

THE CORPORATION OF THE UNITED COUNTIES
OF STORMONT, DUNDAS AND GLENGARRY

BY-LAW NO. 5368

A BY-LAW to adopt Official Plan Amendment No. 13 to the Official Plan of the United Counties of Stormont, Dundas and Glengarry.

WHEREAS the Official Plan of the United Counties of Stormont, Dundas and Glengarry was adopted by Council on July 17, 2017, and approved by the Minister of Municipal Affairs and Housing on February 4, 2018.

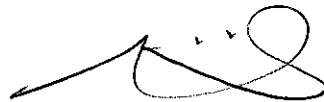
AND WHEREAS Section 17 (22) of the Planning Act, R.S.O., 1990 provides for the adoption of an official plan (or amendment) by a municipal council.

AND WHEREAS Official Plan Amendment No. 13 is an amendment to introduce policies regarding the Delegation of Minor Zoning Amendments to the Official Plan initiated by the United Counties of Stormont, Dundas and Glengarry pursuant to Section 22 of the Planning Act, R.S.O., 1990.

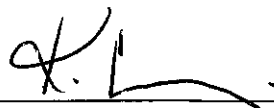
NOW THEREFORE the Council of the Corporation of the United Counties of Stormont, Dundas and Glengarry enacts as follows:

1. That Official Plan Amendment No. 13 to the Official Plan of the Corporation of the United Counties of Stormont, Dundas and Glengarry, attached hereto as Schedule "A" to this By-law, is hereby adopted.
2. That this By-law come into force and effect on the final passing thereof.

READ and passed in Open Council, signed and sealed this 22nd day of August, 2022.



WARDEN



CLERK

SCHEDULE "A" TO BY-LAW No. 5368

**AMENDMENT NO. 13 TO THE OFFICIAL PLAN FOR THE UNITED COUNTIES OF
STORMONT, DUNDAS AND GLENGARRY**

Official Plan Amendment

Minor Zoning Amendments / Notification Requirements Amendment

United Counties of Stormont, Dundas and Glengarry



**UNITED COUNTIES OF STORMONT
DUNDAS AND GLENGARRY**

**CERTIFICATION OF COMPLIANCE WITH PUBLIC INVOLVEMENT AND NOTICE
REQUIREMENTS**

I, Kimberley Casselman, Clerk, hereby certify that the requirements for the giving of notice and the holding of at least one (1) public meeting as set out in Subsection 17(15) of the Planning Act, R.S.O. 1990, and the giving of notice as set out in Subsection 17(23) of the Planning Act, R.S.O. 1990, have been complied with.

Signed



Kimberley Casselman, Clerk

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STATEMENT OF COMPONENTS

PART A - PREAMBLE

Introduces the actual Amendment but does not constitute part of Amendment No. 13 to the Official Plan for the United Counties of Stormont, Dundas, and Glengarry.

PART B - THE AMENDMENT

Consists of the following text, which constitutes Amendment No. 13 to the Official Plan for the United Counties of Stormont, Dundas, and Glengarry.

PART C - THE APPENDICES

Do not form part of Amendment No. 13 but are provided to clarify the intent and to supply background information related to the Amendment.

PART A – PREAMBLE

Purpose

The purpose of Amendment No. 13 to the Official Plan for the United Counties of Stormont, Dundas and Glengarry, which is an amendment initiated by the United Counties pursuant to Section 22 of the *Planning Act*, and is intended to allow the council of a local municipality to delegate, by by-law, the authority to pass by-laws under section 34, 36, 39 and 39.1 of the *Planning Act* that are of a minor nature to a committee of council or an individual who is an officer, employee, or agent of the municipality. The amendment is also intended to remove the requirement for a local municipality to hold a public meeting for a zoning amendment that is or will be required as a condition of a provisional consent, and improve efficiencies in the Community Improvement Plan and part-lot control lifting processes.

Location

The amendments apply to all lands within the corporate boundaries of the United Counties.

Basis

Section 1.1.1 of the Provincial Policy Statement (PPS) states that healthy, liveable, and safe communities are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term.

Section 1.2.1 of the PPS goes on to state that a coordinated, integrated, and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies, and boards.

