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Planning Report

To: Mayor and Council, Municipality of Magnetawan

From: Kent Randall & Sarah Bale (EcoVue Consulting),
Municipa Planning Consultants

Subject: Housekeeping Amendment to Zoning By-law No. 2001-26

Property Location: Municipality of Magnetawan

EcoVue File No.: 21-2125-02

Date: September 27, 2023

1.0 Purpose

The purpose of this report is to provide a summary and recommendation related to a general housekeeping amendment to Zoning By-law No. 2001-26. The purpose of the amendment recommended in this report is to update the provisions contained in the Zoning By-law so that the By-law remains current, accurate and clear.

2.0 Recommendation

It is recommended that Council receive the report dated September 27, 2023 from EcoVue Consulting Services regarding a draft housekeeping amendment to Zoning By-law No. 2001-26, for all applicable lands within the municipality.

And that Council approve the proposed housekeeping amendment, in accordance with the draft by-law attached to this report; and

Further that Council consider the by-law to amend the Zoning By-law, as presented at the October 4, 2023 Council Meeting.

3.0 Background

The Municipality of Magnetawan Zoning By-law came into effect on November 1, 2001 and was updated (consolidated) on May 9, 2018.

Since 2001, there have been many site-specific amendments submitted by proponents to facilitate development approvals accordingly. Also, the Municipality has done some occasional housekeeping amendments (in 2002, 2003, 2012, and 2014).



Zoning By-laws are living documents that often require updates, such as housekeeping amendments and consolidations. These types of updates allow staff to review and address minor items such as typos, grammar and numerical mistakes, formatting, outdated or inconsistent provisions and incorporate approved Site-Specific Amendments.

Staff have identified the need for a housekeeping Zoning By-law Amendment. With the support of Council, Staff is seeking to undertake a housekeeping amendment to address implementation matters regarding the following: 1) Maximum building height for Accessory Structures; 2) Additional Dwelling Units; 3) Hunt Camps; 4) Tiny Homes; 5) Trailers and Campers, 6) Shipping Containers, 7) Shoreline Saunas; and 8) Short Term Accommodations. Many of these changes have been proposed as part of the Zoning By-law update.

4.0 Analysis

A summary of the proposed changes included in the housekeeping amendment are provided below:

Proposed Zoning By-law Amendment	Staff Explanation
Part 1 – General Provisions	
<p>Amend Section 3.1(c) “Lot Coverage and Height” as follows:</p> <p style="padding-left: 40px;">c) Lot Coverage and Height</p> <p style="padding-left: 80px;">i. Delete: <i>“The total lot coverage of all accessory buildings and structures, excluding swimming pools, shall not exceed 5 per cent of the lot area nor shall the height of any accessory building or structure exceed 6 metres except where a second storey is permitted the accessory building may be 8.5 metres in height.”</i></p> <p style="padding-left: 80px;">ii. Replace with: <i>“The total lot coverage of all accessory buildings and structures, excluding swimming pools, shall not exceed 5 per cent of the lot area nor shall the height of any accessory building or structure exceed 5.0 metres except where otherwise permitted.”</i></p>	<p>The height regulations for one and two storey accessory buildings and structures will be amended to improve consistency throughout the By-law between the general provisions and those that are more specific for garages, boathouses, gazebos and guest cabins. Generally speaking, the height of a one-storey accessory structure is now limited to 5.0 metres and that of a two-storey structure (garage) is limited to 7.6 metres.</p>



Proposed Zoning By-law Amendment	Staff Explanation
<p>Amend Section 3.1 (g) (i) d) (Boathouses), as follows:</p> <p>From:</p> <p style="padding-left: 40px;"><i>d) Maximum height 6 metres</i></p> <p>Replace with:</p> <p>d) Maximum height 5 meters.</p> <p>Delete Section 3.1 (g) (ii) Two storey boathouses in its entirety.</p>	<p>As detailed above, the amendments related to the height provisions for accessory structures and buildings are intended to eliminate inconsistencies throughout the By-law. This particular amendment removes the provisions for a 2-storey boathouse and amends the provisions regulating height for a one-storey boathouse to 5 metres. This change in the permitted height will still provide flexibility to builders while eliminating the potential for living space in a second storey. More generally, this amendment eliminates the possibility for permitting two-storey boathouses.</p>
<p>Amend Section 3.1 (h) “Garages or Other Accessory Buildings or Accessory Structures” as follows:</p> <p>Add new subsection after subsection ii):</p> <p><i>“iii) Height</i></p> <p><i>Notwithstanding any other provisions of this by-law to the contrary, a detached garage shall have a maximum height of 7.6 metres, provided all other applicable provisions of this by-law are met.”</i></p>	<p>This change will improve clarity regarding the height limitations for garages. Staff have indicated this is currently a grey area with no specific height except for the general “where a second storey is permitted the accessory building may be 8.5 metres in height”, which will be revised to 5 metres (3.1 c) except for garages.</p>



