



**Municipality of Bayham
Housekeeping Zoning By-law Amendment –
Draft Housekeeping Amendments for Bill 23
July 2024**

July 19th, 2024

The following “Draft Housekeeping Amendments” are proposed as part of a Municipality-led Zoning By-law Amendment, “Housekeeping” Amendment. The Statutory Public Meeting is scheduled for August 15th, 2024 at 7:30 pm in the Municipal Council Chambers, 56169 Heritage Line, Stratfordville, to consider a proposed Zoning By-law Amendment under Section 34 of the *Planning Act*. These Draft Amendments are intended to be read in conjunction with the Notice of the Public Meeting.

The purpose of this By-law is to amend various sections of the Zoning By-law pertaining to Additional Residential Units to ensure conformity with the *Planning Act* and Municipality of Bayham Official Plan with respect to More Homes Built Faster Act, 2022 (Bill 23).

Please contact Margaret Underhill, Planning Coordinator/Deputy Clerk, by phone at 519-866-5521 Ext 222, by fax at 519-866-3884, or by email at munderhill@bayham.on.ca.

A ~~strikethrough~~ denotes portions of text to be removed.

An underline denotes portions of text to be added.

“ADD” denotes an entire new section of text.

SECTION 2 DEFINITIONS

~~**DWELLING UNIT, SECOND**, shall mean a dwelling ancillary and subordinate to a primary dwelling, in which food preparation, eating, living, sleeping and sanitary facilities are provided for the exclusive use of the occupants thereof.~~

ADD

ADDITIONAL RESIDENTIAL UNIT, shall mean a self-contained dwelling unit, ancillary and subordinate to the primary dwelling unit on the lot, in which food preparation, eating, living, sleeping and sanitary facilities are provided for the exclusive use of the occupants thereof. Additional residential unit(s) shall not include a trailer, a mobile home, a motor home, or recreational travel vehicle as defined herein.

SECTION 4 GENERAL PROVISIONS

Section 4.2 Accessory Uses

- f) ~~Shall not exceed ten (10) percent coverage of the total lot area except in the case of accessory use buildings accessory to principal farm dwellings, the size of accessory buildings is limited to 25% of the size of the principal farm dwelling excluding main farm buildings such as barns, greenhouses, stables and driving sheds;~~

ADD

- f) Shall not exceed 10% lot coverage of the total lot area, except in the case of accessory use buildings accessory to the principal farm dwelling in all Agricultural Zones (A1/A1-A and A2), excluding main farm buildings such as barns, greenhouses, stables and driving sheds, the size of accessory buildings is limited to:
 - i. a combined Maximum Floor Area of 100.0 square metres on those lots measuring 0.4 hectares or less; or
 - ii. a combined Maximum Floor Area of 200.0 square metres on those lots measuring 0.4 hectares or more.

Section 4.9 Obnoxious Uses

Nothing in this By-law shall be construed to permit the use of land ~~for, water, and/or~~ the erection or use of a building or structure for any purpose that is likely to become a nuisance or offensive:

- a) By the creation of noise or vibrations;
- b) By reason of the emission of gas, fumes, dust or objectionable odour;
- c) By reason of the unsightly storage of goods, wares, merchandise, salvage, or refuse matter or other such material.

Section 4.32.2 Parking Requirements

Type of Use Or Building	Parking Required
Dwelling Unit, Second Additional Residential Unit	One (1) parking space per unit.

Section 4.59 ~~Second Dwelling Units~~ Additional Residential Unit

~~Where in this By-law a single detached dwelling is listed as a permitted use, and where the dwelling has been in existence in accordance with timeframe specified in the Ontario Building Code, a second dwelling unit shall also be permitted either within that dwelling or within a building accessory to the said dwelling subject to the following:~~

- ~~a) A maximum of one second dwelling unit shall be permitted on one lot;~~
- ~~b) A minimum of one parking space dedicated to the second dwelling unit shall be provided;~~
- ~~c) Where the second dwelling unit is located within an accessory building the zoning regulations for an accessory building shall be complied with;~~
- ~~d) The second dwelling unit shall be connected to the municipal water supply system and the municipal sanitary sewage system where such services are available;~~
- ~~e) The second dwelling unit shall, where connection to the municipal water system or sanitary sewage system is not available, be connected to an approved private on-site water system and/or an approved private on-site sewage system demonstrating the on-site servicing has sufficient capacity for the additional~~

dwelling;

- ~~f) The second dwelling unit gross floor area shall not be greater than 40% of the combined total gross floor area of both the primary and second dwelling units;~~
- ~~g) The requirements of the Ontario Building Code shall be complied with.~~
- ~~h) The exterior building or site changes to a dwelling to permit a second dwelling unit in an existing primary dwelling building maximum floor area increase shall be 10%, and the changes should account for maintaining the general form and architectural character of the building where possible.~~

ADD

Where in this By-law a single detached dwelling, semi-detached dwelling, or row house dwelling is a permitted use, and where the primary dwelling has been in existence in accordance with the timeframe specified in the Ontario Building Code, an additional residential unit shall be permitted within the primary dwelling, or in a detached accessory building on the same lot as the primary dwelling subject to the following:

- a) An additional residential unit, either within the primary dwelling or in a detached accessory building, shall be connected to approved private and/or municipal water and sewer services where such services are available, to the satisfaction of the Municipality and Southwestern Public Health;
- b) A maximum of one (1) additional residential unit shall be permitted on a lot where partial or private water and sewer services are available;
- c) A maximum of two (2) additional residential unit shall be permitted on a lot where full municipal water and sewer services are available;
- d) A maximum of one (1) additional residential unit shall be permitted in a detached accessory building and all zoning regulations for an accessory building shall be complied with;
- e) The maximum gross floor area, per additional residential unit, shall not exceed 40% of the gross floor area of the primary dwelling unit, except that an additional residential unit may occupy the whole of a basement of a primary dwelling;
- f) An additional residential unit shall be located within 40 metres of the primary dwelling unit;
- g) An additional residential unit shall not be permitted within a farm building, such as barns, greenhouses, stables and driving sheds, or a building used for an on-farm diversified use;
- h) A minimum of one (1) parking space shall be provided per additional residential unit, and all zoning regulations for parking shall be complied with; and
- i) The additional residential unit shall meet all the requirements of the Ontario Building Code and Ontario Fire Code and requires an approved Building Permit to establish the additional residential unit.