



**Community Planning & Development Department
Planning Application Report**

June 13, 2022

**Subject: Information Report - Draft Town of Pelham Comprehensive
Zoning By-law and Housekeeping Official Plan Amendment**

Recommendation:

THAT Committee receive Report # 2022-0132 for information;

**AND THAT Committee direct Planning staff to prepare the
Recommendation Report on the new Town of Pelham Comprehensive
Zoning By-law and Housekeeping Official Plan Amendment for
Council's consideration.**

Executive Summary:

This report provides background information to Council and the public for the public meeting being held on June 13, 2022, regarding the Draft Town of Pelham Comprehensive Zoning By-law and Housekeeping Official Plan Amendment.

Location:

The new draft Town of Pelham Comprehensive Zoning By-law (new Zoning By-law) affects all lands in the Town of Pelham except that area subject to the Niagara Escarpment Development Permit Control Area that is covered by the Niagara Escarpment Plan. The Housekeeping Official Plan amendment (Housekeeping OPA) applies to the Good General Agricultural and Specialty Agricultural areas of the Town by introducing policies for on-farm diversified uses and agricultural related uses, correct a mapping error for an agricultural property and provide policy direction that would allow for the delegation of approval of minor zoning by-law amendment.

Project Description and Purpose:

New Comprehensive Zoning By-law

A zoning by-law is prepared under the requirements of Section 34 of the *Planning Act* and regulates the types of land uses and the character, height, location, size and massing of buildings for all lands within the Town. The Zoning By-law is the



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Town's primary tool for implementing site specific policies of an Official Plan, and translating high-level planning objectives and policies into detailed land use permissions including lot and building requirements. Zoning By-laws provide a legal method to manage land use and development, while protecting from land use conflicts and potentially hazardous land uses in the Town.

The new Zoning By-law will replace Town of Pelham By-law No.1136 (1987), as amended and, implement the policies of the Town's Official Plan (2014) and provide new and updated zoning and development standards that reflect approved policy and regulatory initiatives at the Provincial and Regional levels.

Housekeeping Official Plan Amendment

The Housekeeping OPA is being proposed to update the agriculture-related, on-farm diversified, and value-added agriculture use policies to align the current plan with updated Provincial policies and permit and support the updated regulations proposed in the new Zoning By-law. This will improve and clarify the existing policies around secondary agricultural uses. Since the Official Plan was approved, the Provincial government has released guidelines on permitted uses in agricultural areas in 2019 that provide the framework for the policy guidance for the proposed Housekeeping OPA policies.

The Housekeeping OPA will also introduce policies to enable Council to delegate authority to pass minor by-laws under Section 34 of the *Planning Act* such as those to remove holding "H" symbols (holding by-laws), authorize the temporary use of land, buildings or structures (temporary use by-laws) and to pass housekeeping by-laws for the purpose of making clerical or other changes to assist in the interpretation of the Zoning By-law to a Committee of Council, or an authorized officer or employee of the municipality. This is a new authority that was included in the *Planning Act* effective December 2, 2021 and in order to potentially delegate such authority, the municipality is required to have policies to permit the delegation in its Official Plan. It is also noted that the *Planning Act* also does allow for Council to withdraw this delegated authority at any time should a Council deem that to be appropriate.



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Background:

New Comprehensive Zoning By-law

The Town's current Zoning By-law, By-law No. 1136 (1987), was originally approved in 1987. Since its approval more than 30 years ago, there have been significant changes to Provincial, Regional and local policy framework. In addition, there have been over 300 amendments to the Zoning By-law. The Town of Pelham has the responsibility, as a municipality to bring the zoning by-law into conformity with the current policy framework at all levels of government, including conformity with the Town's approved Official Plan (2014).

In March of 2022, Planning Staff brought forward an information report to Council providing an updated draft of the new Zoning By-law and outlining the next steps moving forward to approval. A draft version of the new Zoning By-law was posted on the project page at engagingpelham.ca at this time. Council and the public was encouraged to review the draft Zoning By-law at that time and provided comment to Staff.

