

# PLANNING 101

Presented by:

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# Planning 101

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## What Is Planning?

Community or land use planning can be defined as managing our land and resources. Through careful land use planning, municipalities can manage their growth and development while addressing important social, economic and environmental concerns. More specifically, the land use planning process balances the interests of individual property owners with the wider needs and objectives of your community, and can have a significant effect on a community's quality of life.

Source – MMAH Website

# Legislation and Documents

- Province – Ministry of Municipal Affairs and Housing - Planning Act of Ontario
- Province – Ministry of Municipal Affairs and Housing - Provincial Policy Statement – 2020
- Province - Ministry of Environment and Energy – Permit to Take Water and Environmental Certificate
- Province - Ministry of Natural Resources – Endangered Species & Species at Risk Act
- Province - Ministry of Transportation – Highway 62
- PEC - Official Plan – 2021
- PEC - Secondary Plans – (Picton - 2015), (Wellington -2015), (Rossmore - 2015)
- PEC - Comprehensive Zoning By-law – 2006 (By-law Review underway)
- PEC - Master Transportation Plan – 2020
- PEC - Parks and Recreation Master Plan (study underway)
- PEC - Tourism Management Plan
- PEC - Heritage Conservation Districts – Picton and Wellington
- PEC- Downtown Revitalization Plans (proposed to be redone)
- PEC - Master Servicing Plans – Wellington and Picton (study underway)
- Quinte Regional Groundwater Study (2004) & Drought Management Plan (2021)
- Quinte Conservation – Floodplain and Wave Uprush Mapping



# Planning Act

- Establishes the rules and requirements for all Planning Applications
- Establishes the Provincial Policy Statement and requirements for Municipal Official Plans
- Provides for planning processes that are fair by making them open, accessible, timely and efficient
- promotes sustainable economic development in a healthy natural environment within a provincial policy framework
- provide for a land use planning system led by provincial policy while recognizing the decision-making authority and accountability of municipal councils in planning
- preparing official plans and planning policies that will guide future development
- regulating and controlling land uses through zoning bylaws and minor variances (Section 3)
- dividing land into separate lots for sale or development via plan of subdivision or land severance (Sections 4 & 5)
- ensuring rights of local citizens to be notified about planning proposals, to give their views and, where permitted, to appeal decisions to the Ontario Land Tribunal (OLT) (Section 6)

# Provincial Policy Statement, 2020

- considering provincial interests, such as providing for a full range of housing options, including affordable housing, and protecting and managing our natural resources
- Is applied provincewide and contains policy direction related to: growth and development, the use and management of resources, the protection of the environment, public health and safety
- Municipalities implement the PPS policies through their Official Plan, Zoning By-law and decisions on planning matters – can be more restrictive but not less restrictive
- Council decisions affecting planning matters shall be consistent with the Provincial Policy Statement
- Provides provincial policy direction on key land use planning issues that affect communities, such as:
  - i. efficient use and management of land and infrastructure
  - ii. the provision of sufficient housing to meet changing needs, including affordable housing
  - iii. the protection of the environment and resources i.e. farmland, natural resources (for example, wetlands and woodlands) and water
  - iv. opportunities for economic development and job creation
  - v. the appropriate infrastructure (water, sanitary, etc) needed to accommodate current and future needs
  - vi. the protection of people, property and community resources by directing development away from natural or human-made hazards, such as flood prone areas



# Official Plan - 2021

- The objectives and policies of this Plan are intended to reflect and achieve the long-term vision and principles for the County
- Must be consistent with the Provincial Policy Statement
- The Plan is to be read in its entirety and the relevant policies are to be applied to each situation
- Identifies policies and procedures that will influence and manage growth opportunities throughout the County over approximately a 25-year time horizon
- The plan is typically reviewed every 5 years to determine that its vision and direction are still valid
- OP provides a view of potential growth (population and employment)
- Provides objectives and policies for different land uses (i.e. Settlement Areas, Agriculture, Rural, Etc)
- Provides objectives and policies for Natural Heritage features (i.e. Wetlands, Floodplains, ANSI's)
- Current plan approved in July 2021 with a 2 year moratorium on amendments
- Planning Staff hoping to bring forward some housekeeping amendments before moratorium ends
- Current Plan has greater focus on protecting Natural Environment areas and development focused within settlement areas
- OP supported by other Master Plans for Transportation, Servicing, Agriculture (LEAR Study)

