

# Town of Whitchurch-Stouffville **Comprehensive Zoning By-law Update & Town-wide Urban Design Guidelines**

Draft Discussion Paper #7: Minor Variances, Zoning By-law Amendments, and By-law Transition

April 17, 2026

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# Table of Contents

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|           |   |           |
|-----------|---|-----------|
| <b>1.</b> | <b>Introduction</b>   | <b>2</b>  |
| <b>2.</b> | <b>Minor Variances</b>  | <b>3</b>  |
| 2.1       | Legislative Review  | 3         |
| 2.2       | Identification of Key Trends and Issues                         | 4         |
| 2.2.1     | Geographies   | 4         |
| 2.2.2     | Zones   | 5         |
| 2.2.3     | Expansion of Uses & Permissions                                 | 6         |
| 2.2.4     | Lot and Building Requirements                                   | 6         |
| 2.3       | Key Takeaways   | 7         |
| <b>3.</b> | <b>Site-Specific Exception Zones &amp; MZOs</b>                 | <b>9</b>  |
| 3.1       | Overview of Site-Specific Exception Zones and Amendments        | 9         |
| 3.2       | Role of Site-Specific Exception Zones in Informing Zone Updates | 10        |
| 3.3       | Review and Assessment of Existing Exception Zones               | 11        |
| 3.3.1     | Key Takeaways   | 21        |
| 3.4       | Minister's Zoning Orders  | 22        |
| 3.4.1     | Key Takeaways   | 23        |
| <b>4.</b> | <b>Transition Provisions</b>                                    | <b>24</b> |
| 4.1       | What are Transition Provisions?                                 | 24        |
| 4.2       | Why are Transition Provisions Important?                        | 24        |
| 4.3       | What Types of Applications are Typically Transitioned?          | 25        |
| 4.4       | How Long Should the Transition Period be?                       | 27        |
| 4.5       | Key Takeaways   | 27        |
| <b>5.</b> | <b>Key Takeaways &amp; Discussion Questions</b>                 | <b>29</b> |
| 5.1       | Summary of Key Takeaways  | 29        |
| 5.2       | Discussion Questions  | 29        |

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# 1. Introduction

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The Town of Whitchurch-Stouffville is undertaking a review of its Comprehensive Zoning By-law 2010-001-ZO, which will produce an all-new Zoning By-law to implement the new 2025 Official Plan, and introduce a set of Town-wide Urban Design Guidelines. The Official Plan contains policies which communicate the vision for the future of the Town's urban and rural development, while the Zoning By-law translates these policies into a series of measurable and enforceable regulations which control land use throughout the Town. The Zoning By-law is written in accordance with the *Planning Act*, which provides a legislative framework for land use in the province, and dictates a series of methods for the provisions of the Zoning By-law to be amended to respond to changes on the ground.

The Town's current Zoning By-law 2010-001-ZO was adopted by Town Council on March 2, 2010, though it did not take effect until January 13, 2011, due to five appeals filed with the Ontario Municipal Board (OMB, now the Ontario Land Tribunal, OLT). OMB decision PL100392 was issued on January 13, 2011, ruling with the appellant that a broad prohibition of drive-thru facilities within the Town was contradictory to the Provincial Policy Statement 2005, resulting in a modified version of the by-law coming into effect. Since 2010, the Town's Zoning By-law has been amended, appealed, and modified hundreds of times.

This Discussion Paper provides a summary of the various ways the Town's Zoning By-law has been varied and amended over time, and explores the lessons learned from these changes about the potential areas of improvement. It is important to review the ways in which a zoning by-law was amended as it points to ways in which the by-law was not suited for the needs of the community. This Paper will also review the process of transitioning to a new zoning by-law through the use of transition clauses, which provide greater certainty to applications which are underway. This Discussion Paper culminates in a series of discussion questions which must be considered when developing a new Zoning By-law for the Town.

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## 2. Minor Variances

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Minor variances are a legislated planning tool which provide minor relief from the provisions found in the zoning by-law, such as building height, separation distances between structures and property lines, or even granting permission for similar uses. Minor variances are reviewed and decided upon by the Town's Committee of Adjustment and are an important part of the planning process. A review of the Town's recent minor variance applications can provide insights into the provisions of the Zoning By-law which may not be working well.

### 2.1 Legislative Review

The *Planning Act* enables municipalities to relax the requirements of a zoning by-law through a process known as a "minor variance". Minor variances are deviations from the regulations of the Zoning By-law aimed at reducing the inflexibility of the by-law by permitting slight changes to requirements such as minimum side yard setbacks or lot coverage maximums. While minor variances offer relief from the zoning provisions, they do not constitute a change in the zoning for the subject property.

Minor variance applications are decided upon by the Committee of Adjustment, which is a quasi-judicial administrative committee appointed by Town Council under the authority of section 45(1) of the *Planning Act*. The *Act* specifies criteria which the Committee is required to consider when deciding upon a minor variance application:

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

Section 45(2) of the *Planning Act* also enables the Committee of Adjustment to allow the expansion or enlargement of legal non-conforming uses, and to permit uses which are similar to an existing or permitted use, or if the Committee believes that the proposed use is more appropriate than the existing use. Councils are also permitted to require additional criteria to be met when the Committee decides upon minor variance applications by passing a criteria by-law.

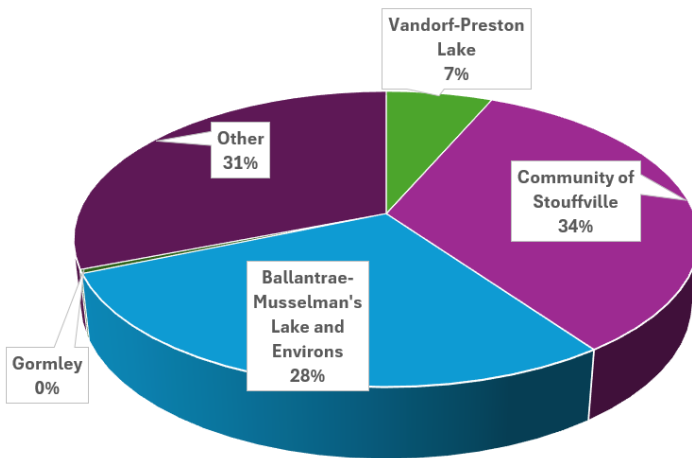
Decisions made by the Committee of Adjustment may be appealed to the Ontario Land Tribunal (OLT) within 20 days of the decision. The appeal can only be initiated by the applicant, the Minister, a public body, or a person specified in the *Planning Act*, and may require either an oral or written submission to be considered. If no appeal is filed, the decision of the Committee is final and binding.

## 2.2 Identification of Key Trends and Issues

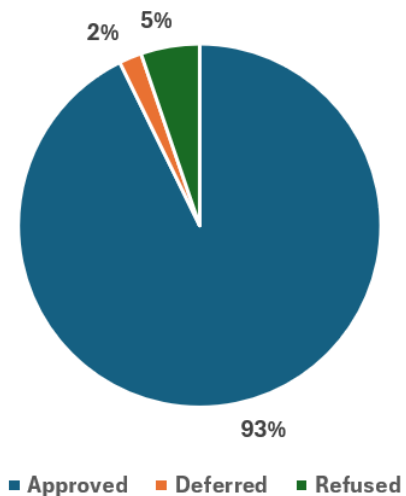
To support the analysis of the efficacy of the existing Zoning By-law, minor variance applications submitted to the Town’s Committee of Adjustment between February, 2020 and September 2025 were analyzed. In this timeframe, 248 applications for minor variances were submitted. On average, each application requests two provisions to be varied, with the highest number of variances in a single application being 7. The total number of requested variances is 498. As shown in **Figure 3-1**, 93% of all applications were approved by the Committee, with only 5%, or 13 applications that have been rejected by the Committee, in this period. The low rejection rate could indicate that the Town is effective in communicating to applicants which types of variances have a higher likelihood of approval and can redirect applications with a lower likelihood of approval. The high approval rate may indicate that the current Zoning By-law could be too strict with certain provisions, representing an opportunity to expand permissions to reduce the need for the minor variance process. This high number of variances can also be attributed to certain development permissions which can only be granted through a minor variance process, such as development within the areas subject to the Oak Ridges Moraine Conservation Plan. However, a more fulsome analysis will be conducted to support the Zoning Strategy Report.

