



2022-23
Official Plan Review

TOWN OF SOURIS 2022-23 OFFICIAL PLAN REVIEW | FINAL SUMMARY OF CHANGES

November 29, 2023

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1. OVERVIEW

The work for the review of the current Official Plan and Development Bylaw has included meetings with Planning Board, two general public engagement sessions, and analysis of existing documents, including understanding previous planning approaches, as well as exploring and identifying emerging trends and planning requirements.

General

While official plans can flag areas for exploration or future initiatives, the documents are primarily focused on land use and the other elements of planning, and the review does not extend to municipal bylaws beyond the Development Bylaw, nor did it include the development of detailed strategies such as economic development or property maintenance and beautification.

Administration and Planning Structure

The municipality continues to be served by a relatively small staff complement. Development control is managed through the CAO, Planning Board, and Council, and planning services are rarely brought in except in the case of more complicated files or plan reviews. The Town's approach to managing land use has generally been functioning well. The Town manages land use through the official plan and development bylaw, processing development permit and subdivision applications internally. One significant change has been the provincial adoption of the National Building Code; however, the municipality has entered into the agreement with the Province to have the National Building Code and building permit applications administered provincially. Development and subdivision applications remain within the purview of the municipality.

The following sections outline areas of major change proposed for the Plan and Bylaw.

2. OFFICIAL PLAN

Content and Organization

Technical data in the existing documents was updated and the proposed draft streamlines goals and objectives to create a clearer hierarchy and tie policies, plan actions, and bylaw standards more directly to goals and objectives. Given the overall shifting and rearranging of content, the new documents should be read in their entirety to get a clear understanding of the new approach. The existing official plan also contains a number of policies and plan actions that are no longer relevant or appropriate, which have been removed or modified in the proposed draft. The vision statement for the Souris of 2038 is:

Souris is a resilient community with quality services and natural assets and a vibrant and connected economy, where a high quality of life exists for residents of all ages to live, work, and play.

Official Plan Policy Changes

Social Policies

- *Housing*

Housing is a key need and priority for the Town. Updated policies regarding residential uses were developed to ensure that different housing types and forms can be added to ensure diversity of choice and the ability to meet the needs of people in different stages of life. Principles of diversity, equity, and inclusion and the fact that housing is a human right suggest that enabling the creation of housing forms to meet the needs of different income levels is also important.

Policies were added to revise the approach to permitted uses and density in the three residential zones, adding moderate levels of density to all zones. Accessory dwelling units will be permitted, with the choice of secondary suites or garden suites (separate from main building) on all single-detached lots. Mini homes have been added to the definition of single-detached dwellings and tiny homes have been added to the clustered housing options in order to provide more housing flexibility; policies were added to support clustered housing, which can include a range of dwelling and ownership forms with multiple dwellings on the same parcel, including as vacant land condominiums. Shared housing has been introduced as an umbrella category of housing rather than focusing on all potential combinations of single occupancy housing, dormitories, and institutional residential uses.

- *Institutional, Community Safety and Support, and Recreation*

Additional policies were added to supplement existing policies in these areas.

- *Equity and inclusion*

Policies were added to highlight the importance of considering equity and inclusion in the development of municipal policies, programs, and services.

Economic Policies

- *Resource Uses*

The policies and plan actions surrounding agricultural and resource uses were largely refined and clarified, with more guidance being provided for the criteria to be used in the consideration of transitioning to non-resource uses. Given the need for housing and with the ample supply of agricultural lands beyond Town boundaries, the Official Plan signals a future shift to residential uses by creating an approach where the future land use designation is changed to residential, while the zoning of existing agricultural lands will remain agricultural until such time as the transition to residential uses is appropriate.

- *Commercial and other economic activity*

Commercial policies were updated to reflect current local conditions and flexibility regarding home-based businesses was added. The heritage overlay zone was removed as it was not being used and more was being achieved through grants and other programs.

- *Energy independence*

Policies were developed surrounding solar and other renewables, with a focus on the placement of solar systems. Wind turbines were included in the Industrial and Agricultural zones, with restrictions and requirements.

Physical Policies

▪ *Infrastructure, Trails, Active Transportation, Accessory Structures*

Policies and plan actions were updated as appropriate. Actions related to trails and active transportation are supported in policy and are given some standing as a consideration during the approval of subdivisions and parkland, along with recreation and transportation planning. The Town's regulation of accessory structures has been updated.

