

The Corporation of the Town of Saugeen Shores

By-law 82- 2024

Being a By-law to amend Zoning By-law No. 75-2006 being the Comprehensive Zoning By-law for the Town of Saugeen Shores by the Town of Saugeen Shores affecting all lands within the Town of Saugeen Shores

Whereas Section 34 of the Planning Act, R.S.O 1990, Chapter 13 authorizes the Councils of Municipalities to enact and amend Zoning By-laws which comply with an approved Official Plan; and

Whereas the Council of the Corporation of the Town of Saugeen Shores has enacted By-law No. 75-2006, a Zoning By-law enacted under Section 34 of the said Planning Act; and

Whereas the Council of the Corporation of the Town of Saugeen Shores desires to amend By-law No. 75-2006; now therefore be it

Resolved that the Council of the Corporation of the Town of Saugeen Shores Enacts as follows:

- i) That By-law No. 75-2006, as amended, is hereby further amended by:
 - a) Replacing the definition of "ADDITIONAL RESIDENTIAL UNIT" in Section 2 with:

"ADDITIONAL RESIDENTIAL UNIT" means a residential unit either entirely contained within a single-detached building, semi-detached building, duplex building, triplex building or a townhouse building, or entirely contained within an accessory residential building on a lot containing a single-detached building, semi-detached building, duplex building, triplex building or a townhouse building containing bathroom and kitchen facilities within the building containing the residential unit.
 - b) Replacing the definition of "APARTMENT BUILDING" in Section 2 with:

"APARTMENT BUILDING" means a building consisting of five (5) or more residential units, each with an independent entrance either directly from the outside, or through a common vestibule or common halls.
 - c) Adding a new definition of "FOURPLEX BUILDING" in Section 2:

"FOURPLEX BUILDING" means a building containing four (4) residential units, each with an independent entrance either directly from the outside, or through a common vestibule or common halls.
 - d) Replacing the definition of "MULTI-UNIT BUILDING" in Section 2 with:

"MULTI-UNIT BUILDING" means a building located on a lot that consists of a maximum of (4) residential units, and may include: single-detached building, semi-detached building, duplex building, triplex building or fourplex building.
 - e) Adding a new definition of "TRIPLEX BUILDING" in Section 2:

"TRIPLEX BUILDING" means a building containing three (3) residential units, each with an independent entrance either directly from the outside, or through a common vestibule or common halls.
 - f) Replacing the definition of "TOWNHOUSE BUILDING" in Section 2 with:

"TOWNHOUSE BUILDING" means a building that is divided vertically into a minimum of three (3) residential units by common walls extending from the base of the foundation to the roof line, each with an independent entrance to a yard immediately abutting the unit.
 - g) Replacing the first paragraph in Section 3.1.6 a) i) with:
 - i) An accessory building or structure located in a Residential zone shall have the following yard requirements:

- h) Replacing or adding the following Uses and Minimum Number of Parking Spaces in Section 3.24.2:

| Use | Minimum Number of Parking Spaces |
|--|---|
| Residential, Additional Residential Unit | 1 space per residential unit |
| Residential Building, Single Detached, Semi-detached, Duplex, Townhouse, Mobile Home | 2 spaces per residential unit, except where: -an Additional Residential Unit is provided on the same lot, then 1 space per residential unit (refer separately to Additional Residential Unit parking rate) Or -a common visitor parking is provided for a townhouse development, then 1 space per residential unit plus 1 space for every 8 residential units, or fraction thereof, to be set aside for and visually identified as visitor parking |
| Residential Building, Triplex, Fourplex | 1 space per residential unit |

- i) Replacing “Residential Zone (3 dwelling units or less)” and “Residential Zone (more than 3 dwelling units)” with “Residential Zone (4 residential units or less)” and “Residential Zone (more than 4 residential units)” respectively under Zone Class in Section 3.24.7 c).

- j) Replacing Section 3.24.7 j) with:

j) Each required parking space shall be readily accessible at all times for the parking or removal of a vehicle and vehicular access to any such parking space shall not be impeded by any obstruction. This provision shall not apply to prevent the use as a parking space of any part of a driveway accessory to a single detached building, semi-detached building, duplex building, townhouse building, triplex building or fourplex building provided that no parking space shall obstruct access to a parking area on any other lot or for any other unit.