### 2.2.1 Geographies

As an amalgamated municipality, the Town consists of many smaller communities which exist as islands within the Greenbelt area. The Town’s previous Official Plan was organized around four Secondary Plans which apply detailed, community specific policies to the Community of Stouffville, the Gormley Industrial area, Ballantrae-Musselman’s Lake and area, and the Vandorf-Preston Lake area. The Town of Whitchurch-Stouffville Official Plan, 2025 repealed two of these secondary plans, folding their community-specific policies into the larger fabric of the Official Plan, however the existing Zoning By-law still implements community-specific zoning based on these former Secondary Plans.



**Figure 2-2: Geographic Distribution of Minor Variances in Whitchurch-Stouffville**



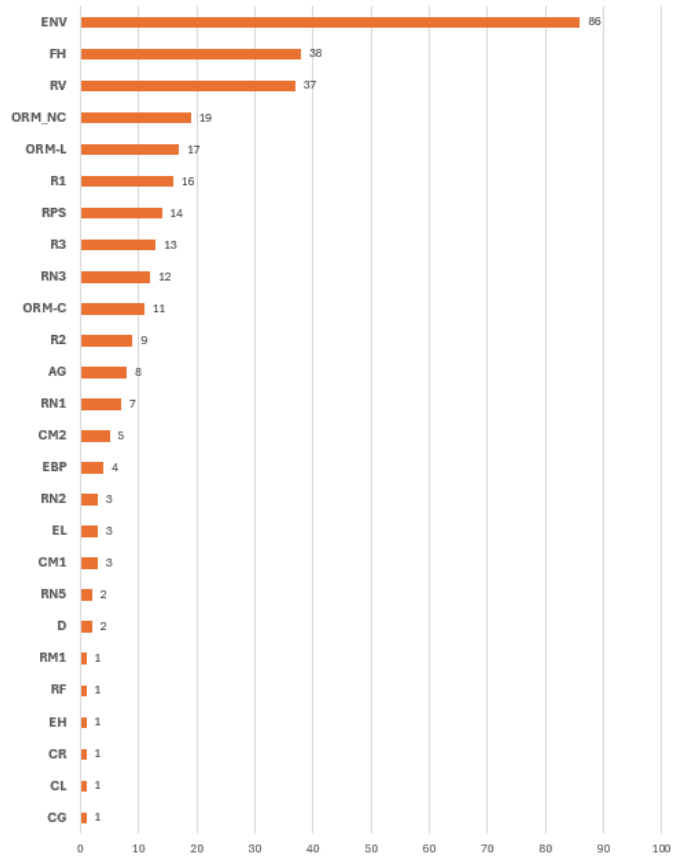
**Figure 2-1: Status of Minor Variance Applications**

The Ballantrae-Musselman’s Lake and Environs Secondary Plan was only approved by the Ontario Land Tribunal on January 31, 2025, and remains in effect through the 2004 Official Plan. **Figure 2-2** shows how the 498 Minor Variances approved by the Town’s Committee of Adjustment are distributed throughout the Town.

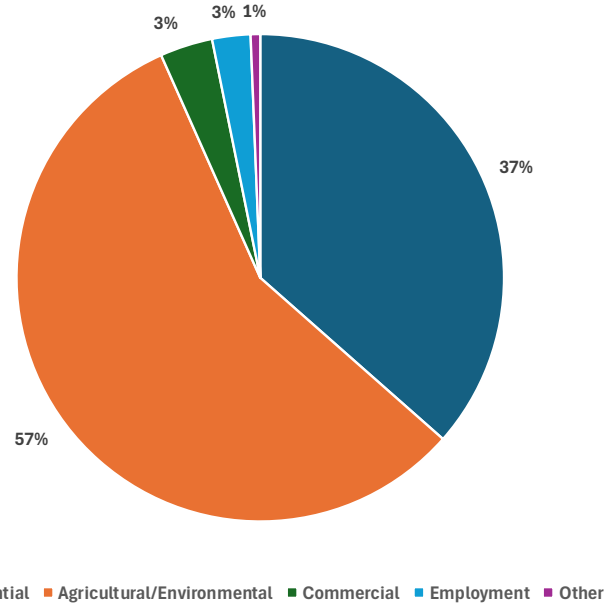
This analysis shows that the spatial distribution of Minor Variances does not fully correlate with the distribution of population, suggesting that the provisions specified in these Secondary Plans are not fully suited to the needs of the residents and property owners, particularly within the Ballantrae & Musselman’s Lake areas.

### 2.2.2 Zones

The purpose of the Minor Variances varies greatly, though some patterns have been observed. **Figure 2-4** shows the distribution of Minor Variance applications according to the parent zone of the property. Nearly 57% of all Minor Variance applications were for properties zoned Environmental, Flood Hazard, or one of the three Oak Ridges Moraine Conservation zones. Most of these Minor Variances correspond with policies from the 2004 Official Plan, as well as the Oak Ridges Moraine Conservation Plan (ORMCP) which require additional approval from the Town and the conservation authority for developments which threaten sensitive land uses, waterways, or have increased risk of property damage from natural disasters such as flooding. Within the ENV and FH zones, **Figure 2-3** shows that the largest share of applications in these zones were for permission to construct accessory structures, with the second most popular application being permission to construct a new



**Figure 2-3: Minor Variance Applications by Zone**



**Figure 2-4: Flood Hazard & Environmental Zone Minor Variances**

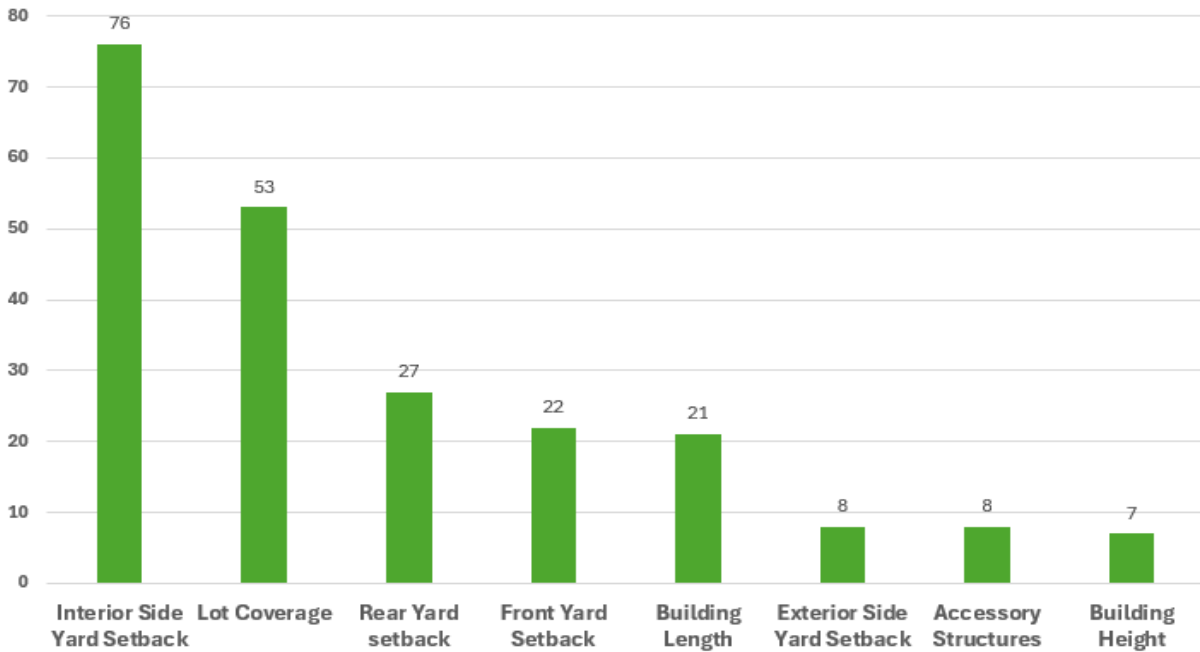
dwelling. The remaining 43% of Minor Variances exist in 21 other development zones, with the Residential Village zone (RV) comprising nearly 12% of all Minor Variance applications. A detailed review of all variances within each zone will be conducted during the Zoning By-law Review.