Proposed Zoning By-law Amendment	Staff Explanation
<p>Amend Section 3.1 (h) (i) (interior side yard for garages or other accessory buildings or accessory structures), as follows:</p> <p>Delete:</p> <p style="padding-left: 40px;"><i>“i) Interior Side Yard</i></p> <p><i>Where such accessory building or accessory structure is located in an interior side yard, and is 6 metres or less in height, the minimum setback to the interior side lot line shall be 1.5 metres.”</i></p> <p>Replace with:</p> <p style="padding-left: 40px;"><i>“i) Interior Side Yard</i></p> <p><i>Where such accessory building or accessory structure is located in an interior side yard, and is 5.0 metres or less in height, the minimum setback for the interior side lot line shall be 1.5 metres.”</i></p>	<p>As detailed above, the amendments related to the height provisions for accessory structures and buildings are intended to eliminate inconsistencies throughout the By-law.</p> <p>This particular amendment changes the height requirement embedded within the provision for interior side yard setback such that the height requirement is consistent with the height provision for single-storey accessory buildings and structures.</p>



Proposed Zoning By-law Amendment	Staff Explanation
<p>Amend Section 3.1 (h) (ii) (rear yard for garages or other accessory buildings or accessory structures), as follows:</p> <p>Delete:</p> <p><i>“ij) Rear Yard</i></p> <p><i>Where such accessory building or accessory structure is located in a rear yard and is 6 metres or less in height, the minimum setback to the rear lot line shall be 1.5 metres except, where the rear lot line abuts a municipally maintained road, it shall not be closer than 10 metres to the rear lot line.”</i></p> <p>Replace with:</p> <p><i>“ij) Rear Yard</i></p> <p><i>Where such accessory building or accessory structure is located in a rear yard and is 5.0 metres or less in height, the minimum setback to the rear lot line shall be 1.5 metres except, where the rear lot line abuts a municipally maintained road, it shall not be closer than 10 metres to the rear lot line.”</i></p> <p>Delete Section 3.1 (k) (v) - for the purpose of determining the number of Guest Cabins on a lot, the second storey of a habitable boathouse or other accessory building shall be considered a Guest Cabin;</p> <p><i>Replace with: Section 3.1 (k) v) :</i></p> <p><i>For the purpose of determining the number of Guest Cabins on a lot, the second storey of a habitable boathouse that existed as of January 1, 2023, or other accessory building shall be considered a Guest Cabin;,”</i></p>	<p>As detailed above, the amendments related to the height provisions for accessory structures and buildings are being recommended to fix inconsistencies throughout the By-law.</p> <p>This particular amendment changes the height requirement embedded within the provision for rear yard setback such that the height requirement is consistent with the height provision for single-storey accessory buildings and structures.</p> <p>To acknowledge existing two storey boathouses permitted as per previous bylaw.</p>



Proposed Zoning By-law Amendment	Staff Explanation
<p>Amend Section 3.1 (accessory buildings, structures and uses) by adding a new subsection (l), after subsection (k) as follows:</p> <p>Add: <i>“l) Shoreline Saunas</i></p> <p><i>A Shoreline Sauna is a permitted accessory building which may be located in any required front yard of a lot abutting a shoreline provided:</i></p> <ul style="list-style-type: none"> <i>i) Minimum setback of 4.5 metres is maintained from the normal or maintained high water mark;</i> <i>ii) A minimum setback of 4.5 metres is maintained from the side lot lines;</i> <i>iii) The structure does not exceed 10 square metres in floor area;</i> <i>iv) The height of the structure does not exceed 4.2 metres; and</i> <i>v) Approval is obtained from any government agency having jurisdiction.”</i> 	<p>To provide clarity and include provisions for Shoreline Saunas as permitted accessory buildings. Including provisions for shoreline saunas such as minimum setbacks is important due to the fact that they may pose unique safety issues for adjoining property owners (e.g., external fireplaces) and these structures generally do not require building permit due to minimal (less than 10 m²) floor area.</p>



Amend Section 3.6 as follows:

Delete: *“3.6 Dwelling Units on a Lot*

Unless specified elsewhere in this By-law, no more than one dwelling unit shall be permitted on a lot.

For the purposes of determining the number of dwelling units on a lot, the second storey of a habitable boathouse, where equipped with cooking and sanitary facilities shall be considered as a second dwelling unit.

