

The Corporation of the Municipality of Bluewater

BY-LAW XX-2022

Being a By-Law to Amend Zoning By-Law 43-2015.

WHEREAS the Municipal Council of the Corporation of the Municipality of Bluewater considers it advisable to amend Zoning By-law 43-2015, as amended, of the Corporation of the Municipality of Bluewater and;

NOW THEREFORE, the Council of the Corporation of the Municipality of Bluewater **ENACTS** as follows:

1. The text amendments of this by-law shall apply to all lands within the Municipality of Bluewater.
2. Section 2 of Bylaw 43-2015 is hereby amended by the following:

‘Agricultural Use, General’ is amended by the addition of the following: general farming and without limiting the generality of the foregoing shall include such *uses* as: the general cultivation of land and the associated production, conditioning, processing and storage of field crops, vegetables, fruit, horticultural crops and nursery stock and the selling of such produced on the premises, the breeding and care of *livestock*, fowl, fur-bearing animals and bees, and the selling of such stock or the product of such stock raised on the premises, and the management of forest, and the sale of forest products provided that they are cultivated and produced on-site, including fuel wood, pulp wood, timber, Christmas trees, and maple products, and includes a *farm dwelling* and *accessory buildings* and *uses*.

‘Dwelling, Multiple Attached’ is renamed ‘Dwelling, Rowhouse’ and replaced as such throughout the Bylaw.

‘Second Unit’ hereby deleted.

Dwelling Unit, Accessory is hereby renamed ‘Additional Residential Unit’ and defined as follows: A dwelling unit with its own kitchen, sanitary facilities, and bedroom(s)/sleeping area(s) which may be contained within a dwelling or within a detached accessory structure.

Existing Garden Suites (as approved under the Planning Act) may be converted to permanent additional residential units where they conform to the Additional Residential Unit policies of the applicable zone.

Dwelling is hereby amended by the deletion of the words “or institutions”.

‘Dwelling, Multiple Unit’ replaces the definition of ‘Apartment’ and is defined as follows:

Means a residential building divided horizontal and/or vertically into five (5) or more dwelling units which may have shared entrances, halls, stairs and/or elevators or may feature private entrances, and is not considered to be a rowhouse dwelling for the purpose of this bylaw. This use includes but is not limited to apartments, stacked townhouses, back to back townhouses, etc.

‘Dwelling with Supports’ is defined as follows:

Means a residence for the short or long term accommodation of persons who, by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their well-being. This shall include, for example, a group home, transitional housing, hospice, respite care, crisis care facility but shall not include a hotel or motel.

‘Group Home’ is hereby deleted.

Home Industry is amended by the addition of the following:

- h) no retailing of items not created on the site except for the minor retail of products which are essential and *accessory* to the provided service. Retailing of items crafted or fabricated on the site shall be allowed provided that the operation complies with all other requirements;

‘Link Semi-Detached Dwelling’ is hereby deleted.

On-Farm Diversified Use is defined as follows:

Means uses that are secondary to the principal agricultural use of the property and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses and uses that produce value-added agricultural products. On-farm diversified uses may include accessory retail of goods produced on the property or goods produced on farms located within a 50km radius to a limited scale.

‘Residential Dispersion Measurement’ is hereby deleted.

‘Source Protection Plan’ is defined as follows: shall mean a document passed under the Clean Water Act, 2006 for the protection of water resources that are used as a source of municipal drinking water, including the Ausable Bayfield Source Protection Plan.

Vulnerability Score’ is defined as follows: shall mean an assigned score representing the susceptibility of an area to contamination, as set out in the Ausable Bayfield Source Protection Plan passed under the Clean Water Act, where 10 is the most vulnerable and 2 is the least vulnerable.

Wellhead Protection Area (WHPA)’ is defined as follows: shall mean an area susceptible to groundwater contamination around a municipal drinking water well as identified in the Ausable Bayfield Source Protection Plan passed under the Clean Water Act. WHPAs are categorized from A to E based on the distance from wellhead or length of time a potential contaminant could take to reach a well.

