



ZONE THE FUTURE
COLLINGWOOD
— NEW ZONING BY-LAW —

Contemporary Zoning Principles and Trends and Gap Analysis

Zoning By-law Technical Paper #4

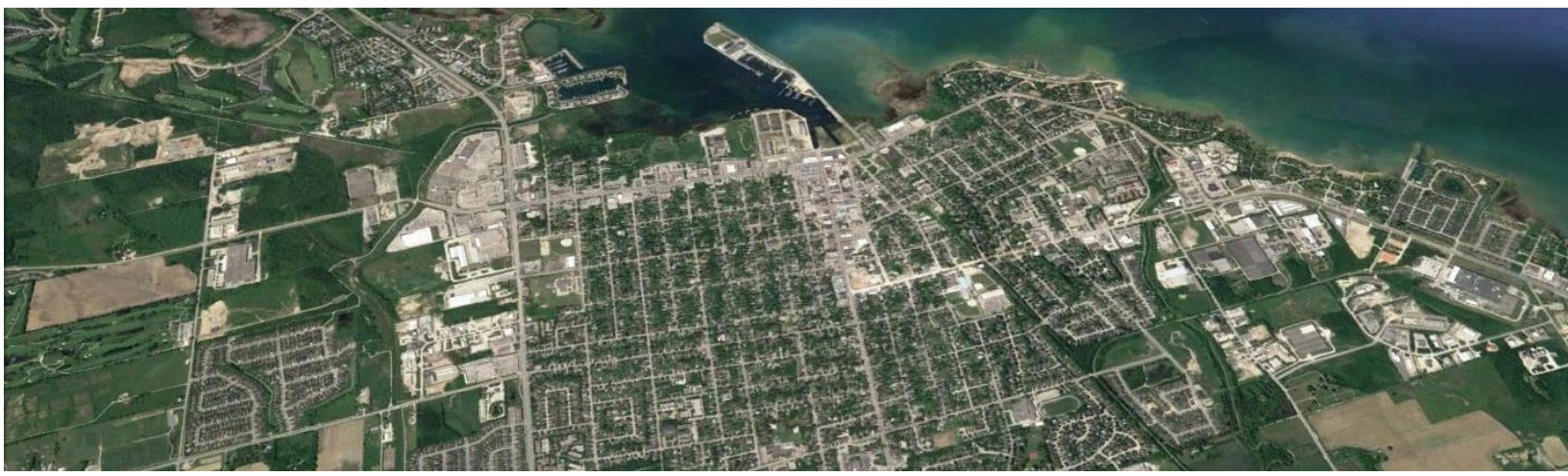
Town of Collingwood

September 2024



Contents

Executive Summary	1
1 Introduction	3
2 Core Principles For Contemporary Zoning	4
2.1 Flexible Zoning	4
2.2 Promoting Economic Development	5
2.3 Increasing Housing and Affordability	6
2.4 Active Transportation/Mobility and Transit	7
2.5 Aligning Zoning Tools With Community Improvement Planning	8
3 Gap Analysis	9
3.1 Outdated Terminology and Definitions	9
3.2 Main Floor Commercial Support	9
3.3 Value-Added Agricultural Uses	9
3.4 Accommodations for Green Energy	10
3.5 Landscape Areas and Open Space	10
3.6 Updated Zoning for Urban Agriculture	12
3.7 Shared Accommodation	13
3.8 Bicycle Parking for Townhouses and Other Residential Uses	13
3.9 Use Permissions in All Zones	13
3.10 Use Permissions for Accessory Uses	13
3.11 Detached Accessory Building Provisions	14
3.12 Shipping Containers	14
3.13 Places of Worship	15
3.14 Parking for Affordable Housing	15
3.15 Entrances on Public Roads	15



3.16 Legal Non-Conforming Uses	16
3.17 Waterfront Master Plan	16
3.18 Accessory Housing for Employees	18
3.19 Completing Housing Projects Work	19
3.20 Framework for Projections	19
3.21 Holding Provisions	19
3.22 Temporary, Shared, and Maximum Parking Provisions	20
3.23 Standards for Private Roads and Amenity Spaces	20
3.24 Human Habitation of Recreational Vehicles	20
3.25 Maximum Number of Townhouses in a Block	20
3.26 Temporary Uses	21
3.27 Housekeeping Items	21
4 Summary of Recommendations and Next Steps	23



Zoning By-law Discussion Paper

Contemporary Zoning Principles and Trends and Gap Analysis

Executive Summary

This is Technical Paper #4 in a series of papers that will be used to guide the community through its Zoning By-law update. The focus of this paper is to research contemporary challenges of today, then discuss relevant zoning trends and tools that are being explored to address them. The topics studied have been identified through a preliminary gap analysis of Zoning By-law 2010-040 to recognize significant planning topics to attend to through the Update project.

This paper is not a comprehensive or exhaustive documentation of the existing Zoning By-law's gaps and contemporary zoning approaches. While it focuses on the most significant topics, others will emerge as the Zoning By-law update evolves. Some of these topics also receive greater depth and basis of review in other Technical Papers.

The purpose of this Technical Paper on Contemporary Zoning Practices and Trends is to:

1. Identify gaps within the existing Zoning By-law (from staff, early stakeholder input, and from the project team's experience, as well as trends in land use planning that can be addressed through zoning).
2. Address the above by presenting best practices for zoning with the help of precedents from other municipalities.
3. Review potential options for the updated Zoning By-law and recommend potential courses of action.

This paper contains 27 recommendations on a variety of items, fully listed out in Section 4 of this paper. To keep this summary short, key themes in those recommendations include:

1. Flexible Zoning - Pursuing flexibility to the extent possible within the framework established by the new Official Plan, especially for use permissions.
2. Promoting Economic Development - transit-oriented development by emphasizing parking for non-automobile transportation, designing for ground-level commercial uses in the strategic growth areas, and reduced or eliminated parking rates for affordable housing or housing near transit.
3. Increasing Housing and Affordability - For zone(s) corresponding to the Rural designation in the Official Plan, include appropriately flexible definitions and permissions for value-added agricultural uses.
4. Active Transportation/Mobility and Transit - Incorporating and actioning recommendations from the housing-oriented projects and studies approved by Council in recent years.
5. Aligning Zoning Tools with Community Improvement Planning - Include provisions for both small-scale and large-scale renewable energy facilities.

Zoning By-law Discussion Paper

Contemporary Zoning Principles and Trends and Gap Analysis

These recommendations are identified for future discussion with Town staff and the community. They can and may change based on input received.

