

**DATE:** October 15, 2024

**REPORT NO:** PD-42-2024

**SUBJECT:** **Information Report No. 3**  
**Comprehensive Zoning By-law Amendments Housekeeping 8**  
**Draft By-law Update**

**CONTACT:** Susan Smyth, Senior Planner  
Gerrit Boerema, Manager of Planning & Building  
Brian Treble, Director of Planning & Building

**OVERVIEW:**

- There have been seven minor housekeeping amendments to Zoning By-law 2017-70, as amended, as a means to keep the by-law functioning as intended and to correct minor site specific issues.
- Since the last housekeeping amendment in November 2023, Administration has identified a number of minor updates that should be addressed through an additional round of housekeeping amendments, including:
  - Provide definitions for greater clarity.
  - Adjustments to the regulations for private garages used for parking spaces in the residential zones.
  - Adjustments to the lot coverage for small holdings that are agriculturally zoned (around 1 acre in size).
  - Adjustments to the regulations for accessory dwelling units (ADUs).
  - Adjustments to the regulations for accessory farm dwellings.
  - Adjustments to the maximum lot coverage for multiple residential dwellings.
  - Adjustments to the regulations for minimum amenity area and landscape open space.
  - Adjustments to the Employment zones to include warehouse.
  - Addition of a new Commercial Mix zone.
- Public and agency comments received have been integrated into the proposed draft by-law.
- Now that the Province has released the new Provincial Planning Statement (2024), the proposed amendments to the By-law required additional review to ensure consistency with the approach to implement the changes.
- This Information Report is to provide the public and members of Council with an opportunity to review the latest version of Housekeeping No. 8 to offer feedback on the proposed amendments.

**RECOMMENDATION:**

1. That, Information Report PD-42-2024, regarding “Information Report No. 3, Comprehensive Zoning By-law Amendments Housekeeping 8, Draft By-law Update,” dated October 15, 2024, be received for information; and
2. That, Administration be directed to finalize the amendments to Housekeeping 8 and present the final version for adoption by Council.

**ALIGNMENT TO STRATEGIC PLAN:**

- **Build** – A safe, connected caring and active community
- **Champion** – Strategic and responsible growth

**BACKGROUND:**

The Township’s Zoning By-law 2017-70, as amended has functioned well and has been improved over the years to address minor issues concerning Township wide regulations and site specific zoning provisions to keep the by-law current.

More recent issues and opportunities have come to the attention of Administration which are being addressed through this housekeeping amendment process. Public consultation is required and a Public Meeting was held on July 15, 2024 as well as additional feedback and comments received by the public, agencies, and various consultants acting as agents for landowners and developers which assisted Planning Staff to prepare the amendments to the by-law.

More recently, revisions to the by-law is necessary to continue to function and implement changes triggered by provincial legislation including the new 2024 Provincial Planning Statement that is a province-wide land use planning policy framework that replaces the 2020 Provincial Policy Statement and 2019 A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019.

This Information Report is prepared to offer another opportunity for public and agency feedback to ensure that the zoning provisions and regulations that affect both the settlement areas and agricultural areas are addressed.

**CURRENT SITUATION:**

The Township Planning Staff has reviewed and identified a number of issues and opportunities with the current Zoning By-law provisions and regulations that required refinements on a Township wide basis.

The comments received at the Public Hearing on July 15, 2024 were supplemented by additional written correspondence provided by various consultants and members of the public to help solidify the proposed draft by-law and its intended function to implement the zoning regulations Township wide.

The following table identifies the sections of the by-law and regulations that have been

changed and the rationale for the proposed changes.

