



Municipality of Northern Bruce Peninsula Planning Report



Meeting Date: September 25, 2017

To: Northern Bruce Peninsula Council

From: Jakob Van Dorp, Senior Planner
County of Bruce Planning and Development

Subject: New Comprehensive Zoning By-law

Recommendation:

That this report be received is for information;

That Council direct that the 15 Metre "Potential Wave Uprush Area" be removed from the final zoning schedules for the reasons outlined in this report.

Background

The Zoning By-law is the legal tool for managing land use in the Municipality. The current Zoning By-law was established in 2002. Based on changes to the Official Plan and Provincial legislation since that time, it is time to consider a new Zoning By-law. This process began in 2013 but stopped in order to find a way to develop better mapping of Environmental Hazards to buildings and structures.

The Hazard Mapping Pilot Project Steering Committee, comprised of Council and members of the general public with environmental, development and general public interests met throughout 2015 to study and ultimately, approve the criteria for mapping Environmental Hazards within the Municipality. The Grey Sauble Conservation Authority (GSCA) was hired to map these criteria using the best data sources available.

In addition, a new Provincial Policy Statement was issued in 2014 and further changes to the Official Plan and zoning by-law were warranted. As a result, the Municipality initiated a new process in 2017 to update the Official Plan for Tobermory, Lion's Head, and Ferndale, and to prepare a new comprehensive zoning by-law using the 2013 project as a basic framework. A combined process was selected in order for issues to be addressed at the plan level and at the implementation level.

Combining the Official Plan update with the new zoning by-law allows issues that relate to Tobermory, Lion's Head, and Ferndale to be understood from the "vision" level of the Official Plan down to the implementation details of the zoning by-law.

Public Consultation

This project included a Public Consultation strategy that was approved by Council to provide:

- Notice to all ratepayers of the project through Tax Notice newsletters in February and June
- Newspaper Notices of the Special Council Meeting (January 23rd); 'Save the Date' and followup notices of Public Meetings in the Tobermory Press;
- An online interactive viewer to enable property-specific review of proposed zoning schedules

- Open Houses on Sunday May 28th, 2017, Saturday July 8 2017, and Monday September 25th, 2017
- Opportunities for property-specific reviews of proposed Environmental Hazard Mapping by the Grey Sauble Conservation Authority
- Publication of proposed Zoning by-laws, Official Plans, and background information in Library Branches and at the Municipal Office, and online.

Reports to Council regarding the project, public comments, and various were provided on January 23rd, April 10th, June 12th, July 31st, and September 10th with minutes published in the Tobermory Press.

Public Comments

To date, the majority of the public comments received by Planning and Municipal Staff relate to:

- 1) Mapping of Environmental Hazards, further related to:
 - a. Great Lakes and Lake Huron Shoreline;
 - b. Inland Lakes;
 - c. Provincially Significant Wetlands; and
 - d. Mapping Accuracy (including other inland areas)
- 2) Provisions for Advanced Sewage Disposal Systems on small lots
- 3) Minimum Size for Dwelling units
- 4) Short Term Accommodations
- 5) Scope of Changes to the by-law

Public Comments received in respect of this project are attached as Correspondence to this agenda. Staff endeavoured to acknowledge each comment, and to respond directly and personally wherever possible to address concerns that were raised in advance of this meeting. Due to the volume of comments received this was not always possible to achieve.

Hazards Mapping

The Criteria for what should be mapped as a hazard was established by the Pilot Project Steering Committee. Mapping was prepared by the Grey Sauble Conservation Authority to address these Hazards, using the overlap in airphotos to create a 3-dimensional digital elevation model which offers greater accuracy, especially in areas with less vegetation. Background information published on the Municipal website (<http://www.northbrucepeninsula.ca/content/official-plan-update-and-new-zoning-law>) included the Pilot Project Steering Committee Report, a Brief on the Mapping, Examples of the mapping, “a Provincial Guide to Understanding Natural Hazards” (MNRF, 2001) and the “Great Lakes Flooding and Water Related Hazards” report (MNRF, 1989).

a. Great Lakes and Lake Huron Shoreline:

Some concerns in this area relate to the mapping of the ‘**100 year flood elevation**’ as compared to the ‘High Water Mark’ which may be shown on surveys and marked with boundary markers, or related to lived experience of 1980s High Water Levels. The 100-year flood event is based on the Ministry of Natural Resources’ 1989 Report which provides specific elevations above sea level for different sections of shoreline along the Great lakes. It is an event that is forecast to have a probability of occurring once in 100 years, and while it accounts for historic water levels (having been published shortly after the 1980s high water period) it assumes water level, wind, and wave conditions which may not have been experienced on Lake Huron during a single event.

The surveyor’s High Water Mark may be in the same spot as the 100-year flood elevation, but not necessarily. The location of “mature” trees (versus trees that have started to grow during low water years) is often used to assume the location of the ‘High Water Mark, and may have been relied upon

in the past.’ The St. Edmund’s Township Zoning by-law 1986-12, for example, which preceded the current by-law (2002-54), referred to lands below the “High Water Mark” as being zoned “hazard,” but did not provide a specific elevation. The 100-year flood event, defined by the MNR as a 100-year Peak Instantaneous Water Level, may not saturate roots long enough to kill trees, but could nevertheless pose risks to buildings, structures, and safety.

From reviewing the MNRFs model we noted that the current by-law refers only to a 177.6m Above Sea Level (ASL), whereas the MNRF identified elevations of 177.7m ASL and 177.8m ASL, as below:

Area	Current	Proposed, per MNRF Report	Note
Lake Huron Pike Bay to Cape Hurd	177.6	177.6	(no change)
Cape Hurd to Stormhaven	177.6	177.7	(+10 cm)
Georgian Bay	177.6	177.8	(+20 cm)

The anticipated effects of this increase in elevations seem to be limited to some properties on Myles Drive, Lake Huron side of Big Tub Harbour road, and a few lots around Tobermory Lodge. The changes do not appear to render any properties “undevelopable.”

Along Georgian Bay most buildings and structures are already located above new floodproofing elevation due to steep shorelines.

We also received comments during the process about a 1987 storm event on Georgian Bay which generated waves in excess of the MNRFs 100-year flood elevation, and expressing concern that the elevations were not high enough to offer adequate protection.

The larger issue in terms of comments received in this area relates to mapping the “Red Line” or “**Potential Wave Uprush Area**” intended to be shown as a 15-metre offset from the 100-year flood elevation. Although not included in the “Environmental Hazard” zone this area was included within the “Environmental Hazards” layer on the interactive maps which has generated considerable anxiety.

What is the Wave Uprush Area?

The Definition of Flooding Hazards within the *Provincial Policy Statement* includes an allowance for wave uprush. The *Guide to Understanding Natural Hazards* describes it is an area along shorelines subject to wave action where winds can drive waves farther inland, beyond the 100-year flood limit. Waves hitting vertical structures can also send spray inland and overtop breakwalls, bluffs, or other shoreline structures that act as barriers.