# Secondary Plans

- A mini Official Plan to guide development for a specific area
- Picton, Wellington and Rossmore have Secondary Plans
- Plans developed in 2015 and require updating
- Plans indicate locations for certain types of development such as commercial residential, employment, parks/green spaces
- Sets out preferred densities for residential developments (minimum and maximum)
- Sets out road pattern

# Comprehensive Zoning By-law 1816-2006

- Implements the vision of the Official Plan
- Prescriptive in nature and you either conform/comply or you don't
- Indicates permitted uses for different land use categories (zones)
- Sets minimum standards for development – setbacks, parking, height, loading area, landscaping buffers
- Current Environmental Protection zone preserves natural heritage features. However, the zone boundary is based on a high level review and is not considered accurate. Environmental Impact Study is required to determine accuracy



# Housing Example

Provincial Policy Statement – Focus growth in Settlement Area

PEC Official Plan – Urban Centre (a settlement area)

PEC Picton Secondary Plan – lands designated Town Residential Area & Environmental Protection Area

PEC Zoning – Special Exceptions to the Residential Type 3 zone (R3), Environmental Protection, Open Space



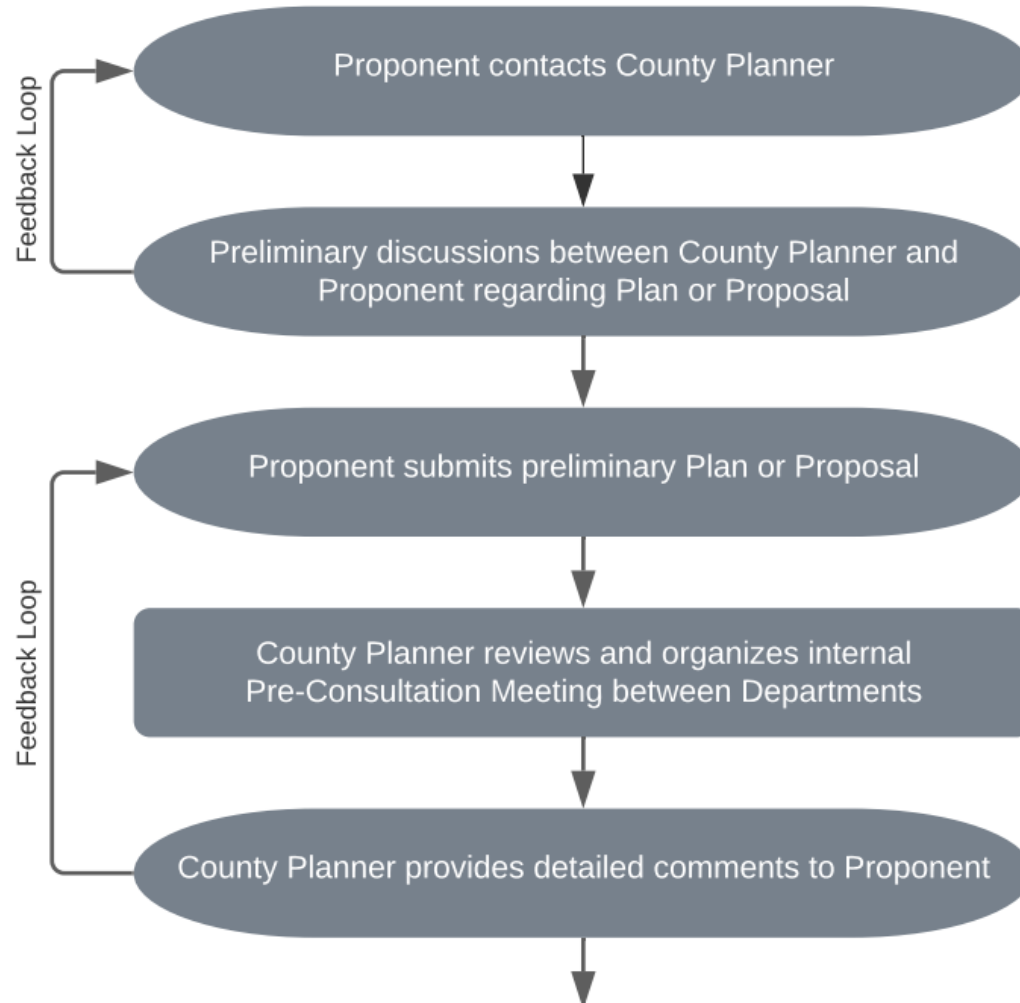
# Types of Planning Applications

- Official Plan Amendment – to change or vary a Policy or Designation
- Zoning By-law Amendment – to change a land use (residential to commercial) or vary a provision (i.e. parking rate)
- Plan of Subdivision – subdivide lands into lots and blocks for development purposes
- Site Plan Control – to develop a specific block of land
- Consents and Severance – to create less than 3 lots or establish easements
- Condominium – to develop a block of land in a specific shared tenure
- Minor Variance – to vary a zoning provision by a small amount
- Temporary Use By-law – to permit a use for a max of 3 years and is renewable
  
