



Municipality of Mississippi Mills

COUNCIL AGENDA

Tuesday, June 7, 2022

5:40 p.m.

Hybrid

3131 Old Perth Road.

Pages

A. CALL TO ORDER

B. CONSIDERATION OF A CLOSED SESSION

B.1 HR Matter

Recommended Motion:

THAT Council enter into an in camera session at 5:40 p.m. as per personal matters about an identifiable individual, including municipal or local board employees (Municipal Act s.239 2(b)).

C. RISE AND REPORT

C.1. HR Matter

D. O CANADA

E. MOMENT OF SILENT MEDITATION

F. ATTENDANCE

G. APPROVAL OF AGENDA

Recommended Motion:

THAT the agenda be approved as presented.

H. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

I. APPROVAL OF MINUTES

5 - 20

Recommended Motion:

THAT the Council minutes dated May 17 and May 23, 2022 be approved as presented.

J. DELEGATION, DEPUTATIONS, AND PRESENTATIONS

K. PUBLIC MEETINGS

K.1.	Background Report – Z-07-22 – Additional Residential Units (Secondary Dwelling Units)	21 - 40
K.2.	Background Report - Zoning By-law Amendment - Z-05-22 Concession 8 West Part Lot 1, Ramsay Ward, Municipality of Mississippi Mills, municipally known as 7307 and 7317 County Road 29 Road	41 - 48
K.3.	Background Report - Zoning By-law Amendment - Z-06-22 Concession 12 West Part Lot 12, Ramsay Ward, Municipality of Mississippi Mills, municipally known as 1562 Ramsay Concession 12 Road	49 - 55
L.	COMMITTEE OF THE WHOLE REPORT	56 - 57
	Recommended Motion:	
	THAT Council approve the Committee of the Whole motions from the May 17, 2022 meeting.	
L.1.	Backyard Composters	
	Recommended Motion:	
	THAT Council approve offering residents a \$40 rebate for the purchase of a backyard composter;	
	AND FURTHERMORE THAT 25 rebates per year be available.	
L.2.	Dedicating Plan 27N90, Block 21 as part of the Municipal Highway System	
	Recommended Motion:	
	THAT Council Direct Staff to prepare a bylaw for the purposes of dedicating Block 21 of Plan 27M90 as part of the municipal highway system to be known as Sadler Drive.	
L.3.	Festival Parades	
	Recommended Motion:	
	THAT Council approve staff working with the Celtfest and Puppets Up! Festival Committees to plan safe parade routes for 2022.	
L.4.	Age Friendly Wellness Trail	
	Recommended Motion:	
	THAT Council approve installation of a 6-part wellness trail on public lands in downtown Almonte;	
	AND FURTHERMORE, that staff be permitted to work with the committee to choose appropriate locations and equipment.	
L.5.	Zoning By-law Amendment Z-02-22 - 3232 12th Concession, Pakenham North	
	Recommended Motion:	
	THAT Council approve the Zoning By-law Amendment to amend the zoning of the lands municipally known as 3232 12 th Concession 12, Pakenham from “Agricultural (A-31) Zone” and Limited Service Residential Zone to “Agriculture Special Exception” (A-44).	

L.6. Revision to Seasonal Stands Bylaw 19-48

Recommended Motion:

THAT Council approve amendments to the Mobile Canteen and Seasonal Stands Bylaw 19-48 to reflect the addition of Refreshment Cart definitions and provisions;

AND THAT the Fees and Charges Bylaw 21-108 be amended to reflect the new Refreshment Cart Rate.

L.7. 2021 Council Remuneration and Expenses

Recommended Motion:

THAT Council receive this report for information.

M. BY-LAWS

Recommended Motion:

THAT By-laws 22-035 to 22-039 be taken as read, passed, signed, and sealed in Open Council.

M.1. By-law 22-035 Zoning By-law Amendment Z-02-22 Ryan 58 - 60

Recommended Motion:

THAT By-law 22-035 being a by-law to amend By-law No. 11-83 being the Zoning By-law for the Municipality of Mississippi Mills for lands municipally described as 3232 12th Concession Pakenham, Municipality of Mississippi Mills be read, passed, signed and sealed in Open Council.

M.2. Bylaw 22-036 Seasonal Stand By-law (amends 19-48) 61 - 67

Recommended Motion:

THAT By-law 22-036 being a by-law to amend Seasonal Stand By-law 19-48 be read, passed, signed and sealed in Open Council.

M.3. By-law 22-037 Road Allowance Dedication - Bock 21 Plan 27N90 68

Recommended Motion:

THAT By-law 22-037 being a by-law for the purpose of accepting a strip of land deeded to the Municipality for the purpose of development control into the municipal highway system be read, passed, signed and sealed in Open Council.

M.4. By-law 22-038 Amendment to Tax Rate By-law 69

Recommended Motion:

THAT By-law 22-038 being a by-law to amend Tax Rates 2022 bylaw 22-027 be read, passed, signed and sealed in Open Council.

M.5. Bylaw 22-039 Amendment to Fees and Charges (amends 21-108) 70

Recommended Motion:

THAT by-law 22-039 being a by-law to amend Fees and Charges By-law 21-108 to include fees for refreshment carts be read, passed, signed and sealed in Open Council.

N. ANNOUNCEMENTS AND INVITATIONS

O. CONFIRMATORY BY-LAW

Recommended Motion:

THAT By-law 22-040 being a by-law to confirm the proceedings of the Council of the Corporation of the Municipality of Mississippi Mills at its regular meeting held on the 7th day of June 2022, be read, passed, signed and sealed in Open Council this 7th day of June 2022.

P. ADJOURNMENT

Recommended Motion:

THAT the meeting be adjourned at x:xx p.m.



The Municipality of Mississippi Mills

Council Meeting

MINUTES

May 17, 2022

5:30 p.m.

Hybrid

3131 Old Perth Road.

PRESENT: Mayor Lowry
Deputy Mayor Minnille
Councillor Dalgity
Councillor Maydan
Councillor Guerard*
Councillor Ferguson

ABSENT: Councillor Holmes

VACATED: Councillor Guerard – Vacated Meeting Room at 5:52 pm.

Staff Present Ken Kelly, CAO
Casey Munro, Deputy Clerk
Jeanne Harfield, Clerk
Jeff Letourneau, Director of Corporate Services & Treasurer
Melanie Knight, Senior Planner
Cory Smith, A/Director of Public Works
Tiffany MacLaren, Community Economic & Cultural Coordinator

A. CALL TO ORDER

Mayor Lowry called the meeting to order at 5:31 p.m.

Mayor Lowry reminded Council that as per the Municipal Act requires that all municipalities to adopt a code of conduct. Section 11 c) of the Code of Conduct states that Members shall comply with all applicable legislation, by-laws and Municipal policies, including this Code of Conduct. Mayor Lowry then paused to

allow any Member of Council the opportunity to leave the meeting should they feel they are in breach of the Code of Conduct. No one left.

Deputy Mayor called a point of privilege on Councillor Guerard for breach of corporate policy which calls into question the integrity of Council.

As per section 186 of the Procedural By-law after hearing the point of privilege, Mayor Lowry ruled that Councillor Guerard is required to apologise. Councillor Guerard did not apologize. As per section 188 of the Procedural By-law failing an apology the member is required to vacate the meeting room.

Mayor Lowry called a recess at 5:38 pm and resumed at 5:51 pm

Councillor Guerard did not appeal the ruling of the Chair immediately and was ordered to vacate the meeting room for the duration of the meeting.

Councillor Guerard left Council Chambers at 5:52 pm

B. CONSIDERATION OF A CLOSED SESSION

Resolution No 165-22

Moved by Councillor Dalgity

Seconded by Councillor Ferguson

THAT Council enter into an in camera session at 5:53 pm as per a proposed or pending acquisition or disposition of land by the municipality or local board (Municipal Act s. 239(2)(c)) and personal matters about an identifiable individual, including municipal or local board employees (Municipal Act s. 239 (2)(b)).

CARRIED

C. RISE AND REPORT

C.1 Land Sale Negotiations

Staff direction was provided in camera.

C.2 MRPC Sole Shareholder representative for AGM

Resolution No 166-22

Moved by Councillor Dalgity

Seconded by Councillor Ferguson

THAT Council appoint Councillor Maydan as the sole shareholder representative to the Mississippi River Power Corporation AGM.

CARRIED

Resolution No 167-22

Moved by Councillor Dalgity

Seconded by Deputy Mayor Minnille

THAT Council direct Councillor Maydan to receive the 2021 MRPC financial statement during the MRPC AGM.

CARRIED

Resolution No 168-22

Moved by Councillor Ferguson

Seconded by Deputy Mayor Minnille

THAT Council direct Councillor Maydan that KPMG LLP be appointed the auditors of the Corporation to hold office until the next annual meeting of the shareholder.

CARRIED

Resolution No 169-22

Moved by Councillor Dalgity

Seconded by Deputy Mayor Minnille

THAT Council direct Councillor Maydan to elect Adrian Foster and Lyman Gardiner to hold office as directors of the Corporations until the close of the 2023 annual meeting of MRPC.

CARRIED

D. O CANADA

Council stood for the playing of O Canada.

E. MOMENT OF SILENT MEDITATION

Council observed a moment of silent meditation.

F. ATTENDANCE

The Clerk announced attendance.

G. APPROVAL OF AGENDA

Resolution No 170-22

Moved by Deputy Mayor Minnille

Seconded by Councillor Maydan

THAT the agenda be approved as presented.

CARRIED

H. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

I. APPROVAL OF MINUTES

Resolution No 171-22

Moved by Councillor Ferguson

Seconded by Councillor Dalgity

THAT the Council minutes dated May 3, 2022 be approved as presented.

CARRIED

J. DELEGATION, DEPUTATIONS, AND PRESENTATIONS

None

K. PUBLIC MEETINGS

None

L. COMMITTEE OF THE WHOLE REPORT

Resolution No 172-22

Moved by Councillor Maydan

Seconded by Councillor Dalgity

THAT Council approve the Committee of the Whole motions from the May 3, 2022 meeting.

CARRIED

L.1 Consent Reports and Committee Minutes

Resolution No 173-22

THAT the following consent reports and committee minutes be received as information:

E.1 Drinking Water Quality Management Standard Report - Q1

E.2 Accessibility Advisory Committee - March 16, 2022

CARRIED

L.2 Agreement with West Carleton Snowmobile Club

Resolution No 174-22

THAT Council authorize staff to enter into an agreement with the West Carleton Snowmobile Club for the use of road allowances for snowmobile trails.

CARRIED

L.3 2022 Tax Rate By-law

Resolution No 175-22

THAT Council enacts and passes By-Law 22-027 Tax Rates 2022.

CARRIED

L.4 Disconnecting from Work Policy

Resolution No 176-22

THAT Council approve the Disconnecting from Work Policy attached to comply with Bill 27, Working for Workers Act 2021.

CARRIED

L.5 Appointments to Joint Election Compliance Audit Committee

Resolution No 177-22

THAT Phil Hogan, Paul Howard and Richard Bennett be appointed to the Joint Lanark County Compliance Audit Committee for the term November 15, 2022 to November 14, 2026 to deal with applications from the 2022 Election and any by-elections during the next Council term.

CARRIED

L.6 Amendment to the Procedural By-law, Inaugural Meeting

Resolution No 178-22

THAT Council amend Schedule A – Inaugural Meeting of Procedural By-law 19-127.

CARRIED

L.7 Director of Development Services and Engineering Job Description and Appointment of Hiring Committee

Resolution No 179-22

THAT Council approve the job description for the Director of Development Services and Engineering and appoint Councillor Ferguson, Councillor Dalgity, and Mayor Lowry to the Hiring Committee.

CARRIED

L.8 Info List Item b. City of St. Catharines resolution re: Response to Ontario Housing Affordability Task Force

Resolution No 180-22

THAT Council endorses the resolution from St.Catharines regarding recommendations relating to the Housing Affordability Task Force;

AND THAT Council's resolution be shared with St. Catharine's, the Premier, the Minister of Municipal Affairs and Housing and local Members of Provincial Parliament.

CARRIED

L.9 Info List Item c. Letter from Solicitor General re: Update to standards of care for outdoor dogs

Resolution No 181-22

THAT Council direct the staff to review the updated standards to the Provincial Animal Welfare Services Act, 2019 (PAWS Act) and see if any updates are required to the current Animal Control Bylaw.

CARRIED

L.10 Proclamation - June is Pride Month

Resolution No 182-22

WHEREAS the Municipality of Mississippi Mills supports the rights of every citizen to experience equality and freedom from discrimination; and

WHEREAS all people regardless of race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, genetic characteristics or disability have the right to be treated on the basis of their intrinsic value as human beings; and

WHEREAS the Municipality of Mississippi Mills accepts and welcomes people of diverse backgrounds and believes a diverse population leads to a more vibrant community; and

WHEREAS the Two Spirited, Lesbian, Gay, Bisexual, Transgender, Queer and + (2SLGBTQ+) communities contribute to the cultural, civic and economic successes of the municipality of Mississippi Mills; and

WHEREAS while we as a society at large are slowly embracing new definitions of sexuality and gender we must also acknowledge that the need for education and awareness remains vital to end discrimination and prejudice; and

WHEREAS to acknowledge the efforts to bring awareness to the continuing evolution to the 2SLGBTQ+ Pride movement, the Municipality of Mississippi Mills will display the Progress Pride Flag, representing light, healing, sun, calmness, art and spirit, in front of Almonte Old Town Hall for the month of June.

NOW THEREFORE: I, Mayor Lowry, do hereby proclaim June 2022 as “June is PRIDE Month” in the Municipality of Mississippi Mills, and encourage our residents to reflect on the ongoing struggle for equality

members of the 2SLGBTQ+ community face and to celebrate the contributions that enhance our municipality.

CARRIED

L.11 Proclamation – World Oceans Day - June 8, 2022

Resolution No 183-22

WHEREAS, Wednesday, June 8, 2022, is the 30th annual World Ocean's Day. World Oceans Day is the United Nations day for celebrating the role of the ocean in everyday life and inspiring action to protect it.

WHEREAS, Countries around the world, including Canada as a prominent leader, have committed to protecting 30% of their ocean territory by 2030 in order to reverse nature loss in the ocean and safeguard at-risk marine life.

WHEREAS, The ocean is home to hundreds of species at risk, vulnerable ecosystems, and is a crucial carbon sink shielding us from the worst of climate change.