### 2.2.3 Expansion of Uses & Permissions

Between 2020 and 2025, of the 498 Minor Variances granted by the Town, only three variances asked for the Committee of Adjustment to exercise their powers to expand the permitted uses within the zoning. Two of the variances requested a change to permit commercial uses within a residential zone, while one requested a change in the definition of a group home to allow an existing use to continue operation. The Town also approved two variances to expand existing non-conforming uses on a property, and one application to convert an existing additional residential use to a commercial structure, as well as three requests to permit a single-detached dwelling in the Flood Hazard (FH) zone.

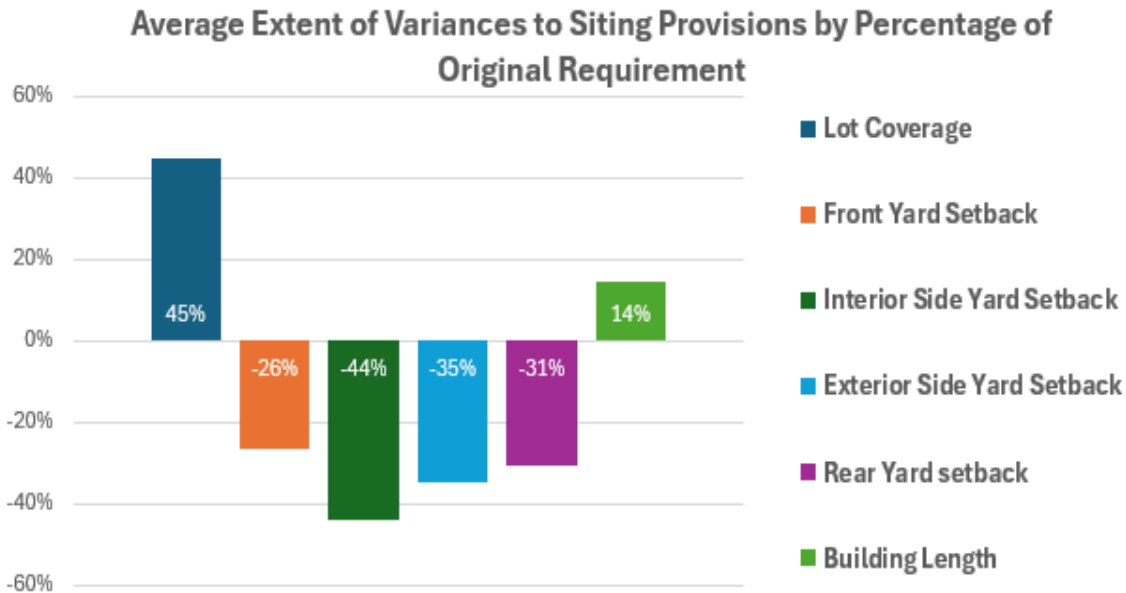
### 2.2.4 Lot and Building Requirements

Of the 498 variances granted by the Town between 2020 and 2025, 222 were requests for the Town to relax the provisions in the zoning by-law related to building size, position, or height. Of these 222 requests, 151 of them were for properties which have residential zoning. **Figure 2-5** shows the breakdown of these 222 variances by type, with modifications to the required interior side yard setback accounting for 34% of all lot provision relief requests. This provision regulates the minimum distance between a structure and the side lot line. **Figure 2-6** shows that the average relief requested for interior side yard setbacks was a 44% reduction in the required minimum. The second most requested relief was



**Figure 2-5: Proportion of Building and Lot Minor Variances by Type**

lot coverage, which refers to the percentage of a property which may be covered by a structure. As shown in **Figure 2-6**, the average requested relief for lot coverage in approved applications was a 45% increase. Of these 222 Minor Variances, 16 applications were submitted in related to porches, decks, or balconies, with relief for encroachments, lot coverage, and side yard setbacks being the most common requests, though some applications were in relation to environmental or flood hazard constraints.



**Figure 2-6: Extent of Minor Variances Requested for Lot and Building Provisions**

The analysis of Minor Variance applications from 2020 to 2025 shows that the majority of applications approved by the Town’s Committee of Adjustment are due to regulatory requirements for additional oversight in environmental protection areas. In a Town which is comprised almost entirely of environmental protection through the ORMCP and the Greenbelt Plan, this is to be expected and is a sign that portions of the existing Zoning By-law are functioning as they should for most properties. This is supported by the small number of requests to adjust the permitted uses in zones. The data around lot and building requirements Minor Variances suggests that the Zoning By-law may not be functioning as well in other areas. With roughly half of the approved Minor Variances seeking relief of lot or building provisions, this suggests that these provisions are too strict. The extent of relief granted also shows that the requirements may be contrary to the intentions of the Official Plan, 2025.

## 2.3 Key Takeaways

The review of Minor Variances applied for and issued between 2020 and 2025 has identified key issues which should be taken into account when developing a new Zoning By-law:

- Existing Town policies and procedures appear to be effective in communicating the likelihood of approval to applicants seeking Minor Variances, reducing administrative inefficiencies surrounding the Committee of Adjustment.
- A disproportionate number of Minor Variances are requested for properties subject to the Ballantrae-Musselman Lake and Environs Secondary Plan, which could be explained by the high prevalence of Minor Variance requests for properties zoned Residential Village (RV), which is a common zone in this area. This suggests that the RV zone may not meet the needs of residents, and may need to be updated.
- The scale of relief granted for applications seeking to modify built form and siting provisions suggests that there is appetite from the development community to increase intensification of residential uses, though the Zoning By-law provisions are a hindrance. The fact that these significant relief requests are approved also suggests that there is willingness from the Town to support these kinds of developments, and that relaxed provisions around lot coverage and yard setbacks could be codified into the Zoning By-law.
- The Minor Variance process is being used to enforce portions of the requirements within the ORMCP, leading to a higher frequency of Minor Variance requests. The Town may consider a separate process for ORMCP enforcement, such as a dedicated permit system to reduce the burden on the Committee of Adjustment and staff time. This is further explored in Discussion Paper #2: Rural, Environmental, and Agricultural Areas

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## 3. Site-Specific Exception Zones & MZOs

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Since the adoption of Zoning By-law 2010-001-ZO in 2011, the Town has passed 213 site-specific exception zones which provide regulations which are unique to and applicable only to specific areas. These zones can be applied to single properties, or a group of parcels related to a single development plan, such as a plan of subdivision or condominium. As a result of the extensive exception zoning, 3,254 of the Town's 17,466 individual parcels have site-specific zoning applied to at least a portion of the property, representing around 18% of the properties in the Town. A site-specific exception zone is typically required when a proposed development does not meet the requirements of an existing zone in the by-law, necessitating the creation of a new zone through a Zoning By-law Amendment to permit the development. The new site-specific exception zone forms part of the overall by-law and is organized by the parent zone from which the exception is made. When creating a new zoning by-law, consideration must be given to how these exception zones will be reviewed and incorporated into the new framework. This section will provide a preliminary assessment of the existing site-specific exception zones in the Town's Zoning By-law.

### 3.1 Overview of Site-Specific Exception Zones and Amendments

Zoning By-laws are meant to be living documents which are amended through Town-initiated and applicant led processes to respond to changes to the Town which are not contemplated by the planning documents. While the Town-initiated process is known as housekeeping, both processes take the form of Zoning By-law Amendments which are heard and decided upon by Town Council. Sometimes all that is required to enable the desired development is a change in zone from one category to another, such as changing a parcel from residential to commercial to permit a convenience store. This change only requires a change to the zoning maps, not the text of the by-law.

In other cases, the desired outcome requires the modification of the existing zoning framework to allow for a site-specific exception zone. These exception zones exist underneath the original parent zone, and modify only portions of the requirements, such as permitted uses, lot requirements, building height, and can even add new definitions which are unique to that zone. The creation of a site-specific exception zone requires change to the zoning map, as well as a change to the text of the by-law.