3. Section 3.2.4. (Location of Accessory Building) is hereby amended by the deletion of the fourth paragraph and replacement of the following:

In a Residential zone, a *detached private garage, carport, satellite dish, swimming pool* or other *accessory building or structure* shall be *erected and used* in the *rear yard* and/or in the *interior side yard* only, provided that such *accessory building or uses*:

- shall be no closer than 1.2 metres to the *property line*;
- shall not be located closer to a *street* or *private road* than the *setback* required for the *main building*; and
- shall not include an *Additional Residential Unit*.

- Semi-detached *private garages* or *carports* may be centered on a mutual side *property line*.

4. Section 3.2.4. (Location of Accessory Building) is hereby amended by the deletion of the fifth paragraph and replacement of the following:

In all other zones, no accessory building or structure shall be erected closer than 1.2 metres to a rear property line or interior property line.

5. Section 3 is hereby amended by the addition of a Table of Contents which will be updated from time to time as amendments occur.
6. Section 3.2. (Accessory Buildings, Structures and Uses) is hereby amended with the addition of Section 3.2.7. Accessory Building Containing Additional Residential Unit (ARU)

3.2.7. Accessory Building Containing Additional Residential Unit (ARU)

This provision applies in all zones where an ARU is a permitted uses with the exception of the General Agriculture (AG1) and Agricultural Small Holding (AG4) zones.

An accessory building containing an Additional Residential Unit (ARU) is permitted subject to the following:

- An accessory building containing an ARU shall be located in either the rear or interior side yard and shall be no closer than 3 metres to a property line and shall not be located closer to a street than the setback required for the main building;
- Compliance with Section 3.2.5;
- Notwithstanding Section 3.2.6. servicing is permitted within an accessory building containing an ARU;
- One additional on-site parking space is provided for the ARU in addition to the parking requirements for the main dwelling; and
- The ARU must use the same entrance/driveway as the main dwelling.

7. Section 3.9. (Full Service Requirement) is amended by the addition of the following to the last sentences "and does not apply to residences legally established on septic systems within said Settlement Area (e.g. Carriage Lanes).

8. Section 3.15 (Minimum Distance Separation (MDS)) is hereby amended by the following:
3.15.1. 'MDS and Closed/Inactive Cemeteries' is hereby renamed 'MDS and Low Visitation Cemeteries'.

3.15.1. is hereby deleted and ~~and~~ replaced with the following:

For the purpose of calculating MDS I or II, all cemeteries in the CF zone whether open or closed are deemed to be low visitation and shall be treated as a Type A land use. This provision does not apply in or to a *settlement area* designation.

3.15.2. is hereby added as follows:

3.15.2 MDS and Agricultural Commercial Industrial Uses and On Farm Diversified Uses

For the purpose of calculating MDS I or II, MDS is not applied to or from Agricultural Commercial Industrial (AG3) zones or On Farm Diversified Uses.

9. Section 3.21.1 (Number of Parking Spaces required) is amended by: reducing the number of parking spaces for 'Apartment Building and other multiple unit dwellings' to 1 per dwelling and renaming the section to Dwelling, Multiple Unit; Dwelling, Rowhouse.
10. Section 3.21.1 (Number of Parking Spaces required) is hereby amended by the deletion of 'Group Home' and the required number of parking spaces.
11. Section 3.21.1 (Number of Parking Spaces required) is hereby amended by the addition of 'Dwelling with Supports' and a required number of parking spaces of 2.
12. Section 3.21.1. is amended by the following:

Notwithstanding any provision to the contrary, for dwelling units owned and operated by the Huron County Housing Corporation, 0.25 spaces per dwelling unit shall be provided.
13. Section 3.21.1 'Accessory Dwelling' is amended by the following:

Notwithstanding any provision to the contrary, for accessory dwellings located in the C4 zone, the minimum parking requirement is 0.5 spaces per unit.
14. Section 3.21.7 is amended by the following for the first paragraph:

Parking Spaces for Individuals with Special Needs

Accessible *parking spaces* and limited mobility *parking spaces* shall be provided to accommodate a varying range of abilities including those in wheelchairs, limited mobility and those caring for small children. Accessible *parking spaces* and limited mobility *parking spaces* shall be provided in the following *zones* in addition to the general parking requirements: Highway Commercial, Community Facility, Industrial, and Recreational Commercial (RC3) *zones* as well as for the following uses: *apartment building, hotel, long-term care home, motel, and retirement home.*
15. Section 3.21.13. (Off-Site Parking) is amended by the deletion of the following in the second sentence:

"for a non-residential use".
16. Section 3.21. is amended by the following:

Tandem parking spaces are acceptable for residential parking areas.
17. Section 3.23.5. is amended as the addition of the following as a second paragraph follows:

The prohibition on mobile homes does not apply to mobile homes utilized as Additional Residential Units (ARU) in any zone where ARUs are otherwise permitted.
18. Section 3.25. is hereby amended by the addition of the following after the first sentence:

This section also applies when lands are closed and conveyed by the Municipality (e.g. in the event of a road closure).
19. Section 3.27. (Residential Dispersion Measurement) is hereby deleted.
20. Section 3.29 is hereby deleted.
21. Section 3.37. (Temporary Accommodation for Workers) is hereby deleted.

22. Section 3.39. (Truck Bodies and Storage Containers) is amended with the addition of the following:
Nothing in this section applies to shipping containers or similar structures which are disassembled and utilized as building materials which comply with the Ontario Building Code.
23. Section 3.40.1 is hereby amended by the following:
3.40.1. The provisions of this By-law shall not apply to prevent the *use* of any land as a *street* or to prevent the installation of public services and utilities such as water mains, storm and sanitary sewers, gas distribution mains, railway lines, electrical substations and transmission lines of 230 kv or less, pumping stations, flood and erosion control works, telephone and cable lines, radio and communication towers, roads, trails and *accessory utility service buildings and structures* provided that:
24. Section 3.41. is hereby renamed Setback from Active or Closed Landfill and amended by the deletion of the following:
“For residential or livestock purposes”.
25. Section 3 is amended by the addition of Section 3.43 as follows:
- 3.43 On Farm Diversified Uses**
- Are secondary to the principal agricultural use of the property, are operated by the persons residing on the farm and do not interfere with the farm operation and do not conflict with the surrounding uses.
 - Do not cause a traffic or safety concern and provide safe access onto an open public road.
 - Obtain relevant permits from the Health Unit.
 - Agri-tourism uses and Value Added agricultural uses under 1 hectare in size are permitted in the AG1 zone. Uses larger than 1 hectare shall be permitted in the AG3 zone.
 - The area calculation should consider the total area of buildings, structures, outdoor storage, landscaped areas, wells and septic systems, berms, laneways and parking areas but discount those areas which are shared between the agricultural uses and the on-farm diversified use.
 - Buildings can occupy a maximum of 20% of the allowable area calculation. Where a building is proposed to accommodate for on-farm events, the maximum is 120 persons seated capacity or 20% of the allowable area calculation, whichever is less.
 - 25% of the floor area of a building containing an agri-tourism or value added agricultural uses be used for retailing products grown/produced on the farm and goods produced on farms within a 50km radius.
 - Servicing (e.g. private and/or public water & sewage services) for the agri-tourism and value added agricultural uses must be located within the maximum 1 hectare area.
 - Buildings for agri-tourism uses & value added agricultural uses shall be clustered together with buildings for the principle agricultural use of the property.
 - MDS shall ~~apply~~ not apply to on-farm diversified uses and thus are encouraged to cluster with the on-farm dwelling.
 - Site Plan Control will apply to all agri-tourism on-farm diversified uses.
26. Section 3 is amended by the addition of Section 3.44 as follows:

3.44.1 Source Water Protection

The following special provisions apply as required by the Ausable Bayfield Source Protection Plan:

Lands located within a wellhead protection area with a vulnerability score of 10 that are serviced by an on-site sewage system shall have a minimum lot size as set out by the most current version of the Ministry of the Environment, Conservation, and Parks (MECP) Guidelines for Individual Onsite Sewage Systems.

