

MEETING DATE: September 24, 2024
FROM: Nicky Kunkel, CAO Clerk-Treasurer
SUBJECT: Housekeeping Zoning Bylaw

RECOMMENDATION: that Council receive this report and delegate a draft housekeeping zoning bylaw with these matters to the Planning Advisory Committee with the assistance of the Planning Administrator, Clerk and Chief Building Official.

BACKGROUND

The Township of Bonfield began the Official Plan review in 2022 and the Ministry of Municipal Affairs and Housing received a draft in July of 2024. In this time there have been several changes to the Planning Act, a new Provincial Policy Statement as well as the introduction of new legislation to meet the province's goal of 1.5 million homes. Examples include *Cutting Red Tape Act to Build More Homes Act and the More Homes Built Faster Act*. Some of these new concepts and legislation have not been incorporated in the draft Official Plan provided to the Ministry. The Statutory Public meeting for the community to comment has not occurred as the timeline remains with the Ministry.

The intent is to complete a comprehensive review of the Township's Zoning Bylaw once the Official Plan is adopted. The timeline is realistically twelve to 18 months away. In the meantime, the Township needs to continue to address current trends and open policies to permit more housing development.

The Planning and Development staff have had meetings with residents who want to build smaller, more affordable dwellings for family members, they are seeking information and rules regarding shipping containers and hunt camps. Staff continue to experience contraventions in the rules for people living in non-dwelling buildings. Storage buildings are being built and used for purposes other than the intended and constructed purposes. There needs to be more defined rules for accessory structures prior to a primary use.

Residents want to do more with their property and a housekeeping bylaw will allow for changes to occur now and not wait two or more years.

ANALYSIS

Some of the new frequent questions posed to staff are outlined below.

1. Additional Dwelling Units

Additional Dwelling Units (ADUs) are ancillary and subordinate to the main dwelling unit on the property. The Township currently has policies for secondary dwelling units which this may expand upon. A secondary dwelling unit is permitted as long as one wall touching the main dwelling. There are policies for conversions as well for interior units within the primary unit.

The expanded policy would explore the potential of detached dwelling units, either within an accessory structure or as a standalone. The review must include property sizes, well and septic capabilities and approvals, parking and lot coverage along with minimum setbacks.

In general terms this could permit for an apartment above a garage or a dwelling unit in the back yard. All dwelling units must meet Building Code and Dwelling Occupancy standards.

2. Accessory Storage Structures

In 2024 the Building Code Act amended the maximum size for an accessory storage building from 108 square feet to 161 square feet that could be built without a building permit provided its only purpose is for storage. This means there is no plumbing or heating in the structure. They are not constructed to fire safety standards or for human habitation.

The existing zoning bylaw states that an accessory building shall not be erected prior to the erection of a permitted dwelling on the same lot except where it is necessary for the storage of tools and materials for the use in connection with the construction of such dwelling and no accessory building shall be used prior to the erection of such dwelling for any purpose other than such storage. This continues to be confusing for property owners who do use these structures for purposes other than storage and tighter rules are required. Many municipalities moved away from permitting accessory structures prior to the primary structure, being a dwelling or business.

The increase in the non-permitted size will further the noncompliance within the Township. A review of this policy should take place to protect the safety of residents, create a clearer understanding of the rules to maintain the character of the community and keep up to date with best practices.

3. Hunt Camps

The zoning bylaw currently does not permit hunt camps. It is common knowledge that there are hunt camps within the rural areas and it makes sense to create the appropriate policies within the planning framework to allow them. There are examples of solid policies that can assist in this including the minimum/maximum size, setbacks, and access.

4 Shipping Containers

These structures are becoming more popular, and staff are fielding questions regarding their ability to be used, how they are placed on a property and the permitting rules. With the new rules for larger storage structures residents are choosing the smaller shipping containers. Then staff field the calls from neighbours who do not like the containers. A framework for size and location will ensure rules are consistent and neighbourhood characteristics can be upheld to standards set by Council and residents.

Recommendation: That Council consider a housekeeping zoning bylaw with these four factors to address trends within the community. A full comprehensive review will be conducted within two years where there will be additional trends surfacing that need to be considered as well.

The process does include public engagement and a public meeting. Should Council consider the recommendation, once a draft is prepared the public will have an opportunity to comment.

Respectfully submitted
Nicky Kunkel, CAO Clerk-Treasurer