What is the appropriate allowance for wave uprush? The *Understanding Natural Hazards Guide* provides that “Where planning authorities lack technical information from studies, the province suggests using 15 metres for wave uprush and other water related hazards on Lake Huron—measured horizontally from the 100-year flood level.

In reviewing this issue, the Municipality’s Pilot Project Steering Committee report notes that wave action associated with storms can create hazardous conditions. However it was also recognized

that the hazard only exists if buildings and structures are not properly set back to accommodate for wave action. For the most part, the “hazard” only exists during storm events. As such, the Committee considered small yet potentially important nomenclature issues, and suggest that “great lakes setback” and “wave impact setback” might be more appropriate policy and regulatory labels.

The Committee recommended that County and Local plans recognize that “accurate shoreline/wave uprush mapping is not in all cases available and the impacts associated with Great Lakes can be addressed through written provisions in the Comprehensive Zoning By-law.”

Above the 100-year flood elevation, the current zoning by-law outlines two approaches to addressing wave-related impacts for new development.

1. Elevate buildings and structures to a minimum floodproofing elevation; or
2. Employ a development setback of 15 metres from the 100-year flood elevation.

The Proposed Zoning by-law maintains this concept. Thus, with regard to the 15 metre wave uprush setback, given that:

- Mapping and associated calculations of nearshore conditions (including shoals, fetch, shape of bays) and conditions above the 100-year flood elevation that would provide detailed wave uprush calculations for different areas of the Peninsula were not part of this project; and
- Provisions for a 15 metre setback or floodproofing elevation are found in the existing and proposed comprehensive zoning by-laws, with the proposed by-law including an increased floodproofing elevation for Georgian Bay of 179.1m Above Sea Level;
- “New” lots created since 2000 have generally been planned to accommodate and be subject to greater setbacks as outlined in the Bruce County Official Plan;

It would be reasonable to maintain the 100-year flood elevation and remove the general 15 metre “wave uprush area” from the schedules of the zoning by-law.

Other Changes related to Great lakes Shoreline Setbacks in the Proposed Zoning By-law

Current By-law (Section 6.30)

In any zone, no building openings associated with the habitable floor area of a dwelling or structure shall be located at or below the minimum elevation of 179.1 m G.S.C. (587.5 ft) for lands adjacent to Lake Huron and 178 m G.S.C. (583.9 ft) for lands adjacent to Georgian Bay.

or;

In any zone on lands adjacent to Georgian Bay or Lake Huron, all habitable buildings shall be setback a minimum of 15 m (49 ft) measured horizontally from the 177.6 G.S.C. (582.6ft) elevation.

- Section 6.30 does not specify a setback under the floodproofing option.
- 7.5 metres is the applicable rear yard setback in the R1 and R2 zones.

Current By-law Section 7.7.4 **More Than One Zone on a Lot** states

Where a lot has two or more of its parts classified in different zones, then the provisions for each zone shall apply to each part as if said part was a separate lot, except that the lot area requirement for an agricultural use can include the part zoned in a Rural zone and any part that may be zoned Environmental Hazard.

- This provision means that setbacks for the purposes of habitable buildings are measured from the limit of the Environmental Hazard zone, not the “lot line” as shown on a boundary survey; Note that, except where there is a shore road allowance, someone else’s property (including

deeded Municipal lands) or some other clear reservation of shore lands, the property boundary in Ontario is typically the edge of the water on a given day.

There are some challenges with the current by-law which we are proposing to resolve:

Issue in Current By-law	Solution in Proposed By-law
Lake Huron Floodproofing elevation for wave uprush only 20cm higher than recommended 100-year flood elevation	Apply 179.1m floodproofing elevation for all lots on Lake Huron / Georgian Bay. This does not appear
Lots on a point, with lake frontage on two sides (does a 3 metre side yard setback apply?)	Include 7.5 metre setback in the floodproofing option (179.1)
Floodproofing required for additions larger than 50% of the area of the <u>original</u> structure	Require <u>any additions</u> to be adequately floodproofed. This applies to building <u>openings</u> , not floor height.
Two separate sections referring to the applicable setback could result in inconsistent application.	Consolidate the provision
“Habitable” use vs accessory buildings, change of use over time, and risk of loss in the event of flooding.	Establish provisions for a boathouse (for storing boats and related accessories), exempt from floodproofing requirements. Require setbacks/ floodproofing for all other enclosed buildings/structures.
Official Plan directs 30m setback for “New” lots. Lots created under the old by-law become “existing” lots in new by-law.	For the purposes of lake setbacks, apply Jan 1, 2000 as the date for 15m setbacks vs. 30m setbacks. (Plan policy since 1997, Current by-law is from 2002. Most waterfront lots created in the last 17 years have site-or subdivision-specific zoning. (such as Greenough, Wildflower, Matheson Drive).

The primary objective in these provisions is to protect buildings and structures from damage due to flooding, wave uprush, and other coastal hazards such as ice piling up.

A secondary objective is to address neighbourhood impacts of development along the shoreline. Establishing consistent setbacks and provisions that limit the scale of buildings along the shoreline can aid in reducing these impacts. Provisions for trailers other than boat trailers in association with a dwelling require them to be parked/stored outside the Environmental Hazard zone, and so typically they would not be parked out on the shoreline.

The by-law recognizes that these structures exist and provides for additions or replacement in the event of catastrophe (subject to floodproofing noted above). We would generally recommend that the opportunity be taken wherever possible through redevelopment to locate further from shoreline hazards.

b. Inland Lakes

Inland Lakes were mapped with a 15 metre Environmental Hazard setback from their high water mark, similar to the direction of the County Official Plan for treatment of watercourses and policies for development on inland lakes. Specific text provisions provided for additions to existing buildings and structures based on their proximity to the lake.

This mapping generated considerable concern regarding likelihood of flooding and erosion (based on geology, shoreline slope, and watershed characteristics) and impacts to property values. Recognizing these issues, the area to be zoned “Environmental Hazard” was reduced to the high water mark of the lake, with the 15 metre area removed. Text provisions were simplified to provide

a 15 metre setback for new development, and to permit additions to existing buildings and structures provided that they are not less than 10 metres from the lake. These provisions could benefit from further clarification that additions be permitted above an existing dwelling, so long as additional ground is not occupied. The provisions also generally permit an unenclosed structure (deck or gazebo) and a boathouse (on one's property).

The current zoning by-law does not specify a setback to the lake, and R2 zone Rear Yard setbacks (7.6m or 25 feet) have typically been applied. We also reviewed other jurisdictions including South Bruce Peninsula (15 metres, similar lake characteristics) and Muskoka (20 metres, often greater elevation changes near lakes) for comparison.

