

# MUNICIPALITY OF KINCARDINE

## Comprehensive Zoning By-law Review: Update to Council

October 23<sup>rd</sup>, 2024



# AGENDA

**01**

**BACKGROUND**

**02**

**UPDATE ON RECENT WORK**

**03**

**REVIEW DRAFT ZONING BY-LAW**

**04**

**SHARE NEXT STEPS**

**05**

**ANSWER QUESTIONS**



# What do Zoning By-laws regulate?

- The *Ontario Planning Act* provides the authority for municipalities to pass Zoning By-laws.

## Zoning By-laws may:

- Restrict the use of land and the location and use of buildings or structures;
- Prohibit the location of buildings or structures on lands for a multitude of reasons (e.g. flooding, contaminated sites, significant wetlands);
- Regulate the height, bulk, location, size, floor area, spacing, character and, use of buildings or structures;
- Regulate the frontage and depth of a lot and the proportion of area of a lot that may be occupied by buildings or structures

# Background

- Current Zoning By-law dates from 2003 and was last updated in 2012.
- The *Planning Act* requires update to Zoning By-law 3 years after Official Plan update comes into force.
- With new OP approved in 2021, work on ZBL updates has been underway.
- Now at stage of having draft Zoning By-law ready for release to community.

THE CORPORATION OF  
THE MUNICIPALITY OF KINGSTON  
BY-LAW NO. 488R 2003-04

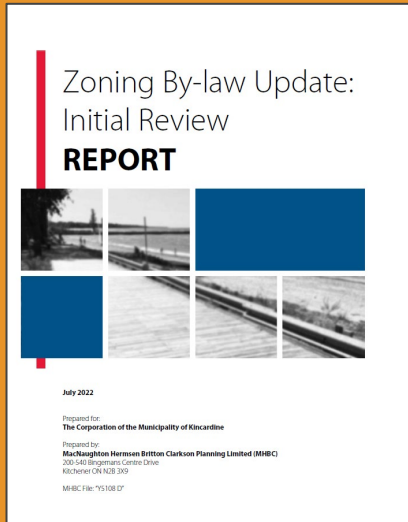
A BY-LAW TO REGULATE  
THE USE OF LANDS AND THE CHARACTER, LOCATION  
AND USE OF BUILDINGS AND STRUCTURES  
IN THE MUNICIPALITY OF KINGSTON

This document is a preliminary draft. It is not intended to be used as a legal instrument and is not to be relied upon as such.

June 2012 Office Consolidation

# Work completed to date

- Background review
- Preparation of Initial Review Report.
- Hosting community open houses.
- Preparation of internal Draft Zoning By-law for Municipal / County staff review.
- Work sessions held with Municipal staff to review input and feedback.
- Preparation of Draft Zoning By-law (shaped by Initial Review Report, community input, staff input and new Provincial legislation).



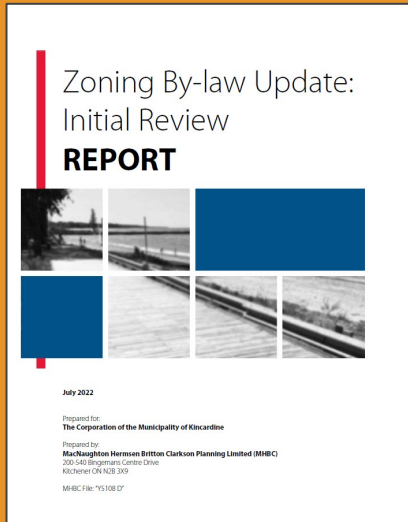


## Project goals

- As previously indicated to Council, project goals have been:
  - *Incorporate direction from new Official Plan into Zoning By-law.*
  - *Conform to recent Provincial policies.*
  - *Improve usability and readability, ensuring document is clear.*
  - *Utilize current information to update mapping.*

# Initial Review Report

- Prepared as a result of MHBC review of By-law and consultation with County and Municipal staff.
- Provided high-level recommendations for review and updates.
- Report released for review by the community, with opportunities for input through late 2022.
- Report helped to guide revisions to the Zoning By-law through update process.



# Community open houses

Community Open House #1 - September 27, 2023

## Municipality of Kincairdine Zoning By-law update Open House Comment Sheet

### Subject:

The existing Kincairdine Zoning By-law (2023-022) is being updated as a result of the approval of the new Official Plan in 2021. This Planning Act requires that municipalities amend their Zoning By-law within 3 years of a new Official Plan being in effect. This update is being done to ensure the Zoning By-law complies with the new Official Plan, but also current planning practices, changes to Provincial policy, and strategic direction of the Municipality.

