



TOWN OF
ERIN

Background Discussion Paper

Zoning By-law Update

December 8, 2025

Town of Erin Comprehensive Zoning By-law Review
Background Discussion Paper

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Town of Erin

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1 Introduction

The Town of Erin is undertaking a Zoning By-law Update to modernize the current Zoning By-law No. 07-67 (adopted by Council on December 18, 2007), Last Consolidated January 2024). A Zoning By-law is a legal document that regulates the use of land and future development in a community. It implements the land use policies of a community's Official Plan. While Official Plans and Zoning By-laws work together, they are discrete documents with separate functions. An Official Plan is a municipal planning policy document that establishes a long-term vision, objectives, land use designations, and associated policies to manage growth and development in a community, while a Zoning By-law regulates the use and development of land through clear use permissions and lot and building standards.

The Town's Zoning By-law Update (the "project") is required to conform with and implement the land use policies set out in Erin's Official Plan (approved by Wellington County Council on December 14, 2004, Consolidated March 1, 2025), and the County of Wellington Official Plan (approved by the Ministry of Municipal Affairs on April 13, 1999, Consolidated November 2025) and recent changes to provincial planning legislation. This project also provides an opportunity to modernize and streamline the Town's zoning requirements, with consideration for new or revised definitions, Zones, and standards to guide future development in Erin. The updated Zoning By-law will be a more user-friendly and accessible document, which is easier to understand for all users.

1.1 What is a Zoning By-law?

Zoning was among one of the first land use planning tools to separate different types of land uses, primarily for health and safety reasons. For example, as industrial uses became more prevalent in urban areas where people lived, the separation of uses became a method to protect residential areas from incompatible development.

Specifically, a Zoning By-law contains detailed development regulations and standards for all properties in a municipality, which direct how a property may be developed, including:

- Permitted uses (e.g., specific types of dwellings);
- Where buildings and structures can be located on a property;
- Requirements for lot area and dimensions (e.g., lot width, lot depth);
- Requirements for buildings on a lot (e.g., maximum height, maximum gross floor area, accessory structures);
- Parking, loading, and landscaping requirements for different uses; and
- Requirements for minimum setbacks from streets, lot lines, and waterbodies.

Some of these standards and regulations are illustrated in **Figure 1-1**.

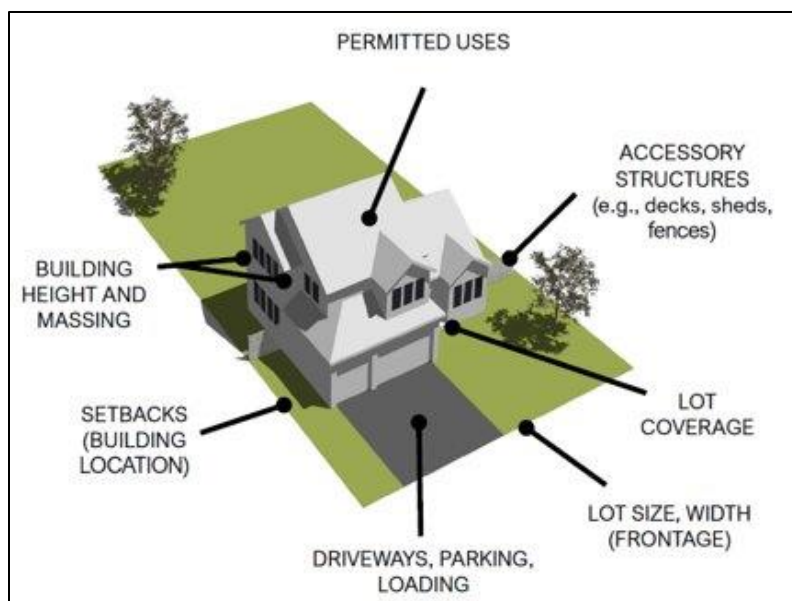


Figure 1-1: Examples of standards that can be regulated through a Zoning By-law

Within a Zoning By-law, lands within a municipality are divided into a series of Zones (e.g., Residential, Commercial, Industrial, Agricultural), which are illustrated on Schedules (maps) and correspond to the Official Plan land use designations. Each Zone outlines permitted uses, as well as requirements for lots, buildings, and structures permitted in each Zone.

The Zoning By-law also sets out general provisions, which apply to all properties, depending on the type of development proposed. Further, it can be used to address potential land use conflicts between uses, such as protecting sensitive land uses, like housing, from more noxious uses, like industry.

1.2 Why does the Zoning By-law Need an Update?

As noted in Section 1.1, the concept of zoning is simple, however over the years, zoning by-laws became more detailed and complicated in order to capture all types of land uses, building types, and areas of a municipality, so the challenge is how to cover all these factors while remaining user friendly and accessible.

The Town's in-force Zoning By-law No. 07-67 was adopted by Council on December 18, 2007 and has since been updated on an ad-hoc basis several times, generally by area-specific and site-specific zoning by-law amendments. A comprehensive Zoning By-law update is required to: reflect recent updates to relevant legislation, regulations, and policies; include contemporary development standards; improve terminology and definitions; and generally be more user-friendly and accessible.

As the Town of Erin continues to grow and experiences demand for development in the settlement areas and hamlets, especially in the Village of Erin and the Village of Hillsburgh, an updated Zoning By-law is required so that residents, developers, Town staff, Town Council, and other relevant stakeholders have the tools necessary to develop in a sensitive manner that will be consistent with and conform to updated provincial and County of Wellington policies and the Town's Official Plan. A clear and updated Zoning By-law that implements the Official Plan results in a more streamlined development process. Furthermore, while development pressures generally affect the urban areas of the Town, the rural and agricultural areas have been experiencing issues related to appropriate uses in these areas as

described in this report. Accordingly, this Zoning By-law Update recognizes that proposed amendments will consider the respective urban and rural contexts.

This update will consider updates to policies and regulations, including the Provincial Planning Statement (2024) and County and Town Official Plans, and will be implemented through a town-initiated Zoning By-law Amendment. In the future, once the Town has completed an Official Plan Review, a comprehensive Town Zoning By-law Review will be undertaken to bring the Town's Zoning By-law into conformity with the new Official Plan.

1.3 How does the Town's Zoning By-law Affect You?

The Zoning By-law should be reviewed by anyone interested in making changes to their property, including homeowners, tenants, business owners and operators, and developers, for a range of activities including, but not limited to:

- Constructing a new home or building;
- Building an addition, such as an extension to a house or attached garage, or an accessory structure like a detached garage, shed, or gazebo;
- Adding a porch or deck;
- Adding an additional residential unit or units;
- Changing the use of your property (i.e., commercial to residential); and
- Severing a portion of a property.

1.4 Purpose of Background Discussion Paper

The purpose of this Background Discussion Paper is to provide an explanation of: what a Zoning By-law is and why the Town needs to update its Zoning By-law; an overview of the planning context; a brief overview of the key zoning issues identified through the project so far; and opportunities to be addressed through the Zoning By-law Update.

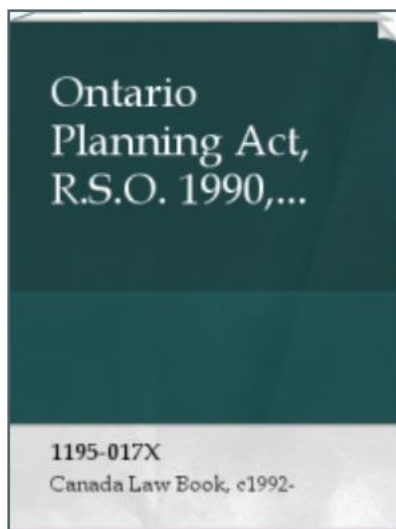
This Background Discussion Paper will be used as a tool to engage with and seek input from the following groups on a series of focused zoning issues:

- Town Council;
- The Zoning By-law Update team, comprised of Town staff from the Planning, Communications, and Building departments;
- Other internal Town departments and committees;
- External agencies;
- Local Indigenous communities; and
- Members of the public.

This Background Discussion Paper will also form the basis for the Summary Report, which will accompany the draft Zoning By-law Amendment. The Summary Report will build on this Discussion Paper and provide justification and commentary on the draft Zoning By-law Amendment. The Report will also address comments received from the public and stakeholders.

2 Planning Context

2.1 Planning Act, R.S.O. 1990, c. P.13



The Planning Act, R.S.O. 1990, as amended, is the primary legislation that establishes how municipalities in Ontario may plan, manage, and regulate land use. It also outlines matters of provincial interest and enables the Province to issue Policy Statements to provide direction to municipalities on these matters.

The Planning Act enables municipal Councils to pass a variety of tools to plan and regulate the use of land and the placement of buildings and structures on a lot. Under Section 16 of the Act, most municipalities, including the Town of Erin, are required to prepare and adopt Official Plans in accordance with the requirements of the Act. Official Plans contain goals, objectives and policies to guide decision making on land use planning matters. Municipal decisions, by-laws, and public works are required to conform to the policies of the Official Plan (Section 24(1)).

Section 34 of the Planning Act enables Councils to pass Zoning By-laws to regulate the use of land and the location, height, bulk, size, floor area, spacing, character and use of buildings and structures, as well as parking and loading requirements, and lot requirements. Additionally, Zoning By-laws may be used to prohibit the use of land or erection of buildings and structures within:

- Significant wildlife habitat, wetlands, woodlands, ravines, valleys or areas of natural and scientific interest;
- Significant corridors or shorelines of a lake, river, or stream;
- Significant natural corridors, features, or areas; and
- Sites of significant archaeological resources.

In accordance with Section 24(1), Zoning By-laws must conform to the Official Plan. Zoning By-laws are the primary tool to implement the policies of the Official Plan.

A property owner is not entitled to obtain a building permit unless their proposed building, structure, or change in land or building use complies with the requirements of the Zoning By-law. Further, persons who have erected a building or structure, or changed the use of land or a building in a manner that does not comply with the Zoning By-law may be subject to penalties as outlined in the Planning Act.

If a person wishes to use their property or construct a building or structure in a manner that does not comply with the Zoning By-law, they may apply for a Zoning By-law Amendment or a Minor Variance.

Major deviations from the requirements of the Zoning By-law, such as change of use to one that is not permitted in the applicable Zone, would require an amendment to the Zoning By-law.

Alternatively, minor variances may be granted by a municipality's Committee of Adjustment, in accordance with Section 45(1) of the Planning Act, provided that the variance satisfies the four tests under the Act:

1. Is the application minor in nature?
2. Is it desirable for the appropriate development or use of the land, building, or structure?
3. Is it in keeping with the general intent and purpose of the Zoning By-law?
4. Is it in keeping with the general intent and purpose of the Official Plan?