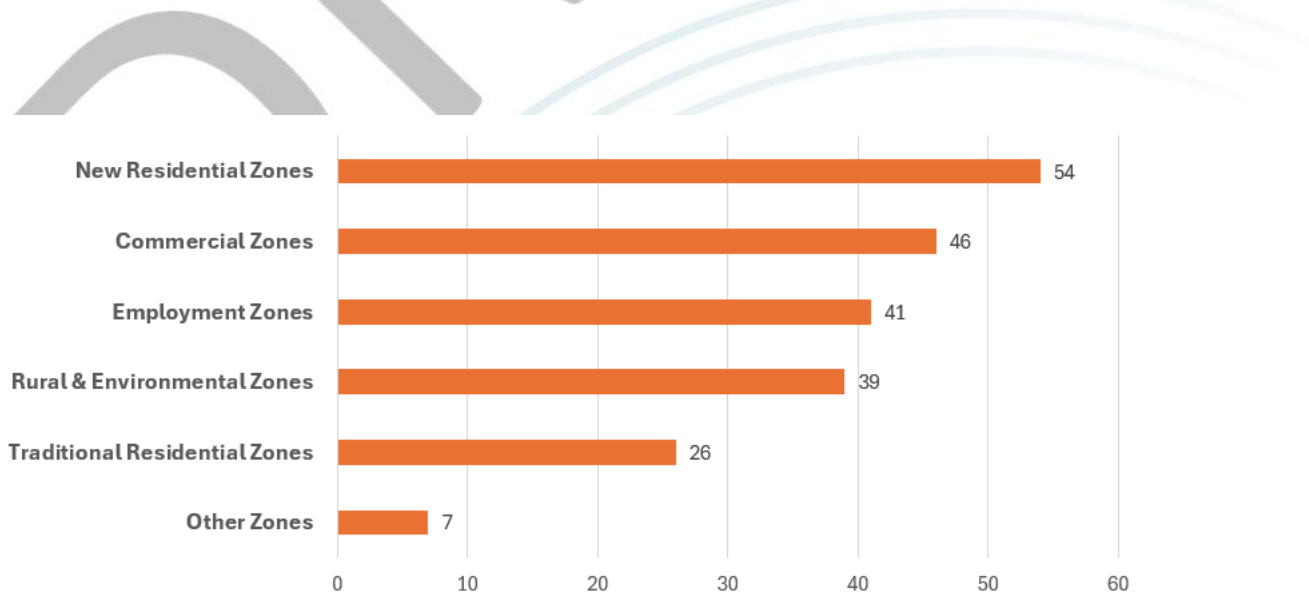
Site-specific exception zones are a normal attribute of zoning by-laws which allow Town Council to grant enhanced flexibility for development, and it is normal for a municipality to have hundreds or even thousands of site-specific exception zones. However, if a zoning by-law does not fully respond to the needs of the Town, situations can arise where the only way to achieve the desired outcome for

developments is through site-specific amendments. This is not a desirable outcome, as Zoning By-law Amendments can be costly and lengthy processes which can delay development by years. A carefully crafted zoning by-law which accurately implements the vision of the official plan can help reduce the number of exception zones by providing a suite of parent zones which adequately address all types of desired development in the Town. This Zoning By-law review presents an opportunity for the Town to create a new zoning framework which could minimize or reduce the need for developments to go through the site-specific exception process, in turn reducing barriers to development in the Town. This can be accomplished by updating the Zoning By-law to proactively implement the vision of the Official Plan, 2025. The benefits of this are similar to the benefits of pre-zoning, which is discussed in more detail in Discussion Paper 1.

### 3.2 Role of Site-Specific Exception Zones in Informing Zone Updates

The Town of Whitchurch-Stouffville’s new Zoning By-law will be informed by the valuable data presented within the site-specific exception zones. The recent site-specific regulations may provide an insight into recent development practices which are more relevant than the aging parent zones. Careful review of these exceptions provides insights into development trends such as setbacks, building heights, and contemporary uses which reflect the changing municipal landscape.

This Discussion Paper provides a preliminary analysis of the exception zones within the Zoning By-law, though other Discussion Papers go into further detail on the zones within their area of focus. The review process will also include the creation of a Zoning Strategy Report, which will develop and clearly define a methodology for reviewing and updating the site-specific exception zones through the new Zoning By-law.



**Figure 3-1: Summary of Site-specific Exception Zones by Parent Zone Category**

### 3.3 Review and Assessment of Existing Exception Zones

This subsection provides a preliminary assessment of the existing site-specific exception zones in the Zoning By-law. As of writing this Discussion Paper, Zoning By-law 2010-ZO-001 has been amended by Town Council and the OLT approximately 200 times, resulting in 213 site-specific exception zones. The site-specific zones were added and modified through 155 amendments, often adding or modifying multiple exception zones at a time.

The Zoning By-law also underwent 19 general amendments and 24 housekeeping amendments in this period. **Figure 3-1** shows the breakdown of each exception zone by the categories that the Zoning By-law assigns to the parent zones. This chart shows that the new residential zones have been assigned the majority of the site-specific amendments, with commercial and employment zones trailing closely behind. **Table 3-1** provides analysis on the total number of exception zones under each parent zone, along with a comment which provides a general overview of the nature of the various exception zones.

**Table 3-1: Total Number and Commentary on Site-Specific Exception Zones by Parent Zone**

| Parent Zone                            | No. of Exceptions | Description of Site-specific Exception Zones  |
|--|-------------------|---|
| <b>Rural &amp; Environmental Zones</b> |                   |   |
| AG                                     | 14                | <p>The AG zone has the largest number of site-specific exception zones in this section, which reflects the evolving nature of agricultural operations and rural employment. Site-specific exception zones fall into the following categories:</p> <ul style="list-style-type: none"> <li>a) Farm diversification and agri-tourism permissions to allow expanded farm produce sales, agri-education spaces, and limited residential expansion such as garden suites with certain restrictions;</li> <li>b) Expansion of institutional and community uses, such as cemeteries, wildlife centres, and animal care facilities which are permitted with site-specific requirements and restrictions; and</li> <li>c) Recognition of existing uses, buildings, and structures.</li> </ul> |
| ENV                                    | 5                 | <p>Site-specific exception zones in the ENV zone typically accommodate existing or low-intensity uses, and can be broken into the following categories:</p> <ul style="list-style-type: none"> <li>a) Permissions for recreation uses and short-term accommodations, such as recreation facilities, clubhouses, chapels, and cottages for short-term rental;</li> </ul>   |

| Parent Zone | No. of Exceptions | Description of Site-specific Exception Zones  |
|-------------|-------------------|---|
|             |                   | <ul style="list-style-type: none"> <li>b) Codification of existing uses or infrastructure, such as residential and stormwater management facilities; and</li> <li>c) Limited expansion of permissions for a single-detached dwelling.</li> </ul>  |
| FH          | 2                 | <p>The two Site-specific exception zones in the FH zone are protective, rather than permissive. The exceptions are to:</p> <ul style="list-style-type: none"> <li>a) Prohibit development entirely to preserve archaeological and cultural heritage resources; and</li> <li>b) Allow very limited changes in use to permit an office use, with prohibitions on medical offices.</li> </ul>  |
| ORM-C       | 8                 | <p>Site-specific exception zones within the ORM-C zone are generally limited, use-specific and standard-based amendments which strike a balance between rural economic activity and ORMCP objectives. Exception zones fall into the following categories:</p> <ul style="list-style-type: none"> <li>a) Exceptions to permit Agricultural and Farm-related Commercial Uses, such as retail sale of on-site produced wine, office uses, and sale of fresh produce;</li> <li>b) Expansion of permissions for employment and service uses in existing buildings, such as offices, medical assessment facilities, and limited automotive repair or body shop uses; and</li> <li>c) Permission for institutional or community uses, such as cemeteries, chapels, or other related accessory uses which also require site-specific lot provisions.</li> </ul> |
| ORM-L       | 6                 | <p>Site-specific exception zones in the ORM-L zone primarily address lot fabric constraints and limited rural commercial activity while maintaining ecological linkage functions. These exceptions fall into the following categories:</p> <ul style="list-style-type: none"> <li>a) Single detached dwelling permissions on restricted parcels that do not meet zoning requirements, and seek reductions to lot area, frontage, required yards, and lot coverage;</li> <li>b) Permission for small-scale rural commercial uses, such as large farm produce sale, antique outlets, or other unique retail outlets; and</li> <li>c) Institutional expansion for a rehabilitation treatment centre.</li> </ul>  |
| ORM-NC      | 4                 | <p>Site-specific exception zones in the ORM-NC zone are limited, reflecting the high level of environmental protection in the zone. The four exception zones fall into the following categories:</p>  |