3.44.2

In Wellhead Protection Areas A to C where the vulnerability score is 8 or greater, the following is prohibited:

- a) The disposal of industrial and commercial waste by means of a well; and
- b) The establishment of a municipal waste disposal site greater than 10 hectares and with the potential of discharging vinyl chloride.

- 27. Section 4.1. is amended by the deletion of 'group home' and replacement with:
'dwelling with support'
- 28. Section 4.1 is amended by the addition of 'or mobile home' after single detached dwelling
- 29. Section 4.2. is amended by the deletion of 'second unit in a single detached dwelling' and replaced with the following:
"Additional Residential Units (total of 2) with a maximum of one (1) within a detached structure".
- 30. Section 4.2. is amended by the deletion of "one mobile home accessory to an agricultural use (a mobile home may be used as a primary or supplementary residential unit".
- 31. Section 4.3 is hereby amended by the deletion of "not including residences" from the fourth bullet.
- 32. Section 4.3. is amended by the addition of
"A detached Additional Residential Unit may take the form of a single detached dwelling, modular or mobile home or be constructed as part of a larger accessory building".
- 33. Section 4.2 is amended by the addition of:
"Residential units for farm labour, accessory to agriculture"
- 34. Section 4.3 is amended by the addition of the following:
"One multi-unit residential building for farm labour including a rowhouse".
- 35. Section 4.4. is hereby amended by the numbering of 'Other permitted buildings and structures and accessory structures' as 4.4.1.
- 36. Section 4.4 is hereby amended by the addition of Section 4.4.1.a. as follows:
Additional Residential Unit in Accessory Structure
 - Permitted with a maximum separation of 60m measured from the main dwelling;
 - Must utilize the same laneway as the main dwelling
 - Comply with setbacks as listed in 4.4.1;
 - Must comply with Minimum Distance Separation Formulae to barns on separately titled lots.
- 37. Section 4.4. is amended by the addition of Section 4.4.1.b:
Farm Labour Housing

Where residential accommodation not including Additional Residential Units is demonstrated to be required by commercial scale farms, on-farm labour housing is permitted provided it:

- be located such that the farm labour dwelling is a maximum distance of 60 metres of the main dwelling or if no main dwelling exists, a maximum distance of 60 metres from the largest building (eg. livestock barn, greenhouse, etc);
- utilizes the same laneway as the dwelling and/or largest building;
- comply with setbacks as listed in 4.4.1; and
- comply with Minimum Distance Separation Formulae to barns on separately titled lots.

38. Amend Section 4.2. to replace 'home industry and home occupation' with 'On-Farm Diversified Uses subject to Section 3.43.'

39. Section 5.2 is hereby amended by the addition of:
"farm labour housing accessory to agriculture as per Section 5.3.a

40. Section 5.3 is hereby amended by the addition of Section 5.3.a as follows:

5.3.a. Farm Labour Housing

Where accommodation for farm labour is demonstrated to be required by commercial scale farms, on-farm labour housing is permitted provided it:

- be located such that the farm labour dwelling is a a maximum distance of 60 metres from the building requiring the labour (eg. livestock barn, greenhouse, etc);
- utilizes the same laneway as the building requiring the labour;
- comply with setbacks as listed in 5.3; and
- comply with Minimum Distance Separation Formulae to barns on separately titled lots.

41. Section 6.1 is amended by the deletion of 'group home' and replacement with 'dwelling with supports'.

42. Section 6.2 is amended by the deletion of 'second unit in a single detached dwelling' and replacement with:
An Additional Residential Unit (maximum of 1).