On the lands abutting a navigable waterway, where a lot has at least 19- metres of frontage, a second dwelling unit is permitted provided that there is not more than one sleeping cabin on the lot”.

Replace with: *“3.6 Additional Dwelling Units*

Additional Dwelling Units are permitted within the Rural Residential (RR) Zone; the Shoreline Residential (RS) Zone; the Village Residential (RV) Zone; the Multiple Residential (RM) Zone; the Residential Mobile Home (RMH) Zone; and the Rural (RU) Zone.

A maximum of two (2) Additional Dwelling Units (one (1) attached and one (1) detached) may be permitted in association with a single detached dwelling, semi-detached dwelling, or townhome dwelling in accordance with the regulations specified by the Zone category in which the Additional Dwelling Unit is permitted. For the purposes of determining the number of dwelling units on a lot, the second storey of an existing habitable boathouse, where equipped with cooking and sanitary facilities shall be considered as an Additional Dwelling Unit (detached).

a) Additional Dwelling Unit (Attached)

- i) A maximum of one Additional Dwelling Unit (attached) shall be permitted within the same building as a single detached dwelling or semi-*

This amendment ensures that the Zoning By-law conforms to the requirements of the *Planning Act* which were put into effect by Bill 108.

The Council of each local municipality is required to ensure that the by-laws passed under section 34 give effect to the above-mentioned policies. The Official Plan currently permits accessory apartments and garden suites in all designations that permit a residential use as long as adequate access (roads), sewage, and water service capacity are available. In order to conform with the changes made under Bill 108, a housekeeping amendment to the Zoning By-law is necessary to bring these policies into effect.

<p><i>detached dwelling, with or without an Additional Dwelling Unit (detached);</i></p> <p><i>ii) The Additional Dwelling Unit (attached) shall be built in accordance with all relevant regulations within both the Building Code and Fire Code;</i></p> <p><i>iii) The owner of the principal dwelling shall demonstrate to the satisfaction of the North Bay Mattawa Conservation Authority (or alternative) that the individual sewage disposal system has sufficient capacity to accommodate the additional flows from the unit;</i></p> <p><i>iv) The gross floor area of the Additional Dwelling Unit (attached) shall be limited to a minimum of 450 sq ft to a maximum of 50 percent of the gross floor area of the primary dwelling unit, measured prior to the development of the Additional Dwelling Unit (attached).</i></p> <p><i>v) An Additional Dwelling Unit (attached) shall only be accessed via an existing residential vehicular entrance;</i></p> <p><i>vi) An Additional Dwelling Unit (attached) shall not be permitted within the regulated floodplain area; and</i></p> <p><i>vii) A minimum of one (1) parking space shall be provided for the exclusive use of the occupier(s) of the secondary dwelling unit.</i></p> <p><i>b) Additional Dwelling Unit (Detached)</i></p> <p><i>i) The Additional Dwelling Unit (detached) shall only be permitted in whole or in part of a building which is accessory to, and subordinate to a single detached dwelling, or semi-detached dwelling, on the same lot, and with or without one Additional Dwelling Unit (attached);</i></p> <p><i>ii) On the lands abutting a navigable waterway, where a lot has at least 180 metres of frontage, an additional dwelling unit (detached) is permitted in a rear yard, provided that there is not more than one (1) sleeping cabin on the lot;</i></p>	
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<ul style="list-style-type: none"> iii) <i>Where two (2) or more single detached dwellings exist upon a lot, an Additional Dwelling Unit (detached) is not permitted within an accessory structure;</i> iv) <i>An Additional Dwelling Unit (detached) may not be located more than 50 metres from the Principal or Main Building;</i> v) <i>The Additional Dwelling Unit (detached) may not be larger than 70% of the ground floor area of the principal dwelling unit;</i> vi) <i>The maximum height of the Additional Dwelling Unit (detached) shall be 9.0 metres;</i> vii) <i>An Additional Dwelling Unit (detached) shall not be permitted within the regulated floodplain area;</i> viii) <i>The Additional Dwelling Unit (detached) shall not be severed from the lot containing the single detached dwelling, or semi-detached dwelling;</i> ix) <i>A minimum of one (1) parking space shall be provided for the exclusive use of the occupier(s) of the Additional Dwelling Unit (detached);</i> x) <i>MDS I shall apply to any new Additional Dwelling Unit (detached);</i> xi) <i>The Additional Dwelling Unit (detached) shall be built in accordance with all relevant regulations of both the Building Code and Fire Code;</i> xii) <i>The owner of the principal dwelling shall demonstrate to the satisfaction of the North Bay Mattawa Conservation Authority (or alternative) that the individual sewage disposal system has sufficient capacity to accommodate the additional flows from the unit;</i> xiii) <i>The additional Dwelling Unit (detached) shall be placed upon a permanent footing/foundation; and,</i> xiv) <i>Tenants of an Additional Dwelling Unit (detached) must not be required to access the unit through the primary dwelling unit. As</i> 	
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Proposed Zoning By-law Amendment	Staff Explanation
<p><i>such, an Additional Dwelling Unit (detached) must have direct pedestrian access from a public street or laneway. A direct pedestrian access may be by an unobstructed walkway that is built in accordance with the requirements of the Accessibility for Ontarians with Disabilities Act.”</i></p>	
<p>Amend Section 3 “General Provisions” by adding a new subsection (3.1# – Hunt Camps) after Section 3.11 “Home Industry” as follows:</p> <p><i>“3.1# Hunt Camps</i></p> <p><i>Hunt camps are permitted in the Rural (RU) Zone subject to the following:</i></p> <ul style="list-style-type: none"> <i>i. A minimum floor area of 10 square metres;</i> <i>ii. A maximum lot coverage of 50 square metres;</i> <i>iii. A maximum height of 5 metres;</i> <i>iv. A maximum floor area of 65 square metres (approx. 700 sq ft);</i> <i>v. A hunt camp must be a minimum of 100 metres from an existing dwelling or public road;</i> <i>vi. A hunt camp shall not include servicing (septic system or well);</i> <i>vii. A hunt camp is only permitted where a building permit for a dwelling unit is not available; and</i> <i>viii. The provision of municipal road services on unopened road allowances or private rights-of-way will not be available.</i> 	<p>To include general provisions for Hunt Camps in the Zoning By-law including a maximum floor area of 700 square metres.</p> <p>The majority of these provisions were also included in the draft Zoning By-law as part of the comprehensive review/update.</p>



