

Municipality of Lakeshore – Report to Council

Growth and Sustainability

Planning Services



To: Mayor and Members of Council
From: Urvi Prajapati, Team Leader – Community Planning
Date: September 5, 2024
Subject: Zoning By-Law Consolidation

Recommendation

This report is presented at the October 1, 2024 Council meeting, for information only.

Strategic Objectives

5b) Modernize Citizen-Centered Services - Bylaw Modernization (including a calendar of bylaw review and effective enforcement strategies/capabilities)

Background

This is an Administration-led initiative as part of the Planning Act requirements to keep all policies up to date and in line with the Provincial changes. The last consolidation of amendments to the current Comprehensive Zoning By-law took place five years ago, in 2019, and since then approximately 125 amendments have taken place within the Municipality. Moreover, there have been various Provincial changes to the Planning Act, the Provincial Policy Statement (PPS), and the draft Lakeshore Official Plan in the last few years and it is important for local municipalities to keep up with it and reflect the same in its practices. An up-to-date Zoning By-Law will help to provide better services to its residents.

Zoning plays an essential role in shaping development across the Municipality. It is a tool that is used to regulate the use of land and buildings within a Municipality.

The Zoning By-law is a legal document that is used to implement the policies of the Official Plan. It contains many regulations and standard to guide development; including but not limited to:

- use of land and buildings,
- building heights,
- massing and density,

- lot size and dimensions,
- parking requirements,
- lot coverage, and
- the location and size of accessory structures

As such, the Zoning By-Law must be clear and easily interpreted in order for it to be effective. It is used by landowners, members of the public, Municipal staff and Council to inform development decisions. Section 34 of the Planning Act authorizes Municipalities to pass Zoning By-laws and requires that local plans and by-laws meet provincial plans and policies, as well as identify matters of Provincial interest.

Council Adopted the Town of Lakeshore Zoning By-Law 2-2012 on January 10, 2012; and it was last consolidated on December 2, 2019. Since then, many Zoning by-law amendments have taken place within different land uses to permit the development and growth of the municipality as well as mapping changes. This report is being brought forward to consolidate all updates to August 31, 2024. This will in turn help Administration to align the By-law with the new draft Official Plan, keep conformity with the Planning Act, the Provincial Policy Statement (PPS), and the County of Essex Official Plan.

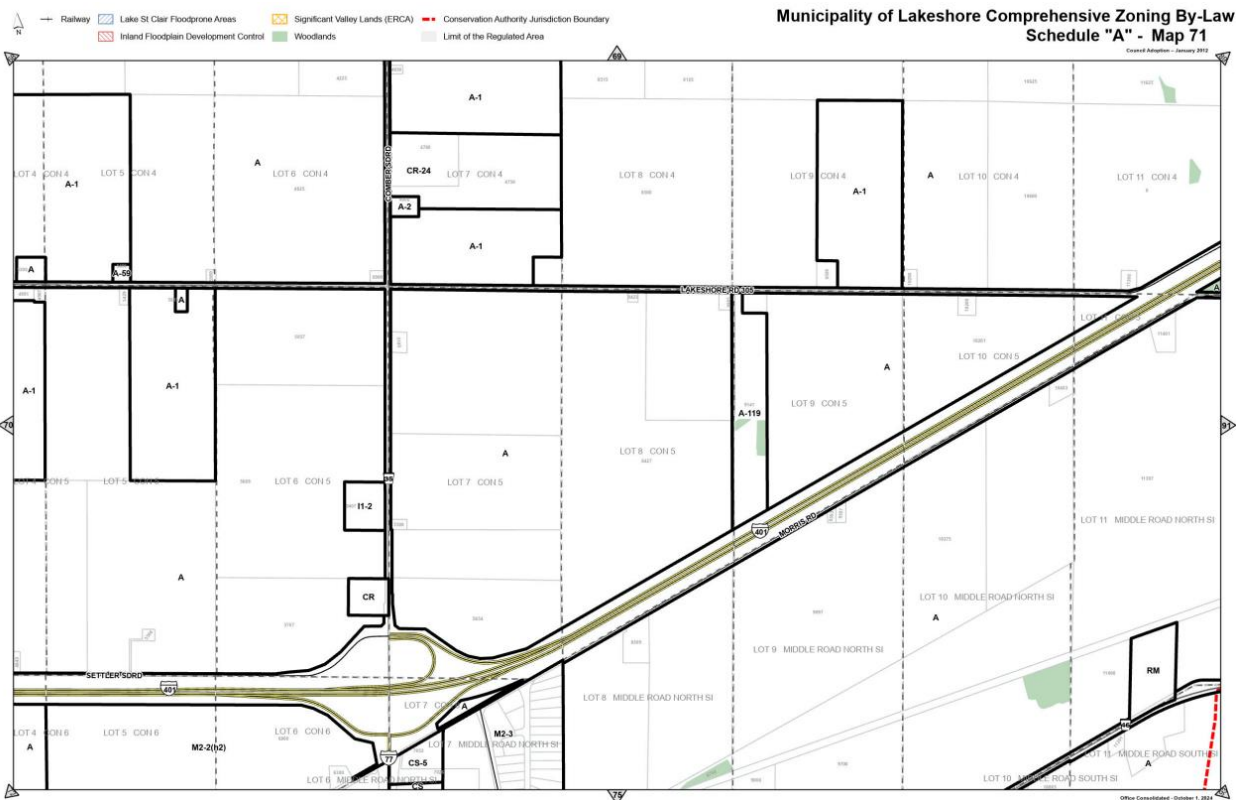
Moreover, keeping an up-to-date Zoning By-law will assist the Planning, Building and By-law Divisions with carrying out their day-to-day work, including responding to inquiries from the public. The consolidation will assist staff to provide evidence in Court and at Ontario Land Tribunal (OLT) matters.