Staff have also continued to review the document internally and have made a number of technical revisions to the March 2022 draft. The new draft Comprehensive Zoning By-law is attached as Appendix A to this report.

Housekeeping Official Plan Amendment

Staff monitors the Official Plan for opportunities to improve the definitions, general policies and mapping on an ongoing basis. This is done to ensure that the Plan is kept up to date with existing conditions in the Town as well as Provincial and Regional policy planning documents. During the development of the new Zoning By-law, Staff noted that sections of the Official Plan specifically related to secondary agricultural uses would need to be updated in order to support and permit the proposed regulations in the new Zoning By-law.

Additionally, the Housekeeping OPA will introduce policies that implement changes that have been made to the Planning Act resulting from Bill 13, *Supporting People and Business Act*, 2021. Bill 13 enables Town Council to delegate authority to pass by-laws that are minor in nature to a Committee of Council or an individual who is

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an officer or employee of the municipality. Increasing the use of delegation has a number of benefits for municipalities such as:

- Frees up council time and council agendas to focus on strategic priorities;
- Frees up staff time preparing detailed council reports on routine approvals allowing staff to focus on other priorities;
- Avoids unnecessary delays on planning applications that implement council-approved policies and regulations providing for a more streamlined and efficient approval process of such minor by-laws;
- Retains the ability for elected officials to provide input directly to staff should they wish to do so; and
- Allows elected officials to defer to judgement of professional staff for matters which are straightforward and technical in nature and not strategic.

The Draft Housekeeping OPA is attached as Appendix B to this report.

Notice of this Statutory Public Meeting was published on May 24, 2022 in the Voice of Pelham, was posted on the Town's website and on the Zoning By-law Project page at engagingpelham.ca. Additionally, a copy of the notice was emailed out to all interested stakeholders who had provided contact information either via the public information sessions, online through the Engagingpelham project page or through direct contact with Planning Staff.

Policy Review:*Planning Act*

Section 34 of the *Planning Act* enables Council to pass Zoning By-laws to regulate the use of land and the location, height, bulk, size, floor area, spacing, character and use of buildings and structures, as well as parking and loading requirements and lot requirements. Additionally, Zoning By-laws may be used to prohibit the use of land or erection of buildings and structures in:

- Wetlands, lands with steep slopes or otherwise hazardous land;
- Contaminated lands or in areas with sensitive groundwater or surface water features;
- Significant natural features and areas; and/or
- Significant archaeological resource sites.



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In accordance with Section 24(1), zoning by-laws must also conform to the Official Plan and be consistent with the Provincial Policy Statement and Provincial Plans.

Section 16 of the Planning Act enables Council to adopt and make amendments to an Official Plan. The Official Plan lays out goals, objectives and policies determined by the municipality to manage and direct physical change and the effects on the social, economic, built and natural environment of the municipality.

Provincial Policy Statement, 2020

It is required that municipal decisions are consistent with the policies of the Provincial Policy Statement (PPS). The PPS provides policy direction for the province on land use planning and development to promote strong healthy communities, wise use of management and resources, and the protection of public health and safety.

The Provincial Policy Statement contains policies on community development, employment areas, housing, public space, infrastructure, economic development, energy, resource management, natural heritage, agriculture, cultural heritage and public health and safety. This latest iteration of the PPS includes more emphasis on maximizing efficient use of urban areas and efficient use of infrastructure to promote the development of healthy, livable and safe communities, and the efficient use of land and infrastructure through more compact development, a mix of uses, and access to multiple modes of transportation, in turn preserving rural areas.

Section 1.4 of the PPS provides policies to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents including affordable housing.

