

# Staff Report to Council

**Title:** Comprehensive Zoning By-law  
2024 – Public Meeting

**Report Number:** Development Services-2024-  
28

**Director:** Infrastructure &  
Development

**Manager:** Development Services

**Meeting Date:**  
Wednesday, November 13, 2024

**Date to be considered by Council:**  
Wednesday, November 13, 2024

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## Recommendation:

That the Council of the Municipality of Kincardine hold a Public Meeting in accordance with 34(12)(a)(ii) of the Planning Act RSO 1990 - Comprehensive Zoning Bylaw for the Municipality of Kincardine

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## Executive Summary:

The Municipality of Kincardine has initiated a comprehensive review of Zoning Bylaw 2003-025 in accordance with section 26(20) of the Planning Act RSO 1990. Such review shall be completed within 3 years of the adoption of an Official Plan which was adopted by the Municipality of Kincardine in 2021. The purpose of the public meeting is for Council to receive comments and feedback from the public, key stakeholders and commenting authorities having jurisdiction on the changes, updates, amendments and considerations presented in the comprehensive review.

## Financial Considerations:

Budgetary considerations have been provided for in the 2020-2024 budgets. The budgetary amount for the review, consultation and implementation of the project is \$140,000.

Based on the current project status, project completion is anticipated to be aligned with all budgeted amounts for the project with adoption anticipated in December 2024. If adoption of the Comprehensive Zoning Bylaw extends into the 2025 fiscal year, a contingency amount of \$10,000 has been included in the 2025 budget for completion and adoption of the Bylaw.

**Policy:**

Provincial Policy Statement 2020 (PPS), Planning Act RSO 1990, Official Plan of the Municipality of Kincardine (2021), and office consolidation of the Kincardine Comprehensive Zoning By-Law 2012.

**Context and Background Information:**

The Municipality of Kincardine has contracted MHBC Consultants to complete the comprehensive zoning review. Through the consolidated review, staff have provided comments, direction and updates to align with the provincial direction of the PPS as well as the Kincardine Official Plan. Through this process, key areas of the bylaw were identified and incorporated into the bylaw to help align with the overall vision and goals of the Municipality. This process also afforded the Municipality opportunity to address any redundancies, outdated provisions, provisional clarification and better align with not only the Municipal landscape, but provincial direction as well.

**Consultation Overview:**

Municipal staff, along with Bruce County Planning have worked closely with MHBC on the comprehensive review.

A Public Open House was held on October 29, 2024, in accordance with section 34(14) of the Planning Act at the Municipal Administration Centre. The event provided an opportunity for the public to come out and review the document as well as provide questions, comments and feedback. The feedback provided was positive and with excellent staff interaction on some of the key highlights that were identified within the comprehensive review.

Presentations from Bruce County Planning on the County Official Plan were presented along with a presentation from MHBC. Alignment with the Official Plan and highlighted changes were provided from our consultants to the attendees. Representation from the BIA was also in attendance, which afforded an excellent opportunity to consolidate feedback from those stakeholders.

**Origin:**

Under Section 26(20) of the Planning Act, a Municipality is obligated to amend all Zoning Bylaws to ensure conformity and alignment with the Official plan no later than 3 years after a revision to the Official Plan under subsection (1) or (8).

Kincardine's Official Plan came into effect in January 2021. MHBC was awarded the contract to complete the Comprehensive Zoning Bylaw review in November 2021

**Implementation Considerations:**

Through the Comprehensive Zoning Bylaw review process, consultation, comments and feedback from the public, key stakeholders, staff and commenting authorities provide the necessary input to formulate a regulatory document such as the Zoning Bylaw. This document provides the regulatory provisions by bringing together the guiding principles of the PPS and Official Plans.

Through the process of a Public Meeting, Council can hear any concerns, suggestions and delegations for consideration into the document that is exclusive to the Municipality of Kincardine. As with all Municipalities, zoning bylaws must consider and align with Provincial direction, however each Municipality is ultimately responsible for implementation of these directives and how they align with both Provincial and Upper Tier (County) policies.

The process of the public meeting will allow the Council to direct staff in reviewing and implementing any comments, suggestions or changes that arise from the meeting. It is with this process that the public, stakeholder and commenting authorities can identify to Council these concerns which ultimately contribute to a document that benefits the Municipality through to the next cycle of Official Plan and Zoning Reviews.

Upon consolidation of any comments received from the public meeting, staff and MHBC will be bringing the final DRAFT back to Council on December 11, 2024, with a recommendation to adopt.

### **Risk Analysis:**

In alignment with the provisions of the Planning Act, the Comprehensive Zoning Bylaw is to be completed within three (3) years of an Official Plan. Any appeals shall be pursuant to the Planning Act and any amendments thereto.

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**Attachments:** DRAFT Comprehensive Zoning Bylaw 2024  
DRAFT Comprehensive Zoning Bylaw Mapping 2024

**Prepared by:** Dwayne McNab CBCO—Chief Building Official/Development Services Manager

**Submitted by:** Dwayne McNab CBCO—Chief Building Official/Development Services Manager