

Municipality of Chatham-Kent

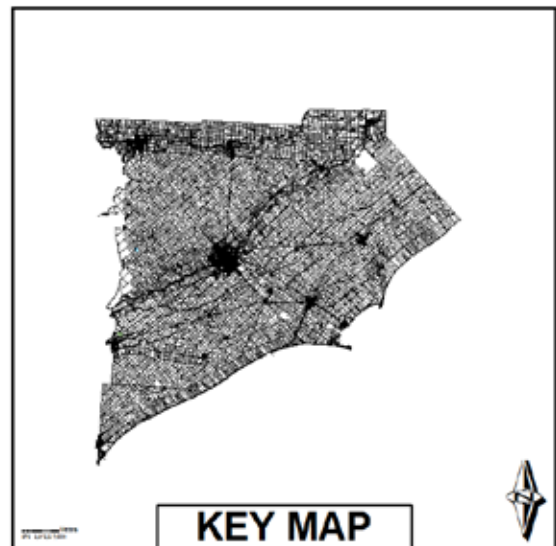
Community Development

Planning Services

To: Mayor and Members of Council
From: Bruce McAllister, Director, Planning Services
Date: January 8, 2018
Subject: Planning Services Report

Application Details

Application: Zoning By-law Amendment Application (File D-14 C/47/17/C)
CityView #: PL201700184
Applicants: Municipality of Chatham-Kent
Location: All of Chatham-Kent



Recommendation

It is recommended that:

1. Zoning By-law Amendment File D-14 C/47/17/C pertaining to housing and room rentals, be approved, and the implementing by-law adopted.

Description of Proposal

In early 2017, Council directed that Administration undertake a specific review of its current by-laws and regulations regarding housing and room rentals, in an effort to harmonize the approach of the requirements with the Zoning By-law, Ontario Building Code, Fire Code and Licensing.

For example:

- Entire dwellings, apartment units or secondary units that are rented as a whole, either short or long term (i.e. traditional rentals or internet rentals such as through AirBnB, VRBO, Kijiji, etc.); and,
- Rooms within a dwelling unit that are rented on an individual basis that do not have both bathrooms and kitchen facilities for the exclusive use of individual occupants (i.e. Lodging Houses/Boarding Houses).

Zoning By-law, Ontario Building Code and the Human Rights Code

At present, the current definitions in the Zoning By-law and Ontario Building Code make it difficult to distinguish between a single dwelling unit and a lodging/boarding house. The Zoning By-law is also silent on entire dwelling rentals. As currently defined, Lodging/boarding houses are not a permitted use as-of-right in any zone in Chatham-Kent. Only a few are permitted on a site-specific basis and these few are also subject to the Municipality's Consolidated Business Licensing By-law.

It was determined through a series of administrative meetings and consultation with the public that the primary source of complaints was not from rental properties in general, but rather with the behaviour of occupants in certain non owner occupied rental properties sometimes incorrectly described as 'lodging or boarding houses'. This creates a dilemma from a planning perspective because land use controls cannot be used to 'people zone'.

Under the Planning Act, municipalities must "zone for land use, not for people". For example, zoning cannot be used to regulate the people who use a property and how they live. Regulating housing and room rentals is extremely challenging, as inevitably, all types of residential rental units become captured by the review. For example, from a land use perspective, there may be very little difference between a five bedroom single detached home that is rented and occupied by a family; a five bedroom single detached home rented to a group of students or temporary workers; or a five bedroom single detached home where each bedroom is rented individually. Whether the occupants are related or not, or live together operating as a single housekeeping unit or do not interact at all with each other cannot be regulated via zoning.

In addition, housing is recognized internationally as a fundamental and universal human right. The Ontario Human Rights Code aims to protect and promote human rights and ensure that every individual has the right to equal treatment, including equal opportunity to access housing and the benefits associated with it, without discrimination.

In Ontario, the Human Rights Code takes precedence over all other legislation unless the legislation specifically states differently.

Land use controls can only be applied to the use of land and physical characteristics of property development. Life safety, such as building and fire code compliance, have

been identified as the public interest in regulating the use of residential properties described as housing and room rentals, which can be further regulated through licensing or other regulatory measures. Therefore, municipalities must ensure that their by-laws, processes, and decisions respecting shared housing do not target or disproportionately affect groups protected by the Human Rights Code, but rather should focus on regulating life safety aspects.

Chatham-Kent is not alone in trying to address the impact that housing and room rental accommodation dwellings have on neighbours and on neighbourhoods. A series of significant court cases from different municipalities have affected the scope of what a municipality can accomplish under its licensing and zoning by-laws. In general, these court decisions have not been helpful for municipalities and/or have arisen from fact situations that are not even present in Chatham-Kent. The courts have lessened the distinction between lodging houses and single housekeeping units; therefore, making it difficult for the Municipality to only license lodging houses.

At the December 11, 2017 Council meeting, Council was presented with a report from Administration on the "[Regulatory Review of Housing and Room Rentals](#)", which outlined a proposed regulatory approach that would amend several municipal by-laws, including the Zoning By-law. At the meeting, Council passed the following motion:

That the proposed zoning measures presented in this report pertaining to rental dwelling units be received and that Administration be directed to proceed with the formal public notice in accordance with the Planning Act for the recommended amendments to the Zoning By-law, with consideration of adoption at a subsequent Planning Meeting of Council.

Therefore, this report and amending by-law formally brings forward the proposed Zoning By-law amendments for consideration of adoption that were initially presented at the December 11, 2017 Council Meeting.

Consultation

The report from Administration on the "[Regulatory Review of Housing and Room Rentals](#)" presented to Council on December 11, 2017 documented the public and internal consultation that was undertaken in the development of the recommended regulatory changes.

