



The Corporation of The Township of Bonfield

AGENDA FOR CORPORATE SERVICES COMMITTEE TO BE HELD April 21, 2025 AT 7:00 P.M.

- 1. Call to Order**
- 2. Adoption of Agenda**
- 3. Disclosure of Pecuniary Interest and General Nature Thereof**
- 4. Adoption of Previous Minutes**
 - a. Corporate Services Committee Meeting: March 24, 2025
- 5. Presentations and Delegations**
 - a. **Christine Nickel of Thomas Davis Law regarding proposed bylaws**
- 6. Items for Discussion / Staff Reports**

From March 24, 2025 – further pause on the proposed bylaw to obtain community input, feedback and questions.

 - a. Review of Bylaw 2025-17 regarding Short Term Rentals
 - i. Resident questions
 - b. Review of bylaw 2025-09, 10 and 16 regarding Trailers / RVs
 - i. Resident questions
 - c. Review of bylaw 2025-11
 - a. Additional Dwelling Units – Resident questions
 - b. Shipping Containers – Resident questions
 - c. Accessory Structures – Resident questions
 - d. Hunt Camps – Resident questions
- 7. Resolutions to be Considered for Adoptions**
- 8. Correspondence -None**
- 9. Adjournment**



THE CORPORATION OF THE TOWNSHIP OF BONFIELD
CORPORATE SERVICES COMMITTEE MEETING

March 24, 2025 @ 7:00 pm

Minutes

ATTENDANCE:

Chair Dan MacInnis
Steve Featherstone
Narry Paquette

Donna Clark
Jason Corbett

STAFF PRESENT: Nicky Kunkel, CAO Clerk-Treasurer; Alex Hackenbrook, Public Works Manager

No. 1

Moved by: Donna Clark

Seconded by: Jason Corbett

THAT the Corporate Services Committee Meeting be opened at 7:00 p.m.

Carried

No. 2

Moved by: Narry Paquette

Seconded by: Donna Clark

THAT the agenda for the Corporate Services Committee Meeting for March 24, 2025 be approved as amended. Corbett requested to add a discussion regarding the Town Hall at the beginning of Items for Discussion.

Carried

No. 3

Moved by: Jason Corbett

Seconded by: Steve Featherstone

THAT the minutes of the Corporate Services Committee meeting held February 3, 2025 be adopted as presented.

Carried

Delegations and Presentations:

Mrs. Kim Turnbull attended the meeting to speak to the Public Code of Conduct Policy. She presented articles from provincial wide municipal organizations, AMCTO and AMO on incivility in the sector and supported the Policy.

No. 4

Moved by: Donna Clark

Seconded by: Steve Featherstone

That the Corporate Services Committee recommends to Council to pause the bylaw review for bylaw 2025-09, 2025-10, 2025-11, 2025-16, 2025-17; and FURTHER that staff prepare a plain language communication to be mailed to all residents and create social media posts; and FURTHER that the bylaws be on the April 21, 2025 Corporate Services Committee agenda to review concerns.

Carried

Corporate Services Meeting March 24, 2025

No. 5

Moved by: Steve Featherstone

Seconded by: Narry Paquette

That the Corporate Services Committee receives the report on the Public Conduct Policy and further recommends to Council to adopt the Policy as amended. (Adding the word suspect in the incident report form)

Carried

No. 6

Moved by: Donna Clark

Seconded by: Jason Corbett

That the Committee accept Report from the Planning Administrator for a Developers Forum; and Further that Council approves the recommendation to have the event prior to May 16, 2025.

Carried

NOTE: Date dependent on the passing of current proposed bylaw amendments.

No. 7

Moved by: Steve Featherstone

Seconded by: Donna Clark

The Corporate Services Committee receives the Deputy Clerk's Report on Video Surveillance and further recommends Council adopt the Video Surveillance Policy.

Carried

No. 8

Moved by: Donna Clark

Seconded by: Jason Corbett

The Corporate Services Committee receives the Public Works Manager's Report on 2024 Achievements and further recommend Council receives the Report for public reporting purposes.

Carried

No. 9

Moved by: Jason Corbett

Seconded by: Steve Featherstone

THAT this meeting be adjourned at 9:07 pm.

