

The Corporation of the Township of Huron-Kinloss



BY-LAW No.

2023 - XX

Being a By-Law to Amend By-Law No. 2018-98, being the Comprehensive Zoning By-Law of the Township of Huron-Kinloss

Applying to the entire Township of Huron-Kinloss

WHEREAS Section 34 of the Planning Act, R.S.O. 1990, Chapter 13 authorizes the Councils of Municipalities to enact and amend zoning by-laws which comply with an approved official plan;

AND WHEREAS the Council of The Corporation of the Township of Huron-Kinloss has enacted By-law 2018-98; a zoning by-law enacted under Section 34 of the said Planning Act;

AND WHEREAS the Council of The Corporation of the Township of Huron-Kinloss desires to amend By-law 2018-98;

NOW THEREFORE BE IT RESOLVED THAT the Council of The Corporation of the Township of Huron-Kinloss **ENACTS** as follows;

1. THAT By-Law No. 2018-98, as amended, is hereby further amended by:
 - a) In Section 3, deleting "Dwelling, Accessory Second Unit" in its entirety to be replaced with:

"Dwelling, Additional Residential Unit" means a residential dwelling unit either wholly contained within a 'Dwelling, Single Detached', a 'Dwelling, Semi-detached' or a 'Dwelling, Street Facing Townhouse, or wholly contained within an accessory building on a lot containing a 'Dwelling, Single Detached', a 'Dwelling, Semi-detached' or a 'Dwelling, Street Facing Townhouse'.
 - b) In Section 3, deleting "Dwelling, Secondary Farm Residence" in its entirety to be replaced with:

"Dwelling, Additional Residential Unit On Farm" means one additional dwelling unit located on a farm on which a 'Dwelling, Single Detached Farm Residence' is already established. A 'Dwelling, Additional Residential Unit On Farm' may be located within a 'Dwelling, Single Detached Farm Residence, a non-agricultural accessory building, or may be in the form of a second 'Dwelling, Single Detached Farm Residence' on the lot.
 - c) Replacing all references to "Dwelling, Accessory Second Unit" with "Dwelling, Additional Residential Unit".
 - d) Replacing all references to "Dwelling, Secondary Farm Residence" with "Dwelling, Additional Residential Unit On Farm"
 - e) Replacing Section 4.6 as follows:

Except as provided by Section 4.7 (Dwelling, Additional Residential Unit On Farm), where listed as a permitted use (refer to "Uses Permitted" sections of this By-law), a 'Dwelling, Additional Residential Unit' shall be permitted, subject to the following provisions:

- a. Where full municipal services are provided, up to two 'Dwelling, Additional Residential Unit' per lot of record shall be permitted;
 - b. Where private or partial municipal services are provided, one 'Dwelling, Additional Residential Unit' per lot of record shall be permitted if the lot area is 0.4 hectares or greater. Within the Lakeshore Area as identified on Schedule 'A' a 'Dwelling, Additional Residential Unit' is not permitted on partial municipal or private services;
 - c. Applicable permits under the Ontario Building Code are required to be issued by the Chief Building Official;
 - d. Only exists along with its principal dwelling unit, and it is not a stand-alone principal unit, capable of severance;
 - e. Able to connect to water and septic or sewer services;
 - f. Shall only be permitted where sufficient water service and sewer or septic capacity exists or can be made available;
 - g. In the case of a 'Dwelling, Semi-Detached' or 'Dwelling, Street Facing Townhouse', each principal dwelling unit must be located on a separate lot of record;
 - h. In the Rural Recreation Area and Inland Lake Development designation (Silver Lake and Purvis Lake Areas), only one Additional Residential Unit may be permitted, and only within a building containing a primary residential dwelling;
 - i. When permitted to be located within a detached accessory building, only one 'Dwelling, Additional Residential Unit' is permitted per lot in a detached accessory building;
 - j. Where located in an accessory building the 'Dwelling, Additional Residential Unit' may be located in a new or existing detached accessory building and shall be in accordance with the provisions of Section 4.1;
 - k. Any 'Dwelling, Additional Residential Unit' shall be located within a maximum distance of 30 m from the principal dwelling;
 - l. The 'Additional Residential Unit' must share the parking and yards provided for the principal dwelling unit, and no new driveway may be created;
 - m. Requires conservation authority approval in areas identified in the flood fringe overlay;
 - n. 'Home Occupation' is not permitted in a 'Dwelling, Additional Residential Unit'; and,
 - o. The combined total of a principal residential unit, additional residential unit(s), and a garden suite shall not exceed three units on a lot.
- f) Replacing Section 4.7 as follows:

A 'Dwelling, Additional Residential Unit On Farm' shall be permitted together with a 'Dwelling, Single Detached Farm Residence' in the AG1 and AG4 zones, subject to all the provisions of this By-law and the following:

- a. Shall be located within 30 metres of the 'Dwelling, Single Detached Farm Residence';
- b. Applicable permits under the Ontario Building Code are required to be issued by the Chief Building Official;
- c. It only exists along with the 'Dwelling, Single Detached Farm Residence' and shall not be considered for future severance;
- d. Able to connect to water and septic or sewer services;

- e. Must share the parking and yards provided for the ‘Dwelling, Single Detached Farm Residence’ unit, and no new driveway may be created;
 - f. May be located within a ‘Dwelling, Single Detached Farm Residence’, or may be located in a new, or existing, detached non-agricultural accessory building;
 - g. Where the ‘Dwelling, Additional Residential Unit On Farm’ is proposed to be erected outside of the ‘Dwelling, Single Detached Farm Residence’, it shall meet applicable MDS guidelines;
 - h. In the Rural Recreation Area and Inland Lake Development designation (Silver Lake and Purvis Lake areas), only one Additional Residential Unit may be permitted, and only within a building containing a primary residential dwelling.
 - i. Requires conservation authority approval in areas identified in the flood fringe overlay;
 - j. The combined total of a “Dwelling, Single Detached Farm Residence’, a ‘Dwelling, Additional Residential Unit On Farm’, and ‘Dwelling, Garden Suite’ may not exceed two units on a lot; and
 - k. A home business shall not be permitted within a ‘Dwelling, Additional Residential Unit On Farm’.
- g) In Section 6.1, adding a permitted use of a “Dwelling, Additional Residential Unit On Farm” as per Section 4.7 to the AG1 Zone.
 - h) In Section 8.1, adding a permitted use of a “Dwelling, Additional Residential Unit” as per Section 4.6 to the AG3 Zone.
 - i) In Section 9.1, adding a permitted use of a “Dwelling, Additional Residential Unit On Farm” as per Section 4.7 to the AG4 Zone.
2. That this by-law takes effect from the date of passage by Council and comes into force and effect pursuant to the provisions of the Planning Act, R.S.O. 1990.
 3. That this by-law may be cited as the “Zoning Amendment By-law – Z-2023-045 - Huron-Kinloss Housekeeping” By-law

READ a FIRST and SECOND TIME this 17th day of July, 2023.

READ a THIRD TIME and FINALLY PASSED this 17th day of July 2023.

Mayor

Deputy Clerk