



STAFF REPORT

Planning and Development

Subject: *Housekeeping Amendments to the MPS & LUB for Campgrounds and Fur Farms*
To: Municipality of Argyle CAO and Planning Advisory Committee for July 15, 2021
Date Prepared: October 8, 2021
Related Motions: None
Prepared by: Jared Dalziel, LPP, MCIP, Senior Planner, WSP Canada Inc.
Reviewed by: Reid Shepherd, LPP, MCIP, Project Planner, WSP Canada Inc.

Summary

The Planning and Development Department has received a number of requests for changes to the newly adopted Municipal Planning Strategy (MPS) policies and Land Use Bylaw (LUB) regulations. Along with requests received from the public, Municipal Staff have also identified errors, omissions or regulations which have proved to be unsuccessful. In total, four changes are considered for the Land Use Bylaw, and minor housekeeping amendments are proposed for the Municipal Planning Strategy.

Financial Impact Statement

There is no immediate financial impact aside from the typical public engagement process and staffing requirements resulting from the application.

Recommendation

That Council give second reading and approve amendments to the Municipal Planning Strategy and Land Use Bylaw as contained in the planner's report dated October 8, 2021.

Recommended Motion

That Council:

- give second reading and approved the proposed amendments to the Land Use By-law as contained in the planner's report dated October 8, 2021;
- give second reading and approve the proposed amendments to the Municipal Planning Strategy as contained in the planner's report dated October 8, 2021.

Background

On June 23, 2020 Argyle Council approved the 2020 Municipal Planning Strategy and Land Use Bylaw. These documents are the municipality's set of planning documents that includes planning policies in the Municipal Planning Strategy (MPS), zoning regulations in the Land Use Bylaw (LUB), and in addition to the provincial subdivision regulations. The two documents work together alongside the provincial subdivision regulations to guide growth and development in the Municipality.

Planning Advisory Committee, Council, the public and developers have been using these new policies and regulations of the OCP for almost a year. Within that time errors, omissions and issues have been identified and through the reviewing of policies and use of regulations we can see what is and what isn't working. In addition to errors, omissions and issues identified by Staff, the public and developers have also made requests for changes that Staff feel are supportable to amend into the new policies and regulations.



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Discussion & Proposed Amendments

Proposed LUB Amendments: Campground Regulations

The development officer has noted that the current regulations regarding campgrounds are quite permissive, and some additional guidance is needed for their successful development. Similarly, permissive rules under the previous bylaw have in Staff's opinion, created a number of developments that are not meeting community standards for aesthetics, and buffering for such uses. With market changes related to COVID-19, Staff are expecting, and have received a number of enquiries related to a renewed interest in campground accommodations and a refined look at these regulations is prudent. Therefore, Staff propose the following amendments:

4.24 Campground Requirements

Each campground must meet the following requirements:

- i. It is the intention of this section to prohibit year-round permanent residency and/or occupancy in a campground. Full time occupancy of campsites in a campground shall be permitted between April 1 and December 31 of the same year, however, between January 1 and March 31 they may only be occupied up to 4 consecutive nights after 3 consecutive nights of non-utilization.
- ii. Every campground shall have provisions for an appropriately designed on-site liquid waste storage facility in the form of a holding tank, septic field, or connection to municipal services for the use of occupants.
- iii. A campground must have a minimum development ratio of 1:1.5. That is, for each acre of area to be developed for campground sites, 1.5 acres shall be maintained as a natural area or for passive recreational space (such as trails).
- iv. A vegetated area with a minimum width of 15 m shall screen the full width of any property line between a campsite in a campground and any existing abutting residential property not under common ownership.
- v. Unless otherwise specified herein, every building, structure or campsite, with the exception of signs, shall comply with the lot's minimum zone requirements. No campsite in a campground may be closer than:
 - a. 30 m to the front lot line;
 - b. 15 m from any other lot line; and
 - c. 3 m to an internal access roadway
- vi. The minimum lot area of a campground shall be the greater of:
 - a. 40,000 square metres; or
 - b. the lot's minimum zone requirements;
- vii. Every individual campsite in a campground shall have:
 - a. a minimum width or length of 9 metres and a minimum area of 325 square metres;
 - b. a minimum of one parking space located on the lot; and
 - c. clear numbered identification of each campsite space.
- viii. Service buildings or structures intended for the common use of tourist camps or travel trailer park tenants, or for the administration of these facilities, such as washroom/shower building, office or store, shall be permitted up to maximum of 1,000 square metres provided subsection (iii) is met.
- ix. A dwelling unit or mobile home shall be permitted when accessory and incidental to the operation of the travel trailer park or tourist camp. Such building or structure shall not be located closer than 3 m to any campsite.
- x. Designated camping areas shall have access by a lane, road, or driveway having a minimum unobstructed width as follows:
 - a. where two-way traffic is permitted – 7.0 metres; and
 - b. where one-way traffic is permitted – 3.0 metres.