WHEREAS, The ocean produces over half of the world's oxygen and absorbs 50 times more carbon dioxide than our atmosphere. Therefore protecting the ocean is in the interest of all life on Earth, and communities both coastal and inland, as it is essential to our shared future.

WHEREAS, It is the jurisdiction of the Government of Canada, under various pieces of legislation and regulation, to establish marine protected areas in consultation with Indigenous Peoples. Many Indigenous nations and communities are leading in the conservation of the ocean, and have been stewards of the ocean since time immemorial.

WHEREAS, It is important for municipal leaders to demonstrate support for actions to safeguard the ocean, as they have for action on climate change and other environmental matters of national importance.

WHEREAS, In celebrating the ocean, and protecting its habitats and ecosystems, we can together raise the profile of ocean conservation's critical role in improving planetary health and slowing the crisis of species collapse and ecosystem decline.

THEREFORE BE IT RESOLVED THAT the Municipality of Mississippi Mills recognizes the 30th anniversary of World Oceans Day on June 8th,

2022 and supports national and international efforts to protect 30% of the ocean by 2030.

CARRIED

M. OTHER / NEW BUSINESS

M.1 Proclamation - Shriners International 150th Anniversary

Resolution No 184-22

Moved by Councillor Ferguson

Seconded by Councillor Maydan

WHEREAS, Shriners International is a well-known fraternity dedicated towards fun, fellowship and philanthropy with 200,000 members belonging to over 200 chapters throughout Canada, the United States, Mexico, Republic of Panama, Philippines, Europe and South America; and

WHEREAS, its members support 27 Children's Hospitals and Treatment Centres, including a hospital in Montreal, with a one-of-a-kind international paediatric specialty health care system that was founded by the Shriners fraternity in 1922 and provides all care regardless of the cost to patients or their families; and

WHEREAS, it is fitting and appropriate to acknowledge and celebrate this wonderful fraternity and its rich history on June 6th, the anniversary of the day Imperial Council of Shriners International was founded.

THEREFORE, I, Christa Lowry Mayor of the Municipality of Mississippi Mills Ontario, do hereby proclaim Monday, June 6, 2022, as Shriners International 150th Anniversary Day.

CARRIED

N. BY-LAWS

Resolution No 185-22

Moved by Deputy Mayor Minnille

Seconded by Councillor Dalgity

THAT By-laws 22-027 to 22-032 be taken as read, passed, signed, and sealed in Open Council.

CARRIED

N.1 By-law 22-027 Tax Rates 2022

Resolution No 186-22

THAT By-law 22-027 being a by-law to adopt the estimates for the sums required during the year 2022 for the general and special purposes of the Corporation of the Municipality of Mississippi Mills and to establish tax rates be read, passed, signed and sealed in Open Council.

CARRIED

N.2 By-law 22-028 Procedural By-law Amendment (Inaugural Meeting)(Amends 19-127)

Resolution No 187-22

THAT By-law 22-028, being a by-law to amend Procedural By-law 19-127, be read, passed, signed and sealed in Open Council.

CARRIED

N.3 By-law 22-029 Livestock Valuers & Remuneration

Resolution No 188-22

THAT By-law 22-029 being a by-law to appoint Livestock Valuers and for fixing their remuneration be read, passed, signed and sealed in Open Council.

CARRIED

N.4 Bylaw 22-030 Part Lot Control -Bracewell - 27M-99, Block 26

Resolution No 189-22

THAT By-law 22-030 being a by-law to remove certain lands know as 27M-99 Block 26 from the part-lot control provisions of the *Planning Act*, R.S.O. 1990, Chapter P.13 (The 'Act') be read, passed, signed and sealed in Open Council.

CARRIED

N.5 Bylaw 22-031 Part Lot Control -Bracewell - 27M-99, Block 27

Resolution No 190-22

THAT By-law 22-031 being a by-law to remove certain lands know as 27M-99 Block 27 from the part-lot control provisions of the *Planning Act*, R.S.O. 1990, Chapter P.13 (The 'Act') be read, passed, signed and sealed in Open Council.

CARRIED

N.6 Bylaw 22-032 Part Lot Control -Bracewell - 27M-99, Block 28

Resolution No 191-22

THAT By-law 22-032 being a by-law to remove certain lands know as 27M-99 Block 28 from the part-lot control provisions of the *Planning Act*, R.S.O. 1990, Chapter P.13 (The 'Act') be read, passed, signed and sealed in Open Council.

CARRIED

O. ANNOUNCEMENTS AND INVITATIONS

Councillor Dalgity - Memorial Wall at Veterans Walkway has been completed

P. CONFIRMATORY BY-LAW

Resolution No 192-22

Moved by Councillor Maydan

Seconded by Councillor Dalgity

THAT By-law 22-033 being a by-law to confirm the proceedings of the Council of the Corporation of the Municipality of Mississippi Mills at its regular meeting held on the 17th day of May 2022, be read, passed, signed and sealed in Open Council this 17th day of May 2022.

CARRIED

Q. ADJOURNMENT

Resolution No 193-22

Moved by Councillor Ferguson

Seconded by Councillor Dalgity

THAT the meeting be adjourned at 6:30 p.m.

CARRIED

Christa Lowry, MAYOR

Jeanne Harfield, Clerk



**The Corporation of the Municipality
of Mississippi Mills**

Emergency Council Meeting

MINUTES

May 23, 2022

1:30 p.m.

E-participation

PRESENT: Mayor Lowry
Deputy Mayor Minnille
Councillor Dalgity
Councillor Maydan
Councillor Holmes
Councillor Ferguson

ABSENT Councillor Guerard

Staff Present Ken Kelly, CAO
Jeanne Harfield, Clerk
Casey Munro, Deputy Clerk
Cory Smith, A/Director of Public Works
Tiffany MacLaren, Community Economic & Cultural Coordinator
Calvin Murphy, Recreation Manager
Mike Williams, Director of Protective Services
Dan Cousineau, Facilities & Project Manager
John Gleeson, Public Works Operations Manager

A. CALL TO ORDER

Mayor Lowry called the meeting to order at 1:30 p.m.

B. ATTENDANCE

The Clerk announced attendance.

C. APPROVAL OF AGENDA

Resolution No 194-22

Moved by Deputy Mayor Minnille

Seconded by Councillor Dalgity

THAT the agenda be approved as presented.

CARRIED

D. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

E. SPECIAL REPORTS

E.1 Storm Clean-up Levels of Service

CAO Ken Kelly, provided a verbal report and options available to assist residents with clean-up efforts. Additional yard waste pick-up options and if the power outages continues on what waste pick-up options may be made available to the public.

Cory Smith, Acting Director of Public Works, recommended that Council direct that Waste Management continue with the standard level of service as per the contract for yard waste pick-up.

STAFF DIRECTION - communicate to the public via radio, posters and other signage.

Resolution No 195-22

Moved by Councillor Maydan

Seconded by Councillor Ferguson

THAT Council direct staff to bring back options and costing for additional yard and waste pick-up.

CARRIED

Resolution No 196-22

Moved by Councillor Dalgity

Seconded by Councillor Holmes

THAT Council direct staff communicate to residents that they can place an additional container of garbage for 2 weeks.

CARRIED

E.2 Request for Support - Carleton Place

Carleton Place is still without power potentially until May 26th. A request has come from Carleton Place to allow non-residents to access Mississippi Mills facilities to shower, charge phones, and fill up water bottles.

Resolution No 197-22

Moved by Councillor Maydan

Seconded by Councillor Ferguson

THAT Council direct staff to communicate to Carleton Place to allow non-residents access to Mississippi Mills facilities for access to showers, chargers, and filling up water bottles.

CARRIED

F. CONFIRMATORY BY-LAW

Resolution No 198-22

Moved by Councillor Maydan

Seconded by Councillor Holmes

THAT By-law 22-034 being a by-law to confirm the proceedings of the Council of the Corporation of the Municipality of Mississippi Mills at its emergency meeting held on the 23rd day of May, 2022, be read, passed, signed and sealed in Open Council this 23rd day of May, 2022.

CARRIED

G. ADJOURNMENT

Resolution No 199-22

Moved by Councillor Ferguson

Seconded by Councillor Dalgity

THAT the meeting be adjourned at 2:02 p.m.

CARRIED

Christa Lowry, MAYOR

Jeanne Harfield, CLERK

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

STAFF REPORT

DATE: June 7, 2022

TO: Committee of the Whole

FROM: Melanie Knight, Senior Planner

SUBJECT: Background Report – Z-07-22 – Additional Residential Units (Secondary Dwelling Units)

OWNER/APPLICANT: Municipally-Initiated Zoning By-law Amendment

BACKGROUND

Changes to The Planning Act

Over the past decade, the Provincial Government has introduced several statutory changes to the *Planning Act, 1990* in order to permit new forms of housing. The *Planning Act* prescribes matters of Provincial Interest and establishes the ground rules for land use planning in Ontario; the *Act* includes policies, regulations and procedures related to Official Plans in Part III of the *Act*, and Zoning By-laws and other land use controls in Part V of the *Act*.

The *Planning Act* was recently amended as a result of Bill 108 - *More Homes, More Choice Act, 2019*, which amended Ontario's second unit framework in subsection 16(3) of the *Act* with new provisions for "Additional Residential Units". Bill 108 received Royal Assent in the Ontario Legislature on June 6th, 2019, and the enabling Regulations were proclaimed in to force on September 3, 2019.

These changes to the *Planning Act* introduced policies for Additional Residential Units requiring municipal official plans to permit Additional Residential Units in detached and semi-detached dwelling as well as rowhouses (townhouses). The specific wording of the *Act* is below:

Official plan

- 16 (3) *An official plan shall contain policies that authorize the use of additional residential units by authorizing,*
- (a) *the use of two residential units in a detached house, semi-detached house or rowhouse; and*
 - (b) *the use of a residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse.*

Section 35.1 of the *Planning Act* provides further direction to municipalities requiring that Additional Residential Units be permitted within the municipality's zoning by-law. The specific wording of the *Act* is below:

By-laws to give effect to additional residential unit policies

35.1 (1) The council of each local municipality shall ensure that the by-laws passed under section 34 [Zoning by-laws] give effect to the policies described in subsection 16(3).

The Bill 108 amendments stipulate that up to two Additional Residential Units (one contained within the principal dwelling unit, and one contained in a building or structure ancillary to the principal dwelling unit) are permitted on every lot where a detached house, semi-detached house or rowhouse (townhouse) is permitted.

The intent of these amendments is reflected in the provincial interests outlined within the Provincial Policy Statement, 2020 (PPS), which promotes the development of strong, livable, healthy, and resilient communities through efficient land use (s.1.1.1). The PPS directs municipalities to permit all forms of housing to provide an appropriate range and mix of housing types and densities (s.1.4.3). Furthermore, the PPS strongly encourages municipalities to permit and facilitate all forms of residential intensification and redevelopment, including second units.

As noted in the report presented to [Committee of the Whole on March 1, 2022](#) regarding housing supply, an update to the Municipality's Zoning By-law from the Planning Department was forthcoming in order to implement the above noted amendments to the *Planning Act*.

Additional Residential Units

In the Mississippi Mills context, Additional Residential Units are referred to as "Secondary Dwelling Units" and "Accessory Apartments" in the Community Official Plan and Zoning By-law #11-83. These uses are permanent residential dwelling units that are located on the same lot as a principal/primary dwelling unit but are separate and subsidiary to the principal dwelling unit. Secondary Dwelling Units are differentiated from "Accessory Dwelling Units" and "Garden Suites" in Zoning By-law #11-83, which respectively refer to dwelling units that are accessory to a non-residential use, and dwelling units which are detached and portable.

Additional Residential Units provide municipalities an additional tool to help develop a range of housing options in their communities, with an emphasis on providing a more attainable housing option. **Attainable Housing** is a newer term that is being used to describe housing that may be provided slightly lower than the average market costs for purchasing a home or renting a unit. It is important to note that attainable housing does

not necessarily meet the common definitions of affordable housing unless the housing is secured through a legal agreement to ensure it remains affordable for the long-term.

Encouraging Additional Residential Units is important because they:

- (1) provide homeowners with alternative means of earning additional income to help meet the costs of home ownership;
- (2) support changes in demographics through housing options for immediate and extended families; and,
- (3) maximize densities to support and enhance local businesses, labour markets, and the efficient use of infrastructure.

The following table provides an overview of some of the more common terms associated with Additional Residential Units.

Common General Definitions	
<i>Additional Residential Units (ARUs) and Secondary Dwelling Units (SDUs)</i>	Permanent second residential dwelling units that are located on the same lot as a principal or primary residential dwelling unit; they are separate and subsidiary to the principal dwelling unit.
<i>Coach Houses</i>	Detached, permanent second residential dwelling units that are located on the same lot as a principal or primary residential dwelling unit; they are separate and subsidiary to the principal dwelling unit.
<i>Accessory Apartments</i>	<i>Additional Residential Units (ARUs) and Secondary Dwelling Units (SDUs)</i> that are commonly understood to be located within the same building as the principal dwelling unit.
<i>Accessory Dwelling Units</i>	Dwelling units that are accessory to a non-residential use.
<i>Garden Suites</i>	Temporary and portable second residential dwelling units that are in the rear yard of a principal or primary residential dwelling unit; they are detached buildings that are subsidiary to the principal dwelling unit.

Current Policy Framework in Mississippi Mills

The Municipality's Zoning By-law is currently not aligned with the 2019 Provincial direction regarding Additional Residential Units. The existing Secondary Dwelling Unit provisions contained in Zoning By-law are more restrictive than what the *Planning Act* prescribes. Secondary Dwelling Units are currently only permitted in the same building as the principal dwelling unit and only Accessory Apartments are permitted on lands outside of Settlement Areas. Notably, the Community Official Plan (COP) is more permissive than the Zoning By-law and does conform to the 2019 changes to the *Act*, however, the implementation of the COP policies regarding Secondary Dwelling Units appears to have never been fully implemented in the Municipality's Zoning By-law.