An example of a by-law that is added to the consolidated Zoning By-law would be:

9.20.119 “Agriculture Zone Exception 119 (A-119) (Map 71)”

- a) Permitted Uses: Notwithstanding Section 7, Table 7.1, or any other provision of this by-law to the contrary, a single unit dwelling shall be prohibited. All other uses are permitted.
- b) Permitted Buildings and Structures: Notwithstanding Section 7 or any other provisions of this by-law to the contrary, a single unit dwelling shall be prohibited. Buildings and structures for the permitted uses are permitted.
- c) Zone Regulations: Notwithstanding Section 8.9 of this By-law to the contrary, the Minimum Lot Area shall be 9.3 hectares and the Minimum Lot Frontage shall be 38 metres.”

Schedule A map below shows the rezoning that has been implemented from Agriculture (A) zone to site specific Agriculture Zone Exception 119 (A-119) north of highway 401 south of Lakeshore Road 305.



The consolidated version will be posted on the Lakeshore website to assist members of the public to access information on the zoning on various properties shortly after October 1st, 2024. Members of the public can come access the consolidated by-law and updated Schedule Maps at anytime during this transition.

Comments

Provincial Planning Statement 2024

The new Provincial Policy Statement comes into effect on October 20, 2024 and it will replace the existing PPS that came into effect on May 1, 2020. The consolidated by-law will conform to the existing PPS as well as the new PPS through its consolidation of the various By-law amendments and definitions.

County of Essex Official Plan

This update is consistent with Section 1.1 of the County Official Plan, specifically paragraph b) about the County Official Plan providing framework to the local Zoning By-laws.

Lakeshore Official Plan

The new draft Official Plan is currently being reviewed and the most up-to-date Zoning By-Law will help to implement the new policies that are anticipated in it. Along with this it will also conform to the existing Official Plan.

Zoning By-Law

All local policies and documents need to conform to the changing provincial policies and this update will help to provide continued implementation of the Official Plan policies and support the growth and development of the Municipality.

It is to be noted that this is not a re-adoption of the Zoning By-Law, rather a consolidation to the existing to recognize the already passed amending By-Laws from 2019 up until August 31, 2024.

Administration intends to continue to monitor all changes and consolidate the Zoning By-law on a regular basis in the future.

Others Consulted

There is no requirement to hold a public meeting. Hence no appeal rights apply in this case.

Financial Impacts

There are no financial impacts from this initiative, as this was undertaken by internal staff.

Report Approval Details

Document Title:	Zoning By-law Consolidation .docx
Attachments:	
Final Approval Date:	Sep 23, 2024

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

Prepared by Urvi Prajapati

Submitted by Tammie Ryall

Approved by the Corporate Leadership Team