

# WELCOME!

## City of Kawartha Lakes Rural Zoning By-law Review

September 2019 Public Open Houses

- > Please sign in at the front table.
- > Feel free to review the boards and maps.
- > Staff are available to answer questions.

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# WHAT IS THE RURAL ZONING BY-LAW REVIEW?

## PURPOSE OF THIS MEETING

The purpose of this Public Open House is to:

- > Introduce the Rural Zoning By-law Review
- > Outline why and how this project is being completed
- > Seek your input on how the existing zoning by-laws can be improved and issues to be addressed

## PURPOSE OF THE PROJECT

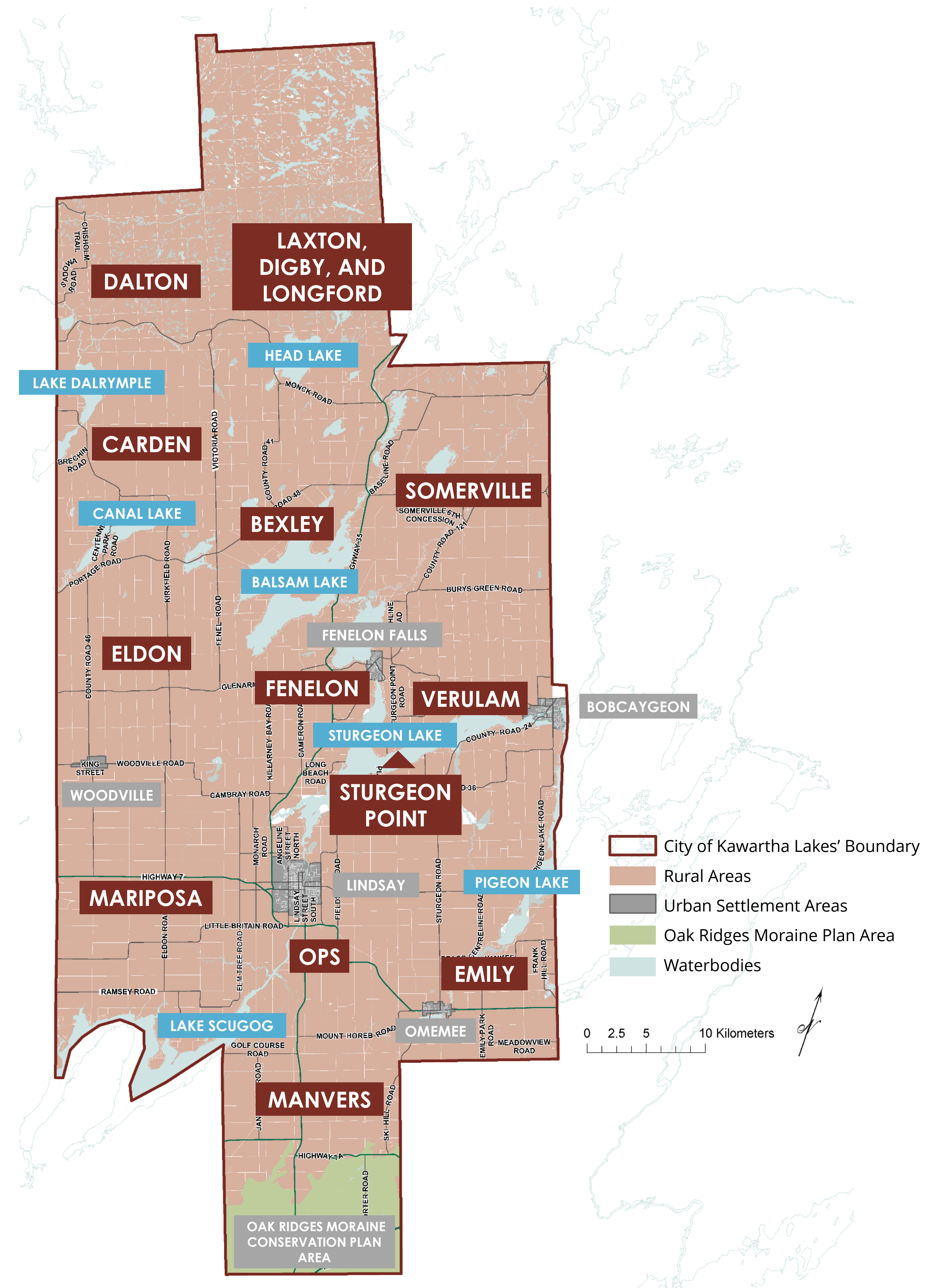
The purpose of this project is to consolidate and modernize the City's 13 existing rural zoning by-laws into a single new Comprehensive Rural Zoning By-law which regulates the use of land, buildings, and structures across the rural areas of the City.

