



**City of Kingston
Information Report to Council
Report Number 16-188**

To: Mayor and Members of Council
From: Lanie Hurdle, Commissioner, Community Services
Resource Staff: Paige Agnew, Director, Planning, Building & Licensing Services
Date of Meeting: June 21, 2016
Subject: Comprehensive Zoning By-Law Update

Executive Summary:

The following is an information report to Council with respect to the status of the new Comprehensive Zoning By-Law project. The new Comprehensive Zoning By-Law is required to be consistent with the Provincial Policy Statement and to conform with the Official Plan. The first draft of the by-law will be released to the public after the completion of the current Five Year Update to the Official Plan.

Background work on the Comprehensive Zoning By-Law project began in April of 2015. Since this time, City staff have worked with Dillon Consulting Ltd. to collect and analyze data to consolidate the five existing zoning by-laws and, where required, update the standards to ensure consistency with the Provincial Policy Statement and conformity with the Official Plan.

Based on the schedule for the Five Year Update to the Official Plan, it is anticipated that the first draft of the new Comprehensive Zoning By-Law will be released to the public in late summer/early fall, with consultation events on the first draft of the by-law to be planned throughout the fall. At this time, it is anticipated that three separate drafts, with three full public consultation periods, will occur throughout the fall of 2016 to late 2017 before the final draft of the by-law is prepared for Council consideration.

Recommendation:

This report is for information purposes only.

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Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER

Lanie Hurdle, Commissioner, Community Services

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

Gerard Hunt, Chief Administrative Officer

Consultation with the following Members of the Corporate Management Team:

Denis Leger, Transportation, Facilities & Emergency Services	Not required
Jim Keech, President and CEO, Utilities Kingston	Not required
Desiree Kennedy, Chief Financial Officer & City Treasurer	Not required

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Options/Discussion:**Background**

Section 26 of the *Planning Act, R.S.O. 1990, c. P.13* requires municipalities to revise an Official Plan no less than every five years after an Official Plan comes into effect. Section 26(9) of the *Planning Act* also requires municipalities to amend all zoning by-laws that are in effect no later than three years after a Five Year Update to ensure they conform with the Official Plan.

As described in Report Number PC-15-103, presented at the September 3, 2015 meeting of the Planning Committee (https://www.cityofkingston.ca/documents/10180/10704491/PLN_A1415-15103.pdf/8bf33019-5550-470f-9602-aa8f9c10092d) and Report Number PC-16-050, presented at the May 19, 2016 meeting of the Planning Committee (https://www.cityofkingston.ca/documents/10180/14069714/PLN_A1116-16050.pdf/7c35f797-d0ea-4a91-8e1f-36bd0ed0f9c6), the City is currently working with the project consultant, Dillon Consulting Ltd., to complete the first Five Year Update to the City's current Official Plan. The third draft of the Five Year Update was released on April 29, 2016, with a Statutory Public Meeting held at the Planning Committee meeting on May 19, 2016. City staff are currently receiving the final round of comments from the public on the third draft and are beginning to finalize revisions to the Official Plan in response to the comments. It is anticipated that a final version of the proposed revisions to the Official Plan, with an implementing by-law, will be presented to Council in June or July of this year, which will then be sent to the Ministry of Municipal Affairs and Housing for final approval, pursuant to the requirements of the *Planning Act*.

Comprehensive Zoning By-Law Project

The City of Kingston currently has five main zoning by-laws covering various portions of the municipality that were prepared under a different jurisdictional context and policy framework than that which exists today. As summarized in the staff reports identified above, the City is in the process of preparing a new Comprehensive Zoning By-Law (the "CZBL") to replace the separate, outdated zoning by-laws with one comprehensive vision for planning and development in the City that complies with the policies of the Official Plan and is consistent with the Provincial Policy Statement.

Work on the CZBL project began in April of 2015. Since this time, staff have worked with Dillon Consulting Ltd. to collect and analyze data required to complete a consolidation of the five existing zoning by-laws and, where required, update the standards to ensure conformity with the current policy framework. Since the CZBL is required to comply with the policies of the Official Plan, the first draft of the CZBL will be completed following the completion of Five Year Update to the Official Plan.