Areas of Strategic Focus and Critical Success Factors

The recommendation in this report supports the following areas of strategic focus:

- Economic Prosperity:
Chatham-Kent is an innovative and thriving community with a diversified economy

- A Healthy and Safe Community:
Chatham-Kent is a healthy and safe community with sustainable population growth
- People and Culture:
Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community
- Environmental Sustainability:
Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendation in this report supports the following critical success factors:

- Financial Sustainability:
The Corporation of the Municipality of Chatham-Kent is financially sustainable
- Open, Transparent and Effective Governance:
The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership
- Has the potential to support all areas of strategic focus & critical success factors
- Neutral issues (does not support negatively or positively)

Planning Analysis

- Provincial Policy Statement (PPS):
The proposal is consistent with the PPS
- Chatham-Kent Official Plan:
The proposal conforms to the Chatham-Kent Official Plan

Provincial Policy Statement (PPS)

The proposed Zoning By-law Amendment is consistent with the PPS; specifically, the Housing policies contain in Section 1.4.

Official Plan

When considering regulatory changes with regard to housing, serious consideration needs to be given to the objectives and policies contained in Chatham-Kent's Official Plan, which read as follows.

Housing Vision Statement

To provide residents of Chatham-Kent with a full range of housing choices that meet their diverse needs and promote a community of collaboration, acceptance, and pride. This range of housing includes accessible, affordable, safe and supportive housing.

Housing Objectives/Policies

- Plan for a diverse range of housing choices*
- Increase the supply of affordable housing*
- Promote, educate and create awareness of housing needs in Chatham-Kent*
- Improve and maintain the existing housing supply*
- Ensure the availability of emergency and transitional housing options for residents*
- Promote an expanding range of housing support services (in urban and rural areas).*

In support of these housing objectives and policies, the Municipality has also prepared a more detailed Housing and Homelessness Plan. Based on this, Health & Family Services, Employment & Social Services has provided the following comments on the housing need and affordability in Chatham-Kent:

It is the position of Employment & Social Services that amending the Chatham-Kent Licensing and Zoning By-laws to include “Lodging and Rooming Houses” is in the best interest of the community and in line with the Chatham-Kent Housing and Homelessness Committee’s commitment to a Housing First approach to end homelessness in Chatham-Kent. Additional municipal and provincial strategic directions further support this position.

The Municipality has identified a need for affordable and safe rental housing in CK, particularly for individuals living in poverty, post-secondary students, and temporary migrant workers. We believe that the creation and enforcement of a specific Lodging and Rooming By-Law can play a vital role in addressing that need. In addition to preventing homelessness, such a by-law will ensure this type of affordable housing meets existing standards and codes, therefore ensuring the safety of some of Chatham-Kent’s most vulnerable citizens and the well-being of Chatham-Kent neighbourhoods.

According to 2016 Census data, there were 16,915 people – or 17% of the Chatham-Kent population – living on low incomes in 2015, almost 3% and 2.5% higher than the national or provincial average, respectively. Of those who are living on low-incomes in Chatham-Kent, a full third are single individuals. These are individuals who must find

ways to pay for housing, food, and clothing on \$22,000 or less of after-tax income a year.

Not only are the average cost of market rent unaffordable on these low-incomes (\$518 for a bachelor and \$635 for a 1 bedroom), the available stock is increasingly limited and social housing waitlists are long. For example, in 2016, the average wait time for a one (1) bedroom social housing unit was 30 months.

Due to the high demand, low supply and increasing costs of housing for single individuals in Chatham-Kent, some low-income individuals are left with little choice but to spend their minimal income on accommodations at local motels at a higher cost than they can afford, leaving them with little money left over to pay for food or clothing. This puts additional pressure on community resources such as clothing and food banks who are struggling to meet the increased demand. Available motel rooms that are within the individual's budget are limited and often below standard.

Regulatory Approach

Administration undertook a review of how other municipalities have addressed housing and room rentals from a regulatory standpoint. Generally speaking, for those that have undertaken a recent review, the approach has been much more permissive in terms of zoning to ensure a more integrated approach for all types of housing and compliance with the Human Rights Code. In some of the larger urban centres with more resources, several have developed a comprehensive licensing system where all types of residential rental dwellings require business licences to some extent. In particular, the City of Peterborough just recently undertook a similar review. Administration had several conversations with Peterborough staff and the proposed regulatory approach is similar to what Peterborough has recently implemented with some exceptions based on local characteristics and differences in the existing regulatory documents.

For any regulatory environment to be useful, it must be easy to understand and enforceable. The current approach to enforcing room rentals through the Zoning By-law requires Administration to try to build evidence on how rent is collected, who actually resides in the units and how the occupants interact with each other. Trying to prove that a collection of individuals do or do not function as a "single housekeeping unit" is a challenging task, if at all possible.

Administration is recommending that the most effective approach is to regulate the use by the number of bedrooms in the dwelling unit. Bedrooms are a physical characteristic of a building that are the basis of all residential dwelling units. While not foolproof, because a "spare room" den or sewing room can easily be converted to a bedroom, it is more easily enforced than trying to determine who lives there and how they pay their rent.

Based on the foregoing, Administration is proposing the following approach through a combination of the Zoning and Licensing By-law amendments.

Rather than trying to distinguish between a whole-unit rental and rental by room scenario, it is proposed to introduce the following definitions to the Zoning By-law:

“Rental Dwelling Unit, Small” means a dwelling unit containing four bedrooms or less, which is rented either as a single housekeeping unit or where individual bedrooms are offered for rent. None of a bed and breakfast, group home, hotel, lodge, residential care facility or nursing home shall be considered a small rental dwelling unit.