Traight's Open House process the community with an opportunity to review work contributed to date on the project, establish the recently released Public Review Report. There will continue to be a number of opportunities for public participation throughout the process of updating the Zoning By-law. We please continue to follow along on the municipal website for updates.

If you wish to be notified of any future public meetings, please ensure that you have included your name and contact information on the sign-in sheet here today.

### Comments:

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Please leave this sheet with staff at the end of the event.

**RECEIVED ON BEHALF OF:**  
**RECEIVED ON BEHALF OF:**  
 Kincairdine Local Council, Kincairdine, Director of  
 Planning and Building  
 Municipality of Kincairdine  
 1575 Lakeshore E, Windsor, ON N2Z 2R4

- Q: What is a Zoning By-law?**  
**A:** A Zoning By-law is a legal instrument that defines the land use permitted on any commercial or residential property and regulates the height and use of buildings and possibly designates land uses in your community.
- Q: How will the result of the Zoning By-law review?**  
**A:** The Zoning By-law review process involves public consultation and input from the community to ensure that the current Zoning By-law is up-to-date and reflects the needs of the community.
- Q: Why is zoning necessary?**  
**A:** Zoning is necessary to regulate the use of land in a city and to ensure that the zoning of a community is appropriate for the needs of the community.
- Q: How does the Municipality enforce its zoning?**  
**A:** The Municipality enforces its zoning through various means, including issuing notices of violation and taking legal action if necessary.

- Q: How can I get the new Zoning By-law draft?**  
**A:** The new Zoning By-law draft will be available on the Municipality's website and at public meetings.
- Q: How can I provide feedback on the draft?**  
**A:** Feedback can be provided through various means, including public meetings, email, and the online comment system.
- Q: What happens if my property is affected by the draft?**  
**A:** If your property is affected by the draft, you will be notified through various means, including direct mail and public notices.
- Q: How can I appeal a zoning decision?**  
**A:** If you are dissatisfied with a zoning decision, you can appeal it to the Kincairdine Local Council.





## Recent work undertaken

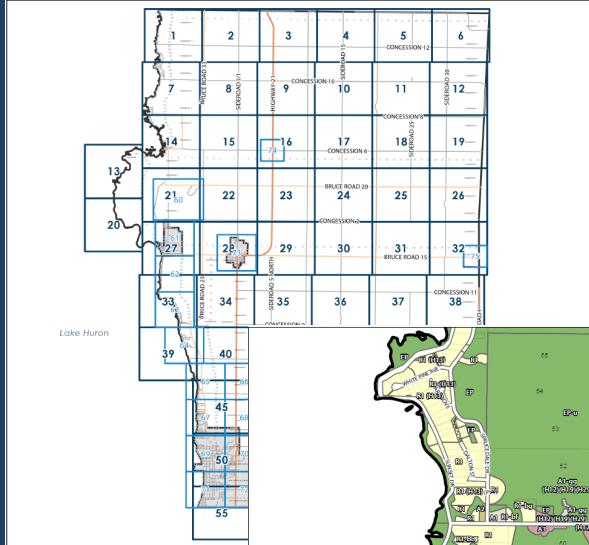
- Draft Zoning By-law prepared by MHBC and provided for staff review.
- Focused review of environmental features to ensure SVCA mapping appropriately reflected.
- Detailed working sessions undertaken to focus on different aspects of By-law.
- Revisions undertaken by team to reflect items discussed (text and mapping).
- Final Zoning By-law draft prepared.
- Further detailed review by County and Municipal staff.



# Draft Zoning By-law

- Comprehensive review and update to zoning regulations, in order to reflect current policies and direction.
- Resulted in changes to:
  - Definitions
  - Permitted uses
  - Setbacks, heights and parking
  - Updates for secondary units / ADUs
  - Sourcewater protection regulations
- New (coloured) mapping prepared, with updates to reflect Official Plan mapping.

