpret that the six dwellings would include the dwelling situated on the lot to be severed, and that the cluster of six residences, which also existed on December 11th, 2013 is located within a 400 metre area around the existing parcel of land.

A minor clarification provision will also be added to Section 1, specifically related to the general interpretation and application of the Zoning By-law.

The proposed revisions are consistent with the applicable policies and direction of the 2020 Provincial Policy Statement.

A full report was presented to Council and staff are recommending approval of the application.

Mayor Hofstetter then declared this to be a public meeting to deal with the proposed Zoning By-law amendment.

There were members of the public in attendance.

Todd Weiler of 220 Deer Lake Road, Emsdale, ON, noted that under the proposal a lot zoned rural or a lot with an exception may not benefit from the additional dwelling as it may not be acceptable. Mr. Weiler further noted that Council should consider some type of power when there is an exception to a lot.

The Clerk/Administrator provided examples to Mr. Weiler and Council of exception lots and a variety of circumstances where an additional dwelling would apply.

There were no further comments from members of the public.

There were no questions or comments from Council.

Mayor Hofstetter then asked the Clerk/Administrator, Beth Morton, what correspondence has been received with respect to the application.

As of 4:30 p.m. today, the Township has received comments from Cara Holtby, Planner, Municipal Services Office – North (Sudbury) - Ministry of Municipal Affairs and Housing. Ms. Holtby provided specific comments and made a recommendation for minor changes to the draft ZBA and OPA to ensure compliance with the Provincial Policy Statement, 2020. Staff have incorporated the recommended changes into the draft ZBA and OPA.

Mayor Hofstetter advised that those wishing to receive further notice of passing of the Amendments must make a written request as per previous instruction. Council will consider the proposed Official Plan Amendment by-law at the July 7th, 2021 Meeting of Council. Once Council makes a decision on the by-law, it will be submitted to the MMAH being the approval authority for the Official Plan Amendment. The approval authority will make sure that comments, concerns, or suggestions from anyone interested in the amendment are considered. The approval authority may approve, approve as modified, or refuse to approve all of parts of the OPA and give a notice of decision. Please be advised that there is a 20-day appeal period from the date of notice of decision of the by-law during which time any person may appeal the decision to the Local Planning Appeal Tribunal. If there is no appeal, the official plan amendment comes into effect on the day after the appeal period expires.

Having received no further questions or comments, Mayor Hofstetter declared this public meeting to be conducted and presented the following resolution:

Resolution No. 2021-252

Moved by: Jim Cushman

Seconded by: Joe Lumley

Be it resolved that the Council of the Township of Perry does hereby now adjourn from this Public Meeting at 7:23 p.m. in order to recommence the Regular Meeting of Council of June 16th, 2021.

Carried

Dated this 7th day of July, 2021.

Originally Signed By Norm Hofstetter

Norm Hofstetter, Mayor

Originally Signed By Beth Morton

Beth Morton, Clerk-Administrator