“Rental Dwelling Unit, Large” means a dwelling unit containing five or more bedrooms, which is rented either as a single housekeeping unit or where individual bedrooms are offered for rent. None of a bed and breakfast, group home, hotel, lodge, residential care facility or nursing home shall be considered a large rental dwelling unit.

Although the Zoning By-law would introduce two separate definitions, it is proposed that both Small and Large Rental Dwelling Units be permitted in all Residential Zone categories, Institutional Zone and Commercial Zone categories that permit residential uses. The vast majority of dwelling units in the Municipality have four (4) bedrooms or less, which was also validated in the on-line survey. The proposed approach would allow any of these dwellings units to be rented, in whole or in part. This means, as an example, that both sides of a four (4) bedroom semi-detached could be rented by the bedroom or as a whole unit. It is not relevant if there is a single lease or four (4) leases. It is not relevant if the occupants operate the unit in a cooperative manner or with complete autonomy. In the proposed approach, the key distinction is when a dwelling has five (5) or more bedrooms (Large Rental Dwelling Unit) and rented either by the bedroom or as a whole unit. For Large Rental Dwelling Units a business license will be required, which will provide for annual inspections to ensure all life safety measures are in force. The key reason for this distinction is that a change-in-use is triggered under the Ontario Building Code when lodging for individual occupants is provided for more than four (4) persons. Therefore, requiring a business license for Large Residential Dwelling Units will ensure Code compliance. However, compliance with the Code may still be required in certain cases for Small Residential Dwelling Units.

In order to maintain land use compatibility and built form, it is important to note that while it is proposed to allow Rental Dwelling Units in all zones, the number of dwelling units and built form is still regulated by the particular zone category. For instance, in low density residential zones that only permit a single detached dwelling, only a single detached dwelling can be rented as a small or large rental dwelling unit i.e. a fourplex dwelling cannot be constructed in a zoning category that only permits single detached dwellings and subsequently rented as a rental dwelling unit. In addition, in terms of off-street parking requirements, it is proposed that one (1) space is required for the dwelling unit plus one (1) space for every two (2) bedrooms where individual bedrooms are offered for rent in a Large Rental Dwelling Unit. The required spaces may be provided as tandem parking.

Proposed Changes to the Zoning By-law

In an effort to coordinate the new proposed regulations for business licensing with the provisions of the Zoning By-law, the following changes are recommended to the Zoning By-law:

- a) Delete the current definitions of “**Boarding House**”, “**Boarding Room**”, “**Mixed Use Commercial/Residential Building**” and “**Rooming House**” from Section 3.0;
- b) Add the following definitions to Section 3.0 to provide clarity and consistency between the Zoning By-law and Licensing By-law:

“**Bedroom**” means a room, or area in a dwelling unit, or small or large rental dwelling unit, equipped, used or designed with the intended use for sleeping.

“**Lodger**” is a tenant who rents a bedroom in a small or large rental dwelling unit.

“**Mixed Use Commercial/Residential Building**” means a building containing on the ground or first floor a non-residential use permitted in the zone and a dwelling unit(s) or dwelling units, or a small or large rental dwelling unit above the non-residential use or behind the non-residential use. However, the residential use on the ground or first floor, may not be more than 50% of the gross floor area.

“**Rent**” means the remuneration or the provision of services, or both, paid or required to be paid by a tenant or lodger.

“**Rental Dwelling Unit, Small**” means a dwelling unit containing four bedrooms or less, which is rented either as a single housekeeping unit or where individual bedrooms are offered for rent. None of a bed and breakfast, group home, hotel, lodge, residential care facility or nursing home shall be considered a small rental dwelling unit.

“**Rental Dwelling Unit, Large**” means a dwelling unit containing five (5) or more bedrooms, which is rented either as a single housekeeping unit or where individual bedrooms are offered for rent. None of a bed and breakfast, group home, hotel, lodge, residential care facility or nursing home shall be considered a large rental dwelling unit.

“**Tenant**” means a person who rents and occupies space within a building or land.

- c) Section 4.12 Group Homes is deleted and replaced with the following:

GROUP HOMES, SMALL RENTAL DWELLING UNIT AND LARGE RENTAL DWELLING UNIT

Group Homes, Small Rental Dwelling Units and Large Rental Dwelling Units shall be permitted in certain Zones identified Section 5.0 of this By-law or in any Special Zones under those same Zone Categories. Group homes shall be permitted in any Residential Zone as identified in Section 5.0 of this By-law provided that all such group homes are located at least 300 m from any other group home. The minimum separation distance between group homes is measured from the closest points of the two properties at the property line.

In the Zone categories where a Small Rental Dwelling Unit and Large Rental Dwelling Unit are listed as a permitted use, they are permitted in any dwelling unit or mixed use commercial/residential building allowed in the Zone category and will be subject to provisions of the specific dwelling unit type.

d) Section 4.20 Loading and Parking.

| PERMITTED USE | MINIMUM PARKING SPACE REQUIREMENT |
|-----------------------------|--|
| Rental Dwelling Unit, Large | One space for the dwelling unit plus one (1) space for every two (2) bedrooms where individual bedrooms are offered for rent. The required spaces may be provided as tandem parking. |

e) Section 5.0 Zones. A Small Rental Dwelling Unit and Large Rental Dwelling Unit are added as permitted uses to the following Zones:

- RL – Residential Low Density
- RM – Residential Medium Density
- RH – Residential High Density
- RR – Rural Residential
- ER – Estate Residential
- VR – Village Residential
- RLR – Recreational and Lakeside Residential
- UC – Urban Commercial (Certain Sub Zones)
- VC – Village Commercial
- I – Institutional

A1 – Agricultural

Within the Other Provisions of each zone, the following is added:

The following regulations will apply to a Small or Large Rental Dwelling Unit:

- i. the provisions of Section 4.12 of this by-law apply.
- ii. minimum number of water closets, washbasins, bathtubs or showers is 1 per 5 lodgers
- iii. no cooking facilities shall be permitted in any bedroom or room other than a kitchen in a Rental Dwelling Unit.

