

The Corporation of the Town of Saugeen Shores

By-law 100- 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; and

Now Therefore be it resolved that the Council of the Corporation of the Town of Saugeen Shores Enacts as follows:

1) That By-law No. 75-2006, as amended, is hereby further amended by:

a) Replacing the definition of “AGRICULTURAL USE” in Section 2 with:

“AGRICULTURAL USE” means the growing of crops, including nursery, biomass, horticultural crops, tree crops and flower or truck gardening; farms for the boarding, training or raising of livestock for food, fur, or fibre, including poultry and fish; aquaculture; nurseries; aviaries; greenhouses; apiaries; bee-keeping; forestry and reforestation; and maple syrup production. Agricultural uses may include associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storage, value-retaining facilities that serve to maintain the quality of farm commodities produced on the farm, accommodation for full-time farm labour when the size and nature of the operation requires additional employment as well as a detached building that is accessory to an agricultural use. Agricultural uses shall also include any use that is consistent with normal farm practices but shall not include kennels, abattoirs, retail operations, landscaping businesses, off-season vehicle storages and meat processing.

b) Replacing the definition of “AGRICULTURALLY RELATED COMMERCIAL/INDUSTRIAL USE” in Section 2 with:

“AGRICULTURALLY RELATED COMMERCIAL/INDUSTRIAL USE” means a farm-related commercial and farm-related industrial use directly related to farm operations on the lot or in the area, support agriculture, benefit from close proximity to farm operations and provide direct products and/or services to farm operations as a primary activity. Agriculturally related commercial/industrial uses include, but are not limited to, grain storage facilities or farm machinery sales, service outlets, farm implement establishments, bulk sales establishment – agricultural, farmers markets, agricultural research centre, processing and selling of products grown in the area, and shall not include seasonal storage of vehicles, contractors yards, large food processing plants, micro-breweries and distilleries, veterinary clinics, institutional uses, automobile dealerships, mechanic shops or wrecking or trucking yards.

c) Adding a new definition of “ON-FARM DIVERSIFIED USE” in Section 2:

“ON-FARM DIVERSIFIED USE” means uses that are secondary to the principal agricultural use of the property and are limited in area. On-farm diversified uses include, but are not limited to:

- Home occupations, refer to Section 2 and Section 3.12;

- Home industries, refer to Section 2 and Section 3.11;
- Value-added uses meaning the processing of agricultural commodities into new forms that enhance their value (including uses that use feedstock from outside the surrounding agricultural area such as a bakery, café, winery, cheese factory, abattoir);
- Agri-tourism meaning farm-related tourism uses (including limited accommodation such as a bed and breakfast); and
- Recreation uses meaning leisure time activity undertaken in built or natural settings (including, hay rides, petting zoo, farm-themed playground, horse trail rides, corn maze and seasonal events).

Excludes equipment or vehicle dealerships, hotels, manufacturing plants, trucking yards, golf courses, soccer fields, ball diamonds or arena, churches, schools, nursing homes, cemeteries, large food processors, distribution centres, full-scale restaurants, banquet halls, large-scale recurring events with permanent structures and uses that use high water and sewage needs and/ or generate significant traffic.

- d) Adding a new definition of "BICYCLE PARKING" in Section 2:

"BICYCLE PARKING" means an area used exclusively for the parking and securing of bicycles.

- e) Adding a new definition of "DESIGNED ELECTRIC VEHICLE PARKING SPACE" in Section 2:

"DESIGNED ELECTRIC VEHICLE PARKING SPACE" means a parking space constructed to be electric vehicle ready, allowing for the future installation of electric vehicle supply equipment that conforms to Section 86 of the Electrical Safety Code.

- f) Adding a new definition of "LEVEL 2 CHARGING DEVICE" in Section 2:

"LEVEL 2 CHARGING DEVICE" means a Level 2 electric vehicle charging device as defined by SAE International's J1772 standard.

- g) Deleting the definition of "MODULAR RESIDENTIAL BUILDING" in Section 2.

- h) Replacing the definition of "SERVICE ESTABLISHMENT" in Section 2 with:

"SERVICE ESTABLISHMENT" means an establishment which provides a service or craft to the general Public, including, a custom print or copy shop, a dry cleaning or laundering establishment, a monument engraving shop or the business premises of a printer, plumber, tinsmith, craftsman, painter, carpenter, cabinet maker, electrician, taxidermist, pest exterminator, roofer, insulation installer, furrier, weaver, upholsterer, interior decorator, caterer, engraver, cleaner or locksmith, plumber, welder, pet grooming, veterinarian clinic, small engine repair, landscape business, appliance and electronics repair, but does not include any other manufacturing, a building supply yard, contractor's yard, automotive use, transport terminal or personal service shop. A Service Establishment may include accessory retail sales of goods and products produced on the premises.

