To: Mayor and Members of Tillsonburg Council

From: Eric Gilbert, Senior Planner, Community Planning

Commencement of Housekeeping Amendment for Zoning By-Law No. 3295

REPORT HIGHLIGHTS

- Planning staff are of the opinion that a housekeeping amendment is necessary to ensure continued effectiveness of the Town’s Zoning By-law.

- The proposed housekeeping amendment will generally address necessary updates, as well as correct minor errors and provide clarification to text and mapping schedules.

- Sourcewater protection updates are also proposed to be included in the Zoning By-Law.

- A resolution is required from Town Council to initiate a housekeeping amendment to the current Zoning By-law No. 3295.

DISCUSSION

Background/Proposal

Comprehensive Zoning By-law No. 3595 was adopted by Town Council on April 14, 2008. Since that time, a number of amendments have been made to the by-law to incorporate a number of site-specific provisions and facilitate various policy changes. The most recent housekeeping amendment was completed in 2012 and included a number of minor revisions identified by County and Town staff.

Since the last housekeeping amendment in 2012, Staff have been monitoring minor variance approvals, noting interpretation issues, and reviewing suggestions from Town staff, in an effort to clarify and update the existing By-law. At this time, Staff are of the opinion that a housekeeping amendment is necessary to ensure continued effectiveness of the Town’s Zoning By-law.

The proposed housekeeping amendment will generally address necessary updates, as well as correct minor errors and provide clarification to text and mapping schedules. In particular, the proposed amendment will incorporate Source Water Protection regulations, natural hazard features, as well as propose changes to the permitted encroachments to provide an increased permitted projection for decks into the required rear yard. Other changes proposed include:

- Introducing definitions for a microbrewery, retail pet store, pet grooming business as defined land uses, and permitting them within Service Commercial, and Central Commercial zones;
- Introducing a definition for a retirement home, and permitting the use within the Entrepreneurial, Central Commercial, Medium and High Density Residential Zones, and Minor and Major Institutional Zones;
- Removing the area of a pergola from the calculation of lot coverage to reduce the number of minor variances that are sought for lot coverage;
- Eliminating the minimum dwelling unit size from the Zoning By-Law, as the Ontario Building Code minimums are more suitable;
- Rely on the applicable provisions of the Ontario Building Code and remove the restrictions on dwelling units in basements located more than 1.2 m below average grade;
- Removing the floor area restriction for places of worship in minor institutional zones.

Consultation

As part of the process, Planning staff will work closely with Town staff to address any concerns they may have with the existing provisions of the By-law.

In accordance with Section 34 of the Planning Act, the Town will also be required to hold a Public Open House and Meeting for the purpose of providing the public with an opportunity to provide any comments/concerns with the proposed amendments.

It is anticipated that the public open house will be scheduled in early February, and the public meeting would follow for late February/early March.

The owner of any property with site specific zoning in place that would be amended by a modification of the by-law will receive written correspondence informing them of the proposed changes in advance of a public open house. Staff estimate that the number of properties that will be directly impacted is minimal.

Conclusion

At this time, a resolution is required from Town Council to authorize the commencement of the Zoning By-law ‘housekeeping’ review process.
RECOMMENDATION

It is recommended that the Council of the Town of Tillsonburg receive Report No. CP 2020-27;

And further, that Staff be authorized to commence the process of housekeeping amendments to Town Zoning By-law No. 3295.

SIGNATURES

Authored by: original signed by Eric Gilbert, MCIP, RPP
Senior Planner

Approved for submission: original signed by Gordon K. Hough, RPP
Director