



REPORT

PLANNING/BUILDING/ENVIRONMENTAL COMMITTEE

DATE: June 14, 2021

REPORT NO: PD-67-2021

SUBJECT: **Comprehensive Zoning Bylaw 2017-70, as amended
Housekeeping Amendments No. 4**

CONTACT: Gerrit Boerema, Planner II
Brian Treble, Director of Planning & Building

OVERVIEW:

- In June of 2017 the Council of the Township of West Lincoln approved the new Comprehensive Zoning Bylaw 2017-70.
- In the following years (2018, 2019 & 2020) the zoning bylaw has been updated through minor housekeeping amendments to keep the bylaw functioning as intended and to correct a number of site specific issues.
- Township Planning staff have again identified a number of minor issues that need to be addressed through a fourth housekeeping amendment to the Zoning Bylaw. These issues include:
 - Environmental Mapping Provisions
 - Accessory Building and Structure Provisions
 - Accessory Dwelling Unit Provisions as it relates to septic
 - Legal non-conforming status of dwellings on commercial lots
 - Outdoor Storage requirements
 - Several site specific issues
- Following input received from the public and agencies, planning staff recommend to prepare and present a recommendation report at a future committee meeting.

RECOMMENDATION:

1. That, Report PD-67-2021, regarding “Housekeeping Amendments No. 4 to Zoning Bylaw 2017-70, as amended”, dated June 14, 2021 be received; and,
2. That, a Recommendation Report be presented at a future Planning/Building/Environmental Committee meeting.

ALIGNMENT TO STRATEGIC PLAN:**Theme #3**

- Strategic Responsible Growth
- Efficient, Fiscally Responsible Operations

BACKGROUND:

Township Council in June of 2017 approved the new Comprehensive Zoning Bylaw 2017-70. This was the first time a new comprehensive zoning bylaw was passed since the Township passed its first Zoning bylaw in 1979.

Several minor issues have been identified since the bylaw was passed, concerning both Township wide regulations and site specific zonings. Many of these issues have been addressed through three previous housekeeping amendments which took place in 2018, 2019, and 2020.

Several new issues have come to the attention of Township Planning staff, and staff are proposing to address these issues through a fourth round of housekeeping amendments. As these changes would result in amending the Township Zoning Bylaw, a public consultation process is underway.

CURRENT SITUATION:

Township Planning Staff have identified a number of issues that need to be addressed, both on a Township wide level and several specific properties. Table 1 below summarizes the issues and provides the proposed amendments.

Table 1 – Proposed Zoning Bylaw Amendments

Section/Table #	Regulation	Proposed Changes	Staff Comments
Township Wide			
Part 1.3.6	Zoning Maps	Environmental Protection and Environmental Conservation Zones can be changed based on better mapping in consultation with the Region and NPCA outside of a zoning bylaw amendment application.	Environmental Protection and Environmental Conservation Zones can be changed based on better mapping in consultation with the Region and NPCA outside of a zoning bylaw amendment application <u>where the changes are required to be in conformance to Regional and NPCA environmental mapping. Private requests will also be considered where:</u>

			<p>a) <u>The change relates to an adjustment of the EC Zone</u></p> <p>b) <u>The change relates to an adjustment to the EP Zone where the flood hazard limit has been identified</u></p> <p>c) <u>The change relates to an adjustment of the EP zone other than the flood hazard limit where the change in zone area is no greater than 500 square metres</u></p>	
Part 3.1 Table 1-1	# of Accessory Buildings in an Agricultural zone	Maximum of two Type 2 (10.1 – 100 sq.m.) Buildings or structures	Maximum of three Type 2 building or structures	In many cases the requirement of only permitting two accessory buildings of this size are too stringent as the lot sizes are typically sufficient to allow for a greater number of smaller accessory buildings that often support agriculture.
Table 1-2	Accessory Building size in rural residential and low density R1A zones	Maximum 100 square metres per accessory building, to a maximum of 200 square metres floor area for all accessory buildings	Maximum of 120 square metres per accessory building, to a maximum of 200 square metres floor area for all accessory buildings	The Township has undergone many variances for larger accessory buildings on residential lots.
Part 3.2.1 e)	Accessory Dwelling Unit Septic Requirements	On lots not serviced by municipal sewage services, accessory dwelling units can only be located if there is adequate septic capacity	Accessory dwelling units shall not be permitted to have a separate septic system.	Align the zoning regulations to the Official Plan making it clearer that accessory dwellings should not have their own septic systems separate from the