We received some specific comments on these text setbacks, requesting that the current provisions be retained. We also analysed these setbacks compared to the pattern of existing development on inland lakes (see maps in Appendix 'D' to this report and found that with the exception of Gillies Lake the majority of existing development on lots is already located at least 10 metres inland lakes, as summarized in the table below:

Lake	# of shoreline Lots with road access	# of Developed Lots	# of Lots with principal building within 10m of the mapped High Water Mark	% of Lots with Principal more than 10m from mapped High Water mark
Little Lake (Barrow Bay)	76	69	10	85%
Cameron Lake	95	91	11	88%
Gillies Lake	25 (not including lands in DC Area)	22	15	32%
Miller Lake	210	185	41	78%

Several lots may have an existing building closer to the lake, however we have focused on dwellings which are the focus of the proposed by-law, and note that the proposal permits a building for storing boats and related accessories and unenclosed buildings like a gazebo or deck.

c. Provincially Significant Wetlands

The Province uses the Ontario Wetland Evaluation System to determine whether wetlands qualify as being the most valuable or "Provincially Significant." The Provincial Ministry of Natural Resources and Forestry is responsible for maintaining information about Provincially Significant Wetlands, including their boundaries.

Municipalities are directed, through the Provincial Policy Statement, to prohibit development and site alteration in Provincially Significant Wetlands and to prohibit development on lands adjacent to Provincially Significant Wetlands unless the function of the lands has been evaluated and it can be demonstrated that there will be no negative impact on the wetland feature or its ecological functions. The PPS notes that it these policies are not intended to limit the ability of agricultural uses to continue.

To address the PSWs themselves, the proposed Zoning by-law includes the Provincially Significant Wetland boundaries provided by the Province as "EH-PSW" and establishes special provisions:

- i) Notwithstanding their 'EH' Zoning designation, those lands delineated as '**EH-psw**' on Schedule 'A' to this By-Law, shall only be used for 'forestry/silviculture' and the following existing uses: agriculture, outdoor recreational activities which are non-intensive in nature and are compatible

with the surrounding natural environment including uses such as nature interpretation, hiking and walking trails, cross-country skiing, fishing and hunting in accordance with the 'EH' Zone provisions contained in this By-Law, excepting however that notwithstanding the provisions of Section 4.7.1, the boundaries and uses of the 'EH-a' Zone shall not be altered except by a By-Law passed under Section 34 of the Planning Act, R.S.O 1990 as amended.

- ii) All buildings and structures shall be prohibited in the 'EH-PSW' zone except those necessary for flood and/or erosion control purposes in accordance with Section 24.3. Site alteration, such as filling or excavation is not permitted within the 'EH-PSW' zone except to allow existing agricultural uses to continue.

There are a variety of lands and uses within 120 metres of Provincially Significant Wetlands, including lots which are already zoned to permit various uses and in many cases have been developed, some to a greater extent than others. To address the lands adjacent to Provincially Significant Wetlands the zoning by-law establishes a site plan control area for lands within 120 metres of the PSW, 120 metres being the distance recommended by the provincial Natural Heritage Reference Manual. This is consistent with the Pilot Project Steering Committee recommendations to:

- Not include these adjacent lands within the Environmental Hazard "zone"
- recognize them in plans, authorize site plan control in plans, and have the Municipality of Northern Bruce Peninsula "develop and adopt site plan control standards to the extent that the requirements for site plan approvals on "adjacent lands" are known and predictable."

This would be a followup project, with separate terms of reference. The purpose would be to establish straightforward standards to address the impacts anticipated from development permitted by the by-law, with minimal administrative burden.

Comments received regarding PSWs express concern that, in some cases, these wetlands have not been previously identified within the EH Environmental Hazard zone, are not accurate, that the EH-PSW zone poses a threat to the enjoyment of property, and results in loss in value and/or government 'seizure' of land. As the layers are provided and administered by the province, we have directed boundary related queries, and queries regarding property tax relief for PSW lands to the MNRF.

d. Inland Hazards

Some queries were received regarding other Hazards including location of slope erosion hazards (typically in proximity to Niagara Escarpment) and introduction of Hazard mapping to properties that were not previously identified as having hazards. These were referred to the GSCA for review, with the note that the objective is not to create hazards but rather to identify hazards to buildings and structures that exist on the ground.

Progress of Assessments

We requested information from the GSCA regarding the number of hazard reviews undertaken as part of this process. At the time of writing this report GSCA indicated that they had received approximately 140 requests, and had process about 75 percent of them. Most requests resulted in minor changes, with larger changes tending to be because of trees and obstructions that are challenging for the model to process.

We note that in addition to corrections based on property owners requests, some additional Environmental Hazard areas have been identified since the maps were initially released. We have

prepared specific schedules which identify these areas which are attached to this report as Appendix 'C'. All but 4 of these changes are within Open Space lands owned for conservation purposes by government or conservation organizations. This represents a consultation challenge which we will work to address with the 4 private landowners before the next public meeting.

At some point we will need to establish an end date for receiving requests for reassessment, so that we can complete the layer. At this time we are continuing to process these changes and will provide Council with a summary document of the requests and changes and the recommended "EH Environmental Hazard" mapping in the schedules of the By-law.

2. Advanced Sewage Disposal Systems for Small Lots

Background information on this topic is outlined in the report under the Local Official Plan Update which is also on this agenda. The proposed zoning by-law includes provisions to require a "sewage disposal system – advanced treatment unit for new or replacement septic systems on R1, R2, and HR Hamlet Residential lots under 2400 square metres serviced by Municipal water and lots under 3700 square metres where there are no municipal services.

The by-law also expands the minimum lot area requirements for additional dwelling units to address lot area requirements for these uses. Based on typical lot areas where Municipal sewer services are not available there are very limited opportunities for additional apartment uses that would be consistent with groundwater protection.

3. Minimum Size for Dwelling Units

A number of were received on this topic, mostly supporting smaller dwelling unit sizes or eliminating size provisions from the by-law. In a review of these comments with Council on June 12th it was indicated that the size be established at 70 square metres for single and semi-detached dwellings. A definition to facilitate straightforward interpretation of size was prepared:

"Floor Area, Gross" or "Gross Floor Area" in the case of a residential dwelling, means the total area of all year-round habitable rooms located above finished grade and measured between the exterior faces of the exterior walls, but does not include garages, breezeways, and unenclosed porches, sunrooms and verandas.

We note that some apartment sizes remain at smaller net floor area than required by the current zoning by-law, and island development provisions maintain the provision for a 50 square metre dwelling as found in the current zoning by-law. We also note that 3 references to the previously proposed 50 square metre provision were identified in the drafts currently posted and are noted for removal in Appendix "X" – further minor revisions.

4. Short Term Accommodations

This topic generated significant interest early in the discussion process, and was canvassed on June 12th with preliminary direction from Council that the matter not be addressed in the comprehensive zoning by-law. Since then we have received a few additional comments expressing concerns with short term accommodations, mostly associated with exceeding the capacity of onsite sewage disposal systems and neighbourhood concerns regarding noise and level of use of properties.

