

Municipality of Red Lake Zoning By-Law Update August 26th, 2009 Draft

September 22nd, 2009
Balmertown, Ontario



Zoning By-Law Update

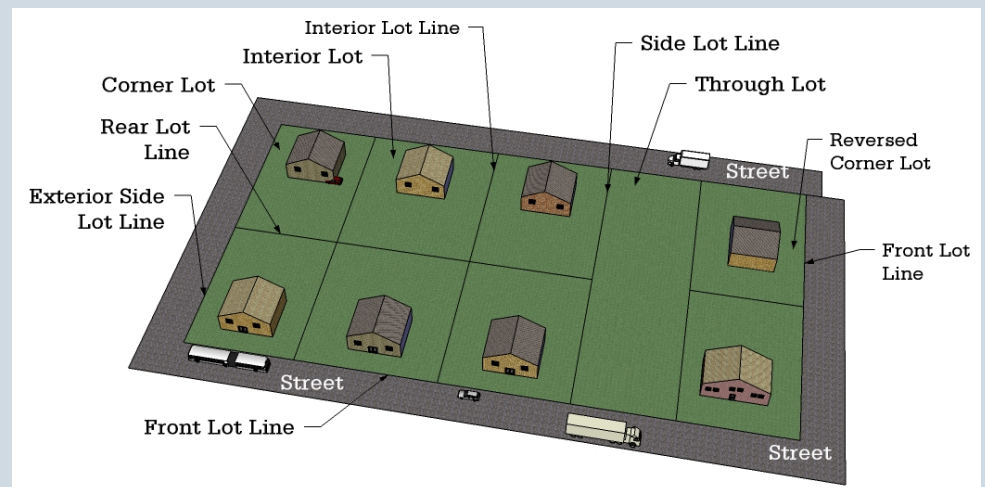
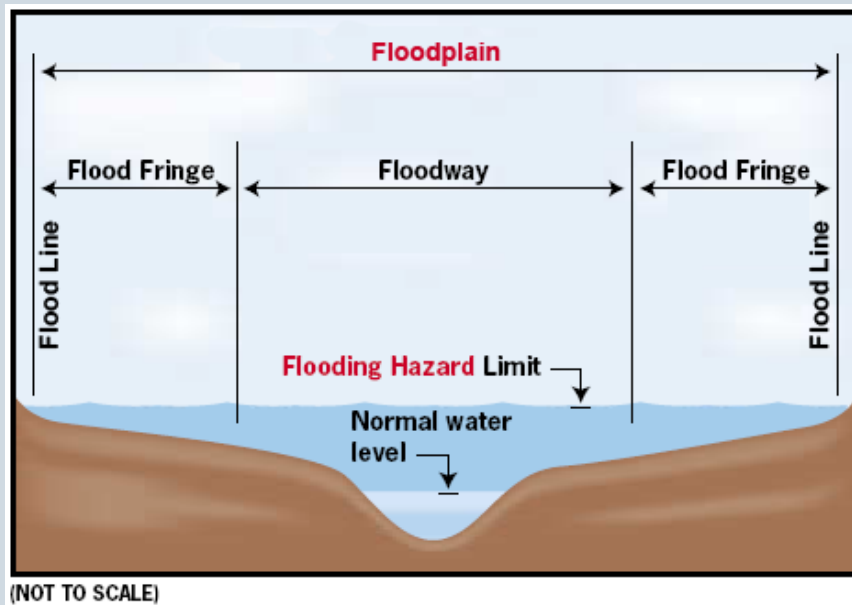
- Red Lake's By-Law needed to be updated in order to:
 - Better implement 2006 Official Plan
 - Be more user-friendly for both staff and public
 - Reflect current trends
 - Address current issues
 - Improve standards
 - Improve formatting
 - Incorporate amendments since March 2007
 - Provide better flexibility
 - Improve zoning schedules (maps)

To date....