43. Section 6.2 is amended by the deletion of '(maximum of 4 nutrient units)' from livestock use.

44. Section 6.3 is amended by the addition of:
Additional Residential Unit within or attached to main dwelling, within a detached accessory building not containing livestock, or as a modular or mobile home.

45. Section 6.5 is hereby deleted and replaced with the following:

6.5 Accessory Structures

6.5.1 Accessory Structure Containing Livestock

Notwithstanding any provision of this by-law to the contrary, an accessory building containing livestock may be established subject to the following:

- Front Yard (minimum): 17 metres
- Exterior Side Yard (minimum): 17 metres
- Interior Side Yard (minimum): 10 metres
- Rear Yard (minimum): 10 metres
- Building height (maximum): 9 metres
- Must be located in rear or interior side yard.

- Minimum Distance Separation Formula. Where the yard setbacks as required by MDS are not the same as above, the larger of the two setbacks applies.

6.5.2. Accessory Structure containing Additional Residential Unit

A single Additional Residential Unit is permitted within an accessory building provided the accessory building:

- is located a maximum distance of 60 metres measured from the main dwelling;
- is located to the rear or interior side yard of the main dwelling;
- uses the same laneway as the main dwelling;
- Complies with setbacks as listed in 6.4;
- Complies with Minimum Distance Separation Formulae to barns on separately titled lots.

6.5.3. General Accessory Structures

Accessory buildings not containing livestock or an ARU are required to meet the following interior side and rear yard minimum setbacks:

For buildings 10 square metres or less: 1 metre

For buildings greater than 10 square metres but less than 100 square metres: 3 metres

For buildings 100 square metres or greater: 5 metres.

46. Section 8.1 Permitted uses in Highway Commercial Zone (C3) is hereby amended by the addition of the following: *dwelling units* in combination with any *permitted use* provided the *dwelling units* are located above the ground floor and/or to the rear of the main *commercial use* outside of the *Bayfield Settlement Area*
47. Section 9.1 Permitted uses in Core Commercial Zone (C4) is hereby amended by the addition of the following: *dwelling units* in combination with any *permitted use* provided the *dwelling units* are located above the ground floor and/or to the rear of the main *commercial use* outside of the *Bayfield Settlement Area*
48. Section 10.1 is amended by the addition of 'dwelling with supports'.
49. Section 20.2 (Permitted Uses) is amended by the addition of 'to a maximum of 10 square metres' at the end of the first bullet.
50. Section 21.1 is hereby amended by the addition of the following permitted use: passive recreation
51. Section 25.1 (Residential Low Density R1 Permitted Uses) is hereby deleted and replaced with the following:

25.1 Permitted Uses

 - Dwelling, single detached
 - Dwelling, semi-detached within the *Hensall or Zurich Settlement Areas*
 - Dwelling, duplex within the *Hensall or Zurich Settlement Areas*
 - Dwelling, triplex within the *Hensall or Zurich Settlement Areas subject to Section 26.6*
 - Dwelling, quadraplex within the *Hensall or Zurich Settlement Areas subject to Section 26.6*
 - Dwelling with supports in a single detached dwelling
 - Dwelling, converted within the *Hensall or Zurich Settlement Areas*

52. Section 25.1 is hereby amended with the addition of the following:

A semi detached, duplex, triplex or quadruplex dwelling which is further subdivided in accordance with Section 50 or 51 of the Planning Act is deemed to comply with provisions of Section 25.

53. Section 25.2. is hereby amended by the deletion of 'second unit in a single detached dwelling' and replaced with:

Additional Residential Unit(s) outside the *Bayfield Settlement Area subject to Section 25.4.1*

54. Section 25.4 is renamed "Single Detached Dwelling, Converted Dwelling & Dwelling with Supports".

55. Section 25.4. is amended by the deletion and replacement of Zone area (interior and corner) minimum for partially and privately serviced to 2000 m²

56. Section 25.4. is amended by the deletion of 'Property Depth' for Full Service Lots.

57. Section 25.4. is amended by the addition of the following to 'Zone Coverage' for fully serviced lots:
"35% where lot frontage is greater than 15m
40% where the lot frontage is 15m or less".

