

THE CORPORATION OF THE MUNICIPALITY OF HURON SHORES
June 1st, 2016 (16-16)

The special meeting of the Council of the Corporation of the Municipality of Huron Shores was held on Wednesday, June 1st, 2016, and called to order by Mayor Gil Reeves at 7:00 p.m.

PRESENT WERE: Mayor Gil Reeves, Councillors Jane Armstrong, Gord Campbell, Nancy Jones-Scissons, Debora Kirby, Blair MacKinnon, Leo Persia, Darlene Walsh and Dale Wedgwood.

REGRETS: None

ALSO PRESENT: Matthew Pierre; Janet Demers; Ford Scissons; Bill Wierzbicki, Planning Advisory Services; Clerk/Administrator Deborah Tonelli; and Deputy Clerk Beverly Eagleson.

AGENDA REVIEW

No changes.

DECLARATION OF PECUNIARY INTEREST

None.

Mayor Reeves reported the purpose of the meeting was to review motions brought forward by Council members regarding proposed amendments to the Draft Comprehensive Zoning By-law (Version 1.0, October 7, 2015 as updated January 15 & March 1, 2016). He advised that Bill Wierzbicki of Planning Advisory Services and Deputy Clerk Eagleson were in attendance this evening to provide expertise.

4-1. Motion: to Allow for Additional Sleep Cabin

Questions from Councillors Jones-Scissons and Armstrong were addressed.

16-16-01

G. Campbell
D. Wedgwood

WHEREAS the **Draft Comprehensive Zoning By-law** (3.S) defines a Sleep Cabin (Bunkie) as an accessory building, located on the same lot as the dwelling, which is used for sleeping accommodation, but does not contain any cooking facilities and sanitary facilities;

AND WHEREAS the Draft Zoning By-law limits **Sleep Cabins** (Bunkies) to one (1) structure of a gross floor area of 37 m² (400 sq. ft.) with the size of the lot not taken into consideration;

AND WHEREAS there is a need to identify appropriate lot sizes that can accommodate more than one (1) Sleep Cabin (Bunkie);

NOW THEREFORE BE IT RESOLVED THAT Council revise the Draft Comprehensive Zoning By-law to permit a maximum of:

- a. one (1) Sleep Cabin (Bunkie) of a maximum gross floor area of 37m² (400 sq. ft.) on lots under 4 hectares (10 acres) in size where established lot setbacks are attainable; or
- b. up to two (2) Sleep Cabins (Bunkies) of a maximum gross floor area of 37m² (400 sq. ft.) each, on lots 4 hectares (10 acres) or greater in size where established lot setbacks are attainable. CARRIED.

4-2. Motion: to Allow for Usage of Stored Recreational Vehicles

Council deliberated the motion. Concerns were voiced in that the motion did not allow for the following on one's own property: the storage of someone else's recreational vehicle; a guest to temporarily utilize the guest's

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recreational vehicle; and the use of more than one recreational vehicle on lots of more than 10 acres, all without the property becoming a commercial operation.

16-16-DEFEATED WHEREAS the **Draft Comprehensive Draft Zoning By-law** (3.R) defines in part a Recreational Vehicle as any vehicle so constructed that is suitable to be attached to a motor vehicle for the purpose of being drawn or is propelled by the motor vehicle and is capable of being used for living, sleeping, eating or accommodation of persons on a temporary, transient or short term basis, even if the vehicle is jacked up or its running gear is removed. Examples include a motor home, tent trailer, a camper trailer, a recreational trailer, a fifth wheel or a bus converted into a motor home. For the purposes of this definition, a recreational vehicle shall be considered a structure for the purpose of establishing setbacks only;
G. Campbell
D. Wedgwood

AND WHEREAS the Draft Comprehensive Zoning By-law in Section 5.4.4 (c), 5.6.4 (b), 5.7.4 (b), 5.15.4 (c) and 5.16.4 (c) allows for one (1) or more recreational vehicles to be stored on a lot provided it is owned by the owner of the lot;

AND WHEREAS the Draft Comprehensive Zoning By-law does not allow for the usage of these recreational vehicles to accommodate visitors on an occasional basis;

AND WHEREAS there may be a need to accommodate visitors once the sleeping facilities of the dwelling of the owner are full;

NOW THEREFORE BE IT RESOLVED THAT Council revise the Draft Comprehensive Zoning By-law to permit the limited **usage of one (1) stored recreational vehicle to accommodate overflow from the sleeping facilities of the dwelling unit** located on the lot and that the usage of the recreational vehicle be limited to a sleeping facility only. DEFEATED.

