

TOWNSHIP OF THE ARCHIPELAGO

ZONING BY-LAW REVIEW



Public Information Session

August 15th, 16th, 17th, 2019



OVERVIEW OF INFORMATION SESSION

Ontario's Planning Framework

What is a Zoning By-law

Why Review the Zoning By-law

Objectives for the Review Process

Overview of Current Zoning By-law

Zoning Revisions for Considerations

Next Steps

ONTARIO'S PLANNING FRAMEWORK

PLANNING ACT



WHAT IS A ZONING BY-LAW

- Implements the policies of the Township's Official Plan
- The Township's way to legally regulate the use and development of land in the Township
- The By-law states:
 - How land can be used
 - Types of buildings and structures permitted
 - Where buildings and structures can be located
 - Standards for development including lot sizes, building height and setbacks from property lines, accessory structures such as docks, amongst other matters

WHY REVIEW THE ZONING BY-LAW

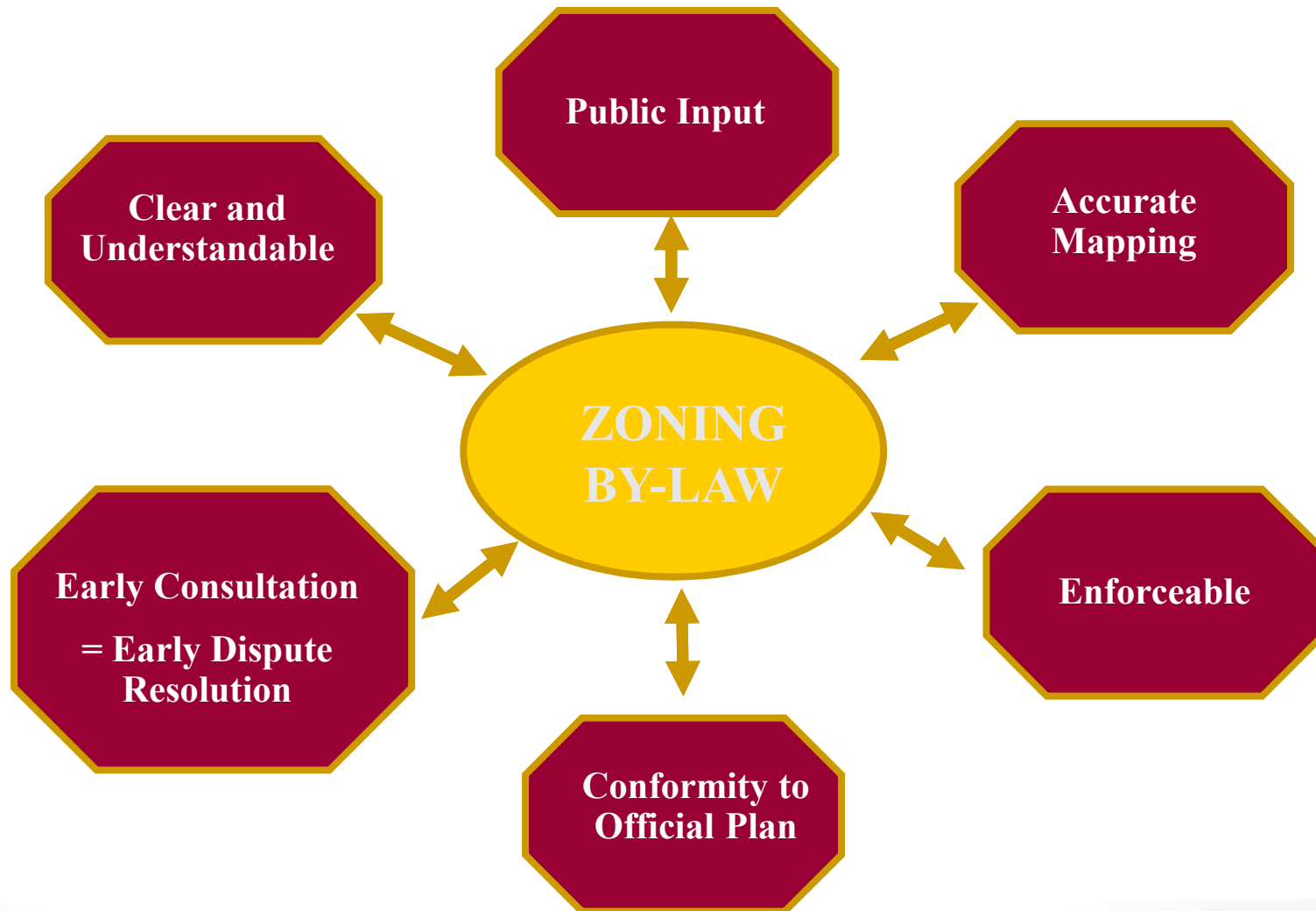
- Current Zoning By-law Passed in 2007
- Implement the Township's new Updated Official Plan policies as a result of the Official Plan Update approved through Official Plan Amendment No. 61 on December 22, 2018
- Requirement of the *Planning Act*
- Reflect changes to the planning framework and nature of development in Ontario
 - Strong Communities through Affordable Housing Act, 2011
 - Provincial Policy Statement, 2014
 - Green Energy Repeal Act, 2018
 - More Homes, More Choices Act, 2019
- Address issues identified in the implementation of the Zoning By-law over the years