Conclusion

The proposed zoning by-law amendment has been reviewed in the context of the Provincial Policy Statement, and the Chatham-Kent Official Plan and complies with these documents.

In an effort to coordinate the new proposed zoning regulations, if approved, proposed changes to the Chatham-Kent Business Licensing By-law will be considered at a future date, which proposes that only Large Rental Dwelling Units would need to obtain a business licence. As part of the overall regulatory approach, at the December 11, 2017 meeting, Council also approved amendments to the Municipal Noise By-law 41-2004 to extend prohibitions on amplified sound in residential areas and to the Municipal Nuisance By-law, 76-2015 to provide additional enforcement powers to Police relating to nuisance parties.

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Attachments: By-law to amend By-law 216-2009

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CORPORATION OF THE MUNICIPALITY OF CHATHAM-KENT

BY-LAW NO. -2018

A BY-LAW TO AMEND ZONING BY-LAW 216-2009

OF THE MUNICIPALITY OF CHATHAM-KENT

WHEREAS the Council of the Municipality of Chatham-Kent enacted By-law 216-2009 to regulate the use of land and the character, location and use of buildings and structures in the Municipality of Chatham-Kent on December 14, 2009 (Zoning By-law);

AND WHEREAS Council has determined that certain amendments be made to By-law 216-2009, to revise and update regulations pertaining to rental dwelling units;

AND WHEREAS the proposed amendments and updates to Zoning By-law 216-2009 conform with the general intent and purpose of the Municipality of Chatham-Kent Official Plan;

AND WHEREAS Council has the authority pursuant to Section 34 of the Planning Act R.S.O. 1990 Chapter P. 13, as amended, to pass amendments to the Zoning By-law;

NOW THEREFORE BE IT AND IT IS HEREBY ENACTED AS By-law No. ____-2018 of the Corporation of the Municipality of Chatham-Kent:

1. That Section 3 – Definitions, of By-law 216-2009, as amended, of the Municipality of Chatham-Kent, be amended by:
 - 1.1 Adding the following definition of “Bedroom”:

“Bedroom” means a room, or area in a dwelling unit, or small or large rental dwelling unit, equipped, used or designed with the intended use for sleeping.
 - 1.2 Deleting the definition of “Boarding House”.
 - 1.3 Deleting the definition of “Boarding Room”.
 - 1.4 Adding the following definition of “Lodger”:

“Lodger” means a tenant who rents a bedroom in a small or large rental dwelling unit.

- 1.5 Deleting and replacing the current definition of “Mixed Use Commercial/Residential Building”, with the following:

“Mixed Use Commercial/Residential Building” means a building containing on the ground or first floor a non-residential use permitted in the zone and a dwelling unit(s) or a small or large rental dwelling unit above the non-residential use or behind the non-residential use. However, the residential use on the ground or first floor, may not be more than 50% of the gross floor area.

- 1.6 Adding the following definition of “Rent”:

“Rent” means the remuneration or the provision of services, or both, paid or required to be paid by a tenant or lodger.

- 1.7 Adding the following definition of “Rental Dwelling Unit, Small”:

“Rental Dwelling Unit, Small” means a dwelling unit containing four bedrooms or less, which is rented either as a single housekeeping unit or where individual bedrooms are offered for rent. None of a bed and breakfast, group home, hotel, lodge, residential care facility or nursing home shall be considered a small rental dwelling unit.

- 1.8 Adding the following definition of “Rental Dwelling Unit, Large”:

“Rental Dwelling Unit, Large” means a dwelling unit containing five or more bedrooms, which is rented either as a single housekeeping unit or where individual bedrooms are offered for rent. None of a bed and breakfast, group home, hotel, lodge, residential care facility or nursing home shall be considered a large rental dwelling unit.

- 1.9 Deleting the definition of “Rooming House”.

- 1.10 Adding the following definition of “Tenant”:

“Tenant” means a person who rents and occupies space within a building or land.

2. That Section 4 – General Provisions For All Zones, of By-law 216-2009, as amended, of the Municipality of Chatham-Kent, be amended by:

- 2.1 Deleting and replacing Section 4.12 – Group Homes, with the following:

Group Homes, Small Rental Dwelling Unit, and Large Rental Dwelling Unit

Group Homes, Small Rental Dwelling Units and Large Rental Dwelling Units shall be permitted in certain Zones identified Section 5.0 of this By-law or in any Special Zones under those same Zone Categories.

In the Zone categories where a Small Rental Dwelling Unit and Large Rental Dwelling Unit are listed as a permitted use, they are permitted in any dwelling unit or mixed use commercial/residential building allowed in the Zone category and will be subject to provisions of the specific dwelling unit type.