Municipal Review and Best Practices

A review of zoning by-law provisions relating to Secondary Dwelling Units from five municipalities across Ontario was conducted by Planning Staff as part of this study. A fulsome comparison chart of these provisions from the following municipalities can be found in Appendix A:

Municipalities Reviewed			
Municipality:	Type:	Population:	Area:
Brant County	Single Tier	39,474	843.25 km ²
Norfolk County	Single Tier	67,490	1,607 km ²
City of Ottawa	Single Tier	1,046,440	2,790 km ²
City of Belleville	Single Tier	55,071	246.8 km ²
City of Woodstock	Lower Tier	46,705	43.79 km ²
Township of Central Frontenac	Lower Tier	4,892	1,025.20 km ²
<i>Municipality of Mississippi Mills</i>	<i>Lower Tier</i>	<i>14,740</i>	<i>519.58 km²</i>

The municipalities reviewed generally implemented the required zoning changes outlined by the *Act*; however, some municipalities did impose more restrictive provisions than what the *Act* prescribes. Staff do not recommend this approach as it is generally best practice to follow the prescribed policies outlined in the *Act* regardless of whether the subject amendment can be appealed.

To note, Section 36.1 of the *Act* restricts appeal rights to the Minister of Municipal Affairs and Housing for zoning by-laws that implement Additional Residential Unit policies, which means that the implementing zoning related to this study is not able to be appealed by the public or agencies, only the Minister can launch an appeal.

A summary of the best practices for the provisions relating to Secondary Dwelling Units can be found in Appendix B. As a result of the best practice review, consideration of the *Planning Act* legislation and related regulations, draft amendments to the existing Zoning By-law provisions are contained in Appendix C.

PURPOSE AND INTENT

The purpose and intent of the Zoning By-law Amendment is to align Comprehensive Zoning By-law #11-83 with both the amendments made to the *Planning Act* in 2019 and with the COP policies regarding Secondary Dwelling Units.

In the past few years, as Secondary Dwelling Units have become more popular. Since there is an established framework since 2019 in Bill 108, Planning Staff have worked to accommodate requests from landowners to establish Secondary Dwelling Units that do not meet the current provisions of the Zoning By-law by directing these requests to the Committee of Adjustment by way of a Minor Variance application. This approach helps applicants to avoid the more costly and burdensome Zoning By-law Amendment process; however, it does not provide a clear and uniform position on Secondary Dwelling Units from the Municipality. This approach also adds an additional layer of cost and time for applicants to establish the Secondary Dwelling Unit and in some cases, deters property owners from following through with the additional unit, thus losing the addition of a much-needed dwelling unit in the Municipality.

This study and implementing proposed amendment will establish clear and uniform provisions for Secondary Dwelling Units across the entire Municipality. These provisions will reflect the intent of the COP and the *Act*, remain cognizant of the Municipality's housing needs, and respect the Municipality's existing character.

DESCRIPTION OF PROPERTY & SURROUNDING LAND USES

The subject Zoning By-law Amendment is a Municipal-wide Zoning By-law Amendment. All lands within the Municipality are subject to this amendment – both in settlement areas and outside of settlement areas.

The proposed zoning contained in Appendix C recommend that Secondary Dwelling Units continue to be limited to areas where residential uses are a permitted use and provide a distinction between Secondary Dwelling Units on municipal services and private services.

SERVICING & INFRASTRUCTURE

The servicing and infrastructure implications of the subject Zoning By-law Amendment will be reviewed on a case-by-case basis by Planning, Building and Public Works Staff. Planning Staff are currently examining having Secondary Dwelling Units be subject to a "Lite" Site Plan Control process in the 2022 update to the Municipality's Site Plan Control By-law. The Site Plan Control process will work to capture any servicing and infrastructure impacts for each new Secondary Dwelling Unit proposed.

Directions regarding parking for Additional Residential Units have been provided by the related Regulation 199/19 (O. Reg. 299/19) associated with the *Planning Act* changes. One parking space per dwelling unit is listed as the requirement in the O. Reg. 299/19, unless the principal dwelling unit requires no parking spaces. Tandem parking (one parking space behind another) is permitted for the Additional Residential Unit's required parking space; however, the regulations also permit municipal councils to pass zoning by-laws requiring no parking spaces for Additional Residential Units.

In keeping with both O. Reg. 299/19 and the context of Mississippi Mills, the draft zoning contained in Appendix C recommends that one parking space be required for each Secondary Dwelling Unit. In the case of a Secondary Dwelling Unit in a townhouse unit, the draft zoning requires an additional parking space which can be either a tandem parking space or one located elsewhere on the lot (ex. side by side in a driveway).

COMMUNITY OFFICIAL PLAN (COP)

No changes are proposed for the Municipality's Community Official Plan (COP) as it generally conforms to the *Act*.

Residential uses, in the form of single detached dwelling, semi-detached dwelling or duplex dwelling, are permitted in the following COP designations:

- Agricultural
- Rural
- Rural Settlement Areas and Villages
- Residential

Lands that are affected by the above noted designations would be permitted to have a Secondary Dwelling Unit. Secondary Dwelling Units are explicitly permitted in the Agricultural, Rural and Residential designations.

The COP includes policies permitting Secondary Dwelling Units within a single detached dwelling, semi-detached dwelling, or duplex dwelling or in a detached building ancillary to these housing types. The policies do not restrict Secondary Dwelling Units between Settlement Areas and lands outside of Settlement Areas and further stipulate that only one second unit per property is permitted and must connect to existing residential servicing.

These Official Plan policies already conform to the *Act* by allowing these units to be contained in both the same building as the principal dwelling unit or in detached buildings ancillary to principal dwelling units.

Staff note that there are some minor differences between the COP policies and the *Act* including allowing duplex dwellings to have Secondary Dwelling Units whereas the *Act* is silent on duplex dwellings. The *Act* also specifies that "rowhouses" are permitted to

have Secondary Dwelling Units; however, the COP is silent on rowhouses. Within the Zoning By-law, the term “rowhouse” generally includes vertically separated triplexes and fourplexes as well as townhouses. Regardless of these minor deviations from the *Act*, staff are of the opinion that the current Community Official Plan policies adhere to the *Planning Act* and associated Regulations and there is not a requirement to amend the COP policies for Secondary Dwelling Units.

The COP policies that restrict the number of Secondary Dwelling Units to one per lot and require that they be connected to the existing servicing of the principal dwelling unit reflect the will of Council at the time of the passing of the above noted COP policies and respect the local context. In keeping with these COP policies, the suggested zoning is expected to continue to respect these restrictions.

Secondary Dwelling Units are expected to conform to all other applicable COP policies including all the General Policies contained in the COP.

ZONING BY-LAW #11-83

The subject Zoning By-law Amendment proposes to revise the definition for Secondary Dwelling Units and amend the existing provisions regarding Secondary Dwelling Units in Section 8.16.

Permitted Zones

The proposed zoning permits Secondary Dwelling Units in both the same building as the principal dwelling unit and in detached buildings ancillary to principal dwelling units, such as detached garages, except in the case of rowhouses (vertically attached triplexes, fourplexes and townhouses).

The following zones are where residential uses are permitted and are recommended that Secondary Dwelling Units should also be permitted:

- Agricultural Zone (A)
- Rural Zone (RU)
- Residential First Density Zone (R1)
- Residential Second Density Zone (R2)
- Residential Third Density Zone (R3)
- Rural Residential Zone (RR)

Servicing

The proposed zoning draws a distinction between Secondary Dwelling Units on lots that are serviced by municipal water and sewer and lots that are serviced by private services (well and septic).

For those lots on municipal services, the proposed zoning requires that the Secondary Dwelling Unit be serviced through the existing dwelling on the property. This means that no new servicing connections to the municipal water and sewer in the right-of-way would be permitted to service the Secondary Dwelling Unit, reducing the infrastructure impacts on the municipality.

For lots on private services, the proposed zoning requires shared servicing by one of the two private services. This means that the Secondary Dwelling Unit needs to be connected to either the septic system or the well. Through the building permit process, the necessary upgrades to the septic system (if shared) will be required. If an applicant proposes a shared well, it may necessitate supplementary studies or testing to determine water quantity and quality from the existing well as part of the Site Plan Control process. A new well (not shared) would need to meet all of the standard drinking water requirements for potable water through the building permit process and may also require supplementary studies or testing, which would be on site specific basis during the Site Plan Control process.

Maximum Distance from Principal Dwelling Unit

Staff note that some municipalities have included a maximum setback for Secondary Dwelling Units. This maximum setback has been implemented to ensure that the land is used efficiently as possible and for the rural and agricultural context, that viable agricultural land is not taken up by the construction of a Secondary Dwelling Unit. A maximum setback also helps to ensure that no new, unnecessary driveway entrances would be required from the right-of-way to access the second unit. After a careful review of some of these maximum setbacks in other municipalities, staff have included a 40-metre maximum setback from the principal dwelling unit in the draft zoning.

Severability

A key issue with detached Secondary Dwelling Units is the ability for these units to be severed in the future.

The fundamental basis of permitting detached Secondary Dwelling Units is that they remain subsidiary to the principal dwelling unit on the property. The intent of these units is to be secondary to a main residential use and based on the best practice research staff are proposing a zoning provision stating that the unit is clearly subsidiary to the principal dwelling unit and that it cannot be severed.

Further, the proposed requirements for a maximum setback from the principal dwelling and for shared servicing (both on public and private) will help to ensure that these units remain subsidiary to the principal dwelling unit and are not severed in the future.

The full text of the proposed zoning is contained in Appendix C. The original by-law text has also been included in Appendix D.

PUBLIC AND AGENCY COMMENTS RECEIVED

Planning Staff circulated the application in accordance with the provisions of the *Planning Act* to the public, internal departments and external agencies and organizations.

At the time of writing this report, comments had not yet been received from technical agencies. As many of the recent Secondary Dwelling Unit proposals have required a Minor Variance application, Planning staff previously engaged with technical agencies and internal departments on this subject matter. A fulsome synopsis of the technical agency comments will be included in a subsequent Committee and Council report.

A [public facing version of this background report](#) was posted to a [Public Engagement page](#) on the Municipality's website and at the time of writing this report, no comments have been received by the public.

NEXT STEPS

A staff report with a more fulsome analysis of the proposed amendment will be prepared following the public meeting, in order to fully consider any and all public comments received.

All of which is respectfully submitted by, Approved by,



Jeffrey Ren
Planner



Melanie Knight, MCIP, RPP
Senior Planner

APPENDICES

- Appendix A – Zoning Provision Comparison Chart
- Appendix B – Zoning Provision Best Practices Summary
- Appendix C – Suggested Zoning
- Appendix D – Existing Zoning

APPENDIX A – ZONING PROVISION COMPARISON CHART

	Brant County	City of Woodstock (Draft)	Norfolk County	City of Ottawa	City of Belleville
Definition	<u>Additional Residential Unit (ARU):</u> A second residential dwelling unit self-contained that is either located within or attached to the primary dwelling unit or located within a detached accessory structure to the primary dwelling unit. An Additional Residential Unit is subordinate to the primary dwelling unit.	<u>Additional Residential Unit (ARU):</u> A self-contained living accommodation for an additional person or persons living together as a separate, single housekeeping unit, in which both food preparation and sanitary facilities are provided for the exclusive use of the occupants of the suite, located within the principal dwelling house on the lot or in a detached accessory structure on the lot.	<u>Accessory Residential Dwelling Units (ARDU):</u> A self-contained residential dwelling unit, supplemental to the permitted primary residential dwelling unit of the property, which has its own kitchen, bathroom.	<u>Secondary Dwelling Unit (SDU):</u> A separate dwelling unit subsidiary to and located in the same building as an associated principal dwelling unit; and its creation does not result in the creation of a semi-detached dwelling, duplex dwelling, three-unit dwelling. <u>Coach House:</u> A separate dwelling unit that is subsidiary to and located on the same lot as an associated principal dwelling unit but is contained in its own building that may also contain uses accessory to the principal dwelling.	<u>Second Unit Dwelling (SUD):</u> An additional dwelling unit located within a single detached dwelling, a dwelling unit of a semi-detached dwelling, or a dwelling unit of a townhouse dwelling. <u>Coach House:</u> An additional dwelling unit that is located in a building or structure that is located on the same lot and is accessory to a single detached dwelling containing only one dwelling unit, semi-detached dwelling containing only one dwelling unit or townhouse dwelling containing only one dwelling unit.
Zone and Primary Unit Requirements	A residential use is permitted as a principal use within the Zone Category of the lot; no other additional dwelling units or garden suites on the same lot	Not permitted in the R1 Zone; permitted in the R2 Zone on lots associated with a single-detached dwelling or semi-detached dwelling; primary dwelling cannot be a boarding or lodging house, a group home, a garden suite, a converted dwelling, a duplex dwelling, a mobile home, or a bed and breakfast establishment	ARDU shall be permitted in single detached, semi-detached, and street townhouses and located on the same lot as the primary dwelling; no other additional dwelling units or garden suites on the same lot; not permitted for a vacation home	An SDU/Coach House is permitted where any detached, linked-detached, semi-detached or townhouse dwelling in any zone where that dwelling type is a listed permitted use; SDU/Coach House cannot add a seventh bedroom or contain more than two bedrooms when the principal dwelling is an oversized dwelling; one SDU in the basement only for a duplex constructed before 2013; zoning by-law schedule restrictions for Coach House; Coach Houses not permitted for townhouses except corner units	An SUD/Coach House is permitted where any detached, semi-detached or townhouse dwelling is permitted; an SUD/Coach House is not permitted on a property where there is a converted dwelling, duplex dwelling, triplex dwelling, double duplex dwelling, semi-detached duplex dwelling, horizontal multiple attached dwelling, apartment dwelling, group housing, 3-unit housing, SUD or Coach House also situated
Servicing Requirements	Must have full municipal water and sanitary services, or private well and septic services (may require sharing of private services)	Only permitted where servicing can be adequately addressed	Only permitted in dwelling units connected to municipal or private water services and sanitary sewer system or private septic systems	Servicing from the principal dwelling and the principal dwelling must be serviced by a public or communal water and wastewater system; or from an existing well or septic system	No specific servicing-related restrictions