				main dwelling.
Section 3.25.1	Temporary Use Regulations	Does not currently stipulate number of shipping containers	NA	v. Shipping containers used for temporary construction uses are permitted only for the new construction of a main building or reconstruction as per Section iv. A maximum of one shipping container for temporary construction use is permitted per lot and is subject to all other provisions of this bylaw and requires a separate building permit.
Part 7.2 Table 16	Permitted Uses in Commercial Zones	Currently does not permit residential dwellings	On Commercial 'C3' Zones, where a single detached dwelling legally exists, expansions and alterations are permitted subject to the zoning requirements of a single detached dwelling in the Rural Residential Zone.	The previous zoning bylaw, 79-14, had a Rural Commercial zone which allowed for a variety of commercial uses in conjunction with a single detached dwelling. This is to recognize those existing dwellings and to allow expansions without the need for additional planning approvals.
Part 7.3 Table 17 & Part 8.3 Table 19	Outdoor Storage	Maximum of 5% of lot area for commercial and employment zones	Consideration of 25% of lot area, as many businesses require outdoor storage space	Most legitimate business activities in West Lincoln requires greater outdoor storage than 5% of the lot area.
Part 7.3 Table 17	Minimum Height for C1 zone	None currently	Consideration of minimum 2 storeys	Official Plan requires new core development to be

				a minimum of 2 storeys high
Part 11.3 Table 27	Environmental Conservation Zone does not permit additions to main buildings but does permit new accessory buildings	No expansions to existing dwellings within Environmental Conservation Zone	Consideration of permitting additions to dwellings in Environmental Zones	This will allow for additions to dwellings within Environmental Conservation Zones, subject to NPCA approval where required.
SITE SPECIFIC				
8635 Silver Street	Caistor Fire Station	Industrial 'M2'	Institutional 'I'	Institutional is a more appropriate zone for a public use such as the Fire Station.
9299 Twenty Road		Commercial 'C3'	Agricultural 'A'	Historical 'C3' zone has been on the property since the original zoning bylaw was passed (1979). There are no commercial uses on the property anymore.
5220 Vaughan Road		Commercial 'C3'	Agriculture 'A'	Historical 'C3' zone has been on the property since the original zoning bylaw was passed (1979). There have never been any commercial uses on the property to staffs knowledge.
5432 Sixteen Road	Former St. Anns Food	Agriculturally Related 'AR'	Agriculturally related 'AR-XX' to recognize a permitted abattoir use	Prior to 2017 the zoning permitted an abattoir, however, the new zoning dropped that as a permitted use.

FINANCIAL IMPLICATIONS:

There are no financial implications associated with this report or the proposed changes to the Zoning Bylaw.

INTER-DEPARTMENTAL & PUBLIC COMMENTS:

Notice of the proposed changes to the Township of West Lincoln Zoning Bylaw were circulated in the local newspaper. Additionally, the notice was posted on the Township website and circulated to agencies and departments. Notice was also mailed to property owners where there are site specific zone changes proposed.

At the time of writing this report, two comments have been received regarding two of the proposed site specific changes. One of the landowners supports the removal of the commercial zone while another land owner has requested more time to discuss the change. Township staff will continue to collect public comments prior to preparing a recommendation report to Committee.

CONCLUSION:

Staff recommends that following receipt of public and agency comments, staff prepare and present a recommendation report to committee for the Housekeeping round 4 zoning bylaw amendments initiated by the Township of West Lincoln.

ATTACHMENTS:

1. Zoning Map – 8365 Silver Street
2. Zoning Map – 9299 Twenty Road
3. Zoning Map – 5220 Vaughan Road
4. Zoning Map – 5432 Sixteen Road

Prepared & Submitted by:



Gerrit Boerema
Planner II

Approved by:



Bev Hendry
CAO



Brian Treble
Director of Planning & Building