

The Corporation of the City of Kawartha Lakes
Council Report

Report Number PLAN2020-003

Meeting Date: February 18, 2020

Title: Rural Zoning By-law Consolidation and Update

Description: Introduction and status on the Comprehensive Rural Zoning By-law Update Project

Ward Number: All Wards

Author and Title: Richard Holy, Manager of Planning, Janet Wong, Planner II, Bobby Gauthier, Senior Project Manager, WSP

Recommendation(s):

That Report PLAN2020-003, Rural Zoning By-law Consolidation and Update, be received.

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

Since amalgamation in 2001, the City has been using the original comprehensive Zoning By-laws for the 18 former municipalities to control the form and location of development. While the Zoning By-laws have been adequate for past municipal needs, the combination of outdated standards, inequitable regulation of lands, and multiple regulatory documents, requires the creation of a consolidated rural Zoning By-law for the City that is fair, balanced, contemporary and flexible to implement current Provincial and City Official Plan policy. Given the current appeals to the City's Official Plan and secondary plans as well as the 19 years since amalgamation, it is prudent for the City to undertake the consolidation of 18 Zoning By-laws in two phases. The first phase will be to repeal and replace 13 rural Zoning By-laws for the former geographic Townships and one Village within the City of Kawartha Lakes into one new consolidated Rural Zoning By-law. The second phase will consolidate the five (5) urban Zoning By-laws once the secondary plans have been approved by the Local Planning Appeal Tribunal (LPAT). Updates to Oak Ridges Moraine land use policies and Zoning By-law will be undertaken separately.

Phase One, the New Rural Zoning By-law Project, was initiated in 2019. This report summarizes the work undertaken to date and anticipated work for 2020 and 2021.

Rationale:

Project Framework

The Planning Division retained WSP, a planning consulting firm, in May 2020 to assist with the development of the New Rural Zoning By-law. The Project is anticipated to be completed by December 2021 with a total budget allocation of \$120,000.00. The Project timeline is attached in Appendix A. The Project has been broken into three stages: 1. Review and Analysis; 2. Preparation of Draft Zoning By-law; and 3. Rural Zoning By-law Refinement and Final Adoption. An excerpt from the Project Terms of Reference is attached in Appendix B for a detailed description of the objectives, principles, and work plan. The Project is nearing the end of Stage 1.

As part of the development of the Rural Zoning By-law, extensive consultation with the public and development industry will be required to obtain input and foster consensus. To help guide this Project, the Project terms of reference identified the need for a steering committee and technical advisory committee. The steering committee is in the form of a City Task Force, thus has members appointed by Council.

The Rural Zoning By-law Task Force will provide advice, assistance and project guidance to Staff and Council for the implementation, project management and completion of the Rural Zoning By-law. The Task Force will identify issues,

review and discuss reports including a draft Rural Zoning By-law, and provide advice on a public consultation process. The Rural Zoning By-law Task Force acts as a review body and will make recommendations to Planning Advisory Committee and Council. The Task Force members are Councillor Andrew Veale, Eugene McDonald, Randy Burke, Stephen Strathdee, Rob Bonis, Craig Jackson, and Donna Tamblyn. The Task Force met twice in 2019.

The Technical Advisory Committee is comprised of staff from agencies and provincial level organizations, school boards, adjacent municipalities, First Nations, and City Divisions. This group will provide technical input into the development of the New Rural Zoning By-law. An initial meeting with the Technical Advisory Committee was held in September 2019.

2019 Project Work

Work started in July with the initial aim of establishing communications and outreach to the community to introduce the Project and to seek initial input into issues and concerns with current zoning regulations. The Task Force met in July to be introduced to the Project, to identify issues, and provide direction on public information sessions (minutes attached in Appendix C). A Community and Stakeholder Consultation Strategy (Appendix D) has been developed as an internal guidance document on the principles, methods, and protocols to consult both internally and externally. This was approved by the Task Force at their December meeting.

Four public information sessions were held in September 2019 to obtain public concerns early in the process. Locations were selected to cover the large geographic area of the City and included weekend and evening sessions. The information sessions in Coboconk, Downeyville and Woodville were extensively advertised through newspapers, digital media, radio, and temporary road signs. As a result, there were over 80 attendees to the sessions which included a presentation on the Project, provided an opportunity to learn what a zoning by-law is, and have an opportunity to identify concerns to City and WSP staff as the New Zoning By-law is developed. Interested organizations and people (excluding City staff, Task Force and Technical Advisory Committee) is over 150 on the notification list for this Project.