5. Scope of Changes to By-law and Consultation

The challenge of preparing a new comprehensive zoning by-law is that it often does involve considerable change.

The consultation process is outlined above, and this report is prepared in support of ongoing public consultation that will provide Council with additional information to consider prior to making a decision.

Discussion of Other Changes

The following discussion generally corresponds to the order of the “Side by Side” zoning by-law. Note that in all zones special provisions have been carried over where they permit uses or setbacks that are not permitted in the new by-law. Provisions related only to lot area or frontage have generally not been carried forward as these were typically applied to create the lots.

We have heard concerns about the scope of the changes to the by-law and have focused in this section on changes to General Provisions and Rural and Residential zones (Section 1 and Sections 3 through 10. A similar review of changes to definitions (Section 2) the balance of the proposed zoning by-law (Sections 11 through 26) will be provided in advance of the October 10th public meeting.

Section	What	Why
Preamble	And whereas the council of the corporation of the Municipality Of Northern Bruce Peninsula further considers it advisable to restrict and regulate the use of land situated within the defined areas, as hereinafter designated, for the purpose of regulating and prohibiting development of particular lands that would create an adverse effect on the corporation, or would jeopardize future orderly development and expansion, to produce areas of compatible characteristics, and to provide protection for the residents against undesirable uses.	Adds a 'why' to existing provisions (what the by-law is, and what it does)
1.2	This By-law shall be administered by the "Zoning Administrator".	Clarifies role for administration of the by-law
1.3	Area to Which by-law applies (Municipality, except lands under Niagara Escarpment Plan Area; adds .3 No person shall occupy or use lands owned or under the jurisdiction of the Corporation, or erect any building or structure on lands owned or under the jurisdiction of the Corporation without the express written permission of the Corporation.	The unauthorized occupation of public land can result in significant environmental, civil and public safety risks and liabilities to the Corporation (e.g. hazardous waste deposition, substandard water crossings, unsafe structures, impacts to other users, etc.).
1.4 Application of By-law	Exempts buildings/structures under 9 square feet	Small Pumphouses, mailboxes, etc.
1.5	Continuation of Minor Variance	A variance to a zoning by-law is only good as long as that zoning by-law is in effect. Most variances in the municipality relate to specific buildigns/structures. This provision provides for transition.

1.7	Applications Plans and Permits	Condensed from current zoning by-law to refer to building code process which may change from time to time.
1.8	Entry and Inspection`	Place text from Act in a Note (notes are not part of by-law and can be updated if necessary)
1.6.2	Typo / Section Reference corrections	Allows these to be corrected without having to process a formal zoning amendment
1.6.3	References to other Legislation and Agencies	General administrative provision
1.9	Violations and Penalties	Place text from Act in a Note (notes are not part of by-law and can be updated if necessary)
Section 2:	Definitions	Various changes. Detailed review to be completed in advance of October 10 Public Meeting
Section 3	General Provisions (Was Section 6)	
3.1	Similar <i>Permitted uses in all zones.</i>	Mostly around utilities and communications infrastructure that is typically not regulated by Province or Federal government
3.1.2	Added provisions for Temporary Buildings and Construction Facilities; Added provisions to permit a travel trailer to be used during construction Added provisions for temporary use of shipping containers.	note that such facilities are to be removed /demolished unless they also qualify as accessory buildings, in which case they are not established as 'Temporary' facilities. See shipping containers discussion Item 3 on June 12 and July 31 Reports (Background Information on this agenda)
3.1.4	Signs and Signals	Minor administrative change
3.40	Sewage Disposal Systems	Require connection to municipal services where connection and capacity are available Require specific zoning for large sewage systems

3.1.5	Multi-purpose Use Recreational Trails	Broadly permit trails, while prohibiting motorized vehicle trails other than snowmobile trails on environmentally-sensitive lands in public ownership.
3.3	Buffer on Lands adjoining Industrial or Residential Uses/Zones	Apply Ministry of Environment Guideline D6 – Compatibility between Industrial Facilities and Sensitive Uses
3.5.4	Existing Lots	Consolidated from various sections of current by-law
3.6.1	Prohibited Structures	Address a property standards issue. Provisions are provided for shipping containers specifically in various zones.
3.6.2	Use of Accessory Buildings and structures	Minor change to prohibit use for human habitation/ <u>dwelling</u> unless otherwise permitted.
3.6.5 Accessory Buildings Number, Size, Lot Coverage	Add Size and lot coverage provisions for accessory buildings	Intended to address large accessory buildings on smaller lots. <i>Note: Should move 5% provision into table, to apply to R1,R2,R3,HR,PD,C1 only.</i>
3.6.3.1 Location Accessory buildings in residential zones	Removes provision for garages closer to the street than a dwelling/principal building or structure in R1, R3, R1 Special, R3 Special zones (permitted in current by-law subject to minimum front and side yard requirements for the zone).	Intended to provide for attractive streetscape in urban zones. <i>May be appropriate to maintain existing provision</i>
3.6.3.3	Accessory Building Location = Rural Non-farm Lot	Similar to urban and R2 lots, slightly greater side yard setbacks, garage can be out front.

3.6.4 Height of accessory buildings/structures	RC Resort Commercial, C2 Hamlet Commercial, OS Open Space increased 5m to 8m CLI decreased 10m to 8m RCM and ACM (Ag and Rural Commercial Industrial) accessory decreased from 15m (main building) to 8m EX reduced from 30m to 8m EH specified for buildings/structures other than flood control and boathouse	More flexibility in some zones; reductions in others such as CLI, RCM, ACM could be reviewed
Separation from Main Building	In current, Removed from proposed by-law	May be wise, but not necessary. Setbacks to dwellings on adjacent lots (3m / 9.8 ft) have been included.

<p>3.6.7 Shipping Containers</p>	<p>Permit in various zones and establish provisions RU1, HC, CLI, AP, EX, MIS, OS, OSR, HI, RC, TTP, IN, INR, subject to the following provisions:</p> <ul style="list-style-type: none"> .1 The permanent placement of shipping containers shall only be permitted as an accessory use to a main permitted building on a property; .2 One shipping container may be permitted per 0.4 hectares of property, to a maximum of 4 shipping containers on a lot. .3 Shipping containers shall be located in interior side yards and rear yards only and must comply with all other regulations of the applicable zone in which they are located .4 In any zone other than a Rural zone Shipping containers shall be subject to the provisions of Section 3.17 – Open Storage Areas and shall require a Planting Area / Visual Screening in accordance with Section 3.15. In a Rural zone a Planting Area / Visual Screening from the street and any dwelling on an adjacent lot shall be required as per Section 3.15 except that the planting area may be located adjacent to the container. .5 Shipping Containers shall not be used for the purpose of a commercial storage facility; .6 Shipping containers shall not be stacked; .7 Unless otherwise permitted in this By-law a shipping container shall not be located in a required parking area; .8 A shipping container shall not be placed or used for the purpose of display or advertising. 	<p>Currently prohibited structure but has potential to be useful.</p> <p>See shipping containers discussion Item 3 on June 12 and July 31 Reports (Background Information on this agenda)</p>
----------------------------------	--	---