- Council, staff and Planning Advisory Committee consultation – June 22 - 26th, 2009
- Open House – June 23rd, 2009
- Public Meeting – June 25th, 2009
- First draft of Zoning By-Law – August 26th, 2009
- Public review of draft – August 27th > September 25th, 2009
 - Draft available on www.red-lake.com since August 27th, 2009
- First draft Open House & Public Meeting – Sept. 22nd, 2009
- *Final draft of Zoning By-Law – Mid-October 2009*
- *Public review of final draft – Mid-October > Early November*
- *Adoption of new Zoning By-Law – Mid-November 2009*

Improvement Over Old By-Law

- All permitted uses defined
- All terms defined in text are in ***bold italicized font***
- Metric/imperial conversions: 15 m (49.2 ft)
- Illustrations and diagrams for better clarification:

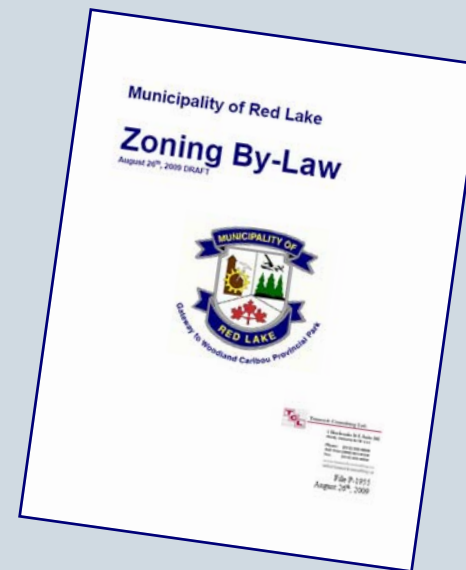


Improvement Over Old By-Law (continued)

- Improved formatting and better structure of text and charts
- More specific zoning controls for specific uses
- Better reflects Official Plan and local issues
- Improved standards for better urban design
- Easier to use and more accurate Zoning Maps

Zoning By-Law Sections

- Preamble: Introduction to By-Law and How to Use By-Law
- Section 1: Administration and Interpretation
- Section 2: Definitions
- Section 3: General Provisions
- Sections 4 to 22: Zones
- Zoning Maps



Preamble

- Introduction to Zoning By-Law
 - Explains purpose and intent of the Zoning By-Law
 - Explains purpose of the various sections
- How to Use this By-Law
 - Explains how to find what zone a property is in and what regulations and sections of the By-Law apply