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Proposed LUB Amendments: Fur Farms (Error Correction)

The intended approach with fur farms was to continue to permit them where they exist as-of-right and limit new development opportunities to development agreements in the Rural Development (RD) Zone. While this is clearly laid out in the MPS, there was an oversight in drafting the permitted use table in the LUB related to this, and they were erroneously added as a permitted use in the Mixed Use (MU) Zone, and Rural Development (RD) Zone. Therefore, Staff propose the following amendments:

| Agriculture | MU | LI | HI | RP | BP | WF | CC | CCI | V | FP | RD | MI | CW | WP |
|----------------------------|----|----|----|----|----|----|----|-----|---|----|---------|----|----|----|
| Agriculture & Forestry use | • | | | | | | • | | • | • | • | | | • |
| Fur Farm | • | | | | | | | | | | • DA | | | |

Proposed LUB Amendments: Automotive Mechanical Repair in the Marine Industrial (MI) Zone

Staff have received interest related to automotive mechanical repair uses being permitted in the Marine Industrial (MI) Zone. Many non-marine related uses were deliberately restricted from this zone, to ensure opportunity for co-location near important marine infrastructure for uses that benefit from the proximity. That being said, many of these uses have significant shipping and transportation related functions, and nearby servicing opportunities would be a beneficial service use to these industries. Therefore, Staff support the addition of automotive mechanical repair as a permitted use in the MI zone, and propose the following amendments:

| Industrial (Light) | MU | LI | HI | RP | BP | WF | CC | CCI | V | FP | RD | MI | CW | WP |
|------------------------------|----|----|----|----|----|----|----|-----|---|----|----|----|----|----|
| Automotive mechanical repair | • | • | • | | • | | DA | • | • | | • | • | | |

Proposed MPS Amendments: Payment

Notification costs were originally added in the MPS to be paid by the developer. This is onerous to deal with small applications, where costs can be minimal, and Staff costs of dealing with payment are greater than the funds received. Therefore, Staff are proposing to remove it as such:

- 11.1.1 To notify by direct mail, land owners located within 500 feet (152 metres) of a property requesting rezoning. ~~The costs associated with this notification shall be the responsibility of the applicant.~~

A number of small numbering edits are also proposed to the MPS, as indicated in Appendix B.



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Public Participation

Staff have complied with the Public Participation Policies of the Municipal Planning Strategy (MPS) when processing this application.

Typically, an additional public information meeting is required for Municipal Planning Strategy (MPS) amendments. In this case, however, none was required pursuant to policy 13.4.2 in the MPS, stating *“when dealing with amendments to this Strategy, the Planning Advisory Committee shall conduct at minimum one public information and input meeting on the proposed amendments prior to Council holding a public hearing, unless said amendments are housekeeping in nature.”* Based on Staff’s review of the proposed amendments, no public information meeting (PIM) was required. However, as per Section 206 of the *Municipal Government Act*, a public hearing is still required for Land Use By-law amendments and Municipal Planning Strategy amendments to hear input from the community, which is being held together for both documents.

An advertisement outlining the application and indicating that it had been received and notifying the public of the public hearing was placed in the *VanGuard’s* ___ edition. The public was also encouraged to request additional information and clarification from WSP or Staff leading up to the public hearing if they have any questions.

Figure 5 illustrates the process followed by the Municipality for both the MPS and LUB amendments. A newspaper advertisement was placed in the local newspaper, *VanGuard*, notifying the public of the application as well as for the public hearing. A notice of the application was also placed on the municipal website.