- 2.2 Amending Section 4.20 – Loading and Parking, provision number (s), by:
 - 2.2.1 Deleting the words **“Boarding House”** and **“One space per three boarding rooms”**, in provision number (s).
 - 2.2.2 Adding the words **“Rental Dwelling Unit, Large”** and **“One space for the dwelling unit plus one space for every two bedrooms where individual bedrooms are offered for rent. The required spaces may be provided as tandem parking.”**
- 2.3 Amending Section 4.38 – Uses Restricted In All Zones, provision number (b) – Restricted Uses, by deleting provision number (xxi).
3. That Section 5 – Zones, of By-law 216-2009, as amended, of the Municipality of Chatham-Kent, be amended by:
 - 3.1 Amending Section 5.1 – Residential Low Density Zone (RL), by:
 - 3.1.1 Amending Section 5.1.1 – Uses Permitted, by:
 - 3.1.1.1 Adding the words **“Small Rental Dwelling Unit, Large Rental Dwelling Unit”** after the words “Group Home,” to Subsection (a) – RL1-E.
 - 3.1.1.2 Adding the words **“Small Rental Dwelling Unit, Large Rental Dwelling Unit”** after the words “Group Home,” to Subsection (b) – RL1.
 - 3.1.1.3 Adding the words **“Small Rental Dwelling Unit, Large Rental Dwelling Unit”** after the words “Group Home,” to Subsection (c) – RL2.
 - 3.1.1.4 Adding the words **“Small Rental Dwelling Unit, Large Rental Dwelling Unit”** after the words “Group Home,” to Subsection (d) – RL3.
 - 3.1.1.5 Adding the words **“Small Rental Dwelling Unit, Large Rental Dwelling Unit”** after the words “Group Home,” to Subsection (e) – RL4.
 - 3.1.1.6 Adding the words **“Small Rental Dwelling Unit, Large Rental Dwelling Unit”** after the words “Group Home,” to Subsection (f) – RL5.

- 3.1.1.7 Adding the words “**Small Rental Dwelling Unit, Large Rental Dwelling Unit**” after the words “Group Home,” to Subsection (h) – RL7.
- 3.1.1.8 Adding the words “**Small Rental Dwelling Unit, Large Rental Dwelling Unit**” after the words “Group Home,” to Subsection (i) – RL8.
- 3.1.2 Amending Section 5.1.2 – Regulations, by adding a new row to the Performance Standard Chart under Row “RL1-E; RL1; RL2; RL3; RL4; RL5; RL7; RL8-Group Home”, and:
 - 3.1.2.1 Adding the words “**RL1-E; RL1; RL2; RL3; RL4; RL5; RL7; RL8; Small Rental Dwelling Unit; Large Rental Dwelling Unit**” under Column “Permitted Uses”.
 - 3.1.2.2 Adding the words “**N/A**” under Column “Lot Area Minimum”.
 - 3.1.2.3 Adding the words “**N/A**” under Column “Lot Frontage Minimum”.
 - 3.1.2.4 Adding the words “**N/A**” under Column “Front Yard Depth Minimum”.
 - 3.1.2.5 Adding the words “**N/A**” under Column “Interior Side Yard Width Minimum”.
 - 3.1.2.6 Adding the words “**N/A**” under Column “Exterior Side Yard Width Minimum”.
 - 3.1.2.7 Adding the words “**N/A**” under Column “Rear Yard Depth Minimum”.
 - 3.1.2.8 Adding the words “**N/A**” under Column “Lot Coverage Maximum”.
 - 3.1.2.9 Adding the words “**One Rental Dwelling Unit**” under Column “Maximum Density per Lot”.
 - 3.1.2.10 Adding the words “**N/A**” under Column “Landscaped Open Space Minimum”.
 - 3.1.2.11 Adding the words “**N/A**” under Column “Maximum Building Height”.
 - 3.1.2.12 Adding the following words under Column “Other Provisions”

The following regulations will apply to a Small or Large Rental Dwelling Unit:

- i. the provisions of Section 4.12 of this by-law apply**

- ii. **minimum number of water closets, washbasins, bathtubs or showers is 1 per 5 lodgers**
- iii. **no cooking facilities shall be permitted in any bedroom or room other than a kitchen in a Rental Dwelling Unit.**

3.2 Amending Section 5.2 – Residential Medium Density Zone (RM), by:

3.2.1 Amending Section 5.2.1 – Uses Permitted, by:

3.2.1.1 Adding the words **“Small Rental Dwelling Unit, Large Rental Dwelling Unit”** after the words “Group Home,” to Subsection (a) – RM1.

3.2.1.2 Adding the words **“Small Rental Dwelling Unit, Large Rental Dwelling Unit”** after the words “Group Home,” to Subsection (b) – RM2.

3.2.2 Amending Section 5.2.2 – Regulations, by adding a new row to the Performance Standard Chart under Row “RM1; RM2- Group Home”, and:

3.2.2.1 Adding the words **“RM1; RM2; Small Rental Dwelling Unit; Large Rental Dwelling Unit”** under Column “Permitted Uses”.

3.2.2.2 Adding the words **“N/A”** under Column “Lot Area Minimum”.

3.2.2.3 Adding the words **“N/A”** under Column “Lot Frontage Minimum”.

3.2.2.4 Adding the words **“N/A”** under Column “Front Yard Depth Minimum”.

3.2.2.5 Adding the words **“N/A”** under Column “Interior Side Yard Width Minimum”.

3.2.2.6 Adding the words **“N/A”** under Column “Exterior Side Yard Width Minimum”.

3.2.2.7 Adding the words **“N/A”** under Column “Rear Yard Depth Minimum”.

3.2.2.8 Adding the words **“N/A”** under Column “Lot Coverage Maximum”.

3.2.2.9 Adding the words **“One Rental Dwelling Unit”** under Column “Maximum Density per Lot”.

3.2.2.10 Adding the words **“N/A”** under Column “Landscaped Open Space Minimum”.

3.2.2.11 Adding the words **“N/A”** under Column “Maximum Building Height”.

3.2.2.12 Adding the following words under Column “Other Provisions”

The following regulations will apply to a Small or Large Rental Dwelling Unit:

- i. the provisions of Section 4.12 of this by-law apply**
- ii. minimum number of water closets, washbasins, bathtubs or showers is 1 per 5 lodgers**
- iii. no cooking facilities shall be permitted in any bedroom or room other than a kitchen in a Rental Dwelling Unit.**

3.3 Amending Section 5.3 – Residential High Density Zone (RH), by:

3.3.1 Amending Section 5.3.1 – Uses Permitted, by:

3.3.1.1 Adding the words “**Small Rental Dwelling Unit, Large Rental Dwelling Unit**” after the words “Group Home,” to Subsection (a) – RH1.