| Parent Zone                          | No. of Exceptions | Description of Site-specific Exception Zones  |
|--------------------------------------|-------------------|---|
|                                      |                   | <ul style="list-style-type: none"> <li>a) Permitting low-intensity accessory employment uses, such as office uses in accessory buildings, with strict limitations on employee totals and business types;</li> <li>b) Site-specific lot configuration changes to recognize existing or reconfigured parcels; and</li> <li>c) Recognition of existing uses and structures.</li> </ul>   |
| <b>Traditional Residential Zones</b> |                   |   |
| RPS                                  | 10                | <p>The site-specific exception zones in the RPS zone are mostly site-specific amendments, which reflects the reality of the zone which is applied to the urban-rural divide. The exception zones fall into the following categories:</p> <ul style="list-style-type: none"> <li>a) Exceptions to codify prior zoning frameworks, specifically mentioning previous zoning by-laws to protect previously approved subdivision or development applications;</li> <li>b) Expansion of uses to include non-residential and mixed-use permissions, such as daycares, convenience stores, and offices in site-specific amendments; and</li> <li>c) Site-specific modifications to residential form and density standards, such as lot area, frontage, setbacks, and lot coverage.</li> </ul>   |
| RV                                   | 10                | <p>The RV zone only contains 10 site-specific exception zones, though the scope and complexity of the amendments point to larger misalignment of zoning with community needs. The exception zones fall into four broad categories:</p> <ul style="list-style-type: none"> <li>a) Reduction of lot size or frontage requirements to permit development on existing small or shallow lots, and to allow infill development on existing lots;</li> <li>b) Site-specific yard and lot coverage standards which respond to factors such as local road networks or proximity to environmental or flood protection zones;</li> <li>c) Clarification of definitions, such as “lot” and “street” for specific areas where existing definitions reduce developability; and</li> <li>d) Form-specific permissions for street townhouses or compact forms of single-detached dwellings which do not conform to existing permissions.</li> </ul> |
| R1                                   | 0                 | N/A   |

| Parent Zone                  | No. of Exceptions | Description of Site-specific Exception Zones  |
|------------------------------|-------------------|---|
| R2                           | 0                 | N/A   |
| R3                           | 0                 | N/A   |
| R4                           | 2                 | <p>The R4 zone has two site-specific exception zones: One comprehensive change for a new subdivision of singles and townhouses; and one change to permit townhouses. The comprehensive exception contains three main themes:</p> <ul style="list-style-type: none"> <li>a) Ground-oriented intensification through the permission of semi-detached and townhouse dwellings as opposed to apartment units;</li> <li>b) Detailed built form controls which respond to site conditions, such as precise yard requirements, reduced separation distances, and lot-specific setback and encroachment standards; and</li> <li>c) Introduction of flexibility for parking requirements, through changes to required parking and visitor parking, as well as arrangements for clustered parking.</li> </ul> |
| RM1                          | 2                 | <p>The RM1 zone has two site-specific exception zones, with both exceptions permitting apartment dwellings of differing sizes. In general, the exception zones sought the following changes:</p> <ul style="list-style-type: none"> <li>a) Site-specific density caps through either total units, or abstract densities such as persons per hectare;</li> <li>b) Site design changes, such as driveway widths and setbacks, and landscaping requirements; and</li> <li>c) Amenity requirements, specifically adding provisions for outdoor amenity space per dwelling unit.</li> </ul>  |
| RM2                          | 2                 | <p>The RM2 zone has two site-specific exception zones, with both exceptions made to permit 6 or 7 storey apartment buildings. In addition, the zones sought the following site-specific changes:</p> <ul style="list-style-type: none"> <li>a) Density and height requirements tied to maximum permitted storeys and dwelling units;</li> <li>b) Unit size and number of bedrooms; and</li> <li>c) Parking and site configuration changes, such as required parking ratios and distribution between surface and structured parking.</li> </ul>  |
| <b>New Residential Zones</b> |                   |   |

| Parent Zone | No. of Exceptions | Description of Site-specific Exception Zones  |
|-------------|-------------------|---|
| RN1         | 3                 | <p>The RN1 zone has three site-specific exception zones, with all making changes to building dimensions or siting requirements. The exceptions touch on the following three themes:</p> <ul style="list-style-type: none"> <li>a) Introducing massing caps, such as maximum building length;</li> <li>b) Increasing flexibility for encroachments and front yards to maintain character; and</li> <li>c) Targeted height limits for specific properties to mitigate transitions to surrounding properties.</li> </ul>   |
| RN2         | 4                 | <p>The RN2 zone contains four site-specific exception zones, two which introduce changes to side yards, and two comprehensive changes for draft plans of subdivision. These changes fit the following three themes:</p> <ul style="list-style-type: none"> <li>a) Reduced exterior side yard setbacks to allow for tighter block geometry;</li> <li>b) Expanded encroachments for porches, bay windows and balconies to animate facades; and</li> <li>c) Introduction of performance standards for landscaping through explicit landscaped yard requirements.</li> </ul>  |
| RN3         | 11                | <p>Within the RN3 zone's 11 site-specific exception zones, the majority are comprehensive changes for draft plans of subdivision, with some minor changes to setbacks, and a declaration of environmental sensitivity. These exceptions show the following themes:</p> <ul style="list-style-type: none"> <li>a) Density control through caps on the number of units per subdivision phase, along with standardized height and yard requirements;</li> <li>b) Requirements for two-car garages, and driveway/landscaping ratios tied to lot width;</li> <li>c) Façade articulation standards to activate building facades without reducing setbacks further; and</li> <li>d) Allowances for doors and stair encroachments to enable smaller side yards and setbacks.</li> </ul> |
| RN4         | 28                | <p>Of the 28 site-specific exception zones under the RN4 zone, many exceptions are used to enable ground-oriented missing middle housing typologies, such as street, stacked, and back-to-back townhouses, with some commercial permissions added along arterial roads. Analysis of these site-specific exception zones has identified the following trends:</p>  |

| Parent Zone             | No. of Exceptions | Description of Site-specific Exception Zones  |
|-------------------------|-------------------|---|
|                         |                   | <ul style="list-style-type: none"> <li>a) Adding permissions and quantitative performance standards for stacked and back-to-back townhouses, such as minimum unit widths, reduced front/exterior side yards, and smaller rear yards to support compact site design;</li> <li>b) Enabling laneway and condominium streets with smaller rights-of-way, new definitions for lot and front lot line to enable parcels fronting onto private lanes, and enabling encroachments for decks and balconies over parking pads;</li> <li>c) Introduction of new parking requirements which are more strict than the parent zone, with development-wide parking minimums to ensure adequacy;</li> <li>d) Introduction of mixed-use townhouses which permit small-scale commercial uses on the ground floor of a stacked-townhouse; and</li> <li>e) Codification of new MTSA policies in specific developments, such as the removal of minimum parking standards.</li> </ul> |
| RN5                     | 8                 | <p>The RN5 zone site-specific exception zones were made to support mid and high-density building forms, and the following trends were identified in the 8 exception zones:</p> <ul style="list-style-type: none"> <li>a) Increased density and massing through minimum and maximum unit density figures, mandatory angular planes, and height limits;</li> <li>b) Ground floor activation through minimum ground floor heights, minimum non-residential GFA on ground floors along key roads, and expanded commercial use permissions in certain areas;</li> <li>c) Increased indoor and outdoor amenity space requirements, along with landscaped area and frontage minimums; and</li> <li>d) Codification of new MTSA policies in specific developments, such as the removal of minimum parking standards.</li> </ul>   |
| <b>Commercial Zones</b> |                   |   |
| CG                      | 16                | <p>The CG zone has 16 site-specific exception zones. Most of the exception zones for the CG zone apply site-specific control through by limiting the permitted uses to a handful of commercial type, with updated lot provisions. The following trends have been identified:</p> <ul style="list-style-type: none"> <li>a) CG exceptions frequently replace the broad list of permitted uses with a tailored list of permitted uses, such as opticians, pharmacies,</li> </ul>  |