Severability	Cannot be severed	Cannot be severed	Cannot be severed	Cannot be severed	Cannot be severed
Permitted Number of Additional Residential Units	One	Two (One within the principal dwelling; one in a detached accessory structure);	One	One SDU or one Coach House	One SUD or one Coach House
Distance from Primary Dwelling	A detached additional residential unit must be located within 40.0 metres of the closest portion of the primary dwelling unit	No provisions	Maximum of 30 metres from the primary dwelling	No provisions	No provisions
Entrance Requirements	No provisions	Entrance must be separate and distinct from the entrance provided for the principal dwelling; must be at grade and have access to an unobstructed walkway if in the rear or side yard	The ARDU shall have its own exterior entrance separate from the exterior entrance to the primary dwelling unit, but shall not be permitted to face a public street or private road; and shall have no means of internal access to the primary dwelling unit, except that access to a primary and second dwelling through a common vestibule	Entrance for an SDU must be at grade but shall not be permitted to face a public street or private road	Entrance for an SUD shall not be permitted to face a public street or private road
Location in Yards	Not within the required front yard or exterior side yard	Same as principal residential use on the lot; must not be within areas identified as the Conservation Authority Regulation Limit on Schedule 'A' unless approved by the Conservation Authority	Cannot occupy any part of a front or exterior side yard, except an accessory building or structure in an Agricultural Zone (A) which shall occupy no part of a required front yard	SDU must follow same provisions as principal residential use on the lot; Coach House must not be within required front or exterior side yard; Coach houses must be in the rear yard for lots less than 0.4 hectares in area	SUD/Coach House must follow same provisions as principal residential use on the lot
Minimum Lot Size	The lot is a minimum size of 0.4 hectares in lot area when on private well and septic services	An ARU in a building or structure accessory to a residential use shall only be permitted on a lot that has a minimum lot area of 1000 m ²	Must follow applicable zone provisions unless a minor variance or Zoning By-law amendment is granted	0.4 hectares in Area D on Schedule 363 for Coach Houses	Must follow applicable zone provisions
Maximum Size	In a case where an additional residential unit is to be constructed on a property, the primary dwelling unit shall be considered whichever dwelling unit has the greatest gross floor area	No greater than 40% of the gross floor area of the principal dwelling on the lot, to a maximum of 100 m ²	Must not be larger than 45 percent of the usable floor area of the dwelling unit	SDU must not be greater in size than an amount equal to 40% of the gross floor area of its principal dwelling unit; if located in a basement, it may occupy the whole of the basement Coach House footprint must not be greater in size than the lessor of	The maximum floor area used for an accessory dwelling on a lot is 100 m ² and shall not exceed 45% of the total floor area of the building (including basement or cellar); except where the SUD is located entirely within the basement save and except for its

				an amount equal to 40% of the footprint of its principal dwelling unit; or 50 m ² where the principal dwelling has a footprint of less than 125 m ² or 40% of the yard in which it is located or 80 square metres in Area A, B and C on Schedule 1, or 95 square metres in Area D on Schedule 1; 50% of the footprint if combined with other accessory uses and less than 5% of the yard in the AG, EP, ME, MR, RC, RG, RH, RI, RR and RU Zones	entrance located on the ground floor; the maximum lot coverage of the Coach House dwelling shall not exceed 40% of the yard in which it is located
Maximum Lot Coverage	<p><u>Urban Residential Zones:</u> The lesser of 15% of the total lot area or 95m²</p> <p><u>All other Residential Zones:</u> The lesser of 15% of the total lot area or 140m²</p> <p><u>All other Zones:</u> 5% of the total lot area</p>	Same as principal residential use on the lot; up to 47% of the lot area in the R2 Zone.	A minimum of 50 percent of the front yard shall be maintained as landscaped open space	See maximum size above; SDU addition must not exceed applicable zone provisions	See maximum size above; SUD addition must not exceed applicable zone provisions
Maximum Height	<p>Must meet accessory building and structure:</p> <p><u>Urban Residential Zone:</u> 4.5m</p> <p><u>All other Residential Zones:</u> 5.0m</p> <p><u>All other Zones:</u> 7.0m</p>	Same as principal residential use on the lot; up to 11m in the R2 Zone	5 metres in an Urban Residential Zone (R1 to R6), 7 metres in the Resort Residential Zone (RR), 8 metres in the Agricultural Zone (A), and 6 metres in all other Zones	Coach house must be the lesser of the height of the principal dwelling; or 4.5 metres, except when above a garage where 6.1 metres is the maximum in the AG, EP, ME, MR, RC, RG, RH, RI, RR, RU, V1, V2, V3 and VM; in other zones, the lesser of the height of the principal dwelling; or 3.6 metres, except when the roof is flat when 3.2 metres is the maximum	No accessory building shall exceed one storey or 4.5 m. in height, whichever is the lesser
Setbacks	<p>ARU contained in or attached to principal dwelling must meeting requirements of applicable zone</p> <p>Detached ARU must conform to accessory building and structure provisions below:</p>	<p>ARU contained in or attached to principal dwelling must meeting requirements of applicable zone</p> <p>Detached ARU must conform to accessory building and structure provisions below:</p>	<p>ARU contained in or attached to principal dwelling must meeting requirements of applicable zone</p> <p>Detached ARU must conform to accessory building and structure provisions below:</p>	<p>ARU contained in or attached to principal dwelling must meeting requirements of applicable zone</p> <p>Detached ARU must conform to accessory building and structure provisions below:</p>	The greater of 1.2 metres from a lot line or the applicable zone provisions for a Coach House

	<p><u>Front Yard or Exterior Side Yard:</u> Must maintain requirement as contained in the applicable zone</p> <p><u>Rear and Side Yards:</u> As required for accessory structures in applicable</p> <p><u>Urban Residential Zone:</u> 1.2m</p> <p><u>All other Residential Zones:</u> 1.5m</p> <p><u>All other Zones:</u> 3.0m</p>	<p><u>Front Yard or Exterior Side Yard:</u> Must maintain requirement as contained in the applicable zone</p> <p><u>Rear and Side Yards:</u> 1.2m</p>	<p><u>Front Yard or Exterior Side Yard:</u> Must maintain requirement as contained in the applicable zone</p> <p><u>Rear and Side Yards:</u> 3.3 metres except when located in a garage on a common interior side lot line, or when the rear lot line is adjoining to a private or public lane, no separation distance is required; 6 metres required from a street line in the case of a through lot</p>	<p><u>Front Yard or Exterior Side Yard:</u> Must maintain requirement as contained in the applicable zone</p> <p><u>Rear and Side Yards:</u> 1 metre when facing a travelled lane or blank wall; 4 metres in other cases in Areas A, B, and C on Schedule 1;</p>	
Road Access Requirements	The additional residential unit has unobstructed access from the street and/or driveway	Not permitted on a lot that does not have frontage on an improved street	Not permitted on a lot that does not have frontage on an improved street	No new driveways may be created unless it is a corner lot for an SDU; for a Coach House, a driveway is only permitted when attached to a garage; a walkway must be provided to the street	The lot has frontage on an open public maintained road
Parking Requirements	One (1) additional parking space shall be provided	A minimum of 1 additional parking space shall be provided; parking in front yard must not reduce 50% landscaped open space requirement	One (1) off-street parking space shall be provided; parking in front yard must not reduce 50% landscaped open space requirement	Except in the case of an SDU within a duplex dwelling existing as of 2013, no parking is required for a SDU or Coach House, but where provided, parking must be in conformity with the parking provisions of the by-law, and must not be located in the front yard; Coach House must not remove a required parking space	A minimum of 1 parking space is provided; parking in front yard must not reduce 40% landscaped open space requirement

APPENDIX B – ZONING PROVISION BEST PRACTICES SUMMARY

Definition	The definition for ARUs may differentiate between those that are contained within a principal dwelling unit and those that are contained in a building or structure ancillary to a principal dwelling unit (commonly termed as a Coach House with a separate definition). For definitions that cover both types of ARUs, the definition should not restrict the ARU to being contained within a principal dwelling unit.
Zone and Primary Unit Requirements	Typically restricted to zones where a residential use is permitted as a principal use. The principal dwelling unit type is sometimes restricted to detached house, semi-detached house or rowhouse. Other ARUs or garden suites on the same lot are generally prohibited.
Servicing Requirements	Set servicing requirements are a common provision; provisions that stipulate shared servicing with the principal dwelling unit are also found.
Severability	Cannot be severed
Permitted Number of Additional Residential Units	Typically, one per lot, however, two are technically permitted by the <i>Planning Act</i> .
Distance from Primary Dwelling	Some municipalities limit the ARU to being located within a set distance of the principal dwelling unit.
Entrance Requirements	Generally, a separate entrance to the ARU is required when the ARU is contained in the same building as the principal dwelling; however, the ARU generally cannot create a new entrance facing the front lot line along a street to maintain its 'secondary' status.
Location in Yards	For detached Secondary Dwelling Units, typically limited to the rear yard or interior side yard.
Minimum Lot Size	Some municipalities specify a minimum lot size; typically, the applicable zone provisions apply.
Maximum Size	Most municipalities limit the size to a set percentage of the principal dwelling unit around 40% of the gross floor area (GFA) of the principal dwelling unit.

Maximum Lot Coverage	Some municipalities specify a maximum lot coverage; typically, the applicable zone provisions apply.
Maximum Height	Generally, a set maximum height is specified; some municipalities allow for a detached ARU to be the same height as the principal dwelling.
Setbacks	Generally, either the provisions for accessory structures and buildings apply or the zone provisions for the principal use apply.
Road Access Requirements	Generally, a requirement for frontage along a public street applies. Direct unobstructed access to the ARU entrance is sometimes also required.
Parking Requirements	One parking space is typically required, however, O. Reg. 299/19 does permit municipalities to not require additional parking.

APPENDIX C – SUGGESTED ZONING

SECTION 5 – DEFINITIONS

“SECONDARY DWELLING UNIT” means a separate dwelling unit subsidiary to an associated principal dwelling unit in size and located either within the same building as the associated principal dwelling unit or in a building or structure ancillary to the associated principal dwelling unit.

SECTION 6.1 ACCESSORY USES, BUILDINGS AND STRUCTURES

In Section 6.1 Accessory Uses, Buildings and Structures, delete the provision regarding Secondary Dwelling Units (6.1 (6)) and renumber accordingly.

SECTION 9.2 MINIMUM PARKING SPACE RATES

In Section 9.2 Minimum Parking Space Rates, amend the Secondary Dwelling Unit parking rate to one (1) per secondary dwelling unit, which can be located in tandem to the required principal dwelling unit parking rate.

SECTION 8.16 SECONDARY DWELLING UNITS

- (1) A secondary dwelling unit is permitted in any detached, semi-detached, vertically separated triplex or fourplex, townhouse or duplex dwelling, or in a building or structure ancillary to a detached, semi-detached or duplex dwelling in any zone that permits any one or more of these dwelling types provided:
 - (a) the entrance (doorway) to the unit is provided in the side or rear yard and is not permitted within the front wall of the principal dwelling and for the purposes of exterior lots, the location of the entrance to the principal dwelling is considered the front wall;
 - (b) it is not a standalone, principal use capable of being severed;
 - (c) it must be located on the same lot as a principal dwelling unit;
 - (d) the principal dwelling unit has frontage on a road which is an improved road and is part of the Corporation's approved road system.
- (2) A secondary dwelling unit is not permitted on a lot that is legally non-complying with respect to lot width or lot area.

- (3) A secondary dwelling unit is not permitted where the existing residential use is a legal non-conforming use.
- (4) A maximum of one secondary dwelling unit is permitted per lot, except in the case of vertically attached principal dwelling units, one secondary dwelling unit is permitted per principal dwelling unit.
- (5) The gross floor area of a secondary dwelling unit is limited to an amount equal to 40% of the gross floor area of the principal dwelling unit.
- (6) Where a secondary dwelling unit is located on a lot, neither a garden suite nor any rooming units are permitted on that lot.
- (7) A detached secondary dwelling unit must be located within 40 metres of the principal dwelling unit and is subject to the performance standards outlined in Table 6.1 – Provisions for Accessory Uses, Buildings or Structures.
- (8) The secondary dwelling unit must be connected to the existing public or private water and sewer services for the principal dwelling unit subject to the following:
 - a) In the case of a lot on municipal services, servicing of the Secondary Dwelling Unit must be provided through the principal dwelling unit;
 - b) In the case of private well and septic system services, at least one of the private services is shared with the principal dwelling unit.

APPENDIX D – EXISTING ZONING

SECTION 5 – DEFINITIONS

“SECONDARY DWELLING UNIT” means a separate dwelling unit subsidiary to and located in the same building as an associated principal dwelling unit, and its creation does not result in the creation of a semi-detached dwelling, duplex dwelling, triplex or converted dwelling.

SECTION 8.16 SECONDARY DWELLING UNITS

- (1) For the purpose of this section, gross floor area means the total area of each floor whether located above, or at grade, measured from the interior of outside walls and including floor area occupied by interior walls but excluding:
 - (a) floor area occupied by mechanical, service and electrical equipment that serve the building; and
 - (b) accessory uses located below grade.
- (2) A secondary dwelling unit is permitted in any detached, semi-detached or duplex dwelling, in any zone within a settlement area that permits any one or more of these dwelling types provided:
 - (a) it does not change the streetscape character along the road on which it is located;
 - (b) it is not a standalone, principal unit capable of being severed;
 - (c) it must be located on the same lot as its principal dwelling unit; and
 - (d) it only exists along with, and must be contained within the same building as, its principal dwelling.
- (3) A secondary dwelling unit is not permitted on a lot that is legally non-complying with respect to lot width or lot area.
- (4) A maximum of one secondary dwelling unit is permitted per principal dwelling unit in the case of a detached and semi-detached dwelling, and a maximum of one secondary dwelling unit is permitted whole of a duplex dwelling.

- (5) If located at or above grade, the secondary dwelling unit must not be greater in size than an amount equal to 40% of the gross floor area of its principal dwelling unit. If located in a basement, it may occupy the whole of the basement.
- (6) Where located both at or above grade, and in the basement, the secondary dwelling unit must be greater in size than an amount equal to a total gross floor area of 40%, including the gross floor area of the basement [By-law #18-77].
- (7) Subsection (6) does not apply where the secondary dwelling unit is located entirely within the basement save and except for its entrance located on the ground floor as required by subsection (11).
- (8) Where an attached garage is converted to create the secondary dwelling unit or a portion of the secondary dwelling unit, such attached garage is included in the calculation of the gross floor area of the dwelling.
- (9) The creation of a secondary dwelling unit must not result in any new doorway entrance added to the front wall, whether before, during or after the creation of the secondary dwelling unit.
- (10) Subsection (9) does not:
 - (a) prohibit an internal lobby or vestibule with a common doorway entrance in the front wall; nor
 - (b) prohibit the creation of a secondary dwelling unit within a dwelling unit that already contains more than one doorway entrance in the front wall; nor
 - (c) require the removal of a doorway entrance to a house that already contains more than one doorway entrance in the front wall: nor
 - (d) prohibit the addition of one doorway entrance along the front wall of a dwelling unit on an exterior lot where there is no doorway entrance along that front wall, but where there is one along the exterior side wall of the dwelling unit.
- (11) The doorway entrance that leads to a secondary dwelling unit is limited to locations on the ground floor only, except where building and fire codes dictate otherwise.
- (12) The principal and secondary dwelling units must share the parking area and yards provided for the principal dwelling unit, and no new driveway may be created, except in the case of exterior lots.