- i) Adding the following to the list of Permitted Home Industry Uses in Section 3.11 (a):

xvi. Landscape business service establishment; and

xvii. Veterinarian Clinic, shall apply only to Section 5 Agricultural (A) zone.

- j) Replacing Section 3.21.1, Section 3.21.2 and Section 3.21.3 with:

3.21.1 Repair, Strengthening, Alteration or Reconstruction

The repair, strengthening, alteration or reconstruction of an existing permitted building or structure shall be in accordance with the provisions of this By-law even where such existing building or structure or the lot on which such building or structure is located does not comply with the provisions of this By-law. The repair, strengthening, alteration or reconstruction of an existing building or structure shall be permitted

so long as said repair, strengthening, alteration or reconstruction does not increase the height, volume or extent of non-conformity or non-compliance of said building or structure or change the use.

3.21.2 Additions or Extensions

Where an extension or addition is being made to an existing or permitted building or structure on a lot or to an existing building, structure or lot where the use thereof does not comply with one or more of the provisions of the By-law, the extension or addition shall be made in accordance with the provisions of this By-law.

3.21.3 Change of Use

Where under the provisions of this By-law, a use of a lot, building or structure is not permitted within the Zone where the designated lot, building or structure is located, the use shall not change except where the use is permitted within such Zone, or where other compatible or similar uses may be approved under Section 45 of The Planning Act.

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

Use	Minimum Number of Parking Spaces
Adult Entertainment Establishment	1 per 20 m ²
Agriculturally Related Commercial/Industrial Use	1 per 50 m ²
Assembly Hall, auditorium, convention or meeting hall, art gallery, auction establishment, community centre, sports arena, fairground, stadium, private club, fraternal society, or any institutional or non-profit use or place of assembly not otherwise specified herein	1 per 5 persons of fixed seating capacity or fraction thereof, or where no fixed seats are provided, 1 space for each 40 m ² of floor area
Automobile Service Station	3 per service bay or 1 per 30 m ² whichever is greater
Bed and Breakfast Establishment, Lodge, or Inn	1 space per guest room plus 2 parking spaces required for the detached dwelling
Car Wash Establishment, Manual	2 queuing spaces in advance of each bay
Clinic or office for any of the health care professions	1 per 30 m ²
Continuum-of-Care Facility	See Hospital
Dry Cleaning Establishment, Laundry Establishment or Laundromat	1 space for each four machines, or 1 space per 25 m ² whichever is greater
Duplicating Establishment	1 per 30 m ²
Golf Course	4 spaces per hole, plus 1 space per 25 m ² of GFA (GFA of clubhouse, pro shop or other course-related buildings)
Group Home	1 per building, plus 1 per staff
Hospital	1 space per 3 beds
Kennel	1 per 40 m ²
Nursing Home	1 space per 3 beds

On-Farm Diversified Use	1 per 50 m ²
Personal Service Shop	1 space per 20 m ² or 4 spaces, whichever is greater
Repair and Rental Establishment	1 per 40 m ²
Residential, Accessory Residential Unit located in a Commercial Core Zone	1 per 5 accessory residential units
Residential, Accessory Residential Unit For all other units not in the Commercial Core Zone	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, Apartment	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
Retail	1 per 25 m ² of sales or service area
School, Secondary (Public or Private), Post Secondary, Adult	6 spaces per classroom, plus either one additional space for each office, or if the school contains a place of assembly, the number of parking spaces as required for place of assembly, whichever is greater. Education facilities with a gymnasium and/or auditorium may utilize hard surface play areas to meet such additional parking requirements provided such hard surfaced areas are adjacent to and have direct access from the required parking areas.
Trade Retail Establishment	1 space per 30 m ²
Wholesaling, Warehousing or Storage Use	1 space for each 100 m ²

- l) Deleting the following Uses and their associated Minimum Number of Parking Spaces in Section 3.24.2: Abattoir; Adult Store; Art Gallery; Auction Establishment; Bait and/or Fishing Supply Establishment; Bake Shop; Bulk Sales Establishment – Agriculture; Club, Private; Convenience Store; Food Store; Marina Equipment Sales Establishment; Unlicensed Child Care; and Video Rental Establishment.