Environmental Policies

Environmental protection remains a high priority. The majority of the existing environmental goals, objectives, policies and plan actions are standard and, while not unique to the municipality, represent a solid foundation of environmental protections related to land uses. One environmental consideration that required updating from previous planning documents was climate change, both mitigation and adaptation in terms of flooding.

Future Land Use Map and Zoning Map

Updates to the Future Land Use Map:

The purpose of the Future Land Use Map is to provide a high-level overview of how the municipality expects to distribute different land uses throughout the planning area, and categories generally include agricultural/resource, residential, commercial, industrial, institutional, and open space. The Zoning Map drills down into certain categories of use, particularly in relation to residential zones, but must be consistent with the Future Land Use Map.

- Some designation titles were updated.
- Current agricultural lands have been designated for residential uses, although the agricultural zone will be retained until it is appropriate to transition to residential uses.
- A number of other minor corrections and adjustments were made to reflect current uses.

Updates to the Zoning Map:

- Updates reflect the new categories of zones. In particular:
 - Underlying zones such as General Commercial were updated to reflect the Future Land Use Map and previously approved changes over time.
 - A number of residential zones were adjusted to reflect new policies and objectives in the Plan.
 - The environmental reserve zone is now shown as an overlay.
 - The RM1 (mini-home residential) and heritage overlay zone have been removed but permitted uses in the RM1 Zone have been retained as permitted uses in the new R3 Zone. All existing permitted uses in the existing RM1 Zone continue as permitted in the new R3 Zone under the category of clustered housing.

KEY BYLAW CHANGES

Title

The new bylaw will be called the Land Use Bylaw and will replace the existing Subdivision and Development Control Bylaw.

Application Requirements – Part 3

The Bylaw has updated requirements relating to when permits are required and what must be included in applications. These changes are included for clarity to ensure complete applications are received and to ensure that applications can be easily assessed.

General Provisions – Part 4

In addition to general rewording and revisions throughout, the Bylaw includes updated rules for:

- Accessory buildings and structures now include detached garages but does not distinguish between these and other accessory structures. Size requirements have changed. See section 6 below.
- Home based businesses are now more flexible, permitted in more dwelling types generally; as well as in accessory structures on single detached lots
- New standards for developments adjacent to watercourses and wetlands and coastal flood plains, including building setbacks are measured from the edge of the buffer (similar to provincial approach)
- Some lot size standards updated to harmonize with approach in other municipalities
- Updated height restrictions and exemption approaches;
- Options for clustered housing such as vacant land condominiums or multi-building rentals with multiple main buildings on a residential parcel
- Ground-mounted solar panels shall not be permitted in front or flanking yard in residential zones
- Garden suites now permitted, as another option instead of secondary suites, and restrictions on users have been removed

General Changes

- Updated definitions
- Updated parking requirements
- Removal of RM1 zone and moving of RM1 uses into the new R3 Zone. All existing uses in the current RM1 Zone are continued as protected legal uses, under the category of *clustered housing*.
- Generally, permitted uses in each zone have been updated and clarified, with some changes (see table at end)
- Variance process has been updated
- Notification distances for variances and amendments have been updated
- Subdivision process and requirements have been updated, including integration of standards for collector roads have been integrated into the bylaw, parkland dedication for all subdivisions of 3 or more lots, with an option for cash-in-lieu based on the estimated future value of the approved lot, excluding structures.

3. CHANGES FOLLOWING STATUTORY MEETING

Official Plan

- Policy SOC-4, plan action e) was updated to provide full clarity regarding the on-going legal protected status of the existing mini-home court.
- A number of typographical, formatting and grammatical corrections made, including updated cross-references where section numbers had changed.

Bylaw

- The standards for clustered housing (multiple residential buildings on the same parcel) were revised as discussed at the public meeting to apply the setbacks to the entire parcel rather than each building and the lot coverage restrictions were removed. Changes can be found in subsection 4.14(5).
- Bed & Breakfasts and short-term rentals, as well as home-based businesses were added to the list of accessory uses in A1 zone for clarity. The general provisions in 4.3 and 4.12 provide broad guidance on where these are permitted and they were added to each zone's list of permitted uses for clarity. The intent was that they would also be included in the A1 zone's list but they were omitted previously.
- A number of typographical, formatting and grammatical corrections made, including updated cross-references where section numbers had changed, while the provisions of section 4.7 and Part 22 were modified to create greater clarity on the intent of the provision in section 4.7 and to ensure longevity of the wording in the case of legislative changes in Part 22.