Zoning By-law Discussion Paper

Contemporary Zoning Principles and Trends and Gap Analysis

1 Introduction

In the 14 years since the Town of Collingwood's current Zoning By-law Zoning By-law 2010-040 was initially passed, community planning models and landscapes have evolved significantly: new technology and possibilities in the transportation sector have arisen; the economy has continued to shift towards flexibility; innovations to combat climate change and increase resiliency through the built environment are trending; and housing and affordability have emerged at the forefront of community priorities.

Municipalities are responding to these trends and challenges. For example, with the additional pressures of the rising cost of infrastructure, pre-zoning for higher density and efficient use of serviced land has been used as an approach to ease some of the difficulties associated with these problems. Items discussed in this paper include staff-identified issues, responses to resolutions directed by Council, and some items arising from early public feedback. Note that many other issues are detailed in the other four papers. Accordingly, readers may need to review all papers for a comprehensive picture of how the Town intends to address issues.

The Zoning By-law update brings an opportunity to incorporate contemporary zoning principles such that Collingwood's people and lands may be best positioned to thrive amidst current trends and forecasted demands.

2 Core Principles For Contemporary Zoning

The land use planning landscape of today is rich with current and emerging development issues, opportunities, and best practices. Municipal governments across Canada have been using a number of zoning tools to address these trends, many of which may be appropriate for adoption in various contexts across the Town.

Several guiding principles can help equip the updated Zoning By-law with the tools and content needed for it to help the Town flourish and respond in a contemporary and changing landscape. These include flexible zoning, promoting economic development, increasing housing supply and affordability, and promoting transit-oriented development.

2.1 Flexible Zoning

Today's social, economic, and environmental landscape has changed significantly since the passage of the 2010 Zoning By-law. It will continue to change in years to come, and the updated Zoning By-law can support smooth administrative processes by embedding a certain degree of flexibility. For example, Zoning By-law can be made more flexible by expanding the number of permitted uses that various zones can potentially accommodate. This can be achieved both by including more permitted uses in select zones and by broadening the definitions of uses themselves, as well as focusing less on uses and more on built form impacts.

Integrating an appropriate degree of flexibility into the updated Zoning By-law can be achieved in several ways. The first is to identify zones and areas most suitable for featuring a mix of uses. According to the new Official Plan—the primary source for direction on permitted uses—these areas would be the lands in the Downtown, Mixed-Use Corridor I and II, and Regional Commercial District. Other focused and special policies areas may also be able to support a varied and broad set of permitted uses. Readyng the zoning by-law for development in Future Neighbourhoods will also be important, as is recognizing the permissions in the Poplar Regional Health and Wellness Village MZO area. In total, the intent for the Town's new Zoning By-law should be to provide for the widest range of use permissions that the new Official Plan offers.

Increased flexibility can also be accomplished by expanding the potential of existing buildings. The Town's heritage is one of its core assets, and supporting adaptive re-use will help to conserve and enhance these assets. In the Downtown Core Designation specifically, the Town of Collingwood Official Plan states:

“[The Downtown Core shall be planned to:] Promote economic revitalization within the context of historic preservation, recognizing the potential for adaptive re-use, redevelopment and intensification. Existing buildings with heritage value shall be conserved or restored in accordance with the Downtown Heritage District Plan.” [Section 5.3.1.1(a)(ii)]

Zoning By-law Discussion Paper

Contemporary Zoning Principles and Trends and Gap Analysis

“The design of new buildings and the redevelopment or adaptive re-use of existing buildings shall enhance the quality of the pedestrian environment by including transparent frontages, the articulation of facades and the use of quality materials at the street level, in accordance with the Downtown Collingwood Heritage District Conservation Plan and/or Urban Design Manual, as applicable.” [Section 5.3.1.3(f)]

A Heritage Conservation District, as defined in Section V of the Ontario Heritage Act, notes distinct heritage character in municipalities to guide future development within the municipality. The conservation of heritage resources can be supported through use permissions and zone standards that respect the value of the existing resource or support preservation (chiefly, through modified zone standards, be they relaxed or more restrictive, all depending on the context), while recognizing that positive growth and change can thrive alongside built heritage attributes.

2.2 Promoting Economic Development

Framed by the new [Official Plan](#), the [Economic Development Action Plan 2020-2025](#), and the recently endorsed [2024-2028 Community Based Strategic Plan](#), increasing alignment with current economic development goals and strategies could be a core principle for the updated Zoning By-law. Economic flexibility and diversification feature prominently in these Plans, as does an integrated approach that attracts and retains workers through coordinating high-quality and affordable housing, transit, and local education and training programs. Staff have acknowledged that the Town faces challenges such as a demonstrated shortage of employment lands over the long-term and finding suitable land for commercial, office, and institutional uses that are currently permitted in Employment Areas but will not be once the new Provincial Planning Statement comes into effect.

The updated Zoning By-law can help expand the Town’s capacity to accommodate innovative and contemporary businesses. To unlock additional economic potential in suitable areas, several routes can be considered:

- The Town may wish to review and update permissions for “home businesses” and “home industries” within land use designations that permit residential uses, including for scale and appropriateness given the changed nature of work.
- Contemporary terms such as “artist studio”/“maker spaces” and “live/work units” are also candidates for definition that can support the coordination of appropriate housing provision with attractive labour opportunities
- In Strategic Growth Areas, ensuring first storeys are designed to support the intended walkable environment and activated streetscape through permitting a mix of compatible commercial or industrial issues (a potential opportunity given changes on employment lands).

Zoning By-law Discussion Paper

Contemporary Zoning Principles and Trends and Gap Analysis

- Another opportunity exists in identifying quasi-industrial uses or services with a manufacturing component such as “microbreweries” and determine appropriate locations for those.

The 2024 Provincial Planning Statement was released during the writing of these papers in August. One revised policy that may be of concern is an updated prohibition on stand-alone non-employment uses in Employment Areas. This may limit some land supply that was intended for certain service commercial, office, or institutional uses in the Town’s remaining Employment Areas. Care will need to be taken to ensure the new Zoning By-law maintains an appropriate balance of use permissions and alternate suitable locations given change at the Provincial level.

2.3 Increasing Housing and Affordability

The new Official Plan presents a growth strategy that directs the majority of new housing supply to designated Strategic Growth Areas. With consideration toward these Areas, the updated Zoning By-law can incorporate limited as-of-right permissions to increase density in identified mixed-use and residential areas. This may entail decreasing parking minimums, setbacks, and minimum heights, and/or setting parking maximums along with other requirements. Additionally, the Town may wish to consider pre-zoning certain sites in the Strategic Growth Areas to facilitate approvals for new developments. Pre-zoning adopts a more strongly form-based approach to regulating development and can reduce application procedure costs for applicants. As a result, this strategy can help attract prospective developers to the Town and streamline projects which supply the Town’s desired housing forms.