As indicated above, an initial meeting of the Technical Advisory Committee was held in September with 20 agency and City divisions represented. The meeting garnered ideas, issues, and concerns for consideration in the content and format of a new zoning by-law.

WSP has since prepared the Draft Discussion Paper (attached in Appendix E). A preliminary draft was reviewed by the Task Force at their December meeting. The Draft Discussion Paper has a two-fold function. The first is to articulate the legal framework within which a zoning by-law is prepared. One of the main guiding requirements will be conformity with the City Official Plan. The new Rural Zoning By-law will implement Official Plan policy and cannot be more permissive than the Official Plan. The second function is to present broad topics that have

surfaced as issues through the consultation with the public, stakeholders, Task Force members, and Planning staff. The Discussion Paper is being released to the public for comment. Aside from the broad issues, there have been over 200 issues identified by staff that cover a diverse range of uses, definitions, and regulations. An area that will require careful consideration is the final form and presentation of zone schedules. It is anticipated that there will be both on-line and hard copy versions that could be in colour, black and white, or a combination.

Next Steps

Stage 2 of the Project will be carried out during 2020. The aim is to have a first draft of a new Rural Zoning By-law for public review in August – September. Through the work to date, it is recognised that waterfront and agriculture require further detailed discussion with the public to further articulate a potential direction for the new Rural Zoning By-law. Based on Official Plan policy, there could be significant changes to waterfront property regulations. As well, integrating on-farm diversified and agriculture-related uses that reflects community interests as well as Official Plan direction warrants more detailed discussion. These meetings (April – May) will take the form of workshops where there can be focussed discussion of impacts and alternatives on proposed uses and requirements. The specific format of the workshops and subject matters to be discussed at the workshops continues to be assessed by staff and WSP.

With the release of the Discussion Paper identified above, there will also be an online interactive map of the existing zoning provisions available to the public. The online map will allow people to see current zone information and provide comments to the City. The online map will also be updated to show proposed new zoning information with the draft Rural Zoning By-law, such that landowners and stakeholders can visualize the changes.

The City will host a second round of public information sessions on this first draft to gather public comments for consideration to prepare a second draft. The second draft will be presented to Planning Advisory Committee near the beginning of 2021.

Stage 3 - Rural Zoning By-law Refinement and Final Adoption is anticipated to start early 2021, with the holding of the Planning Act required Statutory Public Open House and Statutory Public Meeting. It is expected that there will be several additional drafts prior to final Rural Zoning By-law for Council adoption later in the year.

Other Alternatives Considered:

No other alternatives have been considered.

Financial/Operation Impacts:

There is adequate capital budget allocated for the completion of this project.

Relationship of Recommendation(s) to the 2016-2019 Strategic Plan:

The Council Adopted Strategic Plan identifies these Strategic Goals:

- A Vibrant and Growing Economy
- An Exceptional Quality of Life
- A Healthy Environment

The new Rural Zoning By-law will provide planning support to build a strong diversified economy, culturally vibrant community, as well as supporting healthy natural and agricultural systems based on the policy direction of the City Official Plan.

Review of Accessibility Implications of Any Development or Policy:

The new Rural Zoning By-law will be developed in accordance with Accessibility for Ontarians with Disabilities Act (AODA) requirements.

Servicing Comments:

Not applicable

Consultations:

Non-statutory public information sessions as well as consultation with interested public agencies, adjacent municipalities, and City divisions have been undertaken. As the new Rural Zoning By-law is developed, there will be further public information sessions as well as meetings with the Technical Advisory Committee and Rural Zoning By-law Task Force to garner input and advice.

Conclusions:

The development of a new Rural Zoning By-law will significantly streamline the work of the City and particularly the Planning Division by bringing current, progressive zone regulations into place to guide the development of the City as it enters a period of significant growth. The process to prepare this significant planning document is based on open communication and transparency such that the decisions made to arrive at a final document will be clearly understood by all involved.

Attachments:



Appendix A Rpt1.pdf



Appendix B Rpt1.pdf



Appendix C Rpt1.pdf



Appendix D Rpt1.pdf



Appendix E Rpt 1.pdf

Appendix A – Gantt Chart

Appendix B – Excerpt Project Terms of Reference

Appendix C – Task Force Meeting Minutes, July 25, 2019

Appendix D – Community and Stakeholder Consultation Strategy, October 2019

Appendix E – Draft Discussion Paper, January 2020

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Department Head: Chris Marshall, Director of Development Services

Department File: 2019 Rural Zoning By-law Consolidation