The rural area is generally comprised of lands outside of the Urban Settlement Areas of Lindsay, Bobcaygeon, Fenelon Falls, Omemee, and Woodville. **Zoning for the Urban Settlement Areas and the Oak Ridges Moraine Plan Area will be reviewed in a subsequent phase of the Zoning By-law Review.**

Prior to amalgamation, each of the former municipalities had a zoning by-law that served to regulate the development of land within their former boundaries. Some of these by-laws date back to the 1970s.

## STUDY AREA

This project applies to all rural areas of the City, shaded in red below.





# WHAT IS A ZONING BY-LAW?

## WHAT IS ZONING?

A legal tool to regulate the use of land and buildings, the size of lots, and the character, location, and height of buildings and structures.

- > All lands in the City of Kawartha Lakes are “zoned” under a particular category, associated with a symbol (like “A1 – Rural General”). Each “zone” has a set of detailed permitted uses and restrictions.
- > If a development or project does not comply with the zoning by-law, the applicant will need to apply for an amendment to the zoning by-law (a rezoning) or a minor variance to seek relief or changes to the by-law’s requirements.

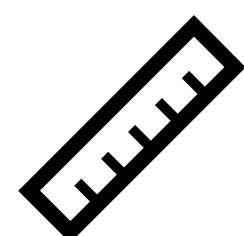
## WHAT DOES ZONING REGULATE?



