

**Public Consultation Meeting Notes  
District #6 New Ross Fire Dept  
7 p.m. April 25th, 2018**

**Attendance**

Council: Cllr. Tina Connors  
Cllr. Sharon Church  
Cllr. Danielle Barkhouse

CPAC: Debbie Reeves

Staff: Tara Maguire, Director of Community Development  
Garth Sturtevant, Planner  
Heather Archibald, Development Officer  
Tammy Hamm, Admin. Coordinator  
Tammy Wilson, CAO

Gallery: There were approximately 80 members of the public present.

**Summary of Comments & Questions**

**QUESTION - Are wood burning furnaces permitted in the hamlet area?**

**ANSWER** – Yes, with a development permit and subject to setbacks.

**QUESTION - People are making their livelihood processing Christmas trees?**

**ANSWER** - Our intention is not to shut down business. Existing uses that are non-conforming with the new regulations will still be permitted to operate.

**QUESTION - But you won't be able to sell or transfer ownership and still be able to operate?**

**ANSWER** - No you can change ownership and maintain the existing operation. If it is non-conforming you would not be able to expand the use unless you met the existing requirements. We have looked at seasonal uses and although there is potentially a gap in operation this would not be considered a "gap" within the rule of operation for six months.

**QUESTION - What are the permit costs?**

**ANSWER** - Current permit fees are \$40 for construction under \$5,000 and \$60 for construction over \$5,000. Permit fees are set by council and this can be reviewed and fees may be reduced based on the fact that more permits will be required.

**QUESTION - Can you explain the benefits of the hamlet zone?**

**ANSWER** - We are having community meetings to see what people like and don't like. Offering a basic level of zoning to reduce conflict between land uses. Understanding there are mixed uses in areas but looking at dense population and smaller lots.

**QUESTION - Is there a change in General Basic to what is permitted for wind turbines?**

**ANSWER** – In the General Basic Zone, Wind Turbines up to 100kW of production capacity are permitted with a Development Permit. Turbines or operations above 100kW are allowed, but these larger operations require a Development Agreement.

**QUESTION - That seems in place with south canoe what about the other changes?**

**ANSWER** – A Lakefront Overlay is being proposed to protect water quality around lakes. This has been a request from residents to protect the lakes. The proposal is a 20 metre set back from the lake for main buildings and that accessory structures built closer than 20m to the high-water mark will require a Development Permit, regardless of the zone it is in.

We are proposing setbacks for farm animals. We used provincial guidelines as a basis for the proposed setbacks. Farm Animal Units were determined by seeing what other municipalities have done and through discussion with the Citizens Planning Advisory Committee. Modest commercial use will not require development permits. Existing salvage operations may continue but expansion will require DP and setback will apply.

Heavy Industry Zone is prohibited in the General Basic Zone and will be directed to the Kaizer Meadow Industrial Zone.

**QUESTION - Could you read the entire list of changes and setbacks as needed within the General Basic Zone?**

**ANSWER** - The entire list was read with proposed setbacks for the General Basic Zone.

**QUESTION - What is the process for creating multiple unit buildings?**

**ANSWER** – within the General Basic Zone a Development Permit is not needed in order to build 1 – 4 units on a single lot. If you are building 5 – 11 units on a lot, this will require a site plan and 12 or more units on a lot will require a development Agreement.

**QUESTION - What are the requirements to operate a bed and breakfast?**

**ANSWER** - Bed and Breakfasts are considered home based business or a commercial business, depending on the number of rooms provided and they would be permitted either as a home-based business or as a commercial business in the General Basic Zone.

**QUESTION - What if you were to use separate buildings on the same property (for a B&B).**

**ANSWER** - Accessory structures are permitted for storage only, human habitation is not allowed. If you have an existing structure you are permitted to continue to use that existing structure as you are today

and yard setbacks are not required. However, it would be possible to construct a second main building on the lot which could be operated as a B&B or other commercial tourist accommodation.

**QUESTION - What if I want to change my barn to living space?**

**ANSWER** – The barn could be converted into a dwelling unit, this could be rented long term through a lease, but if operated as a tourist accommodation, would require a Development Permit for that use.