- Depending on the type application and pre-consultation review, Planning may ask for a number of reports to support a proponents application : Planning Rationale, Functional Servicing Study, Hydrogeology, Geotechnical, Lighting, Environmental Impact Study, Landscaping Plan, Phase 1 and 2 Environmental Assessment, Archaeology, Traffic Study

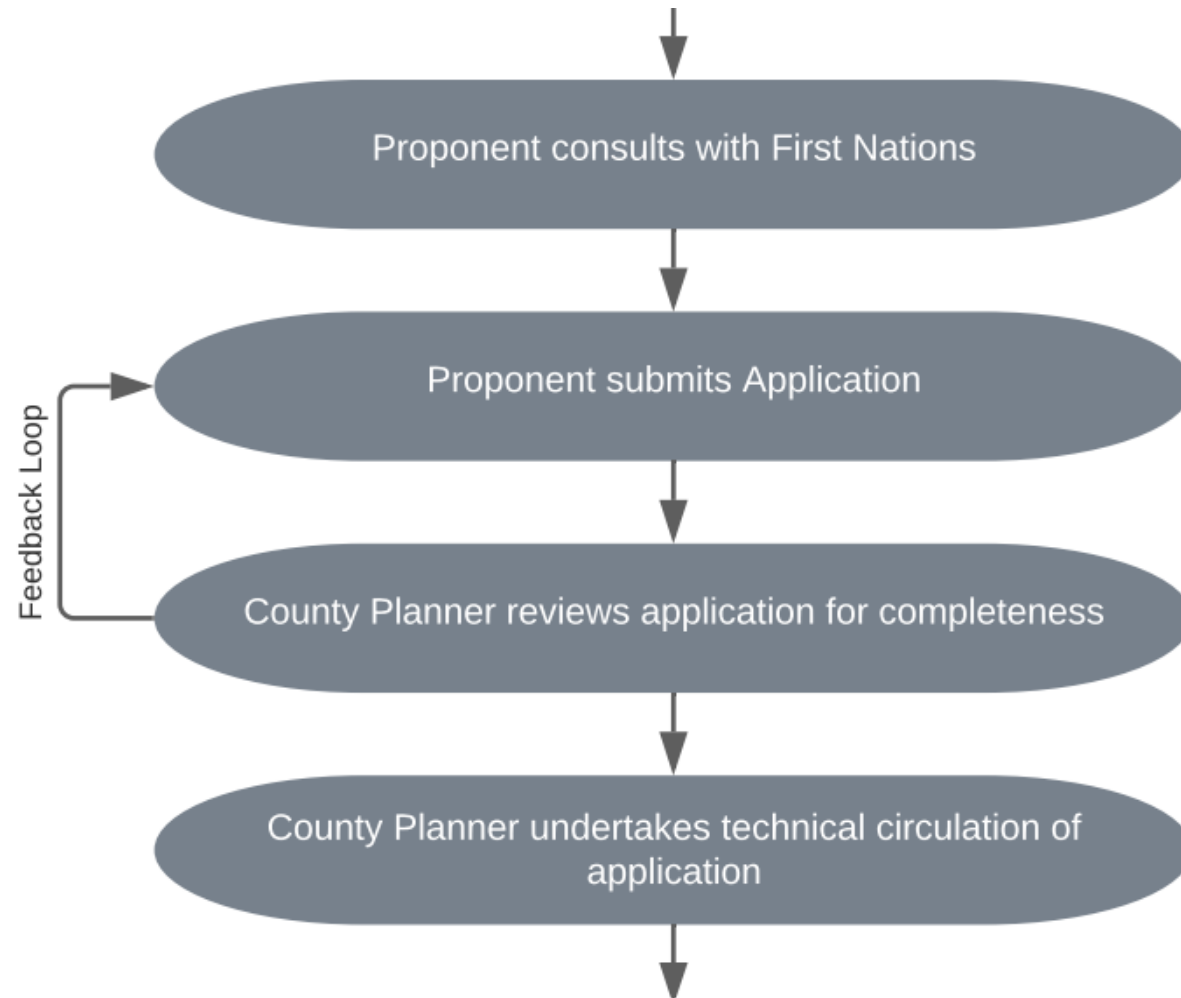
# Planning Process – Basic steps

## Planning Process

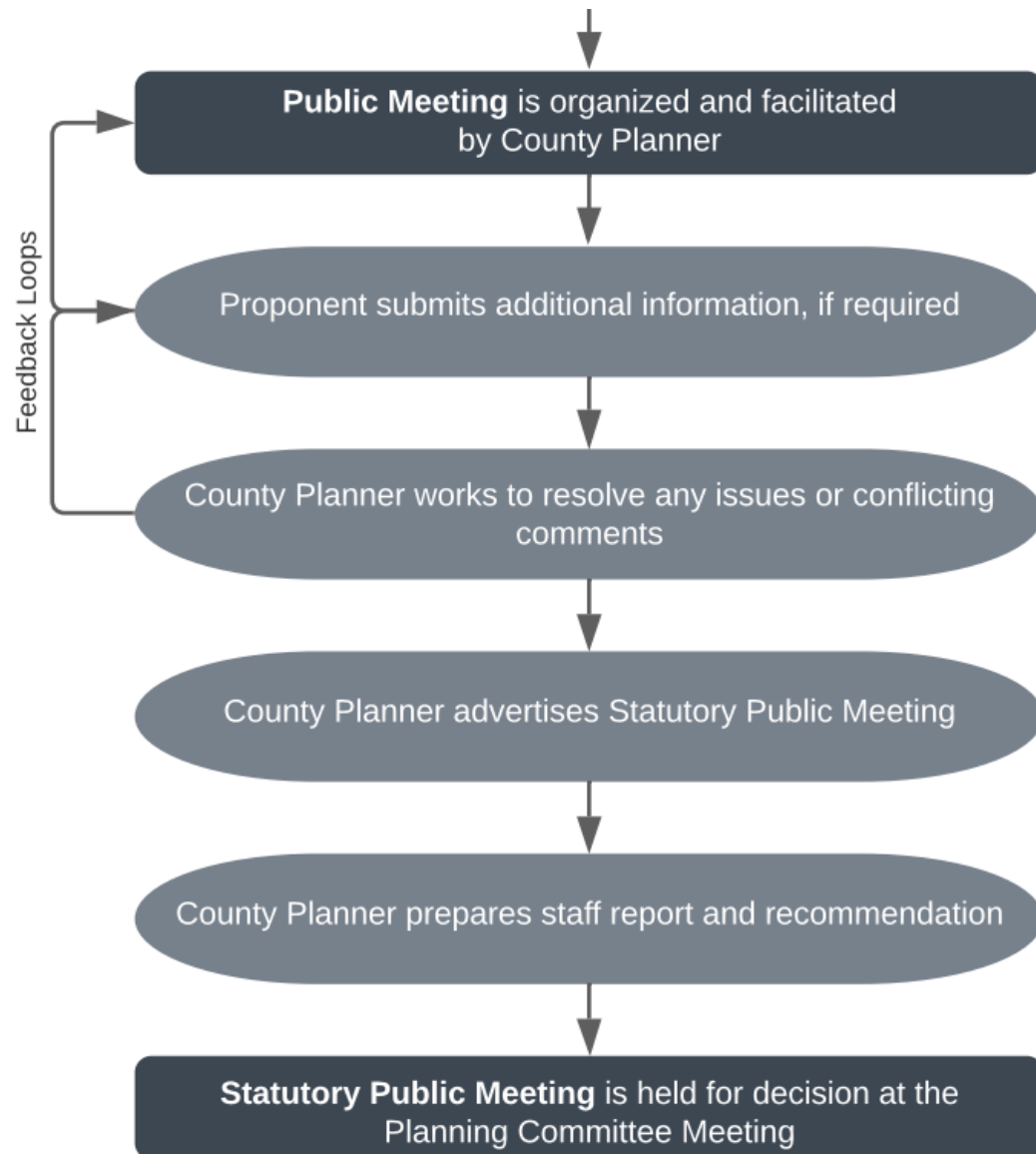
Consents, Rezoning, Plans of Subdivision or Condominiums | March 5, 2021