<p>3.6.8 Boathouses</p>	<p>3.6.8 Boathouses</p> <p>A 'Boathouse' may be permitted only on a 'Waterfront Lot – Inland Lake' or 'Waterfront Lot – Lake Huron/Georgian Bay' or navigable waterway flowing directly into Lake Huron/Georgian Bay as an accessory use - detached structure to a permitted primary building to be used exclusively for the storage of boats, boating equipment and related boating accessories subject to the following provisions:</p> <ul style="list-style-type: none"> (i) May be erected 0 metres (0 ft.) from the Lot line that abuts the water body; (ii) Shall not be located on lands zoned EH-PSW; (iii) Shall be no closer than 5.0 metres (16 ft.) to an abutting 'Lot'; (iv) The Maximum Building Height measured from the side of the structure that abuts the water body shall be 5.0 metres (16 ft.); (v) The Maximum 'Floor Area, Gross' shall be 37 m² (400 ft²); (vi) All other provisions of Section 3.6 shall apply. <p>Note: Approvals/permits from the Ontario Ministry of Natural Resources and/or Department of Fisheries and Oceans may also be required for a Boathouse. Boathouses shall not be erected within the lake or on the municipally owned Shore Road Allowance.</p>	<p>Increased from 8 square metres (86 square feet), setback to [side] lot line reduced to 5 metres.</p> <p>See Discussion Topics on June 12 and July 31 reports.</p>
-------------------------	---	--

<p>3.6.9 Private Guest Cabin</p>	<p>3.6.9 Private Guest Cabin</p> <p>Where listed as a 'Permitted Use', a Private Guest Cabin may be permitted as an accessory use - detached structure to be used in accordance with the following:</p> <ul style="list-style-type: none"> (i) A maximum of one (1) Private Guest Cabin per 'Lot of Record' shall be permitted; (ii) A 'Private Guest Cabin' shall not be permitted on a lot with a 'Dwelling, Secondary Suite' or a 'Dwelling, Garden Suite;' (iii) A 'Private Guest Cabin' shall not be permitted on a lot that does not meet the minimum lot area requirements for the zone in which it is located; (iv) The Private Guest Cabin shall have a maximum height of 5.0 metres (16 ft.); (v) There shall be no kitchen/cooking facilities and/or washing/toilet/washroom facilities in the Private Guest Cabin; (vi) The Private Guest Cabin shall be for the accommodation of non-paying guests only; The Private Guest Cabin shall have a Minimum 'Floor Area, Gross' of 10.2 m² (110 ft²) and a Maximum 'Floor Area, Gross' of 23.0 m² (247 ft²); <p>A Private Guest Cabin shall be subject to all other Zone Provisions for Principal/Primary/Main buildings.</p>	<p>See discussion topics in June 12 and July 31 reports and policies in Draft Official Plan update.</p>
----------------------------------	--	---

3.6.10	<p>3.6.10 Tents, Trailers, and Recreational Vehicles</p> <p>i) Except where provided and subject to the provisions of: Section 3.1.2 – Temporary Buildings and Construction Facilities; or Section 13 – Travel Trailer Park and Campground (TTP) zone, The use of tents, trailers, and recreational vehicles for human habitation shall be prohibited except:</p> <ul style="list-style-type: none"> a. For the occasional and temporary accommodation of non-paying guests, provided that a detached dwelling exists on the property; and b. In accordance with the driveway provisions outlined in Section 3.26.13; or c. In accordance with the minimum side and rear yard setback requirements for the zone 	<p>See topics noted January 23, April 10, June 12, July 31. Further revised to focus on basic standards and provide a mechanism to address neighbourhood issues that may arise.</p>
	<p>Note: The Municipality’s Tent and Trailer By-law also regulates the placement and use of Tents and Trailers.</p>	
3.7 Number of Principal Buildings or Structures per lot	<p>Limit to one building except for farm lots (greater than 4 hectares in RU1 zone.</p> <p>Could also be appropriate for ‘Tourist cottage rental establishment’ or ‘Lodge’</p>	<p>Appropriate for Agricultural uses. Address distributed uses on a site.</p>
3.8.2 Detached Accessory Dwellings	<p>Same provisions as lot, where permitted</p>	<p>Simplifies provisions. Note that Industrial setbacks apply (Section 3.3)</p>
3.8.1 Accessory Apartments	<p>Reduce minimum apartment floor area and provide additional minimum lot area based on ability to attenuate nitrates.</p> <p>Add policies for apartments to have separate entrance, be behind or above ground floor use, provide parking.</p>	<p>Support affordable housing; protect groundwater resources;</p> <p>Should note additional lot area not required for lots on Municipal sewer systems.</p>
3.8.3 Secondary Suites	<p>Permit provided lot meets area requirements, establish small minimum floor area and provisions to ensure it is a secondary suite, permit in a separate building, vs. a second house on a lot.</p>	<p>Promote affordable housing</p>

3.9 Home Occupation – Domestic and Professional Uses	Combine two categories from current by-law (domestic and household arts, professional uses) Permit Higher % of building, but establish a total square footage ‘cap’ of 301 sq. ft.	Consolidate provisions. Could increase to 400 sq ft and match parking requirements of current zoning by-law.
3.11 Home Industry	Consolidate Rural Business and Contractors/Trade Persons provisions. Permit Higher % of building, but establish a total square footage ‘cap’ of 301 sq. ft.	Could increase to 400 sq ft and match parking requirements of current zoning by-law for indoor uses.
3.10 Bed and Breakfast	Maintain current provisions, remove maximum number of guests Remove licensing provision (not a practice of the Municipality)	Increase flexibility
3.12 Height around airport	Define areas, establish height provisions.	Add provisions maintain safe operating conditions for this asset
4.7.3 Zoning over Water Bodies	Same as current by-law.	Should be updated with additional elevations to correspond to Section 3.20 provisions
3.5 Legal Non Complying uses	Reorganized and added text to clarify difference between non-complying (provision) and non-conforming (use)	expansion of legal non-conforming uses requires approval of committee of adjustment.
3.24 Frontage on a Street	Note that ‘frontage’ must also provide adequate and safe access, and provide for subdivisions with roads built but not yet assumed and condominiums Add provision regarding LMS agreements	Less ambiguity; reflect municipal practice to control liability.
6.16	Focused to Residential lots, add parameters (within 50 metres) and a minimum setback (4.5m) Clarify that additions to an encroaching building are permitted.	Primary focus is residential uses
3.36 Through Lots	Where a Lot is defined as a ‘Through Lot’, such Lot shall provide ‘Yards’ on each ‘Street’ with minimum setbacks equal to the ‘Front Yard’ required by the zone or zones in which each ‘Yard’ is located.	Add clarity in case of split zones.

