



Municipality of Port Hope
56 Queen Street
Port Hope, ON
L1A 3Z9

REPORT TO: Community Development Committee

FROM: Tom Dodds, Director, Community Development

SUBJECT: Update on Zoning By-law Review Project

DATE: September 7, 2021

RECOMMENDATION:
Receive for information.

BACKGROUND:

This report provides an update on the Municipality's Zoning By-law Review (ZBLR), which officially commenced March 2021. Under Council direction, the Community Development Department hired Meridian Planning Consultants to undertake a scoped review of the Municipality's Zoning By-Law. **Attachment A** is the Scope of Work and Workplan for this review. The review includes three areas of focus: housing, rural economic development, and technical updates to improve understanding of the zoning by-law document.

Planning staff have been working with Meridian Planning to meet project timelines as outlined in **Attachment A**. Currently the project is at Stage 2 of the timeline.

After completing the background review (Stage 1) preparation of a draft report was commenced by Meridian Planning outlining proposed changes to the zoning by-law and best practices from other Municipalities. Planning staff have reviewed the draft report, and Meridian is currently working to finalize the document. Once completed this report will be posted on the Zoning By-law community engagement page created on myportheope.ca

The next step (Stage 2) is presentation of the draft report to the public at the first open house early this fall. Meridian Planning will prepare a presentation explaining the project and have visuals to help communicate the proposed changes to the public. In co-ordination with planning staff, Meridian Planning will then take back any public comments and prepare a draft zoning by-law amendment (Stage 3). This draft zoning by-law amendment will be presented at a second public open house in late October or

November. Following the 2nd open house, a statutory public meeting organized by the Municipality will occur.

Stages 4 of the project timeline includes a final report with proposed amendments to the zoning by-law and a recommendation to report to Council in February 2022.

RESOURCE IMPLICATIONS:

The budgeted cost for the consultant to undertake the zoning bylaw review is \$31,300. The project requires considerable staff time to support the consultant's efforts.

CONCLUSION:

Planning staff are working with Meridian Planning to advance the Zoning by-law Review project, which includes a scoped review of housing options, rural economic development and technical updates for readability of the document. Stage 1 of the project is complete, and 2 of the project is underway. A draft report is being finalized by Meridian Planning and the first public open house is anticipate to occur in early fall 2021.

Respectfully submitted,

Tom Dodds
Director, Community Development

Attachment A: Zoning By-law Review Scope of Work & Workplan

The Municipality of Port Hope (MPH) retained Meridian Planning Consultants to review its zoning by-law and recommend changes as necessary in the form of a 'housekeeping' amendment to the bylaw. These types of amendments are very common and are required after any new by-law has been in use for a few years. A list of housekeeping items has been prepared by Municipal staff and have been incorporated in the attached table. There are three broad categories:

1. **Housing-related issues** (secondary suites, affordable housing, tiny homes, shared housing and parking requirements for certain housing types);
2. **Rural economic development** (on-farm diversified uses, agriculture-related uses, commercial greenhouses and farm related tourism); and,
3. **Technical issues** (mapping updates, parking provisions for certain uses, height of accessory structures, diagrams and other technical updates to improve clarity). There are two items on the list provided to go beyond the scope of a housekeeping amendment.

Zoning By-law Review and Update Process

On the basis of above, there is a four-stage process:

- **Stage 1** involved a background review and having detailed discussions with staff on each of the identified issues.
- **Stage 2** would involve the preparation of a background report that contains a review of all of the issues along with options for some issues and recommendations for others. A COVID appropriate public “open house” is planned for late September or early October when this second stage report is completed.
- **Stage 3** is the preparation of a draft zoning by-law amendment, followed by a second **open house** and a **public meeting**;
- **Stage 4** is the preparation of a final report with recommendations and zoning by-law amendment.

Figure 1: Project Timetable

Timing	Task
	Stage 1
March 2021 – April 2021	Background review of issues
	Stage 2
May 2021	Draft #1 of background report
July-September 2021	Draft #2 of background report including accessory residential units review
September-October 2021	1 st Public open house
	Stage 3
October 2021	Draft #1 of zoning by-law amendment
November 2021	Revised draft of zoning by-law amendment
November-December 2021	2 nd Public open house
January 2021	Public meeting
	Stage 4
January-February 2021	Recommendation report and final zoning by-law amendment

Figure 2: Preliminary List of Zoning by-law Review Housekeeping and related Issues to be Addressed

Issue	Staff Comments
Alignment of Development 'D' zone with reduced Hamlet Boundaries	<ul style="list-style-type: none"> • Included as a dedicated section of background paper under 'Technical Issues'
Secondary suites in Urban Area (existing and new ones):	<ul style="list-style-type: none"> • Number of units 2 or 3 (coach houses), parking, services and max size as a % of the total habitable floor space of the primary residential use • Include as a dedicated section of background paper under 'Housing'
Lot Splitting in Urban Area and character of neighborhood	<ul style="list-style-type: none"> • This is more an OP policy issue since it is OP that should govern lot creation
Affordable Housing Strategy	<ul style="list-style-type: none"> • Implement recommended actions under the "Policies and Regulations" heading • Include as a dedicated section of background paper under 'Housing'
Tiny Homes	<ul style="list-style-type: none"> • Include as a dedicated section of background paper under 'Housing'
Secondary suites in Rural Area	<ul style="list-style-type: none"> • Include as a dedicated section of background paper under 'Housing'
Wesleyville area: Official Plan Special Site Policy Area/Secondary Plan	<ul style="list-style-type: none"> • Include as a dedicated section of background paper
On-farm diversified uses (OFDU)	<ul style="list-style-type: none"> • Currently not permitted as of right in A and RU zones • Accessory On-farm accommodation in A, RU zones – size of the lot 40 ha, can it be permitted for smaller lots? (No min lot size reference in OMAFRA Guideline on Permitted Uses) • Include as a dedicated section of background paper on 'Rural Economic Development'
New uses: residential hospice; short term accommodation; shared housing to replace group homes, rooming and boarding houses	<ul style="list-style-type: none"> • Include as a dedicated section of background paper under 'Housing'