# Planning Process – Basic steps continued



# Planning Process – Basic steps continued



# Policy Review

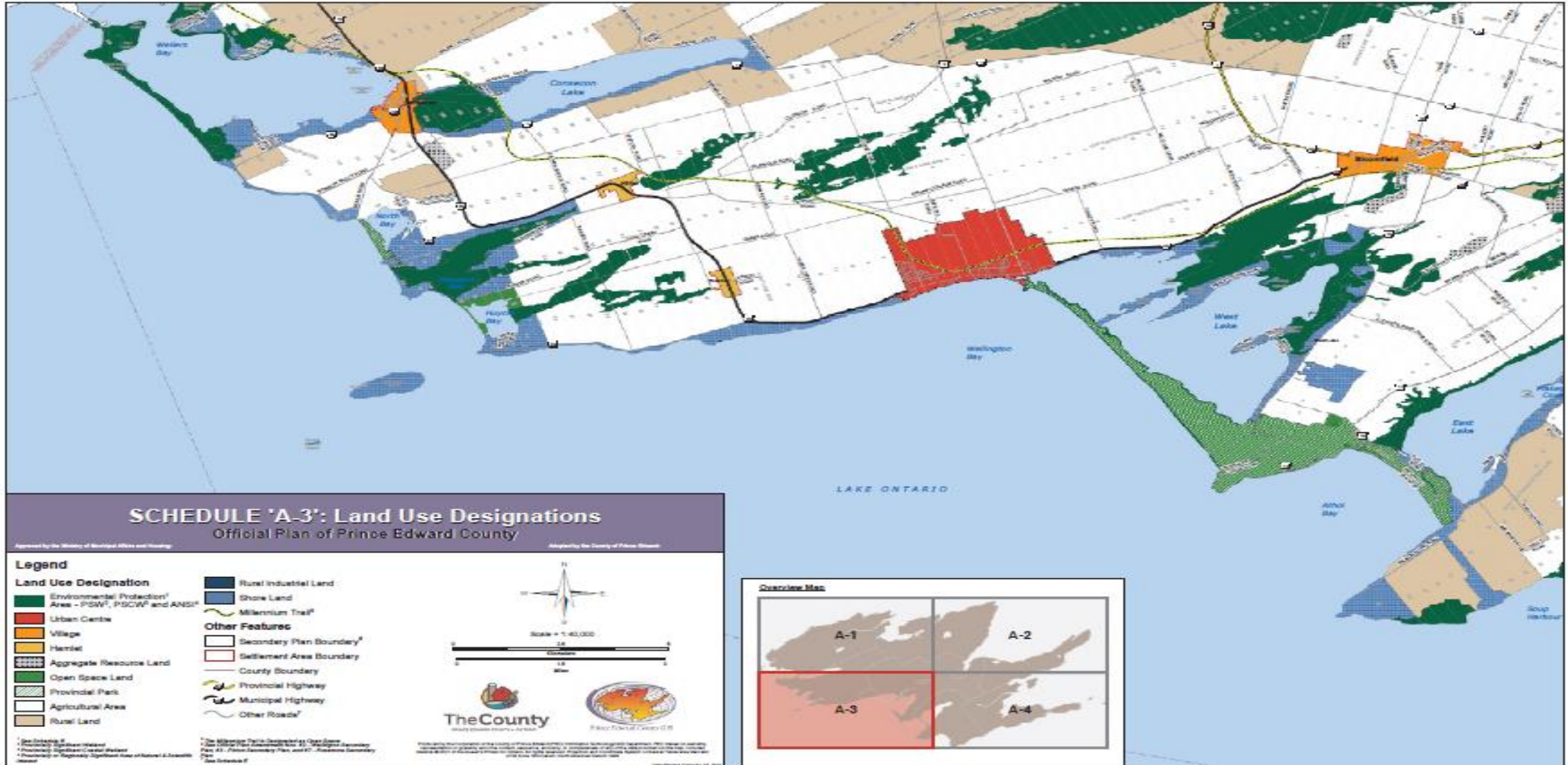
- Provincial Policy statements says to focus development with Settlement Areas
- PEC Official Plan (2021) – is consistent with above policy by restricting severances to one per lot and eliminating County Lot subdivisions within the County
- Rural Vacant Lots