- k) Replacing Section 3.37.1 with:

3.37.1 Number of Units

Additional Residential Units shall be permitted on a lot which contains only one principal residential building and is connected to municipal water and sanitary services:

- a) Principal building is a single-detached, semi-detached, duplex, triplex or street townhouse building:
- i) Number of total residential units on a lot, including the principal unit and Additional Residential Unit(s) (maximum) – 4
 - ii) Number of Additional Residential Units on a lot (maximum) – 3
 - iii) Number of Additional Residential Units contained within the principal building (maximum) – 3
 - iv) Number of Additional Residential Units contained within an accessory residential building (maximum)
 - if principal building is a single-detached, semi-detached, duplex building:
 - 2, if lot area is greater than 450 m²
 - 1, otherwise

if principal building is a triplex or street townhouse building:

- 1, if the principal building is a triplex or street townhouse
- None, otherwise

l) Deleting Section 3.37.2 d).

m) Deleting Section 3.37.3 c).

n) Replacing Section 3.37.4 c) with:

c) Notwithstanding Section 3.37.1:

- one (1) Additional Residential Unit shall be permitted on a lot that is not connected or partially connected to municipal water and sanitary services within the Settlement Area, as defined in the Official Plan – Schedule A, if the lot area is greater than 0.4 ha or if private servicing is supported by a Nitrate Study (groundwater quality impact assessment) that demonstrates that the development can be accommodated on the lot without adverse impacts to groundwater

- two (2) Additional Residential Units shall be permitted on a lot that is not connected or partially connected to municipal water and sanitary services within the Settlement Area, as defined in the Official Plan - Schedule A, if the lot area is greater than 0.6 ha or if private servicing is supported by a Nitrate Study (groundwater quality impact assessment) that demonstrates that the development can be accommodated on the lot without adverse impacts to groundwater

o) Adding new Section 4.4 i):

i) -H1

Purpose: To ensure areas of high archaeological potential are identified and assessed prior to site alteration or construction.

(1) Notwithstanding their underlying zoning designation, on those lands identified as being subject to the “-H1” holding symbol, lot grading; excavation; and/or construction shall not be permitted unless the “-H1” holding symbol is removed. The area of the “-H1” holding symbol that may be lifted shall be limited to the area included in the assessment and may only be removed by Council upon:

a) Approval by the Zoning Administrator of an Archaeological Assessment which has been:

- i) Conducted by an archaeologist licensed in the Province of Ontario;
- ii) Confirmed by the appropriate Ministry to have been accepted into the Ontario Public Register of Archaeological Reports; and,
- iii) Included engagement with the Saugeen Ojibway Nation in accordance with its process and standards; and,

b) Confirmation to the satisfaction of the Zoning Administrator that the recommendations of the Archaeological Assessment (if any) have been implemented.

(2) Where a Consent application for lot creation or lot enlargement has been approved by the County of Bruce, or its delegate, and/or when a Minor Variance is approved by the Town of Saugeen Shores, the appropriate Zone Map in this By-law shall be amended for areas of the land that are within an area noted as “High Archaeological Potential” in the Bruce County screening maps and will be zoned with a “-H1” holding symbol. The “-H1” holding symbol may be removed in accordance with Section 4.4. The appropriate Zone Map will not be updated with a “-H1” holding symbol where:

a) An Archeological Assessment has been conducted by an archaeologist in the Province of Ontario, that includes engagement with the Saugeen Ojibway Nation in accordance with its process and standards, confirmed by the appropriate

Ministry to have been accepted into the Ontario Public Register of Archaeological Reports and the recommendations of the assessment implemented to the satisfaction of the Zoning Administrator;

