



**Meeting Date:** July 5, 2023

**Submitted by:** Michael Di Lullo, CAO and Marion Cabral, Planner

**Report No:** CAO-19-2023

**Subject:** Comprehensive Zoning By-law Review and Update (ZBA-04-2023)

**Recommendation:**

THAT Report CAO-19-2023, re: Comprehensive Zoning By-law Review and Update be received;

AND THAT the Zoning By-law Amendment (ZBA-04-2023) that updates the Comprehensive Zoning By-law municipally-wide to reflect changes within Official Plan Amendment No. 59 be APPROVED and come into effect upon approval of Official Plan Amendment No. 59.

**Purpose:**

The purpose of this report is to provide a recommendation to Council regarding the proposed amendments to the Comprehensive Zoning By-law Update. The amendments implement the changes to the Official Plan (through OPA 59) and other housekeeping matters.

**Background:**

In May 2022 the Municipality adopted Official Plan Amendment No. 59 (OPA 59) to update the Middlesex Centre Official Plan. As a result of the changes and in accordance with Section 24 (1) of the Planning Act, zoning by-laws must conform to the official plan and be consistent with the Provincial Policy Statement.

The following provides an overview of the key themes addressed in the Zoning By-law Amendment:

- A new framework for on-farm uses to support the agricultural community and local economy;
- A new zone category for the Hamlet Commercial areas to reflect the unique character of these areas;
- An updated Village Commercial zone to promote new uses and buildings types within the villages throughout Middlesex Centre; and

- New permitted building types and permitted uses in urban residential zones.

Further, the Comprehensive Zoning By-law was first adopted in 2005. To respond to current trends, best practices and new legislation, several changes general housekeeping amendments were proposed including:

- New definitions and general regulations to modernize the zoning by-law, including electric vehicle parking standards; and
- Housekeeping amendments that clarify zoning provisions and definitions.

An Open House was held on April 5, 2023 meeting where WSP, planning consultants for this project, presented an overview of the scope of their work to update the Comprehensive Zoning By-law. Members of the public were invited to ask questions and provide comments about the proposed changes.

Following the Open House, a Statutory Public Meeting was held during the April 19, 2023 Council Meeting. WSP provided a detailed overview of the need for the zoning by-law update, key changes, a summary of comments from the Open House, and next steps.

Since the Open House and Statutory Public Meeting, WSP updated the Zoning By-law Amendment to reflect comments received by members of the public, Council, and staff and these are shown in the By-law recommended for approval

### **Analysis:**

The revised Zoning By-law Amendment includes 25 sections of amendments. Notable amendments are summarized below. As mentioned, the amendments reflect the changes made to OPA 59, current trends and general housekeeping matters.

- New uses and definitions established including new townhouse dwelling forms, micro-brewery, cidery, garden suites, home industry and on-farm shop or café;
- New general sections for 'Additional Residential Uses', 'Cannabis Production Facilities', 'Garden Suites', and 'On-farm Diversified Uses';
- Parking provisions amended to include new uses, visitor parking space requirements, electric vehicle requirements, and to reflect trends of commercial practices;
- 'Restricted Agricultural (A2)' zone deleted and existing properties zone A2 are rezoned to 'Agricultural (A1)'. 'Agricultural – No Residences (A3)' zone is renamed and renumbered to 'Agricultural – No Residences (A2)'. Changes are reflected in the Schedules appended to the By-law;
- New residential forms are permitted in urban residential zones;
- 'Additional Residential Units' are permitted in all urban residential, 'Community Residential First Density (CR1)', 'Community Residential Second Density (CR2)', 'Hamlet Residential First Density (HR1)', 'Surplus Residence (SR)' zones;

- 'Village Centre (C1)' zone amended to permit mixed-use developments, 'pharmacy', 'museum', and 'tourist information centre'. Motor-vehicle related uses such as 'gas bar', 'car wash' and 'motor vehicle service establishment' are removed;
- 'Highway Commercial (C2)' permitted uses include micro-brewery, pharmacy and tourist information centre;
- New "Hamlet Commercial (C4)' zone established. Changes are reflected in the Schedules appended to the By-law;
- 'Retail Store as an Accessory Uses' within Industrial zones (M1 and M2) have a maximum floor area defined; and
- 'Parks and Recreation (PR)' permitted uses include 'tourist information centre' and 'museum'.

If approved, the Zoning By-law Amendment will come into force and effect upon approval and effect of OPA 59.

### **Financial Implications:**

The cost to complete this project was approved as part of the Official Plan Review process that was done by WSP and this portion of the project was approximately \$15,000.

### **Strategic Plan:**

This matter aligns with following strategic priorities:

- Sustainable Infrastructure and Services
- Vibrant Local Economy

### **Attachments:**

Attachment – Zoning By-law Amendment (ZBA-04-2023)