- (13) Except in the case of a secondary dwelling unit within a duplex dwelling, no parking is required for a secondary dwelling unit, but where provided, parking must be in conformity with the parking provisions of the By-law, and must not be located in the front yard.
- (14) Despite subsection (13), a parking space for a secondary dwelling unit may be located in a driveway that passes through a front yard to a garage, carport or other parking space, and may be in tandem in the driveway.
- (15) The creation of the secondary dwelling unit must not eliminate a required parking space for the principal dwelling unit.
- (16) Where a secondary dwelling unit is located on a lot, neither a garden suite nor any rooming units are permitted on that lot.
- (17) Secondary dwelling units must not be limited by, nor included in, any density control requirement, including for example, number of dwelling units and unit per hectare counts.

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

STAFF REPORT

DATE: June 7, 2022

TO: Council

FROM: Jeffrey Ren, Planner

SUBJECT: Background Report - Zoning By-law Amendment - Z-05-22
Concession 8 West Part Lot 1, Ramsay Ward, Municipality of
Mississippi Mills, municipally known as 7307 and 7317
County Road 29 Road

OWNER/APPLICANT: Ian Watson

[Click or tap here to enter text.](#)

PURPOSE AND EFFECT:

The purpose and effect of the Zoning By-law Amendment is to rezone the subject properties from *Rural Commercial Zone (C5)* to *Rural Commercial Special Exception Zone (C5-XX)* to add *Automotive Sales Establishment* as an additional permitted use.

The subject Zoning By-law Amendment application would only add a permitted use to the subject lands and no development is currently proposed. For an *Automotive Sales Establishment* to be established at this location, the applicants would be required to go through the Site Plan Control process.

DESCRIPTION OF PROPERTY & SURROUNDING LAND USES:

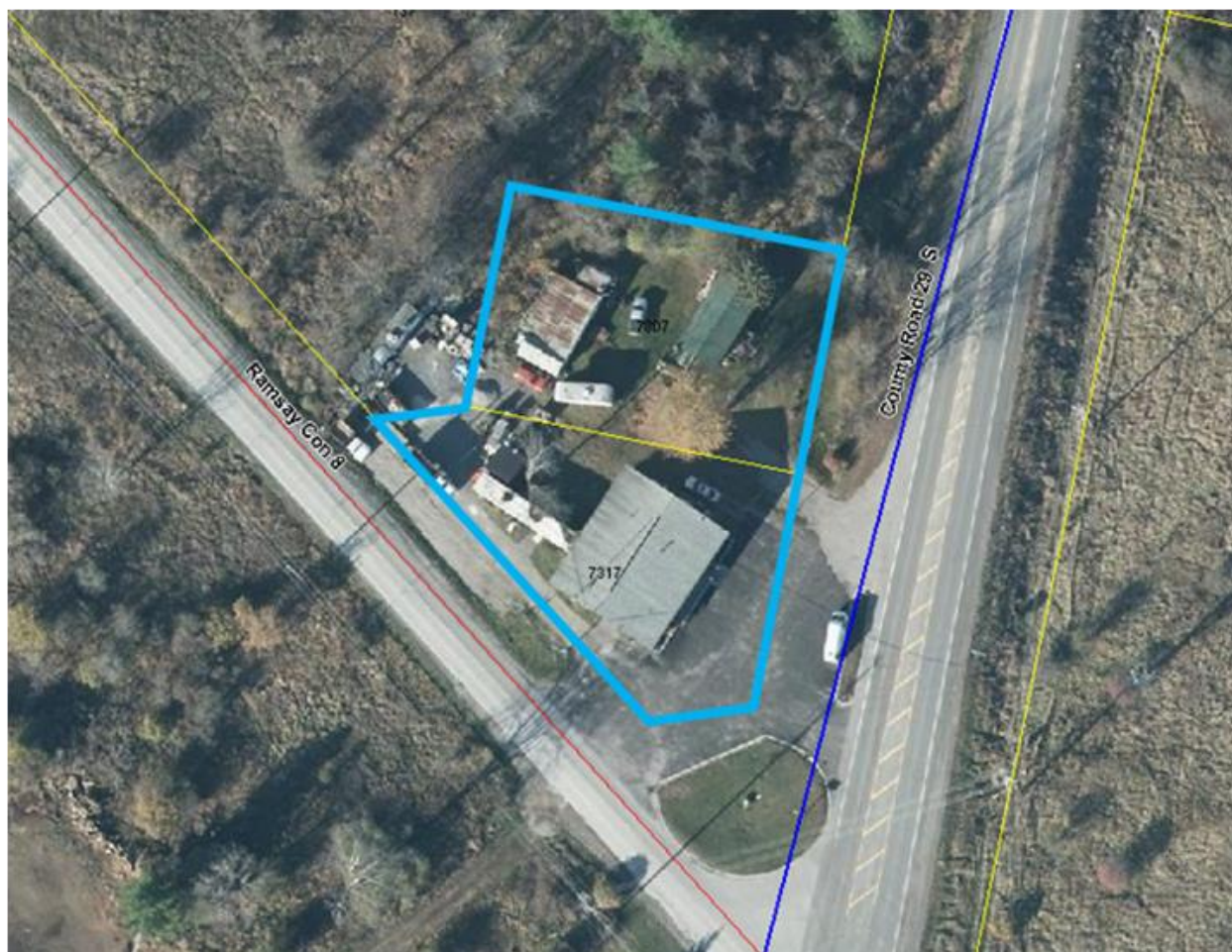
The subject properties are located at the north corner of the intersection of County Road 29 and Ramsay Concession 8 Road. The properties have an approximate area of 2,716.61 m², approximately 53 m of frontage along County Road 29, and approximately 37 m of frontage along Ramsay Concession 8 Road.


7317 Country Road 29 is currently occupied by a commercial use and an accessory dwelling unit. 7307 County Road 29 is vacant and currently being used for outdoor storage. The applicants indicated that there are currently 20 existing parking spaces at 7317 County Road 29 and 40 existing parking spaces at 7307 County Road 29. The subject properties currently have two vehicular accesses off of County Road 29 and one vehicular access off of Ramsay Concession 8 Road.

Surrounding land uses include rural and rural industrial uses to the north and east, open space and commercial uses to south and east, and the Town of Carleton Place to the west. County Road 29 is a County Road that is owned by Lanark County.

Figure 1 below shows an aerial image of the subject property.

Figure 1: Subject Properties



 Area to be rezoned from *Rural Commercial Zone (C5)* to *Rural Commercial Special Exception Zone (C5-XX)*

PROPOSED DEVELOPMENT:

The applicant is proposing to add *Automotive Sales Establishment* as an additional permitted use for the subject lands. No new buildings are proposed but the applicant has indicated that 20 additional parking spaces would be created. At the time of this application, no drawings or plans for an *Automotive Sales Establishment* have been submitted for this property.

The establishment of an *Automotive Sales Establishment* is expected to go through Site Plan Control. When an applicant applies to establish an *Automotive Sales Establishment*, a site plan, along with other plans and studies, will be required and assessed by Staff and external agencies. The Site Plan Control process will evaluate various aspects of the proposed development, including lighting, drainage, and other such impacts. Until a Site Plan Control application is submitted, staff cannot confirm if the property is able to accommodate the number of parking spaces noted on the application. Any parking lot established as part of an *Automotive Sales Establishment* would first have to gain approval of a Site Plan Control application to establish the use and adhere to the parking lot requirements in the Zoning By-law including size of parking spaces and required aisle widths. It is noted that based on the Municipality's CGIS information, the front part of the existing asphalt area is outside of the subject lands, located on County property (part of County Road 29 right of way).

SERVICING & INFRASTRUCTURE:

The subject properties are currently serviced by a private well and septic system. No servicing changes have been proposed.

Staff do not foresee any servicing or infrastructure concerns resulting from the proposed Zoning By-law Amendment. The specific servicing and infrastructure impacts associated with the establishment of an *Automotive Sales Establishment* on this property will also be reassessed in greater detail at the Site Plan Control stage.

COMMUNITY OFFICIAL PLAN (COP):

The subject lands are designated "Rural" in the Community Official Plan (COP). The Rural designation permits a variety of agricultural, rural and residential uses. Specifically, rural commercial and industrial uses that can be operated safely on private services are permitted.

The subject property is not affected by any other Community Official Plan Overlays, Constraints, or Natural Features. An *Automotive Sales Establishment* would be expected to conform to all applicable Community Official Plan policies including all applicable General Policies.

ZONING BY-LAW #11-83:

The subject lands are presently zoned *Rural Commercial Zone (C5)* per the Comprehensive Zoning By-law #11-83. The C5 Zone permits a variety of rural commercial uses, commercial uses, and residential uses. Currently permitted uses include a variety of uses that are comparable in scale and impact to an *Automotive Sales Establishment*; these permitted uses include:

- *automobile care,*
- *automobile gas bar,*

- *heavy equipment and vehicle sales,*
- *rental and servicing, and*
- *recreational vehicle sales.*

At the time of this Zoning By-law Amendment application, no plans for an *Automotive Sales Establishment* were submitted. The subject Zoning By-law Amendment is simply for the purpose of adding an additional permitted use. Any development on the lot would be required to conform to the performance standards of the C5 Zone.

PUBLIC AND AGENCY COMMENTS RECEIVED:

Staff circulated the application in accordance with the provisions of the Planning Act to the public, internal departments and external agencies and organizations. At the time of preparation of this report, the following comments were received:

Internal Departments:

- The Acting **Director of Public Works** noted concerns regarding parking, stormwater management, lighting and road frontages.
- The **Chief Building Official** noted that a change of use permit would be required.

The above noted comments are expected to be addressed through the Site Plan Control process and the Building Permit process respectively. No other comments or concerns from internal departments were received at the time of the preparation of this report.

External Agencies:

- The **Town of Carleton Place** noted that the subject property is located on the joint “gateways” to the municipalities of Mississippi Mills and Carleton Place and requested that Planning Staff consider the intent of the provisions of the Town of Carleton Place’s Official Plan in future site plan applications.
- **Lanark County** expressed concerns regarding future safety and liability issues which could result from the proposed Zoning By-law Amendment. County Planning and Public Works Staff also noted that the majority of the road frontage is owned by Lanark County and advised that there will be no permission to park (store, etc.) any vehicles on or within the County right-of-way or to by any means block any intersection sight lines. County Planning and Public Works Staff requested that any future site plan also be provided to Lanark County Public Works for review and approval due to the County Road frontage and noted that entrances to the County Road require County approval.

Planning Staff have noted the concerns of the external agencies. Staff will ensure that the applicable agencies are circulated the Site Plan Control application in the future. No other comments or concerns from external agencies were received at the time of the preparation of this report.

Public Comments:

No other comments or concerns from members of the public were received at the time of the preparation of this report.

NEXT STEPS:

A staff report analyzing the merits of the application will be prepared following the public meeting in order to fully consider any and all public comments received.

All of which is respectfully submitted by, Approved by,



Jeffrey Ren
Planner



Melanie Knight, MCIP, RPP
Senior Planner

ATTACHMENTS:

1. Attachment A - Site Photos

Attachment A – Site Photos



Commercial building with accessory dwelling unit at 7317 Country Road 29



Looking north along County Road 29



Looking south along County Road 29



Vacant parcel used for open storage at 7307 County Road 29



Open storage at the rear of 7317 County Road 29 (Looking east from Ramsay Con 8)



Open storage at the rear of 7317 County Road 29 (Looking east from Ramsay Con 8)

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

STAFF REPORT

DATE: June 7, 2022

TO: Council

FROM: Jeffrey Ren, Planner

SUBJECT: **Background Report - Zoning By-law Amendment - Z-06-22
Concession 12 West Part Lot 12, Ramsay Ward, Municipality of
Mississippi Mills, municipally known as 1562 Ramsay Concession
12 Road**

OWNER: Colin Weldon

APPLICANT: Tracy Zander, ZanderPlan Inc.

Click or tap here to enter text.

BACKGROUND:

The property subject to the Zoning By-law Amendment is a severed lot that received conditional approval from the Lanark County Land Division Committee on April 12, 2022 (B21/188).

The following lots were conditionally created as a result of the consent application:

- **Severed Lot (Subject Property):** The severed lot measures 1 hectare (2.47 acres) in area with 60 m of frontage along Ramsay Concession 12 Road. The lot is currently vacant; the intent is to create a rural residential building lot. No plans for a rural residential building have been submitted.
- **Retained Lot:** The property at 1562 Ramsay Concession 12 Road will retain 39.1 hectares (96.6 acres) with 551 m of frontage on Ramsay Concession 12 Road. This parcel is a rural residential property with a portion being farmed. 1562 Ramsay Concession 12 Road is considered a Locally Significant Agricultural Operation and is actively being farmed.


Figure 1 below shows both the severed and retained properties. As noted earlier, the severed lot is the subject property for this Zoning By-law Amendment.

Both the subject and retained lots are affected by a Community Official Plan (COP) overlay – the 'Rural-Agriculture' overlay. In Section 3.3.4 of the COP, the policies

require that any new non-farm residential buildings maintain a setback of 30 metres from any active agricultural operations. In order to implement the policies of the COP on the newly created rural residential lot, a Zoning By-law Amendment to apply the 30-metre setback to the severed lot was included as a condition of approval for the aforementioned consent application (B21/188).