**Use of land and buildings** (e.g., residential, agricultural, commercial etc.)



Building **heights, massing, and density**



Lot **size and dimensions**

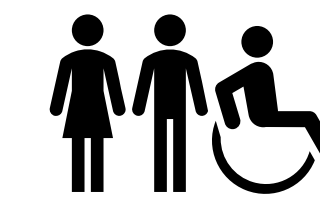


**Parking** requirements



The **location** of buildings and other structures on a lot

## WHO USES THE ZONING BY-LAW?



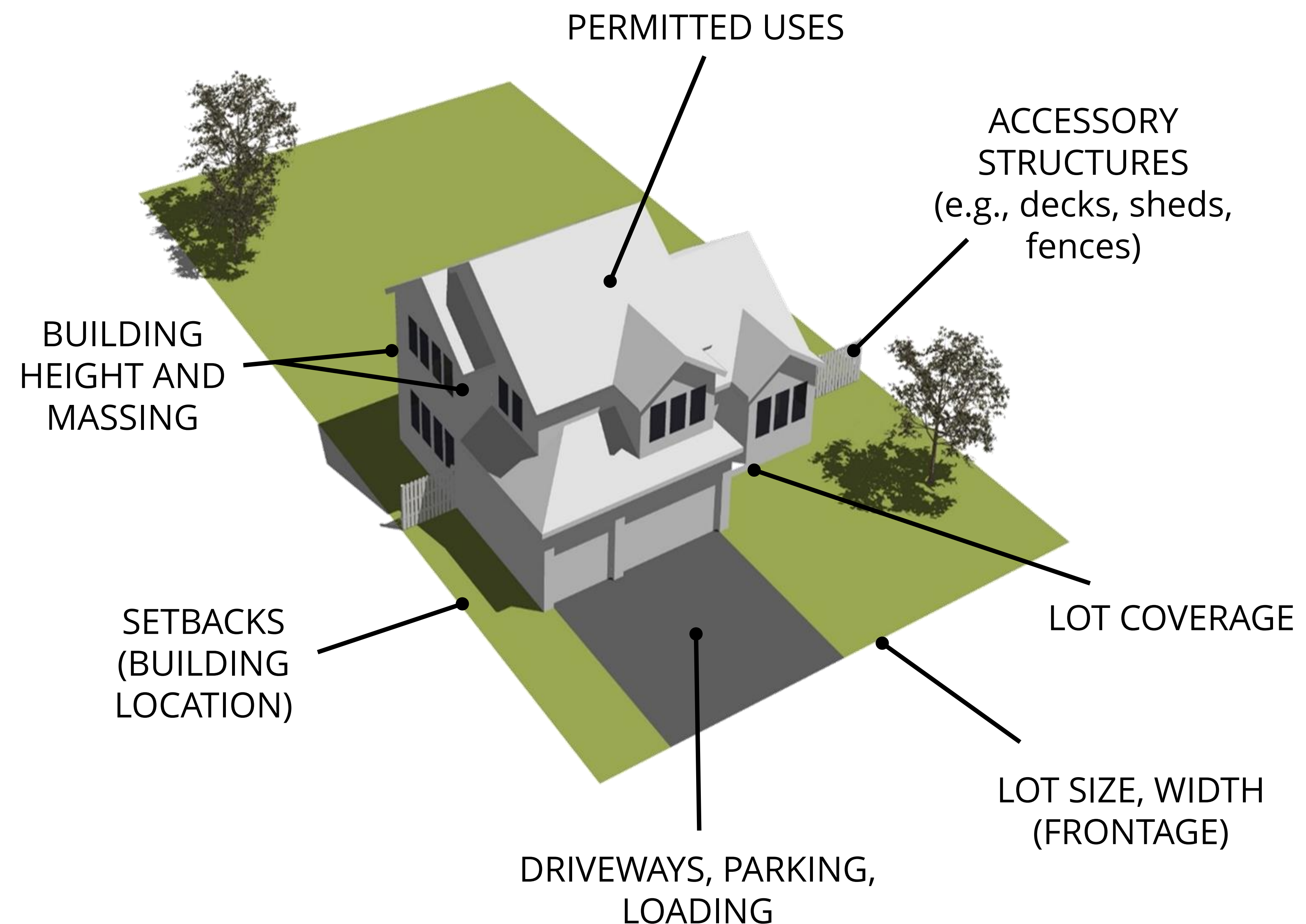
### Landowners and Members of the Public

- ✓ To know what can be built on their property
- ✓ To know what a property can be used for