Amend Section 3 (General Provisions) by adding a new subsection (3.3# – Tiny Homes) after subsection 3.32 (Trailers and Campers) as follows:

Add: "3.3# *Tiny Homes*

A tiny home may be located on a Residential property in accordance with the following:

- i. No tiny home shall be smaller than 17.5 m² (188ft²), which is the minimum required size set out in the Ontario Building Code;*
- ii. A tiny home shall not exceed 50 m² (538 ft²);*
- iii. The structure must be located on permanent foundations with the running gear and towing equipment removed;*
- iv. If the space is to be designed as an open concept, meet the minimum requirements, set out in Table X (A);*
- v. If the space is to be divided by walls, each room/space must meet the minimum sizes for rooms and spaces, set out in Table X (B);*
- vi. A tiny home must also have necessary servicing such as water and sewage;*
- vii. A tiny home must comply with the health and safety requirements of the Ontario Building Code; and*
- viii. A tiny home may be occupied by any person regardless of whether the primary residential unit is occupied by the owner of the property.*

With the increasing popularity of Tiny Homes, it is important to include regulations in the Zoning By-law to ensure that issues of proper servicing, health and safety are addressed during development.



Table X (A). Minimum space requirements for open-concept design.

Room or space:	Minimum required floor area:	
<i>Combined sleeping, living and dining areas and kitchen space</i>	<i>13.5 m² (145 ft²)</i>	
<i>Bathroom</i>	<i>Enough space for sink, toilet and shower stall or bath. Could be as little as 3.0 m² (32 ft²)</i>	
<i>Laundry</i>	<i>1.0 m² (11 ft²)</i>	

Relevant Building Code provisions – Division B, Subsections 9.5.4 to 9.5.9 and 9.31.4.2