Figure 1: Severed and Retained Lots



 Severed Lot - Area to be rezoned from *Rural Zone* (RU) to *Rural Special Exception Zone* (RU-XX)

 Retained Lot

PURPOSE AND EFFECT:

The purpose and effect of the Zoning By-law Amendment is to implement the COP Rural-Agriculture Overlay policies by rezoning the subject properties from *Rural Zone* (RU) to *Rural Special Exception Zone* (RU-XX). The Zoning By-law amendment will add an additional provision requiring a setback of 30 metres from lands which are being

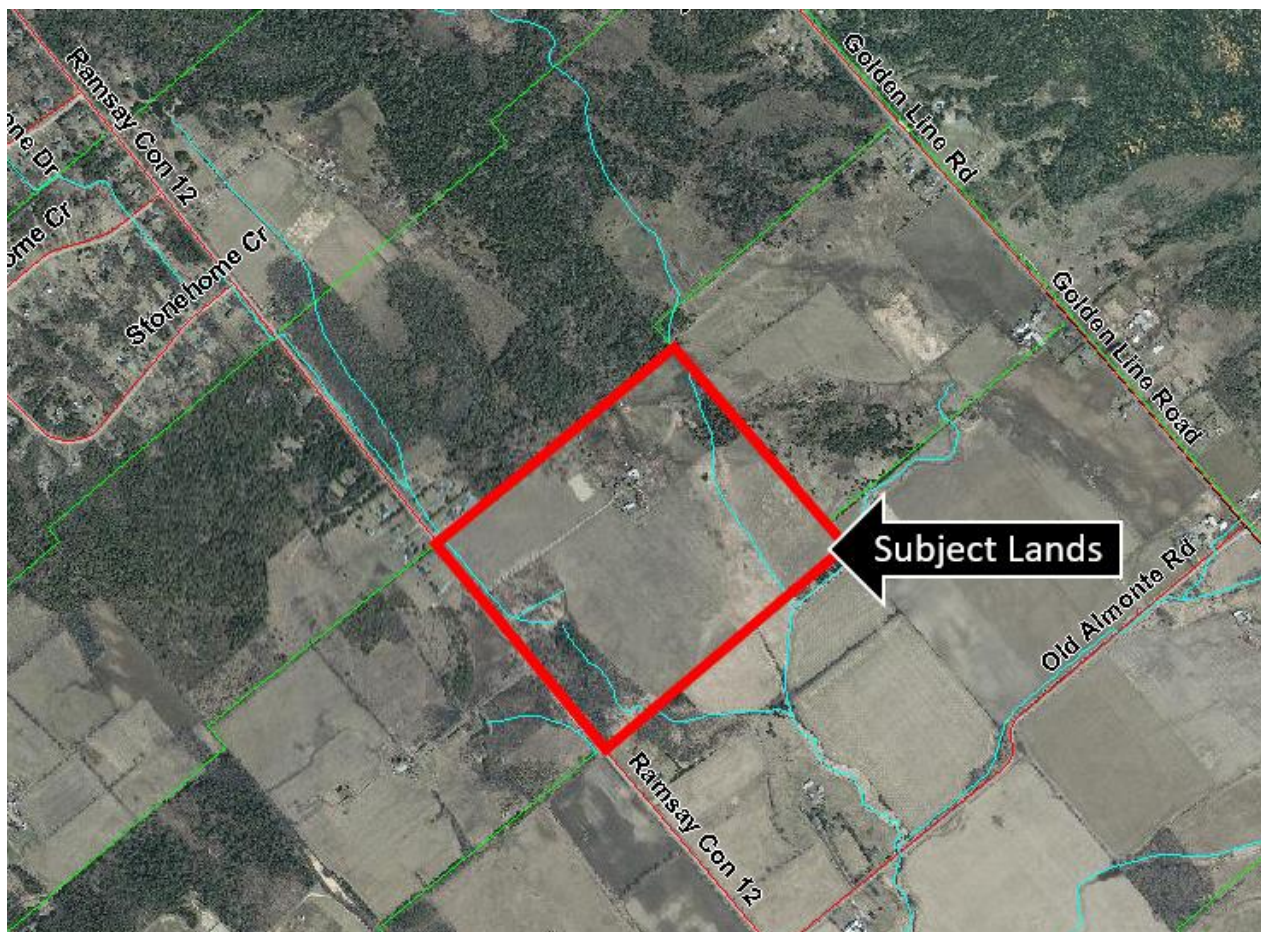
utilized as part of an active agricultural operation as required by the COP Rural-Agriculture Overlay policies. The Rural- Agriculture Overlay is shown in Figure 3 below.

DESCRIPTION OF PROPERTY & SURROUNDING LAND USES

The subject property, locally known as 1562 Ramsay Concession 12 Road, is located in the Ramsay Ward. Both parcels will maintain frontage along Ramsay Concession 12 Road, a municipally owned and maintained road. The overall property is an active farm with a residential dwelling; the severed lot is located at the western corner of the lot. As previously mentioned, the severed lot is intended to be used for a non-farm residential use and is located along the north side of Ramsay Concession 12 Road.

The immediate surrounding character is predominantly agricultural and rural, with associated farm dwellings and farming operations with some smaller rural residential lots on lands zoned *Rural* (RU). The location of the subject lands within the Municipality is depicted in Figure 2.

Figure 2: Local Context



SERVICING & INFRASTRUCTURE:

The severed parcel is currently vacant. To facilitate the development of a single detached dwelling, the applicant will be required to obtain the necessary building permits, septic and well approvals to service the proposed single detached dwelling.

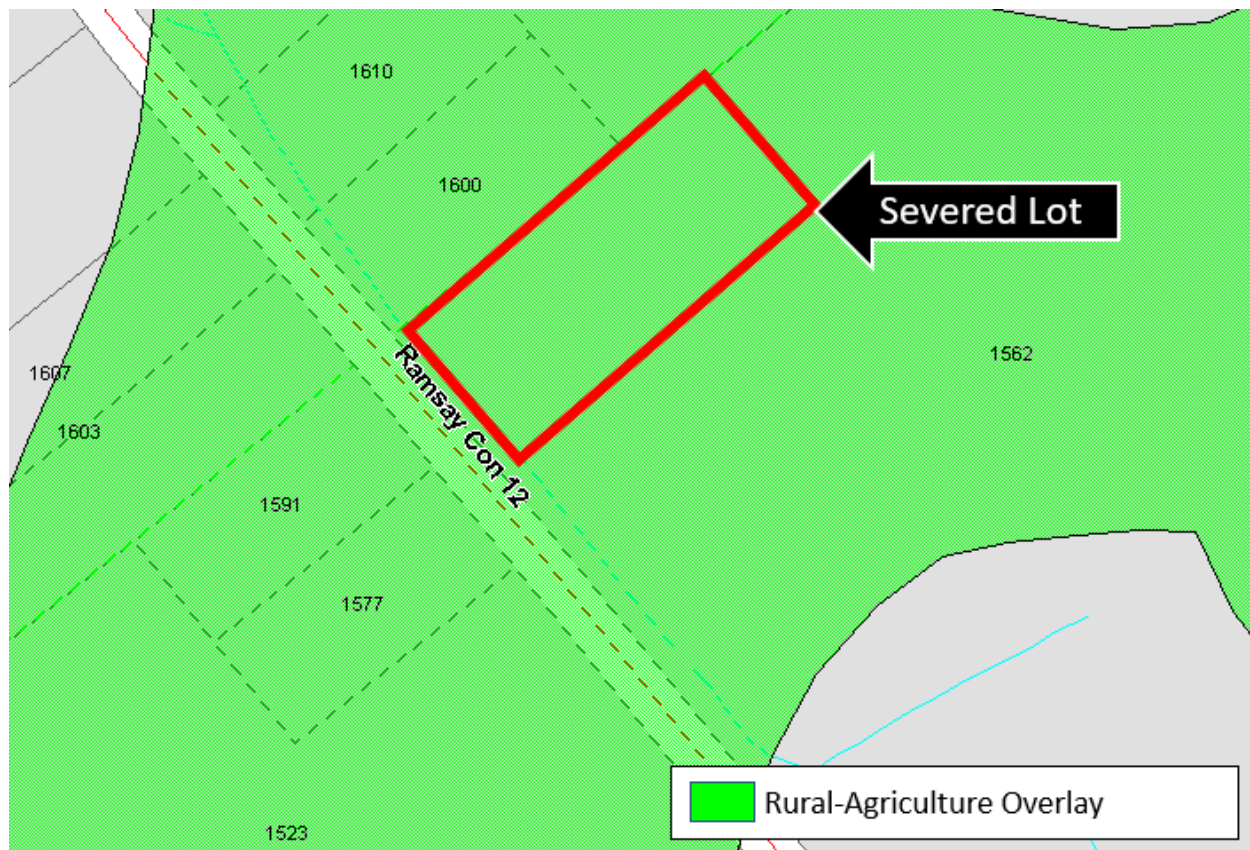
A new laneway access will be required for the severed lot. The location of the new entrance will be determined in conjunction with the Municipal Public Works Department. As previously mentioned, the property has frontage along Ramsay Concession 12 Road.

Staff do not foresee any servicing or infrastructure concerns resulting from the proposed Zoning By-law Amendment.

COMMUNITY OFFICIAL PLAN (COP):

The subject lands are designated “Rural” in the Community Official Plan (COP). The Rural designation permits non-farm residential dwellings and related accessory uses. As shown in Figure 3, the lands are subject to a Rural-Agriculture Overlay in the Community Official Plan (COP).

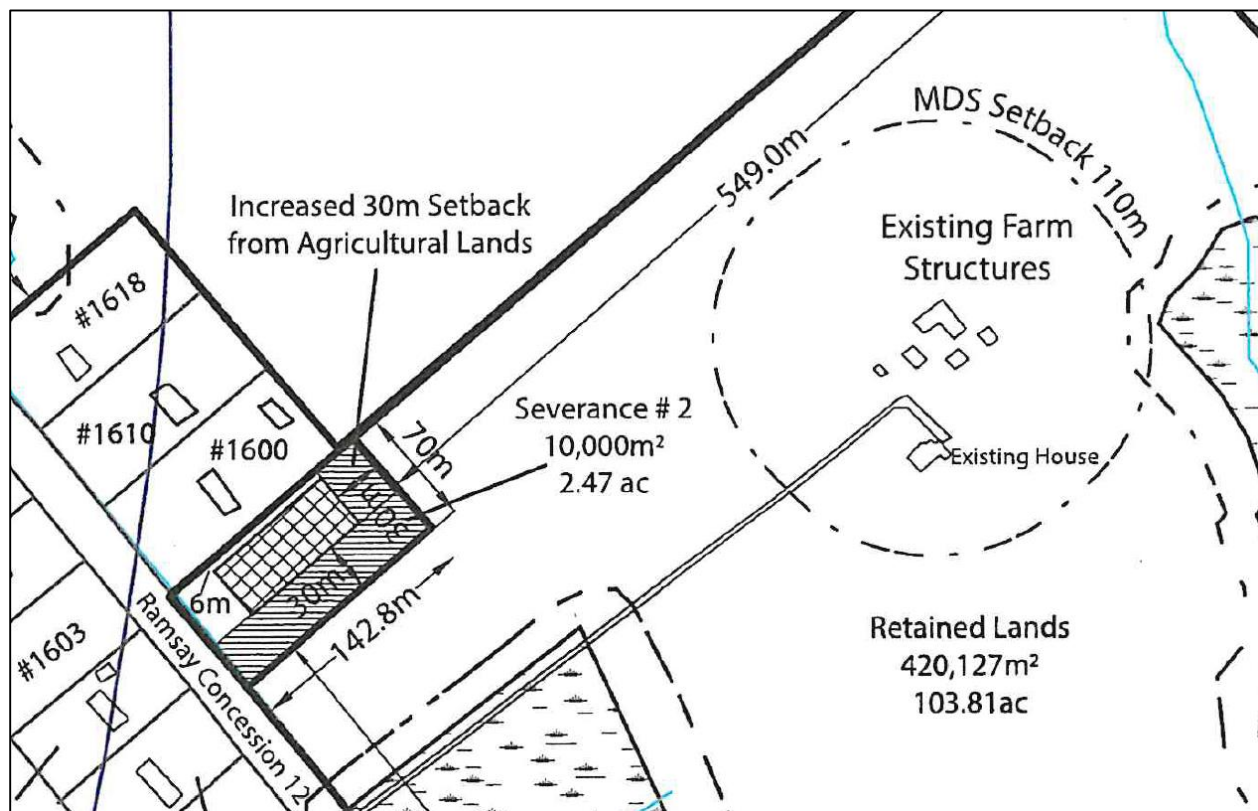
Figure 3: Rural-Agriculture Overlay



The 'Rural-Agriculture' Overlay, which represent and identifies Class 1 to 3 soils as per the Canada Land Inventory outside of a Prime Agricultural Area, impacts the lands of the proposed severances.

1562 Ramsay Concession 12 Road is considered a Locally Significant Agricultural Operation, as such, any new lot lines shared with said property will require a minimum 30 metre setback which abut active, agricultural uses as shown in Figure 4. The 30-metre setback is not required for those lot lines which abut the existing non-farm residential lots as they are residential in nature.

Figure 4: 30 Metre Setback (Extract from Applicant Sketch)



As noted previously, as a condition of approval, the Applicant was required to obtain a Zoning By-law Amendment for the severed lot in order to conform to the above noted COP Locally Significant Agricultural Operations policies in Section 3.3.4 of the COP.

ZONING BY-LAW #11-83:

The subject lands are presently zoned "Rural (RU)" as per the Comprehensive Zoning By-law #11-83. The Rural Zone permits a variety of uses rural and agricultural uses, including residential uses. At the time of this Zoning By-law Amendment application, no plans for a dwelling were submitted. The subject Zoning By-law Amendment is simply for the purpose of implementing the required 30-metre setback as required by the

Official Plan policies. Any dwelling constructed on the lot would be required to conform to the performance standards of the RU Zone.

As shown on the table below, the conditionally severed vacant lot meets the minimum lot frontage and minimum lot area requirements of a non-farm residential use in the Rural Zone.

Lot Frontage, Minimum (m)		Lot Area, Minimum (ha)	
Zone Requirement	Proposed	Zone Requirement	Proposed
45	60	1	1

As required by consent application B21/188, the proposed lots need to be rezoned from “Rural Zone” (RU) to “Rural Special Exception” (RU-XX) to facilitate residential development. The special exception is required to implement the 30-metre setback from active agricultural operations to residential lots.

PUBLIC AND AGENCY COMMENTS RECEIVED:

Staff circulated the application in accordance with the provisions of the Planning Act to the public, internal departments and external agencies and organizations. At the time of preparation of this report, no questions or comments were received.

NEXT STEPS:

A staff report analyzing the merits of the application will be prepared following the public meeting in order to fully consider any and all public comments received.