**COMMENT - *There are many changes and far too many to be informed about. Maybe you should consider having multiple meetings about specific things so all proposed changes can be heard.***

**REPONSE** - We have a voices/choices website, 14 meetings which includes 2 meetings in each district, summary flyers for summaries. We are doing our very best to provide a broad scope of details to as many people as possible.

**QUESTION - People don't know if or how these changes are affecting them?**

**ANSWER** - That is why we are having the meetings. To engage the public and answer questions.

**COMMENT - *I just became aware of the meetings and don't feel they were advertised well?***

**REPONSE** - We advertised in the Lighthouse Bulletin, Insert in the Municipal Newsletter, ARA Newsletter, AHT Newsletter, New Ross flyer, Facebook, community posters to get the message out there.

**QUESTION - It might have been more cost effective to provide a letter to all tax payers in their tax bill.**

**ANSWER** - An insert in the tax bill was considered. However not everyone gets the tax bill, some go to mortgage companies, or people are out of province, the decision was made to advertise to notify residents living in MODC.

**COMMENT - *I have dial up internet and an unable to load the planning documents. I feel it is unfair to request \$10 from the public there should be copies available for the public to borrow.***

**REPONSE** - Fair point and good idea, we will look into this.

**QUESTION - Why should I be restricted to 20 farm animal units?**

**ANSWER** - You are not limited to 20 Farm ANumal Units if you live in the General Basic Zone. As to why there are restrictions in some zones, there was a committee formed in 2014 to oversee the Plan Review process. This committee held regular meetings working with staff to come up with a draft proposal to present to council and then communities. During the development stages of the plan public meetings were held in communities to hear what should be protected, what should be changed and what people like about their communities. Research was also done to look at other Municipalities and how they are regulating various kinds of land uses.

**COMMENT - *Today is the first day I heard about the proposed changes and tonight's meeting.***

**RESPONSE** - We have advertised. Community posters, flyers and local papers. I apologize you were not aware but we don't have the ability to go door to door. If your neighbours have missed the meeting please let them know we will be here May 28 as well.

**QUESTION - General Basic zone in New Ross is much less restrictive than my zone in Chester Basin. If I lose an animal I only have 6 months to replace the animal or I can't.**

**ANSWER** – In General Basic, over 20 farm animal units will require a DP and required setbacks will need to be met. If you are in a zone that limits the number of animals to 20 FAU (SR-1, SR-2 & Gateway Zones) and currently have over 20 FAU you will be considered non-conforming and allowed to continue at the same level.

**QUESTION - Do need a permit now in those zones mentioned above?**

**ANSWER** - No but if the proposal goes through you would.

**QUESTION - If a permit is not required now why do we need to change it?**

**ANSWER** - We do not have to change it. This is a draft proposal which is subject to change. The proposed changes only affect some areas and the majority of the changes do not affect the General Basic Zone and therefore most residents of District 6.

**QUESTION - Do I only have 6 months to replace my farm animal?**

**ANSWER** - Only if you are in a conforming use. The Mixed Use Zone has different requirements. In General Basic, the only way you would be a non-conforming use is if you had a barn and/or manure pile that didn't meet setback requirements. However, we have heard 6 months might not work and can look at extending that time.

**QUESTION - Are the setback limits for your property? What if multiple members of the family have adjoining land and are operating as one farming unit?**

**ANSWER** - Each PID is considered a property and setback limits would apply to that property, even if you or a family member own a neighbouring property.

**QUESTION - Many generations of farming are collectively working together. Should the setback not apply to the farming operation?**

**ANSWER** - The problem would be each lot has the ability to be sold. If a lot were to be sold then the existing farming property might not meet the intended by-law.

**QUESTION - If I have 20 plus farm units I have to pay fees?**

**ANSWER** - Existing farm units in GB can continue but new uses will need to meet proposed set back.

**QUESTION - What about Economic Development and safe guards for environmental assessments for farming?**

**ANSWER** - If an environmental assessment was required by the Province, this would likely trigger a development agreement which could include environment protections.