1: Administration and Interpretation

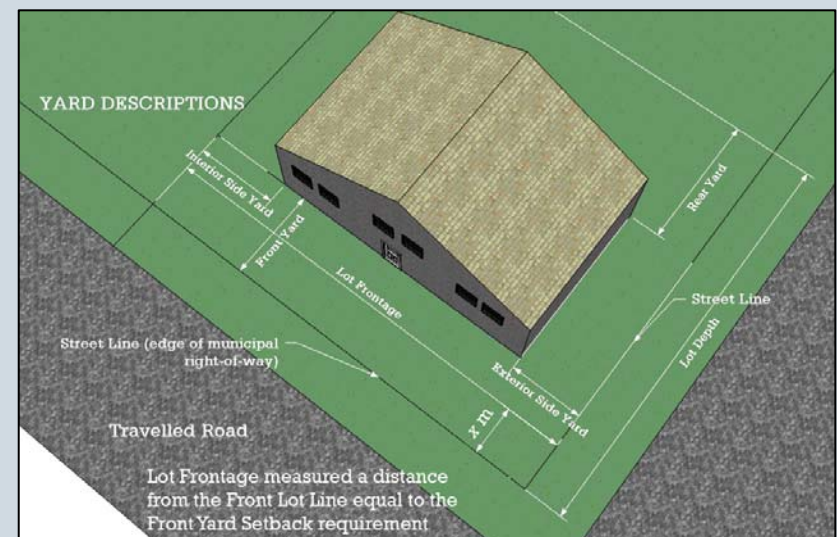
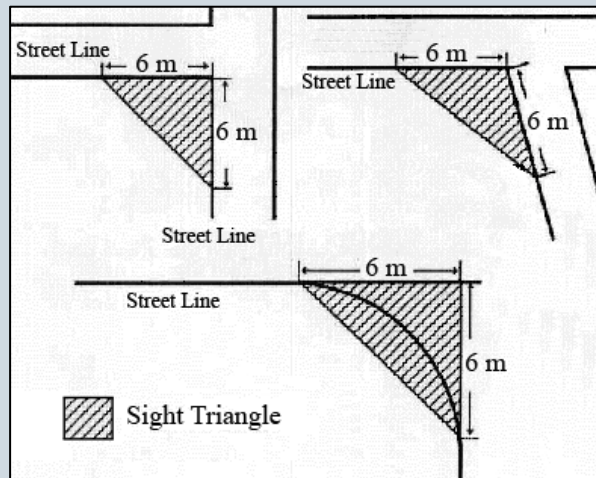
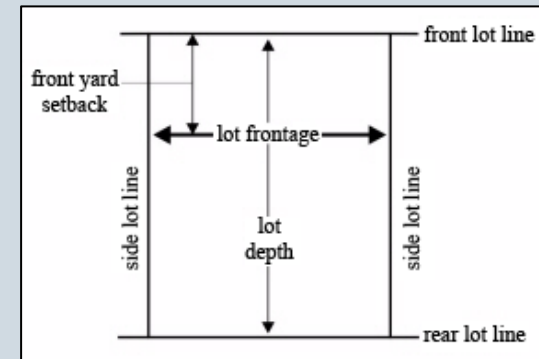
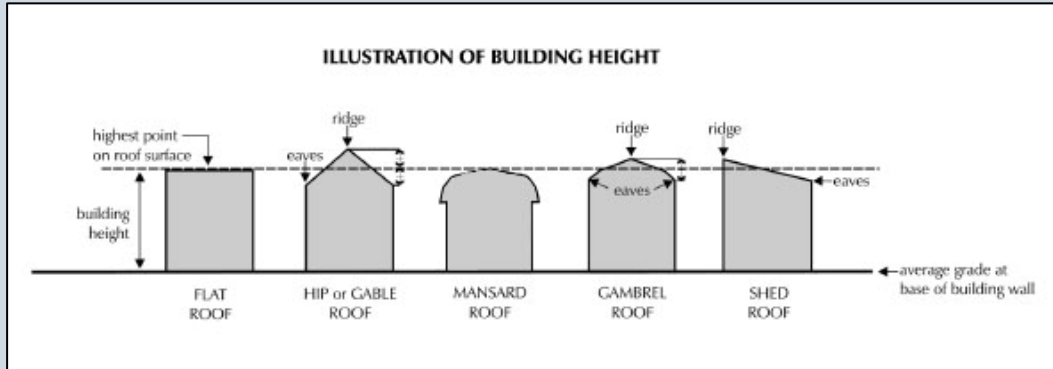
- Identifies the legal parameters in which the By-Law functions
 - Identifies the administrative controls of the By-Law
 - Names By-Law
 - States relationship to other by-laws
 - Defines area which By-Law applies
 - How By-Law is enforced or administered
- Explains how changes and variances can be made to By-Law

2: Definitions

- Defines words, terms and phrases found throughout By-Law that are necessary for understanding the By-law
- Modernized select terms (e.g. place of worship i/o church)
- New By-Law includes 150 new terms:
 - Temporary Shelter
 - Post-Secondary Educational Institution
 - Office
 - Influence Area
 - Cul-de-sac
 - Residential Zone
 - Full Municipal Services
 - Partial Services
 - Mineral Mining Operation
 - Personal Service Establishment
 - Place of Assembly
 - Self Storage Facility
 - Dormitory
 - Tourist Cabin Establishment
 - Interior Side Yard

2: Definitions (continued)

- Includes diagrams and illustrations for clarification



2: Definitions (continued)