4. NEXT STEPS

The November 9th statutory public meeting was the final public engagement meeting where final documents will be presented for public comment. Any changes made after that final meeting must relate to feedback from the public at the statutory meeting and any subsequent changes or new content unrelated to public discussion would require another public meeting, above and beyond the terms of the original review workplan. Planning Board will review the final drafts and make a recommendation to Council on their adoption.

5. PROPOSED ZONING									
Proposed Uses By Zone	R1	R2	R3	C1	M1	PSI	OS	A1	
Residential									
Single Detached – includes modular and mini-homes	P	P	P						P
Duplex / Semi-detached	P	P	P						
Townhouse (TH)		P**	P						
Stacked Townhouse (STH)		P***	P						
Multiple Attached Dwellings / apartment (incl TH & STH)		P***	P	P^					
Tiny homes									SP
Shared housing	SP*	SP*	P*						SP
Shared housing with special care	SP	SP	P	P		P			SP
Clustered housing (can include tiny homes, as well as all other residential). Existing mini-home court continued as a legal approved use in R3 Zone.			SP						
Commercial									
Commercial – see zone for list			SP	P	P	A	A		
Service stations, auto trade, except scrap yard or auto body shop				SP					
Temporary Commercial				P					
Banks and financial institutions; business or professional offices; craft breweries; craft workshop and studios; funeral homes and crematoria; lounges and restaurants; and retail stores, service shops and personal service shops				P	P				
* max 6 bedrooms per building in R2, 8 bedrooms in R3 ** max 8 units in R2 zone *** max 12 units in R2 zone **** SP for B&Bs with more than 3 bedrooms ^ apartments only in C1 zone ^^ more than 100 kw = site-specific amendment use ^^^ up to 100 kw A = Accessory Use SP = Special Permit Use									
Proposed uses by Zone	R1	R2	R3	C1	M1	PSI	OS	A1	
Accessory									
Accessory structures	A	A	A	A	A	A	A	A	
Accessory dwelling units (secondary, garden) (single detached lot)	A	A	A						A
Home based businesses	A	A	A						A
B&Bs, STRS (single detached lot)	A****	A****	A****						A
Parking Lots				P				A	
Institutional									
Institutional – see zone and definition for list			SP	P		P			
Childcare (early learning)	SP	SP	SP	P		P			
Recreation - see zone for list				P		P	P		
Agricultural and Industrial									
Agricultural, resource uses, forestry									P
Agriculture-related uses	A								A
Event venues, intensive livestock									SP
Wind						P^^			A^^^
Manufacturing & assembly, warehousing, transport operations, auto trade activities other than scrap yard, wholesale operations, farm machinery and heavy equipment, farm machinery and heavy equipment dealerships and repair shops; food processing, including cannabis operations, marine or shipping related activities, fishery						P			
Storage of sand and aggregate, asphalt and concrete plants, auto salvage facility						SP			