2.2 Provincial Planning Statement 2024



The Provincial Planning Statement, 2024 (“PPS 2024”) came into effect on October 20, 2024. It replaced both its immediate predecessor, the Provincial Policy Statement, 2020 (“PPS 2020”), and the Growth Plan for the Greater Golden Horseshoe, 2019, creating one comprehensive provincial policy planning document. Growth, development, and land use planning decisions in Ontario are required to be consistent with the PPS 2024, which is issued under Section 3 of the Planning Act.

The PPS 2020 and the Growth Plan for the Greater Golden Horseshoe, 2019 continue to apply where the Greenbelt Plan references them.

PPS 2024 provides guidance regarding matters of Provincial planning interest and the Province’s overarching land use planning goals and objectives. It addresses topics, including: land use; housing; agriculture; cultural and natural heritage protection; management of natural resources; infrastructure; employment and economic development; and growth management. Subsection 3 of the Planning Act requires all planning decisions, including those made by the Town of Erin, to be consistent with the PPS and to conform with any applicable Provincial Plans.

Complete Communities

PPS 2024 includes policies that support the development of complete communities. It defines “complete communities” as places such as mixed-use neighbourhoods or other areas that provide opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living. This includes an appropriate mix and range of uses, including local stores and services, a full range of housing, transportation options, and public service facilities.

Housing

Section 2.2 requires municipalities to plan for providing a variety of housing options and densities, including affordable housing, to meet the forecast needs of current and future residents within the regional market area. Additionally, municipalities should promote densities that make efficient use of land, resources, and infrastructure, while supporting active and transit-oriented development.

Planning for People and Homes

When creating or updating Official Plans, Section 2.1 requires municipalities to ensure that there is sufficient land available to meet forecast needs for all necessary land uses over a minimum 20-year

and maximum 30-year horizon. In addition to the 20- to 30-year requirement for all land use types, the PPS 2024 also requires municipalities to ensure that there is sufficient land designated and available to accommodate a minimum of 15 years of forecast residential growth as well as land that can support a minimum of three years' of forecasted residential growth, specifically in the form of "shovel-ready" land, that is appropriately zoned and serviced.

Rural Areas, including Rural Settlement Areas

PPS 2024 defines rural areas as a system of lands that include Rural Settlement Areas and rural lands (i.e. rural lands located outside of Settlement Areas). Development in the rural area must reflect rural character, scale, and service levels, and support economic diversification, tourism, and biodiversity conservation. Rural area growth must also be focused within the Rural Settlement Areas.

Sections 2.5 and 2.6 support healthy, integrated, and viable rural areas by emphasizing rural character, regeneration (including brownfield redevelopment), and infilling on existing lots with partial services where it is logical and financially viable. Permitted rural uses include resource management, recreation, agriculture, appropriately serviced residential development, home occupations, and cemeteries. Development must be sustainable, align with existing infrastructure, and avoid uneconomical expansions. PPS 2024 promotes a diversified rural economy by protecting agricultural and resource-related uses, minimizing conflicts with non-related development, and requiring new land uses and livestock facilities to meet minimum distance separation standards.

Employment and Employment Areas

PPS 2024 provides policies which direct municipalities to promote economic development and competitiveness. It requires municipalities to provide a mix and range of employment, institutional, and varied uses to meet long-term needs. Additionally, intensification and the development of employment uses in a compact built form is encouraged in support of achieving complete communities. In planning for employment uses, which may be located within or outside of designated employment areas, planning authorities must address issues of land use compatibility.

PPS 2024 includes an updated definition of Employment Areas, which are limited to traditional manufacturing, warehousing, and industrial uses, and excludes institutional, office, and commercial uses where they are not ancillary to the main employment use.

Section 2.8.2 requires municipalities to plan for, protect, and preserve Employment Areas for current and future uses, ensuring necessary infrastructure is in place to support both. Within Settlement Areas, municipalities must designate and plan for Employment Areas, while prohibiting land uses that are not associated with, or ancillary to, the primary employment use. Municipalities must also ensure appropriate transitions to adjacent non-Employment Areas for land use compatibility and economic viability.

Management of Resources

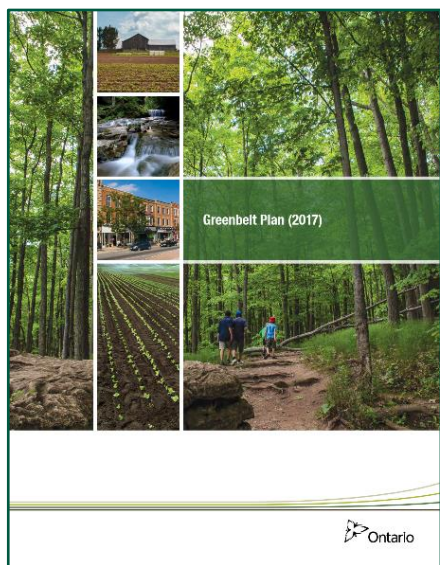
Section 4 requires municipalities to protect natural heritage, water, agricultural lands, and mineral resources for long-term use. Development is prohibited in significant natural features unless permitted by provincial or federal regulations. Water resources must be safeguarded through watershed-based planning, especially in large and fast-growing municipalities.

Prime Agricultural Areas, including Specialty Crop Areas, must be designated and protected, with limited non-agricultural uses allowed under strict conditions. Mineral and aggregate resources must be identified, protected, and rehabilitated after extraction. Cultural heritage and archaeological resources must be conserved, with early engagement of Indigenous communities in planning decisions.

Implementation

Zoning By-laws are recognized as important for implementing the PPS. Therefore, planning authorities are required to keep them up to date with their official plans and the PPS, as per Policy 6.1.6 of the PPS.

2.3 Greenbelt Plan (October 20, 2024 Consolidation)



The Greenbelt Plan (consolidated October 20, 2024) applies permanent planning protection to agricultural lands, water resources, and natural heritage systems across Ontario's Greater Golden Horseshoe region. The Greenbelt Plan first took effect on December 16, 2004 2005 and was most recently amended in October 2024. The next 10 year review may occur in 2026 or 2027. In particular, the Greenbelt Plan delineates areas where urbanization is not permitted, ensuring the long-term preservation of the agricultural land base and the ecological and hydrological features, functions, and systems that define this landscape.

The eastern area of the Town of Erin is within the Greenbelt Area and specifically within the Protected Countryside, including the settlement areas of Erin Village and Hillsburgh (Schedule 1: Greenbelt Area), and includes lands within the Natural Heritage System (Schedule 4: Natural Heritage System). The Protected Countryside consists of agricultural and rural lands and recognizes

existing Towns and Villages and Hamlets within the Greenbelt area. Local official plans provide direction on which policies of the Greenbelt Plan apply within this area.

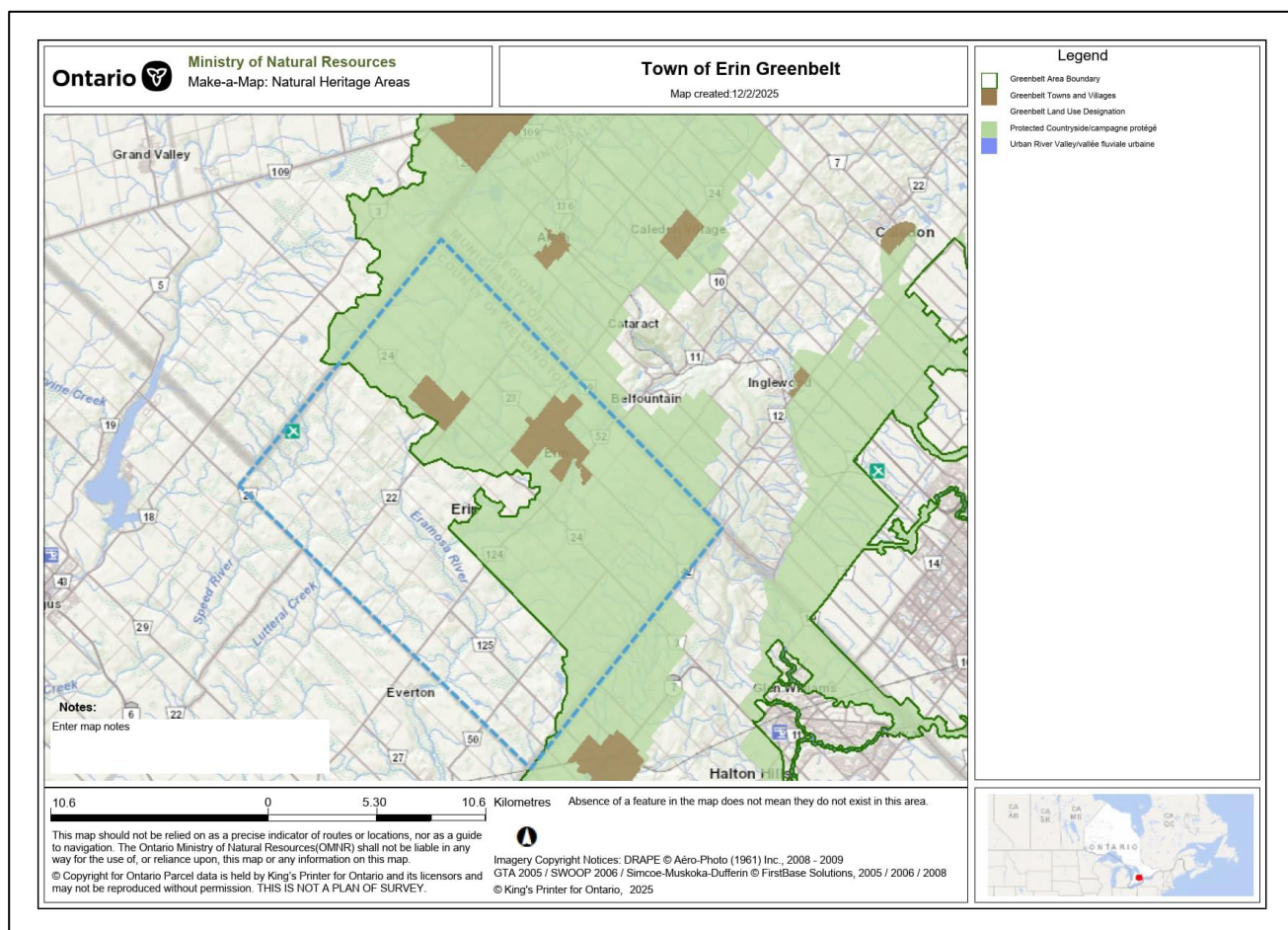


Figure 2-1: Greenbelt Plan Area within the Town of Erin (Ministry of Natural Resources)

2.4 Provincial Legislation Changes

Fighting Delays, Building Faster Act, 2025 (Proposed Bill 60)

The proposed Bill 60, Fighting Delays, Building Faster Act, 2025, includes changes to streamline the minor variance process. Bill 60 proposes to provide regulation-making authority to allow certain zoning performance standards (e.g., building height, lot coverage) to allow variances to as-of-right performance standards identified in Zoning By-laws without requiring a planning application on specified lands, including parcels of urban residential lands outside the Greenbelt Area, and excluding hazardous lands and areas near shorelines or railways. The proposed change would work with changes made by the *Protect Ontario by Building Faster and Smarter Act, 2025* (Bill 17) that enable the Minister to permit variation to a zoning by-law to be “as of right” if a proposal is within a prescribed percentage (e.g., 10%) of the required setback on specified lands.