OBJECTIVES FOR THE REVIEW PROCESS

1. Consistency with Provincial Policy Statement
2. Implement new Provincial Legislation
3. Implement and build upon policies of Township's Updated Official Plan
4. Reflect aspirations of the Township's residents
5. Incorporate best zoning practices
6. Easily administered by staff
7. Easily understood by residents and Council alike

FOUNDATION OF A GOOD ZONING BY-LAW



CURRENT ZONING BY-LAW STRUCTURE

Section 1	Introduction
Section 2	Administration and Interpretation
Section 3	Definitions - Provides specific definitions to terms used in the By-law
Section 4	Establishment of Zones - 19 land use zones - Properties with specific exceptions identified with “-#” - Residential divided properties identified with “D” - Holding provision with “H”
Section 5	General Provisions - Applies to multiple zones or all
Section 6	Coastal/Island Residential (CR) Zone - Applies to residential properties fronting onto Georgian Bay
Section 7	Inland Lakes Residential (IR) Zone - Applies to residential properties fronting onto inland lakes

CURRENT ZONING BY-LAW STRUCTURE

Section 8	General Residential (GR) Zone - Applies to residential property without water frontage
Section 9	Marina Commercial (MC) Zone - Applies to properties whose main use is a marina
Section 10	Resort Commercial (RC) Zone - Applies to properties whose main use is a resort/hotel/motel
Section 11	Marina/Resort Commercial (MRC) Zone - Applies to properties whose main use is both a resort with a marina component
Section 12	Pointe au Baril Commercial (PBC) Zone - Applies to commercial properties within Pointe au Baril other than marinas
Section 13	General Employment Commercial (EC) Zone - Applies to commercial properties outside of Pointe au Baril

CURRENT ZONING BY-LAW STRUCTURE

Section 14	Contractor Commercial (CC) Zone - Applies to properties whose main use is as a contractor's yard
Section 15	Private Club (PC) Zone - Recognizes the historical use of some properties as private clubs
Section 16	Natural State (NS) Zone - Crown Land and non-developable private land
Section 17	Natural State Conservation (NSC) Zone - Lands held by trust for purposes of conservation
Section 18	Environmentally Sensitive (ES) Zone - Lands historically identified as environmentally sensitive
Section 19	Environmentally Sensitive One (ES1) Zone - Lands identified as environmentally sensitive in previous Official Plan.

CURRENT ZONING BY-LAW STRUCTURE

Section 20	Environmentally Sensitive Two (ES2) Zone - Identified Provincially Significant Wetlands
Section 21	Existing Use (EU) Zone - Permitted uses are restricted to those existing at the date of the By-law passage, 2007
Section 22	Community Facility (CF) Zone - Properties containing facilities that service the community, such as community centre, parks, etc
Section 23	Pit and Quarry (PQ) Zone - Licensed Pits and Quarries on private land
Section 24	Waste Disposal (WD) Zone - Waste Disposal sites
Section 25	Enactment

REVISIONS FOR CONSIDERATION

SHORELINE RESIDENTIAL LOT COVERAGE

Existing Requirements

- Less than 0.44 acres = 7.5%
- 0.44 to 4 acres = 1,500 sqft plus 3% of lot area (10.8% to 3.9%)
- 4 acres to 8 acres = 6,725 sqft plus 1% of lot area over 4 acres (3.9% to 2.4%)
- 8 acres to 8.5 acres = 8,475 sqft plus .5% of lot area over 8 acres (2.4% to 2.3%)
- Greater than 8.5 acres = 8,611 sqft (2.3% to declining)
- Ground floor area of all buildings, all roofed or covered structures, overhangs greater than 4 feet

Revisions for Consideration

- Eliminate sliding scale, and use one percentage?
- Increase or decrease?
- Differentiate between area of lot close to shoreline (60 metres)?

REVISIONS FOR CONSIDERATION

SHORELINE RESIDENTIAL LOT COVERAGE

Comparisons

Township of Georgian Bay	Georgian Bay = 5% to 7% Inland Lakes = 5% to 10% In some zones based on area of lot within 60 m or 90 m of shoreline Includes roofed structures and decks greater than 1.2 metres above grade.
Township of Seguin	Sliding scale based on frontage, ranging from 5% to 10% Based on area of lot within 60 metres of shoreline Includes roofed structures, overhangs beyond 1 metre and decks greater than 1.2 metres above grade
Township of Muskoka Lakes	10% Based on area of lot within 61 metres of shoreline Includes roofed structures
Township of Tiny	25% Includes all buildings and structures