- m) Replacing Section 3.24.3 with:

3.24.3 Accessible Parking

- a) Accessible parking spaces shall be included in the number of parking spaces required herein for all uses, and designed for persons with a physical disability in accordance with the provisions of this section:

Accessible Parking Rates

Total Required Parking Spaces	Minimum Accessible Parking Spaces Required
5-25 spaces	1 Accessible Space (minimum)

26-50 spaces	2 Accessible Spaces (minimum)
51-75	3 Accessible Spaces (minimum)
76-100	4 Accessible Spaces (minimum)
101+ spaces	4 Accessible Spaces, plus 2% of total required parking spaces (minimum)

Accessible Parking Design Standards

Minimum Design Standards for Accessible Parking Spaces		
Access Aisle Dimensions	Width	1.5 m
	Length	5.5 m
Accessible Parking Space Dimensions	Width	2.75 m
	Length	5.5 m

b) Accessible parking spaces shall be clearly marked and labelled.

n) Replacing Section 3.24.7 f) with:

f) A residential use not fronting on a Provincial Highway or County Road may have a “U” shaped driveway provided the following:

- i) The maximum coverage of a driveway, including the circular portion of the driveway, shall be 50% of the area of the yard in which the driveway is located.
- ii) The front lot line or exterior side lot line containing the entrance is equal to or greater than 36 metres in width.
- iii) The maximum cumulative entrance widths, measured at the point of crossing the front lot line and/or the exterior side yard lot line, shall be 10.0 metres.
- iv) The open space between access points complies with the minimum entrance separation provision in Section 3.24.7 m).

o) Adding a new Section 3.24.7 m):

m) The minimum entrance separation shall be 22.5 metres on a lot.

p) Replacing all instances of “Development Manual” with “development standards”.

q) Replacing Section 3.24.12 with:

3.24.12 Bicycle Parking

The minimum number of parking spaces for bicycles, in addition to the required vehicle parking, must be provided as set out in the following table:

Use	Minimum Bicycle Parking Spaces
Apartment Building or Commercial Building with Accessory Residential Uses	0.08 spaces per dwelling unit
Commercial and Retail Uses	3 spaces, plus 0.3 spaces for every 100 m ² of gross floor area

All other non-residential uses	2 spaces, plus 0.3 spaces for every 100 m ² of gross floor area
Schools	3 spaces, plus 0.3 spaces for every 100 m ² of gross floor area
Nursing Home or Continuum of Care Facility	3 spaces, plus 0.3 spaces for every 100 m ² of gross floor area
Hotel or Motel	3 spaces, or 6 if greater than 50 guest rooms

r) Replacing Section 3.24.13 with:

3.24.13 Bicycle Parking Space Design Standards

Bicycle parking shall be provided in an area having a minimum of 1.8 m in length and 0.6 m in width per stall.

s) Adding new Section 3.24.14:

3.24.14 Electric Vehicle Parking

- a) For any commercial use, a minimum of 10% of parking spaces shall be designed to permit the future installation of electric vehicle supply equipment.
- b) All Designed Electric Vehicle Parking Spaces shall provide a minimum Level 2 Charging Device or higher.
- c) All Designed Electric Vehicle Parking Spaces shall be clearly marked and labelled.
- d) Section 3.24.14 shall not apply to buildings constructed prior to the date of passage of this By-law.

t) Adding new Section 3.37.4 d):

d) An Additional Residential Unit shall comply with the requirements of the Minimum Distance Separation Formulae

u) Amending the list of Permitted Uses in Section 5.2 as follows:

- Replacing “agriculturally-related commercial/industrial use” with “agriculturally-related commercial/industrial use subject to subsection 5.4.7 ”
- Replacing “single detached dwelling” with “single detached building”
- Replacing “single detached dwelling on an undersized lot in accordance with section 3.19 and subsection 5.4.5” with “single detached building on an undersized lot in accordance with section 3.19 and subsection 5.4.5”
- Adding “on-farm diversified use subject to subsection 5.4.8”

v) Replacing Section 5.4.4 with:

5.4.4 Additional Residential Units and Temporary Residential Buildings

Notwithstanding Section 3.37, Additional Residential Units and Temporary Residential Buildings may be permitted on a lot in the Agricultural (A) Zone subject to all other provisions of this By-law and the following:

- a) One Additional Residential Unit is permitted within a principal residential building or an accessory residential building;
- b) The combined total of a principal residential building, Additional Residential Unit and a garden suite shall not exceed two residential units on a lot;