Carried



Thomas J. Davis SLt(N) (ret.), B.A.(H), J.D.
Jaimee L. Washburn B.A.(H), J.D.
Christine M. Nickel B.A.(H), M.A., L.L.B.
Sara Larochelle (Student at law)

April 16, 2025

Via email to cao.clerk@bonfieldtownship.org

Township of Bonfield
365 Hwy 531
Bonfield, ON
P0H 1E0
Attention: Nicki Kunkle, CAO

Dear Members of Council;

Re: Concerns Regarding Draft Bylaws and Requests to Amend

We represent the herein named residents of Bonfield, being,
Chris and Monique Sheppard, 124 Wunders Road, Bonfield, ON
Eva Paterson, 33 Talpine Road, Bonfield, ON
Lori Langlois, 60 Lees Point Road, Rutherglen, ON
Robin Edwards and Amie Cullimore, 98 Grey Rock Lane, Bonfield, ON
As well as any other resident of Bonfield who may be affected by the draft Bylaws,

We write to express our client's concerns about the draft bylaws under review.

While we appreciate the township's efforts to update its planning framework, we believe these proposals overstep legal boundaries, infringe on property rights, and threaten the rural character that defines the community. As taxpayers and engaged citizens, we urge you to reconsider these bylaws to better reflect the needs of our clients and to ensure compliance with **Ontario's Planning Act R.S.O. 1990, c.P.13, ("Planning Act")**. The *Planning Act* is the cornerstone of land use planning in Ontario, requiring municipalities to ensure zoning bylaws conform to their Official Plan (s. 24(1)), are consistent with the Provincial Policy Statement ("PPS") (s. 3(5)), and involve public consultation *Planning Act* (s. 34(14.2)).

The Township of **Bonfield's Official Plan ("Official Plan")** emphasizes rural character, sustainable development, and flexibility for land use, particularly in settlement areas like Bonfield and Rutherglen. The existing Zoning By-law (2013-22) regulates lot sizes, setbacks, and permitted uses while allowing for nonconforming uses under s. 34(9) of the *Planning Act*. However, the draft bylaws introduce several provisions that appear misaligned with the aforementioned Provincial laws and local needs of the community.

Our primary objections centre on the following provisions and their impact on the properties and lives of those affected:

1. **Restrictions on Existing Buildings (ADUS) and Nonconforming Uses**

Many of our clients rely on the structures, sheds, cottages, or garages, that predate the proposed bylaws. Under the *Planning Act*, Section 34(9), existing lawful uses are protected as nonconforming uses, meaning they cannot be retroactively prohibited unless discontinued for a specified period or significantly altered. Additionally, hunt camps, often used seasonally, fall under this protection. **The Municipal Act, SO 2001, c 25, (“Municipal Act”)** Section 8, grants municipalities authority to regulate land use but does not permit retroactive interference with established rights. This undermines the property rights and the cultural significance of hunting in Bonfield. The *Planning Act* (Section 34(9)) protects landowners rights to continue these lawful uses, yet the draft by-laws lack clear assurances that existing buildings will be grandfathered. Without explicit protections, our clients face the risk of losing access to structures maintained for years. We ask that you amend the bylaws to guarantee nonconforming rights, including repairs and rebuilding, as legally required.

2. **Short Term Rentals**

The proposed limits on short-term rentals feel misplaced in a rural township like Bonfield. Unlike urban centres, our clients do not face housing shortages or widespread disruption from rentals. Many residents depend on rental income to afford their properties (i.e. property taxes), supporting our local economy. Banning or overly restricting short term rentals could violate the **Provincial Policy Statement’s (“PPS”)** emphasis on economic opportunities (PPS 1.7.1). We propose a licensing system, similar to other municipalities, that regulates rentals without stifling them, preserving their financial freedom and community vitality. For instance, replacing bans with a licensing framework for short-term rentals, setting reasonable standards for noise, occupancy, and waste management, as implemented in municipalities like Prince Edward County. This balances regulation with our clients right to use their properties productively, per the *Planning Act* and the PPS. The *Municipal Act*, (Section 11(2)) allows bylaws to promote economic well-being, but the draft bylaws stifle it by limiting property uses without clear justification. The draft bylaws’ licensing requirements appear burdensome, potentially requiring inspections, permits, and annual renewals, without transparent cost justification. For a small municipality like Bonfield, with limited rental activity, this feels disproportionate. We request reconsideration of the licence fees and penalties imposed for non-compliance.

3. **Travel Trailers and Recreational Vehicles and Sea Cans**

Prohibiting RVs and trailers on the properties undermines our client's rural lifestyle of Bonfield. Whether for personal use or hosting family, these vehicles are integral to how they enjoy their land. The *Planning Act* focuses on land use, not personal property storage regulation, and the Provincial Policy Statement (PPS 1.1.4) supports rural flexibility. A blanket ban lacks justification in a low-density area like Bonfield. We request reasonable rules, such as setbacks, to balance regulation

with our rights unless it impacts public health, safety, or welfare, *Planning Act* (Section 34(1)). The *Municipal Act*, Section 10(2), allows bylaws for health and safety but requires proportionality. The PPS 1.1.4 supports flexible land use in rural areas to accommodate diverse needs which we feel those living in a more remote and rural community embody. We are requesting the Township to permit RV use and recreational vehicle use, and Sea Can storage on private lots, subject to setbacks and sanitation requirements (e.g., proof of licensed waste disposal). This aligns with PPS flexibility and avoids overreach under the *Planning Act* and *Municipal Act*.

