

Staff Report to Council

Title: Draft Comprehensive Zoning By-law

Report Number: Development Services-2024-26

Director: Infrastructure & Development

Manager: Development Services

Meeting Date:
Wednesday, October 23, 2024

Date to be considered by Council:
Wednesday, October 23, 2024

Recommendation:

That Council receive the draft Comprehensive Zoning By-law as information and that a Public Open House be held on October 29th, 2024, and further that a Public Meeting be held November 13, 2024, in accordance with 34(12)(a)(ii) of the *Planning Act* RSO 1990

Executive Summary:

MHBC Planning, Urban Design Landscape Architecture Consulting firm (MHBC) are attending the meeting to present the Draft Comprehensive Zoning By-law to Council. The scope of the presentation will detail highlights and the over 10,000 proposed changes/ amendments that will demonstrate further alignment of the Municipality's long term goals and objectives, along with Provincial direction towards housing, infilling and diversified land uses.

Financial Considerations:

Budgetary considerations have been provided for in the 2020-2024 Budgets. The total costs incurred to date amount to \$115,718 with a total budget of \$140,000.

Based on the current project status, project completion is anticipated to be aligned with all budgeted amounts for the project.

Policy:

Provincial Policy Statement 2020 (PPS), *Planning Act* RSO 1990, Official Plan of the Municipality of Kincardine (2021), and Office Consolidation Kincardine Comprehensive Zoning By-law 2012 (as amended).

Context and Background Information:

MHBC is attending the meeting to provide Council with the DRAFT consolidated version of the Comprehensive Zoning By-law and an updated timeline for the remainder of the project.

MHBC was awarded the contract to complete the Official Plan Review in 2018. Upon the Official Plan's completion and implementation in 2021, the existing contract was extended to include completion of the Comprehensive Zoning By-law Review.

Consultation Overview:

Municipal staff and Bruce County Planning staff have worked closely with MHBC on the comprehensive Zoning Bylaw review.

Public Open House Meetings were held in 2022 to collect initial feedback from the public ahead of preparing the draft By-law.

The draft By-law is now available to Council and the public to provide comment ahead of the By-law being brought back for recommendation to adopt.

Origin:

Under Section 26(20) of the *Planning Act*, a municipality is obligated to amend all Zoning By-laws to ensure they conform with the official plan no later than three years after a revision to the Official Plan under subsection (1) or (8).

Kincardine's updated Official Plan came into effect in January 2021. MHBC was awarded the contract to complete the Comprehensive Zoning By-law review in November of 2021.

Implementation Considerations:

The draft By-law is now available on the Municipal website to the public for review and comment. Municipal Staff and MHBC will hold an Open House on October 29th, 2024, in accordance with Section 34(14) of the *Planning Act* at the Municipal Administration Centre (MAC). This Open House must be held at least seven days before the Public Meeting in accordance with the Act. This provides an opportunity for members of the public to ask questions and provide feedback on the draft By-law.

The statutory Public Meeting will be scheduled for the November 13th, 2024, Council Meeting. Under the *Planning Act*, such Public Meeting shall be held under Section 34(12(a)(ii), at least 20 days after notice has been given. This will be Council's opportunity to formally provide feedback and ask any questions of staff and MHBC.

After the Public Meeting, MHBC and staff will take any comments into consideration for review and then bring the final Comprehensive Zoning By-law back to Council for consideration. This is anticipated to be brought back to Council for adoption on December 11, 2024.

Staff are aware of the implementation timelines and challenges that are associated with a project of this magnitude. Staff have worked diligently on this project and have incorporated over 10,000 changes/ amendments to the document. Staff have utilized their available resources as efficiently as possible to ensure opportunities for comments and feedback are provided. With the DRAFT document now ready for release, Open Houses, on-line comment portals, newsletter/ newspaper notifications, radio and website postings have been implemented to afford the community opportunity and outlets for feedback. Seasonal challenges are also understood as our team strives to ensure collaboration and coordination with all groups and demographics. With this, Council is advised that the proposed dates for Open Houses and Public meetings and adoption are in alignment with the goal of having the Comprehensive Zoning Bylaw brought forth for implementation in the 2024 calendar year.

The dates presented within this report align with the intent of the Planning Act, however Council may amend these dates if further stakeholder and public comment is sought beyond the Open House and Public meeting dates. The current proposal will see Public/ Stakeholder comment and consultation period open from October 23, 2024 – November 22, 2024, however Council has the option to amend this.

Risk Analysis:

In alignment with the provisions of the Planning Act, our comprehensive review is to be completed within 3 years of the adoption of an Official Plan. Our consultants and staff have been actively working through a detailed review with the intent of bringing a comprehensive document forward for Council adoption. Adoption of the Consolidated Zoning By-law in 2024 will mitigate budgetary carry forward measures into 2025.

Attachments: MHBC Presentation dated October 23, 2024
Draft Comprehensive Zoning By-law October 2024
Draft Zoning Maps – Schedule A – October 2024

Prepared by: Amberly Weber, Planning Coordinator
Dwayne McNab, CBCO CBO/Manager of Development Services

Submitted by: Dwayne McNab, CBCO CBO/Manager of Development Services