Section 2.3 of the PPS provides policies to ensure the protection of Prime Agricultural Lands from urban development and to ensure that agriculture remains the principle use of properties within prime agricultural areas. To help the viability of Ontario's agricultural operations, the PPS permits a wide range of agricultural, agricultural-related, and on-farm diversified land uses subject to provincial standards. According to the PPS, the abovementioned land uses are defined as follows:

- **Agriculture:** the growing of crops (including nursery, biomass, and horticultural crops), raising of livestock, and associated on-farm buildings and structures including equipment storage, value-retaining facilities and

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farm help houses, Agricultural-Related: farm-related commercial and industrial uses that support agricultural activities on a property, are related to farm operations in the area, and/or provide direct products and/or services to farm operations.

- On-Farm Diversified: activities that are secondary to the principal agricultural use of a property and are limited in area.

A key objective of the PPS is to strengthen the economic vitality and quality of life of Ontario's rural areas while protecting the natural environment. To this end, the PPS provides policies that:

- Promote the diversification of the economic base and employment opportunities through goods and services, including value-added products (1.1.4.1(f)),
- Providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets (1.1.4.1(g), 1.1.5.3, 1.7.1(h)), and
- Conserving biodiversity and environmental features and protecting agricultural uses (1.1.4.1(h), 1.1.5.7, 2.1.1, 2.1.9).

The Provincial Policy Statement recognizes Zoning By-laws as an important tool for implementing the Provincial Policy Statement, and planning authorities are required to keep their Zoning By-law up to date and consistent with the Official Plan and the Provincial Policy Statement.

Additionally, decisions on land use planning matters, including the goals, objectives and policies of Official Plans, must be consistent with the Provincial Policy Statement. It is intended that Official Plans are the primary vehicle for implementing the Provincial Policy Statement.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

It is required that municipal decisions affecting planning matters should be consistent with the principles and policies of the Growth Plan for the Greater Golden Horseshoe (Growth Plan). The policies of the Growth Plan aim to curb sprawl to promote the creation of complete communities. Complete communities are well designed to meet people's needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, public service facilities, and a full range of housing to accommodate a range of incomes and household sizes.



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Schedule 2 of the Growth Plan designates the Town as being within the 'Greater Golden Horseshoe Growth Area' and portions of the Town are designated as being within the 'Greenbelt Area'.

Section 2.2.2 of the Growth Plan includes policies which impact the land use and built form of communities. These include building compact, transit-supportive communities in designated greenfield areas and ensuring the availability of sufficient employment land to accommodate forecasted growth to support economic competitiveness. The Growth Plan establishes expectations for cities and towns to develop as complete communities with a diverse mix of land uses, a range and mix of employment and housing types, high quality public open space and easy access to local retail and services.

This updated Growth Plan brought forward several changes including the reorganization and revision of existing policy directions, and creation of new policies. The more significant changes include:

- An increase in range and mix of housing options, including additional residential units and affordable housing to serve all sizes, incomes and age of households;
- A one-time conversion of employment area is permitted outside the Municipal Comprehensive Review process, where appropriate and subject to criteria;
- Settlement Areas can be expanded without a Municipal Comprehensive Review, subject to certain criteria; and
- Municipalities can refine and implement mapping of the Agricultural and Natural Heritage System and provincial mapping does not apply until implemented through upper- and lower-tier official plans.

It should be noted that while these proposed changes to the Growth Plan do impact the Zoning By-law process, it is understood that the Region needs to complete their Official Plan review prior to the Town considering any changes.

Greenbelt Plan (2017)

The intent of the Province's Greenbelt Plan is to protect against the loss and fragmentation of agricultural land uses, protect natural heritage and water resources and support agriculture as the predominant land uses.

A significant portion of the lands within the Town of Pelham are subject to the policies contained within the Greenbelt Plan. The Greenbelt Plan establishes the limits of the Region's urban structure, identifies where urbanization should not



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occur and extends permanent protection to agricultural lands and ecological and hydrological features.

The Greenbelt Plan designates three major land use types in Pelham: Niagara Peninsula Tender Fruit and Grape Area, Town/Villages, and the Niagara Escarpment Plan Area.