The SDG Official Plan states in section 8.12.6 that a Local municipality may establish any number of zones to classify and control land uses that may be required to implement this Plan. Further, it states that Local Municipalities may also implement alternative notice requirements for technical Zoning By-law Amendments where the amendments are required to fully implement an approved consent or zoning by-law amendment or for housekeeping purposes.

The proposed amendment was developed by County Staff and was reviewed by all staff at all the County's constituent municipalities. It is recommended that the Official Plan text be amended to give Local Municipalities the ability to delegate certain types of

minor zoning amendments to a committee of council or a municipal employee, officer, or agent. As well, notice for a zoning amendment that is or will be required as a condition of a provisional consent for lot creation would be provided through the consent process and a formal public meeting would no longer be required. The amendment provides for alternative notice provisions for Community Improvement Plans, to allow for more efficient changes to incentive programs. It also specifies that local municipalities may delegate the authority to enact part-lot control by-laws.

PART B - THE AMENDMENT

The Introductory Statement

All of this part of the document entitled, Part B - The Amendment, consisting of the following text and Schedule 'A', constitutes Amendment No. 13 to the Official Plan for the United Counties of Stormont, Dundas and Glengarry.

Details of the Amendment

The Official Plan of the United Counties of Stormont, Dundas and Glengarry is amended as follows:

1. Section 8.12.6 – Add Section 8.12.6.1

8.12.6.1 Delegation of Minor Zoning Amendments

The Council of a local municipality may, by by-law, delegate the authority to pass by-laws under section 34, 36, 39 and 39.1 of the Planning Act that are of a minor nature to,

- a. Committee of council; or
- b. An individual who is an officer, employee, or agent of the municipality

Further, by-laws that are deemed to be minor in nature include:

- a. Zoning Amendments that are required as a condition of approval of a provisional consent application that received no objections from the public and agencies during the required circulation period.
- b. Zoning Amendments that are required as a condition of approval of a provisional consent for lot creation for a residence surplus to a farming operation under Section 8.12.13.3.7 iii) II.
- c. A by-law to remove a holding symbol under Section 36 of the Planning Act where the conditions to remove the holding symbol have been met and any required agreements have been executed
- d. Temporary uses that are specified in the local municipality's delegation of authority by-law.
- e. Zoning Amendments to permit garden suites

A by-law passed under the authority of Section 8.12.6.1 must follow the public notice requirements of the Planning Act, which may include following alternative measures for consulting the public found in Section 8.12.6.2. A local municipality

is not required to hold a public meeting for a by-law passed under this section during a Council meeting.

Further, a delegation of authority under this section may be subject to such conditions as the Council, by by-law, provides, including specifying that delegated authority does not apply to a minor zoning amendment where an objection is received during the public notice period.

3. Section 8.12.6 – Add Section 8.12.6.2

8.12.6.2 Alternative Notice Requirements

A local municipality is not required to hold a public meeting for a zoning amendment that is or will be required as a condition of a provisional consent for lot creation for a residence surplus to a farming operation under Section 8.12.13.3.7 iii) II. Public notice and agency notice shall be deemed to be provided through circulation of the associated consent application.

Further, if the local municipality does not hold a public meeting for the zoning amendment proposed under this section, the County shall include the information required under Section 34(14.5) of the Planning Act in the notice of the proposed consent application.

4. Section 8.12.13.4 – add the following text at the end of the paragraph.

Part-lot control may also be used to subdivide existing developed lots, such as to divide a semi-detached lot along the centreline, where the approval authority is satisfied that the subdivision or consent processes are not required. The Council of a local municipality may delegate the authority to enact a part-lot control by-law to an individual who is an officer, employee, or agent of the municipality

5. Section 8.12.13.5 – add the following text at the end of the paragraph.

A local municipality may use the alternative notice provisions under Section 28(5.2) of the *Planning Act* by providing a minimum of seven days public notice on the municipal website for making amendments to the Community Improvement Plan, rather than holding a public meeting. The notice provided by the local municipality shall include information on appeal rights.