# Updated mapping

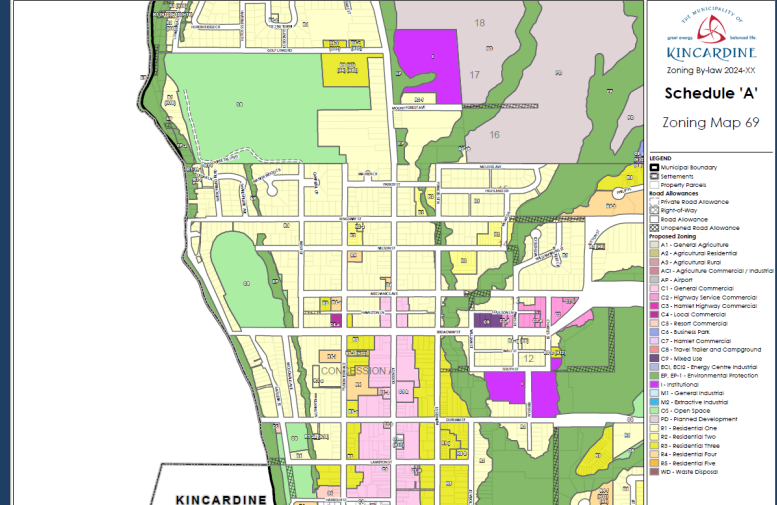
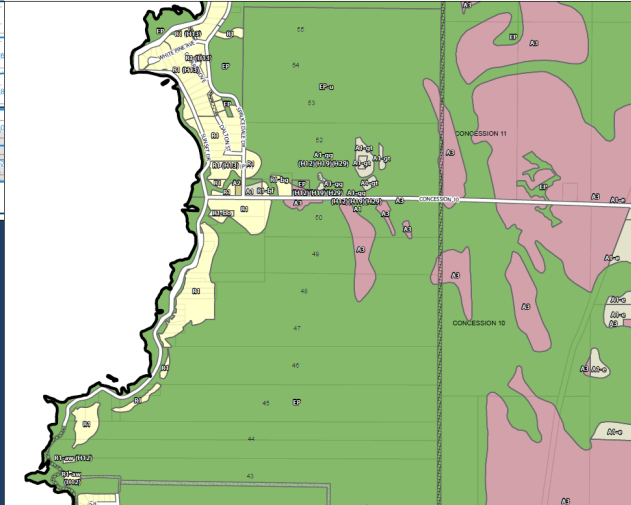
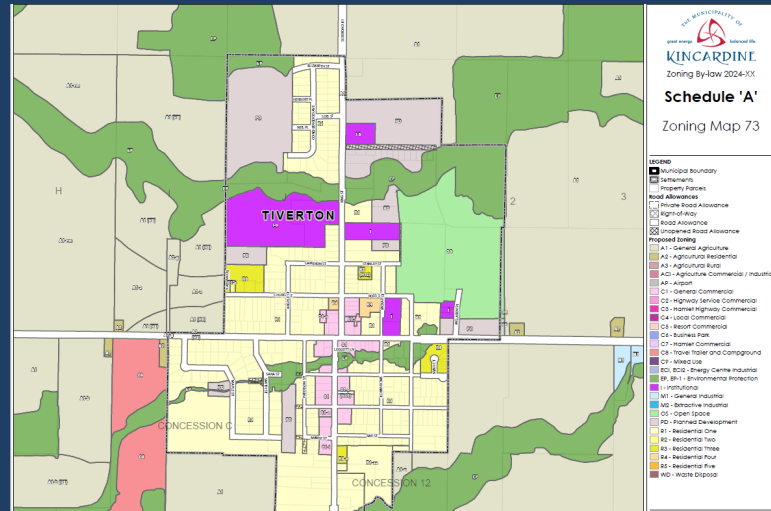


Lake Huron

THE MUNICIPALITY OF  
**KINCARDINE**  
 Zoning By-Law 2024-XX  
**Schedule 'A'**  
 Zoning Grid  
 Key Map Index

**Legend**

- Municipal Boundary
- Settlement
- Property Lines
- Provincial Highway
- County Road
- Municipal Road





# Draft Zoning By-law

- Highlights:
  - Moved ‘accessory use’ regulations to each zone.
  - New zone for mixed use areas.
  - Parking review and adjustments for consistency.
  - Review of building heights across zones.
  - Introduced new agricultural zones for smaller lots (A2) and ‘rural’ properties (A3) [based on soil capability from County Official Plan].
  - New section for site-specific provisions.
  - Standard Holding (H) provisions.
  - Brought in vendor’s market regulations.

# Next steps

**Oct 2024**

**Draft ZBL released for community review; Open House #2 being held.**

**Oct – Nov  
2024**

**Community input / comment period;  
formal Public Meeting at Council**

**Nov – Dec  
2024**

**Final revisions to Zoning By-law;  
consultation with staff.**

**Dec 2024**

**Council adoption of By-law.**

**Jan 2025**

**Notice of adoption; final Zoning  
By-law in effect.**



## Closing

- Project has been significant undertaking, both for MHBC and Municipal / County staff for review.
- We are excited to be able to release the Draft Zoning By-law for public review.
- Further opportunities and methods will be available for community input.
- MHBC is looking forward to working through the next stage for the Zoning By-law updates.



**THANK YOU!**  
**QUESTIONS?**