The Towns/Villages designation applies to all urban areas in the Town of Pelham. The prevailing policy goal for these areas is the achievement of complete and resilient communities. At the time when the current Zoning By-law was adopted, the Greenbelt Plan did not exist. Although, the Zoning By-law has been updated since, the Comprehensive Zoning By-law review has gone a step further in considering the Greenbelt Plan policies, along with the Provincial Policy Statement's guidance on farm diversification. This review process has considered all provincial policies in concert with each other.

Niagara Escarpment Plan (2017)

The Niagara Escarpment Plan protects ecological and historical areas, ensuring the compatibility of new development and maintaining the open landscape character of the Escarpment area, through compatible farming, forestry, and preservation of natural scenery. Multiple land use designations are present in Pelham with the largest being the Escarpment Protection Area, Escarpment Rural area and Escarpment Natural Area, and there is a substantial Mineral Resource Extraction Area located north of Twenty Mile Creek.

As with the Growth Plan and Greenbelt Plan, the policies of the Niagara Escarpment Plan are enacted through the Niagara Region and the Town of Pelham Official Plan.

Regional Official Plan (Office Consolidation, August 2015)

It is required that the municipality ensure that municipal decisions conform to the Regional Official Plan (ROP). Policies in the ROP focus on managing growth, growth the economy, protecting the environment and providing infrastructure and direction for the development of Lower Tier Municipal Official Plans.

The Region is currently undergoing a Regional Official Plan Review. The Regional Official Plan, while still in draft form, recognizes the significant growth occurring in the Town of Pelham and further emphasizes the need to accommodate growth



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through a more compact built form and through complete streets and complete and active communities consisting of support opportunities for people of all ages and abilities to conveniently access most of the necessities of daily living, including appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities.

The Town Official Plan will be required to be updated to conform to the Regional Official Plan. As such, the Town Zoning By-Law will also have to be updated to reflect the updated Town Official Plan.

Town of Pelham Official Plan (2014)

The Town's Official Plan outlines the goals and objectives for the community and identifies land use policies to help guide and direct growth and development over the next 20 years.

It describes the Town as an identifiable and preferred settlement area in the Region and seeks to balance that growth with the protection of speciality croplands, and rural landscapes. The Town's Official Plan directs the location and form of development, identifies how infrastructure is to be planned, and plans for the conservation of natural heritage features and areas. In some instances, the Town also directs more detailed policy through the use of Secondary Plans, including the East Fonthill Secondary Plan.

The Housekeeping OPA will improve and clarify the existing agricultural policies for secondary agricultural uses and the new Zoning By-law will ensure that the land use and design policies of the Official Plan and Secondary Plans are reflected.

Town of Pelham Zoning By-law (1987)

The Housekeeping OPA will clarify secondary agricultural uses which will in turn support and permit the proposed regulations in the new Zoning By-law.

The new Zoning By-law will replace the current Zoning By-law No. 1136 (1987), as amended focusing on conforming to the Town's Official Plan and recent provincial policy and legislation, updating definitions/provisions ensuring they are contemporary while improving the By-law's clarity, ease of use and format.



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Agency Comments:

Staff have circulated the draft documents to all required agencies and reviewed the document internally with various departments. The comments, correspondence and feedback from the internal review and agency circulation have been considered and final revisions have been made to both the new Zoning By-law and Housekeeping OPA to reflect many of the comments that were received. Agency Comments are attached as Appendix C to this Report and are summarized below:

Region of Niagara

Regional Staff were generally pleased with the new Zoning By-law and noted that while their Urban Design team had no comments, they commended the Town on a progressive zoning by-law with respect to urban design requirements. Generally, the feedback received from the Region was technical in nature for both the proposed mapping and text. Planning Staff have incorporated their suggestions and feedback into the draft document to improve clarity and consistency with the Region of Niagara Official Plan.

There have been no comments on the Housekeeping OPA to date, however Staff anticipate comments in the next few weeks which will be included in any future reports.

Enbridge

No objections to the proposed new Zoning By-law.

No objections to the proposed Housekeeping OPA.