All of which is respectfully submitted by, Approved by,



Jeffrey Ren
Planner

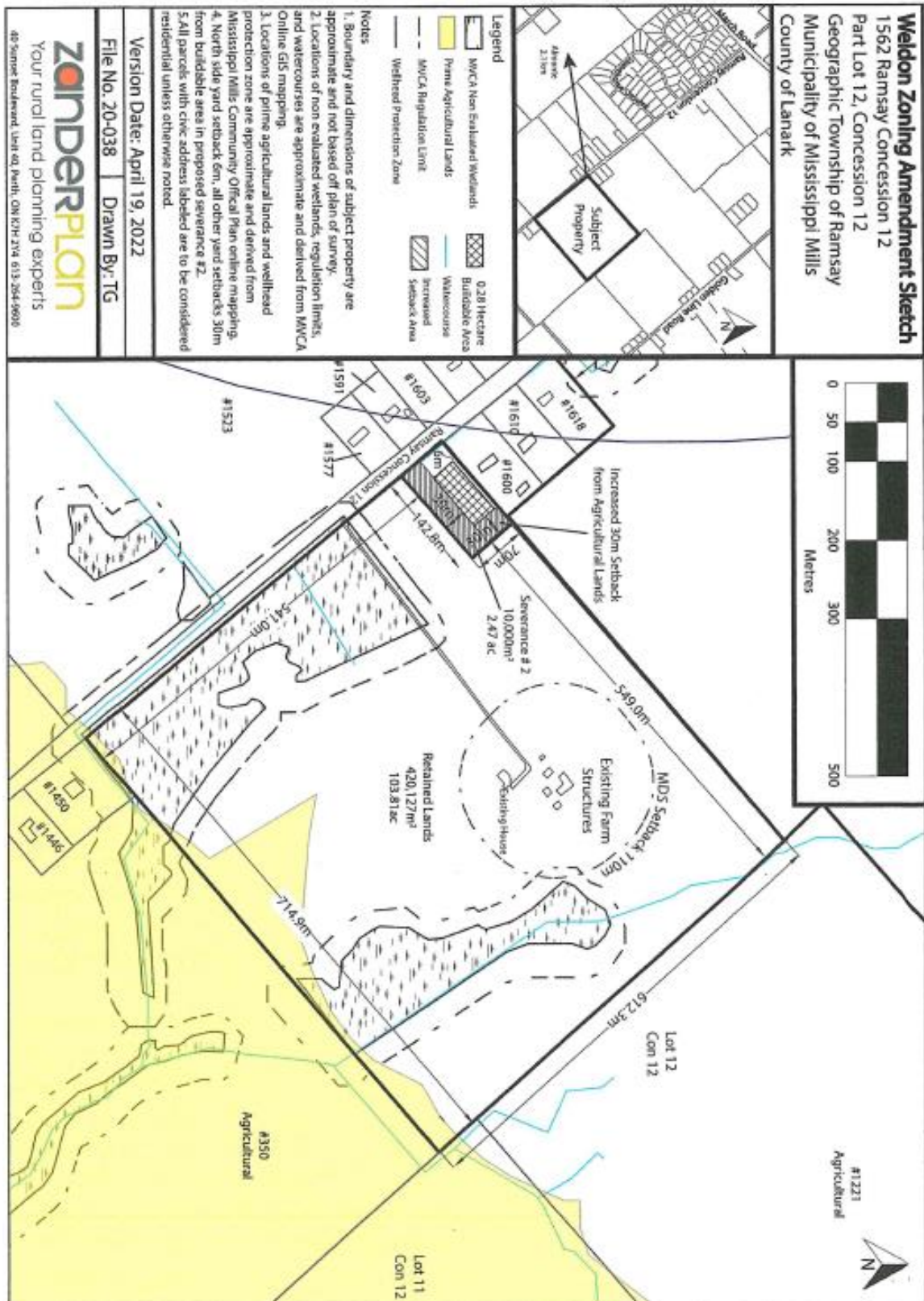


Melanie Knight, MCIP, RPP
Senior Planner

ATTACHMENTS:

1. Attachment A – Property Sketch

Attachment A – Property Sketch





REPORT OF THE COMMITTEE OF THE WHOLE May 17, 2022

The following is the Committee of the Whole report from the May 17, 2022, meeting.

Staff Reports

F.1 Backyard Composters

Resolution No. CW140-22

THAT Council approve offering residents a \$40 rebate for the purchase of a backyard composter;

AND FURTHERMORE THAT 25 rebates per year be available.

F.2 Dedicating Plan 27N90, Block 21 as part of the Municipal Highway System

Resolution No. CW141-22

THAT Council Direct Staff to prepare a bylaw for the purposes of dedicating Block 21 of Plan 27M90 as part of the municipal highway system to be known as Saddler Drive.

F.3 Festival Parades

Resolution No. CW142-22

THAT Council approve staff working with the Celfest and Puppets Up! Festival Committees to plan safe parade routes for 2022.

F.4 Age Friendly Wellness Trail

Resolution No. CW143-22

THAT Council approve installation of a 6-part wellness trail on public lands in downtown Almonte;

AND FURTHERMORE, that staff be permitted to work with the committee to choose appropriate locations and equipment.

F.5 Zoning By-law Amendment Z-02-22 - 3232 12th Concession, Pakenham North

Resolution No. CW144-22

THAT Council approve the Zoning By-law Amendment to amend the zoning of the lands municipally known as 3232 12th Concession 12, Pakenham from “Agricultural (A-31) Zone” and Limited Service Residential Zone to “Agriculture Special Exception” (A-44).

F.7 Revision to Seasonal Stands Bylaw 19-48
Resolution No. CW147-22

THAT Council approve amendments to the Mobile Canteen and Seasonal Stands Bylaw 19-48 to reflect the addition of Refreshment Cart definitions and provisions;

AND THAT the Fees and Charges Bylaw 21-108 be amended to reflect the new Refreshment Cart Rate.

F.8 2021 Council Remuneration and Expenses

THAT Council receive this report for information.

Submitted by,

Reviewed by,

Councillor Jan Maydan,
Committee of the Whole Chair

Jeanne Harfield,
Clerk

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

BY-LAW NO. 22-035

BEING a by-law to amend By-law No. 11-83 being the Zoning By-law for the Municipality of Mississippi Mills.

WHEREAS the Council of the Corporation of the Municipality of Mississippi Mills passed Zoning Bylaw 11-83, known as the Zoning By-law, to regulate the development and use of lands within the Municipality;

NOW THEREFORE the Council of the Corporation of the Municipality of Mississippi Mills pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, Chapter P.13, enacts as follows:

1. That Schedule 'A' to By-law No. 11-83, as amended, is hereby further amended by changing thereon from the "Agricultural" (A-31) Zone and "Limited Service Residential" (LSR) Zone to "Agricultural – Special Exception 44" (A-44)" for the lands identified on the attached Schedule 'A', which are municipally described as 3232 12th Concession Pakenham, Municipality of Mississippi Mills.
2. That Section 11 to By-law No. 11-83, as amended, is hereby further amended by adding the following Subsection to Section 11.3:
"11.3.44 Notwithstanding their 'A' Zoning, on those lands delineated as 'A-44' on Schedule 'A' to this By-law, may be used in compliance with the A zone provisions contained in this by-law, excepting however, that:
 - i) Notwithstanding Section 6.24, the minimum setback from the top of bank is 15 metres.*
 - ii) the minimum lot frontage is 12 metres.*
3. This By-Law takes effect from the date of passage by Council and comes into force and effect pursuant to the provisions of the *Planning Act*, R.S.O. 1990, Chapter P.13.

BY-LAW read, passed, signed and sealed in open Council this **7th day of June, 2022.**

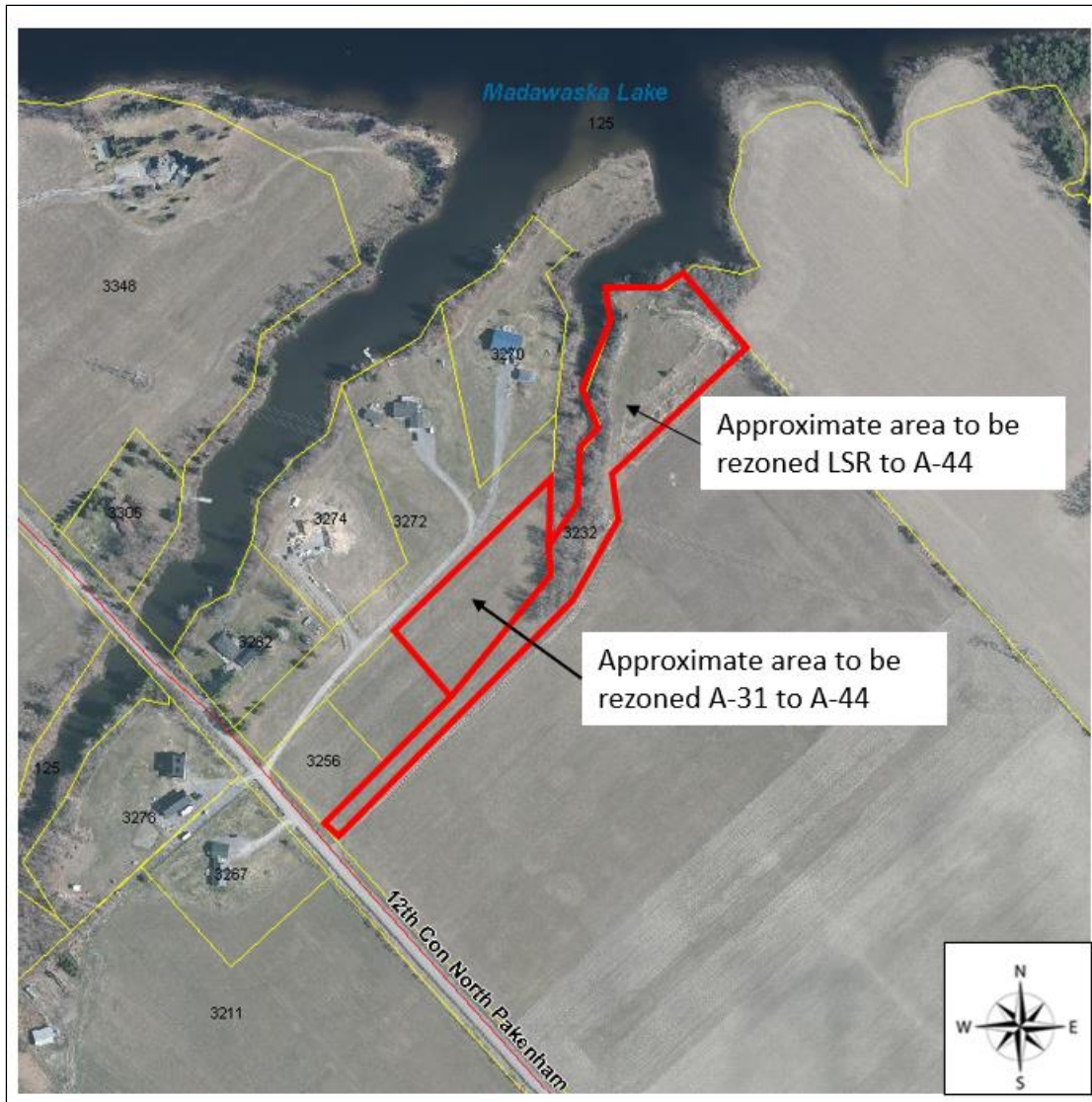
Christa Lowry, Mayor

Jeanne Harfield, Clerk

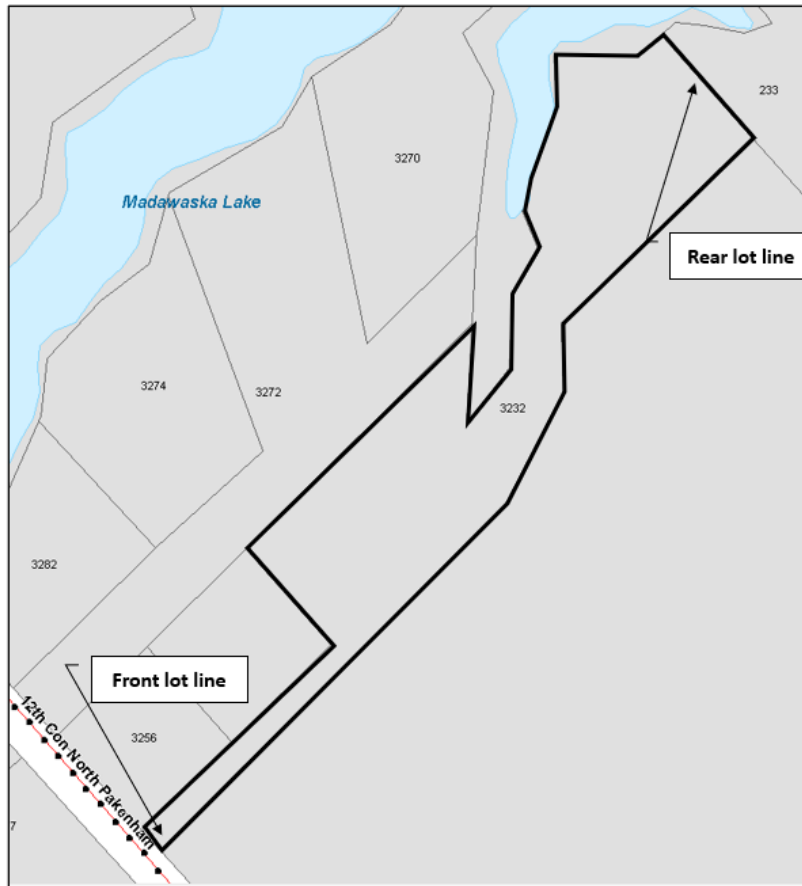
**By-law No. 22-035
Schedule "A"**

Lands Subject to the Amendment.

CON 12 PT LOTS 25; AND 26
26R-99 PART 5 27R-9218 PART 4, 27R-11237; PARTS 1 TO 7
Pakenham Ward, Municipality of Mississippi Mills
Municipally known as 3232 12th Concession, Pakenham North



**By-law No. 22-035
Schedule "B"**



Zoning Details

Unless otherwise noted on this Schedule, all required setbacks are per Section 12 of Zoning By-law #11-83

Minimum lot frontage: 12 metres

Minimum setback from top of bank: 15 metres

Unless otherwise identified on this Schedule, all lot lines are considered interior lot lines



File No.
Z-02-22

This is Schedule 1 to Zoning By-law No. 11-83

This is Schedule B to By-law No. _____.

Passed on _____.