- c) Temporary Residential Building(s) to accommodate part-time or seasonal operations of the farm are permitted and shall not be included in the calculation in b);
- d) An Additional Residential Unit or a Temporary Residential Building proposed on a lot that is smaller than 0.4 hectares in size with private onsite sewage disposal must be 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;
- e) Shall be situated a maximum distance of 30 m from the principal building.

w) Replacing Section 5.4.5 with:

5.4.5 Undersized Lots

- a) On an undersized lot of less than 4.0 ha in size complying with the conditions of subsection 3.21.4 and 3.21.5, a maximum of one single detached dwelling shall be permitted whether or not it is accessory to a permitted agricultural use, subject to the following requirements:
 - i) Front and Exterior Side Yard Depth (minimum) 10.0 m
 - ii) Interior Side Yard Width (minimum) 4.0 m
 - iii) Rear Yard Depth (minimum) 10.0 m
 - iv) Lot Coverage (maximum) 20% of lot area
- b) Dwellings shall not be erected or used except in accordance with Schedule "B", Minimum Distance Separation I (MDS I) to this By-law, and in no case shall a dwelling on an undersized lot be located closer than 300 m from any livestock buildings and/or manure storage facility on any lot containing an existing livestock agricultural use. The foregoing shall not apply to the alteration of existing dwellings or the replacement of an existing dwelling with a new dwelling on the same foundation thereof.
- c) Permitted accessory buildings, structures and uses to a dwelling on an undersized lot of less than 4.0 ha in size shall be in accordance with the regulations of section 3.1 for accessory buildings, structures and uses in a Residential Zone.

x) Adding new Section 5.4.6:

5.4.6 Surplus Farm Dwelling Lot

Where the County of Bruce, or its delegate, has approved the severance of a surplus farm dwelling property, the following provisions shall have effect:

- a) Notwithstanding the Agricultural (A) Zone Section 5.3 Regulations to the contrary, the height, yard setbacks, lot coverage, and ground floor area for legally existing buildings and structures are recognized;
- b) The property containing the surplus farm dwelling(s) and any accessory buildings or structures is recognized as an Undersized Lot in accordance with Section 5.4.5;
- c) All future buildings and structures, or additions to existing buildings and structures, shall comply with the provisions of this By-law;
- d) Where a dwelling does not exist on the remnant farm lot, the appropriate Zone Map in this By-law shall be amended to recognize the lands as 'A-1' Agricultural, whereby notwithstanding the provisions of Section 5.2 of this By-law to the contrary, no dwellings shall be permitted;
- e) The appropriate Zone Map in this By-law shall be amended for areas of high archaeological potential and may be zoned with a "H1" holding symbol in accordance with Section 4.4.

y) Adding new Section 5.4.7:

Section 5.4.7 Agriculture-Related Use

Agriculture-related uses directly related to, and compatible and supportive of, agricultural operations may be permitted subject to the following criteria:

- a) If a value-retaining use provides support to surrounding farm operations within a reasonable distance of the subject lands, it shall be considered an agriculture-related use;
- b) The majority of the product is to be related to local farm operations and commercial scale agriculture as a primary activity and shall not include as a primary activity goods or services that are normally required by the general public;
- c) The maximum lot coverage for an agriculture-related use shall not exceed 30% of the total lot area of the subject lands;
- d) The agriculture-related use must meet all applicable requirements of the Ontario Building Code, the Ontario Fire Code and requires an approved building permit to legally establish the use;
- e) An agriculture-related use shall be subject to the Province of Ontario's Minimum Distance Separation I (MDS I) and Minimum Distance Separation II (MDS II) Guidelines for compatibility between livestock facilities and sensitive land-uses when the use has a high level of human activity, such as food services or accommodations;
- f) Services required for the use proposed are provided on the same lot, to the satisfaction of Town Staff, and shall not have any negative impacts on neighboring and surrounding land uses;
- g) The agriculture-related use must be sensitive to the natural environment by minimizing impacts on watercourses, wetlands, groundwater resources or other environmentally sensitive features to the satisfaction of Town Staff;
- h) If required, permits are to be obtained from the appropriate Approval Authority; and the Town's Chief Building Official, in consultation with the Saugeen Valley Conservation Authority, is satisfied no negative environmental impacts will result and the proposal conforms to the natural hazard policies of the Town's Official Plan; and
- i) The agricultural use may offer both agriculture-related and on-farm diversified components, however, compliance with criteria for both categories of use would be required.

z) Adding new Section 5.4.8:

Section 5.4.8 On-Farm Diversified Use

On-farm diversified uses accessory to principal farming operations may be permitted subject to the following criteria:

- a) An on-farm diversified use(s) shall only be permitted secondary to an active agricultural use on the same lot;
- b) On-farm diversified uses that include agri-tourism, and value-added uses including that of micro-brewery or micro-distillery shall be directly related to the principal agricultural use;
- c) On-farm diversified use(s) shall not exceed a maximum of either one (1) hectare or two percent (2%) of the area of the lands on which the use is proposed, whichever is lesser;
- d) The gross floor area of all buildings or structures used for an on-farm diversified use shall not exceed twenty percent (20%) of the land area, as stated in clause (c);
- e) The land area and the area of existing buildings or structures built prior to April 30, 2014, occupied by on-farm diversified uses is discounted at the rate of fifty percent (50%). Where an on-farm diversified use uses the same footprint as a demolished agricultural

building, the land area for the on-farm diversified use may be similarly discounted by fifty percent (50%). All other land area and the area of buildings or structures is assessed at 100%;

- f) One hundred percent (100%) of the area needed for parking areas and outdoor storage for the on-farm diversified use shall be included in the area calculation;
 - g) Where an on-farm diversified use uses an existing farm laneway, or parking area, the area of the laneway or parking area shall not be included in the area calculations;
 - h) Agricultural events that are beyond the scale of an on-farm diversified use as per 5.4.8c) of this By-law being 2% of the area of lands on which the use is proposed or a maximum of 1 hectare shall only be permitted on a temporary basis per the requirements of the Town. Any Agricultural event shall provide on-site parking at a rate of 1 space per 25 square metres of event area and all other requirements within Section 5.4.8 of this By-Law;
 - i) Services required for the use proposed are provided on the same lot, to the satisfaction of Town Staff, and shall not have any negative impacts on neighboring and surrounding land uses;
 - j) An on-farm diversified use shall be subject to the Province of Ontario's Minimum Distance Separation I (MDS I) and Minimum Distance Separation II (MDS II) Guidelines for compatibility between livestock facilities and sensitive land-uses when the use has a high level of human activity, such as food services or accommodations;
 - k) The on-farm diversified use must be sensitive to the natural environment by minimizing impacts on watercourses, wetlands, groundwater resources or other environmentally sensitive features to the satisfaction of Town Staff;
 - l) If required, permits are to be obtained from the appropriate Approval Authority; and the Town's Chief Building Official, in consultation with the Saugeen Valley Conservation Authority, is satisfied no negative environmental impacts will result and the proposal conforms to the natural hazard policies of the Town's Official Plan; and
 - m) The agricultural use may offer both agriculture-related and on-farm diversified components, however, compliance with criteria for both categories of use would be required.
- aa) Amending the list of Permitted Uses in Section 6.2.1 as follows:
- Replacing "agriculturally-related commercial/industrial use" with "agriculturally-related commercial/industrial use subject to subsection 5.4.7"
 - Adding "on-farm diversified use subject to subsection 5.4.8"
- bb) Deleting "an additional 0.6 m for each additional or partial storey above the first storey" from Section 9.3 b) ii).
- cc) Deleting "an additional 0.6 m for each additional or partial storey above the first storey" from Section 10.3 b) ii).
- dd) Replacing Section 13.4.2 with:
- 13.4.2 Accessory Dwelling Unit
- Accessory dwelling units shall be permitted on a lot in the HC Zone, subject to the following regulations;
- a) The dwelling unit(s) shall be located behind a non-residential unit on the first floor or below a non-residential unit on the first floor or entirely above the first floor of the building, with exception to the entrance or entrances to the dwelling unit, all in accordance with Section 3.6.
- ee) Amending the list of Permitted Uses in Section 16.2 as follows:

- Adding “single detached building, semi detached building, duplex building, triplex building or fourplex building, subject to Section 16.4.5”

ff) Adding new Section 16.4.5:

16.4.5 Low Density Residential Uses

A single detached building, semi detached building, duplex building, triplex building or fourplex building shall be permitted on a lot in the CR Zone, subject to the following regulations:

- a) The building shall be subject to the Residential First Density (R1) zone and shall comply with the Residential First Density (R1) zone provisions;
- b) The building shall only be permitted as a secondary and ancillary use to the main permitted use; and
- c) The building shall only be permitted where both municipal water and sanitary services are provided.

gg) Replacing Section 20.3 g) with:

g) Building Height (maximum) 15.0 m

- 2) 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.

Read a First and Second Time this 16th day of December, 2024.

Read A Third Time, Finally Passed, and Sealed this 16th day of December, 2024.

Luke Charbonneau, Mayor

Sarah Bonderud, Deputy Clerk