Protect Ontario by Building Faster and Smarter Act, 2025 (Bill 17)

Bill 17, the “Protect Ontario by Building Faster and Smarter Act”, received Royal Assent on June 5, 2025, and generally attempts to remove “red tape” and redundancies from the development process, among other things.

Of particular relevance to zoning by-laws, Bill 17 limits a municipality's powers in determining a "complete application", for development applications such as zoning by-law amendments, and in passing by-laws with respect to the construction and demolition of buildings, including by-laws that require green or sustainable building standards. These changes have the potential to shorten the timelines for the approval of developments.

Future regulations are required to provide more details; however, where a municipality is determining the completeness of an application, they must rely on the opinion of the professional that prepared a deliverable and cannot deem an application incomplete where further information within a deliverable, or revisions to a deliverable, are requested.

Setback Modification

With the goal of reducing the number of minor variance applications, Bill 17 amends the Planning Act to allow the Minister to, by regulation, permit as-of-right variations from setback requirements. A regulation has established this as-of-right variance with a prescribed percentage of 90%. For example, where a minimum setback is 3.0 metres, a development is compliant if a 2.7-metre setback is provided. This as-of-right variance permission excludes areas such as the Greenbelt Plan area, hazardous lands, or lands near railways and shorelines.

There is potential that this change may reduce the need for minor variances on future developments.

Cutting Red Tape to Build More Homes Act, 2024 (Bill 185)

On June 6, 2024, the *Cutting Red Tape to Build More Homes Act, 2024* (also known as Bill 185) received Royal Assent, introducing fundamental amendments to the *Planning Act*. Three key changes are the removal of third-party appeal rights, introducing a framework for general provisions and exemptions to additional residential units, and includes provisions to permit reductions to minimum and maximum standards in a zoning by-law.

The elimination of third-party appeal rights effectively limits appeals to the applicant, registered landowners to which a by-law would apply, public bodies, the Minister, and "specified persons", which include agencies like rail operators. These changes extend to updated or new zoning by-laws that apply to an entire municipality, or area-specific and site-specific zoning by-law amendments.

Removing third party appeal rights has a significant impact on zoning and development in general in the Town of Erin, as residents and local appeal groups have reduced appeal rights.

With respect to revisions to regulations relating to additional residential units, currently the Planning Act allows the Minister to introduce regulations that apply to an additional residential unit only. Bill 185 broadens the capabilities of the Minister to introduce regulations that apply to the land and the building where an additional residential unit is located in addition to the additional residential unit itself.

Furthermore, Bill 185 introduces a section to the Planning Act that would provide exemptions to land use controls in the Planning Act, such as zoning by-laws, minor variances, and site plan control, for additional residential units, however, a regulation will need to be introduced to provide details.

Similar to the as-of-right variances to minimum setbacks introduced by Bill 17, Bill 60 amends the Planning Act to permit reductions, according to a prescribed percentage, to minimum standards and maximum standards that are established in a zoning by-law passed under Section 34 of the Planning Act. Similar to changes including in Bill 17, these permissions do not apply in certain areas including

the Greenbelt Plan area, hazardous lands, or lands near railways and shorelines. A prescribed percentage (or percentages) for minimum standards and maximum standards has not yet been established in an Ontario Regulation.

More Homes for Everyone Act, 2022 (Bill 109)

Bill 109, the *More Homes for Everyone Act*, received Royal Assent on April 14, 2022, and made various changes to the Development Charges Act, 1997, the New Home Construction Licensing Act, 2017, the Ontario New Home Warranties Plan Act, and the Planning Act. The intent of this Bill is to expedite the planning process to build new housing by creating more authorities for the Minister, providing new tools for municipalities, and implementing penalties for failure to process applications quickly.

Many of the changes brought into effect by Bill 109 were reversed or replaced through later Bills. This includes full and partial refunds of development applications where no decision was made within a specific timeline, and the new Community Infrastructure and Housing Accelerator tool which has since essentially been replaced by the Province's Minister's Zoning Order mechanism.

More Homes Built Faster Act, 2022 (Bill 23)

The More Homes Built Faster Act, 2022 (Bill 23) received Royal Assent on November 28, 2022, and enacted legislative changes to the Planning Act, Development Charges Act, Municipal Act, Conservation Authorities Act, Ontario Heritage Act, and Ontario Land Tribunal Act. Additionally, there are planned changes to O. Reg 232/18 regarding inclusionary zoning, changes to the Ontario Wetland Evaluation System, and to the Ontario Building Code.

Changes to Permissions for Additional Residential Units

Changes to the Planning Act direct municipalities to implement policies and regulations that permit:

- Up to three (3) residential units within a detached house, semi-detached house, or rowhouse (i.e., townhouse) on a parcel of urban residential land; or
- One (1) residential unit in a building or structure ancillary to a detached house, semi-detached house, or rowhouse (i.e. townhouse) on a parcel of urban residential land, if it contains no more than two (2) residential units.

The changes do not permit appeals with regard to Official Plan policies and zoning provisions that authorize additional residential units in serviced residential areas.

Site Plan Control Exemptions

Bill 23 amends the Act to exclude development of up to 10 residential units from site plan control. In addition, site plan control may no longer consider the exterior design of buildings, except as it relates to sustainable design, the protection of adjoining lands, and matters of health and safety.

Removal of Certain Appeal Rights

Bill 23 removes third party appeals for minor variance and consent applications. "Specified persons", which include utility and railway companies for examples, can still appeal decisions.

Removal of a 2-Year Freeze for Official Plans and Zoning By-laws

The prohibition to apply for an official plan amendment, zoning by-law amendment, or minor variance application for an official plan, secondary plan, or zoning by-law for a 2-year period following the plan or by-law coming into effect was removed.

Helping Homebuyers, Protecting Tenants Act, 2023 (Bill 97)

On June 8, 2023, the Helping Homebuyers, Protecting Tenants Act, 2023 (Bill 97) received Royal Assent. Bill 97 builds on Bill 23, and enacts changes to the Building Code Act, City of Toronto Act, Development Charges Act, Ministry of Municipal Affairs and Housing Act, Municipal Act, Planning Act, and Residential Tenancies Act.

Changes to Site Plan Control Requirements

Bill 97 amends changes to the Planning Act through Bill 23 to exclude development for residential purposes on a parcel of land from site plan control, if that parcel of land will contain no more than 10 residential units, unless that parcel of land includes any land in a prescribed area. Ontario Regulation (O.Reg.) 254/23 identifies the following prescribed areas:

- Any area within 300 metres of a railway line, other than certain exclusion specified in the O.Reg.; and
- Any area that is within 120 metres of a wetland, the shoreline of the Great Lakes-St. Lawrence River System, an inland lake, or a river or stream valley that had depressional features associated with a river or stream, whether or not it contains a watercourse.

Areas of Employment

Changes to the Planning Act include narrowing the definition of “area of employment”. The previous definition under Subsection 1(1) of the Act defined an “area of employment” as lands designated in an official plan for clusters of business and economic uses (including but not limited to) manufacturing uses, warehousing uses, office uses, associated retail uses and ancillary facilities.

With the passing of Bill 97, the definition has been amended to expressly exclude institutional uses and commercial uses, such as retail and office uses unless they are associated with manufacturing and warehousing.

Interim Control By-laws

Additionally, changes to the Planning Act shorten the notice period for municipalities to give notice of the passing of an interim control by-law from 30 days to 20 days. Further, appeals can now be made within 50 days following the passage of the interim control by-law, a reduction from the previous 60-day period.

Parking for Primary and Additional Residential Units

Lastly, Bill 23 put in place restrictions on the ability to require more than one (1) parking space where additional residential units are permitted as of right. Bill 97 provided clarification to the new restriction under Bill 23, by revising the Planning Act to allow official plans and zoning by-laws to require more than one (1) parking space for primary residential units.

2.5 County of Wellington Official Plan (approved by the Ministry of Municipal Affairs on April 13, 1999, Consolidated November 2025)

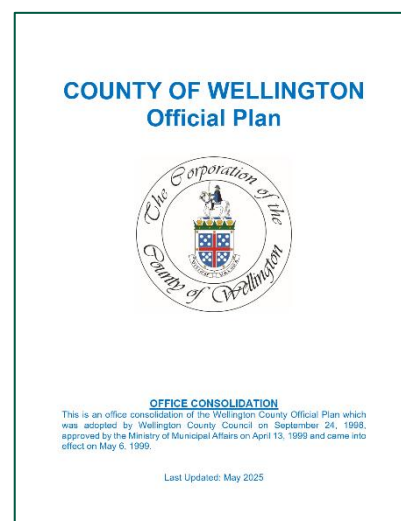
The County of Wellington Official Plan was adopted by Wellington County Council on September 24, 1998, approved by the Ministry of Municipal Affairs on April 13, 1999, and came into effect on May 6, 1999. The County of Wellington Official Plan is an upper-tier official Plan which provides land use planning guidance to multiple municipalities within the County including the Town of Erin.

The Official Plan is organized as follows:

- **Section 1.0 Introduction** provides the purpose of the Official Plan, the current state of the County, and the Plan's 20 year outlook.
- **Section 2.0 Wellington's Planning Vision** describes the County's vision for the next 20 years which includes the County's position on sustainable development, land stewardship, healthy communities, and complete communities. The section also describes the Official Plan's applicability to a range of urban, rural, and Greenland system areas and its role in the larger planning policy context.
- **Section 3.0 Wellington Growth Strategy** provides growth projections to the year 2051 and where and how that new growth should be allocated. The Town of Erin has the following growth projections:

	2021	2051
Total Population	12,000	26,300
Households	4,230	9,200
Total Employment	3,100	6,200

- **Section 4.0 General County Policy** includes a range of policies applying to the entire County including, but not limited to, cultural heritage, farmland protection, housing, and the protection and expansion of urban areas.
- **Section 5.0 The Greenlands System** provides direction on defining and protecting and establishing permitted activities in the greenlands system.
- **Section 6.0 The Rural System** provides policies pertain to the rural system which includes a range of areas including prime agricultural areas and secondary agricultural areas.
- **Section 7.0 The Urban System** outlines the purpose and approach of the urban system which includes primary urban centres and secondary urban centres.
- **Section 8.0 Detailed Primary and Secondary Urban Centre Policies** includes detailed policies relating to a range of land use designations provided on various B Schedules (Schedules B1-B7). Some of these schedules have detailed land use plans for the urban system, such as Schedule B3-1, while others have an overall "primary urban centre" or "hamlet"



designation, such as Schedule B2.