Issue	Staff Comments
Short term Accommodation and licensing	<ul style="list-style-type: none"> Determine whether part of ZBL or a separate study on its own and dealt with through a separate process
Reduce parking requirements for dwelling units in areas with access to public transit and for seniors/affordable housing	<ul style="list-style-type: none"> Include as a dedicated section of background paper under 'Housing'
Zones for AON lands (original OMB zones and the new zones)	<ul style="list-style-type: none"> Include as a dedicated section of background paper under 'Technical Issues'
Parking spaces for townhouses	<ul style="list-style-type: none"> Include as a dedicated section of background paper under 'Technical Issues' (Intent to provide more spaces in longer blocks of townhouses, but the language does the opposite)
Parking in Downtown Commercial 'COM3' Zone [Section 5.1.c) – add “except for COM3”]	<ul style="list-style-type: none"> Include as a dedicated section of background paper under 'Technical Issues'
Height of accessory structures (to the peak vs. mid point –like main structures)	<ul style="list-style-type: none"> Include as a dedicated section of background paper under 'Technical Issues'
Marijuana (there is already A defined use of MMPF permitted only in EMP1)	<ul style="list-style-type: none"> If plan is to simply update terminology and not permit the use in greenhouses, this could be accomplished as part of this process. The outdoor growing of cannabis would however be a permitted use.
Climate Change	<ul style="list-style-type: none"> Include as a dedicated section of background paper under 'Technical Issues'

Issue	Staff Comments
Adding diagrams to Zoning By-law	<ul style="list-style-type: none"> • Include as a dedicated section of background paper under 'Technical Issues'
Review of an area near Knoxville Road (Rural Area) that is zoned RU – possibility of more infilling	<ul style="list-style-type: none"> • More information to be provided on this matter
Miscellaneous Mapping changes	<ul style="list-style-type: none"> • Would be in a dedicated chapter in background paper under 'Technical Issues'
Commercial greenhouses	<ul style="list-style-type: none"> • Commercial greenhouse are permitted in COM2 and COMR zones only, and defined in ZBL. We have been receiving inquiries about greenhouses in Agricultural zones.
Group Homes	<ul style="list-style-type: none"> • Group homes have special setbacks in ZBL. This needs to be removed based on Human rights. • Include as a dedicated section of background paper under 'Technical Issues'
Non-Complying buildings and structures	<ul style="list-style-type: none"> • 4.18.1 Replacement, enlargement, repair or renovation section needs to be looked at. In specific, subsection b) reference to increasing “floor area” or “volume” in a required yard. • Include as a dedicated section of background paper under 'Technical Issues' <p>Eg. Enlarging a detached garage but keeping the Existing non-compliant setback the same or increasing the height of a non-complying shed.</p>
Duplex	<ul style="list-style-type: none"> • A duplex is defined use in the ZBL. However, there has been some confusion about the difference between a duplex and a single detached house with an accessory apartment. • Include as a dedicated section of background paper under 'Technical Issues'
Multi- Unit Dwelling	<ul style="list-style-type: none"> • This use and definition is a bit confusing. Revise it to make simpler. • Include as a dedicated section of background paper under 'Technical Issues'

Issue	Staff Comments
Farm Related Tourism Establishment	<ul style="list-style-type: none"> Commercial farm is not defined. Suggest removing this definition with updates from the OP and Province regarding farm-related uses and on-farm diversified uses. Include as a dedicated section of background paper under 'Technical Issues'
Front lot line	<ul style="list-style-type: none"> Definition is a bit confusing. Include as a dedicated section of background paper under 'Technical Issues'
Accessory structures/buildings	<ul style="list-style-type: none"> Setback from the front lot line currently not permitted closer than the house. Number of inquires re: this from both rural and urban. Rural: The house is existing and setback quite far from the road, limits location of a detached garage especially when factoring in septic/well locations Urban: Typically corner lots with existing building located in middle of lot. Include as a dedicated section of background paper under 'Technical Issues'
Lot Coverage of accessory Structures/buildings in rural residential areas	<ul style="list-style-type: none"> Lot coverage is 5% in rural residential zones and Countryside zones. Some small lots, which limits size of detached structures. Include as a dedicated section of background paper under 'Technical Issues'
Plan 173	<ul style="list-style-type: none"> References made to this area (Section 4.19.4), including lots that are legal non-conforming needs to be revised as there are some errors here
Landform Conservation section areas	<ul style="list-style-type: none"> This section needs to be revised.
Residential - Legal Non- conforming uses	<ul style="list-style-type: none"> Potentially look into this, for additions to SDD in COM zones (MV); or accessory structures to SDD
Development Zones	<ul style="list-style-type: none"> Suggest changing name of these lands to provide better clarity to the public.
Countryside Zones – Oak Ridges Moraine Rural Settlement Zone	<ul style="list-style-type: none"> This zone category is a typo; the zone should be ORM – Hamlet.