- b) It has been demonstrated, in consultation with the Saugeen Ojibway Nation, and to the satisfaction of the Zoning Administrator, that deep ground disturbance has recently occurred;
 - c) In consultation with the Saugeen Ojibway Nation, a Minor Variance is proposed that does not facilitate new construction; or
 - d) The Consent facilitates the re-creation of merged original township lots.
- p) Permitted Interim Uses: Existing uses, buildings and structures as they legally existed at the date of passing of this By-law. Amending the list of Permitted Uses in Section 7.2 as follows:
- Replacing “single detached dwelling” with “single detached building”
 - Replacing “semi-detached dwelling” with “semi-detached building”
 - Replacing “duplex dwelling” with “duplex building”
 - Adding “triplex building”
 - Adding “fourplex building”
 - Deleting “converted dwelling, to a maximum of (2) dwelling units”
- q) Replacing Section 7.3 a), b), e) and j) with:
- a) Lot Area (minimum)
 - i) Single detached, Semi-detached, Duplex, Triplex or Fourplex building 450 m²
 - ii) Semi-detached building 250 m² per unit where each unit is on a separate lot
 - b) Lot Frontage (minimum)
 - i) Single detached, Semi-detached, Duplex, Triplex or Fourplex building 12.0 m
 - ii) Semi-detached building 10.0 m per unit where each unit is on a separate lot
 - e) Interior side yard setback (minimum)
 - i) Interior side yard setback 1.2 m
 - ii) interior side yard setback where a common wall divides individual units 0 m
 - j) Number of Residential Buildings Per Lot (maximum) 1 only
 - i) Single Detached, Semi-detached, Duplex, Triplex or Fourplex 1 per lot
 - ii) Semi-Detached subject to minimum lot area provisions of clause (a) where each unit is on a separate lot
- r) Replacing Section 7.5.2 a) with:
- a) Notwithstanding the provisions of section 7.2 and 7.3 to the contrary, lands zoned “R1-2” on Schedule “A” to this By-law may be used in accordance with the “R1” Zone provisions for a single detached building, provided the area of the lot is sufficient to accommodate a septic system and obtain a potable water supply, a minimum 3.0 m side yard is provided on one side, and the remaining regulations of subsection 7.3 for minimum lot frontage, front and exterior side yard depth, minimum rear yard depth, maximum building height, minimum landscaped open space and maximum number of residential units per lot can be met.

and adding new Section 7.5.2 c):

c) Where appropriate access is provided from a Class 1 Municipal Road, the private septic system can be installed in the front yard, to the satisfaction of the Chief Building Official and in accordance with the Ontario Building Code requirements, a minimum 3.0 m side yard setback is not required on one side. The minimum interior/exterior side yard setbacks for the zone apply.

s) Amending the list of Permitted Uses in Section 8.2 as follows:

- Replacing “single detached dwelling” with “single detached building”
- Replacing “semi-detached dwelling” with “semi-detached building”
- Replacing “duplex dwelling” with “duplex building”
- Replacing “bed and breakfast establishment in a single detached dwelling, subject to subsection 3.4” with “bed and breakfast establishment in a single detached building, subject to subsection 3.4”
- Adding “triplex building”
- Adding “fourplex building”
- Deleting “converted dwelling, to a maximum of (2) dwelling units”

t) Replacing Section 8.3 a), b), e) and j) with:

a) Lot Area (minimum)

- i) Single detached, Semi-detached, Duplex, Triplex or Fourplex building 450 m²
- ii) Semi-detached building 250 m² per unit where each unit is on a separate lot

b) Lot Frontage (minimum)

- i) Single detached, Semi-detached, Duplex, Triplex or Fourplex building 12.0 m
- ii) Semi-detached building 10.0 m per unit where each unit is on a separate lot

e) Interior side yard setback (minimum)

- i) Interior side yard setback 1.2 m
- ii) interior side yard setback where a common wall divides individual units 0 m

j) Number of Residential Buildings Per Lot (maximum) 1 only

- i) Single Detached, Semi-detached, Duplex, Triplex or Fourplex 1 per lot
- ii) Semi-Detached subject to minimum lot area provisions of clause (a) where each unit is on a separate lot

u) Amending the list of Permitted Uses in Section 9.2 as follows:

- Replacing “apartment dwelling” with “apartment building”
- Deleting “multi-unit dwellings”
- Replacing “street townhouse dwelling” with “street townhouse building”
- Replacing “townhouse dwelling” with “townhouse building”
- Replacing “home occupation in a street townhouse dwelling, subject to section 3.12” with “home occupation in a street townhouse building, subject to section 3.12”
- Replacing “home-based child care (limited to street townhouse dwellings)” with “home-based child care (limited to street townhouse building)”
- Replacing “unlicensed child care (limited to street townhouse dwellings)” with “unlicensed child care (limited to street townhouse building)”