REVISIONS FOR CONSIDERATION

SHORELINE RESIDENTIAL SETBACK FROM SHORELINE

Existing Requirements

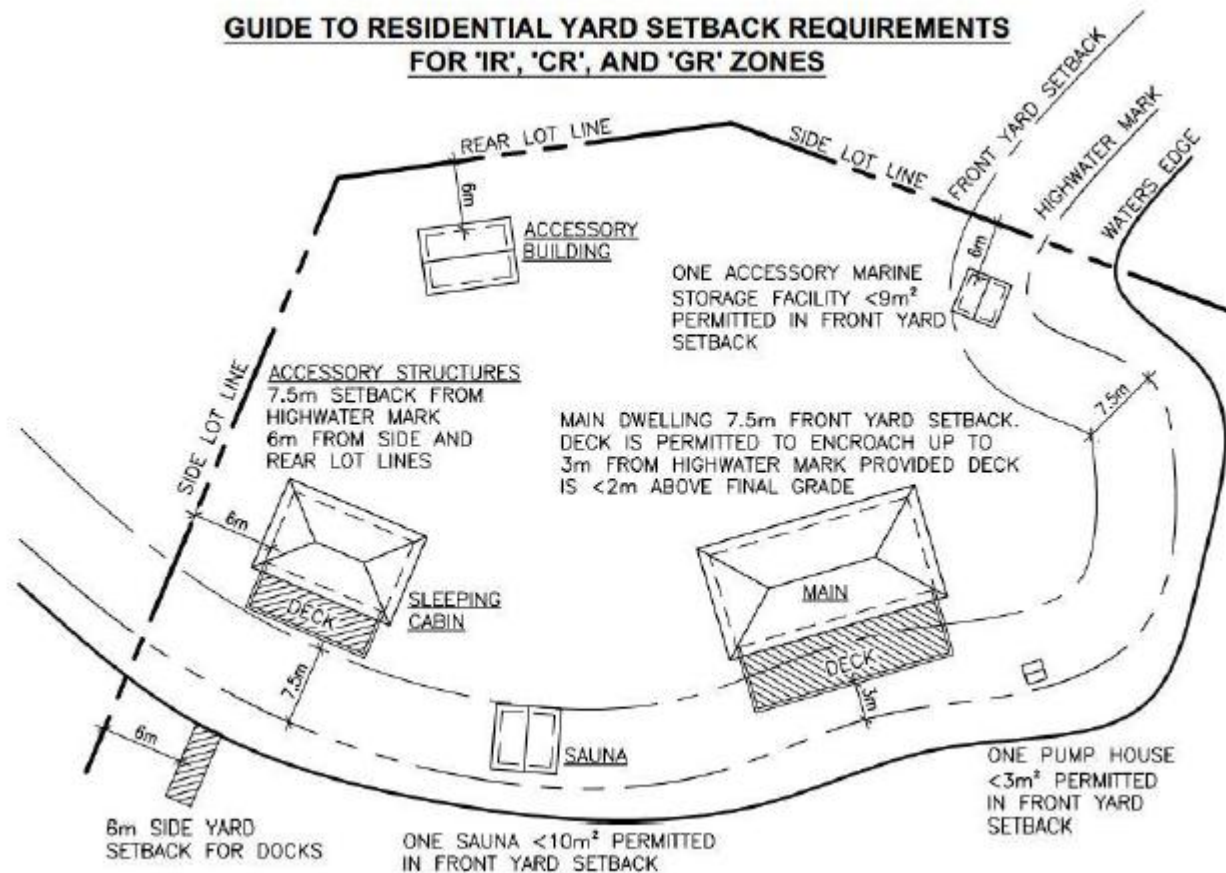
- 7.5 metres
- Exception for decks attached to main dwelling, a boathouse or boatport, one sauna, one pumphouse, three marine railways and one marine storage facility.

Revisions for Consideration

- Should the setback requirement be increased?
- Should there be a different setback requirement for inland lakes?
- Should there be a different setback for road access lots and water access lots?
- Should additional or fewer structures be exempt?