In acknowledgement of housing provision opportunities both inside and outside of the Town’s Strategic Growth Areas, the updated Zoning By-law should also carry forward the recent Quick Wins Zoning By-law Amendment relating to Additional Residential Units on existing lots and parking reductions for Additional Residential Units and apartment building uses.

The Quick Wins Zoning By-law Amendment identified a list of housing-related matters recommended to be addressed in the Comprehensive Zoning By-law Update. These matters will be reviewed for consideration—that analysis will come in future project stages:

- Eliminating minimum parking requirements
- Investigating best practices for tying parking permissions to transit proximity
- Implementing distinct parking requirements for geographic areas based on proximity to transit routes and/or stops
- Upzoning Community Service Sites to allow more housing as an accessory use to places of worship and other similar institutional uses.
- Expanding lot coverage in the parent zone to accommodate detached Additional Residential Units

Zoning By-law Discussion Paper

Contemporary Zoning Principles and Trends and Gap Analysis

The Affordable Housing Master Plan (AHMP) also contains a list of housing-related matters that are recommended to be addressed in the Comprehensive Zoning By-law Update, include actions to:

- Upzone along arterial roads
- Eliminate single-family-only zoning
- Allow more density in neighbourhood
- Allow residential development to be integrated into designated commercial areas
- Eliminate minimum parking requirements
- Avoid protecting stability at the expense of new housing
- Update other zoning permissions as necessary to accommodate the above changes
- Simplify the Zoning By-law

2.4 Active Transportation/Mobility and Transit

Transit-oriented development (TOD) is established on the principle of a sustainable arrangement of travel origins and destinations and facilitating the density needed to support expanded or enhanced transit and active transportation networks. When proximity to transit and/or active transportation is prioritized for new developments, those become a more convenient and attractive transportation choice for future users of those developments and others. Although Collingwood's newly implemented transit system continues to evolve and seek change over time, and travel by automobile will remain the primary travel option in Collingwood, there are opportunities to promote long-term enhancements in key growth areas by improving walkability and active transportation options, ground-level attractiveness, and public and environmental health by setting up a zoning by-law that supports such development.

A wide-scale review and reduction of parking requirements, along with establishing maximum parking requirements, can reduce parking supply for private automobiles and enable spaces to instead accommodate units and/or the needs of transit users and active transportation users. These parking reductions should be prioritized in areas with high population density, commercial districts, and transportation corridors/ hubs to most substantially encourage a shift from private vehicle use to transit use. Permitting small-scale parking garages within the Downtown core and other mixed-use corridors, as appropriate, is another potential means to reclaim ground-level space for TOD units and transit amenities.

It may also be beneficial for the updated Zoning By-law to increase capacity for more sustainable transportation methods by enhancing existing minimum bike parking requirements and identifying specific zones where dedicated parking and charging facilities for smart mobility solutions will be prioritized and required.

The updated Zoning By-law can include permissions for higher density mixed-use development around public transit stations, hubs, and along corridors/stops as another method of encouraging TOD. Requirements for ground-level commercial uses and for a percentage of a

Zoning By-law Discussion Paper

Contemporary Zoning Principles and Trends and Gap Analysis

building's façade to feature glazing (transparent windows and doors) can also be established in the updated Zoning By-law to ensure that these developments are attractive from a pedestrian perspective.

2.5 Aligning Zoning Tools With Community Improvement Planning

The Town has established the policy basis for a new Community Improvement Plan or similar tool to be enacted through the Town's new Official Plan, regarding attainable and affordable housing and other community priorities. There are a number of ways in which zoning tools and community improvement tools or other similar tools (as established by Section 28 of the *Planning Act*) can be strategically aligned to support and help achieve broader planning goals and objectives, like waterfront redevelopment, increased housing and affordability, economic diversification, and transit-oriented development, for example. While a Community Improvement Plan is rooted in municipal and community goals/aspirations, the Zoning By-law ensures that any resulting development adheres to legal standards and land use policies, creating a balanced approach to planning.

Practically speaking, in our experience, the two sets of tools can be aligned by:

- **Setting and Supporting Objectives:** The Community Improvement Plan, municipal capital facilities by-law, or other similar tool establishes clear goals for community development, redevelopment, revitalization, and rehabilitation such as beautifying, densifying, increasing a mix of uses, or housing options, or improving public spaces, which can inform the approach to zones, permissions, provisions, and flexibility/innovation, which may be needed in the Zoning by-law. A Community Improvement Plan does not need to exist before the Zoning By-law in order to inform it because Community Improvement Plans and Zoning By-laws reinforce each other reciprocally.
- **Offering another layer of incentives in targeted areas:** While a Community Improvement Plan identifies targeted areas that require revitalization or enhancement through *financial incentives* (grants/loans), zoning tools (pre-zoning, increased flexibility/permissions and other changes/updates) can also be implemented for certain areas (and linked to the tool's policies and eligibility criteria) as *non-financial incentives* that will help motivate land/business owners, streamline the approval process, facilitate development, and drive positive changes.

Community Improvement Plans and similar tools are incredibly flexible and can be used in a variety of ways to address a very wide range of local opportunities/needs. The Town's Zoning By-Law update provides an opportunity to think critically about these frameworks and how they can be proactively and strategically aligned.

Zoning By-law Discussion Paper

Contemporary Zoning Principles and Trends and Gap Analysis

3 Gap Analysis

During its preparation of the Technical Papers, the Project Team identified several opportunities in Zoning By-law 2010-040 for alternative zoning regulations or enhanced clarity. It is recommended that these be addressed in keeping with the core principles outlined above.

3.1 Outdated Terminology and Definitions

A number of existing terms and definitions found in Zoning By-law 2010-040 are now obsolete (e.g., arcade, senior citizen housing, group home). Conversely, several more contemporary terms that address current planning topics and practices (e.g., electric vehicle infrastructure, stepback, supportive housing, accessible and barrier-free design, shelter for the un-housed) have not yet been introduced in the current Zoning By-law. To adequately detail regulations pertaining to contemporary matters, a review of the current Zoning By-law for outdated terms and of the new Official Plan for contemporary terms will be helpful. Reducing or combining definitions where possible to improve flexibility and streamline implementation will also be helpful.