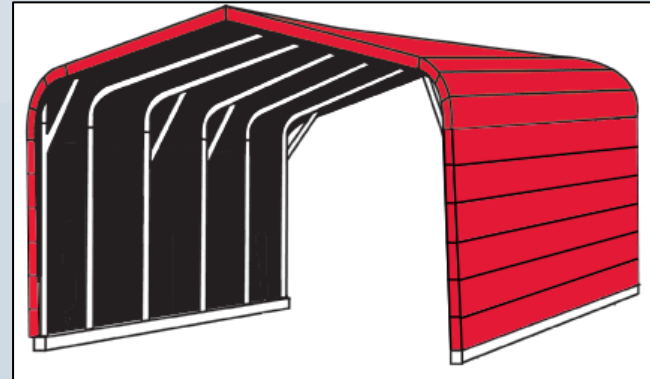
Important definitions:

Temporary Shelter

Shall mean a non-permanent commercially prefabricated **accessory structure** that is designed, **erected** and **used** to provide shelter to a **vehicle** during winter months and is designed to be easily dismantled or removed. The definition of 'winter months' may be defined by other municipal by-laws.

Portable Storage Building

Shall mean a commercially prefabricated **building** or **structure** that is designed, **erected** and **used** to provide storage or warehouse space for commercial, industrial or agricultural purposes. The definition of Portable Storage Buildings shall not include types of **modular homes** or **mobile homes**.



3: General Provisions

- States regulations that apply regardless of specific zoning
- Includes diagrams and illustrations for clarification
- Regulates such matters as:
 - Parking and Loading Areas
 - Accessory Uses and Accessory Residential Uses
 - Bed and Breakfast Establishments
 - Buffer Strips
 - Home Based Businesses
 - Dwelling Unit Floor Areas
 - Special Separation Distances
 - Height Exceptions
 - Yard Encroachment Exceptions

3: General Provisions (continued)

■ Parking

- Updated By-Law includes barrier-free parking space requirements to increase accessibility
- Exempts downtown lots on Howey St from providing parking

■ Accessory Residential Uses

- New regulations for Garden Suites
 - Permitted in R4 zone, 74 m², 6 m height
- New regulations for Guest Cabins
 - Permitted in R5 zone, 55 m², 4.5 m height
- New regulations for Lofts-Above-Garages
 - Permitted in R5 zone, 55 m², 6 m height total
- Other residential uses controlled by specific zones

3: General Provisions (continued)

■ Dwelling Unit Areas

- Previously applied to all types of units
- Now only applies to single detached, semi-detached, double wide modular dwelling units, duplex, triplex, converted dwellings, the R3 zone, group homes and crisis houses
- Does not apply to seasonal dwellings or dwelling units in apartment building or double duplex dwellings or portions of non-residential buildings

■ Home Based Businesses

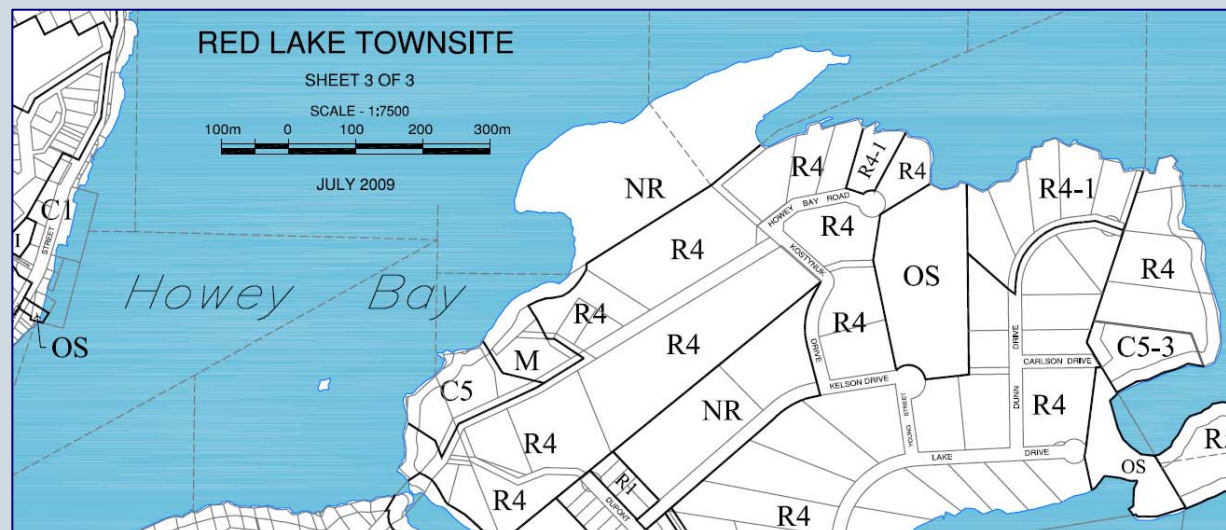
- Prohibited certain uses (kennel, laundry services, funeral home, etc)
- Home occupations permitted in R1, R2 and R4 zones
- Home industries permitted in R4 zone