Size (Hectares)	MPAC	MPAC (Filtered for OP Land Use)	MPAC (Filtered for No PA)
<0.2	199	3	3
0.2 to 0.799	344	329	240
0.8 to 1.99	385	370	312
2.0 to 9.99	345	279	209
>10	263	236	205
<b>Total</b>	<b>1536</b>	<b>1217</b>	<b>969</b>

# Recent Growth Trend

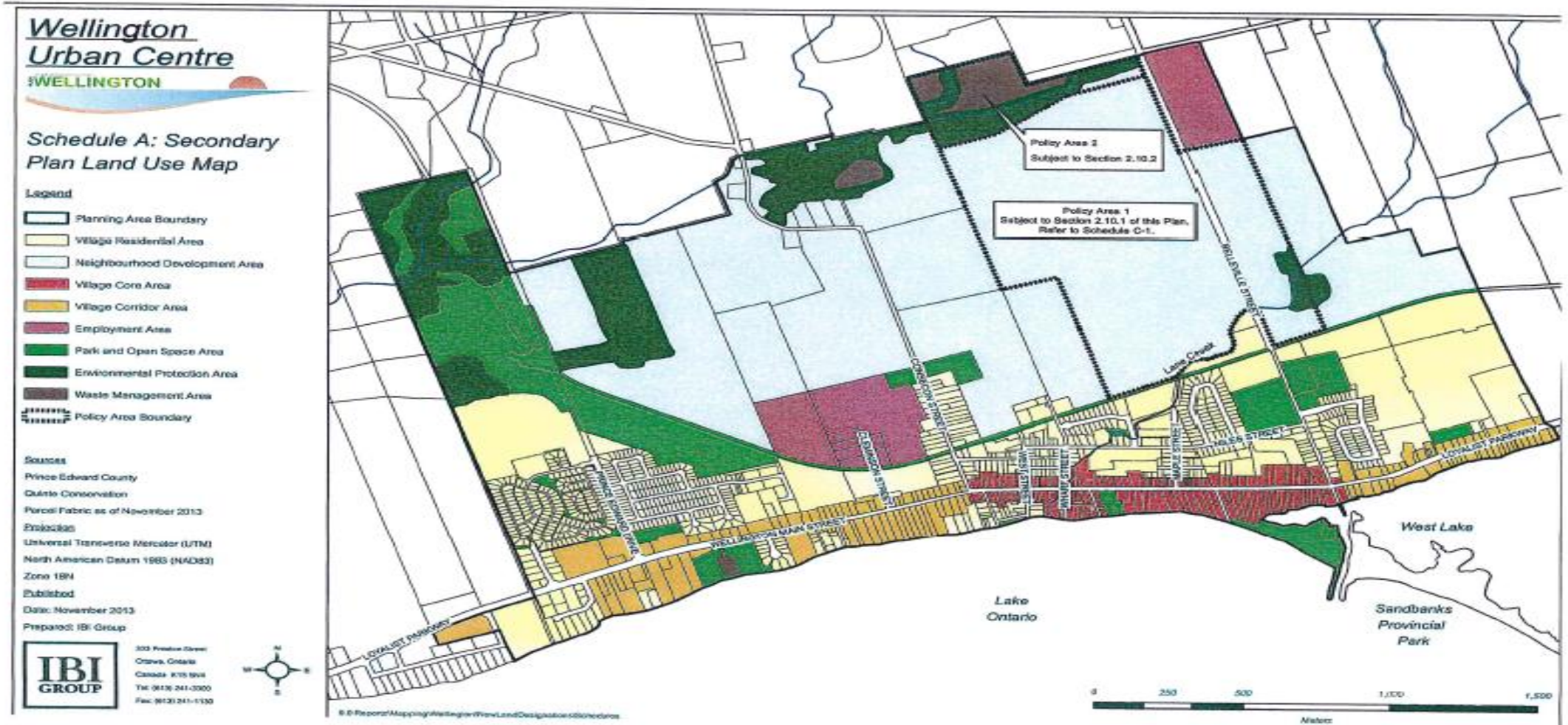
Year	Settlement Area Total Units	Rural Area Total Units		Yearly Total	% in Settlement area
2022	134	85	▲	219	61.2
2021	137	100	▲	237	57.8
2020	119	71	▲	190	62.6
2019	110	81	▲	191	57.6
2018	123	87	▲	210	58.6
2017	92	75	▲	167	55.1
2016	60	73	▲	133	45.1
2015	54	57	▲	111	48.6
<b>Total</b>	<b>829</b>	<b>629</b>		<b>1458</b>	
Percentage of Development in Settlement Areas = $829/1458 = 56.9\%$					