Niagara Escarpment Commission

The Niagara Escarpment Commission noted that on July 1, 2021 an amendment to Ontario Regulation 826/90 came into effect, which changed the format of the regulation from a meters and bounds text based description to new digital maps. This amendment was to provide greater accuracy to the Development Control (DC) boundary and as a result there were some areas where the boundary of the DC has been refined. A shapefile of the DC boundary was provided and the new Zoning By-law mapping has been updated to reflect these changes. The NEC also noted that



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where the NEC's DC applies, the municipal zoning by-law is not in effect. This is noted in the new Zoning By-law.

No comments have been received to date on the draft Housekeeping OPA.

Niagara Peninsula Conservation Authority

The Niagara Peninsula Conservation Authority proposed a number of technical mapping changes, which have been incorporated into the new Zoning By-law. Formal comments from the agency will be forthcoming.

Public Consultation and Comment

Public information sessions were advertised for in the Voice of Pelham on April 12th, 2022 and April 19th, 2022 and at the Pelham Home Show, April 8-10, 2022. Drop – in Public Information Sessions were held on April 26th, 2022 at Pelham Fire Station #2 in Fenwick, April 27th, 2022 at Fire Station #3 in North Pelham and on April 28th, 2022 at the Meridian Community Centre. Each drop-in session was held from 2:00 pm to 4:00 pm and 5:00 pm to 7:00 pm.

A total of approximately 30 persons attended these events and the general feedback was positive. The majority of participants were interested in the changes to their individual properties which were negligible in most instances. Staff have provided information, answers and follow-up correspondence with members of the public and are satisfied that the new Zoning By-law addresses the feedback that was provided.

Staff also met with a number of individual stakeholders at their request and reviewed their comments and input and made changes to the draft By-law where appropriate based on feedback received.

Staff also received a number of written comments from the development community which are summarized below:

Better Neighbourhoods Development Consultants

- Provide comment on various setback requirements in the Residential Zone categories;



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- Supportive of the introduction of various setbacks in the Residential Zone categories as well as the removal of the minimum floor area requirement;
- Recommend reduced frontage, lot area and some setbacks in the Residential Zone categories;
- Request clarification on some regulations, definitions etc. to ensure clarity and consistency;
- Recommend more intense uses in the R1 Zone; and
- Propose mixed-use developments be permitted in additional zones in the Commercial Zone categories.

Mountainview Homes

- Propose to expand the uses in each of the Residential Zone categories to include more intensive uses (i.e. to include semi-detached dwellings in the R1 Zone);
- Recommend reduced lot requirements in the Residential Zone categories in order to permit more infill opportunities;
- Recommend the reduction of parking requirements for Residential uses;
- Request clarification on ingress and egress parking provisions;
- Request the removal of the Special Setback requirements for EP1, EP2 and EP3 Zones;
- Request the expansion of uses in the Greenfield Development Zone categories; and
- Request clarification, removal or addition of some definitions.

Upper Canada Consultants

- Propose to reduce the parking requirements in the Residential Zone Category;
- Recommend the removal of the Special Setback requirements for EP1, EP2 and EP3 Zones;
- Recommend a reduction or removal of lot frontage requirement in the Agricultural Zone category;
- Recommend a reduced rear lot requirement in the Residential Zone categories; and
- Provide comments and feedback on the various schedules, including updated mapping to reflect recently approved developments in the East Fonthill area.



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Forestgreen Creations

- Provide a number of technical comments throughout the document;
- Recommend changes to various setbacks in Residential, Greenfield and Commercial Zone categories, lot frontages and rear yard setbacks;
- Requests clarification, removal or addition of some definitions;
- Recommends the removal of the setback from slope requirement; and
- Suggests permitting more than one Second Dwelling Unit within a dwelling.

Hummel Properties Inc.

- Propose some changes or clarification to specific definitions to improve clarity;
- Suggest removing the special setback requirements for the EP1, EP2 and EP3 Zones;
- Some concerns with parking space requirements, sizes and ingress and egress requirements;
- Concern with the size for a Second Dwelling unit being too small; and
- General comments about permitted uses in the Village Commercial Zone.