Proposed Zoning By-law Amendment	Staff Explanation																
<p>Table X (B). Minimum sizes for separated spaces.</p> <table border="1" data-bbox="164 510 797 1633"> <thead> <tr> <th data-bbox="164 510 550 669">Room or space:</th> <th data-bbox="550 510 797 669">Minimum required floor area:</th> </tr> </thead> <tbody> <tr> <td data-bbox="164 669 550 743"><i>Living Area</i></td> <td data-bbox="550 669 797 743"><i>13.5 m² (145 ft²)</i></td> </tr> <tr> <td data-bbox="164 743 550 1039"><i>Dining Area</i></td> <td data-bbox="550 743 797 1039"><i>Enough space for sink, toilet and shower stall or bath. Could be as little as 3.0 m² (32 ft²)</i></td> </tr> <tr> <td data-bbox="164 1039 550 1113"><i>Kitchen</i></td> <td data-bbox="550 1039 797 1113"><i>1.0 m² (11 ft²)</i></td> </tr> <tr> <td data-bbox="164 1113 550 1247"><i>Combined living, dining and kitchen areas in a one-bedroom unit</i></td> <td data-bbox="550 1113 797 1247"><i>11 m² (118.4 ft²)</i></td> </tr> <tr> <td data-bbox="164 1247 550 1337"><i>Master bedroom (without built-in closet)</i></td> <td data-bbox="550 1247 797 1337"><i>9.8m² (95 ft²)</i></td> </tr> <tr> <td data-bbox="164 1337 550 1428"><i>Other bedrooms (without built-in closet)</i></td> <td data-bbox="550 1337 797 1428"><i>7 m² (75 ft²)</i></td> </tr> <tr> <td data-bbox="164 1428 550 1633"><i>Bathroom</i></td> <td data-bbox="550 1428 797 1633"><i>Enough space for sink, toilet and shower stall or bath</i></td> </tr> </tbody> </table> <p><i>Relevant Building Code provisions – Division B, Subsections 9.5.4 to 9.5.9 and 9.31.4.2”</i></p>	Room or space:	Minimum required floor area:	<i>Living Area</i>	<i>13.5 m² (145 ft²)</i>	<i>Dining Area</i>	<i>Enough space for sink, toilet and shower stall or bath. Could be as little as 3.0 m² (32 ft²)</i>	<i>Kitchen</i>	<i>1.0 m² (11 ft²)</i>	<i>Combined living, dining and kitchen areas in a one-bedroom unit</i>	<i>11 m² (118.4 ft²)</i>	<i>Master bedroom (without built-in closet)</i>	<i>9.8m² (95 ft²)</i>	<i>Other bedrooms (without built-in closet)</i>	<i>7 m² (75 ft²)</i>	<i>Bathroom</i>	<i>Enough space for sink, toilet and shower stall or bath</i>	
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Proposed Zoning By-law Amendment	Staff Explanation
<p>Section 3.32 “Trailer and Campers” is hereby deleted and replaced with the following:</p> <p><i>“3.3# Trailers and Campers</i></p> <p><i>One tent trailer, a travel trailer or a truck camper may be located and used on a vacant lot for recreational use, within the Rural (RU), Agricultural (A) and Rural Residential (RR) Zones, where the trailer is licensed by the Municipality and;</i></p> <ul style="list-style-type: none"> <i>i) it is not located within 30 metres of the shoreline;</i> <i>ii) the appropriate sanitary facilities are provided on site in accordance with the requirements for a habitable building; and,</i> <i>iii) the trailer or truck camper is roadworthy and is legally capable of being towed on a public roadway.”</i> 	<p>This provision has been altered slightly from the current provision – the section that permits accessory structures such as decks has been removed in order to reflect the temporary nature of the habitable trailer use.</p>



Amend Section 3.27 to highlight the common term “shipping” as well as including parameters on buffering and aesthetics,

Storage containers shall only be permitted within the following zones: Rural (RU), Rural Residential (RR), Agricultural (A), General Industrial (MX), Extractive Industrial (MX), Disposal Industrial (MD), Institutional (I) and General Commercial (CG). Notwithstanding the provisions of this By-law, storage containers shall adhere to the provisions of Section 3 (Accessory Buildings, Structures and Uses) and shall be used exclusively for the storage of goods and materials and may not be used to accommodate work areas, shops, office uses or retail sales. Storage containers shall not be permitted to locate within the front yard or exterior side yard.

Replace with:

“3.## Storage / Shipping Containers

Storage/shipping containers shall only be permitted within the following zones: Rural (RU), Rural Residential (RR), Agricultural (A), General Industrial (MX), Extractive Industrial (MX), Disposal Industrial (MD), Institutional (I) and General Commercial (CG).

Notwithstanding the provisions of this By-law, storage containers shall adhere to the provisions of Section 3 (Accessory Buildings, Structures and Uses) and shall be used exclusively for the storage of goods and materials and may not be used to accommodate work areas, shops, office uses or retail sales. Storage containers shall not be permitted to locate within the front yard or exterior side yard.”

Storage/Shipping Containers shall be subject to the following regulations:



<ul style="list-style-type: none">i) <i>A shipping or storage container shall be permitted as an accessory building within Municipality in accordance with the following:</i>ii) <i>The container shall be restricted to storage only. It shall not be used as a dwelling or for any gainful occupation.</i>iii) <i>The container meets all provisions of Section 3.1 of this By-law.</i>iv) <i>A maximum of one (1) container shall be permitted within Residential Zones.</i>v) <i>A maximum of two (2) containers shall be permitted within Commercial and Industrial Zones.</i>vi) <i>Containers shall not be stacked on top of another.</i>vii) <i>Containers shall not exceed the length of 12 metres.</i>viii) <i>Containers shall comply with the Ontario Building Code, where applicable.</i>ix) <i>Containers shall be buffered from adjacent properties with a visual barrier, either fence or tree line, to the same height of the container.</i>x) <i>Shall be maintained in good condition free from rust, peeling paint and any other form of visible deterioration."</i>	
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Proposed Zoning By-law Amendment	Staff Explanation
<p>Amend Section 3 (General Provisions) by adding a new subsection 3.3# (Short Term Accommodations) after subsection new 3.3# Tiny Homes as follows:</p> <p><i>“3.3# Short Term Accommodations</i></p> <p><i>One Short Term Accommodation per property, as defined herein and within the Municipality, and may be permitted within the Agricultural (A), Rural (RU), Rural Residential (RR), Shoreline Residential (RS) and Village Residential (RV) Zones and shall be subject to a licensing system under the Municipal Act.</i></p>	<p>With the increasing popularity of Short-term Accommodations (e.g., Air BnB) it is important to include provisions for this particular land use in the Zoning By-law and to differentiate this land use from similar land uses such as Bed and Breakfast Establishments and hotels due to the (potential) distinct land use impacts within residential areas (noise, traffic, garbage, etc.).</p>



Proposed Zoning By-law Amendment	Staff Explanation
<p>Amend Section 4.2.3 (Additional Dwelling Units) as follows:</p> <p>Delete: <i>“4.2.3 Additional Dwelling Units</i></p> <p><i>Where a lot has at least 180 metres of frontage on Lake Ahmic, Cecebe Lake or the Magnetawan River a second dwelling unit is permitted.”</i></p> <p>Replace with: <i>“4.2.3 Additional Dwelling Units</i></p> <ul style="list-style-type: none"> <i>i) Where a lot has at least 180 metres of frontage on a waterbody, including Lake Ahmic, Cecebe Lake or the Magnetawan River, an Additional Dwelling Unit (detached) is permitted in the rear yard subject to the provisions of Section 3.6 (b);</i> <i>ii) Additional Dwelling Units (detached) are not permitted within shoreline storage structures (i.e., boathouses);</i> <i>iii) Additional Dwelling Units (attached) are permitted subject to the provisions of Section 3.6 (a).</i> 	<p>The provision limiting Additional Dwelling Units (detached) to lots on Lake Ahmic, Cecebe Lake or the Magnetawan River with at least 180 metres of frontage was revised to be more generally inclusive of any waterfront lot since all waterfront properties have similar considerations with respect to land use impacts within the shoreline environment. This section was also amended to only permit detached Additional Dwelling Units within the rear yard of a lot with a frontage of at least 180 metres.</p> <p>The provision was also revised to specifically prohibit Additional Dwelling Units within shoreline storage buildings such as boathouses. If a lot has less than 180 metres of frontage, the by-law will only permit an Additional Dwelling Unit (attached).</p> <p>These amendments also require the addition of a definition for the Term “Shoreline Storage Structure” (Please see proposed amendments to Section 5 of the Zoning By-law, Definitions).</p>



Proposed Zoning By-law Amendment	Staff Explanation
<p>Amend Section 5 (Definitions), Term 23 (Bed and Breakfast Establishment) as follows:</p> <p><i>Delete:</i></p> <p><i>“A detached dwelling wherein no more than 3 guest rooms are made available for temporary accommodation of the traveling or vacationing public. Such an establishment may offer light meals to those persons temporarily residing at the establishment. A Bed and Breakfast Establishment shall not include a restaurant or a Tourist Establishment.”</i></p> <p>Replace with:</p> <p><i>“A detached dwelling wherein no more than 3 guest rooms are made available for temporary accommodation of the traveling or vacationing public. Such an establishment may offer light meals to those persons temporarily residing at the establishment. A Bed and Breakfast Establishment shall not include a restaurant, a Tourist Establishment or Short-term Accommodation.”</i></p>	<p>This amendment of the definition of Bed and Breakfast Establishment is to ensure that Short Term Accommodations are excluded from the definition of Bed and Breakfast so that these land uses can be differentiated from one another.</p> <p>This also ensures that Short Term Accommodations are not necessarily permitted where Bed and Breakfast Establishments are permitted. This is necessary since Short Term Accommodations are usually located in residential neighbourhoods and have unique land use impacts.</p>

Amend Section 5 (Definitions), Term 67 (Dwelling Unit, Accessory) as follows:

Delete:

67	<i>Dwelling Unit, Accessory</i>	<i>A dwelling unit accessory to and located within or attached to a main building used for a permitted non-residential use on the same lot and occupied either by the owner of such lot or by a person employed thereon.</i>
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Replace with:

67	<i>Dwelling Unit, Additional (Attached)</i>	<i>A self-contained dwelling unit with kitchen and bathroom facilities within a single detached or semi-detached dwelling on the same lot that accommodates the primary dwelling unit.</i>
	<i>Dwelling Unit, Additional (Detached)</i>	<i>A self-contained dwelling unit with kitchen and bathroom facilities within an accessory building on the same lot that accommodates the primary single detached or semi-detached dwelling unit but does not include a boathouse.</i>

To complete the housekeeping amendments associated with regulating Additional Dwelling Units in the municipality, the definition of “accessory dwelling unit” requires revisions to differentiate between an “attached” and “detached” units as referred to in the regulations.