- **Section 9.0 Local Planning Policy** includes area specific and site specific policies relating to the lower tier municipalities in the County. Within the Town of Erin, Policy 9.3.1 contains policy for the Sopinka subdivision identified in Schedule B2. Four special policy areas are identified: PA2-1 Zumberak, PA2-2 Former Waste Disposal Site (Hillsburgh), PA2-3 Everdale, and PA2-3 Kirk Second Unit.
- **Section 10.0 Creation New Lots** provides policies for lot creation obtained through subdivisions, consents, and part lot control.
- **Section 11.0 Environmental Services** provides policies relating to public and private water, sanitary, and stormwater services.
- **Section 12.0 Transportation** establishes policies relating to the transportation network which includes pedestrian facilities, cycling facilities, public transit, roadways, utility lines, and airports.
- **Section 13.0 Implementation** describes the various tools and procedures that implement the County Official Plan. Subsection 13.3 notes that “Zoning by-laws will be one of the most important means whereby this Plan is implemented. Zoning by-laws will be amended to conform with the policies of this Plan. No zoning by-law amendment will be passed that is not in conformity with this Plan.”
- **Section 14.0 Interpretation** describes how to interpret the Official Plan and where conformity is required and where flexibility is provided.
- **Section 15.0 Definitions** provides definitions for terminology used throughout the Official Plan.

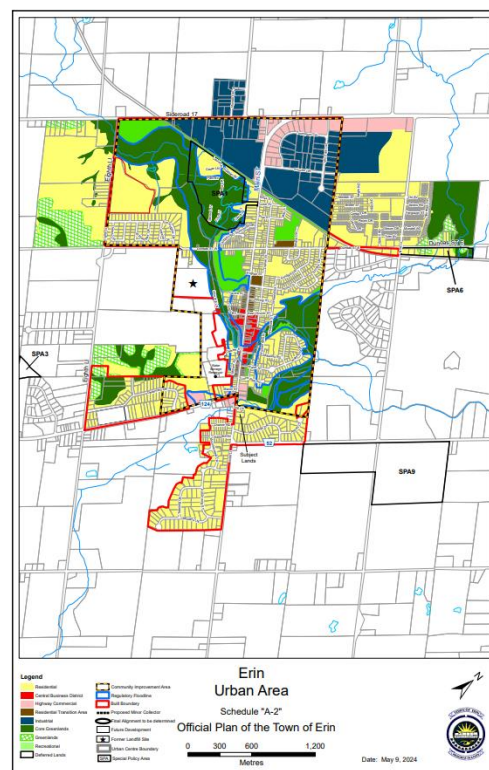
The Town of Erin Official Plan, and the implementing Town Zoning By-law, must conform with the County of Wellington Official Plan. The County is the approval authority for the Town of Erin Official Plan, including all Official Plan amendments.

2.6 Town of Erin Official Plan (approved by Wellington County Council on December 14, 2004, Consolidated March 2025)

The Town of Erin Official Plan was approved by Wellington County Council on December 14, 2004, and has since been subject to multiple amendments. The latest consolidation, dated March 1, 2025, includes 16 Official Plan Amendments which are listed on the first page of the Official Plan. The main purpose of the Official Plan is to provide a vision for future growth within the Town and a comprehensive policy framework for regulating the development and use of land to the year 2051. In accordance with the requirements of Section 26 under the Planning Act, the Official Plan will be reviewed 10 years after it comes into effect, and every five (5) years thereafter, but it may be amended by the municipality at any time to reflect changing circumstances or new priorities. The Town is planning to undertake a comprehensive Official Plan Review, however, the timing has not yet been determined.

The Official Plan is organized as follows:

- **Section 1.0 Introduction** includes the purpose and organization of the Official Plan, as well as instruction on how to read the Official Plan and its relationship to the County Official Plan. This Section describes that the Town of Erin has two urban centres, Erin and Hillsburgh, with the remainder of the Town being part of the Greenlands and Rural systems.
- **Section 2.0 Community Vision** outlines the long-term vision for planning and development in the Town and sets out policies for the Growth Strategy for the Town, providing growth forecasts and where growth should be allocated.
- **Section 3.0 General Policies** is comprised of general policies that apply to all of the Town of Erin, including those related to natural heritage resources, housing policies, community design, parking, and land use compatibility.
- **Section 4.0 Land Use Policies** establishes the various designations in the Town and associated policies related to permitted uses, zoning direction, lot creation, and design direction. The Urban Centres of Erin and Hillsburgh include a range of land use designations including: Residential; Central Business District; Highway Commercial; Residential Transition Area; Industrial; Core Greenlands; Greenlands; and Recreational. The Town's six (6) hamlets are generally designated Hamlet Area and Core Greenlands. Areas outside of the urban centres and hamlets, which represent the majority of the Town, are designated Prime Agricultural, Secondary Agricultural, Core Greenlands, Greenlands, Recreational, and Country Residential.
- **Section 5.0 Implementation and Interpretation** establishes the regulatory framework and administrative processes through which the Official Plan policies will be achieved, including discussion about zoning by-laws which the Town shall enact in conformity with the Official Plan. This Section also outlines various planning tools and instruments to implement the Official Plan including, but not limited to, holding by-laws, temporary use by-laws, site plan control, plans of subdivision, consents, and applications through the Committee of Adjustment.



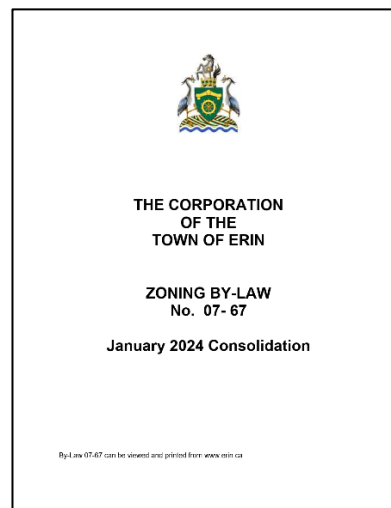
The main purpose of the Zoning By-law is to implement the land use policies of the Official Plan.

2.7 Town of Erin Zoning By-law 07-67 (Adopted December 18, 2007, January 2024 Consolidation)

The Town of Erin Zoning By-law 07-67 was adopted by Town Council on December 18, 2007 and has since been amended numerous times. The publicly available version online is the January 2024 Consolidation of the Zoning By-law, which includes amendments up to that date.

The Zoning By-law applies to both the urban and rural areas of the Town. It is organized as follows:

- **Sections 1 Title and Administration, Section 2 Definitions, and Section 3 Zones** establish the legal status of the Zoning By-law, establish definitions for terms used, and provide direction on how to interpret the Zoning By-law.
- **Section 4 General Provisions** provides general provisions that apply to the entire Town relating to a range of matters including, but not limited to, additional residential units (ARUs), home occupations, parking, and outdoor storage.
- **Sections 5 Requirements for Agricultural Zones, Section 6 Requirements for Residential Zones, Section 7 Requirements for Commercial Zones, Section 8 Requirements for Mixed Use Zones, Section 9 Requirements for Industrial Zones, Section 10 Requirements for Institutional Zones, Section 11 Requirements for Open Space Zones, Section 12 Requirements for Environmental Protection Zones, and Section 13 Requirements for Development Zones** establish permitted uses and development standards for the following zones:



Residential Zones	Commercial Zones	Industrial Zones	Other Zones
• Residential One (R1) Zone • Residential Two (R2) Zone • Rural Residential (R3) Zone • Multiple Residential (R4) Zone • Urban Residential (UR1) Zone • Urban Residential (UR2) Zone	• Central Commercial (C1) Zone • Highway Commercial (C2) Zone • Rural Commercial (C3) Zone	• Industrial (M1) Zone • General Industrial (M2) Zone • Rural Industrial (M3) Zone • Extractive Industrial (M4) Zone • Institutional (I) Zone	• Agricultural (A) Zone • Mixed Use (MU) Zone • Open Space Recreation (OS1) Zone • Village Environmental Protection (EP1) Zone • Rural Environmental Protection (EP2) Zone • Future Development (FD) Zone

- **Section 14** includes special provisions that establish area-specific and site-specific permitted uses and standards, including the use of holding provisions and temporary uses.

2.8 Town of Erin Urban Design Guidelines (April 2021)

The Town of Erin City Council adopted Community & Architectural Design Guidelines (“the Guidelines”) in April 2021 for the Villages of Erin and Hillsburgh, dated April 2021, which aim to provide urban design guidance for new development in these two growth areas. Section 1.0 Introduction provides the background, purpose, and process of establishing the urban design guidelines. Section 2.0 Design Framework provides the following vision statement and guiding principles.

2.9 Vision Statement

“Good urban design plays a pivotal role in creating healthy and sustainable communities. It relies on the shaping, organization, patterning and interrelationships of the built and natural environments and requires that the private and public realms work together. Good urban design results in great places and great streets that reflect the community, attract people and connect them to one another and their environments. The process of urban design requires combined consideration for the planning, design and implementation of the built environment - streets, the natural environment, the open space system and built form. For the Town of Erin, urban design builds upon the Provincial, County and local planning frameworks and captures the collective aspirations of the community as expressed in this vision statement...”

2.10 Guiding Principles

- Incorporate and integrate the surrounding natural heritage
- Enhance the character and attributes of the community
- Support active transportation and community connectivity
- Encourage quality built form
- Create pedestrian friendly urban spaces and streets
- Integrate sustainability into the design of building, open space and infrastructure

Section 2.0 of the Guidelines describes the village structure and character of the villages of Erin and Hillsburgh and breaks down the villages into distinct areas, which are then further described in Section 3.0 to 7.0 with specific associated guidelines.

For example, Section 3.0 Village Core Main Street describes the respective characters of the Villages of Erin and Hillsburgh, provides design principles for the Village Core Main Street areas, and provides specific design guidelines pertaining to built form, streetscapes and the public realm, and parking and access, among other matters.

As it relates to zoning considerations, Section 3.0 includes several specific development standards that can inform provisions or be replicated in the Zoning By-law, including:

- Avoid locating parking spaces in the front yard or exterior side yard;
- Provide a minimum 2-metre landscape strip along the rear property lane where surface or structured parking is proposed;
- Maintain a 2-storey streetwall along the street;

- Establish a maximum building height that is no more than the right-of-way the property fronts onto;
- Limit building height to be contained within 45-degree angular planes measured from the opposite side of the street and the rear lot line at a height of 7.5 metres;
- Establish a maximum height of six (6) storeys for new developments on Main Street/Trafalgar Road with stepbacks of 2-3 metres above the 2-storey streetwall; and
- Require a minimum floor-to-ceiling height of 4.5 metres for a ground floor with commercial and office uses and 3 metres for floors with residential uses above.