3: General Provisions (continued)

- Special Separation Distances
 - Agricultural: MDS
 - Group Homes and Crisis Houses: 200 m (656.2 ft)
 - Industrial Uses: MOE Guidelines
 - Pits: 300 m; Quarries: 1,000 m
 - Sewage Lagoon: 400 m
 - Water bodies and Watercourses: 30 m (98.4 ft)
 - 15 m from top of bank, lands zoned HL or flood elevation of Red Lake
- Public road frontage required unless specified

4: Zones and Zoning Maps

- Outlines the 18 different zones and zone symbols
- Describes relationship of text and zones to the Zoning Maps (schedules)
- Describes implementation of site specific zones and holding zone
- Provides rules for interpreting zone boundaries on maps



5: Townsite Residential Density 1 (R1)

- Permits low density residential uses (1 & 2 units):
 - Group Homes, Crisis Housing
 - Converted, Double Wide Modular, Double Wide Mobile Home, Duplex, Semi-detached and Single Detached Dwellings
- Zone Requirements (area, frontage, setbacks, etc) according to specific uses
- Must be serviced with full municipal services

6: Townsite Residential Density 2 (R2)

- Permits medium and high density residential uses (3 or more units):
 - Group Homes, Crisis Housing, Boarding House, Rooming House, Tourist Home
 - Apartment Building, Converted, Double Duplex, Row and Triplex Dwellings
- Zone Requirements (area, frontage, setbacks, etc) according to specific uses
- Must be serviced with full municipal services

7: Mobile Home Residential (R3)

- Permits low density mobile home residential uses (1 unit per lot):
 - Single Wide Modular and Single Wide Mobile Home Dwellings

Lot Area: 600 m² (6,458.4 ft²)

Lot Frontage: 15 m (49.2 ft)

Maximum Height: 7.5 m (24.6 ft)

Front Yard Setback: 7.5 m

- Must be serviced with full municipal services

8: Rural Residential (R4)

- Permits low density rural residential uses (1 unit per lot):
 - Group Homes
 - Single Detached and Double Wide Modular Dwellings

Lot Area: 1 ha (2.47 ac)

Lot Frontage: 45 m (147.6 ft)

Maximum Height: 10.5 m (34.5 ft)

Front Yard Setback: 10 m (32.8 ft)

- Must be serviced with individual on-site services

9: Recreational Residential (R5)

- Permits only seasonal dwellings (1 unit per lot)

Lot Area: 1 ha (2.47 ac)

Lot Frontage: 45 m (147.6 ft)

Maximum Height: 10.5 m (34.5 ft)

Front Yard Setback: 10 m (32.8 ft)

- Private road frontage or water access permitted
- Must be serviced with individual on-site services

10: Townsite Commercial (C1)

- Permits range of commercial uses found downtown:
 - Art gallery, Bank, Convenience store, Hotel, Office, Personal service establishment, Restaurant, Retail store, Tavern, Theatre...
 - Permits dwelling units above ground floor non-residential uses, maximum of 75% of building

Lot Area: n/a

Lot Frontage: n/a

Maximum Height: 12 m (39.37 ft)

Front Yard Setback: 6 m (19.7 ft)

- 2.5 m (8.2 ft) buffer strip required adjacent to I, OS or residential zones
- Must be serviced with full municipal services

11: Local Commercial (C2)