3.14 Encroachments	<p>Architectural features reduced to 60cm (2 ft) and at least 1m to property line</p> <p>Balconies and fire escapes now, along with decks porches steps etc. can encroach 1.5m, but maintain minimum 3m to front / exterior lot line and 1m to interior lot line.</p> <p>Clothes lines into side or rear yard.</p> <p>Maintain minimum 1m from lot lines</p>	<p>Maintain purpose of permitting encroachments and Ensure access</p>
3.31 Drainage	<p>In all zones, other than an Agricultural zone, all lands, buildings and structures shall provide adequate drainage so as to prevent the flow of surface water onto adjoining lots.</p>	<p>Expand application of drainage requirement from “residential, commercial, or industrial zone”</p> <p>May wish to leave ‘as is’, for example should not apply to ‘Open Space’ Zone.</p>
3.15 Planting Area	<p>Added application adjacent to open space or institutional uses.</p> <p>Clarified application where residential use is <u>primary</u> use (vs a use)</p> <p>Increased required width to 1.5 metres, with plantings at the lot line and additional plantings internal.</p> <p>Include provision for a fence wall or other feature as an alternative</p>	<p>Improve buffering between commercial / industrial and primary residential uses and open space uses.</p>

3.16 Landscaped Open Space	<p>3.16 Landscaped Open Space</p> <p>1 'Landscaped Open Space' shall be provided where required by this By-Law as follows:</p> <p>i) A minimum of 3.0 metres (9.8 ft.) in width along all Front and Exterior yards, except where such area is occupied by permitted buildings and/or structures or a driveway.</p> <p>ii) A minimum of 2.0 metres (6.6 ft.) in width along all Interior and Rear yards, except where occupied by permitted buildings and/or structures.</p> <p>.2 No parking shall be permitted within the 'Landscaped Open Space'.</p> <p>.3 'Landscaped Open Space' may include areas required to form part of the requirements of Section 3.15 'Planting Area/Visual Screening'.</p> <p>.4 The 'Landscaped Open Space' shall be located along the boundary of the Lot.</p>	New section to provide landscaping features for commercial development.
6.24 Dwelling Units below grade	Deleted from new by-law	Let building Code address dwelling units.
3.20 Lakes Rivers and Drains – Watercourse setbacks	Reduce setback from watercourse from 30m to 15m (or in lands zoned EH)	<p>Pilot Project Steering Committee Recommendation for Environmental Hazards.</p> <p>Larger watercourses have EH area mapped.</p>
3.21 Waste Disposal Zones	<p>Increase setbacks from 60m to 150m for sewage works</p> <p>Increase setbacks from 60m to 500 metres from licensed <u>fill area</u> in a solid waste disposal site</p> <p>Continue to permit existing dwellings and enlargements/alterations</p>	Manage potential conflicts.
6.27 Sight Triangles	Establish lower minimum clearance (0.5m) and maximum clearances (4m) for sight triangles	Safety.

<p>3.17 Open Storage and Outdoor Display</p>	<p>Establish screening requirement for open storage from street and residential zones Limit open storage to 5% of area in C1 (downtown commercial) zone Add provisions for outdoor display (accessory to principal use, not impact planting areas) Establish maximum 35% lot area used for open storage/outdoor display, address surface treatment, lighting</p>	
<p>3.26.13 Parking and Storage of Trailers, Recreational, Commercial, vehicles</p>	<p>.1 The parking or storage of any vehicle without current license plates on lands zoned for residential uses shall be prohibited unless it is stored in an enclosed garage or other accessory building.</p> <p>.2 No part of the required front or exterior side yard of any lot except for a driveway shall be used for the temporary parking or storage of any trailer, boat, bus, recreational vehicle, camper, or commercial motor vehicle. Such vehicles parked in a driveway shall be located so no part of the vehicle on or above the ground is within 1.0 metres of the side lot line and shall be set back as follows: A minimum of 2 metres (~ 6.5 feet) from the nearest edge of the sidewalk or paved boulevard, or 2 metres (~ 6.5 feet) from the nearest edge of the curb if there is no sidewalk, or 3 metres (~9.8 feet) from the nearest edge of the travelled portion of the road, if there is no sidewalk and no curb</p> <p>.3 No motor vehicles, trailers, boats and motorized snow vehicles parked in a side yard or rear yard of any residential zoned lot shall be located within 1 metre (3 feet) of the side or rear lot line or, with the exception of boats and/or boat trailers, on any lands zoned EH-Environmental Hazard.</p>	<p>Current by-law has limit of 2 commercial motor vehicles.</p> <p>Propose is to address derelict vehicles, visibility along the street (safety) and neighbourhood issues that may arise.</p> <p>EH provision is intended to address trailers / campers being parked out on the shoreline.</p>
<p>3.20 Lakes Rivers and Drains (Great Lakes and Inland Lakes]</p>	<p>See discussion under “Environmental Hazards” item 1 above.</p>	<p>See discussion under “Environmental Hazards” item 1 above.</p>

Parking Requirements	<p>Increase requirements for restaurant /assembly uses associated with Hotel/Motel uses from 1 per 20 sq m to 1 per 10 sq m</p> <p>Increase parking for churches to match assembly halls 1 space per 5 seats or 5 sq m</p> <p>Change health clinic demand from practitioner based to building based</p> <p>Restaurant parking changes from 1 per 5 square metres to 1 per 4 square metres.</p>	<p>Better address parking demand</p> <p>Match similar uses</p> <p>Consider implementation</p> <p>Parking applies to new uses, and existing deficiencies are not required to be made up in expansion.</p>
3.26.3 Size and accessibility of parking spaces	Reduce minimum size of parking spaces and maneuvering aisles to correspond to standards in other jurisdictions	Accommodate more spaces in less area.
3.26.4 Parking for persons with disabilities	Refer to <i>Act</i> and regulations which apply.	
3.26.5 location of spaces	<p>1m setback for parking to lot line except for shared driveway / parking</p> <p>Removed provision prohibiting parking in front interior or side yard for residential use with more than 3 units</p>	<p>Match driveway provision</p> <p>Townhouses often have driveway parking which would conflict with this provision</p>
3.26.8 Driveways	<p>Reduced setback to street intersection from 9m to 7.5m</p> <p>Minimum angle of intersection changed from 60 to 45 degrees</p> <p>This provision is removed:</p> <p>(f) Parking areas and associated driveway systems servicing any use other than a cottage dwelling, duplex dwellings, triplex dwellings, fourplex dwellings, detached dwellings and road townhouses and semi-detached dwellings shall be designed in such a manner that any vehicle entering or leaving a road or public lane need not travel in a backwards motion.</p>	<p>Flexibility</p> <p>Safety</p> <p>Backwards motion provision should likely be retained in new by-law as a general safety consideration</p>
3.27 Loading Regulations	Reduce requirements.	