6. Section 8.12.13.7 – add the following text at the end of the paragraph.

For applications for zoning amendments that are required as a condition of a provisional consent, public notice requirements may be deemed to be provided through circulation of the associated consent application as described in Section 8.12.6.2

PART C – THE APPENDICES

APPENDIX A: NOTICE OF PUBLIC MEETING

APPENDIX B: RECORD OF PROCEEDINGS

APPENDIX C: RECORD OF PUBLIC COMMENTS RECEIVED

APPENDIX A: NOTICE OF PUBLIC MEETING



NOTICE OF A PUBLIC MEETING Minor Zoning Amendments / Notification Requirements Amendment for the United Counties of Stormont Dundas and Glengarry

TAKE NOTICE that the Council of the Corporation of the United Counties of Stormont, Dundas, and Glengarry (SDG) will hold a Public Meeting as per Section 17 and Section 21(1) of the *Planning Act* on Monday July 18, 2022, commencing at 9:00 A.M.

THE PURPOSE AND EFFECT – The purpose of the Public Meeting is to provide an opportunity for Council to receive input from the public and stakeholders in respect of the current proposed Minor Zoning Amendments / Notification Requirements Amendment to the SDG Official Plan. The amendment is intended to allow the council of a local municipality to delegate, by by-law, the authority to pass by-laws under section 34, 36, 39 and 39.1 of the *Planning Act* that are of a minor nature to a committee of council or an individual who is an officer, employee, or agent of the municipality. The amendment is also intended to remove the requirement for a local municipality to hold a public meeting for a zoning amendment that is or will be required as a condition of a provisional consent. The Official Plan applies to the entire geographical area of SDG; as such, no key map is provided.

Copies of the draft Official Plan Minor Zoning Amendments / Notification Requirements Amendment can be found at: sdgcounties.ca.

ANY PERSON may attend the public meeting and/or make written or verbal representation either in support of or in opposition to the proposed amendment to the SDG Official Plan.

IF A PERSON or public body does not make oral submissions at a public meeting or make written submissions to SDG before the proposed Official Plan amendment is adopted, the person or public body is not entitled to appeal the decision of the Ontario Lands Tribunal.]

IF A PERSON or public body does not make oral submissions at a public meeting or make written submissions to SDG before the proposed Official Plan amendment is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal there is reasonable grounds to add the person or public body as a party.

IF YOU WISH TO BE NOTIFIED of the adoption of the Minor Zoning Amendments / Notification Requirements Amendment to the Official Plan you must make a written request to the Director of Planning (at the address below) or to info@sdgcounties.ca.

ADDITIONAL INFORMATION relating to the Minor Zoning Amendments / Notification Requirements Amendment to the Official Plan is available on the SDG website and at the local township offices.

DATED this 28th day of June, 2022
Planning Services
United Counties of Stormont, Dundas and Glengarry
26 Pitt Street, K6J 3P2
Cornwall, Ontario
Tel: (613) 932-1515
Fax: (613) 936-2913

APPENDIX B: RECORD OF PROCEEDINGS

Corporation of the United Counties of Stormont, Dundas and Glengarry

REGULAR COUNCIL MINUTES

July 18, 2022, 9:00 a.m.

Council Chambers, Suite 321, 26 Pitt Street, Cornwall

Members Present:

Deputy Warden A. Armstrong,
Councillors, S. Byvelds, T.
Fraser, K. Gardner, S. Jaworski,
F. Landry, J. MacDonald, B.
McGillis, D. Smith, J. Wert

Staff Present:

CAO Simpson, Clerk Casselman,
Director de Haan, Director Young,
Manager of Infrastructure Jans

1. **Call Meeting to Order by Resolution**

Resolution No. 2022-139

Moved by Councillor Smith

Seconded by Councillor MacDonald

THAT the meeting of the Council of the United Counties of Stormont, Dundas and Glengarry be hereby called to order.

CARRIED

2. **Adoption of Agenda**

Resolution No. 2022-140

Moved by Councillor Wert

Seconded by Councillor McGillis

THAT Council approve the agenda.

CARRIED

3. Disclosure of Pecuniary Interest and General Nature Thereof

4. Adoption of Minutes

4.1 June 20 & 30, 2022

Resolution No. 2022-141

Moved by Councillor McGillis

Seconded by Councillor MacDonald

THAT the minutes of the meetings, including the in-camera minutes, of the Council of the United Counties of Stormont, Dundas and Glengarry, held June 20 and June 30, 2022, be adopted as circulated.

CARRIED

5. Public Meeting

5.1 Official Plan Amendment No. 13 - Minor Zoning Amendments / Notification Requirements Amendment

5.2 Official Plan Amendment No. 14 - Cannabis Cultivation and Production Amendment

Resolution No. 2022-142

Moved by Councillor MacDonald

Seconded by Councillor Smith

THAT the Public Meeting to consider Official Plan Amendments be opened at 9:02 a.m.