58. Section 25.4 is amended by the addition of the Section 25.4.1. (Additional Residential Units) as follows:

25.4.1 Additional Residential Units (ARU)

Where connected to full services, the following provisions apply:

- A maximum of two (2) additional residential units shall be permitted per fully serviced lot with the ARUs either being located:
 - Both within or attached to the main dwelling or
 - One (1) within or attached to the main dwelling and one (1) within a detached accessory structure.
- A maximum of one (1) ARU is permitted in a single, detached accessory building.

Where a single detached dwelling unit, semi-detached dwelling unit, or multiple attached dwelling unit contains an additional residential unit, a home occupation is permitted in the additional residential unit.

Where an additional residential unit is contained within an accessory building, notwithstanding the provisions of Section 3 to the contrary, the following applies:

- Must be located in the rear or interior side yard;
- Rear Yard (minimum): 3 metres
- Interior Side Yard (minimum): 3 metres
- Building Height (maximum): 6 metres
- Building size (maximum): no greater than 75% of the gross area of the main floor of the dwelling including attached garages provided the total buildings do not exceed the maximum lot coverage.

Where partially or privately serviced, the following provisions apply:

- Where the property is 1 acre in size or larger and has been demonstrated through a nitrate study to have aquifer isolation, a single (1) Additional Residential Unit is permitted either within the main dwelling or in an accessory building provided:
 - It uses the same laneway as the main dwelling;
 - It uses the same well and/or septic.
 - If detached, is located in the rear or interior side yard; and
 - Notwithstanding the provision of Section 3 to the contrary, complies with the following:
 - Rear Yard (minimum): 3 metres
 - Interior Side Yard (minimum): 3 metres
 - Building Height (maximum): 6 metres
 - If detached, accessory building size (maximum): no greater than 75% of the gross area of the main floor of the dwelling including attached garages provided the total buildings do not exceed the maximum lot coverage.

59. Section 25.5 is hereby amended by the deletion of 'property depth minimum'.

60. Section 25.5 is amended by the deletion and replacement of interior side yard unattached side with '1.5 metres' for all unit types.

61. Section 26.1 is hereby deleted and replaced with the following:

26.1. Permitted Uses

- Uses permitted in R1 zone;
- dwelling, rowhouse
- dwelling, multiple unit

62. Section 26.2 is amended by the deletion of 'second unit in single detached unit' and replaced with 'Additional Residential Unit(s) subject to Section 25.4.1.

63. Sections 26.4 and 26.5 are to be combined under 26.4 with the deletion of the term 'link semi detached dwellings'.

64. Section 26.5 is renamed 'Dwelling, Multiple Unit'

"26.5 Dwelling, Multiple Unit

The R3 zone provisions for Dwelling, Multiple Unit, apply with the exception of Maximum Building Height which shall be 2 storeys in the R2 zone".

65. Section 26.6. is hereby amended to the deletion of 'property depth minimum 34 metres'.

66. Section 26.6 is hereby amended by the deletion and replacement of interior side yard' with 1.5 metres.

67. Section 26.8 (Multiple Attached Dwelling) is hereby renamed 'Dwelling, Rowhouse'.

68. Section 26.8 is amended by the deletion of 'property depth minimum 38 metres'.

69. Section 26.8 is amended by the deletion and replacement of interior side yard unattached side with 1.5 metres.

70. Section 26.8 is amended by the deletion of the 'Number of Dwelling Units per building (max).

71. Section 26.8 is amended by the deletion of text following the word 'occupants'.

72. Section 26.8 is amended by the deletion of the Attached Private Garage provision and replacement with the following: "projection from front of unit (maximum): 0 metres"

73. Section 26.9.9 (R2-9) is hereby amended by the deletion of the reference to Residential Dispersion Measurement.

74. Section 27.1 is deleted and replaced with the following:

Rowhouse Dwelling subject to Section 26.8

Multiple Unit Dwelling

Retirement Home

Dwelling with Support

Long Term Care Home

75. Section 27.2 (Accessory Uses) is amended by the addition of the following:

Additional Residential Unit(s) subject to 25.4.1 (fully serviced)

76. Section 27.3 (Permitted Structure) is amended by the addition of the following:
More than one main building may be established on a property.