# PEC Official Plan

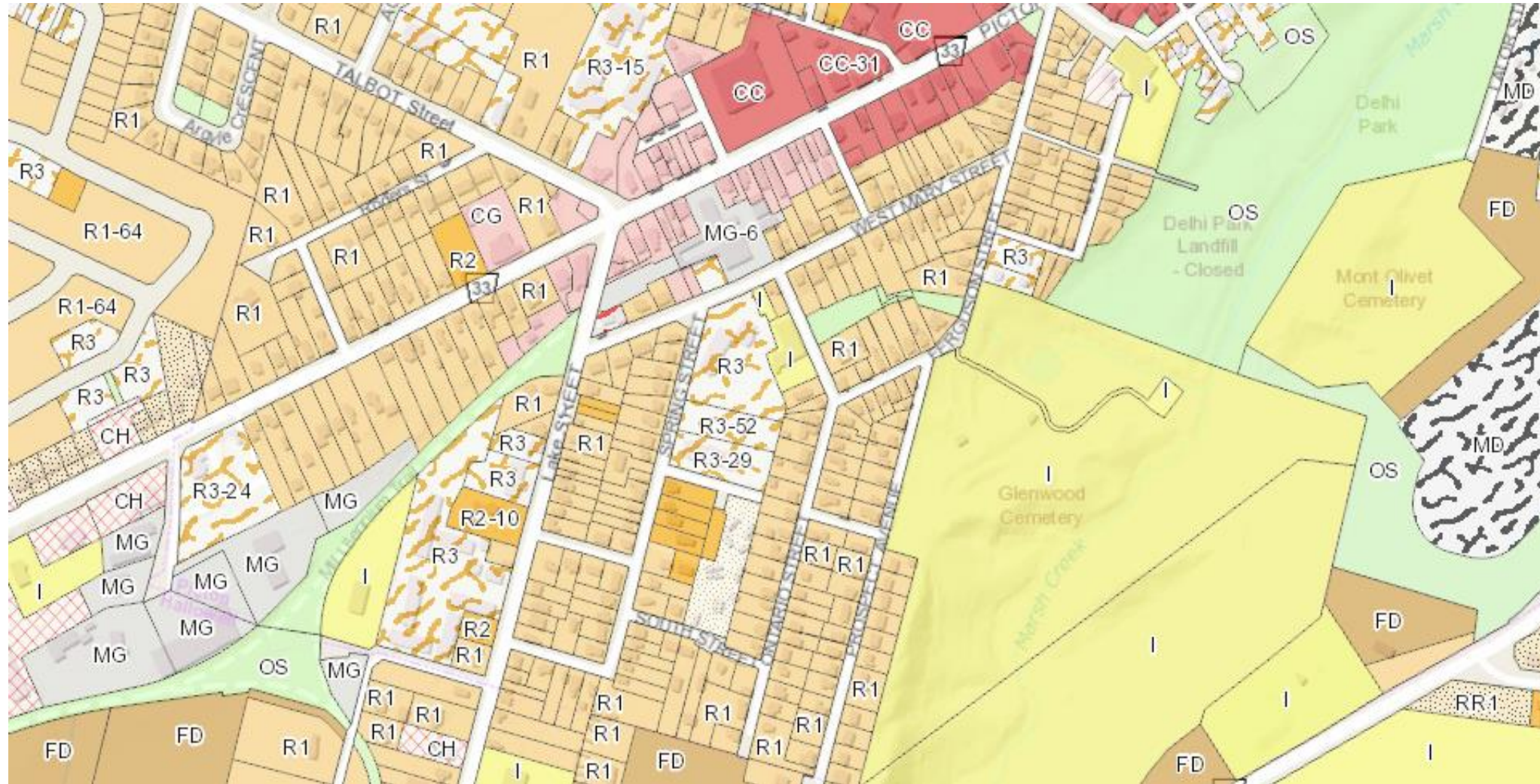




# Wellington Secondary Plan



# Zoning Map



# How to read Zoning

- Definitions – if not defined then normal useage
- Zone Categories - R1, Mg, I, R3-29
- Permitted Uses - as of right and conditional
- Zone provisions – frontage, setbacks, height, buffering, density, landscaped open space
- Provisions applicable to all uses – parking, loading, drive aisles
- Enforcement – you either conform or comply or you do not
- Penalties – Planning Act permits municipality to ask for penalties
- STA and Special Events – being removed from zoning by-law
- Comprehensive Zoning By-law Review – already underway and information can be found on the County “Have Your Say” website