REVISIONS FOR CONSIDERATION

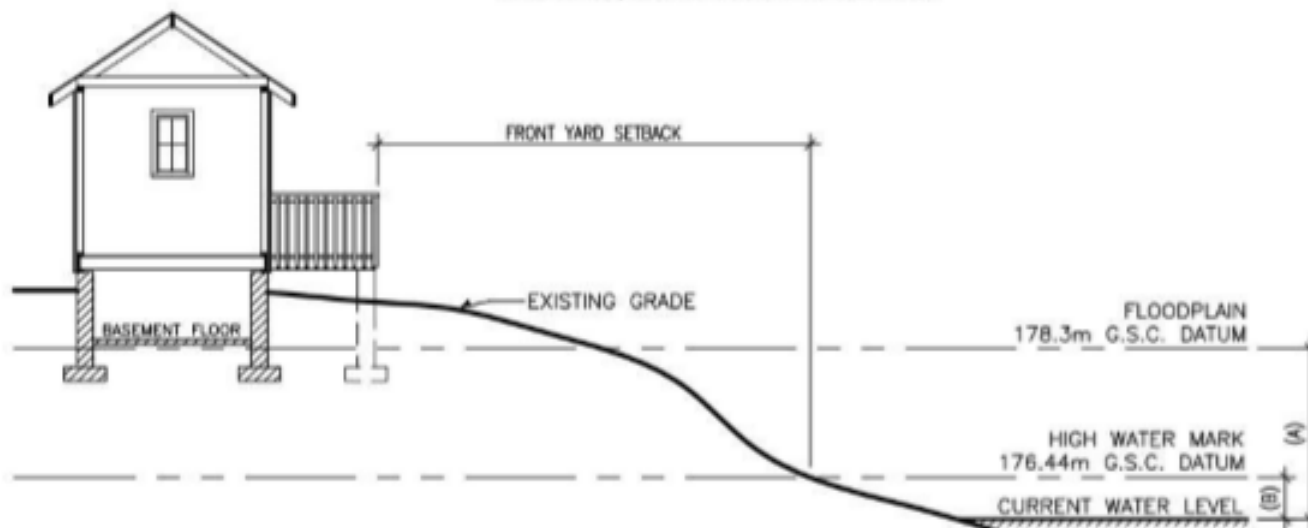
SHORELINE RESIDENTIAL SETBACK FROM SHORELINE



REVISIONS FOR CONSIDERATION

SHORELINE RESIDENTIAL SETBACK FROM SHORELINE

DETERMINING GEORGIAN BAY WATER SETBACKS FOR BUILDINGS TO THE HIGHWATER MARK, AND FOR BUILDINGS OF HUMAN HABITATION, TO THE FLOODPLAIN ELEVATION



REVISIONS FOR CONSIDERATION

SHORELINE RESIDENTIAL SETBACK FROM SHORELINE

Comparisons

Township of Georgian Bay	20 metres 30 metres for “family compound” lots. Measured from 177.4 m contour on Georgian Bay Boathouses, boatports, docks, pumphouse, gazebo, inclinor, free-standing deck, and hot tub exempt.
Township of Seguin	20 metres Boathouses, boatports, docks, pumphouse, gazebo, inclinor, free-standing deck, attached decks, and sauna exempt.
Township of Muskoka Lakes	20.1 metres 30.5 metres for lake trout lakes at capacity 15.2 metres or existing for developed already within setback. Boathouses, boatports, docks, pumphouse, gazebo, sauna and inclinor exempt.
Township of Tiny	45 metres on Georgian Bay measured from 178.0 metre contour Boathouses, boatports, docks, and reduced setback for other accessory structures

REVISIONS FOR CONSIDERATION

DWELLING SIZE

Existing Requirements

- Minimum Ground Floor Area: 40 sqm in Wards 5 & 6, 50 sqm in Wards 1, 2, 3 & 4.
- Maximum Ground Floor Area: 80% of lot coverage for lots greater than 1,800 sqm
- Maximum Total Floor Area: 300 sqm.

Revisions for Consideration

- Should there be a minimum dwelling size?
- If so, is the current size appropriate?
- Should there be a maximum dwelling size?
- If so, is the current size appropriate?

REVISIONS FOR CONSIDERATION

DWELLING SIZE

Comparisons

Township of Georgian Bay	Minimum: None Maximum: 200 sqm in Go Home Bay; 140 sqm or 25 sqm per 1,000 sqm lot area or 2 sqm per metre frontage to maximum of 325 sqm in Cognashene; 190 sqm for lot less than .4 ha and 5% of lot area to maximum of 275 sqm on Six Mile Lake; No maximum in other areas.
Township of Seguin	Minimum: 35 sqm Maximum: 1.25 times permitted lot coverage to maximum of 700 sqm
Township of Muskoka Lakes	Minimum: 69.7 sqm Maximum: 696.8 sqm
Township of Tiny	Minimum: 75 sqm of Ground Floor Area Maximum: None

REVISIONS FOR CONSIDERATION

SLEEPING CABINS

Existing Requirements

- Wards 1 - 4: 3 cabins, 50.16 sqm (540 sqft) each
- Wards 5 & 6: 2 cabins, 40 sqm (430 sqft) each
- Cannot contain cooking facilities
- Minimum floor area of 10 sqm (107 sqft)
- Maximum height of 5 metres (16 ft)

Revisions for Consideration

- Should the number and size of sleeping cabins be reconsidered?
- Should the definition of “cooking facilities” be revised to permit a bbq and/or microwave?
- Should the number of sleeping cabins permitted be dependent on the size of the lot?
- Other areas for consideration?