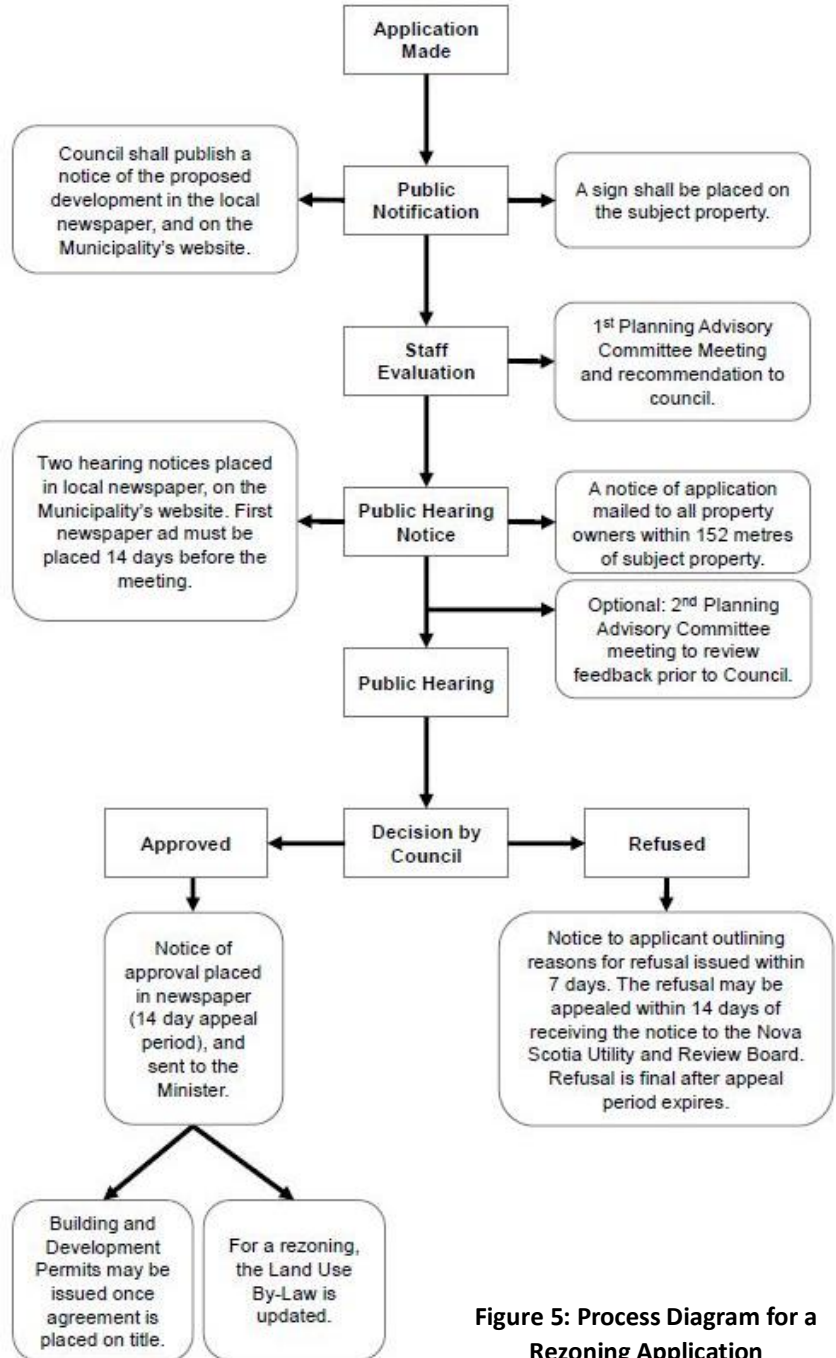


Figure 5: Process Diagram for a Rezoning Application

No mailout to property owners is required, because the amendments under consideration are not site-specific.

Recommendation

That Council to give second reading and approve housekeeping amendments to the Municipal Planning Strategy and Land Use By-law as outlined in the Planner’s report dated October 8, 2021.



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Appendix A: Draft Proposed Amendments to the Land Use Bylaw

BE IT ENACTED by Council of the Municipality of the District of Argyle that the Land Use Bylaw is hereby further amended as follows which includes all amendments thereto which have been adopted and are in effect as of the [insert date of 'appeal date'] is hereby further amended by:

1. Amending Part 4: General Provisions for all Zones as shown below to add the text shown in green:

4.24 Campground Requirements

Each campground must meet the following requirements:

- i. It is the intention of this section to prohibit year-round permanent residency and/or occupancy in a campground. Full time occupancy of campsites in a campground shall be permitted between April 1 and December 31 of the same year, however, between January 1 and March 31 they may only be occupied up to 4 consecutive nights after 3 consecutive nights of non-utilization.
- ii. Every campground shall have provisions for an appropriately designed on-site liquid waste storage facility in the form of a holding tank, septic field, or connection to municipal services for the use of occupants.
- iii. A campground must have a minimum development ratio of 1:1.5. That is, for each acre of area to be developed for campground sites, 1.5 acres shall be maintained as a natural area or for passive recreational space (such as trails).
- iv. A vegetated area with a minimum width of 15 m shall screen the full width of any property line between a campsite in a campground and any existing abutting residential property not under common ownership.
- v. Unless otherwise specified herein, every building, structure or campsite, with the exception of signs, shall comply with the lot's minimum zone requirements. No campsite in a campground may be closer than:
 - a. 30 m to the front lot line;
 - b. 15 m from any other lot line; and
 - c. 3 m to an internal access roadway
- vi. The minimum lot area of a campground shall be the greater of:
 - a. 40,000 square metres; or
 - b. the lot's minimum zone requirements;
- vii. Every individual campsite in a campground shall have:
 - a. a minimum width or length of 9 metres and a minimum area of 325 square metres;
 - b. a minimum of one parking space located on the lot; and
 - c. clear numbered identification of each campsite space.
- viii. Service buildings or structures intended for the common use of tourist camps or travel trailer park tenants, or for the administration of these facilities, such as washroom/shower building, office or store, shall be permitted up to maximum of 1,000 square metres provided subsection (iii) is met.
- ix. A dwelling unit or mobile home shall be permitted when accessory and incidental to the operation of the travel trailer park or tourist camp. Such building or structure shall not be located closer than 3 m to any campsite.
- x. Designated camping areas shall have access by a lane, road, or driveway having a minimum unobstructed width as follows:
 - a. where two-way traffic is permitted – 7.0 metres; and
 - b. where one-way traffic is permitted – 3.0 metres.