3.2 Main Floor Commercial Support

As the Town embraces a more significant emphasis on mixed-use areas through its policy framework of Strategic Growth Areas, zoning regulations regarding main floor commercial support will be integral to delivering mixed-use developments in attractive and pedestrian-friendly forms. The updated Zoning By-law can address building height requirements, minimum ground floor heights, commercial-at-grade requirements, setback requirements, and façade widths. In addition to having distinct “transition zones,” contextual design regulations can be leveraged to ensure attractive transitions between zones. The City of Edmonton, for example, consolidated its seven commercial zone categories into three. However, its updated Zoning By-law employed contextual regulations that would be triggered based on certain characteristics (e.g., having a building wall longer than 20m facing a site in a residential or mixed-use zone).

Commercial spaces are not the only spaces that are conducive to supporting an active and engaging streetscape. If the primary intent of first storeys in the Strategic Growth Areas are for commercial uses, the zoning by-law will need to address how much “other” uses are permitted on a first storey (e.g., lobbies, communal space within a residential building) and how that animation is achieved (e.g., maximum storefront widths, minimum number of openings, minimum/maximum depth of premises) given the varied corridor contexts in Collingwood.

3.3 Value-Added Agricultural Uses

The Rural Zone regulated by Zoning By-law 2010-040 does not include as-of-right permissions to the value-added agricultural uses outlined in the new Official Plan for the Rural Designation,

Zoning By-law Discussion Paper

Contemporary Zoning Principles and Trends and Gap Analysis

namely on-farm diversified uses, agricultural-related uses, and agri-tourism uses. According to the new Official Plan, these lands may become urban in the future. Taking this into account, it also explains the Plan's intent for these lands in the present, including to:

“Recognize and promote the continued use of lands currently being used for non-intensive agricultural/rural purposes for as long as possible, in the period leading up to their future community development.” (Section 5.5.1.1[b])

Most rural Zoning By-laws now provide for such uses as-of-right, subject to some limitations on size or location. Integrating permissions for these value-added agricultural uses in the appropriate rural zone supports the viability of current land uses and can promote enhanced economic activity, diversification, and educational interactions between community members.

3.4 Accommodations for Green Energy

Encouraging different scales of renewable energy generation (small/micro, medium, large/commercial) strengthens the Town's resilience against changes in energy availability and costs, and further supports economic and on-farm diversification. Municipal regulatory authority was previously limited under the Green Energy Act. However, with the introduction of the Green Energy Repeal Act in 2018, municipal decision-making authority has been restored in relation to the siting of renewable energy projects.

Section 6.2.8 (a) (Renewable energy) of the Official Plan states that small-scale renewable energy installations, such as rooftop solar panels or water heaters, may be permitted in any designation. This should be carried forward in the updated Zoning By-law unless the installation triggers approvals under the Environmental Assessment Act or the Renewable Energy Approvals Process.

In addition to general permissions for small-scale renewable energy installations, the new Official Plan contemplates larger scale renewable energy facilities within lands designated Rural, Prestige Employment, or General Employment. Subsection 6.2.8(b) details that the Town may impose limits on the dimensions of any proposed renewable energy installations. In other words, the Zoning By-law is permitted to include provisions that regulate the extent, height, and on-site location of both small- and large-scale installations, should Council decide it is appropriate.

To date, the City of Ottawa has the most progressive and current renewable energy generation permissions and provisions and may serve as a guide for the Town as some of these options and opportunities are explored.

3.5 Landscape Areas and Open Space

While zoning tools are unable to control the type of landscaping or plantings, zoning can require area on a lot required to accommodate landscaping. Such spaces are key in enhancing resiliency across the Town—zoning, however, cannot go further than requiring the space and

Zoning By-law Discussion Paper

Contemporary Zoning Principles and Trends and Gap Analysis

defining what “landscaping” means. Specific designs, materials, or placement are outside of the scope of zoning (a site plan approval would instead be the mechanism for this, a tool whose application is now limited to scope out smaller residential developments). The name used can also clarify intent: “landscape areas” or “open space”, rather than “landscaping” which suggests planting types.

When exploring how the updated Zoning By-law might incorporate landscaped area provisions, the new Official Plan serves as a helpful reference. As one example, Section 5.1.8.2(d) of the Official Plan (relating to mid-rise buildings) describes that the Town “may implement special measures in the Zoning By-law, such as...enhanced landscaped area buffers to ensure sensitive integration” to ensure that buildings achieving an identified maximum height or density are compatible with their surroundings. Another example can be found in Section 5.3.1.4(h)(iv), which discusses general development policies pertaining to the lands in the Downtown Core Designation. It states that, “where existing parking areas are adjacent to the sidewalk, a landscaped area shall be located between parking spaces and the sidewalk.” Throughout the new Official Plan, landscaped areas are often referred to in correspondence with supporting compatibility and sensitive transitions. The Town may consider Section 7.1.3.1(c) of the new Official Plan:

“The Zoning By-law will include regulations for development to ensure compatibility and appropriate transitions between different uses and built forms. Development standards within the Zoning By-law may include, among other matters, building setbacks, build-within zones, step backs, angular planes, lot area, lot coverage, lot frontage, minimum landscaped areas/open space, height and Gross Floor Area restrictions.”

The apparent intent of landscaped areas in the Official Plan aligns closely with the purpose of Zoning By-law regulations. Incorporating landscaped area regulations within the updated Zoning By-law may serve to ensure effectively and early in the development application process that new developments provide the open space conditions to support transition uses and on-site infiltration. Reserving such space for potential tree planting options also supports the goals of the Town’s [Urban Forest Management Plan](#).

Potential landscaped area requirements might include landscaped open space, landscaped buffers or planting strips, and soft landscaping. These requirements could detail acceptable landscaping content, such as native and/or drought-resistant species, public art, sculptures, fountains, or some amount of appropriate hard surfaces (depending on context). Furthermore, zoning regulations can be combined with site plan control regulations to specify minimum dimensions, proportions relating to said landscaping content, and other specifics that zoning would not normally be able to independently control.

Zoning By-law Discussion Paper

Contemporary Zoning Principles and Trends and Gap Analysis

3.6 Updated Zoning for Urban Agriculture

Urban agriculture, including animal agriculture, is a trending discussion in municipalities and a topic warranting consideration for the updated Zoning By-law. Urban agriculture can be defined in many ways from various municipal contexts. However, it is often understood as the cultivation, processing, and distribution of agricultural (both food and non-food) products in urban and suburban contexts. Under General Regulations, Zoning By-law 2010-040 prohibits “the use of a lot for the raising, breeding, keeping or intensive feeding of livestock or any prohibited animal or private zoo” (Section 4.7.1[vi]). Such activities are currently not permitted in any zone. Council passed an April 2024 resolution directing a review of the matter:

“THAT in recognition of the benefits of urban agriculture, staff be directed to explore a permissive framework for backyard hen coops or other small-scale livestock rearing (e.g. bees, goats, rabbits, etc.) in the Town of Collingwood through the Zoning By-law Update project and pending the nature of the public input and consultant advice received, staff be further directed to report back to Council on the options, necessary by-law amendments, requirements to establish a licensing program(s), and/or enforcement resources needed.”