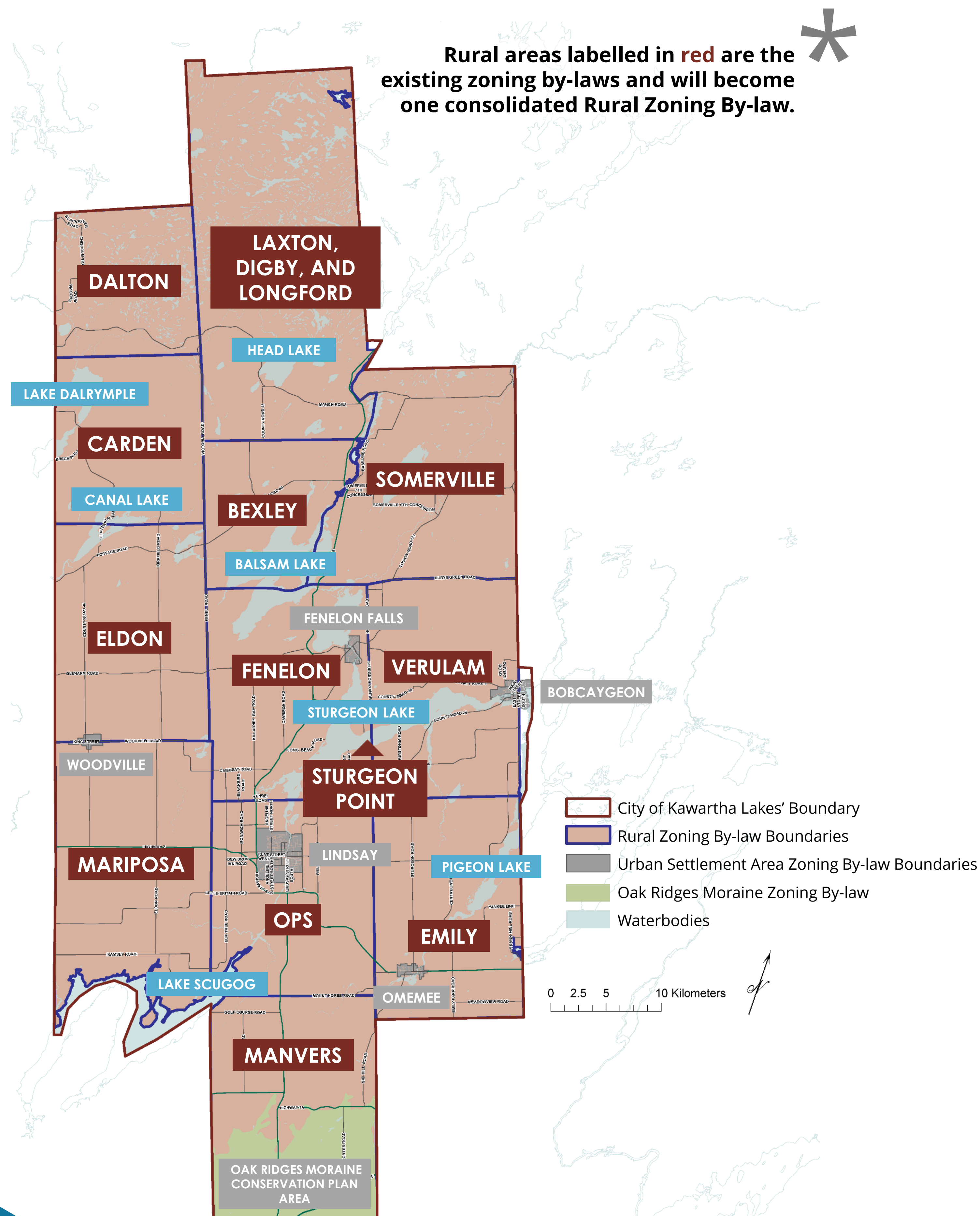
### City Staff & Council

- ✓ To shape development in the City and implement the 2012 Official Plan
- ✓ To protect property owners from conflicting land uses





# RURAL AREA ZONING IN KAWARTHA LAKES TODAY



## 13 RURAL ZONING BY-LAWS

- > Township of Bexley (93-09)
- > Township of Carden (79-2)
- > Township of Dalton (10-77)
- > Township of Eldon (94-14)
- > Township of Emily (1996-30)
- > Township of Fenelon (12-95)
- > United Township of Laxton, Digby, and Longford (32-83)
- > Township of Manvers (87-06)
- > Township of Mariposa (94-07)
- > Township of Ops (93-30)
- > Township of Somerville (78-45)
- > Village of Sturgeon Point (339)
- > Township of Verulam (6-87)

## 193 ZONES

- 65 distinct residential zones
- 42 distinct industrial zones
- 35 distinct commercial zones
- 19 distinct agricultural zones
- 12 distinct community facility zones
- 8 distinct environmental protection zones
- 6 distinct open space zones
- 6 other zones (including aggregate and institutional uses)

## 968 SITE-SPECIFIC EXCEPTIONS

Landowners can apply for site-specific exceptions to the regulations of the zoning by-law to permit a development. There have been 968 individual amendments to the existing zoning by-laws which will need to be reviewed through this process.



# WHY IS THE CITY COMPLETING THIS REVIEW?



A key objective of this project is to develop a Rural Zoning By-law that conforms with the City’s 2012 Official Plan. The *Planning Act* requires the City to bring its zoning by-laws into conformity with the Official Plan.

### Planning Act

A municipality’s authority to prepare and pass zoning by-laws falls under Section 34 of the *Planning Act*. In accordance with Section 24(1), zoning by-laws must also conform to the Official Plan and be consistent with the Provincial Policy Statement.



## CITY OF KAWARTHA LAKES’ OFFICIAL PLAN

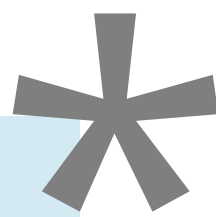
- > Provides guidance for future development and growth management in the City of Kawartha Lakes
- > Contains a set of policies which guide decision-making with respect to land use and other matters
- > This includes:
  - > Where new housing, industry, offices, and shops will be located
  - > What services, such as roads, parks, and schools, will be needed
  - > When and how different parts of the community will grow
- > This Official Plan, except those sections under appeal to the Local Planning Appeal Tribunal, came into effect on June 8, 2012



## RELATIONSHIP BETWEEN OFFICIAL PLAN AND ZONING

- > A zoning by-law is considered to be the **most important tool** to implement the policies of the Official Plan.
- > The zoning by-law translates high-level policy into **detailed regulations**.
- > The zoning by-law **must conform** to the policies of the Official Plan. This means that zoning must be aligned with the land use vision set out for the City.
- > Since the 13 rural zoning by-laws pre-date the 2012 Official Plan, the current zoning must **be reviewed** to ensure that zoning conforms to the policies of the Official Plan.