4. Limits on Gatherings

Perhaps most troubling is the proposal to cap the number of people permitted on the residents' properties for events like family reunions, birthdays, or holidays. It infringes on the fundamental rights of the residents to assemble and enjoy their homes, potentially violating the **Canadian Charter of Rights and Freedoms** s.2(b) and (c). Our clients pay taxes to maintain their properties, and should have the ability to host gatherings provided by-laws are adhered to re: Noise by-law etc. As such we demand this provision be removed, with issues like noise addressed through existing bylaws.

5. Hunt Camps and Cultural Interests

Hunt camps are not just structures, they represent a way of life tied to Bonfield's history and economy. Restricting their use or imposing new requirements threatens many residents' cultural interests.

The PPS recognizes cultural heritage as a provincial interest (PPS 2.6), and the *Planning Act*, Section 2(d), requires municipalities to consider cultural impacts in planning decisions. The **Human Rights Code, RSO 1990, c H.19**, indirectly supports equitable access to traditional practices, including hunting, which may be disproportionately affected by restrictive zoning.

The draft bylaws' ambiguity around hunt camps could lead to enforcement that disrupts traditional activities, particularly for residents who rely on these camps for sustenance or recreation. This runs the risk of alienating the community and ignoring Bonfield's rural identity.

We request a specific exemption or zoning category for hunt camps, recognizing their cultural and economic role. As well for you to ensure use is permitted without excessive permitting requirements, consistent with PPS 2.6 and *Planning Act* Section 2(d).

Ultimately, these bylaws feel like an attempt to control the lives of the residents of your Township rather than support the community. Our concerns are strengthened by the proposed fees and fines for non-compliance that seem disproportionate to Bonfield's needs, and culture, coupled with rules that limit how the land is used, without clear evidence of harm. The *Planning Act* (Section 34(14.2)) requires the voices of the residents of Bonfield, be heard, and they are exercising that right to resist measures that do not serve the community.

The draft bylaws reportedly include steep fines for violations. The *Municipal Act* (Section 429) permits fines, but they must be proportionate to the offence and serve a public purpose. Fines that punish routine rural activities (e.g., parking a trailer on one's lot) risk being deemed oppressive, especially without evidence of widespread harm.

Again, we acknowledge the township's responsibility to plan for growth, but Bonfield is not a sprawling city, it is a rural community where flexibility and neighbourly trust should guide policy. The draft bylaws risk alienating residents and stifling the economic and social fabric that makes Bonfield special.

We respectfully request the following changes:

- a) Explicitly protect nonconforming uses for existing structures, including Hunt Camps ensuring the legal rights of the residents of Bonfield under the *Planning Act*.
- b) Replace short-term rental bans with a fair licensing system that supports local tourism.
- c) Allow reasonable RV and trailer use on private lots, reflecting the rural context.
- d) Eliminate gathering limits, focusing instead on enforceable nuisances like noise or parking through the existing by-laws.
- e) Increase transparency by sharing detailed justifications for each bylaw change and holding additional public workshops to foster an open dialogue.

Public Consultation and Procedural Fairness

The process for adopting these bylaws must adhere to legal standards of transparency and fairness, yet community concerns suggest a perception of exclusion.

The *Planning Act*, Section 34(12)(14.2), mandates public notice, open meetings, and opportunities for input before passing bylaws. The *Municipal Act*, Section 239, requires transparent council proceedings. The principle of procedural fairness, rooted in common law demands meaningful engagement with affected residents.

We request that the consultation period be extended to at least 6 months or as long as it takes to address and hold additional public workshops to deal with the specific concerns of the residents of Bonfield along with documenting how resident input shapes the final bylaws. This strengthens compliance with the *Planning Act* and rebuilds trust.

If these concerns are not addressed, we reserve our right to appeal to the Ontario Land Tribunal, as provided under the *Planning Act* (Section 34(19)), should the bylaws prove inconsistent with provincial policies or the Official Plan for the Township of Bonfield. We would prefer to work collaboratively to shape a township that respects our property rights and shared values.

Please confirm receipt of this letter and provide a timeline for addressing our recommendations. We look forward to your response and meaningful engagement as you finalize these bylaws.

Yours very truly,

Thomas Davis Law

Per: 

Christine M. Nickel

CMN:tc

christine@thomasdavislaw.ca