The City of Orillia’s Backyard Hen Program may serve as a useful reference. Having originated as a 6-year pilot project, the Program was permanently established by Council in 2023 through a Licensing By-law that would permit backyard hens to be kept on qualifying properties. Under these regulations, hen coops are allowed on properties with a minimum lot size of 500 sq. m in select zones (but prohibited within the City’s Intake Protection Zone 1 and/or any Wellhead Protection Area with a vulnerability score of 10). A maximum of four hens are permitted on each lot and roosters are prohibited. The regulations contain further detail as to the specific details of hen coop implementation, as well as the standards they must be kept up to. The hen coop approach may also be expanded to other animals such as rabbits, goats, or bees. Zoning requirements are minimal, most detail regarding urban agriculture shall be contained within the licensing by-law.

Licensing is the best route to provide for enforcement of animal agriculture matters and would need to occur alongside the zoning approval to ensure no gaps are created in launching such a program. Consideration for other animals may also be appropriate.

Community gardens are already broadly permitted in Zoning By-law 2010-040. The definition is “an outdoor space used to grow and care for vegetables, flowers or annual plantings for personal consumption but shall not include the growing of ornamental shrubs, trees or other vegetation for landscape purposes, and it shall not mean any other use defined.” Community gardens are currently permitted in all Town Zones, except for the Environmental Protection Zone. To support the promotion of healthy communities as outlined in Section 3.4(e)(ii) of the new Official Plan, it is recommended that community gardens continue to be broadly permitted, including as temporary uses in a range of zones.

Zoning By-law Discussion Paper

Contemporary Zoning Principles and Trends and Gap Analysis

3.7 Shared Accommodation

The Project Team acknowledges the County's existing effort to develop a consistent framework for Congregate Living Settings, with potential best practices emerging (which can come in many forms) and recommends that boarding/rooming houses be permitted in any zone which permits residential uses, including commercial and mixed-use zones. They should only be permitted on lots which have municipal servicing capacity. The Ontario Human Rights Commission has issued guidance to municipalities on zoning, and the Human Rights Code itself states, "Every person has a right to equal treatment with respect to the occupancy of accommodation without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status, disability or the receipt of public assistance." The updated Zoning By-law will reflect this equity approach in its permissions and standards.

There is also a need to distinguish between various types of shared accommodation when drafting the updated Zoning By-law, such as additional needs housing (group homes, as an example) and boarding/rooming homes, where individuals live in communal arrangements. These are avenues to explore further while drafting the updated Zoning By-law.

3.8 Bicycle Parking for Townhouses and Other Residential Uses

Bicycle parking is proposed to be required for all residential developments, excluding ground-oriented forms (e.g., detached dwellings, townhomes, semi-detached dwellings).

Acknowledging the standards that the Quick Wins Zoning By-law Amendment has created for apartment building bike spaces, bicycle parking minimums are recommended to be carried over to the updated Zoning By-law. These minimums refer to a lower limit on required bicycle parking spots, which are determined by a ratio.

3.9 Use Permissions in All Zones

The Project Team is proposing to include a section in the updated Zoning By-law that outlines uses permitted in all zones in accordance with the Official Plan, which would include public parks. Additionally, there may be uses that are permitted in all zones except one, where a modifying clause is added to the By-law.

3.10 Use Permissions for Accessory Uses

The Project Team is considering a mix of two strategies to deal with use permissions for accessory uses. One strategy is to allow a general enabling clause, subject to limited criteria (such as permitted accessory uses only in the same building or premises). The other is to identify uses that are supported in a given zone (e.g., restaurants in a community centre or park). All will need to be permitted through the new Official Plan and align with the Provincial Planning Statement. Accessory uses have been an ongoing challenge within the current Zoning

Zoning By-law Discussion Paper

Contemporary Zoning Principles and Trends and Gap Analysis

By-law, and despite which strategy is implemented, an overall goal will be to clarify accessory use permissions and enable easier implementation by Town Staff.

3.11 Detached Accessory Building Provisions

The updated Zoning By-law needs a new framework to address detached accessory building provisions. The Project Team will consider a context dependent framework, with provisions differing between residential and commercial/employment zones, for example. It is anticipated that there will be more extensive frameworks in commercial and employment zones and that the updated Zoning By-law will carry forward the Quick Wins Affordable Housing Zoning By-law Amendment for detached Additional Residential Units.

3.12 Shipping Containers

Section 4.30 the 2010 Zoning By-law states, “No trailer or shipping container shall be used for permanent storage in a Residential zone, a Local Convenience Commercial zone or an Environmental Protection zone. In any other zone, a trailer or shipping container used for permanent storage shall be subject to the provisions of General Provision 4.33 (referring to detached accessory buildings)”.

Shipping containers can be considered a structure—a structure occupying an area consisting of a wall, roof and floor or any of them—and their placement on a lot can be regulated through zoning. Common practice has been to restrict shipping containers to lots where outside storage is a permitted use, and in conjunction with existing manufacturing, transportation, and warehousing uses and for a defined length of time only (i.e., 30 days).

A more contemporary approach to addressing shipping containers would define shipping containers as a permitted use in certain zones (often commercial, industrial, of mixed-use) to facilitate their use to meet other community goals such as retail, food services, temporary uses, and even housing. However, for these non-storage related uses, municipalities often require site plan approval (to address design, placement, landscaping, accessibility), but in all cases shipping container structures must comply with building code requirements. Some municipalities allow the temporary use of shipping containers through Temporary Use Permits. This approach can be particularly useful for pop-up businesses, seasonal markets, or events, providing flexibility while still adhering to zoning regulations.

In response to housing shortages, certain municipalities are exploring the use of shipping containers for affordable housing. They may create pilot projects or specific zones where container homes are allowed, often with community consultation to address any concerns. There is a desire to explore more flexibility with shipping containers, including as a form of housing. The updated Zoning By-law seeks to modify this provision to provide the appropriate flexibility for the appropriate context of use.

Zoning By-law Discussion Paper

Contemporary Zoning Principles and Trends and Gap Analysis

3.13 Places of Worship

Places of worship are hubs in the community, and key providers of social services. Accordingly, many uses can occur within the confines of a place of worship, such as emergency housing or community classes. Excess land on these properties could also be used for permanent housing, to a maximum gross floor area. These permanent housing options can be a part of an affordable housing solution such as gentle density in low-density zones that are suitable for residential purposes. Inclusionary zoning practices can be a useful tool to facilitate the supply and form of affordable housing in areas that are experiencing pressure that would typically drive up the price of housing units.