This project is not intended to set new policies for the City, but rather to implement the current policies of the Official Plan. However, input received through this project can feed into a future update of the Official Plan.



# HOW WILL THE REVIEW BE COMPLETED?

## Tasks include:

- > Public Consultation to introduce project and identify issues
- > A Discussion Paper will be prepared which includes a detailed background and technical review of the existing zoning by-laws and best practices
- > Meeting with City staff and stakeholders to identify issues
- > Presentation to Council/Committee

## Tasks include:

- > Several opportunities for public and stakeholder engagement
- > Revising the draft Rural Zoning By-law based on feedback

## Tasks include:

- > Prepare Final Rural Zoning By-law to address outstanding feedback/input
- > Statutory Public Meeting
- > The Final Rural Zoning By-law will be presented to Council for adoption

**DISCUSSION  
PAPER**

**Fall 2019**

**SUMMARY  
REPORT & FIRST  
DRAFT RURAL  
ZONING BY-LAW**

**Winter/Spring  
2020**

**SECOND  
DRAFT RURAL  
ZONING BY-  
LAW**

**Summer 2020**

**THIRD & FINAL  
DRAFT RURAL  
ZONING BY-  
LAW**

**Winter 2021 &  
Summer 2021**

**COUNCIL  
ADOPTION**

**Fall 2021**

**STAGE 1**

**STAGE 2**

**STAGE 3**

**WE ARE  
HERE**

## Tasks include:

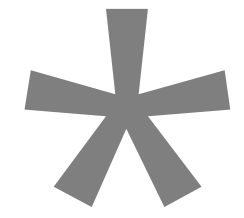
- > Update the provisions of the existing rural zoning by-laws to implement the Official Plan and modernize zoning regulations
- > Consolidate the existing rural zoning by-laws into a First Draft Rural Zoning By-law
- > Preparation of a Summary Report to explain the proposed draft Rural Zoning By-law and recommendations to address identified issues
- > Public Information Sessions and other events

## Tasks include:

- > Continued refinement of the draft Rural Zoning By-law to address public, stakeholder, and City staff feedback
- > Statutory Public Open House
- > Mapping refinements
- > Prepare Final Draft Rural Zoning by-law

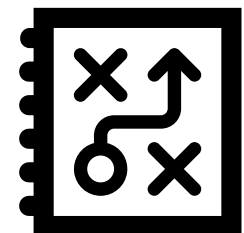


# PRINCIPLES FOR PREPARING A NEW RURAL ZONING BY-LAW



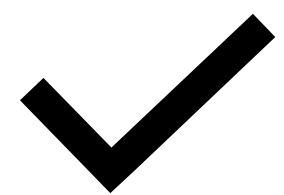
The development of a new Rural Zoning By-law is an important process with implications on achieving planning policy, as well as property rights.

These are some key guiding principles which have been identified as the fundamental responsibilities and objectives of this project.



## CREATING A USER-FRIENDLY BY-LAW

- > Integrate improvements to the accessibility, structure, writing style, and provide user-friendly tools, such as illustrations of technical terms.
- > Permitted uses and regulations organized into tables and matrices.



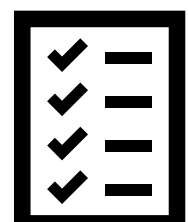
## POLICY CONFORMITY

- > The *Planning Act* requires that the Zoning By-law be reviewed to conform to the Official Plan. Updates to permitted uses and standards may be required to align with the Official Plan.



## INCORPORATE PUBLIC & STAKEHOLDER INPUT

- > Public and stakeholder input will be received through multiple sources and addressed throughout this project to ensure the Rural Zoning By-law reflects the needs of the community.



## LEGAL CONFORMITY

- > Section 34 of the Province's *Planning Act* outlines how zoning by-laws may be used to regulate land use and built form, and how they are to be prepared and adopted by Council. The Rural Zoning By-law must not exceed the legal authority of the *Planning Act*.