RECORDED VOTE:

L. C. (Gil) Reeves	Yea	B. MacKinnon	Yea
J. Armstrong	Nay	L. Persia	Nay
G. Campbell	Yea	D. Walsh	Nay
<u>N. Jones-Scissons</u>	Nay	D. Wedgwood	Yea
D. Kirby	Nay		

4-3. Motion: to Allow for Usage of Recreational Vehicles, Identify Numbers Permitted on a Lot, and Require License Fees

Council deliberated a section of the original motion respecting the use of recreational vehicles on vacant lots and license fees, and, at the consent of the mover and seconder, said sections were removed from the motion. Deliberation ensued regarding the amended motion. Council discussed: licensing of recreational trailers; usage timeframes; concern that usage allowances could deter building development; equating the number of permitted stored recreational vehicles to the size of the property, with Mr. Wierzbicki recommending no more than 1 for every 1.5 acres, to a maximum of 4; and on queries from Mrs. Eagleson, enforcement concerns and the zones to which the proposed amendments would apply. Mr. Wierzbicki reminded Council of the ability for individuals to seek a minor variance to the zoning by-law.

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16-16-DEFEATED
N. Jones-Scissons
D. Kirby

WHEREAS the **Draft Comprehensive Zoning By-law** does not currently address ratepayers' concerns with respect to permitting use of their **travel trailer** to accommodate guests;

AND WHEREAS the Draft Comprehensive Zoning By-law does not permit ratepayers who reside on lots over 1.5 acres to store relatives' travel trailers;

AND WHEREAS the Official Plan does not currently support the ratepayers' requests to allow travel trailers to house guests and as well as permit storage of travel trailers of family and friends on lots over 1.5 acres;

NOW THEREFORE BE IT RESOLVED that the Council directs staff to amend the Draft Comprehensive Zoning By-law: Sections 5.6.4(b); 5.7.4(b); and 5.16.4 (d) to read as follows:

1. A recreational vehicle shall not be used as a dwelling unit for permanent occupancy as a year round residence.
2. A recreational vehicle that is not a mobile home and is used from time to time for a period not exceeding 30 consecutive days for the **temporary sleeping accommodation** of guests of a single detached dwelling shall be permitted on the same lot as the principal unit.
3. The facilities and amenities of the principal dwelling shall be available at all times for the use of the occupants of the recreational vehicle;

AND THAT storage of recreational vehicles of the dwelling unit on the lot be limited to **no more than four (4) recreation vehicles for lots over 1.5 acres** regardless of ownership, and that no monies be exchanged for said storage;

AND THAT Council directs staff to prepare the necessary motions, for inclusion on the June 8th Council Meeting Agenda, to commence an Official Plan amendment to enable the above-noted changes pertaining to Recreational Vehicles in the Draft Comprehensive Zoning By-law prior to the passing said By-law. DEFEATED.

RECORDED VOTE:

<u>L. C. (Gil) Reeves</u>	Nay	B. MacKinnon	Nay
J. Armstrong	Nay	L. Persia	Nay
G. Campbell	Nay	D. Walsh	Nay
N. Jones-Scissons	Nay	D. Wedgwood	Nay
D. Kirby	Nay		

4-4. Motion: to Amend Sections of Table 4.12A

16-16-02
N. Jones-Scissons
J. Armstrong

WHEREAS it has been identified that the Draft Comprehensive Zoning By-law, **Table 4.12A - Additional Provisions for Home Based Businesses**, of the Draft Comprehensive Zoning By-law contains an error in that it does not identify, as permitted in Section 4.1.1(f) and 4.12 (d)(iii), the size of an Accessory Building permitted to be used for a Home Based Business;

AND WHEREAS Table 4.12A - Additional Provisions for Home Based Businesses, Content Column 3, Content Row

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16-16-02 – cont. 3 does not contain the word maximum;
AND WHEREAS Table 4.12A – Additional Provisions for Home Based Businesses, Content Column 3, Content Row 4 does not contain the word maximum;
NOW THEREFORE BE IT RESOLVED THAT the Draft Comprehensive Zoning By-law Table 4.12A – Additional Provisions for Home Based Businesses, Content Column 2 (R1, MR, RW Zones), Content Row 3 *Accessory Building* only, be amended from n/a to **Maximum 100 m²**;
AND THAT Table 4.12A – Additional Provisions for Home Based Businesses, Content Column 3, Content Row 3, 111 m² [1,200ft.²] be amended to include the word **Maximum**;
AND THAT Table 4.12A – Additional Provisions for Home Based Businesses, Content Column 3, Content Row 4, 139 m² [1,500 ft.²] be amended to include the word **Maximum**. CARRIED.