Section / Table #	Regulation	Proposed Changes	Staff Comments
Part 2	Definitions	Include definitions of Berm, Bonafide Farm Operation, Utility Warehouse	These terms were referenced in the By-law although not definition was provided. Include these terms to avoid misinterpretation, subjectivity and to offer the wrong intent.
		Buffer Area	Members of the public provided wording that can be used as buffer areas as restoration or passive recreation uses for private and public development. Staff consulted with the Region and it was decided that the matters around buffer areas can be dealt with under applications for draft plan approvals. Staff further recommends that terms in a policy context can be considered more precisely under the Official Plan 5-year review exercise, therefore the term was removed from this housekeeping update.
Part 3 Section 3.1 Table 1-1	Permitted Yards	Type 3 (Greater than 120m <sup>2</sup> ) accessory buildings or structures in an Agricultural Zone to be permitted in all yards.	Based on inquiries and comments about the location of accessory buildings/structures for agricultural uses (e.g., storage barns, implement sheds) that are located far from the road or have constraints and limitations on the location of these buildings Staff agreed the buildings/structures should be located in all yards with no negative impacts on the agricultural use.
	Minimum setback to <i>front lot line</i>	Type 3 buildings and structures to 30m.	Staff suggest that the location of the larger accessory buildings/structures should be at least 30m from the front lot line to refrain from visual impacts to adjacent uses, or potential loss of agricultural land area.
	Minimum setback to <i>front lot line and exterior lot line</i>	Type 1 and 2 buildings and structures used for farm produce retail was reduced from 6m to 1m.	Staff noticed that throughout the Township, the farm retail stands are generally located closer to the roads and the 1m is appropriate to provide better exposure.
Section 3.1 Table 1-2	<i>Accessory Buildings or Structures</i> in a Residential Zone	No closer to the established <i>front lot line</i> than the <i>main building</i> .	Staff has received comments about what is considered as the front lot line and requests to position the accessory buildings/structures closer to the front lot line than the main building (usually

Section / Table #	Regulation	Proposed Changes	Staff Comments
	Minimum setback from <i>front lot line</i>		being the principle dwelling). Staff suggested added 'established' to ensure the intent of having the principle dwelling being closer to the lot line and the accessory buildings/structures remain subordinate.
Section 3.2.1	Accessory Dwelling Units (ADUs)	Updated the entire section and added the total number of ADUs shall be 2 throughout the Township of which one unit can be in the main dwelling either in the attic, or an addition or basement and one in a detached accessory building and permitted to be on the ground floor.	Staff recognized that the by-law needed to be consistent with the new Provincial legislation. Further, aim to provide flexibility and support a mix of housing options throughout the Township and not just in the settlement areas. The total number of ADUs is however subject to meeting the requirements of servicing, parking, and being sure these units remain secondary and subordinate to the main dwelling.  Comments received on the ADUs in the Agricultural zones and that they should be allowed on the ground floor is a change that Staff recognized there is a need to address the accessibility for all ages and abilities.
Section 3.2.2	Accessory Farm Dwellings	Add ' <i>bonafide farm operation</i> ' to the regulation.	Staff added 'bonafide farm operation' to the regulation to ensure there is an active operation that the farmer is employed, and managing a farm exclusively for agricultural use which will prevent from grating permissions for two houses on one lot.
Section 3.2.4	Garden Suites	Add that the garden suite must be a 'four season or all season type of unit'.	Staff wanted to ensure consistency with the type of garden suites being used for temporary dwellings and that they are safe and meet the requirements of the Ontario Building Code.
Section 3.12.6 Table 6	Off-Street Motor Vehicle Parking Facility Requirements	Include warehouse parking 1 space per 180 m <sup>2</sup> of gross floor area.	Staff recognized that this use was not included as a permitted use and did not have a parking requirement.
Section 3.12.6 (d) (vii)	Off-Street Motor Vehicle Parking Facility Requirements	Change the garage width to 3.25 metres and be counted as a parking space.	The development community have provided house plans for townhouse units that can accommodate a garage at 3.25 metres wide and still have the space available for the vehicle to park and open the doors and storage along

Section / Table #	Regulation	Proposed Changes	Staff Comments
			the side. Staff suggest that the depth of the garage space at 6 metres be maintained and the 3.25 metres for the width of a garage is acceptable with an allowance of 0.8 metre projection for stairs and count as a parking space for the townhouse units.
Section 3.12.7 (e)	Private Garages	Change the garage width to 3.25 metres and be counted as a parking space.	For consistency, Staff applied the same change as Section 3.12.6 (d) (vii) to this section of the by-law.
Section 3.12.7 (h)	Private Garages	Add 'except in residential zones where' to the provision.	Staff realized that the maximum garage width for an attached private garage in the Agricultural Zone can be larger than 50%, particularly for the larger parcels since the urban design considerations for planning approvals is no longer a requirement and house design preference especially for garage size and orientation should eliminate restrictions. However, Staff recommend that in the urban Residential Zones the 50% of the total width of the dwelling on the lot or 9.2 metres, whichever is less is maintained since the lots are smaller and want to avoid the oversize of garage to detract from the main dwelling.
Section 3.18	Setbacks to Pipelines	Removed 'Enbridge Pipelines' and replace with 'Oil and Gas Pipeline'.	Staff recognized that reference to a company name may change over time and to keep it generic.
Part 5 – Section 5.3 Table 12: Regulations	Maximum lot coverage	Include under A Zone: Dwelling – 20%	Staff propose an increase in the coverage for other accessory buildings and structures except for ADUs to offer some flexibility in the land area that can be developed. Staff realize that there are large agricultural parcels and limiting the lot coverage to 10% may be too restrictive for the placement of new accessory structures.
Part 6 – Section 6.3 Table 15	Minimum interior and exterior side yard	Change for RH zone the setback to greater of 50% of building height of finished grade or 3m	Staff are aware that the current setback does not protect the distance separation from the lower density residential uses.
Part 6 – Section 6.3 Table 15	Minimum rear yard	Change for RH zone the setback to greater of 50% of building height	Staff are aware that the setback does not protect the distance separation from the lower density residential uses.