- C2 zone previously permitted tourist, local and highway commercial uses
- Permits local commercial uses compatible with residential:
 - Bakery, Convenience store, Gift shop, Personal service establishment, Laundromat

Lot Area: 230 m² (2,475.7 ft²)

Lot Frontage: 8 m (26.25 ft)

Maximum Height: 7.5 m (24.6 ft)

Front Yard Setback: 4.5 m (14.8 ft)

- 2 m (6.56 ft) buffer strip required adjacent to I, OS or residential zones
- Commercial uses must not exceed 150 m² (1,614.6 ft²)
- Must be serviced with full municipal services

12: Shopping Centre Commercial (C3)

- Permits only Shopping Centre

Shopping Centre: Shall mean a commercial *place* planned, designed and developed or managed as a unit, having a minimum **gross leasable floor area** of 2,000 m² (21,527.8 ft²), having off-street parking provided on the same *lot*, and which **building** or buildings contain two (2) or more **retail stores**, services, **personal service establishments**, **restaurants** and **offices**.

Lot Area: 0.5 ha (1.24 ac)

Lot Frontage: 36 m (118.11 ft)

Maximum Height: 12 m (39.4 ft)

Front Yard Setback: 12 m (39.4 ft)

- 2.5 m (8.2 ft) buffer strip required adjacent to residential zones
- Must be serviced with full municipal services

13: Highway Commercial (C4)

- ***New zone***

- Previous By-Law permits tourist, highway and local commercial uses all in the same zone
- Highway commercial uses previously permitted in C2 zone

- C4 zone permits highway-oriented commercial uses only:

- automobile uses, Building supply outlet, Hotel, Motel, Restaurant, Retail store, Theatre

Lot Area: 1,390 m² (14,961.8 ft²) on full municipal services

Lot Area: 2,045 m² (22,012.2 ft²) on individual on-site services

Lot Frontage: 30 m (98.43 ft)

Maximum Height: 12 m (39.4 ft) Front Yard Setback: 7.5 m (24.6 ft)

- 2.5 m (8.2 ft) buffer strip required adjacent to residential zones
- Must be serviced with full municipal services

14: Tourist Commercial (C5)

- ***New zone***

- Previous By-Law permits tourist, highway and local commercial uses all in the same zone
- Tourist commercial uses previously permitted in C2 zone

- **C5 permits tourist and vacation-oriented commercial uses:**

- Campground, Marina, Seaplane base, Tourist cabin establishment, Parks, Tourist commercial outfitters

- **5 m (16.4 ft) buffer strip required adjacent to I, OS and residential zones**

- **Permits 1 accessory dwelling unit**

- **Private road frontage or water access permitted**

15: Industrial (M)

- Permits industrial or high-impact uses:
 - Airport, Bulk sales, Industrial, Manufacturing, Warehouse, Self storage, Industry storage, Processing facility, Water treatment facility
- 3 m (9.84 ft) buffer strip required adjacent to I, OS and residential zones
- Permits 1 accessory dwelling unit
- Sewage lagoon is zoned M-1
- Waste Disposal Sites are zoned M-2

16: Extractive Industrial (MX)

- ***New zone***
- Permits Pits and Quarries
 - Previous By-Law permits pits and quarries in NR zone
- All known pits and quarries in Municipality zoned MX
- All buildings and structures to be 10 m (32.8 ft) from lot lines
- 4 m (13.12 ft) buffer strip between I, OS and residential zones

17: Mineral Mining (MM)

- ***New zone***

- Previous By-Law permits mineral mining operations in NR zone
- Permits Agriculture, Conservation, Forestry, Mineral exploration and Mineral Mining

- All known mining operations in Municipality zoned MM

- All buildings and structures to be 10 m (32.8 ft) from lot lines

- 5 m (16.4 ft) buffer strip between I, OS and residential zones

- Dormitory permitted as accessory use

18: Open Space (OS)

- Permits uses generally open in nature
 - Cemetery, Community centre, Golf course, Nursery, Park

No minimum lot frontage or lot area

Yard Setback (All yards): 7.5 m (24.6 ft)

Maximum Height: 7.5 m (24.6 ft)