# How to read Zoning

## SECTION 20 LOCAL COMMERCIAL (CL) ZONE

No person shall within any Local Commercial (CL) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

### 20.1 PERMITTED NON-RESIDENTIAL USES

- 20.1.1 convenience store
- 20.1.2 personal service shop
- 20.1.3 restaurant
- 20.1.4 bank or financial institution
- 20.1.5 business and professional office, not including medical clinic
- 20.1.6 laundromat on municipal sewer and water service only
- 20.1.7 public uses or utilities in accordance with the provisions of Section 4.23 of this By-law
- 20.1.8 uses, buildings and structures accessory to the foregoing permitted uses including the sale of pre-filled propane tanks

### 20.2 PERMITTED RESIDENTIAL USES

- 20.2.1 one or more dwelling units in a portion of a commercial building
- 20.2.2 single detached dwelling
- 20.2.3 bed and breakfast establishment
- 20.2.4 home business
- 20.2.5 one second unit or one garden suite

### 20.3 REGULATIONS FOR PERMITTED USES

- 20.3.1 Minimum Lot Area
  - i. Municipal sewer and water service 465 m<sup>2</sup> (5,000 ft.<sup>2</sup>)
  - ii. Municipal water and private sewage service 0.4 ha (1 ac.)
  - iii. Private water supply and sewage service 0.4 ha (1 ac.)

- 20.3.2 Minimum Lot Frontage
  - 1. Municipal sewer and water service 15 m (50 ft.)
  - 2. Municipal water and private sewage service 45 m (150 ft.)
  - 3. Private water supply and sewage service 45 m (150 ft.)
- 20.3.3 Minimum Front Yard 7.5 m (25 ft.)
- 20.3.4 Minimum Exterior Side Yard 7.5 m (25 ft.)
- 20.3.5 Minimum Interior Side Yard 2.0 m (6.56 ft.)
- 20.3.6 Minimum Rear Yard 7.5 m (25 ft.)
- 20.3.7 Maximum Lot Coverage 35 %
- 20.3.8 Minimum Landscaped Open Space 35%
- 20.3.9 Maximum Height of Buildings 9 m (30 ft.)

### 20.3.10 Existing Building Line

The existing building line shall be maintained in the case of any construction, reconstruction, rebuilding or renovation of structures in the Local Commercial (CL) Zone. In the case of rebuilding or reconstruction, where the former building encroached on the street line, the existing street line shall be the new building line.

- 20.3.11 Maximum number of dwelling units per lot
  - i. Municipal sewer and water service 3
  - ii. Municipal water and private sewage service 1
  - iii. Private water supply and sewage service 1
- 20.3.12 Minimum dwelling unit floor area
  - i. Bachelor Unit 46 m<sup>2</sup> (495.2 sq. ft.)
  - ii. One Bedroom Unit 55 m<sup>2</sup> (592 sq. ft.)
  - iii. Two Bedroom Unit 60 m<sup>2</sup> (645.9 sq. ft.)
  - iv. More than Two Bedrooms 65 m<sup>2</sup> (699.7 sq. ft.)

### 20.5 GENERAL ZONE PROVISIONS AND PARKING, DRIVEWAY AND LOADING PROVISIONS

All provisions of Section 4, General Provisions and Section 5, Parking, Driveway and Loading Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Local Commercial (CL) Zone shall apply and be complied with.

# Planning and the Public

The Public are engaged in Planning in a number of ways:

- Development Inquiry form – form found online where residents can ask questions regarding planning matters and receive an answer within 2-3 days (normally)
- Active Planning Applications on website – a GIS based tool found on the County website where residents can access information associated with a specific development application
- <https://pec.maps.arcgis.com/apps/dashboards/c639dfa738ae4e6b941a022669dde899>
- Have Your Say – specific webpage utilized by the Department to obtain feedback on certain projects (i.e. Official Plan review)
- Public facing GIS portal to search for zoning information
- Planning Documents all on line in Planning section of the County website
- Development application notification – happens in 3 ways (3 local newspapers, on site sign and direct mailout). Mailouts are at different distances (60m for Minor Variance, 120m for most applications and 500m for applications in the Rural area)