Economic development can occur anywhere and while there is a proposed business park zone and the industrial zones located at Kaizer Meadow, most zones allow for many kinds of commercial or industrial developments.

**QUESTION - How will the control of farm animal units be enforced?**

**ANSWER** - Generally this would be on a complaint based basis. If you create a non-conforming use you are only required to obtain a permit if you wish to expand the use. We do not drive around looking for violations of the Land Use By-law.

**QUESTION - How will you know if I have 15 farm animal units or 30 farm animal units?**

**ANSWER** - Existing uses will continue operating. You would not be asked to prove how many animals you had unless a complaint was received. If that happened, we will accept a sworn affidavit to confirm what you have and what you continue to have.

**QUESTION - Can we establish a bio mass fuel plant?**

**ANSWER** - That use would be considered heavy industry and would be directed the Kaizer Meadow Industrial Zone.

**COMMENT - *That was not my understanding from before.***

**QUESTION - In New Ross there will be no heavy industrial?**

**ANSWER** - Heavy Industry will be directed to the heavy industry zone in New Ross. If you don't like this please make use of the comment forms and suggest changes.

**COMMENT - *I can't read the document because we do not have copies and have to pay for them.***

**QUESTION - If nothing changes then the zoning stays as is?**

**ANSWER** - Correct.

**QUESTION - What options do we have to let people know we are against the proposed changes?**

**ANSWER** - You can email your councilor, fill out the comments forms, voice concerns to council and use the voices and choices website to state your concerns.

**COMMENT - *There is a petition here to sign if you don't like the proposed changes.***

**QUESTION - The gentlemen asked a question about farm animal units. Open eye to what is happen. We will be reporting changes to neighbours property.**

**ANSWER** - When we receive a complaint we investigate to see if we have the ability to do anything. Check by-laws to see if there is a violation but if there isn't one there is nothing we can do.

**QUESTION** - How many of these complaints are in New Ross?

**ANSWER** - We receive complaints regularly from all parts of the Municipality.

**QUESTION** - Horses are different than cattle. Often animals are raised during the growing season of May – October. These animals are not replaced within the 6 month period.

**ANSWER** - We have heard and are aware the 6 month might not work and we might have to review this time line.

**QUESTION** - If I have 20 horses and I want 2 pigs and 50 chickens from May until they go in October I only have 6 months to replace them?

**ANSWER** - IF you have 20 horses you are already at your maximum number of animals before a Development Permit is required. If you were to expand you will need to adhere to the rules for the property line setback for manure storage and new barns, existing structures would be exempt from the setbacks.

**QUESTION** - There was a complaint made about my property. I spent two hours of my day because someone needed to come investigate my property and count my pigs?

**ANSWER** - When we have a complaint we are required to investigate.

**COMMENT** - Now you want to implement more regulations and this complaint is just going to lead to more agencies coming to my property.

**QUESTION** - If you have an empty barn I guess you need to get buying animals and start farming.

**ANSWER** - You are permitted to use existing buildings and you can have farm animals any more than 20 farm animal units or new structures will be required to maintain the required property line setbacks.

**QUESTION** - Are existing barns grandfathered?

**ANSWER** – Yes, they are technically considered a non-conforming use, but this does come with similar protections to what is often referred to as “grandfathering”.

**QUESTION** - If I have 200 acres and an existing structure and more than 20 farm animal units will I need a DP?

**ANSWER** - Yes, a DP will be required.

**QUESTION - As a farmer you are required to meet provincial guidelines and now you want to impose additional regulations. We have to apply for a building permit for structures why do we need to do more than that.**

**ANSWER - Building permits govern the safety of the structure not the property line set back.**

**QUESTION - We already have to meet building guidelines why do we need more regulations.**

**ANSWER - We are looking at where the building is placed on the property**

***COMMENT - You guys have it easy. Where I live I have even more restriction. This proposal needs to be squashed or you will be unable to raise an animal on your own land.***

