

Staff Report to Council

Title: Comprehensive Zoning Bylaw – Consolidated DRAFT

Report Number: Development Services-2025-03

Director: Infrastructure & Development

Manager: Development Services

Meeting Date:
Wednesday, January 22, 2025

Date to be considered by Council:
Wednesday, January 22, 2025

Recommendation:

That the Council of the Municipality of Kincardine receives the Comprehensive Zoning By-law – Consolidated DRAFT as information for review and public engagement; and
Further, that a Public Meeting be held February 12, 2025, in accordance with Section 34(12)(a)(ii) of the *Planning Act* RSO 1990.

Executive Summary:

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 by-law were identified and incorporated into the by-law 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 This process also afforded the Municipality opportunity to address any redundancies, outdated provisions, provisional clarification and better align with not only the Municipal landscape, but provincial direction as well.

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 with implementation by the fiscal year end of 2024.

Based on the current project status, project completion is anticipated within the first ¼ of 2025 with an estimated budget impact of \$15,000- \$20,000. The financial implications through the 2025 budget were estimated to include a \$10,000 contingency, however the

adjusted amounts provided from our Consultants (MHBC) exceeded the projected contingency and are estimated at \$14,525.00. The contingency amount will need to be adjusted within the proposed 2025 budget based on our consultants' estimate.

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:

A Public Meeting was held on November 13, 2024, to receive public input, delegations, and council/ stakeholder comments on the proposed DRAFT Comprehensive Zoning Bylaw. Through this process, a Public Open House also was held to receive input from the public and hear presentations from our consultants as well as the County.

After receipt of public comments and inquiries, staff worked with Municipal stakeholders and our consultants to review these comments, suggestions and proposals and bring them into consideration with the new bylaw. During this review, complexities became evident with regards to provisional zoning uses and mapping layers and as a result, changes were needed to be incorporated to the Zoning Bylaw to afford a progressive alignment with the Provincial Planning Statement, County Official Plan, Local Official Plan and other planning legislation such as Bill 23.

The Comprehensive Zoning Bylaw highlights proposed changes/ amendments that will demonstrate further alignment of the Municipalities long term goals and objectives, along with Provincial direction towards housing, infilling and diversified land uses.

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, and a subsequent Open House was held on October 29, 2024, to receive input from the public.

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 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.

The draft By-law is now available on the Municipal website to the public for review and comment. Municipal Staff and MHBC will be accepting comments until February 14, 2025. This provides an opportunity for members of the public to submit further questions, ask questions and provide feedback on the draft Bylaw.

An additional Public Meeting will be scheduled for February 12, 2025, at the 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 (January 22/25) This will be Council's opportunity to formally provide feedback and ask any questions of staff and MHBC.

After the Public Meeting and close out of the public engagement, 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 March 12, 2025.

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.

Attachments:	Draft Comprehensive Zoning By-law 2025 Draft Comprehensive Zoning By-law Mapping 2025 Municipality of Kincardine Zoning By-law – Community comments Municipality of Kincardine Zoning By-law – Track Changes
Prepared by:	Dwayne McNab - Chief Building Official/ Manager of Development Services
Submitted by:	Dwayne McNab - Chief Building Official/ Manager of Development Services

Report Approval Details

Document Title:	Comprehensive Zoning Bylaw - Consolidated DRAFT - Development Services-2025-03.docx
Attachments:	- 2025 01 08 - DRAFT Kincardine Zoning Bylaw 2025.pdf - Municipality of Kincardine Zoning Bylaw - Community Comments.pdf - Municipality of Kincardine Zoning Bylaw - Track changes-Oct24 to Jan25.pdf
Final Approval Date:	Jan 10, 2025

This report and all of its attachments were approved and signed as outlined below:

Roxana Baumann

Jillene Bellchamber-Glazier