It is recommended that a general provision is included in the updated Zoning By-law with respect to places of worship, which states that the individual and varied uses associated with this use are permitted, provided they occur within the enclosed space.

3.14 Parking for Affordable Housing

The Project Team recommends that affordable housing units should have reduced parking requirements. The precise requirements are to be determined. An option to explore includes a percentage parking rate deduction for units that are in formal affordable housing agreements with the Town. For example, Section 5.5 of the [City of Greater Sudbury Zoning By-law](#) allows for a reduction of 25% to the required parking spaces for units that are subject to an affordable housing agreement with the City (in a multiple dwelling residential building). Additional reductions might also be appropriate if the building is located along a transit route, or near a station. Allowing for reduced parking rates for affordable housing is aligned with the intention of the [Affordable Housing Master Plan](#), which recommended exploring eliminating parking minimums. The Quick Wins Affordable Housing Zoning By-law Amendment ties parking reductions to the form of a residential unit, with apartment buildings being the most likely to be the most affordable.

3.15 Entrances on Public Roads

The new Collingwood Official Plan has policies pertaining to public roads in Section 6.1.6. Policy 6.1.6 d) states that “where new development is proposed with frontage on Town-owned Road(s), closing and consolidating multiple entrances or establishing entrances shared with abutting properties may be required”. The updated Zoning By-law shall reflect this policy, and determine the appropriate frontage required for multiple entrances. Additionally, Town Staff have been requiring the permitting of multiple accesses for large-scale proposals to address safety and emergency access. Any work the Town conducts regarding safety issues or analysis will be considered as part of developing updated driveway standards and setbacks.

Zoning By-law Discussion Paper

Contemporary Zoning Principles and Trends and Gap Analysis

3.16 Legal Non-Conforming Uses

Legal Non-Conforming Uses (LNCs) are regulated under Section 34(9) of the *Planning Act*. A LNC refers to uses that were present before a Zoning By-law which prohibits the use was established. The *Planning Act* contains stringent protections and governs the process for their expansion. The current Zoning By-law contains provisions pertaining to LNCs, specifically provisions 4.9, 4.10, and 4.11.

Provision 4.9 states that for LNCs, “the use shall only be reconstructed to the extended of the pre-damaged state”. However, Ontario case law has established that if LNC buildings get torn down, they do not give up the use. Further, Provisions 4.10 and 4.11 may benefit from further clarity on how development proposals shall be evaluated with the circumstances outlined in the policy.

There is often a “customer service” desire to know how to deal with LNC uses in the Zoning By-law itself, for other departments such as Building or By-law Enforcement. If such direction is desired in the updated Zoning By-law, it is recommended that the by-law contain a general provision which points to Section 34(9) of the *Planning Act*. Such a general provision should also provide relief or scenarios for where such a building can expand, in compliance with the updated Zoning By-law, without requiring relief from the Committee of Adjustment. For example, a building could go taller within the zoning framework or could build a rear yard addition provided the extent of legal non-conformity is not increased.

3.17 Waterfront Master Plan

The Collingwood Waterfront Master Plan outlines policies for updated development standards, as well as policy directives, in Section 4.2. These recommended updates to the development standards include adjusted building heights and setbacks. The Waterfront Master Plan made a number of recommendations for inclusion in the Town’s Zoning By-law. Those items, and their current status, are summarized in the Table below.

Master Plan Recommendation	Status
In the Downtown and Shipyards area, all buildings should have a minimum height of 6.0 metres (update required for Block #3, 4, 5 & 6; Blocks #1 & 2 are already required to have a minimum height of 6.0 metres)	The Town extended these standards through individual Zoning By-law amendments. All sites in the study area now have full urban zoning. If known issues exist with the zoning, those shall be identified by staff and can be considered for remedy in this project.
The ground floor of buildings with commercial and live/work units should have minimum height of 4.5 metres.	This is an increasingly common zone standard for mixed use corridors, and is recommended to be added to the updated Zoning By-law.

Zoning By-law Discussion Paper

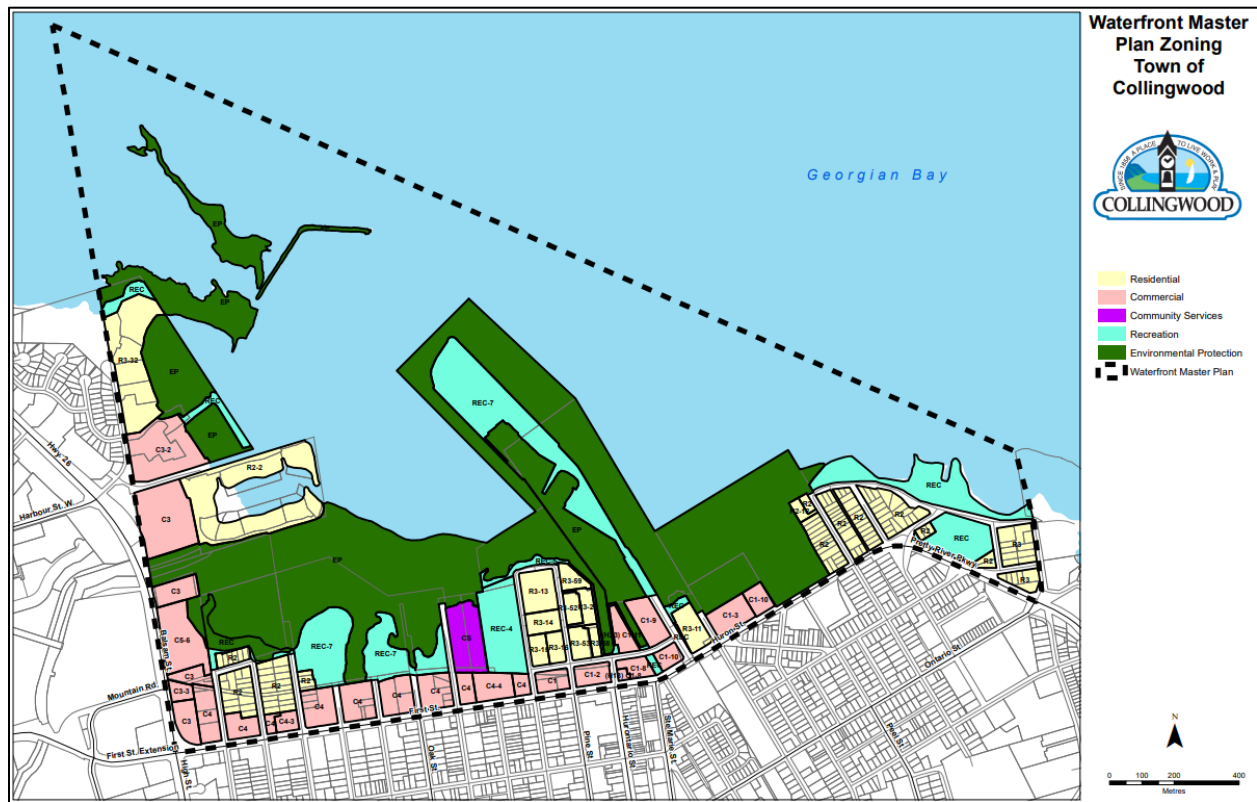
Contemporary Zoning Principles and Trends and Gap Analysis