Maximum Lot Coverage: 10%

Minimum landscaped open space: 50%

19: Institutional (I)

- Permits institutional uses
 - Arena, Community centre, Day care, Library, Hospital, Museum, Place of Assembly and Worship, School, Post-secondary educational institution
- Zone Requirements according to specific uses
- Must be serviced with full municipal services
- 3 m (6.56 ft) buffer strip between OS and residential zones for larger uses, 2 m (6.56 ft) for other uses

20: Natural Resources (NR)

- Permits uses that utilize natural resources or that require location in the rural area:
 - Agricultural, Conservation, Forestry, Mineral exploration, Sawmill
 - Existing dwellings, shooting ranges and tourist commercial establishments are permitted

- All buildings and structures to be 10 m (32.8 ft) from lot lines
 - Redevelopment of existing dwellings and tourist establishments subject to R4 and C5 zone requirements

- 5 m (16.4 ft) buffer strip between I, OS and residential zones for larger uses, 2.5 m (8.2 ft) for other uses

21: Hazard Land (HL)

- HL zone represents lands that pose risk to human health and safety:
 - Mine hazards, steep or unstable slopes, flooding
- Permits only passive uses:
 - Agricultural, Conservation, Forestry, Mineral exploration, Outdoor recreation, Hydro-electric facility, Facilities for bank stabilization, watercourse protection, floor or erosion control
 - No buildings permitted in association with above uses unless by their nature they must locate in hazardous areas

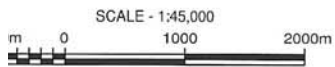
22: Environmental Protection (EP)

- Fragile areas which need specific protection:
 - Significant wildlife habitat, endangered or threatened species habitat, fish habitat, adjacent lands
- Permits only conservation uses:
 - No buildings permitted

Zoning Schedules

- All water bodies shown in blue to increase simplicity
- Changed zoning of certain lands based on 4 new zones and the M-1 and M-2 site specific zones
- Certain lands on Howey Street zoned 'C1-p' which exempts them from parking and loading requirements
- Includes amendments since 2007
- Improved delineation of EP zones
- For consideration:
 - Remove Schedule 13 to eliminate EP zone overlaps
 - Blank out overlapping areas on ALL schedules that cause duplication and unnecessary confusion

OWNSHIP OF DOME AND PART OF THE TOWNSHIP OF FAIRLIE



JULY 2009

D LAKE

- ENTIAL DENSITY 1
- ENTIAL DENSITY 2
- ISIDENTIAL
- TAL
- IESIDENTIAL
- IERCIAL
- IAL
- RE COMMERCIAL
- ERCIAL
- ERCIAL
- ESTRIAL

ACES

PROTECTION

TOWNSHIP OF FAIRLIE

Ltd.

NG LTD.