3.22 Provincial or County Street Right-of-way Setbacks	Clarify that MTO provisions apply, establish County Highways requirements.	
3.23 Streets	Clarify level of services on Class 1 and Class 2 Streets	
3.26.8 Driveways	Insert Parking areas and associated driveway systems servicing any use other than a detached dwelling, duplex dwellings, triplex dwellings, fourplex dwellings, and road townhouses and semi-detached dwellings shall be designed in such a manner that any vehicle entering or leaving a road or public lane need not travel in a backwards motion.	Retain from current by-law
3.28	Mobile Home provisions	Clarify setbacks which apply. NOTE: As mobile homes have not been permitted at least since current by-law came into effect (2002)
3.29 conflicting regulations	Clarify that most restrictive provision applies	
3.31 Drainage	Retain provisions of existing zone which apply drainage requirement to lands within Residential, Commercial, and Industrial zone	
3.35 Group Homes	Establishes separation distance for Type (2) Group Homes (associated with correctional system)	Merit to separation of these facilities. Note: Group Home – Type 2 is permitted only in institutional zone
3.37 Setback to Wind Turbine	Setback of 550m.	Turbines have setbacks to dwellings (managed by province). Reasonable to apply setback from dwellings to turbines.

3.38 Automobile Service, Gas, Repair or Sales establishments		Address potential environmental impacts from these facilities
3.39 Prohibited Uses in All Zones	Currently retains provision that prohibits the occupancy of trailers, park model homes, mobile homes, tents, and other such similar transportable accommodation, unless explicitly stated to the contrary.	This provision should be reviewed as new provisions (Section 3.6.10) have been added.
3.8.1	Add note that additional lot area is not required for accessory apartments on lots on Municipal Sewer Systems	No provisions provided in By-law.
3.9 Home Occupation	Increase maximum total square footage to use in dwelling to 400 square feet Use parking requirements from current by-law (1 space per 200 sq ft)	Increase flexibility
3.11 Home Industry	Increase maximum total square footage to use in dwelling to 400 square feet Use parking requirements from current by-law (1 space per 200 sq ft for indoor uses)	Increase flexibility
4.4 Special Holding Provisions	-lms (Limited Municipal Services) zones have been eliminated from the by-law.	“Street” definitions and provisions exempting lots from frontage on “Class 2 Streets” (with a holding provision) apply in these areas.
4.5 Temporary Use By-law	Added	Provide opportunity for this tool under Planning Act to be used

<p>4.7 Boundaries of Zones</p>	<p>Added:</p> <ul style="list-style-type: none"> .7 In any zone, where the zone boundary requires a more precise definition than that permitted by the scale or detail of the zoning map, the Chief Building Official shall determine the precise location of the zone boundary and, where appropriate, may consult with other agencies or individuals as may be relevant. .8 Notwithstanding the provisions of Section 4.7.1.7, in locations where the 'Environmental Hazard (EH)' Zone boundary does not coincide with the location of Environmental Hazards to buildings or structures, minor adjustments may be permitted to the 'EH' Zone boundary without an amendment to this By-law when approved in writing by the Zoning Administrator in consultation with such expertise as may be warranted. In a re-interpretation of the limits of the 'EH' Zone boundary, all requirements of the By-law shall be applied relative to the revised boundary including any applicable setbacks. .9 Notwithstanding the provisions of Section 4.7.1.8, the zone boundaries of the 'EH-PSW' Zone shall not be altered except by a By-Law passed under Section 34 of the Planning Act, R.S.O 1990 as amended. 	<p>Address interpretation issues</p> <p>Ensure Hazard maps are applied to areas where hazards occur</p> <p>PSW boundaries are determined by the province (not subject to local interpretation)</p>
<p>4.7.3 Zoning over water bodies</p>	<p>Update provision from using only 177.6m A.S.L. to include 177.7 and 177.8 areas as described in provisions of Section 3.20</p>	

<p>4.7.4 More than One Zone on a Lot</p>	<p>Modified from current:</p> <p>Where a lot has two or more of its parts classified in different zones, then the provisions for each zone shall apply to each part as if said part was a separate lot, except that the lot area requirement for an agricultural use can include the part zoned in a Rural zone and any part that may be zoned Environmental Hazard.</p> <p>To:</p> <p>Where a 'Lot of Record' is divided into two or more zones i.e., 'R1' and 'C2' etc., each zone shall be treated as if it were a separate 'Lot of Record' in regards to the zone provisions that are applicable i.e., lot frontage, lot area, yard setbacks etc. excepting however that lands zoned 'EH' which are below the Lake elevations provided in Section 3.20.2 shall not be used to satisfy any required zone provision(s) i.e., lot area, lot frontage, yard setbacks etc.</p>	<p>Expand consideration for EH lands to be included in lot area and setbacks for lands <u>other than</u> those below the 100-year flood elevations.</p>
<p>ALL RURAL ZONES</p>		
<p>5.3 Watercourse/Water Well / Environmental Protection Zone setback</p>	<p>No person shall erect any 'Livestock Facility' or 'Manure or Material Storage' unless in compliance with the setbacks calculated in Appendix 'A' or within an 'EH - Environmental Hazard' zone, whichever setback is greater.</p>	<p>Establish calculation-based system to protect features from adverse environmental impacts of livestock facilities and manure storage facilities.</p> <p>Delete construction provisions which are addressed through Provincial legislation</p>
<p>5.2 Minimum Lot size – livestock</p>	<p>Added</p> <p>Notwithstanding their General Rural (RU1) zoning, those lots 4.0 hectares (9.9 ac.) in size or less shall be limited to no more than 1.25 nutrient units per hectare (0.5 nutrient units per acre). Minimum Distance Separation Guidelines shall apply.</p>	<p>Eliminates need for site-specific provision for surplus farm dwelling severances</p> <p>Provides for hobby-farm type uses while recognizing limited area available for handling manure.</p>

<p>5.4 Requirements For Kennels</p>	<p>.1 New kennel buildings and structures and/or additions to existing kennel buildings and/or structures must be located at a distance of not less than 100 metres (328 ft.) from an existing residential, accommodation, institutional or recreational use situated on adjacent lots.</p> <p>.2 New kennel buildings and structures and/or additions to existing kennel buildings and/or structures shall be considered an accessory use or building.</p> <p>Note: All kennel establishments shall comply with the Corporations current Animal Control By-law.</p>	<p>Address conflicts. Ensure a primary use is in place (not a standalone use).</p>
<p>3.33 MDS</p>	<p>Add timeframe for exemption MDS for reconstruction of purposely demolished buildings in same spot;</p> <p>Provide exemptions from MDS where Municipalities have ability to do so under new MDS.</p>	<p>Address practical issue, maximize flexibility</p>
<p>Section 6 - RU1 ZONE</p>	<p>Permitted uses:</p> <p>Distinguish between ‘non-farm’ Lots under 4 ha (10 ac) and lots over 4 ha (10 ac).</p>	<p>Directs livestock facilities, manure and material storage to larger lots.</p> <p>Generally broader range of permitted uses; may want to add “wildlife sanctuaries” and “conservation areas” back in.</p>
<p>6.2, 6.3</p>	<p>General Provisions:</p> <p>Exterior lot line setback reduced from 30m to 20m</p> <p>Lot coverage for Agricultural uses increased from 5% to 15%</p> <p>Provisions added for Agricultural Produce Stands</p>	<p>match front yard setback.</p> <p>Address policy gap for small permanent structures.</p>