REVISIONS FOR CONSIDERATION

SLEEPING CABINS

Comparisons

Township of Georgian Bay	None on lots less than 0.3 ha, one on lots 0.3-1 ha, 2 on lots >1 ha Maximum floor area 56 square metres No kitchen or cooking facilities (cooking appliances and sink) 1 storey, 4 or 4.5 metres in height
Township of Seguin	One permitted on all shoreline residential lots Maximum floor area 60 square metres, including attached decks No kitchen or cooking facilities (appliances or sink) 1 storey, 4.5 metres in height
Township of Muskoka Lakes	One permitted on all shoreline lots Maximum floor area 60.4 square metres No kitchen (cooking appliances) 6.1 metres in height
Township of Tiny	One permitted on all shoreline residential lots Maximum floor area 30 square metres No kitchen, cooking appliances, plumbing or sanitary facilities 5 metres in height

REVISIONS FOR CONSIDERATION

ACCESSORY BUILDINGS

Existing Requirements

- Floor area not to exceed floor area of dwelling on residential lot.
- Maximum number of three (3) on residential property, not including sleeping cabins, privy, marine storage facility, and pumphouse.
- Limited to one storey and 5 metres in height.

Revisions for Consideration

- Should a specific maximum size be considered?
- Should the number of accessory buildings permitted be increased?
- Should a separation distance between buildings be required?
- Should accessory buildings be permitted at 2 storeys in height?

REVISIONS FOR CONSIDERATION

ACCESSORY BUILDINGS

Comparisons

Township of Georgian Bay	In non-shoreline residential zones, limited to 5% lot coverage. In Cognashene shoreline residential, limited to 45 square metres Detached garage limited to 112 sqm of ground floor area and 67 sqm for water access properties Number limited in Cognashene only to 2, not including certain buildings Height limited to 4.5 metres and 4 metres in certain areas 2 metre, 5 metre or 10 metre setback from other buildings
Township of Seguin	Limited to 5% in shoreline residential zones and 15% in non-shoreline residential zones Height limited to 4.5 metres 1.2 metre setback from other buildings
Township of Muskoka Lakes	No limit on size other than Gazebo at 23.3 square metres Height limited to 6.1 metres in residential zones No setback requirement between buildings
Township of Tiny	8% lot coverage or 93 square metres, whichever less on lots less than 2 ha Height limited to 5.0 metres No setback requirement between buildings

REVISIONS FOR CONSIDERATION

BOATHOUSES AND BOATPORTS

Existing Requirements

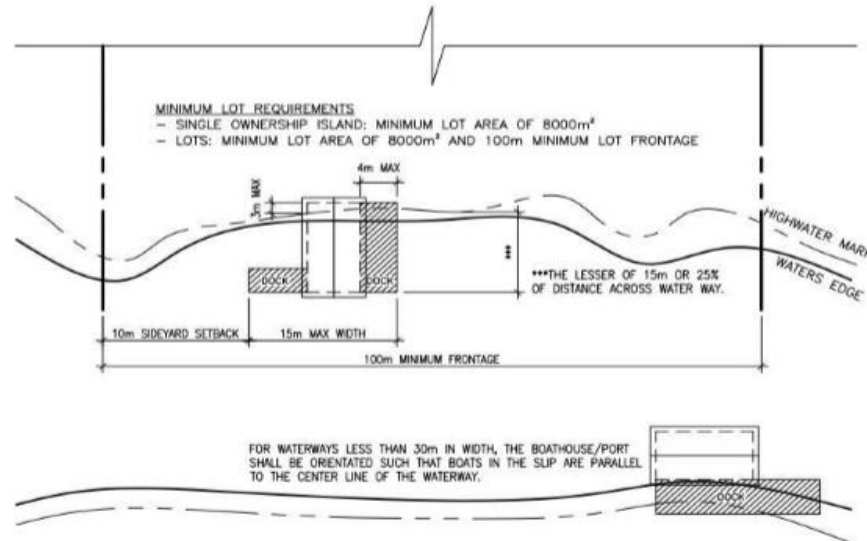
- One Boathouse or Boatport per residential lot
- 0.8 ha of lot area, 100 metres of frontage
- No human habitation
- 10 metre sideyard setback
- 25% to maximum of 15 metres out into waterway
- Can project 3 metres inland
- One storey with no loft or attic and height of 4.5 metres from dock
- Maximum width 15 metres
- Total area occupied restricted to 120 sqm

Revisions for Consideration

- Are existing requirements appropriate?
- Should boathouses continue to be permitted?

REVISIONS FOR CONSIDERATION

GUIDE TO RESIDENTIAL BOATHOUSES AND BOATPORTS

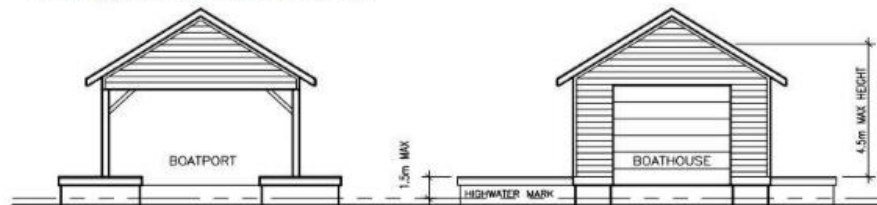


Boathouses and Boatports

See 5.3 of the General Provisions of the Zoning By-law for the complete list of provisions.