<p>On Hurontario Street north of First Street, buildings must maintain a consistent setback with frontages south of First Street (Blocks 2 & 3).</p>	<p>The same zone standards apply on both sides of First Street (C1 Zoning).</p>
<ul style="list-style-type: none"> ● A maximum front and/or exterior side setback of 3.0 metres is required on frontages on the south side of Side Launch Way and facing the Piazza (affects Block # 1, 2, 3 & 4). ● On Blocks 3 & 4, building setbacks must be aligned with the edges of the rights-of-way along St Paul and Ste Marie Streets to maintain clear views through the Dry Dock. 	<p>Is in the parent zoning, and was likely applied through Zoning By-law amendment to properties.</p>
<p>Depending on the ground floor uses and site plan for Block 5 and 6, an additional building setback from the edge of the Promenade may be required.</p>	<p>There are no more deferred commercial uses in the shipyards. A recent Zoning By-law/Official Plan Amendment for Collinwood Quay created the C-11 Zone in the new consolidated By-law.</p>
<p>No driveway access is permitted to Blocks #1, 2, 3 & 4 from First Street or Huron Street.</p>	<p>The new Zoning By-law should maintain this driveway prohibition—that may be appropriate to consider in other Downtown areas.</p>

Fundamentally, the new Zoning By-law shall carry forward the existing zoning and strategy to require by-law amendments to implement and evaluate applications for conformity to Town policy and the design vision. Pre-zoning, where standards have already been approved by Council, through a Master Plan, or Strategy, through the use of a parent zone is a valid course of action for implementing direct action strategies.

Zoning By-law Discussion Paper

Contemporary Zoning Principles and Trends and Gap Analysis



Map 1: Current Zoning applying in the Waterfront Master Plan's primary study area

3.18 Accessory Housing for Employees

Accessory housing for employees must be explicitly permitted in the new Official Plan in order to be considered for inclusion in the updated Zoning By-law. The new Official Plan specifically prohibits residential uses within employment land designations and provides for consideration of accessory residential uses on commercially or institutionally designated properties. Residential uses are not strictly prohibited in some zones that offer employment to some, such as Mixed Use Areas or lands currently zoned as Commercial.

In this context, a proposal on employment lands would likely require an official plan amendment to permit such housing--and these issues would be addressed through that process. On residential and commercial lands, where housing is clearly permitted, the "employee" factor is not a concern since housing is already broadly permitted. Therefore, any mention of "housing for employees" is not likely to find its way into the new Zoning By-law.

Zoning By-law Discussion Paper

Contemporary Zoning Principles and Trends and Gap Analysis

3.19 Completing Housing Projects Work

The Town has completed one major housing-related zoning initiative (Quick Wins Zoning By-law Amendment) and will imminently complete a second (Short Term Accommodation Zoning By-law Amendment). Some issues raised through those projects are to be addressed in this project:

- Additional permissions for housing on institutional or public service type properties.
- Aligning density (increase) and/or parking (decrease or eliminate) permissions with transit routes, around stops/hubs, and/or near schools.
- Consideration of dwelling units above commercial properties, particularly in the Downtown Core.
- Consideration of Short-Term Accommodations on commercially zoned properties

Detailed analysis of these items will occur in this project, and that analysis will come out in future reports. To be clear, the new Official Plan is supporting of finding and providing additional locations for appropriately scaled and designed housing across the housing spectrum, and the new Zoning By-law will identify appropriate permissions for additional housing units that are compatible with community character, reflect historic development trends (particularly for upper storey units in the Downtown core), and overall conforms to the new Official Plan.

3.20 Framework for Projections

The updated Zoning By-law shall include a framework for projections, such as bay windows, porches (enclosed and unenclosed), and chimneys. Section 4.28 of the current Zoning By-law contains provisions for Special Yard Encroachments. The Project Team will undertake a complete audit of this section against any special provisions to ensure completion, and potentially simplify the presentation of information. There are currently 84 Special Provisions which adjust yards for building lot lines. For example, Special Provision R2-17 has a reduced setback for balconies; there is an opportunity to explore if this should be the standard going forward.

3.21 Holding Provisions

Within the text of a Holding Provision, there can be certain uses, or types of development that may be permitted while the hold is in place, such as limited residential expansions, or perhaps temporary uses like community gardens. The updated Zoning By-law will review existing Holding Provisions for their continued applicability, as well as determine whether additional ones are necessary in the Collingwood context. The Official Plan also lists matters that can be addressed through the application of a holding symbol.

Similar structural approaches can be considered for any temporary uses or interim control by-laws that may be in effect at the time of completing this project.

Zoning By-law Discussion Paper

Contemporary Zoning Principles and Trends and Gap Analysis

3.22 Temporary, Shared, and Maximum Parking Provisions

The Project Team is considering ways that temporary parking for seasonal and/or accessory uses may be addressed by the Town. Generally speaking, required parking spaces are intended to be exclusively devoted to the parking of motor vehicles. There are a number of activities which occupy parking spaces on a temporary basis (e.g., seasonal garden centres, weekend social events). A licensing approach could be considered to permit some of these uses and control other incidental matters, such as noise or waste management.

However, if a zoning approach is preferred, relief could be built into the updated Zoning By-law to permit the temporary occupancy of parking spaces by incidental uses, provided that certain criteria or other standards are met, including a limited duration of time. Care will also be taken through this study to investigate shared parking standards elsewhere to accommodate lots where there are daytime users and evening users, potentially unlocking dual use of parking spaces. Note, however, that the changed nature of work in recent years has generally reduced employees at offices. While this may change in the future, the travel dynamic is in flux.

Maximum parking space provisions, to limit the number of parking spaces permitted on a given lot, may also be appropriate as a solution in Strategic Growth Areas.

