

**DATE:** November 13, 2023

**REPORT NO:** PD-60-2023

**SUBJECT:** **Recommendation Report – Comprehensive Zoning By-law 2017-70, as amended, Housekeeping Amendment No. 7 (File No. 1601-007-23)**

**CONTACT:** 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 each of the following years the Zoning By-law 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 should be addressed through a seventh round of housekeeping amendments to the Zoning By-law. These issues include:
  - Update the definition of the term ‘salvage yard’ to be consistent with the Regional licensing by-law.
  - Addition of a definition and permitted use for truck transport terminal
  - Adjustments to the R2, R3, R4, RM2, RM3 and RM4 zones for back to back and stacked back to back townhouses as per a review completed on our behalf as a commitment to the P. Budd Development appeal of Housekeeping No. 6, done by a consultant (GSP Group) with input through public comments.
  - Changes to accessory dwelling provisions as per Bill 23.
- Township Planning staff held a Public Meeting at the October 10<sup>th</sup>, 2023 Planning, Building, Environmental Committee Meeting. No public or agency comments were brought forward verbally, but one set of written comments was received.
- Two further changes were presented at the Public Meeting as a result of further consultations to date:
  - Height of industrial buildings modified to 20 metres for M1 and M2 from 10 metres
  - Height of apartment building in RH to 21.5 metres and RM4 zone to 20 metres and RM2 and RM3 zone to 15 metres.
- For consistency purposes, minor revisions will also be made to *Table 3: Minimum and Maximum Widths for Driveways and Parking Aisles*, as per the below changes:
  - Single traffic lane will be revised from 4.5 metres to 6 metres (for max. width)
  - Double traffic lane will be revised from 7.5 metres to 6 metres (for min. width)
- This recommendation report recommends that the by-law now be passed with the few minor adjustments recognized in this report since the public meeting, in keeping with many of the suggestions as made by NPG Planning Solutions in their letter dated October 5, 2023, along with other input directly to staff.

## **RECOMMENDATION:**

1. That, Report PD-60-2023, regarding “Recommendation Report – Comprehensive Zoning By-law 2017-70, as amended, Housekeeping Amendment No. 7 (File No. 1601-007-23)”, dated November 13, 2023 be RECEIVED; and,
2. That, the Zoning Bylaw Amendment – Housekeeping 7, be approved in accordance with the attached Amending Zoning By-law; and,
3. That, no further public meeting is required for the consideration of this by-law in accordance with Section 34(17) of the Planning Act.

## **ALIGNMENT TO STRATEGIC PLAN:**

- **Build** a safe, connected caring and active community
- **Champion** strategic and responsible growth

## **BACKGROUND:**

Township Council in June of 2017 approved the new Comprehensive Zoning By-law 2017-70. This was the first time a new Comprehensive Zoning By-law was passed since the Township passed its first Zoning By-law in 1979.

Several minor issues have been identified since the bylaw was passed, concerning both Township wide regulations and site specific zoning regulations. Many of these issues have been addressed through previous housekeeping amendments which have taken place each year since the bylaw’s adoption.

A few new issues have come to the attention of Township Planning staff, and staff are proposing to address these issues through a seventh round of housekeeping amendments. As these changes would result in amending the Township Zoning By-law, a public consultation process was required.

A number of changes are triggered by Provincial Changes through Bill 109 and Bill 23 and PPS/P2G changes, as well.

## **CURRENT SITUATION:**

Township Planning Staff had identified a number of issues that needed to be addressed, mostly on a Township wide level. A draft bylaw with these changes was presented to Council before the public meeting of October 10, 2023.

Included in the final by-law are the following:

- 1) Changes to the regulations of the R2, R3, R4, RM2, RM3 and RM4 zones.
- 2) Changes to definitions including salvage yard and truck transport terminal.
- 3) Adding truck transport terminal and Industrial use as a permitted use in certain M1 and M2 zones.
- 4) Minor Secondary Suite revisions.
- 5) Changes to building height in the industrial and residential zones.
- 6) Minor revisions to minimum and maximum widths for driveway and parking aisles.

A report from GSP group was also reviewed (as attached to previous reports) which recommends some of the changes. A review of policy makes the following observations:

## **1. Provincial Policy Statement**

The Provincial Policy Statement (PPS) provides policy direction for all planning matters in the Province. All planning decisions in the Province shall be consistent with the policies in this Plan. The PPS encourages development that will provide long term prosperity, environmental health and social well-being. These directives depend on the efficient use of land and development patterns that support strong, livable and healthy communities that protect the environment and public health and facilitate economic growth. Section 1.4 Housing provides the policies related to an appropriate range and mix of housing options and densities to meet projected requirements of current and future residents. To assist with the objectives for housing unit supply and residential intensification with the implementation of targets for affordability to all income households is to increase the building heights to maximize the unit count in a smaller building footprint. The increase in building heights will provide opportunities to integrate different housing types to meet the social, health, economic and well being requirements of the growing Township. Section 1.7 Long-Term Economic Prosperity provides the policies for promoting opportunities for economic development and community investment-readiness and responding to changes in market based needs for housing and the workforce. The proposed changes to the building heights in the M1 and M2 zones as well as the RH, RM2, RM3 and RM4 zone will align with the objectives for the optimization of utilizing land in a well-designed built form that is compatible to the adjacent uses.

## **2. A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan)**

The Growth Plan establishes a long-term framework for growth and development in the Greater Golden Horseshoe ('GGH') region, which encourages the efficient use of land through the development of complete communities that are compact, transit supportive, and provide a range of housing and employment opportunities. The Growth Plan utilizes a land use planning horizon to 2051.