Note:

- The boathouse or boatport can not be used for human habitation
- Maximum building size of 120m²
- Construction of a boathouse or boatport will reduce your permitted docking sites by one
- The maximum number of boathouses or boatports permitted is one
- Approval from the MNRFP may be required (i.e. land use permits; see Township website for more information)
- A building permit is required from the Township



REVISIONS FOR CONSIDERATION

BOATHOUSES AND BOATPORTS

Comparisons

	LOT FRONTAGE	HABITABLE SPACE	WIDTH	LENGTH	HEIGHT	SETBACK
Georgian Bay	> 31 m	No	5.8 - 12.2 m	10.2 -12.2 m	3.5 – 4 m	5 – 8 m
Seguin	Specific lakes > 60 m > 30 m for water access	Yes on specific lakes and GB >90 m	11 – 15 m	11 m	5 m –single 6.7 m -1 ½	6 – 20 m
Muskoka Lakes	No specific requirement	Yes on specific lakes >91.4 m	1 st = 16% 2 st = 13%	15.2 m	<91.4m = 4.9 m >91.4m = 7.6m	1 st = 9.1m 2 st = 13.7 m
Tiny	No specific requirement	No	30%	No specific requirement	4.5 m	2 m

REVISIONS FOR CONSIDERATION

DOCKS

All Residential Dock Requirements

- Where boathouse or boatport exists, docking sites reduced by one
- Docking sites must be 5 metres apart
- No single dock wider than 4 metres and finger docks must be greater than 2 metres apart
- Side yard setback of 6 metres, including straightline extension
- No docking envelope to project more than 25% of the distance across waterway
- Docking envelopes within ES and ES1 zone limited to 50 sqm