3.23 Standards for Private Roads and Amenity Spaces

It is possible to implement limited standards for private roads in the Zoning By-law. Typically, private development standards are implemented through the development application process. However, not all development projects will go through the application process, such as residential projects with less than 10 units. If a proposed project complies with zoning standards, Town Staff are duty-bound to issue a building permit. Therefore, it may be appropriate for a number of standards to be incorporated into the updated Zoning By-law (including private amenity space and garbage enclosures and buildings). This is to be primarily addressed through Engineering Standards, however some inclusion within the updated Zoning By-law is necessary.

3.24 Human Habitation of Recreational Vehicles

Human habitation should not be permitted in a recreational vehicle due to health and safety concerns. The updated Zoning By-law will have corresponding updates to the definition of a 'dwelling unit', intended to help clarify this matter.

3.25 Maximum Number of Townhouses in a Block

The Project Team recommends a maximum of 8 primary dwelling townhouses in a block to be incorporated into the updated Zoning By-law. This policy is outlined in the Town of Collingwood's Urban Design Manual, as well as the Ontario Building Code.

Zoning By-law Discussion Paper

Contemporary Zoning Principles and Trends and Gap Analysis

3.26 Temporary Uses

There are a variety of temporary uses that may occur during various times of the year and for varying lengths of time (such as farmer's markets, garage sales, construction uses, or exhibitions/fairs, as examples). In the absence of a permit or licensing approach, the Zoning By-law would be the appropriate regulatory mechanism to ensure that a consistent framework is provided for uses similar to those listed. A general regulation may be used to set out appropriate locations (including zones and siting on a lot) and a maximum cumulative length of time the use is permitted.

However, a Zoning By-law is not able to regulate issues normally associated with these temporary uses (such as noise, odour, lighting, or hours of operation). These matters are already regulated through other by-laws authorized under the *Municipal Act*, such as Noise By-law 2018-032 and Public Nuisance by-law 2013-021.

Zoning-based approaches for temporary uses are not the optimal route to regulate such uses. However, a *Municipal Act* licensing process can be used to place the same setback and locational requirements on these uses. A licensing process bears some significant benefits compared to a zoning-based approach such as:

- Licenses can be revoked in the event of a violation, whereas a use under zoning must continue until ordered to cease through the enforcement process;
- Licenses may stipulate the permitted hours of operation and maximum number of days the use is allowed to persist
- Licensing provides recourse to license applicants or holders who disagree with the Town's Licensing Program and Compliance Officer's decision to deny, suspend, renew, or revoke a license.

Staff will continue to review regulatory alternatives for these uses as subsequent drafts of the updated Zoning By-law are prepared.

3.27 Housekeeping Items

Preparing an updated Zoning By-law is also an opportunity to correct a range of minor errors, inconsistencies, or editorial matters. Staff have identified some examples of housekeeping materials the updated Zoning By-law will address, and others will arise as technical review continues.

- Ensuring clarity on applicability or non-applicability of standards (e.g., using "n/a" in place of "nil").
- Inconsistent zoning standards for properties, particularly with respect to Special Provisions and Holding Provisions.
- Adopting language to be more inclusive or representative of uses (e.g., emergency housing).

Zoning By-law Discussion Paper

Contemporary Zoning Principles and Trends and Gap Analysis

- Removing any “people zoning” or other provisions that attempt to control matters outside of the legislative purview of a Zoning By-law.

Zoning By-law Discussion Paper

Contemporary Zoning Principles and Trends and Gap Analysis

4 Summary of Recommendations and Next Steps

Based on recent zoning trends and observations noted from our review of the Town's current Zoning By-law, the following recommendations are made:

1. Pursue a beneficial degree of flexibility by providing for broader definitions and use terms as appropriate. The Town can also support flexibility by incorporating zone standards and use permissions that encourage the adaptive re-use of existing buildings.
2. Promote economic development by updating a range of use definitions and form-based permissions responsive to contemporary business models.
3. Incorporate the Quick Wins Zoning By-law Amendment and future Short Term Accommodation Zoning By-law Amendment into the new Zoning By-law, and bring closure to other issues left to address out of those studies.
4. Promote transit-oriented development by emphasizing parking supply for non-automobile transportation modes and facilitating attractive higher density mixed-use development around public transit stations, hubs, and stops.
5. Remove obsolete terms and definitions and provide updates or new form-based terms for contemporary uses.
6. Implement zoning regulations pertaining to the design of ground-level commercial uses, including context-specific design regulations.
7. For the zone(s) corresponding to the Rural Designation, include appropriately flexible definitions and permissions for the value-added agricultural uses outlined in the new Official Plan: on-farm diversified uses, agricultural-related uses, and agri-tourism uses.
8. Include provisions for both small-scale and large-scale renewable energy facilities in alignment with Section 6.2.8 of the new Official Plan and applicable Provincial legislation.
9. Implement landscaping requirements to ensure compatibility, appropriate transitions, and ecologically sustainable development.
10. Regarding urban agriculture, investigate the incorporation of urban animal agriculture in non-agricultural zones and carry over existing permissions for community gardens.
11. Permit boarding/rooming houses in any zone that permits residential uses, including commercial and mixed-use zones, granted that the lot has municipal servicing capacity. The definition of a boarding/rooming house should align with the Ontario Building Code, and the zoning standards of the built form of the boarding/rooming should apply.
12. Human habitation should not be permitted in recreational vehicles due to health and safety concerns.
13. Bicycle parking (minimums) should be required for all residential developments, excluding ground-oriented forms (e.g., single detached dwellings, townhomes, and semi-detached dwellings).
14. The updated Zoning By-law should contain a provision that outlines uses permitted in all zones (e.g., public parks).

Zoning By-law Discussion Paper

Contemporary Zoning Principles and Trends and Gap Analysis

15. With regard to shipping containers, they are recommended to only be permitted on lots where outside storage is a permitted use, in conjunction with existing manufacturing, transportation, and warehousing uses. Identifying methods to pursue flexibility in the use of shipping containers has been noted as a possibility for the updated Zoning By-law.
16. A general provision for places of worship to encapsulate the individual and varied uses associated with the use, provided they occur within the enclosed space.
17. Reduced or eliminated parking rates for affordable housing.
18. A general provision for Legal Non-Conforming Uses which directs users to the *Planning Act* for direction on the use.
19. An audit of special provisions compared to the existing zoning framework for projections is to be undertaken.
20. An audit for existing development standards which should be incorporated into the updated Zoning By-law is to be undertaken.
21. Permit a maximum of 8 primary townhouse units on a block in the updated Zoning By-law.

These recommendations have been identified for further discussion and input from the community. They can and may change following engagement and consultation.