| Parent Zone | No. of Exceptions | Description of Site-specific Exception Zones   |
|-------------|-------------------|--|
|             |                   | <p>and professional offices while explicitly prohibiting other uses, such as gas bars and car washes;</p> <p>b) Several exception zones introduce minimum setbacks to specific lot lines, front and side yard adjustments, and soft landscaping buffers to reduce impacts on neighbouring properties; and</p> <p>c) Operational requirements for businesses, such as fixed parking counts, stacking lane requirements for drive-thru establishments, and maximum seating capacities for restaurants.</p>   |
| CL          | 3                 | <p>The 3 site-specific exception zones under the CL zone vary between a single permitted use with strict prescribed size restrictions, to a comprehensive zone change for a commercial subdivision. Key trends among these zones are as follows:</p> <p>a) Exception zones set tight GFA limits for ground floor commercial, and cap total commercial GFA per property, reinforcing local-serving commercial functions;</p> <p>b) Flexibility is granted for some parking requirements, such as reducing required parking minimums, or allowing on-street parking spaces to be considered towards the property minimums; and</p> <p>c) Tight control of permitted uses, with some zones only permitting a single use, while others prohibit a suite of uses to maintain neighbourhood character.</p> |
| CV          | 4                 | <p>Under the CV zone, 2 of the 4 site-specific exception zones have holding symbols applied, and all apply restrictions to commercial uses, with some expansion of residential uses. The following patterns can be observed:</p> <p>a) Codification of existing residential and commercial uses is common in the exception zones, such as permitting existing single-detached dwellings to remain in the zone, though the existing uses would then be subject to the zone provisions around built form; and</p> <p>b) Permitting low-impact commercial services which meet the needs of the community, such as small engine sales/repair uses, convenience retail, and personal services, which are confined to the building interior to reduce impacts.</p>   |
| CM1         | 1                 | <p>The single CM1 site-specific exception zones is a comprehensive change to allow a mixed-use building. This exception zone sets unit caps, an FSI limit, a height limit, indoor amenity space requirements, along with angular plane along Main Street and the neighbouring properties, operationalizing core-area design guidance to achieve a high-quality built form.</p>   |

| Parent Zone             | No. of Exceptions | Description of Site-specific Exception Zones  |
|-------------------------|-------------------|---|
| CM2                     | 18                | <p>The majority of the site-specific exception zones in the CM2 zone provided more prescribed control by reducing the permitted uses, with some zones prohibiting commercial uses and only allowing residential. Nearly all the exceptions were comprehensive changes. The following patterns were observed:</p> <ul style="list-style-type: none"> <li>a) Many exceptions expanded residential permissions in the CM2 zone to achieve a mix of uses, such as townhouses, stacked and back-to-back townhouses, apartments, and live/work units;</li> <li>b) Active ground-floor frontages are a requirement in many exception zones, enforced through minimum ground-floor commercial GFA, minimum first-storey heights, and pedestrian access requirements; and</li> <li>c) Parking changes to support higher-density uses, such as reduced resident and visitor parking ratios, introducing bicycle parking minimums, and changing parking lot standards and landscaping requirements to fit smaller properties and reduce visual impacts.</li> </ul> |
| CMB                     | 2                 | <p>The CMB zone only has two site-specific exception zones: One comprehensive change to permit a shopping centre, and a second exception to permit residential uses. While the shopping centre exception is from 2016, the second exception zone was added in 2025, and reflects more contemporary attitudes to commercial zoning by expanding residential uses such as single detached dwellings, semi-detached dwellings, townhouses, and stacked/back to back townhouse dwellings.</p>   |
| CR                      | 2                 | <p>Both site-specific exception zones in the CR zone provide comprehensive changes to the lot requirements and tweak the uses, but neither change the nature of the zone. Two trends can be found in these exception zones:</p> <ul style="list-style-type: none"> <li>a) Expansion of recreation uses, to add campgrounds, hotels, golf courses, driving ranges, private parks, and schools with large minimum lot areas, low lot coverage maximums, and generous yards; and</li> <li>b) Defined recreation programming and parking requirements for retreat uses, which specify operational requirements such as meditation room caps and sizes, GFA limits, and maximum stay limits while requiring generous parking minimums.</li> </ul>  |
| <b>Employment Zones</b> |                   |   |
| EL                      | 6                 | <p>Of the 6 site-specific exception zones in the EL zone, most exceptions were comprehensive, with both use and regulation changes. Most expanded uses</p>  |

| Parent Zone | No. of Exceptions | Description of Site-specific Exception Zones   |
|-------------|-------------------|--|
|             |                   | <p>slightly, with some applying holding symbols or permitting temporary uses. The following patterns were identified:</p> <ul style="list-style-type: none"> <li>a) Many exceptions expanded and curated the permitted use types, either restricting uses in the exception to a select list, such as manufacturing, warehousing, or research &amp; development with ancillary retail, or expanding the list to include limited commercial and institutional uses, such as daycares, recording studios, or commercial schools;</li> <li>b) Outdoor storage was a key theme, with additional restrictions added such as percentage caps of lot area between 10 and 20%, and siting/screening rules to reduce visual impact; and</li> <li>c) Some exceptions introduced use-specific conditions to new uses, such as automotive sales and service, and motor vehicle test tracks. These uses are given additional buffering and screening conditions to contain emissions and noise from surrounding properties.</li> </ul> |
| EL-G        | 2                 | <p>The EL-G zone has two site-specific exception zones to alter lot provisions and add a crematorium use. The addition of a new use was accompanied by specific regulations around lot area, parking minimums, and comparatively high landscaping requirements.</p>  |
| EH          | 7                 | <p>The EH zone contains 7 site-specific exception zones, with many exceptions seeking to add additional uses or narrowly define what could be permitted. The following trends can be found in these zones:</p> <ul style="list-style-type: none"> <li>a) Many exceptions sought to accommodate higher impact uses, such as abattoirs, foundries, and biomedical waste processing facilities. These uses are accompanied by tight operational restrictions, such as indoor-only operation requirements, prohibitions on outdoor storage, and limits on use of shipping containers for outdoor storage;</li> <li>b) Nearly all exceptions included enhanced setback and screening requirements to reduce impacts of the new uses; and</li> <li>c) Some exceptions increased the maximum lot area permitted for outdoor storage to up to 80% in some cases, with enhanced buffering to compensate.</li> </ul>   |
| EH-G        | 4                 | <p>Within the EH-G zone, there are 4 site-specific exception zones. In addition to 1 comprehensive change, there are 3 minor changes to lot provisions and the addition of a recreation facility. The EH-G zone exceptions add site-specific limits on outdoor storage, landscaped buffers, and setbacks, often relaxing provisions from the parent zone.</p>  |

| Parent Zone        | No. of Exceptions | Description of Site-specific Exception Zones   |
|--------------------|-------------------|--|
| EX                 | 3                 | <p>The 3 site-specific exception zones under the EX zone range from a comprehensive change to a temporary use exception zone. The following patterns emerged:</p> <ul style="list-style-type: none"> <li>a) Permissions for extraction and transfer facilities were expanded in the exception zones, with the trade-off of more explicit prohibitions on operations, such as restrictions on washing plants and portable asphalt/concrete plants in certain sites; and</li> <li>b) The addition of Aggregate transfer depots, which are regulated through maximum lot coverage, maximum height, and mandatory screening, with some depots having an expiration date.</li> </ul>  |
| ED                 | 0                 | N/A  |
| EBP                | 13                | <p>Nearly all site-specific exception zones are comprehensive changes which add various commercial and institutional uses to the employment areas. The following trends can be observed in the exception zones:</p> <ul style="list-style-type: none"> <li>a) Increased scrutiny of urban design and campus integration through standardized front and exterior yards, introduction of landscaped buffers along property lines, and some landscaping relief for interior lot lines;</li> <li>b) Integration of institutional uses into the business park area, with many exceptions related to the long-term care facility on Sandiford Drive; and</li> <li>c) Introduction of broad commercial permissions at key gateways, with one exception zone permitting a list of commercial uses such as gas bars, retail stores, and restaurants with GFA limits and site-specific siting requirements.</li> </ul> |
| EBP-G              | 6                 | <p>Most site-specific exception zones in the EBP-G zone are minor changes to lot provisions, or prescribed land uses. The following trends are found:</p> <ul style="list-style-type: none"> <li>a) Reinforcing of a business-park structure with larger minimum lot sizes, hedgerow setbacks, and lot coverage alongside additional permissions for equipment sales and rental, contractors yards, and outdoor storage;</li> <li>b) Permission for parking within the front yards of specific uses, particularly ones associated with heavy equipment.</li> </ul>   |
| <b>Other Zones</b> |                   |  |

| Parent Zone | No. of Exceptions | Description of Site-specific Exception Zones  |
|-------------|-------------------|---|
| I           | 5                 | <p>All site-specific exception zones were made to add restrictions of permitted uses, and to slightly alter lot requirements. The following trends were identified:</p> <ul style="list-style-type: none"> <li>a) Exceptions sought to focus permissions to community uses with higher intensity, such as schools, places of worship, long-term care, and daycare uses, rather than permitting a broad range of uses;</li> <li>b) Most exceptions were comprehensive in nature, adjusting yard requirements, maximum building height, and indoor amenity requirements for institutional residential forms; and</li> <li>c) Dictating operational and parking standards linked to use type, such as classroom-based parking requirements for school uses.</li> </ul> |
| OS          | 1                 | Site-specific exception zone to permit stormwater management use.   |
| D           | 1                 | Site-specific exception zone to codify existing uses.   |