The Growth Plan builds upon the policy foundations of the PPS, as well as responds to key challenges in the GGH region by providing enhanced policy directions designed to make efficient use of investments in infrastructure and public service facilities, while ensuring the protection of agricultural and natural areas and supporting climate change mitigation and adaptation. Guiding principles of the Growth Plan are established to support the achievement of complete communities; prioritize intensification and higher densities to make efficient use of land and infrastructure; provide flexibility to capitalize on economic and employment opportunities; support a mix of housing options; improve the integration of land use planning with planning and investment in infrastructure; protect and enhance the natural environment; conserve and promote cultural heritage; and, integrate climate change considerations into planning and growth management. The proposed changes to the building heights will provide the necessary flexibility in strategic locations throughout

the municipality to optimize opportunities for new development geared to intensify land available for higher densities and growth.

### **3. Niagara Region Official Plan**

The Niagara Regional Official Plan is the long-term, strategic policy planning framework for managing growth coming to Niagara. The policies of this Plan will guide land use and development thereby influencing economic, environmental, and planning decisions until 2051 and beyond. This Plan is required to be consistent with the Provincial Policy Statement (2020), conform to the Growth Plan (2019, as amended) and Greenbelt Plan (2017), and not conflict with the Niagara Escarpment Plan (2017).

Chapter 2 – Growing Region Directive of the Plan is providing policies to manage growth strategically and diversify the housing stock to accommodate all ages and incomes. This chapter contains general policies that support residential intensification, redevelopment, and other enhancements to the supply of housing to address affordability in Niagara. Relative to the proposed changes to the building heights, it will assist with inviting new development opportunities with the goal of providing buildings with built forms that have a function, configuration and relationship to streets and adjacent uses including open spaces.

Chapter 6 – Vibrant Region Directive of the Plan is providing policies that focus on creating vibrant urban and rural settlements and the tools necessary to effectively and proactively manage growth in a coordinated and comprehensive approach. The Region provides urban design policies to assist municipalities in achieving a high-quality built environment through the design of the built form and support the development of healthy, vibrant and safe communities. The proposed changes to the building heights in the M1 and M2 zone can provide for more flexibility in the type and size of larger scaled industrial buildings making the municipality more competitive and creates the ability to retain and attract employment investment that contributes to growth of the Township. Likewise, the proposed increase in the building heights of the medium and high density residential uses (RM2, RM3, RM4, RH zone) will help to manage growth within the urban settlement areas and accommodate growth through strategic intensification and higher densities to protect the character of rural and agricultural areas.

### **4. Township of West Lincoln**

The Township's Official Plan directs new forms of development and intensified growth to the settlement area of Smithville which offers full municipal services and the transportation network throughout the Township and to adjoining municipalities. The Official Plan provides policies to direct growth to underutilized lands in the settlement area including greenfield lands that is to develop at not less than 50 people and jobs per hectare and support infill and intensification targets. The proposed changes to buildings heights will permit the ability to intensify lands at higher densities and opportunities for the integration of a mix and range of housing options with compact built forms in appropriate locations, to ensure compatibility with established residential areas. Furthermore, the higher density

and larger scaled buildings will condense growth in central locations in the urban settlement area and the sustainability of the agricultural areas and natural heritage environment.

Additional changes, since the public meeting, are proposed as follows:

1. Height of industrial buildings in the M1 and M2 zones to 20 metres from 10 metres.
2. Height of apartment building in RM4 15 metres to 20 metres and RH zone from 15 metres to 21.5 metres and RM2 and RM3 from 10 metres to 15 metres.
3. For consistency purposes, minor revisions will also be made to *Table 3: Minimum and Maximum Widths for Driveways and Parking Aisles*, as per the below changes:
  - a. Single traffic lane will be revised from 4.5 metres to 6 metres (for max. width)
  - b. Double traffic lane will be revised from 7.5 metres to 6 metres (for min. width)
4. Additional minor changes as per NPG input to accessory residential units and residential zone categories.

#### **FINANCIAL IMPLICATIONS:**

There are no financial implications associated with this report as this application for zoning amendment is being initiated by the Township of West Lincoln. The approval timelines of Bills 109 and 23 do not apply. Under Bill 109, the *More Homes for Everyone Act, 2022*, starting on July 1<sup>st</sup>, 2023, the municipality is now required to provide fee refunds for planning act applications if decisions are not made within the required Planning Act timelines.

#### **INTER-DEPARTMENTAL COMMENTS:**

Notice of the proposed changes to the Township of West Lincoln Zoning By-law were circulated in the local newspaper and publicised on September 14, 2023. Additionally, the notice was posted on the Township website and circulated to agencies and departments on September 18, 2023. Notice would also have been mailed to property owners should there be any site specific zone changes proposed. The Township has received one agency and public comment at this time.

Comments from NPG Planning Solutions are attached to this report and have led staff to propose a number of minor adjustments as per their letter. Staff found the letter very helpful as another set of eyes to cross reference regulations. Industrial height changes were also supported by Upper Canada Consultants on behalf of a couple of industrial operators.

#### **CONCLUSION:**

Staff recommend the attached draft by-law as now reviewed to accommodate comments received through the consultation process. Staff have now prepared and are presenting a recommendation report and final by-law to committee for the Housekeeping round 7 zoning bylaw amendment as initiated by the Township of West Lincoln at a future meeting.

**ATTACHMENTS:**

1. Final Zoning Amendment Bylaw
2. GSP Reporting letter
3. Agency and Public Comments

**Prepared & Submitted by:**



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**Brian Treble**  
**Director of Planning & Building**

**Approved by:**



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**Bev Hendry**  
**CAO**