3.3.1.2 Adding the words “**Small Rental Dwelling Unit, Large Rental Dwelling Unit**” after the words “Group Home,” to Subsection (b) – RH2.

3.3.2 Amending Section 5.3.2 – Regulations, by adding a new row to the Performance Standard Chart under Row “RH1; RH2- Group Home”, and:

3.3.2.1 Adding the words “**RH1; RH2; Small Rental Dwelling Unit; Large Rental Dwelling Unit**” under Column “Permitted Uses”.

3.3.2.2 Adding the words “**N/A**” under Column “Lot Area Minimum”.

3.3.2.3 Adding the words “**N/A**” under Column “Lot Frontage Minimum”.

3.3.2.4 Adding the words “**N/A**” under Column “Front Yard Depth Minimum”.

3.3.2.5 Adding the words “**N/A**” under Column “Interior Side Yard Width Minimum”.

3.3.2.6 Adding the words “**N/A**” under Column “Exterior Side Yard Width Minimum”.

3.3.2.7 Adding the words “**N/A**” under Column “Rear Yard Depth Minimum”.

3.3.2.8 Adding the words “**N/A**” under Column “Lot Coverage Maximum”.

3.3.2.9 Adding the words “**One Rental Dwelling Unit**” under Column “Maximum Density per Lot”.

3.3.2.10 Adding the words “**N/A**” under Column “Landscaped Open Space Minimum”.

3.3.2.11 Adding the words “**N/A**” under Column “Maximum Building Height”.

3.3.2.12 Adding the following words under Column “Other Provisions”

The following regulations will apply to a Small or Large Rental

Dwelling Unit:

- i. the provisions of Section 4.12 of this by-law apply**
- ii. minimum number of water closets, washbasins, bathtubs or showers is 1 per 5 lodgers**
- iii. no cooking facilities shall be permitted in any bedroom or room other than a kitchen in a Rental Dwelling Unit.**

3.4 Amending Section 5.4 – Rural Residential Zone (RR), by:

- 3.4.1 Amending Section 5.4.1 – Uses Permitted, by adding the following Subsection after Subsection (b) Single Detached Dwelling:

Small Rental Dwelling Unit, Large Rental Dwelling Unit

- 3.4.2 Amending Section 5.4.2 – Regulations, by adding a new row to the Performance Standard Chart under Row “Single Detached Dwelling”, and:

- 3.4.2.1 Adding the words “**Small Rental Dwelling Unit; Large Rental Dwelling Unit**” under Column “Permitted Uses”.
- 3.4.2.2 Adding the words “**N/A**” under Column “Lot Area Minimum”.
- 3.4.2.3 Adding the words “**N/A**” under Column “Lot Frontage Minimum”.
- 3.4.2.4 Adding the words “**N/A**” under Column “Front Yard Depth Minimum”.
- 3.4.2.5 Adding the words “**N/A**” under Column “Interior Side Yard Width Minimum”.
- 3.4.2.6 Adding the words “**N/A**” under Column “Exterior Side Yard Width Minimum”.
- 3.4.2.7 Adding the words “**N/A**” under Column “Rear Yard Depth Minimum”.
- 3.4.2.8 Adding the words “**N/A**” under Column “Lot Coverage Maximum”.
- 3.4.2.9 Adding the words “**One Rental Dwelling Unit**” under Column “Maximum Density per Lot”.
- 3.4.2.10 Adding the words “**N/A**” under Column “Landscaped Open Space Minimum”.
- 3.4.2.11 Adding the words “**N/A**” under Column “Maximum Building Height”.
- 3.4.2.12 Adding the following words under Column “Other Provisions”

The following regulations will apply to a Small or Large Rental Dwelling Unit:

- i. the provisions of Section 4.12 of this by-law apply**

- ii. **minimum number of water closets, washbasins, bathtubs or showers is 1 per 5 lodgers**
- iii. **no cooking facilities shall be permitted in any bedroom or room other than a kitchen in a Rental Dwelling Unit.**

3.5 Amending Section 5.5 – Estate Residential Zone (ER), by:

3.5.1 Amending Section 5.5.1 – Uses Permitted, by adding the following Subsection after Subsection (a) Single Detached Dwelling:

Small Rental Dwelling Unit, Large Rental Dwelling Unit

3.5.2 Amending Section 5.5.2 – Regulations, by adding a new row to the Performance Standard Chart under Row “Single Detached Dwelling”, and:

3.5.2.1 Adding the words “**Small Rental Dwelling Unit; Large Rental Dwelling Unit**” under Column “Permitted Uses”.

3.5.2.2 Adding the words “**N/A**” under Column “Lot Area Minimum”.

3.5.2.3 Adding the words “**N/A**” under Column “Lot Frontage Minimum”.

3.5.2.4 Adding the words “**N/A**” under Column “Front Yard Depth Minimum”.

3.5.2.5 Adding the words “**N/A**” under Column “Interior Side Yard Width Minimum”.

3.5.2.6 Adding the words “**N/A**” under Column “Exterior Side Yard Width Minimum”.

3.5.2.7 Adding the words “**N/A**” under Column “Rear Yard Depth Minimum”.

3.5.2.8 Adding the words “**N/A**” under Column “Lot Coverage Maximum”.

3.5.2.9 Adding the words “**One Rental Dwelling Unit**” under Column “Maximum Density per Lot”.

3.5.2.10 Adding the words “**N/A**” under Column “Landscaped Open Space Minimum”.

3.5.2.11 Adding the words “**N/A**” under Column “Maximum Building Height”.

3.5.2.12 Adding the following words under Column “Other Provisions”

The following regulations will apply to a Small or Large Rental Dwelling Unit:

- i. **the provisions of Section 4.12 of this by-law apply**
- ii. **minimum number of water closets, washbasins, bathtubs or showers is 1 per 5 lodgers**

iii. no cooking facilities shall be permitted in any bedroom or room other than a kitchen in a Rental Dwelling Unit.