Not to scale

X/XX/20XX

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

BY-LAW NO. 22-036 (amends bylaw 19-48)

BEING a by-law to amend Seasonal Stand By-law 19-48

WHEREAS pursuant to The Municipal Act 2001(S.O. 2001, c.25), Section 150, a local municipality may license, regulate and govern any business wholly or partly carried on within the municipality for health and safety and consumer protection purposes;

AND WHEREAS the Council of the Corporation of the Municipality of Mississippi Mills deems it desirable to license and regulate vehicles and seasonal stands from which refreshments and / or prepared food are sold for consumption by the public for safety and consumer protection purposes;

NOW THEREFORE the Council of the Corporation of the Municipality of Mississippi Mills **ENACTS AS FOLLOWS:**

1. That the following sections be amended to reflect the following.

DEFINITIONS:

1. In this by-law, the following terms have the specified meanings:
 - i) **Refreshment Cart** shall mean a mobile vehicle propelled by human muscle power from which refreshments are sold for consumption by the general public. A main body of the refreshment cart shall not exceed the following dimensions: 3 metres in metres in length, 1.5 metres in width and 2.5 metres in height, measured from the ground upward.

GENERAL LICENSE REQUIREMENTS

2. No person shall operate a mobile canteen, refreshment cart, seasonal stand or seasonal produce/ farm produce stand within the Municipality without having a valid license issued by the Municipality and having paid a license fee for the same, where applicable.
3. Any licensed mobile canteen, refreshment cart, seasonal stand or seasonal produce/ farm produce stand shall be operated within any general and specific conditions of the license.
4. All licenses shall be issued subject to the following conditions, which shall apply whether or not they are physically endorsed on the license, itself.

- a) The license shall be valid only for the owner/operator or the mobile canteen, refreshment cart, seasonal stand or seasonal produce/ farm produce stand for which it is issued;
- b) The license may be transferred to a new owner providing the new owner applies to the municipality for a transfer license and pays a transfer license fee and provides proof of insurance;
- c) Any individual owner may be issued more than one license;
- d) The license shall be valid for the calendar year of issue (January 1 – December 31;
- e) The license shall be on display in or on the mobile canteen, refreshment cart, seasonal stand, or seasonal produce/ farm produce stands and shall be made available for inspection at any time.

LICENSE REQUIREMENTS – REFRESHMENT CART

6. No person shall vend from a Refreshment Cart(s) except in accordance with the following provisions:

a) General Provisions for Refreshment Carts:

- i) Every licensee who vends shall ensure that all articles, whether on display or not on display, except for a garbage receptacle and a small condiment tray are contained within the cart. The garbage receptacle and a small condiment tray shall be located no further than 1.5 metres from the cart.
- ii) No person shall vend from a Refreshment Cart or from a stand upon any highway including a boulevard, sidewalk or street, or any part thereof.
- iii) Every licensee shall keep his or her Refreshment Cart in a clean and sanitary condition and in a state of good repair and appearance at all times.
- iv) No person licensed pursuant to this by-law shall carry, sell, offer or expose for sale any or all of the food products which are prohibited from time to time by the Medical Officer of Health.
- v) Every Refreshment Cart equipped with a food heating capability shall be adequately equipped with a fire extinguisher having an A.B.C. rating.
- vi) The licensee shall ensure that any person vending with or from his or her Refreshment Cart has the license (issued by the Municipality) visible to the public and attached to the Refreshment Cart.

- vii) The holder of a licence in a category defined in Section 1 shall not use the licence for the purpose of any other category unless specifically permitted herein.
- viii) Every person to whom this by-law relates shall be governed by The Public Health Act, R.S.O. 1990, Chap. P.10, as amended, or The Health Protection and Promotion Act, R.S.O. 1990, Chap. H.7, as amended, and regulations enacted thereunder.
- ix) No person shall use:
 - a) an external gasoline-powered generator
 - b) an external propane-powered generator, or
 - c) an external diesel-powered generator in conjunction with a Refreshment Cart.
- b) Collection and Removal of Garbage and Recyclables from a Refreshment Cart:
 - i) No person who vends with or from a Refreshment Cart shall place or locate any carton, box or other article, other than a garbage receptacle, recycling bins and a small condiment tray, outside of the Refreshment Cart. The garbage receptacle, recycling bins and a small condiment tray shall be located no further than 1.5 metres from the cart.
 - ii) No person shall vend with or from a Refreshment Cart without first placing a garbage receptacle and recycling bin outside of the Refreshment Vehicle.
 - iii) Every person who vends with or from a Refreshment Cart shall ensure that the garbage receptacle and recycling bin placed outside the cart is taken away with the vehicle and that the garbage is disposed of in a proper and sanitary manner and any recyclables are properly recycled.
 - iv) Every person who vends shall ensure that the grounds in the vicinity of the Refreshment Cart for a distance of 30 metres are kept clean of all waste.
 - v) The placing of the garbage or litter in a sidewalk refuse container provided by the Corporation is not sufficient to constitute removal.
- c) Location and Time Regulations
 - i. No person shall vend from a Refreshment Cart on a public sidewalk. A Refreshment Cart, if located on private property, shall not be located any closer than 1.2 metres to a sidewalk.
 - ii. No person who vends shall place or locate himself or herself or anything on a street so as to be within nine (9m) metres from the nearest street intersection.

- iii. No person shall vend on any municipal property unless authorized to do so in writing by the Municipality's Parks and Recreation department.
 - iv. Sales shall only occur between the hours of 8:00 a.m. and 8:00 p.m. of the same day.
 - v. A mobile ice cream vehicle, cart or bicycle may stop on a street in a residential zone to make a sale for a duration of no more than twenty (20) minutes.
- d) present written approval of the Medical Officer of the Lanark, Leeds and Grenville District Health Unit that the Mobile Canteen or Season Stand has been inspected and has met all health requirements;
 - e) No person shall operate a mobile canteen, refreshment cart or seasonal stand closer than 30 metres to an eating establishment. Should the owner of a mobile canteen, refreshment cart or seasonal stand wish to locate the said canteen or stand closer than 30 metres to an eating establishment, written acknowledgement from the affected eating establishment's owner shall be filed with the application indicating that they have no objection to the canteen, cart or stand locating within the 30 metre distance requirement.
 - f) indicate what provisions will be made for:
 - a. garbage receptacles,
 - b. recycling, and
 - c. general cleanliness and tidiness of the site and surrounding area;

INSURANCE REQUIREMENTS - MOBILE CANTEENS, RERESHMENT CARTS, AND SEASONAL STANDS

- 7. The operator shall provide and maintain at their sole expense, liability insurance to cover all operations of the owner and property damage insurance in the minimum amount of two million dollars (\$2,000,000.00), to protect the owner/operator against all liability.
- 8. Such insurance shall add the Corporation of the Municipality of Mississippi Mills as Additionally Insured.
- 9. Automobile liability insurance shall be required for all mobile canteens with a limit of not less than two million dollars (\$2,000,000.00)
- 10. Required insurance policies shall not be cancelled unless the Insurer notifies the Municipality in writing at least thirty (30) days prior to the effective date of the

cancellation. The insurance policy will be in a form and with a company which are, in all respects, acceptable to the Municipality.

INDEMNIFICATION

11. The owner/operators shall indemnify and hold the Corporation of the Municipality of Mississippi Mills harmless from and against any liability, loss, claims, demands, costs and expenses, including reasonable legal fees, occasioned wholly or in part by any negligence acts or omissions whether willful or otherwise by the operator, their officers, employees or other persons for whom the operator is legally responsible.

LOCATION

12. No mobile canteen, seasonal stand, or seasonal produce/ farm produce stand may be set up on any Provincial or County Road Allowance except by written permission of those authorities.
13. In Almonte Ward, mobile canteens, seasonal stands or seasonal produce/ farm produce stands are only permitted on Commercial and Industrial Zoned properties. Use of the North Lanark Agricultural Society Fairgrounds or properties owned by School Boards may be used for special events and festivals.
14. In Pakenham and Ramsay Wards, mobile canteens, seasonal stands or seasonal produce/ farm produce stands are permitted on properties in all zone classifications except on public road allowances.
15. No person shall operate a mobile canteen or seasonal stand closer than 30 metres to an eating establishment. Should the owner of a mobile canteen or seasonal stand wish to locate the said canteen or stand closer than 30 metres to an eating establishment, written acknowledgement from the affected eating establishment's owner shall be filed with the application indicating that they have no objection to the canteen, cart or stand locating within the 30 metre distance requirement.

SPECIAL OCCASIONS

16. A mobile canteen or refreshment cart licensed under the provisions of this by-law:
 - a) may appear at a private event, provided that the cart or canteen is on private property or on an adjacent road allowance in a location where its operation will not cause a traffic problem.
 - b) may visit construction and quarry operations and other commercial and industrial operations within the Municipality, with appropriate permissions.
17. Organizers of special events/festivals wishing to bring in mobile canteens or refreshment carts shall abide by the following provisions:

- a) Mobile Canteens or Refreshment Carts shall only be on site at the special event/festival for a maximum of three (3) days or 72 hours;
- b) The organizers of the special event and owners/operators of the mobile canteen shall indemnify and hold the Corporation of the Municipality of Mississippi Mills harmless from and against any liability, loss, claims, demands, costs and expenses, including reasonable legal fees, occasioned wholly or in part by any negligence acts or omissions whether willful or otherwise by the operator, their officers, employees or other persons for whom the operator is legally responsible;
- c) A ice cream truck may locate temporarily for sales or other special events where the mobile canteen operator has been invited or authorized by a person holding the event or owning the business or property to dispense refreshments, provided that all other provisions of this By-law are met while operating at the temporary location.
- d) Shall abide by all conditions set out in Section 5 c.

FEES

- 18. License fees are set are out in the Municipality's Fee By-law which are adopted from time to time by Council. The fees shall be paid at the time of issuance or renewal of the license, where applicable.
- 19. Notwithstanding Section 18, those seasonal stands assessed and taxed by the Municipality shall be exempt from license fees charged under this by-law.
- 20. Licenses shall be issued by the Clerk of the Municipality upon satisfaction of all applicable conditions.
- 21. The Municipality is not necessarily required to issue or renew any license, under this this by-law. The Municipality may take advice from the Ontario Provincial Police, the Director of Roads and Public Works, the County of Lanark, the Ministry of Transportation and any other source in reaching decisions about any special conditions to be attached to a license.
- 22. The Municipality may revoke a license if it is determined that public interest would be served by such action. The notice to revoke a license shall state the reasons for such revocation of license and fee to be returned, if any, to the licensee.

OFFENCES

- 23. No owner/operator being a holder of a license issued under this by-law, shall:

- b) Operate or authorize or permit the operation of a mobile canteen, refreshment cart, seasonal stand or seasonal produce/ farm produce stand except during the times and dates specified in the license;
- d) Fail to provide or cause to be provided, an appropriate waste container at the designated site, for the use of the owner/operator, patrons and others while the mobile canteen, refreshment cart, seasonal stand or seasonal produce/ farm produce stand is being operated;

ENFORCEMENT

24. This by-law shall be enforced by the By-law Enforcement Officers so appointed by Council.

SEVERABILITY

25. If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influences Council to pass the remainder of the by-law and it is hereby declared that the remainder of the by-law shall be valid and shall remain in force.

PENALTIES

26. Any person contravening the provisions of this by-law is guilty of an offence, and the procedure with respect thereto and penalty upon conviction therefore shall be as provided for under The Provincial Offences Act, R.S.O. 1990, Chapter P. 33 as amended.

ENACTMENT

27. This By-law shall come into force and take effect on the day of its passing.

BY-LAW READ passed, signed and sealed in open Council this 7th day of June, 2022.

Christa Lowry, Mayor

Jeanne Harfield, Clerk

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

BY-LAW NO. 22-037

BEING a by-law for the purpose of accepting a strip of land deeded to the Municipality for the purpose of development control into the municipal highway system.

WHEREAS the *Municipal Act, 2001, S.O. 2001, c.25* as amended, grants authority to the council of local municipalities to pass by-laws in respect of municipal highways;

AND WHEREAS the lands described herein are under the ownership of the Corporation of the Municipality of Mississippi Mills for the purpose of development control;

AND WHEREAS the Council of the Corporation of the Municipality of Mississippi Mills deems it desirable to assume these lands into the Municipality's road system for road purposes;

NOW THEREFORE the Council of the Corporation of the Municipality of Mississippi Mills enacts as follows:

1. Block 21 on Plan 27N90, Municipality of Mississippi Mills, be dedicated as part of the municipal road network, and hereby accepted for public purposes and dedicated to the municipal highway system to be known as Sadler Drive;
2. This by-law comes into force and effect upon the day of its passing.

BY-LAW READ, passed, signed and sealed in open Council this **7th day of June, 2022.**

Christa Lowry, Mayor

Jeanne Harfield, Clerk

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

BY-LAW NO. 22-038

BEING a by-law to amend Tax Rates 2022 bylaw 22-027.

WHEREAS Section 312 of the *Municipal Act, 2001* (S.O. 2001, c.25) provides that the Council of a local municipality shall after the adoption of estimates for the year, pass a by-law to levy a separate tax rate on the assessment in each property class;

AND WHEREAS Section 312 (6) of the said Act require tax rates to be established in the same proportion to tax ratios;

NOW THEREFORE the Council of the Corporation of the Municipality of Mississippi Mills enacts as follows:

1. That the following tax rates be amended to reflect the following:

Property Class	Policing Tax Tate
Multi-Residential	.00190727

2. Bylaw 22-027 is hereby amended.
3. This bylaw shall come into force on June 7, 2022.

BY-LAW READ, passed, signed and sealed in open Council this 7th day of June, 2022.

Christa Lowry, Mayor

Jeanne Harfield, Clerk

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

BY-LAW NO. 22-039

BEING a by-law to amend Fees and Charges By-law 21-108.

WHEREAS Section 391 of the *Municipal Act*, 2001, S. O. 2001, c. 25, as amended, authorizes a municipality by by-law to impose fees or charges on persons for services or activities provided or done by or on behalf of the municipality and for the use of the municipality's property;

AND WHEREAS Council passed the Fees and Charges By-law No. 21-108 on December 21, 2021

AND WHEREAS Council approved a revised Seasonal Stand By-law 22-036 and finds it desirous to amend the licensing fees;

NOW THEREFORE the Council of the Corporation of the Municipality of Mississippi Mills enacts as follows:

1. That Schedule "A" be amended as follows:

ADMINISTRATION	
LICENSING	
Refreshment Cart	•License.....\$375.00 •Transfer.....\$50.00 •Special Event (maximum 3 days)\$50.00/day

2. **THAT** this By-law will come into effect on the day of its passing.

3. **THAT** By-law 21-108 shall be and is hereby amended.

BY-LAW READ, passed, signed and sealed in open Council this **7th day of June, 2022.**

Christa Lowry, Mayor

Jeanne Harfield, Clerk