### 3.3.1 Key Takeaways

The review of site-specific exception zones shown in Table 3-1 provides insight into the content and motivation behind the Town’s 213 amendments:

- 21 of the site-specific exception zones introduced new definitions or modified existing definitions for only the subject properties. This could suggest that the zoning framework is not capturing all types of uses present in the Town.
- None of the site-specific exception zones were supplemented by additional illustrations, remaining consistent with the format of the parent zones and the rest of the Zoning By-law.
- The largest share of site-specific exception zones were associated with New Residential zones, which supports the connection of site-specific exception zones and subdivision development. Developments involving multiple properties and new public infrastructure such as roads may seek exception zoning to provide greater certainty to their project by including tailored provisions.
- The Residential New 4 (RN4) zone, which is a low-medium density greenfield residential zone has the greatest number of site-specific exception zones at 28, with many of the exception zones limiting uses to a specific some form of townhouse, as opposed to the variety of townhouse typologies permitted in the parent zone.
- The CM2 zone has the second greatest number of site-specific exception zones with 18. Nearly all of these zones applied restrictions to the zoning to permit a narrower band of uses, with some prohibiting all commercial uses and only permitting residential.

- The CG zone has the third greatest number of site-specific exception zones at 16, with many zones again restricting uses to specific types, likely correlating with the vision of the applicant.
- Most site-specific exception zones were comprehensive in nature, providing both updated lot provisions and uses. This could represent a separation between current development trends and the Zoning By-law.
- Many site-specific exception zones were processed in conjunction with draft plans of subdivision, indicating that the development community wishes to have greater control over the greenfield development process, likely to allow for smaller lot frontages and greater lot coverage.

### 3.4 Minister's Zoning Orders

Minister's Zoning Orders (MZOs) are regulatory tools in Ontario which grant the Minister of Municipal Affairs and Housing the authority to directly regulate the use of land in Ontario. MZOs are regulations issued under Section 47 of the *Planning Act*, and function by overriding the applicable zoning at the time. Similar to zoning by-laws, MZOs can dictate any topics enabled under the *Planning Act*, such as:

- Dictate the permitted uses on land;
- Prohibit certain uses on land; and
- Regulate location, use, height, size and spacing of buildings and structures.

Section 47 of the *Planning Act* states that MZOs are to be granted entirely at the discretion of the Minister, though they can be requested by other ministries, municipalities, organizations, businesses, and individuals. The *Planning Act* exempts MZOs from being consistent with the Provincial Planning Statement, 2024, though Section 47(4.2)(a) exempts land subject to the *Greenbelt Act*, including the ORMCP lands, from the Minister's ability to issue MZOs. MZOs are also exempt from the appeals process through the Ontario Land Tribunal.

The Minister has issued five MZOs within the boundaries of the Town:

- **O. Reg. 172/20:** This MZO was issued on April 24, 2020, and was the first MZO to be applied in the Town. This MZO was applied to an 8.53 hectare portion of land along the southern border of the Town, as well as 3.37 hectares of land in the neighbouring City of Markham. The effect of this MZO was to apply new zoning to a planned subdivision, drawing from the existing zoning present in the Town's Zoning By-law. The applied zones include RN4, RN5, CM2, and OS. The MZO also prohibited the low-density dwelling typologies from the areas zoned RN4, resulting in a higher-density greenfield subdivision which only permits townhouses and apartment dwellings, along with intensive mixed-use commercial activities in the CM2 zone.
- **O. Reg. 610/20:** This MZO was issued on October 30, 2020, and was the second MZO in the Town. This MZO was applied to a larger portion of land directly west of the lands designated as MZO in O. Reg. 172/20. The impact was to permit another high-density greenfield development with supporting commercial uses.

- **O. Reg. 770/21:** On September 7, 2021, the Town Council consented to submit a request to the Minister to designate lands owned by ORCA Equity as an MZO to fast-track the approvals needed to develop a new greenfield residential subdivision. The MZO specifically applies uses from the RN3, RN4, and CM2 zones, with a number of commercial zones prohibited within the subject lands.
- **O. Reg 160/25:** This MZO was issued by the Minister on July 30, 2025 to permit a 70-metre-tall residential building in the southwest corner of Stouffville at the intersection of Hoover Park Drive and Sandiford Drive.
- **O. Reg 255/25:** This MZO was issued by the Minister on November 20, 2025 to permit cooking and laundry facilities within individual units of a seniors care facility, located in the southwest corner of Stouffville at the intersection of Hoover Park Drive and Sandiford Drive.

### 3.4.1 Key Takeaways

The five MZOs within the Town's boundaries all represent Provincial interventions to expand housing supply within the Town in ways which are not consistent with the existing Zoning By-law. Three of the MZOs relate to approvals for greenfield subdivisions, while the other two MZOs relate to an existing long-term care facility within the Town's Western Approach business park area. While the Town does not have recourse from the Minister's discretionary powers under the *Planning Act*, the nature of the zoning orders issued for the Town relate to the Province's stated interest in rapid acceleration of housing approvals and expansion of supply. The Town's Official Plan introduces a policy framework to expand urban settlement into the whitebelt lands to the west of Stouffville, and advancing these lands may be favourable to the Province.

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## 4. Transition Provisions

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When updating a zoning by-law, consideration must be made for planning applications and building permits already underway. Construction projects can take years to plan and design, and developers can spend thousands of dollars on a project before an application for site plan approval or a building permit is submitted. When the zoning rules change suddenly, projects already in the pipeline could suddenly become non-compliant with the zoning rules, requiring costly Zoning By-law Amendments or Minor Variances to proceed. To prevent this, many municipalities include transition clauses which allow active applications submitted before the enactment date to be considered under the previous by-law. This section provides background and context regarding transitioning from the current Zoning By-law to the new Zoning By-law in a manner that considers impacts to applications in-progress.

### 4.1 What are Transition Provisions?

Transition provisions are clauses within a new zoning by-law which permit existing applications to be reviewed against the provisions of the outgoing zoning by-law. This is a practice that is becoming more common for Ontario municipalities, as it allows development to continue uninterrupted during the process of introducing a new zoning by-law. Transition provisions are typically applied narrowly to applications which meet three criteria:

- a) The application was submitted before the enactment of the new Zoning By-law;
- b) The application is deemed complete; and
- c) The application is approved/processed within a timeframe defined by the transition clause.

### 4.2 Why are Transition Provisions Important?

Transition provisions help to maintain confidence and efficiency in the development process during the zoning by-law review process. They help to ensure that applicants who have already conducted approval activities such as public participation and invested in a project do not need to start over midway through. Within the planning framework, an application must comply with the provisions of the zoning by-law in order to obtain a building permit.

Once a building permit has been issued, the provisions for the project are secured, and the project can continue with confidence that those provisions will not change. However, planning processes such as Minor Variances or site plan control do not benefit from the same “locking” effect. If an applicant receives a Minor Variance, and the zoning changes before they submit their application, the Minor Variance would be considered voided, and the applicant would not be able to get a building permit.

Transition provisions give those applicants a window to submit their applications for a building permit to be reviewed under the previous zoning by-law, even after the new zoning by-law is in effect. Without transition provisions, applications which have not been resolved on the day that the new zoning by-law is enacted must be compliant with the new rules. For comprehensive by-law updates, and even minor updates, this means that these applications would be unable to get a building permit, and would need revisions in order to comply. For example, if an applicant is building an apartment building using old rules that have a small front yard setback, and the new rules introduce a larger setback, the applicant would need to entirely redesign their project in order to get a building permit under the new rules. In some cases, applicants which have in-progress applications which are not subject to a transition clause have initiated appeals to the OLT. This is a costly process for both the applicant and the municipality, and could delay the implementation of the new by-law by years.