3.6 Amending Section 5.6 – Village Residential Zone (VR), by:

3.6.1 Amending Section 5.6.1 – Uses Permitted, by adding the following Subsection after Subsection (d) Single-Detached Dwelling:

Small Rental Dwelling Unit, Large Rental Dwelling Unit

3.6.2 Amending Section 5.6.2 – Regulations, by adding a new row to the Performance Standard Chart under Row “Semi-Detached Dwelling Unit”, and:

3.6.2.1 Adding the words “**Small Rental Dwelling Unit; Large Rental Dwelling Unit**” under Column “Permitted Uses”.

3.6.2.2 Adding the words “N/A” under Column “Lot Area Minimum”.

3.6.2.3 Adding the words “N/A” under Column “Lot Frontage Minimum”.

3.6.2.4 Adding the words “N/A” under Column “Front Yard Depth Minimum”.

3.6.2.5 Adding the words “N/A” under Column “Interior Side Yard Width Minimum”.

3.6.2.6 Adding the words “N/A” under Column “Exterior Side Yard Width Minimum”.

3.6.2.7 Adding the words “N/A” under Column “Rear Yard Depth Minimum”.

3.6.2.8 Adding the words “N/A” under Column “Lot Coverage Maximum”.

3.6.2.9 Adding the words “**One Rental Dwelling Unit**” under Column “Maximum Density per Lot”.

3.6.2.10 Adding the words “N/A” under Column “Landscaped Open Space Minimum”.

3.6.2.11 Adding the words “N/A” under Column “Maximum Building Height”.

3.6.2.12 Adding the following words under Column “Other Provisions”

The following regulations will apply to a Small or Large Rental Dwelling Unit:

- i. the provisions of Section 4.12 of this by-law apply**
- ii. minimum number of water closets, washbasins, bathtubs or showers is 1 per 5 lodgers**
- iii. no cooking facilities shall be permitted in any bedroom or room other than a kitchen in a Rental Dwelling Unit.**

3.7 Amending Section 5.9 – Recreational and Lakeside Residential Zone (RLR), by:

3.7.1 Amending Section 5.9.1 – Uses Permitted, by adding the following Subsection after Subsection (b) Single Detached Dwelling:

Small Rental Dwelling Unit, Large Rental Dwelling Unit

3.7.2 Amending Section 5.9.2 – Regulations, by adding a new row to the Performance Standard Chart under Row “Single Detached Dwelling”, and:

3.7.2.1 Adding the words “**Small Rental Dwelling Unit; Large Rental Dwelling Unit**” under Column “Permitted Uses”.

3.7.2.2 Adding the words “N/A” under Column “Lot Area Minimum”.

3.7.2.3 Adding the words “N/A” under Column “Lot Frontage Minimum”.

3.7.2.4 Adding the words “N/A” under Column “Front Yard Depth Minimum”.

3.7.2.5 Adding the words “N/A” under Column “Interior Side Yard Width Minimum”.

3.7.2.6 Adding the words “N/A” under Column “Exterior Side Yard Width Minimum”.

3.7.2.7 Adding the words “N/A” under Column “Rear Yard Depth Minimum”.

3.7.2.8 Adding the words “N/A” under Column “Lot Coverage Maximum”.

3.7.2.9 Adding the words “**One Rental Dwelling Unit**” under Column “Maximum Density per Lot”.

3.7.2.10 Adding the words “N/A” under Column “Landscaped Open Space Minimum”.

3.7.2.11 Adding the words “N/A” under Column “Maximum Building Height”.

3.7.2.12 Adding the following words under Column “Other Provisions”

The following regulations will apply to a Small or Large Rental Dwelling Unit:

- i. the provisions of Section 4.12 of this by-law apply**
- ii. minimum number of water closets, washbasins, bathtubs or showers is 1 per 5 lodgers**
- iii. no cooking facilities shall be permitted in any bedroom or room other than a kitchen in a Rental Dwelling Unit.**

3.8 Amending Section 5.10 – Urban Commercial Zone (UC), Section 5.10.2 – Regulations,

Performance Standards Chart, by:

- 3.8.1 Adding the following words to Row “UC(LC) – Local Commercial”, Column “Other Provisions”, after the words “at a rate of 74 dwelling units for each ha”:

The following regulations will apply to a Small or Large Rental Dwelling Unit as part of a Mixed Use Commercial/Residential Building:

- i. the provisions of Section 4.12 of this by-law apply**
- ii. minimum number of water closets, washbasins, bathtubs or showers is 1 per 5 lodgers**
- iii. no cooking facilities shall be permitted in any bedroom or room other than a kitchen in a Rental Dwelling Unit.**

- 3.8.2 Adding the following words to Row “UC(OS) – Office and Service”, Column “Other Provisions”, after the words “at a rate of 74 dwelling units for each ha”:

The following regulations will apply to a Small or Large Rental Dwelling Unit as part of a Mixed Use Commercial/Residential Building or within an Apartment Dwelling or Single Detached Dwelling:

- i. the provisions of Section 4.12 of this by-law apply**
- ii. minimum number of water closets, washbasins, bathtubs or showers is 1 per 5 lodgers**
- iii. no cooking facilities shall be permitted in any bedroom or room other than a kitchen in a Rental Dwelling Unit.**

- 3.8.3 Adding the following words to Row “UC(HC1) – Highway Commercial First Density”, Column “Other Provisions”, after the words “at a rate of 74 dwelling units for each ha”:

The following regulations will apply to a Small or Large Rental Dwelling Unit as part of a Mixed Use Commercial/Residential Building:

- i. the provisions of Section 4.12 of this by-law apply**
- ii. minimum number of water closets, washbasins, bathtubs or showers is 1 per 5 lodgers**
- iii. no cooking facilities shall be permitted in any bedroom or room other than a kitchen in a Rental Dwelling Unit.**

- 3.8.4 Adding the following words to Row “UC(HC2) – Highway Commercial Second Density”, Column “Other Provisions”, after the words “at a rate of 74 dwelling units for each ha”:

The following regulations will apply to a Small or Large Rental Dwelling Unit as part of a Mixed Use Commercial/Residential Building:

- i. the provisions of Section 4.12 of this by-law apply**
- ii. minimum number of water closets, washbasins, bathtubs or showers is 1 per 5 lodgers**
- iii. no cooking facilities shall be permitted in any bedroom or room other than a kitchen in a Rental Dwelling Unit.**

- 3.8.5 Adding the following words to Row “UC(CC) – Community Commercial”, Column “Other Provisions”, after the words “at a rate of 74 dwelling units for each ha”:

The following regulations will apply to a Small or Large Rental Dwelling Unit as part of a Mixed Use Commercial/Residential Building:

- i. the provisions of Section 4.12 of this by-law apply**
- ii. minimum number of water closets, washbasins, bathtubs or showers is 1 per 5 lodgers**
- iii. no cooking facilities shall be permitted in any bedroom or room other than a kitchen in a Rental Dwelling Unit.**

- 3.8.6 Adding the following words to Row “UC(CBD) – Central Business District”, Column “Other Provisions”, after the words “at a rate of 74 dwelling units for each ha”:

The following regulations will apply to a Small or Large Rental Dwelling Unit as part of a Mixed Use Commercial/Residential Building or within an Apartment Dwelling:

- i. the provisions of Section 4.12 of this by-law apply**
- ii. minimum number of water closets, washbasins, bathtubs or showers is 1 per 5 lodgers**
- iii. no cooking facilities shall be permitted in any bedroom or room other than a kitchen in a Rental Dwelling Unit.**

- 3.9 Amending Section 5.11 – Village Commercial Zone (VC), Section 5.11.2 – Regulations, Performance Standards Chart, by adding the following words to Row “Uses Permitted in a VC Zone”, Column “Other Provisions”:

The following regulations will apply to a Small or Large Rental Dwelling Unit:

- i. the provisions of Section 4.12 of this by-law apply**
- ii. minimum number of water closets, washbasins, bathtubs or showers is 1 per 5 lodgers**
- iii. no cooking facilities shall be permitted in any bedroom or room other than a kitchen in a Rental Dwelling Unit.**

- 3.10 Amending Section 5.20 – Institutional Zone (I), by:

- 3.10.1 Amending Section 5.20.1 – Uses Permitted, by adding the following Subsection after Subsection (m) Library:

Small Rental Dwelling Unit, Large Rental Dwelling Unit

- 3.10.2 Amending Section 5.20.2 – Regulations, Performance Standards Chart, by adding the following words to Row “Uses Permitted in an (I) Zone”, Column “Other Provisions”:

The following regulations will apply to a Small or Large Rental Dwelling Unit:

- i. the provisions of Section 4.12 of this by-law apply**
- ii. minimum number of water closets, washbasins, bathtubs or showers is 1 per 5 lodgers**
- iii. no cooking facilities shall be permitted in any bedroom or room other than a kitchen in a Rental Dwelling Unit.**

3.11 Amending Section 5.21 – Agricultural Zone (A1), by:

3.11.1 Amending Section 5.21.1 – Uses Permitted, by adding the following Subsection after Subsection (q) Kennel:

Small Rental Dwelling Unit or Large Rental Dwelling Unit in an existing Single Detached Dwelling

3.11.2 Amending Section 5.21.2 – Regulations, Performance Standards Chart, by:

3.11.2.1 Deleting the words “Uses permitted in an A1 Zone” and adding the words **“Single Detached Dwelling, Small Rental Dwelling Unit, Large Rental Dwelling Unit”** to Row “Uses Permitted in an A1 Zone”, Column “Permitted Uses”.

3.11.2.2 Deleting the provisions of Row “Uses Permitted in an (A1) Zone”, Column “Other Provisions”, and replacing with the following provision:

The following regulations will apply to a Small or Large Rental Dwelling Unit:

- i. the provisions of Section 4.12 of this by-law apply**
- ii. minimum number of water closets, washbasins, bathtubs or showers is 1 per 5 lodgers**
- iii. no cooking facilities shall be permitted in any bedroom or room other than a kitchen in a Rental Dwelling Unit.**

One (1) accessory single detached dwelling, and not more than one (1) mobile home accessory to such agricultural use shall be permitted on a lot with a minimum lot area of 20 ha.

4. Amending all references to Zones, Definitions, Sections, Subsections, Provision Numbers, and Schedule Numbers, as amended by this by-law.

THIS By-law shall come into force and effect upon the final passing thereof, subject to the provisions of the Planning Act, R.S.O. 1990 Chapter P. 13, as amended.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED this 12th day of February, 2018.

MAYOR – Randy R. Hope

CLERK – Judy Smith