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2. Amending Part 11: ZONES - PERMITTED USES AND ZONE PROVISIONS of the Land Use Bylaw, as shown below to add the text shown in **green**, and to remove the text shown in **red**:

| Industrial (Light) | MU | LI | HI | RP | BP | WF | CC | CCI | V | FP | RD | MI | CW | WP |
|------------------------------|----|----|----|----|----|----|----|-----|---|----|----|----|----|----|
| Automotive mechanical repair | • | • | • | | • | | DA | • | • | | • | • | | |

| Agriculture | MU | LI | HI | RP | BP | WF | CC | CCI | V | FP | RD | MI | CW | WP |
|--|----|----|----|----|----|----|----|-----|---|----|----|----|----|----|
| Agriculture & Forestry use | • | | | | | | • | | • | • | • | | | • |
| Fur Farm | • | | | | | | | | | | • | | | |
| Packing, storing or treating produce use | • | | | | | | • | | • | • | • | | | |
| Piggery | | | | | | | • | | • | • | • | | | |

2. Amending Part 26: Definitions of the Land Use Bylaw, as shown below to add the text shown in **green**, and to remove the text shown in **red**:

Campground means an area of land for the temporary **seasonal** accommodation of travel trailers, motorized homes, **and tents and trailers** used for travel, recreational and vacation purposes on **two or more campsites** but does not include a mini home community.

Campsite shall mean a portion of land in a Campground designed and intended for accommodation of one (1) booking for up to an average occupancy of 6 persons sheltered in a travel trailer, motorized home, semi-permanent tent (such as a yurt) or three (3) pieces of shelter equipment in some combination of readily movable tents or trailers used for travel.

Mini Home Community means premises under single ownership, designed, and intended for the use of 3 or more mini homes for residential dwelling purposes. It includes any service building and service uses as part of the equipment of the mini home community but does not include a ~~travel trailer park~~, campground or group dwellings.

Tourist Establishment means a building or buildings, structures or use of land which is used to accommodate the travelling public for gain or profit and shall include a hotel, motel, guest home, resort, tourist cabin, hostel, campground, **or inn**-~~and travel trailer park~~.

~~**Travel Trailer Park** means an establishment comprising land or premises under single ownership used or intended to be used for the parking of travel trailers on a temporary or seasonal basis, such as for a day, a week or for a season.~~

HEREBY CERTIFY that the amendments to the Municipality of Argyle Land Use By-law, as set out above, were duly passed by a majority vote of the Council of the Municipality of Argyle at a meeting held on the ___ day of _____, 20__.

GIVEN under the hand of the Clerk and the Corporate Seal of the Municipality of Argyle this

___ day of _____, 20__.

Municipal Clerk



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Appendix A: Draft Proposed Amendments to the Municipal Planning Strategy

BE IT ENACTED by Council of the Municipality of the District of Argyle that the Municipal Planning Strategy is hereby further amended as follows which includes all amendments thereto which have been adopted and are in effect as of the [insert date of 'appeal date'] is hereby further amended by:

1. Amending the following policies as shown below to add the text shown in green, and to remove the text shown in red:

11.1.2 To notify by direct mail, land owners located within 500 feet (152 metres) of a property requesting rezoning. ~~The costs associated with this notification shall be the responsibility of the applicant.~~

13.9.1 To require an amendment to the Municipal Planning Strategy:

~~13.9.2~~ a) where any policy intent is to be altered; or

~~13.9.3~~ b) where a text or map amendment to the Land Use By-law would conflict with the text or maps of the Municipal Planning Strategy; or

~~13.9.4~~ c) where an amendment to the Subdivision By-law would conflict with the text of the Municipal Planning Strategy.

HEREBY CERTIFY that the amendments to the Municipality of Argyle Municipal Planning Strategy, as set out above, were duly passed by a majority vote of the Council of the Municipality of Argyle at a meeting held on the ___ day of _____, 20__.

GIVEN under the hand of the Clerk and the Corporate Seal of the Municipality of Argyle this

___ day of _____, 20__.

Municipal Clerk