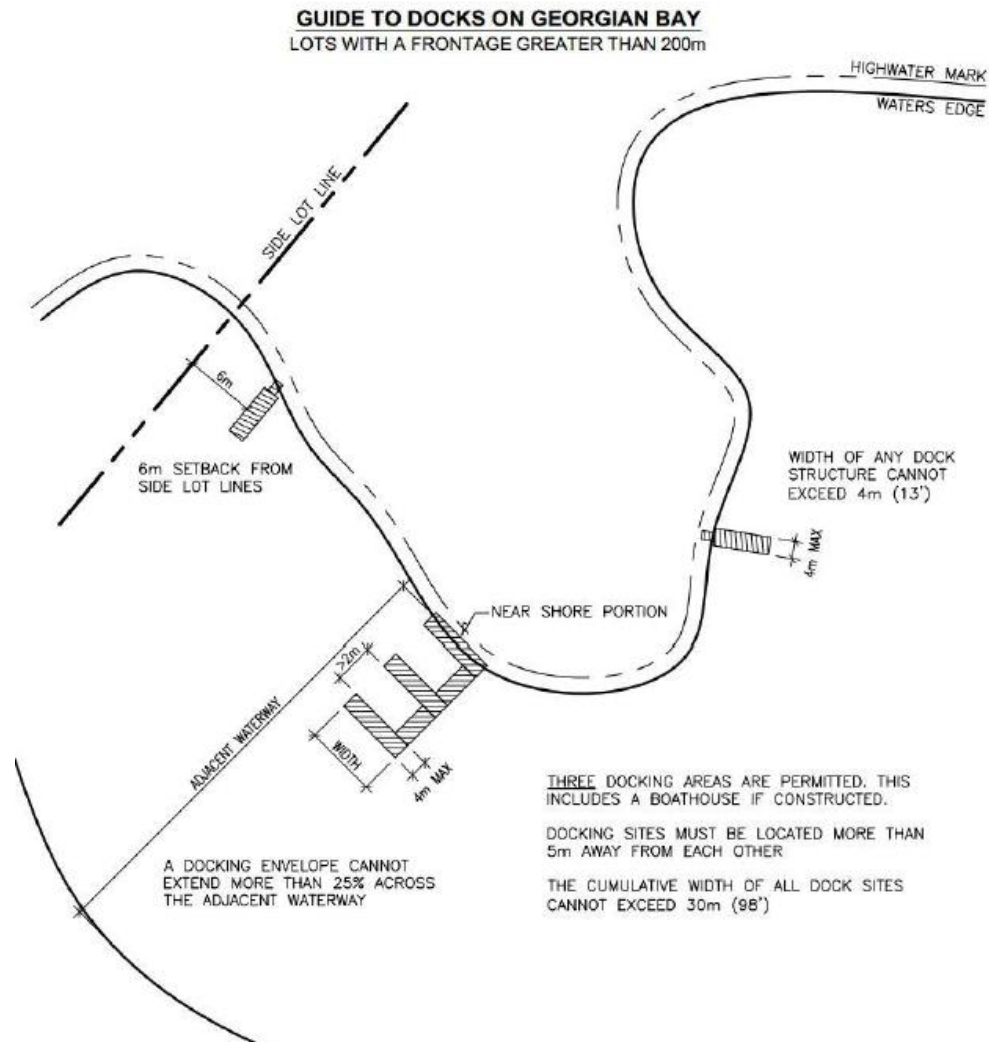
REVISIONS FOR CONSIDERATION

DOCKS

Existing Georgian Bay Requirements

- 2 dock sites per property less than 0.4 ha and less than 200 metres frontage
- 3 dock sites per property greater than 0.4 ha and more than 200 metres frontage
- Maximum width of 15 metres per dock site, with maximum cumulative width of 20 metres for properties permitted 2 docks and 30 metres for property permitted 3 docks
- Extend inland 3 metres
- No specific dock extension limitation
- One dock site, near shore portion no more than 6.5 metres wide by 15 metres along shore with maximum area of 70 sqm and not more than 10 metres into water. All other dock sites not to exceed 4 metres in width.
- Any other near shore portion not to exceed 4 metres wide and 7.5 metres along the shoreline.

REVISIONS FOR CONSIDERATION



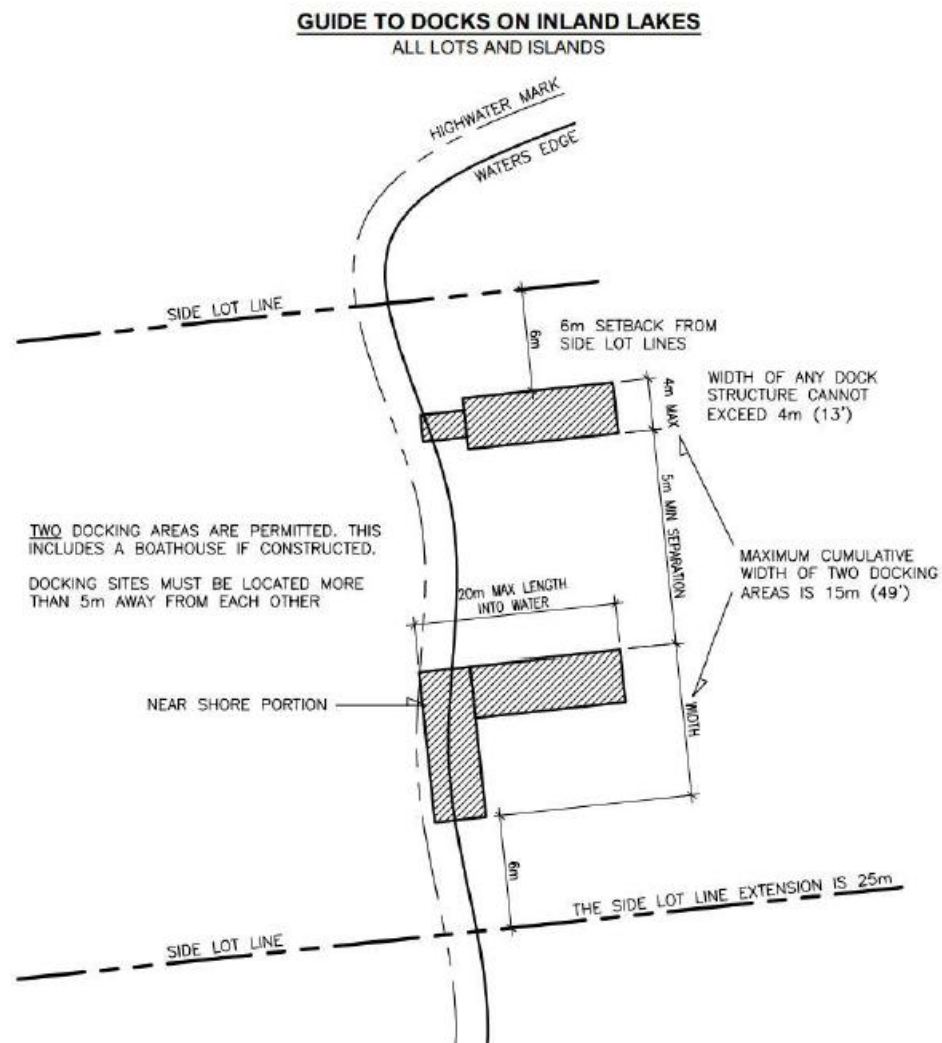
REVISIONS FOR CONSIDERATION

DOCKS

Existing Inland Lakes Requirements

- 2 dock sites per property
- Maximum cumulative width of 15 metres
- Maximum extension 20 metres
- Extend inland 3 metres
- One dock site, near shore portion no more than 6 metres in the water and 15 metres along shore with maximum area of 70 sqm. All other dock sites not to exceed 4 metres in width.