77. Section 27 is amended by the deletion of Section 27.4.

78. Section 27.5 (Apartment Building) is renamed 'Dwelling, Multiple Unit'.

79. Section 27.6 is hereby amended deleted and replaced with the following:

"Building height maximum: 4 storeys"

"An outdoor communal amenity area of no less than 100 square metres with a square or rectangular orientation shall be provided."

80. Section 26.1 is hereby amended with the addition of the following:

A triplex, fourplex, rowhouse and/or multiple unit dwelling which is further subdivided in accordance with Section 50 or 51 of the Planning Act is deemed to comply with provisions of Section 26.

81. Section 27.1 is hereby amended with the addition of the following:

A rowhouse or multiple unit dwelling which is further subdivided in accordance with Section 50 or 51 of the Planning Act is deemed to comply with provisions of Section 27.

82. Section 27.7 is amended by the deletion and replacement of Main Building Height with '4 storeys'.

83. Section 27.7 is hereby amended by the deletion and replacement of the Amenity Area requirement as follows:

An outdoor communal amenity area of no less than 100 square metres with a square or rectangular orientation shall be provided.

84. Section 29.1 be amended by the addition of the following permitted use: campground

85. Add Section 34 for Mixed Use Core Commercial (C5).

MIXED USE CORE AREA COMMERCIAL (C5) ZONE

34.1. USES PERMITTED

No person shall within any C5 zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- all uses permitted in a C4 zone;
- Multiple unit residential building;
- Converted dwelling;
- Dwelling with supports;
- residential uses that lawfully existed on the date of the passing of this Bylaw, subject to the provisions of Section 25 or Section 26 according to housing type;
- Community facility;
- Uses accessory to the permitted uses.

34.2. ZONE PROVISIONS

No person shall within any C5 zone use any lot or erect, alter or use any building or structure except in accordance with the provisions of Section 9.3.

86. All other provisions of By-law 43-2015, as amended, shall apply.

87. This by-law shall come into force pursuant to Section 34(21) of the Planning Act, RSO 1990, as amended.

88. This by-law shall come into effect upon final passing, pursuant to Section 34 and 39(1) of the Planning Act, RSO, 1990.

THAT THIS BY-LAW BE ENACTED, SIGNED AND SEALED THIS XXth DAY OF OCTOBER, 2022.

Paul Klopp, Mayor

Chandra Wilson, Clerk

Purpose and Effect:

The purpose and effect of the General Update is primarily to include direction in the Zoning By-law to allow for more flexible housing options including:

- additional residential uses in towns, villages and agricultural settings;
- intensification within existing urban neighbourhoods; and

The proposed General Update Amendment proposes primarily text changes to the Zoning By-law and select mapping changes. A summary of the proposed changes is as follows:

Agriculture

1. Incorporate policies and provisions to permit Additional Residential Units in the agricultural area as follows:
 - a. On AG1 parcels, ARUs are permitted in either or both of the main dwelling and detached unit provided the detached ARU is located within 60 metres of the main dwelling and utilizes the same laneway.
 - b. On small agricultural holdings (AG4), one ARU is permitted in either the main dwelling or a detached unit provided the detached ARU is located within 60 metres of the main dwelling and utilizes the same laneway.
2. Clarify application of MDS to On-Farm Diversified Uses and Agricultural Commercial Industrial Uses.
3. Amend the application of MDS to cemeteries such that cemeteries are treated as a Type A Land Use (single distance) rather than a Type B Land Use (double distance).
4. Removal of livestock limitations in the Agricultural Small Holding (AG4) Zone.
5. Introduce setbacks for buildings containing livestock on AG4 properties.
6. Expand permissions for on-farm accommodation for farm labour to building types other than a mobile home.
7. Update On-Farm Diversified Use policies and provisions to reflect updated Provincial Policy and permit a wider range of on-farm businesses (on-farm markets, on-farm events facility, etc).