## MODERNIZE

- > Existing permitted uses will be reviewed to ensure they are contemporary and reflect present day best practices (e.g., permitting "general retail" in lieu of "antique stores").



## CONSISTENCY ACROSS THE RURAL AREA

- > The 13 existing by-laws will be consolidated to bring greater consistency in the development application process and built form outcome across the rural area of the City.



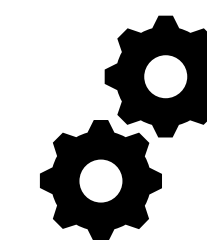
## MAINTAINING EXISTING DEVELOPMENT PERMISSIONS AND ENTITLEMENT

- > The Rural Zoning By-law will incorporate the permissions and zone standards that are contained in the existing zoning by-laws to the greatest degree possible while ensuring Official Plan conformity.
- > Further, the preservation of existing site-specific by-laws, as they affect property rights, is to be considered. However, it is also important to ensure that these site specific by-laws conform to the Official Plan.



## BE INNOVATIVE

- > A new Rural Zoning By-law can introduce innovative standards to address emerging issues, such as an aging population or enhanced regulations for waterfront development.

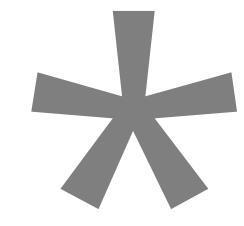


## MINIMIZING LEGAL NON-CONFORMITY

- > The process of bringing the Rural Zoning By-law into conformity with the Official Plan will likely require modifications to permitted uses or lot and building requirements in the zones. This may inevitably create instances of legal non-conformity or legal non-compliance. It is an objective to minimize these situations as much as possible while ensuring Official Plan conformity.

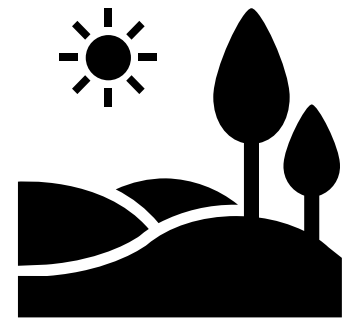


# PRELIMINARY ISSUES TO BE ADDRESSED

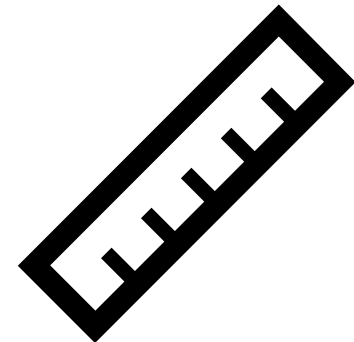


There are numerous issues and objectives that need to be considered in this project. Addressing these issues will impact all users of the Rural Zoning By-law. A Discussion Paper will be prepared to determine and analyze the issues.

The City's Official Plan gives guidance on a range of different planning issues, including:



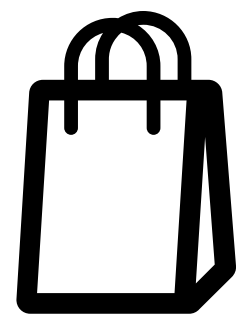
The Official Plan identifies sensitive natural heritage features, wellhead protection areas and hazardous lands, where development is restricted and has a strategy for enhancing an overall natural heritage system.



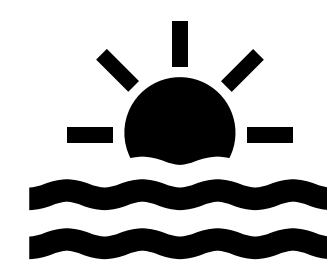
To ensure compatibility between residential uses and livestock facilities, the Official Plan requires the application of "Minimum Distance Separation (MDS) Formulae" to establish setbacks between livestock uses and residential uses.



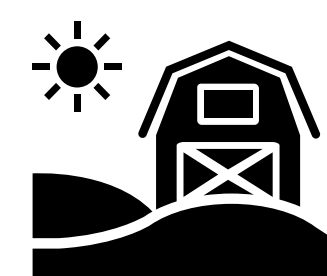
The Official Plan intends the Hamlets to accommodate a range of uses, including residential uses, cultural uses, businesses, and other land uses.