REVISIONS FOR CONSIDERATION



REVISIONS FOR CONSIDERATION

LEGAL NON-COMPLYING DWELLINGS

Existing Requirements

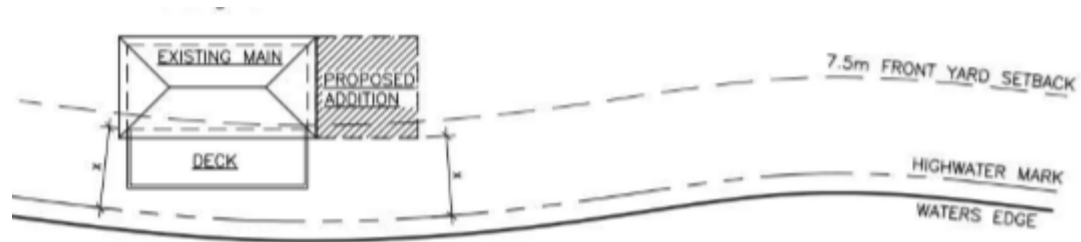
- Reconstruction permitted
- Expansion of 50% to ground floor area and to width permitted
- Expansion no closer than existing non-complying setback
- If existing dwelling exceeds height, addition permitted at same height to maximum height of 9 metres, provided total floor area of addition does not exceed existing ground floor area
- Non-complying accessory buildings and structures cannot be enlarged
- Attached decks to dwelling may be enlarged by 50% provided not more than 2 metres above grade.

Revisions for Consideration

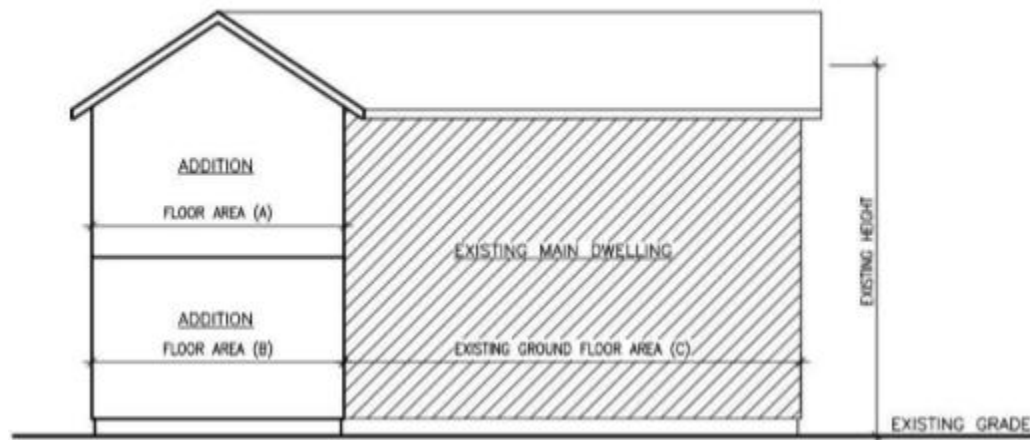
- Should a specific maximize size of expansion and/or minimum size of expansion be considered?

REVISIONS FOR CONSIDERATION

LEGAL NON-COMPLYING DWELLINGS



FLOOR AREA A + B CANNOT EXCEED C



REVISIONS FOR CONSIDERATION

LEGAL NON-COMPLYING DWELLINGS

Comparisons

Township of Georgian Bay	Expansion permitted based on sliding scale related to setback Less than 10m: floor area 25%, width 20%, height 1m (max. 6m) 10-15m: floor area 40%, width 30%, height 1.5m (max. 6m) 15-20m: floor area 70%, width 60%, height 2m (max. 6m)
Township of Seguin	Expansion permitted based on sliding scale related to setback Less than 5m: floor area 23sqm, width 0%, height 1m 5-10m: floor area 32.5sqm, width 20%, height 2m 10-15m: floor area 46sqm, width 30%, height 2.5m 15-20m: floor area 56sqm, width 60%, height 3m
Township of Muskoka Lakes	Less than 10.6 m: no increase 10.6 -15.2m: ground floor area 20%, height 20%
Township of Tiny	No increase permitted within required yard

REVISIONS FOR CONSIDERATION

OTHER MATTERS FOR CONSIDERATION

- Establishment of provisions related to accessory dwelling units
- Increasing buildings and structures permitted at the shoreline
- Definition of High Water Mark for Georgian Bay
- Revising Home Occupation provisions
- Establishment of new residential zone to permit higher density of development in Pointe au Baril Station
- Permitting utility cabins on buildings separate from floor area
- Establishment of provisions related to green energy that were previously exempt
- Establishment of provisions related to cannabis production
- Establishment of provisions related to short term rentals

NEXT STEPS

- Review comments from the 3 Public Information Sessions being held this week
- Request comment sheets be submitted by September 15th
- Prepare Background Report
- Continue public consultation through stakeholder meetings, review of comment sheets, Deerhorn Conference, discussions, etc.
- Meet with Council to review Background Report and obtain direction
- Draft new Zoning By-law / Zoning By-law Amendment
- Additional Public Open House and Statutory Public Meeting to be held next summer to receive input on the proposed revisions to the Zoning By-law

TOWNSHIP OF THE ARCHIPELAGO ZONING BY-LAW REVIEW

Thank you!



Public Information Session

August 15th, 16th, 17th, 2019