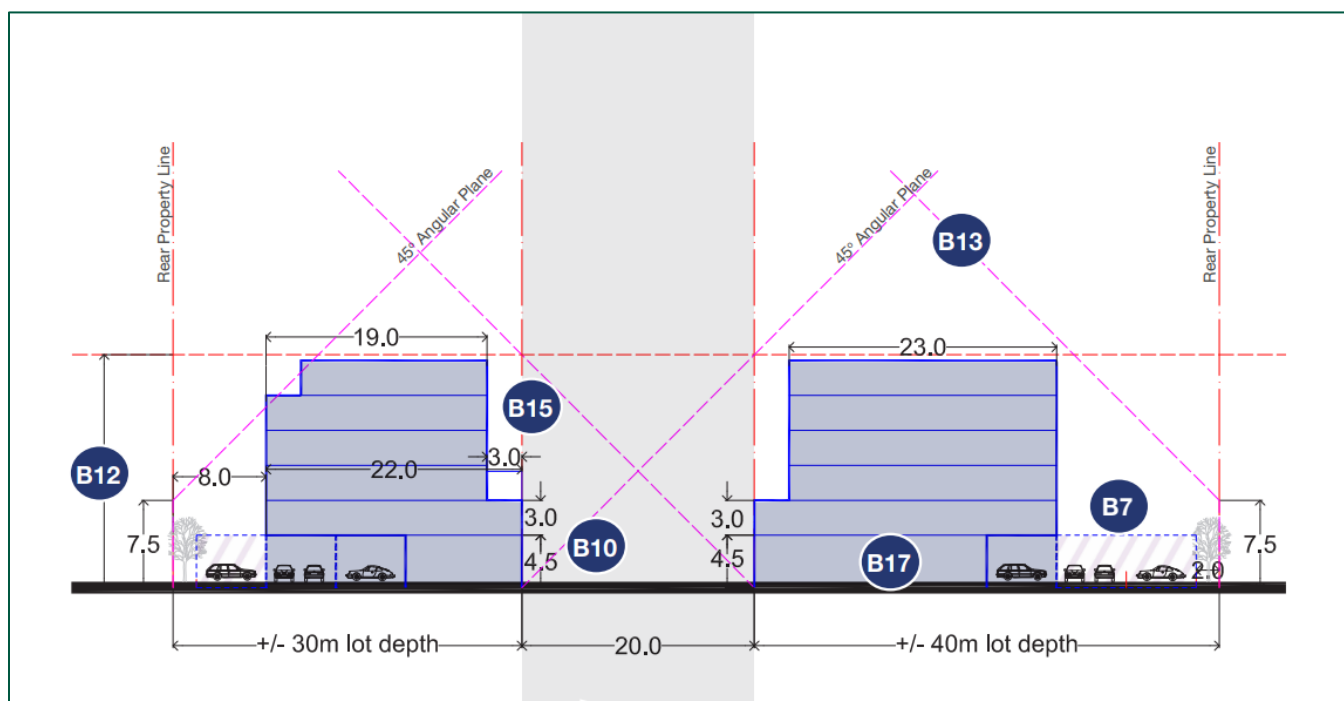


Figure 2-2: Potential Massing Diagram from Urban Design Guidelines (Town of Erin)

3 Strategic Plans and Studies

In addition to the Official Plan and Zoning By-law, numerous documents prepared for and by the Town of Erin contain policy recommendations or conclusions that inform the Zoning By-law Update.

3.1 Town of Erin Corporate Strategic Plan 2025 and Beyond (April 2025)

The Town of Erin Corporate Strategic Plan 2025 and Beyond, adopted by Council in April 2025 establishes clear vision and mission statements, strategic focus areas, values, aspirational goals, and enabling strategies to guide decision-making for the 2025 and beyond period.

The **vision** for the Town of Erin, as established in the Strategic Plan is:

“A welcoming community, rooted in historic charm while embracing a dynamic tomorrow.”



The Town's **Mission Statement** is:

“Enhancing community well-being by fostering a connected community with a sustainable future.”

The **six (6) values** that guide the Strategic Plan, include:

1. Accountability;
2. Transparency;
3. Integrity;
4. Sustainability;
5. Inclusivity; and,
6. Innovation.

The Strategic Plan includes objectives, actions, and performance measures in five (5) focus areas. Select items from some of the focus areas that are relevant to the Zoning By-law Update include:

Environmental Stewardship:

- Green Building Standards Encourage: The Town will encourage sustainable, resilient development to create a healthier and more energy-efficient community by promoting Green Building Standards.
- Work with Wellington County and the development industry to establish Green Development Standards for all new developments.

Environmental Protection can be implemented through Zones such as EP1 and include required buffers and flood overlay zones.

Community Vitality:

- Recreation Master Plan and Recreation Programming: The Town will create and maintain parks, recreation facilities, and programs that bring the community together and ensure everyone has access to enjoyable, active, and inclusive recreational opportunities.
 - Increase green space parkland playgrounds per capita.
- Cultural and Heritage Plan: The Town will celebrate and preserve the community's culture and heritage to enrich local life and support economic growth by protecting historic sites, promoting cultural events, and showcasing the Town's unique identity.
 - Update architectural and environment design guidelines for new builds.
- Community Safety Plan: The Town will create a safer, healthier place by preventing issues before they arise, providing support when needed, and responding effectively. The Town will work together with community partners to make the community safe.
 - Ensure compliance with municipal by-laws through education, online reporting, investigation coordination and ultimately prosecution.
- Trails Master Plan: The Town will work to create a connected, accessible, and sustainable trail system that makes it easier for residents to walk, bike, and enjoy the outdoors by planning, funding, and maintaining trails. The Town aims to build a network that supports recreation, active transportation, and a healthier community for everyone.

Community vitality can be implemented in the Zoning By-law through park zones.

Good Governance and Organizational Management:

- Official Plan: The Town will undertake an Official Plan review to provide a municipal statement of intent on how future growth will be managed.

Economic Development:

- Investment Attraction: The Town will grow targeted key sectors - Agriculture, Agri-food, Equine, Tourism, Retail, Entrepreneurship, Construction, Manufacturing and Clean Technology Business.
- Business Retention and Expansion: The Town will assist existing business in thriving and expanding by identifying and addressing obstacles in key sectors, providing incentives, leveraging partnerships, and supporting local businesses.
- Vibrant Community: The Town will create vibrant and welcoming downtowns by revitalizing main streets and showcasing what makes the community special.

Economic development goals will be generally implemented through a wide range of non-residential uses.

3.2 Town of Erin Economic Development Strategic Plan (March 2025)

The Town of Erin Economic Development Strategic Plan, which was adopted by Council in May 2025, establishes the Town's strategy for economic development for the 2025 and beyond period.

The **vision** for the Town's Economic Development, as established in the Strategic Plan is:

“To be a welcoming community where businesses and residents thrive.”

The Town's Economic Development **Mission Statement** is:

“To foster purposeful economic development, in harmony with community needs.”

The **six (6) values** that guide the Economic Development Strategic Plan, include:

1. Accountability;
2. Transparency;
3. Integrity;
4. Sustainability;
5. Inclusivity; and,
6. Innovation.

The Economic Development Strategic Plan includes seven (7) focus sectors: Agriculture; Agri-food, and Equine; Tourism; Retail Trade; Entrepreneurship; Construction; Manufacturing; and Clean Technology and Businesses.

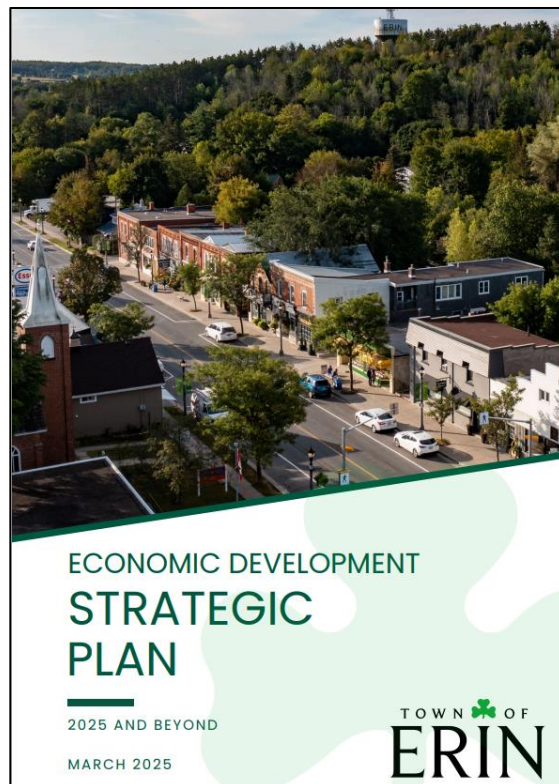
The Economic Development Strategic Plan outlines objectives, actions, and performance measures for four (4) strategic priorities. Priorities which are relevant to the Zoning By-law Update include:

Investment Attraction

- The Town aims to: target sectors that support existing businesses, especially in focus sectors; maximize employment lands; and facilitate new investment.

Business Retention and Expansion

- The Town aims to: identify and address major obstacles in focus sectors; provide growth and expansion incentives to help local businesses grow and expand their operations; leverage collaborations with partner organizations; and promote local commerce and encouraging residents to shop locally, boosting the local economy.



Vibrant Community

- The Town aims to: establish a distinctive identity; undertake downtown revitalization initiatives; and establish placemaking activities.

Business retention and expansion will be generally implemented through permitting a wide range of non-residential uses in appropriate zones. Downtown revitalization and placemaking will be generally implemented through permitting a wide range of mixed-use, residential, and commercial uses in the downtowns where feasible and appropriate.

3.3 Town of Erin Community Improvement Plan (October 2018)

The “Town of Erin Investing in Growth” Community Improvement Plan (CIP) was prepared by Stantec and approved by Council on October 2, 2018. The purpose of this CIP is to achieve important community goals, such as:

- Facilitating and coordinating the transition of neighbourhoods and areas;
- Stimulating economic growth and development;
- Assisting property owners with repair, rehabilitation, or redevelopment projects; and
- Raising awareness of local needs and priorities.

The CIP identifies three (3) goals that guide investment in growth in the Town of Erin, which are to be implemented in four (4) CIP Sub-Areas – Erin Village, Hillsburgh Village, the Hamlets, and the Agricultural Sub-Area:

1. The CIP will revitalize the Town of Erin

- The CIP will revitalize Urban Centres, Hamlets, and Agricultural Areas, implement aesthetic and functional improvements to community facilities, public spaces, and the public realm.