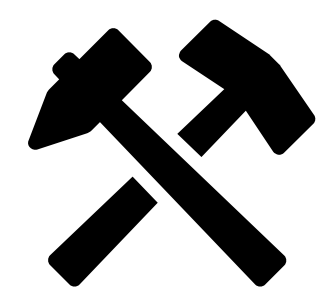
The Official Plan promotes the creation of commercial cores in the Hamlets and intends for the character of Hamlets to be maintained.



The Official Plan permits low density seasonal and permanent residential development to occur in the Waterfront areas, provided that maintaining surface water quality and naturalization is achieved.



The Official Plan intends to protect the important function of prime agricultural land and to prevent fragmentation of productive land. The Official Plan promotes agriculture-related business to support farm viability.



The Official Plan recognizes existing aggregate operations and intends for them to occur sustainably and be compatible with adjacent uses.

The Official Plan sets out policies for a variety of other land uses, such as Highway Commercial and Industrial areas.

The Rural Zoning By-law will need to address these critical policy issues. The Rural Zoning By-law...



Will need to support implementing the Natural Heritage System by zoning areas that are not suitable for development.



Can establish setbacks or general provisions to ensure the MDS formulae is applied, where applicable.



Will need to establish zone categories setbacks, building height requirements and provisions to ensure the unique character of each Hamlet will be maintained, and that any development will fit into the established character and achieve these objectives.



Can implement standards for waterfront development, including boathouses, and establish innovative provisions to maintain or enhance the built form and the naturalization of shoreline areas.



Will have to implement the minimum lot sizes and provisions for agriculture-related uses, including on-farm diversified uses.



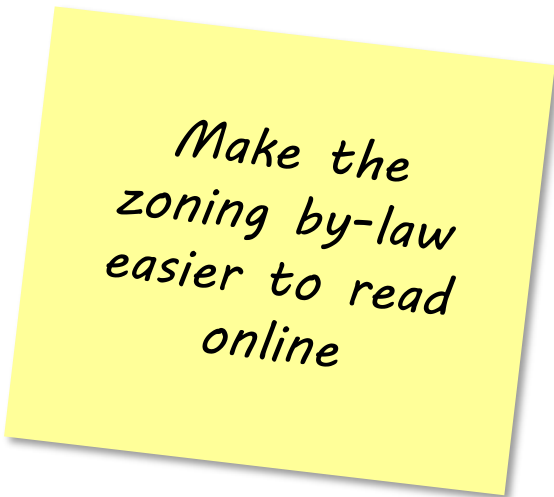
Provides an opportunity to establish setbacks and requirements for aggregate operations to promote compatibility with existing uses.



Will have to reflect the land use structure of the Official Plan and ensure standards and requirements implement these policies.



What are some the issues with using the existing rural zoning by-laws that the Project Team should address through this project?  
Share your thoughts on a sticky note here!



How would you like to participate in this Rural Zoning By-law Review project? Vote on the options below by placing a dot next to your preferred option(s) or add a suggestion to a sticky note!