4-5. Motion: to Remove Sentences from Table 4.12A
Mr. Wierzbicki identified his support of the following motion.

16-16-03 WHEREAS the **Draft Comprehensive Zoning By-law**
N. Jones-Scissons Table 4.12A does not permit commercial vehicles,
J. Armstrong portable equipment used off-site and trailers to be stored
in an indoor storage building or accessory building on a
ratepayer`s property;
NOW THEREFORE BE IT RESOLVED that Council directs
staff to **remove** from the Draft Comprehensive Zoning
By-law, **Table 4.12A** - Additional Provisions for Home
Based Businesses, Indoor storage – dwelling or accessory
building description for both column R1, MR, RW Zones
and column R and A Zones, the following sentence:
“Excludes commercial vehicles, portable equipment used
off-site and trailers”. CARRIED.

4-6. Motion: to Amend Table 4.12A to Allow for Unlimited Home Base
Businesses on One Property

Council deliberated the motion. Concerns were voiced regarding:
subjectivity; definition of a home based business as it relates to the
Employment Standards Act; and need to control the amount of traffic to and
from the home based business. Mr. Wierzbicki recommended that should
Council wish to amend the number of home based businesses on one
property that it address the impact of noise, dust, etc. to the neighbouring
properties.

The ability to request a minor variance was again discussed.

16-16-DEFEATED WHEREAS the proposed Comprehensive Zoning By-Law
N. Jones-Scissons Table 4.12A **limits the number of Home Based**
D. Kirby **Businesses** to only one;
AND WHEREAS the computer Industry, Internet, and
Work from Home initiatives are currently being offered by
many corporations throughout North America;
NOW THEREFORE BE IT RESOLVED THAT Council directs
staff to amend the draft Comprehensive Zoning By-law
Section 4.12A – Additional Provisions for Home Based
Businesses, to reflect that there is **no limitation**,
notwithstanding the combination of business ventures
does not significantly interfere with their neighbours’
ability to enjoy their property. DEFEATED.

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4-7. Motion: Section 4.17 - Legal Non-Conforming Use

Mr. Wierzbicki reported the complexity of legal non-conforming use. He explained that to describe the term to its fullest in the by-law could cause greater confusion. Councillor MacKinnon recommended that the community be made aware of the appeal process. At the request of Councillor Walsh, Mr. Wierzbicki described the term and noted the provisions in the *Planning Act* that permit Council to review similar uses and approve or not approve the use. Mr. Wierzbicki also noted that each case must be reviewed on its own.

16-16-DEFEATED
N. Jones-Scissons
B. MacKinnon

WHEREAS the Draft **Comprehensive Zoning By-law** does not clearly address the ratepayers' concern regarding their property as being protected as a **legal non-conforming use**;

NOW THEREFORE BE IT RESOLVED that Council directs staff to reword Section 4.17 respecting **Legal Non-Conforming Uses** to better clarify its meaning.

DEFEATED.

RECORDED VOTE:

L. C. (Gil) Reeves	Nay	B. MacKinnon	Nay
J. Armstrong	Nay	L. Persia	Yea
G. Campbell	Nay	D. Walsh	Yea
<u>N. Jones-Scissons</u>	Yea	D. Wedgwood	Nay
D. Kirby	Nay		

4-8. Motion: to add a Definition in the Zoning By-law for "Vexatious"

Following deliberation; and agreement by the mover and seconder, the motion was withdrawn.

Mr. Wierzbicki reported that, from a land use planning viewpoint, Council and community participation is always appreciated. Mayor Reeves thanked Mr. Wierzbicki for attending this evening's meeting and for the work he has put into the document and the dozens of changes which he has made.

ADJOURNMENT

16-16-04

D. Kirby
J. Armstrong

BE IT RESOLVED THAT Council does adjourn at 9:14 p.m.

CARRIED.

MAYOR

CLERK