CARRIED

Clerk Casselman stated that there was one member of the public participating in the public meeting in-person. She stated that their name and contact information was recorded as part of the registration process. Clerk Casselman added that should there be members of the public unable to join the meeting who wish to provide comments related to the items considered, or who wish to be notified of the decisions, to send an email to info@sdgcounties.ca.

Director Young stated that the public meeting was a forum for the public and Council to receive information that pertains to the proposed amendments to the Official Plan related to Minor Zoning Amendments/Notification Requirements and Cannabis Cultivation and Production, as well as voice any questions or concerns regarding the amendments. He stated that the meeting was being held pursuant to Section 17 and Section 21(1) of the *Planning Act*. Director Young presented information regarding the proposed amendments.

Deputy Warden Armstrong permitted questions and comments from the public and Council members. There were no questions or comments concerning Official Plan Amendment No. 13 - Minor Zoning Amendments / Notification Requirements Amendment.

Jacqueline Milner, 19166 Hay Road, Summerstown, spoke to Official Plan Amendment No. 14 - Cannabis Cultivation and Production Amendment. She stated that she was happy to see this item being considered as she had to deal with a cannabis facility close to her home. She spoke to odour concerns with these types of facilities and encouraged definitive wording in the amendment text. Councillor McGillis asked if the facility located near Ms. Milner's home was an indoor or outdoor facility. Ms. Milner stated indoor facility.

Councillor Byvelds stated South Dundas had various challenges on this matter and that he supported strengthening policy at the County level. He added that cannabis was a unique agricultural product and that he endorsed the proposed amendment.

Resolution No. 2022-143

Moved by Councillor McGillis

Seconded by Councillor Gardner

THAT the Public Meeting to consider Official Plan Amendments be closed at 9:18 a.m.

CARRIED

APPENDIX C: RECORD OF PUBLIC COMMENTS RECEIVED

From: Ethier, Dan (MMAH) <Dan.Ethier@ontario.ca>
Sent: June 16, 2022 9:54 AM
To: Peter Young <pyoung@sdgcounties.ca>
Cc: Ingraldi, Aldo (MMAH) <Aldo.Ingraldi@ontario.ca>
Subject: RE: OPA - Minor Zoning Amendments / Surplus Dwelling Alternative Notice

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Peter,

Sorry for the delay in response. Thank you for providing the Ministry with the opportunity to comment on the forthcoming OPA.

MMAH does not have any comments to provide at this time, other than the County should be satisfied that it is meeting the legislative notice requirements when dealing with surplus dwelling units, where you may wish to verify with your legal counsel before moving forward.

Hope the above is helpful and happy to chat further,

Dan

From: Peter Young
Sent: Friday, June 3, 2022 3:22:43 PM
To: Ethier, Dan (MMAH) <Dan.Ethier@ontario.ca>
Cc: Stephanie Morin <smorin@sdgcounties.ca>; Megan Benoit <mbenoit@sdgcounties.ca>; Shayne Wheeler <swheeler@SDGCOUNTIES.ca>
Subject: OPA - Minor Zoning Amendments / Surplus Dwelling Alternative Notice

Good afternoon Dan,

Please find attached draft wording for a potential OPA regarding delegation of minor zoning amendments and alternative notice requirements for surplus dwelling rezonings. Through this OPA, we will also add "Site Plan Control" to the types of applications covered under the complete application requirements in order to facilitate meeting the site plan control timelines in Bill 109.

The effect of the OPA would be that:

- a. Local municipalities can choose if they want to pass a by-law to delegate minor zoning amendments to staff
- b. The type of minor zoning amendments that could be considered minor are listed in the OP policy

- c. Notice for rezonings for surplus dwelling would be provided through the consent process and a formal public meeting would no longer be required.

Please send any comments and suggested changes or additions by **Monday June 13**. We anticipate a public meeting being held at the regular County Council meeting on **July 18**.

Peter



Peter Young, MCIP RPP
Director of Planning Services

United Counties of Stormont, Dundas and Glengarry
26 Pitt Street Cornwall, ON K6J 3P2
P: (613) 932-1515 x 1266
E: pyoung@sdgcounties.ca
W: www.sdgcounties.ca