## ONLINE SURVEYS

to share your thoughts on the existing zoning by-laws

## INTERACTIVE MAPPING TOOL

to explore zoning in your community

## COMMUNITY WORKSHOPS

to have in-depth and interactive discussions about specific zoning topics

## E-MAIL UPDATES

to receive project updates and event timelines

## WEB UPDATES & COMMENTS

to review project documents and share your thoughts

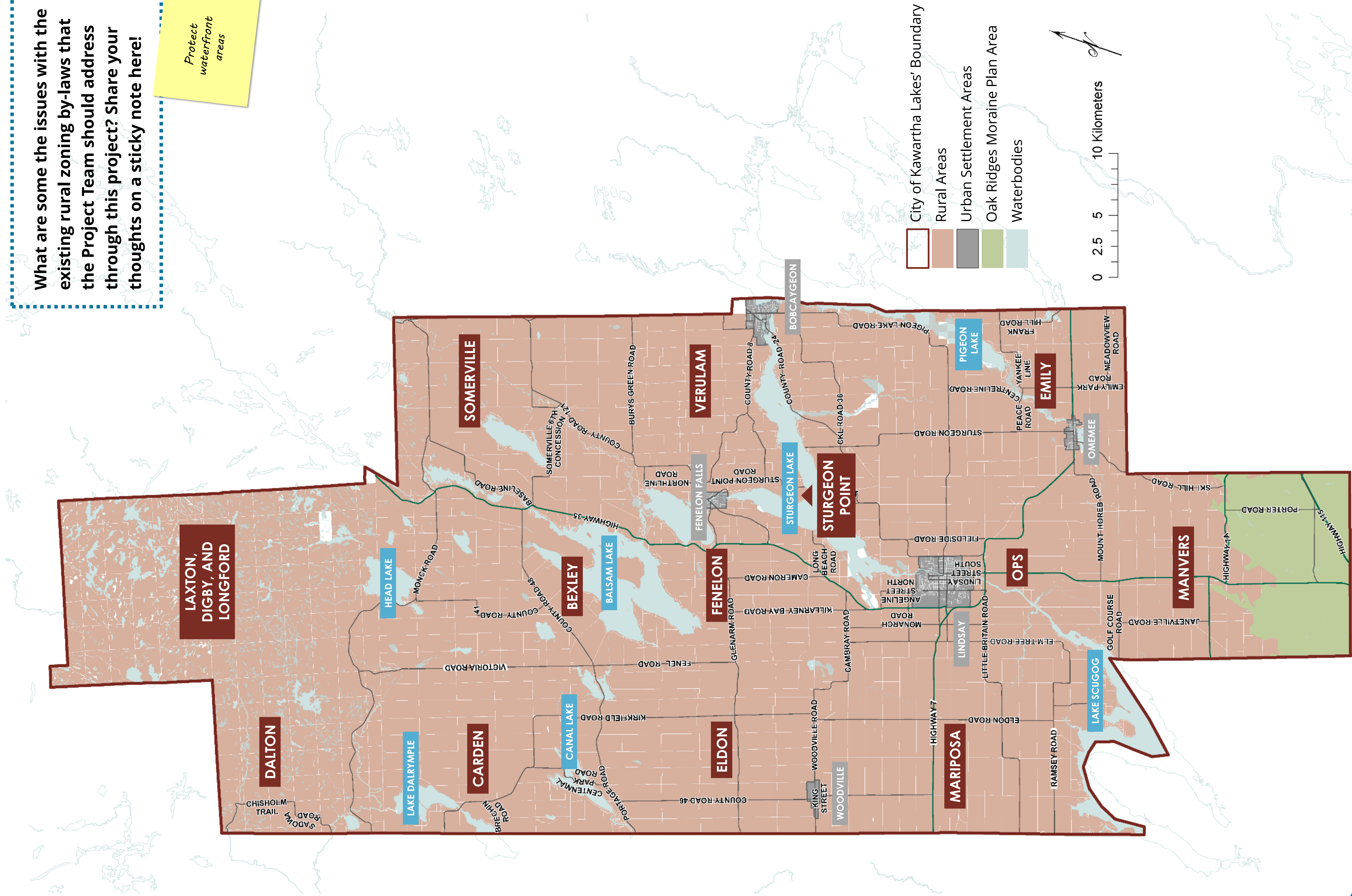
## OTHERS?



# SHARE YOUR THOUGHTS

What are some the issues with the existing rural zoning by-laws that the Project Team should address through this project? Share your thoughts on a sticky note here!

Protect waterfront areas





## PROJECT UPDATES

You are invited and encouraged to stay informed by signing up for email updates on upcoming public meetings and opportunities to participate in this Rural Zoning By-law Review.

The content from this open house, and future project deliverables, can be accessed from the City's project website.

Visit the website to keep up to date!

<http://www.kawarthalakes.ca/zoningbylawproject>

## NEXT STEPS

- > Prepare the Discussion Paper (the document will be available online);
- > Present the Discussion Paper to City Council and/or Planning Advisory Committee in **early Winter 2020**.
- > Work will begin on preparing the First Draft Rural Zoning By-law in **January 2020**, which will be available for public and stakeholder review in early **Summer 2020**, when additional public events will be held.

## Contact Information

For more information and updates on the Rural Zoning By-law Review, please contact:

### City Project Manager

**Richard Holy**, MCIP, RPP

Manager of Planning | Development Services – Planning Division

(705) 324-9411 ext. 1246

[ruralzoningbylaw@kawarthalakes.ca](mailto:ruralzoningbylaw@kawarthalakes.ca)