

**MINUTES**  
**COMMUNITY DEVELOPMENT COMMITTEE**

**Tuesday, September 7, 2021, 6:30 PM**  
**Corporation of The Township of Edwardsburgh Cardinal**  
**Council Chambers, Spencerville Ontario**

PRESENT: Deputy Mayor Tory Deschamps  
Mayor Pat Sayeau  
Councillor Hugh Cameron  
Councillor Stephen Dillabough  
Councillor John Hunter  
Conor Cleary  
Greg Modler  
Cody Oatway

REGRETS: Chris Ward

STAFF: Dave Grant, CAO  
Rebecca Williams, Clerk  
Wendy VanKeulen, Community Development Coordinator  
Candise Newcombe, Deputy Clerk

**1. Call to Order – Chair, Tory Deschamps**

Deputy Mayor Deschamps called the meeting to order at 6:30p.m.

**2. Approval of Agenda**

**Moved by:** Councillor Hunter

**Seconded by:** G. Modler

That the agenda be approved as presented.

Carried

**3. Disclosure of Pecuniary Interest & the General Nature Thereof**

None.

**4. Business Arising from Previous Committee Meeting Minutes (if any)**

Members inquired if the owner of Terpene Farms had completed their site plan control application and if there was an expected timeline to declutter the outside of the building. It was noted that they are currently preparing their planning rationale for submission, and questions were answered by staff regarding their site plan control application this past week. No timeline for clean-up was given. It was noted staff will follow-up on the estimated timeline.

## 5. Delegations and Presentations

None.

## 6. Action/Information/Discussion Items

### a. Live: Land Use Planning

1. Telecommunications Tower Approval, 8072 County Rd 44 (Forbes Bros / Freedom Mobile on Behalf of Allen)

Committee reviewed the report outlining the recommendation to repeal bylaw 2021-35 and accept a Letter of Undertaking from Freedom Mobile in lieu of the SPCA. The applicant (Forbes Bros Ltd.) outlined concerns with phrasing in the Site Plan Control Agreement (SPCA) placing the onus on the landowner for construction, maintenance etc. of the proposed tower.

It was noted that concerns were raised by the applicant (Forbes Bros Ltd.) with the property owner entering into an SPCA. Highlighting that Federal Undertakings telecommunication tower infrastructure are not subject to site plan control; therefore a site plan control bylaw does not apply to antenna sites. Alternately, the applicant offered a Letter of Undertaking from Freedom Mobile.

Members had a general discussion on having legal counsel re-work the terminology within the current SPCA, and where the liability would fall if damage were ever to be caused by the tower. It was noted that without an SPCA with the landowner, the Township forfeits any enforceable control over the future removal of the tower. Members indicated that the current bylaw should not be repealed until the Township has an agreement or alternative in place, as the property owner should take responsibility for their land. Members noted that the property owner receives income from the telecommunication company and the lease agreement has stipulations with respect to the maintenance and removal of the tower.

There was consensus of Committee to request that staff seek legal advice regarding re-phrasing the SPCA and re-visit the issue at the October Community Development meeting.

**Moved by:** Mayor Sayeau

**Seconded by:** Councillor Hunter

That Committee recommend that Council defer the item to the following Committee of the Whole-Community Development meeting scheduled for October 4, 2021.

2. Additional Information, Revision to Plan of Subdivision and Application for Zoning Amendment (Meadowlands North)

Committee reviewed the summary findings of the Traffic Impact Assessment and Serviceability report prepared by the applicant's engineers for the proposed revision to the Meadowlands North subdivision draft plan as per the request of the Community Development Committee during the July meeting.

Members discussed how public meetings under the Planning Act are currently conducted and made suggestions on how future meetings may be conducted to more clearly reflect if the member of the public is in favour or opposed to the zoning amendment. It was noted that during the David St. public meeting, there was no clear division between individuals for or against the proposal making it difficult to depict who supported the zoning amendments. It was noted that the proponents often do not speak in support at public meetings because their support is insinuated through the application process. Members suggested that 2 separate meetings be held for each issue (zoning amendment and revision to the plan of subdivision) in an attempt to better organize responses. It was noted that individual meetings were not required under the Planning Act.

Members discussed the open space allotments and possible uses, maintenance responsibilities of the open space, as well as the Traffic Impact Assessment. It was noted that currently, the residents have assumed responsibility for maintenance of the outlined "buffer zone". Members highlighted that residents have advocated for the avoidance of any development in the proposed buffer area. Members noted that there were 6 blocks dedicated to open space. Members inquired if that many was required as often the Township is burdened with the maintenance of these open spaces and public streets. It was noted that if the Township allowed more development over these open space areas, it could permit the contractor to spread costs around more and possibly aid in making the units more affordable. In addition to the 6 open space and public street blocks, there were 4 reserved blocks listed in the report. It was noted that oftentimes these are used as collateral to ensure all terms and conditions of the plan are adhered to. Following the installation of roads and streetlights, the Township releases the remaining reserve blocks to the developer. Members noted their understanding that the agreement outlined that the second entrance to the subdivision would be from Gill St and wondered if parking should be restricted on one side of the street to

mitigate congestion. Members noted that the finds and recommendations from the Traffic Impact Assessment mentions restricting heavy truck traffic, however it does not address the restriction of parking. Members noted the restriction could be added as a condition.