<p>10 RU2 Restricted Rural</p>	<p>Mostly combined into RU1 Zone.</p> <p>Lots in settlement areas moved into RU1-2013 zone</p> <p>This zone sets minimum lot area provisions that correspond to the Official Plan for urban areas, and does not permit <u>new</u> livestock or manure storage facilities</p> <p>Special provisions carried over unless related to lot area or otherwise addressed in general provisions of the by-law.</p>	<p>Reduce likelihood of zoning by-law amendment associated with severance</p> <p>Livestock facilities discussed in Report June 12 attached to this agenda.</p>
<p>Section 7 – R1</p>	<p>R1 zone adds:</p> <p>semidetached and duplex dwellings and secondary suite (note lot area requirements)</p> <p>child care centre</p> <p>Residential care facility, private guest cabin (new)</p> <p>R1 Provisions updated to reflect services available (no services, water only, sewer only). Lot areas adjusted to reflect servicing requirements</p> <p>Provisions for advanced onsite sewage disposal systems added for undersized lots with no sewer connection</p>	<p>Greater flexibility in permitted dwelling types and uses where lot areas adequate.</p> <p>See servicing discussion in Official Plan report on this agenda</p>
<p>8 HR Hamlet Residential</p>	<p>New zone permits residential uses similar to R1 except for a secondary suite, private guest cabin, residential care facility.</p> <p>Secondary Suite and Private guest cabin could be added.</p> <p>Based on similarities, provisions for this zone could be referred to Section 7 zone provisions for the permitted uses.</p>	<p>This area is associated with designated “Hamlets” such as Pike Bay, Stokes Bay, Dyers Bay, which were formerly zoned R1 or R2.</p>
<p>R2 Zone</p>	<p>New lot provisions increased to 0.8 ha for backlots and 0.4 ha for waterfront lots</p> <p>Island provisions lot area above high water mark reduced to 1 ha</p>	<p>Match County Official Plan</p> <p>Note: Floor area error has been identified, to be corrected to 70 square metres.</p>

R3 Zone	<p>The former R3 zone related to semi-detached and duplex dwellings. These have been incorporated into the provisions of the R1 zone.</p> <p>The new R3 zone includes the former 'R4' and 'R5 zones which permitted higher density development (duplex, triplex, fourplex)</p>	<p>Limited capability for the highest density uses. These uses are typically established through site-specific zoning amendments which address servicing and other considerations.</p>
----------------	--	--

The foregoing table noted that there may be opportunities to make changes to the proposed zoning by-law posted for public consultation in advance of the Open House and Public Meeting, in order to retain provisions in the existing by-law which offer greater flexibility or may have been missed but have merit, or to increase clarity or address errors.

These are summarized in the table below, together with other changes that have been identified through our review.

Summary

This report has been prepared to provide a general overview of topics that have generated the most interest-to-date in the proposed comprehensive zoning by-law for the Municipality of Northern Bruce Peninsula, and to provide a detailed review of the first several sections of the zoning by-law.

Respectfully submitted,

Jakob Van Dorp
 Senior Planner
 County of Bruce, Planning and Development

Appendix 'A' Table of further adjustments identified to September 21, 2017

Section	Description	Note
3.6.3.2	Note that 0 side yard setback for accessory buildings is subject to buffering requirements of 3.15	Currently could be misleading.
3.6.3.3	Correct bracketed reference to [RU1]	Clerical error
3.6.5	move 5% provision into table, to	apply to R1,R2,R3,HR,PD,C1 only.
3.26.3.2	Parking Space Length-Parallel Reduce from 6.7 to 6.5m	Based on further consultations
3.26.8 Driveways	ADD: Parking areas and associated driveway systems servicing any use other than a cottage dwelling, duplex dwellings, triplex dwellings, fourplex dwellings, detached dwellings and road townhouses and semi-detached dwellings shall be designed in such a manner that any vehicle entering or leaving a road or public lane need not travel in a backwards motion.	In current by-law.
3.39 (ii) prohibited uses in all zones	Delete blanket prohibition	Provisions established in Section 3.6.10
6.2 RU1 General Rural	Correct Minimum Floor Area requirements from 70 / 90 square metres (floor area) to 70 square metres (gross)	Missed in earlier revision see discussion item 3 above.
8.3 Hamlet Residential Zone Provisions	Zone Provisions – HR Hamlet Residential Zone Add 'private guest cabin' and 'secondary suite' as permitted uses. Delete Provisions and Refer to Section 7 (R1) zone.	Avoid new lots requiring sewage disposal systems with advanced treatment units. Apply same requirements for systems as R1 zone.
8.3 Hamlet Residential Zone Provisions 9.3 R2 Zone Provisions	Correct Minimum Floor Area requirements from 50 square metres (net) to 70 square metres (gross) (new lot, existing lot for HR) (new lot for R2)	Missed in earlier revision
13.5 Travel Trailer Park Special Provisions	Millers Family Camp	Potential to consolidate special various special provisions pending meeting with owner
18.4 Rural Commercial and Industrial Zone	Roxy's Gas Bar – Special Provisions	Site Visit pending to review existing uses

Section	Description	Note
24.5	EH – Special Provisions Update replace 2 occurrences of “EH-a” with “EH-PSW”	Re-named for clarity
25.2	Text for Site-Specific by-law 63-2015 (FD zoned lot) in Tobermory	Not consolidated in Sept 1 draft
Various	Include Other recent amendments to 2002-54	Final review to include all amendments recently passed, including some in process
3.20.5	Lakes Provision – clarify no new dwelling within 15m	Included in draft re-posted Sept 6
Schedule	Maintain EX Extractive Industrial Zoning on old Dyers Bay Gravel Pit	Schedule showed change to HR. Council has indicated that rezoning of this property should established through a separate site-specific process.
Schedule	Replace OS zone with Unopened Road Allowance between Resort Commercial Lots owned by Millers Family Camp	Maintain per current by-law
All Schedules	Amend Legend to read: FD Future Development (formerly PD Planned Development) ACM Agricultural Commercial and Industrial (formerly within RCM Rural Commercial and Industrial	Additional clarity
Throughout	Replace ‘Advanced Sewage Disposal System’ with ‘Sewage Disposal System – advanced treatment unit	Match definition in by-law