Amend Section 5 (Definitions), Term 109 (Hotel) as follows:

Delete:

109	Hotel	<p><i>A building, group of buildings of parts thereof that provide sleeping accommodation for the travelling public or for recreational purposes, with or without accessory restaurants, banquet halls, facilities for the temporary exhibition and sale of goods on an intermittent basis, dining rooms premises licensed under The Liquor License Act, and includes any establishment containing guest rooms which is defined as a "hotel" in the Hotel Registration of Guests Act, R.S.O. 1990, c.17, and shall also include a motel or hostel, but does not include any residential or rooming house use.</i></p>
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Replace with:

This recommended amendment of the definition of "Hotel" ensures that "Short Term Accommodations" are excluded from the definition of Hotel. This is necessary to differentiate these land uses from one another.

Short Term Accommodations are usually located in residential neighbourhoods and have unique land use impacts that need to be regulated through the Zoning By-law or licensing by-law (under the Municipal Act). By comparison, hotels are usually located in commercial areas where the land use impacts of short-term sleeping accommodations do not have the same impact on surrounding land use(s).



Proposed Zoning By-law Amendment				Staff Explanation
	109	Hotel	<p><i>A building, group of buildings or parts thereof that provide sleeping accommodation for the travelling public or for recreational purposes, with or without accessory restaurants, banquet halls, facilities for the temporary exhibition and sale of goods on an intermittent basis, dining rooms premises licensed under The Liquor License Act, and includes any establishment containing guest rooms which is defined as a "hotel" in the Hotel Registration of Guests Act, R.S.O. 1990, c.17, and shall also include a motel or hostel, but does not include any residential or rooming house use or short term accommodation use, as defined in this By-law.</i></p>	



Proposed Zoning By-law Amendment	Staff Explanation						
<p>Amend Section 5 (Definitions), Term 141 (Mobile Home) as follows:</p> <p>Delete:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-bottom: 10px;"> <tr> <td style="width: 10%; text-align: center; vertical-align: middle;">141</td> <td style="width: 15%; text-align: center; vertical-align: middle;"><i>Mobile Home</i></td> <td style="padding: 5px;"><i>Any dwelling that is designed to be mobile and constructed or manufactured to provide a permanent residence for one or more persons certified in accordance with C.S.A. Standard Z240 or 241, but does not include a travel trailer or tent trailer or trailer otherwise designed.</i></td> </tr> </table> <p>Replace with:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; text-align: center; vertical-align: middle;">141</td> <td style="width: 15%; text-align: center; vertical-align: middle;"><i>Mobile Home</i></td> <td style="padding: 5px;"><i>Any dwelling that is designed to be mobile and constructed or manufactured to provide a permanent residence for one or more persons certified in accordance with C.S.A. Standard Z240 or 241, but does not include a tiny home, travel trailer or tent trailer or trailer otherwise designed.</i></td> </tr> </table>	141	<i>Mobile Home</i>	<i>Any dwelling that is designed to be mobile and constructed or manufactured to provide a permanent residence for one or more persons certified in accordance with C.S.A. Standard Z240 or 241, but does not include a travel trailer or tent trailer or trailer otherwise designed.</i>	141	<i>Mobile Home</i>	<i>Any dwelling that is designed to be mobile and constructed or manufactured to provide a permanent residence for one or more persons certified in accordance with C.S.A. Standard Z240 or 241, but does not include a tiny home, travel trailer or tent trailer or trailer otherwise designed.</i>	<p style="margin-top: 100px;">Many tiny homes are designed to be mobile with wheels and landing gear. Amending the definition of “Mobile Home” helps to discern a Tiny Home from a Mobile Home, and ensure that Tiny Homes are not considered Mobile Homes. Tiny Homes are permitted wherever residential uses are permitted and should not be restricted to the Residential Mobile Home (RMH) Zone.</p> <p style="margin-top: 100px;">The general provisions regarding Tiny Homes require that the structure is located on permanent foundations with the running gear and towing equipment removed.</p>
141	<i>Mobile Home</i>	<i>Any dwelling that is designed to be mobile and constructed or manufactured to provide a permanent residence for one or more persons certified in accordance with C.S.A. Standard Z240 or 241, but does not include a travel trailer or tent trailer or trailer otherwise designed.</i>					
141	<i>Mobile Home</i>	<i>Any dwelling that is designed to be mobile and constructed or manufactured to provide a permanent residence for one or more persons certified in accordance with C.S.A. Standard Z240 or 241, but does not include a tiny home, travel trailer or tent trailer or trailer otherwise designed.</i>					