- Adding “triplex building”
 - Adding “fourplex building”
- v) Replacing Section 9.3 a), b), e), g) and j) with:
- a) Lot Area (minimum)
- i) Apartment building
275 m² per unit for the first four (4) units, plus 100 m² for each additional unit thereafter up to a maximum density of 40 units per gross ha
- ii) Triplex, Fourplex, Street townhouse or Townhouse building
160 m² for each interior unit
200 m² for each end unit
- b) Lot Frontage (minimum)
- i) Apartment or Townhouse building
30.0 m
- ii) Triplex, Fourplex or Street townhouse building
4.5 m per unit;
5.7 m for an end row unit;
an additional 0.6 m for each additional or partial storey above the first storey
- e) Interior side yard setback (minimum)
- i) Apartment or Townhouse building
5.0 m
- ii) Triplex, Fourplex or Street townhouse building
1.2 m, provided that no side yard shall be required between the common wall dividing individual units
- g) Lot Coverage (maximum) 45% of lot area
- j) Number of Residential Buildings Per Lot (maximum)
- i) Apartment, Townhouse, Fourplex or Triplex subject to the minimum lot area provisions of clause (a)
- ii) Street townhouse 1 unit per lot
- w) Amending the list of Permitted Uses in Section 10.2 as follows:
- Replacing “apartment dwelling” with “apartment building”
 - Deleting “multi-unit dwelling”
 - Replacing “street townhouse dwelling” with “street townhouse building”
 - Replacing “townhouse dwelling” with “townhouse building”
 - Replacing “home occupation in a street townhouse dwelling, subject to section 3.12” with “home occupation in a street townhouse building, subject to section 3.12”
 - Replacing “home-based child care (limited to street townhouse dwelling)” with “home-based child care (limited to street townhouse building)”
 - Replacing “unlicensed child care (limited to street townhouse dwelling)” with “unlicensed child care (limited to street townhouse building)”
 - Adding “triplex building”
 - Adding “fourplex building”
- x) Replacing Section 10.3 a), b), e), g) and j) with:
- a) Lot Area (minimum)
- i) Apartment building

230 m² per unit for the first four (4) units, plus 100 m² for each additional unit thereafter

ii) Triplex, Fourplex, Street townhouse or Townhouse building

160 m² for each interior unit

200 m² for each end unit

iii) Nursing home, Home for the aged or Retirement home

1,200 m²

b) Lot Frontage (minimum)

i) Apartment or Townhouse building

30.0 m

ii) Triplex, Fourplex or Street townhouse building

4.5 m per unit;

5.7 m for an end row unit;

an additional 0.6 m for each additional or partial storey above the first storey

iii) Nursing home, Home for the aged or Retirement home

30.0 m

e) Interior Side Yard Width (minimum)

i) Apartment or Townhouse building

5.0 m

ii) Triplex, Fourplex or Street townhouse building

1.2 m, provided that no side yard shall be required between the common wall dividing individual units

iii) Nursing home, Home for the aged or Retirement home

3.0 m or 7.5 m if abutting a R1 or R2 Zone

g) Lot Coverage (maximum) 45% of lot area

j) Number of Residential Buildings Per Lot (maximum)

i) Apartment, Townhouse, Fourplex or Triplex subject to the minimum lot area provisions of clause (a)

ii) Street townhouse 1 unit per lot

y) Amending the list of Permitted Uses in Section 15.2 as follows:

- Deleting “converted dwelling, to a maximum of two (2) dwelling units”
- Replacing “institutional use with a minimum of one (1) dwelling unit” with “institutional use with a minimum of one (1) residential unit”
- Replacing “office, with a minimum of one (1) dwelling unit” with “office, with a minimum of one (1) residential unit”
- Replacing “studio for the creation of arts & crafts, with a minimum of one (1) dwelling unit” with “studio for the creation of arts & crafts, with a minimum of one (1) residential unit”
- Replacing “single detached dwelling” with “single detached building”
- Replacing “semi-detached dwelling” with “semi-detached building”
- Replacing “duplex dwelling” with “duplex building”
- Adding “triplex building”
- Adding “fourplex building”

z) Replacing Section 15.3 i) with:

i) Number of Residential Buildings Per Lot (maximum)

- See Number of Residential Buildings per Lot (maximum) in the Residential First Density (R1) zone

- ii) This By-law takes effect from the date of passage by Council and comes into force and effect pursuant to the provisions of the Planning Act, R.S.O. 1990, as amended, and subject to the Town of Saugeen Shores Official Plan Amendment L-2024-007 coming into force and effect.

Read a first and second time this 21st day of October, 2024.

Read a third time, and finally passed and sealed this 21st day of October, 2024.

Luke Charbonneau, Mayor

Dawn Mittelholtz, Clerk