



Staff Report

Report number: CLK2018-03-18

Prepared by: Emily Dance, Clerk

File Number: 450 2017 Zoning By-Law

Subject:

Review

Comprehensive Zoning By-Law Update

Date: Mar. 5, 2018

**0 Attachments:**

**Recommendation:**

That the Township of Huron-Kinloss Council hereby receives for information Report Number CLK2018-03-18 prepared by Emily Dance, Clerk AND the Second Draft of the Comprehensive Zoning By-Law be released for agency and public consultation AND FURTHER March 24, 2018 be scheduled for the holding of a Public Open House as part of the ongoing public consultation process.

**Background:**

In early 2017, the Township began a comprehensive review of its Comprehensive Zoning By-law and existing zoning framework to implement the new Official Plan and update its zoning regulations to reflect current planning standards and best practices.

On August 14, 2017 Council approved the release of the Draft Zoning By-Law to allow the public and agencies to review the By-Law and provide comments.

A Public Open House was held on September 9, 2017. Following the Open House, additional work was required related to mapping of environmentally protected lands and ensure conformity with the County Official Plan, Planning Act and Provincial Policy Statement.

**Comments:**

MHBC has been diligent in addressing the concerns of the public and the commenting agencies. Attached to this report is the second Draft of the Comprehensive Zoning By-Law which incorporates recommendations from the Conservation Authorities, County of Bruce and Township Staff. The proposed draft conforms to the Township and County Official Plan and is consistent with the Provincial Policy Statement.

To assist with Council's consideration of the Draft By-Law, staff have identified the following key theme areas and discussion points.

Surplus Farm Dwellings

Section 25- Special Provisions related to Surplus Farm Dwellings. The Special provision

removed the need for a site specific zoning amendment. This would remove Council's consideration of the application as it would go directly to the County of Bruce Land Division Committee (delegated powers given to Deputy-Secretary Treasurer). Additionally, a blanket clause will be difficult to apply due to the various scenarios involved with surplus farm dwellings resulting in public confusion and additional applications required.

Staff is recommending the provision be removed until it has been proven in the County of Bruce. If Council would like to pursue the Special Provision further, staff recommends a Legal Opinion be sought to ensure it is consistent with the Planning Act.

## **Second Single Farm Residence**

It is the opinion of the County of Bruce that to the extent of the individual's eligibility for a secondary farm residence is not in conformity with the County Official Plan or the Provincial Policy Statement. Township staff concerns include the long term implications of two dwellings on one lot across prime agriculture lands; consideration would need to be given to applying parkland fees, development charges, provisions for services i.e. septic and water; as well, other provisions of the Zoning By-Law such as accessory secondary unit within each Farm Residence.

It is recommended that a second single farm residence not be as of right Permitted Use rather be subject to a needs test at the time of creation.

The County Planning department is of the opinion that the applicant should demonstrate via a zoning amendment that the residence is needed for full time (365 days a year) farm help. Secondly, considering the need for farm help may change over the years with changing agriculture operations on the farm that the second residence may no longer be required; therefore should be a mobile home or similar portable unit.

## Environmentally Protected Areas

A number of comments were received with concerns about the extent / identification of the "EP" zone on specific properties. MHBC has worked closely with the Conservation Authorities to go through the "EP" mapping to refine the limits in areas where there are existing uses and in response to comments received. The Saugeen Valley Conservation Authority has identified areas that they are unable to support the full extent of the refinements requested without a site specific investigation.

## Project Schedule

March 5, 2018 - MHBC to present the second draft in further detail at the Committee of the Whole Meeting.

March 24, 2018 – Non-Statutory Public Open House to be held at the Ripley-Huron Community Centre from 10am – 1pm to give the public an opportunity to ask questions regarding the second draft.

May 14, 2018 – Statutory Public Meeting - MHBC to present the final draft of the Zoning By-Law.

May 23, 2018 – Council to adopt the new By-Law.

The consultant will continue to receive and review any further comments received and revise the draft Zoning By-Law as appropriate.

Notification for the Open House will be provided by direct mail-outs to properties affected

and by those who have requested notification, social media, Township website and Township newsletters.

**Financial Impact/Budget Implications:**

The total project cost between 2017 and 2018 is approximately \$111,675.68 (including HST), no further budget implications are anticipated at this time.

**Alignment to Sustainability Plan Goals and Directions:**

We are an accessible community that offers opportunities for everyone by ensuring people have a place to live, by having amenities and services nearby and by being open and transparent.

We are an environmentally conscious community that are good stewards of our natural environment by protecting our natural assets

Respectfully submitted:  
(original signed by)  
Emily Dance, Clerk

Reviewed by:  
Mary Rose Walden, Chief Administrative Officer