Work Completed to Date

The collection of background data culminated in the drafting of two separate background reports by Dillon Consulting Ltd., the Zoning Framework Report and the Recommended Zoning Standards Report. The two studies were prepared to inform and provide a framework for the first draft of the zoning by-law. The two reports provide a comparison of the existing by-laws, including the general provisions, residential use provisions, definitions and zone categories.

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They provide an analysis and recommendations related to Official Plan compliance and the structure and formatting recommended for the first draft of the CZBL. It is anticipated that the two background reports will be released to the public at the same time as the first draft of the zoning by-law to provide background and reference material for the public that will complement the first draft of the CZBL.

Current Work

Planning staff have received the first internal draft of the CZBL document, along with associated mapping, from Dillon Consulting Ltd. Planning staff are currently reviewing the first draft of the document internally. Upon completion of the internal review, the revised first draft will be circulated to Dillon Consulting Ltd. and to internal City departments and other internal stakeholders in the City for their review and comment. Depending on the outcome of the Five Year Update project to the Official Plan, further revisions to the first draft may be required to ensure conformity with Official Plan policies.

Parking Study

As described in Report Number 16-014, presented at the February 2, 2016 meeting of Council (https://www.cityofkingston.ca/documents/10180/12619927/COU_A0516-16014.pdf/edf56b0f-7caa-4b23-bd7f-e19cbc2cfd47), City staff are currently completing a parking study, which will be peer reviewed by Dillon's planning and engineering team, to ensure that the first draft of the CZBL has appropriate, modern parking standards that realize and implement the active transportation, transportation demand management and broad parking objectives of the Province and City of Kingston.

Next Steps

After receiving and incorporating comments from Dillon Consulting Ltd. and internal departments and stakeholders on the first internal draft of the by-law, Staff will review the CZBL to ensure conformity with the final version of the Five Year Update to the Official Plan. Once all revisions to the internal first draft of the by-law are complete, the first draft of the new Comprehensive Zoning By-Law will be released to the public, which will begin a comprehensive public consultation phase. Similar to the approach taken with the Official Plan update, staff are planning a series of public engagement sessions to accommodate multiple opportunities and avenues for providing input. Social media will form a key component to the roll out of a draft version of the consolidated zoning by-law. It is currently anticipated that the first draft will be released to the public in late summer/early fall, with consultation events on the first draft of the by-law to be planned throughout the fall. At this time, it is anticipated that three separate drafts, with three full public consultation periods will occur throughout the fall of 2016 to late 2017 before the final draft of the by-law is prepared. The notice and public consultation items for the CZBL project will meet and go beyond the minimum *Planning Act* requirements.

To help inform the public of the status of the new CZBL project, Paige's Planning Blog will post regular content and updates on this important and exciting project for the City (<https://www.cityofkingston.ca/web/guest/business/planning-and-development/official-plan/blog>). The City will also update the CZBL website (<https://www.cityofkingston.ca/NewZoningBylaw>) regularly. If members of the public are interested in receiving email updates from the City or if they have specific questions for City staff, they are encouraged email

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opzb_update@cityofkingston.ca and ask to be placed on the mailing list for the Comprehensive Zoning By-Law project.

Existing Policy/By-Law:**City of Kingston Official Plan**

Currently, there are five principal zoning by-laws and a further five site specific older remnant zoning by-laws in effect in the City of Kingston Planning Area. The five principal zoning by-laws include the following:

- By-Law Number 8499, City of Kingston, adopted in 1975;
- By-Law Number 96-259, Downtown and Harbour Zoning By-Law (City of Kingston), adopted in 1996;
- By-Law Number 76-26, Kingston Township, adopted in 1976;
- By-Law Number 97-102, Cataraqui North Zoning By-Law (Kingston Township), adopted in 1997; and
- By-Law Number 32-74, Pittsburgh Township, adopted in 1974.

Notice Provisions:

Not applicable

Accessibility Considerations:

All future work on this project is required to be AODA compliant, including any public consultation sessions.

Financial Considerations:

The funds for this project were allocated and approved in the 2015 capital budget.

Contacts:

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Laura MacCormick, Senior Policy Planner 613-546-4291 extension 3287

Other City of Kingston Staff Consulted:

Not applicable

Exhibits Attached:

Not applicable