**QUESTION - Are permitted animals determined by the size of the land.**

**ANSWER – Not in the General Basic Zone no, the only time the number of animals matters in General Basic is that operations above 20 Farm Animal Units will require a Development Permit and the barn and manure storage facilities will have to meet setbacks.**

***COMMENT - If I have a small lot of land I can't do what I want on it. I have 1.5 acres of land and I should be able to do what I want.***

**QUESTION - What about cottages. We have forest land but people on lakes can cut all the trees down. Also, when can I get a copy of the draft documents. It is unfair to ask for people to pay \$10 for the fees there are not easy to ready and I'd like to form questions based on what I read.**

**ANSWER - We will talk with council about establishing a lending system for the documents.**

***COMMENT - 20 farm animal units you are a conforming use with no permit needed. However, if you move to 21 farm animal units you will need a permit. Do you start a new process for the additional use? New manure pile, ect. This is something that should be considered.***

***COMMENT - You stated you can use an existing barn and not have to do any changes to the barn. However my existing barn required substantial changes when I applied to use it again for my BP.***

**ANSWER - Structural repairs to the building are different than land use requirements.**

**QUESTION - If someone was to buy an old barn and that had 20 farm animal units what would be the regulations?**

**ANSWER - you require a DP for use but that structure safety is determined by BP.**

**QUESTION - Will I require a BP?**

**ANSWER - If you are doing work that requires a permit but if you are using an existing building as a barn no BP will be required.**

***COMMENT - Why are you telling farmers how to farm? Let farms be farmers.***

***COMMENT - As a farming community these regulations seem a bit silly.***

**QUESTION - If I have a farm with 25 animals and pass it on to my son how does this work?**

**ANSWER -** The use would be allowed to continue and you would not need to get a permit unless you wanted to bring in more animals than the 25. Transfer of ownership, whether to family or not, does not affect this.

**QUESTION - Are you required to meet the new regulations if nothing changes?**

**ANSWER -** No, however an expansion would be required to meet the new rules.

**QUESTION - Is animal control expected to come count animals?**

**ANSWER -** No, we are complaint driven in terms of enforcement.

**QUESTION - So this is not enforced and policed and you will not be following-up?**

**ANSWER –** Unless a complaint is received, we will not be driving around looking for violations.

**QUESTION - Can this proposal be refused?**

**ANSWER -** Council makes the final decisions. You can speak to your councilor and add your comments to the comment forms.

**QUESTION - How many farmers are council?**

**ANSWER -** Unsure.

***COMMENT - When signing the petition state, we don't want the farming regulated. There should have been more public notice about the farming rules.***

**ANSWER -** We advertised public meetings from 2014 onward. Public hearings were held. Council meetings are Thursday's you can voice public concerns. Citizens Planning Committee meetings are open to public and normally the last Monday of the month. These meetings were advertised.

**QUESTION - Some of this might be good for some districts and not others. Will Council pass the zoning by district? For example, can New Ross have its own district?**

**ANSWER -** Council has the ability to pass that motion or make any changes to the current proposed zone boundaries or contents within each zone.

***COMMENT - The next meeting in New Ross will be May 28th and for the most part there are two per week leading up to that date.***

**QUESTION - When will this proposed changes take effect?**

**ANSWER** - There is no date set in stone. We finish up with the public engagement at the end of May. We will review all of the feedback and meet with the Citizens Planning Advisory Committee in June to discuss possible changes. It will take some time to draft the change and once that is complete the first draft reading will be presented to Council. You can make comments on MODC's facebook page or the voices to choices website, email staff or fill out a comment card.

**COMMENT - Debbie Reeves:** I've been on the citizens planning review committee and I am pissed off about the documents. This is not what I thought it was going to look like. We have received bits and pieces of the document over the 4 years. The planner retired. We need to have what we wanted, wood processing, bio mass fuel and farming. I'm a bit pissed off. The binder with all this documentation was presented to the Citizens Planning Committee only allowing 2 days for review. New Ross wants to keep its rural life and community. This document has progressed too fast. It was pushed through to council by staff and the Citizens Planning Committee was not ready. This document is not ready for the public.