Urban Settlement Areas

1. Incorporate provisions for Additional Residential Units (ARU) in R1, R2 and R3 zones in fully serviced settlement areas (ie. Hensall and Zurich) and in partially/private settlement areas (ie. Varna, Kippen, Blake, etc) subject to lot size and area for septic systems. Additional Residential Units are not be permitted in Lakeshore Settlement Areas.
2. Permit mobile and modular homes to be used for detached ARUs in R1, R2 and R3 zones.
3. Introduce definitions for rowhouse (in place of multiple attached), additional residential unit, multi-unit residential building (in lieu of apartment, stacked townhouse, etc), residential with supports (in lieu of hospice, group home, transitional housing, overnight respite care, etc).
4. Reduce parking requirements to 1 space per unit (not including spaces provided within enclosed garages). Parking requirements are further reduced for properties owned or managed by the Huron County Housing Corporation to 1 space per 4 units.
5. Permit residential with supports in R1, R2 and R3 zones.
6. Permit triplexes and quadraplexes in R1 zone.

7. Remove unit maximums in low, medium and high density residential areas.
8. Require minimum density threshold of 15 units/hectare in newly developing areas.
9. Reduce interior side yard setbacks from 3 metres to 1.5 metres for all building types except multi-unit residential buildings over 2 storeys.
10. Increase maximum lot coverage for single detached to 40% (from 35%) where the lot frontage is 15m or less.
11. Remove lot depth requirements for residential development in serviced areas.
12. Remove provisions regulating the location of common walkways.
13. In R3 zones, replace Privacy Yard with Communal Outdoor Amenity Space requirements.
14. Clarify that minimum ground floor area requirements do not apply to Additional Residential Units.
15. Amend provisions to allow for the separation of rowhouses into freehold units.
16. Increase maximum height for accessory building in residential zones (except for RC1 & LR1) to 6 metres.
18. Increase minimum lot size for semi-detached in unserviced settlement areas to account for septic area.
19. Re-introduce established building line provisions – this allows new residences to utilize the average setback of existing dwellings on the street to establish the front yard setback.
20. Introduce Mixed Use Core (C5) which permits commercial, residential or community facility uses on the main and upper floors on side streets of the Downtown Core Area.

Lakeshore

22. Clarify that Additional Residential Units are not permitted in the Lakeshore Residential Zone.

General Provisions

28. Amend Section 3.32 (Setbacks from an Active or Closed Waste Disposal Site) to clarify that studies must be completed for all uses, not exclusively residential and/or livestock buildings.
29. Clarify 3.40 (Truck Bodies and Storage Containers) that this does not apply to storage containers which are disassembled and utilized as building materials which comply with the Ontario Building Code.

The proposed General Update Amendment also proposes some general changes and updates to the zoning by-law. A summary of the proposed changes is as follows:

30. Add definitions and general provisions pertaining to sourcewater protection, and wellhead protection areas.
31. Clarify Highway Commercial and Core Commercial zones permit dwelling units in combination with a permitted use either above the ground floor and/or to the rear of the main commercial use.
32. Clarify parking requirements also speak to limited mobility parking spaces.
33. Clarify Home Industry recognizes retailing of items that are produced on the premises.
34. Add roads and trails to permitted utilities services for the public.
34. Clarify a general agriculture use includes sale of forest products provided they are cultivated and produced on-site.

35. Increase setback for accessory buildings and structures from 1.0 m to 1.2 metres to comply to Ontario building code and fire separation.
36. Passive Recreation is an added permitted use in the NE2 Natural Environment Zone 2.
37. Campground is an added permitted use in the RC2 Trailer & Tent Park Zone.

The text amendment applies to all the lands within the Municipality of Bluewater.