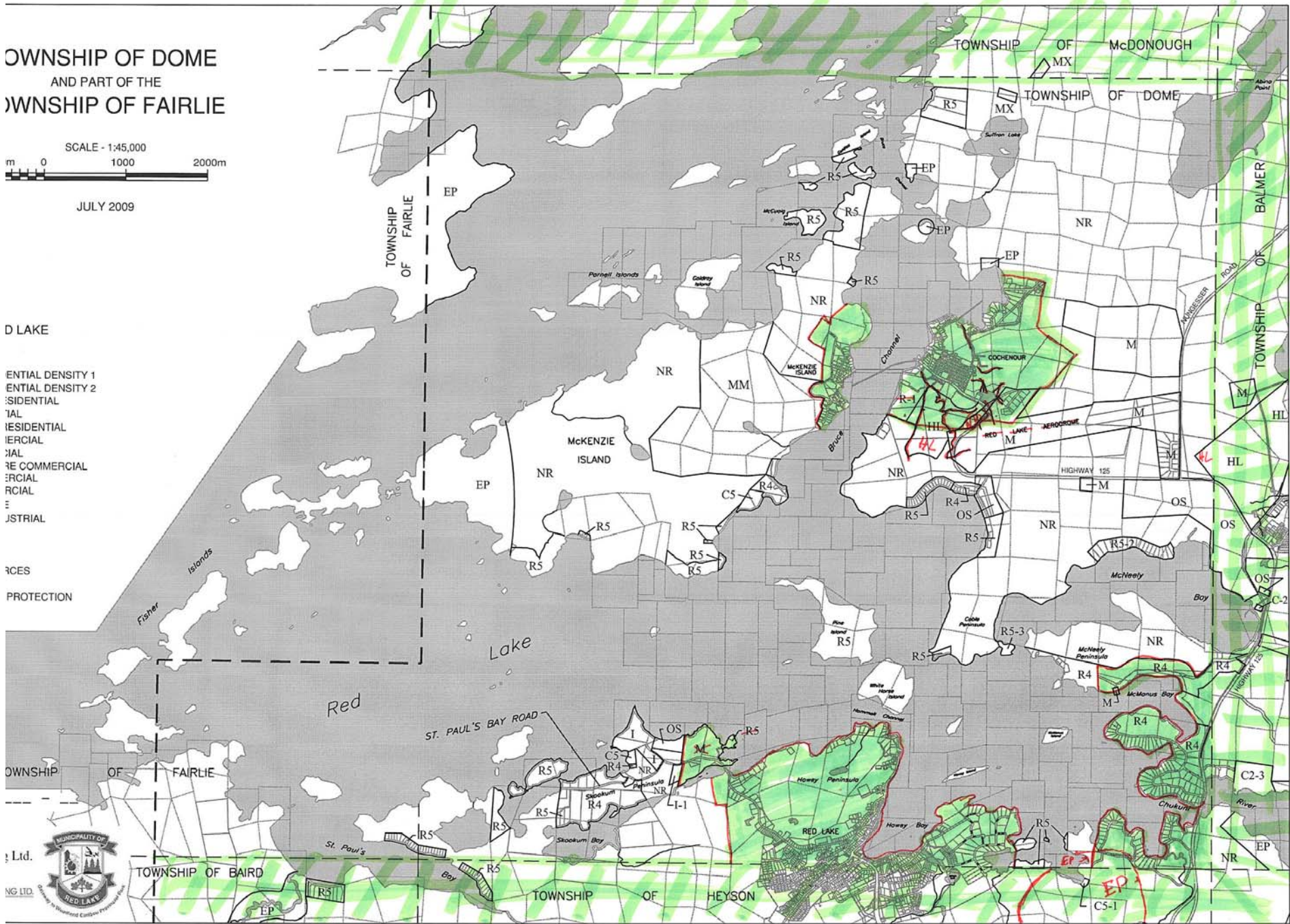
TOWNSHIP OF BAIRD

TOWNSHIP OF HEYSON

TOWNSHIP OF McDONOUGH

TOWNSHIP OF DOME

TOWNSHIP OF BALMER



Where to from here...

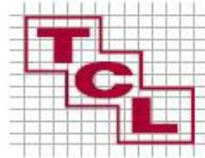
- Current draft available online throughout process starting August 27th, 2009
- Receive comments from public, Council, staff and PAC
 - *September 25th, 2009*
- Consider changes to 1st draft of Zoning By-Law
- Provide final draft of Zoning By-Law
 - *Mid-October 2009*
- 2 week period for review by public, Council, staff and PAC
- Receive comments and consider changes to final draft
 - *Mid-October > Early November 2009*
- Provide final draft for Adoption
 - *Mid-November 2009*
- Notice of Passing within 15 days of adoption

Appeals

- Preferable to resolve matters before adopting By-Law
- Within 20 days of Notice of Passing, any “person or public body who, before the by-law was passed, made oral submissions at a public meeting or written submissions to the council” may appeal the By-Law to the OMB
- OMB matters may be resolved by mediation, settlement or full hearing

Discussion Points

- Mapping changes
- Dwelling Unit size and Maximum Height in R5 zone
- Garden Suites in R1 zone
- Guest Cabins in R4 zone
- Additional lots needing 'C1-p' zoning
- New Heavy Industrial Zone
- Separation distance between dormitories and mineral mining facilities



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