Section / Table #	Regulation	Proposed Changes	Staff Comments
		of finished grade or 7.5m	
Part 6 – Section 6.3 Table 15	Maximum lot coverage for RM3 and RM4	Increase maximum lot coverage for RM3 and RM4 to 50% and no lot coverage for back to back townhouses	Increase in lot coverage will help to maximize the density while balancing building height, parking, amenity and landscape requirements.
Part 6 Section 6.3 Table 15	Maximum building height for RM3 and RM4 and RH	Add note <sup>(8)</sup> for RM4 and RH zones that back to back townhouse units, stacked townhouse units, and apartment units with ground level parking shall increase the building height to a maximum of 3 metres	Staff recognize parking is essential and to achieve compact and higher density residential units that can accommodate private garages or parking spaces at grade/ground level without a significant compromise to the parking counts therefore an increase in building height is necessary.
Part 6 Section 6.3 Table 15	Minimum amenity area for 5 – 8 dwelling units on one lot  9 or more units on one lot	Modified the amenity area for RM3 and RM4 amenity area 20m <sup>2</sup> per dwelling plus 10m <sup>2</sup> per unit and for RH 80m <sup>2</sup> per dwelling plus 10m <sup>2</sup> per unit	Staff understand from the development community that the requirement for additional amenity area creates issues with the available land to accommodate private driveways and front yards with smaller lot frontages and lot sizes. If developments cannot achieve the required amenity areas then justification by the developer is required (e.g., parkland dedication, trails).
Part 7 Section 7.1 and 7.2 Table 16	Commercial Zone	Add 'Commercial Mixed- CM' use to the zone as a permitted use.	Staff understand from the development community that developments are proposing mixed commercial uses and the current Zoning By-law did not have reference to the zone or permitted uses. Staff are proposing the new Commercial Mix- CM zone to offer alternative forms of commercial and residential uses in a compact built form that can assist the Township attain the higher density and Provincial and Regional residential intensification requirements with the 50 people and jobs per hectare.

Township Planning Staff is offering another opportunity for consultation to receive additional feedback to ensure the changes and refinements applied to the draft by-law are applicable and the intent of the by-law provisions are clearly understood and aligned with current Provincial legislation changes.

**FINANCIAL IMPLICATIONS:**

There are no financial implications associated with this report as this application is initiated by the Township of West Lincoln.

**INTER-DEPARTMENTAL AND PUBLIC COMMENTS:**

The Township Planning Staff has considered the agency and public comments received when the Housekeeping By-law amendments was first introduced in the May 13, 2024 meeting under Report PD-25-2024.

This report and draft Housekeeping By-law No. 8 is being presented an additional time to provide another opportunity for comment and feedback to ensure the original comments have been captured and satisfy concerns raised with the regulations from members of the public. Any additional comments received will be included in the future Recommendation Report.

**CONCLUSION:**

This report is to inform Committee and Council that the Planning Staff have prepared a Housekeeping Amending Zoning By-law No. 8 of which includes the oral and written comments received by the public, agencies, Council, and consultants representing landowners and developers. The proposed draft by-law is found in Schedule A.

**ATTACHMENTS:**

Schedule A – Draft Housekeeping Amending By-law No. 8

**Prepared & Submitted by:**

Susan Smyth, CPT  
Senior Planner

**Reviewed by:**

Gerrit Boerema, MCIP, RPP  
Manager of Planning & Building

**Approved by:**

Brian Treble, MCIP, RPP  
Director of Planning & Building

**Approved by:**

Truper McBride  
CAO