3. Information Item: Additional Residential Units

During the August meeting the Committee requested clarification on Bill 108 and the corresponding changes to section 16(3) of the Planning Act. Specifically; is the intent to allow an additional residential unit (ARU) within the main dwelling in addition to an additional residential unit as an accessory structure.

UCLG confirmed with the Ministry of Municipal Affairs and Housing that Bill 108- More Homes, More Choices Act allowed one ARU in the main dwelling and one additional dwelling unit in an accessory structure for a total of three potential units.

Members noted their concerns with the ARU's in Bill 108 being used for short-term accommodations rather than the intended use as a long-term rental. Members inquired if there were limits to the use of the ARU's to prevent the influx of backyard short-term accommodations and if an amendment would be required to the Townships Official Plan. It was noted that Bill 108 was adopted around the same time as the Townships Official Plan, which only allows second units in a detached accessory building if there is not already a second unit within the main dwelling. An amendment to the Official Plan will be required.

Members noted that this information item correlates with the following short-term accommodation discussion item and reached a consensus to continue the discussion under item 6(a)(4) and refer back to this item where applicable.

4. Discussion Item: Short-Term Accommodations

Members noted their concerns with unsupervised short-term accommodations, suggesting that the owner should be on-site in these types of establishments in the interest of safety.

Members briefly discussed the differences between a bed and breakfast and short-term accommodation. Members noted that bed and breakfasts are regulated by the Health Unit and subject to inspection. The owner of a bed and breakfast must be present in the establishment; however, this is not required with a short-term accommodation. In light of this information, Members noted the need to add and define provisions within the zoning bylaw for short-

term accommodations and possibly regulating and/or prohibiting them within the Township.

Members debated the pros and cons of permitting short-term accommodations within the Township. Members noted that it may assist low-income/homeless citizens, and also provide accommodations for tourists that do not wish to utilize the motels. Additionally, Members noted that short-term accommodations are more prevalent in large cities, resulting in homes that could be affordable to the public, purchased and converted to short-term accommodations. Members noted that some people interested in acquiring investment property may find short-term accommodations appealing to avoid issues with the Landlord Tenant Board when leasing properties for a long-term commitment.

Members discussed the following items to determine how involved the Township wishes to be with short-term accommodations in the municipality:

- Regulating zoning provisions
- Bylaws for future enforcement and/or licencing
- ARU restrictions
- Effects of short-term accommodation to long-standing local businesses
- Tourism benefits/detriment to the Township
- "Loophole" to the Landlord and Tenant Board Act

Members noted that the purpose of Bill 108 is to rectify the increasing issue of homelessness, not to skirt the regulations of the Landlord and Tenant Board Act. Committee discussed options to potentially regulate short-term accommodations within the Township. Members recognized that the income generated by a short-term accommodation may make a home more affordable. It was noted that a balance should be created with respect to short and long term accommodations and how they will be regulated under the zoning bylaw. There was consensus from Committee that the Township should regulate short-term accommodations under the zoning bylaw.

5. Discussion Item: Aggregate Resources Master Plan

Members had a general discussion regarding viable overburden depths, future aggregate demands, current available aggregate mapping and to what level the Township should be protecting the aggregate resources. It was noted that only overburden from 0-8 m would be included within the Master Plan, while greater depths

would not be feasible unless it can be shown that there is greater long-term interest.

There was consensus from Committee to bring forward the draft resolution to Council in September.

b. Work: Economic Development

None.

c. Play: Recreation

None.

d. Additional Items

1. Discussion Item: Cormorant Control

Members had a brief discussion on the successes of the Township cormorant control program and whether a letter should be circulated to surrounding municipalities in support of adopting the program. Members noted that the focus of the letter should be the devastating damage the birds have on the surrounding land and the detrimental effect they have on the fish stocks.

Members noted their preference of having the letter penned under the signature of the Mayor for distribution to neighbouring municipalities.

## **7. Inquiries/Notices of Motion**

Mr. Modler announced the ribbon-cutting ceremony in celebration of the official opening of the Johnstown dog park and baseball dugouts scheduled for Saturday, September 18 at 10:00 a.m.

Councillor Hunter informed the Committee of complaints received regarding the Cardinal Ingreion Center walking track. Individuals are concerned with staff inhibiting hockey parents from stopping on the walking track to view ongoing games. Members requested that the current regulations be reviewed and reconsidered. It was noted that due to the likelihood of an extensive debate, a consensus was reached to discuss the topic at the next Public Works Environmental Services and Facilities meeting.

Mr. Modler inquired if there had been any complaints about the odour coming from the Purple Farms production plant. It was noted that there had not been any formal complaints to the Township. It was noted that the concept of odour is controlled by the Ministry of Environment, Conservation and Parks and any complaints should be directed to them.

Mayor Sayeau invited Committee members and staff to the 166 annual Spencerville Fair parade being held as a stationary parade on Saturday,

September 11. The Mayor noted the invitation was extended to the surrounding municipal mayors at the last County Council meeting.

Mayor Sayeau brought forth concerns regarding the Zoning Bylaw Amendment, Minor Variance processes and the timing of these applications. Members noted that they would like this added as a discussion item to the October meeting.

**8. Question Period**

None.

**9. Closed Session**

None.

**10. Adjournment**

**Moved by:** G. Modler

**Seconded by:** C.Oatway

That Committee does now adjourn at 8:55 p.m.

Carried

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Chair

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Clerk