Sullivan Mahoney on behalf of Homes By Antonio Inc. and Tony Mancini

- Support and approve of opportunities for appropriate and compatible development;
- Concern with the new height definition restricting vertical growth;
- Suggest upzoning along arterial or collector roads and permitting more dense uses in the R1, R2 and R3 Zones
- Suggest reduced lot frontages and rear yard setbacks in the R1, R2, R3 and RM1 Zones; and
- Supportive of the Greenfield Residential Zones which encourage intensification.

Staff Comments:

The purpose of this report is to provide the Committee of the Whole and the public with information regarding the new Zoning By-law and Housekeeping OPA, applicable policies, and comments received. The purpose of the public meeting is to receive feedback and input from the public and for Town Staff to respond to



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inquiries. Committee may also provide comment and recommendations for proposed changes based on the public, agency or staff input and consistency with approved plans.

A future report with recommendations on both the new Zoning By-law and Housekeeping OPA will be presented to Council for decision once all feedback is received.

Zoning By-law

The new Zoning By-law has been prepared in accordance with provincial, regional and local Town policy documents. The By-law is a hybrid model using contextual zoning primarily in the greenfield areas of the Town and more conventional zoning in the built up, rural and agricultural areas of the Town. This hybrid model will permit more flexibility, and better represents the current development trends and diversity of uses in the Town.

The new Zoning By-law is made up of 11 Sections including:

- Section 1: Interpretation and Administration
- Section 2: Definitions
- Section 3: General Provisions
- Section 4: Parking and Loading Requirements
- Section 5: Rural/Agricultural Zones
- Section 6: Residential Zones
- Section 7: Greenfield Development Zones
- Section 8: Commercial Zones
- Section 9: Other Zones
- Section 10: Special Exceptions
- Section 11: Effective Date

The following outlines the key changes that are being proposed through the new Zoning By-law:



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General

- Zones have been consolidated, renamed or expanded on where appropriate in order to recognize the existing conditions in the Town and permit greater flexibility of uses;
- New zone categories have been introduced to reflect current and future development trends. These new zones are the Greenfield Residential Zones;
- Uses have been consolidated and updated to reflect current terminology, and outdated uses have been removed or reclassified to increase flexibility;
- Definitions have been updated to reflect current standard terminology in keeping with Provincial and Regional plans in order to provide consistency with other approved terms and definitions;
- The new Zoning By-law has been created in compliance with current Provincial legislation and Regional planning policy; and
- The new Zoning By-law document is AODA compatible.

Agriculture

- Proposes to establish and permit new provisions for Agriculture-related, Agri-Tourism/Value-Added, and On-farm diversified Uses in keeping with Provincial Guidelines;
- Permits uses such as processing agricultural products, home industries, home occupations, agri-tourism and retail uses that are limited in scale;
- Permits complementary value-added and agri-tourism uses in the agricultural area, including short-term accommodations, wineries, special event facilities, and other uses which are secondary in nature but that promote and sustain the viability of the principal agricultural use;
- Identifies permissions for on-farm diversified uses (i.e. retail stores or processing associated with an agriculture use) on Prime Agricultural lands;
- Continues to recognize and support existing agricultural uses while promoting more flexibility and a more diverse range of uses;
- Permits Second Dwelling units internally or in a detached structure in the Agricultural and Specialty Agriculture categories; and
- Proposes a maximum height for agricultural buildings where the current by-law is silent

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Residential

- Generally, no significant changes in most setback and lot requirements;
- Proposes a new Rural Residential (RR) Zone for areas of North Pelham and Ridgeville to recognize these hamlet areas;
- Permits Second Dwelling units internally or in a detached structure in all Residential Zone categories as previously approved by Council;
- Proposes an increase in the lot coverage regulation to a standard 50% for most Residential Zones; and
- Proposes an increase in the types of residential uses in the R2 Zone to include semi-detached and duplex dwellings.