6. KEY PROPOSED SETBACKS															
Proposed Setbacks								Existing Setbacks							
	Lot Area*	Frontage (m.)	Front Yard & Flanking Yard (m.)	Rear Yard (m.)	Side Yard (m.)	Max Height (m.)	Lot Coverage %		Lot Area	Frontage (m.)	Front Yard & Flanking Yard (m.)	Rear Yard (m.)	Side Yard (m.)	Max Height (m.)	Lot Coverage %
Residential								Residential							
Single Detached, tiny homes, mini homes	604 (6,500 ft ²)	19.8 m (65 ft)	4.6 (15 ft)	4.6 (15 ft)	3 (9.8 ft)	11 (36.1 ft)	35**	Single Detached,	604 (6,500 ft ²)	19.8 (65 ft)	4.6 (15 ft)	4.6 (15 ft)	3.05 (10 ft)	10.67 (35 ft)	35*
Duplex	743 (7,998 ft ²)	22.9 (75 ft)	4.6 (15 ft)	4.6 (15 ft)	3 (9.8 ft)	11 (36.1 ft)	35	Duplex	743 (8000 ft ²)	22.8 (75 ft)	4.6 (15 ft)	4.6 (15 ft)	3.05 (10 ft)	10.67 (35 ft)	35*
Semi-detached	371.5 (3,999 ft ²)	11.5/ unit (37.7 ft / unit)	4.6 (15 ft)	4.6 (15 ft)	3 (9.8 ft)	11 (36.1 ft)	35	Semi-detached	371 (4000 ft ² /)	11.5/unit (37.5 ft/)	4.6 (15 ft)	4.6 (15 ft)	3.05 (10 ft)	10.67 (35 ft)	35*
Townhouse (see zones for full details)	929 + 278/unit over 3 units (10000 +3000 ft ²)	30.5 + 7.6/unit over 3 units (100 ft / 25 per)	4.6 (15 ft)	4.6 (15 ft)	3 (9.8 ft)	11 (36.1 ft)	35	Townhouse	929 + 278/unit over 3 units (10000 +3000 ft ²)	30.5 +7.6/ unit over 3 (100 ft+25/)	4.6 (15 ft)	4.6 (15 ft)	3.05 (10 ft)	10.67 (35 ft)	
Stacked Townhouse (see zones for full details)	929 + 278/unit over 3 units (10000 +3000 ft ²)	30.5 + 7.6/stack over 2 stacks (100 ft / 25 per)	4.6 (15 ft)	4.6 (15 ft)	3 (9.8 ft)	11 (36.1 ft)	35	Stacked Townhouse	(new)						
Multiple Unit Dwellings / apartment	557 + 93/unit (6,000 +1,000 ft ²)	28 (75 ft)	4.6 (15 ft)	4.6 (15 ft)	3 (9.8 ft)	11 (36.1 ft)	35	Multiple Unit Dwellings / apt	557 + 93/unit (6,000 + 1,000 ft ²)	28 (75 ft)	4.6 (15 ft)	4.6 (15 ft)	3 (9.8 ft)	10.67 (35 ft)	
Commercial	604 (6,500 ft ²)	19.8 (65 ft)	4.6 (15 ft)	4.6 (15 ft)	3 (9.8 ft)	11 (36.1 ft)		Commercial	604 (6,500 ft ²)	19.8 (65 ft)	4.6 (15 ft)	4.6 (15 ft)	3 (9.8 ft)	10.67 (35 ft)	
Industrial	1,394 (15,005 ft ²)	30.5 (100 ft)	7.5 (25 ft)	7.5 (25 ft)	4.6 (15 ft)	11 (36.1 ft)		Industrial	1,394 (15,005 ft ²)	30.5 (100 ft)	7.5 (25 ft)	7.5 (25 ft)	4.6 (15 ft)	10.67 (35 ft)	
Institutional	697 (7,500 ft ²)	22.8 (75 ft)	4.6 (15 ft)	4.6 (15 ft)	3 (9.8 ft)	11 (36.1 ft)		Institutional	697 (7,500 ft ²)	22.8 (75 ft)	4.6 (15 ft)	4.6 (15 ft)	3 (9.8 ft)	10.67 (35 ft)	
Recreation	0.4 ha (1 ac)	45.5 (150 ft)	15 (49.2 ft)	7.5 (25 ft)	4.6 (15 ft)	11 (36.1 ft)		Recreation	0.4 ha (1 ac)	45.5 (150 ft)	15 (50 ft)	15 (50 ft)	7.62 (25 ft)	10.67 (35 ft)	
Agricultural	0.4 ha (1 ac)	45.5 (150 ft)	15 (49.2 ft)	7.5 (25 ft)	4.6 (15 ft)	11 (36.1 ft)		Agricultural	0.4 ha (1 ac)	45.5 (150 ft)	15 (50ft)	7.5 (25 ft)	4.6 (15 ft)	10.67 (35 ft)	
Other Notes								Other Notes							
* All new lots must at minimum meet the Province-Wide Minimum Development Standards Regulations under the Planning Act, regardless of the zone or use. ** min floor area of 46.5 m ² (500 ft ²)								Regs = Province-Wide Minimum Development Standards Regulations under the Planning Act							

Accessory Structure Standards	All uses	Commercial zone, Industrial zone, Institutional property, Farm property
Used for human habitation	Only where a <i>dwelling</i> is a permitted <i>accessory use</i>	No limit
Located in <i>front yard</i> or <i>flankage yard</i>	Not permitted	Permitted
Minimum distance to any <i>lot line</i>	1. 2 m. (4 ft.)	No limit
	Residential Use	
Maximum <i>height</i>	4.6 m (22 ft) or the <i>height</i> of the <i>main building</i> on <i>lot</i>	No limit
<i>Outdoor wood furnace</i>	Not permitted	Permitted
Maximum combined <i>floor area</i>	The lesser of 10% of the <i>lot area</i> or 93 sq. m. (1,000 sq. ft.)	No limit