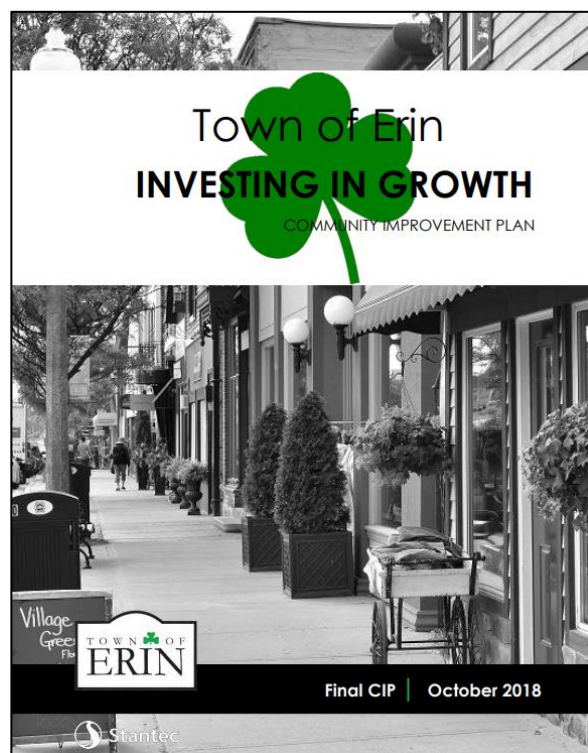
2. The CIP will reshape the Town of Erin

- The CIP will promote a mix of housing options and uses, reduce vacant and under-utilized buildings, prioritize improvement of community assets, introduce Design Guidelines, and create exciting public spaces.

3. The Town of Erin is investing in growth and “open for business”

- The CIP will attract new businesses and retain existing businesses, attract tourism, and diversify the Town’s tax base.

Updates to the Town’s Zoning By-law will consider if provisions ensure that regulations will permit and encourage the most appropriate redevelopment for certain properties or areas of the Town. Updates will also consider the following zoning tools, as suggested in the Plan:



- Additional development standards to the downtowns, which generally includes lands designated Central Business District and zoned Central Commercial (C1) in the Erin and Hillsburgh Urban Centres, which would include minimum and maximum standards for height, setbacks, etc.; and
- Alternative parking requirements, where appropriate.

The Plan contains Design Guidelines that apply to the four (4) CIP Sub-Areas, which are intended to guide the preparation and review of development proposals with the Sub-Areas. The Design Guidelines provide direction on the built environment, façade design, streetscapes and the public realm, parking and access, and the public/private domain partnership.

The Plan also contains Financial Incentive Programs to eligible applications within the identified CIPA and Sub-Areas where improvements result in or contribute to the goals and objectives of the CIP. The Financial Incentive Program may be available to eligible owners and tenants subject to the general eligibility criteria set out in Section 5.1 General Eligibility Creation, and Section 5.4 Town of Erin Incentive Programs.

4 Ongoing and Future Studies

4.1 Green Development Standards

The Town of Erin Green Development Standards are being developed and prepared by SvN, to encourage more sustainable and resilient development and achieve better performing buildings. Stakeholder engagement took place in October 2023. At the same time, the Tri-County Green Development Standards project is underway, which is a collaborative initiative between Grey, Dufferin, and Wellington Counties. To avoid duplicating efforts, once the Tri-County Green Standards are finalized which is expected in the first quarter of 2026, the Town of Erin will consider these standards, adapting them as needed to create a Green Development Standards document specifically for the Town.

4.2 Explore, Play, Connect (Master Plan Update)

The Town of Erin is updating the Recreation Master Plan, originally developed in 2019. The Town has completed the community consultation process for the updated Plan, “Explore, Play, Connect” and will be presenting the findings and recommendations to Council in fall of 2025. The themes of explore, play and connect reflect the Town’s commitment to creating opportunities for residents and visitors of all ages and abilities to enjoy healthy, active, and engaged lifestyles.

5 Key Zoning Issues and Trends

This section identifies key zoning issues, trends, and opportunities for improvements to the existing Zoning By-law, based on background review and initial consultation with Town staff. Other matters may be identified over the course of the Zoning By-law Update process.

5.1 Official Plan Conformity

In accordance with Section 34(1) of the Planning Act, municipal decisions, by-laws, and public works must conform to the policies of the Official Plan. Collectively, the provisions and regulations of the Zoning By-law are among the key mechanisms through which the policies of the Official Plan are

implemented. This Section reviews the Town's Official Plan (approved by Wellington County Council on December 14, 2004) and identifies matters of conformity that may be addressed through the Zoning By-law Update process.

As noted earlier in this Background Discussion Paper, the Town of Erin is planning to undertake a comprehensive review of its Official Plan to address, among other things, updates to the Planning Act regulations, provincial policy, and the County of Wellington Official Plan. Following the Town's Official Plan Review, which will likely be initiated in 2027 following the approval of a budget request in 2026, it is our understanding that the Town intends to undertake a review of the Zoning By-law.

The intent of this Section of the Background Discussion Paper is to address items of conformity with the current Town of Erin Official Plan.

Achieving Conformity through Planning Application Review

Generally, conformity between the land use designations of the Official Plan and the implementing Zones of the Zoning By-law may be achieved when through the review of individual planning applications as site-specific development proposals are brought forward over time. Achieving conformity through planning application review allows the municipality greater involvement as implementation is undertaken at a site-specific level, rather than through broad pre-zoning of lands in a municipality to conform with land use designations in the Official Plan. This allows for greater consideration of the urban context, surrounding uses, and potential compatibility issues and required studies on a site-specific basis, at the time that an application is made.

Implementing Zones

The Zones set out in the Town's Zoning By-law must implement the land use designations established in the Official Plan. As show in **Table 5-1**, the existing Zoning By-law currently includes 20 Zones, which in some cases implement multiple land use designations. Through the Zoning By-law Update, it will be determined whether the existing Zones should be modified to align with the Official Plan, which may include consolidating, deleting, or adding new Zones.

Table 5-1: Official Plan and Implementing Zones in Zoning By-law 07-67

Official Plan Land Use Designation	Zoning By-law 07-67 Zones
Prime Agricultural	Agricultural (A) Extractive Industrial (M4)
Secondary Agricultural	Agricultural (A) Extractive Industrial (M4)
Core Greenlands	Environmental Protection (EP1) Environmental Protection (EP2)
Greenlands	Agricultural (A), Environmental Protection (EP1)
Hamlet Area	Residential One (R1) Rural Residential (R3) Institutional (I) Highway Commercial (C2) Rural Commercial (C3) Agricultural (A) Rural Industrial (M3) Open Space Recreation (OS1)

Official Plan Land Use Designation	Zoning By-law 07-67 Zones
Country Residential	Rural Residential (R3) Highway Commercial (C2)
Residential	Residential One (R1) Residential Two (R2) Rural Residential (R3) Residential Four (R4) Urban Residential (UR1) Urban Residential (UR2)
Central Business District	Central Commercial (C1)
Residential Transition Area	Mixed Use (MU)
Highway Commercial	Highway Commercial (C2)
Industrial	Industrial (M1) General Industrial (M2)
Recreational	Open Space Recreation (OS1)
Future Development	Future Development (FD)

Conformity Issues

In general, Zoning By-law 07-67 aligns with the land use designations of the Official Plan, although minor housekeeping amendments may be included as part of the Zoning By-law Update, or through a future owner-initiated site-specific zoning by-law amendment, where a zone does not align with the land use designation.

Notwithstanding, we have identified an existing issue with the Mixed Use (MU) Zone which may require the Town to consider an Official Plan Amendment. The Residential Transition Area designation only permits residential uses in single-detached dwellings. The Mixed Use (MU) Zone, which implements the Residential Transition Area designation, permits any uses permitted in the Residential One (R1) and Residential Two (R2) Zones, which includes residential uses in the form of detached, semi-detached, and duplex dwellings, as well as additional residential dwelling units. In order to conform with the policies in the Residential Transition Area designation, the permitted uses in the MU Zone would have to be limited to detached dwellings, unless an amendment to the Official Plan is included to permit additional building types.

5.2 Document Format and Structure

Like many municipalities, the Town of Erin is seeking to prepare a new Zoning By-law with an emphasis on improving user-friendliness of the document, to ensure that the text and Schedules are easy to read and understood by a broad audience, including Council, Town staff, external agencies, developers, and residents. The following section considers how the updated Zoning By-law document can be formatted and structured to achieve this goal.

Accessibility

As a result of the Accessibility for Ontarians with Disabilities Act, 2005, organizations are required to train workers for providing service to persons with disabilities, and to develop policies and procedures in this regard. Accessibility should be considered in the format and layout of the Zoning By-law and Schedules.

The key potential barrier for accessibility regarding the Zoning By-law document is that it may not always be easy to read and interpret. To help address this challenge, the new Zoning By-law document should:

- Integrate legible and consistent fonts and colours in the document and Schedule templates, while avoiding the use of italics and excessive capitalization;
- While being consistent with the Town's Style Guide (2025), use colours and images that provide high contrast and clarity; and
- Include illustrations of certain zoning provisions to provide for better clarity when interpreting zoning requirements.

User-Friendly Features

The structure and format of the existing Zoning By-law can be modernized and improved to create a more user-friendly document. that is easy to navigate and interpret. Suggestions to improve formatting in the new Zoning By-law include:

- Hyperlinks to sections of the document in the Table of Contents, to assist in navigating the Zoning By-law document when it is viewed in a digital format;
- Adding section names to section numbers to improve references to other parts of the Zoning By-law
- Section dividers and icons to promote easier navigation and wayfinding through the document, as illustrated in **Figure 5-1**;



Figure 5-1: Use of coloured headers and icons (City of Cornwall Comprehensive Zoning By-law, January 2022)

- Numbering provisions consistently throughout the document. This will allow for clear references to the Zoning By-law in other planning documents and development applications;
- Limiting the number of provisions which require the reader to cross-reference other provisions in different sections;

- Including a preamble for each Zone which describes its general intent and purpose;
- Ensuring that all terminology is clear, simple, and defined;
- Organizing lot and building requirements and performance standards (e.g., minimum setback and yard requirements) in consistent tables in each Zone (see **Figure 5-2**);

Table 7-1: Lot and Building Requirements for Permitted Low-Density Residential Uses (Single-Detached, Semi-Detached, Duplex Dwellings)

Provision	Requirement for Low-Density Residential Uses		
	Single-Detached Dwelling	Semi-Detached Dwelling	Duplex Dwelling
a. Minimum Lot Area	420 m ²	210 m ² per Dwelling Unit	420 m ²
b. Minimum Lot Frontage	15 m	9 m per Dwelling Unit	15 m
c. Minimum Front Yard	6 m	6 m	6 m

Figure 5-2: Table of Lot and Buildings Requirements (Town of Smiths Falls Zoning By-law, August 2022)

- Including multiple zones in one table for permitted uses and development standards (**Figure 5-3**);

7.2.1 Permitted Uses in the RE, R1, R2, R3, R4 and R5 Zones

Table 7-2: Permitted Uses in the RE, R1, R2, R3, R4 and R5 Zones

	RE	R1	R2	R3	R4	R5
Residential Uses						
<u>Independent living facility</u>	•	•	•	•	•	•
<u>Semi-detached dwelling</u>					•	•
<u>Single detached dwelling</u>	•	•	•	•	•	•

Figure 5-3: Portion of a permitted use table featuring multiple zones (City of Vaughan Zoning By-law, October 2021)

- Including images / diagrams to illustrate certain definitions and zoning provisions to communicate requirements more clearly. For example, diagrams can be used to illustrate

definitions for dwelling types, lot types, required yards, parking space size requirements, driveway requirements, and permitted yard encroachments or projections (see **Figure 5-4**).