Greenfield Development

- Proposes new Zoning categories that are more contextual in nature and meant to be applied to new greenfield development;
- Provides minimum and maximum lot and setback requirements to improve flexibility and reduce minor variance requests;
- Permits Second Dwelling units internally or in a detached structure in all Greenfield Residential Development Zone categories; and
- Provides a demonstration streetscape and typologies for greater clarity.

Commercial

- Proposes to consolidate uses to increase flexibility;
- Provides minimum and maximum lot and setback requirements to improve flexibility;
- Proposes that building heights within downtown areas do not exceed the 45-degree angular plane where they abut a residential zone to ensure compatibility with existing neighbourhoods; and
- Introduces the concept of "landmark sites" which have the potential to be easily seen or recognized from a distance, acting as a wayfinding tool for the community. This implements the Downtown Master Plan for Fonthill and Fenwick.

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Parking

- Proposes updated parking requirements for all Zone categories based on the recommendations in the RVA Parking Strategy, 2022;
- Provides updated parking regulations for barrier free parking spaces; and
- Proposes minimum bicycle parking requirements based on the recommendations of the RVA Parking Strategy, 2022

Natural Heritage

- Identifies and introduces Environmental Protection 1, 2 and 3 Zones which reflect Provincial, Regional and Town Official Plan policies and mapping. These areas are not mapped in the current Zoning By-law and while these are new zones they are required in order to comply with the Town Official Plan;
- Proposes specific regulations and uses for each EP Zone, including setback requirements from the feature identified on the property; and
- Includes more accurate mapping of environmental features in order to support development and protect natural heritage features

Housekeeping OPA

As noted earlier in this report, the purpose of the proposed Housekeeping OPA is to update the agriculture-related, on-farm diversified and value-added agricultural use policies to permit and support the updated regulations proposed in the New Zoning By-law. The Housekeeping OPA will also introduce policies to enable Council to delegate the authority to pass certain by-laws under Section 34 of the *Planning Act*.

The following summarizes the proposed changes being considered:

1. Part B: Land Use Policies (Section B2.1 Good General Agricultural and Section B2.2 Specialty Agricultural)
 - a) Amend the text of Section B.2.1.2 to consolidate and update the permitted agricultural uses, to add additional policy in relation to on-farm diversified and agri-tourism uses, and to renumber Sections B2.1.3.6 through B2.1.3.12, and B2.1.4 through B2.1.6.



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- b) Amend the text of Section B2.2.2 to consolidate and update the additional permitted agricultural uses.
 - c) Amend Appendix "F" Definitions to include a definition of "Value-Added Use" and "On-Farm Diversified Use" to improve and clarify existing policies around secondary agricultural uses.
 - d) Amend Appendix "F" Definitions to update the definition of "Agriculture-Related Use" to align with the most current Provincial Policy Statement definition.
2. Part E: Plan Implementation and Administration
- a) Add new Policy Section E8 "Delegated Authority" to allow Town Council to delegate the authority to pass certain minor by-laws under Section 34 of the Planning Act to a Committee of Council, or an individual who is an officer or employee of the municipality as required by the *Planning Act*.
3. Schedules A and B
- a) Amend Schedule "A" for lands at 98 Effingham Street by removing the Environmental Protection Two EP2 designation from that portion of the subject lands that are actively being farmed and change the designation to Good General Agricultural. The Environmental Protection Two EP2 designation is a mapping error and should apply to only that portion of the lands that are wooded and not to that portion that is being farmed.
 - b) Amend Schedule "B" for lands at 98 Effingham Street by removing the Deer Wintering Areas designation on that portion of the subject lands that is actively being farmed. Similar to above, the Deer Wintering Area designation is a mapping error and should not be on that portion of the land is being farmed.

Alternatives:

There are no alternatives as Council is statutorily obligated to host a public meeting and make a decision on the applications.



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Attachments:

Appendix A – Draft Comprehensive Zoning By-law

Appendix B – Draft Housekeeping Official Plan Amendment

Appendix C – Agency Comments

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