Amend Section 5 (Definitions), by adding a new Term (Shoreline Storage Building) after Term 222 (Sewage) as follows:

Add:

223	Shoreline Storage Building	<p><i>A shed, boathouse, dryland boathouse, boatport or other similar storage building used for the berthing or sheltering of watercraft, watercraft related equipment, or the safekeeping of personal items, which is built or anchored near the shoreline of a navigable waterway or on land. For the purposes of this definition, a shoreline storage building shall not include living quarters for human habitat and shall not be used for the storage of motor vehicles, other than watercrafts. The maximum height of a shoreline storage building shall be 5 metres except where otherwise permitted. A gazebo, pumphouse,</i></p>
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The addition of a new Term (“Shoreline Storage Building”) and its associated definition is necessary to ensure that the regulations that were added (above) regarding the prohibition of Additional Dwelling Units (detached) in shoreline structures is clear.



Proposed Zoning By-law Amendment				Staff Explanation
			<i>or sauna shall not be considered as a shoreline storage building.</i>	



Proposed Zoning By-law Amendment	Staff Explanation			
<p>Section 5 (Definitions), Term 2## (Short Term Accommodation) is hereby added after Term 223 (Shoreline Storage Building) (and the rest of the Terms thereafter re-numbered), as follows:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width: 10%; text-align: center; vertical-align: middle;">224</td> <td style="width: 20%; text-align: center; vertical-align: middle;"><i>Short-term Accommodation</i></td> <td style="padding: 5px;"> <p><i>Means the commercial use of a residential Dwelling Unit that offers a place of accommodation or temporary residence, or occupancy by way of concession, permit, lease, license, rental agreement or similar arrangement whether written or verbal, for no fewer than twenty-eight (28) consecutive calendar days throughout all or part of the year. Short-term Accommodation uses shall not mean a motel, hotel, bed and breakfast establishment, tourist establishment, tourist cabin establishment, or similar commercial accommodation use.</i></p> </td> </tr> </table>	224	<i>Short-term Accommodation</i>	<p><i>Means the commercial use of a residential Dwelling Unit that offers a place of accommodation or temporary residence, or occupancy by way of concession, permit, lease, license, rental agreement or similar arrangement whether written or verbal, for no fewer than twenty-eight (28) consecutive calendar days throughout all or part of the year. Short-term Accommodation uses shall not mean a motel, hotel, bed and breakfast establishment, tourist establishment, tourist cabin establishment, or similar commercial accommodation use.</i></p>	
224	<i>Short-term Accommodation</i>	<p><i>Means the commercial use of a residential Dwelling Unit that offers a place of accommodation or temporary residence, or occupancy by way of concession, permit, lease, license, rental agreement or similar arrangement whether written or verbal, for no fewer than twenty-eight (28) consecutive calendar days throughout all or part of the year. Short-term Accommodation uses shall not mean a motel, hotel, bed and breakfast establishment, tourist establishment, tourist cabin establishment, or similar commercial accommodation use.</i></p>		

Proposed Zoning By-law Amendment	Staff Explanation			
<p>Section 5 (Definitions), Term 2## (Tiny Home) is hereby added after renumbered Term 249 (Theatre) (and the rest of the Terms thereafter re-numbered), as follows:</p> <table border="1" data-bbox="183 600 792 936"> <tr> <td data-bbox="183 600 277 936">250</td> <td data-bbox="277 600 410 936">Tiny Home</td> <td data-bbox="410 600 792 936">A ground-oriented permanent dwelling that is detached, and non-motorized, small in size (less than 50m²) and using a compact design.</td> </tr> </table>	250	Tiny Home	A ground-oriented permanent dwelling that is detached, and non-motorized, small in size (less than 50m ²) and using a compact design.	
250	Tiny Home	A ground-oriented permanent dwelling that is detached, and non-motorized, small in size (less than 50m ²) and using a compact design.		

5.0 Recommendations

That the proposed housekeeping amendments, in accordance with the draft by-law attached to this report, be **approved**.

Respectfully Submitted,

ECOVUE CONSULTING SERVICES INC.



J. Kent Randall B.E.S. MCIP RPP
Township Planning Consultant




Sarah Bale M.Sc., M.E.S. (Planning)
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