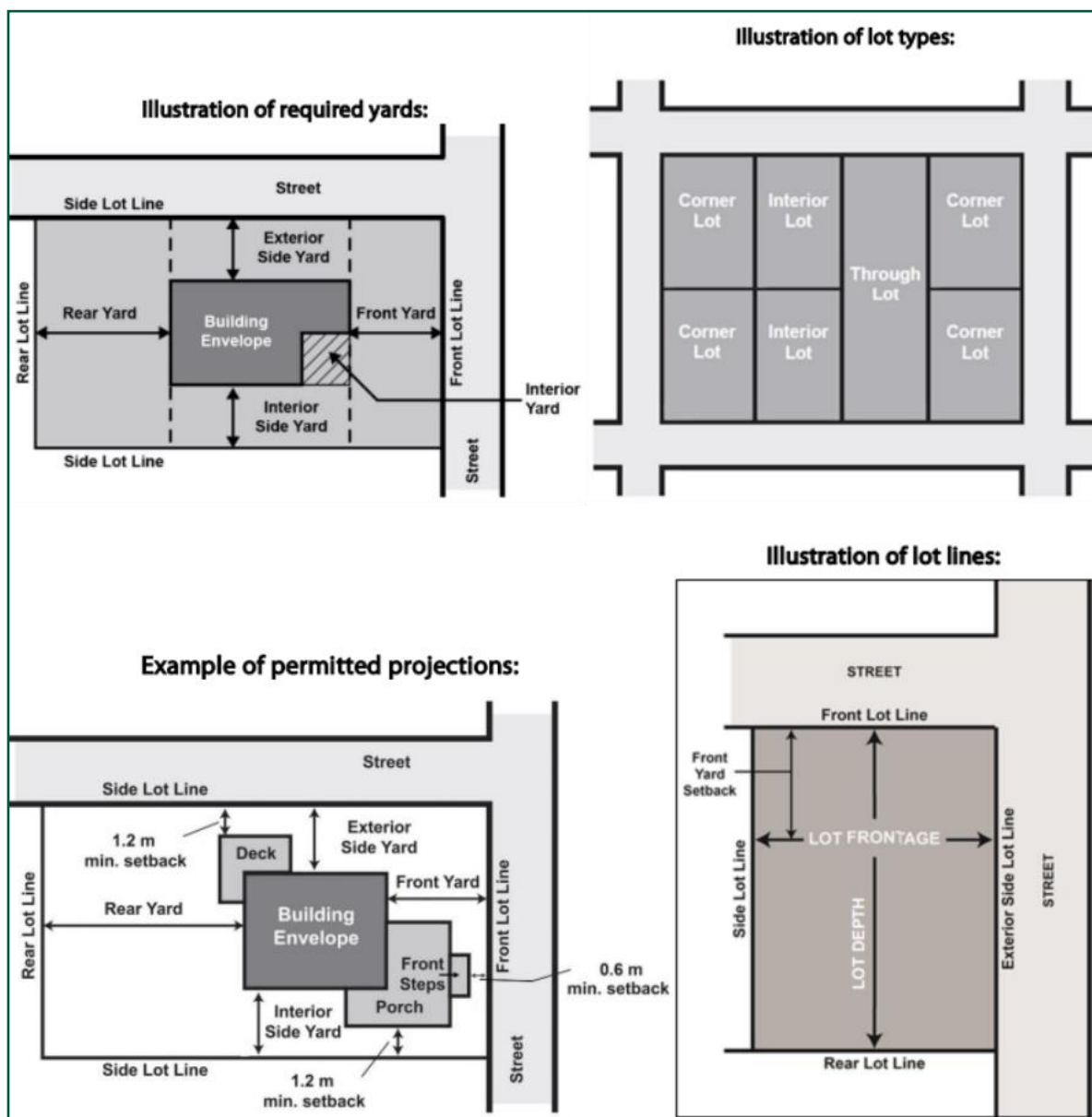


Figure 5-4: Examples of Zoning By-law Illustrations (City of Cornwall Comprehensive Zoning By-law, January 2022)

Including a User Guide

The existing Zoning By-law lacks an Interpretation section that can be referenced for an explanation on how to read and interpret the Zoning By-law. Modern Zoning By-laws often include a “User Guide”, which is a supplemental document or a non-operative section within the Zoning By-law to help inform the reader on how to navigate the Zoning By-law and interpret its provisions and Schedules.

Examples of excerpts from a User Guide are included in **Figure 5-5**. Key elements that should be considered in a User Guide include:

- An explanation of the overall function and purpose of the Zoning By-law, and relationship to the Official Plan and other municipal by-laws (e.g. Site Plan Control By-law) and regulations;
- An overview of the structure of the Zoning By-law, including a summary of what is included in each section;
- The difference between Zones and overlays, if applicable; and
- Steps in using the Zoning By-law, including how to:
 - Determine and find the zoning for your property on the Zoning Map;
 - Interpret the zoning code for a property, including any suffixes, such as those related to Exception Zones (e.g. R1-112) or Holding Zones (e.g. MU-3(H));
 - Determine what uses are permitted in the Zone;
 - Determine what Zone provisions apply, and if any general provisions apply; and
 - Clarify the meaning of a permitted use or other term used in the Zoning By-law, using the definitions section.

City of Cornwall User Guide to the Comprehensive Zoning By-law



Zone boundaries are outlined in red on the Zoning Map.

Each property is associated with a Zone symbol (e.g. RES 10, GC, OSP).

The different colours within the red Zone boundaries identify the land use classification of the properties within that Zone (e.g. Residential, Commercial, Open Space).

The Zoning Map Legend explains the Zone symbols and land use classification colours.

Land Use	Zones
Residential	RES 10 - Residential 10 (Low Density)
Commercial	RES 15 - Residential 15 (Low Density)
Employment Area General	RES 20 - Residential 20 (Medium Density)
Employment Area Light	RES 30 - Residential 30 (Medium-to-High Density)
Institutional	RES 40 - Residential 40 (High Density)
Rural	RES 50 - Residential 50 (Mobile Home Park)
Special Uses	NC - Neighbourhood Commercial
Natural Heritage	GC - General Commercial
Open Space	
Floodplain	

Some properties will have more than one Zone symbol that applies. For example, some properties may be split up into more than one Zone, or may have a Zone symbol that contains a suffix.

The following summarizes the meaning of different types of Zone symbols:



This is a base Zone. The acronyms for each base Zone are explained in the Zoning Map legend. For example, CI means the General Institutional Zone. Most properties in the City are identified only with a base Zone.

Each base Zone has its own section in this Zoning By-law (Sections 4 to 29) which details permitted uses, lot and building requirements, and additional provisions that apply to all properties within that Zone.



If a dash and a number follows the Zone symbol (e.g. "MUC-1"), then the property is subject to a site-specific Exception Zone. The provisions for each individual Exception Zone are found in the Zoning By-law document under a subsection within the base Zone section (e.g. Section 14 Mixed-Use Commercial Zone, Subsection 14.4. Exception Zones).

An Exception Zone contains provisions that override, or are in addition to, the base Zone provisions. For example, a property with the Exception Zone MUC-1 will be subject to the provisions of the Mixed-Use Commercial (MUC) Zone, and site-specific exception provisions.

City of Cornwall Final Comprehensive Zoning By-law
Council Adopted January 10, 2022

v

Figure 5-5: Example excerpt from the User Guide to the City of Cornwall Zoning By-law (January 2022)

5.3 Definitions

The current Zoning By-law establishes defined terms in Section 2 - Definitions. The following changes may be considered to assist in the interpretation of the updated Zoning By-law:

- A comprehensive review of all definitions should be completed to ensure that they are contemporary, including deletion or replacement of definitions for uses which are out of date;
- Definitions should also be reviewed to ensure that every permitted use discussed in the general provisions and listed under the individual Zones has a corresponding definition. A definition will also have to be added for any new permitted uses introduced through the Zoning By-law Update;
- Permitted uses should also be reviewed to identify uses that are similar in nature, and that may be grouped under a broader defined term;
- Revising and shortening definitions where they contain development standards. Zoning provisions that are included in the definition section should be relocated to the appropriate section of the Zoning By-law, such as the General Provisions Section. For example, the existing definition for “Bed and Breakfast” establishes two separate classes of Bed and Breakfast Establishments based on the number of guest rooms;
- Removing or updating certain terms that are redundant such as “person” where a simple dictionary definition can suffice;
- Updating and revising certain terms that are outdated and do not reflect contemporary best practices, such as “religious institution” which only references buildings and uses of the Christian faith;
- Removing certain terms and permitted uses which are redundant such as “video rental outlet” which can be included in the “Retail or Grocery Store” definition; and
- As previously mentioned, illustrations of technical definitions may be added to assist the reader in interpreting the provisions of the Zoning By-law.

5.4 General Provisions

Additional Residential Units

Zoning By-law 07-67 currently includes provisions to allow for additional residential dwelling units in either the same building as the primary residential dwelling unit or in a separate building. Additional residential units were introduced through various bills which amended the Planning Act, including Bill 23 (More Homes Built Faster Act, 2022), and are a fairly recent addition to the provincial regulatory framework. Accordingly, as various municipalities throughout Ontario pass and update Official Plans and Zoning By-laws to introduce and amend these new provisions, best practices are evolving. Through the Zoning By-law Update, the existing provisions for additional residential dwelling units are being analyzed with potential changes to include:

- Simplifying definitions and subsections to establish two types of additional residential units: Attached and Detached;

- Removing certain provisions that hinder the development of additional residential units, such as number of bedrooms and maximum unit size; and
- Removing requirements for each dwelling unit to have a private dedicated entrance, or allowing for private entrances from shared vestibule or stairway.