### 4.3 What Types of Applications are Typically Transitioned?

When creating a transition framework, the Town needs to identify the specific types of applications that will be subject to the transition provisions. These application types will need to be explicitly stated within the provision. This subsection reviews the application types which are typically included in transition provisions through a jurisdictional scan. **Table 4-1** shows the results of a review of the transition provisions present in the new zoning by-laws of 6 municipalities in Ontario.

**Table 4-1: Types of Applications Subject to Transition Policies in other new Zoning By-laws**

|                          | Toronto, ON | Kitchener, ON | Oakville, ON | Waterloo, ON | Markham, ON | Vaughan, ON |
|--------------------------|-------------|---------------|--------------|--------------|-------------|-------------|
| Building Permits         | ✓           | ✓             | ✓            | ✓            | ✓           | ✓           |
| Site Plan Approvals      | ✓           | ✓ (1)         | ✓            | ✓            | ✓           | ✓           |
| Minor Variances          | ✓           | ✓             | ✓            | ✓ (2)        | ✓ (3)       | ✓           |
| Zoning By-law Amendments | ✓           |               |              |              | ✓ (4)       | ✓           |
| Consents                 |             |               | ✓            |              |             | ✓           |
| Plans of Subdivision     |             | ✓             |              |              |             | ✓           |
| Plans of Condominium     |             | ✓             |              |              |             | ✓           |

Notes to Table 4-1:

- (1) The City of Kitchener transitions site plan approvals where a complete application was made (provided it met prior by-law 85-1) as well as approvals of further minor modifications to site plans that were approved January 1, 2017 onwards.
- (2) The City of Waterloo's transition framework did not explicitly transition Minor Variances, but all Minor Variances under consideration were processed as variances to the old and new Zoning By-laws. Further, Section 3.C.5 of the Zoning By-law carried forward all previously approved Minor Variances as prevailing over the new zoning requirements, provided the conditions of approval are satisfied.
- (3) The City of Markham's new Zoning By-law transitions Minor Variance applications and also gives effect to previously approved Minor Variances.
- (4) The City of Markham's new Zoning By-law transitions "Zoning Preliminary Review Applications" where the project complied with previous zoning by-laws. Otherwise, the Zoning By-law does not provide statements to transition Zoning By-law Amendments.

### Building Permits

**Table 4-1** shows that it is very common for building permit applications to be included in transition provisions, as they represent the final step in the application process. Transition provisions will usually include building permit applications at a minimum so that imminent construction activities are not suddenly rendered non-conforming.

### Site Plans

Site plan applications are another application which involves detailed design. Site plan approval processes also typically involve multiple revisions, and transitioning to a new zoning by-law would add additional complication to the process. **Table 4-1** shows that site plan approval applications were subject to transition in all reviewed municipalities. Site plan approval applications and recent approvals are often considered a minimum for inclusion in the transition provisions.

### Minor Variances

Minor Variance applications are often required as the result of initial site plan review, and can often be considered in tandem with a site plan approval application. Site plan approvals may be granted conditional to the Minor Variance process. It is also noted that when a zoning by-law is repealed, all registered Minor Variances are deleted. As such, Minor Variances should be considered in the transition framework for the Town.

### Zoning By-law Amendments

Zoning By-law Amendments which are in progress during the zoning by-law review process add complication to the transition, as they typically seek to amend a by-law which is in the process of being repealed. In principle, Zoning By-law Amendments should be processed in such a manner that they amend the by-law which is in place at the time of enactment. Convening Town Council to amend a by-law which is set to be repealed is less efficient than simply building the desired changes into the new zoning by-law. However, the Zoning By-law Amendment process could give landowners a greater sense

of certainty in their development permissions, as there is potential for provisions in a new zoning by-law to be interpreted differently than the existing by-law due to factors such as changing definitions or modification of general provisions compared to the definitions and general provisions that applied prior to the new zoning by-law. As such, while a site-specific exception zone might be retained in the new Zoning By-law, other modifications to the text and applicable provisions will still be impactful to ongoing development. For example, if the overarching provisions for residential driveways is changed, this may necessitate updates to specific development plans and require redesign.

### **Consents, Plans of Subdivision, and Plans of Condominium**

Similar to Minor Variance applications, consents and land severances must receive approval from the Town's Committee of Adjustment. As shown in **Table 4-1**, fewer of the reviewed municipalities offer transition provisions for consent applications, though there is still potential for disruption to development without the benefit of a transition period. Plans of Subdivision and Plans of Condominium are also sometimes given transition rights, though the impact on development is typically minor when a new zoning by-law is introduced as the applicable minimum lot area requirements in the zone is likely to be carried forward into the new by-law, or reduced.

## **4.4 How Long Should the Transition Period be?**

A major component of a transition clause is the timeframe in which the provision applies. The expiry date of the transition provisions, sometimes referred to as the "sunset clause", sets the timeline that applicants have to receive a building permit based on the previous zoning by-law's requirements. Within other Ontario municipalities, the average duration of the transition clause is 3 years from the date of enactment. Some municipalities apply a different expiry date based on application type. There is also a risk that if too short a transition window is chosen, it could lead to a larger volume of appeals.

The Town should also take into account the impact of setting the transition clause expiry date too far into the future. Some municipalities have chosen sunset clauses which expire 10 years after the enactment of the by-law. This is not a recommended approach because under the section 26 of the *Planning Act*, the official plan must be replaced within 10 years, with a mandatory review every 5 years thereafter. A generous protracted transition period could undermine the implementation of the new official plan by enabling applicants to avoid new regulations for years after the plan is enacted. The Town must strike a balance between a timely implementation of their Official Plan vision, and the risk of appeal by setting a transition clause expiry too soon.

## **4.5 Key Takeaways**

This section has shown that there are benefits and drawbacks in the inclusion of transition clauses when introducing a new zoning by-law. A major benefit which should be considered by the Town is the ability for transition clauses to avoid lengthy appeals related to changes to zoning permissions on in-progress planning applications. By allowing applications which are already in-progress to proceed to building permit, many of these appeals can be avoided entirely. Conversely, overly generous transition provisions

dilute the effectiveness of the new plan and by-law by allowing applicants to ignore the new provisions entirely for a certain period. To assist in this decision, it is recommended that the Town consult with residents and developers with ongoing applications to inform the transition strategy as the project advances.

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## 5. Key Takeaways & Discussion Questions

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The purpose of this Discussion Paper was to explore the technical and administrative contexts which must be considered through the zoning by-law review process. This Paper also highlighted some examples of potential options which should be considered when developing the new Zoning By-law, which will be posed during public engagement and discussed throughout the project.

### 5.1 Summary of Key Takeaways

While the analysis in this Discussion Paper was introductory in nature, a number of key takeaways can be found in the explored topics. These key takeaways are addressed through the various Discussion Papers and Focused Issue Briefings, and will inform the creation of the Zoning Strategy Report.

- A majority of the Minor Variances approved in the past 5 years are related to legislative requirements for additional Town approvals for alterations in environmental zones. Outside of this category, Minor Variances to RV zone regulations were found to be the most common.
- Most site-specific zones are comprehensive changes to the zoning for draft plans of subdivision, indicating that the zoning is not in-line with trends and desires of the development community. This could slow down housing.
- Many site-specific exception zones seek to implement contemporary development practices, such as the introduction of mixed-use buildings in traditional, single-use zones. A refreshed Zoning By-law which incorporates the policies already shown in the Official Plan may help address these types of applications.
- Most of the MZOs issued within the Town were related to greenfield subdivisions and are concentrated near or within the whitebelt lands. Implementation of Official Plan policies related to new urban areas may help the Town meet the Provincial intention of accelerating housing development.
- When developing the new Zoning By-law, the Town should establish a transition which maintains confidence in the development process, minimizes the risk of appeals, and ensures timely implementation of the new Official Plan vision.

### 5.2 Discussion Questions

Throughout this Discussion Paper, several questions have been raised which will need to be raised through conversations with the public, stakeholders, and Town Council:

- Should the common Minor Variances be codified into the new Zoning By-law, or does the Town value the extra layer of oversight?
- Should site-specific exception zones be carried into the new Zoning By-law, or should they be deleted and wrapped into the provisions of the new parent Zoning By-law or made legal non-complying/non-conforming?
- Should development rights in ORMCP lands be expanded or clarified through a standalone process, or is the Minor Variance process sufficient?
- Should the new Zoning By-law include a transition clause? If so, what types of applications should be subject to a transition clause?
- How long should the transition period be for the new Zoning By-law?

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