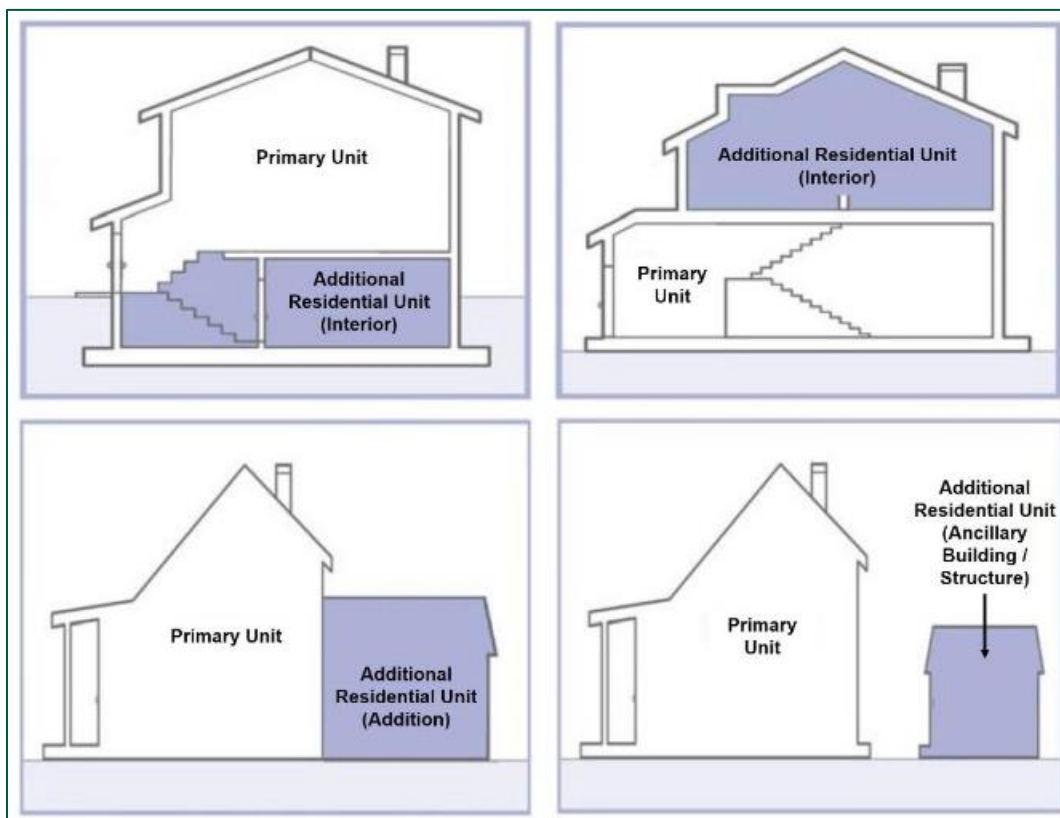


Figure 5-6: Examples of additional residential unit locations (Adapted from Ministry of Municipal Affairs and Housing, 2019)

Parking Requirements

Parking standards in the current Zoning By-law require review to ensure that they are contemporary and adequately reflect the built form and function of permitted uses. Parking provisions in Zoning By-law 07-67 are currently contained within several subsections of the general provisions section (Section 4). Similarly, subsection 4.26.2 includes parking and driveway provisions only for Urban Residential Zones and not other zones. From an organizational perspective, all parking provisions should be reviewed, consolidated, and streamlined in one section of the Zoning By-law.

Additionally, parking ratios should be reviewed to ensure that every defined permitted use in the Zoning By-law has a corresponding parking space requirement, and a visitor parking space requirement as appropriate.

The inclusion of diagrams to illustrate zoning requirements should be considered to more clearly communicate parking requirements, including parking space dimensions and prohibitions on parking in certain locations on a lot (e.g. within the required front yard).

Drive-through Parking Provisions

Although a “Drive-in/Drive-thru Restaurant” is defined in Zoning By-law 07-67, the By-law currently does not have any development standards to regulate drive-throughs. The Zoning By-law Update will determine the zones in which drive-throughs should be permitted in conjunction with a related permitted use (e.g., restaurant), as well as appropriate and associated development standards.

5.5 Re-zoning and Minor Variance Trends

Examining trends in applications and approvals of Zoning By-law Amendments and minor variances in the Town of Erin over time can help inform if there are specific provisions in the existing Zoning By-law that need to be reviewed and revised.

Zoning By-law Amendments are required where the requested relief is considered to be a major change to the Zoning By-law, such as change of use to one that is not permitted in the applicable Zone. Since the time of the latest Zoning By-law consolidation in January 2024, six (6) amendments have come into effect:

- Four (4) of these amendments are to facilitate the development of plans of subdivision;
- One (1) amends an existing exception to introduce a holding symbol; and
- One (1) pertains to a single agricultural property.

Minor variances are granted by the Town’s Committee of Adjustment under Section 45 of the Planning Act. They provide relief from the provisions set out in the Zoning By-law, provided an application meets the four (4) tests for a minor variance under the Planning Act. Typically, minor variances allow for minor deviations from zoning standards, such as lot dimensions, building setbacks, parking requirements, or building height requirements.

Since the January 2024 Consolidation, the Town has received some minor variance applications seeking relief standards for additional residential dwelling units. As previously noted, this Zoning By-law Update process will examine the existing permissions for additional residential units and provide updates where appropriate.

5.6 Site-Specific Exceptions

As is typical for a Zoning By-law that has been regularly amended over time since its adoption, there are many site-specific exceptions and provisions in the current Zoning By-law. The Zoning By-law Update will identify options and opportunities where site-specific exceptions and special provisions can be consolidated or eliminated. The overall objective of reviewing the site-specific exceptions is to minimize how many are included in the updated Zoning By-law, to the extent feasible, in order to develop a Zoning By-law that is streamlined and easier to administer and interpret.

In the current Zoning By-law, all the site-specific exceptions are organized in one section, Section 14 – Special Provisions, with exception numbers corresponding to a specific zone (for e.g. R1-102, R1-103, etc.). Some Zoning By-law amendments, provided as a by-law number in the left hand column of the tables in Section 14, amend a single zone while other amend multiple zones. In Zoning By-law 07-67, exception numbers for each zone begin with 101 then proceed to 102 and so forth.

As part of the Zoning By-law Update, a methodology for reviewing site-specific exceptions will be developed. Consideration will be given to the following:

- **Confirm the relevance of the site-specific exceptions:** Given the adoption date of the current Zoning By-law in 2007, there may be older site-specific exceptions (or portions of site-specific exceptions) which are no longer relevant, as ownership and development intent for the property may have changed, or the properties may have been developed and the intent of the site-specific exception has been fulfilled. While site-specific exceptions are no longer relevant, consideration should be given to deleting them from the new Zoning By-law.
- **Confirm conformity of site-specific exceptions in the Zoning By-law with site-specific policies in the Official Plan:** The Official Plan contains several site-specific policies related to permitted uses on certain properties. There may be a need to cross-reference those policies with the zoning for those properties. **Town staff should confirm whether the site-specific policies in the Official Plan have been implemented through a Zoning By-law Amendment for those properties.**
- **Confirm the relevance of site-specific exceptions against the updated Zoning By-law:** The development of the new Zoning By-law will likely result in modifications to permitted uses, and lot and building requirements. Where the provisions of a parent Zone change, a site-specific exception may no longer be needed if the zoning provisions are modified with a permission that was previously the subject of a site-specific exception. This would result in the ability to delete some or all of a site-specific exception, if it is no longer relevant because the parent Zone has been modified.

Alternatively, all existing site-specific exceptions could be carried forward into the new Zoning By-law, to retain the original approvals afforded to those properties under the current Zoning By-law and historic amendments. As the Town intends to conduct a full Zoning By-law Review in the future, this may be a preferable approach.

5.7 Other Zoning Issues to be Considered

Applicability, Legibility, and Enforcement

The WSP project team and Town staff have identified a number of items in Zoning By-law 07-67 that are either problematic or inappropriate to include in a Zoning By-law due to the legality or the effectiveness of the provisions. Specifically:

- There are several provisions that relate to preventing negative impacts to neighbouring lands. Without quantifying these measures, such as through a setback or landscape buffer, these provisions are not appropriate for a zoning by-law and are better suited to be included in the Town's Urban Design Guidelines;
- There are provisions in the Zoning By-law which relate to property maintenance standards and should be included in the appropriate municipal by-law, such as Property Standards By-law #14-33, and not the Zoning By-law;
- Subsection 4.11 limits the number of garage sales on a property in a calendar year. In our experience, this is not a practice that is typically regulated in a Zoning By-law.
- Provision 4.20.1 h) states that minor variances shall not be permitted by the Committee of Adjustment for regulations to a Medical Cannabis Production Facility contained in section 4.20.1 and that relief from the Zoning By-law may only be considered through a Zoning By-law Amendment, however, it is our opinion that a municipality cannot prevent a minor variance application from being made for these provisions;

- Section 4.25 limits the number of residential buildings per lot, however, this does not meet current provisions in the Planning Act which permit three units on a parcel of urban residential land; and
- Adding a provision that developments of no more than 10 residential units are excluded from site plan control requirements, unless the development is located in a “prescribed area” as defined in the Planning Act and its regulation.

Update and Standardize Amenity Area Requirements

Amenity area requirements are included in various sections of Zoning By-law 07-67, and include both Private Outdoor Amenity Area and Common Outdoor Amenity Area. It is recommended that all amenity area requirements be consolidated into a single subsection under the general provisions, with clear terminology and amenity rates.

Electrical Vehicle (EV) Parking Spaces

Town staff have indicated an interest in including provisions related to minimum electric vehicle (EV) parking requirements. Requirements can include either EV parking spaces or “EV ready” parking spaces that allow for future installation of EV charging equipment.

Several municipalities have included EV parking provisions in their Zoning By-laws, including the City of Hamilton, City of Guelph, and Town of Smiths Falls, which could be used to inform the EV Parking provisions in the Town of Erin Zoning By-law. Feedback from the public will be considered with respect to requirements and implementation of EV parking requirements.

Bicycle Parking Requirements

Zoning By-law 07-67 does not currently require bicycle parking spaces for any use in the Town. WSP will review best practice of comparable municipalities and determine if minimum bicycle parking requirements should be introduced for multi-unit residential, institutional, commercial, and industrial developments. Typically, bicycle parking rates are applied Town-wide and requirements are associated with a specific use and not particular zone.

For example, among other requirements, Zoning By-law 140-2025 for Prince Edward County requires 0.5 spaces per dwelling unit for residential developments consisting of 6 or more units and 1 space per 100m² of gross floor area for a place of entertainment, a place of recreation, a farmer’s market, or an office.

Agriculture-Related Uses and On-Farm Diversified Uses

As part of the Zoning By-law Update, these provisions and definitions are being reviewed to reflect best practices from other municipalities that balance flexibility with only permitting uses that are appropriate for agricultural areas and are consistent with the Ontario Ministry of Agricultural, Food and Rural Affairs’ (OMAFRA) Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas. Although the guidelines are based on the 2014 Provincial Policy Statement, the guidelines still provide helpful direction on defined terms in the 2024 PPS including “agriculture-related”, and “on-farm diversified uses”.

6 Next Steps

This Background Discussion Paper marks the end of Phase 2 of the Zoning By-law Update project, and will be posted on the project website for public review. Phase 3 of the project includes a Community Information Meeting / Open House where the Background Discussion Paper will be presented. Feedback received from Town staff, the public, governments and agencies, Indigenous communities, and other relevant stakeholders will be gathered and considered to inform the Draft Zoning By-law Amendment, which will be prepared in Phase 4. The Summary Report is a supporting document to the Draft Zoning By-law Amendment and will include, among other things, a detailed description of the Draft Zoning By-law Amendment and a summary of key findings from public and stakeholders comments and a rationale for how these comments were addressed.



Link to Project Website: [Zoning By-law Review | Erin Engaged](#)